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PROCEEDINGS AND DEBATES OF THE 88th CONGRESS, FIRST SESSION

SENATE

THURSDAY, JANUARY 31, 1963

(Legislative day of Tuesday, January 15, 1963)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of our Fathers, bewildered by the wild confusion of this clamorous world, at noontide we would wait in quietness, that the roiled waters of agitated discussion may become clear and our disturbed spirits tranquil pools of prayer and peace.

We confess that unmindful of how fallible we are, forgetting that a humble and a contrite heart is the only sacrificial offering Thou dost require, too often pride of our own attitudes and opinions blinds us to the inadequacy of our own judgments.

In our personal, inner lives make us worthy of these days of global destiny in which our common humanity faces powers of malignant evil seeking to debauch and enslave Thy sons and daughters and Thine shall be the kingdom and the power and the glory. Amen.

THE JOURNAL

On request of Mr. RUSSELL, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 30, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of Frank Kowalski, of Connecticut, to be a member of the Subversive Activities Control Board for the term expiring April 9, 1967; Kenneth A. Cox, of Maryland, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1956, and Kenneth A. Cox, of Maryland, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1963; which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of House Resolution 207, the Speaker had appointed Mr. THOMPSON, of New Jersey, and Mr. KYL, of Iowa, members of the Committee on the Disposition of Executive Papers, on the part of the House.

The message also informed the Senate that the House had agreed to a resolution (H. Res. 208) electing members of the following joint committees, on the part of House:

Joint Committee on Printing: Mr. BURLESON, of Texas, Mr. HAYS, of Ohio, and Mr. SCHENCK of Ohio.

Joint Committee on the Library: Mr. BURLESON, of Texas, Mr. JONES, of Missouri, Mr. THOMPSON, of New Jersey, Mr. SCHENCK, of Ohio, and Mr. CORBETT, of Pennsylvania.

TRANSACTION OF ROUTINE BUSINESS

Mr. RUSSELL. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and joint resolutions and for the transaction of routine business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. RUSSELL. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair appoints the Senator from Ohio [Mr. YOUNG] to the United Nations Cultural and Scientific Technical Conference, to be held at Geneva, Switzerland, February 4 to 20, 1963.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON REPROGRAMING AT ATLANTIC MISSILE RANGE, CAPE CANAVERAL, FLA.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on reprograming at launch complex No. 12, Atlantic Missile Range, Cape Canaveral, Fla.; to the Committee on Aeronautical and Space Sciences.

REPORT ON REPROGRAMING OF PROJECT AT LEWIS RESEARCH CENTER, CLEVELAND, OHIO

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the reprograming of the project at Lewis Research Center, Cleveland, Ohio; to the Committee on Aeronautical and Space Sciences.

FEDERAL AGRICULTURE SERVICES FOR GUAM

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to establish Federal agricultural services to Guam, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT ON PROGRESS OF ARMY ROTC FLIGHT TRAINING PROGRAM

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on the progress of the Army Reserve Officers' Training Corps flight training program, covering the period January 1, 1962, to December 31, 1962 (with an accompanying report); to the Committee on Armed Services.

REPORT ON NAVAL MILITARY CONSTRUCTION CONTRACTS AWARDED WITHOUT FORMAL ADVERTISING

A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting, pursuant to law, a report on naval military construction contracts awarded without formal advertising, covering the period January 1, 1961, through June 30, 1962 (with an accompanying report); to the Committee on Armed Services.

REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES IN FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of November 30, 1962 (with an accompanying report); to the Committee on Commerce.

STATEMENT OF RECEIPTS AND EXPENDITURES OF THE CHESAPEAKE & POTOMAC TELEPHONE CO.

A letter from the vice president, the Chesapeake & Potomac Telephone Co., Washington, D.C., transmitting, pursuant to law, a statement of receipts and expenditures of that company for the year 1962 (with accompanying papers); to the Committee on the District of Columbia.

Extension of Time for Filing Report by D.C. Transit System, Inc.

A letter from the vice president and comptroller, D.C. Transit System, Inc., Washington, D.C., requesting an extension of 60 days on the time for filing a report by that system; to the Committee on the District of Columbia.

Amendment of Arms Control and Disarmament Act, To Increase the Authorization for Appropriations

A letter from the Director, U.S. Arms Control and Disarmament Agency, Washington, D.C., transmitting a draft of proposed legislation to amend the Arms Control and Disarmament Act in order to increase the authorizations for appropriations and to modify the personnel security procedures for contractor employees (with an accompanying paper); to the Committee on Foreign Relations.

Report on Review of Certain Unusual Aspects of Retirement Provisions for Enlisted Personnel, U.S. Coast Guard

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of certain unusual aspects of retirement provisions for enlisted personnel, U.S. Coast Guard, Treasury Department, dated January 1963 (with an accompanying report); to the Committee on Government Operations.

Reservation of Certain Public Lands at Cuddeback Lake Air Force Range, Calif., for Defense Purposes

A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation to provide for the withdrawal and reservation for the use of the Department of the Air Force of certain public lands of the United States at Cuddeback Lake Air Force Range, Calif., for defense purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Financial Statement of Legion of Valor

A letter from the corporation agent, Legion of Valor of the United States of America, Inc., Washington, D.C., transmitting, pursuant to law, the financial statement of that organization, covering the period August 1, 1961, to July 31, 1962 (with accompanying papers); to the Committee on the Judiciary.

Amendment of Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961

A letter from the Chairman, United States of America Railroad Retirement Board, Chicago, Ill., transmitting a draft of proposed legislation to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes (with an accompanying paper); to the Committee on Labor and Public Welfare.

Report on Positions Filled in Certain Grades of Classification Act of 1949

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS-16, GS-17, GS-18, covering the calendar year 1962 (with an accompanying report); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Legislature of the State of New Mexico; to the Committee on Finance:

"House Memorial 1

"Memorial to the Congress and President of the United States asking them to put the lumber industry of the United States on an equitable basis with foreign industry

"Whereas there is no shortage of timber for the production of lumber and related items in the United States; and

"Whereas there is a need to increase the cut from overmature forests to prevent excessive loss from decay, disease, and other causes; and

"Whereas U.S. lumber manufacturing firms pay the highest wages and provide working conditions equal to or better than similar firms in other countries; and

"Whereas lumber manufacturing firms in the United States are losing their home markets to foreign firms, especially Canada, due to advantages such as depreciated currency, low stumpage rates, noncompetitive bidding, less costly and restrictive forest practices, lower wage rates, high tariff rates on lumber shipped to Canada, low charter rates for coastal and intercoastal shipping, and cooperative government; and

"Whereas lumber imports from Canada are increasing yearly at an alarming rate and now constitute about one-sixth of the annual consumption of lumber in the United States; and

"Whereas unemployment in the lumber industry of the United States is increasing with resultant loss of wages to the workers, loss of taxes and income to taxing bodies and communities: Now, therefore, be it

"*Resolved by the Legislature of the State of New Mexico,* That the Congress and President of the United States are respectfully petitioned to give immediate attention to, and request action necessary, to place the lumber industry of the United States on an equitable and competitive basis with foreign manufacturers through the use of a quota system or other means, including the requirement that imported lumber be marked to show the country of origin, to the end that domestic manufacturers are not placed at a disadvantage with resultant loss of markets, reduction of employment, loss of taxes and deterioration of communities; and be it further

"*Resolved,* That copies of this memorial be transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives, and to the New Mexico delegation to the Congress of the United States.

"Signed and sealed at the capitol, in the city of Santa Fe.

"Bruce King,
"*Speaker, House of Representatives.*
"Albert Romero,
"*Chief Clerk, House of Representatives.*"

A joint resolution of the Legislature of the State of Colorado; to the Committee on Finance:

"Senate Joint Memorial 2

"Joint memorial memorializing the Congress of the United States and the President of the United States to take action necessary to place the lumber industry of the United States on an equitable and competitive basis with foreign manufacturers

"Whereas there is no shortage of timber for the production of lumber and related items in the United States; and

"Whereas there is a need to increase the cut from overmature forests to prevent excessive loss from decay, disease, and other causes; and

"Whereas lumber manufacturing firms in the United States pay the highest wages and provide working conditions equal to or better than similar firms in other countries; and

"Whereas such lumber manufacturing firms are losing their home markets to foreign firms, especially Canada, due to advantages such as a depreciated currency, low stumpage rates, noncompetitive bidding, less costly and restrictive forest practices, lower wage rates, high tariff rates on lumber shipped to Canada, low charter rates for coastal and intercoastal shipping, and cooperative governments in such foreign countries; and

"Whereas lumber imports from Canada are increasing yearly at an alarming rate and now constitute about one-sixth of the annual consumption of lumber in the United States; and

"Whereas unemployment in the lumber industry of the United States is increasing with resultant loss of wages to the workers and loss of taxes and income to taxing bodies and communities: Now, therefore, be it

"*Resolved by the Senate of the Forty-fourth General Assembly of the State of Colorado (the House of Representatives concurring herein),* That the Congress and the President of the United States be hereby respectfully petitioned to give immediate attention to and request action necessary to place the lumber industry of the United States on an equitable and competitive basis with foreign manufacturers, through the use of a quota system or other means, including the requirements that imported lumber be marked to show the country of origin, to the end that domestic manufacturers are not placed at a disadvantage with resultant loss of markets, reduction of employment, loss of taxes, and deterioration of communities; and be it further

"*Resolved,* That a copy of this memorial be transmitted to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and the Members of Congress from the State of Colorado.

"Robert L. Knous,
"*President of the Senate.*
"Mildred H. Cresswell,
"*Secretary of the Senate.*
"John D. Vanderhoof,
"*Speaker of the House of Representatives.*
"Donald H. Henderson,
"*Chief Clerk of the House of Representatives.*"

By Mr. SALTONSTALL:

A resolution adopted by the City Council of the City of Fall River, Mass.; to the Committee on Post Office and Civil Service:

"Whereas there has been a move made to process some of Fall River's mail through the automatic post office in Providence; and

"Whereas such a move may endanger positions in the Fall River postal department which in turn could affect the economy of Fall River: Therefore be it

"*Resolved,* That this city council go on record requesting that the postal authorities reconsider said move and have Fall River's mail handled by postal officials and employees in Fall River's post offices.

"In city council, January 22, 1963, adopted.

"Attest:

"James T. Carey,
"*City Clerk.*"

INVESTIGATION OF ADMINISTRATION, OPERATION, AND ENFORCEMENT OF INTERNAL SECURITY ACT (S. REPT. NO. 5)

Mr. EASTLAND, from the Committee on the Judiciary, submitted a report to accompany the resolution (S. Res. 62) to investigate the administration, operation, and enforcement of the Internal Security Act, reported by him on January 24, 1963, and referred to the Committee on Rules and Administration; which report was ordered to be printed and referred to the Committee on Rules and Administration.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN (for himself and Mr. Simpson):

S. 603. A bill relating to the appointment of the Director and Associate Director of the Federal Bureau of Investigation; to the Committee on the Judiciary.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 604. A bill to require that Government agencies holding certain obligations offer such obligations for public sale to the extent practicable; to the Committee on Banking and Currency.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself and Mr. Scott):

S. 605. A bill to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in Independence National Historical Park, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself, Mr. Case, Mr. Javits, Mr. Scott, and Mr. Williams of New Jersey):

S. 606. A bill to authorize establishment of the Tocks Island National Recreation Area in the States of Pennsylvania and New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 607. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself and Mr. Hill):

S. 608. A bill to make cotton available to domestic users at prices more competitive with prices foreign users pay for cotton, to authorize the Secretary to permit cotton growers to plant additional acreage for the 1963 and succeeding crops of upland cotton, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. CANNON:

S. 609. A bill to amend the Internal Revenue Code of 1954 to allow an additional exemption of $600 to a taxpayer for each dependent son or daughter under the age of 23 who is a full-time student above the secondary level at an educational institution; to the Committee on Finance.

(See the remarks of Mr. Cannon when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (by request):

S. 610. A bill for the relief of Erman-Howell division, Luria Steel & Trading Corp.; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 611. A bill for the relief of Michael Kalligeros; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 612. A bill to amend the Immigration and Nationality Act to provide that any territory over which the United States has jurisdiction under a treaty shall be regarded as a separate quota area; to the Committee on the Judiciary.

By Mr. KEATING:

S. 613. A bill for the relief of Benedetto Barretta; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. Mechem):

S. 614. A bill to authorize the Secretary of the Interior to make water available for a permanent pool for recreation purposes at Cochiti Reservoir from the San Juan-Chama unit of the Colorado River storage project; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSTON:

S. 615. A bill to amend the Federal Employees' Group Life Insurance Act of 1954, as amended, so as to provide for an additional unit of life insurance; to the Committee on Post Office and Civil Service.

By Mr. JOHNSTON (by request):

S. 616. A bill to amend section 131 of title 13, United States Code, so as to provide for taking of the economic censuses 1 year earlier starting in 1968;

S. 617. A bill to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act;

S. 618. A bill to define the term "child" for lump-sum payment purposes under the Civil Service Retirement Act; and

S. 619. A bill to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce; to the Committee on Post Office and Civil Service.

By Mr. FONG (for himself and Mr. Inouye):

S. 620. A bill to amend the Civil Service Retirement Act so as to permit retirement of employees with 30 years of service on full annuities without regard to age; to the Committee on Post Office and Civil Service.

By Mr. PASTORE:

S. 621. A bill to create or charter a corporation by act of Congress; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 622. A bill to improve and encourage collective bargaining between the management of the Alaska Railroad and representatives of its employees, and to permit to the extent practicable the adoption by the Alaska Railroad of the personnel policies and practices of the railroad industry; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. BARTLETT (for himself and Mr. Gruening):

S. 623. A bill to provide for a program of agricultural land development in the State of Alaska; to the Committee on Agriculture and Forestry.

S. 624. A bill to authorize the coinage of 50-cent pieces in commemoration of the 100th anniversary of the purchase of Alaska from Russia; to the Committee on Banking and Currency.

S. 625. A bill to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities"; to the Committee on Labor and Public Welfare.

S. 626. A bill to increase the limitation on payments for construction engineering for Federal-aid primary, secondary and urban projects; to the Committee on Public Works.

(See the remarks of Mr. Bartlett when he introduced the last two above-mentioned bills, which appear under separate headings.)

By Mr. BARTLETT (for himself, Mr. Magnuson, Mr. Jackson, Mr. Gruening, and Mr. Williams of New Jersey):

S. 627. A bill to promote State commercial fishery research and development projects, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (by request):

S. 628. A bill to amend the District of Columbia Redevelopment Act of 1945; to the Committee on the District of Columbia.

By Mr. MAGNUSON (by request):

S. 629. A bill to provide for the alteration, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government-owned airports under the jurisdiction of the Administrator of the Federal Aviation Agency, and for other purposes;

S. 630. A bill to amend the act of October 9, 1940 (54 Stat. 1030, 1039), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes; and

S. 631. A bill to provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under separate headings.)

By Mr. DOUGLAS:

S. 632. A bill for the relief of Paul James Branan;

S. 633. A bill for the relief of Michelle Su Zehr (Lim Myung Im);

S. 634. A bill for the relief of Kie-Young Shim (also known as Pete Shim); and

S. 635. A bill for the relief of Krystyna Rataj; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 636. A bill for the relief of Gustava Juan Sanchez; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 637. A bill for the relief of Ljubica Dajcinovic; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. Dominick):

S. 638. A bill to authorize modification of the repayment contract with the Grand Valley Water Users' Association; to the Committee on Interior and Insular Affairs.

By Mr. McCARTHY:

S. 639. A bill to amend the Internal Revenue Code of 1954 to allow an additional exemption for a taxpayer, spouse, or dependent who is totally disabled;

S. 640. A bill to amend the Internal Revenue Code of 1954 to allow an additional exemption for a dependent who is blind;

S. 641. A bill to amend the Internal Revenue Code of 1954 to allow an additional exemption for a dependent who has attained age 65;

S. 642. A bill to amend the Internal Revenue Code of 1954 to increase to $2,400 the maximum deduction for the care of certain dependents, to allow such deduction to married men, and for other purposes;

S. 643. A bill to amend the Internal Revenue Code of 1954 to remove the requirement that deductible medical and dental expenses be reduced by an amount equal to 3 percent of adjusted gross income; and

S. 644. A bill to amend the Internal Revenue Code of 1954 to remove the limitation on the deductibility of amounts paid for medicine and drugs for taxpayers and their spouses who have attained age 65 and for dependent parents who have attained age 65; to the Committee on Finance.

By Mr. FULBRIGHT:

S. 645. A bill to amend section 5 of the Federal Alcohol Administration Act, as amended, to provide a definition of the term "age" as used in the labeling and advertising of whisky; to the Committee on Finance.

S. 646. A bill to prohibit the location of chanceries or other business offices of foreign governments in certain residential areas in the District of Columbia; to the Committee on the District of Columbia.

(See the remarks of Mr. Fulbright when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 647. A bill to authorize payment of a claim made by the Government of the United Kingdom of Great Britain and Northern Ireland; to the Committee on Foreign Relations.

(See the remarks of Mr. Fulbright when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Dirksen, Mr. Douglas, Mr. Morton, Mr. Cooper, Mr. Hartke, Mr. Kuchel, Mr. Keating, and Mr. Bayh):

S. 648. A bill making the birthday of Abraham Lincoln a legal holiday; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE (for himself and Mr. Humphrey):

S. 649. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate or navigable waters, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

STUDY OF STRATEGIC AND CRITICAL STOCKPILING BY COMMITTEE ON ARMED SERVICES

Mr. SYMINGTON submitted the following resolution (S. Res. 79); which was referred to the Committee on Armed Services:

Resolved, That the Committee on Armed Services, or its Subcommittee on the National Stockpile and Naval Petroleum Reserves, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the acquisition, storage, and disposal of strategic and critical materials necessary for the common defense.

Sec. 2. For the purpose of this resolution the committee, from February 1, 1963, to May 1, 1963, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The expenses of the committee under this resolution, which shall not exceed $6,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

APPOINTMENT OF DIRECTOR AND ASSOCIATE DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Mr. DIRKSEN. Mr. President, the record of the Federal Bureau of Investigation for 1962, under the diligent and expert leadership of J. Edgar Hoover, is truly spectacular; and especially noteworthy is the fact that this effective agency of the Government is self-sustaining. Fines, savings, and recoveries exceeded the amount expended to operate the FBI during 1962.

The release issued by the FBI on December 27, 1962, is an interesting summary of some of the FBI activities during the year, and merits inclusion in the Record. I ask, therefore, that this summation be made a part of my remarks.

There being no objection, the release was ordered to be printed in the Record, as follows:

U.S. Department of Justice,
Federal Bureau of Investigation,
December 27, 1962.

In a year end report to Attorney General Robert F. Kennedy concerning the operations of the FBI during 1962, Director J. Edgar Hoover has disclosed that marked increases were recorded in all major categories of FBI accomplishment in the past year.

According to Mr. Hoover, final tabulations for 1962 will show:

More than 12,700 convictions in FBI cases, compared with 12,418 in 1961;

The apprehension of some 11,400 FBI fugitives, compared with 10,668 last year; and

Fines, savings, and recoveries totaling well over $200 million compared with $148,421,690 in 1961. This figure far exceeds the amount of funds spent to operate the FBI during 1962, he stated.

Among other achievements noted by the FBI Director were the location of some 19,000 stolen automobiles in investigations under the interstate transportation of stolen motor vehicles statute, and the apprehension of nearly 2,500 offenders who were being sought at the request of State and local authorities for fleeing across State lines in violation of the Fugitive Felon Act.

In citing individual crime problems confronting his Bureau, Mr. Hoover called attention to a sharp increase in violations of the Federal bank robbery and incidental crimes statute. "An average of 100 robberies, burglaries, and larcenies of banks and other financial institutions covered by this statute have been reported to the FBI each month this year," he stated. "This represents an increase of approximately 25 percent over the number committed in 1961."

The FBI Director also commented upon his Bureau's extensive activities in the field of civil rights, calling particular attention to investigations of a series of church burnings in Georgia last August and September. "Based upon indications that the purpose of these acts was to discourage Negroes from voting, the FBI instituted intensive investigation which led to the prompt solution of the September 17 burning of a church in Terrell County, Ga., and to the arrests of two persons for a church burning near Leesburg, Ga., on August 15," he stated.

Highlights of FBI accomplishments in combating organized crime and racketeering included the solution of the murder last year of Chicago union official John Kilpatrick by two Detroit hoodlums. The evidence gathered by the FBI was turned over to Illinois authorities for trial of the two men in local court. One pleaded guilty; the other stood trial and, upon conviction, was sentenced to serve up to 150 years imprisonment.

Other information gathered and disseminated by the FBI led to the smashing of an international narcotics ring during 1962 and the seizure of illicit drugs valued at well over $20 million.

"Data regarding matters such as these were among the more than 100,000 items of criminal intelligence information which we furnished to other law enforcement agencies during the past year," Mr. Hoover reported. Included were items received from FBI confidential informants which, when passed along to the authorities concerned, resulted in the arrests of more than 2,400 persons and the recovery of stolen and contraband valuables totaling nearly $32,500,000 by other agencies.

In his report to the Attorney General, Mr. Hoover emphasized the continuing threat posed by the Communist Party, USA, and other subversive organizations within the United States. "During even the most critical moments of the Cuban crisis, the party openly proved its loyalty to the International Communist cause. Its members stood unwaveringly opposed to our country's efforts to stop the Soviet Union's buildup of offensive military equipment in Cuba and to assure the removal of such weapons already there," he said.

Highlighting the FBI's accomplishments in the domestic intelligence field were the seizure of a cache of explosives equipment and the arrests of three pro-Castro Cubans on sabotage conspiracy charges last month. One of the arrested men was a newly arrived attaché of the Cuban mission to the United Nations. Two other members of the Cuban mission to the United Nations, both protected by diplomatic immunity, were also named as members of this plot.

Other domestic intelligence accomplishments during 1962 cited by the FBI Director include the arrest of Nelson C. Drummond, a Navy enlisted man, in the act of passing classified military information to the Russians; the conviction of Mark Zborowski on perjury charges arising from his denial before a Federal grand jury that he knew self-admitted Soviet Spy Jack Soble; and the dissemination of intelligence information which resulted in persona non grata declarations and related action against several official representatives of Communist-bloc nations.

Mr. Hoover also called attention to the prosecutive action instituted by the Justice Department against the Communist Party and individual party leaders. "Based upon witnesses and information located by the FBI, the Communist Party, as an organization, was convicted on December 17 and fined $120,000 for failure to register with the Attorney General under the Internal Security Act of 1950. Two of the party's top officials, Gus Hall and Benjamin J. Davis, Jr., have also been indicted and are awaiting trial for violating this Federal statute.

"In addition, Artie Brown, San Francisco area member of the International Longshoremen's and Warehousemen's Union, was convicted under the provision of the Labor-Management Reporting and Disclosure Act which prohibits Communists or persons who have been party members within a period of 5 years from holding union office," he reported.

Expressing appreciation for the assistance which the FBI receives from other law enforcement agencies, Mr. Hoover said that 1962 witnessed a further strengthening of the bonds of mutual cooperation throughout the entire law enforcement profession. "Our Bureau has come to rely heavily upon the help which it receives from other authorities. We deem it a privilege to reciprocate whenever possible," he stated.

Among the cooperative services which the FBI renders other agencies are cost-free examinations of evidence, comparisons and identifications of fingerprints, and assistance in police training schools.

During 1962, the FBI Laboratory conducted nearly 236,000 scientific examinations of evidence at the request of authorities in all 50 States. As in the past, many of these examinations assisted local police in identifying wrongdoers. Others helped to establish the innocence of falsely accused persons.

The Identification Division, which serves as the national repository for fingerprint identifying data, received an average of more than 23,000 fingerprint cards for processing every working day throughout this 12-month period. As the year ended, its files contained nearly 165,600,000 sets of fingerprints representing an estimated 77 million persons.

During 1962, the FBI Disaster Squad, a group of fingerprint experts who are available to assist in identifying bodies of disaster victims, was dispatched to the scenes of several major tragedies, including air crashes in Montana, New York, Missouri, Ohio, and Maryland, as well as in France.

The FBI also assisted, upon request, in more than 3,600 local and regional police schools. Additionally, two sessions of the FBI National Academy were held. Including the 165 men who attended these two sessions, 4,258 officers have completed the National Academy's 12-week course of advanced training since its founding in 1935.

Mr. DIRKSEN. Mr. President, in that connection, let me point out that in the last Congress I introduced a bill requiring Senate confirmation of the appointee as Director of the FBI, after the present incumbent ceases to serve. Mr. President, I introduce for myself and the Senator from Wyoming [Mr. SIMPSON] a bill relating to the appointment of the Director and Associate Director of the Federal Bureau of Investigation; and I ask unanimous consent to have printed in the RECORD an editorial under the caption "Who Will Fill Hoover's Shoes?" which was published in the St. Louis Globe-Democrat. I ask unanimous consent that the bill be printed in the RECORD in connection with my remarks, and also referred to the appropriate committee, and that the statement I made last year in that connection also be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, editorial, and statement will be printed in the RECORD.

The bill (S. 603) relating to the appointment of the Director and Associate Director of the Federal Bureau of Investigation, introduced by Mr. DIRKSEN, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) effective as of the day following the date on which the present incumbent in the office of Director ceases to serve as such, the Director of the Federal Bureau of Investigation shall (1) be appointed by the President, by and with the advice and consent of the Senate, for a term of fifteen years, (2) shall receive compensation at the rate of $22,000 per annum, and (3) shall not be eligible for reappointment to that office.

(b) Effective as of the day following the date on which the present incumbent in the office of Associate Director ceases to serve as such, the Associate Director of the Federal Bureau of Investigation shall (1) be appointed by the President, by and with the advice and consent of the Senate, for a term of fifteen years, and (2) shall not be eligible for reappointment to that office.

The editorial and statement presented by the Senator from Illinois [Mr. DIRKSEN] are as follows:

[From the St. Louis Globe-Democrat, July 16, 1962]

WHO WILL FILL HOOVER'S SHOES?

J. Edgar Hoover, Director of the Federal Bureau of Investigation for the last 38 years, is 67 years old. He is only 3 years away from the age of compulsory retirement—unless the President gives him a waiver. The Globe-Democrat strongly believes it is in the national interest to keep Mr. Hoover in his job regardless of age, just as long as he is physically and mentally fit to hold it down.

The FBI Director is an institution in Washington. His flawless handling of one of the most sensitive positions in the Government—and his national reputation—have enabled him to stay on despite changes in administration.

This is fortunate for the country. The FBI is the Nation's first line of defense against Communist infiltration and espionage. This agency has been an effective guardian of the national security without engaging in witch hunts. But it has been effective for two reasons.

One, it has been kept above politics.

Two, its able Director, is also a vigilant anti-Communist, who knows that the members of the party, both foreign and domestic, are dedicated enemies of our way of life.

At times, in the past, Mr. Hoover seemed to be the only key Government official in Washington who had the Communist Party's number. Today, there are many who would prefer to class it as merely another political party, like the Republicans or Democrats, and entitled to the same rights and privileges.

Of course, one of these privileges would be freedom from FBI surveillance.

At some time, this important post of FBI Director will have to be filled by another man. Mr. Hoover is indispensable, but not immortal.

The Nation must insure, as well as it can, that this position of trust is not handed out to a party wheelhorse or to a weak, pliant, or untrustworthy man who would relax the FBI's vigilance.

This week, Congress woke up to the fact there is presently no protection against either of these dangers. The head of the FBI is merely another civil servant whom the Attorney General can choose at will—like a stenographer.

This is true even though the Director heads an agency which has 13,776 employees and a budget of $127,016,000 a year.

Senator EVERETT DIRKSEN, Illinois Republican, has introduced a bill which would provide some insurance that a worthy successor will fill Mr. Hoover's shoes, when he leaves. His bill would require that the Director of the FBI be appointed by the President, for a 15-year term, subject to the approval of the U.S. Senate.

Presidential appointment and Senate approval is required for other major executive appointments. The Director of the FBI, who is vested with vast power as head of the Nation's chief investigative agency, certainly falls in that class.

STATEMENT BY MR. DIRKSEN ON JULY 10, 1962

Mr. DIRKSEN. Mr. President, in my work on the Senate Judiciary Committee I discovered that, strangely enough, the Director of the Federal Bureau of Investigation is not legally required to be appointed by the President, nor is confirmation by the Senate required.

The FBI actually began as an agency of Government on July 26, 1908, under President Theodore Roosevelt, and was created because no investigative arm existed in the Department of Justice. Action to create the agency was taken by the then Attorney General, Charles J. Bonaparte, who issued an order creating an investigative agency within the Department. On March 4, 1909, Attorney General Wickersham gave this agency a secure place and the dignity of the title. It was called the Bureau of Investigation. From then on until 1924 it had a number of directors, including Stanley W. Finch, A. Bruce Bielaski, William J. Flynn, and later William J. Burns, the well-known international detective.

The appointment of Mr. Burns became effective on August 18, 1921, under President Harding. A shakeup occurred in the Department of Justice, whereby J. Edgar Hoover, then 26 years of age, found himself transferred from his position as Special Assistant to the Attorney General to the position of Assistant Director of the FBI. He was placed on the Federal payroll at an annual salary of $4,000.

On March 28, 1924, President Coolidge demanded and received the resignation of Attorney General Daugherty, and in his place appointed Harlan Fiske Stone. About 6 weeks later Mr. Burns resigned as Director of the FBI; and on the day after his resignation, the Attorney General named J. Edgar Hoover, then age 29, as Acting Director, on the recommendation of Herbert Hoover, who then was Secretary of Commerce.

J. Edgar Hoover advised the Attorney General that he would take the position "on condition that the Bureau must be divorced from politics and not be a catchall for political hacks—appointments must be made on merit; promotions would be made on proved ability, and the Bureau would be responsible only to the Attorney General." To this the Attorney General replied by saying "I wouldn't give it to you under any other condition."

It was under the guidance of Attorney General Stone that J. Edgar Hoover took command of the FBI, first as Acting Director, and 7 months later as Director. He became Director on December 10, 1924, and has remained so to the present day. This means that on December 10, 1962, J. Edgar Hoover will have served continuously as Director of the FBI for a period of 38 years.

The growth of the FBI has been phenomenal and necessary, in order to meet the problems which come within its constantly expanding jurisdiction. The latest figures indicate that the appropriation estimate for the FBI for the fiscal year 1962 was $127,216,000, and that it had on the rolls, as of June 30, 1962, a total of 13,776 employees.

The Director of the FBI serves under the Attorney General, is not a presidential appointee, and does not require Senate confirmation. Legislative action with respect to the Bureau was limited mainly to appropriations, salary, and retirement and pension changes, and so forth. It occurs to me that the importance of the agency, its growth, and its value to the law-enforcing agencies at all levels of Government would make it eminently desirable that the Director of the FBI be appointed by the President of the United States and that his appointment be confirmed by the Senate. For this reason, I introduce a bill which, in effect, states that as of the day following the date on which the present incumbent of the office of Director of the FBI ceases to serve as such, his successor shall be appointed by the President, by and with the advice and consent of the Senate, for a term of 15 years; that he shall not be eligible for reappointment; and that he shall be compensated at the rate of $22,000 a year. The same would apply to the Associate Director, except that his compensation would not be fixed by statute.

THE DEFICIT BUDGET

Mr. DIRKSEN. Mr. President, when I first saw the budget which this administration sent to the Congress a few days ago, I was reminded of some words of one of our great American Presidents who came from what we shall now have to call the Old Frontier at a time when the traditions and ideals of this Nation were still being formed. He came from a people whose hard work and sacrifice—yes, I use the word "sacrifice" because it is not a new idea in this country—have given us the plenty which we have today. It was 100 years ago, in 1863, that Abraham Lincoln said the question was whether this Nation or any nation so conceived and so dedicated could long endure.

Those words have been coming back to me with ever-increasing frequency in the past few days because the budget presented by this administration is really a test of whether this Nation or any nation with such a budget can long endure. With a budget of almost $100 billion and an estimated deficit of over $11 billion, it means that $1 out of every $9 in the budget is a debt dollar. How many of us, or, indeed, how many nations, could long endure if $1 out of every $9 which we spent was a debt dollar? And this great deficit is in the face of the reassurances given to us by this administration and by the President in his state of the Union message that "at home the recession is behind us" and "now, when the inflationary pressures of the war and postwar years no longer threaten—now, when no military crisis strains our resources."

How can a nation which has its recession behind it, at a time when no military crisis drains its resources, long endure if it plunges headlong into such a vast deficit budget?

I have already commented that I do not see how it is wise or sound at this time to cut the budget income unless budget expenses are also substantially reduced. This country has grown great and strong because people have saved out of their incomes and invested those savings productively so that the total wealth of the country has been increased. When the expenses of our forefathers exceeded their income and savings they turned to the pictures on the wall before going into debt.

Perhaps I am still too close to that homespun economic view. But I find it difficult to envision the need, at a time when we are not faced with crisis as the President said in the state of the Union message, to plunge headlong into deficit spending without first taking a look at the pictures we have on the wall to see whether they might not be used instead of adding a further mortgage on our future and on our children's future. As I thought about the possibility, I was reminded of a bill which I introduced in the Congress 22 years ago this month. It was given the number H.R. 2080 and it was referred to the Committee on Banking and Currency. In essence the bill provided that the Government should liquidate the portfolio of the Home Owners Loan Corporation as rapidly as possible consistent with affording full protection to the borrowers on their loans, by selling those loans to banks and other buyers and putting the cash from the sale in the public till.

In those days we did not have as many pictures on the wall as we do today. Now the safety deposit boxes of the Government are crammed full of obligations of every type on which the Government has loaned money. With all of those Government assets in the box, on the wall, or tucked under the mattress—I do not care what figure of speech is used—I propose that we go about an orderly program of selling some of them instead of incurring still more Government debt. To that end I have prepared, and I now introduce for appropriate reference, a bill to require the Government agencies holding obligations to offer those obligations for public sale to the extent practicable. I include within the meaning of the term "obligation" all those various types of notes and bonds on which this Government has loaned money. In order to provide the necessary coordination between the various agencies of the Government in such sales I have provided that the sale shall be consistent with the recommendations of a committee, appointed by the President, having the Secretary of the Treasury as its Chairman.

I hope that this bill will receive the earnest consideration of the administration and the Congress as a means by which we may reduce the Government need to plunge further into debt. In this connection I note that in his Economic Report, transmitted to the Congress this week, the President made reference to the work of an interagency committee which he had appointed to review the appropriate role of Federal lending and credit guarantee programs, and I hope it was that work which led to the statement of the President in his budget message that there would, or should be a decrease in the budget expenditures "for certain housing, international, and other lending programs, through substitution of private for public credit." If this is a step, it is a step in the right direction.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 604) to require that Government agencies holding certain obligations offer such obligations for public sale to the extent practicable, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on Banking and Currency.

PROPOSED ADDITION OF SITE OF GRAFF HOUSE TO INDEPENDENCE NATIONAL HISTORICAL PARK

Mr. CLARK. Mr. President, on behalf of my colleague from Pennsylvania [Mr. SCOTT] and myself, I introduce, for appropriate reference, a bill which would authorize the Secretary of the Interior to acquire the site of the Jacob Graff House in Philadelphia for inclusion in Independence National Historical Park.

Thomas Jefferson wrote the original draft of the Declaration of Independence in June 1776, while renting—at 35 shillings a week—two furnished rooms on the second floor of the Graff House. The site is now occupied by a hotdog stand.

Remnants of the original building and its contents, including a letter by Jefferson himself, are still in existence. A committee of public-spirited Philadelphians has been formed which will raise the funds to rebuild the house. They propose to dedicate it as a Library of Documents of Freedom.

The Declaration of Independence has lost none of its pertinence to the problems of today, when all over the world men are seeking to throw off the yoke of tyranny.

I hope the Congress will move quickly to consider and approve this bill to acquire the site of the Jacob Graff House, as unique to our history as Independence Hall itself.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 605) to authorize the Secretary of the Interior to acquire the Graff House site for inclusion in Independence National Historical Park, and for other purposes, introduced by Mr. CLARK (for himself and Mr. SCOTT), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PROPOSED ESTABLISHMENT OF THE TOCKS ISLAND NATIONAL RECREATION AREA, PA. AND N.J.

Mr. CLARK. Mr. President, I introduce, for appropriate reference, a bill authorizing the establishment of the Tocks Island National Recreation Area in the States of Pennsylvania and New Jersey.

Sponsors of the bill include my colleagues, the junior Senator from Pennsylvania [Mr. SCOTT], both Senators from the State of New Jersey [Mr. CASE and Mr. WILLIAMS], and the senior Senator from New York [Mr. JAVITS].

This bill gives us a superlative opportunity to provide Federal recreation facilities in the heart of the most densely populated region of the United States.

It is unfortunate that, for historical and economic reasons, most Federal recreation lands are located where there are few families who can enjoy them frequently, while in metropolitan areas of the country, particularly in the East, millions go begging for the opportunity to enjoy diversified recreation close to home.

Approximately 15 percent of the American population resides in the Far West, for example, yet 72 percent of the Nation's recreational lands are in that region. In the Northeast, where more than a fourth of all Americans live, only four percent of the country's recreational facilities are available.

Fortunately, the States have tried to meet this shortage but there are no federally sponsored recreational facilities of major dimensions.

This bill attempts to partially redress this imbalance.

The recreational area would be built around a great reservoir—32 miles in length—to be built on the upper Delaware River between New Jersey and Pennsylvania. It will be only 75 miles from downtown Manhattan and 95 miles by express highway from Philadelphia. Nearly 22 million people will be within easy reach of its amenities.

Located on the eastern edge of the Pocono Mountains of Pennsylvania and just to the southwest of New York's Catskills the new national recreation area will be an invaluable addition to the resort economy of both these important vacation regions.

The National Recreation Area has been recognized as an important element in the recreational and open-space plans of metropolitan New York and New Jersey and is one of three Federal areas proposed by the Commonwealth of Pennsylvania under its recreational development program called Project 70.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 606) to authorize establishment of the Tocks Island National Recreation Area in the States of Pennsylvania and New Jersey, and for other purposes, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ESTABLISHMENT OF FEDERAL MUTUAL SAVINGS BANKS

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to authorize the establishment of Federal mutual savings banks. In each of the years from 1960 on I have introduced similar legislation, cosponsored by the former senior Senator from Connecticut, the Honorable Prescott Bush. When enacted into law, this legislation will make possible the expansion of the mutual savings bank system into areas in which they are not now located.

More and more mutual savings banks are becoming an important source of finance for the construction and sale of homes. Recent statistics indicate that almost 70 percent of the assets of this $45-billion industry is invested in real estate mortgages. Mutual savings banks presently are heavily concentrated in the New England and New York region—areas that can boast the lowest interest rates charged for mortgage money. Naturally, mutual savings banks hold heavy investments in mortgages on real property located in mutual savings bank States. However, mutual savings banking's interest in home financing is emphasized by its investment of $8 billion in mortgages secured by land in States having no mutual savings banks, particularly in the South and the West. Since studies show that the per capita rate of savings is higher in areas having mutual savings banks and since it is economically preferable to invest funds first nearest the location of the thrift institution, it may reasonably be anticipated that the supply of funds available for investment in local mortgages should rise in areas where mutual savings banks spring up. Investment in farm loans constitutes one phase of mutual savings bank operations. Many such institutions have also played a part in making financing available to small business enterprises, sometimes through the medium of personal loans to small business proprietors, at other times by purchase of securities issued by small business corporations. Continued operations in these fields locally may be expected whenever Federal mutual savings banks are established in new areas.

At present mutual savings banks can exist and carry out operations such as those described above only under State charters. They should be granted the privilege of applying for Federal charters, if they choose to do so.

Mutual savings banking enjoyed an enviable reputation for safety long before any system existed for insuring savings through an agency of the Federal Government. This record plus the adequate return paid on savings plus the services rendered by mutual savings banks has resulted in a formula designed to encourage thrift by persons in almost every economic stratum.

At present, mutual savings banks have investment powers broader than those of savings and loan associations. If the demand for funds for home financing slacks off, mutual savings banks are authorized to look elsewhere for investments that will yield adequate return to encourage continued saving on the part of depositors. Then whenever the demand for home finance funds increases, these alternative investments can be liquidated, thus providing an immediate source of funds to satisfy the home mortgage market demands, without depending upon either an inflow of savings at an increased rate or external sources of borrowing. This arrangement has the inherent advantage of encouraging the thrift habit day in and day out, whether the cycle of home mortgage fund demand is at a high point or a low point at the given moment.

Support for this type of legislation has grown over the years. Federal agencies such as the Housing and Home Finance Agency and the Veterans' Administration have favored it. The Federal Reserve Board considers it worthy of careful consideration. The commission on money and credit, composed of financial experts, recommends the idea of Federal charters for mutual savings banks. Reportedly the Committee on Financial Institutions, appointed by the President, looked favorably on the idea during its recent deliberations. A private study by the University of Chicago experts has seen advantages in authorizing the establishment of mutual savings banks in Illinois.

Savings and loan industry leaders have contributed valuable ideas that have been incorporated in the present bill being introduced today. Their interest in the subject matter is natural, because the bill provides procedures whereby mutual savings and loan associations may convert to Federal mutual savings banks and vice versa.

Like many other pieces of legislation, it is entirely possible that the Congress will decide to change some of the provisions of this bill as it wends its way through the legislative process, but the bill in its present form, in my opinion, constitutes a well-developed base from which to pursue the Federal charter idea for this particular type of financial institution. I hasten to add that the bill contains provisions designed to prevent any new Federal mutual savings bank or branch from unduly injuring any existing financial institution that accepts savings on deposit or share account. The bill also safeguards deposits in Federal mutual savings banks by giving the Federal Home Loan Bank Board certain controls to assure the good character of management and by requiring that all deposits be insured by an agency of the U.S. Government.

I trust that my colleagues will give careful attention to this legislative proposal. It is well worthy of consideration as a practical means of adding mutual savings banking to the dual system of financial institutions found among commercial banks, savings and loan associations, and credit unions.

I ask unanimous consent that there may be printed in the RECORD at this point a summary of the bill and the text of the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD.

The bill (S. 607) to authorize the establishment of Federal mutual savings banks, introduced by Mr. SPARKMAN, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act, divided into titles and sections according to the following table of contents, may be cited as the "Federal Mutual Savings Bank Act."

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Declaration of policy

SEC. 2. (a) The Congress declares that, to carry out more effectively the responsibility for promoting maximum employment, production, and purchasing power in the national economy, it must facilitate and encourage an increased flow of real savings to finance new housing and other capital formation on a sustainable noninflationary basis. The Congress further declares that the increased savings necessary to the security and welfare of the individual as well as to the Nation should be provided within the private institutional framework of our competitive economy and within the dual banking system. These objectives will be advanced by authorizing the establishment of privately managed, federally supervised mutual savings banks. Consistent with these objectives, the Congress recognizes the continuing need for maintaining and strengthening the vitality of our State-chartered banking system under the supervision of the various State banking departments. Federal mutual savings banks, together with State-chartered mutual savings banks, will bring to individuals in all States the opportunity of having mutual banks of deposit available to them which are dedicated to encouraging the practice of thrift, thereby increasing the total flow of voluntary savings in the economy. The record of mutual savings banks over nearly a century and a half of providing safety, ready availability of deposits and reasonable returns on these deposits, indicates that new Federal mutual savings banks will stimuate additional savings in the areas in which they are located. The record further indicates that these institutions will devote the bulk of their accumulated savings to the sound, economical financing of housing and homeownership. Moreover, additional funds will become available to support local business enterprise, urban redevelopment, and governmental capital outlays. The welfare of the public will be enhanced not only because economic growth will be fostered by capital formation but also because the earnings of Federal mutual savings banks, after expenses (including taxes) and provision for necessary reserves for safety of deposits, will be distributed entirely to depositors.

The Congress further declares that efficiency requires that Federal mutual savings banks and Federal savings and loan associations be chartered and supervised by a single agency of the Government and that savings accounts in both types of institution be insured by a single Federal agency. At present, savings accounts in qualified savings and loan associations may be insured by the Federal Savings and Loan Insurance Corporation. Savings accounts in qualified mutual savings banks may be insured by the Federal Deposit Insurance Corporation, which may also insure deposits in commercial banks. This Act is intended to provide for a new Federal agency to be designated as the Federal Savings Insurance Corporation for insuring savings in mutual savings banks and savings and loan associations. Federal mutual savings banks will be required to have deposits insured by the Federal Savings Insurance Corporation. State-chartered mutual savings banks will be given the option to apply for deposit insurance either by the Federal Savings Insurance Corporation or the Federal Deposit Insurance Corporation.

(b) The establishment of Federal mutual savings banks authorized herein will assist the Government in carrying out its constitutional duty to regulate the value of money.

(c) This Act is intended to provide the Secretary of the Treasury with an additional depositary of public money as provided in title I hereof.

TITLE I

SEC. 101. As used in title I of this Act—

(a) The term "Board" means the Federal Home Loan Bank Board;

(b) The term "conventional loan" means a loan secured by a first mortgage or deed of trust on real property or a leasehold estate other than a loan the principal of which is wholly or partially guaranteed or insured by a Federal agency;

(c) The term "doing business" shall not be considered to include any one or more of the following activities when engaged in by a savings bank nor shall this Act be construed so as to make any act or series of acts by a foreign corporation which is a savings bank constitute the doing of business in a particular State which would not have constituted the doing of business prior to the enactment of this Act:

(1) The acquisition of loans (including the negotiation thereof) secured by mortgages or deeds of trust on real property situated in a nondomiciliary State pursuant to commitment agreements or arrangements made prior to or following the origination or creation of such loans;

(2) The physical inspection and appraisal of property in a nondomiciliary State as security for mortgages or deeds of trust;

(3) The ownership, modification, renewal, extension, transfer or foreclosure of such loans, or the acceptance of substitute or additional obligors thereon;

(4) The making, collecting, and servicing of such loans through a concern engaged in a nondomiciliary State in the business of servicing real estate loans for investors;

(5) Maintaining or defending any action or suit or any administrative or arbitration proceeding arising as a result of such loans;

(6) The acquisition of title to property which is the security for such a loan in the event of default on such loan;

(7) Pending liquidation of its investment therein within a reasonable time, operating, maintaining, renting, or otherwise dealing with, selling, or disposing of, real property acquired under foreclosure sale, or by agreement in lieu thereof;

(d) The term "financial institution" means a thrift institution, a commercial bank, a trust company, or an insurance company;

(e) The terms "first mortgage" and "first deed of trust" and "first lien" each shall include any documents and any situation where the holder has the right to subject any property to the discharge of any obligation as a first claim against it, excluding claims arising out of mechanics' liens, assessments for public improvements, tax deficiencies, equitable receiverships, or bankruptcy subsequent to the execution of the secured obligation for which a priority may be provided under State or Federal law, and excluding claims arising out of assessments for public improvements levied prior to the execution of the secured obligation for which a priority may be provided under State law;

(f) The term "savings bank" means a Federal mutual savings bank chartered under this Act;

(g) The term "State" includes each State in the United States and the Commonwealth of Puerto Rico, the Virgin Islands, Guam, Samoa, and the District of Columbia;

(h) The terms "State of domicile" and "domiciliary State" mean the State in which a savings bank's principal office is located; and

(i) The term "thrift institution" means a State-chartered mutual savings bank, a guaranty savings bank, a State-chartered cooperative bank, a State-chartered homestead association, a State-chartered savings and loan association, a State-chartered building and loan association, a Federal savings and loan association, or a savings bank.

Chartering of savings banks

SEC. 102. (a) A savings bank may be organized either with or without members in the discretion of the original organizers. Upon written application by five signatories from among not less than twenty-one individuals acting in the capacity of members (who may also be entitled "corporators" or "trustees") consenting to be named in the application (or five qualified directors in the event the proposed savings bank is intended to operate without members), the Board shall issue a charter for a savings bank when the Board finds that a savings bank will serve a useful purpose in the community in which it is proposed to be established, that there is reasonable expectation of its financial success and that its operation will not unduly injure existing institutions, including commercial banks, that accept funds from savers on deposit or share accounts.

(b) Any savings bank shall include the words "Federal", "Savings", and "Bank" in its title.

(c) Any savings bank, upon being chartered or formed by conversion shall become a member of the Federal home loan bank of the district in which it is located or, if convenience shall require and the Board approves, shall become a member of the Federal home loan bank of an adjoining district. Savings banks shall qualify for such membership in the manner provided in the Federal Home Loan Bank Act with respect to other members.

(d) Each savings bank, whether a new savings bank or one formed by conversion, shall be insured by the Federal Savings Insurance Corporation and shall qualify and pay premiums as do other insured institutions.

Members

SEC. 103. (a) Each member of a savings bank having members shall be an individual of financial responsibility and good character and shall never have been adjudged a bankrupt, and shall, within such time after his election, and in such form as the Board shall prescribe, file proof of his compliance with these requirements with the Board. Without in any way limiting, by the enactment of this subsection, the general regulatory power granted the Board by this or any other Act, the Board is hereby expressly authorized to prescribe standards of conduct for members, except that any such standards shall be no more (and may be less) restrictive than those set forth for directors in section 104(d).

(b) No person shall be a member of a savings bank who is not a resident of the State in which the principal office of the savings bank is located, except that one less than one-half of all members may be residents of other States.

(c) At their organizational meeting, the members shall adopt by a majority of a quorum rules governing the conduct of their business and may amend them from time to time. Such rules shall set forth the number of members and shall prescribe that any number not less than one-quarter of those at the time in office shall constitute a quorum for the purpose of doing business. At such organization meeting, or any adjournment thereof, the members shall divide the total number of members into three classes of equal size, one class to serve for a term of four years, one class to serve for a term of seven years, and one class to serve for a term of ten years, so that at each election of members following the first meeting an equal number of members shall be elected. The requirements of this section shall be satisfied if the number of members in any class does not exceed by more than one the number of members in any other class. Thereafter, each member shall be elected for a term of ten years, and until his successor is elected and shall have qualified. Successor and additional members shall be elected, subject to the requirements of this section, by a majority vote of the members, including those whose terms are expiring, present at a duly constituted meeting. Any member may be removed from office upon the affirmative vote of two-thirds of the whole number of members.

Directors

SEC. 104. (a) In the case of a savings bank having members, the board of directors of a savings bank shall be elected by and from the members and shall consist of not less than seven nor more than twenty-five. No person shall be a director of a savings bank who is not a resident of the State in which the principal office of the savings bank is located, except that one less than one-half of the whole board of directors may be residents of other States. The members shall, by majority vote of a quorum at their organization meeting, elect a board of directors in three classes in the following manner: one-third for a term of one year; one-third for a term of two years; and one-third for a term of three years. Thereafter directors shall be elected to serve for a term of three years. The requirements of this section shall be satisfied if the number of directors in any one class does not exceed by more than one the number of directors in any other class. The office of any director shall become vacant if he shall cease for any reason to hold office as a member.

(b) In the case of a savings bank intended to operate without members, an initial board of directors shall be formed by the applicants for a charter to consist of not less than seven nor more than twenty-five persons who meet the qualifications prescribed for directors in subsection (a) of this section and those prescribed for members in the first sentence of section 103(a) of this Act. In such a case, the applicants for a charter shall exercise the powers conferred upon the members in subsection (a) of this section.

(c) The management and control of the affairs of a savings bank shall be vested in the directors. The directors may by a majority of a quorum adopt, amend, and repeal bylaws governing the affairs of the savings bank.

(d) The following restrictions governing the conduct of savings bank directors are expressly specified, but such specification is not to be construed as in any way excusing savings bank directors from the observance of any other aspect of the general fiduciary duty owed by them to the savings bank and savings bank depositors which they serve. Such fiduciary duty may be hereafter stated, clarified, modified, expanded, restricted or restated by applicable judicial decision or statute, or by regulation promulgated pursuant to section 115 of this Act:

(1) No person acting as a director of a savings bank shall hold office as member, director, or officer of another thrift institution.

(2) The office of a director shall become vacant whenever he shall have failed to attend regular meetings of the directors for a period of six months, unless excused during such period by a resolution duly adopted by the directors.

(3) No director shall receive remuneration as director except reasonable fees for attendance at meetings of directors or for service as a member of a committee of directors, except that nothing herein contained shall be deemed to prohibit or in any way limit any right of a director who is also an officer of or attorney for the savings bank from receiving compensation for service as an officer or attorney.

(4) No director shall borrow, directly or indirectly, funds other than pursuant to section 109(12)(B) or in any manner voluntarily become an obligor for funds borrowed from the savings bank of which he is a director.

(5) No director, savings bank, or officer thereof shall require, as a condition to the granting of any loan or the extension of any other service by the savings bank, that the borrower or any other person undertake a contract of insurance or any other agreement, or understanding with respect to the furnishing of any other goods or services, with any specific company, agency, or individual.

(e) No savings bank shall deposit any of its funds except with a depositary approved by a vote of a majority of all directors of the savings bank, exclusive of any director who is an officer, partner, director, or trustee of the depositary so designated.

Commencement of operation

SEC. 105. (a) No savings bank may commence operations except upon approval by the Board, which shall not be granted prior to qualification by such savings bank as an insured bank in the Federal Savings Insurance Corporation. Any savings bank may so qualify in the same general manner as is provided for other members of said Corporation. No savings bank shall continue operations if it shall at any time cease to be so qualified.

(b) No savings bank may commence operations until there shall have been advanced in cash to the credit of such savings bank, as an expense fund, such sums as the Board may require. Any such sums so advanced shall be evidenced by transferable deferred payment certificates. Outstanding certificates may have such terms and be repaid pro rata in such installments, and shall be entitled to receive interest at such rate, as may be approved by the Board.

Reserve fund

SEC. 106. (a) Prior to authorizing the issuance of a charter for a savings bank, the Board shall require that there be advanced in cash to the credit of such savings bank not less than $50,000, which shall constitute the initial reserve fund. All sums so advanced as the initial reserve fund shall be evidenced by transferable deferred payment certificates. Outstanding certificates may have such terms and may be repaid pro rata in such installments, and shall be entitled to receive interest at such rate, as may be approved by the Board.

(b) The reserve fund of an operating savings bank shall be available only for the purpose of meeting losses.

(c) The savings bank may retain additional reasonable amounts which may be used for any corporate purpose.

Borrowing

SEC. 107. A savings bank may borrow funds subject to such regulations as the Board may prescribe.

Deposits

SEC. 108. (a) A savings bank may accept any savings deposit and may issue a passbook or other evidence of its obligation to repay any such savings deposit.

(b) A savings bank may classify its depositors according to the character, amount, duration, or regularity of their dealings with the savings bank, may agree with its depositors in advance to pay an additional rate of interest on deposits based on such classification, and may regulate such interest in such manner that each depositor shall receive the same ratable portion of interest as all others of his class.

(c) Each savings bank may—

(1) decline any sums offered for deposit; and

(2) repay any deposit at any time.

(d) Except as otherwise provided in this Act, a savings bank may pay interest on deposits from net earnings and undivided profits at such rate and at such intervals as shall be approved by its directors.

(e) A savings bank may at any time by resolution of its directors require that up to ninety days' advance notice be given to it by each depositor before the withdrawal of any deposit or portion thereof; and whenever the directors shall adopt such resolution, no deposit need be paid until the expiration of the notice period applicable thereto in accordance with such resolution. A savings bank shall notify the Board in writing on the day of adoption of such resolution by the directors. Notwithstanding adoption of such resolution by the directors, a savings bank may, in its discretion, permit withdrawal on a uniform basis of all or any part of all deposits prior to the expiration of the notice period prescribed by such resolution. Any such resolution may be rescinded at any time.

(f) Without regard to any provision of subsection (e) of this section, the Board may further limit and regulate withdrawals of deposits from any savings bank if the Board shall find that such limitation and regulation are necessary because of the existence of unusual and extraordinary circumstances. The Board shall enter such findings on its records.

(g) In order to prevent the closing of a savings bank determined by the Federal Savings Insurance Corporation to be in danger of closing, or in order to reopen a closed savings bank, the Federal Savings Insurance Corporation may take such action as may be necessary to put such savings bank in a sound and solvent condition.

Investments

SEC. 109. A savings bank may invest in the following:

(1) Obligations of the United States and those for which the faith of the United States is pledged to provide for the payment of the interest and principal and obligations of any agency of the United States;

(2) Obligations of any State and those for which the faith of any State is pledged to provide for the payment of the interest and principal;

(3) Obligations not specified in (1) or (2) above and which are issued by a city, village, town, or county in the United States or by a department, agency, district, authority, commission, or other public body of the United States, or of any one or more States, but in so doing the savings bank shall exercise the same degree of care and prudence that prudent persons generally exercise in their own affairs;

(4) Obligations of the Dominion of Canada or Provinces of the Dominion of Canada, or obligations for which the faith of the Dominion of Canada or any of such Provinces is pledged to provide for the repayment of the interest and the principal thereon, provided that the principal and interest of such obligations are payable in United States funds;

(5) Obligations issued or guaranteed by the International Bank for Reconstruction and Development;

(6) Obligations issued or guaranteed by the Inter-American Development Bank;

(7) Bonds, notes, or other evidences of indebtedness which are secured by properly registered or recorded first mortgages or deeds of trust upon real property, including leasehold estates, if the security for the loan is a first lien upon the real property or leasehold estate, and subject to the following conditions:

(A) No investment in mortgages executed by any one mortgagor shall in the aggregate exceed 2 per centum of the assets of the savings bank at the time the investment is made or $25,000, whichever is greater: *Provided,* That the Board shall have power to authorize greater amounts to be so invested;

(B) No investment in any one mortgage shall exceed 2 per centum of the assets of the savings bank at the time the investment is made or $25,000, whichever is greater, or more than 90 per centum of the appraised value of a one- to four-family residence securing a conventional loan or more than 75 per centum of the appraised value of any other real property securing a conventional loan: *Provided,* That the Board shall have power to authorize greater amounts to be so invested;

(C) No investment shall be made in a conventional loan secured by a mortgage on a one- to four-family residence unless the mortgaged property is located either within the State in which the savings bank has its principal office or within a radius of one hundred miles of any office of the savings bank and unless the mortgage has a maturity of not longer than thirty years from the date the loan is made: *Provided,* That a savings bank may participate in any such loan evidenced by a bond or note or other evidence of indebtedness secured by a mortgage or deed of trust in accordance with the provisions of subsection (E) of this section without regard to the distance from its principal office of the mortgaged property, and even though such evidence of indebtedness, except for the provisions of this proviso, would not be one in which a savings bank is authorized to invest on its account, but one of the participants must be located in the State in which the mortgaged property is situated;

(D) No investment shall be made in a conventional loan if the aggregate unpaid principal of all conventional loans in which the savings bank has invested exceeds 80 per centum of its assets at the time: *Provided,* That in the case of a participation loan, only the savings bank's share in such loan shall be considered for the purposes of this subsection;

(E) A savings bank may (i) participate with one or more financial institutions, trust, or pension funds in any bond or note or other evidence of indebtedness secured by a mortgage or deed of trust in which such savings bank is authorized to invest on its own account: *Provided,* That the participating interest of such savings bank is not subordinated or inferior to any other participating interest; and (ii) participate in the same securities with other than financial institutions, trust, or pension funds: *Provided,* That the participating interest of such savings bank is superior to the participating interests of such other participants;

(F) No investment shall be made in a mortgage upon a leasehold unless (i) the principal amount of the mortgage loan is not in excess of 70 per centum of the appraised value of the leasehold, and (ii) provision is made for complete amortization of the loan prior to the expiration of 80 per centum of the remainder of the term by periodic payments as the Board may by general regulation prescribe; and

(G) Nothing contained in this paragraph (7) shall be deemed to prevent investment by a savings bank in any bond, note, or other evidence of indebtedness which is wholly or partially guaranteed or insured by a Federal or State agency, or for which a commitment to guarantee or insure has been issued by a Federal or State agency;

(8) Any property improvement notes issued pursuant to the provisions of any title of the National Housing Act, and other property improvement loans subject to such regulation as the Board may prescribe;

(9) Bankers' acceptances eligible for purchase by Federal Reserve banks;

(10) Corporate securities of any corporation created and existing under the laws of the United States or any State, but in so doing the savings bank shall exercise the same degree of care and prudence and prudent persons generally exercise in their own affairs, and subject to the following further conditions:

(A) No savings bank shall invest in any corporate obligation, other than pursuant to paragraph (12), that (i) will mature by its terms within one year from the date of issuance, or (ii) if issued or made in series, or repayable in installments, will have an average maturity as of the date of issuance of less than one year; and

(B) No savings bank shall invest in corporate stocks in an amount greater than 5 per centum of the assets of the savings bank or 100 per centum of its reserve fund and undivided profits, whichever is the greater;

(11) Obligations of a savings bank or of a State-chartered mutual savings bank and shares, accounts and obligations of thrift institutions subject to supervision by a Federal or State agency;

(12) Promissory notes of the following types:

(A) Any promissory note payable to the order of or endorsed to the savings bank which is (i) secured by one or more mortgages in which a savings bank may invest. The assignment of every mortgage taken as security for any such note shall be recorded or registered in the office of the proper recording officer of the government unit in which the real property described in such mortgage is located, unless such mortgage or mortgages have been so assigned by a savings bank or a thrift institution subject to supervision by a Federal or State agency; (ii) secured by any of the stocks and bonds in which a savings bank may invest; or (iii) secured by a life insurance policy to the extent of such policy's cash surrender value;

(B) Any promissory note payable to the order of the savings bank which is secured by the assignment of a deposit or share account in any thrift institution subject to supervision by a Federal or State agency, if the amount of the investment in any such note is not in excess of the amount of such deposit or share account; and

(C) Any secured or unsecured promissory note containing terms conforming to regulations to be prescribed by the Board so as reasonably to assure repayment in accordance with the terms of the note.

Branches

SEC. 110. (a) A savings bank may, with the approval of the Board, establish and operate one or more branches in the State in which its principal office is located, but only if and to the extent that any financial institution accepting funds from savers on deposit or share accounts is authorized to establish and operate branches.

(b) Before approving the establishment and operation of a branch office by a savings bank, the Board shall make with respect thereto the findings required prior to the granting of a charter to a savings bank.

(c) Notwithstanding any provision of this Act, a savings bank resulting from conversion, consolidation, or merger may retain and operate any one or more offices in operation on the date of such conversion, consolidation, or merger, and, in addition, may retain any and all unexercised branch rights or privileges enjoyed prior to such date, but only if such office is situated, or such branch right or privilege was exercisable, within the State in which the principal office is located.

Conversion

SEC. 111. (a) With the approval of the Board, and subject to all other provisions of this Act applicable to the chartering of a newly organized savings bank, unless specifically excepted herein, any thrift institution (other than a savings bank, a stock savings and loan association or a stock building and loan association) may convert itself into a savings bank upon affirmative vote of not less than a majority of the votes cast by those entitled to vote upon the affairs of such thrift institution at a meeting duly called and held for that purpose, and shall thereupon possess the powers of and be subject to the duties imposed upon savings banks under the provisions of this Act: *Provided,* That any such conversion shall not be in contravention of the laws under which the converting thrift institution is organized.

(b) The minimum requirements of twenty-one members for a savings bank intended to operate with members and seven directors prescribed by sections 102(a) and 104(a) shall not apply in the case of a thrift institution making application to convert to a savings bank: *Provided,* That the number of members shall not be less than the number of directors (if the savings bank is intended to operate with members): *And provided further,* That members (if any) and directors are named and approved by not less than a majority of votes cast by those entitled to vote upon the affairs of such thrift institution at the same meeting as is called for voting upon conversion of such thrift institution to a savings bank as provided in subsection (a) of this section. Approval of conversion of a thrift institution to a savings bank in accordance with this section shall automatically terminate the voting powers of those having voting powers prior to such conversion and shall vest in those members (if any) and directors named and approved in accordance with this subsection any and all powers granted by this Act to members and directors respectively.

(c) Before approving any such conversion, the Board shall find that the thrift institution seeking conversion has the ability to discharge the duties and conform to the restrictions upon savings banks and shall conform to the requirements of this Act within a reasonable time. However, such institution may retain and service all accounts and assets lawfully held by it on the date of its conversion.

(d) Any savings bank upon affirmative vote of a majority of its members may convert itself into any type of thrift institution (except a savings bank, a stock savings and loan association or a stock building and loan association) organized pursuant to Federal law or the laws of the State in which its principal office is located, but any such conversion of a savings bank shall be subject to requisite approval of any regulatory authority having jurisdiction over the creation of the thrift institution into which the savings bank seeks to convert.

(e) Any conversion pursuant to this Act shall require prior written consent by the Federal Savings Insurance Corporation. Such approval shall not be unreasonably withheld.

(f) Any savings bank converting to a Federal savings and loan association, or to a State-chartered mutual savings and loan association, cooperative bank, homestead association, or building and loan association shall have savings in share accounts, investment certificates, and deposits automatically insured by the Federal Savings Insurance Corporation to the extent provided in title IV of the National Housing Act.

Merger and consolidation

SEC. 112. (a) Any two or more savings banks having their principal offices in the same State, or subject to the provisions of section 18(c) of the Federal Deposit Insurance Act, if applicable, any one or more savings banks and one or more State-chartered mutual savings banks having their principal offices in the same State, may (A) with the approval of the Board where the surviving or consolidated institution is a savings bank or with the approval of the appropriate State authority where the surviving or consolidated institution is a State-chartered mutual savings bank, (B) upon the affirmative vote of not less than two-thirds of the members of each such savings bank, or if it has no members, then upon the affirmative vote of not less than two-thirds of the directors of each such savings bank, and (C), where applicable, upon compliance with the procedure prescribed by the State, enter into an agreement of merger or consolidation. Thereafter the merger or consolidation shall be effective in accordance with the terms of such agreement.

(b) Before approving a merger or consolidation the Board shall give consideration to the purposes of this Act and the prospects of the surviving or consolidated savings bank for financial success and its ability to discharge the duties and conform to the restrictions imposed upon a savings bank.

(c) Upon such consolidation or merger, the corporate existence of each of the constituent institutions shall be merged into and continued in the surviving or consolidated institution, which shall be deemed to be the same corporation as each of the constituent institutions.

(d) All rights, franchises, and property interests of the merged or consolidating savings bank or banks or State-chartered mutual savings bank or banks shall be transferred to and vested in the surviving or consolidated institution by virtue of the merger or consolidation without the requirement under this Act of any deed or other instrument of transfer; and the surviving or consolidated institution shall be entitled to exercise all rights and privileges of the merged or consolidating savings bank or banks, or the State-chartered mutual savings bank or banks, in accordance with the terms of the merger or consolidation agreement.

(e) The surviving of consolidated institution shall be responsible for all debts and obligations of the merged or consolidating savings bank or banks or State-chartered mutual savings bank or banks, in accordance with the terms of the merger or consolidation agreement.

General powers

Sec. 113. (a) For the purpose of carrying out its functions under this Act, a savings bank—

(1) shall have indefinite succession;

(2) may adopt and use a seal;

(3) may sue and be sued;

(4) may adopt, amend, and repeal rules and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised;

(5) may make and carry out such contracts and agreements, provide such benefits to its personnel, and take such other action as it may deem necessary or desirable in the conduct of its business;

(6) may service mortgages for others;

(7) may appoint and fix the compensation of such officers, attorneys, and employees as may be desirable for the conduct of its business, define their authority and duties, require bonds of such of them as the directors may designate and fix the penalties and pay the premiums on such bonds;

(8) may acquire by purchase or lease such real property or interest therein as the directors may deem necessary or desirable for the conduct of its business and for rental and sell, lease, or otherwise dispose of such real property or interest therein; but the amount so invested shall not exceed one-half of the aggregate of its surplus, undivided profits and reserves: *Provided*, That the Board may authorize a greater amount to be invested;

(9) shall have authority, notwithstanding any provision of this or any other Act or regulation, to exercise all the powers possessed on the effective date of this Act or, with the approval of the Board, thereafter by any mutual savings bank chartered by the State in which the savings bank is located;

(10) may act as agent for others in any transaction incidental to the operation of its business; and

(11) when designated for that purpose by the Secretary of the Treasury, shall be a depositary of public money, except receipts from customs, under such regulations as may be prescribed by said Secretary; and may also be employed as a fiscal agent of the Government; and shall perform all such reasonable duties as depositary of public money and as fiscal agent of the Government as may be required of it.

(b) In addition to the powers expressly enumerated or defined in this Act, a savings bank shall have power to do all things reasonably incident to the exercise of such powers.

Examination

Sec. 114. The Board shall conduct an examination at least once in each calendar year into the affairs and management of each savings bank for the purpose of determining whether such savings bank is being operated in conformity with the provisions of this Act, any rules and regulations promulgated hereunder, and sound banking practice, but the Board, in the exercise of its discretion, may cause such examinations to be made more frequently if considered necessary. The expenses of the Board examination herein provided for shall be assessed by the Board upon savings banks in a manner calculated to pay the actual cost of examination. The assessments may be made more frequently than annually at the discretion of the Board. Savings banks examined more frequently than twice in one calendar year shall be assessed the expenses of the additional examinations.

Regulatory authority

Sec. 115. The Board shall have power to make and publish, as provided by the Administrative Procedure Act, general regulations applicable to all savings banks implementing this Act and not in conflict with it. The Board shall have power to supervise savings banks and require conformity to law and regulations.

Taxation

Sec. 116. (a) No State or any political subdivision thereof shall impose or permit to be imposed any tax on savings banks or their franchise, deposits, assets, reserve funds, loans, or income greater than the least onerous imposed or permitted by such State or political subdivision on any other local financial institution.

(b) No State other than the State of domicile shall impose or permit to be imposed any tax on franchises, deposits, assets, reserve funds, loans, or income of institutions chartered hereunder whose transactions within such State do not constitute doing business, except that nothing contained in this Act shall exempt foreclosed properties from ad valorem taxes or taxes based on the income on receipts from foreclosed properties.

Authority to appoint conservators and receivers

Sec. 117. Rules and regulations, administrative procedure, conservatorship and receivership: (a) In the enforcement of any provision of this section or rules and regulations made hereunder, or any other law or regulation, and in the administration of conservatorships and receiverships, the Board is authorized to act in its own name and through its own attorneys. The Board shall have power to sue and be sued, complain and defend in any court of competent jurisdiction in the United States or the Commonwealth of Puerto Rico. It shall by formal resolution state any alleged violation of law or regulation and give written notice to the savings bank concerned of the facts alleged to be such violation, except that a conservator or a receiver shall be exclusively appointed as provided in this section. Any savings bank shall have thirty days within which to correct the alleged violation of law or regulation and to perform any legal duty. If the savings bank concerned does not comply with the law or regulation within such period, then the Board shall give it twenty days' written notice of the charges against it and of a time and place at which the Board will conduct a hearing as to such alleged violation of duty. Such hearing shall be in the Federal judicial district of the savings bank unless it consents to another place and shall be conducted by a hearing examiner as is provided by the Administrative Procedure Act. The Board or any member thereof or its designated representative shall have power to administer oaths and affirmations and shall have power to issue subpenas and subpenas duces tecum, and shall issue such at the request of any interested party, and the Board or any interested party may apply to the United States district court of the district where such hearing is designated for the enforcement of such subpena or subpena duces tecum and such courts shall have the power to order and require compliance therewith. A record shall be made of such hearing and any interested party shall be entitled to a copy of such record to be furnished by the Board at its reasonable cost. After such hearing and adjudication by the Board, appeals shall lie as is provided by the Administrative Procedure Act, and the review by the court shall be upon the weight of the evidence. Upon the giving of notice of alleged violation of law or regulation as herein provided, either the Board or the savings bank affected may, within thirty days after the service of said notice, apply to the United States district court for the district where the savings bank is located for a declaratory judgment and an injunction or other relief with respect to such controversy, and said court shall have jurisdiction to adjudicate the same as in other cases and to enforce its orders. The Board may apply to the United States district court of the district where the savings bank affected has its home office for the enforcement of any order of the Board and such court shall have power to enforce any such order which has become final. The Board shall be subject to suit by any savings bank with respect to any matter under this section or regulations made thereunder, or any other law or regulation, in the United States district court for the district where the home office of such savings bank is located, and may be served by serving a copy of process on any of its agents and mailing a copy of such process by registered mail, to the Federal Home Loan Bank Board, Washington, District of Columbia.

Upon the giving of notice by resolution, as herein provided, the Board may, if it finds the same to be necessary for the protection of all concerned, enter an order to cease and desist from the violation or violations alleged, and the same shall specify the effective date thereof which may be immediate or may be at a later date, and such order shall remain in effect until the end of the administrative hearing and such cease-and-desist order may be enforced by the United States district court. No charge shall be made by the Board and no action shall be taken by it with respect to any act which is more than two years old or which has been known to the Board for more than one year when the proceeding is begun. When a formal charge is made by resolution and notice as herein provided, it shall be promptly prosecuted and dismissed at any time when there has been no adjudication by the Board within one year from the date of the filing of such charge.

(b) The grounds for conservatorship or receivership of a savings bank shall be (i) violation of an order or injunction, as authorized by this section, which has become final in that the time to appeal has expired without appeal or a final order entered from which there can be no appeal, or (ii) impairment of capital in that the liabilities, including liabilities to depositors on savings accounts, exceed the value of the assets if liquidated over a reasonable term. In the event the Board charges that such ground or grounds exist, it shall petition the United States district court for the district in which the principal office of such saving bank is located, and such court shall have jurisdiction to appoint a conservator or receiver. With the consent of the savings bank, expressed by resolution of its board of directors or its members, the court is authorized to appoint a conservator or receiver, without notice and without hearing. The court may appoint a conservator after reasonable notice and a hearing. If the court appoints a temporary conservator, or a conservator, it shall appoint an officer, employee, or agent of the Board, and such person shall serve without additional compensation. If liquidation appears to be necessary, the Federal Savings Insurance Corporation shall be appointed as receiver, and it shall have the power to purchase at its own sale or sales, subject to approval by the court. If a temporary conservator is appointed, he shall have the powers of the members, directors, and officers, and is authorized to operate the savings bank as in the normal course of business, subject to any limits prescribed by the court. If a conservator is appointed, he shall have all of the powers of a temporary conservator and, in addition, is authorized to reorganize the savings bank, organize a new savings bank to take over its assets, merge it with another savings bank, or to sell its assets, in bulk or otherwise, provided insurance of accounts is continued and protected by such action. A receiver shall have all the powers of a conservator and the power to liquidate. After any appointment, as herein authorized, the savings bank shall be operated or liquidated, as the case may be, pursuant to the law and regulations, under examination and supervision by the Board, and subject to any limits prescribed by the court.

(c) The remedies prescribed by this section shall be exclusive. Any orders or injunctions authorized by this section shall expire within three years unless extended for cause. Savings banks in custody under this section shall make and publish reports, as is required of other savings banks, and the Board shall report to the Congress in detail with respect to each savings bank seized under this section, and, in general as to the enforcement of law and regulations under this section. The members, directors, officers, and attorneys of the savings bank in office at the time of the initiation of any proceeding under this section are expressly authorized to contest any proceeding as authorized by this section and shall be reimbursed for reasonable expenses and attorneys' fees by the savings bank or from its assets. The Board in any proceeding before it or its delegates shall allow and order paid any such reasonable expenses and attorneys' fees. Any court having any proceeding before it as provided in this section shall allow and order paid reasonable expenses and attorneys' fees for members, directors, officers, and attorneys.

(d) Without regard to any other provisions of law, upon petition of the Board, the United States district court of the district of the savings bank shall have jurisdiction to appoint a temporary conservator. Such petition shall allege facts which constitute an emergency in the affairs of the savings bank which necessitate prompt action to prevent irreparable injury. It shall be supported by an oath of some person acting for the Board that the facts stated are true or, where alleged upon information and belief, the same are believed to be true. If the court finds facts to exist which result in such emergency, the court shall have power to appoint ex parte and without notice. In the event of the appointment of a temporary conservator, the Board shall proceed promptly to correct any alleged wrongdoing or to seek the appointment of a conservator or a receiver and said court shall require prompt action in such cases. The temporary conservator shall be removed when any alleged wrongdoing and the danger have been removed or as soon as the case for a conservator or receiver is adjudicated.

TITLE II

Federal Savings Insurance Corporation

SEC. 201. (a) The words "and loan" are hereby deleted from the term "Federal Savings and Loan Insurance Corporation" wherever it appears in sections 401(c), 402(a), and 402(g) of the National Housing Act.

(b) There is hereby established a board of trustees for the Federal Savings Insurance Corporation, in which shall be vested all powers of managing the Federal Savings Insurance Corporation. The members of the Federal Home Loan Bank Board shall ex officio constitute the membership of the board of trustees. The board may delegate such of its powers as it deems advisable to such personnel of the Federal Savings Insurance Corporation as it may designate. The chairman of the board of trustees shall be vested with the same type of powers he possesses as Chairman of the Federal Home Loan Bank Board.

(c) Section 403(a) of the National Housing Act is hereby amended by substituting a comma for the word "and" immediately preceding the words "cooperative banks" and by inserting the words "and Federal- and State-chartered mutual savings banks" after the words "cooperative banks."

(d) Each mutual savings bank having deposits insured by the Federal Savings Insurance Corporation shall pay to the Corporation a premium for insurance calculated in accordance with pertinent provisions of title IV of the National Housing Act.

(e) Section 407 of the National Housing Act is hereby amended by inserting the words "or a Federal mutual savings bank" after the word "association" in the first sentence of said section.

Transfer of funds from Federal Deposit Insurance Corporation

SEC. 202. (a) Whenever a State-chartered mutual savings bank having deposits insured by the Federal Deposit Insurance Corporation shall qualify to be insured by the Federal Savings Insurance Corporation or shall become a Federal mutual savings bank by conversion, merger or consolidation, the Federal Deposit Insurance Corporation shall calculate the amount in its capital account attributable to such mutual savings bank. For the purpose of such calculation, the amount so attributable shall be deemed to be the total assessments payable to the Federal Deposit Insurance Corporation by such mutual savings bank from the date its deposits became insured by the Federal Deposit Insurance Corporation through the end of the immediately preceding calendar year less: (i) a sum computed for the same period equal to the total amount of credits toward assessments from net assessment income received by such mutual savings bank, (ii) a pro rata share of operating costs and expenses of the Federal Deposit Insurance Corporation, additions to reserve to provide for insurance losses (making due allowance for adjustments to reserve resulting in a reduction of such reserve), and insurance losses sustained plus losses from any preceding years in excess of reserves, such pro rata share to be calculated by applying a fraction of which the numerator shall be the average deposits of the mutual savings bank from the date its deposits became insured by the Federal Deposit Insurance Corporation to the end of the calendar year preceding the date upon which the calculation is being made, and the denominator shall be the average of total deposits over the same period, and (iii) proper reserves for pending claims involving insurance of deposits of such mutual savings bank, as determined by the Federal Deposit Insurance Corporation.

(b) On the date such mutual savings bank qualifies as an insured bank in the Federal Savings Insurance Corporation, the Federal Deposit Insurance Corporation shall transfer to the Federal Savings Insurance Corporation the amount calculated in accordance with provisions of subsection (a).

(c) The Federal Savings Insurance Corporation shall place all amounts so received in the primary reserve fund.

(d) On the date of such transfer, the mutual savings bank involved shall cease to be an insured bank insofar as the Federal Deposit Insurance Corporation is concerned: *Provided*, That the obligations to and rights of the Federal Deposit Insurance Corporation, depositors of the insured bank, the insured bank itself, and other persons arising out of any claim made prior to that date shall remain unimpaired. All claims not made prior to the date of such transfer but which would have been properly payable by the Federal Deposit Insurance Corporation if made prior to that date, shall be assumed by the Federal Savings Insurance Corporation.

Miscellaneous

SEC. 203. (a) Section 101 of the Government Corporation Control Act, as amended, is hereby further amended by substituting the words "Federal Savings Insurance Corporation" for the words "Federal Savings and Loan Insurance Corporation."

(b) As used in title II of this Act, the term "mutual savings bank" shall be deemed to include a Federal mutual savings bank as well as a State-chartered mutual savings bank, wherever appropriate.

TITLE III

Annual report

SEC. 301. The Board shall submit to the President for transmission to the Congress an annual report of its operation under this Act.

Separability

SEC. 302. If any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of this Act and the application of such provision to any other person or circumstance shall not be affected thereby.

Right to amend

SEC. 303. The right to alter, amend, or repeal this Act is hereby expressly reserved.

The summary presented by Mr. SPARKMAN is as follows:

SUMMARY OF FEDERAL MUTUAL SAVINGS BANK ACT

The declaration of policy asserts that to increase the savings necessary for capital formation within the dual banking private enterprise system, Federal charters should be authorized for mutual savings banks. Thereby the vitality of State-chartered mutual savings banking will be maintained and strengthened. Home financing and business enterprise in the area where Federal mutual savings banks are located will be encouraged through new sources of long-term credit. Efficiency requires insurance of savings in federally chartered thrift institutions by a single Federal agency.

Title I provides that 5 to 21 members (who may be designated corporators or trustees) may apply to the Federal Home Loan Bank Board for a charter. The Federal Home Loan Bank Board will issue a charter upon finding that the savings bank will serve a useful community purpose, have a reasonable expectation of financial success, and will not unduly injure existing savings institutions. Federal mutual savings banks must belong to the Federal Home Loan Bank System and have savings insured by the Federal Savings Insurance Corporation. Members of a Federal mutual savings bank elect the board of directors, or a board of directors may be elected by applicants for a charter in a savings bank without members. Directors manage the savings bank. Statutory restrictions control any self-dealing by directors with the savings bank.

Savings bank borrowing is controlled by the Federal Home Loan Bank Board. A savings bank may issue passbooks or other evidence of savings, and provide for bonus accounts.

Investments authorized include among others Federal obligations, municipal obligations, real estate mortgages under specified restrictions, and corporate securities under the prudent-man rule. A savings bank may also make consumer loans. It may establish branches to the extent that financial institutions accepting funds from savers on deposit or share accounts enjoy such privilege.

State-chartered mutual savings banks and State or federally chartered savings and loan associations may convert to Federal mutual savings banks and vice versa. Federal- or State-chartered mutual savings banks may merge or consolidate with one another. Among other general powers, a Federal mutual savings bank may exercise in its State of location all powers of a State-chartered mutual savings bank in such State. Savings banks must be examined at least annually. The Federal Home Loan Bank Board has general regulatory authority. Provisions against discriminatory State taxation are set forth. Conservators and receivers may be appointed as provided in the bill.

Title II creates the Federal Savings Insurance Corporation out of the Federal Savings and Loan Insurance Corporation and constitutes the Federal Home Loan Bank Board its board of trustees. Insurance premiums are the same as for the Federal Savings and Loan Insurance Corporation. A State-chartered savings bank insured by the Federal Deposit Insurance Corporation shall take with it a pro rata share of Federal Deposit Insurance Corporation insurance reserves if it should become a Federal mutual savings bank and thereafter ceases to be insured by the Federal Deposit Insurance Corporation.

Title III requires an annual report by the supervisory board to the President for transmission to the Congress.

ALLOTMENT OF COTTON ACREAGE

Mr. SPARKMAN. Mr. President, on behalf of my colleague, the senior Senator from Alabama [Mr. Hill], and myself, I introduce, for appropriate reference, a bill relating to allotments of cotton acreage and dealing with the cotton problem generally.

This bill was recommended by the Advisory Committee on Cotton of the Department of Agriculture; and it was also recommended by the members of the cottongrowers group which met in Atlanta on January 7, 1963, from the States of Alabama, Georgia, Mississippi, North Carolina, South Carolina, Texas, and Virginia. There is quite a list of endorsers of the proposal.

Mr. President, I ask unanimous consent that the statement issued by the Advisory Committee on Cotton as well as the statement issued by the members of the cottongrowers group in Atlanta, January 7, 1963, along with the bill, may be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and statements will be printed in the Record.

The bill (S. 608) to make cotton available to domestic users at prices more competitive with prices foreign users pay for cotton, to authorize the Secretary to permit cottongrowers to plant additional acreage for the 1963 and succeeding crops of upland cotton, and for other purposes, introduced by Mr. Sparkman (for himself and Mr. Hill), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1938, as amended, is amended as follows:

(1) The following new sections are added to the Act:

"Sec. 348. Notwithstanding any other provision of law, the Commodity Credit Corporation is authorized to make payments through the issuance of payment-in-kind certificates on upland cotton produced in the United States to such persons other than the producers of such cotton at such rate and subject to such terms and conditions, including the redemption of certificates for cash if suitable stocks of Commodity Credit Corporation cotton are not available, as the Secretary determines will eliminate inequities sustained by domestic users of cotton as a result of differences in domestic and foreign costs of cotton, taking into account differences in transportation costs and other relevant factors.

"Sec. 349. The acreage allotment established under the provisions of section 344 of this Act for each farm for the 1963 crop and each succeeding crop may be supplemented by the Secretary by an acreage (referred to hereinafter as the 'maximum export market acreage for the farm') equal to such percentage, but not more than 30 per centum, of such acreage allotment as he determines. The 'export market acreage' on any farm shall be the number of acres, not exceeding the maximum export market acreage for the farm, by which the acreage planted to cotton on the farm exceeds the farm acreage allotment. For purposes of sections 345 and 374 of this Act, and the provisions of any law requiring compliance with a farm acreage allotment as a condition of eligibility for price support or payments under any farm program, the farm acreage allotment for farms with export market acreage shall be the sum of the farm acreage allotment and the maximum export market acreage. Export market acreage shall be in addition to the county, State, and national acreage allotments and shall not be taken into account in establishing future State, county, and farm acreage allotments. Beginning with the 1964 crop of cotton, notwithstanding the provisions of sections 342 and 344(a), the production on export market acreage, as estimated by the Secretary, shall be deducted from the national marketing quota determined under section 342 for the purposes of determining the national acreage allotment: *Provided*, That such adjusted national marketing quota shall not be less than the number of bales required to provide a national acreage allotment of sixteen million acres. The provisions of this section shall not apply to extra long staple cotton.

"Sec. 350. (a) The producers on any farm on which there is export market acreage shall, under regulations issued by the Secretary, be exempt from liability for the payment of the export marketing fee provided for in subsection (b) if such producers furnish a bond or other security satisfactory to the Secretary, conditioned upon the exportation without benefit of any Government export subsidy, of a quantity of cotton equal to the estimated production of the export market acreage within such period of time as the Secretary may prescribe. Such producers shall be liable for the payment of the export marketing fee as to any cotton with respect to which there is failure to comply with the conditions of such bond or other security.

"(b) Subject to the provisions of subsection (a), the producers on a farm on which there is export market acreage shall be jointly and severally liable for the payment to the Secretary of an export marketing fee on the production of the export market acreage. The export marketing fee for any crop of cotton shall be an amount per pound of cotton which the Secretary determines, not later than the beginning of the marketing year for such crop of cotton, will approximate the amount by which the price of cotton marketed by producers during such marketing year in the United States will exceed the price at which such cotton can be marketed competitively for export during such marketing year. The producer furnishing a bond or other security pursuant to subsection (a) shall be liable for the export marketing fee on a quantity of cotton equal to (1) the number of pounds by which the quantity covered by such bond or other security is less than the actual production of such export market acreage and (2) the number of pounds so covered but not exported in compliance with the conditions of such bond or other security. The producer on a farm on which there is export market acreage who does not furnish a bond or other security pursuant to subsection (a) shall be liable for the export marketing fee at the converted rate on all cotton produced on the farm. Such fee at the converted rate, unless prepaid, shall be due and payable at the end of the marketing year for the crop on all cotton not marketed from the farm during such marketing year and shall be due and payable on all cotton marketed from the farm during such marketing year at the time of marketing. The converted rate of the export marketing fee shall be determined by multiplying the export market acreage on the farm by the export marketing fee and dividing the result by the acreage planted to cotton on the farm. The export marketing fee at the converted rate shall be collected by the person to whom the cotton is first marketed by the producer, who may deduct such fee from the proceeds due the producer. The person liable for payment or collection of the export marketing fee shall be liable also for interest thereon at the rate of 6 per centum per annum from the date such fee becomes due until the date of payment of such fee. For the purposes of this subsection (1) the pledging of cotton by a producer to the Commodity Credit Corporation shall be deemed to be a marketing of such cotton, and (2) as may be provided by regulations of the Secretary, the delivering, pledging or mortgaging of cotton by a producer to any person shall be deemed a marketing of such cotton. The Secretary may provide by regulation for prepayment of the export marketing fee provided for in this subsection on the basis of the estimated cotton production on the farm, subject to adjustment on the basis of the actual production of cotton on the farm: *Provided*, That the Secretary may require prepayment of such fee if the export market acreage is so small as to make collection of such fee at the converted rate impracticable. The Secretary may provide by regulation for the establishment of the actual production of cotton on any farm with export market acreage, including the establishment of such production by appraisal upon failure of the producer to furnish satisfactory proof of such production. Export marketing fees paid to the Secretary shall be remitted by the Secretary to the Commodity Credit Corporation and used by the Corporation to defray costs of promoting export sales of cotton under section 203 of the Agricultural Act of 1956, as amended."

* * * * *

"Sec. 369. Notwithstanding any other provisions of this Act, the provisions of this part relating to farm marketing quotas shall apply to determinations of export market acreage for cotton for a farm. Notices showing the maximum export market acreage for cotton for the 1963 crop established for the farm shall be mailed to the farm operator as soon as practicable after the enactment of this section. Notice of the determination of the actual export market acreage for cotton on the farm after adjustment, if any, shall be mailed to the farm operator as soon as practicable after the determination thereof. Notice of the maximum export market acreage for a farm for the 1964 or subsequent crops of cotton shall be included in the notices of farm acreage allotments and marketing quotas for such crops."

(2) Section 372 of the Act is amended by adding at the end thereof the following new subsection:

"(e) Subsections (b) through (d) shall apply to the export marketing fee provided for under section 350 of this Act, except that (1) export marketing fees remitted to the Secretary as provided in subsection (b) shall be paid to Commodity Credit Corporation and (2) if the Secretary finds that a claimant is entitled under subsection (c) to receive a refund of the export marketing fee, he shall notify Commodity Credit Corporation, which shall make such refund."

(3) Section 376 of the Act is amended by adding at the end thereof the following: "This section also shall be applicable to the export marketing fees provided for under section 350 of this title."

(4) Section 385 of the Act is amended by adding at the end thereof the following: "This section also shall be applicable to payments provided for under section 348 of this title."

The statements presented by Mr. Sparkman are as follows:

Statement by the Advisory Committee on Cotton, January 14, 1963

(Issued through the facilities of the U.S. Department of Agriculture)

ADVISORY COMMITTEE RECOMMENDS NEW COTTON LEGISLATION

Following an all-day meeting, the Advisory Committee on Cotton recommended to the Secretary of Agriculture the following cotton program:

1. Authorize the Secretary of Agriculture to make payments in kind from Government stocks of cotton (or in cash, if cotton is not available) to such persons, other than producers of cotton, at such rate and subject to such terms and conditions as the Secretary determines will eliminate the inequities sustained by U.S. users of cotton by reason of the present two-price system.

2. Authorize the planting of cotton above the basic acreage allotment for the export market and at world price. If the producer pays an export fee equal to the difference between the world price and the domestic support price, this export cotton can move under the regular price support and marketing system.

3. The export acreage not to be in excess of 30 percent of the basic allotment, and for the 1963 crop to be 20 percent of the basic allotment. After 3 years of operation the overplanting privilege shall not be put into effect unless the carryover is being adequately reduced each year toward a reasonable level. As expansion in domestic consumption and/or exports justifies increased acreage, this acreage shall be equitably apportioned between national base allotment and the overplanting option.

4. The support price for the 1963 crop to be approximately the 1962 level of 32.47 cents per pound, basis Middling 1-inch cotton, provided budgetary considerations do not preclude the making of full significant competitive impacts in both the domestic and export markets.

It was understood that approval of these broad outlines does not preclude disagreement with details drawn under such general provisions, or with the determination made by the Secretary under such provisions.

Statement of Cottongrowers Group

We the members of a cottongrowers group meeting in Atlanta on January 7, 1963, from the States of Alabama, Georgia, Mississippi, North Carolina, South Carolina, Texas, and Virginia, do hereby submit the following principles to be used in developing cotton legislation for 1963 and subsequent years to the Secretary of Agriculture and the chairman of the Agricultural Committees of the House and Senate for their careful and valued consideration:

1. Endorsement of a trade incentive payment to the cotton manufacturer with payment of this, established as far as possible from the cotton farmer.

2. A base allotment of 16 million acres with the support price not less than in 1962.

3. A provision to permit each producer to overplant his base allotment up to a percentage not to exceed 20 percent with payment of marketing fees of at least 8½ cents per pound be paid to the U.S. Department of Agriculture on the cotton produced on this overplanted acreage.

4. Overplanted acreage shall not count toward farm acreage history.

5. After the first year of operation, the overplanting privilege shall not be put into effect unless the carryover is being adequately reduced each year toward a normal carryover.

6. As domestic consumption and exports increase, the basic allotment holder shall receive the proportionate part of any increased acreage.

MEMBERS

Alabama: Alexander Nunn, Loachapoka; Watt A. Ellis, Jr., Centre; Ed Mauldin, Town Creek; Bill Nichols, Sylacauga; R. C. Bamberg, Uniontown.

Georgia: J. W. Sewell, Plains; Tom Murray, Alabama, Florida, & Georgia Cotton Ginners Association, Decatur; Philip L. Brauner, Cotton Producers Association, Atlanta; Olen Burton, Vienna; Ray Noble, Vienna; Ernest W. Strickland, Claxton; Jimmy Carter, Plains; Ross Bowen, Lyons; David L. Newton, Norman Park; P. R. Smith, Winder; C. W. Connell, Williamson; O. S. Garrison, Homer; Harvey Jordan, Leary; Jim L. Gillis, Jr., Soperton; Sidney Lowery, Rome; A. J. Singletary, Blakely; Tom Carr, Sandersville; Joe Rheney, Tennille; Phil Campbell, Watkinsville.

Mississippi: Russell Summers, Nesbit.

North Carolina: Hervey Evans, Jr., Laurinburg; W. S. Williams, Jr., North Carolina Cotton Promotion Association, Middlesex; W. J. Long, Jr., Cotton Producers Association; G. D. Arndt, Raleigh; A. J. Haynes, Raleigh; Fritz Heidelberg, North Carolina Cotton Promotion Association, Raleigh; R. W. Howey, Monroe.

South Carolina: J. E. Mayes, Cotton Producers Association; Henry T. Everett, Cotton Producers Association, Summerton; James C. Williams, Norway; C. Alex Harvin, Jr., Summerton; Charles N. Plowden, Summerton; W. D. Herlong, National Cotton Council, Johnston; Robert Lee Scarbrough, Cotton Producers Association, Eastover; Stiles M. Harper, Harper & Bowers, Estill.

Texas: John T. Stiles, Old Cotton Belt Association, Taylor; J. Wittliff, Old Cotton Belt Association, Couplane.

Virginia: Dick Dugger, Jr., Brodnax.

AN ADDITIONAL EXEMPTION FOR FULL-TIME STUDENTS ABOVE SECONDARY LEVEL AT EDUCATIONAL INSTITUTIONS

Mr. CANNON. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to allow an additional exemption to a taxpayer for each son or daughter under the age of 23 years who is a full-time student above the secondary level at an educational institution.

This bill is intended to make possible the achievement of some of the goals about which I spoke during the past session of the Congress. During the closing days of the 87th Congress, this same bill was discussed on the floor of the Senate as a proposed amendment to the Internal Revenue Act of 1962. During that time, there was evidenced a considerable amount of support for this type of legislation.

I am hopeful, therefore, that active consideration can be given the bill by the Senate committee and that it can again be reported for our approval.

I am also sending to the desk a copy of my remarks at the time of the debate last year. I ask unanimous consent that they be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the remarks will be printed in the Record.

The bill (S. 609) to amend the Internal Revenue Code of 1954 to allow an additional exemption of $600 to a taxpayer for each dependent son or daughter under the age of 23 who is a full-time student above the secondary level at an educational institution, introduced by Mr. Cannon, was received, read twice by its title, and referred to the Committee on Finance.

The remarks presented by Mr. Cannon are as follows:

Remarks by Senator Cannon

As of October 1961 there were approximately 2,900,000 students under the age of 23 attending universities in this country. In a study by the University of Michigan, it was determined that the average annual cost per student was $1,550. Of this amount the student had earned and saved $360; $130 was provided by scholarships; $950 came from parents; and $110 from other sources. The study also showed that 4 in 10 found financing to be extremely difficult, while 2 in 10 found that the financial assistance which they were able to attain was inadequate.

I believe that all children desire an opportunity to compete as adults on an equal basis with their fellows. I believe that every parent desires to give his child that opportunity. Yet, many of our youth are being denied the right to compete due to a lack of advanced training. A study financed by the Ford Foundation and conducted by Elmo Roper & Associates revealed that 60 percent of this Nation's parents had no savings and of those who did only an average of $150 was set aside for college expenses. My amendment would assist in meeting the expenses and thus provide an added avenue and an added incentive for the Nation's youth in the pursuit of higher education. Many additional figures would be presented to show that there is rather desperate financial justification for this amendment.

Perhaps more important, however, in terms of this Nation's continued progress and security is the benefit which would accrue by making possible the full academic development of our Nation's youth.

I sincerely hope that the Senate will adopt this means of assisting in the more complete development of our most important national resource.

I. GENERAL INFORMATION

1. May 3, 1961, S. 1773 introduced.

2. May 4, 1961, Finance Committee requested reports from Department of Treasury and Bureau of Budget. No reports ever received.

3. April 13, 1962, requested that Finance Committee add S. 1773 as amendment to H.R. 10650.

II. ESTIMATED REVENUE LOSS

1. Department of Treasury, $400 million.

2. Office of Education, $250 to $400 million.

III. INFORMATION FROM OFFICE OF EDUCATION

1. Average annual student costs, 1960–61:
Public institutions, $1,300.
Private institutions, $2,100.

2. Source:	Percent
Families	41.0
Long-term savings (by student)	20.0
Student earning	26.0
Scholarships	5.0
Veterans' benefits	6.0
Loans	1.5
Other	2.5

IV. INFORMATION FROM NATIONAL EDUCATION ASSOCIATION

1. Student enrollment, October 1961:

Age:	
16–17	213,000
18–19	1,470,000
20–21	892,000
21, 22, 23	507,000

2. University of Michigan study, 1957:
(a) Students annual costs, $1,550.
(b) Source:

Parents	$950
Student earnings	360
Scholarships	130
Other	110

(c) Other data:
Four in ten found financing difficult.
Two in ten found financing inadequate.

3. Elmo Roper study, 1959:

Sixty percent of parents with children ages 5 to 17 had no savings.

The 40 percent who did had average savings of $150.

V. BUREAU OF CENSUS

Median income of families in age range 35 to 54, $6,500.

Most college students would come from families in this age and income range.

ALASKA RAILROAD COLLECTIVE BARGAINING BILL

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill similar to one I sponsored last Congress. It would authorize the Alaska Railroad and employees of the railroad to continue their practice of collective bargaining. I have requested the Alaska Railroad to prepare for me a statement comparing job security under the Veterans' Preference Act of 1944 as amended and job security under Alaska Railroad labor agreements permitted by this bill. I ask that this statement be printed in the RECORD at this point. I hope, Mr. President, this additional statement will point out to all concerned the merits of this legislation and the fact that veterans may be adversely affected in many respects if this legislation is not enacted.

The **VICE PRESIDENT.** The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 622) to improve and encourage collective bargaining between the management of the Alaska Railroad and representatives of its employees, and to permit to the extent practicable the adoption by the Alaska Railroad of the personnel policies and practices of the railroad industry, introduced by Mr. BARTLETT, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The statement presented by Mr. BARTLETT is as follows:

JOB SECURITY UNDER VETERANS' PREFERENCE AND UNDER ALASKA RAILROAD LABOR AGREEMENTS

The Veterans' Preference Act of 1944, as amended, gives Federal employees who are veterans certain preferential rights over nonveterans. These rights cover:

1. Appointment to the Federal service.

2. Reduction in force due to lack of work or funds.

3. Personnel actions adverse to employees:

(a) Discharge;

(b) Reduction in force due to lack of work or funds for 30 days or less;

(c) Suspensions for more than 30 days;

(d) Reduction in rank or compensation; and

(e) Disbarment from future Federal employment.

This memorandum is concerned with the job security provided by civil service regulations under the Veterans' Preference Act as it relates to the personnel actions listed above. It is concerned only with veterans' preference as applied in the excepted service, since Alaska Railroad employees are in the excepted service. No reference will be made to appointment procedures for veterans since this gives the railroad no problem and there has been no suggestion that the requirement of these procedures be waived.

Appraisals of the Veterans' Preference Act are ordinarily made through a comparison of the preferential rights which the act gives to veterans as compared with nonveterans when neither are represented by trade unions authorized to negotiate on their behalf. To the best of our knowledge no careful comparison has ever been made of veterans' rights under the law as compared with their rights under a trade-union agreement. All Alaska Railroad rank and file employees have been represented by unions for many years and their rights are spelled out in negotiated agreements signed by management and union representatives and approved by the Secretary of the Interior.

In the case of the Alaska Railroad it is, therefore, pertinent to inquire whether the job security granted by the Veterans' Preference Act is or is not superior to the job security afforded by the signed agreements in effect on the Alaska Railroad. We propose to make such a comparison in this memorandum, to outline the procedures and the rights established by the Veterans' Preference Act with respect to reduction-in-force actions and adverse actions, to similarly outline the procedures and rights established for such personnel actions by Alaska Railroad labor agreements, and to judge which of these two sets of rights and procedures provides the greater degree of job protection for veteran employees. While such a judgment will be made, it is possible that its inclusion within this memorandum will be unnecessary. From the outline of the facts herein presented the reader should be able to make such a judgment for himself.

The description and analysis that follows is divided into two sections. The first deals with reduction in force and the second with adverse actions. Each of these two kinds of personnel actions is then treated in accordance with the following outline:

1. Introductory comment on veterans' preference.

2. Introductory comment on the Alaska Railroad labor agreements.

3. A tabular comparison of the rights and procedures under both systems.

4. A comparison of the relative advantages and disadvantages of the veterans' preference system and the labor agreements system.

5. Conclusions.

REDUCTION IN FORCE

Veterans' Preference Act—Introductory comment

The reduction-in-force provisions of the Veterans' Preference Act (sec. 12 of the act and pt. 20 of the Civil Service Manual) apply both to veterans and nonveterans while giving to veterans a degree of preference. They apply to situations in which an employee is released from a competitive level, that is, from a family of interchangeable jobs, because of lack of work or funds or because of governmental reorganization. They establish the order in which employees may be laid off in a reduction in force and the order in which they shall be returned to service if vacancies develop and if rights to return to service exist.

Under the veterans' preference regulations there exists no right to bump or displace in the excepted service. An employee laid off on account of reduction in force from a competitive level thus has no rights to remain in service in some other competitive level.

There is one peculiarity about reduction in force under veterans' preference which must be included in a discussion of reduction in force. The procedures described above do not apply to layoffs of 30 days or less. In the case of a veteran such a furlough constitutes an adverse action and is handled under adverse action procedures described later in this memorandum. Retention roster standing need not be used in determining which individual is furloughed for 30 days or less. Employees thus furloughed return to service at the end of the period designated in the furlough notice. In the case of a nonveteran no notice is required when the furlough period is 30 days or less.

Railroad labor agreements—introductory comment

The procedures established by Alaska Railroad labor agreements governing reduction in force are much less complicated than those established under the Veterans' Preference Act. They are handled strictly on a seniority basis. After a probationary period of 60 days each employee is entitled to have his name on the appropriate seniority roster covering his occupation or class of service and he is given a seniority date, which is his first day of entry into the service of the Railroad in the occupation in which he holds seniority. These seniority dates do not change and seniority relationships, once established, continue unless modified by mutual agreement (or unless the employee is separated).

When a layoff is necessary from the employees on a given seniority roster, the last man hired is the first man laid off. He has rights to return to service in seniority order as long as he keeps his name and address on file with the Railroad, keeps available for service, and returns to service when he is called back.

Most layoffs start, however, with the abolition of a job or jobs and it would be only coincidence if the job abolished happened to be held by the man with the least seniority on a given roster. When this happens on The Alaska Railroad, the man to be laid off is selected through a bumping process. The senior employee may bump an employee junior to him on a given roster providing the senior man is qualified for the job on which he elects to bump. The rule ordinarily reads "Qualifications being sufficient, seniority shall govern." Sometimes a chain of bumping is necessary before the junior employee who must be laid off is reached.

There is a corresponding right to exercise seniority in the filling of vacancies. Vacancies are bulletined and the senior qualified bidder is selected for the vacant position.

The system described above is, of course, traditional on private railroads. Because of its relative simplicity there are very few employees who have any problems in understanding their rights under this kind of seniority system.

A tabular comparison of job security for veterans under the Veterans' Preference Act and under Alaska Railroad labor agreements—Reduction in force

Veterans' Preference Act	Alaska Railroad Labor Agreements
Which veterans have rights?	
All except veterans with less than 1 year of service on the Alaska Railroad and except those rated "unsatisfactory."	All except those who have not completed 60 days' probation.
Rosters	
Separate retention rosters for each occupation (competitive level) within which jobs are interchangeable. This means a large number of rosters, some listing only one or two employees.	Separate rosters for each occupation or group of occupations as determined by union jurisdiction. Rosters are relatively fewer in number because not limited to interchangeable jobs.
Order of listing on rosters	
Names listed in three groups depending on whether permanent or temporary and upon length of service with Alaska Railroad. Groups divided into veterans and nonveterans. Order of listing by groups and by veterans or nonveterans is in accordance with total continuous Federal service in any agency and in any occupation. Employees with high efficiency ratings are given credit for additional service.	Names listed on rosters in accordance with date of hire in roster occupation by Alaska Railroad. Military service after an employee has been hired counts in seniority just as though the employee had never left railroad service.
Order of layoff	
First, all employees with less than 1 year of service in any order management selects. Veterans with less than 1 year of service have no preference. Employees on retention rosters with lowest service date are next laid off in following order: Group III, nonveterans. Group III, veterans. Group II, nonveterans. Group II, veterans. Group I, nonveterans. Group I, veterans.	Employees are laid off in reverse order of seniority. If senior employee's job is abolished, he may bump junior employee if senior employee is qualified.
Notice	
Thirty days' notice required but this may be general notice without specifying individuals to be laid off. Five days' specific notice to individuals. Furloughed employee may be placed on leave without his consent or in nonpay status during notice period.	Some agreements require 5 days' notice.
Bumping rights	
None.	An employee whose job is abolished or is displaced has bumping rights over junior employee on a given seniority roster providing employee exercising bumping rights is qualified for the job.
Rights to bid on vacancies	
None.	Employees may bid on bulletined vacancies covered by a given seniority roster. In selection of employee from among those bidding seniority governs if qualifications are sufficient.
Rights to return to service from furlough	
Veterans with less than 12 months' service on Alaska Railroad have no right to return to service. Veterans furloughed from group I, II, or III positions for 1 year or less are returned to service in the competitive level from which furloughed in reverse order of retention-roster standing. If this cannot be done employee must be separated. Separated employees have no rights to return to service.	All furloughed employees listed on a given seniority roster have rights to return to service in order of seniority when vacancies occur, providing they keep themselves available for service. These rights extend beyond 1 year.
Appeals and hearings	
Veteran has a right to appeal to the Civil Service Commission from the decision of management but has no right to a hearing prior to the decision of management. He has a right to a civil service hearing at the first level of appeal to the Civil Service Commission. He must choose between an appeal to his agency or to the Commission and cannot pursue both types of appeal at once.	An employee has a right to a hearing if he feels his rights have not been afforded him in a reduction-in-force action. He may appeal the management decision, if against him, up to and including the general manager.

Veterans' preference and Alaska Railroad labor agreements compared—Reduction in force

The above outline of Alaska Railroad employee rights for reduction in force under the Veterans' Preference Act and under the labor agreements in effect on the Railroad suggests a comparison of the following three types of rights:

1. Veterans' rights under the act and civil service regulations which are not afforded them by Alaska Railroad labor agreements.

2. Veterans' rights under the Alaska Railroad labor agreements which are not afforded to veterans under the Veterans' Preference Act.

3. A comparison of rights under veterans' preference and under the labor agreements of aspects of personnel actions where both procedures afford rights but these rights are not the same.

Veterans' rights afforded by the Veterans' Preference Act but not by Alaska Railroad labor agreements

There are two such kinds of rights:

(1) The right to 30 days' notice, and (2) the right of a veteran to preference over a nonveteran within his retention roster group.

With respect to the 30 days' notice, it should be pointed out that a general notice may be given which does not specify the individuals to be laid off, so that the effective notice to the individual is only five days. Furthermore, management can require the employee to use up his leave during the notice period, so that the 30 days does not mean a guarantee of work during the notice period. An employee can, in fact, be placed on leave without pay during his entire notice period. The notice period is thus of much less value to the employee than appears on the surface.

The preference of a veteran over a nonveteran in reduction in force does not, of course, exist under the labor agreements but does exist under the Veterans' Preference Act. But this preference is far from absolute. A great many veterans will find that their preference is more theoretical than real. This is true for the following reasons:

1. No veteran with less than 12 months' service has any preference over nonveterans.

2. A group III veteran has no preference over a group I or II nonveteran and a group II veteran has no preference over a group I nonveteran. In other words the long service and permanent nonveteran actually has preference over a temporary or short service veteran under the regulations stemming from the Veterans' Preference Act.

3. A veteran cannot be secure in his rights under the Veterans' Preference Act because, under the latter, all continuous service in any occupation and any agency counts on the retention roster which determines the order of layoff. Thus, a veteran who has 10 years of retention roster seniority by reason of service on the Alaska Railroad, but without any other Federal service, will be laid off with preference going to the veteran who has 1 year on the Alaska Railroad and 10 years with another Federal agency (in any occupation). Suppose the first veteran has 10 years seniority as a brakeman and the second veteran has only 1 year of service as a brakeman but 10 years of Federal service as a machinist's helper. The 1-year brakeman has a higher retention roster standing than the 10-year brakeman.

Under the Alaska Railroad labor agreements seniority is only acquired on the Alaska Railroad and in the occupation (or occupational group) in which the employee has been working. A seniority date once established is fixed unless the employee is separated or seniority relations are changed by mutual agreement with the union representing him. The latter event almost never happens unless seniority rosters are consolidated.

Under the Veterans' Preference Act, the order of preference is never fixed. A veteran may find that he has lost his retention roster standing in relation to another veteran because the latter has more total Federal service or because the latter obtains a better efficiency rating. New hires and efficiency ratings keep changing the order of preference. This, of course, cannot happen under Alaska Railroad labor agreements.

Veterans' rights under Alaska Railroad labor agreements which are not afforded to veterans under the Veterans' Preference Act

There are four kinds of such rights: (1) Seniority rights of short-service veterans who have no rights under veterans' preference, (2) bumping rights, (3) rights to bid on vacancies, and (4) rights to return to service for veterans who would be separated under veterans' preference (but not under the labor agreements) and therefore have no rights to return to service.

It has been emphasized previously that veterans with less than 12 months of service have no rights under the Veterans' Preference Act. Such veterans can be separated without regard to retention roster seniority and nonveterans can, therefore, be retained while veterans are laid off. Under the labor agreements, on the other hand, an Alaska Railroad employee has full rights under reduction-in-force rules as soon as he has completed his 60-day probationary period.

No additional comments are necessary as to bumping and bidding rights. These rights are among the most valuable to employees of the rights which the labor agreements establish. Under the Veterans' Preference Act such rights do not exist for Alaska Railroad veterans.

Under the Veterans' Preference Act, an Alaska Railroad veteran will be either furloughed for a period not to exceed 1 year or he will be separated. If separated he has no right to return to service, beginning with the date of his separation. Under Alaska Railroad labor agreements an employee selected for layoff cannot be separated so that his rights to return to service cannot be taken away from him, except as he fails to keep his address on file or fails to return to duty when recalled.

Rights under veterans' preference and under Alaska Railroad labor agreements where both afford rights but these rights are not the same

There are three kinds of such rights: (1) Rights to be listed on a roster in a required order for reduction-in-force purposes, (2) rights to return to service, and (3) rights to appeals and hearing.

The veterans' preference regulations provide for the establishment of a retention roster and the Alaska Railroad agreements provide for seniority rosters. They are of significance in terms of the kind of rights they afford but this aspect of the comparison is treated elsewhere in this statement. These two kinds of rosters, considered without regard to the rights they establish, suggest the following comparisons.

The seniority roster is far simpler and easier to understand than the retention roster. This is, or should be, self-evident. The seniority roster is fixed whereas the retention roster is relatively unstable. This follows because the retention roster standing can change depending on efficiency ratings and upon the hire of new employees with other continuous Federal service. These latter, after 1 year of service, are given credit for prior continuous Federal service in any occupation so that a veteran with long service on the Alaska Railroad only has inferior rights over a veteran with still longer continuous Federal service. It necessarily follows that, on a retention roster, the kind of Federal service does not count. If the retention roster covers machinists, service as a clerk, or laborer or a personnel officer counts just as much for retention roster purposes as service as a machinist. As noted previously, a veteran with 10 years' service on the Alaska Railroad as a brakeman has inferior rights to the veteran with only 1 year's brakeman service on the railroad but with 10 years of service in any occupation elsewhere in the Federal service.

The large number of retention rosters as compared with the smaller number of seniority rosters tends to make seniority roster-type job protection superior. The large number of retention rosters means that each has fewer employees listed on it than is the case with most seniority rosters. The clerks seniority roster on the Alaska Railroad represents an excellent example of this point. This roster contains employees in a very large number of occupations, most of which are not interchangeable as jobs although the employee himself may have skills in several of them. Under the retention-roster system the clerks seniority roster would have to be broken down into a great many rosters, each of which contains only those jobs which are interchangeable. Some may contain only one or two names.

Thus, the senior veteran on the clerks seniority roster has preference over a much larger number of employees than if he were on one of the many retention rosters into which veterans' preference would require that jobs on the clerks seniority roster be broken down. Furthermore, a veteran who is furloughed under the agreement seniority system will probably have several different jobs on which he may bump. A veteran furloughed from a retention roster (and the veteran is much more likely to be reached in furlough where there are many rosters instead of one) has no alternative except to be furloughed or separated. He has no rights to bump, except under the labor agreement.

There are some occupations as section laborers where a retention roster will contain many names because there are many jobs which are interchangeable. Here, however, and unlike the labor agreement seniority system, the fact that veterans with less than a year of service have no rights in reduction in force, means that a cushion of veterans, who can be laid off in any order management selects, reduces the value of veterans' preference. Management has no such choice under the seniority system of the labor agreements.

It cannot be emphasized too often that a layoff usually begins with the abolition of a job rather than with the selection of junior men from a given roster to be laid off. Thus, the right to bump becomes all important and will be more important to most veterans than the somewhat watered-down preference which the Veterans' Preference Act actually gives him.

Enough has already been said of the right to return to service under the two systems to indicate the greater advantage to the veteran employee under the provisions of the labor agreements. Most of the veterans laid off under the veterans' preference system will not have a right to return to service. All the veterans laid off under the labor agreement system have rights to return to service when vacancies occur.

A comparison of the relative merits of hearings and appeals procedures under the Veterans' Preference Act and under the Alaska Railroad labor agreements can be more adequately made in the case of adverse actions than in the case of reduction in force. The latter are business-type actions in which it is unlikely that employees under either system will raise the question as to whether the reductions should have been made. Instead, the emphasis is on whether the reduction in force was carried out correctly in accordance with the rules.

Adverse actions are, for the most part, of a disciplinary character in which an employee is apt to raise the question as to whether the action should have been taken at all as well as the question as to whether the action was procedurally correct.

A consideration as to whether the hearing and appeals system of the labor agreements affords more or less protection to an employee than the system afforded by veterans' preference will, therefore, be deferred to the section of this statement dealing with adverse actions.

Conclusion as to reduction in force

Most Alaska Railroad employees, including veterans, even though they have not made a detailed analysis of veterans' preference, regard the seniority rights of the agreements, applicable to reduction in force actions, as superior to veterans' preference. The few who do not seem to have an exaggerated view of the value of veterans' preference rights which is not supported by the detailed facts of the nature of the law and of the regulations under it.

ADVERSE ACTIONS

Veterans' Preference Act—Introductory comment

Under the Veterans' Preference Act (sec. 14 of the Act and pt. 22 of the Civil Service Manual), adverse action procedures cover:

1. Discharge.
2. Suspension for more than 30 days.
3. Furlough without pay (limited by the Civil Service Commission to layoffs due to lack of work of funds for periods of 30 days or less).
4. Reduction in rank or compensation.

Unlike reductions in force, veterans' preference regulations dealing with adverse actions apply only to veterans. They cover personnel actions, most of them of a disciplinary nature, which may be taken against veterans providing the procedures laid down by the Commission in its regulations are properly followed.

These procedures, which are basically the same for all types of adverse actions, are as follows:

1. The employee must be notified in writing 30 days in advance of the proposed action, with a specific and detailed explanation of the reasons therefor.
2. The employee must be given an opportunity to reply in writing or in person or both.
3. The reply must be considered in reaching a decision and this decision must be made in writing. The decision must include a finding with respect to each of the reasons which have previously been stated in writing as the reasons for the action.
4. The employee must be notified of his rights to appeal to the agency or to the Civil Service Commission and must make an initial decision between these two chanels of appeal.
5. Time limits are set for the various stages of this procedure.

The right of a veteran employee of the Alaska Railroad to the procedures outlined above, in the case of discharge, suspension for more than 30 days, furlough for 30 days or less, or reduction in rank of compensation, is the sum and substance of his rights under provisions of the Veterans' Preference Act relating to adverse actions. Management is not prevented from taking these actions against veteran employees, but the adverse actions must be procedurally correct to be effective. On appeal to the Civil Service Commission, management's decision can be overruled if the procedures have been violated or if it can be shown that management did not have good cause for the adverse action taken.

Alaska Railroad labor agreements—introductory comment

The rights of employees of the Alaska Railroad, in the case of the kind of adverse actions enumerated in the Veterans' Preference Act, are the same for both veterans and nonveterans. The nature of these rights varies, however, with the kind of adverse action taken.

In the case of discharge and suspension for discipline, the most fundamental right afforded by the agreements is the right to a hearing. The employee against whom charges are made must be given 48 hours' notice of hearing. The hearing notice must enumerate the charges against him. He is entitled to be represented by a person of his choice and his representative need not be an employee of the railroad. He can produce witnesses on his own behalf and may, through his representative, cross-examine management witnesses. The employee is entitled to a management decision in writing within time limits stated in the agreement. If he is not satisfied he may appeal to higher officials of the railroad up to and including the General Manager. Interior Department regulations (rather than the labor agreement) afford a further right of appeal to the Secretary of the Interior.

If the discharge or suspension involves interpretation of agreement rules or of certain operating rules, the employee can appeal to an adjustment board procedure which means that his case will be tried before a neutral third party which his union has helped to select.

These procedures constitute the kind of traditional rights of employees in discipline cases that are typical of all private railroad labor agreements.

Alaska Railroad agreements make no distinction between layoffs on account of reduction in force with respect to time periods. The employees' rights under the agreements have already been described under reduction in force. An employee, listed on a given seniority roster, is entitled to be laid off in inverse seniority order, to keep his employment relation during the layoff period, and to be returned to service in seniority order when vacancies occur, provided, of course, that he has kept himself available for service. A furloughed employee is never regarded as a separated employee unless he fails to keep his address on file or does not return to service when called. If he satisfies these conditions he may keep his employment relation with the railroad indefinitely.

Reduction in rank or compensation is not treated by the Alaska Railroad labor agreements as an adverse action unless it is done for disciplinary reasons. In such an instance the employee may bring a grievance in writing against management. He is then entitled to a hearing, representation, presentation of witnesses, a decision in writing, and appeal similar to the procedures in effect for discipline cases.

In the case of grievances arising out of the interpretation of agreement rules, the Alaska Railroad employee is entitled to a third party hearing and decision under the railroad's adjustment board procedure.

Other types of reduction in rank or compensation are not regarded as adverse actions unless the employee has not been afforded his rights under the rules. Here his protection is the seniority system, which gives him the right to bid on vacancies in accordance with his seniority and to displace a junior employee on his seniority roster if he himself is displaced or his job is abolished. He must, of course, be competent to perform the job on which he bids or bumps.

For this kind of adverse action employee rights depend, not on a procedure of notification, but on labor agreement rules which guarantee his seniority rights and provide him with hearing and appeal and adjustment board procedures if he considers that his rights have been violated.

A tabular comparison of rights in adverse action cases under the Veterans' Preference Act and under Alaska Railroad labor agreements

Veterans' Preference Act	Alaska Railroad Agreements
Which veterans have rights?	
Veterans temporarily employed less than 1 year have no rights under adverse action procedures of Veterans' Preference Act.	All veterans have rights, in the case of adverse actions, who have completed 60-day probationary period.
Discharge	
Veteran employee has right to 30-day notice of discharge except that in many instances he can be suspended without pay during 29 of the 30 days. Notice must contain a detail of charges and veteran employee must be given opportunity to make written or oral reply. Management decision must be in writing. Employees may appeal to Civil Service Commission or to Railroad appeals system but must make choice between the two. Veteran employee has right to hearing at first level of appeal to Civil Service Commission but has no right to a hearing before management's initial decision is made.	Employee has right to 48 hours' notice of hearing at which he can be represented by a third party, can present witnesses on his behalf and cross-examine management witnesses. If decision, after hearing, is adverse, employee can appeal up to and including the General Manager. If interpretation of agreement rules or violation of certain management rules is involved, employee can secure third party determination through adjustment board procedure.
Suspension for discipline	
Veteran has no rights under Veterans' Preference Act if suspended for 30 days or less. If suspended for more than 30 days, has rights to notice, reply, decision in writing and appeal, as outlined above for cases of proposed discharge. While the regulations seem to permit a suspension after 24 hours' during the notice period, it seems unlikely that the Commission would hold that an individual who is sure to return to service (since the penalty is suspension only and not discharge) could be suspended on 24 hours' notice on the grounds that his retention in the service would be "detrimental to the interests of the Government," etc.	Has rights to hearing, written decision, and appeal as described above for "Discharge."
Furloughs of 30 days or less	
Veterans have right to 30-day notice, reply, written decision and appeal to Commission as described above under "Discharge." Veterans' preference does not apply in selecting individual to be given this short-duration furlough, and management may select individual without regard to retention roster standing. If furlough is due to unforeseeable circumstances, no advance notice or opportunity to reply is required.	The labor agreements make no distinctions in regard to length of furlough so that rules for reduction in force apply. Employees are furloughed in reverse seniority order from a given seniority roster and are returned to service when vacancies occur in order of seniority. Employee may prosecute case as grievance, with hearing appeal, and third party Adjustment Board decision if he alleges his seniority rights have been violated under an erroneous interpretation of the rules.
Reduction in rank or compensation	
Veteran employee has right to 30-day notice, reply, written decision and appeal as described above under "Discharge."	Most adverse actions on Alaska Railroad would come about through the exercise of bumping and displacement rights. Employee displaced must be given 3-days' notice of displacement in most agreements. An employee reduced in rank or compensation may present case as grievance and have right to hearing, written decision and appeal. If interpretation of rules is involved, has right to Adjustment Board decision.

Veterans' Preference Act and Alaska Railroad agreements compared

An appraisal of the comparative value of the rights established in adverse action situations under veterans' preference and under Alaska Railroad labor agreements is more difficult than is the case with reduction in force.

This comment does not apply to veterans with less than 12 months' service on the Alaska Railroad. Here the Veterans' Preference Act affords no rights while veterans, who have completed the 60-day probationary period, have very substantial rights under the labor agreements.

A similar conclusion follows for veterans with 1 year or more of service who may be faced with the possibility of disciplinary suspensions for 30 days or less. Such veterans have no rights under the Veterans' Preference Act since this kind of suspension is not an adverse action under the law. Under the labor agreements, on the other hand, such employees who have completed their probationary periods have the very substantial right of formal hearing, written decision, appeal and, in some cases, a third party decision under adjustment board procedure.

In the case of discharge and suspensions for more than 30 days, the answer depends on the value attached to a 30-day notice (which is rendered less valuable in those instances in which the employee can be placed in a nonpay status after 24 hours) and appeal to the Civil Service Commission, when compared with the formal hearing, appeal and adjustment board system provided by the labor agreements.

Under the veterans' preference system the veteran has no right to a formal hearing prior to the original management decision in his case. Many Alaska Railroad employees would regard this as a serious defect in the veterans' preference system. True, a hearing is provided at the level of the first stage of appeal under the veterans' preference system. But Civil Service Commission staff seem to rely more on their investigation abilities than on the results of hearing. Further, the hearing required by the labor agreements brings issues more sharply into focus because tthe parties confront each other through representatives and through witnesses. This is usually not the case with Civil Service Commission hearings.

The appeals procedure of the agreements is likely to be handled much more expeditiously than is the case with Civil Service Commission appeals. The latter, particularly if taken above the level of the first appeal, have always taken a great deal of time.

There is an advantage to the labor agreement procedures in that they emphasize a decision on the merits to a far greater extent than a decision based on procedural niceties only. Civil Service Commission officials are far removed from the scene of action. Their number is limited and they have less opportunity to become familiar with the traditions and circumstances of a particular Government agency. But this seems to be more than counterbalanced by a tendency to decide cases on the basis of procedural defects rather than through a consideration of their merits. This attitude, of course, avoids the more difficult decision based on a consideration of the merits of a case. On the other hand, Alaska Railroad employees have access to third party decisions through adjustment board procedures.

The railroad can, of course, take advantage of this situation and pay such careful attention to required procedures that "fatal procedural defect" is not likely to be found. If this is done, it is a fairly safe prediction that the railroad will lose few cases that have been appealed by veteran employees. The adverse action will be taken and the veteran will find that his only advantage will be a delay in management's making the adverse action effective because of the notice period.

In the case of furlough for 30 days or less the advantages of the provisions of the labor agreement seem quite obvious. Veteran employees must balance the fact that management can select, under the act, any employee for this kind of furlough (a nonveteran over a veteran, for example against the seniority protections of labor agreement rules applying to reduction in force. The Alaska Railroad agreement system gives job security to senior employees. The veterans' preference system does not and gives no preference for this kind of furlough to veterans. The only advantage to a veteran who exchanged the labor agreements for veterans' preference in the case of furlough for 30 days or less, would be a delay in the furlough's taking effect because of the notice period.

A comparison in the case of reduction in rank or compensation cannot be fully made until the Civil Service Commission clarifies the applicability of adverse action regulations to the Alaska Railroad. If the use of veterans' preference procedure, in place of agreement rules, for actions to reduce rank or compensation should mean the loss of bidding and bumping rights, then far more job protection has been lost than has been gained. Such a substitution would, in all probability, mean just this. There are no rights to bid or bump under veterans' preference in the excepted service. To establish these rights by agreement would certainly increase the job security of veterans. But it would do so only by giving veterans more rights than the Veterans' Act requires and by greatly reducing the job security of nonveterans. This is because a veteran could bump a nonveteran without an adverse action. But the bumping of a veteran by a nonveteran would, in most cases, result in an adverse action with the necessity of notice, reply, decision, and appeal. The administrative complexities of this process would be so great that this alone would probably prevent the granting of bumping rights not required by law. A displacement system based on seniority can only work if it can be accomplished in reasonably short periods of time and if the possibility of each adverse action can be foreseen 30 days in advance. It is highly doubtful that either condition could be realized if bumping were added to the rights which the Veterans' Preference Act gives.

Conclusion as to adverse actions

Weighing the probabilities seems to give the major advantages to the veteran who is subject to the labor agreements rather than to the Veterans' Preference Act. This is clearly true for the veteran with less than 12 months of service who has no veterans' preference rights against adverse actions. It is likewise true for veterans faced with disciplinary suspensions of 30 days or less, since they have no rights under the veterans' law. It is also true of furloughs for 30 days or less. Here the veteran would have no preference over a nonveteran and he would lose the protection which the seniority system gives him.

It seems true that most employees on the railroad who have grown up in the tradition of trade unionism would be reluctant to abandon their rights to hearing which the labor agreements give. There would also seem to be no doubt that they would prefer the agreement procedures over veterans' preference with respect to any adverse action if adherence to the latter meant the abandonment of seniority bidding and displacement.

ALASKA, HAWAII SEEK END TO VETERANS' HARDSHIP

Mr. BARTLETT. I am pleased, Mr. President, to reintroduce a measure which I first introduced February 6, 1961.

This measure would remove a hardship inadvertently placed on Alaska and Hawaii veterans.

When I first introduced this bill in the 87th Congress it had the support and sponsorship of the four Alaska and Hawaii Senators, without regard to party affiliation.

The merits of this proposed legislation have not lessened since then; nor has the support of the Alaska and Hawaii Senators.

The purposes of this proposed legislation are endorsed by the Senators from Hawaii. My colleague, the junior Senator of Alaska [Mr. GRUENING] joins with me today in cosponsoring the proposal. There can be no doubt, Mr. President, of the importance which our two States attach to this measure.

This measure would permit the use of private contract hospitals for the care of veterans with non-service-connected disabilities in the States of Alaska and Hawaii.

Senators may not be aware that at present there are no veterans hospitals at all in either of these two States. There is not a demand large enough to warrant their construction.

As a result veterans must use whatever Government medical facilities are available. Under a long-standing agreement veterans are admitted for patient care to the Tripler General Hospital operated by the Department of Defense in Hawaii and to the medical facilities operated by the Department of Defense and the Department of Health, Education, and Welfare in Alaska.

This, in all but a few cases, is a just and sensible arrangement. For a few cases this causes a severe and perhaps dangerous hardship.

Alaska, the largest State in the Union by far, covers 586,400 square miles with a coastline stretching 33,904 miles. Transportation over much of the State is irregular and expensive. Roads are scarce, and often the only means of travel is by airplane. Federally owned hospitals are few and far between.

Thus, it is that there are times when veterans are unable—by reason of extreme illness, lack of money, or transport—to make the long trip over many hundreds of miles to the Government-owned hospitals. If their illness is service connected they are now permitted to make use of nearby private hospitals under private contract arrangements undertaken by the Veterans' Administration.

Veterans with non-service-connected illnesses, however, are denied the use of these private contract facilities. This is unfair, and is as I have said, in cases dangerous.

Until the advent of statehood, veterans with non-service-connected disabilities in both Alaska and Hawaii were allowed treatment at private facilities in the same manner as veterans with in-service ailments—although the veteran, to receive such care, was required, of course, to meet the same standards as those applied in the other 48 States.

The coming of statehood prohibited the continuance of this practice. This unfortunate result was caused by a technical deficiency in the veterans care legislation. The geographic conditions in our States which required private facility contracts for veterans care before statehood have not changed. They still exist, and the need for such care still exists.

This bill will see that such care is restored to Alaska and Hawaii veterans. The cost of this service will be small.

This legislation is strongly supported by the Senators of both States and on both sides of the aisle.

It is strongly supported by the major veterans organizations of both States.

Mr. President, when this measure was under consideration in the last session of the Congress both the Governor, William A. Egan, and the State Legislature of Alaska, gave their support to this proposal. I ask unanimous consent that a wire from the Governor and a joint resolution of the Alaska Legislature House Joint Resolution 70 be printed in the RECORD at this point.

These will indicate, Mr. President, the importance attached to this legislation by the people of Alaska and Hawaii. I urge its early adoption.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the telegram and joint resolution will be printed in the Record, and the joint resolution will be referred to the Committee on Labor and Public Welfare.

The bill (S. 625) to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities," introduced by Mr. Bartlett (for himself and Mr. Gruening), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The telegram and joint resolution presented by Mr. Bartlett are as follows:

Juneau, Alaska,
March 24, 1962.

Hon. Ralph W. Yarborough,
Chairman, Subcommittee on Veterans' Affairs, Committee on Labor and Public Welfare, U.S. Senate, New Senate Office Building, Washington, D.C.

Strongly urge favorable action by your subcommittee on S. 801 which would but restore to veterans of Alaska and Hawaii the rights to treatment in private hospitals which existed prior to statehood. Conditions upon which prior authority predicated—including absence any VA hospital in Alaska—remain unchanged. Areas within 48 States comparable in size to Alaska contain average of 34.4 VA hospitals reachable within maximum of 5 hours, traveltime. Travel to VA hospitals of other States is tremendous impractical burden. House Joint Resolution No. 70 strongly supporting provision S. 801 unanimously adopted by Alaska legislature this week. For expanded statement my views please refer to my letter to you under date April 14, 1960, supporting similar measure, S. 2201, and statement to House Committee on Veterans' Affairs April 10, 1961, on companion measure, H.R. 2923.

William A. Egan,
Governor.

House Joint Resolution 70

Joint resolution relating to hospitalization for Alaska and Hawaii veterans for non-service-connected disabilities

Whereas the Alaska delegation to Congress has introduced bills in both Houses of Congress which seek to restore to veterans in Alaska and Hawaii their rights to hospital treatment for non-service-connected disabilities; and

Whereas it is the purpose of S. 801 and H.R. 2923 to give Alaskan and Hawaiian veterans the same treatment as veterans of the other States who have comparatively easy access to veterans' hospitals; and

Whereas Alaskan and Hawaiian veterans requiring immediate emergency hospitalization are not now permitted to obtain the medical services they must have near their homes, but must be flown hundreds of miles to the nearest veterans' hospital in the United States proper; and

Whereas the closing of the Alaskan Veterans' Administration contact offices in the cities of Fairbanks and Ketchikan have further aggravated the problem for those veterans in need of medical treatment and care: Be it

Resolved by the Legislature of the State of Alaska in second legislature, second session assembled, That Congress is respectfully urged to take favorable action this year on either S. 801 or H.R. 2923 in order that Alaskan and Hawaiian veterans may receive needed hospitalization under Veterans' Administration contracts with hospitals located in their respective States; and be it further

Resolved, That copies of this resolution be sent to the Honorable Lister Hill, chairman, Senate Labor and Public Welfare Committee; the Honorable Olin E. Teague, chairman, House Veterans' Affairs Committee; and the Alaska delegation to Congress.

Passed by the house February 27, 1962.

Warren A. Taylor,
Speaker of the House.

Attest:

Esther Reed,
Chief Clerk of the House.

Passed by the senate March 9, 1962.

Frank Peratrovich,
President of the Senate.

Attest:

Evelyn K. Stevenson,
Secretary of the Senate.

Approved by the Governor March 15, 1962.

William A. Egan,
Governor of Alaska.

THE STATES NEED HELP ON HIGHWAY ENGINEERING COSTS

Mr. BARTLETT. Mr. President, I am pleased to introduce today, on behalf of the junior Senator from Alaska [Mr. Gruening] and myself, a measure to increase from 10 to 15 percent the limitation on payments for construction engineering on Federal aid for primary, secondary, and urban highway programs.

The Federal Government has participated in highway construction on a matching basis with the States since 1916.

The ABC program of assistance in the building of primary, secondary, and urban highways has been of great help to the States in their efforts to keep pace with the vast and hurried expansion of motor travel.

It is not necessary to point out the large increases in the costs of highway construction. These have been extensive and continuous.

The complexities of modern highway planning and engineering have also caused the costs of such engineering to increase substantially. Unfortunately, there is a statutory limitation in the Federal-Aid Highway Act which requires that engineering costs be limited to 10 percent of Federal participation.

This limitation is clearly inadequate, and for this reason I am introducing today a measure to raise it from 10 to 15 percent.

It is my understanding that such an increase would have the approval of officials of the American Association of State Highway Officials and of many of our State highway commissioners.

Because of the widespread interest in—and the importance of—this measure, I ask unanimous consent that it may be printed in full at the end of my statement. I also ask that it lie on the desk for a week so that Senators may join in cosponsorship if they wish.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and lie on the desk, as requested by the Senator from Alaska.

The bill (S. 626) to increase the limitation on payments for construction engineering for Federal-aid primary, secondary, and urban projects, introduced by Mr. Bartlett (for himself and Mr. Gruening), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (c) of section 106 of title 23, United States Code, is amended to read as follows:

"Items included in any such estimate for construction engineering shall not exceed 15 per centum of the total estimated cost of a project financed with Federal-aid primary, secondary or urban funds, after excluding from such total estimated cost, the estimated costs of rights-of-way, preliminary engineering and construction engineering. For any project financed with Interstate funds, such limitation shall be 10 per centum."

Sec. 2. The second sentence of subsection (d) of section 121 of title 23, United States Code, is amended to read as follows:

"Payments for construction engineering on any project financed with Federal-aid primary, secondary or urban funds shall not exceed 15 per centum of the Federal share of the cost of construction of such project after excluding from the cost of construction the costs of rights-of-way, preliminary engineering and construction engineering. For any project financed with Interstate funds, such limitation shall be 10 per centum."

COMMERCIAL FISHERY RESEARCH AND DEVELOPMENT PROGRAM

Mr. BARTLETT. Mr. President, on behalf of the senior Senator from Washington [Mr. Magnuson], the junior Senator from Washington [Mr. Jackson], the junior Senator from New Jersey [Mr. Williams], the junior Senator from Massachusetts [Mr. Kennedy], the junior Senator from Alaska [Mr. Gruening], and myself, I introduce, for appropriate reference, a bill which is designed to assist our States in their efforts in commercial fishery research and development.

This is a proposal which several of my colleagues and I have been working on for a number of months. We believe it incorporates the best of many possible approaches.

The bill authorizes the Secretary of the Interior to cooperate with the States in carrying out projects designed for research and development of commercial fishing resources and authorizes to be appropriated annually $5 million for a total 5-year program. These funds would be apportioned among the States on a matching basis according to the extent of commercial fisheries in each State as represented by the value of the raw fish harvested by domestic fishing vessels and received within each State plus the average value of the fishery products manufactured within each State. To assure that each State will receive an adequate portion, a maximum of 10 percent and a minimum of one-half of 1 percent of the funds are assured under the allocation.

Each State desiring to take advantage of the benefits of the act is required to submit its plans for any proposed project to the Secretary of the Interior. The Secretary has authority to approve the plans and pay to the State the Federal share of any approved project in an amount not exceeding 75 percent of the total cost.

Mr. President, we anticipate that this program will be sufficiently flexible to meet the needs of each State which engages upon a program to assist in the conservation of its fishery resources. In one State this may mean assisting an effort to develop fish farms, in another State it may mean contributing to a program for the construction and operation of experimental fish hatcheries and yet in a third State it may be to benefit a State effort made at stream clearance for salmon. It is proper to leave with the States the initiative in requesting assistance in those programs that justify promotion as seen from the perspective of each individual State.

We must continue to encourage States to carry out their own programs and encourage them to cooperate with other States and with the Federal Government in bolder programs for the conservation of this common resource. But fish conservation needs extend across State boundaries, and indeed, across international boundaries.

In providing for Federal Government approval of and participation in State plans, we promote the concept of a coordinated effort in both our domestic and high seas fisheries. It is vital in these days when the pressures of greatly increased fishing efforts are being made throughout the world that we understand the limits of utilization beyond which we cannot go.

I submit that if we embark now on a concerted effort of research and development of our fisheries, we shall be able to continue to enjoy the benefits of this great resource. If we do not, we may lose one of our most valuable resources as well as a substantial national industry. We cannot continue to ignore the dangers of depletion and overutilization we are facing, nor can we fail to develop those fisheries which have not heretofore been developed.

It is our hope that passage of this legislation will demonstrate to other nations our grave concern and encourage them to embark on similar programs.

Mr. President, I ask unanimous consent that this bill be printed in full at the conclusion of my remarks and that it lie on the table for 1 week to permit other Senators to join us in sponsoring this legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and will lie on the desk, as requested by the Senator from Alaska.

The bill (S. 627) to promote State commercial fishery research and development projects, and for other purposes, introduced by Mr. BARTLETT (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Commercial Fisheries Research and Development Act of 1963."

SEC. 2. As used in this Act, the term—

"Commercial fisheries" means any organization, individual or group of organizations or individuals engaged in the catching, processing, distribution, or sale of fish, shellfish or fish products.

"Fiscal year" means the period beginning July 1 and ending June 30.

"Obligated" means the written approval by the Secretary of the Interior of a project submitted by the State agency pursuant to this Act.

"Project" means the program of research and development of the commercial fishery resources, including the construction of facilities by the States for the purposes of carrying out the provisions of this Act.

"Raw fish" means aquatic plants and animals.

"State" means the several States of the United States, having commercial fisheries, including the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, and Guam.

"State agency" refers to any department or division of a department of another name, or commission, or official or officials, of a State authorized under its laws to regulate commercial fisheries.

SEC. 3. The Secretary of the Interior is authorized to cooperate with the States through their respective State agency in carrying out projects designed for the research and development of the commercial fisheries resources of the Nation. Federal funds made available under this Act will be so used as to supplement, and, to the extent practical, increase the amounts of State funds that would in the absence of such Federal funds be made available for the purposes set forth herein.

SEC. 4. There is authorized to be appropriated to the Secretary of the Interior for the next fiscal year beginning after the date of enactment of this Act, and for the four succeeding fiscal years thereafter, $5,000,000 in each such year for the purposes of this Act.

SEC. 5. (a) Funds appropriated for the purposes of this Act shall be apportioned among the States, by the Secretary, on July 1 of each year or as soon as practicable thereafter, on a basis determined by the ratio which the average of the value of raw fish harvested by domestic fishing vessels and received within each State (regardless where caught) for the three most recent consecutive calendar years for which data satisfactory to the Secretary are available plus the average of the value to the manufacturer of manufactured and processed fishery merchandise manufactured within each State for the three most recent consecutive calendar years for which data satisfactory to the Secretary are available, bears to the total average value of all such raw fish harvested by domestic fishing vessels and received within each State (regardless where caught) and fishery merchandise manufactured and processed within all participating States for the three most recent calendar years for which data satisfactory to the Secretary are available. Each apportionment shall be adjusted so that no State shall receive, in any one fiscal year, less than one-half of 1 per centum nor more than 10 per centum of the total amount apportioned pursuant to this Act.

(b) So much of any sum not obligated under the provisions of this section for any fiscal year is authorized to be made available for obligation to carry out the purposes of this Act until the close of the succeeding fiscal year, and if unobligated at the end of such year, such sum shall be returned to the Treasury of the United States.

SEC. 6. (a) Any State desiring to avail itself of the benefits of this Act shall, through its State agency, submit to the Secretary full plans, specifications, and estimates of any project proposed for that State. Items included for engineering, planning, inspection, and unforeseen contingencies in connection with any works to be constructed shall not exceed 10 per centum of the cost of such works, and shall be paid by the State as a part of its contribution to the total cost of such works. If the Secretary approves such plans, specifications, and estimates as being consistent with the purposes of this Act and in accordance with standards to be established by him, he shall so notify the State agency. No part of any moneys apportioned under this Act shall be obligated with respect to any such project until the plans, specifications, and estimates have been submitted to and approved by the Secretary. The expenditure of funds authorized by this Act shall be applied only to such approved projects, and if otherwise applied they shall be replaced by the State before it may participate in any further apportionment under this Act.

(b) If the Secretary approves the plans, specifications, and estimates for the project, he shall promptly notify the State agency and immediately set aside so much of said appropriation as represents the Federal share payable under this Act on account of such project, which sum so set aside shall not exceed 75 per centum of the total estimated cost of the project.

(c) When the Secretary shall find that any program or project approved by him has been completed, he shall cause to be paid to the proper authority of said State the Federal pro rata share of said project: *Provided,* That the Secretary may, if he determines that said project is being conducted in compliance with the approved plans and specifications, make periodic payments on said project as the same progresses, but these payments, together with previous payments, shall not exceed the United States pro rata share of the project in conformity with said plans and specifications. The Secretary and each State agency may determine jointly at what time and in what amounts progress payments shall be made. All payments shall be made to such official or officials, or depository, as may be designated by the State agency and authorized under the laws of the State to receive public funds of the State.

SEC. 7. (a) All work, including the furnishing of labor and materials, needed to complete any project approved by the Secretary shall be performed in accordance with State laws and under the direct supervision of the State agency. Title to all property, real and personal, acquired for the purposes of completing any project approved by the Secretary, shall be vested in the State.

(b) The amount of any net proceeds resulting from the disposal of real or personal property, acquired pursuant to an approved project including supplies and equipment, to the extent of and in the same ratio that funds provided by this Act were used in the acquisition of such property, and if the disposal of such property occurs within five years of the date of acquisition, shall be paid by the State into the Treasury of the United States. In no case shall the amount paid into the Treasury of the United States under this section exceed the amount of funds provided by this Act for the acquisition of the property involved.

SEC. 8. The Secretary is authorized to make such rules and regulations as he determines necessary to carry out the purposes of this Act.

Mr. GRUENING. Mr. President, I am most pleased today to join my colleague, [Mr. BARTLETT] and other Senators in cosponsoring a bill to provide assistance to our Nation's ailing fishing industry. The bill with some modifications is basically the same as the measure (S. 1730) which I introduced during the last Congress with 28 cosponsors and I commend my colleague highly for taking the leadership in this fight to save and augment this vital American food resource and to assist those engaged in occupations related to the fisheries, our fishermen, and fishery processors.

It is most fitting that this measure be introduced on the very day that the President sent to the Congress his farm message. In his message, the President started out by saying:

> Proper management of our resources of food and fiber is a key factor in the economic future of the Nation.

He was, of course, talking about food produced on the land but it is equally true that "proper management of our resources of food" in the ocean is equally a key factor in the economic future of the Nation.

It is, however, a tragic fact that we have all too long neglected our vast ocean food potential. We have been profligate in this respect, which Japan and Russia have long ago recognized, that the ocean is as great a food resource as the land. They have built up great fishing fleets which have invaded our very waters. They are forging ahead in harvesting the oceans while we have neglected fisheries research, while we have failed to build a modern fishing fleet, while we have acted as though our superabundance of food supplies from the land will forever be sufficient to supply future human needs for sustenance, despite the population explosion throughout the world.

The program which we propose is modest in comparison with the vast sums we are today spending—and the even greater sums we will be spending tomorrow—on storing the surplus from the land.

A revitalized fishing industry could play a vital part in our food-for-peace program if the Congress would but realize that some effort should be expended on its rehabilitation. This legislation is important not merely to our coastal and Great Lakes States. Few States are without lake or river fisheries which furnish both food and recreation.

Our colleague from Massachusetts during the last Congress, former Senator Benjamin A. Smith II, on May 24, 1962, delivered a masterful address on the floor of the Senate, pinpointing the needs of the fishing industry and offering a seven-point program to meet those needs. His remarks are as cogent and timely today as they were 7 months ago. In order that those of my colleagues new to this Chamber may have the proposal before them and in order to refresh the recollections of my other colleagues, I ask unanimous consent that Senator Smith's remarks be printed in the CONGRESSIONAL RECORD at the conclusion of this statement.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

A PROGRAM FOR OUR FISHERIES

(Speech by Senator Benjamin A. Smith II to the U.S. Senate, Thursday, May 24, 1962)

This spring a fleet of over 100 Russian fishing vessels has been operating as close as 15 miles from Cape Cod, Mass., on Georges Bank. This fleet is fishing our coastal waters with the most modern equipment yet developed anywhere in the world. Fish are brought through the stern of the Russian trawlers at up to 75,000 pounds a haul. This catch is processed on board ship with a minimum of waste and spoilage.

This is the second year that the Soviets have fished these waters, and they are here earlier this year than last. They have also 150 to 200 fishing vessels off Alaska in the Bering Sea where they have been fishing since 1959. This fleet has already taken 50 percent more herring than called for in its 1962 winter plan. These ships are all part of a mammoth state enterprise which has recently placed Russia ahead of the United States in world fishery production.

I would like to speak today about our own fishing industry, in the light of recent strides by the Soviets. I do so not to suggest that our security is in danger, nor that we imitate their every move. I bring up Russian achievements—and I shall talk about those of other nations as well—to emphasize the fact that the United States has a third-rate fishing fleet by world standards. The march of technology, which has transformed agriculture and so many other industries, has hardly brushed our fisheries. American fisheries desperately need to modernize and this modernization cannot take place without the help of the Federal Government.

The fisheries, as I shall use the term, comprise all the separate operations which take fish from water, process it into food, and bring it to market. Fishing is our oldest commercial industry. It stretches back to 1602, when the Englishman Bartholomew Gosnold made the first commercial fishing expedition off the Massachusetts coast, and was so impressed by the abundance there that he named the area Cape Cod.

The fisheries have been most important to the economic development of our country. They are a significant industry today in almost all the 23 States that border on our great oceans and the Gulf of Mexico, not to mention many inland States that have fresh water fisheries. Fisheries employ, directly and indirectly, 540,000 American workers. They are a major industry in my State of Massachusetts. Both the past fame and the present distress of my home town of Gloucester are largely attributable to this industry.

I speak today on the problems of our fisheries for all these reasons. And I would add one more: that if I, as a freshman Senator, am going to take this floor, it should be on a subject I know well; and all my life has been spent in this industry.

The fisheries in America are in very serious condition. The total catch of fish landed in the United States last year was 5,100 million pounds. This was less than was landed 20 years ago, even though our population increased during this period by 45 million people. In the last 10 years the number of fishermen in the United States has dropped by 31,000; the number of fishing boats by 16,000. More and more of the fish consumed by Americans is imported. Imports have doubled since 1949 and in 1961 accounted for 44 percent of our total consumption. We import more fish than any country in the world. Distress in the fisheries is especially severe in New England. At the end of World War II the fleet operating out of Boston had 120 trawlers. Now it has 61. At the end of the war the Gloucester fleet had over 400 boats. Today it has only about 100, and almost every month another fishing boat gives up and goes out of business.

Salmon production in the Northwest has been declining for many years. The Alaskan salmon pack, which averaged 5,900,000 cases in the 10-year period from 1936 to 1945, was reduced during the 10 years of the 1950's to 2,800,000 cases. The Columbia River pack for the 1936–45 period averaged 327,000. During the 1950's it dropped to 157,000. The low abundance of salmon is aggravated by the fact that other countries take on the high seas fish that originate in Alaskan waters. It is estimated that the Japanese alone may take 2 million Alaskan salmon this year.

The tuna fleet operating out of San Diego has declined in the last 10 years from 833 to 210 vessels. The sardine industry in Maine is plagued by wide fluctuations in the catch. Last year Maine sardine canners experienced their worst season in years, as landings dropped by nearly 100 million pounds.

Water pollution and the invasion of the lamprey have virtually wiped out our $8 million a year trout industry in the Great Lakes. Fishermen of this region, who used to bring in pike, whitefish and other valuable species, in addition to trout, are now reduced to trying to market smelt, carp and lesser value fish.

A serious shortage of shrimp has developed in our traditional fishing grounds in the Gulf of Mexico. The domestic shrimp catch from the Gulf of Mexico in 1961 was 72 million pounds lower than in 1960. As a result of this, imports of shrimp rose last year to over 50 percent of domestic consumption. While unutilized species of shrimp have been located in deeper waters, most boat owners cannot afford the navigation instruments, bigger engines and extra wire required to fish these grounds.

Oyster production has declined in the last 10 years by 19 million pounds, primarily due to depreciation of stocks by parasites, predators, and diseases. Oystermen are having trouble finding suitable oysters to market or sufficient oyster seed for planting. Many oyster companies on Long Island Sound, Delaware Bay, and Chesapeake Bay have gone out of business.

The result of this accumulation of difficulties in various of the fisheries is that America, after many years as the world's second largest producer of fish, has been displaced by Russia. In 1960, we actually fell to fifth place behind Japan, Russia, Red China, and Peru.

The basic problem pervading every part of our fisheries is backwardness of technology. It is technology, even more than wages, that allows fishermen of other countries to undersell us in our own ports. It is our dependence on old methods and obsolete equipment which makes costs so high that many fishing boat operations no longer pay. If there is to be any renaissance of the fisheries in this country, it will only come about through the application of modern scientific technology.

Fish is a highly perishable item, traditionally caught a long distance from where it is sold. The voyage from port to fishing grounds and back involves heavy expenditures for fuel, maintenance, and wages. The secret of economical operation, therefore, is to make the largest possible catch on a single trip and to process the catch as soon as possible to avoid spoilage.

The Russians have solved this problem through a considerable investment in a modern fishing fleet. Russian fleets are built around large factory ships 250 to 300 feet long, weighing 2,500 gross tons or more. These ships have complete facilities for filleting and freezing the catch. As many as one-half million pounds of processed fillets can be stored on such a ship at one time. This means the Russian trawlers do not have to journey to and from Russian ports. They operate from the mother ship. While almost all American vessels are forced to operate within a few hundred miles of home port, the Russian fleet can go almost anywhere and stay away from port for many months. The Russians have at least 100 trawler factory ships in operation and plan to have 160 more by 1965. We have none.

The Russians have also considerably outdistanced us in trawlers, the ships that pull the fish from the sea. The average trawler in use in the New England fleet is over 25 years old. Most Russian trawlers have been built in the last 10 years. Our fishermen, using traditional methods, must cast their nets over the side of the boats and haul in the catch either by hand or by winches. Nets that can be used in this way are strictly limited in size. Many Russian trawlers are of the more advanced "stern chute" variety, which can use much larger nets operated by machine. As a result, it can take a small New England trawler an entire week to take in as much fish as a stern chute trawler gets in one haul. The Russians also have combination factory trawlers with processing facilities on board. Their large trawlers can fish in the kind of weather in which a New England trawler can't even leave port.

The Russians have also mobilized the most advanced technology for the improvement of fishing methods. They are preparing to equip their boats with electronic computers, which will adjust the depth of the trawl to the depth at which the fish are concentrated. Last November the Russians launched a whaling ship with facilities for all types of processing and canning the catch. The ship also had a helicopter for aerial spotting of whales and schools of fish.

Other nations have also modernized their fishing fleets. The Japanese have trawlers comparable in size to those of the Russians. Japanese fleets, with integrated facilities for catching and processing fish at sea, go regularly to many areas of the world. Japanese tuna boats have, on the average, a carrying capacity 60 percent larger than American boats.

A large Polish factory ship, able to process 30 tons of fish a day, was in Boston Harbor for repairs last year.

Canada is proceeding with expansion and modernization of its fleet. With the help of subsidies and loans from the National and Provincial governments, the groundfishermen have replaced many of their old, small boats with larger, more mobile vessels.

Three hundred twenty-four new vessels have been built with the assistance of the Government's subsidy. This in turn has helped improve the economic position of over a thousand fishermen. This fleet now accounts for more than 20 percent of the total groundfish landings on the Atlantic coast.

Peru increased its catch from 124 million pounds in 1950 to nearly 8 billion pounds in 1961. Even as underdeveloped a nation as Ghana, only 5 years independent, has trawlers much more up to date than ours.

The antiquity of our fleet is at the root of the problems of our fisheries. The number of new fishing boats built in the United States has been declining steadily. Last year's total was less than half that of 12 years ago.

Outmoded trawlers cannot return to port with a large enough catch to pay their way. They cannot control the quality of the fish as well as modern boats.

The backwardness of our technology explains why many of our processors find it cheaper to import fish in frozen blocks than to buy domestic fish, whose cost may be inflated by poor handling methods and equipment.

Outmoded trawlers cost more to repair. They cost more to insure. In fact, they involve such a great insurance risk that in New England a few years ago no company would insure fishing vessels. Now, a few companies will cover them but their rates have soared as the trawlers have aged.

That is why last year we imported over twice as much groundfish, fillets and blocks, as we caught ourselves: a record 195 million pounds.

From the trend of imports and the economic state of the industry, I think it is clear that American fisheries must either adapt to modern methods or slowly die. It has been estimated that by 1980, the Nation will be using 3 billion pounds more fish. But as long as other nations are able to produce a better product at less cost, they will increase their share of our domestic market, and reap the benefit of any increase in consumption here in America.

Modernization, then, is the key to progress. But the fishing industry's ability to modernize is severely limited by the economic troubles experienced in the last few years. The vast majority of owners of fishing vessels have a net worth of less than $500,000. When you consider that a modern groundfish trawler costs $450,000 to construct in the United States; a 450-ton tuna clipper, $740,000; a factory processing ship $8 million, you can see that almost none of these owners is in a position to modernize on his own. The new boats that are being built are of conventional types, without necessary modern equipment.

The precarious financial condition of the industry also makes it hard for owners to get bank credit for modernization. Nor have companies, with large resources been known to enter the fishing industry in recent years, as current prospects do not make it an attractive field for investment or diversification.

Other industries seeking to modernize have the option of purchasing abroad. Modern boats, with modern equipment, could be obtained abroad at considerable savings—about 50 percent for steel vessels and almost as much for wooden. But this option is not open to our fisheries. A Federal statute passed in 1792 prohibits any boat not built in the United States from landing fish in an American port. This law is unique in its field. No other industry is forbidden to use foreign capital equipment. This law operates harshly on our fisheries, but it has strong support in Congress and cannot be changed at this time. Nevertheless, the effect of this statute makes it all the more important that ways be found to encourage the building of modern boats in the United States.

The American fishing industry suffers not only from outmoded equipment but from backward techniques of harvesting, preserving, producing and marketing. Fish competes for the consumer dollar with poultry, meat and eggs. For many years now these segments of American agriculture have been in the midst of a technological revolution. We have learned to grow more food on less acreage, to prepare and package it better, to develop new foods and keep the costs at stable levels.

Take, for example, the poultry industry. It competes directly with fish as a low cost, high protein food. This industry has made phenomenal scientific advances. Chickens used to be fed in the barnyard, killed at the chopping block, and sold fresh at local markets. Today, they are born in incubators fed on assembly lines, killed and frozen by machine and shipped all over the world. American poultry can now underprice French poultry in France. Exports of poultry products last year amounted to $94 million. Exports of edible fishery products amounted to $19 million.

Technological backwardness is most prevalent in the following areas:

1. FINDING AND HARVESTING THE FISH

A number of advanced fishing methods are under development in various parts of the world to take the uncertainty and unnecessary expense out of catching fish commercially. The traditional method, still used by almost all American fishermen, is to cast nets at random in an area where fish have been known to feed. This method involves a large measure of chance and a good deal of wasted time and effort.

The Japanese and Russians carry on extensive exploratory operations for fish in all parts of the world. Research vessels precede their fishing fleets to scout promising areas and test the abundance of fish in various locations.

Underwater sonar equipment is used by other nations to a much greater extent to spot schools of fish. Some Russian factory ships are equipped with aircraft for this purpose. With modern telemeters it is possible, once the school is located, to determine its depth with sonar and to adjust the depth of the trawl to that of the fish. Other methods are being developed to herd fish toward nets by means of electric shocks. In the Caspian Sea fish are attracted by lights and then sucked up into boats with suction pumps. This method could prove most useful to us, for example, in the Maine sardine industry, where thousands of bushels are lost each year because antiquated seining gear cannot be used on the rocky coast.

While a few of our fisheries, notably tuna, have taken steps to modernize locating and harvesting of fish, most fishing boats are deprived of valuable catch because of adherence to traditional methods. Looking beyond these methods, it will be necessary in the future to explore the possibility of salt and fresh water farming of fish. Many parts of the sea, most convenient to our ports, attract few fish because little food grows in them. Scientists have proposed a number of methods for enriching these areas, many of which would vastly benefit our fisheries. With proper treatment large schools could even be attracted to shore areas. Eventually, fish could be grown and harvested in one operation and at a minimum of expense.

2. CONTROL OF QUALITY

Many of our fisheries are also deficient in controlling the quality of their product. Fish is a highly perishable item. Because of this, its appeal to consumers is greatly affected by small variations in color and looks. Many of our fishing boats, especially in New England, lack adequate facilities to guard against spoilage during the long trip back to port. The common preservative is ice but it is bulky and expensive to carry for so many days. As a result, it is difficult to keep high fish quality standards. This, in turn, hinders efforts to increase consumption.

Although the Federal Government has set up quality standards for various species, they are not mandatory. In the breaded frozen shrimp industry, for example, processors that comply with these standards are at a competitive disadvantage with those that do not.

3. MARKETING

At a time when other foods are marketed through effective mass distribution techniques, fish marketing is characterized by disorganization. If the income of fishermen is inadequate it is partly because the prices they receive bear no stable relationship to the retail market price.

In my hometown of Gloucester, fishermen are receiving 1½ to 2½ cents for whiting, which retails for 26 cents a pound a few blocks away. Schrod haddock fillets, which bring between 5 and 10 cents ex-vessel, retail for 55 to 59 cents a pound.

The unstable price situation occurs partly because the industry is selling a very perishable product. If some method could be devised to catch the fish and economically preserve it at sea, like freezing it on board the vessel as soon as caught, it would be possible to sell fish in a more stable market.

Fishermen and vessel owners, like farmers, are supplied with market information daily so that they can plan their marketing. Even with this help, however, the high perishability of the product and variations in quality adversely affect the marketing of fish and shellfish at the point of landing. Fishermen and vessel owners can only make ends meet at present by going out and bringing back all they can catch. If supplies are large, prices drop to low levels because the product cannot be stored until market conditions improve. On the other hand, if supplies are light or scarce, prices become abnormally high.

4. PROCESSING

The spread between the price at which fishermen sell and that which housewives buy is largely a matter of processing costs. These costs are necessarily high because of the way Americans like their fish. They like them individually cleaned, usually frozen and packaged, and often precooked. When preparing a fish for eating, two-thirds of its weight is frequently discarded.

In order for our industry to successfully compete with imported products and lower their costs, it will be necessary for it to modernize. Experience in Gloucester with processing of ocean perch showed that mechanization is the only way that our plants could successfully compete with imports. Jobs were actually saved by machines in this case. I am convinced that in the present economic situation, better processing machines, instead of reducing the number of workers, would lower prices, and expand markets, and thus enhance employment opportunities in the industry.

These are the problems of our fisheries as I see them. The trend has been against us. The outlook is grim, but not hopeless. I believe that if the industry follows a prudent course, the downward trend could be stopped and our fisheries could obtain a larger share of the American market. But I am firmly convinced that in its present financial condition the industry cannot modernize without Government assistance. I therefore intend to outline specific measures our Government should take for the fisheries.

The fishing industry has not abused its constitutional right to petition the Federal Government for assistance. In fact, they have received less help from the Government than other basic foods. In the upcoming fiscal year our Government plans to spend $35.4 million on programs for the fishing industries. This compares with $5.8 billion on agricultural programs. Of course, agriculture is a much bigger industry, but even discounting this fact, our Government is spending over three times as much money on agricultural programs per dollar of product produced than on fisheries.

I do not begrudge our farmers one dollar of this expenditure. Their problems are great and the returns over the years have been meager. I merely make this comparison to show that greater Government support for fisheries would not be excessive by comparison with competing products.

In other nations—even those which practice private ownership—governments have taken important steps to help their fisheries modernize. Fisheries in these nations operate under elaborate systems of price supports, subsidies, tariffs, import quotas, and favored tax treatment. Britain, Canada, Finland, West Germany, and Ireland help fishermen pay their interest on money borrowed for modernization of vessels. The Governments of Malta, Ireland, and France make outright grants for this purpose, equal to up to 50 percent of the cost. Norway has a price support program for fish. When market prices drop below a certain level, fishermen are compensated out of an equalization fund. In Canada a fisherman can build a $150,000 boat for $9,000 down. He receives a subsidy from the Canadian Maritime Commission of 40 percent of the cost. His Province will also provide an interest-free loan for the bulk of the remainder. In Quebec the loan can go up to 90 percent of the cost remaining after the subsidy. Little wonder the conditions are so good in Canadian boatyards.

It is ironic and instructive that while our fishing fleet decays, many nations are building up their fleets from money they receive from us.

Since World War II $115 million in American foreign aid of various types, and $182 million in counterpart funds have been used by friendly nations to build up their fisheries. This sum of $297 million exceeds—by about $88 million—the sum our Government has spent on our own commercial fishing industry in the same period. I think we can do better than that.

We need a thoroughgoing program. We must assist the fisheries in the same way as the Government assists agriculture—at every phase of the operation from the raw to the marketed product. The fishing industry has deteriorated too far to be helped by any quick spot solution.

The loss of our fishing industry would cost our country dearly. One-half million people would be added to the rolls of the unemployed. The price of fish to consumers will be set outside the country. Millions of consumer food dollars, which should be staying in this country, will go abroad. This is already happening. Last year, per capita fish consumption in this country rose one-half pound. This was a substantial gain, but it was completely absorbed by rising imports.

Congress has set up a number of assistance programs for the American fishing industry. They are administered by the Bureau of Commercial Fisheries. The Bureau gives help in every phase of fishing, from exploring the waters to marketing the finished product and finding new uses for fish. The Bureau issues marketing reports, runs voluntary quality control programs, builds fish ladders to save salmon, and develops poisons to kill lampreys.

The Bureau has done an excellent job, with the tools it has, in introducing modern methods to an old-fashioned industry. The Bureau is short of badly needed, advanced equipment. In the whole North Atlantic, for instance, it only has one exploratory vessel of its own. All too often the Bureau, like the fishermen, must spend its money simply keeping its vessels up to date.

The fishermen also receive assistance through the Fisheries Loan and Mortgage Acts and the Vessel Subsidy Act.

The Fisheries Loan Act, passed in 1956, authorized a $13 million loan fund for repairing fishing and boat gear and for financing or refinancing the operators. Under this program, 560 loans totaling over $13½ million have been made to vessel owners and operators. It has been most successful where it has helped fisheries such as the tuna and salmon fishermen on the west coast buy newer, more efficient equipment. It does not, however, help build new vessels.

The Vessel Mortgage and Insurance Act, passed in 1960, provides Government insurance for mortgages for building or reconstructing fishing boats. This program has been in operation for about a year and a half. It is helpful in fisheries where the price of boats is not prohibitive. It is of no use, however, to fishermen who cannot afford to buy new vessels in this country.

The Vessel Subsidy Act, passed in 1960, provides a maximum Government subsidy of one-third the cost for vessels built for fisheries hurt by import competition. It has not been effective and I shall offer later several ways it should be changed.

These programs represent a step in the right direction. They have not, however, done the job of putting the industry back on its feet.

Our fishermen must convert quickly to modern techniques or they will not survive. In order to do this, they must have both immediate and long-term assistance. I think Congress should pass a program that will help save the industry from further decline, and enable it to compete with foreign producers. In addition, the Government should take steps to make our fisheries an effective weapon in our battle against hunger in the underdeveloped nations of the world. I, therefore, propose the following seven-point program:

1. Overhaul of the Vessel Subsidy Act to allow greater Government participation in subsidies to boatowners and to make a greater segment of the fishing industry eligible for assistance.

Vessels are at the heart of the fishermen's problems. At best the American fisherman can keep his present equipment up to date and in good repair. At worst, he cannot do this and the vessel deteriorates. Yet even if his equipment is in good condition, it is still far poorer and older than any being used by his principal foreign competitors.

If Congress will not let our fishermen shop on the open market, in any country, for the best vessel their money can buy, it should amend the Vessel Subsidy Act to make it truly effective. Since the act was passed, only one payment has been made under it. Although other applications are now pending, it is clear that this bill is too restrictive to provide the fishing industry with the strong ship construction incentive and assistance it needs. A vessel built with this assistance must always carry at least half a cargo of the fish for which it is getting the subsidy. Yet, fish in this category make up only 7 percent of the domestic catch.

The terms of the act should be broadened to make a greater portion of the industry eligible for its help. It should also allow a subsidized vessel greater flexibility in the catch it may take. The procedure for applying for a subsidy should be simplified. The applications must now be approved by three different Government agencies. It often takes several months to clear them, and vessel costs rise while the applicant waits for the paperwork to be finished. The procedure also discourages the boatbuilders from trying new or different designs. Instead they use the old ones, the ones that have been approved before.

The present maximum possible subsidy on steel-hulled vessels is 33⅓ percent. The actual price differential, however, between American and foreign shipyards for these vessels is now 40 to 50 percent. Since the American fishermen are, in effect, being forced to subsidize our boatyards by not being permitted to buy their vessels at the best possible prices, they should be paid the full difference whenever necessary. For this reason, Congress should increase the subsidy maximum to 50 percent.

2. Provide Federal loans to fish processors to help them modernize their plants.

New processing machinery has shown in several instances that it will not only pay for itself but can revolutionize the industry. Yet the processors, like the fishermen, have not been attracting private capital. And the Small Business Administration, which is supposed to handle loans rejected by commercial sources, has approved only three loans to New England fish processors in the last 9 years.

Congress should set up a loan program to help the processors purchase new equipment. This could be done either by amending the Fisheries Loan Act to include processors, or by inaugurating a separate program under the Small Business Administration.

3. Expand research into the finding, catching, processing and marketing of fish by enlarging present research programs, and providing new equipment for the Bureau of Commercial Fisheries.

A strong exploratory fishing program, which could pinpoint known locations of fish, would take much of the guesswork out of present fishing methods. This alone would greatly improve the economics of the industry. More exploratory fishing could also locate new sources of fish. From Maine to the gulf and Alaska, major fisheries have been badly hurt through loss of stocks. Yet scientists estimate our coastlines hold, in locations yet discovered, an additional 7 billion pounds of fish a year—double our present catch.

The Bureau of Commercial Fisheries' exploratory fishing program has produced excellent results in the past. It should be broadened and strengthened in order to locate new and unused stocks. Congress should provide the Bureau with funds for new research vessels, to cover our present fishing grounds more thoroughly and to explore more distant oceans.

Congress should also support research on new equipment for the fisheries. One example of this is the proposed program of the Atomic Energy Commission to build two new portable food irradiators, machines which destroy bacteria in food through low-level radiation and allow it to be kept fresh at room temperature at long periods of time. Perfection of such equipment would help solve the present problem of extensive spoilage.

It would thereby create large new markets for fresh fish in areas of the country distant from the oceans. The funds for this program will, I hope, be approved by Congress this year.

4. Strengthen State commercial fisheries programs by a system of Federal matching grants.

State assistance is needed particularly for research in conservation, and in onshore waters, where the Bureau of Commercial Fisheries does little work. A worthwhile bill to give assistance to the State fishing groups has already been introduced by my colleague from Alaska, Senator GRUENING, and I hope hearings on it will be reopened.

5. Construction of a modern stern-chute factory trawler for processing fish at sea.

There is at the present time a bill before Congress to appropriate funds to the Bureau of Commercial Fisheries to build a modern, stern-chute trawler and factory ship for research purposes. No such fishing vessel has ever been built in an American shipyard. Yet, if our fishermen hope to compete on an equal basis with foreign fleets, they must have larger, more modern vessels of this type. The proposed vessel to be operated by the Bureau would carry the most modern freezing, filleting, canning, and other machinery aboard for processing fish at sea. It would give both the American fishermen and boatyards an economical laboratory in which to test and evaluate advanced fishing methods.

A bill to construct this trawler for operation in the Bering Sea and northern Pacific Ocean has been introduced in the Senate by my colleague from Washington, Senator MAGNUSON. I would hope amendment would be in order to permit the vessel to operate in the Atlantic Ocean as well.

6. Approval of fish protein for domestic consumption by the Food and Drug Administration.

Our fishing industry can play a vital part in the worldwide battle against hunger. In the underdeveloped areas of the world, the most critical health problem is protein malnutrition. This is a disease which affects an estimated 500 million people—1 of every 4—on this planet.

The means to alleviate this problem lie in the seas off the nations of Africa, Asia, and South America. While almost all these nations are within easy reach of the oceans, with few exceptions, none have developed modern fishing industries. They lack the capital and the technical know-how. Many of these countries are in tropical climates, but they have no method of preserving fish and consequently cannot use them to feed the people. Lake Chad in Nigeria, for example, contains sufficient fish to supply the entire country. They spoil, however, even before they are brought ashore.

The nation that can catch fish off the shores of these countries, process them, and make them available to the people cheaply will have tapped major new markets and also created a strong weapon in the cold war. Russia, through its trawler-factory ships has the means to do this. We do not. We do, however, have one advantage: That there has been developed, in this country, the means to manufacture from fish an inexpensive, high-protein food additive called fish protein. A few cents worth of this powder added daily to a person's diet can supply him with all his protein needs. Fish protein can be produced for as little as 15 cents a pound, and can be stored indefinitely in any climate without spoiling.

The value of American fish protein has been established in feeding experiments throughout the underdeveloped nations of the world. The United States has achieved a clear lead in this field by developing a finished, tested product ready for large-scale manufacture. This product is of great potential benefit to our fisheries. It is an excellent example of what modern technology can do for the fishing industry.

Full promotion of fish protein, however, has been hindered by the Food and Drug Administration ruling that, for esthetic reasons, it cannot be sold in the United States for human consumption.

This decision has been discussed on this floor previously by a number of distinguished Senators, including my colleague from Massachusetts, Mr. SALTONSTALL, the senior Senator from Illinois, Mr. DOUGLAS, and the junior Senator from Rhode Island, Mr. PELL. This is a shortsighted decision and does not represent, to our thinking, the type of cooperation which the industry should receive from the Government when it has made a significant breakthrough in new products and technology. A hearing will be held on this problem in the near future and I hope that fish protein concentrate will, as a result, gain approval on its own merit.

7. Construction of a pilot plant for manufacture of fish protein on land and at sea, aboard ships.

Congress appropriated $50,000 last year for a worldwide study of fish protein manufacturing methods. In order that this country may receive the full benefits of fish protein, I propose Congress appropriate funds to set up a pilot plant operation to determine the most economical way of producing fish protein on a large scale. With this support, we could design a plant to manufacture fish protein at sea aboard ships.

Once this is done, I hope the plant can be placed aboard a surplus freighter and sent to produce fish protein in those areas of the world where it is needed. Thus the United States could show dramatically its deep concern for feeding the world's hungry people. We must, however, do this as soon as possible. The Russians can easily convert the fish meal processing machinery aboard their factory ships to produce fish protein. And we know that they are already working to develop a fish protein manufacturing process of their own. We should not let our lead in this field go to waste.

Fish protein has received the support of many prominent Government officials, including the Secretary of the Interior, Stewart Udall, and Director of Food for Peace, George McGovern. I hope my colleagues in Congress will join me in supporting the effective use of this valuable product.

Recently, the Peace Corps received requests from Brazil, Venezuela, and Togo, for volunteers with expertise in the fisheries. A fisherman from my hometown of Gloucester, Michael Ruggiero, of the Bureau of Commercial Fisheries, volunteered to help the Corps recruit the people it needed for this work. The interest the Peace Corps has shown in our fishermen indicates to me that they are a skilled and valuable resource to our country—a resource we cannot afford to lose. They were the first commercial workers in the United States. There were times when only their skill saved the early settlers from starvation. They still represent an invaluable asset to this Nation, providing us with a valuable food product and showing the needier nations of the world the way to combat hunger.

We have a great opportunity in this field. We can begin today to rehabilitate our fisheries and regain our rightful place among the nations of the world. The benefits, to our economy and our foreign policy, will greatly exceed the costs.

The fishing industry, through 300 years, has often faced adversity. Today, another dawn is breaking. I hope my fellow Members of Congress will join me in giving this industry the assistance it so richly deserves.

ALTERATION, MAINTENANCE, AND REPAIR OF CERTAIN GOVERNMENT BUILDINGS AND PROPERTIES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to provide for the alteration, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government-owned airports under the jurisdiction of the Administrator of the Federal Aviation Agency, and for other purposes. I ask unanimous consent that a letter from the Administrator, Federal Aviation Agency, requesting this proposed legislation, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 629) to provide for the alteration, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government-owned airports under the jurisdiction of the Administrator of the Federal Aviation Agency, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

FEDERAL AVIATION AGENCY,
Washington, D.C., January 14, 1963.

DEAR MR. PRESIDENT: It is requested that the attached proposed bill to provide for the alteration, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government-owned airports under the jurisdiction of the Administrator of the Federal Aviation Agency, and for other purposes, be introduced in the Senate at your earliest convenience.

This proposal would grant specific authority to the Administrator of the Federal Aviation Agency to include in lease or concession contracts, provisions for the maintenance, repair, and alteration of Government buildings and properties by the grantee, lessee, or permittee notwithstanding the provisions of section 321 of the act of June 30, 1932 (47 Stat. 412; 40 U.S.C. 303(b)). That section reads as follows:

"Except as otherwise specifically provided by law, the leasing of buildings and properties of the United States shall be for money consideration only, and there shall not be included in the lease any provision for the alteration, repair or improvement of such buildings or properties as a part of the consideration for the rental to be paid for the use and occupation of the same. The moneys derived from such rentals shall be deposited and covered into the Treasury as miscellaneous receipts."

The need for specific legislative authority for this purpose stems from a decision of the Comptroller General No. B-125035, dated February 1, 1962, to the Secretary of Interior. That decision, which was based on an interpretation of the above-quoted section, held that Department of Interior concession agreements were leases within the meaning of section 303(b) and that, therefore, inclusion of provisions in such agreements for the alteration, repair, or improvement of Federal property by the concessioners was unlawful (Congress removed the impact of this decision as it relates to the Department of Interior by enactment of Public Law 87-608).

The Comptroller General's decision has cast doubt upon the validity of some of our lease and concession agreements entered into in connection with the operation of the two Washington airports. Throughout the 20 years of operations at the Washington National Airport this Agency has entered into a number of leases and concession agreements which call for substantial investment by the tenants and concessionaires in improvements, alterations, and repairs to the airport property which they occupy. The same arrangements are used at the new airport. Rates, fees, and charges at the airports are established on the basis of contribution, in varying degrees, of alteration, repair and improvement by tenants and concessionaires. If such provisions are held invalid and the Agency required to perform these functions, substantial increase in appropriations would be required. It is also possible that the tenants and concessionaires would gain a substantial windfall by being relieved of the obligation to repair, alter, maintain, and improve the property occupied.

Section 303(b), like other sections of the Economy Act, reflects Congress' concern, among other things, that appropriations to the various agencies not be augmented by administrative devices. This policy consideration loses much of its force, however, when applied to revenue producing activities under the control of Government agencies. In its operation of the two Washington airports, it is the responsibility of this Agency to manage the properties in the most efficient and economical manner to the end that the airports are financially self-sufficient. These airports, being essentially business enterprises, require the application of business practices in their management. In business, it is quite common for the lessee to assume responsibility for the alteration, repair, and improvement of the premises. Leased premises are constantly remodeled, altered or improved to increase the lessee's revenue or meet competition. The lessee, who must make these decisions, is best equipped to carry them out. Furthermore, the administrative overhead costs to the Government are substantially reduced when responsibility for such work is undertaken by the lessee. Therefore, while the revenue from concessions may be less if repairs and alterations are assumed by the lessee, any loss in revenue will be offset by reduction in the Government's expenditures and other savings in operating costs.

Finally, we believe that placing responsibility upon lessees for the maintenance, repair, and alteration of leased space provides an added incentive for the exercise of greater care by the lessee in the use and treatment of the premises. In the long run, this becomes a significant factor in reducing operating costs and protecting the value of the capital investment.

The Bureau of the Budget has advised that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely,

N. E. Halaby,
Administrator.

OPERATION OF CERTAIN CONCESSIONS AT THE WASHINGTON NATIONAL AIRPORT

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the act of October 9, 1940 (54 Stat. 1030, 1039), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes. I ask unanimous consent that a letter from the Administrator, Federal Aviation Agency, requesting the proposed legislation, be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 630) to amend the act of October 9, 1940 (54 Stat. 1030, 1039), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. Magnuson is as follows:

Federal Aviation Agency,
Washington, D.C., January 14, 1963.

Dear Mr. President: It is requested that the attached proposed bill "To amend the act of October 9, 1940 (54 Stat. 1030, 1039), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes," be introduced in the Senate at your earliest convenience.

This proposal would amend the Supplemental Appropriations Act of 1940 to exempt from the 5-year lease limitation, concessions at Washington National Airport involving construction or installation by the party contracting with the Government of buildings or facilities costing in excess of $50,000. The purpose of this legislation is to provide the same authority to the Agency in its administration of Washington National Airport as it now possesses with respect to the operation of the new international airport at Chantilly, Va. Enactment of this legislation would permit, when appropriate and beneficial to the Government, the Agency to negotiate agreements with proponents designed to meet common requirements at both airports which can best be performed through the investment of private capital.

In certain cases, private financing clearly appears to be the best method to provide additional important facilities needed to meet the increasing business generated at the airport. This proposal would permit the long-term leases necessary to interest potential investors in making a major capital investment for permanent construction of buildings of substantial value.

Example of areas in which it would be advantageous to have longer leases than are now permitted are rental car maintenance buildings, inflight food commissary buildings, or a hotel which require capital investment totaling upward of a million dollars.

It should be pointed out that this method of financing is being used more and more frequently by leading airports throughout the country as a means of providing vitally needed physical facilities to meet a wide variety of airport needs. This method has the advantage of providing such essential facilities through private financing, thus conserving badly needed tax funds for other purposes and also reducing the amount of bond money required to develop a thoroughly operational airport. Such arrangements normally provide that the physical facility constructed by these potential investors become the property of the airport at the end of the specified lease period which is sufficient to allow for amortization of the investment.

This is the method which was recently used by the FAA to provide hotel facilities at the new international airport. Under the terms of our contract, the successful proponent agrees to construct a 200-room hotel at an estimated cost of more than $3 million.

At the end of the 40-year lease, the hotel becomes the property of the Federal Government.

We feel that Washington National Airport should have the same legislative authority to meet certain special situations where it would be advantageous to the Government and the taxpayers to utilize private financing to secure important physical facilities required in connection with vital airport consumer services.

At the present time, there are a number of areas in which the Agency could utilize private financing at Washington National Airport advantageously to develop additional sources of revenue to offset the operating costs of the airport. In these cases, however, long-term leases are required since major capital investment for the permanent construction of buildings of substantial value is necessary to undertake these new or expanded consumer services.

The Bureau of the Budget has advised that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely,

N. E. Halaby,
Administrator.

AUTHORITY FOR THE PERFORMANCE OF CERTAIN FUNCTIONS AND ACTIVITIES OF THE FEDERAL AVIATION AGENCY

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes. I ask unanimous consent that a letter from the Administrator, Federal Aviation Agency, requesting the proposed legislation, be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 631) to provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

FEDERAL AVIATION AGENCY,
Washington, D.C., January 14, 1963.

DEAR MR. PRESIDENT: It is requested that the attached proposed bill "To provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes," be introduced in the Senate at your earliest convenience.

The proposed bill would amend the Federal Aviation Act to authorize the Administrator to provide certain goods and services to Agency employees and dependents stationed in Alaska and points outside the continental United States which are necessary and not otherwise available. Specifically, it would provide the Administrator with authority to (1) furnish emergency medical services and supplies; (2) purchase, transport, store, and distribute food and other subsistence supplies; (3) establish, maintain, and operate messing facilities; (4) provide motion pictures for recreation and training; (5) construct, repair, alter, equip, and furnish living and working quarters; (6) reimburse Agency employees for food, clothing, medicine and other supplies furnished by them in emergencies for the temporary relief of distressed persons.

The purpose of this proposal is remedial in nature and would, if enacted, provide the Administrator of the Federal Aviation Agency with specific legislative authority in carrying out his responsibilities. It is remedial in nature because similar authority was given to the Secretary of Commerce by Public Law 390, 81st Congress (63 Stat. 907), and delegated by the Secretary to our predecessor agency, the Civil Aeronautics Administration. However, Public Law 390, 81st Congress, was, through inadvertence, not incorporated into the Federal Aviation Act of 1958 and, while the functions of the Administrator of Civil Aeronautics were transferred to the Administrator of the Federal Aviation Agency, the authority of Public Law 390, 81 Congress, remained in the Secretary of Commerce. Since the establishment of the Federal Aviation Agency, the provisions of Public Law 390 have been extended to the Agency by language in the annual appropriation acts.

The proposal differs from Public Law 390, 81st Congress, in that it is condensed. Repetitious matter and authorities which are otherwise available to the Administrator have been deleted. For example, the Administrator already possesses adequate authority to make available to other agencies services, equipment and facilities on a reimbursable basis when appropriate (section 302(k) of the Federal Aviation Act). Therefore, all provisions relating to this subject in Public Law 390, 81st Congress have been deleted. In addition, the phrase "in remote localities" appearing in paragraphs "(d)," "(e)," and "(f)" of Public Law 390 has been omitted. We consider this phrase superfluous since the services would be provided only where they are "not otherwise available." The provisos of "(b)" and "(c)" calling for reports to the Congress have likewise been omitted, consistently with the congressional intent expressed in Public Law 706, 83d Congress (68 Stat. 966).

In exercising his authority under (b)(5) of the proposed bill, the Administrator would continue to utilize, to the fullest extent practicable, the existing capabilities of the Department of Defense in awarding contracts for the performance of construction services so as to avoid duplicating existing engineering and construction capability within the Department of Defense.

The Bureau of the Budget has advised that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely,

N. E. HALABY,
Administrator.

PROHIBITION OF LOCATION OF CHANCERIES OF FOREIGN GOVERNMENTS IN CERTAIN RESIDENTIAL AREAS IN THE DISTRICT OF COLUMBIA

Mr. FULBRIGHT. Mr. President, I introduce, for appropriate reference, a bill to prohibit the location of chanceries or other business offices of foreign governments in certain residential areas in the District of Columbia. It is similar to legislation on this subject which the Committee on Foreign Relations reported favorably to the Senate last year.

Under the terms of the bill—after the date of its enactment—no foreign government would be permitted to construct, alter, repair, convert, or occupy any building for use as a chancery, chancery annex, or other business office on any land, regardless of the date it was acquired, within a one-family detached dwelling residence district, except on the same basis as a U.S. citizen or entity.

The bill does not prohibit a foreign government from continuing to occupy any building which is currently lawfully being used as a chancery, chancery annex, or other business office; nor does it prohibit the making of ordinary repairs to any such building. In addition, enactment of this proposed legislation is not intended to have a retroactive effect. Legally authorized construction which has actually begun would not be affected by this bill.

The bill also states that its provisions "shall not be administered in such a way as to discriminate against any foreign government on the basis of the race, color, or creed of any of its citizens."

Mr. President, I am introducing this bill because I continue to be concerned about the encroachment of business establishments in residential areas in the District of Columbia. For a number of years foreign governments have been permitted to locate their chanceries in residential areas in the District, in spite of the fact that the types of activities carried on by these chanceries are of a commercial nature and experience has shown that they tend to disrupt quiet, residential neighborhoods.

The zoning regulations of the District of Columbia clearly define a chancery as "the business offices of the chief of the diplomatic mission of a foreign government." Such being the case, in my opinion, foreign governments wishing to locate chanceries or other business offices in Washington should be subject to the same building and zoning regulations which apply to American commercial or business establishments.

Unfortunately, however, under section 8207 of the District of Columbia zoning regulations, a foreign government may establish a chancery or other business office in a residential area by obtaining a so-called variance from the District Board of Zoning Adjustment, even though there has been no clear set of criteria for granting or withholding such variance. I do not think this situation should be allowed to continue. As long as American concerns are precluded from locating their business offices in residential areas in the District of Columbia, I see no reason why foreign governments should not be placed on substantially the same footing.

Mr. President, I believe there is an urgent need for legislation to specify in certain terms where and under what conditions chanceries and other business offices of foreign governments may be located in the District of Columbia in the future.

As Assistant Secretary of State Frederick G. Dutton wrote me last year:

> The chancery situation in Washington has for a long time been confused and unsatisfactory for all parties concerned.

Moreover, he added:

> The Department of State would welcome an equitable and reasonable law prohibiting the future construction of chanceries in designated residential areas of the District of Columbia.

In commenting on how the zoning regulations should be amended, Mr. Dutton said the position of the Department of State was that areas categorized as one-family detached dwelling residence districts under the zoning regulations of the District of Columbia should be closed to all future construction and that no more variances should be granted for these areas. He expressed the view, however, that future chancery construction should not be limited to special purpose and commercial districts, but that chanceries should be permitted in certain other districts, "provided it can be shown that they are not being set up in areas of these districts which are already overcrowded with chanceries." On the other hand, the Commissioners of the District of Columbia favor an absolute restriction on the location of chanceries in all residential areas because they feel it would serve to stabilize zoning in those areas.

I believe there was some discussion in the Senate last year regarding the chancery situation in Washington. I do not feel too strongly one way or the other about the method which should be adopted to reach a satisfactory solution to the problem. The main point, in my view, is that the rights of American citizens ought to be respected by prohibiting, insofar as is practicable, all foreign governments from locating their chanceries or other business offices in residential areas in the District of Columbia.

Mr. President, the bill I am introducing today is designed to accomplish that purpose, and I hope it will be approved by the Senate at an early date.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 646) to prohibit the location of chanceries or other business offices of foreign governments in certain residential areas in the District of Columbia, introduced by Mr. FULBRIGHT, was received, read twice by its title, and referred to the Committee on the District of Columbia.

PAYMENT OF A CLAIM MADE BY THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Mr. FULBRIGHT. Mr. President, by request, I introduce for appropriate reference a bill to authorize payment of a claim made by the Government of the United Kingdom of Great Britain and Northern Ireland.

The proposed legislation has been requested by the Under Secretary of the Navy and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the Record at this point, together with the letter from the Under Secretary of the Navy, dated January 11, 1963, in regard to it.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 647) to authorize payment of a claim made by the Government of the United Kingdom of Great Britain and Northern Ireland, introduced by Mr. Fulbright, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the limitations contained in the Act of October 9, 1940 (54 Stat. 1061), or in any other provision of law, the claim of the United Kingdom of Great Britain and Northern Ireland for various supplies and services furnished by the British Navy in 1946 to the United States Navy in the sum of 3,336 pounds, 16 shillings, and 5 pence shall be held and considered to have been timely filed. The Secretary of the Navy is hereby authorized to pay this claim out of Navy appropriations otherwise available for the payment of such claims.

The letter presented by Mr. Fulbright is as follows:

Department of the Navy,
Office of the Secretary,
Washington, D.C., January 11, 1963.

The President of the Senate,
U.S. Senate,
Washington, D.C.

My Dear Mr. President: There is enclosed a draft of proposed legislation "To authorize payment of a claim made by the Government of the United Kingdom of Great Britain and Northern Ireland."

PURPOSE OF THE LEGISLATION

The purpose of this proposed legislation is to authorize payment for supplies and services furnished by the British Navy to the U.S. Navy in 1946 in the amount of 3,336 pounds, 16 shillings, and 5 pence. This claim was forwarded by the British Navy to the U.S. Navy Regional Accounting Office, Washington, D.C., in July 1951, well within the time prescribed by the statute of limitations. Additional substantiation was required and further correspondence took place between the British Admiralty and the U.S. Navy Regional Accounting Office. It was not until December 17, 1959, that the U.S. Navy Regional Accounting Office administratively approved the claim and forwarded it for payment to the General Accounting Office.

On February 19, 1960, the General Accounting Office denied the claim on the ground that it had not been received in that Office within the 10-year statute of limitations contained in the act of October 9, 1940 (54 Stat. 1061). The authority which this proposal would provide is needed to permit payment of a just obligation on the part of the United States to the United Kingdom.

COST AND BUDGET DATA

The cost to the Government of this legislation at the official rate of exchange will be $9,343.10 which would be charged to appropriation 17M804, "Maintenance and operation, Navy successor account"; therefore, current appropriations will not be used. The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress.

Sincerely yours,
Paul B. Fay, Jr.,
Under Secretary of the Navy.

INTRODUCTION OF BILL TO MAKE THE BIRTHDAY OF ABRAHAM LINCOLN A LEGAL HOLIDAY

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to make the birthday of Abraham Lincoln a legal holiday. I had contemplated introducing the bill—which I introduce on behalf of myself, the distinguished minority leader [Mr. Dirksen], the Senator from Illinois [Mr. Douglas], the Senators from Kentucky—which, incidentally, was the birthplace of Abraham Lincoln—[Mr. Cooper and Mr. Morton], the Senators from Indiana [Mr. Hartke and Mr. Bayh], the Senator from California [Mr. Kuchel], and my colleague from New York [Mr. Keating]—before now, because of our interest in having the 12th of February, the birthday of Abraham Lincoln, made a legal holiday. The vote on the rules motion was taken this afternoon; and perhaps it is just as well that the bill is introduced now, in a kind of symbolic sense.

Mr. President, this year is the 100th anniversary of the Emancipation Proclamation. I think most Americans would be amazed to learn that Lincoln's birthday is not a Federal legal holiday. Certainly it should be. Abraham Lincoln is one of the really supreme characters and Presidents of our Nation, and one of the most luminous figures in the world, whose influence has come down to us for over a century; and through the ages he will go down as an American in whom Americans take greatest pride, and by whom they are inspired for the sanctity of our Union, for its humanitarianism, for its strength, for its justice, and for its determination to maintain the peace, with honor and individual dignity for all its citizens.

Mr. President, I hope very much that this bill, with bipartisan sponsorship, will be passed by the Congress, with the result that what most Americans now think to be the case will actually become the case, in law—to wit, that Abraham Lincoln's birthday, February 12, will be a legal holiday each year.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 648) making the birthday of Abraham Lincoln a legal holiday, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF WATER POLLUTION CONTROL ACT

Mr. MUSKIE. Mr. President, I introduce, for appropriate reference, a bill amending the Federal Water Pollution Control Act, as amended. I ask unanimous consent that it remain at the desk for 10 days to afford my colleagues an opportunity to cosponsor the legislation.

Federal financial assistance to cities to aid in the construction of necessary sewage treatment plants is an important and significant feature of a well-rounded Federal water pollution control program. Such Federal inducement to spur cities to undertake needed construction is fully consonant with Federal aims and responsibilities for restoration and conserving the quality of the Nation's water supplies.

The response on the part of the communities is certainly heartening. Encouraging progress is being recorded. The full potential of this stimulatory program is not being realized, however, in the case of our larger cities. As presently authorized, a grant for a single project may not exceed 30 percent of the reasonable construction cost or $600,000, whichever is less. In the case of a joint project in which several communities participate the ceiling is $2,400,000. These ceiling limitations are unrealistic when applied to the considerably greater expenditures which a larger city must bear in installing necessary treatment works. In application, they approximate as little or less than 10 percent of the costs involved and thus they fail to achieve what is at once a primary and necessary objective in efforts to control water pollution. The bill, which I introduce today, would bring these amounts more in line with the equities and purposes involved by increasing the single project grant maximum to $1 million and the joint project combined grants maximum to $4 million.

An even more excessive financial burden confronts our older established cities. They are currently faced with the necessity of separating their combined storm and sanitary sewers. The reserve capacity provided in their treatment plants to handle periodic storm water runoffs is presently not even adequate to properly process sanitary sewage alone. Consequently, after a rainfall large overflows of these combined storm and sanitary wastes are diverted from entering the treatment plants and are discharged raw without any treatment to the streams.

The harmful effects of these periodic doses of concentrated pollutants are felt not only in the adjoining vicinity but also far downstream. Interferences with many legitimate uses of water result. Obviously body contact water pursuits are out of the question in such situations and closed bathing beaches serve as a forceful reminder that the quality of the water is severely impaired.

As I have stated, the separation of these combined collection systems requires huge expenditures on the part of the communities. In order to encourage and assist these hard-pressed cities, my bill would provide Federal financial participation to the extent of 30 percent of the total estimated reasonable costs and would authorize appropriation of $100 million annually from which these grants would be made.

In the previous Congress, I presented a proposal to provide for more effective utilization of certain Federal grants by encouraging better coordinated local review of State and local applications. This proposal is effectively advanced in a provision of my bill which would authorize an additional 10-percent grant to be made for those projects that are certified by an official State, regional, or metropolitan planning agency as being in conformity with a comprehensive plan of development. The grave errors of our past practices in metropolitan development that now arise to haunt us in the form of blighted areas must not be allowed to be repeated; by no means should Federal funds be permitted to contribute to their perpetuation.

Today, more than ever before, the individual citizen is aware of the needs for preventing and controlling water pollution. In order to assist him in his willingness and desire to avoid contributing to bad pollution practices and to deter those who willingly pursue such deleterious practices, authority is provided for the issuance of rules and regulations by the Secretary of Health, Education, and Welfare setting forth standards of quality necessary for all legitimate water uses to be applicable to interstate or navigable waters and the type, strength, or volume of matter which may be permissibly discharged into these waters. In my own State, our previously abundant shellfish-producing waters have been immeasurably harmed through disposal of deleterious wastes. The economic losses that have ensued are irreparable.

The responsibilities in regard to Federal water pollution control are as seriously important as any of the other considerable responsibilities now residing in the Department of Health, Education, and Welfare. The successful and effective discharge of these water pollution control responsibilities must in no way be prevented through lack of adequate recognition of their import. For this reason, my bill would establish the Federal Water Pollution Control Administration as a direct operating arm of the Department. The potentialities to be realized from effective water pollution control are too significant and the consequences of failure too serious to allow those responsible for the administration of the programs to be hindered through lack of adequate status and authority.

I ask unanimous consent that the complete text of the bill, and a section-by-section analysis of the bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the Record, and the bill will lie on the desk, as requested by the Senator from Maine.

The bill (S. 649) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate or navigable waters, and for other purposes, introduced by Mr. Muskie (for himself and Mr. Humphrey), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Water Pollution Control Act (33 U.S.C. 466) is amended by inserting after section 1(b) thereof the following new subsection:

"(c) It is the purpose of this Act to establish a positive national water pollution control policy of keeping waters as clean as possible as opposed to the negative policy of attempting to use the full capacity of such waters for waste assimilation."

Sec. 2. Such Act is further amended by redesignating sections 2 through 14 as sections 3 through 15, respectively, and by inserting after section 1 the following new section:

"FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

"Sec. 2. There is hereby created within the Department of Health, Education, and Welfare a Federal Water Pollution Control Administration (herein referred to as the 'Administration'). The Administration shall be headed by a Commissioner of Water Pollution Control (herein referred to as the 'Commissioner'). The Commissioner shall administer this Act through the Administration under the supervision and direction of the Secretary of Health, Education, and Welfare and an Assistant Secretary of Health, Education, and Welfare designated by the Secretary. The Commissioner and such other professional, technical, and clerical assistance as may be necessary to discharge the responsibilities of the Administration shall be provided from the personnel of the Department of Health, Education, and Welfare."

Sec. 3 (a) Clause (2) of subsection (b) of the section of the Federal Water Pollution Control Act herein redesignated as section 7 is amended by striking out "$600,000," and inserting in lieu thereof "$1,000,000,".

(b) The second proviso in clause (2) of subsection (b) of such redesignated section 7 is amended by striking out "$2,400,000," and inserting in lieu thereof "$4,000,000,".

(c) Such redesignated section 7 is further amended by adding at the end thereof the following new subsections:

"(g) The Secretary is authorized to make grants to any State, municipality, or intermunicipal or interstate agency for separation of combined sewers which carry both storm water and sewage or other wastes on the date of enactment of this subsection to prevent the discharge of untreated or inadequately treated sewage or other waste into any waters and for the purpose of reports, plans, and specifications in connection therewith.

"Federal grants under this section shall be subject to the following limitations: (1) No grant shall be made for any project pursuant to this subsection unless a comprehensive plan for storm drainage in connection therewith shall have been submitted by the applicant to the appropriate State water pollution control agency or agencies and to the Secretary and unless such project shall have been approved by such appropriate State water pollution control agency or agencies and by the Secretary and unless such project is included in a comprehensive program developed pursuant to this Act; (2) no grant shall be made for any project in an amount exceeding 30 per centum of the estimated reasonable cost thereof as determined by the Secretary; (3) no grant shall be made for any project under this subsection until the applicant has made provision satisfactory to the Secretary for assuring proper and efficient operation and maintenance of the separated sewers after completion of the construction thereof; (4) no grant shall be made for any project under this subsection unless such project is in conformity with the State water pollution control plan submitted pursuant to the provisions of section 5 and has been certified by the State water pollution control agency as entitled to priority over other eligible projects on the basis of financial as well as water pollution control needs.

"There are hereby authorized to be appropriated for the fiscal year ending June 30, 1964, and for each succeeding fiscal year, the sum of $100,000,000 per fiscal year for the purpose of making grants under this subsection. Sums so appropriated shall remain available until expended.

"The provisions of subsections (c), (e), and (f) of this section shall be and are hereby made applicable to and for the purposes of this subsection except that the proviso contained in subsection (c) shall not be thus applicable.

"(h) Notwithstanding any other provisions of this section, the Secretary may increase the amount of a grant by 10 per centum for any project which has been certified to him by an official State, metropolitan, or regional planning agency empowered under State or local laws or interstate compact to perform metropolitan or regional planning for a metropolitan area which has been defined by the Bureau of the Budget as a standard metropolitan statistical area and within which the assistance is to be used, or other agency or instrumentality designated for such purposes by the Governor (or Governors in the case of interstate planning) as being in conformity with the comprehensive plan developed or in process of development for such metropolitan area."

Sec. 4. The section of the Federal Water Pollution Control Act herein redesignated as section 9 is amended by redesignating subsection (i) as subsection (j) and inserting after subsection (h) the following:

"(i) In order to aid in preventing, controlling, and abating pollution of interstate or navigable waters in or adjacent to any State or States which will or is likely to endanger the health or welfare of any persons, and to protect industries dependent on clean water such as the commercial shellfish and fishing industries, the Secretary shall, after reasonable notice and public hearing and in consultation with the Secretary of the Interior and with other affected Federal, State, and local interests, issue regulations setting forth (a) standards of quality to be applicable to such interstate or navigable waters, and (b) the type, volume, or strength of matter permitted to be discharged directly into interstate or navigable waters or reaching such waters after discharge into a tributary of such waters. Such standards of quality and of matter discharged shall be based on present and future uses of interstate or navigable waters for public water supplies, propagation of fish and aquatic life and wildlife, recreational purposes, and agricultural, industrial, and other legitimate uses. The alteration of the physical, chemical or biological properties of such interstate or navigable waters or the placing of matter in such waters in violation of regulations issued under this subsection is hereby declared to be a public nuisance and subject to abatement under the provisions of this section. Nothing in this subsection shall prevent the application of the provisions of this section to any case to which they would otherwise be applicable."

The section-by-section analysis presented by Mr. Muskie is as follows:

Section-by-Section Summary of the Bill

Section 1. National water pollution control policy: Adds new subsection (c) stating the act's purpose to establish a positive national water pollution control policy of keeping waters as clean as possible as opposed to the negative policy of attempting to use the full capacity of such waters for waste assimilation.

Section 2. Establishment of Federal Water Pollution Control Administration: Renumbers existing sections 2 through 14 of the act as sections 3 through 15, respectively, and inserts a new section 2 creating the Federal Water Pollution Control Administration within the Department of Health, Education, and Welfare. A Commissioner of Water Pollution Control is to administer the act through the Administration under the supervision and direction of the Secretary and an Assistant Secretary. The Commissioner and other required staff are to be provided from the personnel of the Department.

Section 3. Waste treatment plant construction grants and grants for separation of combined storm water and sewage systems: Subsection (a) provides for increasing the dollar ceiling limitation on any grant for a single waste treatment plant construction project from $600,000 to $1 million.

Subsection (b) provides for increasing the dollar ceiling limitation on a grant for a project which will serve more than one municipality from $2,400,000 to $4 million.

Subsection (c) adds new subsections (g) and (h), the former providing for a new program of grants to assist municipalities in the separation of combined sewers which carry both storm water and sewage or other wastes in an amount not to exceed 30 percent of the estimated reasonable cost of the construction. Authorizes appropriation of $1 million per fiscal year for this purpose. Provisions for allocation and payment of grant funds and applicability of Davis-Bacon Act provisions now pertaining to waste treatment plant construction projects are made applicable to the new grants program.

The new subsection (h) authorizes the Secretary to increase by 10 percent the amount of a grant for any project which has been certified to him by an official State, metropolitan, or regional planning agency as conforming to a comprehensive plan developed or in process of development for the metropolitan area wherein the project is being requested.

Section 4. Standards of quality and matter discharged: Redesignates subsection (i) of the redesignated section 9 as subsection (j) and inserts a new subsection (i) to provide that the Secretary shall issue regulations, after reasonable notice and public hearing, setting forth (a) standards of quality to be applicable to interstate or navigable waters and (b) the type, volume, or strength of matter permitted to be discharged into these waters or a tributary of such waters. The standards are to be based on present and future uses of interstate or navigable waters for public water supplies, propagation of fish and aquatic life and wildlife, recreational purposes and agricultural, industrial, and other legitimate uses. The alteration of the physical, chemical, or biological properties of these waters by acts in violation of the Secretary's regulations are declared a public nuisance and subject to abatement under the section's enforcement provisions. The applicability of the enforcement provisions to any case where they would otherwise be applicable is not to be prevented by this subsection.

Mr. HUMPHREY subsequently said: Mr. President, earlier today the Senator from Maine [Mr. Muskie] introduced amendments to the Water Pollution Control Act. I am very much interested in this proposed legislation, since I have been sponsoring such legislation in the past together with Representative Blatnik.

I now ask unanimous consent to have my name added as a cosponsor of the legislation proposed by the Senator from Maine. I have cleared this with the Senator from Maine.

The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURAL ECONOMY — MESSAGE FROM THE PRESIDENT (H. DOC. NO. 55)

Mr. MANSFIELD. Mr. President, the President's message on agriculture, received by the Congress today, has been read in the House. I therefore ask unanimous consent that the reading of the message in the Senate be waived, and that it be appropriately referred.

The VICE PRESIDENT. Without objection, it is so ordered.

The message from the President was referred to the Committee on Agriculture and Forestry.

(For President's message, see House proceedings of today.)

EXTENSION OF TIME FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE REPORT

Mr. MUSKIE. Mr. President, the Committee on Government Operations is now in the process of preparing its report to the Senate as provided in Senate Resolution 359 of the 87th Congress. Because of the delays involved in having the committee hearings printed, and receiving sufficient data to complete the report, I ask unanimous consent that the committee be granted a 60-day extension in submitting its report to the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

INCORPORATION OF ELEANOR ROOSEVELT FOUNDATION—ADDITIONAL COSPONSOR OF BILL

Mr. HUMPHREY. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 171) to incorporate the Eleanor Roosevelt Foundation, introduced by me on January 14, 1963, the name of the Senator from New Jersey [Mr. Williams] may be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

HONORARY CITIZENSHIP FOR WINSTON CHURCHILL—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. RANDOLPH. Mr. President, on January 14 I introduced Senate Joint Resolution 3, which would confer honorary citizenship of this country on Winston Churchill, of Great Britain. I ask unanimous consent that the names of Senators Hugh Scott, of Pennsylvania, and Thruston B. Morton, of Kentucky, be included as cosponsors of this measure the next time it is printed. I am grateful that my colleagues have joined in this proposal.

Tht VICE PRESIDENT. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, if the Senator will yield, may I thank the Senator from West Virginia for his courtesy.

STANDING COMMITTEE ON VETERANS' AFFAIRS—ADDITIONAL COSPONSORS OF BILL

Mr. CANNON. Mr. President, I ask unanimous consent that at the next printing of the resolution (S. Res. 48) to create a Standing Committee on Veterans' Affairs, the names of Senators Bible, Williams of New Jersey, Moss, Kuchel, Gruening, and Kefauver be added as consponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE AUTHORITY TO SELECT COMMITTEE ON SMALL BUSINESS—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. PROUTY. Mr. President, at its next printing, I ask unanimous consent that the name of the junior Senator from Connecticut [Mr. Ribicoff] be added as a cosponsor to the resolution (S. Res. 30) granting legislative authority to the Select Committee on Small Business, submitted by me on January 15, 1963. The resolution gives full legislative authority to the Senate Committee on Small Business, and I am very happy to say there are 31 cosponsors of it.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Richard D. Fitzgibbon, Jr., of Missouri, to be U.S. attorney, eastern district of Missouri, for the term of 4 years—recess appointment.

Frank Udoff, of Maryland, to be U.S. marshal, district of Maryland—recess appointment.

Jack T. Stuart, of Mississippi, to be U.S. marshal, southern district of Mississippi, for the term of 4 years, vice Rupert H. Newcomb, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Thursday, February 7, 1963, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Sigurd S. Larmon, of New York, to be a member of the U.S. Advisory Commission on Information for a term of 3 years, expiring January 27, 1966, and until his successor has been appointed and qualified.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

NOTICE OF HEARINGS ON WILDERNESS BILL

Mr. ANDERSON. Mr. President, I announce that hearings on S. 4, the wilderness bill, have been set for February 28 at 10 a.m. at room 3106, New Senate Office Building.

S. 4 is identical to the wilderness bill passed by the Senate last year by a 78-to-8 vote. Because the committee has held extensive hearings in the past, persons who desire to appear are being asked to confine themselves to new matter in regard to the measure insofar as that is possible.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. AIKEN:

Address on the agricultural program, delivered by the Secretary of Agriculture before the National Limestone Institute on January 22, 1963.

MASS TRANSPORTATION BY RAIL

Mr. SALTONSTALL. Mr. President, since the end of World War II, more than $20 billion have been expended on highway construction. Recent rates of expenditure have been running at a level of about $3 billion annually.

Despite these heavy outlays, traffic congestion remains a serious problem in and around our large urban centers. A major segment of our transportation plant—the railroad industry—is in financial difficulty. This is particularly true in the case of railroads that are obliged to operate commuter service in metropolitan areas.

Boston, Mass., is a case in point. This city is the scene of a 1-month-old experiment to determine whether motorists can be drawn back to mass transportation by rail. The experiment is to run for 1 year. It is being conducted by the Boston & Maine Railroad, in cooperation with the Mass Transportation Commission of Massachusetts under a grant of $2.2 million in matching Federal and State funds.

For many years, the Boston & Maine Railroad has been sustaining heavy losses in its passenger operations. These deficits have ranged from more than $15 million, in 1951, to $3.8 million, in 1962. Boston & Maine officials estimate that last year the railroad sustained a net deficit of about 70 cents for each passenger carried.

Nevertheless, the railroad agreed to participate in the experimental program, and is applying the Federal-State grant toward a reduction of 30 percent in fares and an increase in service of more than 85 percent. Funds allocated to the railroad will not permit expenditures to be made for new equipment or capital improvements.

The Boston & Maine is to be commended for joining in a test that represents the first practical effort to determine whether motorists can be persuaded under any circumstances to help ease highway congestion, by using mass transportation facilities.

The first results of the Boston experiment have produced increases of from 13 to 20 percent in peak-hour passenger volume over that of a year ago. These results do not permit any conclusions at so early a stage in the experiment. But even before the program yields enough information to permit any preliminary judgments, it is apparent that its birth was forced by a fundamental anomaly in past Government policy on transportation. Since 1951, some $500 million of Federal funds have been poured into highway construction in Massachusetts. The State contribution has been much larger. Each new mile of highway has added to urban traffic congestion. At the same time, it has induced a steady attrition in passenger volume and revenues of urban mass transportation facilities. Now, in the Boston area, it has necessitated a joint Federal-State appropriation of $10.2 million to determine whether any solution can be found to problems born of more than a billion dollars of Federal and State highway spending in Massachusetts over the last 15 years.

The implications of the Boston experiment go far beyond the State limits of Massachusetts. They are significant, not only in terms of the transportation needs of urban communities throughout the country; they bear importantly on such vital national requirements as an effective civil-defense program, for if the present strangulation of urban traffic arteries is not brought closer to solution, the consequences, in the event of a sudden national emergency requiring rapid dispersal of urban populations, would be catastrophic.

In economic terms, we can no longer afford to brook a continued debilitation of the railroad segment of our national transportation industry. The situation is particularly acute in New England, where the railroad plant has been laboring under deficit burdens that have put one railroad out of business entirely, and have plunged another into bankruptcy.

The Boston commuter experiment could conceivably end by proving that lowered fares and increased service can attract more riders than could be counted on under the fare and service schedules which obtained before the experiment began. But while this important public objective might be achieved, there will remain a question as to whether this service can be supported within the framework of private enterprise. In posing this question, the answer to which is vital to any thoughtful formulation of effective national planning on problems of urban transportation, I ask unanimous consent to have printed in the RECORD a highly relevant statement issued by the president of the Boston & Maine Railroad, Mr. Daniel A. Benson, on the occasion of his company's agreement to participate in the Boston commuter experiment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY DANIEL A. BENSON, PRESIDENT, BOSTON & MAINE RAILROAD

The Boston & Maine Railroad will cooperate to the fullest extent in the mass transportation demonstration. The outcome of this experiment will be as vital a matter of interest to the Boston & Maine Railroad as we know it will be to the community.

As aptly noted when the demonstration project was first announced, the public response to this program will play a large part in determining the future of railroad commuting service in Massachusetts.

The Boston & Maine is to receive an allocation of $2,200,000 for its share of the experimental program. This grant will not eliminate the Boston & Maine's passenger deficit, nor was it intended that it should do so. The Boston & Maine passenger deficit, which is a matter of public record, is running at a level of $3,800,000 for the year 1962. It is obvious, therefore, that the Boston & Maine will be matching the Federal-State grant for the mass transit experiment with a very large investment of its own.

For several years, passenger traffic has been declining in direct proportion to new highway construction. In the first 6 months of 1962, the Boston & Maine carried 2,851,524 passengers, or 117,630 less than for the same period of 1961. On the basis of total revenues from all passenger operations in the first half of 1962, the Boston & Maine sustained an average loss of about 70 cents for each passenger carried.

No privately operated enterprise can continue to incur losses of this magnitude and expect to stay in business.

If rail passenger service is a public necessity that cannot be supported by private enterprise then public means for its support will have to be found. We believe this is the central issue that will be determined by the public response to the demonstration program.

The Boston & Maine will not venture a prejudgment on the effect of the demonstration program on railroad passenger revenues.

However, we believe it to be in the public interest to make it plain that if passenger revenue losses continue, the basic needs of financial survival will leave the Boston & Maine no choice but to consider such measures as are open to it to divest itself of its passenger deficit.

GENERAL DE GAULLE AND THE UNFAVORABLE BALANCE OF PAYMENTS

Mr. SYMINGTON. Mr. President, for months I have felt that the problem of our continuing unfavorable balance of payments—steady loss of gold—was becoming a problem comparable to that of adequate resistance against Communist aggression.

If this unfavorable balance continues, and especially when considering the extent of the obligations we have in Europe which must be honored in gold, our currency, and therefore our economy, could find itself in very serious trouble indeed.

Economics and politics are closely entwined.

In that connection, Mr. President, I ask unanimous consent that an article from Brussels, published this morning in the Washington Post, be printed at this point in the RECORD. The article is entitled "De Gaulle's Push: New Cold War?", and was written by Robert Estabrook.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

De Gaulle's Push: New Cold War?

(By Robert H. Estabrook)

BRUSSELS.—In the modern history of nations there is no peacetime parallel for the brutality with which President de Gaulle blocked British entry into the European Economic Community. Frenchmen secretly attracted by Gaullist grandeur must be appalled by the calculated slap at an ally which succored France during the dark days of war.

Despite French prevarications there was no great gulf in the negotiations. They were so close to success, as a high French official acknowledged in a candid moment, that De Gaulle had to stop them. Notwithstanding Britain's past insularity and tactical mistakes, her wish to join Europe is genuine. De Gaulle's veto was coldly cynical.

The funereal mood here derives partly from the fact that the other five EEC delegations saw that De Gaulle was not merely challenging Britain. He is challenging the orientation of the new Europe—ironically in substantial measure the creation of Frenchmen—and beyond that the entire concept of the Western alliance with American participation.

What is remarkable is that other countries went so far in resisting De Gaulle and insisting on fixing responsibility. Even tiny Luxembourg, often thought to be economically under France's thumb, met the political challenge emphatically. The plan to continue close consultation with Britain is no idle gesture.

Since World War II Americans have grown used to having their way in Western affairs. It shocks our pride to have our grand design disrupted so rudely. De Gaulle has as much right as we to advance his objectives; the difference is in power to execute them. He relies on sheer audacity, stubborness and an impenetrable mystique.

What, then, is he after? His inspiration cannot be merely pique or contempt for the Anglo-Saxons although his contempt (even for his own countrymen) is enormous. Nor can it be solely grandeur, although this surely figures prominently. The Quai d'Orsay has been saying privately to politicians that DeGaulle had been preparing 20 years for (1) reunification of Germany, which makes the Franco-German tie crucial, (2) a Sino-Soviet break, and (3) a showdown with China by Western Europe and the Soviet Union acting together.

Add to this the report in the Norwegian newspaper Arbeiterbladet that De Gaulle envisages a sort of glorified Rapacki plan of disengagement with reunification of a demilitarized Germany and demilitarization of Communist countries as well as Greece and Turkey. Thereby he would roll back the Russians and Americans too.

This may be overdrawn, but it has a plausible ring. De Gaulle has been honeying up to the Russians and might have Mr. Khrushchev's encouragement. More surprising is the report that German Chancellor Adenauer has assented to an idea the mere mention of which ordinarily would cause political fits. But conceivably in his old age Adenauer has been seduced by hope for reunification.

Then add De Gaulle's efforts to cozy up to Spain and to play off Denmark against Norway. His purpose could be to complete the wrecking of the present community or at least split the political opposition to his design for a "European" Europe.

What is wrong is not the notion of readjustment with the Russians, which perhaps has been rejected too automatically, but the thought that it could safely be built around France or even Germany if the latter somehow consented. Doctrinal split or not, Khrushchev is still a Communist eager to profit from divisions in the West.

If the concept of Atlantic partnership is to withstand De Gaulle's erosions, additional impetus is needed. It is not enough to pick up the pieces of the European community. The NATO multilateral nuclear force could be the nucleus of venture decisions and responsibility with the Europeans.

It may be that a new cold war with France is ahead, though room must be left for De Gaulle to change his mind. Perhaps the new Europe has been too starry-eyed. But De Gaulle also may miscalculate profoundly what motivates nations. The deftness with which we play our own role can be instrumental.

Our friends in Europe will be watching carefully to see how firmly we react. Never have diplomatic skill, clear vision about Western aims and avoidance of foolish irritations been more important.

Mr. SYMINGTON. I also ask unanimous consent that an article by Walter Lippmann, published today, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

The General as Prophet

(By Walter Lippmann)

General de Gaulle has made it quite plain that in excluding Britain from the Common Market he means to cut way down the political influence of the United States in Europe. We shall delude ourselves if we think his action is a mere episode which will be washed away by the stream of history.

We shall delude ourselves also if we regard the general as a relic of the past, say as an imitation Napoleon. For however irritating he may be, General de Gaulle is not and never has been a fool, and though his roots are deep in the past, again and again it has been shown that he is endowed with second-sight about the future.

He is confronting this country with the need to make a difficult and momentous reappraisal of our postwar foreign policy as it has been developed by Roosevelt, Truman, Eisenhower, and Kennedy. The policy has grown out of the demonstrated fact that in the First World War, again in the Second World War, and again in the cold war the European members of the Atlantic Community have not been able to defend themselves without the intervention of the United States.

This is what brought the American people out of their historic isolation and took them into Europe from which the general would now wish to expel them. Why does he wish to expel them? No doubt in part because we have tiresome habits and it would be more agreeable if we were not there. But the substantial reason for expelling us is that in the judgment of the general we are at the end of that postwar situation in which the United States has been the defender and the banker of Western Europe.

For one thing the Russian menace is no longer, he assumes, a military matter, and even if it is, the United States cannot be relied upon to risk thermonuclear war for the sake of a European interest. Moreover, not only has Western Europe recovered but the United States with its heavily mortgaged and vulnerable gold reserves is, relatively speaking, no longer the paramount economic power that it was at the end of World War II.

Our problem, therefore, is, I submit, to reappraise our ideas and our policies and to readjust them to the passing of the postwar era. We are not dealing with a wicked man who can be or should be slapped down. We are dealing, I believe, with a prophetic man who is acting as if the future, which is probably coming, has already arrived. Just as he would not give Britain a few years to readjust its agriculture to the Common Market, so now he is not giving us the time to reappraise and revise our policies. What makes him so difficult is that he presents us not with a diplomatic argument but with an accomplished fact. It is only fair to add that this has often been the one effective way to make people change their minds.

Thus, while it is true that the post-war role of the United States in the defense of Europe is bound to come to an end, there are great risks in bringing this about so abruptly. Americans in their heart of hearts do not like being involved in Europe. There is a serious risk, which should not be overlooked, that they will discount too quickly the future which the general foresees. The Mansfield committee report is a signpost pointing toward withdrawal and isolation.

There is a serious risk also that such an abrupt turn in Europe will provoke a protectionist reaction in this country. With Europeans holding a mortgage on such a very large portion of our dwindling gold reserves, a reaction would be only too easy to start, and it may be very difficult to prevent many undesirable protectionist measures. France and the rest of the Common Market countries are mistaken if they think that the United States can be excluded from European affairs and that at the same time it will continue to provide the non-Communist world with its reserve currency. That will seem to a host of Americans a lot more trouble than it is worth.

There is also the question of how Moscow will react to the violent shaking up of the Western Alliance. I hope Mr. Khruschev will react to it as we are reacting to the violent shaking up of his alliance with Red China—that is to say, by doing nothing about it except perhaps to sit back and enjoy it.

It will be tempting to him, of course, to do some fishing in the troubled waters of the Atlantic Community. But it would not be profitable to do so. For nothing that is now happening in Europe changes the fact that the peace of the world will be made or lost by the U.S.S.R. and the United States of America.

Mr. SYMINGTON. Mr. President, Mr. Lippmann wrote:

> However irritating he may be, General de Gaulle is not and never has been a fool.

Later on Mr. Lippmann stated:

> Moreover, not only has Western Europe recovered, but the United States, with its heavily mortgaged and vulnerable gold reserves is, relatively speaking, no longer the paramount economic power that it was at the end of World War II.

Mr. Lippmann later added:

> With Europeans holding a mortgage on such a very large portion of our dwindling gold reserves, a reaction would be only too easy to start, and it may be very difficult to prevent many undesirable protectionist measures. France and the Common Market countries are mistaken if they think that the United States can be excluded from European affairs and that at the same time, it will continue to provide the non-Communist world with its reserve currency.

Surely one would agree with this wise statement.

In that connection, as this Nation faces a heavy reduction in taxes, along with a planned heavy deficit, we are also considering a larger foreign-aid program and a much larger defense program. Inasmuch as both of the latter programs vitally affect our problem of balance of payments, and inasmuch as the Department of Defense is now planning major changes in our defense posture, I hope these problems can be correlated, prior to final decision as to appropriations on the part of the Congress.

I am confident this administration will proceed with wisdom and restraint in this increasingly important matter. But I cannot help wondering whether General de Gaulle has ever heard the old American saying: "You cannot have your cake and eat it too."

RECOGNITION OF SENATORS

Mr. STENNIS, Mr. KUCHEL, and other Senators rose.

Mr. STENNIS. Mr. President—or is the Senator from California [Mr. Kuchel] now recognized?

The VICE PRESIDENT. Under the rules the Chair must recognize the Senator first addressing the Chair. Sometimes Senators do not address the Chair. The Senator from Mississippi [Mr. Stennis] is now recognized.

CITATION TO SENATOR LISTER HILL ON HIS 25TH ANNIVERSARY AS A U.S. SENATOR

Mr. STENNIS. Mr. President, our colleague, Senator Lister Hill, has ably served the people of the great State of Alabama in the U.S. Senate for more than a quarter of a century.

During this time his remarkable work in the field of hospital construction, eradication of mental illness, sickness, and disease has been as a beacon on a hill, giving light where there was darkness, giving strength where there was weakness, and restoring health and hope where there was illness and despair.

On this special occasion, and recognizing the outstanding achievements by Senator Hill over the last 25 years, the National Committee Against Mental Illness presented to Senator Hill an appropriate citation for his service.

No one is more worthy of this award and recognition than Senator Hill.

It is with great pleasure that I invite my colleagues of the Senate to read the citation so presented, and therefore, Mr. President, I ask unanimous consent that the citation be printed in the Record in full text at this point.

There being no objection, the citation was ordered to be printed in the Record, as follows:

Citation to Senator Lister Hill on His 25th Anniversary as a U.S. Senator

Named by his doctor father for one of the world's greatest surgeons, Lister Hill has brought new lustre to that revered name and and has won the undying gratitude of the medical research community for his many legislative contributions to the never-ending fight against disease and premature death.

Above and beyond this, he has earned the heartfelt thanks of millions of Americans in all walks of life for his espousal of legislation which has brought the modern hospital and the fruits of medical research increasingly within the reach of the less fortunate—the aged, the indigent and the rural people formerly deprived of the benefits of modern medicine. It is a simple truth that thousands upon thousands of Americans are alive today because of the dedicated efforts of this great son of Alabama, whose life purpose is embodied in the principle that our magnificient democracy is only as strong as its weakest link.

To list the legislative accomplishments of Lister Hill in the fields of health, education and welfare would require a volume in itself. The Hill-Burton Hospital Construction Act has been the prime force over the past 17 years in the building of hundreds of thousands of hospital beds and additional rehabilitation centers, nursing homes and diagnostic clinics. The Health Research Facilities Act of 1956, conceived and shepherded through the Congress by the senior Senator from Alabama, has already brought into being hundreds upon hundreds of new research laboratory centers. The National Defense Education Act of 1958, which Lister Hill sponsored in the Senate, was a landmark in legislative history in that it signified the deep commitment of our National Government to increased support of higher education in this country. The legislation which Senator Hill sponsored creating the Joint Commission on Mental Illneses and Health has revolutionized the care of the mentally ill in this country and has been hailed by psychiatric leaders as the most important single development in the history of our care of the mentally ill since the first State mental hospital was opened in Virginia in 1773.

While these and many other legislative accomplishments have been of vast importance, they are secondary to Lister Hill's great role as the proponent of medical research. Known far and wide as the "statesman of health," his has been the most powerful voice during the past decade in increasing medical research appropriations devoted to reducing the toll exacted by the killers and cripplers which sap the vitality of this great democracy.

In saluting you on this, the 25th anniversary of your service in the U.S. Senate, we know in our hearts that the best part of the story is yet to unfold. We know that in the years to come, your magnificient vision and enormous political skill will lead us to new victories against the age-old afflictions which claim more than 1½ million American lives each year.

You have written a glorious page in the history of medical research and you have written an equally impressive chapter in the annals of the U.S. Senate.

We know that children not yet born will one day venerate the name of Lister Hill for rising in his righteous wrath and leading the victorious fight against those diseases which have afflicted mankind since the very beginning of recorded time.

National Committee Against
Mental Illness.
Mary Lasker,
Florence Mahoney,
Cochairmen.
Mike Gorman,
Executive Director.

January 10, 1963.

U.S. SENATE YOUTH PROGRAM

The VICE PRESIDENT. The Chair recognizes the Senator from California.

Mr. KUCHEL. Mr. President, this week in the Capital of our country are 100 outstanding high school students. They, together with two outstanding students from the District of Columbia, are participating in a unique program—the U.S. Senate youth program.

A year ago the Senate adopted a resolution establishing a U.S. Senate youth program. The resolution provided:

> The continued vitality of our Republic depends in part on the intelligent understanding of our political processes and the functioning of our National Government by the citizens of the United States.

Mr. President, I cannot congratulate the Senate enough in causing to be brought to the Capital two high school students from each State in the Union chosen in accordance with an examination process determined by the head of the Office of Public Instruction in each State, and gathered here, each one assigned to a Member of the Senate. They are attending sessions of the Senate, listening to Senators, the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and a distinguished member of the U.S. Supreme Court, and participating to a high degree in a process which will add to their education and to their active interest—indeed, to the active interest of all high school students—in the free government in which the President of the Senate and I are so proud to participate.

I am glad to salute the William Randolph Hearst Foundation, which came forward and said it would underwrite the cost of the program. Without such assistance the program would not have been effective. The American Political Science Association, which has taken part in the determination of the program this week, deserves a special meed of praise.

I rise today to congratulate the senior Senator from Kentucky [Mr. Cooper] and the distinguished junior Senator from Rhode Island [Mr. Pell] who serve as cochairmen for the Senate youth program. But equally important, as one interested in the program, I should like to salute the distinguished junior Senator from Nebraska [Mr. Curtis] and the distinguished junior Senator from North Carolina [Mr. Jordan], both of whom, in the Committee on Rules and Administration, to which our resolution was first referred, actively aided in the preparation of this week's event.

I single out also Mr. Randolph Apperson Hearst, the head of the William Randolph Hearst Foundation, and Dr. Evron M. Kirkpatrick, executive director of the American Political Science Association.

It warmed the heart of every one of those high school students to see the overwhelming majority of Senators, Republicans and Democrats together, sit down at lunch a couple of days ago at one of the unique functions that have been undertaken this week.

I ask unanimous consent that the agenda for the U.S. Senate youth program this week be printed at this point in the Record, together with the names and addresses of all the high school students who are participating.

There being no objection, the agenda and list of names and addresses were ordered to be printed in the Record, as follows:

U.S. Senate Youth Program, January 27 Through February 1, 1963

AGENDA

Sunday, January 27: Arrival throughout the day at the Mayflower Hotel. Informal meetings with the Senate youth program staff in the hotel's east room.

10 p.m.: Lights out.

Monday, January 28

7:30 a.m.: Group picture at hotel.

8 a.m.: Breakfast at hotel in Chinese Room; general instructions and introductions by Ira P. Walsh, Senate youth program director, Randolph A. Hearst, trustee, William Randolph Hearst Foundation; Evron M. Kirkpatrick, executive director, American Political Science Association.

10:15 a.m.: Buses to Capitol.

10:30 a.m.: Welcome by Senate leadership in Senator's reception room; speakers were Senator Thomas H. Kuchel, of California; and Senator Hubert H. Humphrey, of Minnesota.

11 a.m.: Tour of Senate Chamber.

12 noon: Luncheon, dining room, 1202 New Senate Office Building; speaker, Pierre E. G. Salinger, Press Secretary to the President.

1:45 p.m.: Visit Supreme Court, East Conference Room; welcome by Justice Byron R. White.

3:30 p.m.: Visit to House of Representatives conducted by Representative Ken Hechler, of West Virginia; welcome by the Honorable John W. McCormack, Speaker of the House of Representatives; speaker, William M. Miller, Doorkeeper of the House.

5:15 p.m.: Buses to hotel.

6:30 p.m.: Dinner at hotel in Chinese Room; speakers were Robert Huckshorn, National Center for Education in Politics Faculty fellow, with the Republican National Committee; James Chubbuck, program officer, Governmental Affairs Institute; Kenneth Olson, American Political Science Association congressional fellow; Royce Hanson, Department of Government, American University.

8:30 to 10 p.m.: Press interviews, District of Columbia Rooms.

11 p.m.: Lights out.

Tuesday, January 29

8 a.m.: Breakfast at hotel in Chinese Room; orientation conducted by Stephen Horn, legislative assistant to Senator Thomas Kuchel; Colgate Prentice, administrative assistant to Senator John Sherman Cooper; William Connell, administrative assistant to Senator Hubert H. Humphrey; Ray Nelson, administrative assistant to Senator Claiborne Pell.

10 a.m.: Buses to Senate Office Building.

For the remainder of the day the students will serve as interns in the offices of their respective Senators.

12 noon: Luncheon with Senators, room 1202, New Senate Office Building; presiding Senator Claiborne Pell, of Rhode Island.

5 p.m.: Students to return to Rotunda area, Old Senate Office Building;

5:15 p.m.: Buses to hotel.

7 p.m.: Dinner at hotel in Chinese Room; speaker, James Quigley, Assistant Secretary of Health, Education, and Welfare.

8:30 to 10 p.m.: Press interviews in District of Columbia rooms.

11 p.m.: Lights out.

Wednesday, January 30

7:30 a.m.: Breakfast at hotel in Chinese Room; speaker, Edwin Goldfield, Director of Statistical Reports, U.S. Census Bureau.

9 a.m.: Buses to Senate Office Building.

9:30 a.m.: Attend committee hearings—to be announced.

1 p.m.: Luncheon in dining room, 1202 New Senate Office Building; speaker, Robert G. Baker, secretary for the majority, U.S. Senate.

2:30 p.m.: Panel discussion, third floor conference room, New Senate Office Building; John G. Stewart, legislative assistant to Senator Hubert H. Humphrey; William Welsh, administrative assistant to Senator Philip A. Hart; Thomas Hayes, administrative assistant to Senator Winston L. Prouty; Michael Bernstein, minority counsel, Senate Committee on Labor and Public Welfare.

4 p.m.: Observe Senate session.

5:15 p.m.: Buses to hotel.

7:30 p.m.: Dinner at hotel in Chinese Room; speaker, Senator Carl Curtis, of Nebraska.

11 p.m.: Lights out.

Thursday, January 31

7:30 a.m.: Breakfast at hotel in Chinese Room; speaker, Bill D. Moyers, Deputy Director, the Peace Corps.

9 a.m.: Buses to Department of State.

9:30 a.m.: Briefings, interviews at State Department auditorium east; moderator, Evron M. Kirkpatrick, executive director, American Political Science Association.

12 noon: Luncheon at State Department in Benjamin Franklin Room; speaker, George C. McGhee, Under Secretary of State for Political Affairs.

2:15 p.m.: Buses to Department of Defense.

2:30 p.m.: Briefings, interviews at the Pentagon, room 5A1070; welcome by the Honorable Robert S. McNamara, Secretary of Defense.

5:15 p.m.: Buses to hotel.

7:30 p.m.: Dinner at hotel in Colonial Room; speaker, Senator Lee Metcalf, of Montana.

9 to 11 p.m.: Free time. Relatives and friends in the area may call for visits with Senate youth program participants.

11 p.m.: Lights out.

Friday, February 1

7 a.m.: Breakfast at hotel in Chinese Room; speaker, William Elder, Curator of the White House.

8:30 a.m.: Buses to White House.

8:45 a.m.: Tour of White House.

9:30 a.m.: President Kennedy will greet Senate youth program participants in the White House Rose Garden.

10:30 a.m.: Buses depart for tour of Washington.

1:15 p.m.: Luncheon at Carlyle Hotel.

5 p.m.: Buses return to hotel.

7 p.m.: Dinner at hotel in Chinese Room; speakers, Senator Claiborne Pell, cochairman and other members of the Senate youth program advisory committee.

11 p.m.: Lights out.

Saturday, February 2

7:30 to 9 a.m.: Continental breakfast at hotel in Chinese Room; Senate youth program participants will board morning flights for return to their homes.

Name of student	Address and city	State	Senator	School and principal
Altman, Tova	2805 Dorchester Rd., Baltimore	Maryland	Daniel B. Brewster	Forest Park High School; Dorothy M. Duval.
Anderson, Richard	Route 1, Box 75, Blair	Wisconsin	William Proxmire	Blair Public High School; Chester Meissner.
Antil, John	300A Elm St., Northampton	Massachusetts	Leverett Saltonstall	Northampton High School; Ronald J. Darby.
Arnold, Phillip	Post Office Box 162, Kaaawa, Oahu	Hawaii	Hiram L. Fong	Kamehameha School for Boys; Allen Bailey.
Backus, Richard	24 Summer St., Goffstown	New Hampshire	Norris Cotton	Goffstown High School; Charles Vaughan.
Biggs, Barbara	301 West El Caminito, Phoenix	Arizona	Carl Hayden	Xavier High School; Sister Mary Katrine.
Bonnemort, Elizabeth	145 North 2d West, Kaysville	Utah	Wallace F. Bennett	Davis High School; Richard S. Stevensen.
Booe, Mike	3024 Circlewood, Little Rock	Arkansas	John L. McClellan	Hall High School; Terrell Powell.
Boozer, Melvin	1112 3d St. NE., Washington	District of Columbia	Vice President Johnson	Dunbar Senior High.
Bostick, George	333 West Main St., Forsyth	Georgia	Herman Talmadge	Mary Persons High School; Lewis Waldrop.
Brown, Betsy	340 Broadwater, Billings	Montana	Mike Mansfield	Billings Senior High School; Charles E. Borberg.
Bruhn, Judith Ann	Rural Route No. 1, Durant	Iowa	B. B. Hickenlooper	Durant Community High School; Alfred Voss.
Bryan, Terry A	230 American Ave., Dover	Delaware	John J. Williams	Dover High School; Joseph P. Sedule.
Bryant, Mary Anne	135 Pineview Dr., Athens	Georgia	Richard Russell	Athens High School; Guy Driver.
Cameron, Denton	406 Republic, Henderson	Nevada	Alan Bible	Basic High School; John A. Dooley.
Chase, Joan	Valley Cross Rd., Jackson	New Hampshire	Thomas J. McIntyre	Kennett High School; Robert Moulton.
Civils, John D	732 Cavalier Circle, Kinston	North Carolina	Sam J. Ervin	Grainger High School; Frank Mock.
Clements, Thomas	537 Hawthorn Rd., New Castle	Indiana	Vance Hartke	Walter P. Chrysler High School; James L. Pugh.
Courtnage, Mike	Box 1579, Ketchikan	Alaska	E. L. Bartlett	Ketchikan High School; Ray Bassett.
Crowley, Jean	503 Taylor; Moscow	Idaho	Frank Church	Moscow High School; Mark Anderson.
Cummings, David	3 Fairview Terr., Woburn	Massachusetts	Edward M. Kennedy	Woburn High School; Henry Blake.
Dashiell, Kathleen	213 South Gray Ave., Colonial Heights, Wilmington.	Delaware	J. Caleb Boggs	H. C. Conrad School; William M. Troutman.
Day, Christian	7259 Shawnee Rd., North Tonawanda	New York	Jacob K. Javits	Starpoint Central; Harold E. Keech.
Dixon, Virginia	609 South Jay St., Aberdeen	South Dakota	George McGovern	Central High School; Willard E. Ellis.
Douberley, William	Post Office Box 13, Dundee	Florida	Spessard Holland	Haines City High School; J. D. Jenkins.
Durrett, Joe	2416 Sunset Dr., Tampa	do	George Smathers	Plant High School; Paul R. Wharton.
Gawer, Glenda Rae	Route 3, Owensville	Missouri	Stuart Symington	Owensville High School; Bennet Mullen.
Gillespie, Gardner	95 Osborn Rd., Rye, N.Y	Connecticut	Abraham A. Ribicoff	Loomis School, Windsor; Francis O. Grubbs.
Gohl, Michael	729 Clinton St., Flint	Michigan	Pat McNamara	Holy Redeemer School; Sister M. Raphaelita.
Haines, Jeffrey	1845 Jenifer St., Madison	Wisconsin	Gaylord A. Nelson	Madison East High School; A. J. Barrett.

Name of student	Address and city	State	Senator	School and principal
Hardin, Cindy	2110 A St., Lincoln	Nebraska	Roman Hruska	Lincoln High School; William Bogar.
Hathaway, Mike	128 North St., Tahlequah	Oklahoma	Mike Monroney	Tahlequah High School; Thomas W. Johnson.
Hokama, Leona	312 Mahana Pl., Lanai City	Hawaii	Daniel Inouye	Lanai High and Elementary School; Milton de Mello.
Holt, Bill	1222 Hedgewood Lane, Schenectady	New York	Kenneth B. Keating	Nishkayuna High School; Joseph H. Oakey.
Hunt, Linda Lee	Rural Route 2, West Union	Illinois	Paul Douglas	Marshall High School; E. J. Harrington.
Ireson, Diane	2 Hillcrest Rd., Springfield	Vermont	George D. Aiken	Springfield High School; L. Russell Heath.
Johnson, Alston	316 Gladstone Blvd., Shreveport	Louisiana	Allen J. Ellender	Jesuit High School; Father Charles Leinger.
Johnson, Barry	2609 Boyer St., Beaufort	South Carolina	Olin D. Johnston	Beaufort Senior High School; William E. Dufford.
Johnston, Douglas	4752 Meadowview Rd., Murray	Utah	Frank Moss	Murray High School; Bryce G. Bertelson.
Jones, Nicholas	1600 Radnor Rd., Delaware	Ohio	Frank Lausche	Rutherford B. Hayes High School; Thomas D. Graham.
Kennedy, Patricia	38 Lexington Ave., West Warwick	Rhode Island	Claiborne Pell	John F. Deering High School; John J. Kelly.
King, Richard Alan	806 Cedar Rd., Charleston	West Virginia	Jennings Randolph	Charleston High School; Rexford Plymale.
Kitchen, Stephen	1653 Johnson, Ashland	Kentucky	John S. Cooper	Paul Blazer High School; H. L. Ellis.
Krebill Robert	1102 Seymour, Keokuk	Iowa	Jack Miller	Keokuk Senior High School; Roby Ellery Fretwell.
Kuchel, Harold	1001 West Wagon Wheel Dr., Phoenix	Arizona	Barry Goldwater	Washington High School; William Berry.
La Rocca, Robert	6 Wessex Rd., Silver Spring	Maryland	J. Glenn Beall	Montgomery Blair High School; Richard Wagner.
Longeteig, Karen	Route 1, Craigmont	Idaho	Leonard Jordan	Highland High School; Merrill McCarten.
McClellan, Susan	12155 Southeast 91st, Renton	Washington	Henry M. Jackson	Renton High School; Karl J Weber.
McGrain, John	4273 Canon Dr., La Canada	California	Clair Engle	John Muir High School; Dr. John Venable.
McLelland, Stan	1113 Grimes, Harlingen	Texas	R. W. Yarborough	Harlingen High School; Gordon Nix.
McMichael, Kathryn	3006 Gorton Rd., Shreveport	Louisiana	Russell B. Long	Fair Park High School; Earl K. McKenzie.
Masulla, Mary	940 Diamond Hill Rd., Woonsocket	Rhode Island	John O. Pastore	Woonsocket High School; Joseph F. Dowling.
Merrill, Philip	Tuttle Rd., Cumberland Center	Maine	Edmund S. Muskie	Greely Institute; Thomas Burdin.
Mihelich, Mira Ann	1644 Glacier Ave., Juneau	Alaska	Ernest Gruening	Juneau-Douglas High School; George McMillan.
Miles, Michael	403 Kemp Dr., Portsmouth	Virginia	Harry F. Byrd	Churchland High School; F. B. Beck.
Miley, Charles	Battletown Dr., Berryville	do	A. Willis Robertson	Clarke County High School; C. E. Miley, Jr.
Millstone, David J	233 Riverview Ct., Morgantown	West Virginia	Robert C. Byrd	Morgantown High School; Scott H. Davis.
Mitchell, Barbara	13 Blaine St., Fort Fairfield	Maine	Margaret Smith	Fort Fairfield.
Moatts, Colyn	1101 7th Ave., Clanton	Alabama	Lister Hill	Chilton County High School; S. E. Waters.
Mullett, Michael	1044 Highland Ave., Abington	Pennsylvania	Hugh Scott	Abington Senior High School; W. Eugene Stull.
Murphree, Alan	Route No. 3, Houston	Mississippi	James O. Eastland	Houston High School; D. B. Blanton.
Murrian, Bob	4300 Buffat Rd., Knoxville	Tennessee	Estes Kefauver	Holston High School; R. E. Hendrix.
Neff, Jerry	127 Pinedale Dr., Rapid City	South Dakota	Karl Mundt	Coolidge High School; Donald Varcoe.
Nesmith, Joyce	1101 Trenton Pl., Washington	District of Columbia	Vice President Johnson	Ballou Senior High School.
Newman, Peg	718 West Buttles St., Midland	Michigan	Philip A. Hart	Midland Senior High School; William Wang.
Nustul, Gary	21 East 3d Ave., Columbus	Montana	Lee Metcalf	Columbus High School; Bernard MacDonald.
O'Hara, Dennis	1111 Walnut St., Coatesville	Pennsylvania	Joseph F. Clark	S. Horace Scott Senior High School; Walter E. Fink.
Oliver, Donald	Route 1, Murray	Kentucky	Thruston B. Morton	Murray College High School; Wilson Grant.
Palenchar, Cathy	Bernard Dr. and Frederick Lane Trenton.	New Jersey	Clifford P. Case	Villa Victoria Academy; Sr. Concetta Latima.
Parker, Omar	111 Chenault Ave., Hoquiam	Washington	Warren G. Magnuson	Hoquiam High School; Donald E. Egge.
Parks, Patricia	2636 Northwest Cornell Rd., Portland	Oregon	Wayne Morse	St. Mary's Academy; Sister Idamae, SNJM.
Paulsen, Judy	2205 Gladstone Terr., Oklahoma City	Oklahoma	Howard Edmondson	John Marshall High School; Robert B. Chaney.
Peddicord, Lynne	1600 Sunset Dr., Wamego	Kansas	Frank Carlson	Wamego High School; Glenn Martin.
Perry, Alan	424 Pecan Ave., Philadelphia	Mississippi	John Stennis	Philadelphia High School; George F. Pettey.
Pfeifer, Ronald	901 South 52d, Lincoln	Nebraska	Carl T. Curtis	Lincoln Southeast High School; Craig Whitney.
Rifer, Wayne	9205 Southwest 35th Ave., Portland	Oregon	Maurine Neuberger	Woodrow Wilson High School; Dr. Kenneth Erickson.
Riley, Reese	909 North Orchard Ave., Farmington	New Mexico	Edwin Mechem	Farmington High School; H. L. Willoughby.
Ripley, Walter	50 Centerwood Rd., Newington	Connecticut	Thomas J. Dodd	E. C. Goodwin Technical School; Kenneth Merrill.
Rossland, Karen	1106 West 4th, Williston	North Dakota	Milton Young	Williston Senior High School; Leon Olson.
Schellhorn, Daniel	Sergeantsville	New Jersey	H. A. Williams, Jr.	Hunterdon Central High School; Robert C. Shoff.
Schofield, Jeffrey	2556 Woodstock Rd., Columbus	Ohio	Stephen Young	Upper Arlington High School; Joseph A. Dorff.
Schuck, Sandra	1419 Dupont Ave., Minneapolis	Minnesota	Eugene McCarthy	St. Anthony of Padua High School; Sr. Marie Marce.
Scott, Tommy	425 Crook Ave., Henderson	Tennessee	Albert Gore	Chester County High School; James Williams.
Seeburger, Frey	9305 West 5th, Lakewood	Colorado	Gordon Allott	Lakewood High School; Vernon Heaston.
Seely, Michael	48 Perry St., Barre	Vermont	Winston Prouty	Spaulding High School; Anatole G. Pendo.
Selstad, John	4200 18th Ave. South, Minneapolis	Minnesota	Hubert Humphrey	Roosevelt Senior High School; John C. Wells.
Smart, Douglas	505 Peach St., Magnolia	Arkansas	J. W. Fulbright	Magnolia High School; Jack Clemens.
Smith, Norma	6426 Harrisburg, Stockton	California	Thomas Kuchel	Lincoln High School; Ellis M. Mertins.
Stillwell, Robert	926 Fairfield Ave., North Augusta	South Carolina	Strom Thurmond	North Augusta Senior High School; S. E. Stillwell.
Strait, Randy	5203 Sierra, San Antonio	Texas	John G. Tower	Harlandale High School; Dr. J. B. Bowden.
Swaeby, Jim	3490 Fordham Ct., Boulder	Colorado	Peter H. Dominick	Fairview High School; Wendell L. Greer.
Talesnick, Alan	7200 Washington, Indianapolis	Indiana	Birch Bayh	North Central High School; Gene L. Schwilck.
Taylor, William Morris	2334 Wallis, Overland, St. Louis	Missouri	Edward V. Long	Ritenour High School; George F. Chapman.
Thompson, Barbara	1134 East 17th, Casper	Wyoming	Gale W. McGee	Natruna High School; William D. Reese.
Veazey, Kenneth	Post Office Box 504, Foley	Alabama	John J. Sparkman	Foley High School; Oscar B. Rich.
Viebranz, John	509 Tyler Rd. NW., Albuquerque	New Mexico	Clinton Anderson	Valley High School; Ralph E. Dixon.
Warner, Coralee	853 North 3d, Wahpeton	North Dakota	Quentin Burdick	Wahpeton High School; Alvin E. Hans.
Whitenight, Ken	1700 Mississippi St., Lawrence	Kansas	James B. Pearson	Lawrence High School; Meal M. Wherry.
Williams, Richard	760 Wingate Rd., Glen Ellyn	Illinois	Everett Dirksen	Glenbard West High School; John D. Sheshan.
Wilson, Robert	4700 North Sharon Amity Rd., Charlotte.	North Carolina	B. Everett Jordan	East Mecklenburg High School; David Singleton.
Wright, Tom	Morrisey Route, New Castle	Wyoming	Milward Simpson	Newcastle High School; Jack Carpenter.
Young, Eric	Box 588, Elko	Nevada	Howard Cannon	Elko High School; Edwin Jensen.

Mr. KUCHEL. Mr. President, in conclusion, I hope very much that the program may be one continuing means by which this parliamentary organization may indicate to the youth of America that it wants them to play their part in arriving at the responsibilities of citizenship so that our free government may continue.

Mr. KEATING. Mr. President will the Senator yield?

The VICE PRESIDENT. The time of the Senator has expired.

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may have 1 additional minute.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. KUCHEL. Mr. President, I yield to the Senator from New York.

Mr. KEATING. I join the Senator from California in saluting the various Senators who have participated in the program. Personally I was thrilled in meeting the young people who were chosen through competition in the various States. I hope they will gain from their contact with Government officials, including Members of the Senate. I am sure that Senators have gained from their contact with the students.

Mr. KUCHEL. I thank my able friend, who has played a very prominent part in the U.S. Senate youth program.

AIRPOWER IN THE ILL-FATED BAY OF PIGS INVASION OF CUBA

The VICE PRESIDENT. The Chair recognizes the Senator from Texas [Mr. TOWER].

Mr. TOWER. Mr. President, the Attorney General says that U.S. airpower was not involved in the ill-fated Bay of Pigs invasion of Cuba, in April 1961. The U.S. News & World Report, in its February 4 edition, gives the following excerpts of actual messages from the beachhead during the 3 days, April 17 to 19, as follows:

> 2AW to air command: "Brigade commander on Blue Beach says he must have jet support. He is under heavy attack by Mig jets and heavy tanks. Pepe."
>
> 2AW to air command: "Blue Beach under air attack by four jets and two Sea Furies. Where is our jet cover? Pepe."
>
> 2AW to air command: "First battalion under heavy artillery attack. Also Blue Beach from east. Request air knock out artillery as soon as possible. Where is our jet cover gone to? Pepe."
>
> To air command: "Where are F-51's (F-50's—World War II model fighter planes) and transport? Enemy tanks attacking east side of Blue Beach. Pepe."
>
> To base: "Barracuda, Marsopa, and Lou (code names for invasion ships) cannot arrive Blue Beach, discharged and leave by

daylight. Request jet cover for us in beachhead area."

To base: "Marsopa proceeding Blue Beach with three Lou's (landing craft). If low jet cover is not furnished at first light, believe we will lose all ships. Request immediate reply. Blue Beach under attack by Migs and T-33. Request immediately jet support or cannot hold. Pepe."

To base: "Will Blue Beach have jet cover tonight and tomorrow? Request air cover stay lower down as enemy planes come in low. Was attacked by jets after our own cover arrived. Did not receive help from air cover. Pepe."

To air command: "Tell Cuban pilots we are fighting last-ditch stand. Give them gasoline and ammunition. Road north to Covadonga is full of enemy and there is artillery east and west of Blue Beach."

To air command: "Can't you throw something into this vital point in the battle? Anything. Just let pilots loose. Pepe."

To base: "Do you people realize how desperate the situation is? Do you back us or quit? All we want is low jet cover and jet close support. Enemy has this support. I need it badly or cannot survive. Please don't desert us. Out of bazooka and tank ammo. Tanks will hit me at dawn."

To air commander: "Blue Beach under attack by B-26. Where is promised air cover? Pepe."

Mr. President, those messages show conclusively that jet cover was expected. The only jets in the area were those based upon a U.S. carrier, standing by just over the horizon during that period. The only other jets were those based in nearby Florida. It is my fervent hope that we shall soon discover the facts of the situation.

SOVIET BUILDUP IN CUBA

Mr. **KEATING.** Mr. President, the Soviet buildup in Cuba is mounting anew, and exceedingly serious evidence arrives daily. Not only are the Soviets building up their existing forces and equipment in Cuba into a state of topnotch readiness, but additional material and equipment continues to flow into the island under suspicious circumstances.

In his press conference of last week, the President said that we have had evidence of only one large vessel carrying predominantly military equipment into Cuba since October. The very next day, on Friday, January 25, a second large vessel arrived. Under maximum security conditions, it unloaded a cargo of armaments.

The route followed by these two ships is generally termed a "maximum security route," a passage traveled by the Soviets through areas where the United States is least able to maintain adequate surveillance of ships' contents.

It is also, ominously enough, the identical route followed last summer by the first of the Soviet vessels carrying medium-range, ground-to-ground missiles into Cuba.

While the Soviets continue to ship military equipment under tight security conditions into Cuba and to unload it at docking points where outsiders are rigorously excluded—only Soviets are allowed to handle it—there is also a semimonthly passenger steamship service between Cuba and Russia and a weekly nonstop Moscow-Havana flight. These provide ample facilities for the Soviets to transport additional equipment to their newest satellite—under conditions that make tight U.S. surveillance difficult, if not impossible.

Furthermore, while evidence mounts of new equipment pouring in from the Communist bloc, there is continuing, absolutely confirmed and undeniable evidence that the Soviets are maintaining and guarding the medium-range sites they had previously constructed in Cuba. There has been no Soviet move to dismantle these concrete sites or withdraw the launching bases, as one might expect if the Soviets intended in good faith to keep these missiles out of Cuba in the future.

On the contrary, the Soviets' 24-hour maintenance of these sites gives rise to the very real possibility that Russia hopes to return the heavy missiles to the island and get them into commission—or, even more ominous—that they may have missiles left on the island and need only to wheel them out of caves. Let me make clear that I have no confirmed evidence now that there are still ground-to-ground missiles or mobile missile launchers or aimers for these missiles in Cuba, but the Soviet activity around these sites cannot help but raise a number of serious questions. Without onsite inspection, it is hard to see how we will ever know for sure the true missile situation in Cuba.

Finally, I have no idea that the Soviets are planning to attack the United States directly. What they are planning to do—in fact they are already doing it—is mount an increasing wave of sabotage, terrorism, political subversion, and agitation throughout Latin America. Already riots in Venezuela, Peru, Brazil clearly and demonstrably are the work of Communists trained and armed in Cuba.

We can expect this to get worse and worse. Economic progress and development in Latin America, such as that planned under the Alliance for Progress, will become infinitely harder to achieve, if not impossible. Private capital will flee the continent. No amount of U.S. aid will be able to fill the gap. This is in progress, but it will hit a new crescendo, for Castro is now proving that he has survived the latest crisis, that he is able to defy both the United States and the Organization of American States. His supporters in Latin America, cowed in October, are taking heart again.

The time will come when the United States will have to make the hard choice—get rid of this advance Communist arsenal, no matter how, or give up Latin America. The Alliance for Progress could do a lot of good—in a stable political climate—but to invest U.S. funds for long-term, carefully balanced, economic development projects in Latin America while Castro is investing Soviet funds for guns and terrorism is like trying to cure a cancer patient with vitamin pills. I have nothing against vitamin pills—in fact I take them myself—but we are only fooling ourselves and our friends if we think they will cure the cancer that Castro is injecting in the very bloodstream of Latin America.

It is so much easier to destroy than to build. The time will come when we will have to abandon Latin America or get rid of this cancer. Furthermore, the Soviets are building Cuba up to the point where it will be impossible to get them out with conventional weapons. Cuba is becoming an impregnable fortress just as fast as the Soviets can make it so.

One objective may be to make it so difficult for us to use conventional weapons that it will turn out to be an effort to force the United States to use nuclear weapons.

One of the most significant lessons of the October Cuban crisis, in my judgment, was the advantage the United States derived from the fact that we had the choice. We could decide what weapons and tools we wanted to use. The Soviets had only one effective choice—missiles. As a result, they backed down. But when the newest Soviet buildup in Cuba is completed, when all equipment is unloaded, installed, and defended, our positions will be reversed. It will be clearly impossible for any number of native Cuban forces to dislodge the Soviet might. And it may also be impossible for any American forces to dislodge it using conventional weapons. I am very much afraid this may be the long-range Soviet objective. If we permit them to achieve it, then national independence, political stability, and economic development will be forever impossible, not only in Cuba, but throughout South America.

I intend to speak on this subject at greater length next week and offer some definite proposals as to what we can do. But the need right now is for facts. The American people have the right to know how many ships are landing in Cuba, what supplies they are bringing, what the Soviets now in Cuba are doing, and what it means for the long-term security of this entire hemisphere. Cuba's explosive potential in the Western Hemisphere is increasing week by week.

THE UNDECLARED WAR IN VIETNAM

Mr. **YOUNG** of North Dakota. Mr. President, I share the concern of many people in my state and elsewhere over what amounts to our involvement in an undeclared war in Vietnam. Many brave Americans are losing their lives in Vietnam just as they did in the undeclared war in Korea.

Mr. President, I completely share the feeling regarding this matter as expressed so well in a recent column by David Lawrence, which appeared in the Grand Forks Herald of Grand Forks, N.D., on January 16, 1963; and in another column by David Halberstam which appeared in the Minneapolis Morning Tribune of Minneapolis, Minn., on January 26, 1963.

Mr. President, I ask unanimous consent to have these two columns printed in the RECORD as a part of my remarks.

There being no objections, the columns were ordered to be printed in the Record, as follows:

[From the Grand Forks (Minn.) Herald, Jan. 16, 1963]

David Lawrence

Washington.—For what cause have 53 Americans given their lives in South Vietnam? What is the Government here telling the unfortunate parents and relatives? It would seem that not only is a persuasive explanation due the families of the men killed, but it is due the American people as well. For other Americans in uniform—about 1 million of them—now are stationed in 41 different lands and may any day be asked to make similar sacrifices. An official explanation as to why the United States is risking the lives of its youth in South Vietnam has not been forthcoming. Yet Congress alone, under the Constitution, has the right to declare war. A President who finds our national safety threatened need not wait for Congress but may in an emergency order our armed services into action because there isn't time to consult Congress. At the earliest practicable moment, nevertheless, a President is morally obligated to ask for a resolution of both Houses of Congress to authorize the continued use of American troops.

When President Wilson suddenly ordered Marines to land in Vera Cruz in 1914, to intercept a shipment of arms from Germany, a request for a joint resolution of authorization was made only a few days later. The request was promptly granted. In 1950, when President Truman overnight ordered our Armed Forces to help the United Nations to repel the invasion of South Korea, he called it a "police action," though it turned into a major war. Congress never authorized it explicitly but later gave the military operation validity by passing the necessary appropriations.

There have been a few cases in which Marines have been landed for brief periods in foreign countries by the United States to protect American lives and property and no resolutions have been sought from Congress. But in no case have such forces been used to carry on any operations involving military action against another country.

Today American troops and equipment—at a cost to American taxpayers of $1 million a day—are in South Vietnam, and the official word is that all this is solely to help in defensive operations at the request of the local government.

American troops usually do not engage in any foreign war without the authorization of the people's representatives—the Congress of the United States. It is recognized, of course, that a President may take measures of instant retaliation if an attack is made against this country, but it is assumed Congress would even then be asked to authorize any continued warfare. Under the North Atlantic Treaty Organization, the United States is pledged to regard an attack on any of the member states as being just the same as an attack on the United States. But after the initial steps have been taken, the Congress is supposed to furnish the necessary authority to carry on the war.

Just why the administration has not presented the facts about the situation in South Vietnam to the American people is a mystery. Informal and confidential talks with members of the foreign relations committees of Congress have been held by the Department of State. But these are by no means a substitute for the requirements of the Constitution. American boys have already been killed in action in South Vietnam, and many more of them may be sacrified in the Congo or other parts of the world to quell local disturbances.

The U.S. Government today has taken the position that, under the assumed authority of the United Nations, American advisers and equipment can be used in the Congo to settle by force an internal war in a state which covers a considerable area in central Africa.

President Eisenhower found himself in a tough spot in the Far East when an attack on Quemoy and Matsu, the islands off the shore of Red China, was threatened in 1954 and 1955. He asked Congress for authority to resist such an attack and to use American armed forces. The issue was fully debated, and a joint resolution authorizing military action in certain contingencies was overwhelmingly adopted.

This was a policy of candor and of fairness to the American people and their representatives. It ought to be repeated. Whenever the Congress, moreover, does debate the issues and the use of troops is sanctioned, then the psychological effect of such a step is without question felt abroad. It helps to dispel any notion that the executive branch of the Government here is engaged in a venturesome game that it might not perhaps play to the finish.

[From the Minneapolis (Minn.) Morning Tribune, Jan. 26, 1963]

GI's in Vietnam Hailed for Lonely Kind of Courage

(By David Halberstam)

Soc Trang, South Vietnam.—Gen. Earle G. Wheeler, Chief of Staff, Friday praised American fighting men in Vietnam for daily displaying a lonely type of courage and bravery not even required in World War II.

He made his statement during a day in which he awarded 13 medals for bravery to Americans for their participation in the recent battle of Ap Bac.

If there were ever any doubt about the depth of American involvement in Vietnam's war, it should have disappeared yesterday with a glance at the citations for decorations, the knowledge that 3 other Americans were killed in action in the battle and the further knowledge that 54 other Bronze Stars for valor and Distinguished Flying Crosses have been recommended for Ap Bac.

A Brook Park, Minn., man was one of the servicemen honored. Sfc. Arnold Bowers, 29, received a Bronze Star Medal from Wheeler.

Ap Bac was the recent battle in the Mekong Delta where a trapped Communist regular battalion inflicted heavy losses on Vietnamese regulars before slipping out of a pocket at nightfall.

Here at the home of the 93d Helicopter Company which has borne the extremely heavy burden of Vietnam fighting in 11 months with seven helicopters destroyed, Wheeler told the assembled men:

"This is a dirty, nasty little war and you can get killed in it just as dead as if you were landing at Omaha Beach. But this is also a lonesome war and you don't have the might and majesty of the United States of America as we did at Omaha."

Because of the loneliness of the war, Wheeler told the GI's that the job here required a special type of courage.

"We all know what we're fighting against here. Perhaps some of you feel like strangers in a strange land," he said. "But no American is ever a stranger in a land where men are fighting to remain free."

His words were particularly welcome to the fighting men who have come to look on the swelling stream of visiting generals and other VIP's as more of a bother than anything else and who are often embittered by what they consider stateside ignorance and indifference to the dangers of Vietnam. They have a feeling that this war is not taken seriously by many people in the States and if they find anything of positive nature in Ap Bac it is that it apparently dramatized the U.S. involvement here.

INCREASE OF IMPORT QUOTAS FOR RESIDUAL FUEL OIL

Mr. MORTON. Mr. President, the announcement of the Department of the Interior of an increase of import quotas for residual fuel oil of over 6 million barrels, all dumped within the next 60 days, cannot be justified or explained in any way other than as a political sop to New England. There are no facts to justify this sharp relaxation of residual fuel oil quotas.

Residual oil prices are soft. Demand has not increased. There are no shortages. Nevertheless, Secretary Udall has just taken work away from thousands of American coal miners and railroaders. The economic statistics used by Interior to explain its action are as phony as a three-dollar bill.

The President talked one way in West Virginia when he was seeking votes during the 1960 campaign. Yet, his own Secretary of the Interior, Mr. Udall, has repeatedly acted another way.

The promises of Senator Kennedy, the candidate, and the performance of President Kennedy's Secretary of the Interior offer a sharp contrast.

The National Coal Policy Conference issued an immediate rebuttal to Secretary Udall's decision yesterday. I ask unanimous consent that the conference's statement be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of the National Coal Policy Conference

Washington, January 30, 1963.—"The unwarranted increase in residual oil import quotas for the remainder of this quarter announced Tuesday represents another severe blow to the already seriously damaged coal industry," Joseph E. Moody, president of the National Coal Policy Conference, declared today.

"The total increase—17,000 barrels per day, for the full year to be available in the next 2 months—is more than 6.5 million barrels, or the equivalent of 1.5 million additional tons of coal to be displaced in the next 2 months.

"This lost coal production would have provided jobs for more than 600 U.S. coal miners for a full year, or 3,600 miners during the next 2 months," Mr. Moody said. "These destroyed miners' jobs can now be added to the 17,000 full-time jobs already lost each year to imported residual oil, which now displaces more than 45 million tons of U.S. coal annually.

"Today's action was taken at the same time that a spokesman for the administration acknowledged to us that there has been an increase in imports in the first 8 months of the quota year of over 17 million barrels and that consumption on the east coast has been 5.6 million barrels less than was anticipated by the Bureau of Mines in their demand forecast on which quotas were established last April.

"The Department of Interior press release announcing the new increase stated that there was a reduction of 4 million barrels in stocks as of December 31, and that the supply of domestic residual for the east coast this year had proved to be approximately 10 million barrels less than was anticipated by the Bureau of Mines.

"However, the Geological Survey, which compiles such figures for the Department of Interior, reports that shipments of domestic residual from the Gulf Coast for the period April through November declined 4,442,000 barrels and the Bureau of Mines reports that refinery output of domestic residual on the eastern seaboard amounted to 31.7 million barrels April through October for 1962, the latest period available, as compared with 32 million in the same period of 1961. Thus, there was an actual decline of only about 4.5 million barrels in domestic supply in the first 8 months, compared to a year ago. This means that there was a net increase in residual available to the east coast of about 12.5 million barrels during the first 8 months of this quota year.

"Even in the face of these facts, the Department of Interior is now adding an additional 6.5 million barrels during the next 60 days. Under the already existing import levels, quotas for this quarter were 37½ percent of the year's total, or 770,830 barrels per day. This enormous increase, when added to existing quotas, means that import levels for the next 2 months will reach the astronomical figure of 878,000 barrels per day.

"This is by far the highest level of imports ever recorded under the oil import control program. The previous record was 819,000 barrels daily reached for 1 month in January of 1962.

"This further severe blow to the domestic coal industry came despite the fact that the Department of Interior officials admit no shortage of residual oil now exists on the east coast. A survey made this week by NCPC among trade sources in New York-New England area revealed that residual imports are selling well below posted prices and that oil is in plentiful supply.

"Yet, in face of adequate supplies and a stable price, the import quota for residual oil was again increased—the third such increase since this administration assumed office 2 years ago and raising imports to 190 million barrels for the year as compared to 154 million barrels of allowable imports in 1960.

"There would seem to be no other conclusion to draw than that under this administration the domestic coal industry is considered expendable."

ESTABLISHMENT OF JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Mr. HUMPHREY. Mr. President, on January 14, the senior Senator from Pennsylvania [Mr. CLARK], on behalf of himself and a number of other Senators, including myself, introduced Senate Concurrent Resolution 1, to establish a Joint Committee on the Organization of the Congress and recommend improvements thereon.

As a member of the Senate Committee on Government Operations for 14 years and chairman of the Subcommittee on Reorganization and International Organizations for three Congresses, I feel that it is my duty to the Senate to call attention to the fact that the Committee on Government Operations has devoted a very great deal of time, effort, and attention to the organization and operation of the Congress ever since the enactment of the Legislative Reorganization Act of 1946. This work has been carried on in accordance with the specific mandate of section 102(1)(g)(2)(C) of that act, which places upon that committee the responsibility for "evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government." The resolution was referred to the Committee on Rules and Administration.

I fully concur with the Senator from Pennsylvania in the need to restudy and revamp thoroughly the organization and procedures of Congress. I have pledged myself to this effort. But I believe it is also necessary for every Senator to be aware of the extensive work in this area which has been done by this committee and its staff over the past 15 years. In fact, three of the original staff members who have been working on these matters over the years are still with the committee. Accordingly, it is my purpose to review briefly the nature and extent of this work, which should form the basis for any additional work which the Congress may desire to authorize in the future.

At the outset, I should like to point out that the Committee on Government Operations has devoted some attention to the organization and operation of the Congress during every Congress since the enactment of the Legislative Reorganization Act of 1946. I shall first review these activities for each Congress and I shall then make special reference to some of the more important aspects of this work.

In the 80th Congress, in February 1948, the committee held hearings for 5 days, taking 270 pages of testimony from congressional leaders, representatives of the two major political parties, committee chairmen and outside experts, with the express purpose of evaluating the Legislative Reorganization Act of 1946. Following an analysis of the various positions expressed, the committee made 13 specific recommendations which were incorporated in a committee bill, S. 2575, with all of the members of the committee as cosponsors. The bill was reported unanimously by the committee, placed on the Senate Calendar, and rereferred to the Committee on Rules and Administration for study as to its effect on the rules of the Senate. However, that committee took no action on it prior to the adjournment of the 80th Congress.

During the 81st Congress, the committee considered S. 2898, to establish a Joint Committee on the Budget, which would have amended section 138 of the Legislative Reorganization Act and was designed to strengthen the fiscal operations of the Congress so as to enable it to exercise properly its constitutional responsibilities in this field. After considerable deliberation, the committee decided to defer action on the measure until the 82d Congress, to be considered as part of a projected overall examination and evaluation of the organization and operation of Congress. I will refer to this important area later in my remarks.

In the 82d Congress, after much careful preparation, the committee once again held extensive hearings to evaluate the effect of the Legislative Reorganization Act of 1946. By the summer of 1951, the Congress had had more than 4 years of experience with the workings of the act, and was in receipt of numerous proposals for change. To assist in this task, the committee obtained the temporary services of Dr. George B. Galloway, former staff director of the Joint Committee on the Organization of Congress, on a reimbursable basis. Dr. Galloway prepared an extensive study of the operation of the 1946 act which was distributed to all members of the committee. Fourteen days of hearings were held during which testimony was heard on such topics as committee structure and operation, staffing of Congress, workload on Congress, oversight of administration, strengthening fiscal controls, lobbying, compensation of Members of Congress, composition and tenure of Congress, congressional ethics and immunity, party government in Congress, and congressional procedures and internal administration.

Among those who testified were various congressional leaders from both Houses of Congress who had sponsored amendments to the act, as well as staff members and outside experts. In all, 60 witnesses appeared, of which 14 were Senators, 15 were Members of the House, 3 of whom are now Members of the Senate, 10 were congressional staff members, 7 were political scientists, 7 represented civic groups, 5 were officials of the General Accounting Office, and 2 were former Members of Congress. In addition to oral testimony, the committee received numerous statements, letters, articles, and other written material, all of which were printed in the hearings. The recommendations which were received contained 184 proposals, and the printed hearings ran to 697 pages, including a 7-page summary of recommendations and an 18-page subject index.

Following these hearings, the committee held a series of executive sessions at which it reviewed the recommendations and gave its tentative approval to 27 proposed amendments to the Legislative Reorganization Act. At the committee's direction, the staff prepared informative data and drafts of legislation embodying these 27 proposals.

The committee's inquiry resulted in three byproducts. The first of these was a summary by title of all of the amendments to the Legislative Reorganization Act of 1946 which had been adopted by law or resolution, between 1947 and 1951, printed as Senate Document No. 11, 82d Congress. The second was a staff study of some problems of committee jurisdiction in selected subject-matter fields, printed as Senate Document No. 51, 82d Congress. Finally, the staff made a systematic analysis of the numerous recommendations received for improvements in the operations of the Congress, relative to adequate staffing of the committees, for closer surveillance of fiscal and other policies of the Congress, adjustment of retirement benefits of legislative employees, and the revision and strengthening of the Federal Regulation of Lobbying Act, which was enacted in 1946 as title III of the Legislative Reorganization Act.

During this same Congress, the committee took 182 pages of testimony in a 3-day hearing on S. 913, to amend the

Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive branch of the Government. This bill would have established a Joint Committee on the Budget and provided it with a competent professional staff to enable the Congress to handle its vital appropriations responsibilities. It passed the Senate by a vote of 55 to 8, and was reported favorably by the House Committee on Rules. After some debate on the measure in the closing hours of the 82d Congress, it failed of passage by a vote of 155 ayes to 173 nays. I might add at this point that virtually identical bills were processed by the Committee on Government Operations, reported favorably and passed by the Senate in the 83d, 84th, 85th, and 87th Congresses, only to die each time in the House of Representatives.

In the 83d Congress, in addition to giving serious attention once again to strengthening the fiscal operations of the Congress by creating a Joint Committee on the Budget (S. 833), the staff of the Committee on Government Operations, at the direction of the committee prepared a complete compilation of the Legislative Reorganization Act of 1946 with amendments from the time of its enactment through the first session of the 83d Congress, printed as Senate Document No. 71. In addition, the Subcommittee on Reorganization of the Committee on Government Operations made a full evaluation of the Federal Regulation of Lobbying Act—title III of the Legislative Reorganization Act—holding numerous executive sessions, and ultimately prepared a complete draft revision of the act which, with some minor changes, was later introduced as S. 3784. In this connection, the staff prepared a number of studies dealing with constitutional and legal aspects of the act. In that Congress, the committee also devoted considerable attention to a bill, S. 1006, dealing with the scheduling of legislative action on appropriations measures and yea-and-nay votes on amendments to appropriations measures.

In the 84th Congress, the Committee on Government Operations undertook a series of studies, relative to the organization and operation of Congress, which related to, first, the need for tighter congressional control over the purse strings, and for legislation designed to remedy serious deficiencies in appropriations procedures and the expenditure of public funds; second, a revision and strengthening of title III of the Legislative Reorganization Act, dealing with the regulation of lobbying; and, third, changes in the rules of the Senate so as to bring about better coordination of all functions of that body in order to permit better adjustment of schedules of Members for the performance of essential duties in the Senate and in committees, looking toward the improvement of the legislative process.

Once again, the committee devoted much effort to perfecting the amendment to section 138 of the Legislative Reorganization Act, referred to above, which was designed to strengthen congressional control over appropriations by providing for the Congress the same kind of expert staff facilities and detailed technical information for the Appropriations Committees of the Congress as the Bureau of the Budget provides for the executive branch. The bill, S. 1805, was designed to remedy serious deficiencies in appropriations procedures and to improve congressional surveillance over the expenditure of public funds. As in the 83d Congress, the bill passed the Senate and was allowed to die in the House Committee on Rules.

As in the previous Congress, the Committee on Government Operations again devoted much time to a revision of the Federal Regulation of Lobbying Act—title III of the Legislative Reorganization Act. The bill, S. 2308, was the culmination of several years of extensive staff work and careful consideration by the committee and its Subcommittee on Reorganization.

Finally, in the 84th Congress, at my direction, the staff compiled data and pertinent information relative to the time required of Senators in carrying out their legislative duties in sessions of the Senate and in meetings of standing, special, or joint committees of which they are members. This summary and review of Senate floor sessions and committee meetings in the 84th Congress was printed as Senate Report No. 96 in the 85th Congress.

Also, in the 85th Congress, the committee again concerned itself with the vital need for legislation designed to remedy deficiencies in appropriations procedures and the expenditure of public funds, considering and reporting favorably S. 1585, identical to S. 1805 of the 84th Congress, S. 833 of the 83d Congress and S. 913 of the 82d Congress. Again, the measure passed the Senate and died in the House.

Following the extensive study by the staff of the committee relative to the time required by Senators to carry out their legislative duties in the 84th Congress, referred to above, the committee introduced Senate Resolution 102, relative to fixing separate days for Senate sessions and committee meetings. This resolution, which was part of the committee's program to improve the operations of the Senate, was based upon Senate Report 96, which contained, in addition, a wealth of information on the workload of the Senate, its Members and committees, and was designed to focus attention on the day-to-day problems and responsibilities.

The committee again devoted itself to the task of perfecting the lobby regulation legislation. The committee had before it S. 2191, to amend title III of the Legislative Reorganization Act, introduced by the Senator from Arkansas [Mr. McCLELLAN] and other members of the Special Committee To Investigate Political Activities, Lobbying and Campaign Contributions. The staff of the Committee on Government Operations prepared a series of staff studies on various aspects of the bill, following which the committee held a series of executive sessions at which various issues raised by the bill were considered and discussed.

Finally, during the 85th Congress, the staff of the committee, in connection with its work on the proposed Science and Technology Act of 1958, prepared an amendment to rule XXV of the Senate rules—title I of the Legislative Reorganization Act—which would have created standing Committees on Science and Technology in the Senate and House of Representatives with general jurisdiction over science and technology as well as the general oversight jurisdiction now exercised by the Joint Committee on Atomic Energy. The Joint Committee on Atomic Energy would have been abolished and its functions and members reassigned, with retention of their seniority, to the permanent standing committees in the respective Houses of the Congress.

During the 86th Congress, the staff of the Committee on Government Operations conducted a comprehensive study and analysis of the budgeting and accounting programs and procedures of the Federal Government, printed as Senate Document No. 11, 87th Congress. Part II of this study was devoted entirely to improvements in fiscal operations under the Legislative Reorganization Act of 1946. Here it was pointed out that one of the major aims of the act was to strengthen the congressional power of the purse. To accomplish this objective, the act provided for a legislative budget, a Joint Committee on the Budget, expenditure analyses by the Comptroller General, development of a standard appropriation classification schedule, studies by the Comptroller General of restrictions in appropriations acts, studies by the Appropriations Committees of both Houses of permanent appropriations and of the disposition of funds resulting from the sale of Government property or services, and expansion of the staffs of the Committees on Appropriations.

Senate Document No. 11 contains an extensive reveiw of all of the staff and committee work done in an effort to implement those objectives and achieve orderly processes and more adequate congressional controls.

This report, I am pleased to say, has been characterized by the Comptroller General of the United States as "a remarkable document to which all concerned can point with pride," and as a historic work which will "be of great value to congressional committees and Members of Congress," which "should be required reading and reference for anyone seriously concerned with financial management in Government."

In addition, in the 86th Congress, the staff of the Committee on Government Operations prepared a staff study listing all of the proposals filed in the Senate from the 80th through the 86th Congresses, proposing the establishment of standing, select, special and joint committees of the Congress, whether temporary or permanent, covering specified areas of Federal activity or national problems with which the Congress has been and is concerned—staff memorandum 86–2–49, December 7, 1960.

Finally, the staff of the committee prepared a special study and review of the committee system in the U.S. Senate with special reference to the development of the practice and procedure of referring measures to committees prior to action by the Senate.

I come now, Mr. President, to the 87th Congress. It will be recalled that during the 85th Congress, the staff of the committee prepared an extensive survey of the activities of the U.S. Senate in the 84th Congress—Senate Report No. 96—which revealed, among other things, that Senators do not have sufficient time to give thorough attention to committee deliberations and actions, and that 90 percent of all work of the Congress on legislative matters is carried out in committee. It was recommended that separate days be assigned for committee meetings and for floor action.

Following up the findings of the previous study, the staff of the committee, at the direction of the chairman, prepared a survey of the present committee structure of the Congress. The startling results of this survey revealed that the Congress currently maintains a total of 303 committee units, including 36 standing committees, 3 special and select committees, 11 joint committees and 253 subcommittees. Of the total number, 127 units are in the Senate and 152 are in the House of Representatives. Added to this are 11 joint committees which have 13 subcommittees of their own. The staff study containing the details of this survey was published as Staff Memorandum No. 87-1-27, July 18, 1961. On that same day, I announced the findings of the staff on the floor of the Senate for the information of the Members and in order to inform the citizens of our Nation so that they might have a better understanding of the tremendous workload carried by Members of Congress.

Mr. President, I cite this study and my remarks on the floor of the Senate on this subject in order to inform the Senate that as recently as the 1st session of the 87th Congress, the Committee on Government Operations was engaged in a major project dealing with the committee system and the workload of individual Members of Congress. Furthermore, the results of our work were available to all, having appeared in the CONGRESSIONAL RECORD, volume 107, part 10, pages 12819-12823.

Finally, in the 87th Congress, the Committee on Government Operations again directed its attention to the very vital subject of strengthening congressional control of the purse strings and again reported a bill, S. 529, which would have established a Joint Committee on the Budget and improved congressional procedures for handling appropriations and expenditures. This bill passed the Senate under unanimous consent, but the House Rules Committee failed to report it.

In summary, Mr. President, the Legislative Reorganization Act of 1946 vests in the Committee on Government Operations a continuing responsibility for evaluating the effects of laws enacted to reorganize the legislative branch of the Government. I am pleased to report to the Senate that this committee has met this responsibility through the years by making continuing studies and inquiries into the organization and operation of the Congress, in general, and the Senate in particular. The results of our work are available in the form of printed reports, documents, staff memorandums and insertions in the CONGRESSIONAL RECORD, and it is my intention that this work will continue to be performed and the results made public from time to time.

FIFTEENTH ANNIVERSARY OF U.S. INFORMATION AGENCY

Mr. HUMPHREY. Mr. President, January 27, 1963, marked the 15th anniversary of the enactment of Public Law 402, the Smith-Mundt Act. In passing this legislation the Congress acknowledged officially the existence of a worldwide struggle for the minds and souls of men. And on these floors it forged a policy designed to construct an American capability in the ideological, psychological, and political war with the propaganda and policies of international communism.

It is tempting on such occasions to review the past experience, take stock of our assets and liabilities, and applaud the accomplishments of the U.S. Information Agency and its predecessor organizations and directors. For there has developed in the U.S. Information Agency an important strategic national resource. This consists of a worldwide communications apparatus, an improved and efficient know-how, and increased professionalism among its dedicated personnel.

American libraries and information centers are well known and appreciated abroad. The Voice of America has an international reputation. Hundreds of foreign newspapers and magazines carry USIS stories, pictures, and favorable cartoons about the United States and its people. USIA-made motion pictures are distributed to the far corners of the world. Their message is carried to hundreds of millions by riverboat, jeep, animals, as well as by plane, ship, and truck. More American books in foreign languages are being translated. American music is being heard, and American art is being displayed. The world has begun to appreciate the evidence of an American culture which has emerged in an atmosphere of freedom, and in the spirit of free and creative inquiry.

This and more could be said about past and present accomplishments. However, I would rather focus on what remains to be done and what ought to be done in order to strengthen and further develop the American effort. I do not know of anything that could be more important to the national interest if it is done well.

For example, how many people appreciate the impact of the series of American exhibits that has been displayed in Moscow, Leningrad, Kiev, Tashkent, in Warsaw, in Poznan, and in other eastern European and Russian cities? How many people know what happens when children and adults borrow and read books from USIS libraries abroad? How do we know when a Voice of America broadcast or an Agency pamphlet or news story will prompt men and women in foreign lands to think and act in a manner favorable to the future of freedom?

The answer is that most of us do not know, and although surveys and studies of media impact exist which frequently show favorable reactions, we do these things, we have passed this legislation, because we have faith in our ideas and ideals, because we have faith in the written and spoken word and because we believe that faithful images of our life and people as seen in photographs, motion pictures, and television will convey a message of hope, a message of dynamic, ever-stirring America whose people are on the march to progress, plenty, and peace.

It is my belief, however, that with all our achievements to date, we are just beginning to scratch the surface in this ideological struggle. Make no mistake, peaceful coexistence means continuous ideological and political struggle. It does not call for an end to the contest of ideas. It intensifies this struggle and we must be up to it. We must not be No. 2 or No. 3. We must strive in every way to pursue excellence with imagination, ability, and foresight. We must—all of us in the Congress—be ready with suggestions and constructive proposals to assist the Executive in the discharge of these important duties in order that the United States may always be No. 1 in this field.

Public Law 402 showed foresight in having created within this statute an independent, outside Advisory Commission on Information of private citizens who are expert in the field of mass communications. They have labored diligently in this field for 15 years. I have read their 17 reports to Congress as they were issued over the years and I have from time to time commented on these reports on the floor of the Senate.

Today, the Commission has issued its 18th report to Congress. And again it attempts to help chart the future in this important ideological struggle. It suggests, among other things, that the USIA, too, should look to the future by establishing a long-range, forward-planning unit which would concentrate on the task of discovering new improvements, new ideas, and new methods of disseminating information around the world.

The Commission also suggests that we in the Congress can do more through the personal associations and relationships that are developed in the interparliamentary meetings which we attend.

Finally, the Commission recommends that the appropriate committees of Congress conduct hearings on research in international mass communications with a view toward determining the best ways of reducing international tensions, promoting stability and increasing international understanding by means of international communication.

One of the principal reasons for this recommendation is the challenge and opportunities that have been opened up for us by the U.S. success with Telstar, the first international communication satellite capable of transmitting voices and images around the world. What is important now, states the Commission, is the nature of the contents that will be carried by this new vehicle of communication.

In order to insure quality content for its programs, USIA as well as private American networks should be sensitive to the habits, attitudes and views of foreign audiences. The U.S. Advisory Commission on Information has observed that research into atomic energy and space exploration resulted in important technical breakthroughs and discoveries. It believes similarly that research into international communication projects is also necessary and that it could illuminate and improve our total efforts to communicate effectively with foreign audiences. It could help the USIA in its work with foreign labor groups, farm groups, cooperative associations, students, and intellectuals.

I wish to support this Commission's recommendation and urge that hearings be considered by the appropriate committee. Carefully planned and prepared hearings could shed important light on our present inadequacies, on methods of improving our communications, and on areas of ignorance and misunderstanding that we need to remedy in order to do quality work.

On this 15th anniversary of the passage of Public Law 402, I wish to salute its authors and congratulate the present Director of USIA, Mr. Edward R. Murrow and his staff, who are laboring so diligently and indefatigably.

THE PRESIDENT'S EDUCATIONAL PROGRAM

Mr. SIMPSON. Mr. President, I have just read the President's message on his educational program, and I feel a great concern for the effects of this program on our public school system. I have had a lifelong interest in education. I have served as a member of the local school board in my hometown, Cody, Wyo. I have served for 13 years as the president of the board of trustees for our State university. I have served as president of the National Association of Governing Boards for State Universities and Allied Institutions. I was a member of the educational committee of the national chamber of commerce. I merely give this recitation to disclose some qualifications to indicate that I have more than a passing knowledge of the education field.

The President states that his Federal assistance program will bring no controls to our local school system, but I state that there is no such thing as Federal aid without Federal control.

The administration's program attempts to interject the Federal Government into our traditional system of public schools, which is presently meeting the challenges and forging ahead at a much greater rate than the present administration had anticipated would be necessary.

I wish to point out that I am for a strong and adequate educational system in America. I yield to no one in my desire to see the educational system flourish in America. It cannot be regimented and flourish. Let us meet the challenge in the American way, not through a complicated scheme to remove control, at any cost, from the local level where it belongs.

Mr. President, there are others who share my concern over the President's program, which promises to give everything to all people, and I feel that an editorial appearing in the Wall Street Journal today, January 31, is appropriately timed. I, therefore, ask unanimous consent that this editorial, entitled "In the Name of Quality," be inserted in the RECORD along with these remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IN THE NAME OF QUALITY

In our village, and from all we hear in thousands of other communities, the quality of education has improved dramatically in recent years. Courses are tougher and more is demanded of the student.

This is in large measure a grassroots revolt against too many years of soft thinking and soft teaching. It has not been inspired by official Washington or brought about by Federal funds. Perhaps, as President Kennedy says, it is by no means enough; that much more must be done to increase the quality and availability of education at all levels. But the education message delivered to Congress this week raises the strongest doubts that it is showing the way to do it.

The recommendations, for one thing, rest on certain misconceptions and superficialities. The assumption throughout seems to be that a sprawl of new or expanded Federal programs can all but solve problems of ignorance, unskilled workers and school dropouts; problems that lead to delinquency, unemployment, chronic dependence and waste of human resources.

It would be fine if it were so simple, but we all know that the roots of these social ills go deeper than any lack of classrooms and teachers. The disturbing thing is that the message proposes far-reaching Federal remedies without any evidence of a serious analysis of the causes of the problems.

In the same way, the message glibly repeats the cliche that the crisis in higher education facilities is now at hand. It ominously declares that $23 billion worth of new facilities will be needed by 1970 to accommodate the college enrollment.

Such statements reflect superficiality with a vengeance. Many colleges have more space than students, and a good education is not a monopoly of the schools with the most glamorous reputations. Moreover, multiple applications by the same students are inflating the whole enrollment crisis. And the message overlooks a basic question in this regard, whether the Nation is trying to put too many youngsters through college—in many cases beyond either ability or desire.

The tendency to ignore fundamental questions also shows up in the emphasis on research. The Federal Government already dominates the Nation's research effort, and the signs of abuse, waste, and distortion are mounting. For it is by no means true that anything and everything in the name of research is worth doing. Yet the message, proposing much more aid in this area, seems to make that unthinking assumption.

In short, we will not improve quality by ill-conceived programs which in fact put the stress on quantity of classrooms and other facilities. What we will get, through this sort of legislation, is a new proliferation of Federal activity costing an estimated $5 billion over 5 years.

The President says his ambitious educational enterprise offers Federal assistance without Federal control. It isn't necessary to debate the abstract theory of Federal versus local control; it is enough to note that aid of such scope must entail control, just as it already does in research.

In fact, it would be irresponsible for the Government to spend so much without trying to determine how it is being spent. The only question then becomes to what ends the control would be exercised.

One of the practical virtues of our traditional system of community control of public schools, plus numerous private schools, is that local mistakes do not become national mistakes. They are also more easily corrected, as we have been witnessing in the hometown revolt against softness.

The Nation should not be eager to infringe a system which has done spectacularly well in the past and today is bringing radical improvements in quality. Certainly it should be skeptical of Federal programs that proclaim quality but map paths to a new conformity.

THE PREVIOUS QUESTION

Mr. RUSSELL. Mr. President, on almost every occasion when the rules of the Senate are under discussion we have some controversy as to the effect of the so-called previous question rule, which existed in the Senate during the first few years of its existence.

I made a very careful study of that question some 15 years ago, and concluded that beyond any peradventure the original previous question rule in the Senate was not a mechanism for cloture or, indeed, even for the purpose of stopping debate in the Senate, but that it was utilized only to postpone or to avoid a decision on a pending question.

Some time ago, Dr. Joseph Cooper, who is a professor of political science in the Department of Government at Harvard University, very carefully researched this whole question. I had Dr. Cooper's thesis printed as a Senate document.

In the light of some statements which have been made during the present debate, I believe it would be well to have this thesis printed in the body of the RECORD, in order that it might be available for all those who may have an interest in this matter in the future. From my experience, it will be a matter of interest in almost every year that the Senate is in session.

I, therefore, ask unanimous consent that Dr. Cooper's thesis entitled "The Previous Question: Its Standing as a Precedent for Cloture in the U.S. Senate," be printed in the RECORD at this point in my remarks.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HUMPHREY. Is this the professor at Harvard who made this study?

Mr. RUSSELL. Yes.

Mr. HUMPHREY. Has this study been printed as a Government document?

Mr. RUSSELL. Yes; but never in the CONGRESSIONAL RECORD.

Mr. HUMPHREY. I believe it should be printed in the RECORD. I certainly have no objection.

Mr. RUSSELL. I find that some statements have been made heretofore, about the same length, on the other side of the question and have been printed in the RECORD. In fact, one such thesis has been printed twice. I think it only appropriate that the one I refer to should be printed at least once.

There being no objection, the thesis was ordered to be printed in the RECORD, as follows:

THE PREVIOUS QUESTION: ITS STANDING AS A PRECEDENT FOR CLOTURE IN THE U.S. SENATE—A DISSERTATION ON THE SO-CALLED PREVIOUS-QUESTION RULE AS EMPLOYED BY THE SENATE IN ITS EARLY DAYS

(Presented by Mr. RUSSELL)

FOREWORD

By great good fortune, there has come to my attention an outstanding and scholarly dissertation by Dr. Joseph Cooper, a professor of political science in the Department of Government at Harvard University, entitled "The Previous Question: Its Standing as a Precedent for Cloture in the Senate of the United States."

Dr. George B. Galloway, senior specialist, American Government and Public Administration of the Library of Congress, was gracious enough to permit me to see Dr. Cooper's work.

Dr. Cooper reached the conclusion, after his painstaking study, that the previous question rule in the early Senate was not in any sense a restriction on debate nor a mechanism for cloture.

I have never seen Dr. Cooper and had never heard of him or his study of this subject until after he had completed his research and prepared his dissertation. It is most gratifying that his findings support the position that I have taken a number of times on the floor of the Senate when efforts to impose further restrictions on freedom of debate were pending in the Senate. Dr. Cooper's thesis is a notable contribution to the history of the Senate and to an understanding of its rules. I feel it should be made available to all of the Members of the Senate as well as students and others interested in the history of this great parliamentary institution. I have therefore asked unanimous consent that Dr. Cooper's thesis be printed as a Senate document.

RICHARD B. RUSSELL.

Many persons interested in Senate procedure are aware that a rule for the previous question existed in that body during its first 17 years.[1] Still, the manner in which this rule was understood and used has been and continues to be a topic of much misunderstanding and disagreement. Thus, as eminent a student of the Senate as Lindsay Rogers seems to believe that the previous question existed as a cloture mechanism in the early Senate, whereas other equally eminent students of the Senate, such as George H. Haynes and Clara (Kerr) Stidham, are convinced that the rule was not so used or understood.[2] In recent years, as a result of the efforts of a group of liberal Senators to impose some form of majority cloture on the Senate, interest has been revived in the nature of the precedent furnished by the original Senate rule for the previous question. The leading antagonists in the controversy have been Senator RICHARD RUSSELL, Democrat, of Georgia, and Senator PAUL DOUGLAS, Democrat, of Illinois.

Senator RUSSELL has contended that the previous question did not serve as a mechanism for cloture in the early Senate, but merely as a mechanism for postponing or avoiding decision.[3] Senator DOUGLAS has argued that RUSSELL's view is "almost completely wrong."[4] In so arguing, DOUGLAS has not only relied on his own investigations; in addition, he has made use of extensive research done for him by Irving Brant. Thus, he has twice introduced into the CONGRESSIONAL RECORD a memorandum on the previous question prepared by Brandt.[5] This memorandum contends that in the early Senate a simple majority had the power to close debate through use of the previous question in order to bring a matter to decision and that on occasion this power was actually exercised.

The aim of this paper is to settle the longstanding dispute over the status and significance of the rule for the previous question which existed in the Senate in the years from 1789 to 1806.[6] In terms of the Haynes-Stidham-Russell line of thought the previous question mechanism in the early Senate provides no valid precedent for the adoption of majority cloture today. In terms of the Rogers-Douglas-Brant line of thought it provides a solid precedent.

I. PROPER USAGE IN PARLIAMENTARY THEORY, 1789-1806

We may start our inquiry by examining what parliamentary theory in these years conceived to be the proper function of the motion for the previous question. There is very little evidence to support the contention that in the period 1789–1806 the previous question was seen as a mechanism for cloture, as a mechanism for bringing a matter to a vote despite the desire of some Members to continue talking or to obstruct decision.[7] This is true for the House as well as for the Senate.[8] On the other hand, convincing evidence exists to support the contention that the previous question was understood as a mechanism for avoiding either undesired discussions or undesired decisions, or both.

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[1] On Apr. 16, 1789, the Senate adopted the following rule as the 9th of a code of 19 rules adopted that day:

"The previous question being moved and seconded the question from the chair shall be: 'Shall the main question be now put?' And if the nays prevail, the main question shall not then be put."

This rule was omitted in the revised rules adopted 17 years later on Mar. 26, 1806. See "Annals of Congress," Washington, 1834–55, 1 Cong. 1, 20–21, and 9 Cong. 1, 202–203.

[2] See Lindsay Rogers, "The American Senate," New York, 1926, p. 165; George H. Haynes, "The Senate of the United States," Boston, 1938, vol. I, p. 393; and Clara (Kerr) Stidham, "The Origin and Development of the United States Senate," Ithaca, 1895, p. 59.

Also relevant are Robert Luce, "Legislative Procedure," Boston, 1922, pp. 275 and 289; Henry Jones Ford, "The Rise and Growth of American Politics," New York, 1898, p. 265; and Franklin L. Burdette, "Filibustering in the Senate," Princeton, 1940, pp. 14, 15, and 219.

[3] See CONGRESSIONAL RECORD, vol. 103, pt. 1, p. 153, Washington, 1873–1961. See also CONGRESSIONAL RECORD, vol. 99, pt. 1, p. 117, and S. Doc. No. 4, 83 Cong. 1, p. 11.

[4] CONGRESSIONAL RECORD, vol. 103, pt. 5, pp. 6669–6686. See also CONGRESSIONAL RECORD, vol. 107, pt. 1, pp. 241–256.

[5] Ibid. For other statements of Brant and DOUGLAS see Proposed Amendments to Rule XXII of the Standing Rules of the Senate, "Hearings Before a Special Subcommittee of the Committee on Rules and Administration," U.S. Senate, 85 Cong. 1, Washington, 1957, pp. 170–182 and 31–45.

Senator JOSEPH S. CLARK, Democrat, of Pennsylvania, has also been a leading advocate of the view that majority cloture would be a return to original Senate practice. See "Senate Rules Must Be Reformed," reprint of speeches and proposals of Senator JOSEPH S. CLARK, Washington, 1960, pp. 22–26.

[6] The House of Representatives has, of course, had a previous question rule since its inception in 1789. Over the years this rule has undergone many changes and it now serves as a very effective mechanism for cloture in the House. See any recent manual of rules for the House of Representatives, rule XVII and explanatory footnotes. See also Asher C. Hinds, "Hinds' Precedents of the House of Representatives," Washington, 1907, secs. 5443–5446.

[7] There are only two pieces of evidence that can be cited in support of the contention that the previous question was understood as a cloture mechanism in the Senate before 1806. The first is the fact that on the cover of his famous journal William Maclay, a Senator from Pennsylvania in the First Congress (1789–91) records the following as Senate rule 7:

"In case of debate becoming tedious, four Senators may call for the question; or the same number may at any time move for the previous question, viz., 'Shall the main question now be put?' "

See "The Journal of William Maclay," New York, 1927, p. 403. It is clear, however, that this rule never became an official rule of the Senate. Instead, it, together with the other rules listed on the cover, probably represent Maclay's proposals for Senate rules. See Stidham, op. cit., p. 38, footnote 2, and p. 60, footnote 2. See also Haynes, op. cit., vol. I, p. 392, footnote 3. Still, from the way this rule is worded it is often assumed that Maclay understood the previous question as a cloture mechanism. This is far from clear. The Senate of the Commonwealth of Pennsylvania in 1790 had two separate rules dealing with the matters contained in rule 7 as listed by Maclay. One permitted four Senators to ask for the question, i.e., a vote, when the debate became tedious and the other permitted four Senators to move the previous question. This suggests that the objects of these procedures were understood as separate and distinct and that Maclay merely lumped them together for purposes of brevity since both kinds of motions required the same number of initiators. See "Journal of the Senate of the Commonwealth of Pennsylvania, 1790–1791," Philadelphia, 1791, pp. 50–51 (Dec. 29, 1790), rules 13 and 17. It is true, however, that by 1790 the House of Representatives in Pennsylvania only had a rule for the previous question. Note the conclusions drawn with reference to this fact by Lauros G. McConachie. See Lauros G. McConachie, "Congressional Committees," Boston, 1898, p. 24. Yet see "Journal of the House of Representatives of the Commonwealth of Pennsylvania, 1790–1791," Philadelphia, 1791, p. 129 (Jan. 28, 1791).

The second piece of evidence that might be cited to support the contention that the previous question was understood as a cloture mechanism in the Senate during the years from 1789 to 1806 is Jefferson's statement that use of the previous question had been extended to accomplish ends beyond the mere suppression of delicate discussions. Thomas Jefferson, "A Manual of Parliamentary Practice," Washington, 1820, sec. XXXIV. In this regard see Luther Stearns Cushing, "Elements of the Law and Practice of Legislative Assemblies in the United States of America," 1866, par. 1420 and related footnote 4. However, in all probability what Jefferson had in mind here was use of the previous question on propositions that were not delicate, simply, for the purpose of suppressing an undesired decision. This is indicated by his discussion of why it would be preferable to permit the main question to be amended when the motion for the previous question was being debated. It is also indicated by the fact that Jefferson at no point states that on a certain date the previous question was used for cloture in the Senate, whereas it is unlikely that he would have allowed such an important and revolutionary precedent to go by unnoted.

[8] For conceptions of the function of the previous question in the House see Hinds' Precedent, op. cit., sec. 5445 and De Alva S. Alexander, "History and Procedure of the House of Representatives," Boston, 1916, p. 181. See also "Annals," 1 Cong. 1, 324 (May 11, 1789); 2 Cong. 2, 846–851; 3 Cong. 1, 595–596; 3 Cong. 2, 960; 3 Cong. 2, 998–1000; 5 Cong. 2, 650–652; 5 Cong. 2, 1067; 7 Cong. 1, 439–441; 7 Cong. 1, 1045; 9 Cong. 1, 1091–1092; and 10 Cong. 1, 1183–1184. It should be noted that in the last instance mentioned Randolph's argument assumes that the previous question is a mechanism for avoiding decisions, not discussions.

The leading advocate of the view that the proper function of the previous question related to the suppression of undesired discussions was Thomas Jefferson. In his famous manual, written near the end of his term as Vice President for the future guidance of the Senate, he defined the proper usage of the previous question as follows:

"The proper occasion for the previous question is when a subject is brought forward of a delicate nature as to high personages, etc., or the discussion of which may call forth observations, which might be of injurious consequences. Then the previous question is proposed: and, in the modern usage, the discussion of the main question is suspended, and the debate confined to the previous question."[9]

In terms of his approach, then, Jefferson regarded as an abuse any use of the previous question simply for the purpose of suppressing a subject which was undesired but not delicate, and he advised that the procedure be "restricted within as narrow limits as possible."[10]

Despite Jefferson's prestige as an interpreter of parliamentary law for the period with which we are concerned, his view of the proper usage of the previous question cannot be said to have been the sole or even the dominant one then in existence. A second strongly supported conception understood the purpose of the previous question in a manner that conflicted with Jefferson's view; that is, as a device for avoiding or suppressing undesired decisions.

The classic statement of this view was made in a lengthy and scholarly speech delivered on the floor of the House of Representatives on January 19, 1816, by William Gaston. In this speech Gaston, a Federalist member from North Carolina, argued that on the basis of precedents established both in England and America the function of the previous question was to provide a mechanism for allowing a parliamentary body to decide whether it wanted to face a particular decision. In the course of his speech he took special pains to emphasize his differences with Jefferson:

"I believe, sir, that some confusion has been thrown on the subject of the previous question (a confusion, from which even the luminous mind of the compiler of our Manual, Mr. Jefferson, was not thoroughly free) by supposing it designed to suppress unpleasant discussions, instead of unpleasant decisions."[11]

Gaston's speech, to be sure, was made 5 years after the previous question had been turned into a cloture mechanism in the House and it was made as a protest against this development.[12] It is valuable, nonetheless, as an indication of the state of parliamentary theory in the years from 1789 to 1806 and its standing as evidence of this nature is supported both by the arguments made in the speech itself and by less elaborate statements made on the floor of the House in the years before 1806.[13]

That the previous question was understood as a mechanism for avoiding undesired decisions in the early Senate as well as the early House is indicated by an excerpt from the diary of John Quincy Adams.[13a] The excerpt comes from the period in which Adams served in the Senate and it contains his account of Vice President Burr's farewell speech to the Senate. In this speech, delivered on March 2, 1805, Burr by implication seems to understand the function of the previous question as relating primarily to the suppression of undesired decisions.

"He [Burr] mentioned one or two of the rules which appeared to him to need a revisal, and recommended the abolition of that respecting the previous question, which he said had in the 4 years been only once taken, and that upon an amendment. This was proof that it could not be necessary, and all its purposes were certainly much better answered by the question of indefinite postponement."[14]

We should note in closing our discussion of proper usage that in Burr's case, as in a number of others, his words do not rule out the possibility that he understood the previous question as a mechanism for avoiding undesired discussions as well as undesired decisions. Indeed, despite the exclusive character of the positions maintained by Jefferson and Gaston, their basic views could be held concurrently and in the years immediately preceding 1789 they were, as a matter of general agreement, so held in the Continental Congress. The previous question rule adopted by that body in 1784 read as follows:

"The previous question (which is always to be understood in this sense, that the main question be not now put) shall only be admitted when in the judgment of two Members, at least, the subject moved is in its nature, or from the circumstances of time and place, improper to be debated or decided, and shall therefore preclude all amendments and further debates on the subject until it is decided."[15]

Thus, a third alternative existed in parliamentary theory in the early decades of government under the Constitution with reference to the previous question—that of seeing it as a mechanism for avoiding both undesired discussions and undesired decisions. The extent to which Jefferson's, Gaston's, or a combination of their positions, dominated congressional conceptions of the proper function of the previous question is not clear.[16] The lack of rigidity in parliamentary theory was an advantage rather than a disadvantage and the average Member, in the years before 1806 as now, was not apt to be overly concerned with the state of theory or its conflicts unless some crucial practical issue was also involved. However, practice in these years reveals that in both the House and the Senate the previous question was used mainly for the purpose of avoiding or suppressing undesired decisions, rather than undesired discussions.[17] Still, practice also reveals that the degree to which these purposes can be distinguished varies widely from instance to instance and that often any distinction between them must be a matter of degree and emphasis, rather than a matter of precise differentiation.

II. PROPER OPERATION IN PARLIAMENTARY THEORY, 1789–1806

In line with the prevailing conception of the previous question as a device for avoiding undesired discussions and/or decisions, the mechanism itself was clearly designed to serve such ends, rather than the ends of cloture. This can be seen if we examine parliamentary theory in the years from 1789 to 1806 with reference to three key facets of the rule's operation: the possibility of debate before determination of the motion, the course of procedure after determination of the motion, and the nature of the limitations on the scope of the motion.

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[9] Jefferson's Manual, op. cit., sec. XXXIV.

[10] Ibid.

[11] "Annals," 14 Cong. 1, p. 707.

[12] See references cited in footnote 6 above.

[13] See references cited in footnote 8 above.

[13a] The fact that a considerable amount of secrecy characterized the early sessions of the Senate also makes less reasonable the supposition that in this body the previous question was understood solely as a mechanism whose proper usage was confined to the suppression of delicate discussions. Until 1794, the Senate held all its sessions behind closed doors. In that year a resolution was passed which opened the doors for the consideration of legislative business, though simultaneously a new rule was passed which permitted any Member to move to close the doors whenever he thought necessary. However, the Senate did provide for the regular publication of its legislative journal from the very first year of its operation. The proceedings of the Senate when acting in its executive capacity continued to be held in secret far beyond the year 1806. Moreover, in the years before 1806 and beyond, the Senate appears to have published only portions of its executive journal and to have done so on very few occasions. For material on secrecy in the Senate see Stidham, op. cit., pp. 39–40, 98–102, and 170–171; Haynes, op. cit. vol. II, pp. 665–670 and 779–782; George P. Furber, "Precedents Relating to the Privileges of the Senate of the United States," Washington, 1893 (S. Doc. No. 68, 52 Cong. 2, vol. VII of misc. doc. vols.); Dorman B. Eaton, "Secret Sessions of the Senate," New York, 1886; and Joseph P. Harris, "The Advice and Consent of the Senate," Berkeley, 1953, p. 249. See also Jefferson's Manual, op. cit., sec. XLIX, and "Rules of the United States Senate," Dec. 7, 1801, Houghton Library Document, Harvard University, Call No. ACUN33C.801r.

[14] Charles Francis Adams (ed.), "Memoirs of John Quincy Adams," Philadelphia, 1874, vol. I, p. 365. That Burr saw the previous question primarily as a mechanism for avoiding or suppressing undesired decisions can be inferred from the fact that he said "all its purposes were certainly much better answered by the question of indefinite postponement." This claim can be seen to be most correct if one regards the previous question as a mechanism for suppressing undesired decisions rather than undesired discussions. The consequence that indefinite postponement entailed that the previous question did not necessarily entail was total suppression of a matter for the remainder of the session. Such a consequence is better suited for suppressing decisions than for suppressing discussions since in all probability opposition to a substantive question will remain permanent whereas questions that are too delicate to be discussed at one moment may well lose their delicacy with the passage of time.

It is interesting to note that Jefferson distinguished temporary suppression of a discussion from permanent suppression, assigning the former end to the previous question and the latter end to indefinite postponement. See Jefferson's Manual, op. cit., sec. XXXIII. However, we should also note that we cannot be certain that indefinite postponement was as effective a means of suppressing discussion as the previous question. Under the previous question mechanism discussion of the merits of the main question was absolutely forbidden. Whether this was also true when indefinite postponement was moved is not clear. Jefferson at no point states that the merits of the main question could not be discussed when indefinite postponement was moved, though this may be implicit in his statements regarding indefinite postponement.

[15] Hinds' Precedents, op. cit., sec. 5445.

[16] See Cushing's Manual, op. cit., pars. 1404 and 1421.

[17] For a discussion of all instances of the use or attempted use of the previous question in the Senate which this author has been able to discover see pt. III of this paper. For instances of the use or attempted use of the previous question in the House from 1789 to 1806 see "Annals," 1 Cong. 1, 324 (May 11, 1789); 1 Cong. 1, 758–759 (Aug. 18, 1789); 1 Cong. 3, 1960 (Feb. 8, 1791); 2 Cong. 1, 597; 2 Cong. 2, 823; 2 Cong. 2, 846–851; 3 Cong., 1, 595–596; 3 Cong. 1, 686; 3 Cong. 2, 960; 3 Cong. 2, 998–1000; 5 Cong. 2, 650–652; 5 Cong. 2, 1067; 6 Cong. 1, 508; 6 Cong. 2, 1042; 7 Cong. 1, 419; 7 Cong. 1, 439–441; 7 Cong. 1, 1045; and 9 Cong. 1, 1091–1092. See also "Journal of the House of Representatives of the United States," Washington, 1826, vol. III, p. 253.

Once moved and seconded the motion for the previous question, as in the case of any other motion, could be subject to extensive debate.[18] In both the Senate and the House the rules governing limitation of debate before 1806 were exceedingly lax.[19] Whether debate on the motion for the previous question could have been halted in the House or the Senate before the generous conditions set forth in the rules of these bodies had been satisfied is a matter of conjecture. Senator Douglas and Irving Brant argue that such a result was possible in the Senate and, at least in part, their argument can also be applied to the House. Their contention is that whenever debate became obstructive or repetitious it could have been ended by the presiding officer, and they seem to believe that this officer could have acted either on his own initiative or in response to a point of order raised from the floor.[20] They base their argument on the possibility in the early Senate of founding antifilibuster rulings on a general principle of parliamentary law, which Jefferson in his manual affirmed as follows: "No one is to speak impertinently or beside the question, superfluously or tediously." [21] Thus, Douglas and Brant maintain that in the period from 1789 to 1806 the motion for the previous question was not one that could be debated indefinitely "without let or hindrance," and they emphasize the fact that until 1828 the presiding officer in the Senate was permitted to decide all questions of order without debate or appeal.[21a]

However, it is far from clear that the men who served in Congress in the period which concerns us saw themselves as having the powers that Douglas and Brant think they had. On the occasions where records reveal that debate in the Senate actually became "tedious" and "superfluous," there is no evidence to suggest that the presiding officer ever intervened or that a point of order was ever raised.[22] The situation is similar with respect to the House and it is also worth noting that when the House in December of 1805 decided that stricter control of debate on the motion for the previous question was necessary, it felt forced to amend its rules so as to abolish debate on the motion entirely.[23]

Nor can we be certain that if a presiding officer had intervened or a point of order had been raised, the result would have been as Douglas and Brant suggest. Freedom of debate was a principle which this period valued very highly. Thus, one cannot confidently predict that the House or the Senate would have sustained the intervention of its presiding officer. To be sure, if the presiding officer in the Senate had intervened to stop debate, his decision could not have been reversed by appeal to the floor, as could have been done in the House. But this does not mean that the Senate could not and would not have acted to reverse his ruling. This result could easily have been accomplished, if the Senate desired, simply by voting to amend or add to the rules. Similarly, if a point of order had been raised, one cannot confidently predict that the reaction of the presiding officer in either House would have been to uphold it. Given the fact that the rules of both the House and Senate directly concerned themselves with the conditions for limiting debate, any presiding officer would have been quite hesitant to impose by flat restrictions that went so far beyond what the rules themselves prescribed.[24]

Lastly, the least that can be said is that even if Douglas and Brant are correct in maintaining that it was possible to limit debate on the motion for the previous question, this facet of the rule's operation does not demonstrate that the previous question was designed as a cloture rule. On the contrary, the fact that debate on the motion could not be prevented until it became obstructive or repetitious made the previous question a very inefficient mechanism for cloture. It meant that a lengthy debate on the merits of the main question could be followed by a lengthy debate on the very propriety of putting the question.[25]

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[18] In the House of Representatives five Members were required to second a motion for the previous question and no Member was permitted to speak more than once without leave. The original previous question rule adopted by the House read as follows:

"The previous question shall be in this form: 'Shall the main question be now put?' It shall only be admitted when demanded by five Members: and until it is decided, shall preclude all amendment and further debate of the main question. On a previous question no Member shall speak more than once without leave."

See Hinds' Precedents, op. cit., sec. 5445.

[19] The main limitation on debate in the House prohibited any Member from speaking more than twice on the same question without leave of the House or more than once until every Member who wanted to speak had spoken. However, as we have already noted in footnote 18, on the motion for the previous question, Members were limited to speaking once unless leave was granted to speak again. See "Annals," 1 Cong. 1, 99 and 100 (Apr. 7, 1789). In the Senate the main limitation on debate prohibited any Member from speaking more than twice in any one debate on the same day without permission of the Senate. See "Annals," 1 Cong. 1, 20 (Apr. 16, 1789). Even this rule, however, was often not enforced. See Stidham, op. cit., p. 59 and Memoirs of John Quincy Adams, op., cit., vol. I, p. 324.

[20] From the manner in which Brant and Douglas argue their case it is not entirely clear whether they maintain that the presiding officer could have stopped tedious or superfluous debate on his own initiative. I have interpreted them as maintaining this because their argument seems to suggest it, because such an interpretation strengthens their case, and because practice in the early Senate in other areas, e.g., relevancy, may furnish a basis for maintaining such a position. In 1826, however, Vice President Calhoun refused to intervene on his own initiative in matters where the "latitude or freedom of debate" was involved. See Congressional Record, vol. 107, pt. 1, pp. 242, 247, 248, 253, 255, 256. See also Burdette, op. cit., pp. 16–19 and 220. In addition, see Haynes, op. cit., vol. I, p. 389 and Furber's Precedents, op. cit., p. 118.

[21] See Congressional Record, vol. 103, pt. 5, pp. 6669–6686 or Congressional Record, vol. 107, pt. 1, pp. 241–256. See also Jefferson's Manual, op. cit., sec. XVII.

[21a] Congressional Record, vol. 107, pt. 1, pp. 242 and 255–256. However, the Senate rules did provide that the presiding officer could submit a question of order to the Senate if he had doubt in his own mind as to what ruling was proper. See Jefferson's Manual, op. cit., sec. XVII.

[22] See Maclay's Journal, op. cit., p. 63 (June 4, 1789); p. 133 (Aug. 26, 1789); pp. 155–159 (Sept. 22–24, 1789); p. 181 (Jan. 25, 1790); and p. 305 (July 1, 1790). On two and possibly three of these occasions there was not only tedious debate, but also a deliberate attempt to obstruct decision by prolonging debate. See also Everett S. Brown (ed.); "William Plumer's Memorandum of Proceedings in the United States Senate, New York," 1923, pp. 72–73 (Dec. 2, 1803); pp. 133–134 (Feb. 1, 1804); and p. 483 (Apr. 12, 1806).

It is true that both in the early Senate and the early House, Members were called to order for not being germane or relevant in debate. Indeed, the House adopted a rule of relevancy as early as 1811. But action preventing Members from speaking "beside the question" is distinguishable from action preventing Members from speaking "tediously" or "superfluously." See "Annals," 11 Cong. 1, 462–463; Hinds' Precedents, op. cit., secs. 4979 and 5042; Burdette, op. cit., pp. 16–19 and 220; and Haynes, op. cit., vol. I, pp. 423–425.

[23] "Annals," 9 Cong. 1, 284, 286, and 287. This action, however, should not in any way be taken to mean that at this time the House understood the previous question as a cloture mechanism and was trying to make it a more efficient instrument for such purposes. On the contrary, from the first the House limited debate on the motion for the previous question more strictly than the Senate because of the special problems which its greater size created. See "Annals," 10 Cong. 1, 1183–1184.

[24] Senator Douglas notes that from 1797 to 1801 Thomas Jefferson himself presided over the Senate and he asks would Jefferson have failed to uphold a point of order based on a principle which he affirmed in his manual. Congressional Record, vol. 107, pt. 1, p. 2480. Two points may be advanced in reply: First, Jefferson deliberately listed in his manual precedents and principles that were directly contravened by the rules and practice of the Senate. In short, he must not have expected that every pronouncement he made would necessarily be a governing one for the Senate. Second, if the previous question had been moved for the purpose of cloture and the point of order suggested by Douglas raised to stop debate on the motion, it is quite possible that Jefferson either would have referred the point of order to the floor for decision, as he had discretion to do, or would himself have acted to nullify it. If he referred the point of order to the floor for decision, given the Senate's distaste for cloture, there is a good chance that it would have been defeated. If he decided to settle the point himself, it is conceivable that he might have ruled against it. For in such a case the point of order would have been used in support of an end which Jefferson would have thought grossly distorted the proper purpose of the previous question. In the least, Jefferson might have held that the motion for the previous question was out of order, thus negating the significance of the point of order even if he upheld it. See below, footnotes 25 and 38.

Douglas also states that the fact that the presiding officer might have refused to stop debate on the basis of Jefferson's maxim does not mean that his power to do so did not exist. Ibid. This is a very questionable argument for, if the presiding officer had refused, it would have been because of the way he interpreted his power, and this is the very point in issue. All in all, both Douglas and Brant err in making such an absolute authority out of Jefferson. Even in the early decades of the 19th century the Senate did not regard Jefferson's pronouncements on proper parliamentary procedure as being so sacred that they could not be added to, altered, contravened, or even forgotten. Hence, one cannot positively claim that a certain power existed in the early Senate simply on the basis of a single sentence in Jefferson when no evidence exists to show that the power was ever exercised.

[25] The rules of the House precluded debate or amendment of the main question when the motion for the previous question was under discussion. Thus, debate on the motion for the previous question had to confine itself to the propriety or desirability of putting the main question at that time. See footnote 18 above. The rules of the Senate did not explicitly mention this point. See footnote 1 above. Still, the general understanding of the times seems to have been that the merits of the main question could not be discussed when the motion for the

Equally, if not more important, as an indication of the purposes for which the previous question was designed is the manner in which the House and Senate understood the motion to operate after a decision had been rendered on it. With regard to negative determinations of the previous question, the view that appears to have been dominant in the period from 1789 to 1806 was that a negative decision postponed at least for a day, but did not permanently suppress, the proposition on which the previous question had been moved. In the House this view seems to have prevailed during the whole period from 1789 to 1806, though it is possible to place a contrary interpretation on the evidence which exists for the first few years of the House's existence.[26] As for the Senate, less evidence is available, but it is probable that its view was similar to that of the House. This conclusion can be based on Jefferson's statement that temporary rather than permanent suppression was the consequence of a negative result and the fact that on one occasion the Senate seems to have acted in accord with the temporary suspension view.[27] However, it should also be noted that in a number of instances in which the previous question was used in both the House and Senate, the circumstances were such that permanent suppression was or would have been the unavoidable consequence of a negative result.[27a]

The fact that a negative determination of the previous question suppressed the main question supports our contention that the previous question was originally designed for avoiding undesired discussions and/or decisions, rather than as an instrument for cloture. That the previous question could not be employed without risking at least the temporary loss of the main question ill adapted it for use as a cloture mechanism. It is not surprising that one of the longrun consequences of the House's post-1806 decision to use the previous question for cloture was the elimination of this feature.[28] On the other hand, suppression was a key and a quite functional feature of the previous question, viewed as a mechanism for avoiding undesired discussions and/or decisions. Indeed, in the period from 1789 to 1806 suppression served as a defining feature of the mechanism. Men who intended to vote against the motion would remark that they supported the previous question and on one occasion the motion was recorded as carried when a majority of nays prevailed.[29]

With regard to affirmative determinations of the previous question, the evidence which exists again does not lend itself to simple, sweeping judgments of the state of parliamentary theory in either the House or the Senate. The House in the years from 1789 to 1806 on a number of occasions allowed proceedings on the main question to continue after an affirmative decision of the previous question.[30] Finally, in 1807 a dispute arose over whether such proceedings could legitimately be continued. The Speaker ruled that they could not, that approval of the motion for the previous question resulted in an end to debate and an immediate vote. This was Jefferson's opinion as well. But despite the fact that Jefferson's pronouncements on general parliamentary procedure were as valid for the House as for the Senate, the House overruled the Speaker and voted instead to sustain the legitimacy of continuing proceedings after an affirmative decision of the previous question.[31] It is not clear whether this decision should be explained by assuming that it reflected the House's long-term understanding of proper procedure or by assuming that it merely reflected the House's pragmatic desire to escape the consequences of the 1805 rules change which abolished debate on the motion for the previous question.[32]

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previous question was being debated. Jefferson affirmed this principle in his manual. However, Jefferson also believed that it was permissible to move to amend the main question and to discuss the amendment in the interim between the moving and the deciding of the previous question. It is worth noting, especially for the benefit of Brant and DOUGLAS who place so much credence in Jefferson, that had this view been accepted, it would have been very difficult, if not impossible, to use the previous question as a cloture mechanism. See Jefferson's "Manual," op. cit., sec. XXXIV.

[26] For evidence bearing on procedure in the earliest days of the House see "Annals," 1 Cong. 1, 758–759 (Aug. 18, 1789); 2 Cong. 1, 472; 2 Cong. 1, 594–597; and 2 Cong. 2, 846–851. See also "Hinds' Precedents," op. cit., sec. 5446. For additional evidence bearing on the whole period see "Annals," 3 Cong. 1, 595–596; 3 Cong. 2, 998–1000; 7 Cong. 1, 419 and 461–462; 7 Cong. 1, 439–441 and 458–461; and 9 Cong. 1, 284. Beginning in 1802, rulings of the Speakers affirmed and enforced the temporary suppression view. See "Annals," 7 Cong. 1, 1043–1047 and 12 Cong. 1, 1080–1082. In addition, see Joel B. Sutherland, "Congressional Manual," Philadelphia, 1841, pp. 45, 104, and 113.

[27] See Jefferson's "Manual," op. cit., sec. XXXIV. The occasion referred to is Aug. 18, 1789. See pt. III of this paper and related footnote 51 below. Here the substance of a resolution suppressed the preceding day was allowed to be moved again.

In the Continental Congress the previous question by rule was put in its negative rather than affirmative form: "Shall the main question be not now put?" Thus, in contrast to the House and Senate where the rules provided for the affirmative form of the previous question, a negative determination of the previous question was achieved when the yeas prevailed. In the Continental Congress the effect of such a determination was generally to permanently suppress the main question. See "Journals of the American Congress From 1774–1788," Washington, 1823, vol. III, Aug. 8, 1778, Aug. 15, 1778, Aug. 20, 1778, Sept. 8, 1778, Nov. 2, 1778, Nov. 19, 1778, Dec. 18, 1778, Feb. 19, 1779, June 8, 1779, June 10, 1779, Nov. 25, 1779, Nov. 27, 1779, Dec. 4, 1779, Oct. 16–17, 1781, Feb. 19, 1782, and Feb. 23, 1782; vol. IV, June 27, 1782, Dec. 12, 1782, Sept. 10, 1783, May 5, 1784, May 26, 1784, June 1, 1784, June 3, 1784, Oct. 13, 1785, and Aug. 14, 1786. On two other occasions, though there were more yeas than nays, there apparently were not enough yeas for the question to pass so that the motion was understood and treated as if it had been lost. Ibid., Mar. 15, 1784, and June 2, 1784. On Sept. 1, 1786, the following resolution was adopted:

"That when a question is set aside by the previous question, it shall not be in order afterwards formally or substantially to move the same, unless there shall be the same, or as many States represented in Congress."

[27a] For examples in the Senate see pt. III of this paper and related footnotes 56, 65, and 69 below. For examples in the House see "Annals," 1 Cong. 1, 324 (May 11, 1789); 5 Cong. 2, 650–651; and 6 Cong. 1, 508–509. It is also true that in a number of instances in which the previous question was used, the likely and practical result of a negative decision was or would have been permanent suppression, though theoretically it would still have been possible to bring the question up again. For examples in the House see "Annals," 3 Cong. 1, 686; 3 Cong. 2, 960–966; 5 Cong. 2, 1067; and 9 Cong. 1, 1090–1092. For an example in the Senate see pt. III of this paper and related footnote 57.

[28] Hinds' Presidents, op. cit., sec. 5446.

[29] See "Annals," 3 Cong. 2, 999; 5 Cong. 2, 651; and 5 Cong. 2, 1067. See also "Annals," 5 Cong. 2, 652, and compared with "Journal of the House of Representatives," vol. III, p. 92. In addition, see Luce, op. cit., p. 270. We may note that it is this kind of thinking and approach which explains the negative form of the previous question rule in the Continental Congress. See Hinds' Precedents, op. cit., sec. 5445 and Cushing's Manual, op. cit., par. 1422. The fact that the House and Senate changed the form of the previous question from negative to positive should not be taken to mean that use of the previous question as a cloture mechanism was understood or intended. See Alexander, op. cit., p. 187 and Samuel W. McCall, "The Business of Congress," New York, 1911, pp. 93–94.

[30] See "Annals," 1 Cong. 3, 1960; 3 Cong. 1, 595–603; and 3 Cong. 2, 1000–1002. See also "Journal of the House of Representatives" vol. III, pp. 253–254. In addition, see "Annals," 12 Cong. 1, 578–579 and 14 Cong. 1, 710–711. It is also true that on a number of occasions in the House a vote on the main question immediately followed an affirmative decision of the previous question. But there may have been no desire to prolong debate on these occasions. See "Annals," 2 Cong. 2, 823; 2 Cong. 2, 850–851; 3 Cong. 1, 686; 3 Cong. 2, 966; and 9 Cong. 1, 1092.

Senator DOUGLAS claims that, according to American parliamentary practice, "adoption of the motion for the previous question closed debate instantly and completely, regardless of the motive for invoking it and brought the question to an immediate vote." CONGRESSIONAL RECORD, vol. 107, pt. 1, p. 242. In terms of the evidence cited here we may note that in the House before 1806 the opposite was the case nearly 50 percent of the time.

[31] See Jefferson's Manual, op. cit., sec. XXXIV and "Annals," 10 Cong. 1, 1182–1184. The vote against the Speaker was 103–14. The precedent was reaffirmed directly in 1808 and indirectly in 1810. See "Annals," 10 Cong. 2, 630–632 and Hinds' Precedents, op. cit., sec. 5445.

In the Continental Congress, where the previous question by rule was put in negative form, a victory by the nays rather than the yeas constituted an affirmative determination of the previous question. For such a result amounted to a decision that, "No, the previous question should not be put" with the negatives canceling out. Before 1780 a victory for the negative seems always to have resulted in an immediate vote on the main question. Indeed, on Oct. 16, 1778, the Continental Congress insisted on such a result and refused to allow an intervening motion. See "Journals of the American Congress," vol. III, Oct. 16, 1778, Feb. 26, 1779, Apr. 20, 1779, May 24, 1779, June 10, 1779, Aug. 21, 1779, and Aug. 25, 1779. However, after 1780 intervening motions were allowed. See "Journals of the American Congress," vol. IV, May 31, 1784, and Aug. 31–Sept. 1, 1786. See also ibid., Mar. 15, 1784, Apr. 14, 1784, June 2, 1784, and July 25, 1788. It is interesting to note that when the Continental Congress revised its previous question rule in 1784 the wording of the new rule was much less definite than the old one had been with regard to what was to occur if the nays prevailed. See Hinds' Precedents, op. cit., sec. 5445, and Cushing's Manual, op. cit., par. 1422, or "Journals of the American Congress," vols. II and IV, May 26, 1778, and July 8, 1784.

[32] De Alva S. Alexander believes that this decision came as a reaction against the 1805 rules change. Samuel W. McCall feels that the decision, in truth, went against the meaning of the words of the rule and Asher Hinds seems to agree. See Alexander, op. cit., p. 185; McCall, op. cit., p. 94; and Hinds' Precedents, op. cit., sec. 5445. However, see also Gaston's interpretation of the meaning of the words of the rule. "Annals," 14 Cong. 1, 709.

As for the Senate, again less evidence is available, but the Senate appears to have accepted the view that the proper result of an affirmative decision was an end to debate and an immediate vote on the main question. This is what seems to have occurred in the three instances in which the previous question was determined affirmatively in the Senate.[33] Nonetheless, it should be noted that the issue never came to a test in the Senate and we cannot be certain what the result would have been if it had.[34]

Yet, even if we concede that the Senate understood the result of an affirmative decision as Jefferson did, what must be emphasized once more is that this facet of the rule's operation does not mean that the previous question was designed as a cloture mechanism. Jefferson did not regard it as such, but rather saw an immediate vote upon an affirmative decision as an integral part of a mechanism designed to suppress delicate questions. To be sure, it was this facet of the rule's operation, combined with the abolition of debate on the motion for the previous question, which helped make it possible for the House to turn the rule into a cloture mechanism. This occurred in 1811 when the House, fearful that filibustering tactics were going to result in the loss of a crucial bill, reversed its previous precedents and decided that henceforth an affirmative decision would close all debate on the main question finally and completely.[35] Nonetheless, despite the fact that the previous question was available for use as a cloture mechanism from 1811 on, the House did not make frequent use of it for several decades.[36] One of the reasons for this was that the rule, not having been designed as a cloture rule, continued to retain or was interpreted to have features which made it both ineffective and unwieldly when used for the purpose of cloture.[37] Indeed, it took the House another 50 years of intermittent tinkering to eliminate most of these debilitating features.[38]

In part, the previous question continued to be handicapped as a cloture mechanism because a negative determination of the motion suppressed the main question at least for a day. In part, however, its efficacy was also impaired by a factor we have not yet discussed, though we began by identifying it as one of the key facets of the rule's operation—the nature of the limitations on the scope of the motion.

For one thing, the previous question could not be moved in Committee of the Whole, a form of proceeding which both the early House and early Senate valued highly as a locus for completely free debate.[39] Thus, when the House beginning in 1841 finally decided to limit debate in Committee of the Whole, it was forced to develop methods other than the previous question for accomplishing this result.[40] However, the early Senate relied to a large extent, not on the regular Committee of the Whole, but on a special form of it called quasi-Committee of the Whole, i.e., the Senate as if in Committee of the Whole; and apparently it was possible to move the previous question when the Senate operated under this form of proceeding.[41]

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[33] See "Annals," 3 Cong. 1, 94 and 5 Cong. 2, 538. See also "Journal of the Executive Proceedings of the Senate of the United States," Washington, 1828, vol. I, p. 318. In addition, see pt. III of the text of this paper and related footnote 58 below. It should be noted, however, that the records of the Senate for those years are so sparse in their description of debate that we cannot know with absolute certainty whether or not debate was allowed to continue on these occasions.

[34] This is especially true, assuming for the moment that debate on the motion for the previous question could actually have been limited, if the test involved the use of the previous question as a cloture mechanism. Even if we grant that the Senate did understand the result of an affirmative decision as an end to debate and an immediate vote, one cannot simply postulate that because the Senate understood the previous question to entail certain consequences when viewed as a mechanism for suppressing undesired decisions, it necessarily would have understood it to involve the same consequences if an attempt was made to transform the device into a cloture mechanism. Given the distaste the early Senate had for cloture, it is quite likely that the majority of Senators, no matter what their policy persuasions, would have regarded transformation of the previous question into a cloture mechanism as improper and would have modified their understanding of the proper operation of the rule accordingly. Nor would they have been helpless in the face of past precedents. The Presiding Officer could have been asked to rule in their favor or merely to submit the issue to the floor, as he had discretion to do. If the cooperation of the Presiding Officer could not have been secured, the rules themselves could have been amended. It is worth noting that the House only became convinced that it was necessary to allow the previous question to be used for cloture after a series of trials with obstructionists, the last of which threatened a very crucial bill. See footnote 35 below. It may well be argued that it would have taken at least as severe a set of experiences as the House underwent before the Senate would have allowed cloture to be imposed on its minorities through the forced closing of debate after affirmative decisions of the previous question.

[35] This event occurred on Feb. 27, 1811. See "Annals," 11 Cong. 3, 1091–1094. See also "Annals," 14 Cong. 1, 698–699 and Alexander, op. cit., pp. 185–188. It should be noted that on this occasion the previous question was applied to amendments as well as to the principal question at the third reading stage; i.e., the question on the passage of the bill. Thus, the main question involved in the motion for the previous question was at times a subsidiary question rather than the principal question. See footnotes 44 and 49a below.

The filibustering tactics employed on Feb. 27, 1811, were nothing new. In the years immediately preceding 1811 the House was subjected to obstructive tactics that sorely tried its great distaste for cloture. As late as 1810 the House, despite its difficulties with obstructionists, evinced its opposition to cloture by rejecting a proposal which sought to turn the previous question into a cloture mechanism. See "Hinds' Precedents," op. cit., sec. 5445 and "Annals," 11 Cong. 2, 1207–1215. However, on this occasion the importance of the bill, the nearness of the end of the session, and the series of abuses the House had sustained combined to exhaust even its great capacity for patience. See references cited in footnotes 37 and 38 below.

Irving Brant claims that the House in turning the previous question into a cloture mechanism "was actually following the precedent set in the Senate," CONGRESSIONAL RECORD, vol. 17, pt. 1, p. 255. However, even aside from the question of whether such a precedent did in fact exist which is considered in pt. III of this paper, it is worth noting that the men who favored turning the previous question into a cloture mechanism in the House were totally unaware of any such precedent. See "Annals," 11 Cong. 2, 1153–1157 and 1207–1215; 12 Cong. 1, 567–581; and 14 Cong. 1, 696–718.

[36] Scholars now generally accept the proposition that the previous question was used only four times in the 20 years that followed 1811. This estimate is based on a statement of Calhoun's made in 1841. See Alexander, op. cit., pp. 188–190 and Luce, op. cit., p. 272. This proposition, however, is not correct. An inspection of the indexes to the Journals from the 12th through the 17th Congresses (1811–23) indicates that in this 12-year period alone the previous question was used at least 30 times. Nonetheless, it is still true that such usage cannot be seen as frequent usage. In contrast, during the first session of the 28th Congress (1843–44) the previous question was used over 150 times. This increase in frequency can be related, at least in part, to the fact that the efficacy of the previous question as a cloture mechanism had been improved by a rules change adopted in 1840. See "Hinds' Precedents," op. cit., sec. 5446.

[37] Distaste for cloture per se was probably an even more important factor underlying the infrequency of the House's reliance on the previous question in the years that followed 1811. See Thomas H. Benton, "Thirty Years' View," New York, 1856, vol. II, pp. 256–257. Thus, the increase in the size and business of the House and its greater acceptance of the desirability of cloture are of utmost significance in explaining the increase that occurred in the use of the previous question. These factors not only stimulated the House to use the previous question more frequently; in addition, they stimulated it to transform the device into an efficient cloture mechanism which had the reciprocal effect of allowing it to be used more frequently. See Alexander, op. cit., app. F, for figures on the size of the House and the indexes of the relevant Journals for figures on the number of bills introduced.

[38] Hinds' Precedents, op. cit., secs. 5443, 5445, and 5446. In addition, see Luce, op. cit., pp. 272–274. It is worth noting that Jefferson himself advised the House of Representatives against use of the previous question as a cloture mechanism. On Jan. 5, 1810, as a result of the filibustering tactics that had lately been employed in the House, a resolution was introduced which among other things proposed to amend the rules so as to cut off debate immediately after an affirmative decision of the previous question. This resolution was destined to fail. However, on Jan. 17, 1810, writing in reply to a letter addressed to him a week earlier by John W. Eppes, a leader in the House and also his son-in-law, Jefferson remarked that he observed that the House was trying to remedy the protraction of debate by sitting up all night or by use of the previous question. He further remarked that reliance since it would not only inconvenience the House but also furnish the minority with a weapon they could turn on the majority.

Whether Jefferson actually knew of the substance of the proposed rules change is unclear. It can be argued that the resolution contained provisions which would have met his objections. But the least that can be said is that Jefferson did not recommend changing the practice of the House which at that time allowed debate to continue after an affirmative decision of the previous question, even though this practice was contrary to the principles of his manual. What Jefferson did recommend to Eppes was a straight cloture rule which he had devised and which could have been used to force a vote at a certain time each day. In closing, it is also worth noting that Jefferson apparently did not feel that reliance could be put on points of order raised on the basis of the general parliamentary principle which ruled out "tedious" or "superfluous" debate, even though he himself affirmed this principle in his manual. See Paul L. Ford (ed.), "The Writings of Thomas Jefferson," New York, 1898, vol. IX, pp. 267–268 (Thomas Jefferson to John W. Eppes—Jan. 17, 1810); Annals, 11 Cong. 2, 1153–1157 and 1207–1215; James Schouler, "History of the United States of America," Washington, 1882, vol. II, p. 293; and Richard Hildreth, "History of the United States of America," New York, 1856, vol. III, p. 197.

[39] See Jefferson's Manual, op. cit., secs. XII and XXX; Hinds, op. cit., sec. 4705; and Haynes, op. cit., vol. I, pp. 317–320. Originally, every member could speak as often as he wished in Committee of the Whole and debate could only be ended by voting to rise and return to the floor. See also Paul L. Ford (ed.), "The Writings of Thomas Jefferson,"

More important as a limitation on the scope of the previous question was its relation to secondary or subsidiary questions. At first, at least in the House, the previous question was treated as a mechanism that could be moved on subsidiary or secondary questions, e.g., motions to amend, motions to postpone, etc., as well as a mechanism that could be moved on original or principal questions, e.g., that the bill be engrossed and read a third time, that the bill or resolution pass, etc.[42] Thus, though this fact is often misunderstood, in the early House the main question contemplated by the motion for the previous question was sometimes a subsidiary question rather than the principal or original question. Whether the Senate permitted the previous question to be applied to secondary or subsidiary questions before 1800 is not clear.[42a] However, in that year Thomas Jefferson, as presiding officer of the Senate, ruled that the previous question could not be moved on a subsidiary question and his manual when it appeared reaffirmed this position.[43] The House followed suit in 1807, though as late as 1802 a ruling of the Speaker, concerned with the effect of a negative determination of the previous question, took no cognizance of the fact that the previous question had been moved on a subsidiary question and allowed such usage to go by unchallenged.[44]

The decision of the House to confine the previous question to principal questions created great difficulties for at once it began to use the device as a cloture mechanism. Neither the rules of the House or the Senate clearly gave the previous question precedence over other subsidiary questions, such as the motions to postpone, commit, or amend. Thomas Jefferson's opinion was that subsidiary questions moved before the previous question should be decided prior to a vote on the previous question.[45] However, such an approach became entirely unacceptable once it was desired to employ the previous question as a cloture mechanism. If subsidiary questions moved before the previous question took precedence over it and if the previous question could only be applied to the original or principal question, then obstructionists could move subsidiary questions before the previous question and prolong the discussion of these questions for great lengths of time. It was probably no accident that the House amended its rules to give the previous question precedence over other subsidiary questions less than a year after it first used the previous question for cloture.[46]

Nonetheless, this change did not transform the previous question into an efficient cloture mechanism. Beginning with the 12th Congress (1811–13), rulings of the Speakers strictly enforced and further developed the doctrine that the previous question applied only to the original or principal question.[47] This caused the House great inconvenience.[48] It meant that if the pending subsidiary questions and brought previous question was approved, it cut off all the House directly to a vote on the original or principal question. Thus, a vote might have to be taken on a form of the question undesired by the majority, e.g., that the bill without the amendments reported pass to a third reading instead of that the bill with the amendments reported be recommitted with instructions. Thus also, when a subsidiary question was moved early in debate the House might either have to endure a lengthy discussion on the motion or employ the previous question, which would force a vote on the principal question before it had been adequately considered. Ultimately, of course, the House did reshape the previous question mechanism so that it could efficiently be applied to the subsidiary questions involved in an issue. However, this reshaping occurred piecemeal over a number

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New York, 1896, vol. VII, p. 224 (Thomas Jefferson to James Madison—Mar. 29, 1798).

[40] Alexander, op. cit., p. 267 and Hinds' Precedents, op. cit., sec. 5221.

[41] Jefferson believed that the previous question could be moved when the body was in quasi-committee and in later years the House adopted this interpretation. See Jefferson's Manual, op. cit., sec. XXX and Hinds' Precedents, op. cit., sec. 4923. Jefferson's words in this instance derive added weight from the fact that the quasi-committee procedure was unknown in Parliament so that when he interprets it he apparently relies on what indeed was the practice of the Senate. Moreover, in two instances the previous question may actualy have been moved when the Senate was in quasi-Committee of the Whole. See Jefferson's Manual, op. cit., secs. XXIV–XXXI; "Journal of the Senate of the United States of America," Washington, 1820, vol. I, pp. 60 and 66; and Maclay's Journal, op. cit., pp. 136–138.

[42] For examples in the House see "Annals," 2 Cong. 1, 594–597; 6 Cong. 1, 508–509; and 7 Cong. 1, 1043–1045. In the Continental Congress the previous question was not confined to principal questions. At one point in its history (Jan. 7, 1779) this body did express itself as regarding the use of the previous question on amendments as improper. But use of the previous question on amendments as well as on other subsidiary questions continued. See "Journals of the American Congress," vol. III, Aug. 8, 1778, Sept. 8, 1778, Dec. 18, 1778, Jan. 7, 1779, and Nov. 27, 1779; vol. IV, Mar. 15, 1784, Apr. 14, 1784, May 5, 1784, May 26, 1784, May 31, 1784, June 1, 1784, June 2, 1784, and June 3, 1784.

[42a] See footnotes 54 and 69 below. The early Senate did permit the previous question to be applied to resolutions, even when moved in a context in which another question existed as the original or principal question. The reasons why this was so are not clear. See footnotes 51, 56, and 65 below.

[43] "Annals," 6 Cong. 1, 42–43 and Jefferson's Manual, op. cit., sec. XXXIII. Jefferson recognized the existence of six different kinds of subsidiary questions: the motion for the previous question, the motion to postpone indefinitely, the motion to adjourn a question to a definite day, the motion to lie on the table, the motion to commit, and the motion to amend. He also noted that the Senate used the motion to postpone to a day within the session for the motion to adjourn a question to a definite day and the motion to postpone to a day beyond the session for indefinite postponement. The motion to lie on the table was not recognized in the rules of the Senate, but apparently it was nonetheless used.

In general, Jefferson stated that subsidiary questions could not be moved on other subsidiary questions. However, he did make exceptions for an amendment to a motion to postpone, an amendment to a motion to commit, and an amendment to an amendment. For a definition of the nature of a subsidiary question see Cushing's Manual, op. cit., par. 1443.

[44] "Annals," 10 Cong. 1, 1048–1049, and 7 Cong. 1, 1043–1045. The use of the previous question on amendments on the historic night of Feb. 27, 1811, was seen as an aberration, not a precedent. See "Annals," 11 Cong. 3, 1091–1094 and 14 Cong. 1, 714. See also "Annals," 11 Cong. 3, 1106–1107. However, in one area the House did continue to allow the previous question to be confined to subsidiary questions, i.e., with regard to Senate amendments to bills returned to the House for concurrence. See, for example, "Journal of the House of Representatives of the United States," Washington, 1819, 16 Cong. 1, pp. 275–277 (Mar. 2, 1820) and "Journal of the House of Representatives of the United States," Washington, 1821, 17 Cong. 1, pp. 581–582 (May 6, 1822). This was true despite the implications of a ruling made in 1812 by Henry Clay. See Hinds' Precedents, op. cit., sec. 5446.

[45] Jefferson's Manual, op. cit., sec XXXIII.

[46] This event took place on Dec. 23, 1811. See Hinds' Precedents, op. cit., sec. 5301 and "Journal of the House of Representatives," vol. VIII, appendix, p. 528.

It should be noted that the importance of precedence relates not only to the matter of whether subsidiary questions moved before the previous question could be considered before it, but also to the matter of whether subsidiary questions moved after the previous question could be considered before it. This latter feature of the privilege contained in precedence could be an even more serious impediment to the use of the previous question for cloture than the fact that the previous question might have to wait its turn according to the order in which subsidiary questions were moved. Before 1811 the House seems in practice to have given the previous question precedence over other subsidiary questions, if it was moved prior to them. It was, however, not given precedence over the motion to adjourn. See Annals, 3 Cong. 1, 596; 7 Cong. 1, 440; and 9 Cong. 1, 288. Still, the situation was an ambiguous one. If a conflict had ever arisen, much would have depended on the inclination of the presiding officer. See John M. Barclay; "Rules and Orders of the House of Representatives," Washington, 1867, footnote to rule 42 on p. 166. When the House did revise its rules in 1811, the previous question was given precedence over all subsidiary questions except the motion to table. In addition, the motion to adjourn was given precedence over the previous question. On one occasion, however, the presiding officer refused to give the motion to table precedence over the previous question. See "Annals," 13 Cong. 3, 994–995. See also Sutherland's Manual, op. cit., p. 46.

The Senate did not clearly define the precedence of subsidiary questions in its rules until after 1806. Indeed, it may not have done so until 9 years after the House did, i.e., not until 1820. Thus, the rules of the Senate were vague and ambiguous on this point during the whole period in which the previous question existed as part of its procedure. Though a conflict situation involving the previous question never seems to have arisen, we do have some evidence that the Senate did not feel bound to give the previous question precedence over subsidiary questions moved after it. On one occasion in 1792 a motion to postpone was put to a vote before the previous question, even though the previous question had been moved before that motion. See Annals, 1 Cong. 1, 20–21 (Apr. 16, 1789) and 9 Cong. 1, 201. See also Senate Executive Journal, vol. I, pp. 96–98.

[47] See Hinds' Precedents, op. cit., sec. 5446. See also "Annals," 12 Cong. 1, 1352–1353; 12 Cong. 2, 1028; 13 Cong. 1, 398; 13 Cong. 3, 900–901; 13 Cong. 3, 994–995; 13 Cong. 3, 1010–1011; 13 Cong. 3, 1270–1271; and 14 Cong. 1, 714–715. Occasions on which the previous question was used in succeeding Congresses can be found in the indexes to the relevant Journals.

[48] Hinds' Precedents, op. cit., secs. 5443 and 5446.

of years in response to the difficulties we have described and it was in a sense dependent on them.

We may conclude, then, that in the period from 1789 to 1806 the previous question mechanism was designed to operate in a manner that was suited only to its utilization as an instrument for avoiding undesired discussions and/or decisions. In the Senate and in the House until December of 1805 debate on the motion was permitted. In both bodies a negative determination of the previous question postponed or permanently suppressed the main question and in the House, at least, debate and amendment were permitted after an affirmative decision. In the eyes of those who saw the previous question as a means of avoiding undesired decisions this could easily be justified by assuming that the vote on the previous question only determined whether the body wanted to face the issue. Finally, the nature of the limits on the scope of the motion greatly handicapped its efficacy as a cloture mechanism. It is true that in the beginning the House and possibly the Senate allowed the previous question to be applied to subsidiary questions. It is also true that, once both bodies accepted the proposition that the device could not be so applied, this restriction could and in the Senate actually did handicap those who wanted to use the previous question as a mechanism for avoiding certain decisions. Still, as the experience of the House after 1811 demonstrates, the nature of the handicap was one that was much less a limit on the negative objective of suppressing a whole question than on the positive objective of forcing a whole question to a vote. In short, we may conclude that in both the early House and early Senate not only was the purpose of the previous question conceived of as relating to the prevention of undesired discussions and/or decisions; in addition, the device itself was clearly designed operationally to serve such ends rather than the ends of cloture. In later years the previous question was turned into an efficient cloture mechanism in the House. But this required considerable tinkering, and what is more, tinkering that resulted ultimately in a basic transformation of the operational nature of the mechanism.[48a]

III. THE PREVIOUS QUESTION IN PRACTICE IN THE SENATE, 1789–1806

The conclusions we have reached thus far are significant; but they are not conclusive. The purposes for which the previous question was actually used in the period from 1789 to 1806 must also be examined since the possibility of a discrepancy between theory and practice cannot be disregarded. As far as the House of Representatives is concerned, it is clear from the evidence and acknowledged by all that the previous question was not employed as a cloture mechanism in the years before 1806. However, with regard to the Senate, Senator DOUGLAS and Irving Brant claim that the previous question was in fact used for cloture during the 17 years in which it existed as part of the procedure of the upper House. If this is true, Brant and DOUGLAS can well argue that on the basis of this experience a precedent exists for the imposition of majority cloture in the Senate today, though the strength of the precedent would still depend on how isolated or irregular such usage was.

Yet there is still another reason for examining the actual instances in which the previous question was used in the Senate. Interestingly enough, the actual use of the previous question as a cloture mechanism is crucial to Brant and DOUGLAS' claim that the Senate had the "power" to use the previous question for cloture whenever it desired. This is something of a paradox since Brant and DOUGLAS imply that the Senate's power in this regard existed whether or not the Senate ever actually exercised it. However, this view cannot be accepted. The reasons why it cannot have already been touched on in various parts of this paper, but for purposes of exposition it is necessary to bring them together here. First, the possibility that the Senate could have limited debate on the motion for the previous question through rulings which prohibited tedious or superfluous debate is subject to doubt. Nothing exists to support this contention except a sentence in Jefferson's manual.[49] Second, the early Senate never gave the previous question a position of precedence over other subsidiary questions in its rules. Third, it is clear that the Senate did not allow the previous question to be applied to subsidiary questions in the latter part of the period from 1789 to 1806 and it may well be the case that this prohibition existed in the earlier part of the period as well.[49a] Fourth, we cannot even be certain that in the Senate the inevitable, irreversible result of an affirmative determination of the previous question was an immediate vote.[50] Given these difficulties, the only way in which Brant and DOUGLAS' connection that the Senate had the "power" to use the previous question for cloture can be substantiated is by evidence of its actual exercise, i.e., by evidence that the difficulties we have mentioned could be overcome. Moreover, if such evidence cannot be furnished, we may push our argument even further than we have up to this point. For, then, we may strongly suspect that, in the face of the obstacles which existed, the Senate could not have used the previous question for cloture unless it first modified its rules and practices in the same way the House did starting in 1805.

This author has been able to find 10 instances of the use or attempted use of the previous question in the Senate during the years from 1789 to 1806. They are as follows.

(A) *August 17 and 18, 1789*[50a]

On August 17, 1789, a committee report on a House bill concerned with providing expenses for negotiating a treaty with the Creek Indians was taken up for consideration. The bill as referred from the House made no mention of measures to be taken to protect the people of Georgia in the event efforts for a treaty failed. After the resolution embodied in the committee report and a second resolution originating on the floor were moved and defeated, a third resolution was moved which proposed to authorize the President to protect the citizens of Georgia and to draw on the Treasury for defraying the expenses incurred. At this point in the proceedings the previous question was moved. A majority of nays prevailed and the Senate adjourned. The next day the bill was again brought up for consideration. After a number of motions pertaining to particular clauses in the bill were proposed and, save one, defeated, a resolution was moved making it the duty of Congress to provide for expenses incurred by the President in defense of the citizens of Georgia. At this point the previous question was again moved. It was defeated and the bill, with the solitary amendment previously adopted, was then put to a vote and approved.[51]

In the first instance, i.e., Aug. 17, 1789, we cannot be certain that the resolution moved immediately before the previous question was not in fact the principal question at that point in the proceedings. It depends on whether a hiatus was possible between the defeat of the report and the resumption of the second reading stage. See Jefferson's Manual, op. cit., sec. XXIX and Senate Journal, vol. I, pp. 59–60. If the resolution did exist as the principal question, there can be no doubt that the previous question was moved on it. However, even if the resolution did not exist as the principal question, it is still probable that the previous question was moved on the resolution rather than on what would have then been the principal question—Shall the bill pass to a third reading? Assuming that the resolution did not exist as the principal question, the fact that the Senate seems to have adjourned immediately after voting down the previous question does not necessarily mean that the previous question was moved on the principal question. To assert this is to presume that since the Senate adjourned, it must have been forced to adjourn because the whole bill had been suppressed. Yet adjournment could have come as a separate, voluntary act. Given the manner in which the previous question was used on the following day, it is more likely that even if the resolution did not exist as the principal question, the previous question was nonetheless applied to it rather than to the question on the bill. Senator DOUGLAS seems to misunderstand this point. See CONGRESSIONAL RECORD, volume 107, part 1, page 243.

[48a] Ibid., sec. 5446.

[49] See footnotes 22, 24, and 25 above. It is worth noting that if obstructive debate could have been stopped through rulings based on the general parliamentary principle which prohibited tedious or superfluous debate, there would have been much less need to use the previous question as a cloture mechanism than Brant and DOUGLAS recognize. Assuming that the previous question could have been used for cloture, it only would have been required in situations where an absolute prohibition of discussion on the merits of a question was desired or where the possibility of moving obstructive subsidiary questions, e.g., amendments, was unlimited.

[49a] See footnotes 54 and 69 below. If it is true that in its earliest years the Senate allowed the previous question to be applied to subsidiary questions, then for these years the significance of the fact that the previous question was not given precedence in the Senate rules is limited. See footnote 46 above. Assuming that the Senate would not have greatly restricted the kinds of subsidiary questions the previous question could be applied to and assuming that the Senate would not have further expanded the possibility of moving subsidiary questions on other subsidiary questions, the previous question would have furnished an efficient instrument for handling pending subsidiary questions which stood in the way of a vote on the original or principal question. Moreover, if necessary, the mechanism also could have been applied to secure a vote on the principal question itself.

It is worth noting that the first time the previous question was used for cloture in the House the rules of the House had not yet been amended to give the previous question precedence over other subsidiary questions. One of the reasons the House was nonetheless able to use the previous question for cloture was that on this occasion the House permitted it to be applied to subsidiary questions. However, it should be remembered that this was not the only reason, nor would it have been sufficient if it had been. Also important was the fact that debate on the motion for the previous question was prohibited, the fact that past precedents were reversed so that debate was not allowed to continue after the motion had been decided, and the fact that the understanding of the House seems to have been that other subsidiary questions could not be used to obstruct the application of the previous question to the questions on which it was moved. See Annals, 11 Cong. 3, 1091–1094.

The House, of course, retreated almost immediately from the position that the previous question could be applied to subsidiary questions. That it was allowed on this occasion was regarded as an aberration. See footnote 44 above. Instead, the House gave the previous question precedence in its rules. This combined with the prohibition of debate both before and after the vote on the previous question meant that the mechanism could be used for cloture, though only at the cost of removing all pending subsidiary questions.

[50] See footnote 34 above.

[50a] See "Annals," 1 Cong. 1, 62–63 and 1 Cong. 3, app., 2161. See also Senate Journal, vol. I, pp. 60–61 and CONGRESSIONAL RECORD, vol. 107, pt. 1, pp. 243 and 244. Brant and DOUGLAS as well as all the other secondary sources which treat the previous question, are aware at most of only five instances of its use or attempted use in the Senate. This author has been able to find an additional five. It is quite possible that an exhaustive page-by-page search of the records of the Senate and the letters of contemporary figures would yield additional examples.

[51] In the second instance, i.e., Aug. 18, 1789, it is clear that the resolution moved immediately before the previous question was not the original or principal question. It is also clear that in this instance the previous question was moved on the resolution since the negative determination of the previous question did not prevent the Senate from passing immediately to a vote on the original or principal question—Shall the bill with the amendment pass?

That the Senate on Aug. 18, 1789, and possibly also on Aug. 17, 1789, allowed the previous question to be applied to a question that did not exist as the original or principal question raises the issue of whether the Senate initially permitted the previous question to be applied to subsidiary questions. As far as the evidence furnished by these two instances is concerned, determination of the issue depends on whether the Senate regarded resolutions, moved in a context in which another question existed as the original or principal question, as subsidiary questions. Unfortunately, the answer to this question is not clear.

On the one hand, it can be maintained that the Senate distinguished resolutions, which stated a principle within a context in which another question existed as the original or principal question, from motions which amended, postponed, or committed the original or principal question. See Jefferson's Manual, op. cit., secs. XX and XXI. Thus, it can be maintained that a resolution, such as was moved on Aug. 18, 1789, was not technically regarded as a subsidiary question but rather as a kind of principal question. On the other hand, it can be argued that the Senate allowed the previous question to be applied to resolutions which did not exist as the original or principal question because it, as well as the House, initially permitted the previous question to be applied to subsidiary questions. In support of this contention the fact that resolutions were referred to by the Senate as "motions" can be cited. See Senate Executive Journal, vol. I, pp. 96–98. See also Senate rule VIII, Annals, 1st Cong., 1 20–21 (Apr. 16, 1789). For additional evidence bearing on the status of resolutions see footnotes 54 and 65 below.

Brant and Douglas concede that in these two instances the previous question was moved for the purpose of avoiding or suppressing an undesired decision. Brant notes that this maneuver enabled "the economy bloc * * * to avoid an indefinite grant of spending power to the President and yet escape the odium of a vote against the defense of the frontier."[52]

(B) *August 28, 1789*[53]

On August 28, 1789, during the discussion of a bill fixing the pay of Senators and Representatives William Maclay offered an amendment which sought to reduce the pay of Senators from six to five dollars per day. Maclay records in his Journal that his proposed amendment evoked a "storm of abuse" and that Izard, a Senator from South Carolina, "moved for the previous question." He further notes that Izard "was replied to that this would not smother the motion" and that when it was learned that "abuse and insult would not do, then followed entreaty." Maclay, however, remained undaunted. He knew that his amendment would be defeated; his object was simply to get a record vote on the amendment in the minutes. In this he was successful. The amendment was put to a vote and was defeated, but the yeas and nays were recorded. The motion for the previous question was either not seconded or withdrawn since there is no mention of it in the Senate Journal.

In this instance, as in the last two, it is clear that use of the previous question was attempted for the purpose of avoiding or suppressing an undesired decision. However, the reasons why the motion for the previous question was not persisted in are not clear. The critical factor to be resolved is whether the motion was killed voluntarily because it was undesired or forcibly because power was lacking to insist on it.[54]

(C) *January 12 and 16, 1792*[55]

On January 12, 1792, consideration of the nomination of William Short to be Minister resident at The Hague was resumed. After a committee had reported certain information concerning Short's fitness to be appointed a resolution was moved which stated that no Minister should at that time be sent to The Hague. The previous question was then moved in its negative form, i.e., "That the main question be not now put," despite the fact that the rules provided only for the positive form of the mechanism. At this point, however, the Senate decided that "the nomination last mentioned, and the subsequent motion thereon, be postponed to Monday next." On that day, January 16, 1792, the Senate resumed its consideration of the nomination and the resolution moved on the nomination. The previous question was put in negative form and carried with the help of a tie-breaking vote by the Vice President. This removed the resolution which would have prohibited sending a resident Minister to The Hague. The Senate then proceeded to the Short nomination and approved it.[56]

Here again Brant and DOUGLAS concede that the previous question was not used for the purpose of cloture, i.e., for the purpose of closing debate in order to force a vote. Instead, they recognize that it was used to avoid or suppress an undesired decision and they also argue that it was used to suppress a discussion of certain conditions at the Hague which might have jeopardized Short's appointment.

(D) *May 6, 1794*[57]

On May 6, 1794, James Monroe, then a Senator from Virginia, asked the permission of the Senate to bring in a bill "providing, under certain limitations, for the suspension of the fourth article of the Treaty of Peace between the United States and Great Britain. The previous question in its normal, affirmative form was moved on Monroe's motion and it was approved by a vote of 12 to 7. The main question was then put and permission to bring in the bill was denied by a vote of 14 to 2. Monroe and John Taylor, his fellow Senator from Virginia, were the only Senators in favor.

Once more we may conclude that the previous question was moved in an attempt to avoid or suppress an undesired decision. This can be deduced from the fact that neither the proponents nor the opponents of Monroe's motion had any reason to attempt to obstruct decision by prolonging debate. This certainly was not in Monroe and Taylor's interest; they wanted a decision on the motion, preferably an affirmative one. As for the opponents, their numbers were such that they had no need to obstruct decision. The only Senators, then, who had a motive for moving the previous question were those seven Senators who voted against the previous question. For these men the previous question offered a means of suppressing a decision they wished to avoid.

Unfortunately, the "Annals" do not record the name of the Senator who moved the previous question. Nonetheless, convincing evidence exists to support our deduction that the previous question was moved by a Senator who voted nay on that motion. John C. Hamilton's account indicates that such a Senator, James Jackson, of Georgia, was the man who moved the previous question. He reports that Jackson made the following announcement to the Senate:

"I deem the proposition ill-timed * * * I wish for peace, and am opposed to every harsh measure under the present circumstances. I will move the previous question."[58]

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[52] CONGRESSIONAL RECORD, vol. 107, pt. 1, p. 254.

[53] See Maclay's Journal, op. cit., p. 138 and Senate Journal, vol. I, pp. 66–67. The Senate rules provided for a record vote at the request of one-fifth of the Members present. Annals, 1 Cong. 1, 21 (Apr. 16, 1789).

[54] Resolution of this issue hinges on whether the Senate at this time permitted the previous question to be applied to a question that was technically regarded as an amendment or subsidiary question. One can argue that the Senate, as well as the House, initially permitted the previous question to be applied to questions that were technically regarded as amendments or subsidiary questions no matter what stand one takes on the issue of the status of resolutions. In contrast, one cannot argue that the previous question was not applied in this instance because power was lacking to do so unless one also argues that the Senate distinguished resolutions from motions. This is true because the manner in which the previous question was used on Aug. 18, 1789, can be distinguished, it would indicate that the mechanism could have been used 10 days later in this instance as well.

It is worth noting that, though Izard was informed that the previous question would not "smother" Maclay's motion, these words do not necessarily imply that the previous question could not have been used. They can be interpreted as signifying only that Maclay's motion, even if suppressed, could have been raised again when the bill came up for its third reading. See footnote 69 below.

[55] See Senate Executive Journal, vol. I, pp. 96–98 and CONGRESSIONAL RECORD, vol. 107, pt. 1, pp. 244–245, and 254.

[56] This case presents another instance in which the previous question was applied and confined to a resolution that did not exist as the original or principal question. That the resolution did not exist as the original or principal question can be inferred, among other things, from the fact that it was referred to as a "subsequent motion." That the previous question was applied and confined to the resolution can be inferred from the fact that its defeat did not suppress the question on the nomination but only the resolution itself.

[57] See Annals, 3 Cong. 1, 94 and Henry H. Simms, "Life of John Taylor," Richmond, 1932, p. 61.

Debate continued after this statement, presumably because Jackson held back on his motion to allow the other Senators to have their say. Undoubtedly, the reasons why Jackson considered Monroe's motion as "ill-timed" related to the fact that only a few weeks before John Jay had been appointed special envoy to Great Britain and was at that very moment making preparations to depart on his historic mission.[59]

(E) *April 9, 1798*[60]

On April 9, 1798, after the Senate had gone into closed session, James Lloyd, a stanch Federalist Senator from Maryland, moved that the instructions to the envoys to the French Republic be printed for the use of the Senate. Six days previous on the 3d the President had submitted to Congress the instructions to and the dispatches from these envoys. Four days previous on the 5th the Senate had agreed to publish the dispatches for the use of the Senate. These papers were the famous ones in which Talleyrand's agents were identified as X, Y, and Z and the whole affair was seen by the Federalists as a great vindication and triumph for their party.

Lloyd first moved his motion on the 5th when the Senate agreed to publish 500 copies of the dispatches, but it was postponed on that day. When he moved it again on April 9, 1798, John Hunter, a Senator from South Carolina, moved the previous question.[61] The motion for the previous question was approved by a vote of 15 to 11, with Hunter voting nay. The main question, i.e., that the instructions be printed, was also approved by a vote of 16 to 11, Hunter again voting nay.

In this instance, once again, it is clear that the previous question was not used as a mechanism for cloture. Rather, it was brought forward as a means of avoiding or suppressing an undesired decision. This is attested to by the fact that the Senate was in closed session when the previous question was moved and by the fact that Hunter, the mover of the previous question, voted nay both on his own motion and on the main question. It is also supported by the fact that 10 of the 11 Senators who voted nay on the motion for the previous question also voted nay on the main question.[62]

(F) *February 26, 1799*[63]

On February 18, 1799, President Adams proposed to the Senate that William Vans Murray be appointed minister plenipotentiary to the French Republic for the purpose of making another attempt to settle our differences with France by negotiation. This proposal caused dismay and consternation in the ranks of the Federalists. For one thing, Adams acted suddenly on the basis of confidential communications he had received from abroad without informing anyone in the Cabinet or the Senate as to his intentions. For another thing, a strong prowar faction existed among the Federalist Members of Congress and the party as a whole had been engaged in driving a number of war preparedness measures through Congress. Moreover, ever since the X.Y.Z. affair the Federalists had been using the presumed wickedness and hostility of France as a weapon for humiliating and destroying the strength of the Jeffersonian Republicans. Lastly, a number of prominent Federalists distrusted Murray and thought him too weak.

The nomination of Murray was referred to a committee headed by Theodore Sedgwick, a Federalist Senator from Massachusetts. Meanwhile, pressure was brought to bear on Adams and he was threatened with a party revolt if he did not agree to modify his request for the appointment of Murray. The result was that on February 25, 1799, Adams sent a second message to the Senate asking that a commission, composed of Murray, Patrick Henry, and Oliver Ellsworth, be appointed in lieu of his original request.[64] The next day, February 26, 1799, a resolution was moved which proposed that the President's original message of the 18th be superseded by his message of the 25th. The previous question was moved and it passed in the affirmative. The effect of this decision was to bring about a vote on the resolution and it also was approved. The Senate then proceeded to consider the nominations of Murray, Henry, and Ellsworth to office and all three were approved on the following day.[65]

Brant and Douglas contend that this is clearly an instance in which the previous question was moved for the purpose of cloture. Unfortunately, the Executive Journal does not record the name of the Senator who moved the previous question or the names of the Senators who voted for and against the motion.[66] However, the evidence that is available strongly suggests that Brant's and Douglas' conclusions are incorrect.

Brant and Douglas have no evidence on which to base their argument except the presumption that since the previous question was affirmatively decided and since an immediate vote seems to have followed, the previous question must have been used for cloture. However, as we have seen in the instances of May 6, 1794, and April 9, 1798, an affirmative decision of the previous question does not necessarily mean that the previous question was moved for the purpose of cloture. It may only mean that the men who desired the previous question for the purpose of avoiding or suppressing a decision could not command a majority. What occurs in such instances is not the forced closing of debate for the purpose of bringing a matter to a vote, but the closing of debate as a feature of a mechanism employed for the purpose of allowing a parliamentary body to decide whether it desires to face a particular matter. Indeed, as the behavior of Senator Jackson on May 6, 1794, suggests, such closing can well be postponed until a point is reached where it is generally agreed that the time for decision has arrived.

Thus, in order to determine how the previous question was used in this instance we must consider the motives that seem to have prompted it. If the previous question was used for cloture, the Federalists would have been the ones to move it. However, there is no reason to believe that the Federalists were motivated to act in this manner. The Jeffersonians do not appear to have staged a filibuster on the resolution. In truth, this would have played into the hands of the war Federalists by giving them an excuse to refuse any kind of peace mission while throwing all blame on the Jeffersonians. Nor is there any reason to believe that the Federalists moved the previous question because they feared the consequences of a discussion on the resolution. The anti-Adams Federalists well realized that it was essential to unite on the commission idea as the only possible compromise under the circumstances and the problem of defection or embarrassment through debate was a slight one, if it existed at all.[67]

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[58] John C. Hamilton, "History of the Republic of the United States of America," New York, 1860, vol. V, p. 570. Hamilton was the son of Alexander Hamilton.

[59] Hildreth, op. cit., vol. IV, pp. 488–490.

[60] Annals, 5 Cong., 2, 535–538 and Schouler, op. cit., vol. I, pp. 396–398.

[61] Hunter was a Republican but apparently such a moderate one that the Federalists had hopes of capturing him. See "South Carolina Federalist Correspondence," American Historical Review, vol. XIV, No. 4, pp. 783 and 789 (July 1909). Moreover, there is some evidence to indicate that by April 1798, the Federalists had, at least to some extent, succeeded in their objective. See Charles R. King (ed). "The Life and Correspondence of Rufus King," New York, 1895, vol, II, p. 311.

[62] The reasons why Hunter and his supporters desired to apply the previous question in this instance are not clear. Given the party status of Hunter and the mixed nature of his support, sheer political expediency does not seem to be an adequate explanation. Instead, the desire for the previous question may have been motivated by opposition to the publication of confidential communications and/or hopes for continued negotiations. See *Annals*, 5 Cong. 2, 535–538 and 1375–1380; Correspondence of Rufus King, op. cit., vol. II, pp. 310–313; and Writings of Thomas Jefferson, op. cit., vol. VII, pp. 225–246 (letters to James Madison, James Monroe, Edmund Pendleton, and Peter Carr in the period from Mar. 29, 1798, to Apr. 26, 1798).

[63] Senate Executive Journal, vol. I, pp. 313–319. See also Schouler, op. cit., vol. I, pp. 441–444; Hildreth, op. cit., vol. V, pp. 284–291; and CONGRESSIONAL RECORD, vol. 107, pt. 1, pp. 245, 254–255.

[64] Sedgwick and his committee asked for and were granted a meeting with President Adams. Whether he agreed to substitute a commission for his original proposal at this meeting or later when he learned that the Federalists in the Senate has caucused and decided to reject the nomination of Murray is a matter that varies from account to account. See John C. Hamilton, "The Works of Alexander Hamilton, New York, 1851, vol. VI, pp. 396–400 (letters of Sedgwick and Pickering to Hamilton and of Hamilton to Sedgwick in the period from Feb. 19, 1799, to Feb. 25, 1799); Charles F. Adams, "The Life and Works of John Adams," Boston, 1856, vol. I, pp. 547–549; George Gibbs, "The Administrations of Washington and John Adams," New York, 1846, vol. II, pp. 203–205; and "Correspondence of the Late President Adams Originally Published in the Boston Patriot," Boston, 1809, letters IV–V, pp. 20–26.

[65] This seems to be another instance in which the previous question was applied to a resolution which did not exist as the original or principal question. The original or principal question on this occasion appears to have been the nomination of Murray. The committee to whom this subject had been referred was discharged on Feb. 25, 1799, when Adams' second message nominating a commission of three men was received. See Senate Executive Journal, vol. I, p. 317.

If the resolution involved in this instance did not exist as the original or principal question, events on this occasion can be interpreted to contain significant evidence bearing on the status of resolutions in the Senate. Less than a year later, on Feb. 5, 1800, the Senate refused to permit the previous question to be applied to a motion that directly sought to amend an original or principal question. See discussion of this instance in text and footnote 69. These facts might lead one to conclude that at least in 1799 the Senate did distinguish between resolutions and motions with the result that resolutions were not seen as subsidiary questions, even when moved in a context in which another question existed as the original or principal question.

However, it is quite probable that the resolution moved on Feb. 26, 1799, had a distinct parliamentary status that in and of itself explains why the previous question could have been moved on it. That is to say, this resolution may well have been seen as an incidental question. According to Jefferson and Cushing, an incidental question is a question which arises out of another question; but, unlike a subsidiary question, its decision does not necessarily dispose of that question, e.g., a question of order. Moreover, whereas an incidental question is not equivalent to an original or principal question, once it is brought up it supersedes the question on the floor and becomes open to subsidiary motions. See Jefferson's Manual, op. cit., secs. XXXIII and XXXVII and Cushing's Manual, op. cit., par. S. 1443, 1456, and 1476 (footnote).

Thus, the use of the previous question on Feb. 26, 1799, can be explained by noting that the Senate probably saw the resolution as an incidental question. If this was the case, a comparison of events on Feb. 26, 1799, and Feb. 5, 1800, does not in any way indicate that the Senate distinguished between resolutions and motions.

[66] An examination of unprinted material in the National Archives undertaken for this writer by the staff of the General Records Division also failed to reveal the name of the Senator who moved the previous question or the names of the Senators who voted for and against the motion.

In contrast, there are a number of reasons for believing that the Jeffersonians moved the previous question in an attempt to suppress the resolution. First, the Jeffersonians feared that the commission alternative might just be a subterfuge for torpedoing the negotiations.[68] They much preferred the appointment of Murray alone. Second, tactically much was to be gained by confining the choice to simply approving or disapproving Murray. If he was approved, the Jeffersonians would have gotten exactly the kind of peace mission they desired; if he was disapproved, a party split in the ranks of the Federalists was likely and, what is more, the Federalists would stand before the public as a group of truculent warmongers.

Now it is true that the very reasons that would have led the Jeffersonians to attempt the previous question also helped to insure the defeat of the maneuver by solidifying the Federalists. Nonetheless, the Jeffersonians, not knowing exactly how united the Federalists were, could very well have thought the previous question worth a try. We may conclude, then, that in all probability this case is no different than the others we have considered. Despite the interpretations placed on it by Brant and Douglas, it seems to be simply another instance in which the previous question was attempted for the purpose of suppressing an undesired decision.

(*G*) *February 5, 1800*[69]

On February 5, 1800, a bill for the relief of John Vaughn was brought up for its third reading. A motion was made to amend the preamble of the bill. On this motion the previous question was moved, but ruled out of order on the grounds that the mechanism could not be applied to an amendment. A motion was next made to postpone the question on the final passage of the bill until the coming Monday. This motion was defeated. Having disposed of the attempt to postpone, the majority then proceeded to vote down the amendment and approve the bill.

The purpose for which the previous question was used in this instance seems in no way to depart from the usual pattern. In this case the opponents of the amendment appear to have attempted to suppress it by applying the previous question. They failed in this but still succeeded in defeating the amendment in a direct vote.

(*H*) *March 10, 1804*[70]

The impeachment trial of Judge John Pickering of the New Hampshire district court commenced on March 2, 1804. The Representatives selected by the House to manage the impeachment completed their case against Pickering on March 8, 1804. Two days later Samuel White, a Federalist Senator from Delaware, rose and offered a resolution which stated that the Senate was not at that time prepared to make a final decision on the Pickering impeachment.[71] The resolution also stated a number of reasons in support of its contention: that Pickering had not been able to appear but could be brought to Washington at a later date, that Pickering had not been represented by counsel, and that evidence indicating that Pickering was insane had been introduced.

The Jeffersonian leadership in the Senate received this resolution with hostility. Their first reaction was to try to suppress it by having it declared out of order, but this maneuver failed.[72] That the Jeffersonians would have preferred not to face the resolution directly is quite understandable since it advanced potent legal grounds for inducing the Senate to refuse to convict Pickering, e.g., that the trial had not been impartial and that Pickering as an insane man could not legally be held responsible for his acts. However, the hostility of the Jeffersonians was based on more than the fact that the resolution endangered the success of the Pickering impeachment. By implication it also threatened the success of the upcoming impeachment of the hated Judge Chase. To lose the Pickering impeachment on the grounds stated in the White resolution would create a precedent which denied the Senate broad, quasi-political discretion in impeachment and limited it to the determination of whether "high crimes and misdemeanors" in a quasi-criminal sense had actually been committed.

Unfortunately, the three accounts we have of Senate proceedings on March 10, 1804, differ significantly.[73] One area of important difference concerns the exact order of events on this day. Both the Annals and the diary of William Plumer report that the previous question was moved by Senator Jackson, Republican, of Georgia, after Senator Nicholas, Republican, of Virginia, urged that the White resolution not be recorded, if defeated. Both these accounts report that Jackson's motion was followed by a statement of Senator White and by an amendment offered by Senator Anderson, Republican, of Tennesee, which proposed to strike out of the resolution all material relating to Pickering's insanity and lack of counsel. In addition, both of these accounts report that after the moving of the Anderson amendment the Senate proceeded to vote down the White resolution. Despite these similarities an important difference does distinguish these two accounts. In the Plumer account Nicholas' statement, Jackson's motion, White's statement, and Anderson's motion are all made when the Senate is in closed session. In the Annals they are all made before the Senate is reported to have gone into closed session. We should also note that neither the Annals nor Plumer supply any further information regarding the previous question aside from the fact that it was moved. The

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[67] See John A. Carroll and Mary W. Ashworth, George Washington, New York, 1957, vol. VII, p. 572; Henry Cabot Lodge, "Life of George Cabot," Boston, 1877, pp. 223 and 235; and John T. Morse, Jr., "John Adams," Boston, 1889, pp. 303–303. See also references cited in footnote 64 above. Senator Humphrey Marshall of Kentucky seems to be the only Federalist who may have refused to go along with the commission compromise. See footnote 68 below. It should also be remembered that the Senate was in closed session on this occasion.

[68] Writings of Thomas Jefferson, op. cit., vol. VII, p. 372 (letter to Bishop James Madison—Feb. 27, 1799). Additional evidence bearing on the identity and motive of the Senator who moved the previous question is contained in the record of the vote on the nominations of Murray, Ellsworth, and Henry. No dissenting vote was cast on the question to agree to the nomination of Murray. This supports the view that the Jeffersonian Republicans favored him and the view that the war Federalists were willing to swallow him in the interests of party harmony. Six dissenting votes were cast on the question to agree to the nomination of Ellsworth. Five of these vote were cast by Jeffersonian Republicans. Three dissenting votes were cast on the question to agree to the nomination of Henry. All three of these votes were cast by Jeffersonian Republicans who had also voted against Ellsworth. Given these facts, it is quite likely that the mover of the previous question was one of the three Jeffersonian Republicans who felt so strongly about the issue that he voted against the nominations of both Ellsworth and Henry. These three Republican Senators, Bloodworth, Langdon, and Pinckney, also voted against referring Adams' original nomination of Murray to a committee, the purpose of this maneuver being to gain time for the Federalist leaders to bring pressure to bear on Adams.

A single Federalist Senator, Humphrey Marshall, of Kentucky, voted against the nomination of Ellsworth. Marshall also was the only Federalist who voted against referring Adams' original nomination of Murray to a committee. Thus, it is possible that Marshall was the Senator who moved the previous question. He might have done so either because he remained an intransigent war Federalist or because on this occasion he happened to agree with the Jeffersonians. Nonetheless, Marshall is a much less likely candidate than any one of the three Jeffersonians who voted against both Ellsworth and Henry. Indeed, Marshall's votes in favor of Henry and Murray may indicate that he voted against Ellsworth on personal grounds rather than because he rejected the commission compromise accepted by all the other Federalists. Moreover, even if Marshall, a Federalist, did move the previous question in this instance, his purpose would not have been cloture. Given his votes against reference to a committee and against Ellsworth, his purpose would have been similar to that we have postulated for the Jeffersonians, i.e., to suppress the resolution to supersede and confine the issue to the simple acceptance or rejection of Murray. See Senate Executive Journal, vol. I, pp. 315, 318, and 319.

[69] Annals, 6 Cong. 1, 42–43. The fact that an attempt was made on this occasion to apply the previous question to an amendment may indicate that prior to 1800 the Senate, as well as the House, understood such usage as proper. On the other hand, it may only mean that the position of the Senate in its earliest days had been forgotten so that the point had to be settled again.

[70] For account of events on this day see Annals, 8 Cong. 1, 362–363; Memoirs of John Quincy Adams, op. cit., vol. I, pp. 302–303; and Everett S. Brown (ed.). William Plumer's "Memorandum of Proceedings in the U.S. Senate," New York, 1923, pp. 173–176. See also Haynes, op. cit., vol. II. p. 850 and Henry Adams, "History of the United States During the First Administration of Thomas Jefferson," New York, 1889, vol. II, pp. 153–159.

[71] Whether this resolution existed as a principal or incidental question is not entirely clear. However, it is clear that it did not exist as a subsidiary question. This can be inferred from the fact that it was open to subsidiary motions other than the previous question, e.g., the motion to amend. See Annals, 8 Cong. 1, 363.

[72] Annals, 8 Cong. 1, 263. For accounts of events from the beginning of the trial on Mar. 2, 1804, up through Mar. 9, 1804, see Annals, 8 Cong. 1, 326–362; Memoirs of John Quincy Adams, op. cit., vol. I, pp. 297–302; and Plumer Memorandum, op. cit., pp. 147–174.

[73] Once again an examination of unprinted material in the National Archives, conducted for this writer by the staff of the General Records Division, failed to reveal any information not already contained in the Annals.

Annals are similarly obscure with respect to the fate of Anderson's amendment, but Plumer records that this motion failed to secure a second which would explain why it was never brought to a vote.

Further complications are introduced when we add the report of events given in the diary of John Quincy Adams. Adams and Plumer were both Members of the Senate at this time. In the Adams account no mention is made of the previous question or of White's statement. Anderson's amendment is reported to have been moved when the Senate was in open session. Nichola's remarks are reported as occurring later when the Senate was in closed session. In addition, in contrast to Plumer, Anderson's amendment is reported to have secured a second but to have been withdrawn when the Senate was in closed session.

A second important area of difference concerns the nature of the rules governing the Senate during the Pickering impeachment.[74] According to Adams, the rules restricted debate to closed session and required all decisions to be taken in open session by a yea and nay vote. Thus, he reports that when the Senate was in closed session on the White resolution the Jeffersonians were very impatient to return to open sesisons so as to end debate and bring the resolution to a vote. Adams further explains that the reason Anderson withdrew his amendment was to end debate on it in order that the time the Senate was in closed session need not be prolonged.

The Annals and Plumer's diary do not directly contradict Adams' interpretation of the rules. Indeed, on the whole, the record of events in these accounts does not depart from Adams' rendition of what the rules required. However, on occasion they do present examples of action which suggest either that the Senate did not necessarily follow its own rules or that Adams' interpretation is not entirely correct. In the Plumer account of events on March 5, 1804, the Senate is reported to have voted on two motions when it was still in closed session. In the Annals' account of events on March 10, 1804, and Plumer's account of events on March 9, 1804, the Senate is reported to have entered into debate when it was in open session.

Senator DOUGLAS and Irving Brant claim that the events of March 10, 1804, represent an instance in which the purpose and effect of moving the previous question was cloture.[75] They argue, on the basis of the Plumer account, that the Senate was in closed session when the previous question was moved.[76] They argue, on the basis of the Adams account, that the rules restricted debate to closed session and decisions to open session and that the Jeffersonians were impatient to end debate on the White resolution and bring it to a vote. Thus, they conclude that the previous question was moved to force an end to debate and a vote on the White resolution and that it actually had this effect since according to the rules decisions had to be taken in open session. The fact that neither Adams, Plumer, nor the Annals indicate that the motion for the previous question was actually put to a vote in open session does not disturb them. They point out that once the Senate had returned to open session, debate was prohibited, with the result that the previous question achieved its purpose of forcing a vote on the White resolution without having to be brought to a vote itself.

The validity of Brant and DOUGLAS interpretation of the order of events and the nature of the rules on March 10, 1804, cannot be determined conclusively one way or the other. Nonetheless, even if we accept the propositions they advance in these regards, we can still reject their conclusion that in this instance the purpose and effect of the previous question was cloture. First, merely moving the previous question would not and could not have ended debate and forced the Senate to return to open session. As long as the previous question was not voted on and determined affirmatively, the only way debate could be cut off and a vote on the White resolution forced would have been by passing a motion to open the doors. It is true that, if the motion for the previous question received a second, it would have cut off debate on the main question, i.e., on the White resolution. But debate could have and undoubtedly would have continued on the motion for the previous question itself. The Federalists would have objected strenuously to any Republican maneuver designed to avoid the necessity of directly facing the embarrassing issues contained in the White resolution. Given the fact that the previous question was moved after the White resolution had already been subject to discussion, we may conclude, in contrast to Brant and DOUGLAS, that instead of serving to end debate the motion for the previous question threatened to prolong it.

Second, both the Annals and Plumer record that Anderson's amendment was moved after the previous question while the Senate was still in closed session. This indicates that the previous question either failed to secure a second or was withdrawn soon after it was moved. Otherwise, an amendment of the main question would not have been in order. Thus, Brant and DOUGLAS cannot argue that the Senate returned to open session to vote on the motion for the previous question since the motion itself seems to have been killed while the Senate was still in closed session. The fact that Adams does not even mention the previous question in his account supports our contention that the previous question was killed before it could play a significant role in the events of the day. Given the care with which Adams documents each and every Jeffersonian move to avoid facing or discussing the White resolution, it is highly unlikely that he would have failed to mention the previous question if it had been used as Brant and DOUGLAS suggest.

If we may dismiss the claims of Brant and DOUGLAS, can we also assert that the events of March 10, 1804, merely furnish another illustration of the use of the previous question for the purpose of suppressing an undesired discussion and/or decision? The answer is "Yes." We may note that on March 5, 1804, Jackson spoke and voted against allowing evidence bearing on Pickering's sanity to be introduced. We may note that on March 10, 1804, when the Senate returned to open session, he voted against the White resolution which listed insanity as a ground for not voting to convict Pickering. We may also note that Jackson moved the previous question immediately after Nicholas urged that the resolution not be recorded, if defeated. It is probable, therefore, that Jackson moved the previous question for the purpose of suppressing the White resolution rather than for the purpose of forcing a vote on it. If cloture were his aim and such an aim only would have been feasible if debate was in fact prohibited in open session, either that end could have been achieved more easily by simply moving to return to open session, or alternatively, if the Senate was already in open session, there would have been no reason not to press the previous question to its ultimate conclusion.

Why, then, would the previous question have been refused a second or withdrawn? The answer is that under the circumstances which existed the best way to get rid of the White resolution and clear the way for a vote on the impeachment was to face the resolution directly. The timing and the substance of Nicholas' words indicate that the Senate was just about ready to proceed to a vote on the White resolution. To introduce the previous question at such a point would be to complicate and prolong the proceedings. This is true whether or not the Senate could have actually voted on the previous question in closed session. In either event debate on the motion would still have been possible. It is also true whether the previous question was moved in open or closed session. Both the Annals and Plumer indicate that debate took place immediately before and after the previous question was moved. This means that, if the previous question was moved in

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[74] On Mar. 2, 1804, the Senate passed the following resolution:

"*Resolved*, * * * All motions made by the parties or their counsel shall be addressed to the President of the Senate, and, if he shall require it, shall be committed to writing, and read at the Secretary's table; and, after the parties shall be heard upon such motion, the Senate shall retire to the adjoining committee room for consideration, if one-third of the Members present shall require it; but all decisions shall be had in open court, by ayes and noes, and without debate, which shall be entered on the records."

On March 5, 1804, the Senate passed another resolution which stated, "That on the motion made and seconded, the Court shall retire to the adjoining committee room, if one-third of the Senators present shall require it." See Annals, 8 Cong. 1, 327 and 333.

The first resolution can be interpreted as restricting all debate to closed session and requiring all decisions to be made in open session. The significance of the second resolution would then be that it gave the Senate the privilege of going into closed session by a one-third vote on motions made by its own Members as well as on motions made by the parties to the impeachment.

On the other hand, the first resolution can be interpreted as applying only to motions made by the parties to the impeachment. The significance of the second resolution would then be that it gave the Senate the option of going into closed session by a one-third vote on motions made by its own Members. In terms of this interpretation the Senate could debate and decide motions by its own Members in open or closed session, but it had the option of going into closed session if it desired by a one-third vote.

As is pointed out in the text, John Quincy Adams saw the first interpretation as the governing one. See Memoirs of John Quincy Adams, op. cit., vol I, pp. 302–303. However, as is also indicated in the text, the claims of the first interpretation are impaired by the existence of a number of instances in which the Senate can be seen to have acted contrary to it. For a view which differs from that of Adams and supports the other possible interpretation, see Stidham, op. cit., pp. 170–171.

[75] See CONGRESSIONAL RECORD, vol. 107, pt. 1, pp. 245–247, 255–256.

[76] Irving Brant argues that the Annals give a mistaken impression in suggesting that the previous question was moved in open session. His point is that the Annals indicate that debate took place immediately before the previous question was moved, but that the rules prohibited debate in open session. See CONGRESSIONAL RECORD, vol. 107, pt. 1, p. 255. However, it is possible to interpret the rules to mean that debate was possible in open session, if the motion involved was moved by a Member of the Senate. See footnote 74 above. Moreover, one can argue that the Annals would not have recorded any debate which took place in closed session. The fact that debate was recorded, then, would indicate that the Senate was in open session. See Annals, 8 Cong. 1, 326–367 and Stidham, op. cit., pp. 170–171.

open session, debate was possible in open as well as closed session.[77]

Thus, the reasons Adams suggests for the killing of Anderson's amendment probably apply to the previous question as well. The Jeffersonians desired to get rid of the White resolution and push on to a vote on the impeachment as fast as possible. They knew they had the votes to defeat the resolution. Moreover, though they might have preferred to suppress or amend the resolution, they also knew that they could not really save themselves from embarrassment by adopting either alternative. That Pickering had not appeared, that he had not been represented by counsel, and that evidence had been introduced indicating that he was insane were part of the record of the trial. Hence, it is not surprising that the Republicans elected to face the White resolution without delay. This was the course that promised the swiftest and surest attainment of their basic objective—the conviction of Pickering.[78]

(*I*) *December 24, 1804*[79]

On December 24, 1804, the Senate resumed consideration of a set of rules proposed to govern the Senate during the Chase impeachment. These rules had been recommended by a select committee whose chairman was William Giles, a Virginia Republican who led the anti-Chase forces in the Senate. Four days earlier, when the Senate was involved in a discussion of these rules, Stephen Bradley, an independent Republican from Vermont, had moved an amendment to one of the rules proposed by the Giles committee. Bradley, however, was ill on the 24th and was not present in the chamber. John Quincy Adams reports in his diary that he therefore moved that the whole subject be postponed until Bradley could attend. This bid for postponement of consideration was defeated. Adams relates that "Giles then offered to postpone or put the previous question upon Mr. Bradley's amendment; but this the Vice President declared to be not in order."[80]

Following Burr's ruling, the Senate proceeded to vote down the amendment and before the day was ended it agreed to adopt all or most of the rules recommended by the Giles committee, including the rule on which Bradley's amendment had been moved.[81]

This case presents another instance in which the previous question was attempted to suppress an undesired decision. Giles' intention was obviously to remove the amendment either through postponement or through the previous question as a preliminary to voting to adopt the rule. The practical effect of this would have been to kill the amendment, even though technically neither postponement nor the previous question would have permanently suppressed the amendment.[82]

IV. CONCLUSION

We may conclude that the Haynes-Stidham-Russell position is the correct one. The fact that a previous question mechanism existed and was used in the early Senate furnishes no precedent for the imposition of majority cloture in the Senate today. As we have shown in part I, the previous question was not understood functionally as a cloture mechanism. As we have shown in part II, it was not designed to operate as a cloture mechanism. As we have shown in part III, it was not in practice used as a cloture mechanism. Indeed, it is even improbable that the Senate could have used the previous question for cloture, given the obstacles which existed and the lack of any evidence to show that these obstacles could in fact be overcome.

Mr. ERVIN. Mr. President, I wish to call attention to a statement which is in harmony with what the Senator from Georgia has just said. In the Saturday Evening Post of June 27, 1925, former Senator George H. Moses, of New Hampshire, who was then the President pro tempore of the Senate and a great authority on Senate traditions and precedents and rules, had this to say about the previous question as it existed in the early days of the Senate:

> Debate in the Senate in its early days had few restraints. The previous question existed, but in a rudimentary form only as modern parliamentarians would regard it. It was itself debatable; it could not be used upon amendments; nor could it be applied while sitting in Committee of the Whole. In this form it stood in the Senate rules for 17 years, during which it was moved only four times and only three times carried. The revision of the rules in 1806 did not specifically provide against the previous question; it simply was not mentioned at all, and the sanction of 119 years of usage is that it does not exist.

In the light of that statement by one of the greatest authorities on the question of Senate precedents and traditions and rules who has ever lived, there is no basis whatever for any contention that the previous question rule in its modern significance has ever been recognized by the Senate.

I am delighted to see on the floor of the Senate the able successor of Senator Moses, the distinguished student of Senate history. I refer to Senator Norris Cotton.

HON. VANCE HARTKE

Mr. BAYH. Mr. President, on January 19, 1963, the Democratic National Committee adopted a resolution expressing the gratitude of that committee to the distinguished senior Senator from Indiana, Senator Vance Hartke. The resolution was in appreciation for the zealous and arduous efforts expended by the Senator as chairman of the Democratic senatorial campaign committee.

Mr. President, I join with the Democratic National Committee in its expression of gratitude to Senator Hartke on a job well done. I ask unanimous consent to have the resolution, as adopted by the Democratic National Committee, printed in the Record at this point.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution Adopted at Meeting of the Democratic National Committee, January 19, 1963

Whereas the Democratic senatorial campaign committee, under the leadership of Senator Vance Hartke, has worked in close cooperation with the Democratic National Committee in every phase of the successful campaign of 1962—in the raising and distribution of funds, the assignment of speakers, the development of issues, the strengthening of organization, and in the schools for candidates: Therefore be it

Resolved, That the Democratic National Committee expresses its gratitude to Senator Vance Hartke and the members and staff of the Democratic senatorial campaign committee and looks forward to 2 more years and cooperation and success under the pattern set by Senator Hartke's leadership.

DR. RANSOM, UNIVERSITY OF TEXAS CHANCELLOR, CITES HIGH GOALS FOR HIGHER EDUCATION

Mr. YARBOROUGH. Mr. President, the distinguished chancellor of the University of Texas, Dr. Harry Ransom, recently delivered a brilliant speech on excellence in education, in an address at Alvin in Brazoria County, Tex.

While his speech was concerned in this instance primarily with educational goals in Texas, the points he makes have national application. I ask unanimous consent that the article from the Houston Chronicle of Sunday, January 27, captioned "Education? Talk Isn't Enough: Excellence Has a Price We Can Afford, but With It We Must Join Determination We Have Not Yet Shown," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Education? Talk Isn't Enough—Excellence Has a Price We Can Afford, but With It We Must Join Determination We Have Not Yet Shown

(By Harry Ransom)

Excellence in education is like virtue in private life and patriotism in public life.

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[77] See footnotes 74 and 76 above.

[78] Adams is reported by the Annals and Plumer, but not by his own diary, to have argued that amendments to the White resolution were out of order because "a gentleman had a right to a vote upon any specific proposition he might please to submit." Whether this was actually required by the rules is conjectural. If it was, it offers an alternative explanation of why the previous question was killed. Yet Adams in his own diary notes that the Senate permitted amendments on the White resolution. Moreover, his only recorded objection was that these motions constituted "debate" and therefore should not have been allowed when the Senate was in open session. See Annals, 8 Cong. 1, 363; Memoirs of John Quincy Adams, op. cit., vol I, p. 302; and Plumer memorandum, op cit., p. 174.

[79] See Memoirs of John Qunicy Adams, op. cit., vol. I, pp. 318–326; Annals, 8 Cong. 2, 89–92; Plumer memorandum, op. cit., pp. 228–233; and Henry Adams, op. cit., vol. II, pp. 218–228.

[80] Memoirs of John Quincy Adams, op. cit., vol. I, p. 324. The grounds of the ruling undoubtedly were that subsidiary questions could not be moved on another subsidiary question. This ruling, made by Burr, reaffirmed Jefferson's ruling of Feb. 5, 1800. See footnote 69 above. It is interesting to note that Giles had just entered the Senate that session. Previous to his entrance into the Senate, he had for over a decade been a leading Republican Member of the House and the House, as late as 1802, permitted the previous question to be applied to subsidiary questions. See footnote 44 above.

[81] That the rule on which Bradley's amendment had been moved, as well as all or most of the other rules proposed by the Giles committee, were adopted on this occasion can be inferred by comparing Adams' report of the discussion on Dec. 24 and 31, 1804, with the list of rules recorded in the Annals. See Memoirs of John Quincy Adams, op. cit., vol. I, pp. 324–326 and Annals, 8 Cong. 2, 89–92.

[82] This point is based on the fact that the Senate rules did not require resolutions which applied only to the Senate to undergo three readings. See Jefferson's Manual, op. cit., secs. XXI and XXII and Annals, 9 Cong. 1, 201.

Talking about it is not enough. It has to be proved in practice.

Judging the attainment of an institution, a State or a region must be still more rigorously conducted and much more broadly based. There is no such science as Texas physics. A discovery in the laboratories of Cambridge, England, is instantly relevant to curriculums in Alvin, Tex.

BREADTH OF PERSPECTIVE

The breadth of this perspective does not decrease our concern about the freedom and the integrity of the individual student. It lessens not one whit our State and regional pride in local accomplishment. At the same time it forbids us to resort to comfortable merely local or regional goals for research and educational opportunity. It reminds us daily and remorselessly that there has always been a common market of world intellect.

Texans will ask us to be practical even in our introductions to the problem of educational excellence. Let's be practical. No Texas oil company can ignore petroleum development in Saudi Arabia, no Texas cattleman can shut his eyes on genetic and economic experiments in Argentina, no Texas lumberman can turn his back on what is going on in Brazil, no electronics company can be indifferent to what physicists and electrical engineers are doing today in Tokyo.

FIVE-CENT PH. D.

Remembering Vice President Marshall's epigram about cigars, many earnest, economy-minded and unrealistic Texans insist that what this State needs is a good 5-cent Ph. D.

There may have been a time when this bargain-basement approach was not dangerous to the economy of a State. Once it was excused by an economy supported largely by local products of Texas soil. Today, agriculture itself is among those industries that depends upon scientific advancement.

For our new prospect we do not need to conduct an elaborate talent search in Texas. In short order, every town or city school system, every junior college, every senior college, every university in this State can muster names, addresses, program definitions and dollar requirements for topflight education.

To such concrete facts we must link clearheaded policies. Here are some of the considerations which must enter into the making of those policies.

First, wild extravagance is as harmful to education development as pennypinching. Every educator (that is, every schoolman and schoolwoman working toward better education from kindergarten to graduate school) should undertake to cut out the frills, fads, and futilities that drain off resources. Every trustee should make that kind of economy prerequisite to approval of every plan for necessary improvement and expansion. Every citizen espousing the cause of education should be able to assume that he is not being asked to support either irrelevance or waste.

With these provisos we can make wise and undeniable claims on public taxes and private philanthropy. Without these provisos, educators can rightly be accused of professional doubletalk and financial irresponsibility. In short, we need excellence in our purposes, plans, and standards as well as in our budgets.

NO ARBITRARY PRIVILEGE

We cannot expect to produce either high standards or effective programs by any system of arbitrary privilege. We cannot assume that our church-related colleges can improve simply because they are long on doctrinal influence if they are short on libraries and laboratories. We cannot assume that miscellaneousness and popular obligations should damn State institutions to intellectual mediocrity.

Whole educational populations—students in less fortunate economic sectors of the State, students of Mexican origin, Negro students, physically handicapped students—should not be excluded from reaching the top educational bent which their native ability and their motivation allows.

We should quit discriminating against any able young Texan by having to tell him that for the very best education he had better leave the State for the east coast or west coast. We should quit discriminating against the future of the State by concluding that what is necessary for Carolina or Massachusetts or Indiana or Minnesota or California is not also necessary for Texas. In short, we should quit trying to hitch our high ambition to low levels of opportunity.

We should recognize the fact that after high school, most students are extremely mobile. Simple arithmetic demonstrates that for a fraction of the cost of an underdeveloped program, generous scholarships can be provided undergraduate and graduate students to undertake such a program where the State can guarantee quality.

Amid many new dynamics, intellectual and economic and social, we must expect and welcome dynamic changes in education.

Curriculum balances will be changed. Many of us can remember the time when physics, chemistry, biology and geology were neatly compartmented and stiffly departmentalized. Today hundreds of institutes and graduate programs are founded on the inescapable relationships among these and other sciences.

Balances among educational programs and methods will be changed. Larger and larger portions of the budget in some institutions will go to research. It will be necessary to remember that these programs are also for teaching—for the means of teaching new researchers, just as elementary classes are the means of instructing beginners in a discipline.

In elementary instruction itself there will be new and revolutionary shifts of emphasis among lectureship, independent study, and the uses of mechanical devices. It is no longer a cartoon jest, it is a historic fact that some machines can do a better job of conveying certain information and inculcating certain skills than the most devoted teachers working with a group.

Excellence in education means a good deal more, of course, than getting ahead of the past or getting ahead of somebody else. It means getting every potential of the student and the institution into effect, and getting both ready for the future. In one place or another, at one time or another, it will mean that certain individuals and institutions will surpass the immediate performance and attainment of others.

What we have not yet seen quite clearly in this connection, however, is that excellence is infectious. If a Nobel Prize winner comes out of Alvin in this next generation, his accomplishment will encourage, not discourage, his contemporaries and his successors here.

A LONELY BUSINESS

We could, of course, conclude that history has proved excellence or eminence a lonely business. That would be a mistake for any general educational program of this century. Cooperation, among individuals and especially among institutions, is essential.

There is no field of human endeavor less dependent upon chance than education. There is no goal of human aspiration more likely to be won by concerted effort, long-range planning and courageous realism than educational excellence. For a long time Texas has expected it to happen. By the slow processes of evolution it might happen, just happen, in another hundred years. Who wants to wait that long?

B'NAI B'RITH IS PRAISED BY THE HOUSTON CHRONICLE, ON ITS GOLDEN ANNIVERSARY

Mr. YARBOROUGH. Mr. President, the Anti-Defamation League of B'nai B'rith observes on January 31, 1963, the anniversary of half a century of dedication to the causes of liberty and equality.

It has been a valiant champion of human rights, a fighter against defamation of peoples, both groups and individuals. It would be well if there were no further need for this organization. But this is not the case.

I congratulate the Anti-Defamation League of B'nai B'rith as it moves courageously into another year when much of the world is in some stage of revolution against man's inhumanity to man. The league has many allies in its continuing battle for justice to all.

Because of the respect the League has won internationally, I ask unanimous consent to have printed in the Record an editorial of praise from the Houston Chronicle of Sunday, January 27, captioned "Anti-Defamation League's Birthday."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Anti-Defamation League's Birthday

January 31 will hail the golden anniversary of the Anti-Defamation League of B'nai B'rith, educational arm of the largest Jewish service organization in the world.

Anti-Defamation League, founded in 1913, has pressed rationally and fearlessly for 50 years to combat the vulgarities of antisemitism and "to secure justice and fair treatment to all citizens alike." Taking dead aim against bigotry in any subtle form, this highly respected league has proven its friendship to the friendless—as protector of civil rights, guardian of religious freedom, and legal-armored foe of racial or religious discrimination.

While this country has leaped far toward "freedom's holy light," the full promise of our national humanity has more mileage to go. Anti-Defamation League will continue to walk this path—uprooting weeds of hate with tools of research, education, legal, and social action—to close the gap between America's ideals and reality.

Bigotry, prejudice, and discrimination are the enemies of Anti-Defamation League. Ours, too. We find them a bore, and a not-so-subtle threat.

More noteworthy are some of Anti-Defamation League's distinguished friends. Serving as members of an honorory committee to celebrate the league's 50th birthday are many eminent Americans; among them: Gen. Lucius D. Clay, J. Edgar Hoover, Father Theodore M. Hesburgh, Brooks Hays, Lyndon B. Johnson, Dr. Daniel A. Poling, Victor G. Reuther, Arthur H. Sulzberger, and Robert C. Weaver.

Our best wish to Anti-Defamation League for every candle on a well-earned birthday cake. Fifty. And one more to grow on.

THE INDIANA DUNES AND PRESSURE POLITICS

Mr. DOUGLAS. Mr. President, I am greatly pleased to call to the attention of the Senate and all Members of Congress to the new article about the Indiana Dunes—Burns Ditch harbor dispute which has just appeared on the newsstands in the February 1963, issue of the Atlantic Monthly. Mr. William

Peeples, a fine writer and a member of the editorial board of the Louisville Courier-Journal is the author of this article which is entitled "The Indiana Dunes and Pressure Politics."

The effort to preserve the remarkable and irreplaceable Indiana Dunes is one of the classic conservation struggles of midcentury America and Mr. Peeples has given a fine account of its outlines.

He enlightens us on the part taken by various politicians in the near-conspiracy to construct the Burns Ditch harbor in the midst of the dunes for the almost sole benefit of two steel companies.

He describes the land speculation and profiteering which has been an integral part of this attack on the dunes.

He brings us up to date on the nationwide and worldwide protest which has arisen in defense of the dunes, and he writes of the heroic efforts of a small but effective group of conservation-minded citizens, the Save the Dunes Council.

In a few days I shall reintroduce along with a number of my colleagues the bill to create the Indiana Dunes National Lakeshore, and at that time I shall tell the Senate in detail of the recent developments in this matter. Developments, incidentally, which lend substantial hope of success in saving the dunes. But Mr. Peeples' excellent article is a good and moving story, as well as sharp political analysis, and I know many Members will find it of interest.

I therefore ask unanimous consent that this article be printed in the body of the CONGRESSIONAL RECORD along with my remarks.

Mr. President, I commend the Atlantic Monthly and its editor, Mr. Edward Weeks, for the courage and public-spirited attitude which led to the publishing of this article.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE INDIANA DUNES AND PRESSURE POLITICS

(By William Peeples)

After making a quick change into walking shorts, Senator PAUL DOUGLAS, of Illinois, joined the other dignitaries before the cameras and reporters in the hot, crowded room in the superintendent's house at Indiana Dunes State Park. The Senator spoke briefly and to the point. He would not falter, he said, in his fight to save what is left of the Indiana Dunes on the shore of Lake Michigan from destruction, for they are a priceless natural and recreational asset, serving an area of some 7½ million people, and serving also as a magnet for natural scientists from the Nation as a whole. His sympathetic audience cheered. They knew he meant it, knew that for 3 years he had stood against the efforts of Indiana officials, both Democratic and Republican, to build a deepwater harbor in the midst of the very finest dunes, primarily for the benefit of two steel companies—or three, if you count Inland's holdings some distance from the proposed port site.

DOUGLAS was no longer fighting alone. Joining him in the tour of the dunes that day were Secretary of the Interior Stewart Udall; Mayor Daly, of Chicago, and the mayors of Gary, Whiting, East Chicago, and Hammond, Ind.; U.S. Representative Ray Madden, the only Congressman from Indiana working to save the dunes; as well as some uncommitted Congressmen from other States open to persuasion. It was an impressive display of political muscle. With DOUGLAS and Udall, both enthusiastic hikers, leading the way, the assorted officials and their respective entourages walked the shining beach, climbed the sandhills, saw firsthand the remarkable natural phenomenon of the Indiana Dunes, all to the astonishment and delight of vacationing constituents. This was July 1961.

Subsequently, the Department of the Interior endorsed the Douglas bill to make the dunes area in dispute a national preserve. In his conservation message to Congress, President Kennedy also called for congressional approval of a national lakeshore area in northern Indiana. Other Congressmen, representing States in every section of the country, have said they will fight down the line to save the dunes.

Yet this incomparable area, with its excellent beaches, is still in imminent danger of being ravished, and behind this threat lies a tangled tale of land speculation, of the cozy relationship between certain business interests and public officials, of big names in the Democratic and Republican Parties working for a common objective, of wheels spinning within wheels—a classic illustration of why, even more than a half century after Theodore Roosevelt and Gifford Pinchot, it is so difficult to reserve in the public interest our dwindling natural resources.

At one time the Indiana Dunes marched in dazzling array for 25 miles along Lake Michigan between East Chicago and Michigan City. Today only about 7 miles of lakefront dunes remain unspoiled—2½ miles of them in the Indiana Dunes State Park (whose beaches, according to the National Park Service, would probably be polluted if any industrial port complex were built nearby), and 4-odd miles in the Burns Ditch area just to the west of the park. The remaining stretch of Indiana dunesland is prized not only by vacationers but by biologists, botanists, ecologists, geologists, zoologists, and ornithologists. Wildlife and more than 1,000 species of plants and trees, including 26 members of the orchid family, thrive there.

"There are few places on our continent where so many species of plants are found in so small a compass," wrote the late Prof. Henry C. Cowles of the University of Chicago, a pioneer ecologist. "Here one may even find the prickly pear cactus of the southwestern desert hobnobbing with the barberry of the Arctic."

Why is such a widely recognized natural asset threatened with destruction? The story begins in 1929, when Midwest Steel purchased 750 acres astride Burns Ditch, which drains the Little Calumet River into Lake Michigan. From that day to this, Midwest Steel has been a driving force behind the attempt to build a deepwater port near Burns Ditch in the heart of the finest dunesland left on the shore.

In 1931, the Army Corps of Engineers made a preliminary examination of the practicality of a proposal that the Federal Government build breakwaters for the harbor sought by Midwest Steel. The report was a disappointment to the company. The engineers pointed out that the benefits from such a port would be limited to Midwest Steel and, therefore, they would not recommend its construction with tax money. The steel firm tried again in 1935, but once more the Army engineers refused to endorse the proposal. In 1937, Congress authorized a preliminary examination of the entire Indiana shoreline to pick the best harbor site. However, without waiting for the results of the examination, the Indiana State Planning Board rushed in and singled out the Burns Ditch area as "the only desirable and available location." It was not until 1944 that the Army engineers reported on the study authorized by Congress in 1937, and they recommended against exploring the matter further because, they concluded, existing harbor facilities at Chicago, Calumet, and Michigan City were adequate for the area.

In 1949, the Army Engineers' district office in Chicago came up with a preliminary report favorable to the Burns Ditch Harbor. Though the way was now clear for a survey in depth of the site, this was delayed by the Korean war. Finally, in 1960, Col. J. A. Smedile, the Army district engineer, announced that a port at Burns Ditch could be justified economically, and later issued a detailed report to support this conclusion. Still, the report made no judgment on whether the Burns Ditch project was more in the public interest than the preservation of the dunes, or whether another site might also be suitable. Seizing upon the report, backers of the Burns Ditch site implied that it ruled out any other location and settled the issue once and for all. Gordon Englehart, the Indiana capital correspondent for the Louisville Courier-Journal, asked Colonel Smedile if the Army Engineers had ever studied alternative sites for a deepwater port in Indiana. "The Burns waterway area," the colonel replied, "is the only site on the Indiana shore of Lake Michigan sponsored by a public (Indiana) agency as suitable for a public harbor development. Studies of alternative sites by other agencies have not been brought to the attention of this office."

Small wonder, considering this sequence of events.

Shortly after he took office in 1953, Republican Gov. George Craig threw his political influence behind the Burns Ditch project. That year, at Craig's request, the legislative advisory commission recommended that the legislature appropriate $3.5 million to buy 1,500 acres for a harbor near Burns Ditch. A bill incorporating this request was introduced at the 1955 legislative session, but it died after critics attacked the speculative nature of the proposal. Stymied in his move for public funds, Craig turned to private sources to underwrite the construction of the port. Perhaps coincidentally, this move came at the same time a favorable engineering report was issued by a private firm. This private report was financed jointly by Midwest Steel's parent company, National Steel, whose boss is George Humphrey, Secretary of the Treasury in the Eisenhower administration; the New York Central Railroad, whose main New York-Chicago line borders the disputed dunes area; and the Murchison family of Texas, who owned lakefront land just east of Midwest Steel's holdings.

The Murchisons are an integral part of the story. In 1954, Clint W. Murchison, the Dallas multimillionaire, controlled the Consumers Co. of Chicago, which was sand-mining land it owned in the Burns Ditch area. About this time the firm became interested in real estate, and especially dunes real estate.

In order to sell land in Indiana, a company must be incorporated in the State. Thus, on September 23, 1954, Consumers Co. officials duly incorporated the Consumers Dunes Corp. in Indianapolis with the stated purpose of speculating in dunes land. This was 2 months before Indiana's legislative advisory commission and Governor Craig started beating the drums for the Burns Ditch harbor appropriation.

Now the wheels began spinning faster. The Consumers Co. traded 1,100 acres of its land near Burns Ditch to Consumers Dunes in exchange for 31,000 shares of Consumers Dunes common stock with a par value of $10 a share. Consumers Co. stockholders got one share of Consumers Dunes stock for each Consumers Co. share they held. Consumers Dunes also borrowed $77,500 from a bank and bought another 100 acres of dunes land. To repay the loan it issued 7,750 more shares at $10 par and offered them to Consumers Co. stockholders. It is interesting to note who was handling these series of financial transactions between the Consumers Co. and its newly incorporated subsidiary, Consumers Dunes. The C. T. Corp. was acting as a financial agent for Consumers Dunes, and the C. T. Corp. was located in the office of Governor Craig's former law firm of White, Raub, Craig & Forrey. Craig had resigned from the firm when he became Governor.

Governor Craig's efforts to get private financing for the Burns Ditch project also were frustrated, and soon afterward Consumers Dunes moved to sell its dunesland, by approaching the Lake Shore Development Corp. of Indianapolis. Lake Shore had been incorporated May 6, 1956, as a land-buying agency for Bethlehem Steel. Thus, another steel company entered the dunes picture, and before long Bethlehem owned 4,000 acres of dunesland, including tracks between the Midwest Steel acreage and the State park to the east. On June 3, 1956, Consumers Dunes sold its 1,200 acres, valued on its books at about $300 an acre, to Lake Shore (Bethlehem) for $3,326,500, or about $2,770 an acre. Its job now done, Consumers Dunes was liquidated on June 21, 1957. Holders of its $10 per shares reaped the tidy profit of $85 a share.

At this point, the financial threads branch off in several directions, but they all are tied, directly and indirectly, to the Burns Ditch project.

In Indiana, the largest holder of Consumer Dunes shares was Thomas W. Moses, executive vice president of Consumers Dunes and president of the Indianapolis Water Co.; his 1,000 shares brought him $85,000. In 1956, Clint W. Murchison, Jr., and John W. Murchison owned 336,448 of the 556,490 shares of the water company's stock. As for Moses, he wore yet another hat. He also was a director of the American Fletcher National Bank, of Indianapolis. The bank's board chairman is Frank McKinney, former national chairman of the Democratic Party and patron of Indiana's present Governor, Matthew Welsh, who has worked as hard as his Republican predecessors for the Burns Ditch project. McKinney, furthermore, is associated with the Murchisons. He was a Murchison lieutenant in that family's successful campaign to capture control of the Alleghany Corp., a mammoth holding company whose assets included the New York Central Railroad. The New York Central has tracks skirting the Burns Ditch area and is interested in leasing warehouses within the proposed port complex. McKinney was named a director of the New York Central. His bank also acted as transfer agent for the St. Lawrence Seaway Corp. This firm, headed by former Indiana Senator William Jenner, was incorporated in Indianapolis in 1959 to speculate in real estate in areas influenced by the completion of the St. Lawrence Seaway. The new corporation's prospectus referred to the proposed Burns Ditch port, "which is almost certain to be built."

In August of 1959, 2 months after the Seaway Corporation got approval for its stock sale from the State, the Republican Governor, Harold Handley, named Seaway's stock dealer, Durward E. McDonald, to a newly formed Northern Indiana Lakefront Study Committee. For chairman, Handley picked John Van Ness, who had been appointed assistant to the president of Midwest Steel several months earlier. As a former State senator, Van Ness had worked assiduously in the general assembly in behalf of the Burns Ditch project. He did yeoman service for the cause in 1957, the year that Bethlehem gave Indiana an option to buy about 260 acres it owned at $2,062 an acre. Together with 68 acres to be purchased from Midwest and 110 acres from other landowners, this would comprise the harbor site. Van Ness was instrumental in getting a $2 million appropriation through the legislature that year for land purchases. There was one string attached—the Army Engineers must give final approval to the project. This stipulation could be viewed as evidence of a proper concern for protecting the public interest; but there also was an element of self-interest, for the port combine knew that the approval of the Army Engineers was a vital first step toward acquiring Federal funds.

The year 1959 was, all in all, a banner one for the port promoters. Midwest began building a $103 million plant to process semifinished steel into finished products alongside the proposed harbor site; and the St. Lawrence Seaway opened, prompting port backers to wax eloquent about a great industrial and commercial explosion at Burns Ditch, where the port would serve as a terminal for ocean vessels.

All the stops were pulled out. Indiana would issue revenue bonds to pay for its share of the $70 million port project, and Congress would appropriate at least $25 million in Federal funds. Nothing, it seemed, could now save the dunes. For the conservationists, the prospect was gloomy, but they took some heart in 1960 when Democrat Welsh won the governorship. He had straddled the issue in the campaign, promising to defer a decision on the location of the port until a thorough study could be made of the entire shoreline. Any hopes entertained by the conservationists were quickly dashed. After Welsh became Governor, no thorough study was made. Instead, he promptly began pressing for action on the Burns Ditch project. First he created an Indiana Port Commission, whose stated objective was to build the port at Burns Ditch. Its function was threefold: to issue revenue bonds, to acquire land for the port, and to lobby for Federal funds. It also tried to persuade Midwest and Bethlehem to make firm commitments about future plans and to agree to foot some of the cost of building a public harbor. The steel firms, however, could not be pinned down to definite pledges.

While all this was going on, those who wanted to save the dunes were not idle. In 1952, the Save-the-Dunes Council, a citizens' group, was organized. It in turn encouraged the support of the Izaak Walton League and other conservation forces. Even so, by 1958 their cause seemed hopeless, and they appealed in desperation to Senator DOUGLAS to intercede in their behalf.

The Senator was familar with the dunes, having vacationed there frequently. In short order he introduced legislation that would take 5,000 acres, including the proposed port site and the flanking Midwest and Bethlehem tracts, for a national preserve. This countervailing pressure had its effect. The drive for the Burns Ditch port lost some of its momentum, and gradually the conflict came to a stalemate. At each session of Congress, the port backers pushed for approval of their project and their opponents countered with the Douglas bill.

For his pains, Senator DOUGLAS has been pilloried by Indiana officials and their allies in the port combine. He has been accused of meddling in the affairs of another State and of trying to block the Burns Ditch harbor to protect Chicago port interests. The first charge has a hollow ring in view of the fact that the Burns Ditch backers are seeking Federal funds. The other charge glosses over the repeated assertions of Senator DOUGLAS and others working for preservation of the dunes that they are not opposed to a deepwater harbor for Indiana. It is a question of where, not whether. DOUGLAS has said he would favor a port in already industrialized Gary or Michigan City, or anywhere else along the Indiana shore that is suitable. Nevertheless, the Burns Ditch forces still proclaim publicly that those opposed to their plan are either bird watchers or enemies of Indiana's economic development.

Governor Welsh is so committed to the Burns Ditch site that he rejects out of hand any suggestion that alternative sites be considered, and he is extremely sensitive to references to land speculation and ties between public officials and industrial interests working for the Burns Ditch port.

Despite the Governor's demurrers, certain facts are devastatingly clear. No real studies of other sites have ever been made, although port backers imply they have been. What they cite are preliminary surveys, to use the language of the Army Corps of Engineers, or cursory inspections of the Indiana shoreline. The Senate Interior Subcommittee, which held hearings on Senator DOUGLAS' bill in 1962, asked backers of the Burns Ditch project to produce detailed surveys of alternate sites. They were not forthcoming.

Now, at long last, we may get one. An appropriation passed the House last year, with the support of Representative RAY MADDEN, to finance a detailed study of the Lake County area as a possible site for a deepwater port. This area is away from the dunes and has been industrialized for years. The move, however, may be coming too late. For it seems that if the combine cannot have the port at Burns Ditch, it is willing to destroy the dunes out of sheer spite. Take the case of the Northwestern University landfill.

Last spring, Clinton Green, the secretary-treasurer of the Indiana Port Commission, announced that Bethlehem Steel had contracted for the removal of 2,500,000 cubic yards of sand from the dunes area in dispute. A dredging company was to take the sand from Bethlehem's holdings near Burns Ditch across the tip of Lake Michigan to Evanston, Ill., where it would be used as fill in Northwestern's campus expansion. Senator DOUGLAS charged that Northwestern was conspiring with Bethlehem to destroy the dunes. Northwestern officials replied that the Douglas charge was directed at the wrong target, that his fight was with Bethlehem instead. DOUGLAS insisted that Northwestern could not escape moral responsibility for the deed. University spokesmen then said they had looked into the possibility of getting out of the contract but were held to it by the dredging company.

Indiana politicians quickly sprang to the defense of the contract. Representative CHARLES HALLECK, in whose district Burns Ditch lies, declared: "If we get a harbor there, the sand has to be dredged up anyway." HALLECK, and Green of the Port Commission, took the line that the dredging would save the State money. What they did not say was that it is by no means settled that the port will be built at Burns Ditch. Senator DOUGLAS was convinced that the transaction was a thinly disguised pressure play to influence Congress to kill his legislation setting aside the dunes as a national preserve, and to push through Federal approval of the port project. If this was the intent, it failed at the last session of Congress. This will be the year of decision.

Governor Welsh and Indiana's Senator VANCE HARTKE have been using the same sort of technique in insisting that no matter what Congress does, a port will be built at Burns Ditch. The only choice, they say, is between a public and private port. They claim that Midwest Steel will build its own port in any event. However, neither Midwest nor Bethlehem has made any firm commitments to do so. After all, railroad facilities now serve Midwest's finishing plant and can serve the similar plant Bethlehem may construct. The need for a deepwater port would not be pressing unless these plants are expanded and converted to fully integrated (basic) steel-producing operations. Both are vague about when they plan to do this. Of course, if the taxpayers will build a deepwater port for them, that would be something else again.

Furthermore, the Governor's assertion that a port will be built at Burns Ditch under any circumstances ignores the fact that if the dunes area were made a national preserve, it would be impossible to build a deepwater port at Burns Ditch.

Anyone who has seen the nearly 7 miles of beach front, with the dunes ridges fading inland behind it, knows that this area is well worth preserving. The greatest pity is that this is all that is left to preserve. The recreational and scientific value of the Indiana Dunes has been long recognized. In 1916, Stephen Mather, the first director of the National Park Service, recommended their preservation as a national park which would have taken in the entire 25-mile shoreline from East Chicago to Michigan City at an estimated cost of $3 million for the land.

No other coastline in the country boasts dunes so remarkable. They are migrating dunes, kneaded like gigantic piles of dough by the prevailing westerlies that blow off the lake, and they shift as much as 60 feet in a year. Dunes on other shores are often mere hills of earth covered with a veneer of sand, but the Indiana Dunes are all sand. They are the creation of the lake's currents and waves, which erode shores far to the north, then grind the residue into sand, and in time deposit it on the Indiana shore, making a low ridge, or storm beach, along the water's edge. The wind's action carries on the construction by swirling sand from the storm beach inland. Some of this flying sand is snared by the vegetation just beyond the beach, and foredunes are formed. These give wind protection to the older pine dunes behind them. On the pine dunes, decaying plants fertilize the accumulated soil, and jack pines and other plants thrive. Next comes the older oak dunes, with more soil, plants, and trees. At the inland extremity of the dunes, about a mile and a half from the lake, the beech-maple belt stands. This is the richest of all, heavily forested with trees and vegetation that may be as much as 10,000 years old. Between the dune ridges, water has been trapped, forming ponds, lakes, and bogs where plants, trees, and a variety of wildlife abound.

From spring through fall the dunesland is a prism of beauty. The naturalist Donald Culross Peattie described the magic the season work on these dunes in loving fashion: "There spring, stepping tardily and shyly, brings hepaticas, anemones, violets, lupine, and phlox; after them troop buttercups, Jack-in-the-pulpit, and blue flag. Crab-apple and dogwood flower, and with the coming of early summer an abundance of wild roses bloom, and the strangely beautiful dune cactus appears. Autumn is a triumph of foxglove, of more than a dozen kinds of sunflower, of the stately purple blazing star, of the wild asters that some call farewell summer."

This gift of nature is within an hour's drive of the homes of 7½ million city dwellers. Last year the Outdoor Recreation Review Commission of the Rockefeller Foundation reported to Congress on the Nation's recreational resources and needs. In its report, the commission declared: "Highest priority should be given to acquisition of areas located closest to major population centers and other areas that are immediately threatened. The need is critical—opportunity to place these areas in public ownership is fading each year as other uses encroach.

No area in the country fits this description more precisely than the Indiana Dunes.

URBAN RENEWAL—NEW FORCE IN THE MORTGAGE MARKET

Mr. DOUGLAS. Mr. President, I ask unanimous consent that an article by Mr. Andrew R. Mandala, entitled "Urban Renewal: New Force in the Mortgage Market," from the January 14, 1963, issue of the Weekly Bond Buyer, be printed in the Record.

This is a good roundup on urban renewal and its prospects and I believe it will be of interest to many Members of Congress.

There being no objection, the article was ordered to be printed in the Record, as follows:

Urban Renewal: New Force in the Mortgage Market

(By Andrew R. Mandala)

Lending institutions are beginning to realize the full meaning of urban renewal as it relates to the mortgage and housing business.

In fact, one commercial banker noted last week that urban renewal is going to represent a major part of this country's urban construction for the next 25 years.

From a small beginning in 1949—the year Congress passed legislation for an urban renewal program—this nationwide program has come to the fore in the plans of many of the country's major mortgage lending institutions.

And, as the final quarter of 1962 began, 1,070 urban renewal projects were underway in 578 cities all around the country. In these projects, construction was either planned, in progress, or was completed.

Goodbody & Co., investment bankers, in its "1962–1963 Year End Review and Outlook," notes that urban renewal is one Government program which should make great strides in the coming year. The report adds that a list of the private supporters of urban renewal reads like a "Who's Who."

Of course, Goodbody's main interest in urban renewal has to do with the bonds local government agencies issue to help finance such projects.

But, urban renewal is making itself felt in every sector of the financial community, and in nearly every major city in the United States.

To date, every type of major mortgage lender has had a hand in the financing of urban renewal projects. For instance:

The John Hancock Mutual Life Insurance Co. has spent $44 million to finance the Watergate housing development project in Washington, D.C.

Travelers Insurance Co. has put up $35 million to renovate the downtown Hartford shopping area.

Prudential Insurance Co. of America is helping to restore the Backbay section in Boston.

The International Ladies' Garment Workers' Union financed the construction of Corlears Hook housing development in New York City.

The Lithographers Union will soon start work on Litho City—a complex of apartments, commercial facilities and an international students' housing center adjoining Lincoln Center in New York City.

Aside from these individual cases of lender enthusiasm for urban renewal, the savings banks are active in the program as are mortgage bankers and savings and loan associations. In fact, a savings and loan association was organized in Chicago for the purpose of aiding an urban renewal area.

It all seems to add up to one coming conclusion. That is, as Kurt F. Flexner, chairman of the mortgage finance committee of the American Bankers Association, said last week: "Urban renewal has nowhere to go but up."

It's going to take an increasing share of mortgage lenders' investible funds in future years, and has already begun to make itself felt as a force in the mortgage market.

FINANCING COMES LATER

While urban renewal is quite profitable for private lenders—especially in times of easy money—mortgage financing doesn't enter into the picture until a good deal of spadework is completed.

Edward S. Watts, president, E. S. Watts & Co., Inc., Montgomery, Ala., mortgage bankers, has explained the way urban renewal works in a report on the program for the Mortgage Bankers Association.

"The first and most important step in removing decay from the central city is for its citizens to recognize that a bad condition exists and that this condition must be corrected," he says.

As this is a local problem, plans to correct it must begin and be carried out mainly by the local government. Once local interest is aroused assistance can be had from the Federal Government.

After that, the local governments must set up a local public agency to administer the program and be empowered to contract with the Housing and Home Finance Agency.

Then, Federal grants are available to the local public agency to defray up to 50 percent of the costs involved in the preparation of a community plan. The local government must raise the other 50 percent.

Once the boundaries of an urban renewal project have been set, and areas for rehabilitation and redevelopment determined, individual properties have to be acquired. This can be accomplished through negotiation or by the law of eminent domain.

The Federal Government will assist in this phase of the operation by absorbing two-thirds of the actual net loss resulting from obtaining individual properties.

NET LOSS DEFINED

Net loss is defined as the difference between the cost of acquiring the land, demolition of the structures, and installation of the site improvements, less the resale value of the land, according to the Urban Renewal Administration, which administers the entire program.

The city must sustain the remaining loss which can be shaved considerably if the local government contributes part or all of its share in the form of site improvements.

Says Mr. Watts:

"The difference in the tax income from the old property and the new property built on cleared land should amortize the city's part of this indebtedness within a short time and then provide the city a much larger flow of tax revenue, and a broader tax base for many years."

The local government, after it has its grant, can take bids to determine who will redevelop the land so earmarked.

After that, it's a straight mortgage deal between the redeveloper and the mortgage lender.

FHA PROGRAMS

While many mortgage loans in urban renewal areas are conventional, the Federal Housing Administration, in two programs, can insure loans made for urban renewal purposes.

Within these sections, 220 and 221 of the National Housing Act of 1961, the FHA makes insurance available for construction of housing—both low and high rise; rehabilitation and repair of housing, and housing for persons displaced by urban renewal programs.

In section 220, the FHA provides the following:

Loans up to 90 percent of replacement cost and 40-year amortization for new multifamily housing.

Loans up to 90 percent on existing multifamily structures, of the total of FHA's estimate of value before rehabilitation plus the cost of the rehabilitation.

Loans for new construction or rehabilitation of one- to four-family structures in amounts comparable to those provided in section 203(b)—$25,000 to $35,000, depending on the type of house—with amortization periods up to three-fourths of FHA's estimate of the economic life of the building.

Loans up to $10,000 per dwelling unit at 6 percent, with 20-year amortization for rehabilitation, with a second mortgage or other security that is approved by the Agency, without requirement of refinancing any existing first mortgage debt.

The principal provisions in section 221 are:

Loans up to 40-year maturity on one- to four-family dwellings for displaced persons. Down payments on these are as low as $200.

Loans up to 100 percent of replacement cost at low interest cost for housing for displaced persons and other low and moderate income families, on rental housing, if the mortgagor is a private nonprofit corporation, association, cooperative, or other public body. If the mortgagor is a limited dividend corporation, FHA will insure loans up to 90 percent.

The FHA now has 147 project loans outstanding, totaling $534.4 million. Of this total, the Federal National Mortgage Association holds 85. Banks hold 34 of these loans, life insurance companies 5, and mortgage companies 14. The remaining 9 loans outstanding are not identified by FHA.

As for the default status of these loans, a spokesman for the FHA told the Weekly Bond Buyer that "of $11 million assigned, $6 million will be worked out." In other words, the Agency expects to foreclose on only one project, with a $5 million loan. FHA declined to say which one.

The Agency now has about $75 million of commitments outstanding on section 221 loans.

SPECIAL ASSISTANCE

Naturally, this program falls under the "special assistance" label given to several projects the Government has taken a particular interest in. As such, all loans can be sold immediately by the lending institution to the Federal National Mortgage Association.

Fannie Mae will buy all urban renewal loans at par, with the exception of the 5¼'s on one- to four-family dwellings. The latter can be sold by lenders for 99.

Since FNMA began trading urban renewal loans in 1955, it has bought 34,456 mortgages covering 53,428 units. The total worth of these mortgages is $542.9 million.

The Agency would rather see these loans held by the lending institution, however, and since February has been attempting to induce mortgage holders to keep loans.

Before February 1962, Fannie Mae charged lenders a 1-percent commitment fee on all urban renewal loans. If the lender decided to sell the loan elsewhere, or to keep it, the 1-percent fee still had to be paid.

Now, however, if a lender changes its mind about selling, to Fannie Mae, the Agency refunds three-fourths of the 1-percent fee. Therefore, the lender is only charged one-fourth of 1 percent.

According to a Fannie Mae spokesman, the plan has worked. Since it was initiated last February, lenders have canceled about $100 million of commitments. This compares with total cancellations since 1955 of $197 million.

LENDERS CAN BOOST PLAN

Institutional lenders, although starting to wake up to the profit potential in urban renewal—particularly now, when they have so much money to invest—haven't fully explored all facets of the program.

This can be seen by the fact that of the $4 billion authorized for use by the Congress for urban renewal, less than half actually has been reserved for projects in execution.

Of course, it can be said that the local governments have to lead the way in any urban renewal project. But, it's also been pointed out, institutional lenders carry a lot of weight in their home areas.

It is estimated that by the time the grant authorization of $2 billion in the 1961 Housing Act for local urban renewal purposes has been used up, about 90,000 acres of land will be involved.

On the basis of past experience, the Urban Renewal Administration estimates, some 30,000 to 35,000 of the total acreage will be used for residential development.

What does this mean for home mortgage lenders? According to the URA, this acreage should generate a minimum of 300,000 dwelling units.

CHICAGO IS LEADER

Exactly how many people will benefit from urban renewal activity isn't known. But in Chicago alone, the urban renewal program currently spans 19 square miles—which includes housing for a million persons.

Chicago is one of the leading urban renewal cities. It has 27 redevelopment areas that take in about 1,000 acres. Ten other conservation areas span 11,000 acres. Private investment in Chicago's urban renewal will amount to some $600 million.

Naturally, aside from being a profitable investment for private mortgage lenders, urban renewal gives the redevelopment city a lift—both esthetically and in the pocketbook.

For example, in Chicago's Carl Sandburg Village, which is currently under construction, the city anticipates an increase in property taxes of 400 percent over what the city and county received from the area before the urban renewal project was planned.

The assessed valuation of land and buildings in this development alone will increase from about $2.7 million to $14.75 million. Furthermore, industrial projects on land cleared by the department of urban renewal of the city will yield about three times as much in taxes as is now collected in these areas. And, of course, the city gets rid of unwanted slums.

PUBLIC IMAGE BOLSTERED

Of particular interest to mortgage lenders, however, is the fact that by investing in urban renewal projects they effectively improve their public relations in the area as well as making sure their other investments in the city don't become rundown and, consequently, lose value.

To a certain degree, then, urban renewal takes on a local color. And lenders can improve their public image in their hometowns by cooperating in urban renewal projects.

This has made urban renewal particularly attractive to mortgage bankers, according to a spokesman for the Mortgage Bankers Association of America.

Of course, improving his public image is not the only concern of the mortgage banker. One Chicago urban renewal project is netting a mortgage company $130,000 a year in management fees.

PRAIRIE SHORES APARTMENTS

In a report prepared for the Mortgage Bankers Association, Fred Kramer, president of Draper & Kramer, Inc., said that his firm "is now managing 1,678 apartments located in 5 multistory buildings in Chicago."

"This urban-renewal project resulted in mortgages totaling $17,030,600 and annual management fees of $130,000," he added.

Mr. Kramer reported on the development of Prairie Shores Apartments, a highly successful urban renewal project. It is typical of projects in all parts of the country.

He said the inception of the urban renewal program in this area was based on the need for survival of two major institutions—a hospital and a university.

"Both of these institutions had huge investments in physical plants, then found themselves surrounded by an area of increasing slum and blight," Mr. Kramer said.

The two institutions instituted a planning program with the cooperation of municipal planning bodies to prepare a program of redevelopment of large parts of the entire area.

The plan included expansion of the facilities of the two institutions, and also about 126 acres for high-rise residential development.

"The New York Life Insurance Co. agreed to take on the first development: a 100-acre 2,000 apartment project. Draper & Kramer served as consultant to the insurance company and assisted in the leasing of the shopping center which was developed as a part of the program.

"The planning for the second site of approximately 26 acres was undertaken by Draper & Kramer," he continued. This includes Prairie Shores Apartments.

The mortgage firm had, of course, previously purchased the land from the Chicago Land Clearance Corp., the official agency of the city.

Draper & Kramer then retained an architect to prepare the site plans and to design the building—five 19-story structures containing 1,678 apartments.

Application was made to the FHA for a section 220 loan on the first building in the amount of $2,872,800 with 40-year amortization.

SYNDICATE ORGANIZED

"Draper & Kramer organized a syndicate on the basis of an estimated 6 percent return. Bids were taken by the architect for the construction of the buildings by a general contractor," Mr. Kramer reported.

He continued, "The bids were examined by Draper & Kramer, who made the final selection of the general contractor. A performance bond was required. The FHA commitment was issued and the FHA agreed to insure advances during construction. A major life insurance company bought this mortgage. Draper & Kramer is servicing it.

"The construction was completed within 14 months, and the building was 100 percent rented at completion."

The other four buildings in the development were handled in much the same manner as the first one, Mr. Kramer said. He added that "private investors have furnished all of the equity capital for these buildings and, as a matter of fact, the demand for participation in the equity position of these buildings has far outnumbered the available investment."

Mortgage bankers, naturally, aren't the only lenders who have put urban renewal on top of their future plans. Other lenders also have participated in urban renewal projects—for much the same reasons.

For example, in Rochester, N.Y., the displacement of families from an urban renewal project area required 120 mortgages, totaling $1,080,000. Four commercial banks, three savings banks and two savings and loan associations participated in making the loans, each taking a proportionate number of mortgages.

In Atlanta, Ga., the Atlanta Life Insurance Co. is providing the mortgage financing for Church Homes, Inc., which will build 520 dwelling units in the Butler Street urban renewal project area. This undertaking is the largest urban renewal effort by Negroes in the United States.

North Dakota has a statewide citizens program. Banks, utility companies, insurance firms, savings and loan associations and many other firms are active participants in the effort.

With all the urban renewal projects now underway or in the planning stages, however, the program is just beginning to scratch the surface.

According to the 1960 census of housing, in fact, nearly 14 million American families occupy housing which is lacking in some or all plumbing facilities, or is deteriorating or dilapidated.

Furthermore, according to the URA, "notwithstanding the $94 billion for maintenance, repair, improvement, and alterations to nonfarm residential buildings the Census Bureau estimates was spent in the decade from 1950–59, approximately one American family in every four lives in housing that is deficient."

TRIBUTE TO REPRESENTATIVE HOWARD SMITH, OF VIRGINIA

Mr. BYRD of Virginia. Mr. President, I suspect no man—certainly in modern times—has done more to protect the integrity of the United States than Representative Howard W. Smith, of Virginia's Eighth District.

He is a stalwart for sound government, efficient performance, and decent behavior. His present efforts to end the abuses in the use of so-called counterpart funds by congressional committees and others traveling overseas are strictly within character.

Like so many others, I have admired the great work of Judge Smith for years. I am hopefully shocked today to find that we have been joined by the Washington Post which commends him, at least on this "score."

Whatever the reason may be, for the Washington Post to commend Congressman Smith is a milestone in history worthy of permanent notation in the Congressional Record.

For this reason, I ask unanimous consent for the Washington Post editorial of January 30, 1963, entitled "Score for Howard Smith" to be made a part of my remarks in the body of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Score for Howard Smith

Chairman Howard W. Smith, of the House Rules Committee, has earned the commendation of the Congress and the country by his forthright proposal to end the counterpart-fund racket. Many Members of Congress have been chagrined by what some of their colleagues have done with counterpart funds while presumably traveling abroad on authorized junkets. Their loose spending of such funds has tended to bring congressional travel in general into disrepute. It remained for Mr. Smith to come up with positive rules to end the abuses.

The first restriction in the Smith plan would provide that counterpart funds may be used only by members of committees authorized by the House to conduct oversea investigations. This would eliminate the use of such funds for junkets arranged by individual members through mere clearance with their committee chairmen and by the chairmen themselves on their own authorization. The relatively few members entitled to use counterpart funds, which are foreign currencies credited to the United States in return for aid and which can be spent only in the country of origin, could spend only sums equivalent to the allowances to other Government officials for similar travel.

Probably more important is the requirement that returning junketeers make itemized reports of the length and purpose of each visit and of the public funds spent in each country. These reports would be made public. Strict adherence to such rules would doubtless bring to an end the high living of Congressmen abroad at public expense.

Representative Smith's proposal merits the hearty approval of the full Rules Committee and of the House. The Senate too may well take a cue from what the House Rules chairman is doing. However much the public may deplore the restrictions that Mr. Smith has sometimes clamped on legislation moving to the floor, we anticipate no dissent whatever (at least outside of Congress) to his crackdown on the junketeers.

QUALIFICATIONS FOR FILLING RESPONSIBLE FISCAL POSITIONS

Mr. BYRD of Virginia. Mr. President, I have been forced with regret in the past to suggest the removal of two Directors of the Federal Budget. Both were removed. The latest was David E. Bell, who was relieved in December. Mr. Bell is now in charge of the foreign aid program, probably the most wasteful of all Federal spending programs.

According to the Washington Post, Kermit Gordon, the new Budget Director, "told a congressional committee yesterday on January 29 that a balanced budget would lead to increased unemployment, higher taxes, and a general economic decline."

If the Washington Post report is correct, I want to make the suggestion again that a Budget Director be removed. I submit that a man who thinks a balanced budget would be a catastrophe does not have the frame of mind to direct the budget of the U.S. Government. It is the Budget Director's function to protect the budget, and not to destroy it.

Such ideas as Mr. Gordon expresses sound like John Maynard Keynes and Gunnar Myrdal rolled into one. Responsible fiscal positions should be filled with sound men. If we do not get crackpot economists out of these positions, the American system will be lost.

People who talk like Gordon testified before the Joint Economic Committee do not sound like men looking for new frontiers. They sound like Rip van Winkle. We have been on a deficit financing basis for 26 of the last 32 years.

The debt is $305 billion. We have had a net deficit of $28 billion since the Korean war. There was a $3.9 billion deficit in fiscal year 1961; another deficit of $6.4 billion last year; and there will be another deficit of $9 billion or more this year.

GREEK LETTER WEEK

Mr. SCOTT. Mr. President, the last week of January each year is designated as Greek Letters, Press, and Radio Week by the Greek Archdiocese of North and South America and is commemorated by the Greek Orthodox communities in conjunction with many of the American Hellenic societies throughout the United States.

The importance of this week is to stress the role played by Greek language, culture, philosophy, and the overall Greek civilization on our modern civilization. For many years, tributes have been made in both Chambers of Congress to such men as Socrates, Aristotle, Plato, Solon, Pericles, and others, of the Golden Age of Greece, who created the Hellenic heritage of basic precepts of government and civilization which has been adopted in the United States.

His Eminence, Archbishop Iakovos, head of the Greek Orthodox Church of North and South America, and one of the six world presidents of the World Council of Churches, has set January 27 through February 2 as the Greek Letters, Press, and Radio Week. During this week many of the Greek Orthodox communities in conjunction with the Order of Ahepa, the Greek American Progressive Association, and others of the more than 20 major Hellenic organizations will join together in a public forum where prominent speakers from all walks of life will participate.

It is a known fact that the Greek and Latin languages are the two basic languages of the Western civilization and a knowledge of both was considered imperative in our colleges and public schools of 100 years ago. In this era both languages are not as prominent as a course of study in our colleges and private and public schools at various levels, however, there is a trend toward a renaissance in both of these languages. The Federal Government through the Department of Health, Education, and Welfare has a program designed to encourage the teaching of foreign languages in this country.

Mr. President, the Greek Archdiocese of North and South America has for many years conducted parochial afternoon schools, teaching the Greek language to the youth of their communities, and in some areas have inaugurated a parochial school approved by the board of education of that city in which a full accreditation for the students enrolled therein. In the furtherance of the Greek language and culture as an important subject for study, the Greek Archdiocese, the Order of Ahepa, and the Greek American Progressive Association have conducted a nationwide program to encourage the teaching of the Greek language and Greek culture in the colleges and private and public schools of America.

It is the hope of those who commemorate Greek Letters Week that the enriched Greek language and culture which has found an added significance in this atomic and space age can be perpetuated in the future to aid our civilization as it has done in the past.

Mr. KEATING. Mr. President, in commemoration of the importance of Greek letters, language, culture, and civilization in our modern civilization, the last week of January each year is designated as Greek Letters, Press, and Radio Week by the Greek Archdiocese of North and South America. During this week the American Hellenic societies throughout the United States join with the Greek Orthodox churches in each city in a public forum where prominent speakers from all walks of life will participate.

Mr. President, we are all aware that the Hellenic heritage of basic precepts of government and civilization form the foundation of our own system. The Greek language is one of the two basic languages of our Western civilization. I would hope that in conjunction with the recent upsurge of interest in encouraging the teaching of foreign languages in this country, that the study of the Greek language would again play a prominent role in our colleges and high schools.

The Greek Orthodox archdiocese and the major Greek-American organizations have worked for several years to achieve this goal. A teachers school for the study of the Greek language has been established at St. Basil's Academy at Garrison, N.Y., and a theological seminary at Brookline, Mass., will soon be expanded into the Hellenic University of America. The Order of Ahepa has begun a national drive to donate a seven-volume set of Greek classics to high schools and colleges to encourage the study of Greek language and culture. The Greek-American Progressive Association has requested the boards of education in most major cities to include the study of the Greek language in their public schools. Furthermore, the Greek archdiocese has for many years conducted afternoon schools, teaching the Greek language to the youth of their communities.

Mr. President, during this week I wish to take special note of the achievements of the archdiocese and Greek-American organizations in encouraging the study of the Greek language and culture. I commend and gladly join them in commemorating Greek Letters, Press, and Radio Week.

THE MANLY DEBT WE OWE BRITAIN

Mr. PELL. Mr. President, there are probably few Members of this body who have not been sorely distressed and frustrated in recent days by the spectacle of stubborn obstructionism and dissension which has afflicted our allies in Europe.

The potential victims of this dissension are many. The whole fabric of the European Common Market—one of the most imaginative plans for adjusting ancient nations to modern realities—is badly shaken. All our carefully laid plans for expansion of foreign markets are threatened. Perhaps hardest hit of all is our old ally and friend, Great Britain. Poised on the brink of a brave and historic new chapter in her long and proud history she is now denied and repelled by those for whom she has sacrificed so much in the past.

A distinguished American columnist has written eloquently on Britain's plight and our obligation to her. I ask unanimous consent that William White's column, entitled "The Manly Debt We Owe Britain," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Manly Debt We Owe Britain

(By William S. White)

A hard-used cousin of the United States has fallen ill, and wearily so, and now requires our help and understanding, for the sake of ordinary decency but most of all for the sake of ourselves.

This cousin is Great Britain. And this national illness is like that personal illness which comes as a chilling vision upon a middle-aged war veteran long, long after the guns have rusted in the silence of the yesterdays. Suddenly, as though in the middle of the night, he sees clearly that all his old exertions and perils have ended in dust and ashes for him and that his late rivals and even enemies are doing far better than he in the world they lately sought to destroy.

He wears, along with his wound stripes and the invisible medals that bring no profit in the marketplace, the gray badge of economic fear while more fortunate men are living it up on top of that world which only his valor and honor had helped to make for them.

This parallel between an ex-soldier now suffering postcombat fatigue and a nation suffering the same, through no fault whatever of its own, is not inexact. It is plain, given the smallest perception and understanding, that today's Britain has had altogether too much to bear for altogether too long. (And it is petty undertone to the tragedy that the most brittle of England's young entertainers now wow them on this side of the Atlantic by venomous commentaries on the land of their birth.)

BARRED BY FRANCE

The nation which so long stood alone against Hitlerism—a Hitlerism backed for a time by Stalinist Russia, too—now finds itself barred from its best hope to recover its wasted strength, the European Common Market. And by whom? By the country, France, which went to its knees before Hitler's very first blows and left that island kingdom across the channel, that England which was once forever green, naked to a storm which blew not merely against England but against all freemen everywhere.

The nation whose civilians uncomplainingly underwent not days and weeks but months and years of bombing from the skies and freely spent its substance and its lives awoke at last from the nightmare of war. And to what? To an implacable pressure (at which the United States of America stood at the very forefront) to strip from her all that she had in colonial wealth; to tear from the living body of the old Commonwealth every oversea resource she might have had to repair her ravaged strength.

But not even all this ends the tale of the hero of war who was to fare so ill in the peace which so indispensably he had helped to win.

The harsh realities forced the United States to pour out treasure, not upon tired and broken old England but upon those other lands—whether ex-enemy, as in Germany, or ineffectual ally, as in France—which it was now necessary to bolster against the sick appeal of communism.

BRITAIN GOT SYMPATHY

We could always depend upon the British, tired and broken or not. So to Britain we gave, perforce, our sympathy; to the others we gave our billions. So at length these others, notwithstanding their past guilt and failures, became, not Britain's fair equals but Britain's subsidized superiors in the economic rat race which was one of the legacies of the war.

The British are stout fellows, and very proud, too. But, to repeat, they have had altogether too much to bear for altogether too long. They would reject pity; but manly help in mutual respect they need from us. Help in the economic rat race—a determination here that no Charles de Gaulle and no dozen Charles de Gaulles shall further push Britain down, economically or otherwise—that storied first home of an American Republic which was, after all, raised up by British men.

What, then, is required of us? Why, simply, all that may be required by them to keep that honored place which by blood and valor and brains and historic decency they have a hundred times over earned. If they are no longer quite a top power in this world, they have irreplaceable values to offer still. And that world without them would be poor beyond belief—for us as well as for them.

TRIBUTE TO THE LATE ROBERT FROST

Mr. PELL. Mr. President, I rise to add another New England voice to the chorus of praise for Robert Frost. He was our poet first and foremost because he bore true witness to New England—not only to her landscape but to her conscience and soul. He will be remembered always for making the image of New England a rich and palpable part of our literature. It is a homely, familiar image of swinging birches, crumbling walls and cows at apple time. But, as comfortable and familiar as is this image of New England, Robert Frost will never be set down as a simple versifier.

He spoke to the intellect often, so subtly that the beholder of Frost's rich New England panorama did not realize that the poet was giving him a lecture. And it was Frost the intellect who became truly the Nation's poet and not just New England's bard. In this age when America is enjoying a new awareness of its culture, it is happy indeed that her most loved and most familiar poet spoke to the conscience of the Nation.

He once spoke of his own trade in a way that betrayed this concern for conscience and at the same time displayed his capacity for intellectual precision:

> Every single poem written regular is a symbol small or great of the way the will has to pitch into commitments deeper and deeper to a rounded conclusion and then be judged for whether any original intention it had has been strongly spent or weakly lost; be it in art, politics, school, church, business, love, or marriage—in a piece of work or in a career. Strongly spent is synonymous with kept.

Mr. President, Robert Frost himself would probably be the first to declare in the homely language of New England that he has left the best part of him behind, and that therefore we should not lament too loudly his passing.

I would only say, therefore, that although we happily have his wisdom forever, we pay him farewell with a reluctance which, as he himself knew, comes with parting from familiar things:

Out through the fields and the woods
  And over the walls I have wended;
I have climbed the hills of view
  And have looked at the world, and descended;
I have come by the highway home,
  And lo, it is ended.

Ah, when to the heart of man
  Was it ever less than a treason
To go with the drift of things,
  To yield with a grace to reason,
And bow and accept the end
  Of a love or a season?

PROPOSAL TO MAKE COLUMBUS DAY A NATIONAL HOLIDAY

Mr. PELL. Mr. President, I am happy to join my distinguished senior colleague [Mr. Pastore] is cosponsoring the bill introduced by the distinguished Senator from Delaware [Mr. Boggs] and the distinguished Senator from New Jersey [Mr. Williams] to make Columbus Day a national holiday.

Already 38 States have designated Columbus Day as a State holiday and it seems to me most appropriate and most equitable that the birthday of Columbus should now be made a national holiday. It is most fitting, especially for my State of Rhode Island; where the proud traditions of the land which gave Christopher Columbus to the world are now so rich a part of our own culture.

Rhode Island has been happy indeed to honor the memory of Columbus by celebrating October 12 as an official holiday within her borders ever since the holiday was established while my distinguished colleague, the Senator from Rhode Island [Mr. PASTORE] was Governor. But, as a small State seeking to compete favorably in the economic life of our Nation, it is of great importance to us that our holidays coincide with those of other States. It seems to me that the Congress should take every possible step to introduce uniformity into the Nation's calendar. This bill to commemorate Columbus Day nationally is a healthy step in that direction, particularly since more than one-half of the States already have established the holiday.

Mr. President, I respectfully urge that the Congress give favorable consideration to this bill.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the question submitted to the Senate by the Vice President, with respect to the motion of the Senator from New Mexico [Mr. ANDERSON], Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

The PRESIDING OFFICER (Mr. METCALF in the chair). Is there further morning business? If not, morning business is closed.

The pending question before the Senate is: Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

Mr. HUMPHREY. Mr. President, do I correctly understand that under the unanimous-consent agreement there is to be a call for a live quorum before limitation of debate is applied to the pending question?

The PRESIDING OFFICER. The Senator from Minnesota is correct.

Under the order of yesterday, the Chair will now, prior to the beginning of debate on the issue of tabling the pending question submitted by the Chair to the Senate on Monday for decision, direct the Secretary to call the roll for a live quorum, after which debate will proceed pursuant to the provisions of the order.

The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names.

[No. 13 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan. Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Tennessee [Mr. GORE] is absent on official business.

I further announce that the Senator from North Carolina [Mr. JORDAN] is necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. PEARSON] is necessarily absent.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). A quorum is present.

The clerk will read the part of the unanimous-consent agreement which is applicable at this time.

The legislative clerk read the following:

> *Ordered*, * * * and that after debate of 3 hours, to be equally divided and controlled, respectively, by Mr. RUSSELL and Mr. HUMPHREY, the Senate proceed to vote on the issue of tabling the said question. Furthermore, that there be a live quorum before the debate limitation starts and after it ends.

Mr. HUMPHREY. Mr. President, I yield 5 minutes to the Senator from Oregon [Mr. MORSE].

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 minutes.

COMMENDATION OF SOUTH'S ATTITUDE TOWARD QUESTIONS OF CIVIL RIGHTS

Mr. MORSE. Mr. President, in my opinion three events have occurred in the South in recent days which are much more significant to the question of civil rights and a statesmanlike solution of the many facets of the race problem of our country than anything that has occurred in our time in the Senate. They are certainly more significant and symbolic than anything that has occurred in the Senate since we convened on January 9.

I wish briefly to comment on those three great events in the South, because, as I have said, I think they are significant and prophetic.

First, I refer to the great statement of the Governor of North Carolina which the majority leader, the Senator from Montana [Mr. MANSFIELD], had printed in the RECORD yesterday. In my judgment, that statement is prophetic. It shows us the new South. In my judgment, many places in the North can take to heart the great statement of the Governor of North Carolina. I wish to read only two or three paragraphs from it, because I think it is particularly fitting that we keep in mind the statesmanship of the Governor of North Carolina as we try to deal in the Senate with the whole question of civil rights, which, of course, is basic to the debate which is taking place in this Chamber. The Governor of North Carolina said:

> Now is a time not merely to look back to freedom, but forward to the fulfillment of its meaning. Despite great progress, the Negro's opportunity to obtain a good job has not been achieved in most places across the country. Reluctance to accept the Negro in employment is the greatest single block to his continued progress and to the full use of the human potential of the Nation and its States.
>
> The time has come for American citizens to give up this reluctance, to quit unfair discriminations, and to give the Negro a full chance to earn a decent living for his family and to contribute to higher standards for himself and all men.
>
> We cannot rely on law alone in this matter because much depends upon its administration and upon each individual's sense of fairplay. North Carolina and its people have come to the point of recognizing the urgent need for opening new economic opportunities for Negro citizens. We also recognize that in doing so we shall be adding new economic growth for everybody.

I congratulate the Governor of North Carolina, and I venture a prediction today that he is pointing the way to the inevitability of the elimination of discrimination against the colored people of our country, not only in the economic field, but also in education and in all the fields of American life, leading finally to true first-class citizenship for the colored people of our country.

Another event has occurred in the South which I think is not only symbolic, but prophetic. I congratulate the great State of South Carolina, because we are witnessing in this hour the admission to Clemson College of a Negro student. All the reports indicate that he is being admitted without the great strife, struggle and conflict that characterized the admission of Mr. Meredith in Mississippi. That is progress. It is prophetic progress. I should like to hear what will be said on the floor of the Senate 10 years from today on the great problem of civil rights and the race problem in the United States, because in my judgment there will be a great progress, led by the South, in the elimination of discrimination against the colored man, both north and south, east and west, across our Republic.

The third event I wish to mention is the report that James Meredith is returning to Mississippi for another semester. As time passes, and people understand the real essence of the constitutional program that is being inaugurated in the South, there will be granted to the colored people of our country the freedom and the first-class citizenship which are long overdue.

But again let me point out that it is not only in the South where there is a need for elimination of discrimination against the colored man; there are many places in the North where discrimination also exists.

As we come to vote today on the issue that is before the Senate, I would that we might reflect upon and keep pace with North Carolina and South Carolina and the new generation of farseeing leaders in the South who recognize that our Republic ought to stand for first-class citizenship for all its citizens irrespective of race, color or creed.

The Nation is far ahead of the Senate in this matter. Even the Deep South is making more progress than the Senate has been able to make in bringing first-class citizenship to colored Americans.

I think it is about time for the Senate to catch up with America.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the question submitted to the Senate by the Vice President, with respect to the motion of the Senator from New Mexico [Mr. Anderson], Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

Mr. RUSSELL. Mr. President, I yield 10 minutes to the distinguished Senator from Virginia [Mr. Robertson].

Mr. ROBERTSON. Mr. President, at 3 p.m. the Senate will vote on the question of laying on the table the pending motion which is, in effect, a vote on whether or not the Senate is a continuing body. That vote will temporarily end this unnecessary discussion, but it will not end the issues that have been raised.

In my earlier discussion, I referred to the 1936 decision of the Supreme Court in United States against Butler, which declared the Agricultural Adjustment Act of 1933 to be unconstitutional. I said that the Butler case was the last decision of our Supreme Court which was free from political pressure. I went on to call attention to the decision in the case of Helvering against Davis in the next year, which, for the first time, held that, in spite of the 10th amendment, the general welfare clause gave our Nation unlimited spending powers.

In order that there may be better understanding of the taxing powers, I ask unanimous consent to have printed at this point in the Record a summary of the Pollock case of 1895, as a result of which we amended the Constitution, as we had the right to do, and gave the Congress unlimited taxing power.

There being no objection, the summary was ordered to be printed in the Record, as follows:

Pollock *v.* Farmers Loan and Trust Company, 157 U.S. 429, 158 U.S. 601 (Rehearing)

In the Pollock case the Supreme Court determined that taxes on rent or income from real estate or personal property are direct taxes. Such taxes are unconstitutional unless levied in accordance with article I, section 9, clause 4, of the Constitution which provides "no capitation, or other direct, tax shall be laid, unless in proportion to the census or innumeration herein before directed to be taken."

Mr. Chief Justice Fuller declared at page 637 of the rehearing that:

"We adhere to the opinion already announced, that, taxes on real estate being indisputably direct taxes, taxes on the rents or income of real estate are equally direct taxes [and further]—

"That taxes on personal property, or on the income of personal property, are likewise direct taxes."

In declaring unconstitutional the sections of the act of 1894 levying taxes on the income from real estate and personal property, the Court chose to invalidate the entire act on the ground that it constituted a single scheme of taxation. The Court left the clear implication, however, that those provisions of the act levying unapportioned direct taxes on the income from "professions, trades, employments, or vocations" would have been held constitutional if they had been enacted by Congress separate from the provisions relating to income from real estate and personal property.

The Court stated at page 635: "We have considered the act only in respect of the tax on income derived from real estate, and from invested personal property, and have not commented on so much of it as bears on gains or profits from business, privileges, or employments, in view of the instances in which taxation on business, privileges, or employments has assumed the guise of an excise tax and been sustained as such."

Mr. Chief Justice Fuller continues at page 636: "It is evident that the income from realty formed a vital part of the scheme for taxation embodied therein. If that be stricken out, and also the income from all invested personal property, bonds, stocks, investments of all kinds, it is obvious that by far the largest part of the anticipated revenue would be eliminated, and this would leave the burden of the tax to be borne by professions, trades, employments, or vocations; and in that way what was intended as a tax on capital would remain in substance a tax on occupation and labor. We cannot believe that such was the intention of Congress. We do not mean to say that an act laying by apportionment a direct tax on all real estate and personal property, or the income thereof, might not also lay excise taxes on business, privileges, employments, and vocations. But this is not such an act; and the scheme must be considered as a whole."

HISTORY AND PURPOSE OF THE 16TH AMENDMENT

The 16th amendment was ratified on February 3, 1913. It provides: "the Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or innumeration."

"Corwin on the Constitution" discusses the history and purpose of this amendment as follows: "The ratification of this amendment was the direct consequence of the decision in 1895 whereby the attempt of Congress the previous year to tax incomes uniformly throughout the United States was held by a divided court to be unconstitutional. A tax on incomes derived from property, the Court declared, was a 'direct tax' which Congress under the terms of article I, section 2, clause 3, and section 9, clause 4, could impose only by the rule of apportionment according to population; although scarcely 15 years prior the Justices had unanimously sustained the collection of a similar tax during the Civil War, the only other occasion preceding amendment 16 in which Congress had ventured to utilize this method of raising revenue."

Mr. ROBERTSON. The Supreme Court bestowed upon the Congress unlimited spending powers. I claim that action misinterpreted the meaning of the general welfare clause. The Senator from Illinois [Mr. Douglas] disagreed. During my speech he first said:

> Do you not know that Thomas Jefferson approved a motion that would arbitrarily end debate?

I said:

> No; I do not.

I later learned that the Senator from Illinois got that information from Mr. Irving Brant, who also furnished him information concerning Madison's position on the general welfare clause. The Senator from Georgia [Mr. Russell] has just inserted in the Record a scholarly statement showing how wrong both Brant and the distinguished Senator from Illinois were that there was ever used in the Senate a motion, as we know it today, of the previous question that would arbitrarily cut off debate.

Then when I argued that the Supreme Court had misinterpreted the welfare clause, the distinguished Senator from Illinois said words to the effect that, as construed by the Court in Helvering against Davis:

> Do you not know that James Madison advocated the welfare clause in the Constitutional Convention, and then did a flip-flop?

I said:

> No, I do not know it, and I do not believe it is true.

Mr. President, I ask unanimous consent to have printed in the Record the proof that the charge was not true, and that the Senator from Illinois got his information concerning the alleged flip-flop from the same New Deal writer, Irving Brant, who gave him the misinformation about the previous question.

I ask unanimous consent to have printed at this point in the Record a statement by Brant on the welfare clause.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The general welfare clause involved no contention between large and small States, and, when cut down to money matters, probably stirred no opposition.

Nevertheless, it is with reference to the general welfare clause that the record of what was before the committee becomes important. After his shift to strict construction, Madison challenged Hamilton's contention (afterward approved by the Supreme Court) that the power to spend for the general welfare covered everything that was for the general welfare. The phrase, he said, was copied from the Articles of Confederation, where it was always understood as nothing more than a general caption to the specified powers. Many years later, combating a contention that the clause carried an indefinite power of legislation, he undertook to trace the use of the words in the Constitutional Convention. Writing in 1830 to Andrew Stevenson, Speaker of the House of Representatives, he said they first appeared in the Virginia resolve (written by himself) calling for a revision of government adequate to the objects of "common defense, security of liberty, and general welfare." They reappeared on August 21 in a committee report for payment of debts incurred "for the common defense and general welfare." Four days later they cropped up in a defeated motion for payment of debts and "defraying the expenses that shall be incurred for the common defense and general welfare."

After this, said Madison, came the report of the Committee on Unfinished Parts, giving Congress power to lay taxes, "to pay the debts and provide for the common defense and general welfare." His conclusion was that these latter words never would have gone into the Constitution, except for their connection with the debt-paying clause of the Articles of Confederation. Inattention to phraseology probably accounted for the failure to make it plain that spending for the general welfare was limited by the other enumerated powers.

This chronicle omits the whole chain of general welfare legislative clauses in the 1787 Convention. It omits the dynamic part of his own proposal that, to make the Government adequate to "common defense, security of liberty and general welfare," Congress have power "to legislate in all cases to which the separate States are incompetent." It omits the Sherman proposal of power to make laws "in all cases which may concern the common interests of the Union." It omits the Bedford request for power "to legislate in all cases for the general interests of the Union." It omits the Committee of Detail's revolutionary reversal of August 22, when it proposed a power to provide "for the well managing and securing the common property and general interests and welfare of the United States." Finally, it omits the fact that this last proposal, formally recommended for inclusion in the Constitution, was the one and only clause relating to the general welfare that was referred to the committee which drafted the final clause.

Madison's 1830 account totally ignores the fact that the principal decision to be made by the Committee on Unfinished Parts was whether to complete the powers of Congress by means of an enumeration, or by means of the sweeping general welfare clause reported by the Committee of Detail. The decision was for an enumeration. But the fact that this choice had to be made renders it utterly impossible to dismiss the narrower clause as the accidental product of language drawn from the Articles of Confederation without thought of its meaning. Furthermore, a convention which hovered so close to a general power to legislate for the general welfare would not have been likely to set sharp limits, or to think of sharp limits, on the less inclusive power to spend for this purpose. During all but 2 weeks (August 6 to 22) of its more than 3 months' session, an unrestricted power to spend for the general welfare was included in the vastly broader legislative proposals lying before the Convention, two of them approved by it. The final spending power was submitted to the Convention in the very act of dropping the broader power.

Madison did not go into the subject until his original nationalism had been swept out of existence by concern over misuse of Federal power. Having sincerity of purpose, he felt no insincerity of position. For more than a hundred years his inaccurate account of the general welfare clause lived on, furnishing fallacious arguments against the Supreme Court's interpretation of it—an interpretation required by the necessities of the Nation, but squarely in line with the history of a provision whose true paternity runs back to Madison himself.

Mr. ROBERTSON. Mr. President, I wish to emphasize this statement:

For more than 100 years—

Speaking of James Madison—

his inaccurate account of the general welfare clause lived on, furnishing fallacious arguments against the Supreme Court's interpretation of it—an interpretation required by the necessities of the Nation.

When I read that statement about the "necessities of the Nation" to have unlimited spending powers, I knew it was the earmark of a New Dealer. I did not know who Brant was, so I went back to find out about his background. I learned that he was a great friend and ardent supporter of Mr. Roosevelt—Franklin D. He was a great friend of Harold Ickes, who gave him a PWA job. He was a New Deal writer for a newspaper in St. Louis which went out of business. He was a New Deal writer for the Chicago Sun, which, under the leadership of Marshall Fields, was as far to the left as the Chicago Tribune, under Colonel McCormick, was to the right. Ickes gave him a new job with the PWA.

I admit he had a B.A. degree, from a midwestern university, but I know of no claim to scholarship, until it was made in his behalf because of his 5-volume work on James Madison, which he hopes will become a standard reference book in all libraries—colleges and public libraries of the country.

He claims Madison deliberately misrepresented his position on the welfare clause. So I say about Brant as a historian, I regard him in the same light as a man from Mississippi who told the Senator from Mississippi [Mr. Stennis] he intended to write a fair and impartial history of the War Between the States from the southern viewpoint.

Mr. President, I ask unanimous consent to have printed in the Record what Madison said in Federalist Paper No. 41. Brant knew about Federalist Paper No. 41 and deliberately ignored it. He charged that Madison, years afterward, wrote a letter in which he changed his position. That charge was untrue. Madison stated his position in 1788 in Federalist Paper No. 41, and I ask that it be printed in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Madison in the 41st issue of the Federalist Papers said:

"But what would have been thought of that assembly [Congress of the Confederation] if, attaching themselves to those general expressions and disregarding the specifications which ascertain and limit their import, they had exercised an unlimited power of providing for the common defense and general welfare? I appeal to the objectors themselves, whether they would in that case have employed the same reasoning in justification of Congress as they now make use of against the Convention. How difficult it is for error to escape its own condemnation."

Mr. ROBERTSON. Mr. President, Edward McNall Burns, in a small but scholarly book entitled "James Madison: Philosopher of the Constitution," quoted Madison as saying that not a single reference was ever made in the Philadelphia Convention of 1787 to the general welfare clause as a grant of power.

I ask unanimous consent that the excerpt relating to "Madison's Conception of the Foundation of the Constitution" may be printed in the Record at this point.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Madison's conception of the foundation of the Constitution virtually necessitated a theory of strict construction of that instrument. He believed that in adopting the constitutional compact the people in the States divided the sovereignty that they possessed. Since sovereignty in its entirety has no precise limits, this division could have been made in only one of two ways. Either the people in the States must have allotted to themselves a few specific powers, leaving the undefined remainder to the General Government; or else they must have made the General Government a government of enumerated powers with all the rest of the sovereignty reserved to the States. That the division was not made in the former mode, he maintained, is perfectly obvious from the Constitution itself, for the powers granted to Congress are specifically enumerated. It follows that the General Government can exercise only those powers that are actually granted to it, and such others as may be absolutely necessary to carry them into execution. This was the theory which Madison adhered to throughout his life as we shall see from a discussion of his doctrines of inherent powers, the necessary and proper clause, the general welfare clause, and the power to enact protective tariffs. Although he allowed to the General Government several prerogatives which other strict constructionists like John Taylor would never have tolerated, he always insisted that he was not doing violence to his theory, that these powers were really conferred upon Congress either directly or by necessary implication.

* * * * *

Madison would not even admit that the necessary and proper clause could be made to justify Federal expenditures for internal improvements—unless we can find an exception in certain of his statements in the Federalist. In No. 42 of that series he wrote: "The power of establishing post roads must in every view be a harmless power, and may perhaps by judicious management become productive of great public conveniency. Nothing which tends to facilitate the intercourse between the States can be deemed unworthy of the public care." But if he intended to imply by these assertions anything more than a Federal power to provide for the transmission of the mails, he changed his mind later on; for as President he denied that Congress had any authority to appropriate money for roads and canals save those having a bona fide postal or military object. Ardently as he desired a national network of communications, he insisted that only a constitutional amendment, or some adequate substitute therefor, could give Congress the power to provide for them. It is rather difficult, though, to see why he could not have found about as much constitutional warrant for internal improvements as for the seizure of west Florida, which appeared not to trouble his political conscience in the slightest.

If Madison refused to countenance a loose construction of the necessary and proper clause, even less did he approve of a liberal interpretation of the general welfare clause. The insertion of the words "common defense and general welfare" in article I, section 8, of the Constitution, so as to provide that "The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States" was the result, he maintained, of a kind of freak of history. The taxing power clause as it originally stood expressed simply a power "to lay taxes, duties, imposts, and excises" without indicating any objects, and of course intended that the revenues derived should be applicable to the other specified powers of Congress.

A solicitude to prevent any possible danger to the validity of the debts contracted by the Confederation led the Convention to add the phrase, "to pay the debts of the United States." Then, inasmuch as this might be taken to limit the taxing power to a single object, a familiar phrase of the Articles of Confederation, "to provide for the common defense and the general welfare," was annexed, but without any purpose of giving additional power to Congress. In the new instrument as in the old this phrase was intended merely as a general and introductory statement to be qualified by the specific grants of power contained elsewhere.

Furthermore, according to Madison, not a single reference was ever made in the Convention to the general welfare clause as a grant of power, unless a proposal offered on the 25th of August should be considered as such. An amendment was introduced on that day to give Congress power to provide for payment of the public debts, "and for defraying the expenses that shall be incurred for the common defense and general welfare." The amendment was rejected, only one State voting for it. It is impossible to believe, Madison insisted, that the jealous defenders of States rights in the Convention and the advocates of a strict limitation of Federal powers should have silently permitted the introduction of a phrase nullifying the very restrictions they demanded. The only explanation that is in any degree plausible, he maintained, is that the words "common defense and general welfare" were taken for granted as harmless since they were being used in precisely the same way as in the Articles of Confederation.

Madison pointed out also that when the Constitution was submitted for ratification, a majority of the States proposed amendments to safeguard their own rights and the liberties of their people. Thirty-three were demanded by New York, twenty-six by North Carolina, twenty by Virginia, and smaller numbers by the other—all of them designed to circumscribe the powers of the Federal Government by restrictions, explanations, and prohibitions. Yet not a single one of these amendments referred to the words "general welfare," which, if understood to convey a substantive power, would have been more dangerous than all of the other powers objected to combined. That the terms with any such meaning attached to them could have passed unnoticed by the State conventions, characterized as they were by strong suspicions against the whole project of a national government, was more than Madison could believe, and he did not see how anyone else could believe it.

In view of these facts of history Madison argued that only one conclusion was possible, namely, that the general welfare clause was never intended to be a grant of power. Its meaning, he insisted, must be sought in the succeeding enumeration of powers, or else the General Government of this country is a government without any limits whatever. If Congress as the supreme and sole judge of that subject can apply money to the general welfare, then it may assume control over religion or education or any other object of State legislation down to the most trivial police measure. The only correct interpretation is to permit taxation for some particular purpose embraced within one of the enumerated powers and conducive to the general welfare.

If a proposal for collecting and expending Federal revenues meets these qualifications, it is constitutional; otherwise it is not. Acceptance of the opposite interpretation would destroy the import and effect of the enumeration of powers. For, he declared, it must be patent to anyone who chooses to think on the subject that there is not a single power which may not be considered as related to the common defense or the general welfare; nor a power of any consequence which does not involve, or make possible, an expenditure of money. A government, therefore, which enjoyed the right to exercise power in either one or both of these premises would not be the limited government contemplated by the fathers of the Constitution, but a consolidated government of absolute power.

When he came to the subject of protective tariffs Madison seemed to waver a bit as a strict constructionist. To be sure he always maintained that the tariff power was a necessary derivative of the authority to regulate foreign commerce, but he came perilously close at times to asserting an inherent power of the Federal Government to foster and protect the economic interests of the country. For example, he argued that the right to protect its manufacturing, commercial, and agricultural interests against discriminating policies of other countries belongs to every nation. Previous to the adoption of the Constitution this right existed in the governments of the individual States. The want of such an authority in the Central Government was deeply felt and deplored, and to supply that want was one of the chief purposes of the establishment of the new system.

If the power was not transferred, then it no longer exists anywhere; for obviously it could not now be exercised by the States. He contended that sovereign powers in the United States, although divided between the States in their united capacity and in their individual capacities, must nevertheless be equal to all the objects of government, except those prohibited for special reasons, such as duties on exports, and those inconsistent with the principles of republicanism. Why this doctrine could not also have been applied to other powers, for example the power to construct internal improvements beyond the capacity or jurisdiction of the States, is certainly not readily apparent.

On various occasions Madison submitted other arguments to justify the constitutionality of protective duties. He maintained that power over foreign commerce had been generally understood at the time the Constitution was adopted to embrace a protective authority, that it had been so applied for many years by Great Britain, "whose commercial vocabulary is the parent of ours." He alleged that as a result of this understanding of the subject, the States, many of which had already provided encouragement for manufactures, clearly intended that Congress should have authority to impose protective tariffs when they relinquished control over foreign commerce. He cited the fact that in the First Congress not a doubt was raised as to the constitutionality of protectionism although a number of protective measures were actually introduced: several by Members from Virginia in favor of coal, hemp, and beef, and one by a Member from South Carolina in favor of hemp. None of them had revenue for its primary object, and one of them would have excluded revenue altogether since it prohibited imports of the commodity named. Besides, the preamble to the tariff bill as a whole contained the express avowal that protection was an object. If any doubt on the point of constitutionality had existed, these declarations could not have failed to evoke it, Madison argued. He seemed to attach considerable importance also to the fact that the constitutionality of protectionism "had been agreed to, or at least acquiesced in," by all branches of the Government, by the States, and by the people at large, "with a few exceptions," for a period of 40 years.

Mr. ROBERTSON. Mr. President, one of the foremost scholars of this Nation is Dr. William T. Hutchinson, of the University of Chicago, a senior editor of the papers of James Madison—a joint undertaking between the University of Virginia and the University of Chicago.

I asked my friend, Mr. Clinton M. Hester, who has a lovely home at Bath Alum, Va., to write to his friend, Dr. Hutchinson, about Madison's position on the general welfare clause in the Constitutional Convention.

I ask unanimous consent, Mr. President, to have printed in the RECORD the viewpoint of Dr. Hutchinson, who has been assembling the Madison Papers, who is an eminent scholar, who challenges the statement made by the New Dealer Brant that while Madison's intentions were good, he had been inconsistent and subsequently had misrepresented the facts.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE PAPERS OF JAMES MADISON,
Chicago, Ill., January 29, 1963.

Mr. CLINTON M. HESTER,
James Madison Memorial Commission,
Washington, D.C.

DEAR MR. HESTER: As so often in the past, I again wish to acknowledge your kindness in sending me copies of your correspondence with Dr. Dodds and others, so that I may keep up to date with your skillful efforts on behalf of James Madison. Of course I greatly hope that House Joint Resolution 69 will be accepted by both Houses of Congress.

"Madison's attitude on the welfare clause" has been a controversial issue among statesmen and scholars almost from the time of the Constitutional Convention. Therefore, my view, summarized below, is by no means beyond challenge, especially since I differ somewhat with Irving Brant, who has worked much more thoroughly than I have in the manuscript sources of 1787–89 (we in this office are still back in 1781–82 and will send our volume III to press this week). Senator DOUGLAS apparently subscribes to Brant's "James Madison: Father of the Constitution, 1787–1800," pages 137–139. But or the other hand, I am unable to agree unqualifiedly with Senator ROBERTSON. Probably, after over 40 years as an academic, I have become firmly and permanently anchored within the gray area of opinion about any controversial issue.

For this reason, I believe that Madison's position on the general welfare problem cannot be stated accurately in a brief sentence or two. As early as March 12, 1781, upon recommending an amendment to the Articles of Confederation which would have empowered Congress to use "the force of the United States as well by sea as by land to compel" a State or States "to fulfill their Federal engagements," he commented that although Congress has a general and implied power to do this without any amendment, it would be well to add one because it would be "most consonant to the spirit of a free constitution that on the one hand all exercise of power should be explicitly and precisely warranted, and on the other that the penal consequences of a violation of duty should be clearly promulg[at]ed and understood." Besides being Madison's first use—at least in his extant papers—of the term "implied power," he here sets forth a general position or slant of mind to which, I believe, he adhered thereafter, and which conditioned his more explicit stand on the general welfare clause.

This clause appears twice in the Articles of Confederation—first, in article III, which defines the broad purposes of the Articles of Confederation (and which would be transferred to the Preamble of the Constitution of the United States), and, second, in article VIII, where common defence or general welfare is used to define or limit the purposes for which Congress might spend money.

The Virginia plan, written by Madison and introduced in the Constitutional Convention of 1787 by Edmund Randolph on May 29, consists of 15 paragraphs. The first of these declares that the Articles of Confederation should be corrected and enlarged so as to achieve its purpose, viz, "common defence, security of liberty, and general welfare." The sixth paragraph states that "the National Legislature ought to be empowered to enjoy the legislative rights vested in Congress by the Confederation and moreover to legislate in all cases to which the separate States are incompetent, or in which the harmony of the United States may be interrupted by the exercise of individual legislation; to negative all laws passed by the several States contravening in the opinion of the National Legislature the articles of Union; and to call forth the force of the Union against any member of the Union failing to fulfill its duty under the articles thereof."

Six weeks earlier (April 16, 1787) Madison had written to Washington, "I would propose next that in addition to the present Federal powers, the National Government should be armed with positive and complete authority in all cases which require uniformity; such as the regulation of trade, including the right of taxing both exports and imports, the fixing the terms and forms of naturalization, etc., etc." Judging from the record which he kept of the debates in the Convention, he sometimes appears in the heat of the discussions to advance to a more nationalistic position, but, in the main, I believe that he stood firmly on the position taken in his letter to Washington and in the Virginia plan. (See Madison's notes for May 31, June 13, August 22 and 23, and September 14, 1787.) Above all, see the last four paragraphs of his Federalist Paper No. 41. Here, in my opinion, even though he obviously was seeking to allay fear that the proposed Constitution would result in too strong a Central Government, he was presenting his sincere interpretation of what the general welfare clause in the Articles of Confederation had meant, what it meant in the Constitution, of which he was the principal architect, and, as would become clear, what he would continue to hold during the rest of his life. (See, for example, his long letter of November 27, 1830, on the subject to Andrew Stevenson, Speaker of the House of Representatives, in G. Hunt, editorial, "Writings of Madison, IX," pp. 411–424.)

In summary, Madison's view of the general welfare clause cannot be understood apart from the use of that clause in the Articles of Confederation, apart from his interpretation of the meaning of "implied powers," or apart from the specific grants of power to Congress in article I, section 8 of the Constitution—especially the first paragraph of that article, which confers the power to tax and mentions the general welfare and the common defense as the justification for, or end to be sought by, Federal taxes. The general welfare was whatever welfares of the States united could not be attained except by the legislation of a central Congress. Particular matters of this sort were listed in all except the last paragraph of article I, section 8. James Madison interpreted the ambiguous word "proper" in the final paragraph as, not contrary to the well-known common law safeguards of individual liberties (Bill of Rights), mainly inherited from Britain, while Hamilton chose to interpret "proper" as meaning merely the equally indefinite "appropriate," and of course eventually had his way. Madison and Jefferson naturally had to believe in implied power but would confine its range to those means which were absolutely necessary, rather than merely appropriate to carry into effect the specific grants of power in article I, section 8. The parting of the ways on this subject between Madison and Hamilton came, as is well known, on the issue of the First National Bank of the United States—an institution deemed by Madison to be neither essential to the general welfare nor necessary as a means to lay and collect taxes, pay the debts, and borrow money. As the years passed, Madison saw, or thought he saw, more and more instances of stretching the general welfare clause and implied powers beyond all reason—as illustrated by his ably argued attacks on the Alien and Sedition Acts and his Presidential veto on March 3, 1817, of an internal improvement bill. In his view, these encroachments had begun when a majority in Congress mistakenly interpreted the general welfare clause to be a substantive grant of indefinite power rather than merely a restraint on the taxing power or a caption to describe and justify the specific grants of power in the later paragraphs of article I, section 8—powers which obviously, for the good of all the people of the United States, had to be lodged in a central legislative body.

With all good wishes,

Sincerely,

WILLIAM T. HUTCHINSON,
Senior Editor.

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the RECORD Dr. Hutchinson's biography, as published in Who's Who in America, as an evidence of his scholarship.

There being no objection, the biography was ordered to be printed in the RECORD, as follows:

Hutchinson, William Thomas, university professor; born, Freehold, N.J., March 9, 1895; son, Thomas Combs and Anne (Thomas) H.; A.B., Rutgers University, 1916, Litt. D., 1941; A.M., Columbia University, 1917; Ph. D., University of Chicago, 1927; married Frances Runyon, November 23, 1921; children: Anne (Mrs. Ward M. Hussey), Judith (Mrs. John K. Powell, Jr.). Instructor in history, Rutgers University, 1921–24; with University of Chicago, 1924, acting chairman, department of history, 1942–43, chairman, 1943–50, Preston and Sterling Morton, professor American history, 1955——; secretary, Charles R. Walgreen Foundation, 1938–45 (publications, 15 vols. "Walgreen Studies in Democratic Institutions"). Served as private, sergeant, second lieutenant, and first lieutenant, 5th Regiment, U.S. Marine Corps, 2d Division, A.E.F., 1917–19. Supercargo, U.S. Shipping Board, 1919–21. Awarded Croix de Guerre with two citations and Purple Heart. Member, War Department Committee on History of the War, 1946–56. Member, American Historical Association, Mississippi Valley Historical Association (president, 1958–59, board, editors, Mississippi Valley Historical Review, 1946–49), Phi Beta Kappa, Baptist. Club: Quadrangle. Author: "Biographies of Cyrus H. McCormick and Frank O. Lowden." Editor, Democracy and National Unity, 1941, others: coeditor, James Madison's Papers, 1956——. Home: 5821 Dorchester Avenue, Chicago. (Source: Who's Who in America, 1962–63.)

Mr. ROBERTSON. Last but not least, Mr. President, I wrote to a friend who is the chairman of the Virginia Commission on Constitutional Government. He referred my letter to Mr. Hugh V. White, Jr., the executive director of that commission, who, in my opinion, is one of the best constitutional lawyers in Virginia.

Mr. White has written me a 14-page letter in which he analyzes all of the evidence, pro and con, on whether Brant's biography of Madison was correct when the author claimed that Madison advocated the welfare clause as an unlimited grant of power and then did a flip-flop on it.

Mr. President, I ask unanimous consent that there may be printed in the RECORD, together with the references, the 14-page letter to me of January 30, 1963, written by Mr. Hugh V. White, Jr., executive director of the Virginia Commission on Constitutional Government.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMONWEALTH OF VIRGINIA,
COMMISSION ON CONSTITUTIONAL
GOVERNMENT,
Richmond, Va., January 30, 1963.

HON. A. WILLIS ROBERTSON,
Chairman, Senate Committee on Banking and Currency, Senate Office Building, Washington, D.C.

DEAR SENATOR ROBERTSON: Mr. Mays has given me your letter of January 24, 1963, and he has requested that I forward to you any information available on Mr. Madison, the Virginia plan, and the general welfare clause.

The sections that you quote, which were referred to in the debate of January 15 by Senator DOUGLAS, are extracted from the Virginia plan.[1] However, I think it important to understand that the Virginia plan was intended as a general recommendation of the objectives sought to be accomplished by the new Constitution; they were not intended to create the precise wording that should go into that Constitution. As an illustration of this line of thought, Resolution 1 offered by Mr. Randolph on May 29, 1787, referred to the general welfare as an objective to be accomplished by the new Constitution. This did not mean that the new Constitution should create a General Government that would be empowered to act as it wished to improve the general welfare. It simply meant that the new Constitution should achieve that objective, and it might well do so by reserving to the States the power to legislate in general fields, while the national legislature should be empowered to legislate in certain specific fields.

I believe that Resolution 6, also offered by Mr. Randolph on May 29, 1787, properly should be read in the same light. For example, when that resolution states that the national legislature "ought to be empowered * * * to legislate in all cases to which the separate States are incompetent," this does not mean that the National Legislature can legislate on anything it wishes simply by determining that the States are incompetent in those fields. To the contrary, I believe this provision to be perfectly consistent with the Constitution as it evolved, giving to the national legislature the power to legislate in certain specified fields, e.g., interstate commerce, raising armies and navies, requiring a common currency, etc., it being the sense of the Convention that the States were incompetent to legislate in these fields.

In addition to these principles of construction that should be applied to the Virginia plan, I believe that the situation as it existed early in 1787 under the Articles of Confederation should be kept in mind. When Mr. Madison and the other delegates met in Philadelphia, the Nation was living under a charter of government that allowed no Federal power over interstate and foreign commerce, no money for Federal purposes except by requisition upon the States, and no amendment except by the unanimous consent of all the component States, to name a few of the more important weaknesses. As a result the Nation was in some turmoil, having no money in the treasury, no uniform set of regulations governing foreign trade, and having witnessed at least one major rebellion against an established State government in Massachusetts. It was only natural, therefore, that the delegates to the Convention should arrive at Philadelphia with a strong impression that there should be created a more powerful Union. The ensuing debates no doubt gave time for reflection, which revealed the dangers of creating an all-powerful central government. This explains to some extent why the Virginia plan as offered emphasized that the central government must have considerable powers, and this explains why the Virginia delegates and the delegates from other States created from the Virginia plan a modified federal system of government that would provide proper safeguards against the creation of too powerful a Central Government.

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[1] Elliot's Debates, 143–145.

As for the role of James Madison in advocating a strong Central Government, I do not think it could be denied that this was one of his great objectives, just as it is proper today to argue for a Central Government strong in the exercise of those powers delegated to it by the Constitution. For example, early in the Convention, Madison said that "he should shrink from nothing which should be found essential to such a form of government as would provide for the safety, liberty and happiness of the community."[2] This statement, read in connection with Madison's earlier statement that he had grave doubts as to the possibility of enumerating the powers of Congress, has been interpreted by some people to mean that Madison was in favor of a Central Government with broad general powers. This interpretation I believe to be insupportable, because any Senator today, or indeed anyone dedicated to the well-being of this Nation, would no doubt support anything essential to the safety, liberty and happiness of the community.

It is generally understood that Madison drafted the Virginia plan. However, the plan was introduced by Edmund Randolph, of Virginia, who presumably was familiar with the plan and sympathetic with it, or Madison surely would not have consented to his presentation of the plan. Therefore, it is important to note that early in the Convention, when some delegates expressed fear that they were creating an all-powerful national government, Mr. Randolph "disclaimed any intention to give indefinite powers to the National Legislature, declaring that he was entirely opposed to such an inroad on the States' jurisdictions; and that he did not think any considerations whatever could ever change his determination. His opinion was fixed on this point."[3]

It was immediately after this that Madison said "he had brought with him into the Convention a strong bias in favor of an enumeration and definition of the powers necessary to be exercised by the national legislature * * *," though he also had doubts as to whether the enumeration could be accomplished.[4]

It is impossible to reconcile these statements by the author and a principal advocate of the Virginia plan with the interpretation that the plan was intended to create a central government of broad general powers. The attitude evidenced early in the Convention by Madison is borne out by his later correspondence, as will be seen shortly.

Of course it is true that Madison advocated a congressional power to veto State laws, and he also supported, early in the Convention, a constitutional provision authorizing the use of Federal forces against a State when necessary. However, both these provisions were rejected, and Madison later revised his position on at least one of these items, concluding that it would be disastrous for the Federal Government to have the power of using force against a State.[5] In light of these facts, little importance can be attached to these two rejected provisions of the Virginia plan.

At one point early in the Convention, Mr. Bedford, of Delaware, moved to give Congress the affirmative power to legislate in all cases "for the general interests of the Union. * * *" This was a considerably broader power than that proposed by the Virginia plan, and Mr. Madison is recorded as opposed to Bedford's suggestion.[6] As for the attitude of Edmund Randolph toward this proposal, he said "it involves the power of violating all the laws and constitutions of the States, and of intermeddling with their beliefs," and Virginia voted against the revision, which passed for the moment but eventually failed of adoption.[7]

This information as to the views expressed by Madison and Randolph is the best of that available from the debates of the Federal Convention in Philadelphia. As you will recall, there was a long period of time, about 2 months, during the Convention when the matter of general welfare, or general powers of Congress, was not even discussed. Incidentally, this long period of silence is an argument in support of limited construction of the general welfare clause, because the several strong proponents of reserved State powers undoubtedly would not have remained silent while a broad general power was conferred on the Congress. Madison mentions this factor in some of his correspondence which appears later in this paper.

I will now proceed to a brief examination of some of the comments made by Madison and Randolph during Virginia's ratifying convention. In so doing, it is worth noting that the ratifying conventions in the several States were the actions that breathed life into the Constitution. Before that time, the Constitution was simply a piece of paper, binding on no one; therefore the interpretations placed upon the grants of power to Congress in the ratifying conventions should be of great importance.

In the Virginia convention, Madison had this to say about the powers of Congress and the powers of the States:

"The powers of the General Government relate to external objects, and are but few. But the powers in the States relate to those great objects which immediately concern the prosperity of the people."[8]

These remarks by Madison, made within a few months following the Federal Convention, on July 11, 1788, are strange words to be uttered by a man who Senator DOUGLAS claims as an ally in advocating broad congressional power.

Shortly thereafter in the Virginia convention, Patrick Henry made an impassioned speech in which he criticized what he believed to be the broad power conferred on Congress by the general welfare clause. In reply, Edmund Randolph said,

"I appeal to the candor of the honorable gentleman (Henry), and * * *. I ask the gentlemen here, whether there be a general, indefinite power of providing for the general welfare? The power is, 'to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defence and general welfare. * * *' No man who reads it can say it is general, as the honorable gentlemen represents it. You must violate every rule of construction and common sense, if you sever it from the power of raising money and annex it to anything else, in order to make it that formidable power which it is represented to be."[9]

Thus, the man who presented the Virginia plan, speaking on June 24, 1788, less than a year after the Constitution was drafted, refers to the interpretation placed on the plan by Senator DOUGLAS as a violation of every rule of construction and commonsense.

I note from your debate in the Senate that Senator DOUGLAS refers to repudiation of "the doctrines of Richard Henry Lee" and other great Virginians. This is an unusual statment to be made by one who is engaged in interpreting the debates of the Federal Convention and the meaning of the Constitution as ratified, because Richard Henry Lee rejected an invitation to represent Virginia at the Federal Convention, and he opposed ratification of the Constitution in the Virginia convention.

The sense of the Virginia convention as an entity is clear, however, "we, the delegates of the people of Virginia * * * do, in the name and in behalf of the people of Virginia, declare and make known * * * that every power, not granted (by the Constitution) remains with them, and at their will * * *."[10]

These are not the words of a body disposed to place broad general powers in the hands of the National Legislature.

It is quite obvious from the debates in the Virginia convention that if Madison and Randolph intended the Virginia plan to create a National Government of general powers, they must have accomplished a complete reversal of opinion during the few months following the Federal Convention and before the Virginia convention, and they must have accomplished this reversal so completely that they could speak with a great deal of conviction in the Virginia convention.

I am sure you are familiar with Madison's essay in the Federalist Papers, in which he describes the broad interpretation placed on the general welfare clause as a "misconstruction." You will recall that Madison then discussed the enumeration of powers and the fact that such an enumeration would have been unnecessary had the general welfare clause given the broad powers that Hamilton and some others claimed for that clause.[11] I will not quote the passage, but it seems to me that this is quite persuasive material, because the Federalist essays were written shortly after the Convention, and presumably they were well-considered essays, while the proceedings during the Convention may have been somewhat disorderly on occasion, and may not have been recorded with absolute correctness.

The final item in reaching the true construction that Madison placed on the general welfare clause is his correspondence in the years following the Convention. Writing to Edmund Pendleton on January 21, 1792, with regard to Hamilton's broad interpretation of the general welfare clause in his report on manufactures, Madison referred to "a new constitutional doctrine of vast consequence, and demanding the serious attention of the public. I consider it myself as subverting the fundamental and characteristic principle of the Government * * * and as bidding defiance to the sense in which the Constitution is known to have been proposed, advocated, and adopted. If Congress can do whatever in their discretion can be done by money, and will promote the general welfare, the Government is no longer a limited one. possessing enumerated powers, but an indefinite one. * * *"[12]

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[2] Madison, Journal of the Federal Convention, p. 83. (Hereinafter cited as Journal.)

[3] Journal, p. 83.

[4] Ibid.

[5] Journal, p. 84.

[6] III Brant, "James Madison, Father of the Constitution," 103. (Hereinafter cited as Brant).

[7] III. Brant, pp. 102–103.

[8] III "Elliot's Debates," 259.

[9] III "Elliot's Debates," 599–600.

[10] III "Elliot's Debates," 656. This passage is from the text of Virginia's ratification of the Constitution as agreed to by the entire Convention.

[11] The Federalist, No. 41, at 300–301 (Wright, edition, 1961) (Madison).

Several writers have stated that Madison changed his view after the Convention and that his correspondence in later years reflected this revised opinion. However, it is important to note that this letter was written early in 1792, before some of the really important clashes between the Federalists and the anti-Federalists. And it is of much importance to note that Madison refers in the letter not to his opinion of 1792, but to the prevailing opinion when the Constitution was proposed, advocated, and adopted. If one is to contend that Madison held the contrary opinion in 1787, he must impugn the honesty of Madison himself, writing in 1792.

In a letter to Andrew Stevenson under date of November 27, 1830, Madison discussed at great length the proper interpretation of the general welfare clause. He traced that clause from the Articles of Confederation through the Convention at great length, and at one point he wrote "that the terms in question were not suspected in the Convention which formed the Constitution of any such meaning as has been constructively applied to them, may be pronounced with entire confidence; for it exceeds the possibility of belief, that the known advocates in the Convention for a jealous grant and cautious definition of Federal powers should have silently permitted the introduction of words or phrases in a sense rendering fruitless the restrictions and definitions elaborated by them."[13]

I think it is clear from the foregoing information that a good case can be made for the proposition that Madison advocated a strict construction of the general welfare clause, with reliance on the enumerated powers of article I, section 8 of the Constitution, as defining the proper powers of Congress. There can be no doubt, of course, that Madison wanted to see a strong Union wtih a Federal Government sufficiently powerful to manage those problems that must be managed at the national level.

No doubt he had some changes of opinion during the course of the Convention and possibly thereafter, as practically everyone has changes of opinion on matters that are difficult and of great importance. But judging from all the information I have been able to discover during this necessarily brief period of research, I do not think there is any doubt that Madison always adhered to the basic theory of a Central Government of limited powers, with general powers reserved to the States. I cannot for a moment believe that Madison, had he been confronted early in 1787 with the interpretation now placed on the general welfare clause, would have stated that it met with his general approval.

If you feel that there is anything further that I might do along this line, please let me know.

Sincerely,

HUGH V. WHITE, Jr.,
Executive Director.

Mr. ROBERTSON. Mr. President, I have put this material into the RECORD knowing full well that at 3 o'clock this afternoon we will vote to lay on the table a motion, the real purpose of which is to challenge the fact that the Senate is a continuing body. That vote will temporarily end the debate to change Senate rules, but it will not settle the issues which have been raised. I have shown that the Constitution was amended to give Congress unlimited power to tax.

When that constitutional change was being debated, a Senator in opposition thereto, said, "I fear that if we take this step the time will come when the Federal Government will take as much as 5 percent of a man's income."

I do not have to tell the distinguished present Presiding Officer (Mr. KENNEDY in the chair) what the Federal Government now takes in income taxes. Impatient of a constitutional rule on spending, a Chief Executive put pressure on the Supreme Court to construe the general welfare clause in a way that would permit it. With unlimited taxing power and unlimited spending power in the hands of the Central Government, the only protection of the States from a domineering and possibly oppressive Federal Government is a U.S. Senate as a continuing body with rules of free debate that cannot be arbitrarily changed at the beginning of the Congress by a simple majority.

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. PROXMIRE. Mr. President, will the Senator from Minnesota yield me 2 minutes?

Mr. HUMPHREY. Mr. President, I yield 3 minutes to the Senator from Wisconsin. If he needs more time I will yield it to him.

Mr. PROXMIRE. I thank the distinguished Senator from Minnesota.

HOWARD MORGAN'S GREAT PLEA FOR PUBLIC-INTEREST APPOINTMENTS TO REGULATORY AGENCIES

Mr. PROXMIRE. Mr. President, recently a distinguished Commissioner of the Federal Power Commission, Mr. Howard Morgan, announced he would not accept reappointment to the Federal Power Commission. This was a sad decision, because Mr. Morgan has been an excellent Commissioner. He is one of those rare people who is more concerned with the public interest than with anything else.

His letter to the President of the United States is so compelling and persuasive on the importance of appointing properly qualified people to these commissions that I shall later ask to have it printed in the RECORD. Before doing so I wish to read brief excerpts from it.

He said:

> Ordinary men cannot administer those laws today in the face of pressures generated by huge industries and focused with great skill on and against the sensitive areas of government. Ordinary men yield too quickly to the present-day urge toward conformity, timidity, and personal security.

Mr. Morgan also points out:

> Without the needed sense of public responsibility, a Commissioner can find it very easy to consider whether his vote might arouse an industry campaign against his reconfirmation by the Senate, and even easier to convince himself that no such thought ever crossed his mind.

Mr. Morgan also says:

> The big problem is to find men of ability, character, courage, and broad vision who have the same viewpoint as the authors of the legislation they will be called on to administer; men who would feel at ease while working with a Pinchot or a Norris; men who don't become neurotic with worry after having cast a vote for the public interest.

He also says:

> Regulatory agencies have extraordinary problems and responsibilities, and they operate under extraordinary pressures. They require—and they cannot operate successfully without—extraordinary men.

Mr. President, in the past I have objected—in one case, at least, at very great length—to appointments of unqualified men to these commissions. I hope that Members of the Senate will read this letter and think of its implications, because the burden which we as Senators have in approving appointments of men to these commissions is one of our most important responsibilities.

Mr. President, I ask unanimous consent to have the letter written by Commissioner Howard Morgan of the Federal Power Commission to the President printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., January 23, 1963.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: It is with considerable regret that I now convey to you my firm decision not to accept a further appointment to this Commission after expiration of my present term of office on June 22, 1963. I respectfully request that a nomination to replace me be made in time to permit confirmation by the Senate prior to that date.

There are a number of reasons for my decision but I am sure I should be considered less than gracious if I were to list them all. Besides, several of them are clearly visible to those who have read the dissenting opinions which I have been obliged to write during my service here. I should, however, like to make a general comment concerning the regulatory agencies which may be of some small help to you, to my successors and to the public interest. My study and work in the regulatory field cover a period of 25 years, and the strongest convictions produced by that experience are those I am setting forth in this letter.

Standing as it does midway between the extremes of unbridled monopoly and undiluted state ownership, public utility regulation has been perhaps as noble, hopeful and challenging a concept as any in our democratic framework of government. The passage of laws establishing this concept required all the courage, self-sacrifice and tenacity of men like George Norris, Hiram Johnson, Gifford Pinchot and many, many more of the same caliber. Ordinary men could not possibly have secured the enactment of those laws against the almost overwhelming forces opposed to them. Ordinary men cannot administer those laws today in the face of pressures generated by huge industries and focused with great skill on and against the sensitive areas of government. Ordinary men yield too quickly to the present-day urge toward conformity, timidity and personal security.

Under our laws the great natural monopolies which form our utility industries are granted almost priceless protections and privileges. The industries and individual companies are keenly alert to their rights, as they should be, and properly insist before the commissions, the courts and the Congress upon prompt and full enjoyment of those rights.

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[12] I "Writings of James Madison," 546.

[13] IV "Writings of James Madison," 128. The letter and attached memos cover about 20 printed pages of text.

But those unusual rights—rights not enjoyed by unregulated industry—are accompanied by unusual obligations and responsibilities. Or are supposed to be. There is the rub. If our regulatory laws are not administered by men of the same character, courage and outlook as the men who enacted the laws, we will surely find the regulated industries and companies successful in postponing, or evading entirely, the responsibilities which are supposed to accompany their rights. When this happens, utility regulation ceases to be or never becomes a protection to the consuming public. Instead it can easily become a fraud upon the public and a protective shield behind which monopoly may operate to the public detriment.

The big problem in the regulatory field is not ex parte communications, influence peddling and corruption as that word is commonly understood, though where these problems exist they can be serious. In my experience as a regulatory official I have been approached only once with a veiled intimation that money or stock was available in return for a favorable decision, and that was at the State level, not here in Washington. But abandonment of the public interest can be caused by many things, of which timidity and a desire for personal security are the most insidious, the least detectable and, once established in a regulatory agency, the hardest to eradicate. This Commission, for example, must make hundreds and even thousands of decisions each year, a good many of which involve literally scores and hundreds of millions of dollars in a single case. Without the needed sense of public responsibility, a Commissioner can find it very easy to consider whether his vote might arouse an industry campaign against his reconfirmation by the Senate, and even easier to convince himself that no such thought ever crossed his mind. And if he can fool himself, whom can he not fool?

The big problem is to find men of ability, character, courage, and broad vision who have the same viewpoint as the authors of the legislation they will be called on to administer; men who would feel at ease while working with a Pinchot or a Norris; men who don't become neurotic with worry after having cast a vote for the public interest.

Admittedly there is no oversupply of such men these days. There never was. But men, and only such men, make great regulatory commissioners. It is only when a commission is staffed by men, for example, like Eastman, Aitchison, Splawn, and Mahaffie of the old Interstate Commerce Commission that the public gets protection instead of platitudes; principle instead of puff-jobs and image-building; hard work instead of streamlining and wall-chart juggling.

As you well know, there has been a great deal of study of regulatory agencies lately, and with good reason. All of the studies I have seen mention the matters I have discussed in this letter, but only in passing; and then proceed to make detailed suggestions of an organizational and administrative character. I am sure the agencies will continue to benefit from these studies and suggestions, but I am equally convinced that the main problem is in the area of personnel selection which I have discussed.

Regulatory agencies have extraordinary problems and responsibilities, and they operate under extraordinary pressures. They require—and they cannot operate successfully without—extraordinary men.

Let me emphasize that these comments have been general in nature and apply equally to all regulatory agencies. With the exception of the persons named herein they are not intended to depict or describe any individual, including my colleagues and myself.

Service on the Commission has been an immensely stimulating and educational experience for me, for which I shall remain grateful to you. Please let me extend all good wishes for the continued success of your administration.

Very sincerely,

HOWARD MORGAN,
Commissioner.

THE FUTURE OF MANNED STRATEGIC AIRCRAFT

Mr. PROXMIRE. Mr. President, yesterday the distinguished Secretary of Defense, Mr. Robert S. McNamara, appeared before the House Committee on Armed Services.

There has been a lot of talk in the Congress—and I am sure there will be a great deal more talk in the coming months—about manned bombers. Unfortunately, that talk is likely to be one-sided. Very few of us will support the Secretary's position. I intend to do so. I think the Secretary's position—as is always true of the Secretary of Defense—is convincingly and concisely stated.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to proceed for 30 more seconds.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Wisconsin?

Mr. RUSSELL. Mr. President, will that time be charged?

Mr. PROXMIRE. Mr. President, will the Senator yield me a half minute?

Mr. HART. Mr. President, I will yield the Senator 1 minute.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed in the RECORD the section of the Secretary's statement on "The Future of Manned Strategic Aircraft" which includes the bombers, the missiles, and other strategic forces.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

THE FUTURE OF MANNED STRATEGIC AIRCRAFT

I know that this committee is concerned over the question of the future of manned strategic aircraft. As I promised last year, we have made a most detailed and exhaustive review of the entire problem of the future role of these systems. I would like to review some of the recent history of this issue and to report to you on our findings at this time.

B–52 PROCUREMENT

The first bomber procurement issue I faced was the question of whether or not to procure another wing of B–52's in 1961. At that time, we had a force of some 1,500 intercontinental bombers, soft based and concentrated on about 60 bases. We had very few ICBM's, and those that we did have were also soft and concentrated. By mid-1961, as you will recall, we had 5 Polaris submarines operational; a very small force. The most urgent problem at that time, and the problem was urgent, was to acquire rapidly a large force of protected nuclear firepower that could not be knocked out in a surprise missile attack.

Manned bombers on the ground are quite vulnerable to surprise ballistic missile attack. Minuteman, however, because it is installed in hard and dispersed sites, is far less vulnerable. An attacker would have to use several of his missiles in order to be reasonably confident that he had knocked out one Minuteman. And Polaris missiles in submarines at sea cannot be targeted for ballistic missile attack at all. Therefore, we decided to concentrate our procurement dollars on the accelerated production of Minuteman and Polaris. This decision did not mean that we did not want manned bombers. We already had many bombers but very few ballistic missiles. What we needed to do was to build a more balanced force of bombers and missiles, and to do that, we had to buy more missiles.

THE RS–70

The next issue I had to face was the development of the B–70, or the RS–70 as it was later called. The issue here was not the future of manned strategic aircraft in general. Rather, it was whether this particular aircraft, in either of its configurations, could add enough to our already programed capabilities to make it worth its very high cost.

Many of the arguments that have been advanced in support of the RS–70 actually support the case for postattack reconnaissance in combination with an improved ICBM force. We believe that there are more promising ways of performing this mission than the RS–70, when both cost and effectiveness are considered. Other than this, the RS–70 is said to have two distinct capabilities: (1) transattack reconnaissance; that is, reconnaissance during our missile attack, and (2) the ability to examine targets and attack them on the spot with strike missiles, if required. Quite apart from the technical feasibility of developing, producing, and deploying such a system within the time frame proposed by the Air Force (which we do not think possible), there are better ways, when one considers both cost and effectiveness, to obtain both of these capabilities.

The principal advantage of having a reconnaissance and a strike capability in an aircraft is one of timeliness. That is, it may be possible to process and interpret enough of the recon data in the few minutes the aircraft is still within range of the target to permit an effective air-to-surface missile strike, keeping in mind that the aircraft would be moving at a speed of over 30 miles per minute and that the missile would have a relatively short range—i.e., a few hundred miles. If this can be done effectively there is the advantage of being able to deal with the target within minutes instead of an hour (or more) if the strike had to be accomplished by some other weapon system. Quick attack is not always important, but to the extent that it is and can be accomplished effectively, a "strike" capability in the aircraft is an advantage. However, postattack reconnaissance and subsequent strike—whether by air-to-surface missiles or ICBM's—is important in two principal cases: (1) Where fixed targets whose location was not known precisely must be attacked; (2) in mop-up operations against fixed targets of known location that have been programed for initial attack by ballistic missiles, but which may not have been destroyed.

Initial attack on targets of known location can be accomplished effectively with ICBM's, which have the important advantages of shorter time to target, lower cost, and higher survival potential. Mobile targets simply cannot be successfully attacked with an RS–70, and, in fact, such a role has not been proposed for that aircraft.

The issue, therefore, resolves itself to the question: How much could we gain from a capability to attack the two types of targets I referred to earlier, with air-to-surface missiles instead of ICBM's?

With regard to the first case, if a target is known to be somewhere within a relatively small area, usually its exact location can eventually be established. Moreover, such targets can be attacked by ICBM's after postattack reconnaissance. With regard to the second case, other means are expected to be available to determine whether targets previously attacked by ICBM's have been destroyed. These targets, too, once it is known that they have not been destroyed, could be attacked again with ICBM's.

The RS–70, by carrying air-to-surface missiles, would provide only a very small increase in overall effectiveness. In my judgment, this increase is not worth the large additional outlay of funds estimated at more than $10 billion above the $1.35 billion already approved.

Accordingly, we propose to complete the presently approved $1.3 billion B–70 development program of three aircraft and, in addition, continue the development of selected sensor components using, in the current fiscal year, $50 million of the extra $192 million provided by the Congress last year for the RS–70 program. The Air Force has not yet completed its analysis of the effect on development costs of the 3-month delay already encountered in the flight testing of the first B–70.

SKYBOLT

The final issue related to the future of manned bombers is the cancellation of Skybolt. It has been argued that Skybolt would be able to extend the life of the B–52 force in an era of increasingly sophisticated enemy air defenses. That is, even if the B–52 were to have trouble penetrating enemy defenses, it could stand off at a distance and fire Skybolt. Viewed in this role, it was clear that Skybolt could not make a worthwhile contribution to our strategic capability since it would combine the disadvantages of the bomber with those of the missile. It would have the bomber's disadvantages of being soft and concentrated and relatively vulnerable on the ground and the bomber's slow time to target. But it would not have the bomber's advantageous payload and accuracy, nor would it have the advantages usually associated with a manned system. It would have the lower payload and poorer accuracy of the missile—indeed, as designed it would have had the lowest accuracy, reliability, and yield of any of our strategic missiles—without the relative invulnerability and short time to target of a Minuteman or a Polaris.

These characteristics make Skybolt unsuited to either category of primary strategic targets. On the one hand, Skybolt would not have been a good weapon to use against Soviet strategic airbases, missile sites, or other high priority military targets because it would take hours to reach its target, while a Minuteman could reach it in 30 minutes. On the other hand, Skybolt would not have been a good weapon for controlled, countercity retaliation. Aside from its relative vulnerability to antiballistic missile defenses, it has the important disadvantage that its carrier, the B–52, must be committed to its targets, if at all, early in the war because it would be vulnerable on the ground to enemy missile attack. Commonsense requires that we not let ourselves be inflexibly locked in on such a matter. And being "locked in" is unnecessary when we have systems like Polaris whose missiles can be withheld for days, if desired, and used at times and against targets chosen by the President. The Skybolt, therefore, cannot be, and is not, justified as a weapon to be used against primary targets.

Skybolt's value, then, would depend upon its effectiveness in the only remaining important target category, "defense suppression", that is, the destruction of the enemy's defenses in order to permit the bombers to penetrate. But in this role Skybolt offered no unique capability. Several other missiles could also be used to attack enemy defenses: Minuteman and Hound Dog in particular. Skybolt offered a special advantage in this role only as long as it was expected to be significantly cheaper than alternative systems. Unfortunately, this advantage disappeared.

The cost history of Skybolt is particularly poor. Although originally estimated to be less, the Air Force early in 1960 estimated that Skybolt would cost $214 million to develop and $679 million to procure. By early 1961, the estimated development cost had increased to $391 million. By December 1961, the estimated development cost had risen to $492.6 million and the procurement costs to $1,424 million. In its July 1962 program submission, the Air Force increased the estimated procurement cost to $1,771 million. Thus, the latest Air Force estimate to develop and procure Skybolt exclusive of warheads was $2,263.6 million.

In fact, there are compelling reasons for believing that even these latest estimates are still very unrealistic, and that the actual costs would be much higher. For example, the Skybolt development program was far behind schedule on the program that was supposed to be completed for $492.6 million. According to that program, there were supposed to be 28 test flights by the end of 1962, when, in fact, there were only six. Moreover, the amount of flight time allowed in the Skybolt test program was less than half the amount which was actually required for Hound Dog, a much less complex development.

Just how much more would have been required to complete Skybolt is uncertain. I am sure that the full development and engineering test program would have ultimately cost at least $6 million and might have cost substantially more. As for procurement, it is difficult to see how the cost could have been less than $2 billion. Thus, the Skybolt would very likely have become nearly a $3 billion program, not counting the additional cost of warheads. And even then, there was no assurance that the Skybolt development would result in a reliable and accurate missile.

In effect, this meant that Skybolt had lost whatever cost advantage it once promised. The cost per missile aboard an alert bomber—and that is the most realistic way to reckon the cost—would approximate $4 million per missile, very close to the incremental initial investment cost for a Minuteman missile, complete with its blast resistant silo. In view of Minuteman's greater flexibility, reliability, accuracy, its much lower vulnerability and faster time to target, it clearly makes sense to meet our extra missile requirements by buying Minuteman rather than Skybolt.

We propose, then, that to the extent ballistic missiles are required for defense suppression, they be Minuteman. I can assure you, moreover, that the missile program I am recommending is fully adequate to the defense suppression task.

Finally, I want to emphasize that we are doing many other things to help our bombers to penetrate enemy defenses. We have equipped the B–52's with jamming equipment and with air-launched Quail decoy missiles to confuse the defenses. Nearly $315 million for a wide range of measures to enhance the overall effectiveness of the B–52 fleet was included in the 1963 budget, and about $210 million more is included in the 1964 budget request.

Lest there be any impression to the contrary, the cancellation of Skybolt has had no effect whatsoever on our plans for retention of the B–52 fleet. However, that decision will result in a net saving of about $2 billion, even after providing for the extra Minuteman for the defense suppression task.

BOMBER FORCES

We plan to continue a mixed force of missiles and manned bombers throughout the entire planning period—1964–68. Although most of the aiming points in the Soviet target system can be best attacked by missiles, the long-range bombers will still be useful in followup attack, particularly on certain hardened targets. Accordingly, all 14 of the B–52 wings will be maintained in the force once attrition aircraft have been procured with prior year funds to support this force.

The B–47 subsonic medium bombers will be gradually phased out of the forces over the next several years. Some of these aircraft would be continued in operation for a longer period of time than now planned if the need should arise over the next year or two. Two wings of the B–58 supersonic medium bombers will be continued in the force throughout the program period.

Since July 1961 we have maintained approximately 50 percent of the manned bomber force on a 15-minute ground alert. Because this measure is essential to the survival of the force in a ballistic missile attack, we plan to continue it throughout the program period. But I should caution that a 15-minute ground alert may not be sufficient to safeguard the bomber force—particularly during the later part of this decade. By that time the Soviet Union could have a large number of missile-firing submarines on station within reach of most of our bomber bases. The increasing missile threat underscores both the importance of maintaining our on-the-shelf airborne alert capability and the value of the special provisions contained in section 512b of the fiscal year 1963 Defense Appropriation Act. This is the section which authorizes the Secretary of Defense, upon determination by the President that such action is necessary, to provide for the cost of an airborne alert as an excepted expense. This provision should be retained in the law.

Although we are planning to continue the present airborne alert training program and the maintenance of an on-the-shelf capability to fly one-eighth of the force for 1 year, we must always be ready to increase promptly the scale of this operation. Indeed, during the early phases of the Cuban crisis last year, we did just that. We may be able to finance the additional cost of that action from our current year's appropriations, in which case we may not have to resort to section 512b this year; provided, of course, that no new crisis again forces us to expand our airborne alert operations.

ICBM AND POLARIS FORCES

By and large, the strategic missile forces we are proposing for the fiscal year 1964–68 period are in line with those presented last year, with two major exceptions which I will discuss.

(a) Atlas: There has been no change in the Atlas program during the last year and all 13 Atlas squadrons, aggregating 126 operational missiles on launchers, are now in place. No change has been made in the decision to start phasing out some of the "soft" Atlas; however, we will for some time retain the option to phase them out either more slowly or more quickly as future circumstances may warrant.

(b) Titan: The Titan force is essentially the same as that presented to the committee last year. All six squadrons of Titan I, aggregating 54 missiles, are now in place. We expect all 12 squadrons of Titan, aggregating 108 missiles on launchers, to be in place by the end of the current calendar year, and we plan to continue this force throughout the programed period.

(c) Minuteman: A total of 800 Minuteman missiles have been programed through fiscal year 1963. These should all be in place by the end of fiscal year 1965. The program is on schedule, the first 30 operational missiles are already in place, and the first three squadrons totaling 150 missiles should be operational by the end of the current fiscal year. The 1964 budget includes funds for another 150 Minutemans, raising the total force to 950.

(d) Polaris: The Polaris program is about the same as that presented to the committee last year. Thirty-five Polaris submarines were fully funded through fiscal year 1963 and the long lead-time equipment for six additional ships was provided for. The last 6 of the planned fleet of 41 submarines are fully funded with the provision of $695 million in the fiscal year 1964 budget. Nine Polaris submarines carrying 144 missiles are now deployed at sea. Nine more submarines with 144 missiles will become deployable during fiscal year 1964.

The first five Polaris submarines are equipped with the 1,200-nautical-mile A-1 missile. We had also planned to equip the sixth submarine with the A-1 missile but we have since found it possible to equip it with the A-2 missile which has an effective range of 1,500 nautical miles. Similarly, the 19th was to be equipped with the A-2 missile but we now plan to outfit it with the 2,500 nautical mile A-3. Thus, the 6th through the 18th submarine will be equipped with the A-2 missile and the 19th through the 41st will be equipped with the A-3. As previously planned, all of the earlier submarines will eventually be equipped with the A-3 missile, although the missile tubes of the first five will have to be replaced to accommodate the larger missile.

The presently planned Polaris force will require a supporting fleet of six tenders, six resupply ships, and a number of floating drydocks and other support ships. A force of six tenders has been programed in order to insure that at least five of the six will be available for continuous deployment to support the five squadrons into which the Polaris force will be organized. Four tenders and three supply ships were funded through fiscal year 1963. The 1964 program includes funds for the fifth tender and also funds for the conversion of another resupply ship. The balance of the requirement will be brought into the force in phase with the deployment of the submarines. This program, except for the one change—the addition of the tender—is the same as presented last year.

A year ago, funds were requested to begin construction of the west coast Polaris logistics support and training complex to permit deployment in the Pacific. The complex includes a missile facility at Bangor, Wash., a training facility at Pearl Harbor, an overhaul facility at Puget Sound, and a Polaris tender anchorage at Guam. About $1 million is included in this budget to complete work on these facilities.

(e) Penetration aids: A great deal of progress has been made during the last 2 years in the study of penetration aids for our ballistic missiles, but much more remains to be learned about the physical effects which accompany the reentry of ballistic missile warheads into the atmosphere and the various methods which might be used to simulate these effects. There are a large number of different techniques which might be used as penetration aids. Each has its particular advantages and disadvantages.

As we learn more about antiballistic missile defense and reentry phenomena, further improvements may be expected in our penetration aids. But this is a costly research program requiring much sophisticated instrumentation at the test ranges. Accordingly, we have made every effort to take maximum advantage of the related work being done in connection with our own antiballistic missile defense R. & D. efforts, particularly the Nike-Zeus and Defender projects. Obviously, the problems of the offense are the converse of those of the defense and the information obtained from our penetration aids program is of very great value to our antiballistic missile program and vice versa. What we have already learned from our penetration aids research has greatly influenced our thinking on the antiballistic missile defense problem which I will discuss in the next section of my statement.

OTHER STRATEGIC RETALIATORY FORCE PROGRAMS

There are a number of other systems supporting the Strategic Retaliatory Forces.

(a) Quail: This program of decoy missiles for the B-52 bombers has now been completed.

(b) Tankers: Last year the figures presented for the KC-135 tankers included a number of aircraft for the National Emergency Airborne Command Post (NEACP) and the Post Attack Command and Control Systems (PACCS). This year we have excluded these aircraft from the tanker category, with the cost of the NEACP aircraft transferred to the general support program and the PACCS carried in the command and control element of this program.

We have programed for the 1965–68 period a large force of KC-135's to support the B-52's and the B-58's, and when required, the fighter aircraft of the Tactical Air Command. Most of the procurement requirement has been funded and the balance of $33 million is included in the fiscal year 1964 budget request.

The KC-97's will be phased out as previously planned.

(c) Regulus: We now have five operational Regulus submarines with a total of 17 missiles aboard and, as I pointed out last year, we plan to start phasing them out of the force. The contribution that these few Regulus missiles will be able to make to our rapidly growing total strategic retaliatory capability will be quite marginal, especially when weighed against either the cost of continued operation of the submarines in this role or their use for other purposes.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the question submitted to the Senate by the Vice President, with respect to the motion of the Senator from New Mexico [Mr. ANDERSON], Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

Mr. RUSSELL. Mr. President, I yield 10 minutes to the distinguished Senator from Florida [Mr. HOLLAND].

Mr. HOLLAND. Mr. President, I wish to devote myself today to a most important aspect of the issue pending before the Senate in the time allotted me. I am pleased to state that I am joined in my statement by my able and distinguished colleague, the junior Senator from Florida [Mr. SMATHERS].

Mr. President, when we were debating the proposed change of the Senate rules in 1959, I called to the attention of the Senate the great importance the Founding Fathers placed upon the stability of the Senate and the fact that the Senate as an institution was designed by them to supply needed stability to our Republic. It is perfectly obvious to me, as it was then, that the continuity of the Senate—the fact that it is a continuing body—is the principal factor which supplies that needed stability.

For 174 years the Senate has endured as the "stable member of the Government" which James Madison held to be indispensable to the endurance of the Government itself. Nothing has occurred in those 174 years which in the slightest lessens the wisdom of Madison's words. Mr. President, I strongly oppose any action now or ever which would nullify that fundamental Senate concept as stated by Madison.

In his letter LXIII in the Federalist, entitled "A Further View of the Constitution of the Senate, in Regard to the Duration of the Appointment of its Members," James Madison in his first paragraph, referring to the Senate, wrote:

> Without a select and stable member of the Government the esteem of foreign powers will not only be forfeited by unenlightened and variable policy, proceeding from causes already mentioned; but the national councils will not possess that sensibility to the opinion of the world, which is perhaps not less necessary in order to merit, than it is to obtain its respect and confidence.

In fact, Mr. President, Madison devoted a great part of both his letter LXII in the Federalist and his letter LXIII, from which I have just quoted, to the great importance, if not the absolute necessity that the Senate should possess the quality of stability. No less than 10 times in these 2 letters does Madison refer to the necessity for stability in the Senate, the requirement for "stability of character," "the necessity of some stable institution in the government," the requirement for assuring "a continuance of existing arrangements," the necessity for "possessing * * * stability," and so on, as a close perusal of these valuable documents shows. In his letter LXII, which is entitled, "Concerning the constitution of the Senate, with regard to the qualifications of the Members; the manner of appointing them; the equality of representation; the number of the Senators; and the duration of their appointments," Madison gave to this Nation a great truth, to wit, that good government implies two things: First, fidelity to the object of government, which is the happiness of the people; second, a knowledge of the means by which that object can be best attained, and then he wrote:

> The mutability (that is the quality of frequent change) in the public councils, arising from a rapid succession of new members, however qualified they may be, points out, in the strongest manner, the necessity of some stable institution in the government.

Again, Mr. President, a few paragraphs later Madison reemphasizes the necessity of stability in government when he says:

> Every nation, consequently, whose affairs betray a want of wisdom and stability, may calculate on every loss which can be sustained from the more systematic policy of its wiser neighbors. But the best instruction on this subject is unhappily conveyed to America by the example of her own situation. She finds that she is held in no respect by her friends; that she is the derision of her enemies; and that she is a prey to every nation which has an interest in speculating on her fluctuating councils and embarrassed affairs.

After asserting and proving the importance of stability to government, Madison discusses the injurious effects of instability at length, concluding with this:

> In another point of view, great injury results from an unstable government. The want of confidence in the public councils damps every useful undertaking, the success

> and profit of which may depend on a continuance of existing arrangements.

In his letter LXIII, to which I referred at the beginning of my remarks, relating to the constitution of the Senate with regard to the duration of the appointment of its Members, Madison continues to discuss the quality of stability.

He points to the necessity of bringing back to one of the original States, which he mentions by name, the stability which it had lost through undemocratic and unstable processes.

Then he says:

> The proper remedy for this defect must be an additional body in the legislative department, which having sufficient permanency to provide for such objects as require a continued attention, and a train of measures, may be justly and effectually answerable for the attainment of those objects.

Later, he speaks of the "necessity of some institution that will blend stability with liberty."

In one of his last references to this particular quality of the Senate, he says that:

> Liberty may be endangered by the abuses of liberty, as well as by the abuses of power; that there are numerous instances of the former as well as of the latter; and that the former, rather than the latter, is apparently most to be apprehended by the United States.

Mr. President, the Senate has sustained that point of view and maintained that objective through 174 years of the history of our Nation.

Many Members of this body over the years have recognized the significance of the stability and continuity of the Senate as well as the close relationship between continuity and stability.

Among our present Members who have given scholarly attention to this matter is our distinguished colleague, the junior Senator from Minnesota, Senator McCARTHY, who, when he represented that great State in the House of Representatives in 1957, called attention to the importance of the Senate's continuity as a body.

In his article entitled "The House Versus the Senate," which appeared in the New York Herald Tribune in August of 1957, the junior Senator from Minnesota discussed the increasing power of the Senate and what he termed "the predominance of the Senate." Along with other advantages accruing to the Senate, the Senator referred to the importance of its continuity and stability as follows:

> Along with the advantages derived from these historical changes, the Senate has had the help of a number of institutional advantages. The 6-year term in the Senate, plus the experience of its Members, and its continuity as a body, give it a stability and strength lacking in the House of Representatives.

The Senator from Minnesota, in his excellent article also touched upon another aspect of congressional procedure which is quite germane to the matter pending today. In discussing the effectiveness of the House of Representatives at that time, he had this to say:

> The House, as critics have said, has limited its effectiveness somewhat by its own rules. Great debates today are the Senate debates. Debate in the House was effectively limited by rules changes brought about under Speaker Tom Reed in the last decade of the 19th century. These changes did prevent obstruction and delay in the general legislative process, but at the same time practically destroyed effective House debates. As a result, public interest, at least as reflected in the press, is generally concentrated not on what is said in House debate, but rather on the outcome of the vote.

I refer to Senator McCARTHY's thoughtful comments in 1957 because they impressed me greatly at that time as they do today.

And yet Senators now propose in the pending debate to adopt a precedent which would tend to destroy the concept of the Senate as a continuing body—a precedent which would tend to diminish its stability and would invite changes in its rules—any or all of its rules—at the beginning of each Congress, by a mere transient majority of one of its Members. What greater blow at the stability and the value to our republic of the Senate as an institution could be struck than by adopting such a shortsighted proposal for the sole purpose of passing extreme so-called civil rights legislation?

Mr. President, I strongly hope that the Senate will soundly defeat this proposal, and will adopt the motion to lay on the table which will shortly be made.

Mr. President, I hope the Senate by its vote in approving the pending motion will keep our well-intentioned but misguided friends of the opposition from following the example of the blinded Samson of ancient Biblical days who pulled down the pillars of the temple and destroyed himself and many others in the wreckage of the beautiful edifice which he had demolished by his lack of judgment.

Mr. RUSSELL. Does the Senator yield back the remainder of his time?

Mr. HOLLAND. I yield back the remainder of my time.

Mr. HART. I yield myself 5 minutes.

We approach an historic occasion, or, at least, an occasion which in the pressure of the moment appears to be historic. I suspect that many times the body acts in what might be suggested as being something other than in an historic manner, or at least in a way that the record does not bear out that it is a historic action. However, I believe that we are at this moment moving in a direction which could indeed be historic.

The argument has been advanced that we in the Senate be permitted, at the opening of the 88th Congress, to determine the rules which shall be applicable in the Senate, and to make that determination not subject to any limitation established by an earlier Senate.

Senate Resolution 9, submitted by the Senator from New Mexico [Mr. ANDERSON], to terminate debate by three-fifths of the Senators present and voting, and Senate Resolution 10, submitted by the Senator from Minnesota [Mr. HUMPHREY] and the Senator from California [Mr. KUCHEL], and other Senators, to terminate debate by the vote of a majority of the Senators present and voting, were offered in complete good faith and in the deep conviction that this represented the direction in which the Senate should move in order that it might effectively respond, in the middle of this century, to the principles that should guide us at a time when we cannot indulge always in the luxury of unlimited debate.

We find that even our effort to bring the first resolution, offered by the Senator from New Mexico, before the Senate for discussion, is blocked by a filibuster.

It is my feeling that one would have to search deep in the precedents of this body to find an occasion when a filibuster has blocked the effort to bring a rules change up for debate.

After days of attempting to permit the Senate to find itself in the position to act upon the Anderson resolution, and only after days of deliberation, those of us who are supporting the present constitutional motion took this action in order to bring the Senate to a point where it may vote on the Anderson constitutional motion. That motion itself was offered only after Senators opposing any rules change filibustered the Anderson procedural motion to consider Senate Resolution 9. The opponents of any rules change demonstrated their refusal even to consider the proposal that some change in the rules was desirable.

Those Senators who believe that the Senate has the right to consider the substance of a rules change now should vote to defeat the tabling motion offered by our distinguished leadership.

The Anderson constitutional motion stems from what we concede to be a very clear mandate in the Constitution itself. We have heard it mentioned time and again.

Article I, section 5, provides that a majority of each House shall constitute a quorum, and that each House may determine the rules of its proceedings. Those circumstances when a majority is not sufficient to transact business are enumerated by the Constitution. They are limited in number. They have no application to the question pending before the Senate.

No one disputes the right of a majority of Senators to determine the rules. The dispute centers around the fact that the existing rule XXII prevents a majority from exercising that right. If this explicit constitutional source of authority is to be other than just empty verbiage, there must be a way for an appropriate majority to vote on the rules of the Senate, not a majority after cloture has been invoked by two-thirds of the Senators present and voting.

Those Senators who desire to trigger, to use, and to give life and meaning to this constitutional right to determine the rules by a majority, should now vote against the tabling motion that pends, whether their attitude is in support of the Anderson three-fifths application of cloture, or the Kuchel-Humphrey constitutional majority proposal.

The device that we are approaching now by way of a vote is a procedural one. It is an oblique way of getting at the meat of the problem. I hope very much that the tabling motion will be beaten.

Let us be clear about this fact. If it is defeated, the Senate will be back to the point that we have been seeking to develop all along. We will then urge the Senate to give application of its will to the proposition contained in Senate Resolution 9 or 10.

Mr. RUSSELL. Mr. President, I yield 8 minutes to the Senator from Hawaii.

Mr. INOUYE. Mr. President, I fully understand the respected custom of this body which advises a new Member to sit in his chair, to listen quietly and to learn before he rises to speak to the Senate himself. There is wisdom in that custom, as there is in most customs which last through years of trial and experience. I would not willingly break that honored silence, but because this debate calls to question the place of the minority in a democratic political system, I feel I must say these few words in deep but passionate humility; for I am a member of a minority, in a sense few other Senators have ever been. I understand the hopelessness that a man of unusual color or feature experiences in the face of constant human injustice. I understand the despair of a human heart crying for comfort to a world it cannot become a part of, and to a family of man that has disinherited him. For this reason, I have done and will continue to do all that one man can do to secure for these people the opportunity and the justice that they do not now have.

But, if any lesson of history is clear, it is that minorities change, new minorities take their place, and old minorities grow into the majority. One can discern this course in our own history by observing the decisions of the Supreme Court, where the growth of the Nation's law so often takes the form of adopting as the opinion of the Court, the dissenting view of an earlier decision. From this fact we discern the simplest example of a vital democratic principle. I have heard so often in the past few weeks, eloquent and good men plead for the chance to let the majority rule. That is, they say, the essence of democracy. I disagree, for to me it is equally clear that democracy does not necessarily result from majority rule, but rather from the forged compromise of the majority with the minority.

The philosophy of the Constitution, and the bill of rights is not simply to grant the majority the power to rule, but is, also, to set out limitation after limitation upon that power. Freedom of speech, freedom of the press, freedom of religion; what are these but the recognition that at times when the majority of men would willingly destroy him, a dissenting man may have no friend but the law? This power given to the minority is the most sophisticated and the most vital power bestowed by the Constitution.

In this day of the mass mind and the lonely crowd, the right to exercise this power and the courage to express it has become less and less apparent. One of the few places where this power remains a living force is in the Senate.

Let us face the decision before us directly. It is not free speech, for that has never been recognized as a legally unlimited right. It is not the Senate's inability to act at all, for I cannot believe that a majority truly determined in their course could fail eventually to approach their ends. It is, instead, the power of the minority to reflect a proportional share of their view upon the legislative result that is at stake in this debate.

To those who wish to alter radically the balance of power between a majority in the Senate and a minority, I say, you sow the wind, for minorities change and the time will surely come when you will feel the hot breath of a righteous majority at the back of your own neck. Only then perhaps will you realize what you have destroyed. As Alexis de Tocqueville said about America in 1835:

> A democracy can obtain truth only as the result of experience; and many nations may perish while they are awaiting the consequences of their errors.

The fight to destroy the power of the minority is made here, strangely enough, in the name of another minority. I share the desire of those Senators who wish to help the repressed people of our Nation, and in time, God willing, we shall effectively accomplish this task. But I say to these Senators, we cannot achieve these ends by destroying the very principle of minority protection that remains here in the Senate.

For as De Tocqueville also commented:

> If ever the free institutions of America are destroyed, that event may be attributed to the omnipotence of the majority.

Mr. RUSSELL. Mr. President, I yield myself 1 minute.

I desire to express to the distinguished Senator from Hawaii my profound congratulations on the magnificent statement he has made. He proved his courage on many fields of battle when his country was under attack from without. He has here today revealed that other kind of courage—political courage—which is sometimes rarer than physical courage. He appreciates what the institutions of our Government mean. I know that they are thought by some to be outmoded and out of date; but the Senator from Hawaii understands what Tom Paine meant when he said:

> He that would make his own liberty secure must guard even his enemy from oppression.

Mr. HART. Mr. President, I yield 15 minutes to the distinguished senior Senator from New York.

Mr. JAVITS. Mr. President, I have heard with the greatest interest the speech of the distinguished Senator from Hawaii [Mr. INOUYE], speaking, as he does, as a member of a minority. I do not claim omniscience for myself. I do not claim omniscience for him because he is a member of a minority. However, I point out that the balance of the majority and the minority under the present rule XXII is not right, and the balance is proving wrong, notwithstanding the length of time it is taking to correct it. This is proved by the fact that in not one single instance since the cloture rule took effect—now a matter of 35 years—has it been possible to require the minority to allow the majority to vote on a civil rights issue, when the minority did not wish to do so.

I respectfully submit that after three decades and a half of experience, without being able to break through that barrier even on one single occasion, notwithstanding the fact that on two such occasions a majority of the Senate voted for cloture, there is a deep imbalance. It is just as fair to say, "Yes, surely the foundations of the Republic can be shaken by a drastic change, but we cannot allow the veins of the Republic to atrophy, so that freemen, who are despondent and despair of its processes, must seek some extra legal way in which to bring about a change, because legitimate change is being frustrated by shackles which the Senate has put upon itself."

This is the issue: Are we talking about a rule, in respect to rule XXII, or are we talking about law? I respectfully submit that the record now shows that we are talking about law, not a rule. This issue cannot be dressed up in any other way.

I would be deeply interested, if there were the opportunity, to test the question whether the Senate would, for 5 minutes, allow another Congress to bind it in the amendment of any law; in other words, whether we would for 5 minutes, consent to the proposal that, if Congress passed a bill which became law, the law could not be changed except by a two-thirds vote of the Senate. Would we respect such a law for 5 minutes? Of course we would not. We would be the first to argue against it and to say it was tyranny. No Congress can bind another Congress. We are perfectly free to change any law we please. That is set forth in The Federalist Papers. It has been decided by the courts time and again. There is really no need to cite authority, for the authority is very complete. *Newton* v. *Board of County Commissioners of Mahoning County, Ohio* (100 U.S. 548, 559) is one leading case. *Reichelderfer* v. *Quinn* (287 U.S. 315, 318) is another. There is a long list of similar cases in the Supreme Court of the United States. *Town of East Hartford* v. *Hartford Bridge Co.* (10 How. 511, 533); *Ohio Life Insurance & Trust Co.* v. *Debolt* (16 How. 416, 431); *Connecticut Mutual Life Insurance Co.* v. *Spratley* (172 U.S. 602, 621); *Toomer* v. *Witsell* (334 U.S. 385, 393 (n. 19)).

I think we have demonstrated beyond any question that what has now happened is that rule XXII has become law, devoted to frustrating the lawmaking process. It seems to me it is high time that the Senate asserted its right.

What opponents of change really argue is that the rules adopted in 1789 persist unless they are changed in accordance with those rules, notwithstanding the mandate of the Constitution. So, if not as a matter of constitutional law, then as a matter of time-honored practice, the idea is invoked that we should not change the rules or that we cannot change them except in accordance with our own rules. But it is a fact that a time will come when the Senate must decide that it is going to take its destiny into its own hands. There is nothing new about that. Indeed, one of the precedents cited in the briefs which we have submitted to the Senate goes back to the time when there were joint rules for the Senate and the House. Those joint rules were abrogated by action of the Senate in 1876, after they had been in effect for 87 years. The Senate was not afraid to take that action in making the necessary break with tradition. I do not think the Senate ought to be afraid to take similar action now.

The Senate has before it a motion to table. If it carries, we shall be inhibited from dealing with the main question. I hope the motion to table does not succeed. I shall vote against it. But let us remember that if it carries, we shall be inhibited from dealing with the main question. This question will nonetheless persist. We have now a historic opportunity to settle something for the Senate. If the Senate does not settle the question now, the question may come up in a much less quiet time, difficult as the present time is, when much graver emergencies may face the country than face it today, for we have now seen just a glimmering of the complete anarchy into which the Senate can be thrown if this question is not decisively settled now.

We face a situation in which no resolution of the issue is possible; and no resolution will be possible unless a minority will allow us to resolve it. In short, no matter what question may be submitted to the Chair or what constitutional question may arise, the Chair has said it must refer such a question to the Senate itself. That question then becomes subject to debate, and debate can be cut off only under the rule. In short, the minority, by speaking on every motion which is made, whatever it may be, can completely frustrate the will of the majority—and we are assured by the leader of Senators who are opposed to this proposal that it will do so—until the majority yields to the one third minority, either by dropping this proposal or compromising it as the minority wishes it to be compromised.

There has been talk about tyranny and dictatorship; but a tyranny of the minority is also a tyranny. It does not have to be the tyranny of one man. Let the record be clear that no one has counseled tyranny or dictatorship by the Vice President. Everything the Vice President could do is subject to appeal to the Senate and determination by a majority of the Senate. I argued that yesterday and made it crystal clear. I cannot allow any imputation or argument to appear upon the record which defies that solid fact.

I heard the Senator from Hawaii talk about a forged compromise between the minority and the majority as being the process of a republic. I agree.

But a compromise forged by exhaustion is not the kind of compromise which is proper in a democracy or a republic, and it is not the kind of compromise we are talking about; not a compromise because of demonstration, conviction, or the marshaling of public opinion, but a compromise by exhaustion. Mr. President, no country can intelligently operate and express its will and its manifest destiny on such a basis.

Lest it be thought for a moment that there is no solid fact to support everything I say, let me refer to one or two pages of history. The cloture rule was adopted only in deference to the fact that this constitutional question would have been raised by Senator Walsh in 1917, and that he would have won on it. Hence, those who were opposed—and the arguments made and the ideas expressed at that time were very much the same as those we hear today—allowed some kind of cloture rule to be adopted. But under that cloture rule, cloture could not apply to a motion to take up. Hence, a complete "out" was available: There would be unlimited debate upon a motion to consider.

The next change came in 1949, when, again, there was some danger of losing on the constitutional issue. At that time Senator Wherry brought forward an agreement, again paying a very heavy price for it, because, under that agreement, the rule itself which we are talking about could not be revised except in accordance with the rule. At least, that is what the rule said when it was agreed to.

In 1959—again as a slight amelioration of rule XXII—the rule was changed so as to permit cloture by the affirmative votes of two-thirds of those present and voting, instead of two-thirds of the total membership of the Senate. Again a heavy price was paid, because of the addition to rule XXXII of paragraph 2, which provides:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

By the addition of that paragraph to rule XXXII, which supports the argument that the Senate is a continuing body, a very heavy price was paid. However, Mr. President, I am in an excellent position to speak against that addition to the rule, because I voted against it.

I relate that history to indicate where we stand at this time. Never have we been able to do anything about rule XXII that the minority would not permit us to do. Because of that situation, no matter how strong the arguments, no matter how persuasive and forceful the debate, no matter how important and compelling the necessity for change, the minority was able to accomplish its purposes, regardless of the necessity for a reasonable compromise, regardless of how important it was that reasonable views prevail.

As to the substantive legislation involved, I point out that the power of one-third of the Senate to kill any measure or proposal in the Senate has brought about a positive shambles. When the minority—determined as it is—decided during the last session that it would not permit even a literacy test bill to be passed, notwithstanding the fact that both the majority leader and the minority leader favored the passage of such a bill, no literacy test bill was passed. It is very interesting to me to note that when this determined minority gets its teeth into a matter, it gets its way, notwithstanding the fact that the majority leader and the minority leader are acting together.

Mr. President, examine, if you will, the record of a series of votes taken on such issues as elimination of the poll tax in 1962 and the proposed extension of the life of the Civil Rights Commission, in 1961, and the civil rights bills—weak and meager though they were—in 1957 and 1960.

I ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, a table on this subject. It shows the constant assault on such measures and their constant defeat by means of motions to lay on the table. Why has that happened? It has happened because of the threat to engage in a filibuster—for example, the threat to engage in a filibuster unless part III was deleted, or unless no further attention was paid to placing a statutory base under the Committee on Equal Employment Opportunity under Government contracts.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Motions and amendments weakening recent civil rights legislation

Measure	Action taken	Date
Civil Rights Act of 1957:		
Pt. III, authorizing Attorney General to institute civil actions for preventive relief to redress civil rights.	Deleted by amendment	July 24, 1957
Civil Rights Act of 1960:		
Pt. III, authorizing Attorney General to institute civil actions for preventive relief to redress civil rights.	Tabled	Mar. 10, 1960
Statutory base for Commission on Government Contracts	do	Apr. 1, 1960
Temporary aid for adjustments in school desegregation	do	Apr. 4, 1960
Pt. III, limited to intervention in school desegregation suits	do	Do.
Liberalization of voting registrar provision	do	Do.
Federal enrollment officers	do	Do.
Liberalization of voting registrar provision	do	Apr. 6, 1960
Civil Rights Commission, 2-year extension, 1961 (amendment to State, Justice, Judiciary appropriations, 1962):		
Permanent extension of Commission	do	Aug. 30, 1961
Extension of Commission for 4 years	do	Do.
Pt. III, authorizing Attorney General to institute civil actions for preventive relief to redress civil rights.	do	Do.
Implementation of Supreme Court school desegregation decision	do	Do.
Antipoll tax constitutional amendment:		
Statutory authority in lieu of constitutional amendment	do	Mar. 27, 1962
Objective literacy test	Returned to calendar	May 15, 1962
Labor-HEW appropriations:		
Barring funds for segragated hospitals	Tabled	July 20, 1962
Barring funds for segregated schools	do	Do.

Mr. JAVITS. Mr. President, all these struggles are ahead of the Senate, as they have been for decades; and regardless of whether we win today, I repeat what I said yesterday, in response to the arguments made by the Senator from Rhode Island [Mr. PASTORE]; namely, that we are dealing with a fundamental change in the entire history of our country; and the Congress is in grave danger of being discredited in the eyes of the people of the country because the Congress cannot transact the business which the interests of the country require; and a fundamental aspect of that situation is the cloture rule we are now discussing. The entire record proves that.

Finally, Mr. President, I address myself to a matter of most critical importance; namely, the concept of the Senate as a continuing body, a concept which is completely irrelevant to this argument, but nevertheless is trotted out regularly because it is so pleasing to our sensibilities. Is it not nice to be a solon of our country in a body which continues, and is not subject to the vicissitudes and changes of the House of Representatives? A Member of the Senate can say to himself, "We are truly the upper body because we are a continuing body." The only difficulty with that point is that it is not relevant to the issue now before us, much as the continuing-body argument may please our egos.

Furthermore, no such provision is to be found in the Constitution. Instead, the continuing-body argument defies the Constitution, because the Constitution provides that Senators are to have a 6-year term, and that there are to be two Senators from each State. Those are constitutional guarantees to the States—but not the provisions of rule XXII. So those of us who subscribe to rule XXII are not good constitutionalists; instead, those who subscribe to it are bad constitutionalists, by reason of clinging to rule XXII, which is outside the Constitution.

The PRESIDING OFFICER. The time yielded to the Senator from New York has expired.

Mr. JAVITS. Mr. President, may I have a little more time?

Mr. HUMPHREY. How much additional time does the Senator from New York wish to have?

Mr. JAVITS. About 5 minutes.

Mr. HUMPHREY. Very well, Mr. President, I yield to the Senator from New York an additional 5 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 additional minutes.

Mr. JAVITS. Mr. President, it does not matter whether the Senate is or is not a continuing body. The fact is that many aspects end with the end of a particular Senate; even those who argue that the Senate is a continuing body must admit that bills which are pending and nominations which are pending end with the end of any one Congress, and the composition of the membership of the Senate then changes. So whether one holds to the view that the Senate is a continuing body or does not hold to that view, that question is not involved in the question of whether we have a right to change the rules.

The fundamental argument which we make—and which, as I say, is the basis of this entire position—is that history has now demonstrated that we are no longer talking solely about a rule; instead, we are talking about a rule which has the effect of substantive law, because experience with that rule has shown, historically, that it can inhibit, frustrate, and defeat the legislative process contemplated by the Constitution.

It has been argued that freedom of speech and freedom of advocacy will be ended in the Senate if this rule is changed. But, Mr. President, nothing could be further from the fact, and the country should certainly understand that. There have been 25 opportunities for the Senate to apply cloture. But cloture has been applied in exactly five of them. If the proposed 60 percent rule had obtained—and that proposal is before the Senate under the Anderson resolution—cloture would have been ordered in 9 of those 25 instances, and in connection with only 2 out of 11 civil rights measures. I cannot understand how that would amount to shutting the doors to advocacy. The Anderson resolution surely does not contend for a complete break with the past.

In any case, there is clearly consensus as to the need for a moderate, temperate improvement in the existing rule, which, until now, has completely frustrated us.

It is said that the purpose behind this effort is to allow the passage of civil rights legislation. Such an argument grants the main point I make, which is that the civil rights legislation thus far passed in the Senate and that which can be passed in the future under the present cloture rule is only such as the minority will allow the Senate to pass. Is that situation constitutional? Is it just? Can we expect Negroes to be happy in the face of that situation?

As a practical matter, when we concede on the record that this effort is directed to civil rights legislation, it becomes obvious that that is why some Senators will not agree to such a change in the rule, because they do not want the adoption of a rule which would take away the power of the minority to inhibit, frustrate, and prevent the passage of civil rights legislation which the minority does not like.

So let us face this situation frankly. Not only is this a fundamental question which deals with the ability of Congress to meet modern times decently, but it is also an endeavor to prevent the Senate from permitting itself to be hamstrung.

Mr. President, we could be hamstrung and placed in anarchy, and in far worse situations even than civil rights if a determined minority should get its teeth into the issues. What if there is a motion to clear the way for some proposed civil rights legislation? Is that wrong if it is responsive to the deep feeling of the country? Must we resolve all civil rights questions in the manner demonstrated on the campus of the University of Mississippi—by force, violence, and people being killed? Is that the only way we can administer justice in our country? Can we not find some other way? Can we not give the aspirations, desires, and feelings of man some tongue and opportunity for expression? Or must we be inhibited and frustrated in legislating on that score by anything the minority dictates?

We can go no further. Mr. President, in a considered way, as a Senator of the United States I say that if we leave rule XXII as it is, we cannot pass any civil rights measure which a minority, the majority of that minority being southern Senators, will not allow the Senate to pass. That is it.

Let every Senator who votes on the issue understand that this is the most important civil rights vote which any Senator will have an opportunity to cast in the present Congress. I thank my colleague for yielding.

Mr. TALMADGE. Mr. President, I yield 6 minutes to the distinguished Senator from Alaska [Mr. GRUENING].

THE SENATE UNDER THE EXISTING RULE IS A BULWARK AGAINST HASTILY CONCEIVED LEGISLATION AND THE PROTECTOR OF THE LESS POPULOUS STATES

Mr. GRUENING. Mr. President, on Friday last I spoke on the issue before us—the proposed modification of rule XXII—and took the position, in some detail, that the existing rules for cloture which were adopted by a vote of 72 to 22 just 4 years ago is the greatest protection that the people of the United States have against hasty and ill-advised legislative action which might easily take place, as it has taken place, in times of national hysteria, panic, or alarm.

Another aspect of this issue to which I alluded is that the present rule furnishes the greatest possible protection to the smaller States which are represented in the House of Representatives by only one Representative or by a small number. Such States' interests might be easily jeopardized by being outvoted by the great majorities in the larger States which are correspondingly represented in the House of Representatives. Prolonged debate—yes, a filibuster, if necessary, in the Senate—might avert an unjust oppression by the majority of a minority.

I notice that William S. White, in an article in last night's Washington Evening Star, makes a similar point, and it is pertinent to the discussion we are now having in the Senate.

I ask unanimous consent that William S. White's article, entitled "Attack on Constitutional Balance," be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ATTACK ON CONSTITUTIONAL BALANCE

(By William S. White)

Under cover of demands for seemingly dusty changes in Senate rules, a profound attack on the very constitutional balance in this country is now unfolding.

The ultimate objective is to reduce the power of the smaller, less urbanized States in the only national forum where such power still exists—the United States Senate. The ultimate effect would be the substitution of a Gallup poll kind of majority rule, based almost wholly upon the wishes of the populous urban centers and States and interests, for the matchless system of checks and balances written into the Constitution nearly two centuries ago.

The end of it would be a new majoritarian rule based upon megalopolis—the supercity, the super state—which would give little time and less heed to any and every section or interest in the United States which was allied with the new majoritarianism.

In short, what is finally sought here is the creation of a new political system of totally unchecked majority rule—instant government like instant coffee—in spite of the fact that the whole heart of the Constitution is meant to restrain majorities from running over minorities. Not even a majority of 99 percent can presently take away the basic rights of minorities, even the irreducible minority of one man, to free speech, free religion, the private enjoyment of private property.

THE LAST BASTION

Those attempting this fateful amendment of the Constitution by unconstitutional means are naturally centering upon the one place where they have not already won the game—the Senate. They are generally called "liberals" and generally they are Democratic Senators from big urban-controlled States, plus a handful of Republican "liberals" from the same kind of States.

A more exact term for them, however, is majoritarians. Chief among them are such Democratic Senators as PAUL DOUGLAS of Illinois, WAYNE MORSE of Oregon, and JOSEPH CLARK of Pennsylvania, and such Republican Senators as JACOB JAVITS of New York, and CLIFFORD CASE of New Jersey.

Their immediate objective is to end the effective power of any minority to resist by prolonged talking in the Senate through applying a parliamentary gag. Their case is superficially attractive. The filibuster has a bad name because southern Senators have long used it to retard civil rights legislation. The fact, however, is that what is poison to the majoritarians in other hands is meat in the hands of the majoritarians themselves. The same weapon has been used by them more often than their opponents, to retard legislation sought by conservatives generally.

CIVIL RIGHTS ONLY A VEHICLE

Civil rights therefore is only the vehicle by which the majoritarians really intend to break not merely southern resistance to civil rights bills but any and all minority resistance on any and every issue with which minorities may dare to disagree with the majoritarians. For when a minority, however "wrong" can be gagged today, a minority, however "right," can be gagged tomorrow.

There was a time when 26 States were soundly estimated to be in control of the shadowy Ku Klux Klan. These 26 States could have voted a clear majority in the Senate and, under the new debate restrictions now being demanded, undeniably could have halted all debate on any issue whatever.

The great, bottom truth is that the Senate is literally the only place left where political minorities have truly effective rights. The House is a strictly majority-rule-by-one institution. And minorities, including small-populated States, have little to say about either the nomination or election of a President.

All this is specifically why the Constitution gave each State, regardless of size, two votes in the Senate.

Those demanding "changes in the Senate rules" are demanding infinitely more than this. They are demanding, consciously or not, a revolutionary overturn in the basic form of Government toward a monolithic, automatic, foredoomed conformism to whatever megalopolis might decide at any given moment.

Mr. GRUENING. The cloture issue has been closely associated, particularly in the minds of those favoring a diminution of the present two-thirds majority required, with the civil rights fight. There is no question that filibusters have been used by those opposing civil rights in the past and may again. But actually, under the existing rules, in the last Congress, the 86th, a civil rights bill was enacted, and under the more stringent rule of two-thirds of the total membership, a civil rights bill was also passed in the 85th Congress. It is my view that other issues involved in maintaining the present rule are no less important than civil rights.

Civil rights, as I interpret them, and as the words signify in this context, are the extension of equality to all Americans, regardless of race, creed, or color. That means equality in opportunity to vote, equality in opportunities for education, equality in opportunities for employment. As such, I consider civil rights an indispensable objective, whose fulfillment is long overdue, and my position has been clear since I came to the Senate and long before that as writer, editor, and as Governor of Alaska, and always will be. I believe this is a major issue and we must continue to fight for it until equality of opportunity is achieved. It is coming. It is coming as a result of court decisions, of legislation enacted by the Congress and its implementation by Federal executive agencies coupled with a changing public attitude. It is coming more slowly than those who have been the victims of the discrimination on the basis of color which exists throughout the United States in varying degrees would have it come. But such gratifying reactions as those of the Governors of North Carolina and South Carolina in recent days do much to offset the disgraceful and barbaric treatment which James Meredith has received in Mississippi and the long-standing discrimination against our colored citizens in many States, North and South.

In this connection, I ask unanimous consent to have printed in the RECORD, at the conclusion of my remarks, an editorial from last night's Washington Evening Star, which applauds the very different treatment as a result of the firm and enlightened stand of Gov. Donald Russell which Harvey Gantt, a colored enrollee in Clemson College, South Carolina, is receiving.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. Gantt is the first of his race to enroll in a South Carolina college. May the decent reception he appears to be accorded serve as an example to the University of Mississippi, where I am glad to note in today's news that James Meredith is remaining.

In North Carolina, Gov. Terry Sanford is blazing a new trail. He has created the North Carolina Good Neighbor Council, to consist of 24 eminent citizens of that State. Its purposes, the Governor announces, are two-fold: First, to encourage employment of qualified people without regard to race; and second, to promote better training so as to qualify youth for such employment.

In memorable words the Governor has proclaimed a new policy for his State, which I am hopeful and confident will be followed:

> The American Negro was freed from slavery 100 years ago. In this century he has made much progress, educating his children, building churches, entering into the community and civic life of the Nation.
>
> Now is a time not merely to look back to freedom, but forward to the fulfillment of its meaning. Despite great progress, the Negro's opportunity to obtain a good job has not been achieved in most places across the country. Reluctance to accept the Negro in employment is the greatest single block to his continued progress and to the full use of the human potential of the Nation and its States.
>
> The time has come for American citizens to give up this reluctance, to quit unfair discriminations, and to give the Negro a full chance to earn a decent living for his family and to contribute to higher standards for himself and all men.
>
> We cannot rely on law alone in this matter because much depends upon its administration and upon each individual's sense of fair play. North Carolina and its people have come to the point of recognizing the urgent need for opening new economic opportunities for Negro citizens. We also recognize that in doing so we shall be adding new economic growth for everybody.
>
> We can do this. We should do this. We will do it because we are concerned with the problems and the welfare of our neighbors. We will do it because our economy cannot afford to have so many people fully or partially unproductive. We will do it because it is honest and fair for us to give all men and women their best chance in life.
>
> In North Carolina we will attempt to provide leadership for the kind of understanding America needs today.

But all this, which should gratify the proponents of civil rights as it does me is happening quite independently of and without relation to the present cloture debate.

We have now spent 3 weeks debating this issue, I believe it has been debated amply. Meanwhile the regular business of the Senate has been shelved. Its committees have not been organized. If the tabling motion fails, the debate may continue for weeks. We have important legislation awaiting action. The President has already submitted his program, which will include major tax legislation, a vitally important Federal aid to education bill, a farm bill, and other measures of vital concern to our Nation's economy, vital to its spiritual, cultural, and material progress. I believe we should proceed with it without further delay. I shall therefore cast my vote for the tabling motion.

EXHIBIT 1

[From the Washington Evening Star, Jan. 30, 1963]

IT CAN BE DONE

Harvey Gantt, son of a colored shipyard worker, has been enrolled at Clemson College, and neither the sun nor the stars nor the planets have fallen down upon us.

This, of course, does not mean that South Carolina's desegregation problems have been solved. Difficult days doubtless lie ahead. But it does mean, given the proper attitude, maturity and awareness, that a Negro can be admitted to a southern college without giving rise to the disgraceful spectacle which marked James Meredith's enrollment at the University of Mississippi.

> Much credit goes to South Carolina's Gov. Donald Russell. He is by no means an integrationist. But where Mississippi's Governor Barnett stormed and ranted, Governor Russell announced that Harvey Gantt would be admitted to Clemson "peaceably, without violence, without disorder, and with proper regard for the good name of our State and her people." Pursuant to this, he issued the appropriate orders to the State police, but as it turned out there was no great need for their services. Much credit also belongs to the Clemson College authorities, who made it very clear to the student body that punishment would be swift and severe for anyone guilty of incidents.
>
> The only major rumble of discontent has come from a member of the South Carolina Legislature, who proposes to create a committee to inform Clemson students of their "rights of free speech and assembly." It looks, however, as though his efforts will not be needed. Judging from their behavior to date, the Clemson student body is composed of young men who understand, not only their rights, but also their responsibilities as Americans.

Mr. TALMADGE. Mr. President, I yield 8 minutes to the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. President, the question before us is in the form of a constitutional question, but we all recognize the fact that we are in reality debating the question of the continuity of the rules of the Senate and the Senate as a continuing body under our Constitution. Basically, the question is not whether the Senate rules may be amended but whether they shall be amended in accordance with the procedures set forth in the rules themselves. To me the answer is clear. The Senate is one of the truly great parliamentary powers in the world. We are all proud to serve in it. To ignore the stipulated conditions by which its rules may be changed and to adopt other procedures does violence, I think, to its fine traditions. If the rules are to be changed—and I am one of those who believes they are not perfect—then we must proceed to do it by the method prescribed in the rules.

To me this is not a question of civil rights. Surely my record on that question is clear not only as an official in Massachusetts but also as a Member of this body. I hope in the near future to be able to vote on further sound civil rights legislation in areas where the Federal Government properly may be responsible.

For more than 150 years the Senate has always continued its rules from session to session because, although a session may adjourn sine die, the Senate itself as a body continues.

There never is a new Senate. Two-thirds of its Members always carry over. There is always a Senate, as there is always a Supreme Court. In my opinion, it cannot continue as a legislative body without continuing rules.

The fundamental question before us relates to the Senate itself under the Constitution and in accord with the precedents built up over the years. We must reach our decision on a basis which will act to continue our democratic form of government in the legislative branch to the best advantage.

I have long been interested in improving the rules of the Senate, especially rule XXII, in ways designed to permit reasonable limitation of debate after full opportunity for expression by Senators desiring to speak. In 1947 and 1949 I filed resolutions to permit cloture on a motion to take up a bill. That amendment was adopted in 1949 but in order to have that change adopted, we agreed to make a constitutional two-thirds instead of those two-thirds present and voting the number necessary to invoke cloture and, furthermore, to exempt the cloture provisions on motions to change the rules themselves. In 1950 I sought to liberalize that rule but it was not until 1959 that the present procedure was finally adopted.

But, in my opinion, the question now before us is not to determine whether to amend any specific rule. It is rather as to whether the Senate itself continues its rules or whether new rules are to be adopted at each new session. Can a parliamentary body continue without any rules on which to proceed? Continuous existence implies potential continuous functioning. Are not continuing rules as essential to a continuing body as tracks to a moving locomotive?

In 1959 we added a provision to rule XXXII which reads:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Now an attempt is made to ignore that provision which was adopted only 4 years ago.

There is a clear distinction between action and procedure. Rules are established to permit a parliamentary body to take action. Rules themselves do not constitute action. They are simply the rules by which a parliamentary body proceeds to act. Certainly one Senate cannot bind a future Senate by its actions, but that does not mean that its rules do not continue until amended or rescinded, because rules constitute the procedure by which the Senate acts.

The Senate is a continuing body under our Constitution for the purpose of making certain that the legislative system of our Government shall not necessarily stop when a session of Congress closes. In the days before the 20th amendment, the Senate even sat sometimes after the House recessed, to fulfill its duties of confirming Executive appointments. Under the present rules the Senate committees do continue. Investigating committees carry over from one session to the next. So it is clear that the Senate itself continues; and I repeat, if the Senate itself is a continuing parliamentary body, how can it operate unless it has rules of procedure which continue with it?

If we are to provide that the Senate, while a continuing body, may adopt new rules at the opening of each session, we take away from it the continuity of its procedure as a legislative body and we make it more possible to have sudden changes in the rules which may substantially alter the procedures under which the Senate acts.

The faith of our fathers in the democratic processes has built this country to its present greatness. The pride we each feel in being a Member of this body comes from the fact that over the years the Senate as a whole has acted wisely and well.

Today the proponents argue that a new set of rules is necessary because the present rule XXII permits a minority of Senators too much power in preventing the passage of sound legislation, especially in the field of civil rights. The proponents also argue that the rules can never be changed by any future Senate action because they say a minority can prevent and will prevent a change in the rules. In my opinion, this indicates a confusion between the action some believe the Senate should take and what procedures the Senate may adopt to carry out its actions.

As a matter of fact, the Senate has amended its rules many times, but always by continuing its present rules and amending them—not by the system of adopting new rules. I want to help in enacting further amendments to the rules of the Senate where they may be desirable, but I do not want to be a party to any change which would alter Senate procedures and possibly in the future create the Senate a different form of parliamentary body than the form which was established by our Constitution and which has endured since 1789.

Our Founding Fathers wanted to make sure that the interests of the small States would be protected. Consequently our Constitution provides for equal representation in the Senate, and the Senate rules provide protection for minorities.

So the central issue on this particular vote is not what kind of majority should be required before cloture may be invoked, but whether the established rules of the Senate have any meaning. At one time or another, all of us who serve in this body have been distressed by the restrictions imposed by the rules and by our inability because of the rules to accomplish some result we have considered most desirable. But we know these rules perform a most worthwhile function. Sometimes they may prevent precipitate actions, and on other occasions they provide protection against legislation which may be ill timed.

I, therefore, wholeheartedly shall support the position of our majority leader and our minority leader by voting to lay this constitutional question before us on the table.

Mr. HUMPHREY. Mr. President, I yield 7 minutes to the Senator from Illinois [Mr. DOUGLAS].

The PRESIDING OFFICER (Mr. INOUYE in the chair). The Senator from Illinois is recognized for 7 minutes.

Mr. DOUGLAS. Mr. President, I think there is grave danger that this debate may bog down into a discussion dealing with the labyrinth of Senate rules and procedures. The real issue before the Senate is, however, whether we shall eliminate some of the landmines and roadblocks which now prevent a majority of the Senate from legislating under the authority granted by the 14th and 15th amendments to the Constitution.

I think the present rules of the Senate are sufficient to protect the national interest in time of threatened war or other emergency and that it would be impossible, for example, for a determined pacifist minority to tie up the decisions of the U.S. Senate, or the Congress.

The point at which the present rules governing debate are inadequate is, however, in the field of civil rights.

Our southern friends either ignore or belittle the 14th and 15th amendments to the Constitution. A great war was fought over these issues, and as a result of that war the 13th, 14th, and 15th amendments to the Constitution were passed by Congress and ratified by the States. They are as integral a part of the Constitution as any of the original articles of the Constitution, or as any of the amendments in the so-called Bill of Rights; and in connection with the specific matters with which they deal, namely, the right of suffrage, the right of equal citizenship, and equal rights and privileges to be protected by national action, if Congress so desires—they supersede the previous 10th amendment to the Constitution, to which our southern friends so frequently refer.

We all know that the 15th amendment provides:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude—
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

Similarly, the 14th amendment provides:

> All persons born or naturalized in the United States, and subject to its jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

And there is to be no differentiation between types of citizens.

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The final section provides that—

> The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

We all know that if proposed civil rights legislation, designed to make effective the 14th and 15th amendments—which are of course being abridged and in many cases violated in many States of the Union—could be brought to a vote, they would in all probability be passed both by the Senate and by the House. Our difficulties are that under the rules relating to limitation of debate it is virtually impossible to obtain the necessary two-thirds majority. The southerners and their allies are able to filibuster any meaningful civil rights measure to its death.

I shall speak very frankly when I say, first, that, whatever dissent there may be within the 11 States of the old Confederacy their Senators will in all probability vote almost as one against any limitation of debate; and second, that in the so-called 3 border States of Kentucky, Maryland, and Delaware, which were slavery States prior to the Civil War, at least 3 of those Senators will vote against limitation of debate; and further that in the 3 Southwestern States, Oklahoma, New Mexico, and Arizona, largely peopled by southerners and with a strong southern tradition, in all probability at least 5 of those 6 Senators will always vote against cloture. So we get a total of 30 right off the bat.

Then there are the crypto-sympathizers with the South, Senators who if the measure were brought to a vote, would feel compelled to vote for civil rights, but who will vote against limitation of debate in order to enable the southern Senators to carry on this interminable program of so debating as to prevent the matter from ever coming to a vote. This latter category could be well described as following the version of the fifth commandment "Thou shalt not kill, but need not strive officiously to keep alive."

In effect, what our southern friends are saying is that we should make the theories of John C. Calhoun, an integral part of the procedures of the U.S. Senate. Calhoun said that the majority should not govern and he defended instead the doctrines of slavery and inequality and insisted that any reform must meet with the approval of each and every major section of the country. In effect, what our southern friends are saying is that they should have the right of veto on these matters.

I seldom allude to the Civil War, but a great war was fought over this issue a century ago. Hundreds of thousands of men were killed in that war, men in blue uniforms and men in gray uniforms. The men from the North fought, in large part, in order to make other men free.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOUGLAS. May I have another minute?

Mr. HUMPHREY. I yield an additional minute to the Senator from Illinois.

Mr. DOUGLAS. While we have made some progress in the last century, we certainly have not made enough progress. Millions of Negroes are denied the vote. Millions also are denied the equal rights of citizens. The Latin-Americans also suffer from the denial of equal rights. The questions of civil rights has become a national issue—not merely a State issue, but a national issue. It is an issue which in part determines what the two billion people of color in the world will think of us, and it is an issue which in part will determine our own domestic peace and tranquility.

I think it is about time we put substance behind the 14th and 15th amendments to the Constitution. In order to do so, we now have to go through the endless process of debating while mines and roadblocks are successfully put in our way which prevent action. That is why I hope the Senate will defeat the motion to table.

Mr. RUSSELL. Mr. President, I yield, 10 minutes to the Senator from Texas [Mr. TOWER].

Mr. TOWER. Mr. President, I am a little bit surprised to hear my very good and able friend from Illinois [Mr. DOUGLAS] imply that might makes right when he suggests this issue was resolved on the battlefields of the Civil War. I am further a little surprised to hear him attack John C. Calhoun and his doctrine of concurrent majority.

After all, our bicameral system in this country has inherent in its organization the implementation of the doctrine of concurrent majority. The House of Representatives is based on proportional representation. In the Senate each State is represented as a corporate entity by an equal number of Senators. Both Houses must pass legislation before it becomes law. Therefore, we have recognized and accepted John C. Calhoun's doctrine of concurrent majority.

I think, in any discussion of the rules, their historical evolution, their intent, their significance, their application, we should repair to Thomas Jefferson's Manual of Parliamentary Practice. In compiling this manual, he drew not only on his own personal experience as Vice President of the United States and as President of the Senate, but he drew on other excellent sources of parliamentary rules and procedures, including Mr. Hatsel's very excellent statement which Jefferson quotes at the very beginning of his Manual of Parliamentary Practice, as follows:

> Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power. So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities (2 Hats., 171, 172).
>
> And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, then what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body (2 Hats., 149).

There ends the citation from Jefferson's Manual of Parliamentary Procedure.

Mr. President, I suggest that if we hold in this body that the Senate is not a continuing body operating under the rules, and that is the issue here—we shall have destroyed any protection the minority has to defend itself against precipitate and emotional tyranny of a majority, whatever the composition of that majority may be.

My distinguished friend from Pennsylvania [Mr. CLARK] suggested the other day that we should streamline our procedures here to bring them in line with those parliamentary institutions of other democracies. I suggest that to do that we would have to transform our system, from a presidential-executive system, into a parliamentary-executive system in which the executive dominates the parliament, in which there is an imposition of strict party discipline, to the extent that each member of the party is little more than a drudge dragging himself through the division lobbies when it comes time to vote on an issue.

I do not think we want to be reduced to that. After all, we are a vast continental Nation made up of many people. We are very heterogeneous in character, and every section must be represented and be able to express its view and must be able to attempt to implement their interests in the Congress of the United States.

The adoption of a parliamentary type system would, I think, defeat the cause of justice and equitability in the representation of those interests in the Halls of the Congress of the United States.

It is my fervent hope that minorities will not be stripped of the last remaining instrument for their protection by the holding here that the Senate is not a continuing body operating under the rules.

After all, precedent would have it that we are a continuing body, and as my learned colleagues know, precedent is almost as much a part of our constitutional system as is the written document. Custom and usage are a part of it, as is judicial decision. Indeed, by precedent we are a continuing body, because we have never at the outset of a Congress reaffirmed our rules, and it should continue thus.

Mr. President, I yield back the remainder of my time.

Mr. HUMPHREY. Mr. President, I yield 8 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, to me, the answer to the question propounded to us by the Vice President is very clear and simple. The answer to the question is "Yes"; therefore, the motion to table should be defeated.

Section 5 of article I of the Constitution provides that each House may determine the rules of its proceedings. It is admitted by every Senator, including the Senator from Georgia [Mr. RUSSELL], that the rules shall be determined by a majority vote.

Adoption and change of its rules by the Senate is, accordingly, a recognized right vested in a majority of the Senate by the Constitution.

The sole question is whether this constitutional right of the majority can be defeated by unlimited debate conducted by a minority, terminable only by resort to the two-thirds cloture rule. I think the correct answer is clearly negative.

The time has come to put an end to this filibuster by terminating debate by majority vote.

The applicable principle of constitutional law was never better stated than by Chief Justice Marshall, of Virginia, in 1819 in the famous case of McCulloch against Maryland. He said:

> Let the end be legitimate, let it be within the scope of the Constitution; and all means which are appropriate, which are plainly adapted to that end, which are not prohibited but consistent with the letter and spirit of the Constitution are constitutional.

Clearly, the end, the adoption of Senate rules by majority vote, is legitimate and is specifically called for by the Constitution.

That end is being frustrated by a filibuster. Thus the Senate is denied the right given it by the Constitution.

It must follow that all appropriate means may be utilized to achieve that end. Among these means is termination of the filibuster by majority vote, since a right which cannot be exercised is a nullity, and this was never the intention of the framers of the Constitution.

As Vice President Nixon stated to the Senate in 1959, the Members of the Senate have the right by majority vote to determine the rules under which the Senate will operate, and—I quote:

> This right * * * in order to be operative, also implies the constitutional right that the majority has the power to cut off debate in order to exercise the right of changing or determining the rules.

If further authority is needed, it comes from rule XX of the Senate.

It is specious to suggest that the question we are now considering is not a point of order camouflaged as a question.

A word on the argument raised by the senior Senator from Massachusetts a few moments ago, to the effect that the Senate is a continuing body and therefore its rules automatically carry over from one Congress to the next.

This old, discredited argument is dragged out and dusted off every 2 years, only to be demolished anew.

The fact is that the Senate is a continuing body for some purposes but not for others. The question is accordingly entirely irrelevant to the issue of the constitutional right of each newly elected Senate to change its rules at the beginning of each session, as authorized by the Constitution. For that purpose the Constitution overrides any fine spun theory about a continuing body.

Let me note three instances where the Senate is clearly not a continuing body.

Bills end and terminate and are dead and gone at the end of each session, and must be reintroduced in the next Congress if they are to be considered.

Rule XXV of the Senate provides that standing committees shall be appointed at the commencement of each Congress. Not a Member of the Senate is legally a member of any committee until he is appointed as such by reason of seniority or custom, not by law, when we get around to organizing the Senate.

The President pro tempore of the Senate was elected a few weeks ago, and so was the majority leader and the minority leader. This had to be done because the Senate is not a continuing body, and they do not automatically continue in office.

So much for the continuing body theory. So much for the legalities.

I now turn to broader questions of legislative policy.

Unlimited debate is a cancer which is slowly but surely killing the Senate as an effective legislative body. If not soon removed by major surgery, unlimited debate will render this body impotent and unable to perform its constitutional duties.

The shadow of the filibuster hangs over every piece of legislation brought to the floor. Bills are watered down. Bills are withdrawn under the threat that they will be talked to death. Senators are not permited to express their personal views as to bills because they are told the bills cannot be passed. This shadow of the filibuster exists alone in this body of all legislative bodies in the civilized world. Only the Senate of the United States has this absurdity of debate unlimited except by a two-thirds vote.

Far more than the question of civil rights is involved in this fight.

If we fail to deal now with this cancer, I predict it will cripple the program of the Kennedy administration. Just as Poland died because of the veto in the hands of individual members of the Imperial Diet at the time of the partition, just as the House of Commons in England was saved by the skin of its teeth at the time of the first reform bill, and just as the various Parliaments of France died on the cross of inadequate legislative action, so will the Senate of the United States, and democracy with it, go down the drain if we do not change our rules.

Lag in congressional action is the great danger to democracy in America. This point was never more clearly made than in the introduction to a splendid book which has just been published entitled "The Deadlock of Democracy," written by Prof. James MacGregor Burnes, when he said:

> We are at the critical stage of a somber and inexorable cycle that seems to have gripped the public affairs of the Nation. We are mired in governmental deadlock, as Congress blocks or kills not only most of Mr. Kennedy's bold proposals of 1960, but many planks of the Republican platform as well. Soon we will be caught in the politics of drift, as the Nation's politicians put off major decisions until after the presidential campaign of 1964. Then we can expect a period of decision, as the voters choose a President, followed by a brief phase of the "politics of the deed," as the President capitalizes on the psychological thrust of his election mandate to put through some bits and pieces of his program. But after the short honeymoon between Congress and President the old cycle of deadlock and drift will reassert itself.
>
> Historically there has been a serious lag—once a near fatal lag—in the speed and effectiveness with which the National Government has coped with emerging crises.
>
> We have often been too late, and we have been too late with too little. Whether we can master depression in peacetime is still in doubt, for we pulled ourselves out of the

> great depression only by the bootstrap of war. Currently baffled by a sluggish economy, we seem unable to promote long, sustained economic growth. We have done almost nothing about the old dream of a coordinated and vitalized transportation policy. Our social welfare measures are inadequate, especially in medical care. We cannot play our full economic role abroad because of inhibiting forces in Congress. Our structure of transportation is inequitable and archaic. We have hardly begun to adapt our Federal and State policymaking machinery to the heavy demands on it.
>
> Today, however, the notion of the beneficient inevitability of gradual progress is open to challenge. For one thing, the furious pace of social and economic change at home and abroad makes delay in Government action far riskier than before. We do not enjoy a cushion of time in adjusting to such change, just as we no longer enjoy a cushion of time in coping with enemy attack.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. I yield 1 additional minute to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I continue to read:

> Partly because of these miscalculations, we still underestimate the extent to which our system was designed for deadlock and inaction. We look on the current impasse in Washington as something extraordinary rather than as the inevitable consequence of a system we accept. We look on the failure of the National Government to act as the result of poor leadership or bad luck or evil men, and we search for scapegoats.

That is not the true answer. The answer is in the procedures and in the rules of the Congress in general, and of the Senate in particular.

Until the filibuster is killed democracy is in peril.

Mr. RUSSELL. Mr. President, I yield 3 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, so that the record may fully indicate the position of the senior Senator from Rhode Island, I should like to announce that I shall vote for the motion to table the pending motion. I shall not at this time repeat all the reasons that I gave yesterday. I merely wish to say that there is no Member of the Senate who has worked harder and fought harder to pass civil rights legislation than has the senior Senator from Rhode Island. I will continue to do so. For that reason I have an apology to make to no one.

However, I do resent the implications of the pending motion, because, as was explained yesterday, the only effect of this motion is to give dictatorial powers to the Vice President, who is presiding over the Senate, powers that are not given to him in the Constitution. The Constitution gives to the Vice President only the authority to sit as the Presiding Officer. But as far as the rules of the Senate are concerned, those rules and the right to make the rules come to the Senate itself through the Constitution of the United States.

I know that this motion will carry. I know, too, that the result of the vote on this motion will be used as a measurement to determine a later motion which will be made to lay on the table the motion to bring up Senate Resolution 9, which was submitted by the Senator from New Mexico [Mr. ANDERSON]. In order that my position may not be misunderstood by those who read the RECORD, once it has been made on the pending vote, I now state that I shall vote against the motion to table Senate Resolution 9, because in that instance I think the case is entirely different. Senate Resolution 9 follows the pattern which the Senate followed in 1959, when the present Vice President of the United States, who then was Senator LYNDON JOHNSON, from the State of Texas, was the majority leader. At that time, Senator JOHNSON submitted a resolution which resulted in a change, whereby the rule that a vote of two-thirds of the Senators elected and sworn would be required before cloture could be applied, was changed to a vote of two-thirds of the Senators present and voting. All that the Anderson resolution would do would be to change the figure from two-thirds of the Senators present and voting to three-fifths of the Senators present and voting. With that change I am in accord.

So my position at the present moment is that I shall vote to table the pending motion; but should a similar motion be made to table Senate Resolution 9 itself, I shall vote against it, because then I think the Senate will be acting in perfect order.

I thank the Chair. I yield back the remainder of my time.

Mr. GOLDWATER. Mr. President——

Mr. HUMPHREY. Mr. President, how much time have I remaining?

The VICE PRESIDENT. The Senator from Minnesota has 36 minutes remaining.

Mr. GOLDWATER. Mr. President, will the Senator from Minnesota yield me some time?

Mr. HUMPHREY. Mr. President, I would be happy to yield time to the Senator from Arizona if he were planning to speak on my side. If he were, it would be really a wonderful achievement.

Mr. RUSSELL. Mr. President, there is no gleam of insanity in the eyes of the Senator from Arizona, so I am happy to yield him 3 minutes.

Mr. GOLDWATER. I thank the Senator from Georgia.

Much as I enjoy the friendship of the Senator from Minnesota, for me to vote with him on this question would be rather inconsistent.

Mr. President, during the course of this debate, and of debates which have preceded this one, I think more and more the truth has come out as to why the rule now involved and other rules of this body are proposed to be changed. It is said this is an effort to speed up the procedure of the Senate. Why does the procedure of this body have to be speeded up? There is no need for that. Down through the years of the existence of this body, Senators and the Senate have been able to get along. Laws have been passed and the business of the Senate has been taken care of under the rules of the Senate.

More and more on television, on the radio, in the newspapers, and in books, we find attacks being made upon Congress. I dislike to say this, but I am sorry that more Senators and more Members of the House do not defend Congress. Congress is a separate entity of our Government. It is a part of the tripartite system of our Government. It was never planned that Congress should come under the domination of the Vice President or the President of the United States. Yet today one of the main reasons we hear why rule XXII should be changed is that the President's program cannot be passed otherwise. It is said that without a change in the rules, the administration's program cannot be passed. I defy any of the proponents of a change in the rules of the Senate to point out to me any provision in the Constitution that even intimates that Congress must do the bidding of the President.

The distinguished Senator from Pennsylvania [Mr. CLARK] has just said that if rule XXII is not changed, or until it is changed, democracy will not have free expression. I wish to go in the other direction. If the rule is changed, I think that will be the moment in history when democracy will begin to die in this country.

I hope Senators will understand my position on this question. I came to this body opposed to the filibuster. It did not take me long to learn that the filibuster is the only method by which important parts of a democracy, the minorities, can be protected.

I think the attempt to change rule XXII is dangerous. I thought it was dangerous the last time the attempt was made and succeeded. I think it is dangerous today and will be dangerous again if it is tried in the future.

I intend to vote in favor of the motion to table. I shall vote against any attempt to change rule XXII, because I have not become convinced, from listening to the arguments and reading the debate, that a change in the rule is needed. I think the Senate took a dangerous step a few years ago when it changed the rule in the way it did. We must not be tempted into the belief that to legislate with intelligence requires speed. I have always honestly felt, as I now feel, that it is not the laws which Congress passes that help the country. In most cases, it is the measures which are not passed.

I do not want to see this country come under the domination of the President or the administration, regardless of whether it be Democratic or Republican; because if that should happen, we will have kissed goodby to democracy and our way of life.

Mr. HUMPHREY. Mr. President, I yield 8 minutes to the distinguished Sentor from New York.

Mr. KEATING. Mr. President, if there were ever any doubt about it before, certainly it has become apparent during this debate that the filibuster is a device which is tailormade for obstruction.

The defense of the filibuster has been based on several elaborately contrived fictions, the most oft-repeated of which are that it protects minority rights and preserves free speech. A new fiction which has suddenly come to life is that the filibuster cannot be curbed without transforming our Vice President into a dictator.

These contentions, supplemented by occasional cries of gag rule and Hitlerism, and buttressed by an adroit use of parliamentary devices have served to completely confuse the issue before the Senate and to compound widespread misunderstanding of what this debate is all about. Unfortunately, the vote on tabling which will occur today—no matter how it results—will contribute very little toward disentagling the labyrinth through which the Senate has been moving.

No one who is willing to face facts can accept the extreme arguments which have been made in defense of the filibuster. Our Constitution provides the most reliable and far-reaching provisions for the protection of small States and minority rights in the Senate and in the Nation. None of these—the most important of which gives every State, regardless of its size, equal representation in the Senate—would be affected in the slightest degree by a curb on filibusters. The truth is that as a result of the filibuster, and some of our other practices, the distribution of power in the Senate has been grossly distorted in a manner which cannot possibly be reconciled with the Constitution and the system of representative government which it ordained.

The Constitution gives every necessary protection also to the right of free speech and debate. But how can anyone seriously claim that these rights are abridged by a request that the Senate be allowed to act after 15 days of discussion on whether to take up a matter, or by a resolution, such as we have proposed—which would guarantee more than 15 days of debate on any issue before cloture. We debate the whole concept of debate by equating it with a filibuster. Filibusters are a negation of debate, a device resorted to when the appeal to reason has been abandoned. It bears more resemblance to a resort to brute force to prevent the Senate from acting than it does to any form of speech.

Finally, in all of the discussion with respect to the Vice President's authority, no one has denied that if the Presiding Officer submits every motion or point of order to the Senate for unlimited debate—this body will be unable to act, and the motions to amend the filibuster rule will be filibustered to death.

The Constitution gives the Senate the right to determine the rules of its proceedings.

The Constitution makes the Vice President the Presiding Officer of the Senate.

There is danger in giving a Presiding Officer too much power—but there is danger, too, in his having too little power.

The Presiding Officer cannot be a passive observer of tactics which make a mockery of debate. Of course, it is the responsibility of the Senate, all 100 Senators, to decide on what course it shall take to reform its rules. But it is the responsibility of the Vice President and the leadership on both sides of the aisle, to make certain that the Senate has an opportunity to express its will on this issue.

This is not dictatorship. Instead, it is the kind of leadership which is essential if the Constitution is to have any force.

There are in the rules of the Senate provisions for disposing of many issues without debate—such as the procedures under rule XX and the procedure following a motion to lay on the table.

I suggest that when a constitutional question is submitted to the Senate, the Presiding Officer must necessarily have implied authority under the Constitution to allow the Senate to decide such a matter after reasonable debate. If he does not have that limited power to bring a constitutional question to a vote in the Senate, where we are proceeding under the Constitution, then legislative anarchy certainly could prevail here.

I shall vote against the motion to table the present question. But the outcome of that vote, no matter what it may be, will not dispose of the fundamental questions which lurk in the background of this debate. I express the earnest hope that if the motion to lay on the table is adopted, it will not be used as a pretext—as has occurred so often in the past—for maintaining that thereby a majority of the Senate has manifested its desire to make no change in rule XXII, and that therefore we should abandon all further efforts along that line. I am confident that if today they were given a chance to vote on the merits, a majority would vote to change this rule.

So, Mr. President, we should stick to this problem—regardless of the outcome of the vote taken today—until this change is made. If not, Senators can rest assured that this issue will be brought before the Senate again and again and again.

Mr. President, I yield back the remainder of the time which has been made available to me.

The VICE PRESIDENT. Without objection, the Chair wishes to make this observation: Since some very brave Senators have attacked the Chair from time to time, and the Chair has been unable to reply, the Chair wishes to assure the Senate that any time the Senate wishes the Chair to exercise authority delegated him by the Senate rules as the Presiding Officer, the Chair will exercise it. However, this Presiding Officer does not intend to exercise authority he does not believe he has merely because other men are unwilling to exercise the authority they do have.

Furthermore, the Chair wishes the Senate to know that this Chair is not a "passive" Presiding Officer. This Chair enforces the Constitution of the United States, the rules of the Senate, and the precedents of the Senate.

As for lectures about "hollow shells" and "passive observers," the Chair thinks that if paragraph 1 of rule XX regarding a question of order were ever to be applied, to silence a Senator, this might be a proper time to call a Senator to order. However, the Chair does not think the rule goes that far, even in this instance.

Mr. RUSSELL. Mr. President, I yield 3 minutes to the distinguished Senator from North Carolina [Mr. ERVIN].

The VICE PRESIDENT. The Senator from North Carolina is recognized for 3 minutes.

Mr. ERVIN. Mr. President, while it may be considered heresy by some of my colleagues, I am going to look to the past, because I believe the great philosopher Von Schlegel spoke a profound truth when he said history is a prophet looking backward and because I believe that another great philosopher, Martin, spoke a great truth when he said history tells us all things, including the future.

Mr. President, I defend the existing rule XXII of the Senate because history shows us clearly that on at least one occasion the provision of the Constitution requiring a two-thirds vote of Senators for the impeachment of a President prevented the impeachment of President Johnson and the total destruction of constitutional government in the United States. And these tragedies were averted by a margin of only one vote under that two-thirds rule.

The Senator from Illinois referred to the unfortunate conflict in which thousands of the youth of America died in fratricidal strife. I remember that 42,000 of the youth of my State died in that conflict, which might well be called the "uncivil war." It was brought about by intemperate and impatient men of the North and of the South. If it had not been for those intemperate and impatient men, that war never would have been fought.

History teaches us in most tragic tones that at one time the two-thirds rule applicable to impeachment proceedings conducted before the Senate saved constitutional government in our country from total destruction at the hands of impatient and intemperate Members of the Congress of the United States. After the assassination of Abraham Lincoln, President Andrew Johnson put into practice Abraham Lincoln's ideas about reconstruction of the Southern States; and all the Southern States established governments in accordance with Abraham Lincoln's plans for reconstruction. But that did not suit some power-hungry men in the Congress led, by a Congressman from Pennsylvania, Thaddeus Stevens. That group of power-hungry men decided to keep themselves in power by actions wholly incompatible with the Constitution. The first thing they did to give themselves complete control of the Nation was to deny to 10 Southern States the right to be represented in the Congress of the United States by Senators and Members of the House of Representatives, even though the last Confederate soldier had long since laid down his arms and returned to peaceful pursuits, and even though the 10 States had reestablished governments conforming to Lincoln's plans as followed by his successor, President Andrew Johnson.

At that time, that is, in April 1866, the Supreme Court of the United States handed down its most courageous decision of all time—Ex parte Milligan, in which it held that a military tribunal in Indiana could not try a civilian while the civil courts were open. The impatient and intemperate men who controlled Congress saw that the Supreme Court of the United States was standing between them and complete domination of the country. As a consequence, they had Congress enact a law in July 1866 which denied President Johnson the right to fill vacancies on the Supreme Court of the United States. They then frightened the Supreme Court out of its courage and wits by threatening to abolish it by constitutional amendment. They actually robbed it of its jurisdiction to review habeas corpus proceedings.

The VICE PRESIDENT. The time yielded to the Senator from North Carolina has expired.

Mr. RUSSELL. Mr. President, I yield 2 additional minutes to the Senator from North Carolina.

The VICE PRESIDENT. The Senator from North Carolina is recognized for 2 additional minutes.

Mr. ERVIN. Mr. President, time does not permit me to recount to the Senate the history of all the tragic events by which the impatient and power hungry men who controlled Congress cowed the Supreme Court into submission to their will and by which they subjected the 10 Southern States to military rule under the obviously unconstitutional Reconstruction Acts which they had Congress to pass over President Johnson's vetoes. When those impatient and intemperate Members of Congress discovered that Andrew Johnson had the courage to resist their unconstitutional acts, they sought to impeach him upon a false charge. The only reason they did not succeed in their attempt to impeach President Johnson and remove him from office, was the constitutional provision requiring a two-thirds vote in the Senate for impeachment, and the courage of Senator Edmund G. Ross, who voted with the minority and enabled them to avert a conviction on the false charge by a margin of only one vote. This tragic historical event teaches that we need some restraints in time of great stress on impatient and intemperate majorities even in the Senate of the United States. Knowing, as I do, that at one time a two-thirds rule applicable to Members of the Senate saved constitutional government in our country from total destruction, I intend to stand, for as long as I live and as long as I serve in this body, for the preservation of rule XXII in its present form.

In closing, I warn those who join Henry Ford in thinking that history is "bunk" that when the rulers of any nation ignore the lessons taught by history, they doom their country to repeat the mistakes of the past.

Mr. HUMPHREY. Mr. President, I yield 8 minutes to the Senator from California [Mr. KUCHEL].

The VICE PRESIDENT. The Senator from California is recognized for 8 minutes.

Mr. KUCHEL. Mr. President, my last 10 years here in the U.S. Senate have been the most thrilling and the most moving chapter in my life. But I do have some ugly recollections. Mainly, they revolve around the filibusters which I have witnessed from my seat in this Chamber.

The filibuster is not indigenous to any one part of the United States. While sitting in this Chamber, I have listened to some of my colleagues from the South denounce, at great length, civil-rights legislation which your political party, Mr. President, and mine joined in promising the American people they would enact. While sitting in my seat in the Senate, I have listened to some of my northern colleagues revile and inveigh against the tidelands bill and against the Telstar communications satellite legislation.

A decade ago the first vote I cast in the Senate was against the filibuster. I am prouder of that vote than any other single vote I have ever cast.

For the first time today, Members of the Senate in this new 88th Congress have an opportunity to take the first step, however feeble it may be, to shear away a cruel, undemocratic, anachronistic rule which permits the filibuster euphemistically described as free and open debate. Those of us who are waging the fight once again ground our requests to our colleagues upon the American Constitution, which in part provides:

> Each House may determine the rules of its proceedings.

The House of Representatives in each Congress does exactly that. New Senators and those who come back here with the permission of the people have not been given the same opportunity. A majority has not been free to adopt those rules which will guide us in debate, unless that proposal was sanctioned by a minority who could always threaten continuance of a filibuster.

Across the land it is said—and it is repeated in the Senate—that we, a majority of Senators, can pass proposed legislation or reject proposed legislation, and that a majority of Senators can adopt rules any time, or reject rules any time they wish to do so.

That statement is most unrealistic, for in order for a majority of Senators to act, the first requisite is that one third of the Members of the Senate permit them to act. A question may be pending, but so long as one-third of the Senate plus one desire to engage in "free and unlimited debate," we cannot do anything about it. Thus we fiddle away and frustrate a constitutional guarantee to every Senator at the beginning of a new Congress to write rules of reason and to prevent the frustration of the legislative process.

The Vice President has asked the Senate to pass judgment on the question:

> Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

That is his question. Senators, do not tell me that anyone who answers that question "yea" is making a czar of the Vice President of the United States or any presiding officer. We merely contend that under the Constitution of the United States, at the beginning of a new Congress every one of us—those who come here for the first time, those who return to the Senate, and those who have remained here—have a right that cannot be infringed upon, to pass rules of procedure under which the U.S. Senate will transact its business.

A motion has been made to table the question which the Vice President has submitted to the Senate. I shall vote against that tabling motion. I hope a majority of Senators will also do so. If they do, in my judgment they will be standing on the floor of the Senate defending their rights and responsibilities under the American Constitution, and demonstrating to the people of our country and to their fellow Senators that they wish an opportunity to pass such rules as they believe are in the interest of the processes of the Senate and, more importantly, in the best interests of the people of the United States.

In the debate, some Senators have referred to section 2 of rule XXXII:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

That means that rules which were adopted a decade ago or longer tie the hands of Senators.

Incidentally, I voted against that rule change when the issue was before the Senate 4 years ago. I deny that the present Senate, in this new Congress, has its hands tied by what a past Senate in some other era decided.

A few days ago my able friend the Senator from New Mexico [Mr. ANDERSON] commented on the fact that the Senator from California, who looks forward with a keen anticipation and relish to serving 6 additional years in the Senate, is unable to demonstrate by his vote that he wishes to eliminate the filibuster, unless a majority of the Senate sees fit to go along with what he has suggested.

As my colleague, the Senator from Minnesota [Mr. HUMPHREY], I, and other Senators on both sides of the aisle have suggested, this is the only time during the coming 2-year period when a majority of us, acting under the American Constitution, can do that which in the national interest ought to be done.

I recall the first filibuster that I saw in the Senate. My recollection is that it lasted 3½ weeks. The Senate was in session 24 hours a day from early Monday morning to late Saturday evening. Then all of us would go home, sleep all day Sunday, and return on Monday for the next grueling week. What a tragic scene.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, I yield 1 additional minute to the Senator from California.

Mr. KUCHEL. What a spectacle in the American Government to see Senators coming into the Chamber with parts of their pajamas still clothing them, representing the great and glorious United States in the Senate.

I say most sincerely to my colleagues that I do not want any gag rule. I want full and free debate, so long as it is relevant and helpful to all Senators in the process of making up their minds. But when, under the rule, we permit a Senator to rise and waste time merely to prevent me from casting my vote, then I take offense at such a rule, and I hope and pray that my colleagues—my Republican colleagues and my Democratic colleagues will take similar offense. I hope that by a convincing majority we will vote down the tabling motion as a first step toward, at long last, changing the cloture rule of the Senate.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. RUSSELL. Mr. President, I yield 10 minutes to the distinguished Senator from Georgia.

Mr. TALMADGE. Mr. President, in a few short minutes the Senate will determine, first, whether or not it will follow its own rules. When we make that determination, we will also decide whether or not the Senate will continue its constitutional role of 174 years as being the protector of our constitutional system of government.

The Constitution of the United States, article I, section 5, provides in part as follows:

> Each House may determine the rules of its proceedings.

Strangely enough, that simple provision of the Constitution of the United States has been used as authority for some to say that the Senate's own rules are unconstitutional. That is the strangest distortion of the English language that I have ever heard. The opposite is true. The Constitution provides that the Senate shall make its own rules. The Senate has made its own rules. In fact, the Senate made its rules in 1789. Those rules have continued in existence for 174 years. Those rules have been modified or changed or amended from time to time as the Senate by majority vote has determined.

I say to all Senators, Mr. President, that the Senate by its own rules—the Senate by its precedents—the Senate by its every act for 174 years—has said that it has made its rules, that we should follow them, and that the rules are constitutional.

Who else has said the same, in addition to Members of the Senate? This fact has been recognized by every branch of our Government.

The President of the United States on several occasions has called the Senate and the Senate alone into extraordinary session to act on proposed legislation. Does that not demonstrate its continuity? Does that not demonstrate that the executive branch of the Government recognizes the Senate is a continuing body?

Who else has recognized it? Even the Supreme Court of the United States, in the famous Daugherty case, which followed the Teapot Dome scandal, held that the Senate of the United States was a continuing body. It follows then as the night follows the day that if the Senate is a continuous body, if it has the power to make its own rules and has made its rules, those rules continue in existence and are constitutional.

No one can seriously question that. No one has ever questioned it, until a few years ago, when some strange theory penetrated the thinking of a few Senators, that the Senate was too awkward, too slow, and did not pass legislation which they wanted fast enough. This caused them to think that they ought to decapitate the Senate and make it amenable to every pressure group in the country. That is from where it came, Mr. President. That is the situation existing before this body today.

As recently as 1959, by a vote of 72 to 22, if I correctly recall, we added this provision to our own rules:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

There were some of us who voted against that rules change. We did not wish to see the rule made more liberal than it was, in the first instance; and we did not think that the provision was necessary, in the second instance.

Every member of every bar association in our country, and everyone else who had studied the history of the Senate and constitutional government, knew the Senate was a continuing body.

But the Senate, nonetheless, passed that rule.

I heard the Senators from New York and other Senators on this floor make the strange argument that we have tied the hands of new Senators; that the new Senators did not have an opportunity to vote on these rules, since they came here only a short while ago; and that the new Senators ought to have an opportunity to say what are the rules of the U.S. Senate.

My colleagues, would we say that about the Constitution of the United States? Would we say to 185 million Americans that our Constitution is no good, since it was written by those "old fogies" who have long since passed away? Would we say that the Constitution is no longer binding on us?

Should we say that the criminal code of the United States is no longer binding because the authors of some of the acts are dead and the Congress adjourned last year?

Why, that argument is completely idiotic. There has not been a Senator since the first Senators in 1789 who has had an opportunity to pass on every rule in the Senate de novo. Daniel Webster did not have that opportunity. Henry Clay did not have it. John C. Calhoun did not have it. John F. Kennedy did not have it.

But every one of those Senators had and every one of the present Senators has an opportunity to submit a resolution to amend the rules of the Senate in accordance with the rules. That resolution would go to the Committee on Rules and Administration, where hearings would be held on it. It would be reported or rejected, as the committee and the Senate thought proper.

It is the most absurd argument which has ever been presented before the Congress of the United States, for someone to say, "Because it is old, because you did not vote on it, it is illegal, dead, illogical, and of no avail."

If that were true, my friends, every new person would have to start a totally new civilization involving not only law and rules, but also custom and everything else.

We have preserved the best of the ages. We amend it to conform with what the situation requires from time to time.

My friends, on yesterday—to demonstrate how complete is the intolerance of those who advocate such strange proceedings as this—we saw both the Senators from New York, the Senator from Pennsylvania, and other Senators stand on the floor of the Senate and we heard them infer that our distinguished Vice President somehow had some invisible, strange, mystic power to stop Senators in the U.S. Senate from speaking.

I listened to the argument and I was shocked, because it was completely different from anything we had ever learned in our Republic. I listened to the argument in disbelief.

Then, when the RECORD came out, I studied it in detail.

Those Senators indicated that they thought that the Vice President, by virtue of his office, had authority to make 100 Senators from 50 sovereign States take their seats and not even open their mouths in debate on a particular question.

I watched as the Vice President sought to elicit information from these Senators.

He asked:

> Can you cite a provision of the Constitution giving the Presiding Officer authority to do this?

There was no provision cited.

He asked:

> Can you cite a provision of the rules that gives the Presiding Officer of the Senate the authority to do that?

There was no provision of the rules cited.

The distinguished Presiding Officer asked:

> Can you cite any precedent in the history of the Senate, in 174 years, to show that the Presiding Officer has the power to make Senators take their seats and not represent their constituents?

There was still no answer.

Yet those gentlemen, my friends, were of the opinion that somehow the Presiding Officer could become a dictator of this body and determine, himself, when Senators could or could not speak.

My colleagues, I thought that one of the greatest editorials I have ever read appeared in yesterday's Washington Evening Star. It was written by that outstanding syndicated columnist, the author of "Citadel," William S. White.

The VICE PRESIDENT. The time of the Senator from Georgia has expired.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the editorial may be printed in the RECORD as a part of my remarks at this time.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ATTACK ON CONSTITUTIONAL BALANCE

(By William S. White)

Under cover of demands for seemingly dusty changes in Senate rules, a profound attack on the very constitutional balance in this country is now unfolding.

The ultimate objective is to reduce the power of the smaller, less urbanized States in the only national forum where such power still exists—the U.S. Senate. The ultimate effects would be the substitution of a Gallup poll kind of majority rule, based almost wholly upon the wishes of the populous urban centers and States and interests, for the matchless system of checks and balances written into the Constitution nearly two centuries ago.

The end of it would be a new majoritarian rule based upon megalopolis—the supercity, the superstate—which would give little time and less heed to any and every section or interest in the United States which was not allied with the new majoritarianism.

In short, what is finally sought here is the creation of a new political system of totally unchecked majority rule—instant government like instant coffee—in spite of the fact that the whole heart of the Constitution is meant to restraint majorities from running over minorities. Not even a majority of 99 percent can presently take away the basic rights of minorities, even the irreducible minority of one man, to free speech, free religion, the private enjoyment of private property.

THE LAST BASTION

Those attempting this fateful amendment of the Constitution by unconstitutional means are naturally centering upon the one place where they have not already won the game—the Senate. They are generally called liberals and generally they are Democratic Senators from big urban-controlled States, plus a handful of Republican liberals from the same kind of States.

A more exact term for them, however, is majoritarians. Chief among them are such Democratic Senators as PAUL DOUGLAS, of Illinois, WAYNE MORSE, of Oregon, and JOSEPH CLARK, of Pennsylvania and such Republican Senators as JACOB JAVITS, of New York, and CLIFFORD CASE, of New Jersey.

Their immediate objective is to end the effective power of any minority to resist by prolonged talking in the Senate through applying a parliamentary gag. Their case is superficially attractive. The filibuster has a bad name because Southern Senators have long used it to retard civil rights legislation. The fact, however, is that what is poison to the majoritarians in other hands is meat in the hands of the majoritarians themselves. The same weapon has been used by them more often than their opponents, to retard legislation sought by conservatives generally.

CIVIL RIGHTS ONLY A VEHICLE

Civil rights therefore is only the vehicle by which the majoritarians really intend to break not merely Southern resistance to civil rights bills but any and all minority resistance on any and every issue with which minorities may dare to disagree with the majoritarians. For when a minority, however wrong, can be gagged today, a minority, however right, can be gagged tomorrow.

There was a time when 26 States were soundly estimated to be in control of the shadowy Ku Klux Klan. These 26 States could have voted a clear majority in the Senate and, under the new debate restrictions now being demanded, undeniably could have halted all debate on any issue whatever.

The great, bottom truth is that the Senate is literally the only place left where political minorities have truly effective rights. The House is a strictly majority-rule-by-one institution. And minorities, including small-populated States, have little to say about either the nomination or election of a President.

All this is specifically why the Constitution gave each State, regardless of size, two votes in the Senate.

Those demanding changes in the Senate rules are demanding infinitely more than this. They are demanding consciously or not, a revolutionary overturn in the basic form of government toward a monolithic, automatic, foredoomed conformism to whatever megalopolis might decide at any given moment.

Mr. TALMADGE. Mr. President, I hope the Senate will not strike down its constitutional responsibility.

Mr. HUMPHREY. Mr. President, I now yield 3 minutes to the senior Senator from Hawaii [Mr. FONG].

Mr. FONG. Mr. President, the issue before the Senate today is the question the Vice President has submitted to the Senate for decision; that is:

> Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

The majority leader and the minority leader are expected jointly to present a motion to table that question at the conclusion of this 3-hour debate.

Should the motion of the majority leader and minority leader be sustained, it will be in substance a manifestation that the Senate is desirous of adhering to its existing rule which requires affirmative vote of two-thirds of Senators present and voting to stop debate.

The motion to table offers a way for the Senate to avoid voting on the constitutional question, and if the tabling motion succeeds, the Senate will be back where it was at the start of the session, when the motion to take up a change in the rules was offered. We do not want this to happen, for we have already spent nearly 3 weeks debating this matter. We all know if the situation reverts to that point the Senate could then be subjected to further prolonged debate.

If the motion to table is defeated we would have at least made some progress toward a rule change, for this would clearly manifest that a majority of the Senate desires a change in rule XXII.

It is therefore clear that those who are desirous of changing rule XXII should vote against the motion to table.

The real question before the Senate, Mr. President, is whether a majority of 51 elected Senators under the Humphrey-Kuchel proposal, or a majority of three-fifths of Senators present and voting under the Anderson-Morton proposal, shall be permitted to perform their duty to legislate on matters of vital importance to the Nation—or whether one-third of the Senate plus one, under the existing rule, shall be permitted to obstruct the other two-thirds of the Senate.

As one who believes in a constitutional majority on this issue, I pose this question to the Senate—Shall the minority of one-third plus one rule the Senate by denying the majority the right to come to a vote? Or, shall the Senate, by its rules of procedure, permit the majority to work its will while at the same time protecting the right of the minority to be heard.

This, Mr. President, is the sum and substance of this great debate which has occupied the Senate for nearly 3 weeks.

During this lengthy debate we have heard a great deal about the unfairness of allowing 51 Senators to limit debate on the other 49 Senators and about the unfairness of 60 Senators limiting debate of the other 40.

Is it their contention that a minority of the Senate should be able to hog-tie and hamstring the remaining majority of the Senate so that the majority cannot come to a vote?

Is it fair for 34 Senators to prevent the majority of 66 Senators from coming to a vote? That is all it takes under the existing rule.

In the brief 3½ years it has been my privilege to serve in the U.S. Senate, I have witnessed five talkathons designed to prevent the majority of the Senate from voting on the merits of substantive measures before it. I have witnessed how the threat of a talkathon succeeded in forcing the majority to emasculate legislation in order to get a bill of some sort passed. I have witnessed how the Senate Rules have been used, not as tools for promoting orderly business in the Senate, but as tools for thwarting the majority from its duty to legislate.

I recall very vividly the round-the-clock sessions of the Senate in 1960 which lasted for 9 days and nights and forced Senators to remain within calling distance of the floor at all times, sleeping at night in their offices and in rooms near this Chamber. An attempt to halt the talkathon by closing debate under existing rule XXII requiring a two-thirds majority failed. The upshot was that, in order to pass a civil rights bill, the majority was forced to water it down to the point of acceptability to the minority of civil rights opponents.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. HUMPHREY. I yield the Senator from Hawaii 1 additional minute.

The VICE PRESIDENT. The Senator from Hawaii is recognized for 1 additional minute.

Mr. FONG. Mr. President, what has happened from time to time in the Senate resembles minority rule rather than the majority rule contemplated by the Founding Fathers. These architects of the U.S. Constitution clearly endorsed majority rule as the rule for congressional action, for they expressly specified all the instances in which more than a majority vote is required. There are only five instances where a two-thirds majority is stipulated in the Constitution: in the power of Congress to override a Presidential veto, in Senate ratification of treaties, in the initiation by Congress of amendments to the Constitution, in the impeachment power, and in expulsion of Members of Congress. It seems clear that, insofar as the drafters of the Constitution were concerned, Congress was to operate by majority rule unless otherwise instructed by terms of the Constitution.

Indeed, Alexander Hamilton in Federalist No. 22 wrote:

> To give a minority a negative upon a majority (which is always the case where more than a majority is requisite to a decision) is, in its tendency, to subject the sense of the greater number to that of the lesser.

Hamilton also pointed out:

> If a pertinacious minority can control the opinion of a majority, respecting the best mode of conducting it, the majority, in order that something may be done, must conform to the views of the minority; and thus the sense of the smaller number will overrule that of the greater, and give a tone to national proceedings.

The history of the U.S. Senate shows that throughout the years Senators have zealously guarded their rights to full and free debate, each always conscious of the fact that while today he might be in the majority on one issue, tomorrow he might be in the minority on another issue.

This helps to explain why the Senate has been so loath to limit debate of some of its Members who have used filibusters to prevent majority action. Since 1917, when the Senate adopted the original rule XXII to limit debate, there have been 27 votes to limit debate, only 5 of which succeeded.

That the existing rule XXII makes it possible for a minority to obstruct the will of the majority of the Senate was recognized by both major political parties in their platforms adopted in 1960. The Republican platform states:

> We pledge: Our best efforts to change present rule XXII of the Senate and other appropriate congressional procedures that often make unattainable proper legislative implementation of constitutional guarantees.

The Democratic platform pledges:

> In order that the will of the American people may be expressed upon all legislative proposals, we urge that action be taken at the beginning of the 87th Congress to improve congressional procedures so that majority rule prevails and decisions can be made after reasonable debate without being blocked by a minority in either House.
>
> To accomplish these goals will require executive orders, legal actions brought by the Attorney General, legislation, and improved congressional procedures to safeguard majority rule.

Unless and until these reforms in congressional procedures are effected, the pledges of both the Republican and the Democratic Parties for meaningful and effective civil rights legislation will remain just noble words and noble promises, incapable of fulfillment, for never has the Senate agreed to limit debate on a civil rights issue since rule XXII was first adopted in 1917.

The word "gag" has been used often in the current debate. Mr. President, the Humphrey-Kuchel proposal, which I cosponsored, will allow at the least 25 to 30 days of debate on an issue. We submit, Mr. President, that the Senate after 25 to 30 days debate on an issue should be willing to vote on any matter before it.

We who sponsor this resolution are just as aware as any other Members of this body that there will be times when we must be in the minority on an issue. But we say that as long as we have full and equal opportunity granted to us to debate the question—and we hold that 25 to 30 days are more than sufficient to allow full discussion—we would be willing to be bound by the vote of the Senate, be it for us or against us.

Let the Senate make representative government more workable in this legislative body and more responsive to the will of the American people who are represented here in the U.S. Senate.

Let the Senate vote down this tabling motion.

Mr. RUSSELL. Mr. President, I had intended to allocate time to the majority leader and minority leader. As a matter of comity, they are usually recognized.

Mr. HUMPHREY. Mr. President, I yield myself 7 minutes.

The VICE PRESIDENT. The Senator from Minnesota is recognized for 7 minutes.

Mr. HUMPHREY. Mr. President, how much time have we left?

The VICE PRESIDENT. Fifteen minutes. The Senator from Minnesota yields himself 7 minutes.

Mr. HUMPHREY. Mr. President, I merely wish to say to my colleagues that the argument being made by those opposing the tabling motion will be concluded by the maker of the constitutional motion, the Senator from New Mexico [Mr. ANDERSON]. He has been a tower of strength in this struggle, which involves the right of every Senator to determine the body of rules under which the Senate will conduct its business. I felt it was only appropriate that the Senator who led this fight should conclude the argument.

I pay my respects to our colleague the assistant minority leader, the distinguished Senator from California [Mr. KUCHEL] for his diligence, perseverance, and courage in the struggle. This has been a bipartisan effort, sustained by many of the speeches we have heard today.

What have we sought to do? First, let us clear the record. The very first thing that was done was a motion by the Senator from New Mexico [Mr. ANDERSON] under rule VIII and rule XIV, which rules were accepted and acquiesced in by this body, to place on the calendar Senate Resolution 9.

That is within the Constitution, within the rules, and within the operation of the U.S. Senate.

What was the result of that effort? From the 15th day of January to the 28th day of January, we have had argument, filibuster, dilatory tactics. Why do I make that charge? It is a serious one. Because in 1959, when the then majority leader, and now the Vice President, offered a motion, under the same rules, to modify the rules of the Senate by permitting two-thirds of the Senators present and voting to bring about a limitation of debate, there was no delay. There was no dilatory tactic, but, by the normal processes of this body, that was done, and the proposal was not referred to committee. So we had the experience of 1959, in which the Senate moved with dignity, thoughtfulness, and consideration to proceed to act on a proposed change in the rules that was offered at the commencement of the session that the Senate modify rule XXII.

What are we trying to do now? We are trying to modify rule XXII. Some of us voted for the modification in 1959 because it was the best that we could get under those circumstances. The Senator from New Mexico voted for it. The Senator from Minnesota voted for it, not because he wanted a limitation to be imposed by two-thirds of those present and voting. I wanted a constitutional majority to be able to do it. That is the Kuchel-Humphrey proposal, which was supported so ably just now by the distinguished Senator from Hawaii [Mr. FONG]. We voted for it because we thought that was as much as could be obtained under the circumstances. The Senator from New Mexico has come back to the original proposal of a requirement of three-fifths. The Senator from Minnesota does not think that is good enough but thinks that it should be possible to impose a limitation by a majority vote after 15 days and 100 hours.

Be that as it may, why do we find ourselves in this position today? Why will there be this vote under a unanimous-consent request? Because that is the only way we have been able to find a way to bring the Senate to its responsibilities. I do not say we need a dictator or an iron fist. I am not asking the Vice President to force the Senate to determine its course. I am asking my colleagues to make that determination. The only way the Senate can make a judgment is to act responsibly this afternoon and come to grips with the question before it. That is what the debate is about.

I have made this predicate to the argument because I think we should know why we have gotten into this position. We are prepared to vote. We shall know whether the Senate is then ready, by majority vote, to act on the Anderson resolution, Senate Resolution 9.

I heard the speech made by the Senator from Georgia pointing out that the Constitution has been with us many years, and pointing out how the writers of the Constitution had come to write that document. The rules of the Senate are based upon the authority of the Constitution.

The VICE PRESIDENT. The 7 minutes of the Senator have expired.

Mr. HUMPHREY. I yield myself 1 additional minute.

Article I, section 5, provides that a majority of each House shall constitute a quorum to do business, and each House may determine the rules of its proceedings.

Can anyone show me how we can better demonstrate a need to determine those rules by a majority than under these circumstances, when an intransigent minority refuses to conclude debate and vote?

In summary: The Anderson constitutional motion to terminate debate was offered only after those Senators opposing any rules changes filibustered the Anderson procedural motion to consider Senate Resolution 9. This filibuster tactic was employed despite the accepted practice of permitting motions to change the Senate rules to come up for consideration. No objection was raised in 1959 when Senator LYNDON JOHNSON moved to consider his resolution to amend rules XXII and XXXII. Nor was the Johnson resolution referred to committee.

The opponents of any rules change demonstrated their refusal even to consider the proposition that some change in Senate rules was desirable. Those Senators who believe that the Senate has the right to consider the substance of a rules change should vote to defeat the tabling motion.

Second. The Anderson constitutional motion stems from a clear mandate found in article I, section 5 of the Constitution: (a) "a majority of each [House] shall constitute a quorum to do business;" (b) "Each House may determine the rules of its proceedings." Those circumstances when a majority is not sufficient to transact business have been enumerated in the Constitution: ratification of treaties, impeachment proceedings, overriding of Presidential vetoes, initiation of proposals by Congress to amend the Constitution, and the expulsion of Members.

No one disputes the right of a majority of Senators to determine the rules. Dispute centers around the fact that the existing rule XXII prevents a majority from exercising this right. If this explicit constitutional prerogative is to be more than verbiage, there must be a way to permit a majority to vote on Senate rules—not a majority after cloture has been invoked by two-thirds of Senators present and voting.

Those Senators who desire to activate this constitutional right to determine rules by a majority vote should vote against the present tabling motion.

Third. The Anderson constitutional motion should not be confused with the Humphrey-Kuchel resolution—Senate Resolution 10—to permit cloture of debate by a constitutional majority of Senators. Senators supporting the Anderson constitutional motion to terminate debate on a motion to consider a resolution to amend Senate rules can logically support any subsequent proposal to amend the rules. Senator ANDERSON himself does not support Senate Resolution 10, but he does support the right to a majority to adopt its rules.

Fourth. The Anderson constitutional motion has nothing to do with whether or not the Senate is a continuing body. The Senate has both continuous and discontinuous aspects. The arguments for the carryover of rules comes down to this: since two-thirds of the Senators carry over, the Senate is a continuous body; because the Senate is a continuous body, the rules carry over. Striking the words "continuous body" from this equation, the argument reads: since two-thirds of the Senators carry over, the rules carry over. But this is a patent non sequitur. It assumes that the carryover of two-thirds of the Senate always carries over a majority in favor of the rules.

In short, we accept the large majority of Senate rules by acquiescence. We dispute only those rules—XXII and XXXII—that prevent a majority of the Senate from exercising the constitutional right to determine new rules if they should so desire.

Fifth. Defeat of the tabling motion would demonstrate the Senate's conviction to uphold its constitutional right to consider amendments to Senate rules, unfettered by restrictive rules adopted by earlier Congresses. It would not terminate the debate itself. But it would indicate a determination on behalf of the Senate not to have this constitutional right ignored.

I ask my colleagues to vote against the motion to table so that the Senate may determine affirmatively the question before it.

Mr. President, I yield 3 minutes to the Senator from New Jersey [Mr. WILLIAMS].

Mr. WILLIAMS of New Jersey. Mr. President, I would like to say a few words in favor of modifying Senate rule XXII.

The question of amending the rules of the Senate has been before us on several occasions. We all know that this subject has been fully explored and debated. And I believe a majority of Senators would now favor some modification of rule XXII. Yet we are prevented from voting on the merits of the various proposed modifications because of our present inability to achieve a two-thirds vote to bring debate to a close. This certainly indicates to me that rule XXII is badly in need of modification.

I simply cannot understand why, if it takes only a majority vote to change the rules of the Senate, it should take a two-thirds vote to terminate debate so that the merits of the rule change can be voted upon.

This question, of course, raises the issue whether the Senate is or is not a continuing body. I think it is clear that in certain respects it is, if only because only one-third of the Members of the Senate are elected every 2 years. But it is also clear that, in other respects, the Senate is not a continuing body. For one thing, all bills die at the end of each session of the Congress.

The question is whether the Senate is a continuing body with respect to the rules governing its procedure, and whether the Senate can only change its rules in accordance with the rules established by previous Congresses. The argument we make is that the Senate has the right under the Constitution to establish its rules, and that you cannot bind new Members of this body as well as existing Members of a new Congress to rules established in previous Congresses.

But the issue is really more fundamental than this. It seems to me that the crux of the issue is whether the Senate is going to be able to debate and then act to meet the great legislative challenges that lie in the difficult and rapidly changing years to come, or whether a minority of one-third plus one will continue to be able to virtually paralyze the effective functioning of the U.S. Government if it so chooses.

This is not to say that we should do away with the checks and balances that have helped make this form of government such a great success. But the number of other checks and balances woven into this type of government are so numerous that, given the enormous changes taking place in the world today which were unknown to our forefathers, there is reason to be as concerned with the problem of stalemate in the democratic process as there is with the problem of possible corruption through the accumulation of too much power.

Nor is this to say that the Senate should be denied the right of full and extensive debate, which on many occasions has helped illuminate complex questions, focus public opinion on vital issues, calm impassioned emotions, and protect strongly held minority views, which obviously can be right as often as they can be wrong.

And as a matter of fact, I do not think the proposals to change the rules which are now under consideration could be more sensitive to the many potentially beneficial values of full debate I have just mentioned.

The Humphrey-Kuchel proposal, Senate Resolution 10, which I have joined in sponsoring, would permit a constitutional majority of the Senate to end debate on a subject only after 15 days of debate had elapsed. Thereafter, a maximum of 50 additional hours of debate would be available for each side to close their arguments.

Mr. President, this amendment and the others under consideration are based on the belief that there is a time for debate and there is a time for decision.

I think our responsibilities to the Nation compel a better balancing between the needs for debate and action.

Mr. President, I think it is important to note that, so far as I know, no other parliamentary body in the world makes it as easy as the U.S. Senate for so small a minority to block the will of the majority and prevent action from being taken.

I think it is even more interesting to note the situation that exists in the upper bodies of our own State legislatures.

I noticed that a good many of our colleagues who are opposed to changing the rules of the Senate have also spoken frequently and eloquently about the rights and responsibilities of our State governments.

Our State governments are unquestionably vital elements of the Federal system of government. Their powers and responsibilities are very great, and I am sure there are some Senators here who would like to see even more power and responsibility transferred from the Federal Government and placed in the hands of the State governments.

Yet, nearly every one of our States provide much more rigid limitations on debate in their upper bodies than does the U.S. Senate.

In fact, 47 of the 50 States forbid filibustering in their senates, either by use of the previous question motion or by other parliamentary limitations. In 39 of those States the motion for the previous question requires only a majority vote.

In view of this situation in our State legislatures, I find it a little hard to understand why those who place such great faith in the duty and ability of our State governments to exercise very great responsibilities and power over the lives of the American people should fear the adoption of Senate rules similar to the rules on debate that prevail in so many of our States, in the South as well as the North.

Mr. President, I think other Senators may be interested in knowing the rules governing debate in our State senates, and I ask unanimous consent that a table prepared by the Library of Congress be included in the RECORD at this time.

There being no objection, the table were ordered to be printed in the RECORD, as follows:

BRIEF SUMMARY OF STATE SENATE RULES ON LIMITATION OF DEBATE

ALABAMA (1957)

Debate may be limited by a vote of two-thirds of all elected members (rule 19). Members limited to twice the number of times to speak on one measure and limited to one hour each time (rule 37).

ALASKA

Alaska (1961): Previous question authorized by vote of two-thirds of the members present (rule 31).

ARIZONA (1958)

Previous question authorized rule XVIII. Presumably requires majority vote.

ARKANSAS (1951)

Previous question authorized if seconded by at least five members (rule XV). Presumably requires majority vote. Dilatory motions forbidden (rule XIV, sec. 19).

CALIFORNIA (1957)

Previous question authorized by majority vote (rule 41).

COLORADO (1958)

Previous question authorized by majority vote (rule IX). Debate may be limited not less than 1 hour after adoption of motion to that effect by majority vote (rule IX, 3).

CONNECTICUT (1957)

When yeas and nays have been ordered by one-fifth of members present, each senator when his name is called shall declare openly his assent or dissent (rule 10).

DELAWARE (1957)

Roberts Rules of Order to settle all parliamentary procedure (rule 24).

FLORIDA (1957)

Members may not speak longer than 30 minutes no more than twice on any one question without leave of the senate (rule 20).

GEORGIA (1957)

Previous question authorized by majority vote (rule 58). Speeches are limited to 30 minutes unless by leave of senate (rule 15).

HAWAII

Hawaii (1961): Previous question authorized by vote of two-thirds of the members present (rule 49). The motion is not allowed in meetings of the committee of the whole house (rule 34).

IDAHO (1947)

Previous question authorized (rule 4). Presumably by majority vote.

ILLINOIS (1958)

Previous question authorized (rule 54). Presumably by majority vote. Members are limited to 15 minutes at any one time without consent of senate (rule 38).

INDIANA (1949)

Previous question authorized (rule 17). Presumably by majority vote.

IOWA (1957)

Previous question authorized by majority vote (rule 12).

KANSAS (1957)

Previous question authorized (rule 28) presumably by majority vote. No senator may speak more than twice on same subject on same day (rule 15).

KENTUCKY (1958)

Previous question may be ordered by majority of senators elected (rule 12). Members are limited to one 30-minute speech on a measure until all members desiring to be heard have spoken (rule 21).

LOUISIANA (1958)

Previous question authorized by majority vote (rule 17). Debate may be limited by majority vote so that no senator shall speak longer than 1 hour at one time without leave of senate (rule 9).

MAINE (1957)

Members are limited to one speech on a measure to the exclusion of any other member without leave of senate (rule 10). Reed's Rules and Cushing's Law and Practice govern whenever applicable (rule 37).

MARYLAND (1958)

Members are limited to one speech on any measure to the exclusion of any other member. Each member is required to confine himself to the subject (rule 14). Jefferson's Manual governs when not inconsistent with standing rules (rule 92).

MASSACHUSETTS (1958)

Debate may be closed not less than 1 hour after adoption of motion to that effect (rule 47). Presumably by majority vote. Cushing's Manual and Crocker's Principles of Procedure shall govern when not inconsistent with standing rules (rule 62).

MICHIGAN (1958)

Previous question authorized by majority vote of members present and voting (rule 65). Members are limited to two speeches in any one day on the same measure (rule 23).

MINNESOTA (60TH SESSION)

Previous question authorized by majority vote (rule 24).

MISSISSIPPI (1956)

Previous question authorized (rule 112). Presumably by majority vote.

MISSOURI (1957)

Previous question authorized by majority vote of members elected (rule 76). Members are limited to one speech on same question without leave of senate (rule 72).

MONTANA (1951)

Previous question authorized by majority vote (rule XIV). Members are limited to two speeches in any one debate on same day in exclusion of others (rule XII).

NEBRASKA (1957)

Previous question authorized by a vote of a majority of elected members (rule 10). Members are limited to two speeches in any one debate during a legislative day without leave of legislature (rule 1).

NEVADA (1951)

Previous question authorized by majority of members present (rule 18). Members are limited to two speeches on one question on the same day (rule 44).

NEW HAMPSHIRE (1951)

Previous question authorized (rule 9). Presumably by majority vote. Members are prohibited from speaking more than twice on the same day on a measure without leave (rule 4).

NEW JERSEY (1958)

Previous question is authorized (rules 41, 43). Presumably by majority vote. Prohibits any member from speaking more than three times on same subject without leave (rule 47).

NEW MEXICO (1958)

Permits debate to be closed after 6 hours debate by a majority vote of members present (rule 68). Previous question authorized when demanded by a majority of members present (rule 58). Members are prohibited from speaking more than twice in any one debate on same day (rule 12).

NEW YORK (1959)

Debate may be limited by majority vote of those present whenever any bill, resolution, or motion shall have been under consideration for 2 hours (rule XIV, sec. 3).

NORTH CAROLINA (1951)

Previous question authorized (rule 57). Presumably by majority vote.

NORTH DAKOTA (1957)

Previous question is authorized (rules 18, 21). Presumably by majority vote. Ordinary members are limited to speak only 10 minutes on same subject, then 5 minutes, until every member choosing to speak has spoken (rule 13).

OHIO (1957)

Previous question is authorized on demand of three members (rule 89). Presumably by majority vote. Members are prohibited from speaking more than twice on same question (rule 74).

OKLAHOMA (1955)

Previous question authorized by majority vote of members voting (rule 39).

OREGON (1951)

Previous question authorized by majority vote (rule 69). Members are limited to speaking on any question to two times (rule 25).

PENNSYLVANIA (1958)

Previous question authorized (rules 9, 10). Presumably by majority vote. Mason's Manual to govern when applicable (rule 34).

RHODE ISLAND (1958)

Motion to close debate authorized after consideration for 2 hours (rule 23). Presumably by majority vote. Members are limited to speaking on a measure to two speeches without leave of senate (rule 18).

SOUTH CAROLINA (1957)

Previous question is authorized if seconded by at least one-seventh of members elected and requires a vote of a majority of members present to carry (rule 53).

TENNESSEE (1949)

Previous question authorized by vote of two-thirds of members present; if rejected, committee of rules may, upon demand of a majority of the members, submit rule fixing of limiting time for debate for adoption by majority of senate (rule 20).

TEXAS (1949)

Previous question authorized by majority vote (rule 101).

UTAH (1957)

Previous question specifically forbidden (rule 45). Provides that no member speak more than twice in any one debate on same day without leave (rule 42).

VERMONT (1957)

Previous question specifically forbidden (rule XVIII, 55). Provides that no member shall speak more than twice on same question without leave (rule X, 66).

VIRGINIA (1958)

Previous question authorized if seconded by majority of members present (rule 50). Prohibits members from speaking more than twice on same subject without leave (rule 56).

WASHINGTON (1957)

Previous question authorized by majority vote of members present (rule 30). Prohibits members from speaking more than twice on same subject on same day without leave (rule 16).

WEST VIRGINIA (1957)

Previous question authorized by majority vote (rule 53). Prohibits members from speaking more than twice on same subject without leave (rule 17).

WISCONSIN (1957)

Previous question authorized on demand of five members (rules 76, 77). Presumably by majority vote. Prohibits members from speaking more than twice on same subject without leave (rule 59).

WYOMING (1957)

Previous question authorized when seconded by three members (rule 43). Presumably by majority vote. Prohibits members from speaking more than twice on same subject on same day without leave (rule 32).

Mr. RUSSELL. Mr. President, I yield 20 minutes to the Senator from Illinois [Mr. DIRKSEN].

The VICE PRESIDENT. The Senator from Georgia yields 20 minutes to the Senator from Illinois.

Mr. RUSSELL. Or so much of that time as he may desire to use.

Mr. DIRKSEN. Mr. President, several years ago a friend sent me a little poem. I carry it in my pocket, and I read it nearly every day. The title is: "Slow Me Down—I Am Going Too Fast."

This is the missile age. This is the nuclear age. This is the age of the astronaut. This is the age of hurry, of speed, of acceleration. There is no time to ponder and to reflect. Things must be jammed through now.

It becomes disturbing because the missile age is infectious. I suppose in life everything is rather compensatory. So, as I come afoul of the proposition which is before us I think first of all of what is written in Exodus:

> Thou shalt not follow a multitude to do evil.

As a matter of fact, there is no compromise with evil. There is no compromise with sin. One either takes it or rejects it.

I am sure there is a kernel of evil in all this. I say it most kindly. I believe the rule as it exists on the Senate rulebook is actually the only brake on irrational and unreasonable action anywhere. I make no exception in the whole structure of government.

Let us see whether that thesis can be established.

The first bill I voted on in 1933 under Franklin Roosevelt was the Economy Act. It was not even in print. We worked from five typewritten copies. The economy was achieved at the expense of the veterans and the Federal employees, and no one else. I voted for the rule, to begin with, and then voted against the bill. In a few days my desk was littered with telegrams and letters. It is no easy thing to bear when one's best friend sends a telegram: "You stinking one-termer."

I have been here nearly 30 years. That is what an aberration even among a free people can do. That is the kind of impact it can have on our deliberations.

I was here when Franklin Roosevelt sent the Potato Act to Congress. The Secretary of Agriculture would have become a czar and would have been permitted to say what size potato could be shipped in interstate commerce. It was passed because the economic pinch upon the country did something to people, and it frightened those who came here who should have been deliberate in their approach to legislation, even in a great depression.

I was here when Franklin Roosevelt sent the coal bill to the Ways and Means Committee of the House. I will never forget the message. The message said:

> Let no doubt, however reasonable, about its constitutionality deter you from passing this bill.

Think of that. A President said that to Congress.

One never knows what kind of attitude will stem from economic stagnation and when the pocketbook pinches and when financial empires go down the drain.

I was here when the National Industrial Recovery Act came to Congress.

Does not everyone remember the Blue Eagle, flaunting its beauty from every billboard in the land, with a commercial wheel in one talon and a bolt of lightning in the other? It would have suspended the antitrust laws of the country.

A pants presser in New Jersey was put in jail because he refused to charge 50 cents, the code price for pressing a pair of pants. A battery manufacturer in York, Pa., was put in jail because he would not raise his prices.

That is what happens when a country is under pressure. Then we ask, "Where is the brake?" We ask, "How do we stop it finally? How do we introduce reason and some sense?"

I have always said that in these times we become a little cowardly, under pressure.

I wept when my friend wrote to me about that first vote. I wanted to make public service a career. It was hard work to go back to talk to my business friends and others who had scolded me and had said, "You should follow the President." They did not ask whether he was right or wrong. They said, "You should follow the President." We were told to lead the children out of the wilderness of economic stagnation.

I was here when the Gold Reserve Act and the Silver Purchase Act were put on the books. What did the Secretary of the Treasury say yesterday to the Committee on the Economic Report? He asked that the Silver Purchase Act be repealed. That was his answer. But under pressure these things go on the statute books. Then we ask ourselves the question, "How and when can it be stopped?"

I was here when we voted the Agricultural Adjustment Act. I was here during the call for the incineration of little pigs, and the arguments for the plowing under of cotton. Oh, there could be no time to deliberate. The order was: Push it through now. Haste. Speed. Acceleration. Hurry. That was the order of the day. I remember the old slogan: Relief, reform, recovery. Harry Hopkins came to the other body and almost demanded that we not touch his estimates. Then they went abroad in the land to spend billions of dollars under CWA.

I defy anyone to go anywhere in the country and find a durable vestige of what is left of that whole program.

But that is what emotionalism, that is what passion, can do. Is there anyone so bold as to stand up and say it will never happen again? Oh, it will happen. It will happen many times. All these acts, CWA, Silver Purchase, National Industrial Recovery Act, the Economy Act, the Agricultural Adjustment Act, the Potato Act, the Gold Act—if I had time, I suppose I could add materially to the list—were all pushed through.

Now let me give the Senate classic example. It came later. On May 25, 1946, President Harry Truman stood before a joint session of Congress. I apprehend Senators who are still serving in the Senate were present. I was there. He asked for the immediate enactment of the Industrial Disputes Act. In large part, I suppose it was all right. However, there was something in that act that gives me profound regret. I voted for it. Three hundred and six House Members voted for it. Only 13 voted against it. One hundred and eleven refused to vote. Let me tell the Senate what the President of the United States asked for when he stood in the rostrum. I read from section 7 of that bill:

> The President may, in his proclamation issued under section 2 hereof, or in a subsequent proclamation, provide that any person subject thereto who has failed or refused, without the permission of the President, to return to work within 24 hours after the finally effective date of his proclamation issued under section 2 hereof, shall be inducted into the Army of the United States. * * *

He stood there that day and urged the railroad brotherhoods to go back to work. They had been on strike. The coalworkers in the Government-seized mines were still on strike. That was what the President of the United States asked for. He asked Congress for the right to put the strikers into the Army if they did not go back to work in 24 hours. In all my years in both bodies, that is the one vote that I would like to sponge out.

The bill then came to the Senate. Thank goodness, the Senate had a redoubtable leader. The bill was stopped here in a night session. The Senate took out that provision and tried to particularize a few more things.

You see, emotionalism, prejudice, hate, unreason, and all those things, can come at any time or in any generation. But there was more than a majority of the House who voted to give the President the power to proclaim an emergency and to put every railroad and mine striker into the Army if in 24 hours he did not return to work.

Where was the brake? The brake was here, in this body, if it had to be exercised. In the whole structure of the Government, it is the only brake on hasty action of which I have any knowledge. Such action could happen again.

It has been said that to prevent the majority from exercising its will and getting a chance to vote, if the proposal is evil, the majority ought to be stopped; and those who have the conviction that it is evil are recreant to their duty if they do not do everything they can to prevent the enactment of a proposal that would do evil and injustice to the country. It is that simple.

Rule XXII in its present form is, on reflection, still the one brake preserved in our country. I do not want to see it go by the board. Other days will come. Oh, how in 1933 we first charged down one radical road and then another, and there were only a handful to stand up and protest. I think in the third term there were only 87 Republicans out of 435 Members of the House of Representatives. All we could do was to protest. But when the legislation came under the House procedures, the time for general debate was set at 2 hours, 4 hours, 5 hours, or whatever the rule might have provided.

Then we had the grand chance. We had 5 minutes in which to offer an amendment. Oh, how those amendments slid through, and how often we were laughed at. We had to hope, then, that there would be a number of profiles in courage in the U.S. Senate to stand up and do their job, and not let the situation get out of hand.

Much emphasis has been placed on civil rights. I doubt whether any Member of this body will reproach the minority leader for his record on civil rights. I carried the flag for Eisenhower here, and I thought we did reasonably well. But I am thinking not merely of civil rights; I am thinking of anything that could have a bad impact upon the economy of the country. The day will come when it will happen again, for the very simple reason that since the beginning of time human nature has not changed.

When David coveted Bathsheba and put Uriah in the front lines to get him killed, he was expressing a human weakness that has obtained even until today under the veneer of our civilization.

Ananias and Sapphira departed from the truth, and we find their counterparts in this highly intelligent civilization of ours. Human nature has not changed. People will come in whose breasts and in whose hearts there will be a lust for power. If they are fortified, they might push their plans through, unless there is a brake in Government somewhere.

This body is the one brake, because a few Senators can stand up and seek to stop such action—not merely to stop a majority from voting, but to stop evil from being done. Let us not forget that.

I said it takes profiles in courage. We may have whatever profile we like, but we must have a weapon to go with it. That is the important thing. Rule XXII is the weapon.

Let us not kid ourselves as to where this procedure would ultimately lead, because a number of resolutions are pending. Here is one submitted by the distinguished Senator from Oregon [Mr. MORSE]. It reads:

> Is it the sense of the Senate that the debate shall be brought to a close?
>
> And if that question shall be decided in the affirmative by a majority vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

A quorum is 51. A majority is 26. The Morse formula as imbedded in this resolution would make it possible, if 51 Senators were on the floor, for 26 Senators to stop the debate. So we would start with the present rule; then we would go to a three-fifths majority; then to a majority of the Senators constitutionally sworn; then to a majority of the Senators present and voting. Who knows? We may get down to 10 percent after awhile. We never can tell.

But rule XXII ought to stay as it is. I adjure Senators that the motion to table ought to be supported.

Much pressure has been exerted. I presume some of our labor friends are in the galleries today. I hope they heard me read section 7 of the act on which I voted in May, 1946. I wonder what they think about it. Their delegations have been in my office. I remind them that I voted for that bill, the one great legislative mistake I made in my life, because I was the victim of the passion, the heat, and the emotionalism of the time. So it could happen again. If the representatives of labor are in the galleries, they ought to take notice.

I do not know that I need say anything more, except that the Senate has a rule which in an age of haste says to us, "Slow me down; I am going too fast." We have a Republic because we have not moved too fast. Someone has likened our Nation to an old scow: "It don't move very far; it don't move very fast at one time; but it never sinks."

Ours is the oldest Republic on the face of the earth having a written Constitution. I want to keep it.

I have only one other thought. It came back to me as I was driving in from the country this morning. I recalled that last September we observed the 175th anniversary of the Constitution. I go back and explore history once in a while. I think this is an authentic recollection. On the 17th of September, 1787, when those venerable gentlemen came out of that Hall in Philadelphia, the first one out was Benjamin Franklin. We observed his 257th birthday anniversary this month. As he came out, a woman grabbed him. She was the wife of a former mayor of Philadelphia. Her name was Eleanor Powell. Her husband had been mayor. Her husband's father had been mayor. She went right to the point.

She did not say, "Dr. Franklin, what have you fellows been doing in there ever since May?"

No. She said, "Dr. Franklin, what have we got—a monarchy or a republic?"

Then that venerable old man, one of the great, able——

The VICE PRESIDENT. The time of the Senator from Illinois has expired.

Mr. DIRKSEN. May I finish my sentence?

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senator from Illinois may finish his sentence.

The VICE PRESIDENT. The Senator from Illinois is recognized for an additional minute.

Mr. DIRKSEN. She said, "Dr. Franklin, what have we got—a monarchy or a republic?"

Like a flash, the 83-year-old man said, "A republic—if you can keep it."

And we will keep it if there is a brake in government—and that is spelled b-r-a-k-e. And the only real brake I know of is the rule which today is in the rule book of this body.

So I was delighted to conjoin with my friend, the majority leader, in offering the tabling motion; and I trust that it will be supported by an overwhelming majority of the Senate.

Mr. HUMPHREY. Mr. President, the Senator from Georgia [Mr. RUSSELL] and I entered into an arrangement, in the light of some speeches, to yield, jointly, 2 minutes each—or a total of 4 minutes—to the majority leader.

The VICE PRESIDENT. The Senator from Minnesota has 7 minutes remaining; the Senator from Georgia has 1 minute remaining.

Mr. HUMPHREY. Then we shall yield 2 and 1.

The VICE PRESIDENT. The Chair does not understand the Senator.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the majority leader may proceed for 4 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none; and it is so ordered.

Mr. MANSFIELD. Mr. President, like the distinguished minority leader, I, likewise, recall the receipt of that message in the House of Representatives and that vote—and, in particular, my own vote. It is one of the votes I have really regretted in my lifetime. I think I made a terrible mistake then; and I so admitted to my folks when I went home, later that year. But, as the minority leader has said, had it not been for the Senate, had it not been for the delay in this body, it is quite possible that that proposed law would have been passed, with the result that the railroad workers and others who then were on strike would have been drafted into the Armed Forces of the United States.

Mr. President, shortly we shall cast the first Senate vote in the 88th Congress. It has been stated that the issue is obscure, that the question lacks color, that the press, the people and the Senators themselves have failed to respond to the debate as they would to a substantive cause. This is in large measure true. But the time for choice has come, and with it the slow realization that what we are going to vote on is elemental, not in the sense that it is easily decided, but in the sense that it touches the vital organs of our democracy. Let us be certain of one thing. What we vote on here today is not whether two-thirds, three-fifths, or a majority of Senators will be able to stop debate in the Senate. Important as that question is, the question we must now decide is, perhaps, even more crucial, for it seems to me that by this vote the Senate will declare its support or rejection of the following proposition: That, in order to have its will, the majority of this body, however transient, will ignore the parliamentary traditions of 174 years, the precedents of 87 Congresses, and the rules of procedure which it itself has adopted and observed through all that time; that the majority will accomplish this end by reading its own encouragement and authorization into an instrument that is assuredly silent on the matter, but which speaks out elsewhere again and again in opposition to the authoritarian rule of the majority.

That is the real proposition before this body.

As the Senator from Rhode Island so cogently pointed out earlier today, in 1959 the Senate agreed to change rule 22 in two important ways. One revision directed that the cloture procedure could thenceforth be used to accomplish a change in the rules. Rule 32 was correspondingly altered, so as to codify the generally accepted proposition that the Senate rules continue from year to year unless changed as provided in the rules. By adopting these two propositions, the Senate set forth a legal procedure by which the rules could be changed, and provided the logical correlative that the rules were to be considered permanent until so changed. By providing a method of ordered change, the rules followed the basic philosophy of law in a democracy. To abandon these procedures, or, even worse, to demand that an authority other than the Senate—indeed, a member of the executive branch of Government—should dictate new and unknown procedures, seems to me—and is—a very, very dangerous course.

When, under established procedures and by recognized and well-understood methods, the time comes for a vote on three-fifths cloture, I will vote for it. I understand and sympathize with those Senators in this body who feel the frustration of perennially trying and failing to pass legislation they feel is vital to the needs of Americans. But let us not, I say, forget the customs, the precedents, and the rules, in our attempt.

Mr. President, I shall vote to table the motion.

Mr. HUMPHREY. Mr. President, how much time remains available to me?

The VICE PRESIDENT. The Senator from Minnesota has 7 minutes remaining.

Mr. HUMPHREY. I thank the Chair.

Mr. President, I yield the remainder of the time available to me to the mover of the motion, the Senator from New Mexico [Mr. ANDERSON].

The VICE PRESIDENT. The Senator from New Mexico is recognized for 7 minutes.

Mr. ANDERSON. Mr. President, I have wondered, many times, what a person might say, at the end of this long debate, which might in some way persuade Senators that they should vote against this tabling motion. I have had part of the answer furnished me this afternoon. I listened to the recitals by the majority leader and the minority leader about what happened when a bill to draft the railroad workers was presented to Congress.

I suppose there is a belief by some persons that some sacred rule of the Senate protected the people of the United States at that time. I was then a member of the Cabinet of the President of the United States; and I know something about the circumstances under which he submitted his bill to the House of Representatives and had it passed, and I know something about the circumstances and about what happened to that bill when it came to the Senate and was not passed. It was not blocked by any two-thirds rule. It was blocked by the courage of Bob Taft, who said, "This shall not take place." He did not need any two-thirds rule.

"One man with courage," said the philosopher, "is a majority." And Bob Taft had courage. He needed nothing else. That bill was stopped in the Senate, not by a Senate rule, but by the courage of one person.

Earlier today, I also heard a recital about Edmund G. Ross, and about how brave he was in connection with the impeachment trial of President Andrew Johnson. Mr. President, I appointed the great-grandson of Edmund G. Ross to one of the military academies. I think I know the story of Edmund G. Ross as well as any other Member of the Senate, and I know how he was driven out of his home State because he had the courage to do what he did. Nevertheless, he cast an important vote in connection with a matter which required a two-thirds vote of the Senate; but it was required by the Constitution, not by Henry Clay or Alexander Hamilton or by someone in 1789. Edmund G. Ross had the courage to do what he felt was right.

I heard a Senator refer to the Teapot Dome scandal and I heard him say how important it was that the Teapot Dome scandal was detected. Mr. President, a recent book about Teapot Dome mentions that an Albuquerque newspaperman began the hunt to find what was wrong with Teapot Dome; and I know how hard it was to find Senators who would stand up at that time. But finally one was found—Thomas Walsh, of Montana. It was Thomas Walsh who defied the precedent which had been established in the Senate, and said, "I will not be bound by a rule of the Senate that is improper and unconstitutional."

What did he accomplish? As a result of his objections in 1917, both Republicans and Democrats caucused. They said, "We cannot have total anarchy. He is advocating a rewriting of the rules. We had better give him what he wants." So he was given a rule on cloture that permitted the Senate to stop debate when Senators thought it ought to be stopped.

Yes, he was a brave man, but he did not benefit by all the long traditions of 150 years. He benefited because he had in his own heart the essential courage to stand up and do what he thought was right.

That is all that is involved here today. Someone has said:

> Do you not think that what you are doing is a reflection on the Vice President?

If anyone in the Senate Chamber has the right to claim that he has not reflected and would not reflect wrongly upon the Vice President, I think I have that right. The story of the Los Angeles Democratic Convention is pretty well known. I know how certain delegates from New Mexico stood at that convention. Their vote never changed. They stayed by the then Senator from Texas.

I am the last one who would reflect upon the Vice President. What I have done is not a reflection. It is the Vice President's own request that the Senate itself pass upon a constitutional issue. To request the Senate to pass upon the issue as the Vice President has requested, one way or the other, is no reflection upon anyone. This is a mere request to say what we believe about it.

A play entitled "The Trial of Pontius Pilate," was written by Robert Sherwood, but was never produced. In that play Sherwood pointed out that Pontius Pilate was a fine young graduate from school and hoped that he might become a very important law officer of the Roman Empire. He hoped to be made procurator to Egypt. Unfortunately, when the assignments came out, he was given the miserable assignment, as he thought, of procurator to Judea.

While he was serving in Judea an incident occurred which affected his whole life. There was a clamor at night. He heard the story of what was going on. People came to him and said:

> Oh, Pontius Pilate, there is a great noise in the street.

Pilate said:

> What is the noise? A crowd is out there yelling, "Crucify him."

The reply was "Crucify him."

Pontius Pilate walked to the balcony and had his servant bring him some water and a towel. Then he said:

> I wash my hands of this event.

Mr. President, remembering the Dixon-Yates fight and a few other fights we have had, I thank God that I have not stood by and washed my hands on the balcony while those questions were before the people. Senators who wish to wash their hands today may do so. But let no one be fooled. The vote we are taking is to provide or reject a three-fifths cloture rule, and nothing else. Senators will not see the question before the Senate again this session. They will have no further opportunity this session to vote on that question.

The able minority leader, one of the very finest men in the Senate, and one whose long record has brought credit to him, stood up before us not long ago—1961—and told us:

> Senators need not worry about the motion to refer the proposal to the Committee on Rules and Administration. Everything will be wonderful. When in good faith the majority leader gives assurance to the Senate that he will bring the proposal back to the Senate, if for any reason those honorable efforts were to be obstructed, I believe it would be like falling off a log to get two-thirds of the Senators to vote for cloture.

He said it would be "like falling off a log."

I suggest to Senators that they pick up the RECORD and read what occurred. How did the vote on cloture result? How did some of those Senators who had endorsed the Senator's motion to refer the proposal to the Committee on Rules and Administration vote when the time came to vote? They voted against cloture, of course. They wanted to preserve the status quo.

Today a similar situation exists. We have one opportunity, and only one. That opportunity has come at the beginning of the present session. If Senators throw it away, I suggest that they not go home to their people and say, "We wanted a three-fifths provision, but we were caught in a parliamentary decision."

Senators are not caught. They can vote today. Senators will not be able to vote on the issue tomorrow. We can vote today to see to it that the motion to table is rejected. We can vote today to see to it that Senators have an opportunity to establish their own rules. We can vote today as Thomas Walsh would have voted. We can vote today as Edmond Ross and some of the other former Senators we have been talking about would have voted. There is only one way to handle the issue at the present session, and that is to do it at this hour.

I know how easy it is to say, "There was a parliamentary decision and we thought so and so."

The parliamentary decision is not misunderstood by a single Senator in this Chamber. Not one. Every Senator here knows what he is doing. He can vote either for a three-fifths rule or something better.

I hope the motion to table will be defeated.

The VICE PRESIDENT. The time of the Senator has expired.

The Senator from Georgia has 1 minute remaining.

Mr. RUSSELL. Mr. President, inasmuch as I have been charged with filibustering, I am glad to yield back the 1 minute I have remaining.

The VICE PRESIDENT. All time for debate having expired, under the unanimous-consent agreement the clerk will call the roll to obtain a quorum.

The legislative clerk called the roll and the following Senators answered to their names:

[No. 14 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The VICE PRESIDENT. A quorum is present. Does the leadership desire to have the yeas and nays ordered?

Mr. HUMPHREY. Mr. President, I ask for the yeas and nays on the question of tabling.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on the issue of tabling the question submitted on January 28 by the Vice President to the Senate under the uniform of precedents of the Senate, for its decision, namely:

> Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

If the above question is tabled, the question will then recur on the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of Senate Resolution 9, submitted on January 15, 1963, a resolution to amend the cloture rule of the Senate.

A vote "yea" is to table; a vote "nay" is not to table.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. METCALF (when his name was called). On this vote I have a pair with the junior Senator from North Carolina [Mr. JORDAN]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. MORSE (when his name was called). On this vote I have a live pair with the Senator from Tennessee [Mr. GORE]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Tennessee [Mr. GORE] is absent on official business.

I further announce that the Senator from North Carolina [Mr. JORDAN] is necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. PEARSON] is necessarily absent and, if present and voting, would vote "yea."

The yeas and nays resulted:

[No. 15 Leg.]

YEAS—53

Aiken
Bartlett
Bennett
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Dirksen
Dominick
Eastland
Edmondson
Ellender
Ervin
Fulbright
Goldwater
Gruening
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Johnston
Jordan, Idaho
Kefauver
Long, La.
Mansfield
McClellan
McGee
Mechem
Miller
Monroney
Morton
Mundt
Pastore
Pell
Prouty
Robertson
Russell
Saltonstall
Simpson
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—42

Allott
Anderson
Bayh
Beall
Boggs
Brewster
Burdick
Case
Church
Clark
Cooper
Dodd
Douglas
Engle
Fong
Hart
Hartke
Humphrey
Jackson
Javits
Keating
Kennedy
Kuchel
Lausche
Long, Mo.
Magnuson
McCarthy
McGovern
McIntyre
McNamara
Moss
Muskie
Nelson
Neuberger
Proxmire
Randolph
Ribicoff
Scott
Smith
Symington
Williams, N.J.
Young, Ohio

NOT VOTING—5

Gore
Jordan, N.C.
Metcalf
Morse
Pearson

The VICE PRESIDENT. The question on the issue of tabling, submitted by the Vice President to the Senate for its decision—"Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?"—is therefore laid on the table by a vote of 53 to 42.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the question was tabled.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Illinois [Mr. DIRKSEN] to lay on the table the motion to reconsider made by the Senator from Montana [Mr. MANSFIELD].

The motion to lay on the table was agreed to.

Mr. WILLIAMS of Delaware. Mr. President——

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. WILLIAMS of Delaware. I yield without losing the floor.

Mr. MANSFIELD. Mr. President, for the information of the Senate——

The VICE PRESIDENT. Will the Senator permit the Chair to state the question? The Senator from Delaware will then be recognized.

The question now recurs on the motion submitted on January 15 by the Senator from New Mexico [Mr. ANDERSON] that the Senate proceed to the consideration of Senate Resolution 9 to amend the cloture rule of the Senate.

ORDER FOR RECESS TO MONDAY NEXT AT 10 O'CLOCK A.M.

The VICE PRESIDENT. The Senator from Delaware is recognized.

Mr. MANSFIELD. Mr. President, will the Senator yield to me without losing the right to the floor?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Mr. President, for the information of the Senate, and after consultation with the distinguished minority leader, it is our intention to move very shortly that the Senate recess until 10 o'clock Monday morning.

I ask unanimous consent at this time that, when the Senate recesses today, it recess to meet on Monday next at 10 o'clock a.m.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

THE PRESIDENT'S TAX PROPOSALS

Mr. WILLIAMS of Delaware. Mr. President, last week the President sent to Congress a message requesting revision of the income tax law. Much to my regret, members of Congress were unable to get a copy of the message until after it had appeared in the papers. But today I want to call attention to some points in the message which if enacted will do great harm to a lot of people. This proposal was ballyhooed as a tax cut measure intended to help the elderly, but an examination shows quite the contrary.

During the past few days I have had staff members of the Joint Committee on Internal Revenue Taxation to analyze the message and prepare tables using hypothetical cases to show how it will affect taxpayers in different positions and in different tax brackets.

Much to my surprise, I find that instead of a reduction there is proposed a substantial tax increase on those taxpayers who are living off pensions when those taxpayers are totally and permanently disabled. For example, a person who is drawing a disability pension of as low as $30 a week disability benefits under the existing law today pays no tax at all. But under the President's proposal he will be taxed to the extent of $216 in 1964, and for 1965 and thereafter his tax will be $195.

Just why the New Frontiersmen think that a disabled man, forced to live on a disability income of $30 per week should have such a tax increase is a question only the President can answer.

This tax would be levied even though the man is drawing only $30 a week in disability pension.

If his disability benefits are $40 he is taxed $262. A man who draws a disability pension of $100 per week would, under the President's proposal pay $779 in 1964 and in 1965 and thereafter he would pay $722. Under existing law none of these people drawing disability pensions of these amounts would be paying any tax whatever.

Since this message, much has been said to the effect that the President wanted to do something for the elderly and for those who were unable to take care of themselves. I am wondering if he did not make a typographical error and when he said he would do something "for" them he meant to say that he would do something "to" them. Certainly this is rather harsh treatment for a group of people who cannot protect themselves.

I ask unanimous consent at this point in my remarks to have printed in the RECORD the chart compiled by the staff of the Joint Committee on Internal Revenue Taxation showing how the President's proposal will affect those who are living on disability pensions.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Individual income tax under present law and under proposed tax program, 1964 and 1965

[Employees retired on disability pensions before retirement age. Other income equal to present law exemptions and standard deduction]

MARRIED COUPLE, NO DEPENDENTS

Weekly pension rate	Tax under present law	Tax under proposal	
		1964	1965
$30	0	$216	$195
$40	0	290	262
$50	0	368	334
$60	0	447	409
$70	0	527	484
$80	0	606	559
$90	0	690	638
$100	0	779	722

Mr. WILLIAMS of Delaware. The President's tax proposals also provide for tax increases on other groups of retired Government employees. This group would include employees of States and local governments, as well as of the Federal Government.

The first example I have is that of a married couple, age 65, with both of them retired, and both having worked for some State or Federal agency.

They have a combined pension of $6,053 a year. Under existing law, this couple both over 65, would pay no tax at all. However, under the President's proposal they would pay a tax of $44.64. In fact, all retired Government employees in this category who are drawing retirement benefits and whose gross income is between $5,800 and $7,822 a year get some tax increase.

A single worker aged 65 who is drawing a pension of $3,027 from either a State or Federal pension fund would be taxed $22.32 under the President's proposal.

Under existing law the same person would pay no tax.

The President said he wants to do something for these people. Based upon his tax proposal I would say he means to do something to them. I find that all taxpayers in this category who are drawing retirement pensions between $2,900 and $3,911 get a tax increase under the President's proposal.

A single retired Government worker at age 62, drawing a pension of $2,361 a year, would under existing law pay no tax, whereas under the President's proposal he would be forced to pay $213.76 on his pension of $2,361.

In every instance, all retired employees would get a tax increase under the President's proposal where their pension incomes were between $900 and $7,792 a year. Who said that the New Frontier has no interest in the elderly people? They must have been lying awake nights dreaming up this proposal to tax them.

It should be pointed out that the pension income referred to in these charts has reference to the taxable portion of the pension income, which amount would be over and above that part of the pension which represents return of paid-in contributions.

I ask unanimous consent that these two charts be printed in the RECORD at this point as a part of my remarks.

These charts show that what the President hailed as a "tax cut" is in reality a "tax increase" for this group of people.

It is ironical that this harsh treatment of these elderly people is proposed by an administration which has expressed such loud sympathy for their plight.

There being no objection, the charts were ordered to be printed in the RECORD, as follows:

Married couple, age 65 (both retired), Government workers

	Existing law	Proposal, 1965
Pension	$6,053.00	$6,053.00
Exemption	2,400.00	1,200.00
Standard deduction	605.00	605.00
Taxable income	3,048.00	4,248.00
Tentative tax	609.60	644.64
Retirement income credit	609.60	600.00
Tax	0	44.64

NOTE.—Tax under the proposal would be higher than under the existing law if gross income is between $5,800 and $7,822.

Single Government worker, age 65

	Existing law	Proposal, 1965
Pension	$3,027.00	$3,027.00
Exemption	1,200.00	600.00
Deduction	303.00	303.00
Taxable income	1,524.00	2,124.00
Tentative tax	304.80	322.32
Retirement income credit	304.80	300.00
Tax	0	22.32

NOTE.—Tax will be higher under the proposal than under existing law if pension income is between $2,900 and $3,911, single.

Single retired Government worker, age 62

	Existing law	Proposal, 1965
Pension	$2,361.00	$2,361.00
Exemption	600.00	600.00
Standard deduction	237.00	300.00
Taxable income	1,524.00	1,461.00
Tentative tax	304.80	213.76
Retirement income credit	304.80	0
Tax	0	213.76

NOTE.—Taxes would always be higher under the proposal than under existing law where pension income is between $900 and $7,792.

Mr. WILLIAMS of Delaware. There is also a substantial increase in the amount of tax which could be paid by estates.

Again, much has been said about the provision in the President's tax proposal wherein the Federal estate tax will be reduced. That is just not true. The President would reduce the amount of one estate tax, but the total tax which would be paid by an estate upon the death of an individual would be greater in every case that we have checked. That is true because the President would add a new tax on estates.

We were unable to find one single situation where anyone would get any reduction on an estate tax under the President's proposal. On the contrary, the increase runs from 1 percent and 2 percent all the way up to 45 percent.

A specific example is the case of a man who dies and leaves a million-dollar estate. Assuming that $400,000 of it represents capital appreciation or unrealized capital gains, under existing law this man's Federal estate tax would be $116,500. Under the President's proposal his Federal estate tax would be $95,983. However, the catch is that under the President's proposal, before this estate tax is computed there would be a new capital gains tax of $71,240, making the total tax $167,223. This is over 40-percent increase in this case where he is leaving his estate to his wife.

Let us take exactly the same case where the man leaves his estate to his son or to some nonrelated person. We find that the increase is about 20 percent. In other words the tax under the existing law is $270,300, but under the President's proposal it would be $322,299 or $75,800 in capital gains tax and an estate tax of $246,499.

Under the President's proposal the increased tax on an estate such as I have just described, if left to his wife, is about 43 percent.

However, if he leaves his estate to his mistress his tax is increased by less than 20 percent.

I do not know what the Frontiersmen had in mind when they drafted any such formula under which they would increase the tax 40 percent on an estate when a man leaves it to his wife, but increased it only 20 percent if he leaves it to his mistress. Who said the New Frontiersmen had no imagination?

I ask unanimous consent to have this illustration of the impact of the proposal to tax appreciation at death printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Illustration of Impact of Proposal to Tax Appreciation at Death

At the date of his death, decedent Z owned property having a fair market value of $1 million, which included $400,000 of appreciation. By his will, the entire property passed to his surviving spouse. In the year of his death, decedent Z had taxable income of $80,000 which was reported on a joint return with his spouse.

EXISTING LAW

After deducting the $60,000 statutory exemption and the $500,000 marital deduction, there would be a tentative Federal estate tax (assuming the estate was entitled to no further deductions) of $126,500. After allowing the maximum credit for State death taxes of $10,000, the net Federal estate tax would be $116,500, computed as follows:

Gross estate	$1,000,000
Federal exemption	−60,000
Net estate	940,000
Marital deduction	−500,000
Taxable estate	440,000
Tentative Federal estate tax	126,500
Credit for State taxes	−10,000
Federal estate tax	116,500

PRESIDENT'S PROPOSAL

Under the President's proposal, in addition to the estate tax, there would also be a capital gains tax imposed on the amount of appreciation in the value of property owned by decedents at the date of death.

Because of this new capital gains tax, the total Federal tax due with respect to the estate of decedent Z under the proposal is $167,223. This includes a capital gains tax of $71,240 and Federal estate tax of $95,983 computed as follows:

Capital gains tax

Appreciation in value of property owned at date of death	$400,000
Amount of appreciation included in taxable income (30 percent times $400,000)	120,000
Additional tax attributable to appreciation	71,240

Estate tax

Gross estate	$1,000,000
Statutory exemption	−60,000
Net estate	940,000
Deductions:	
Marital deduction	−500,000
Capital gains tax	−71,240
Taxable estate	368,760
Tentative Federal estate tax	103,703
Credit for State death taxes	−7,720
Federal estate tax	95,983

Illustration of Impact of Proposal To Tax Appreciation at Death

At the date of his death, decedent X owned property having a fair market value of $1 million which included $400,000 of appreciation. By his will, the entire property passed to his son. In the year of his death, decedent X has taxable income of $80,000.

EXISTING LAW

Under existing law, after deducting the $60,000 statutory exemption, there would be a tentative Federal estate tax (assuming the estate was entitled to no further deductions) of $303,500. After allowing the maximum credit for State death taxes of $33,200, the net Federal estate tax would be $270,300, computed as follows:

Gross estate	$1,000,000
Federal exemption	−60,000
Taxable estate	940,000
Tentative Federal estate tax	303,500
Credit for State death taxes	−33,200
Federal estate tax	270,300

PRESIDENT'S PROPOSAL

Under the President's proposal in addition to the estate tax, there would also be a capital gains tax imposed on the amount of appreciation in the value of property owned by decedents at the date of death.

Because of this new capital gains tax, the total Federal tax due with respect to the estate of decedent X under the proposal is $322,299. This include a capital gains tax of $75,800 and Federal estate tax of $246,499 computed as follows:

Capital gains tax

Appreciation in value of property owned at date of death	$400,000
Amount of appreciation included in taxable income (30 percent ×$400,000	120,000
Additional tax attributable to appreciation	75,800

Estate tax

Gross estate	$1,000,000
Statutory exemption	−60,000
Net estate	940,000
Deduction for capital gains tax	75,800
Taxable estate	864,200
Tentative Federal estate tax	275,454
Credit for State death taxes	−28,955
Federal estate tax	246,499

Mr. WILLIAMS of Delaware. Again, Mr. President, to show that this proposed increased tax on estates affects not only the man with a large estate, but even more drastically the man with a small estate I asked the staff to compute what would happen to a man who left an estate of $40,000. Under existing law the first $60,000 is entirely exempt from estate tax; therefore he would have no tax. The President's proposal would affect many in this category.

I cite the following example:

ILLUSTRATION OF PROPOSAL TO TAX APPRECIATION AT DEATH

At the date of his death decedent Y owned a farm having a fair market value of $40,000, which included $30,000 of appreciation. By his will the farm passed to his son. In the year of his death, decedent had taxable income of $5,000.

EXISTING LAW

Under existing law there would be no Federal tax paid with respect to the estate of decedent Y.

PRESIDENT'S PROPOSAL

Under the President's proposal, in addition to the estate tax there would be capital gains tax imposed on the value of appreciation in property owned by decedent at the date of death. Because of this new capital gains tax, there would be Federal taxes due with respect to the estate of decedent Y of $2,880 computed as follows:

Capital gains tax

Appreciation in value of property owned by decedent at date of death	$30,000
Amount included in taxable income (30 percent times $30,000)	10,000
Additional tax attributable to appreciation	2,880

This estate would be completely exempt under the present law, but the President makes no provision for protecting the small estate.

The Frontiersmen who speak so eloquently of their interest in the forgotten man have under the President's tax proposal remembered him with a vengence.

Much propaganda has been released that the President's proposal would do much for those in the middle income brackets.

I had the staff of the committee compile several examples of how his proposal will affect some in this middle income bracket. I will incorporate in the Record this report showing how his proposal would affect persons with a $50,000 income. First, we assume the case of a man with an income of $40,000 from dividends and $10,000 from other sources. We find in several of these cases that these taxpayers in the $50,000 range would have their taxes increased rather than reduced.

For example, in one illustration a man would pay an increased tax in the first year of $478.

In another illustration the tax would be increased $1,171 in the first year. In the second year this man would get a decrease of $304. However, it would take 5 years before he would break even.

These charts all show that there is very little assistance, if any, given under the President's proposal to many taxpayers in the middle income brackets.

I did notice that if a taxpayer in the same category is drawing $40,000 from oil royalties and $10,000 from other income, he gets an immediate tax reduction of $1,341, or more than any other taxpayer in that income range.

I ask unanimous consent that these tables be printed at this point in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Individual income tax under present law and under proposed tax program 1964 and 1965

SINGLE PERSON, NO DEPENDENTS

	Under present law	Under proposal
Income ($40,000 dividends, $10,000 other income)	$50,000	$50,000
Less dividend exclusion	50	0
Adjusted gross income	49,950	50,000
Less:		
Itemized deductions	9,141	6,641
Personal exemption	600	600
Taxable income	40,209	42,759
Tax before dividend tax credit	19,884	18,359
Less dividend tax credit	1,598	0
Tax after credit in 1964	18,286	18,359
Tax increase in 1964 under proposal	----------	73
Tax after credits in 1965	18,286	17,277
Tax decrease in 1965 under proposal	----------	1,009

SINGLE PERSON, 65 YEARS OF AGE, NO DEPENDENTS

Income ($40,000 dividends, $10,000 other income)	$50,000	$50,000
Less dividend exclusion	50	0
Adjusted gross income	49,950	50,000
Less:		
Itemized deductions	9,141	6,641
Personal exemption	1,200	600
Taxable income	39,609	42,759
Tax before credits	19,470	18,359
Less:		
Dividend tax credit	1,584	0
Retirement tax credit	305	300
Tax after credits in 1964	17,581	18,059
Tax increase in 1964 under proposal	----------	478
Tax after credit in 1965	17,581	16,977
Tax decrease in 1965 under proposal	----------	604

MARRIED COUPLE, BOTH SPOUSES 65 YEARS OF AGE, NO DEPENDENTS

Income ($40,000 dividends, $10,000 other income)	$50,000	$50,000
Less dividend exclusion	100	0
Adjusted gross income	49,900	50,000
Less:		
Itemized deductions	7,385	4,885
Personal exemptions	2,400	1,200
Taxable income	40,115	43,915
Tax before credits	14,584	14,149
Less:		
Dividend tax credit	1,596	0
Retirement tax credit	610	600
Tax after credits in 1964	12,378	13,549
Tax increase in 1964 under proposal	----------	1,171
Tax after credit in 1965	12,378	12,682
Tax increase in 1965 under proposal	----------	304

MARRIED COUPLE, 2 DEPENDENTS

Income ($40,000 dividend, $10,000 other income)	$50,000	$50,000
Less dividend exclusion	100	0
Adjusted gross income	49,900	50,000
Less:		
Itemized deductions	7,385	4,885
Personal exemptions	2,400	2,400
Taxable income	40,115	42,715
Tax before dividend tax credit	14,584	13,573
Less dividend tax credit	1,596	0
Tax after credit in 1964	12,988	13,573
Tax increase in 1964 under proposal	----------	585
Tax after credits in 1965	12,988	12,742
Tax decrease in 1965 under proposal	----------	246

Illustration of tax on oil royalty income, single person, no dependents

	Existing law	Proposal
Income ($40,000 oil royalties, $10,000 other income)	$50,000	$50,000
Allowance for percentage depletion	11,000	11,000
Adjusted gross income	39,000	39,000
Less itemized deductions	9,141	6,641
Personal exemption	600	600
Taxable income	29,259	31,759
Tax	12,761	11,420
Tax reduction	----------	1,341

Mr. WILLIAMS of Delaware. Mr. President, I sincerely hope that the administration will reexamine its hastily conceived tax proposal, which was conceived in the midst of the last political campaign. I understand it was given birth to in the Democratic National Committee. I strongly recommend that the administration get their eyes off the 1964 elections, take their pencils, sit down, and begin to figure how this tax proposal will affect individual taxpayers, rather than devoting so much time in planning how it will affect the 1964 election.

At the same time I wish they would figure how some of the Government expenditures might be reduced so that the deficit might be eliminated or reduced. Then we might be able to afford a real tax cut. It seems to me that it is the height of absurdity to talk about reducing taxes at a time when the Government is operating with a deficit of $12 to $14 billion.

At no time has any government—and it has been tried several times before—ever been able to relieve unemployment with deficits. It has never been possible for an individual or a government to spend itself into prosperity with borrowed money. That was tried by the New Deal from 1933 to 1940. Yet, notwithstanding all these deficits, in 1940 14.6 percent of the employable people in this country were still unemployed. The unemployment problem was not solved by deficit spending then; I do not think it can be solved in that way now.

This administration had better reexamine its hastily conceived tax bill and consider it carefully. This administration had also better start planning some real economy in the operations of the Government. Unless some degree of fiscal sanity is restored at the executive level our country can soon be confronted with a real dollar crisis.

This administration must assume the full responsibility if another gold crisis develops.

CASUALTY LOSSES

One further example of how the administration's tax bill will have an adverse effect on certain taxpayers is found in the manner in which it would change the allowance for casualty losses. For example, a taxpayer lives in an ocean resort community. A hurricane, accompanied by high water, completely destroyed his home, resulting in a casualty loss to him of $20,000. Taxpayer has income from wages of $10,000 and other itemized deductions of $1,000.

Under existing law, the casualty loss would be fully deductible.

Under the proposal, casualty losses would be deductible only to the extent they exceed 4 percent of the taxpayer's adjusted gross income. In this case, $400 of taxpayer's casualty loss would not be allowed as a deduction. In addition, the proposal to disallow itemized deductions except to the extent that they exceed 5 percent of the taxpayer's adjusted gross income would further reduce the amount of the deductible casualty loss by an additional $500. Thus, $900 of the taxpayer's casualty loss is disallowed as a deduction in the year it is incurred. Although casualty losses in excess of the taxpayer's income may be carried back or forward and deducted in another year, it is not clear whether the 4-percent rule and the 5-percent rule would apply again with respect to the same loss in another year further reducing the amount which can be deducted.

The President has asked the youth of our country to place greater emphasis upon physical fitness. The youth of our country will soon be asking our President to place greater emphasis upon fiscal fitness.

COMMITTEE MEETINGS DURING SENATE SESSION ON MONDAY, FEBRUARY 4, 1963

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations may meet on next Monday while the Senate is in session.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. CANNON. Mr. President, I ask unanimous consent that the Subcommittee on Privileges and Elections of the Committee on Rules and Administration be permitted to meet on Monday next during the session of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

TAX RELIEF FOR SMALL CORPORATIONS

Mr. FULBRIGHT. Mr. President, on January 22, I made a statement in which I expressed my pleasure at the provision in the President's tax bill which will provide tax relief for small corporations.

Under the bill, effective January 1, 1963, the rate on the first $25,000 of corporate income will be reduced from 30 to 22 percent, while the 52 percent on corporate income over $25,000 is retained. For calendar year 1964, the corporate surtax would be reduced to 28 percent, and for calendar year 1965 and thereafter it would be reduced to 25 percent, thereby lowering the combined corporate rate to 47 percent.

I pointed out that I had sponsored a proposal identical to the first step in the President's corporate tax relief measure in 1956.

The Wall Street Journal of January 25 contains an article summarizing a nationwide survey of small firms and includes the following statements:

> Most small businesses are enthusiastic about President Kennedy's proposed early tax cuts for them and plan to plow any benefits back into their operations by expanding, purchasing new equipment, or enlarging inventories.
>
> The President has argued that tax cuts would spur economic activity. Although the spending of small businesses is only a limited segment of the economy, the comments of small businessmen indicate that this segment, at least, will indeed be encouraged to expand.

I ask unanimous consent that the entire article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[Wall Street Journal, Jan. 25, 1963]

MOST COMPANIES PLAN TO SPEND ANY TAX-CUT FUNDS ON IMPROVEMENTS—DRUG MAKER WOULD BUY NEW PILL MACHINE; BAR MULLS ADDING $5,000 RATHSKELLER—LESS HELP FOR BIG CONCERNS?

Most small businesses are enthusiastic about President Kennedy's proposed early tax cuts for them and plan to plow any benefits back into their operations by expanding, purchasing new equipment or enlarging inventories.

That's the chief finding of a Wall Street Journal nationwide survey of small firms. Among businesses, small companies would get the earliest and proportionally largest benefits from the tax cuts if they go through in the form outlined by Mr. Kennedy in his tax message to Congress yesterday.

The President has argued that tax cuts would spur economic activity. Although the spending of small businesses is only a limited segment of the economy, the comments of small businessmen indicate that this segment, at least, will indeed be encouraged to expand.

A NEW RATHSKELLER

"We've been thinking of putting a rathskeller in the basement," says George Heichel, president of the corporation that owns the Village Inn, a cocktail lounge in Park Forest, Ill. "It would cost about $5,000, but it sure would help business. The tax cut might be just what we need to start building."

"We could buy a $2,500 tablet-making machine," says Robert C. Jobe, assistant general manager of Goodrich-Wright, Inc., a small Dallas producer of pharmaceutical preparations. "It would help give us the capital we need to expand. This is something we've been dreaming about for a long time."

Bennett's Exotic Fish Farm, a pet supply wholesale firm in Atlanta, would expand inventories, says Owner J. C. Bennett. He would like to add a $15,000 stock of supplies for dog owners. "A few thousand dollars in tax savings would at least get us underway," he says.

Under Mr. Kennedy's plan, the 500,000 U.S. corporations earning $25,000 a year or less would have their tax bill reduced to 22 percent of taxable income, retroactive to January 1 this year. They now pay 30 percent. They could thus save up to $2,000 a year. Proprietorships and partnerships would benefit from proposed reductions in personal taxes.

Corporations making more than $25,000 a year also would have the 8 percentage points lopped off their tax on the first $25,000 of earnings. But this year they would continue to pay the present rate of 52 percent on earnings over $25,000. Next year the 52 percent would fall to 50 percent and in 1965 it would drop to 47 percent.

The President proposes to close a tax "loophole" as he widens the spread between the tax paid on business earnings under $25,000 and the rate on earnings over $25,000. In the words of a Boston management consultant, "many principals now own four or five separate corporations to keep their incomes in the 30-percent tax bracket." The Internal Revenue Service has sought to curb this method of tax avoidance. To help eliminate it, the President yesterday proposed that only one company of such multiple corporations under a single ownership be permitted to take the lower tax rate on the first $25,000 of income.

Some proprietorships and partnerships say the prospect that small corporations will get a bigger tax cut has caused them to consider incorporating. A Birmingham banker says he knows of three small businesses that have incorporated during the last 10 days to be eligible for a larger reduction.

But most firms doubt that any extra tax savings would be worth the redtape of incorporating unless there were other benefits. "There are a lot of disadvantages for the little guy incorporating," says George F. Brice, president of Security Bank of Oregon in Portland. "It means another set of books and more taxes if he wants to liquidate."

FIGHTING CAPITAL SHORTAGE

Most small businesses say that a tax cut would help them combat their perennial problem of getting enough capital to do the things they want to do.

"See that cooler back there?" asks Lewis Timko, pointing to the rear of a liquor store he operates in a Chicago suburb. "That's a milk cooler and the shelves keep falling down; the very first thing I would do is spend $500 to $600 on a beer cooler. I would also like to buy a new delivery car and I would like to spend a little more to improve our competitive position—step up advertising a bit and perhaps lower some prices."

In a nearby sports equipment store, manager Lionel Williams says a tax cut might enable him to set up a ski shop. "We would need about $10,000 to set up a decent department."

"The tax cut would open the door for us to buy several pieces of equipment that we've been needing," declares Harry S. Kaplan, president of ABCO, Inc., a Dallas bookbinding company. "We badly need a new folding machine which would probably cost $8,000 to $10,000."

Many small businessmen are skeptical that they will ever see the tax reduction. "I don't believe Congress will ever pass it," says Wilbur Ihlenfeldt, who recently incorporated his drive-in restaurant chain in Detroit.

Some businessmen see the possible benefits as too small to do them much good. It would be "nothing that would make us jump with joy," says Alex M. Cadman, Jr., president of Cadman Manufacturing Co., a Pittsburgh producer of raw castings for the steel industry.

"Personally, I'd rather pay my taxes and see the money go to balance the budget," says Richard C. Schwertner, president of a Philadelphia contracting firm.

W. D. Williamson, president of Williamson Adhesives, Inc., Skokie, Ill., and secretary of the Illinois Small Businessmen's Association, is more emphatic. "The thing that concerns me is the cockeyed economics of what's going on in Washington and the tragedy is that it will be the small businessman that suffers when the whole thing blows up."

VISIT TO WASHINGTON BY AMINTORE FANFANI, PRIME MINISTER OF ITALY

Mr. FULBRIGHT. Mr. President, Washington had a most distinguished guest earlier this month. I refer to the Prime Minister of Italy—and one of our country's greatest friends—Mr. Amintore Fanfani. Prime Minister Fanfani was here for only 2 days, and at a time when the Congress had just returned and was beginning to reorganize. I regret that this gifted statesman's schedule did not permit a longer stay in Washington, so that more Members of both Houses of Congress could have had an opportunity to meet him and gain the benefit of his broad and stimulating views.

Mr. Fanfani has been Prime Minister of Italy since July, 1960. Prior to this present term, he had been Prime Minister briefly in 1954, and again in 1958 and early 1959, during which time negotiations on the stationing of Jupiter missiles in Italy took place.

It has been during his present term that Mr. Fanfani, in an effort to broaden the electoral base of his country's democratic center and to isolate Italy's considerable Communist Party, negotiated a rapprochement with the Socialists. The hope is that with the Communists divorced from the Socialists, Italy's democratic government will be able to launch the programs that reflect national requirements.

Mr. Fanfani was for many years the secretary of the Christian Democratic Party of Italy. Down through the years, he has used his influential position, both as Prime Minister and party leader, on behalf of programs designed to promote broader welfare in his country and greater security for all the members of the Western Alliance. Indeed, he is prominent among that group of enlightened Western leaders on either side of the Atlantic who recognized long ago the essential interdependence of the members of this alliance and the need to foster more productive means of cooperation between North America and Western Europe, as well as greater cooperation among the Europeans.

In that context, I should like to call attention to press reports from Rome indicating that certain high level officials of the Italian Government, instead of merely dispairing the gesture of the French Government in Brussels, are proposing increased Western solidarity, with or without France, in the various areas of our common interest. Indeed, Italy has for weeks been the leader in advancing such wise counsel.

Such initiative, I believe, is fully consistent with the courage and vision that have characterized the career of the Prime Minister of Italy.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement on foreign policy, dated January 26, 1963, by Prime Minister Fanfani.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY PRIME MINISTER AMINTORE FANFANI ON FOREIGN POLICY, JANUARY 26, 1963

Speaking to the House prior to a vote which defeated a no-confidence resolution introduced by the Italian Communist Party, Prime Minister Amintore Fanfani made the following statement concerning foreign policy:

"This Chamber has unanimously evaluated a most tense situation in Europe—because of certain recent French attitudes as well as an even more recent Franco-German treaty—and a most relaxed one in the world because of the farsighted firmness shown by President Kennedy during and after the Cuban crisis and because of the recent acceptance by the Soviet Premier of inspections insuring the implementation of a nuclear test ban.

"The Government shares the Parliament's assessment and, having predicted the present unrest and having long hoped for the improvements that have come to pass, has taken timely action within its possibilities in order to avert the former and promote the latter.

"Ever since 1961 we have reminded our Common Market partners of the political appropriateness of favoring Great Britain's admission. In April 1962 and again in July we have calmly, privately and amicably warned Paris that it would have been a fatal mistake by all 6 countries to oppose the positive conclusion of negotiations for Great Britain's entry into the Common Market. In May we told the Bonn Government through diplomatic channels, and in September and October we personally pointed out to the French leaders what a mistake it would be to follow the Franco-German rapprochement with the formalization of a closer, particular cooperation which neither Italy nor the Benelux countries would subsequently enter, thus causing a split far from fruitful for the Common Market and the political unity of Europe.

"After many months of intense participation by Industry Minister Colombo and Agriculture Minister Rumor to the negotiations for Great Britain's entry into the Common Market, Foreign Minister Piccioni has recently been doing all that was in his power both in Bonn and in Brussels to bring the talks to a successful conclusion. In spite of the parallel action of the Benelux countries and later of West Germany itself, the results are those we all know because of the political attitude of France which was followed almost immediately by the treaty with West Germany. This treaty, apart from its content, because of its particular timing cannot but worsen certain characteristics of its presentation which are the cause of today's polemics and will tomorrow remain a stumbling block against the admission of other countries to the market. In the last analysis this will create a particularism harmful to the Common Market, harmful to the furthering of European union and harmful to the internal balance of NATO, in spite of the best intentions of its signatories.

"The Council of Ministers has confirmed the active participation of Italy in the Common Market, has approved the action undertaken to date, has agreed to the policies aimed at supporting in all instances Britain's entry into the Common Market. These will be the policies which our delegates will follow on January 28 in Brussels. On February 11, when we will be honored by the visit of Prime Minister Macmillan, we shall again tell him and his Government Italy's disappointment in seeing that a favored British participation which would certainly bring greater economic prosperity and stronger political solidarity is instead causing, because of procedural delays—determined also by Great Britain's domestic problems—and unexpected vetoes, a discomfort that, if not promptly overcome—as we propose to do with wisdom, prudence and firmness—could cause severe damage to everybody.

"Also in the field of disarmament Italy has acted with timeliness in New York, Geneva, and elsewhere, first under the lead of President Segni and more recently under that of Foreign Minister Piccioni. In Washington we recently had the satisfaction of verifying the perfect agreement of our views with those of our major ally concerning the efforts that need to be made in order to enhance the acceptance by Premier Khrushchev of the principle of inspection, to find a concrete agreement and to make this the first important opening for wider negotiations leading finally to the study and solution of the major international problems still pending.

"Let me tell you how happy I was in recent days to have written President Kennedy—who had honored me by requesting my views on that matter—on the first day of the Cuban crisis that, apart from the necessity of a quick solution, the crisis should have been considered as an appeal to relinquish all spent efforts to patch-up torn particular and local situations and take instead a courageous pledge to face the situation as a whole, so that where the responsibilities are greater stronger should be the commitments to make all efforts to prove that we have learned the lesson of technology. This lesson teaches that the era of the Horatii and Curiatii is over for it is impossible, once the nuclear confrontation is unleashed, to insure at least the survival of the women needed to impose the armistice.

"We do not hold nor wish to impart illusions about peace. Difficulties are still enormous. But the still greater disaster that may loom at the horizon demands that reason, on all latitudes and under any regime, take over above instinct and impose upon itself the only solution worthy of human beings.

"The lack of illusion—while hopes are still alive—has advised us to bring to a conclusion the examination of the American proposal to move toward the creation of a multilateral nuclear force and in this framework to consider the preliminaries of the no longer new problem of modernization of armaments.

"As told in the Washington communique and approved by the Council of Ministers, we have positively evaluated the proposal for the creation of a NATO multilateral nuclear force. For the time being we accepted to take part in the study and, upon its conclusion, in its creation, direction and control, in accordance with the known principle that has always inspired our action within the alliance not to entrust our responsibilities to any directorate whatsoever and in the effort to avoid proliferation of nuclear weapons.

"Concerning modernization of weapons, in particular in the field of nuclear strategy, the defense of NATO's southern sector will no longer rest upon bases equipped with obsolete Jupiter missiles, but upon Polaris-equipped submarines operating in the Mediterranean, however not from Italian bases.

"I heard the Honorable Togliatti's plea intended to deprive Italy of any internal or external nuclear defense. This plea is wrong on several counts, first of which that of not being coupled with a similar invitation to other countries far more equipped than we are with those weapons to set the example. It is the lack of this preliminary invitation in Signor Togliatti's statement that makes it impossible to submit it to the consideration of governments who, because of their constitution and their mandate, are bound by two basic duties: that of providing for the defense of their own countries, and that of deterring the threats against all by promoting agreements capable of diverting or at least reducing the dangers.

"I told and proved to the Chamber of Deputies that in Washington I had the opportunity and the honor to advance in both sectors at the same time: in encouraging and pledging our support to all constructive efforts being made toward disarmament, or at least toward the beginning of a nuclear test ban; in accepting to take part in consultations aimed at substituting the disintegration and dispersion of nuclear armaments with a multilateral force and the replacement of means affording a quicker and effective defense. Thus, while preparing disarmament agreements and deterring in the meantime all possible external threats, we have worked to promote peace and security for Italy, Europe, and the world. This was done in the framework of our alliances and at a time when we were confirming the closest friendship with the United States—a basic element in order to play an authoritative role in the current developments toward European unity, Atlantic solidarity, and internal detente.

"I wish to express the hope that the forthcoming negotiations at Geneva will bring the world the surprise that the current talks among the United States, the Soviet Union, and Great Britain have finally succeeded in paving the way to an agreement. May it be the crucial point in that series of agreements that will have to be reached so that all the people may start coexisting in good faith, all searching together the true conditions for free progress and peace in security.

"Thanks to the constant and discreet action we are carrying out we are informed of symptoms which encourage us to believe that both in the West and in the East there is an ever-growing eagerness to foster with facts—and not only in the political field—the dawn of a new confidence. This confidence will lead to reasonable agreements making for a true society of humans in whose attainment Italy feels deeply committed."

(Note.—The no-confidence resolution introduced by the Italian Communist Party was defeated by the House on January 26, 1963, by a vote of 292 to 173, with 60 abstentions.)

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed at this point in the Record an article on the same subject, entitled "Italy Reacts Strongly to End of Talks," written by Leo J. Wollenborg and published in the Washington Post of January 30, 1963.

There being no objection, the article was ordered to be printed in the Record, as follows:

Italy Reacts Strongly to End of Talks

(By Leo J. Wollenborg)

Rome, January 29.—Although the breakdown of the Brussels negotiations was expected here, Italian Government circles reacted strongly tonight to the final collapse.

Resentment over the French refusal to let Britain enter the Common Market mingles with a growing realization that vigorous countermeasures are required to prevent President Charles de Gaulle from forcing through his political and military concept of Europe.

Attention is being called to the proposals made some weeks ago by Minister of the Budget Ugo la Malfa.

La Malfa called for the formation of a European alinement, including Italy, Britain and the Benelux countries to work out a policy of its own.

This policy would directly contrast with De Gaulle's approach on all matters pertaining to the organization of Europe, development of a multilateral nuclear force for the West, relationship between Europe and the United States and the future of the Common Market itself.

The policies of such an alinement would be based on the closest solidarity with the United States and would enable the democratic forces in West Germany to neutralize the negative effects of the French-German treaty signed last week by De Gaulle and Chancellor Konrad Adenauer.

Even those sectors of the Italian governmental alignment that do not fully share La Malfa's ideas are expected to agree on the need to move quickly, in close cooperation with the other Common Market countries and with the United States, to meet

> De Gaulle's challenge both in the political and in the economic field.
>
> No action is contemplated to take Italy out of the Common Market. But there is general agreement that the latest French moves have smashed all hopes to achieve a European political union in the foreseeable future, and have crippled the Common Market itself.
>
> The latest developments have further increased the importance of the talks that British Prime Minister Harold Macmillan is scheduled to have with the Italian leaders here beginning February 1.
>
> The Vatican press has also voiced increasingly deep concern over De Gaulle's policies.
>
> In an almost unprecedented attack against the policies of a Catholic chief of state, Osservatore Della Domenica, the Sunday addition of the Vatican paper Osservatore Romano, wrote in its latest issue:
>
> "Atlantic solidarity, which has protected so far the security of Western Europe, is now in serious danger * * *. One is strongly tempted to conclude that if a De Gaulle had not existed as a force expressed or endured by the French people, Soviet diplomacy could not have found anything better to split what it calls the capitalistic world."

Mr FULBRIGHT. Mr. President, I had the honor and privilege of visiting and speaking with Prime Minister Fanfani both in Rome and in New York, and also in Washington during his recent visit to this city.

I think Mr. Fanfani has demonstrated an unusual capacity, both as a political leader in bringing to Italy a stability in its Government which has been very rare among European countries, and also in having the wisdom and foresight which we usually associate with great statesmen. So it gives me great pleasure to have the opportunity to say these few words about the Prime Minister of Italy.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. PASTORE. I deem it a privilege to be associated with the remarks just made by the distinguished chairman of the Committee on Foreign Relations. I think his observations are timely and appropriate. I congratulate him upon his statement.

Mr FULBRIGHT. I thank the Senator from Rhode Island.

Mr. McCARTHY. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. McCARTHY. Mr. President, I join with the Senator from Arkansas in paying tribute to the Prime Minister of Italy. Mr. Fanfani has been a man of great political influence, even when he has been out of office, in setting patterns of ideas and patterns of action, not only for his own country, although primarily for his own country, but also for the whole of western Europe and for the western alliance.

I first came to know him about 25 or 30 years ago, when he was writing on economic, political, and social theory. He has moved on through the years to become an increasingly positive force for stability, for sound government, and for broader international relations in his own country, in western Europe, and throughout the whole western alliance.

I commend the Senator from Arkansas for providing the opportunity for this tribute to Prime Minister Fanfani today.

Mr. FULBRIGHT. I thank the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I am glad to yield.

Mr. HUMPHREY. I thank the chairman of the Foreign Relations Committee for yielding, and also for his excellent statement relating to one of our good friends, a strong ally, and one of the truly gifted and talented political leaders of the Western Alliance and, I believe, of the free world.

A year ago it was my privilege to visit in Rome and to have an opportunity to talk at some length with the Prime Minister, Mr. Fanfani. On that occasion, I was informed of the possibility of the formation of the coalition government which subsequently came into power.

The present government of Italy represents a progressive political attitude and program, and yet a strong adherence to the principles of the North Atlantic Treaty Organization—the NATO Alliance. I feel that we are very fortunate to have leadership of that kind in Italy. Of course what the Italians have done in recent months with their economy has been nothing short of miraculous; and sound and enlightened political leadership and economic stability contribute to that great economic growth.

Therefore, I am happy on this occasion to join in our commendation of a friend and a great leader in a free country; and I thank the chairman of the Senate Foreign Relations Committee for the initiative he has taken in connection with this matter.

Mr. FULBRIGHT. Mr. President, I appreciate the remarks of the Senator from Minnesota. I think it most remarkable—when we look at all of Europe—that this one man has been able to do so much under a truly democratic system. There are very few left in Europe.

THE THREAT OF COMMON MARKET RESTRICTIVE POLICIES TO AMERICAN AGRICULTURE

Mr. HRUSKA. Mr. President, the recent testimony of Mr. Christian Herter, the President's special representative on trade matters, before the Senate Foreign Relations Committee indicates an encouraging awareness of the enormity of the threat posed to American agriculture by the restrictive policies of the Common Market nations.

Governor Herter's sober and guarded assessment of the damage that might be visited upon the U.S. farmer is cause for hope that this country may at last be ready to assert with vigor its position on behalf of the farmer, who, until now, has become something of a forgotten man in trade negotiations.

Despite President Kennedy's state-of-the-Union warning against protectionism and restrictionism by the Common Market, and despite Secretary Freeman's recent meetings with representatives of the European Economic Community, the painful fact remains that American agriculture is being damaged, perhaps irreparably, by the high-handed protectionist policies of the six Common Market nations.

This should come as no surprise to anyone who has in the least interested himself in the problem of American farm exports over the past year or more. The surprise, indeed, is that the situation has been allowed to come about at all.

Let us consider some events of the recent past:

In January of 1962, meeting in Brussels with representatives of European nations, negotiators for the United States reached agreements to cut tariffs on a wide variety of industrial goods; but so far as agricultural products were concerned, the decision was merely an agreement to discuss the subject at a later, but indefinite, time. The effect has been virtual surrender on the part of our negotiators.

Shortly after the Brussels meeting, some of us protested, and called on the Secretary of Agriculture and his Under Secretary, Mr. Charles Murphy, who represented agricultural interests at the meeting, to take a firmer stand, and not to complete the sacrifice of American agriculture in order to get the agreements on industrial products.

In May, Representative Burr Harrison, of Virginia, proposed to the House Ways and Means Committee an amendment of the Trade Act to prohibit tariff-cutting concessions to countries maintaining nontariff barriers against the entry of American farm goods. The administration successfully resisted this amendment. Reluctantly, it accepted a watered-down provision allowing the President discretion in applying U.S. sanctions when such nontariff barriers were imposed.

On May 23, 1962, the distinguished chairman of the Senate Foreign Relations Committee [Mr. FULBRIGHT] rose in this Chamber to warn against the effect of the proposed Common Market restrictions on farm products. He said, in part:

> The loss of agricultural exports which may result if the Common Market agricultural proposals are imposed on our agricultural products will weaken our ability to carry the heavy financial burden which the United States now assumes in the effort to protect and strengthen the free world.
>
> The barriers proposed by the Common Market would destroy the competitive position our farm products have gained through efficiency. They are the antithesis of freer trade and can only operate to create frictions within the free world.

Other Members of the Congress from agricultural States were raising similar inquiries and protests to the short-shrift handed U.S. farmers.

In late July, the EEC struck a disastrous blow to American agriculture by adopting what is called a variable import fee. I shall not burden the Senate with a complicated explanation of how these fees work. Those who are interested are referred to my remarks which appear in part 11, volume 108, page 15471 of last year's CONGRESSIONAL RECORD. It is sufficient to note that the result of such action is that farm imports are allowed to furnish the current shortage, or deficit, in needed supply of certain farm products, but always at a price just a little higher than the price support of that product within the importing country.

But throughout that period Secretary Freeman and Under Secretary Murphy were strangely quiet in this regard. On February 18, 1962, Mr. Freeman had professed optimism about the prospects for agriculture in the Common Market. He told a press conference in Omaha that American farm products would be highly competitive with Common Market countries because support prices of products within those countries are generally substantially higher than ours.

After the Secretary returned from his most recent trip to Paris, he addressed the Farmers Union Grain Terminal Association, in St. Paul, Minn. With an attitude of pained surprise, he described himself as "troubled by the mounting evidence that the EEC is leaning toward a highly protectionist, inward looking trade restrictive policy."

Mr. President, I ask, What mounting evidence? The evidence was there all the time. It was there more than a year ago, when Under Secretary Murphy, of Mr. Freeman's Department, failed in his negotiations with the European nations; and it was nailed down last summer, when the walls began to rise against American farm products.

And what does Mr. Freeman mean when he says the Common Market is leaning toward protectionism. They had long before shown great vigor in their move to shut us out of their farm markets.

Mr. Freeman was either too naive to see these things, or he is the most inept Secretary of Agriculture upon whom the farmers of America ever depended.

As recently as last August, when the Secretary was before the Senate Finance Committee, he seemed not to apprehend the real problem. Here is what he said in his prepared statement:

> To a considerable extent, the Common Market is good for American agriculture * * * It appears that on the basis of trade value, about $700 million worth of U.S. farm products annually, or approximately 70 percent of U.S. exports to the area, can be sold in the Common Market without difficulty.

The other 30 percent, he acknowledged, almost as an afterthought, would give us some problems. But on balance, he said, the Common Market was just about the best thing that ever happened.

In the past several weeks, Mr. Freeman seems to have discovered the Common Market problem all over again, and has been telling anyone who would listen that we had better do something about it.

Mr. President, the time to "do something" was more than a year ago, at Brussels, when the meeting was allowed to end without agreement on farm produce.

What does the action of the Common Market mean in terms of dollars and cents?

It means, Mr. President, that in Holland, the import levy on a bushel of wheat, to take one example, has been jumped from 8.7 cents to 90.6 cents, an increase of more than tenfold. In Germany, the increase has been from $1.16 to $1.67 a bushel.

This means that last fall the United States was delivering a bushel of Nebraska wheat to the German border for $1.92 a bushel. But the prevailing import levy pushed the price of that Nebraska wheat in Germany to $3.62 a bushel. At the same time, West Germany's own wheat was selling for $3.10 a bushel—scarcely a competitive price.

What does it mean for the poultryman?

The Common Market countries shoved up tariffs on United States broilers, so that the rate in West Germany, our biggest market, jumped from 4.8 cents a pound to 13 cents on 30-cent birds. Fruit tariffs went up by 36 percent.

Grain and flour tariffs, in which my people are most interested, skyrocketed. In the Netherlands, the duty on flour went from $13 a ton to $40.

The respected national farm magazine, Farm Journal, recently sent its economics editor, Claude Gifford, to Europe to study the Common Market situation. It was the second such trip for Mr. Gifford within a year.

He concludes his report:

> But what has been noticeably lacking, a well-known and highly placed European told me, "is a consistent, day-after-day, strong, unrelenting pressure built on a studied policy that would convince the Europeans that the United States means business."
>
> A case in point: The 18-month Geneva Conference on GATT tariff negotiations was closed this year before we got satisfactory terms from the Common Market on farm matters. President Kennedy signed the document consenting to end the Conference. This tipped off the astute Europeans that our Government—at the top level—wasn't as serious as we'd been talking.
>
> A second case in point: Only after the German poultry duty skyrocketed did President Kennedy write a letter to Chancellor Adenauer protesting the move. This kind of "we're serious" pressure should have come before, not after, the duty was hiked. The letter coming as it did after the deed had been done, caught the Germans by surprise, embarrassed them, made them angry—and so far the duty hasn't been changed.
>
> A third case in point: Our State Department is calling most of the shots in Common Market negotiations—and the State Department is so engulfed in political considerations in Europe that U.S. farm considerations are buried.
>
> If we're going to save the day in Europe, say those close to the scene, we need a yell to go up—and a purpose to set in—in Congress, at the State Department, and at the White House; places where these have been most noticeably lacking up to now.

Mr. President, from these facts, one of two conclusions is inescapable:

Either Secretary Freeman seriously underestimated the seriousness of the threat to American agriculture caused by the protectionist moves of the Common Market, or he was outmaneuvered and overruled by the Department of State, which, in its eagerness to conclude trade agreements with the EEC, was willing to sacrifice the farmer.

In either case, the result is tragically the same for the men who produce America's food. During last fall's congressional campaigns, President Kennedy said Mr. Freeman "will be remembered as one of America's great Secretaries of Agriculture." Similar extravagance has been voiced by other members of the Secretary's party.

Mr. Freeman will no doubt be remembered, Mr. President, but quite likely it will be as the man who forgot about the farmer.

I ask unanimous consent, Mr. President, to have printed in the Record Mr. Gifford's article, as published in the January issue of Farm Journal, together with an editorial, in the same issue, entitled, "Will We Fight for U.S. Farmers?"

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

Wake Up—or Be "Walled Out"

(By Claude W. Gifford)

"You Americans had your chance. When you could have pressured the European Common Market to keep its doors open to American farm products, you did very little. Now the trade doors are closing in Europe—and farmers in the United States are going to get hurt."

That is how one of Europe's largest grain importers sums up the meaning of the European Common Market (EEC) for U.S. farmers.

This importer reflects the private opinion of many important Europeans whom I interviewed recently in a 3-week tour of the Common Market countries—the second such trip that I have made for Farm Journal in the last 2 years.

My latest mission: Find out whether Great Britain (England, Wales, Scotland and North Ireland) is going to enter the Common Market. And size up what this and other late developments in the Common Market mean to U.S. farmers.

What I have to report from this survey made in the capitals of five European countries is not good news for American farmers—as things now stand. The consensus is that unless the United States wakes up soon and fights harder for its trade in Europe:

We'll see a shrinking market for U.S. farm goods in the part of the world where we ship two-thirds of the farm exports that we sell for dollars.

Our international monetary exchange balance, already in trouble, will suffer—since farm products account for $1 out of $4 of our exports.

Common Market countries will also be hurt in the long run.

The trouble is this: Western Europe is building one big tariff wall around the outside of the Common Market. Meantime, they're tearing down the tariff walls between the countries inside (Germany, France, Italy, Belgium, the Netherlands and Luxembourg). They'll trade freely with one another—but buy less from the outside.

They seem more determined than ever to build an abnormally high tariff wall around the outside to keep out certain farm goods, including ours.

For us, it means that it will be harder to vault farm stuff over the wall—particularly wheat, feed grains, poultry, rice, tobacco, and fruits and vegetables. We suspected this when we printed an article last February entitled "You'll Pay for the Common Market." It looks even more likely now. And the harm doesn't stop there.

Great Britain is loosening her age-old ties with the Commonwealth and is rushing headlong into the Common Market—after centuries of standing aloof from continental Europe. Now her government is working hard to find a way to join what is intended to be a United States of Europe.

Great Britain feels that she cannot stand idly by and be shut out of the rich industrial market at her front door while European nations trade freely with each other. Already the EEC economy is humming while Great Britain does little more than tred water. And unless Great Britain joins the Common Market, she will have less and less say about how European political matters will be decided in the future.

When Great Britain joins, this will make the Common Market an economic giant with even more people than in the United States. It will be by far the world's biggest importer of raw materials and export trader. And it will slide the world's largest single food importer—Great Britain—behind that same high Common Market tariff wall.

The countries slated for the Common Market import more than half of the world's exports of corn, butter, barley, wool, vegetable oil and fats, cheese, and meat. And just under half the world's exports of eggs and tobacco.

These same countries now buy 52 percent of our U.S. exports of feed grain; 43 percent of our poultry exports; 37 percent of our oversea sales of wheat and flour; and 28 percent of our tobacco exports—all for dollars; all of which will be hurt.

As this happens, it seems that every country affected—except the United States—is fighting tooth and nail for the interests of its farmers—and is yelling bloody murder.

I was in London during the history-making meeting of the Commonwealth Prime Ministers. They were probably presiding over the breakup of the historic British Commonwealth. The Prime Ministers from one Commonwealth country after another took turns pounding the table demanding that their farmers be protected when Great Britain enters the Common Market.

The Commonwealth representatives explained how they now ship most of their farm stuff into Great Britain at lower tariff rates than other countries must pay (including the United States). They are deathly afraid that their trade preferences will be shut off when Great Britain joins the Common Market.

"Duties on our goods would shoot up, and the European countries behind the tariff wall would then have first call on the big British food market," one of the representatives told me.

"We are fighting for our very lives," says New Zealand's Prime Minister K. J. Holyoake, himself a farmer. "We sell 91 percent of our exported butter and 94 percent of our cheese and mutton exports to Great Britain." New Zealand has 9 million acres in pasture, and the land is little suited for other use. Their economy depends on cows and sheep. And 60 percent of all their nation's exports go to the protected market in Great Britain.

Australia is also up in arms. "A third of our trade with Great Britain would be seriously affected (wheat, beef, lamb, butter, and sugar) and another third (canned and dried fruits) would be grievously disrupted," says Australia's Deputy Prime Minister J. McEwen.

U.S. farmers need to be just as concerned. We supply nearly one-half of Great Britain's feed-grain imports; more than half of her lard imports; and about one-sixth of her wheat imports.

We also have a stake in the big food exports that New Zealand, Australia, and Canada send to Great Britain. If the British outlet is closed down to them, these exports from the Commonwealth countries—mainly dairy products, mutton, beef, and fruit—will come banging on our door to get in. They've got to go somewhere.

The Commonwealth countries are asking that they be guaranteed a quota of imports into the expanded Common Market—based on what they have been selling to Great Britain. "This may be the best solution for us, too," says a U.S. official. "It would be better to have these Commonwealth exports going into the Common Market than to have them pounding on our door or competing with us in markets around the world."

Nor do our troubles stop there. I called on Karl Skytte, Minister of Agriculture for Denmark. "What will Denmark do if Great Britain joins the Common Market?" I asked.

"We will press to get in immediately," he said, explaining why: "Denmark is an agricultural nation, and a good one. She not only takes care of her own food needs, but exports two-thirds of her output—mostly livestock and poultry products. She has tripled her poultry meat production in the last 5 years, and expects to produce substantially more of this and other products in the future."

Four-fifths of this goes to Great Britain and the six continental Common Market countries.

Naturally, she wants behind the tariff wall; it doesn't pay to be on the outside if you want to sell food to Western Europe.

Norway also will surely press for membership when Great Britain joins. "These two countries, Denmark and Norway, probably will be accepted with little fuss or trouble," says Dr. Sicco L. Mansholt, vice president of the Common Market, and head of its agricultural affairs. Ireland probably will be taken in, too.

Other European countries may apply for associate membership in the EEC—neutral countries such as Sweden, Austria, and Switzerland. They appear to want to have the economic advantages of being EEC members but want to avoid political affiliations. Leaders in the various capitals say that this doesn't jibe with the goals of the Common Market.

These officials tell you that the present economic cooperation between nations within the Common Market is merely a prelude to final political unification—including a single parliament, a single currency, a single defense force, and even in the long-term future a common language (probably English). Any European country that can't, or won't, fit into that political framework will have hard sledding getting into the "European Club."

Any agreements to take in African nations as "associated territories," say EEC officials, will merely be a form of economic aid offered by the EEC to these developing countries. However, this can lead to such countries supplying more of Europe's needs—particularly for commodities such as tobacco, feed grains, and vegetable oils.

That, then, is the last-minute picture I brought back of what the entry of Great Britain means to U.S. farmers.

The second important part of the picture is this: There is a determined drive within the Common Market to (1) build that outside wall unreasonably high, and (2) to set abnormally high price supports on their farm production.

"This is fraught with danger for us—unless we do something about it, and soon," says one of our trade specialists.

"Your trouble is that your State Department wants a Common Market so badly that the United States neglects to negotiate for more favorable terms for your farmers," said the big grain importer I mentioned earlier.

Circumstances support his view. Two years ago the Common Market was talking a good game of keeping its doors open to American farm products. But when the chips were down this summer—as they set their first common tariff rates for that outside wall—Common Market officials hiked several farm tariffs. And they were high before as an aftermath of recovery from World War II.

Here's what happened late this summer: They shoved up tariffs on our broilers so that the rates in West Germany, our biggest outlet, jumped from 4.8 cent a pound to 13 cents on 30-cent birds. They hiked fruit tariffs in the Six by 36 percent. They pushed up duties on grain and flour—in the Netherlands the duty on flour shot up from $13 a ton to $40. And tobacco tariffs that averaged 19 percent of value in 1958 are now 28 percent.

Another important test is at what level the Common Market will place farm price supports. They are moving toward one common price level across all countries for each farm commodity supported. They'll complete this by 1970, or earlier, and if they follow the present trend they'll push these support levels higher than the present average in the Six.

A tipoff is the support range from high to low that the EEC already has drawn up for wheat. By 1970, the final common support level in all Common Market countries must be somewhere in between the high and the low. And they set the upper limit even higher than the present German level, which is one of the highest in the world ($3 per bushel).

Why does this matter to us? Simply because (1) high supports over there mean high tariffs raised against us, and (2) more farm production over there, with less need of our imports.

Why is the Common Market going in this direction? People there say it is because they have a "small farm" problem—more than half of the farms in the present six EEC countries are 12 acres or less in size. Naturally, farm income is low.

A loud and influential cry has gone up for what appears to be an easy solution: Clamp down on food imports; raise the tariff wall; push up farm price supports; and raise more themselves.

They propose to do it with a "variable duty"—which will always be slightly more than the difference between the fluctuating world price of farm goods outside the wall, and the support price inside the wall. That way, nothing can come in at less than the effective support level.

This approach, say trading experts, is a tariff of the most vicious kind. If outside countries have no "say" over the price support level, and if the importing country will not put a limit on how big the variable duty can be, then there can be no competition from the outside. This kind of absolute control can't even be negotiated in international tariff hearings where countries meet to "trade off" protection to promote greater trade.

"But this is a Frankenstein that will hurt them in the long run," says one of our officials on the scene. He explains that high supports will simply bring more retaliation from the rest of the world. It will raise food prices inside the Common Market, which in turn will raise wages, since negotiations there are based directly on the cost of living.

Higher wages will raise the cost of Common Market industrial goods and make it harder for them to export. And these countries must rely on heavy industrial exports to stay prosperous.

Moreover, higher farm supports won't help Europe's small farms much—their volume is too small to benefit greatly.

Abnormally high price supports are shadowed by the specter of overinflated land values; overmechanization that can't replace itself profitably; government controls that will interfere with healthy adjustments of their small farms; high tax costs; and depressed prices when surpluses spill over at home and on world markets.

In short, thinking Europeans admit that the Common Market's best future does not lie in high price supports to protect an inefficient agriculture—an agriculture whose efficiency U.S. farmers can beat with one hand tied behind them.

The Common Market's future lies in its industrial efficiency, which can now match the very best in the world, including our own.

"What the Common Market really needs is an overall program to reverse centuries of political, social, family and legal customs that have led to smaller and smaller farm holdings," say one official. Top Common Market technicians see this, but they are bucking a strong tide at home.

The economic fact of life is that the European mind is still trade restrictionist. And the political fact of life is that the European farm population that is affected by these agricultural policies is abnormally high—as high as 30 percent of the total population in some countries, compared with 9 percent here. And most of these European farms are small.

These numerous, small farmers are politically potent—even more powerful than their numbers suggest.

Something that isn't openly talked about much—but which has vital meaning for the future—is the matter of the outward look of the Common Market toward the rest of the world. The Common Market countries have a choice, as sized up by one of our representatives in Europe: They can isolate themselves, become self-centered and nationalistic, and eventually itch unmercifully inside their self-imposed wall—as some European nations have done in the past—with unfortunate results for all the world.

Or the Common Market can join the United States in taking on global responsibilities, be outward looking, trade freely, and tie itself to promoting world peace.

This is exactly why many European government officials privately hope that the United States will wake up—before it's too late—and use its vast prestige, power, and leadership to help lead the Common Market into a more reasonable farm trade program.

Some people, especially in our State Department, say that we have been putting on the pressure. After all, Secretaries Benson and Freeman have both gone to Europe to talk to the Europeans about their tariffs. We have competent professional people representing our viewpoint in Brussels, the Common Market capital. In many ways, we've made our views known.

But what has been noticeably lacking, a well-known and highly-placed European told me, "is a consistent, day-after-day, strong, unrelenting pressure built on a studied policy that would convince the Europeans that the United States means business."

A case in point: The 18-month Geneva conference on GATT tariff negotiations was closed this year before we got satisfactory terms from the Common Market on farm matters. President Kennedy signed the document consenting to end the conference. This tipped off the astute Europeans that our Government—at the top level—wasn't as serious as we'd been talking.

A second case in point: Only after the German poultry duty skyrocketed did President Kennedy write a letter to Chancellor Adenauer protesting the move. This kind of "we're serious" pressure should have come before, not after, the duty was hiked. The letter coming as it did after the deed had been done, caught the Germans by surprise, embarrassed them, made them angry—and so far the duty hasn't been changed.

A third case in point: Our State Department is calling most of the shots in Common Market negotiations—and the State Department is so engulfed in political considerations in Europe that U.S. farm considerations are buried.

If we're going to save the day in Europe, say those close to the scene, we need a yell to go up—and a purpose to set in—in Congress, at the State Department, and at the White House; places where these have been most noticeably lacking up to now.

[Farm Journal's Opinion]

WILL WE FIGHT FOR U.S. FARMERS?

It's not surprising that American farmers, busy with their daily affairs, have been largely oblivious of a threat to their livelihood that now looms in Europe. That's why we shout on page 24 of this issue: "Wake up or be walled out." Walled out of a large share of your foreign market for wheat, feed grains, poultry, rice, tobacco, and some fruit and vegetables. Not only do you need to wake up, but our Government needs to, and it's up to you to do the arousing. Your Senators and Congressmen happen to be at home right now.

Farm Journal thinks this important enough that twice within the year we have sent our economics editor to Europe to see how the Common Market is shaping up. Claude Gifford's article gives you the straight dope.

What's happened, in a nutshell, is that countries which once warred with one another are now forming a Western European club designed to advance trade with each other, promote peace in Europe and raise their standard of living. They are abolishing tariffs against each other; later they hope to achieve actual political federation.

We've applauded all this. It's good for our friends, the Western Europeans, and it could be good for us. If Europe prospers she can be an even better customer of ours. And she can put a powerful block in the path of communism. The danger is that in their understandable zeal to help themselves they may pay scant regard to the damage they do the rest of the world—including us. They appear headed toward raising the highest tariff wall against us seen in modern times. The six—France, Germany, Belgium, Holland, Italy, and Luxembourg—are currently indicating that they may be pretty tough about it.

At which point, to use that old Missouri expression, this gives us every right to rise and say: "Now just a darned minute."

We've had a good deal of regard for other countries in our trade relations—too much sometimes. The very word "trade" indicates a two-way deal. We've traded concessions at the GATT meetings (General Agreement on Tariffs and Trade). We've refrained from dumping our farm surpluses. Even in our vast giveaways we've been careful not to harm farmers of other countries. We've taken in a lot of foreign food, even when it hurt. Last year, according to USDA, we exported $5 billion worth, of which only $3½ billion was sold for a full cash price. We imported $4 billion worth, and more than half of that was in products that compete with ours. The figure does not include noncompetitive agricultural stuff, such as coffee, tea and rubber.

What can we do about it? Well any farmer who ever got into a tough dicker knows that you don't start out with threats. You try to sell, persuade and show the other fellow that the trade would be to his advantage. (In this case it actually would be. High tariffs over there would mean high food prices, higher wages and hence a poorer competitive position for the industrial goods Europe wants to export.) But it's also essential in a dicker to have a good bargaining position and let the other fellow know that you certainly intend to use it. He respects you for it.

Secretary Freeman did some of this in Paris the other day when he reminded the Europeans that the last Congress passed a law "which directs the President to take all appropriate steps . . . including retaliation if necessary." What he meant was that Europe can't sell industrial stuff here if we can't sell farm stuff there. This game can work two ways if, unhappily, that should be the way Western Europe wants it.

The question now is whether the President, the State Department and—most of all—Congress, will fight for American farmers the way every other nation fights for its farmers.

We've been pretty wishy-washy so far, but it's not too late if farmers get aroused enough. That's why we say "Wake Up"—and wake your Government up.

THE RISE OF COMMUNISM IN THE WESTERN HEMISPHERE

Mr. CURTIS. Mr. President, my concern because of the rise of communism in the Western Hemisphere mounts daily, and I regret that reports available to us do not lessen it. The Secretary of State has recently been quoted concerning the Soviet combat strength presently in Cuba, and has expressed his concern over this and the Soviet air power, which he points out is capable of delivering nuclear munitions. Premier Castro is undoubtedly making the most of the current hands-off policy which the United States is affording him, and there is no doubt that his satellite island is teeming with activity. It is the beachhead for Communist buildup in Latin American nations.

Recently, I received a report concerning the alleged transfer of arms manufactured in Czechoslovakia from Cuba to British Guiana. This clandestine act is in concert with meetings in recent months between Soviet representatives and Premier Cheddi Jagan.

Yesterday, I received in my office a well prepared document sent to me by Dr. Manuel A. de Varona, ex-President of the Senate of Cuba. Information reaching him is, in effect, that five high-ranking and well-trained Soviet generals today control Cuba. In his opinion, Soviet missiles may still be present in Cuba, in support of the Russian combat force which we know to be on the island.

I assume that this document reached many other senatorial offices and I invite my colleagues to give it careful attention. In the opinion of Dr. de Varona, Venezuela, Brazil, the Dominican Republic, Guatemala, Costa Rica, Peru, and Nicaragua are reeling under the onslaught of Castro's agents.

While we may have gained a brief breathing spell during the third week of October, we must not be lulled into any sense of confidence which would permit us to err in believing that Castro in any way has blunted his efforts to communize Latin America.

I am inserting in the RECORD a letter which I sent yesterday to Secretary Rusk, concerning the matter of subversion in British Guiana and seeking advice as to the ability of the United States to cope with this and similar acts. The letter is as follows:

U.S. SENATE,
Washington, D.C., January 30, 1963.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: An intelligent source, which I find consistently reliable, reports that there is great concern among nations in the Western Hemisphere because of an apparent buildup of weapons coming from Cuba to British Guiana. It is my understanding that arms of Czechoslovakian manufacture have been landed on the Atlantic coast of British Guiana by ships which originated in Cuba.

This report also indicates a Soviet trade mission having recently been in British

> Guiana and that representatives of the Soviet Government have met on many occasions in recent years with Premier Cheddi Jagan.
>
> Because of the pro-Communist character of Premier Cheddi Jagan and the substantial interest of the free powers in the economy of that territory, I would appreciate knowing whether this matter is one under the surveillance of your Department and of other appropriate authorities of the U.S. Government. If the foregoing is fact, it indicates that current measures may be insufficient to cope with Cuba's continuing efforts, as a satellite of the U.S.S.R., to communize nations throughout Latin America. If the alleged withdrawal of Soviet missiles from Cuba relieves Cuba of any responsibility for conduct short of actual missile armament, this fact will undoubtedly occasion a continuation of grave problems throughout Latin America similar to the one now reported in British Guiana.
>
> I will appreciate very much your thoughts and direction on the foregoing.
>
> With highest personal regards, I am,
>
> Sincerely yours.

I then signed that letter.

Mr. President, it seems to me that our State Department and the administration generally should be more concerned about the preservation of human liberty in Latin America than they are in relying upon promises and commitments of outlaws in the world who have never yet kept their word or abided by a treaty.

THE FARM MESSAGE

Mr. HUMPHREY. Mr. President, the farm message sent to the Congress today by President Kennedy strongly illustrates both the progress that has been made in American agriculture the past 2 years and the need for new legislation in order that this progress may continue.

Let us first look at the gains that have been made. And in this connection I want to congratulate and commend my good friend Secretary of Agriculture Orville Freeman. Secretary Freeman took on this difficult job 2 years ago in the face of decreasing farm income and rapidly increasing agricultural surpluses. Today—2 years later—President Kennedy can say in a message to the Congress that:

Net farm income at the end of 1962 was $1.8 billion a year more that it was in 1960. Gross farm income is $3.5 billion higher.

Average net income per farm has risen 21 percent, from $3,044 to $3,690, the highest level in our history.

The increase in farm income has generated added business for rural industries and farm communities—indeed, for the entire Nation—putting millions of dollars into Main Street cash registers and adding at least 200,000 jobs to the national economy.

At the same time—and this is, I think, of singular importance—Government stockpiles of surplus grain have been reduced by 929 million bushels from their 1961 peak. It seems to me that that is a rather remarkable record for a short period of 2 years.

And, finally, over this same 2-year period, the proportion of consumer income required to purchase food has declined to the lowest ratio in history—19 percent of take-home pay.

That figure indicates the great job that the American farmer is doing in providing the American people with the highest quality and the greatest quantity of food in the world, at reasonable prices.

Of course, that is a commentary upon the entire food industry, one of the great industries of our Nation.

Mr. President, this is a splendid record. It is a tribute to the ability, the insight, and the devotion of Secretary Freeman and the Department of Agriculture. It is a fine feeling to be secure in the knowledge that the chairs of both the President of the United States and the Secretary of Agriculture are occupied by men who recognize and appreciate the value of America's family farms and farmers and who intend to help rural America rather than take advantage of it—to thank our farm citizens for seeing that we are a well-fed people rather than scold them for their efficiency.

I make that statement because in other years there was a good deal of chastisement of the American farmer merely because he was a good producer.

But with all this there is much more that needs to be done and we in the Congress are charged with the duty of seeing that it gets done. In the area of commodity programs, we are badly in need of feed grains, dairy, and cotton legislation. President Kennedy in his message also calls for progressive expansion of the food stamp program, continuation of the food-for-peace program, federally insured loans for rural housing, vocational and other educational training to rural citizens unable to finance this training through other means, more adequate development of available water and related land resources for multiple use, an expanded land use adjustment program and establishment of a Rural Electrification Administration loan account in order to reflect the true net cost of the REA loan programs.

In the main, these are sensible requests which I am confident the Congress will want to meet, and I believe that we will take rather prompt action in fulfilling these requests.

Mr. President, Minnesota is not a cotton-producing State. But I know that in a spirit of concern for our entire agricultural economy my friends from the South share with me an interest in providing producers of all commodities, regional though they may be, a standard of living which will reflect the hard work and high investment that goes into the production of these products. I, therefore, hope that we will accept the recommendations of the President for a cotton program and that these recommendations can be signed into law early in order that it may be in effect for the 1963 crop.

By the way, this is a matter of rather urgent legislative business.

In September of last year I said in the Senate that the 1963 feed-grain program would provide a solid foundation for permanent voluntary feed-grain legislation for the 1964 and subsequent crops. The President in his message calls for a voluntary program, flexible enough to meet varying conditions and needs and based upon the same basic principles which have proven successful in the last 2 years.

Mr. President, I feel that the approach that has been recommended, based upon the experience of the past, will prove not only workable but sound and, indeed, effective in raising farm income and in providing a much better balance between supply and consumption.

The President in his message points to a surplus reduction from 85 million tons to 57 million tons as a direct result of the voluntary 1961 and 1962 feed grains program. This reduction has resulted in a savings of nearly $1 billion in handling and storage charges. This is a good program, a popular program, and a sound program. It was further refined and improved last year when the Congress introduced the new feature of a direct payment to cooperators.

Mr. President, I was one of those who urged direct payments to cooperators. I believe very strongly in the direct-payment method for many crops. I really believe, in respect to cotton, that in the long run the cotton producer and the textile manufacturer would be in better positions if we would follow the formula laid down so ably by the junior Senator from Georgia [Mr. TALMADGE]. I have been one of those who have encouraged the Senator from Georgia [Mr. TALMADGE], from time to time, to keep working on his proposal of the so-called compensatory payment program. I know of no other way to give both a fair price to the cotton producer and a reasonable price for the cotton consumers in processed goods, while at the same time saving the textile industry, because at the present time the American textile industry is experiencing rather severe difficulties.

Mr. President, it seems to me that now is the time to use these programs as a basis for permanent feed grains legislation. The feed grains program is a proved success.

I ask my colleagues to read very carefully the portion of the message the President sent to us on feed grains, because in that message he cites:

> The emergency and temporary feed grain legislation of 1961 and 1962—which covers this crop year as well—has been successful. It has earned wide bipartisan support. Savings already assured by 2 years of surplus reduction will amount ultimately to nearly $1 billion.

The President goes on to explain in his message the reduction in our surpluses. The President in his message tells of the alternative to a failure to enact new feed grains legislation this year. Under the law, the feed grain program for 1964 would automatically revert to unlimited, excessive production and disastrously low prices. This also would affect other commodities, because as feed grain prices go down and feed grain stocks pile up, this would directly affect the livestock industry and the poultry industry, through a lowering of prices for those commodities. So every Senator is affected either directly or indirectly with repect to what happens in the feed grains program.

It is time that the unsuccessful permanent feed grains law of 1958 be stricken from the books and that a program which shows a history of success be substituted for it. Every taxpayer in this country ought to know that the 1958 Corn Act was the No. 1 economic boobytrap, the No. 1 boondoggle project, among all that have ever been foisted upon the American taxpayer.

I stood in this Chamber, at the desk which is the second from the corner, and warned Members of this body that the surpluses would pile up, that farm prices would be depressed, and that the taxpayers would be subjected to unbelievable burdens. I claim no prophetic vision, but in that instance I took a good look at the future through a bad set of circumstances that were developing.

Mr. President, the principles of the feed grain program can also be applied to the dairying industry. I was pleased to see what President Kennedy had to say about dairying. He demonstrated a wide knowledge of the difficulties which the dairy industry faces. The President said in his message:

> The accomplishments of the American dairy industry, from processor to distributor, have been far too little recognized. Any American family can depend upon the availability of pure, nutritious milk and dairy products anywhere in the United States. This accomplishment is the product of hard work, skill and know-how, and heavy capital investment.

The President went on to say:

> New dairy legislation is urgently required for the benefit of both the farmer and the taxpayer.

Last year the President recommended that the Congress enact certain farm legislation. It did not do so, and as a result surpluses have continued to pile up and dairy income has not been what it should have been.

President Kennedy, himself a notable consumer of dairy products, says in his message that new dairy legislation is urgently required, as I stated, for the benefit of both the farmer and the taxpayer.

While most family homes start the day with a cup of coffee, the White House starts the day with a glass of good milk. I have been at the White House breakfasts. In order to prove my allegiance not only to the dairy industry, but also to the Alliance for Progress, I have both milk and coffee.

I commend the President for being the best salesman the milk industry has ever had.

Mr. President, our Chief Executive calls for a program of voluntary supply management under which producers who cooperate by reducing their marketings would receive, through market prices and payments, a return on their marketings substantially greater than the noncooperators who choose not to join the program. In other words, the program would be one of incentives for cooperation.

I come from an important dairy State. I am a heavy consumer of dairy products. If Senators do not believe so, they can look at my milk bill. Furthermore, I know what kind of hours our dairy farmers work, how much they must invest in their equipment, and how little they receive for their products.

Therefore, Mr. President, I intend to sponsor in this body, and to work for, effective voluntary dairy legislation this year. I appeal to my colleagues and to the spokesmen of the dairy industry—the producers, the processors, and the distributors—to join with me in this effort. I should like to see a program which incorporates the principles of voluntary cooperation.

I took that stand in the Senate last year. I assured my colleagues that I would speak to the President and to the Secretary of Agriculture, and urge that none of the mandatory, compulsory, regulation be incorporated in the proposals which came to us from the White House or from the Department. I have kept my word. I have offered my counsel, even if, at times, it was not wanted. I hope it was wanted. It has at least been received with some respect.

I find in the message today the spirit of the voluntary program everywhere, in connection with every program.

One commodity which is not included in the President's message this year is wheat. We produce wheat in Minnesota.

A great deal of wheat is produced in Maryland, I say to the distinguished Presiding Officer (Mr. BREWSTER in the chair). I add that many high quality dairy products are produced in Maryland.

We all know how important farm legislation is to the general public and to each of our States. The reason wheat is not included is because the Congress last year passed a permanent wheat program—the so-called wheat certificate plan—which will become effective beginning with the 1964 crop. This program is the result of 6 years of effort to improve the wheat program. But this legislation must receive the approval of two-thirds of the wheat producers in a referendum this spring in order to become effective. President Kennedy states in his message that with such approval the present income of our wheat farms will be protected and surpluses will be further reduced. But he also says that failure to approve the program will leave the wheat farmer "at the mercy of unlimited production and unprotected prices." This referendum should be approved.

I take this opportunity in the Senate to call upon the producers of wheat to cast an affirmative vote in the wheat referendum. Approval is in the farmers' interest, and in the national interest. I concur in the President's statement that new legislation for wheat is neither necessary nor feasible this year. We already have a good wheat program. We ought not to be deceived or in any way fooled. Congress has a good permanent wheat program. That program provides for a national referendum. The farmers themselves can vote either for approval or rejection. I believe it is in the interest of the farmer, the consumer, the Nation, and, indeed, the world market, that the wheat referendum have a resounding vote of approval. It takes a big vote—two-thirds of the farmers voting in that referendum.

President Kennedy also talks about exports of agricultural commodities in his message.

I was interested in the comments of the distinguished junior Senator from Nebraska [Mr. CURTIS], who is present in the Chamber. I am sure the senior Senator from Nebraska has the same concern.

Returning to my comments on the agricultural message, President Kennedy has given the farmers of America his personal assurance that this Government intends to take every step necessary to protect the full rights due American agricultural exports.

This is one Senator who is going to insist that no concessions be made in our trade dealings at the expense of American agriculture. As a matter of fact, it is high time we emphasized the increasing of our exports. The markets are there and we must develop the ways and means to get them. But we cannot do it by sitting back and talking about it at the same time we are watching them virtually being stolen right from under our noses. Our thoughts must be put into action. In other words, we must become competitive. We are great producers of agricultural products.

All we need is to be given the opportunity to work in the market. Of course, this gets into the problem of the European Economic Community, the Common Market. It also gets back to the problem of developing new market areas in Latin America, Asia, Africa—indeed, the entire world.

The shrewd minds that exist in our business community should be put to work on this problem. Throughout our history the wealthiest of men have not attained their riches by sitting around and daydreaming. They were men of action. Their success stories could well be applied to our present trade situation.

Mr. President, I intend to introduce several pieces of agricultural legislation this session of Congress. I already have introduced the National Milk Sanitation Act, which would prohibit the use of artificial barriers set up by individual States in order to keep milk out.

I also will introduce legislation this year which will set up a commission responsible to the President, and reporting through him to the Congress, to study the entire subject of necessary reserves of food. This is a matter of the greatest national and international importance. Such a commission could greatly assist the Congress in establishing legislative guidelines to the Secretary of Agriculture, to the Department of Defense, to the Department of State, to the National Security Agency, on the management of supplies in the national interest and in the interest of the free people of all nations. I am extremely interested in the overall subject of food reserves—how much do we really need; where should it be placed? I noticed that during the Cuban crisis of last year there was a lot of talk about adequate supplies of food. It seems our abundance is taken for granted until we are faced with a situation that makes us think about our very survival.

The civil defense authorities put it right on the desk of every official of this country, including the President, as to what would happen in case of an attack, because of the unequal distribution of food supplies.

This is a matter I consider of the highest priority, and I am hopeful I will have the cooperation of the Congress and the Government agencies in bringing about such a study.

Mr. President, agriculture is on the move. But a better day is still ahead if we act in a responsible manner and accept the recommendations set forth by the President in his farm message today. I hope this will be done.

I shall accept them on the basis that they make a distinct contribution to our understanding of what are the agricultural problems, challenges, and opportunities. I have never believed it was desirable for a Member of Congress or for any individual to accept any recommendation without some consideration of it. We should look at those recommendations and study the facts involved. Responsibility for consideration of legislation for feed grains, wheat, cotton, the school lunch program, the emergency milk program, and the food stamp program rests in the Congress of the United States.

I am confident that, with the sense of direction we have received in this message, we will come forth with appropriate legislation to further improve our agricultural economy and thereby strengthen our Nation.

Mr. CURTIS. Mr. President, apropos the disposal of surpluses, I ask unanimous consent to have printed in the Congressional Record at this point an article which appeared in the Washington Daily News of today, January 31, 1963, by Samuel Stafford.

There being no objection, the article was ordered to be printed in the Record, as follows:

Reporter Waits for "Lefty" and a Bribe Buys Free Surplus Food

(By Samuel Stafford)

Although I am a well-fed newspaperman with a steady income, I have just been issued a month's ration of free Government groceries by the District of Columbia Welfare Department's surplus-food-for-the-needy program.

I accomplished this obvious swindle by arranging to have a small bribe ($6) placed in the right hands. Exactly whose hands, I don't know.

I did it to demonstrate what weeks of close, undercover investigation had convinced me was true:

That something very rotten was going on at the welfare department's surplus food division.

That food intended for hungry Washington citizens—the poor, the aged, the infirm, and the helpless—was being siphoned off by money-hungry bums.

I needed help and got it from an intermediary I'll refer to only as "Lefty" because he is afraid of being hurt for cooperating with the Washington Daily News' investigation.

"Lefty" knows the hustlers—the men who deliver this free food to the needy, for a fee—and he knows welfare employees in the department's surplus food division.

He said he would buy me an official surplus food card from an inside connection who would put any name and address on the card without checking my eligibility.

DAILY NEWS' ADDRESS

The official card I bought bears my own name. The address is that of the Washington Daily News. I was even assigned a phony case number.

Here's how it came about:

Our swindle was perpetrated on January 21.

"Lefty," I, and another man were sitting in a southeast home and I asked "Lefty," "Can anybody get a surplus food card by paying for it as you've said you and others have done?"

"It's easy," he said.

He called the surplus office and asked for a welfare employee whose name I knew. The conversation was guarded. "Lefty" asked if the man was free to talk. The figures "5" and "2" were mentioned. "Lefty" kept assuring the person at the other end that the buy was for himself.

Then "Lefty" carefully spelled out my name and gave the newspaper's address. He hung up and said, "It'll be ready at 1 o'clock." It was then a little after 11 a.m.

"Lefty" and I drove to the welfare department surplus office, now in southwest Washington, but then at 469 C Street NW. We parked in the lot next door.

"Lefty," with this newspaper's $6 in his pocket, entered the office as I went across the street to observe. He came out after a minute and walked to the parking lot. I recrossed the street to the lot and stood behind a car.

Then "Lefty" muttered and ran toward the surplus office entrance. I followed, crossing the street. A man I recognized as a welfare surplus employee was running down C Street in the opposite direction, coat flapping, anxiously looking back over his shoulder every few steps. "Lefty" didn't catch him for half a block.

As I followed, they turned left, cutting through the block to Pennsylvania Avenue and entered a nearby waffle shop, where they talked.

I returned to the parking lot, got the car and drove around the block. After the welfare employe returned to the office, I picked up "Lefty" on Pennsylvania Avenue. He gave me my brand-new food card.

He told me that he had paid the man $6 and that the man had told him he could handle more such business.

The card was dated January 21, the same day. The food distribution center would be closed in less than 2 hours.

I took a cab to the distribution center at 357 Virginia Avenue SW.

At this point I will tell you how I, the swindler, was swindled once, and almost twice.

My understanding of the deal through "Lefty's" phone negotiations with the welfare employe led me to believe that I would get two cans of peanut butter and two five-pound boxes of high-grade processed cheese for my money, along with the other goodies.

ALLOTMENT CUT

But the card made up by the welfare man bore only a "1" in the peanut butter and cheese space—meaning a single order of each item.

I entered and went to the counter. There was no line at that time of day.

A squat colored man grabbed my card, squinted at me and asked, "You Sam?"

I said I was and he flipped the card onto the counter.

Another man looked at it carefully, looked at me carefully, then slammed a food bag onto the counter. Then he walked back and puttered around with other bags.

"Get you your lard in a minute," he said.

He fetched lard (shortening) and butter, then returned to the pile of bags which he poked at idly. The other man was some place else by now.

I waited for perhaps 45 seconds for him to bring my peanut butter and cheese. When it became clear that he had no intention of doing so, I cleared my throat.

"Don't I get peanut better and cheese, too?" I asked.

The man turned, plucked my card out of a sheaf in his hip pocket, studied it, glanced up, gaging my knowledge about figures on the card.

After a while, he sighed like a man who has lost a daily double he didn't expect to win anyhow, checked the card again, muttered, "Oh, yes, so you do," and heaved the missing items my way.

As I left, I wondered what might have happened to the peanut butter and cheese if I had said nothing. To a bookkeeper's eyes, the items would appear to have been picked up, whether they had or not.

Would I have been able to get the two items at all if, instead of being a reporter, I had been a little old lady afraid to talk back for fear of losing her relief check?

DOUBLE CHECK

Back in the office, I checked the supplies. A 10-pound bag of flour had been broken, possibly when it was slammed onto the counter.

Otherwise, everything was in good shape: 4½ pounds of dry milk, nearly 4 pounds of chopped meat in two cans, two pounds of peanut butter, 3 pounds of vegetable shortening, a pound of butter, and 5 pounds of cheese.

Where was my rice and corn meal? Numbers below names of these items on my card indicated that I should have received them.

(Harold Popkin, a welfare surplus official, said in a later interview that recipients get rice and corn meal every month. The full de luxe single orders, he and John Olsavsky, surplus manager, said, was worth about $12.)

The Daily News will return the food in good condition to District surplus officials for use by the genuine needy.

In a similar way, with the exception that I didn't accompany "Lefty" to the surplus office, I bought a food card for a lady to replace one that expired about 20 days before.

This was a special kind of welfare rule-breaking. Deadline for the lady to pick up food was December 28 on the original card.

After January 1, under welfare rules, which seems to apply to everybody but the hustlers, who do a healthy business in delivering food and taxing recipients for a fee, the card was dead. No December food. Possibly she could get January's a little earlier.

(I know this is an inflexible rule because, posing as a private social worker, I had been in Mr. Olsavsky's office when he denied 5 women—1 a mother of 12 who "had it tough over Thanksgiving"—their month's food because their cards had expired a few days from the end of October and it was then November 1.)

(Mr. Olsavsky said he couldn't give them the food becaue of regulations, and, at another time, made this "Agriculture Department regulations." An Agriculture Department spokesman yesterday said distribution methods are largely left up to the States and that the Department's main interest is in seeing that the poor get needed food.)

"Lefty" said he paid a welfare employe $4 for the 20-day late food card.

WE GET A SCHEDULE

He said he paid $3 for a mimeographed delivery schedule which shows day by day the areas of the city in which recipients' surplus cards are about to fall due.

As I looked at the schedule with numbers and dollar signs penciled in by somebody at the top, I recall a recent talk with surplus officials.

They seemed puzzled that anyone would think there were schedules around, but did say that nobody in the office sold schedules and that hustlers had no access to them.

I gathered from these officials that hustlers each day just magically sense the right area for moneymaking from the needy. Unless a welfare employee whispers the secret around. And, of course, this can't be so.

EXTENSION OF TIME FOR SPECIAL COMMITTEE ON AGING TO FILE REPORT

Mr. McNAMARA. Mr. President, in accordance with Senate Resolution 238, the Special Committee on Aging has prepared its report for submission to the Senate. I ask unanimous consent that the time for the filing of this report be extended to Friday, February 8, 1963, in order that we may receive and combine with this report individual, minority, or supplemental views.

The PRESIDING OFFICER. Is there objection?

Mr. CURTIS. Mr. President, reserving the right to object, has that request been cleared with the ranking minority member of the committee?

Mr. McNAMARA. It has been held up by the minority.

Mr. CURTIS. No. Has it been cleared with the ranking minority member of the committee?

Mr. McNAMARA. No; it is at the request of the minority that it is being held up.

Mr. CURTIS. Very well.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT'S FARM MESSAGE

Mr. ELLENDER. Mr. President, the President's message on agriculture is a very thought-provoking document. It covers the whole of our agriculture and rural areas. It deals specifically with several very troublesome problems such as dairying, cotton, and feed grains. It also points the way for an expanded use of our agricultural abundance, both at home and abroad. In addition, it emphasizes the favorable effects on farm income that the programs enacted during the last 2 years have had. It points out further that there has been a substantial reduction in the Government stockpiles of surplus agricultural commodities. For example, specifically, the statement indicates that Government stockpiles of surplus grain have been reduced by 929 million bushels from the 1961 peak.

The President also points out, and rightly so, the importance to farmers of the wheat referendum which is to be held this spring. I am delighted that the President is advocating favorable action by wheatgrowers in this referendum. In my humble judgment it would be calamitous to the wheat farmers of the Nation if a negative vote is cast, because Congress cannot and should not take action to further deal with the wheat problem for this year. Last year the Senate Committee on Agriculture and Forestry spent about 7 months trying to develop a program satisfactory to the wheatgrowers. Such a program was finally enacted into law on September 27, 1962. The wheat certificate program is fair and realistic to all concerned. It will improve farm income on the one hand, while on the other it will reduce Government stocks.

The President advocates a further extension of the so-called emergency feed grain program with some changes. In my opinion a voluntary program affecting the production of corn and other feed grains may well be advisable for another year. However, I feel that the rate of payment made to farmers for taking land out of production should be much reduced. A well conceived program could provide for a reduced payment and lower price supports, while at the same time protecting the income of feed grain producers.

Cotton presents a problem that may be costly and difficult of solution. Stocks have been increasing. As a matter of fact the latest report by the Department of Agriculture indicates that the carryover at the end of this marketing year will be 10 million bales, the largest since 1957. Something must be done. However, I do not like the idea of direct payments. A program which subsidizes both domestic and foreign consumption would appear to me to be more costly. I would hope that a more reasonable and realistic approach could be found which would achieve the aims of the President.

Dairying presents the most vexing problem. I have advocated that the producers and their representatives, as well as the handlers and others interested in the dairy industry, get together in an attempt to devise a program which would be less costly to the Government and still be fair and reasonable to producers. I still hope that this can happen, for unless a positive approach is made, Congress will have to devise a program on its own. It is my intention to hold hearings on dairy legislation at an early date. I hope that we will be successful in the development of a realistic program. While the President's recommendation of a voluntary program appears reasonable, it does not assure that there will be a downward adjustment in the production of milk. If safeguards can be developed which will assure a decrease in production and a savings to the Government it might well be that Congress would act affirmatively.

Other parts of the President's message deal with domestic and foreign food distribution, rural area development and rural electrification, water, land use adjustment, and electricity. These recommendations should be given careful thought and consideration.

All in all, I think that the President has submitted a very fine message to the Congress, one that could well lead to further Government savings and increased farm income.

RECESS TO MONDAY NEXT AT 10 A.M.

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I now move, in accordance with the previous order, that the Senate stand in recess until 10 a.m. on Monday next.

The motion was agreed to; and (at 5 o'clock and 40 minutes p.m.), under the order previously entered, the Senate took a recess until Monday, February 4, 1963, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate January 31 (legislative day of January 15), 1963:

COMMODITY CREDIT CORPORATION

Roland R. Renne, of Montana, to be a member of the Board of Directors of the Commodity Credit Corporation, vice Frank J. Welch, resigned.

SUBVERSIVE ACTIVITIES CONTROL BOARD

Frank Kowalski, of Connecticut, to be a member of the Subversive Activities Control Board for the term expiring August 9, 1966.

FEDERAL COMMUNICATIONS COMMISSION

Kenneth A. Cox, of Washington, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1956, vice T. A. M. Craven, retiring.

Kenneth A. Cox, of Washington, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1963.

DEPARTMENT OF COMMERCE

Richard H. Holton, of California, to be an Assistant Secretary of Commerce, vice Hickman Price, Jr., resigned effective January 31, 1963.

U.S. ADVISORY COMMISSION ON INFORMATION

Sigurd S. Larmon, of New York, to be a member of the U.S. Advisory Commission on Information for a term of 3 years expiring January 27, 1966, and until his successor has been appointed and qualified.

IN THE NAVAL RESERVE

The following-named officers of the Naval Reserve for temporary promotion to the grade of rear admiral subject to qualification therefor as provided by law:

LINE

Richard D. Adams

CIVIL ENGINEER CORPS

Edward H. Gessner

IN THE AIR FORCE RESERVE

The following-named officers for appointment in the Air Force Reserve to the grade indicated, under the provisions of chapter 35 and section 8373, Title 10 of the United States Code:

To be brigadier generals

Col. Donald J. Campbell, AO726745, Air Force Reserve.

Col. Joseph J. Lingle, AO395663, Air Force Reserve.

Col. James H. McPartlin, AO438109, Air Force Reserve.

Col. Roger W. Smith, AO291671, Air Force Reserve.

Col. John A. Lang, Jr., AO569020, Air Force Reserve.

Col. Charles E. Heidingsfelder, Jr., AO500072, Air Force Reserve.

WITHDRAWALS

Executive nominations withdrawn from the Senate January 31 (legislative day of January 15), 1963:

SUBVERSIVE ACTIVITIES CONTROL BOARD

Frank Kowalski, of Connecticut, to be a member of the Subversive Activities Control Board for the term expiring April 9, 1967, which was sent to the Senate on January 17, 1963.

FEDERAL COMMUNICATIONS COMMISSION

Kenneth A. Cox, of Maryland, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1956, which was sent to the Senate on January 15, 1963.

Kenneth A. Cox, of Maryland, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1963, which was sent to the Senate on January 15, 1963.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 31, 1963

The House met at 12 o'clock noon.

Dr. L. D. Johnson, First Baptist Church, Greenville, S.C., offered the following prayer:

Jeremiah 9: 23–24—revised standard version:

Thus says the Lord: "Let not the wise man glory in his wisdom, let not the mighty man glory in his might, let not the rich man glory in his riches; but let him who glories glory in this, that he understands and knows me, that I am the Lord who practice kindness, justice, and righteousness in the earth; for in these things I delight," says the Lord.

Almighty God, our Heavenly Father, we bow before Thee in grateful acknowledgment that Thou art the Author and Sustainer of all our life. We thank Thee for Thy gracious providence and pray that we may be worthy of Thy continued favor. We pray for the President of the United States, for the Speaker and Members of this House now in session, and for all men and women in places of high trust.

O Thou who art the source of all wisdom, grant us wisdom for the problems which perplex us. Grant us understanding to perceive the truth, and minds that discern the difference between right and wrong, nobility and shabbiness, the permanent and the passing.

O Thou who art the source of all might, before whom the pride of empires falls, grant us strength for the struggle of our time, and courage to live and die as freemen.

O Thou who art the source of all wealth, grant us to know wherein true wealth lies: in integrity, humility, charity.

In the name of Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Monday, January 28, 1963, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

ELECTION OF MEMBERS TO COMMITTEES

Mr. BOGGS. Mr. Speaker, I offer a privileged resolution (H. Res. 215), and ask for its immediate consideration:

The Clerk read as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Education and Labor: GEORGE E. BROWN, JR., of California.

Committee on Merchant Marine and Fisheries: JACOB H. GILBERT, of New York.

The resolution was agreed to.

A motion to reconsider was laid on the table.

FRANKLIN DELANO ROOSEVELT BIRTHDAY ANNIVERSARY

The SPEAKER. The Chair recognizes the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Speaker, first let me thank the gentleman from Ohio [Mr. KIRWAN] for the beautiful white carnations symbolic of this day. I take this time to salute the spirit of a great American, a great President of the United States. If Franklin Delano Roosevelt were still alive he would have celebrated his 81st birthday on yesterday. Though he is not alive I am sure that his spirit lives and is ageless. That spirit lives in the hearts of millions of Americans and millions of people throughout the world; those who knew him personally as a friend and millions upon millions who knew him as a symbol of freedom.

That spirit dwells with all sorts of Americans; with loggers and lawyers, with sodbusters and surgeons, with millhands and with millionaires.

What is that spirit, Mr. Speaker? It seems to me it is the spirit of a man who gave America courage when we needed courage, hope when we needed hope; who gave us confidence when we were confronted with fear, who gave us vision when we needed vision, who was able to weld together the freedom-loving people all over this earth of ours.

It was just 30 years ago that President Roosevelt took office as our Nation's 32d President. He came to this Capitol on a cold and cloudy Saturday, a day that seemed to reflect the state of the Nation, and he launched on that occasion a movement that brought the people of this Nation to their feet and served notice to the world that America was on the move again. He led us literally from the depth of domestic despair to high plateaus of national achievement, and then he led us through the grim days of World War II, until one of the grimmest days of all, April 12, 1945, when unexpectedly he was called to his reward.

Before closing, Mr. Speaker, it would also be most appropriate for me to say that there was a woman in his life, a beloved woman, a woman of singular dedication to her country and to humanity throughout the world. After the death of President Roosevelt his wife, Eleanor Roosevelt, carried on her humanitarian efforts without stint for many years, until her own death last fall. So in paying tribute to the memory of President Roosevelt this week, I would like to pay a double tribute to the President and his beloved wife, the two Americans who inspired and led our Nation at a time when it desperately needed inspiration and leadership.

Now, Mr. Speaker, I yield to the gentleman from Alabama [Mr. RAINS].

Mr. RAINS. Mr. Speaker, a few days ago our friends in the minority paid tribute to a great American, President McKinley. I think it altogether fitting and proper, Mr. Speaker, that we pause often to pay tribute to those men who have had a great deal to do with the building of this Nation. In fact, it seems it would help us as Representatives of the American people to talk about our heroes and our statesmen more often. So I am pleased, I will say to my distinguished colleague from Louisiana, to have this opportunity to pay my tribute to the memory of one of the greatest Presidents of all time, Franklin Delano Roosevelt.

When Roosevelt assumed the office of President, our Nation was suffering from the greatest economic catastrophe in our history. Millions of American men and women were walking the streets looking for jobs, but there were none to be had. Here in the greatest Nation the world has ever known, millions went hungry and homeless. It was a time when many would have refused the awesome responsibilities of the Presidency, but we can all be truly grateful that the American people in this time of trouble elected a man who was equal to the task. The tragic circumstances of the great depression, and the leadership of President Roosevelt, altered the course of American history. Unquestionably future historians will divide America's development into pre-Roosevelt and post-Roosevelt periods. Under him our Government faced up to its responsibilities for the welfare of the Nation. I would not say that it assumed new responsibilities, but rather it accepted the duties which were inherent in a democratic society.

A generation is growing up now which never knew the suffering and privations of the economic collapse after the great crash of 1929. Those of us who knew those dark days at first hand have a solemn obligation to keep alive the memory of the man who guided our Nation through those troubled times. They were times not only of deep suffering but also of great danger to our democratic institutions. Many people in their desperation were prepared to abandon their freedoms in their search for a solution to their economic problems. Had a lesser man than Franklin Roosevelt assumed national leadership at that time, America might be a different country than it is today. Just as England had Winston Churchill, our Nation was blessed with Franklin Roosevelt in our hour of crisis.

President Roosevelt's New Deal has left an indelible imprint on the Nation through the legislation passed in the 1930's. Social security, unemployment compensation, minimum wage, farm price supports, bank deposit insurance, regulation of the security exchanges, home mortgage insurance and low-rent housing are only a few of the advances we made under his leadership. Regarded as revolutionary at the time, the benefits of this legislation are now part of the fabric of our way of life. Today these laws are taken for granted but it required bold imagination, tremendous courage, and keen political skill to bring them into being.

Our Nation was yet to face another stern test in the 1940's. The powerful forces of fascism made a dangerous bid for world supremacy. The American people in their ardent desire for peace were slow to recognize the seriousness of this threat but again, under Roosevelt's dynamic leadership, we began to prepare. When America was attacked, our Nation responded with a mighty effort and President Roosevelt in his role of Commander in Chief, soon led the greatest armed force in the history of the world. Tragically, President Roosevelt died just a matter of months before our final victory to which he contributed so much.

Mr. Speaker, Franklin Roosevelt was truly a great man, a great statesman, a great President, and undoubtedly will be immortalized as one of the great leaders of world history.

Mr. BOGGS. Mr. Speaker, I yield to the distinguished gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Speaker, recalling the very severe and distressful economic situation in that great iron ore mining area of northeastern Minnesota where the percentage of unemployment in some communities, such as, for example, my own hometown, which unfortunately runs as high as 26 percent today; where the temperatures are at an alltime low for the past one-third of the century, three times having gone down as far as 40° below zero, as I say, in this acute and distressful economic situation, in this atmosphere of bleakness, frustration, fear, and uncertainty, in this subarctic and subzero winter climate, I am vividly reminded of the atmosphere of fear and despair that covered the entire country back in the early 1930's. The country saw not only the inspiration, courage, and vision but the warmth of the human heart of this great man, this great humanitarian, the late, beloved Franklin Delano Roosevelt.

Today we find our people yearning for the same type of leadership, and knowing that they are going to get that kind of leadership both in this Congress and in this administration.

Mr. Speaker, I am privileged and truly honored to participate in this touching memorial observance.

Mr. BOGGS. Mr. Speaker, I yield to the distinguished gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Speaker, I suppose those things that happen to us in our youth are among the most memorable of all in our experience. Like most people of my generation, I think of the name of Franklin Delano Roosevelt as a magic name.

Very vividly do I recall, because I was of an impressionable age at the time, how stirring was the coming of Franklin Delano Roosevelt to the Presidency of this country. I remember a cold and windy March day in 1933 when a man rose from a wheelchair and stood with the aid of a cane, and looked into the heart of a Nation. What he saw was a picture of stagnation and fear. One-third of the Nation he saw ill clothed, ill fed, and ill housed. Twelve million men were out of work. They walked the city streets and the country byways, they crossed the Nation as best they could in search of employment. Farms were being foreclosed and each time a farm gate swung shut on rusty hinges, yet more Americans joined this army of unemployed.

Home mortages were being called; savings of a lifetime were being lost; and families dispossessed. This was the picture that he saw; this was the picture which was so vivid to me in that year 1933.

Then he spoke. I remember wherever men and women had gathered to sit beside a radio there came his clear, resonant voice, bespeaking confidence. The Nation regained its poise, recaptured its balance as it tottered there on the brink of the abyss of despair. He told us that the only thing to fear was fear itself, and we overcame our fears.

Confidence begot confidence. The wheels of industry slipped into a higher gear. Men who stood in the pay line again received a good wage and had a full dinner pail, and they bought the things industry turned out. So too did the farmer who began to find again a decent price for the products of his soil and of his toil. It was not long until the wheels of industry slipped into a still higher gear. Confidence was astir. Our Nation was on the road to recovery. And in the White House was a man with a great and compassionate heart who seemed mindful of us and of all the plain and nameless people like us. I remember we sang a song called "Happy Days are Here Again."

Then as the Nation was recovering, I, like most of my contemporaries, saw the storm clouds as they crossed the horizon. War was in the air. Europe was in flames. Japan was on the march. We tried to stay out. We tried to be neutral without giving the world over to the lawless expansion of a band of marauding aggressors. But we could not. Then suddenly we were attacked. I remember as though it were yesterday the sound of his words as he spoke of December 7, 1941, "a day that will live in infamy," and the strength of his vow to win through to the ultimate triumph—so help us God.

I remember Franklin D. Roosevelt as a gallant wartime leader whose inspiration helped us to marshal the forces that a free nation alone can marshal. Americans of my generation were sent to the far corners of the earth. Gradually the tide of battle turned. Victory seemed assured. And then almost suddenly, it seemed, the President was no longer young, but very old. For each time a young American fell in the flower of his youth before the grim frenzy of war and new white crosses appeared on foreign hillsides from Saipan to Salerno, something within the President died also.

I remember as do all of us that dismal day in April 1945, when from his shoulders the impediments of the Presidency and the burdens of free men everywhere were shaken off and he, like all mortal flesh, had gone to his reward. Seldom has an entire nation been so smitten by an event as we were by his death. It was almost as though everyone of us had lost a close relative and an intimate friend. So great was his attachment for us, and ours for him.

Even today as we look back I know that those of my generation when we think of the Presidency of the United States do now and will forever think it reached its apex under Franklin D. Roosevelt. Still his name symbolizes for us, as he then embodied for us, the Presidency. He was to us a great leader, unquestionably one of the greatest Americans who ever lived, surely the towering figure of his time—and I am constrained to believe one of the greatest Presidents, if not the greatest President of all time.

Mr. BOGGS. Mr. Speaker, I now yield to the distinguished gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. It is a great privilege for me today to utter my first expression of sentiment in this House in the presence of his distinguished son in tribute to the memory of not only a beloved friend, but of a man whose life and work will stand out like a mighty mountain in the landscape of history—Franklin Delano Roosevelt.

He came to the Presidency to find a nation ill fitted in spirit and in structure to meet the challenging needs of the people of that time. He left a Government with a true compassion for all the people and an organization redesigned by his own genius, which could and would help every American man, woman, and child to walk on higher ground.

He led to a great triumph the forces of freedom against the bastions of tyrants who in their infamy dared to make war upon our blessed land.

He left a World Court and a United Nations which in God's own good time will help to convert a lawless world into a law-abiding community.

Like many of you, I, as a member of a committee from the other body had the privilege that sad day in April 1945 to stand beside his bier in the beautiful rose garden at Hyde Park when he was lowered into his final resting place. I can hear now the refrain of the old hymn quoted on that day:

> Father, in Thy gracious keeping,
> Leave we now Thy servant sleeping.

So, do we today.

I know of no tribute more fitting to this great spirit, this noble man, than those words delivered by Anthony over the body of Brutus upon the field of Philippi when he said:

> His life was gentle, and the elements so mix'd in him that nature might stand up and say to all the world, "This was a man."

Mr. BOGGS. Mr. Speaker, I yield to the distinguished gentleman from Hawaii [Mr. GILL].

Mr. GILL. Mr. Speaker, some of us have been invited today to add a few score words to the sea that have been written and spoken about Franklin Roosevelt.

The younger Members of this House have never, since the age of sensibility, known a time that was not fraught with crises, disaster, or incipient terror. We can remember too well the economic horrors of the thirties, the wars of the forties, or the uncertain anxieties of the fifties.

To us then, and to many others of our generation, the tall presence of Franklin Roosevelt has laid its mark across our personal and political lives. The warm voice from our first radio set—the jaunty smile in the valley of the shadow of depression—the confident quip when the clouds of war covered our young lives and hopes—these are the legacies of the man.

Surely our lesson is learned: There are few problems we cannot solve with firmness of mind; there are few crises we cannot weather with a confident heart.

On a cold and blustery depression day in 1933, a few feet from this Hall, Franklin Roosevelt gave us our text for this century:

> We have nothing to fear but fear itself.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from California [Mr. VAN DEERLIN].

Mr. VAN DEERLIN. Mr. Speaker, I can think of nothing I would more proudly make the subject of my first remarks from the floor of this House. More than any other, it was the influence of Franklin D. Roosevelt that determined I should become a Democrat.

The legacy this great man leaves Americans, it seems to me, is twofold: First, our conviction that economic factors are not beyond the scope of a free people to deal with, through the powers of government; and second, the confidence we share that a free people, without sacrificing their freedoms, can beat down the forces of totalitarianism.

As clearly as it sounded on the day it was heard by millions of Americans in March of 1933, the voice of Franklin D. Roosevelt is still heard in the land today.

Mr. Speaker, Californians who are so deeply indebted to this man's works, happily join in these words of praise for him today.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Arizona [Mr. SENNER].

Mr. SENNER. Mr. Speaker, it is fitting that we honor a man whose courage and vision has left its mark on our history—so that all men following hereafter might profit from that leadership.

Franklin Delano Roosevelt's great devotion to his fellow man made democracy a dynamic, living force in the world today, because he did more than voice it; he set it in action, and freed it to do its marvelous work.

Mr. Roosevelt was more than a great President, and a world leader—he was, above all, a great humanitarian with boundless compassion for his fellow man. He saw with perfect clarity the dignity of man and fought with all his energies to preserve it.

Little more can be said of a man than that he made the world a better place in which to live.

Franklin Delano Roosevelt, my colleagues, was such a man.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Oregon [Mr. DUNCAN].

Mr. DUNCAN. Mr. Speaker, one of the characteristics of this Nation that has enabled it to survive and prosper through the years has been its genetic capacity to spawn great men to lead us in times of great crisis. Eighty-one years ago yesterday one of the greatest of these was born, destined to lead us through a terribly crippling domestic crisis and almost through the most devastating war of history. All of us remember the terrible loss we all felt as he was taken from us when victory was in sight. Today—as the controversies of those days fade into history—members of both parties can join in doing honor to Franklin Delano Roosevelt who added so much honor to the shield of the United States.

I am proud that my own Jackson County Democrats led the Nation in establishing an annual event to honor Franklin Delano Roosevelt and that over the years many prominent Americans have paid tribute to Franklin Delano Roosevelt in Medford, including his illustrious son—who at this moment occupies the chair of this House—and the then Senator, now President John F. Kennedy. I am proud that Lane County has followed suit.

It is my great privilege, as a new Member, to participate in this tribute to President Roosevelt as I first address the House.

Mr. BOGGS. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. FRASER].

Mr. FRASER. Mr. Speaker, 18 years ago a chapter in our Nation's history ended with the passing of a great President. Our Nation, grieving, rededicated itself to the goals toward which Franklin Delano Roosevelt had measurably moved mankind.

In 1945, in a memorial address at our great university in my State we find embodied the resolutions of a sorrowing people:

> We will win this war.
>
> We will build the structure, which you planned, where peace may abide.
>
> We will esteem men for their intrinsic worth, without prejudice of race, or color, or creed.
>
> We will try to understand the problems of other men and other nations and to be considerate toward them.
>
> We will strive to make the four freedoms realities throughout the world.

We have not failed him, for we are keeping these pledges. Each act toward fulfillment is the highest tribute we can pay to his memory.

So, today, let us simply express the gratitude of a nation for the lives of this man, and his beloved wife, whose compassion, vision, and determination, both in war and peace, brought new hope, and strength, to our Nation.

Mr. KIRWAN. Mr. Speaker, yesterday we commemorated the birthday of one of those rare Americans who bear the title "great"—Franklin Delano Roosevelt.

President Roosevelt was a champion of the poor and the handicapped—the forgotten men he called them. He was an activist who breathed new life into his country and party and indeed remolded the image of the American Presidency. He was a voice of hope in a Nation woefully mired in despair.

Roosevelt wore several mantles during his long and distinguished public career, but at this juncture in history he is best remembered as a great leader and humanitarian. It was he who planned and directed the assault on the ugliest depression in our country's history and he did so with a dedication peculiar to men of greatness.

One need not look far to find the legacies of that dedication: the Rural Electrification Act which did more than any other act to bring a better and more bountiful life to our rural society; the good neighbor policy which laid the groundwork for the Alliance for Progress a generation later; the social security program which has helped remove the ugly spectre of poverty from the lives of our older citizens; the Tennessee Valley Authority which has brought untold benefits to untold millions of Americans; the Securities and Exchange Act and the FDIC which today protect countless scores of Americans against the loss of their life's savings; the abolition of child labor which removed from the American scene one of the last holdovers of economic feudalism; and the United Nations which stands as a symbol of freedom and justice in a world fraught with systems which would destroy both.

This list of achievements and memorials could be continued indefinitely for the interests and the compassion of Franklin Roosevelt knew no limits—no group, no section of the country, no economic class has failed to benefit from his dedication.

Mr. Speaker, it was my privilege to have served in this great body during the last 8 years of Franklin Roosevelt's life and to have witnessed the evolution of his program. His administration can best be described as a social revolution created in the image of its designer—based on humanitarian values and rooted in an unflinching faith in the people.

Franklin Roosevelt was many things to many people, but to all he was a great humanitarian—dedicated to the service of his fellow man. His philosophy can best be summed up in his own words spoken on the occasion of his renomination in 1936:

> Better the occasional faults of a government living in the spirit of charity than the consistent omissions of a government frozen in the ice of its own indifference.

Mr. COHELAN. Mr. Speaker, I appreciate this opportunity to join in paying tribute to a determined man, a distinguished leader and a dedicated American, the late great President of the United States whose birthday we are commemorating today, Franklin Delano Roosevelt.

Here was a man who overcame his own considerable physical handicap to understand and deal with the momentous problems of his day. Here was a leader who plotted a farsighted course of action and whose landmark accomplishments influenced every segment of our society. Here was an American who dedicated his life to that in which he believed and who indeed must be considered one of the extraordinary men and statesmen of the modern world.

Mr. Speaker, the memory of Franklin Delano Roosevelt serves as a source of strength in this very difficult period of current world history.

Mr. BOGGS. Mr. Speaker, before yielding to the next speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life and character of the late Franklin Delano Roosevelt.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Now, Mr. Speaker pro tempore, it is my great privilege to yield to the distinguished Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, as we look back and study history, we find in the known history of man that there are two kinds of men who are prominent in history, one on the constructive side of life and interested in the progress of mankind, and others who occupy prominent pages in history who might properly be termed to have been on the destructive side of life, as opposed to those who are builders, those who look to the future, those who gave the leadership of hope to a people and on occasions to the world. On the other side there are the vicious, evil minds who try to obtain unholy objectives through viciousness, persecution, imprisonment, and even death itself.

When we look back through history as we are doing here today, on the constructive side of life in the journey of man onward and forward, we find great leaders of yesterday and one of the great constructive leaders of all time not only as the President of the United States, but from the standpoint of world history, such as that distinguished man whose memory we are properly eulogizing today.

Franklin Delano Roosevelt came across the pages of the history of our country and the history of mankind at a very trying period in the world's history. He rendered his services in a superb, outstanding and courageous manner. He was not only the leader in time of war, victory, the man who inspired America and the world to resist the vicious forces of destruction only a little over 20 years ago, but more so he was a great humanitarian.

He was a man of vision and a man of spirit and a man who gave hope to the sick, the afflicted, the underprivileged, not only of our country but throughout the world.

Franklin D. Roosevelt as a leader in time of war will occupy most prominent pages in history, and Franklin D. Roosevelt as a great humanitarian will live forever in the minds and hearts of little people throughout the entire world.

As he was an inspiration and a symbol during his lifetime, so will the spirit of Franklin D. Roosevelt always be a symbol for the countless generations to come, lifting up the hopes of people, inspiring them and keeping alive particularly the desire of men and women to be free under their own law and the desire of men and women to receive economic relief from severe economic oppression.

Mr. Speaker, it is well that we pause today to pay tribute to the great leader, Franklin D. Roosevelt, not only the leader in public life, but Franklin D. Roosevelt, the man, for he will go down in history as not only one of the greatest men on the constructive side of history, but a man who was also a good man and a good leader.

Mr. DOYLE. Mr. Speaker, on the occasion of the last inaugural of that distinguished and beloved President of the United States, Franklin Delano Roosevelt, his inaugural remarks occurrred at the White House. The ground was covered with snow and those privileged to attend stood on spread canvas outside in the rose garden. Mrs. Doyle and I, both then and many times since, have recognized it was a high privilege for us to be present on that occasion.

To enter the White House after the outdoor ceremony was completed we were favored by being asked to accompany Hon. Carlos Romulo, Ambassador from the Philippines, and his lovely wife. This we did.

The President spoke from the portico facing the Jefferson Memorial to which memorial across the Potomac Basin from the White House Mrs. Doyle and I walked through the snow upon the conclusion of our brief visit inside the White House. The reason we did so was chiefly because of the following circumstances which occurred during the President's inspiring remarks about an hour before.

We shall never forget that occurrence, for at a high point in his inspiring words he suddenly stopped markedly short for several seconds and looked steadfastly over the heads of his listeners who were standing on the canvas spread below the portico from which he spoke. His pause in his speech and his steady gaze in the direction of the Jefferson Memorial caused Mrs. Doyle to remark to me that she wondered why he had stopped in his speech and why he deliberately looked over the heads of his audience as though they were not present as his listeners.

Upon entering the White House for tea, we learned that he was looking at the recently completed Jefferson Memorial, and situated therein the magnificent very large bronze statue of Thomas Jefferson standing erect and looking directly at the White House. We concluded that President Roosevelt consciously was thinking of the great life and sacrifices and contribution of his great predecessor in the Office of President of the United States of America. In company with this experience, which we shall never forget, we learned there previously had been one very large tree in the direct line of vision and view between the portico from which President Roosevelt spoke and the statue of Thomas Jefferson, but that in the winter time when the tree was utterly barren of leaves it had been removed by request of the President so that he could have a clear, unobstructed view of Thomas Jefferson on whose magnificent statue and memorial his gaze was fixed so steadily and assuredly when he stopped in his inaugural speech on that occasion.

In this, my 17th year of membership in the House of Representatives, I have increasingly been thankful that I had the great opportunity and inspiration of personally meeting and knowing—even though very slightly—Franklin Delano Roosevelt, for it was during his last administration as President of the United States of America that I was first elected to membership in the House. His dedication to the needs and problems of humankind, including the poor and the handicapped, and his magnificent voice of hope and faith that great humanitarian good and blessings would come to all peoples have always been a great inspiration to me. Not only have the pages of history of our own beloved Nation written a page of everlasting gratitude to him, but the pages of the history of all mankind have done the same thing.

Mr. STAEBLER. Mr. Speaker, January 30 is not only the 81st birthday anniversary of Franklin Delano Roosevelt, but also marks the moment when we can look back 30 years to the beginning of an era of accomplishment—unparalleled in history—which he set in motion.

He called it with the characteristic shorthand of politics—the New Deal. It was the beginning of a new stage of development for our Nation and for every individual in it.

Rarely, if ever, in a 30-year period have so many momentous changes taken place in the life of a country and of the world. Most dramatic of all was the change in our material circumstances. We had reached the point where our productive system could eliminate poverty, but instead was producing it. F.D.R. turned it around, enlisted the people of the country in a purposeful utilization of the system, and opened up the most productive and creative period, in a physical sense, that the world has ever seen.

But great as was his accomplishment in the field of unlocking American capacities for industrial and agricultural production, he accomplished much more. He pioneered in the development of a new sense of responsibility for Americans, a realization that the worth and dignity of the individual can be made a living reality in government and American life.

In the long perspective of history, it is still too early to draw the full dimensions of F.D.R.'s significance to America and the world. We can be sure it will be a role of prime importance. But it is not too early to record the feelings in the minds and hearts of his fellow countrymen. There were those of us who saw the New Deal unroll, one bold, imaginative step after another and who saw the old sores of economic and social life being healed. Our belief in the integrity of American life and faith in human nature and civilized living was strengthened and deepened by what he did. For those of us, Franklin Delano Roosevelt joined Washington, Jefferson, and Lincoln as one of the ever-living forces which shape our lives and our country.

Mr. ULLMAN. Mr. Speaker, history will record that Franklin Delano Roosevelt, whose birthday anniversary we celebrate, was one of the greatest of great Americans. Not only did he anticipate history, but he changed its course and changed it in a manner which saved the free world. Few men saw as clearly as he that the fight against Hitlerism was a fight for freedom all over the world. His vision, his courage, and his beneficent wisdom led us through the most devastating war known to civilization.

The courage which enabled Franklin Roosevelt to conquer his personal physical handicap enabled him to inspire a nation and a world. From the memorable and eloquent words he gave us in his first inaugural address—"the only thing we have to fear is fear itself"—to the last words he wrote just before his death—"the only limit to our realization of tomorrow will be our doubts of today"—Franklin Roosevelt kindled in our hearts a confidence in our ability not only to build a stronger democracy at home but also to lead the world in shaping a better destiny for all mankind.

As Franklin Roosevelt, himself, said in one of his final messages in 1945:

> The creed of our democracy is that liberty is acquired and kept by men and women who are strong and self-reliant, and possessed of such a vision as God gives to mankind—men and women who are just and understanding and generous to others—men and women who are capable of disciplining themselves—for they are the rulers and they must rule themselves.

Franklin Roosevelt's great work will live forever and his greatness as a man will continue to inspire us.

Mr. BOGGS. Mr. Speaker, I yield back the balance of my time.

THE LATE HONORABLE DENNIS CHAVEZ

The SPEAKER pro tempore (Mr. Roosevelt). The Chair recognizes the gentleman from New Mexico [Mr. Montoya].

Mr. MONTOYA. Mr. Speaker, it is with a profound sadness that I rise to pay respect and tribute to the memory of a former Member of this House and a U.S. Senator until his death, the late distinguished and able Senator from New Mexico, the Honorable Dennis Chavez.

On November 18 last, the Supreme Being called him to the Great Beyond and this marked the passing of a great American from this scene.

Senator Chavez first came to the Congress in 1930 and was reelected in 1932 to this body. In 1935 he was appointed to the U.S. Senate where he served until the time of his death.

While his service in the National Congress is replete with great accomplishments in behalf of his fellow Americans, no appraisal of this man can be made unless we go back to his humble beginning and his ascendancy as a leader.

Born in absolute poverty in an environment closely akin to the feudal system which still dominates many countries of our hemisphere, he was one who could not settle to remain unextricated from such an atmosphere. His father and mother saw greater promise for their children and moved them to the vigorous community of Albuquerque where the horizon opened new vistas of opportunity for the future Senator from New Mexico. With grim determination and ceaseless industry, he began drafting blueprints for his own ascendancy in the hope that it might spell a better way of life for his fellow New Mexicans. As a public servant and Representative in the Congress, he was not afraid to invite and court controversy if it meant bringing about an improvement of our social structure. He became a champion of his people and a voice of the underprivileged of this Nation.

Senator Chavez became a legend to the Spanish people of New Mexico, and as their beacon light he influenced the ambitions among the young people of our State. He was the leader of a movement which exacted from public administrators in our State obedience to public trust. Our educational system began to improve because this man's influence demanded from our administrators that it should improve. He taught the people of our State that poverty was not an obstacle to progress of the individual, it was merely a partial deterrent which could be removed with grim determination and work—this he exemplified to his people and to the entire citizenry of our State.

As an American on the national scene he represented the good things that have made our Nation great and powerful. For the last 16 years he had been afflicted with cancer but this did not impede him in his desire for productive public service.

Despite his failing health, he did not spare himself. He would not and could not forget his duty to those who had elected him again and again as their voice.

Senator Chavez achieved great distinction as chairman of the Public Works Committee, chairman on the Subcommittee for Defense Appropriations and on the Appropriations Committee.

I cannot pay greater tribute than to say that through his endeavors he had gained understanding. It can be said that he was a champion of the poor, the veteran, the humble, an exponent of our Nation's defense, a protector of the soil and the water, a voice of the unlettered. To the end, he remained eager to discharge his responsibilities. Thus, he did not forget, as he forced his stricken body far beyond its strength in his last session of Congress. And thus we cannot—we will not forget the great heritage which he has left for us and for our Nation.

During all his productive life in the public service, the late Senator had at his side his beloved wife, Imelda. She was indeed the kind of companion who helped guide her huband through many a storm.

And we commend to Mrs. Chavez and to his son, Dennis, Jr., and his lovely daughters, Ymelda Dixon and Gloria Tristani, the accomplishments of his great career and hope that, in this proud heritage, a new strength will sustain them in their great sadness. In times of misfortune our sympathies seek the solace and comfort of prayer and the prayers of his colleagues are with you. We extend our condolences to his brothers, New Mexico Supreme Court Justice David Chavez, and Jesus Chavez, both of Santa Fe, and to his sisters, Mrs. Barbara Sena—State Board of Education—Mrs. Robert Jefferys, of Washington, D.C., Mrs. J. R. Gallegos, and Mrs. Gilbert Salazar of Albuquerque.

I dedicate these lines to his memory:

> If but the sands of time were thoughts
> That one could grasp for good or naught,
> Then no one would be free to say
> That failure joined him on life's way.
>
> But there was one of humble birth
> Who persevered to show his worth
> And carved a name on history's roll
> That others may be just as bold.

Mr. Speaker, I now yield to the gentleman from Illinois [Mr. Libonati].

Mr. LIBONATI. Mr. Speaker, the death of Senator Dennis Chavez deprived the Western States of one of their most important and influential leaders representing their interests in the Halls of Congress.

Senator Chavez was a confirmed liberal of strong and positive principles and never departed from his strong loyalties to the common man's problems. As a member and chairman of the Public Works Committee, and the Appropriations Committee, he contributed much to improve the natural resources of the western areas of our country. He fostered many projects and programs to harness the power of great rivers, for electrification, to spread irrigation into arid areas, in order to stimulate the local economy through agricultural productivity, to promote industrial production by pressuring through defense contracts, and to stimulate mining operations toward the same end.

He sponsored and supported legislation to improve the living conditions and vocational training of the forgotten Indian tribes. He was rightfully called the angel of the poor and spent time, money, and effort in championing their causes. His counsel and guidance will be sorely missed by the people of the great West and, especially, the citizens of New Mexico. He served them with a devotion and loyalty unmatched in the annals of legislative history.

He was ever working both as a public servant and legionnaire for legislation for the veterans and their families. He served every need for legislation to solve their immediate problems, as well as pressing for new, needed, merited benefits from their Government.

Senator Chavez devoted his entire life to the welfare of others. He believed in defending and perpetuating human rights. He was a leader in advocating a strong defense, militarily. He was a public servant whose independent thinking for the good of his fellow man earned for him the highest recognition among his colleagues and leaders of the Nation.

This fine Senator was loved and appreciated by all Americans who followed his philosophy of sponsoring and supporting progressive welfare legislation for the benefit of the common citizens. The people of the West venerated him for his every active effort to bolster and stimulate the local economy and bring agricultural and industrial productivity to their areas. The Illinois delegation well remembers and appreciates his brilliant and detailed defense of their position in the much-needed Lake Michigan water diversion bills for the Sanitary District of Chicago—to protect the health of millions of its citizens and those of the suburban communities.

We, the Illinois Members of the Congress, mourn his loss and join our prayers with those of his darling wife, Imelda, his son, Dennis, Jr., and his lovely daughter, Ymelda Dixon and Jorge Tristani. We extend to his brothers, New Mexico Chief Justice David Chavez, and Jesus Chavez, both of Santa Fe, and to his sisters, Mrs. Barbara Sena—State board of education—Mrs. Robert Jefferys, of Washington, D.C., Mrs. J. R. Gallegos, and Mrs. Gilbert Salazar, of Albuquerque, our heartfelt condolences on their great loss.

May God grant him peace everlasting for his loyal public services throughout his life, to his Nation, State, and fellow man. He lives forever in the hearts of his countrymen.

To Dennis Chavez

There are many stories told
Of the works of noble souls
Who stand out in deepest mold
As their deeds in life unfold.

He was one who reached such heights
Then receded into night;
Soulful shadow of Heaven's light,
Blessed by God within man's sight.

Mr. MONTOYA. Mr. Speaker, I yield to the gentleman from New Mexico [Mr. Morris].

Mr. MORRIS. Mr. Speaker, I join in paying heartfelt tribute to our former senior Senator from New Mexico, Dennis Chavez, whose contributions to the welfare and development of our Nation and State are countless.

Senator Chavez served his country and State with unswerving loyalty and unselfish devotion. His guiding hand was highly evident in many international developments, particularly in Latin America. Guatamalan President Fuentes presented the El Grado de Gran Cruz to Senator Chavez in 1960 and Mexican President Mateos awarded him the Order of the Aztec Eagle in 1961 for outstanding contributions in furthering understanding between peoples of two countries.

He always was a devoted servant of the public and earned the sincere admiration and affection of his fellow Senators for his willingness to espouse and further the causes of untold thousands of citizens of America and the world. He had a most willing ear and listened to and assessed the problems of anyone seeking his counsel. The Senator occupies a special spot in the heart of those countless individuals who benefited from his guidance and will live on in their memories.

Senator Chavez served New Mexico in the State legislature before beginning his long, distinguished representation in the U.S. Congress. In 1930, Senator Chavez became the lone Congressman from New Mexico in the House of Representatives and was appointed to fill the unexpired term of Senator Bronson Cutting. His length of service in the Senate has been exceeded only by that of three present Members of that august body.

We in New Mexico are extremely proud of Senator Chavez' outstanding record of accomplishments in his lifetime as a public servant. As chairman of the Senate Public Works Committee, Senator Chavez became personally acquainted with the problems of every State in the Union. His colleagues well remember the many courtesies he extended to them and their constituents in hearings and private audiences to discuss fully every aspect of their problems.

Perhaps an even greater contribution was made through Senator Chavez' chairmanship of the Senate Appropriations Subcommittee for Defense. In recognition of his valuable services in this capacity, the U.S. Reserve Officers Association has designated Senator Chavez to receive the 1963 Minuteman Award for his many defense contributions.

His courage in face of great difficulties was manifested throughout his lifetime but never so vividly as in the past 2 or 3 years. He continued to perform his senatorial duties in the face of extremely serious illness. That record of service will be an everlasting monument to Senator Dennis Chavez.

We all miss him greatly. Mrs. Morris and I want to express again to Mrs. Chavez and their family our sincere and deep sympathy at the tremendous loss all of us have suffered.

Mr. MONTOYA. Mr. Speaker, I yield to the gentleman from Colorado [Mr. Rogers].

Mr. ROGERS of Colorado. Mr. Speaker, we of Colorado were saddened to learn of the passing of our good friend, Senator Dennis Chavez. It has been my pleasure to know him throughout many years of his lifetime, and particularly as he labored as a public servant of the people of New Mexico.

We in Colorado always felt we had a friend in Senator Chavez whenever the problems of the West were to be discussed. We recognized he understood them; not only did he understand the problems of the West as they related to our property laws, but he also understood the rights of the people and human beings. We in Colorado often called upon Senator Chavez to assist, and he worked with us. His efforts in behalf of the West have been appreciated by the people. We know that his passing will leave a vacant spot, a leader who has so well represented the entire Nation for over 30 years.

May I extend my sympathy to Mrs. Chavez and the family on the passing of a great friend of Colorado.

Mr. MONTOYA. Mr. Speaker, I yield to the distinguished Speaker of the House.

Mr. McCORMACK. Mr. Speaker, the life of the late Senator Dennis Chavez is one of dedicated service to State and country. As a Member for years of this body and of the U.S. Senate he served our country and our people with devotion and with courage. Admiration for him was widespread throughout the country. The confidence the people had in him was evidenced by his repeated election and reelection to both branches of the Congress.

A man of deep faith and conviction, of outstanding ability and courage, Dennis Chavez left his favorable imprint upon the pages of American history. The honorable and trustworthy service he rendered will always be a source of consolation to his loved ones.

I extend to Mrs. Chavez and to her son and daughters my deep sympathy in their great loss and sorrow.

Mr. MONTOYA. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. Boggs].

Mr. BOGGS. Mr. Speaker, I should like to join my colleagues in paying tribute to that distinguished Member of the other body, Senator Dennis Chavez. He, in my opinion, gave of himself above and beyond the call of duty. His understanding of the problems of our country—particularly the problems of a growing country—was a source of great strength to all of us who have some responsibility in the legislative process. He saw our country grow in population, in resources, in wealth, during the fruitful years he served in this body and the other body. He understood the problems facing us—public works, flood control, navigation and others.

Mrs. Boggs and I are well acquainted with his family, particularly his wife and his lovely daughter, Mrs. Ymelda Dixon. We have known them for many years. We join in extending our deepest sympathy to all of them.

Mr. MONTOYA. Mr. Speaker, I yield to the gentleman from California [Mr. Roybal].

Mr. ROYBAL. Mr. Speaker, as a native of New Mexico and now a Californian, I rise to pay tribute to the late, beloved, and courageous Senator Dennis Chavez, of New Mexico.

Senator Chavez was truly a man of the people. He was beloved not only by the people of New Mexico, but by all the Spanish-speaking people in the United States—1,750,000 of whom live in my home State of California.

His ancestors were the early founders of the State of New Mexico. They were the original founding families of the city of Santa Fe in the year 1610, 10 years before the Pilgrims landed on Plymouth Rock. His birthplace, Los Chavez in Valencia County, N. Mex., is named after his ancestors. The family ranch, composed of thousands of acres was established because of a land grant in 1769 by the King of Spain.

Senator Dennis Chavez was the first American of Spanish origin to serve in the Congress of the United States. He served 2 years in the House of Representatives and held his seat as the Senator from the great State of New Mexico for 27 years until his tragic death last November. He never forgot his Spanish background and throughout the years was most closely identified with the fight of Mexican-Americans in the Southwest.

The Spanish-speaking people of this hemisphere also mourn his death for he worked tirelessly to improve relations between our Nation and the Republics of Latin America.

On general legislative matters, DENNIS CHAVEZ, time after time demonstrated that he had the courage of his convictions. Perhaps the greatest expression of his courage and deep commitment to democracy and individual rights was a stirring speech he made on the floor of the Senate on May 12, 1950. This speech was an eloquent protest against the oppressive excesses of the times. Senator CHAVEZ said that sometimes you must step out and sound the alarm and then went on to declare:

> I should like to be remembered as the man who raised a voice—and I devoutly hope not a voice in the wilderness—at a time in the history of this body when we seem bent upon placing limitations on the freedom of the individual. I would consider all legislation which I have supported meaningless if I were to sit idly by, silent, during a period which may go down in history as an era when we permitted the curtailment of our liberties, a period when we quietly shackled the growth of men's minds.

Well might we in this House, who have sworn to uphold the constitutional rights of all our people, rely on these eloquent words of Senator CHAVEZ as a guide to our legislative actions.

His words and independent actions were courageous. He worked quietly and effectively for the welfare and equal rights of his beloved people of New Mexico, and he labored long and patriotically to guard and strengthen our Nation. His career gave pride, hope, and a place in the sun to three generations of Americans of Mexican and Spanish descent. His death is a great loss not only to his family, to the great State of New Mexico which he represented, but to several million Americans of Latin American descent whose cause he championed for many years.

I join those who loved and admired him in paying tribute and respect to his memory, with gratitude for his courage, independence, and great devotion to our Nation.

Mr. MONTOYA. Mr. Speaker, I yield to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, I wish to join my colleagues in expressing sincere regret and deep personal loss in the passing of Senator DENNIS CHAVEZ. Though he was concerned with the problems of all people, he was particularly devoted to the cause of underprivileged and minority groups of our Nation during his continuous service in the Senate of the United States since 1935.

Senator CHAVEZ was also courteous and kind to me and to Mrs. Roosevelt, and during his many visits to California we became very close to him. We have great sympathy for his wife and his family, and offer our heartfelt condolences.

Mr. MONTOYA. Mr Speaker, I yield to the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Speaker, Senator CHAVEZ, of New Mexico, has symbolized in the hundreds of thousands—in fact, several millions—of people of Southwest United States for several decades the hope and the promise that is ours as American citizens.

In Texas the name of Senator CHAVEZ for many years has loomed large. Those of us who have had the privilege of having known him personally certainly feel we have been most fortunate in this experience.

When we study the great record of achievement that Senator CHAVEZ accomplished, it cannot help but leave us with the highest inspiration and the deepest humility.

Mr. Speaker, there are in our country literally several millions of people who have lived in a submerged status. Many of them have been ratholed, mistreated; have been denied the equality of opportunity and education, as well as economic opportunities and other normal pursuits of American life. It was to this emerging group that the name DENNIS CHAVEZ appeared on the horizon as a bright star for many years. There is nothing more hopeless as an expression of feeling and emotion in the human breast than the feeling that a person or a group of persons does not or do not fit into the general community. The fact that Senator CHAVEZ was able to emerge from New Mexico and contribute by his intelligence and ability to the mainstream of American political life meant so much to the people in these submerged areas, so that today those of us who have been given the opportunity to serve on these high levels cannot but rise in order to confess our great debt to Senator DENNIS CHAVEZ.

In many other areas of activity Senator CHAVEZ' name will be recorded in history. His name will not be lost in the dust of history. At a time when there were forces loose in our country—forces of a totalitarian spirit—which brought forth fear and intimidation, it was Senator CHAVEZ who got up and combated these forces. There were those who tried to use the symbol of religion as a means toward that end. It was Senator CHAVEZ who got up in the Senate and said it was his forebears who first brought the cross to the Western Hemisphere, but it was never their purpose to use the cross as a club. These are words that will forever last.

But, over and above that, the fact that a man with a surname such as CHAVEZ was able to contribute as magnificently as the Senator did will forever be an inspiration to those of us who cannot escape our names.

Mr. ALBERT. Mr. Speaker, I would like to join the gentleman from New Mexico and express my profound sense of loss caused by the death of a truly great man and statesman, the late Senator DENNIS CHAVEZ.

I am sure I speak for all people of my State of Oklahoma; for Senator CHAVEZ was our friend. As chairman of the Senate Committee on Public Works, he worked closely through the years with the Oklahoma delegation. He was always sympathetic with our endeavor to build up the water resources of our State.

But he was the friend of all Americans. He used his position on the Public Works Committee to develop America's resources and power. Only recently, he was a leading figure in the legislation leading to the building of the Interstate Highway System and the legislation prescribing water pollution control measures. He was one of those great men who instinctively are builders and build he did.

Mr. Speaker, Senator CHAVEZ' compassion for underprivileged people earned him a permanent place in their hearts. He was their champion and their benefactor.

A great American, he also took great pride in his Spanish ancestry and language. This background gave him a special understanding of and interest in his Spanish-American constituents and also led to his active concern with relationships between this country and the pan-American nations.

It is with the greatest sorrow that I reflect upon the passing of this great American and humanitarian. His monument is the better and stronger America which is the beneficiary of his remarkable life's work.

Mrs. Albert joins me in sending our deepest sympathy to his lovely wife and to his son and two daughters and to his grandchildren in this time of their great sorrow.

Mr. UDALL. Mr. Speaker, I represent a district of Arizona which shares a common border with the State Senator CHAVEZ served so well so long. We also share a common heritage of which DENNIS CHAVEZ was a shining example. Both Arizona and New Mexico have substantial populations of Mexican-Americans, many of whom are descendants of the Spanish community which flourished there before the United States expanded into the Southwest. Many fine leaders have emerged from this group, but none has achieved a greater place in history than DENNIS CHAVEZ. It is often said of famous men that they rose from humble beginnings. We hear much of people being born in log cabins, although I do not think there are very many left for future leaders to be born in. But in the case of DENNIS CHAVEZ, we can honestly say that he came from a most humble beginning and that he did, indeed, overcome many obstacles, economic and cultural, before he could become the great spokesman that he was for New Mexico, the Southwest, the Democratic Party, and the United States of America. Senator CHAVEZ was known almost as well in Arizona as he was in New Mexico, and in his passing we feel we have lost a great friend.

Mr. RHODES of Arizona. Mr. Speaker, the entire Southwest joins the State of New Mexico in grieving for the loss of the late Senator DENNIS CHAVEZ. In a real sense, Senator CHAVEZ was one of the first citizens of the Southwest. While his beloved State of New Mexico always came first with him, he was also zealous in helping to solve the problems of the entire area.

DENNIS CHAVEZ was a patriot in every sense of the word. His senatorial duties resulted in his having great responsibility for the strength of the Armed Forces of the United States. No man ever realized his responsibilities more, or discharged them with greater devotion to duty.

Though I am not a member of the political party to which DENNIS CHAVEZ gave his loyalty and devotion, I am grateful to him for the affable, kind treatment I always received at his hands. In his passing I have lost a friend whom I cherished and will miss.

Mrs. Rhodes joins me in extending our deepest sympathy to the family and friends of Senator CHAVEZ and to our great sister State of New Mexico.

Mr. MAHON. Mr. Speaker, the congressional district which I have the honor to represent borders the State of New Mexico for about 150 miles. It was but natural that Senator CHAVEZ and I worked together on many mutual problems for more than a quarter of a century. He was a stanch and unwavering friend through the years. It was a joy to work with him in matters involving the public interest.

As I look back over the years, I can recall joining a campaign caravan with him in eastern New Mexico and working side by side with him in the interest of the Democratic Party.

Senator CHAVEZ was a member of the Appropriations Committee of the Senate, and in recent years he was chairman of the Defense Subcommittee on Appropriations. We met each year in conference on the defense appropriation bill. He was always fair and agreeable but always firm in his determination to promote the strength and security of the United States in accordance with his strongly held convictions.

I wish to pay tribute to his memory and express my deepest sympathy to his gracious and lovely wife, Mrs. Chavez, and the family left behind.

Mr. ROONEY. Mr. Speaker, it is with a deep feeling of sorrow that I join with my colleagues in this memorial tribute to a very good friend, the distinguished late senior Senator from the State of New Mexico, the Honorable DENNIS CHAVEZ, who passed away last November. I have suffered a great personal loss in his passing, for we had been friends over all the years that I have been a member of the House Committee on Appropriations. Last fall he was kind enough to address a very nice letter to me which was of concern to my Puerto Rican and Spanish-American constituents.

DENNIS CHAVEZ will long be recalled for his many important accomplishments, not the least of which was his wholehearted efforts in securing passage of a permanent Fair Employment Practices Act. As an American of Spanish descent, of which heritage he was extremely and justifiably proud, he was ever understanding and mindful of the political and social causes of his people.

He was a remarkable man, a quiet, powerful figure in the political life of his home State of New Mexico, and here in the Senate of the United States.

In a speech he made on the floor of the Senate in 1950, Senator CHAVEZ said:

> I should like to be remembered as the man who raised a voice—and I devoutly hope not a voice in the wilderness—at a time in the history of this body when we seem bent upon placing limitations on the freedom of the individual. I would consider all the legislation which I have supported meaningless if I were to sit idly by, silent, during a period which may go down in history as an era when we permitted the curtailment of our liberties, a period when we quietly shackled the growth of men's minds.

To his dear wife and family I should like to extend my heartfelt sympathy in their great loss. He will always be with us in our hearts and long remembered by his State of New Mexico and the Nation.

Mr. SENNER. Mr. Speaker, it was with great sorrow that I received news of the death of Senator DENNIS CHAVEZ. Especially to us in the Southwest, Senator CHAVEZ was in every respect the image of our real America. Indeed, his life reflected the America where humble beginnings in no way need cause a man to falter in quest of his destiny. I am certain the Senator has left a mark which few can ever hope to equal, and yet aspire to it we should.

On behalf of my fellow Arizonians, and particularly the 195,000 Arizonians of Spanish-speaking background, I extend heartfelt condolence to the family of this great man. Que su alma descanse en paz y que siempre sea nuestra inspiración.

Mr. CHENOWETH. Mr. Speaker, I wish to join my colleagues in paying tribute to the memory of Senator DENNIS CHAVEZ, of New Mexico. I was indeed saddened when I learned of his passing last November. I had been with him at the funeral services of Senator Dworshak of Idaho in October, which was the last time I saw him. I thought at that time he was looking better and I felt very encouraged over the progress he seemed to be making in the recovery of his health.

I wish to extend my sincere sympathy to my colleagues from New Mexico in the great loss they have sustained. Senator CHAVEZ was a neighbor and a friend. Colorado and New Mexico have many things in common, and we always knew we could count on Senator CHAVEZ to help us on matters of interest to our State.

I always enjoyed a visit with Senator CHAVEZ, and we talked many times about mutual friends and matters of interest to New Mexico and Colorado. When I would introduce a friend to him he always mentioned that he was a warm friend of Colorado, since Mrs. Chavez was born in Del Norte, which is in my congressional district.

Mr. Speaker, the passing of Senator CHAVEZ was a great loss, not alone to the State of New Mexico, which he served so ably over the years, but to the entire Nation. Senator CHAVEZ was always fighting for the development of our natural resources in the Western States, and made a most valuable contribution to the growth and expansion of the West.

Mrs. Chenoweth joins me in extending our deep personal sympathy to Mrs. Chavez and the other members of the family.

Mr. KEOGH. Mr. Speaker, the late Senator DENNIS CHAVEZ served in the Congress more than 30 years, and the great loss which his beloved State of New Mexico has sustained is shared by us all. Senator CHAVEZ was a man of humble origin, and during his many years of public service he was a champion of the underprivileged and his a strong voice on behalf of human rights and the dignity of man. He worked unceasingly to improve the living conditions of the people of New Mexico and his was a life devoted to the welfare of others. He contributed much toward the development of the natural resources of the western regions of our country. In later years, stricken with a grave and serious illness, Senator CHAVEZ displayed great personal courage and despite ebbing strength he continued to work for the causes in which he believed so deeply. His life was an inspiration to all Americans but particularly to those of Spanish and Mexican descent. A noble man—a strong defender and protector of our country has left us. He leaves behind a record of achievement equaled by few men. I have lost a good and respected friend, and to Mrs. Chavez, his daughters, and his son, I extend my deep and heartfelt sympathy on their very great loss which is shared by the Nation.

Mr. ASPINALL. Mr. Speaker, I join with my colleagues of the House and Senate in paying tribute to the life and services of the late U.S. Senator, DENNIS CHAVEZ, of New Mexico.

All of us have lost a very fine friend and colleague and his passing will be felt not only in the State and Nation which he served so well, but especially among the common people of the world. His heart was as big as the world in which he lived, and he gave unstintingly of it to the service of mankind. In the contributions of his life we find especially the rights of the minority served and protected.

Senator CHAVEZ, of New Mexico, was no novice in the field of legislative service. He spent a lifetime in such endeavors. He ended his career as he began it—in service in the U.S. Senate, first as an employee and then later as a distinguished Member. There are but few Members of the Congress of the United States who have climbed up the rungs of the ladder as did he from his first position as a clerk to the Secretary of the Senate until the time of his death when he had reached his position as a senior Member of that great body.

He was trained as a lawyer and returned for a while to his native State of New Mexico to practice law, but the political thread which had been sewn into his very being during his time as an employee of the Senate soon led him into the field of active politics and into the legislative halls of the State of New Mexico where he served with distinction. In 1931 he returned to Washington as a Member of Congress where he served with honor and ability throughout the 72d and 73d Congresses. His services were further recognized by his State and he finished his life with more than a quarter of a century of service in the U.S. Senate.

The late senior Senator from New Mexico was molded of no ordinary clay. His was a personality set apart for him and him alone. He loved people; he knew how to serve them, and he used every available tool at his command to bring success to his efforts in behalf of his people. His life will serve in our memories as a symbol of great tradition of dedication to those whom he loved and the purposes which motivated him.

I extend my sympathy to the loved ones he left behind. In their sorrow, they can be consoled by the fact, however, that the spirit which was his will never die, but will continue to be a guiding light to those who serve their fellow man.

Mr. MONTOYA. Mr. Speaker, I ask unanimous consent that all Members who so desire may have 5 legislative days in which to extend their remarks on the life and character of the late Senator DENNIS CHAVEZ.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

REPUBLICAN-SPONSORED CIVIL RIGHTS BILL OF 1963

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCULLOCH. Mr. Speaker, earlier today I introduced a civil rights bill which is comprehensive in scope and moderate in application. Congressmen LINDSAY, MOORE, CAHILL, MACGREGOR, MATHIAS, BROMWELL, SHRIVER, and MARTIN of California joined with me in introducing identical bills.

In this bill, the Civil Rights Commission is made permanent and is given additional authority to investigate vote frauds, including the denial of the right to have one's vote counted.

Secondly, there is established a seven-man Commission for Equality of Opportunity in Employment. This Commission shall have the power to investigate discrimination in employment in any business concern which holds a Federal Government contract or any labor union which works on such contract. I stress, this authority is limited to Federal Government contracts. In addition, employment agencies which are wholly or partially financed by Federal funds shall be subject to the Commission's jurisdiction, while equality of job opportunity in Federal employment is placed under the Commission's inspection.

If the Commission finds a clear pattern of discrimination, it is given the authority to cut off Government contracts, halt the flow of funds to employment agencies, and order labor organizations to cease discriminating, at the risk of running afoul of nondiscrimination amendments to the National Labor Relations Act. In granting such authority to the Commission, however, we have sought to impose strict safeguards for the rights of all individuals. The right to judicial review is concisely spelled out, while the party affected is given the opportunity to end discriminatory practices prior to the issuance of a formal order by the Commission.

This civil rights bill also authorizes the Attorney General to institute a civil action on behalf of a citizen who claims that he is being denied the opportunity to enroll in a nonsegregated public school. In so granting this right, however, a Federal court is restrained from enjoining a State or local official in such civil action, if there has been instituted a plan to desegregate with all deliberate speed, and unless the complainant has exhausted all State legal remedies.

In the same vein, this civil rights bill authorizes Federal appropriations to aid state or local school boards in desegregating, if a request is made by them for such assistance. The financial aid so authorized, however, is limited to administrative and special, nonteaching professional services, developmental programs and technical assistance. The payment of teachers' salaries, or the financing of construction costs are in no way involved.

Finally, this civil rights bill provides that anyone, otherwise qualified to vote in a Federal election, is presumed to have sufficient literacy and intelligence to vote if he has completed six grades of an accredited elementary school. This provision, of course, does not eliminate the right of a State to use literacy or other intelligence tests as a means of qualifying voters. Even if an individual has a sixth-grade education, the State may show that he is, in fact, illiterate. But the bill does provide a presumption of literacy which will materially assist a court in determining whether literacy tests—and tests of a similar nature—are being used in a manner which unfairly discriminate against certain classes of citizens.

Here, then, is a comprehensive bill which seeks to advance the cause of civil rights in the United States. At the same time, however, it is a bill keyed to moderation. And the reason for moderation is obvious. We members of the Republican Party are honestly desirous of proposing legislation which stands a chance of enactment. Anyone, of course, can introduce grandiose legislative schemes. But, reaching for the sky, rather than aiming for the possible is a form of showmanship we do not wish to engage in. Reality is what we live by and accomplishment is what we seek.

Of equal importance is the fact that we are a Nation of many people and many views. In such a nation, the prime purpose of a legislator, from wherever he may come, is to accommodate the interests, desires, wants and needs of all our citizens. To alienate some in order to satisfy others is not only a disservice to those we alienate, but a violation of the principles of our Republic. For, only in compromise, moderation, and understanding are we able to fashion our society into a cohesive and durable structure.

I sincerely hope that all Members of Congress, of the executive department and the public will carefully study this proposed legislation and reach out to support it in the spirit in which it is introduced. The sincerity of its purpose, the moderation of its scope, and the reality of intended accomplishment should, we hope, attract wide support.

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. WATSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WATSON. Mr. Speaker, the gentleman from Ohio [Mr. MCCULLOCH] has announced the introduction of his civil rights bill. I am sure that it is unnecessary to state that I shall oppose it. However, I do think it in order to state a few reasons why I think legislation in this field to be unwise, particularly at this time.

Members of this body have been told for years by other Members, principally from the South, that this problem will be worked out in time if left alone. Despite the apparent unwillingness of many to listen to this line of reasoning, the fact, nevertheless, continues to be true. Sometimes I wonder if those who are so vociferous in this field actually want the problem to be solved. So many have run against the South on this political playhouse for so long that they must shudder when they consider the prospect of losing this issue.

Recent events in the South have shown that progress is being made in the field of race relations. Recent events in my own State are an example. But what has been done has been done in spite of, rather than because of, any action taken on this floor or on the floor of the other body. And further action here will serve but one purpose—the continuing, unrelenting, perpetual harassment of the South. Must our people forever be the political scapegoat for vote-hungry politicians?

Mr. Speaker, let us devote our time and our energies to the pursuit of more urgent matters. Let us let the people of the South work out their problems in a peaceful atmosphere while we spend our efforts in finding solutions to the real issues of our time.

OBJECTOR COMMITTEES, CONSENT AND PRIVATE CALENDARS

Mr. HALLECK. Mr. Speaker, at this time I want to announce the assignments to the objector committees on our side of the aisle.

On the Consent Calendar the objectors will be the gentleman from Michigan [Mr. FORD], the gentleman from Washington [Mr. PELLY], and the gentleman from Massachusetts [Mr. CONTE].

On the Private Calendar there will be the gentleman from Kansas [Mr. AVERY], the gentleman from Massachusetts [Mr. CONTE], and the gentleman from Illinois [Mr. ANDERSON].

RESPONSIBILITY FOR THE BAY OF PIGS INVASION

Mr. HARVEY of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, at a recent press conference President Kennedy in explaining his responsibility for the Bay of Pigs invasion failure, stated that he had been misquoted by Jack Gore, the editor of the Fort Lauderdale News. Mr. Gore happens to be a friend of mine and he has written me concerning this colloquy which took place between him and the President. I wish to include a letter from Mr. Gore and certain quotes from his paper, the Fort Lauderdale News:

JANUARY 29, 1963.

Hon. RALPH HARVEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: This will acknowledge your recent note and the enclosed copy of the President's press conference anent the Bay of Pigs issue.

I quite agree with you that there are some aspects of the President's answer which are quite puzzling and which hardly jibe with the true facts. It has always seemed strange to me that President Kennedy and his brother would go so far out on a limb to ransom the Cuban prisoners, and now more or less promise them a GI bill of rights, unless they had a guilty conscience about pulling back the air cover which had been promised and which, if it had been used then, could well have saved the whole situation.

I know there are quite a few other people besides myself who are aware of the fact that air cover had been planned for this invasion and was pulled back. And, while Mr. John Knight has said he doesn't recall the subject coming up at the President's luncheon on May 10, 1961, in his Sunday Notebook of January 27, he wrote that the President had actually ordered planes into the air to help the invaders, but they had been called back when it was determined it was too late to save the invading forces.

This is information that was also passed on to us at the luncheon, and it is very strange to me that Mr. Knight would recall this particular item and not be able to remember some of the other things that were discussed.

I note, also, that in this week's National Observer, the comment is made that the President had previously been quoted as saying he had ordered U.S. air cover withheld at the last moment. The National Observer goes on to point out that at least four members of the Cuban Exile Air Force had declared that they had been promised air coverage in writing and had actually seen the orders granting their request for air cover.

Under all these circumstances, I am not about to change my story about what the President told Florida editors, and, for your information, my mail has been running almost 99 percent in favor of my stand ever since the first story appeared.

I am enclosing, herewith, complete copies of our presentation of this story so you may see how we handled the whole thing.

Sincerely,

JACK W. GORE.

[From the Fort Lauderdale (Fla.) News. Jan. 24, 1963]

AIR COVER WAS AVAILABLE, J.F.K. SAID

(By Jack W. Gore)

The Kennedy administration has been accused of trying to "manage" the news.

Now, this newspaper accuses it of trying to manage history.

Specifically, the history of one of the most embarrassing episodes of these times—the ill-fated Bay of Pigs invasion in April 1961.

Attorney General Robert Kennedy said this week that no U.S. air cover was ever planned or promised for the Bay of Pigs invasion of Cuba.

He made the statement after he had presumably conducted an official "autopsy" of the invasion tragedy.

And it is presumed that the Attorney General had the approval of his brother, President John F. Kennedy, to speak for the record when he made his comments.

The News does not know if Robert Kennedy had the President's approval to speak or not.

But we do know that what the Attorney General said in print Monday on the United States neither planning nor promising air cover does not agree with what the President said on the same subject on May 10, 1961.

This is not speculation on our part.

It's firsthand knowledge.

This writer lunched with the President in the White House on May 10, 1961, along with seven other Florida newspaper executives.

(The Attorney General was not present at the luncheon.)

On that day, less than a month after the invasion had failed miserably, the President told us air cover was available to protect the invaders, but that he had made the decision not to use our airpower.

The President explained that one of the reasons he decided against supplying air cover was because U.N. Ambassador Adlai Stevenson had complained that any such action would make a liar out of him in the U.N. Up to this moment, The News has withheld comment on the President's admission for a very basic reason. At the conclusion of his comments on the Cuban invasion, Senator GEORGE SMATHERS noted that he hoped the Florida editors all understood that the President's comments were off the record.

Along with the other Florida news executives, the News accepted this request and has honored it for almost 2 years.

When the brother of the President of the United States, however, conducts an "official autopsy" of the sorry affair and makes official statements which are in direct contrast to the words of the President, we feel that any off-the-record pledge (asked by Senator SMATHERS) which might apply must be removed in the quest for truth.

[From the Fort Lauderdale (Fla.) News, Jan. 24, 1963]

PRESIDENT, BROTHER DIFFER ON WHAT REALLY HAPPENED AT BAY OF PIGS FIASCO

After Attorney General Bobby Kennedy's incredible attempt to rewrite the history of the ill-fated Bay of Pigs invasion, it is no great wonder Republican leaders in Congress are going to undertake their own investigation of this sorry affair.

What Bobby hoped to accomplish by coming out at this late date and denying that any air cover had ever been planned for the invasion is something we can't fathom in the slightest. Presumably, his intent was to whitewash the administration of the blame that has been heaped on its shoulders for leaving the invaders high and dry on the beach and easy pickings for Fidel Castro's counterattacking troops.

It is no doubt true that the invasion plans were originally hatched by the Eisenhower administration. Yet, it is also true that these plans were brought to the completed stage and put into operation under President Kennedy, and to us it is absolutely inconceivable than any military man would have even dared to suggest that an invasion force of just 1,500 men could be landed in Cuba and could defeat Castro's forces without the benefit of an air cover.

This simply wasn't in the cards and up to Bobby Kennedy's utterly ridiculous attempt to absolve the administration of any blame for deciding to hold back the air cover; it had always been believed that proper air cover was ready and waiting and needed just the word from President Kennedy to go into action.

In fact President Kennedy personally admitted this to be so at a luncheon he gave for Florida publishers and editors shortly after the invasion had been smashed and all kinds of recriminations were being tossed back and forth as to who was to blame. At this luncheon Mr. Kennedy frankly declared he had made the decision not to employ the American airpower that was close at hand for just such an emergency, and he further stated that one reason behind this decision was the fact that U.N. Ambassador Adlai Stevenson had bitterly complained that any use of American planes would make him out a liar before the U.N.

The President also told the Florida newspapermen that communications from the invasion site were so fouled up that neither he nor our military officials knew much more about what was happening than was being published in the newspapers.

To Mr. Kennedy's credit he made no attempt to disguise the fact that a boner had been pulled and it was clearly evident to all at the luncheon that while the President wasn't ducking his responsibility for the failure of the invasion, he was more than a little bit disturbed over the advice he had gotten that led to his decisions.

The Attorney General didn't happen to be at this luncheon nor was Pierre Salinger, the President's press secretary, or any other of his advisers. He talked bluntly and honestly to the publishers and the editors and nobody at the luncheon could but admire the President for standing up and admitting that a mistake had been made and taking the blame for it.

At the request of a Member of Congress, the President's statements at the luncheon were put on an off-the-record basis. And, during the 2 years which have elapsed since those statements were made, we and other Florida publishers have certainly honored that request.

As far as we are concerned, however, the release of a different version of the affair by the brother of the President necessitates, in the interest of truth, a recounting of facts as outlined by the President himself.

This Bobby Kennedy version adds up to something more than just rehashing a sorry period in American history. In retrospect, it not only appears that the Bay of Pigs invasion was ill conceived and ill carried out, but that some people in high places actually took steps to make sure it would be a failure even before it was launched.

We certainly don't put President Kennedy in this class. Being new in office he was forced to rely on the advice he was given and we think that the decisions he made, whether they were the right ones or the wrong ones, were based on what he felt was the best action in the best interests of the country at that particular time.

But if somebody did deliberately foul things up, that is something we think the American public should know, and if Congress can get access to the full story we certainly think it is that body's responsibility to make a thorough investigation and to clear up the confusion that has been caused by Attorney General Robert Kennedy's obvious attempt to becloud the real story of what happened.

[From the Fort Lauderdale (Fla.) News, Jan. 25, 1962]

NEWS STANDS BY CUBA STORY—THREE EDITORS DISPUTE KENNEDY'S DENIAL OF PLANE PLEDGE

(By William A. Mullen)

Despite a denial by President John F. Kennedy, the Fort Lauderdale News today held to its story that the President had confided to a group of Florida newspaper executives that he personally canceled air protection for the ill-fated Bay of Pigs invasion in April 1961.

Jack W. Gore, editor and publisher of the News, said he was "not surprised the President has seen fit to throw his support behind his own brother."

Meanwhile, controversy continued over the air cover dispute, with a dominant theme that the President did not give a conclusive answer to the question at his Washington press conference yesterday.

Merriman Smith, United Press International White House correspondent, opened the press conference by asking the President about Gore's published story.

The President stated the intended air cover plan did not call for U.S. airplanes, but referred to aircraft controlled by the Cuban refugee forces not based in the United States.

DOESN'T RECALL IT

The President said he did not recall the luncheon conversation about the air cover with Gore and seven other newspaper executives at the White House May 10, 1961, less than 2 months after the invasion.

Several other sources, however, supported Gore's disclosure.

Martin Andersen, publisher of the Orlando Sentinel-Star, said he had recalled the conversation and added: "I have thought about it a thousand times. The air cover was canceled about 3 a.m. the day of the invasion."

John H. Perry, Jr., publisher of the Palm Beach Post-Times, said, after reading Gore's story and editorial in the Fort Lauderdale News: "To the best of my recollection that's substantially correct."

Robert C. Millar, publisher of the Florida Times-Union at Jacksonville, told the News this morning he recalled the conversation the President held with the newspaper executives, at which Senator GEORGE W. SMATHERS, Democrat, of Florida, personal friend of Mr. Kennedy, was present.

"I didn't take any notes," Millar said in a telephone interview. "I would prefer not to make any comment."

In Jacksonville, SMATHERS said "there was no conversation with respect to U.S. air cover."

SMATHERS said he sat across from the President at the luncheon and added:

"I am certain there was no conversation of the character described by my good friend Jack Gore.

"The only reference I remember at all to this matter was that the President expressed disappointment that the air cover the Cubans were to have flown in the B–26's had not been more effective.

"Of course this was 2 years ago and memories are naturally not as fresh as if this had happened more recently."

John S. Knight, president of Knight Newspapers, including the Miami Herald, said: "I do not recall the statement attributed to the President by Mr. Gore. The May 10, 1961, luncheon conversation was of an informal nature and, as I understood it, not subject to public discussion."

In revealing what he remembered of the White House chat, Gore said he felt compelled to speak out in the national interest. He said, in part, in his signed story published yesterday:

"When the brother of the President of the United States (Attorney General Robert M. Kennedy), however, conducts an 'official autopsy' of the sorry affair and makes official statements which are in direct contrast with the words of the President, we feel that any off-the-record pledge (asked by SMATHERS) which might apply must be removed in the quest for truth."

Gore's story and editorial followed interviews granted by the Attorney General to the Knight newspapers and the magazine U.S. News & World Report, in which he said no U.S. air cover ever had been planned for the invasion forces of 1,500 Cubans comprising the foredoomed Brigade 2506.

Gore was deluged with congratulatory messages following his story and was asked to make several television appearances, which he refused.

He declined further comment beyond this statement today:

"I am not surprised that the President has seen fit to throw his support behind his own brother. Nevertheless, I still stand by the story I wrote yesterday and the fact that two others who were at the luncheon have supported the statement indicates they weren't conjured up out of thin air."

Gore referred to Perry and Andersen.

J. C. Council of the Tampa Tribune declined to comment on the luncheon.

James Cox, of the Miami News, said in Dayton, Ohio: "I remember no reference to Mr. Stevenson at the White House conference. Nor do I recall any discussion or reference to the air cover being promised or withdrawn."

Gore has said the President canceled the air cover after Adlai Stevenson, U.S. Ambassador to the United Nations, had protested to the President that American planes giving the invasion air protection would make a liar of him in the U.N.

Stevenson had stated a few days before the April 17 invasion that the United States would not participate in any attack upon Cuba.

Maj. W. Robb, Fort Lauderdale, a retired commander in the U.S. Naval Reserve, told the News today he was in Washington 3 months after the invasion and was told by Air Force pilots they were in the air on the morning of the attack "with orders to shoot first and talk later; take care of anything that flies."

"SHOOT" ORDERS TOLD

Robb said he was told by one pilot the "shoot first" orders were later canceled, but he still was in the air when he saw an American T–33 jet trainer, which had been given to the Cuban Government under former President Fulgencio Batista, blast the ammunition ship out of the water.

"He told me he could have taken care of that T–33 without any difficulty," Robb recalled.

He said he was in Washington in July 1961, to attend the third annual defense strategy seminar at the National War College in Washington.

"I can't tell you which officers told us what," Robb continued, "but they did say American air protection was prepared and it was canceled."

Robb said he and fellow officers attending the seminar were told three American aircraft carriers were in the vicinity of Cuba for annual maneuvers off Puerto Rico.

Among speakers at the seminar Robb said, were Adm. Arleigh W. Burke, then Chief of Naval Operations and now retired; Gen. Lyman L. Lemnitzer, then Chairman of the Joint Chiefs of Staff; Charles W. Bohlen, special assistant to the Secretary of State, and Allen W. Dulles, then head of the Central Intelligence Agency.

NEARLY 1,200 CAPTURED

The CIA reportedly masterminded the invasion. Dulles subsequently resigned after the invasion's collapse which resulted in nearly 1,200 of the assault forces being captured by Fidel Castro's troops.

Not immediately available for comment was Nelson Poynter, publisher of the St. Petersburg Times.

Another claim that American air cover had been promised the Cuban invaders was made at Washington yesterday by Manuel Penabaz, who took part in the Bay of Pigs assault.

At a press conference, Penabaz stated Robert Kennedy was ill informed when he said no American air cover had been planned or promised.

"I know that all our brigade leaders and fighters believed air cover would be furnished, by U.S. air and naval forces," he said.

"Certainly we in the brigade were assured by our American military instructors we would be given air cover sufficient to succeed in our mission."

He said a man named Frank Bender, who he identified as the U.S. official in charge of the invasion operation, told him about the air cover.

"Bender told me American aircraft would be 100 miles behind us and that 6,000 U.S. Marines would be ready to land after us."

Penabaz reportedly was in Washington at the invitation of Senate Republicans, who have called for an investigation of the Bay of Pigs fiasco.

He repeated charges he made when he was returned to the United States, along with 1,113 other invasion prisoners last month, that the brigade had been "betrayed."

LEGISLATION AIMED AT BALANCING THE BUDGET AND REDUCING THE NATIONAL DEBT

Mr. BETTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, today I have introduced two measures which are aimed at balancing the budget and reducing the national debt. In an era when deficit financing is fashionable and a balanced budget is ridiculed as a roadblock to big Federal Government, I can easily predict the fate of these proposals in Congress. But, I am also sure that these proposals will be received by millions of Americans as representing their thinking in these days of razzle-dazzle Government finance.

The first is a resolution which I have introduced in three previous Congresses. It provides for a constitutional amendment requiring 2 percent of the revenue each year be applied on the national debt. Naturally, it carries with it an escape clause whereby in an emergency the requirements of the amendment could be suspended by a two-thirds vote of each House of Congress.

The logic of this amendment is at once apparent when it is realized that this would amount to $6 billion of debt retirement each year at a time when the interest on the debt is $10 billion annually. Or, to put it another way, it would mean that for a time we would be retiring the debt by as little as two-thirds of the amount of the interest charges. Every objection can be met by the argument that, by comparison with the national debt, it would cost so little and contribute so much to the task of putting our financial house in order.

The other measure is a resolution declaring it the sense of Congress that foreign aid payments which contribute to or cause deficits be suspended. While Common Market countries improve their own economies and strengthen their financial positions, we frantically push through Congress bigger foreign aid programs which impair our own budget and balance of payments. How much assistance have we received from the booming and prosperous Common Market in helping underdeveloped areas? While it concentrates on strengthening itself economically, we engage annually in a planned program of fiscal irresponsibility by appropriating more billions in the name of mutual security.

Over the last 10 years the grants—not loans—in our foreign aid program have averaged $4.48 billion per year. Over the same period our deficits have averaged $4.57 billion. This tells a story which everyone can understand.

I am not saying that this is the only place where expenditures can and should be reduced. But, for those who believe in balanced budgets and view with concern the philosophy of the deficit spenders, these two resolutions together offer a first step in rescuing our economy from the brink of disaster.

AUTOMOTIVE SAFETY

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, on August 13, 1962, I spoke on the floor of the House in support of a bill submitted by our colleague, the gentleman from Alabama, the Honorable Kenneth A. Roberts, to enhance standards of automotive safety and to provide Federal leadership in that field. At that time I pointed out that in my previous practice as a surgeon it had been my unhappy task on all too numerous occasions to restore broken bodies from the disastrous effects of automobile accidents. Today, I am going one step further and joining in the submission of legislation requiring that passenger carrying motor vehicles purchased for use by the Federal Government meet certain safety standards. Although this legislation is limited in purpose, I would hope that its adoption might be followed by similar legislation in the future requiring safety devices for all passenger vehicles. I feel sure that the Members of this body will support this legislation, as they did last year, and I hope that this time our action will be matched by our colleagues in the Senate.

BUDGET MESSAGE

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I will take only a minute of the time of the House this afternoon, but I do want to appraise my colleagues of the latest episode in the adventures of "Jack in Wonderland."

You will remember that in the earlier chapters young Jack burst through the looking glass carrying a budget message, fell down the rabbit hole clutching tax proposals, and hit bottom reading an education message.

Now I note from yesterday evening's newspapers that the next step in the land of fantasy involves U.S. savings bonds.

It seems the administration plans to increase interest rates on savings bonds to 4 percent. May I point out that not only does this administration blandly propose to borrow 12 million more dollars in the next fiscal year—but it now proposes to pay more for a large part of the money it borrows. Savings bonds account for one-fifth of the Federal debt held by the public.

No doubt the taxpayers are entitled to a decent return on the money they lend the Federal Government, but yesterday's stories only serve to point out once again the utter fiscal insanity of this administration.

They not only ask the Nation to go farther into the red, but they insist on paying more for the red ink. And all the while they smirk like the Cheshire cat.

NONDEFENSE SPENDING

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANDERSON. Mr. Speaker, the President of the United States promised in his recent state of the Union message to cut nondefense spending. However, disillusion has set in—beginning with the budget message forecasting a deficit of $11.8 billion and increases in almost every function and area of government, and culminating in Mr. Gordon's testimony before the Joint Economic Committee which at long last recognizes in theory the New Frontier practice of planning deficits and banning surpluses.

It is inconceivable to me that an official of this administration could stand before a congressional committee and proudly disclaim balanced budgets as outmoded concepts and, as a matter of fact, unsound and unwise. It only illustrates that while American taxpayers are being fed the pipedream of tax cuts, they will awake and peer through a hazy future to the day when our national debt has risen to a point where our dollar is insolvent—both here and on the world market. Loss of confidence in the American economy through our practices of monetary melancholy and dollar downgrading will ultimately result in a loss of confidence in the American strength militarily and politically—as well as the final collapse of the free world.

Mr. Speaker, on May 24, 1957, Khrushchev stated:

> We do not intend to blow up the capitalist world with bombs. If we catch up with the United States in per capita production of meat, butter, and milk we will have hit the pillar of capitalism with the most powerful torpedo yet.

Thus inflationary pressures and deficit financing could ultimately cripple our economic and military strength alike.

The astonishing testimony of Mr. Gordon has resulted in the suggestion by a Senator of the majority party that he be fired. However, I fear that his testimony is only a reflection of New Frontier philosophy. I would warn those who would adhere to this tax and spend concept that this Nation must reject the philosophy that our only choice in order to prevent military surrender to the Russians is to spend ourselves into an economic and political defeat.

FISCAL POLICY OF THE ADMINISTRATION

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, my head is somewhat in a spin after reading the messages, testimony and reasoning of the administration on fiscal matters during the past few weeks. Given their political philosophy, I can understand how they can raise deficits and lower the taxpayers' equity in their economy. But for the life of me I cannot follow the visionary, vicious vacillation which characterizes their economic reasoning from day to day.

In one breath the President of the United States recommends and promises domestic cuts; in the next he submits a budget unbalanced by at least some $12 billion and including increases in almost every nondefense item. Even agriculture, where the administration figure jugglers have concocted every possible new budget index and sales of CCC cotton to show a budget decrease of $1 billion, new obligational authority has increased by almost $1½ billion in fiscal year 1964.

In one breath the President of the United States promises tax cuts of great magnitude, and in the next he admits that the first year the total cuts will be less than a rise in State and local taxes and social security taxes for the taxpayers of our Nation. The total cuts the second year will barely exceed so-called tax reforms which would take money from those itemizing charitable contributions, interest payments, medical expenses and similar necessary expenses. It would lead to double taxation, ranging from corporate dividends to even the decreased taxpayer, whose estate would be subject to inheritance tax and capital gains levies.

The cradle to the grave has been extended from here to the hereafter. And the total tax relief for individuals and corporations in the next 3 years surely sounds little enough indeed in view of the 1964 record expenditures of some $550 for each man, woman, and child in the Nation—meaning $2,200 for a family of four and over $225 million for the typical congressional district in the Nation.

Other inconsistencies come to mind. We are adding over 45,000 nondefense jobs to the Federal payroll after the administration admitted last year they had overestimated the need for such positions. While the President paints a rosy picture of the economy, we find the weakest postwar recovery has occurred in the past 22 months, and Secretary Wirtz only yesterday admitted that we have an equal rate of unemployment now as in the recession year of 1954, and that today the percentage of long-term unemployment is much higher than in the recession year of 1957.

Mr. Speaker, it will take another year to realize how bad this administration is. But it surely is clear by now how confused this administration is, and how confused even economic experts have become in listening to these conflicting statements, let alone the puzzled public. If commonsense with figures and appropriations does not replace legerdermain by the magicians of 1600 Pennsylvania Avenue on the budget and fiscal matters, the people of America will continue to feel apart from their Government rather than a part of it.

AGRICULTURE — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 55)

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Agriculture, and ordered to be printed:

To the Congress of the United States:

Proper management of our resources of food and fiber is a key factor in the economic future of the Nation. Both fiscal necessity and economic commonsense require us to go beyond the gains we have made in the last 2 years. Our capacity to produce still outruns the growth of both domestic and foreign demand for food and fiber. Our abundance must still be harnessed in such a way as to bring supply and demand more nearly into balance. And the benefits of our agricultural progress still need to be translated into improved income to farm families, lower prices to consumers for food and fiber, expanded exports, and reduced expenditures for price-support programs.

Nevertheless, the past 2 years have seen substantial improvement in farm income, a substantial decrease in Government holdings of agricultural products, and a substantial reduction in costs to the taxpayer for carrying farm surpluses, without increasing the consumer's burden.

Net farm income at the end of 1962 was $1.8 billion a year more than it was in 1960. Gross farm income is $3.5 billion higher.

Average net income per farm has risen 21 percent, from $3,044 to $3,690, the highest level in our history.

The increase in farm income has generated added business for rural industries and farm communities, putting millions of dollars into Main Street cash registers and adding at least 200,000 jobs to the national economy.

At the same time, Government stockpiles of surplus grain have been reduced by 929 million bushels from their 1961 peak.

And, finally, over this same 2-year period, the proportion of consumer income required to purchase food has declined to the lowest ratio in history—19 percent of take-home pay.

These successes have been made possible by a series of congressional and Executive actions undertaken in the last 2 years. The principles underlying these actions are further pursued in the recommendations contained in this message.

The success of those principles also calls for an affirmative vote in the forthcoming wheat referendum, to be held under the permanent legislation enacted by the Congress last year. If two-thirds of the wheat producers vote this spring to approve the bushel marketing program authorized by that law, the present income of our wheat farms will be protected and the overhanging surpluses of wheat will be further reduced. Failure to approve the wheat program will leave the wheat farmer without either supply management or effective price supports—at the mercy of unlimited production and unprotected prices. I do not believe that anyone who clearly understands the choice would prefer a return to the depression conditions that preceded the initiation of price supports a generation ago. New legislation for wheat is neither necessary nor feasible this year.

Exports of farm commodities reached a record $5.1 billion in the fiscal year 1962. Dollar markets abroad for the products of our farms have been expanded to a total of $3.5 billion, and thus constitute a significant factor in our balance of payments.

The American farmer is one of our best foreign exchange earners. It is our firm policy to maintain and expand these exports. We do, however, have a special problem of maintaining access to the European Common Market for some of our important agricultural commodities. This Government intends to take every step necessary to protect the full rights due American agricultural exports. We have impressed on our trading partners the vital necessity of a fair agreement as an essential first part of the broad scale negotiations to be undertaken under the Trade Expansion Act of 1962.

The areas of agriculture policy which require action by the Congress this year include the following:

I. FEED GRAINS

The emergency and temporary feed grain legislation of 1961 and 1962—which covers this crop year as well—has been successful. It has earned wide bipartisan support. Savings already assured by 2 years of surplus reduction will amount ultimately to nearly $1 billion. The stocks of corn and grain sorghums, totaling 85 million tons 2 years ago, and costing nearly $500 million a year for handling and storing charges alone, will be reduced to 57 million tons by the end of this marketing year. They should be further reduced to 45 to 50 million tons by the end of the 1963 crop year. At the same time, this program has contributed significantly to the improvement in farm income.

If new legislation is not enacted this year to consolidate the gains thus far achieved, the feed grain program for 1964, under existing law, would automatically revert to unlimited, excessive production and disastrously low prices. Corn price supports, which will be $1.25 a bushel for 1963, would go down to 80 cents; and even at that level, unrestrained production might well lead to new accumulations of surplus stocks. Prices for hogs, cattle, poultry, dairy, and other commodities would fall. It is imperative that action be taken by the Congress this year to avoid these consequences.

The new legislation should take advantage of the knowledge and experience gained under the 1961–62 and 1963 programs. It should: (1) be a voluntary program, (2) be flexible enough to meet varying conditions and needs, and (3) be based upon the same basic principles which have proven successful in the last 2 years.

These objectives can be achieved by authorizing the Secretary of Agriculture to adjust the feed grain program, in the light of the supply and utilization outlook, to obtain the needed reduction in production at the lowest cost consistent with the protection of farm family income. He may select either the 1962 or the 1963 type of feed grain program. Payments will be made to feed grain producers who reduce production below their established base acreage. These payments may be made either in kind or in cash. Their size and the required acreage reduction will be determined on the basis of the outlook just before the crops are planted.

Such feed grain legislation should provide for necessary adaptations to meet changes in weather, new international crises, sudden opportunities or strictures in the European Common Market and other areas of trade, and developments in the economy of the United States as a whole. It would enable farmers to make full use of the permament wheat program by permitting wheatgrowers to produce wheat in lieu of feed grains on feed grain bases. The continued and successful operation of voluntary feed grain programs, in conjunction with the new wheat program, should resolve two of our most difficult commodity problems.

II. COTTON

A healthy, growing cotton industry is vital to the strength and prosperity of our Nation. Over a million persons are engaged in producing our cotton crop. Another million and a half are employed in converting the raw cotton into consumer items. Additional millions supply goods and services to this industry. Cotton exports contribute significantly to our balance-of-payments position.

Our cotton industry—both producers and mills—is confronted with many problems which it alone cannot resolve. Because domestic prices are much higher than those of foreign producers, our cotton mills must pay substantially more for cotton than their offshore competitors. Domestic cotton textile products are being displaced not only by substitute fibers in consumer products but also by increased cotton imports. Cotton exports are sharply lower.

Loss of markets for U.S. cotton increases surplus stocks held by the CCC, causes higher and higher Government costs, and reduces the cotton farmer's income.

The time has come for us to fashion a sound and enduring national policy for cotton, to enable it to make its maximum contribution to our Nation's growth at a minimum of governmental expense. At present, the domestic support level is 31.88 cents a pound. An 8½-cent export subsidy enables domestic cotton to compete with foreign cotton selling at 24 cents or less. This imposes a substantial handicap upon the domestic mill which must buy American cotton at the support price level, while competing with foreign mills which buy it at the subsidized level.

This handicap could, of course, be overcome by either eliminating the export subsidy or by reducing the support level. But elimination of the subsidy would also eliminate American cotton from the world markets and give impetus to expanding foreign production. The effect such a move would have upon the American cotton farmer, our balance of payments, and our economy prevents this from being an acceptable line of action. Allowing domestic cotton prices to fall low enough to compete with foreign cotton is similarly unacceptable. For the average American farmer cannot, as yet, produce cotton profitably at world prices.

We can best meet these problems by the adoption of a new law which will both meet immediate needs and provide the experience from which a future long-range solution can be developed. Such a measure should meet four tests to the maximum extent possible: (1) Eliminate the disadvantage which the present two-price system for cotton imposes on the U.S. textile industry; (2) strengthen the income of individual cotton farmers by enabling them to sell additional output at the world price in a combination best suited to their individual situations; (3) promote sustained and expanding markets for U.S. cotton; and (4) accomplish these objectives at a minimum cost to the taxpayer.

I urge that the Congress give early consideration to cotton legislation that will make this important fiber more competitive and help it recapture its markets. Ideally, it should be signed into law before the end of February and made applicable to the planting of the 1963 crop. I recommend that the new law include the following:

(1) Authorization, on a 2-year trial basis, for the Secretary of Agriculture to make payments which will reduce the cost of the cotton to domestic mills by an amount sufficient to eliminate the inequity of the present two-price system, taking into account any differences in transportation costs between foreign and domestic mills and other relevant factors. This will both cure the existing inequity and help assure ample supplies of cotton textiles of good quality at fair prices to American consumers.

(2) Within limits consistent with the need for an orderly reduction in the existing carryover, producers should be permitted to grow cotton above their basic acreage allotments for the export market at the world price. In 1963, the extra planting for export markets might be permitted up to 20 percent above the present statutory minimum allotment. Such provisions would recognize the greatly diverse conditions that prevail in different cotton producing areas, and provide fair opportunities for producers in each area. In addition, the bill could also authorize direct payments to producers, thus providing an efficient means of maintaining producer income without supporting prices at too high a level.

Research to reduce the cost of producing cotton in the United States will also strengthen the industry. For example, elimination of the boll weevil damage in the cotton crop could result in reduction in production costs of 5 cents a pound in areas of infestation. Such research will pay for itself many times over. I am, therefore, asking that a special effort be made to make certain that the research resources available to the Federal Government are focused on this problem. The Office of Science and Technology will review the progress and make recommendations. As actual cotton production costs fall, cotton price supports can be reduced under the stimulus of continuing research and the application of modern technology.

III. DAIRYING

The accomplishments of the American dairy industry, from processor to distributor, have been far too little recognized. Any American family can depend upon the availability of pure, nutritious milk and dairy products anywhere in the United States. This accomplishment is the product of hard work, skill and know-how, and heavy capital investment.

New dairy legislation is urgently required for the benefit of both the farmer and the taxpayer. Last year I recommended to the Congress the passage of legislation to reduce the severe drain of budgetary expenditures for the dairy price support program and at the same time increase the income of dairy farmers. Failure to pass this legislation, I pointed out, would result in Government costs of over $440 million a year for supporting the price of dairy products. No legislation was enacted—with the result that costs have recently been running at a rate in excess of $500 million a year, and the income of the dairy farmer has fallen by over $100 million a year. There is little prospect of any improvement in dairy farmers' income or substantial reduction in Government costs unless new legislation is enacted. Under the present law surplus stocks of dairy products, especially butter, continue to pile up in Government warehouses in shocking quantity. We have over 300 million pounds of butter in storage, enough to provide a year's supply of all the fats consumed by the people of Korea. Recipients of surplus foods are using twice as much butter per person as other consumers. Even with maximum use of dairy products in our food distribution program, stocks continue to climb.

It is imperative therefore that the Congress apply the same successful principles of volunteer supply management to the dairy industry, and enact a program under which only producers who cooperate by reducing their marketings would receive, through market prices and payments, a return on their marketings substantially greater than the noncooperators who choose not to join the program. Such a program would not only improve the income of cooperating farmers but also reduce Government costs.

The legislation should permit producers in Federal milk marketing orders to fully participate in the voluntary adjustment program. This may be achieved through the use of marketing bases within order markets which permit a producer to reduce his production of surplus milk without reducing his share of the class I market. This latter provision should be extended to order markets whether or not a national adjustment program is in operation. Such a program should also make it possible to drop the price of butter and butterfat and thereby increase their consumption.

IV. EXPANDED UTILIZATION OF OUR FARM ABUNDANCE

A. DOMESTIC FOOD DISTRIBUTION—FOOD STAMPS

More food in greater variety is now available to the needy than ever before in our history. The number of persons on public assistance receiving food under direct distribution programs rose to a peak of 7,400,000 in 1962. More than 2 billion pounds of food, valued at nearly $365 million, were distributed to needy persons, school lunch programs, and charitable institutions in every State in the Nation.

In addition, the pilot operation launched in 1961, with funds available under section 32 of Public Law 320, 74th Congress, to enable the needy to purchase additional food through regular commercial channels by the use of food stamps, has proved eminently successful. In view of its widespread and enthusiastic acceptance and its beneficial results, I recommend that enabling legislation be enacted to permit the progressive expansion of the food stamp program into all areas of the Nation where conditions warrant its establishment.

The operating provisions of the expanded program should be essentially the same as for the pilot program. Food stamps are issued to the needy and used by them for purchases at the local stores. The costs of this program in the affected areas will be substantially offset by resulting reductions in the cost of the direct food distribution program.

B. FOOD AND FIBER FOR NEEDY PEOPLE ABROAD—FOOD FOR PEACE

An increasingly important tool of American foreign policy—and of particular significance to our mutual assistance and development effort, including the Alliance for Progress—is the food-for-peace program. It is now being expanded to assume a larger share of the cost of mutual assistance. We make a grave mistake if we regard food for peace as merely a program for disposal of surplus commodities instead of an opportunity to utilize our agricultural capacity to encourage the economic development of new and developing nations. In the past year food-for-peace exports of wheat and flour alone filled an average of three 10,000 ton cargoes moving overseas daily. We are reaching more needy overseas than ever before—92 million people a day, including 35 million school children and 2 million preschool children. During the past 6 months we have undertaken to supply food as part payment for wages to 2.4 million people working on self-help projects for economic development in seven countries. I am recommending in the 1964 budget $1.9 billion for a continuation of the food-for-peace program.

V. RURAL AREA DEVELOPMENT AND RURAL ELECTRIFICATION

Housing: The quality of housing in rural areas has not kept pace with housing in cities. A million and a half homes on farms and in our small towns are in such a dilapidated condition they endanger the health and safety of the families living in them. Another 2 million rural homes need major repairs. The current housing loan program of the Farmers Home Administration has made a good start toward helping rural families, who cannot otherwise obtain credit, to improve their housing. But it falls far short of what should and could be done. The need is greatest among families in the lower income levels who have neither the resources nor the credit to make any major repairs or improvements. To remedy this situation, I recommend that federally insured loans be provided for rural housing. This will broaden the opportunity of more rural families to improve their housing, and at the same time, through the substitution of private for public credit, will reduce the demands upon the Federal budget.

Training: One-third of our farm families earn only a subsistence income. Because they earn so little, they are unable to finance adequate educational and vocational training of family members; and this leads progressively to the concentration of still more poverty in rural areas. Vocational and other educational training should be made available to rural citizens who are unable to finance this training through other means. Such assistance is essential if large numbers of rural people, particularly youth and young adults, are to acquire the kinds of skills that will enable them to take advantage of new and better opportunities in an expanding economy. The alternative for many of them is a lifetime of poverty; the alternative for the whole Nation is a continued waste of human resources.

Water: Legislation is also needed to increase substantially the capacity for floodwater detention in small reservoirs in order to permit the full development, under the Watershed Protection and Flood Prevention Act, of available sites for multipurpose use. Such action this year will supplement and strengthen the provisions of the Food and Agriculture Act of 1962 to strengthen the rural economy through more adequate development of available water and related land resources for multiple use.

Land use adjustment: It is also necessary to make provision for the lands upon which conservation reserve contracts will expire in the next few years. Some of these lands would revert to crop production; this must not happen if we are to prevent our various crop programs from being undermined. The existing $10 million limitations on authorized appropriations for land use adjustment under section 101 of the Food and Agriculture Act of 1962 should be raised to permit such conservation reserve lands to be treated, where appropriate, as part of an expanded land use adjustment program. The cost will be substantially lower than it is under existing contracts.

Electricity: Rural electrification and rural telephone loans have made enormous contributions to the well-being and economic development of rural America. Over 5 million rural customers—approximately 20 million men, women, and children—receive central station electric service through over 1,000 local organizations financed by the Rural Electrification Administration. Under the rural telephone loan program, local telephone companies and cooperatives have borrowed funds to finance modern dial telephone service for approximately 2 million rural subscribers. The credit record of REA borrowers is excellent; foreclosures have amounted to less than one one-thousandth of 1 percent; delinquencies on repayment schedules are equally small.

The Rural Electrification Administration borrowers have provided service to rural areas at a very low net cost to the Government. However, the cost of the program has been exaggerated because receipts from loan repayments are covered into the miscellaneous receipts of the Treasury and are in no way credited against the loans which were counted as Federal expenditures when made.

To correctly reflect loan repayments in future appropriation and budget documents, I recommend that legislation be enacted to establish a Rural Electrification Administration loan account which will reflect the true net cost of the loan programs, showing the excess of the aggregate of the loans made over the current receipts from repayments on loans previously made. This will permit the account to be budgeted on a net expenditure basis. Funds in the loan account would not be available to the Secretary of Agriculture for loans without current prior authorization of the Congress in appropriation acts. Loan funds already authorized would remain available until expended as in existing law.

These recommendations will, I believe, accelerate progress toward our goals in agriculture while assisting in our efforts to hold down budget expenditures. With the benefit of new action in these areas, we can continue to narrow the gap between farm income and incomes in other segments of our economy, until the day is reached when efficient farm operators may be more certain of the opportunity to earn incomes equivalent to those in comparable nonfarm occupations. We will also continue to reduce the excess stocks of farm commodities and to lighten the burden they impose upon the taxpayer. We will develop further our programs to conserve our resources of land and water; and to redirect their use in order to supply our most essential needs—whether these be for food, timber, or recreation.

We will intensify our campaign against rural poverty and our drive to build a thriving diversified rural economy. We will continue to encourage the advance of efficiency in agriculture, insuring the continued production of food and fiber at reasonable prices and in sufficient quantities to meet the needs of all Americans, and advancing the cause of economic development and security throughout the free world. A balanced and stable farm economy is essential if we are to meet both domestic and world challenges in the coming years—this program is designed to achieve that kind of farm economy.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 31, 1963.*

THE PRESIDENT'S FARM MESSAGE

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. ALGER. Mr. Speaker, like all the other Presidential messages presented to this session of Congress, the President's farm message speaks in broad, general terms without ever coming to grips with the problem. Underlying the whole message is the same New Frontier philosophy for more Federal direction, more ultimate control, instead of presenting a plan to allow farmers to operate in a free marketplace.

As a counterproposal to solve the complex farm problems with which this Nation has been plagued for three decades, may I suggest we begin the long journey back to freeing the farmer, to make him the master of his own destiny. Our objective should be that the farmer should be free to operate his own farm in whatever manner he feels is best for him, to grow the crops that he wants to grow, and to engage in those farm practices which he alone is best fitted to decide.

After 30 years of production controls and market controls, of course, we cannot abolish the many programs overnight, but we should make a start. We cannot increase controls upon what and how much a farmer plants. As a starter on the road to freedom the least we can do is to permit a farmer to grow on his own land whatever he needs for his own use and for use on his land. We should gradually decrease controls of both production and marketing so that in the end the American farmer will once again be the free agent he once was when we developed, in freedom and with a free market, the greatest agricultural plant in the history of the world.

I have faith in the American farmer. Free him from the slavery of the theorists and the Washington desk farmers and he, operating as a freeman, will solve the problems of agriculture and will contribute, as he has always contributed, to the progress, the growth, and the freedom of all our people.

GALLAUDET COLLEGE

The SPEAKER. Pursuant to the provisions of section 5, Public Law 420, 83d Congress, the Chair appoints as members of the Board of Directors of Gallaudet College the following Members on the part of the House: the gentleman from Texas [Mr. Thornberry] and the gentleman from Minnesota [Mr. Nelsen].

U.S. AIR FORCE ACADEMY

The SPEAKER. Pursuant to the provisions of title 10, United States Code, section 9355(a), the Chair appoints as members of the Board of Visitors to the U.S. Air Force Academy the following Members on the part of the House: the gentleman from Colorado [Mr. Rogers], the gentleman from Georgia [Mr. Flynt], the gentleman from Colorado [Mr. Chenoweth], and the gentleman from Wisconsin [Mr. Laird].

U.S. COAST GUARD ACADEMY

The SPEAKER. Pursuant to the provisions of title 14, United States Code, section 194(a), the Chair appoints as Members of the Board of Visitors to the U.S. Coast Guard Academy the following Members on the part of the House: the gentleman from Connecticut [Mr. St. Onge] and the gentleman from California [Mr. Martin].

U.S. MERCHANT MARINE ACADEMY

The SPEAKER. Pursuant to the provisions of title 46, United States Code, section 1126c, the Chair appoints as members of the Board of Visitors to the U.S. Merchant Marine Academy the following Members on the part of the House: the gentleman from New York [Mr. Carey] and the gentleman from Maine [Mr. McIntire].

U.S. MILITARY ACADEMY

The SPEAKER. Pursuant to the provisions of title 10, United States Code, section 4355(a), the Chair appoints as members of the Board of Visitors to the U.S. Military Academy the following Members on the part of the House: the gentleman from Texas [Mr. Teague], the gentleman from Kentucky [Mr. Natcher], the gentleman from New York [Mr. Riehlman], and the gentleman from New York [Mr. Ostertag].

LAKE ERIE SESQUICENTENNIAL CELEBRATION COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 87-833, the Chair appoints as members of the Battle of Lake Erie Sesquicentennial Celebration Commission the following Members on the part of the House: The gentleman from Ohio [Mr. Ashley], the gentleman from New York [Mr. Dulski], the gentleman from Ohio [Mr. Latta], and the gentleman from Ohio [Mr. Mosher].

CIVIL WAR CENTENNIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 85-305, the Chair appoints as members of the Civil War Centennial Commission the following Members on the part of the House to serve with himself: The gentleman from Alabama [Mr. Elliott], the gentleman from Connecticut [Mr. Daddario], the gentleman from Iowa [Mr. Schwengel], and the gentleman from Pennsylvania [Mr. Goodling].

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 372, 84th Congress, the Chair appoints as members of the Franklin Delano Roosevelt Memorial Commission the following Members on the part of the House: The gentleman from New York [Mr. Keogh], the gentleman from California [Mr. Roosevelt], the gentleman from Ohio [Mr. Schenck], and the gentleman from New York [Mr. Halpern].

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

The SPEAKER. Pursuant to the provisions of section 3, Public Law 86-380, the Chair appoints as members of the Advisory Commission on Intergovernmental Relations the following Members on the part of the House: The gentleman from North Carolina [Mr. Fountain], the gentleman from New York [Mr. Keogh], and the gentlewoman from New Jersey [Mrs. Dwyer].

MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of title 16, United States Code, section 715a, the Chair appoints as members of the Migratory Bird Conservation Commission the following Members on the part of the House: the gentleman from Missouri [Mr. Karsten] and the gentleman from Pennsylvania [Mr. Gavin].

NATIONAL FOREST RESERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of title 16, United States Code, section 513, the Chair appoints as members of the National Forest Reservation Commission the following Members on the part of the House: the gentleman from Mississippi [Mr. Colmer] the gentleman from Washington [Mr. Westland].

NATIONAL HISTORICAL PUBLICATIONS COMMISSION

The SPEAKER. Pursuant to the provisions of section 6, Public Law 754, 81st Congress, the Chair appoints as a member of the National Historical Publications Commission the gentleman from California [Mr. Miller].

NATIONAL MEMORIAL STADIUM COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 523, 78th Congress, the Chair appoints as members of the National Memorial Stadium Commission the following Members on the part of the House: the gentleman from Texas [Mr. Teague], the gentleman from Maryland [Mr. Lankford], and the gentleman from Oklahoma [Mr. Belcher].

NATIONAL CULTURAL CENTER

The SPEAKER. Pursuant to the provisions of section 2(a), Public Law 85-874, the Chair appoints as members ex officio of the Board of Trustees of the National Cultural Center the following Members on the part of the House: The gentleman from Texas [Mr. Wright], the gentleman from New Jersey [Mr. Thompson], and the gentlewoman from Illinois [Mrs. Reid].

NATIONAL MONUMENT COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 742, 83d Congress, the Chair appoints as members of the National Monument Commission the following Members on the part of the House: The gentleman from Alabama [Mr. Jones], the gentleman from Oregon [Mr. Ullman], the gentleman from North Dakota [Mr. Nygaard], and the gentleman from Iowa [Mr. Schwengel].

NEW JERSEY TERCENTENARY CELEBRATION COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86-683, the Chair appoints as members of the New Jersey Tercentenary Celebration Commission the following Members on the part of the House: The gentleman from New Jersey [Mr. Rodino], the gentleman from New Jersey [Mr. Thompson], the gentleman from New Jersey [Mr. Auchincloss], and the gentleman from New Jersey [Mr. Widnall].

ST. AUGUSTINE QUADRICENTENNIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 87-586, the Chair appoints as members of the St. Augustine Quadricentennial Commission the following Members on the part of the House: The gentleman from Florida [Mr. Matthews] and the gentleman from Florida [Mr. Cramer].

ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY U.S. CONSTITUTION COMMISSION

The SPEAKER. Pursuant to the provisions of Public Law 86-650, as amended by section 6, Public Law 87-759, the Chair appoints as members of the U.S. Constitution 175th Anniversary Commission the following Members on the part of the House: The gentleman from Pennsylvania [Mr. Byrne], the gentleman from New York [Mr. Delaney], and the gentleman from Pennsylvania [Mr. Corbett].

U.S. TERRITORIAL EXPANSION MEMORIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Resolution 32, 73d Congress, the Chair appoints as members of the U.S. Territorial Expansion Memorial Commission the following Members on the part of the House: The gentleman from Missouri [Mr. Karsten], the gentleman from Ohio [Mr. Hays], and the gentleman from Nebraska [Mr. Cunningham].

WOODROW WILSON MEMORIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 87-364, the Chair appoints as members of the Woodrow Wilson Memorial Commission the following Members on the part of the House: The gentleman from New Jersey [Mr. Gallagher] and the gentleman from New Jersey [Mr. Wallhauser].

COMMITTEE ON THE HOUSE RECORDING STUDIO

The SPEAKER. Pursuant to the provisions of section 105(c), Public Law 624, 84th Congress, the Chair appoints as members of the Committee on the House Recording Studio the following Members of the House: The gentleman from Virginia [Mr. Gary], the gentleman from New York [Mr. O'Brien], and the gentleman from Ohio [Mr. Bow].

COMMITTEE TO INVESTIGATE NONESSENTIAL FEDERAL EXPENDITURES

The SPEAKER. Pursuant to the provisions of section 601, title VI, Public Law 250, 77th Congress, the Chair appoints as members of the Committee To Investigate Nonessential Federal Expenditures the following members of the Committee on Ways and Means: the gentleman from Arkansas [Mr. Mills], the gentleman from California [Mr. King], and the gentleman from Wisconsin [Mr. Byrnes].

And the following members of the Committee on Appropriations: the gentleman from Missouri [Mr. Cannon], the gentleman from Texas [Mr. Mahon], and the gentleman from Iowa [Mr. Jensen].

JOINT COMMITTEE ON IMMIGRATION AND NATIONALITY POLICY

The SPEAKER. Pursuant to the provisions of section 401(a), Public Law 414, 82d Congress, the Chair appoints as members of the Joint Committee on Immigration and Nationality Policy the following Members on the part of the House: the gentleman from New York [Mr. Celler], the gentleman from Pennsylvania [Mr. Walter], the gentleman from Ohio [Mr. Feighan], the gentleman from Virginia [Mr. Poff], and the gentleman from West Virginia [Mr. Moore].

JOINT COMMITTEE ON NAVAJO-HOPI INDIAN ADMINISTRATION

The SPEAKER. Pursuant to the provisions of section 10(a), Public Law 474, 81st Congress, the Chair appoints as members of the Joint Committee on Navajo-Hopi Indian Administration the following Members on the part of the House: the gentleman from Florida [Mr. Haley], the gentleman from New Mexico [Mr. Morris], and the gentleman from South Dakota [Mr. Berry].

JOINT CONGRESSIONAL COMMITTEE ON CONSTRUCTION OF A BUILDING FOR A MUSEUM OF HISTORY AND TECHNOLOGY FOR THE SMITHSONIAN INSTITUTION

The SPEAKER. Pursuant to the provisions of section 4, Public Law 106, 84th Congress, the Chair appoints as members of the Joint Congressional Committee on Construction of a Building for a Museum of History and Technology for the Smithsonian Institution the following Members on the part of the House: the gentleman from Missouri [Mr. Cannon], the gentleman from Alabama [Mr. Jones], the gentleman from Ohio [Mr. Kirwan], the gentleman from Ohio [Mr. Bow], and the gentleman from Pennsylvania [Mr. Fulton].

FEDERAL RECORDS COUNCIL

The SPEAKER. Pursuant to the provisions of section 6, Public Law 754, 81st Congress, the Chair appoints as members of the Federal Records Council the following Members on the part of the House: the gentleman from West Virginia [Mr. Staggers] and the gentleman from New York [Mr. Goodell].

THE NATIONAL FISHERIES CENTER AND AQUARIUM ADVISORY BOARD

The SPEAKER. Pursuant to the provisions of section 5(a), Public Law 87-758, the Chair appoints as members of the National Fisheries Center and Aquarium Advisory Board the following Members on the part of the House: the gentleman from Ohio [Mr. Kirwan] and the gentleman from Iowa [Mr. Jensen].

BATTLE OF NEW ORLEANS SESQUICENTENNIAL CELEBRATION COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 87-759, the Chair appoints as members of the Battle of New Orleans Sesquicentennial Celebration Commission the following Members on the part of the House: the gentleman from Louisiana [Mr. Hébert], the gentleman from Mississippi [Mr. Colmer], the gentleman from Mississippi [Mr. Abernethy], the gentleman from Louisiana [Mr. Boggs], the gentleman from Tennessee [Mr. Everett], the gentleman from Kentucky [Mr. Natcher], the gentleman from Kentucky [Mr. Siler], and the gentleman from Tennessee [Mr. Quillen].

JOINT COMMITTEE ON ATOMIC ENERGY

The SPEAKER. Pursuant to the provisions of title 42, United States Code, section 2251, the Chair appoints as a member of the Joint Committee on Atomic Energy the gentleman from Illinois [Mr. Anderson] to fill an existing vacancy thereon.

NORTH CAROLINA TERCENTENARY CELEBRATION COMMISSION

The SPEAKER. Pursuant to the provision of section 1, Public Law 87-437, the Chair appoints as members of the North Carolina Tercentenary Celebration Commission the following Members on the part of the House: the gentleman from North Carolina [Mr. Whitener], the gentleman from Alabama [Mr. Rains], the gentleman from North Carolina [Mr. Kornegay], and the gentleman from North Carolina [Mr. Jonas].

COMMITTEE ON WAYS AND MEANS

The SPEAKER laid before the House the following communication which was read by the Clerk:

Committee on Ways and Means,
House of Representatives,
Washington, D.C., January 31, 1963.

Hon. John W. McCormack,
Speaker, U.S. House of Representatives.

Dear Mr. Speaker: Pursuant to section 8002 of the Internal Revenue Code of 1954, the following members of the Committee on Ways and Means have been designated as members of the Joint Committee on Internal Revenue Taxation: Hon. Wilbur D. Mills, Hon. Cecil R. King, Hon. Thomas J. O'Brien, Hon. John W. Byrnes, and Hon. Howard H. Baker.

Sincerely yours,
Wilbur D. Mills,
Chairman.

THE COMMITTEE ON ARMED SERVICES

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 84) and ask for its present consideration.

The Clerk read the resolution, as follows:

Resolved, That effective from January 4, 1963, the Committee on Armed Services, acting as a whole or by subcommittee appointed by the chairman of the Committee on Armed Services, is authorized to conduct a full and complete investigation and study of all matters—

(1) relating to the procurement, use, and disposition of material, equipment, supplies, and services, and the acquisition, use, and disposition of real property, by or within the Department of Defense;

(2) relating to the military and civilian personnel under the jurisdiction of the Department of Defense;

(3) involving the laws, regulations, and directives administered by or within the Department of Defense;

(4) involving the use of appropriated and nonappropriated funds by or within the Department of Defense; and

(5) relating to scientific research and development in support of the armed services; and

(6) all other matters within the legislative jurisdiction conferred by law or the Rules of the House of Representatives upon the Committee on Armed Services.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The SPEAKER. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 2, line 18, after the word "within" insert the words "or without".

The committee amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, after line 4, add the following paragraphs:

"Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Armed Services of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, (1) That no member or employee of said committee shall receive or expend local currencies for subsistence an amount in excess of the maximum per diem rates approved for oversea travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

"That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection."

Mr. MULTER. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. MULTER. Mr. Speaker, I make a point of order against the amendment on the ground that it is an attempt to legislate and that the Rules Committee is not a legislative committee. I base the point of order on the further ground that the matter of the appropriation of funds and the authorization of the use of funds by any committee of the House is within the jurisdiction of the Committee on House Administration.

The SPEAKER. Does the gentleman from Virginia desire to be heard upon the point of order?

Mr. SMITH of Virginia. Mr. Speaker, I do not know that I want to be heard at any length.

Mr. Speaker, the Rules Committee always reports out these resolutions giving various committees of the House the authority they need for investigatory purposes under the Reorganization Act. When we do that I am sure we have the right as a sort of housekeeping operation to specify any condition we desire and any limitation we desire to put upon the exercise of that authority. That is absolutely a housekeeping matter.

Mr. MULTER. Mr. Speaker, may I be heard further?

The SPEAKER. The gentleman may proceed.

Mr. MULTER. There is no authorization for the use of funds in the resolution as presented, yet they attempt by the same resolution now to limit the expenditures that may subsequently be authorized by the Committee on House Administration if it brings out a resolution for an authorization of that kind or an allocation of funds. It is quite true that under the statutes the standing committees of the House are authorized to expend various sums. To the extent that the statute controls, this resolution cannot affect that statute. I refer by that to the fact that this is an effort to trespass upon the jurisdiction of the Committee on House Administration.

The SPEAKER. The Chair is prepared to rule.

The Chair does not rule upon legislative effect; that is a matter for the House to determine.

The resolution before the House does not deal with funds, but the authorization of funds, and is also a restriction on the use of funds that may be made available. The actual funds are matters that will be passed upon by the Committee on House Administration.

The Chair rules that the point of order is not well taken.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. VINSON. Mr. Speaker, I wish to congratulate the Committee on Rules for bringing in this amendment. I think it is a very constructive, beneficial, and worthwhile amendment.

I urge the House, in view of the fact that this relates to the Committee on Armed Services, to adopt the resolution.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZATION FOR THE COMMITTEE ON BANKING AND CURRENCY

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 179, by direction of the Committee on Rules, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective from January 3, 1963, the Committee on Banking and Currency, acting as a whole or by subcommittee appointed by the chairman of the committee, is authorized to conduct full and complete investigations and studies of all matters falling within the jurisdiction of the committee under rule XI(4) of the Rules of the House of Representatives or any law of the United States.

The committee may report to the House (or to the Clerk of the House if the House is not in session) during the present Congress the results of its investigations and studies, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States (including its Commonwealths and possessions), or outside the United States, in connection with matters involving international organizations, international finance, balance of payment problems, or operations of the Export-Import Bank, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

With the following committee amendments:

On page 2, line 3, delete the words "(including its Commonwealths and possessions), or outside the United States".

On page 2, after line 15, add the following paragraph:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Banking and Currency for expenses of its members or other Members or employees traveling abroad."

The SPEAKER pro tempore (Mr. BOGGS). The question is on the amendments.

The amendments were agreed to.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON BANKING AND CURRENCY

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 153, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective from January 3, 1963, the Committee on Banking and Currency, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries with respect to any matter or matters in the field of housing coming within the jurisdiction of such committee, including, but not limited to, (1) the status and adequacy of mortgage credit in the United States, (2) the terms and availability of conventional mortgage financing, (3) the flow of savings in relation to home financing needs, (4) the operation of the various Government-assisted housing programs, (5) the current rate of construction of residential dwelling units in relation to housing requirements and demands, (6) the role of housing construction in the national economy, (7) the requirement of and demand for Federal assistance in the development of community facilities, (8) urban and suburban problems, including transportation facilities, as they affect the availability of adequate housing, (9) the operation of the slum clearance and urban renewal programs, and (10) rural housing and the adequacy of rural housing credit.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigations and studies, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution, the committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether or not the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or by any member designated by such chairman, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths or affirmations to witnesses.

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 2, line 17, after the word "States," delete the words "including any Commonwealth or possession thereof,".

Mr. SMITH of Virginia. Mr. Speaker, this resolution relates to our housing agencies that have housing operations in any Commonwealth or possession of the United States. This amendment strikes out the authority to go to any Commonwealth or possession of the United States, and after further consultation with the chairman of the Committee on Banking and Currency and the chairman of the Housing Subcommittee, I am rather inclined to think that I would like to eliminate that amendment, unless there is objection. The result of the withdrawal of the amendment would be to permit the Housing Subcommittee to go to Puerto Rico or some other possession of the United States where they have housing.

The SPEAKER pro tempore. Without objection, the amendment is withdrawn.

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, after line 4, add the following paragraph:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Banking and Currency for expenses of its members or other Members or employees traveling abroad."

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from California.

Mr. SMITH of California. In view of the fact that we have replaced the language here that was stricken out, I wonder if the gentleman is satisfied that the short language of the amendment should be in this bill or should the long language amendment be substituted. In other words, is there counterpart currency in the Commonwealth or possessions to which this language refers?

Mr. SMITH of Virginia. You are speaking of the Committee on Banking and Currency?

Mr. SMITH of California. The Special Housing Subcommittee.

Mr. SMITH of Virginia. We have no foreign counterpart currency in any of our possessions.

Mr. SMITH of California. Then the gentleman is satisfied that the short language amendment is satisfactory?

Mr. SMITH of Virginia. That is correct.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON THE JUDICIARY

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 36 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That, effective from January 3, 1963, the Committee on the Judiciary, acting as a whole or by subcommittee, is authorized to conduct full and complete investigations and studies relating to the following matters coming within the jurisdiction of the committee, namely—

(1) relating to the administration and operation of general immigration and nationality laws and the resettlement of refugees, including such activities of the Intergovernmental Committee for European Migration which affect immigration in the United States; or involving violation of the immigration laws of the United States through abuse of private relief legislation;

(2) involving claims, both public and private, against the United States;

(3) involving the operation and administration of national penal institutions, including personnel and inmates therein;

(4) relating to judicial proceedings and the administration of Federal courts and personnel thereof, including local courts in territories and possessions;

(5) relating to the operation and administration of the antitrust laws, including the Sherman Act, the Clayton Act, and the Federal Trade Commission Act; and

(6) involving the operation and administration of Federal statutes, rules, and regulations relating to crime and criminal procedure; and

(7) involving the operation and administration of the Submerged Lands Act and the Outer Continental Shelf Lands Act.

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

With the following committee amendment:

On page 3, after line 14, add the following paragraph:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on the Judiciary for expenses of its members or other Members or employees traveling abroad."

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from California.

Mr. SMITH of California. Mr. Speaker, I simply want to state to the

Members of the House and place into the record at this point that in this particular instance we are authorizing the Committee on the Judiciary to handle immigration and nationality cases and the Intergovernmental Committee for European Migration, as the distinguished gentleman from Pennsylvania [Mr. WALTER] has done such a tremendous job over the years. The original resolution does not provide jurisdiction outside the United States. It is just within the United States. But I want the Members of the House to know that if the Committee on the Judiciary, when it has to fulfill the obligations which we are placing upon it here, asks for permission to go outside the United States that I, and I believe all members of the Rules Committee, will certainly support the gentleman from New York [Mr. CELLER] in that request.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from New York.

Mr. CELLER. I take it that despite this amendment which in my estimation is most credible, if the Members of the Subcommittee on Immigration, presided over by the gentleman from Pennsylvania [Mr. WALTER] must attend the conventions of the Intergovernmental Committee for European Migration in Europe and such resolution would be offered, then I am sure it would receive most respectful consideration from the Committee on Rules.

Likewise, if it is necessary for the members of the Subcommittee on Antitrust to visit the Common Market countries concerning antitrust legislation, a resolution might be offered and it will be respectfully considered by the Committee on Rules in that way?

Mr. SMITH of California. I understand that we brought that up in the Committee on Rules and it is my understanding that we will give due consideration to the same and that we will be in favor of those particular requests when they are brought up. That is my individual understanding.

Mr. SMITH of Virginia. I will say to the gentleman from California that we had that question arise with respect to committees who from time to time might have such urgent business that it would justify them in making a trip here, yonder, or somewhere else. It was the unanimous opinion of our committee that under those circumstances we would do that. We have done it in past Congresses and have had them come before the Committee on Rules and justify the trip and the committee would give due consideration to the resolution.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from California.

Mr. ROOSEVELT. Under those circumstances would I then be correct in understanding that the provisions of the longer amendment would then apply to such circumstances?

Mr. SMITH of Virginia. Yes. That long amendment applies only to those countries that have available counterpart funds.

Mr. ROOSEVELT. I thank the gentleman.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON PUBLIC WORKS

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 56 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective from January 3, 1963, the Committee on Public Works, or any subcommittee thereof designated by the chairman, may make investigations into the following matters within its jurisdiction: In the United States and Canada, public works projects either authorized or proposed to be authorized relating to flood control and improvement of rivers and harbors, waterpower, navigation, water pollution control, public buildings and grounds, as well as roads and highways.

For the purpose of making such investigations the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places in the United States and Canada, whether the House has recessed or adjourned, and to hold such hearings and require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, and documents as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee may attend conferences and meetings on matters within its jurisdiction wherever held within the United States and Canada, except that two subcommittees thereof, not exceeding six members and not exceeding two staff members each, as authorized to do so by the chairman of the committee, are hereby authorized to sit and act during the present Congress at such times and places without the United States on matters within the jurisdiction of the committee.

The committee shall not undertake any investigation of any subject matter which is being investigated by any other standing committee of the House.

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: on page 2, line 12, after the word "Canada" strike out the remainder of the line.

The committee amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 13, strike out all of line 13 down to and including line 18.

The committee amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 22, insert:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Public Works for expenses of its members or other Members or employees traveling abroad."

Mr. SMITH of Virginia. Mr. Speaker, on that resolution I have not had the opportunity to see the gentleman from New York, the chairman of that committee. I do not know of any objection the committee may have; I do not know whether any member of that committee is present. I think the resolution is agreeable and unless there is some objection, I urge its passage.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON SCIENCE AND ASTRONAUTICS

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 143 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That, effective from January 3, 1963, the Committee on Science and Astronautics, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries with respect to any matter or matters in or related to the fields of astronautical research and development (including resources, personnel, equipment, and facilities), outer space (including exploration and control thereof, and air and space law), and other scientific research and development (including international scientific cooperation) coming within the jurisdiction of such committee: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress, whether the House has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member designated by him may administer oaths or affirmations to witnesses.

The committee shall report to the House as soon as practicable during the present Congress the results of its studies, investigations, and inquiries, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 3, after "act" insert "within or without the United States".

The committee amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 22, insert:

"Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Science and Astronautics of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided,* (1) That no member or employee of said committee shall receive or expend local currencies for subsistence an amount in excess of the maximum per diem rates approved for oversea travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

"That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 151 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective from January 3, 1963, the Committee on Post Office and Civil Service, acting as a whole or by subcommittee, is authorized to conduct full and complete investigations and studies with respect to the following matters within the jurisdiction of the committee:

(1) the administration, management, and operation of the Post Office Department and the postal field service;

(2) the mailability of articles and printed matter generally, including, among other things, the mailing of obscene matter and the mailing of unsolicited articles and matter with requests for payment or contributions;

(3) the application, operation, and effect of the laws, rules, and regulations relating to the management of civilian personnel of the Federal Government, including matters relating to (A) compensation, (B) position classification, (C) examination, (D) appointment, (E) assignment of positions excepted from the competitive service to schedules A, B, and C under rule VI of the Civil Service Rules, (F) allocation of positions to, and distribution of positions in, grades 16, 17, and 18 of the General Schedule of the Classification Act of 1949, (G) actions taken pursuant to section 505(1) of such Act, as amended, (H) promotions, (I) reduction in force, and (J) separation from the service by action other than reduction in force;

(4) the desirability and effect of contracts, agreements, or arrangements for the performance, by and through sources ouside the Federal Government, of personal, administrative, and management services;

(5) the effect of the contracting practices of the Federal Government on the availability and utilization of personnel qualified for the performance of essential functions of the Federal Government;

(6) the organization, management, and operations of the United States Civil Service Commission, including the delegation of authority to the department and agency Boards of Civil Service Examiners and the audit and control thereof;

(7) operations under the Classification Act of 1949 and other laws relating to the compensation of civilian officers and employees of the Government;

(8) actions taken and directives issued as a result of studies conducted by the committee under authority of investigative resolutions approved in prior Congresses;

(9) creation of civilian positions, number of civilian positions, management improvement policies and programs, dual supervision of civilian employees, and other matters relating to conservation of manpower, in such departments, agencies, and independent establishments of the Federal Government as the chairman of the committee may designate;

(10)(A) the organization, management, and operations of the Bureau of the Census in the Department of Commerce and (B) Government statistical and related activities other than those of the Bureau of the Census;

(11) insurance plans and programs of the Government for Government employees and related matters; and

(12) the operation and effect of training programs under the Government Employees Training Act.

The Committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), at such time or times during the present Congress as it deems appropriate, the results of its investigations and studies, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized to do so by the chairman of the committee, is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him and may be served by any person designated by such chairman or member.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 4, after line 21, add the following paragraph:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Post Office and Civil Service for expenses of its members or other Members or employees traveling abroad."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SELECT COMMITTEE ON PROBLEMS OF SMALL BUSINESS

Mr. SMITH of Virginia. Mr. Speaker, I call up the resolution (H. Res. 13) and ask for its present consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective January 3, 1963, there is hereby created a select committee to be composed of thirteen Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

SEC. 2. It shall be the duty of such committee to conduct studies and investigations of the problems of all types of small business, existing, arising, or that may arise, with particular reference to (1) the factors which have impeded or may impede the normal operations, growth, and development of small business; (2) the administration of Federal laws relating specifically to small business to determine whether such laws and their administration adequately serve the needs of small business; (3) whether Government agencies adequately serve and give due consideration to the problems of small business; and (4) to study and investigate problems of small business enterprises generally, and to obtain all facts possible in relation thereto which would not only be of public interest but which would aid the Congress in enacting remedial legislation: *Provided,* That the committee shall not invade any subject matter under active investigation by any standing committee of the House.

SEC. 3. The committee may from time to time submit to the House such reports as it deems advisable and prior to the close of the present Congress shall submit to the House its final report on the results of its study and investigation, together with such recommendations as it deems advisable. Any report submitted when the House is not in session may be filed with the Clerk of the House.

SEC. 4. For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, and any commonwealth of the United States or possession thereof, whether or not the House has recessed or adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as the committee deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any properly designated chairman of a subcommittee, or any member designated by him and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

SEC. 5. The majority of the members of the committee shall constitute a quorum for the transaction of business, except two or more shall constitute a quorum for the purpose of taking of evidence including sworn testimony.

With the following committee amendments:

On page 2, beginning on line 23, delete the words "and any commonwealth of the United States or possession thereof,".

On page 3, after line 13, add the following paragraph:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Select Committee on Small Business for expenses of its members or other members or employees traveling abroad."

The committee amendments were agreed to.

Mr. SMITH of Virginia. Mr. Speaker, this resolution is different from the resolutions we have been having for committees of investigation. This is a recreation of the Select Committee that we have had for a number of years on Small Business. The resolution was introduced by the gentleman from Tennessee [Mr. EVINS], the ranking member of that committee. The resolution follows what we have had in the past for the Small Business Committee.

Mr. EVINS. Mr. Speaker, I commend the distinguished gentleman from Virginia [Mr. SMITH], the chairman of the Rules Committee, in support of the resolution to recreate the House Select Committee on Small Business. This is the customary resolution to recreate the committee.

This committee has made important contributions to the Congress and to the small business community and to the country since it was first established in the 77th Congress, some 21 years ago. It has been recreated in each successive Congress since the 77th Congress and has, through the years, made increasingly greater contributions to preserving the small business segment of our economy.

The Small Business Committee has made numerous recommendations which the Congress has approved and enacted into law.

Some of these recommendations of this committee which have now become law through the actions of the Congress include strengthening of certain sections of the Sherman Antitrust Act; the establishment of the Small Defense Plants Administration, which was the forerunner of the Small Business Administration; and later the establishment of the Small Business Administration, which was first created as a temporary agency in the 83d Congress as the result of a direct recommendation of the House Small Business Committee and as a permanent agency of the Federal Government to assist the small businessman in the 85th Congress.

The committee also recommended and was instrumental in the passage of the Small Business Investment Act of 1958 through which thousands of small businessmen throughout the Nation have received financial assistance. Today more than 700 small business investment companies have been chartered and licensed. Today these companies are providing a new and additional source of equity capital for small business.

Among the numerous important studies and surveys made since 1941 which have served to benefit the small business community were several studies of monopolies in various industries and their effect on small business; studies of unfair trade practices to which small businessmen have been subjected; and studies to determine the financial needs, the management needs, and other needs of small business and how the Federal Government and its many departments, bureaus, and agencies might best serve these needs.

Mr. Speaker, the House select committee is also charged with the direct responsibility for supervising and giving direction to the Small Business Administration, a very important duty and responsibility of the committee. The SBA now has a revolving fund authorization of more than $1½ billion. Loans are being made to enable many small businesses to survive and compete in our free society. However, small business loans are but one area in which the SBA assists the small business community and but one area in which the Small Business Committee acts as overseer for the Congress. The SBA has done much to promote sound management through management counseling programs; to provide useful information to the small business community through the issuance of management publications; and has assisted small businesses across the Nation to obtain a fair share of Government contracts and subcontracts. The Small Business Committee has given encouragement to the SBA in these operations and through hearings has brought about an increase in the number and amounts of defense contracts.

Mr. Speaker these are but some of the accomplishments and responsibilities of the House Select Committee on Small Business. Many others could be recited.

There exists a great need for continuing the House select committee and I urge adoption of the pending resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO CONDUCT INVESTIGATIONS AND STUDIES WITHIN ITS JURISDICTION

Mr. SMITH of Virginia. Mr. Speaker, I call up the resolution (H. Res. 17) and ask for its present consideration.

The Clerk read the resolution, as follows:

Resolved, That effective from January 3, 1963, the Committee on Interstate and Foreign Commerce may make investigations and studies into matters within its jurisdiction, including the following:

(1) Policies with respect to competition among the various modes of transportation, whether rail, air, motor, water, or pipeline; measures for increased safety; adequacy of the national transportation system for defense and the needs of an expanding economy; and the administration by the Interstate Commerce Commission of the statutes which it administers;

(2) Policies with respect to the promotion of the development of civil aviation; measures for increased safety; restrictions which impede the free flow of air commerce; routes, rates, accounts, and subsidy payments, airport construction, hazards of adjacency to airports, and condemnation of airspace, aircraft and airline liability; aircraft research and development, and market for American aircraft; air navigational aids and traffic control; and the administration by the Civil Aeronautics Board and the Federal Aviation Agency of the statutes which they administer;

(3) Allocation of radio spectrum; color television; pay television; educational television; ownership and control of communications facilities; technical developments in the communications field; and the administration by the Federal Communications Commission of the statutes which it administers.

(4) Adequacy of the protection to investors afforded by the disclosure and regulatory provisions of the various Securities Acts; and the administration by the Securities and Exchange Commission of the statutes which it administers;

(5) Adequacy of petroleum, natural gas, and electric energy resources for defense and the needs of an expanding economy; adequacy, promotion, regulation, and safety of the facilities for extraction or generation, transmission, and distribution of such resources; development of synthetic liquid fuel processes; regulation of security issues of and control of natural gas pipeline companies; and the administration by the Federal Power Commission of the statutes which it administers;

(6) Advertising, fair competition, and labeling; and the administration by the Federal Trade Commission of the statutes which it administers;

(7) Research in weather, including air pollution and smog, and artificially induced weather; and the operations of the Weather Bureau;

(8) Effects of inflation upon benefits provided under railroad retirement and railroad unemployment programs; and inequities in provisions of statutes relating thereto, with comparison of benefits under the social security system; and the operations of the Railroad Retirement Board;

(9) Adequacy of medical facilities, medical personnel, and medical teaching and training facilities; research into human diseases; provisions for medical care; efficient and effective quarantine; protection to users against incorrectly labeled and deleterious foods, drugs, cosmetics, and devices; and other matters relating to public health; and the operations of the Public Health Service and the Food and Drug Administration.

(10) Disposition of funds arising from the operation of the Trading With the Enemy Act; and the operations of the Foreign Claims Settlement Commission;

(11) Current and prospective consumption of newsprint and other papers used in the printing of newspapers, magazines, or such other publications as are admitted to second-class mailing privileges; current and prospective production and supply of such papers, factors affecting such supply, and possibilities of additional production through the use of alternative source materials;

(12) Increase in traffic accidents on the streets and highways of the United States during recent years; factors responsible for such increase, the resulting deaths, personal injuries, and economic loses; and measures for eliminating such accidents or reducing their frequency and severity.

For the purposes of such investigations and studies the committee, or any subcommittee thereof, may sit and act during the present Congress at such times and places within or outside the United States, whether the House has recessed or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee may report to the House at any time during the present Congress the results of any investigation or study made under authority of this resolution, together with such recommendations as it deems appropriate. Any such report shall be filed with the Clerk of the House if the House is not in session.

The SPEAKER pro tempore. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 4, line 19, strike out "or outside".

The committee amendment was agreed to.

The SPEAKER. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 5, after line 24, insert the following paragraph:

"Funds authorized are for expenses incurred in the committee's activities with the United States; and, notwithstanding section 1745 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Interstate and Foreign Commerce for expenses of its members or other members or employees traveling abroad."

Mr. SMITH of Virginia. Mr. Speaker, in amendment No. 2, there are two printer's errors; one, in line 4, the word "with" should be "within," and in line 5 the figure "1745" should be "1754."

I offer an amendment to the committee amendment to correct those errors.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia to the committee amendment: Page 5, line 4, strike out the word "with" and insert in lieu thereof the word "within"; and on page 5, line 5, strike out the figure "1745" and insert in lieu thereof the figure "1754".

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Arkansas.

Mr. HARRIS. Mr. Speaker, I ask wholeheartedly in accord with the Rules Committee and want to compliment it for attacking this problem and coming up with a solution. I do want to remind the House that the jurisdiction of our committee includes interstate and foreign commerce. That is spelled out specifically. We have international communications, and we have some very important matters in that field that may require attention. We have all oversea aviation, international securities, and the weather, which becomes part of our most important problem in communications and also of transportation and those things that go with it.

In view of the statement that the chairman made, which I think was very considerate and very plausible, a moment ago, should anything come up that makes it necessary, I will discuss it with the chairman and explain to the committee if we should ask for consideration of anything that might be justified.

My purpose at this moment, Mr. Speaker, is to remind you this resolution, other than the amendments just mentioned, is identical to the resolution 2 years ago giving general authority to the committee.

It will be recalled that subsequent thereto on the urgency of various Members of the House, a special resolution was reported by the Committee on Rules for our committee to give study and consideration to the tough problem of aircraft noise. This is one of the toughest jobs this committee has, in my judgment, ever undertaken. It seems to present a situation to which there is no solution.

I do want to say to the members of the Committee on Rules, and to those Members who had special resolutions for such study and consideration, that, in my judgment, this resolution is broad enough to include such authority for future consideration of that problem.

The committee, out of the study and attention given to this problem in the last Congress, has not yet filed its report, but it is being drafted and we are endeavoring to get one together from the results of our work that we expect to bring to the House within a very short time. We are going to give information, as well as make some recommendations, and present the problem factually. I do want you to know that the authority is included here, and it is the purpose of the committee to continue that work by such programs as the committee will undertake after we have filed a report on a tough, almost insoluble problem of aircraft noise. We are giving it the study and attention that the House directed us to give last year, and perhaps undertake further consideration of it as authorized by this resolution here today.

I thank the chairman of the Committee on Rules for giving me this time.

The SPEAKER. The question is on the committee amendments, as amended.

The committee amendments, as amended, were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZATION FOR THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 142, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on the District of Columbia, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study of the following:

(1) The organization, management, operation, and administration of any department or agency of the government of the District of Columbia; and

(2) The organization, management, operation, and administration of any independent agency or instrumentality of government operating solely in the District of Columbia.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

With the following committee amendments:

On page 2, line 3, delete the words "including any Commonwealth or possession thereof,".

On page 2, after line 21, add the following paragraph:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on the District of Columbia for expenses of its members or other Members or employees traveling abroad."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 79 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That effective from January 3, 1963, the Committee on Interior and Insular Affairs may make investigations and studies as required in connection with bills, resolutions, and other matters referred to it, and, more specifically or in addition thereto, in connection with the following matters within its jurisdiction:

(1) (a) The status, progress, and administration of irrigation, reclamation, and other water resources development programs of the Department of the Interior and of other agencies insofar as the latter affect the work

of the Department of the Interior with respect to such programs, including (i) policies and procedures relating to such programs, (ii) projects previously authorized, (iii) projects proposed for authorization and construction (including but not limited to the mid-State project in Nebraska, the Garrison diversion project in North Dakota, the Columbus Bend project in Texas, the Savery-Pot Hook project in Colorado and Wyoming, the Bostwick Park project in Colorado, the Fruitland Mesa project in Colorado, the Auburn-Folsom South unit of the Central Valley project in California, the North Loup project in Nebraska, and the Animas-La Plata project in Colorado and New Mexico), and (iv) developments under the Small Reclamation Projects Act and the Rehabilitation and Betterment Act; (b) compacts relating to the apportionment of interstate waters; (c) the application to Federal agencies and activities of State laws covering the control, appropriation, and distribution of water; and (d) the saline water research and development program.

(2)(a) The administration and operation of the mining and mineral leasing laws, including those which govern the development, utilization, and conservation of oil, gas, and associated resources of the public and other Federal lands; (b) mineral resources of the public lands and mining interests generally, including the conditions, problems, and needs of the mining and minerals industries; (c) mineral resources surveys and the exploration, development, production, and conservation of mineral resources; (d) research facilities needed to improve the position of the domestic mining and minerals industries; (e) capability of mining schools to support research facilities and assure domestic industry of a contining source of technical talent; (f) proposed long-range domestic minerals programs, including availability of domestic minerals to fulfill all domestic requirements; and (g) the effects upon domestic mining industries of the world metals situation and the means available to the Government for alleviating the same, including cooperation with established international organizations.

(3)(a) The status, progress, and administration of the national park system and its units and of other recreational developments on public domain lands or reservations created out of the public domain and on areas under the jurisdiction of or affecting the Department of the Interior; and (b) the Bureau of Outdoor Recreation and proposals for implementing the recommendations of the Outdoor Recreation Resources Review Commission, including the establishment of a land conservation fund to assist Federal and State agencies in acquiring land for outdoor recreation use.

(4)(a) The administration and operation of the laws governing the development, utilization, and conservation of the surface and subsurface resources of public lands administered by the Department of the Interior, of forest reserves created out of the public domain and of areas of the Outer Continental Shelf; and (b) the withdrawal or restriction on use of public domain or Outer Continental Shelf lands, including reservations created out of the public domain, by military and nonmilitary agencies of the Government from normal operation of the public land and mining laws, and the Outer Continental Shelf Lands Act.

(5)(a) The administration of Indian affairs by agencies of the Government participating therein, the programs and policies of those agencies, the adequacy of existing Indian legislation, and the effectiveness with which it is being administered and with which moneys available to carry out its purposes are being used; (b) the release of Indian tribes and bands from Federal supervision, preparation therefore, and the effects thereof; (c) the availability to Indians of health, education, and welfare services and the extent to which they are receiving the full benefit of Federal programs in these areas; and (d) the utilization of tribal land and other resources, with particular attention to the means of developing the skill and aptitudes required for such utilization.

(6) The status, progress, and administration of the territories and insular possessions of the United States, Puerto Rico, and the Trust Territory of the Pacific Islands, including particularly the status of Puerto Rico and revision of the Commonwealth Act of 1952; the operation and administration of the Revised Virgin Islands Organic Act of 1954, the Virgin Islands Corporation Act of 1949, and Guam Organic Act of 1950, all as amended; local conditions bearing upon and the provisions to be included in organic acts for American Samoa and the Trust Territory of the Pacific Islands; the extension of various laws of the United States to American Samoa and the Trust Territory of the Pacific Islands; the granting of citizenship to residents of American Samoa; and problems concerning the civilian population of the Ryukyu Islands.

SEC. 2. For the purposes of making such investigations and studies, the committee, or any subcommittee thereof, may sit, hold hearings, and act during the present Congress at such times and places within the United States, its territories and possessions, Puerto Rico, the Trust Territory of the Pacific Islands, and the Pacific flag areas of the United States as the nature of the investigation or study requires, and be represented at any meeting called by an established international organization to consider matters that affect the areas of jurisdiction of the committee; may do so not only during the session but also during periods of recess and adjournment; and may require, by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member.

With the following committee amendment:

On page 6, after line 4, add the following paragraphs:

"Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to Committee on Interior and Insular Affairs of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code; *Provided,* (1) That no member or employee of said committee shall receive or expend local currencies for subsistence an amount in excess of the maximum per diem rates approved for oversea travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

"That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON EDUCATION AND LABOR

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 103 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Education and Labor, effective from January 3, 1963, acting as a whole or by subcommittee, is authorized to conduct a full and complete study and investigation relating to all matters coming within the jurisdiction of the committee.

For the purposes of such investigations and studies the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas shall be issued only over the signature of the chairman of the committee or a member of the committee designated by him; they may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

The committee may report to the House of Representatives from time to time during the present Congress the results of its studies and investigations, with such recommendations for legislation or otherwise as the committee deems desirable. Any report submitted when the House is not in session shall be filed with the Clerk of the House.

With the following committee amendment:

On page 2, after line 14, add the following paragraph:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Education and Labor for expenses of its members or other Members or employees traveling abroad."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 29 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That effective from January 3, 1963, the Committee on Merchant Marine and Fisheries, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries relating to matters coming within the jurisdiction of such committee, including but not limited to the following:

(1) administration and operation of the Maritime Administration and Federal Maritime Commission and all laws, international arrangements, and problems relating to the American merchant marine;

(2) administration and operation of the United States Fish and Wildlife Service and all laws and problems relating to fisheries and wildlife;

(3) administration and operation of the Coast Guard, Coast and Geodetic Survey, and all laws and problems relating to functions thereunder;

(4) administration and operation of the Panama Canal and all laws and problems relating thereto, together with the necessity of providing additional transiting facilities for vessels between the Atlantic and Pacific Oceans;

(5) the natural resources and environment of the oceans.

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For such purposes the said committee, or any subcommittee thereof as authorized to do so by the chairman of the committee, is hereby authorized to sit and act during the present Congress, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

The SPEAKER. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 19, after the word "Congress", insert the words "within the United States,".

Mr. SMITH of Virginia. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. SMITH of Virginia: On page 2, line 19, after "United States" insert "and the Panama Canal Zone".

The amendment to the committee amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. SMITH of Virginia. Mr. Speaker, at this time I yield such time as he may desire to the gentleman from North Carolina [Mr. BONNER].

Mr. BONNER. Mr. Speaker, I wish to call attention to the fact that the Committee on Merchant Marine and Fisheries has jurisdiction over our American merchant marine which is in competition with world ocean transportation. During the last session of Congress the committee reported out and there was passed by the House the dual rate and conference bill. There is today much controversy over this law in the Department of Commerce and another agency of the Government. So it is entirely possible, Mr. Speaker, that this committee may have to make some foreign studies. Also, it is important to keep in mind the increasing importance of oceanography both from the viewpoint of defense and the necessity of expanding our knowledge of the makeup of this planet as an element in the conquest of space. As the committee charged with the responsibility in the field of oceanography it is important that we keep abreast not only of developments in this country but of those abroad so that we may intelligently plan for our future. In conversation with the chairman of the Committee on Rules I have been told that if the committee comes to the Committee on Rules with a substantial case showing that it is necessary for this committee, in connection with the merchant marine, ocean transportation, the Coast Guard, the Coast and Geodetic Survey, and the field of oceanography, to make certain trips, favorable consideration would be given to amending this resolution; that is, if it can be clearly shown that further studies abroad are necessary.

Mr. Speaker, I thank the gentleman from Virginia.

Mr. SMITH of Virginia. Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Speaker, during the consideration of House Resolution 103 I was unavoidably out of the Chamber for a few minutes. I would simply like to ask the good chairman of the Rules Committee as to whether or not in the case of the House Committee on Education and Labor, where the membership is asked by the Secretary of Labor acting through the Speaker to attend meetings of the International Labor Organization, the funds not coming from the committee but coming from the State Department, we would have to come before the committee to get a resolution in order to accept counterpart funds in that kind of situation.

Mr. SMITH of Virginia. I think the resolution speaks for itself, but I am not able to give the gentleman any further answer than what the resolution states. If such a condition should arise in the future and the committee desires to make such a trip, I am sure the Committee on Rules would be happy to consider their application on its merits, as we frequently do give you supplemental rules. However, I would not be able to give the gentleman an authoritative answer to that question at this time.

Mr. ROOSEVELT. I thank the distinguished chairman, I gather from that that it would be wise to get that permission from the Committee on Rules. I am sure the committee will be guided accordingly.

Mr. Speaker, I would like to add that I think it is fine and I think it is a very constructive action which is being taken here, but I am wondering whether only one part of the Congress of the United States is going to take this action, or whether perhaps the other body also will feel that it is bound by the restrictions we are undertaking today.

Mr. BURLESON. If the gentleman will yield, in response to the gentleman's remarks, the action which is now in process applies to the House of Representatives only. Several Members have made reference to this situation in conversation here today. It is a valid question and one which deserves response.

In the first place, these authorizing resolutions are simple House measures. They do not include, and cannot include, the other body. In the second place, not all committees nor its organizations are required to secure authorizing resolutions for their appropriated operating funds. The Committee on Rules itself is an example. The Un-American Activities Committee is another. The Committee on Government Operations is another. The Appropriations Committee is still another. In this category is the Interparliamentary Union, Interparliamentary NATO Conference, and conferences with Canada and Mexico. In addition there are the several joint committees. So you see there are a number of organizations and committees which this does not reach and which cannot be dealt with by this procedure since to do so requires change in the basic law.

Now I can assure the gentleman and all Members that there will be introduced just as soon as I can get it prepared and in the hopper, a joint resolution which will include everything and everybody on this side of the House. It will include the other body in everything, and if passed, go to the President for signature because it amends basic law. In my judgment this is the requirement if we are to meet this situation in its entirety and in equality.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Iowa.

Mr. GROSS. I want to commend the chairman of the Committee on Rules and the members of that committee who voted for these restrictions, and for going as far as they did. I hope they will work. I also want to commend the gentleman from Texas [Mr. BURLESON] for his statement that he is introducing a joint resolution which would bind the other body as well as Members of the House. I would suggest to him that he take the provisions of a bill which I now have before the Committee on Foreign Affairs, which would provide for an accounting of all miscellaneous funds, whether committee funds or any other kind of expenditures under this miscellaneous total. I also suggest that we be sure that presented in his joint resolution be a provision such as that contained in the bill I have before the Committee on Foreign Affairs which requires that they state the amount of time spent in each foreign country. These would plug some of the loopholes in the law as it now exists, a law which I had a part in getting on the statute books, with respect to reporting to close very serious loopholes.

Mr. BURLESON. Mr. Speaker, if the gentleman from Virginia will yield further, may I say to the gentleman from Iowa, I certainly shall be glad to look at his resolution for additional ideas and guidance. I assume the resolution I propose will go to the Committee on Foreign Affairs since it does amend the mutual security law. But I am not certain of that and it is a bridge to cross. In any event, I shall be glad to study the gentleman's resolution and welcome his suggestions and support.

The **SPEAKER**. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment, page 4, after line 9, insert the following:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Veterans' Affairs for expenses of its members or other Members or employees traveling abroad."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON FOREIGN AFFAIRS TO CONDUCT INVESTIGATION OF MATTERS PERTAINING TO DEPARTMENT OF STATE AND DEPARTMENTS AND AGENCIES ENGAGED IN IMPLEMENTATION OF U.S. FOREIGN POLICY

Mr. SMITH of Virginia. Mr. Speaker, I call up the resolution (H. Res. 55) and ask for its present consideration.

The Clerk read the resolution, as follows:

Resolved, That effective from January 3, 1963, the Committee on Foreign Affairs, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of all matters—

(1) relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments and agencies engaged primarily in the implementation of United States foreign policy and the oversea operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy;

(2) relating to the carrying out of programs and operations authorized by the Mutual Security Act and to other laws and measures to promote the foreign policy of the United States;

(3) relating to activities and programs of international organizations in which the United States participates;

(4) relating to the effectiveness of United States programs of assistance and information; and

(5) relating to legislation within the jurisdiction of the Committee on Foreign Affairs pursuant to provisions of rule XI of the Rules of the House of Representatives.

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places, whether the House has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The **SPEAKER**. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 24, after the word "places" insert the words "within or without the United States,".

The committee amendment was agreed to.

The **SPEAKER**. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, after line 9, add the following paragraphs:

"Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to Committee on Interior and Insular Affairs of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided* (1) That no member or employee of said committee shall receive or expend local currencies for subsistence an amount in excess of the maximum per diem rates approved for oversea travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

"That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection."

Mr. SMITH of Virginia. Mr. Speaker, since this amendment is the same amendment to all bills or resolutions having to do with this matter of foreign travel, I ask unanimous consent that the further reading of the amendment be dispensed with.

The **SPEAKER**. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I offer an amendment to the committee amendment to correct a typographical error.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia to the committee amendment:

"On page 3, line 13, delete the words 'Interior and Insular Affairs' and in lieu thereof insert the words 'Foreign Affairs'."

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON VETERANS' AFFAIRS

Mr. SMITH of Virginia. Mr. Speaker, I call up the resolution (H. Res. 73) and ask for its present consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective from January 3, 1963, the Committee on Veterans' Affairs, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of the following programs of benefits for veterans and their dependents and survivors:

(1) The programs of compensation and pension;

(2) The programs of hospitalization, domiciliary care, medical and dental care and treatment, and furnishing of prosthetic appliances;

(3) The insurance and indemnity programs;

(4) The housing and business loan programs, and the program of furnishing assistance for the acquisition of specially adapted housing;

(5) The programs of education and training (including vocational rehabilitation); and

(6) The furnishing of burial allowances; with a view to determining whether or not such programs are being conducted economically, efficiently, in the best interests of the Government and the beneficiaries of such programs, and in such a manner as to avoid the misuse of Government funds; whether or not such programs adequately serve the needs and protect the welfare of the beneficiaries of such programs; and whether changes in the law or in the administration and operation of the programs either will lead to greater efficiency and economy or will make such programs more adequately serve the needs of the beneficiaries of such programs.

The committee is also authorized to conduct a full and complete investigation and study to determine—

(1) the extent to which appeals for charitable contributions are made to the American people, or segments thereof, in the name of American veterans by appealing to the desire of the American people to assist such veterans and their survivors or dependents;

(2) whether an undue proportion of such charitable contributions is used to meet the expenses of conducting such appeals and for other administrative expenses rather than for providing services for or benefits to veterans;

(3) whether any of such appeals are fraudulent in nature;

(4) whether additional supervision of the fund-raising activities conducted by organizations chartered by Act of Congress in the name of veterans is necessary or desirable; and

(5) the existence of any other abuses connected with charitable appeals made in the name of veterans.

The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), as soon as practicable during the present Congress, the results of its investigations and studies, together with such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether or not the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such records, documents, and papers, to administer oaths, and to take such testimony as it deems necessary, except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member.

The **SPEAKER**. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 4, after line 9, insert the following paragraph:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Veterans' Affairs for expenses of its members or other Members or employees traveling abroad."

The committee amendment was agreed to.

Mr. SMITH of Virginia. Mr. Speaker, it is desired to use some time on this resolution. I yield 5 minutes to the gentleman from Texas [Mr. TEAGUE].

Mr. TEAGUE of Texas. Mr. Speaker, I would prefer to be in the position of a committee chairman supporting the action of the gentleman from Virginia. It happens I rise for the opposite reason and rise to express with as much vehemence as I can my opposition to this action of the Rules Committee.

First, every year until this year I was invited to appear before the committee. This year I was not invited. I could not find out at 6 o'clock last night what was in the resolution and did not find out until about 10 o'clock this morning.

By placing this language in the resolution it will have the effect upon the committee of implying that I as chairman of the committee or the committee itself has acted in a way that was less than responsible. I contend that I as chairman and my committee have shown as much responsibility as any committee of the Congress, including the Rules Committee.

I was told that the chairman of the Rules Committee did not know there was any kind of veterans' activity outside the United States. In the 8 years I have been chairman I have had some part of five committees going to Europe. In four of these five cases the requests came from some department of Government, not from our committee.

We spend approximately $100 million a year outside of this country on veterans' affairs. Up until this year our veterans' offices in Europe have been run through the State Department. It has been very unsatisfactory. Last year we passed legislation which authorized the Veterans' Administration to set up their own offices over there.

After World War I our Government purchased a building in Paris for $500,000. That building was turned over to a nongovernmental organization to operate.

For the past 2 years I, as chairman, have received complaints from different parts of the Government concerning the operation of this building. The first thing I did was to ask the General Accounting Office to give me a report on what was happening over there. Their report was not complete. I tried to get other reports. I finally decided it was so controversial, and on the delicate side, that I asked two members of my committee to go over there and hold hearings trying to find out what was happening as far as the building is concerned.

Two members went over there. They did a good job. They submitted a complete report. They were given instructions as to exactly what money they could spend, and they reported when they got back what they had spent.

The situation over there is not at all good, and the State Department has to do something about it. I assume before the year is over we will come back to this floor and do something about it.

I contend I acted in a very responsible way as chairman. I feel that the Rules Committee, by placing this kind of language in our resolution has done our committee a disservice. I thought that at least they would invite the chairman of the committee to see what they were doing before they took concrete action in this case.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] and at this time I yield myself such time as I may consume.

Mr. Speaker, I regret very much that the gentleman from Texas should take offense at the action of the Committee on Rules. So far as the holding of the hearings in his absence is concerned, and the calling of a meeting in his absence is concerned, the Rules Committee is not responsible. I assume full responsibility for that in the performance of my duty, including the meeting of the committee when necessary.

The whole fact of the matter is this: It is customary, and I think the gentleman from Texas has followed this in the past, that when a Member introduces a measure that comes before the Committee on Rules, they always write to the committee and ask for a hearing as soon as possible. We had no request for hearings from the gentleman from Texas. It was a matter that usually goes through as a matter of form every 2 years. We create this power in the committees to do the investigating that the Rules Committee of the House invests them with.

So far as the resolution that the gentleman complains about is concerned, I did not write it. The gentleman from Texas wrote the resolution, and the Committee on Rules reported the resolution in the exact language which he wrote and sent to the committee, with the exception that we adopted an amendment.

What is that amendment? For the life of me, I cannot see why it should be offensive to anyone; and, particularly, I do not see why one particular committee out of all the committees should take exception and say that we pointed the finger at them. We did not point the finger at any of them. We have said there were some abuses going on. Everybody in the United States, I imagine, has read about these junketing trips. I do not know whether anybody made a junketing trip or not, but certainly there has been a lot of noise about it.

Early in the session I consulted the Speaker and told him what we expected to do, and if any Member communicated with me about such a resolution, and there are 18 of them, if they should call me on the phone about it, I would tell them what we proposed to do.

So the amendment that is put into this is the same that is put on every one of these resolutions where the committee is not given the authority to travel abroad.

This committee did not ask for authority to travel abroad. And, I think as long as we are going into the matter, I would like to explain the amendment that accompanies this type of resolution that does not provide authority for travel abroad by the committee. We have a different resolution for those committees who are given authority to travel abroad.

This resolution just says this:

Funds authorized are for expenses incurred in the committee's activities within the United States.

That is where he asked to investigate.

And, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the committee for expenses of its members or other members or employees traveling abroad.

Now, let us see what that amendment is intended to mean. Complaints came to us that the chairman would give a man a letter, whether he had travel authority or not—and I do not undertake to say that it is true or not true. These are reports that came to me from time to time, and I have seen them printed in the press—that the chairman, whose committee had no authority outside the United States, could give to a member a letter, a member of his committee, and with that letter the member could obtain a ticket from here to England on a foreign-registered vessel, using counterpart funds from the country where the vessel was registered, and if he could get to New York, he could go on from there to Europe. When he got to Europe, he would be met by a representative of the State Department and asked how much foreign funds he needed and be handed whatever amount was requested, and from there on he was on counterpart funds.

Now, there was complaint that there might be abuses of that nature. I know that the gentleman from Texas—because I have known him ever since he has been in the Congress—is one of the tightest persons concerning the economy of the Congress that we have, and I am really puzzled that he should complain about this language.

Now, if we had picked out his committee and put that language in the resolution and had not put it in any other committee, I could well understand why he should properly feel offended; but, the language was put in the resolution of every other committee, and every other committee chairman that I talked to about it said it was all right with him and that he was glad we were doing something to stop these frequent reports that everybody in the Congress was traveling abroad with counterpart funds with or without authority.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Texas.

MR. TEAGUE of Texas. I would like to point out one other thing, Mr. Speaker, and that is that the Committee on Rules has authorized the Committee on Government Operations to go to Europe or any place to investigate veterans' affairs. There was no travel by the committee this year, but that was it. You allowed the Committee on Government Operations to go over there, but you denied the Committee on Veterans' Affairs from doing anything. Your resolution means that this year, with the situation over there that I previously described and that I deemed it was best for our Government to have Members go over there and take a look at—I could not, in any way, obtain authorization for their travel. That is what it means. Regardless of the seriousness of any problem that might arise in the $100 million program overseas, I can do nothing about it; that is the effect of it.

Mr. SMITH of Virginia. Well, as I said repeatedly here on similar resolutions that have come up today, if the committee would see the desirability and necessity of making a trip abroad for some specific purpose and come up to the Committee on Rules and ask for that authority, the chairman would receive, I am sure, respectful and proper consideration, as other committees do and have.

The gentleman's committee does not ask for any authority to travel abroad and I do not see why he blames me for not giving it to him. I did not change the language which was submitted by the gentleman from Texas. The Committee on Rules added a restriction that they could not use counterpart funds.

Mr. Speaker, that is about all I can say about it.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, may I say that in my voting to add this language to this resolution I did not in any way attempt to make any affront against the distinguished gentleman from Texas [Mr. TEAGUE]. I had the privilege of serving on the gentleman's committee for 4 years. I think the gentleman has done more for the veterans and for the country than any other individual in Congress.

We came to this decision, as the chairman of the Committee on Rules stated, as to whether we were going to put this language in every one of the resolutions—this short language, or long language—in conferring jurisdiction inside or outside the United States.

Mr. Speaker, I have some concern in my own mind as to whether or not the language that has been placed in here will serve the purpose. I am sorry that we have to place this language in here today on the floor of the House because there are only possibly a few individuals in the House of Representatives who do abuse this privilege. The vast, vast majority of the Members of the House are very fine, honest, able individuals, and in my opinion it is the finest legislative body in the world. I think with the vast amount of money which we spend in the foreign-aid program and in our military programs throughout the world that it is our duty and responsibility to go check on those installations and operations and see if our money is being spent properly and if everything is efficiently operated, as we feel it should be.

I do, however, at the same time feel we should do these things efficiently and that we should not necessarily waste money from counterpart funds. This counterpart money cannot go out of the particular country. It is there. It can only be used for certain designated purposes along these lines. I think we should have this opportunity to check to see if it is being wisely and efficiently spent and that we should use it to do the very, very best possible job.

We may be placing a burden on the State Department here today which may be very difficult to handle when we place language in here about expending local currencies that will have to be checked.

Mr. Speaker, if our language turns out to be wrong, I am satisfied that every member of the Committee on Rules will consider correcting any language that has to be changed.

May I again state to the distinguished chairman of the Committee on Veterans' Affairs, the gentleman from Texas [Mr. TEAGUE], that there was no affront intended on this particular matter.

Mr. Speaker, I now yield 2 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Speaker, I thank the gentleman from California for yielding to me, and I shall not presume very long upon the time of the House.

I favor these resolutions and the amendments which have been offered to them by the Committee on Rules. Unfortunately, the amendments are necessary. But I am concerned that unless a voice or two is raised in the well of the House today we may, by implication, be indicting the entire membership of the House of Representatives for the indiscretions of a very, very few.

I sometimes think that, as Members of this body, we are almost too prone to berate ourselves and to assume that self-denial is the only true symbol of purity. I think we should be more positive in our thinking. If we wish the American people to have the respect for this body that it deserves, then we ought to hold up our chins and talk about what is good about the House of Representatives instead of constantly allowing it to be condemned, sometimes by implication. Members of the House live in a goldfish bowl and their indiscretions receive more publicity than those committed by average citizens. This is as it should be since we are in positions of public trust where ethics must be extremely higher than for average citizens.

But if indiscretions are to be magnified then we should at least mention the positive and the good.

In all our history as a Nation, less than 10,000 men and women have been privileged to serve in the Congress of the United States. Each of us is part of a group of 535 which will make decisions that may control the fate of mankind.

Service in Congress is a great responsibility and I, for one, would like to emphasize that the American people have placed that responsibility in capable hands.

I proudly say that I have never known a harder working, nor more honest group of men and women. I believe the level of honesty and integrity of Members of the House and the Senate is where it should be—far above the usual standard.

Mr. Speaker, I am proud of my membership in this body. Today's record must not stand as an indictment of the entire House.

In my opinion we bear our responsibilities here with pride and we certainly exercise them with honor.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, I ask unanimous consent to insert my remarks in the RECORD following the remarks of the gentleman from California and to include a letter from my colleague from Michigan [Mr. GRIFFIN].

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from California.

Mr. COHELAN. Mr. Speaker, I should like to compliment the gentleman on his remarks and associate myself with him in those remarks.

I should like to ask the gentleman from California a question about the object of restricting the use of foreign currencies in connection with necessary and actual expenses; because it seems to me, looking at the effect of the resolution, that we are going directly contrary to what our stated objective is in relation to our balance-of-payments problems. In other words, for actual and necessary expenses why should we spend dollars instead of currencies which we have generated in various countries? I direct my question to the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, may I suggest that the gentleman ask that question of the chairman of the committee, the distinguished gentleman from Virginia.

Mr. COHELAN. Mr. Speaker, I direct that question to the gentleman from Virginia. I am wondering if the gentleman from Virginia will explain, if he can, why we are restricting, if we are, the use of foreign currencies for necessary and actual expenses when we have a problem of balance of payments? In other words, why for necessary and actual expenses should we be put in a position where we deny ourselves the use of currencies that belong to the Government of the United States and have been generated by the activities of our Government?

Mr. SMITH of Virginia. The gentleman has inserted the word "necessary" and that is the gist of the matter, how necessary travel abroad is, such travel as has been authorized by the House of Representatives. In every one of these resolutions that authorizes travel abroad there is an amendment inserted by the Committee on Rules which directs that they shall use those funds instead of dollars.

Mr. COHELAN. I thank the gentleman. I wanted to get that matter cleared up.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman.

Mr. JOELSON. Mr. Speaker, as a Congressman who just came back from a trip to Europe entirely at his own expense, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, I intend to support the resolution under consideration. I have long ago said that it is time we junk needless junkets.

If you will pardon me a personal note, I hereby claim to be a "rare bird"—a Congressman who recently went on a European vacation with his wife entirely at his own expense.

Mr. PELLY. Mr. Speaker, I thank the gentleman from California [Mr. GUBSER] for yielding, as I wish to commend him for making an important point with respect to criticism of House committees and Members of Congress for abuse of expending public funds for oversea travel.

Mr. Speaker, it is indeed important that the American people should retain confidence and respect for the Congress. In this connection, I agree with the gentleman from California [Mr. GUBSER] that it is especially important that the sins of the few be not visited on the institution as a whole. Certainly the action of the Committee on Rules with respect to curbing congressional oversea travel is not aimed at any general practice and to me and many others, Mr. Speaker, it is most gratifying.

In the past I have supported, and still support, a clear and comprehensive code of congressional ethics that would establish for each Member of Congress the same high standard of individual character and conduct that is demanded of individuals in the judicial and executive branches of public service.

To me, full information on congressional committees' and members' use of public funds being made available at all times and under all circumstances in detail to the press is absolutely essential.

On the other hand, the press has a responsibility to present to the public a fair and true picture of the actions or activities of the Members of Congress.

Sometimes sensationalism and unfair and exaggerated criticism in the Nation's press and periodicals has given the public a general impression that has downgraded the Congress itself as a whole. Meanwhile, overlooked has been the fact that, by and large, with only a few exceptions, the 535 Members of Congress are honest, hard-working, zealously patriotic, and dedicated individuals.

Mr. Speaker, any individual Members who abuse a public trust, should be exposed to their constituents and the public. But great care should be taken so that the exception is not treated as the rule and the high office is not degraded and disgraced so that only the individual men holding the office, if they transgress, are indicted.

Recently an article appeared in the Reader's Digest entitled "A Costly Congress." No magazine is held in more popular esteem nor in my opinion has more influence on public opinion, but since this one article gave an erroneous impression of Congress, by permission of our colleague from Michigan [Mr. GRIFFIN] I include hereinafter his letter replying to a schoolgirl who had asked him for his comments. This reply answered fully and forthrightly misinformation on our legislative body. Here, in the interest of public perspective, is his reply:

DEAR JOAN: This will acknowledge your recent letter requesting that I comment on the article "Our Costly Congress," which appears in the December 1962 issue of the Reader's Digest.

I find that some portions of the article are accurate, but that other portions are grossly distorted and misleading. On the whole, I would say that the article does not measure up to the standards for fairness and objectivity which Americans have come to expect of the Reader's Digest.

Throughout the piece the author carries the theme that all Congressmen and politicians are just about the same; that they are not only irresponsible but they use their public office for selfish, personal gain at the expense of the taxpayer. Needless to say, such contributions to our literature do not help to build respect for our political system or for our institutions of Government.

Before you make a final judgment, I hope you will give consideration to the following points:

1. First of all, it is well to keep in mind that the 435 Representatives in the House and the 100 U.S. Senators are not all alike. They are individuals who come from all walks of life and from every section of the country. Like other groups in our society, Congress is made up of all kinds of people.

There is no doubt that some Congressmen, but only a very few, actually do abuse the privileges of their public office. As individuals they should be severely criticized and judged accordingly. But, unfortunately, there are newswriters who (like the rest of us, perhaps) are too quick to judge a whole group or class of people by the actions of a few. Oftentimes, through implication and innuendo broad generalizations are painted which are not justified.

2. It should not be overlooked that many of our Congressmen (like many of the high officials helping President Kennedy in the executive branch) are rendering distinguished and invaluable service to their country at a great personal sacrifice. When these very able, outstanding Americans leave Government service and return to their executive positions in business or to the practice of their professions, they often earn much more (in some cases many times more) than the salaries they receive as Government officials.

3. Now, let's talk about the salary of an able, honest, hard-working Congressman who is dedicated to the challenging job of serving and effectively representing the 400,000 (more or less) constituents in his district. I think that such a description is appropriate and applicable to the large majority of those who are selected by the American people to represent them in the greatest legislative assembly in the world.

As you know, a Congressman is paid a salary of $22,500. From that amount he can deduct up to $3,000 on his income return for extra expenses involved in living in Washington while Congress is in session. As it is written, the Digest article would lead a reader to believe that each Congressman receives his salary plus another $3,000 for living expenses.

Like most other Congressmen, I am married and have a family. We live in Washington during 7 or 8 months of the year while Congress is in session. During the remainder of the year we live in Traverse City. This means that our family moves twice a year, that our children change schools each year, that we maintain two homes with two sets of furniture and furnishings. The alternative to such an arrangement would be to move to Washington and stay here; this would result in a serious loss in contact with the people I must represent in Congress.

I can tell you that the $3,000 which we are allowed to deduct on our income tax return does not begin to cover the extra living expenses. And, as you can imagine, this is only part of the many extraordinary personal expenses which a Congressman incurs in order to perform the duties of his office. To give you a better idea of the true situation, I would say that a lawyer, doctor, or a businessman in a town like Traverse City or Cadillac who earns $12,000 a year is better off than a Congressman from a financial point of view.

4. The Digest article points out that "a Senator receives $1,200 for renting office space in his home State," etc.

A Senator represents a whole State. Next to the Governor, a U.S. Senator holds the highest office to which the people of his State can elect him. Should he have an office somewhere in the State he represents? If so, should the Government provide it—or should he pay for it out of his $22,500 salary?

To be accurate, the article should have been written to indicate that if appropriate office space in a Government building is not available, and if a Senator rents office space in his home State, then he is reimbursed for the actual rental paid up to $1,200 a year. You can be sure that, in many situations, rent for adequate office space costs considerably more than $100 a month.

5. The article goes on to point out that a Senator gets a yearly $1,800 "stationery allowance." The quotation marks appear around the words in the article and leave room for an implication that, perhaps, the money is not really used for such purposes at all (but is put in the Senator's pocket).

I wonder if you have ever visited the office of a U.S. Senator? Do you have any idea how much mail he receives in a day? In a week? Senators might wish that they didn't receive so much mail; but Americans are urged continually by every media to write and complain to their Senators and Congressmen—and they do.

Each letter is answered. Stationery must be printed; office supplies and equipment of all kinds are needed, such as typewriter ribbons, pencils, erasers, paper clips, staple machines, mimeograph paper and supplies, etc.

Perhaps it will seem hard to believe, but the fact is that $1,800 a year does not begin to cover the actual "stationery expenses" connected with the office of a Senator from one of our more populous States (such as New York, for example). In such a case, of course, he pays the difference out of his own pocket—out of his $22,500 salary.

6. The article calls attention to the fact that a U.S. Senator receives "one round trip from home to Washington at the rate of 20 cents a mile, plus two additional trips at actual cost."

Upon reading the article, one is left with the impression that Representatives in the House are treated just the same as Senators so far as such expenses and allowances are concerned. This is not the case. For example, a Member of the House of Representatives is reimbursed for only one round trip a year from his home to Washington.

Next time you visit the airport, you might check on the plane fare from Washington to Traverse City. A round trip airline ticket costs me over $100. During the course of a session of Congress, I may find it necessary to fly back to the district 12 to 15 times. Oftentimes I am invited, and expected, to appear before groups or organizations meeting in the district. Very seldom does such a group or organization offer to pay my travel expenses (which also include meals, hotel room, taxi fare, etc.).

7. The article goes on to say that "Each House Member has a minimum base payroll allowance of $20,500 a year to cover nine employees" etc.

In my office, we have one administrative assistant and three secretaries who work very hard trying to keep up with the mail and with all of the other chores that come to a Congressman's office. Back in the district, one part-time employee is available to assist me while I am in Washington.

Since there are less than nine employees connected with my office, and since the full salary allowance for employees is not used, a reader of the Digest article might assume that I just pocket the difference. Of course, that is not the case. There is no salary allowance whatsoever that is paid to a Congressman; the authorized employees who work in his office are on the payroll of the House of Representatives.

In determining how much an editor for the Reader's Digest receives for his services, I wonder if it would be reasonable to add in the salaries paid to the secretaries and assistants who work under him in his office?

It may be true that some Congressmen have unnecessary employees in their offices—but, again, this is not true of all Congressmen. In most congressional offices, the full allowance for clerk hire is not used.

Perhaps I have gone into enough detail to indicate why I believe that the Digest article, as a whole, is not fair or objective. On one point, I would like to indicate some agreement with the author. He calls attention to the tremendous cost of the third House Office Building which is now under construction.

Several years ago, there was one opportunity in the House to vote on this project. I registered my vote against it—not because there is no need for additional space—but because it was difficult then, as it seems to be now, to obtain adequate, detailed information concerning the project. I believe the author's criticism on this point is justified.

In closing, let me urge you not to lose faith. Our system of government is still the best that has yet been devised. In our eagerness to weed out the corrupt and incompetent, we should never forget that the overwhelming majority of those in every branch of our Government, at every level, are honest, dedicated, hard-working public servants.

Indeed, I would not hesitate to urge you, at some future time, to consider a career in politics or government. I am sure you would find the work interesting, challenging and rewarding in many ways—even though you might not be adequately paid.

If you have additional questions or if I can be of further service at any time, do not hesitate to let me know.

With kind personal regards and best wishes for the New Year, I am,

Sincerely yours,

ROBERT P. GRIFFIN,
Member of Congress.

The **SPEAKER**. The question is on the resolution as amended.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. SMITH of Virginia. Mr. Speaker, I had a resolution here providing travel authority to the Committee on Agriculture. I have had some conversation with the chairman of that committee this morning and at his request I am deferring calling up that resolution until a future time.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 81 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That rule XI(8)(d) of the Rules of the House of Representatives, relating to the Committee on Government Operations, is amended by inserting "or outside" immediately following the word "within".

The **SPEAKER**. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 1, strike out all after the word *"Resolved"* in line 1 and add the following language:

"That the Committee on Government Operations is authorized to conduct full and complete studies and investigations with respect to matters within its jurisdiction, and for the purpose of carrying out this resolution, the committee, or any subcommittee thereof, is authorized to sit during the present Congress at such times and places either within or without the United States, whether or not the House is in session, has recessed, or has adjourned, and to hold such hearings and take such other actions as are authorized under rule XI(8)(d) of the Rules of the House of Representatives relating to the Committee on Government Operations.

"Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Government Operations of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided,* (1) That no member or employee of said committee shall receive or expend local currencies for subsistence an amount in excess of the maximum per diem rates approved for overseas travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

"That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection."

Mr. SMITH of Virginia (interrupting the reading of the amendment). Mr. Speaker, that is the same amendment we have had read so many times; I ask unanimous consent to dispense with further reading of it.

The **SPEAKER**. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The **SPEAKER**. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. SMITH of Virginia. Mr. Speaker, I should like to say about this resolution that it is a resolution authorizing investigations by the Committee on Government Operations. That committee was created by a rule of the House as a permanent committee. It is a permanent investigating committee, and has been given general powers to investigate the activities of various and sundry agencies and departments of the Government.

However, under the rules of the House its activities are confined to the United States. It does not have travel authority. Last year they went before the Committee on House Administration with a resolution to obtain funds for their investigation, and at their request that committee included a provision authorizing them to travel within or without the United States. This year they introduced a resolution to amend the rules of the House so as to give them that permanent authority.

Our committee, after consideration of the matter, was willing to go along with them as far as this particular Congress is concerned but did not desire to offer an amendment to the general rules of the House. Therefore, this resolution in the form in which it is presented merely goes so far as this present Congress is concerned to authorize that committee to make investigations outside the United States.

Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I take this time to make an inquiry of the chairman of the Committee on Rules. In view of the action that has been taken with respect to other committees of the House, limiting and in some cases prohibiting travel outside the United States, action which I heartily endorse; nonetheless, I am wondering why preferential treatment is being accorded to the Committee on Government Operations in respect to foreign travel.

It appears to me that the way the situation stands, as the gentlemen from Texas mentioned, the Committee on Veterans' Affairs is specifically prohibited from going outside the continental limits of the United States to investigate a legitimate veterans matter that comes under its jurisdiction, while at the same time the Committee on Government Operations is being given carte blanche authority to do the very same thing. The same thing applies with respect to matters coming within the legislative jurisdiction of the Committee on Interstate and Foreign Commerce, such as matters affecting foreign air carriers coming into the United States, and other matters in which the committee has a legitimate legislative interest. Under the resolution which was adopted a few minutes ago, that committee will not have authority to go outside the United States to investigate a matter which legitimately falls within the scope of its jurisdiction, yet the Committee on Government Operations would be given authority to investigate that very same thing, though the proper jurisdiction would still be in the Committee on Interstate and Foreign Commerce.

My question simply resolves itself into this, and I ask the chairman of the Committee on Rules why, in view of the action taken with respect to travel for the other committees, some of which have jurisdiction over matters outside the United States, is this special privilege denied to them, but given to the Committee on Government Operations?

Mr. SMITH of Virginia. This committee is just following precedent in this case. In the first place, the gentleman is in error with respect to the Committee on Veterans' Affairs. They are not refused the right to go out of the United States. They just did not ask to go outside the United States. The committee gave them what they asked for.

As for the Committee on Government Operations, frankly I have heard complaints, and I mentioned those complaints to the chairman of that committee when he was before the committee yesterday. I have heard the complaint that that committee has too many subcommittees, those too many subcommittees have too many staffs, and those too many subcommittees with those too many staffs are trespassing on the functions and jurisdiction of other standing committees of the House. Whether that is true or not I do not know.

So far as this committee is concerned, last year they had the authority to travel abroad which was given to them by the Committee on House Administration, and who was my committee to overrule the Committee on House Administration? They gave them the authority last year. We did not give it to them. So we are just doing what the other committee did last year and following precedent. As to these complaints about stepping on the jurisdiction of other committees, I think that is a matter that does not fall within the jurisdiction of the Committee on Rules.

Mr. WILLIAMS. May I ask the gentleman what business could fall within the jurisdiction of the Government Operations Committee which would require travel overseas, and which would not come under the jurisdiction of one of the committees being given authority to travel abroad, such as the Committee on Foreign Affairs and the Committee on Armed Services and the Committee on Space and Aeronautics?

Mr. SMITH of Virginia. I would not know. You know there are a lot of ramifications to our activities abroad and I am sure the gentleman from Iowa [Mr. Gross] could enlarge on that.

Mr. WILLIAMS. Of course, my colleague realizes I am seeking information.

Mr. SMITH of Virginia. I think I have heard the gentleman from Mississippi complain about some of our activities abroad.

Mr. WILLIAMS. Yes, sir, several times.

Mr. SMITH of Virginia. But they are just as wide as the Atlantic Ocean so I imagine one could find a lot of excuses to go abroad, if one wanted to go.

Mr. WILLIAMS. I was not attempting to argue the matter with the gentleman, but I did not find any explanation of it in the report.

Mr. SMITH of Virginia. Well, there is not any information.

Does the gentleman from California desire to use any time?

Mr. SMITH of California. No.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

The title was amended so as to read: "Resolution to authorize additional travel authority to the Committee on Government Operations."

A motion to reconsider was laid on the table.

ADJOURNMENT OVER TO MONDAY

Mr. SMITH of Virginia. Mr. Speaker, I have been requested by the majority leader to make a unanimous-consent request that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. BATTIN. Mr. Speaker, reserving the right to object, may I inquire as to what the legislative program might be for next week?

Mr. SMITH of Virginia. I am informed that the only legislative program for next week is the Consent Calendar on Monday next; and sometime during the week, perhaps on Monday, when I hear further from the gentleman from North Carolina, chairman of the Committee on Agriculture, we may bring up his resolution providing investigating power for his committee.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman.

Mr. GROSS. Can the gentleman from Virginia say when it is proposed to bring up the bills reported by the Committee on Ways and Means?

Mr. SMITH of Virginia. I do not have any information with respect to that and I have been asked to announce, Mr. Speaker, that any further legislative program will be announced on Monday.

Mr. BATTIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SELECT COMMITTEE TO CONDUCT STUDIES AND INVESTIGATIONS OF THE PROBLEMS OF SMALL BUSINESS

The SPEAKER. Pursuant to the provisions of House Resolution 13, 88th Congress, the Chair appoints as members of the Select Committee To Conduct Studies and Investigations of the Problems of Small Business, the following Members of the House: the gentleman from Tennessee [Mr. Evins], chairman; the gentleman from Texas [Mr. Patman]; the gentleman from New York [Mr. Multer]; the gentleman from Oklahoma [Mr. Steed]; the gentleman from California [Mr. Roosevelt]; the gentleman from Illinois [Mr. Kluczynski]; the gentleman from Michigan [Mr. Dingell]; the gentleman from Ohio [Mr. McCulloch]; the gentleman from West Virginia [Mr. Moore]; the gentleman from Kansas [Mr. Avery]; the gentleman from California [Mr. Smith]; the gentleman from New York [Mr. Robison]; and the gentleman from Indiana [Mr. Harvey].

THE REPUBLICAN CIVIL RIGHTS PROGRAM

The SPEAKER. Under the previous order of the House the gentleman from New York [Mr. Lindsay] is recognized for 60 minutes.

Mr. LINDSAY. Mr. Speaker, we have taken this time in order to present to the Members of the House a comprehensive civil rights bill which if enacted would carry out the mandate of the Republican platform of 1960. The authors of this bill are Republican members of the House Judiciary Committee led by the distinguished ranking Republican on the committee, the gentleman from Ohio [Mr. McCulloch], who has labored diligently and constructively in the efforts which bring this program to the floor today. Once again, the gentleman from Ohio, whose contributions to the enactment of the Civil Rights Acts of 1957 and 1960 were of great significance, is in the forefront in the presentation of civil rights legislation. He deserves the gratitude of all Americans.

I wish to pay tribute to the other Republican members of the Judiciary Committee on the minority side who spent weeks and in some cases months working diligently to put together the best possible civil rights bill that can be offered, and which can be enacted. All of these gentlemen have played an important role in the drafting of this legislation, and their careful work and painstaking analyses have contributed greatly to the bill which has been introduced today.

Earlier, the gentleman from Ohio [Mr. McCulloch], the chief architect of our effort today, made a statement from the well to the House membership concerning the introduction of this bill, which was introduced simultaneously by eight other minority members of the Judiciary Committee. In addition to the nine Republican members of the Judiciary Committee, a large contingent of Republican Members of the House of Representatives have also introduced identical measures.

Mr. Speaker, we mean business in this area. And we wish to bring our views to the attention of the American people. We regard the failure of the Kennedy administration to press for comprehensive civil rights legislation as one of the most serious shortcomings of the last Congress. This administration has broken a long string of promises to the American people to press for civil rights legislation.

We present this bill in the spirit of the Republican Party, the party which has spearheaded every major civil rights measure in the last century.

It is a positive, realistic program, which carries out the mandate of the Republican platform of 1960, and is a moderate program which can be enacted.

I think it will have to be admitted by everybody that there has been too much cynicism in the area of civil rights and too much playing of politics by the Kennedy administration and by Democratic Members of Congress, who control the votes in this body by a 3-to-2 majority and in the other body by a 2-to-1 majority. It has been cynical, because in spite of the series of elaborate pledges that were made in the campaign of 1960, no significant civil rights legislation has yet been suggested by the Executive to the Congress, and the majority side of the aisle has not lifted a finger to give the country a meaningful civil rights bill.

I think the country as a whole was disgusted with the behavior of the Congress last year, in the 2d session of the 87th Congress, when we cynically amended the Constitution in order to abolish the poll tax in Federal elections only, an amendment which if ratified would have a genuine impact on only two States. Not only was this a clear breach of promise to the American people, but far worse—it was a corruption of the legislative process for we succeeded in amending the Constitution unnecessarily in order to do what should have been done by simple statute. We will have this disgraceful approach to one of our most urgent national problems for years to come unless the Democratic leadership and the Kennedy administration will be honest with the American people and support a positive and comprehensive civil rights program and fight vigorously for its enactment.

I think it is well to review briefly the high points of this legislation which so many Republican Members of the House have introduced today.

First. The Civil Rights Commission is made permanent and is given additional authority to investigate vote frauds, including the denial of the right to have one's vote counted. I hope our Democratic friends from urban districts will take note of the fact that this civil rights bill includes the requirement that every citizen of the United States, whether he lives in New York City or Birmingham, Ala., has the right to have his vote, not only cast, but counted, and counted once.

Second. The Bureau of the Census is empowered to compile nationwide registration and voting statistics which shall include a count of persons of voting age in every State by race, color, or national origin who are registered to vote, and a determination of the extent to which such persons have voted since January 1, 1960.

One may well ask why this provision is contained in the bill. In answering, let me refer to the 14th amendment to the Constitution which provides as follows:

> Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

Remember, also, that the 14th amendment is not self-executing.

Section 5 provides that:

> The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

This has never been submitted as a part of the civil rights program before, and we do not suggest at this moment that legislation will be immediately offered to cut down representation in the House from any State or community. We do suggest, however, that it is our duty and obligation to have the facts and that the last paragraph, section 5 of the 14th amendment, which has been on the books for almost 100 years, as you know, instructs us to find out the facts so that we can determine what kind of action should be taken thereafter.

Third. A Commission for Equality of Opportunity in Employment is established which shall have the power to investigate discrimination in employment by any business organization or labor union engaged in carrying out government contracts or subcontracts. Employment agencies financed by Federal funds, are also placed under the Commission's jurisdiction.

Mr. Speaker, this is important, for if one examines the hearings and the reports of the Civil Rights Commission one will find that one of the most subtle and insidious areas of discrimination in employment takes place through employment agencies supported in part by Federal funds.

Let us not forget that General Eisenhower referred, in his farewell address, to the military-industrial complex—that substantial portion of American industry involved in the business of defense contracts and subcontracts.

Mr. Speaker, this measure is designed to insure that there be no discrimination in employment practices by management or by labor in the carrying out of these contracts and subcontracts.

Subpena powers are granted by this provision to produce books, documents and records, and also testimony, and the Commission is given authority to withhold funds from employment agencies and to compel business organizations and labor unions to eliminate discriminatory practices where it discovers a pattern or practice of discrimination.

It is made an unfair labor practice for a labor union to engage in discrimination and the National Labor Relations Board in the area of contracts or subcontracts is given the power to refuse certification to a local or union which is engaged in this type of practice.

However, necessary safeguards protect all parties concerned, including, of course, the right to judicial review and the full opportunity for voluntary compliance with the Commission's findings prior to the issuance of a formal order.

Fourth. The Attorney General is authorized to institute civil action in behalf of a citizen who is denied admission to a nonintegrated public school. This is the famous part III, confined, of course, to the school area, consistent with the Republican platform of 1960. We know perfectly well that this is one of the most significant areas where progress in civil rights could be made in the United States today. It is not healthy in this country to require the local residents of a community to carry the burden and the hazards of commencing litigation in the school areas, with the United States only free to come in as amicus curiae unless of course a court decree should already be in effect. We do not think it is a good idea either to require organizations, such as the NAACP, to have to take the lead here, either. This is a government responsibility.

This power is broad and we dislike to see it exercised except when it is necessary. Therefore, the bill is very carefully written to provide that the Federal courts are empowered to issue an order in a civil action of this kind only after a local complainant has exhausted his State's legal remedies, if such remedies are "plain, speedy, and efficient," and only if the local school district has failed to institute a plan to desegregate its facilities "with all deliberate speed."

Fifth. The Federal Government is authorized to offer technical assistance to States and localities at their request to aid them in desegregating their public schools. That, again, is right out of the Republican platform of 1960 and is a proposal which the Congress has year after year ignored.

Sixth, and last: Citizens otherwise qualified to vote in a Federal election are presumed to have sufficient literacy, comprehension, and intelligence to vote if they have completed six grades of an accredited elementary school.

In other words, the bill creates a presumption in favor of the citizen, a presumption which could be rebutted and taken to the court, if necessary. But here the court comes into play again, that wonderful lubricant in this area, the Federal court structure. But nevertheless the citizen is given the benefit of the doubt if he has had a sixth grade education.

In conclusion I urge and hope that all Members of Congress will join together to give us a civil rights bill. And I would like once again to extend my eternal gratitude to the Republican members of the House Judiciary Committee who are here on the floor today, particularly the ranking minority member, the gentleman from Ohio [Mr. McCulloch]; and to the gentleman from New Jersey [Mr. Cahill]; the gentleman from Minnesota [Mr. MacGregor]; the gentleman from Maryland [Mr. Mathais]; the gentleman from Iowa [Mr. Bromwell]; the gentleman from California [Mr. Martin]; the gentleman from Kansas [Mr. Shriver] and the gentleman from West Virginia [Mr. Moore].

With the backing of the Republican leadership, which we have with the blessing of the Republican National Chairman Bill Miller—and he has given it—we on this side offer this measure today. We ask the majority side of the aisle that dominates this Congress to join with us in enacting meaningful and comprehensive civil rights legislation to protect the rights of all Americans and to fulfill the promise of the American Constitution.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks; and that all Members may extend their remarks in the body of the Record at the conclusion of today's proceedings.

At this point in the Record I wish to include the text of the bill which we are introducing and an analysis of its provisions.

The SPEAKER pro tempore (Mr. Libonati). Is there objection to the request of the gentleman from New York?

There was no objection.

H.R. 3139

A bill to amend the Civil Rights Act of 1957, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Civil Rights Act of 1963".

TITLE I—MAKING CIVIL RIGHTS COMMISSION A PERMANENT AGENCY; STRENGTHENING EQUAL PROTECTION OF THE LAWS

Civil Rights Commission a permanent agency

Sec. 101. (a) Section 104(b) of the Civil Rights Act of 1957 (42 U.S.C. 1975c) is amended to read as follows:

"(b) The Commission shall, not later than January 31 of each year, submit a report to the President and the Congress setting forth its activities and findings during the preceding calendar year and its recommendations with respect thereto. The Commission may submit such other reports to the President and to the Congress at such times as the Commission and the President deem advisable."

(b) Section 104(c) of the Civil Rights Act of 1957 is repealed.

Investigations by Commission

Sec. 102. Section 104(a) of the Civil Rights Act of 1957 is amended by striking out "and" at the end of paragraph (2); by striking out the period at the end of paragraph (3) and inserting in lieu thereof "; and"; and by adding at the end thereof the following:

"(4) investigate allegations in writing, under oath or affirmation, that certain citizens of the United States are being unlawfully accorded or denied the right to vote, or to have that vote counted, in any general, special, or primary election held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Commissioner from any territory or possession of the United States, as a result of any pattern or practice of fraud or discrimination relating to the conduct of such election."

Registration and voting statistics

Sec. 103. The Bureau of the Census shall promptly conduct a nationwide compilation of registration and voting statistics, which shall include a count of persons of voting age in every State by race, color, and national origin, who are registered to vote, and a determination of the extent to which such persons have voted since January 1, 1960. Such information shall also be collected and compiled in connection with the Nineteenth Decennial census, and at such other times as the Congress may prescribe.

Strengthening equal protection of the laws

Sec. 104. Part III of the Civil Rights Act of 1957 (71 Stat. 637) is amended by adding at the end thereof the following new section:

"Sec. 123. (a) The Attorney General is authorized, upon written complaint on oath or affirmation of any person who has been denied admission, or whose child or ward has been denied admission, to any public school on account of race or color, to institute for or in the name of the United States, a civil action or other proceeding for preventive relief, including an application for an injunction or other order against any person or persons who, acting under color of any statute, ordinance, regulation, custom or usage of any State, or subdivision, or instrumentality thereof, has denied to such complainant, or the child or ward of such complainant, admission to any public school on account of race or color.

"(b) The courts of the United States shall not entertain proceedings instituted under this section with respect to a public school in any State unless—

"(1) the complainant has exhausted the remedies available to him under the laws of such State; or

"(2) the laws of such State do not provide the complainant with a plain, speedy, and efficient remedy.

"(c) The courts of the United States, having jurisdiction of proceedings instituted under this section, shall not enjoin, suspend or restrain any person or persons, named as defendants in such proceedings, if the public school to which admission is sought has entered upon a plan to desegregate its facilities with all deliberate speed.

"(d) Nothing in this section shall impair any right secured by the Constitution and laws of the United States, or any remedies already existing for their protection and enforcement.

"(e) 'Public school', as used in this section, means any elementary or secondary institutions operated by a State, subdivision of a State, or governmental agency within a State, or operated principally or substantially from or through the use of governmental funds, or funds derived from a governmental service."

TITLE II—EQUAL EMPLOYMENT OPPORTUNITY

Part A. Establishment of Commission

The Commission on Equality of Opportunity in Employment

Sec. 201. (a) There is hereby created a Commission to be known as the Commission on Equality of Opportunity in Employment, which shall be composed of seven members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than four of such members may be of the same political party. One of the original members shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, one for a term of six years, and one for a term of seven years, but their successors shall be appointed for terms of seven years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Commission. Any member of the Commission may be removed by the President upon notice and hearing for neglect of duty or malfeasance in office, but for no other cause.

(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and four members thereof shall constitute a quorum.

(c) The Commission shall have an official seal which shall be judicially noted.

(d) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the cases it has heard; the decisions it has rendered; the names, salaries, and duties of all individuals in its employ and the moneys it has disbursed; and shall make such further reports on the cause of and means of eliminating discrimination and such recommendations for further legislation as may appear desirable.

(a) Each member of the Commission shall receive compensation at the rate of $20,000 a year.

(f) The office of the Commission shall be in the District of Columbia, but it may meet or exercise any or all of its powers at any other place. The Commission may, by one or more of its members or by such agents as it may designate, conduct any investigation, proceeding, or hearing necessary to its functions in any part of the United States. Any such agent, other than a member of the Commission, designated to conduct a proceeding or a hearing shall be a resident of the judicial circuit, as defined in section 41 of title 28, United States Code, within which the alleged unlawful employment practice occurred.

(g) The Commission shall consider and adopt rules and regulations consistent with this title to govern its proceedings.

(h) The Commission shall consider reports as to progress under this title.

Rules of Procedure of the Commission

Sec. 202. (a) The Chairman or one member of the Commission designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

(c) Witnesses at the hearings may be accompanied by their own counsel.

(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such person to subpena additional witnesses.

(f) The Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than one year.

(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge of the pertinency of testimony and evidence adduced at its hearings.

(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Commission.

(j) A witness attending any session of the Commission shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at point so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereof.

(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the State wherein the witness is found or resides or transacts business.

Powers of the Commission

SEC. 203. (a) The Commission shall have power—

(1) to appoint, in accordance with the Civil Service Act, rules, and regulations, such officers, agents, and employees, as it deems necessary to assist it in the performance of its functions, and to fix their compensation in accordance with the Classification Act of 1949, as amended; attorneys appointed under this section may, at the direction of the Commission, appear for and represent the Commission in any case in court;

(2) to furnish to persons subject to this title such technical assistance as they may request to further their compliance with this title or any order issued thereunder;

(3) to make such technical studies as are appropriate to effectuate the purposes and policies of this title and to make the results of such studies available to interested governmental and nongovernmental agencies.

(b) All departments, agencies, and independent establishments in the Executive branch of the Government shall cooperate with the Commission and shall carry out the orders of the Commission relating to the termination of contracts and subcontracts, the refusal to enter into or permit the entering into of such contracts and subcontracts, and the withholding of Federal funds from employment agencies.

Investigatory Powers

SEC. 204. (a) For the purpose of all investigations, proceedings, or hearings which the Commission deems necessary, the Commission, or any member thereof, shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any investigation, proceeding, or hearing before the Commission, its member, or agent conducting such investigation, proceeding, or hearing.

(b) In case of contumacy or refusal to obey a subpena issued to any person under this title, any district court within the jurisdiction of which the investigation, proceeding, or hearing is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring him to appear before the Commission, its member, or agent, there to produce evidence if so ordered, or there to give testimony relating to the investigation, proceeding, or hearing.

(c) Complaints, orders, and other process and papers of the Commission, its member, agent, or agency, may be served either personally or by registered mail or by leaving a copy thereof at the principal office or place of business of the person required to be served. The verified return by the individual so serving the same setting forth the manner of such service shall be proof of the same, and the return postoffice receipt therefor when registered and mailed as aforesaid shall be proof of service of the same.

Part B. Provisions relating to Government contractors

Provisions To Be Included in Contracts

SEC. 210. (a) There shall be included in every contract entered into by any department, agency, or independent establishment in the executive branch of the Government a provision in such form and containing such terms as the Commission may prescribe (including compliance reports), designed to insure that in the employment practices (including but not limited to upgrading, demotion, transfer, recruitment or advertising therefor, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship) of the contractor, and of each person with whom the contractor enters into a subcontract of such contract, such contractor or subcontractor, as the case may be, will not discriminate against any person because of his race, creed, color, or national origin.

(b) The discriminatory practices covered by subsection (a) shall include, but not be limited to, any practice whereby an employer shall—

(1) discharge, lay off, or fail or refuse to hire, any individual, or otherwise shall discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, or national origin; or

(2) limit, segregate, or classify his employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, creed, color, or national origin.

(c) The Commission may exempt any contract or class of contracts from the operation of this title.

Enforcement of Contract Provisions

SEC. 211. (a) Whenever a charge has been filed by or on behalf of any person claiming to be aggrieved by reason of a discriminatory employment practice covered by section 210(a) of this title the Commission shall investigate such charge and if it shall determine after such preliminary investigation that probable cause exists for crediting such charge, it shall issue and cause to be served upon the contractor or subcontractor involved, as the case may be (hereinafter called the "respondent"), a complaint stating the charges in that respect together with a notice of hearing before the Commission, or a member thereof, or before a designated agent, at a place therein fixed, not less than ten days after the service of such complaint. No complaint shall issue based upon any practice occurring more than six months prior to the filing of the charge with the Commission and the service of a copy thereof upon the respondent.

(b) The respondent shall have the right to file a verified answer to such complaint and to appear at such hearing in person or otherwise, with or without counsel, to present evidence and to examine and cross-examine witnesses.

(c) The Commission or the member or designated agent conducting such hearing shall have the power reasonably and fairly to amend any complaint, and the respondent shall have like power to amend its answer.

(d) All testimony shall be taken under oath.

(e) At the conclusion of a hearing before a member or designated agent of the Commission, such member or agent shall transfer the entire record thereof to the Commission, together with his recommended decision and copies thereof shall be served upon the parties. The Commission shall afford the parties an opportunity to be heard on such record at a time and place to be specified upon reasonable notice. In its discretion, the Commission upon notice may take further testimony.

(f) With the approval of the member or designated agent conducting the hearing, a case may be ended at any time prior to the transfer of the record thereof to the Commission by agreement between the parties for the elimination of the practice complained of on mutually satisfactory terms.

(g) If, upon the preponderance of the evidence, including all the testimony taken, the Commission shall find that the respondent has violated the provision included in the contract pursuant to section 210 of this title, the Commission shall state its findings of fact and shall notify the contractor or subcontractor involved that it intends to issue an order to the contracting agency requiring that such agency terminate the contract or, where a subcontractor is involved, make appropriate arrangements for the termination of the subcontract involved. Unless within thirty days, or such additional period as the Commission may determine, the Commission is furnished satisfactory assurances that the respondent will cease to violate such provision, and has established and will carry out personnel and employment policies as specified in such provision, the Commission shall issue such order.

(h) Where the Commission has issued an order under subsection (g) of this section, the Commission shall take appropriate steps to insure that no department, agency, or independent establishment in the Executive branch of the Government shall thereafter enter into a contract with the respondent, and that no subcontract of such a contract shall be entered into with the respondent, until the Commission has determined that the respondent has established and will carry out personnel and employment policies as specified in the provision included in the contract pursuant to section 210.

(i) Proceedings held pursuant to this section shall be conducted in conformity with the Administrative Procedure Act.

Hearings

SEC. 212. (a) The Commission may hold such hearings as the Commission may deem advisable for compliance, enforcement, or educational purposes under this part. Such hearings shall be public unless all parties thereto agree that they be private.

(b) No order for debarment of any contractor from further Government contracts or subcontracts shall be made without opportunity for a hearing.

Educational Program

SEC. 213. The Commission shall encourage the furtherance of an educational program by employer and labor groups in order to eliminate or reduce the basic causes of discrimination in employment on the ground of race, creed, color, or national origin.

Part C. Discriminatory practices by employment agencies and labor organizations

Employment Agencies and Local Labor Organizations

SEC. 220. (a) It shall be a discriminatory employment practice for an employment agency supported in whole or in part by Federal funds to fail or refuse to properly classify or refer for employment, or otherwise to discriminate against any individual because of his race, color, religion, national origin, or ancestry.

(b) Where any employer has a contract with the United States, or a subcontract of such a contract, it shall be a discriminatory employment practice for any local labor organization which represents employees of such employer for the purposes of collective bargaining—

(1) to exclude or to expel from its membership, or otherwise to discriminate against, any individual because of his race, religion, color, national origin, or ancestry;

(2) to limit, segregate, or classify its membership in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's race, religion, color, national origin, or ancestry; or

(3) to cause or attempt to cause an employer to discriminate against an individual because of such individual's race, religion, color, national origin, or ancestry.

(c) It shall be a discriminatory employment practice for any employer having a contract with the United States, or a subcontract of such a contract, or for any labor organization, or joint labor-management committee of such employer and organization controlling apprenticeship or other training programs to discriminate against any individual because of his race, religion, color, national origin, or ancestry in admission to, or employment in, any program established to provide apprenticeship or other training. With respect to employers, the discriminatory employment practices covered by this subsection shall be included in the practices forbidden pursuant to section 210(a).

(d) It shall be a discriminatory employment practice for any such employment agency or local labor organization to discharge, expel, or otherwise discriminate against any person, because he has opposed any unlawful employment practice or has filed a charge, testified, participated, or assisted in any proceeding under this title.

(e) For the purposes of this title, the term "local labor organization" means, with respect to the employees of any employer, an organization—

(1) which is the certified representative of such employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) which, although not so certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of such employees.

Proceedings Before the Commission

SEC. 221. (a) Whenever a written charge has been filed by or on behalf of any person claiming to be aggrieved that any employment agency or local labor organization is engaged in any discriminatory employment practice described in section 220 of this title, the Commission shall investigate such charge and if it shall determine after such preliminary investigation that probable cause exists for crediting such written charge it shall issue and serve upon such employment agency or local labor organization, as the case may be, a complaint stating the charges in that respect, together with a notice of hearing before the Commission, or a member thereof, or before a designated agent, at a place therein fixed, not less than 10 days after the service of such complaint. No complaint shall issue based upon any discriminatory employment practice occurring more than six months prior to the filing of the charge with the Commission and the service of a copy hereof upon the agency or organization complained against.

(b)(1) If, upon the preponderance of the evidence, including all the testimony taken, the Commission shall find that any employment agency supported in whole or in part with Federal funds has engaged in any discriminatory employment practice prohibited by section 220, the Commission shall state its findings of fact, and shall notify such agency that the Commission intends to order the Federal agency or agencies providing such Federal funds that such funds be withheld from such employment agency. Unless within thirty days or such additional period as the Commission may determine, the Commission is furnished satisfactory assurances that such employment agency will cease to engage in such discriminatory employment practices, the Commission shall issue such order, and thereafter no Federal funds shall be made available for such employment agency until the Commission shall otherwise determine.

(2) If, upon the preponderance of the evidence, including all the testimony taken, the Commission shall find that any local labor organization has engaged in any discriminatory employment practice prohibited by section 220, the Commission shall state its findings of fact and shall notify such local labor organization that the Commission intends to issue an order to such local labor organization under this paragraph. Unless within thirty days or such additional period as the Commission may determine, the Commission is furnished satisfactory assurances that such local labor organization will cease to engage in such discriminatory employment practice, the Commission shall issue and cause to be served on such local labor organization an order requiring such local labor organization to cease and desist from such discriminatory employment practice and to take such affirmative action as will effectuate the policies of this title. Such order may further require the local labor organization to make reports from time to time showing the extent to which it has complied with the order. Such order shall be effective during all periods thereafter in which employees who are members of such local labor organization are employed on any work being done under a contract with the United States, or any subcontract of such a contract.

(3) If the Commission shall find that any employment agency or local labor organization has not engaged in any discriminatory employment practice, or has ceased to engage in such a practice before the issuance of an order under paragraph (1) or (2), the Commission shall state its findings of fact and shall issue and cause to be served on such agency or representative and other parties an order dismissing the complaint.

(c) Proceedings held pursuant to this section shall be conducted in conformity with the Administrative Procedure Act.

Enforcement of Orders Covering Employee Local Labor Organizations

SEC. 222. (a) The Commission shall have power to petition any United States Court of Appeals or, if the court of appeals to which application might be made is in vacation, any district court within any circuit or district, respectively, wherein any discriminatory employment practice by a local labor organization occurred, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court to which petition is made a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings and the order of the Commission. Upon such filing, the court shall conduct further proceedings in conformity with the standards, procedures, and limitations established by section 10 of the Administrative Procedure Act.

(b) Upon such filing the court shall cause notice thereof to be served upon the local labor organization and thereupon shall have jurisdiction of the proceeding and of the question determined therein and shall have power to grant such temporary relief or restraining order as it deems just and proper and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Commission.

(c) No objection that has not been urged before the Commission, its member, or agent shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances.

(d) The findings of the Commission with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive.

(e) If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Commission, its member, or agent, the court may order such additional evidence to be taken before the Commission, its member, or agent and to be made a part of the transcript.

(f) The Commission may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken and filed, and it shall file such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and its recommendations, if any, for the modification or setting aside of its original order.

(g) The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate United States court of appeals, if application was made to the district court or other United States court as hereinabove provided, and by the Supreme Court of the United States as provided in title 28, United States Code, section 1254.

Judicial Review

SEC. 223. (a) Any contractor, subcontractor, employment agency, local labor organization, or other person who is aggrieved by a final order of the Commission under this title may obtain a review of such order in any United States court of appeals of the judicial circuit wherein the discriminatory employment practice in question was alleged to have been engaged in or wherein such person resides or transacts business or the Court of Appeals for the District of Columbia, by filing in such court within the sixty-day period which begins on the date of the issuance of such order a written petition praying that the order of the Commission be modified or set aside. A copy of such petition shall be forthwith served upon the Commission and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding certified by the Commission, including the pleadings and testimony upon which the order complained of was entered and the findings and order of the Commission. Upon such filing, the court shall proceed in the same manner as in the case of an application by the Commission under section 222, and shall have the same exclusive jurisdiction to grant such temporary relief or restraining order as it deems just and proper, and to make and enter a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Commission.

(b) Upon such filing by a person aggrieved the reviewing court shall conduct further proceedings in conformity with the standards, procedures, and limitations established by section 10 of the Administration Procedure Act.

(c) The commencement of proceedings under this section shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

(d) When granting appropriate temporary relief or a restraining order, or making and entering a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part an order of the Commission, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", approved March 23, 1932 (29 U.S.C., title 29, secs. 101–115).

(e) Petitions filed under this title shall be heard expeditiously.

Part D. Nondiscrimination in Government Employment

SEC. 230. (a) The Commission shall continually scrutinize and study employment practices of the Government of the United States, and consider and recommend such affirmative steps as should be taken by executive departments and agencies to realize fully the national policy of nondiscrimination within the executive branch of the Government.

(b) All executive departments and agencies shall continually conduct studies of Government employment practices within their responsibility. The studies shall be in such form as the Commission may prescribe and shall include statistics on current employment patterns, a review of current procedures, and the recommendation of positive measures for the elimination of any discrimination, direct or indirect. Reports and recommendations shall be submitted to the Commission at regular intervals as prescribed by the Commission. The Commission, after considering such reports and recommendations, shall report to the President from time to time and recommend such positive measures as may be necessary to accomplish the objectives of this part.

Enforcement of Orders Directed to Government Agencies

SEC. 231. (a) The President is authorized to take such action as may be necessary to conform employment practices within the Federal Government with the policies of this title and the recommendations of the Commission.

Part E. General provisions

Notices To Be Posted

SEC. 240. (a) Every person having a contract with the United States or a subcontract of such a contract, every local labor organization representing employees of such a contractor or subcontractor, and every employment agency supported in whole or in part by Federal funds, as the case may be, shall post and keep posted in conspicuous places upon its premises where notices to employees, applicants for employment, and members are customarily posted a notice to be prepared or approved by the Commission setting forth excerpts of this title and such other relevant information which the Commission deems appropriate to effectuate the purposes of this title.

(b) A willful violation of this section by a contractor, subcontractor, or labor organization shall be punishable by a fine of not less than $100 or more than $500 for each separate offense.

(c) Where an employment agency willfully violates this section, the Federal agency or agencies providing Federal funds for such agency shall withhold such funds until the employment agency complies with subsection (a) and furnishes satisfactory assurances that it will continue to comply with that subsection.

Veterans' Preference

SEC. 241. Nothing contained in this title shall be construed to repeal or modify any Federal, State, or local law creating special rights or preference for veterans.

Forcibly Resisting the Commission or its Representatives

SEC. 242. The provisions of section III of title 18, United States Code, shall apply to officers, agents, and employees of the Commission in the performance of their official duties.

Cooperative Arrangements

SEC. 243. The Commission is authorized to establish and maintain cooperative relationships with agencies of State and local governments, as well as with nongovernmental bodies, to assist in achieving the purposes of this title.

Separability Clause

SEC. 244. If any provision of this title or the application of such provision to any person or circumstance shall be held invalid, the remainder of this title or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Amendments

SEC. 245. (a) Section 8(b) of the National Labor Relations Act (29 U.S.C. 158(b)), is amended (1) by striking out "and" at the end of paragraph (6) thereof, (2) by striking out the period at the end of paragraph (7) and inserting in lieu thereof "; and", and (3) by adding at the end thereof the following new paragraph:

"(8) to discriminate among the members of such labor organization on the basis of race, color, creed, or national origin in violation of an order of the Commission on Equality of Opportunity in Employment issued under section 221 of the Civil Rights Act of 1963."

(b) Section 9(c)(1) of such Act (29 U.S.C. 159(c)(1)) is amended by adding immediately before the period at the end thereof the following: "; except that the Board shall refuse to certify the results of any election which would result in a labor organization becoming the representative of employees for the purposes of collective bargaining, if such labor organization in any of its activities discriminates among its members on the basis of race, color, creed, or national origin in violation of an order of the Commission on Equality of Opportunity in Employment issued under section 221 of the Civil Rights Act of 1963".

Repeal

SEC. 246. Executive Order 10925 (except section 203 thereof) is repealed. All references in contracts and other documents to such order and to the Committee established thereby, shall hereafter be held and considered to refer to this title and to the Commission, respectively. All records and property of or in the custody of the said Committee are hereby transferred to the Commission, which shall wind up the outstanding affairs of the Committee.

Effective Date

SEC. 247. This title shall become effective sixty days after enactment.

TITLE III—ASSISTANCE TO STATES

Authorization of appropriations

SEC. 301. (a) For the purpose of assisting State and local educational agencies to effectuate desegregation in public schools, there are hereby authorized to be appropriated for each fiscal year such sums as the Congress may determine.

(b) Appropriations under this section shall be available for grants to help finance—

(1) costs incurred by local educational agencies in the provision of supervisory or administrative services, pupil placement, and other special, nonteaching, professional services, the need for which is occasioned by the desegregation of their public schools, and

(2) costs incurred by State agencies in developing and carrying out State policies and programs for desegregation in public schools, including technical assistance to local educational agencies in connection therewith.

Allocation of funds

SEC. 302. (a) The Secretary of Health, Education, and Welfare (hereinafter called the "Secretary") shall for each fiscal year allot to each State from the sums appropriated pursuant to section 301 for such year, an amount which bears the same ratio to such sums (or to such larger sum as may be specified in the Act making the appropriation) as the number of students who attended segregated public schools in such State during the school year 1961–1962 bears to the number of students who attended such schools during such year in all the States. The number of students who attended segregated public schools in each State during the school year 1961–1962 shall be estimated by the Secretary on the basis of the best available data on the average daily attendance of local educational agencies during such school year. For the purposes of this subsection the term "segregated public school" means a public school in which race or color is a factor in the initial assignment of students to such public school.

(b) From a State's allotment under subsection (a) for a fiscal year, the Secretary shall, except as otherwise provided in section 304, pay to such State, upon application therefor, an amount equal to one-half of the expenditures of local educational agencies in carrying out the purposes specified in section 301(b)(1) under applications approved by the State agency (designated as provided in section 303(a)(1)) pursuant to the State plan approved under section 303, and one-half of the expenditures of such State agency in carrying out the purposes specified in section 301(b)(2) under such plan, including its expenditures in administering the State plan. Payments under this section and section 304 shall be made from time to time by the Secretary on the basis of estimates of amounts to be expended in a quarter or other period or periods determined by him, with necessary adjustments on account of any overpayment or underpayment for any prior period or periods.

Approval of State plans

SEC. 303. (a) A State plan shall be approved by the Secretary for purposes of this title if such plan—

(1) designates the State educational agency to administer or supervise the administration of the plan, or designates another single

agency of the State for such purpose and in such case provides methods for effective coordination between such agency and the State educational agency;

(2) sets forth the methods and criteria for approving applications of local educational agencies for funds under this title, and describes the activities to be carried on by the State agency with the aid of funds under this title;

(3) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for the proper and efficient administration of the State plan;

(4) provides that the State agency will make such reports to the Secretary, in such form and containing such information, as are reasonably necessary to enable the Secretary to assure expenditure of grants under this title solely for the purposes for which made and otherwise to perform his functions under this title.

(b) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising administration of the State plan approved under subsection (a), finds that—

(1) the State plan has been so changed that it no longer complies with any of the requirements of subsection (a), or

(2) in the administration of the plan there is a failure to comply substantially with any such requirements,

the Secretary shall notify such State agency that no further payments will be made to the State under this title (or in his discretion, that further payments to the State will will be limited to parts of or programs under the plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, the Secretary shall make no further payments to such State under this title (or shall limit payments to parts of or programs under the State plan not affected by such failure).

Payments to local educational agencies

SEC. 304. If the Secretary determines, with respect to any State for which an allotment has been made under section 302(a) for any fiscal year, that such State will not for such year submit and have approved a State plan under section 303, and either (1) that such State has consented to the making of applications by local educational agencies pursuant to this section, or (2) that such State has indicated that it assumes no responsibility with respect to the desegregation of public schools, the Secretary shall, notwithstanding the provisions of section 302(b), pay to local educational agencies, which apply therefor and in accordance with applications approved by him under this section, one-half of the expenditures of such agencies during such year in carrying out the purposes of section 301(b)(1), but such payments may not exceed, in the aggregate, the State's allotment for such year. The Secretary shall by regulation prescribe criteria and procedures, for approval and withdrawal of approval of applications under this section, which will, in his judgment, best effectuate the purposes of this title.

Definitions

SEC. 305. For purposes of this title—

(1) The term "public school" means any elementary or secondary institution operated by a State, subdivision of a State, or governmental agency within a State, or operated principally or substantially from or through the use of governmental funds, or funds derived from a governmental service.

(2) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(3) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a city, county, township, school district, or political subdivision in a State; and includes any State agency which directly operates and maintains public schools.

Information and statistics

SEC. 306. (a) The Secretary shall collect and disseminate such information on the progress of desegregation in the public schools in the several States as may be useful to educational and other public officials, agencies, and organizations in effecting desegregation in such schools.

(b) The Secretary shall, upon request, provide information and technical assistance to State or local officials, which will aid them in developing plans and programs for effecting desegregation in public schools, and, upon request of such officials, shall initiate or participate in conferences dealing with the educational aspects of problems arising in connection with efforts to comply with applicable court desegregation decisions or decrees.

(c) The Secretary may delegate to any officer or employee of the Department of Health, Education, and Welfare any of his powers and duties under this title, except the promulgation of regulations.

(d) No appropriations may be made pursuant to section 301 for any fiscal year ending after June 30, 1965. Prior to the close of January 1964, the Secretary shall submit to the Congress a full report of the administration of this section, together with his recommendations as to whether it should be extended and as to any modification of its provisions he deems appropriate.

TITLE IV—LITERACY TESTS

Presumption of literacy in Federal elections

SEC. 401. Subsection (c) of section 2004 of the Revised Statutes, as amended (42 U.S.C. 1971(c)), is amended by inserting immediately following the period at the end of the first sentence thereof the following new sentence: "In the case of any such proceeding there is hereby created a presumption that any citizen who has not been adjudged an incompetent and who has completed the sixth grade in a school accredited by any State or the District of Columbia where instruction is carried on predominantly in the English language, possesses sufficient literacy, comprehension, and intelligence to vote in any general, special, or primary election held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Commissioner from any territory or possession of the United States."

ANALYSIS OF COMPREHENSIVE CIVIL RIGHTS BILL SPONSORED BY REPRESENTATIVES MCCULLOCH, MOORE, LINDSAY, CAHILL, SHRIVER, MACGREGOR, MATHIAS, BROMWELL, AND MARTIN OF CALIFORNIA

TITLE I

1. The Civil Rights Commission is made permanent.

2. The Civil Rights Commission is given the additional authority to investigate instances of vote fraud, including the denial of the right to have one's vote counted.

3. The Bureau of the Census is instructed to conduct a nationwide compilation of registration and voting statistics for the purpose of counting persons of voting age in every State by race, color, and national origin, who are registered to vote, and who have actually voted since January 1, 1960.

4. There is granted to the Attorney General authority to institute a civil action in behalf of a person, or the child or ward of a person, who is seeking to enroll in a nonsegregated public school. In entertaining such civil action, however, a Federal court may not enjoin any State official (a party defendant to such action) unless the party complaining to the Attorney General has exhausted his state legal remedies, if such remedies are "plain, speedy and efficient" (the language being taken from an existing tax statute, thus, having judicial meaning); and unless the school (where admission is sought) has not entered upon a plan to desegregate "with all deliberate speed" (the latter phrase, in quotation, being the language of the Supreme Court in the May 1954 decision in *Brown* v. *Board of Education*).

TITLE II

1. Creation of a Commission on Equality of Opportunity in Employment. The Commission is to be composed of seven full-time members, appointed by the President, with no more than four members being of the same political party.

2. The Commission shall replace the Committee on Equal Employment Opportunity which was created by the President by Executive order on March 6, 1961.

3. The Commission is granted the authority to conduct investigations and hearings concerning charges of discrimination in employment by business organizations or labor unions who are engaged in carrying out Government contracts; and discrimination by employment agencies, supported by Federal funds, in placing persons for employment. The power of subpena is granted to the Commission to assist it in its hearings and investigations.

4. The general procedures to be followed by the Commission are as follows:

(a) Receipt of complaint.

(b) Investigation by staff of Commission.

(c) Hearing conducted by a hearing examiner who may dismiss complaint or make findings of discrimination based upon a preponderance of the evidence.

(d) Forwarding of findings to Commission.

(e) Hearing by Commission who may dismiss complaint or make findings of discrimination based upon a preponderance of the evidence.

(f) Issuance of findings by the Commission and grant of at least 30 days to party charged to eliminate discrimination.

(g) Issuance of order by Commission if discrimination is not corrected.

(h) If the complaint is made against a business organization, the order is directed to a Government agency to terminate the contract or to refrain from entering into a new contract.

(i) If the complaint is directed against a labor union, the order is directed to the union itself to cease discriminating, for failure to comply the Commission may seek an enforcement order in a Federal court; in addition, section 8(b) (unfair labor practices) and 9(a) (representational certification) of the National Labor Relations Act is amended to cover the contingencies of union discrimination.

(j) If the complaint is directed against an employment agency, supported by Federal funds, the order is directed to the appropriate Federal agency to cut off funds to such agency.

5. During all stages of the Commission's hearings, a party, charged with discrimination, may be represented by counsel who has the privilege of conducting cross-examination.

6. When the Commission has issued an order, any party so involved may file an appeal for judicial review with the United States Court of Appeals. Upon order of the court, the Commission's order may be enjoined and/or set aside.

7. At such time as a party, against whom an order of the Commission has been directed, satisfies the Commission that discrim-

ination no longer exists, the order of the Commission will be withdrawn and restrictions removed, including those contained in the National Labor Relations Act, as amended.

8. The Commission also is charged with the duty of acting as a watchdog over Federal departments and agencies so as to prevent discriminatory employment practices in such departments and agencies.

TITLE III

Authorizes an appropriation to aid State and local educational agencies to desegregate public schools where such agencies request assistance. The financial assistance, allotted to an agency, shall be used to provide for administrative service, pupil placement, nonteaching professional services and plans to carry out desegregation programs.

TITLE IV

The creation of a presumption that any citizen, otherwise qualified to vote, shall be deemed to have sufficient literacy, comprehension and intelligence to vote in Federal elections if he has completed the six grades in an accredited school where instruction is carried out predominantly in the English language.

The creation of this presumption does not preclude any State from continuing to require that a prospective voter take a literacy examination, but if a citizen, possessing a sixth-grade education, is denied the right to vote on the ground of failing to pass a literacy examination, the burden is placed on the State to prove that he does not possess sufficient literacy to vote.

Mr. MacGREGOR. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield.

Mr. MacGREGOR. Mr. Speaker, I am proud to be a member of the group of Republicans on the House Committee on the Judiciary referred to by the distinguished gentleman from New York [Mr. LINDSAY].

He has spoken and the distinguished gentleman from Massachusetts [Mr. CONTE] has spoken of political cynicism, of broken 1960 campaign pledges, and of discarded party platforms. So that the American people as a whole, in judging the value of the legislation we have introduced today, may determine for themselves the applicability of these terms let me give to all Members the benefit of pertinent portions of the Republican Party platform of 1960:

> This Nation was created to give expression, validity, and purpose to our spiritual heritage—the supreme worth of the individual. In such a nation—a nation dedicated to the proposition that all men are created equal—racial discrimination has no place. It can hardly be reconciled with a Constitution that guarantees equal protection under law to all persons. In a deeper sense, too, it is immoral and unjust. As to those matters within reach of political action and leadership, we pledge ourselves unreservedly to its eradication.
>
> Equality under law promises more than the equal right to vote and transcends mere relief from discrimination by government.
>
> It becomes a reality only when all persons have equal opportunity, without distinction of race, religion, color, or national origin, to acquire the essentials of life—housing, education, and employment. The Republican Party—the party of Abraham Lincoln—from its very beginning has striven to make this promise a reality. It is today, as it was then, unequivocally dedicated to making the greatest amount of progress toward that objective.
>
> We recognize that discrimination is not a problem localized in one area of the country, but rather a problem that must be faced by North and South alike. Nor is discrimination confined to the discrimination against Negroes. Discrimination in many, if not all, areas of the country on the basis of creed or national origin is equally insidious. Further we recognize that in many communities in which a century of custom and tradition must be overcome heartening and commendable progress has been made.

It is not enough in America today, in view of our position of preeminence in the free world, that we rely exclusively on the executive and the judicial branches of our Government to make meaningful progress in the cause of civil rights. We, as the elected Representatives of the American people—we more than the executive or the judicial branches—should act so that not only here in this country but throughout all the world it will be known that Americans want solid and steady progress in the attainment of equality in human rights.

Mr. Speaker, let me once again commend the leadership of our distinguished colleague from New York [Mr. LINDSAY] in providing the guiding genius and original thought behind this modest step which we take today.

Mr. SIBAL. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Connecticut.

Mr. SIBAL. Mr. Speaker, I should like to express my congratulations to the gentleman from New York, the gentleman from Ohio, the ranking member, and the other distinguished members on the minority side of the Committee on the Judiciary in sponsoring this constructive legislation. I am privileged to join them in its introduction. I think it is highly significant that the party which is sponsoring this legislation is really the majority party north of the Mason-Dixon line. We sometimes lose sight of the fact when we refer to the majority and minority Members of this House that it is only when the coalition of northern and southern Democrats gets together that that party is truly a majority. I should like to ask the Democrats who give so much lipservice to the cause of civil rights to coalesce with us in this instance and give us the help to pass it. I think this is the kind of leadership that is needed. I thank the gentleman from New York for providing it. I urge all persons who believe in the dignity of man to get behind this legislation.

I thank the gentleman.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, in expressing my support of the legislation which has been sponsored primarily by the gentleman from New York [Mr. LINDSAY] and by the other minority members of the Committee on the Judiciary, I want to say first of all that I am privileged to have the opportunity to introduce today a bill identical to that which was presented to you by the gentleman from New York. I urge, too, that in Illinois and in other parts of the Nation where Republicans are working and thinking, I think we speak on behalf of the vast majority of them that this is truly the party of opportunity for peoples of all races and creeds.

This legislation, identified as civil rights legislation, provides for the first time, if enacted, equal citizenship, which is something that the Negro and others desire and want and should have. I am sure that, speaking as Republicans, we can assure them and all Americans that in this party lies a great opportunity for them and for all Americans.

The decade of the sixties will certainly see the emergence of the Negro into a phase of American life which he has not enjoyed before. He will emerge into the managerial and professional ranks of American citizens. The intelligent knowing American of whatever color knows that. Recognizing that the great opportunity for all Americans is in the free enterprise system, they should and will, I hope, find their welcome home in the party which champions free enterprise, the Republican Party. Certainly, this is moderate legislation. I had the happy privilege as a member of the Illinois State Senate recently to support similar moderate but desirable and long-awaited equal opportunity legislation in the State of Illinois. It has passed in the State of Illinois and is working. It is providing the belated but much needed greater opportunity which men of all colors and all races are entitled to. Certainly what is working there and what has been demonstrated there can and should be demonstrated in all the States of the Nation. Opportunity for education, for the right to vote, for the right to a job without discrimination is a great American heritage and this legislation can and should be enacted into law at this session.

Mr. LINDSAY. I thank the distinguished gentleman from Illinois.

Mr. Speaker, I yield to the distinguished gentleman from Kansas [Mr. SHRIVER].

Mr. SHRIVER. Mr. Speaker, I have today joined with a number of my Republican colleagues on the Committee on the Judiciary in introducing civil rights legislation which is deserving of early and favorable consideration by the Congress.

The legislation which has been proposed today offers a constructive and moderate approach to an extremely complex and extremely difficult problem. This is a positive and realistic program which implements the mandate of the Republican platform of 1960.

Now we have heard a great deal of words from the present administration, starting with the campaign for the Presidency in 1960, regarding this matter of equality of opportunity, and civil rights problems.

On September 9, 1960, the President who was then the junior Senator from Massachusetts promised:

> I have asked Senator CLARK, of Pennsylvania, and Congressman CELLER, of New York, to prepare a bill embodying all of the pledges of the Democratic platform. And this bill will be among the first orders of business when a new Congress meets in January.

The only significant civil rights bill to be adopted by the 87th Congress was an amendment submitted to the States for ratification to abolish the poll tax which now exists in only 5 of the 50 States.

Mr. Speaker, the 88th Congress has an opportunity to make significant progress in the civil rights field. I am proud that it is again members of the Republican side who have taken the lead in proposing constructive action in the areas of voter rights, school desegregation, and equality of opportunity.

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to extend at the conclusion of my remarks the bill introduced today and immediately following the bill an analysis of same title by title.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WALLHAUSER. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the distinguished gentleman from New Jersey [Mr. Wallhauser].

Mr. WALLHAUSER. Mr. Speaker, first of all I want to congratulate the members of the distinguished Committee on the Judiciary for a very carefully and comprehensively prepared piece of legislation. Certainly, we have long known that there has been a need for this legislation, and now we have it. It is my hope that this House and all the Members of the House of Representatives will have an opportunity to vote on it so that the people of America may determine in their minds just how we stand when we are asked to stand up and be counted. Therefore, it is my hope, Mr. Speaker, that when this legislation is presented to the House that each one of us will search our conscience and our heart to determine whether or not we have just been giving lipservice to this important matter or whether we really and truly believe in it.

There is a gap that must be met. This legislation meets it, and it seems to me that Members on both sides of the aisle should join together in an effort to pass this very important legislation. It is a real pleasure for me to have been able to join with my colleague in introducing a companion bill.

Mr. LINDSAY. I thank the gentleman from New Jersey.

Mr. Speaker, no member on the minority side of the House Judiciary Committee other than the ranking minority member, the gentleman from Ohio [Mr. McCulloch], worked more diligently in the preparation of this 47-page bill than did the distinguished gentleman from Maryland [Mr. Mathias]. It is my pleasure to yield to him at this moment.

Mr. MATHIAS. Mr. Speaker, I would like to associate myself with the remarks made earlier today in the well of the House by our colleague the distinguished ranking minority member of the Committee on the Judiciary, the gentleman from Ohio [Mr. McCulloch]. I am proud to associate myself with his remarks, as I have been proud to associate myself with him in cosponsoring this comprehensive civil rights legislation. He has had a consistent and forthright stand on this subject, and I think that we are all appreciative of the leadership he has shown to the Nation.

During the past century, Mr. Speaker, the term "civil rights" has very often been interpreted as connoting questions of racial tension. The fact is that every American has civil rights; everyone has a right to vote, a right to be represented in this House, a right to education, a right to equal opportunity to work, particularly as this legislation points out, work performed under Government contract, whether that right is questioned by management or by organized labor.

Civil rights are the concern of everyone. I do not know the history of the adoption of the term "civil rights" in popular usage but as I think back through the years of America down to an early date I believe what we now call civil rights were called very simply "liberty."

Liberty was the rallying cry of Americans in 1776 and liberty should be one of the objects for which the Union is preserved today. Whether we call it liberty or civil rights they are the principles for which this country sought its independence, and they are principles upon which we have survived and prospered, and specifically liberty, or civil rights if you will, was the principle which the Republican Party was founded to preserve and to maintain. So I am glad to have the privilege of introducing this bill today as cosponsor.

I think we should all be grateful to the distinguished gentleman from New York [Mr. Lindsay], not only for working so diligently on this matter, but also for a long and consistent prior record of interest in civil rights and human values which helped to make it possible for us to present such a cogent and comprehensive proposal today.

I personally owe a great debt to our colleagues on the Judiciary Committee who counseled together so constructively and to such good purpose. The benefit of their experience and their ideas on this subject, as exchanged in general discussion, is apparent in the bill itself. This bill fulfills every campaign promise made by the Republican Party in 1960. This bill fulfills every pledge made in the Republican platform adopted by the Republican Convention in 1960. This is going to be known as a Republican bill.

I am glad it is going to be known as a Republican bill. I am glad because the principles that are enunciated in this bill are American principles, and I am glad that the Republican Party has seized the initiative in the area of human aspirations that is traditionally identified with the American spirit. I am glad that the Republican Party has seized the initiative on this question of the preservation of liberty and the guarantee of civil rights.

But in doing this as Republicans we are merely discharging the natural duty of all Americans. I call for the help of our colleagues—all of our colleagues in this House—in passing this bill. They will find it to be moderate, practical, and just. The fact that the Republican Party has spearheaded every major civil rights measure in the last century is no reason why we should not have the assistance of our colleagues across the aisle in this work. They will not find, Mr. Speaker, that in any way this bill is a contradiction of the Democratic platform; nor will they find that it contradicts in any way any campaign promises made by any national Democratic candidate running in 1960.

Earlier today I was asked whether or not the progress being made in the area of civil rights by Executive action was not sufficient. My answer, of course, was: "No." This is a government which is dedicated to the rule of law, and I do not believe it is sufficient to have the Executive pick and choose among many instances of injustice, as to those in which he will intervene with the great power of the Executive Office and those other instances in which he will stand aside for reasons of his own. I believe in the equal protection of the law. This is why I hope this bill will succeed.

This is a comprehensive bill in every sense. It comprehends human liberties which need to be championed. It comprehends every area of the Union where those human liberties are challenged. It is directed at vote frauds in Chicago, as well as in Chattanooga. It is directed at educational problems in New York City and in New Orleans. It is directed at the opportunity to work on Government contracts, whether they are threatened by management or by labor.

It is a necessary bill. I think it is patently necessary that the Civil Rights Commission must be made permanent. I think the recent history of this country is sufficient commentary on the question of giving the Civil Rights Commission authority to investigate vote frauds.

The Bureau of the Census is instructed to conduct a nationwide compilation of registration and voting statistics for the purpose of counting persons of voting age in every State by race, color, and natural origin. This is merely a first step toward implementing the pertinent provisions of the 14th Amendment to the Constitution of the United States. The authority to the Attorney General to institute civil action has been long advocated by responsible Americans.

The question of giving legislative status to a commission on equality of opportunity for employment is important. The authorization for an appropriation to aid State and local educational agencies to desegregate public schools where such agencies request assistance is overdue. It is important that we should create a presumption that any citizen, otherwise qualified to vote, shall be deemed to have sufficient literacy, comprehension, and intelligence to vote in Federal elections, if he has completed the sixth grade in an accredited school.

It is the barest kind of protection that we ought to give our citizens.

Mr. Speaker, I urge that this House give speedy, give full, and give favorable consideration to this legislation which is demanded by the spirit of liberty in America.

I thank the gentleman from New York for yielding me this time.

Mr. LINDSAY. I thank the gentleman from Maryland.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Missouri.

Mr. CURTIS. I want to join my colleagues in commending our Republican members on the Committee on the Judiciary for the great work that they have done in preparing a careful bill, a moderate bill, one that is designed to be able to become law. I am happy to have joined in this endeavor and to have participated in its introduction today.

I would like to comment on three areas. One of which is not in the bill but is of great concern to all of us, the field of housing. This coincides with what the gentleman from Maryland was pointing out—the question of whether or not Executive decree is an adequate substitute for legislative action. I submit it is not. That is not government by law; it is government by men, and we are seeing entirely too much of that in this administration, not only in this field but—as an illustration—in the field of taxation, where we thought that it had to take congressional action to liberalize our depreciation schedule, only to find that the Executive, instead of using the legislative machinery, chose to do it by decree.

I want to particularly point this out in the housing field. I think the gentleman from New York himself offered an amendment to extend the civil rights principle to our Federal housing bill, which other Republicans joined, only to be chided by the self-styled liberals on the Democratic side of the aisle that this was designed to defeat the housing legislation. I wonder what they have to say about their President now having done the very thing that we sought to do. And, I might say, had the Congress acted on this, the congressional committees could have gone into this carefully in a way to tackle some of the real problems in housing. We might then achieve the main objective, which is to see to it that where the Federal Government is in the picture, fair housing is considered as a civil right.

My second point concerns employment. The highest incidences of unemployment today are among our young people entering the labor market and among our Negro citizens. Here is some of the greatest talent in this society going to waste.

In my own community of St. Louis the leaders of the Democratic Party also happen to be the labor leaders, and it is in the Jim Crow labor unions that we find our biggest difficulty. I can well understand why there has been no movement forward in the field of employment under this kind of setup.

I wrote a letter after the election—on November 16, 1962. It was written at that time, because I was not concerned with trying to create a political issue. This letter was addressed to the Honorable W. Willard Wirtz, Secretary of Labor, Department of Labor, Washington, D.C.

Mr. Speaker, I ask unanimous consent to include a copy of that letter, its reply and additional matter in my remarks at this point.

The SPEAKER pro tempore (Mr. LIBONATI). Is there objection to the request of the gentleman from Missouri?

There was no objection.

The matter referred to follows:

NOVEMBER 16, 1962.

Hon. W. WILLARD WIRTZ,
Secretary of Labor,
Department of Labor, Washington, D.C.

DEAR MR. SECRETARY: In August of this year, Mr. Herbert Hill, labor secretary of the National Association for the Advancement of Colored People, appeared before a subcommittee of the House Committee on Education and Labor. This testimony, a copy of which is enclosed, regarded racial discrimination in the International Ladies' Garment Workers Union. I would be interested in knowing what actions are taken or contemplated by the Labor Department in connection with the charges which Mr. Hill has made in his statement to this congressional group.

With best wishes.

Sincerely,

THOMAS E. CURTIS.

TESTIMONY OF HERBERT HILL

The evidence established in the course of my investigation of the status of nonwhite workers in the garment industry of New York City makes it very clear that Negro and Puerto Rican workers are the victims of a broad pattern of racial discrimination and segregation and that there is a direct connection between the permanent condition of poverty experienced by these workers and discriminatory racial practices. The factual record discloses that Negro and Puerto Rican members of the International Ladies' Garment Workers' Union are discriminated against both in terms of wages and other conditions of employment and in their status as members of the union.

There are two faces to the ILGWU. There is the public image of a union fighting against sweatshops, bringing stability to the industry, securing educational and recreational services for its members, building housing projects and generously contributing to worthy causes. This image has been carefully nurtured for many years by a very extensive and well financed public relations campaign, but there is another face to the ILGWU, a face and a substance that is the daily reality for the Negro and Puerto Rican members of the union in New York City and elsewhere.

The other face of the ILGWU is of a trade union controlled by a rigid bureaucracy that long ago lost contact with its rank and file members. A bureaucracy that has more in common ethnically and socially with the employers than with the workers it is supposed to represent.

The clearest and sharpest manifestation of this serious internal degeneration is to be found in the treatment of the nonwhite worker within the union.

All the available evidence indicates that in the admission of Negroes into local unions affiliated to the New York Dress Joint Board of the ILGWU there is a clear pattern of racial segregation. Thus there are virtually no Negro and Puerto Rican members in the locals that control access to the well-paid jobs where there is a high degree of employment stability. These are local 10, the cutters local; local 60, the pressers and the pressers branch of local 89. It is further established that as a matter of practice and policy Negroes and Puerto Ricans are barred from membership in these locals and from the high paying stable jobs within their jurisdiction. Thus, for all practical purposes locals 10, 60 and 89 are "lily-white" and Negro and Puerto Rican workers are limited to membership in local 22 and in the unit known as 60A, which is the "Jim Crow" auxiliary of local 60.

The racial practices of the ILGWU are seen most clearly in relationship to the cutters and pressers locals. Local 60, the pressers local, controls jobs within its jurisdiction that on an hourly rated basis are the highest paying jobs in the entire garment industry in New York City. The average wage being almost $5.00 an hour. Local 60 has an all-white membership. On the other hand, there is 60A which is simply an appendage to local 60 and which has a membership which is almost entirely Negro and Puerto Rican. The members of 60A are shipping clerks, push boys and deliverymen. These workers earn in the vicinity of $50 per week. Yet, 60A with twice the membership of local 60 has never been chartered by the International as a separate local and the manager of 60, who is a presser, functions also as the manager of 60A. One must ask, why should a local of shipping clerks and push boys, whose members are paid extremely low wages, be attached as an auxiliary unit to the pressers local whose members make the highest wages in the garment industry? It is interesting to note that on occasion the ILGWU refers to 60A as a separate local although the International has never issued a local union charter to 60A and in the annual reports filed with the Bureau of Labor-Management Reports of the U.S. Department of Labor, a joint report is filed for 60 and 60A as one unit although every other local affiliate of the ILGWU files an individual report.

To anyone acquainted with the realities of the union's operation the reason for the denial of a separate local union charter to 60A is that given the ethnic composition of the membership there would inevitably be a Negro or Puerto Rican local union manager. This is obviously unacceptable to Mr. Dubinsky and his colleagues on the general executive board who have resorted to the unusual practice repeated nowhere else in the entire union, of joining the low paid Negro and Puerto Rican workers in 60A with the high-paid pressers in local No. 60.

Another example of the same discriminatory pattern is to be found in the exclusion of Negroes from local No. 10, the cutters' local. Local 10 controls job opportunities in the well-paid cutters' jurisdiction. Through a variety of devices the leadership of local No. 10 prevents Negroes and Puerto Ricans from securing membership in this desirable craft local. Over a period of years Negroes, who are members of other locals of the ILGWU, have attempted to secure admission into local No. 10 but are almost without exception denied membership upon a variety of pretexts. On July 2, 1962, the New York State Commission for Human Rights, which administers the State's fair employment practices statute found probable cause against local No. 10 in the case of Ernest Holmes, a Negro, who was repeatedly denied membership in local No. 10 although he worked on the cutting tables of a union shop and, furthermore, the State Commission found after a 15-month investigation that there are virtually no nonwhite persons to be found in the membership of this local union. This decision also confirmed the charge made in the Holmes case and in so many other instances that private deals are made by the ILGWU with favored employees at the expense of Negro and Puerto Rican workers.

A device that is used by Moe Falikman, the manager of local No. 10, and his colleagues to prevent the admission of nonwhite persons into that local union is the rigid control of admission into various training programs. Local No. 10 exclusively decides who shall be referred to on-the-job training opportunities created as the result of informal arrangements made by the union and employers operating with ILGWU contracts or into the grading school operated by local No. 10 in its headquarters or in the referral of young persons to the Fashion Institute of Technology High School. It is essential to understand that there is absolutely no objective criteria, no established standards by which a person is accepted or rejected for admission into either of these three forms of training programs. When Moe Falikman was recently questioned as to how persons are chosen for these programs, Mr. Falikman arrogantly stated, "I choose them." It is quite possible that for public relations purposes the ILGWU will produce one or two Negroes or Puerto Ricans who claim to be members of local No. 10 or local No. 60. But the presence of one or two nonwhite persons does not alter the racial pattern and must be regarded as less than even a token of integration.

According to the Division of Labor Research of the New York City Department of Labor:

"The proportion of the city's population accounted for by Puerto Ricans and nonwhites increased from 13 percent in 1950 to 22 percent in 1960. Their 1960 share of the labor force was 21 percent. By 1970, based on projections of the Department of City Planning, Puerto Ricans and nonwhites will account for 30 percent of the population."

The ILGWU leadership simply refuses to adjust to these facts and continues to operate the union in the interests of a small and declining number of white garment workers with high seniority in the industry. In the Harvard University study, "Made in New York: Case Studies in Metropolitan Manufacturing," published in 1959 by the Harvard University Press, it is noted that Negroes and Latin Americans "were largely to be found in the less skilled, lower paid crafts and in shops making the lower price lines, and in this industry their advancement to higher skills was not proceeding very rapidly. In the higher skilled coat-and-suit industry the new ethnic groups have hardly made an appearance.

"In short, Negro and Puerto Rican women, who are on the lower rungs of the city's economic ladder, have become important in the New York garment industry, but they work mainly in the more standardized branches, and with few exceptions, unlike the Jewish and Italian men of earlier days, they do not become highly skilled tailor-system workers on dresses or 'cloaks.' As a result, a shortage of skilled sewing machine operators is developing."

The leadership of the skilled crafts locals of the ILGWU must bear a major share of the responsibility for this development.

The ILGWU operates two local unions in Puerto Rico. These are designated as locals 600 and 601 of which the entire membership are Spanish-speaking Puerto Ricans. However, both of these locals are denied Puerto Rican leadership as they are managed by one Jerry Schoen, a former business agent from local 62, who was sent from New York City by the international union to manage these two Puerto Rican locals. Obviously, the more than 8,500 Puerto Rican members of the union were not consulted as to who would be the principal officers of the locals. Schoen was imposed by Dubinsky upon the Puerto Rican membership even though virtually every other international union from the mainland operating in Puerto Rico has Puerto Rican directors and staff persons conducting the affairs of the union on the island. It is clear that Mr. Dubinsky's practices in this matter have little in common with the practices of modern American trade unionism. These are but a few of the examples that illustrate the attitude of the ILGWU leadership regarding the Negro and Puerto Rican members of the union wherever it operates. Nonwhite workers are denied an effective voice in determining the union's policies and practices. Furthermore, they are denied even the slightest measure of internal union democracy that might result in a Negro or Puerto Rican rising to a position of real leadership within the union. Thus, the voice of more than 130,000 members of the ILGWU, that is, almost a third of its membership, is throttled. This includes the membership in New York City where more than 52 percent of the workers are nonwhite and this is the pattern throughout the union. Of necessity the question is asked: How are these more than 130,000 workers denied an effective voice in the leadership and policymaking functions of the union? The answers are to be found simply by a careful analysis of the constitution and bylaws of the ILGWU.

First of all, it must be noted that members of the union are not permitted to engage in any internal political activity, they are not permitted to have clubs, groups, or caucuses within their union except for a designated period of 3 months before conventions every 2 years. How can workers gain support for choices contrary to those of the administration unless they are permitted to organize to discuss their own interests and to press for the election of candidates to union office responsive to their needs? The answer is that they are specifically forbidden to do so as the ILGWU constitution prohibits all membership caucuses, groups, and clubs. I call the committee's attention to page 52, article 8, section 16 of the ILGWU constitution. This incredible denial of democratic rights of the workers prevents the discussion of matters vital to every union member in an organized fashion and prevents the offering of rank and file candidates for union office. Mr. Dubinsky's spokesmen will answer that this is done to prevent Communists from taking over the union. This response is not worthy of a serious and dignified answer, however, one can only compare it to the argument that we should suspend the U.S. Constitution and the Bill of Rights because it endangers the country in fighting subversion.

Although the rank and file membership of the ILGWU is denied the same right to internal political activity that is accepted as commonplace in the United Automobile Workers Union, the Typographical Workers Union and in other major labor organizations, the Dubinsky administration caucus functions every day using the dues money of all of its members to maintain control and to congratulate itself on its power and achievement. I propose to examine the requirements for important leadership positions in the ILGWU. In order to be eligible to run for president or general secretary-treasurer, a member must be a delegate to the convention, which immediately reduces the number eligible to approximately 1,000 out of 450,000 members. The member must be a member for 10 years and a paid officer for 5 years. This means that no member who is not on the paid staff is eligible for these offices.

In order to run for the general executive board a member must be a delegate to the convention, a member for 5 years and a paid officer for 3. This means that no member who is not a paid officer is eligible for the general executive board of the ILGWU. I cite page 14, article 3, section 6 of the ILGWU constitution which reads as follows:

"No member shall be eligible to hold a general office unless he or she has been a member of the ILGWU in continuous good standing, with respect to the office of vice president, for at least 5 years prior to the convention, during 3 years of which he has held a full-time, paid elective, or appointive office, and with respect to the offices of president and general secretary-treasurer, for at least 10 years prior to the convention, during 5 years of which he has held a full-time, paid elective, or appointive office."

An analysis of the composition of the delegates to the last two ILGWU conventions would show that of the 450,000 members of the ILGWU, based on the eligibility requirements for nomination as a candidate to the general executive board, the number of members eligible to run for the general executive board is reduced to less than 300. Those eligible for the post of president or general secretary-treasurer is less than 200.

In other words, of the membership of the ILGWU, less than one-fifteenth of 1 percent are eligible to run for the general executive board and less than one-twentieth of 1 percent are eligible to run for the presidency or the general secretary-treasureship.

For the more than 130,000 Negro and Puerto Rican members of the ILGWU their particular situation is even worse than the general condition. No more than four or five nonwhite persons would be eligible to run for the general executive board of the union and virtually none at all for the top leadership positions. This explains why there is not a single Negro or Puerto Rican on the 23-member general executive board, not a single Negro or Puerto Rican vice president of the union, and why there are no Negro or Puerto Rican local managers who are usually handpicked by the Dubinsky-controlled administration.

These fantastic restrictions on political activity within the union and the incredible eligibility requirements for top offices are obviously violations of the bill of rights for members of labor organizations contained in the Labor-Management Reporting and Disclosure Act of 1959 (sec. 101–A2 and sec. 401–E). These operational procedures; together with Dubinsky's practice of requiring a signed undated resignation from the officers of the international union and the members of the general executive board absolutely guarantees the perpetuation of what really amounts to one-man rule of the ILGWU. Thus, it is easy to understand why Negroes and Puerto Ricans are discriminated against and relegated to second-class membership when the rigid monolithic structure of the ILGWU is closely examined.

The systematic exclusion of Negro and Puerto Rican members from effective participation in the leadership and policymaking procedures of the union together with the general suppression of democratic membership rights within the ILGWU and the pattern of segregation and discrimination, all directly contribute to the economically disadvantaged position of Negro and Puerto Rican workers in the industry itself. Thus we find that in the locals where there is a major concentration of nonwhite workers, ILGWU contracts provide for but a few cents above the bare minimum required by law. For many locals in New York City where the overwhelming membership is Negro and Puerto Rican, the wage schedules provided in the collective bargaining agreements between such locals as 23, 25, 32, 62, 66, 91, 98, 105, 132, and 142 are a shame and a disgrace to the entire American labor movement. In these union agreements, where jobs are filled largely by Negroes and Puerto Ricans, the so-called minimum wages are in fact the maximum wages. In this category are floor girls, shipping clerks, trimmers and sewing machine operators in the low priced dress field and in the so-called miscellaneous locals.

I cite the basic contract between local 98 and the manufacturers association in effect until August 14, 1963. The contract provides the following minimum wages (p. 7, art. 4(a)):

Floor girls, $1.15 per hour; operators, $1.20 per hour; shipping clerks, $1.20 per hour; cutters, $1.20.

In September of 1961 the Federal minimum wage was increased to $1.15 an hour. The current minimum for floor girls is $1.25 an hour at the end of 7 months and $1.30 an hour for the other classifications at the end of 9 months.

Page 8, article 4(b)(1): The minimum scales for learner-floor girls shall be as follows:

"During the first month of their employment, they shall be paid not less than the then effective Federal minimum wage, and in any event not less than $1 per hour.

"Commencing with the beginning of the second month of their employment, they shall be paid not less than 5 cents in excess of the then effective Federal minimum wage, and in any event not less than $1.05 per hour.

"Commencing with the beginning of the seventh month of their employment, they shall be paid not less than 10 cents in excess of the then effective Federal minimum wage, and in any event not less than $1.10 per hour.

"Commencing with the beginning of the 10th month of their employment, they shall be paid not less than 10 cents in excess of the then effective Federal minimum wage, and in any event not less than $1.15 per hour."

Pages 8–9, article 4(b)(ii): The minimum scales for learners-operators, learner-shipping clerks and learners at the cutting table, shall be as follows:

"Commencing with the beginning of the 2d month of their employment, they shall be paid not less than 5 cents in excess of the then effective Federal minimum wage, and in any event not less than $1.10 per hour.

"Commencing with the beginning of the 7th month of their employment, they shall be paid not less than 10 cents in excess of the then effective Federal minimum wage, and in any event not less than $1.15 per hour.

"Commencing with the beginning of the 10th month of their employment, they shall be paid not less than 15 cents in excess of the then effective Federal minimum wage, and in any event not less than $1.20 per hour."

In those jobs where there are virtually no Negro or Puerto Rican workers the stated minimums have no relationship to the actual wages received. The wages are much higher than the contractual minimums and in this category are the cutters, pressers, and the skilled sewing machine operators in the expensive lines. Thus, Negroes and Puerto Ricans today are the manpower grist for the garment industry's sweatshop mills.

Recently I made an on-the-spot investigation of these conditions and I cite the Fine Art Pillow & Specialties Co. at 37 West 26th Street in Manhattan, as a typical example of conditions in firms under contract to Local 98 of the ILGWU. Here, virtually all of the nonwhite workers, male and female, who are union members are paid a $1.15, $1.20 or $1.25 an hour, that is the minimum or near the minimum wage required by law. This does not include those workers who are designated as learners who may be employed for as long as 10 months under the union contract and receive less than the lawful minimum wage. An appalling fact disclosed to us during this investigation was that there was no perceptible difference in wage levels in local 98 shops and in nonunion shops in the same industry. I interviewed one Puerto Rican worker who, after 13 years continuous employment in the same shop, takes home $48.75 as her weekly wage and who works under the dubious protection of an ILGWU union contract. In shop after shop visited in this city one can observe at first hand the fact that nonwhite workers are invariably the lowest paid in each firm and where the general wage pattern in a particular shop is extremely low the work force is almost exclusively nonwhite.

I wish to stress again that there is a direct and functional connection between the unassailable fact that Negro workers are concentrated in the low-wage sectors of the industry where there is a high vulnerability to unemployment and the fact that Negro and Puerto Rican members of the union are excluded from top policymaking positions although they comprise a very large section of the union membership. Indeed there is not one Negro or Puerto Rican local union manager, despite the fact that the membership of many locals is overwhelmingly Negro and Puerto Rican, including several where the membership is almost 100 percent Negro and Puerto Rican.

A typical example of the callous and bureaucratic manipulation of workers by the ILGWU leadership is to be found in the Haffkine Co. case which has become a classic example of a union sellout. In this case the ILGWU completely organized a group of Negro and Puerto Rican workers employed by a "sweatshop" employer whose workers engaged in a 2-day ILGWU strike for union recognition. However, these striking workers were turned over to a local of another international union, one well-known for signing "sweetheart agreements" and generally with an unsavory reputation. This was done by Herbert Pokodner, the manager of local 98, who in the presence of the employer, in the headquarters of local 98 and in the presence of one Julius Isaacson, president of local 118 of the Toy and Novelty Workers Union, told the workers that it really didn't matter which union they belonged to and arranged for them to be transferred to local 118 even though the ILGWU had just recently signed into the union all the Haffkine Co. employees. This is simply one more example of how Negro and Puerto Rican workers are viewed by the officers of the ILGWU, as commodities in commerce, to be bartered off in trade between sweatshop employers, racket unions, and the ILGWU itself. The Haffkine case is just one shocking example of the practices of those who are in the union business and this, too, is the face of the ILGWU; although a face that is rarely revealed to the public. This, too, explains why an analysis of the data provided by the Bureau of Labor Statistics of the U.S. Department of Labor concludes that only 11 percent of the unionized garment workers in New York City can realize the basic earnings necessary for the modest but adequate standard of living established by the Bureau for the 1960 interim city worker's family budget.

This budget is based upon a "family of four persons, consisting of an employed husband aged 38 with a wife, not employed outside the home, and two children, a girl aged 8 and a boy aged 13 who live in a rented dwelling in a large city or its suburbs." It was designed to estimate the dollar amount required to maintain such a family at a level of living described as "modest but adequate."

The budget does not portray how an average family actually spends its money, rather "it is an estimate of the total cost of a representative list of goods and services considered necessary by 4-person city families of the budget type to maintain a level of adequate living according to standards prevailing in large cities of the United States in recent years." In New York City the total cost of this budget is $5,048.

On the basis of a 52-week work year it would be necessary to earn, respectively, 3.28 per hour for a 35-hour-week or 2.87 per-hour for a 40-hour workweek, in order to earn the yearly amount stated by the city worker's family budget for a "modest but adequate" standard of living in New York City. In the garment industry, women's and misses' dresses' section (that is the ILGWU dress joint board) regular inside and contract shops, as of August 1960 assuming a 35-hour week approximately 47,644 (83 percent) workers earned less than $3.30 an hour. Assuming a 40-hour workweek base there were 40,251 (70 percent) workers earning less than $2.90 an hour.

It may be assumed that the typical 4-person family exists among the 47,644 (83 percent) workers cited in the study of the New York City garment industry. It is, therefore, clear that on the basis of the city worker's family budget these families cannot possibly secure a "modest but adequate" standard of living in New York City.

Only 9,255 (11 percent) of the workers in the New York City garment industry can achieve the necessary income level to reach standards established in the city worker's family budget. In addition, it must be noted that the very modest figure of 11 percent has been reached by assuming that these workers will be employed uninterruptedly for 52 weeks. However, given the seasonal character of the New York City garment industry this is highly unlikely.

The available data clearly indicates that the wages of workers in the New York City ladies' garment industry have declined relative to the total manufacturing average. The average hourly earnings of employees in the dress industry have not kept pace with the average hourly earnings of workers in other manufacturing industries in the New York City area. In addition, the customary upward push of wages upon prices has not been evident, rather a price decline has occurred.

According to the U.S. Bureau of Labor Statistics the garment manufacturing industry provides the single greatest source of manufacturing man-hours of employment in New York City. Thus conditions in this industry will be a decisive factor in determining the general income level for the entire city. At the present time the annual median income for all male workers in New York City is $4,396. The annual median income for nonwhite males in New York City is $3,336. Thus the white male worker earns at least 30 percent more than the nonwhite male worker in this city.

Extensive investigation and direct interviewing of persons in the New York garment manufacturing industry over a long period of time clearly demonstrate that there is an attitude among the employers and among union officials that a little bit of chiseling is okay and most often it is chiseling at the expense of the Negro and Puerto Rican workers who are threatened with loss of jobs if they protest too much.

Although it is very difficult to prove in terms of substantive legal evidence, everyone connected with the industry knows of the shops that do not get organized because they have bought protection from union organizing campaigns or of the contracts that are not enforced because the union business agent is regularly accepting money from the employer.

There is an atmosphere of venality and corruption that permeates the industry. Workers who take home $49 a week tell each other jokes about the greed of union business agents or of the ILGWU manager who places bets of thousands of dollars a day on basketball games among the bookies operating in the Seventh Avenue barber shops, but they feel powerless to protest against conditions as they know all too well what happens to troublemakers. However, the real corruption, the real dry rot, is to be found in the discriminatory racial practices which victimize tens of thousands of Negro and Puerto Rican wage earners and their families.

These workers now look to their Government for relief. These workers, who have already experienced such a profound sense of alienation and rejection from American society, who have been forced into a condition of silence and mute acquiescence, now ask for help from the Congress of the United States.

These are my recommendations:

First. All appropriate Federal agencies and indeed the entire community must inform the Dubinsky controlled leadership that the private bureaucratic power which has controlled the ILGWU for so many years can no longer be immune from justifiable regulatory observation by responsible government agencies.

Second. The violations of the Labor-Management Reporting and Disclosure Act by the ILGWU, specifically title I, section

101, A-2 and title IV, section 401-E, should be immediately referred by this congressional subcommittee to the proper enforcement agencies of the Federal Government and continuing and vigorous action must be forthcoming to protect the democratic rights of ILGWU members.

Third. The protection which a union receives for "exclusive representation" rights under the National Labor Relations Act and the "contract bar" to decertification proceedings and representation elections must be examined in the light of the practices of the ILGWU.

A union that is discriminating against members and denying them basic democratic rights within the organization or is not providing at least minimal standards of performance should be denied "exclusive representation" power under the law as well as the "contract bar" provision when such a "contract bar" provides no meaningful benefits to the workers involved.

I believe that if a union is entering into agreements with employers that provide little more than the minimum wages required by law, that that union should not have the protection of Federal law to be the exclusive bargaining agent and to require payment of dues by workers on penalty of loss of their jobs, nor should Federal laws protect such a union against a decertification petition by the workers involved or from an organizing campaign by another union.

I urge this subcommittee to review with care the affected sections of the National Labor Relations Act with the view toward requiring standards of performance by unions as a necessary requirement for maintenance of exclusive bargaining rights.

Fourth, I urge this congressional subcommittee to recommend that the National Labor Relations Board be empowered to refuse and/or to revoke certification of trade unions as exclusive bargaining agent if these unions engage in discriminatory racial practices; and

Fifth, I urge the passage of a Federal fair employment practices act which will include trade unions as well as employers within the coverage of the law.

The rapid implementation of these and related proposals is not only necessary to safeguard the rights and protect the welfare of working people throughout the United States, but in the final analysis is in the best interest of the organized labor movement itself. The struggle against racial discrimination and for internal union democracy must be understood as an effort to stop the further stagnation and decay of trade unions, and for regeneration of the whole American labor movement.

Mr. CURTIS. Mr. Speaker, I received a reply from Secretary of Labor Wirtz on December 14, 1962, and I am going to place that in the RECORD and ask everyone to ask himself if this letter of Secretary Wirtz is in response to the questions that I raised or the questions that are raised in the testimony of Mr. Herbert Hill. To me, it is very clear that it is not. It is a mere lipservice. It is the typical, if I may say so, kind of lipservice given by the present Executive and his administration in the White House to these serious matters in an attempt to turn them into votes.

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C., December 14, 1962.

Hon. THOMAS B. CURTIS,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. CURTIS: Thank you for your letter of November 16, enclosing the testimony of Mr. Herbert Hill, labor secretary of the National Association for the Advancement of Colored People, before the Subcommittee of the House Committee on Education and Labor, August 17, 1962.

As you know, the Department of Labor and the administration, strongly endorse the principle of equal opportunity, and make use of all available means to demonstrate our unqualified commitment to full rights for all citizens of every race and color.

The subcommittee and its fine staff have given unstintingly of their time and energy to hearings and discussions on this subject, and the efforts of the chairman are deserving of appreciation in emphasizing equal employment opportunity.

My predecessor, now Associate Justice Arthur J. Goldberg, in a statement before the Labor Subcommittee of the House Committee on Education and Labor in January 1962 had this to say: "We firmly believe that the continued advancement of the banners of freedom and democracy require the use of all available skills and potentials without regard to any arbitrary and irrelevant disqualifications. We favor, not only equal opportunities for employment, but equality of opportunity in unions as well."

Since I have taken office, I have had the assistance and cooperation of our Bureaus in the continuing effort to improve the employment situation of Puerto Ricans, Mexicans, Negroes and other minorities.

I do not believe it proper or equitable that Americans should be denied any available employment because of race, color or sex, and I shall take such legal and proper steps, as may be necessary, toward achieving the realization of this goal.

Yours sincerely,
W. WILLARD WIRTZ,
Secretary of Labor.

I was happy that Mr. Hill came to St. Louis to look into the question of apprenticeship training—where Negro youngsters do not have the opportunity to acquire training in many necessary skills in order to obtain a good job because of the operation of the various unions and the union leaders. This is an area that Secretary of Labor Wirtz and this administration obviously want to sweep under the rug apparently because they are so beholden to the national labor leaders who find that this is too hot a potato to handle. It is a difficult matter, but there are many labor leaders who are facing up to this problem and I want to commend them.

Mr. Speaker, the third matter about which I want to speak is the right of franchise. I am so pleased that in the bill that is being presented is the counterpart to the right to vote. The right to vote is meaningless unless that vote is counted honestly. For many years I have listened to those who claim they are interested in the right of franchise concentrate solely on the right to vote. But when it comes to the second part of the right of franchise, to have the vote counted honestly, they seem to lose interest. I think the CONGRESSIONAL RECORD should disclose and it is important to point out at this time that in the last Congress the Judiciary Committee did adopt an amendment, offered by the gentleman from Florida [Mr. CRAMER], a Republican, to extend the jurisdiction of the Civil Rights Commission to include vote fraud so that we were not only considering the right to vote but to have the vote counted honestly. As soon as that amendment was adopted by the Judiciary Committee and made a part of the bill that the Judiciary Committee reported out, it was the end of that legislation as far as the House was concerned. The chairman of the committee, the gentleman from New York, EMANUEL CELLER, apparently did not care to even try to get a rule from the Rules Committee to bring this measure to the floor of the House.

Everyone in the Congress at the time knows what happened.

The leaders of the House went over to the Senate side and evidently made a deal with Senator EASTLAND, of Mississippi, so that the extension of the Civil Rights Commission was tacked onto an appropriation bill. What a back-door, shady, if I may say so, method of continuing the life of the Civil Rights Commission; because, by tacking it onto an appropriation bill. What a back door, not have to have the Cramer amendment to include jurisdiction over vote frauds.

When the matter came back to the House of Representatives, it was in the form of a conference report on the appropriation bill. Some of us at that time urged the House to vote down the conference report so that we could bring about the Civil Rights Commission extension on its own merits and debate this very important feature of extending its jurisdiction to vote frauds. But by the operation of the true coalition of the northern and southern Democrats, this was not done. And, as I say, the Civil Rights Commission was extended as a rider on an appropriation bill.

Mr. Speaker, I am very pleased to join my colleagues in introducing this legislation and commend them for the hard work they have done in this area.

I would like to close on the note struck by the gentleman from Maryland. Civil rights are basic liberties. That is the way our forefathers knew it, and I think it is very important to bear in mind that when we talk of civil rights—though it might involve the Negro today—it essentially is liberty for all of us.

Mr. LINDSAY. Mr. Speaker, I thank the gentleman from Missouri [Mr. CURTIS] for his very excellent statement. Mr. Speaker, our colleague from Michigan [Mr. FORD] wanted to be here but is in a hearing with the Secretary of Defense and could not be present. So at this time I ask unanimous consent that he may extend his remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I yield to the distinguished gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Speaker, I thank the gentleman from New York for yielding. I rise to pay tribute to him and to commend him and his Republican colleagues on the Judiciary Committee for their excellent presentation here on the floor today and for their careful preparation of this important legislation.

I am pleased that the legislation deals forthrightly and courageously with the problem of discrimination in employment. The bill faces up to the fact that such discrimination is practiced not only by some employers but also by some labor unions. I should like to advise the gentleman from New York [Mr. Lindsay] that I have introduced an identical, companion bill to the bill he is sponsoring, and that I strongly support the effort which he and his colleagues are leading to obtain enactment of this legislation.

GENERAL LEAVE TO EXTEND

Mr. LINDSAY. I thank the gentleman from Michigan.

Mr. Speaker, I have only a few minutes left of the 1 hour special order that I had today. The gentleman from Maryland [Mr. Mathias] also has an hour so we have plenty of time. So that the next speaker will not be interrupted, I yield back the balance of my time and ask unanimous consent that all Members have 5 legislative days in which to extend their remarks in the Record on this subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, I want to take this opportunity to congratulate the gentleman from New York for his continued efforts and his valiant fight in this House for meaningful civil rights legislation. I am greatly honored, Mr. Speaker, to join my distinguished Republican colleagues on the House Committee on the Judiciary in introducing this important civil rights legislation today.

I had the privilege and the honor to serve on the Republican platform committee in 1960 and chaired the subcommittee which wrote the final plank on civil rights legislation. It affords me a great deal of satisfaction to join the gentleman from New York in launching this drive for constructive civil rights legislation.

We know, all too sadly, the results and serious shortcomings of the last session of Congress to meet critical needs in the areas covered by this bill. This failure, Mr. Speaker, represents a long line of unkept promises by the administration and the Congress.

As I join my colleagues, I am keenly aware of the concern of the Republican Party to offer measures that are solid alternatives to both inaction and to proposals of the administration. We know that we have a forward-looking program which is realistic and reasonable. And this vital civil rights measure is only the beginning of a long line of Republican-sponsored measures which will be introduced in this Congress, not for political haymaking but for a genuine concern for the future of this Nation in many fields.

It is little appreciated throughout the country that the Republican Party has spearheaded every major effort in the field of civil rights over the past century. Our platform has consistently backed such legislation as this, and we intend to do everything conceivably possible to carry out that platform.

Again, Mr. Speaker, let me say that I am proud to be a part of this drive for human equality and American progress.

Mr. LINDSAY. I thank the gentleman from Massachusetts.

I might add, also, that by making the Civil Rights Commission permanent, we are not using this tired device that has always been suggested by the majority side of the aisle of extending its life merely for another year. We would like to see it permanent, because it has a permanent function, and that function is to gather the facts about the denial of civil rights in the United States and to ascertain what must be done about it. To do that we have to be able to attract competent men and women to serve on the commission, and this will be impossible if we give it nothing more than yearly status.

Mr. FORD. Mr. Speaker, because of my responsibilities as ranking Republican on the Department of Defense Subcommittee on Appropriations, which involves the $53 billion budget and the programs and policies for the Army, Navy, and Air Force, it was impossible for me to participate in this floor discussion on the House Republican proposals for better civil rights legislation. If it were not for this demanding responsibility involving our national security I would have actively participated in this debate.

I want it clearly known, however, that I do favor the action taken by Republican members of the House Committee on the Judiciary. I fully endorse their constructive efforts to offer sound proposals in this important area.

CIVIL RIGHTS LEGISLATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maryland [Mr. Mathias] is recognized for 60 minutes.

Mr. MATHIAS. Mr. Speaker, I yield to the gentleman from New York [Mr. Goodell].

Mr. GOODELL. Mr. Speaker, I would like to associate myself with the gentleman from Maryland [Mr. Mathias] and the gentleman from New York [Mr. Lindsay] and say that I intend to introduce a companion bill along the same lines of this measure which they have worked out so carefully. I want to commend them for the moderate proposal which they have made which I think is entirely realistic. It can be enacted in this Congress. It is not a demagogic bill. It faces very realistically some of the problems which can be solved by a first, a second, and a third step. We must move step by step in this field, as I am sure we are all aware.

Mr. Speaker, I commend the minority members of the Committee on the Judiciary for the initiative they have taken on this point and pledge to them my support in trying to spur this effort to the stage where we will get some realistic and effective help for our minorities through a bill along the lines of that which they have introduced.

Mr. MATHIAS. I thank the gentleman for his support and his remarks.

Mr. HALPERN. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from New York.

Mr. HALPERN. Mr. Speaker, I am not a member of the Judiciary Committee, but I rise to commend the minority members of the committee who have joined in sponsoring this civil rights legislation today.

As one who has made civil rights legislation a prime concern since I came to the House of Representatives I am pleased to associate myself with my distinguished colleagues in support of this bill and join with them in its introduction. Submission of this bill is a positive and forceful collective move for meaningful action in the field of civil rights.

Earlier in this session, as in the 86th and 87th Congresses, I sponsored and called for action on a number of specific civil rights bills. One would amend part III of the Civil Rights Act of 1957 to give the Attorney General the authority to institute suits where one's rights have been violated. Others would outlaw racial discrimination in employment, provide protection from lynching and mob violence, protect the right to vote, make the Civil Rights Commission a permanent body, aid States to desegregate their schools, protect the rights guaranteed by the 14th amendment, and establish a Commission on Equal Job Opportunity Under Government Contracts.

Some of these proposals, I am pleased to note, are included in the omnibus bill introduced today.

Mr. Speaker, to say I am disappointed with the administration's course in civil rights legislation is putting it mildly.

The 1960 platform of the Democratic Party made sweeping promises in this field.

During his campaign for the Presidency, Candidate Kennedy vowed real action in the field of civil rights. Let me quote him verbatim from a statement he made at Shrine Auditorium in Los Angeles on September 9, 1960:

> Such (referring to civil rights) legislation is already being prepared. I have asked Senator Clark, of Pennsylvania, and Congressman Celler, of New York, to prepare a bill embodying all the pledges of the Democratic platform.
>
> And this bill will be among the first orders of business when a new Congress meets in January.

Now, let us see what happened. When Congressman Celler and Senator Clark introduced legislation to implement the planks of the Democratic platform, the administration hurriedly disavowed direct association with it.

Mr. Speaker, may we not ask what has happened to these solemn pledges and promises?

I am thoroughly disappointed with the administration's leadership for effective civil rights legislation. I am appalled by its failure to present a full legislative program in this field. There have been a few proposals, but these have either been far short of the need or lacking in the full weight of administration support. I was disappointed when the administration's own literacy test bill, after so much hope was held out for it, was allowed to die in the other body because of the lack of forceful leadership. I had hoped for a broad, strong poll tax bill. When a limited proposal came up—the constitutional amendment to ban such a tax in Federal elections—of course I supported it. It was a step forward, but I feel we must recognize that it falls far short of providing the most effective possible action to completely wipe out this feudal election practice.

Again I ask, Mr. Speaker, Where is the administration leadership in this vital field of civil rights?

I am disgusted, Mr. Speaker, to see how the President's campaign pledges have gone down the drain.

I am sick and tired of seeing the American people hoodwinked by the administration on civil rights legislation.

It is not enough, Mr. Speaker, for the administration to place citizens of minority groups in a few appointive positions.

It is not enough to issue dramatic statements.

The administration policy is one of using public relations devices—of exploitation—to seek to convince the public that it takes a strong stand on civil rights.

But strong action, strong leadership on civil rights legislation has been strangely missing—sacrificed, I feel, for the sake of political expediency.

The pattern was set in the early days of the administration when a notorious friend of the Ku Klux Klan was appointed to a key position in one of the international banking agencies—to deal with, among others, the emerging African nations.

And, oh yes, let us not forget the famous assurance during the presidential campaign that all that was needed was a "stroke of the pen" to eliminate discrimination in federally supported housing.

That stroke of the pen was certainly a long time coming and when it recently came it was difficult to decide which was more indistinguishable, the President's signature or the order he signed.

Mr. Speaker, there can be no question of the administration's weakness in the field of civil rights. There has been no drive, no real leadership.

As a result, the image of America held by people abroad has suffered. We want the world to think of our country as a nation of freedom and justice, where human dignity is paramount. We fall far short of presenting such a picture when the rights of so many Americans are still violated.

But it is one thing for us to criticize and another thing to come up with a positive program. That is why I am delighted today with this action on the part of these minority members of the Judiciary Committee.

The bill introduced today is reasonable, workable, and meaningful. It will not bring utopia overnight, but it meets many of the basic needs for effective action. I commend it to the full committee along with the other individual bills in other areas in this field that I and other of our colleagues have introduced.

The section on title III puts the guts into the Civil Rights Act that is sorely needed. The other provisions hit at the heart of the basic issue of equal rights and equal opportunities as guaranteed by the 14th amendment.

This is legislation we can and should support. It represents a challenge to the House. It represents a challenge to the administration.

I trust that statesmanship will prevail.

Mr. MATHIAS. I thank the distinguished gentleman for his remarks and for his support in the efforts of all of us who are cosponsoring this bill today, and I would point to the gentleman's own distinguished record in support of civil rights throughout the years.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Speaker, it is a pleasure for me to associate myself again with the honorable Member from New York [Mr. LINDSAY]. I say "again" because 15 years ago he and I were classmates in law school. Since that time, it has given me much pleasure to watch his record here in the Congress. While my friend, the honorable gentleman from New York, was establishing his record here in the Congress, it was my privilege to work for the cause of civil rights and civil liberties on the floor of the New Hampshire State Senate where I always supported important civil rights legislation, and also in the courts of the State of New Hampshire where civil rights are occasionally tested. It is a pleasure for me, Mr. Speaker, to announce that I am introducing a bill similar to the one sponsored by the Republican members of the House Committee on the Judiciary and it is a particular pleasure for me to find here in the House of Representatives a maintenance of Republican interest in progressive and comprehensive civil rights legislation.

Mr. MATHIAS. I thank the distinguished gentleman from New Hampshire and appreciate his support.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from New York.

Mr. LINDSAY. Mr. Speaker, I should like to express my gratitude to our new colleague, the gentleman from New Hampshire [Mr. CLEVELAND] for the words he has just spoken and to state what great personal pleasure it gives me to have our colleague from New Hampshire [Mr. CLEVELAND] in this legislative body on the Republican side of the aisle. We are old friends, having been classmates in law school. It does not have to be said, Mr. Speaker, that it is men like the gentleman from New Hampshire [Mr. CLEVELAND] who add strength and luster to the Republican party.

Mr. MATHIAS. I agree with the gentleman from New York and I would say that the people of New Hampshire have exercised their usual good judgment in sending the gentleman from New Hampshire [Mr. CLEVELAND] to Washington.

Mr. BROMWELL. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman.

Mr. BROMWELL. Mr. Speaker, as one of the cosponsors of this legislation, I, too, should like to express my gratitude to the gentleman from Ohio [Mr. McCULLOCH] and to the gentleman from New York [Mr. LINDSAY] for the leadership which they have displayed on the minority side of the Judiciary Committee, and it now appears to the entire minority side of the House of Representatives in connection with these important matters.

Listening to the gentleman from New York [Mr. LINDSAY] a few moments ago, I could not help recalling the debate last year on the civil rights amendment and recalling the remarks of the gentleman from New York on that occasion which, if I may say so, were among the most forthright statements ever made from this well during the 87th Congress. The remarks which he made at that time have been borne out in truth by the events which have followed, and I think it would be appropriate for us to cast our minds back over that unfortunate experience as we support this legislation.

I believe I am right, am I not, in believing that not one person voted in the 1962 election because the Constitution was amended in that resolution last year.

I believe I am also right in believing that it may be many years before anybody votes as the result of cavalierly amending the Constitution of the United States in 40 minutes in this House in an effort to make a civil rights record.

I believe it is also true that no one may ever vote as a result of that amendment to the Constitution of the United States anywhere in the United States any time.

And I think these facts have a great deal of meaning here today when we realize that this amendment which was adopted here in this House and which now awaits the ratification of 38 States in the Union is the sole civil rights effort in the 87th Congress of the United States and represents the sole civil rights effort in the legislative effort, the sole civil rights effort in the past 2 years.

That adds a great deal of luster to this proposition which we now place before the Congress, and I hope adds a great deal of weight to the meaning of the word cynicism as used by the gentleman from New York.

There is a portion of this bill which has just been introduced today which has been drafted in such a delicate way that it may have been missed during the course of this afternoon's remarks. I am talking about that portion which sets up a commission for equality of opportunity in employment. I should like, if I may, to ask the gentleman from New York a question or two concerning that. I should first, however, like to make this observation, that it has always seemed to me that one of the areas which is most understandable in this whole field of discussion is that area of belief which says we should not spend the taxpayers' money in a manner which permits or sees any American citizen or taxpayer discriminated against. I believe one of the most disappointing things for me personally in this House during the 87th Congress was to see amendments to legislation voted down which amendments would have secured assurance that tax money would have been spent equitably, that no one would be discriminated against as a result of the expenditure of those funds.

To see amendments voted down again, again, and again, and the statement made on this floor from time to time that anyone who offers such amendment is trying to defeat the legislation, has been a most disappointing experience. It is frustrating, Mr. Speaker, to sit here and be accused of cynicism, when one believes wholeheartedly that tax money should not be spent in a discriminatory manner; and leaving the matter of State-Federal relations out of the matter, here is a point that all Americans can agree on.

In this bill that is presented here is a position presented which should make this matter clear to everyone for all time. This is an even-ended proposition.

Let me ask the gentleman from Maryland if it is not true that this portion of the bill refers only to Government contracts?

Mr. MATHIAS. I can assure the gentleman that is the case, but I would point out the significance and the weight of having this provision apply in Government contracts; because, as the gentleman from New York said earlier, Government contracts constitute a very large percentage of the business done in America today; therefore, the fact that you are reaching work done, work performed under a Government contract, will reach into very many if not most of the areas of employment in America.

Mr. BROMWELL. The areas into which this provision will reach are those areas which directly benefit from Government contracts, which means the expenditure of Government money. Is that correct?

Mr. MATHIAS. That is correct.

Mr. BROMWELL. This Commission would be empowered under this bill to investigate incidents of discrimination; is that right?

Mr. MATHIAS. That is right.

Mr. BROMWELL. Whether that discrimination is practiced by a business house or by a labor union which contributes to the results?

Mr. MATHIAS. That is absolutely correct.

Mr. BROMWELL. A statement is made that the Commission would have the authority under this act to compel business organizations and labor unions to eliminate discriminatory practices where a pattern has been discovered, as the statement was made earlier today. This statement means that the Commission would have the right to speak to the question of the continuation of the contract.

Mr. MATHIAS. That is exactly right. What we are doing here is to set out in clear language which would establish by law the rules of the game, and those who bid for Government work and those who seek to be employed by the contractors who are performing Government work will then understand the rules of the game. The rules of the game under this bill make it perfectly clear that there shall be equal opportunity available to all Americans to perform this work.

Mr. BROMWELL. I thank the gentleman.

I would like to point out one other matter of emphasis, because the purpose of my remarks has been to emphasize matters stated before. I should like to emphasize again to the House that this raises or expands, for the purpose of Federal legislation, the whole concept of civil rights outside of the narrow distress area of unhappy race relations—in the section that deals with discrimination in the franchise. It elevates it into the area of the franchise in which we are all entitled to participate. I do not think this can be emphasized vigorously enough, because we have been harping on the same old string in this area for so long that we sometimes fail to realize the massive area of importance which lies outside the immediate field of race relations.

Once again, Mr. Speaker, I congratulate the gentleman from Ohio and the gentleman from New York for their leadership, and I thank the gentleman from Maryland for yielding to me.

Mr. MATHIAS. I thank the gentleman from Iowa for his remarks.

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mrs. DWYER. Mr. Speaker, I feel deeply gratified and very proud today to join with so many of our Republican colleagues in introducing the Civil Rights Act of 1963.

This occasion is a very significant one, I believe, in the history of civil rights legislation and in the long tradition of Republican concern for protecting the fundamental human and civil rights of all our fellow Americans, without regard to differences of race, creed, color, or economic position. I am honored, therefore, to associate myself with those Members who are introducing similar bills and especially with those minority members of the Committee on the Judiciary who have taken the initiative in bringing this legislation into being.

As one who has had a very minor part in the early consideration of the draft legislation from which this final version emerged, I want to emphasize that the bill is the product of long and careful reflection. It is a sound and constructive bill. As others have remarked, it is "comprehensive in scope and moderate in application." It reflects our mutual concern about the continued violation of the rights of citizens in such fields as voting, education, employment, housing, and the administration of justice, and our deep regret at the failure of the President to exert leadership in seeking legislation to help protect these rights. While we recognize that no legislation can be a cure-all in the sensitive and complex area of human relations, we believe that the Federal Government has a clear and compelling constitutional obligation to protect the rights of its citizens and we believe, too, that the educative value of the law should be recognized as especially important.

Since other Members, Mr. Speaker, have dealt in some detail with the specific provisions of the legislation, I shall not take the time of the House to repeat them. The important thing, I believe, is that the protection and extension of civil rights—the guarantee of freedom and equal opportunity to all—must be of transcendent consequence to those who take seriously the moral basis of our American system of government; indeed, of American civilization itself.

To those who deny or question the need for legislation of this kind, I strongly urge a thorough reading of the remarkable 1961 report of the U.S. Commission on Civil Rights, with its depressing and documented record of our national failure to prevent the abuse, mistreatment, terror, heartlessness, and denial of the most basic rights on the part of white Americans toward Negro Americans.

In particular, I would recommend that our colleagues read the individual statement in this report of the Reverend Theodore M. Hesburgh, a member of the Commission since its inception. In my judgment, this is the finest statement of the kind I have ever read, uniting as it does the theoretical aspects of civil rights with the practical, the moral with the pragmatic, in a way that compels assent.

At this point in my remarks, Mr. Speaker, I include several excerpts from Father Hesburgh's statement:

> I am filing this personal statement because of a personal conviction that Federal action alone will never completely solve the problem of civil rights. Federal action is essential, but not adequate, to the ultimate solution. In the nature of the problem, no single citizen can disengage himself from the facts of this report or its call to action. Leadership must come from the President and the Congress, of course, but leadership must also be as widespread as the problem itself, which belongs to each one of us.
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> Why does America, the foremost bastion of democracy, demonstrate at home so much bitter evidence of the utter disregard for human dignity that we are contesting on so many fronts abroad? Americans might well wonder how we can legitimately combat communism when we practice so widely its central folly: utter disregard for the God-given spiritual rights, freedom, and dignity of every human person. This sacredness of the human person is the central theological and philosophical fact that differentiates us from the communistic belief that man is merely material and temporal, devoid of inherent inalienable rights and, therefore, a thing to be manipulated, used, or abused for political or economic purposes, without personal freedom or dignity, defenseless before the State and the blind laws of economic determinism.
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> * * * * *
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> The pursuit of happiness means many good things in America: equal opportunity to better one's self by a good education; equal opportunity to exercise political freedom and responsibility through the vote; equal opportunity to work and progress economically as

> all other Americans do; and equal opportunity to live in decent housing in a decent neighborhood as befits one's means and quality as a person. If the pursuit of happiness does not mean at least these things to Americans reading this report, then they have not recognized the splendor of the American dream or the promise of the American Constitution.
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> Now read the pages. They are filled with a record of people, again good, intelligent people, working with all their energy and talent to make a travesty of this dream and this promise. These people who are trying to pervert our Western ideal of the dignity, the freedom, and the rights of every human person are not Communists. They are Americans, but white Americans denying what they enjoy, and I trust, cherish, to Negro Americans.
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> Personally, I don't care if the United States gets the first man on the moon, if while this is happening on a crash basis, we dawdle along here on our corner of the earth, nursing our prejudices, flouting our magnificent Constitution, ignoring the central moral problem of our times, and appearing hypocrites to all the world.
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> This is one problem that needs more than money. Basically, it needs the conviction of every American, of every walk of life, in every corner of America. We have the opportunity in our time to make the dream of America come true as never before in our history. We have the challenge to make the promise of our splendid Constitution a reality for all the world to see. If it is not done in our day, we do not deserve either the leadership of the free world or God's help in victory over the inhuman philosophy of communism. Even more fundamentally than this, we should as a nation take this stand for human dignity and make it work, because it is right and any other stance is as wrong as un-American, as false to the whole Judeo-Christian tradition of the West as anything can be.
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> I believe, as my fellow Commissioners do, that a report should be objective and factual. But, unless there is some fire, most governmental reports remain unread, even by those to whom they are addressed: in this case, the President and Congress.
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> I have no illusions of this report climbing high on the bestseller list, because much of what it says is unpleasant, unpopular, and to sensitive people, a real thorn in the conscience. My words then are simply to say that I have a deep and abiding faith in my fellow Americans: in their innate fairness, in their generosity, in their consummate good will. My conviction is that they simply do not realize the dimensions of this problem of civil rights, its explosive implications for the present and future of our beloved America. If somehow the message, plain and factual, of this report might reach our people, I believe they would see how much the problem needs the concern and attention of every American—north, south, east, and west. If this were to happen, then the problem would be well on its way to a solution. But without the personal concern of all Americans, the problem of civil rights is well nigh insoluble in our times. If so, not just Negro Americans, but all of us, and all the world, will be the losers.

In addition to its many specific recommendations to the executive and legislative branches of Government, Mr. Speaker, the Commission in its 1961 report directed a general recommendation to the President which I believe is worth repeating in this context:

> The Commission recommends that the President utilize his leadership and influence and the prestige of his office in support of equal protection of the laws for all persons within the jurisdiction of the United States in all aspects of civil and political life: by explaining to the American people the legal and moral issues involved in critical situations when they arise; by reiterating at appropriate times and places his support for the Supreme Court's desegregation decisions as legally and morally correct; by undertaking the leadership of an active effort to stimulate the interest of citizens in their right of franchise; and by all other means at his disposal marshaling the Nation's vast reservoir of reason and good will in support of constitutional law not only as a civil duty but as essential to the attainment of the national goal of equal opportunity for all.

In light of this recommendation, I am forced to conclude that a study of the full record, especially the legislative record, reveals an unfortunate failure of leadership on behalf of civil rights. This is doubly regrettable in view of the promises of energetic action in behalf of civil rights which present administration leaders from the President on down so outspokenly offered during the presidential campaign of 1960—in spite of the limited but admirable administrative action the Government has taken since that time.

In view of the fundamental nature of the subject, the administration's record to date represents a discouraging retreat from a binding moral commitment, an unworthy surrender to political expediency. From a total of 27 recommendations for legislative action made by the Civil Rights Commission after years of the most diligent study, the administration has taken action on only two. And on both of these recommendations—the abolition of the poll tax as a qualification for voting and the establishment of a sixth grade education as proof of literacy for voting purposes—the administration has acted in a manner which will assure the least expeditious and least effective results.

I believe I speak for most Republicans in the Congress, Mr. Speaker, when I express the hope that the administration will reverse its excessively cautious, qualified, halting approach to civil rights and begin to exert the leadership and determination which this basic issue demands. We stand ready to cooperate in considering legislation which will make real the constitutional guarantees of freedom and equal opportunity for all our people.

Republicans have a record of accomplishment in this field of which we are rightfully proud. Nevertheless, we do not wish to make civil rights a partisan issue. We seek only an opportunity to work with our Democratic colleagues as fellow American citizens toward the great objective of freeing our country from the burdens of racial discrimination. We call on the President—the President of all Americans—to make this possible.

THE NEED FOR CONTINUED ASSISTANCE TO SCHOOLS IN IMPACTED AREAS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Connecticut [Mr. ST. ONGE] is recognized for 45 minutes.

Mr. ST. ONGE. Mr. Speaker, the field of education and its numerous problems in this modern age have been of vital interest to me for many years. In the first place, I have five children, all of whom are still of school age. In the second place, we have never been more aware of the need and the importance of education not only as it pertains to our youth, but perhaps even more so as it pertains to the welfare and the future of our Nation.

It is, therefore, entirely logical, I believe, that my very first bill as a Member of Congress should be an education measure. I am today introducing a bill to extend for a period of 2 years the program of Federal assistance to the local school districts under Public Laws 815 and 874. These laws were originally enacted in 1950 and have been in operation for the past 12 years. They have been quite successful and all 50 States in the Nation have benefited from them.

Specifically, these laws were enacted to help local school districts in areas where there are located military installations and other Federal activities. As a result of the influx of families into these areas, the schools had become overburdened with a larger number of children than they were able to handle. Public Law 874 provides funds for purposes of operation and maintenance of schools in these federally impacted areas. Public Law 815 provides limited funds for school construction in such areas. Both laws have been extended and amended to meet new situations by practically every Congress since their original enactment.

The 87th Congress extended these two laws in 1961 for a period of 2 years. The expiration date is June 30, 1963, which is only some 5 months away. I believe that extension of these programs should be placed high on our agenda of early and must legislation since they are concerned with the welfare and education of millions of our children all over the land.

The Department of Health, Education, and Welfare informs me that approximately 11 million children in some 4,000 school districts in the country have benefited in 1962 under these programs in the impacted areas. This is nearly one-third of all the children attending our public elementary and secondary schools. The amount of money spent on these programs is quite substantial, and one is tempted to ask: where would our school system be today without this assistance over the past 12 years? Under Public Law 874 we provided a total of $1,426,512,788 for maintenance and operations of schools in the impacted areas throughout the country during the 12-year period. Under Public Law 815, during this same period, we provided $1,087,919 thousand for construction of schools in these areas.

I cite these figures to show how extensive these programs have become and how vital they are for our educational system. It should be noted, in the first instance, that these programs have been of great help to hard-pressed school districts faced with the problem of large enrollments in areas with nontaxable Federal property, where the parents of these school children are employed. And it should, likewise, be emphasized that these programs have been of invaluable assistance to many Government projects essential to the security and the economic growth of the Nation.

In the State of Connecticut we have 47 school districts, of which 33 are located in the Second Congressional District which I represent. In the 12-year period since these programs have been in operation, Connecticut received a total of $15,788,187 under Public Law 874 for operation and maintenance, and approximately $12 million under Public Law 815 for construction.

The importance of these programs for my district can readily be seen in the following figures: in 1962 Connecticut received $2,457,392 under Public Law 874, and of this sum $1,897,413 went to school districts in my congressional district; in the same year Connecticut received $2,105,216 under Public Law 815 for construction, and all of it went to my district. The total number of children in the impacted area schools in the State of Connecticut numbered 14,057 in 1962, and of these about 80 percent are in my district.

I have in recent days received letters and telegrams from school superintendents and chairmen of boards of education stressing the urgency for extension of these programs. Mr. Ransom S. Thompson, chairman of the Board of Education of East Hampton, Conn., states in his letter:

> Provisions of Public Law 874 furnish this community with funds for maintaining a good school program. Increased activity at the nearby Canel operation will have an impact on our school enrollment and these additional funds will be vitally needed. * * * Early action in the matter will assist us in budget preparation now underway.

Mr. Simon H. Moore, superintendent of schools at Cromwell, Conn., writes as follows:

> For the past 4 years Cromwell has received Federal money under Public Law 874. While the amount received under this program never exceeded $9,000, it did assist us in offering a better program of education than we would have offered if it had not been received.

The superintendent of schools at Stonington, Conn., Dr. Thomas P. Curtin, writes:

> Under the provisions of Public Law 874, which along with Public Law 815 we believe to be sound and just, the town has come to qualify for over $90,000 annually, with 23 percent of its 3,000 pupils being children of parents employed on tax-exempt Federal property. With recent sale to the corporation of the Government property at the Electric Boat Division, General Dynamics Corp., the town is threatened with the abrupt loss of 70 percent of this annual income in any event, since children of parents employed on Federal property at that plant represent approximately that percentage of our total Federal impact.

Mr. Edward S. Dennison, chairman of the Board of Education of Waterford, Conn., informs me that:

> The parents of approximately one-third of our school population are employed on Federal projects.

He then adds as follows:

> The result is that Waterford has been a fast-growing, but very largely residential town, with heavy federally caused school financial burdens unmatched by local tax revenue. Federal funds have been of vital assistance over the past 10 years and are heavily relied on in our budgetary planning. * * * the effect of the loss of Federal aid on the town finances will be real hardship; but it is the opinion of this board that the effect on our educational program will be nothing short of tragic.

The number of children benefiting under these programs in Waterford has risen from 296 a decade ago to 1,375 this year. The total Federal aid received by the town in 1962 under these programs was $178,211.

The community in my district which stands to lose most in the event these programs are not extended is Groton, where there are located several very important Government installations, including the submarine base and the underwater sound laboratory. Mr. William M. Farris, the superintendent of schools at Groton, writes me as follows:

> The effect upon Groton of the sale of Federal property to Electric Boat is twofold. The sale was consummated on December 3, 1962. The property will not go on our tax list until September 1, 1963, and we will receive no taxes from the property until July 1, 1964. Although we cannot give a firm estimate of the eventual tax revenue, we do believe it will be considerably less than we now receive in Public Law 874 operating expense money. We are now eligible for about $190,000 annually. * * *
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> The second aspect of the sale concerns a construction grant reserved for Groton under Public Law 815. This money was for the construction of a school to house Navy children from the 1,246 Capehart housing units now under construction here. The sale of the property means that we cannot count the more than 1,900 children of parents working on former Federal property at Electric Boat. Thus, we have been told by the office of education that the $350,000 reserved for this project will not be forthcoming. The injustice of the matter is that the children are still here and must be housed and educated.
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> In the event that the Congress does not extend Public Law 815 and Public Law 874 as related to singly connected pupils, Groton would also lose about $220,000 annually for singly connected pupils.

In a separate memorandum from Mr. Farris to the Groton Board of Education it is indicated that the number of singly-connected children aided under these programs is 1,345. Thus, the public school system of Groton stands to lose a total of $760,000, and the number of children affected is 3,265. For a community of the size of Groton, with a population of about 30,000, the loss of these funds would be almost tragic. The saddest part of it is that the biggest victims will be our children, whose opportunities for an adequate education may be seriously hampered.

I have a telegram from Mr. Leif M. E. Steinert, chairman of the Board of Education of Portland, Conn., pleading for extension of these programs and stating that—

> Portland has been receiving in excess of $20,000 per year from Public Law 874 and the loss of these funds would seriously affect town finances.

Others wrote in a similar vein.

I might add that another major community in my district which will be hurt if these programs are discontinued is New London, where the U.S. Coast Guard Academy is located. The schools of New London have received the sum of $171,000 in 1962 under Public Law 874. Mr. Hubert A. Neilan, president of the Board of Education of New London, recently forwarded to me the text of a resolution unanimously adopted by the board in which it is stated that "the impact of Federal activity in Connecticut places a heavy burden" upon New London and that failure of Congress to extend these programs "would make the burden oppressive and possibly result in serious curtailment of educational opportunity."

In the letter from Mr. Farris of Groton, cited above, reference is made to the sale of Federal property and its effects. This sale has caused an economic crisis in the Groton area and nearby towns. In order to alleviate this situation, I am including in my bill a provision which would serve to lessen the economic hardship on the school districts affected.

As presently worded, the law discriminates in its definition of "real property" and in the extent of its assistance after the sale of such property. It often happens, in instances where there is a sale of Federal property, that the particular Government project which brought on the influx of workers and their families into a given area is continued. The fact that the project or property has been sold to private interests in no way lessens the burden on the schools. As Mr. Farris so aptly states in his letter:

> The children are still here and must be housed and educated.

The sale of the property, however, means that there is a marked reduction in the amount of Federal aid, and at the same time there is no corresponding increase in taxes assessed against the property for at least a year or more. Congress evidently recognized the injustice of such a situation, for in an amendment to Public Law 874 in 1956 it was stated that the law applied "1 year beyond the end of the fiscal year in which occurred the sale or transfer thereof by the United States, any housing property considered prior to such sale or transfer to be Federal property for the purpose of the act."

While this modification of the law provides some protection to school districts having a preponderance of housing property, it is of no help whatsoever in instances where the Government disposes of nonhousing property such as now took place in Groton, Conn., in the sale of industrial buildings. Undoubtedly, such instances have also occurred in other communities in the country where the Government found it necessary to sell industrial property.

Consequently, my bill contains an amendment which simply strikes out the word "housing" in the clause cited above, and the law would therefore apply to any property of the Federal Government.

Thus, both housing and industrial property would be eligible for aid benefits "for 1 year beyond the end of the fiscal year in which the sale or transfer" occurs.

All of us are well aware of the financial problems faced by the schools. Their responsibilities are tremendous and they need every possible help if we are earnest in our efforts and desires to provide the youth of our Nation with adequate educational opportunities.

My bill, as stated above, provides for the extension of these programs for a period of 2 years. One year's extension, as advocated by some, is inadequate since it will not give the school districts sufficient time to plan intelligently for the year ahead. A 2-year period will make for better planning and proper programing.

Above all, it is imperative that these programs under Public Laws 874 and 815 should be extended so that the school districts dependent on this aid will have the opportunity to continue to provide the necessary school facilities and services to children in the federally impacted areas. We must remove the uncertainty now plaguing many of the school districts. We must give them the assurance of continued assistance in their difficult tasks. This can best be accomplished by early enactment of my bill. I urge all my colleagues to support this measure.

OAS SHOULD SENTENCE CUBA TO SOLITARY CONFINEMENT WITHIN THE HEMISPHERE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. ROGERS] is recognized for 10 minutes.

Mr. ROGERS of Florida. Mr. Speaker, since the courageous action taken by this Government last October, the United States has not proclaimed any further positive steps to hasten the downfall of Castro and rid this hemisphere of its Soviet aggressors. During the missile crisis of last October, our South American neighbors quickly realized that it was their security which was as much at stake as ours. The result was a remarkable rally to the side of the United States. Some Latin nations even pledged military help. We received unanimous support of our efforts, and this support came with astounding speed. Every free nation in this hemisphere was impressed with our common cause, and a great spirit of cooperation prevailed.

Is this spirit still prevailing? I think so. But it cannot unless we maintain the respect we won from these nations when we acted so boldly last October. From a period of lethargy and stalemate, the United States has again emerged as the directive force in the hemisphere. But time is slipping by, and we cannot rest on reputation.

What is our next move? On Monday, January 28, I again reiterated my plea of last year that U.S. ports be closed to free world shipping interests engaged in hauling cargo of any kind to Cuba. As stated earlier, the technical aspects of this plan have been drawn by the State Department, and are currently awaiting final approval before they can be set into action. Mr. Speaker, the closing of U.S. ports would serve the world with further notice that the United States has not relented on its firm position against Cuba.

However, in addition to the unilateral action of closing its ports, the United States now has the opportunity to obtain further results by action within the Organization of American States. The timing of such a move would be effective. We would capitalize on the setback of the Soviet buildup of last fall, and the atmosphere in this hemisphere is currently one of alliance with the United States.

Therefore, I advocate that the U.S. Government urge the following steps be taken collectively by all member nations of the OAS:

First. Close the seaports of this hemisphere to all ships hauling cargo to Cuba.

Second. Close airports of OAS nations to all airlines with flights into and out of Cuba.

Third. Ban relays of telecommunications messages to and from Cuba.

Fourth. Impose a ban on the travel and movement of Castro agents and propaganda throughout Latin America.

Fifth. Freeze all Cuban Government monetary funds on deposit in hemisphere financial institutions.

Adoption of these recommendations would impose not only tight economic sanctions on Communist Cuba, but would amount to an effective isolation of Castro's island. These recommendations would place Communist Cuba in solitary confinement within this hemisphere. Conditions inside Cuba would become more difficult for Castro, and his Soviet visitors as well. It would make Cuba even more expensive for the Russians than it is today, where estimates of Castro's support have run as high as a million dollars a day for the Communists. If the United States and its hemispheric neighbors can make Cuba more expensive than it is now, perhaps Khrushchev and his comrades will question their operations in this hemisphere and reconsider their commitments to Castro.

The time for U.S. proposal to the OAS is now. The Council of the Organization of American States meets on a regularly scheduled basis twice a month. OAS member nations now realize that the presence of the Soviet Union in this hemisphere represents a grave threat to them as well as the United States. In the case of South America, the threat may even be more immediate. The United States must continue to be aware of its responsibilities under the Monroe Doctrine, its role of leadership in the free world, and the high costs of inaction and procrastination.

With the warning note sent yesterday to the OAS by Ambassador deLesseps Morrison cautioning Latin American nations to be on guard against Castro-Communist subversion, it is further evident that this is the opportune time to press for action in the OAS. Mr. Speaker, Ambassador Morrison is to be commended for his vigilance and courage in this continuing fight against communism in this hemisphere. Under his supervision, U.S. efforts in the OAS are now within the realm of practicality.

The nations of this hemisphere must act now.

Mr. SCHWENGEL. Mr. Speaker, will this gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman.

Mr. SCHWENGEL. Mr. Speaker, I want to take the floor to commend the gentleman for the eloquent statement he has made and the very evident study he has made of this very, very difficult problem affecting the security of this hemisphere and of our own country. I think the danger is very real. I wish we could get more people in the Department of State and in other areas to get more excited about this problem. So, Mr. Speaker, I am glad that the gentleman is making this statement today and has taken the position he has.

I would like to ask the gentleman this question as to whether he has given any thought to the fact that neither the Communists nor Cuba have lived up to any promise or commitment that we had in regard to the installations that they were caught with redhanded last fall. Does the gentleman have any thoughts on this or does he care to make any comment on it?

Mr. ROGERS of Florida. I think this is a very necessary step for us to take if we are to be sure that all has been done as was stated to have been done. I agree that onsite inspection is a very necessary step to take.

Mr. SCHWENGEL. And until we have that, we cannot be absolutely sure about their sincerity in removing installations and dismantling the installations that were and maybe are a threat to America today.

Mr. ROGERS of Florida. I think that is true and the Secretary of State, I believe, made this statement in effect the other day in an appearance on a television show on Sunday.

Mr. SCHWENGEL. Does not the gentleman agree that with all the power and prestige we have that we certainly would be supported if we were to use that prestige to press for this agreement?

Mr. ROGERS of Florida. I think that through the OAS with leadership from this country, we would be amazed at what can be accomplished. I believe that with some encouragement from the Congress, this can be accomplished and I am sure, if the gentleman, as he always has, supports action in this field and will continue along with other Members of the Congress, that this can be accomplished.

Mr. SCHWENGEL. Mr. Speaker, I would like to observe that if we had this inspection, I think we would be amazed at what we would find out.

Mr. ROGERS of Florida. The gentleman may very well be correct.

A TAX BREAK FOR THE FORGOTTEN MAN IN THE TAX PICTURE—THE HOMEOWNER

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, in these days when talk of tax revision and tax reform fills the air, I trust that the Congress will give special attention and consideration to the plight of the citizen who owns his own home. I strongly urge that whatever tax revision legislation we enact that we will give the homeowner the break he deserves.

The homeowner has for too long been the forgotten man in the tax picture and it is about time that he was properly recognized as representing the hard core of our whole American economy.

Any program of tax revision or tax reform, to be meaningful, must in fairness recognize the disproportionately heavy share of the tax burden that is borne by those who own their own homes.

In the interests of fair play for the homeowner, Mr. Speaker, I have introduced three bills which would provide direct tax benefits.

It is my earnest hope that the Committee on Ways and Means, which is now considering an overall program of tax revision and reform, will pay special attention to the homeowner.

The bills which I have introduced would establish the following provisions:

First. Allow a reasonable income tax deduction for normal wear and tear on the taxpayer's residence.

Second. Authorize a deduction of up to $750 a year for necessary home repairs and improvements.

Third. Exclude from taxation any profit made by a homeowner over 60 years of age from the sale of his residence.

The homeowner and his problems have been too long neglected. It is high time that he got the tax break he deserves.

The three Halpern bills have been referred to the House Ways and Means Committee, which will take them up during its study of overall tax reduction and tax reform proposals.

The first of these three bills—H.R. 2407—would give to the homeowner the same general right to claim depreciation of his property that is now enjoyed by owners of property used for trade or business, or held for the production of income.

A depreciation allowance for privately owned homes, based on reasonable value and estimated life of the residence, would fill a long-felt need. It would give the homeowner an incentive to keep his residence from deteriorating, and it would also serve to maintain high standards in residential neighborhoods. It is time that the Federal tax laws recognized that the homeowner faces costly problems of wear, tear, and obsolescence.

The second bill—H.R. 2409—would allow the homeowner to list itemized tax deductions, up to a limit of $750 a year, for such expenses as painting, papering, carpentry, plumbing, roofing, and electrical work.

When the homeowner spends hard-earned money to make improvements, he makes a direct contribution to the community. It is only just that this contribution be recognized in our tax laws, for it reduces the need for the use of public funds to rehabilitate rundown areas.

My third bill—H.R. 2408—would help meet an ever-increasing problem. At present many homeowners over 60 years of age would like to dispose of homes that are too big for them now that their children have grown and married, but are afraid to make a move because of the heavy capital gains tax they must pay. It seems to me that those who have raised families and made important contributions to our way of life as decent citizens should be entitled to an exemption from taxes on sale of their homes.

Under the terms of this bill, the residence must have been owned by the taxpayer for a period of at least 5 years.

There has been much emphasis on the need for tax cuts or tax reform to spur the national economy. The bills that I have introduced to benefit the homeowner would certainly meet this criterion, for I am sure that it would spark a tremendous nationwide program of home repair, improvement, and modernization. Any direct tax loss to the Government resulting from the three bills would be more than compensated for by the upsurge in the building and allied industries that would result.

Even beyond these considerations is the fact that the homeowner deserves a tax break from the Government. For too long he has been the forgotten man in the tax picture.

THE LATE JOHN W. McCABE

Mr. **MADDEN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. **MADDEN**. Mr. Speaker, it is with sorrow that I was informed today of the passing of an oldtime friend of many Members of this House, John W. McCabe. Older Members of Congress will be sorry to learn of the death of this longtime former employee of this House, Johnny McCabe.

Johnny came to this House as a page in 1919. He served as page and for many years as chief page, and when he left a few years ago he had been a minority employee. He was appointed as a page back in 1919 by former Congressman Will R. Wood, who at that time was chairman of the Committee on Appropriations, representing the district now represented by the gentleman from Indiana [Mr. Halleck], and part of it by myself.

Johnny McCabe attended all Republican National Conventions from 1920 until his retirement. He served in various capacities as assistant at each of these conventions.

Johnny had a host of friends on both sides of the aisle, and was personally acquainted with thousands of Congressmen and officials of Government over his long period of service here in this House. He had many friends in my congressional district who will mourn his passing.

Johnny was an orphan boy and made his home during most of his life with Mr. and Mrs. Allen Dorn, of 154 Cleveland Avenue, Whiting, Ind. His death came this morning after an extended period of illness. He will be missed by all who were fortunate enough to know him intimately.

Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Halleck] may extend his remarks immediately following mine, and that all Members who desire to do so may extend their remarks following Mr. Halleck's.

The **SPEAKER**. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, it is with great sorrow that Members on our side of the aisle have learned of the death of John W. McCabe, a faithful and loyal employee of the House of Representatives for more than 39 years.

John McCabe was brought to Washington from Indiana on June 1, 1919, by the Honorable Will R. Wood, who was chairman of the Committee on Appropriations and who represented a considerable part of the district it is now my privilege to represent.

Mr. Speaker, I was first elected to the Congress when there were not very many Republicans serving in the House. I came down here on February 5, 1935, to be sworn in after a special election. To say that I was a pretty green hand is probably an understatement. But I found one person around here who knew enough about what was going on and about the operations of the House to be of real assistance to me.

That person was John McCabe who, I believe, was then serving as chief of Republican pages.

When he retired in 1958, former Speaker Sam Rayburn, Carl Vinson, and the late Dan Reed were the only Members still serving who were here when Johnny started to work in the House of Representatives.

A great many Members joined in paying tribute to him on his retirement, including Speaker Rayburn, who took the floor to say:

> Johnny McCabe has been a faithful and efficient member of the House staff. He has been courteous and kind, and we will miss him very much.

Mr. Speaker, I think all of us who knew John McCabe concur in the view expressed by our late beloved Speaker.

John McCabe was a loyal, faithful, ever-helpful employee of this body. He served the Congress with great devotion and dedication during one of the most historic periods in the history of this Republic.

I know I speak for all Members and employees who served here with Johnny when I say that we are grieved at his passing.

PRINTING OF REMARKS OF MEMBERS IN CONGRESSIONAL RECORD

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Lindsay] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I am pleased to join my distinguished colleague, the gentleman from Missouri [Mr. Curtis] in reintroducing a resolution which requires that in the printing of the Congressional Record there be a change in type face for those items appearing in the Record which were not actually spoken on the floor of the House. This simple change in the rules of the House will enable the reader of the Congressional Record to distinguish between those items which have been read orally on the floor of the House and those which have been inserted under leave to revise and extend.

At present what you read in the Record is misleading. You might think, in reading a speech inserted in the Record, rather than given on the floor, that the speaker had made his point so forcefully that no one rose to rebut it. When, in reality, those who have different ideas about the subject under discussion will not have had the chance to know anything about the statement until it appears in print as part of the debate in the Congressional Record. This destroys debate and brings the discussion of political issues down to the level of issuing statement and counterstatement.

It has become an increasingly widespread practice for Members of the House to insert material in the Record which gives the distinct impression that they were actually on the floor at the time of the utterance when in reality such was not the case. Heaven knows, that debate is becoming less prevalent in this country while quality of debate has declined accordingly. As a result, we are becoming steadily less informed as a Nation—content to allow slogans, cliches, and headlines to serve as convenient substitutes for knowledge and substance.

I would point out that this resolution is not intended to put an end to the practice of permitting Members to revise and extend their remarks in the Congressional Record without actually being present on the floor. Limitations of time make the continuation of this practice essential so that the House can conduct its business as efficiently as possible. It is also helpful for Members to use the Congressional Record as a journal for the exchange of ideas. What is paramount here, as the gentleman from Missouri has pointed out, is that the Congressioal Record has two distinct functions—reportorial and informational. If adopted, this resolution will help to more clearly differentiate what actually takes place on the floor of the House and what is presented through the medium of the Congressional Record for the attention of others.

Let us there strive to make the Congressional Record a more honest record of debate. Let us permit language to be rephrased to assure greater clarity and comprehensibility, but let us not change or delete statements to the extent that colloquies are distorted beyond recognition and the remarks of other Members are rendered meaningless.

This proposal could have several highly beneficial effects.

First, it woud lead to the elimination of a good deal of extraneous material which in turn could result in a substantial saving for the taxpayer.

Second, it could improve floor attendance in the House of Representatives, and by placing a premium on floor participation, it could help expedite congressional business. Hopefully, too, it could lead to the demise of the notorious "Tuesday to Thursday club," and force Congress into serious session from Monday to Friday; perhaps we could then get down to work earlier so that we might adjourn before the first frost.

Third, the level of debate in the United States has fallen to an alltime nadir. Subjects of vital importance to the Nation are whisked through the House in the twinkling of an eye. Too often when the Executive sends down proposals accompanied by such comments as "only the President has all the facts" or "these are matters of extreme delicacy," we abrogate our responsibilities as legislators. If they knew that proposals would be subjected to intense scrutiny and to the test of full debate in the great national forum of the House of Representatives where all shades of opinion can receive their fullest expression, then there would be fewer cries of our having the wool pulled over our eyes. Too often, congressional consideration, while time consuming and exhaustive, is merely perfunctory, superficial, and guilty of raising only expected questions and customary objections which can be easily met. The subject of national defense is a classic example of what I am describing.

We must remember, too, that by raising the level of debate in the Congress we can raise the level of intelligent discussion in the country at large and encourage the full expression of views without recrimination on complex and controversial matters.

The gentleman from Missouri [Mr. Curtis] has accurately stated that debate on the floor of the House should be "the testing ground of ideas, the place in which a proposal must stand or fall on its merits. It is also one of the major channels by which information of what occurs in the Halls of Congress gets back to the people, either directly or through the news media."

In conclusion, let me state that in order to dramatize the case which we are trying to make today, we have not actually delivered our statements on the floor. They are being inserted into the Congressional Record by unanimous consent under permission to revise and extend our remarks.

ACADEMIC FACILITIES FOR OUR COLLEGES AND UNIVERSITIES

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Quie] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. QUIE. Mr. Speaker, I have today introduced legislation providing aid for the construction of academic facilities in our colleges and universities, which I feel will do much to alleviate the problem of inadequate and overcrowded facilities due to increased enrollment.

The need for immediate action is demonstrated by the fact that college enrollments are expected to increase from 4.2 million at present to 7 million by 1970. About 25 percent of this increase, or 700,000, will come by 1965.

The Federal Government's role in higher education began 100 years ago with the Land-Grant College Act. Since then, Federal participation in higher education has generally been considered as a purchase of services. Our Nation's need for highly skilled and professional manpower in fields essential to the national security and space exploration now and in the future means that the Federal Government should continue to give assistance where necessary in order that a sufficient number of adequately trained personnel are available to meet the economic and security needs of our country. Rather than being satisfied with only depleting the available supply, I propose that the Federal Government replace at least part of what it takes from the private sector for its activities. With such an urgent need requiring our immediate attention and solution, now is no time to shrink from our responsibility.

The President's message on education showed little courage and almost no leadership in an area which he admits is of vital importance to our Nation. He has refused to set priorities in education and has instead presented to Congress a huge, expensive, omnibus bill. This approach indicates to me that Mr. Kennedy is afraid to face the question of aid to church-supported colleges and universities. Because of this, there is a grave danger that the academic facilities section will be held up in the lengthy hearings and debates on other parts of the bill which lack broad support. The result would be another valuable year lost in our efforts to help higher education because of the President's failure to supply adequate leadership. It is essential for Congress to answer that question with a bill that is soundly based on the Federal policies of the past 100 years. Congress must assume the leadership and act on its own if we are to maintain our higher education at a high level.

My bill would provide $230 million in the form of grants and $120 million in the form of loans each year for 5 years. Both public and private nonprofit institutions of higher education would qualify for these grant funds. Fifty million dollars would be earmarked for junior colleges and technical institutes through the stipulation that not less than 22 percent of the amount allotted to a State must be used for academic facilities at either public or private junior colleges and/or technical institutions.

Allotments to States would be based on, first, the number of students enrolled in institutions of higher education, and, second, the number of students enrolled in grades 9 to 12.

State commissions broadly representative of all institutions of higher education must submit plans to the Commissioner of Education. It would be the responsibility of the State commissions to determine the priorities of projects within each State.

There would be no categorical restriction on the type of facility that could be built with grant funds, with the exception of construction of gymnasiums or other athletic facilities and facilities used for sectarian instruction or religious worship. Otherwise, the funds could be used for any needed classrooms, libraries, or laboratories. This is important because we must insure that the social sciences and humanities are not shortchanged.

To be eligible, the project must result in expansion of the student enrollment or in the case of a new institution must result in creating urgently needed enrollment capacity. However, the Federal grant could not exceed one-third of the development cost of a project.

In the case of loan funds, both public and private nonprofit institutions of higher education, including junior colleges and technical institutes, would qualify. Not more than 12½ percent of the overall loan funds can be used for loans to institutions of higher education within one State, and not less than one-fourth of the development cost of a facility must be financed from non-Federal sources. Loans shall be for a period not to exceed 50 years and the rate of interest shall be at least one-fourth of 1 percentage point above the average annual interest paid by the U.S. Government when it borrows.

Again, there is no restriction on the type of academic facility except those used for athletics and sectarian instruction or religious worship.

I have been joined by my colleagues on the Education and Labor Committee, the gentleman from New Jersey [Mr. Frelinghuysen], the gentleman from Michigan [Mr. Griffin], the gentleman from New York [Mr. Goodell], and the gentleman from California [Mr. Bell], in urging the Congress to take prompt action on a college academic facilities bill.

MR. GORDON'S VIEW OF THE FEDERAL BUDGET

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. LANGEN. Mr. Speaker, the testimony of Mr. Gordon alluded to by the previous speakers is indeed shocking. On my return to my home last evening, I decided to put into effect his reasoning on my household budget. In fact, in contacting all those firms who each month send me bills for various goods and services, I used Mr. Gordon's reasoning to show them how much healthier the American economy will be if I refuse to pay bills for years to come.

Perhaps banks holding mortgages and physicians who perform operations would be momentarily stunned at this reasoning, but as soon as I explained how beneficial to the economy it would be if they exercised fiscal restraint and collected no principal, interest, or fees for the next few years I know they would understand. While they could not buy food to feed their families or fuel to heat their homes, they would have the satisfaction of knowing that I would use this money to set up a group of babysitters to serve their local community, and that I would use this money to send to Washington in order that the Federal Government might send it back to the community to purchase wilderness land and to employ snow shovelers to clear the walks of the city in which they live.

While these bankers and doctors and grocers would have to borrow money with which to live, I know that they would not mind once I explained that it would be their children and their grandchildren who would have to pay back this money, plus interest, by the sweat of their brow. After all, these are perilous times. Millions live on the fringe of poverty, so why not tax the strength and sap the vitality of millions of others in order to make misery more widespread and thus give misery the company which it is supposed to cherish, according to ancient lore.

Not mind? I feel certain that the bankers and doctors and grocers would mind just as much as will American taxpayers as soon as they are made aware of the "pig in a poke" the administration is trying to foist on them by claims of cutting taxes while actually cutting taxpayers. And, Mr. Speaker, I might add that when I had told my wife the great pronouncements of the Bureau of the Budget, she asked just one question, "Does that mean that I can't have that new spring outfit for 4 more years"

THE WORDS UNSAID

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CURTIS. Mr. Speaker, anyone casually picking up a copy of the Congressional Record, not knowing the rules and practices of our National Legislature, would be amazed at the amount of debate which is crammed into the meetings of the House of Representatives, even those 12- and 15-minute gatherings which are characteristic of our early session meetings. For example, the House meeting of January 4, 1961, took but 32 minutes, yet it covers some 37 pages in the Congressional Record. Truly, this is a prodigious feat of speaking when even skimming that number of Congressional Record pages in that time requires some effort.

The record of words produced in what appears to be open debate on the floor of the House is made possible by the device of Members' revising and extending their remarks. Thus a speech, which for all the unindoctrinated world looks like a part of the debate of the House, can be made without the speaker ever appearing on the floor. This speech, for example, was not spoken on the floor of the House. It is being introduced into the Congressional Record in that part of the Record reserved for matters said on the House floor and, but for my precautionary statements, it would likely be considered a part of floor debate.

I have today introduced a House resolution which is designed to prevent this subterfuge. Good reason exists for opening the pages of the Congressional Record to matters which individual Members consider of importance to their colleagues and to the country in the discussion of public issues. I would in no way wish to discourage this. However, under the present practice, insertions of speeches into the body of the Congressional Record give these speeches the appearance of having been made before the House.

What I suggest is simply this: Let us make some distinction between words actually spoken on the floor of the House, subject to contradiction and the tempering of debate, and those inserted without ever having been open to rebuttal. In this way, we would be able to preserve the Congressional Record's dual functions—that of a journal of actual proceedings in the House and that of a means of sharing ideas among the Members of Congress. This distinction could be made quite easily, by a difference in type face between the two kinds of statements, for example. The value would be great, for as we are better able to promote honest debate of the issues, we are better able to serve the function for which the Congress was founded.

OPTIONAL SOCIAL SECURITY

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have today introduced legislation which would make it possible for Americans to choose, in planning their retirement future, whether they shall be covered by social security or a qualified private benefit plan. This bill is offered in no sense to undermine social security, but rather to improve the opportunities for our people to get the best plan for their money in preparing for their retirement.

At present, the social security system is a young one. Maturity for it will not be reached until we have had three generations of workers covered during their entire productive lives by social security and until it has had the opportunity of meeting all of the challenges of our economic cycles. The amendment which I have offered will help social security meet these challenges and grow into a sound program upon which the retirement future of our people can be based.

Two years ago I placed in the Congressional Record a speech which I made, "Politics Can Destroy Social Security"—Congressional Record, volume 107, part 3, pages 3292–3294—in which I outlined the threats to our social security system from a failure to recognize its inherent characteristics and limitations. This bill is designed to prevent the system's very possible destruction by preserving its integrity for those who are counting upon it and by creating a better awareness of its true nature. Quite often social security is spoken of as insurance—indeed, the most important part of the system is entitled old age, survivors, and disability insurance—but it is not insurance in the common or legal meaning of this word. It is a share-the-wealth plan. My purpose today is not to discuss the concept of sharing the wealth, that debate can await another day. What I hope to accomplish through the introduction of this bill and discussion of it is a better understanding of social security so that it may achieve the purposes for which it was designed and meet the needs which exist for it in our society.

As to the details of the bill itself, social security would remain mandatory for those who had not entered a qualified private benefit program. Thus we would not permit one to ignore his future, but we would permit each individual to weigh which path toward retirement security is best for him in the range of qualified plans.

I believe serious consideration of this proposal would be profitable both in saving our social security system and in permitting a sound basis for the retirement life of all of our citizens.

SURPLUS PROPERTY FOR EDUCATIONAL USE

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the forward-looking provisions of our laws relating to the administration of Federal property is found in the procedure by which surplus Federal property is made available free or at reduced cost to educational institutions. A great deal of surplus property is generated by the operation of the Federal Government; it is important that we put this property to the best possible use and the program which I have mentioned is one phase of the effort to assure that this goal will be met.

This idea and this program, as I have noted, are sound, but, like any program, improvements can be made in it. I have today introduced a bill which I believe will improve it. This bill broadens the scope of the definition of education so that this surplus property can be used in ways which are not presently permitted for it.

Specifically, the qualifications for receipt of this property under the heading of educational uses are extended to include those situations in which an educational institution for the physically or mentally handicapped provides activities for its students to experience and learn to participate in outdoor activities. Surely, teaching a blind child how better to make his way in the outdoors is a part of his education, a part of bringing him closer to leading a normal and productive life which, I believe, must be the basis for all of our efforts in the education and training of the handicapped.

This proposal came about from contact I had with an educational institution in my district which does an excellent job in helping the handicapped. I am sure it is not the only such institution whose program might be strengthened by the bill which I have offered. I would urge consideration of this bill which is both consistent with the theory behind our surplus property disposal priority system and highly beneficial to the fuller education of our handicapped children.

IMPROVING THE MARKET FOR MUNICIPAL BONDS

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CURTIS. Mr. Speaker, as a recognition of the importance of bond financing for State and local governmental bodies, our present Internal Revenue Code provides that interest on these obligations shall be free from Federal income taxation. This exemption from taxation is effective in making State and local government obligations attractive to investors and permits their sale at lower interest than would be possible otherwise.

The role of bond financing is not difficult to trace. School bond issues, sewer bond issues, and hundreds of others are commonplace in financial circles. The need for adequate debt financing capital to our State and local governmental bodies cannot be overemphasized, and the availability of this capital at advantageous interest rates, made possible by the tax-exempt nature of their interest, depends upon a ready market for these bonds.

I have today introduced a bill which would help expand and improve the market for municipals. While individual bondholders may receive the interest from municipals tax free, when this interest is channeled to them through a corporate investing mechanism the investors fail to get the full benefit of tax exemption. The interest comes to the investment corporation tax free, just as it does to individuals, but there is no carry-through provision. Thus, the entire income of the corporation, from tax free and taxable sources, is merged and divided and the entire amount received by each shareholder in the investment corporation is fully taxed. What my bill suggests is that there be allowed exclusion on the part of the individual taxpayer of his pro rata share of the tax exempt interest received by the corporation thereby giving the taxpayer the direct benefit of the tax exempt status of these securities.

By making municipal bonds more attractive to investment corporations, which control a very large amount of capital, a better market will be created for these securities and the problem of financing State and local government will be eased.

ASSISTANCE FOR SOCIAL SECURITY BENEFICIARIES WITH DEPENDENT PARENTS

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CURTIS. Mr. Speaker, under our Social Security Act special provision is made to allow for extra benefits to those beneficiaries who have other persons dependent upon them. These special provisions have been applied to the case of the beneficiary's spouse and his dependent children, but at the present time no added benefit is given for the beneficiary who also has dependent parents to support.

Cases have been called to my attention in which social security beneficiaries, even those receiving their benefits under the normal retirement provisions of the OASDI, support dependent parents and I see no reason why we should not treat parents as we do any other person dependent upon the beneficiary in establishing the amount of benefits to be given. For this reason, I have today introduced legislation which would provide monthly benefits for dependent parents of individuals entitled to old-age or disability social security benefits.

This proposal does not increase the overall top benefit which may be paid on a single account. However, where the top benefit level has not been reached, this would be effective to increase the monthly payments and help defray the beneficiaries in supporting their dependent parents.

PRO RATA DIVISION OF CORPORATIONS

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have today introduced an amendment to the Internal Revenue Code to permit the division of a corporation into two corporations on a fully non pro rata basis. It is designed to permit a tax-free transaction for the division of a corporation into two smaller economic units without a pro rata division of ownership in the new corporations.

At present such a division is possible but section 355, which permits it, requires that the corporation divided be engaged in the active conduct of two separate businesses for the 5 years preceding the distribution. This bill questions the requirement for the conduct of a trade or business for a fully non pro rata distribution.

An explanation of the bill follows:

Subparagraphs (A), (B), and (C) of paragraph (1) of section 355(c), which the bill would add to the code, are practically self-explanatory and state the mechanical and arithmetical limits of the transactions which will be permitted to occur tax free. The two survivor corporations must be of comparable size and must not have any common shareholders.

Subparagraph (D) provides that 90 percent of the stock of the distributing corporation must have been acquired more than 5 years before the distribution or received as a gift, devise, or bequest from a person who acquired it more than 5 years before the distribution. It should be observed that for purposes of this section a tax-free acquisition of stock is considered an acquisition at the time of the tax-free exchange or distribution, so that the requirement of the subparagraph is not satisfied if stock was acquired in a reorganization or in a section 351 transaction less than 5 years before the distribution.

Subparagraph (E) is intended to prevent stockholders from achieving a taxable exchange or purchase through the use of contributions to capital. Thus, for example, if stockholder A—owning 50 percent of the stock—contributes an apartment house to the corporation while stockholder B—owning 50 percent of the stock—contributes investment securities to the corporation before the distribution, and after the distribution each shareholder owns stock of a corporation which owns the property contributed by the other shareholder, the transaction will not qualify under subsection (c)(1)(E). Such a transaction will be treated as a total liquidation, even if the distributing corporation is not formally liquidated, but retained by one of the shareholders.

Subparagraph (F) is intended to guard against the use of the subsection for tax avoidance purposes. While the courts would probably read this requirement into the statute in any case, a clear statement is believed desirable in view of the fact that the bill brings a new concept into the code.

Proposed section 355(c)(2) makes it clear that section 356 does not apply to any transaction which fails to meet the requirements of subsection (c)(1) because some or all of the shareholders own stock of more than one corporation—directly or constructively by application of section 318—after the transaction. In such a case, the transaction is treated as a partial or total liquidation immediately preceded by a distribution to which section 301 applies. This may be illustrated by a simple example: A and B each own 50 percent in value of the stock of corporation *Z*. One-half—in value—of the assets of corporation *Z* are transferred to corporation X and the other one-half—in value—are transferred to corporation Y. Immediately thereafter all of the stock of X and Y is distributed to A and B and *Z* is liquidated. In the distribution A receives 90 percent of the stock of corporation X and 10 pecent of the stock of corporation Y, while B receives 90 percent of the stock of corporation Y and 10 percent of the stock of corporation X. The transaction fails to meet the requirements of subsection (c)(1) and under subsection (c)(2) it is taxed as follows: A is treated as having received a dividend of 10 percent of the stock of corporation Y and B is treated as having received a dividend of 10 percent of the stock of corporation X immediately before the distribution of all the other stock distributed. A is also treated as having received 90 percent of the stock of corporation X in a total liquidation and B is similarly treated as having received 90 percent of the stock of corporation Y in a total liquidation.

It should be observed that the Commissioner's authority under existing section 312(i) to allocate earnings in section 355 transactions will, of course, extend to transactions permitted by the new subsection which the bill will add to section 355.

NEED FOR REPUBLICAN UNITY

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Horton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. HORTON. Mr. Speaker, last Saturday in New York City I was privileged to hear an address by the distinguished gentleman from Ohio [Mr. Taft].

His speech, entitled "The Need for Republican Unity," very forcefully articulated the role which the Republican Party has the responsibility of playing. He emphasized the need for Republicans everywhere to find their common ground and use this unity as the basis for their loyal opposition.

Unless we are to dismiss the inherent value of a spirited two-party political system as undesirable, then each of us, without regard to personal political conviction, must work to preserve this concept. I am confident that my fellow Members, both from the minority and the majority, will find the remarks of the gentleman from Ohio extremely worthwhile.

I commend this speech to all of my colleagues:

THE NEED FOR REPUBLICAN UNITY

(Address by Hon. Robert Taft, Jr., before the Women's National Republican Club, on the occasion of their 42d annual luncheon meeting, New York City, January 26, 1963)

INTRODUCTION

Madam Chairwoman, Governor Rockefeller, Mrs. St. George, colleagues from the 88th Congress, distinguished guests, ladies of the Women's National Republican Club, and your guests:

I am delighted to come to New York, a leading Republican State. I am pleased to be on the platform with Governor Rockefeller, a leading Republican. I am pleased to be serving in Congress with your four new Republican Members from New York, and I congratulate you on their election and their abilities. I look forward to working with them. Last, but not least, I am delighted to have the opportunity of appearing before the Women's National Republican Club, long a vital force in the Republican Party here in New York and nationally.

May I also recognize the work, led by one of your distinguished members, Mrs. Preston Davie, that has been started in this city on the Institute of Government, doing honor to the name of my father who had so many good and loyal friends among your members.

THE POSITION OF THE REPUBLICAN PARTY TODAY AND THE NEED FOR PARTY UNITY

I would like to talk with you this afternoon about the position of the Republican Party and the need for party unity; not merely for partisan success, but for the welfare of our country. Although the results of the recent election showed no appreciable gain in congressional representation, nevertheless they represented important victory for the Republican Party. Although we won only 40 percent of the seats in Congress, the truth is the voters of the country cast over 48 percent of their votes for Republican candidates. Analysis shows that the GOP has made a 21-percent gain in the popular vote since 1958 while Democratic voting strength increased a mere 3 percent.

These results are symbols of the real opportunity presented to us—an opportunity that we must be careful not to lose by squabbling over minor issues or wrangling over personal differences. The nature of the two-party system inherently means a political party must encompass a range of different views. In this sense the Republican Party is a house with many mansions. Differences of details or individuals should not be allowed to weaken basic agreement and loyalty. With an army backing one cause on the field of battle, one general may advocate that the principal thrust be to the right; another may advocate that it be to the left. Perhaps one decision may be wiser than the other, but it is also possible that the victory desired may be won in either way. Certainly it can't be won by dividing the principal thrust between the two courses. Like an army, the Republican Party must choose its leaders and make its decisions. Once having done so, it should not be too much to ask its field officers and its men to look to the end of victory through unity. At times party loyalty and party success may call for subordination of individual opinions on particular approaches to specific problems.

More and more these days it seems fashionable, both in Congress and out, to desert and dissent from established party positions. This leads to accolades in the press and on the air for "independent thinking and statesmanship." We must not forget that often it takes more courage and deeper understanding to support the decision or candidate, arrived at after full debate within the party, even though one may not agree totally with the choice. Yet there must be such loyalty in order to permit progress toward overall goals and principles on which we all agree.

REASONS WHY THERE IS A BASIC UNITY THAT SHOULD MAKE LOYALTY EASY

There is a strong and fundamental unity in the Republican Party that should make such party loyalty easy. In spite of constant attempts of the opposition to contrive divisions within our party, there is a basic Republican unity which does exist in the most important areas of public policy. This unity stands out when compared to the numerous and deep clefts within the Democratic Party. Basic Republican agreement can be found on at least three fundamental principles.

1. Individual freedom and responsibility

Paramount is a belief and confidence in individual freedom and responsibility, as well as a guarantee of individual and civil rights. Seeking the true test of liberalism, we endeavor to maintain and enhance the freedom of the individual citizen to think, act, and express himself and to manage his own life rather than to straightjacket him with law, regulations, and stagnating requirements of conformity. This does not mean, of course, that we do not see new problems in the world that must be faced and tackled. In some instances, it is true, action by the Federal Government may be necessary. However, it is our duty first to study the problems to see whether another type of action would be effective. Aiding and employing private initiative and local and State government almost always interferes less in the individual's life and does not add to the growing concentration of Federal power. Excesses at local and State levels are more easily checked.

We believe that new problems call for new solutions and Republicans can, and indeed have, offered many new programs without abandoning our principles. We must convince the people that we will continue to seek solutions for problems such as tax reform, unemployment, transportation, farm surpluses, civil rights, medical care for the aged, urban renewal, and housing. But we will do so by helping individuals and local and State governments to help themselves through programs which foster freedom, individual rights, fiscal responsibility, and private enterprise.

2. Responsible spending policy

Next, Republicans agree that there must be a rejection of our present irresponsible fiscal and spending policies. In the last 3 Eisenhower years the net deficit was about $13 billion and this was largely due to the 1959 recession which required a $12 billion deficit. But already in the first 3 years of the Kennedy administration, in times labeled by Mr. Kennedy as "uninterrupted economic recovery," we have accumulated a net deficit of about $27 billion. In other words, Kennedy is deficit spending in good times over twice the amount that the Republican administration did in recessionary times.

We Republicans dissent, with vigor, from these policies and this philosophy. To promote our goal of Government financial responsibility, we have called for a midsession up-to-date accounting as called for by law. We have demanded an end to back-door unbudgeted spending. We believe we need a limit to Government spending as much or more than we need a limit to the national debt.

3. Political intellectual honesty

Finally, we in the Republican Party feel that in this country there is a serious threat to political morality evidenced by the failure and refusal of the administration to disclose with intellectual honesty to the American people precisely what is happening to our fiscal position, what is happening in our relations with other countries, and what the necessary implications are from some of the Federal programs proposed or already on the books. What my father said in 1950 concerning the Truman administration is even more appropriate today: "A deliberate policy of concealment of the facts and misrepresentation of the necessary effect of policies urged has become almost universal in every field of public activity. When some Government department now adopts a policy, it enlists all modern propaganda techniques to sell it to the people. It does not present many of the fundamental facts without which a reasonable conclusion cannot be reached. It engages in pure unprincipled propaganda. Government departments now have unlimited publicity men of their own. They have a strong and improper influence over many radio commentators, so that, when a policy is decided upon, the air the very next morning is heavily burdened with commentators trying to boost the party line."

HOW THE KENNEDY ADMINISTRATION HAS ATTEMPTED TO MISLEAD AND DUPE THE AMERICAN PEOPLE

For instance because of your New York newspaper strike you may have missed some of the finer misconceptions of the state of the Union and budget messages so recently delivered to the Congress by the administration.

Completely ignoring the devastating effect of the President's highhanded action upon the steel companies in the price crisis, and the resulting loss of confidence illustrated so vividly in the market, the President has represented that America has enjoyed 22 months of "uninterrupted economic recovery."

Advocating a large red-ink tax cut, the President represents categorically that the surest and soundest way of achieving a balanced budget is to incur in good times a deficit now estimated at close to $12 billion. Apparently we have now gone another step in our new world of economic thinking. First we persuaded ourselves that deficits are good in bad times. Now they are good in good times. Thus one must reason they are good all the time. And even in viewing the $12 billion figure estimated by the President as our 1964 deficit, it must be remembered that in January of 1962 the Congress received a budget showing an anticipated surplus of $500 million for the fiscal year ending June 30, 1963. No revision or correction of this figure came until November 13, the midyear report—after the election, but it now appears almost certain that there will be a deficit of almost $9 billion. If the President made a $9 billion mistake last year, may we not justly ask whether this year's projected deficit of $12 billion will not actually turn into one as high as $20 billion? What effect, we may well ask, would such a deficit have on confidence in our economy at home and abroad? What effect would it have on our gold position considering that we lost almost $1 billion this last year? Moreover, the President has failed to tell the American people what is already conceded by many in his administration—that there will be no chance of or any attempt to balance the budget until 1967 if the proposed tax cut is carried out. And what if a tax cut does not stimulate the economy, how large will our deficit then be in 1967? These are questions the answers to which the administration is failing to reveal and discuss openly with the American people.

As a further example of what I call political immorality we can cite some of the expense items of the budget. The President implies that the nondefense and nonspace charges in the proposed budget will be cut to the bone when in effect they have been increased by over $2 billion or 5 percent. He goes on to speak of personal savings and yet he fails to reveal what has now become apparent: that the budget actually calls for an additional 36,500 employees.

Mr. Kennedy has told us that we must stimulate the economy by a tax cut, and yet he continues to say that the King-Anderson medical control plan is a must program on the New Frontier. Does he ever mention what effect this—a direct additional tax on all covered employees and the employing corporations—will have on the push toward stimulating the economy? It is time that the American people stand back from the forest and take a good look at all the trees.

This misrepresentation on the part of our leadership continues even as we move into the international field. Mr. Kennedy states that, "A deadly threat has been removed from Cuba." In spite of the fact that his own Deputy Secretary of Defense, Roswell Gilpatric, has stated publicly that: "We never knew how many missiles were brought into Cuba. The Soviets said there were 42. We have counted 42 going out. We saw fewer than 42. Until we have so-called onsite inspection of the island of Cuba we could never be sure that 42 was the maximum number that the Soviets brought into Cuba."

This makes no mention of the fact that there still remain in Cuba an estimated 17,000 Russian troops and advisers. Why are we not told that Cuba is still a Soviet base 90 miles from our shores and that in many ways, Cuba is stronger now than it was before the October crisis.

And why is no mention made of the Cuban ransom deal? Isn't it about time the American people were told the actual facts? Sympathy for the Cuban prisoners we all have. I, for one, approved of paying the high cost, in money and pride, for their liberation. But would not the honest course have been to level with the American people and their Congress by asking for a change of law to permit charitable tax deductions for such a purpose? Would not this have been better than subterfuge and blackjack pressures?

The President in his message took pride in the U.N. settlement for West New Guinea, but he failed to say that this settlement amounts to abandoning to the domination of Indonesia a people and a territory to which it has no ethnic nor historical right; an abandonment made only under threat of armed force by Indonesia.

Mr. Kennedy welcomes an end to the "agony of the Congo" without coming clean to the American people that the fact is we have as yet no answer to what will be done by this Nation, any other nation, or the United Nations if, as seems possible, the Congo Government becomes infiltrated and dominated by Communists. In effect, with U.S. backing and resources we have helped set up what might become an African Cuba in the Congo.

Isn't it about time, then, to say to Mr. Kennedy and the Democratic Party that they should stop trying to kid the American people. Let's have a strong, clear light of fact on the issues of the day presented to the people so that they can understand and make their own judgment. This is a responsible Republican policy, a policy for which all of us in the Republican Party stand and stand four-square.

CONCLUSION

There is then a basic unity within the Republican Party, a unity on the principles of maintaining individual freedom, a unity on following a course of fiscal responsibility, a unity on a clear and firm foreign policy, and a unity for full disclosure and intelligent honesty in dealing with the American people. Given the facts, we have confidence in their judgment. Apparently the Kennedy administration does not. To these ends, ignoring minor differences of degree or of implementation, let us turn our attention, not for political power or advantage, but rather for the strength, growth, and preservation of our country.

RETAIN HIGH SCHOOL ROTC

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. KEITH. Mr. Speaker, the Department of Defense has cut from its 1964 budget request funds to operate the long-established junior division ROTC program, under which some 60,000 high school students are now receiving military instruction and drill.

Two weeks ago I made a statement critical of this proposal, noting that the possible saving—an estimated $5 million—would be more than offset by the overall national loss. This view is supported by an editorial from the New Bedford (Mass.) Standard-Times, which I commend to the attention of my colleagues.

Also worthy of consideration is an article from the same newspaper by a junior achievement reporter, James M. Rose, who writes of the history of the program in the New Bedford High School and of student reaction to the announcement that the Defense Department would like to drop it from its budget.

Equally pertinent is a column from the letters-to-the-editor page, in which a former marine sergeant attributes his success in large part to the training he received through the voluntary high school ROTC program:

[From the New Bedford (Mass.) Standard-Times, Jan. 17, 1963]

Retain High School ROTC

The Defense Department's proposal to eliminate the high school ROTC program in order to save $5 million a year is penny wise and pound foolish if ever the phrase had proper application.

As far as New Bedford is concerned, this viewpoint is not taken simply because New Bedford High School's ROTC has an outstanding record of performance and achievement. It is because broader, national factors are involved.

At a time when the delinquency and aimless rebellion of ill-adjusted youth is causing the United States countless dollars and hours of worry, it is proposed to abolish the ROTC, which for years has demonstrated its ability, particularly at the high school level, to teach sound discipline and mold character.

Even as this program is in jeopardy, for the sake of saving a sum that constitutes one fifty-thousandths part of the national defense budget, it is proposed to spend additional millions establishing domestic Peace Corps units to perform some of the same functions for youth that high school ROTC already provides.

This is a period of cold war, a time of prolonged tension when no nation knows how much warning it may have before the war becomes hot. Young men trained for the military are, therefore, one of the best possible assets for the United States which, like it or not, is primarily responsible for the security of the entire free world. It seems shortsighted indeed to reduce the numbers of such young men and programs of this type.

A nation's strength lies not only in the ability of its manhood to bear arms, but in their willingness to do so.

Patriotism, in too many quarters, has become a dirty word, to the continuing detriment of this country.

High school ROTC is a fine antidote for this sort of thing; it is good to see young men salute the flag and to know that they mean it.

Let's leave the high school ROTC program alone. It produces more than $5 million worth of good every year and if this amount has to be saved, apply the ax somewhere else.

[From the New Bedford (Mass.) Standard-Times, Jan. 27, 1963]

Members Cite Value of ROTC

(By James M. Rose)

Recently, the Defense Department has made a proposal to ban the junior ROTC units because of their lack of military value. At the high school, many comments have been made in response to this proposal. The main comment is the benefit that the individual cadet gets out of the unit.

Responsibility is one of the biggest assets offered by the corps. Cadets are taught how to accept positions of leadership, and to obey orders. They are taught to get along with fellow cadets of different races and creed. From the first day they are expected to apply themselves toward advancement and exercising leadership. Each individual cadet takes pride in the corps and tries to make it outstanding.

The tradition of a military unit is one of the assets of the high school. It was in the early part of 1881 that the boys in New Bedford High School organized the first military company under the name of New Bedford High School Cadets, and they remained under that name until taken over by the War Department in 1918.

The company was formed in the old New Bedford High School which was a 3-story red brick building that stood where the present Cook School is now located. That building had four classrooms on the first and second floors, and an assembly hall on the third floor. The building had no gymnasium, but the school department allowed the boys the privilege of drilling in the corridors and on the brick-paved schoolyard. They had a dressing room for storage of their equipment.

The first company numbered between 45 and 50 cadets. The first captain was James E. Stanton Jr., who was the only boy cadet in the 1881 graduating class with about 20 girls. The first drillmaster was Capt. John K. McAfee, a former captain in the State militia. He held that position for about 12 years. In order to pay Captain McAfee, the cadets collected weekly dues, and paid them to the treasurer.

The first year the boys had no rifles or uniforms so their drill consisted mostly of the setting up exercises and marching movements, so that by Memorial Day they were in line for their Memorial Day parade. Some of those Memorial Days were extremely hot, but the boys stood the long march very well.

The parade formed in the center of the city, and marched to the cemetery on Dartmouth Street where the graves of the Civil War dead were decorated, then back up County Street to the No. 5 enginehouse where there was rest of about 20 minutes and the firemen supplied lemonade; then to the Oak Grove Cemetery where more graves were decorated, and to the Common where exercises and speeches were held; then back to the center of the city to pass in review before the city officials—about a 6-mile march. In the second year, during the winter months, the boys drilled in city hall which is now the public library. Also in the second year the cadets started having socials or dances to enrich their treasury. In that year the boys, with outside help from some of the city merchants, purchased a complement of Civil War Springfield rifles. Those guns were muzzle loaders and weighed about 50 percent more than the rifles of today. The boys also had to purchase their own uniforms.

It was on December 20, 1883, the cadets held their first competitive drill in old Pierian Hall over what is now the Star Store. At that drill Thomas B. Akin won a first prize, presented by Sanders & Barrows, a business firm. This regular order continued until 1894 when the school committee decided the cadets were a permanent organization, and took over and furnished a drillmaster at the city's expense. Later, in 1917, the unit was enrolled as the Reserve Officers' Training Corps under the War Department of the United States.

It took much organization to develop the unit and the cadets take much pride in it. Many organizations at this time are working to preserve it and hope that the city's unit as well as the other units in the country may continue their helpful task in building character, teaching responsibility, and preparing leaders for tomorrow in today's youth.

[From the New Bedford (Mass.) Standard-Times, Jan. 22, 1963]

Defends Worth of ROTC Training

To the Editor of the Standard-Times:

So the Pentagon reportedly feels that the high school ROTC program is of "no real military value." I wonder just how much research was conducted into the matter before they arrived at this highly opinionated viewpoint.

I personally and wholeheartedly disagree. In 1955 I was graduated from New Bedford High School, where I had been a member of the ROTC unit for 3 years. Shortly after graduation, I enlisted in the Marine Corps, taking my basic training at Parris Island, S.C.

There I found that a majority of the classroom training was old stuff to me—from tactics, to tearing down an M–1 rifle or machinegun. In short, my prior knowledge kept me one step ahead of the game, so to speak. The end result was that I was graduated from Parris Island as outstanding member of my platoon, promoted to private, first class, and also was the recipient of the American Spirit Honor Medal for "high example to comrades in arms."

The remainder of my 3-year enlistment was equally rewarding; I was promoted to the rank of sergeant, just 2 years and 1 month from my date of enlistment.

I feel that my success was primarily attributable to a sense of pride in and patriotism for my country and the Marine Corps, and secondly the preparedness with which I entered active service. That preparedness was learned from, and instilled by a high school ROTC unit—"supposedly of no real military value."

Former Marine Sergeant.

POLLUTION ABATEMENT ON ANDROSCOGGIN RIVER

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I read with great interest remarks made by my colleague, the distinguished gentleman from Michigan, which appeared in the Congressional Record of January 28, page 1153. I have informed my distinguished colleague from the State of Michigan that I intended to make this statement on the floor today.

In his statement, the gentleman from Michigan referred to the position taken by Gov. John W. King, of New Hampshire, concerning pollution abatement on the Androscoggin River—an important matter for the Granite State. I have obtained a copy of Governor King's January 8 letter and include it in the Record at this point:

State of New Hampshire,
Concord, N.H., January 8, 1963.

Mr. Anthony F. Celebrezze,
Secretary of Health, Education, and Welfare,
Washington, D.C.

Dear Mr. Secretary: On behalf of the new administration of the State of New Hampshire, I wish to express my strong support for your efforts on behalf of water pollution control in this area. The conference which you have called with regard to pollution of the Androscoggin River in New Hampshire and Maine should promote cooperative State-Federal effort of the greatest value in cleaning up our waters. Let me advise you of the full support of this State administration.

In expressing this support, let me further state that the development of industry in the Berlin, N.H., area is of vital importance to the economic growth of my State. I am sure that improvement of the Androscoggin waters can be obtained in a way that will serve to enhance their value for existing and future industrial and other legitimate uses. Obtaining high water quality is obviously of the greatest interest to a State in which recreational development and industrial expansion must go hand in hand in order to assure a deservedly prosperous future. If this State is to grow, water must also be available in sufficient quality and of a quantity to provide an ample source for public water supply.

Let me again express my support of the State-Federal conference on the Androscoggin River and my hopes for the development of a truly cooperative program for water resource development, and conservation through pollution abatement and control.

Yours very truly,
John W. King.

Mr. Speaker, I talked with Governor King on the telephone this morning and he authorized me to quote him as follows:

> At this time we would ask that the Department of Health, Education, and Welfare recognize the primary jurisdiction of the State by withdrawing its enforcement action, and meanwhile we would assure you of our sincere interest to cooperate by keeping the Federal agency informed at all times as to progress being made.

Governor King's statement of this day is in consonance with a concurrent resolution passed by the House of Representatives and the Senate of the State of New Hampshire on January 23, 1963. This concurrent resolution emphasizes the need for the States to handle their own problems without undue Federal interference. I believe this concurrent resolution affirms principles of Federal-State relations basic to American ideals. It reads as follows:

CONCURRENT RESOLUTION RELATIVE TO THE ANDROSCOGGIN RIVER WATERSHED

Whereas the Department of Health, Education, and Welfare has announced its intention to proceed with enforcement action under the Federal Water Pollution Control Act in the Androscoggin River watershed, an interstate stream between the States of New Hampshire and Maine; and

Whereas the paper industry in particular has invested heavily for pollution control measures in this watershed under a series of court decrees by the supreme judicial court of equity for Androscoggin County which has resulted in substantial improvement in stream quality and the industry is continuing to expend money for said purposes as rapidly as financial capacity allows; and

Whereas the legislatures of the two adjoining States by statute have reserved the right to adopt systems of stream classifications which provide the legal framework for enforcement action as well as the basis for determining the lawful uses for said waters; and

Whereas the respective water pollution control agencies of the two affected States are fully competent, prepared and have a coordinated plan for the conduct of such additional investigations, studies and surveys as are required in order that both State legislatures may simultaneously adopt appropriate stream classifications for the Androscoggin River watershed, and

Whereas the States of New Hampshire and Maine, along with the other New England States and the State of New York, are joined in the New England Interstate Water Pollution Control Compact (approved by Congress in 1947, under which all of the States are pledged to abate pollution of interstate waters within the compact area; and

Whereas the declared policy of the Federal Water Pollution Control Act is to recognize, preserve, and protect the primary responsibilities and rights of State and interstate agencies to prevent and control water pollution: Now, therefore, be it

Resolved by the senate (the house of representatives concurring), That the General Court of the State of New Hampshire, having due regard for the protection of the present and future economic welfare of the area, is convinced that the objective of an overall comprehensive pollution control program for the Androscoggin River Valley can be best achieved by local, State and interstate authorities free from Federal intervention; and be it further

Resolved, That the General Court of the State of New Hampshire strongly urges that the Secretary of Health, Education, and Welfare in the operation of the Federal program, adhere to the express intent of the Federal Water Pollution Control Act; namely, that the primary responsibility for the establishment of adequate water pollution control programs remain with the duly authorized State and interstate agencies; and further, whenever in his judgment satisfactory progress toward pollution control is not being made, to give notice thereof to the State and interstate agencies involved before undertaking any action whatever under the Federal Water Pollution Control Act; and be it further

Resolved, That the members of the New Hampshire delegation in the Congress of the United States, be requested to assist in every way possible in the State of New Hampshire's effort to retain jurisdiction over the pollution control program for its portion of the Androscoggin River watershed; and be it further

Resolved, That the Secretary of State be instructed to transmit a copy of this resolution to the Secretary of Health, Education, and Welfare and to each member of the New Hampshire delegation in the Congress of the United States.

Stewart Lamprey,
Speaker of the House of Representatives.
[SEAL]
Philip S. Dunlap,
President of the Senate.

Passed January 23, 1963.
Attest:
Robert L. Stark,
Secretary of State.

Mr. Speaker, upon receipt of the concurrent resolution, I sent the following telegram of support to the president of the New Hampshire State Senate and the speaker of the New Hampshire House of Representatives:

January 28, 1963.

Hon. Philip S. Dunlap,
President, New Hampshire State Senate,
Statehouse, Concord, N.H.:

Strongly support Androscoggin River concurrent resolution concerning primary responsibility water pollution control remaining State and interstate agencies.

Protesting Secretary Celebrezze accordingly.

James C. Cleveland,
U.S. Congressman.

A letter I received from Mr. Alexander J. Kalinski, assistant attorney general of the State of New Hampshire, dated January 28, 1963, confirms the views held by most Granite State citizens on this matter. It reads as follows:

The State of New Hampshire,
Concord, N.H., January 28, 1963.

Hon. James C. Cleveland,
Congressman From New Hampshire,
House Office Building,
Washington, D.C.

Dear Mr. Cleveland: The Secretary of the Department of Health, Education, and Welfare, Mr. Anthony Celebrezze, has called a conference with respect to the Androscoggin River under the Federal Water Pollution Control Act, 33 U.S.C. 466 et seq. This conference is scheduled to be held on Tuesday, February 5, 1963, at Portland, Maine.

There is considerable background in this situation which I will not attempt to cover in this letter. Some of this background is contained in the enclosed copy of a letter which I wrote to Secretary Celebrezze on January 3, 1963.

In essence, what is involved, is a most blatant interference with States rights on the part of the Public Health Service officials. These officials have started a so-called enforcement proceeding, under the provisions of the Federal Water Pollution Control Act, against the State of New Hampshire with reference to the Androscoggin River, which flows through New Hampshire into Maine. It is alleged that there is pollution in the Androscoggin River that is endangering the health or welfare of persons in the State of Maine.

Although the factual basis upon which the Public Health Service officials are proceeding is open to considerable doubt, the question of whether there is pollution in the New Hampshire portion of the Androscoggin River actually begs the question. What is involved is the right of legislatures of the States of Maine and New Hampshire to reserve to themselves the classification of the Androscoggin River insofar as the uses to which it is to be put to use. By statute both States have reserved to themselves the right to classify all waters in their States with respect to the use to be made of them in the best interests of the public as a whole.

By this so-called enforcement proceeding, the Public Health Service officials are attempting to abrogate this classification right reserved to themselves by Maine and New Hampshire under the guise of a finding of pollution in this river. In effect, these officials wish to classify the Androscoggin River according to the uses which they think should be made of this river and not what the legislatures of the respective States promulgate by statute.

Section 1(b) of the Federal Water Pollution Control Act, which is the declaration of policy contained in the act, states as follows:

"(b) Nothing in this Act shall be construed as impairing or in any manner affecting any right or jurisdiction of the States with respect to the waters (including boundary waters) of such States."

The actions of the Public Health Service officials directly contravene the above provisions.

The purpose of this letter then, is to request your assistance in prevailing upon Secretary Celebrezze to call off the conference scheduled for February 5, 1963, at Portland, Maine. We have prevailed upon him to do so but to no avail. There is no need for the conference because it is merely an attempt to embarrass the State of New Hampshire and to give it unfavorable publicity.

If you need any further information, please get in touch with me.

Very truly yours,
Alexander J. Kalinski,
Assistant Attorney General.

JANUARY 3, 1963.

Mr. ANTHONY CELEBREZZE,
Secretary of Health, Education, and Welfare, Washington, D.C.

DEAR MR. CELEBREZZE: I wish to call to your personal attention a matter being acted upon by the Public Health Service, which is under your jurisdiction, which matter is of interest and concern to the State of New Hampshire. The purpose of this letter is to call your personal attention to this situation so that you may be aware of what is happening here.

The situation I refer to is the so-called enforcement proceeding which the Public Health Service has undertaken under the Federal Water Pollution Control Act with reference to the Androscoggin River which flows through New Hampshire into Maine.

On September 4, 1962, the New Hampshire Water Pollution Commission received a notice signed by you and dated August 30, 1962, notifying it that you were calling a conference on September 24, 1962, at Portland, Maine, under the Federal Water Pollution Control Act, which is the initial step in an enforcement proceeding under that act.

This was the first knowledge and notice our commission had that the Public Health Service officials were interested in the Androscoggin River in our State. The notice is clearly defective since the statute requires that notice shall be given not less than 3 weeks prior to the actual date of the conference.

More important, however, is the background which led to the calling of this supposed conference. We have information which leads us to believe that the so-called conference was called because of the improper motives of the administrative officials in the Public Health Service. If you care to know what these motives were, we will be happy to inform you.

Our belief in this regard is buttressed by the facts surrounding the calling of this conference. Although the Public Health Service officials gave our commission no inkling that they were calling a conference until the last minute, they made it known long before that time to the newspapers in the State of Maine that an enforcement proceeding was going to be taken against the State of New Hampshire. We were made aware of this only after receiving notice of the conference. A day or so before we received the notice there appeared a press release from Public Health Service officials, over a nationwide press service, that an enforcement proceeding was being initiated against the State of New Hampshire. No preliminary discussions of any kind were held with our commission by any Public Health Service officials prior to calling this conference.

All of the above, alone, clearly indicates bad faith and improper motives on the part of the Public Health Service officials, particularly in the light of the provisions of the statutes under which they purport to be operating. May I call your attention to the provisions of title 33, United States Code, section 466g.

Subsection (a) of section 466g states that pollution of interstate or navigable waters which endangers the health or welfare of any persons is subject to abatement. There are no such facts existing in the present case.

Subsection (b) of section 466g particularly applies. This subsection states as follows:

"(b) Consistent with the policy declaration of sections 466–466k of this title, State and interstate action to abate pollution of interstate or navigable waters shall be encouraged and shall not, except as otherwise ordered by or pursuant to court order under subsection (g) of this section, be displaced by Federal enforcement action."

In this case, your Public Health Service officials are plainly in violation of this mandate of the statute, and, in fact, are acting in direct contradiction to the terms of the statute. They are clearly attempting to displace State and interstate action by means of Federal enforcement action without even seeking or attempting to seek the cooperation of the State and interstate officials concerned in the first instance. The facts are that this situation is already under control by a court order in the State of Maine. This will be amplified further on in this letter.

Subsection (c) of section 466g gives you, as Secretary of the Department of Health, Education, and Welfare, the authority to start an enforcement proceeding when invited by the Governor of a State. It also confers this authority on you when "* * * on the basis of reports, surveys, or studies, he has reason to believe that any pollution referred to in subsection (a) that is, such pollution which endangers the health or welfare of persons in a State other than that in which the discharge or discharges originate is occurring."

In the first instance, there has been no invitation in this case by the Governor of either the State of Maine or the State of New Hampshire. In the second place, the Public Health Service has no factual basis to substantiate their contention that there is pollution in the waters of the Androscoggin River in the State of New Hampshire which is endangering the health or welfare of any persons in the State of Maine. The transparency of their position, actions, and motivations is crystal clear, when you consider that they presented outdated factual data at the purported conference held on September 24, 1962, at Portland, Maine.

Consider these further facts in judging the actions of the Public Health Service officials in this case. When our commission received the notice previously referred to on September 4, 1962, they held a meeting as soon as they could, on September 12, 1962, and thereafter wrote to the Public Health Service requesting a postponement of the conference in order to give them time to explore the basis of such a conference and also in order to properly prepare for it. Under the circumstances, such a request was reasonable. In this letter the commission pointed out the vagueness of the notice, its failure to state the matters which would be discussed at the conference and the reason for calling it, its failure to delineate the manner in which the conference would be conducted, and also the commission requested that it be given the benefit of whatever reports, surveys, and studies which had been accumulated by the Public Health Service officials on the basis of which they determined to call a conference.

On September 17, 1962, 1 week before the scheduled conference, our commission received a copy of a "Report on Androscoggin River," dated August 1962 from the Public Health Service. With the conference only a week away, this left them with insufficient time to review the document properly. Subsequent review of the document establishes to the commission that the factual data contained therein is outdated.

On Thursday, September 20, 1962, our commission received a letter from Mr. Murray Stein of the Public Health Service, indicating that their request for a postponement was denied. On Friday morning, September 21, 1962, our commission requested me, as their legal representative, to telephone you and verbally request a postponement of the conference called for the following Monday, September 24, 1962. I tried all day to reach you by telephone but was unable to reach you. In the late afternoon of that day, I finally reached Assistant Secretary James M. Quigley. Mr. Quigley assured me as a brother attorney that my request was a reasonable one and indicated to me that he would attempt to call off the conference under the circumstances, but that he wanted to check on it first and call me back. Instead of Mr. Quigley calling me back, Mr. Murray Stein called me back and said that the conference would go on as scheduled and that he had no authority to do anything further in the matter.

Under the circumstances, I advised our commission not to attend or participate in any way in the conference. Instead, since I had to be in court that day, another Assistant Attorney General in this office, William J. O'Neil, Esq., went to the conference as a legal representative of the commission for the sole purpose of renewing our request, on the record, for a postponement.

Although representatives from our State of New Hampshire and from the State of Maine did not participate, when the conference was called to order on September 24, 1962, at Portland, Maine, the conference chairman, Mr. Murray Stein, proceeded to hold a so-called conference without representatives of the only two States directly interested and concerned being present to participate. By any stretch of the imagination, this was not a conference either as a practical matter or as a matter of legal contemplation as the term "conference" is used in the Federal Water Pollution Control Act.

Subsequent to that time, a representative of the New Hampshire Water Pollution Commission and State of Maine and interstate representatives met with a regional representative of the Public Health Service, Mr. Herbert Rogers. Since Mr. Rogers was unable to answer certain questions raised, at least with respect to this meeting, another meeting was set for December 10, 1962, at Portsmouth, N.H. Mr. Murray Stein and Mr. Peter Kuh, from the Washington office of the Public Health Service attended this meeting. I was also present at this meeting along with the same representatives of Maine, New Hampshire, and the New England Interstate Water Pollution Commission, who attended the previous meeting.

At this meeting, all parties present requested that the Public Health Service stop any further formal conference procedures and instead discuss the Androscoggin River situation on an informal basis with representatives of the two States concerned. Mr. Stein informed us that only you could call off this enforcement proceeding at this time. I told Mr. Stein that I would write to you that week about this whole situation, but with the pressure of other duties I was unable to write until now.

Our State legislature which convened yesterday is concerned with this problem also. Enclosed is a copy of the New Hampshire senate journal for Wednesday, January 2, 1963, and I would call your attention to the resolution adopted by the senate which appears on pages 5 through 8 of the journal. This resolution spells out quite clearly why no enforcement proceeding by the Public Health Service is necessary.

It should be noted also that only a short portion of the Androscoggin River flows through the State of New Hampshire, since the river originates in Maine and the substantial part of it flows through Maine. Insofar as any pollution in the river which is caused by communities in the State of Maine, the enforcement proceeding undertaken can have no effect since the Federal Water Pollution Act confers no jurisdiction upon the Public Health Service in this respect.

Three salient points which summarize this situation are as follows:

1. The Androscoggin River is already adequately under control with respect to pollution by virtue of a court order of the Supreme Judicial Court of Equity for Androscoggin County in Maine, which order established a continuing control over pollution in the river.

2. The two States concerned, New Hampshire and Maine, through their legislatures and water pollution commissions are continuously and adequately controlling the situation.

3. If the Public Health Service feels that further action is necessary the two States will voluntarily cooperate in any way possible provided only that the formal enforcement proceeding is withdrawn.

The nub of the whole situation is that the Public Health Service undertook formal enforcement proceedings without first informing the State officials concerned of whatever they considered to be the problem and without attempting to discuss the problem, if any, on an informal basis in the first instance.

The purpose of this letter then is to request that you withdraw the formal enforcement proceeding begun by the Public Health Service with reference to the Androscoggin River and request the Public Health Service officials to undertake to discuss the problems, if any, on a voluntary basis. If this is done, and if the Public Health Service officials are thereafter not satisfied, the formal enforcement proceedings could be started again.

Toward this end, I will be happy to come to Washington to discuss this matter with you personally, if you so desire. The pending enforcement proceeding, with its attendant unfavorable publicity to the State of New Hampshire will do little to improve Federal-State relationship, in this area, particularly since it violates the spirit if not the letter of the Federal Water Pollution Control Act.

I would appreciate an early reply to this letter.

Very truly yours,

ALEXANDER J. KALINSKI,
Assistant Attorney General.

Mr. Speaker, the matter of precipitous Federal intervention into pollution abatement on the Androscoggin River has caused comment in the press of New Hampshire. Yesterday, I received copies of two items that appeared in the Berlin Reporter on January 24, 1963. These were forwarded to me by Mr. Edward J. Reichert, an official of the Brown Co. They say:

[From the Berlin Reporter, Jan. 24, 1963]

WHICH WAY, UNCLE?

The Androscoggin River is coming in for lots of attention these days.

On the one hand is the Federal Department of Health, Education, and Welfare, which has started initial proceedings to have the river cleaned up.

On the other are the Corps of Engineers and the National Park Service—together with the State department of economic development—which have surveyed the possibility of a big dam at Pontook.

As yet we don't know all the details or all the ramifications of either proposal. But we do have thoughts, and most of them are economic.

Probably everyone would like to see all of our bodies of water pure and clear. But in this world of ours, we have to be practical. And being practical, we've got to find out where the millions upon millions of dollars would come from if the entire length of the Androscoggin River were to be cleaned up.

You could close up every mill on the Androscoggin and still have an extremely polluted river. Every city and hamlet along the way sends its sewage down the stream.

It would cost every company millions of dollars for treatment plants to eliminate pollutants. The cost might be enough to make them close down. Brown Co. has indicated that more pressure to cut down pollution was one of the factors contributing to the scheduled shutdown of the Burgess Sulphite Mill.

Cleaning up the river would be a tremendous burden on the cities and towns. Not only would each community have to spend millions on sewage disposal plants, but it would have to lay miles of extra pipes so that sewage could be diverted to the treating plant and water running off the street could go directly to the river. The two can't be mixed in sewage disposal processes without adding tremendously to the cost.

We hope those determined people in the Department of Health, Education, and Welfare take a good look at the economic picture before they start swinging.

The proposal for a big dam at Pontook has an economic aspect, too. But that could be on the other side of the ledger.

The dam, as suggested by the Corps of Engineers, would make a manmade lake 10 miles long with depths up to 75 feet.

Although the Corps of Engineers has been talking about hydroelectric power and flood control, the National Park Service and the State have seen more fascinating possibilties of recreation.

A lot of other people are becoming interested, too. George Derby, of Dummer, with the assistance of Mayor Edward Schuette, has placed petitions carrying well over 200 names in the hands of New Hampshire's congressional delegation. The petitions point out that little has been done with regard to recreational development north of Route 2 and that such a lake not only would be a playground for people of the area, but would be a boon to the economy. The petitions include the signatures of the selectmen of Gorham, Milan, and Dummer.

It looks as if Uncle Sam has a choice of giving the Androscoggin Valley a push toward oblivion or toward economic rehabilitation. We hope he chooses wisely.

SOLONS OK ANDROSCOGGIN RESOLUTION

A resolution asking the Federal Government to let the States handle the problem of pollution in the Androscoggin River has been passed by the New Hampshire House and Senate.

Copies of the resolution have been sent to Federal officials in Washington.

The resolution was sponsored by Senator Laurier Lamontagne after the Federal Department of Health, Education, and Welfare announced intentions of proceeding with enforcement action under the Federal Water Pollution Control Act.

Lamontagne called the action by HEW "a serious matter for the north country" because of costs involved by Brown Co. and the communities.

DR. EDWARD TELLER'S STATEMENT ON THE NUCLEAR TEST-BAN ISSUE

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and insert extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. HOSMER. Mr. Speaker, the conference of Republican Members of the House of Representatives has appointed a committee to develop information for the American people on the test-ban issue. Experts have been invited to submit papers which will be brought to the attention of the House and released to the public.

Only 3 months ago the Soviets were caught redhanded sneaking nuclear missiles into Cuba, just 95 miles from our shores. Now it appears we might soon be called upon to trust them to observe a test-ban treaty which may not contain adequate detection and inspection machinery for its enforcement.

Under these circumstances should the Soviets get away with cheating, they might make some terrifying nuclear weapons breakthrough, then say to us: "Surrender or die."

We Republicans know we are living in a risky world. We are deeply concerned over the fallout problem. We are actively seeking sane measures for a safer world. But in the process we do not want the Nation to indulge in illusory solutions which make risks greater rather than less. The United States must not be trapped, tricked, or embezzled out of the means to defend itself against Khrushchev's announced intention to bury us.

The American people have a right to facts enabling them to evaluate the administration's position at the test-ban negotiating table in that context. The administration has not been candid in furnishing such facts.

Dr. Teller's paper and the others we will release as quickly as possible aim at giving Americans the information, in part at least, needed to decide whether the administration's test-ban position is either safe or sane in relation to the defense and survival of the United States of America and her allies in freedom.

The text of Dr. Teller's paper follows:

CONSEQUENCES OF A TEST BAN

(By Dr. Edward Teller)

Russian acceptance of a small number of control stations and onsite inspections have raised the hopes for an agreement on a test ban. Such a ban is considered as an important step toward ending the arms race. It is claimed that this serves the interest of the United States. Actually such a ban would be virtually unpoliced. It would endanger our security and would help the Soviet Union in its plan to conquer the world. The reasons for this statement are the following:

I. THE TEST BAN WOULD PREVENT VITAL IMPROVEMENTS OF OUR ATOMIC EXPLOSIVES

The Russians have announced that they have solved the problem of missile defense. Our missile defense is unsatisfactory. In the absence of testing our defense will not improve because we need more knowledge concerning the use of nuclear explosives in missile defense and in the penetration of such defense. If the Russians install a satisfactory defense system while we are unable to do so, this will put us at the mercy of Soviet blackmail and aggression.

We have started the development of clean and cheap nuclear explosives. We need more tests to complete this development. Clean and cheap explosives are needed for battlefield use, for peaceful applications, and for missile defense.

Testing has frequently stimulated the invention of new approaches in the development of nuclear explosives. Past advances of this kind are classified; future advances are unpredictable. Nevertheless these advances are real and important. Without them our weapons laboratories will lose their competence in weapons research.

II. THE TEST BAN WILL NOT INTERFERE WITH RUSSIAN PROGRESS

The difficulty to police small underground explosions has been pointed out. The present Russian concessions will certainly not permit the control of small underground tests. Tests of small explosives are helpful in all branches of weapons development.

Even bigger tests can be carried out secretly in space. This fact has been jointly asserted by American, British, and Russian experts meeting in Geneva in June and July 1959.

The Russians have prepared an effective test series while negotiating with us. They have executed this series in the fall of 1961. In the closed Russian society such a maneuver is possible. In the open American society it is not. Repetition of the 1961 tactics may place the Soviet Union into a position of commanding leadership.

Only great and comprehensive openness could guarantee the observance of a test ban.

III. A TEST BAN MAY ENDANGER THE NATO ALLIANCE

The avowed purpose of the test ban is to halt the arms race and to set limits to the proliferation of nuclear weapons. It is hoped that a test ban will be applied in a universal manner.

It is unlikely that the ban will restrain the Chinese. But it is highly probable that the ban will be resisted by the French and we shall be expected to exert pressure on them. This may strain NATO to the breaking point. The Russians may desire a ban for this very reason.

In 1938 the Western Allies abandoned Czechoslovakia. This led to World War II. Had the Munich agreement prohibited fighter planes and radar, the consequences would have been the fall of Britain.

The Russians want us to sign a Munich-type agreement and in this they are supported by widespread public clamor. I hope that patriotic Congressmen of both parties will resist the pressure of a public frightened by crises and misled by the mirage of peace.

The following statement was made to the press on release of Dr. Teller's paper:

STATEMENT OF REPRESENTATIVE CRAIG HOSMER FOR THE REPUBLICAN CONFERENCE COMMITTEE ON NUCLEAR TEST-BAN NEGOTIATIONS

One of the most important functions of the minority Members of the Congress is the dissemination of information which can help inform the American people on vital issues. A foremost issue of our times is the nuclear test-ban problem. In recognition of this fact the Republican Members of the House have assigned a committee, which I have the honor to chair, to gather statements from experts in this area and to examine all the information now available to use on the subject.

The study papers will be issued as they are ready. It is our hope and expectation that this material, and our subsequent report on the subject, will serve the purpose of getting at the truth and relaying it to the membership of the House and to the American people on a matter of vital concern to the national security.

This issue is not a new one to Republicans in the Congress. The joint Senate-House Republican leadership, in its 2 years of existence, has made more statements on the nuclear test-ban subject than on any other subject. Senator DIRKSEN and Representative HALLECK have made five statements each on the subject on behalf of the joint Senate-House leadership starting May 11, 1961, when they called upon the President to set a deadline on negotiations.

A month later (June 8, 1961) they repeated this demand and then, on August 8 of that year, they stated that sufficient information existed to indicate that the Soviets had begun testing secretly during negotiations, a conclusion which was generally accepted by experts when Russia began testing openly 2 weeks later.

Early in 1962, after the Russians had completed a series of 40 to 50 tests in the atmosphere without the United States having taken comparable steps, the leadership strongly urged (February 20, 1962) the military necessity for the immediate resumption of atmospheric testing by the United States. A month later (March 22, 1962) they warned against the Kennedy policy of offering test ban concessions to the Soviet Union and again demanded the we resume atmospheric testing.

In August the Republican leadership issued three statements (August 8, August 16, and August 30, 1962) protesting more concessions, demanding that the United States complete the atmospheric test series finally commenced in April, and opposing the Kennedy-Macmillan proposal for an unpoliced ban on testing in the atmosphere, in outer space, and under water, and omitting the critical area of underground testing.

I have examined the Republican leadership background in this area at such length in order to illustrate that we, both as Republicans and as Americans, feel that in this single issue lies one of the greatest perils to our national security that exists today.

Our present effort strikes at an honest search for means to reduce the risks of the basically risky world in which we now live. The means proposed to bring this about must be carefully evaluated to insure: (1) That they actually will reduce risks, and (2) that they do not involve new and different risks which will leave matters in a state which is worse than existed before.

The test ban problem is a precise case in point whether approached from the standpoint of nuclear war risk, fallout, or any other.

The administration has failed to assume the initiative in giving to the American people the facts upon which such an evaluation can be made.

We believe sane measures for a safer world are imperative. In addition to the question of whether an enforceable, reasonably cheatproof test ban treaty is advisable we are seeking data from which a rational national judgment can be made as to whether test ban negotiations on the current basis are either safe or sane in relation to national and individual survival.

We are releasing today a paper on the subject submitted to us by Dr. Edward Teller, one of the Nation's foremost nuclear experts. His paper represents the considered view of a man deeply concerned with the security of the United States and the welfare of all humanity. That he has made widely recognized contributions to both is beyond dispute.

He is the first witness because his paper is the first submitted to us. The views of subsequent witnesses should and will receive the same thoughtful consideration which has been accorded to Dr. Teller's. They, too, will be released by our committee.

We will hear from all the witnesses and examine all of the data available to us before reaching any conclusions. Among the experts who have agreed to submit papers are the former Chairman of the Atomic Energy Commission, Adm. Lewis L. Strauss; Mr. William C. Foster, Chief Disarmament Negotiator of the administration; Dr. Stefan Possony, a widely recognized expert in the field; and one of the pioneers in the field of nuclear energy, Dr. John Wheeler, another pioneer in nuclear science.

The data upon which the Republican leadership has based its past statements on this subject are also available to us and are being thoroughly examined.

In the latter part of next week we expect to be in a position to issue a report on the subject giving both our conclusions and recommendations.

Since this matter concerns an issue of the utmost urgency to our national security, indeed to our very survival, and in light of the fact that Republicans in the Congress represent slightly less than 50 percent of the American people on the basis of the results of the last two elections, we intend to take every step available to us to bring our report to the American public in fulfillment of our obligations and responsibilities to them.

In line with this objective, the minority leader of the House, Representative CHARLES HALLECK, may request public service time from both the radio and television networks should it be deemed necessary. As we have stated, this matter concerns every American and we do not believe that any misinformation or misunderstanding can be permitted to go unchallenged if the American people are to be heard from on this subject. The subject deserves the widest possible discourse and debate and we will use every means available to us to bring about this objective.

COMMANDER SCHIRRA'S ORBITAL FLIGHT: A JOB WELL DONE

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the American people can be quite gratified with the progressive success of our man-in-space efforts. They are due, without a doubt, to the wonderful team cooperation, as well as individual initiative, of all those working on the program. Not the least of these are the astronauts themselves, and I am particularly proud that a former resident of Oradell, N.J., in my district, Comdr. Walter M. Schirra, is among them.

According to a report released last week, Commander Schirra's six orbital flight finished within 13,000 feet of his predicted touchdown area—a feat of extraordinary accuracy considering his trip of 150,000 miles through space. The report gives full credit to the astronaut for his handling of his space craft, Sigma-7. His touchdown was practically in the middle of the planned recovery zone.

The report indicates that Commander Schirra came through his experience in top physical condition. Flight time during the state of weightlessness was 8 hours, 56 minutes and 18 seconds. During the flight, the craft was steered manually by the astronaut only 16 percent of the flight. Automatic controls were in effect 60 percent of the time, and the capsule orbited in drifting flight for the other 24 percent.

Commander Schirra's preflight time from time of awakening at 1:40 a.m. to liftoff was only about 5½ hours—the shortest of any orbiting flight. This reflects the added experience and learning of those involved as each new step is tried. It is an encouraging sign for the future. Flight directors report that

Commander Schirra himself spent over 60 hours in simulator or spacecraft on 25 separate occasions in the 2 months preceding his flight. This extra practice paid off in the exacting performance by the astronaut.

Commander Schirra, his six companions from the original group, and the nine new astronauts recently selected, have all been assigned to new tasks for future space efforts. Significantly, training and general preparedness for the various flights in the next years is the specialty of Commander Schirra. We can rest assured that he and his companions will contribute greatly to our future efforts as they have done in the past.

Mr. Speaker, I am sure that I express the sentiments of this body in congratulating the men and women of our space team for their dedicated work. I am equally positive that all America joins me in wishing success to Maj. Gordon Cooper in his extended orbital flight due to take place in early April. As we add to our knowledge of the universe around us, I can only hope that these achievements will serve as an inspiring example of what man can do in peaceful pursuit of a better life.

FERROMANGANESE INDUSTRY IN A DEPRESSED CONDITION

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Bow] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BOW. Mr. Speaker, I am greatly concerned by reports circulating among producers of ferromanganese relative to a proposed new barter transaction with India.

I was somewhat relieved yesterday by a report from the Agriculture Department that talks with the Indian Government are in the earliest stages and no decisions have been reached. However, I feel that this is an appropriate time to explain the problem of our domestic ferromanganese producers, and give warning of the consequences if the reported barter materializes.

The reports I have mentioned are to the effect that the United States will send India $32 million worth of cotton in exchange for 300,000 tons of ferromanganese.

Further, it is reported that approximately one-third of the ferromanganese will be produced in India, amounting to about 100,000 tons. Another 100,000 tons may be produced in Japan or France. And the remaining one-third will be produced in the United States.

In other words, Indian ore is to be shipped to Japan or France to be processed before delivery to the United States. An equal amount of Indian ore is to be brought to this country for processing.

All of this is to be added to our stockpile.

The ferromanganese industry of the United States is in a depressed condition. It has been operating at no more than 55 percent of capacity.

If we go through with a proposal to dump an additional 200,000 tons of ferromanganese produced in India, Japan, or France on our already large stockpile, the result will be further depression in the domestic ferromanganese industry, the loss of employment for additional thousands of American workingmen, and the loss of investment and profits for the many thousands who are investors in these industries.

I think it is time to reexamine the effects of our program for disposing of agricultural surplus.

It is wise and charitable and sound to try to share our surplus production with the people of other sections of the world. I was one of the sponsors 10 years ago of the original Public Law 480 which has made possible the distribution of tens of billions of pounds of food, feed, and fiber to foreign lands.

But we have come to the time—perhaps we are long past it—when we must determine whether the positive gains for agriculture are worth while if, in the process, we destroy or seriously undermine other American industry.

American aid helped India to build facilities which can produce ferromanganese in quantities far greater than India or its neighbors can ever consume.

I suspect that the Government of India may have created this outsized industry solely to provide itself with a commodity that it could use in barter for our agricultural products.

I suggest today that the welfare of American producers of ferromanganese, a sizable portion of our private enterprise economy, is more important to the United States than the operation of Government-owned plants in India.

I believe very strongly that if we are going to barter with India, we should barter for manganese ore to be shipped to the United States so that the ferromanganese may be produced in our own plants. And before we do that, I suggest that we make certain that it is in the national interest to increase our stockpiles of ferromanganese by 300,000 tons in the next 12 to 18 months.

There are many other considerations that could be developed. One of them, most certainly, is a careful check on the quality of the ore or the ferromanganese available in India. All of these considerations should be thoroughly explored by the appropriate committees of the House before the Agriculture Department proceeds further with negotiations that could mean great hardship to an already distressed industry. Further, I suggest that the Agriculture Department should consult with the U.S. Bureau of Mines before any transactions of this kind are agreed upon, and proceed only upon assurance from the Bureau of Mines that the transaction is in the best interest of our domestic mining and processing industries.

CONSTRUCTION OF PUBLIC HEALTH FACILITIES

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. Fogarty] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I have, in the 86th and 87th Congresses introduced a bill which would authorize a 10-year grants program for the construction of medical, dental, and public health educational facilities.

The construction of these facilities is basic to the solution of the problem of medical manpower supply. It is the most basic and pressing need though it is not—by any means—the only need. This position, which I have taken many times, is embodied in this and two other bills which I have also introduced in the two previous Congresses—a measure to provide scholarships for medical and dental students and a measure to provide for Federal grants to augment basic operating incomes of medical and dental schools. I plan to reintroduce both proposals to this Congress in the near future.

I have repeatedly proposed these legislative measures in an effort to help meet the health needs of our people—needs pervaded by a picture of a growing America with a dwindling supply of trained health personnel. The 86th and 87th Congresses have passed into history. Meanwhile America has continued to grow and our supply of trained health personnel has continued to dwindle.

As I told representatives of the American Hospital Association and hospital associations in Chicago last week, each year we have proportionately fewer physicians, dentists, and others in the health professions; each year we are slipping behind in the race to meet the health demands of our growing population; each year and with the passage of each Congress, the situation deteriorates. Whether we shall continue to permit this deterioration shall, I hope, be given solemn consideration and action by the 88th Congress.

I have, unlike some of my colleagues in the House and Senate, proposed three separate bills because I feel that the omnibus-type bills go neither far enough nor fast enough to recapture time that has been lost in the battle against continuing disparity between health resources and health needs.

I feel, too, that each of my three bills, although aimed at the same goal of providing remedies for the Nation's medical manpower shortage, should be considered separately and on its own merits.

My bill for construction of medical facilities is being brought before Congress first because I feel that the lack of these facilities poses the greatest single obstacle to the solution of our medical manpower problems. Even if this proposal is enacted into law and implemented within the next year, there would not be any real alleviation of our shortage of health personnel for a number of years.

I also propose it first because the precedent and mechanism for construction assistance have been long established. Nor would it pose any philosophical problems since cries of Federal control and socialized medicine have faded away during the successful operation of the 10-year-old Hill-Burton hospital construction program, the 7-year-old health research facilities construction program, and the newly established community health facilities construction program.

The support that has been provided for the construction of research facilities underscores in retrospect, the lack of funds for needed construction of medical school facilities. These schools are needed to produce sufficient numbers of qualified individuals to apply the results of research now flowing from our nation's laboratories and clinics at an unprecedented rate.

There are other pressing factors pointing to the need for immediate construction of new medical and dental schools. One is the sobering fact that our population is not only increasing in absolute numbers, it is increasing in a way that three-fourths of this growth will be in the age groups that most need medical care: those over 65, and those under 20. A broad study made some years ago for the Surgeon General of the Public Health Service clearly spells out this and the fact that in 10 years the shortage of physicians and dentists will be even more critical. Unless medical schools greatly increase their output, we will need 15,000 additional doctors and 15,000 additional dentists by 1975.

How will they be able to increase their output? Not by merely modernizing their facilities, but by a program to encourage the construction of new schools of medicine and dentistry. This is what I propose in this bill. I urgently recommend several modifications in the construction authority already embodied in the Public Health Service Act:

First. An extension of the program to provide funds for the construction of medical, dental, and public health educational facilities.

Second. Authorization of appropriations of $50 million for fiscal year beginning July 1, 1963, and each of the 4 succeeding fiscal years for grants to expand and improve existing schools of medicine, dentistry, and public health.

Third. Authorization of appropriations of $60 million for each fiscal year beginning July 1, 1963, and ending June 30, 1973, for grants for the construction of new schools of medicine, dentistry, and public health.

Fourth. A provision to permit Federal matching funds up to 66⅔ percent in cases where institutional needs are strong but financial resources are not.

Fifth. Establishment in the Public Health Service of a National Advisory Council on Health Educational Facilities to advise and assist the Surgeon General in preparing general regulations and in considering applications for construction grants.

This legislation recognizes three things: the interrelation of research and education; the fact that adequate facilities are basic to research and education; and the Federal Government's responsibility to help provide for such facilities.

As I told this body in 1959 and again in 1961, the medical schools' need for assistance in the construction of new and the renovation of existing facilities has been demonstrated and reiterated in studies and reports by such eminent groups as the Association of American Medical Colleges, the Council on Medical Education of the American Medical Association, the Surgeon General's broad-scale study—the Bane report—and others. All of these governmental and nongovernmental studies unite in recognizing that the emergency measures needed demand the use of Federal funds.

In pressing the case for Federal aid, I do not mean to underestimate the role of States, municipalities, private foundations, and individuals in providing for these needs. It is true, however, that all of these important sources combined would not be able to shoulder the enormous financial burden that such a program of medical school construction would place upon them.

The question, therefore, is not whether there should be Federal aid, but how much and how soon Federal aid can be given.

The American people are convinced that adequate health services should be provided to them. It is my deep conviction that we who represent them should meet our responsibility by making way for a program to train the technical and scientific manpower so urgently required.

OUTCOME OF OUR FOREIGN POLICY

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, in these perilous times we are all concerned about foreign policy and its conduct, for the outcome of our policies will determine in large measure whether or not this Nation will continue to enjoy the blessings of peace and freedom.

Since all of us are concerned about foreign policy, we each have our ideas as to what our policies should be and how they should be carried out in given situations. Some of us doubt the wisdom of certain policies of our Government and would adopt policies either slightly or radically different from those we do follow. Certainly we are entitled to our opinions, and to express our ideas.

During the past few weeks, I have heard much criticism of the policies of the President and of the manner in which he has executed those policies. No doubt some of this criticism has been valid. But all too often there have been indiscriminate attacks on the President.

There are some who say that he is incompetent.

There are some who say that he is indecisive.

There are some who say that he lacks courage.

Mr. Speaker, I dismiss such charges as being the mere chattering of magpies. These are the charges of irresponsibles who would solve all our problems overnight by merely blasting Cuba and Russia off the map. Men of good conscience know that this is not realistic.

I say to this House that the President does indeed have competence and courage and good judgment.

He proved this beyond the shadow of a doubt by his precise and statesmanlike handling of the Cuban affair last October. This episode, as we all know, was the first direct confrontation between the nuclear powers of the world. Any miscalculation, any moment of indecisiveness, any moment of fear or panic could have plunged us into holocaust. The record shows that there was no misjudgment, no panic, no indecisiveness.

By his well planned and precisely executed actions, the President removed a serious threat to our national security. He humiliated both Castro and Khrushchev before the world. This alone would have been a magnificent achievement. But more than this, the President gave new confidence to the country. Instead of uncertainty, we now have new confidence. Instead of a vague feeling of groping in the dark, we now know that the initiative in the cold war rests not with the Soviet Union, but with the United States.

Mr. Speaker, I believe that the President in his actions proved once and for all, beyond the shadow of a doubt, that he is a man who has an exceptional ability to measure the subtle and intricate forces of a divided and dangerous world. He is a man who looks carefully at a situation, evaluates it calmly, plans his acts throughly, and executes with coolness and courage and deliberation.

The President has shown that he has the wisdom of a statesman, which, in the phrase of Walter Lippmann, means that he knows how to "use power with restraint."

The President is indeed a statesman, Mr. Speaker. I believe that history will bear him out—not the magpies who deride him.

NATIONAL PARKINSON WEEK RESOLUTION

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FASCELL. Mr. Speaker, today I am introducing a joint resolution which would authorize the President to proclaim the week beginning February 10 each year as "National Parkinson Week." More than 1,500,000 people are afflicted with this dread disease and as yet medical science has not conquered it. One woman, Mrs. Jeanne Levey, has been the principal guiding light in establishing the first Parkinson Rehabilitation, Diagnostic, and Research Institute in the world. She, along with her 300 women volunteers, her staff, a 25-member board of directors, and countless businessmen and interested citizens, has worked long and hard to make this facility a reality.

Parkinson's disease ranks third in the number of people it strikes down each year. Little is known about it, even in this age of modern medicine. If we are ever to find the answers to this puzzling malady, the public must be made aware of this ever-increasing danger which has received very little attention in the past.

Five years ago, Mrs. Jeanne Levey called 20 of her friends to a meeting in her home. Out of that meeting emerged the National Parkinson Foundation and its allied diseases.

The story really begins 15 years ago when S. Jay Levey, president of Chicago's Beck-Lee Corp., one of the world's largest manufacturers of electrocardiograph machines, developed a tremor in his hands. Not understanding the meaning of this tremor, Mr. and Mrs. Levey tried doctor after doctor, until 7 years later a doctor friend in Milwaukee said, "Jay, I think you have the beginning of Parkinson's disease." He referred them to Dr. Lewis Doshay of Columbia University who was studying the disease. Dr. Doshay gave them no hope for a cure but explained that physical rehabilitation and medication could slow the progress of the deterioration.

Jeanne Levey was determined to find out more. She bombarded medical men with questions, visited deans' offices and laboratories, and spoke with anyone and everyone who might shed some light on the subject. She came away convinced that doctors knew as little about this dread disease as she did. Furthermore, it seemed that hospitals and nursing homes were without facilities for the care of these patients, who required too much care, for too long, with too little hope for progress. Dr. Dorshay suggested that she start a foundation—and although this would appear to be too formidable a task for most people—that is exactly what she set out to do.

To finance the clinic Mrs. Levey used all of the promoter's gimmicks, plus a few of her own. One of the most successful fundraising projects is the foundation's annual dinner at Miami Beach—the first year it brought in $10,000 and with Bob Hope as the honorary chairman it brought in $50,000 each of the last two years. Mrs. Levey applied for a Hill-Burton grant and was turned down. However, the Government did not reckon with the persistence of Jeanne Levey. After enlisting the assistance of the University of Miami's medical advisory board, the State, and backed by her own determination, she came to Washington. Her first call was on then Secretary of Health, Education, and Welfare, ABRAHAM RIBICOFF. After that she began a tour of the agencies and was referred from one to another. This did not discourage her and soon various agencies were conferring with one another. The final outcome was a $135,000 Federal grant for the clinic.

The first Parkinson Rehabilitation, Diagnostic, and Research Institute in the world was formally dedicated on May 13, 1962, and on June 1 it opened its doors to all persons afflicted with Parkinson's disease—no matter what their means.

But Jeanne Levey was not content with this. With 1½ million persons suffering from Parkinson's disease, she found there was an overwhelming number of patients waiting for evaluation and treatment. The only answer to this was an enlargement of the institute and so once again Mrs. Levey went after the money. The result—an additional $300,000 Hill-Burton grant which will provide for an enlargement of the institute to include a 100-bed lying-in facility and 2 additional floors to the present building.

On February 14, the annual Bob Hope dinner will be held in Miami Beach. The fundraising campaign this year will be geared to raise $500,000 to provide a substantial operating budget for the year ahead. I have complete faith in Mrs. Levey's ability to attain this goal.

I would like to present here the tribute paid to Jeanne Levey by her coworkers in conjunction with the dedication of the institute:

WE PAY A TRIBUTE TO THE "JOAN OF ARC" OF THE NATIONAL PARKINSON FOUNDATION

There will be no public parades, music or holidays for her.

There will be no public demonstrations, or medals pinned upon her, and there are no plaudits or expressions of commendation adequate to describe her indomitable will and devotion to this most worthy cause for the benefit of the afflicted Parkinsonian.

This gracious lady dedicated herself to this very necessary nationwide project which she founded. She has continued, through spirited drive and deep rooted sincere hope, to make this first Parkinson Rehabilitation, Diagnostic and Research Institute a realistic endeavor, and a monument to all doctors and scientists who are striving to develop conclusive aid, and a possible cure for Parkinson's disease.

Through her inspiring leadership, she humbly and gratefully acknowledges the impressive cooperation and endless efforts of all her coworkers and supporters.

Her praise and reward will come in the fulfillment of her dream, and the heartfelt gratitude of many Parkinsonian families who will be helped now and in the future.

May Heaven's Blessings always shine upon Jeanne Levey.

No words of praise are too extravagant for this great lady who has devoted a good portion of her 70-odd years to acquiring an intimate knowledge of this brutal, crippling disease and to bolstering flagging spirits, to giving hope to the sufferers and their families, and to letting them know that someone cares.

CLOSING TAX LOOPHOLES

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, while I have long believed that tax loopholes should be carefully examined to determine whether any of them were unfair and unwarranted, I must oppose any attempt to penalize retired Federal employees under the guise of closing loopholes.

There is no doubt in my mind but that a tax cut, approved as quickly as possible, will stimulate the economy.

I believe, too, that enactment of most of the so-called reforms requested in the tax bill would, to a large extent, neutralize any tax cutting benefits to the great middle class of this country. And it is the middle class which provides the political stability to this country.

Long-time students of Russia point out that the only hope for a more peace-loving Soviet Union is the growth of its middle class.

As we seek to encourage a middle class in Russia, we should not, in our zeal to gather additional small revenue for the Federal Treasury, persecute and penalize the middle class in the United States.

EULOGY TO DOW H. DRUKKER

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. JOELSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JOELSON. Mr. Speaker, it is with sorrow that I put into the RECORD the sad news of the recent death of one of our revered predecessors in the House of Representatives, Dow H. Drukker. He served his country in the House from 1914 to 1919 during the fateful years of World War I as representative from New Jersey's Eighth Congressional District.

He came to the Passaic-Clifton area at age 25 and was builder of the Union Building & Construction Co., Passaic County freeholder, U.S. Congressman and, at his death, publisher and chairman of the board of the Passaic Daily News, the company which publishes the Herald-News.

I believe that the eulogy delivered at his funeral by his pastor, Rev. William B. George, of the Old First Reformed Church of Passaic eloquently captures the spirit of this distinguished gentleman:

We are here today to pay tribute to one whom we all knew and loved.

He said:

Some of us here knew his Christian concern as his employees. There are others here today, his children, grandchildren, and yes, his great-grandchildren, who knew the love and warmth which he bestowed upon his family. One here today, his devoted companion through many years, shared his pleasures and his difficulties. She shared in his hours of triumph and happiness and stood by him in days of illness as a faithful and devoted Christian wife.

There are those here who knew him in many other capacities, perhaps as a business associate, as a genial companion, and just simply as a friend. I knew him in this capacity, as a friend and as his pastor. As very few men with whom I have come into contact have ever done, he knew how to encourage me and hold up my hands in prayer and assist me practically in my labors. He loved the preaching of God's word and the sacraments of the church. In the midst

of a busy life which created a veritable industrial empire, he found time to serve his Nation in the Congress, this community which he loved, and this, his church, as an office bearer and member of our governing consistory.

God blessed his labors, as few men have been blessed, but even in the midst of adversities, he gave generously that the work of this church and other religious and philanthropic enterprises might go forward. I know personally of the ministers whom he has aided and churches he has helped to build. But let me say this, seldom did I learn of his good works from his own lips.

God blessed him with a longer life than most of us are privileged to have but none of it was wasted. He has passed a lighted torch on to us and if we will keep faith with him and with our God, we dare not let it be extinguished.

There are many words of tribute which could be paid to Dow H. Drukker, but perhaps all of them could be summed up in the simple phrase scribbled hastily on the chart at the foot of his hospital bed by the doctor who attended him in his last illness—these words—"a wonderful man."

TEACHERS FORCED TO "MOONLIGHT" TO MAKE ENDS MEET

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. HECHLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HECHLER. Mr. Speaker, on Tuesday President Kennedy advanced many necessary measures to strengthen the educational system.

A very serious economic problem confronts the teachers of West Virginia and the Nation, forcing many teachers to engage in evening and weekend jobs in order to make both ends meet. It is surprising how many teachers have to work odd jobs in filling stations, repair work, or anything else they can pick up. This not only makes it difficult for them to devote their fullest energy to their teaching, but it also makes them want to go into some higher paying and less wearing occupation. Not only are teachers leaving West Virginia, attracted by higher teaching salaries in other States, but teachers are being siphoned off to other occupations.

I think it is high time that teachers be given the economic status which the importance of their work deserves.

The following article from the National Education Association Journal of February 1963 pinpoints the problem:

ANGRY YOUNG MEN IN TEACHING

(Because a much larger proportion of men than of women are permanently leaving the profession, this article concentrates on the financial problems besetting many men teachers. The author and the editors, however, are sympathetically aware that inadequate salaries result in hardships for many women teachers, too. In no sense should this article be construed as an argument for pay differentials for men teachers. The National Education Association firmly supports the principle of the single salary schedule and adequate salaries for all teachers.

(Readers' comments on this article are invited; some may be carried (with the permission of the writers) in future issues of the Journal.)

They started the job on a Friday night, patching cracks in the plaster, sandpapering the woodwork, and doing other preliminary work. On Saturday they applied the first coat of paint; on Sunday, the second. This was the best interior painting I have ever seen at any price, and the cost was not out of line.

On learning that the two young men taught in a large high school nearby, I asked one of them, "Isn't this teaching-painting combination a bit unusual?"

"I suppose it is, but you'd be surprised how many things men in our school system do to bring in a little extra cash. I have a friend who works 3 hours every night in a filling station. One sells life insurance; another, cemetery lots.

"Our combination of jobs has some real advantages. We make almost half as much in the summer and on off hours as we do teaching school. It's a pretty rough life, but it's either this or ask our wives to go to work. Because we have small children, we want our wives at home."

"There are other interesting angles," the second young man said wryly. "Some people just plain feel sorry for a man who teaches and like to help him out. Others are impressed by the fact that both of us have M.A. degrees. We don't advertise this qualification, but people gossip and word gets around. Not long ago we painted a liquor salesman's living room, and he has been bragging to his neighbors ever since. 'These walls,' he tells his neighbors, 'were painted by two men with a total of four college degrees'."

After further questioning the two men, I learned that each was earning per year a little less than $6,000 from teaching and approximately $2,600 from painting. One was in his midthirties and had three children; the other was in his late twenties and had one child. The school district in which they were employed is well above the average and has the best salary scale in the area.

Except for the fact that the teacher-painters were better off financially than most men in teaching, they were fairly typical of the 450,000 men now employed in public elementary and secondary school classrooms. According to a National Education Association Research Division survey in 1961, men in public school work averaged $5,500 from their teaching. Almost half (47 percent) of them were working at a second job during the school year, and over half (60 percent) held another job during the summer months. Nonteaching income for the men who had other income averaged $1,155 for the year.

Eighty percent of the men teaching in public elementary and secondary schools are married, and their families typically include two children. Over 40 percent have master's degrees. By and large, they have more educational preparation than women teachers, but their careers in teaching are much shorter. As a group, they are 10 years younger and have had only half as much teaching experience.

A large proportion of these men have serious financial problems. Although the great majority like teaching and want to continue with this work, thousands are forced out every year by financial difficulties. Most of them say their salaries will provide the basic necessities of food, clothing, and modest housing, but there is little left for anything else. If a wife faces major surgery or a son needs braces on his teeth, the typical male teacher is in trouble.

Most men in teaching are not as good-humored as the teacher-painters mentioned earlier. Many are angry at society in general and at public officials in particular. Some have lost all hope that the people will ever understand or appreciate the importance of teaching. The following letter from a New York City teacher is indicative of the feelings of many:

"Although my school address appears on this stationery, I type this letter on a typewriter borrowed from my second job during the few minutes I can steal. This harrowing situation of working two jobs is not something a person feels like talking about these days. Who really cares? Who cares if the teacher comes in tired the next day? In most schools they rejoice at your mere presence, especially if you are a man. Somehow the administration believes men have magical powers. The only magical power I possess is that of being able to stay awake longer than most people.

"Let me get down to the miserable facts. I earn $5,575 on paper. This glorious figure boils down to $320 take-home pay per month. This is a little less than $75 per week.

"People want good teachers, but we aren't in the same category salarywise as—you name it—plumbers, carpenters, sanitation men, policemen, firemen * * * or as secretaries, clerks, bookmakers, or bagelmakers."

One of the decisive factors in a man's decision to leave teaching is his deep concern for the welfare and future of his own children. Practically all these men are college graduates, and they naturally want the same opportunities for their sons and daughters. A teacher in Florida wrote: "My oldest son will graduate from high school next year. I want very much to send him to a good college, but for the life of me I can't figure a way to do it. It will cost almost half of what I am making."

Children of teachers, like children of other college graduates, are likely to be well above average in academic ability and native talent. Among the sons and daughters of teachers are thousands of potentially outstanding physicians, dentists, and lawyers, yet the male teacher who on his own can finance such an expensive education is a rarity. Fewer than 1 in 1,000 public school teachers make as much as $10,000 per year.

Other men who responded to the Research Division's survey expressed similar concern for their younger children: "It is hard to explain to a 10-year-old why there are so many things other boys and girls can have that he cannot have. This one thing probably bothers me more than anything else."

It isn't difficult to understand what this teacher is talking about. His salary is less than $5,000 per year, and after paying for food, clothing, housing, and taxes, there's not much left for piano lessons, summer camp, and other things that many of today's children and youth take for granted.

One young man said his greatest ambition was to go back to college to start working on a master's degree. "In addition to improving my work as a teacher, this degree would lead to a higher salary and perhaps a better job." This teacher has a wife and one child, and after 5 years of teaching experience is earning $4,100 per year. "I try to save a small amount from my salary during the school year, but when summer comes I barely have half enough to pay my summer bills."

The typical middle-class American worker now enjoys a standard of living unmatched in the history of this or any other country. A $15,000 to $20,000 home, two or three radios (one to get up by, one to cook by, and one to drive to and from work by), an all-electric kitchen, a TV, a new car every 2 or 3 years, a summer vacation on the beach, and bowling, golf, or some other form of recreation once a week are no longer unusual. In contrast is the male teacher who says:

"In the 11 years I have been a teacher, it has been necessary for me to work nights, weekends, and summers to provide for my family the bare necessities of life. The luxury of a vacation is in the realm of day dreaming. My part-time jobs have included hospital attendant, lifeguard, waiter, longshoreman, real estate salesman, and clothes presser."

A teacher in Cleveland recently said with some bitterness: "Teachers make a substantial contribution to the preservation and advancement of this country's system of free enterprise, but our share of the results of this system is meager. Parked in front of the houses on either side of me is an automobile of recent vintage. In front of my place is a 12-year-old wreck which can't be trusted 25 miles away from home."

Another man had mixed feelings about the results of his work:

"When I watch these kids grow up, leave school, marry, go to work, get promoted to better jobs, and end up with five-digit salaries * * * and know I've played a small role in their lives * * * my regrets for having become a teacher almost disappear.

"On the other hand, I sometimes wonder why so many of those we have helped the most have done so little for education in return. It would seem that the most successful former students would become ardent and vocal supporters of better schools and adequate salaries for teachers, but too frequently they do not."

Can men teachers earn more in other types of work? We have impressive evidence that they not only can but do.

Thorndike and Hagen at Teachers College, Columbia University, recently reported a comparison between men who left teaching and men who stayed in teaching between the years 1955–59. Included in the study were several hundred public school and college teachers.

The average income of the public schoolteachers who were teaching in 1955 and still teaching in 1959 was $475 per month. The average of those who were teaching in 1955 but who had taken another job by 1959 was $610. Only 1 teacher in 247 made as much as $800 per month. Of those who had left, 20 percent made this much or more.

The findings for college teachers were much the same: Those still in college teaching were averaging $600 per month; those who had left, $835.

MEN AND WOMEN CLASSROOM TEACHERS IN PUBLIC SCHOOLS

Median age: Men, 33.6 years; women, 45.5 years.

Median years of teaching experience: Men, 7.1 years; women, 14.2 years.

Percent with master's or higher degrees: Men, 40.7 percent; women, 15.6 percent.

Percent married and single: Men: Married, 80.5 percent; single, 17.3 percent. Women: Married, 62.3 percent; single, 24.6 percent.

(Widowed, divorced, or separated account for 2.2 percent of men and 13.1 percent of women.)

The typical man teaching in today's schools is both angry and impatient. He thinks he is entitled to a better break in this era of two-car families and electric can openers, and he is. He is fed up with working nights, weekends, and holidays trying to make ends meet on a teacher's salary. He is tired of sacrificing his family for his profession. While many people are sympathetic, the exodus of talented men from teaching goes on, and on, and on.

SAM M. LAMBERT,
Director, National Educational Association Research Division.

U.S. CONTROL OVER PANAMA CANAL: SURRENDER OR ADVANCE

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLOOD. Mr. Speaker, in a joint United States-Panama communique, issued on January 10, 1963, by the Department of State, our Government by executive diplomatic action agreed to additional concessions to the Republic of Panama with respect to the Panama Canal. These concessions, which, directly or indirectly, will affect the maintenance and operation of the canal enterprise, include the official flying of the Panama flag alongside all U.S. flags displayed by civil authorities in the Canal Zone, the licensing of foreign consuls to serve in the zone territory, and the sale of Panamanian postage stamps in the Canal Zone postal system as a substitute for the one now used in it.

While some of our officials contend that these concessions are only minor yieldings to Panamanian aspirations that are of no real significance, such argument is not valid. All of these functions are attributes of sovereignty; and as such, they are, by treaty, vested in the United States to the entire exclusion of the exercise by Panama of any such sovereign rights, power, or authority. Concessions without compensatory grants are erosions that undermine.

Our patriotic citizens in the Canal Zone, who, despite recent efforts to silence them through official intimidation, are fully alert to what has been transpiring in this vital U.S. possession and ready to stand up. They know from prolonged observation the true significance of the process of sustained surrenders of the sovereign authority of the United States over the canal enterprise.

One of them, Gerald A. Doyle, Jr., recently brought suit in the U.S. District Court for the Canal Zone to prevent the formal flying of the Panamanian flag in the zone. Reacting to the Doyle suit, a Panamanian, on January 9, the day preceding the communique, filed a suit in the Panama Supreme Court aimed at voiding the 1903 Panamanian Executive Decree ratifying the 1903 Hay-Bunau-Varilla Treaty, which granted sovereignty en bloc over the Canal Zone to the United States and guaranteed the independence of Panama following the 1903 Panama Revolution.

Those who started this Panamanian legal action have not thought the problem through to its conclusion. Should a Panamanian court hold that the 1903 treaty is void, then, by the same token, the 1903 Panama Revolution is also void and not only the Canal Zone but as well all of Panama would revert to the Republic of Colombia.

On January 9, 1963, many of our citizens in the Canal Zone, in the exercise of their constitutional right to assemble peaceably, gathered at a mass meeting in Ancon to hear an address by Mr. Doyle, the plaintiff in the indicated zone suit.

The story of these initial testing developments relative to U.S. sovereignty over the Canal Zone, as summarized in the January 10 issue of the Star and Herald, Panamá, Republic of Panama, is an important addition to the cumulating documentation on this phase of Isthmian history.

The indicated news story and the text of the January 10 United States-Panama communique follow:

[From the Star & Herald, Panamá, Republic of Panama, Jan. 10, 1963]

SEEK TO VOID APPROVAL OF CANAL TREATY—REPUBLIC OF PANAMA SUPREME COURT ASKED FOR RULING—DOYLE TELLS CANAL ZONE AUDIENCE "LAST LINE OF DEFENSE" REACHED—"WE SURRENDER OR ADVANCE"

A suit against the Government of Panama, seeking to void the executive decree whereby the 1903 Panama Canal treaty was approved, was filed yesterday with the Panama Supreme Court.

In Balboa, a large turnout of U.S. citizens heard Gerald A. Doyle, plaintiff in the suit in district court in Ancon aimed at preventing the display of the Panamanian flag in the Canal Zone, say that "we have probably reached the last lines of defense, we surrender now or we advance." Doyle addressed a public meeting of the Pacific Civic Council held in the Balboa High School Auditorium.

These were the major developments in the controversy stemming from the official display of the Panamanian flag alongside the United States flag in the Canal Zone.

The action in Panama was filed by Domingo H. Turner, a well-known Panamanian lawyer who has held prominent positions. He named as counsel attorney Jose Manuel Faundes.

The suit is in the form of a petition to the Supreme Court to rule as unconstitutional the December 2, 1903, executive decree, issued by the Government Junta which took over immediately after Panama's independence from Colombia, whereby approval was extended to the 1903 treaty. This is the basic document from which the United States gained control of the Canal Zone.

The grounds for the petition, among others, are:

1. That the 1903 treaty was ratified by the then ruling provisional government without submitting it to the National Constituent Assembly, as was required constitutionally.

2. That the executive decree extending approval to the treaty did not quote the body of the instrument approved.

3. "The decree was issued under coercion, deceit and bribery, and under peremptory orders issued to the government junta the (U.S.) Department of State through the Minister of Panama in Washington. Coercion: The threat to withdraw the protection of 11 North American cruisers navigating in the Atlantic and the Pacific to uphold the separation of the representative of the latter country, then in Washington for that purpose, a treaty for the excavation of a canal. Deceit: Offer to include in immediate additional treaties the provisions which the government junta had requested through the Negotiating Commission; and bribery: The promise to increase immediately from $50,000 to $100,000 the loan which the nation required to defray the expenses resulting from the revolution and from the Government's needs."

Among the exhibits introduced in evidence is the volume "The Story of Panama," from the Archives of the Congress of the United States and which is identified as a report on an investigation ordered by Congressman Rainey in 1913.

Observers said that the immediate effect of a ruling by the Supreme Court that the 1903 decree is unconstitutional would be to require that the 1903 decree be sent to the present National Assembly for ratification.

Meanwhile, at the BHS auditorium, Doyle's appearance at the rostrum was greeted with an ovation by the audience that filled two-thirds of the hall.

Right at the start, Doyle said he had no desire to be "a self-appointed Messiah"—a reference to Gov. Robert J. Fleming's recent address before the Society of Civil Engineers in which he spoke on the inevitability of change in the Canal Zone. Doyle cited his consuming interest in his work, his rather large family and his hobbies. He said he had neither the time nor the inclination to joust with windmills or to act simply to embarrass the authorities.

But he said that, as a patriotic U.S. citizen, he had reached the limit of endurance in the face of the erosion of U.S. influence in the world. A large percentage of the Canal Zone people, he added, feel the same patriotism and want to do something to preserve U.S. influence in the Canal Zone, Latin America, and the world in general. He declared he feels very strongly that the Canal Zone "is my sphere of influence."

Doyle told the audience he would speak on his political philosophy and the reason for initiating the action in the district court, the recently organized Gerald A. Doyle Flag Fund and the support that is necessary if the Canal Zone is to remain under U.S. jurisdiction.

He offered to answer questions at the end of his talk, but cautioned he would not discuss his interpretation of the laws nor the arguments that will be used in court by his attorneys. He said he does not want the issue to be tried in the newspapers, as the Panamanian press appears to be doing.

Doyle then cited the rights which U.S. citizens enjoy under the Bill of Rights and declared that the court action he has taken is within those rights. He expressed his feeling that those rights are part of his heritage and that the laws of the land of the United States—including the Canal Zone—are part of that heritage. He said it is his duty to protect that heritage for his children as his ancestors had done for him.

A few people in the Canal Zone, Doyle continued, who are nearing retirement have advocated giving the Canal Zone back to Panama. For his part, Doyle declared, he is not concerned with retirement or with leaving the Canal Zone and that he has not taken the court action to protect a job, for he has no qualms about leaving the zone or about practicing his profession in the United States.

Stressing that the Canal Zone is part of the heritage over which he is concerned, Doyle declared that the treaties between Panama and the United States fairly and definitely define the position of the United States in the Canal Zone and that under those treaties the Canal Zone land was given to the United States.

He then cited the increasing strength of the executive branch of government in recent years and asserted that this is not the traditional American way. He remarked that some officials are not concerned with traditionalism and the ways of the past.

Doyle said he agreed with Governor Fleming that tradition must change and that there must be other types of change, but that he does not go along with that there must be change for the sake of change.

He emphasized that he is not opposed to accepting change in the Canal Zone or elsewhere, but that such change must come within the framework of the laws of the United States. He reiterated that he has no quarrel with Panama nor with the Panamanians who ask for the things that they want, remarking that Panama wants the Canal Zone and would ask for the moon if we could give it to them.

By the free treaties between the two countries, he declared, the Canal Zone is a part of the United States, paid for not once, not twice but three times. He explained this by saying that Panama itself had been paid, the land owners in the Canal Zone had been paid, and so had Colombia for the rights they released in the Canal Zone to the United States.

"If it is the desire of the United States Congress to relinquish the Canal Zone, let Congress say so," he declared.

But he went on to point out that some elements here are not following the intent of the U.S. Congress. He read the Selden resolution, approved February 2, 1960, by the U.S. House of Representatives by a vote of 381 to 12, stating that any change in the traditional interpretation of the Panama-United States treaties should be made only pursuant to treaties.

He then turned to the Doyle Flag Fund Committee, saying that he had hoped for moral support from the Canal Zone community without seeking financial aid. But, he added, you cannot fight city hall without money. He pointed out that the Governor has a large legal staff at his beckoning, that the State Department has direct lines to the Congress and the White House, that Panama has an active press that even controls the news that is sent to the United States through the wire agencies, that capable Panamanian journalists have been invited to visit the United States to discuss the situation before the Stateside press, and that it would be naive to suppose that any of them would present the U.S. citizens' viewpoints to the people of the United States.

What can we do? he asked. For one thing, Doyle declared, the Doyle Flag Fund can do something. He explained that when he retained Cristobal attorney E. J. Berger it had been agreed that Stateside counsel would have to be sought, in view of the local limitations for research and other activities. For that reason, Doyle said, the fund had been set up to provide the fees for Attorney William S. Tyson, of Washington, D.C. About half the necessary amount has been raised (in the subsequent discussion, $10,000 was named as the amount), Doyle declared.

Two other projects that might be attempted with the Doyle Fund, the speaker said, are (1) engaging a research counsel to help in the case; (2) engaging a public relations agent to counteract the "propaganda of Panamanian newsmen" and enable the story of the U.S. citizens in the Zone to reach Congress and the people of the United States. In this connection, he urged Canal Zone residents to write their Congressmen.

Finally, Doyle said if there is any money left over from the fund he will suggest that it be used to reerect a flagpole in the Governor's yard. The refererence was to the removal of the flagpoles at the Governor's residence and at other locations in the Canal Zone immediately after the agreement for the joint display of the Panama and U.S. flags in the zone was announced.

Joint Communique and Aide Memoire Resulting From Discussions in Panama Between United States and Panamanian Representatives

President John F. Kennedy and President Roberto F. Chiari of the Republic of Panama agreed, during President Chiari's visit to Washington on June 12–13, to appoint high level representatives to discuss points of dissatisfaction with provisions of the United States-Panama Treaty governing the Panama Canal. The results of the discussions in Panama, which are continuing, are summarized in the following joint communique and aide memoire:

"JOINT COMMUNIQUE

"The representatives of the Governments of the Republic of Panama and of the United States of America, appointed to discuss points of dissatisfaction in United States-Panamanian relations with regard to the Canal Zone have periodically met during the last 5 months. Various aspects of pending questions have been discussed up to the present, with the following results:

"First. It has been agreed that the flag of the Republic of Panama will be flown together with the flag of the United States of America on land in the Canal Zone where the flag of the United States of America is flown by civilian authorities. Private organizations and persons in the zone are free to display flags at will over their places of residence or business. Other aspects of the flag question will be discussed later.

"Second. Foreign consuls, on the basis of exequaturs issued by the Government of Panama and, in accordance with procedures and understandings which have been agreed upon by the Government of Panama and the Government of the United States, may function in the Canal Zone. Subject to these procedures and understandings the U.S. Government will cease issuing documents of exequatur.

"Third. The representatives of both Governments have discussed labor problems relating to Panamanian citizens who work in the Canal Zone. Special attention has been devoted to the subject of wage scales, equal opportunities for Panamanian and United States citizens at all levels, and social security benefits. All these problems continue to be under discussion.

"Fourth. The representatives of Panama submitted for discussion the question of using Panamanian postage stamps in the Canal Zone postal system. The U.S. Government has proposed the use of Panamanian stamps in the zone in accordance with technical arrangements now under consideration and in conformance with international postal standards.

"Fifth. In accordance with instructions, the representatives have discussed Panama's need for pier facilities and have visited the present pier facilities in Cristobal. This subject continues to be under discussion.

"The representatives of the Governments of the United States of America and of the Republic of Panama will continue their present discussions aimed at finding solutions to other problems which remain unresolved.

"The discussions are continuing in the spirit of the joint communique issued by the President of Panama and the President of the United States of America at the end of the visit which the President of Panama made to Washington in June of last year.

"From time to time additional joint communiques outlining the progress of the discussions will be issued.

"AIDE MEMOIRE

"JANUARY 8, 1963.

"With reference to the conversations between His Excellency the Minister of Foreign Affairs and the American Ambassador concerning the meeting on September 11, 1962, of the United States and Panamanian representatives to discuss improvement of United States-Panamanian relations with regard to the Canal Zone, His Excellency will recall that the following decision was reached.

"It was agreed that the practice heretofore followed on the part of the United States with respect to the issuance of exequaturs for use in the Canal Zone would be changed as follows:

"The U.S. Government would not be agreeable to the exercise of consular functions by a consular officer from a government not recognized by the United States. Also, the Government of the United States will notify the Government of Panama and will prohibit a consular officer from acting in the Canal Zone if, for example, in the opinion of the U.S. Government, a situation arises in the future in which a consular officer accredited by Panama is a security risk, or his functioning would interfere with the operation, maintenance, or defense of the canal.

"Hereafter, when the Government of Panama has on request issued on exequatur to a consular officer to function in Panama, and has notified the Department of State to that effect, the Department of State, providing it has no objection in accordance with the preceding paragraph, will inform the Government of Panama by note that said consular officer may function in the Canal Zone, and the Government of Panama will so inform said consular officer; in the event the Department of State objects in accordance with the preceding paragraph, information to that effect will be supplied the Government of Panama and the consular officer may not undertake to perform consular functions in the Canal Zone."

AMERICAN LEGION HONORS DR. CHARLES C. TANSILL WITH MONROE DOCTRINE CITATION

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Walter] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WALTER. Mr. Speaker, to those who in recent years have delved into the operations of the conspiratorial apparatus for undermining the Government of the United States and the institutions of our country through the processes of infiltration and subversion, it is always gratifying when American leaders show the type of vision and courage that made our Nation great.

A notable example of such leadership took place on December 2, 1962, near Wilkes-Barre, Pa., when the American Legion, of which Mr. Louis J. Greco is State commander, awarded the legion's nationwide Monroe Doctrine Citation to Dr. Charles C. Tansill, of Washington, D.C., and Texas, a great teacher, lecturer, and historian in the fields of American diplomatic and constitutional history.

Held at the Plains American Legion Home, near Wilkes-Barre, with many Pennsylvania leaders present, this 139th anniversary commemoration of the Monroe Doctrine—1823–1962—was indeed notable, with Attorney Anthony B. Panaway as toastmaster and Mr. Nello S. Carozzoni, Jr., as chairman of arrangements. The award was made by State Commander Greco. The citation follows:

The American Legion, District 12, Luzerne County, Department of Pennsylvania

The Monroe Doctrine Award awarded to Charles Callan Tansill for his outstanding achievements in furthering the aims and purposes of the Monroe Doctrine in the true and upstanding tradition as a loyal and patriotic American on this 139th anniversary, held in the Joseph E. Conlon American Legion Post No. 558, Plains, Pa., on this day, Sunday, December 2, 1962, A.D.

Louis J. Greco,
Department Commander.
Mitchell J. Czoch,
District Commander.
Nello S. Carozzoni, Jr.,
District Adjutant.

In a powerful address, "The Monroe Doctrine—Is It Obsolete?" which reflected a tremendous erudition, Dr. Tansill stressed the inherent right of self-defense as the main point in the Monroe Doctrine. This, he stated, cannot be renounced but remains as the living spirit of our people. His paper, published in pamphlet form, is obtainable at the Committee on Pan-American Policy, 60 East 42d Street, New York, N.Y., of which he is research director.

It was signally appropriate that, following the principal address, Toastmaster Panaway read a statement prepared for this occasion by my distinguished colleague, the gentleman from Pennsylvania [Mr. Flood], who is one of the ablest and most learned Members of the Congress. His numerous contributions over many years in the form of thoughtful addresses and papers on Caribbean and Isthmian policies form a reservoir of authentic information on these crucial subjects.

His December 2 statement, by bringing the challenges on what is now our fourth front into focus and supplying a realistic program for meeting them, was a most fitting sequel to Dr. Tansill's discourse.

The two indicated contributions by Dr. Tansill and the gentleman from Pennsylvania, Congressman Flood, are commended for study by all Members of the Congress, especially those assigned to committees dealing with foreign policy questions and the committee staffs.

The two papers, together with pertinent extracts from President Monroe's message of December 2, 1823, known as the Monroe Doctrine, and from the Treaty of May 22, 1903, with Cuba, incorporating the Platt amendment, follow:

The Monroe Doctrine—Is It Obsolete?

(By Charles Callan Tansill)

THE MONROE DOCTRINE UNDER FIRE

Nikita Khrushchev, intoxicated by the Castro triumph in Cuba, has proclaimed the death of the Monroe Doctrine. Its remains, he declared, "should best be buried as every dead body is, so that it does not poison the air by its decay."

Few Americans will be impressed by Khrushchev's mouthings. But the sobering fact is that what Khrushchev has said vulgarly, many opinionated American liberals are beginning to say guardedly. For instance, the influential Left-Liberal magazine, the Reporter, mused editorially that "perhaps the time has come to recognize that the Monroe Doctrine is about as obsolete as Washington's Farewell Address." An alarming number of fainthearted Americans are ready to discard this rock of American security and to replace it with the uncertainties of hemispheric protection by the OAS and the United Nations.

Such an attitude, of course, flies directly in the face of all the facts of history.

What is not recognized by such waverers is that the Monroe Doctrine has always been merely the assertion by the United States of its inherent right of self-defense.

There is nothing unique about such an assertion. Every nation has a Monroe Doctrine of its own, however the names may differ. Weak nations, in order to preserve their independence, have traditionally entered into varying forms of collective security. They have accepted multilateralism because they have had no choice. Strong nations have been able to assert unilateral programs which they could enforce with their own unaided might.

The basic effectiveness of the Monroe Doctrine has always been rooted in the fact that it has been, from its inception, a unilateral commitment. It is geared, not for debate, but for action. As President Woodrow Wilson said:

"The Monroe Doctrine was proclaimed by the United States on her own authority. It has always been maintained, and always will be maintained, upon her own responsibility."

Through all the twists and turns of American history, the doctrine has been the one firm anchor of American hemispheric policy. To suggest its renunciation opens the door upon uncertainties and dangers too ghastly for the American people to contemplate.

To realize how deeply the Monroe Doctrine has been interwoven with the very warp and woof of our basic security, let us briefly survey its historic backgrounds.

THE GENESIS OF THE DOCTRINE

The first wave which impelled the United States toward the enunciation of a hemispheric security policy was the breakup of Spanish rule in its colonies during the Napoleonic wars. The threat was presented of seizure by the European powers of the newly liberated Latin American States. This would have involved the United States in a European power struggle which she wished to avoid.

This apprehension resulted in the adoption of a resolution by Congress, on January 15, 1811, protesting against the transfer of any Spanish colony to a European power. When it seemed that Britain had designs upon Florida, President Madison sent American troops into West Florida. By 1813, U.S. occupation of the whole Florida area was completed. In those days, the United States had Presidents who did not search for legalistic reasons for inaction when American sovereignty was endangered.

The threat to the Spanish colonies was presented in a new form when the quadruple or holy alliance of victorious nations (Britain, Russia, Prussia, and Austria) was created after the fall of Napoleon. At Aix-la-Chapelle, in September–October 1818, a proposal was made to the alliance concerning intervention in Latin America. Britain promptly interposed a spirited objection, and the project was never implemented.

Encouraged by these British objections to intervention, John Quincy Adams, the American Secretary of State, on May 20, 1818, proposed to the British Foreign Office the adoption of an Anglo-American parallel policy relative to Latin American independence. The British Foreign Secretary, Lord Castlereagh, declined this invitation.

On May 19, 1821, Henry Clay proposed that the United States should support Latin American independence by all measures short of war. This declaration was followed by an address by John Quincy Adams, on July 4, 1821. His speech sounded the keynotes of the Monroe Doctrine—isolation from Europe's quarrels and opposition to European colonization of any part of Latin America. The stage was set for the declaration of the doctrine.

The initiative was taken by George Canning, the new British Foreign Secretary. After interviews with Richard Rush, the American Minister in London, he issued the notes of August 20, 23, and 31, 1823. In these communications Canning sought to secure Rush's consent to a joint declaration of Britain and the United States, warning the Holy Alliance against intervention in Latin America and jointly pledging the two nations not to acquire any territory in what had been Spanish colonial America.

Rush refused to sign such a declaration unless Canning would agree to acknowledge the independence of certain Latin American states, which had already been recognized by the United States. Canning replied that the question of recognition should "be one of time and circumstance." Rush refused to accept this compromise, and the whole matter was referred to Washington. Without waiting to hear from Washington, Canning turned to France and succeeded in securing the famous Polignac pledge, October 9, 1823: "France disclaims, on her part, any intention or desire to avail herself of the present state of the Colonies to appropriate to herself any part of the Spanish possessions in America."

Canning did not inform the American Minister of his successful move to secure the French pledge against intervention in Spanish America, and he made no further attempts to secure a declaration from Rush. His silence and inaction aroused Rush's distrust and he issued his famous dispatch of October 10, 1823. This dispatch was received by Secretary Adams on November 16, 1823, and it immediately dispelled any thought of a joint United States-British policy. To Adams the overtures of Canning were clearly a part of a British plot to obtain a joint Anglo-American pledge which would really operate "against the acquisition to the United States of any part of the Spanish-American possessions." Canning feared the growing potential of the United States. He did not wish to see any accession of American strength through absorption of large portions of Latin America.

As a former American Minister at London, Adams understood British foreign policy. He believed that misunderstandings should be removed by a frank statement by the President indicating the line of action America would take in certain contingencies. Following Adams' advice, President Monroe, on December 2, 1823, sent a message to Congress outlining the attitude of the United States in the event of intervention in Latin America. This has passed down into history as the Monroe Doctrine.

THE MONROE DOCTRINE IN TRANSITION

In the period before the Civil War, there were some forceful American Presidents who did not wait for actual seizure of Latin American territories by foreign powers before making protest. In 1848, word reached President Polk that the rulers of Yucatan might offer their peninsula to Britain or Spain. Without hesitation he sent a special message to Congress, April 29, 1848, declaring that the U.S. Government would not permit such a transfer even with the consent of the inhabitants. This statement has often been referred to as the Polk Corollary to the Monroe Doctrine.

But the doctrine really came of age under the masterly handling by Secretary Seward of the crisis presented by French intervention in Mexico, 1861–67. This intervention began as a tripartite affair in which Britain and Spain participated with France. After a brief period, Britain and Spain withdrew from the tripartite arrangement. France continued the intervention alone, installing the Austrian Archduke Maximilian on the throne of Mexico. Since the United States was preoccupied with the Civil War, Secretary Seward had to ignore this flagrant breach of the Monroe Doctrine, without action. But when hostilities ended in 1865 he began a series of notes to the French Foreign Office, containing thinly veiled protests against intervention. On February 12, 1866, Seward demanded that the French Government fix a time limit for the evacuation from Mexico of all French troops. Bowing before these threats, Napoleon III withdrew his legions and the government of Maximilian quickly fell. Mexico once more became a republic under Juarez.

According to Prof. Samuel F. Bemis, Seward's insistence upon the withdrawal of French military forces transformed the Monroe Doctrine "into a major national policy, applauded in the New World, respected in the Old World as something for which the United States would fight and could do successful battle."[1] As Professor Perkins remarks: "It has become a true national dogma, endorsed by all parties, awakening an instantaneous response in the breasts of patriotic Americans."[2]

THE MONROE DOCTRINE AND AMERICAN NATIONAL SECURITY IN THE CARIBBEAN

Seward's signal success in vindicating the Monroe Doctrine led succeeding American Secretaries of State to regard the Caribbean Sea as an American lake. Under President Grant it was firmly believed that, in order effectively to protect American interests in the Caribbean, it would be necessary to acquire at least one naval base or to take active steps to prevent any foreign power from acquiring possessions there. In January 1870, President Grant sent a treaty to the Senate calling for the annexation of the Dominican Republic. After some months of debate the treaty, June 30, 1870, failed of ratification in the Senate by a tie vote. The President was determined to resubmit the treaty to the Senate and he was certain that he could exert enough pressure to insure its ratification. Until the Senate would vote again on the treaty Grant sent a squadron of warships to Dominican waters to be sure that no hostile action would be taken against the Republic.

During the early months of 1871 the Navy was vigilant in the protection of the inchoate interests which the United States had acquired in the Dominican Republic during the pendency of the treaty of annexation. When the treaty failed a second time to win ratification by the Senate, Grant recalled the naval squadron from Dominican waters. However, no foreign power dared to challenge American control over the Caribbean.

As one looks through the extensive diplomatic correspondence in the archives of the Department of State in the decades before 1900, it is interesting to note that many of our Secretaries were alertly watchful that no foreign power should attempt to acquire a naval base, either through the seizure of territory or by economic penetration. The Department of State was particularly fearful that Germany might be able to secure possession of the Danish West Indies (now the Virgin Islands) through indirect pressure. Strong notes were sent to Berlin in this regard, and the German Foreign Office replied with warm denials.

The necessity of a strong reiteration of the Monroe Doctrine arose in 1895 when the Department of State became convinced that the British Government was exerting undue pressure upon Venezuela relative to a boundary dispute between British Guiana and Venezuela. If Britain by this pressure should be able to secure a larger area of territory than was rightfully due her, this action, declared Secretary Olney, would be a violation of the Monroe Doctrine. He strongly urged that this dispute be submitted to arbitration.

The case of Venezuela was thus boldly put forward by Secretary Olney in a famous note of July 20, 1895. This so-called Olney corollary to the Monroe Doctrine forcefully stated that the American Government had a right to intervene at any time, anywhere, in Latin America if the interests of the United States required such action. The British Government bent before such pressure and the boundary dispute was settled by arbitration.

This bold affirmation of the Monroe Doctrine was supplemented, after the Spanish-American War, by the Platt amendment to the Army appropriation bill which was approved on March 2, 1901. In order to please certain American statesmen, the Cubans incorporated this amendment into their constitution. In a statement in explanation of this amendment, Elihu Root said: "It would be a most lame and impotent conclusion if after all the expenditure of blood and treasure by the people of the United States for the freedom of Cuba, and by the people of Cuba for the same object, we should, through the constitution of the new government, by inadvertence or otherwise, be placed in a worse position in regard to our own vital interests than we were while Spain was in possession."

It is significant that these prophetic words of warning by Elihu Root were given confirmation by President Franklin D. Roosevelt in his drive to repeal the Platt amendment. But this betrayal of American interests by Franklin D. Roosevelt was in marked contrast to the protection of American interests by Theodore Roosevelt who was an intense "America firster."

The first Roosevelt met the issue headon in the case of the Dominican Republic. In the Dominican Republic, as in Cuba, there was then little appreciation by the natives of the principles of good government. In matters of finance, the Dominicans were particularly irresponsible. In a special message to Congress, December 6, 1904, President Roosevelt announced another corollary to the Monroe Doctrine. He stated that he believed the United States had a right to intervene in any Latin American state when "chronic wrongdoing" invited punitive action by a non-American state. The President was able to make an arrangement with the Dominican Government whereby the finances of the Republic were placed under the control of American advisers and a crisis was averted.

A fourth corollary to the Monroe Doctrine was announced by Senator Henry Cabot Lodge in a Senate resolution approved on August 2, 1912. This resolution expressed disapproval by the United States of any transfer of strategic areas in the Americas to non-American private corporations. Since 1912, the Department of State has several times invoked this corollary to discourage Americans from disposing of their holdings in Mexico to Japanese.

In 1914, President Wilson, who was usually careful to follow the dictates of watchful waiting, suddenly intervened in Mexico when he believed that American interests might be endangered by the landing of German war materiel in Vera Cruz. Wilson had refused to recognize the Huerta government in Mexico and serious differences between the two nations rapidly developed. On April 20, 1914, Wilson asked Congress to authorize him to intervene by force of arms in Mexico. When a German merchantman on the following morning, April 21, appeared in Vera Cruz harbor and made preparations to land arms for the Huerta government, President Wilson, without waiting for final congressional approval of his request to authorize armed intervention, ordered the bombardment of Vera Cruz and the capture of the city. Through the timely mediation of the ABC powers (Argentina, Brazil and Chile), this matter was temporarily adjusted and war was averted.

In his ardent desire to make provision for American security in the Caribbean, President Wilson went to unusual lengths with reference to the purchase of the Danish West Indies, August 4, 1916. The United States had long been eager to acquire these islands for the purpose of converting them into a strong naval base. Secretary Seward in 1867 and Secretary Hay in 1902 had negotiated treaties which failed of ratification. In 1916 the President was fearful that Germany might get possession of the islands from Denmark through the threat of invasion. In that event the Caribbean Sea would be filled with German submarines. Negotiations for the purchase of the islands were initiated by the President but the Danes were reluctant to sell. They feared the enmity of Germany. Also they wished to respect the wishes of the inhabitants.

The price offered by the Wilson administration, $25 million, was generous, but the

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[1] Samuel F. Bemis, "The Latin American Policy of the United States" (New York, 1934), p. 112.

[2] Dexter Perkins, "The Monroe Doctrine, 1867–1907" (Baltimore, 1908), p. 2.

Danes remained hesitant. To counter this reluctance, Secretary Lansing intimated to the Danish Minister at Washington, Constantin Brun, that any acquisition of the islands by Germany would constitute a grave danger to American national security. In the event "of an evident intention on the part of Germany to take possession of the islands, the United States would be under the necessity of seizing and annexing them."

This plain threat caused the Danish Government to abandon its disinclination to sell the islands. The loss of $25 million would be a serious matter to Denmark, so the Danish Foreign Office quickly signed a treaty, August 4, 1916, and the islands passed into the possession of the United States. There is no doubt that some of the members of the Danish Cabinet resented this pressure, but $25 million helped to soften their resentment.

DID THE ROOSEVELT DESIRE FOR COLLECTIVE SECURITY OUTDATE OUR MONROE DOCTRINE?

When President Wilson entered the White House in 1913 he was soon involved in serious difficulties with several countries in the Caribbean. In Haiti and in the Dominican Republic, unsettled conditions invited foreign intervention and the President was haunted by the fear that Germany might take advantage of this situation and establish submarine bases in either republic. In Haiti a bloody revolution had unseated President Sam whose opponents had literally cut him into small pieces for souvenirs to remember him by. President Wilson thought this was carrying souvenir hunting a bit far so marines were sent to Port au Prince to teach the Haitians moderation. The marines did an excellent job and after they had cooled the tempers of the natives by executing some 2,000 of them, Franklin D. Roosevelt then serving as the Assistant Secretary of the Navy, was assigned the unusual task of preparing a constitution for Haiti.

Under the watchful eyes of American marines, this constitution worked quite well and some semblance of prosperity made its appearance. In the following year, 1916, the fever of revolution broke out in Haiti's neighbor, the Dominican Republic. It was obvious to President Wilson that some more marine medicine was needed, so the Dominican Republic was placed under a temporary American dictatorship. Once more stable government produced a period of prosperity.

After the close of hostilities in Europe in 1918, American intervention in Haiti and the Dominican Republic continued for a while under the Administrations of Harding and Coolidge. But this intervention aroused widespread opposition in Latin America and in the United States it was apparent that it would soon have to be abandoned. Before the marines had been recalled from Haiti, the Sixth International Conference of American States met at Havana on January 12, 1928. There were bitter debates in committee meetings on the inflammatory topic of intervention. At the head of the American delegation, Secretary Hughes made a defense of this American practice:

"Let us face the facts. The difficulty is not of any external aggression. It is an internal difficulty. What are we going to do when government breaks down and American citizens are in danger of their lives? Are we to stand by and see them killed because a government can no longer afford reasonable protection?"

The Latin American governments had to find a satisfactory answer to this important question but they continued their bitter opposition to American intervention. At the Montevideo Conference (1933) they succeeded in securing general agreement that no American state had a right to intervene in the internal or external affairs of another American state. The American delegation announced its acceptance of this resolution with an important reservation: the United States "reserves its rights by the law of nations as generally recognized." The other 19 states unreservedly adhered to a resolution of absolute nonintervention, and they hoped at another conference to secure unqualified American acceptance of this resolution.

While they were considering the ways and means of securing their objective in the matter of nonintervention, President Roosevelt turned his back upon American precedents and decided he would abjectly comply with Latin American wishes. Revolution, which was always under the surface of things in Cuba, broke out in September 1933, and the government of Prof. Ramón Gran San Martin made its brief appearance. He was in power long enough to show a violent anti-American bias which was evidenced by his seizure of American-owned powerplants and sugarmills. American warships promptly surrounded Cuba but there was no intervention to protect American lives and property. In January 1934, following conferences between Jefferson Caffery and Colonel Batista, a new government under Colonel Mendieta came into existence. Throwing aside all the criteria that usually preceded American recognition of new governments, President Roosevelt recognized the Mendieta government.

After this hasty and most unfortunate recognition of a very unstable government, Roosevelt then made an abject and sweeping bow in the direction of these irresponsible revolutionary elements. On May 29, 1934, a treaty was signed and 2 days later (May 31, 1934) it was pushed through the Senate with remarkable speed and without a record vote. Its provisions revealed a sudden surrender of long-held and important American rights. The Perpetual Treaty of Relations of May 22, 1903 was abrogated. The right of intervention that had been incorporated in the Cuban constitution was abandoned, along with the restrictions on Cuba's liberty to negotiate treaties impairing her independence or sovereignty. Henceforth, she was free to borrow all the money she desired, and the conditions of the Platt amendment were repealed.

To many European diplomats this abject surrender of American rights necessary to the maintenance of national security was well-nigh incredible. They were used to statesmen who ardently believed that they held office to further the interests of their countries, not to renounce them. From the time of Jefferson, American Presidents had always recognized that, in hostile hands, Cuba could be a dangerous threat to American security. The volcanic nature of political conditions in Cuba had been clearly recognized by statesmen like Elihu Root and that was the reason for the Platt amendment which was later invoked upon several occasions. In the face of this known Cuban instability, the rapid recognition by Roosevelt of the Mendieta government, and the negotiation of a treaty of abject surrender of American rights, was a policy that takes us back to the days of Benedict Arnold. But this was not all. When Roosevelt was in a mood to surrender American rights, he was most prodigal.

The surrender in Cuba led to further surrender in Latin America. In December 1936, at Buenos Aires, the Inter-American Conference for the Maintenance of Peace was formally convened. It had been anticipated that Americans would quickly perceive a hostile spirit. For a long time, the Argentine statesman, Saavedra Lamas, had been endeavoring to secure American acceptance of the doctrine of absolute nonintervention. He had not been successful at Montevideo, but he sensed that President Roosevelt would abandon all pretensions to fight for American rights. He knew the many weaknesses of Secretary Hull who knew little about international law and procedures. He knew also that the betrayals in Cuba might well be repeated by Hull in Buenos Aires.

His estimate of the lack of backbone in Hull proved correct. The flexible Secretary of State deemed himself to be an agent of Latin America and not of the United States. He made no attempt to avoid an Argentine trap and he quickly agreed to the doctrine of nonintervention in its most absolute forms. No longer could American Marines be sent to any Latin American country, no matter how gross were the outrages against American property nor how many Americans were killed by mob violence. No longer could the United States use her own judgment in dealing with violations of American rights. Thereafter, things would be handled through mutual security arrangements.

After Hull, the succeeding Truman administration continued the retreat in Latin America. The Rio Conference (August 15 to September 2, 1947) produced a regional security pact in conformity with article 51 of the United Nations Charter. As agreed upon and signed, the treaty made it the duty of every American state to assist in meeting an armed attack upon another American state until the United Nations Security Council would take appropriate action. The nature of the action to be taken under the Rio Treaty was to be determined by a two-thirds vote of a meeting of Foreign Ministers, summoned for the occasion. But no member state could be compelled to use armed force.

The charter or constitution of this Rio organization was drawn up at the Ninth International Conference of American States which met at Bogotá, Colombia, from March 30 to May 2, 1948. This constitution named the political organs of the Organization of American States (OAS) and defined their powers and duties. The supreme organ was the Inter-American Conference, meeting at 5-year intervals. Meetings of the Consultation of Foreign Ministers would be called as needed to consider problems of an urgent nature and common interest. At these meetings action could be taken by a two-thirds vote of the members to meet a threatened or actual aggression.

The danger of some hostile action by international communism prompted the holding of the 10th International Conference of American States in Caracas, Venezuela, March 1–28, 1954. Owing to pressure by Secretary John Foster Dulles, the head of the American delegation, a declaration was agreed to by a vote of 17 to 1. It read:

"That the domination or control of the political institutions of any American state by the international Communist movement would constitute a threat to the sovereignty and political independence of the American states and would call for a meeting or consultation to consider the adoption of appropriate action in accordance with existing treaties."

The recent tragic farce of such a consultation at Punta del Este indicates the weakness of any system of collective security in safeguarding American interests.

DOES ALL THIS ELABORATE MACHINERY OF POLITICAL ADJUSTMENT OUTDATE THE MONROE DOCTRINE?

It has long been apparent to realists that the elaborate machinery which has been set up for Latin America was becoming too unwieldy for effective action. Recent events have now confirmed this fear. Had we been history minded the example of the League of Nations should have put us on guard.

After World War I the League of Nations was unable to outlaw war and maintain world peace. In the Italo-Ethiopian War, Mussolini made a mockery of collective security under the league. The outbreak of World War II was a shocking indication that it would take more than paper parchments to stem the tides of international conflict.

We are now being given another unhappy demonstration of this truth. The establishment of a Communist base in Cuba makes it all too evident that Castro and Khrushchev have paid little attention to the sonorous phrases of the Declaration of Caracas. They do not believe that the United States still has the backbone to act to protect its interests.

The internationalism of President Roosevelt and Secretary Hull and their vain quest for security through multilateral treaties was a clear indication that they had lost faith in the ability of American military strength to safeguard American interests. They were deceived by the utopian dream of world government. Even a slight knowledge of international relations would have made them realize the myth of mutual security.

Presidents Roosevelt and Truman closed their eyes to the political truths that had been so apparent to earlier Democratic administrations. John Quincy Adams, as Secretary of State during the critical weeks when the Monroe Doctrine was in the making, knew that it would be folly to associate another nation like Britain in the announcement of a policy that dealt with American national security. He said: "I do not want America to appear as a cock-boat in the wake of a British man-of-war."

It was Franklin D. Roosevelt who lost faith in America. In 1895, a famous Democratic Secretary of State, Richard Olney, stated in clarion tones that the United States had a right to intervene in Latin America at any time in any place its interests required. Secretary Lansing did not hesitate to take complete control over Caribbean countries when he was convinced that there was a danger of foreign intervention that might menace American national security. Roosevelt's failure to safeguard the United States stands in marked contrast to the record of these great Democratic forerunners.

THE AMERICAN PEOPLE WILL SPEAK

It is a bitter story which the last three decades have written for America. It is the story of faltering men who did not possess the stamina to preserve the heritage which the great generations of Americans had handed down to them. It is the story of a supremely powerful nation which, at the apex of its power, went upon a craven and unnecessary flight into renunciation.

The Cuba triumph of communism has brought all the issues of the Monroe Doctrine to a sharp focus. Either we will go forward to a firm reiteration and implementation of the Monroe Doctrine or, in failure of will, we are likely to see all Latin America passing irretraceably under the sway of Khrushchev or Tito communism. If this happens, we will have only ourselves to blame, because we will have had at all times the invincible might to have prevented it.

Those who bleat that we cannot act decisively to expel communism from Cuba and other hemispheric points are missing one overriding truth. That truth is that no nation can ever renounce its basic right to self-preservation. The United States, no matter how weak its leadership, cannot foreswear its inherent right of self-defense. That right is written into the Monroe Doctrine. All the pathetic twists and turns of the State Department to please Leftist OAS allies cannot erase this seminal fact.

No, the Monroe Doctrine is not obsolete. It is the living spirit of a people who, in the face of an onrushing communism, refuse to play the part of cowards.

Monroe Doctrine

(Contained in excerpts from President James Monroe's seventh annual message to Congress, December 2, 1823)

In the discussions to which this interest has given rise and in the arrangements by which they may terminate, the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent conditions which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European power.

It is impossible that the Allied Powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can anyone believe that our southern brethren, if left to themselves, will adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form of indifference. We owe it, therefore, to candor and to the amicable relations existing between the United States and these powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety.

The Platt Amendment

(Excerpt from the treaty with Cuba embodying the Platt amendment signed May 22, 1903)

The Government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes, or otherwise, lodgement in or control over any portion of said island.

The Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the Treaty of Paris on the United States, now to be assumed and undertaken by the Government of Cuba.

(The above is the vital safeguard to the American position in Cuba which the United States irresponsibly renounced on May 29, 1934.)

Statement by Congressman Daniel J. Flood

The creation of a Soviet satellite in Cuba is part of a gigantic program by the world revolutionary movement known as the international Communist conspiracy for conquest of the strategic Caribbean. In this audaciously executed campaign, the Panama Canal is the key target.

Operating secretly and openly, directly and indirectly, these revolutionary forces, by threatening the sovereignty and political independence of all nations in the Western Hemisphere, have made direct challenges to one of the prime policies of the United States—the Monroe Doctrine.

Dramatized by the Cuban crisis in October, the serious threat in the Caribbean still requires resolution. In appraising it, there is but one controlling criterion—the security of the United States.

Any program on the part of our Government that is to be realistic must eventually include four elements:

(a) Clarification and reaffirmation by the Congress of the Monroe Doctrine as applying to intervention through infiltration and subversion.

(b) Clarification and reaffirmation by the Congress of our historic, indispensable, and time-proven policies for exclusive sovereign control in perpetuity over the Panama Canal and Canal Zone.

(c) Liberation of the people of Cuba from alien domination with restoration of constitutional government through free elections.

(d) Formal reactivation of a special service squadron augmented as necessary during emergencies, to serve for the maintenance of freedom and as an assurance of security.

By taking such measures, our country not only will establish the proper legal background for actions that it may be forced to take, but as well will make clear to all, friends and foes alike, its full determination to support policies derived from a reasoned line of thought and to end the vacillating practice of reacting to crises contrived by clandestine agents of revolutionary movements.

FEDERAL PROGRAM FOR PREVENTING WATER POLLUTION

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Dingell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DINGELL. Mr. Speaker, the vigorous and uncompromising advancement of the Federal programs for preventing and controlling water pollution constitutes our single best hope and means for assuring that the present and projected national needs for good quality water will continue to be adequately met. The effective administration of these Federal programs as authorized to be conducted by the Congress in the enactment of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466), becomes, therefore, the basic consideration in the successful attainment of this all-important goal—important to the personal well-being of every individual citizen and to the status and continued economic growth of the Nation as a whole.

In recognition of this fact, the Federal Water Pollution Control Act Amendments of 1961, Public Law 87–88, transferred the responsibility for the administration of the act's programs from the Surgeon General of the Public Health Service to the Secretary of Health, Education, and Welfare. The purpose of this action was to allow the Secretary to secure by his administrative authority an appropriate status for the water pollution control program within the Department. Such appropriate status was to take into account the enlarged authorities and obligations vested comprehensively by the act for restoring and maintaining water quality adequate for all legitimate uses, public water supplies, propagation of fish and wildlife, recreational purposes, and agricultural, industrial, and other legitimate uses.

Consider, therefore, the character of the administrative monster created in token response to the leeway furnished to the Secretary. The Secretary's delegation of authority ostensibly resides in an Assistant Secretary, but for all practical purposes the administration of the act's programs is retained within the Public Health Service. Buried within that agency, under layers of bureaucracy, you ultimately come upon the dedicated hard-working personnel who devote their untiring efforts to the effective implementation of the act's far-reaching provisions. Thus, even the Assistant

Secretary is hampered by the intervening layers of Public Health Service brass hats as a result of the organizational havoc that has been wrought in regard to the placement of the water pollution control program.

Traveling upward through this ladder of policymaking bureaucrats, it is small wonder that the imperative objectives of the program in all but its health-associated aspects are stifled. By its tradition and its own inclination, the Public Health Service is wedded to the exercise of advisory and voluntarily persuasive powers. It is far from being the appropriate vehicle for the effective application of the act's all-embracing provisions, particularly as regards enforcement, which in final reckoning is capable of spelling the success or the defeat of Federal efforts in water pollution control.

A number of years ago I pointed out in the CONGRESSIONAL RECORD streams which were dangerously polluted, and which are still polluted because of inactivity by the Public Health Service now charged with water pollution abatement efforts under Public Law 84–660. Among these are the Delaware River in the Philadelphia-Camden area where pollution is of the most massive sort involving both industrial and municipal wastes. Industrial and municipal pollution of the Ohio River, almost anywhere on its course, is still a threat to life, health, and property of the people on its banks, and in States downstream. To date I know of no action by the Public Health Service to abate this pollution. The waters, both fresh and salt, of the New York metropolitan area are so incredibly polluted as to be a danger to the health of the people in that area. The only action taken by the Public Health Service to date has been to initiate a cleanup of Raritan Bay, and then only because of severe hepatitis outbreaks among people who have eaten shellfish from the area.

Another example of inaction and indifference by the Public Health Service is the Nashua-Merrimack River in New Hampshire and Massachusetts where pollution is of an industrial and municipal nature which results in such low water quality in the area as to prevent location of new industry. The pollution which continues because of inactivity by the Public Health Service in the Nashua-Merrimack River area in New Hampshire and Massachusetts has been a major contributing factor to the severe economic depression which exists in the region.

Accordingly, the bill I introduce today provides for the complete separation of water pollution control activities from under the aegis of the Public Health Service. The establishment of the Federal Water Pollution Control Administration within the Department of Health, Education, and Welfare is for the purpose of securing for this program the proper organizational status at a responsible level of operation. This provision accords in full with the pointedly responsible resolution adopted by the Presidentially appointed members of the Secretary's own Water Pollution Control Advisory Board in their meeting at St. Louis, Mo., on September 28, 1962. The text of the resolution follows:

> Because the problem of water pollution in the United States is so massive, and the prevention and abatement of pollution is so vital to important aspects of the national economy and public welfare in addition to the aspect of public health, this board believes that the full responsibilities and opportunities of the Federal Government under Public Law 660 cannot be adequately carried out so long as the program is administered as a mere division of the Public Health Service. The board also believes that the creation of a Bureau of Environmental Health within the Public Health Service and within which Bureau the water pollution control program would be merely one of several divisions, would further fail to give adequate recognition and emphasis to the broad resource values of clean water, other than public health, and would tend to deprive the program of needed public and legislative support by making it more difficult for citizens to identify the program and to identify with it.
>
> Therefore, we recommend that the Secretary of the Department of Health, Education, and Welfare propose or support legislation in the 88th Congress that would establish within the Department a separate agency outside the Public Health Service for the administration of all departmental responsibilities and functions in the field of water pollution control. We believe the necessary coordination with research functions in related fields of public health could be achieved, and that the necessary and essential coordination with water-resource agencies in other Federal departments would be facilitated and enhanced, through the establishment of such a separate water pollution control agency directly under, and responsible to, the Secretary of Health, Education, and Welfare.

Resolutions similarly importuning the establishment of an independent Water Pollution Control Administration have been advanced by national conservation, municipal, labor, and other civic-minded groups, who are deeply concerned over the need for vigorous water pollution control.

Additionally, my bill would increase the existing dollar ceiling limitations on the amount of the grants made available to municipalities for sewage treatment works construction so as to more directly stimulate the undertaking of these needed projects in our larger cities whose correspondingly higher cost levels call for a more equitable measure of stimulation. It is absolutely necessary that these larger centers of population with their attendant larger potential for contributing to water pollution control situations be effectively encouraged to install adequate facilities. To this same end, provision is contained in the bill for a program of grants to assist in the separation of combined sewers which carry both stormwater and sewage or other wastes. The presence of these outmoded waste collection systems in our older cities renders ineffective their treatment plants since these are bypassed following a rainfall and the overflow of combined storm and sewage wastes is made directly to the receiving waters. The annual summertime posting of beaches as unsafe for bathing in New York City, Milwaukee, Wis., and even here in our Nation's Capital is directly attributable to the discharges from combined sewers which carry with them the raw untreated sanitary sewage. A program of grants assistance at an annual level of $100 million for this purpose is proposed.

To insure that metropolitan area efforts to remedy waste treatment will not be thwarted by unregulated development and suburban sprawl, my bill contains an inducement in the form of an additional 10-percent grant to be made for any project which has the certification of an official State, metropolitan, or regional planning agency as being in conformity with a comprehensive plan developed for the area.

A most important final provision of the bill directs the Secretary to issue regulations setting forth standards of quality to be applicable to interstate or navigable waters and to delineate the type, volume, or strength of matter which may be directly discharged to such waters. The standards of quality and of matter discharged are to be based on the present and future potential uses of these waters for all legitimate uses. Acts in violation of the regulations issued by the Secretary are declared a public nuisance and subject to abatement under the law's enforcement provisions. The issuance of the proposed regulations will serve to inform and guide all conscientious water users and at the same time effectively put on notice those who willfully continue to despoil the Nation's streams.

A BUREAU FOR SENIOR CITIZENS

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. RODINO. Mr. Speaker—

> The people—

Wrote Carl Sandburg—

> guess and toil and rest and try to make out and get along.

But sometimes they are deceived. The hearings conducted recently by the Senate Committee on the Aging are disclosing the way in which unscrupulous promoters are gouging our senior citizens with fake capsules and compounds, with land schemes, and other forms of misrepresentation running to an estimated $2 billion a year. To my mind, this amounts to the depth of deception. This constitutes one of the reasons why I am so greatly concerned that my bill, H.R. 1961—which would create a Bureau of Senior Citizens on their behalf—be enacted. We need only to recall that most of our aged today were born before the days of electricity and the automobile, to understand how greatly the times have changed their world and increased their problems across a broad spectrum—problems of health, of housing, of inadequate income, and of isolation to understand how important such a bureau could be in furthering the kind of projects which some communities have already undertaken on their behalf.

Part of the responsibility of such a bureau, as I see it, would be to provide them with the kind of information they should have—and the hearings before the Senate Committee on Aging on "Frauds, Quackery, and Food Faddism" are illustrative of this function. It is a sad commentary upon our times that the evidence presented to this important committee of the Congress shows that the very fact that their income is limited at a time when their aches and pains increase makes them prey to those deceivers who are peddling a quick and cheap cure.

Dr. Robert E. Shank, chairman of the Council on Foods and Nutritions of the American Medical Association, told the committee:

> Americans each year are spending hundreds of millions of dollars on pills, powders, capsules, and compounds in search of a shortcut to health. * * * In many instances the result is only economic waste; in others, it can have serious health consequences.

He described as typical those peddlers of deception who promise relief from the terrible pains of arthritis with expensive capsules which contain only codliver oil and orange juice; those who claim that they can conjure away heart disease and obesity with safflower oil capsules. Dr. Ronald W. Lamont-Havers, medical director of the Arthritis and Rheumatism Foundation described a wonder cure, Liefcort, for arthritis available in a Montreal hospital, which was directly linked to the death of two patients in that hospital. He added that, although this dangerous panacea has been barred from the United States, many Americans are still flocking to Montreal for treatment. And George P. Larrick, Food and Drug Commissioner, testified that the sale of quack medicine and falsely advertised vitamin and nutritional products alone runs to about $1 billion a year.

Dr. Gerald D. Dorman, a trustee of the American Medical Association, cited an alleged cancer cure being promoted today, which sells for $9.50 for a 1-cubic-centimeter ampule—which is about a fifth of a tablespoon even though "competent microchemists have testified to their inability to find anything in an ampule of this product but mineral oil."

The fact that vultures seeking the dwindling dollars of our senior citizens are also operating in the field of housing was also brought out by testimony presented to the committee. J. Fred Talley, an Arizona State real estate commissioner, described the activities of promoters outside Arizona who are using mail-order sales methods to sell what are described as lush retirement communities equipped with modern facilities, but are, in reality only desert sand 10 to 12 miles from the nearest water or the side of a Hawaiian mountain.

I am glad to say that in my own State of New Jersey we have already acted on behalf of our elders in a number of these areas. Senator Harrison A. Williams, who presided over the second day of the Senate hearings, entered into the record some of these activities.

The New Jersey Division of Aging, of which Mrs. Eone Harger is the director, is trying to alert New Jersey residents to small and large frauds including:

Direct mail insurance solicitations from out-of-State companies, ones that are not approved by the State insurance department and that use names closely approximating old line firms.

Home earning opportunities that lure older people needing to supplement meager incomes by promising rich returns from investing in equipment for addressing or knitting or breeding fur bearing animals that cost dearly for the initial pair.

Columnists who offer books to answer social security questions—even though only 50 cents a copy—when all answers can be had free from the duly authorized offices.

Promotions on land by matches in cigarette machines or telephone calling crews that contact householders directly.

The division also added this comment:

> "Caveat emptor" may be an appropriate warning, but preying on those in our population who are least able to afford even small sums, who are desperate to keep from being public charges, and who have the smallest chance of recouping losses seems to demand public attention. Since advertising media that are beyond the confines of a single State are the means whereby the damage is done, the means of control must come from beyond a single State's borders. Surely those who carry advertising—in magazines, newspapers, or on the airwaves, etc., should be held accountable in some wise for that which they disseminate.

Robert R. Peacock, secretary director of the New Jersey Real Estate Commission described its efforts to investigate the validity of promotional sales of out-of-State developments:

> Many of the offerings are good merchandise, fairly presented. Numerically more are not. Generally, the product is a tract of subdivided land located in a remote undeveloped area. * * * Most advertising and promotional material is presented by pictures, artists' drawings and advertising copy which conveys to a typical, reasonable reader in New Jersey an impression substantially at variance with the facts observed at and in the vicinity of the offered premises. Sweeping generalities are routine and actual onsite photographs are usually avoided.

The commission is currently engaged in preparing a pamphlet to warn prospective buyers of what to look for in such advertising in order that they may detect pitfalls.

Mr. Frank A. Verga, representing the New Jersey Consumers Frauds Bureau, stated that some senior citizens are being exploited by pseudocontractors who are approached by means of a fly-by-night call upon them representing that their chimney was in a state of disrepair and the repairs should be made immediately at prices amounting to $300 for a $70 or $100 job. He also warned against unknown mail-order houses who fail to respond with merchandise or to reply to letters or to make refunds for goods not delivered.

The New Jersey Department of Banking and Insurance, through its commissioner, Charles R. Howell, reported that in cooperation with the New Jersey Division on Aging, it has conducted a survey of insurance carriers, particularly those related to health insurance, toward the purpose of protecting "in every legitimate way the interests of our older adults."

The New Jersey Department of Health, "aware that the elderly pose a special problem in that a higher percentage of their income is spent on medications" and that "too frequently their money is spent on nonprescription, self-prescribed patent medicines and vitamin food supplements," has pursued a vigorous course of action in order to accomplish two objectives: First, to remove from the market adulterated or misbranded drugs; and, second, to improve conditions in drug manufacturing operations so as to insure the purity and effectiveness of drugs produced in New Jersey. And the New Jersey Nutrition Council, in order to counteract misleading information and advertising has protested to magazines, as well as to radio and TV stations, and has circulated reviews, by recognized authorities, critical of nutrition books of questionable quality.

This, Mr. Speaker, is the type of assistance for our aged which the Bureau created by my bill could pursue at the national level for all of our older men and women, in cooperation with State organizations such as the New Jersey Division of the Aging. And I stress that this is only one—for I am equally concerned with meeting the other problems they face—problems of providing them with better health care, more income, and better housing. I submit that such activities are not limited in their benefits to the aging, but will be useful to all of us. But because they particularly victimize those people in our communities whose incomes are, at best very meager, I am particularly concerned with their impact on people 65 and over. Senator Pat McNamara, chairman of the Senate Committee on Aging, commented on the recent hearings that they had only "scratched the surface" as to the degree of this type of chicanery.

A bureau dedicated to the needs of our elders, and helping States and communities to develop better resources to meet those needs is long overdue. I think we must act, in this Congress, to make it a reality.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Tollefson, for 15 minutes, on Monday, February 4.

Mr. Rogers of Florida, for 10 minutes, today.

Mr. Curtis, for 1 hour, on February 4.

Mr. Halpern (at the request of Mr. Battin), for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Toll.

Mr. Short.

Mr. Whitener.

(The following Members (at the request of Mr. BATTIN) and to include extraneous matter:)

Mr. JENSEN.
Mr. MCLOSKEY.
Mr. HALL.

(The following Members (at the request of Mr. TUTEN) and to include extraneous matter:)

Mr. FOGARTY.
Mr. EVINS.
Mr. MOORHEAD.
Mr. FASCELL.
Mr. GONZALEZ.
Mr. BLATNIK.
Mr. NATCHER.
Mr. HOLLAND.
Mr. EDWARDS.
Mr. TAYLOR.

ADJOURNMENT

Mr. TUTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p.m.), under its previous order, the House adjourned until Monday, February 4, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

303. A letter from the Secretary of Agriculture, transmitting a draft of a proposed bill entitled "A bill to establish Federal agricultural services to Guam, and for other purposes"; to the Committee on Agriculture.

304. A letter from the Secretary of Defense, transmitting a draft of a proposed bill entitled "A bill to establish the Director of Civil Defense, and for other purposes"; to the Committee on Armed Services.

305. A letter from the Assistant Secretary of the Air Force, transmitting a draft of a proposed bill entitled "A bill to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes"; to the Committee on Armed Services.

306. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting semiannual reports on certain military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder, for the period January 1 through June 30, 1962, pursuant to Public Laws 86-500 and 87-57; to the Committee on Armed Services.

307. A letter from the Secretary of the Army, transmitting a report on the progress of the Army Reserve Officers' Training Corps flight training program for the period January 1 to December 31, 1962, pursuant to title 10, United States Code, section 4384; to the Committee on Armed Services.

308. A letter from the president, Potomac Electric Power Co., transmitting a copy of a balance sheet of Potomac Electric Power Co. as of December 31, 1962, filed with the Public Utilities Commission of the District of Columbia, pursuant to 37 Stat. 979; to the Committee on the District of Columbia.

309. A letter from the vice president, the Chesapeake & Potomac Telephone Co., transmitting a statement of receipts and expenditures of the Chesapeake & Potomac Telephone Co. for the year 1962, pursuant to chapter 1628, Acts of Congress 1904; to the Committee on the District of Columbia.

310. A letter from the chairman, District of Columbia Armory Board, transmitting the annual reports and financial statements for each operation for the fiscal year ended June 30, 1962, pursuant to Public Laws 80-605 and 85-300; to the Committee on the District of Columbia.

311. A letter from the chairman, Corregidor-Bataan Memorial Commission, relative to the next step to be taken with reference to the World War II memorial proposed for Corregidor; to the Committee on Foreign Affairs.

312. A letter from the Secretary of State, transmitting a report on steps taken in the 17th Session of the General Assembly of the United Nations on long-term financing of the United Nations, pursuant to Public Law 87-731; to the Committee on Foreign Affairs.

313. A letter from the Comptroller General of the United States, transmitting a report on the review of certain unusual aspects of retirement provisions for enlisted personnel, U.S. Coast Guard, Treasury Department; to the Committee on Government Operations.

314. A letter from the Assistant General Manager, U.S. Atomic Energy Commission, transmitting a report on foreign excess property disposed of during fiscal year 1962, pursuant to section 404, 63 Stat. 398; 40 U.S.C. 514; to the Committee on Government Operations.

315. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a report relative to the disposal of foreign excess property during the calendar year 1962, pursuant to the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

316. A letter from the Chairman, Federal Communications Commission, transmitting a copy of a report on backlog of pending applications and hearing cases in the Federal Communications Commission as of November 30, 1962, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

317. A letter from the Chairman, Railroad Retirement Board, transmitting a draft of a proposed bill entitled "A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

318. A letter from the Assistant Secretary of the Air Force, transmitting a draft of a proposed bill entitled "A bill to provide for the withdrawal and reservation for the use of the Department of the Air Force of certain public lands of the United States at Cuddeback Lake Air Force Range, Calif., for defense purposes"; to the Committee on Interior and Insular Affairs.

319. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting the Annual Report for 1962 of the U.S. Atomic Energy Commission, pursuant to the Atomic Energy Act of 1954; to the Joint Committee on Atomic Energy.

320. A letter from the corporation agent, Legion of Valor of the United States of America, Inc., transmitting the financial statement of the Legion of Valor of the United States of America, Inc., covering the period August 1, 1961, to July 31, 1962, pursuant to Public Law 224, 84th Congress; to the Committee on the Judiciary.

321. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217); to the Committee on Science and Astronautics.

322. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 383); to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of January 29, 1963, the following resolutions were reported on January 30, 1963:

Mr. SMITH of Virginia: Committee on Rules. House Resolution 13. Resolution creating a select committee to conduct studies and investigations of the problems of small business; with amendment (Rept. No. 5). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 17. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct investigations and studies with respect to matters within its jurisdiction; with amendment (Rept. No. 6). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 29. Resolution authorizing the Committee on Merchant Marine and Fisheries to conduct certain studies and investigations; with amendment (Rept. No. 7). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 36. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction; with amendment (Rept. No. 8). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 38. Resolution authorizing the Committee on Agriculture to conduct studies and investigations; with amendment (Rept. No. 9). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 55. Resolution authorizing the Committee on Foreign Affairs to conduct a full and complete investigation of matters relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments and agencies engaged primarily in the implementation of U.S. foreign policy and the oversea operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy; with amendment (Rept. No. 10). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 56. Resolution authorizing the Committee on Public Works to conduct studies and investigations within the jurisdiction of such committee; with amendment (Rept. No. 11). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 73. Resolution to authorize the Committee on Veterans' Affairs to conduct investigations and studies; with amendment (Rept. No. 12). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 79. Resolution to authorize the Committee on Interior and Insular Affairs to make investigations into any matter within its jurisdiction, and for other purposes; with amendment (Rept. No. 13). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 81. Resolution to amend the Rules of the House of Representatives with respect to the location of activities of the Committee on Government Operations; with amendment (Rept. No. 14). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 84. Resolution authorizing the Committee on Armed Services to conduct a full and complete investigation and study of all matters relating to procurement by the Department of Defense, personnel of such Department, laws administered by such Department, use of funds by such Department, and scientific research in support of the armed services; with amendment (Rept. No. 15). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 103. Resolution authorizing the Committee on Education and Labor to conduct certain studies and investigations coming within its jurisdiction; with amendment (Rept. No. 16). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 142. Resolution to authorize the Committee on the District of Columbia to conduct an investigation and study of the organization, management, operation, and administration of departments and agencies of the government of the District of Columbia; with amendment (Rept. No. 17). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 143. Resolution to authorize the Committee on Science and Astronautics to conduct studies and investigations and make inquiries with respect to aeronautical and other scientific research and development and outer space; with amendment (Rept. No. 18). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 151. Resolution to authorize the Committee on Post Office and Civil Service to conduct investigations and studies with respect to certain matters within its jurisdiction; with amendment (Rept. No. 19). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 153. Resolution authorizing the Committee on Banking and Currency to conduct studies and investigations and make inquiries relating to housing; with amendment (Rept. No. 20). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 179. Resolution authorizing the Committee on Banking and Currency to conduct full and complete investigations and studies of all matters within its jurisdiction under the rules of the House or the laws of the United States; with amendment (Rept. No. 21). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 3043. A bill to provide for the conveyance of certain real property of the United States to the city of Shelby, Ohio; to the Committee on Government Operations.

By Mr. BARING:

H.R. 3044. A bill to increase the normal tax and surtax exemption, and the exemption for dependents, from $600 to $1,000; to the Committee on Ways and Means.

By Mr. BARRY:

H.R. 3045. A bill to correct certain inequities with respect to the granting of survivor annuities under the Civil Service Retirement Act to certain students, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BATTIN:

H.R. 3046. A bill to provide for the expansion of the Custer Battlefield National Cemetery; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT of Florida:

H.R. 3047. A bill to amend the Fair Labor Standards Act of 1938 to establish a minimum wage rate applicable to migrant agricultural workers; to the Committee on Education and Labor.

By Mr. BERRY:

H.R. 3048. A bill to establish in the Department of the Interior a Gold Procurement and Sales Agency, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BLATNIK:

H.R. 3049. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. BONNER:

H.R. 3050. A bill to expand the authority of the Canal Zone Government to settle claims not cognizable under the Tort Claims Act; to the Committee on Merchant Marine and Fisheries.

By Mr. BRAY:

H.R. 3051. A bill to amend chapter 49 of title 10, United States Code, to prohibit fees in excess of $10 for attorneys and agents in connection with certain claims filed with the military departments by members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. CANNON:

H.R. 3052. A bill to amend the act of October 24, 1951 (65 Stat. 634; 40 U.S.C. 193 (n)-(w)), as amended, relating to the policing of the buildings and grounds of the Smithsonian Institution and its constituent bureaus; to the Committee on House Administration.

H.R. 3053. A bill to amend section 7 of the act of July 2, 1940 (54 Stat. 725; 20 U.S.C. 79e), to authorize the appropriation of such sums as are necessary for the administration of, and the maintenance of a laboratory and other authorized facilities at, the Canal Zone Biological Area; to the Committee on Merchant Marine and Fisheries.

By Mr. CRAMER:

H.R. 3054. A bill to provide for national cemeteries in the central west coast area of the State of Florida; to the Committee on Interior and Insular Affairs.

H.R. 3055. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence; to the Committee on the Judiciary.

H.R. 3056. A bill to provide that the highway running from Tampa, Fla., through Bradenton, Fla.; Punta Gorda, Fla.; Fort Myers, Fla.; Naples, Fla.; and Miami, Fla., to Homestead, Fla., shall be a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 3057. A bill to amend section 545 of title 38, United States Code, to provide that the income limitations applicable to the payment of pension to widows of World War I veterans shall be increased to $1,800 without dependents and $3,600 with dependents; to the Committee on Veterans' Affairs.

H.R. 3058. A bill to amend the Internal Revenue Code to assist small and independent business, and for other purposes; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 3059. A bill to amend section 203(k) of the Federal Property and Administrative Services Act of 1949 to permit the transfer of surplus property for certain uses by educational institutions; to the Committee on Government Operations.

H.R. 3060. A bill to encourage the use of private benefit plans in lieu of social security by providing that individuals who are eligible for certain benefits under such plans shall not be entitled to social security benefits or subject to social security taxes; to the Committee on Ways and Means.

H.R. 3061. A bill to amend the Internal Revenue Code so as to permit the division of a corporation into two corporations on a fully non pro rata basis; to the Committee on Ways and Means.

H.R. 3062. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of dividends paid by certain corporations which hold obligations of States and local governments; to the Committee on Ways and Means.

H.R. 3063. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for certain dependent parents of individuals entitled to old-age or disability insurance benefits; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 3064. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

H.R. 3065. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. DENT:

H.R. 3066. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. DANIELS:

H.R. 3067. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended; to the Committee on Education and Labor.

By Mr. DEVINE:

H.R. 3068. A bill to amend the Internal Revenue Code of 1954 to eliminate the withholding of income tax from wages and salaries; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 3069. A bill to amend the Internal Revenue Code of 1954 to establish corporate tax rates of 22-percent normal tax and 32-percent surtax, and to increase the amount of exemption from such surtax; to the Committee on Ways and Means.

By Mr. DOLE:

H.R. 3070. A bill to provide that where the entitlement of a veteran, widow, or child to a pension from the Veterans' Administration is based upon the veteran's having served in World War I, the beneficiary shall if otherwise eligible have the right to elect payment of pension under either the provisions of title 38 as in effect on June 30, 1960, or as amended by the Veterans' Pension Act of 1959, whichever provides the greater benefit; to the Committee on Veterans' Affairs.

H.R. 3071. A bill to provide for the establishment of Fort Larned as a national historic site, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3072. A bill to include certain noncombatant civilian service with the Armed Forces in war zones as creditable service under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. EDMONDSON:

H.R. 3073. A bill to simplify administration of the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766); to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS:

H.R. 3074. A bill to provide for the issuance of a special postage stamp in commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Post Office and Civil Service.

H.R. 3075. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

H.R. 3076. A bill to authorize additional social security coverage for certain employees of Alameda County, Calif., who were formerly city employees, so as to afford them the same coverage as is available to other employees of such county; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 3077. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 3078. A bill to provide for holding a White House conference on the impact of automation to be called by the President of the United States not later than 1 year from the date of enactment of this bill and for related purposes; to the Committee on Education and Labor.

By Mr. GRAY:

H.R. 3079. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. GUBSER:

H.R. 3080. A bill to provide for the termination of programs of price support for agricultural commodities by December 31, 1968; to the Committee on Agriculture.

H.R. 3081. A bill to amend section 128 of title 23 of the United States Code relating to certain requirements of public hearings in connection with highway locations; to the Committee on Public Works.

H.R. 3082. A bill to amend section 213 of the Internal Revenue Code of 1954 to provide that amounts paid for the medical and dental care of children who have not attained the age of 6 shall be deductible without regard to the limitations contained in such section; to the Committee on Ways and Means.

H.R. 3083. A bill to permit one-half of the budget surplus for any fiscal year to be applied against the public debt and to provide that one-half of such surplus shall be applied as tax credits against individual income taxes; to the Committee on Ways and Means.

By Mr. GREEN of Pennsylvania:

H.R. 3084. A bill to amend title II of the Social Security Act to provide that the unmarried child of an insured individual, after attaining age 18, may continue to receive child's insurance benefits until he attains age 21 if he is a full-time student; to the Committee on Ways and Means.

By Mr. HALL:

H.R. 3085. A bill to require passenger-carrying motor vehicles purchased for use by the Federal Government to meet certain safety standards; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLIFIELD:

H.R. 3086. A bill to create or charter a corporation by act of Congress; to the Committee on the Judiciary.

By Mr. HOLLAND:

H.R. 3087. A bill to amend title II of the Social Security Act to increase benefits, to increase the earnings includable in computing benefits, to eliminate age requirements for spouse's benefits, to reduce retirement age (with full benefits for both men and women) to 60, to increase the outside earnings permitted without deductions from benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. HUDDLESTON:

H.R. 3088. A bill to provide for the establishment of an independent civilian board to review and correct military discharges and dismissals, and for other purposes; to the Committee on Armed Services.

By Mr. LANKFORD:

H.R. 3089. A bill to correct certain inequities with respect to the granting of survivor annuities under the Civil Service Retirement Act to certain students, to extend from 21 to 22 years the age limit on student survivor annuities, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3090. A bill to correct certain inequities with respect to the granting of survivor annuities under the Civil Service Retirement Act to certain students, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McFALL:

H.R. 3091. A bill to amend titles 10 and 32, United States Code, with respect to technicians of the National Guard; to the Committee on Armed Services.

H.R. 3092. A bill to amend the Internal Revenue Code of 1954 to permit the deduction of irrigation and other water district assessments; to the Committee on Ways and Means.

H.R. 3093. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

H.R. 3094. A bill to allow credit or refund of gift tax erroneously paid by reason of treating nontaxable divisions of community property as gifts; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 3095. A bill to provide for an averaging taxable income; to the Committee on Ways and Means.

By Mr. MONTOYA:

H.R. 3096. A bill to amend title II of the Social Security Act to assist in compensating for the hazardous and arduous nature of employment in certain occupations, and for the decreased life expectancy of persons engaged in such occupations, and for other purposes; to the Committee on Ways and Means.

H.R. 3097. A bill to clarify paragraph 4 of section 15 of the Pay Readjustment Act of 1942 (56 Stat. 368); to the Committee on Armed Services.

By Mr. MOORHEAD:

H.R. 3098. A bill to amend section 532 of title 38, United States Code, to liberalize the marriage date requirements applicable to the payment of pension to widows of Civil War veterans; to the Committee on Veterans' Affairs.

H.R. 3099. A bill to amend the Tariff Act of 1930 to provide that polished sheets and plates of iron or steel shall be subject to the same duty as unpolished sheets and plates; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 3100. A bill to provide that the Secretary of the Interior shall investigate and report to the Congress as to the advisability of establishing Guadalupe Peak and El Capitan National Park; to the Committee on Interior and Insular Affairs.

By Mr. POWELL:

H.R. 3101. A bill to amend title II of the National Defense Education Act of 1958 to provide loans specifically for medical and dental students and interns in certain hospitals, and for other purposes; to the Committee on Education and Labor.

H.R. 3102. A bill to reduce the maximum workweek under the Fair Labor Standards Act of 1938, as amended, to 35 hours, and for other purposes; to the Committee on Education and Labor.

H.R. 3103. A bill to provide that the people of the Virgin Islands be represented by a Delegate in the House of Representatives of the United States; to the Committee on Interior and Insular Affairs.

H.R. 3104. A bill to assure to all persons within the jurisdiction of the United States full and equal privileges with respect to public conveyances and places of public accommodation, resort, entertainment, amusement, assemblage, and institutions; to the Committee on the Judiciary.

H.R. 3105. A bill to extend the benefits of the Panama Canal Construction Service Annuity Act of May 29, 1944, to certain individuals; to the Committee on Merchant Marine and Fisheries.

By Mr. QUIE:

H.R. 3106. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. RAINS:

H.R. 3107. A bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act (relating to the insurance of savings and loan accounts) with respect to the maximum amount of insurance which may be provided thereunder; to the Committee on Banking and Currency.

By Mr. RAINS (by request):

H.R. 3108. A bill to enable Federal home loan banks to improve their services to their member institutions by establishing a secondary marketing facility for participations in conventional home mortgage loans; to the Committee on Banking and Currency.

By Mr. RIVERS of Alaska:

H.R. 3109. A bill to provide for a program of agricultural land development in the State of Alaska; to the Committee on Agriculture.

H.R. 3110. A bill to increase the limitation on payments for construction engineering for Federal aid primary, secondary, and urban projects; to the Committee on Public Works.

H.R. 3111. A bill to amend section 201(a)(3) of the Federal Property and Administrative Services Act (40 U.S.C. 481(a)(3)), and for other purposes; to the Committee on Government Operations.

By Mr. ST GERMAIN:

H.R. 3112. A bill to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period; to the Committee on Veterans' Affairs.

By Mr. ST. ONGE:

H.R. 3113. A bill to extend for 2 years certain provisions of Public Laws 815 and 874, 81st Congress, which relate to Federal assistance to schools in impacted areas, and to amend such laws with respect to the definition of the term "real property"; to the Committee on Education and Labor.

By Mr. STAGGERS:

H.R. 3114. A bill to establish zones having a standard time officially recognized by the Government of the United States; to fix the boundaries of each such time zone, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3115. A bill to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TOLL:

H.R. 3116. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas; to the Committee on Education and Labor.

By Mr. TOLLEFSON:

H.R. 3117. A bill to amend the Merchant Marine Act, 1936, in order to provide for the reimbursement of certain vessel construction expenses; to the Committee on Merchant Marine and Fisheries.

H.R. 3118. A bill to amend the Tariff Act of 1930 with respect to the rate of duty on particle board; to the Committee on Ways and Means.

H.R. 3119. A bill to provide for a comprehensive, long-range, and coordinated national program in oceanography, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. UDALL:

H.R. 3120. A bill to simplify administration of the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766); to the Committee on Interior and Insular Affairs.

By Mr. VANIK:

H.R. 3121. A bill to increase from $10,000 to $20,000 the maximum amount of a deposit which may be insured under the Federal Deposit Insurance Act and the maximum amount for which a member of a savings and loan association may be insured under title IV of the National Housing Act; to the Committee on Banking and Currency.

By Mr. WALLHAUSER:

H.R. 3122. A bill to provide coverage under the old-age, survivors, and disability insurance system for self-employed physicians; to the Committee on Ways and Means.

By Mr. WESTLAND:

H.R. 3123. A bill to amend the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

H.R. 3124. A bill to amend section 27 of the Merchant Marine Act, 1920, to permit the waiver of such section under certain circumstances; to the Committee on Merchant Marine and Fisheries.

By Mr. WILLIAMS:

H.R. 3125. A bill to amend section 407(e) of the Federal Aviation Act of 1958 to clarify the authority of the Civil Aeronautics Board to examine the books and records of persons controlled by, or under common control with, an air carrier, or of service organizations controlled by groups of air carriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3126. A bill to provide for the alteration, maintenance, and repair of Government buildings and property under lease or concession contracts entered into pursuant to the operation and maintenance of Government-owned airports under the jurisdiction of the Administrator of the Federal Aviation Agency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3127. A bill to amend the act of October 9, 1940 (54 Stat. 1030, 1039), in order to increase the periods for which agreements for the operation of certain concessions may be granted at the Washington National Airport, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3128. A bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers; to the Committee on Interstate and Foreign Commerce.

H.R. 3129. A bill to provide basic authority for the performance of certain functions and activities of the Federal Aviation Agency, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BOB WILSON:

H.R. 3130. A bill to correct certain inequities with respect to the granting of survivor annuities under the Civil Service Retirement Act to certain students, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3131. A bill to correct certain inequities with respect to the granting of survivor annuities under the Civil Service Retirement Act to certain students, to extend from 21 to 22 years the age limit on student survivor annuities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WYMAN:

H.R. 3132. A bill to amend title 39, United States Code, to provide a method of improving the comprehensibility of information contained in second-class mail matter indicating the termination dates of subscriptions thereto; to the Committee on Post Office and Civil Service.

By Mr. QUIE:

H.R. 3133. A bill to authorize assistance to public and other nonprofit institutions of higher education, including junior colleges and technical institutes, in financing the construction, rehabilitation, or improvement of needed academic and related facilities; to the Committee on Education and Labor.

By M. FRELINGHUYSEN:

H.R. 3134. A bill to authorize assistance to public and other nonprofit institutions of higher education, including junior colleges and technical institutes, in financing the construction, rehabilitation, or improvement of needed academic and related facilities; to the Committee on Education and Labor.

By Mr. GRIFFIN:

H.R. 3135. A bill to authorize assistance to public and other nonprofit institutions of higher education, including junior colleges and technical institutes, in financing the construction, rehabilitation, or improvement of needed academic and related facilities; to the Committee on Education and Labor.

By Mr. GOODELL:

H.R. 3136. A bill to authorize assistance to public and other nonprofit institutions of higher education, including junior colleges and technical institutes, in financing the construction, rehabilitation, or improvement of needed academic and related facilities; to the Committee on Education and Labor.

By Mr. BELL:

H.R. 3137. A bill to authorize assistance to public and other nonprofit institutions of higher education, including junior colleges and technical institutes, in financing the construction, rehabilitation, or improvement of needed academic and related facilities; to the Committee on Education and Labor.

By Mr. STAFFORD:

H.R. 3138. A bill to authorize assistance to public and other nonprofit institutions of higher education, including junior colleges and technical institutes, in financing the construction, rehabilitation, or improvement of needed academic and related facilities; to the Committee on Education and Labor.

By Mr. McCULLOCH:

H.R. 3139. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 3140. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. CAHILL:

H.R. 3141. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 3142. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. MACGREGOR:

H.R. 3143. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 3144. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. MARTIN of California:

H.R. 3145. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 3146. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 3147. A bill to amend the Civil Rights Act of 1957, and for other purposes, to the Committee on the Judiciary.

By Mr. WYDLER:

H.R. 3148. A bill to amend the Civil Rights Act of 1957, and for other purposes, to the Committee on the Judiciary.

By Mr. BROMWELL:

H.R. 3149. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 3150. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 3151. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 3152. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. ELLSWORTH:

H.R. 3153. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. GOODELL:

H.R. 3154. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. GRIFFIN:

H.R. 3155. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 3156. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 3157. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 3158. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 3159. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 3160. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. TAFT:

H.R. 3161. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. WALLHAUSER:

H.R. 3162. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 3163. A bill to designate the lake formed by the Walter F. George lock and dam, Alabama and Georgia, as Lake Eufaula; to the Committee on Public Works.

By Mr. AYRES (by request):

H.R. 3164. A bill to amend chapter 15 of title 38, United States Code, to revise the pension program for World War I, World War II, and Korean conflict veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BATTIN:

H.R. 3165. A bill to define and declare exempt, income of Indians, and to permit Indians who are holders of beneficial interests of tribal lands or under patents of allotted and restricted lands, whether by original allotment, by inheritance, or as lessee of tribal or allotted and restricted Indian lands, to secure refunds of income taxes paid to the United States, on income from such lands which are exempt from Federal income tax; to the Committee on Ways and Means.

By Mr. BLATNIK:

H.R. 3166. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate or navigable waters, and for other purposes; to the Committee on Public Works.

By Mr. DINGELL:

H.R. 3167. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate or navigable waters, and for other purposes; to the Committee on Public Works.

By Mr. BRAY:

H.R. 3168. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. CAHILL:

H.R. 3169. A bill to amend sections 4682 and 9682 of title 10 of the United States Code to provide 4-H Clubs with the same priority as is given the National Council of the Boy Scouts in procuring obsolete or excess materials from the Army and Air Force; to the Committee on Armed Services.

H.R. 3170. A bill to provide for a permanent postage stamp portraying the flag of the United States; to the Committee on Post Office and Civil Service.

H.R. 3171. A bill to provide waiver of premiums on national service life insurance policies for certain totally disabled veterans without regard to age limitations; to the Committee on Veterans' Affairs.

H.R. 3172. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 3173. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3174. A bill to authorize the withholding from the pay of civilian employees of the United States the dues for membership in certain employee organizations; to the Committee on Post Office and Civil Service.

H.R. 3175. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

H.R. 3176. A bill to amend the Internal Revenue Code of 1954 to provide an additional $3,000 exemption from income tax for amounts received as retirement annuities or pensions; to the Committee on Ways and Means.

H.R. 3177. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. FINO (by request):

H.R. 3178. A bill to amend chapter 15 of title 38, United States Code, to provide that the award of pension to any person which has been in effect for 10 or more years shall not thereafter be revoked on the basis that the individual did not have the length of service required to qualify therefor, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FOGARTY:

H.R. 3179. A bill to provide that judges of the U.S. Court of Military Appeals shall hold office during good behavior, and for other purposes; to the Committee on Armed Services.

H.R. 3180. A bill to authorize a 10-year program of grants for construction of medical, dental, and public health educational facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 3181. A bill to provide for the establishment of a U.S. Foreign Service Academy; to the Committee on Foreign Affairs.

H.R. 3182. A bill to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GILL:

H.R. 3183. A bill to strengthen and improve educational quality and educational opportunities in the Nation; to the Committee on Education and Labor.

By Mr. GUBSER:

H.R. 3184. A bill to amend title 13 of the United States Code to provide for the collection of certain information with respect to the medical profession; to the Committee on Post Office and Civil Service.

By Mrs. HANSEN:

H.R. 3185. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mrs. KEE:

H.R. 3186. A bill to provide for the establishment and administration of the Allegheny Parkway in the States of West Virginia and Kentucky and Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LANKFORD:

H.R. 3187. A bill to amend the act of May 29, 1930, in order to increase the authorization for funds for the extension of certain projects from the District of Columbia into the State of Maryland, and for other purposes; to the Committee on Public Works.

By Mr. LINDSAY:

H.R. 3188. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for dependent or surviving sisters of certain insured individuals; to the Committee on Ways and Means.

By Mr. McMILLAN (by request):

H.R. 3189. A bill to amend the District of Columbia Redevelopment Act of 1945; to the Committee on the District of Columbia.

H.R. 3190. A bill to amend the act of March 3, 1901, relating to devises and bequests by will; to the Committee on the District of Columbia.

By Mr. MATHIAS:

H.R. 3191. A bill to exempt life insurance companies from the act of February 4, 1913, regulating loaning of money on securities in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MILLS:

H.R. 3192. A bill to amend section 5 of the Federal Alcohol Administration Act to provide a definition of the term "age" as used in the labeling and advertising of whisky, and for other purposes; to the Committee on Ways and Means.

By Mr. MONTOYA:

H.R. 3193. A bill to authorize the Secretary of the Interior to make water available for a permanent pool for recreation purposes at Cochiti Reservoir from the San Juan-Chama unit of the Colorado River storage project; to the Committee on Interior and Insular Affairs.

By Mr. MORRIS:

H.R. 3194. A bill to authorize the Secretary of the Interior to make water available for a permanent pool for recreation purposes at Cochiti Reservoir from the San Juan-Chama unit of the Colorado River storage project; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

H.R. 3195. A bill to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States; to the Committee on Merchant Marine and Fisheries.

By Mr. NORBLAD:

H.R. 3196. A bill to amend title II of the Social Security Act to increase from $1,200 to $2,400 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. O'BRIEN of New York:

H.R. 3197. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 3198. A bill to promote the economic and social development of the Trust Territory of the Pacific Islands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. OLSEN of Montana:

H.R. 3199. A bill to provide for the expansion of the Custer Battlefield National Cemetery; to the Committee on Interior and Insular Affairs.

H.R. 3200. A bill to redesignate the Big Hole Battlefield National Monument, to revise the boundaries thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3201. A bill to extend benefits under the Retired Federal Employees Health Benefits Act to the survivors of retiree annuitants who died before April 1, 1948, and to employees who retired from the Tennessee Valley Authority and Farm Credit Administration prior to July 1, 1961; to the Committee on Post Office and Civil Service.

H.R. 3202. A bill to correct certain inequities with respect to the granting of survivor annuities under the Civil Service Retirement Act to certain students, to extend from 21 to 22 years the age limit on student survivor annuities, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3203. A bill to amend title II of the Social Security Act to assist in compensating for the hazardous and arduous nature of employment in certain occupations, and for the decreased life expectancy of persons engaged in such occupations, and for other purposes; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 3204. A bill to establish an immediate program to aid in reducing the public debt by providing that certain receipts from the sale of capital assets of the Government shall be used for such purposes; to the Committee on Ways and Means.

By Mr. PIKE:

H.R. 3205. A bill to extend for 4 additional years the temporary provisions of Public Laws 815 and 874, 81st Congress; to the Committee on Education and Labor.

By Mr. REUSS:

H.R. 3206. A bill to amend the Internal Revenue Code of 1954 to repeal the manufacturers excise tax on househlod type hot-water heaters; to the Committee on Ways and Means.

By Mr. RHODES of Pennsylvania:

H.R. 3207. A bill to provide additional office space in the home districts of Members of Congress; to the Committee on House Administration.

By Mr. RODINO:

H.R. 3208. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. SENNER:

H.R. 3209. A bill to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3210. A bill to amend the act of April 19, 1950, relating to the rehabilitation of the Navajo and Hopi Tribes of Indians, to authorize certain additional highway projects; to the Committee on Interior and Insular Affairs.

By Mr. SHELLEY:

H.R. 3211. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs; to the Committee on Education and Labor.

By Mr. SIBAL:

H.R. 3212. A bill to direct the Secretary of Commerce to initiate steps leading to a redefinition of a national transportation policy; to the Committee on Interstate and Foreign Commerce.

By Mr. SIKES:

H.R. 3213. A bill to provide that district courts of the United States shall not have jurisdiction to enjoin or modify the operation of State laws respecting legislative districts where comparable relief is available in State courts, and for other purposes; to the Committee on the Judiciary.

By Mr. TUPPER:

H.R. 3214. A bill to provide an increase in the retired pay of certain members of the former Lighthouse Service; to the Committee on Merchant Marine and Fisheries.

H.R. 3215. A bill to amend the Internal Revenue Code of 1954 to provide an income tax deduction for certain expenses of attending colleges and universities; to the Committee on Ways and Means.

By Mr. WHITTEN:

H.R. 3216. A bill to amend the Internal Revenue Code of 1954 to exempt certain farm vehicles from the highway use tax; to the Committee on Ways and Means.

By Mr. BETTS:

H.J. Res. 213. Joint resolution proposing an amendment to the Constitution of the United States providing for systematic reduction of the public debt; to the Committee on the Judiciary.

By Mr. BRAY:

H.J. Res. 214. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CRAMER:

H.J. Res. 215. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FASCELL:

H.J. Res. 216. Joint resolution to authorize the President to proclaim the week beginning February 10 in each year as National Parkinson Week; to the Committee on the Judiciary.

By Mr. FINO:

H.J. Res. 217. Joint resolution proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 218. Joint resolution designating the second Sunday in October of each year as National Grandmothers' Day; to the Committee on the Judiciary.

H.J. Res. 219. Joint resolution proposing an amendment to the Constitution of the United States permitting nonsectarian prayer in public schools or other public places if participation therein is not compulsory; to the Committee on the Judiciary.

By Mr. HARRIS:

H.J. Res. 220. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas; to the Committee on Interstate and Foreign Commerce.

By Mr. LANKFORD:

H.J. Res. 221. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.J. Res. 222. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SIKES:

H.J. Res. 223. Joint resolution proposing an amendment to the Constitution of the United States reserving to each State the exclusive power to apportion membership of its legislature; to the Committee on the Judiciary.

By Mr. BETTS:

H. Con. Res. 68. Concurrent resolution expressing the sense of the Congress that the President should each year curtail expenditures for foreign assistance to the extent necessary to prevent such expenditures from creating or increasing a deficit for such year; to the Committee on Foreign Affairs.

By Mr. FARBSTEIN:

H. Con. Res. 69. Concurrent resolution to express the sense of the Congress that the U.S. mission to the United Nations should seek the adoption by the United Nations of a resolution condemning the recent manifestations of anti-Semitism in the Soviet Union; to the Committee on Foreign Affairs.

H. Con. Res. 70. Concurrent resolution expressing the sense of the Congress with respect to recent manifestations of anti-Semitism in the Soviet Union and calling upon the Soviet Union to guarantee human rights; to the Committee on Foreign Affairs.

By Mr. GROSS:

H. Con. Res. 71. Concurrent resolution to express the sense of the Congress in respect to the Lewis and Clark Trail from St. Louis, Mo., to the Pacific Northwest; to the Committee on Interior and Insular Affairs.

By Mr. HOEVEN:

H. Con. Res. 72. Concurrent resolution to express the sense of the Congress in respect to the Lewis and Clark Trail from St. Louis, Mo., to the Pacific Northwest; to the Committee on Interior and Insular Affairs.

By Mr. JENSEN:

H. Con. Res. 73. Concurrent resolution to express the sense of the Congress in respect to the Lewis and Clark Trail from St. Louis, Mo,. to the Pacific Northwest; to the Committee on Interior and Insular Affairs.

By Mr. PELLY:

H. Con. Res. 74. Concurrent resolution expressing the sense of the Congress with respect to residence requirements under State laws for voters for President and Vice President; to the Committee on House Administration.

By Mr. TEAGUE of Texas:

H. Con. Res. 75. Concurrent resolution providing for the preparation and publication as a House document of a compilation of reasonable facsimile copies of certain writings of great significance in the history of the United States; to the Committee on House Administration.

By Mr. BOB WILSON:

H. Con. Res. 76. Concurrent resolution expressing the sense of Congress with respect to the establishment of a commission to study the feasibility of Federal legislation requiring uniform threads on couplings of firehoses; to the Committee on Interstate and Foreign Commerce.

By Mr. BLATNIK:

H. Res. 216. Resolution relating to a salary increase for the superintendent of the House folding room, Office of the Doorkeeper; to the Committee on House Administration.

By Mr. CHAMBERLAIN:

H. Res. 217. Resolution amending clause 2 (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. CLEVELAND:

H. Res. 218. Resolution amending clause 2 (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. CURTIS:

H. Res. 219. Resolution to amend the Rules of the House of Representatives with respect to the printing of remarks of Members of the House in the CONGRESSIONAL RECORD; to the Committee on Rules.

By Mr. DOLE:

H. Res. 220. Resolution amending clause 2 (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. DOWDY:

H. Res. 221. Resolution amending clause 2 (a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. EVINS:

H. Res. 222. Resolution to provide funds for the study and investigation authorized by House Resolution 13; to the Committee on House Administration.

By Mr. FARBSTEIN:

H. Res. 223. Resolution expressing the sense of the House of Representatives that the people of all Ireland should have an opportunity to express their will for union by an election under the auspices of a United Nations commission; to the Committee on Foreign Affairs.

By Mr. GARMATZ:

H. Res. 224. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. HARRIS:

H. Res. 225. Resolution authorizing the Committee on Interstate and Foreign Commerce to employ two additional employees; to the Committee on House Administration.

H. Res. 226. Resolution providing funds for the Committee on Interstate and Foreign Commerce; to the Committee on House Administration.

By Mr. MILLS:

H. Res. 227. Resolution to provide funds for necessary expenses of the Committee on Ways and Means; to the Committee on House Administration.

By Mr. PATMAN:

H. Res. 228. Resolution to provide funds for the investigations and studies authorized by House Resolution 179; to the Committee on House Administration.

By Mr. POFF:

H. Res. 229. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. SNYDER:

H. Res. 230. Resolution to authorize the Committee on Government Operations to conduct an investigation and study with respect to competition of the Federal Government with private business; to the Committee on Rules.

By Mr. BOW:

H. Res. 231. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. LINDSAY:

H. Res. 232. Resolution to amend the Rules of the House of Representatives on the use of the CONGRESSIONAL RECORD; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Colorado, memorializing the President and the Congress of the United States to take action necessary to place the lumber industry of the United States on an equitable and competitive basis with foreign manufacturers; to the Committee on Ways and Mean.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States to give early consideration to and construction of the Lower Teton Reservoir with the least possible delay; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Oklahoma, memorializing the President and the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Oklahoma, memorializing the President and the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to article V thereof; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States that the proposed rehabilitation of the Whitestone Reclamation District by the United States Bureau of Reclamation be fully supported; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRAY:

H.R. 3217. A bill for the relief of Cesare Mario Cristini; to the Committee on the Judiciary.

By Mr. CHELF:

H.R. 3218. A bill for the relief of Mrs. Kazuko (Joseph James) Kapp; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 3219. A bill to provide for the payment of a reward as an expression of appreciation to Edwin and Bruce Bennett; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 3220. A bill for the relief of Hugh M. Brady; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 3221. A bill for the relief of Mrs. Marjanna Szlykowicz; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 3222. A bill for the relief of Mrs. Y. S. Tien; to the Committee on the Judiciary.

H.R. 3223. A bill for the relief of Joyce E. Millette Clements; to the Committee on the Judiciary.

By Mr. DULSKI (by request):

H.R. 3224. A bill for the relief of Liboria Annibale; to the Committee on the Judiciary.

By Mr. FINNEGAN:

H.R. 3225. A bill for the relief of Georgios Katsoydas; to the Committee on the Judiciary.

H.R. 3226. A bill for the relief of Irene Trebacz; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3227. A bill for the relief of Vincenzo Bassani, Loretta Bassani, and Anna Maria Bassani; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 3228. A bill for the relief of Miss Marianna Chmara; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 3229. A bill for the relief of Konstantinos Alikakos; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 3230. A bill for the relief of Anita Johansen; to the Committee on the Judiciary.

By Mr. GOODELL:

H.R. 3231. A bill for the relief of Mary Gabriella Gomes; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 3232. A bill to convey Ellis Island to the Ellis Island for Higher Education, Inc.; to the Committee on Government Operations.

By Mr. GRAY:

H.R. 3233. A bill for the relief of Anthony Kizanis; to the Committee on the Judiciary.

By Mr. HAGAN of Georgia:

H.R. 3234. A bill for the relief of Ioannis G. Assimakopoulos; to the Committee on the Judiciary.

H.R. 3235. A bill for the relief of Panagiotos A. Skountzos; to the Committee on the Judiciary.

H.R. 3236. A bill for the relief of Athanasios Angelis; to the Committee on the Judiciary.

H.R. 3237. A bill for the relief of Bernardo Petruso; to the Committee on the Judiciary.

H.R. 3238. A bill for the relief of Dr. John W. Jones; to the Committee on the Judiciary.

By Mr. HEALEY:

H.R. 3239. A bill for the relief of Iride Reggiani; to the Committee on the Judiciary.

H.R. 3240. A bill for the relief of Mrs. Josephine Dubins; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 3241. A bill for the relief of Victoria Galante; to the Committee on the Judiciary.

H.R. 3242. A bill for the relief of Giuseppa Grimaudo; to the Committee on the Judiciary.

By Mr. JOELSON·

H.R. 3243. A bill for the relief of Mrs. Marie Hack; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 3244. A bill for the relief of Christos George Kanellopoulos; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 3245. A bill for the relief of Anthony Outeri (Auteri); to the Committee on the Judiciary.

H.R. 3246. A bill for the relief of Kenneth C. Wright; to the Committee on the Judiciary.

By Mr. KILGORE:

H.R. 3247. A bill for the relief of Combest B. Sills; to the Committee on the Judiciary.

H.R. 3248. A bill for the relief of George H. Peters; to the Committee on the Judiciary.

H.R. 3249. A bill for the relief of Mrs. William W. Johnston; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 3250. A bill for the relief of Dr. Arturo Marinay Riego; to the Committee on the Judiciary.

By Mr. MORGAN:

H.R. 3251. A bill for the relief of Delia Pili; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 3252. A bill for the relief of Maria Vento Ruggeri; to the Committee on the Judiciary.

H.R. 3253. A bill for the relief of Dr. Angelita R. Martinez; to the Committee on the Judiciary.

H.R. 3254. A bill for the relief of Isolene E. F. Shakespeare; to the Committee on the Judiciary.

H.R. 3255. A bill for the relief of Masis Bedian; to the Committee on the Judiciary.

By Mr. OSTERTAG:

H.R. 3256. A bill for the relief of Mrs. Marianna Fiannaca Vella; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 3257. A bill to authorize the admittance of the vessel *City of New Orleans* to American registry and to permit the use of such vessel in the coastwise trade between the State of Alaska and the State of Washington; to the Committee on Merchant Marine and Fisheries.

By Mr. PEPPER:

H.R. 3258. A bill for the relief of Anna Pekovic; to the Committee on the Judiciary.

By Mr. POOL:

H.R. 3259. A bill to provide for the conveyance of certain lands by the United States to Bailey W. Wadlington, Jr.; to the Committee on Government Operations.

By Mr. RYAN of New York:

H.R. 3260. A bill for the relief of Joanna Nicolacopoulo; to the Committee on the Judiciary.

H.R. 3261. A bill for the relief of Jean Croitorou; to the Committee on the Judiciary.

H.R. 3262. A bill for the relief of Mrs. Antigoni Iatropoulos; to the Committee on the Judiciary.

H.R. 3263. A bill for the relief of Julius Szlajmer; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 3264. A bill for the relief of Esterina Ricupero; to the Committee on the Judiciary.

H.R. 3265. A bill for the relief of Sister Machi Shigehisa and Sister Tamiko Hitomi; to the Committee on the Judiciary.

H.R. 3266. A bill for the relief of Stella Marie Kim; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 3267. A bill for the relief of Clara B. Fry; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 3268. A bill for the relief of Pui Yuk Cheng; to the Committee on the Judiciary.

H.R. 3269. A bill for the relief of Olinda Di Carlo; to the Committee on the Judiciary.

By Mr. ROONEY:

H.R. 3270. A bill for the relief of Moshe Mozes Gelb; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 3271. A bill for the relief of Ngoon Cheong Wong (also known as Ngoon Cheong Lum); to the Committee on the Judiciary.

By Mr. STEPHENS:

H.R. 3272. A bill to provide for the free entry of an orthicon image assembly for the use of the Medical College of Georgia, Augusta, Ga.; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 3273. A bill for the relief of Stella Braha Levy; to the Committee on the Judiciary.

H.R. 3274. A bill for the relief of Mrs. Laurette Mae Dunn; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 3275. A bill for the relief of Nicomedes S. Pedregosa; to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 3276. A bill for the relief of Khatchadour T. Tchoupdjian, also known as Robert Chapjian; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 224. Joint resolution declaring Sir Winston Churchill to be an honorary citizen of the United States of America; to the Committee on the Judiciary.

By Mr. HAGAN of Georgia:

H.J. Res. 225. Joint resolution authorizing the President of the United States to issue a proclamation declaring Sir Winston Churchill to be an honorary citizen of the United States of America; to the Committee of the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

30. By Mr. SHRIVER: Petition of Mrs. E. Horvath and other citizens of Wichita, Kans., calling on the Congress to give full and public consideration to any Presidential guar-

antee which might, in effect, abrogate the Monroe Doctrine by permitting Soviet Communist influence and control to continue in Cuba; to the Committee on Foreign Affairs.

31. Also, petition of Mr. Fred C. Koch and other citizens of Wichita, Kans., calling on the Congress to give full and public consideration to any Presidential guarantee which might, in effect, abrogate the Monroe Doctrine by permitting Soviet Communist influence and control to continue in Cuba; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Why Should All Other Taxpayers Pay This Bill?

EXTENSION OF REMARKS

OF

HON. BEN F. JENSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1963

Mr. JENSEN. Mr. Speaker, I have sent a letter to the Secretary of the Interior, asking that he disapprove two outlandish proposals now being considered by the Bonneville Power Administration, one of the agencies in his Department. In one instance, the agency is proposing to extend its market area to sell power it does not have in an area that has plenty of power at reasonable rates. The taxpayers would be called upon to furnish around $100 million for the extension at a time when our national debt exceeds $300 billion and a deficit of nearly $12 billion is forecast for the next fiscal year. It is unthinkable that any consideration be given to such a proposal at any time, and particularly so when BPA is currently running into the red at a rate in excess of $15 million annually.

The second proposal is to extend the payout period and thus permit a new phony paper accounting through which a large part of the present deficits of the agency could be hidden.

In addition, I understand the two proposals taken together are to provide for setting up a basinwide payout scheme, whereby approval of uneconomic and unjustified reclamation projects would be requested on the basis that they could be paid for in the far distant future from presently nonexistent surplus BPA power revenue.

My letter to the Secretary follows:

JANUARY 23, 1963.

Hon. STEWART L. UDALL,
Secretary of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: In the early days of your administration of the affairs of the Department of the Interior, I had the feeling we were poles apart on many features of the Federal power program. However, some of your actions in 1962 lead me to believe that you desire to operate in a manner that will protect the taxpayers' interest and also provide a desirable degree of cooperation with both the private and public utility groups.

Recent articles in the press indicate that the Bonneville Power Administration—one of the Interior agencies—is considering two far-reaching proposals that I believe are neither desirable nor justified. I hope that you will come to the same conclusion.

The first of these is a proposal for a new payout system for Federal dams in the Pacific Northwest that would extend the payout on individual power projects to way beyond the 50-year payout periods currently in use.

When the funds for the construction of the Federal hydroelectric projects in the Pacific Northwest were approved by the Appropriations Committee and the Congress, it certainly was with the understanding that repayments would be based on a 50-year payout period. To now change the basis for repayment of the taxpayers' money appropriated for these power projects would not be keeping faith with the Nation's taxpayers.

The present Bonneville power rate is the lowest in the Nation. This low rate was only made possible by the use of—

1. Over $2½ billion in taxpayers' money.
2. Interest charge below interest cost of long-term U.S. bonds.
3. No local, State, or Federal tax charge.
4. Excessive allocation of Federal project costs to nonpower uses.

Even with this subsidized low rate, Bonneville is currently operating at an annual deficit in excess of $15 million. Bonneville contends that it will be ahead of scheduled payout by around $6 million as of the end of the present fiscal year. Actually, if the payout was based on a proper interest charge in keeping with actual interest cost on long-term U.S. bonds, as it should be, there would be a deficit in payout of around $100 million.

The Bonneville proposal for a change in the payout basis appears to be an attempt to show a paper reduction in Bonneville's tremendous annual losses. I am surprised that Bonneville would put forth such a proposal.

The Bonneville Act provides for making periodic examination of Bonneville power rates to see that the required revenue to meet the payout is obtained. It seems to me Bonneville should be spending its time, not on studies of how to hide its present losses but on studies of what increases in rates are necessary to provide for the actual interest cost on and the repayment of the taxpayers' funds provided for the Federal hydroelectric projects in the Pacific Northwest. Personally, I think Bonneville power rates should also provide for in-lieu-of-tax payments to Federal, State, and local treasuries, equivalent to those being assessed against private utilities.

I am sure that you will not approve this outlandish proposal by Bonneville before it has been considered by the proper committees of Congress.

I cannot believe that the people in the Seventh Congressional District of Iowa which I have the honor to represent, as well as the people in most other areas of our Nation, should be called upon to help provide lower-than-cost power for the Pacific Northwest. Surely, if the Missouri River Basin power rate of 5½ mills per kilowatt-hour and the Colorado River Basin power rate of 6 mills can be absorbed in those areas, there can be no justification for trying to juggle figures in an attempt to justify holding the present BPA rate at a little over 2 mills.

The second Bonneville proposal relates to a proposed extension of the Bonneville power marketing area into southern Idaho. From the press reports, it appears that Bonneville and Bureau of Reclamation officials have held a number of public hearings in Idaho to build up support for their scheme. At such hearings, the Federal officials were forced to admit that no economic analysis had been made in the matter. Also, according to the press, an Idaho State official has labeled the proposed BPA report "an absolute farce" and said that the report was being made without the necessary background data.

I can agree with the Idaho State official that the BPA proposal is a farce of considerable magnitude, when by Bonneville's own admission it will be short of firm power in its present market area by 1965, and that there are estimated to be increasing deficits in firm power with the total reaching over a million kilowatts by 1970.

The extension of BPA power into southern Idaho appears to be coupled with a proposal for a sort of basinwide payout of reclamation projects to be accomplished by administrative action.

In my opinion, neither of these Bonneville proposals is justified in itself. Taken together, they constitute a brazen attempt to achieve by administrative action some very questionable end results not considered or approved by the Congress. It is an attempt to hide part of Bonneville's large annual deficit, on the one hand, and on the other hand to achieve a basinwide payout system to secure approval of regionwide projects on the claim that they can be paid for from theoretical surplus BPA power revenue in some far distant future.

In order that the other Members of Congress and the people of the Nation may be made aware of what these two bureaucratic agencies in your Department are proposing, I am inserting this letter into the CONGRESSIONAL RECORD.

I hope you can advise me that no serious consideration will be given either of these proposals.

Sincerely yours,

BEN F. JENSEN.

Federal Bar Association's "Justice" Series

EXTENSION OF REMARKS

OF

HON. HERMAN TOLL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1963

Mr. TOLL. Mr. Speaker, I believe that all Members of Congress will be pleased to learn about a new series of radio programs entitled "Justice" which has been inaugurated by NBC Radio Monitor in cooperation with the Federal Bar Association.

For about 26 weeks on Saturday or Sunday, on approximately 200 stations around the country, millions of listeners will hear how the Government agencies safeguard the rights of all citizens.

The "Justice" series is intended to give listeners a more intimate knowledge of the various law enforcement agencies in the Federal Government from the Secret Service agent protecting the life of the President to the Food and Drug inspector protecting the interests of the corner drugstore shopper. The objective is to generate a greater respect for the law and those who enforce it by presenting a fuller understanding of the work of these Government agencies.

The National Broadcasting Co., Inc. is to be highly commended for this important public service. I want to especially mention the following representatives of NBC whose vision and creativity made this series possible: Howard Monderer, Esq., NBC Washington attorney and member of the Radio and Television Subcommittee of the Law Observance Committee of the Federal Bar Association; Russ Ward, NBC commentator; Ted Steele, NBC commentator; Bob Mauer, executive producer of Monitor; and Robert Wogan, director, programs, NBC radio network.

My distinguished colleague, the Honorable RICHARD E. LANKFORD, who is the national president of the Federal Bar Association, is to be congratulated on the work of the association's law observance committee, which arranged the series.

Federal Intrusion

EXTENSION OF REMARKS
OF
HON. ROBERT T. McLOSKEY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 31, 1963

Mr. McLOSKEY. Mr. Speaker, I recently received information calling to my attention what appears to be another step toward moving into the field of private enterprise by the Federal Government. This, as often is the case, is done under the guise of being for the public good. Not through the legislative process but rather by rules established by governmental bureaus.

A case in point, I believe, is the proposed rulemaking as it appears in the Federal Register of December 29, 1962, relating to electric power transmission lines traversing public lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture.

It should be pointed out that federally owned land, whether a large national forest or a tiny post office lot, are held in public trust. As the Government is the servant of the people, so are its lands similarly expressed. It would thus appear reasonable that they should not be used as a pawn in the instrusion of Government into the field of gainful activity.

One can only ask, what is the real motive behind this proposed rule change? Within reasonable bounds of public safety and welfare and the preservation of natural resources from unconscionable dispersion of destruction, Government lands have always been available to persons for traversal upon payment of a fair price. If this statement is correct and I am confident it is, then I ask in all candor, are the proposed rules reasonably appropriate or are they arbitrary and capricious?

Mr. Speaker, today we hear much of back-door referendums and back-door spending. Well, it occurs to me that this sort of blow by regulation is a kitchen-door approach—a foot-in-the-door entry by Government into the field of gainful production.

Both departments in this particular instance allude to the right to withhold a right-of-way grant if it is not consistent with the Federal marketing program. What is this program? Nowhere in the proposed rule change is it described nor its limits defined.

Once more we tread on dangerous ground. Let us all be more alert to the dangers ahead. Thanks for the opportunity to express myself on this subject.

Eliminate the Two-Price Cotton System

EXTENSION OF REMARKS
OF
HON. ROY A. TAYLOR
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 31, 1963

Mr. TAYLOR. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement which I made yesterday before the Cotton Subcommittee of the House Agriculture Committee which is considering legislation to end the two-price cotton system:

STATEMENT OF HON. ROY A. TAYLOR, OF NORTH CAROLINA

Since 1956 the Federal Government has subsidized the purchase of U.S. cotton by foreign buyers to the extent of 8½ cents per pound, creating a two-price system for U.S. cotton. A substantial quantity of U.S. raw cotton is exported under this subsidy plan and later shipped back into this country in a manufactured form to compete with the output of U.S. mills.

It is not right that foreign buyers should be permitted to continue purchasing American cotton on the world market 8½ cents per pound cheaper than American manufacturers can buy the same cotton on the domestic market and then sell the finished products on the American market in competition with the American textile industry.

In the past 10 years U.S. imports of cotton products have risen from the average cotton equivalent of 68,000 bales in 1952 to 225,000 bales in 1956, to 234,000 bales in 1958, to 526,000 bales in 1960, and approximately 672,000 bales in 1962. This upward trend in the main has occurred since 1956 when the two-price cotton system was created.

Since the advent of two-price cotton in 1956 active cotton spindles have dropped 9.1 percent. Textile employment has declined 176,000 workers. Mill consumption of cotton has declined and imports of cotton textiles continue an upward surge.

The textile industry is the second largest employer in the United States and has been hard hit by imports from low-wage countries. The American cotton farmer is being hurt by this decline in the textile industry on which he must depend. A bale of cotton has little value until it is processed. The export market is uncertain so the strength of our Nation's cotton production industry must depend on a healthy American textile industry. The two-price cotton system is not only weakening the textile industry but is hurting the American cotton farmer.

I have received numerous letters and telegrams from textile and garment manufacturers in my congressional district pointing out the necessity of early action to eliminate the two-price cotton system. I hope that new cotton legislation can be passed by Congress in time to apply to the 1963 crop. We cannot afford to delay, with textile employment shrinking, and the number of cotton spindles being constantly reduced. Our textile workers deem it most unfair to suffer unemployment and shorter hours while their foreign competitors are supplying so much of the American market.

President Kennedy has characterized the two-price cotton system as "a unique burden upon the American textile industry for which a solution must be found in the near future."

We must quickly eliminate the system under which oversea textile mills may buy American cotton at $42.50 less a bale than U.S. mills must pay.

Congressional Fellowship Program Benefits Fellows and Congress

EXTENSION OF REMARKS
OF
HON. DURWARD G. HALL
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 31, 1963

Mr. HALL. Mr. Speaker, it has been my privilege to participate this year for the first time in the congressional fellowship program of the American Political Science Association. As many of the Members of this House already know, this program provides congressional experience for young journalists, political science teachers, and career Government employees, and also includes a group of fellows from Asia.

I would like to point out that this nationwide fellowship program is the only one operating in Congress which provides congressional offices with the services of professional men, who already have proved their talents in their chosen professions. While the program benefits the fellows in large measure, it also is a boon to the congressional offices able to utilize their services.

I highly commend to my colleagues the nonpartisan congressional fellowship program. And I submit for publication in the RECORD the following list of congressional offices, the names of the fellows working in them this session, and the newspapers, colleges, and Government positions from which the fellows came:

HOUSE OFFICE ASSIGNMENTS—1963 CONGRESSIONAL FELLOWSHIP PROGRAM

Hon. F. BRADFORD MORSE, of Massachusetts—Agustus Adair, of Gramling College, Louisiana.

Hon. NEIL STAEBLER, of Michigan—Dale Arnold, of the Detroit Free Press.

Hon. ROBERT H. MICHEL, of Illinois—Bruce Beacher, of the Department of Agriculture.

Hon. RICHARD BOLLING, of Missouri—Jerald Blizin, of the St. Petersburg, Fla., Times.

Republican Policy Committee—Terry Cabahug, of the Philippine Senate.

Hon. HERMAN T. SCHNEEBELI, of Pennsylvania—Everett Cataldo, of Ohio State University.

Hon. JOHN BRADEMAS, of Indiana—Carl Chelf, of the University of Nebraska.

Office of the Speaker of the House—George Condon, of Washington State University.

Interstate and Foreign Commerce Committee—Howard Farkas, of the Public Health Service.

Hon. James Roosevelt, of California—Fariborz Fatemi, of Syracuse University.

Hon. Ken Hechler, of West Virginia—Daniel Fleming, of Marietta, Ohio, High School.

Hon. Durward G. Hall, of Missouri—Jerry W. Friedheim, of the Joplin, Mo., Globe.

Hon. W. R. Poage, of Texas—George Herzog, of the Rural Electrification Administration.

Hon. John A. Blatnik, of Minnesota—Andrew Hickey, of the Housing and Home Finance Agency.

Hon. Frank Thompson, of New Jersey—James Hoge, of the Chicago Sun Times.

Hon. Donald M. Fraser, of Minnesota—William Jacobson, of NASA.

Hon. Charles A. Mosher of Ohio—Coit Johnson, of Columbia University.

Hon. William S. Broomfield, of Michigan—S. K. Law, of the Sarawak Information Service.

Government Operations Committee—Thomas King of the Atomic Energy Commission.

Hon. William S. Moorhead, of Pennsylvania—John Lim, of the Korean Foreign Service.

Hon. Carlton R. Sickles, of Maryland—Richard Melton, of the Department of State.

Hon. John E. Moss, of California—John Morgan, of the Appleton, Wis., Post-Crescent.

Hon. John Kyl, of Iowa—Shams Nizami, of the Pakistan Ministry of Justice.

Hon. Charles E. Bennett, of Florida—Kenneth Olson, of Smith College.

Hon. Robert W. Kastenmeier, of Wisconsin—Ronald Steel, of Scholastic Magazine.

Hon. Robert E. Jones, of Alabama—George W. Tourtillot, of the Forest Service.

Hon. Peter Frelinghuysen, Jr., of New Jersey—Thomas van der Voort, of the Public Health Service.

Hon. Gerald R. Ford, of Michigan—Bruce Van Dusen, of the Providence, R.I., Journal.

Hon. William F. Ryan, of New York—George Von der Muhll, of Harvard University.

Office of the majority whip—Eric Wentworth, of the Portland Oregonian.

Eulogy for Robert Frost

EXTENSION OF REMARKS

OF

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1963

Mr. GONZALEZ. Mr. Speaker, I was deeply saddened to learn of the death of Robert Frost, dean of American poets, and know that all my colleagues in this House join me in mourning his loss.

Frost was close to nature, and wrote of it as perhaps no other American poet ever has. His poetry was quiet and deep and brought the spirit of nature close. All Americans are familiar with the fields and woods of New England as Frost described them. We all know of his immortal, "Road Not Taken," in which the poet faced two imaginary roads. He took "the one less traveled." Few men indeed travel the road of art, and fewer still travel it with such success as Frost did. His poetry came to be read and loved more than that of any living poet in our country.

In an age of cynicism and helter-skelter, he provided a breath of freshness and rest.

He has now passed. But he has left behind an enormous and immortal contribution to the American spirit and culture.

The American Textile Industry

EXTENSION OF REMARKS

OF

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1963

Mr. WHITENER. Mr. Speaker, the American textile industry is suffering a great disadvantage in the highly competitive textile market by reason of the advantage enjoyed by foreign textile manufacturers in the purchase of American cotton. Under the existing law foreign mills can purchase American cotton 8½ cents a pound cheaper, or at a cost of $42.50 less per bale than can the American manufacturer.

Legislation has been introduced by the gentleman from North Carolina [Mr. Cooley] and the gentleman from Arkansas [Mr. Gathings] to remove the inequity existing in our two-price cotton program. Yesterday I appeared before the Cotton Subcommittee of the House Agriculture Committee in support of the legislation, and it is my earnest hope that some relief will be secured for the textile industry in the immediate future.

I commend the members of the Agriculture Committee on the approach that the committee is taking to this vital matter, and I include the statement I made before the Cotton Subcommittee yesterday on the two-price cotton program in the Record.

Statement of Hon. Basil L. Whitener, 10th District, North Carolina, Before Cotton Subcommittee of the House Agriculture Committee on January 30, 1963

Mr. Chairman and members of the subcommittee, I am deeply grateful for the opportunity that is being given for the presentation of my views with reference to the two-price cotton problem. As I understand it, the committee has two bills before it; one of these is the Cooley bill and the other is the Gathings bill. I further understand that these bills are intended generally to be a basis from which to work in arriving at legislation which will serve the public interest.

By way of introduction let me say that I represent a congressional district which has a very keen interest in the entire cotton economy. One of the counties in my district is the second largest cotton producing county in North Carolina, and the district is the largest textile manufacturing congressional district in the United States. It is, therefore, necessary that I take into account the interest of agriculture and industry in what I say and do in dealing with legislation affecting cotton.

The members of this committee are well aware of the genesis and history of the two-price cotton system. It is, therefore, not necessary that I take your time to give any detailed statement as to reasons for the present price differential of 8½ cents per pound, or $42.50 per bale, which is enjoyed by foreign textile manufacturers in their competition with the domestic textile industry.

I would also hasten to point out that I believe that it is important to our economy that our cotton farmers continue to receive a fair price for the cotton which they produce upon their farms. I think it is equally important that we take the long-range view and try to protect the cotton farmer from losses of his market in future years. If we confine our action to the picture as it exists today and disregard the future, we will not have served either the farmer or the public generally in a very commendable fashion.

Already your subcommittee has had testimony from economists and other interested parties giving you statistical data with reference to the failure of cotton fiber to keep pace with the growth and use which has been experienced in the use of manmade synthetic fibers. You have had testimony which is uncontradictable setting forth the reasons that there has been a great acceleration in the use of these manmade synthetic fibers in the production of many end products which were formerly produced entirely from cotton fiber.

Let me first deal with the matter of the future of the cotton farmer as it relates itself to the question of eliminating the two-price cotton system.

On November 13, 1961, Secretary of Agriculture Freeman, in a letter to the President of the United States, recommended that the President request the U.S. Tariff Commission to make an immediate investigation, under section 22 of the Agricultural Adjustment Act, with reference to the effect of the two-price cotton system upon the cotton programs being carried out under the supervision of the Secretary. I know that no one would even suggest that the Secretary of Agriculture in making this request was speaking as a representative of industry. It is abundantly clear that his concern was for the future of the American cotton farmer. His request to the President was made solely with the view of serving what he deemed to be the best interest of our cotton agricultural economy.

In his letter the Secretary pointed out that the programs and operations for upland and long-staple cotton which were being threatened by the two-price system included our price support programs, acreage allotment, marketing quota program, and the export subsidy program for cotton and cotton products.

The Secretary pointed out that during 1961 525,500 bales of cotton were used to manufacture cotton textiles imported into the United States and that this was a new high. He further pointed out that for the 5-year period ending in 1960 there had been an average annual rate increase of 69,000 bales of cotton imported into the United States in the form of cotton textiles.

It was also interesting to note that Secretary Freeman found that the aggregate mill consumption of cotton in the United States had shown a decline in the average of about 29.3 pounds of cotton per person in the 1946–55 period to about 23.9 pounds per person in the period between 1956 and 1960 and that imports of cotton textiles had increased from about the equivalent of 0.5 pound per person in 1955 to approximately 1.4 pounds per person in 1960. These findings by the Department of Agriculture properly alarmed them with reference to the future of the cotton programs heretofore enacted by the Congress.

Related to this problem and its threat to the farmer is the rapid growth in the total textile output of goods made of synthetic fibers. Wherever possible, textile mills have been shifting into the use of synthetic fibers or blends of such fibers with cotton in such a manner as to turn their spindles and looms away from cotton textile productions. This has been done for several reasons, but primarily because of the price situation. Of course, there has been a great deal more attention given to research and development and promotion of synthetic fabrics than has been given to cotton fabric. Another factor which enters into this shift to synthetics is the uniformity and quality of the synthetic fiber as compared to the lack of uniformity in cotton, together with a predictable source of supply at predictable price rates in a manner not enjoyed by industry when dealing with cotton.

I am told by many of our manufacturers that in recent years this item of quality of cotton fiber has been a major consideration with them in the operation of their plants. Within the past few days members of the textile community have told me that it is most difficult to find cotton grown in the eastern part of the United States which measures up to the requirements for the production of fine-combed yarns. They attribute this to a multiplicity of factors. Some of these factors are the production by the farmer with the view of producing quantity rather than quality because of our supported price situation; the use of mechanical pickers and subsequent overginning of cotton; and the weather elements which always enter into the cotton-producing experience of our farmers. These are problems which do not face the producer of synthetic fiber who can bring forth his production with chemical processes under fully regulated climatic and plant facilities.

So, the cotton farmer today is threatened in his domestic market by the rapid growth of the synthetic fiber industry with its advantage in price, quality, and convenience.

The legislation that the committee has under consideration would approach this price differential problem by an additional subsidy which would reflect itself ultimately in the price paid by the domestic textile manufacturer for the cotton fiber which he processes in his plant. Candor compels me to state that from my contact with industry people that they do not feel that they should be paid a direct subsidy at the expense of the taxpayers. Their reasoning, in my judgment, is sound when they say that they do not want to be accused of seeking a direct subsidy for themselves when they have no responsibility for creating the situation which makes an artifical price equalization program necessary. They correctly aver that the two-price system results from the action of our Government in placing artifical prices upon domestically grown cotton through the price support program at such a level as to make our American cotton sell at such prices as to remove it from competition in the world market with foreign-grown cotton. They contend that it was not by any action on their part that the price of American cotton has reached the level at which it has become necessary for our Government to place a price on our cotton in the foreign market place at a level of 8½ cents per pound or $42.50 per bale cheaper than the same American cotton may be bought by an American manufacturer.

The American cotton textile manufacturer, however, does take the position that he should be permitted to purchase American-grown cotton at the same price that the same can be purchased by a foreign textile manufacturer. He further feels that it is the obligation of his Government to bring about this result and that this should be done in such way as not to have a direct subsidy paid by the Government into the hands of the textile manufacturer and subject him to the accusation of taking a handout from his Government. Basically, gentlemen, I believe that it is the attitude of our American textile people that they are entitled to be dealt with equitably and fairly by their own Government. So long as the price differential in the raw material which they use in their plants exists by reason of Government action, equity and justice will not have been meted out to this important segment of our economy.

I would also like to present for your consideration another contention which I do not believe has been presented to this committee in connection with its consideration of the problem of two-price cotton. This relates to the effect that it would have upon the pocketbook of the American taxpayer.

I know that there are those who apprehend that the subsidy approach encompassed in the bills now under consideration would constitute an excessive burden on the American taxpayer. I believe, however, that it can accurately be said that when we talk in terms of subsidy from the taxpayers that we are engaging in illusory conversation. This is true for the reason that it seems logical that a reduction in the cost of cotton to the American mills to the extent of 3½ cents a pound would result in a substantial price reduction in the end product which is purchased by the American consumer. In fact, when profit margins are considered in the various stages of manufacture and distribution, the reduction in raw cotton prices of 8½ cents per pound could result in savings to the consumer equal to 17 cents per pound, or in excess of $700 million annually.

You will no doubt immediately ask how this is possible. Consider with me some of the basic facts which lead to this conclusion.

The cotton textile industry is one of the most competitive industries in America. A study of mill margin reports over a period of years indicates that the price of cotton tends to follow closely trends in the price of market cotton. Any reduction in the price of raw cotton would be reflected in reduced raw material costs to processers of cotton textile products and would ultimately pass on to the consumer. In the industry there is a tendency for a savings at an early stage in the productive and distributive process which is magnified on an absolute basis through later stages, resulting in the maintenance of a more or less constant percentage price.

During the early stages of a reduction in raw cotton prices this reduced cost of the end product to the ultimate consumer would not, in my judgment, dramatically present itself. This is because of a general tendency of prices to remain at a certain level pending the industrywide experience of reduced production costs to the extent necessary to make the normal competitive practices come into play. You can well understand that this delayed action, insofar as price reduction to the ultimate consumer is concerned, would be a natural experience because of the considerable period of time involved between the opening of the bale of cotton and its being converted into yarn, and then fabric, and then cut and sewed into wearing apparel, and then going into the retail market. In the case of wearing apparel this could vary from 3 to 8 months from the opening of the bale until the date that the apparel is placed on the retail counter. So, when I project the thought that the ultimate consumer—the American taxpayer—would realize a saving in excess of the so-called subsidy, I would want you to understand that I am not predicting that it would be an overnight occurrence.

As a basis for this projection I would point out that in the years 1958–61 approximately 4.2 billion pounds of raw cotton was consumed in the United States. Of this total 0.6 billion pounds went into industrial goods, and 3.6 billion pounds went into consumer goods, including 1 billion pounds for home furnishings and 0.4 billion pounds for other consumer-type products. Experts estimate that a reduction of 5 cents per pound in the production of raw cotton would result in a minimum saving to ultimate consumers in nonindustrial goods of $180 million per year. These same people state that in their judgment the savings to the ultimate consumer of industrial fabrics would be even greater and that it would probably amount to $30 million per year as a minimum. They state that as a broad overall figure that it can be assumed that the percentage of markup on the value of goods moving through manufacturing and distributive channels beyond the stage of first consumption of cotton can be taken as approximately 100 percent. This would mean that while the savings to the ultimate American consumer flowing from a 5-cent-per-pound reduction in raw cotton would eventually be a minimum of $210 million per year that the more probable figure is $420 million per year.

Based upon an estimate that the saving to the consumer resulting from each 1-cent-per-pound reduction in the price of raw cotton would amount to $84 million in the United States and that the saving can be estimated on the most conservative possible basis at no less than $42 million a year, it appears that it is probable that a reduction of 8½ cents per pound would bring to the ultimate consumers in America a saving of $714 million.

If these projections from expert observers are at all accurate, it is readily apparent that in the final analysis the American taxpayer will be benefited rather than burdened by the equalization of the price which he pays for cotton with that paid by his foreign competitor.

Another benefit that would no doubt flow from elimination of the two-price cotton system would be the improvement of our competitive situation in the world market for finished yarns and fabrics of the type having a high cotton content. As you no doubt know, coarse carded yarns and cotton fabrics made of that type yarn have a high cotton content which means that the ultimate price of this type product is more greatly influenced by the price of cotton than is true in fine combed yarns and products made of that type yarn. American manufacturers of these types of textile products have particularly felt the cutthroat competition from foreign textile manufacturers, and the elimination of the price differential of 8½ cents per pound on cotton would open up new foreign markets for our domestic manufacturers because of the ability that they would then have to meet the lower cost of foreign-produced yarn and fabric. Generally such foreign-made products are quoted in America at approximately 10 cents per pound lower than domestic prices. The 8½-cent-per-pound reduction in the cost of cotton to the American manufacturer, together with the loss resulting from waste, would make the American manufacturer more nearly competitive on the foreign market and would clearly make him competitive with the foreign producer in the American market.

It is apparent that once we have attained this goal of unquestioned competitive equality for the American textile market and possible competitive opportunity for the foreign textile market, we will see a greater demand for the product of our cotton farmers and at the same time will be creating American jobs for our own people.

Mr. Chairman, there are so many aspects of this problem that I would like to discuss with this subcommittee, but out of consideration for others who have come here to testify I do not feel that I should consume more of your time. Let me conclude, however, with the expression of my sincere hope and the hope of the people that I am privileged to represent, that this committee will act with real dispatch in bringing out legislation which will bring about equality of opportunity for our American industry and the people who earn their livelihoods in the American textile industry insofar as cotton pricing problems are concerned.

I have said that I hope you will act with dispatch because this is essential. You gentlemen are familiar with the devastating effect that the uncertainty of the course of action which the Congress will take has brought about at all levels of the cotton industry. Cotton purchases have been limited by industry to the bare minimum, and the purchase of finished textile products by the customers of the mills are being held at a minimum awaiting the outcome of the matter which you are considering today. Mills are already curtailing because of this condition. Certain types of textile products are becoming more difficult to buy because of this uncertainty. For these and other reasons with which you are familiar I believe it is imperative that we give to the American people an answer on this question at the earliest possible date.

In closing I express to you again my deep appreciation for your willingness to hear me today in my effort to present to you the need, as I see it, for legislation eliminating the unfavorable differential which has been forced upon our domestic textile industry.

Thank you.

The Agricultural Program—Address by the Secretary of Agriculture

EXTENSION OF REMARKS

OF

HON. GEORGE D. AIKEN

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Thursday, January 31, 1963

Mr. AIKEN. Mr. President, on January 22, the Secretary of Agriculture, Orville Freeman, delivered before the National Limestone Institute an excellent speech relating to certain phases of our agricultural program. I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF AGRICULTURE ORVILLE FREEMAN BEFORE THE NATIONAL LIMESTONE INSTITUTE, AT ITS BANQUET ON JANUARY 22, 1963

It's a great pleasure and a privilege to be here with you tonight to enjoy this very generous hospitality, and, I might add, to have the opportunity to speak to so many Members of the Senate and the House so early in the session; but according to ground rules, I understand they don't have much chance to talk back. I assure you that this is a very desirable situation, particularly for a Secretary of Agriculture. This is a most impressive gathering and it provides a very real opportunity to visit with you a bit about matters of common concern that we share. In agriculture and soil improvement and in the modern roads so vital to rural America and agriculture—the farm-to-market roads—we have very real and common interests to share.

I thought I might direct my remarks this evening to some of the great changes taking place in rural America in this rapidly growing, expanding, and changing land of ours—to the broad subject in which I know we share a very real common interest—conservation. And I'd like to preface my remarks by saying at the outset that I dislike the words "soil bank," "diverted acres," "idle acres," and the whole concept of nonuse that they represent. To me these terms and the practices they describe are the direct opposite of true conservation. For true conservation in a real and meaningful sense means serving people—the use of land and water to meet human needs now and in the future. Unless we use the land and water to satisfy human needs—what purpose does it serve?

So the question is: Are we making the best and wisest use of our land and water to serve our national well-being?

I think we all would agree here this evening. The answer is "No."

But I believe we are moving in the right direction. Your organization, the National Limestone Institute, has contributed mightily to a more rapid movement toward the goal of real conservation. And I believe that in the future you will continue to play a critical role in pointing the way to proper and beneficial land use—true conservation in this great and changing land of ours.

Today and for the foreseeable future, our American family farm agriculture will be able to feed our people at home and to make available increasing amounts of food and fiber for trade and aid and economic development around the world. I make this most significant statement not as conjecture, or even as an estimate, but rather as a simple statement of fact.

From this statement of our very great potential for production flow some other very, very important facts that I think we need to keep in mind as we work together to chart the path to take maximum advantage of the changes, to apply our resources, for the betterment of the lives of our people; and, yes, for the building of a better world, for the road to a peaceful world is surely the building of a better world for people everywhere.

At home, this great miracle of abundance which we enjoy has meant great things to our people.

It has meant that the average farmworker now feeds himself and 26 others—freeing the vast majority of our people for productive work of other kinds.

Food in these United States today is the best bargain we have. A lot of people don't know that. A lot of housewives don't know that. The food budget of the average family accounts for less than 19 percent of the family's income after taxes. In 1952, Americans were spending 23 percent of their income for food—and in 1947 it was 27 percent. The people of this country are getting better food, better packaged, and more of it prepared—but at less real cost than any people, anywhere in the history of the world.

In the different countries of Western Europe—where living standards are relatively high—consumers spend anywhere from 30 to 45 percent of their after-tax incomes for food. In Russia the proportion is well over 50 percent.

Sometimes I think that the people of other countries have a finer appreciation of America's abundance than we do—because they have food problems. The hungry of the world know about American agricultural abundance because food for peace is supplementing the food resources of more than 100 countries. The Iron Curtain countries know it—and their leaders are struggling to find a formula for a similar success.

Every single country behind the Iron and Bamboo Curtains—and the Sugar Cane Curtain too—is having food problems.

Just 4 years ago Fidel Castro assumed power in Cuba. At that time farm production accounted for over one-third of the national income and employed about two-fifths of the labor force. Food supplies were adequate for the country's people, and farm exports brought in most of Cuba's foreign exchange earnings.

The situation today is quite different, I assure you. Cuba is in the midst of an agricultural crisis—and there is no change in sight. There simply is not enough food—and per capita consumption has dropped a fifth since 1958.

Russia is havings its food problems—a failure of communism that even Khrushchev freely admits. Production is far behind the country's goals—especially for grains, meat and dairy products. And in Red China tonight, where agriculture has broken down, millions of people go hungry. East Germany, Hungary, Bulgaria—you name it—every one of the Communist countries has a serious food shortage problem.

There has been no such problem in this generation in the United States because of the productive ability of the American family farm—the most successful agrarian institution ever developed.

But this miracle of abundance of producing more and more on fewer and fewer acres has also meant sharp and very quick changes in the face of rural America. And these changes have brought with them a great deal of hardship.

Farmers and others associated with them in rural America have suffered unfairly as a product of these changes.

In most recent years, American farmers have produced 5 or 6 percent more food than we could consume or give away. And without adjustment programs, overproduction would have much more severe consequences. Individual farmers acting alone can do little to prevent overproduction.

Overproduction in a free enterprise economy means, of course, sharp downward pressure on prices. The result is the cost-price squeeze we are all so familiar with. In the decade of the 1950's, net realized farm income declined more than a tenth at a time when other incomes were rising steadily.

Many family farmers were pushed off the land. In the 5 census years between 1954 and 1959, the total number of farms declined 15 percent.

And it wasn't only farmers who suffered. I know that many of you in this room live in and serve small rural communities. Others of us have revisited the small towns we know. And we see many of these communities have fallen into the backwater of America's economic growth.

In many of them, agriculture was once—but no longer is—an economic mainstay. Many of these towns were once—but no longer are—bustling centers of opportunity in business and agriculture.

There are many ways to measure what has happened.

You can measure it in the changing character of our population. In the decade of the 1950's, our national population increased by 29 million people. Yet, population declined in most towns of fewer than 2,500, and increased only slightly in those of 2,500 to 10,000. The farm population that supports these smaller towns and cities fell off by a third.

You can measure it in the lack of adequate opportunities for education. Urban people over 25 years of age have on the average a fourth more formal schooling than do their farm counterparts.

You can measure it in the lack of job opportunities. Underemployment in rural areas is the equivalent of around 4 million entirely unemployed.

You can measure it in the unwillingness of younger people—especially the more ambitious—to remain and work in their hometowns. For many rural communities, this rapid outmigration of the young is particularly tragic. Opportunity could have been created locally as well as at a distance.

You can measure the rural problem in the incidence of actual poverty. More than half the poverty in the United States today is in rural America—a rural America which has at the same time created a worldwide success story in food production.

Yet these communities, even where economic problems are most acute, all have important resources—both natural and human resources. They deserve the best efforts we can give to their problems—through every public and private source available.

Change is inexorable. We may disagree as to whether or not a particular change is beneficial or otherwise, but we cannot disagree with the fact that change takes place. It is a law of life. Yet the threat to rural America does not lie in scientific and technical change itself. The threat lies in the failure to direct changes growing out of that progress in ways to meet the real needs and wants of all the people. Change must be shaped to work for people—not against them.

And I sincerely believe that if we are alert and willing to act, we can shape these changes so that rural America as well as urban America will prosper and benefit from the production miracle that is American agriculture.

There is no reason for income in rural America to lag—and I think we ought to be challenged as long as the income in rural America lags so significantly behind that in the urban areas. Even though we've seen in these past 2 years an increase of gross income in agricultural of over $2 billion a year, which has reflected itself in a more prosperious business community, in higher bank deposits in rural towns, in farm machinery sales, in the sale of household appliances, and many, many other things we can name. Even so, this $2 billion income increase, or $1.1 billion net increase, still leaves per capita agricultural income only about 60 percent of that in our urban areas. And until we have real parity of income, by that I mean equality of income between rural and urban America, there is work to be done—the kind of work I know this institute seeks to contribute to. It all comes down again to conservation—to proper land use in the most meaningful sense of that word.

We know that we don't need all of our land and water to produce the food and fiber we require. During the past 2 years, we have been using for crop production less than two-thirds of the land we classify as cropland. With acre yields growing more rapidly than population year by year, we know that we can produce all the food and fiber we need with much less cropland than we have available.

At the same time, we do need land and water for other things. We have growing needs for recreation, for timber, for grazing, for livestock, for industry. The expanding urban character of our population indicates a growing urgency for the preservation and use of green areas around cities and towns, or simply open spaces to look at, climb on, walk through, or mediate in.

We are a people with a pioneer tradition. Open space is a part of that heritage, and it is essential that we maintain the opportunity for Americans everywhere to make use of space as one of our natural resources.

So now as true conservationists, our challenge is clear—to make the land adjustments needed, we must work not idle, use not bank, apply not divert, our great natural resources of land and water.

We must seek alternative land and water uses that will serve our people in worthwhile ways, now and in the future. This isn't an easy proposition.

It is relatively easy to generalize about, but to do it in a free economy, to do it in an economic manner, that will contribute to the economic well-being and the standard of living of the people in the city and the country alike, is something that taxes our ingenuity, and that will tax our foresight, our thinking and our cooperation. But it is something, I believe, that can be done, and I believe that progress is beginning, or at least we see the glimmerings and the beginning of things that might be.

And as a part of this, we have developed a program in the Department which we call the rural areas development program. You may see more of these words—"rural areas development," "the rural areas development program." The philosophy behind this program is the effective use and adjustment of our great natural resources. Incidentally, as many of you may know, your president, Bob Koch, is a member of the national advisory committee on rural areas development, has been most faithful and attentive, and has contributed significantly as we've attempted to think our way forward and to test and to try and to experiment in terms of trying to move in the direction of real use and meaningful adjustment.

The rural areas development program is a blending and coordination of all available resources—private and public, local, State, and National—toward the common goal of a prosperous rural America.

Let me describe a number of things we have done in the Department. One has been a departmental reorganization. With us here this evening is Assistant Secretary John Baker, the man who directs the rural areas development program. Under him are related programs that contribute to the overall rural areas development purpose, mainly the Forest Service, Farmer Cooperative Service, the Farmers Home Administration, the Rural Electrification Administration, and the Soil Conservation Service. Playing a very vital part in all of this, too, are agencies working closely with him—particularly the Federal Extension Service and the Agricultural Stabilization and Conservation Service. Many of you know the Administrator of that program, whom you honored a year ago, Horace Godfrey and his assistant, Ed Jaenke, and their ladies who are with us here tonight. They work through Assistant Secretary John Duncan, whom many of you know. I mention this because I would like to emphasize that the rural areas development program is a top-priority effort within the Department of Agriculture, and I can assure you that it will continue to command our best energy, our know-how and all our resources.

In this description of rural areas development, I would like to pay tribute to the Members of the Congress here tonight. They have contributed vitally to what was highly significant legislation in the farm bill passed last year. You know the commodity programs—where there is always strong controversy and very heated feelings on occasion, and I am sorry to say sometimes partisanship—tend to attract the most attention. I would hazard a prediction that 10 years from now, or maybe 5, commodity programs will be long since forgotten. But the action in land and water conservation, in programs for credit, in providing cost-sharing and adjustment payments under long-term cropland conversion programs, in the authority to initiate rural renewal projects through technical assistance and loans to local public agencies will mark this act as one of the most significant in the annals of history.

Regardless of what we may do, however, and we're proud of the Department of Agriculture and the dedicated able people in it, and despite what Congress in their wisdom may do, any rural areas development program rests on local people and local leadership. Happily we have found a great deal of enthusiasm in local communities. Today there are rural development committees in 1,800 counties—and they are preparing thousands of projects that will help create the conditions essential for economic growth.

One of the most encouraging things about the program is the growing evidence that Federal funds can be used to stimulate a many-fold investment from other sources. In other words, Government financing is playing a "seed capital" role by bringing about the investment of much larger sums by private and local sources.

For example, the Rural Electrification Administration surveyed about 400 industrial and commercial projects that REA borrowers had helped to launch. It was found that the 400 projects are being financed by more than $250 million of private capital compared with only about $15 million from Federal sources.

Incidentally, it is anticipated that those 400 projects will directly create some 30,000 new jobs—and indirectly, another 22,000.

Another, much broader survey discloses that throughout the country 133,000 jobs have been created or saved already as a result of rural areas development activity.

A key role in the rural areas development program is being carried out through cost-sharing under the agricultural conservation program. In the Food and Agriculture Act of 1962, agricultural conservation program was placed on a permanent basis for the first time—which is quite a landmark for the program. In the past, agricultural conservation program has been known as a "continuing" program that had to be renewed periodically by the Congress. This will no longer be necessary.

The 1962 act also amended the Soil Conservation and Domestic Allotment Act to provide for long-term agreements under the agricultural conservation program, to help farmers change their cropping systems and land use and to develop soil, water, forest, wildlife and recreational resources. And it authorized USDA to share with local public bodies up to half the cost of land, easements, and rights-of-way for small watershed projects to be dedicated to public recreation.

The Department is already developing pilot projects under this legislation—to help farmers shift unneeded cropland to other uses. Last month, we named 41 counties in 13 States for long-term test programs to shift land out of crops and tame hay. The main idea is to convert this land to grass and forest—although water storage, wildlife habitat, and recreation uses will also be encouraged. In addition, other counties throughout the Nation are eligible to participate in a pilot program to convert cropland to income-producing recreation uses.

In some States, the test program will be tied in with small watershed projects authorized under Public Law 566. Such watershed work is underway or approved in 13 of the 41 counties where conversions to grass and trees are being started.

Farmers who are interested in this cropland conversion program will be helped through adjustment payments, cost sharing on conservation practices, and technical assistance. Farmers can enter into long-range agreements to shift land under plans which they have developed in cooperation with their local soil conservation districts. In addition, farmers or groups of farmers will also be able to obtain credit to help pay their share of the cost of conversion.

As I said, this pilot program, under the leadership of our ASC committees, is limited to this year. Our intention is to expand this cropland conversion program very rapidly and widely.

So far pilot projects in cropland conversion and recreation are limited to an expenditure of $10 million. The extension of the conservation reserve authorized by Congress is for only 1 year. So this is something the Congress will again turn its attention to. The basic legislation and direction is there. The implementation to carry forward the blueprint is something that will be in active consideration in the days ahead as we seek to convert and use land for new purposes which serve the changing needs of all people.

This, then, is a kind of quick recap of an important new thrust and direction in rural America. I do not suggest that this is a complete answer for all problems, but I would suggest to you that it is a meaningful beginning.

May I then conclude this address as I began by repeating: The answer is not to idle land, but rather to use it to meet other needs, and, as we do so, to provide constructive opportunities in areas other than farming for those who remain by choice in the rural community. There is important work to be done by such people. Our challenge is to work out the proper balance—a better word is conservation—the proper use of land and water to serve people.

This is an exciting enterprise—and 1963 is a key year. I invite each of you to look at your own community in terms of these opportunities—and to give your cooperation to these long-term programs for conservation and rural development. The reward will be great and long lasting to rural communities and to the Nation.

Part 4: Let's Keep the Record Straight—A Selected Chronology of Cuba and Castro, March 12, 1962–September 13, 1962

EXTENSION OF REMARKS

OF

HON. DON L. SHORT

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1963

Mr. SHORT. Mr. Speaker, I now offer part 4 of my chronology of Cuba and Castro, as my continuing effort to refresh the memories of the Congress and of the American people on the course of events taking place between Cuba and the United States and which now are a part of our modern history.

We find detailed here the desperation of Premier Fidel Castro in his efforts to cope with economic chaos in Cuba. We find the Cuban youth being urged to develop a more intense "Marxist spirit, a more Communist spirit," and their Premier promising them the glories of a "more advanced stage, not socialism, but communism."

Then we find on March 28, 1962, the first U.S. State Department reports of Soviet bloc military aid to Cuba.

We find $62 million in ransom demanded for Cuban prisoners taken during the abortive uprising of the exiles.

And we find the odd spectacle of President Kennedy announcing that these Cuban prisoners are really a responsibility of the United States because they were "trained and armed for this invasion by the Eisenhower administration" and given the "signal to let them go by the Kennedy administration." However, he states the U.S. Government will not negotiate with Cuba to ransom the prisoners. And the thought occurs to us that the American public then must pick up the pieces and be responsible for Government actions of which they were never really officially informed—and at this late date still have not been—if we analyze the President's thinking correctly. And our thoughts further turn to the four Americans known to be imprisoned in Red China: Hugh F. Redmond, Richard G. Fechteau, John T. Downey, and Bishop James E. Walsh. These men are known to be political hostages and our State Department declares their release and return to this country to be an issue of utmost importance.

We remember, too, the 21 prisoners of war who first refused repatriation after the Korean war was ended. Ten finally became disillusioned with dialectical materialism and returned to this country. One died in Red China. And 10 still remain there.

We think of the 389 American soldiers still officially regarded as missing out of the original figure of 944—and of whom no trace, report, or record has been found—since the Korean war.

And we finally think of the eight American prisoners—one being held in the Soviet Union, three held in the Soviet Zone of Germany, one held in Czechoslovakia, and another still thought to be held in Czechoslovakia.

And we wonder how the families and friends of these American prisoners feel and if perhaps the American public should not be reminded that these men, too, were caught in a Communist trap and deserve to be considered a national responsibility by the public and the American Government.

In this portion of the chronology we find reports of weapons, ammunition, and propaganda in the form of a Communist-authored book on how to wage guerrilla warfare are being sent to nine Latin American countries from Cuba. Then we learn of 20 Soviet ships carrying from 3,000 to 5,000 Communist-bloc technicians, goods and weapons, arriving in Cuba—with an acknowledgement 2 days later by the President that this was indeed true.

This recalls to mind the press conference on November 29, 1961, in which President Kennedy declared that the United States would be "most concerned" if the Castro regime in Cuba attempted to overthrow the existing government in the Dominican Republic or in any other Latin American state. And that prior to the news report of the shipments to Latin American countries of weapons and propaganda, the Guatemalan Government—on March 20, 1962—formally accused Cuba in a note to the Organization of American States of aiding an uprising in Guatemala.

The chronology details our military callup of 150,000 members of the Reserves to active duty and that three of our Republican Senators proposed amendments to the Presidential request for authority for the callup, which would give him added authority to prevent violation of the Monroe Doctrine and to intervene in Cuba, if it became necessary.

The American public, along about this time, was admonished by the President to "keep both their nerve and their heads." This brings to mind Plutarch, who in commenting on a man being praised for his foolhardy bravery, stated:

> There is a wide difference between true courage and a mere contempt of life.

And this quotation—in a nutshell—describes the difference in the attitude of a truly republican form of government—and the Communist form of government—toward human life.

The chronology follows:

A SELECTED CHRONOLOGY ON CUBA, MARCH 12 TO OCTOBER 24, 1962, BY THE LEGISLATIVE REFERENCE SERVICE, THE LIBRARY OF CONGRESS

March 12, 1962: Premier Fidel Castro announces nationwide food and soap rationing to become effective March 19. He links shortages of food and consumer goods to a "brutal economic blockade" against Cuba. He denounces "Yankee imperialism" for making "desperate efforts" to destroy the Cuban revolution. He also says that "we have the shame of not being able to fulfill promises because we made subjective analyses" and because many of Cuba's most skilled workers were either "taken away by imperialism" or "driven away by our mistrust although they could have been won over."

March 14, 1962: Premier Castro (at a University of Havana rally) urges Cuban youth to develop a more intense "Marxist spirit, a more Communist spirit," and says that the young in Cuba will some day live "in another more advanced stage, not socialism, but communism."

March 17, 1962: Premier Castro (in a television broadcast) declares that "the revolution needs to revise all the revolutionary nuclei and all the political apparatus * * * to do away with the errors and abuses and to gain good performance." He singles out those "who think they are more revolutionary than anybody and have the right to mistreat and humiliate others." He also criticizes the watchdog defense committees set up to guard against counterrevolution (which exist in every big city and throughout the countryside) as having committed injustices. "Observers linked Premier Castro's statements to the advancement of Communist Party assumption of authority in the Castro regime at Havana" (New York Times, Mar. 17, 1962).

March 20, 1962: Guatemala formally accuses Cuba of aiding an uprising in Guatemala: the charge is made in a note to the President of the Council of the Organization of American States.

March 22, 1962: House Government Operations Committee urges the U.S. Government to press a $99.4 million claim against Cuba for seizure of the Nicaro nickel plant in Oriente Province, because the plant had been operated by the U.S. Government.

March 23, 1962: U.N. Security Council rejects by a vote of 7 to 2 a Cuban charge that the Organization of American States violated the U.N. Charter in barring Cuba from the inter-American system. The Security Council also rejects by a vote of 7 to 4 a Cuban request that the question of the legality of the OAS action be submitted to the World Court.

On the same day, Fidel Castro and his brother Raul are named to the two top posts in the Secretariat of the Integrated Revolutionary Organization, the 25-man directorate which is to set up a single political party in Cuba. The Premier is named the organization's first secretary and Armed Forces Minister Raul Castro is named second secretary.

March 26, 1962: Premier Castro (in a radio-television broadcast) denounces Anibal Escalante, a long-time Cuban Communist leader, for having brought "real chaos to all the country" and having "tried to create an apparatus to pursue personal ends." He adds that Escalante has been "separated" and that he had much to do with inspiring a spirit of "sectarianism," leading many to believe that the only ones who could be given important posts "were the old and militant revolutionaries."

March 28, 1962: U.S. State Department issues report of Soviet bloc military aid to Cuba; it estimates that Cuba has received

$100 million of military aid to train several hundred Cuban pilots in Czechoslovakia and provide 50 to 75 MIG jet fighters, and provide modern weapons for Cuba's ground forces of 300,000 men. These weapons include: 150 to 250 heavy and medium tanks, 50 to 100 assault guns, 500 to 1,000 field artillery pieces, 500 to 1,000 antiaircraft artillery guns, 500 mortars, 200,000 small arms, and some patrol vessels and torpedo boats.

March 29, 1962: Government begins trial (at Principe prison, in a suburb of Havana) of 1,182 prisoners captured after the unsuccessful invasion last April.

On the same day, the Council of the Organization of American States votes by 16 to 0, with 3 abstentions, to express a firm hope that the rebel prisoners will have every legal guarantee of their trial.

April 3, 1962: Ecuador severs diplomatic relations with Cuba, and becomes the 15th nation of the Americas to do so.

April 8, 1962: Military tribunal sentences each of the prisoners to 30 years imprisonment, but offers to free them on the payment of a total of $62 million in ransom. The ransom is set at $500,000 each for the 3 leaders of the invasion force, $100,000 for 221 others, and $50,000 or $25,000 for the remaining 995 men.

April 11, 1962: Pravda (official newspaper of the Soviet Communist Party) endorses the expulsion of Escalante by Premier Castro for trying to further his personal ambitions.

The Cuban exiles report from Havana that Cuba will release 54 sick and wounded prisoners, in return for ransom payment.

On the same day, President Kennedy (at a news conference) declares that the U.S. Government will not negotiate with Cuba to ransom the prisoners. "[These men] were trained and armed for this invasion by the Eisenhower administration. The signal to let them go and the means to get them there were given by the Kennedy administration * * *. Can the U.S. Government * * * wash its hands of them? We think not. Though the idea of bartering with Castro for human lives is deeply repulsive, the United States still has a responsibility for those lives."

April 28, 1962: Premier Castro demands that the committee pay the $2.5 million ransom within 1 week; if not, he states that the remaining prisoners will be sent to the Isle of Pines to begin serving terms of 30 years imprisonment.

May 14, 1962: Tass (Soviet news agency) reports that the Soviet-Cuban trade agreement for 1962 is to be increased to about $750 million under an agreement signed in Moscow, a level of trade almost 40 percent higher than in 1961. The supplementary agreement calls for the supply of considerable quantities of wheat, corn, beans, fats, canned meat, and milk.

June 3, 1962: New York Herald Tribune states that President Kennedy has been given an intelligence report of clandestine movements of rifles, automatic weapons and ammunition from four dispersal centers in Cuba to nine Latin American countries: Nicaragua, Honduras, Venezuela, Brazil, Colombia, Peru, Ecuador, Paraguay and Bolivia, The report asserts that the arms have been accompanied by hundreds of copies of Maj. Ernesto Guevara's book, "Guerrilla Warfare."

June 16, 1962: Government parades tanks, troops, and artillery through the streets of Cardenas, a port 90 miles east of Havana, in response to popular demonstrations over food scarcities. President Osvaldo Dorticos Torrado denounces (at a political rally in Cardenas) "wretched counterrevolutionary provocations."

July 26, 1962: Premier Castro (in a speech at a celebration in Santiago de Cuba of the 9th anniversary of his 26th of July Movement) declares that President Kennedy "is set on launching an attack against our country." He announces to thousands of workers that rationing will be extended from food to shoes and clothing.

August 6, 1962: James Donovan, the U.S. lawyer representing the Cuban Families Committee, announces the opening of a public drive to raise the $62 million ransom required to free the 1,180 Cuban rebel prisoners. (Donovan is the American who arranged for the exchange of U-2 pilot Francis Gary Powers for convicted Soviet spy Rudolf Abel.)

August 20, 1962: Press reports state that between July 27 and July 31, 20 Soviet ships arrived at 4 ports in Cuba—3,000 to 5,000 Communist-bloc technicians and large quantities of goods and weapons are said to have been landed. "The equipment may include ground-to-air missiles, largely defense weapons. There apparently is transportation, electrical and construction equipment, radar vans and mobile generators. These appear to be going into coastal and air defense."

August 22, 1962: President Kennedy acknowledges, at a press conference, that Communist "supplies and technicians of rather intensive quantity in recent weeks" have been landing in Cuba.

August 24, 1962: Several buildings in Havana are damaged by shellfire from two small powerboats sent from Miami by the Student Revolutionary Directory, an exile group of former University of Havana students. The U.S. State Department states that the U.S. Government was not involved in the raid and had no prior knowledge of it.

August 28, 1962: Tass, the Soviet press agency, reports that the volume of shipments from the Soviet Union to Cuba in 1962 will be double that of 1961, and that 10 Soviet ships and 5 ships of West German, Norwegian, Greek and Italian registry are on the way to Cuba.

August 29, 1962: President Kennedy (at a press conference) states that United States has no intention of invading Cuba "at this time." He adds that "the words do not have some secondary meaning. I think it would be a mistake to invade Cuba." He declares that the United States has already been in consultation with NATO nations whose shipping firms have chartered vessels to the Soviet Union to haul military goods to Cuba.—"Even to consider [blockade or invasion] as possibilities requires far greater Latin American sympathy for Washington's attitude than now exists."

August 31, 1962: U.S. Navy plane on a training flight over international waters near Cuba is fired on by two naval vessels. The White House announces that the ships are believed to be Cuban, and that U.S. aircraft and ships have been authorized to use "all means necessary" to protect themselves against any similar attack in the future.

September 2, 1962: Soviet Union announces (in a communique issued on the talks between Minister of Industries Ernesto Guevara and Premier Khrushchev and other Soviet leaders) that it has agreed to supply arms to Cuba and to provide specialists to train Cuba's armed forces. The communique states that the arms are intended to meet the "threats" of "aggressive imperialist quarters," a watershed in hemispheric history. It was a power move in the cold war by the Soviet Union, as if a pawn had been advanced on a global chessboard. It was also a daring and defiant gambit by Premier Castro to strengthen his regime and his revolution. Cuba now cannot be invaded * * * without killing Russians. The added dangers of an invasion are clear. Far more than Cuba and Fidel Castro are involved. The wrecked Cuban economy will take a long time to rebuild—4 or 5 years at least, if the revolution lasts that long * * *. No direct move on our part could succeed unless the other Latin American powers went along with us.

"It took 50 years to create the OAS, and only the most extreme emergency would justify breaking it up" (New York Times, Sept. 9, 1962).

On the same day, a U.S. State Department spokesman declares that the Moscow announcement "merely confirms what has been going on in recent months."

September 4, 1962: President Kennedy declares (in a statement issued after consultation with congressional leaders) that the United States would use "whatever means may be necessary" to prevent Cuba from exporting "its aggressive purposes by force or the threat of force" against "any part of the Western Hemisphere." The President adds that "there is no evidence of any organized combat force from any Soviet-bloc country: of military bases provided to Russia * * * of the presence of offensive ground-to-ground missiles * * *. Were it to be otherwise the gravest issues would arise." He states that the Cuban question must be dealt with as part of the worldwide Communist challenge and in the context of the "special relationships which have characterized the inter-American system."

On the same day, the Latin American Free Trade Association (in its second conference in Mexico City of the nine members who have signed the association's charter so far) votes by 7 to 0, with Mexico and Brazil abstaining over juridical procedure, to reject Cuba's application for membership of the association, declaring that a Communist economy is incompatible with the market principles of free enterprise and free competition.

September 5, 1962: U.S. Secretary of State Dean Rusk holds a meeting with 19 Latin American Ambassadors in Washington and informs them of the U.S. determination to prevent the export of communism from Cuba. Press reports state that there was "full unanimity" with President Kennedy's "containment policy" that the United States would use "whatever means may be necessary" to prevent aggression by Cuba against any part of the Western Hemisphere.

September 7, 1962: President Kennedy asks Congress for authority to order 150,000 members of the military Reserves to active duty for a year, if necessary, "to permit prompt and effective responses * * * to challenge * * * in any part of the free world."

September 11, 1962: Soviet Union (in a statement issued by Tass, Soviet press agency) warns that any attack by the United States on Cuba or upon Soviet ships bound for Cuba would mean war. It asserts that Soviet arms in Cuba are for defensive purposes only. It adds that the Soviet Defense Ministry is taking "all measures to raise our armed forces to peak military preparedness."

On the same day, Premier Castro (in a speech to an educators' convention in Havana) declares that the United States is "playing with fire and with war," and adds that "we do not want imperialism to commit suicide on our coast."

Also on the same day, the Havana radio reports that a "pirate vessel" entered a harbor in north-central Cuba and fired more than 60 shots into a British freighter and a Cuban ship. An exile organization in Miami known as Alpha 66 acknowledges responsibility for the attack.

September 12, 1962: Three Republican Senators propose amendments to President Kennedy's reserve mobilization bill that would authorize the President to take "such action as is necessary" to prevent violation of the Monroe Doctrine and to intervene in Cuba.

On the same day, Moscow newspapers publish the statement of the Soviet Government warning of war if the United States interferes with Cuba.

The effect on Soviet policy of the Russian people's reactions toward Cuba: "There is considerable sympathy for the Cubans among the Russian people. However, there was an adverse public reaction in July 1960, when Premier Khrushchev implied that Soviet rockets would be launched if the United States attacked Cuba. The Premier later qualified this remark as symbolic. Experienced Western observers [in Moscow] believe that a large section of Soviet public opinion will feel unhappy about Soviet involvement in the Caribbean. Fear of war is often the dominant motivating factor in the reaction of the Soviet people to international crises. The defensive tone of the Soviet statement in describing the nature of military aid to Cuba lent support to this theory * * *. Mr. Khrushchev has barred world wars and * * * 'imperialist local wars' as instruments of policy * * *. However, he has appended two stipulations to this rule, both of which fit the case of Cuba * * *. First, Communists must support without reservation wars of 'national liberation.' Then, once such a war has been consolidated internally, as in the instance of the Castro revolution, it must be shielded by the Soviet Union under the slogan 'no export of counterrevolution.' In the Soviet statement this thesis was translated into the warning to the United States * * *. Western observers interpreted [the Soviet warning to the United States] as an indication that Soviet leaders were worried over the possibility that the United States might confront them with the necessity of intervening militarily in the Caribbean or retreating from their doctrine of "no export of counterrevolution.' They believe that Premier Khrushchev, well aware of the attitude of his people, will go to great lengths to avoid a conflict with the United States. But few were willing to predict what the Soviet leader would do if a [rebel] motorboat * * * suddenly put a torpedo into a Soviet ship in Caribbean waters." (Seymour Topping, New York Times, Sept. 13, 1962.)

September 13, 1962: President Kennedy asserts (at his weekly news conference) that the United States would move swiftly against Cuba if the military buildup there threatened U.S. security in any way, "including our base at Guantanamo, our passage to the Panama Canal, our missile and space activities at Cape Canaveral, or the lives of American citizens in this country, or if Cuba should ever attempt to export its aggressive purposes by force or the threat of force against any nation in this hemisphere, or become an offensive military base of significant capacity for the Soviet Union." He says that if the United States should ever find it necessary to take military action against the Castro regime, the Communist-supplied weapons and technicians "would not change the result or significantly extend the time required to achieve the result." The President adds that the Cuban economy is crumbling as a result of Premier Castro's "own monumental economic mismanagement" and the economic boycott by the United States. He criticizes loose talk in the United States which serves "to give a thin color of legitimacy to the Communist pretense that such a threat [of an American invasion] exists." He expresses the hope that "the American people, defending as we do so much of the free world, will in this nuclear age, keep both their nerve and their heads."

Father Junipero Serra

EXTENSION OF REMARKS
OF

HON. DON EDWARDS

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 31, 1963

Mr. EDWARDS. Mr. Speaker, the date of November 24, 1963, marks the 250th anniversary of the birth of Father Junipero Serra, the Franciscan priest who was the founder of the 21 California missions. One of the most beautiful of these missions is Mission San Jose, situated amongst the vineyards in the foothills of southern Alameda County, in the Ninth Congressional District of California. We Californians are proud that a statue of Father Serra stands in Statuary Hall, here in our Capitol.

At the annual convention of the 17 Serra Clubs of northern California, held in Monterey, October 19, 1962, the following resolution was unanimously adopted:

> Whereas it is the custom of the U.S. Post Office to issue commemorative stamps marking significant dates and events in history; and
>
> Whereas November 24, 1963, will be the 250th anniversary of the birth of Father Junipero Serra, founder of the California Mission; and
>
> Whereas Father Junipero Serra is regarded by the people of California, of all denominations, as a leader, a teacher, an administrator and a perfect exemplar of the humility and spirituality of St. Francis: Now, therefore, be it
>
> *Resolved,* That the northern California district of Serra international, in regional convention assembled, does hereby urge the Postmaster General of the United States to provide for the issuance of a commemorative stamp in 1963 in honor of the 250th anniversary of the birth of Father Junipero Serra.

Mr. Speaker, I think the request of Serra international that we honor the birth of this gentle and saintly priest in this way is entirely fitting. I am therefore today introducing a bill providing for the issuance of a commemorative stamp, and respectfully request the favorable consideration of my colleagues and the Postmaster General.

With the Boy Scouts, Character Counts

EXTENSION OF REMARKS
OF

HON. WILLIAM H. NATCHER

OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 31, 1963

Mr. NATCHER. Mr. Speaker, the week of February 7 through February 13 marks the 53d anniversary of the Boy Scouts of America. An organization incorporated in 1910, chartered by the U.S. Congress in 1916, with the President of the United States as honorary president, and dedicated to the development of good citizenship among the rising generation, is an organization which we as a nation proudly salute.

The young people of our great country are today, as in the past, faced with the task of preparing themselves to meet an uncertain future, one which holds many grave responsibilities and duties, both private and public; many opportunities, rights and privileges, both those granted by law and those gained through individual initiative. Perhaps never before in the history of our democratic process have the meeting of these responsibilities, and the utilization and exercise of these opportunities and rights been so necessary to the perpetuation of the doctrines and beliefs upon which this country is founded. The Boy Scouts of America is an organization in the finest American tradition. It teaches the values of both responsibility and opportunity.

The principles underlying the Boy Scouts' activities and practices are framed to develop character, intelligence, skill, handicraft, physical, mental, and moral health, self-care and reliance, and the practice of service for others. The efficient individual becomes an asset to his community and in turn to his Nation.

The thousands of men and women who have contributed countless hours to perpetuate the teachings of the movement deserve our respect and gratitude, for without their tireless efforts, the high ideals and purposes set down in the charter would not be fully met. The feeling of belonging to a group is a basic need in every young boy, and the competition, group activity, firm and able leadership offered to a Scout do much to meet this need. It is therefore not surprising that where the scouting movement is strong and vigorous, the amount of juvenile delinquency is proportionately less.

The Explorer Scout has a code by which he tries to live. It is a code from which every American might profit:

> I believe that America's strength lies in her trust in God and in the courage and strength of her people.
>
> I will, therefore, be faithful in my religious duties and will maintain a personal sense of honor in my own life.
>
> I will treasure my American heritage and will do all I can to preserve and enrich it.
>
> I will recognize the dignity and worth of my fellow men and will use fairplay and good will in dealing with them.
>
> I will acquire the Exploring attitude that seeks the truth in all things and adventure on the frontiers of our changing world.

The REA Program

EXTENSION OF REMARKS
OF

HON. JOE L. EVINS

OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 31, 1963

Mr. EVINS. Mr. Speaker, the Rural Electrification Administration, which has provided through the years one of the greatest benefits to the rural citizens of our Nation, has again come under attack from one of our Nation's large newspaper chains.

On the same day that the REA was being taken to task for providing long-term loans to assist many rural areas in our country in obtaining electricity and in improving their electrical service, Secretary of Agriculture Orville L. Freeman was addressing the National Rural Electric Cooperative Association Convention in Nevada on the service that REA has provided the Nation.

Secretary Freeman pointed out the very valuable assistance the REA has provided our farm citizens through the years and particularly some of the more important achievements of the last 2 years.

The Secretary points out that in order to serve the sparsely populated rural areas rather than the high-density urban areas it is necessary to provide the REA cooperatives with low-interest-rate financing and that through this type of financing REA cooperatives have provided a great benefit to our Nation's farmers and residents of rural areas.

He states as one example that REA cooperatives have built 1.4 million miles of electric lines in order to serve 4.8 million rural customers. This means that the REA cooperatives serve 3.3 customers per mile and the average urban-based utility has 32.2 customers per mile. Thus, it is much less profitable to serve the areas covered by REA cooperatives than by the urban-based utilities. Therefore, a low interest rate for REA loans is both justifiable and needed.

Mr. Speaker, the Secretary points out other important services of the REA in his very interesting and informative speech.

Under unanimous consent, I include the remarks of Secretary Freeman in the Record, as follows:

Address by Secretary of Agriculture Orville L. Freeman Before the National Rural Electric Cooperative Association Convention, Las Vegas, Nev., January 14, 1963

I welcome this opportunity to speak to the 21st annual meeting of your association for several reasons:

First, it is a good time to review the progress of the last 2 years, progress in rural America, in agriculture, and specifically, progress by the Rural Electrification Administration.

Second, it gives me an opportunity to take a close look with you at some of the policies which guide REA, to reexamine their validity in this time of change.

Third, I want to discuss the need to apply more broadly the local leadership tradition which REA cooperatives have developed to such a significant degree.

As 2 years of the Kennedy administration draw to a close, it is appropriate to bring to farmers and city people a report of the highlights of the activities of the Department of Agriculture.

Since 1960, through actions by the Administrator and by the Congress, we have seen:

An increase in gross farm income of $2 billion in 1961 and $2.5 billion in 1962, as compared to 1960. Net farm income in both years averaged $1.1 billion higher than in 1960.

Grain surpluses have been reduced 700 million bushels, and taxpayer costs will be down some $300 million this year as a result. With continued progress over the next 2 years, we can see the end of feed grain surpluses in 1964. The end of wheat surpluses is in sight, if favorable action is taken this spring by wheat farmers in the referendum for the 1964 crop.

With a favorable vote, wheat farm income can be maintained at the favorable 1960–62 level, and the wheat surplus can be scaled down to near an adequate level in about 3 years. If the referendum fails, the surplus will remain and wheat income will decine sharply, as wheat prices fall from $2 to $1 per bushel. The effects will be disastrous to farm and city and to foreign markets alike.

While these advances in agriculture have been taking place, the cost of food has remained stable, increasing about as much as the overall cost of living.

Today we are sharing our food abundance more widely at home and abroad, thus fulfilling our moral responsibility to those who do not have enough. In March 1962, as many as 7.4 million persons in needy families in this country shared in our food supplies through the direct distribution program compared with 4.1 million in March 1960. The food stamp program launched by direction of the President is being expanded to 48 areas, and has become one of our most successful programs. The food-for-peace program during fiscal 1962 moved a record volume of $1.6 billion worth of food and fiber overseas to feed needy, hungry people. Food and fiber is becoming an increasingly vital tool in our programs to stimulate the progress of developing countries all over the world.

We have launched a massive, all-out effort to infuse new economic vitality in rural areas through the redirection of old programs and the creation of new programs in rural areas development, a subject I will have more to say about shortly.

Now these are just a few of the accomplishments of 2 years, all of them together represent only the beginning of our effort to meet the task ahead in agriculture and rural America. But I am proud of the start we have made.

I am proud, too, of what we have done in REA where, as you are well aware, there is much progress to report.

Last year the President requested and the Congress authorized an increase in REA loan funds to permit the financing of additional generation and transmission facilities. For fiscal year 1963, $400 million was authorized for the REA loan program, including $100 million for a contingency fund. This made a record $250 million available for generation and transmission loans. By comparison, 1960 authorizations were $161 million, and only $89 million was loaned for G. & T. purposes.

Since January 1961, REA has approved 28 loans to borrowers seeking new or additional sources of power. Seven of these loans represented new starts. Overall, these 28 loans will mean a 10-year saving of more than $47 million as compared with the power supply arrangement available to the borrowers at the time their loan was approved.

An equally significant measure of progress in REA is the recognition by the President of those policies which are essential to the vitality of the REA idea, to the integrity of the rural electric cooperative.

Let me be more specific.

This administration supports the 2-percent interest rate. This is not a recent or a capricious decision. It is based on a careful analysis of conditions inherent in the job you are trying to do. There are vast differences between the conditions under which you operate and the conditions which prevail on the city-based utility systems.

Some of the special handicaps you face in providing areawide service which will permit your consumers to use power fully and efficiently bear repeating. They are not generally known, and need to be emphasized. I want to take this occasion to set them down clearly and carefully.

Low density: In order to serve 4.8 million rural consumers, the REA cooperatives have built 1.4 million miles of line. It means that you have 3.3 customers per mile. The average urban-based utility has 32.3.

Lack of diversity: Where farms in a particular area are of the same type, and this is usually the case, power needs tend to be heavy during certain periods of the day, and often negligible in the rest. REA systems, with few small commercial or large powerloads to provide diversity, must make proportionately greater investments in facilities used only a few hours a day. Interest charges are based on a 24-hour day.

Low revenues: Low density and lack of diversity keep revenues low. In 1960, for example, when commercial utilities reported revenues of $6,580 per mile, REA-financed systems had average revenues of $414 per mile. On a per customer basis, your revenues averaged $127, or a little more than half the $204 reported by commercial utilities.

Low load factor: Whether you generate power or buy it, low density and lack of diversity work to increase REA co-op power costs. This is true because the capacity and the facilities you build for certain peak loads, a necessity, are used on an average of only 50 to 60 percent of the time.

Isolated systems: REA co-ops have undertaken to serve the remote and out-of-way pockets in America. Here in the West, for example, you have mountains, deserts, and large forest areas which create special problems. These and other factors have kept many systems small and separated from other REA borrowers. Low interest rates enable such borrowers to perform the services expected from rural systems.

Yet, despite these handicaps, rural electric cooperatives have made an outstanding record in repayment of their loans. Last year, repayments passed the billion-dollar mark, representing 29 percent of the funds advanced. Only two electric borrowers are behind in their payments and these total only $140,000.

Another policy of great importance is the increased emphasis on generation and transmission loans. We propose to continue this emphasis.

During the past 2 years, G. & T. loans have accounted for about 57 percent of all approved loans. Each was in response to a demonstrated need for lower cost power, the low-cost kilowatt that permits your consumer-owned systems to get on with their essential job in rural areas.

This policy which has made possible the expansion of the REA co-ops as their task has grown is also designed to meet two other particular needs, to enable you to take advantage of new technology, and to help preserve your territorial integrity.

It is essential that the REA-financed generating stations, which account for less that 1 percent of the Nation's total electric power capacity, be geared to the technological advances within the electric power industry.

In the last 2 years, this new emphasis on G. & T. loans has been applied by rural systems to take practical advantage of savings in power pooling, system interconnections, large-scale generating units, and in the location of plants adjacent to sources of low-cost fuels.

The use of G. & T. loans to block raids by private power companies seeking the historic area of rural electric co-ops is new. Where such situations arise in the future, G. & T. loans will be approved.

This criterion has been used only once. It was in an area where a supplier, who was serving several distribution co-ops at wholesale, insisted that he be able to go into their territory and pick off retail consumers as he chose. This demand posed a distinct threat to the service capabilities, and to the existence, of the cooperatives.

I hope raids on REA territory will stop. But as many rural electric cooperatives build their power volume, this problem remains a very real threat. It must be recognized that the expansion of urban areas into the surrounding rural countryside provides a particularly inviting target to raid.

It is possible, therefore, that more G. & T. loans will be made to strengthen REA co-ops in the immedate months and years ahead. In the long run, however, I hope and I believe raids will cease as the more moderate leaders in the private power field prevail.

When that day comes, real cooperation between all commercial and cooperative power systems, with the resulting maximum use of all systems, will mean increased benefits to all users.

I repeat, it is not asking too much to recognize that the service areas you have developed are rightfully your own, and that the consumers within them, new and old, are rightfully your consumers.

On review, then, I believe these past 2 years have shown that the pledge which President Kennedy made in 1960 in Billings, Mont., has been kept. He said that his administration would: "Restore REA to its former role of preeminence, freeing it from constant concern over political interference, higher interest rates and budgetary starvation, and enabling that remarkable American institution to get on with its work of providing low cost electricity and telephones for every American farm family."

For my part, the contribution which rural electric cooperatives have made to my own State of Minnesota, to its farm families, has long ago earned them my dedicated support.

I have worked on farms before, and after, REA. To me, REA is more than a concept, it is the difference between a kerosene lamp and an electric light; between a hand-cranked cream separator and one driven by an electric motor; between a refrigerator and an icebox with an overflowing pan of water; between milking by hand and by machine; between an electric clothes washer and the old type of washer I pumped back and forth when I was a boy.

Each of you can be extremely proud of the accomplishment you have made in electrifying rural America, in meeting a challenge which many people considered beyond hope. I salute you for progress. At the same time I challenge you as we look to the future.

If one reason had to be selected as to why the REA idea has achieved its great success, I would give the credit to the unique pattern of local leadership which you have developed.

Perhaps other factors, such as effective Government assistance and a helpful attitude from local, State and Federal governments, have been important—but the quality and leadership of REA people have been the determining factor.

And this brings me to the third point I made in my opening remarks, there is a very real need to apply your local leadership pattern to a new program, to use your skill for a task greater than REA, a task which encompasses all rural America, and for which you are only beginning to mobilize your talents and resources.

That task is to wipe out the causes of rural poverty.

Let me briefly describe the nature of this new challenge.

First, there is more poverty in rural America today than in all the urban sector combined. More than 15 million Americans in rural areas live under poverty conditions by our standards today. Of the 8 million families in this country today who earn less than $2,500 annually, some 4.1 million live in rural America. In other words, rural areas account for only a third of our population but for over half the poverty.

Second, the commodity programs which have monopolized public attention for so long will, at best, even when full parity income is attained, provide adequate incomes for less than half of those who now live on farms.

Strangely, much of this poverty has come in the wake of astonishing advances in farm technology and production. It underscores the fact that an expanding rural economy necessary to combat this problem cannot be achieved by conventional commodity programs alone.

In fact, I believe that farm programs as we are familiar with them will at best be able to do only half the job that must be done.

This, then, is a real challenge. It is a challenge that I am confident we can meet. But nothing less than a massive counterattack combining the resources of both government and local people will do the job and reverse the downward spiral in which rural America finds itself today.

Such a counterattack has been launched through a dynamic new action program. Most of you have heard something about this program called rural areas development—or RAD, for short.

The RAD program is a blending and coordination of all available resources of the Department—conservation, credit, forestry, recreation, industrial development, education and other public services—into a long-range effort to erase the blight of rural poverty.

A very important responsibility in this program has been assumed by the leadership of the cooperative movement, and your REA co-ops, in particular, have much to contribute. As you know, your dynamic and driving general manager, Clyde Ellis, recognized the importance of this program very early, and has been a strong force in it for effective action.

As a result, the REA has been assigned primary responsibility for developing industrial and commercial projects under the area redevelopment program, and other programs, as well.

You already have some experience in this task through the use of consumer facility loans authorized in section 5 of the REA legislation. Under this section, some of you have assisted industries and businesses in your areas with the financing of electrical equipment and plumbing. Using these funds only when financing is not available on reasonable terms from any other source, public or private, you have made possible new job opportunities that could not otherwise have been created. Since July 1961, you have used these funds 14 times and for only a little over a million dollars, but the availability of section 5 loans has made much else possible.

In helping the local community within your territory to increase jobs, and expand the benefits of economic growth, you also are increasing your own business. It is a natural combination, and fulfills the basic aim of REA to bring progress to rural America in many forms.

However, REA leadership in stimulating community development is not always tied to a direct REA power benefit. The manager of a local electric cooperative in Pennsylvania, for example, has led the drive in his community to get four new industries, and each buys power from a private power supplier.

The manager maintains, and correctly so, that both the private and cooperative power suppliers are benefiting, the co-op from new consumers who live in its territory. But most importantly, the community, the people, will benefit from new opportunities.

I am encouraged to see the dedication and energy which local REA co-ops are giving to the RAD program. Reports from about one-third of the REA borrowers indicate that since July 1961 they have helped to launch 400 industrial and commercial projects. It is anticipated that they will directly create 30,000 new jobs, and indirectly, another 22,000. When reports are in from all co-ops, undoubtedly these figures will be higher.

More than one-fourth of these new enterprises involve processing and marketing of farm and wood products, which mean additional outlets for farm and forest products as well as new jobs for rural citizens. This is a real "double shot" in the arm.

It is also important to note that in these newly launched projects, Government financing is playing a "seed capital" role by stimulating the investment of much larger sums by private and local sources. The REA figures indicate that the 400 projects are being financed by more than $250 million of private capital compared with about $15 million from Federal Government sources.

These projects are scattered throughout the country. They include a lumber project in Idaho, a furniture factory in Kentucky, a commercial recreation enterprise in Illinois, a packing plant in Nebraska, and a chipping plant in Mississippi. In addition, the 600 REA borrowers report they have assisted their communities in launching a number of public facilities, hospitals, water systems and sewerage systems.

Thus, we have, with your assistance, made a good start with the RAD program, but it is only the beginning, for we have only scratched the surface of the need in rural America.

A good start means that rural electric cooperatives will have more and more to do as rural America responds to the challenge of the sixties, as it moves positively forward once again. And as these things take place, demands for power will expand rapidly.

Presently your members are doubling their power needs every 7 to 10 years. Today, the power requirements of your systems are about 37 billion kilowatt-hours. By 1970, those requirements will soar to 68.6 billion (or more) and by 1985 to almost 200 billion (or more).

President Kennedy has said that power is the key to this century, power on the farms and in rural areas as well as in the cities. At Oahe project in South Dakota last summer he said: "The role of the REA is not finished, as some would believe. To be sure, most farms now have electric lights. Most REA cooperatives and power districts are well established. But we are rapidly approaching the time when this Nation will boast a 300 million population, a $2 trillion national income, and a grave responsibility as the breadbasket and food producer for a world whose population will have doubled. That is the prospect for the end of this century, and the key to this century is power, on the farm, in the factory, in the country as well as the city."

The role of the REA is not finished, it is only beginning.

This, I submit, is sound policy and one that will serve the Nation well. Let us, working together, militantly carry it forward.

Civil Rights and the Cold War

EXTENSION OF REMARKS

OF

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1963

Mr. MOORHEAD. Mr. Speaker, the Center for Study of Democratic Institutions recently held its 10th anniversary convocation at the Americana Hotel in New York City. Leaders from all over the world attended and many fine analyses were presented under the subject "Challenges to Democracy in the Coming Decade." Among these was an address by the Honorable Robert F. Kennedy, entitled "Civil Rights and the Cold War." As we read his speech, I am reminded what James Baldwin has said, "Great men have done great things here and will again, and we can make America what America must become."

Under unanimous consent I insert the speech in the RECORD.

CIVIL RIGHTS AND THE COLD WAR

BY HON. ROBERT F. KENNEDY

First, I want to congratulate President Hutchins and the Board for Directors of the Fund for the Republic for the imagination and the initiative that have gone into the preparation of this 10th anniversary program, Challenges to Democracy in the Coming Decade.

Secondly, I wish to express my appreciation for being asked to consider with you the question of individual rights and privileges in this troubled time. It is a time of hope as well, as we have seen in recent months, even days.

But bright as we believe the world could be, we must face it as it is, a world of nation states seeking public solutions to what are inherently personal questions. This is the dimension of the time we live in and which we call the cold war, a struggle very grand in scope but very personal in importance. For this reason an examination of those personal questions, the rights and interests of individual human beings is as timely as ever before.

Some of you may be familiar with the recent classroom scene in a Russian elementary school. A little boy, when asked to describe the United States, said, "The United States is a sad country where workers and peasants are starving under capitalist exploitation by the cynical ruling classes." "Correct," said the teacher, "and what is the major goal of the Soviet Union?"

"To catch up with the United States," was the sober reply.

Throughout our parallel histories, I believe the United States, as a whole, has lagged behind Russia in the exploitation of one class by another.

The comparison is an old one. De Toqueville concluded his treatise on America with these prophetic words:

"There are at the present time two great nations in the world which started from different points, I allude to Russia and America." "The principal instrument," of America he went on, is "freedom" and of Russia, "servitude."

"Their starting point is different and their courses are not the same; yet each of them seems marked out by the will of heaven to sway the destinies of half the globe."

In today's terms this may seem a generous oversimplification. We have only to look at the growing power of free Europe, or the snarling giant tiger that is Red China, or the awakened democracy of India, or the rising nations of Africa and Latin America, to know that there are other handholds on the globe, other forces capable of swaying its destiny. It would be quite wrong, and quite unlike a group such as the one assembled here, to become mesmerized by the present confrontation of the Soviet Union and the United States. Yet in this brief moment in time we can see some polarization of allegiance, some to the Communist way, some to the way of freedom.

This is the tug of the cold war. We should be excused if we venture the opinion we are winning. As the President said last week in his state of the Union message: "Not a single 1 of the nearly 50 United Nations members to gain independence since the Second World War has succumbed to Communist control." In one case, a wall has gone up to prevent a great people from accepting the tug of freedom. History will record that while the Great Wall of Old China was built to keep barbarians out, this brooding ugliness by the Brandenburg gate was built to keep civilized people in. And men may speculate on the current Soviet proficiency in the high jump.

But overall, we are winning—Why? What is it we have that others will reach for, run for, die for? Surely, it is more than houses, cars, and dishwashers. Even communism, with some rearrangement of production priorities and a few other sacrifices by the new class, could provide these things. No, the attraction of the so-called materialist West is more a thing of mind than of matter. Why then do young foreign students become disaffected with Iron Curtain curriculums and seek out our consuls? What is it that brings tears to the eyes of new Americans as they take the oath of citizenship? What is it they sought? What is it men want? Isn't it freedom of conscience and action conditioned only by the legitimate needs of private and public security?

Our civil rights laws and actions are founded on that premise. No recitation of them should be necessary. Observance of them is entirely necessary. Encouraging lipservice is paid also in articles 124 and 125 of the Soviet Constitution to the principles of freedom of religion, speech, press, and assembly. But they have gone the way of many a New Year's resolution. The British have proved a constitution needn't be written. The Soviet have proved a constitution must be more than written.

This discussion deals primarily with the United States and the Soviet Union, not because we are the only nations involved, but because there is still some reason to believe we are the leaders respectively of the free and Communist worlds.

Our Bill of Rights, particularly in the first nine amendments, holds out a series of personal promises. The addition of the 14th amendment increased the commitment of the National Government to insure that those promises are kept. In most respects, our legislatures have followed with the greatest care the mandates implicit in the Bill of Rights and the 14th amendment. An independent judiciary has served well to correct misconstructions of those principles. And while the matters affected have ranged from freedom of speech and press to questions of search and seizure, and right to counsel, most of these protections were well established from our early times and are invoked today not at all with regard to their validity, which is certain, but to their vitality in a modern society.

But the matter which the very term "civil rights" brings most immediately to mind in our time is the position of the American Negro in American society and the treatment accorded him in all walks of life.

In this respect I would like to glance at the record.

For the headline hunter the violence at Mississippi has been the most noticeable event of the current period. The historian, however, will record the progress made, not only in the unflinching commitment of the Federal Government to civil rights, but more importantly, and more notably in the amount of voluntary compliance by southern officials and citizens in this area. For example, over the past year in voting—in 29 counties in Georgia, Alabama, Mississippi, and Louisiana, officials have voluntarily made voting records available to us without need for court action.

In about 50 counties in the same States, discriminatory practices have been abandoned voluntarily, avoiding the need for suit.

Where voluntary action was not forthcoming, however, we have brought suit.

Under the 1957 Civil Rights Act, the Department of Justice has undertaken 32 suits and 82 voting record inspections.

In transportation: Discrimination of interstate travel has disappeared. Virtually all bus and rail terminals were desegregated in 1961 pursuant to ICC regulations sought by this administration. In 1962 we surveyed 165 airports and found 15 still segregated. All are now desegregated, 13 voluntarily and the other 2 after suit.

At present, the only such segregated facilities in the country are bus and rail terminals in Jackson, Miss., and there we took successful legal action, which is now on appeal.

In education: In 1962, 28 more southern school districts desegregated voluntarily and peacefully, many after consultation with the Department of Justice.

As Chairman of the President's Committee on Equal Employment Opportunity in the Federal Government, Vice President Johnson pointed out in November that Negro employment in the Federal Government stood at 28,986 at grades GS–5 through GS–11, an increase of 18.3 percent over the previous years, although the increase in such job vacancies was only 4 percent.

In grade GS–12 through GS–18, the number of Negroes increased from 343 to 1,380—a 33.1-percent increase, as compared with a raise in the total number of such jobs of 7.8 percent. In the private sector 104 major national business firms have signed equal employment pledges under the plans for progress program.

The right to travel, to share public facilities and accommodations, together with the right to equal education, these rights have been given Federal impetus as never before, but again, more importantly, they have received wide public acceptance in a quiet, normal way that hasn't hit the headlines.

The President's order last November prohibiting discrimination in federally assisted housing, together with the actions of some 17 States and 55 cities barring discrimination in that area is a milestone on the march. And on this march the American Negro himself has walked well. Much depends on the scope and dignity of Negro leadership; and it is equal to the test.

The trail is long, we've crossed rough terrain; and there's more ahead, much more to do for the American Negro, the American Indian, the migrant worker, minorities yes, as the American people themselves a minority in this world.

Meanwhile, back in the Kremlin's shadow, what do we find? We find over 100 persons executed in the past year for economic crimes, most of them Jews. We find Christian faiths harassed and Christian peoples persecuted. We find a statement last year by Roman Rudenko, Soviet Public Prosecutor, that the very causes of crime in capitalist countries are absent in the Soviet Union. Then we find a complaint in Pravda that Muscovites removed daily without paying, 77,000 bus tickets from help-yourself dispensers. We find a law branding as treason any unauthorized departure from the country, and the unhappy story of a Jewish woman sentenced to be shot last February for "currency manipulation," after a prior 3-year sentence in Siberia for trying to escape to Israel, and long after seeing her two daughters murdered by the Nazis. And we find a 1961 commentary on lawyers in a Soviet paper as follows:

"There are two groups of lawyers—one: Modest, quiet, unobtrusive, who will acknowledge guilt (if his client is guilty) and refer to mitigating circumstances.

"The other, working with his vocal chords and elbows, even shedding some tears. His voice going through the whole courtroom, 'My client's arrest is due to a mistake.' When the case was retried at the public prosecutor's demand, the same man was found guilty when another lawyer took his defense."

Another unobtrusive lawyer no doubt. Save us from them.

What is the difficulty here? What's missing in communism's instant utopia?

An appreciation for the natural rights of man? I should think so. It suffers from an overdose of Marxism-Leninism and a deficiency of Lockism-Jeffersonism. It would benefit so much from just a little exposure to first amendment principles.

If freedom is to thrive in any corner of the world, there must be communication and a sense of law. There can be no meaningful discussion of civil rights until these concepts have been examined.

Turning first to communication, if our Constitution had followed the style of St. Paul, the first amendment might have concluded, "But the greatest of these is speech." In the darkness of tyranny, this is the key to the sunlight. If it is granted, all doors open. If it is withheld, none. But a truth unheard is as much a social force as a tree falling in the lonely forest is sound. Truly free speech implies a guarantee of the right to listen. In passing, it was my impression that it was to prevent truth from going unrevealed that the center itself was established on Eucalyptus Hill. There's no such hill in Russia.

Those matters which a government tries to conceal from the outside world are guides to its personality, but what it would hide from its own people is a reflection of its character. Thus, the secret speech denouncing Stalin in 1956, hidden from the public, told as much about its authors as its subject. More recently, in the past year, mobs of angry people have tested the laws of many nations. We read about the Walloon-Flemish differences in Belgium, violence in Paris and Mississippi. But what did we hear of the wage and price riots in southern Russia—that left hundreds of dead and wounded, what beyond vague references to rowdiness, while during that same week both Pravda and Izvestia highlighted the following earthshaking events:

The stock market dropped in New York.

A group of New Jersey students protested U.S. atomic tests.

Two unknown persons slipped into the Soviet sector of Germany.

This is the fact of Soviet news policy. What is the doctrine? I take it we can still look to Lenin for guidance on Soviet doctrine.

In 1903 he wrote indignantly: "Until freedom of speech and of the press is declared there will not disappear the shameful Russian inquisition which persecuted profession of unofficial faith, unofficial opinions, unofficial doctrines."

Later he wrote: "The periodical and nonperiodical press and all publishing enterprises must be entirely subordinated to the Central Committee of the Party."

Thus, today's Soviet leaders have a fairly wide latitude of Leninist press policies to drawn on.

There is, of course, freedom in the U.S.S.R. to say the right thing. This was brought home to a young American visitor to Moscow who was earnestly explaining how any American could openly denounce the life and morality of the United States, even ridicule the President.

"It is the same here," said the guide. "A Soviet citizen may also denounce life and morality in the United States and ridicule your President."

Freedom of communication involves both information and expression. I have touched on information. It is crucial to a dynamic society, which communism claims to be. But expression is no less so. Thus we read with concern the Soviet party's reply last month to Russian intellectuals who had claimed that "without opportunity for different artistic directions, art is condemned to death." The reply said that the party does not tolerate experimentation in the arts, and "is determining the tasks and directions of artistic creativeness." What sad rebuff; but what a fine claim.

And we shall wait to see if and how a young Soviet poet changes a now famous poem of protest, particularly so since it concerns racial persecution.

The Soviet Government seems to have good working relations with the Soviet press. If the Soviet chief of state should take exception to the editorial policies of a paper, he needn't cancel his subscription; he just cancels the paper. But that is hardly necessary at present.

Soviet papers serve their party well, rewriting human history even as it rolls off the presses of human endeavor. As the great hand writes, and having written, moves on, the agitation that follows is a team of Soviet historians with erasers. Someone should tell them to relax.

I have tried to explain how difficult it is for me at least to picture the struggle for civil rights where there is a limit of communication.

It seems to be recognized by some Soviet authorities that terror is inefficient. The so-called Special Board of Ministry of Internal Affairs has been abolished, and with it, its function, which was to send people to labor camps without a hearing, in secret procedures without right of counsel or appeal. Confessions must now be corroborated by other evidence. And all in all there seems to be a growing appreciation for what the Soviet calls legality, and a growing awareness among the Soviet legal profession itself of the obligation of law to society, and of lawyers to the law. The outcome of this trend remains uncertain. You may recall that after a great deal of noisy pride about abolishing the death penalty, the Soviet Union in 1961, reinstated it for crimes described as economic and specifically for illegal transactions in foreign currency. Subsequently, two men were executed under an ex post facto application of the currency law.

From Harvard's expert on Soviet law, Prof. Harold Berman, I learned of a conversation he had on this incident with a leading Soviet jurist. Berman had remarked on the unusual nature of the trial and sentence and suggested it violated the 1958 Soviet Principles of Criminal Procedure. The jurist replied, "we lawyers didn't like that," a response, Berman noted, which was no less remarkable for its "we lawyers" as for its "didn't like that."

I suppose what is needed is more lawyers who don't like things.

The law's slow progress in the Soviet Union may be due, in large part, to the lack of public debate. Thus the recent "anti-Parisite" laws by which people not doing socially useful work may be exiled to remote areas for 2 to 5 years, went into effect as quietly as the falling tumblers of a combination lock.

All great questions must be raised by great voices, and the greatest voice is the voice of the people, speaking out in prose, or painting, or poetry, or music, speaking out, in homes and halls, streets and farms, courts and cafes—let that voice speak and the stillness you hear will be the gratitude of mankind. Man giving thanks—Jews thanking the God of Abraham for their lives, Siberian Christians thanking the Lord for their children—people giving thanks. It is a good sound.

And the world is listening, watching, weighing, deciding.

Latin Americans listen to the stifled sounds of Cuba. Macao and Hong Kong receive the gaunt refugees of Red China and hear the unspeakable. Europeans watch what they hope is the final chapter in subjugation on that continent.

Africans can see these things, and there is much to occupy their own moralists on their own vast continent.

There is ample evidence that dictatorial conduct is not confined to societies ruled by whites. South Africa's sabotage bill, and restrictive laws on voting and free speech, are no less encouraging than the Preventive Detention Act of Ghana, which empowers the government to imprison without trial for up to 5 years all persons suspected of subversion, or Ghana's dignity-of-the-President bill passed last year which subjects presidential detractors to £500 fines or 3 years' imprisonment. (If there is a Ghanaian Vaughn Meader, he's laughing on the inside.)

Wrongs that passed as white no color can make right.

A nation, it is true, must work its own evolution in its own way and at its own pace. Time and tide have favored ours. The best hope we can have perhaps is that governments may listen to the voices of their people. American governments have tried to do that. We have found that when people find a willing ear they are more disposed to lend a willing hand. We think with Jefferson that our Government is, "The world's best hope; the only one where every man at the call of the law would fly to the standard of the law and would meet invasions of the public order as his own personal concern." This is a Virginian's answer to the demagogues of today, both foreign and domestic. It is the answer of thousands of southern citizens and of the U.S. marshals, most of them southerners, who held the line at the Lyceum in Oxford.

It is clear that the standard of law in America flies to protect the civil liberty of all American citizens from private as well as public invasions. Thus the Sherman Antitrust and Interstate Commerce Acts give protection from excesses of the business community. Other legislation guards the public and the workingman from the abuses of labor. And today we face in this country a conspiracy which could be extremely erosive of the rights and liberties of our citizens, organized crime. So when we move against these excesses, we do so on behalf of all our people, and at their call. And the agencies and bureaus of government which answer this call, with the patience and care their work requires, deserve the respect of all Americans.

Finally, we have found that man's handhold on the globe is a precarious one. But we had always believed that. We always thought that our destiny was cradled in another Hand. And when Mr. Khrushchev reported that the cosmonauts, like the Bolshevik pilots of the early twenties, reported seeing "no signs of God," we can only suggest that they aim, with the rest of mankind, a little higher. In the meantime, there is work to do here on earth, to that day when Caesars render unto man what is man's.

Key West Naval Base 140 Years Old

EXTENSION OF REMARKS

OF

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1963

Mr. FASCELL. Mr. Speaker, 140 years ago tomorrow—February 1—naval orders were issued to the distinguished Commodore David Porter, U.S. Navy, to take command of the West Indies Squadron; to sweep away the buccaneering brethren of the coast, whose piratical domination of the seas extended from the West Indies into the Gulf of Mexico; and to establish a naval depot on Key West in the Territory of Florida to supply the vessels of the squadron.

Today, from that embryonic post—which was the first U.S. naval base in the Territory of Florida—the U.S. naval base at Key West, Fla., has evolved into an expansive and strategically significant naval complex ranging over 135 miles from Key West to Florida City, Fla.

Commodore Porter, when he first saw the area, called it the "Gibralter of the gulf" and envisioned the naval base as the place "to watch and guard our commerce passing to and from the Missisippi" as well as the "key to the commerce of Havana."

The missions carried out with high honor by the men of the Key West Naval Base since that time have paid tribute to Porter's words.

The function of the naval base from its birth until the Civil War was one of a coaling and supply depot. When the conflict between the States arose, the base fulfilled its first strategic mission as the home port for the Eastern Gulf Blockading Squadron. This naval group, operating under the commands of Flag Officers Farragut and McKean—with some 32 ships—cut off southern commerce and captured a total of 229 blockade runners and brought them to the island.

As the only Southern port in Union hands throughout the war, great quantities of contraband were amassed at Key West and it was from this naval station that the joint Army-Navy amphibious operations were launched leading to the destruction of the Confederate-held Florida salt works.

Following the war, the Key West Naval Station quickly returned to activities of peacetime progress and assisted the International Ocean Telegraph Co. in 1866 to lay the cable connecting Key West with the mainland of the United States and with Cuba. In 1881, a naval lieutenant named Robert E. Peary—who was to make history far to the North—reconstructed the Naval Wharf and further storage facilities were added in 1895.

As it was during the October days of 1962, the Key West Naval Base took on a role of major significance during the Spanish-Cuban days of the decade of the 1890's.

The battleship *Maine* departed from Key West on its death cruise and her dead and wounded were returned to this base. On April 23, 1898—reminiscent of recent days again—military observers on the Key West shores saw the first shot of the Spanish-American War when the U.S.S. *Nashville*, operating out of Admiral Sampson's squadron, encountered the Spanish steamer, *Buena Ventura*, fired across her bow and took the first prize of the war.

During the crest of this struggle, the entire Atlantic Fleet operated from the Key West Naval Base as well as the entire force of correspondents who reported on the war.

By 1903 Key West was the headquarters for the newly established Seventh Naval District and a radio station marked Navy technological advance in 1906.

As the ravages of war swept across Europe in 1914, the Key West Naval Base began to take on its present day appearance with the arrival of seaplanes, submarines and blimps.

The primary mission of the base as the war raged on was then, as it is now, "supply and maintain the forces afloat." These were active years with the establishment of a seaplane training center, yachts being converted for destroyer patrol, submarines from the German patrol to be serviced, a naval magazine constructed, hospital facilities going up, and the radio operations reaching our farflung fleet in action.

With the return of the hope of peace following World War I, Key West relaxed in the magnificent Florida sun with only a single officer and 16 men operating the radio station until the Cuban revolutionary activities in 1934 brought the return of destroyers and Coast Guard craft.

Quiet returned again for a few years—civilian yachts used the submarine basin and swimmers used the military piers. The relaxation was halted with the return of war to the nations of Europe and the naval station was reactivated on November 1, 1939.

Destroyers pulled alongside the piers—the men of Patrol Wing 5 arrived—and Key West's role as an essential base for the neutrality patrol had begun.

The wartime role of the Key West command illustrated Commodore Porter's vision of the island's place in national defense. Missions were flown from the air station against German submarines in the gulf—the blimps resumed patrol—support of our submarines became a major activity—and a convoy control center effectively operated to reduce ship sinking from 107 in 1942 to only 4 in 1943.

Seventh District Headquarters returned to Key West in February 1942, and the gulf sea frontier was established in May 1942, with both commands moving to Miami in June of that year.

Following the cessation of hostilities, there was little retrenchment at Key West for the strategic importance and ideal climate for year-round operations—as recognized in 1823 by Porter—came to be recognized. The Atlantic Fleet's submarine development detachment transferred to Key West and the island was redesignated as a submarine base.

Soon came the helicopters and the jets—training and research brought expansion of land and facilities and the base acquired a tridimensional strength—on, under, and above the sea.

The eyes of the world focused on the Key West Naval Station just a few short months ago as we escalated toward the threat of nuclear war—a crisis once again involving Cuban affairs.

As we mark the 140th anniversary of the establishment of this stronghold in our defense system, I wish to join Presidents Roosevelt, Truman, and Kennedy in saying to the officers and men of the U.S. Navy at the Key West Naval Base: "Well done."

Social Security Amendments

EXTENSION OF REMARKS

OF

HON. ELMER J. HOLLAND

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1963

Mr. HOLLAND. Mr. Speaker, today I am introducing legislation which, if passed, would amend our Social Security Act to permit both men and women to retire at the age of 60 and receive full benefits at that age.

It would also eliminate the age requirement for spouse's benefits—thereby permitting the payment of spouse's benefits simultaneously with that of an eligible retiree. In other words, should a man reach the legal retirement age and secure his social security pension, his wife—although she may be younger than he—would also be eligible to receive her benefits. This, too, would be true in the case of a wife becoming eligible first—the husband would then be eligible to receive benefits as her spouse, unless, of course, his own earnings would entitle him to greater benefits and he chooses to wait for benefits under his own eligibility.

It would also permit the retiree to receive a larger annual income from other sources and still be eligible for social security benefits. The present allowance is $1,200 annually, and my proposal would allow $2,000 annually.

I feel that these amendments would not only be beneficial to the recipients of our social security benefits but would also be most helpful to our general economy.

By permitting full benefits to be paid at a lower retirement age, many who are still employed would be more inclined to retire, with the possibility of job opportunities then being available to younger people. With both husband and wife receiving benefits simultaneously, and with a slightly larger outside income permitted, the consumer purchasing power of our retirees would be increased, and this—in turn—would help out the national economy.

The 1960 census disclosed the fact that we had 17 million citizens 65 years of age and older. The Department of Health, Education, and Welfare estimates that we have—each day—a net increase of 1,000 persons reaching the age of 65. In fact—by 1980—it is expected that 10 percent of our national population will be comprised of this group of 65 and older. Today it is 9.3 percent.

If we lower the retirement age to 60—this percentage would be increased.

In our present list of unemployed—we have many in the age bracket from 60 to 65—too old to be reemployed but too young to retire on full benefits. This results in ever-increasing public assistance rolls.

My amendment would remove many from public assistance—from mere existence, so to speak—and permit them to qualify under a program to which they have paid their money for many years. My amendment would reduce the amount of money the State and Federal governments must pay out of general taxation for relief, while—at the same time—assure these recipients of a better income and increase their purchasing power for consumer products.

A prospective consumer market of 15 percent of our total population would be quite an incentive for our small business people throughout the Nation, if one cares to look at this problem strictly from a monetary viewpoint.

However, from a humanitarian viewpoint the wealthiest nation in the world could well afford to permit its elder citizens in this age of rapidly advancing technology to live their remaining years with dignity and respect, especially when you stop to consider the benefits which they receive are from a program to which they have contributed since 1937.

This legislation permits the Members of this Congress to be both practical and humane and I sincerely hope it will receive the support of all.

Federal Water Pollution Control Act Amendments

EXTENSION OF REMARKS

OF

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 31, 1963

Mr. BLATNIK. Mr. Speaker, water, its adequacy both in quantity and quality, continues to be without question the most significant consideration confronting the Nation in the entire resource conservation field. These two water aspects, quantity and quality, are inseparably linked together in our concern. We have only to recall the plight of the ancient mariner to remind us that water supplies are less than useless when they lack the necessary quality for the specific uses they are called on to fill.

The measures authorized in the Federal Water Pollution Control Act, as amended, encompassed the preservation and maintenance of water quality adequate for all legitimate uses, public water supplies, propagation of fish and aquatic life and wildlife, recreational purposes, and agricultural, industrial, and other legitimate uses as well as the protection of the public health. Water pollution control is not, therefore, any longer solely a health problem. Its impact extends to all water resource considerations. The 1961 amendments to the Federal Water Pollution Control Act, Public Law 87-88, stressed the significance of this wide sweep of Federal interest and responsibility by vesting in the Secretary of Health, Education, and Welfare the former responsibilities of the Surgeon General for administering the act's provisions. It was fully anticipated and intended that in this manner the upgrading within the Department of the Federal water pollution control program required for the effective achievement of its purposes would be satisfactorily resolved. Only one of the desired effects has resulted. Overseeing responsibility has been assigned to an able and conscientious Assistant Secretary additionally burdened with other Department affairs. At the same time, however, the operating program, itself, remains submerged in its long-occupied basement within the Public Health Service.

The bill, which I introduce today, would establish the Federal Water Pollution Control Administration as an independent operating agency within the Department of Health, Education, and Welfare. It would he headed by a Commissioner acting under the supervision and direction of the Secretary and an Assistant Secretary. My proposal in no way impugns the Public Health Service but the realities involved point to this action as the best means of securing effective administration of all of the act's provisions.

In accord with the emerging necessities for keeping our waters clean for the future, my bill states the purpose of the act in establishing a positive national policy in this regard as opposed to the irresponsible policy of using our streams for waste assimilation to the limits of their capacity.

Major concentrations of our population reside in our larger cities. Provision by these cities of treatment facilities to service the needs of their inhabitants demands the expenditures of proportionately great amounts. To remedy the ratio of inequality that obtains in regard to the provision of construction grants funds as concerns these larger municipalities, and to provide a more adequate degree of inducement toward their construction of needed treatment plants, the dollar ceiling limitation presently authorized in the act are proposed to be increased from $600,000 to $1 million for a single project and from $2,400,000 to $4 million for a joint project.

Municipal and industrial wastes are admittedly the major contributory sources of this pollution. Accordingly, the predominant share of our current water pollution control effort is focused on these two major contributors. The stimulatory grants-in-aid to municipalities for construction of waste treatment works provided by the Federal Water Pollution Control Act have been greatly successful in this respect, so much so that the Congress in enacting the 1961 amendments authorized a continuation of this program at twice its previous rate.

Little if any regard has been given, however, to the outmoded waste collection systems in many of our older cities that in themselves serve to greatly reduce the benefits to be expected from the installation of new treatment plants. This is because, on an annual average, 10 percent of the municipality's sanitary sewage never reaches the treatment plant. This amount of the city's raw wastes is carried off by storm overflow directly into the nearest waters. The fact that many cities collect the wastes from their industries in their municipal sewers to receive treatment at the central plant adds to the gravity of the situation.

Many municipalities at the turn of the century constructed a system of combined sewers to carry their sanitary wastes and to collect the runoff from their streets after a rainfall. At that time, this was an economic course for the cities to take. The sanitary wastes from their smaller populations used only a small portion of the combined sewer capacity. The portion of this sanitary sewage that was carried off by storm overflows into the receiving wastes was readily diluted by the proportionately larger street runoff collected by the sewers.

As a result of the vast population increase, the huge centers like New York, Chicago, Detroit, Philadelphia, Washington, D.C., and others find that their combined sewers are sufficient only to handle the sanitary sewage with little or no capacity remaining to cope with storm runoff. With these combined sewers filled to capacity with sanitary wastes, the runoff resulting even from a short summer afternoon rainfall causes the sewers to overflow at spillways necessarily provided for this purpose directly to the stream. It is conservatively estimated that as much as 35 percent of the sanitary sewage bypasses the treatment plant and is carried directly into the watercourse after a heavy rainfall fills the sewers and pours out of the convenient spillways.

In the opinion of experts it is this factor which is directly responsible for the serious interference with recreational and other legitimate uses of the waters that are adjacent to our larger communities. For example, the city of New York administers conscientious treatment of its sanitary waste discharges. Its bathing beaches, however, are to a great extent posted as unsafe due to the unusually high coliform count samples obtained there. This situation is attributed in large degree to the storm overflow from its combined sewers, carrying a large amount of raw sanitary sewage. Similarly, the closed beaches at Milwaukee, now an annual affair, are also traceable to storm overflow. The pollution of the Potomac River caused by storm overflow from the combined sewers in the Nation's Capital was recognized and cited as a principal cause of the shameful condition of this stream in the Federal enforcement action begun in 1957 to restore the quality of these waters. The conferees recommended as one of the absolutely necessary remedial measures that pollution from storm sewer overflows be substantially alleviated by the end of 1966.

Our programs of municipal treatment works construction should be accompanied by the construction of separate storm and sanitary sewers in our metropolitan areas. This is necessary and imperative to assure the efficiency of the treatment plants themselves, which are designed to handle sanitary sewage without the complicating factor of intermixture with storm runoff. And, more importantly, the deleterious discharge of raw sewage will be effectively halted—allowing our streams to recover without the necessity of experiencing periodic heavy doses of the pollutants that have so long plagued them.

In order to alleviate this problem my bill includes provisions for a program of grants assistance to municipalities in separating their combined systems. For these purposes, outlays of $1 million annually are proposed, from which grants in the amount of 30 percent of the estimated reasonable costs of combined sewer systems projects would be made.

The impairment of the growth and well-being of our urban centers must not be permitted to result from the injudicious use of Federal funds no matter how well intentioned. In order to assure that grant-assisted projects conform with metropolitan area plans for their regulated development, an additional 10 percent of the grant amount would be authorized to be made in the case of projects so certified by an official State, metropolitan, or regional planning agency.

Pollution control and prevention guideposts are increasingly sought and requested by conscientious water users mindful of their responsibility for preserving water quality. Equally, the furnishing of such guideposts would greatly facilitate taking enforcement measures against those who perform acts in disregard of officially promulgated regulations. To this end, my bill would require the issuance of regulations by the Secretary setting forth standards of quality applicable to interstate or navigable waters and the type, volume, or strength of matter which may be safely discharged into these waters. The regulations are to be based on consideration of the present and future uses of interstate or navigable waters for all legitimate uses. Violation of the regulations is declared a public nuisance and made subject to abatement under the act's enforcement provisions.

Our efforts to control and prevent water pollution must be fully and aggressively responsive to the challenge before us. In order that we may not fail through any lack of sufficient powers and resources, I ask for the early consideration and enactment of my bill.

We Must Work Out a Truly Equitable Answer to Aid to Education Within the Framework of Our Constitution

EXTENSION OF REMARKS
OF
HON. JOHN E. FOGARTY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 31, 1963

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks I include an address which I delivered at the closing dinner of the Catholic Youth Organization Diocesan Youth Congress, in Providence, R.I. on January 27, 1963.

The address is as follows:

ADDRESS BY THE HONORABLE JOHN E. FOGARTY

Your Excellency, the most reverend bishop; right reverend and very reverend monsignor; Father Charles W. McConnell, diocesan CYO director; and reverend members of the clergy; distinguished representatives of State and local governments; CYO regional officers and representatives; members and friends of our outstanding Catholic Youth Organization here in Rhode Island, in an address to a group of teachers, the late Pope Pius XII urged them to take as their ideal the training of fine young Christian men and women, who would be prepared to participate as active members of modern society. And the Pope went on to say, "By the perfect Christian we mean the Christian of today * * * a citizen and not something apart from the life led in his own country."

It seems to me that these words perfectly express the aims and objectives of the CYO, which is an organization that applies the eternal truths of religion in the daily life of young people who are learning to become the future leaders in both civic and religious activities.

And I would like to thank you for giving me the opportunity to be with you and to participate in this evening's program. As chairman of the House Subcommittee on Appropriations for the Departments of Labor, Health, Education, and Welfare, I have long been identified with the battle against juvenile delinquency. Consequently, I have heard a lot of testimony about what is supposed to be wrong with our youth. But I have also been impressed with the fact that in spite of the seriousness of the delinquency problem, the vast majority of our young people are doing a very fine job with the difficult task of growing up in this complicated modern world. Looking at this CYO congress tonight, I know that it represents a very important part of what is right with America's youth.

The five CYO members who have been awarded the Eagle of the Cross Medal certainly deserve special congratulations. In order to gain this honor they have had to demonstrate, not only real moral integrity, but they have had to work in apostolic activities and display true Christian leadership. As we all join in honoring them, I feel sure that their example is truly symbolic of what every CYO member believes in and works for.

Here is an organization in which laymen and the clergy are working together with young people to improve, not only the physical, but the spiritual and intellectual life of its members and the entire community. All of us owe a debt of gratitude particularly to the lay directors; past, present, and future; who volunteer their help in this good work.

Men and women of all faiths have been impressed and encouraged to hear of the deliberations of the Vatican Council, in which our own bishop is a participant. And we know that the Council is much concerned with the important responsibility of laymen in the field of Catholic action. Here in Rhode Island the hard-working lay directors of the CYO are certainly among those who have already shown practical proof of the good that can come when members of the laity assume their responsibilities for service to their church and their fellow citizens.

In every area of our national life today cooperation is essential if we are to defeat the drive of atheistic communism and build a better life of peace and freedom from want and fear. But in no area is cooperation more important than in matters which pertain to youth and its education. Our whole American educational system is, in fact, a great partnership. It is a vast and varied cooperative enterprise, which involves publicly and privately controlled schools. It is the responsibility of government at every level and of taxpayers who are parents, as well as taxpayers who are not. The American ideal of democracy calls for equality of educational opportunity, and we cannot rest satisfied until that goal is achieved for every American child and young person of school age, regardless of the type of school to which his parents, in the free exercise of their conscience, may decide that he should go.

It should be obvious that in the face of mounting costs and rising enrollments, we cannot achieve a national goal of equal educational opportunity without an increasing degree of cooperative effort between all concerned, especially in solving the problem of financing. Local school districts will have to be given more cooperative help from the States and the States in turn will have to be given more cooperative help by the Federal Government, without undermining either local autonomy or destroying local incentive.

Admittedly, this presents what looks like an almost insurmountable problem, to which no one has yet offered a complete solution. And the problem is complicated by the complex constitutional questions which arise when it is pointed out that our democratic goal of equality of educational opportunity must include consideration of those who exercise their free right to choose independent schools, many of which have religion as a part of their curriculum and are church related.

In this connection, I should like to point out a few facts that are revealed in the most recent Government survey of enrollment in public and nonpublic elementary and secondary schools.

Between 1950 and 1960 nonpublic school enrollment increased by an estimated 82 percent, while public school enrollment increased by 43 percent. If this trend continues, it is estimated that nonpublic school enrollment will increase from 100 to 123 percent during the period between 1960 and 1980, while public school enrollment will increase 48 to 66 percent. In 1960 there were 6,224,000 children in the grades from kindergarten through high school enrolled in nonpublic schools, but in 1980 that figure may well go over 12 million.

Today, at the precollege level, about 15 percent of the total enrollment is in nonpublic schools; but the comparative growth rate shows that this percentage will rapidly increase. At the level of higher education, where private institutions have always played a vitally important role, 40 percent of the present enrollment is in nonpublic institutions.

In the light of these facts, it would be most unrealistic to talk about educational equality of opportunity without giving consideration to the private or independently supported segment of our educational structure. We must, and will, work out a truly equitable answer within the framework of our Constitution. The best legal minds do not yet agree as to what the precise relation between Government and church-related schools ought to be under our Constitution. A study of the decisions of the Supreme Court from the Cochran Louisiana textbook case of 1930, the Everson bus case of 1947, and the Zorach released-time case of 1952 does, however, point to a possible solution: Wherever aid directly benefits the pupil and his parents and is not directed to church-related institution or does not use public facilities for direct sectarian instruction, that aid can be considered to be constitutional. As time goes on and more legislation is tested, our understanding will be further clarified. I see the method of educational tax relief for parents as very desirable and I have sponsored such legislation. But we are not going to solve all the questions affecting elementary, secondary, and higher education in one law or one court decision. As is the case with civil rights, so it is with achieving real equity in the question of school aid. The constitutional process is deliberative; it is not going to be rushed. But all who believe in constitutional democracy know that this deliberation is the firm guarantee of that justice which will, in the end, be done.

And I think that considerable progress has been made under the provisions of the National Defense Education Act, with which I have been closely identified. For example, under that legislation, private nonprofit elementary and secondary schools are eligible for loans to purchase equipment, instructional materials, and to do minor remodeling in order to improve their teaching of science, mathematics, and modern foreign languages. Such loans have already amounted to more than $2 million.

As the Supreme Court pointed out in the released-time case of *Zorach* v. *Clauson* in 1952, the first amendment "does not say that in every and all respects there shall be a separation of church and state." A rigid theory of secularism in government may fit the ideas of communism, but it does not accord with either the spirit or the history of this Nation, which has inscribed upon its coinage the motto, "In God we trust." As Dr. Robert Hutchins, the noted educator and president of the Fund for the Republic, has recently observed in an address before the University of Chicago Law School, the theory of an absolute wall of separation is an unworkable idea that is "hampering us in our search for what we need * * * a national idea of education and a national program to carry it out."

The history of America is a story of the search for the attainment of equality of opportunity, not only in education but in every aspect of our social, political, and economic life. This is in complete accord with the ideals of the great social encyclicals of the Popes, which teach that every person has a right to the opportunity to live a reasonable, moral life, and the right to social justice. Through legislation, through court decisions, through cooperation between the agencies of government, steady progress is being made in this direction. But each American also has the responsibility to rid his heart and mind from social, ethnic, and class prejudice. In this effort, the CYO spirit can and should continue to play an important part, for it is the spirit of true Christian charity and loyal citizenship. It is the spirit which can help most to make this truly "one nation, under God."

Many of the old prejudices which once divided America are disappearing. Who would have thought a generation ago that we would have a Catholic as our President or that Protestants would send official observes to a Vatican council? Here in Rhode Island the discussion of textbook aid to nonpublic schools has been conducted in an atmosphere of reason, good will, cooperation and understanding which has set an example to the whole country. In the same way, I believe, we are moving away from the habit of judging people on the basis of what country their ancestors came from. Ethnic prejudice is just another form of racial discrimination, which has not only been condemned by the Popes but also by the leaders of all our major faiths at a recent conference in Chicago. Those of us in public life who believe, as I do, that no candidate should be either elected or defeated on the basis of his ancestry look to young people like yourselves to help us in our fight to end ethnic prejudice. As Americans, and as Catholics, I know that we share the belief that God made all men equal, with a right to equal opportunity, not only for personal development but also for public responsibilities.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 4, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Romans 8: 38: *I am persuaded that nothing shall be able to separate us from the love of God, which is in Christ Jesus, our Lord.*

O Thou infinite and eternal God, from whom neither space nor time, darkness nor distance, can ever separate us, we rejoice that Thou art here in this Chamber, for Thou art everywhere.

Grant that we may be sensitive and responsive to the presence of Thy gracious spirit, drawing us together in one solemn and sacred aspiration to know Thy truth and do Thy will.

We pray that in the midst of the world's crises and confusions, its fears and frustrations, its sorrows and sufferings, we may hear and heed Thy voice of gentle stillness inspiring us to be faithful and fearless, strong and steadfast, patient and persevering for we are in the keeping of One who is far greater and wiser than man.

In Christ's name we offer our prayers and petitions. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 31, 1963, was read and approved.

MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

COMMITTEE ON EDUCATION AND LABOR

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be permitted to sit during the session of the House today.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. HALLECK. Mr. Speaker, reserving the right to object, is that during general debate?

Mr. BOGGS. Today.

Mr. HALLECK. I guess we will not have any general debate today. I shall not object to this request, but I want it understood, Mr. Speaker, that when we get going here, that I am not going to agree to the meetings of committees when matters are actively under consideration on the floor. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

FEBRUARY 1, 1963.

The Honorable the SPEAKER,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: It has been a pleasure to serve as a member of the Committee on House Administration. I am particularly grateful to the chairman of the committee, the gentleman from Texas [Mr. BURLESON], for the fine and impartial way in which he has presided.

Because of the assignment which I have just received to serve on another committee, I am regretfully obliged to tender herewith my resignation as a member of the Committeee on House Administration.

Respectfully yours,
JOHN B. ANDERSON,
Member of Congress.

ELECTION TO COMMITTEE

Mr. HALLECK. Mr. Speaker, I offer a privileged resolution (H. Res. 233) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That SAMUEL L. DEVINE, of Ohio, be, and he is hereby, elected a member of the Standing Committee of the House of Representatives on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 57)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I have the honor to transmit the Second Annual Report of the U.S. Arms Control and Disarmament Agency.

In this report, submitted pursuant to law, the Agency describes its activities for the calendar year 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 4, 1963.*

COMMERCIAL COMMUNICATIONS SATELLITE SYSTEM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 56)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

Pursuant to the provisions of section 404(a) of the Communications Satellite Act of 1962, I transmit herewith the required report covering activities in connection with the national program for the establishment of a commercial communications satellite system.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 31, 1963.*

REPRESENTATIVE BARRATT O'HARA OF ILLINOIS

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to address the House and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIBONATI. Mr. Speaker, in the heart of America, through its historical developments by men there are those renowned who have served its purposes and its institutions, have enjoyed the civic responsibility of its obligations to the citizenry, have served in the military forces in war, have contributed to the uplift of human beings, because of the fact that those human beings represent the common denominator of the sinews and strength of America—we are this day pausing to honor just such a great citizen of the State of Illinois, Congressman BARRATT O'HARA, who 50 years ago was sworn in as the youngest Lieutenant Governor of the State of Illinois.

In his early youth he served in the Spanish-American War, and he keeps alive in the hearts of our citizens the *Maine*.

The Cuban situation has called attention to the sacrifices made to get the freedoms that were gained for the Cuban people who had been living under the Spanish yoke. Naturally, any man who served in that war is a symbol of liberty and freedom.

BARRATT O'HARA stands out as one of the finest criminal lawyers in the State of Illinois and the Nation. His oratorical and forensic utterances have marked him as a lawyer who combined legal skill with a deep knowledge of human emotions and understanding. He was outstanding in his contribution to the defense of poor and unfortunate persons. He successfully defended 200 human beings charged with murder during his brilliant career at the bar.

Throughout all his legislative life he has contributed much to the welfare of the people. As Lieutenant Governor of the State of Illinois he inaugurated the minimum wage concept in legislation. It was a result of investigations started by him as to the low starvation salaries paid to women and girls who were employed in the sweatshops in the city of Chicago and throughout the State.

Out of these investigations came two sets of law far reaching in importance: The first, a set of regulations of lake steamers which have had the effect of preventing such other disasters on the Great Lakes; the other, State minimum wage laws. As a result of the disclosures of BARRATT O'HARA's investigation, eight States immediately adopted minimum wage laws for women. His legislative leadership resulted in the first pension laws for policemen and firemen in Illinois.

In 1913 Illinois was a State of dirt and sand roads, public utilities scandals, low wages. Governor Dunn's administration, in which BARRATT O'HARA was Lieutenant Governor and president of the senate, inaugurated the roadbuilding program, established the Illinois Public Utilities Commission. As president of the senate, O'HARA's senate vice commission conducted an investigation into wages paid working girls. The investigation attracted national publicity. The result: President Woodrow Wilson called the Lieutenant Governor to Washington; eight States enacted minimum-wage laws, and the minimum-wage movement was launched.

One result of this investigation was the movie, "The Little Girl Next Door," which broke all records both for attendance and boxoffice receipts. In this production BARRATT O'HARA was producer as well as actor for at the close of his term as Lieutenant Governor he had taken over the studios of David Wark Griffith. However, his career in the movies was short lived. When the United States declared war, BARRATT O'HARA enlisted as a private in the Infantry.

At the close of World War I BARRATT O'HARA responded to the dictates of heart, mind, and family inheritance. His father had been a lawyer and while BARRATT was still a lad, Thomas O'Hara became a circuit judge. The boy frequently accompanied his father to court. It had always been his ambition to practice law. Consequently when the war was over, he began the practice of law.

He continued in the law until the years of the great depression. Then as an extracurricular activity he took up the cause of the unpaid Chicago schoolteachers and bondholders who had been mulcted of their savings by overcapitalization in real estate bonds. He led a group of schoolteachers to Washington and arranged a meeting with President Franklin D. Roosevelt. An RFC loan to Chicago was arranged and the teachers were paid. With a committee chaired by Congressman Adolph J. Sabath, O'HARA assisted in drafting legislation which since has protected bond purchasers.

When Chicago was building its subway Mayor Edward J. Kelly appointed O'HARA special traction attorney. He worked with William J. Sexton. The Chicago subway is not only a tremendous engineering feat but an outstanding example of protection of the taxpayers' money.

He remained special corporation counsel in charge of subways and superhighways until his election to Congress in 1948.

The high points of BARRATT O'HARA's service in the 81st Congress were his work in the field of housing legislation and his contribution to the enactment of legislation to establish the National Science Foundation. Both reflected the interest of his district. Because of the overwhelming interest in housing he had requested Banking and Currency as his committee assignment. He introduced legislation to provide middle-income housing, housing for the aged, all of which have been incorporated into the law of the land.

He continued his work for the underdog, championing such necessary legislation as FEPC, minimum wage laws, adequate pensions as well as adequate wages for civil service, postal employees, railroad workers, and improved social security.

Realizing the great importance of basic research in modern life, national defense, and health, BARRATT O'HARA worked actively for legislation establishing the National Science Foundation. In every Congress of which he has been a Member he has campaigned actively for increased appropriations for this work.

During the 84th Congress he was active in support of legislation to provide Federal assistance for construction of facilities for research in such diseases as cancer, heart disease, poliomyelitis, arthritis, cerebral palsy, and muscular dystrophy. His efforts were successful and Public Law 835 authorized $90 million for this purpose. BARRATT O'HARA appreciates that this legislation represents only the beginning. He is aware of the fact that our medical schools are seriously handicapped by inadequate research facilities and money to encourage those dedicated to research to continue their work. Not only did he continue his efforts, enactment of Public Law 777 of the 85th Congress, establishing a construction program of non-Federal facilities for research, marks a milestone on this road.

To overlook his contribution to the field of civil rights would be to leave out an important part of this sketch. He has lived civil rights all of his life. He has sponsored antipoll tax, antilynching legislation. As a member of the 84th Congress he was a member of the steering committee which worked to get civil rights legislation enacted. The tribute of JAMES ROOSEVELT to his service here is expressed in this telegram sent from Los Angeles, Calif., October 15, 1956:

Hon. BARRATT O'HARA,
Chicago, Ill.:

I want to take this opportunity to join with you in a solemn promise to renew and continue our efforts on the steering committee for civil rights legislation. Your wonderfully thorough and persistent efforts played a large part in our success in getting civil rights legislation through the House this year. We will start early in the next session. Your guidance and help will be essential.

Warmest regards,

JAMES ROOSEVELT.

Continuing his work in this field, he was the first to sponsor in the House (H.R. 10630) the civil rights bill of 1958. Enacted into law this legislation would provide a sane, sure solution of problems created in the field of civil rights and serve to enforce constitutional rights.

During the 85th Congress, aware of the challenges presented by our gradual loss of leadership in the world, BARRATT O'HARA accepted an assignment to the Committee on Foreign Affairs. His leadership has been on the side of building a peaceful world through technical assistance to backward, poverty-stricken nations by means of loans, not grants, administered by the Export-Import and International Banks. He recommends tapering off of military aid. He has looked askance at promoting an armaments race, and especially at furnishing arms to small nations which might through irresponsible management touch off a major conflict. He demanded and secured the first accounting by the ICA.

Motivated by his boyhood affection for the people of Latin America, he accepted an assignment to the Subcommittee on Inter-American Affairs. Through his committee he is working for the amity of relationship with Latin America which once characterized our good neighbor policy and which built hemispheric solidarity. One of the first pieces of legislation which he introduced in the 88th Congress was a bill to establish a University of the Americas.

Recognized on both sides of the aisle as one of the most active and valuable, as well as colorful, Members of the House of Representatives is BARRATT O'HARA. His is a life of positive achievement.

Even as a small boy when his father was our Minister to Nicaragua, he showed the fire of ambition of his later years. He first went to Central America for a summer vacation. While he enjoyed healthy sports like swimming and sailing, his interests did not stop there.

He joined a party from the Smithsonian Institution in an expedition into Central America to study the flora and fauna of the area. He lived history by joining General Alexander in an investigation into the boundary dispute between Nicaragua and Costa Rica.

He attended school in Nicaragua and staged a revolution on Fourth of July when schools failed to close for American Independence Day.

It was this love for the people of the Caribbean that motivated his leaving high school to fight for Cuban independence in the Spanish-American War.

Excursions into vital affairs in the world about him did not interfere with completion of his education—high school, Benton Harbor, Mich., and the University of Missouri. While attending the university he served as sportswriter on the St. Louis Chronicle from which he graduated to sports editor and Sunday editor of the Chicago American.

Congressman BARRATT O'HARA needs no one to eulogize his accomplishments.

Congressman BARRATT O'HARA is a man of positive nature. He is a man of kindness. He belongs on the committee—Foreign Affairs—on which he now serves. He understands people. He knows the deprivations they suffer and the sacrifices they go through. Especially does he know and understand the people of his own district. So on this day, Mr. Speaker, we welcome BARRATT O'HARA. We are very glad to see him in our ranks in this session of the Congress that he has served so well, and we know that he will continue to serve with honor to his district, State, and Nation. We are grateful to him for being with us again in this session of the Congress and ask the good Lord for him that he may be permitted to be with us in many, many more sessions to come—so that his wide experience and great knowledge will help to develop the kind of men who will serve in this Chamber in the future—that each may cultivate that keen insight in legislative affairs and with such integrity to further the best interests of our people and our Nation. I congratulate you, Congressman O'HARA, on this day for your great accomplishments in life—in the field of journalism, as a lawyer, as a statesman, as a patriot in peace, and as a soldier in time of war. May God bless you.

Mr. MADDEN. Mr. Speaker, today we are commemorating Congressman BARRATT O'HARA's 50th anniversary of the day he was sworn in as Lieutenant Governor of the State of Illinois.

BARRATT O'HARA has a long and distinguished record of public service during his adult life. He attended the University of Missouri, Northwestern University and graduated from the Kent College of Law. He is the only representative of the Spanish-American War sitting in the Halls of Congress today, and I might add, one of the comparatively few remaining Spanish-American War veterans remaining over the Nation. In his younger days, he gained long experience in service as a newspaperman, having been sporting editor of the St. Louis Chronicle and the Chicago Examiner. When he was sworn in 50 years ago as Lieutenant Governor of the State of Illinois at the age of 30, he was the youngest man to hold a high and exalted position in the history of that great State. During his service as Lieutenant Governor, he was chairman of the legislative vice and wage commission and held hearings throughout the State and was successful in passing the first minimum wage law of any State in the Middle West. He also pioneered the abolition of the sweatshop in the city of Chicago during that period.

BARRATT O'HARA has been one of the outstanding lawyers in the city of Chicago for years and, at one time, was associated with the celebrated Clarence Darrow in many trial cases. He pioneered many reforms in legal procedure and particularly in Federal bankruptcy procedures when he was active in the law profession. He was assistant city attorney for the city of Chicago for a number of years. He has been a pioneer in veterans organizations, including the Spanish-American War Veterans, American Legion, Veterans of Foreign Wars, the Chicago Press Veterans Association and many other clubs, both civic and social. BARRATT has been the author of several books which were widely read and some are still in circulation.

I wish to join BARRATT's colleagues in extending congratulations to him on his long and consecutive public service to his city, State, and Nation.

Mr. MORGAN. Mr. Speaker, 50 years ago the voters of Illinois elected a young man of 30 to be Lieutenant Governor, the youngest in the history of that great State. BARRATT O'HARA had already distinguished himself in the Spanish-American War and in the fields of sports and journalism. He participated in the siege of Santiago de Cuba and was subsequently awarded the Order of Military Merit in White by the Republic of Cuba for his services to the Cuban people during their war for independence. He went on to become sporting editor of the St. Louis Chronicle while only 20 years of age. A year later he became sporting editor of Hearst's Chicago American. He also served as Sunday editor of the Chicago Examiner and editor and publisher of the Chicago Magazine.

As chairman of the Illinois Senate Vice and Wage Commission, he conducted an investigation into wages which resulted in minimum wage laws in eight States.

BARRATT, while serving as Acting Governor of Illinois, was a member of the Federal board of inquiry into the SS *Eastland* tragedy, a capsizing in the Chicago River in which 812 lives were lost, and proposed legislation which, enacted by the Congress, has prevented similar catastrophes since that time.

He became president of a film company with studios in Hollywood in 1917, but resigned when war was declared to reenter military service. During World War I he served with the 319th Infantry, 80th Division and later the 12th Regular Army Division. On the termination of the war, BARRATT resumed the practice of law in Chicago. He was defense counsel in many homicide trials with a record of never having a death sentence imposed.

During his long and distinguished career, BARRATT O'HARA helped organize the American Legion in Illinois and served in high capacities in other organizations. When he was first elected to the U.S. Congress, he brought with him a great wealth of talent and ability that had been sharpened and honed through his years of experience. BARRATT's profound knowledge of the law, his innate sense of fairplay, his keen wit, and his outstanding oratorical ability all contributed to make him one of our most respected and valuable legislators.

As chairman of the Committee on Foreign Affairs, I am proud and happy to serve with BARRATT. He has accepted even the most difficult of committee assignments with a contagious enthusiasm and a demonstration of skill that made their fulfillment seem deceptively easy. As Chairman of our standing subcommittee on Africa, BARRATT has made a great contribution to a better mutual understanding and friendship between the United States and the newly emerged nations of that great continent.

BARRATT is also ranking majority member of our Subcommittee on Inter-American Affairs, an area in which he has had a strong interest ever since early boyhood days spent in Nicaragua.

BARRATT has passed the four score mark in years, but he is truly one of the most youthful men in the House of Representatives in word and deed. His keen mind and boundless energy keep him one of the most usefully active of our Members. On this occasion it is a great pleasure for me to salute him and commend him on the 50th anniversary of his dedication to public service. We need more men like him and I hope to serve with him for many years to come.

Mr. MURPHY of Illinois. Mr. Speaker, I want to compliment the gentleman from Illinois for having the foresight to reserve the time to pay respects to our distinguished colleague from the Second Congressional District of Illinois, the Honorable BARRATT O'HARA, on the anniversary of 50 years of public service.

BARRATT O'HARA was born at St. Joseph, Mich., on April 28, 1882, the son of the late Circuit Court Judge Thomas O'Hara and Mary Barratt O'Hara. He was married to Florence M. Hoffman in 1906. They had three sons, Barratt, Jr., Lorence, and Howard.

He attended Benton Harbor High School, University of Missouri, Northwestern University, and Chicago-Kent College of Law where he received his LL.B. degree.

As a boy at the age of 14, he accompanied his father who had been appointed Emissary to Nicaragua by President Grover Cleveland. When he was a sophomore at Benton Harbor High School he enlisted in the 33d Michigan Volunteer Infantry and at the age of 16 he was the youngest American soldier at the siege of Santiago in Cuba. He was awarded the Order of Military Merit in White by the Republic of Cuba for services rendered the people of Cuba during their war for independence.

At 21 he was sporting editor of the Chicago American. He was later cable editor of the Chicago Chronicle, Sunday editor of the Chicago Examiner, and editor and publisher of the Chicago Magazine.

When he was 30 years of age, BARRATT O'HARA was elected Lieutenant Governor of the State of Illinois, the youngest in the State's history. As chairman of the Illinois Senate Vice and Wage Committee, he conducted an inquiry that aroused national interest and occasioned the passage of minimum wage laws in several States.

In 1916 he took over the movie studios and organizations of David Wark Griffith, the second largest studio in Hollywood. When war broke out with Germany he resigned as president of the movie company to enter the Armed Forces, serving with the 80th and 12th Divisions.

At the conclusion of the war he devoted himself to the practice of criminal law in Chicago defending in over 200 murder cases. His acquittals were numerous; in not one case was the death penalty inflicted. He was associated in many cases with the late Clarence Darrow.

In 1939 he became associated with William H. Sexton as special attorney for the city of Chicago in traction reorganization and in the construction of a comprehensive system of subways and superhighways.

He is the author of a number of books, included among which is a history and an analysis of the Constitution of the United States of which Miss Marie Crowe, historian and civics teacher and now his assistant, was coauthor.

The district which BARRATT represents includes the University of Chicago, and because of this and other circumstances, he gave special attention to educational matters coming before the Congress. He was very active and cooperative with me when I was chairman of the planning and housing committee of the city council in the redevelopment projects in the University of Chicago area.

BARRATT has been interested in Latin American affairs and is now the senior member of the Inter-American Subcommittee of the House Committee on Foreign Affairs. Since 1959 he has been the chairman of the Regional Subcommittee on Africa of the House Committee on Foreign Affairs, and is considered one of the foremost authorities on African Affairs.

It has been my privilege to know BARRATT O'HARA for over 40 years and I am happy to join my colleagues in congratulating him on his long and illustrious career as a public servant. May the good Lord grant him many more years of good health in the service of our country.

Mr. FINNEGAN. Mr. Speaker, it has been my privilege during my short tenure as a Member of Congress to be closely associated with a man whose experience as an elected public official dates back to when I was a little boy.

BARRATT O'HARA has always been a name revered in Illinois, in politics, and in all other fields which his interests and service have carried him. Fifty years ago he gained his first elective office and since that time has served the people in many elective and appointed capacities. He was the youngest Lieutenant Governor ever to take office in the State of Illinois. But his service to his country and his fellow men dates even prior to this.

As a sophomore in high school, at the age of 15, he enlisted as a volunteer in the infantry to join in the War of 1898 and found himself in Cuba following Teddy Roosevelt and the Rough Riders.

Mr. Speaker, 65 years later we find ourselves again confronted in the need to help Cuba win its independence from tyranny and I am sure if my honorable colleague was but a few years younger he would again be volunteering his services.

I join with my other colleagues in expressing best wishes to my good friend BARRATT on this day and hope that we will be able to honor him on many more such anniversaries.

Mr. McCLORY. Mr. Speaker, I am pleased to associate myself with the remarks of the distinguished gentlemen from Illinois, Mr. LIBONATI and Mr. WILLIAM T. MURPHY, and the other gentleman from Illinois today in paying tribute to our beloved colleague, BARRATT O'HARA, on the occasion of the 50th anniversary of his public service.

As a longtime member of the Illinois State Senate, I salute Mr. O'HARA who, at the age of 30, was elected the Lieutenant Governor of Illinois—the youngest Lieutenant Governor in the history of that State. In this capacity, he served as the president of the State senate and on numerous occasions he served as acting Governor of the State of Illinois.

As a law student at Chicago Kent College of Law, I came to know Mr. O'HARA more than 30 years ago. As an illustrious alumnus of Chicago Kent, BARRATT O'HARA attended many of our law school functions and gave us the benefit of some of his experiences in the active practice of law where he had a brilliant career.

As a longtime friend and admirer of BARRATT O'HARA, I am pleased to join today in this tribute to his 50 golden years of public service.

Mr. SLACK. Mr. Speaker, 50 years ago a young newspaperman decided to get into politics and promptly got himself elected Lieutenant Governor of Illinois, at 30, the youngest in the State's history. This year that man, still young in spirit, is rounding out 50 years of dedicated public service. His name is BARRATT O'HARA, and the reputation of that name in Chicago, in Illinois, indeed, in the Nation, hardly needs burnishing.

His enormous talent has permitted him to flourish in such diverse fields as journalism, politics, the law, radio broadcasting, and the military. Before entering politics he was already a distinguished magazine editor. He charged an Illinois group which was responsible for the first State minimum-wage laws. As an attorney he compiled a brilliant record both for private clients and for the city of Chicago.

When he came to the House of Representatives in 1949 he was a mere 66, ready for a new career. In the intervening years he has demonstrated that age cannot wither his abilities, for he has become as effective and respected a Member as any in the House. Today he serves with distinction as chairman of the Subcommittee on Africa of the Committee on Foreign Affairs.

We fully expect him to carry on for at least another 50 years.

Mrs. KELLY. Mr. Speaker, for a half century, the Honorable BARRATT O'HARA has served the public. In 1913 Mr. O'HARA started his political career when he began a 4-year term as Lieutenant Governor of Illinois; and in 1963 the distinguished Member began his seventh term as representative of Illinois delegation to the U.S. Congress.

I can truly testify to the excellent record that Mr. O'HARA has made for himself in the deliberations of Congress. He is an example of what a Representative should be. He represents the people of the South Side of Chicago, who live in the Second Congressional District. His district is heavily industrialized, featuring steel mills, docks, and grain elevators, among many other manifestations of the area's prime importance. And his constituents are of all races, creeds, and colors. A large part of his talent has been demonstrated by his success in caring for the many varieties of problems that have arisen in his constituency.

Mr. O'HARA's career is as varied as the people and problems of his district; for in addition to his congressional activities, he is a successful lawyer, businessman, journalist, radio commentator, and soldier. Regarding the last activity, Mr. O'HARA at the age of 15 years enlisted in the armed services during the Spanish-American War, and fought as a corporal during the siege of Santiago. And when the United States entered World War I. he served honorably as a major.

As a reporter and editor, Mr. O'HARA was prominent in the Middle West, working for distinguished newspapers in Chicago and in St. Louis.

At one time, Mr. O'HARA was president of the Arizona Film Co., with studios in Hollywood, Calif., and, later on, he was a radio commentator over station WCFL in Chicago.

It is apparent that one reason why Mr. O'HARA has been such an effective Member of the House is that he has brought an immense wealth of experience to the job, and has been able to make good use of it.

I am proud to have served and worked with Mr. O'HARA. His contribution to the workings of the U.S. Government has been invaluable.

Mr. McCORMACK. Mr. Speaker, the entire Congress extends to you congratulations on the occasion of your 50th anniversary of public service and accomplishment. The Nation as a whole, as well as the Democratic Party, has been the better because of your dedication to the public welfare—a welfare embracing every level.

As the youngest Lieutenant Governor of Illinois, as one who was instrumental in enacting the first minimum wage law in Illinois, and as a Legislator in Washington, you have helped to sustain the fundamental tenets of our democracy.

In your devotion to the public good, there has been evinced a human and dynamic concern not only for your Chicago constituency, but also for the needs of the national citizenry as well. It is no wonder, then, why you have come to be held in such high esteem by your other congressional compatriots as well as I.

We salute you, and wish you many more years of public service.

Mr. ROOSEVELT. Mr. Speaker, I am delighted to participate in this well-deserved tribute to our friend, the Honorable Barratt O'Hara, in honor of the observance of his 50th anniversary of public service.

Our colleague has an enviable record in diverse areas. Many of us are well aware of the fine work he performed in the great State of Illinois where, as chairman of the Illinois Senate Vice and Wage Commission, he conducted an investigation which resulted in passage of the first State minimum wage laws.

I also consider of utmost importance his contribution in the field of civil rights. A moving force in the history of such legislation, Barratt O'Hara has worked earnestly toward the solution of the many problems encountered in the enforcement of constitutional rights. In this connection I was happy to wire him a few years ago as follows:

> Your wonderfully thorough and persistent efforts played a large part in our success in getting civil rights legislation through the House this year.

Through these many years I have been privileged to serve in the House of Representatives with Barratt O'Hara. I have found his guidance and counsel of immeasurable assistance. Thus, with warm affection, I salute Barratt O'Hara and offer sincere congratulations on his anniversary of 50 years of selfless devotion to his fellow man.

Mr. PRICE. Mr. Speaker, I join my colleagues from Illinois and others who this afternoon are extending congratulations to Hon. Barratt O'Hara, our distinguished friend and member of the Illinois delegation in the House.

Fifty years ago Barratt O'Hara was elected Lieutenant Governor of the State of Illinois. Since that time he has achieved many successes which have given him not only personal satisfaction but which have contributed to the welfare of the people of the State and Nation. Congressman Libonati has briefly sketched some of these. To fully touch on his amazing record in public office, and in his career as a lawyer, newspaperman and radio commentator would require volumes.

Congressman O'Hara is the only veteran of the Spanish-American War now serving in the Congress. He is also a veteran of World War I.

My best wishes are extended to him on this anniversary and my congratulations are extended him as well as my commendation for his remarkable record of service in the Congress of the United States.

Mr. MATSUNAGA. Mr. Speaker, exactly 50 years ago, one of the Members of this 88th Congress was inaugurated as the youngest Lieutenant Governor in the history of the great State of Illinois. I rise to pay tribute to a great liberal who has made significant contributions to the framework of the laws of our country, both State and National—the Honorable Barratt O'Hara.

As a Representative from the 50th State, I am especially grateful for his role in the achievement of Hawaiian statehood. In 1950 as a Member of the 81st Congress, Congressman O'Hara made one of the most important and moving pleas for Hawaiian statehood that were made during the long and arduous fight. The Honolulu Star-Bulletin singled out his speech as the most effective one on Hawaiian statehood made in that Congress, and printed it in full in three installments. Mr. O'Hara pointed out at that time that—

> The pattern of the Old World of the horse and buggy should be modernized even in the matter of selecting territories to be taken into the Union as States.

He also stated—

> My faith is in my country and the purity of its purpose to ask nothing for its own people that it does not seek to make possible for all men to attain in a world of brotherhood.

Congressman O'Hara opened other important new frontiers in the understanding of the brotherhood of man. It was he who employed the first person of Japanese ancestry to work in a congressional office, a Mrs. Mary Ono, who is still a member of his staff.

As the youngest Lieutenant Governor in the history of his State, and as the presiding officer of the State senate, he commenced an investigation into the wages paid to workingwomen. This pioneer work resulted in giving the whole minimum wage movement its impetus. And it was the administration of which he was a part that established the first public utilities commission in Illinois.

Mr. Speaker, Barratt O'Hara, at the age of 80 years, displays that spirit and exercise of imagination and foresight which lends inspiration to us younger Members of Congress in facing the challenges of the new frontiers.

As a Representative of a grateful people of the youngest State in the Union, I join in congratulating Mr. O'Hara on this occasion and in wishing him many more years of good health. God knows we need men of his caliber, integrity, foresight, and understanding.

Mr. EDMONDSON. Mr. Speaker, it is a pleasure to join in this tribute to one of the best loved Members of this body, the Honorable Barratt O'Hara, on this 50th anniversary of his public service.

Few men in America today have had the rich and varied career of this distinguished and eloquent statesman.

A man of great personal courage and independence, Congressman O'Hara never hesitates to speak out in support of his convictions, whatever may appear to be the tide of public opinion on the issue at the moment.

When he does speak, it is always with force, eloquence and conviction, and with the keen attention of his colleagues.

It has been a great privilege and pleasure to serve with this great Illinois Congressman, and I join my colleagues in congratulating both Congressman O'Hara and his constituency.

Mr. PUCINSKI. Mr. Speaker, it is with pride and deep respect that I rise today to add my voice to those who have praised Congressman Barratt O'Hara, and his outstanding record of 50 years of public service.

His life and career have been brilliantly reviewed here in this Chamber, but I would like to say a few words today about Barratt O'Hara, the man; a man I have been privileged to know.

It is impossible to grow up in Illinois these days without feeling the influence of this warmhearted and generous man who has become so much a part of the history and lifeblood of our State. His love for Illinois, his civic pride and great compassion for his fellow countrymen have been expressed throughout his life.

It has been said that a man's life is the sum of his knowledge and experience put to use. Barratt O'Hara's eventful years have been scored by thousands of deeds and actions which eloquently bespeak the motivating philosophy of the man behind them. When I think of Barratt O'Hara, I am always reminded of the saying that the difference between a dream and reality is action, action taken by a man of ability who is not willing to give less than the best of himself in any endeavor.

The State of Illinois, this House of Representatives, and our great land have increased in stature owing to the great contributions Mr. O'Hara has made to the true ideals of our Democratic process.

My own career in public life has been relatively brief, by comparison to the years Congressman O'Hara has served the people. And it is particularly gratifying to know that, in a world which often scoffs at idealism, there are still those rare individuals, like Barratt O'Hara, who can renew our faith in the future and our will to accept the problems thrust upon us by the times.

Barratt O'Hara is ageless and of the ages. I am proud to be associated with this great man and to call him friend and colleague. On this 50th anniversary of his election to public office, I take the opportunity to wish him many more years of health so he can continue his impressive record of public service.

Mr. FARBSTEIN. Mr. Speaker, the public tribute that this Congress has paid to my good friend and able colleague from Illinois, the Honorable Barratt O'Hara, for his half century of public service has been founded on private admiration released by proper occasion.

I have known Mr. O'Hara for a number of years, and on numerous occasions have worked with him in the House Committee on Foreign Affairs, and in many other capacities. Our relationship has been profitable and inspiring to me. He has always been forthright, honest, and, in a sense, ageless—and his mind is as keen as any man's, regardless of age.

No one can truthfully deny that my colleagues' tributes have been preceded through the years by the recognition of the public, which time and again has reelected Mr. O'Hara to important State and national offices. Such recognition was evident in 1913, when at the age of 30 years he became the youngest Lieutenant Governor in the history of Illinois. And, of course, this recognition was once again demonstrated during last fall's elections, which enabled Mr. O'HARA to begin his seventh term in Congress.

Mr. O'HARA's abilities are especially suited for the House of Representatives, in which the diverse problems and interests of our Nation are examined and resolved. The gentleman from Illinois represents a district of many industries, and peopled by all races and colors, and by many creeds. He has shown much of his talent by successfully caring for the many problems that have arisen in his varied constituency.

To the world Mr. O'HARA has been successful as a lawyer, businessman, administrator, journalist, radio commentator, soldier, legislator, and guardian of the public interest. In addition, to me, and I am sure to my colleagues, he has been a success as a friend.

Mr. BOGGS. Mr. Speaker, I am grateful that we have reached the middle of February, for the time is arriving for a Cuba speech that all welcome. This speech, in fact, has become something of an institution in this noble Chamber. I refer to the annual remarks of my distinguished colleague from Illinois, Congressman BARRATT O'HARA, commemorating the sinking of the battleship *Maine* in Havana Harbor February 15, 1898. BARRATT O'HARA is a recognized authority on the Spanish-American War that followed that shocking event. He fought bravely in that war, though only a teenager at the time. And he has since fought many other battles, political and otherwise, where invariably you will find him on the side of humanity and basic human rights.

Mr. Speaker, I would like today to add a few words of my own to those already recorded in recognition of the 50th anniversary of BARRATT O'HARA's entering public service. It was back in 1913 at the age of 30, that my good friend took office as Illinois' youngest lieutenant governor. Already he had accumulated an enviable treasure of worldly experience.

But upon taking a position of public trust half a century ago he began compiling an even more impressive record of dedicated service to his fellow countrymen. Upon taking up the reins of lieutenant governor my distinguished colleague served notice of what the Nation could expect of him by launching a vigorous and penetrating investigation of the disgraceful sweatshop working conditions and pitifully low salaries endured by far too many women and girls in that era. His leadership spurred a nationwide movement for minimum wage laws. This unstinting pursuit of truth and defense of human dignity has been a hallmark of BARRATT O'HARA's career ever since. My good friend and colleague came to Capitol Hill in 1949 at an age when most of us would have been content to settle back and enjoy our memories and pension checks. Yet today, nearly 81 years old, he possesses one of the most sensible and searching minds in this House. He is an outstanding member of the House Committee on Foreign Affairs, and his knowledge of Latin American and African matters in particular is impressive. His judgment on these matters is greatly valued by his colleagues. I can think of few people anywhere whose careers can equal my good friend BARRATT O'HARA's in length and breadth—jungle explorer, brave soldier, journalist, magazine publisher, movie producer and actor, prizefight promoter, radio broadcaster, author of books, brilliant defender of accused criminals, brilliant also as an attorney for the city of Chicago. And since coming to Congress, the sponsor and supporter of much significant legislation. There are far too few men like my good friend BARRATT O'HARA in the world. He is a compassionate human and a loyal, dedicated American. BARRATT O'HARA has addressed the House every year he has been here on the anniversary of the sinking of the *Maine*, and I hope we will continue hearing his moving words for many, many years to come.

Mr. ROSTENKOWSKI. Mr. Speaker, for many, 50 years is a lifetime, but amongst us today, there is a gentleman from Illinois for whom 50 years is just a milestone in a career dedicated to serving his fellow man. A career, I might add, which I hope will continue for another 50 years. I refer to my very good friend and neighbor from Chicago, the Honorable BARRATT O'HARA, the able Representative from Illinois' Second District.

Fifty years ago, at the young age of 30, BARRATT was chosen as a candidate for the seat of Lieutenant Governor of Illinois—the youngest man ever to be considered for this important post. Needless to say, the people of Illinois, at the time, recognized his ability, his aggressiveness, and his dedicated spirit toward his country, by electing him to fill this office.

In this capacity he aroused great interest in the slave wages being paid in his State and this interest occasioned the passage of minimum wage laws in several of the States. It marked the beginning of providing decent wages for hard-working people who struggled to hold a place in society.

But this hallmark was not the beginning of his dedication toward the rights of free men, for he served his country well during its struggle in the Spanish-American War and World War I.

He is a man of many abilities. He enjoys a brilliant career as a lawyer—a champion in the defense of the poor and unfortunate. He is also noted as a journalist, author, orator, and businessman.

His career in the House of Representatives did not begin until 1949, but since that time, his many abilities have been of great value to his constituency as well as the Nation.

As a member of the House Foreign Affairs Committee he has proven his worth in solving the many problems encompassing this important field. He is a leading authority on African affairs and his knowledge and interest of Latin America have been valuable to our relationships with these world areas.

His success in life cannot be measured by any one outstanding achievement for there have been many accountable to him. He richly deserves the gratitude of our citizenry and I am pleased to have this opportunity to extend my best wishes to him on his golden anniversary of unselfish devotion to his country and neighbors.

May this remarkable record of service continue for many more years for there will always be a need for his wisdom and understanding of the many problems the Nation is confronted with each day.

GENERAL LEAVE TO EXTEND

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks with reference to our distinguished colleague, the gentleman from Illinois, Mr. BARRATT O'HARA.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE CONSENT CALENDAR

The SPEAKER. This is the day for the call of the Consent Calendar. The Clerk will call the first bill on the calendar.

Mr. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FORD. It is my understanding that consent was granted to consider the Consent Calendar today.

The SPEAKER. The Chair stated that the calendar would be called today.

Mr. FORD. It was announced that it would be called. This is the first Monday in the month and the regular Consent Calendar Day.

The SPEAKER. That is correct.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Colorado.

Mr. ASPINALL. Under the rules of the House these bills are not eligible at the present time for consideration.

I have no objection to the consideration of the bills, however, because I consider each one of them is in order; but I would like to ask unanimous consent at this time, Mr. Speaker, that I be permitted to insert in the RECORD at this place the rules which the official objectors usually proceed under. This is in accordance with the practice that has been followed heretofore as far as the consideration of the great number of bills is concerned that are considered by unanimous consent on this calendar.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The matter referred to follows:

On January 24 and January 31, respectively, the majority and minority floor leaders appointed their respective personnel of the objectors committees, Mr. ALBERT, the gentleman from Oklahoma appointing three members of his party and Mr. HALLECK, the gentleman from Indiana, appointing three members of his party. The objectors committees are unofficial committees of the

House of Representatives, existing at the request and at the pleasure of the respective floor leaders of the two parties who, in order to facilitate the proper screening of legislation which may be placed on the Consent Calendar, designate Members of each side of the aisle charged with the specific responsibility of seeing to it that legislation passing by such procedure is in the interest of good government. The rule which is applicable to Consent Calendar procedure is rule 746 of the House Rules and Manual found on pages 373, 374, and 375 of the Rules of the House of Representatives. The operation of such procedure is described on pages 95, 134, 135, 136, 173, and 327 of Cannon's Procedures in the House of Representatives.

For several sessions now objectors on both sides of the aisle have followed certain rules for consideration of Consent Calendar bills which they have made known to the Members at the beginning of a session. These rules are not publicized at this time to establish hard-and-fast procedures but rather to advise the Members of the House as to the manner in which the committee plans to operate throughout the 88th Congress.

The members of the committees feel that generally no legislation should pass by unanimous consent which involves an aggregate expenditure of more than $1 million; second, that no bill which changes national policy or international policy should be permitted to pass on the Consent Calendar but rather should be afforded the opportunity of open and extended debate; third, that any bill which appears on the Consent Calendar, even though it does not change national or international policy, or does not call for an expenditure of more than $1 million, should not be approved without the membership being fully informed of its contents, providing it is a measure that would apply to the districts of a majority of the Members of the House of Representatives, in which case the minimum amount of consideration that should be given such a bill would be clearance by the leadership of both parties being brought before the House on the Consent Calendar—it has been the policy of the objectors on the Consent Calendar heretofore to put such a bill over without prejudice one or more times to give an opportunity to the Members to become fully informed as to the contents of such a bill, and the Consent Calendar objectors for the 88th Congress wish to follow like procedure; fourth, that if a bill has been placed on the Consent Calendar and the members of the committee having jurisdiction over the legislation show that it has not been cleared by the Bureau of the Budget, by the respective departments affected by such legislation, or that such reports from the committee or from the department show that the legislation is not in accord with the President's program, it should not pass on the Consent Calendar but that the chairman of the House committee having jurisdiction over the legislation should either call it up under suspension of the rules with the permission of the Speaker or should go to the Rules Committee for a rule for such legislation. While the members of the objectors' committees feel that a report from the Bureau of the Budget is necessary before a bill should be placed upon the Consent Calendar, they do not wish to take the position that the report from the Bureau of the Budget must necessarily show the approval of such legislation by the Bureau. However, if such approval is not shown, then in the consideration of the legislation, even if considered on the Consent Calendar, the chairman reporting the bill, or the sponsor of the bill, should be willing to accept the responsibility of stating to the Members the action of the Bureau of the Budget and the reasons for such action.

The members of the Consent Calendar objectors committee also feel it fair to state to the membership that it is not their purpose to obstruct legislation or to object to bills or pass them over without prejudice because of any personal objection to said bill or bills by any one member or all of the members of the Consent Calendar objectors committee, but rather that their real purpose, in addition to expediting legislation, is to protect the membership against having bills passed by unanimous consent which, in the opinion of the objectors any Member of the House might have objection to. The members of the Consent Calendar objectors committee earnestly request that the chairman of the standing committees of the House having the responsibility for bringing legislation before the House take into consideration the contents of this statement before placing bills on the Consent Calendar. While it is not absolutely necessary that the sponsors of bills appearing on the Consent Calendar contact the various members of the Consent Calendar objectors committee, nevertheless, in the interest of saving time and avoiding the possibility of having bills laid over unnecessarily, it is good practice to do so; and the objectors welcome the continuance of the procedure of getting in touch with them at least 24 hours before the legislation is called up under the regular Consent Calendar procedure. In many instances such thoughtfulness on the part of the sponsors will clear away questions which the objectors have and consequently will make for the expeditious handling of legislation.

WAYNE N. ASPINALL,
JOHN J. MCFALL,
EDWARD P. BOLAND,
Majority Objectors.
GERALD R. FORD, JR.,
THOMAS M. PELLY,
SILVIO O. CONTE,
Minority Objectors.

Mr. FORD. Mr. Speaker, may I add a comment to the remark made by the gentleman from Colorado? The rules that have been put together by the majority and minority members of the Consent Calendar objectors committee were arrived at unanimously. They are quite specific. Unfortunately, at times in the past I doubt if all Members of the House have read these guidelines, the rules and regulations. I am certain that on some occasions the staffs of various House committees have not carefully read and digested the guidelines that have been referred to by the gentleman from Colorado.

These rules are fair and equitable. They should be followed. If they are adhered to there will not be the embarrassment of bills being placed on the Consent Calendar, passed over, and eventually withdrawn because they did not qualify under the Consent Calendar objectors committee procedure.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield further?

Mr. FORD. I yield.

Mr. ASPINALL. I wish to join with the gentleman from Michigan in the request that the rules be read, and in the consideration of bills that Members as well as their staff understand under what procedures we are operating.

It so happens that the gentleman from Michigan [Mr. FORD], and the gentleman from Colorado now speaking are now starting their 15th year of service on this committee. We feel that we have worked out rules that are fair and which protect the interests of the various Members of the House.

The SPEAKER. The Clerk will call the first bill on the calendar.

ADDITIONAL COMPENSATION FOR DEAFNESS OF BOTH EARS

The Clerk called the bill (H.R. 199) to amend title 38 of the United States Code to provide additional compensation for veterans having the service-connected disability of deafness of both ears.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

BURIAL EXPENSES OF CERTAIN DECEASED VETERANS

The Clerk called the bill (H.R. 212) to amend section 904, title 38, United States Code, so that burial allowances might be paid in cases where discharges were changed by competent authority after death of the veteran from dishonorable to conditions other than dishonorable.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 904, title 38, United States Code, is amended by inserting immediately after the first sentence thereof the following new sentence: "If the burial allowance was not payable at the death of the veteran because of the nature of his discharge from the service, but after his death his discharge has been corrected by competent authority so as to reflect a discharge from the service under conditions other than dishonorable, then the burial allowance may be paid if a claim is filed within two years from whichever last occurs, the date of correction of the discharge or the date of enactment of this sentence."

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, I rise in support of H.R. 212. This bill, reported unanimously by the Committee on Veterans' Affairs, would permit the payment by the Veterans' Administration of the authorized $250 burial allowance in those cases where discharges were changed after the death of the veteran from dishonorable to conditions other than dishonorable.

The Veterans' Administration at the present time is authorized to pay not more than $250 to cover the burial and funeral expenses of an honorably discharged deceased war veteran. A claim for this benefit must be filed within 2 years of the veteran's death. If the burial allowance is not payable initially because of the nature of the veteran's discharge from service and corrective action changing the character of discharge is taken more than 2 years after burial, the claim will not be honored and the allowance will not be paid. H.R. 212 would merely extend the time limits for filing such a claim in any case where a veteran's discharge has been corrected after death to 2 years from the date of correction.

In view of the fact that the principal purpose of granting a corrected discharge is to remedy an injustice and afford equitable relief the objective sought by this bill is justified. The Veterans' Administration has stated that relatively few cases would be affected and the cost would not be significant.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATUTORY AWARD FOR APHONIA

The Clerk called the bill (H.R. 214) to amend title 38 of the United States Code to provide additional compensation for veterans suffering the loss or loss of use of both vocal cords, with resulting complete aphonia.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

SIXTH NATIONAL JAMBOREE OF THE BOY SCOUTS OF AMERICA

The Clerk called the bill (H.R. 2439) to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use in the 1964 National Jamboree, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Defense is hereby authorized, under such regulations as he may prescribe, to lend to the Boy Scouts of America, a corporation created under the Act of June 15, 1916, for the use and accommodation of approximately fifty thousand Scouts and officials who are to attend the Sixth National Jamboree of the Boy Scouts of America to be held at Valley Forge State Park, Pennsylvania, during July and August 1964, such tents, cots, blankets, commissary equipment, flags, refrigerators, vehicles, and other equipment and services as may be necessary or useful to the extent that items are in stock and available and their issue will not jeopardize the national defense program.

(b) Such equipment is authorized to be delivered at such time prior to the holding of such jamboree and to be returned at such time after the close of such jamboree, as may be agreed upon by the Secretary of Defense and the National Council, Boy Scouts of America. No expense shall be incurred by the United States Government for the delivery and return of such equipment, and the Boy Scouts of America shall pay for the cost of the actual rehabilitation and repair, or replacement of such equipment.

(c) The Secretary of Defense, before delivering such property, shall take from the Boy Scouts of America a good and sufficient bond for the safe return of such property in good order and condition, and the whole without expense to the United States.

SEC. 2. The Secretary of Defense is hereby authorized, under such regulations as he may prescribe, to provide to the Boy Scouts of America, in support of the encampment referred to in subsection (a) of the first section of this Act, such communication, medical, engineering, protective, and other logistical services as may be necessary or useful to the extent that such services are available and the providing of them will not jeopardize the national defense program.

SEC. 3. Each department of the Federal Government is hereby authorized under such regulations as may be prescribed by the Secretary thereof to assist the Boy Scouts of America in the carrying out and the fulfillment of the plans for the encampment referred to in subsection (a) of the first section of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

COMMEMORATIVE STAMP ON 150TH ANNIVERSARY OF THE 1ST CENSUS OF MANUFACTURES

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, the census of manufactures, to be taken in 1964, will be the 27th in a long series of industrial censuses of the United States. It will mark the 150th year since the results of the first census of manufactures were published in the early 1800's.

It is generally recognized that the census of manufactures has played an important role in the economic growth of our Nation. Over the past 150 years, it has systematically recorded our industrial development from a nation largely dependent upon England for most of its manufactured goods and with only small neighborhood handicrafts and industries of its own, to the world leading industrial producer and exporter of finished manufactures. Many once flourishing industries have gone and new ones—plastics, electronics, nuclear energy, and aerospace—give important evidence to the breadth and speed of our technological revolution and to this Nation's major contributions to the strength of the free world. Geographically, the census has recorded the westward movement of our industrial establishments and labor force from the Atlantic coast through the giant productive complexes of our great Midwest on to the Pacific; now, only New York and Ohio exceed California in the total value of industrial output.

In other countries, national censuses are often distinguished by the issuance of commemorative stamps, and more than 20 of such issues have been made in recent years. This kind of recognition serves to call attention to the importance of the census as an inventory or a stock taking of the Nation's economic and social progress. Accordingly, I have today introduced a bill authorizing the Postmaster General to issue, at such time and for such period in the year 1964 as he shall deem appropriate, a special postage stamp in commemoration of the 150th anniversary of the first census of manufactures. I believe it would be particularly appropriate that special recognition thus be given to the forthcoming census.

SOVIET RELIGIOUS DISCRIMINATION

Mr. TOLL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TOLL. Mr. Speaker, I am sponsoring two resolutions to support House Concurrent Resolution 69 and House Concurrent Resolution 70, which were introduced by our distinguished colleague, LEONARD FARBSTEIN, a member of the House Foreign Affairs Committee.

House Concurrent Resolution 69 is a concurrent resolution to express the sense of the Congress that the U.S. mission to the United Nations should seek the adoption by the United Nations of a resolution condemning the recent manifestations of anti-Semitism in the Soviet Union.

House Concurrent Resolution 70 is a concurrent resolution expressing the sense of the Congress with respect to recent manifestations of anti-Semitism in the Soviet Union and calling upon the Soviet Union to guarantee human rights.

Both of these resolutions were referred to the Committee on Foreign Affairs.

I read last week that the United Nations Subcommission on Prevention of Discrimination and Protection of Minorities started consideration of a declaration calling for the elimination of all forms of racial discrimination. Originally, the Subcommission was to discuss not only racial but also religious discrimination. However, under pressure from delegations from a number of underdeveloped countries that are primarily interested in elimination of racial discrimination, the problem of racial bias was taken up as a separate item, with the problem of religious discrimination to follow.

The Soviet delegation also favored such separation because it expects strong charges against the Soviet treatment of Jews and hopes that the issue of religious discrimination would not reach the Subcommission at its present session. Jewish organizations have prepared data on the suppression of Jewish religion in the Soviet Union and other forms of anti-Jewish discrimination practiced in the U.S.S.R. for argumentation at the Subcommission if the subject of religious discrimination is taken up.

The passage of the two resolutions by the Congress of the United States would encourage the United Nations Subcommission to take up the subject of religious discrimination at this time, since the subject was included in the agenda of issues before the General Assembly: Item 47, manifestations of racial prejudice and national and religious intolerance—resolution 1684 (XVI) of December 18, 1961.

AREA REDEVELOPMENT ACT

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, today I am introducing an amendment to the Area Redevelopment Act which I think will go far in unlocking the door that has closed so many times on projects in my district and in those of my colleagues. I am referring to the 10 percent provision under section 6, which stipulates that no principal repayments on local loans can be made until all Federal loans are repaid in their entirety. This provision has resulted in almost no action under section 6(B) because neither the local development group which has funds nor the average individual who subscribes to it is willing to see his money tied up for so long. This amendment will permit the local fund to be a revolving development fund rather than locking it away for 20 years.

My amendment will be satisfying to all sides. It provides an option in that it leaves the language in the bill as it now stands, but adds that the Secretary of Commerce may under precise conditions extend to a good credit risk the opportunity to be repaid its principal concurrently with the Federal Government. The Federal Government will still have top priority in lien security and shall not be repaid at a lower rate of amortization. Full protection is thus offered to Federal funds with the freeing of unnecessary restrictions on investment. I urge careful but speedy hearings of this amendment so that its passage can provide us with an arrow in the quiver of measures to stimulate business and job opportunities.

PEACE CORPS ACTIVITIES

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, I have always been a supporter of Peace Corps activities. The Peace Corps was created to give firsthand aid to countries that desired it. It is made up of the highest standard of American youth, those that have a sincere desire to give something to their country, not reap financial reward. Peace Corps volunteers are paid only $75 per month, many of them living under conditions which most Americans would find intolerable.

Why then, has a profootball player who already earns $20,000 per year been hired at a salary of $75 per day to recruit those who would work for $75 per month? The figure of $75 per day was furnished by the Peace Corps.

At a time when Congress and the Nation are troubled by budget problems we are told that Norman Snead, quarterback for the Washington Redskins, has been hired by the Peace Corps to recruit physical education students. He will be employed until July 1 at a monthly salary of $1,300, or based on the standard yearly rate, $15,600 per year. Mr. Snead will receive $12 per day for meals and hotel bills when traveling, plus transportation at Government expense.

I have nothing against the boy, he is a fine young man and an excellent football player. The big question is, Can Congress permit an agency to employ a person at consultant wages to do a recruiter's job? When an agency wants more secretaries or assistants, can they be hired at a high salary and called consultants? I am under the impression that we have an employment system under civil service and when special personnel are required there is always a schedule C appointment.

Just who hired Mr. Snead? Mr. Snead says he sought the job himself, made inquiries about the Peace Corps, had lunch with Wilson McCarthy, discussed money and then "had a job." Peace Corps officials say Snead was hired by Richard A. Graham, associate director for public affairs.

Peace Corps officials say Snead has "a big name in the South where he will recruit." Does the Corps plan on hiring three other recruiters at a similar salary to cover the remainder of the Nation, or are all physical education students now attending southern universities?

"I just don't know how many days will be Peace Corps work and how many will be for the Redskins," Mr. Snead was quoted as saying. My question is, How is the average taxpayer to know when Mr. Snead is recruiting for the Redskins and when is he recruiting for his country?

Is this young man, with two seasons of pro football behind him, an "expert" in recruiting over coaches of long standing and the Nation's top athletic directors as well? Could not a professional coach with more experience be borrowed from a university?

I ask that the House Appropriations Committee or the Government Operations Committee look into this problem. If anyone needs a better salary, it is the average Peace Corps worker, not a profootball player who already earns $20,000 per year.

LEGISLATION TO CORRECT INEQUITIES IN CIVIL SERVICE RETIREMENT SYSTEM

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, today I am introducing legislation to correct some of the inequities that exist in our civil service retirement system. Under leave to extend my remarks, I wish to include the legislative program of the National Association of Retired Civil Employees:

The 1963 Legislative Program of the National Association of Retired Civil Employees

The civil service retirement system was designed and instituted for the benefit of the people of the United States. By making it possible for employees past the prime of life to withdraw from active service, the retirement system permits more frequent injection of new blood into important Government agencies.

The promise of retirement benefits enables the Government to attract and retain the best qualified persons for its varied activities. Providing the necessities of life to previous employees and their dependents permits savings in welfare services and expenditures at Federal, State, and local government levels. Extensions and liberalizations in the retirement system in the past have made it even more responsive to the needs of the people as well as to the needs of the beneficiaries.

The National Association of Retired Civil Employees is dedicated to constant improvements in this retirement system for the benefit of all of our people, including our members, all other beneficiaries of the system, and all citizens who desire a more efficient and competent public service. We believe that there are numerous ways in which additional improvements could be made in the retirement system, and we present the following summary for the careful consideration of all who are interested in a more perfect system.

1. GENERAL DISPARITIES

We find numerous instances of disparities between benefits now received by persons retired at different times with similar service and salary records, and under similar circumstances. For example, annuities starting in 1947, 1952, 1957, and 1962 for persons who retired from the same positions with the same amount of creditable service, are now widely different. The present charge for a survivor annuity for persons retired under different laws varies from 2½ to 25 percent. A more liberal recognition of extra-long service approved in 1960 has not been extended to those who retired earlier. A disability annuity "floor" introduced in 1956 is not retroactive. We note with encouragement that the Committee on Post Office and Civil Service in the House of Representatives has authorized a study of the operations of the retirement system with a view to correcting such disparities as are found to exist.

We recommend that the Post Office and Civil Service Committees of both the Senate and House of Representatives proceed to an early study of all retirement benefits available to employees retiring currently, and compare them with related benefits now received by persons retired at various periods in the past, particularly concerning annuities, survivorship provisions and costs, disability provisions and health benefits, with a view to developing legislation to correct any disparities that are found to exist. Furthermore, we urge prompt action in enacting legislation found to be desirable to correct such disparities.

2. SURVIVOR BENEFITS

Survivor benefits are granted to spouses under the Social Security Retirement System and under the Railroad Retirement System without any deduction from the annuities of the persons retired. Also, spouses married after retirement may receive survivor annuities under the social security and railroad retirement systems. These benefits are not comparable under the civil service retirement system where the election of a survivor annuity can be made only at the time of retirement and requires the penalty of a reduced annuity. Also the cost of a survivor annuity varies from 2½ to 25 percent of the original annuity, depending upon the period in which retirement occurred. Furthermore, many increases in original annuities are not reflected in survivor annuities, and a recent increase in the percentage of a survivor annuity was not made retroactive. As a result some surviving spouses under the civil service retirement system receive as much as 55 percent of the annuity of the deceased retiree, while others may receive much less than 50 percent of the decedent's annuity at the time of his death.

We recommend legislation providing an annuity to the surviving spouse of each retiree under the civil service retirement system, in the amount of 55 percent of such retiree's annuity at date of death, without charge to the original annuity, provided such spouse was married prior to retirement, or, if after retirement, the marraige had continued at least 3 years; and restoring full annuities to all retirees who are now receiving reduced annuities in order to provide survivor annuities; provided further that no existing annuity or right to receive an annuity is reduced or impaired.

3. HEALTH BENEFITS

Health benefits have been provided for most annuitants, but cannot be extended under existing law to about 12,000 forgotten widows of former employees who died before April 1, 1948, because they did not receive their annuities until the approval of Public Law 85–465 in 1958. Health benefits have also been denied to persons retired from particular agencies (such as the Tennessee Valley Authority and Farm Credit Administration) on legal technicalities.

We recommend legislation to extend benefits under the Retired Federal Employees Health Benefits Act to all forgotten widows who first received annuities under Public Law 85–465, and to all others receiving annuities based on at least 12 years of service which terminated with an immediate annuity prior to July 1, 1960.

4. CREDITING LONG SERVICE

Since July 12, 1960, employees who continued in service and made contributions to the retirement fund after they had accumulated enough service to earn the maximum annuity, have received credit for such contributions to purchase additional annuities, thus giving them more than the maximum basic annuity. There are many annuitants who retired before April 1, 1948, with service in excess of 35 years who received no credit for such excess service and contributions. There are many other annuitants who retired before July 12, 1960, who received no credit for contributions beyond the time during which they earned maximum annuities.

We favor an amendment to the retirement laws to require the recomputation of annuities of persons retired before July 12, 1960, who had rendered service and made contributions to the fund after completing the service on which their annuities were based, to bring about annuity increases under a formula of one-half the ratio of such excess service to the service on which their present annuities are based.

5. DISABILITY ANNUITY FLOOR

Disability retirement is a double calamity inflicted by loss of employment forced by loss of capacity to work. This hardship is more humanely recognized in Public Law 84–854, by a disability annuity floor equal to the annuity that could be earned by service to age 60, or 40 percent of the average salary, whichever is less, but this recognition is restricted to persons retired since October 1, 1956.

We favor extension of this annuity floor of the annuity which would have been earned by service to age 60, or 40 percent of the average salary, whichever is less, to annuitants retired prior to October 1, 1956.

6. AVAILABILITY OF RETIREMENT FUND

The retirement fund was established for the purpose of paying benefits under the civil service retirement system, but a provision in Public Law 85–844, approved August 28, 1958, forbids the use of this fund for paying any increase in benefits voted thereafter by Congress. This is an unnecessary restriction and should be removed.

We favor legislation to clarify the fact that the retirement fund was established to pay retirement benefits and to remove any restrictions in such use.

7. POSTAL RATE ADVANTAGES

All labor unions and many other nonprofit associations are enjoying preferential bulk mailing rates under Federal postal laws. Our association headquarters and many of our chapters have been denied this privilege.

We will continue our efforts to obtain postal rate priviliges equivalent to those granted labor unions and other nonprofit organizations.

8. PANAMA CANAL CONSTRUCTION ANNUITIES

Civilian workers recruited for service in the Panama Canal Zone during the period of the construction of the canal were promised that all who remained a full period of 2 years would share in the rewards for such service. A generation later, when annuities were awarded on the basis of such service, those with 2 years but less than 3 years service were excluded from the benefits.

We support the request of Panama Canal construction workers that Congress now redeem the promise to them by granting annuities to 2-year service persons (about 75 survivors) for the remaining portions of their lives.

9. GROUP LIFE INSURANCE

Group life insurance retained after retirement is a very important benefit, and should not be subject to the present rapid depreciation in value at the rate of 2 percent per month until only a fourth of the original amount remains.

We will continue to urge legislation to cut the reduction rate of group life insurance to 1 percent per month and halt the reduction when it has reached 50 percent of the original value.

10. PRICE-FIXING LAWS

Numerous campaigns are underway to enact legislation to authorize price fixing by manufacturers and distributors of food, medicine, and other products needed by annuitants. Sometimes such legislation is disguised as a scheme for the protection of trademarked brands, or as a fair-trade proposal, but the real purpose is to enlist the aid of Federal and State courts in forcing retailers to charge us more money for the necessities of life. Our annuity dollars are too precious to be cheapened by legalizing such price-fixing practices.

We urge all annuitants to be alert to laws proposed in our Congress and in our State legislatures which would enable manufacturers and distributors to use our courts to enforce higher prices of food, medicine, and other products necessary for the preservation of life.

11. SOCIAL SECURITY

Many civil service annuitants are also beneficiaries under the social security retirement system, and are interested in social security legislation. We will keep alert to legislative proposals to modify or liberalize social security benefits. At the same time we will honor mandates of numerous conventions and oppose any and all efforts that might have a tendency to combine benefits under the civil service retirement system with those in the social security retirement system.

12. VETERAN BENEFITS

Civil service annuitants who have had military service should have the same opportunity to qualify for pensions and other veteran benefits as annuitants under any other retirement system. We are distressed to learn of a number of cases where the recent small increases in civil service annuities will rob the recipients of greater amounts in veteran pensions. This is not the fault of retirement laws, but is a consequence of restrictions in veteran benefit laws.

While we do not plan to sponsor any legislation in the field of veteran benefits, we will be alert to legislative proposals advanced by others and we will use every reasonable opportunity to present the viewpoints of our members and other civil service annuitants concerning such proposals.

U.S. MUST HAVE PROMPT LEADERSHIP IN CUBAN SITUATION

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the demands for U.S. leadership in the Cuban situation are mounting. Almost daily there are speeches delivered on the floors of both the House and Senate calling for another decisive step to be taken to hasten Castro's downfall. Congressional offices bulge under the deluge of constituents' mail urging additional positive expressions of U.S. leadership in meeting the Communist threat in the Caribbean.

Not only are calls for leadership heard in the Congress and across the Nation but Latin America also reverberates with vocal impatience over U.S. inaction. Just last week, on Thursday, January 31, the Chairman of the Council of the Organization of American States, Dr. Facio of Costa Rica, delivered a speech in Washington calling for the United States to take the lead in the inter-American community. The OAS leader said that the Latin American nations have "but the role of a chorus" in obtaining action on Cuba. However, citing Latin cooperation and enthusiasm for the United States, Dr. Facio stated:

> But a chorus may sing with vigor * * * and offer solidarity in pursuing the success of the common enterprise.

Mr. Speaker, the time is ripe for a positive act of U.S. leadership. The American people are ready. The Organization of American States is waiting to support U.S. initiative.

I was gratified to see that Secretary of State Rusk announced Friday that the OAS had under consideration several of the recommendations I had formerly made that the United States formally propose for adoption. Those recommendations now under study are the ban on the movement of Castro agents throughout Latin America, and the freezing of Cuban Government funds now on deposit in Latin American financial institutions.

I would again like to urge that the United States propose the other recommendations I called for; namely, that the nations of this hemisphere ban relay of telecommunications to and from Cuba, close the seaports of Latin America to vessels calling in Cuba, and close the airports of this hemisphere to airlines engaging in flights to and from Cuba.

Adoption of these recommendations by the OAS would result in effective solitary confinement of Cuban communism in the Americas.

SOCIAL SECURITY ACT BENEFITS

Mr. MILLIKEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MILLIKEN. Mr. Speaker, I have today reintroduced legislation to strengthen the adequacy of our Social Security Act by increasing the opportunities that social security beneficiaries will have for performing work without losing their entitlement to social security benefits.

Specifically, my bill would change the retirement test so that instead of beginning to lose benefits when earnings exceed $1,200 a year, as is the case under present law, my bill would provide that a person could earn up to $1,800 per year without loss of benefits. In addition, the legislative proposal I have sponsored would provide that an individual would not lose benefits for any month in which he had earnings of less than $150. As a final feature of my bill for earnings over $1,800 up to $2,400, beneficiaries would only lose 50 cents of benefits for every $1 of earnings.

Mr. Speaker, this meritorious liberalization of our Social Security Act is in my judgment in realistic conformity with the facts of present-day living. Our senior citizens are not for the most part interested in completely severing their ties with gainful occupations just because they have reached age 65. Many of them would like an opportunity to continue working on a reduced basis during their late sixties. This bill would help accomplish that objective of a phasing out process between full employment and full retirement. It is estimated that upwards of one-half a million beneficiaries would be helped by the change I have proposed in my bill.

While I realize that enactment of the legislation might cause the Government to lose some revenue, I feel that this is the opportune time to bring it to the attention of the Committee on Ways and Means so that they may take it into consideration when writing a final tax bill in line with the administration's tax proposals. It is my understanding that the administration wants to accomplish the greatest good for the greatest number of people, and I feel that passage of my bill is most important to a great number of our citizens.

JOINT RESOLUTION ON CUBA

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, I opposed the joint resolution on Cuba adopted by this House last September 26. I believed it was a trumpet giving an uncertain sound.

I believe that events since then have fully and tragically confirmed this estimate.

I unqualifiedly supported the seemingly strong stand taken by the President October 22. I regret that that strong stand was so soon abandoned.

Six days later on October 28, I expressed the grave concern that our willingness to offer a no-invasion pledge may have "only postponed the decisive showdown." I warned that "we may even have out-Muniched Munich."

Everything that has happened since, and the hard-to-come-by disclosures regarding the situation today, confirm this warning.

During the debate on the Cuban resolution last September, I said:

> If we believe that what has happened and is happening in Cuba is already far too much, let us forswear the mañana policy of endless postponement, of waiting for still direr happenings, and let us call a halt now.
>
> If it is in fact our determination to launch the sequence of successive actions to end this (Soviet) incursion, to free Cuba from its thralldom, to make secure our shores and hemisphere—let us empower and command such actions.

I believe this injunction is far more imperative today than it was on September 26, 1962.

I believe such a commitment is more imperative now than then from the standpoint of national and hemisphere security.

I believe that an expression of determination on this score reflects more faithfully the overwhelming sentiment of the American people now than it did then.

Accordingly, I have today introduced the following House joint resolution "expressing the determination of the United States with respect to the situation in Cuba" and authorizing action by the President:

H.J. Res. 229

Joint resolution expressing the determination of the United States with respect to the situation in Cuba

Resolved by the House of Representatives and Senate of the United States of America in Congress assembled, That the United States is determined to take, jointly with other free nations or unilaterally, such political, diplomatic, economic, and military action as may be necessary:

(1) To secure removal, and thereafter to bar, from Cuba, all Soviet or other foreign Communist military forces, both personnel and equipment;

(2) To liberate Cuba from its present Marxist-Leninist regime;

(3) To neutralize Cuba as a base for Communist subversion, infiltration, sabotage, and aggression in the Western Hemisphere;

(4) To assist the liberated people of Cuba in achieving representative, constitutional government established through free elections; and

(5) To exercise such on-site inspection and supervision as may be required to accomplish these purposes. Be it further

Resolved, That the President is hereby authorized and empowered to implement and execute the policy set forth in this joint resolution.

MRS. CLARE BOOTHE LUCE ANALYZES RECENT CUBAN AND FRENCH SITUATION

Mr. STINSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an article from the Sunday Star.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STINSON. Mr. Speaker, the distinguished former Congresswoman and Ambassador from Connecticut, Mrs. Clare Boothe Luce, wrote an article on U.S. foreign policy that appeared in yesterday's Sunday Star. This article presents an interesting analysis of our recent actions concerning Cuba and France:

POINT OF VIEW—DE GAULLE UPHELD ON NUCLEAR STAND

(By Clare Boothe Luce)

PHOENIX, ARIZ.—The President was asked in the last press conference what he thought of the theory put forward in Europe that the outcome of the Cuban crisis was linked in General de Gaulle's mind with his determination to have his own nuclear deterrent force, because Cuba showed that the United States would not defend Europe.

The President replied that this charge had indeed been directly made, and he indicated that some Europeans had deduced from the fact that the naval blockade had ended with Moscow in unchallenged control of Cuba, that "since the Soviet developed their own nuclear capacity there is a balance between (the U.S.A. and the U.S.S.R.) and neither would use it, and therefore Europe cannot rely on the United States." This he called "peculiar logic."

But after Cuba not only some, in some parts of Europe but also many in many parts of America, and in Latin America, no longer believe in U.S. commitment to defend other countries from communism, if to do so should mean to initiate a nuclear war with Soviet Russia.

And, the President's remarks notwithstanding, there is much recent evidence that Mr. Khrushchev himself is now thoroughly convinced that once the 400,000 American troops in Germany are withdrawn, America's nuclear commitment will then extend no farther than its own coastline.

KHRUSHCHEV ASSUMES ROLE

If memory serves, after the disastrous Bay of Pigs invasion, Mr. Kennedy repeatedly warned Mr. Khrushchev that communism in this hemisphere was "not negotiable" Mr. Khrushchev, strongly suspecting that this warning was merely for U.S. domestic political consumption, boldly seized the opportunity to put it to the acid test: Fully aware that he would be detected in the end, he sneaked nuclear weapons into Cuba, and zeroed them in on the White House.

When the President found this out, quite a long while after Cuban intelligence sources had told him it was happening, his reaction was immediate. He called out the Navy, which called Mr. Khrushchev's brilliantly and carefully calculated bluff.

This was probably precisely what Mr. Khrushchev intended. Mr. Khrushchev had long been in the position of having to lose his face in order to save it. He wanted to lose his ugly nuclear mug—the face of the nuclear aggressor. He was anxious to show the world that he was not the man to start a nuclear war against anybody over a third country, and he certainly wanted to have it made plain that Mr. Kennedy wasn't the man either. A solid basis for negotiations of all kinds, and popular fronts of all kinds, could be built on the foundations of a United States of America-U.S.S.R. nuclear peace pact.

One can only imagine Mr. Khrushchev's satisfaction when his theory vis-a-vis the United States of America military position was proven correct. But he could hardly have been prepared for the next surprise. No sooner had he agreed to remove all the nuclear hardware U.S. air surveillance had spotted, then Mr. Kennedy at once referred to him as a "great statesman" and, to show that there needn't be any hard feelings over the little episode, gave him Cuba.

KHRUSHCHEV REPEATS THREAT

Mr. Khrushchev did not naturally bother to return the President's compliment. He realized, of course, that it had been made to gentle him. (Mr. Khrushchev is as easy to gentle as a king cobra.) A few weeks later at the East Berlin World Communist Congress Mr. Khrushchev was bragging to the world that his missile play in Cuba had achieved its real objective, to scare Mr. Kennedy into giving up Cuba. After accepting the thundrous applause of the 2,500 Communist Party delegates present from 70 nations, Mr. Khrushchev vowed all over again to "bury us," this time with his 100-megaton bombs, but only if we were ever so rash as to initiate a nuclear attack on him.

Ever since Cuba, Mr. Khrushchev has worked hard on his new image. Each passing day he sounds more and more like John Foster Dulles: He will never launch missiles at the United States of America, or Europe, but he will, if attacked, produce "massive retaliation."

The fact is that Mr. Khrushchev had long ago opted for nuclear peace with the United States of America. Since Cuba, he knows that the United States has also opted for nuclear peace with Soviet Russia. There is today an undeclared nuclear peace pact between the U.S.S.R. and the United States for the simple reason that the initiation of nuclear war is not to the best interests of either.

The U.S. press, following the President's lead, is currently taking a benign view of Mr. Khrushchev's new nuclear posture. Besides, it feels so good since he stopped poking his Cuban missiles into our solar plexis. The vials of their wrath have been saved up for Gen. Charles de Gaulle, who has had the gall to say, since Cuba, that he thinks France would now certainly be more safe under its own nuclear umbrella than under America's.

DE GAULLE BACKED UNITED STATES

Because of this, General de Gaulle's "image" is being rapidly worked over, with the enthusiastic help of the American left, to resemble a half-mad Napoleon, or an Abominable No-man. It is even being suggested that General de Gaulle wishes France to become a nuclear power in order to make a deal over Germany with Russia. This is to suggest that France desires to have Russia on her own borders, instead of Germany's, which is, of course, preposterous. If either France or Germany falls to the Reds, all Europe falls with them, and every European knows it.

It is interesting to inquire what General de Gaulle was doing the first tense hours of the U.S. naval blockade, while Soviet missiles were being leveled by Russian troops on American cities. Was he threatening to pull out of the grand alliance if the United States invaded Cuba? Was he begging us to throw the whole business into the U.N.? Was he reminding us that the French feel that the United States let France down in Indochina, Algeria, and Suez, so France couldn't be expected to sympathize with our troubles about Cuba? Was he advising President Kennedy to make a deal with Khrushchev about Cuba fast, because if the United States invaded Cuba Khrushchev might retaliate by striking at West Berlin and thus trigger world war III?

He was not. The general was offering to fight by the side of the United States if we felt our vital interests required us to kick Castro and Khrushchev both out of Cuba. And by this very fact he was pledging France to take all the nuclear risks we felt we might be incurring.

The President, in his recent press conference, acknowledged that General de Gaulle "responded when we were in difficulty in Cuba." "But," he added, with some extraordinarily peculiar logic of his own, "I would hope that our confidence in him would be matched by his confidence in us."

FRANCE GAINS STRENGTH

This whole sentence must have been a typographical error.

The President had just admitted a period back, that when we were in difficulties President de Gaulle had shown the ultimate in confidence by his willingness to risk nuclear war if risk there was, by the side of America.

What the President really meant to say, of course, was that whereas President de Gaulle had shown confidence in us at the time of the naval blockade, the final U.S. political capitulation to Khrushchev and Castro had diminished that confidence, and that the President hoped that somehow it could be restored.

The hope is an idle one. The fault is by no means entirely the President's. France has grown economically strong enough to stand on her own legs. It would follow naturally, in any case, that she should desire sooner or later to stand on her own legs militarily. The significance of the two Kennedy backdowns over Cuba is that what was a desire now seems, or at least to General de Gaulle, to be an urgent necessity for France's own survival.

The character of the U.S. nuclear commitment made in 1946 changed in the fifties when Russia became itself a nuclear power. Today, as in 1946, that commitment is to launch a nuclear attack on Soviet Russia if she moves against Germany. But in 1963 the same commitment means a willingness to destroy the United States for the sake of Europe. When the matter is put in this blunt fashion, how many Americans are for it?

Khrushchev took the full measure of President Kennedy and U.S. public opinion in the Cuban crisis. So did Charles de Gaulle. His conclusion: If the war chips should ever go down in Europe, the United States will not initiate nuclear war on Russia until Russia wages nuclear war on America, and vice versa. The effect of this undeclared nuclear pact is to subtract both U.S. and U.S.S.R. nuclear forces from the European military equation.

BORROWS KENNEDY BOOK

Europe is today, without its own nuclear force, a "limited war" area. Consequently the outcome of any European conflict would then be decided by Russia's 125 divisions and NATO's 23, or a negotiation. Militarily, Europe is Germany and France. Their choice today is as plain as the nose on General de Gaulle's face. It is to get their own nuclear umbrella, or to trust the United States, if they are attacked by Russian conventional weapons, to launch her missiles at Russia, knowing that she would get Russia's 100-ton megaton bombs right back.

General de Gaulle has made the only choice a patriotic Frenchman could possibly make. Like the rational Frenchman he is, he chooses to build up his own nuclear establishment. He knows that the day U.S. troops are pulled out of Germany, France will be unable to defend itself without its own nuclear force.

In his youth, President Kennedy wrote a book called "While England Slept." It described how England, in 1939, was caught militarily napping by the Germans, and its very sound thesis was that no nation can afford to wait until it is attacked to prepare its own defenses, and that above all, it cannot rely on the military or economic strength, even of its allies, to save it from destruction.

Charles de Gaulle has paid the author of "While England Slept" the compliment of taking his advice. He does not intend to be caught napping, if at some future date the United States, in order to prevent a world holocaust, and its own destruction, yanks its nuclear umbrella away from Europe.

It is hard to see what is Napoleonic about a Frenchman's desire to protect France, or why the desire to remove France from the category of a "limited war" area should be considered a folie de grandeur. What is much more a folie de grandeur is the desire of the United States to keep Europe a U.S. nuclear colonial area and to keep Great Britain, France, and Germany forever in the U.S. nuclear nursery.

PRESIDENT CONTRADICTS HIMSELF AGAIN

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I did not suspect when I addressed the House at our last session that there would be today yet another chapter to be presented in the tale of "Jack in Wonderland." But there is, and it concerns the food stamp program of the Department of Agriculture.

This is an episode that would be appreciated by Tweedledum and Tweedledee. Indeed, the President sounds like those fantasy twins when he talks to Congress and the Nation.

I point out that in his budget message the President told us that the food stamp program should be continued in fiscal 1964 "at the same level as in 1963." And yet, when we last gathered in this Chamber, the same President told us that the food stamp program should be "progressively expanded."

It appears that the President's right hand does not know, or does not care, what the left hand is doing. I have written the President and asked him to explain this bit of new frontiersmanship to me.

His budget message contradicts his farm message and none of his secondary messages has agreed with the spirit of his state of the Union address.

All of his contradictions have been in the direction of increased Federal expenditures and added Federal control. He leaves the Congress and the American taxpayer no reason to believe his figure of a $99 billion budget with a $12 billion debt increase. Will he come here tomorrow and tell us he really means a $125 billion budget and a $40 billion debt hike?

This House knows well that I have been concerned also about the administration of the food stamp plan.

I pointed out to the House last year that the pilot program of the food stamp plan was extended to 26 congressional districts, 25 of them represented by Democrats. Democratic districts which do not fall into the category of depressed areas, one of the alleged guidelines for the program, were selected for participation while areas of substantial and persistent unemployment represented by Republicans were ignored, including the most depressed area in the Nation at Johnstown, Pa.

I also have asked the President to inform me of the steps he has taken to reform this administrative mess which operates as a slush fund for the Democrat Party.

But I still cannot get over the novelty of an administration which thinks it can expand something and at the same time maintain it at the same level. I suspect that the next thing we hear about will be the expansion of the food stamp plan to include the Mad Hatter's tea party.

INTERSTATE HIGHWAY REIMBURSEMENT

Mr. RIEHLMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, for a number of years I have battled along side many of my colleagues from New York for the principle of reimbursement under the interstate highway program. Our efforts have yet to be crowned with success but I am confident that, our cause being eminently just and our will unflagging, reimbursement will one day become a reality.

The people of New York State have constructed, at their own expense, 490 miles of superhighway that was included in the Interstate System. They exercised initiative and foresight in proceeding to build this mileage for inclusion in the Interstate System at a time when there was a recognized need for such a system but no money forthcoming from the Federal Government to build it. New York was not alone. Many other States followed this same course and have a similar interest in equitable reimbursement.

The people of New York, and of other States entitled to reimbursement, should not be required to bear the expense of this interstate construction from their own pockets when it is clearly a Federal responsibility to pay 90 percent of the cost of every mile along the Interstate System. I ask why New York taxpayers should have to bear the expense of constructing a considerable portion of their own interstate mileage without help from the highway trust fund and at the same time have their gasoline and other highway-user taxes go for construction of interstate mileage all across the country.

As a practical matter New York State has lost nearly half of its interstate allocation and the 90 to 10 Federal-State cost sharing ratio has been almost completely reversed for the interstate mileage presently existing in New York. There is no reason why such a penalty should be placed on initiative and progress.

The Congress indicated in the 1956 act that it would consider at some future time whether or not the States should be reimbursed for previously constructed toll and free portions of interstate routes. Many of you will recall that the House Public Works Committee and the House itself adopted language in 1956 declaring it to be the definite intent of the Congress that the States should be reimbursed for this construction. This was not acceptable to the Senate and the final version of the 1956 act merely indicated a willingness to look into the matter at some future date.

Mr. Speaker, I am introducing legislation today declaring it to be the intent and policy of Congress to equitably reimburse the States for these costs. It will place the Congress on record as endorsing the principle of reimbursement. It specifies that the Congress will establish the time, method, amount, conditions, and financing of the reimbursement so that it will be made as soon as possible after substantial completion of construction of the Interstate System. As you know, the target date for completion is now 1972.

I do not believe this is too much to ask. It places no additional burden on the interstate program at present. It merely declares the definite intent of Congress to pursue a course that is just and fair at a reasonably certain future date, consistent with existing plans for completion of the interstate network.

Because of some favorable expressions of interest on the part of several members of the Public Works Committee during debate on the Federal Aid Highway Act of 1962, I am hopeful that that committee will give the matter of equitable reimbursement the serious attention it deserves during the 88th Congress.

DIXIE PROJECT, WASHINGTON COUNTY, UTAH

Mr. BURTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BURTON. Mr. Speaker, upon coming to Washington, I promised the people of my congressional district that the first piece of legislation that I sponsored would be for the construction, operation, and maintenance of the Dixie project in Washington County, Utah. I have felt for some time that this project is of such significance and importance that it was deserving of this priority.

Lest the project's name—Dixie—arouse the curiosity of gentlemen from below the Mason-Dixon line, let me say that this southwestern portion of Utah has a salubrious climate and the Mormon pioneers actually grew cotton there in the early years of our State's history. The St. George Chamber of Commerce—St. George being the county seat—boasts with considerable justification that this is "where the summer sun spends the winter."

The primary purpose of the Dixie project is to provide water to land not now under irrigation; supplemental water to other land, and water for domestic purposes. There are many other benefits to be derived from this project, such as flood and drought control, drainage of land with an excessive collection of surplus water, furnishing electrical energy, fisheries, and wildlife benefits, together with unlimited recreational opportunities. When completed this project will literally make the desert blossom as the rose in Washington County.

These many benefits are not simply limited to the State of Utah and the people of that State. The entire Nation will receive many direct and indirect advantages from this project.

The project has engineering feasibility, the cost benefit ratio is better than 2 to 1, and the reimbursable costs can be repaid to the Federal Government within the 65th project year, with interest.

I am proud today to announce to the House that I have introduced a bill authorizing the Dixie project. It is my sincere wish that it will be this Congress that demonstrates its wisdom, as well as its faith in the future of our great western country, by authorizing the Dixie project.

COMMUNIST MILITARY THREAT

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, when a little over 3 months ago President Kennedy drew the line on Soviet encroachment in our hemisphere, his action was hailed as a historic turning point in the cold war. America's friends throughout the world were heartened by our firm resolve at a time of supreme crisis. Our own people gained new confidence in the course of our Nation and the future of freedom everywhere.

The cold winds of the new year have had a sobering effect, however. Evidence mounts that the Communist military threat to the hemisphere, far from being eliminated, is being bolstered. Last week, Secretary Rusk himself expressed concern over the continued encampment of Soviet military personnel in Cuba.

These reports have a familiar and ominous ring. The American people, who stood solidly behind the President in his hour of decision last October, can only be confused and increasingly alarmed at more recent Cuban developments.

In October, our people recognized that the risk was great, but they had faith in the President's assessment that the stakes involved were vital to our security. Now a little more than 3 months later, they may well ask why this issue of Soviet military intervention in the Western Hemisphere was not conclusively settled.

In short, why are we still menaced by a Soviet military establishment in Cuba?

Was the President's October requirement for on-site inspection of Soviet Cuban missile installations ever met? No. Instead we are relying on evidence supplied by constant aerial surveillance, not to mention Nikita Khrushchev's word, that so-called offensive missiles have been removed.

But in a nuclear age, major risks should not be taken for minor stakes. In October this Nation faced up to the ultimate risk. Surely, we did not risk war only to gain the right of aerial surveillance over Castro's Cuba. Surveillance, after all, is no substitute for policy in meeting the threat of a military force 90 miles from our shores.

Nor can the American people find comfort in the repeated assurances that Soviet military buildup reports from Cuba are unfounded. These denials also have an ominously familiar ring, as do reassurances that no offensive weapons are being added to Castro's island arsenal.

But the continuing threat to our hemisphere finds its roots not in the type or degree of weaponry furnished the Castro regime by its Soviet masters. The threat lies in the very existence of a Soviet island base in the heart of the Americas. No amount of aerial surveillance can protect our hemispheric and national security against the subversive threat posed by this alien force. Until we face up to this threat, once and for all, the energy and resources of this Nation will be further drained by the continuing crisis in Cuba.

For the Cuban crisis did not end in 1962. It continues as a result of our apparent failure to finish the job we boldly undertook. And the disquieting but persistent thought lingers that although we had seized the initiative in 1962, in 1963 we are again allowing it to slip from our grasp.

Considering the stakes involved, sufficient to risk a nuclear war only 3 months ago, the American people have a right to know the reason for this seeming weakening in the President's October 22 position. Fidel Castro remains the unfinished business of the hemisphere. The question is: Why?

TAX INCENTIVES TO PROMOTE EDUCATION

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, I come before the House today to introduce a bill which sets forth a program that deals with education and with taxes.

Briefly, my bill consists of two major provisions: First tax relief for families with children in college, and, second, tax credit for homeowners for that portion of their real property tax which is used for the maintenance, operation, and construction of public elementary and secondary schools.

There have been in recent years many bills dealing with what we are told is the immediate need for Federal aid to education. In the bill I introduce today I seek not Federal aid to education, not the massive expenditure of Federal funds, which a nation in debt cannot afford, not Federal usurpation of local responsibility, and certainly not Federal control of education.

This bill deals with a different concept, the proper role of the Federal Government with respect to education at all levels, elementary, secondary, and college.

That proper role of our National Government must be the role of helping our people to help themselves without direct intervention or control of the Federal Government. The proper role must consider not statistical pipedreams, but the actual need which exists in the country today for expanding and augmenting educational facilities. By actual need I mean that need not already being met by the traditional local means.

My colleagues, that proper role is to use Federal law to place at the disposal of the people and of the local districts and of the States the financial means to handle the school needs that exist or may arise.

There is nothing strange about this proper role of the Federal Government. It simply is the role of letting the people decide, in their own communities where that decision best can be made, just what their educational system needs are. The decision having been made the proper role of the Federal Government is to equip the people to handle their needs through their local school boards, without direction and control from the Washington bureaucracy.

Providing an education for their children traditionally is the concern and the responsibility of the American family, not of the Federal Government. The vast accumulation of private savings for use in educating children bears witness that Americans believe in this principle.

Besides, most of us here can recall that back in the 1950's many educators were direly predicting a shortage of 400,000 classrooms by 1960. Yet when 1960 rolled around that shortage, by the educators' own best statistics, was less than 40,000, and the local communities under the leadership of local boards of education were building rapidly to eliminate even that small gap.

Now, let us first consider the problems of college education:

A Federal program to aid our children in attaining a college education should be directed at helping parents do the job. It should avoid outright Federal grants with an accompanying expansion of Federal bureaucracy, Federal supervision and Federal control.

I, therefore, propose a program of tax relief for families with children in college. Such families will be, under my bill, given a substantial increase in Federal income tax deductions for each dependent attending college or junior college.

My bill as it concerns college education contains these major provisions:

First. The taxpayer will be granted an additional deduction from his taxable income for the expenses incurred by him, his spouse, or his dependents, while any of these is attending a college or junior college.

Second. Expenses covered will include tuition and fees charged by the college, books, supplies, equipment, and room and board. The amount the taxpayer may deduct would be the actual amount of college expenses, not to exceed $2,000 for each dependent attending college.

Third. The deduction is available to a taxpayer whose dependent is attending a college, university, junior college, or other institution of higher learning such as medical school, dental school, law school, or any other graduate school.

Let us now turn to the problem of precollege education:

The measure which I propose here today will, if adopted or if incorporated in an overall tax revision, make all the alternative plans for Federal aid to education now under serious consideration irrevelant and unnecessary.

The plan is simple, elemental, and constitutional.

My bill will provide the means for solving current problems and future problems which actually exist in the fields of elementary and secondary education. The basic problem is financial.

If State and local governments in some parts of the Nation are unable to keep pace with their school needs, and recent statistics point out that most local school districts are holding their own rather nicely even in spite of national and State "prevailing wage" laws, it is because Federal taxing power has preempted State and local sources of revenue.

Hence, the proper solution to this problem is for the Federal Government to restore to local authorities a portion of the tax resources previously taken away.

This is precisely what my measure will do. Here are the major provisions:

First. The taxpayer would continue to deduct the amount of his real property tax from his gross taxable income. After he determines what his tax would be, he then credits against his final tax that amount of his real property tax which is used for the maintenance, operation, and construction of public elementary and secondary schools.

Second. The tax credit would be the amount actually paid by the taxpayer, not to exceed $100.

Third. The taxpayer who takes a standard or short-form deduction also would benefit since the credit is taken against the final tax after all exemptions and deductions have been made.

Education experts now estimate that the average annual school tax payment by the some 40 million American property owners is about $200 each. Allowing for the standard income tax percentage deduction, and adding the up to $100 tax credit for property owners, it is estimated that between $3½ billion and $4 billion would be made available to local governments as an increased tax base.

Experts tell me that amount, if the local districts choose to use it, would be enough to end all financial problems of American elementary and secondary schools.

It should be clearly understood that this tax credit would go to every American property owner who pays school taxes, regardless of the taxpayer's race, religion or economic status.

There are many concrete advantages to this approach to helping elementary and secondary schools. Here are a few of those advantages:

The tax benefits provided would go directly to some 40 million taxpayers.

There would be no danger of Federal control.

There would be no expanding Federal bureaucracy.

Every dollar of tax money thus made available would buy a full dollar's worth of school aid if the local community decided to expand expenditures for education. And the local community knows its needs better than any Washington bureaucrat can.

In closing, Mr. Speaker, let me briefly place in proper perspective the current situation regarding the apparent needs of America's schools.

During the past 2 years we have seen dozens of desperate attempts by the administration to enact some form of direct Federal financial aid to education on a compulsory basis. None of these attempts has succeeded.

I am convinced that the principal reason the administration has been unsuccessful with its compulsory aid plan is the action of the citizens of this Nation, who have year after year taxed themselves in ever increasing amounts to maintain the finest system of public education in the world.

Our people are aware that they are now doing and have been doing for years that which the administration now tells them can only be done by Federal grants-in-aid. Local and State hard work, perseverance and initiative have all but wiped out inadequacies in classroom space and in teachers' salaries.

It is now estimated that the Nation's colleges will have an enrollment capacity of some 5.4 million students in 1965 as compared to expected enrollment of 5.2 million. By 1970 the figures will be some 7.1 million capacity compared to a 6.8 million enrollment. State programs have achieved this positive balance and can continue to do so if tax sources are left available to the States.

State legislatures across the country appropriated $1.8 billion in State tax funds for higher education in the 1962–63 period. That represents a gain of 24.5 percent over the 2 years. How can the administration claim that the States are refusing to meet the education obligation?

On the secondary and elementary school level we have, since the end of World War II, witnessed the greatest school building program ever conducted by this Nation, all without Federal grants. In the past decade alone more than 500,000 classrooms have been built. And, based on the sale of school bonds for the past several years, there is every reason to believe this high rate will continue.

Last year alone, 72,000 classrooms were built. That is the highest total ever in 1 year.

This increase in schoolroom construction is all the more dramatic in view of the fact that it has been accomplished in spite of this administration's lack of support and encouragement for local solutions.

Mr. Speaker, I submit that it is time for this administration to admit that the people do not want and certainly do not need massive direct Federal grants to education.

I submit that it is time for the Congress to note with pride the enterprise with which Americans are meeting the education problem on the local and State level.

I submit that it is time for this Congress to assist those Americans by releasing from Federal usurpation the tax base Americans need to continue this heartening school progress.

Americans have proved that they know how to manage their money.

Let us give them their money back.

HOUSE JOINT RESOLUTION 227 EXPRESSING THE DETERMINATION OF THE UNITED STATES WITH RESPECT TO THE SITUATION IN CUBA, TO RESTATE AND IMPLEMENT THE MONROE DOCTRINE, TO ENCOURAGE ADHERENCE TO THE PRINCIPLES OF SELF-DETERMINATION AND HUMAN FREEDOM, AND CALL FOR COMPLETE INVESTIGATION BY CONGRESS

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, it is amply evident that the Communists are in fact implementing the Khrushchev doctrine as a replacement for the Monroe Doctrine in the Western Hemisphere—witness the continuing and alarming arms buildup in Cuba—the maintaining of tens of thousands of Russian military, advisory, and technical personnel in Cuba—the building of a number of so-called fishing ports with depths and dockage services capable of servicing and harboring Russian submarines and the installation of electronic counterequipment capable of jamming or tracking missiles launched from Cape Canaveral.

It is further evident that Castro is bent on using this massive military and espionage capability to keep the Cuban freedom-loving people in slavery; and, as late as January 16, bragged of his intention to incite the masses to battle in Latin America.

It is obvious, due to its inaction and indecision, that the U.S. Government is lacking in the determination, desire, or intent to rid this hemisphere of Castro and communism in Cuba and the threat that it poses to the United States as well as the Latin American countries.

With these facts indisputably established, I believe it is imperative that the Congress of the United States take action immediately because the situation is far more dangerous today than it was when the limited Cuban resolution was passed on September 26, 1962. It is obvious that the so-called quarantine against offensive weapons of October 1962, and the negotiations that have taken place since then, mostly secret in nature, have emboldened the Communists even to the extent that Khrushchev at the Supreme Soviet recently stated as Communist policy and intention:

> Socialist Cuba exists. Cuba remains a beacon of Marxist-Leninist ideas in the Western Hemisphere. The impact of her revolutionary example will grow. The Government of the United States has given a pledge not to invade Cuba.

I have introduced a resolution today calling for restatement and full implementation of the Monroe Doctrine, a clearcut repudiation of the Khrushchev doctrine with which the Communists are trying to supplant the Monroe Doctrine.

I recall the efforts of the Republicans, myself included, on September 26, 1962, to amend the limited Cuban resolution as proposed by the administration to clearly restate the Monroe Doctrine and to make certain that it is stated as the policy of the United States to oppose the attempt on the part of European powers:

> To extend their system to any portion of this hemisphere as dangerous to our peace and safety.

This means that the Monroe Doctrine applies to the arming and communizing of Cuba itself, as well as the threat of exporting that communism to other countries or the threatening of the United States with conveniently defined "defensive weapons."

My resolution brings into focus the clear and present danger the massive Communist military and espionage buildup in Cuba poses to the United States, to Latin American nations, and to the objectives of self-determination and individual freedom. It calls upon the United States, bilaterally or unilaterally, to take whatever steps are necessary to rid the hemisphere of this threat.

I am asking for immediate consideration of this and other resolutions on this subject matter and, in the consideration of these, for the proper congressional committees to make a full study and thorough investigation into the Cuban situation—commitments and negotiations that have taken place, present military and espionage capability buildup, aid and assistance given Castro by Russia and Red China, the real purpose of the increase in merchant ship traffic, the construction of a powerful radio transmitter station in the eastern portion of Havana Province which allows the Soviet military command in Cuba to maintain direct communication with the Reds in Russia and China, the weekly nonstop Moscow to Havana TU-114, 220-passenger, turboprop flights, the twice-monthly service to Cuba of three large and substantial cargo carrying passenger liners, and the stepped-up nonmilitary support of Castro by the Communists.

Congress and the American people should be fully informed and our freedoms should be adequately protected, which can only be accomplished with complete disclosure of the facts and the full implementation of the Monroe Doctrine as the objective of the U.S. Government.

The full text of my resolution follows:

H.J. RES. 227

Joint resolution expressing the determination of the United States with respect to the situation in Cuba, to restate and implement the Monroe Doctrine, and to encourage adherence to the principles of self-determination and human freedom

Whereas, President James Monroe, announcing the Monroe Doctrine in 1823, declared that the United States would consider any attempt on the part of European powers "to extend their system to any portion of this hemisphere as dangerous to our peace and safety"; and

Whereas in the Rio Treaty of 1947 the parties agreed that "an armed attack by any State against an American State shall be considered as an attack against all the American States, and, consequently, each one of the said contracting parties undertakes to assist in meeting the attack in the exercise of the inherent right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations"; and

Whereas the Foreign Ministers of the Organization of American States at Punta del Este in January 1962 declared: "The present Government of Cuba has identified itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system based on that doctrine, and accepts military assistance from extracontinental Communist powers, including even the threat of military intervention in America on the part of the Soviet Union"; and

Whereas the international Communist movement has increasingly extended into Cuba its political, economic, and military sphere of influence, despite the fact that such action is clearly in violation of the Monroe Doctrine and the principles of self-determination and human freedom; and

Whereas due to the continuing inaction and indecision of the United States Government and the following offensive weapon "quarantine" of Cuba in October 1962, and commenting on the negotiations entered into between Khrushchev and the United States, mostly secret in nature, including the abandonment of on-site inspection of offensive weapons in Cuba, Khrushchev has enunciated and is implementing the "Khrushchev doctrine" as a replacement for the "Monroe Doctrine" as he restated the Communist aims in the Western Hemisphere at the recent Supreme Soviet when he stated: "Socialist Cuba exists. Cuba remains a beacon of Marxist-Leninist ideas in the Western Hemisphere. The impact of her revolutionary example will grow. The Government of the United States has given a pledge not to invade Cuba"; and

Whereas Castro, on January 16, 1963, announced his intention to use his externally supported massive military power to continue the enslavement of the Cuban people and to "bring the masses to battle" through revolution in Latin America; and

Whereas if the Monroe Doctrine is to be preserved it must be restated and fully enforced at this critical period when communism is openly and notoriously arming Cuba with massive modern weapons, tens of thousands of Russian troops, technicians and advisers, electronic missile jamming and tracking devices and "fishing" ports capable of accommodating Russian missiles, all of which constitutes a military capability of such proportions that it is offensive in nature and design: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. That the United States is determined—

(a) to prevent by whatever means may be necessary, including the use of arms, the international Communist movement operating through the Marxist-Leninist regime in Cuba from enslaving the people of Cuba and threatening the security of the Western Hemisphere, and from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere;

(b) to prevent in Cuba the creation or use of an externally supported military capability enslaving the freedom-loving people of Cuba and endangering the security of the United States; and

(c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

SEC. 2. That the Congress of the United States urges the President, in accordance with existing law, to take, and supports him in taking, jointly with other free nations or unilaterally, such political, diplomatic, economic, or military action as may be necessary to implement and enforce the Monroe Doctrine throughout this hemisphere and to continue to encourage adherence to the principles of self-determination and human freedom.

TEST BAN VIEWS OF NATIONAL STRATEGY COMMITTEE OF THE AMERICAN SECURITY COUNCIL

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, as you are aware, the Republican conference committee on nuclear testing is receiving papers from various experts on the nuclear testing question. Mr. Frank J. Johnson, of the staff of the American Security Council, has submitted an analysis of the views of the Council's National Strategy Committee. Members of the National Strategy Committee are: Loyd Wright, Lt. Gen. Edward M. Almond, Adm. Ben Moreell, Dr. Robert Morris, Dr. Stefan T. Possony, Adm. Arthur W. Radford, Adm. Felix B. Stump, Dr. Edward Tell, and Adm. Chester C. Ward. The analysis does not purport to speak for individual members of the committee, but rather is Mr. Johnson's review of the committee's collective feelings based on numerous studies which it has conducted. The analysis is as follows:

AMERICAN SECURITY COUNCIL POSITION ON THE NUCLEAR TEST-BAN NEGOTIATIONS

(By Frank J. Johnson)

It is now generally agreed that the U.S. decision to unilaterally end nuclear tests in 1958 jeopardized national security. Our test sites deteriorated and finally were deactivated. Our scientists went on to other pursuits. When the Soviet Union later resumed its testing, we were caught totally unprepared, and the Soviets went a long way toward closing the nuclear gap. This must never happen again.

There is little evidence to indicate that the Communists are interested in true disarmament; there is certainly no evidence to show any Communist support for the concept of controlled, verifiable disarmament. Nevertheless, the Soviet representative clamors for "general and complete disarmament" in the United Nations and at Geneva. Given the well-known nature of communism and the pattern of Communist activities since World War I, it is logical to assume that their probable aim in the field of disarmament is to support a specific, clear-cut political objective. Stated in simplest terms, it is to increase the power of the Soviet Union in relationship to that of the United States.

Within this general context we must examine Khrushchev's probable purpose in his latest nuclear test-ban proposal. If a treaty is signed, there are three possible dangers to United States security. These are: (1) that a test ban would be a first step toward the inhibition or crippling of the U.S. ability to use nuclear weapons, if need be, in defense of the West; (2) that, failing this, the Soviet could prepare to test, once again, in secrecy, thus stealing another technological march on the United States; and (3) that the terms of the treaty will allow the Soviet to cheat on underground testing without discovery.

As to the first point, it is obvious that Communists consider a cessation of nuclear testing as but the first step toward an increased campaign to outlaw nuclear weapons altogether. Khrushchev himself made this abundantly clear in June 1958, before the test ban talks had even started. "After the termination of nuclear weapons tests," he said, "it would be possible to raise the question of the powers making a solemn undertaking not to use hydrogen and atomic weapons and henceforth to adopt a decision on the total prohibition of nuclear and thermonuclear weapons." The Soviet plan for general disarmament presented at Geneva last April proposed an immediate 100-percent cut in nuclear delivery vehicles. The Soviets know only too well that a complete cessation of tests will merely serve to shift the pressures of world opinion to the banning of all nuclear weapons and that such a prohibition would be tantamount to the unilateral disarmament of the West.

The abrupt end of the voluntary suspension of nuclear testing brought about by the Soviet in September 1961 illustrates the second danger. While the moratorium lasted, it looked fine. However, while the United States was observing the moratorium in spirit as well as letter, the Soviet Union was carefully and secretly doing all the scientific research and preparation for further tests. When they were ready, the moratorium ended. The result was that the Soviet Union gained months of preparation and was able to make more than 40 tests of new weapons before we could get started. There is nothing in the current proposals to prevent a repetition of this. Certainly the fact that the suspension is formalized by a treaty would be no bar to Soviet duplicity. The record of Soviet treaty violations is sufficient proof of this.

With regard to the third danger—that the Soviet might successfully cheat on underground testing—much is currently made of the alleged Soviet "concession" in Khrushchev's willingness to permit up to three onsite inspections in the Soviet Union for all unidentified seismic events. This, however, is not new. It was offered by Soviet negotiators in Geneva in 1960, and rejected by the United States. Our position at that time was that 20 such inspections would be necessary in order to provide reasonable assurance that no clandestine underground testing of nuclear weapons is taking place.

In his letters of December 29, 1962, and January 7, 1963, Khrushchev has done no more than reiterate his earlier willingness to permit three on-site inspections, plus three automatic seismic stations (black boxes) within the U.S.S.R. The United States, on the other hand, has gradually reduced its demands for on-site inspections from 20 to 8–10, and now seems prepared to reduce this even further. The only concessions made since 1960 have therefore been made by the United States.

As a further concession to the Soviets, the United States has now unilaterally suspended its Nevada test shots while the current test-ban negotiations continue. Such a misplaced gesture can have no effect on the outcome of the discussions, but indicates the air of unreality which permeates Washington thinking on the whole subject of disarmament.

Since force or the threat of force is indispensable to the triumph of communism, we should begin to understand the simple truth that Russia will accept a disarmament agreement only if it will result in a net politico-military advantage to the Communists in the struggle for the world. The nuclear test ban fits this criterion. It has been a central feature of Communist "peace" propaganda for many years. It is a vital ingredient in the continuing Soviet effort to alter the military balance in their favor. Consequently, a nuclear test ban as currently contemplated would be inimical to the interests of the United States and the free world.

WILLIAM C. FOSTER'S VIEWS ON NUCLEAR TEST BAN

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, the Republican conference committee on nuclear testing has asked several experts to comment on the subject of the nuclear test ban in order that the Congress and the American people can be better informed on this subject so vital to the national security. The following is the paper submitted to the committee by Mr. Foster:

Why the United States Continues Negotiating for a Nuclear Test Ban Treaty

(By William C. Foster)

For the last 17 years, a major U.S. foreign policy objective has been to enhance our security through safeguarded and balanced arms control and disarmament agreements with other nations. For the last 4½ years the United States has sought to negotiate a nuclear test ban treaty. At various times throughout these 4½ years, the United States has changed its requirements for monitoring and inspecting such a ban. Many of these changes have resulted from increased understanding of the problems involved and from improved techniques developed for their solution. Other changes have resulted from military and political reassessments of the advantages and disadvantages of a test ban treaty to U.S. interests.

This statement will discuss two basic questions which have been raised about the test ban negotiations:

1. Is an effective and comprehensive nuclear test ban treaty in the U.S. national interests?

2. What changes in our ability to detect and identify nuclear explosions have occurred which justify changes in our verification requirements, including the number of onsite inspections?

I. A TEST BAN TREATY IS IN OUR NATIONAL INTERESTS

1. Advantages

(a) Weapons development:

Without a treaty and with continued unlimited testing on both sides, there would be further increases by both in the efficiency of weapons at the higher yield end of the scale. Our advantage in small-weight, high-yield weapons would most probably diminish. Both sides would enhance their knowledge of weapons effects. In the field of tactical weapons, the Soviets would eventually be able to match our more diversified and numerous arsenal. Overall, the trend would be toward equality between the United States and the U.S.S.R.

With a treaty, improvements in yield-to-weight ratios would come more slowly through laboratory work alone. The U.S. advantage in smaller weapons would persist over a longer time. Some weapons effects phenomena would remain unsettled or undiscovered by both sides. The development of antimissile systems would be slowed down on both sides. Our tactical weapon superiority would persist longer. In general, our present nuclear advantages would last for a considerably longer period.

(b) Spread of nuclear weapons to other countries: It is in our interest to prevent or slow the rate of diffusion of nuclear weapons. The Atomic Energy Act of 1954 shows a strong national policy to this end. While a test ban as such would not alone prevent other nations from acquiring nuclear weapons, continued testing on both sides would certainly stimulate other nations to acquire them. The rate and motivation for diffusion would be dampened considerably by a test ban treaty.

(c) Establishment of an inspection system on Soviet soil: A test ban which includes provision for some onsite inspection in the Soviet Union has potential significance for progress in other areas of arms control and disarmament and for future relations between the United States and the U.S.S.R. It would give both sides experience with inspection and permit us to appraise their cooperation, and in the light of that appraisal, to estimate the cooperation which might be forthcoming in the verification of more significant agreements. It might serve also to "open" the Soviet Union to some extent and to help diminish the Soviets' fear that effective control is another name for espionage. It could lead to the development of a basis for confidence in other agreements.

(d) Elimination of fallout: A test ban treaty should lead to the elimination of whatever danger exists from fallout from United States and Soviet nuclear weapon tests.

2. Disadvantages

(a) Risk of secret preparations and surprise abrogation of the treaty: If preparations for testing were not maintained by the United States after entering into a test ban, it is possible that we would be in a position after a few years in which a surprise abrogation by the Soviets might leave us as much as 18 months behind in our readiness to test. However, in case of agreement, the Government will make it a matter of national policy to maintain readiness to test, and to provide funds necessary for this and for the incentive program necessary to keep competent scientific talent available. Under these circumstances, our scientists should retain the incentives to continue nuclear weapons research and our weapons laboratories should function effectively. This is not insurance against surprise abrogation but would minimize any possibility of a long Soviet headstart in preparations for testing.

(b) Risks resulting from possible cheating:

Many important scientific principles involved in nuclear weapons can be studied with nuclear explosions of less than 3 kilotons, including certain of the principles involved in developing possible pure fusion weapons and in reducing weight-yield ratios. This figure is significant for explosions of this size and smaller may not always be detectable. None of the seismic systems proposed by the United States from 1959 on would be capable of detecting with any certainty many explosions of 3 kilotons or less if they occurred in alluvium, a common soil formation similar to gravel. Moreover, artificial decoupling (i.e., the so-called "big hole" technique), might permit considerably large yield explosions without detection.

However, for the weapons developments and knowledge of weapons effects which are of primary concern to us, and which might make a substantial change in the military balance in a way which would be unfavorable to us, clandestine, underground testing would be unsatisfactory. Moreover, the point of diminishing returns in improving weight-yield ratios is fast approaching. And pure fusion weapons would not be of great advantage to us because they would constitute primarily a cheaper substitute for the explosive component in our already large stockpile of nuclear weapons. Hence, any inhibitions on the development of these weapons would appear to be to our net advantage. There is therefore general agreement within the executive branch that a test ban adequately verified so as to provide reasonable assurance against evasion would be in the interest of the United States.

Furthermore, an evader testing in alluvium would probably have little assurance that the cavity produced by the explosion would not collapse, leading to a large visible surface crater which might itself be detected. Moreover, due to the variability in the size of the seismic signals which can occur from explosions of the same size, an evader could not be sure of evading even seismic detection at low yields by testing in alluvium.

"Big hole" decoupling is both time consuming and expensive. Preparation of a large cavity might itself be detected during the construction phase. Moreover, since this form of decoupling has never been tried on any practical scale so far as we know, a potential evader would again be unsure that he could escape detection. Finally, while single tests might sometimes escape detection by seismic means, a test series would be far more difficult to hide. Yet, little progress can ordinarily be made with individual, isolated tests.

3. Balance of risks

All these factors were considered at length by the President and his top advisers in July and August of last summer. Messrs. John J. McCloy and Robert A. Lovett as ad hoc advisers joined the Committee of Principals which includes the Secretaries of State and Defense, the Chairmen of the Atomic Energy Commission and of the Joint Chiefs of Staff, the Director of Central Intelligence, the Special Assistants to the President on National Security Affairs and Science and Technology, and myself. This group was unanimous in concluding that the risks of secret evasion and of surprise abrogation were outweighed by the risks of continued unlimited testing on both sides.

II. CHANGES IN DETECTION CAPABILITY RESULTING IN CHANGES IN U.S. POSITION

Over the years there have been numerous reassessments of the technical problems involved in detecting underground nuclear explosions. These reassessments have resulted from actual observations of earth tremors over a period of years and from extended research along lines originally recommended by the Berkner Panel Report on Seismic Improvement in 1959. These reassessments have occasionally produced changes in the U.S. position. I will discuss here only those developments which have occurred since the United States submitted a complete nuclear test ban treaty on April 18, 1961, even though there were others before that which produced changes in our monitoring and inspection requirements.

The first of the significant reassessments was the establishment of a better capability for long-distance detection of earth tremors caused by nuclear explosions or earthquakes. This makes it possible to propose a simpler and more economical system for long-range detection, and to rely on stations operated by the United States for the detection of earth tremors in the Soviet Union. Since we would not place primary reliance on Soviet-manned stations to detect such tremors but only as auxiliary tools to gain knowledge about the special features of earthquakes in the Soviet Union, we need be much less concerned about the possibilities for cheating at these stations. Operation of its own system by the United States has the advantage that its size, efficiency and utilization are all under our direct control, and that a great reduction in cost is possible.

The second significant technical reassessment is that an earlier estimate of the number of tremors from earthquakes in the Soviet Union which might be confused with tremors from nuclear explosions has been shown by actual observation and research to be several times too large. Since there are fewer actual earthquakes which produce tremors similar to those of an explosion, the number of onsite inspections needed to identify the cause of any observed tremors is less.

The third significant reassessment is that our ability from a distance and without onsite inspection to ascertain that some earth tremors are caused by earthquakes and not explosions has been steadily improving. In a recent study of the annual earth tremors located in the Soviet Union by stations operated from a distance, over half gave indications of being earthquakes on the basis of such seismic criteria as first earth motion. Somewhat less than another third were found to be unlikely possibilities for nuclear tests based upon nonseismic criteria such as their general geographic location and the detailed characteristics of the area of the tremor's origin.

In 1958, when the test ban negotiations began and we knew less than we now know about earthquakes and nuclear explosions, the United States asked for as many onsite inspections as there were unidentified earth tremors above 5-kiloton yield. In 1960, we proposed 20 onsite inspections each year. In 1961, we proposed a sliding scale ranging from a high of 20 to a low of 12.

As already indicated, the number of earthquakes of a particular size occurring each year in the Soviet Union has been found to be several times smaller than we earlier believed, and our ability to discriminate at a distance between earth tremors resulting from earthquakes and those resulting from explosions has been improving. On the other hand, because of improvements in detection and because of extension of the treaty ban to smaller underground explosions, we must now be concerned with the identification of many small earth tremors. Weighing all these technical considerations, we believe that on balance a reduction in the quota of onsite inspections is to supplement the monitoring system in providing a strong deterrent to the carrying out of clandestine tests. For this purpose, a large number of onsite inspections is clearly unnecessary.

There is still a major gap between the positions of the two sides on the annual quota of onsite inspections required. Last fall Ambassador Dean suggested a figure between 8 and 10 onsite inspections each year. The Soviet Union has returned to its earlier proposal of two or three inspections.

Balancing the risks on both sides, a test ban treaty is very much in the United States interest. While there will always be some risk of cheating and a surprise abrogation, the gains to the United States far outweigh these risks. Moreover, the changes in our requirements for verifying compliance with a test ban treaty would not significantly alter the deterrent effect of such a treaty on the Soviet Union. Our knowledge of methods for long range detection of earth tremors and for judging whether most of them are likely to be earthquakes or nuclear explosions has increased to such an extent that a smaller number of onsite inspections would constitute an adequate deterrent.

III. CONCLUSION

In concluding this statement, I want to stress the importance of a continuing bipartisan effort in this crucial area of U.S. foreign policy. In each administration since the end of World War II, the significant developments in the arms control and disarmament field have always reflected bipartisan effort. In every important conference there have been congressional advisers and observers from both parties. While I cannot speak personally for the entire postwar period, I believe that since I have held my present post of responsibility, no major effort of the United States in the arms control and disarmament field has been made without consultation with representatives of both political parties.

I therefore welcome the interest of the House Republican conference committee in test ban matters and will gladly provide further information if the committee wishes. Let me assure you that no test ban treaty will be placed into effect without either the advice and consent of the Senate to its ratification or the approval of both Houses of Congress.

OBSOLESCENCE IS WEAKENING THE NAVY

The SPEAKER. Under previous order of the House, the gentleman from Washington [Mr. TOLLEFSON] is recognized for 15 minutes.

Mr. TOLLEFSON. Mr. Speaker, according to an Armed Services Subcommittee report dated September 25, 1962, our naval fleet is fast growing obsolescent, thereby seriously endangering our national defense posture. The report says it is a statistical certainty that our fleet will be unable to perform its assigned roles in the years ahead unless the Navy's shipbuilding program is substantially increased.

While our own fleet deteriorates from obsolescence, the Russians are rapidly moving ahead in building up their seapower. They are in the midst of a 7-year ship construction program which could possibly make them the major seapower in the world. Already they have about 400 submarines—some undoubtedly nuclear powered—to challenge the sea supremacy of the United States. With alarming speed and thoroughness they are building commercial and naval vessels. While they recognize fully the importance of seapower, some people in our own Government are losing sight thereof. They must be awakened to the perilous position in which their lack of vision and understanding will place our Nation.

There are 860 ships currently in our naval fleet, 598 of which were authorized during World War II. Their average age is 13 years. Their useful life expectancy is 20 years, based on Navy experience. Thus, they should be replaced or authorized within the next 7 years if the Navy in 1973 is to have the 860 up-to-date ships in being which it says it must have by that date. A 3-year leadtime is required between the date a ship is authorized and the date it joins the fleet. Thus, my assertion and the assertion of the special subcommittee that 598 ships must be replaced or authorized during the next 7 years.

But what is our record with respect to ship replacement and authorization? Between fiscal years 1948 and 1963 we authorized only 24 ships per year on the average. For fiscal 1964 the budget provides funds for only 41 ships. If we do not proceed any faster than 41 ships a year for the next 7 years, we will replace or authorize only 287 ships by 1970. The Navy will be short of not only its goal but its absolute requirements by 311 ships. If that occurs, I predict that in 1973 Russia will have definitely replaced the United States as the major seapower in the world. If that happens, what will be our defense posture, and what will be the defense posture of the free world?

Adm. C. V. Ricketts, Vice Chief of Naval Operations, has said:

> We are rapidly reaching the point where we cannot be assured of control [of the seas] unless immediate and effective modernization of our Navy is undertaken.

The report of the special subcommittee contains several startling statements. Included are:

> The U.S. Navy is today headed toward a block obsolescence which can have disastrous consequences to this country.
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>
> It is a statistical certainty that if this country continues with a shipbuilding program which reflects past history our Navy will cease to be an effective military instrument.
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> ---
>
> Our Navy, if we can judge by the past, is on an inexorable march toward its own destruction as an arm of our foreign policy and as an effective agency for national defense.
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> ---
>
> Where there may be uncertainty about the future requirements of other weapons systems as to type and quantity, there cannot be any doubt, so long as we live in our present geographical environment, that a modern, second-to-none naval fleet is an absolute and fundamental requirement of our national survival.
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>
> And even with this realization, a realization which must be shared by Congress and the people generally, we are headed toward a point in time when our Navy will be so reduced in effective strength as to make it physically impossible to perform its roles and missions.

Mr. Speaker, what is Congress going to do with the report of the special Armed Services Subcommittee? Will it simply file and forget it? Or will it live up to its responsibilities to our people? The budget contains funds for only 41 ships. The Navy wants at least 70. The simple arithmetic of the report proves that we must authorize a minimum of 70 per year for the next 7 years.

The special subcommittee deserves the highest praise for its report. I am satisfied that its members will press for their recommendations. Will the Appropriations Committee respond? Will the Congress respond? I sincerely trust so. We cannot afford to let time run out on us.

SOVIET MISSILES STILL IN CUBA

The **SPEAKER.** With the permission of the gentleman from Missouri [Mr. CURTIS], the Chair recognizes the gentleman from Indiana [Mr. BRUCE] for 2 minutes.

Mr. BRUCE. I thank the Speaker, and I thank the gentleman from Missouri [Mr. CURTIS].

I have learned on the highest authority from what I consider unimpeachable sources that highly placed officials in Cuba from several major Western Powers friendly to the United States counted the unloading from Soviet vessels in Cuba of 82 to 88 Soviet missiles—not 42.

That would mean there are 40 or more Soviet missiles still in Cuba today and according to my sources the highest officials in the U.S. Government know it.

I can also report that these officials have given full details on this to the U.S. State Department.

The administration has told the American people that 42 missiles were sent to Castro by Khrushchev, and that our aerial and naval observations convinced them that all 42 missiles were removed by Soviet ships. Assuming that 42 actually were taken out of Cuba, by the diplomats' count 40 to 46 missiles capable of striking the heart of the United States still remain on Castro's island.

How long will the State Department continue hiding the facts from the American people? Are we going to be told again that they have suddenly just discovered that these weapons are now in Cuba?

The time to tell the American people the truth is now.

I challenge the State Department to deny that they have been given this information. And let us not have any more silly doubletalk about soft versus hard intelligence. I would rather suspect that the problem is not one of soft or hard intelligence, but rather one of soft or hard heads.

CRITIQUE OF THE PRESIDENT'S ECONOMIC REPORT

The **SPEAKER.** Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 60 minutes.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I took this time after putting in the CONGRESSIONAL RECORD last Monday, January 28, pages 1156–1165, a rather lengthy critique of the President's Economic Report. At that time I said that I was using a new technique to try to stimulate national debate on economic issues; instead of taking the floor and delivering the speech, I put it in the RECORD so that people would have an opportunity of looking at it and going over the statistics set forth in it. Then, I said, I would take the floor under a special order. At that time I was given a special order for last Thursday. As most of the Members know, the business of the House on last Thursday dragged on and it was around 5 o'clock when I announced that I was having the special order put over until today. So, my purpose in taking the floor today is in case anyone does want to raise any questions about the remarks I made—my thoughts on the President's Economic Report, or make comments thereon—I shall be very happy to yield.

Mr. Speaker, what I want to stress, and it is stressed in my remarks of last Monday, is that the theory on which the President had predicated his recommendations to the Congress to alleviate the economic situation in the country is entirely novel. It is new doctrine; it is new theory. That is no reason, of course, for anyone to shy away from it, but it constitutes plenty of reason why it should be examined carefully and those who are promoting this new theory should be willing to debate the matter forthrightly.

Mr. Speaker, this theory has been lurking around economic circles for several decades.

To put it in capsule, it is a theory of deficit financing at the Federal level. That the Federal Government, by spending more money than it takes in, can stimulate the economy to greater economic growth. This theory, incidentally, was implemented to some degree in the thirties during the Roosevelt depression days. It did not work then but those who promote this theory say that it is wrong to say that it did not work. Their answer is that it did not work because we did not spend enough, that the deficit financing was not enough.

Dr. Heller, the Chairman of the President's Council of Economic Advisers, and Dr. Gordon, who is now the President's Director of the Budget, are of this belief. The proponents of the deficit financing theory say, to prove that we did not spend enough, "Look what did happen when we did spend vast sums of money in World War II." In other words, the argument is that heavy deficit spending in World War II brought us out of the Roosevelt depression of the thirties. I think that that certainly ignores a very basic point, the point of difference between an economy based upon war and one based upon peacetime activities.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. ROGERS of Colorado. The depression came long before Mr. Roosevelt was elected in 1932.

Mr. CURTIS. That is true, but it continued.

Mr. ROGERS of Colorado. Was it not prior to 1932 that we had a depression?

Mr. CURTIS. It started then and continued for—how many years under Mr. Roosevelt?—it continued for 8 years. And I might say to the gentleman that the Democrats took control of the Congress, or of the House in 1930, which has been conveniently forgotten. So I do not think it is an error for me to use this emphasis to counteract the emphasis that has been used for so many years to refer to this depression of the thirties as if it were a Republican—if you want to be partisan about it—a Republican depression, because it was not that, either. I would love to put it in context and say that this was a worldwide economic phenomenon in which we were involved, that Government was at fault in certain areas and private economy was at fault in other areas. We should keep the discussion in balance. But now what I am trying to discuss is economic theory and also political theory, how we move out of a recession or a depression; so it is very appropriate for me to refer to this period of the thirties as a period when this theory of deficit financing was employed and did not work.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield further?

Mr. CURTIS. I yield.

Mr. ROGERS of Colorado. Why does the gentleman refer to this as the Roosevelt depression when history shows that unemployment and the failure to distribute goods arose long before Roosevelt became President and continued after he was elected President? The people believed in his policies to such an extent that they elected overwhelmingly a Democratic Congress in 1934 and reelected Mr. Roosevelt in 1936, and he won almost all of the States of the Union in 1940.

Mr. CURTIS. That is right.

Mr. ROGERS of Colorado. And again in 1944.

Mr. CURTIS. That is right.

Mr. ROGERS of Colorado. To call that a Roosevelt depression, to place it upon the party that he represented, will the gentleman explain in view of that statement, how in 1958 and 1959 we had a deficit in excess of $12 billion under the system controlled by President Eisenhower.

Mr. CURTIS. I will be glad to get to that because I am very critical of that; but let me get back to the gentleman's first question. You have posed another question which I should like to answer.

Mr. ROGERS of Colorado. Will the gentleman yield further at this point?

Mr. CURTIS. I yield further to the gentleman.

Mr. ROGERS of Colorado. Would the gentleman direct himself to that question of the deficit spending that arose in the Eisenhower administration and the budget recommended by President Eisenhower, of which this Congress apparently approved.

Mr. CURTIS. Yes.

Mr. ROGERS of Colorado. It was one of these same matters the gentleman is talking about. Would the gentleman explain what he would do under that situation? What is the difference between that and this program recommended by President Kennedy? Will the gentleman explain the difference?

Mr. CURTIS. If the gentleman will be patient, I will be very glad to.

Essentially there is no difference. Both were in error. I said at that time they were in error. I am talking about the future of the country, not whether the Republican Party gets a leg up over the Democratic Party. I want to discuss the economic theory. Now I will explain the first question the gentleman asked me, as to why I referred to the thirties as the Roosevelt depression, namely to counteract this kind of palaver that has been going on for years, conducted largely by leaders of the Democratic Party, that the depression of the thirties was Republican inspired. Actually it is equally unfair of me, if the gentleman wants me to say it, not to put it in context, to refer to it as the Roosevelt depression. The gentleman is entirely right. This began before Roosevelt became President, but it was not the result of any policies of the previous administration. It was really to a large degree, in my opinion, basic ignorance of all of us in regard to economic laws. I may say that we are largely still ignorant in this field. No one knows enough in these uncharted seas to know just what are the best policies.

Now, if I may revert back to what I was discussing, whether or not this theory of deficit financing actually proved successful in the thirties, because this was a theory that was adopted by the Roosevelt administration, and it is quite clear that it did not. But the one thing that did change the picture was World War II.

I do make this remark, that it is very important for those of us who are interested in peace—and that is all of us, the leaders and members of both political parties—that we must concentrate our attention on an economy based on peace, an economy that will bring economic security based on peace. To refer to a wartime period as being the method of solving economic problems in a peacetime society is gross error.

We can put it in this context: There were 10 million people unemployed in 1940 when America became the arsenal for democracy. One way we solved unemployment was simply to put uniforms on over 10 million of our young men and women. The way we solved the inflationary impact of these policies was to impose price and wage controls, and I might say controls of materials and of certain goods and services. These restrictions on freedom our people will put up with during a war period, but these must be recognized as giving up freedoms. This business of freedom and liberty has, I think, a direct bearing on our economic theories and what our economy is really all about. What we are seeking to do is not only provide the good life for our people in terms of tangible goods and services but also in terms of this very precious intangible, human liberty and freedom. You can get three meals a day, plenty of clothing and shelter and protection in a jail, but none of us wants that. So we must relate our economic policies to this precious element of freedom.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. ROGERS of Colorado. As I understand, you are objecting to the so-called proposal of deficit spending?

Mr. CURTIS. Yes, that is right.

Mr. ROGERS of Colorado. Now, you have studied the economic situation and you have been on the committee and so forth; will you tell us how much the national debt was at the time President Eisenhower came into office and what it was at the time he went out?

Mr. CURTIS. The gentleman is again misconstruing for what purpose I have taken the floor. I am not here defending the Eisenhower administration or castigating the Truman or Roosevelt or Kennedy administration. I am trying to discuss some economic theories and economic policy and I will be the first one to say to the gentleman, as I already have, I felt that some of the policies under the Eisenhower administration were in error and particularly in the 1958 deficit which I think created real damage. But this was the theory of certain people in the Eisenhower administration—good people—who believe in this deficit theory. However, their Eden of deficits were limited to cyclical declines and the deficit was to be recovered in periods of recovery. Now this particular theory of deficit finance unrelated to cyclical movements is being openly embraced by President Kennedy. Those of us, whether you are Democrat or Republican, who do not believe in this novel economic theory of deficits unrelated to cycles surely must agree it is important for us at least to discuss it and to ask those who are advancing this radical theory to debate it and point out why they think this kind of change is necessary. Now, if the gentleman will join me in my opposition to deficit financing, as I guess he has, in criticizing the Eisenhower administration on those points, then join me now in criticizing the Kennedy administration when it seeks to carry those policies even beyond the concept of 1958.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield further?

Mr. CURTIS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Your criticisms of the recommendations made by the Kennedy administration are because they relate to deficit spending?

Mr. CURTIS. That is correct.

Mr. ROGERS of Colorado. Therefore, the only way you could cut down and prevent deficit spending is not to spend; is that not correct?

Mr. CURTIS. That is one way, certainly, and the most important way—yes.

Mr. ROGERS of Colorado. Would you tell the House where and in what manner and in which department you would cut down?

Mr. CURTIS. Oh, boy, would I ever. Let me take one very simple case. The expenditure rate that the President has presented in this budget is $98 billion. I suggest that we hold the expenditure rate to $93 billion, the rate of fiscal year 1963. Then just take the actual expenditures of fiscal year 1963 and apply those cuts with some understanding of give and take, using $93 billion as your total figure. I think we probably could go back an entire fiscal year to 1962 where the expenditure rate was $87 billion or go back to fiscal year 1961 when the expenditure rate was $81 billion. You see what we have been doing is just upping Federal expenditures each year. If the gentleman will review the figures in the 1964 budget with me. The President has tried to create the impression, and I regret that he has done it in this way, that the expenditure increase is primarily in defense. Actually, the bulk of these increases are in nondefense expenditures exclusive of space exploration which is not defense oriented as yet. I might say in this budget that the President has presented to us, to the Congress, for fiscal year 1964, the increase in nondefense expenditures—and counting space separate if he wants to do so—is an increase of about $3 billion. But how has he done that and yet created the impression of not increasing these items: by taking out nonrecurring items which were in the 1963 expenditures and cashing in capital items. I will give you one item just to illustrate the magnitude of it—$2 billion for the Export-Import Bank Agency. This is a 1963 expenditure. Everyone knows it is a nonrecurring item. That is a minus figure in the 1964 budget. The President has put in recurring items in his expenditure column for 1964. A $1.4 billion increase in Department of Agriculture and $1.7 billion increase for Department of Health, Education, and Welfare for example. Now this, frankly, is juggling statistics.

Mr. ROGERS of Colorado. Then I take it instead of taking the recommended amount that the President has set up, you would go backward to what we had appropriated last year?

Mr. CURTIS. You asked me how I might do it. I would say it is a good suggestion.

Mr. ROGERS of Colorado. And if that was not far enough, then you would go back to a previous fiscal year?

Mr. CURTIS. I would suggest that you put a real figure in the expenditures part and go back to the next previous fiscal year and you would get a more realistic figure of the spending that is being done on the part of the executive department.

Mr. ROGERS of Colorado. Does not the gentleman recognize that the recommendation of the budget was reduced approximately $4.5 billion in the last session?

Mr. CURTIS. That was the budget that was prepared by the people of the same political party that control the Congress. That was fat and was obviously put in there so it could be cut out, but there is still more that should have been cut out. We did not really get the fat cut out.

Mr. ROGERS of Colorado. Is there any reason to believe that we will not cut some of the fat out?

Mr. CURTIS. We will cut some amount of fat out for political reasons, fat it was intended the Congress should cut out, but what I am concerned with is cutting out other unnecessary fat—the real fat. The probability, however, is that this Congress is not going to do that. I hope we will. I hope the Appropriations Committee and its subcommittees will suggest to the Congress areas where we can cut. Let me give you one place, we surely can cut Agriculture.

The increase in the Agriculture budget for this fiscal year is $1.4 billion. The Budget Bureau says there has been a cut in expenditures of $1 billion over the past fiscal year, but see how they juggle the figures to reach this. They expect to collect $2.5 billion from selling Commodity Credit Corporation surplus crops, mostly cotton. The Secretary thinks he is going to get $2.5 billion from that. The increased expenditure for Agriculture is going to be $1.5 billion. There is a net of minus $1 billion on the expenditure side, obtained by not entering the $2.5 billion on the receipt side, and entering the $1.5 increase on the debit side. The $1.5 billion additional expenditure on the expenditure side should be shown, but the budget simply enters the minus one on the expenditure side. This is bad accounting practice and would result in a CPA losing his license if he were guilty of it.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield further?

Mr. CURTIS. I yield.

Mr. ROGERS of Colorado. Then I understand one place the gentleman would cut would be $1.5 billion in Agriculture.

Mr. CURTIS. I would do that for sure. I would cut out the $1.4 billion of the request for "new obligational authority"; and I think by looking those figures over we can probably cut another half billion dollars on that.

Mr. ROGERS of Colorado. In other words, about $1¾ billion.

Mr. CURTIS. Yes.

Mr. ROGERS of Colorado. What would be the next place?

Mr. CURTIS. While I am not on the Appropriations Committee, nonetheless I can tell you: Foreign aid could well be cut and we would improve our relations abroad.

Take the Alliance for Progress. It was supposed to be a mixed public and private investment spending effort, but because of Government spending, private spending is just being pushed out of the picture. Now, if we would reverse this balance in the Alliance for Progress so that we encouraged private capital investment instead of Government in these areas we could cut off several billions of dollars in foreign aid.

Mr. ROGERS of Colorado. How much foreign aid would the gentleman suggest we cut?

Mr. CURTIS. I think we could probably wipe the whole thing out for the next fiscal year, inasmuch as the carryover balances equal twice the amount of the expenditure rate. I imagine we could well not appropriate another cent for fiscal year 1964. Expenditure on previous obligations would still continue, so it would be in there; I think that we could probably cut that expenditure rate to about a billion and a half. But, again, this would depend on careful work being done in the Appropriations Committee. I am not like some of my colleagues on both sides of the aisle who think that the theory of foreign aid is unsound; I think the theory is sound, but the requests for appropriations and the expenditure policies have just been fantastic in their extravagance, in their lack of planning or lack of policy—just about everything I can think of has been in error in the foreign aid programs.

Mr. ROGERS of Colorado. That was $3.7 billion and you would cut out about $2 billion.

Mr. CURTIS. Yes.

Mr. ROGERS of Colorado. Where are you going to get the other $4 billion?

Mr. CURTIS. We could do it if we went right down the line. Take the matter of excess employment, additional employees. We could save a great deal of money by holding down employment. For instance, the Federal Government put on 160,000 men and women civilian employees during the last year. This and salary increases cost us close to a billion dollars. I think the gentleman will concede that I am not talking through my hat, but am looking at specific items.

The Republican-controlled 83d Congress which came into power in 1953 cut the Truman-prepared budget by $14 billion, and they did it in a scalpel method, not with a meat ax.

I want to put that in context, though. It is true that we were then shifting from war to peace, and therefore we could appropriately cut some. Just because of this shift. But, you must recognize that the $14 billion cut in 1 year was accomplished intelligently. And it was not confined to the shift from war to peace. It was accomplished by the Committee on Appropriations staffing itself properly. The gentleman will recall that John Taber—and his name ought to be in the Hall of Fame for this one thing, if nothing else—gathered together some 100 people, experts in accounting, engineering, and in the various fields of budgeting, brought them down here to serve on the staff of the Committee on Appropriations. It was the hard work of that staff that enabled the Congress to do this expenditure cutting. And, to my regret, when the Congress changed hands in 1954, with the gentleman from Missouri, Chairman CANNON, becoming head of the Committee on Appropriations, that staff was completely junked.

Now, the people we have on the Committee on Appropriations staff, in my judgment, individually are very fine and well qualified people, but the staff is incapable of doing the job needed to be done—because of its very lack of size, the lack of manpower. This is the reason, I would say, more than anything else, that we cannot expect an intelligent cut in expenditures and appropriations in this Congress. We could, if the Committee on Appropriations were adequately staffed and if the Congress as a whole would do it own work in these areas. We can cut it, and I am still hopeful that we will.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield further?

Mr. CURTIS. Yes.

Mr. ROGERS of Colorado. The gentleman talks about this cut that was brought about under the leadership of Representative Taber from New York.

Mr. CURTIS. Yes.

Mr. ROGERS of Colorado. Remember, we adjourned here along about the latter part of July and went home.

Mr. CURTIS. What year is the gentleman talking about?

Mr. ROGERS of Colorado. Nineteen hundred and fifty-three.

Mr. CURTIS. Nineteen hundred and fifty-three?

Mr. ROGERS of Colorado. Yes. The year that Mr. Taber and this great group was in charge that the gentleman talked about. And, it was cut down, but when the Republican Congressmen went home they came running back down to the White House and said, "Look, something has happened down my way. We better start something different." So, they started spending.

Mr. CURTIS. I do not agree with that. The record does not reveal that. The 1954 budget was balanced. The gentleman is in error. But, let us let the record stand, because it is not my word against yours; it is a question of what the record shows.

Mr. ROGERS of Colorado. The record shows that during the Eisenhower administration we increased deficit spending to the greatest extent in the history of the country and had the biggest deficit under Eisenhower.

Mr. CURTIS. I agree that that happened after the Democrats got control of the Congress, again.

Mr. ROGERS of Colorado. Now, wait. Would you yield further at this time?

Mr. CURTIS. Not at this point. I want to make my statement now. The gentleman is talking about the Eisenhower administration, with Congress under the control of the Democratic Party.

Mr. ROGERS of Colorado. In enacting a budget that was set up by the Eisenhower administration, which we cut from time to time——

Mr. CURTIS. Let me say this to the gentleman.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield further?

Mr. CURTIS. I do not yield at this point, because I want to say something here. I have yielded to the gentleman and I will continue to yield, but I do not appreciate his interrupting me when I try to answer his questions or respond to his remarks. Let the record show as to whether the Congress upped or cut the Eisenhower budget, particularly in 1958. They did up it. But, the gentleman must observe this, and I again emphasize it. I was critical of the Eisenhower administration in this area, and I am not trying to talk now about Republicans or Democrats.

I am trying to point out an economic philosophy. If your party wants to adopt the economic philosophy of deficit financing, I as a Republican would be willing to go to the people on that issue in opposition. But fortunately for our country's welfare I am happy to say that many of the Democrats do not agree with that theory. I am trying to get some people on my side to agree that deficit financing is a basic error. In one sense, I am happy to say that this is a debate that transcends party affiliation.

If the gentleman would permit me to go ahead and quit trying to get it back into a Republican and Democrat contest I shall proceed.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Iowa.

Mr. GROSS. I would hope that the gentleman from Missouri could make something of a convert of the gentleman from Colorado [Mr. ROGERS].

Mr. CURTIS. Maybe I am; I hope.

Mr. GROSS. I hope so, because it has been my observation that he has been voting for a good many of these lush spending propositions under the Eisenhower administration and under almost any President I can think of. The gentleman has made his contribution to the deficits.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Illinois, and then I shall yield further to the gentleman from Colorado.

Mr. McCLORY. I certainly want to join with the gentleman from Missouri in the presentation he is making and in his condemnation of the planned deficit spending program which has been advanced.

I think that the gentleman from Colorado [Mr. ROGERS], who has been speaking, has interested himself in deficits that have occurred and were not planned, but which were voted as a result of action by the Congress. However, the matter which concerns me today as a Member of Congress and as a result of earlier expositions made by the gentleman from Missouri [Mr. CURTIS] and others is the responsibility and the opportunity of the Congress to do something about this huge deficit and this planned deficit spending program which is being forced upon us.

I have studied as much of the literature as I have been able to obtain as to how Congress can handle this subject. I noted that back in 1921 we did establish a General Accounting Office which was to be the legislative arm responsible solely to the Congress in order that we could review the different programs which were within the means of the Congress, as far as its revenues were concerned. But during the 1930's the Congress lost much of its authority with respect to budgetary matters. In the 1946 Reorganization Act where provision was made for the legislative budget the opportunity was there if we had a committee or a joint committee which would be at all capable of handling this. But the size of the problems which were encountered, plus the inadequate staffing, made it virtually impossible to provide a workable, intelligent legislative budget.

I note that in the preparation of the last budget—I do not have the figures on this budget—450 people worked under the executive in preparing the budget alone, after more than 2,000 people had prepared the background material which went into the budget.

I am wondering if we do not have to advance a program here and now in this session of Congress which will establish the machinery for us to review and perhaps rewrite this budget so that we can demonstrate to the people that as Representatives in Congress and speaking for them and they speaking through us, that we want a balanced budget. They want the Congress to live within its means and the Nation to live within its means.

Mr. CURTIS. I want to thank the gentleman for his remarks and his contribution. I agree with the gentleman. The gentleman has put his finger right on it, that the Congress has not developed the machinery for actually reviewing the budget. We break ourselves down into subcommittees on the Appropriations Committee and bring in piecemeal the parts of the budget. But after we have done all that we never review the total budget, nor do we review it at its very inception.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. As soon as I have a chance to expound this a bit, and then I shall yield.

We never have been able in the beginning to prepare a legislative budget.

Let me say that as far as the Comptroller General's Office is concerned, and as far as the General Accounting Office is concerned, the General Accounting Office is still an arm of the Congress, I am happy to say.

But it must be clear that the Comptroller General's Office has no jurisdiction over expenditure policy. The office is concerned solely with whether or not the moneys spent are spent in accordance with law and are spent efficiently; and a very helpful thing that is in itself. But the Office has no jurisdiction over the policy of spending.

The fact is that the Congress must develop the machinery if it is going to do an adequate job on the budget. This is one of the basic points, that I took the floor to expound; if, indeed, the Congress through its leadership does not want a balanced budget and actually believes in the economic theory of deficit financing—and there are some fine Americans, I regret to say, who believe this—but if the Congress actually believes in deficit financing, we are just kidding ourselves in thinking that establishing the machinery to cut the budget we will cut it. We could develop the machinery and if the will and purpose to cut expenditures and balance the budget were not there we would not do so. Any more, I might say, than will the present Director of the Budget perform that service in the Kennedy administration. President Kennedy appointed Dr. Gordon as Director of the Budget, a very eminent gentleman and a scholar and a former member of the President's Council of Economic Advisers, but a person who believes in the theory of deficit financing. I said that it is like putting the goat to watch the cabbage patch because the Director of the Budget is supposed to exercise the discipline in this area.

We had a witness before the Joint Economic Committee, just before I came over here, Dr. Gerhard Colm, a very distinguished economist, but one who believes in the deficit financing theory. He said:

> If I were the Director of the Budget I would not be just cutting certain items, but I would be actually encouraging some of the departments and bureaus to increase their items.

This is not my understanding of the function of the Bureau of the Budget.

So we should have this national debate, and this is as good a place to begin it as anywhere; here in the well of the House, whether we are Democrats or Republicans, we must decide whether we agree or disagree with this new theory of planned deficit financing.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. ROGERS of Colorado. Briefly, the gentleman previously indicated that this question of deficit financing was not to be considered a partisan question.

Mr. CURTIS. That is correct, unless the Democratic Party wants to adopt it.

Mr. ROGERS of Colorado. But the gentleman did point out that when the Republicans were in power in 1953 and 1954 they did certain things.

Mr. CURTIS. May I say this to the gentleman: In 1953 and 1954 certainly we were following good fiscal policy. But the gentleman correctly pointed out that this was not followed in 1958.

Mr. ROGERS or Colorado. That is exactly the point I am talking about.

Mr. CURTIS. That is right; the gentleman is correct if he confines his remarks to 1958.

Mr. ROGERS of Colorado. It was in this period that the gentleman says fiscal irresponsibility began with the Republican Party.

Mr. CURTIS. I did not say that. I said that the Republican Party was guilty of following it to a degree. I did not say it began with them. It certainly did not begin with them. They were corrupted.

Mr. ROGERS of Colorado. Does the gentleman then contend that because the Democratic Congress did adopt the budget sent up by President Eisenhower that we were—

Mr. CURTIS. Equally guilty.

Mr. ROGERS of Colorado. That we were irresponsible?

Mr. CURTIS. Yes; I do say that.

Mr. ROGERS of Colorado. That is what I asked before—where and how would the gentleman solve this problem? Because he and I know that from 1947 on—that is, in peacetime, so to speak, outside of Korea—we have had deficit spending.

Mr. CURTIS. That is not right—1954 saw a balanced budget.

Mr. ROGERS of Colorado. Exactly how to stop it, I would like to know. That is why I asked the question; rather than trying to criticize what is or is not proposed, I want some concrete answer so I can join with the gentleman to see if we cannot get a balanced budget and be fiscally responsible.

Mr. CURTIS. It seems that I have to use a sledge hammer to get across my points. If the gentleman will read the record of what has transpired here in our recent colloquy he will find that I gave specific examples. I said that the reform must lie in the expenditure policy area; the Congress has to cut expenditures. I went further and I detailed many of the areas where expenditures could be cut. I may point out to the gentleman that you have to have the will to cut expenditures and to refuse to increase expenditures. In order to do that we must first decide whether or not we agree or disagree with the theory of planned deficit financing.

Unless we eschew the theory of deficit financing, there is not the discipline nor the incentive to cut expenditures.

Mr. ROGERS of Colorado. First of all, we all want to cut expenditures.

Mr. CURTIS. Do we? That is the issue.

Mr. ROGERS of Colorado. I do not know. The gentleman is the one that is posing the question of whether or not we want to.

Mr. CURTIS. I do pose it.

Mr. ROGERS of Colorado. May I ask the gentleman where we would cut?

Mr. CURTIS. Let me go on and develop this theory because my time is beginning to run out. I want to stress exactly this point. Let us get into this. What I want to find out is, Does this Congress as a majority want to cut expenditures? There are many people—they are fine people, and I emphasize this, and I am not just saying it because I know some of them personally—there are many fine people who honestly believe that planned deficit financing is the correct way for us to proceed. They think the Government ought to be spending more money, not less, and that the deficits ought to be bigger. Some of them chide the Kennedy administration because the fiscal year 1964 budget does not have a bigger deficit. I am asking Congress to examine into this theory to see whether or not it agrees. If we agree, then we have got something new. Maybe it is, as Senator PAUL DOUGLAS has said, like discovering atomic energy—it is a novel theory—and that those who do not want to accept the theory are just so out of step they are going to hurt the progress of our country.

Mr. ROGERS of Colorado. The gentleman says deficit spending is something new, but we have had deficit spending for over 15 years.

Mr. CURTIS. I will say planned deficit spending. This is the novelty that has come into the picture. Dr. Heller said the deficits we have had had not been planned, and they were the worst kind. It is the unplanned deficits that are bad. But he is now talking about an economic theory that you actually plan deficits. So this is new. It has nothing to do with economic cycles. It has as its base the concept that our economy is tired and sluggish. It has tired blood. It must be rejuvenated. I happen to think we are suffering from growing pains because we have been growing so fast. This rapid rate of growth is called automation, today. In the 18th century it was called the industrial revolution.

Let me apply this deficit financing theory as it is related in the President's messages to this Congress. He has said there is only one way in which we can move forward at this time, and that is to cut taxes, both to reduce taxes and to reform them, but essentially to create a bigger deficit. He plans to create $11.9 billions of deficit.

Why will this stimulate the economy? During August the theory then was wrapped up as a quickie tax cut. Then they thought there might be a recession and they related it to the cyclic theory of deficit financing. The theory remains but it has been unwrapped to some degree, unmasked I would say. The Committee on Ways and Means held hearings on this, and we held hearings in executive session. The Joint Economic Committee held open hearings, and the same witnesses appeared and the same things were said. The question I asked the administration spokesmen and others who advocated tax cutting without expenditure cuts which remains unanswered to this day, is, What are the economic impacts of increased deficits? We on the Committee on Ways and Means know that if we do not raise the money by taxes we have to market additional Federal bonds. What economic impact will the marketing of additional Federal bonds have on our economy? What economic impact will it have upon our economy at a period when we have a very serious balance-of-payments problem? To this day Government witnesses have not come before the Joint Economic Committee prepared to discuss debt management policy or the economic impact of debt.

I just got through interrogating a witness who supported the planned deficit theory this morning appearing before the Joint Economic Committee. I asked him this same question. He said it was a fair question, but that he had not studied it. So this question of the impact of marketing more Government bonds to finance the planned deficit and whether or not it will eliminate the economic benefits sought to be derived from a tax cut has not been answered. I think not only would the benefits which are questionable in themselves be eliminated, but serious damage from other sources would occur.

Now let us get back to the theory again that if you cut taxes this will shift purchasing power from the governmental sector and give new purchasing power in the private sector.

The theory is that it will go in two ways—to the consumer dollar and to the investment dollar. I had not fully realized before we began our hearings last Monday, that actually there has been a very high incidence of liquidity among our corporations. In 1962, Dr. Heller pointed this out, Secretary of Commerce Hodges said, "The problem of the slowdown in 1962 over 1961 was attributable primarily to the failure of plant investment by our corporations to increase as much as had been anticipated." I asked, "Was the failure of plant investment the result of tight investment money?" He said, "No; it is the lack of incentive." I said, "What do you relate lack of incentive to? Is it not to profits?" He said, "Yes." I said, "Well, are not profits the result of the price, the cost-price squeeze, that our costs have gone up and we cannot increase our prices any more because they are running up against the discipline of the foreign market?"

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield on that point?

Mr. CURTIS. I yield to the gentleman on that point.

Mr. ROGERS of Colorado. We did give incentive to industry in the last session of the Congress, did we not, when the law was passed enabling them to write off new investment?

Mr. CURTIS. I will say to the gentleman that the Congress did do that, much against my advice.

Mr. ROGERS of Colorado. Yes; they did.

Mr. CURTIS. That is what it was designed to do, I might say to the gentleman, but it did not do it.

Mr. ROGERS of Colorado. The other day General Motors announced the biggest profit they ever had.

Mr. CURTIS. The gentleman is correct. General Motors did, and I am inserting in the RECORD today an article or an editorial from the St. Louis Globe Democrat which points out a very interesting thing, that General Motors has the highest profit in its history while United States Steel had its lowest profits in a decade. General Motors is one of our major purchasers of steel.

The President injected himself into the marketplace where steel is bought and sold when United States Steel sought to raise its price. I do not know whether United States Steel was right or wrong, but I do know in retrospect when we see one of the big users of steel having the greatest profit in its history and the maker of steel having the lowest profit, we must view the President's interjection in keeping the steel price from going up in a new light. But let me add this about the high liquidity of our corporations—these figures are substantiated, I think, and I do not believe that anyone on either side of this argument disagrees on that point. The fact remains that business did not respond to the tax incentive by increasing plant construction in the way that it was anticipated. Therefore, I suspect there is some other problem that lies beneath corporate expansion than investment dollars. So to get back to the thesis of increasing the investment dollar through a tax cut. That is certainly not going to be beneficial to increasing corporate investments and plant building because dollars is not their problem. Now let me go to the second sector of the consumer dollar.

Mr. ROGERS of Colorado. Will the gentleman yield on that point?

Mr. CURTIS. My time is running out, but I will yield to my colleague at this time—although I did want to get this theme across.

Mr. ROGERS of Colorado. My question is this. You say that the incentive offered in the bill that we passed last year did not do the job?

Mr. CURTIS. That is right, it did not.

Mr. ROGERS of Colorado. Now you say that deficit spending will not do the job.

Mr. CURTIS. I do not think it will.

Mr. ROGERS of Colorado. Will you tell us how the job can be done?

Mr. CURTIS. Yes, I have many suggestions. And here the gentleman may agree with me—I think we need to do a much more adequate job in the field of antitrusts because here is one stimulus to keep the marketplace operating freely and efficiently. But at the same time, I think we must look at the power of the labor unions, the national labor unions, and how they have been exercising that power. Then we must look at the Federal Government and some of its actions such as the one I just mentioned in regard to steel pricing. But there is another that I might mention, getting minimum wages beyond our productivity increases just because that was a politically popular thing to do, completely ignoring the economics of the situation.

So there are plenty of ways in which this can be done.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. ROGERS of Colorado. Does the gentleman say that the minimum wage would drive down industry?

Mr. CURTIS. Why, of course, the minimum wage would if it moves too fast—and I happen to be in favor of increasing it when we can, and we can when we have increased productivity. It certainly is true when you move the minimum wage beyond the productive increase you increase unemployment, you increase prices, you bring about inflation. Therefore raising the minimum wage with a disregard of economic consequences causes real damage in my judgment. I happen to think, however, that the minimum wage is a good and useful economic tool. There are people who disagree with me. I concede that it has been abused, and this administration is one that has given it the most abuse.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield further?

Mr. CURTIS. I yield.

Mr. ROGERS of Colorado. We passed a minimum wage law which will eventually get to $1.25 an hour.

Mr. CURTIS. Yes. I am glad the gentleman mentioned that, because the President has been advertising it as $1.25 an hour when it is nothing more at this time than $1.15.

Mr. ROGERS of Colorado. All right; let us say it is $1.15. Is $45 a week too much for a workingman to earn?

Mr. CURTIS. Let me say to the gentleman that he is trying to oversimplify the issue. I would be very happy to engage in a debate on the theory of the minimum wage, but that would take an hour in itself. From the gentleman's remarks I think he needs to do a little homework first, then we can debate the subject.

But I want to get on to the second point, that of the consumer dollar; and this is the primary area where the administration theorizes that a cut in taxes will stimulate the economy. The administration says that what is in error is a lack of consumer demand and that by increasing consumer purchasing power we would increase consumer demand.

Let us go to the question, then, of how this might work, even adopting the administration theory, even though I think the theory is in real question. Let us take the agricultural sector. Increasing consumer purchasing power here will not increase consumer demand. It will not do a thing about reducing our agricultural surpluses, our idle plant capacity in agriculture; instead it will make for more idle plant capacity. We have heavy unemployment in rural areas because of rapid technological growth, this would aggravate unemployment.

But let us go further into the theory that the administration advances, that releasing money to the consumer through a tax cut is going to stimulate demand.

They base it partly on this further theory, that 93 cents of every consumer dollar released will be spent, because they argue there is a constant savings rate of 7 percent. In other words, of every dollar 7 cents will be saved, not spent; 93 cents will be spent. I queried them. I asked, why do you say that this ratio is a constant one? They replied that it had been with us from 1950 to 1960. But I pointed out that in the 1930's the rate was below 3 percent, and in the 1920's the rate was 5.5 percent. This is by no means constant. This rate fluctuates very much. Another factor: A person with an annual income of $2,000 has actually a minus savings rate. From $3,000 it begins to go up. Those over $10,000 save around 30 percent. Those around $5,000 save about 14 percent. The administration proposal is for an income tax cut. Not one cent of the money released in cutting income taxes goes to the lowest income group because they are not income tax payers. When we put the tax cuts into the scale of rate of savings per income group the saving rate is going to be over 10 percent. What does that do to this theory? Senator PROXMIRE brought this out beautifully. If the savings rate varies 2 percent from the anticipated 6 percent rate we wipe out every bit of economic incentive that the administration seeks to get from this tax cut. So, there we have it.

Now let us turn to another sector. A 1 percent increase in the consumer price index which could result from the newly created inflationary pressures would wipe out all of the increase in real purchasing power that the consumer might derive from the tax cut. The consumer price index by the way has been going up about 1½ percent in recent years. So, using the administration's own figures, this analysis throws into a cocked hat the administration basic theory.

Now, let me conclude by saying this, that many of us have felt that we have badly needed Federal tax reform for years. And, we do need Federal tax reform. Our taxes today are eroding our economic base. They are hitting at this precious thing called incentive. They are hitting at this precious thing called freedom; freedom to spend your dollars as you think they should be spent, not turning them over to a political bureaucrat to decide what the wise thing to do is in spending. So, many of us have been arguing for tax reforms for years.

Let me say this, that a good tax reform is always in order, whether the economy is going up or going down, whether we are talking about growth rates here or there. Good tax reform is always in order, and I am hopeful that the Committee on Ways and Means will go to work, as I know we are going to, on the question of tax reform, designed to improve our tax-collecting system, designed to remove many of these impediments to economic growth. But, note that this is on an entirely different theory from the tax reform that the administration is proposing, which is based upon this very novel theory of planned deficit financing. If decreasing revenues did not do the job they would increase expenditures even more, to attain the deficit. In order to have the kind of tax reform I speak of, we must have expenditure reform. We must try to get these deficits down, so whatever we hope to pass on to the consumer and to the investor in terms of tax cuts is a transfer. But, if we simply keep Federal expenditures going up and releasing Federal revenue money to the private sector, through tax cuts, we are essentially creating inflationary pressures, which in these times of serious balance-of-payments problems can be much more damaging than increases in the Consumer Price Index. The discipline that we are now confronted with in the foreign marketplace means that we no longer have within our own control, rich and powerful as we are, our own destiny.

Now, we have to start paying attention to the laws of economics and to our method of dealing with them.

The reason I have taken the floor today—and I put in the RECORD a week ago an exposition of my criticism of the President's Economic Report—was to try to move this national debate forward. The President in his Yale speech a year ago said he wanted a national debate on these issues particularly on the question of Federal debt and balanced budgets. Well, let us have that debate. But, I see up to date that he and his spokesmen run and turn tail when any of us take the floor or debate in a public forum these basic issues. I am certain that the President's advisers read my remarks that I put in the RECORD last Monday. If they were prepared to debate the issue, some of them would have been here on the floor of the House, to do so; not hecklers, but people prepared to discuss the issues that I am trying to bring out—not as Democrats, not as Republicans.

Members of the House, this issue is far beyond the interests of the two political parties today. The future of our country is involved. This national debate must go on in order that we can make correct national policy.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Missouri.

Mr. HALL. I would certainly like to associate myself with the national debate that the gentleman has accepted and that he has talked about here in a beautiful way. He has displayed keen insight and intelligence both on the Committee on Ways and Means and on the Joint Economic Committee of the two bodies of the Congress.

I think it is a definite matter of national import and I think in his closing statement the gentleman has beautifully stated this. We must determine the mechanism, we must debate the policy and agree or disagree and bring forth intelligent solutions. As the gentleman has so well stated, we must trigger all such things in with this detonation that is coming certainly as day follows night, from such things as the European Common Market, as our overall trading and tariff policies with the prerogatives given to the executive last year, such as the outflow of gold and such as our defense posture around the world.

Mr. Speaker, I would like to join with the gentleman in all he has said here today and hope that the rest of our colleagues will do this on both sides of the aisle in a nonpartisan manner. It is much more important than partisanship.

Mr. Speaker, 2 weeks ago, when President Kennedy submitted a monstrous $99 billion budget, he attempted to make his illogical reasoning more palatable by saying:

> We are doing well but we must do better.

Paraphrased this might read like the remarks made in this country years ago by Dr. Emile Coué, psychologist and physician, when he said:

> Every day in every way I am getting better and better.

But Mr. Speaker, events are taking place which indicate just the opposite. On the same week the President told us things were getting better, an article in the Wall Street Journal indicated they are getting worse by $50 million in that week, and were in fact the worst—lowest reserves since 1939. The President's promises in the state of the Union did not eventuate in the budget message, or the tax message, for that matter.

The Treasury's monetary gold stock declined $50 million in the week ended January 9. As a result, Treasury gold stocks on that day were $15,928 million, the lowest total since May 1939.

Our gold stocks are almost $1 billion lower than they were a year ago.

The drain on the Treasury's gold reserves results mainly from sales of gold to foreign governments and central banks in settlement of a continuing deficit in the U.S. balance of payments. That deficit is the amount by which U.S. expenditures in foreign countries exceed receipts from abroad.

In spite of the rosy imagery of the New Frontier, U.S. exports rose only 2 percent last year while imports were climbing 10 percent.

In the last 5 years, almost $7 billion in gold has left Fort Knox.

Since we convened on the floor a year ago, our gold supply has dropped another $910 million.

Mr. Speaker, one would need a most powerful magnifying glass to find more than a passing reference to these problems in any message thus far received from the President. He tells us only that "We are doing well, but must do even better."

Much of the Nation's press, which bears the heavy responsibility of keeping our citizens informed, finds it more expedient—and profitable—to talk about the Mona Lisa, the Democratic Gala, the Kennedy family "invasion" of the Supreme Court Chambers, the domestic "kiddie corps," and other forms of New Frontier "hi-jinks" than to alert the public to this most serious problem, rapidly approaching the crisis stage.

Mr. Speaker, if we are going to reverse the continuing loss of American gold, there are several steps which must be taken, but none of them are even remotely indicated in the messages that have come forth from the White House.

First, is the basic recognition that New Frontier fiscal policy has been an utter failure insofar as the balance of payments is concerned, and gold is continuing to flow in the wrong direction.

Second, we must establish immediately, sound monetary policies which should include a final halt to inflation, not just a slowdown.

For all the political appeal of low interest rates, our interest rates must remain at least as high as the level of foreign nations so that short-term funds will not leave our shores to gain additional interest.

The Federal budget must and the national debt must be reduced so that we can demonstrate to the world our determination to maintain a sound currency. This goal seems farther away than ever in view of the preposterous budget recommendations that have been made by President Kennedy. Adoption of a budget which abandons any pretense of living within our income, will encourage foreign banks to cash American dollars in for gold before they decline further in value.

Third, we must take immediate steps to encourage our industrial power to compete in world markets. This means applying our antitrust laws equally, as much to labor monopolies as to business. It means serious consideration by the labor unions or else by this Congress of curbing production costs.

Again this administration almost shamefully has avoided this issue. The longshoreman's strike is a case in point. One union managed to tie up our entire export-import business, caused the loss of jobs everywhere in the country, and did something not even the President of the United States could do. And our President in turn appointed an ad hoc committee which virtually gave an ultimatum to the shipping industry to accept another inflationary settlement. What a noble, stirring gesture.

As the gentleman from Missouri has said so well—"The impact of a planned deficit is serious," and this body under its constitutional requirements and prerogatives must stop all pretense, analyze and exercise its judgment. Let us get on with the job. The muddled situation is no clearer fast.

GENERAL LEAVE TO EXTEND

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and permission for all who have participated in this discussion to revise and extend their remarks and include extraneous matter, if they so desire.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Minnesota.

Mr. NELSEN. I wish to thank the gentleman for the statement he has made and the work he has done on this subject. I want to particularly compliment the gentleman on the fact that he has attempted to keep this discussion in the framework of a bipartisan approach. I was particularly pleased to hear the statement by the chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON], who, on January 17, made this statement regarding the President's budget:

> I have listened to messages from Presidents here in the House for 40 years, but in all that time I have never seen or heard a budget message like this one, and neither have you; nor has anyone else.
>
> Since we convened here a year ago, the purchasing power of the dollar fell to a new low. Savings, pensions, life insurance, bonds will buy less.
>
> Since we convened here a year ago, the cost-of-living price index hit a new high six times.
>
> Since we convened here a year ago, despite record national business activity as measured by virtually every significant indicator, we spent ourselves deeper in debt. The inevitable limit is just that much closer. Khrushchev is waiting. And you cannot lay the blame at the door of defense and security. The distinguished gentleman from Texas, Mr. MAHON—an authority on the subject—told you here on the floor last April: "We should not give ourselves an opiate and lay all our problems at the door of defense spending."
>
> At the heart of our national finances is a simple, inescapable fact, easily grasped by anyone. It is that our Government—any government—like individuals and families—cannot spend and continue to spend more than they take in without inviting disaster. With governments, continued deficit spending inevitably leads to debasement of currency. A dollar is only as valuable and reliable in the eyes of others as it is to us.

I think he has cited some of the dangers which the gentleman from Missouri has reviewed today. If we can keep this effort on the basis that those of us who believe sound financing is the only way to run a government and also keep it in a bipartisan framework, we are going to get somewhere with it. I find back home that the people believe there is no policy liberal that is not sound.

Mr. CURTIS. I thank the gentleman for his remarks, and wish to say this: If we are going to move forward on the basis of what I think is fiscal responsibility, we need a good chunk of votes on the Democrat side of the aisle. But I would point out, not in the way of warning—that is not the word I want; I do not know what word to use, but just point out—let us leave it that way—that this is a Democratic-controlled Congress. If we do pursue this novel fiscal policy, recommended by President Kennedy, this question in my judgment should be a basic issue in the 1964 elections. The people in the long run must resolve these basic points, all we in Congress can do is to draw the issues.

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, I want to join in commending the gentleman from Missouri [Mr. Curtis] for his fine, timely, and erudite statement on public finance. Mr. Speaker, I have said privately and publicly many times that the gentleman from Missouri knows more about public finance and tax philosophy than any Member of Congress. We are indeed fortunate to have such a well-qualified man to speak so well and effectively on this subject.

Mr. Speaker, it is unfortunate that none of those who represent the administration's position were not on hand to enter into a public debate so that the virtues and weaknesses of all propositions could be better brought to light and understood. I hope that in the future, when given the opportunity, all will be on hand to hear a discussion of these matters and all propositions designed to serve the public interest.

I thank the gentleman and wish him good luck as he and others attempt to get all the facts in the record, both in the committee and on the House floor.

ECONOMIC STEREOTYPES AND INTELLECTUAL ARROGANCE

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, President Kennedy and his entourage of New Frontier professors finding themselves unable to marshal popular support for their novel economic ideas of spending ourselves rich and cutting taxes to cut deficits have resorted to the technique of intellectually browbeating the public.

The theme is that anyone who disagrees with the new theories is too dumb, too provincial or too arrogant to understand. As a matter of fact the arrogance and the unwillingness to think is basically on the side of the New Frontiersmen. There are many scholars and Congressmen who are perfectly willing, in fact anxious, to examine into the novel theories advanced by the President and his advisers to see where they might be right and where they might be in error.

However, the process of examining into the new theories should be thorough; and should include all the basic premises which the New Frontier economists have been developing so carefully over a period of years.

These premises have been stated and restated and echoed back and forth so often by their supporters, creating such a din that they act surprised to find that they have not been accepted and that they are being called upon to bring out their working papers to establish their truth.

Is the economy tired and sluggish or is it experiencing growing pains? Will increased consumer purchasing power result in increased consumer demand? Is the unused plant capacity essentally idle or obsolete? Is the primary cause of relatively high rate unemployment frictional and structural, or weak consumer demand?

These are just some of the issues that should be examined into, discussed and debated. But these are the very points on which the Kennedy professors wish us to assume their conclusions as true as a matter of faith and not reason.

I have placed in the Congressional Record over a period of several years some of the treatises of distinguished scholars which seek to refute many of these basic premises. Dr. Arthur Burns has successfully refuted the economic gap theory which lies at the base of much of the ideology of the Kennedy professors. Dr. Colin Clark refutes the sluggish growth theory by exposing the techniques employed by those who started this play of growthmanship. Dr. Raymond Saulnier, Dr. Milton Friedman, Dr. Gabriel Hauge, among the many distinguished scholars have time and again revealed that the basic economic premises upon which the novel theories advanced by the Kennedy administration are in error.

The Kennedy professors obviously do not want discussion and debate. They pretend, and their claque in the reporting profession help keep up the pretense, that no intellectual or scholar disagrees with them. There being no disagreement, the poor dumb people just need instruction to get rid of their puritanical traditions of thrift and hard work which shackle them and prevent our society from moving at once into this realm of heaven on earth.

I am placing in the Record an article written by another distinguished scholar, Dr. W. H. Hutt, who disagrees with the fundamental premises of the Kennedy arrogants. This article, entitled "A Question of Stereotypes," appeared in Fortune magazine in August 1962.

Dr. Hutt is professor of commerce and dean of the faculty of commerce at the University of Cape Town, South Africa, and has recently been lecturing in the United States. He has been participating in the serious dialog of economic and political discussion ever since he entered the London School of Economics in 1919. In 1930 he published his pioneering classic, "The Theory of Collective Bargaining," in which he argued that labor unions, while reducing the total product of industry, failed to secure its redistribution in favor of the poorer classes. Ten years later he brought out "The Theory of Idle Resources," an analysis of concepts of unemployment and their significance. A new book titled "Non-Keynesian Economics—a Restatement," is planned for publication in early 1963.

Dr. Hutt lists and discusses some of the stereotypes of the Kennedy arrogants, progressive taxation, the profit motive, competition, exploitation of labor, full employment, and property.

On property Dr. Hutt says in contradiction of the arguments used by the arrogants to further their theory of the desirability of Government property holdings:

> It is when the ownership of resources becomes vested in the state and that these resources are likely to be used, not for the benefit of the community as such, but rather for the benefit of relatively small groups that are able to maintain a number of politicians in office.

I hope the general public and individual Congressmen will be encouraged to withstand the intellectual browbeating they are being subjected to. Rest assured there are many scholars and thinkers on the other side. The issue shall not go by default based upon blind faith in the wisdom of these 20th century promoters of medieval scholasticism. We were going to have a debate in spite of them.

Let us have an end to this intellectual arrogance of the Kennedy professors. If they have a case let them advance the arguments and facts which they believe support their case, and those of us who disagree will put forward our points. Here follows Dr. W. H. Hutt's article:

A Question of Stereotypes

(By W. H. Hutt[1])

President Kennedy recently made a plea for disenthralling ourselves from "truisms and stereotypes" of the distant past in order better to address ourselves to the problems of the present. This is a laudable sentiment, yet much depends on exactly what ideas are in question. The President belittled fears of unbalanced budgets and the growing role government tends to play in economic affairs. But are such fears unfounded? Are men the victims of "sterotypes" when they oppose direct government interference in the price system? Is it a species of "mythology" to believe that the community is best served by a government of rule and law as contrasted to government by discretionary authority? Surely there is a distinction between irrelevant "truisms" and the enduring truths that men have painfully arrived at regarding the nature and maintenance of the good society.

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[1] The writer of the accompanying essay is professor of commerce and dean of the faculty of commerce at the University of Cape Town, South Africa, and has recently been lecturing in the United States. He has been participating in the "serious dialogue" of economic and political discussion ever since he entered the London School of Economics in 1919. In 1930 he published his pioneering classic, "The Theory of Collective Bargaining," in which he argued that labor unions, while reducing the total product of industry, failed to secure its redistribution in favor of the poorer classes. Ten years later he brought out "The Theory of Idle Resources," an analysis of concepts of unemployment and their significance. A new book titled "Non-Keynesian Economics—a Restatement" is planned for publication in early 1963.

The real and dangerous stereotypes today, I submit, are certain highly popular notions that in effect constantly aggrandize government by impairing the free-market system of economy. These ideas, new in dress but old and stale in origin, have been endorsed by many economists, especially those who are influential in advising governments; they have been propagated by the press; and they have even influenced some businessmen. Precisely because he is busy, the businessman tends to take on authority the cliches he hears reiterated. When he thinks he is taking a broadminded, progressive, enlightened, or public-spirited view, he is all too often reflecting quiet, gradual indoctrination of which he has been wholly unconscious. My purpose here is not to set forth in detail the principles of the free society, but in brief space to challenge head-on some of the more popular fallacies now in vogue.

Progressive taxation: The acquiescence of many people, sometimes including businessmen themselves, in a system of progressive taxation rests on two misapprehensions: First, that progression in the tax system is just; second, that it is necessary to raise revenues adequate to cover the enormous outlays most Western governments are making. In fact, progression is discriminatory and incentive destroying, and this compounds the ill effects of the tax burden on economic growth and savings. No one would think of defending a wage system wherein factory employees were paid at progressively declining rates for overtime. Yet this is the setup in which we have acquiesced for the net remuneration of the most vital employees in our economy—executives, entrepreneurs, and large segments of the middle class. Of course, businessmen and managers are activated in part by nonmonetary incentives. Yet why have we come to tolerate and to regard as just a system that yields positive disincentives to work and creative effort? It can be shown that progressive rates of taxation raise relatively little additional revenue and that they encourage both tax avoidance and illegal tax evasion—which are now rife in most countries. Should we not emphasize more effectively the moral harm that this entails as well as its enormous administrative cost? Should we not, indeed, stop talking about "progressive" taxation altogether and stress the point that it is those who favor the present discriminatory system who are—quite unwittingly—the reactionaries?

The profit motive: The stereotype here is that, while "profits" are all very well in their way (for they help pay the Government's bills) they should nevertheless be subject to some kind of limit or self-restraint. Yet no one has ever enunciated unambiguous criteria for determining what percentage of profits on an investment is "legitimate" and what is "excessive." Sometimes we get the idea that stockholders ought to share profits with labor. But once again, no principles for sharing have ever been suggested.

The curious thing is that profits in their strict sense form that part of income which can never be "too high" from the standpoint of the collective interest of the community. For profits are the evanescent reward of wisdom in prediction and the risks undertaken by those who bring together various factors of production (labor, materials, and capital) to satisfy the market demand for goods and services. A firm replaces or accumulates inventories or capital resources of any kind, in combination, up to the point at which the prospective yield from any further increment of investment in that form or direction offers less than the rate of interest. Any realized deficiency below interest (obviously resulting from unwise or unlucky decisions about the use of the community's resources) is a loss. Any realized excess above interest (resulting from wise or lucky decisions) is profit.

The constantly expressed view that the entrepreneurial incentive so described (as distinct from the necessarily imperfect wisdom, or power to predict, of those subject to the incentive) can be a source of instability or discoordination in the economy is preposterous. And it is gross misrepresentation to suggest that institutions which have been framed to permit the profit system to function have been designed for the protection of the wealthy. The accumulation of productive capacity through the plowing back of profits, whether by the individual or the corporation, has been essential for the emergence of the modern world with its rapidly rising living standards. Yet the public still tends to regard the process as an inherently sordid one, and the businessman himself is often not without some feeling of guilt about the matter. To break down popular misconceptions on this point we should, I think, always emphasize that the profit system is inherently one of profit and loss; and that its purpose is basically to insure the use of the country's resources in accordance with the public's will.

Competition: Just as many public utterances about profits are misinformed or woolly, so with the larger concept of the competitive market. Businessmen themselves often talk about "healthy" competition, implying that just so much of it is good, but that if carried too far competition becomes "wasteful" or "cutthroat" or "cruel" or "ruthless." But those who talk this way are never able to tell us just how much competition is good, and how much is bad, and in effect they open the door wide to discretionary and arbitrary Government regulation of the business system.

In a free market as opposed to a planned economy, the consumer is given sovereign power to vote for certain economic ends. Producers respond to that vote in search of a profit reward; and competition between producers insures the constant substitution of the least-cost method of production. It is hard to see how competition, so defined, can be "wasteful," though it may be painful to producers or industries that are eliminated in the process. Yet much of the pain attributed to competition is, I suspect, due to prolonged efforts to avoid it. If a country has long had a protective tariff, or if farm prices have been subject to prolonged government support as in the United States, then of course the elimination of the tariff or the support will cause pain. Yet this is only to say that if we try to walk on stilts we may fall and cause harm, not only to ourselves, but to others. Gravity is not apt to hurt the one who walks on the surface of the earth.

The great virtues of the competitive market are, first, its democratic character, and, second, its inherent impartiality. It is as class blind as it is race blind. Why has no ghetto developed in the United States? Fundamentally because, in the past, the free market has been allowed to function effectively. Why has apartheid persisted in South Africa? Because various government measures have excluded the nonwhite people from the economic opportunities that competitive capitalism was trying to provide for them. The market in South Africa has been colorblind. The state has been color conscious.

Exploitation of labor: It is frequently alleged that the competitive market is exploitative of labor in the absence of trade-union pressures. Of course, collective bargaining is administratively inevitable in this mass-production era; and a good society ought to protect employees from attempts, through collusive action of employers, to force down wage rates below their social or free market level. The trouble today is that powerful unions all too frequently push wages to a level which must ultimately create unemployment unless the Government resorts to inflation. Thus the whole community is penalized.

The stereotype of labor exploitation rests on the false idea that it is employers or stockholders who pay wages. Consumers pay wages. If the price of leather rises the price of shoes will almost certainly advance. If the price of labor going into shoes, advances, the price of shoes is likely to go up for exactly the same reason. It is universally recognized that indirect taxes are regressive—i.e., they tend to burden the lower income groups more, in proportion, than the higher. But when collective bargaining, State-fixed wage rates, and price supports of other kinds raise prices above the values the market would establish, the effect is even more powerfully regressive. There is an astonishing blindness to this truth even in academic circles.

Managers and owners have, therefore, a duty to protect the public from unjustifiably high prices for particular kinds of work. In virtually every great industrial dispute, the true parties in conflict are labor and the public, not labor and management. While the legal responsibility of managers is to the shareholders, they are essentially employees of the consumer. The current textbooks on industrial and personnel relations are seriously defective on this vital point. The case for industrial discipline has its origin in consumers' sovereignty. Few of our young executives in training have this truth brought home to them. I know most of the textbooks in this field. Any awareness of the simple yet crucial fact I am stressing is virtually absent in all of them.

Businessmen ought also to recognize and be able to defend the positive role the competitive pricing of labor plays in a coordinated economic system. Ethical principles cannot determine the socially desirable relative prices of carrots, turnips, and parsnips. Neither can they determine the socially desirable relative wage rates and salaries of laborers, mechanics, executives, and entrepreneurs in an industry. These matters are best settled by the free market, which tends to apportion rewards in relation to the value of a man's contribution (whether through personal services or through property) to the common pool of output.

The enlargement of total output, and hence of real wages and incomes, depends in the last analysis on thrift and technical progress. Now such progress in a particular industry creates no justification for a rise in the remuneration of those employed in that industry. It should, under competitive conditions, lead to a cut in price of the product in question, which in turn releases purchasing power and demand for other products. This enlarges the total market for goods and services, and causes the remuneration of those engaged in other industries to increase. This is the meaning of Say's famous law of markets. As I like to express it, that law states that the demand for any commodity or service arises out of the supply of noncompeting commodities or services. And it is saving plus technical innovation and invention that increases total supply and hence demand.

Full employment: This stereotype stands on its head a major purpose of the good society, which is not to create more work but to maximize the output of goods and services from which jobs and employment opportunities follow. Every potent invention or managerial ingenuity is potent because it is in one sense employment-destroying, i.e., because it enables a given product to be produced with less labor or less capital, thus forcing marginal resources into idleness. Yet as noted above, it is precisely these economies that constitute the great expansive force in the modern world where free-market conditions for labor and capital prevail.

Chronic unemployment of men and physical assets emerges basically when services are priced higher than the community can afford out of uninflated income—i.e., when labor prices itself or is priced out of the market. Public spending cannot create demand or employment except in the sense that inflation may offset costs which have been raised or held rigid by collective action. Moreover, in validating wage maladjustments, the government is likely to set in motion an endless spiral in which spending leads on to new wage demands, while resulting unemployment is made the excuse for still more spending.

Some businessmen have been tricked into associating or identifying such inflation with economic growth, forgetting that the source of growth is thrift (i.e., the accumulation of real assets by individuals, corporations, or Government). But even worse than open inflation, perhaps, is repressed inflation, wherein governments seek to disguise the efforts of misguided monetary policies by attempting to hold prices down by direct or indirect controls, as apparently happened recently in the United States. In this case we get the worst of all possible worlds—Government spending to alleviate unemployment accompanied by price fixing that may (indirectly and unintendedly) strike at the whole fabric of the market economy.

If we are to avoid this denouement, we should have the courage to insist that, while Government has a responsibility to provide a sound monetary system, it can never fulfill it as long as pressure groups distort the flexible functioning of the price-and-wage system. In the case of industry, I see no great problem in the United States since, despite much propaganda to the contrary, business appears to be sufficiently competitive, especially when interindustry competition and antitrust discipline are taken into account. In the case of organized labor, however, there is a real problem since the modern union possesses a kind of monopoly power over wage rates—a power that can paralyze whole industries by strike action. The task of reform is not easy, but the key, I believe, resides in showing that it is the coercive power over its own members—and against those seeking work—that gives the modern union its unique monopoly privileges. It cannot be pretended that the relevant labor legislation (or its enforcement) has been the product of any careful consideration of its economic and moral implications. It has been largely a concession to voting might.

Property—"Property is theft," wrote Pierre Joseph Proudhon. This idea lingers as a stereotype partly because of misconceptions about acquisitiveness (thrift being confused with avarice), but partly because of the belief that the accumulation of property is often the consequence of "exploitation." It is, perhaps, not a businessman's stereotype. But the average businessman is as ineffective in explaining the role of property as he is in defending profits. We can help to dissolve the stereotype by showing that what is called "private property" consists not only of one's house, one's car, one's furniture, and so forth, which may be appropriately termed "private," but also of resources the profitable use of which is subject to consumers' sovereignty. This form of property could be better termed "social property." It is when the ownership of resources becomes vested in the State that these resources are likely to be used, not for the benefit of the community as such, but rather for the benefit of relatively small groups that are able to maintain a number of politicians in office.

To instill a truer picture of the role of property, we must show the extent to which freedom of the mind and spirit have been dependent upon "privately" owned savings. Freedom of contract and the tradition of sanctity of contract (which have meaning only in relation to the institution of property) constitute the basic safeguards of personal liberty.

The above are some of the stereotypes that need questioning and analysis. Inevitably, part of this analysis has been technical, but more generally, our appeal should be to the animating of the ideals of the free society. Such a society needs government that will protect its members from coercion, and government fails in its duty when it allows private groups to claim the right to exercise coercive authority. Yet the government's own powers need to be carefully circumscribed. Very early in the history of the American political system, Alexis de Tocqueville (aptly described as the greatest friend democracy ever had) discerned the fundamental conditions under which the system of choosing legislators through the counting of heads could lead to a good society. Majorities, he held, had no rights against minorities. While many legislative decisions could be made by majorities alone, the rules enacted ought to be nondiscriminatory, and specifically apply to the majority themselves as well as to any minority affected. As is shown in Friedrich Hayek's brilliant exposition of this notion ("The Constitution of Liberty," published last year), while a majority has the right to tax itself for the benefit of a minority, it does not have a parallel right to enrich itself through legislation at the minority's expense.

It is in the breach of this rule that, I think, we can trace the origin of the most serious weaknesses in the economic policies of this age. Increasingly, governments maintain themselves in power by a process of exploiting the thrifty for the benefit of the improvident, exploiting the competent for the benefit of the incompetent, but above all, by exploiting the politically weak for the benefit of the politically strong. Unless we can discipline government through what may be called the Tocqueville principle, we shall have the triumph of the rule that voting might makes for social right. Such a rule can scarcely provide the foundation for a truly prosperous society. Yet the so-called welfare state, however noble the intentions of many of its advocates and supporters, has been progressing politically because it has become a respectable way of purchasing the votes of the immediate beneficiaries.

We must not let the advocates of big government get away with all the nice-sounding adjectives. They have already stolen the words "liberal" and "welfare." One can no more attack "welfare" than one can attack virtue. Meanwhile, those who seek to defend the market economy have come to be regarded as defenders of a sordid process of money-grubbing. What needs to be shown is that the process of competition, the institution of property, and the sanctity of contract are the institutions that restrain such avarice as is natural to man and make possible the system of voluntary collaboration that has built the modern world.

Possibly our best strategy should be indirect. We should insist that the government exercise its power only through clearcut rules based on explicit general principles; and that is the essence of law. In any attempt to enunciate such principles and frame such rules, the proponents of unrestrained government will open themselves to effective attack.

THE PROPERTY TAX: THE HERO OF POST-WORLD WAR II DAYS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, it is appropriate that most public attention is being directed to the Federal income tax as the villain in the drama of economic growth. Indeed, it is the villain and its ways need to be reformed.

By its very nature—taxing profits—it is a deterrent to economic growth. It is time, however, to point to the hero of the drama—the property tax upon which local revenues are based for expenditures in health, education, welfare and economic infrastructure such as roads, sewers, and water supplies.

By its very nature—taxing wealth, idle or otherwise—it is an encouragement to invest wealth and so to economic growth.

I wrote an article for the Yale Political Journal, January 1963 issue, in which I discuss these points to some extent. I am placing the article in the RECORD at this time for further discussion.

Let me anticipate some of the well founded criticism which relates to the property tax. I think the criticism upon analysis suggests reform in the manner in which a particular community may be using, or abusing, the property tax. It does not go to the merits of the tax itself.

I also want to emphasize that the property tax is one of the most progressive of all taxes and primarily the most efficient tax to collect. It has often been called by its detractors a regressive tax. These remarks have been off-the-cuff observations; not those of students:

WHERE A TAXPAYER REVOLT IS STARTING

(NOTE.—A tax revolt, touched off by mushrooming property taxes. That's what is taking place in dozens of communities. Tax bills on many homes have doubled and tripled in 10 years. Homeowners are up in arms. This is the story of that rebellion—and its widespread effects.)

(Reported from New York, Washington, D.C., Detroit, and San Francisco.)

A tax revolt is starting to appear in communities across the country.

Revolt is taking many forms. In some places it is in the form of an escape from a suburban house to life in an apartment. In many others, on November 6, revolt took the form of rejections of a large number of bond-issue proposals.

Local voters in this year's elections threw out mayors, overturned councils, changed school boards in striking a blow against high and rising taxes.

Voters of California decided that they want to get back to the fundamentals—and to give up some of the frills—in education.

In Montgomery County, Md., just outside the Nation's Capital, all except two moderate members of the seven-man county council were swept out of office. All school-board members up for reelection were defeated. Taxes provided the issue.

Revolt, where it is appearing, centers on the local tax on real property.

Property versus income: Most talk and action in Congress and State legislatures have concerned taxes on income.

It is the tax on real estate, however, that is arousing taxpayers to revolt. Year after year, in community after community, the rate of tax on real property is raised. Then, periodically, the tax assessor comes around and raises the assessed valuation against which the tax rate is to apply.

In 10 years, taxes on real estate have doubled—as shown in the accompanying chart. Short of rather violent taxpayer resistance, no end appears in sight. Yet many tax authorities feel that the saturation point either has been reached or is near in real estate taxes.

To find out what is happening, staff members of U.S. News & World Report have dug deeply into the tax problems of communities in several parts of the country.

Take Montgomery County, Md., where taxpayers in the election earlier this month rebelled against politicians in office.

Homeowners have been hit from two sides. Tax rates are up sharply. So are assessed valuations. Here are some examples, drawn from actual cases:

The owner of a $20,000 house in a typical area of Montgomery County, assessed for tax purposes at about 50 percent of market value, paid a property tax of $264 in 1950. This year the tax on the same house is $530—about double.

Another Montgomery County resident, with a house assessed at $17,000, received a tax bill this year for $862—up $172 in 1 year. In 1957 his tax bill was $561.

Soaring assessments: Many owners of older homes in Montgomery County have seen assessments soar. One house, with an assessed value of $12,300, paid a tax of only $328 in 1952. Now, 10 years later, the assessed value of the house has been raised to $29,380 and the property tax is $1,279—about quadrupled.

Jump across the country to California. A typical house in Los Angeles, valued at $16,000, paid a property tax of $255 in 1952. Now the tax on the house is up to $389, an increase of more than 50 percent. A resident of Belvedere, a suburb of San Francisco, says: "In 8 years my house payments have gone from $197 a month to $246 a month—and all the increase is in taxes."

Or pick communities at random—

Glen Cove, N.Y., had a local property tax rate of $4.09 per $100 of assessed value in 1950. Today the tax rate is $9.30.

Double trouble: The owner of a $20,000 house in Decatur, Ga., in 1949 was assessed at about 30 percent of the value of the property and now pay on 50 percent of the value. The tax rate, meanwhile, has risen from $2 per $100 of value to $2.11.

In Woodbridge, N.J., taxes on a house worth $20,000 10 years ago have more than doubled—from $388 in 1952 to $781 this year on the same house.

Nearly everywhere, in communities large and small, the trend is the same: high—and rising—property taxes.

Now, the increases have reached the point where taxpayers are beginning to rebel—with widespread effects.

One major effect, say real estate specialists who watch trends closely, is the slowing of flights to homes in the suburbs. An apartment in the city is attracting more and more people.

Once, a big attraction of the suburbs was a low-tax rate. This was so because these areas often were mainly rural and had adequate, but not elaborate, public services.

The big postwar rush to the suburbs has changed all that. As people have poured in, needs have mushroomed for schools, parks, recreational facilities, water, and sewage plants. Spending—and taxes—have skyrocketed.

In some cases, property taxes have been pushed higher in the suburbs than in the cities. In Washington, D.C., for example, the owner of a $30,000 home pays $140 a year less in property taxes than the owner of a similar house in nearby Montgomery County.

Break for cities: Property taxes per capita in Chicago and Milwaukee are lower than property taxes per person in the suburbs of those two cities.

All this has led many homeowners to sell out, take city apartments.

Says a real estate broker in Indianapolis: "Well-to-do couples, age 45 and older, are moving into luxury apartments rather than building up small estates in the suburbs. The main reason is high suburban taxes."

The day after a widow in Bethesda, Md., received her 1962 property tax bill, showing a 25-percent increase, she put her house on the market. Her comment: "I can't pay these taxes. I dislike the thought of being cooped up in an apartment, but I have little choice."

In many Chicago suburbs, homeowners are finding that taxes now account for 20 percent of their total monthly house payments—double the amount of 10 years ago. Noting this trend, the U.S. Savings & Loan League warns: "One of the great risks of high taxes is the pall they cast over the desirability of home ownership."

Check around the country, and you find other dramatic effects of the mounting taxpayer rebellion.

Many towns and communities turned down bond issues for public improvements on November 6, an analysis of the election results show. In all, nearly $200 million worth of projects was rejected.

Says a New York investment banker, after studying the bond results: "People spurned the public improvements not so much because they didn't want the improvements, but because they felt the limit has been reached in their tax bills."

Homeowners in many communities across the country, fearing higher school taxes, are fighting zoning changes that would permit multifamily properties to be built in the area.

Wanted: tax ceiling: A movement is under way in Indiana to force a constitutional limit on property taxes. Similarly, taxpayer groups in Chicago are pushing for the State legislature to impose a ceiling on property taxes.

Many towns and cities are scrambling for new sources of revenue to ease the load on property owners. In Boston, where property tax rates are the highest in the country, there is a clamor for a State sales tax, or a higher income tax.

Protests over stiff real estate taxes in Wisconsin have brought about a new State sales tax, part of which is to be rebated to localities so that they can reduce levies on property.

Pushed: gambling strip: Los Angeles is considering taxes on hotel-motel bills and an airport passenger tax. In Oakland, Calif., a tax relief action committee is pushing a constitutional amendment to provide a gambling strip along the Nevada-California border, with revenues to go to meet welfare and education needs.

In Iowa, lawmakers are considering legislation that would permit liquor to be sold by the drink—subject to State taxes. Proponents are arguing that the measure would provide needed revenue for schools without raising other taxes.

Detroit has just adopted an income tax. This has helped the city's revenue needs, but suburban communities are complaining. The reason: Detroit's income tax applies to all who either work or live in Detroit.

The new tax hits many who work in Detroit, but live in surrounding communities—and already pay heavy taxes there. In Dearborn Township, for example, the owner of a house with a market value of $16,000 found that his property tax bill has doubled in 10 years.

Now residents of these suburban communities are protesting Detroit's action. They are carrying their cases to the State courts to contest the tax.

Many local officials, witnessing the nationwide stir over property taxes, say they cannot understand what all the shouting is about.

Says a California tax official: "There is no doubt that people are agitated about taxes. But they don't stop to think about this when they ask for more and more services from government."

From the chief tax official of a large suburb in the East: "When people get disturbed enough to cut back spending, taxes will stop rising, but not before."

Spending by communities everywhere has been rising steadily—pushed up by expanding population.

Consider Montgomery County, Md.: Population has exploded from 164,000 in 1950 to 378,000 today. The county is building classrooms at the rate of one a day. Some 6,000 new pupils come into the school system every year. Appropriations by the county for schools this year total $39 million—eight times as much as in 1950. Schools take two-thirds of total appropriations.

Other costs also have risen sharply—law enforcement, roadbuilding, welfare. Interest and other carrying costs of the county's debt have jumped from $2 million in 1950 to $9 million this year.

Or glance at developments in Los Angeles County. Its overall budget has doubled in 10 years, to $783 million.

The county had about 25,000 employees in 1952; now there are 44,000 people on the Los Angeles County payroll. Average earnings of each worker were $3,537 in 1952. This year the average county employee will make $6,028. It costs $8 million annually to run the Los Angeles County Fire Department—four times the amount it cost in 1952.

Says an irate Californian: "This whole matter of governmental growth is impossible to stop."

Dilemma—population rise: Looking ahead, local officials say, pressures for even higher spending will result from the fast-growing U.S. population.

Schools, the biggest source of local spending, will have to carry an increased load—particularly high schools. In the years just ahead—1963–65—youths in the age group 15 to 19 will increase by 2.4 million, a rise of 17 percent in just 3 years. Hundreds of new high schools will have to be built—and high schools are more costly to build than grammar schools, due mostly to expensive laboratory facilities.

One example of increased spending growing out of a rising population is the $792 million rapid-transit system approved by voters in the San Francisco Bay area on November 6.

Traffic congestion had reached the point where residents were willing to take on an added property-tax burden to get an improved means of transportation. Typically, the owner of a $16,000 house will have to pay as much as $26.90 extra in property taxes annually after the transit system is completed in 1971.

Significantly, however, California voters overwhelmingly turned down a special property tax to pay for a big park and recreation program.

Growing revolt? That action seems to typify the mood of people in most areas of the country today.

Spending plans, unless vitally needed, are given a wary eye. Taxpayer unrest has flared into open revolt in many places. And, from all indications, this turmoil will not end any time soon.

PROPERTY TAXES: $20 BILLION A YEAR, AND STILL RISING

State and local taxes on real estate

In just 12 years, State and local tax collections on homes and other property have nearly trebled. These taxes now are rising by more than $1.5 billion a year.

[In billions]

1950	$7.3
1951	7.9
1952	8.7
1953	9.4
1954	10.0
1955	10.7
1956	11.7
1957	12.9
1958	14.0
1959	15.0
1960	16.4
1961	18.0
1962 (estimate)	19.7

Source: 1950–61, U.S. Department of Commerce, estimate by U.S.N. & W.R. economic unit.

The jump in property taxes in some big U.S. cities

	Per capita taxes on real estate		Increase (percent)
	1950	1961	
Chicago	$21.58	$46.39	115
Dallas	25.72	53.28	107
New York	66.74	135.76	103
San Francisco	61.56	121.22	97
Baltimore	56.15	106.72	90
Buffalo	51.83	94.30	82
Philadelphia	25.73	45.99	80
Boston	117.80	212.55	80
Los Angeles	20.46	36.57	79
Houston	27.62	49.25	78
Pittsburgh	30.95	50.40	63
Cleveland	34.84	55.52	59
Detroit	48.57	74.48	53
Seattle	18.60	28.51	53

NOTE.—It is not always valid to compare one city's property tax with that of another. Some cities rely heavily on other revenue sources. Also, functions performed by city governments differ.

Source: U.S. Census Bureau.

DR. PASCHAL SHERMAN

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. HORAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. HORAN. Mr. Speaker, too often in this huge Government of ours, the career of a distinguished civil servant comes to its end unnoticed by all except his immediate associates. With this fact in mind, I would like to salute all of the retiring Government careerists who have finished their work after long years of unselfish giving to better America.

I would like to illustrate the type of person so worthy by briefly citing the career of Dr. Paschal Sherman, a full-blooded Colville Indian, who retired December 22, 1962, after nearly 44 years of service with the Veterans' Administration. I hope that other retirees will hear of this speech and will know that it is meant to honor them, too.

The grandparents and parents of this distinguished constituent of mine were well acquainted with my own parents in the Wenatchee Valley of Washington State. It was my privilege to attend Wenatchee high school with Paschal's brother, Paul, and to be a teammate with him on that high school's athletic teams. Paul later graduated from Willamette University where he was an outstanding athlete. At the time of Paul's passing he was a Baptist minister. Paschal's grandfather, Wapato John, was well known as the potato king in the Chelan region. He transported his produce overland by mule train to the Multnomah Valley in Oregon for sale to the white settlers and later established a trading post at Lake Chelan.

Paschal Sherman received his early education at St. Mary's Mission in Omak and then attended St. Martin's College in Lacy, Wash. He was awarded an A.B. degree in 1916 and a Knights of Columbus scholarship for graduate study at Catholic University in Washington, D.C. In 1917, Paschal was granted his master's degree from Catholic University and began working for his doctorate and law degrees. By sheer dedication and persistent hard work, Paschal Sherman received both a Ph. D. from Catholic University and an LL.B. from Washington College of Law, in 1920. The next year, he was awarded a master's of patent law.

Since that time, Dr. Sherman has held many high positions in the Veterans' Administration. Under unanimous consent, I insert in the RECORD at this point a short article on Dr. Sherman's career from a Veterans' Administration publication:

> Paschal Sherman, Ph. D., Vice Chairman of the Veterans' Administration Disability Policy Board, Compensation and Pension Service, has announced his retirement effective December 22 after nearly 44 years with the VA. In addition to his central office assignments, he held positions in the first district office in Seattle and in the Boise regional office. Besides degrees in law, he holds the degree of doctor of philosophy in constitutional history from the Catholic University of America, Washington, D.C. He is a member of the bar of the State of Washington. Dr. Sherman is proud of his American heritage—a full-blooded Indian of the Chelan Tribe of Washington. Dr. Sherman was one of VA's earliest adjudication officers. He later traveled the Nation in field supervision and was responsible for early issues of claims service regulations and procedural manuals. For the most part his assignments have involved policy work. He plans to do considerable traveling, but his permanent home will be in the District of Columbia.

At a gala luncheon in his honor, Dr. Sherman was presented on December 13 with the award of a VA certificate of commendation:

> In recognition of his outstanding devotion to duty and faithful service in the Federal Government for more than 43 years. As a loyal, dependable, and efficient employee of the Veterans' Administration, having served as one of its first adjudication officers, his efforts have been of inestimable value to the compensation and pension program.

I have long been aware of Paschal's notable career in the Veterans' Administration. I know he has contributed a great deal in pioneer work and in basic philosophy on disability rating. It is interesting to note that, as though in anticipation of the Monte Durham rule on insanity in the District of Columbia, he was the moving spirit in the establishment of a VA regulation on September 6, 1949, for a finding of mental unsoundness in suicide cases on the basis of mental disease rather than on the old rule as to whether the victim knew right from wrong.

Mr. Speaker, the above comments noting the dedication of my distinguished constituent only give a partial picture of Paschal Sherman's life and no insight into his personal philosophy. Articulate and well educated as he is, Paschal always has maintained a vital and abiding interest in Indian affairs.

He recognized early the necessity for an effective organization of American Indians to express Indian needs to the Congress and American public. Advocating such action, Paschal joined the National Congress of American Indians, the only national organization of Indians, run for and by Indians, in the United States. He has been asked for guidance many times by this organization. Dr. Sherman established the basic principles and service concepts of the NCAI's constitution and operating procedures. In addition to laying the operational guidelines, he served as treasurer of the organization and for many years as chairman of its fiscal and administrative subcommittee.

Since Dr. Sherman has kept well informed on Indian happenings throughout the country, he is much sought after as a lecturer. His broad knowledge, understanding, awareness, and humanitarian approach to Indian affairs contribute to his stature in this field. Although Paschal has been away from the Colville Reservation many years, he has kept an active interest in tribal affairs and given assistance to his tribesmen when it was solicited. Indeed, many times Paschal has taken up his pen to clarify and point out Indian issues which needed to be examined in the interest of justice and fairplay, and he has been an advocate of the Indian's right of free choice in determining his own destiny.

In addition to his many activities at the national level, Paschal Sherman has found time to counsel young American Indians about their future. He has urged them to grasp the opportunities available to them for an education and to live up to their fullest potential. Yet, in striving to attain their fullest development, he has reminded young Indians never to lose sight of the national Indian problem and to work as much as possible to alleviate it.

Dr. Sherman's complete biography appears in Indians of Today, a Who's Who of American Indians compiled as a source of information for Indians throughout the country. He is an active member of the American Bar Association, the Federal Bar Association, the National Lawyers Club, and the Kenwood Golf and Country Club.

Mr. Speaker, it is with especial gratification that I salute Paschal Sherman upon his retirement from Government. It is my hope that American Indians throughout the country will now have more fully the benefit of his counsel.

NATIONAL ACTORS' EQUITY WEEK

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I have, today, introduced a resolution which commemorates a most important event in the history of the American theater. This resolution designates the week of May 20–26 as National Actors' Equity Week in recognition of the fact that on May 26, 1913, Actors Equity Association was founded by distinguished members of the American theatrical profession. From that time to the persent, Equity has been a champion of the interests of the American actor, a source of strength for the American stage, and a leader in the evolution of the performing arts throughout our Nation.

Mr. Speaker, I am not one to ask that this Congress indiscriminately employ its powers to accord honor and recognition. But when an organization has contributed as much to a vital American institution as Equity has done with regard to the theater, I believe it fully deserves whatever acknowledgments we may bestow.

Actors Equity Association has been rightfully referred to as the union with a difference. Equity's 13,000 members range from the unknown ingenues in the chorus to the stars whose names are known throughout the world—the theatrical greats of the American stage such as Helen Hayes, Alfred Lunt, Lynn Fontanne, Katherine Cornell, Fredric March, Zero Mostel, to mention a few. Equity represents the professional actors, actresses, and stage managers of summer stock, the legitimate theater, touring companies, and industrial shows.

Equity's history is a stirring and colorful one. Beginning in 1913, as association slowly developed roots within the American acting profession. Depressed working conditions provided the need for Equity.

Ethel Barrymore described such conditions this way:

> In one-night stands in the West, where Saturday was the worst night of the week theatrically on account of all the stores being open, certain managers made it a practice to cut Saturday night performances, take a sleeper jump to a town where Sunday performances could be given—the actor, of course, paying for his sleeper—and then docking the actor for the Saturday night lost and not paying him for the Sunday performance, or performances, given.

Too, there was no standard contract, no minimum wage, no fixed conditions, no predictable number of rehearsals. There was no guarantee of playing time, and transportation in the hands of many a defaulting manager left many companies stranded hundreds of miles from home. Holiday matinees were numerous and unpaid. Costumes were not provided and actors could be dismissed without notice.

This was the tinder for a strike that began August 7, 1919. For 30 days, Equity members struck for recognition of their union. The Wilsons and Gillmores, John Drew, and the Barrymores, the Emersons, Eddie Cantor, Ed Wynn, Hazel Dawn, and other stars of the day joined the picket line.

Equity achieved recognition and quickly proved itself to be a union with a difference by being the first American union to incorporate the principle of arbitration of all disputes covered by the contract. As a union, Equity can boast another distinction: While achieving greater financial benefits, better working conditions, and improved job security for its members, it has, with the exception of the 1919 strike and a 1-week blackout in 1961, maintained peaceful labor relations within the American theater.

As president of Actors Equity, Mr. Ralph Bellamy has stated:

> We are aware of our responsibility to society, to the theater and to ourselves * * * and we have done our best to build and maintain a dignified position for the actor in the American theater.

Mr. Speaker, because Actors Equity has so brilliantly borne the responsibilities enunciated by Mr. Bellamy and because it has truly earned a position of leadership among the great institutions of the American performing arts, I commend to this House the resolution which I have submitted so that we may honor Equity on its 50th anniversary.

DISABILITY BENEFITS UNDER THE SOCIAL SECURITY ACT

The SPEAKER pro tempore (Mr. FINNEGAN). Under previous order of the House, the gentleman from North Caroline [Mr. WHITENER] is recognized for 10 minutes.

Mr. WHITENER. Mr. Speaker, during my service in the Congress I have been greatly concerned over the inability of many deserving people to qualify for disability benefits under the Social Security Act due to the very rigid and inflexible definition of the term "disability" in the law.

I realize, of course, that there must be some sound medical and employment rules to govern determinations that are made in social security disability cases. From the countless cases that I have observed, however, during the past several years I feel that our present standards are too rigid and are impossible for thousands of deserving claimants to meet.

In order to provide a more realistic definition of the term "disability" under the Social Security Act, I have introduced a bill, Mr. Speaker, which, if enacted, would be of great assistance to numerous deserving social security claimants. The only change that my bill makes in the definition of "disability" in the present Social Security Act is to provide that an individual must be deemed unable to engage in any substantial gainful activity if it is not possible for him, by reason of physical or mental impairment, to engage in the occupation or employment he last performed on a regular basis prior to the onset of his physical or mental disabilities.

During the course of the year thousands of people become totally disabled to perform their regular work. As a rule, these people have no other skills nor can they find an employer willing to hire them due to their age and physical or mental impairment. The result is that many of our citizens suffer undue hardship and are forced to turn to welfare agencies for assistance.

It is my hope, Mr. Speaker, that it will be possible to secure the enactment of my bill at this session of the Congress. If enacted, it will do much to alleviate what I sincerely believe to be an inequity existing in our present Social Security Act.

SCHOLARSHIP AWARDS TO STUDENTS OF MEDICINE AND DENTISTRY

Mr. HANNA. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FOGARTY. Mr. Speaker, for the third consecutive Congress I am appearing before this body to introduce a bill to provide Federal assistance to the States in awarding scholarships to students of medicine and dentistry.

This bill complements legislation which I introduced in the House last Thursday—a bill to authorize Federal aid for the construction of medical, dental, and public health educational facilities.

Today I propose that, as a corollary, we must also help students of medicine and dentistry to finance the high costs of education in these schools.

A little later today I shall introduce a third bill to provide for Federal grants to augment basic operating incomes of medical and dental schools.

I am introducing these bills, for the third consecutive time, because I believe it is still true, as it was in the 86th and 87th Congresses, that no responsible person wishes to see the health of the American people entrusted to proportionately fewer doctors.

Let me cite some facts. Our 86 medical schools produced 7,168 graduates in 1962. This figure represents only a slight increase of 174 students over the previous year's crop of medical school graduates. Moreover, the number of medical school graduates over the past 5 years has shown little fluctuation, with an increase of only about 200 students more than those graduated in 1958. The situation in the field of dentistry is even more serious.

It is a sobering fact that in 1959 the Soviet Union produced 27,000 doctors, while the United States produced about 6,900. These figures cited in a report by the National Science Foundation—Nicholas DeWitt, "Education and Professional Employment in the U.S.S.R.," National Science Foundation, U.S. Government Printing Office, Washington, D.C., 1961, 856 pages—may be stated another way: physicians accounted for 8 percent of all Soviet graduates compared to 2 percent of U.S. graduates.

The report further states that between 1928 and 1959 the Soviet Union produced

420,000 doctors. From 1928–58, the United States produced only 181,700 doctors. In other words, the Soviet Union trained 2.3 times as many doctors as did the United States.

Although the quality of our medical training is much higher than that of the Soviet Union, the conclusion is unmistakable that we must do something to increase our supply of medical manpower, and we must do it soon.

Other statistics point to the same conclusion. There are the oft-quoted references to the tendency for our population to increase while the proportionate number of doctors and dentists decreases. The use of foreign physicians in our hospitals illustrates this tendency very graphically. Ostensibly here to advance their professional training, foreign physicians are quite frankly being used to fill our doctor gap, particularly in large city hospitals. The removal of foreign doctors from our hospitals would cause many large city hospitals to curtail emergency services, reduce ambulance services to a dangerous level, and possibly even close up rooms and wings.

Another statistical evidence of our draining medical manpower pool is contained in medical school admission figures. In 1962, the Association of American Medical Colleges reported a decline for the fifth consecutive year in the number of medical school applicants.

The decline in medical school applications has caused great concern. There has been considerable soul searching for the reasons for this trend.

The long years of training that must precede actual medical practice, the loss of prestige in the medical profession, fear of Government control of medicine, the attractiveness of other scientific fields, and the recruiting efforts of certain competitive professions have all been suggested. I believe, however, that the most significant reason is the fact that those who do not apply simply cannot afford the expense of a medical school education.

It has been suggested that because of the decline in the number of applicants to medical schools, new medical schools will not be able to fill vacancies with well-qualified students. I do not subscribe to this view. I believe that the provision of scholarships will enable many highly qualified individuals to pursue careers in medicine and dentistry. It is unfortunate, indeed, if the want of economic resources were to cause a waste of talent and ability.

This is recognized in the programs of Federal agencies such as the Office of Education, National Science Foundation, and Atomic Energy Commission, which provide scholarship, fellowship and loan assistance to Ph. D. candidates in the basic sciences and engineering.

Is there any reason why we should not do as much for candidates in medicine and dentistry? There are urgent reasons why we must do this—and more. Let us examine these reasons, not in terms of trends and statistics, but rather in terms of the human element—the young man who, for as long as he can remember, has wanted to become a doctor. Let us assume that he came from a family that endowed him with above-average intelligence but with only an average economic income. He is already handicapped—not by lack of brains, but by lack of funds. He has some friends who are no better off financially, but who were able to have their postgraduate studies of physics and chemistry financed by the government and industry.

Our prospective doctor not only faces economic hardship, he faces it for many more years than do his friends. His expenses in medical schools will probably run about $3,000 a year. There is a good chance that he will be from $2,000 to $5,000 in debt when he finishes 4 years of medical schooling. He still faces additional years of internship and residency training—years during which his debts will progressively increase. If he marries, chances are his wife will have to support the family until he can begin to earn the salary of a practicing physician. With this kind of deterrent, it is little wonder that the number of medical school applicants is declining.

What I propose is that we begin to offer some inducements to members of this untapped reservoir of potential medical manpower.

I propose the provision of scholarships of $2,500 per academic year to students in schools of medicine, dentistry and osteopathy.

I propose a system whereby specially created State commissions select scholarship winners on the basis of ability and need, and review their performance annually.

I propose that States bear half the cost of these scholarships and submit an acceptable plan for administering these funds to the Surgeon General of the Public Health Service.

I propose an initial appropriation of $10 million for the fiscal year beginning July 1, 1963, to be allotted to the States on the basis of their populations between ages 20 and 24 inclusive.

Finally, I propose that this Federal appropriation plus State matching funds provide a maximum of 8,000 scholarships a year, totaling $2,500 each.

I propose these things in the face of America's dwindling supply of trained health personnel. I endorse this program because of the concern we all share for constantly improving the quality of health care for our citizens. I feel these steps are necessary to provide the manpower needed to apply the miracles of medical research for the benefit of the diseased and disabled. I believe that we owe this not only to ourselves, but to people all over the world who have much to gain from our health resources.

That we must keep our health resources intact has been emphasized recently by President Kennedy. In his state of the Union message he called for a 50-percent increase in the capacity of medical schools and a 100-percent increase in the capacity of dental schools over the next 10 years.

There are those who oppose any action in this area, claiming that there are no precedents for the Federal Government to aid medical education. Yet we have a 10-year demonstration, in the form of Federal support of medical research, research training, and research construction, that Federal aid to medical education can be provided without compromising freedom of education.

We do not need precedents. We need action. We have studied the problem. We have debated about the problem. The time has now come to legislate on the problem.

FEDERAL GRANTS TO SCHOOLS OF MEDICINE AND DENTISTRY

Mr. HANNA. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I rise to introduce a bill which would authorize Federal grants to augment basic operating incomes of schools of medicine and dentistry.

This bill is the third in a series of measures which I have proposed as necessary steps to alleviate our Nation's critical shortage of physicians, dentists, and other health workers.

I introduced the first of these measures, H.R. 3180 on January 31 to authorize Federal aid in the construction of medical, dental, and public health educational facilities. The second, which I introduced earlier today, would provide Federal assistance to the States in awarding scholarships to students of medicine and dentistry.

The three bills represent the minimum action which must be taken in the face of a nationwide medical manpower shortage which has become progressively more serious since I first introduced these bills in the 86th Congress.

This legislation, which I now present to you, is the third essential element of my program to produce more physicians and dentists. It has a special significance in filling our Nation's medical manpower gap because it can have an immediate effect on the physician and dentists shortage by helping existing schools increase their output of medical and dental graduates. We cannot afford to wait for the results of a construction program which if implemented would require at least 10 years from the initial planning state to the production of the first graduating class. While we must build new schools, we must also help the schools we now have meet their current basic operating expenses.

Our Nation's medical and dental schools are doing a splendid job, but with each passing year they are increasingly faced with rising costs of medical and dental education. Thus the ability of these schools to remain stable with proportionately decreasing incomes is progressively placed in jeopardy.

At the same time, these schools are being called upon to turn out many more graduates each year while maintaining their high standards. President Kennedy, in his state of the Union message, has called for a 50-percent increase in the capacity of medical schools and a

100-percent increase in the capacity of dental schools over the next 10 years.

Medical and dental schools face tremendous impediments in meeting this demand. In 1960–61, 87 medical schools reported total expenditures of $436 million, an increase of 18 percent over 1959–60 and 82 percent over 1956–57. The average medical school expenditure is about $5 million a year. Yet steadily expanding programs, higher costs, and the declining purchasing power of the dollar are placing progressively heavier financial burdens on medical schools.

The situation for dental schools is even worse. According to the American Dental Association, dental schools on the average spend about $2,500 per year to educate each student. But tuition charges for a course in dentistry average only $800 a year. In other words, the dental student contributes through tuition only 29 percent of the cost of his education. Yet the cost of educating a dental student is now almost 2½ times what it was 10 years ago. By 1970 it is estimated that the average annual cost per dental student will be at least $5,000 per year.

A group of consultants to the Surgeon General of the Public Health Service described the situation a few years ago by saying that "one of the most serious problems of medical education today is the underfinanced school."

Another facet of the problem was brought out in a statement last year by the Association of American Medical Colleges. A representative of this group stated that "there is real danger that some medical schools, largely for the lack of operating funds, will be unable to meet responsible standards of quality and will cease to operate." Other universities with the academic potential to institute new educational programs to keep pace with new developments in science and medicine are reluctant to commit themselves unless they have more assurance of assistance in meeting their operating costs.

Medical and dental schools also face the problem of increasing difficulty in recruiting faculty. Teacher shortages, particularly in the sciences, are evident in most colleges and universities. Medical and dental schools lag far behind the going rate in their communities because of inadequate operating funds with which to maintain and enlarge their teaching staffs.

A final problem facing medical and dental schools which I will mention is the fact that because of inequality in the availability of operating funds, a number of schools are in precarious financial condition. Furthermore, the financially weaker schools are falling farther behind each year.

Efforts by State and local governments and groups such as the National Fund for Medical Education and American Medical Education Foundation have been highly commendable, but have nevertheless fallen far short of meeting medical school needs.

We find ourselves faced with a situation in which these traditional sources of medical and dental school income are inadequate to meet 20th century needs. We cannot in good conscience advocate increases in tuition costs for that would merely discourage greater numbers of prospective physicians and dentists by reducing their ability to finance their education.

The answer to the problem is that either Federal aid must be provided or there is little possibility that our Nation's output of physicians and dentists will be substantially increased.

The bill which I propose today, let me emphasize, is intended to supplement, and in no way replace, existing sources of income and resources of medical and dental schools.

I have not included schools of public health in these provisions because operating grants already are available to these schools under the Rhodes Act passed in the 85th Congress.

Specifically, I propose that Congress assist public and nonprofit, tax-exempt schools of medicine and dentistry in meeting their operating costs up to but not exceeding 50 percent. This assistance would take the form of:

First. For a period of 10 years, block grants of $100,000 a year to medical and dental schools which provide training leading to a medical or dental degree. Schools offering only 1, 2, or 3 years of such training would receive annual grants of $25,000, $50,000, or $75,000, respectively.

Second. All medical and dental schools would receive annual payments of $500 for each student enrolled, and an additional $500 for each student enrolled in excess of its average past enrollment. This additional payment of $500 would be computed on the basis of limitations set forth in the legislation.

Third. A National Council on Education for Health Professions would be established in the Public Health Service to advise and assist the Surgeon General in preparing general regulations and deciding policy matters concerning the administration of these grants.

These steps are essential to the more equitable distribution of educational opportunity throughout the country. They are essential to the support of operating expenses of the less wealthy schools. They are essential to the maintenance of a high standard of education in our existing medical and dental schools. They are essential, moreover, to the alleviation of the critical shortage of physicians and dentists who are the ultimate guardians of the health of the American people.

I cannot urge you strongly enough to take favorable action on this and the other two bills which I have introduced in the interest of putting an end to the physician famine and dearth of other health personnel which so seriously threatens the well-being of our country and its citizens.

UKRAINE AND OTHER CAPTIVE NON-RUSSIAN NATIONS IN THE U.S.S.R.—A SELECT BIBLIOGRAPHY

Mr. HANNA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FLOOD. Mr. Speaker, the observance of the 45th anniversary of Ukraine's independence, both in the Congress and throughout the Nation, was so impressive and reassuring that our American interest in the eventual liberation of Ukraine must by all means be deepened further. Needless to say, this keen interest in the largest captive non-Russian nation in Eastern Europe serves our primary interest, the security and freedom of our own Nation. In the months and years ahead we can expect a progressive awareness on the part of our people of the strategic importance of Ukraine and of the other captive non-Russian nations in the U.S.S.R. to our goal of victory in the cold war.

In the aftermath of our celebration of the 45th anniversary of Ukraine's independence, I cannot think of a more constructive way to sustain and deepen the American interest in a liberated Ukraine than to urge our citizens to learn more about Ukraine and its historic role in Eastern Europe. Such learning will lead inevitably to an appreciation of the many opportunities that this captive nation offers us for an offensive against the Moscow imperiocolonialists in the cold war. It is most regrettable, to say the least, that these opportunities have until now been largely hidden from public view.

Mr. Speaker, it is with the intention of furthering such productive learning that I insert the following "Select Bibliography on Ukraine and Other Captive Non-Russian Nations in the U.S.S.R." in the RECORD. This extremely helpful bibliography was originally compiled by Dr. Alexander Sokolyshyn, a professional librarian in the New York City system, and edited by Mr. Walter Dushnyck, editor of the Ukrainian Bulletin and Quarterly. Its final presentation was arranged by Dr. Lev E. Dobriansky, of Georgetown University. The work was made possible by the beneficient contribution of Mr. Nicholas Dutchak, of Detroit, Mich.

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DR. WILLIAM THORNTON: DESIGNER OF THE U.S. CAPITOL

Mr. HANNA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FLOOD. Mr. Speaker, among the many thousands who annually visit Washington and view the stately structure known as the U.S. Capitol, few know the background of its designer—Dr. William Thornton. It was, therefore, with much interest that I read the 1962 Christmas greetings sent out by the distinguished writers Kathleen Hargrave Frantz and Harry W. Frantz, in which they featured a most informative biographical sketch of Dr. Thornton written by themselves under the date of August 20, 1928.

In order that this thoughtful contribution may be permanently recorded in the annals of the Congress and thus be made available to the Nation at large, I quote the full text as part of these remarks:

DR. WILLIAM THORNTON: DESIGNER OF THE U.S. CAPITOL

(By Kathleen Hargrave Frantz and Harry W. Frantz)

("He was a scholar and a gentleman—full of talent and eccentricity—a Quaker by profession, a painter, a poet, and a horse-racer—well acquainted with the mechanics arts"—William Dunlap, in "The History of the Rise and Progress of the Arts of Design.")

Dr. William Thornton was a gentleman and a scholar. More than that, he was a man of magnificent audacity. According to his own admission he was virtually untrained in architecture when he entered and won the competition for the design of the U.S. Capitol. In the same sense that George Washington is regarded politically as the Father of His Country, Thornton fairly may be considered the father of American architecture.

His courage was not the courage of ignorance. Although his knowledge of draftsmanship and design was self-taught, he possessed extensive knowledge of mechanics, broad culture derived from European residence and travel, a sympathy with classic forms, and a certain genius of his own.

The old Capitol, progenitor of the present edifice, was a monument to his beautiful dream. But into its making went the skill and assistance of Hoban, Hallett, Hadfield, Latrobe, and other architects; and Thornton was always helped by the moral support and prudent counsel of President Washington. Yet, by common consent, Thornton is entitled to the major credit, and Glenn Brown, historian-architect, asserted that Thornton's scheme "forms the nucleus for the present structure."

In the absence of published vital statistics, the place and time of Thornton's birth are not known with certainty. Most writers give the Island of Tortola, in the West Indies, as place and May 27, 1761, as date. The little island of Jost Van Dyke also has been recorded as the probable birthplace. Nor was Thornton an isolated genius of the Caribbean. Alexander Hamilton, Alexander Dumas, and the Empress Josephine also came from West Indian isles.

Dr. Thornton was a man of amazing versatility, fairly comparable to Washington, Jefferson, or Franklin. As a physician, he practiced successfully in the West Indies and the United States; as an inventor, he was coexperimenter with John Fitch on the first steamboat; as a politician, he was an early agitator for the abolition of slavery and the independence of South American countries; as an administrator, he was first superintendent and virtual organizer of the Patent Office; as an architect, his work now is studied as representative of the maximum grace and correctness of his period. His manysided mind sought and attracted contact with scientists, revolutionaries and statesmen of three continents.

Never afflicted with false modesty, Thornton was not averse to a fair appraisal of his own qualities and achievements. Craving a broader career than that promised by medicine, he prepared a communication in 1791 which reveals his training and interests, but makes no mention of architecture. This letter, presented to the Council of the Virgin Islands, stated:

"Conceiving it to be my duty to attend to a particular call of humanity which leads me to attempt a settlement of free people at Sierra Leone in Africa and finding some European nations, as also America, desirous of forming such an establishment, I solicit of your honorable house a recommendation to their attention, containing a certificate of my moral character—my education, which was obtained in England, Scotland, and France, and acquaintance with diseases of hot countries, having practiced for some time in the West Indies—my acquaintance with natural history in general and the modes of raising tropical productions—that I am learning and endeavoring to reduce their language to writing—am collecting valuable plants and making other preparations calculated solely for that country, and have been engaged in this cause for some years."

EARLY LIFE OF DR. THORNTON

William Thornton, English planter, and his young wife Dorcas, parents of the great architect, were members of a Quaker colony on the Island of Tortola. At the time of the babe's birth, the Quaker colony embraced about 500 white settlers.

The elder Thornton died when William was 2 years old, and he was sent to the house of his father's relatives in Lancashire, England, to be educated. At the age of 16, in 1777, he was apprenticed to Dr. Fell of Ulverstone, England, to learn the profession of medicine. He showed promise, and 3 years later was sent to the University of Edinburgh.

His work and his diversions at the famous university were equally successful. One of his schoolmates was Walter Scott. Dr. John Walker, professor of natural history, recommending Thornton for a degree, in 1784, wrote:

"He has been all along one of the most respectable medical students in this place, has an excellent literary and public spirit, and has been much noticed and regarded. He was elected a member of the Antiquarian and Royal Medical Societies and one of the presidents of our society in the College of Natural History."

After graduation, the young physician received instruction for 6 months in St. Bartholomew's Hospital. He then returned to Tortola to practice, but his scholarly bent still was strong, and soon he went to Paris to resume his studies.

In the French capital he became a friend of the Countess de Beauharnais, whose husband was the uncle of Viscount de Beauharnais, first husband of the Empress Josephine. Thornton was welcomed to the salon of the countess where he made the acquaintance of distinguished artists, statesmen, and men of letters, and there broadened his interests and his aspirations.

Dr. Thornton came to America in 1787 and during succeeding years resided both in Philadelphia and Wilmington. He was naturalized in Delaware January 7, 1788.

In later years there apparently was some question concerning his citizenship. He secured a certification of his citizenship in the United States from a competent authority, and attached a notation, which explained that he had secured citizenship after the adoption of the U.S. Constitution by the State of Delaware but prior to its adoption by any other State.

Soon after coming to America, Thornton entered a period of romantic adventures which may be assumed to have encouraged development of his native artistic bent. He asked Gov. John Dickinson, of Delaware, for the hand of his daughter. The Governor was not unfriendly to Thornton, but believed that the girl should not marry at the age of 16. The young physician returned to Tortola. Scant records tell of a "Miss R. H.," who, notwithstanding her engagement to Thornton, ran away to marry another man. Sadness and illness befell Thornton, to be recompensed later at Philadelphia where, in October 1790, at the age of 29, Thornton married Anna Maria Brodeau, 15-year-old daughter of a French woman of fine culture and high social position in Philadelphia and Washington.

After the wedding, Thornton and his bride went to Tortola, where the young woman became ill. A letter from Madame Brodeau to Thornton at this time attests his fine character:

"How I pity and lament the very severe affliction you must have experienced in the illness of my beloved child," she wrote. "Your extreme and unequaled watchfulness and attention toward her evince the goodness of your heart as well as the love you bear her and attaches me to you by the ties of gratitude as well as the sincerest affection."

The physician and his wife soon returned to Philadelphia, where they established their residence. Thornton became the friend of Benjamin Franklin, with whom he exchanged scientific ideas, and of John Fitch, with whom he collaborated in experimenting on and financing a steamboat. More than 20 years later these experiments were to be subject of a controversy between Thornton and Robert Fulton.

Thornton continued his philosophical studies which culminated, in 1793, with the receipt of the Magellanic Gold Medal of the American Philosophical Society. His recognized publication, subsequently widely distributed in America and England, was subsequently a source of inspiration to inventors of would-be universal languages. Thornton analyzed the phonetic qualities of words, and the breadth of his scholarship is indicated by notes which he left showing his familiarity with Arabic.

The work was entitled "*Cadmus: Or a Treatise on the Elements of Written Language,*" illustrated by a philosophical division of speech, the power of each character thereby mutually fixing the orthography and ortheopy; with an essay on the mode of teaching the surd or deaf, and consequently dumb, to speak.

Thomas Jefferson acknowledged receipt of this work in a note which said:

"Thomas Jefferson, with his compliments to Dr. Thornton, returns him with many thanks for the device of the mace, and still more for his dissertation on the elements of language which he had read in the manuscript with great satisfaction, but shall do it with more in print."

The mace referred to was intended for the State of Virginia, and the rattlesnake was employed in the device—symbolic of harmlessness when unmolested but danger when disturbed. Gaillard Hunt, antiquarian, and chief of the manuscript division of the Library of Congress, appraised the character and capabilities of Thornton when 30, in the following terms:

"There was hardly a man in America who had received a scientific education equal to his, for the Americans who studied abroad usually went through a classical course only, but Thornton, having received a rudimentary classical education, had studied medicine and chemistry, and then botany and other branches of natural science. The young man was no adventurer, nor was he penniless, for the plantation yielded him an income which was, however, not always certain. By nature he was a fearless idealist and believed that the New World would welcome plans and projects which in Europe would go unheeded."

It is noted again, that the early career and character of William Thornton, about to design the greatest public building of the new Republic, was still without training in architecture, though his skill at penmanship and drafting ability were already a matter of record.

THORNTON DESIGNS THE U.S. CAPITOL

On March 14, 1792, the Commissioners of the Federal City advertised to invite competition for plans of the proposed Capitol and President's house. Dr. Thornton wrote from Tortola in October and asked permission to submit drawings for the Capitol.

Daniel Carroll replied favorably under date of November 15, 1792, simultaneously informing that the plan of James Hoban for the President's house already had been accepted.

Thornton's plan for the Capitol already must have been in advanced stage, and was promptly submitted, for as early as March 3, 1793, President Washington wrote, from Philadelphia:

"*Grandeur, simplicity and convenience appear to be so well combined in this plan of Dr. Thornton's* that I have no doubt of its meeting that approbation from you which it has received from all those who have seen it judges of such things."

President Washington furnished Dr. Thornton with a letter of introduction which he carried with him on his first visit to Washington.

Commissioners Johnson, Stuart, and Carroll, on April 5, 1793, addressed a joint letter to Thornton, then in Philadelphia, informing him that *the President had formally* approved his plan; and adding, "As soon as the nature of the work and your convenience permit we wish to be in possession of your explanation with the plan, for we wish to mark out the ground, make preparations, and even lay out the foundations this fall."

Thornton was victor in the competition over 15 other competitors, among them Stephen Hallet, a French architect, whose design is reported to have been favored by Thomas Jefferson. Hallet's plan was given second place.

After acceptance of Thornton's plan, it encountered *strong practical objections* from Hallet, who had had an extensive experience in construction, which Thornton lacked. These objections caused great disquietude among officials, and led to a review of the entire situation by President Washington.

A letter from Washington to Thomas Jefferson, Secretary of State, written at Mount Vernon, June 30, 1793, revealed both the prudence and fairness of the President. He wrote:

"DEAR SIR: You will find by the enclosed letter from the Commissioners that Mr. Hallet reports unfavorably of Dr. Thornton's plan 'on the great points of practicability, time, and expense'—and that I am referred to Mr. Blodget, Holben, and Hallet whose verbal information will be better than any we can give you on which to form ultimate instructions.

"Mr. Blodget I met at Baltimore in the moment I was about to leave it—consequently I had little conversation with him on the subject referred; but Mr. Hallet is of opinion that the execution of Dr. Thornton's plan (independent of the cost, which would far exceed our means—and the time allowed for the work and accomplishment of the buildings) is impracticable; or if practicable, would not in some parts answer the ends proposed. Mr. Holben seemed to concur in this opinion; and Mr. Blodget as far as I could come to his sentiments, in the short time I was with him, approved the alterations in it which have been proposed by Mr. Hallet.

"It is unlucky that this investigation of Dr. Thornton's plan and estimate of the cost had not preceded the adoption of it; but knowing the impatience of Carroll's bur'g (burning?) interest and the anxiety of the Public to see both buildings progressiving—and supposing the plan to be correct, it was adjudged best to avoid delay. It is better, however, to correct the error, though late, than to proceed in a ruinous measure, in the adoption of which I do not hesitate to confess I was governed by the beauty of the exterior and the distribution of the apartments—declaring then, as I do now, that I had no knowledge in the rules or principles of architecture and was equally unable to count the cost. But if there be such material defects as are represented—and such immense time and cost to complete the building—it would be folly in the extreme to proceed on the plan which had been adopted. It has appeared to me proper, however, before it is laid aside, and justice and respect to Dr. Thornton requires, that the objections should be made known to him, and an opportunity afforded to explain and obviate them if he can."

Washington then proposed that a conference be held without delay at Philadelphia where all parties concerned, aided if necessary by other scientific adviser, to decide the question at issue.

The conference was held in July, attended by Thornton Hallet, Hoban, and Colonel Williams, Hallet recommended alterations in Thornton's plan which, according to the President "preserved the most valuable ideas of the original, and rendered them susceptible of execution; so that it is considered as Dr. Thornton's plan."

According to George C. Hazelton, Jr., and Howard F. Kennedy, authors of "The National Capitol," published in 1897, Thornton's original plans have been lost, "but from the data at hand, it would seem that he conceived in the central building a grand vestibule, with a portico on the east, and another large circular room on the western front. The latter chamber, for conference, was to be lighted by small elevated windows and have for its western entrance a single doorway, opening upon a semicircular portico, whence a broad expanse of steps ran to the ground.

"*Hallet proposed a square center in place* of the vestibule, having an open court on the ground floor containing a turn for carriages. The only dome rose above a circular conference room on the west. The external appearance of the walls, too, was much altered; and the columns on both the east and west were extended to the full height of the structure. The pleasing effect of the present basement-exterior with the graceful pilasters above was entirely destroyed."

The southeast cornerstone of the Capitol was laid September 18, 1893, with George Washington officiating in the Masonic ceremony; and construction began.

Relations of Hallet, now virtually a supervising architect, and Thornton were not friendly, and as the issue developed President Washington supported Thornton's view that the alterations to the original plan had been excessive. Accordingly, Hallet was dismissed and George Hadfield, an English architect, was appointed October 15, 1795, to direct the construction. He, too, incurred the President's displeasure by his desire for substantial changes in the original plans; and James Hoban succeeded him as the Commissioner's choice for superintendence of the new building. Meanwhile, on September 12, 1794, Washington had appointed Dr. Thornton as a Commissioner of the District, consequently his influence was at all times effective, both in the building of the Capitol and in the general planning of the city.

On November 21, 1800, Congress convened in the Senate Chamber of the Capitol, only the north wing then having been completed. President Adams in his address congratulated Congress "on the prospect of a residence not to be changed."

Thornton's direction of construction ceased in 1802, and in the following year Benjamin Henry Latrobe, of Richmond, an English architect, was named by Jefferson as surveyor of the Capitol.

In 1805, Thornton sent to Congress a communication giving his side of the controversy with Hallet. He asserted that Hallet had sought to exclude the dome and had displeased Washington by the extent of proposed alterations. Thornton continued: "When General Washington honored me with the appointment of Commissioner, he requested I would restore the building to a correspondence with the original plan. Not a single stone of the elevation was laid. I drew another elevation preserving the general ideas, but making such alterations as the difference in the dimensions of the ground plan rendered necessary. I improved the appearance and restored the dome."

Two wings of the Capitol had been completed in 1814 when the building was fired by British troops. The structure was materially damaged, but a rainstorm averted complete destruction.

The ability of Thornton to design and supervise construction of a great public building, undoubtedly was due to his capacity for rapid assimilation of architectural principles, for he himself wrote of his unfamiliarity with architecture in his early life. His first successful design was that of the Philadelphia Public Library, in 1789.

Concerning his architectural training he wrote, on October 12, 1802:

"I saw a publication for a plan for a public library in Philadelphia, offering a premium for the best.

"When I traveled I never thought of architecture. But I got some books and worked a few days, and then gave a plan in the ancient Ionic order, which carried the day.

"The President and Secretary of State published a premium of a gold medal, of $500 and a lot for a house in the city of Washington for the best plan and elevation of a capitol of the United States. I lamented not having studied architecture, and resolved to attempt the grand undertaking and study at the same time. I studied some months and worked almost night and day, but found I was opposed by regular architects from France and various other countries."

In the early days of the Republic, Thornton was severely criticised by shortsighted persons for the alleged excessive grandeur of the Capitol which he had designed. In the face of criticism he was sustained by the approbation and personal friendship of President Washington. His intimacy with the Washington household is indicated in the fact that his medical knowledge was sometimes consulted by Mrs. Washington.

The death of the President was a severe blow to Thornton. In a letter of January 2, 1800, to General Marshall at Philadelphia, Thornton referred to a resolution of Congress which had favored a monument to the memory of Washington, and added:

"At the time of his death I doubted not the Nation would delight to honor this pattern of virtue, and would consider his remains as appertaining too much to our country to permit them to be deposited without the most public mark of their admiration and affection. I doubted not they would deposit his body in the place that was long since contemplated for its reception; I accordingly requested it might be enclosed in lead. And I cannot easily express the pleasure I feel in this melancholy gratification of my hope that the Congress would place him in the center of that national temple which he approved of for a Capitol. Here in the center of the intended dome is the point from which we calculate our longitudes, and here I presume the Congress mean to place the body of the beloved and lamented chief. It will be a very great inducement to the completion of the whole building, which has been thought by some contracted minds, unacquainted with grand works, to be upon too great a scale. If we consider the grandeur of the Nation, and its amazing increase in wealth, power and resources, we shall, I am sometimes afraid, conclude that it was upon too contracted a plan. You, who have visited many of the modern works in the east, will think this a small building, and will not hesitate to vote its completion; yet many would have made objections did not the remains of the virtuous Washington render it more dear to them."

DIVERSE INTERESTS AND ACHIEVEMENTS OF THORNTON

Manuscript records of Dr. Thornton's life attest an extraordinary range of serious accomplishments as well as pleasant diversions. Continental politics, horseracing, pamphleteering, and gardening engaged his nimble wit in supplement to his regular occupation, in later life, as superintendent of the U.S. Patent Office.

Old records show that he was one of the founders of the Columbian Institution, the first society for mental improvement organized in the young capital. They reveal, too, his continued interest in the abolition of of slavery. "Heaven is not blinded with gold-dust and the day of reckoning is drawing near," he wrote in 1816.

He was intrigued also by the struggle of South American countries for their independence, and in 1815 published a pamphlet entitled "Outlines of a Constitution for United North and South Columbia." This proposed a plan for uniting the whole Western Hemisphere under one government, with capital on the Isthmus of Darien. Although manifestly impracticable, this idea indicates that Thornton had sensed the community of political interests which was to lead, in 1823, to the promulgation of the Monroe Doctrine. Some writers assert that Thornton sought diplomatic preferment, but he never received an appointment.

Thornton's strong feeling against political tyranny was revealed in a letter addressed the Citizen President of France, written at Philadelphia "12 of 6th month 1824."

"The citizens of the United States of America," he stated, on his own self-constituted authority, "are so deeply interested in your welfare, as a people to whom they owe much of their national felicity, that they feel themselves not less actuated by an unspeakable sympathy to participate in all your afflictions than to rejoice in your prosperity. They consider your cause not as the cause of France only, but as the great cause of man. You are not engaged in the mere liberation of a people, but in the emancipation of the globe. A consideration of your exertions gives animation even to apathy, and the benevolent heart intreats Heaven for your progress in the abolition of tyranny."

Other of his projects were less transcendental in character, but equally reflect his ever-active imagination. Thus he wrote a prospectus for, and endeavored to promote, the North Carolina Gold-Mining Co.; and he aided in establishing the first racecourse in Washington.

President Jefferson in 1802 appointed Thornton first clerk in charge of patents, which at that time were controlled by the State Department. Later Thornton became superintendent of the Office and he arranged its independent establishment in 1810.

In 1814 Thornton "went to the press" to defend John Fitch's claim to the invention of the steamboat. He published a pamphlet, written in 1810, prefaced by the statement: "Finding that Mr. Robert Fulton, whose genius and talents I highly respect, has been by some considered as the inventor of the steamboat, I think it a duty to the memory of the late John Fitch to set forth, with as much brevity as possible, the fallacy of this opinion; and to show, moreover, that if Mr. Fulton has any claim whatever to originality, in his steamboat, it must be exceedingly limited."

According to this account, Thornton had been intimately associated with Fitch in his experiments and a prime mover in the company which financed Fitch's projects. Thornton described a trial trip in Philadelphia on a measured course of 1 mile when the boat traveled 1 mile in one-eighth of an hour and asserted that the same boat afterward traveled 80 miles in a single day. Thornton continued:

"Finding that the works on board the first boat were not strong enough, we (the company) built another of 25 tons burthen, rigged schooner fashion, intended to go to New Orleans, and mount the Mississippi. When the principal parts of the works were prepared, and read to put on board, the author of this, thinking no mistakes could be made by the company, went to the West Indies, on the 16th of October 1790, to visit his mother for the last time, and expected to find, on his return, the boat ascending the Mississippi, at the rate of at least 4 miles an hour; but a spirit of innovation having seized some of the company, and their attempts to simplify the machine having ruined it, their unsuccessful endeavours to make it work subjected them to debts, which obliged them to sacrifice both boats, and all the machinery; and on my return, after a 2 years' absence, I found, to my inexpressible grief, the whole of this very valuable scheme ruined."

Thornton made numerous other mechanical experiments. He sought to improve steam boilers and condensers, experimented with a steam rapid-fire cannon, and tested the possibilities of converting sawdust into planks.

Gardening and sheep raising diverted the good doctor in his elderly years, and it is recorded that he sought to present Thomas Jefferson with Barbary sheep to cross with his Merinos at Monticello. He cultivated a town garden across the corner from the present Octagon House.

Besides the Capitol, Thornton's architectural works in Washington and vicinity included the famous Octagon House, Tuder Place, Brentwood; and James Madison's "Montpelier," in Orange County, Va. He also designed a town house for President Washington and a church for Bishop John Carroll. The latter was to be built in Baltimore.

Thornton's connection with the planning of the University of Virginia is somewhat indefinite, but it is known that Thomas Jefferson asked his aid in the preliminary design.

"Will you set your imagination to work and sketch some designs for us, no matter how loosely, with the pen, without the trouble of referring to scale or rule," Jefferson wrote, "for we want nothing but the outline of the architecture, as internal must be arranged according to local convenience; a few sketches such as need not take you a moment will greatly oblige us."

At the present time, Dr. Thornton is better known as the architect of the Octagon House than in any other single capacity. This is due to the occupancy of that beautiful residence, since 1900, by the American Institute of Architects. The building is in a splendid condition and is frequently visited by tourists and persons interested in history and architecture. The officers of the institute take great pride and interest in the work and career of Dr. Thornton and have published a monograph and pamphlets intended to assure him a lasting fame. Glenn Brown, a former secretary of the institute, historian as well as architect, has probably done more than any single person to direct public interest to the remarkable work of Dr. Thornton.

After burning of the White House, in 1814, President Madison made the Octagon his temporary residence, and there the Treaty of Ghent, between United States and Great Britain, was signed by him.

The old brick mansion, remarkably adapted to a triangular lot, suggests the architectural charm of its period, and derives added atmosphere from its brick-walled garden.

Dr. Thornton and his wife enjoyed a high social position in Washington and their activities and interests are closely identified with those of the illustrious early Presidents of the Republic. Thornton was in the select company of Washington celebrities of whom Gilbert Stuart painted his master portraits. Mrs. Thornton was reputed for beauty, charm, and business ability which may have been of advantage to her husband. She survived the doctor, and lived to the age of 90.

Although Thornton attained a mastery of architecture which was rarely excelled in his day, he seems essentially to have been a man of enthusiasms, and without disparaging his achievements might fairly be termed a "Gentleman Amateur."

PANAMA CANAL POLICY DEMANDS REAFFIRMATION

Mr. HANNA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FLOOD. Mr. Speaker, as students of the relations between the United States and the Republic of Panama know, the focal point of disagreement between the two governments is that of the sovereignty and jurisdiction over the Canal Zone.

This control, under treaty, is vested exclusively in the United States as if it were sovereign of the territory and to the entire exclusion of the exercise by Panama of any such sovereign rights, power, or authority.

A recent exchange of letters with the Department of State is of particular interest to the Congress, especially the jurisdictional committees concerned with Panama Canal matters—appropriations and legislative.

The exchange follows:

October 9, 1962.

Hon. Dean Rusk,
Secretary of State,
Department of State,
Washington, D.C.

Dear Mr. Secretary: The Spanish language press in Panama has recently indicated the probability that jurisdiction over the Thatcher Highway in the Canal Zone may be given to that country in order to provide a Panamanian corridor through the Zone to the Thatcher Ferry Bridge. Any such surrender by our Government can only serve to advance further a sustained pattern for the liquidation of our rights, power, and authority in the Canal Zone, which are indispensable to meet our treaty obligations for the maintenance, operation, sanitation, and protection of the Panama Canal. Moreover, it would stimulate demands for retrocession to Panama of the area between the Thatcher Highway and the Pacific, which includes Fort Kobbe and other defense installations.

The present time, indeed, is not in the horse and buggy age but an era of nuclear power with all its frightful potentials; and we are now, in effect, at war with communistic revolutionary nations. They are cruel, vindictive, relentless in their purpose; and guilty of treachery and deceit unmatched in all history.

So far, all surrenders on the part of free nations have never brought forth compensating concessions. It seems to me that for years, our Government has led in the process of liquidation by the free nations of their dominions. On the other hand, it has permitted nations under bolshevistic control to annex country after country and people after people, without let or hindrance.

All of this the patriotric masses of our people deeply resent; and the current sentiment in the Congress is to the same effect. Some evidence of this feeling has been made signally clear by various votes and actions of the Congress, such as reduction in the foreign aid program.

Particular objection has arisen in the Congress because of Executive actions taken when neither House was in session, which have reversed vital foreign policy. This is especially true as to the liquidation of our authority in the Canal Zone and the creeping destruction of our ability to maintain, operate, and defend the canal as we are obliged under treaty to do. The question now appears to be how much more can we surrender on this issue and yet meet our solemn pledge as to the canal.

The nibbling process of liquidation of our authority with respect to the canal, unless reversed, will inevitably result in our final withdrawal from the isthmus and the surrender of the great waterway to impotent nationalization or internationalization, with our safety jeopardized and Panama itself liquidated as a separate nation and absorbed by its neighbors or by the Soviet. What has taken place in Cuba is but a prelude to what is intended on the isthmus. And this I say, not as an enemy of Panama, or its people, but, indeed, as a friend who has studied their history and problems.

Our people, Mr. Secretary, have become greatly disturbed by what has taken place in the Caribbean and are holding the State Department as chiefly responsible therefor. This attitude is shown by the attitude of the Congress in reducing foreign aid appropriations.

As all liquidations of our treaty rights on the isthmus carry varying budgetary implications, I respectfully urge that no further cessions or commitments of any kind to Panama be made before hearings have been held in these connections by the proper jurisdictional committees of the Congress, appropriations and legislative.

Also, I respectfully urge that instead of surrendering jurisdiction and Canal Zone territory the gravity of the hour demands a reaffirmation of our traditional sovereignty and an extension of the zone itself to include at least the entire watershed of the Chagres River.

Sincerely yours,

Daniel J. Flood,
Member of Congress.

Department of State,
Washington, November 8, 1962.

Dear Congressman Flood: Thank you for your letter of October 9, 1962 addressed to the Secretary of State concerning United States-Panamanian relations and the more general subject of Communist aggression throughout the world.

You referred to certain articles in the Panamanian press which indicated that consideration was being given to creation of a corridor under Panamanian jurisdiction through the Canal Zone to the Thatcher Ferry Bridge. These press articles are speculative and inaccurate. There is no element of a surrender by our Government in any respect of the Arraijan matter. When the Government of Panama recently expressed special interest in the idea of a corridor in the Zone from Panama City to the border of the Canal Zone at Arraijan in view of the opening of Thatcher Ferry Bridge, Governor Fleming and Ambassador Farland told the Panamanians that such a proposal would have to be carefully explored by the U.S. Government and in any event would require approval by the U.S. Congress and a treaty revision. There will be a thorough study of the subject and appropriate consultations with the Congress before any action is taken, which will take full account of all vital U.S. interests and rights in the Canal Zone.

In the last paragraph on the first page of your letter, you state that "Particular objection has arisen in the Congress because of Executive actions taken when neither House was in session, which have reversed vital foreign policy. This is especially true as to the liquidation of our authority in the Canal Zone and the creeping destruction of our ability to maintain, operate, and defend the Canal as we are obligated under the treaty to do." In response to this objection, it is reiterated that we maintain our position in the Canal Zone in accord with the U.S. national interests and with expressed policy, and will continue to do so.

The Department of State has consulted with the Congress at every significant step on matters affecting the Canal Zone. Assistant Secretary Edwin M. Martin held meetings on this subject prior to the June 1962 visit of President Chiari to Washington with members of the Senate Committee on Foreign Relations and Commerce, and with the House Committees on Foreign Affairs and Merchant Marine and Fisheries. Since then the Department of State has had further timely consultations with the Congress as developments occurred, and has provided information on actions contemplated with respect to the Canal Zone to the Senate and House committees noted above, and to you.

As you know Governor Fleming and Ambassador Farland under direction from the President, Department of State, and Department of the Army are conducting talks in Panama with Panamanian representatives on various subjects. The Department of State will, as it has in the past, consult with the Congress on matters arising out of these discussions. At the same time, the Department will continue to protect, not "surrender," our vital Canal interests and to enhance the value of the Canal Zone as an instrument in defense of the free world and in the service of world trade.

With respect to the worldwide Communist problem, and I quote from Secretary Rusk's address at the Veterans of Foreign Wars Convention at Minneapolis, August 13, 1962:

"The global struggle for freedom and against Communist imperialism is our main business in the State Department. * * * No one has to convince us that the contest between Communist imperialism and freedom is for keeps * * *. One hears now and then that we have a 'no win' purpose or policies. This is simply not so. Of course we intend to win. And we are going to win."

Your continued interest in United States-Panamanian relations and operation of the Panama Canal is greatly appreciated. If I may be of additional assistance in this matter, please do not hesitate to call on me.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary
(For the Secretary of State).

CENTRAL AMERICAN COMMON MARKET

Mr. HANNA. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FLOOD. Mr. Speaker, for many months much of the news from the strategic Caribbean basin has been alarming. By no means, however, are all the clouds in that area storm clouds. Among the most encouraging developments there have been recent steps toward the long-held dream of a union of Central American Republics.

This idea started in the assembly of Middle American countries, which, on July 1, 1823, proclaimed their independence from Mexico to form a federated nation along the lines of the North American Union. The first President of Central America was Manuel Jose de Arce, of El Salvador, 1825–29; the second, Francisco Morazan, of Honduras, 1830–39.

Though the initial efforts proved unsuccessful and the union disintegrated, the great idea among Central Americans of union, kept alive by their far-visioned statesmen, has never died. The creation in 1951 of the Organization of Central American States was an important milestone in the development of this project on a firm foundation.

Appropriately holding its first formal conference, August 18–24, 1955, in the 17th century university of San Carlos Boromeo in Antigua, Guatemala, colonial capital of the Spanish captaincy-general of what is now called Central America, this organization launched a series of programs that have gradually taken shape in practical forms.

These undertakings include the development of a common market system, the creation of a defense counsel, and the establishment of the Central American Phytosanitary Organization—OIRSA. Among the transcendent influences toward eventual unity is the Pan American Highway, now approaching completion.

Although Panama has been invited to join the common market, its policy is complicated by treaty interests in the Panama Canal, which would have to be considered in any realistic appraisal. Moreover, having been a part of Colombia prior to November 3, 1903, Panama is historically linked with that country rather than with those of Central America.

In view of these facts, the publication of an article by Nicolas Rivero IV in the January 26, 1963, issue of the Baltimore Sun, describing the present status of the common market, is most timely.

The article follows:

CENTRAL AMERICAN COMMON MARKET

(By Nicolas Rivero IV)

For nearly a century and a half political integration has eluded the five small Central American Republics of Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua. Economic integration, on the other hand, is now becoming a reality.

It was born of necessity. If these countries are to escape from their dependence on exports of coffee, cotton, and bananas and to achieve a better standard of living for their people, they must pool their resources and work together in matters of trade. Individually, the countries are too small to support the great buildup of roads, power facilities, and basic industries that are requisites for economic development. Together, they represent a market of some 13 million people and an area equal to France, or to the U.S. New England States and New York, New Jersey, and Pennsylvania combined.

Can a common market succeed in Central America as it is succeeding in Europe? The experts believe that it can even though the Central American Common Market differs markedly from the European one. For example, the Central American nations have few mineral resources, and they must import most industrial materials. They are not as highly industrialized. Their total exports and their total output of goods and services are each only about 1 percent of those of the European Economic Community. Lack of adequate internal transportation facilities is also a serious handicap.

Significant progress has already been made by the Central American Common Market, known officially as the Central American Program of Economic Integration (CAPEI). The countries have already eliminated import and export duties on most of the products they trade among themselves, and plan to have a completely free trade area by 1965. They are also well on the way toward establishing a common tariff for all imports from outside the region, which is another goal to be achieved by 1965.

The tariff agreements, of course, are only the beginning. Economic integration plans in Central America also include the establishing of a regional source of development credit (the Central American Bank for Economic Integration), the adopting of a common monetary unit to be used in transactions among the countries, laws to permit the free movement of people throughout the area without passport or visa restrictions, and a planned industrialization program. The countries seek to encourage integrated industries, those that require access to the full regional market in order to be economically feasible. For example, preliminary indications are that Guatemala may produce tires; El Salvador, copper extrusions; Honduras, sulfuric acid; and Nicaragua, insecticides.

In economic terms, what the countries are seeking to achieve is "economies of scale." This means that the unit cost for goods produced to supply the entire integrated region will be lower than unit cost for goods produced for sale only in one country. Another important gain will be in the region's terms of trade, which is the relationship between the prices a region gets for its exports and those it is required to pay for its imports. Integration will also facilitate a more rational utilization of the human and natural resources of the area, and make it easier to stabilize export earnings.

The basic treaty of the Central American Common Market is the General Treaty of Central American Integration, which was signed by El Salvador, Guatemala, Honduras, and Nicaragua in 1960 and by Costa Rica in 1962. The General Treaty comprehends the main points of various agreements and protocols that preceded it.

The General Treaty went further than its predecessors by establishing a mechanism for the financing of the program, the Central American Bank for Economic Integration (CABEI). All five countries are now members of the bank. Of its total initial capital of $30 million, the five countries are each subscribing $4 million, and the United States is providing the remaining $10 million through various agencies.

The Bank's activities will be confined almost entirely to financing four types of operations: (a) infrastructure projects, such as roads and power facilities; (b) long-term investments in integrated industries; (c) projects in agricultural industries; and (d) projects which will help to readjust specific industries that have been affected adversely by the common market.

What has the CAPEI accomplished? As of August 1962, uniform duties on some 1,220 imported items had been adopted, which represents 95.5 percent of the total. The remaining 56 items are under careful study and it is hoped that in the near future they will be equalized for all the participating countries. The effects of this can already be felt. For example, total Central American intraregional trade is somewhat higher than it was in previous years. It is still very early to measure quantitatively the effect the common market has had on intraregional trade because it is only now that the full effects are beginning to appear. The impact on the five countries varies; El Salvador and Guatemala depend substantially on the common market trade, while Nicaragua depends on it the least.

Agricultural products are the most important items of the intraregional trade. In 1960, for example, agricultural trade amounted to the equivalent of $16.5 million, or roughly half of all intraregional commerce.

Cattle is the principal food commodity involved. In 1960, Honduras exported $1.8 million worth of cattle to El Salvador, and Nicaragua sent $1.5 million worth to Costa Rica. Fruits and vegetables are the next biggest item, and are especially important to Guatemala. Other important commodities in intraregional trade are maize, sugar, manufactured foods (margarine, vinegar and gelatin, for example), and vegetable and seed oils.

Future intraregional trade is very closely related to what is done in the field of investments; for example, facilities for communication among the member states are not at present very conducive to the expansion of commerce, due mainly to the topographical conditions of the isthmus. The Bank will do much to make funds available to carry out the governments' plans for improving the transportation system. All the Central American countries have laws that encourage foreign investments. Now with a larger market and the Alliance for Progress providing additional resources it is expected that both private and public capital will flow to this region.

Progress in this respect is quite encouraging. In the first 10 months of operations, the Central American Bank has authorized credits worth nearly $3 million. So far El Salvador, Guatemala, and Honduras have received three loans each and Nicaragua two. For example, these loans include: $175,000 for modernizing a soap factory in Honduras; $700,000 for establishing an insulated wire and cable plant in El Salvador; and $937,204 to build and equip a metal tubing factory near Managua.

At the second regular general meeting of the directors of the Central American Bank for Economic Integration, held in Managua in August 1962, an agreement was signed with the Inter-American Development Bank whereby the two banks will cooperate to promote the economic integration and development of Central America. It was announced at the meeting that the U.S.

Agency for International Development (AID) would lend $5 million to the CABEI to provide medium- and long-term credits for agriculture and industry. This is in addition to loans already made to individual governments or private entities.

Last October, the economic and financial ministers of the American republics gathered in Mexico City for the annual conference of the Inter-American Economic and Social Council (I-AECOSOC). It was the opinion of the delegations there that CABEI progress in the last year was quite satisfactory.

As a result of the Mexico I-AECOSOC-meeting the United States may make additional funds available to the Central American Bank for Economic Integration so that it in turn may finance many projects in Central America at low interest rates. Also the Inter-American Development Bank is going to undertake the financing of a technical assistance program for the Central American Common Market.

A sound foundation has been prepared for the Central American Common Market, and CABEI is actually functioning. If Panama joins, a possibility contemplated in the general treaty, the market would be further enlarged, to the benefit of all. With a common market in full operation, the resulting intensification of trade, better utilization of resources, and increased emphasis on integrated industries can bring about substantial economic development in Central America.

BILL TO AMEND THE RAILROAD RETIREMENT AND UNEMPLOYMENT INSURANCE ACTS

Mr. HANNA. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. HARRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HARRIS. Mr. Speaker, I am introducing today, at the request of the Chairman of the Railroad Retirement Board, a bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act.

This bill was submitted by the Chairman of the Railroad Retirement Board to the Speaker and referred by the Speaker to the Committee on Interstate and Foreign Commerce. It is the recommendation of the majority of the Board as to how the present deficiencies in the railroad retirement and unemployment insurance systems should be remedied. The present actuarial deficiency in the railroad retirement account is some $77 million a year on a longrun basis. The deficiency of the unemployment insurance account as of the close of last year was approximately $300 million.

The bill would: First, increase the tax base of both systems from $400 to $450 monthly compensation; second, increase the unemployment insurance rate—paid only by the carriers—from 3¾ to 4¼ percent; third, increase the interest rate on investments of the retirement funds; and, fourth, change the method of financing military service credits.

As part of my remarks I should like to insert for the RECORD the communication of the Chairman of the Railroad Retirement Board, Mr. Habermeyer, addressed to the Speaker of the House, submitting this proposal.

RAILROAD RETIREMENT BOARD,
Chicago, Ill., January 29, 1963.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: The Board submits herewith a draft of a proposed bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation and for other purposes.

As you know, the Railroad Retirement Board administers the railroad retirement and the railroad unemployment insurance systems. Both systems have been underfinanced for some time. As of now the railroad retirement system has an actuarial deficit of about $77 million a year and the railroad unemployment insurance system has an actual deficit of about $300 million. These deficits have been called to the attention of the President, who, in his letter to the Board dated September 22, 1961, requested the Board to submit recommendations for legislative changes designed to improve the financial condition of the two systems.

The following changes embodied in the bill would make the changes in the existing law as follows:

(1) The maximum monthly compensation for taxable and creditable purposes under both systems would be increased from the present $400 to $450. (Secs. 1, 2, 5, 6, 201, 202, 301, 302, and 303 of the enclosed draft bill.)

(2) The maximum unemployment insurance contribution rate would be increased from the present 3¾ percent to 4¼ percent (sec. 302(a)). This would supersede the 4-percent rate prescribed for 1962 and 1963 under the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 (Public Law 87-7) and would be a permanent part of the contribution rate table set forth in section 8 of the Railroad Unemployment Insurance Act (sec. 302(b)).

(3) The method of financing military service credits under the Railroad Retirement Act would be changed from the present tax method (the Government paying the railroad retirement tax which would have been paid by the employer and employee on $160 of monthly "compensation," less the social security taxes paid by Government and servicemen) to a modified "cost" method: actual costs to the railroad system of the military service credits, plus a factor, of about 25 percent, to reflect some administrative costs and a proportionate share of, what is in effect, an interest burden on the unfunded liability of the railroad retirement system, i.e., the cost of financing benefits, in the early years of the system, based in whole or in part on service which was not subject to tax or on service subject to tax rates insufficient to cover the cost of such benefits (sec. 4). In addition, the bill provides against duplication of payments by the Government to the railroad retirement system and the social security system for military service credits. (The last sentence of section 4 of the draft bill to be added to section 4(n) of the Railroad Retirement Act.) With these changes, appropriation requests will be submitted covering the liability incurred by the Government respecting military service credits under the Railroad Retirement Act.

(4) The interest rate on new investments of retirement account funds would be changed from 3 percent to a rate equal to the average market yield of all outstanding U.S. marketable obligations with the unexpired term of 3 or more years, determined each month for that month's investments. At the present time this average market yield is about 3⅞ percent. There would be a rollover of the 3-percent special obligations in the fund over a 10-year period, i.e. they would be converted into 10 equal 3-percent parcels, with maturities from 1 to 10 years, and at maturity, investments would be made at the new rate mentioned above. The interest rate on money borrowed by the unemployment insurance fund from the railroad retirement account would be more or less correspondingly increased (secs. 7 and 305).

(5) The amount to be set aside for meeting costs of administering the railroad unemployment insurance system would be increased from 0.2 to 0.25 percent of taxable payroll (sec. 304).

The labor member of the Board joins me in support of all the changes described in items 1 to 5 above, although he favors also retaining the present 3-percent rate earned by the special obligations in the railroad retirement account as a floor and would like to have an immediate conversion of the present special obligations into the special obligations bearing the newly proposed interest rates. The management member of the Board favors the changes described in items 3, 4, and 5 above but is opposed to the changes described in items 1 and 2 above.

In view of the financial condition of the two systems, as above stated, I strongly urge the enactment of the bill during this session of the Congress. The enactment of these recommendations would reduce the actuarial deficiency of the railroad retirement account to 0.51 percent of taxable payroll or $24 million per year, which is within the limits of permissible actuarial variation. Similarly, the recommendation with respect to the railroad unemployment insurance account would help prevent any further increase and would start reducing the existing deficiency in that program. Accordingly, it is respectfully requested that you lay the proposed bill before the House. A similar bill has been submitted to the President of the Senate.

The Board has been advised by the Bureau of the Budget that there is no objection to the presentation of this draft legislation to the Congress for its consideration and that its enactment would be in accord with the program of the President.

Sincerely yours,
HOWARD W. HABERMEYER,
Chairman.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WHITENER, for 10 minutes, today.

Mr. CRAMER, for 45 minutes, on Thursday, February 7.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. SULLIVAN and to include extraneous matter.

Mr. ALGER.

(The following Members (at the request of Mr. BEERMANN) and to include extraneous matter:)

Mr. HOEVEN.

Mr. WESTLAND.

Mr. SCHWENGEL.

Mr. SHORT.

(The following Members (at the request of Mr. HANNA) and to include extraneous matter:)

Mr. POWELL.

Mr. HARRIS.

ADJOURNMENT

Mr. HANNA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 40 minutes p.m.) the House adjourned until tomorrow, Tuesday, February 5, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

323. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Treasury Department for "Operating expenses, Coast Guard," for the fiscal year 1963, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

324. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Treasury Department for "Salaries and expenses, Bureau of Customs," for the fiscal year 1963, has been reapportioned on a basis which indicates the necessity for a supplementary estimate of appropriation, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

325. A letter from the Secretary of Defense, transmitting a draft of a proposed bill entitled "A bill to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes"; to the Committee on Armed Services.

326. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations) relative to reporting on certain facilities projects proposed to be undertaken within the authorization contained in section 702 of Public Law 87-554, pursuant to section 701 of Public Law 87-554; to the Committee on Armed Services.

327. A letter from the Director, Office of Civil Defense, Government of the District of Columbia, transmitting the Annual Report for the Office of Civil Defense for 1962, pursuant to Public Law 686, 81st Congress; to the Committee on the District of Columbia.

328. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill entitled "A bill to authorize the Commissioners of the District of Columbia to construct service roadways for public parking of motor vehicles on Connecticut Avenue NW."; to the Committee on the District of Columbia.

329. A letter from the Director, U.S. Arms Control and Disarmament Agency, transmitting a draft of a proposed bill entitled "A bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees"; to the Committee on Foreign Affairs.

330. A letter from the Comptroller General of the United States, transmitting a report on the review of uneconomical procurement of certain aircraft engine bearings by the Department of the Navy; to the Committee on Government Operations.

331. A letter from the Comptroller General of the United States; transmitting a report on the review of the need for the Navy's mobilization reserve of commercial-type vehicles; to the Committee on Government Operations.

332. A letter from the Comptroller General of the United States, transmitting a report on the review of selected aspects of warehousing operations under the 1959 and 1960 cotton purchase programs of the Commodity Credit Corporation, Department of Agriculture. These operations began in June 1959 and extended through July 31, 1961; to the Committee on Government Operations.

333. A letter from the Chairman, Advisory Commission on Intergovernmental Relations, transmitting the Fourth Annual Report of the Advisory Commission on Intergovernmental Relations, pursuant to Public Law 86-380; to the Committee on Government Operations.

334. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of a proposed bill entitled "A bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1965"; to the Committee on Government Operations.

335. A letter from the Administrator, General Services Administration, transmitting a draft of a proposed bill entitled "A bill to amend the Federal Property and Administrative Services Act of 1949, to make title III thereof directly applicable to procurement of property and nonpersonal services by executive agencies, and for other purposes"; to the Committee on Government Operations.

336. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to authorize the elimination of 8.50 acres of land from Guilford Courthouse National Military Park, N.C., and for other purposes"; to the Committee on Interior and Insular Affairs.

337. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to authorize acceptance of donations of land in the State of North Carolina for the construction of an entrance road at Great Smoky Mountains National Park, and for other purposes"; to the Committee on Interior and Insular Affairs.

338. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes"; to the Committee on Interior and Insular Affairs.

339. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to revise the boundary of Dinosaur National Monument, and for other purposes"; to the Committee on Interior and Insular Affairs.

340. A letter from the executive director, Reserve Officers Association of the United States, transmitting the audit report of March 31, 1962, for the Reserve Officers Association, pursuant to Public Law 595, 81st Congress; to the Committee on the Judiciary.

341. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of a proposed bill entitled "A bill to authorize the Administrator of the Federal Aviation Agency to arm his employees, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

342. A letter from the Acting Secretary of Commerce, relative to an interim report required annually under the provisions of Public Law 657, 80th Congress, relating to research progress and plans of the U.S. Weather Bureau for the fiscal year 1962; to the Committee on Interstate and Foreign Commerce.

343. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to amend section 4204 of title 18, United States Code, relating to the conditional release of prisoners who are aliens subject to deportation"; to the Committee on the Judiciary.

344. A letter from the Postmaster General, transmitting a report on the estimated amount of the losses or costs incurred by the Postal Establishment in the then current fiscal year in the performance of public services for the current fiscal year ending June 30, 1963, pursuant to Public Law 87-793; to the Committee on Post Office and Civil Service.

345. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 27, 1962, submitting a report, together with accompanying papers, on a letter report on Chincoteague Harbor, Accomack County, Va., authorized by the River and Harbor Act approved May 17, 1950; to the Committee on Public Works.

346. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 5, 1962, submitting a report, together with accompanying papers and illustrations, on a letter report on the Salmon River, vicinity of North Fork, Idaho, requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted March 6, 1956, and June 13, 1956; to the Committee on Public Works.

347. A letter from the vice president and comptroller, D.C. Transit System, Inc., relative to a report due to be filed on January 31, 1963, and stating that due to certain accounting problems delaying the rendition of this report, a request for an extension of 60 days is desired, pursuant to section 8 of an act of Congress approved March 4, 1913 (Public No. 435); to the Committee on the District of Columbia.

348. A letter from the Secretary of Labor, transmitting a report which includes an initial evaluation of the minimum wages established by the Fair Labor Standards Amendments of 1961 which became effective September 3, 1961, pursuant to section 4(d) of the Fair Labor Standards Act; to the Committee on Education and Labor.

349. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

350. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order entered under the authority contained in section 13(b) of the act as well as a list of the persons involved, pursuant to the act of September 11, 1957; to the Committee on the Judiciary.

351. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order suspending deportation of Woong Siang Hing, A-9694280, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

352. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the case of Chan Lok Wo, A-15805587, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

353. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy

of the order suspending deportation in the case of Lau Que Hing, A-11598014, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

354. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the case of Jesus Rosales-Villanueva, A-3787267, pursuant to the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

355. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the case of Matilde Fubini, A-8736963, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

356. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases where the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 370. A bill to amend the Tariff Act of 1930 with respect to the duty treatment of certain bread; without amendment (Rept. No. 22). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 780. A bill to amend the Internal Revenue Code of 1939 to provide a credit against the estate tax for Federal estate taxes paid on certain prior transfers in the case of decedents dying after December 31, 1947; without amendment (Rept. No. 23). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 1597. A bill to amend the Internal Revenue Code to provide a deduction for payment of redeemable ground rents; with amendment (Rept. No. 24). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 1839. A bill to amend the Tariff Act of 1930 to provide for the free importation of wild animals and wild birds which are intended for exhibition in the United States; without amendment (Rept. No. 25). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 2053. A bill to provide for the temporary suspension of the duty on corkboard insulation and on cork stoppers; with amendment (Rept. No. 26). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 2085. A bill to amend the Internal Revenue Code of 1954 to provide that the deduction for child care expenses shall be available to a wife who has been deserted by and cannot locate her husband on the same basis as a single woman; with amendment (Rept. No. 27). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOGGS: Committee on Ways and Means. H.R. 2826. A bill to amend the Internal Revenue Code of 1954 with respect to the taxation of dispositions of property (other than stock) pursuant to orders enforcing the antitrust laws; without amendment (Rept. No. 28). Referred to the Committee of the Whole House on the State of the Union.

Mr. GREEN of Pennsylvania: Committee on Ways and Means. H.R. 2874. A bill to amend the Tariff Act of 1930 to provide that imported electron microscopes shall be subject to the regular customs duty regardless of the nature of the institution or organization importing them; without amendment (Rept. No. 29). Referred to the Committee of the Whole House on the State of the Union.

Mr. GREEN of Pennsylvania: Committee on Ways and Means. H.R. 2875. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; with amendment (Rept. No. 30). Referred to the Committee of the Whole House on the State of the Union.

Mr. WATTS: Committee on Ways and Means. House Concurrent Resolution 57. Concurrent resolution to designate "bourbon whiskey" as a distinctive product of the United States; without amendment (Rept. No. 31). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H.R. 3277. A bill to revise the boundary of Dinosaur National Monument, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3278. A bill to establish a revolving fund from which the Secretary of the Interior may make loans to finance the procurement of expert assistance by Indian tribes in cases before the Indian Claims Commission; to the Committee on Interior and Insular Affairs.

By Mr. BURTON:

H.R. 3279. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H.R. 3280. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

H.R. 3281. A bill to prohibit the charging of a fee to view telecasts in the home; to the Committee on Interstate and Foreign Commerce.

H.R. 3282. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3283. A bill to amend the Communications Act of 1934, to strengthen the effectiveness of the Federal Communications Commission in assuring that broadcast licensees, filing renewal applications, continue to operate in accordance with the public interest; to the Committee on Interstate and Foreign Commerce.

H.R. 3284. A bill to provide for a jury commission for each U.S. district court, to regulate its compensation, to prescribe its duties, and for other purposes; to the Committee on the Judiciary.

H.R. 3285. A bill to amend the Internal Revenue Code of 1954 to reduce the rate of the tax on capital gains; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 3286. A bill to provide for the establishment of a permanent commission on aircraft noise-abatement problems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. COOLEY:

H.R. 3287. A bill to authorize the Secretary of Agriculture to install a system of small and intermediate-size reservoirs in the Cape Fear River Basin, N.C.; to the Committee on Agriculture.

By Mr. CRAMER:

H.R. 3288. A bill to provide that the Secretary of the Interior shall investigate and report to Congress as to the advisability of establishing Fort De Soto as a national memorial; to the Committee on Interior and Insular Affairs.

By Mr. DEVINE:

H.R. 3289. A bill to provide that until the national debt is retired, not less than 10 percent of the net budget receipts of the United States for each fiscal year shall be utilized solely for reduction of the national debt; to the Committee on Government Operations.

By Mr. DULSKI:

H.R. 3290. A bill to extend the benefits of the Panama Canal Construction Service Annuity Act of May 29, 1944, to certain individuals; to the Committee on Merchant Marine and Fisheries.

H.R. 3291. A bill to modify the decrease in group life insurance at age 65 or after retirement; to the Committee on Post Office and Civil Service.

H.R. 3292. A bill relating to rates of postage on third-class matter mailed by certain nonprofit organizations; to the Committee on Post Office and Civil Service.

H.R. 3293. A bill to amend the Civil Service Retirement Act to extend to employees retired on account of disability prior to October 1, 1956, the minimum annuity base established for those retired after that date; to the Committee on Post Office and Civil Service.

H.R. 3294. A bill to extend benefits under the Retired Federal Employees Health Benefits Act to the survivors of retiree annuitants who died before April 1, 1948, and to employees who retired from the Tennessee Valley Authority and Farm Credit Administration, prior to July 1, 1961; to the Committee on Post Office and Civil Service.

H.R. 3295. A bill to amend the Civil Service Retirement Act to equalize additional annuities in return for contributions of annuitants during service in excess of the amount necessary to provide the maximum annuity under such act at the time of their retirement; to the Committee on Post Office and Civil Service.

H.R. 3296. A bill to amend the Civil Service Retirement Act, as amended, to provide annuities for surviving spouses without deduction from original annuities and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FALLON:

H.R. 3297. A bill to amend section 501(c)(14) of the Internal Revenue Code of 1954 to exempt from income taxation certain nonprofit corporations and associations organized to provide reserve funds for domestic building and loan associations, and for other purposes; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 3298. A bill to amend the Internal Revenue Code of 1954 so as to provide for scheduled personal and corporate income tax reductions, and for other purposes; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 3299. A bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees; to the Committee on Foreign Affairs.

H.R. 3300. A bill to amend the Civil Service Retirement Act to increase from 2 to 2½ percent the retirement multiplication factor used in computing annuities of certain employees engaged in hazardous duties; to increase from 6½ to 6¾ percent the deduction from the employees' basic salary for retirement; and to set 60 as the mandatory retirement age for certain employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. FINO:

H.R. 3301. A bill to amend the Annual and Sick Leave Act of 1951 to provide lump-sum payment for the unused sick leave to the credit of an officer or employee immediately prior to his separation from the service on retirement; to the Committee on Post Office and Civil Service.

By Mr. FOGARTY:

H.R. 3302. A bill to amend the Public Health Service Act to provide a 10-year program of grants for education in the fields of medicine and dentistry, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3303. A bill to amend the Public Health Service Act to provide Federal assistance to States which award scholarships to students of medicine and dentistry; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 3304. A bill to amend the Veterans' Readjustment Assistance Act of 1952 to make the educational benefits provided for therein available to all veterans whether or not they serve during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

By Mr. GIAIMO:

H.R. 3305. A bill to authorize assistance for the construction of cooperative educational centers of excellence where institutions of higher education in the same locality can share the specialized facilities of such centers; to the Committee on Education and Labor.

By Mr. HALEY:

H.R. 3306. A bill to establish a revolving fund from which the Secretary of the Interior may make loans to finance the procurement of expert assistance by Indian tribes in cases before the Indian Claims Commission; to the Committee on Interior and Insular Affairs.

By Mr. HALL:

H.R. 3307. A bill to provide tax incentives to promote education in the United States; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 3308. A bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees; to the Committee on Foreign Affairs.

By Mr. HARDING:

H.R. 3309. A bill to amend the Internal Revenue Code of 1954 to provide an income tax deduction for certain expenses of attending colleges and universities; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 3310. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HECHLER:

H.R. 3311. A bill to amend the Public Works Acceleration Act to increase the authorization contained therein, and for other purposes; to the Committee on Public Works.

By Mr. HERLONG:

H.R. 3312. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. HUDDLESTON:

H.R. 3313. A bill to incorporate the U.S. Submarine Veterans of World War II; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 3314. A bill to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States; to the Committee on Merchant Marine and Fisheries.

By Mr. LANKFORD:

H.R. 3315. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

By Mr. LATTA:

H.R. 3316. A bill to amend the Internal Revenue Code of 1954 to reduce the highway use tax in the case of certain motor vehicles used primarily to haul unprocessed agricultural products; to the Committee on Ways and Means.

By Mr. LIBONATI:

H.R. 3317. A bill to amend title 10 of the United States Code to provide for the establishment of a program of cash awards for suggestions or inventions made by members of the Armed Forces which contribute to the efficiency, economy, or other improvement of Government operations in the general field under the supervision of the Secretary of Defense; to the Committee on Armed Services.

H.R. 3318. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

H.R. 3319. A bill to authorize the establishment of a youth camp recreation program to assist those organizations which have for their purpose the providing of healthful outdoor and camp training for indigent children and to inculcate the principles of Americanism and loyalty to the Republic in these children who are its citizens of the future; to the Committee on Education and Labor.

H.R. 3320. A bill to reduce the maximum workweek under the Fair Labor Standards Act of 1938, as amended, to 35 hours, and for other purposes; to the Committee on Education and Labor.

H.R. 3321. A bill to provide financial assistance for the support of public schools by appropriating funds to the States to be used for constructing school facilities and for teachers' salaries; to the Committee on Education and Labor.

H.R. 3322. A bill to amend title 35 of the United States Code to provide for extension of terms of patents; to the Committee on the Judiciary.

H.R. 3323. A bill to amend section 312 of the Immigration and Nationality Act to exempt certain additional persons from the requirements as to understanding the English language before their naturalization as citizens of the United States; to the Committee on the Judiciary.

H.R. 3324. A bill to amend the Bankruptcy Act to prohibit the discharge of debts and obligations of which moral turpitude is the gist of the action; to the Committee on the Judiciary.

H.R. 3325. A bill to amend the provisions of title 28 of the United States Code relating to the disqualification of judges of the U.S. district courts for personal bias or prejudice; to the Committee on the Judiciary.

H.R. 3326. A bill to amend section 46, title 18, United States Code, with respect to transportation of water-hyacinths and seeds; to the Committee on the Judiciary.

H.R. 3327. A bill to provide that an honorable discharge from the Armed Forces will expunge convictions for misdemeanors from the record of the member; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 3328. A bill to transfer certain administrative responsibility for the operation of Washington National Airport and Dulles International Airport from the Administrator of the Federal Aviation Agency to a Washington Airports Board, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MATTHEWS:

H.R. 3329. A bill to establish a program of survival depots in order to provide subsistence for the large number of the civilian population of the United States who would be evacuated from the devastated areas in the event of attack on the United States; to the Committee on Armed Services.

By Mr. MILLER of New York:

H.R. 3330. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. MILLIKEN:

H.R. 3331. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. MOORHEAD:

H.R. 3332. A bill to amend the Area Redevelopment Act to permit the repayment of assistance furnished from State and local sources concurrently with the repayment of Federal assistance in certain cases; to the Committee on Banking and Currency.

By Mr. MULTER:

H.R. 3333. A bill to provide for the establishment of a National Academy for Public Service; to the Committee on Post Office and Civil Service.

By Mr. O'HARA of Michigan:

H.R. 3334. A bill to extend for 1 additional year the temporary provisions of Public Laws 815 and 874, 81st Congress; to the Committee on Education and Labor.

H.R. 3335. A bill to extend for 1 additional year the temporary provisions of Public Laws 815 and 874, 81st Congress, and to extend their application to the District of Columbia; to the Committee on Education and Labor.

By Mr. OLSEN of Montana:

H.R. 3336. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the 1st census of manufactures conducted by the U.S. Government; to the Committee on Post Office and Civil Service.

H.R. 3337. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. PELLY:

H.R. 3338. A bill to provide medical care for certain persons engaged on board a vessel in the care, preservation, or navigation of such vessel; to the Committee on Interstate and Foreign Commerce.

By Mr. RIEHLMAN:

H.R. 3339. A bill to amend section 114 of the Federal-Aid Highway Act of 1956 to state the policy of Congress with respect to reimbursement for certain highways on the Interstate System; to the Committee on Public Works.

By Mr. RIVERS of Alaska:

H.R. 3340. A bill to amend the Internal Revenue Code of 1954 with respect to the estate and gift tax treatment of employees' survivors annuities under State and local retirement systems; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 3341. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 3342. A bill to provide for the establishment of a permanent commission on aircraft noise-abatement problems, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 3343. A bill to authorize the acquisition of and the payment for a flowage easement and rights-of-way over lands within the Allegany Indian Reservation in New York, required by the United States for the Allegheny River (Kinzua Dam) project, to provide for the relocation, rehabilitation, social, and economic development of the members of the Seneca Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3344. A bill to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHWEIKER:

H.R. 3345. A bill for the establishment of a Commission on the Reorganization of the Legislative Branch of the Government; to the Committee on Rules.

By Mr. SILER:

H.R. 3346. A bill to provide for an appropriation of a sum not exceeding $175,000 with which to make a survey of proposed national parkway extensions or connections to Blue Ridge Parkway, Great Smoky Mountains National Park; Foothills Parkway, Mammoth Cave National Park; and Natchez Trace Parkway; and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TRIMBLE:

H.R. 3347. A bill to authorize the Secretary of the Army to construct Pine Mountain Dam on Lee Creek, Ark.; to the Committee on Public Works.

By Mr. TUPPER:

H.R. 3348. A bill to amend section 316 of the Social Security Amendments of 1958 to extend the time within which teachers and other employees covered by the same retirement system in the State of Maine may be treated as being covered by separate retirement systems for purposes of the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 3349. A bill to provide that primary elections and runoff primary elections for nominations of candidates for the House of Representatives shall be held on the same day throughout the United States; to the Committee on House Administration.

H.R. 3350. A bill to provide for the establishment of the Allegheny Portage Railroad National Historic Site and the Johnstown Flood National Memorial in the State of Pennsylvania, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHITENER:

H.R. 3351. A bill to amend title II of the Social Security Act to provide a more realistic definition of the term "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

By Mr. WIDNALL:

H.R. 3352. A bill to provide for the District of Columbia an appointed Governor and secretary, and an elected legislative assembly and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. CLARK:

H.J. Res. 226. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CRAMER:

H.J. Res. 227. Joint resolution expressing the determination of the United States with respect to the situation in Cuba, to restate and implement the Monroe Doctrine, and to encourage adherence to the principles of self-determination and human freedom; to the Committee on Foreign Affairs.

By Mr. FISHER:

H.J. Res. 228. Joint resolution proposing an amendment to the Constitution of the United States to place a limit on the extent to which social security taxes (or taxes under any similar Federal retirement or disability insurance system) may be increased; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H.J. Res. 229. Joint resolution expressing the determination of the United States with respect to the situation in Cuba; to the Committee on Foreign Affairs.

By Mr. LINDSAY:

H.J. Res. 230. Joint resolution designating the week of May 20–26, 1963, as National Actors' Equity Week; to the Committee on the Judiciary.

By Mr. MINISH:

H.J. Res. 231. Joint resolution to establish a free and universal franchise throughout the United States; to the Committee on the Judiciary.

By Mr. QUIE:

H.J. Res. 232. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.J. Res. 233. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TOLL:

H. Con. Res. 77. Concurrent resolution expressing the sense of Congress with respect to recent manifestations of anti-Semitism in the Soviet Union, and calling upon the Soviet Union to guarantee human rights; to the Committee on Foreign Affairs.

H. Con. Res. 78. Concurrent resolution to express the sense of the Congress that the U.S. mission to the United Nations should seek the adoption by the United Nations of a resolution condemning the recent manifestations of anti-Semitism in the Soviet Union; to the Committee on Foreign Affairs.

By Mr. UDALL:

H. Con. Res. 79. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of Government; to the Committee on Rules.

By Mr. BARRY:

H. Res. 234. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BROCK:

H. Res. 235. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BUCKLEY:

H. Res. 236. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 56; to the Committee on House Administration.

H. Res. 237. Resolution to provide for the further expenses of the investigation and study authorized by House Resolution 56; to the Committee on House Administration.

By Mr. CELLER:

H. Res. 238. Resolution to amend the Rules of the House of Representatives; to the Committee on Rules.

By Mr. COOLEY:

H. Res. 239. Resolution to provide funds for the expense of studies and investigations authorized by House Resolution 38; to the Committee on House Administration.

By Mr. DEVINE:

H. Res. 240. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 241. Resolution to amend rule XXI of the Rules of the House of Representatives to require the yeas and nays in the case of final action by the House of Representatives on general appropriation bills; to the Committee on Rules.

By Mr. FARBSTEIN:

H. Res. 242. Resolution expressing the sense of the House of Representatives in favor of direct negotiation between Israel and the Arab States in the search for peace; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States to resist further expansion of social security into the occupational disability field and to reject any further intrusion of social security into the workmen's compensation field; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States to give immediate attention to and request action necessary to place the lumber industry of the United States on an equitable and competitive basis with foreign manufacturers through the use of a quota system or other means, to the end that domestic manufacturers are not placed at a disadvantage with resultant loss of markets, etc.; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 3353. A bill for the relief of Francesca Cusumano; to the Committee on the Judiciary.

By Mr. BECKER:

H.R. 3354. A bill for the relief of certain retired officers of the Army, Navy, and Air Force; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.R. 3355. A bill for the relief of Giuseppina Serra; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H.R. 3356. A bill for the relief of Josephine Maria (Bonaccorso) Bowtell; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 3357. A bill for the relief of Monika Giesen; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 3358. A bill for the relief of Elias Dialektakos; to the Committee on the Judiciary.

H.R. 3359. A bill for the relief of Panagiota Kallianioti; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 3360. A bill to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on the claim of Dr. Thomas C. Conway against the United States; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 3361. A bill for the relief of Moshe Nussbacher; to the Committee on the Judiciary.

By Mr. FINNEGAN:

H.R. 3362. A bill for the relief of Jean Vithoulcas; to the Committee on the Judiciary.

H.R. 3363. A bill for the relief of Ioannis Filopoulus; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3364. A bill for the relief of Mrs. Vera Gwendolyn Sawyer (nee Edwards); to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 3365. A bill for the relief of Winston Lloyd McKay; to the Committee on the Judiciary.

By Mr. GROSS:

H.R. 3366. A bill for the relief of Ferenc Molnar; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 3367. A bill for the relief of Alice Fellin; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 3368. A bill to authorize the Administrator, General Services Administration, to convey, by quitclaim deed, a parcel of land to the Lexington Park Volunteer Fire Department, Inc.; to the Committee on Government Operations.

By Mr. McINTIRE:

H.R. 3369. A bill for the relief of Mrs. Elizabeth G. Mason; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 3370. A bill for the relief of Lydia Lazaro; to the Committee on the Judiciary.

H.R. 3371. A bill for the relief of Jaime E. Lazaro; to the Committee on the Judiciary.

H.R. 3372. A bill for the relief of Dr. Fidel Rodriguez-Cubas; to the Committee on the Judiciary.

By Mr. RIEHLMAN:

H.R. 3373. A bill for the relief of Giovanni Bilardi; to the Committee on the Judiciary.

By Mr. ROGERS of Texas:

H.R. 3374. A bill for the relief of Ilias Gotsis; to the Committee on the Judiciary.

By Mr. ROONEY:

H.R. 3375. A bill for the relief of Giovanni Della Ratta; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 3376. A bill for the relief of Jose Antonio Cuchi Ortega; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 3377. A bill for the relief of Emmanuel M. Febre; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H.R. 3378. A bill for the relief of Kui Bor Woo; to the Committee on the Judiciary.

H.R. 3379. A bill for the relief of Lai Yin Lee and her brother, Kin Man Lee; to the Committee on the Judiciary.

H.R. 3380. A bill for the relief of Yee Nging-Foo (also known as Lee Mun-Wah and Wally Yee); to the Committee on the Judiciary.

H.R. 3381. A bill for the relief of Desmond M. Luck; to the Committee on the Judiciary.

H.R. 3382. A bill for the relief of Mrs. Margarette Altman de Frisch; to the Committee on the Judiciary.

H.R. 3383. A bill for the relief of Albert W. McConchie; to the Committee on the Judiciary.

H.R. 3384. A bill for the relief of Tommy Lee (also known as Lee Shue Chung); to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 3385. A bill for the relief of Dr. Henry L. Salvacion, his wife, Herminia Sabello Salvacion, and their minor children, Julius, Myrna, and Sheila Salvacion; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

32. By Mr. RYAN of New York: Petition of Patricia Rodriguez, president, Puerto Rican Political Women Association, Inc., and others to increase the personal income tax exemption from $600 to $1,000; to the Committee on Ways and Means.

33. By Mrs. ST. GEORGE: Petition of Franklin C. Capps and 48 others, to preserve the Monroe Doctrine; to the Committee on Foreign Affairs.

34. By Mr. SHRIVER: Resolution submitted by Mrs. George H. Becker, Peabody, Kans., legislative chairman, in behalf of the American Legion Auxiliary Post 95 of Peabody, recommending to the Congress that the House Committee on Un-American Activities be given full support of Congress and that appropriations requested by Mr. WALTER and House Un-American Activities Committee be approved; to the Committee on House Administration.

35. By Mr. TEAGUE of California: Petition of certain citizens of the 13th Congressional District of California to preserve the Monroe Doctrine; to the Committee on Foreign Affairs.

36. By the SPEAKER: Petition of Eugene G. Evans, Jr., M.D., Hendersonville, N.C., requesting the impeachment of John Fitzgerald Kennedy, President of the United States of America, for using the Armed Forces of the United States as a posse comitatus in Oxford, Miss., in October, 1962—this action being a criminal violation; to the Committee on the Judiciary.

37. Also petition of Clarence E. Whaley, San Jose, Calif., calling for the impeachment of John F. Kennedy, President of the United States; to the Committee on the Judiciary.

SENATE

MONDAY, FEBRUARY 4, 1963

(Legislative day of Tuesday, January 15, 1963)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by Hon. LEE METCALF, a Senator from the State of Montana.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of grace and glory, whose ways are mercy and truth, and in whose love and wisdom lie all our help and hope, in the morning our prayers rise to Thee.

Cleanse us, we beseech Thee, from secret faults which may mar our public service. Give us to see that we cannot consistently call mankind to put aside the weapons of carnage and destruction if our own lives are arsenals of suspicion, hatred, prejudice, and a selfish disregard for the feelings and rights of others.

In these hectic and explosive days may we be strengthened with might, and our jaded souls refreshed, as Thou dost lead us into green pastures and beside still waters—

Spirit of purity and grace,
  Our weakness, pitying see,
O make our hearts Thy dwelling place,
  And worthier of Thee.

Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., February 4, 1963.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. LEE METCALF, a Senator from the State of Montana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. METCALF thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 31, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT ON PROGRAM FOR ESTABLISHMENT OF COMMERCIAL COMMUNICATIONS SATELLITE SYSTEM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 56)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Commerce:

THE WHITE HOUSE,
Washington, January 31, 1963.

To the Congress of the United States:

Pursuant to the provisions of section 404(a) of the Communications Satellite Act of 1962, I transmit herewith the required report covering activities in connection with the national program for the establishment of a commercial communications satellite system.

JOHN F. KENNEDY.

REPORT OF ARMS CONTROL AND DISARMAMENT AGENCY — MESSAGE FROM THE PRESIDENT (H. DOC. NO. 57)

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I have the honor to transmit the Second Annual Report of the U.S. Arms Control and Disarmament Agency.

In this report, submitted pursuant to law, the Agency describes its activities for the calendar year 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 4, 1963.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that the Speaker had made the following appointments on the part of the House:

To the Joint Committee on Atomic Energy: Mr. ANDERSON, of Illinois.

To the Joint Committee on Immigration and Nationality Policy: Mr. CELLER, of New York; Mr. WALTER, of Pennsylvania; Mr. FEIGHAN, of Ohio; Mr. POFF, of Virginia; and Mr. MOORE, of West Virginia.

To the Joint Congressional Committee on Construction of a Building for a Museum of History and Technology for the Smithsonian Institution: Mr. CANNON, Mr. JONES of Alabama, Mr. KIRWAN, Mr. BOW, and Mr. FULTON.

To the Committee To Investigate Nonessential Federal Expenditures: Mr. MILLS, of Arkansas; Mr. KING, of California; Mr. BYRNES, of Wisconsin; Mr. CANNON, of Missouri; Mr. MAHON, of Texas; and Mr. JENSEN, of Iowa.

To the Joint Committee on Navajo-Hopi Indian Administration: Mr. HALEY, of Florida; Mr. MORRIS, of New Mexico; and Mr. BERRY, of South Dakota.

To the Select Committee To Conduct Studies and Investigations of the Problems of Small Business: Mr. EVINS, Mr. PATMAN, Mr. MULTER, Mr. STEED, Mr. ROOSEVELT, Mr. KLUCZYNSKI, Mr. DINGELL, Mr. MCCULLOCH, Mr. MOORE, Mr. AVERY, Mr. SMITH of California, Mr. ROBISON, and Mr. HARVEY.

To the Board of Visitors to the U.S. Military Academy: Mr. TEAGUE of Texas, Mr. NATCHER, Mr. RIEHLMAN, and Mr. OSTERTAG.

To the Board of Visitors to the U.S. Coast Guard Academy: Mr. ST. ONGE, of Connecticut; and Mr. MARTIN, of California.

To the Board of Visitors to the U.S. Air Force Academy: Mr. ROGERS, of Colorado; Mr. FLYNT, of Georgia; Mr. CHENOWETH, of Colorado; and Mr. LAIRD, of Wisconsin.

To the Board of Visitors to the U.S. Merchant Marine Academy: Mr. CAREY, of New York; and Mr. MCINTIRE, of Maine.

To the National Forest Reservation Commission: Mr. COLMER, of Mississippi; and Mr. WESTLAND, of Washington.

To the Migratory Bird Conservation Commission: Mr. KARSTEN, of Missouri; and Mr. GAVIN, of Pennsylvania.

To the Franklin Delano Roosevelt Memorial Commission: Mr. KEOGH, of New York; Mr. ROOSEVELT, of California; Mr. SCHENCK, of Ohio; and Mr. HALPERN, of New York.

To the Woodrow Wilson Memorial Commission: Mr. GALLAGHER, of New Jersey; and Mr. WALLHAUSER, of New Jersey.

To the U.S. Territorial Expansion Memorial Commission: Mr. KARSTEN, of Missouri; Mr. HAYS, of Ohio; and Mr. CUNNINGHAM, of Nebraska.

To the National Monument Commission: Mr. JONES, of Alabama; Mr. ULLMAN, of Oregon; Mr. NYGAARD, of North Dakota; and Mr. SCHWENGEL, of Iowa.

To the Civil War Centennial Commission, to serve with himself: Mr. ELLIOTT, of Alabama; Mr. DADDARIO, of Connecticut; Mr. SCHWENGEL, of Iowa; and Mr. GOODLING, of Pennsylvania.

To the Battle of New Orleans Sesquicentennial Celebration Commission: Mr. HÉBERT, Mr. COLMER, Mr. ABERNETHY, Mr. BOGGS, Mr. EVERETT, Mr. NATCHER, Mr. SILER, and Mr. QUILLEN.

To the Battle of Lake Erie Sesquicentennial Celebration Commission: Mr. ASHLEY, of Ohio; Mr. DULSKI, of New York; Mr. LATTA, of Ohio; and Mr. MOSHER, of Ohio.

To the North Carolina Tercentenary Celebration Commission: Mr. WHITENER, Mr. RAINS, Mr. KORNEGAY, and Mr. JONAS.

To the New Jersey Tercentenary Celebration Commission: Mr. RODINO, of New Jersey; Mr. THOMPSON, of New Jersey; Mr. AUCHINCLOSS, of New Jersey; and Mr. WIDNALL, of New Jersey.

To the Saint Augustine Quadricentennial Commission: Mr. MATTHEWS, of Florida; and Mr. CRAMER, of Florida.

To the National Memorial Stadium Commission: Mr. TEAGUE, of Texas; Mr. LANKFORD, of Maryland; and Mr. BELCHER, of Oklahoma.

To the National Historical Publications Commission: Mr. MILLER of California.

To the U.S. Constitution One Hundred and Seventy-fifth Anniversary Commission: Mr. BYRNE, of Pennsylvania; Mr. DELANEY, of New York; and Mr. CORBETT, of Pennsylvania.

To the Advisory Commission on Intergovernmental Relations: Mr. FOUNTAIN, of North Carolina; Mr. KEOGH, of New York; and Mrs. DWYER, of New Jersey.

To the National Fisheries Center and Aquarium Advisory Board: Mr. KIRWAN and Mr. JENSEN.

To the Federal Records Council: Mr. STAGGERS and Mr. GOODELL.

To the Board of Directors of Gallaudet College: Mr. THORNBERRY, of Texas; and Mr. NELSEN, of Minnesota.

The message also informed the Senate that the Speaker had appointed as ex officio members of the Board of Trustees of the National Cultural Center the following Members on the part of the House: Mr. WRIGHT, Mr. THOMPSON of New Jersey, and Mrs. REID.

The message further announced that Mr. MILLS, chairman of the Committee on Ways and Means, had designated the following members of that committee to serve as Members on the part of the House of the Joint Committee on Internal Revenue Taxation: Mr. MILLS, of Arkansas; Mr. KING, of California; Mr. O'BRIEN, of Illinois; Mr. BYRNES, of Wisconsin; and Mr. BAKER, of Tennessee.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its session today, it stand in recess until 10 a.m. tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

OBJECTION TO COMMITTEE MEETINGS

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to state that I shall object to having any committees of the Senate meet, beginning tomorrow morning.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORTS ON REAPPORTIONMENT OF APPROPRIATIONS

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Treasury Department for "Operating expenses, Coast Guard," for the fiscal year 1963, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Treasury Department for "Salaries and expenses, Bureau of Customs," for the fiscal year 1963, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

ESTABLISHMENT OF POSITION OF DIRECTOR OF CIVIL DEFENSE

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to establish the position of Director of Civil Defense, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

CONSTRUCTION OR MODIFICATION OF PUBLIC SHELTER SPACE

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

REPORT ON ARMY NATIONAL GUARD CONSTRUCTION AUTHORIZATION PROGRAM

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on the Army National Guard construction authorization program, for the year 1963 (with an accompanying report); to the Committee on Armed Services.

REPORT OF OFFICE OF CIVIL DEFENSE, DISTRICT OF COLUMBIA

A letter from the Director, Office of Civil Defense, government of the District of Columbia, Washington, D.C., transmitting, pursuant to law, a report of that Office, for the fiscal year 1962 (with an accompanying report); to the Committee on Armed Services.

REPORT ON RESEARCH PROGRESS AND PLANS OF THE U.S. WEATHER BUREAU

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report on the research progress and plans of the U.S. Weather Bureau, for fiscal year 1962 (with an accompanying report); to the Committee on Commerce.

CONSTRUCTION OF CERTAIN ROADWAYS ON CONNECTICUT AVE. NW., WASHINGTON, D.C.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to construct service roadways for public parking of motor vehicles on Connecticut Ave. NW. (with an accompanying paper); to the Committee on the District of Columbia.

Reports of District of Columbia Armory Board

A letter from the Chairman, District of Columbia Armory Board, Washington, D.C., transmitting, pursuant to law, reports of that Board on the District of Columbia National Guard Armory and the District of Columbia Stadium, including financial statements, for the fiscal year ended June 30, 1962 (with accompanying reports); to the Committee on the District of Columbia.

Reports and Recommendations of NATO Parliamentarians' Conference

A letter from the President, NATO Parliamentarians' Conference, Paris, France, transmitting a copy of the reports and recommendations adopted by that Conference at its eighth annual session (with accompanying papers); to the Committee on Foreign Relations.

Report on Disposal of Foreign Excess Property by Department of Health, Education, and Welfare

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, on the disposal of foreign excess property by that Department, during the calendar year 1962; to the Committee on Government Operations.

Report on Review of Need for the Navy's Mobilization Reserve of Commercial-Type Vehicles

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the need for the Navy's Mobilization Reserve of commercial-type vehicles, dated January 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Review of Warehousing Operations Under the 1959 and 1960 Cotton Purchase Programs

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of warehousing operations under the 1959 and 1960 cotton purchase programs, Commodity Credit Corporation, Department of Agriculture, dated January 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Review of Uneconomical Procurement of Certain Aircraft Engine Bearings by the Department of the Navy

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of uneconomical procurement of certain aircraft engine bearings by the Department of the Navy, dated January 1963 (with an accompanying report); to the Committee on Government Operations.

Report of Advisory Commission on Intergovernmental Relations

A letter from the Chairman, Advisory Commission on Intergovernmental Relations, Washington, D.C., transmitting, pursuant to law, a report of that Commission, dated January 31, 1963 (with an accompanying report); to the Committee on Government Operations.

Procurement of Property and Nonpersonal Services by Executive Agencies

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, to make title III thereof directly applicable to procurement of property and nonpersonal services by executive agencies, and for other purposes (with accompanying papers); to the Committee on Government Operations.

Revision of Boundary of Dinosaur National Monument, Utah

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to revise the boundary of Dinosaur National Monument, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Elimination of Certain Land From Guilford Courthouse National Military Park, N.C.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the elimination of 8.50 acres of land from Guilford Courthouse National Military Park, N.C., and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Donation of Land in North Carolina for Construction of Entrance Road at Great Smoky Mountains National Park

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the acceptance of donations of land in the State of North Carolina for the construction of an entrance road at Great Smoky Mountains National Park, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Acquisition of Certain Land in State of Virginia

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Amendment of Section 4204, Title 18, United States Code, Relating to Conditional Release of Certain Prisoners

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 4204 of title 18, United States Code, relating to the conditional release of prisoners who are aliens subject to deportation (with an accompanying paper); to the Committee on the Judiciary.

Suspension of Deportation of Certain Aliens

Six letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Adjustment of Status of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a list of certain aliens, with the request that their cases be adjusted to that of lawful permanent residents of the United States (with accompanying papers); to the Committee on the Judiciary.

Report of Department of Labor Under Fair Labor Standards Act

A letter from the Secretary of Labor, transmitting, pursuant to law, a report of that Department relating to the Fair Labor Standards Act (with an accompanying report); to the Committee on Labor and Public Welfare.

Report on Estimated Amount of Losses Incurred by the Postal Establishment in the Performance of Public Services

A letter from the Postmaster General, reporting, pursuant to law, on estimated amount of losses incurred by the Postal Establishment in the performance of public services, for the fiscal year ended June 30, 1963; to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Idaho; to the Committee on Finance:

"Senate Joint Memorial 2

"To the Honorable Senate and House of Representatives of the United States in Congress assembled:

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

"Whereas the U.S. Congress by a series of amendments to the Social Security Act during the period 1956–60, has extended and broadened the Social Security Act to provide disability benefits for work-connected injuries and illnesses; and

"Whereas there have been and are numerous proposals for further extensions of coverage and benefits under the Social Security Act which would greatly increase social security taxes and encumber the social security program; and

"Whereas the extension and broadening by Congress of the Social Security Act, constitute a severe threat to the survival of the State workmen's compensation system; and

"Whereas the workmen's compensation system was designed as the sole and exclusive remedy to provide benefits for the work-connected injuries and illnesses: Now, therefore, be it

"Resolved by the 37th session of the Legislature of the State of Idaho, now in session (the Senate and House of Representatives concurring), That we respectfully urge the Congress of the United States to resist further expansion of social security into the occupational disability field, and by this resolution Congress be urged to reject any further intrusion of social security into the workmen's compensation field to the end that the present system of workmen's compensation programs may be preserved; and be it further

"Resolved, That the secretary of state of the State of Idaho be, and he hereby is, authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this State in the Congress of the United States.

"Adopted by the senate on the 17th day of January 1963.

"W. E. Dreylow,
"President of the Senate.

"Adopted by the house of representatives on the 21st day of January 1963.

"Pete T. Cenarrusa,
"Speaker of the House of Representatives."

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate a telegram in the nature of a memorial, signed by John Wick, of Duluth, Minn., remonstrating against the confirmation of the nomination of John Green, of Superior, to be collector of customs; which was referred to the Committee on Finance.

By Mr. Mechem:

A resolution of the House of Representatives of the State of New Mexico; to the Committee on Finance:

"House Memorial 1

"Memorial to the Congress and President of the United States asking them to put the lumber industry of the United States on an equitable basis with foreign industry

"Whereas there is no shortage of timber for the production of lumber and related items in the United States; and

"Whereas there is a need to increase the cut from overmature forests to prevent excessive loss from decay, disease and other causes; and

"Whereas U.S. lumber manufacturing firms pay the highest wages and provide working conditions equal to or better than similar firms in other countries; and

"Whereas lumber manufacturing firms in the United States are losing their home markets to foreign firms, especially Canada, due to advantages such as depreciated currency, low stumpage rates, noncompetitive bidding, less costly and restrictive forest practices, lower wage rates, high tariff rates on lumber shipped to Canada, lower charter rates for coastal and intercoastal shipping, and cooperative government; and

"Whereas lumber imports from Canada are increasing yearly at an alarming rate and now constitute about one-sixth of the annual consumption of lumber in the United States; and

"Whereas unemployment in the lumber industry of the United States is increasing with resultant loss of wages to the workers, loss of taxes and income to taxing bodies and communities: Now, therefore, be it

"*Resolved by the Legislature of the State of New Mexico,* That the Congress and President of the United States are respectfully petitioned to give immediate attention to, and request action necessary, to place the lumber industry of the United States on an equitable and competitive basis with foreign manufacturers through the use of a quota system or other means, including the requirement that imported lumber be marked to show the country of origin, to the end that domestic manufacturers are not placed at a disadvantage with resultant loss of markets, reduction of employment, loss of taxes and deterioration of communities; and be it further

"*Resolved,* That copies of this memorial be transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives, and to the New Mexico delegation to the Congress of the United States.

"Signed and sealed at the capitol in the city of Santa Fe.

"Bruce King,
"*Speaker, House of Representatives.*
"Albert Romer,
"*Chief Clerk, House of Representatives.*"

REPORTS OF COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Mr. JOHNSTON, from the Committee on Post Office and Civil Service, reported favorably, without amendment, the resolution (S. Res. 18) authorizing the Committee on Post Office and Civil Service to investigate the postal service and the civil service system, and submitted a report (No. 6) thereon; which report was ordered to be printed, and the resolution, under the rule, was referred to the Committee on Rules and Administration.

Mr. JOHNSTON, from the Committee on Post Office and Civil Service, reported favorably, without amendment, the resolution (S. Res. 20) authorizing the Committee on Post Office and Civil Service to employ additional clerical assistance, and submitted a report (No. 7) thereon; which report was ordered to be printed, and the resolution, under the rule, was referred to the Committee on Rules and Administration.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOUGLAS (for himself, Mr. Gruening, Mr. McCarthy, Mrs. Neuberger, Mr. Humphrey, Mr. Moss, Mr. Yarborough, Mr. Burdick, Mr. Inouye, Mr. Pell, Mr. McGovern, Mr. Young of Ohio, Mr. Nelson, Mr. Williams of New Jersey, Mr. Clark, Mr. Proxmire, Mr. Bartlett, and Mr. Dodd):

S. 650. A bill to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Douglas when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD:

S. 651. A bill to transfer certain land in the District of Columbia to the Secretary of the Interior for administration as a part of the National Capital parks system, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. Mansfield when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 652. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Palmetto Bend reclamation project, Texas, a division of the Texas basins project, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (for himself and Mr. Cannon):

S. 653. A bill to provide an adequate basis for administration of the Lake Mead National Recreation Area, Ariz. and Nev., and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF (for himself, Mr. Anderson, Mr. Bayh, Mr. Beall, Mr. Bennett, Mr. Bible, Mr. Church, Mr. Engle, Mr. Kuchel, Mr. Mansfield, Mr. Monroney, Mr. Morse, Mr. Moss, and Mr. Randolph):

S. 654. A bill to authorize the Secretary of the Army to reimburse certain cities in the United States for expenses incurred by such cities in the construction of streets, sidewalks, and other public improvements adjacent to U.S. Army Reserve installations situated in such cities; to the Committee on the Judiciary.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 655. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SALTONSTALL:

S. 656. A bill to promote public knowledge of progress and achievement in astronautics and related sciences through the designation of a special day in honor of Dr. Robert Hutchings Goddard, the father of modern rockets, missiles, and astronautics; to the Committee on the Judiciary.

(See the remarks of Mr. Saltonstall when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 657. A bill for the relief of Dr. Mohammed Adham; to the Committee on the Judiciary.

By Mr. ENGLE (for himself and Mr. Yarborough):

S. 658. A bill to equalize the pay of retired members of the uniformed services; to the Committee on Armed Services.

Br. Mr. MECHEM:

S. 659. A bill for the relief of Ahmad Farshtchi; to the Committee on the Judiciary.

By Mr. BIBLE:

S. 660. A bill for the relief of Daniel Sheahan; to the Committee on the Judiciary.

By Mr. GRUENING (by request):

S. 661. A bill to amend the act known as the Life Insurance Act of the District of Columbia, approved June 19, 1934, and the act known as the Fire and Casualty Act of the District of Columbia, approved October 3, 1940; to the Committee on the District of Columbia.

By Mr. MAGNUSON:

S. 662. A bill to amend title 23 of the United States Code, relating to highways, in order to authorize certain use of the rights-of-way of the National System of Interstate and Defense Highways for passenger rail transit systems in metropolitan areas; to the Committee on Public Works.

By Mr. PROXMIRE:

S. 663. A bill to amend title II of the Social Security Act to lower from 62 to 60 the age at which benefits thereunder may be paid, with appropriate actuarial reductions made in the amounts of such benefits; to the Committee on Finance.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. CARLSON:

S. 664. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. DOMINICK:

S. 665. A bill for the relief of Sgt. and Mrs. Kenneth S. Sollars; to the Committee on the Judiciary.

By Mr. DODD (for himself and Mr. Cooper):

S. 666. A bill to further secure and protect the rights of citizens to vote in Federal elections; to the Committee on the Judiciary.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 667. A bill for the relief of Francis Zerjav;

S. 668. A bill for the relief of Rosa Gianna Antonini; and

S. 669. A bill for the relief of Vincenzo DeLucia and Angela DeLucia; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 670. A bill for the relief of Patrick Anthony Linnane; to the Committee on the Judiciary.

By Mr. HAYDEN:

S. 671. A bill for the relief of Mirhan Gazarian; to the Committee on the Judiciary.

By Mr. STENNIS (for himself and Mr. Eastland):

S. 672. A bill to authorize the Administrator of Veterans' Affairs to convey to the city of Jackson, Miss., certain lands situated in such city which have been declared surplus to the needs of the Veterans' Administration; to the Committee on Government Operations.

By Mr. BEALL (for himself and Mr. BREWSTER):

S. 673. A bill to provide for the conveyance of certain real property of the United States to the State of Maryland; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON (by request):

S. 674. A bill to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph;

S. 675. A bill to amend section 19a of the Interstate Commerce Act to eliminate certain valuation requirements, and for other purposes;

S. 676. A bill to authorize the Interstate Commerce Commission, after investigation and hearing, to require the establishment of through routes and joint rates between motor common carriers of property, and between such carriers and common carriers by rail, express, and water, and for other purposes;

S. 677. A bill to amend sections 203(b) (5) and 402(c) of the Interstate Commerce Act to provide for the issuance of certificates of exemption upon application and proof of eligibility, and for other purposes;

S. 678. A bill to amend the Interstate Commerce Act in order to provide civil liability for violations of such Act by common carriers by motor vehicle and freight forwarders;

S. 679. A bill to amend section 204(a) (3) of the Interstate Commerce Act respecting motor carrier safety regulations applicable to private carriers of property;

S. 680. A bill to amend section 212(a) of the Interstate Commerce Act, as amended, and for other purposes;

S. 681. A bill to amend section 222(b) of the Interstate Commerce Act with respect to the service of process in enforcement proceedings, and for other purposes;

S. 682. A bill to make the civil forfeiture provisions of section 222(h) of the Interstate Commerce Act applicable to unlawful operations and safety violations by motor carriers, and for other purposes;

S. 683. A bill to amend the Interstate Commerce Act so as to authorize the Interstate Commerce Commission, under certain circumstances, to deny, revoke, or suspend operating authority granted under part II of the act, or to order divestiture of interest, and for other purposes;

S. 684. A bill to clarify certain provisions of part IV of the Interstate Commerce Act and to place transactions involving unifications or acquisitions of control of freight forwarders under the provisions of section 5 of the act; and

S. 685. A bill to amend the Interstate Commerce Act and certain supplementary and related acts with respect to the requirement of an oath for certain reports, applications, and complaints filed with the Interstate Commerce Commission; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. JACKSON):

S.J. Res. 34. Joint resolution to establish the Public Lands Management Study Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

INDIANA DUNES NATIONAL LAKESHORE

Mr. DOUGLAS. Mr. President, I introduce, for appropriate reference, a bill to provide for the establishment of the Indiana Dunes National Lakeshore. I introduce this bill for myself and for Senators GRUENING, MCCARTHY, NEUBERGER, HUMPHREY, MOSS, YARBOROUGH, BURDICK, INOUYE, PELL, MCGOVERN, YOUNG of Ohio, NELSON, WILLIAMS of New Jersey, CLARK, PROXMIRE, BARTLETT, and DODD.

Mr. President, the long fight to rescue the remaining unspoiled sections of the Indiana Dunes from destruction and to preserve them as a national park is a subject with which I believe most of my colleagues are familiar. I am happy to be able to report that although the dunes have never been in greater or more immediate peril, the opportunity has never been more hopeful for rescuing them. The expression of increased Senate support for this effort shown by the increase in cosponsors is in keeping with the nationwide and worldwide interest which has built up over this issue.

WHAT THE BILL PROVIDES

This bill is exactly the same Indiana Dunes National Lakeshore bill which I introduced as amendments in the nature of a substitute to S. 1797 on August 28, 1961. This is the same bill on which the Senate Interior Subcommittee on Public Lands held hearings on February 26, 27, and 28 of last year. This is the same bill which was and is strongly endorsed by the National Park Service and the Department of the Interior, and which received a favorable report from the Bureau of the Budget on March 19, 1962.

In brief, this bill will authorize the Secretary of the Interior to create a national lakeshore park in northern Indiana of 9,000 acres, preserving the remaining unspoiled dunes areas, nature areas, and beaches, along with supporting lands. It would preserve 5.39 total miles of shoreline, of which 4.09 miles is natural shoreline and 1.3 miles is shoreline fronting on existing, but sparse, residential or recreational development. These 9,000 acres and 5.39 miles of shoreline would be in addition to the existing Indiana Dunes State Park of 2,180 acres and 3.3 miles of shoreline.

The bill describes the areas the Secretary would be authorized to acquire in terms of five numbered units in Porter County, Ind., four of which border on the Lake. Unit No. 5 stretches along south of the Chicago, South Shore, and South Bend railroad tracks, and connects all the units touching the Lake. The general plan of development is to have mass bathing beaches at three points: in the westernmost section, unit No. 3; near Porter Beach in the east-central section, unit No. 1; and in the easternmost section, unit No. 4; at Beverly Shores, but to keep most of unit No. 2 in a natural and undeveloped condition as a nature area and scientific preserve. Unit No. 5 will provide supporting lands for camping, picnicking, canoeing, fishing, hiking, horseback riding and other sports. There will also be provisions for small boat harbors with access to the Lake.

The reason for the park lands being in sections, of course, is because of the industrial and residential development which at some spots has crept in and either destroyed the recreational and scientific values or made acquisition costs too high. But it should be clearly understood that this bill describes areas which at this moment are, with the exception of probably 200 acres, unspoiled sections in their natural state or sections otherwise fully adaptable to national park usage. The National Park Service has gone into this very carefully and it reports unequivocally that the lands described in this bill are good lands of high recreational and scientific value.

ALL AREAS DESCRIBED IN THE BILL ARE OF HIGH SCIENTIFIC OR RECREATION VALUE

Mr. President, there has been a strong effort on the part of opponents of the bill to create the impression that "nothing of value exists anymore in the dunes, so why bother to save them?" There have also been attempts to wantonly destroy parts of the still unspoiled dunes in order to augment this propaganda about the dunes having already disappeared.

The facts are, I repeat, that as of this moment nearly all of the lands described in the bill retain fully their scientific and recreational values. National Park Service experts have made field inspections and have made this report. I made a tour of the area in November in the company of northern Indiana labor and business leaders. Several Members of the Senate, the Secretary of the Interior, and the Director of the National Park Service, along with others, toured the dunes a little over a year ago. I have in my hand a report I have just received from a vice president of the Save the Dunes Council who last week made a tour of the dunes by skis. With respect to unit No. 2, the central and crucial area for the park, he reports that bulldozer operations affecting the area described in the bill have stopped and have extended only to stripping vegetation from the dunes surrounding Goose or Mud Lake, covering a maximum area of 200 acres. An access road also is under construction at the east end of unit No. 2 near U.S. Highway 12.

The bulldozers are poised, Mr. President, but the Dunes still remain and can be rescued.

RIGHTS OF PROPERTY OWNERS PROTECTED

In keeping with the policies the National Park Service has established in connection with acquiring land for other parks, this bill provides owners of improved property in the proposed dunes lakeshore with liberal alternatives. Owners will have three ways of cooperating with the establishment of the park. First, an owner may choose to retain ownership permanently, providing he abides by zoning regulations established by Porter County and approved by the Secretary of the Interior. Second, an owner may choose to sell his property to the Department of the Interior for fair market value and retain the right of use and occupancy, transferable, for 25 years. Or third, an owner may sell his property outright to the Department of the Interior.

The bill also provides for establishment of an Indiana Dunes National Lakeshore Advisory Commission which would advise the Secretary of the Interior on lakeshore matters. Law enforcement within the lakeshore would follow the established policies of the

National Park Service as administered by a U.S. commissioner, but the State and its political subdivisions would retain full civil and criminal jurisdiction over the lands within the lakeshore.

I have asked the National Park Service to keep me informed as to the cost of this proposal, and on December 6, 1962, I received a report of a staff appraisal which set a preliminary estimate of between $13 and $16 million as the total value of the privately owned land in the project area.

Mr. President, I ask unanimous consent that the following documents pertaining to the provisions of the bill be printed in the RECORD following my remarks:

As exhibit 1, a statement prepared at my request by the National Park Service in September 1961, entitled "Questions and Answers Concerning the Proposed Indiana Dunes National Lakeshore."

As exhibit 2, a letter dated February 23, 1962, from the Secretary of the Interior to Senator CLINTON ANDERSON, chairman of the Senate Interior Committee, officially endorsing this bill.

As exhibit 3, a letter to Senator ANDERSON dated March 16, 1962, from Mr. Max N. Edwards, Assistant to the Secretary and Legislative Counsel, Department of the Interior, describing the amount of shoreline encompassed by this bill in comparison with S. 2317, a bill introduced by Senator HARTKE.

As exhibit 4, a letter to Senator ANDERSON dated March 19, 1962, from Mr. Phillip S. Hughes, Assistant Director for Legislative Reference, Bureau of the Budget, stating that the Bureau concurs in the report of the Secretary of the Interior on this bill and that the bill would be in accord with the program of the President.

There being no objection, the exhibits were ordered to be printed in the RECORD, as follows:

EXHIBIT 1

QUESTIONS AND ANSWERS CONCERNING THE PROPOSED INDIANA DUNES NATIONAL LAKESHORE

On August 28, Senator PAUL DOUGLAS introduced an amendment to S. 1797, introduced originally on May 3 "To provide for the preservation of the Indiana Dunes and related areas in the State of Indiana, and for other purposes." The amended bill proposes to preserve in public ownership as a national lakeshore representative portions of the Indiana Dunes and other areas of scientific interest and of public recreational values on or near the shores of Lake Michigan. To accomplish this purpose the substitute bill would authorize the Secretary of the Interior to acquire, by purchase, donation or other means not to exceed 9,000 acres in five defined units between Lake Michigan and U.S. Highway 20 in Porter County, Ind.

These proposals have prompted many pertinent questions—What is a national lakeshore? How would the land be acquired? Could property owners continue to enjoy their homes? Because a national lakeshore, if established, would be preserved and managed in accordance with standards and policies of the national park system, we have prepared answers to these and many other such important questions.

The answers are based on the general and specific laws and policies established by the Congress for the administration of the areas of the national park system. They are based also on the experiences and practices of the National Park Service in similar instances over the years. More specific answers will depend on the nature and provisions of whatever legislation the Congress may enact.

Although the answers necessarily cannot constitute an advance commitment by the Federal Government regarding proposed legislation, they are meant to be as helpful, specific and informative as the circumstances permit.

Question. What is a national lakeshore?

Answer. At present, there are no national lakeshores. However, a national lakeshore is suggested as being similar to a national seashore, a spacious area selected, developed, and administered for the preservation and public use of nationally significant scenic, scientific, and other recreation values along the coast, including the Great Lakes. Basically, a national lakeshore or national seashore is the same as a national recreation area, but with particular emphasis on the preservation of outstanding shoreline scenery and environment. Such an area is capable of sustaining, in part at least, certain active recreation activities which would be inappropriate in a national park or national monument.

Question. Why is a national lakeshore at Indiana Dunes suggested?

Answer. Eminent scientists from all over the world have long acclaimed the Indiana Dunes as an outstanding outdoor laboratory for the geologist, the biologist, and the botanist. Nowhere else in our country are the forces of dune formation and stabilization more dramatically displayed. The area is also notable as the meeting place and limit of range for plants typical of more northerly, southerly, easterly, and westerly latitudes and longitudes. The variety of animal life is likewise renowned. These qualities plus the outstanding scenic and other recreation values were of national park caliber 45 years ago when the area was first recommended for such status by Stephen Mather, the first Director of the National Park Service. At that time, the recommended area consisted of a 25-mile strip of uninhabited, tree-covered dunes, marshes, and clean beaches stretching continuously along the south shore of Lake Michigan from East Chicago to Michigan City, Ind. The desired public action was thwarted by lack of public information about the area and by our involvement in World War I. In the meantime, industrial and residential development took place in the area destroying much of the natural scene.

Today, only scattered segments of undeveloped beaches, dunes, and marshes remain. However, preservation of the remaining natural features is still important. This importance is based on the value of preserving the features of scientific interest and also on the vital need for additional recreation space to serve nearly 7 million people within a radius of 50 miles.

Question. How large would the national lakeshore be?

Answer. It would not exceed 9,000 acres. A recommended boundary marks exterior limits within which lands and waters may be donated, transferred, or otherwise acquired for national lakeshore purposes, if the proposal is approved and the Congress so authorizes.

Question. What lands would be included and where are they?

Answer. The attached map [not printed in RECORD] shows with stippled pattern the units 1 to 5 described in S. 1797.

Question. How is a national lakeshore established?

Answer. It requires an authorizing act of Congress. Senators and/or Congressmen support a plan and introduce a bill or bills in the Congress. The appropriate committees of Congress seek the views, recommendations and advice of the public, request the recommendations of the Department of the Interior and other agencies that may be concerned. This is to aid the committees in deciding whether, and under what conditions, the public interest would best be served by the proposed legislation. If the bill is passed by both the Senate and the House of Representatives, it becomes law upon approval by the President. When so authorized, appropriations may then be requested of Congress for land acquisition, administration, and development purposes.

Question. If the national lakeshore is authorized, under what procedures would the private lands and dwellings be acquired?

Answer. As funds are available, acquisition of private lands is ordinarily and customarily conducted by direct negotiation with the individual property owners based on current fair market value appraisals by qualified non-Federal appraisers.

Every reasonable effort is made to reach amicable agreements with owners for the acquisition of their properties. While the Federal Government generally has authority to acquire lands within an authorized Federal area by eminent domain if necessary, it is a longstanding policy of the National Park Service to resort to condemnation only in those instances where such action is necessary to provide a definitely needed public facility, to insure proper title, or to prevent adverse types of development.

Question. Would homeowners residing in the national lakeshore be permitted to remain on a lifetime lease or other basis?

Answer. Yes. S. 1797 provides that if suitable zoning bylaws are adopted and in effect, ownership and occupancy may continue indefinitely. If the owners wish to sell to the Federal Government, the bill provides that such owners may, as a condition to such acquisition by the Secretary of the Interior, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term of 25 years, or for such lesser time as the owner may elect. The owner would be paid the fair market value of the property, less the fair market value of the right retained by the owner.

Question. What kinds of facilities would be provided by the Government in the proposed national lakeshore?

Answer. Since the primary purpose of a national lakeshore should be the preservation of its natural qualities for appropriate public use and enjoyment, the facilities provided should be consistent with the conservation objective and should be only those essential to public enjoyment and protection of the area. Facilities and developments for unrelated activities, which can be performed just as well elsewhere, need not be provided within the national lakeshore.

It is anticipated that, if S. 1797 is enacted, the natural environment within units 1 and 2 would be preserved with development limited to trail access through the dunes and marshes. Elsewhere within the areas designated by S. 1797, important natural features also would be preserved in conjunction with provision for other recreation activities such as swimming, picknicking, and camping.

There is an evident need for additional space and facilities along the south shore of Lake Michigan to meet the growing demand for water-oriented recreation. To meet this need and at the same time to preserve the important remaining natural areas, including the Indiana Dunes State Park, Senator DOUGLAS' bill provides for the acquisition of units 3 and 4—relatively undeveloped lands where the natural features have already been disturbed. Within these two units the emphasis would be placed on providing for beach access with associated parking areas, bathing, picnicking, and boating facilities. Selected areas south of the Chicago, South Shore & South Bend Railroad might also be developed for picnicking, camping, hiking, and other appropriate recreation activities compatible with the environment. The exact amount and location of such development can be determined only by detailed planning studies, which will be done if establishment of the area is authorized.

Question. How would a national lakeshore benefit northern Indiana economically?

Answer. The National Park Service has not made a study of the potential economic impact of Senator DOUGLAS' proposal on the general locality. However, experience gained over the years has shown that establishment and development of national parks and related areas results in increased demand for hotels, restaurants, motels, gasoline stations, stores, and other facilities and services, thus providing opportunities for local investment and employment. For instance, when Grand Teton National Park was established in 1929, local bank deposits at Jackson, Wyo., totaled $395,000. In 1959 local bank deposits at Jackson totaled approximately $4,500,000. Cody, Wyo., a gateway to both Yellowstone and Grand Teton, also has had an increase in tourist facilities such as motels, gasoline stations, and restaurants and has now reached a point where it is primarily dependent on recreation trade.

Following the establishment of Cape Hatteras National Seashore, the volume of business from the tourist trade almost doubled within a 6-year period in the vicinity adjacent to the national seashore.

An economic study of the proposed Point Reyes National Seashore, located 35 miles from San Francisco, Calif., estimated that the national seashore would receive at least 2.1 million days of visitor use annually by 1980. Assuming that sufficient campgrounds were provided within the national seashore and that ample overnight accommodations were developed by private investment outside the boundaries, it was estimated that overnight, weekend, and vacation use could account for at least 250,000 additional visitors by 1980. Because the relationship of the Indiana Dunes to Chicago is comparable to the relationship of Point Reyes to the nine-county bay area around San Francisco, it appears reasonable to expect similar effects on the northern Indiana tourist potential.

Question. What type of zoning regulations would be in effect?

Answer. It is intended that such zoning bylaws should contribute to the effect of prohibiting the commercial and industrial use of the area, other than such commercial use as the Secretary of the Interior may approve for public services, etc., when this use would not be inconsistent with the purpose of the act.

Question. What does the term "improved property" as used in S. 1797 mean?

Answer. A detached, one-family dwelling, construction of which was begun before April 20, 1961, together with so much of the land on which the dwelling is situated, the land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the lands so designated. The amount of the land so designated shall in every case be at least 3 acres, or all of such lesser acreage as may be held in the same ownership as the dwelling.

Question. How will existing farms be affected if included within the authorized boundary?

Answer. Where farming has been in practice over the years as a means of livelihood and does not defeat or seriously impair the major conservation purposes of the preserve, such farms could be permitted to continue operation in private ownership or on a lease basis.

Question. How would existing commercial establishments located within the authorized boundaries be affected?

Answer. It is expected that commercial establishments which serve visitors to the proposed park and are compatible with the conservation and public use of the area, will continue to operate. If the owners of such establishments should sell their property to the Government and they should wish to continue to operate the facilities under long-term lease or concession contract, it is reasonable to assume that such arrangement could be satisfactorily accomplished.

Question. What provisions would be made by the National Park Service for meals, lodging, and related services?

Answer. The National Park Service would not provide motels, restaurants, and related facilities and services within the proposed area. These services can best be provided by private enterprise.

Question. Would private landowners within the authorized area be assured of continued access to their properties?

Answer. Yes.

Question. What will become of existing schools, churches?

Answer. The continuance of churches located within the boundaries of a national seashore area generally are compatible with the objectives of the area. The pending bill provides that any property or interest therein, owned by the State of Indiana or any political subdivision thereof, may be acquired only with the concurrence of such owner. Under this provision any schools within the proposed boundaries would continue.

Question. Would the use of beach buggies be permitted?

Answer. No.

Question. Will local residents be kept informed about developments within the national lakeshore?

Answer. An advisory commission is proposed in the Indiana Dunes bill which would consist of seven members. Four members would be appointed from recommendations made by Lake and Porter Counties, two members would be appointed from recommendations made by the Governor of Indiana, and one member would be designated by the Secretary of the Interior. The Secretary or his representative would consult from time to time with the commission on matters relating to the development of the Indiana Dunes National Lakeshore.

Question. Will roads within the proposed area be maintained by a responsible agency?

Answer. State highways within areas of the national park system normally are retained by the State. County roads required for transient and commercial use are usually retained by the county. However, as the area develops, some of the present minor roads might become unnecessary. All roads used primarily for national lakeshore access and circulation would be built or improved and maintained by the National Park Service.

Question. Will there be an entrance fee?

Answer. No such fees are anticipated.

Question. Can residents continue to prevent trespassing on the immediate area around their homes?

Answer. Yes. Also, holders of a possessory interest in land within a park area may continue to prevent trespassing on their property as freely as if they owned the property in fee simple.

Question. Would the total land needed for maximum lakeshore area development be acquired at one time?

Answer. It is unlikely that sufficient funds would be made available for acquisition of the entire proposed national lakeshore at once. Therefore, acquisition would be concentrated on key undeveloped properties in the interest of preserving the most important or endangered natural values, and of obtaining land most immediately useful for public use.

Question. If the Indiana Dunes National Lakeshore is authorized by Congress, what happens in the interval before acquisition funds can be provided?

Answer. The National Park Service would prepare a detailed master plan for development and use of the area on which to base a precise boundary.

Question. Assuming the establishment of the Indiana Dunes National Lakeshore, how long would it take to develop its full potential?

Answer. Progress in development would be dependent upon the rate of annual appropriations by the Congress. The normal procedure would be for the Service to prepare master plans and working plans for a 10-year development schedule.

Question. Has any date been set beyond which those who build in the area would not receive the same purchase contract guarantees as those who owned property prior to the set date?

Answer. We think it is logical, and in the public interest, that there should be some cutoff date beyond which new developments would not be encouraged. That date is set in the bill as April 20, 1961. Without such a deterrent, the ultimate objective of preserving the area for public use and enjoyment might be defeated by speculative developments.

EXHIBIT 2

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 23, 1962.
Senator CLINTON P. ANDERSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ANDERSON: Your committee has requested a report on S. 1797, a bill to provide for the preservation of the Indiana Dunes and related areas in the State of Indiana, and for other purposes, and S. 2317, a bill to authorize the establishment of the Indiana Dunes National Monument. Since then amendments to S. 1797 in the nature of a substitute have been proposed by the author of the bill.

We heartily endorse the purposes of S. 1797 (the proposed substitute), which would establish the Indiana Dunes National Lakeshore. We believe that legislation along these lines should provide for the inclusion of the maximum acreage that is practical from the standpoint of preserving the unique and outstanding recreational and scenic values in this area. There are conflicting views concerning the highest and best use to which some segments of the Indiana Dunes area should be put. The committee hearings will no doubt unfold a wealth of information regarding these views, and we shall be glad to cooperate in reviewing and commenting upon any data that the committee might submit to us. It is our hope, however, that upon completion of the hearings, legislation will be promptly enacted to preserve as much as possible of this vanishing shoreline.

S. 1797 (the proposed substitute) and S. 2317 are designed to achieve the same basic objective: preservation of representative portions of the Indiana Dunes for the educational and recreational use of the public. There are, however, these major differences:

1. With respect to the acreage for the lakeshore (or seashore), S. 1797 (the proposed substitute) provides for a larger area than S. 2317.

2. In S. 1797 (the proposed substitute), there are conditions under which the lands for the lakeshore may be acquired and restrictions on the condemnation process. Lands owned by the State, or any political subdivision thereof, may be acquired only with the concurrence of the owners. The owners of improved property (a detached one-family dwelling the construction of which was begun before April 20, 1961) may elect to retain not to exceed 3 acres of their improved property for noncommercial residential purposes for a term of 25 years. The bill also suspends, for 1 year, the Secretary's authority to condemn such improved

property; thereafter, the suspension on the Secretary's condemnation authority with respect to the improved property continues so long as a Porter County zoning bylaw, approved by the Secretary is in force. S. 2317 does not have such provisions.

3. S. 1797 (the proposed substitute) establishes an Advisory Commission to consult with the Secretary on development of the lakeshore and matters relating to zoning. There are no such provisions in S. 2317.

In 1916, Stephen Mather, the first Director of the National Park Service, recommended establishment of an Indiana Dunes National Park. At that time, the recommended area consisted of a 25-mile strip of uninhabited, tree-covered dunes, marshes, and clean beaches, stretching continuously along the south shore of Lake Michigan from East Chicago to Michigan City, Ind. The desired public action was thwarted by lack of public information about the area and by our involvement in World War I. In the meantime, industrial and residential development took place in the area; as a consequence, much of the natural scene has been destroyed. However, there still remain, within 50 miles of about 6 million people, about 9,000 acres of relatively unspoiled, natural shoreline and wooded dunes, which merit preservation in public ownership.

Preservation of these remaining natural features is important not only because of their great scientific value and interest but because of the vital need for additional recreation space to serve the densely populated Chicago and northern Indiana metropolitan area. The area contains a combination of lakefront, dunes, and hinterland that is ideally suited to meet some of the recreational and open space needs for the people of this region. Moreover, its scenic and scientific features would attract people from all over the country.

One of the significant aspects of this area concerns its geologic history. Following the recessions of the last Wisconsin ice lobes, barrier dunes were built by wave action parallel to the shoreline of the receding edge of glacial Lake Chicago. When the water of Lake Chicago fell to the level of present-day Lake Michigan, and the waterline became stable, the main series of wind-built dunes were formed. These are much higher than the older barrier dunes and are characterized by their jumbled topography.

This area's recreational value is readily apparent. Because of the lower latitude and shallow depth, the waters along this portion of Indiana shoreline are the warmest in Lake Michigan. During the latter part of June, the water temperature rises above 60° F. and stays above that point until late September. The wide beaches are composed, in large part, of clean, fine, white, hardpacked sand derived from the famous Indiana sand dunes. An important feature of the beach is that it is constantly being augmented and widened by the addition of water-transported sand from eroding shorelines in nearby Michigan, Illinois, and Wisconsin.

Our most recent estimate of the cost of land acquisition under S. 1797 (the proposed substitute) is $8 million, assuming that the Secretary's power to condemn residential properties remains suspended. This and other costs, together with our estimate of required manpower, are detailed in the enclosed costs and man-years statement submitted in accordance with the act of July 25, 1956 (70 Stat. 652; 5 U.S.C. 642a). At this time, we do not have an estimate of cost of land acquisition under S. 2317.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

EXHIBIT 3

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 6, 1962.
Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR SENATOR ANDERSON: During the course of the February 27 hearings on S. 1797 (DOUGLAS) and S. 2317 (HARTKE) the Public Lands Subcommittee requested that we submit a comparison of Indiana's Lake Michigan shoreline encompassed by the two proposals.

On the basis of shoreline mileage per se, S. 1797 encompasses approximately 5.39 miles and S. 2317 encompasses 10.72 miles of Lake Michigan shoreline in Porter County, Ind.

However, Senator DOUGLAS' proposal would preserve about 4 miles of remaining natural shoreline outside of the existing Indiana Dunes State Park. Senator HARTKE's bill would preserve only about 2½ miles of natural shoreline in addition to that in the existing State park. A breakdown of the types of shoreline encompassed by S. 1797 and S. 2317 follows:

[In miles]

	S. 1797	S. 2317
Total shoreline	5.39	10.72
Shoreline fronting on existing development:		
Dune acres	.7	1.6
Porter Beach	.2	.4
Beverly Shores	.4	3.0
Subtotal	1.3	5.0

[In miles]

	S. 1797	S. 2317
Natural shoreline	4.09	5.72
Indiana Dunes State Park	----	3.3
Additional shoreline proposed for public preservation	4.09	2.42

Of the 4 miles of natural shoreline in Senator DOUGLAS' proposal, 1.7 miles are within unit No. 2, about .64 mile of which lie within the proposed Burns Waterway harbor site. In our opinion, the beach, dunes, and marshes in unit No. 2 (including those within the proposed harbor site) of Senator DOUGLAS' proposal are the best of the remaining natural resources along the Indiana shoreline.

The enclosed map outlines the areas encompassed by both S. 1797 and S. 2317 and indicates the location of remaining natural shoreline that would be included.

During the course of the hearings it became evident that the subcommittee also desires information on the numbers and types of homes included in the areas described in S. 1797 and S. 2317. Although a specific request to obtain such information was not made by the subcommittee, we have asked the National Park Service to furnish this information to the committee as soon as possible. The data to be obtained will include by unit breakdown the number of seasonal and year-round residences for both S. 1797 and S. 2317. We will submit these data to you as soon as the necessary field study can be completed, we hope by mid-March.

Sincerely yours,

MAX N. EDWARDS,
Assistant to the Secretary, and Legislative Counsel.

EXHIBIT 4

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., March 19, 1962.
Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget on S. 1797, to bill "To provide for the preservation of the Indiana Dunes and related areas in the State of Indiana, and for other purposes," and S. 2317, a bill "To authorize the establishment of the Indiana Dunes National Monument."

The report which the Secretary of the Interior is submitting on these bills describes the significant features of the area proposed for addition to the National Park System and alludes to the fact that there are conflicting views concerning the highest and best use to which some segments of the Indiana Dunes area should be put. The report endorses the purposes of S. 1797 (the proposed substitute) and expresses the belief that legislation along these lines should provide for the inclusion of the maximum acreage that is practical from the standpoint of preserving the unique and outstanding recreational and scenic values. This Bureau concurs in that report.

The President, in his recent message on conservation, urged favorable action on legislation to create a national lakeshore area in northern Indiana. Enactment of legislation for this purpose along the lines of S. 1797 (the proposed substitute) would be in accord with the program of the President.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

TWO TRENDS OFFER HOPE FOR SAVING THE DUNES

Mr. DOUGLAS. Mr. President, the last year has seen the development of two trends which offer hope that this irreplaceable natural treasure of the Midwest can be saved. The first is the strong support for preserving the dunes which now comes from the National Park Service and the Department of the Interior, nearly every national and midwestern conservation organization, many of the leading newspapers and journals of the Nation, prominent scientists from throughout the Western World, national labor unions and the local unions most directly involved, Representative RAY MADDEN of the First District of Indiana, and the nearly unanimous business, civic, labor, and political interests of Lake County, Ind., and from hundreds of thousands of people in Indiana and across the Nation who have written Congress and the President and who have signed petitions.

The second trend has been the increased amount of sunlight brought to bear on the proposed Burns Ditch harbor which would wantonly destroy the dunes.

These two trends are in fact the history of the two sides or parallel parts of the story of the fight to save the dunes. In two speeches this week I shall try to give the Senate an account of both parts of the story, but I do not pretend to be able to give the full story. The tangled web of conspiracy associated with the attempt to get a federally financed harbor built in the midst of the most valuable and unspoiled dunes would defy the combined investigative talents of Perry Mason, James Bond, J. Edgar Hoover, and Senator John L. McClellan. The vast interests involved and the information withheld from the public can only be guessed at. Only last week, for example the Save the Dunes Council in Indiana filed an antisecrecy suit against the secretary of the Indiana Port Commission in an effort to at last secure secret contracts and other information to which the public is entitled on agreements made between the steel company harbor proponents and the Indiana Port Commission. But little by little we are getting the facts to the public and increasingly the public is rallying to the support of the dunes.

Mr. President, today I shall speak chiefly about part I of the dunes story; namely, the increased support for saving the dunes; in a few days I shall make a detailed analysis of the economic feasibility and political history of the proposed Burns Ditch port.

EFFORT TO SAVE DUNES A HALF CENTURY OLD

Mr. President, since early in this century, many people who love beauty and who want to preserve nature's irreplaceable gifts for posterity have been trying to save the Indiana dunes. These individuals and groups have worked mainly from the Midwest, but have had national memberships and support. They did secure the subscription funds and political support to establish the Indiana Dunes State Park, but the two wars, the materialism of the twenties, and the depression of the thirties put off the work. Twenty-five miles of beautiful beaches and dunes areas, which stretched from Gary to Michigan City, could have been acquired 40 years ago for $3 million, but the chance was lost.

In 1952, a new and vigorous group formed and pledged to continue the effort to save the remaining unspoiled dunes, reduced now by industrial and residential development to about 5½ miles of shoreline and 10,000 acres. This group was the Save the Dunes Council.

The Save the Dunes Council and its supporters worked vigorously to rescue the dunes before they would all be lost to the unplanned and rapid expansion of population and industry. Popular and conservationist support grew, but despite the council's concerted efforts to enlist the leadership of Indiana officials, they were turned down time after time. Only after this unwillingness of Indiana officials to help was clear, in 1958, did the council ask me to help them.

I at first refused, even though I loved the dunes and had lived among them. But I went to the then senior Senator from Indiana and asked him to take the lead in protecting this resource. He refused. Only then did I agree to the council's request to help. As a U.S. Senator, as well as a representative of millions of people in the metropolitan area to whom the dunes are a close-by recreational and scientific treasure, I could not in conscience abandon the dunes to the bulldozers. I introduced legislation to create an Indiana Dunes National Monument and, subsequently, the present bill to create an Indiana Dunes National Lakeshore Park.

WHY THE DUNES MUST BE SAVED

The 1961 report of the Outdoor Recreation Resources Review Commission to President Kennedy sharply states the case for preserving and developing recreation areas like the Indiana Dunes National Lakeshore. It recognizes that our fast-growing population urgently needs more public shoreline areas and particularly requires recreational lands located close by where the people are. The report recommends:

> Highest priority should be given to acquisition of areas located closest to population centers and other areas that are immediately threatened. The need is critical—opportunity to place these areas in public ownership is fading each year as other users encroach.

This prescription, as is increasingly being recognized by the people, the administration, and the Congress—fits the dunes like a glove. They are a wonderland of great natural beauty and fine beaches, and are filled with botanical and ecological values long studied by scientists from throughout the world. And the dunes are within an hour's travel of 7½ million people living in the crowded and emotionally taxing conditions of a vast urban area. This is an area which recent studies have shown to be one of the most deprived in the Nation, with respect to its recreational resources.

Over a century ago Ralph Waldo Emerson wrote:

> To the body and mind which have been cramped by noxious work or company, nature is medicinal and restores their tone. The tradesman, the attorney come out of the din and craft of the street and sees the sky and the woods and is a man again. In their eternal calm, he finds himself. The health of the eye demands a horizon. We are never tired, so long as we see far enough.

With our huge populations of today, Emerson's words of a slowly paced and less crowded century are even more true—ominously true—if one considers the rapid disappearance of medicinal and quiet nature areas.

We cannot abandon a clear opportunity to withhold from the noise and dirt of industry those nearby spots of beauty and fun which refresh body and mind. John Swinnerton Phillimore has, in part, set out our goal in his "In a Meadow." We would provide for the tense millions an opportunity for:

> Dreams without sleep,
> And sleep too clear for dreaming and too deep;
> And quiet very large and manifold
> About me roll'd
> Satiety, that momentary flower,
> Stretch'd to an hour:
> These are her gifts which all mankind may use.
> And all refuse.

WIDESPREAD SUPPORT DEVELOPED FOR SAVING DUNES

Happily, Mr. President, this country has a firm tradition of support for protecting the people's heritage, and recent months have seen the rising up under this tradition of many hands and voices in behalf of the dunes.

President Kennedy, in his conservation message of March 1, 1962, recommended to the Congress the creation of an Indiana Dunes National Lakeshore. And he has appealed in his 1963 state of the Union message for greater public emphasis in obtaining and expanding national parks, recreation areas, wilderness areas and wildlife preservation.

Secretary of the Interior Stewart Udall has been from the beginning a strong dunes supporter and has continued to give hope of effectiveness to all our efforts.

The National Park Service has worked in the field and in Washington to develop sound recommendations and provide the expert investigation and planning needed to provide a foundation for a dunes park.

Nearly every national and midwestern conservation organization is working hard to save the dunes. These include the Izaak Walton League, the Wildlife Management Institute, the National Wildlife Federation, the Wilderness Society, the National Audubon Society, the National Parks Association, the Citizens Committee on Natural Resources, the National Council of State Garden Clubs, the Garden Clubs of America, the Sierra Club, the Prairie Club, the Nature Conservancy, the National Conference on State Parks, and the American Planning and Civic Association.

The New York Times, the Louisville Courier-Journal, the Washington Post, the Chicago American, the Milwaukee Journal, the Cleveland Press, and other great newspapers have given repeated editorial support.

Mr. President, I ask unanimous consent that the following recent editorials and articles be printed in the RECORD at the conclusion of my remarks:

As exhibit 5, a moving editorial entitled "Places for Scott Turner" which appeared in the December 6, 1962, editions of these Nebraska newspapers: South Omaha Sun, Benson Sun, Dundee and West Omaha Sun, and the North Omaha Sun.

As exhibit 6, an editorial from the Washington Post of September 23, 1962, entitled "Shoreline Tragedy."

As exhibit 7, an editorial from the New York Times of September 26, 1962, entitled "Indiana Dunes Can Be Saved."

As exhibit 8, an article by William Scheele in the Cleveland Press of September 22, 1962, entitled "Dunes Threatened."

As exhibit 9, a well-written article by Thomas Dustin, entitled "Sandstorm in Indiana" which appeared in the September–October 1962, issue of the Explorer, the magazine of the Cleveland Museum of Natural History.

As exhibit 10, an editorial from the October 13, 1962, edition of the Louisville Courier-Journal, entitled "Time To Seek Another Indiana Harbor Site."

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

EXHIBIT 5

PLACES FOR SCOTT TURNER

Scott Peter Turner, 7, wrote the President of the United States the other day:

"DEAR MR. PRESIDENT: We have no place to go when we want to go out in the canyon Because there ar going to Build houses So could you set aside some land where we could play? thank you four listening love Scott."

Secretary of the Interior Stewart L. Udall replied for the President. He said both he and Mr. Kennedy have a great awareness of what Scott is up against and they intend to do everything they can to correct the situation. Scott is too young, however, to realize what Mr. Kennedy and Mr. Udall are up against, they and millions of other lovers of open space.

It is an ancient battle in this country, a battle between those who would preserve our American heritage of wilderness and those who would invade it with highways, neon lights, derricks, smokestacks, and slag heaps. Theodore Roosevelt and Gifford Pinchot fought the good fight in their day and won many victories. So did Franklin Roosevelt and Harold Ickes. Now it's up to John Kennedy and Stewart Udall, who, last fall, won a notable victory—but the battle still rages.

This one involves the fate of what has been called the longest and most primitive sandy shore in the Nation, Padre Island, a paradise for bird-watchers, naturalists, and vacationists who just like to be alone. Padre Island, an 80.5-mile stretch of sandy wilderness, is just south of Corpus Christi, Tex. This September Congress passed legislation making the island a national seashore, but the action has to be ratified by the Texas Legislature. What the Texas Legislature will do is, at the moment, touch-and-go. Some Texans want to turn Padre Island into a Texas version of Miami Beach. They argue that the State can make a lot of money out the taxes on such a development. With all due respect to Texas, we think America needs the wilderness more than Texas needs the money. And with all due respect to Miami Beach, we think one is enough.

Another battle is being waged over the Indiana dunes, a marvelous area of sand and shore and growing things 30 miles east of Chicago. On the one side there are people like Senator PAUL DOUGLAS, of Illinois, who want to protect the Indiana dunes for the quail, the chickadee, the fox, the deer—and for the spirit of man. Ranged against them are certain politicians and commercial interests who want to invade the dunes to construct a deep-water port for the convenience of immense steel blast-furnaces and scrap-iron operations.

You can't stop progress, these latter argue. But what's progress? "The Indiana dunes," says Poet Carl Sandburg, "are to the Midwest what the Grand Canyon is to Arizona and Yosemite to California; they constitute a signature of time and enternity. Once lost, their loss would be irrevocable."

Such a loss, in our opinion, would certainly not be progress, not as we understand the word.

Much is made, these days, of the conflict between spiritual and materialistic values. Padre Island and the Indiana dunes, and the pressures and counter-pressures swirling about them, are real examples of that conflict on the domestic scene. We think the conflict ought to be resolved in favor of young Scott Turner and the millions of Americans like him.

EXHIBIT 6

[From the Washington Post, Sept. 23, 1962]

SHORELINE TRAGEDY

Reportedly, Bureau of the Budget approval is imminent for the Burns Ditch Harbor on Lake Michigan. This is melancholy news, because it could spell the end of any hope for a national seashore area incorporating the matchless Indiana Dunes. As Secretary of Interior Udall wrote to the Bureau, if the port is constructed, "the possibility of establishing a unit of the national park system in this area of Lake Michigan will be foreclosed for all time."

The Indiana Dunes are a natural treasure of a unique kind. They stretch for a few miles along the lake and contain, as in a living laboratory, the whole geological and biological history of the struggle between billowing dunes, forest, and water. What makes the dunes especially precious is their location within easy access of the Chicago metropolitan area, thereby providing a recreation area for a densely populated region.

But an essential strip of the dunes belongs to the National and Bethlehem Steel companies. Plans are underway for intensive industrial development that would wipe out the dunes and spoil a small State park already located in the area. Legislative efforts to save the dunes have failed in good part because Indiana political leaders find it hard to resist the slogan "payrolls, not picnics." But the verdict in Indiana is far from unanimous. Representative RAY J. MADDEN, of adjoining (and industrial) Lake County, is for saving the dunes, as is the Steelworkers Union.

In his conservation message of February 28, President Kennedy called for the creation of a national lakeshore park in northern Indiana. Some 250,000 persons have petitioned to Congress to save the dunes. But thus far all this has been to no avail and the Federal Government seems about to spend $25.6 million to build a harbor in the middle of the dunes. The doubts remain. Is it really too late to consider alternate sites in Michigan City or Lake County? Is it impossible to build a ship canal that would place the harbor inland and spare the dunes?

Before the Bureau makes its final judgment, surely one final reappraisal is in order to determine whether Indiana could have its steel plants and still let the public have the dunes.

EXHIBIT 7

[From the New York Times, Sept. 26, 1962]

INDIANA DUNES CAN BE SAVED

Senator PAUL H. DOUGLAS and others working to save the Indiana dunes from industrial obliteration have pointed out that there are better ways and better places to provide a deepwater port for northern Indiana than by dredging out a site in the heart of the dunes. The U.S. Corps of Engineers has declined to study the alternatives and is now asking the Budget Bureau, an arm of the White House, to give its approval to this destructive project.

Last February, in his widely applauded conservation message to Congress, President Kennedy called for creation of an Indiana Dunes National Lakeshore. If the President meant what he said, he will direct the Corps to ignore the pressures being exerted by some Indiana politicians and by the steel companies that own land in the dunes and to come up with a plan that will save this irreplaceable shoreline recreational area. It is still possible to save it if there is a desire to do so.

EXHIBIT 8

[From the Cleveland Press, Sept. 22, 1962]

DUNES THREATENED

(By William Scheele)

Our neighboring State of Indiana has found itself with a crisis that is making conservation history. The situation is created by the valiant struggle a group of citizens is making to preserve approximately 5 miles of Lake Michigan shoreline which includes some of the most spectacular natural history in the Midwest.

The fight began in 1916 when Stephen T. Mather, first director of the National Park Service, proposed to create a park or reservation that would preserve the Indiana dunes as one of the continent's great spectaculars. When these dunes (which are only a few hours driving time from Cleveland), were first recognized as a potential park, knowledgeable people ranked them with Yellowstone and the Grand Canyon as one of America's most interesting places.

World War I thwarted Mather's efforts to create a park near Chicago and, subsequently, the industrialization of the Gary steel mills region consumed about 25 miles of the shoreline that includes dunes.

Two big steel companies, the Indiana Governor, and the Army Corps of Engineers are posing the final threat to the remaining scrap of shoreline. Opposing this almost unbeatable combination of big money and politics is the Save the Dunes Council, Senator PAUL DOUGLAS' Senate bill 1797 and a host of citizens who want Indiana to exercise good commonsense and help preserve this wilderness which exists within a few miles of our country's second largest metropolitan area.

The final destruction of the dunes is proposed in the form of a deepwater harbor to serve a few steel companies. There are other adequate ports nearby which could be expanded, but with the blindness which occasionally characterizes industrial expansion, the planners prefer to create a new port rather than to utilize an existing one.

Prof. Henry C. Cowles has stated that the dunes of Lake Michigan are much the grandest in the entire world with contrasting types of plant life * * * from bare dunes to magnificent primeval forests. Senate bill 1797, now in subcommittee, seeks to preserve the remaining 9,000 acres of duneland with 5½ miles of shoreline as a national lakeshore for the recreation and education of all the people of the Nation. Since the major acquisition of forest preserves we have fallen far behind other cities.

Professor Cowles, University of Chicago botanist, first drew the attention of the world to the Indiana dunes over 60 years ago. His electrifying demonstration that pioneer plants so condition bare sand that more advanced plant communities can succeed them really founded the science of plant ecology in America. And it is doubtful that this amiable scientist and teacher could have made such a discovery anywhere else than at the foot of Lake Michigan.

Clevelanders might well sympathize with those who want to preserve the dunes. Our own lakeshore has been denied us in a natural state. The only things we have left are the artificial marinas and breakwalls. With the turnpikes what they are, Clevelanders can, however, enjoy the dunes in less than a day's travel time. If the Save the Dunes Council is successful, we may all thank it for providing a major recreational area.

EXHIBIT 9

[From the Explorer, September–October 1962]

SANDSTORM IN INDIANA

(By Thomas Dustin)

The Indiana Dunes lie within sight of the smoking steel mills of Gary. Stretching serenely eastward they are just beyond reach of the stifling purple and brown clouds which erupt from manmade volcanos. Once they comprised nearly the entire length of the State's short 42-mile Lake Michigan shoreline. Now, all that remains is 6 miles—but miraculously, the very best 6 miles. A bill before the U.S. Senate (S. 1797), introduced by Senator PAUL H. DOUGLAS, of Illinois, would preserve these last 9,000 acres as the Indiana Dunes National Lakeshore.

The Senate bill, important as it is, does not assure the dunes' salvation. For 10 years, the destruction of the dunes has been forestalled by conservationists organized as Save the Dunes Council, Inc. With wit and dedication, they have stood off national corporations and almost all of the major political figures in Indiana. Willing to abandon the pleasures of a holiday weekend to put out a mailing, or contribute yet another dollar to sustain a legal action, they have astounded their opponents who first sought to dismiss them contemptuously as ineffectual birdwatchers. When DOUGLAS joined the dune savers in 1958, the dunes became a national issue. Yet they may still be lost unless resolute citizens take firm, no-nonsense political action.

The dunes are unique scientifically, and they are located, almost incredibly, in the heart of the Nation's second greatest metropolitan complex. Their values fit every desirable characteristic set forth in the new report by Mr. Laurance Rockefeller's Outdoor

Recreation Resources Review Commission. (They contain an incomparable fresh water shore and beach line, the widest in North America; they are located near a major population center, where they are needed most; they are imminently threatened by adverse usage; and they contain natural phenomena and combinations not duplicated anywhere on the continent.) The importance of the dunes has long been recognized. Stephen Mather, Secretary of the Interior and the first Director of the National Park Service, recommended in 1916 that 25 to 30 miles of them be incorporated in the national park system.

Naturalists the world over have found the dunes to be unique in North America for their geological and botanical contents. At the start of this century, the great botanist, Henry C. Cowles, of the University of Chicago, was primarily responsible for the area being called "the birthplace of ecology in North America." Many years ago, Professor Cowles conducted a group of Europe's outstanding natural scientists through the United States. Time permitted a visit to only four of our greatest natural phenomena: Grand Canyon, Yosemite, Yellowstone, and the Indiana Dunes.

"There are few places on our continent," Cowles once said, "where so many species of plants are found in so small a compass. Within a stone's throw of almost any spot, one may find plants of the desert and plants of the rich woodlands and plants of the swamps, plants of the oak woods, and plants of the prairies. Species of the most diverse natural regions are piled here together in such abundance as to make the region a natural botanical reserve. Here one may find the prickly pear cactus of the southwestern desert hobnobbing with the bearberry of the Arctic regions.

"Nowhere perhaps in the entire world of plants," Professor Cowles said, "does the struggle for life take on such dramatic and spectacular phases as in the dunes. In my 20 years of study of the Indiana dunes, I have many times watched the destruction of forests by sand burial. But the plants do not yield supinely * * * the cottonwood, various willows, wild grape, and dogwood display an outstanding resistance, growing up as the sand advances over them, and often succeeding in keeping pace with the advance of the sand.

"It is not so well known as it should be that the Indiana Dunes are much the grandest in the entire world."

Located at the southern tip of Lake Michigan, the dunes were built up in multiple ridges, partly as morainal deposits by the last glaciers (the Valparaiso Moraine, 10 miles south of the lake, is one of the most southerly of these prominences), but more importantly, near the lake, by the northerly winds and water currents.

The sand particles which the lake waves deposit on the shore are rounded and easily moved inland by the slightest wind action. A small sand shelf, quite evanescent, is the first prominence formed immediately inland of the shore-water boundary, then a remarkably wide beach, up to 100 yards, is observed. Medium-sized foredunes, 3 to 20 feet in height, elongated hummocks, steppes, or ridges are next observed, usually followed by rather indistinct interdunal troughs. These rapidly changing foredunes are lightly held together by highly adaptable grasses, sand cherry trees, and small poplars. The poplar trees have the interesting capability of changing root structure into trunk material or of sprouting roots from their trunks as the sand rises. Thus, they do not die easily as a result of changing sand levels.

Inland of the foredunes rise the principal dunes formations in all their grandeur—at times to heights of 200 feet. Sometimes they are stabilized for a period by grasses and plants on the windward side, but sooner or later these are usually unearthed by wind action, and bare windward sides are presented. Sand is blown from these surfaces to the leeward side, and a moving dune is created. This inland leeward side is usually more heavily forested, but the relentless movement of the dunes can and often does bury this vegetation.

Several of the most remarkable tree graveyards on the continent—forests, buried centuries ago—are now revealed by dunes which have moved still further inland. Sweeping vistas of soaring, bare, sand paraboloids, a mile—even 2 miles in length, stretch sweepingly outward and upward to the sky, with the legions of ghostly and long-dead tree armies straggling their way up the long summits—as if following their conqueror in abject and broken defeat.

And it is here amid the glories of this improbable desert, where the cactus grows beneath the arctic jackpine, where the cleanest and widest freshwater beaches in the world wait for humanity, where the multiple waves of heavily forested dunes stand further inland, where the sheltered interdunal troughs hold the greatest ecological secrets, where the marshes and bogs protect and feed clouds of migrating birds, where many scientists and millions of people through the years have gained technical insight, spiritual inspiration and unembarrassed love of the land, that the State of Indiana, in consort with a steel company, wishes to move its bulldozers.

They propose to build a deep water port in the heart of the unspoiled duneland, at a place called Burns Ditch, adjacent to a new Midwest Steel plant and a 3,000-acre tract owned by Bethlehem Steel Corp. The port would consist of 770 acres, including water area, and the development is touted as a major economic boon for the State of Indiana. Officials do not tell the public that the primary beneficiary of the port, according to an Army Corps of Engineers feasibility report, is Midwest Steel Corp., and that this firm has a contract with the State guaranteeing it perpetual free docking privileges.

The State administration is firmly allied politically with a director of a major railroad seeking facilities in the dunes. A former State senator, who is the author of a successful appropriation bill for Burns Ditch Port real estate acquisition, is now an administrative assistant to the president of Midwest Steel Corp., the major beneficiary. A former U.S. Senator from Indiana is president-treasurer of a corporation organized specifically, according to its prospectus, to speculate in dunes real estate near the port development.

Few are the political voices in Indiana willing to stand up to such powerful forces, though the few who do are very influential. The most important of these are from the nearby, populous Lake County, west of the dunes, where a port with ample expansion acreage would be of far greater public benefit than a one-company port at Burns Ditch, if any port at all would aid Indiana industries. Most of them ship from Toledo, Ohio, which is much closer to eastern markets than any Lake Michigan port.

The mayors of Gary, East Chicago, Hammond, and Whiting, as well as that district's Congressman, RAY J. MADDEN, see Burns Ditch as a public subsidy for Midwest Steel and possibly Bethlehem, who would be in direct competition with their own sick steel industry. Also, they are mindful of their recreation-starved population, which soared 40 percent between 1950 and 1960.

The concept of a 770-acre port in the dunes, which Secretary of the Interior Udall has said would destroy the very best of the dunes as well as pollute most of the remaining shoreline and beaches, is absurd, according to independent authorities. Even if pollution of the waters and destruction of the natural values could be overlooked, such a port would not handle by the year 2012 half the shipping now handled by Indiana harbor, according to the Army engineers. Since it would be completely surrounded by its steel company beneficiaries, it could never be expanded beyond its initial size.

Nevertheless, the hopeful beneficiaries continue to press for taxpayer assistance in the destruction of the dunes—Federal funds to build a port, State money to create a harbor. They are answered by a scientists' petition in favor of the Douglas bill initiated by Director W. J. Beecher, of the Chicago Academy of Sciences, and Dr. Charles Olmstead, chairman of the Department of Botany at the University of Chicago.

Those who have signed the Beecher-Olmstead statement include: Dr. A. Starker Leopold (son of the late Aldo Leopold), Museum of Vertebrate Zoology, Berkeley, Calif.; Dr. Alexander Wetmore, former Secretary of the Smithsonian Institution; Dr. Dean Amadon, American Museum of Natural History; Dr. Lee S. Crandall, director of the New York Zoological Park; Dr. Alfred M. Bailey, director of Colorado's Museum of Natural History; Donald Culross Peattie; Roger Tory Peterson; Edwin Way Teale; and Richard H. Pough.

In Cleveland, the Beecher-Olmstead statement is endorsed by Prof. Benjamin P. Bole of Western Reserve University, and by William E. Scheele, director of the Cleveland Museum of Natural History.

The list of great natural scientists who have enlisted in the final effort to save the dunes continues to grow, but the magnetism of profit takes little account of science, education, or desperately needed recreational space. Only an avalanche of public opinion, so powerful that it will be heard in Indianapolis, Washington, Cleveland, and Bethlehem, Pa., will prevent the destruction of the incomparable Indiana Dunes.

EXHIBIT 10

[From the Courier-Journal, Oct. 13, 1962]

TIME TO SEEK ANOTHER INDIANA HARBOR SITE

The despoilers who would sacrifice the finest remaining Indiana dunes along Lake Michigan for the benefit of two steel companies have received a temporary setback. They failed at this session of Congress to get either Federal authorization or money to help finance their scheme.

Temporary though it may be, this is a signal victory for the forces that would save the irreplaceable dunes for recreation and for their unique natural features.

Now is the time to press for serious consideration of alternative sites along the Indiana shoreline for a deepwater port. The Army Corps of Engineers has never made a real study of other possible sites, neither in the Lake County area nor at Michigan City. They have not done so, they say, because Indiana officials have never asked for such studies. Indiana officials have not asked for them because some powerful interests stand to gain from the Burns Ditch location—and not from any other. But the people of Indiana and, for that matter, the entire Nation would be the gainers if the dunes are preserved and the port is located elsewhere.

The Corps of Engineers, after repeatedly rejecting the Burns Ditch site over a period of years, finally, under relentless pressure, came up with a report declaring it "economically feasible." That's all the report said. It did not say it was the only feasible location for the port in Indiana. Moreover, the economic feasibility of the Burns Ditch site, despite the Engineers' report, is questionable, as congressional hearings and other testimony, some by private engineering firms, have demonstrated.

A RAID TURNED BACK

At any rate, the dunes wreckers' raid on the National Treasury has been turned back for the time being, and President Kennedy's administration deserves a great deal of credit for refusing to be stampeded into supporting this suspect project.

Senator Homer Capehart, who is in a tough race for reelection, is trying to make political capital out of the situation. He implies that Governor Welsh, and BIRCH BAYH, the Democratic senatorial candidate, have let the State down by not prevailing upon the White House to approve the Burns Ditch project. Well, the truth is, Governor Welsh, mistakenly we insist, did everything possible to pressure the Kennedy administration into backing the rape of the dunes. That he has not succeeded to date is a tribute to the administration's judgment, not a reflection on Governor Welsh's persistence.

Capehart's attack on Welsh and BAYH could be the first significant break in the bipartisan combine pushing for the Burns Ditch project. Earlier, U.S. Representative RAY MADDEN came out against the Burns Ditch scheme. But he is the only elected official in Indiana to do so to date. We hope Governor Welsh, after Capehart's absurd attack on him, will see what sort of people he has been alined with on the Burns Ditch issue and have a change of mind.

Mr. DOUGLAS. Mr. President, impressive support from the scientific community for rescuing the unique and irreplaceable scientific values in the dunes has also come forward. Last July, for example, some of the most famous zoologists, biologists, and ornithologists of the world appealed to Northwestern University in an open statement asking its trustees to abandon the path of expediency and reconsider their participation in the destruction of a key section of unit 2 of the dunes. I put in the CONGRESSIONAL RECORD of July 27, 1962, a full account of this appeal by distinguished scientists in Europe and the United States.

A new appeal has recently been made by 166 scientists and educators, working within the State of Indiana itself. These distinguished authorities, mainly biologists, zoologists, botanists, ecologists, geologists, geographers, engineers, physicists, and soil scientists teaching or researching at Indiana's many fine universities, signed letters to President Kennedy which stated in part:

> If a port is needed, it should be located wisely in the light of all legitimate public needs. Because a Burns Ditch port would involve losing that portion of the dunelands having the greatest recreational, scientific, educational and aesthetic values, we place the burden of proof on those insisting on this site.
>
> The evidence put forward for a Burns Ditch Harbor has failed to withstand critical examination. A port there would chiefly benefit automated steel mills and cost American taxpayers far more than the return in public benefits for a 50-year period.
>
> The loss of the natural duneland around Burns Ditch would be a tragedy even if it were necessary. It has not been shown to be necessary.
>
> In our opinion, the best interest of Indiana as well as the Nation's would be served by establishment of the proposed Indiana Dunes National Lakeshore.

The Senate Subcommittee on Public Lands also has on file impressive statements by numerous scientific authorities who have called for preservation of the dunes.

Mr. President, on last Thursday, I had printed in the RECORD at page 1480 the new article by William Peeples on "The Dunes and Pressure Politics" which appears in the Atlantic Monthly issue for this month. I again commend this to all who have not read it as a cogent and revealing account of this issue.

SELFLESS COUPLE TURNED DOWN $100,000

Many organizations and individuals have contributed at length and well to the effort to save the dunes, but few examples of selflessness, courage, and idealism surpass the actions of Doctors Knute and Virginia Reuterskiold of Chesterton, Ind. This retired couple has recently turned down an offer of $100,000 made by Bethlehem Steel for the 10-acre plot of dunesland they own and live on. Despite continued pressures to sell, they have refused because, Mrs. Reuterskiold said, "We love this area. The dunes are an irreplaceable asset which belong to all the people—they should not be wiped out." The Reuterskiolds have stated that they are willing to give or sell their property at a moderate price to the Interior Department if it can be made part of a national dunes park.

Mr. President, I ask unanimous consent that two articles describing this fine illustration of love of the dunes be inserted in the RECORD following my remarks: As exhibit 11, an article from the Louisville Courier-Journal of December 9, 1962, entitled "Holding on to an Ideal" and as exhibit 12, an article from the Chicago Sun-Times of November 2, 1963, entitled "Refuse $100,000 for Dunes Acres."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

EXHIBIT 11

[From the Courier-Journal, Dec. 9, 1962]

HOLDING ON TO AN IDEAL—LETTERS PRAISE ACTIONS OF DUNES HOLDOUTS

(By Gordon Englehart)

CHESTERTON, IND., December 8.—Idealism, the dictionary says, is the "practice which values ideal or subjective types or aspects of beauty more than formal or sensible qualities."

Idealism is an old-fashioned trait that may cost the Doctors Reuterskiold dearly.

Back in 1948, Dr. Knute and Dr. Virginia Reuterskiold of Chicago paid $2,750 for a little old farmhouse and 4 acres in the heart of Indiana's dunelands, along Lake Michigan. Later they added 6 acres.

In October, the retired couple turned down an offer of $100,000 for their property from Bethlehem Steel Co., which in 6 years had bought up 3,300 surrounding acres for a possible mill.

"It's idealistic, I know, and naive," Virginia said recently.

ALL THE PEOPLE

"But it's the first place we ever owned. It is home to us. We love this area. The dunes are an irreplaceable asset which belong to all the people—they should not be wiped out.

"I'm not a gambler. But we're going to see if hanging on might not make a difference in saving this area."

Virginia is a charter member of the 10-year-old Save the Dunes Council, a group of conservationists seeking to incorporate the entire dunes area into a national park.

"I'm dedicated to that," she said. "It's something to live for. Anyway, what could one do with all that money?

"We have no children, no one to leave it to. But if we can contribute to this area's being saved, that would be something."

VIOLENT WRENCH

Last Monday, the Reuterskiolds' life of peace and seclusion deep in the black-oak woods was rent violently. Bethlehem announced it will immediately start erecting a $250 million steel-finishing facility on its tract.

This will mean erasing towering, shifting sand dunes and plant and animal life that the Reuterskiolds and others claim are unique in all the world.

In the face of the inevitable, what will the Reuterskiolds do? Will they contact Bethlehem to see if the $100,000 offer is still open?

"Definitely not," Virginia said this week.

What if Bethlehem renews the offer?

"I can't give an answer," she said. "I don't know. I'm sure there will be no immediate decision. We want to talk to some of our friends."

NO THREAT MADE

Virginia stressed that Bethlehem agents had not threatened them, and had frankly admitted they did not know where a railroad serving the mill might run its tracks.

But, she recalled, the agents had noted that a railroad (unlike the steel firm) has the power of condemnation, and if the tracks were routed through the Reuterskiolds' land, a condemnation court probably would set a price lower than the Bethlehem offer.

As far as the Reuterskiolds know, there is only one other holdout in the area. He is a Chicago artist named John Hawkinson.

Hawkinson, his wife, and two small daughters have a weekend cottage on 2 acres, and have refused a $20,000 offer from Bethlehem, said Virginia.

While unwilling to sell to Bethlehem, Virginia said she would accept a "modest amount" for their 10 acres from the National Park Service, subject to a life-estate interest, if they were to be included in a park.

Knute Reuterskiold, 71, and partially paralyzed, is a native of Sweden. He earned his M.D. from the University of Illinois Medical School in 1926, taught at the University of Chicago Medical School, and was a doctor for International Harvester Co.

Virginia, 59, was born in Calumet, Mich. She got her M.D. from the University of Chicago Medical School in 1932 and concentrated on public health work. The Reuterskiolds were married in 1933.

HOUSE WAS SMALL

In 1948 both were ailing. They left their Chicago apartment for a 3-month rest in the dunes farmhouse, then found they just couldn't give it up.

The white frame house, built in 1892, contained only a kitchen, sitting room, small bedroom, and a loft.

For light, the Reuterskiolds used kerosene lamps. Not until 1954 did they install electricity. Not until 1958 did they have indoor plumbing.

They have added a living room and two upstairs bedrooms. The house is warmed by a large fuel-oil space heater and two smaller wood-coal heaters—all downstairs. An electric pump provides water from a well.

The Reuterskiolds subsequently bought 10 more acres for $150 an acre, and sold off 4.

Several years ago Bethlehem made its first offer—$25,000—for the property. This was later boosted to $55,000, then to $85,000 early this fall, and finally to $100,000.

The home is about a mile from the Lake Michigan shore, directly south of the Northern Indiana Public Service Co. power-generating plant.

The couple have a television set, and enjoy music on a record player. They are great readers. Virginia, up at 5 or 5:30 a.m., hikes every day with Susan, their beagle, along the beach or through the woods of black and pin oaks, sassafras and sour gum, birches, and jack and white pine.

Across their acreage cavort possums, raccoons, mink, weasels, foxes, squirrels, beavers, deer, and woodchuck. Also visiting the Reuterskiold land or nearby areas once or twice a year are brush fires.

TENDS BIRD STATIONS

Virginia carefully tends a bird-feeding and banding station in the side yard. Since 1954, she has identified 255 species of birds within walking distance of their home.

The Reuterskiolds have an annual income of about $3,100 from social security, annuities, and some stock dividends, said Virginia.

Their wants are few, and living costs are reasonable. Last year, they even managed to save about $1,000, she said.

Since their refusal of the Bethlehem offer was made public, the Reuterskiolds have received a number of letters of praise.

One woman wrote that "this should forever quiet those who say dune lovers only love the dunes because they hope to make money from them."

Exhibit 12

[From the Chicago Sun-Times, Nov. 2, 1962]

Refuse $100,000 for Dunes Acres

Dr. and Mrs. Knute Reuterskiold disclosed Thursday they had rejected an offer of more than $100,000 for their 10 acres of dunes near Chesterton, Ind.

The wife Virginia, who was a founder of the Save the Dunes Council 10 years ago, said the offer was made on behalf of Bethlehem Steel Corp., which seeks to establish a harbor and an industrial area in the dunes.

The council is fighting to retain the dunes for a national shoreline park. Neither the area nor the controversy involves the long-established Indiana Dunes State Park.

Leonard D. Rutstein, attorney for the Save the Dunes Council, said the Reuterskiolds prefer to "give or sell at a moderate price" their dunes tract to the National Park Service in the event a bill to make the region a national park is passed by the next Congress.

The bill is sponsored by Senator PAUL H. DOUGLAS, Democrat, of Illinois, but opposed by both Indiana Senators.

Rutstein said Dr. and Mrs. Reuterskiold, both elderly and retired, have lived the last 20 years in a 70-year-old frame house on their tract.

Mrs. James H. Buell of Ogden Dunes, Ind., president of the Save the Dunes Council, hailed the Reuterskiold refusal to sell as "a high point in the council's 10-year effort."

Mrs. Buell added that the council would hold its annual fall meeting Friday in the Gary Hotel at Gary.

Mr. DOUGLAS. Mr. President, important assistance has also come from Congressman RAY MADDEN, of the First District of Indiana. He testified last year before the Senate Subcommittee on Public Lands and was the first nationally known Indiana political leader to come to the defense of the dunes and to point out the absurdities of a Burns Ditch Harbor.

He has been joined in the position he has taken by the nearly unanimous business, labor, civic, and political interests of Lake County, Ind., including the chambers of commerce of Whiting, East Chicago, and Hammond, the mayors of Whiting, East Chicago, Hammond, and Gary, and the Lake County, Ind., AFL-CIO Central Labor Union.

Crucial aid has come from Director Joseph Germano, of district 31 of the United Steelworkers of America. This district represents more than 130,000 steelworker members, of whom more than 65,000 work in Lake County, Ind. Mr. Germano speaks authoritatively when he says that the interests of the workers in his district are definitely in opposition to destroying the dunes to accommodate two steel companies.

The United Auto Workers of America were early supporters of my dunes bill, and their president, Walter Reuther, declared their support in a statement submitted to the Senate subcommittee hearings last year.

BURNS DITCH HARBOR IS DEAD

Mr. President, I shall speak at length in a few days about the second trend which has developed concerning the Indiana Dunes; namely, the exposure to sunlight of the facts about the proposed Burns Ditch Harbor. But for today, let me say that sunlight is a great disinfectant, and our efforts to direct the light of truth on this harbor proposal have shown that in addition to its destroying an irreplaceable natural resource, it would be an outright subsidy to National Steel headed by George M. Humphrey, an expert attractor of subsidies for his business interests, and to Bethlehem Steel. The light of the facts has shown, moreover, that even if the steel companies would commit themselves to building basic steel mills in the dunes, which they have not committed themselves to do, the benefit-to-cost ratio for the proposed Federal investment would be only .41 to 1 and the ratio for the total investment would be only .10 to 1. That is, the taxpayers and bond buyers, if any, would get back in benefits much less than 50 cents on the dollar.

I believe that the Burns Ditch Harbor is dead, but if any attempt is made to resurrect it, we will add more and devastating sunlight in hearings before the committees of the House and the Senate. The district engineers' report on the harbor is still being studied by the Bureau of the Budget, and despite recent announcements in Indiana, we shall continue to insist that it be thoroughly evaluated. The fact is that promises made by the Army Engineers 2 months ago to supply at last the information we have been after for a year still have not been kept. This is probably because the steel companies and other harbor proponents refuse to produce the evidence. I believe this is because the evidence will damn the harbor.

But while the conditions for saving the dunes are greatly improved, we cannot be complacent. When the weather clears, the business office of Northwestern University will be poised to destroy, in cooperation with Bethlehem Steel, a key section of the lakefront dunes.

The key to a Dunes National Park is that area known as Unit 2, extending from the Northern Indiana Public Service Co. property west toward the National Steel finishing mill. We must concentrate our efforts to work out a way of saving this beautiful and scientifically valuable area. It can be done, and I call upon all parties to withhold any destruction in this unspoiled area and to work, in the interest of all the people, for a reasonable solution which will give Indiana a harbor and save the dunes.

INDIANA CAN HAVE HARBOR AND SAVE THE DUNES

This is the important point, Mr. President: Indiana can have another harbor and still preserve the dunes. That is, it can if the purpose of its leaders is to serve the people rather than to enrich the two steel companies. I shall go into this in detail in a few days, but let me again make clear my position on an Indiana harbor.

It is charged by the dunes despoilers that I oppose the port and industry which would level and pollute the dunes and beaches because I want to protect Illinois business interests. I say again—and I think my actions in support of a tricity harbor bear this out—I do not oppose Indiana having another lake port, although it already has four, and I have worked to secure appropriations for study of one of the three or four alternative Indiana sites for such a port. I do oppose having the Federal Government build a harbor and subsidize a port which would destroy the dunes and exist for the almost exclusive benefit of two steel companies, Bethlehem and National Steel. I do not oppose the creation of jobs for Indiana. I will work to help Indiana get another port and industry which will create jobs. But the present industrial plans to destroy the dunes would not result in increased employment. In fact, as has been pointed out by the Steelworkers Union of the very area concerned, these plans will cause even more unemployment than already exists.

REASONABLE SOLUTION POSSIBLE WHICH WILL SERVE THE PEOPLE

Mr. President, a reasonable solution which will truly serve the people is possible, and the time to proceed to this solution is near. The pricelessness of the dunes has never been better put than by Carl Sandburg:

> The dunes are to the Midwest what the Grand Canyon is to Arizona and Yosemite is to California. They constitute a signature of time and eternity: Once lost the loss would be irrevocable.

In reintroducing this bill, I renew—on behalf of the millions who love nature and wish to enjoy it and for the unborn generations who will come after us and to whom we should hand on this beautiful earth—help us to save one of the few remaining spots of beauty and tranquillity near the great centers of population. Help us to save the dunes.

GLOVER-ARCHBOLD PARKWAY

Mr. MANSFIELD. Mr. President, I introduce a bill which, if enacted, would transfer certain land in the District of Columbia to the Secretary of the Interior, for administration as a part of the National Capital Parks system. This bill is identical with the bill I introduced in the 87th Congress. That bill was passed by the Senate, after extensive hearings; but no action beyond public hearings was taken in the House.

In brief, the purpose of this measure is to transfer jurisdiction over the Glover-Archbold Parkway from the District of Columbia to the National Park

Service. The specific purpose is to insure the future protection and maintenance of this unique park, removing it from the continuing encroachment of superhighways and development. Glover-Archbold Park is, as many of us know, a natural park unencumbered by manmade improvements and alterations.

A park of this kind is very rare indeed, particularly in the heart of a large metropolitan area.

The Glover-Archbold Park is not large; but it is very important to those who live in the general area and to those who seek the peace and quiet of a beautiful natural wooded area. Those who know this park are deeply interested in its preservation as we now know it.

The question arises as to the urgency of the transfer of this property from the District of Columbia to a Federal agency. I call to the attention of the Senate the fact that this property was donated to the District of Columbia by the Glover and Archbold families, with the express purpose that the park be maintained in its natural state. This point has been adequately established in the courts and in the hearings that were held on S. 2436 in both the Senate and the House.

There is every indication that if the District of Columbia Highway Department has its way, the Glover-Archbold Park will eventually be the route of an expressway, a link in the extensive highway program now underway in the District and nearby Maryland and Virginia. This may not happen this year or in 3 or 4 years, but I am certain it will in the not too distant future. In addition, if the controversial Three Sisters Bridge over the Potomac River is built, it is inevitable that a highway will be built through the park because the approaches from the bridge have no other place to go. A highway through the park will destroy it, because of the limited size and narrowness of the park.

I think it is important that all of us recognize that new fancy highways and expressways are not the complete answer to the many problems that confront growing metropolitan areas such as Washington, D.C. More expressways in downtown Washington and adjacent residential areas will not relieve the present traffic congestion, but will only increase it. Unless we preserve some of the natural beauty of our Nation's Capital and develop the city with these things in mind, we are going to end up with a very costly city of expressways, arterial highways, and unsightly parking lots. There must be other ways to resolve these difficulties. We have more reasonable solutions offered by the National Capital Transportation Agency with its rapid transit proposals now before the Congress. More bridges, more highways, fewer parks, destruction of residential areas, and compounded traffic problems in the heart of the city cannot be the answer.

The preservation of Glover-Archbold Parkway is only a small part of the problem, but it is an essential element in comprehensive planning for the Nation's Capital. I ask that the Senate again act expeditiously and favorably on this proposal, and I sincerely hope that our colleagues in the House will do likewise.

Mr. President, I ask that the text of this bill be printed at the conclusion of my remarks in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 651) to transfer certain land in the District of Columbia to the Secretary of the Interior for administration as a part of the National Capital parks system, and for other purposes, introduced by Mr. MANSFIELD, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all right, title, interest, and control in and to the land heretofore held by the Government of the District of Columbia for the opening of an avenue along Foundry Branch, now named the Glover-Archbold Parkway and formerly known as Arizona Avenue, shown on the plat recorded by the surveyor, District of Columbia, May 3, 1893, in book county 9, page 48, titled "Avenue Along Foundry Branch From Loughboro Road to Canal Road, District of Columbia, March 1893" which lies between Canal Road and the present Upton Street (not shown on said plat) Northwest, Washington, District of Columbia, together with that unimproved portion of P Street Northwest, extending from the westerly edge of said avenue to the westerly boundary of the Archbold Parkway, is hereby transferred to the United States to be a part of the park system of the National Capital and its environs. This land is hereby added to and shall hereafter be known as a part of the Archbold Parkway, the Glover Parkway, and Children's Playground, respectively, and shall be administered, protected, developed, and maintained by the Secretary of the Interior through the National Park Service, in accordance with the provisions of the Act of Congress approved August 25, 1916 (39 Stat. 535), as amended and supplemented.

PALMETTO BEND DAM ON NAVIDAD AND LAVACA RIVERS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill authorizing the construction of the Palmetto Bend project by the Bureau of Reclamation. This needed project would dam the Navidad and Lavaca Rivers near Edna, Tex., to regulate their flow and provide water for municipal and industrial use in Jackson and Calhoun Counties. The dams and reservoir would also yield desirable fish and wildlife conservation benefits as well as opportunities for recreation.

The plan for this Palmetto Bend project has been formulated by the Bureau of Reclamation as part of the Texas basins project investigation, and is consistent with those plans and plans formulated by the U.S. Study Commission—Texas and the Texas Water Commission.

This project is to be constructed in stages, with the Navidad River portion being stage 1, and the Lavaca River section being stage 2, construction of which should follow 19 years after completion of the stage 1, Navidad River, portion.

The Navidad River portion of the work calls for a rolled earthfill dam 12.3 miles long and 64 feet high which would eventually yield 75,000 acre-feet of water per year. This stage of the project has a benefit-cost ratio of 1.8.

The Jackson County Flood Control District has agreed to pay all reimbursable project costs, and will assume the obligation of operation and maintenance of the Palmetto Bend Dam and Reservoir upon its completion. This project has the wholehearted support of the people of the area. I am pleased to be able to introduce this bill on their behalf, and in the interests of water conservation in Texas; I am hopeful the project will be authorized by this Congress.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 652) to authorize the Secretary of the Interior to construct, operate, and maintain the Palmetto Bend reclamation project, Texas, a division of the Texas basins project, and for other purposes, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ADMINISTRATION OF LAKE MEAD NATIONAL RECREATION AREA

Mr. BIBLE. Mr. President, on behalf of my colleague, the distinguished junior Senator from Nevada [Mr. CANNON] and myself, I introduce, for appropriate reference, a bill to provide an adequate basis for administration of the Lake Mead National Recreation Area.

The recreation area outlined in the bill encompasses the shoreline of Lake Mead and Lake Mojave, reservoirs created by construction of Hoover and Davis Dams on the Colorado River between my own State of Nevada and the State of Arizona.

In addition to serving as water storage basins of immense reclamation value to the southwest, Lakes Mead and Mojave have become recreation areas of ever-increasing popularity to the general public.

Literally millions of visitors throng each year to this unique area carved out of the desert. To support this statement, I refer to some statistics compiled by the National Park Service which clearly illustrate the growing popularity of the Lake Mead National Recreation Area.

During the calendar year 1962 a total of 2,689,000 persons visited the area, an increase of 21 percent over 1961. This does not account for the more than 3 million persons who traveled through the area in transit.

In August 1962 a total of 312,000 persons made use of the recreation facilities of the area, a figure up 58 percent from the same month of 1961.

Demonstrating the diversity of recreation facilities available in the breathtaking scenic environs of the area, I should like to call attention to these figures, also compiled during the month of August 1962:

During that month a total of 17,260 boats of varying size and rigging were launched in Lakes Mead and Mojave; a total of 21,990 persons trolled or plugged for the variety of game fish stocked in the lakes, including the popular largemouth black bass; a total of 107,630 swimmers took advantage of the lakes' inviting waters; the challenging sport of water skiing saw 15,900 devotees skim across the open reaches of the lakes; and, during that same month, a total of 25,700 tent and trailer camper days were recorded in the area.

I believe it is also interesting to note that, because of an ideal year-round climate, the Lake Mead Recreation Area is virtually seasonless. For example, while August recorded a peak visitation of more than 300,000 persons, last December saw no fewer than 164,000 visitors trek to this aquatic playground on the desert.

Mr. President, the land referred to in the bill was withdrawn by the Bureau of Reclamation in 1930, prior to construction of Hoover Dam. Since that time it has been administered by the Park Service under an interbureau agreement.

The purpose of the bill is to provide the 1,951,928-acre area with regulations that will bring about the maximum beneficial use of the tremendous recreation potential, while still protecting the water storage projects.

A portion of the Hualapai Indian Reservation is within the boundaries; the tribe has indicated its willingness to be included, and to participate, and benefit from its creation.

We expect the bill will bring harmonious adjustment to the various activities in the area, and will stimulate development in accordance with the mounting demands of the public and the growing populations of Nevada, Arizona, and other Western States.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The bill will be received and appropriately referred.

The bill (S. 653) to provide an adequate basis for administration of the Lake Mead National Recreation Area, Ariz. and Nev., and for other purposes, introduced by Mr. BIBLE (for himself and Mr. CANNON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. CANNON. Mr. President, I have joined my colleague, the senior Senator from Nevada [Mr. BIBLE] in introducing a bill to provide for an improvement in the administration of the Lake Mead Recreation Area in Clark County, Nev. I ask that these remarks be printed following his statement which accompanied the introduction of the bill.

During both the 86th and 87th Congresses we have introduced this measure and in 1959 hearings were held in the field to obtain the views of interested local parties. At no time has any opposition arisen, and I am hopeful, therefore, that early and affirmative action can be taken during the present session.

For those who are not aware, I should like to point out that the Lake Mead Recreation Area blends an awesome appeal of mountain and desert, river, and lake. When this is combined with pleasant year-round weather, there is an outstanding recreational attraction for anyone, be he interested in sightseeing, hiking, boating, swimming, fishing, camping, or picnicking.

Senator BIBLE has submitted statistics indicating the amount of traffic which is increasing yearly and which is largely responsible for the need of altering the administration and other governing operations of the area. The lake, as presently administered, is subject to management limitations which serve to retard development as well as full utilization of the recreational potential. The present arrangement whereby withdrawal of the area is in the name of the Bureau of Reclamation and management under the charge of National Park Service does not permit full correlation of the development within the National Park Service program as established in its Mission 66 plan.

I believe that the administrative adjustments made possible by this bill would assist in the development of adequate facilities to meet the needs of the continually increasing number of visitors.

REIMBURSEMENT OF CERTAIN CITIES FOR CONSTRUCTION OF STREETS, SIDEWALKS, AND OTHER PUBLIC IMPROVEMENTS

Mr. METCALF. Mr. President, on behalf of the senior Senator from New Mexico [Mr. ANDERSON], the junior Senator from Indiana [Mr. BAYH], the senior Senator from Maryland [Mr. BEALL], the senior Senator from Utah [Mr. BENNETT], the senior Senator from Nevada [Mr. BIBLE], the senior Senator from Idaho [Mr. CHURCH], the junior Senator from California [Mr. ENGLE], the senior Senator from California [Mr. KUCHEL], the senior Senator from Montana [Mr. MANSFIELD], the senior Senator from Oklahoma [Mr. MONRONEY], the senior Senator from Oregon [Mr. MORSE], the junior Senator from Utah [Mr. MOSS], the senior Senator from West Virginia [Mr. RANDOLPH], and myself, I introduce, for appropriate reference, a bill to help Uncle Sam continue to be a good neighbor.

It would authorize and direct the Secretary of the Army to pay, to the listed cities, such amounts as he determines the United States would have been required to pay as its share of the cost of street, sidewalk, and other public improvements made adjacent to U.S. Army Reserve installations had the United States been subject to assessment in the same manner and to the same extent as other property owners.

I ask unanimous consent that the bill be printed in full at this point of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 654) to authorize the Secretary of the Army to reimburse certain cities in the United States for expenses incurred by such cities in the construction of streets, sidewalks, and other public improvement adjacent to U.S. Army Reserve installations situated in such cities, introduced by Mr. METCALF (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to pay, to the following named cities, such amounts as he determines the United States would have been required to pay as its share in connection with street, sidewalk, and other similar public improvements made adjacent to United States Army Reserve installations situated in such cities had the United States been subject to assessment in the same manner and to the same extent as other private property owners who were assessed for such improvements in such cities:

FIRST ARMY AREA

Poughkeepsie, New York.

SECOND ARMY AREA

Hagerstown, Maryland.
Baltimore No. 1, Maryland.
Rockville, Maryland.
Riverdale, Maryland.
Wilmington, Delaware.
Seaford, Delaware.
Ripley, West Virginia.
Fairmont, West Virginia.
St. Marys, Ohio.
Mt. Vernon, Ohio.
Mansfield, Ohio.
Reading, Pennsylvania.

THIRD ARMY AREA

Chattanooga, Tennessee.

FOURTH ARMY AREA

Harrison, Arkansas.
Ada, Oklahoma.
McAlester, Oklahoma.
Las Cruces, New Mexico.
Silver City, New Mexico.
Harlingen, Texas.

FIFTH ARMY AREA

Scottsburg, Indiana.
Rushville, Indiana.
Bloomington, Indiana.
Anderson, Indiana.

SIXTH ARMY AREA

Douglas, Arizona.
Tucson, Arizona.
Phoenix, Arizona.
San Diego, California.
Bakersfield, California.
Fresno, California.
Modesto, California.
San Jose, California.
Santa Cruz, California.
Mountain View, California.
Vallejo, California.
Pasadena, California.
Van Nuys, California.
Rexburg, Idaho.
Glasgow, Montana.
Great Falls, Montana.
Helena, Montana.
Kalispell, Montana.
Las Vegas, Nevada.
Reno, Nevada.
Corvallis, Oregon.
Eugene, Oregon.
Medford, Oregon.
Portland, (South) Oregon.
Portland (West) Oregon.
Salem, Oregon.
Ogden, Utah.
Provo, Utah.
Salt Lake City, No. 1, Utah.
Everett, Washington.
Seattle, Washington.
Spokane, Washington.
Tacoma, Washington.
Wenatchee, Washington.

Mr. METCALF. Mr. President, late in 1961 my attention was called to the problem of the inability of the Department of the Army to pay its share of the cost of curbs and paving streets abutting Army Reserve centers.

This was based on a finding by the Judge Advocate General that decisions of the Comptroller General—39 Comp. Gen. 388, 390, B-120012, 15 October 1954, and 32 Comp. Gen. 296—preclude the Department from contributing military construction Army Reserve funds for improvement to property in which the Federal Government has no real estate interest. In case B-120012, the Comptroller General ruled further that regardless of the necessity for or desirability of another paving project already completed, the payment involved was illegal and unauthorized, and an exception therefore was stated against the accounts of the responsible certifying officer.

The case which prompted my inquiry was the Reserve center at Helena, Mont. There it was proposed to create a special improvement district to pave the streets in the area in which the center is located. Total cost of the paving and curbs was estimated at $24,000, of which the center's share would be some $6,000.

In correspondence on this subject, Lt. Col. Ernest E. Johnson, assistant adjutant general, 6th U.S. Army, referred to "other tentative projects of a similar nature." So I asked the Department of the Army to determine the extent of this problem—to give me a list of these projects of a similar nature in the United States.

I ask unanimous consent to include at this point of my remarks the reply from Brig. Gen. Fred C. Weyand under date of May 9, 1962, and the memorandum from Lt. Col. Rex. R. Sage under date of January 3, 1963, bringing the previous list up to date.

There being no objection, the letter was ordered to be printed in the RECORD as follows:

DEPARTMENT OF THE ARMY,
OFFICE OF THE SECRETARY OF THE ARMY,
Washington, D.C., May 9, 1962.

Hon. LEE METCALF,
U.S. Senate.

DEAR SENATOR METCALF: This is in reply to your inquiry concerning improvements to streets abutting U.S. Army Reserve centers.

There are 52 Army Reserve centers experiencing this problem in the United States. The total estimated cost of projects concerned is $273,955. An itemized list of these centers, by Army area, is inclosed.

As you know, based on past opinions of the Comptroller General, there is no authorization for the expenditure of Government funds for improvements to streets abutting U.S. Army Reserve centers, and the Department of the Army can take no action toward contributing funds for these projects.

Your interest in the Army Reserve is appreciated, and I trust the foregoing will be of assistance to you.

Sincerely,

FRED C. WEYAND,
Brigadier General, GS, Deputy Chief of Legislative Liaison.

DEPARTMENT OF THE ARMY,
OFFICE OF THE SECRETARY OF THE ARMY,
Washington, D.C., January 3, 1963.

Attention: Mr. Englund, Office of Senator METCALF (Montana).

Subject: Concerning improvements to streets abutting Army Reserve centers.

Attached per your request is revised list of Reserve center locations in need of off-site improvements. This listing has been brought up to date by the Office of Chief of Army Reserve, Department of the Army.

REX R. SAGE,
Lieutenant Colonel, GS, Office of Legislative Liaison.

Army Reserve centers, off-site improvements

Army area	Location	Off-site improvements	Estimated cost (Federal share)
1st	Poughkeepsie, N.Y.	Sidewalk replacement and correction of surface drainage conditions	$6,078
2d	Hagerstown, Md	Curbs, pavement	7,500
	Baltimore No. 1, Md	Sidewalk	1,690
	Rockville, Md	Enlarge entrance to parking lot	300
	Riverdale, Md	Sidewalk improvement	1,000
	Wilmington, Del	Sidewalks	1,040
	Seaford, Del	Curbs, sidewalks	2,500
	Ripley, W. Va	400 feet of 20-foot-wide blacktop	4,500
	Fairmont, W. Va	900 feet of 20-foot-wide blacktop	10,000
	St. Marys, Ohio	530 feet of 20-foot-wide blacktop	5,890
	Mount Vernon, Ohio	250 feet of 24-foot-wide blacktop	3,335
	Mansfield, Ohio	240 feet of 24-foot-wide blacktop	3,200
	Reading, Pa	Curb and sidewalks	1,100
3d	Chattanooga, Tenn	Installation of sidewalk, curb, and gutters	2,200
4th	Harrison, Ark	Improvements to streets abutting USAR-constructed centers	4,000
	Ada, Okla	do	11,000
	McAlester, Okla	do	17,592
	Las Cruces, N. Mex	do	4,600
	Santa Fe, N. Mex	do	15,550
	Silver, City, N. Mex	do	4,800
	Harlingen, Tex	do	7,800
5th	Scottsburg, Ind	Pave gravel road	2,700
	Rushville, Ind	Improve road	1,500
	Bloomington, Ind	Pave gravel road	2,000
	Anderson, Ind	Improve storm drainage	2,000
6th	Douglas, Ariz	Curb, gutters, and street paving	5,000
	Tucson, Ariz	Street paving, curbs, underground drainage	6,000
	Phoenix, Ariz	Curbs, gutters, and sidewalks	5,000
	San Diego, Calif	do	2,500
	Bakersfield, Calif	Street paving and curbs	1,000
	Fresno, Calif	Curbs, gutters, sidewalks, and street paving	2,000
	Modesto, Calif	Curb, gutter, sidewalk and street paving	5,500
	San Jose, Calif	Curb, gutter, sidewalk, street paving, and underground drainage	10,000
	Santa Cruz, Calif	Sidewalk	1,500
	Mountain View, Calif	Curb, gutter, and sidewalk	2,500
	Vallejo, Calif	Curb, gutter, sidewalk, and street paving	5,000
	Pasadena, Calif	Curb, gutter, and sidewalk	1,000
	Van Nuys, Calif	Curb, gutter, sidewalk, and street paving	5,500
	Rexburg, Idaho	do	5,000
	Glasgow, Mont	do	5,000
	Great Falls, Mont	do	6,000
	Helena, Mont	do	6,000
	Kalispell, Mont	do	3,000
	Las Vegas, Nev	do	9,500
	Reno, Nev	Sidewalk and street paving	5,500
	Corvallis, Oreg	Sidewalk	3,000
	Eugene, Oreg	do	2,500
	Medford, Oreg	Curb, gutter, sidewalk, street paving, and underground drainage	11,000
	Portland (South), Oreg	do	10,000
	Portland (West), Oreg	Curb, gutter, and sidewalk	3,500
	Salem, Oreg	Curb, gutter, street paving, and underground drainage	5,500
	Ogden, Utah	Curb, gutter, sidewalk and street paving	7,500
	Provo, Utah	Sidewalk and street paving	7,500
	Salt Lake City No. 1	Sidewalk	1,000
	Everett, Wash	Curb, gutter, sidewalk and street paving	5,500
	Seattle, Wash	do	5,500
	Spokane, Wash	do	5,500
	Tacoma, Wash	do	2,500
	Wenatchee, Wash	Curb, gutter, sidewalk and street paving, and underground drainage	15,000
Total estimated cost for United States			301,875

Mr. METCALF. Mr. President, since Colonel Sage's memorandum of January 3, 1963, the list supplied me has been found to contain one error. I have been told by Colonel Sage that subsequent investigations revealed that the project at Santa Fe, N. Mex., should not have been listed, so that project was deleted from the bill. I have asked the Department to verify the remainder of the list.

Mr. President, I believe that the Department of the Army has the responsibility of being a good neighbor—including sharing with his neighbors the cost of needed public improvements in the area of these reserve centers, rather than expecting his neighbors to pick up his tab.

DESIGNATION OF MARCH 16 OF EACH YEAR TO PAY TRIBUTE TO DR. ROBERT HUTCHINGS GODDARD

Mr. SALTONSTALL. Mr. President, I introduce, for appropriate reference, a bill which would set aside March 16 of each year as the day when we as a nation can appropriately pay tribute to the one American whose continuing efforts did more than any other's to usher mankind into the space age: Dr. Robert Hutchings Goddard, the father of modern-day rocketry.

We in Massachusetts are proud that one of our native sons pioneered advances in this important field. Dr. Goddard was born in Worcester, Mass., on October 5, 1882. There in 1899 his inquiring mind led him to conceive the possibility of a space ship which could fly from planet to planet. Only 17 at the time, he began to pursue a course of study and research which would lead him on March 16, 1926, to become the first to test and launch successfully a liquid-fuel rocket—the parent of all the Redstones and sputniks that will ever circle the earth. It is the anniversary of this event in Auburn, Mass., which I feel should be observed as a milestone in the development of modern rocket science.

Dr. Goddard studied at Worcester Polytechnic Institute and Clark University in Worcester, Mass. While still an undergraduate he submitted several essays on his technical theories of rocketry, all of which were regarded as mere speculative nonsense—theories which today are being translated into reality on both American and Soviet drawing boards. Despite public ridicule—the nickname of "Moony" was given him when his efforts were revealed to the press—Dr. Goddard continued his research, financed by grants from Smithsonian Institution and later from the Guggenheim Foundation. In the eartly thirties he conducted further experimental tests near Roswell, N. Mex., with a loyal crew of assistants, and was the first man ever to launch a liquid-fuel rocket which attained a speed greater than sound. Other firsts followed.

The results of his research were made public, but the only people who expressed any particular interest were German scientists. His ideas, offered to the U.S. military in 1940, received only courteous inaction. Not until 1944 when the German V-2 rocket hit London, did this country realize what a mistake had been made. The V-2 rocket was patterned largely after Dr. Goddard's work. If we had had the vision and foresight to capitalize on Dr. Goddard's revolutionary inventions 30 years ago when they were developed, instead of ridiculing him, there is no question that we would have had an unbeatable lead in today's space race.

Dr. Goddard died in 1945 and only today are the important contributions which he made to the whole era of space being recognized. In 1959 Congress voted to award him posthumously a gold medal for his work, and this was presented to his widow in 1961 on the occasion of the dedication of the Space Flight Center in Greenbelt, Md., in his name.

Dr. Robert Goddard may have been disappointed often, but he never became discouraged. He persevered despite serious obstacles which would have stopped a lesser man, for he was driven on by the dream he had had as a young man of space ships flying through space. The fact that the U.S. Government has recently paid $1 million to Dr. Goddard's estate for infringement of his patents dating back to 1912, in the building of both today's rockets and the experimental X-2's and X-15's, emphasizes the basic foundations which Dr. Goddard laid for today's rocket industry.

Thus it is only fitting and proper that we should honor this man who once said:

> The dream of yesterday is the hope of today and the reality of tomorrow.

His dream of yesterday has indeed become the reality of tomorrow.

We in Massachusetts are proud to pay tribute to a great man whose name will one day take its rightful place alongside those of other pioneers in the vast and mysterious world of science.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 656) to promote public knowledge of progress and achievement in astronautics and related sciences through the designation of a special day in honor of Dr. Robert Hutchings Goddard, the father of modern rockets, missiles, and astronautics, introduced by Mr. SALTONSTALL, was received, read twice by its title, and referred to the Committee on the Judiciary.

REDUCTION OF RETIREMENT AGE TO 60 YEARS FOR SOCIAL SECURITY

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill which is aimed at reducing to age 60 the retirement age for social security. However, the bill would not require an increase in social security taxes, because it would be coupled with a reduction by one-third in the benefits for those who retire at age 60. I have checked on this very carefully with the actuaries for the Social Security Administration, and they assure me that this change would leave the social security fund balanced.

Mr. President, in introducing this bill, I am aiming primarily at unemployment. No one would be forced to retire early; but those who did would offer job opportunities for unemployed younger workers, many of whom have growing families and desperately need a chance to work.

The persistent high level of unemployment across the country has become our number one economic problem, too easily overlooked because those who are working are enjoying relatively good times.

When people over 60 lose jobs through no fault of their own, they find it almost impossible to get new jobs. We can take them off the growing unemployment lists without added cost to the taxpayer or the economy by lowering the retirement age and the pension benefits in proportion.

If we can help solve the health and financial problems of the aged and at the same time provide jobs for cutting unemployment among younger workers, I see no reason in the world why we should not do it.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 663) to amend title II of the Social Security Act to lower from 62 to 60 the age at which benefits thereunder may be paid, with appropriate actuarial reductions made in the amounts of such benefits, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Finance.

SAFEGUARDING THE RIGHT TO VOTE

Mr. DODD. Mr. President, in behalf of the distinguished senior Senator from Kentucky [Mr. COOPER] and myself, I introduce, for appropriate reference, a bill to guarantee the constitutional voting rights of all persons seeking to vote in any Federal election; and I ask unanimous consent that the bill may be allowed to lie on the table for 10 days, so that additional Senators who so desire may add their names as cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table, as requested.

Mr. DODD. Mr. President, all Americans who believe in the free institutions of this country will affirm the right of every citizen to vote if that citizen meets the same requirements fulfilled by other voters in his State. This is the irreducible and unavoidable commitment to representative government and to the spirit of justice which must be made by anyone who believes in freedom and in the American Constitution. Yet, we know that in most of the 158 counties in 11 States having a population 50 percent or more Negro, less than 5 percent of the Negroes are registered voters.

For many years the question of voting rights has been snarled and entangled in all of the controversies attending the general problems of civil rights and States' rights. Conscientious legislators have been unable to act solely on the question of voting rights because that question has come before them clothed in side issues of great importance.

A Senator may oppose a particular piece of legislation because he feels it gives to the Federal Government power which is reserved to the States by the Constitution.

A Senator may oppose a proposition on the ground that it does away with voter qualifications which he believes are essential to good citizenship.

But no Senator will contend that it is lawful for any voting registrar to deny the vote to any qualified citizen through discriminatory administration of qualifying tests.

If those who have successfully opposed voting rights legislation in the past did so primarily because they felt it to be based on unconstitutional premises, it is the task of responsible men to devise a bill which will do the job in a way that is so clearly constitutional and so clearly in harmony with States rights that the bill cannot honestly be opposed on either ground.

In order to present this issue to the Senate unencumbered with divisive side issues, in order to clear away the thorny underbrush of constitutional dispute and give Senators a clean shot at the target of voting rights, the Senator from Kentucky [Mr. Cooper] and I have drafted a bill which involves neither a constitutional issue nor an attempt to alter voter qualification standards.

It provides simply that those standards presently applied in each State must be applied uniformly to all voter applicants; and since the investigations conducted by the Civil Rights Commission reveal that abuses in administering oral tests are among the most common means of discrimination, this bill sets up a procedure which will discourage this form of discrimination and speed the redress of it. That procedure would require that where an oral literacy test is given, a verbal transcript must be made and must be available to the applicant at his request. Under the existing provisions of the Civil Rights Act of 1960, this transcript would also be available to the Department of Justice.

There is no States rights issue involved here because this bill inherently recognizes that the States have the right to set voter qualifications.

There is no question of debasing standards because this bill does not presume to change the qualifications of any State; it merely provides that the law which exists must be administered uniformly to all.

The constitutionality of this bill rests upon the 14th amendment which provides that no State may deny to any person within its jurisdiction the equal protection of the laws; and upon the 15th amendment which says:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Both the 14th and 15th amendments provide that the Congress shall have the power to enforce these provisions by appropriate legislation. We offer such legislation today.

It should be acceptable to Congress because it is essentially a refinement of the Civil Rights Act which passed the Congress in 1960.

I believe that this bill presents to each Member of the Congress one question and one question only: "Do you or do you not believe that under the 14th and 15th amendments to the Constitution it is the responsibility of the Congress, insofar as Federal elections are concerned, to assure that the voter qualifications which have been established by each State be fairly and uniformly administered to all citizens?"

This legislation arose out of conversations between the able and distinguished senior Senator from Kentucky [Mr. Cooper] and myself.

I feel that great credit should go to the Senator from Kentucky for this bill, as we present it to the Senate today.

It is a bipartisan bill which is completely divorced from party politics.

It is a moderate bill which bypasses controversial positions held by those on each side of the civil rights dispute in order to find a basic common ground upon which all who truly believe in our Constitution can move forward.

This bill is offered, not as a gesture or a talking point, but as a proposal which we believe can win the support of every Member of Congress. If it does not win such support, the reasons must be different from those previously advanced.

We hope that it will win the favor of the Congress and that others will find in it an approach which can be successfully used to work out solutions, not only of the voting rights dilemma, but to other civil rights problems which divide the Congress and the country.

Mr. COOPER. Mr. President, I am glad to join today with the distinguished senior Senator from Connecticut [Mr. Dodd] in the introduction of a bill to further secure and protect the voting rights of all citizens. The specific purpose of our bill is to prevent the discriminatory application of State voter qualification tests against citizens because of their race or color.

I subscribe to the eloquent statement of my colleague, Senator Dodd, that—

> All Americans who believe in the free institutions of this country will affirm the right of every citizen to vote if that citizen meets the same requirements fulfilled by other voters in his State.

Last year the administration proposed, and the Senate considered for a time, a literacy test bill. The bill never came to a vote on its merits. Its purpose was laudable, but many of us believed that it was unconstitutional. We believed it to be unconstiutional because it assumed that Congress has the power to fix a qualification for electors—by providing that an applicant to vote who had "completed the sixth primary grade of any public school or accredited private school" should in effect be found to have fulfilled the literacy qualifications prescribed by State law.

I do not want to spend too much time in argument on constitutionality today, but I believe the heart of the argument of opponents of the administration bill was that article I, section 2 of the Constitution confers upon the States the power to prescribe qualifications for electors of Members of the House of Representatives, and that this power was affirmed with respect to the election of Senators by the 17th amendment to the Constitution. This power of the States has been upheld by the Supreme Court in many cases, to the extent that qualifications prescribed by the State are valid upon their face and are applied equally and fairly to all voter applicants.

Nevertheless, the Congress is not without power to safeguard and require the proper application of voting qualifications prescribed by the States. The 14th and 15th amendments to the Constitution specifically state that the Congress can enact—and Senator Dodd and I believe, should enact—appropriate legislation to insure that State voting qualifications are applied equally and fairly to all citizens, and to prevent such qualifications being used discriminatorily against voters because of their race or color.

Some of the cases decided by the Supreme Court of the United States, and the reports of the Civil Rights Commission, show that in some States of our Nation voter qualifications, commonly called literacy tests, enacted by the States and valid upon their face, have been discriminatorily applied against Negro voters. It has also been shown that these tests are frequently applied to Negro voters orally by local officials, and that there is no official record of the test which would give the applicant evidence upon which to appeal the decision of State election officials. As my colleague, Senator Dodd, has pointed out:

> In 158 counties in 11 States, having a population 50 percent or more Negroes, less than 5 percent of the Negroes are registered voters.

Our bill attempts to meet these problems in several ways, and by means which I think are constitutional and effective.

Curiously enough, although the Supreme Court of the United States has held on many occasions that voting practices, standards, and procedures must be applied equally to all citizens, Congress has never codified these findings into statutory law.

One provision of our bill would codify these holdings of the Supreme Court by providing that all standards, practices, and procedures, including tests, shall be applied equally and in the same manner to all applicants who seek voting privileges.

The second provision of our bill, as the Senator from Connecticut [Mr. Dodd] has pointed out, is directed to the rather difficult problem of literacy tests—which depend on the decision of an election officer or registrar as to whether or not the applicant understands or comprehends some writing such as the State constitution or the Constitution of the United States. Of course, understanding and explaining a thing requires a subjective determination by an election official and perhaps, in some cases, by election officials who themselves could not meet the same test.

Our bill would require written literacy tests. Or, if an oral test is given, that the questions and answers be transcribed verbatim. This requirement would enable an applicant whose vote had been denied, to have an official record upon which to base an appeal, and would also give to the Federal court a record upon which to base any action.

In this respect, our bill would harmonize with the 1960 Civil Rights Act, because that act requires that all records relating to any application to vote shall, be preserved for at least 22 months, and shall be available to the Attorney General and through him to the Federal district court. This provision, therefore, would fill a gap in the Civil Rights Act of 1960.

The third provision of our bill provides that any "error or omission" which is not material to determining whether an applicant is qualified under State law to vote in a Federal election, may not be used by election officials as a reason for denying the right to vote.

To give a simple example, the answer of an applicant as to his marital status, which does not bear upon the right to vote, has been seized upon in some cases by election officials to deny an applicant the right to vote.

I am sure that at some later date we will discuss the bill in more detail, but I should like at this time to join the distinguished Senator from Connecticut [Mr. Dodd] in saying that we are not offering this bill as merely a gesture. Rather, we are offering it in the expectation that it will be considered by the appropriate committee, the Committee on the Judiciary; with the intention of presenting our views before that committee; and with the firm purpose of pressing for a vote in the Senate on the bill.

We believe our bill constitutional. We believe it is lawful. We believe that it would be effective.

I know that some will say, "You are placing upon the States which do not discriminate against voters a heavy burden by requiring that they keep a verbatim transcript of any oral test." I answer by saying that, in a practical way, most of the eligible voters in these States have already been declared qualified to vote, and that the provision requiring transcripts would apply only to new voters, who are coming of voting age, and to voters who in past years have been denied the right to vote because of discrimination.

However, even if this procedure were burdensome, and even if it were costly, I say, as the Senator from Connecticut has stated, it is not too heavy a burden to bear, considering the essential right of all citizens to vote and to have State requirements to vote applied equally to all prospective voters.

Another objection may be that the remedy provided by our bill will be too slow, or less effective than some apparently easier method, such as that proposed last year.

I answer that if a wrong is being done in this country, and if unlawful and unconstitutional procedures which discriminate between persons seeking the right to vote are being applied, then Congress must proceed in a constitutional way to stamp out an unlawful and unconstitutional wrong that is being used against voter applicants.

In my State of Kentucky, no educational qualifications are prescribed for voters. We have no literacy test. As far as I am concerned, if a State should decide that it should abolish its literacy test I think it would be no great loss, because in most instances a man's practical sense and judgment would suffice.

Nevertheless, the States have the right to fix voter qualifications under the Constitution. The purpose of our bill is to see to it that State standards and qualifications are applied without discrimination to all persons who seek the right to vote.

I am very glad to join with the Senator from Connecticut in introducing this bill, and I hope that Members from other States who have been interested in this problem may also wish to join in the bill we have developed together.

I thank the Senator from Mississippi for his kindness.

Mr. DODD. Mr. President, I ask unanimous consent that a copy of the bill, S. 666, be printed at this point in the Record, together with a brief explanation of its provisions.

There being no objection, the bill and explanation were ordered to be printed in the Record, as follows:

The Dodd-Cooper Equal Voting Rights Bill

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that—

(a) The right to vote is fundamental to a free and democratic government and it continues to be the responsibility of the Federal Government to secure and protect this right against all discriminatory restrictions.

(b) The right to vote of many persons has been subjected to discriminatory restrictions on account of race or color; different standards and practices have been used extensively as a device for discriminatorily denying the right to vote to otherwise qualified persons; and laws presently in effect are inadequate to assure that all qualified persons shall enjoy this essential right without discrimination on account of race or color.

(c) The enactment of this Act is necessary to make effective the guarantees of the Constitution, particularly those contained in the Fourteenth and Fifteenth Amendments, by eliminating or preventing discriminatory restrictions on the right to vote which occur through the use of different standards and practices.

Sec. 2. Subsection (a) of section 2004 of the Revised Statutes, as amended (42 U.S.C. 1971), is amended by inserting "(1)" after "(a)" and by adding at the end thereof the following new paragraphs:

"(2) No person, whether acting under color of law or otherwise, shall, in determining whether any individual is qualified under State law to vote in any Federal election, apply any standard, practice or procedure which is different from the standards, practices, or procedures applied to any other individual. Nor shall the right of any individual to vote in any Federal election be denied by any person, acting under color of law or otherwise, because of any error or omission in any records or papers required by section 301 of the Civil Rights Act of 1960 to be retained and preserved, if such error or omission is not material in determining whether or not such individual is qualified under State law to vote in such election.

"(3) No person, whether acting under color of law or otherwise, shall impose any literacy test as a qualification for voting in any Federal election, unless, in administering and grading any such test, the standards, practices and procedures used to determine whether any individual is qualified under State law to vote are the same as those used to determine whether any other individual is qualified under State law to vote, and unless—

"(A) such test is administered to each individual in writing, or the questions asked of each individual and answers given by such individual are transcribed verbatim; and

"(B) a certified true copy of the test given to each individual and of the answers given by such individual is, upon written request, furnished to such individual within thirty days after the submission of such request.

"(4) For the purpose of this subsection—

"(A) the terms 'vote' and 'qualified under State law' shall have the same meaning as defined in subsection (e) of this section;

"(B) the term 'Federal election' means any general, special or primary election held solely or in part for the purpose of electing or selecting any candidate for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Resident Commissioner from the Commonwealth of Puerto Rico;

"(C) the term 'literacy test' includes any test of the ability of an individual to read, write, understand or interpret any matter;

"(D) the term 'State' includes the District of Columbia and the Commonwealth of Puerto Rico."

Explanation of Dodd-Cooper Bill To Secure Equal Voting Rights

To protect the rights of an individual seeking to vote in Federal elections, the Cooper-Dodd bill would prohibit:

1. The use of any standard, practice, or procedure which is different from that used by the registrar or election official (or other person) in determining whether other individuals are qualified under State law to vote. (The provision applies to literacy tests, registration and voting.)

2. The use of an error or omission to deny the right to vote—unless the error or omission is material to a requirement for voting established under State law. (The provision applies to the registration application and to any other paper or record required in order to vote.)

3. Literacy tests unless—

(a) The same practices are followed in administering and grading the tests of all individuals;

(b) The test is given in writing, or the questions and answers are transcribed verbatim; and

(c) Upon request, a certified true copy of the questions and answers given is furnished to the individual within 30 days.

The bill is directed to voting in Federal elections; that is, any general, special, or primary election in which a candidate for President or the Congress is elected or selected.

The voting-rights enforcement procedures of the 1957 and 1960 Civil Rights Acts would be applicable to the provisions of this bill.

Mr. STENNIS. Mr. President, I ask unanimous consent that the remarks of the Senator from Connecticut and the Senator from Kentucky be inserted in the Record at the conclusion of my remarks today.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED LEGISLATION RELATING TO INTERSTATE COMMERCE

Mr. MAGNUSON. Mr. President, by request of the Interstate Commerce Commission, I introduce, for appropriate reference, 12 bills designed to carry out the legislative recommendations set forth in the 76th annual report of the Commission. I ask unanimous consent that a statement of justification of each bill, prepared by the Commission, be printed in the RECORD.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the statements of justification will be printed in the RECORD.

The bills, introduced by Mr. MAGNUSON, by request, were received, read twice by their titles, and referred to the Committee on Commerce, as follows:

S. 674. A bill to amend paragraph (10) of section 5 of the Interstate Commerce Act so as to change the basis for determining whether a proposed unification or acquisition of control comes within the exemption provided for by such paragraph.

JUSTIFICATION ACCOMPANYING SENATE BILL 674

The attached draft bill would provide a more reliable criterion for determining whether a proposed unification or acquisition of control involving only motor carriers comes within the exemption of subsection (10) of section 5 of the Interstate Commerce Act.

One of the tests for determining whether a proposed transaction is exempt from the requirements of section 5 is whether or not the aggregate number of motor vehicles owned, leased, controlled, or operated by the parties, for purposes of transportation subject to part II of the act exceeds 20. In applying this test, numerous questions have arisen as to whether certain vehicles should or should not be included, as, for example, (a) those used in intrastate commerce, exempt transportation, or private carriage, but which are available or suitable for regulated interstate service, (b) equipment of noncarrier affiliates, (c) vehicles leased for short periods, (d) disabled vehicles, and (e) combinations of vehicles. The amount of time and effort expended in establishing the number of vehicles on which jurisdiction depends, has, where the question is close, proved to be disproportionate to the benefits intended by the exemption. Moreover, in many instances, it has been virtually impossible to check whether the exemption was, in fact, applicable to transactions purportedly consummated thereunder.

The proposed amendment would substitute a more definite and practical basis for the exemption. Gross operating revenues are, in most cases, readily ascertainable from the annual reports which, with certain exceptions, are required of all for-hire carriers, and the quarterly reports required of such carriers with average gross revenues of $200,000 or more. On the basis of a limited study, it appears that the proposed $250,000 restriction on the exemption corresponds roughly to the present scope of the exemption in paragraph (10).

S. 675. A bill to amend section 19a of the Interstate Commerce Act to eliminate certain valuation requirements, and for other purposes.

JUSTIFICATION ACCOMPANYING SENATE BILL 675

The purpose of the attached draft bill is to eliminate or make optional certain mandatory valuation requirements which are no longer considered necessary or appropriate to the proper performance of the regulatory functions of the Interstate Commerce Commission. Foremost among these are the requirements (1) that the Commission determine the present value of carrier land holdings, and (2) that the Commission keep itself informed of changes in the quantity of the property of carriers following the completion of the original valuation of such property.

The requirement that the Commission determine the present value of land was appropriate in finding original property valuations under an earlier concept which also gave consideration to the reproduction cost of property other than land. Accounting methods have changed, however, and today the concept of "reproduction cost" generally is in disuse. In this respect, it is significant that the Commission, in establishing a base for measuring rate of return for railroads, now uses the original cost of property other than land less depreciation thereon as shown on the books of the carrier, and to this sum is added an allowance for working capital and the estimated present value of land. Clearly, this computation would be more consistent if the original cost of land were substituted for a determination of present value. Of even greater importance, however, is the fact that the benefits derived from the availability and use of present value data are extremely meager in comparison with the large sums of money which continually must be expended in conducting field appraisals of land used in carrier operations if such data is to be kept reasonably current.

Also significant here is the fact that the courts have recognized the desirability of enabling regulatory agencies to exercise broad discretion in the selection of a rate base. Thus, in *Federal Power Commission* v. *Natural Gas Pipeline Co.*, 315 U.S. 586 (1942), the Supreme Court held that "the Constitution does not bind ratemaking bodies to the service of any single formula or combination of formulas" and in *Federal Power Commission* v. *Hope Natural Gas Co.*, 320 U.S. 602 (1944), the Court amplified its opinion in the Natural Gas Pipeline Co. case by holding that "it is not the theory but the impact of the rate order which counts. If the total effect of the rate order cannot be said to be unjust and unreasonable, judicial inquiry under the act is at an end. The fact that the method employed to reach that result may contain infirmities is not then important."

At the present time, by virtue of regulations issued by the Commission pursuant to the mandatory requirement in section 19a(f) of the Interstate Commerce Act, railroads and pipeline companies must report annually the number of units of property acquired or retired during the year. This information formerly was used in determining the cost of reproduction of such property. As indicated above, however, the concept of reproduction value is no longer a dominant consideration in the determination of a rate base for railroads; and, in this circumstance, we believe that this reporting requirement represents an unnecessary burden upon such carriers.

On the other hand, the situation with respect to the reporting of units of property changes by pipeline carriers is unlike that of the railroads. The Commission finds property valuations for pipeline carriers each year; and, in this process, property units are used in the development of the cost of reproduction—new, an element which is considered by the Commission in arriving at the rate base. For this reason, we recommend that, in lieu of repeal, the mandatory requirement in section 19a(f) be made optional as the needs of the Commission dictate.

The Commission has made adequate provision for the proper accounting and financial reporting of noncarrier property, and the value of such property is not considered for valuation or ratemaking purposes. Therefore, we see no need to value noncarrier property as is presently required by the third subparagraph of section 19a(b) of the act.

Insofar as aids, gifts, grants, and donations are concerned, practically all property in this category is of record in the original valuations found by the Commission for railroads. The significance of this information has diminished over the years, and carriers have long since discontinued the granting of concessions in the form of land-grant rates in consideration of such gratuities. Accordingly, the draft bill would also repeal subparagraph "Fifth" of section 19a(b) of the act.

Enactment of this draft bill would, in our opinion, result in a considerable saving to the railroad industry and, in principal effect, would eliminate a statutory requirement no longer necessary nor feasible because of the magnitude of the undertaking necessary to keep reasonably current.

S. 676. A bill to authorize the Interstate Commerce Commission, after investigation and hearing, to require the establishment of through routes and joint rates between motor common carriers of property, and between such carriers and common carriers by rail, express, and water, and for other purposes.

JUSTIFICATION ACCOMPANYING SENATE BILL 676

The attached draft bill would amend the Interstate Commerce Act to authorize the Interstate Commerce Commission, after investigation and hearing, to require the establishment of through routes and joint rates between common carriers of property by motor vehicle and between such carriers and common carriers by railroad, express, or water when required in the public interest.

At present, the only common carriers of different modes which may be required by the Commission to establish through routes and joint rates with each other are railroads, pipelines, and express companies subject to part I of the act, and railroads subject to part I and common carriers by water subject to part III. The only intramodal joint-rate arrangements that may be required by the Commission are between railroads, pipelines, and express companies, respectively, subject to part I, common carriers of passengers by motor vehicle subject to part II, and common carriers by water subject to part III. Common carriers of property by motor vehicle subject to part II are permitted, but may not be required to enter into joint-rate arrangements with other such carriers or with common carriers of other modes, nor, on the other hand, may common carriers of other modes be required to establish through routes and joint rates with motor carriers.

With the growth of the Nation's economy, the expansion of the motor carrier industry, and technological improvements in the transportation field, greater stress has been placed upon the importance of having a more coordinated national transportation system. Of fundamental importance to the accomplishment of this end is the establishment of through routes and joint rates within and between the various modes of carriage. It follows, therefore, that in many instances the failure or refusal of carriers to enter into such arrangements is contrary to the public interest in the furtherance of a more coordinated national transportation system.

The availability of through routes and joint rates inures to the benefit of the shipping public in numerous ways. It enables a shipper to make one contract with the originating carrier on behalf of all carriers participating in the arrangement. In addition, the shipper may ascertain the rate for a through movement by consulting a single tariff instead of many. Both shipper and consignee also have the advantages provided by section 20(11) and similar provisions in other parts of the act of recovering from either the originating or delivering carrier for loss or damage caused by any carrier participating in the through movement. Moreover, experience has shown that because of the economy of established channels of commerce through which substantial amounts of traffic may flow, and reduced freight rate calculation costs, joint rates are generally lower than a combination of local rates of connecting carriers not participating in such through service arrangements.

In the case of through routes among motor common carriers of property, most of the regular-route, general-commodity motor carriers participate in agency tariffs and are parties to the joint rates published therein. Such arrangements are, however, entered into on a permissive basis and are subject to termination at any time, a situation which is not conducive to the maintenance of dependable joint-line service. In addition, the tariffs filed under such voluntary joint-rate arrangements contain many restrictions as to individual carriers, thereby limiting the through routes and joint rates as to carriers and to points of interchange.

In the absence of such voluntary joint-rate arrangements among motor common carriers of property, the only way in which the Commission may provide for through motor carrier service is by granting extensions of operating rights to existing carriers or by approving consolidations and mergers of connecting carriers. The granting of such extensions is not always desirable, however, since it may result in a surplusage of carriers over certain routes.

Many shippers have demonstrated their reluctance to rely on voluntary arrangements by prevailing upon motor carriers to file applications to extend their operating authority to include every point to which the shipper's traffic moves. Shippers justify their position, in many instances, by claiming that they are entitled to hold one carrier responsible for the safe and efficient transportation of their freight. Although a need for expeditious service is also frequently asserted, instances are relatively few in which it is successfully established that the use of multiple-line service results in delays of material consequences. Most of these applications are denied, but in many cases, the Commission finds it necessary to grant authority because of the failure of connecting carriers to adduce evidence of their willingness and ability to participate in joint-line service.

For many years railroads and motor carriers were reluctant to enter into through route and joint-rate arrangements. While, in recent years, there has been some relaxation of this attitude on the part of the carriers, especially with the growth of "piggyback" service, such arrangements are, as in the case of those between motor common carriers of property, entered into on a permissive and voluntary basis subject to termination at any time. Here again the lack of any obligation on the part of the carriers to continue in effect such joint through route arrangements is not conducive to the maintenance of dependable joint-line service.

Although no serious problems appear to have arisen in connection with the establishment of through routes and joint rates between common carriers by water and motor common carriers of property, the fear of collapse of such arrangements because of their permissive and voluntary nature is, of course, always present. The draft bill would therefore give the Commission authority to require the establishment and maintenance of such arrangements when required by the public interest.

Enactment of this proposed measure would permit the Commission, in proper cases, to compel the establishment and maintenance of dependable joint-line service responsive to the needs of the shipping public, and, at the same time, protect the carriers from unfair or unreasonable demands to provide through service. It would also have the effect of according greater equality of treatment in the regulation of the carriers of the various modes. In addition, we believe that it would be consistent with and in furtherance of the President's announced policy of encouraging and promoting through service and joint rates between all modes of transportation as carried forward in section 4(a) of S. 3242 and H.R. 11584 of the 87th Congress.

S. 677. A bill to amend sections 203(b)(5) and 402(c) of the Interstate Commerce Act to provide for the issuance of certificates of exemption upon application and proof of eligibility, and for other purposes.

JUSTIFICATION ACCOMPANYING SENATE BILL 677

The purpose of the attached draft bill is to enable the Interstate Commerce Commission to cope more effectively with the unlawful activities of various groups and organizations which are siphoning off substantial amounts of traffic from authorized carriers by performing general transportation services under the guise of exempt agricultural cooperatives and shipper associations. This would be accomplished by the establishment of a procedure whereby agricultural cooperatives and shippers' associations would be required to show, in the first instance, that they are entitled to exempt status under sections 203(b)(5) and 402(c) of the act, respectively, and by granting the Commission specific authority to examine the books and records of such cooperatives and associations.

For some time the Interstate Commerce Commission has been concerned with the relative decline of the Nation's common carrier industry. Several traffic studies clearly reveal that common carriers have lost considerable traffic which they formerly handled and, at the same time, have been unable to share proportionately in the additional traffic generated by the Nation's expanding economy. One such study, for example, showed a decline in the common carrier's share of total intercity ton-miles from 75.4 percent which they enjoyed in 1939 to only 67.5 percent in 1959. Projecting this trend to 1970, a further decline to between 60.8 and 63.8 percent was forecast.

This decline is essentially a result of the growth of unregulated private and exempt carriage. It is also attributable, however, to the growth of unauthorized and illegal carriage inimical to the public interest. The Commission has recommended in its annual reports to the Congress and in testimony before a subcommittee of the Senate several courses of action, including the instant proposal, designed to halt this steady rise in the volume of traffic handled by illegitimate private and exempt carriers to the detriment of the authorized carriers.

Under section 203(b)(5) of the act, motor vehicles controlled and operated by agricultural cooperatives, or by a federation of such cooperatives, are exempt from the Commission's economic regulation provided the cooperatives meet certain qualifying criteria as defined in the Agricultural Marketing Act of 1929 (12 U.S.C. 1141). In addition, section 402(c) of the act exempts from regulation under part IV, applicable to freight forwarders, the activities of shippers' associations which consolidate or distribute freight for their members on a nonprofit basis to secure the benefits of volume rates. These exemptions are, in our judgment, a breeding ground for multifarious schemes to avoid the obligations which must be assumed by for-hire carriers subject to the Commission's economic regulation.

While the number of groups and organizations claiming exemption as agricultural cooperatives or shippers' associations has grown considerably in the last 10 to 15 years, the Commission is not presently equipped with authority effective enough to weed out those which are not entitled to the exemption or to prevent other such persons from commencing operations. It is only after such operations have been initiated that the Commission, on its own motion or upon complaint, may now institute an investigation to determine whether the operations are, in fact, lawful. In such an investigation, the Commission has the duty and responsibility of assembling and analyzing all facts pertaining to the respondent's operations. Although the information necessary to discharge this responsibility is often available only from the respondent's records, the Commission has no specific authority to inspect them. Thus, if the Commission is unable to gain access to the records, the investigation becomes futile, unless, through indirect and cumbersome means, scraps of information relating to the respondent's operations can be uncovered elsewhere.

It should be noted also that in some cases operators, upon being investigated and pressed as to their status under the exemptions, have merely suspended the questionable operation and resumed service under a somewhat changed modus operandi and usually a different name. The same result frequently occurs after the Commission has issued a cease and desist order.

These factors have made it extremely difficult for the Commission to police effectively operations commenced under the agricultural cooperative and shippers' association exemptions.

Under the proposed legislation the applicant would have the burden of showing his eligibility for exemption. This, it is felt, would serve as a deterrent to the institution of operations by unqualified organizations. The certificate issued to a qualified agricultural cooperative would be revocable if the holder thereof ceased to be a cooperative association as defined in the Agricultural Marketing Act of 1929 or the transportation activities in which it engaged were no longer within the meaning and scope of section 203(b)(5). Similarly the certificate issued to a shippers' association would be revocable if the operations of the holder thereof ceased to be that of a group or association of shippers within the meaning of the exemption provided by section 402(c)(1). Any organization operating under either of the exemptions on the date of enactment of the proposal, or during the year 1962, would be permitted to continue its operations thereunder without a certificate for 120 days after the date of enactment, and, if application for a certificate is made within such period, it could continue to operate pending a determination of the application unless otherwise ordered by the Commission.

In addition, the recommended legislation would specifically empower the Commission, under section 403(f), to investigate the operations of shippers' associations to determine their compliance with the provisions of part IV or with any requirement established pursuant thereto. The Commission's authority under this section to investigate the operations of a freight forwarder has been construed to exclude shippers' associations. Legislation of a similar nature is not required to authorize the Commission to investigate the operations of agricultural cooperatives since section 204(c) respecting investigations of motor carriers and brokers has been applied to agricultural cooperatives.

It is not the purpose of the proposed measure to interfere in any way with the legitimate operations of bona fide agricultural cooperatives and shippers' associations under the exemptions provided in the Interstate Commerce Act. It is, however, designed to enable the Commission to cope more effectively with groups and organizations using these exemptions as a device to engage in unlawful transportation activities.

It is therefore recommended that this proposal be given early and favorable consideration by the Congress.

S. 678. A bill to amend the Interstate Commerce Act in order to provide civil liability for violations of such Act by common carriers by motor vehicle and freight forwarders.

JUSTIFICATION ACCOMPANYING SENATE BILL 678

The attached draft bill would amend sections 204a and 406a of the Interstate Commerce Act, which relate to actions at law for the recovery of charges by or against common carriers by motor vehicle and freight forwarders, so as to make such carriers liable for the payment of damages to persons, including the United States as a shipper, injured by them as a result of violations of parts II and IV of the act, respectively. It would also give to an injured party the choice of pursuing his remedy either before the Commission or in any district court of the United States of competent jurisdiction. Appropriate periods of limitation are provided with respect to the commencement of such actions or proceedings.

At present, such liability exists, and such remedy is provided, only with respect to violations by railroads and other carriers subject to part I and by water carriers subject to part III of the act. Prior to the decision of the Supreme Court in *T. I. M. E. Inc.* v. *United States*, 359 U.S. 464, May 18, 1959, the Commission, upon petition, made determinations of the reasonableness of past motor carrier rates on the assumption that the petitioner was entitled to maintain an action in court for reparations based upon the unreasonableness of such rates. However, in that case, the court ruled that a shipper by a motor common carrier subject to part II cannot challenge in postshipment litigation the reasonableness of the carrier's past charges made in accordance with applicable tariffs filed with the Commission. A shipper, therefore, is without remedy for injury arising from the application of an unreasonable rate. Since the pertinent provisions of part IV are similar to those under part II, a shipper by freight forwarder subject to part IV is in the same plight.

The motor carrier industry has attained stature and stability as one of the chief agencies of public transportation, handling a substantial volume of the Nation's traffic. It seems appropriate, therefore, that shippers should have the same rights of recovery against motor carriers as they have against rail and water carriers for violations of the act.

The need for the relief proposed is evidenced by the number of proceedings instituted by shippers for redress against motor common carriers prior to the decision in the T.I.M.E. case. During the years ended June 30, 1958 and 1959, for example, 20 and 14 formal complaints or petitions, respectively, were filed to secure the Commission's determination of the reasonableness of established motor carrier rates ancillary to court actions for the recovery of reparations. During the calendar year 1958, a total of 101 informal complaints were filed against motor carriers claiming damages for unreasonable rates and practices. In 1950 only 10 such complaints were handled by the Commission, but by 1954 the number had risen to 110. Prior to the decision in the T.I.M.E. case, adjustments of such complaints were negotiated, in appropriate cases, by an informal and inexpensive procedure involving informal conferences and correspondence with the parties. Many informal complaints, however, were found not to be susceptible of adjustment by such means. If the Commission had then been vested with the requisite authority, the filing of formal complaints seeking awards of reparations probably would have followed, as is now the practice under parts I and III of the act. In this connection it should be noted that reparation procedures before the Commission are more simple and less expensive than actions in court to attain the same end. It may be anticipated, therefore, that although both the courts and the Commission would be authorized under the proposed amendments to award reparations, shippers would prefer resort to the Commission since the reasonableness of the rates involved would, under the provisions of the act, have to be determined by it upon referral of the question by the court.

While experience under part IV has not shown an important need for a provision authorizing awards of reparations against freight forwarders, it seems desirable and logical to have all four parts of the act uniform in this respect. Appropriate amendments to section 406a have therefore been included in the draft bill.

For the reasons set forth above, the Commission recommends early consideration and enactment by the Congress of this proposed measure.

S. 679. A bill to amend section 204(a) (3) of the Interstate Commerce Act respecting motor carrier safety regulations applicable to private carriers of property.

JUSTIFICATION ACCOMPANYING SENATE BILL 679

The attached draft bill would make it clear that regulations prescribed by the Interstate Commerce Commission respecting safety of operations of motor vehicles are applicable to private carriers of property.

Section 204(a) (3) of the Interstate Commerce Act authorizes the Commission to establish for private carriers of property by motor vehicle "reasonable requirements to promote safety of operation, and to that end prescribe qualifications and maximum hours of service of employees, and standards of equipment." Pursuant to these provisions, the Commission has, since 1940, prescribed rules and regulations for the safe operation of the equipment of such carriers, including the safe transportation of explosives and other dangerous articles. In *United States* v. *Pacific Power Co.*, however, the U.S. District Court for the District of Oregon on August 25, 1960, dismissed all 191 counts of an information on the ground that the Commission has no authority under the aforementioned provisions of section 204(a)(3) to regulate private carriers except as to standards of equipment and qualifications and maximum hours of service of employees.

The Pacific Powder Co. case involved a private carrier whose truck, loaded with dynamite and nitro carbo nitrate, was left unattended in a downtown area of Roseburg, Oreg. During the night a fire, which had broken out in several nearby trash cans, spread to the truck. The truck exploded. Thirteen people were killed and about 125 others were injured. In addition, eight or nine city blocks were almost completely destroyed and property damage was estimated to be between $10 and $12 million. The Department of Justice declined to appeal the decision.

The 1960 amendments to the Transportation of Explosives Act, which made that act applicable to private carriers, will probably preclude the specific problem involved in the Pacific Powder Co. case from arising in the future. However, if allowed to stand, the decision in that case will have a seriously adverse effect on other aspects of motor carrier safety of operations regulations insofar as private carriers of property are concerned. For example, under this decision the Commission's regulations against driving at speeds exceeding those prescribed by the jurisdiction in which the vehicle is being operated and against unsafe loading would no longer apply to private carriers. Also no longer applicable to such carriers would be the Commission's regulations respecting the safe parking and fueling of vehicles, of stopping when involved in an accident and rendering assistance to injured persons, and against transporting unauthorized persons. In addition, there are certain other safety regulations which, although considered by the Commission still to be applicable to such carriers, are now subject, as a result of the decision, to a contrary holding by a court. Included in this gray area are the Commission's regulations prohibiting driving while under the influence of alcohol or while ill or fatigued and its regulations prescribing the use of compulsory equipment such as taillamps, low beams on headlights, flares, and lanterns. In the latter connection it should be noted that without the power to prescribe regulations for the safe operation of vehicles, the Commission is placed in the awkward position of being able to require certain standards of equipment but of being unable to prescribe the manner of their use.

As of June 15, 1962, there were an estimated 82,152 private carriers of property operating 771,864 vehicles in interstate commerce in the United States, not including Hawaii. By comparison there were, as of the same date, 18,587 for-hire carriers, not including carriers of exempt commodities, operating 923,725 vehicles in interstate commerce in this country, excluding Hawaii. With this number of vehicles on the Nation's highways, the incidence of exposure to accidents is very great. This, coupled with the fact that the size and weight of vehicles have steadily increased and that authorized speed limits often reach 60 miles per hour amply illustrates the importance of making it clear in the statute that the Commission's regulations respecting safety of operations are just as applicable to private carriers of property under section 204(a) (3) of the act as they are to common and contract carriers under section 204(a) (1) and (2) thereof.

The following brief descriptions of several recent accidents involving private carriers of property illustrate even more vividly the necessity of making it clear that such carriers are subject in full measure to the Commission's motor carriers safety regulations:

On July 18, 1960, a tractor-semitrailer combination operated by a private carrier, transporting a dismantled merry-go-round, went out of control while descending a long grade into Westfield, N.Y. The truck collided with a station wagon, knocked down a large tree, and smashed into a brick church. The driver of the station wagon was killed, the truckdriver and his helper were injured, and property damage amounted to $46,000. Safety regulations violated, among others, were those relating to driving while ill or fatigued and against consuming alcoholic beverages while on duty.

On January 25, 1961, a tractor-semitrailer combination transporting over 29,000 pounds of fresh and canned meats, allegedly as a private carrier, collided with a postal van near Knoxville, Ill. Two fatalities, three injuries, and approximately $40,000 damage to property resulted therefrom. The investigation report indicated that this accident was caused by the driver of the commercial vehicle who, among other things, was operating in violation of the Commission's safety regulation prohibiting the driving of such vehicles by persons who are ill or fatigued.

On February 13, 1961, near Fosters, Ohio, a tractor-semitrailer combination operated by a private carrier hauling over 27,800 pounds of pipe joints struck a passenger car traveling in the opposite direction. The accident resulted in three fatalities, one injury, and $10,000 property damage. The investigation report of the accident cited the prohibition against the driving of commercial vehicles until the driver has satisfied himself that certain parts and accessories are in good working order as one of the Commission's safety regulations that had been violated.

Since the decision in the Pacific Powder Co. case may establish a precedent for decisions in other district courts, the Commission is of the view that the public interest requires early congressional consideration and enactment of this proposed measure.

S. 680. A bill to amend section 212(a) of the Interstate Commerce Act, as amended, and for other purposes.

JUSTIFICATION ACCOMPANYING SENATE BILL 680

The purpose of the attached draft bill is to subject motor carrier operating authorities to suspension, change, or revocation for willful failure to comply with any rule or regulation lawfully prescribed by the Commission and to provide uniformity between parts II and IV of the Interstate Commerce Act with respect to revocation procedure. It is also designed to permit suspension of motor carrier operating rights, upon notice, for failure to comply with the Commission's insurance regulations.

As section 212(a) of the act now reads the Commission cannot suspend or revoke a certificate except for failure to comply with the provisions of part II "or with any * * * regulation of the Commission promulgated thereunder * * *." The Commission has found this language to be unduly restrictive upon its enforcement powers. For example, regulations prescribed under the Transportation of Explosives Act do not come within the category of regulations promulgated under any provision of part II of the Interstate Commerce Act. The Commission is therefore powerless to suspend or revoke the certificate of any carrier for violations of the Explosives Act or any regulations prescribed thereunder, irrespective of how willful such violations may have been. However, by simply changing the words "of the Commission promulgated thereunder" to "promulgated by the Commission," as proposed in the attached draft bill, the Commission would be able to revoke or suspend certificates for willful or continued noncompliance with any of its lawful rules and regulations. Enactment of this recommended amendment would thus enable the Commission to cope more effectively, in the public interest, with serious violations of any of its applicable rules or regulations and not only those promulgated under part II of the Interstate Commerce Act.

Under the first proviso of section 410(f) of the act, a freight forwarder's permit may be revoked if the holder thereof fails to comply with an order of the Commission commanding compliance with the provisions of part IV, a rule or regulation issued by the Commission thereunder, or the terms, conditions, or limitations of the permit. The failure of a motor carrier to obey such compliance order under the corresponding provisions in section 212(a), however, must be shown to have been willful before its certificate or permit may be revoked. Once disobedience of a compliance order is established, an additional showing of willfulness should not be required. Proof of disobedience should be sufficient. Accordingly, the proposed change would affect only the quantum of proof, and would make motor carrier operating rights revocable in the same manner as freight forwarded operating rights under section 410(f).

The second proviso in section 212(a) provides for the suspension, upon notice, but without hearing, of motor carriers' and brokers' operating authorities for failure to comply with brokerage bond regulations and tariff publishing rules. It does not, however, provide for suspension on short notice for failure to maintain proof of cargo, public liability, and property damage insurance under section 215. As previously indicated, section 410(f) is a counterpart of section 212(a) and contains a provision similar to the second proviso of section 212(a). The second proviso in section 410(f), however, provides for suspension on short notice of freight forwarder permits for failure to comply with the cargo insurance provisions under section 403(c) and the public liability and property-damage insurance provisions under section 403(d).

From the standpoint of the traveling and shipping public there is as much reason to require motor carriers to keep their cargo and public liability and property damage insurance in force as there is to require freight forwarders to keep their insurance in effect. It is therefore desirable to the public interest that the Commission have the authority to suspend motor carrier rights, on short notice, when insurance lapses, or is canceled without replacement, until compliance is effected. The prospect of such action by the Commission should act as a deterrent to violations of this nature. An investigation under section 204(c) is not a satisfactory answer to the problem since such a proceeding may be somewhat lengthy and the public may be adversely affected should losses occur while it is pending.

The proposed change in section 204(c), which relates to investigations and the issuance of compliance orders, would bring that section into conformity with the suggested amendment to section 212(a) by similarly removing the restrictive nature of the present wording.

The amendments proposed in this draft bill would enable the Commission to administer the enforcement provisions of part II of the act more effectively.

S. 681. A bill to amend section 222(b) of the Interstate Commerce Act with respect to the service of process in enforcement proceedings, and for other purposes.

JUSTIFICATION ACCOMPANYING SENATE BILL 681

The attached draft bill would provide the Interstate Commerce Commission with a more effective means of enforcing the motor carrier provisions of the Interstate Commerce Act.

Under section 222(b) of the act the Commission is authorized to institute proceedings to enjoin unlawful motor carrier or broker operations or practices in the U.S. district court of any district in which the carrier or broker operates. Rule 4(f) of the Federal Rules of Civil Procedure, however, limits the service of process in such proceedings to the territorial limits of the State in which the court sits.

In many instances the carriers against whom it is necessary to seek injunctions do not hold operating authority from the Commission and they have not, of course, designated an agent for the service of process as provided in section 221(c) of the act. The operations of such carriers are frequently widespread and it is often desirable to institute the court action in the State where most of their services are performed. This is usually the most convenient place for the majority of persons involved, including necessary witnesses. The illegal operator, himself, however, may avoid service of process by remaining outside of the State and by not stationing within its borders anyone qualified to receive service on his behalf.

Coping with the problem of unlawful operations is further complicated when a large shipper is involved. An injunction against one or several relatively small carriers without the shipper being named permits the shipper to continue his unlawful activities by using individual truckers or small carriers against whom no previous action has been taken. It is therefore frequently desirable and often critically important, that such shipper, as well as the carriers, be enjoined from participating in further violation of the law or the Commission's rules and regulations thereunder. In some instances, however, the Commission has been unable to obtain service of process upon both the carriers and the shipper because they were not located within the territorial limits of the same State.

The decision of the court in *Interstate Commerce Commission* v. *Blue Diamond Products Company* (192 F. 2d 43), precludes the Commission from proceeding against a shipper without proceeding against the carrier. The Commission does not disagree with the principle of that case. However, it is of the view, and the draft bill would so provide, that it should be able to institute a civil action against a carrier in any State in which the carrier operates and to join in such action any shipper, or any other person participating in the violation, without regard to where the carrier or the shipper or such other person may be served.

The problem presented has been particularly troublesome in the efforts of the Commission to control so-called pseudo private carriage, i.e., for-hire carriers claiming, without basis, to be engaged in private transportation for the purpose of evading the economic regulation to which common and contract carriers are subject. The seriousness of these unlawful operations was recognized by the Congress when, as a part of the Transportation Act of 1958, it amended section 203(c) of the Interstate Commerce Act so as to more clearly define what constitutes bona fide private carriage. However, because of the inability of the Commission, under present law, to get both the responsible shipper and the carrier before the court, its efforts at effective enforcement is, in many cases, thwarted.

The proposed amendment would make more effective the original intent of the Congress in enacting section 222(b) and would aid the Commission substantially in its efforts to administer and enforce the act.

In order to make the provisions of section 222(b) harmonize with changes recommended by the Commission in section 212(a) of the act (See Legislative Recommendation No. 10, 76th Annual Report), the draft bill further provides that section 222(b) shall apply to any lawful rule, regulation, requirement, or order promulgated by the Commission.

At present, the pertinent provision of section 222(b) refers only to rules, regulations, requirements, or orders promulgated under part II of the act.

S. 682. A bill to make the civil forfeiture provisions of section 222(h) of the Interstate Commerce Act applicable to unlawful operations and safety violations by motor carriers, and for other purposes.

JUSTIFICATION ACCOMPANYING SENATE BILL 682

The purpose of the attached draft bill is to provide the Interstate Commerce Commission with a more effective means of coping with the spread of illegal and so-called gray area motor carrier operations which are undermining the strength of the Nation's regulated common carrier system. It is also designed to buttress the Commission's intensified motor carrier safety enforcement program.

Under existing law, procedures for dealing with certain motor carrier violations are often slow and cumbersome, and frequently ineffective. Criminal prosecutions, for example, must be brought in the district in which the violations occurred. Thus, in the case of multiple violations by a carrier with extensive territorial operations it may be necessary to institute separate actions in several district courts if all of the violations are to be covered. Civil forfeiture proceedings, on the other hand, may be instituted in the district in which the carrier maintains its principal office, where it is authorized to operate, or where it can be found. Moreover, less time is needed for investigating violations because of the difference in quantum of proof require in such proceedings.

Under the proposed amendment a civil forfeiture action could be brought against a for-hire motor carrier for transporting property without a required certificate or permit. Such action would be available whether or not the carrier had taken steps to give the operation an appearance of legality, but the principal enforcement advantage that would accrue would be when the operator, by means of an alleged vehicle lease or an alleged purchase of the commodity hauled, has attempted to give the operation an appearance of private carriage. More specifically, an owner of a vehicle may enter into a vehicle lease arrangement with a manufacturer under which the manufacturer allegedly uses the vehicle in private carrier operations. Such arrangements range all the way from a bona fide lease of a vehicle, at one extreme, to an obvious sham at the other. No enforcement action is, of course, involved in the case of a bona fide lease. The obvious shams, however, are the subject of criminal prosecution.

While there are a number of vehicle arrangements which the Commission believes to be illegal for-hire carriage by the vehicle owner, it is doubtful that a criminal conviction could be secured because of the necessity of showing knowledge and willfulness and proving guilt beyond a reasonable doubt. In addition, in a criminal proceeding there can be no appeal from an acquittal. Such cases are now handled in the civil courts, but an injunction against such operations in the future is all that can be secured. The possibility of a civil injunction action, where there is no pecuniary penalty or criminal stigma involved, has very little effect as a deterrent to would-be violators. A civil forfeiture action, such as that proposed, carrying with it substantial monetary penalties should, on the other hand, have a strong deterrent effect against questionable leasing arrangements.

Operations sometimes referred to as "buy and sell" operations are very similar in effect. By allegedly purchasing merchandise the transporter represents the operation to be private carriage. As in the case of leasing arrangements these operations have many variations, some of which present close questions as to whether the operation constitutes for-hire carriage. Some are obviously illegal for-hire operations and are handled as criminal cases. Others, however, are not so clearly unlawful as to warrant criminal action for the reasons stated above in connection with questionable leasing arrangements, but which, in the Commission's view, are nevertheless unlawful.

Such operations may be continued for substantial periods during the pendency of a civil injunction proceeding and before a cease-and-desist order is issued by the court. If the proposed amendment were enacted a number of these cases could be made the subject of a civil forfeiture action in which, if successful, the operator would suffer a money judgment or forfeiture.

Enactment of the proposed legislation would also greatly facilitate the Commission's enforcement activities in the important area of motor carrier safety. Although a very high percentage of cases involving violations of the Commission's safety regulations are disposed or by pleas of guilty or nolo contendere, investigations looking toward such prosecutions are nevertheless extremely time consuming because of the necessity of proving to the court every element of the alleged criminal offense. Since the quantum of proof required in a civil forfeiture proceeding is not as great as that required in a criminal action, a substantial amount of the time that must now be spent in preparing for criminal prosecutions in such cases could be devoted to handling a larger number of civil forfeiture proceedings.

The Commission's efforts at more effective and expeditious enforcement would also be greatly enhanced if it were authorized to institute forfeiture proceedings directly in the courts instead of proceeding through the Department of Justice as it is now required to do. Delays would be avoided not only by eliminating the mechanics involved in taking the extra step, but also by the elimination of such delays as may be caused by the time consumed in convincing the U.S. attorney that an action should be filed.

These proposed amendments, coupled with a substantial increase in the amount of the forfeitures prescribed, would strengthen the Commission's hand considerably in dealing with some of the principal factors contributing to the decline of regulated common carriers.

S. 683. A bill to amend the Interstate Commerce Act so as to authorize the Interstate Commerce Commission, under certain circumstances, to deny, revoke or suspend, operating authority granted under part II of the Act, or to order divestiture of interest, and for other purposes.

JUSTIFICATION ACCOMPANYING SENATE BILL 683

The purpose of the attached draft bill is to give the Interstate Commerce Commission specific authority to revoke or suspend operating authority, or order divestiture of interest, under certain circumstances. First, the Commission must find that either the operating authority, or a facility or instrumentality operated or employed in connection with such operating authority, has been used to commit, or aid and abet in the commission of, a felony, or, in connection with an application for operating authority, perjury, or subornation of perjury, has been committed. Secondly, the Commission must find that the carrier's or broker's conviction or that a director, officer, or other person convicted of such crime has such an interest in the motor carrier or broker that such conviction affects the fitness of the carrier or broker to operate as such under the provisions of the Act. The Commission, at the present time, has no authority to revoke a certificate solely because a carrier is engaged in some undesirable or even criminal activity.

The law directs the Commission to issue certificates or permits upon a showing, among other things, that the applicant is fit, willing, and able to perform the proposed transportation. It has been said, however, that the issue of fitness is limited to fitness in connection with the performance of motor transportation such as safety of operations, and does not embrace other activities or habits of the applicant.

The Commission is of the view that investigations of criminal activities, other than violations of the Interstate Commerce Act and related acts, are matters peculiarly within the province of some agency other than the Interstate Commerce Commission. The Commission is of the further view that it is not now qualified to function in the capacity of a criminal court. Moreover, it would be a virtually impossible task for the Commission to undertake to investigate the moral character of all those who apply for operating authority.

While the Commission is convinced that it should not become the "keeper of the morals" of the transportation industry, nevertheless, it is equally convinced that it should lend its weight to efforts to stamp out crime wherever it arises within the motor carrier industry it regulates. The Commission strongly believes that its authority with respect to both denial and revocation should especially be relevant to the conduct of the transportation business. Motor carriers and brokers must be fit to conduct their business, and the jurisdiction of the Commission requires that our judgment must be responsible to that purpose.

Accordingly, we believe that the appropriate sections of the act should be amended to clarify the Commission's authority to deny, and to give it authority to revoke, or suspend, operating authority, or to order divestiture of interest, under the circumstances hereinabove set forth. The primary Federal responsibility for dealing directly with organized crime rests, in large part, with the FBI. The Commission believes, therefore, that its activity in this field should be limited and should be a corollary to the action taken by a duly authorized law enforcement organization.

S. 684. A bill to clarify certain provisions of part IV of the Interstate Commerce Act and to place transactions involving unifications or acquisitions of control of freight forwarders under the provisions of section 5 of the act.

JUSTIFICATION ACCOMPANYING SENATE BILL 684

The present provisions of part IV of the Interstate Commerce Act concerning ownership, control, and operation of freight forwarders are extremely confusing and, in some instances, apparently conflicting. The attached draft bill would clarify this situation by making freight forwarders subject to the provisions of section 5 of the act.

Section 411(a) of the act prohibits a freight forwarder or any person (defined in sec. 402 as including an individual, firm, and corporation) controlling a freight forwarder from acquiring control of a carrier subject to part I, II, or III of the act. Expressly excepted from this prohibition is the right of any carrier subject to part I, II, or III to acquire control of any other carrier subject to those parts in accordance with the provisions of section 5 of the act. In addition, under section 411(g) it is lawful for a common carrier subject to part I, II, or III or any person controlling such a common carrier to acquire control of a freight forwarder.

Taken together these three provisions lead to the following confusing results: A person who initially gains control of a common carrier can subsequently acquire control of a freight forwarder, but a person cannot first acquire control of a freight forwarder and then acquire control of a common carrier; a person who acquires control of a common carrier and a freight forwarder, in that order, cannot later acquire control of another common carrier, although the common carrier controlled by such person can acquire control of another common carrier.

To add to the confusion section 411(c) precludes any director, officer, or employee of a common carrier subject to part I, II, or III from directly or indirectly owning, controlling, or holding stock in a freight forwarder in his personal percuniary interest. This leads to the rather unusual result that under section 411(g) a person may control both a carrier and a freight forwarder but, in view of section 411(c), this control must be exercised in some manner as not to include being an officer, director, or employee of the carrier.

It may therefore readily be seen why it is so difficult, if not at times impossible, to reconcile the language in the various sections discussed and give them meaning. If opportunity to engage in objectionable practices exists, it seems clear that it is a product of the common control of a carrier and a forwarder rather than the form whereby such common control is accomplished.

The draft bill would remove uncertainty and confusion about the meaning of the language in question by amending section 5 so as to place thereunder all acquisitions of control, mergers, consolidations, or unifications involving freight forwarders. The number of freight forwarders is so small that the increase in section 5 proceedings would be insignificant compared to the benefits to be derived from clarification of the law.

Four amendments to section 5 are necessary. Paragraph (13) would be changed to embrace freight forwarders subject to part IV within the definition of the word "carrier" as used in paragraphs (2) through (12). Paragraph (3) would also be modified to make the reporting and accounting provisions of part IV applicable to a noncarrier person authorized under section 5 to acquire control of a freight forwarder. A new sentence would be added to paragraph (4) in order to preserve the legality of existing common control relationships involving freight forwarders. Finally, paragraph (2)

(a) would be amended to preclude approval, under revised section 5, of a common carrier, subject to part I, II, or III, holding a permit as a freight forwarder. This is in keeping with the retention of the present prohibition in section 410(e) of such unification of operating rights in a single entity. Otherwise substantial confusion would result among shippers as to the capacity in which the carrier was serving.

Several changes also are required in part IV in order to make it comport with amended section 5. The prohibition in section 404 (c) respecting a common carrier giving undue preference or advantage to any freight forwarder would be reworded so as to be applicable to a freight forwarder controlling or under common control with such carrier as well as to one controlled by it.

As previously noted the proscription in the second sentence of section 410(c) against issuance of a freight forwarder permit to any common carrier subject to parts I through III would be retained. However, the language immediately following, beginning with the words "but no application," would become unnecessary as a result of the other amendments, and would therefore be deleted.

Subsection (g) of section 410 would be changed by addition of the following phrase at the beginning thereof: "Except as provided in section 5 of this act,". This language would preserve the existing law respecting transfers of freight forwarder permits in transactions which will not be subject to the provisions of amended section 5—for example, the transfer of a freight forwarder permit to a person which is neither a carrier nor a forwarder, and is not affiliated therewith. Similar provisions are applicable to transfers of motor carrier and water carrier operating rights in sections 212(b) and 312 of parts II and III, respectively.

In order to complement the prohibition in subsection (c) of section 410 against a common carrier holding a freight forwarder permit, subsection (h) would be amended so as to make it clear that a person holding a permit under part IV could not be authorized to engage in carrier operations under parts I, II, or III.

Section 411 would be amended by striking subsection (a), whose provisions have been superseded, and by redesignating subsections (b) and (c) as (a) and (b), respectively. Redesignated subsection (b) would be revised to empower the Commission to approve the holding of stock in a freight forwarder by a person affiliated with a carrier subject to parts I, II, or III. Subsections (d), (e), and (f) would be redesignated as subsections (c), (d), and (e) respectively. Finally, subsection (g) would be deleted as no longer necessary.

The Commission believes that the attached draft bill would accomplish a much needed clarification of part IV of the Interstate Commerce Act and recommends its favorable consideration by the Congress.

S. 685. A bill to amend the Interstate Commerce Act and certain supplementary and related Acts with respect to the requirement of an oath for certain reports, applications, and complaints filed with the Interstate Commerce Commission.

JUSTIFICATION ACCOMPANYING SENATE BILL 685

The purpose of the attached draft bill is to eliminate from various statutes administered by the Interstate Commerce Commission the mandatory requirement that certain reports, applications, and complaints be made under oath, and to authorize the Commission to impose such requirement at its discretion.

Under section 20(2) of part I and comparable provisions in other parts of the Interstate Commerce Act, the annual reports of the carriers are required to be filed with the Commission under oath. The oath requirement is also mandatory for reports filed under section 1 of the Accident Reports Act and section 9 of the Locomotive Inspection Act. By contrast, such requirement is discretionary with the Commission with respect to periodical or special reports filed under section 20(2) and various other provisions of the Interstate Commerce Act, and there is no statutory requirement at all of an oath for reports submitted by conferences, bureaus, and other organizations formed pursuant to section 5a of the act or for periodical and special reports filed under section 20b(6), relating to railroad securities modifications.

In addition to the mandatory requirement of an oath for the above-mentioned reports, an oath is also required for applications filed by railroads and motor carriers under sections 20a(4) and 214 of the act, respectively, for authority to issue securities, and for applications for exemption from regulation filed under section 204(a)(4a) by motor carriers operating solely within a single State. An oath is similarly required with respect to applications filed under section 77(p) of the Bankruptcy Act for Commission approval to solicit, use, or act under proxies, authorizations, or deposit agreements in railroad reorganization proceedings.

Other mandatory oath requirements are found in those provisions of the act governing the filing of applications for motor carrier, water carrier, and freight forwarder operating authorities and complaints involving the rates of motor contract carriers and water common and contract carriers. No comparable requirements are imposed, however, with respect to complaints involving the rates of railroads, pipelines, or express companies subject to part I; motor common carriers subject to part II; or freight forwarders subject to part IV of the act, respectively.

The foregoing oath requirements are, in the Commission's opinion, both unnecessary and burdensome. Section 35 of the Criminal Code (18 U.S.C. 1001) imposes penalties of fine and imprisonment for knowingly making false statements or representations to Federal administrative agencies, and these provisions have been construed to apply to the giving of false information even though not under oath. Moreover, penalties for knowingly making false statements in carrier reports are contained in section 20(7)(b) and comparable provisions in other parts of the Interstate Commerce Act. In view of these statutory provisions against the giving or filing of false information, it seems clear that the mandatory oath requirements in the laws administered by the Commission no longer serve any useful purpose. On the contrary, they are burdensome to the carriers and cause delays and inconveniences in the processing of reports and other documents because of the necessity of returning them to the carriers for authentication when the oath has been inadvertently omitted.

The Commission therefore recommends enactment of the provisions in the attached draft bill which would make the present mandatory oath requirements discretionary with the Commission. Retention of discretionary authority would enable the Commission to require an oath should the need arise.

NOTICE OF MOTION TO AMEND THE STANDING RULES OF THE SENATE

Mr. PROUTY submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend the Standing Rules of the Senate for the purpose of proposing an amendment to the substitute offered by the Senator from Minnesota [Mr. HUMPHREY] for the resolution offered by the Senator from New Mexico [Mr. ANDERSON] known as Senate Resolution 9.

This proposed new rule relates to the assignment of the professional and clerical staff members of the standing committees, subcommittees, and special and select committees of the Senate, to duties designated for them by the majority and minority members of such committees.

Such new rule shall read as follows:

"RULE XLI

"Minority staff members

"1. Each standing committee of the Senate (other than the Committee on Appropriations) is authorized to appoint by majority vote of the committee not more than five professional staff members in addition to the clerical staffs on a permanent basis without regard to political affiliations and solely on the basis of fitness to perform the duties of the office; and said staff members shall be assigned to the chairman and ranking minority member of such committee as the committee may deem advisable, except that whenever a majority of the minority members of such committee by resolution adopted by them so request, at least 40 percent of such professional staff members shall be appointed by majority vote of the minority members of such committee and shall be assigned to such committee business as the minority members of such committee deem advisable. Services of professional staff members appointed by majority vote of the committee may be terminated by majority vote of the committee and services of professional staff members appointed by a majority vote of the minority members of such committee may be terminated by majority vote of such minority members. Professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them.

"2. The clerical staff of each standing committee of the Senate (other than the Committee on Appropriations), which shall be appointed by a majority vote of the committee, shall consist of not more than seven clerks to be attached to the office of the chairman, to the ranking minority member, and to the professional staff, as the committee may deem advisable, except that whenever a majority of the minority members of such committee by resolution adopted by them so request, at least 40 percent of such clerks shall be appointed by majority vote of such minority members. The clerical staff shall handle committee correspondence and stenographic work, both for the committee staff and for the chairman and ranking minority member on matters related to committee work, except that if members of the clerical staff are appointed by the minority members of such committee, such clerical staff members shall handle committee correspondence and stenographic work for those members of the committee staff appointed by such minority members, and for the minority members, on matters related to committee work.

"3. In any case in which, pursuant to one or more resolutions of the Senate, a standing or select committee of the Senate, or any subcommittee of any such committee, is authorized to employ on a temporary basis one or more employees, such amount (not to exceed 40 percent of the funds available or to be used for payment of the salaries of all such employees) as may be requested by a majority of the minority members of such committee shall be used for the payment of the salaries of an employee or employees selected for appointment by majority vote of such minority members. Any employee or employees so selected shall be appointed and shall be assigned to such committee or subcommittee business as such minority members deem advisable.

"4. Nothing in this rule is to be construed as requiring a reduction in the number of professional or clerical staff members authorized prior to the adoption of this rule to be employed by any committee of the Senate, or subcommittee thereof, or in the percentage of such members presently authorized to be appointed by the minority membership of any such committee or subcommittee."

NOTICE OF MOTION TO AMEND THE STANDING RULES OF THE SENATE

Mr. PROUTY submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend the Standing Rules of the Senate for the purpose of adding a new rule relating to the assignment of the professional and clerical staff members of the standing committees, subcommittees, and special and select committees of the Senate, to duties designated by majority and minority members of such committees.

Such new rule shall read as follows:

"RULE XLI

"Minority staff members

"1. Each standing committee of the Senate (other than the Committee on Appropriations) is authorized to appoint by majority vote of the committee not more than five professional staff members in addition to the clerical staffs on a permanent basis without regard to political affiliations and solely on the basis of fitness to perform the duties of the office; and said staff members shall be assigned to the chairman and ranking minority member of such committee as the committee may deem advisable, except that whenever a majority of the minority members of such committee by resolution adopted by them so request, at least 40 percent of such professional staff members shall be appointed by majority vote of the minority members of such committee and shall be assigned to such committee business as the minority members of such committee deem advisable. Services of professional staff members appointed by majority vote of the committee may be terminated by majority vote of the committee and services of professional staff members appointed by a majority vote of the minority members of such committee may be terminated by majority vote of such minority members. Professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them.

"2. The clerical staff of each standing committee of the Senate (other than the Committee on Appropriations), which shall be appointed by a majority vote of the committee, shall consist of not more than seven clerks to be attached to the office of the chairman, to the ranking minority member, and to the professional staff, as the committee may deem advisable, except that whenever a majority of the minority members of such committee by resolution adopted by them so request, at least 40 percent of such clerks shall be appointed by majority vote of such minority members. The clerical staff shall handle committee correspondence and stenographic work, both for the committee staff and for the chairman and ranking minority member on matters related to committee work, except that if members of the clerical staff are appointed by the minority members of such committee, such clerical staff members shall handle committee correspondence and stenographic work for those members of the committee staff appointed by such minority members, and for the minority members, on matters related to committee work.

"3. In any case in which, pursuant to one or more resolutions of the Senate, a standing or select committee of the Senate, or any subcommittee of any such committee, is authorized to employ on a temporary basis one or more employees, such amount (not to exceed 40 per centum of the funds available or to be used for payment of the salaries of all such employees) as may be requested by a majority of the minority members of such committee shall be used for the payment of the salaries of an employee or employees selected for appointment by majority vote of such minority members. Any employee or employees so selected shall be appointed and shall be assigned to such committee or subcommittee business as such minority members deem advisable.

"4. Nothing in this rule is to be construed as requiring a reduction in the number of professional or clerical staff members authorized prior to the adoption of this rule to be employed by any committee of the Senate, or subcommittee thereof, or in the percentage of such members presently authorized to be appointed by the minority membership of any such committee or subcommittee."

EXTENSION FOR 1 YEAR OF CERTAIN PROVISIONS OF PUBLIC LAWS 815 AND 874—ADDITIONAL COSPONSOR OF BILL

Mr. DODD. Mr. President, at its next printing, I ask unanimous consent that the name of the distinguished junior Senator from Rhode Island [Mr. PELL] be added as a cosponsor of the bill (S. 236) to extend for 1 year certain provisions of Public Laws 815 and 874 and to amend the definition of the term "real property" with respect to such laws, introduced by me on January 15, 1963.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF DAVIS-BACON ACT—ADDITIONAL COSPONSOR OF BILL

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the name of the distinguished junior Senator from Nevada [Mr. CANNON] be added as a cosponsor of S. 450, a bill to amend the Davis-Bacon Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

MIGRATORY AGRICULTURAL WORKERS—ADDITIONAL SPONSOR OF BILLS

Mr. HOLLAND. Mr. President, several days ago the Senator from New Jersey [Mr. WILLIAMS] introduced a group of bills relating to migratory agricultural workers, their families and dependents. I understand that the bills are still at the desk, awaiting the addition of the names of Senators who may wish to join in sponsoring them. I am glad to join the distinguished Senator from New Jersey and other Senators in the sponsorship of Senate bill 522, the day care nursery bill which encourages the setting up of nurseries to take care of the younger children of the migrant workers. I ask that my name be added as a cosponsor of Senate bill 522.

The PRESIDING OFFICER. The addition will be made.

Mr. HOLLAND. Mr. President, I also am happy to join the Senator from New Jersey [Mr. WILLIAMS] and other Senators in the sponsorship of Senate bill 526 to amend the Public Health Service Act, so as to help farmers in providing sanitary facilities for their migrant workers. I ask that my name be added as a cosponsor of Senate bill 526.

The PRESIDING OFFICER. The addition will be made.

Mr. HOLLAND. At the same time, Mr. President, I want it definitely understood that I shall vigorously oppose other bills of the group. There may be one or two others which I shall support, after further study.

However, I certainly join in the sponsorship of the two bills I have mentioned, and I shall work as strongly as I can for their enactment.

HONORARY AMERICAN CITIZENSHIP FOR WINSTON CHURCHILL—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. YOUNG of Ohio. Mr. President, during the 2d session of the 87th Congress, I introduced a joint resolution to confer honorary citizenship upon Winston Churchill, and I reintroduced it on January 14, the first day on which Senators had the opportunity to introduce legislation. At that time my distinguished colleague from Ohio [Mr. LAUSCHE], the distinguished senior Senator from Oregon [Mr. MORSE], and the distinguished senior Senator from Tennessee [Mr. KEFAUVER] joined with me in sponsoring this resolution.

Subsequently, on January 16, I received unanimous consent to add Senators HUMPHREY, YARBOROUGH, GRUENING, BARTLETT, INOUYE, BOGGS, WILLIAMS of New Jersey, and BYRD of West Virginia as additional cosponsors of this measure.

Since that time four more of our distinguished colleagues have requested that I add their names as cosponsors of the joint resolution. I am happy to do so. Therefore, at its next printing, I ask unanimous consent that the names of the following Senators be added as cosponsors of Senate Joint Resolution 5 to confer honorary citizenship of the United States on Winston Churchill: Mr. JAVITS, Mr. ENGLE, Mr. PELL, and Mr. MCGOVERN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, will the Senator from Ohio yield to me?

Mr. YOUNG of Ohio. I yield.

Mr. YARBOROUGH. I desire to commend the distinguished Senator from Ohio for his leadership in this resolution. It has been pointed out in numerous news articles in recent days that the only other foreigner upon whom such American citizenship was conferred was Lafayette, and that was not by act of Congress, but as a result of his having been a citizen of the States of both Virginia and Maryland at the time the Constitution was adopted. Under the Constitution, having been a citizen of a State or States, he became a citizen of the United States. I think by the services he rendered to America and to Europe, Lafayette showed his leadership in the cause of freedom. Churchill has an equal reputation, which cannot be questioned, for his leadership in the fight for human liberty which encompassed every country on this earth.

I am happy to be a cosponsor of this joint resolution with the distinguished junior Senator from Ohio, which would confer honorary American citizenship upon the Right Honorable Winston Churchill. If any citizen of any other nation in the world is entitled to have honorary American citizenship conferred upon him, it certainly is Winston Churchill.

In view of the fact that he is aged, is no longer in political activity, and is a distinguished historical author, I am hopeful that Congress will act on this proposal while Churchill is still on this earth and still in possession of his faculties and in a position to appreciate his receipt of American citizenship. With becoming modesty, he has said this is not something for him to comment on; that while he will accept the honorary citizenship with humility and pride, it would not be proper for him to comment on it. I hope Congress will act soon on the matter.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield to the Senator from New York.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. JAVITS. I should like to be recognized in my own right. I merely wish to say to the Senator from Ohio that I should like very much to be a cosponser of his joint resolution, if he would be kind enough to ask unanimous consent that that be done.

Mr. YOUNG of Ohio. I am delighted to inform my colleague that I have just done so. The Senator is a distinguished lawyer, and I am proud to have him as a cosponsor of the proposed legislation. I also appreciate very much the statement made by the distinguished senior Senator from Texas.

Mr. JAVITS. There will be some legal questions involved in connection with the Senator's proposal, because a citizen of the United States must be a citizen of a State. However, I am confident that a way can be found, through proper legal procedures, to bring about what the Senator from Ohio desires to do. I am confident that a way can be devised to tell Winston Churchill what the Senator from Ohio wishes to tell him, namely, that we respect and admire him as a citizen of the United Kingdom and as a citizen of the world, and that our admiration for him is so great that Congress desires to honor him.

If ever there was an hour when Britain needed a friend, it is now; and it is certainly timely that the Senator from Ohio should act as he has; and many of us feel motivated to join him in his proposed action.

Whatever may be the legal difficulties—and I am sure we will surmount them—let us be certain to tell Winston Churchill what we think of him and of his services to mankind, and through him to tell the British people that they are among the greatest friends we have in the world.

Mr. MAGNUSON. I was about to suggest what the Senator from New York has suggested. As a lawyer, the proposal of the Senator from Ohio has bothered me a little. We may have a great deal of difficulty in making anyone a Federal citizen, as such. But I believe we all agree with what the Senator from Ohio and the Senator from New York have suggested, that we would like to do what is proposed. I am hopeful that in the meantime one of our States—perhaps Texas, Ohio, New York, or Washington—may offer honorary citizenship to Winston Churchill. In that way the legal problem would be solved.

Mr. YOUNG of Ohio. I thank the Senator.

LEGISLATIVE AUTHORITY TO SELECT COMMITTEE ON SMALL BUSINESS—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. KUCHEL. Mr. President, at the request of the distinguished junior Senator from Vermont [Mr. Prouty], I ask unanimous consent that at the next printing of Senate Resolution 30 the name of the distinguished senior Senator from Illinois [Mr. Douglas] may be added as a cosponsor. The resolution seeks to provide full legislative authority to the Select Committee on Small Business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of January 22 and 28, 1963:

S. 415. A bill to amend Public Laws 815 and 874, 81st Congress, in order to extend for 1 year certain expiring provisions thereof, and for other purposes: Mr. Pastore, Mr. Randolph, Mr. Bible, Mr. Young of Ohio, Mr. Fong, Mr. Long of Missouri, Mr. Gruening, Mr. McGee, Mr. Cannon, Mr. Hart, and Mr. Brewster.

Authority of January 23, 1963:

S. 432. A bill to accelerate, extend, and strengthen the Federal air pollution control program: Mr. Mansfield, Mr. Humphrey, Mr. Kuchel, Mr. Randolph, Mr. Young of Ohio, Mr. Boggs, Mr. Bartlett, Mr. Bible, Mr. Brewster, Mr. Cannon, Mr. Dodd, Mr. Inouye, Mr. Long of Missouri, Mr. McGee, Mr. Morse, Mr. Nelson, Mr. Pell, and Mr. Williams of New Jersey.

Authority of January 24, 1963:

S. 521. A bill to provide financial assistance to the States to improve educational opportunities for migrant agricultural employees and their children: Mr. Metcalf, Mr. Long of Missouri, Mr. Inouye, Mr. Case, Mr. Javits, Mr. Pell, Mr. Morse, and Mr. Randolph.

S. 522. A bill to amend the act establishing a Children's Bureau so as to assist States in providing for day-care services for children of migrant agricultural workers: Mr. Metcalf, Mr. Long of Missouri, Mr. Inouye, Mr. Holland, Mr. Javits, Mr. Randolph, Mr. McCarthy, Mr. Scott, Mr. Young of Ohio, Mr. Cooper, Mr. Pell, Mr. Smathers, and Mr. Morse.

S. 523. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes: Mr. Metcalf, Mr. Long of Missouri, Mr. Inouye, Mr. Randolph, Mr. McCarthy, Mr. Young of Ohio, Mr. Scott, Mr. Javits, and Mr. Pell.

S. 524. A bill to provide for the registration of contractors of migrant agricultural workers, and for other purposes: Mr. Metcalf, Mr. Keating, Mr. Inouye, Mr. McCarthy, Mr. Young of Ohio, Mr. Scott, Mr. Javits, and Mr. Morse.

S. 525. A bill to provide for the establishment of a council to be known as the "National Advisory Council on Migratory Labor": Mr. Metcalf, Mr. Inouye, Mr. Randolph, Mr. McCarthy, Mr. Young of Ohio, Mr. Javits, and Mr. Morse.

S. 526. A bill to amend the Public Health Service Act so as to establish a program to assist farmers in providing adequate sanitation facilities for migratory farm laborers: Mr. Metcalf, Mr. Long of Missouri, Mr. Inouye, Mr. Holland, Mr. Randolph, Mr. McCarthy, Mr. Young of Ohio, Mr. Cooper, Mr. Javits, Mr. Smathers, and Mr. Morse.

S. 527. A bill to amend the act of June 6, 1933, as amended, to authorize the Secretary of Labor to develop and maintain improved, voluntary methods of recruiting, training, transporting, and distributing agricultural workers, and for other purposes: Mr. Metcalf, Mr. Inouye, Mr. McCarthy, Mr. Young of Ohio, Mr. Javits, Mr. Pell, and Mr. Morse.

S. 528. A bill to amend the Fair Labor Standards Act, 1938, as amended, to provide for minimum wages for certain persons employed in agriculture, and for other purposes: Mr. Metcalf, Mr. Inouye, Mr. McCarthy, Mr. Young of Ohio, Mr. Scott, and Mr. Javits.

S. 529. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture: Mr. Metcalf, Mr. Inouye, Mr. McCarthy, and Mr. Young of Ohio.

Authority of January 28, 1963:

S. 557. A bill to amend the Tariff Act of 1930 to impose additional duties on cattle, beef, and veal imported each year in excess of annual quotas: Mr. Mechem, Mr. Young of North Dakota, Mr. Jordan of Idaho, Mr. Bennett, Mr. Tower, Mr. McGee, and Mr. Goldwater.

Authority of January 30, 1963:

S. 601. A bill to authorize and direct that the national land reserve and certain other lands exclusively administered by the Secretary of the Interior be managed under principles of multiple use and to produce a sustained yield of products and services, and for other purposes: Mr. McGee.

NOTICE OF HEARING ON RIGHT-OF-WAY POLICY FOR PRIVATE TRANSMISSION LINES CROSSING FEDERAL LANDS

Mr. ANDERSON. Mr. President, I would like to announce at this time that hearings before the full Interior and Insular Affairs Committee on the proposed Government right-of-way policy for private transmission lines crossing Federal lands will be held in room 3110, Senate Office Building, on February 27, 1963, at 10 a.m.

In addition to others, both the Secretary of the Interior and the Secretary of Agriculture have been invited to testify at the hearings.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. HARTKE:

Article entitled "Who's Right in Rail-Bus Row?" written by Senator Williams of New

Jersey and published in the current issue of Metropolitan Transportation, dealing with future urban transportation needs.

ROBERT H. O'BRIEN

Mr. MANSFIELD. Mr. President, the great State of Montana is always proud when one of its native sons makes good. The latest in a long list of Montanans who have brought honor to themselves and to the State is Mr. Robert H. O'Brien, recently named president of Metro-Goldwyn-Mayer motion pictures.

Mr. O'Brien was born in Helena, and worked in various enterprises in the State, including cattle ranching and mining engineering, before his career drew him eastward. After several years as a Government lawyer, he switched to private industry. Since then, his rise to the top of a highly challenging business has been sure and steady. This unusual success story of a film president who never served the standard apprenticeship in the industry is described in a recent article written by John M. Lee, and published in the New York Times western edition. Mr. President, I ask that the article be printed in the Congressional Record at the close of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Personality: MGM Chief Robert H. O'Brien—President Started in the Film Industry at the Top—Approach to Movie Business Is Cool and Analytical

(By John M. Lee)

New York.—The motion picture industry once projected an image of technicolored corporate executives, many of them pioneer moviemakers, some of them willful, even bizarre, contrasting with the custom corporate behavior in more prosaic fields.

But the industry has declined, challenged by television and plagued by a shrinking market. The old power of the studios has shifted to the stars and the independent producers.

Financial reverses have precipitated corporate upheaval, and Wall Street has become increasingly insistent upon keeping the klieg lights focused on profit-and-loss statements. As part of the transition, the movie men heading the major studios have been succeeded by businessmen.

The newest arrival at the top rank of Hollywood executives confirms this trend. He is Robert Hector O'Brien, 58, who was elected president of Metro-Goldwyn-Mayer, Inc., this month.

Mr. O'Brien has no background in the amusement park business. He can claim no humble beginning as a part-time movie usher. He entered the motion picture industry in 1945 at the top and has since held high administrative and financial posts.

A lawyer by training, he is a former member of the Securities and Exchange Commission (1942–44). About 25 years ago, he was a key Government administrator in the financial simplification of public utility holding companies. Mr. O'Brien has such a diverse background that in the course of discussing a new Cinerama production, he draws an illustrative anecdote from the Commonwealth & Southern suit challenging the Tennessee Valley Authority.

"I'm no mogul," was his light disclaimer this week when interviewed concerning his new position.

Mr. O'Brien is a tall man, portly, gray haired, with a bright, bluff face. His manner is cordial, his comments candid and his approach cool and analytical.

He occupies a warm, paneled office, faintly old-fashioned in appearance, on the seventh floor of the Loew Building, 1540 Broadway at Times Square. A protective pad keeps his swivel chair from wearing out the carpet.

When a visitor expressed surprise in not finding Mr. O'Brien in more ostentatious settings, the MGM executive replied, "I'm not at all conscious of my surroundings. My wife could redecorate the entire apartment, and I would never notice."

During the conversation, Mr. O'Brien got up from his desk often, strode behind his high-back chair, planted his hands on the back, as though on a lectern, and continued his remarks. Restless, he lit cigarettes frequently but seldom smoked them halfway.

Mr. O'Brien, formerly executive vice president and treasurer, had been regarded for some time as the apparent successor to Joseph R. Vogel, who had been president since 1956 and who had piloted the company through a succession of crises in the late fifties.

In the executive alinement earlier this month, Mr. Vogel, 68, was named chairman, succeeding George L. Killion, who replaced Mr. Vogel on the executive committee.

The executive shuffle followed a disappointing fiscal year, when earnings in the period ended August 31 tumbled to $2,589,000, or $1.01 a share, from $12,677,000, or $5.02 a share in the preceding year.

Mr. Vogel had been criticized for the confusions surrounding production of "Mutiny on the Bounty." The quarterly financial statement showed the company was in the red. In this setting, the industry speculated that Mr. O'Brien had been moved into the presidency earlier than planned, in an effort to put on a new financial face. Variety, the trade paper, headlined its account of Mr. Vogel's shift, "Hero today, gone tomorrow."

Mr. O'Brien was born in Helena, Mont., on September 15, 1904. He is enthusiastic about the natural wonders of his native State, and he finds his greatest recreation in Montana's trout streams.

He attended Beloit College from 1923 to 1925, worked on a newspaper, as a rancher and in the Anaconda copper mines as an engineer before entering the University of Chicago. He received his law degree in 1933. After a short period of practice he joined the legal department of the Public Works Administration and later the SEC. He was director of the Public Utilities Division before being named a Commissioner.

THEATER TV PROPONENT

Mr. O'Brien left Government service to become assistant to Barney Balaban, president of Paramount Pictures, early in 1945. He said this week he had been attracted to the motion picture business by "its dimensions, characteristics and element of influence." When Paramount was split into a theater company and a production and distribution company, he became treasurer of United Paramount Theatres, Inc. Upon the acquisition of the American Broadcasting Co., he became executive vice president of ABC and financial vice president of American Broadcasting—Paramount Theatres, Inc. In 1957 he joined MGM as vice president and treasurer.

Mr. O'Brien is married to Ellen Ford, and they have a daughter. They live in a cooperative apartment at 1040 Park Avenue in New York.

During his varied career, Mr. O'Brien has been active in promoting theater television, and he has advocated greater use of movie studio facilities by television producers to augment studio income.

MGM, besides motion picture activities, has important investments in music publishing, in recording and the manufacture of records and in television production.

Mr. O'Brien has been heavily involved in these activities, which in recent years have provided the profits to offset movie-making losses. In the search for profits, MGM has even opened a bowling alley in suburban Sydney, Australia.

The new MGM president, although aware of the difficulties ahead, is generally optimistic about the future of the business. He said he expected improved earnings this fiscal year over 1962, although he doubted that motion picture production and distribution activity would be in the black.

Mr. O'Brien said he was particularly eager to build up television production to a point where MGM had 6 or 7 hours of its series on weekly network TV. It has 3 hours now, and Mr. O'Brien said he expected "at least 5 next year." Mr. O'Brien acknowledged that it was hard to figure the entertainment market. "You just don't know about most of our things for sure," he said, "until you get the public's reaction."

SENATOR DIRKSEN'S RECORD ON CIVIL RIGHTS

Mr. DIRKSEN. Mr. President, in recent days the press carried an account of an interchange of views which I had with Mr. Clarence Mitchell, legislative representative of the NAACP. In connection with that exchange, there appeared in the Chicago Daily News of January 28, 1963, an editorial commenting on the matter. I ask leave to have it printed in the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Dirksen's Record on Civil Rights

The story is that Senator Everett Dirksen told off the Washington chief of the National Association for the Advancement of Colored People the other day, and there is food for thought in the incident.

The NAACP official, Clarence Mitchell, had asked Dirksen to cooperate with Senate liberals in trying to modify the Senate's filibuster rule. As matters turned out, the Illinois Senator did cooperate, but not, he let it be known, from any sense of obligation to the NAACP.

As the story goes, Dirksen told Mitchell that the Chicago Negro community mocked and scorned him during last fall's reelection campaign. He was particularly bitter over stories in the Negro press that ridiculed him as an enemy of civil rights.

The fact is that Dirksen, while no zealot, has been one of the more consistent champions of civil rights. He voted for the Eisenhower civil rights bill in 1957, and personally represented Eisenhower in helping secure passage of the Civil Rights Act of 1960. He helped put through the Senate confirmation of Thurgood Marshall, a Negro nominated by President Kennedy for the U.S. court of appeals, and he voted in 1959 to modify the Senate filibuster rule under which southern Democrats have so often blocked civil rights legislation.

What happened last fall was that the local Negro leadership, deeply involved in partisan politics, overlooked the well-established character of Dirksen as a civil rights advocate and sought to paint him as a Republican and a conservative and thus, automatically, a "foe of the common people."

Judging by Dirksen's impressive showing in Chicago it was a fiction that many informed Negroes didn't buy.

But the incident points up an element of hypocrisy on the part of some Negro political leaders in Chicago and elsewhere, who parade themselves as first and foremost champions of civil rights but whose primary allegiance is to their political party. DIRKSEN, as a Democrat, would have had their unflagging support, and his civil rights record would have been paraded for all to see. But DIRKSEN, the Republican, was, by their account, a vicious enemy of their race.

A NATIONAL FOOD CACHE

Mr. KEATING. Mr. President, recently I have received a copy of an editorial entitled "A National Food Cache." It was published in the Holstein-Friesian World, of Lacona, N.Y. It is based on an article by Prof. Perry L. Stout. In my judgment, the editorial raises valid questions regarding the vulnerability of American agriculture in case of nuclear attack; and I believe that the proposal that a national food cache be established is worthy of consideration by the Federal Government.

I have already contacted the Department of Agriculture regarding this proposal; and the general reaction is that there is a definite need for locating certain emergency food and feed stocks near large metropolitan areas where food is normally shipped from distant points of production. Several proposals to fill this need have been under discussion for several years. A serious study could well be devoted to the possibilities of an emergency food and feed stockpile for use in the event of a major attack on this country. Furthermore, as suggested in the editorial, such a program might put to good use the tremendous stocks of surplus farm commodities which are costing the country over a billion dollars a year just for storing, handling, and interest.

Mr. President, I ask unanimous consent that the text of this challenging editorial be printed in the RECORD following my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A NATIONAL FOOD CACHE—PRACTICALITY OR PIPEDREAM?

In a previous issue we mentioned American agriculture's vulnerability in case of nuclear attack and a proposal that a "national food cache" be established. The idea of a food cache is an intriguing one and at first glance seems like a good answer—both to the possible disruption, in time of war, of our entire system of food production, processing, and distribution, and also to the immediate problems of surpluses. And perhaps it is, but it certainly raises a whole new field of questions.

Commenting on the food cache, the California Farmer says: "It would be appropriate for the Government to make available the 750 pounds of supplementary dried food needed to keep an individual citizen alive and well for a 2-year period. That amount can be stored in a space occupied by a cube 2 feet 8 inches on a side. To acquire a 2-years' supply for each of our 180 million people would take a 20 percent set-aside of each year's crop for the next 10 years." Further, the cache should be well dispersed to be available to each person—"within walking distance," says the editorial.

As a kind of mental exercise, we did a little mathematics with the above figures. If our math still functions (and it may be that it does not) it appears that 750 pounds per person and figuring a population of 180 million, the food cache would total about 67.5 million tons of powdered food stored in boxes using an aggregate of nearly 4 billion cubic feet of space. Also, if special storage buildings—each 100 by 50 by 20 feet—were constructed to house this food, some 33,840 buildings would be needed. And what an army of people would be needed in a project of this size.

After the products left the farm they would have to be transported, allocated, transported again, processed, packaged, sorted, transported again, resorted and stored. Quite possibly we have left out several different stages in the movement from farm to local storage. Not even considering expense, it would be a monumental task.

THE OTHER SIDE OF THE COIN

But, is the idea of a national food cache completely impractical, or is it worthy of serious consideration?

Cost. Over 2 years ago, then Secretary of Agriculture Benson said that the cost of storage, handling, and interest on the Government's stocks of surplus farm commodities was over a billion dollars a year, and that was just the overhead cost of storing the surpluses. During the recent session of Congress, Senator ELLENDER, chairman of the Senate Committee on Agriculture and Forestry, said that the net cost of the dairy price support program alone for the preceding marketing year was $597 million; earlier in the year Secretary Freeman stated that the Government had a $4 billion investment in feed grains. The Department of Agriculture, we are told, is second only to the Department of Defense in the size of its budget allotment. All this adds up to astronomical amounts of money, with a sizable portion of it going into programs which are rapidly earning the label of impotency from responsible people.

Would it be possible for the Department of Agriculture to channel a large proportion of farm program money to purchase and process the surplus for the purpose of the national food cache?

TRIBUTE TO THE LATE ETTA V. LEIGHTON

Mr. PASTORE. Mr. President, in the serious procedures of this Senate where each of us has taken an oath to support the Constitution of the United States, it seems proper to pause—to pay tribute—to mark the passing of a nonelected American who had a lifelong love affair with the country she adorned and the Constitution she adored.

Miss Etta Veronica Leighton passed away in Providence, R.I., on January 31 at the age of 88.

It was my privilege to have possessed her friendship and the volumes of our correspondence are a proud part of my public life and of my personal affection.

In this Capitol in the January of 133 years ago Daniel Webster defended it as "the people's Constitution, the people's Government, made for the people, made by the people, answerable to the people."

Thirty-three years later, in his Gettysburg Address, Abraham Lincoln immortalized those words as an imperishable creed.

Etta Leighton, in her humble, dedicated, untiring way through all her years, made the Government and its Constitution come alive to millions.

I had the high honor, on March 15, 1960, to add her newspaper column, "The Constitution and You," to the imperishable annals of our country in the CONGRESSIONAL RECORD.

Today, I ask the privilege of inserting in the RECORD at this point in my remarks the obituary of this patriot, scholar, teacher, citizen, and friend.

It is the tribute of the newspaper, the Providence Journal-Bulletin through whose columns the historian found expression and earned the appreciation of all. This is, in every truth, the eulogy of the community for Miss Etta V. Leighton.

There being no objection, the obituary was ordered to be printed in the RECORD, as follows:

ETTA V. LEIGHTON, 86, DIED—PROMOTED CONSTITUTION STUDY

Miss Etta Veronica Leighton, 86, internationally known authority on the U.S. Constitution and author of the Evening Bulletin column "The Constitution and You," since 1935, died yesterday in Our Lady of Fatima Hospital where she had been a patient since January 15. Her home was at 222 Dexter Street, Cumberland.

She was credited with rescuing the Constitution from the small type in the back of history books and making it a study course in every school in the United States and its possessions. Her honors were many and they came from educational, historical, literary and patriotic groups. She had been cited in "Who's Who" in the East, by leaders in education and senior citizens for her patriotic work in making the Constitution known.

Undaunted by lameness resulting from a series of serious accidents and by deafness she continued her patriotic activities until shortly before her death, often writing from a hospital bed. She was born in Cumberland on June 21, 1876, a daughter of Thomas and Mary McCabe Leighton. She was graduated from the former Rhode Island Normal School, now Rhode Island College, in 1896 and taught grade school in Massachusetts and Valley Falls for the next 6 years. She was named principal of the Valley Falls Elementary School, a position she held for 5 years.

She organized the Cumberland Civic Guards, first school society of its kind in the State and probably in the Nation. Its purpose is to stimulate pupil interest in municipal government and affairs. In 1912 she organized a vocational school at which she taught for 6 years at the Passaic Social Center, Passaic, N.J. She left in 1918 to become an investigator and reporter, surveying county schools in London, teaching conditions in Ireland and housing conditions in the British Isles for the U.S. National Housing Conference. She also made a survey report for the Grenfell Mission on activities possible for Labrador fishing villages.

She had always been interested in the Constitution and after 22 years of teaching and investigating she realized that ignorance of the document was widespread. She did something about it. In 1918 she was named civic secretary of the National Security League. She had decided that there were no good textbooks on the Constitution so she wrote her own articles. There were no requirements then that teachers must pass a special examination on it, and she campaigned for such requirements.

As a result, it is now a requirement in almost every State that teachers must give instruction in the Constitution in all schools and many States signify that a teacher must know the document before getting a certificate to teach. As civic secretary of the National Security League she received a grant from the Carnegie Foundation. Her outline on civics and a course of study of the Constitution were used by schools in every State and U.S. possession. She helped to revise courses of study in many States and cities.

What she considered to be her great work, however, was a free correspondence course for adults born in this country and abroad supplemented by lecture hours. "I am the only woman who ever taught government on a nationwide scale" she said recently. "I taught people in every walk of life from John Lewis' miners, telegraph operators, freight brakemen, orange growers, up to Congressmen—plus men, women and children of many races and colors all over the world."

In addition she gave courses in civics and did Americanization work among persons of 39 different nationalities and gave college courses for teachers in adult education and the Constitution. For this work she was elected to membership in the National Institute of Social Sciences in 1938.

She conducted extension courses in civics in Rhode Island College of Education from 1934 to 1938. In June 1944 she received the honorary degree of Master of Education from that college. In March 1960 Senator JOHN O. PASTORE had one of her "Constitution and You" columns inserted in the CONGRESSIONAL RECORD. The Senator said "her column had been the clearing house of the historical facts and human romances that surround this document of our destiny."

PAY EQUALIZATION FOR PORTSMOUTH-KITTERY NAVAL SHIPYARD

Mrs. SMITH. Mr. President, earlier today a letter to the President signed by the senior Senator from New Hampshire [Mr. COTTON] and myself was delivered to the White House.

I ask unanimous consent that a copy of that letter be placed in the body of the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., February 4, 1963.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As you will recall, the U.S. Senate four times passed legislation introduced by Senator MARGARET CHASE SMITH to equalize the wages at the Portsmouth-Kittery Naval Shipyard with the wages at the Boston Naval Shipyard in your home State of Massachusetts. One of those four times was the first time that either the Senate or the House overrode an Eisenhower veto.

You very kindly supported that legislation when you were the junior Senator from Massachusetts. For example, on Senate vote No. 277 of the 85th Congress on August 12, 1958, you voted with us and 66 other Senators to override President Eisenhower's veto of Senator SMITH's bill.

Thus, you recorded yourself in favor of the Smith legislation and proposal when you were a Senator. According to the Portland (Maine) Press Herald, you reportedly reaffirmed that support in 1960 as a candidate for the Presidency as that newspaper carried a headline of "Kennedy Backs Equal Pay for Kittery," with an article by its Washington correspondent stating:

"Senator Kennedy's position on the bill to equalize wage rates between Kittery and Boston Naval Shipyards is that the equalization can be accomplished administratively, that he believes in this equalization, as shown in his votes for it in Congress [and that if he were President, he would take steps to implement it]."

The matter in brackets in the above has been supplied by us for the proper emphasis on this matter—in that the Portland (Maine) Press Herald thus reported in the 1960 presidential campaign that if you were President you would order pay equalization by administrative action, thus eliminating any necessity of legislation.

A further commitment by your administration leader of the House of Representatives, who is now the Democratic Speaker of the House, was reported at that time by the same newspaper—Portland Press Herald—in the story of its Washington correspondent. In that report, Massachusetts Representative McCormack was not only critical of President Eisenhower's veto of Senator Smith's bill, but he also committed the Democrats to delivering pay equalization for the Portsmouth-Kittery Naval Shipyard workers if a Democratic President were elected in 1960. The newspaper report stated on this point:

"Representative MCCORMACK, Democratic House leader, said Wednesday: 'We have passed it twice, and he has vetoed it, let him take the responsibility. We will elect a Democratic President and he will sign it.' MCCORMACK predicted."

On the basis of these representations (by the Portland Press Herald) attributed to you and to the now Speaker of the House of Representatives—and on the basis of your past record as a colleague of ours in the United States Senate, we have accepted in good faith the commitment that you would, by Presidential action, order pay equalization for the Portsmouth-Kittery Naval Shipyard workers.

Because we have accepted that in good faith, we have refrained from reintroducing such legislation since we did not wish to embarrass you with legislation on a matter on which you and the Democratic Speaker of the House were committed to accomplish by administrative action rather than by legislation.

We have felt that you should be given reasonable time in which to keep this commitment to the workers at the Portsmouth-Kittery Naval Shipyard—and so we have not approached you on it because we were confident you would keep your word to them.

We have not lost that confidence—but we do feel that we have waited for more than a reasonable time for you to keep that commitment before expressing ourselves to you. You have had more than 2 years within which to keep that commitment to the workers at the Portsmouth-Kittery Naval Shipyard.

Yet, with your Democratic Secretary of the Navy in 1961 having expressed the official policy of the Navy Department to be opposed to pay equalization for the Portsmouth-Kittery Naval Shipyard workers and there having been no change in policy since that official expression of policy, the impression is created that you approve of such official opposition to the pay equalization proposal—a position in direct contradiction to the position that you took in the U.S. Senate and that you were reported, by the Portland Press Herald, to have taken as the Democratic nominee for President in 1960.

We sincerely hope that such is not the case but rather that you fully intend to continue your support of this proposal and keep your 1960 campaign commitment. We hope that you will fulfill that $2\frac{1}{2}$-year-old campaign commitment within the very near future by issuing a Presidential order of pay equalization for the Portsmouth-Kittery Naval Shipyard workers.

And in all friendliness and respect, we say that in fairness to Portsmouth-Kittery Naval Shipyard workers you should remove any ambiguity in this matter by letting them know very clearly where you stand in this matter now that you do have the power to order that, which they desire, which you supported as a Senator, and to which you were committed as the Democratic nominee for President in 1960.

Respectfully yours,
MARGARET CHASE SMITH,
U.S. Senator From Maine.
NORRIS COTTON,
U.S. Senator From New Hampshire.

Mr. COTTON. Mr. President, the problem of wage equalization for the Portsmouth Naval Shipyard has troubled me for years. It has always seemed to me strangely anomalous that the skilled and dedicated employees of a naval shipyard literally indispensable to our defense effort, should receive less pay for their time and abilities than that enjoyed by workers engaged in similar trades in other naval shipyards.

This inequitable situation results from the application of a contrived, and in my view, unrealistic formula applied by the Navy Department over the years. In substance, this formula states that the wage-hour scale in Portsmouth shall be determined by wage scales existing in comparable industry within a prescribed radius of the Portsmouth yard. The difficulty with this yardstick is that little or no comparable industry exists within the geographic area. Accordingly, the Navy Department has been privileged to exercise autocratic authority with respect to wages paid bench-trade employees, and the inevitable consequence has been that Portsmouth employees consistently receive less than their counterparts in, for example, the nearby Boston area.

It is true that the disparity is not as great as it has been in the past, as a succession of wage surveys has provided some relief by administrative action. The fact remains, however, that the employees at Portsmouth suffer by comparison—notwithstanding that they presently have the awesome responsibility of building, efficiently and well, the nuclear-powered Polaris submarine, which is perhaps the most effective deterrent we have in our arsenal at the present time. The reputation for quality which marks the Portsmouth boat could only have developed at the hands of skilled and dedicated craftsmen. They work for less and yet, I suspect, a quart of milk costs more in Portsmouth, N.H., than it does in Boston, Mass.

It is for that reason that I consistently have urged and supported legislation to correct his inequity. I wish to commend the distinguished senior Senator from Maine [Mrs. SMITH] for her leadership in the battle to obtain justice for the workers in the Portsmouth Naval Shipyard, or the Portsmouth-Kittery Shipyard as she would prefer to call it. In the 86th Congress I supported her in the long fight which resulted in passing an equalization pay bill over the veto of President Eisenhower, the first time the Senate overrode a Presidential veto during his term of office. It is for that reason that I am very pleased to join the distinguished senior Senator from Maine, who has done so much so well for the shipyard, in communicating our concern to the President that this disparity has not heretofore been extinguished by Executive action. I share with the senior Senator from Maine a real and continuing interest in the economic vitality of this historic shipyard, which has given so much to our country, and in the welfare of its employees. It is my hope that the President will see fit to take remedial action to correct the unfair condition which presently exists.

The PRESIDING OFFICER. Is there further morning business?

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest that absence of a quorum; and I ask the attachés of the Senate to notify Senators that this will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll; and the following Senators answered to their names:

[No. 16 Leg.]

Aiken
Allott
Anderson
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that the Senator from North Carolina [Mr. JORDAN] is necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kentucky [Mr. MORTON] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

Mr. STENNIS. Mr. President, what is the order of business?

The PRESIDING OFFICER. Morning business is in order.

COUNCIL ON EDUCATION OUTLINES PROPOSED PROGRAM FOR FEDERAL LEGISLATION, STATEMENT BY DR. LOGAN WILSON

Mr. YARBOROUGH. Mr. President, the American Council on Education, a distinguished organization now in its 45th year of dedicated work for higher education, has outlined its proposals for a Federal education program in a January 1963 publication.

The president of the American Council on Education is Dr. Logan Wilson, a native of Huntsville, Tex., and former president and former chancellor of the University of Texas. Dr. Wilson is one of the ablest college administrators ever to direct the University of Texas systems. He favored academic freedom for the faculty.

I ask unanimous consent that the following letter of transmittal of January 25, 1963, from Dr. Wilson be placed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN COUNCIL ON EDUCATION,
Washington, D.C., January 25, 1963.

The attached statement, "Higher Education as a National Resource: A Proposed Federal Program," sets forth the basic 1963 legislative program of the American Council on Education.

I can assure you that the 1,000 colleges and universities and the 175 education organizations that comprise the council's membership will be grateful if you and the appropriate members of your staff can find time to read this brief document. We believe you will find it of interest and significance.

As we see it, there is evidence that the people of every State and district in the Nation are increasingly concerned about the issue of quality and opportunity in education.

If you have comments or suggestions, please be sure that I shall be pleased to have them.

Sincerely yours,
LOGAN WILSON.

Mr. YARBOROUGH. Mr. President, while all will not agree with all of these recommendations, I think the report worthy of study.

Mr. President, because of the timeliness of this report and the excellence of the information therein, I ask unanimous consent that the report in its entirety, consisting of 12 pages, be placed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE AMERICAN COUNCIL ON EDUCATION PROPOSES A FEDERAL PROGRAM TO DEVELOP HIGHER EDUCATION AS A NATIONAL RESOURCE

American higher education is a priceless asset fundamental to the national purpose. It cannot be spoken of simply in terms of the value of buildings and equipment, the total number of persons served, the teachers involved, or the research performed. The Nation's colleges and junior colleges, universities, research institutes, and professional schools are all of these things, but something more. Broadly conceived, higher education constitutes a precious national resource essential to the achievement of great national goals and to the achievement of worthy aspirations of individual citizens. It is a resource also in the sense that, given favorable conditions, it is as capable of self-renewal as is a properly conserved forest.

As students, young men and women look to colleges and universities to help them fulfill their aspirations. Parents look to these institutions to help them realize the ambitions they have for their children. More significantly, the American people look to colleges and universities for a continuing supply of increasingly capable citizens. They expect institutions of higher education—especially universities and their associated professional schools—to explore new fields of knowledge and to apply this knowledge to the problems of business and industry, human development, and government.

Nor is it the American people alone who place a high value on their institutions of higher education. The governments and peoples of emerging nations are turning more and more for advice and assistance to our colleges and universities. There can be little doubt that American higher education must help meet the expectations not just of the Nation, but of the world as well.

Like any other resource, colleges and universities must be used wisely lest they be exploited and their values diminished. Thus far, American higher education has served without substantial impairment of its teaching and research functions. But as we approach the 1970's, it is quite clear that colleges and universities will be subject to pressures that could weaken their usefulness as national resources. To prevent such a possibility, and to develop further higher education's strength as a resource for the future, action must be taken now. Appropriate action involves individual citizens and private philanthropy, but it also involves local, State, and National governments.

The heaviest pressure on our colleges and universities—and one certain to increase—is the steadily rising number of persons who want to enter college. Not only are there vastly more individuals in the college-age group, but also more of them find it necessary and desirable to get a higher education.

Opening enrollment for the current academic year (4,175,000 in fall of 1962) shows a 17-percent increase over 1960, the start of the present decade. By 1965, it is estimated that the figure will have increased 46 percent over 1960. An opening enrollment of almost 7 million is projected for 1970—an increase of 94 percent over 1960.[1] To meet this situation, institutions of higher education, even with the most effective use of the staff and plant they now have, must enlarge their faculties and expand classroom and student housing facilities.

In addition, though more difficult to measure, the pressure of new knowledge on colleges and universities requires new (and expensive) research facilities and equipment. Our nation cannot afford to let its institutions fall behind in the search for new and better knowledge. To move ahead, we must expand and strengthen graduate education, including postdoctoral study, for the purpose of advancing knowledge of all kinds as well as for advancing learning on all levels. Throughout our educational system, in brief, we shall have to do a bigger and a better job. Achieving this objective will be costly; falling short of it will be even costlier.

The American Council on Education believes that the problems confronting higher education transcend State and local concerns, and thus have become an urgent national concern. We believe that, to maintain and develop higher education as a national resource, the Federal Government must supplement other sources of support. The Federal Government should do this, not to aid higher education, but to meet a national obligation to conserve and strengthen a national resource.

The council therefore proposes a broad program of Federal action to help expand and improve American higher education.

Although American higher education is unified in purpose, it is varied in its forms. We can think of it as a single entity when visualizing the impact of enrollment increases and sensing the obligation this places upon colleges and universities. But this concept of unity blurs the variety and complexity which must be considered in formulating a viable program. Such a program should meet the needs of institutions ranging in complexity from small colleges to large universities comprising many divisions and professional schools, in size from a few hundred students to many thousands, and in control from private to public.

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[1] The conservative estimates of the U.S. Office of Education reflect the general increase in population aged 18–21, and assume that the present ratio of 38 college students per hundred in the 18–21 age group will rise to 48 per hundred by 1970. The increase in enrollment is not a temporary bulge, but a more permanent increase which will require even greater expansion in the 1970–80 decade. The 18–21 age group in 1980 (already born and approaching kindergarten) will be approximately 3 million larger than the equivalent group in 1970.

The council believes it is well within the capacity of the American people, acting through their elected representatives in Congress and in response to leadership from the President, to implement a program of adequate support for higher education as a national resource.

This assertion, we are aware, proposes the use of Federal funds for private institutions as an integral part of the American system of higher education. This is nothing new, however, in either principle or practice. Historically, the Congress and the Federal Government have drawn no line of demarcation between public and private institutions of higher education when utilizing them in the national interest. The Federal Government has repeatedly called upon both public and private institutions to perform research and to serve as training centers for military officers. The Federal Government has provided grants to both public and private institutions for construction of research facilities. The Federal Government has granted funds to both public and private institutions for graduate education under the National Defense Education Act. In these and other ways, ample precedent exists for a program designed to develop both public and private institutions of higher education as a vital national resource.

For more than a hundred years the United States has supported and taken pride in a dual system of higher education which affords our youth the freedom to choose how and where they are to pursue their advanced learning. The American Council on Education believes in the soundness of this educational tradition and urges the American people, through their Federal Government, to support and develop it to meet the Nation's growing needs.

The proposals here set forth were recommended by the American Council's Commission on Federal Relations, and approved by the council's board of directors. By its nature, higher education is diverse and comprises institutions of many different traditions and views. As may be expected there are individual differences of opinion. Nevertheless, our recommendations represent a thoughtful consensus of representatives of all segments of American higher education. They take into account the views of the council's 1,000 member institutions and 175 member organizations.

The council recognizes the need also to strengthen elementary and secondary education and believes that the Federal Government has significant responsibilities on those levels. The American Council on Education, however, represents higher education. Our proposals are concerned accordingly with the need to strengthen colleges and universities.

THE PROPOSALS

I. Physical facilities

The Federal Government should take appropriate steps to assist colleges and universities in the construction of physical facilities for instruction, research, and student housing.

Instructional facilities: The council believes the need justifies a commitment by the Federal Government averaging $1 billion annually for a program of matching grants and low-interest loans for construction of academic facilities in both public and private institutions.[2]

Classrooms, laboratories, and libraries, are essential to any soundly conceived academic program. The institution which overcrowds these facilities or tries to make do with obsolete facilities risks serious impairment of the quality of its academic program.

Research facilities: Federal agencies which support research in colleges and universities should be authorized and encouraged to provide appropriate support for construction of the physical facilities and for acquisition of the equipment required for such research. Additional appropriations should be provided as needed for these purposes.

Student housing: The basic legislative authorization of $300 million annually for the college housing loan program runs until 1965. The Government is urged to make full use of its authority to make college housing loans and, if the demand for loans should exceed available funds, to seek additional lending authority.

II. Faculty

The Federal Government should expand programs that will help to increase the supply of college teachers and improve the quality of instruction and research in colleges and universities.

Supply of college teachers: Two principal sources of Federal support for individuals enrolled in graduate programs which would qualify them for college teaching are the National Science Foundation and the National Aeronautics and Space Administration. The programs of these agencies are restricted for the most part to the natural sciences. Moreover, they are directed primarily to research and only incidentally to college teaching. The NSF and NASA fellowship programs should be expanded as the number of qualified candidates increases. Nevertheless, it must be recognized that expansion of these programs does not necessarily insure that the participants will go into college teaching rather than research.

The quality of college education also depends on an adequate supply of well-prepared teachers in disciplines other than the sciences, for example, in English, history, political science, and economics. The Federal Government should support expansion of graduate education in such a way as to redress the present imbalance in favor of science, and to encourage the preparation of college teachers in many, instead of few, fields of learning.

The only Federal program specifically intended to increase the supply of college teachers in fields other than science is that authorized in title IV of the National Defense Education Act, supplemented by National Defense Education Act title VI scholarships to prepare researchers and teachers in modern foreign languages not commonly taught in the United States. To make the National Defense Education Act a more effective instrument for adding to the supply of college teachers, it should be amended as follows:

1. Increase the total number of fellowships available under the National Defense Education Act from 1,500 to 5,000, distributed in these categories:

(a) Up to 2,000 in the existing new or expanded category.

(b) Up to 2,000 in programs of graduate instruction in institutions which can make a major contribution toward meeting the pressing need for college teachers.

(c) Up to 1,000 1-year awards for college teachers who are within a year of completing the requirements for the doctorate.

2. Provide each institution a flat grant of $3,000 a year for each graduate student enrolled under the National Defense Education Act fellowship program with the stipulation that the institution waive all tuition and other fees (other than room and board) normally required of graduate students.

Improvement of quality of instruction: A prime factor in the improvement of academic instruction obviously is the improvement of faculty competence. In the scientific field, Federal programs presently afford faculty members opportunities for postdoctoral research as well as for carrying out research projects on their own campuses. Similar benefits to teachers in fields other than the natural sciences should be provided through amendments to the National Defense Education Act.

New legislation to support the operation of college and university libraries would also reinforce faculty research and scholarship. In many scholarly disciplines the library is a major research facility, comparable in importance to the laboratory.

The program suggested above for 1,000 1-year National Defense Education Act fellowships for college teachers within a year of completing the doctorate would add to the supply of fully qualified college teachers and, because it is directed to persons already in college teaching, would improve the competence of these persons.

In addition, the National Defense Education Act institutes in modern foreign language should be extended to college teachers of modern language without any distinction between teachers from public and private institutions. These modern language institutes should be authorized to include the teaching of English.

Finally, there should be increased use of existing legislative authority for exchanges of faculty members with foreign countries and for grants to actual and prospective college teachers to study abroad. The council believes that Federal agencies administering these programs should consult with the academic community in developing fresh approaches that will win support for needed and substantial increases in appropriations for international educational exchanges.

III. Students

There is need for appropriate Federal action to lower the financial barriers to higher education for qualified students.

The predicted enrollment increase of 2.8 million students between 1962–63 and 1970–71 places a high priority on the need for academic facilities and college teachers. Realization that enrollments will rise by one-fourth between 1962 and 1965 alone emphasizes the urgency of this need. Without adequate facilities and qualified teachers, our colleges and universities will have to resort to expedients detrimental to educational quality. Thus the council believes first priority should go to Federal programs designed to assure the coming generation of college students of classrooms, laboratories, and libraries in which to learn, and qualified persons to teach them.

All evidence indicates that charges to students for tuition, fees, and room and board in both public and private institutions are continuing to rise sharply. This upward trend in costs has forced the student, his family, and the institution to plan more realistically the share of the cost that should be borne by grant assistance, loans, and student employment. But dangers lie ahead, since a study of trends also indicate that scholarships and institutional loan funds, even when augmented by Federal loan funds available under the National Defense Education Act, are not keeping pace either with the increase in number of students or with the upward cost trend. Furthermore, while the loan program of the National Defense Education Act has helped many families in the middle-income brackets, qualified students from the very-low-income levels are finding it more and more difficult to finance a college education.[3]

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[2] The magnitude of what the Federal commitment should be is suggested by the projections of facilities needs published by the U.S. Office of Education in 1962 as ch. 11 of "Economics of Higher Education." These projections show an average annual cost of construction for needed facilities of $2.21 billion in the years between 1961 and 1975. Average annual expenditures for construction are now approximately $1.25 billion. This rate can be sustained only if all present and anticipated sources of institutional financing of facilities are fully utilized. Another estimate of the probable magnitude of the required Federal commitment is found in the results of a November 1960 survey of council membership. Reports from 582 institutions, representing about half of total student enrollment at that time, indicated that, over a 5-year period, they would expect to request a total of $2.9 billion under a program of grants and loans. Of this amount, it was anticipated that about $2.1 billion, or 72 percent, would be for grants, and $800 million, or 28 percent, would be for loans.

With National Defense Education Act assistance, State programs of testing and counseling, with special emphasis on early identification of talented students, have either been initiated or expanded. But it is not enough to identify the talented student who comes from a low-income family unless some hope of grant assistance can be offered by the time he must make the decision to go to college. In short, if equality of educational opportunity is to be more than an abstract slogan, the Federal Government must help colleges and universities provide grant assistance as well as loan assistance to able but needy students.

Student loans: The ceiling of $250,000 on Federal contributions to any one institutional loan fund should be removed so that institutions may request funds in proportion to the predictable demand for them. The National Defense Education Act student loan program should be made a permanent program, with the Federal capital contributions granted to the institutions as permanent revolving loan funds. From time to time additional appropriations should then be made for grants to institutions to reimburse them for the portion of loans forgiven for recipients who entered teaching, to meet the needs resulting from increasing enrollments, and to establish loan funds for institutions new to the program.

As a matter of equity to student borrowers, the 50 percent forgiveness of loans should be extended to all teaching, including college teaching in recognized public and private, nonprofit institutions of education.

Student grant assistance: With due regard to the priority needs for a Federal program of assistance for construction of academic facilities and for expansion of the National Defense Education Act fellowship program for training college teachers, a new Federal program of 4-year undergraduate scholarships should be provided to supplement the National Defense Education Act student loan program. This scholarship or grant assistance program should have as its primary objective the seeking out and assisting of students of academic promise and great financial need.

International student exchanges: in the Mutual Educational and Cultural Exchange Act of 1961, Congress recognized the need to increase the number of undergraduate and graduate student exchanges with foreign countries and to provide special services to foreign students enrolled in American colleges and universities. Congress should appropriate adequate funds to support these programs realistically if international exchanges of students are to be extended effectively to emerging nations, and if the foreign student is to obtain maximum benefit from study in an American institution.

IV. Other proposals and considerations

The focus of Federal action to sustain and develop American higher education as a national resource must be on programs to assist institutions to meet the demand for better higher education for an increasing number of students. Thus the construction of academic facilities and the recruitment and preparation of qualified college teachers must have first priority for the academic community, and should have first priority in the thinking of Congress and the Executive. The need for more student financial assistance holds a second priority.

The council will continue to support other proposals for Federal action in the field of higher education. The list below is by no means inclusive, but among the proposals for which the council intends to provide appropriate support are these:

Federal assistance for construction of teaching facilities in medicine, dentistry, and other health professions.

Payment of full costs of federally sponsored research.

Equitable reimbursement to colleges and universities for expenses incurred in providing facilities and instruction for ROTC units.

Federal assistance to programs for college-level technician education.

Extension of the urban renewal program with annual authorizations sufficient to maintain benefits to the colleges and universities at least at current levels.

Amendments to the National Defense Education Act (a) to authorize preparation of persons to teach English as a second language, (b) to permit institutions and agencies undertaking National Defense Education Act-supported research to publish the results of such research, and (c) to authorize guidance institutes for training college student personnel workers.

Implementation of international agreements providing for tariff-free importation of books and scientific equipment.

Appropriations for Federal educational programs commensurate with the known demands for such programs. Particular emphasis will be placed on adequate appropriations for the salaries and expenses of the Office of Education, for the program of the National Defense Education Act, for the National Science Foundation, for grants in support of educational television, and for international educational exchanges.

In the interest of providing better coordination and focus for Federal programs in support of education, the American Council on Education believes there should be appropriate revision of Federal organization and administration to strengthen the U.S. Office of Education, and to bring the U.S. Commissioner of Education into a closer relationship with the President.

In addition the council is convinced that the Federal Government has an immediate responsibility to assess all of its present relationships with higher education and to take such steps as may be necessary to make these relationships more conducive to the long-term strengthening of the Nation's educational resources. In such an endeavor the council pledges its full cooperation and assistance.

THE URGENT NEED FOR DECISION

On December 15, 1962, President Logan Wilson of the American Council wrote the President of the United States:

> "The crisis long predicted in the capacity of our institutions to meet the demands upon them is no longer something in the future. It is now."

It takes time to enact new Federal legislation and then to get it into effective operation. It also takes time to plan and then to build new buildings, and to complete the graduate education of a college teacher. Prompt action in the 1st session of the 88th Congress might result in a few new instructional buildings ready for use in the middle of the academic year 1963–64 and many more ready for use at the beginning of the 1964–65 academic year. The full effect, however, of a new Federal program for construction of academic facilities would not be felt until 1965–66 and beyond.

Similarly, assuming that Congress acts promptly in its 1963 session, expanded graduate programs for training college teachers would not make a significant difference in the supply of college teachers until 1965 and after.

The crisis cannot be averted, but it can be met without resorting to hastily devised crash programs. The decision lies both with Congress and with the President and his advisers. The American Council on Education is convinced that it speaks not only for organized higher education but for a much broader American consensus when it asserts that the opportunity for quality education beyond the high school should be widened and deepened through Federal action. With wise and effective Federal assistance, higher education can be maintained as an important national resource for generations to come.

USE OF AMERICAN-FLAG AIR CARRIERS BY GOVERNMENT EMPLOYEES

Mr. MAGNUSON. Mr. President, some years ago, when the American merchant marine, particularly the passenger end of it, was in very serious difficulty from the standpoint of scarcity of passengers, as chairman of the Merchant Marine and Fisheries Committee I had occasion to look into some of the causes for that situation, particularly from the standpoint of American citizens who were traveling around the world on the high seas not using American-flag vessels.

One of the reasons I found was that many Government employees, particularly State Department employees, who are legion, and who travel a great deal, doing a great deal of such traveling by ship, particularly between posts, because of the baggage problem, are not using American-flag ships, although space is available.

I remember that at one time a friend of mine, who is now the managing editor of the New York Times, and I went down to a dock in New York to see some newspaper people off. They were traveling to Europe, and they were traveling on the *America*. That ship is still operating, although overage.

We had occasion to go over to the next dock, in which one of the *Queens* was berthed—I forget whether it was the *Mary* or the *Elizabeth*—and there we found a horde of people from the State Department and from the foreign aid service on that *Queen*. On the other hand, one could shoot a cannon up and down the decks of the *America* without hitting a passenger. It was during an off-season time—in November or December and that was the situation then.

I proceeded to learn the facts. The result was that the State Department issued an order to the effect that those traveling at Government expense—I have even tried to expand it to include Congress, but I did not succeed—should travel on American-flag ships if space were available. The plan has worked very satisfactorily. It has given our American-flag passenger liners a little more business, so to speak. They have scarcely been able to survive.

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[3] The statements in this paragraph are based on "Financial Aid to the Undergraduate: Issues and Implications," by Elmer D. West, to be published by the American Council on Education.

The same thing, over the years, has begun to apply to air travel. Last year the Senate, at our behest, adopted a concurrent resolution, which I shall have printed in full in the RECORD later. It suggested that the same procedure be used for American-flag air carriers.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MAGNUSON. I ask unanimous consent that I may proceed for 2 more minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. MAGNUSON. I note that on October 26, 1962, shortly after Congress had adjourned sine die, the chairman of the Committee on Rules and Administration, the Senator from Montana [Mr. MANSFIELD], issued a supplemental order in compliance with Concurrent Resolution 53. I read subsection (c) from the supplemental order of the Committee on Rules and Administration in the form of a letter:

> Use of U.S.-flag air carriers: All official air travel shall be performed on U.S.-flag air carriers except where travel on other aircraft (1) is essential to the official business concerned, or (2) is necessary to avoid unreasonable delay, expense, or inconvenience.

The letter goes on to state:

> Travel vouchers containing expenditures for travel by other than U.S.-flag air carriers must hereafter contain a certified justification of such travel. Approval or disapproval of such expenditure will be made by the Committee on Rules and Administration upon presentation of the voucher for general approval prior to payment.

This rule apparently escaped the notice of many of us because Congress was not in session when the letter was issued.

I ask unanimous consent to have the resolution and the letter printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[87th Cong., 2d sess.]

S. CON. RES. 53

Whereas Congress has by statute directed the preferential use of United States flag merchant vessels in connection with all travel by Government employees; and

Whereas as a matter of general policy the executive branch of the Government has for many years urged the preferential use of United States flag air carriers by governmental employees and United States governmental departments and agencies have adopted regulations accordingly; and

Whereas the development and preservation of a sound and strong United States civil air fleet is most vital to the national welfare and interest and its strength and prestige constantly maintained and preserved: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Senate and the House of Representatives that when travel on official business is to be performed on civil aircraft by legislative and Government officers and employees, that said travel be performed by them on United States flag air carriers, except where travel on other aircraft (a) is essential to the official business concerned, or (b) is necessary to avoid unreasonable delay, expense, or inconvenience.

U.S. SENATE,
COMMITTEE ON
RULES AND ADMINISTRATION,
October 26, 1962.

The Honorable U.S. SENATE,
Washington, D.C.

DEAR ———: Senate Concurrent Resolution 53, agreed to October 1, 1962, expresses the will of Congress that its Members and staff personnel should utilize U.S.-flag air carriers when engaged in air travel on official business. In compliance with that expression, the U.S. Senate Travel Regulations are amended, effective November 1, 1962, as follows:

"Title II (transportation expenses), subtitle A (common carrier transportation and accommodations), section 3 (airplane accommodations) is amended by adding thereto a new subsection (c) to read as follows:

"(c) Use of U.S.-flag air carriers: All official air travel shall be performed on U.S.-flag air carriers except where travel on other aircraft (1) is essential to the official business concerned or (2) is necessary to avoid unreasonable delay, expense, or inconvenience."

Travel vouchers containing expenditures for travel by other than U.S.-flag air carriers must hereafter contain a certified justification of such travel. Approval or disapproval of such expenditure will be made by the Committee on Rules and Administration upon presentation of the voucher for general approval prior to payment.

With best personal wishes, I am,
Sincerely yours,
MIKE MANSFIELD,
Chairman.

PROPOSED TAX REDUCTION

Mr. SCOTT. Mr. President, the proposals for the new budget and the so-called tax reform seem to be in for some rough sailing, inasmuch as the Government appears to be taking away a good deal of what it offers to give.

Newspaper comment is generally unfavorable, particularly on the inequities that would result in the case of retired persons, and with respect to the 5-percent penalty on contributions.

For example, a retired person, one of tens of thousands—policemen, firemen, members of the Armed Forces—who retired before he was 65, even though he were in the lowest tax bracket, under President Kennedy's proposal would be faced by an increase in his Federal income tax. The person to whom I refer objects to it. He says, "Although I am in the lowest tax bracket, President Kennedy's proposed tax charges will increase my Federal income tax." He itemizes the various charges. He further states that it will be 23 years before he gains by the proposed law, which length of time is greater than his life expectancy. He does not like it.

I believe it will be discovered that the tax plan has been badly drawn and ill conceived, and that it would actually increase the tax of retirees under 65, that it is hard on the farmers, that it is particularly tough on wives as compared with girl friends, as the senior Senator from Delaware pointed out the other day, and that it is loaded with inequities.

I ask unanimous consent that there be included in the RECORD as this point the letter to the editor from which I have quoted, and editorials from the Philadelphia Inquirer, the Philadelphia Sunday Bulletin, and the Washington Post on the tax proposal and the budget, with particular reference to the inequities which I have discussed and to the numerous additional holes in the tax bill which was intended to close loopholes but which would be opened up like a sieve in order to close a half dozen or more.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THIS IS A TAX CUT?

Although I am in the lowest tax bracket, President Kennedy's proposed tax charges would increase my Federal income tax as follows: In 1963 by $274; in 1964 by $215; and in 1965, 1966 and 1967 by $186 per year. In 1968 I will become 65 years of age, and my tax will be $57 per year less than at present. At that rate it will be 23 years before I gain by the proposed law, which is greater than my life expectancy.

I am not an exceptional case, but one of the tens of thousands of persons such as policemen, firemen, teachers, members of the Armed Forces, etc., who retired before they were 65 years of age under a public retirement system, one established by the Federal Government.

HEMAN W. PEIRCE,
Chief Warrant Officer, U.S. Army, Retired.
WASHINGTON.

[From the Philadelphia Inquirer, Feb. 3, 1963]

CONGRESS AND THE TAX CUT

As Congress prepares to take up the matter of income tax reduction and reform—with hearings by the House Ways and Means Committee scheduled to begin this week—the foremost objective should be to cut taxes and enact reforms in the most simplified and equitable manner possible.

Existing tax laws are not only too burdensome and unfair, they are too complicated. The complexities of computing the proper amount due the Government are overpowering. Despite perennial efforts to make tax forms and accompanying instructions more understandable they have become increasingly confusing.

President Kennedy's tax proposals—calling both for reductions and reforms applicable to all individuals and corporations—are basically sound and we support them. His objectives—to be just to everyone and to slight no one—are inherently good and we applaud them. But some of the detailed methods prescribed by the administration to attain these objectives are cumbersome, impractical and self-defeating. Close scrutiny and careful study by Congress should produce constructive suggestions for improving upon the initial recommendations.

It seems to us that a direct approach to tax reduction is best. If the Government wishes to cut a citizen's tax liability by $1, what is to be gained by giving him a theoretical reduction of a dollar and a half and then demanding that 50 cents of it be handed back? That's doing it the hard way.

The outstanding illustration of this now-you-see-it-now-you-don't approach to tax reduction is the proposal to eliminate Federal income tax deductions is the proposal to eliminate Federal income tax deduction for itemized charitable contributions, interest payments, State and local taxes, etc., except for the portion, if any, in excess of 5 percent of adjusted gross income. Deductions for medical expenses and drugs would be even more severely limited under a complex two-part formula.

In addition to the extreme difficulties that would be encountered in computing and checking tax returns under this system there is a more important consideration: the harmful effect that these deduction limitations would have on charitable institutions, State and local governments, and the general economy.

Losses sustained by charitable organizations would be immense, in some cases disastrous. If donations were not tax deductible they would become smaller and fewer. The Federal Government, by restricting tax deductions, would weaken or destroy many tax-exempt institutions and foundations. Much of their good work would need to be carried on by the Government, with taxpayers bearing the cost.

Educational and religious institutions, hospitals, libraries, fire departments, and so on would all suffer under the limited-deduction provision. The list is endless. The loss to every community is incalculable.

Refusal by the Federal Government to allow deductions for all taxes paid to State and local governments would be a cruel form of double taxation. States and municipalities would find it increasingly difficult to raise revenue for their needs.

Failure to allow deductions for all interest on mortgages and installment buying would discourage homeownership and have a depressing effect on business.

Congress has its work cut out. Tax cuts and tax reform must be planned with great care, for the good of the country and all the people.

[From the Philadelphia Bulletin, Feb. 3, 1963]

AN ANALYSIS OF THE FEDERAL BUDGET

A careful analysis of the Kennedy administration's proposed budget by the research office of the Council of State Chambers of Commerce tends to indicate that the administration does not contemplate the real holdback in domestic, nondefense spending that the President implied it would.

Although on the surface, the budget seems to indicate that the only increase in spending will take place in the areas of defense and space development, the council says, it appears that way only because several new domestic spending programs are compensated for by several one shot and uncertain spending cuts, which represent, on the whole, special circumstances rather than a curtailment of programs.

As an example, new spending programs in the fields of education, youth employment opportunities, urban mass transit, medical training, hospital construction, and child health are roughly offset in the fiscal 1964 budget by anticipated sales of surplus cotton in 1964, by anticipated sales of loans held by the Export-Import Bank, by a drop in postal deficits due to postal rate increases, by a bookkeeping device whereby, if Congress approves, REA loan receipts would be offset against expenditures, by the absence of the one-shot $100 million outlay for U.N. bonds, and by an anticipated increase in private sales of housing mortgages held by FNMA.

In addition, the full burden of the new spending programs proposed would not be felt until after fiscal 1964. Only preliminary actual expenditures are contemplated during fiscal 1964. This is reflected by the increase in new spending authority—the authority to make commitments to spend in the future—requested in the budget.

The lack of serious intent to hold back domestic spending growth is also reflected, the council contends, by the projected increase in Federal civilian employment. The 3½-year increase in Federal civilian employees, as projected through the end of the 1964 budget year, would be 229,000, as contrasted to a net reduction of 26,500 during the 6 years from 1954 through June 1960.

If this analysis is correct, the Kennedy administration has shown no real intention—tax cut or no tax cut—of holding back domestic expenditures until the budget can be brought into balance.

[From the Washington Post, Feb. 3, 1963]

THE TAX DEDUCTION FLOOR

Although the debate on the administration's tax program is just beginning, it is already apparent that a heavy volley of hostile criticism is going to be concentrated on the proposal to place a progressive limitation on personal income tax deductions which are itemized.

President Kennedy recommended that corporate and personal income taxes be reduced by a total of $13.6 billion, but that $3.4 billion of the Treasury's losses be recouped through reform measures, the principal one of which involves itemized deductions. By limiting the total of itemized deductions to those in excess of 5 percent of an individual's adjusted gross income, the Treasury would raise nearly $2.3 billion, or more than two-thirds of the $3.4 billion that is to be recouped. Since 40 percent of the taxpayers will claim some $40 billion in itemized deductions for 1962, neither the political nor the economic impacts of this proposal can be ignored.

The rationale for eliminating or limiting personal deductions involves considerations of equity and economic incentives. Since interest charges may be deducted, the present tax regulations have been criticized on the ground that they discriminate against persons who rent dwelling space and, therefore, pay no interest on mortgages or against those who purchase automobiles and other consumer durables for cash. Moreover, personal deductions narrow the tax base, making it necessary to impose higher tax rates which have a deleterious effect upon economic incentive. Under the President's program, personal income tax rates would range from 14 to 65 percent. But if the progressive limitations on itemized deductions were not imposed, the tax rates required to raise the $2.3 billion would range between 14.5 and 77 percent, and rates would run from two to three points higher over the $10,000 to $20,000 income brackets.

But the incentive and equity arguments are blunted when the compromise proposal to limit itemized deductions is weighted against political realities. Few honest taxpayers with legitimate expenses are going to be impressed by the subtle considerations that motivate the proponents of tax reform. They will instead charge that the deduction proposal is an ill-concealed attempt by the Treasury to take away with the left hand what it gives with the right. Furthermore, the proposal merely to limit deductions will not go very far in eliminating inequities. The allowable deductions for persons in the same tax bracket will be largely determined by the size of their interest-bearing debts.

Unlike the proposals affecting oil depletion allowances or real estate tax shelters, the limitation on itemized deductions affects a broad segment of the taxpaying public. And in view of the stiff resistance that the administration will encounter to its proposals for a tax cut and a planned budgetary deficit, the introduction of this dubious measure of reform is hardly the better part of political wisdom.

IN DEFENSE OF POLITICS

Mr. KUCHEL. Mr. President, late in January, before the Commonwealth Club of California, in the city of San Francisco, a distinguished American citizen, Mr. James P. Mitchell, delivered a thoughtful address entitled "In Defense of Politics." Jim Mitchell was a splendid Secretary of Labor in the administration of President Dwight D. Eisenhower. A native of New Jersey, with extensive managerial experience in both local and national government, and in the retail industry, Jim Mitchell is now a resident of California.

I am glad to welcome him as a fellow Californian. As vice president and member of the executive committee of the Crown Zellerbach Corp., Jim Mitchell is an active leader in the western business community.

The burden of Mr. Mitchell's comments are that a businessman ought to be encouraged to participate in American government; and that, having participated, he ought to be able to return to business with a better understanding of government and a greater opportunity to make a contribution to the success and prosperity of both his business and his country.

The San Francisco Chronicle, commenting on Mr. Mitchell's speech, noted, in part, that—

> American business complains a good deal about the lack of understanding of its problems in Washington and the State capitals.

The Chronicle believes, as I believe, that Jim Mitchell has suggested an approach that could remedy this difficulty.

Mr. President, I ask unanimous consent that the complete text of Mr. Mitchell's excellent speech and the text of the Chronicle's editorial be printed at this point in the RECORD.

There being no objection, the address and editorial were ordered to be printed in the RECORD, as follows:

IN DEFENSE OF POLITICS

(Address by James P. Mitchell, vice president, Crown Zellerbach Corp.)

There is no more appropriate forum for a political speech in California than the Commonwealth Club, considering the influential audience you provide and your traditional policy of hearing both sides of the issues. But in defending politics today, perhaps I should clear up some possible misunderstandings at the outset.

In the first place, the California political fraternity in both parties has no cause for alarm. I left my political aspirations behind in a couple of strategic wards in Jersey City which went to the other side. As a matter of fact, I am not yet a fully naturalized Californian, much as I may feel like one after 7 months in the wonderful and stimulating State.

Secondly, I hope that anything I say today will not be construed in any partisan sense. Oddly enough it is possible to be objective and impartial about American politics and our political process if you decide to put your mind to it. That's why I'm a Republican.

When you stand off and look at the American system of representative government from any distance, it seems rather remarkable that a country as large and complex as ours can govern itself and periodically renew its political leadership without coming apart at one seam or another.

But as you come in closer on the American political scene, on the electorate, on the people who hold public office, the rougher edges begin to appear. You soon discover, for example, that the machinery of American politics functions with an almost monumental imprecision. It is so untidy, in fact, that it repels many types of excellent men who are appalled when they try to come to grips with it. The realities of political life, the lack of precision and neatness, is often a shocking discovery to the man of business and industry suddenly projected into the political limelight.

And this is, I think, a source of continuing difficulty and misunderstanding between the American business community and those in public life; and there are, as we know, the extremists who throw up their hands and say the whole thing is a vast conspiracy designed to sell our birthright of liberty to the enemy within or to this or that foreign power.

In the face of the growing role of government at all levels in the United States, despite the constant impact of government actions and policies on our personal welfare, a wide gulf between the electorate and the office holders persists. It can be argued, I know, that the gulf exists for the very reason that government exercises such a powerful influence in American society, precisely because individuals feel that the last ramparts protecting personal freedom are about to fall.

But I am assuming that the complexities of our society and the sheer demands of our world position will continue to require strong government, led, staffed, and advised by the most competent people we can train and enlist for the purpose. In this case, the ramparts of personal freedom will be better defended by more understanding between the electorate and the elected, not less; by wider knowledge of the American political process, by a greater willingness to participate in political life and action and to move back and forth between the private and public sectors of the country as ability and talent permit.

It seems to me that the American business community has a special set of responsibilities in broadening the base of political participation in the United States. As the dominant factor in the growth of our economy, in the employment of our manpower, capital, and natural resources, it generates much of our international economic and political strength. It does not and cannot do this in a vacuum isolated from obligations to the public.

But the way in which businessmen take part in our public life is as important as the fact of participation itself. This goes a little deeper, I think, than getting business into politics, the movement which seems to have taken hold in recent years. Business in politics programs may run the risk of overemphasizing special interest, may tend to set the American business world apart from the rest of the country. No less a business voice than the Wall Street Journal sounded this note of caution not too long ago, pointing out that business and politics require quite different skills and training.

Many a businessman has gone to Washington to assume a high Federal office, only to return home disillusioned and unsettled by the experience. The reason, as the Journal pointed out, was that he continued to think and react as a businessman, instead of as a political leader who understood the problems of business. May I add that labor leaders have fared no better under similar circumstances. Both have remained amateurs in a field where professional talents are required.

But the businessman who has a political sense, who understands the responsibilities and the shifting ground rules of political leadership, the limitations as well as the opportunities of his job, can make a tremendous contribution to American life. There have been many successes to compensate for the failures.

The principal difficulty which prevents a more constructive dialog between the business community and the elective or appointive officeholder is that they live in such different atmospheres. Certainly the man who runs for office, whether he comes from business or law, is never quite the same after a political campaign, an experience most of us are fortunately not exposed to.

In his excellent book, "U.S. Senators and Their World," Prof. D. R. Matthews, of the University of North Carolina, says:

"Political campaigning forces a man out of the comfortable cocoon of self-imposed uniformity within which most of us live. It results in acute awareness of the vast differences in the conditions, interests, opinions, and styles of life of the American people and a detached tolerance toward this diversity."

The appointive officer, who is at least spared the rigors of campaigning for his position, goes through a cold bath of his own before he settles down in his new job and finds that the range of pressures and interests descending on him is far greater than he ever imagined. But whether elective or appointive, if he has been a businessman he now begins to appreciate some of the essential differences between his new life and the old, between his new responsibilities and those he has left.

These differences exist across a wide spectrum, but they are perhaps most noticeable in areas of responsibility and function that are common to both the business leader and the officeholder. Both are accountable, if to different constituencies. Both must communicate, if to different audiences. Both must be available, if to different visitors. Both must plan ahead, if in quite different contexts.

The business leader is clearly accountable—to his board of directors, his stockholders, his associates and employees, and in a broad sense to the general public. But compared to the officeholder his accountability is expressed in a more or less orderly, systematic, reasonably well defined way. By and large if he runs a profitable company he will satisfy the requirements of his owners, the stockholders. In fact, his ability to turn a profit and run a successful business will compensate for other weaknesses or deficiencies. Granting the heavy pressure and the difficult problems of managing a business organization and of meeting the payroll, there is at least general agreement on the criteria, on the standards by which his performance will be judged from one year to the next. He in turn can hold his colleagues and employees accountable for their own actions and contributions to the organization.

The officeholder, on the other hand, can be accountable to hundreds of thousands of constituents, each representing a vast assortment of interests, some of which are much noisier and more articulate in their demands than others. Moreover, he can be held accountable several times a day and sometimes far into the night. I know of a prominent western Governor who was awakened at 3 and 4 in the morning by angry constituents because he had vetoed a bill permitting singing in taverns. It is amazing what some voters will feel deeply about.

Some constituents will hold their Senator or Congressman accountable for not paying sufficient attention to legislative duties, for spending too much time mending fences back home. Others will take after him for neglecting his district, for failing to keep in touch with the electorate, a point of vulnerability his opponents will be quick to exploit.

In fairly recent elections there have been a number of cases involving the defeat or near defeat of highly dedicated, experienced men who had devoted an increasing amount of their time to their congressional responsibilities in Washington. The seniority system in both Houses places the greatest demands on the time of the most experienced legislators, forcing them to remain away from their districts for longer and longer periods. In this way, what would be normally considered devotion to one's job in a business firm can become a distinct political liability to the officeholder at the very peak of his career and influence.

In the area of communications, the responsibilities are also quite different. The businessman communicates with one body of constituents, the stockholders, in well considered financial statements, issued at regular, predictable intervals. He exercises control over his communications with employees and his customers. He may or may not deal with the press. Certainly he has the option of making or not making public statements, when he makes them he is generally pretty careful about what he says. He will not shoot from the hip if he can possibly avoid it. Even the heads of very large corporations can keep out of the public eye if they choose to do so, and many do.

But the businessman turned Cabinet member, or Governor or Congressman, will be called upon to make public statements, to react officially to events many times a day. Indeed, he will have to cultivate the press if he is to be effective in his job at all, because it is the only way he can develop public support for his policies or programs. As a Congressman or Senator he can be called repeatedly to answer press queries, and whether he has had time to consider the problem or not he will have to think of something to say. If he happens to be an appointive officer, on the other hand, he may be questioned vigorously by congressional committees, and in the give and take of those wearing sessions may drop an offhand remark that will stare out at him as a front page headline over his morning coffee the next day. When he does, he will be inclined to agree with the astute Washington correspondent who said: "Newspapermen and politicians are natural enemies, mostly because they need each other."

Charlie Wilson, the Secretary of Defense under the Eisenhower administration, did not say, "What's good for General Motors is good for the country." What he said was, "What's good for the country is good for General Motors." But to that commendable expression of sentiment he added three small, unusually quite innocent words: "and vice versa," producing a shock wave felt around the country and remembered to the present day.

Instant opinions, instant reactions to a wide variety of events outside of his immediate business concerns, these are not significant preoccupations of the American businessman. They are demanded of the officeholder, however, and the glittering generality of which politicians are so often accused can also be a way of buying time to work out a more thoughtful answer.

Of all men in public life, the representative in a legislative body is the most available individual in American society. The executive in business can, at least to a considerable degree, plan his day, even his week or month. If he could not, he would find it exceedingly difficult to manage his enterprise. He can refuse to see the casual visitor or the time waster who takes him away from attending to his job. Generally speaking, businessmen are considerate about the way in which they use each other's time as well. They call in advance. They arrange to meet at mutually convenient times, not always of course, but these amenities and courtesies are normally adhered to.

The officeholder, especially the man in elective office, feels as though he were rocking along out of control most of the time. He has comparatively little to say about his working day. Interruptions are constant. Senators, Representatives, State Governors, mayors have their working schedules frequently broken into by unannounced constituents with nothing more serious in mind than a casual chat or a tour of the city. And among the worst offenders are the big campaign contributors. They refuse to talk to staff assistants, only the principal himself will do, and once in his office often as not they will unload an issue or problem with which the public official is totally unfamiliar.

It is not unusual for important constituents to ask their Congressmen to make hotel reservations for them, or to turn up as unexpected houseguests. One important Senator, according to a recent study of relationships between Members of Congress and their constituents, has even been asked to track down errant husbands. I understand that his batting average is actually pretty high.

I would assume that most constituents believe their Washington Representatives are devoting most of their time to legislation, to their committee assignments, to the work of Congress itself. In reality they spend half their working hours or more, much more in many cases, on the problems of their constituents.

Much of this load stems from the growth of the Federal Government and the increasing impact of Federal agencies on our daily lives. One Senator has reported that he receives more than 40,000 letters a month on social security problems alone. Defense contracts have become increasingly significant in the economies of many States, California in particular. The individual Congressman or Senator must do his best to see that his State or district is not overlooked, and if he neglects this activity his constituents will remind him quickly and sharply of it.

His volume of casework, his inability to control his time, and the demands that take him away from the lawmaking process have been a source of growing concern to many a thoughtful and dedicated man in political life. In the words of a prominent Senator: "I just don't have time to study the bills as I should, and as the people back home think I'm doing. I'm just dealing off the top of the deck all the time."

From this comparison of the businessman with the officeholder in these areas of shared responsibilities, and their different approaches to them, you might possibly conclude that I am about to advocate a program of Federal assistance to our newest underprivileged class, our lawmakers and public servants. I assure you that nothing is further from my mind. I merely believe that as our representatives must know about the problems of the electorate, so should the electorate become more knowledgeable about the problems of legislation and government administration. I think we have a good distance to go from where we are today.

I suggest that one way to begin would be to reexamine many of our prejudices and traditional concepts about American politics and make an effort to discard the caricature for the reality. Strangely enough, the American officeholder does not take kindly to being called a crook, especially after he has put in a 14- to 16-hour day working on the problems of his constituents. Yet, a large proportion of the American electorate believes that you cannot be honest and be a politician.

Not long ago, a sample of American voters was asked the question: "If you had a son, would you like to see him go into politics as a life's work, when he gets out of school?"

Of those polled, 68 percent answered no, 21 percent answered yes, and 11 percent had no opinion. Those who opposed a political career for their sons said that politics were crooked and unethical, and that the temptations of a political career were too great. The explanation given by those who said yes is even more interesting. They wanted their clean-living and clean-minded sons to turn out the rascals who were in politics now. All told, on the basis of this particular study, half the American electorate believes that politics and ethics somehow do not mix.

Over the course of many years in Washington, I met many men in office with whom I agreed and disagreed. And so far as Congress is concerned, I go along with James Reston of the New York Times, who knows the workings of Capitol Hill as well as any observer in the country, when he says that most Congressmen are conscientious and industrious men and women with high ethical standards. And there are those who turn the argument on the American voter and say that he is getting a better deal than he deserves.

The caliber of our representation can be much improved, and we should work constantly to improve it. But it is better than we realize because of two trends working in the voter's favor. The educational level of our representatives is rising, and younger people, despite the attitude of their parents, are going into politics. The educational level in Congress, especially in the Senate, is among the very highest in the country. A majority of Senators and around half the Members of the House have been through postgraduate work of considerable intensity, principally but by no means exclusively in the law. And while the average age in the Senate is 57, as against 52 in the House, it is notable that among the first-term newcomers the average is 44, against 43 in the House.

While thorough documentation is lacking at the State level, there are indications that a similar trend may be in progress in our State capitals. I have been advised by men with many years of experience in Sacramento that members of the legislature are not only younger, but of higher caliber and much better qualified for their work than their predecessors of 20 to 30 years ago. It is good to know, I think, that the man who says he didn't raise his son to be a politician may actually be raising a very good one.

And yet the caricature persists, preventing even better men from seriously considering public office, elective or appointive, as either a career or as part of their education and general experience. It persists, I think, because we as voters do not know enough about the ways in which the political process actually functions.

When the officeholder talks privately and frankly about his constituents his most frequent criticism is their lack of knowledge of the legislative system. He will talk possibly in the terms of a bright—and young—member of a State legislature in the Pacific Northwest who told me recently:

"People, as a group, seldom analyze the overall political problem. They tend to drastically oversimplify all issues—urban needs, resource needs—and to relate the revenue question to their individual sphere of interest. The industrial associations give us hell constantly. Would but they might occasionally say a word in our behalf. When it comes time to decide financing new highways, schools, and so forth, they are usually broadly against any tax increase, but offer no solution on how to operate government without the increases."

In this connection, I recall a visit I had one day from a business group which had a matter it wished to bring to the Department of Labor. One of those gentlemen asked me during the discussion how I could have turned my back on business, on everything I had stood for, and become Secretary of Labor. It was difficult for him to grasp that a man with a business background could function in any impartial way in the field of labor-management relations and national labor policy.

In short, voters and special interest groups tend to approach their representatives with a particular proposal or objective in mind. When it emerges at the other end of the system, distorted, pulled out of shape by compromise and amendment, or does not emerge at all, the cry of "sellout" can be heard across the land. But very seldom does anyone get exactly what he wants from a legislature. After several years of submitting proposals to Congress, I assure you I speak from experience.

One of the principal reasons for this, not the only one of course, is that the conscientious legislator must begin to think in terms broader than this or that special interest. This reaches its peak in Congress whose Members are constantly confronted with issues, problems, and legislation of national scope, and often with deep international implications.

Hackneyed as the phrase may be, politics is, after all, the art of the possible, and voters too often ask for the impossible, are frustrated by the result and quickly conclude that moral and ethical standards have been violated in the bargain.

It seems to me that the time has come to begin building a few bridges across this gulf of misunderstanding that separates the electorate from the officeholder. One advantage we have is that we are a political nation, that we do admire men who have made substantial contributions in public life, that the leaders who have commanded the greatest esteem and respect throughout our history have been political figures. Our attitude toward politics is contradictory; it both attracts and repels us.

We might reduce this contradictory attitude to manageable and constructive proportions if we thought of public office, at whatever level, as a profession, a profession as stringent and demanding as any discipline in American society.

We cannot all be experts in the profession of politics, any more than we can all be doctors, scientists or the managers of large industrial organizations. But we can exercise intelligence in the choice of men and women who enter it. We can adjust our educational system to train people for it, at least more effectively and pointedly than we do today.

If we adopt such an approach, what should be the role of American business and industry, for which government and politics have such obvious implications, since they determine the general climate of all commerce in the United States? I would say to this that business in politics is perhaps acceptable as far as it goes, but that it does not go far enough. The participation in the political process which is recommended is too limited and I fear the results will be limited as well.

In times of national emergency, business and industry have not hesitated to make their best people available for public service. The question might be raised as to whether business and industry could develop a workable public service policy that can operate on a continuing basis, not merely when there is a national crisis.

Business and industry might rather think in terms of government and politics as a legitimate and desirable form of experience for qualified members of management. The day is long past, however nostalgically we may look back on it, when American business can operate in an atmosphere free of government influence, or uninhibited by public policies. It might coexist better with government if both knew more about the other's problems, if there was more flexibility in the movement of people and talent between the public and private sectors of the national economy.

And in government and politics there is nothing that can substitute for on-the-job training.

The lawyer, who more than any other professional man gravitates toward the political life, can return to his private practice if he is defeated for an elective office or when he leaves an appointive office. The young businessman does not generally have this option. If he becomes an officeholder he generally severs his connection with his business organization. When he returns to private life it must be to another firm, possibly even another type of work.

But supposing young men of business were released for an elective or appointive office on a leave-of-absence basis, with some form of assurance that they could return to their business association, not as lost sheep coming back to the fold, but as men who could make a better contribution to the success and prosperity of the organization? I believe we might discover that a year in public service would be worth 5 years on the job back home.

Such a program and such a policy in the American business community might well serve two useful objectives. First, American management would be in a better position to draw more frequently and more usefully on the experience of its own members in the political process and the operations of government, as they rejoin their organizations after a tour of public service. This, I think, would in time build for better communications between business and government.

Secondly, some of the best might stay in politics as a career and develop the professional skills required of the officeholder. Would this be a gain or a loss to business? I suspect that on balance it would be a gain. For it would not only further improve the caliber of our representation, but would inject into politics and government more men who combine knowledge of the problems of business and of our private economy with political talent and sense. And for those who succeeded in attaining professional stature, public service may prove to be an endlessly fascinating, rewarding, if somewhat nerve-racking life, rather reminding me of the Senator who said: "I don't see why anybody would want this job. Don't quote me on that, I'm running for reelection."

[From the San Francisco Chronicle, Jan. 28, 1963]

BUSINESS POLITICIANS

In a talk to the Commonwealth Club Friday, Industrialist James P. Mitchell, who was Secretary of Labor in the Eisenhower administration, offered one of the better suggestions we have heard for getting business into politics.

Noting that a lawyer who goes into political life can return to his practice if he is defeated or retires, Mitchell observed that the young businessman with an urge for politics does not often have this option. "Why shouldn't he be released on leave of absence from his corporation job with the assurance that he could return to it?" Mitchell asked.

He suggested such a sabbatical from business could serve either of two purposes: On the politician-businessman's return, management would be able to draw on his experience to build better understanding between business and government, or if he stayed on in politics there would still be a benefit from having injected into government a man who combined knowledge of the private economy with political sense.

American business complains a good deal about the lack of understanding of its problems in Washington and the State capitals. This would be a way to improve it.

PROGRESS IN HEALTH CARE FOR MIGRANT WORKERS

Mr. KUCHEL. Mr. President, one of the most worthwhile programs enacted by the last Congress was the Migrant Health Act, which authorized Federal grants to assist State medical services for seasonal farmworkers. Extensive studies by the Subcommittee on Migratory Labor have shown that the general health of migrant families is among the poorest in the Nation. These workers are constantly on the move and have little opportunity to seek adequate medical attention. As a result, the children lack basic immunization and the adults suffer from many diseases which could be easily cured if detected.

I am proud that my own State of California has attacked the crucial problems of the migratory farmworker through the Farm Workers Health Service, which was established 2 years ago. With the active cooperation of growers, county medical societies and community organizations, the Farm Workers Health Service has done outstanding work in assisting local communities in their efforts to improve the health of the migrant family. However, their efforts have been hampered by a lack of funds and personnel. Now they have submitted an application for $490,000 to the Department of Health, Education, and Welfare; this money would provide more family clinics, improved sanitation conditions and increase public health nursing services.

Because of our 2 years of experience with migrant health projects, the California Department of Health was able to submit promptly a plan to expand its existing programs. California has responded to the opportunities offered by this act. The Department of Health, Education, and Welfare, by acting expeditiously on California's application can join in this opportunity and thereby fulfill a long overdue obligation to this neglected group of citizens. Now that Congress has expressed its intention to do something about these problems, prompt and vigorous action by the Department of Health, Education, and Welfare will bring much needed aid to migrants this year. From this project, those interested in a better life for migrant farmworkers throughout our land will gain the necessary experience on which to base their own health care programs in this important area.

NEW PERSPECTIVE FOR BANK EXPANSION AND ECONOMIC GROWTH—ADDRESS BY JAMES J. SAXON, COMPTROLLER OF THE CURRENCY

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an impressive statement presenting a new perspective for bank expansion and economic growth. The statement was made by the Honorable James J. Saxon, Comptroller of the Currency, on the 100th anniversary of the formation of the national banking system. The transformation that is slowly taking place within the banking community as a result of the transfusion of energy and new ideas by Mr. Saxon is one of the healthiest developments of the New Frontier. The antitrust laws, prudently and decisively applied, are important police measures but the careful and restrained introduction of competition within the banking community may well in the long run prove to be as significant if not a more significant step in encouraging American banking to meet its responsibilities in an expanding economy. Mr. Saxon's proposals and actions have caused considerable discussion in finance and banking circles. To say the least, some of the suggestions are controversial. However, Mr. Saxon is performing a genuine service to the business and banking community by his forthright recommendations and decisions.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

BANK EXPANSION AND ECONOMIC GROWTH: A NEW PERSPECTIVE

Next month will mark the 100th anniversary of the formation of the national banking system. At the time the Congress provided for the chartering of national banks, one prime need was for an effective payments medium to supplant the unsatisfactory system of notes issued by State-chartered banks. In the intervening years, the national banks lost their note-issuing power, and primary attention in bank regulation shifted to the protection of depositors with all that this implies in the way of continuous supervision. Throughout the course of evolution of the national banking system, changes of policy have taken place chiefly in response to banking crises which generated demands for more rigorous limitations over banking operations. This crisis orientation has survived to the present day.

The basic need for bank regulation and supervision is as essential today as it was at the time the national banking system was founded. We now have a clearer conception, however, of the essential role of banks in the economy. What is lacking is the full application of these concepts to the structure of public control in the field of banking.

As our economy has grown, it has become increasingly evident that the commercial banking system occupies a central role in its progress. It is upon the commercial banking system that we significantly rely for the marshaling and disposition of our capital resources, and the provision of our payments mechanism. A deficiency in that financial mechanism will critically affect the rate of our economic growth.

It is often pointed out that the growth of our commercial banking system has lagged behind the pace of our economic advance. Nonbank financial institutions have come into being and prospered, to fill in some degree the gaps left by these deficiencies. Commercial banks, however, offer a wider variety of services than any one of these other financial institutions, and have a greater potential for adaptation to the growing range of new requirements. It is essential in the national interest that this key financial instrumentality should not be needlessly constricted.

There are two broad areas in which basic reforms are required if our commercial banking system is to perform with fullest efficiency its essential role in the growth of our economy. One relates to the power which banks are allowed to exercise in the conduct of their operations. The other relates to the authority of banks to extend the area of their operations in a spatial sense.

BANKING POWERS

The present limitations over banking powers were intensively examined in the recent report of our advisory committee. That report is the subject of a panel discussion here this afternoon, and I shall describe it only briefly, and indicate the steps which we have taken to carry out the committee's recommendations.

Every significant phase of the operating policies, practices, and procedures of the Comptroller's Office and of national banks was critically reappraised in the advisory committee report. A wide range of recommendations was proposed with respect to the lending and investment powers of national banks, their trust powers, their borrowing powers, the alternatives open to them to provide needed capital, and the various details of their corporate procedures. The report also appraised the relationship of national banks to the Federal Reserve System, and the heavy penalties and burdens of mandatory membership; and surveyed and constrictions imposed on the foreign operations of national banks.

Since that report was completed, these recommendations have been subjected to intensive examination within our Office, and a number of steps have been taken to promulgate new policies and procedures to bring them into effect.

New regulations have been issued allowing the use of preferred stock and capital debentures as normal means of raising capital; and permitting the use of authorized but unissued stock, provision for employee stock option plans, and the appointment of a limited number of directors between annual meetings. Commencing February 1, national banks will be required to submit annual financial reports and proxy statements to their shareholders. Moreover, we are now at the final stages of developing revised regulations and procedures relating to the trust and investment powers of national banks; and the revision of the entire body of interpretations and policies set forth in our "Digest of Opinions" is substantially completed. We are also well along in the revision of the trust and commercial examination forms, and the respective related instructions to examiners. When these new instructions are completed, they will be made available to the national banks.

A broad consensus prevails in the banking community concerning the need for modification of the powers, regulations, and procedures affecting banking operations, and we have encountered little controversy in working out measures to meet these needs. There is little disagreement with the view that commercial banks require greater latitude in operations if they are to meet current and future needs for banking services.

BANK EXPANSION

The same understanding does not prevail with respect to the principles which should govern the expansion of banking facilities. While most bankers agree that added powers and broader discretion in the exercise of these powers are needed, they do not view policy toward bank expansion with the same degree of unanimity.

The cause of this difference is not difficult to understand. While some bankers with a vision of the future, and the initiative to explore new opportunities, favor liberalization of the limitations which now constrict their expansion—many others regard such a policy as a threat to their survival, or at least to their comfort. Evidence that these limitations have hampered the needed growth of banking facilities, and provided favorable opportunities for nonbank financial institutions, have not always been persuasive in the face of the hope that this need or threat would not touch them.

In resolving these issues, we must search for considerations which transcend the private interests of individual banks. These are to be found, fundamentally, in the public purposes which underlie the regulation of bank entry and the control of bank expansion.

While these limitations and controls are essentially negative in their operation, they are founded on positive objectives of public policy. Were it not for the fact that it is considered necessary to preserve the solvency and liquidity of banks, freedom of entry could be allowed in the field of banking. Reliance could then be placed solely on the antitrust laws to maintain competition and regulate competitive practices in serving the public's needs for banking services and facilities. The fact that entry restrictions are needed in order to maintain bank solvency and liquidity will not, however, justify such restrictions beyond the requirements for this purpose. Indeed, if the banking system is to foster economic growth in the fullest degree, the concept of bank solvency and liquidity must be broadened to include safeguards against inertia.

While almost every form of bank expansion has come under criticism by those who fear adverse competitive effects, much of the opposition is centered upon certain of the particular techniques employed. Viewed in proper perspective, however, it is clear that the principal concern should be to insure the adequacy of banking facilities. The need to employ particular techniques should be judged solely according to their suitability for this purpose.

NEW CHARTERS

In most circumstances, some degree of permissible entry by newly-formed institutions is essential in order to provide constant access by succeeding generations of fresh talent, and so as to broaden the sources of capital and initiative through which the demands for banking services may be developed and served. Because of the vital role that banks play in the growth of our economy, it is of critical necessity to insure that new opportunities do not fail of development because of inertia in the banking system. Progress in the industrial and commercial sectors of the economy could be impaired or hampered if the financial mechanism were deficient.

Some argue that entry restrictions should be entirely removed in the field of banking, on the ground that depositor protection could be achieved without them while the public would gain the advantages of greater competition. If this were done, however, it would also be necessary to abandon direct control of bank expansion through branching and merger, and to rely upon antitrust enforcement to prevent harmful concentration of power and to regulate competitive practices. There could be no justifiable basis for allowing newly formed institutions free access to the industry of banking, while the expansion of existing institutions is directly restricted. Complete reliance upon competitive forces to determine bank entry and bank expansion, however, would greatly complicate the task of bank supervision, and weaken the safeguards provided through this form of public control. It is an indispensable part of such supervision to regulate the rate and form of bank entry as well as bank expansion.

There is, however, under present circumstances, a special reason for the chartering of new banking institutions. In many areas of the country, it has become increasingly evident that the expansion of banking facilities through the growth of existing institutions has been insufficient to meet public needs. The branching laws of many States have hampered internal growth through the formation of new branches. Nonbank financial institutions not subject to such limitations have in some degree filled this gap. But these needs have also given rise to initiative to charter new banks.

During the past year we experienced a strong upsurge of interest by new sources of capital and enterprise desirous of entering the field of banking. Well-capitalized, competent groups have been formed in many parts of the country to seek new bank charters. Chiefly, the new applications have come from the States which impose severe restrictions over bank expansion.

Of the 149 applications for new national bank charters received last year, 98 were from 13 of the States which prohibit branch banking; 35 of the applications were from Florida, 26 from Texas, 9 from Colorado, 5 from Illinois, and 4 from Wisconsin—all no-branch States. The present breadth of interest in the field of banking is indicated by the fact that 37 States were represented in last year's list of new national bank charter applications. These applications in 1962 were nearly triple the average annual applications for the preceding decade, and approximately double the highest year during that period. For the preceding decade, applications for new national bank charters were as low as 39 in 1952, and ranged between 71 and 75 in the years 1955, 1959, 1960, and 1961.

In many instances, the initial authorized capital of the newly-chartered banks has been substantially oversubscribed, indicating that in the judgments of those who possess free capital, banking is an industry that offers opportunities for the profitable commitment of new funds. According to this fundamental economic test, it can thus be said that the rational use of capital in our economy calls for a greater commitment of resources to the field of banking. While this test is not sufficient to determine the proper degree of entry in a regulated industry, it does represent a significant factor in determining the need for provision of additional banking facilities.

DE NOVO BRANCHES

While present branching limitations have caused the pressures for new banking facilities to find outlets in applications for new charters, it is obvious that reliance should not be placed primarily on new charters to meet these growing needs in an industry in which competent management is not abundant. Unreasonable limitations over branching imprison established banks, and deprive the public of the skills, experience, and resources of proven institutions.

Many of the critics of more liberal branching powers equate this form of bank expansion with diminished competition. Broadened branching powers will not, however, have this effect if they are properly administered. It is not the number of banks which determines the degree of competition, but the number of points at which effective rivalry actually takes place. A series of unit banks enjoying monopoly positions in their individual communities, for example, could actually produce less effective competition than would prevail if bank expansion took place through branching by a number of institutions, each bringing to the individual community the full force of its competitive efficiency.

In determining the proper role of branching as a means of providing the banking facilities essential for our economic growth, it is also important to take account of the economies of larger-scale operations. Modern technology has invaded the field of banking, as it has other sectors of the economy, and provided opportunities for more efficient operation. These technologies can be efficiently employed, however, only through larger-scale ventures. Comparable opportunities also exist for the utilization of specialized personnel in the ever-increasing range of services which banks are able to perform. The task of public control is to allow opportunities for these forces of efficiency to be expressed, within the limits which must be imposed in order to preserve a balanced banking structure.

The required balance in the structure of our banking system must include provision for a variety of financial services to meet the public need. To permit the forces of efficiency to be expressed does not mean that concentration of control should be unrestricted, nor that only the large should be allowed to survive. There is a wide spectrum of public requirements for banking services, and a diversified size structure of banks is needed to meet these requirements on an assured basis.

MERGERS AND HOLDING COMPANIES

Bank expansion may take place not only through internal growth, but also through the merger of existing institutions, and the formation of holding companies. Perhaps the most common criticism of our banking structure by foreign observers relates to the emphasis we place on the maintenance of unit banks. Those critics argue that bank expansion through new charters and new branches is often more costly than expansion through mergers or holding companies, and results in a waste of resources. These criticisms usually come from countries in which there is no tradition to maintain competition. Nevertheless, even within our own competitive traditions, there are many circumstances in which bank expansion through mergers or holding companies will be socially preferable to new charters or the establishment of de novo branches.

THE BASIC TASK

The task we face in shaping the structure of our banking system is to provide the necessary latitude for enterprise and initiative in this industry. While banking differs from other industries with respect to the degree of reliance we place on private initiative, it is alike in the need to preserve a spirit of dynamism and enterprise. Only in this way will banks be able to perform with the highest effectiveness the urgent responsibilities which lie ahead to serve and promote the growth of our economy.

The particular techniques of bank expansion most appropriate for this purpose will vary with circumstances. Unreasonable limitations over the use of individual techniques needlessly narrow the range of choices open to the regulatory authorities and to the banking community, and thus distort and weaken the banking structure. Our attention should be centered, not on these techniques, but on the public's needs for banking services. The pressures to fill these needs will not be alleviated by limitations relating to means—they will merely be diverted into channels where less effective means are available. It is pointless to devote our energies to a struggle over techniques, when our primary task is to find the best means of meeting the needs of the future.

FEDERAL AUTHORITY AND THE DUAL BANKING SYSTEM

It is necessary, in discussing the issue of bank expansion and economic growth, to consider the impact on the traditional dual structure of our banking system. Over the past months, there have been heightened fears that enlarged branching powers for national banks would pose a threat to that system. It should be clearly understood, however, that such enlarged authority could be utilized only to allow greater scope for the exercise of private initiative. This does not constitute an intrusion of Federal power, but only a relaxation of the limitations which now prevail over the operation of privately owned banks. Steps which allow banks to adapt more sensitively to the Nation's requirements will not weaken, but will strengthen, our banking system.

Extended branching powers for national banks, some fear, would bring defections from the State to the national banking system. This could occur, however, only if banks were able to operate more efficiently and to compete more effectively under national charters. It is within the power of the State authorities to provide scope for the most efficient and effective operation of the banks which they charter. Only if all commercial banks are fully empowered to meet their responsibilities, can we realize completely the opportunities for the growth of our industry and commerce.

FRENCH PUT FREEZE ON ITALIAN REFRIGERATORS

Mr. HUMPHREY. Mr. President, I have the discouraging task of bringing to the attention of Senators yet another instance in which France, under its current leadership, appears to be cutting off its nose to spite its face. The Christian Science Monitor of January 28 published an article written by Walter Lucas, from Rome, indicating that French protectionism is directed not only at those countries outside the Six in the Common Market, but also at one of France's neighbors in the EEC, the Republic of Italy.

France, it appears, will shortly impose additional customs duties against the importation of Italian refrigerators, a high-quality reasonably priced product which in the first 10 months of 1962 accounted for one-half of all imported refrigerators sold in France.

Italian competitiveness in this line of manufacture is remarkable in view of the fact that 7 years ago, according to the article, Italy could not even compete with French and German models at home, let alone outside its borders. Now the Italian product is superior both in price and design to the German and is making heavy inroads into the domestic French market. The higher French tariffs, it should be noted, will not be imposed on German refrigerators, only on the Italian. Is this the result, some people are asking, of the recently signed Franco-German treaty of cooperation? Does it foreshadow a hands-across-the-Rhine attempt to monopolize European industry?

If this is the case—and I sincerely hope such fears are unfounded—Italy deserves better at the hands of her Common Market partners. She has rolled up an extraordinarily high rate of growth, but in the process her trade deficit amounts to about $1.5 billion, which represents a rise of nearly one-third over the 1961 figure. As a result of Common Market policies, 21 percent of Italy's imports come from EEC countries. Premier Fanfani's government is hoping to make up for this loss of foreign exchange by greatly stepped-up exports to the Common Market area. Ideally, this is the way it should work out.

This is not going to be the outcome, however, if France "governs by disdain" within the Common Market as well as outside the Common Market. Italy and the other smaller partners of the European Community have every reason to be concerned about the trend of events.

Mr. President, I ask unanimous consent that the article referred to be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Refrigerators—French Trade Wall Hits Italy

(By Walter Lucas)

ROME

France has been authorized by the Economic Commission of the Common Market (EEC) to put up additional customs duties against the import of Italian refrigerators.

Although this extra tariff will only partly make up the difference in price between French and Italian refrigerators, it comes as a hard knock to the Italians on two counts.

First, it seems to nullify the idea of free competition within the Common Market area.

Second, it comes at a time when Italy's increasing deficit on the balance of trade is one of the most troublesome features in this country's economic picture.

RECOURSE OPEN

Admittedly, under a safeguarding clause in the Treaty of Rome, a country which finds one of its industrial sectors threatened by competition from a fellow member of the six can apply for temporary protection. It could be said that an important French industry was having a hard time from the competition of Italian products, since for more than a year now the French refrigerator manufacturers have been appealing to their Government for protection against Italian imports.

The Italian product has had a considerable price advantage as well as a high-quality rating. In consequence it has captured a large share of the French market both against the home product and also imports from other countries.

AIM ACHIEVED

But as one Italian industrialist points out, this action of the EEC Commission in favor of France in effect punishes an Italian industry which has made considerable investments for modernization and reequipment to place itself on a competitive footing with any other producer of electrical domestic equipment in the world.

This aim has been achieved. Its success was proved during the first 10 months of 1962, when more than one-half of the imported refrigerators sold in France were made in Italy.

In fact, apart from underselling the French, the Italians also beat the Germans both in quality and price. This is a complete reversal of the position of 7 years ago. Then Italy was a heavy importer of refrigerators, and the Italian product not only could not compete with the French and Germans on the home market but had little export trade.

It may be only coincidental that it was the French who dealt a blow to the idea of European economic unity and free competition within the Community by asking for protection against Italian refrigerators. But this action, coupled with General de Gaulle's attitudes of late, give ammunition to those Italians who would point to a pattern of greater concern with French interests than with the economic structure of the Common Market and the idea of European unity.

DEFICIT PERSISTS

In this particular case, even before the matter had been adjudicated by the Commission of EEC, France had already taken unilateral action against Italian refrigerators by administrative moves. These resulted in great delays in getting import permissions.

It is interesting that though the Germans are also competing successfully on the French home market in this field, similar tariff action has not been asked for against the German product. Could this be, some people are asking here, because of the special understanding which exists between President de Gaulle and Chancellor Adenauer?

From the purely Italian viewpoint this cutting down of large sales of Italian refrigerators in France is doing nothing to ease the balance of trade deficit. Italy's deficit, based on the figures for the first 10 months of 1962, is likely to amount to something like $1,400 million during last year—an increase of 31.1 percent over that of 1961. The tendency at the moment seems to indicate a further worsening.

IMPORTS INCREASE

Obviously Italy will resist unilateral raising of a customs barrier against Italian goods.

Italy last autumn offered a reduction of 10 percent, over and above the joint Common Market tariff reduction, on wide range of manufactured products. This was partially responsible for the increased deficit on the balance of trade.

Already this and the progresssive reduction of tariffs under the Treaty of Rome have brought about a 21-percent increase in imports from the EEC countries during 1962; for instance, the imports of motor vehicles increased by 7.29 percent and those of machinery by 33.4 percent. This has caused a certain amount of uneasiness among some Italian industrialists, who see their home market under increasing attack from competition from abroad and especially from the EEC countries.

MARKET STAGNANT

Many Italian firms, however, were confident that they themselves could offset this increase in imports by stepping up their exports in the Community.

Raising of an extra tariff, amounting to about $10 a unit on Italian refrigerators into France, must affect an important export outlet and have a bearing upon Italy's balance of trade with the EEC countries which last year was $242 million in the red. And with export markets stagnant it is difficult to find alternative outlets for such products.

Apart from the possibility of countermeasures by the Italians against French products, which sell well in this country, this action, as one commentator puts it: "Forms a dangerous precedent. There is the danger that national industries confronted with normal competition, based on the quality of the product, as has happened in the case of Italian refrigerators, might give up modernizing their plant and take refuge behind a tariff against imports imposed in the name of protecting a weak industrial sector from unfair competition."

WORLD CONFERENCE ON PEACE THROUGH LAW

Mr. JAVITS. Mr. President, I call the attention of the Senate to a very important announcement by the American Bar Association under date of January 11, 1963, but which has just come to hand. The announcement relates to the prospective World Conference on Peace Through Law to be held in Athens, Greece, from June 30 to July 5, 1963.

Mr. President, this activity has been conducted for a considerable time by the American Bar Association under the auspices of Charles S. Rhyne, of Washington, D.C., a former president of the American Bar Association. Mr. Rhyne is the person who has been most identified with the idea of world peace through world law.

The present president of the American Bar Association, Mr. Sylvester C. Smith, Jr., in announcing the forthcoming meeting, made the following statement, which I thoroughly endorse:

> The program of world peace through law is admittedly a long-range program, idealistic in nature; but based on the very sound principle that peace through law is the only alternative to war. The program is both practical and necessary. Building law into a credible replacement for war is a task for lawyers.

As a lawyer myself, and one of long practice at the bar, I express tremendous pride in the fact that the lawyers of this country have identified themselves with this movement.

I point out that it is not quite as idealistic as Mr. Smith says. I am sure he understands that, too, because the ultimate consummation of a world ruled by law is not the only thing we are talking about. Very important actions can be taken now by the International Court of Justice. For example, the resolution sponsored at the last session by the Senator from Minnesota [Mr. HUMPHREY] and myself—and I hope we shall introduce it again—to repeal the Connally reservation is a very practical matter designed to unshackle the hands of the United States in respect to the utilization of the World Court. The effort represented by the World Conference to be held in Athens has been preceded by the regional conferences, sponsored in 1961 and 1962, in Costa Rica, Tokyo, Lagos, Nigeria, and Rome, each of which was successful, according to the appraisal made by the bar association itself.

I hope lawyers everywhere will give their attention to this movement, and will support and back it. In this atomic, terrible age, the movement is a real answer in terms of our whole tradition and history. It is practical, in the sense that it can be a series of steps; all of it does not have to be consummated in one fell swoop.

I speak with the greatest pride of this effort by the American Bar Association, of which I have the honor to be a member, as do many other Senators, under the leadership of Mr. Charles Rhyne, along with Mr. Sylvester C. Smith, Jr., the president. This effort is of tremendous portent to all mankind.

THE CONGRESSIONAL WILL ON AIRLINE SUBSIDIES

Mr. HRUSKA. Mr. President, on August 31 of last year I addressed the Senate on our intent in approving the item of $83,078,000 for payments to air carriers in the appropriations bill for the Civil Aeronautics Board. My remarks will be found in the CONGRESSIONAL RECORD, volume 108, part 14, pages 18331–18332.

The purpose of those remarks was to make it perfectly clear on the record that the will and intention of the Congress is that the benefits of air transportation be provided across our Nation, in the full knowledge that much of the local air transportation is not now, and will not in the foreseeable future be, self-supporting.

This, of course, Mr. President, is not in accord with the President's transportation message of last year, in which he called for a step-by-step program to reduce sharply the operating subsidies.

It was my hope that my remarks of last year would not escape the attention of the members of the Civil Aeronautics Board. It is believed they did not. Yet the Board is asking, in its appropriations request this year for $3 million less in subsidies than it received in the current fiscal year. This is most disturbing.

Again I speak in the hope that the members of the Board will heed these and similar remarks, also to point to one example of how a progressively operated, well-managed airline is succeeding in achieving improved service and greater revenues under the present system.

Some basic developments in air transportation in the State of Nebraska have been so impressive and encouraging that I think the Senate will find them informative.

So often we hear that this or that airline is not providing adequate service. Questions are raised about the amounts expended on airline subsidies. I, myself, have been critical of some of the airline service in my State in the past. So it is a pleasure now to tell about what can happen when an airline and the communities it serves get together and support each other.

In late 1958, the Civil Aeronautics Board certificated an extensive new pattern of local air service in many Midwestern States. In that case, 10 new points in Nebraska were certificated for air service on the routes of Frontier Airlines, Inc. In addition, six points previously served by trunklines were also transferred to Frontier for service.

Unfortunately, the first few years of service by Frontier Airlines were disappointing. The people in these new cities, who had looked forward so eagerly to air service, felt that Frontier did not want to serve them, and that Frontier's service was so designed as to prevent the development of traffic and to result in the elimination of air service at these points under the CAB's so-called use-it-or-lose-it test.

It actually came very close to happening. After a few years, the CAB withdrew air service from our northern Nebraska route. In a separate case, the use-it-or-lose-it investigation, an examiner recommended a year ago that service at eight more points in Nebraska be deleted, for lack of traffic development. Had that decision been followed, Nebraska would have been left with air service to only five points, or less service than it had before the seven-States case ever began.

Then a very fortunate thing happened: Last spring a change in the management and control of Frontier Airlines was made. The new management, headed by President Lewis W. Dymond, a man of 25 years' experience in aviation, took one look at Nebraska and decided that something was wrong.

Mr. Dymond and other representatives of Frontier Airlines made a number of personal visits with State and civic officials in Nebraska, to find out what could be done to improve the service and to develop cooperative programs to generate traffic. New schedules were put into effect and people were encouraged to make the maximum use of air service. The CAB was requested to permit a further period of service under the new management.

I have recently seen the traffic results for the second half of 1962 on Frontier's service in Nebraska. This 6-month period represents the first sustained indication of how much good air service can do if it is rendered with a spirit of cooperation and willingness.

In the last months of 1962, Frontier Airlines originated 36,728 passengers in the State of Nebraska. For the same period in 1961, it originated 28,407. This is an increase between the two periods of over 8,000 passengers, or 29 percent.

The significance of this growth can be seen in relation to the fact that for Frontier's total system, passenger originations grew only 13 percent in the same period. It is even more significant when compared to what happened before the management of Frontier changed. In the year ending March 31, 1962, traffic at Frontier's Nebraska points decreased 3 percent; but traffic on Frontier's system as a whole increased 4 percent.

Included in the recent traffic figures are, of course, some substantial improvements at individual cities. Hastings, Kearney, Lincoln, McCook, Omaha, Alliance, and Chadron all demonstrated healthy growth, exceeding or approaching the traffic standard of five passengers a day set by the CAB.

I ask unanimous consent to have printed at this point in the RECORD a table showing the growth in passenger traffic in Nebraska and systemwide of Frontier Airlines, under the leadership of Mr. Lewis W. Dymond.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Frontier Airlines, Inc., growth in passenger traffic in Nebraska and Frontier system by months, July–December 1962 versus year ago

	July		August		September		October		November		December	
	1961	1962	1961	1962	1961	1962	1961	1962	1961	1962	1961	1962
Nebraska:												
Passengers originated	4,424	4,983	5,080	5,745	4,761	5,992	4,934	6,872	4,782	6,629	4,426	6,507
Percent change		+13		+13		+26		+39		+39		+47
System:												
Passengers originated	30,834	31,449	34,041	35,658	29,421	33,645	29,232	33,790	28,631	34,362	28,510	34,700
Percent change		+2		+5		+14		+16		+20		+22

Frontier Airlines, Inc., growth in passenger traffic at Nebraska cities by months, July–December 1962 versus year ago

Station	Number of passengers originated													
	July-December 1961	July-December 1962	July		August		September		October		November		December	
			1961	1962	1961	1962	1961	1962	1961	1962	1961	1962	1961	1962[1]
Alliance	525	669	95	79	102	138	117	101	67	126	70	103	74	122
Beatrice	620	601	167	102	153	91	81	103	83	116	74	94	62	95
Chadron	692	770	136	132	150	141	111	110	96	139	122	105	77	143
Grand Island	2,445	2,939	347	470	449	536	426	477	443	546	401	439	379	471
Hastings	1,008	1,099	169	167	223	179	175	173	185	199	125	181	131	200
Imperial	93	209	7	31	18	28	18	35	5	30	22	40	23	45
Kearney	741	1,029	135	107	136	150	114	184	118	186	132	167	106	235
Lincoln	7,671	11,469	1,047	1,374	1,298	1,654	1,267	1,844	1,334	2,250	1,414	2,276	1,311	2,071
McCook	533	687	118	106	109	103	88	120	86	100	70	118	62	140
North Platte	2,581	2,860	387	432	483	503	458	489	445	476	441	475	367	485
Omaha	7,311	9,864	1,235	1,331	1,243	1,498	1,211	1,699	1,328	1,883	1,169	1,791	1,125	1,662
Scottsbluff	3,691	4,042	499	582	617	638	617	584	668	742	645	749	645	747
Sidney	496	490	82	70	99	86	78	73	76	79	97	91	64	91
Total	28,407	36,728	4,424	4,983	5,080	5,745	4,761	5,992	4,934	6,872	4,782	6,629	4,426	6,507
All "use it or lose it" investigation points	4,708	5,554												
Grand Island, North Platte, and Scottsbluff	8,717	9,841												
Lincoln and Omaha	14,982	21,333												

[1] Preliminary figure.

Mr. HRUSKA. Mr. President, I submit these figures to the Senate because they are to me a heartening indication of the important role that local air service can play in serving and developing the many smaller cities around the United States. It is obvious to me that this country cannot develop with a pattern of air transportation which just connects one giant metropolis with another. In many ways the smaller cities, such as those that Frontier serves in Nebraska, need and deserve air service more than larger ones. They are geographically isolated, and some are without any other form of public transportation. So it is encouraging to realize that the efforts of the Congress to assist with this form of air service can be well spent on a State that wants good air service and a carrier that wants to give it.

The staff of the CAB is reported to have held the view that service and public relations, in which Frontier has invested a great part of its efforts, have little effect on traffic production. I submit that these figures clearly dispel that notion.

It is well, Mr. President, to look to the future. These figures represent a trend. They mean that with good local cooperation and good service, which Frontier has been supplying, boardings will improve, and the day when subsidies will no longer be needed may well be in sight.

But they are needed today. If we are to allow airlines such as Frontier to make the progress we desire, in terms of service to our people who are located off the major lines, then the Congress must reassert its previously expressed policy of support.

That is why, Mr. President, it is disturbing to note that the most recent budget estimates for airline subsidies seem to reflect an arbitrarily restrictive approach to the needs of local air service. All of us are in favor of eliminating unnecessary or wasteful expenditures in this field. But I would be reluctant to see all of the recent progress we have made in local air service in Nebraska repealed in some arbitrary fashion. In the last analysis, the amounts provided to the airlines must be related to specific service in specific areas. The indications, to which I have previously referred, of growing demand for local air service in Nebraska indicates to me that in our State, local air service is a success and is progressing toward self-sufficiency. I trust that the Civil Aeronautics Board does not intend to resort to willy-nilly actions, rather than selective and constructive steps, to accomplish its goals. The Congress is also entitled to know whether the Board has explored all the alternatives for reducing subsidy and still meeting the lawful needs of the carriers. And this Senator, for one, will follow with keen interest the developments in the specific areas which could be threatened with the loss of local air service.

Mr. President, it is my earnest hope and my expectation that by the actions of our Appropriations Committees in each House and by the joint action of the conference committee, Congress this year will restate its existing policy and intent, as reflected in the pages of the CONGRESSIONAL RECORD of last year.

I refer specifically to the CONGRESSIONAL RECORD, volume 108, part 11, page 14966, which contains a colloquy between my able colleagues, Representative DAVE MARTIN, of Nebraska, and Chairman ALBERT THOMAS, of the House Independent Offices Appropriation Committee, as follows:

> Mr. MARTIN of Nebraska. Mr. Chairman, I notice that the CAB has had a reduction in their appropriation in this bill. We in Nebraska are served by an outstanding feeder airline, the Frontier Airline of Den-

ver. We have three routes, one north and south and two east and west. We are particularly concerned in regard to the specific effect of this reduction on these feeder airlines. I want to ask the gentleman this question: Will this reduction in the CAB funds affect our feeder airline operations in Nebraska?

Mr. Thomas. Not one bit. We do not want to cripple your airlines. You are entitled to good service. All we are attempting to do is to get you better service and at the same time get it at the lowest possible cost. As a matter of fact, whatever the costs are, that will be a debt and it is going to have to be paid. This debt will not occur for a number of months in its entirety. Experience has shown that we in effect have been a little overgenerous with the CAB.

I want to commend our distinguished colleague here. He is a most valuable Member. He has worked at the job.

For the first time, and I will ask my colleagues on both sides of the aisle if I am not correct, our subcommittee invited in the feeder airlines for a discussion of their problems. We went into it and found in a good many instances some savings could be made. This will not hurt them. Tell that to your people.

In a further colloquy between Chairman Thomas and Chairman John Bell Williams, of the Aeronautics Subcommittee, there was this exchange:

Mr. Williams. I understand the gentleman from Nebraska [Mr. Martin] mentioned that the CAB requested something like $84,500,000 for this purpose but that the committee felt that the sum of $71,900,000 or thereabouts would be sufficient; they made a reduction of some $12 million, roughly speaking. It is my understanding that the estimate that was made by the committee and the amount that is included in his bill for this purpose is simply an educated guess on the part of the committee; and I presume in view of the fact that this is a continuing obligation, that if the figure of $71,900,000 turns out to be insufficient, the matter will be further considered by the gentleman and his subcommittee.

Mr. Thomas. Our distinguished colleague is eminently correct. I want to say as to the educated guess that should it turn out that the figure is not sufficient, we will straighten it out and take care of it. The committee felt, however, that the figure was approximately right. The budget estimate was for $85 million. The committee felt in the light of past experience that this figure could be cut $10 million or $11 million, for we found in a previous year we had appropriated $7 million or $8 million too much. The gentleman is correct, the committee will be ready to correct any deficiency in a supplemental appropriation.

Mr. Williams. Mr. Chairman, will the gentleman yield further?

Mr. Thomas. I yield.

Mr. Williams. It is my understanding that the Civil Aeronautics Board is presently in the process of making a survey of this specific problem, particularly with respect to the so-called feeder or rural service airlines, and they are doing this also with the cooperation of the Association of Local Transport Airlines, which is commonly known as ALTA. The purpose of this, I think, is to find some way by which the subsidy can eventually be reduced whether it be through the development of aircraft specifically adapted to the needs of local service or otherwise. It is my understanding that the Civil Aeronautics Board is to report to the President by June 30, 1963, on a program of reducing subsidy payments.

I appreciate the response given to me by the chairman of this committee and I feel certain that the service of the local service airlines is not in jeopardy.

The Congress, Mr. President, should be at least as explicit this year in setting forth its policy and its intent as the foregoing colloquy recites.

DE GAULLE UPHELD ON NUCLEAR STAND

Mr. GOLDWATER. Mr. President, lately we have been reading in the press and hearing on the television and radio a great deal in the way of criticism of General de Gaulle and his position in connection with seeking to build a nuclear force not only for the protection of France, but also for the protection of the Continent, should the United States ever pull out her nuclear weapons or her own forces.

Mr. President, I have not been able to agree with this criticism. We in America recognize the historic friendship between France and our country—the willingness of Frenchmen to come to our defense, and the willingness of Americans to go to the defense of France and Frenchmen. I hope the American press and those in the administration who have been critical of General de Gaulle will look back on some of our own actions in recent weeks and months, at some quickly made decisions which I believe we are beginning to see were wrong, some decisions which are beginning to tamper with our friend to the north, Canada, as well as to create doubts in the minds of people in the world as to just how far our country will go when the chips are down and when we are called upon to defend our friends as we have promised to do.

Mr. President, Clare Boothe Luce is a constituent of mine; she lives in Phoenix, Ariz. She is constantly interested in world affairs, and she speaks and writes brilliantly on subjects of interest to the world and to the United States.

Last Saturday there appeared in the Washington Star, under the headline "Point of View—De Gaulle Upheld on Nuclear Stand," an article written by Clare Boothe Luce. I ask unanimous consent that it be printed at this point in the Record, in connection with my remarks, so that my colleagues and those who read the Record may have a better understanding of why I, as one American, defend De Gaulle in his position on nuclear power.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Star, Feb. 2, 1963]

Point of View—De Gaulle Upheld on Nuclear Stand

(By Clare Boothe Luce)

Phoenix, Ariz., February 2.—The President was asked in his last press conference what he thought of the theory put forward in Europe that the outcome of the Cuban crisis was linked in General de Gaulle's mind with his determination to have his own nuclear deterrent force, because Cuba showed that the United States would not defend Europe.

The President replied that this charge had indeed been directly made, and he indicated that some Europeans had deduced from the fact that the naval blockade had ended with Moscow in unchallenged control of Cuba that, "since the Soviet developed their own nuclear capacity there is a balance between (the U.S.A. and the U.S.S.R.) and neither would use it, and therefore Europe cannot rely on the United States." This he called peculiar logic.

But after Cuba not only "some, in some parts of Europe," but also many in many parts of America, and in Latin America, no longer believe in the U.S. commitment to defend other countries from communism, if to do so should mean to initiate a nuclear war with Soviet Russia.

And, the President's remarks notwithstanding, there is much recent evidence that Mr. Khrushchev himself is now thoroughly convinced that once the 400,000 American troops in Germany are withdrawn, America's nuclear commitment will then extend no farther than its own coastline.

KHRUSHCHEV ASSUMES ROLE

If memory serves, after the disastrous Bay of Pigs invasion, Mr. Kennedy repeatedly warned Mr. Khrushchev that communism in this hemisphere was not negotiable. Mr. Khrushchev, strongly suspecting this warning was merely for U.S. domestic political consumption, boldly seized the opportunity to put it to the acid test: Fully aware that he would be detected in the end, he sneaked nuclear weapons into Cuba and zeroed them in on the White House.

When the President found this out—quite a long while after Cuban intelligence sources had told him it was happening—his reaction was immediate. He called out the Navy, which called Mr. Khrushchev's brilliantly and carefully calculated bluff.

This was probably precisely what Mr. Khrushchev intended. Mr. Khrushchev had long been in the position of having to lose his face in order to save it. He wanted to lose his ugly nuclear "mug"—the face of the "nuclear aggressor." He was anxious to show the world that he was not the man to start a nuclear war against anybody over a third country, and he certainly wanted to have it made plain that Mr. Kennedy wasn't the man either. A solid basis for negotiations of all kinds (and popular fronts of all kinds) could be built on the foundations of a U.S.A.-U.S.S.R. nuclear peace pact.

One can only imagine Mr. Khrushchev's satisfaction when his theory vis-a-vis the U.S.A. military position was proven correct. But he could hardly have been prepared for the next surprise. No sooner had he agreed to remove all the nuclear hardware U.S. air surveillance had spotted, then Mr. Kennedy at once referred to him as a "great statesman" and, to show that there needn't be any hard feelings over the little episode, gave him Cuba.

KHRUSHCHEV REPEATS THREAT

Mr. Khrushchev did not naturally bother to return the President's compliment. He realized, of course, that it had been made to gentle him. (Mr. Khrushchev is as easy to gentle as a king cobra.) A few weeks later at the East Berlin World Communist Congress Mr. Khrushchev was bragging to the world that his missile play in Cuba had achieved its real objective—to scare Mr. Kennedy into giving up Cuba. After accepting the thunderous applause of the 2,500 Communist Party delegates present from 70 nations, Mr. Khrushchev vowed all over again to "bury us," this time with his 100-megaton bombs, but only if we were ever so rash as to initiate a nuclear attack on him.

Ever since Cuba, Mr. Khrushchev has worked hard on his new image. Each passing day he sounds more and more like John Foster Dulles: He will never launch missiles at the U.S.A. (or Europe), but he will—if attacked—produce "massive retaliation."

The fact is that Mr. Khrushchev had long ago opted for nuclear peace with the U.S.A. Since Cuba, he knows that the United States has also opted for nuclear peace with Soviet Russia. There is today an undeclared nuclear peace pact between the U.S.S.R. and the United States for the simple reason that the initiation of nuclear war is not to the best interests of either.

The U.S. press, following the President's lead, is currently taking a benign view of Mr. Khrushchev's new nuclear posture. (Besides, it feels so good since he stopped poking his Cuban missiles into our solar plexis.) The vials of their wrath have been saved up for Gen. Charles de Gaulle, who has had the gall to say, since Cuba, that he thinks France would now certainly be more safe under its own nuclear umbrella than under America's.

DE GAULLE BACKED UNITED STATES

Because of this, General de Gaulle's "image" is being rapidly worked over, with the enthusiastic help of the American left, to resemble a half-mad Napoleon, or an "Abominable No-man." It is even being suggested that General de Gaulle wishes France to become a nuclear power in order to make a deal over Germany with Russia. This is to suggest that France desires to have Russia on her own borders, instead of Germany's, which is, of course, preposterous. If either France or Germany falls to the Reds, all Europe falls with them, and every European knows it.

It is interesting to inquire what General de Gaulle was doing the first tense hours of the United States naval blockade, while Soviet missiles were being leveled by Russian troops on American cities. Was he threatening to pull out of the "grand alliance" if the United States invaded Cuba? Was he begging us to throw the whole business into the U.N.? Was he reminding us that the French feel that the United States let France down in Indochina, Algeria, and Suez, so France couldn't be expected to sympathize with our troubles about Cuba? Was he advising President Kennedy to make a deal with Khrushchev about Cuba fast, because if the United States invaded Cuba Khrushchev might retaliate by striking at West Berlin and thus trigger world war III?

He was not. The general was offering to fight by the side of the United States if we felt our vital interests required us to kick Castro and Khrushchev both out of Cuba. And by this very fact he was pledging France to take all the nuclear risks we felt we might be incurring.

The President, in his recent press conference, acknowledged that General de Gaulle "responded when we were in difficulty in Cuba." "But," he added, with some extraordinarily peculiar logic of his own, "I would hope that our confidence in him would be matched by his confidence in us."

FRANCE GAINS STRENGTH

This whole sentence must have been a typographical error.

The President had just admitted a period back, that when we were in difficulties President de Gaulle had shown the ultimate in confidence by his willingness to risk nuclear war (if risk there was) by the side of America.

What the President really meant to say, of course, was that whereas President de Gaulle had shown confidence in us at the time of the naval blockade, the final United States political capitulation to Khrushchev and Castro had diminished that confidence, and that the President hoped that somehow it could be restored.

The hope is an idle one. The fault is by no means entirely the President's. France has grown economically strong enough to stand on her own legs. It would follow naturally, in any case, that she should desire sooner or later to stand on her own legs militarily. The significance of the two Kennedy backdowns over Cuba is that what was a desire now seems—or at least to General de Gaulle—to be an urgent necessity for France's own survival.

The character of the United States nuclear commitment made in 1946 changed in the fifties when Russia became itself a nuclear power. Today, as in 1946, that commitment is to launch a nuclear attack on Soviet Russia if she moves against Germany. But in 1963 the same commitment means a willingness to destroy the United States for the sake of Europe. When the matter is put in this blunt fashion, how many Americans are for it?

Khrushchev took the full measure of President Kennedy and U.S. public opinion in the Cuban crisis. So did Charles de Gaulle. His conclusion: If the war chips should ever go down in Europe, the United States will not initiate nuclear war on Russia until Russia wages nuclear war on America—and vice versa. The effect of this undeclared nuclear pact is to subtract both United States and U.S.S.R. nuclear forces from the European military equation.

BORROWS KENNEDY BOOK

Europe is today, without its own nuclear force, a "limited war" area. Consequently the outcome of any European conflict would then be decided by Russia's 125 divisions and NATO's 23—or a negotiation. Militarily, Europe is Germany and France. Their choice today is as plain as the nose on General de Gaulle's face. It is to get their own nuclear umbrella, or to trust the United States, if they are attacked by Russian conventional weapons, to launch her missiles at Russia, knowing that she would get Russia's 100-megaton bombs right back.

General de Gaulle has made the only choice a patriotic Frenchman could possibly make. Like the rational Frenchman he is, he chooses to build up his own nuclear establishment. He knows that the day U.S. troops are pulled out of Germany, France will be unable to defend itself without its own nuclear force.

In his youth, President Kennedy wrote a book called "While England Slept." It described how England, in 1939, was caught military napping by the Germans, and its very sound thesis was that no nation can afford to wait until it is attacked to prepare its own defenses, and that, above all, it cannot rely on the military or economic strength—even of its allies—to save it from destruction.

Charles de Gaulle has paid the author of "While England Slept" the compliment of taking his advice. He does not intend to be caught napping, if at some future date the United States, in order to prevent a world holocaust (and its own destruction), yanks its nuclear umbrella away from Europe.

It is hard to see what is Napoleonic about a Frenchman's desire to protect France, or why the desire to remove France from the category of a limited war area should be considered a folie de grandeur. What is much more a folie de grandeur is the desire of the United States to keep Europe a U.S. nuclear colonial area and to keep Great Britain, France, and Germany forever in the U.S. nuclear nursery.

INTERNATIONAL RESCUE COMMITTEE

Mr. PELL. Mr. President, it is a great honor and privilege for me today to bring to the attention of my colleagues in the Senate an outstanding editorial which recently appeared in the Providence Bulletin, marking the birthday of the International Rescue Committee.

As a former vice president of the rescue committee, I take special pride in this most generous praise of the committee's work by a distinguished newspaper from my own State of Rhode Island.

I strongly second the Bulletin's statement that the "International Rescue Committee has fulfilled a very special mission" in this era of the cold war. I hope that many of my colleagues will have the opportunity to read this very fine editorial.

I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE RESCUE COMMITTEE BIRTHDAY

A reason why Communists—in Moscow, Peiping, and Havana—save their most poisonous barbs for the United States is this country's unprecedented demonstration of concern for the world's downtrodden, from impoverished peoples in backward lands to rootless refugees.

The generosity flowing from such enlightened self-interest confounds the image that Communists paint of capitalist societies and nations. Since the United States is the acknowledged leader of the capitalist, or non-Communist world, this country's refusal to follow the Marxist script is doubly disconcerting to the Kremlin.

An important contributor, in turn, to this facet of America's strength is the International Rescue Committee, which today celebrates its 30th anniversary as a leading agency in the salvage of humanity forced adrift by unconscionable totalitarianisms.

Both the anniversary and the impulse that gave substance to the International Rescue Committee as a pioneer in organizing refugee rehabilitation deserve to be noted with honor and gratitude.

The parent organization of the International Rescue Committee was organized in January of 1933 to help those perceptive, courageous and innocent victims of Hitler's political and racial aberrations. Throughout World War II, the committee smuggled from Germany, France, and all the nations subjected to the Nazi madness thousands of people, a literal cross section of the democratic leadership that later became the "seed corn" of today's Europe.

Among them, for instance, was the late Ernst Reuter, who returned to Germany to become mayor of West Berlin and to lead the Berliners in their resistance to communism; the artist, Marc Chagall; Author Franz Werfel, and Wanda Landowska, composer and pianist who has kept alive the art of the harpsichord.

Instead of permitting the committee to phase out its work, the end of World War II only multiplied demands on the private organization, as victims of communism flooded into free Europe even before the camps of people displaced by World War II had been emptied.

So it has gone, with one human emergency after another making claim on the free world's conscience and extending the committee to new efforts. Hungary, Vietnam, Hong Kong and now Cuba are names that memorialize the lifesaving work performed and still being carried out by the American Rescue Committee.

There are other agencies assisting in this great work of human salvage, including the U.N. High Commission for Refugees and organizations representing various religious denominations and groupings.

But the International Rescue Committee has fulfilled a very special mission as a versatile agency equipped by experience and organization to respond swiftly to emergency situations and to rescue for tomorrow's world the refugees who have no other claim to assistance than their humanity, their opposition to totalitarianism, their love of freedom.

WYOMING WOULD WELCOME NEW ELECTRICAL GENERATING PLANT

Mr. McGEE. Mr. President, for quite some time I have watched with great interest the developments—or in this case, the lack of developments—taking place in our neighboring State of Colorado pertaining to the contemplated construction of a large steam-electric generating facility by the Rural Electric Association to be located at Hayden.

In general, the plant, as I understand it, calls for the initial construction of a 150,000-kilowatt facility which would require 200,000 tons of coal per year. The addition of other units would then be undertaken and the total estimated cost would be about $25.3 million.

It would, of course, have the effect of providing new sources of electrical power while at the same time utilizing vast western coal deposits and would result in greatly increased employment among our available coal miners.

I am sure, Mr. President, that there are many in Colorado who are anxious to see this project begin. But, unfortunately, due to some wrangling over such things as location, cost factors, and coal supplies, and due to the fact that the Colorado Public Utilities Commission appears to be hopelessly deadlocked over the advisability of granting a certificate to enable the construction to proceed, it appears that what promises to be an imaginative and worthwhile project may wither on the vine.

Therefore, Mr. President, I would like to say to the National Rural Electric Association and others who wish to see such a project realized—welcome to Wyoming.

Mr. President, my own State of Wyoming has some of the largest coal reserves in the United States and, indeed, the free world. In 1960, Wyoming ranked fourth in the Union in tonnage of original coal reserves—121 billion short tons. The area underlain by known or probable coal-bearing land in Wyoming is 40,055 square miles, or 41 percent of the entire State. And this does not include some 53 percent of the total coal-bearing area in the reserve estimate because little information is available at this time. As this area is mapped and prospected, however, our total reserves will increase accordingly. We in Wyoming also have, Mr. President, a ready and skilled labor mining force—a reservoir of able men who would welcome the opportunity to work their trade once again.

As a State that is constantly striving to find and encourage new industry, we would relish the opportunity to expand our economic base, furnish power for that expansion and create new and greater employment for our work force.

We have had success in recent years along these lines—particularly in southwestern Wyoming where our vast coal reserves are located. In July 1962, the Stauffer Chemical Corp. dedicated its $10 million trona mine and soda ash refining plant near Green River, Wyo. During the same year, a $4 million expansion program was completed at Food Machinery Corp.'s Green River plant. And 2 years ago, construction was begun on a $60 million iron ore mine and beneficating plant at Atlantic City, Wyo., by the Columbia-Geneva steel division of United States Steel. These are but a few examples of the many major industries which are located or planning on locating in our State and testify, I think, to the attractions we have to offer.

The prospect of a $25 million electrical generating plant, therefore, would be most welcome in Wyoming. We would be delighted at the possibility of our miners participating in what is estimated as an eventual annual payroll of $450,000.

I have today directed a letter to Mr. Norman M. Clapp, Administrator of the Rural Electrification Administration, asking him to consider the location of this proposed facility in southwestern Wyoming in view of our unique facilities and in view of the apparent stalemate in Colorado. A copy of my remarks today is included in the letter to Mr. Clapp and I am confident it will indicate that we welcome such prospects and stand ready to pursue them.

A DEFENSE OF DE GAULLE'S POSITION

Mr. BEALL. Mr. President, I have just received a most interesting letter from an old friend on a subject which is currently in the minds of thinking people the world over, the threatened unity of Europe and the part being played therein by General de Gaulle, of France. My letter is from Mrs. Clare Boothe Luce, former Member of Congress, former U.S. Ambassador to Italy, and famous writer. I have high regard for the ability and keen insight of this capable lady, especially on matters touching upon international matters. During the years we served together in the House, I came to appreciate the clear thinking and analytical reasoning of Mrs. Luce.

Mrs. Luce was never one to "jump on the bandwagon" and conform to the thinking of others simply to be agreeable. As a matter of fact, her voice was often "the voice in the wilderness" giving warning against the popular thinking, and often she was proved to be right.

The letter which she has written me is no exception. Here, she takes a quite different course than is now being taken in America regarding General de Gaulle. Her letter is indeed thought provoking, and is, in my opinion, worthy of the careful attention of the Members of this body. I would like to give you the benefit of the full letter.

Mr. President, I ask unanimous consent to have printed in the Record, as part of my remarks, the full text of Mrs. Clare Boothe Luce's letter.

There being no objection, the letter was ordered to be printed in the Record, as follows:

January 31, 1963.

Dear Senator: May I lay before you, as a former colleague and member of the House Military Affairs, my views on a problem which has now become urgent as a result of the outcome of the Cuban crisis; namely, the question of President de Gaulle's intention to build his own nuclear deterrent force.

The question is not whether this challenges America's 17-year-old military leadership of the grand alliance, which it certainly does. The question is not whether this casts doubts on the validity of the NATO concept, which it also does. Nor is the question whether the President of a sovereign nation has the right to form the policies of his own Government, but which he certainly has. (There is certainly no question that the French people support the policies of General de Gaulle.)

The question is this: Is General de Gaulle, from France's point of view, right to attempt to make his nation a nuclear power? Is this to France's self-interest?

I am convinced that not only is it to France's self-interest but also to Europe's; and if he fails—which he may do without our support—communism in the next decade will triumph in Europe. My reasons are as follows:

1. The U.S. 1946 commitment made to Europe was made when we had a monopoly of atomic power. Had Russian divisions moved in Europe at any time before 1952 the United States of America would certainly have honored that commitment by initiating atomic war against Russia. This we could have done at relatively little loss of American lives, and with the certainty that we could have destroyed Russia.

2. When the Soviet Union itself became a nuclear power, the U.S. commitment was radically altered in character. It was still a commitment to initiate nuclear war against Soviet Russia if she moved against Europe. But the price had become enormously high: it was no less than the destruction of the United States itself.

Today the President is still asking Europe to believe that we will honor this commitment to initiate nuclear war if Russia moves on Europe, although it has become, as any sensible person can see, not to our self-interest to honor it. It is hard to imagine that any interest we have in Europe would be worth killing 40 or 50 million Americans for.

However, there were two things that seemed to give validity to this commitment after 1952: (1) the commonly held view in American minds, and in unsophisticated European minds, that Khrushchev would certainly combine any move on Europe with a nuclear attack on the United States. The J. Foster Dulles' policy of massive retaliation continually posited that although we would not ourselves initiate nuclear war, Khrushchev would certainly do so.

The other thing that has given validity to this commitment is the presence of American troops in Germany. As Russia cannot move without making military contact with these troops, it has always been assumed that they, if not Europe, would be supported by U.S. nuclear power, and that the United States would initiate nuclear war against the U.S.S.R. in defense of its own troops. In other words, the assumption has been either that the U.S.S.R. would not fight a limited war in Europe, or that, even if it were willing to do so, the United States would not be willing to limit the conflict to Europe, if U.S. troops were attacked. The outcome of the Cuban crisis raises a very serious doubt on both scores.

The mystery of Khrushchev's missile ploy in Cuba is rather easily explained if we will see it as a boldly designed scheme of the Kremlin to prove to America, Europe, and the whole world that the U.S.S.R., exactly like the United States of America, is and intends to stay, on the nuclear defensive. Today, Khrushchev, who talks of massive retaliation and practices brinksmanship, sounds and behaves more like J. Foster Dulles than Mr. Foster Dulles himself.

It is commonly said that Mr. Khrushchev lost face in Cuba. It may be that Khrushchev wanted to lose face on the theory that he who loses his face will save it. For some time now it has been urgently necessary for Mr. Khrushchev to lose the face of the nuclear aggressor which Mr. Dulles' policy has plastered on him, and to gain a new face from Mr. Kennedy as a nonaggressive nuclear power. This he succeeded in doing admirably in Cuba.

The meat of the Cuban matter is this: The White House action and the Kremlin action during the Cuban crisis put the whole world on notice that the United States and the U.S.S.R. have henceforth declared a nuclear peace pact.

Even though the United States of America was directly threatened with Russian Cuban-based missiles zeroed in on Washington—the most severe imaginable provocation—the United States of America did not initiate nuclear war against Russia or even threaten to initiate it. Rather, the President asked the U.S.S.R. for nuclear peace. There can be no question that to do so was to the best interests of the American people. But Khrushchev's so-called nuclear backdown and his swift withdrawal of his missiles also showed that the U.S.S.R. wanted nuclear peace as much as we do.

Since Cuba he has not ceased trying to make plain to both the West and the Communist world that this U.S.S.R.-United States of America nuclear peace pact is to the best interests of Soviet Russia, and of course of communism.

The Khrushchev-Kennedy action made quite clear to the whole world what billions of words were not able to make plain after Russia became a nuclear power. Neither the U.S.S.R. or the United States of America will initiate a nuclear war over any third country, and for identical reasons.

President Kennedy, in a recent press conference, called it peculiar logic for Europeans to infer from the outcome of the Cuban crisis that the 1946 nuclear commitment to Europe is no longer any good. What is peculiar logic is to try to convince anybody with a brain in his head, after Cuba, that the U.S. commitment is any good if the commitment means starting a nuclear slugging match with the U.S.S.R. in order to stop communism, Soviet takeovers, or Soviet limited war moves anywhere. In nuclear terms, the cold war has become officially glacial.

General Charles de Gaulle has long understood nuclear realities and that the United States of America and the U.S.S.R. would be driven by them to a mutual peace pact.

He also understood, last October, that only one thing could convince Europe that the United States of America would risk even a limited encounter with Russian troops, and that was for America—after Khrushchev had taken away his missiles—to have invaded Cuba and cleaned out Khrushchev's 16,000 troops.

This is why, no doubt, De Gaulle promptly offered us his moral and military assistance in the tense hours of the naval blockade. While he certainly knew that the U.S.S.R. would back down from nuclear war, and so would America, there was still a chance that the United States would show it was not afraid to make a limited war contact with 16,000 Cuban based Russian troops in order to stop communism in its own hemisphere.

But when the United States of America went to the negotiating table with Khrushchev, and there accepted Castro's Cuba and the presence of Russian troops in Cuba, De Gaulle saw that even this hope had vanished, and that if France were from here out to find safety she must begin to rely on herself, and not on America.

Europeans see, because of Cuba, that Europe has now been unofficially declared a limited war area by both Russia and the United States. Neither of them will initiate a nuclear war in Europe, and if a conflict should come, both will seek to localize it—and negotiate it.

Today, NATO can muster 23 divisions against 125 Russia has kept activated for over 17 years on her European borders, patiently waiting the time when the United States of America would withdraw its own troops, and she could move them, certain that America would not then launch a nuclear strike for fear of Russia's massive retaliation. The reason why the NATO countries have so stubbornly refused to raise their own divisions is that they knew that America would then withdraw her troops, and with them, the nuclear umbrella which she is otherwise forced to hold over American troops in Europe, rather than over Europeans.

Charles de Gaulle says that either U.S. troops must be quartered for two more decades in Europe, or Europe will be engaged in a limited and losing war with Soviet Russia. The only way he can now be sure that France's destiny will stay in France's hands, and not in either America's or Russia's, is to make it too costly for Russia to strike Europe if or when U.S. troops leave. This point of view of General de Gaulle has been called a folie de grandeur and a Napoleonic urge. These are strange words indeed for Americans to use for military commonsense and patriotism.

It is high time Americans began to examine their own consciences on the score of our two greatest European allies, Germany and France. Germany and France are Europe. If we will not trust them, who shall we trust? Is Mao Tse-tung or Khrushchev a more reliable ally than De Gaulle, or if the truth be told, is it the fact that we only trust ourselves? If this is the case, then let's stop sounding so insulted when De Gaulle reminds us that this is what he thinks also.

Let us also examine our conscience on the score of how we desire to conduct our own self-defense. How willing would the White House and the Pentagon be, to put the power to decide our fate in the hands of Great Britain, France, or Germany, if we had any other choice? How happy would we be to leave the defense of the United States to a defense committee of European nations? We would violently reject either concept. Nevertheless, we are asking France to leave her destiny to a European military committee, largely controlled by the United States.

What is Napoleonic and what is a folie de grandeur is precisely this U.S. attempt to force a military committee system, controlled in the final analysis by the Pentagon, on the sovereign nations of Europe. The United States has had its glory and goodness and generosity in running for 17 years the economic destiny of Europe. Europe now stands on its own feet, and desires—there is no question of this—to cooperate with the United States of America for the general good of the West. But France has no more the desire to have her economic policies run from Washington, than Washington wishes its economic policy run from Paris. And De Gaulle is just as good a judge of what is good for Europe as Mr. Kennedy is—it is even possible he is a better judge, being a European. France also believes that Europe must see to its own defenses sooner or later. The Pentagon generals have played out their roles as American pro consuls all over the globe, and if some of them have swashbuckled, as pro consuls often do, on the whole they have played their part well and generously. However superior the administration may feel its own grand design for Europe may be, the plain fact is that Europe is not an American colonial area. Thanks to American dollars, and the military protection the United States gave Europe after World War II, Europe is now economically strong. This was a thing we wanted very much, because a strong Europe was to our own interests. But what use is economic strength to a country and nation and area, without military strength? And unless we have all taken leave of our senses, we must now face the fact that in the nuclear age nuclear strength alone is real military strength.

We must now help Germany and France to achieve their complete independence of us. This means that we must put them in condition to defend themselves, if need be alone. Nothing else is independence.

Do we want Europe to be militarily strong, or do we want it to be militarily weak? If the answer is that we want it to be weak, we need only proceed as we are doing, which is to try to wrest France's independence from France, and keep Germany our military vassal. Khrushchev will be delighted to see the Yankee nuclear imperialists (as he will later call us) knock Charles de Gaulle out of the box, and to create trouble in Europe by forcing Adenauer to choose between us. He is already so worried about De Gaulle that he has shown a sudden willingness to discuss test bans and inspection procedures, provided France gives up all testing.

Khrushchev will be enchanted to have the United States insist that Europe remain a theater of limited war and limited bloodshed. From such a theater he knows we can, and will, withdraw the minute a nuclear war becomes the only way of winning a European war. Also, if Europe can be kept militarily a U.S. colony there is always the possibility we may become involved in war elsewhere, probably in China, pulling Khrushchev's Asiatic chestnuts out of the fire. And that would be a fine time for Russia to liberate Europe from America. If that time should come, it will not be too difficult, because the failure of Charles de Gaulle to defend France will bring the left and the Communists into power in France.

All honesty consists in admitting to ourselves that our commitment to initiate nuclear war for Europe's sake, or for any other nation's sake, is today if not worthless, considered to be almost worthless by Europe the day U.S. troops leave Europe. Unless, consequently, we intend to leave our troops there forever, we must make Europe a nuclear power. All wisdom consists in helping Charles de Gaulle to erect a nuclear umbrella over France. And such are the geopolitical and geographical realities of the next few decades, he will also be obliged to hold it firmly over the rest of Europe.

U.S. policymakers wish to see a united Europe, but refuse to accept the conditions of its unity. It is only, paradoxically enough, under France and Germany's nuclear umbrella that the European nations can now hope to become really united.

Sincerely,

CLARE BOOTHE LUCE.

COLORADO RIVER DISPUTE

Mr. ENGLE. Mr. President, the dispute between the United States and Mexico over salt in the Colorado River is a major source of friction between this country and our closest neighbor to the south.

In a four-part series for the San Diego, Calif., Union, reporter Brian Duff wrote that Mexico considers this dispute to be the most serious quarrel between the two countries in 20 years.

As Mr. Duff points out in his articles:

> The deadline for action is not tomorrow. But it cannot be postponed much longer.

Because of the seriousness of the conflict, it is vitally important that we in this country be well informed about it—the history of the dispute, the terms of the treaty from which it stems, the present official positions of the United States and Mexico.

This series of articles by Mr. Duff is one of the better reports on the dispute and he is to be commended for it. It is recommended reading for all who are concerned with the great water problems facing the Nation.

Mr. President, I ask unanimous consent that the first article of this series be printed in today's RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARTICLE FROM COPLEY NEWS SERVICE, WASHINGTON BUREAU

(By Brian Duff)

WASHINGTON.—Mexico considers its dispute with the United States over salt in the Colorado River to be the most serious quarrel between the two countries in 20 years.

There is a growing conviction on this side of the border that the Mexicans may be right. Unless the problem is solved soon some U.S. officials foresee bitterness between two good neighbors; economic distress for thousands in Mexico; a new tug of war over shares in the Southwest's major water resource and even a helping hand to communism in Baja California.

This is the background:

Under terms of a treaty signed in 1944, the United States guarantees that it will deliver 1.5 million acre-feet of water to Mexico every year from the Colorado River. The arrangement worked to everyone's satisfaction until last fall when the farmers in Baja California's Mexicali Valley claimed that the water reaching them in the river contained too much dissolved salt to be used on their crops. In a river like the Colorado, in which the water is used and reused for irrigation, increasing salinity is always a problem. In the case of the Colorado, however, the problem is compounded because Mexico puts most of the blame on one Arizona irrigation project which it says is pouring salt into the river at a rate which is far above normal.

In any event, the situation had become serious enough by March 16 for the Presidents of the United States and Mexico to appoint a special team of United States and Mexican scientists and engineers to study the problem and make recommendations. The experts were given 45 days to come up with some answers. That was 6 months ago. There have been interim progress reports but hope is dying that the international team will be able to agree on a common solution.

The deadline for action is not tomorrow, say U.S. officials. But it cannot be postponed much longer. So far the negotiations between the United States and the Government of Mexico have been conducted politely with the presumption that each party is trying to deal fairly with the other. State Department officers say that Mexico has acted vigorously to control its own hotheads who might try to use the situation to inflame local feeling or for political advantage.

But in the face of prolonged inaction good will is bound to suffer. Three hundred thousand people live in the Mexicali Valley. The area produces cotton and other farm products worth about $80 million a year. It is one of the most important segments of income for all of Mexico. If the Mexicali Valley turns into a desert there is almost nowhere on the harsh Baja California Peninsula for the valley farmers to go. Americans close to the scene say that hungry and angry thousands could try to go north. The United States is only a footstep away.

The Mexicali Valley is a stronghold of the Communist-front national liberation movement. Former Baja California Gov. Braulio Maldonado is one of its leaders. Alfonso Garzon, a National Liberation candidate for mayor of Mexicali, the state capital, has built up a following using issues like the water salinity problem.

There are other considerations which might prove equally serious for the Southwest. For example, State Department officials concede that Mexico can take its complaint against the United States into our Federal courts or to the International Court of Justice at the Hague. If this happens the water-starved States of the Southwest might find they no longer had the option of saying what they might do to solve the problem but instead were being told what they must do. It is conceivable that the court could rule that the salty water going to Mexico must be diluted to bring it up to acceptable levels. Water for the dilution would have to come from the U.S. share of the river.

It is conceivable, say some lawyers, that new regulations for the management of the Colorado might be imposed. Certainly the United States would lose any advantage in international relations it could gain by acting without coercion. The waters of the Colorado, already the subject of one long and bitter lawsuit in the Federal courts, would be wrangled over in still another jurisdiction. The lawsuit would be expensive and the outcome by no means assured. Four of the 15 judges of the International Court are from Latin American countries. The Soviet Union, Poland, and the United Arab Republic also are represented.

But the official position of the United States—the State Department and the Department of Interior—is that while the United States is committed by treaty to deliver 1½ million acre-feet of water to Mexico from the Colorado every year there is absolutely no guarantee of quality in the treaty. (An acre-foot is an acre of water 1 foot deep or 325,850 gallons.)

Many Government officials, Members of Congress and spokesmen for big water users groups insist therefore that the United States has nothing to fear from a court test. However, they usually add that while this country should protect its full treaty rights, it should do its best to help meet a serious problem for a good neighbor.

As might be expected, Mexico does not agree with our reading of the treaty. There is evidence that Mexico might never have ratified it if her senators did not believe water quality was assured.

The question this series of articles seeks to illuminate is this: Can the United States, and particularly the vitally affected Lower Colorado Basin States like California and Arizona, afford to risk a showdown?

LAND, WATER, MONEY, AND COUNTIES

Mr. FONG. Mr. President, supervisor Elroy T. L. Osorio, of the county of Hawaii, recently delivered an excellent address on "Land, Water, Money, and Counties" before the National Association of Counties' Grazing, Water, and Revenue Conference in Las Vegas, Nev.

As Mr. Osorio noted:

> There is no use in facing the 21st century and its demands for land and water if we keep the 19th century's ideas of county government and revenues. To do so would merely mean the death of county government as a major force in our society.

In a realistic, yet optimistic, analysis of county problems in the fields of land, water, and finance, Mr. Osorio declared the key to resolving the dilemma lies in modernizing our concept of land and water use and striving to achieve the best uses under this concept and in modernizing our governmental structure so that counties can thrive under this concept.

Because I believe county residents as well as county officials throughout America would be interested in this exceptionally lucid and well-written address, I ask unanimous consent that the entire text be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LAND, WATER, MONEY, AND COUNTIES

(Address by Elroy T. L. Osorio, supervisor, county of Hawaii, Hilo, Hawaii, December 12, 1962, Naco's grazing, water, and revenue conference, Las Vegas, Nev.)

Hawaii, the youngest State in the Union, is unique. We are completely noncontiguous, not only from the mainland United States, but also within Hawaii itself. We are an island State situated in the middle of the Pacific, 2,400 miles from the west coast. We are also a series of islands connected by air and a barge system for transportation. Even the areas within two of our four counties are noncontiguous. The county of Maui, for example, is made up of three major islands, each of which has its own separate economy and connected only politically with the other two islands.

I am from the county of Hawaii, or as it is commonly called the big island. It is called the big island because it has the largest land area. The big island has 62.6 percent of the total land area of the State. The most populated island is, of course, the island of Oahu where the city of Honolulu is located. Land on the island of Oahu or the city and county of Honolulu is at a premium. It has 80 percent of the population and only 9.4 percent of the land area in the State.

Land is a problem on the island of Oahu, unlike the big island. Land prices on Oahu may be termed "sky-high" when compared to most mainland areas. A cost of $3.50 per square foot for residential land is common.

Agriculture is being squeezed out on Oahu by residential subdivisions, industrial parks, and commercial development. The high cost of land on Oahu and a pattern of large landholdings have led to the common practice of leasing land for residential, industrial, and commercial use. Newcomers to Honolulu, who are not accustomed to leasing land for residential use and object to it, soon accept it as a part of life on Oahu. As a result of this steady and increasing encroachment of residential and commercial expansion into vital agricultural lands, the last State Legislature enacted a statewide land use law now known as the green belt law to protect further encroachment of this nature.

While the act has some definite protective advantages to prime agricultural lands on Oahu, it has many pitfalls when applying its intent to our island and county.

One of the keys in supporting a large population on the island of Oahu or the city and county of Honolulu is water. This island of Oahu has a land area of only 604 square miles, much of which is mountainous. It has a natural and unique system for storing water, and can support considerably more population than its present civilian population of some 507,000 and a military population of about another 60,000. A considerable portion of rainfall infiltrates through surface soil and downward through the lava rock to the basal water table at about 10 to 20 feet above sea level. The water table there is the surface of a great lens-shaped body of fresh water within the voids in the lava and which literally floats upon the heavier sea water. Thus is formed a huge underground reservoir.

All of our other islands and their respective parts are not as equally endowed. In my own county of Hawaii, we depend on rain and surface reservoir storage primarily. We have been witnessing considerable drought in the north and northeastern parts of our island, which is now going into its third year. Cattle are dying because there are no pastures for them to graze on, and the situation is assuming serious proportions. We have been hauling water by truck to drought-stricken ranchers and farmers, but as can readily be seen, this is a very costly method and, of course, completely inadequate to meet water needs. Big sugar plantations have been forced to harvest crops at an immature stage and ranchers are sending their cattle to market much sooner than normal in order to economically salvage as much as they can. The drought has also hit the other agricultural areas on other islands, but it is most serious in the county of Hawaii. So you see, that we, just as you in the western continental United States, have our water problems.

Hawaii is also unique because it has a highly centralized form of government. We have, for example, only one school system in all the counties of Hawaii which is run by the State department of public education. I think it becomes quite obvious that when we have numerous school districts with varying methods of taxation, the quality of education and the quality of teachers also vary, depending on how wealthy a community is and how well it is able to manage its affairs. One of the basic questions we must ask ourselves is, Should a child in one part of the State get a better or worse education than a child in another part of the State?

We are unique, too, because we have a more or less unified tax structure, and, with the exception of a few minor taxes and the ability to set the real property rate, all other taxes are uniform throughout the State and administered by our department of taxation. Real property taxes, collected by the State, are retained by the counties. However, a 1-percent State sales tax (excise) is distributed more or less on a basis of need rather than population, with 55 percent going to the city and county of Honolulu, 20 percent to the county of Hawaii, 15 percent to the county of Maui, and 10 percent to the county of Kauai.

We have one very important feature in our governmental structure, a blessing in reality, which to my knowledge none of you enjoy, and that is there are no municipalities to contend with throughout the State of Hawaii. Hence, we have no annexation problems, we have no overlapping of jurisdictions, we have no individual school or water districts, and we have, with a few minor exceptions, no duplication of services. We enjoy a fine, yet not perfect, working relationship with the legislature and State government. In this respect our problem is a continuous one of defining responsibilities between the State and counties.

The State of Hawaii has just completed a 2-year-long study and survey by the public administration service to help the State set up guidelines with definite recommendations outlining these responsibilities. The actual implementation of these recommendations must now be determined by a sound legislative policy. We in county government are anxiously and patiently awaiting the results, for I personally believe this to be the one most important opportunity for us to obtain the right for local determination of governmental structure, the ability to finance the local government adequately and to govern for ourselves all the public functions that we can and should handle.

In recent years, the city and county of Honolulu, for example, has adopted a city charter and has assumed a greater responsibility in city government operations. Please do not be misled by the term "city charter," because as I mentioned earlier, we have no individual city governments governing only activities of a municipality as such. The rightful term should actually be a city and county charter, for their charter covers and governs the city, and the city of Honolulu is an integral part of the county. To some extent the city and county of Honolulu has achieved partial home rule through its charter, but there is much to be done when it comes to taxing methods, bonding limitations, and control over certain services in what we, as county officials, deem our responsibility.

There is little question that eventually each of the neighbor island counties will also be given the right to adopt county charters and assume more of the governmental functions now shared with the State government. Our State association of counties has made great strides in this vital area and are now preparing ourselves with a presentation for the next State legislature which convenes in February 1963.

One of the problems in Hawaii is that the bulk of the economic activity and economic wealth is located on the island of Oahu, and in many respects it can be truthfully said that the city and county of Honolulu subsidizes its less wealthy relatives—the neighbor island counties.

On the other hand, the neighbor island counties are virgin areas when compared to the sophisticated and citified metropolis of the city and county of Honolulu. There is considerable opportunity for growth particularly in my own county of Hawaii in the areas of tourism, agriculture, and timber development. In these our early growth for formative years, my county is unabashedly seeking all the help it can get from the State and Federal governments. We are very anxious, for example, to obtain all the assistance we can get in building roads that would stimulate the development of resort areas or the construction of public facilities that would permit the expansion and growth of new hotel development in established resort areas.

The county of Hawaii has been declared a redevelopment area by the Area Redevelopment Administration in Washington. We were the first county in the western region of the United States to submit a community facility project under the ARA Act. This was a request for assistance to construct a sewer system in Kailua-Kona, a resort area on the northwest coast of the island of Hawaii. ARA has approved a loan of $231,000 and a grant of $205,000. We are actively pursuing additional projects under the ARA program, and I can assure you that we will submit and seek to have approved all projects which are feasible and fall into the criteria as established by them. Since we are a redevelopment area, we are also eligible for assistance under the Public Works Acceleration Act. We have given this act very close study and are in the process of submitting a number of projects for Federal assistance.

For us in the county of Hawaii, it is not a question of whether we wish or do not wish to have Federal assistance. Federal assistance is of vital necessity to us. The same, I am sure, is true in varying degrees in our own counties. Basic problems such as agriculture, timber development, harbors, and roads are not county problems as such, but national problems. Counties, although retaining the greatest degree of autonomy possible, must work hand in hand with the State and Federal Governments in order to provide facilities and develop resources of our communities and, in fact, reach the ultimate objective which is to provide the environment for a fruitful and contributing life to all of our citizens.

I have tried to give you a brief picture of our county-State setup in Hawaii, together with some of the problems we face. You must recognize that the subject of land, water, money, and counties is a difficult one for me when I try to apply solutions to our problems which, I must admit, have until this time been totally unfamiliar to me. Nevertheless, if my information is correct, the following are some of the basic problems we must contend with. All of the Western States are public land States, except Hawaii. All are reclamation States except Hawaii and Alaska. All are big States except Hawaii. All are rural States except Hawaii and California.

Given these differences, and further given the limited role of local government, in Hawaii we have developed a different pattern in our approaches to these matters. This doesn't mean our way is better, it only means that while we may have somewhat different governmental structures, our aspirations, the tools that lie before us, the environment in which we live, are all very similar. I think the objective is to put these resources to work for the economic and social benefit of the public. How this should be done is a matter best decided with reference to the circumstances that prevail: for example, in a relatively small area with major scenic attractions, the tourist business, attracted by parks and other recreational areas, may be its best product. If that is done, then a prosperous community will generate taxes in excess of that foregone by public ownership.

Let me now present a few basic questions and statements and give you some answers which I have assumed to be centered around the problem areas. First, what lands are we talking about? It may be that 90 percent of a given county which is taken up by national forest or grazing districts. It may be a crucial area in Federal ownership put to some uneconomical use. It may be land put into private ownership. It may be land held for speculation or growth purposes by private owners. It may be land acquired by States, counties, or cities for recreational or conservational use.

Second, what water do we mean? Presumably water not used to its fullest potential, such as water going to waste instead of being used for irrigation purposes. Water needed for domestic and industrial use. Even water that goes by in clouds without precipitating itself. It may be water in a reservoir that covers fertile, productive land.

Third, money probably means county revenues, actual or potential. In far too many cases, property taxes only. In some cases, such as Hawaii, shared revenues from economically related taxes such as the sales tax. In some other cases revenues from lands leased or sold.

And fourth, with respect to counties, even though we all know what they are, there is certainly the widest variations. For example, Los Angeles County is perhaps the most populous in the United States, while Hawaii County is large in land area, 4,000 square miles, but sparsely populated. There are counties with no municipalities to those with hundreds of municipalities. There are those with no home rule to those with many variations of home rule.

Time does not permit discussing every possible variant, but it is obvious that both problems and resources vary widely. Let us therefore exploit our resources. The uses I have mentioned does not help the revenue picture if you have only a property tax. They help only a little if you can share some kind of direct revenue, as on national forests. Similarly watershed lands are absolute essentials and often the highest possible use, but no revenue source unless you are in the water business, and finally, in almost every case there is the frustration of not being able to control or guide the use of land, even when it is obviously unsound. So how do we put these all together? First let us face a few facts:

First, public ownership in my humble estimation is here to stay, with little real prospect of major change, unless we become the driving rather than talking force in an attempt to make the change.

Second, water use is the greatest essential of our civilization, and especially in your

Western States, I believe it is always a constant problem.

Third, population bursts and leisure time demands are increasing the requirements for recreation, related uses and making just plain open spaces a premium use in certain areas. These trends will continue to increase.

Fourth, counties by their very nature are not well equipped to prevail in a test of strength with Uncle Sam, States, or cities.

So we ask ourselves, Is it all hopeless? Of course not. The key to resolving these problems lies in two things:

I. Modernizing our concept of land and water use and striving to achieve the best uses under this concept.

II. Modernizing our governmental structure so that counties can thrive under this concept.

There is no use in facing the 21st century and its demands for land and water if we keep the 19th century's ideas of county government and revenues. To do so would merely mean the death of county government as a major force in our society.

But suppose the counties are able to tap the economic health that comes from tourism? Suppose counties go into the water business on a large scale, selling this precious commodity as cities do now and also wholesaling it for irrigation? Suppose counties condemn swamps, drain them and sell subdivisions at a profit? Suppose counties tax the process of lumber from public lands and operate recreational facilities? Suppose the counties protect these resources by enacting proper land use laws? Then, I believe the counties will take their rightful place in harvesting their share of the benefits derived from the best social and economic use of natural resources.

We, as elected county officials are in the selling business. The products we sell are not always and necessarily those bought by local consumers, but rather those that must be bought by high legislative bodies.

Therefore, we must continuously strive to establish a closer, more cooperative atmosphere between our State and congressional leaders by encouraging more active participation on their part, in all of our meetings, conferences, and conventions.

As State associations, we must spend more time and effort to hard sell our legislators in an attempt to make major changes in their taxation methods, rather than reconvince ourselves every 6 months that we have problems and therefore changes are needed.

And then, and only as a last resort, we should actively seek opportunities to debate the issues at hand and let the chips fall where they may.

In this direction, I believe, lies the future of the county. Admittedly, the road is long and twisting. But no people and no government ever prospered by failing to recognize facts or by flailing away at change.

Therefore, I ask this conference to look forward in the hope that progress and change will benefit counties, rather than looking backward in an effort to make counties and their legitimate interests an obstacle to progress.

IMPACT OF FOREIGN TRADE IN NEW ENGLAND

Mr. MUSKIE. Mr. President, during these days of increasing foreign trade competition, it has been encouraging for me to see the way the businessmen of my State have reacted to this challenge. The citizens of Maine have always been noted for their initiative, imagination, and inventiveness. Consequently, I am pleased that a number of our Maine businessmen are looking to the future with foresight and determination, clearly analyzing the challenges that increased foreign competition presents and then devising new and effective means of meeting these challenges.

As an example of this type of clear-sighted thinking, I would like to call attention to the remarks of H. King Cummings, president of Guilford Industries, Inc., Guilford, Maine, before the 17th New England Managers Institute held at the University of Maine, August 21, 1962. His remarks are of particular interest when we realize that his business is woolen textiles.

I ask unanimous consent that his remarks be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A BUSINESSMAN'S LOOK AT IMPACT OF FOREIGN TRADE IN NEW ENGLAND

In recent years, our country is assuming at an increasing rate, the responsibilities that go along with our position of leadership of the free world.

More and more, each of our citizens is coming to realize the burdens as well as the benefits of this position. As is usual in any group of people, the realization comes late and oftentimes with reluctance, and the desire to assume a share of the burden is not sufficiently divided. I am sure that, as of today, the great majority of our people are firmly convinced that the direction our country is taking toward international responsibility is entirely correct, and along with this we must expect ourselves to be leaders also in the area of sound trade policies amongst all countries of the free world.

By putting this country in more direct competition with the European Common Market and generally fostering increases in mutually advantageous trade associations with the free world, we will force both business and labor in this country to improve their performance in order to maintain our standard of living and our economic leadership.

The Trade Expansion Act, I believe, is a must for our country, and if we do not make this move at this time, there is a high probability that in the near future an expanded European Common Market will assume the economic leadership of the free world, and we will be placed in a position of having to buy our way into this stronger group. If this should happen, we would be bargaining from a position of weakness, just as Britain today is ready to pay almost any price to establish herself as a member of the Common Market. There is no question that a steady and increasing rate of economic growth is vital to our country if we are to maintain world leadership. Whether we like it or not, America is even now setting the stage in its struggle to maintain economic supremacy. We are not only in a struggle with the Communist world, but beyond this now we will have to decide soon which segment of the free world is going to call the economic tune, an expanded Common Market area or America.

Europe, in other words, through the success of the Common Market, has forged a combined economic unit that is not only assuming a tremendous economic, but also tremendous political, power. To at least keep up with our allies in economic growth is a must if we expect to maintain our leadership position. We must not let ourselves take second place to the combined economic strength of an expanded Common Market. Let us not forget that the wealth of our country, now as in the past, comes not only from the great richness of our land, but also and increasingly important, from the physical and mental efforts of our people. More from past efforts than from present, we even now are somewhat in the lead of the rest of the world, but other people are making a greater effort than we, and we must realize that this situation cannot exist for long without a tipping of the scales away from American supremacy, economic and political.

There will be great strain, particularly in certain of our industries, to keep their heads above water while establishing the ability in many more of our business establishments to develop markets throughout the free world. The cost of the learning will take considerable initiative, courage, and money. If this conversion is to be made with relative smoothness, the responsibility on our Government for intelligent planning, negotiation, and administering of our trade policy is tremendous.

We must certainly remember that mutually advantageous trade agreements, like mutually advantageous individual business agreements, are arrived at by sound and shrewd bargaining on both sides, and also the fair and responsible administration of any sound agreement is no less demanding and is certainly just as vital to the overall success of and confidence in any program.

1. Today the greatest long-range economic danger we face is that we might fail to move promptly and decisively toward controlled trade association with the Common Market and with the rest of the countries of the free world.

2. The second great danger is if we should fail to develop a strong plan for these associations, tailored to each industry depending on its present status and future potential—a plan that would push the low-wage countries toward improvement in their standard of living and at the same time would tax the ingenuities of our managements and labor.

3. The third great and very real danger is that once a sound plan is developed, we fail to execute this plan with continuity and conviction. For to accomplish this transition with a minimum of loss to our economic rate of growth, government, business, and labor must work together—with each having complete conviction that the other party is determined not to vassilate from the long range plan and the timetable set for its accomplishment. This takes strong, determined, and imaginative leadership in our Government, for there will, I hope, always be strong extremes in points of view.

For example, oftentimes it seems that our State Department is completely oblivious to the effect their recommended policies may have on our domestic economy. On the other hand, generally many business interests would take such a short-range point of view, for possible immediate economic gain, that they would, let alone, bury themselves in devalued currency.

What effect will the Trade Expansion Act have on New England? If we, as individuals and as an area, face up to our international responsibilities with courage and action, I am convinced that the Trade Expansion Act and increased trade with the free countries of the world will have nothing but beneficial effect on all progressive American business endeavor.

The great challenge to the business community will be a considerable broadening in its basic thinking, not only from regional to national, but beyond this to sound evaluation of international business opportunities and an awareness and knowledge of the economic climate throughout the free world.

As we are challenged to do more business with foreign lands and they with us, the average New England business community would be wise to make a fast evaluation of its strengths and weaknesses. There is no question that industries that have been protected by high tariffs for long periods of time are generally in for a shock that is long overdue.

In those communities that are working with large corporations that are financially strong, progressively marketed and with aggressive managements, I am sure the problems will be much less, even as imports increase in their products, for these companies have sound research and product development programs, and they know the domestic market better than their foreign competition. They will also, in many cases, be ahead in selling and manufacturing their products in foreign lands, particularly in instances where they lead in product development and modern selling and advertising techniques. The facts are that most of these companies have been successfully competing internationally for many years. If New England housed a larger percentage of this type of business organization, I am sure that our problems with the impact of the new trade bill would be much less.

It is in the area of small business, or even certain large business establishments that are not equipped to deal competitively on an international basis, where we should have considerable immediate concern, but I am confident if we are willing to face up to the challenges in this new situation with courage and conviction, we can successfully meet and beat all of the problems involved.

I believe that the time is past in the development of the average business in this country that the climate of the business enterprise can be attuned to the climate of its surroundings. I am afraid that too many of us as business people in the New England area are still trying to design and tailor our business operations to fit the pleasant and relaxed atmosphere of New England living. Our people as well as our businesses in many New England areas, if we are to be completely realistic about the situation, lack stimulation and aggressiveness, and in any evaluation of the commercial potential of an area, these factors are vital to progress and profit performance.

We, on the average, like to maintain the status quo. It is an area that is waiting, that is guarding the past, that feels comfortable working in the areas of the known and the predictable. It is an area that has great appeal to many people who wish to relive yesterday, and who hesitate to mingle with the disharmony that is inherent in progress and change. Too many of us who have inherited or earned enough dollars to live comfortably do not have ambition nor feel responsibility beyond that of the coupon clipper. I firmly believe that the day is gone when this type of thinking can control or heavily influence a successful business enterprise. Already the problems of small business in New England are well recognized. One of the greatest problems is the regional thinking of the average small business management.

Most of us are still trying to adjust ourselves to an expanding national market—most companies now fail to anywhere near take advantage of the available market even in our own country. Yet the demands that will now be placed on us will soon require the quick expansion of our thinking to soundly evaluate the business opportunities on an international scale.

It is my fear that today we are very poorly equipped at the management level to compete in the international market with many European small businesses. I have a friend who owns a small business in Prato, Italy, making various types of woven blankets and other textile products. He employs about 75 people and is one of about 200 small- and medium-sized textile concerns in this Italian city. He produces about a million dollars worth annually of textile products. Not only does he successfully manufacture this million dollars worth of goods, but he sells this product to 43 countries throughout the world. About 80 percent of his business is done in export, and if he was not willing and able to compete in this export area he would have no business. I have wondered many times how well the average small New England manufacturer doing a million dollars worth of business would fare in direct competition with this man of Prato, Italy, even assuming that he was operating the same machinery and had the same labor rates.

I am convinced he would be beaten at his own game. Yet is there any reason that we as owners and managers of small American business enterprises should not expect ourselves to be competitive with foreign managements? There is not.

Considering our present position, there is no question that dealing with this kind of competition is going to be a great challenge to many New England businesses. It will put these enterprises under great pressure. The thinking and performance of all people in these organizations will have to improve. The smaller companies may strengthen their position through merger, or through cooperative research and product development, better manufacture, or improved marketing, or some advantageous combination in one or more of these areas. There is no question that to compete successfully we will be forced toward better, longer range financing, more realistic reinvestment policies, and generally the dollars invested per worker will have to increase substantially beyond those that currently support the average New England worker.

The direction America is taking in trade relations with the rest of the world will lead us into one of the most challenging and exciting phases in our business history. If we find ourselves with the courage to meet the challenge, I am sure we will also find this phase to be one of great growth and profit, and beyond this we will have the satisfaction that American business has met its full responsibility in helping to maintain the United States in its position of leadership of the free world.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. STENNIS. Mr. President——

The PRESIDING OFFICER. Let the Chair state the pending question: The pending question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] that the Senate proceed to the consideration of Senate Resolution 9, to amend the cloture rule of the Senate.

Mr. STENNIS. Mr. President, the question pending before the Senate has been stated. As the Chair understands, it is the motion of the Senator from New Mexico [Mr. ANDERSON] to consider the proposed resolution. I intend to discuss the motion.

First, I should like to say a word with reference to the disposition of the prior motion that was voted upon by the Senate last Thursday. That proposal certainly had its day in court. It was espoused by worthy and capable Senators in all sincerity, with great ability, and with their usual fine capacity.

The historic decision that was made in the Senate by its vote on that question resulted in a happy day for our Nation, because we were really beginning to make an excursion into the realms of fancy and unreality, far beyond the purposes and responsibilities of this great body.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. In view of the fact that the actual vote as recorded does not show the true division in the Senate on that historic decision, I should like to ask the distinguished Senator if it is not true that, after accounting for the two pairs and the showing of the position of one Senator who, though absent, could not obtain a pair, the actual vote would show that the division was 56 for laying on the table to 44 against laying on the table, or a margin of 12 votes.

Mr. STENNIS. The Senator is correct. The actual recorded vote was 53 to 42. As the Senator has said, the actual division of the Senate was 56 to 44, a difference of 12 votes.

Mr. HOLLAND. I thank the Senator. It seems clear to me—and the RECORD should clearly show as we begin debate on the renewed discussion—that the Senate indicated, by a very sizable margin of 12, that it was a waste of time to consider the question, which was laid on the table so decisively.

Mr. STENNIS. I thank the Senator for his comment. The Senator from Florida was one of those who contributed greatly in a most convincing way to the debate and to the decision reached by the Senate. I was pleased that the Senate brought out the additional figures on the vote. I intended to mention that the recorded vote of those present and voting was 53 to 42.

With all due deference to each of the 42, I believe it is fair to say that at least some of the 42 were partly influenced by sympathy, shall I say, toward those who espoused the cause of those who opposed the motion so very sincerely and who put up the major part of the fight. Without casting any reflection on any Senator, but stating the general trend of things here at times, if the vote had been closer, if we had moved closer to the idea of actually turning upside down the established rules of the Senate, and the procedure had become unbalanced, I do not believe that there would have been as many as 42 Senators who would have voted as they did, but on a final decision some of the 42 would have reached a conclusion that, after all, the motion should be tabled.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. STENNIS. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. Pursuing the point that the distinguished Senator has made, is it not true that in the debate immediately preceding the vote which he has mentioned, the distinguished Senator from New Mexico [Mr. ANDERSON], the principal sponsor of Senate Resolution 9, took the very strong position that the vote on the issue then pending would be the last opportunity that Senators would have at this session to show their position with reference to the particular change proposed in the cloture rules, and that that argument, coming from such a distinguished source, might easily have been responsible for the votes of some Senators who felt that it would be the last opportunity, as stated by that principal sponsor, for them to show that they wanted to change the Senate rule which was in issue?

Mr. STENNIS. The Senator is correct. As the Senator has pointed out, the Senator from New Mexico is always frank, forceful, and forthright. On the floor of the Senate he very clearly stated that, as a practical matter, the vote about to be taken would be the last opportunity at this session to cast a vote even in the direction which he favored, and even though it might not be the express point that a Senator wished to vote upon, it would be well that Senators vote against tabling the motion and to vote in favor of the position that he espoused. Otherwise, there would not be another opportunity.

Collateral matters often influence Senators with reference to many of their votes. There are varying degrees of interest involved in the casting of many votes in the Senate during the year. I am sure that a comparable number of the 42 who voted against the tabling motion were influenced by the collateral fact of civil rights proposals being tied in—incorrectly tied in—but nevertheless tied in with that vote. I am sure that factor was responsible for the way many of the 42 Senators voted.

What I have said is not intended as a reflection on Senators who so voted. As I have said, collateral matters often influence us to a degree.

So I believe that if the issue of civil rights had been omitted from consideration at the time of the vote, it would be fair to say that instead of 42 Senators casting their votes against the motion, there would have been many less than 42 votes cast to make such a shocking departure from the true rules of procedure and the true rules of the Senate.

Furthermore, it seems to me that it was shocking, in the face of the plain language of the rules of the Senate and their unmistakable meaning and the precedents of well over a century and a half, for Senators to have actually filed a motion that was completely outside and beyond the rules.

Furthermore, the motion was not only outside and beyond the rules, but was in the face of the rules and contrary to the rules of the Senate.

Furthermore, and with all deference, under the pressure of the debate, the occasion, and the feelings of the moment, the Vice President was actually urged to abdicate his constitutional role as Presiding Officer and President of the Senate, to go out into the realms of the unknown, and actually to make a rule. That is what he would have been doing if we had yielded to the strong pleas and urgings that were made on the floor of the Senate by the proponents.

Regardless of who might be the Vice President—and certainly regardless of the kind of feeling I have for the present Vice President—I think it was another milestone in our history that the Vice President would not abdicate his true constitutional role; that he would not fly in the face of the Senate's rules; that he would not invade the territory of the Senate; that he would not try to make a rule of his own, so to speak. Since the Vice President is a member of the executive branch of the Government, that makes it all the more valuable as a precedent of the Senate.

Mr. President, the debate served many purposes. It cleared up the points I have mentioned. It had a bearing on the true role of the Vice President of the United States. It had a most wholesome influence, I think, for the present and for the future on the proposition that change must be made in the way suggested.

Change can come. We must have change. Change will come. It does come every day, every week, and every year. But it should not come by upsetting the time-tried and time-proved rules and procedures of this great body.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. Is it not true that if the motion to lay on the table had failed and if the proposal to which that motion was addressed had been adopted—which of course would have followed logically—the Senate thereby would have established a special rule of cloture applicable at the first of each Congress, by which, in the Senate, a majority of one not only could close debate, but also could adopt any new rule or make any change in the old rules desired, not only affecting the cloture rule, but also affecting every other rule or every conceivable new rule which might be offered at the time by a simple majority of one?

Mr. STENNIS. The Senator is quite correct. If that precedent had been established it would have opened the door wide for all the possibilities mentioned by the Senator from Florida and, beyond doubt, for many more which time might wash onto the shore, and rapidly wash onto the shore, thus completely setting aside and destroying the Senate rules, destroying this body as it functions and as it is now known.

I could go further with the Senator from Florida and say if that proposal had prevailed affirmatively the motion not only would have applied to rule XXII but also, with equal logic, could have been applied to all the other rules; and, with almost equal logic, could have been applied at other times during the session, even with respect to considering a bill or on procedural matters. In fact, it would have been a precedent which would have invaded the entire realm of the operation and work of the Senate. I do not think there is any doubt that that would have been the opening wedge which would have brought about changes.

In reviewing the debate and the results of the vote, I am not content to let it rest with only what I might think about it as an individual Senator. I noticed a column published yesterday in one of the local newspapers, the Sunday Star, giving a review of the week under the title "New Senate Disposes of First Real Fight." The author of that column in that responsible newspaper, among other things, said this:

> The vote and the debate underlined a fact which is overlooked by those who view the rules fight only, or primarily, in terms of Negro rights. And this is that many Senators still believe the Senate to be the one remaining bastion for the protection of the rights of all minorities against the possibly oppressive rule of majorities.
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> A Democratic freshman Senator of Japanese extraction, DANIEL INOUYE, expressed this viewpoint in a surprise and impassioned maiden speech on the Senate floor. Asserting that he well understood the human injustice suffered because of color, the thrice-wounded World War II hero declared:
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> "If any lesson of history is clear it is that minorities change, new minorities take their place and old minorities grow into the majority.
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> "I have heard so often in the past few weeks eloquent and good men plead for the chance to let the majority rule. I disagree, for to me it is equally clear that democracy does not necessarily result from majority rule, but rather from the forged compromise of the majority with the minority."

Mr. President, I think time will prove that the short speech by the Senator from Hawaii was a milestone in the history of the Senate for clarity, brevity, and substance. I have neither seen nor heard anything better since I have been here. The Senator from Hawaii, as well as other Senators, made important contributions to the real and true role of the United States, which has been clouded because of assertions made in this debate, as well as preceding ones, usually tied in with an issue which somewhat appeals to the feelings of the people, as well as Members of the Senate.

I read further from the column published in the Sunday Star:

> Senator INOUYE said that the philosophy of the Bill of Rights and the rules of the Senate is not simply to grant the majority the power to rule, but also to limit that power. Accordingly, he concluded, he opposed the destruction of the power of the southern minority in the Senate in the name of helping the Negro minority in the United States.

Mr. President, the speech by the Senator from Hawaii expressed as well and as clearly as a veteran with great experience would have the principle involved: that this is not merely a matter of majorities or minorities, but also is a matter of the minority being able to engraft into proposed legislation at least some of its views and some of its position. I think that is of the utmost major importance.

When we consider the number of times cloture has been attempted, the number of times it has failed and the number of times it has been invoked, there is no way to really count the value of rule XXII, for it permits the minority not only to be heard but also to have an opportunity to engraft into the policies of this body and of proposed legislation its viewpoint and position. In that way this Government has never drifted off far to one way or far to another way, because of what might be the temporary will of a bare majority, but has managed, as a result of this rule more than any other one thing, to represent the entire Nation, with its diversity of economy, its diversity of people and climate and so many other conditions which go to make up our national life.

So I want to say again with emphasis that the historic occasion of the vote and the debate has greatly contributed to the strength of our Nation and to an understanding of the real issue involved. The Senate has again bottomed itself on the firm foundations of an approach to legislation that will protect minorities, not only in their right to be heard, but to have a real part in the policies of this Nation, thus confirming the fact that it is, not a majority nation, but a nation of great strength where all groups have their day in court and have their strength impressed into the policies of the nation.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield to the Senator from Florida.

Mr. HOLLAND. I am sure the distinguished Senator noted, did he not, that of the four Senators from the two new States of Hawaii and Alaska, both of which are geographically remote from the old States of the Union and have problems peculiar to themselves, which they feel may need to be asserted vigorously, over and over again, before they may be recognized by others; three of those four Senators voted with the prevailing majority which illustrated so clearly that those three Senators recognized a possible minority position for themselves in the future, and, recognizing it, wanted to make very sure that they not surrender, thus early in Hawaii's and Alaska's statehood, their right to be heard in behalf of the interests and objectives which are vital to their two new States?

The Senator noted that, did he not?

Mr. STENNIS. I noted it, indeed; and I dare say their people will understand and will applaud their position with reference to protecting their States rights.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. STENNIS. I yield.

Mr. HOLLAND. I thoroughly agree that their people will feel they have been well represented in this matter.

Mr. STENNIS. The Senator from Mississippi may add right there that the two Senators from Alaska were men of long experience in government, in the Congress, and in their State, one having been a former territorial Governor, the other having served a long time, most creditably, as a delegate in Congress. They have been in the Senate now for 4 years.

The Senator from Hawaii [Mr. INOUYE], to whom I have just referred, has only come into the Senate this year, but he was in the House, I believe, about 4 years. Certainly, they are not amateurs. They are seasoned men, who reflected their mature judgment based on wide experience.

Mr. HOLLAND. I thoroughly agree that they are seasoned men with a viewpoint which should be recognized as one that shows an understanding of those States, with their peculiar problems, far removed from the other, which may require them to stand here from time to time, long lengths of time, to explain patiently to the people and their colleagues the objectives of the people of their States.

I would like to ask this question: Is it not true that the distinguished Senator from Alaska [Mr. GRUENING], who, as the Senator has just said, was for a long time territorial Governor of Alaska, gave some of our ultraliberal friends something to think about the other day, when, in the course of his able speech on this subject, he made it so clear that practically all the great liberals in the recent past of our Nation took the same position they took; namely, that the cloture rule should be preserved without further emasculation?

Is it not true that the Senator from Alaska [Mr. GRUENING] quoted such Senators as former Senator Borah, former Senator La Follette, Sr.——

Mr. STENNIS. And, more recently, Senator O'Mahoney.

Mr. HOLLAND. And our late colleague, Senator O'Mahoney, from Wyoming. Former Senator Norris was another. The Senator from Alaska quoted many great liberals in support of his contention that the truly liberal position throughout the history of the Senate had been that the protection of minority rights of all kinds required the use of long, and sometimes unlimited, debate on the floor of the Senate. Is it not true that he did that in a most compelling and convincing manner so as to make some of our friends realize that they were departing from the path of liberalism, which I am sure they are trying to tread?

Mr. STENNIS. The Senator is so right. The speech of the Senator from Alaska [Mr. GRUENING] was carefully delivered, with logic, reason, and precedent, and conclusively showed that over the years—not merely the past few years, but over the decades—the consistent position of some of these stalwarts, some of whom we have inscribed in the waiting room—the hall of fame in the Senate, so to speak—was as the Senator has stated.

I may point out that since the Senator from Florida came to the Senate, which was about the same time as I did, we have seen many, many battles on the floor of the Senate, many hard fought, well presented struggles, in which the so-called liberals, or those of more liberal views, were fighting hard for their fundamental beliefs, under the protection of rule XXII, who went all out in their fight and were effective in their efforts in most cases—nearly every time they won concessions of substance and got proposals modified or postponed until they could get their point of view better understood and a modification of the proposed law or policy that was under consideration.

We have seen some of those occurrences time and time again, and I shall mention some of them specifically in the course of my future remarks. So what is involved is not merely theory. It is not just history we are talking about. It happens here in every session. It happened in the last session. It will happen in this session.

Mr. President, with that brief review of the situation which took place in the Senate last week in the debate and the vote, I want to go back and review again some of the fundamentals with which we are still dealing now in the pending question before the Senate, the proposal to change rule XXII. My heart as well as my mind lead me back again and again to the proposition that the Senate is the one place in our Government that is the forum of the States. It is not so much a matter of States rights, as that term is ordinarily understood, but we know our Government is not a mass government. It is divided into units of States. The States are further divided into units and have local governments. It is the only branch of our Government in which the States can be represented fully. The House of Representatives and the White House have their special functions, but the Senate is the only forum of the States. The New Senate Office Building carries that message to the wide world, which is inscribed on the outside of the building. It says: "The United States Senate: The living symbol of our Union of States."

I continue to be impressed with the fact that in the formation of our Constitution, it was this structure, the Senate, which was the backbone of the compromise which really led to the writing of the Constitution. I remember that the record shows that Benjamin Franklin, who was then a man 81 years of age, I believe, rose one morning and addressed the Chair, with George Washington the Presiding Officer, as we so pleasantly recall, and Benjamin Franklin pointed out the fact that they had been there all these weeks and had not reached agreement on essential matters of substance, and that something had to be done. That is when he moved that they open their sessions thereafter with a prayer. That was done.

There came out of that new earnestness and that new start, so to speak, within the course of 10 or 12 days thereafter, the great compromise which led to establishing a Senate in which each State would be represented with two votes, regardless of population and regardless of anything else. They wrote into the Constitution article V, which provides that no State shall be deprived of its suffrage in the Senate without its own consent. It does not make any difference what the other 49 States may say or may want to do or may try to do. It is written into the fundamental law of the United States that no State under any circumstances, without its consent, may be deprived of its suffrage in the Senate.

That is the one point the Senator from Mississippi can recall which is not open to amendment of any kind under any circumstances. It is not open to amendment under any circumstances, and is the only such point in the entire Constitution of the United States. That is a part of the entire structure that goes to make up the Senate. Rule XXII in its present form is also a part of the structure upon which this body rests. If we keep chipping away and whittling away on that principle, we not only change the rules, but we also change the

Senate of the United States. If we do that, we abdicate the position of the Senate and its power and, in a large way, its responsibility, directly contrary to the letter in many instances, and the spirit in all instances, of the Constitution of the United States.

I wish to point out one further matter, to which the Senator from Florida has referred. I have witnessed fights on the floor of the Senate when rule XXII was the one thing that saved great areas of this country in their fundamental rights. I do not know of anything more important in our economy and in our physical life than water. We have seen some instances when States, particularly Western States, had to fight for their lives, and for their economy, and their future with reference to water rights, because in the passions of the moment, and proposed legislation being tied in with other matters, the steamroller was about to run over them; but their Senators here on the floor, after the House Members were swept aside with crushing blows by a great majority over there, were able to get the Senate to protect them.

We also considered the matter of oil, as was pointed out by the Senator from Florida. Rule XXII came in somewhat on the other side at times, and perhaps on both sides at times. However, rule XXII was a vital factor.

I know of other economic questions which came up pertaining to agriculture. It affects also any population group, whether it is in the South or wherever it is. No matter where such a group is, rule XXII protects them. It works both ways. We should not brush aside this fundamental protection in our Government which has meant so much to all these groups in the past and which certainly will mean a great deal in the future. If we remove this protection, the evils will certainly show up in a hurry.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. Admitting, of course, that everything the Senator has said about the fields in which the cloture rule has been used is entirely correct, I wish to ask the Senator if he does not recall that in the vastly important matter of the further development of atomic energy the cloture rule was used?

Mr. STENNIS. Yes.

Mr. HOLLAND. For some weeks on the floor of the Senate the cloture rule was discussed, and the result of the debate of several weeks was that the minority was sustained in certain of their positions and that those positions were met by amendments in the proposed act before it was passed, and that it was passed within a matter of a few hours or days after the failure of the cloture vote, with amendments which protected the opinions of the minority in certain fields, which up to now have not been shown to be unwise from the standpoint of the best protection of this Nation.

Mr. STENNIS. The Senator is correct. The real reason that I had not mentioned it at the time was that in another phase of my prepared argument I intended to mention, with special emphasis, the Atomic Energy Act, which was one of the best results of the most severe debates I have seen on the floor of the Senate.

I remember that at one time in the debate the floor leader for the majority took the position that a Senator could not speak on his own amendment without the consent of the majority leader. He would give a Senator 3 minutes or 5 minutes, or whatever he might wish to give. At one time I said that I was not willing to pay that price, and I would not speak at all. I did not want to bow the neck to an arbitrary rule like that. It shows how close one can get to it.

While we are on that act, that debate had matters in it which affected the TVA Act and the TVA territory. I went to the House of Representatives to hear the debate over there, and one of the Representatives from Mississippi represented 16 counties, every one of them in the TVA area and all vitally affected. He was allowed 5 minutes in which to argue the bill.

Although the bill had far-reaching provisions and affected every one of the 16 counties, that Representative was allotted 5 minutes in which to present his argument. He got 3 minutes in his own right as a Member of the House, and some other Representative yielded him 2 additional minutes. He had barely begun his speech on the ramifications of the bill and how it affected his people when his time expired.

Like a hurricane, the bill swept on to passage. It came to the Senate, as the Senator from Florida has said, and the Senate debated it for about 4 weeks. During that time concessions were made, and since its enactment the law has proved to be sound.

I continue my remarks with respect to the Senate being the forum for the States. The comparison I have made with the House is certainly not to the discredit of the House. The House is a very important and major part of the entire Government, to say nothing of the legislative branch. But under the rules—more or less under the rules of necessity—the House can be swept aside, under certain conditions, whereas the State representation in the Senate cannot. Each Senator, by the time he has been a Member for even a short time, is usually assigned to at least four major committees. Practically from the beginning of his service, each Senator is assigned to at least four committees, all of them major to a great degree. Usually those four committees have much to do directly with the rights and problems of the respective States. I mention this because it is a part of the picture that the Senate is the forum of the States.

No particular rule goes to make up the substance of the entire pattern, but each rule has its place. However, one rule which goes to the vitals of virtually all the rules is rule XXII, the rule which is sought to be changed, thus whittling away the power and the importance of the representation of the States.

The Senator from Alaska [Mr. GRUENING], in a very fine, well-prepared speech, pointed out the other day that 23 of the 50 States have 5 or fewer Representatives. That is almost half the States. It lacks two of being half the States. Those 23 States have 5 or fewer Representatives. I believe that 5 of those 23 States have only 1 Representative each in the House. So any proposal which would reduce or whittle away the representation of a State in the Senate vitally affects the future of the people of that State, and its position more particularly, in view of its small representation in the House of Representatives.

The Senator from Alaska also demonstrated that there are enough votes in 10 States to pass or defeat a measure in the House of Representatives. Ten of the 50 States is 20 percent. So 20 percent of the States could muster the strength necessary to pass or defeat a measure in the House, whereas 26 or more of the States, considered on a State basis, are required to pass a bill in the Senate.

On the other hand, under the present rules, when put to the extreme, 17 States could band together to defeat measures which were considered by the people to be obnoxious or unbearable. But things seldom happen in that way. As I mentioned earlier in my remarks, a major part of the activities influenced by rule XXII can enable a minority group to get amendments into a bill or into a policy, amendments which represent, in a major way, at least, either the particular bill or the particular problem involved.

We hear, and have always heard, much about the checks and balances in our system of government and its operations. Some persons think that the checks-and-balances system is out of date and old-fashioned, and should not be given the emphasis now that was given to it in the past. I heartily disagree with that position. I believe there is far more reason today for such a system than there was in the past, when the United States was an infant nation, a small nation, just coming into its own. There is more reason today for checks and balances than there was in the days when life was simpler and the problems of government were not so great. In any event it was laid down as the fundamental structure of our Government that there would be checks and balances.

By the way, no popular government, as directly of the people as our Government is, has ever endured for so long a time, unless there were, in some practical way, whether written into a constitution or not, certain checks and balances, which have been the device which has kept our Government operating and meeting the problems of its times.

I think one of the problems of our time, a new problem, which makes checks and balances absolutely necessary, is the activity of pressure groups and other organized groups.

Their organizations are effective at the polls. They make consistent, repeated, well-planned, and schooled efforts to impose their will upon the elected representatives of the people. They do this day in and day out, even before the prospects become candidates of their own party, and follow right through to the election, and then follow up not only every week, but every day, placing direct pressure upon the representatives of the people.

The executive branch of the Government has vast power. It makes no difference who the President is at any given time. His power is many times greater today than it was when the Constitution was framed, or even 50 years or 10 years ago. Today, the Nation has a budget of $99 billion, to be spent every 12 months. The power and responsibility of the President are immense; they provide a means for tremendous pressure.

Such pressure is exerted in various ways. Not only is it applied to the people, but it can also be applied to economic groups and to members of the legislative branch of the Government. Although the legislative branch is independent of the executive branch, they are, as a practical matter, tied very closely together. So the need for checks and balances, of which rule XXII has proved to be a major and outstanding part, is undoubtedly greater today than it has ever been in the history of our Government.

Mr. President, how sad it would be if ever, under the pressure of events, that concept were abandoned.

We also know that as part of this new picture, in connection with most economic matters, the courts themselves—from the trial courts to the Supreme Court of the United States—have become more liberal in the interpretation of the U.S. Constitution. Undoubtedly they are now much more inclined to read into it liberal interpretations than was the case in the early days; and undoubtedly today they are much more inclined to go into the field of what is, in effect, legislation and policymaking.

Mr. President, all these things add up to a current trend which emphasizes the need to have somewhere in the legislative branch a place where checks and balances can be applied. However, except under the most compelling circumstances, they will not be applied in the extreme.

The Senator from Florida mentioned the atomic energy bill—a measure which I am sure was framed in the utmost good faith, and was presented here on behalf of a very fine and very popular President of the United States. Great pressure was exerted on Senators in the effort to have that measure passed in the form the administration thought it should have, and in accordance with the policy of the executive branch of the Government. I know that nothing really wrong was done in that connection; but certainly there never has been a debate during which more telephone calls came to Senators. Tremendous pressure from the executive branch was exerted here. That pressure was not of an illegal nature; but, in total, it was very great. As the Senator from Florida has pointed out, it was because of the protective arm or barrier of the legislative branch of the Government that those in interest here were able to protect their people and themselves.

So these matters add up to the actual need—greater now than ever before—for continuation of effective checks and balances. A number of them were written into the Constitution itself. In the first place, ours is a government of limited powers; and the other powers are reserved to the States or to the people. In our constitutional form of government we have a built-in arrangement of checks and balances. One of them enables the executive branch to veto a bill which has been passed by Congress. Thereafter, in turn, the legislative branch can under certain circumstances, doublecheck on the Executive, by overriding the veto. Another provision makes possible amendment of the Constitution. If an amendment is to be submitted, a two-thirds vote of both Houses is required; and thereafter the amendment must be approved or ratified by three-fourths of the States.

The authority of either House to expel a Member is another check—one on ourselves. Although that power is rarely used, it is provided for in the Constitution, and is a part of our system of checks and balances.

I refer also to the power to impeach an officer of the executive branch—even including the President of the United States. In that way the Senate can try a person so accused; and, if he is convicted, he will be removed from office.

Mr. President, rule XXII has proved to be a practical part of our system of checks and balances. All these things show a continuing and growing need for it. I believe the Senate supplies, under rule XXII, more checks and more balances than is to be had by means of any other group or any other circumstance within the framework of our Government.

Mr. President, I return to the proposition that, after all is said and done, no charges of substance have really been proven against the proper operation of rule XXII. It is said that the majority should always have the right to control, and that the new Members should have an opportunity to help formulate the rules. The new Members of the Senate constitute a very fine group, Mr. President. We have heard much to the effect that they are not being given an opportunity to take part in the deliberations of this body on the question of the rules which will govern it. However, I point out that there is plenty of work to be done, and they will have ample opportunity to participate in it. Under our system for the assignment of new Senators to committees, each new Senator will, most fortunately, be given what is considered a major committee assignment, to begin with; and, as time passes and as the changes occur, he will find himself in a better and better position; and the first thing he knows, he will be overwhelmed with work.

Furthermore, as the years pass a Senator begins to understand the wisdom of these rules in their practical operation and application; and, after all, he will not have much real complaint about them.

Mr. President, there has been no proof that any real harm is done because of the operation of rule XXII, or that the Nation has suffered thereby.

Senators have referred to the votes cast on various measures.

The vote taken last Thursday in the Senate showed that the proposal then before the Senate failed of passage because of a lack of merit. Certainly that was not due to any fault or defect in rule XXII; that rule was not the culprit. Whatever fault there was with that proposal must have been inherent in the proposal itself.

Mr. President, I also note that there was an opportunity for the Senate to vote on every major measure in President Kennedy's programs for 1961 and 1962. It may be that one of the bills which failed to pass in the House was not brought up in the Senate; but rule XXII did not keep any of the bills of the Kennedy administration from being passed on, here on the floor of the Senate—and passed on by either a direct vote on the bill itself or by a vote on a motion to cut off debate. When there was a motion to cut off debate, the bill was not even supported by a majority of the votes cast. In that connection, I refer to the literacy test bills, on which the Senate voted last year.

I return to the broad proposition that not a single one of the far-reaching measures proposed by the present administration has failed to come to a vote in the Senate.

I have already referred to an occurrence during the time the Senator from Mississippi has been in the Senate. The Atomic Energy Act is an outstanding illustration of a measure that was affected by the operation of rule XXII. It was a far-reaching and major piece of proposed legislation submitted in all sincerity by the executive branch of the Government, with all the force, influence, persuasion, and power of the executive branch squarely behind it. It had the pressure of various groups and large segments of the economy of the Nation. Everything, it seemed, was driving to pass the bill as written.

After a very rapid debate the bill was passed by the House of Representatives. It was impossible really to present the measure on its merits in the House, and to point out its demerits and possible consequences.

I observe that several Senators have come into the Chamber since I started to speak on this subject. I repeat that on the day the atomic energy bill was considered by the House of Representatives, I went over to that body to hear a part of the debate. I wished particularly to hear one of the Representatives from Mississippi, who represented 16 counties, every single one of which was directly and substantially affected by the terms of the bill. When the bill came to the floor of the House of Representatives, the Representative from Mississippi was permitted to speak for a total of 5 minutes to point out how the measure would affect the people whom he represented. He was limited to 5 minutes in which to point out the defects in the bill and make his plea to his colleagues not to vote for the measure. Under the rule he was permitted 3 minutes in his own right. He borrowed 2 additional minutes from some other Representative. Before the Representative had gotten into the real substance of the bill, his allotted time had elapsed. He was gaveled down, and the bill swept on to a vote within less than an hour after that Representative's appearance. It passed the House by an overwhelming vote, and came to the floor of the Senate, where it was debated off and on for approximately 5 weeks.

When cloture failed under rule XXII, a conference was held in which concessions were made. Those of us who had been fighting the bill were successful in having amendments agreed to which time has proved, under the circumstances, were acceptable to the proponents of the measure.

The bill was then passed by the Senate by an overwhelming vote. As I recall, that was 8 years ago. The law has been in operation since that time.

Neither the Senator from Mississippi nor anyone else of whom I know has heard any complaint about its operation. It has proved to be sound, solid, and just law for all groups. Furthermore, it protects the Federal Government in all of its rights and responsibilities. It has turned out to be one of the major achievements of the Eisenhower administration.

Mr. President, I see that the Senator from Louisiana [Mr. LONG] has entered the Chamber. Since I have been discussing the Atomic Energy Act, I should like to point out how vitally concerned the Senator was with that measure and how he contributed greatly to the debate on the question.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Does the Senator recall that in the course of the debate to which he refers we had some experience in seeing how cruel and brutal a majority can be when that group really feels that it has the whip hand? On that occasion the majority voted to lay on the table any amendment submitted, regardless of the merits of the amendment, even before it was discussed. I ask the Senator if he recalls how completely arbitrary the majority leader on that occasion was when he decided he had heard enough debate and insisted that the amendments be voted on post haste, with the result that every time a Senator would offer an amendment, even before he could obtain recognition to explain his amendment, the majority leader would demand recognition, obtain it from the Chair, and then would move to lay on the table the amendment even before the Senator could explain his amendment or discuss its merits.

Mr. STENNIS. The Senator from Mississippi recalls that the Senator from Louisiana was pushed around somewhat in that debate.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. I do not believe that what the Senator has described occurred in that particular debate, even though I recall the same experience having happened to the Senator from Louisiana in other debates. If the Senator from Louisiana recalls correctly, on one occasion, even in the absence of the Senator from Louisiana from the Chamber, the majority leader moved to table his amendment.

Mr. STENNIS. The Senator from Mississippi remembers that debate. It indicates what can and did happen. Cloture could not be obtained. The Senator from Mississippi was interested in a proposed amendment. The floor leader demanded action. He would not permit the Senator from Mississippi to speak unless he agreed to speak only 4 or 5 minutes, whichever it was. In the fervor of the moment I declined to speak at all if I could not speak any longer than that. I would not yield to those terms. The amendment was rejected by a voice vote.

Mr. LONG of Louisiana. Does the Senator recall that during the course of that debate a Member of this body who was not present during the earlier debates made the statement that in view of the failure of those tactics on those occasions, they probably would not be employed in the future? I ask the Senator if it was not because of the fact that every Senator had the right to make two speeches as long as he cared to make them, those tactics were defeated. So as a practical matter, had the majority leader been in a position to invoke cloture on the Senate by a 50-percent or even a 60-percent vote, Senators who were debating against the bill would not have been in a position to keep him from using that type of whiplash tactic.

Mr. STENNIS. The Senator is correct. The Senator from Louisiana and I have been in the Senate about the same length of time. Nothing more forcibly illustrates the wisdom of rule XXII than the debate on the atomic energy measure.

Mr. LONG of Louisiana. Mr. President, the amendments which were forced upon that bill as a result of the extended and determined debate of the minority on that occasion have remained in the law. I have yet to hear anyone maintain that those amendments should be removed from the law.

If I recall correctly, one of the aspects of the debate was the famous Dixon-Yates contract, which was subject to much criticism, as the Senator knows. Subsequently, exposures were made that caused even Senators who favored the Dixon-Yates contract to feel that it was subject to very serious criticism, particularly because of the manner in which it had been brought about.

Mr. STENNIS. Is it not true that later the courts upheld the position of those of us in the Senate who were accused of filibustering the bill? Did not the Court sustain the position of the minority in that fight?

Mr. LONG of Louisiana. The Senator is entirely correct. One thing that has impressed the Senator from Louisiana was the fact that in that fight the administration recommended that private concerns should be able to obtain private patents on contracts for research in the field of atomic energy. If I recall correctly, those contracts even permitted private patents based on Government research for which the Government had paid.

If I recall correctly, one of the amendments to that bill provided that even where contracts were obtained on the basis of private research, there would still be compulsory licensing so that others could manufacture some of the commodities resulting from the research in competition with those who might otherwise have a stranglehold on the new development.

Mr. STENNIS. The Senator is correct. In that debate, as in many others, the Senator from Louisiana made an oustanding contribution with reference to the matter of patent rights, as well as other related matters.

Mr. LONG of Louisiana. I thank the Senator.

Mr. STENNIS. I thank the Senator from Louisiana.

I was referring a few minutes ago to the Atomic Energy Act as an outstanding illustration of an instance when extensive debate took place for days and days strictly on its merits and resulted in the final passage of a bill, but that under the protection of rule XXII the minority group were able to get representation for their thinking and to have written into the bill certain amendments for their protection. Some 2 years later a case from a trial court went to the Supreme Court, and was decided by the Supreme Court, as the Senator from Mississippi recalls, in an affirmation of the position taken by the minority group in that debate in the Senate.

It illustrates in more ways than one the wisdom of having had a chance to modify a policy, to modify the language through amendment and through concessions.

Coming to another outstanding debate, I refer now to the Civil Rights Act of 1960. I mention that case because it is a civil rights act about which so much is said in connection with rule XXII.

There was a case where the bill that was proposed, and in connection with which cloture was attempted to be imposed, was so drastic and harsh in its terms that the Senate itself changed its position and later voted a bill which was signed by the then President of the United States and is now known as the Civil Rights Act of 1960.

During the debate an attempt was made to impose cloture, which failed by a vote of 42 to 53. In other words, only 42 Senators voted in favor of imposing cloture, and 53 voted against it. The bill as then constituted was in such form that it did not even get a majority of the Senate to vote for cloture. That proved that the measure was not suitable in its form at that time to a majority of the Senate.

That being true, if it is true, the fact that that measure seemed to attract the favorable vote of a majority of the Senate was not due to some rule of the Senate, but was due to the lack of intrinsic merit in the bill, its failure to meet the situation, its failure to commend itself to the Senate. So the inability to get a majority was due to the fault of the bill itself; it was not the fault of rule XXII. That was an outstanding case in which concessions were made. At least, changes were made, the bill finally passed, and it is the law today.

During my tenure in the Senate, there was a lengthy debate in which rule XXII was invoked. I refer now to the literacy test bill, the bill relating to voting requirements. In that instance, two attempts to have cloture applied were made. On the first attempt, only 43 Senators voted for cloture; 53 voted against it. Later during the debate, cloture was again attempted. At that time only 42 Senators voted for cloture, while 52 voted against cloture. That was when a so-called civil rights bill was pending, and on each vote the proponents of the measure were unable to get even a majority to vote in favor of cloture. That was conclusive proof that the bill did not have merit; that it fell of its own weight; that it was defeated because of a lack of merit, not because of rule XXII.

Considering all the arguments which have been made, in almost every instance—certainly those within recent years—the failure has been due to a lack of merit in the bill, not due to the operation of rule XXII. Such action also shows a very strong belief by the Senate in the fundamental precedents of the Senate. It is not necessary to refer to the traditions of the Senate, but to the firm precedents of the Senate, within a framework of action over the years, meeting every challenge that has been made.

Let us consider all that has happened since 1917, when the United States entered World War I, and continuing through the distressing and far-reaching depression; through World War II and the period of adjustment thereafter; through the Korean war and its approximately 3 years' duration; and through the approximately 10 years since the shooting stopped in Korea.

I refer again to the literacy test bills. Only this morning, since I began to speak, reference has been made by the senior Senator from Connecticut [Mr. Dodd] and also by the senior Senator from Kentucky [Mr. Cooper] to the literacy test bills. As the Senator from Mississippi understood the Senator from Kentucky, when he referred to those bills, the Senator from Kentucky pointed out that they did not square with the Constitution, as many Senators interpret the Constitution. Therefore, those bills were defective. The Senator from Kentucky is now introducing a bill having a different approach, as the Senator from Mississippi understands. I point this out to show the wisdom of the application of the rule.

Now I come to the most recent instance, one which occurred last year. The Senate had before it for consideration a bill which had the backing of the administration and which had been passed by the House by an overwhelming vote. I refer to the satellite communications bill. The bill had been reported to the Senate by the Committee on Aeronautical and Space Sciences following, as I understand, a unanimous vote by that committee.

On the floor of the Senate, the bill encountered the very strongest kind of opposition. Some excellent arguments were made in favor of the bill. The Senator from Mississippi did not agree with those arguments and really did not wish to impose cloture upon Senators who were very strenuously and sincerely opposed to the bill in all of its major parts. Extensive and compelling arguments were made by opponents of the bill in their fight for the preservation of what they considered to be the fundamental rights of the people and of the Government of the United States, rights which they felt would be voted away or delegated to private individuals under the terms of the bill.

Anyway, in the course of time, a motion for cloture was presented; and after the elapsed time, the Senate voted, 63 to 27, for cloture. Thereafter, following debate under the terms of the cloture, the bill passed and became law.

Aside from the merits of the bill and the merits of the arguments made against the bill, it was shown that the Senate could operate under its present rules, that the rules are workable, and that when there is before the Senate a bill having real substance, one which meets the requirements of conscience as well as the judgment and the mind of enough Senators, such a bill not only can be passed but will be passed, as was the communications satellite bill.

Another well-known bill which failed to pass dates back to the year 1946. This subject has been mentioned in debate before, but I bring it to the attention of of the Senate again because I think it is highly important. The bill was presented to Congress by the President of the United States in 1946. Its main provision was that after a certain brief notice, persons who were engaged in the operation of railroad trains, and therefore were engaged in interstate commerce, and who did not resume their labors—a great many strikes were in progress at that time—in response to the call to return to work, could then be inducted into the armed services under the direction of the President of the United States. I cite that bill to show that it was one which affected a great segment of the country—the so-called labor group, a group which had certain respected rights under the law, vested rights in their labor organizations, and vested rights in their long tenure of jobs. It was a bill which, in the feelings of the times, cut them down and brushed them aside without a hearing or adjudication, but merely upon the will of the President of the United States.

Furthermore, the question of enforced service was involved. Under the Selective Service Act, young men can be required to render certain military service, but that is strictly on the ground of necessity. That act deprives them of what would otherwise be their freedom and their right of individual choice in life; but that restriction is imposed on the ground that it is necessary for the protection of the Nation and in the interest of the national defense. It is to the credit of those who are protected by it that virtually all of them are willing to serve and, in fact, under those circumstances want to serve.

The proposal before the Senate on the occasion to which reference has been made was that the strikers be inducted into the Army—but for a reason altogether different. That proposal would have resulted in taking away their liberty, as a means of punishment; and in that way they would have been forced to serve in the Army. Furthermore, that proposal applied to many who were beyond the age of military service and to many who, for physical reasons, would have been disqualified from military service. That proposal was not made as a means of strengthening the Armed Forces; instead, it was made as a means of punishing certain persons. It was contrary to the American system. Nevertheless, that bill was passed in the House by a large majority. Last week I heard two Senators who then were Members of the House say that they regretted the votes they cast for that bill. In fact, one of them said the vote he cast for it was the vote he regretted most, of all the votes he had cast at any time during his service in Congress.

It should be noted that at that time the country was beset by many strikes which tied up transportation, communications, and mail, to the very great inconvenience of the people of the country and to the impairment of the economy and its operations. So there was provocation for that measure; but my point is that that situation shows what can happen in such circumstances. I also point out that I do not know of any Member of the House who then voted for the bill who now is really proud of that vote.

I also point out that if at that time the bill had been passed by the Senate and had become the law of the land, it could today serve as a precedent for punitive legislation against certain groups—in short, a precedent for a measure inducting them into the Army. If that could be done as punishment, it would seem that they could also be placed in prison.

However, under the more liberal rules of the Senate, which provide time to think and reflect, the Senate did not pass the bill. The late Senator Taft of Ohio—who later became one of the authors of the Taft-Hartley Act, and certainly was not espousing the cause of labor—led the fight in the Senate to slow down the process by which the passage of that Army draft bill was sought. As a result, there was an opportunity for tempers to cool; and thereafter the Senate decided that the bill should not be passed. It is highly to the credit of the Senate that it did not succumb to the pressure then exerted for enactment of the bill. Rule XXII was what saved us.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield?

The PRESIDING OFFICER (Mr. Nelson in the chair). Does the Senator from Mississippi yield to the Senator from Louisiana?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. Did the Senator from Mississippi hear the argument the Senator from New Mexico [Mr. Anderson] made shortly before the vote was taken last week, when he more or less made very light of the importance of the Senate rules in connection with the debate on that bill?

Mr. STENNIS. Yes, I heard his quick reference to that measure. As I recall, he suggested that the defeat of that bill was due only to the alertness of Senator Taft, and that he was opposed to the bill, anyway.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield further to me?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. I was not then a Member of the Senate; but I believe the Senator from Mississippi was——

Mr. STENNIS. No, Mr. President; that happened a year before I came to the Senate.

Mr. LONG of Louisiana. At any rate, is it not true that if the rights and the tradition of free debate in the Senate had then been eliminated, that would have led the Senate to succumb to the same temptation to which the House was subjected—with the result that in the House the bill was passed on the same day it was introduced?

Mr. STENNIS. Yes, I think that in that event the Senate undoubtedly would have passed the bill. I base that conclusion on a considerable amount of comment which has been made to me by Senators who at that time were Members of the Senate. When I came to the Senate in 1947, that bill was about the most talked-about item to be discussed in the cloakrooms and the corridors. It was generally agreed that in that situation rule XXII, which caused the slowdown of the attempt to have the bill passed by the Senate, saved the Senate. In view of the fact that those strikes continued, I think there is no doubt that if the bill could have been voted on in the Senate within a few days after it came before the Senate, it would have been passed by the Senate.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield further to me?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. Was the Senator from Mississippi a Member of the Senate at the time when the Taft-Hartley bill was enacted into law?

Mr. STENNIS. No; I came to the Senate a few weeks after its enactment.

Mr. LONG of Louisiana. Does the Senator from Mississippi recall that the proposal to enact that measure was very controversial, and that before the bill was passed there was extended debate in the Senate?

Mr. STENNIS. That is correct.

Mr. LONG of Louisiana. In view of the extremely important nature of the subject matter, was it not appropriate that the bill was subjected to that searching analysis, and that that controversy occurred on the floor of the Senate?

Mr. STENNIS. Absolutely so. In that process the bill was largely rewritten—as I have always heard from Senators who took a conspicuous part in that debate. I have been told that by Senators who favored the bill and Senators who opposed it. The bill was rewritten on the floor of the Senate; most of the provisions now discussed in that connection were developed in the Senate committee, and subsequently were voted into the bill.

It will be recalled that after the bill was passed, it was vetoed; but the bill was really passed over President Truman's veto. That is a remarkably good illustration of the fact that when a need for the enactment of such a measure exists—and I thought there was then a need for the enactment of such a bill; and time has proven the need for its enactment—rule XXII is a very desirable one. At that time rule XXII was stricter than it is today; but certainly that rule has made possible the most important slowing down of the process of passage in the Senate of important and controversial legislation.

Mr. LONG of Louisiana. Does the Senator from Mississippi recall that in the next Congress, after the Democrats had increased their majority in the Senate by about 12, an effort was made almost to repeal the so-called Taft-Hartley Act; but the rules of the Senate were such that those who tried to obtain an immediate repeal of that act encountered—once again—the traditional procedures of the Senate which require committee hearings and free debate in the Senate? Does the Senator also recall that on that occasion, after that matter had been thoroughly debated, it was the judgment of the Senate that the drastic proposals for changing that act which had been recommended by a majority of the Committee on Labor and Public Welfare should not be adopted; instead, both the House and the Senate chose to go along with the views of the late Senator Taft and the others who had joined in the sponsorship of that act, with the result that the Taft-Hartley Act was modified drastically, but not nearly as drastically as was desired by those who wanted—in effect to have that act repealed?

Mr. STENNIS. The Senator is correct. The Senator from Mississippi recalls that he and the Senator from Louisiana were among the newest Members of the Senate at that time. We came to the Senate in 1947 and 1948, along with other Senators. There followed the second great debate on the Taft-Hartley bill. The measure was fought out again on the floor of the Senate. Finally, as the Senator from Louisiana has said, the Senate, in its deliberative process, reached the conclusion that it would refuse to repeal some of the major provisions of that law. From then until the present time we have had essentially the same law that was finally passed by the Senate.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further for a question?

Mr. STENNIS. I am glad to yield to the Senator.

Mr. LONG of Louisiana. I ask the Senator if it is not a fact that the Senate traditions of fair play and careful consideration would probably not last very long if there were not rules to support those traditions? If we should make rules which would permit a majority to shut off debate when it wanted to do so, would it not be likely that a leader of the majority would take whatever means were available to him in order to prevent careful consideration of a measure that the leader had made up his mind he wanted?

Mr. STENNIS. Whether the floor leader were aggressive or not, if, as the Senator has said, he decided what should be done and he had good counsel to support him, he would then make the strongest kind of appeal, using his prestige and position, and would appeal to the group of which he might be a part to support him, saying, "Let us put this over." I think the process would become almost routine. Cloture would be imposed to force a vote, and very rapidly the structure, the tenor, the tone, and the effectiveness of the Senate would suffer. There is no doubt about that. Our experience convinces us that it would happen. That is why it is so important that our system be maintained.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a further question?

Mr. STENNIS. I am glad to yield.

Mr. LONG of Louisiana. Often in the House a measure is proposed, a few hours are allowed for debate by one side, and the other side is limited to a similar amount of time. Should that method be employed in the Senate, would there not be a tendency, on the part of both those who would employ it as well as those who would be passive partners in permitting such a thing to happen, to go through the same procedure time and time again?

Mr. STENNIS. Unquestionably. It is human nature for men to act in that way.

Mr. LONG of Louisiana. Should that become the procedure, would we not see the end of the Senate as we have known it?

Mr. STENNIS. Unquestionably. Certainly it would be the end of the Senate as we have known it. We would become a smaller and less important legislative body. We would be a kind of annex to the House of Representatives.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for another question?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. The Senator recalls how rapidly the Senate can act when it must resolve issues and controversies that impede action. The Senator will recall that on occasions bills have been passed through the Senate on a single day without objection, when the Senate had decided that it was prepared to act on such bills?

Mr. STENNIS. I have never seen the Senate fail to act on any measure that was of real major importance and that had strength and merit to appeal to the membership of the Senate. I believe that many times we have acted too quickly.

Mr. LONG of Louisiana. Is it not more important that we see to it that bills that are passed are good bills and in the national interest than to judge ourselves by the number of bills we can pass, if any of the bills that we do pass would work a very great injustice and perhaps result in a miscarriage of justice for a large segment of our people?

Mr. STENNIS. The Senator is so correct. With the many time-consuming duties that we have, if there were not some means by which measures could be slowed down in the Senate, I do not know how we could consider the merits of some proposed legislation.

The Senator's question raises a very practical point. As the Senator from Louisiana so well knows, under the Constitution, the House of Representatives has the sole authority to originate revenue-producing legislation. By interpretation, the House of Representatives has been effective in maintaining, under that provision of the Constitution, the position that the House also has the right to originate appropriation bills. So in practice all major appropriation bills originate in the House of Representatives.

Furthermore, since there are so many more Members in the House of Representatives than there are Senators, major measures are originated there year after year.

Such measures come from the committees of the House, and the House votes on them sometimes the following day. The bill and report come before the House before the country knows what may be in the measure and, before there is time for much reaction, the bill is brought before the House of Representatives—not every time, but most times—with a rule to limit debate, and sometimes even an amendment cannot be offered. The measure goes through like a shot from a shotgun, either up or down, but it usually passes.

Then the bill comes to the Senate, where we really get the reaction from the people. Through our Senate committees all considerations are brought up for discussion and argument and sometimes for the first time the measure will be argued extensively.

I do not make that statement as a criticism of the House. It is a fact of life. If we should now sweep aside our major rule that slows down measures, then under the pressure of the moment and the impetus of the bill having passed the House, a bill could continue to gallop along and be the law of the land before people realized what it contained.

When I refer to people, I mean the various groups that would be affected by a measure and those who have a right under our system to be heard. It is really in the Senate that a close examination of proposed legislation is made and a slowdown occurs.

Mr. LONG of Louisiana. I ask the Senator from Mississippi if he recalls the controversy over the so-called basing-point bill which occurred, if I recall correctly, during the years 1949 and 1950. Does the Senator recall that that proposed legislation was pushed through the House of Representatives with very little consideration and after a very short debate? Some of us who thought that after the House had eliminated certain important Senate amendments, it was a bad proposal as it passed the House. The measure was held up until it could be considered at some length in the Senate. It had to go over a recess of Congress. We were successful in fighting even on a proposed conference report, sending the measure back to conference. When the measure was finally forced through the Senate, it went to the President's desk and the President vetoed the bill. It never did become law.

Mr. STENNIS. Yes. The Senator is quite correct. My memory was dim with reference to the history of that bill.

Mr. LONG of Louisiana. I ask the Senator if he can recall that all sorts of industrial groups, including some labor groups, had been supporting that bill. Hearings had been held by the then Senator from Indiana, Mr. Capehart. People from all over the Nation had come before the committee, representing every kind of industrial group, and a great number of labor groups, to testify that this type of thing should be permitted as an exemption from the antitrust laws.

When a small group of us undertook to expose the defects of that proposal, though there were only one or two Senators to start with, we wound up the fight with a great body of Senators opposing the bill. When the President vetoed the bill there was so much opposition to the proposal that no effort was made even to override the veto, and that bill has been dead to this day.

Mr. STENNIS. That is a classic illustration of the wisdom of the rules. At some place there must be a slowdown and an opportunity to reconsider.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Texas, who has been waiting a good while to ask me a question.

Mr. TOWER. Does the Senator from Mississippi recall the classic case of Youngstown Sheet & Tube Co. against Sawyer, of 1952?

Mr. STENNIS. Yes.

Mr. TOWER. Does not the Senator agree that the situation described in that case was somewhat analogous to the situation now present, in that when the case was argued before Judge Pine in the Federal district court in Washington, D.C., the Government contended that the President was justified in seizing the steel industry in that great strike in the spring of 1952 because we were at that time still engaged in our unpleasantness in Korea, we had defense commitments to meet, and we were trying to achieve the rate of economic growth needed and the production of steel was vital?

The Government contended that because of the vital character of steel production the President should be allowed to seize the steel industry, even though there might not be adequate precedent for it, because the emergency situation warranted it.

Does not the distinguished Senator from Mississippi remember that District Judge Pine said that any evil which would flow from his failure to allow the President to seize the steel industry would not be matched by the evil which would flow from his refusal to uphold the Constitution of the United States; and does not the Senator remember that he said that constitutional means have always proved adequate to meet any emergency?

Mr. STENNIS. Yes.

Mr. TOWER. Does not the Senator agree that an established, traditional, proved way of doing things, which does slow down proposed legislation so that it can be properly deliberated upon and considered, is necessary, and that no emergency situation should cause us to abandon a system which is already proved and which has prevented a great deal of bad legislation from going on the statute books?

Mr. STENNIS. The Senator has expressed it very well. I heartily agree with him.

The late Senator George used to say, in some of his remarkable speeches, that it is better to put up with the evils we have rather than to fly into unknown problems which would be presented by a reckless change.

There may be some problems in connection with rule XXII, as there may be in connection with all rules, no doubt.

I agree with the Senator.

Mr. TOWER. Does not the Senator from Mississippi agree that one of the reasons why we in the United States have been able to govern ourselves with order and stability—one of the reasons why ours is the oldest written Constitution in force and effect today, and ours is the second oldest government in the world, even though we are a relatively young nation—is that we have relied on experience as a guideline?

Does not the Senator agree that the burden of proof of the workability of an advocated reform in our system falls on those who advocate vast and sweeping reforms or changes?

Does not the Senator believe that Edmund Burke was correct when he defended the American Revolution but criticized the French Revolution—which was not an inconsistency—on the grounds that we were retaining the proved legal and political institutions which would enable us to govern ourselves with stability, whereas the French were wiping them out altogether?

So does a need in our current life, either real or imagined, though it appears to be pressing, demand that we do away with all the old institutions which have proved themselves and have shown themselves to be great contributing factors to the fact that we have so long governed ourselves with order and stability?

Does not the Senator believe that the right of virtually unlimited debate in the Senate has been a great contributing factor to the orderly government of this country?

Mr. STENNIS. It has been a great and stabilizing influence. Much sound action has been based upon it. That is generally conceded. I do not think there is any doubt about it. It has been conceded by students of government and men of experience in public life over the decades.

It is largely only a group which has made promises, which naturally the group wishes to redeem, or those who become obsessed on one subject matter or two, who think—and they are honest in their thinking—they must make a change in order to meet the end desired.

The Senator from Mississippi has seen many come to the Senate who wanted to change the rules; yet after they had been here a while on second thought, based on experience, they changed their minds.

Mr. TOWER. Does the Senater remember that the junior Senator from Arizona [Mr. GOLDWATER] expressed that very sentiment on the floor of the Senate the other day, in a statement to the effect that he had always been impatient with the idea of continuous debate and thought there should be a gag rule, but that, after a little experience in the Senate, he came to realize that the legislative process has to be slowed down?

Mr. STENNIS. Yes.

Mr. TOWER. We could not presume to call ourselves a deliberative body, could we, if we proceeded to rush through legislation without some sort of rule which tended to slow it down to the extent that we could give to it the consideration it merited and deserved?

Mr. STENNIS. The Senator is quite correct.

I should like to give another illustration. When the Senator from Mississippi came to the Senate the acting majority leader was the late Senator Kennedy Wherry, of Nebraska. The Republican Party was in the majority at that time. The floor leader was the late Senator White, but he was not present and the acting floor leader was the late Senator Wherry. He had been elected to the Senate for his first term, and among other things he pledged to vote to change the rule on cloture. When he ran for reelection, he had a provision in his platform calling the attention of the people to the promise which he had made 6 years previously, stating that he had kept his promise but that he was not going to renew it, that he had changed his mind about the subject matter and that if the people sent him back to the Senate he was going to defend the rule.

Mr. TOWER. Does not the Senator agree that the very fact that many Senators have revised their opinions on things is a good argument for experience?

Mr. STENNIS. Yes.

Mr. TOWER. Does not the Senator agree, that experience has been the prime factor in the evolution of the Senate institutions, traditions, customs, and usages, and should not be taken lightly?

Is not the Senator aware also of the fact that cloture is not impossible to invoke in this body, remembering that rather late in the previous session, when it seemed apparent that we must pass the satellite communications bill, the Members of this body did invoke cloture? Has it not always been proved that when some important emergency situation confronts this country, which is real in substance and to which the people are alert, we have been able to perform with speed and dispatch without abrogating our institutions?

Mr. STENNIS. The Senator is correct. The record is full of illustrations of the kind the Senator has pointed out and mentioned.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Is it not true that about the only case one could make for the argument that emergency legislation vital to the national security had been delayed by free debate would be the situation which existed back in 1917, when this Nation was at peace, and the President wanted legislation authorizing him to arm merchant ships, which presented a very touchy issue as to whether this Nation should engage in armed neutrality?

Looking at the matter with a certain amount of retrospect, did not that issue involve the question whether this Nation was being taken into war by means of neutrality of a belligerent character?

Mr. STENNIS. The Senator is undoubtedly correct. We were at that time almost totally an isolationist nation. It was one of the gravest and most far-reaching innovations of the 20th century when we changed that position. The question should have been considered and debated to the utmost, with deliberation and adequate time. There was no sin attached to that debate.

Mr. LONG of Louisiana. May I ask the Senator if some of the men who engaged in that debate, as a matter of conscience and conviction, have not gone down in history as some of the greatest men who have served in this body?

Mr. STENNIS. The Senator is correct. The image of one of those men is in the waiting room, having been selected by a group of this body, headed by the now President of the United States, who selected him as one of the great men who have served in the Senate.

Mr. LONG of Louisiana. Does not the Senator have in mind Senator Robert La Follette, Jr., who was perhaps one of the greatest men who ever served in the Senate, and who was selected by a committee of Senators, including former Senator Kennedy, of Massachusetts, as being one of the greatest Members ever to serve in this body?

Mr. STENNIS. The Senator is correct.

Mr. LONG of Louisiana. I will ask the Senator also if that group did not include one of those who, according to Senators, and particularly liberal Senators, has been regarded as one of the greatest of all time, the late George Norris?

Mr. STENNIS. Yes.

Mr. LONG of Louisiana. Is it not true that both of those Senators believed that there come times when a Senator of even a very small minority owes it to his conscience and to the Nation to use the rules to the utmost to defend what he believes to be in the public interest?

Mr. STENNIS. The Senator is correct. He has given an apt illustration. One could not give a better example. Even though they were in a very distinct minority at that time, their work has lived. Even though the Nation has changed its position, the worth of going through the regular process has been proved over and over again.

Before the Senator from Louisiana leaves the Chamber to attend to some other matter, let me follow up the point he made a while ago, with respect to the fact that the House passes on proposals rapidly, and that more time is given to them in the Senate.

The Senator from Louisiana will remember that last year Congress took considerable punishment from the press—administered in the right way—and that there was much writing during the months of April, May, June, July, and August, to the effect that it was a do-nothing Congress and had not passed many bills. It blamed the Senate more than it did the House. Matters were stacked up on the calendar. But the very process to which we alluded a few moments ago was going on. Bills had been introduced. They were in committees. They were being considered. Some were on the calendar. Reports were being made. Persons were given an opportunity to ascertain what was in those bills which would affect them. The legislative processes were in operation all the time. Finally, Congress adjourned on about the 13th of October. During the month of September and the last days of the session, virtually all proposed major legislation was considered and became law. That fact shows that the alleged delay and alleged do-nothing attitude was nothing but the normal, necessary legislative processes taking place and doing their part in slowing enactment of laws and giving an opportunity for the people to learn what was in the bills. It is the Senate rules which make that possible.

Does not the Senator agree? Has not the Senator seen that take place year after year since he has been here?

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. I agree with the Senator's statement.

May I ask him, with reference to the mail we receive and the importuning which tells us, for example, that the Gallup poll shows this or some other organization says this, if he does not agree that it is not really important what people think until they have heard both sides of an argument, or all sides of an argument? Some questions have three or four different sides that a person should consider.

I ask the Senator if it is not more important that, before a conclusion is arrived at, both sides of a question, or three or four sides of a particular question, be heard by persons who may have been subjected only to a propaganda barrage?

Mr. STENNIS. I heartily agree with the Senator. I have said before, with regard to the judgment of the American people, or whether they have an opinion on many of these matters, that the second thought of the American people is solid and sound. As the Senator has illustrated, if they have an opportunity to weigh matters and have a second thought, then they will have a sound judgment. Things can happen that may arouse their passion. Things may happen that will arouse their anger. I suppose all of us have a little meanness in us. We see it expressed in various ways. But, given time to have a second thought, there will be a good judgment and a solidified public opinion.

As the Senator has so well said, one cannot know on which side of a question the merits are until both sides are weighed and a person is given a chance to consider them.

Mr. LONG of Louisiana. May I ask the Senator if the same attitude should not be taken with respect to some of the mail we receive importuning us to take a certain position on legislation? Is it not of importance to a Senator, when he looks at that mail, to inquire to what extent the person writing has had an opportunity to learn both sides of the issue?

Mr. STENNIS. The Senator is correct. I thank the Senator for his contributions.

Mr. President, if I may refer again to the new Members of this body, much has been said about them with respect to the course of legislation as it goes through the House and then comes to the Senate. I address this comment particularly to new Members of this body who may not have already served in the House. Let me again call to their special attention the processes through which legislation goes in the Senate, whereas in the House there is rather rapid consideration—of necessity—and the bills and reports which outline the bills are available to the public only for a very short time before there is a vote in the House. I have heard Members of the House themselves complain that there was not time enough for them to get into a report on a bill, and certainly the public is not given time enough to go into it.

When the bill comes here, the whole matter is on our doorstep. It takes time as it goes through the committee. Even after it goes through the committee, as busy as a Senator is, the fact is that 100 Senators here must pass on as many bills as the 430-odd Members of the House must pass on. Even if the committee has passed on a bill, the Senator himself needs time to study it, and the staff needs time. Even after a bill comes on the floor, a Senator needs more time. That is when he is able to really get into a bill. It is when the Senate debates the bill. That is the first time that the people in the country have had a chance to get into it. It is during the course of the debate on the bill that that occurs. That process is no reflection on the House. It is a rule of necessity there.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Referring to those who would make invidious comparisons of the House with the Senate, would it not be correct to say that within the House it is very difficult for a Member of the House to be accorded a yea and nay vote on a particular matter, on which some Members may not care to go on record with regard to; whereas in the Senate, when one has a bill such as the proposal that I have, to give an opportunity to veterans to take out National service life insurance, it cannot be buried out of sight somewhere; and is it not correct to say that one Senator can take his amendment and bring it up on almost any piece of legislation, but certainly seek to add it to a germane piece of legislation, and during the course of a session can offer his amendment and argue for a yea and nay vote, and settle for nothing less?

Mr. STENNIS. Yes.

Mr. LONG of Louisiana. So that anyone can see where a Senator stands on a question of that kind. Is that not correct?

Mr. STENNIS. The Senator has mentioned one of the most effective legislative weapons that is present in the Senate. It happens over and over again in the consideration of many bills at every session. It is another illustration of how much better chance under the rules a Senator has to get those ideas and those policies and those provisions up for consideration and judgment of a legislative body.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. STENNIS. I am glad to yield to the Senator.

Mr. LONG of Louisiana. Does the Senator believe that it is quite fair to the new Members of the Senate to require them to vote on this matter before they have had the experience of having been on both sides of an issue, both on the side of those who are opposing legislation which they believe to be harmful, although it apparently has the backing of a majority at the time, as well as on the side of those who are trying to pass legislation which is being subjected to very extensive and determined debate?

Mr. STENNIS. It is unfortunate to commit these new Members, who cannot possibly have the feel of things, and to irrevocably place them on record with regard to a certain position on a matter that is controversial and can be far-reaching, before new Members have had a chance to know the operations of the rules, as the Senator from Mississippi has illustrated by citing the late Senator from Nebraska, Mr. Wherry. It is a very unfortunate part of our system. So many Senators change their minds, according to their conversations in cloakrooms and elsewhere.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. STENNIS. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Has not the Senator had the experience, in talking to other Senators, of discovering that Senators who have had occasion to fight what they believed to be extremely bad legislation, knowing that their only hope lay in the right of extended and free debate in the Senate, simply have invariably come to have much more respect for the Senate rules and Senate traditions than someone who has not had that experience?

Mr. STENNIS. Yes. The old saying is that the proof of the pudding is in the eating. The proof and the wisdom of these rules, not only rule XXII, is that after a Senator gets here and has operated under them he sees the wisdom of their application. I believe that is the real reason why these rules are able to survive, in spite of the very strong attacks that have been made on them over the years. It is because when the showdown comes there is a great deal of merit in keeping them; otherwise they could not have survived the changes as well as the pressures against them.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. STENNIS. I am glad to yield.

Mr. LONG of Louisiana. Is it not correct to say that notwithstanding all of the political rewards and temptations which have been dangled before Senators and all the entreaties that have been made by special interest groups who perhaps made the suggestion that they had supporting votes behind their position, the Senate never has seen fit over a period of at least 14 years, during which time I have been a Member of this body, to drastically change the purpose and the spirit of the rules that existed when we came here?

Mr. STENNIS. That is correct, even though there have been three changes made since the Senator from Louisiana came to the Senate. That shows that the Senate does not consider a rule in the same fashion as the law of the Medes and Persians, and that it cannot be changed; and it shows that the Senate has moved into an area and has considered a matter and has changed its rules three times, but has still hung on to and kept the major part of a rule because it is so sound in its operation and because the need is present.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. STENNIS. I am glad to yield.

Mr. LONG of Louisiana. Does not the Senator recognize that a great number of those who want to change these rules for various and sundry reasons recognize the fact that there should be more than a majority to cut off debate?

Mr. STENNIS. Yes.

Mr. LONG of Louisiana. I should like to ask if it is not fair to say that in practically all experience where more than a majority is required, recognizing that there is need for it and logic behind it, the two-thirds principle is about the lowest that is required in almost everything known to our government, and that in practically all rules of debate, such as Robert's Rules of Order, a two-thirds vote is necessary for the previous question; and that in the Constitution itself a two-thirds vote is necessary to override a Presidential veto? Therefore, does not a two-thirds majority pretty well comport to our tradition and the practices that have been set down for American government, unless one wishes to speak about approval by States, in which case a three-fourths vote is required?

Mr. STENNIS. Two-thirds of those present and voting is the rule that generally applies. It has been found to be practical, as the Senator says, not only here but in the Robert's Rules of Order, which represent the general standard, certainly throughout the English-speaking world, and that is recognized as the general standard, or something similar to it. That is a very practical point the Senator has just made. I thank the Senator from Louisiana for his contribution to the debate, as well as the Senator from Texas. The Senator from Louisiana and I have seen matters develop in this debate—and our tenure in the Senate is almost identical—and generally we have taken part in most of those major debates. I know that the Senator from Louisiana was very active in the debate in which cloture was finally imposed. I appreciate his remarks today.

I address this further word to new Senators, Senators who have only recently taken the oath of office, and who will have to perform their duties and make their records under the rules of the Senate. I do not believe there is any rule of the Senate which gives a Senator a greater opportunity to prove himself or an opportunity to take part in debate and in forming policies and having amendments adopted than rule XXII. We talk about new Senators being "swept under the carpet" for a while. Surely if there were majority cloture, or cloture by less than a majority, I believe almost of necessity a new Senator would simply be forced to stand back and wait. He would have to wait a long time. But under the present rules, when a new Senator comes here, hangs up his hat, and takes the oath, he becomes a Senator and is a full-fledged Member from that moment on.

I remember that the distinguished senior Senator from Georgia [Mr. RUSSELL] gave me good advice when I first come to the Senate. He said: "You are a full-fledged Senator and have full responsibility. You have no excuse for not carrying on your duties and working. You do not have to yield your position or anything else. Whenever you have anything which you think needs to be heard, let it be heard."

I pass that thought on to Senators who have just come to this body for the first time. I believe there is no other body in the world where a member has the chance really to start his work early and be effective and prove his merit than right here in the Senate of the United States. That is due, in large measure, to the rules which make the U.S. Senate a unique and distinct body. It is not merely a courtesy; it is not merely being nice to a new Member as a courtesy, or for any reason of that kind. Of course we wish to be courteous to one another. But that is not the real situation. A new Senator is a full-fledged Member of this body. He can make his work felt. He does make himself felt from the very beginning.

So I believe, after all is said and done, that the operational and practical value of rule XXII is that it enables a new Senator—enables a minority, even though it be a small minority—not merely to defeat proposed legislation, but, day after day, makes it possible for him to engraft his ideas, his thoughts, his problems onto the majority, or what finally comes to be the majority.

I have never heard anyone express this view better than it was expressed by the distinguished junior Senator from Hawaii [Mr. INOUYE] last Thursday, in his short but graphic and effective presentation of his ideas in debate. I read briefly from his address as it appears on page 1498 of the CONGRESSIONAL RECORD for Thursday, January 31, 1963. The junior Senator from Hawaii said:

> Let us face the decision before us directly. It is not free speech, for that has never been recognized as a legally unlimited right. It is not the Senate's inability to act at all, for I cannot believe that a majority truly determined in their course could fail eventually to approach their ends. It is, instead, the power of the minority to reflect a proportional share of their view upon the legislative result that is at stake in this debate.

The Senator from Hawaii had previously said that the minority of today may become the majority of tomorrow, or the majority of today may become the minority of tomorrow. But assuming there is a majority adverse to the Senator from Louisiana [Mr. LONG] and his State, and assuming there are Senators who fall within that category, under the rules of the Senate there is a power that lies within the minority whom he represents to reflect a proportional share of their views of problems upon the legislative result on the bill. I think that that, after all, is the meat and muscle, more than any other meaning of rule XXII.

Remove it, and we will have lost not merely the privilege of being heard; we will have lost the benefits which go with that privilege. Under rule XXII, we have the unique and unusual power, even though we be in the minority, to force ourselves proportionally into the legislative result. I think that is one of the mudsills of our form of government. Rule XXII is entirely consistent with the whole theme of our Constitution as it relates to the legislative branch of the Government. Not only is the rule consistent with the Constitution, but it is essential that there be such a rule in order to make the spirit of the Constitution itself be a living thing.

Something has been said about the statements of former Senators. Senator Borah once made a famed statement. He was one of the great liberals of his time and one of the powerful Members of this body. I never had the privilege of serving with him. This is what he said in a broad, sweeping statement of only eight words:

> I am opposed to cloture in any form.

I cite Senator Borah as perhaps not being absolutely correct all the way down the line, but as being the great fighter and great liberal that he was, based upon his years of experience. He said:

> I am opposed to cloture in any form.

As I understand, it was he who would lead any fight or attempt to curtail the powers of the Senate or of Senators, and he was opposed to cloture, as he said, in any form.

Mr. President, I appreciate the indulgence of the Senate. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 17 Leg.]

Aiken
Allott
Anderson
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). A quorum is present.

Mr. HUMPHREY. Mr. President, what is the question?

The PRESIDING OFFICER. The question is on the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of Senate Resolution 9. [Putting the question.]

Mr. STENNIS. Mr. President, what is the question? Will the Chair restate the question?

The PRESIDING OFFICER. The question is on the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of Senate Resolution 9.

Mr. STENNIS obtained the floor.

Mr. STENNIS. Mr. President I yield to the Senator from South Carolina, if I may.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. How many speeches has the Senator from Mississippi made on this calendar or legislative day?

The PRESIDING OFFICER. The Senator from Mississippi has spoken only once on this calendar day.

Mr. HUMPHREY. How many speeches has the Senator from South Carolina made?

Mr. STENNIS. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Mississippi will state it.

Mr. STENNIS. Who has the floor?

The PRESIDING OFFICER. The Senator from Mississippi has the floor.

Mr. HUMPHREY. Mr. President, I made a parliamentary inquiry merely to clarify the situation.

The PRESIDING OFFICER. Will the Senator from Mississippi yield to the Senator from Minnesota for a parliamentary inquiry?

Mr. STENNIS. Mr. President, the Senator from South Carolina expected to obtain the floor. He was not present at the moment. The Senator from Mississippi does not care for the floor. He would like to have the Chair recognize the Senator from South Carolina.

Mr. HUMPHREY. Mr. President, will the Senator yield to me for a question?

Mr. THURMOND. Mr. President, I had understood that the Senator from

Mississippi wished the floor in order to make a parliamentary inquiry. I was in the Chamber, but I withheld going forward out of deference to the Senator.

Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina seek recognition?

Mr. THURMOND. I seek recognition.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina. Now, does the Senator from South Carolina yield to the Senator from Minnesota for a parliamentary inquiry?

Mr. THURMOND. I yield to the Senator.

Mr. HUMPHREY. I should like to ask the Senator, so that we can clarify the record, whether the Senator will speak on the question before the Senate.

Mr. THURMOND. The Senator from South Carolina plans to speak on the motion before the Senate.

Mr. HUMPHREY. And the Senator is speaking within the limits of debate; he has addressed the Senate only once on this subject on this parliamentary day?

Mr. THURMOND. The Senator from South Carolina has not exceeded the limitation.

Mr. HUMPHREY. I thank the Senator. That was my inquiry. I was not sure what was the parliamentary situation with reference to the rules of the Senate as they pertain to the legislative day and a Senator's addressing the Senate on the subject before the Senate.

Mr. THURMOND. Mr. President——

The PRESIDING OFFICER. The Senator from South Carolina has the floor.

Mr. THURMOND. Mr. President, this attack upon the rules of the U.S. Senate should be viewed as what it actually is—a frontal assault upon tradition and orderly procedure and a real and present danger to the Senate of the United States. This fact is largely forgotten or intentionally overlooked due to the propaganda barrage leveled against the present rule XXII by the liberal press as merely a device for defeating civil rights legislation. Nothing could be further from the truth.

Tradition, in and of itself, is not sacred and cannot provide the complete answer to every problem. Nevertheless, longstanding traditions are seldom maintained without sufficient reason. Almost invariably, traditions serve as a warning beacon of oft forgotten and sometimes obscure, but always sound and logical purposes.

A beacon of more than 170 years unbroken tradition stands as a warning of the seriousness of the proposal before this body. Should the motion to proceed to a consideration of the rules be favorably considered by this body, this 170-year tradition will be destroyed, and regardless of a subsequent return to the same method of procedure by this body after sober reflection, the tradition will be broken, and the beacon extinguished forever.

Even more vital, however, are the logical purposes which prompted the unshattered existence of this tradition. Foremost among these purposes is that of insuring an orderly procedure, so vital in such an authoritative body.

Complaints have been made that this body is not only deliberative, but on occasions, dilatory, when operating under its present rules. Yet some of those who voice these complaints would have this body declare itself, by an affirmative vote to proceed to the adoption of rules, to be a noncontinuing body and, therefore, without any rules whatsoever. It has been suggested that during the interim between this vote and the adoption of new rules by a majority vote of this body, that the Senate proceed under general parliamentary law, or as one self-styled authority suggested, under "Robert's Rules of Order."

I cannot conceive of a more perfect example of jumping from the frying pan into the fire than to proceed from a disagreement as to what the rules should be, to a disagreement on what the rules are, as would be the case if this body attempted to operate under general parliamentary law, or even "Robert's Rules of Order."

The Senate is not an ordinary parliamentary body. Analogies to the procedure of other parliamentary bodies have little, if any, relevancy to the question before us. For instance, the House of Representatives is exclusively a legislative body. The Senate is far more. In addition to being a legislative body, it performs, by constitutional mandate, both executive and judicial functions. Article II, section 2, of the Constitution provides that the President shall share with the Senate his Executive treaty-making power and his power of appointment of the officers of the United States. Article I, section 3, of the Constitution requires of the Senate a judicial function by reposing in the Senate the sole power to try all impeachments.

The uniqueness of the Senate is not confined, by any means, to its variety of functions. There are innumerable other aspects about this body which prevent its orderly operation at any time under parliamentary law other than its own rules, adopted in accordance with the provisions of those rules. For example, almost all parliamentary procedures presuppose that any main question, after due notice, can be decided by at least a majority of the members of the particular body using the parliamentary procedure. Any Senate rules which presupposed such a conclusion would be inoperable, for the Constitution itself specifies the necessity for two-thirds majority for action on many matters. Among these issues requiring a two-thirds majority by constitutional mandate are for conviction on impeachment; to expel a Member, to override a Presidential veto; to concur in a treaty; to call a constitutional convention; to propose a constitutional amendment to the States and to constitute a quorum when the Senate is choosing a Vice President. The very fact that each State, regardless of its population, has equal representation in this body belies the thought of simple majority rule in its deliberation.

It is this very uniqueness which has compelled so many to conclude that the Senate had a degree of continuity unknown to other parliamentary bodies.

The Founding Fathers themselves, in drafting the Constitution, provided for this continuity by establishing a 6-year term of office for each Senator, so that a minimum of two-thirds of the entire body would continue from one session to the next. Had the Founding Fathers desired continuity only, but less than a continuing body, they could have provided for a staggered term of 4 years for a Senator or with one-half of the Senate returning from one session to the next. This would not have provided the necessary quorums to do business at all times, and the Senate would not have been a continuing body.

The Senate itself has reenforced the premise that it is a continuing body by the unbroken precedent of continuing its rules from one session to the next. In recent years there are two clear-cut precedents upholding the Senate's status as a continuing body, and even more specifically, that its rules continue from one session to the next. In 1953, and again in 1957, this body tabled a motion that it proceed to take up the adoption of rules for the Senate.

In 1954 the Senate voted to condemn the late Senator McCarthy for his conduct in a previous session. The committee report accompanying the resolution stated:

> The fact that the Senate is a continuing body should require little discussion. This has been uniformly recognized by history, precedent, and authority.

In addition, the Senate has jealously maintained its authority to continue its committees in their operations between adjournment and the commencement of the next ensuing session. The Supreme Court in the 1926 case of McGrain against Daugherty specifically ruled that the Senate was a continuing body and that, therefore, its committees were authorized to act during the recess after the expiration of a Congress.

Is the purpose sought to be accomplished by the drastic action proposed so worthy as to justify the risk of stripping the Senate's committees of their authority to function after the date of adjournment? Is it so imperative that it justifies the abandonment of orderly procedure for the jungle of general parliamentary law? The Senate has again this year answered this question in the negative. The Senate is a continuing body.

The proponents of the pending motion aver that the real target for this all-out effort is one Senate rule, and only one—the one which primarily governs the limitation of debate. This much maligned rule has been made the scapegoat by many groups. Its greatest distinction, however, appears to be its seclusion from objective consideration.

In discussing the history of limitation of debate in the U.S. Senate, many newspapers and newspaper columnists appear to be under the impression that a limitation of debate existed in the United States in the period between 1789 and 1806. Their assumption is based on the fact that, during that period, the Senate rules allowed the use of a motion called the previous question. During the debate on this subject in previous years, the point was discussed, and it appears that the debate would have established in the mind of a reasonable person that there was no limitation on debate in the Senate during this period. Nevertheless, some newspaper editorials and columnists apparently still labor under the misapprehension that the previous question, which existed in the Senate between 1789 and 1806 was a motion to end debate. For this reason, I believe it would be well to review this matter to some extent so that any lingering doubts that there was a limitation of debate in the Senate between the years 1789 and 1917 will be dispelled.

In discussing the previous question, which existed in both the Senate and the House until 1803, Dr. Joseph Cooper stated:

> There is very little evidence to support the contention that in the period 1789–1806 the previous question was seen as a mechanism for cloture, as a mechanism for bringing a matter to a vote despite the desire of some Members to continue talking or to obstruct decision. This is true for the House as well as for the Senate. On the other hand, convincing evidence exists to support the contention that the previous question was understood as a mechanism for avoiding either undesired discussions or undesired decisions, or both.
>
> The leading advocate of the view that the proper function of the previous question related to the suppression of undesired discussions was Thomas Jefferson. In his famous manual, written near the end of his term as Vice President for the future guidance of the Senate, he defined the proper usage of the previous question as follows:
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> "The proper occasion for the previous question is when a subject is brought forward of a delicate nature as to high personages, etc., or the discussion of which may call forth observations, which might be of injurious consequences. Then the previous question is proposed: and, in the modern usage, the discussion of the main question is suspended, and the debate confined to the previous question."
>
> In terms of his approach, then, Jefferson regarded as an abuse any use of the previous question simply for the purpose of suppressing a subject which was undesired but not delicate, and he advised that the procedure be "restricted within as narrow limits as possible."
>
> Despite Jefferson's prestige as an interpreter of parliamentary law for the period with which we are concerned, his view of the proper usage of the previous question cannot be said to have been the sole or even the dominant one then in existence. A second strongly supported conception understood the purpose of the previous question in a manner that conflicted with Jefferson's view; that is, as a device for avoiding or suppressing undesired decisions.
>
> The classic statement of this view was made in a lengthy and scholarly speech delivered on the floor of the House of Representatives on January 19, 1816, by William Gaston. In this speech, Gaston, a Federalist member from North Carolina, argued that on the basis of precedents established both in England and America the function of the previous queston was to provide a mechanism for allowing a parliamentary body to decide whether it wanted to face a particular decision. In the course of his speech he took special pains to emphasize his differences with Jefferson:
>
> "I believe, sir, that some confusion has been thrown on the subject of the previous question (a confusion, from which even the luminous mind of the compiler of our manual, Mr. Jefferson, was not thoroughly free) by supposing it designed to suppress unpleasant discussions, instead of unpleasant decisions."
>
> Gaston's speech, to be sure, was made 5 years after the previous question had been turned into a cloture mechanism in the House and it was made as a protest against this development. It is valuable, nonetheless, as an indication of the state of parliamentary theory in the years from 1789 to 1806 and its standing as evidence of this nature is supported both by the arguments made in the speech itself and by less elaborate statements made on the floor of the House in the years before 1806.
>
> That the previous question was understood as a mechanism for avoiding undesired decisions in the early Senate as well as the early House is indicated by an excerpt from the diary of John Quincy Adams. The excerpt comes from the period in which Adams served in the Senate and it contains his account of Vice President Burr's farewell speech to the Senate. In this speech, delivered on March 2, 1805, Burr by implication seems to understand the function of the previous question as relating primarily to the suppression of undesired decisions.
>
> "He (Burr) mentioned one or two of the rules which apeared to him to need a revisal, and recommended the abolition of that respecting the previous question, which he said had in the 4 years been only once taken, and that upon an amendment. This was proof that it could not be necessary, and all its purposes were certainly much better answered by the question of indefinite postponement. * * *"
>
> We should note in closing our discussion of proper usage that in Burr's case, as in a number of others, his words do not rule out the possibility that he understood the previous question as a mechanism for avoiding undesired discussions as well as undesired decisions. Indeed, despite the exclusive character of the positions maintained by Jefferson and Gaston their basic views could be held concurrently and in the years immediately preceding 1789 they were, as a matter of general agreement, so held in the Continental Congress. The previous question rule adopted by that body in 1784 read as follows:
>
> "The previous question (which is always to be understood in this sense, that the main question be not now put) shall only be admitted when in the judgment of two Members, at least, the subject moved is in its nature, or from the circumstances of time and place, improper to be debated or decided, and shall therefore preclude all amendments and further debates on the subject until it is decided."
>
> Thus, a third alternative existed in parliamentary theory in the early decades of government under the Constitution with reference to the previous question—that of seeing it as a mechanism for avoiding both undesired discussions and undesired decisions. The extent to which Jefferson's, Gaston's, or a combination of their positions dominated congressional conceptions of the proper function of the previous question is not clear. The lack of rigidity in parliamentary theory was an advantage rather than a disadvantage and the average Member, in the years before 1806 as now, was not apt to be overly concerned with the state of theory or its conflicts unless some crucial practical issue was also involved. However, practice in these years reveals that in both the House and the Senate the previous question was used mainly for the purpose of avoiding or suppressing undesired decisions, rather than undesired discussions. Still, practice also reveals that the degree to which these purposes can be distinguished varies widely from instance to instance and that often any distinction between them must be a matter of degree and emphasis, rather than a matter of precise differentiation.

Mr. President, the previous question of these early congressional days was a mechanism for avoiding undesired discussions or decisions rather than to achieve cloture. Three key factors in the rule's operation from the standpoint of parliamentary theory illustrate this: the motion of previous question was debatable, the procedure followed after the motion was determined and the limitations on the use of the motion.

When the previous question was properly moved by the required number of Members, it was debatable. The debate could be extensive, for the only real limitation in the Senate was the provision that no Senator should speak more than once on the same issue on the same day without permission of the Senate.

The procedure following a determination on the previous question motion is described by Dr. Cooper as follows:

> Equally, if not more important, as an indication of the purposes for which the previous question was designed is the manner in which the House and Senate understood the motion to operate after a decision had been rendered on it. With regard to negative determinations of the previous question, the view that appears to have been dominant in the period from 1789 to 1806 was that a negative decision postponed at least for a day, but did not permanently suppress, the proposition on which the previous question had been moved. In the House this view seems to have prevailed during the whole period from 1789 to 1806, though it is possible to place a contrary interpretation on the evidence which exists for the first few years of the House's existence. As for the Senate, less evidence is available, but it is probable that its view was similar to that of the House. This conclusion can be based on Jefferson's statement that temporary rather than permanent suppression was the consequence of a negative result and the fact that on one occasion the Senate seems to have acted in accord with the temporary suspension view. However, it should also be noted that in a number of instances in which the previous question was used in both the House and Senate, the circumstances were such that permanent suppression was or would have been the unavoidable consequence of a negative result.
>
> The fact that a negative determination of the previous question suppressed the main question supports our contention that the previous question was originally designed for avoiding undesired discussions and/or decisions, rather than as an instrument for cloture. That the previous question could not be employed without risking at least the temporary loss of the main question ill adapted it for use as a cloture mechanism. It is not surprising that one of the longrun consequences of the House's post-1806 decision to use the previous question for cloture was the elimination of this feature. On the other hand, suppression was a key and quite functional feature of the previous question, viewed as a mechanism for avoiding undesired discussion and/or decisions. Indeed, in the period from 1789 to 1806 suppression served as a defining feature of the mechanism. Men who intended to vote against the motion would remark that they supported the previous question and on one occasion the motion was recorded as carried when a majority of nays prevailed.
>
> With regard to affirmative determinations of the previous question, the evidence which exists again does not lend itself to simple, sweeping judgments of the state of parliamentary theory in either the House or the Senate. The House in the years from 1789 to 1806 on a number of occasions allowed

> proceedings on the main question to continue after an affirmative decision of the previous question. Finally, in 1807 a dispute arose over whether such proceedings could legitimately be continued. The Speaker ruled that they could not, that approval of the motion for the previous question resulted in an end to debate and an immediate vote. This was Jefferson's opinion as well. But despite the fact that Jefferson's pronouncements on general parliamentary procedure were as valid for the House as for the Senate, the House overruled the Speaker and voted instead to sustain the legitimacy of continuing proceedings after an affirmative decision of the previous question. It is not clear whether this decision should be explained by assuming that it reflected the House's long-term understanding of proper procedure or by assuming that it merely reflected the House's pragmatic desire to escape the consequences of the 1805 rules change which abolished debate on the motion for the previous question.
>
> As for the Senate, again less evidence is available, but the Senate appears to have accepted the view that the proper result of an affirmative decision was an end to debate and an immediate vote on the main question. This is what seems to have occurred in the three instances in which the previous question was determined affirmatively in the Senate. Nonetheless, it should be noted that the issue never came to a test in the Senate and we cannot be certain what the result would have been if it had.
>
> Yet, even if we concede that the Senate understood the result of an affirmative decision as Jefferson did, what must be emphasized once more is that this facet of the rule's operation does not mean that the previous question was designed as a cloture mechanism. Jefferson did not regard it as such, but rather saw an immediate vote upon an affirmative decision as an integral part of a mechanism designed to suppress delicate questions. To be sure, it was this facet of the rule's operation, combined with the abolition of debate on the motion for the previous question, which helped make it possible for the House to turn the rule into a cloture mechanism.

Mr. TALMADGE. Mr. President, will the distinguished Senator yield to me at that point?

Mr. THURMOND. I am pleased to yield to the distinguished Senator from Georgia.

Mr. TALMADGE. Is it not a fact that Dr. Cooper, who, I believe, is a professor of political science at Harvard University, has done extensive research on the very point the able Senator is bringing out?

Mr. THURMOND. The Senator is eminently correct.

Mr. TALMADGE. Is it not also correct that he reviewed 10 or 12 instances which occurred in the Senate from 1789 to 1806, when the so-called previous question prevailed in the Senate, and that in not one instance was that rule utilized as a device for cloture?

Mr. THURMOND. The Senator is correct. I believe the year probably was 1805. At any rate, the statement which the Senator made is absolutely correct.

Mr. TALMADGE. Is it not true that it was used as a device to get rid of a touchy question that the Senate wanted to lay aside at that particular moment?

Mr. THURMOND. A delicate question, as the Senator stated.

Mr. TALMADGE. Is it not true that from 1789 to 1917 there was no cloture rule of any kind in the U.S. Senate?

Mr. THURMOND. And the Senate got along fine and made great progress during that period. This agitation appears to have developed recently, in what seems to be a play for certain blocks of votes.

Mr. TALMADGE. In other words, from 1789 to 1917, if every Member of the U.S. Senate save one wanted to gag the other Members, the Senate did not have the power to do so?

Mr. THURMOND. The Senator is correct.

Mr. TALMADGE. Is it not correct to state that in 1917 two-thirds of the Senators present and voting could compel the other one-third to take their seats?

Mr. THURMOND. The Senator is correct.

Mr. TALMADGE. Is it not fair to say that there are those in the Senate and in the country who, unfortunately, want to make that rule much more stringent?

Mr. THURMOND. I think that is a fair statement.

Mr. TALMADGE. I am sure the able Senator from South Carolina is fully aware that on many occasions the House of Representatives, which has the previous question rule, has passed legislation that has been hasty and thoughtless and not carefully considered. Is the Senator aware of the fact that in 1863, during the unfortunate War Between the States, free speech in the U.S. Senate saved the writ of habeas corpus?

Mr. THURMOND. The Senator is correct.

Mr. TALMADGE. Does not the able Senator from South Carolina think that each and every one of the filibusters that ever occurred in the U.S. Senate was not too great a price to save the writ of habeas corpus?

Mr. THURMOND. The Senator from South Carolina agrees with the Senator from Georgia. As the able Senator has said, not a single piece of important proposed legislation has failed to pass the Senate because of its rules, but many bad pieces of proposed legislation have been stopped as a result of the rules of the Senate.

Mr. TALMADGE. I agree with the Senator from South Carolina. Is it not true that in 1937 free speech in the Senate stopped the effort to pack the Supreme Court of the United States?

Mr. THURMOND. The Senator is correct.

Mr. TALMADGE. Is it not also true that in 1946 a bill which was completely unjust, a bill to authorize the President of the United States to draft striking members of railroad unions into the Army, passed the House within a matter of minutes, with only 13 dissenting votes?

Mr. THURMOND. The Senator is correct.

Mr. TALMADGE. Does not the Senator from South Carolina foresee the time, if any further limitation is placed on the right of free speech in the U.S. Senate, when some popular President at the moment might arouse passion in this country, and a majority could immediately run roughshod over Congress and have Congress pass legislation that would be completely harmful to our country?

Mr. THURMOND. The Senator from South Carolina can visualize such situations; and he would further say that some of those who are agitating today for a rules change would undoubtedly be in the minority then and would deeply regret that they had ever sought a change in the rules.

Mr. TALMADGE. Did not an aroused and inflamed mob at the moment cause Christ to be crucified?

Mr. THURMOND. The Senator is correct.

Mr. TALMADGE. The able Senator from South Carolina is making a very fine speech. I congratulate him on what he is saying. I hope the Senate and the country will heed his words, because I feel quite strongly that if the right of one Senator or of any group of Senators to speak freely at length is impaired in this Chamber, at that moment the Senate of the United States will cease to follow its traditional role of guardian of our republican form of government and of the Constitution that has served us so well for 176 years.

Mr. THURMOND. I thank the able Senator from Georgia for his kind remarks. As a student of history and of government, he knows whereof he speaks. The statements he has made have greatly contributed to the debate. The questions he has propounded have brought out important information for the benefit of the Senate.

Mr. President, I continue to read from the dissertation by Dr. Cooper on "The Previous Question":

> This occurred in 1811 when the House, fearful that filibustering tactics were going to result in the loss of a crucial bill, reversed its previous precedents and decided that henceforth an affirmative decision would close all debate on the main question finally and completely. Nonetheless, despite the fact that the previous question was available for use as a cloture mechanism from 1811 on, the House did not make frequent use of it for several decades. One of the reasons for this was that the rule, not having been designed as a cloture rule, continued to retain or was interpreted to have features which made it both ineffective and unwieldy when used for the purpose of cloture. Indeed, it took the House another 50 years of intermittent tinkering to eliminate most of these debilitating features.

Mr. President, Dr. Cooper also described how the limitations on the scope of the motion "previous question" handicapped the possibility of its use as a cloture device. He stated:

> For one thing, the previous question could not be moved in Committee of the Whole, a form of proceeding which both the early House and early Senate valued highly as a locus for completely free debate. Thus, when the House beginning in 1841 finally decided to limit debate in Committee of the Whole, it was forced to develop methods other than the previous question for accomplishing this result. However, the early Senate relied to a large extent, not on the regular Committee of the Whole, but on a special form of it called quasi-Committee of the Whole, i.e., the Senate as if in Committee of the Whole; and apparently it was possible to move the previous question when the Senate operated under this form of proceeding.
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> More important as a limitation on the scope of the previous question was its relation to secondary or subsidiary questions. At first, at least in the House, the previous question was treated as a mechanism that could

be moved on subsidiary or secondary questions, e.g., motions to amend, motions to postpone, etc., as well as a mechanism that could be moved on original or principal questions, e.g., that the bill be engrossed and read a third time, that the bill or resolution pass, etc. Thus, though this fact is often misunderstood, in the early House the main question contemplated by the motion for the previous question was sometimes a subsidiary question rather than the principal or original question. Whether the Senate permitted the previous question to be applied to secondary or subsidiary questions before 1800 is not clear. However, in that year Thomas Jefferson, as Presiding Officer of the Senate, ruled that the previous question could not be moved on a subsidiary question; and his manual, when it appeared, reaffirmed this position. The House followed suit in 1807, though as late as 1802 a ruling of the Speaker, concerned with the effect of a negative determination of the previous question, took no cognizance of the fact that the previous question had been moved on a subsidiary question, and allowed such usage to go by unchallenged.

The decision of the House to confine the previous question to principal questions created great difficulties for it, once it began to use the device as a cloture mechanism. Neither the rules of the House nor those of the Senate clearly gave the previous question precedence over other subsidiary questions, such as motions to postpone, commit, or amend. Thomas Jefferson's opinion was that subsidiary questions moved before the previous question should be decided prior to a vote on the previous question. However, such an approach became entirely unacceptable once it was desired to employ the previous question as a cloture mechanism. If subsidiary questions moved before the previous question took precedence over it, and if the previous question could be applied only to the original or principal question, then obstructionists could move subsidiary questions before the previous question, and could prolong for great lengths of time the debate on these questions. It was probably no accident that the House amended its rules, so as to give the previous question precedence over other subsidiary questions less than a year after it first used the previous question for cloture.

Nonetheless, this change did not transform the previous question into an efficient cloture mechanism. Beginning with the 12th Congress 1811 to 1813—rulings of the Speakers strictly enforced and further developed the doctrine that the previous question applied only to the original or principal question. This caused the House great inconvenience. It meant that if the previous question was approved, it cut off all pending subsidiary questions, and brought the House directly to a vote on the original or principal question. Thus, a vote might have to be taken on a form of the question undesired by the majority, namely, that is, that the bill without the amendments reported pass to a third reading, instead of that the bill with the amendments reported be recommitted with instructions. Thus also, when a subsidiary question was moved early in debate the House might either have to endure lengthy debate on the motion or employ the previous question, which would force a vote on the principal question before it had been adequately considered. Ultimately, of course, the House did reshape the previous question mechanism, so that it could efficiently be applied to the subsidiary questions involved in an issue. However, this reshaping occurred piecemeal over a number of years, in response to the difficulties we have described; and it was, in a sense dependent on them.

We may conclude, then, that in the period from 1789 to 1806, the previous question mechanism was designed to operate in a manner that was suited only to its utilization as an instrument for avoiding undesired debate and/or decisions. In the Senate and in the House until December of 1805, debate on the motion was permitted. In both bodies a negative determination of the previous question postponed or permanently suppressed the main question; and in the House, at least, debate and amendment were permitted after an affirmative decision. In the eyes of those who saw the previous question as a means of avoiding undesired decisions, this could easily be justified by assuming that the vote on the previous question only determined whether the body wanted to face the issue. Finally, the nature of the limits on the scope of the motion greatly handicapped its efficacy as a cloture mechanism. It is true that in the beginning the House, and possibly the Senate, allowed the previous question to be applied to subsidiary questions. It is also true that, once both bodies accepted the proposition that the device could not be so applied, this restriction could, and in the Senate actually did, handicap those who wanted to use the previous question as a mechanism for avoiding certain decisions. Still, as the experience of the House after 1811 demonstrates, the nature of the handicap was one which was much less a limit on the negative objective of suppressing a whole question than on the positive objective of forcing a whole question to a vote. In short, we may conclude that in both the early House and the early Senate not only was the purpose of the previous question conceived of as relating to the prevention of undesired debate and/or decisions; in addition, the device itself was clearly designed operationally to serve such ends, rather than the ends of cloture. In later years the previous question was turned into an efficient cloture mechanism in the House. But this required considerable tinkering—and, what is more, tinkering that resulted ultimately in a basic transformation of the operational nature of the mechanism.

Mr. President, there appear to have been 10 instances when the motion previous question came into play in the Senate between 1789 and 1806. Briefly, the circumstances in those 10 cases were these:

On August 17, 1789, a committee report on a House bill concerned with providing expenses for negotiating a treaty with the Creek Indians was taken up for consideration. The bill as referred from the House made no mention of measures to be taken to protect the people of Georgia in the event efforts for a treaty failed. After the resolution embodied in the committee report and a second resolution originating on the floor were moved and defeated, a third resolution which was moved, proposed to authorize the President to protect the citizens of Georgia, and to draw on the Treasury for defraying the expenses incurred. At this point in the proceedings the previous question was moved. A majority of "nays" prevailed, and the Senate adjourned. The next day, the bill was again brought up for consideration. After a number of motions pertaining to particular clauses in the bill were proposed and, save one, defeated, a resolution was moved making it the duty of Congress to provide for expenses incurred by the President in defense of the citizens of Georgia. At this point the previous question was again moved. It was defeated; and the bill, with the solitary amendment previously adopted, was then put to a vote, and was approved.

On August 28, 1789, during debate on a bill fixing the pay of Senators and Representatives, William Maclay offered an amendment which sought to reduce the pay of Senators from $6 to $5 per day. Maclay records in his Journal that his proposed amendment evoked a storm of abuse, and that Izard, a Senator from South Carolina, moved for the previous question. He further notes that Izard was replied to that this would not smother the motion, and that when it was learned that abuse and insult would not do, then followed entreaty. Maclay, however, remained undaunted. He knew that his amendment would be defeated; his object was simply to get a record vote on the amendment in the minutes. In this he was successful. The amendment was put to a vote and defeated, but the yeas and nays were recorded. The motion for the previous question was either not seconded or withdrawn since there is no mention of it in the Senate Journal. In this instance, as in the last two, it is clear that use of the previous question was attempted for the purpose of avoiding or suppressing an undesired decision. However, the reasons why the motion for the previous question was not persisted in are not clear. The critical factor to be resolved is whether the motion was killed voluntarily because it was undesired or forcibly because power was lacking to insist on it.

On January 12, 1792, consideration of the nomination of William Short to be Minister resident at The Hague was resumed. After a committee had reported certain information concerning Short's fitness to be appointed, a resolution was moved which stated that no Minister should at that time be sent to The Hague. The previous question was then moved in its negative form, that is, that the main question be not now put, despite the fact that the rules provided only for the positive form of the mechanism. At this point, however, the Senate decided that the nomination last mentioned and the subsequent motion thereon, be postponed to Monday next. On that day, January 16, 1792, the Senate resumed its consideration of the nomination and the resolution moved on the nomination. The previous question was put in negative form and carried with the help of a tie-breaking vote by the Vice President. This removed the resolution which would have prohibited sending a resident Minister to The Hague. The Senate then proceeded to the Short nomination and approved it.

On May 6, 1794, James Monroe, then a Senator from Virginia, asked the permission of the Senate to bring in a bill "providing, under certain limitations, for the suspension of the fourth article of the Treaty of Peace between the United States and Great Britain." The previous question in its normal, affirmative form was moved on Monroe's motion and it was approved by a vote of 12 to 7. The main question was then put and permission to bring in the bill was denied by a vote of 14 to 2. Monroe and John Taylor, his fellow Senator from Virginia, were the only Senators in favor.

Once more we may conclude that the previous question was moved in an attempt to avoid or suppress an undesired decision. This can be deduced from the fact that neither the proponents nor the opponents of Monroe's motion had any reason to attempt to obstruct decision by prolonging debate. This certainly was not in Monroe and Taylor's interest; they wanted a decision on the motion, preferably an affirmative one. As for the opponents, their numbers were such that they had no need to obstruct decision. The only Senators, then, who had a motive for moving the previous question were those seven Senators who voted against the previous question. For these men the previous question offered a means of suppressing a decision they wished to avoid.

Unfortunately, the Annals do not record the name of the Senator who moved the previous question. Nonetheless, convincing evidence exists to support our deduction that the previous question was moved by a Senator who voted "nay" on that motion. John C. Hamilton's account indicates that such a Senator, James Jackson, of Georgia, was the man who moved the previous question. He reports that Jackson made the following announcement to the Senate:

> I deem the proposition ill timed * * * I wish for peace, and am opposed to every harsh measure under the present circumstances. I will move the previous question.

Debate continued after this statement, presumably because Jackson held back on his motion to allow the other Senators to have their say. Undoubtedly, the reasons why Jackson considered Monroe's motion as "ill timed" related to the fact that only a few weeks before, John Jay had been appointed special envoy to Great Britain and was at that very moment making preparations to depart on his historic mission.

On April 9, 1798, after the Senate had gone into closed session, James Lloyd, a stanch Federalist Senator from Maryland, moved that the instructions to the envoys to the French Republic be printed for the use of the Senate. Six days previous, on the 3d, the President had submitted to Congress the instructions to and the dispatches from these envoys. Four days previous, on the 5th, the Senate had agreed to publish the dispatches for the use of the Senate. These papers were the famous ones in which Talleyrand's agents were identified as X, Y, and Z and the whole affair was seen by the Federalists as a great vindication and triumph for their party.

Lloyd first moved his motion on the 5th when the Senate agreed to publish 500 copies of the dispatches, but it was postponed on that day. When he moved it again on April 9, 1798, John Hunter, a Senator from South Carolina, moved the previous question. The motion for the previous question was approved by a vote of 15 to 11, with Hunter voting "nay." The main question, that is, that the instructions be printed, was also approved by a vote of 16 to 11, Hunter again voting "nay."

In this instance, once again, it is clear that the previous question was not used as a mechanism for cloture. Rather, it was brought forward as a means of avoiding or suppressing an undesired decision. This is attested to by the fact that the Senate was in closed session when the previous question was moved and by the fact that Hunter, the mover of the previous question, voted nay both on his own motion and on the main question. It is also supported by the fact that 10 of the 11 Senators who voted nay on the motion for the previous question also voted nay on the main question.

On February 18, 1799, President Adams proposed to the Senate that William Vans Murray be appointed Minister Plenipotentiary to the French Republic for the purpose of making another attempt to settle our differences with France by negotiation. This proposal caused dismay and consternation in the ranks of the Federalists. For one thing, Adams acted suddenly on the basis of confidential communications he had received from abroad without informing anyone in the Cabinet or the Senate as to his intentions. For another thing, a strong prowar faction existed among the Federalist Members of Congress and the party as a whole had been engaged in driving a number of war preparedness measures through Congress. Moreover, ever since the X Y Z affair the Federalists had been using the presumed wickedness and hostility of France as a weapon for humiliating and destroying the strength of the Jeffersonian Republicans. Lastly, a number of prominent Federalists distrusted Murray and thought him too weak.

The nomination of Murray was referred to a committee headed by Theodore Sedgwick, a Federalist Senator from Massachusetts. Meanwhile, pressure was brought to bear on Adams and he was threatened with a party revolt if he did not agree to modify his request for the appointment of Murray. The result was that on February 25, 1799, Adams sent a second message to the Senate asking that a commission, composed of Murray, Patrick Henry, and Oliver Ellsworth, be appointed in lieu of his original request. The next day, February 26, 1799, a resolution was moved and it passed in the affirmative. The effect of this decision was to bring about a vote on the resolution and it also was approved. The Senate then proceeded to consider the nominations of Murray, Henry, and Ellsworth to office and all three were approved on the following day.

In order to determine how the previous question was used in this instance we must consider the motives that seem to have prompted it. If the previous question was used for cloture, the Federalists would have been the ones to move it. However, there is no reason to believe that the Federalists were motivated to act in this manner. The Jeffersonians do not appear to have staged a filibuster on the resolution. In truth, this would have played into the hands of the war Federalists by giving them an excuse to refuse any kind of peace mission while throwing all blame on the Jeffersonians. Nor is there any reason to believe that the Federalists moved the previous question because they feared the consequences of a discussion on the resolution. The anti-Adams Federalists well realized that it was essential to unite on the commission idea as the only possible compromise under the circumstances and the problem of defection or embarrassment through debate was a slight one, if it existed at all.

In contrast, there are a number of reasons for believing that the Jeffersonians moved the previous question in an attempt to suppress the resolution. First, the Jeffersonians feared that the commission alternative might just be a subterfuge for torpedoing the negotiations. They much preferred the appointment of Murray alone. Second, tactically much was to be gained by confining the choice to simply approving or disapproving Murray. If he was approved, the Jeffersonians would have gotten exactly the kind of peace mission they desired; if he was disapproved, a party split in the ranks of the Federalists was likely and, what is more, the Federalists would stand before the public as a group of truculent warmongers.

Now it is true that the very reasons that would have led the Jeffersonians to attempt the previous question also helped to insure the defeat of the maneuver by solidifying the Federalists. Nonetheless, the Jeffersonians, not knowing exactly how united the Federalists were, could very well have thought the previous question worth a try. We may conclude, then, that in all probability this case was no different from the others we have considered.

On February 5, 1800, a bill for the relief of John Vaughn was brought up for its third reading. A motion was made to amend the preamble of the bill. On this motion the previous question was moved, but ruled out of order on the grounds that the mechanism could not be applied to an amendment. A motion was next made to postpone the question on the final passage of the bill until the coming Monday. This motion was defeated. Having disposed of the attempt to postpone, the majority then proceeded to vote down the amendment and approve the bill.

The purpose for which the previous question was used in this instance seems in no way to depart from the usual pattern. In this case the opponents of the amendment appear to have attempted to suppress it by applying the previous question. They failed in this but still succeeded in defeating the amendment in a direct vote.

The impeachment trial of Judge John Pickering of the New Hampshire district court commenced on March 2, 1804. The Representatives selected by the House to manage the impeachment completed their case against Pickering on March 8, 1804. Two days later Samuel White, a Federalist Senator from Delaware, rose and offered a resolution which stated that the Senate was not at that time prepared to make a final decision on the Pickering impeachment. The resolution also stated a number of reasons in support of its contention: that Pickering had not been able to appear but could be brought to Washington at a later date; that Pickering had not been represented by counsel; and that evidence indicating that Pickering was insane had been introduced.

The Jeffersonian leadership in the Senate received this resolution with hostility. Their first reaction was to try to suppress it by having it declared out of order, but this maneuver failed. That the Jeffersonians would have preferred not to face the resolution directly is quite understandable since it advanced potent legal grounds for inducing the Senate to refuse to convict Pickering, that is, that the trial had not been impartial and that Pickering as an insane man could not legally be held responsible for his acts. However, the hostility of the Jeffersonians was based on more than the fact that the resolution endangered the success of the Pickering impeachment. By implication it also threatened the success of the upcoming impeachment of the hated Judge Chase. To lose the Pickering impeachment on the grounds stated in the White resolution would create a precedent which would deny the Senate broad, quasi-political discretion in impeachment and limit it to the determination of whether "high crimes and misdemeanors" in a quasi-criminal sense had actually been committed.

Unfortunately, the three accounts we have of Senate proceedings on March 10, 1804, differ significantly. One area of important difference concerns the exact order of events on this day. Both the Annals and the diary of William Plumer report that the previous question was moved by Senator Jackson, Republican, of Georgia, after Senator Nicholas, Republican, of Virginia, urged that the White resolution not be recorded, if defeated. Both these accounts report that Jackson's motion was followed by a statement by Senator White and by an amendment offered by Senator Anderson, Republican, of Tennessee, which proposed to strike out of the resolution all material relating to Pickering's insanity and lack of counsel. In addition, both of these accounts report that after the moving of the Anderson amendment the Senate proceeded to vote down the White resolution. Despite these similarities, an important difference does distinguish these two accounts. In the Plumer account Nicholas' statement, Jackson's motion, White's statement, and Anderson's motion are all made when the Senate is in closed session. In the Annals they are all made before the Senate is reported to have gone into closed session. We should also note that neither the Annals nor Plumer supply any further information regarding the previous question aside from the fact that it was moved. The Annals are similarly obscure with respect to the fate of Anderson's amendment, but Plumer records that this motion failed to secure a second which would explain why it was never brought to a vote.

Further complications are introduced when we add the report of events given in the diary of John Quincy Adams. Adams and Plumer were both Members of the Senate at this time. In the Adams account no mention is made of the previous question or of White's statement. Anderson's amendment is reported to have been moved when the Senate was in open session. Nicholas' remarks are reported as occurring later when the Senate was in closed session. In addition, in contrast to Plumer, Anderson's amendment is reported to have secured a second but to have been withdrawn when the Senate was in closed session.

A second important area of difference concerns the nature of the rules governing the Senate during the Pickering impeachment. According to Adams, the rules restricted debate to closed session and required all decisions to be taken in open session by a yea and nay vote. Thus, he reports that when the Senate was in closed session on the White resolution the Jeffersonians were very impatient to return to open session so as to end debate and bring the resolution to a vote. Adams further explains that the reason Anderson withdrew his amendment was to end debate on it in order that the time the Senate was in closed session need not be prolonged.

The Annals and Plumer's diary do not directly contradict Adams' interpretation of the rules. Indeed, on the whole, the record of events in these accounts does not depart from Adams' rendition of what the rules required. However, on occasion they do present examples of action which suggest either that the Senate did not necessarily follow its own rules or that Adams' interpretation is not entirely correct. In the Plumer account of events on March 5, 1804, the Senate is reported to have voted on two motions when it was still in closed session. In the Annals' account of events on March 10, 1804, and Plumer's account of events on March 9, 1804, the Senate is reported to have entered into debate when it was in open session.

Merely moving the previous question would not and could not have ended debate and forced the Senate to return to open session. As long as the previous question was not voted on and determined affirmatively, the only way debate could be cut off and a vote on the White resolution forced would have been by passing a motion to open the doors. It is true that, if the motion for the previous question received a second, it would have cut off debate on the main question, namely, on the White resolution. But debate could have and undoubtedly would have continued on the motion for the previous question itself. The Federalists would have objected strenuously to any Republican maneuver designed to avoid the necessity of directly facing the embarrassing issues contained in the White resolution. Given the fact that the previous question was moved after the White resolution had already been subject to discussion, we may conclude that, instead of serving to end debate, the motion for the previous question threatened to prolong it.

Second, both the Annals and Plumer record that Anderson's amendment was moved after the previous question while the Senate was still in closed session. This indicates that the previous question either failed to secure a second or was withdrawn soon after it was moved. Otherwise, an amendment of the main question would not have been in order. Thus, it cannot be argued that the Senate returned to open session to vote on the motion for the previous question, since the motion itself seems to have been killed while the Senate was still in closed session. The fact that Adams does not even mention the previous question in his account supports our contention that the previous question was killed before it could play a significant role in the events of the day. Given the care with which Adams' documents each and every Jeffersonian move to avoid facing or discussing the White resolution, it is highly unlikely that he would have failed to mention the previous question if it had been used as Brant and Douglas suggest.

The events of March 10, 1804, merely furnish another illustration of the use of the previous question for the purpose of suppressing an undesired discussion and/or decision? The answer is "Yes." We may note that on March 5, 1804, Jackson spoke and voted against allowing evidence bearing on Pickering's sanity to be introduced. We may note that on March 10, 1804, when the Senate returned to open session, he voted against the White resolution which listed insanity as a ground for not voting to convict Pickering. We may also note that Jackson moved the previous question immediately after Nicholas urged that the resolution not be recorded, if defeated. It is probable, therefore, that Jackson moved the previous question for the purpose of suppressing the White resolution rather than for the purpose of forcing a vote on it. If cloture were his aim, and such an aim only would have been feasible if debate was in fact prohibited in open session, either that end could have been achieved more easily by simply moving to return to open session, or alternatively, if the Senate was already in open session, there would have been no reason not to press the previous question to its ultimate conclusion.

Why, then, would the previous question have been refused a second or withdrawn? The answer is that under the circumstances which existed, the best way to get rid of the White resolution and clear the way for a vote on the impeachment was to face the resolution directly. The timing and the substance of Nicholas' words indicate that the Senate was just about ready to proceed to a vote on the White resolution. To introduce the previous question at such a point would be to complicate and prolong the proceedings. This is true whether or not the Senate could have actually voted on the previous question in closed session. In either event debate on the motion would still have been possible. It is also true whether the previous question was moved in open or closed session. Both the Annals and Plumer indicate that debate took place immediately before and after the previous question was moved. This means that, if the previous question was moved in open session, debate was possible in open as well as closed session.

Thus, the reasons Adams suggests for the killing of Anderson's amendment probably apply to the previous question as well. The Jeffersonians desired to get rid of the White resolution and push on to a vote on the impeachment as fast as possible. They knew they had the votes to defeat the resolution. Moreover, though they might have preferred to suppress or amend the resolution, they also knew that they could not really save themselves from embarrassment by adopting either alternative. That Pickering had not appeared, that he had not been represented by counsel, and that evidence had been introduced indicating that he was insane were part of the record of the trial. Hence, it is not surprising that the Republicans elected to face the White resolution without delay. This was the course that promised the swiftest and surest attainment of their basic objective—the conviction of Pickering.

On December 24, 1804, the Senate resumed consideration of a set of rules proposed to govern the Senate during the Chase impeachment. These rules had been recommended by a select committee whose chairman was William Giles, a Virginia Republican who led the anti-Chase forces in the Senate. Four days earlier, when the Senate was involved in a discussion of these rules, Stephen Bradley, an independent Republican from Vermont, had moved an amendment to one of the rules proposed by the Giles committee. Bradley, however, was ill on the 24th and was not present in the Chamber. John Quincy Adams reports in his diary that he therefore moved that the whole subject be postponed until Bradley could attend. This bid for postponement of consideration was defeated. Adams relates that "Giles then offered to postpone or put the previous question upon Mr. Bradley's amendment; but this the Vice President declared to be not in order." Following Burr's ruling, the Senate proceeded to vote down the amendment and before the day was ended it agreed to adopt all or most of the rules recommended by the Giles committee, including the rule on which Bradley's amendment had been moved.

The case presents another instance in which the previous question was attempted to suppress an undesired decision. Giles' intention was obviously to remove the amendment either through postponement or through the previous question as a preliminary to voting to adopt the rule. The practical effect of this would have been to kill the amendment, even though technically neither postponement nor the previous question would have permanently suppressed the amendment.

Mr. President, the motion "previous question," as it was included in the Rules of the Senate between 1789 and 1806 is no precedent for cloture in the Senate. It was not then understood as a cloture mechanism, it was not designed to operate as a cloture mechanism and in practice, it was not used as a cloture mechanism.

An explanation, or comment, on "the previous question" in Robert's Rules of Order is also illuminating on this subject. The passage to which I refer appears on page 117 of "Robert's Rules of Order, Revised," 75th anniversary edition, as follows:

> Note on the previous question: Much of the confusion heretofore existing in regard to the previous question has arisen from the great changes which this motion has undergone. As originally designed, and at present used in the English Parliament, the previous question was not intended to suppress debate, but to suppress the main question, and therefore, in England, it is always moved by the enemies of the measure, who then vote in the negative. It was first used in 1604, and was intended to be applied only to delicate questions; it was put in this form, "shall the main question be put?" and being negatived, the main question was dismissed for that session. Its form was afterward changed to this, which is used at present, "Shall the main question be now put?" and if negatived the question was dismissed, at first only until after the ensuing debate was over, but now, for that day. The motion for the previous question could be debated; when once put to vote, whether decided affirmatively or negatively, it prevented any discussion of the main question, for, if decided affirmatively, the main question was immediately put, and if decided negatively (that is, that the main question be not now put), it was dismissed for the day.
>
> Our Congress has gradually changed the English previous question into an entirely different motion, so that, while in England, the mover of the previous question votes against it, in this country he votes for it. At first the previous question was debatable; if adopted it cut off all motions except the main question, which was immediately put to vote; and if rejected the main question was dismissed for that day as in England. Congress, in 1805, made it undebatable. In 1840 the rule was changed so as not to cut off amendments but to bring the House to a vote first upon pending amendments, and then upon the main question. In 1848 its effect was changed again so as to bring the House to a vote upon the motion to commit if it had been made, then upon amendments reported by a committee, if any, then upon pending amendments, and finally upon the main question. In 1860 Congress decided that the only effect of the previous question, if the motion to postpone were pending, should be to bring the House to a direct vote on the postponement, thus preventing the previous question from cutting off any pending motion. In 1860 the rule was modified also so as to allow it to be applied, if so specified, to an amendment or to an amendment of an amendment, without affecting anything else, and so that if the previous question were lost the debate would be resumed. In 1880 the rule was further changed so as to allow it to be applied to single motions, or to a series of motions, the motions to which it is to apply being specified in the demand; and 30 minutes' debate, equally divided between the friends and the enemies of the proposition, was allowed after the previous question had been ordered, if there had been no debate previously. In 1890 the 30 minutes' debate was changed to 40 minutes. The previous question now is simply a motion to close debate and proceed to voting on the immediately pending question and such other pending questions as it has been ordered upon.

From this discussion it should be clear that between 1789 and 1806 "the previous question" used in the Senate was not intended to suppress debate, but to suppress the main question, and, therefore, to avoid a vote on a particular piece of legislation.

In 1816, the House of Representatives debated the issue of free debate. They adopted a strict cloture by a perversion of the meaning of "the previous question."

Mr. Gaston, speaking in favor of free debate, pointed out that the original purpose of "the previous question" was to postpone one subject in order to take up another. In other words, it was simply a demand that the House should first announce whether it was then expedient to decide the question under debate or to turn temporarily to other business.

The Continental Congress had followed this procedure and had made proper use of "the previous question."

Over the years after the first Congress, there were attempts to pervert the meaning of "the previous question." That was the reason for the debate in 1816. Mr. Gaston pointed out at that time that the House, in attempting to change the historic and true meaning of "the previous question," was abandoning its true principles.

On this particular question the elder Senator Henry Cabot Lodge said in 1893:

> There never has been in the Senate any rule which enabled the majority to close debate or compel a vote. "The previous question," which existed in the earliest years and was abandoned in 1806, was "the previous question" of England, and not that with which everyone is familiar today in our House of Representatives. It was not in practice a form of cloture, and it is, therefore, correct to say that the power of closing debate in the modern sense has never existed in the Senate.

Through the years the Senate has debated the pros and cons of unlimited debate, but it remains a fact that for 125 years, from 1789 to 1917, the Senate had no cloture rule at all. During that time the parade of great men to the Senate continued, and most of them were firm advocates of free debate. Since 1917, we have had a two-thirds requirement for cloture in one form or another.

In the interest of objectivity, let us compare rule XXII with rule XXIX, "the Previous Question," of Robert's Rules of Order.

From 1949 until 1959, rule XXII required a two-thirds vote of all Senators to end debate. A parliamentary body acting under Robert's Rules of Order can end debate and force a vote on the pending question by passing a motion of the previous question by a two-thirds majority of those present and voting. Even under Robert's Rules of Order a majority vote, even with notice, cannot end debate.

The difference, in practical effect, was not overly large. For example, had the limitation of debate in the Senate always been governed by "the Previous Question" in the present Robert's Rules of Order, no result on previous efforts to invoke cloture would have been different from the result under the rules as they have existed. Had the 1949-59 rule XXII of the Senate always controlled the limitation of debate, only in one instance would the result on cloture attempts have been changed. The particular instance to which I refer was a cloture vote which prevailed in 1927 under a rule requiring two-thirds of those present and voting to end debate.

The destruction between the 1949-59 rule XXII and Robert's previous question, though slight in practical effect, is not without a strong basis in reason. Robert's Rules of Order was designed for the general use of societies, which, not being governmental bodies, have no authority to compel attendance of delegates. Robert's rules, therefore, recognizes the impracticality of making the actions of those bodies for whom his rules were designed contingent on membership. Robert used the most practical basis for his purposes for protecting the rights of minorities in societies generally.

The U.S. Senate, to understate the matter, occupies a position greatly different from the general societies for which Robert's Rules was designed. Its membership is under oath to support the Constitution and well and faithfully to discharge the duties of their offices. Surely a presumption by the rules of regular attendance is not unduly harsh. If it be too harsh, why has there been no attack on the provision of rule V which authorizes the Sergeant at Arms to compel the attendance of absent Senators?

Mr. President, our Nation was established in a form which relies quite heavily on the principle of federalism. One of the principal facets of federalism incorporated into the Constitution is the equal representation of the several States in the U.S. Senate.

Mr. STENNIS. Mr. President, before the Senator from South Carolina moves to another subject in his fine speech, will he yield for a question?

Mr. THURMOND. I am pleased to yield to the able and distinguished Senator from Mississippi.

Mr. STENNIS. I commend the Senator from South Carolina for having given us some excellent historic background of the many important rules of the Senate.

Mr. THURMOND. I thank the Senator.

Mr. STENNIS. Before the Senator moves to his new subject, I should like to discuss an old principle of government, the principle of checks and balances, which is so admirably set up in the Constitution and has been followed so well during most of the history of our Government—the system of the legislative, the executive, and the judicial branches. Without going into details, does not the Senator from South Carolina think that rule XXII in its present form is not only a major part, but also an essential part of the system of checks and balances, especially in these modern times?

Mr. THURMOND. The Senator from South Carolina would certainly answer in the affirmative. The Senator from Mississippi touches upon a very sensitive point in our Government when he speaks about checks and balances. Under the two-thirds rule, we have a check on hasty legislation, even in our own branch of Government.

The House does not have debate to any extent. Members of the House vote various questions up or down. The country does not get the benefit of a debate by the House on the issues. It does not get the benefit of a debate by the House on the various facets of a question. The country does not obtain from the House the thoughts and ideas which it receives from Members of the Senate. Senators are not handicapped by being prevented from discussing questions, as are Members of the House. The Senator from Mississippi is eminently correct.

Mr. STENNIS. The Senator from South Carolina has mentioned the House. The House operates under rules which limit debate.

Mr. THURMOND. Yes, because of the large membership of the House.

Mr. STENNIS. The House must have rules to limit or shut off debate; but it is the general practice in the House, so far as debate is concerned, to have bills reported by the Committee on Rules with a limited amount of time for debate on each side, and sometimes no amendments are allowed. Is not that true?

Mr. THURMOND. That is correct.

Mr. STENNIS. If no amendments are allowed, that means that the bill goes to the floor with 2 hours or 5 hours of debate, or whatever number of hours of debate on each side is agreed to; and then, as the Senator has said, the House votes the bill up or down, and that is it.

In the Senate, amendments are always allowed, and rule XXII protects any group and brings the debate into the open. Ideas which have developed since the bill left the House also have a bearing on the debate, do they not?

Mr. THURMOND. That is correct.

Mr. STENNIS. Although the House performs a highly important function in the passage of legislation and is an essential part of the legislative branch, does not the Senator think that in the Senate it is an essential part of sound legislation to have unlimited debate?

Mr. THURMOND. The Senator from South Carolina believes it is a very important part of the legislative process, under our republican form of government, a government which has given the people of this country the highest standard of living ever known.

Mr. STENNIS. The argument has been made in recent days that, after all, times have changed, and decisions must be made rapidly; that there is no time to defer action on legislation. It is said that the idea of checks and balances is out of style and is no longer necessary. But does not the Senator think that the system of checks and balances is more important now, in days of $99 billion budgets and considering the rapidity with which legislation now moves? Does not the Senator think that a system of checks and balances is still in order, and perhaps more in order than ever before?

Mr. THURMOND. The Senator from South Carolina agrees with the statement of the Senator from Mississippi. I feel that there are greater assaults today on our form of government than have ever before occurred in the history of the Nation. If we weaken the rules of the Senate in any way, we will prevent the people of the Nation from being able to grasp the issues that the Senate is considering. We shall be doing a great disservice to the country.

Mr. STENNIS. The Senator from South Carolina has been a Member of this body for several years. Can he recall any major legislation that has come to a vote in the last 7 or 8 years, with the exception of the literacy test bill last year, which did not secure even a majority vote for cloture, as to which a vote could not be obtained at all?

Mr. THURMOND. This is the 9th year during which the Senator from South Carolina has been a Member of the Senate. He cannot recall any measure of importance which has been stifled because of the cloture rule. In fact, the Senate now has the power to apply cloture if there is enough sentiment for it.

Last year the Senator from South Carolina was a member of the Committee on Commerce, as he is again this year. That committee wrote what was known as the administration's communications satellite bill. All the members of the committee thought it was a very vital piece of proposed legislation, one which affected the security of the Nation.

When that measure was reported to the Senate, a determined effort was made by a few Senators to prevent the passage of the bill. The Senate heard debate, day after day, week after week; but when the Senate felt that the debate had continued long enough to present the issue to the people of the country, and that those who were opposed to it had had a full and ample opportunity to expound their position, the Senate voted to apply cloture.

So under the present rules, the Senate demonstrated only last year that cloture can be applied to a piece of proposed legislation if it feels that the measure is of sufficient importance, after reasonable debate has been held.

Mr. STENNIS. On the other hand, the Senator from South Carolina gave a perfect illustration of the application of the rule in the affirmative.

The Senator from South Carolina will recall that last year, when we had before us the literacy test bill on voting qualifications, on the two votes by which the imposition of cloture was sought, the proponents did not obtain a majority, much less two-thirds. The failure to get a majority shows, does it not, that the fault was in the bill, rather than in rule XXII?

Mr. THURMOND. The Senator from Mississippi is eminently correct. The defect lay in the bill; and the Members of the Senate so specified, and labeled it as such, when they voted as they did.

Sometimes the majority may feel inclined to rush headlong into the passage of a measure, whereas if it is debated fully, information which will be developed will be convincing to the people of the Nation and to the Members of the

Senate that such a measure is unwise—just as the Senate evidently felt that the measure to which the Senator from Mississippi has referred was an undesirable one, with the result that the sentiment which developed among the Members of the Senate was such that it was obvious that they believed the bill should not be passed.

The only way in which a measure can be brought to the attention of the people of the country and the Members of the Senate is through full and free debate; and certainly that should be preserved, rather than be weakened one iota. In fact, I even wish the rule required the affirmative votes of two-thirds of the entire membership of the Senate, rather than of two-thirds of the Senators present and voting, because unless a bill is strongly supported by public opinion, in the long run it will not prove to be desirable. As Abraham Lincoln said, with public opinion, everything can be accomplished; without public opinion, nothing can be accomplished. Desirable legislation must have back of it strong public opinion—more than just a majority. The rules of the Senate and the Constitution itself were not written to protect majorities; they were written to protect minorities.

Those who give ample thought to matters which are brought before them frequently revise their thinking about them—as they should, for frequently it is found that when a matter is first brought up, a certain notion about it prevails; but after the full truth about it is obtained, opinion is often revised and an effort is made to arrive at a conclusion which is regarded as basically sound, for the benefit of the country.

Mr. STENNIS. I thank the Senator from South Carolina.

If he will yield further, let me state that much has been said about the right of new Senators to participate in the adoption of new rules. I ask the Senator from South Carolina whether he knows of any other place—whether in this Government or in any other—in which a new member receives as much consideration and has as much power as a new Member of the Senate receives and has under the rules of the Senate, beginning with the time when he is sworn in. In that respect, does the Senator from South Carolina know of any other place comparable to the Senate?

Mr. THURMOND. I do not know of any other organization—whether private, semi-governmental, or governmental—in which a member has as many rights and as much power and influence as does a Member of the U.S. Senate. It is my judgment that the new Senators would wish to follow the rules which have been applicable to the Senate for many, many years, and would not wish to have changes made the moment they become Members of this body. I believe that, instead, they would wish to proceed—certainly, at first—under the rules which the Senate had, during the past, found to be practical, workable, enforceable and effective. Instead of wishing immediately to overturn the precedents, traditions, and existing rules of the Senate, it seems to me a new Senator would wish to give ample thought to such matters and give the existing rules of the Senate an opportunity to operate. After a new Senator has served a reasonable length of time, if he then wishes to propose changes in the rules, that can be done; and the rules can be changed at any time if the Senate wishes to change them. They can be changed by majority vote, if the Senate wishes to do so.

Mr. STENNIS. Is it not true that under the present rule XXII, a new Senator has far more prerogatives and a better chance to debate and to offer amendments and to force the Senate to consider them, than he would under the proposed change?

Mr. THURMOND. That is correct, because if the rule were to be changed, both the new Senators and the old Senators could be taken off their feet much more easily than they can be now.

Mr. STENNIS. Under the present rule, any Senator has a very fine chance indeed, does he not, to have a yea-and-nay vote taken on any reasonable number of amendments which he may choose to offer to any bill? If 20 percent of the Senators present do not join him in requesting the yeas and nays, such a Senator can speak to an extent which might be inconvenient to the leadership, and in that way can obtain an order for the yeas and nays; is not that true?

Mr. THURMOND. By continued debate, such a Senator might convince other Senators that there was merit in his cause, whereas if a majority, or even 60 percent, could cut off debate, such a Senator would not have his full opportunity to bring his case before the Senate.

Mr. STENNIS. Mr. President, will the Senator from South Carolina yield further to me?

The PRESIDING OFFICER (Mr. BAYH in the chair). Does the Senator from South Carolina yield further to the Senator from Mississippi?

Mr. THURMOND. I yield.

Mr. STENNIS. Would not the rule now proposed decrease the power of each Senator?

Mr. THURMOND. That is absolutely correct.

Mr. STENNIS. Is there any way by which the power of the Senator from South Carolina could be decreased without at the same time decreasing the power of South Carolina?

Mr. THURMOND. I know of no way in which one could be decreased without decreasing the other. If the power of one were decreased, the power of the other would be bound to be decreased; there would be no escape from it. If the power of a Senator were decreased or weakened, the power of his State in this body, the so-called greatest deliberative body in the world, would thereby be decreased or weakened.

Mr. STENNIS. I agree with the Senator from South Carolina, and I thank him. He has been most helpful.

Mr. THURMOND. I thank the Senator from Mississippi for the questions he has propounded and for the information which has been brought out.

Mr. President, our Nation was established by means of a Constitution which relies quite heavily on the principle of federalism; and one of the most important provisions, insofar as the Senate is concerned, is its rule which provides for free and unlimited debate.

While not incorporated into the Constitution, the practice of permitting unlimited debate in the Senate until 1917 strengthened immeasurably the concept of federalism in the practical operation of our Government. In many ways, including the various cloture rules which have prevailed in the Senate since 1917, the concept of federalism has been weakened, and our country hampered thereby.

The concept of federalism and its historical development are not, I am afraid, fully understood and appreciated; and I feel that a review of some of the facets of this concept would be helpful to a decision on the pending question.

There is nothing particularly meritorious in a constitution per se. A constitution has potentialities for providing at least two of the most desirable ingredients of a government—stability and political principles. Some constitutions provide practically none of either—as for example, the various Soviet constitutions, which are apparently changed at the whim of the Central Committee of the Communist Party and which are absolutely devoid of underlying principles. Khrushchev indicated within the last few days that a new one is even now being drafted.

The Constitution of the United States is a document to which we should and must adhere, not merely because it is dignified by the high sounding name of "constitution," not even because of its relatively ancient vintage. In the first place, our Constitution provides stability. It is difficult to change by the prescribed methods, and has thereby proved largely impervious to emotional fads and the glib sales pitches for political expedients.

The quality of stability, alone, however, could never inspire men to fervently swear to defend a document from all enemies, foreign and domestic. And even stability, itself, could not derive in permanence from a relatively slow and intentionally difficult method of amendment. Something deeper is responsible for the deference which is the due of the Constitution of the United States. The something more in the Constitution of the United States is its reflection of sound and timeless principles.

The framers of the Constitution labored in conscious or subconscious awareness that government, while necessary, constituted a principal source of danger to individual liberty. The purpose of the Constitution is to provide a government with sufficient power to maintain order, commercial intercourse and common defense, but so limited and arranged as to constitute a minimum possibility of its use to infringe on individual liberty. This purpose precluded resort to Rousseau's pure democracy, on the one hand, and any major concentration of power on the other.

In seeking and finding the proper balance, the Constitution drew primarily on three concepts—republican form, the doctrine of separation of powers, and federalism—although not in equal quantities nor with equal consistency. When I speak of republican form or republicanism, I refer not to any political party but to a Republic, that type government in which the people govern themselves through election of persons to represent them.

In the shaping of this new Government the principles of republicanism were heavily relied on, although not consistently adhered to; for there is little, if anything, that smacks of republicanism in the judicial branch of the general Government. Had the constitutional scheme relied solely on republicanism, the experiment in government would have been doomed to failure. The Constitution fairly shouts that republicanism is essential; but it alone is not sufficient to insure the preservation of individual liberty. Governments which are just republican in form are most susceptible of conversion at the hand of tyrants into instruments of despotism. As one impediment to such conversions, the powers of the National Government were separated according to their nature; and an elaborate system of checks and balances was devised to preserve the separation. Both the principles of republicanism and the implemented doctrine of separation of powers contributed most substantially to the dual objective of maintaining individual liberty and providing orderly government, but in neither, nor in the combination of them alone, lies the secret that distinguishes our great constitutional system from the mediocre. While it must be acknowledged that the constitutional blend of republican principles with the doctrine of separation of powers results in a near perfect superstructure of government, it is not on the superstructure that the strength and duration of the government depend, but on the foundation. The foundation of the constitutional system is federalism.

Federalism, as the foundation of our constitutional governmental system, cannot be numbered among the contributions of the delegates to the Philadelphia Convention, although with a few possible exceptions, the delegates both understood and endorsed the virtues of federalism. Indeed, when the Convention met, it was predetermined by history that whatever governmental system, if any at all, might be designed, be precluded from any foundation other than federalism. The constitutional concept that the maximum safeguards consistent with orderly government be imposed against the concentration of power in the hands of any individual or group was thereby dictated in advance to the delegates at Philadelphia, so that it remained only for them to construct a superstructure of government which fitted the foundation and conformed to the concept. The plan they devised was a masterly one, inconsistencies and contradictions so widely cited by critics of the Constitution to the contrary notwithstanding; for the inconsistencies and contradictions lie in the application of republican principles, as illustrated by the absence thereof from the judicial branch of the National Government; and in the application of the doctrine of separation of powers, as is illustrated by the Executive's power of veto over legislative acts. The deviations from the principle of republicanism and from the doctrine of separation of powers were made to achieve consistency with the even more important constitutional concept which has its roots in federalism.

Those who assembled at the Constitutional Convention in 1787 were not empowered as representatives of the population of European derivation on the American continent east of the Mississippi, north of Florida, and south of Canada, but as representatives of 13 separate States or nations at that time allied for specific purposes. The votes in the Convention were, therefore, by States, each having an equal voice in the deliberations, without any distinction as to the size or population of a particular State.

The proposed constitution agreed on by the delegates was submitted not to the people as a whole, but to the several States; and by its very terms it could not be ratified by the affirmation of a majority—not even a large majority—of the population of the combined United States, but only by 9 of the 13 States; and even when so ratified and adopted, it still applied only to those States which adopted it. Complete sovereignty lay with the people of any given State, and it was not within the legal power of the people of the other States, or all of them combined, to impose a political will from outside the State. The people of each State were sovereign.

Each of the Thirteen Colonies was a political entity. Although each, as a colony, acknowledged the dominance of England, all attempts to eradicate distinctions between the separate colonies were repulsed. New England refused to be governed by England as New England, even while each colony in New England was still willing to be governed by England as an individual colony.

Even in the midst of a common cause—the war with England for independence—the colonies maintained their distinct and separate identity. The Declaration of Independence presented to England and to the world a united front, not as a people united—however much so they may have been—but as 13 States, united in purpose. By that instrument it was declared, not that the people of America are and ought to be free and independent, but that colonies are and "ought to be free and independent States." The Revolution sought to establish 13 free countries, not 1, and it succeeded. Under the Articles of Confederation the States preserved the separate status of each with the express provision "each State retains its sovereignty," except to the extent that the Congress of States was authorized to act for them in certain specific matters. Although associated as colonies by geography, allied in a common cause against England, and federated under the Articles of Confederation in the early days of their independence, the Thirteen Colonies became 13 nations and so remained when the Constitutional Convention met in 1787.

Nothing better illustrates the complete sovereignty of the several States than the history and manner of the ratification of the Constitution. The final clause of the Constitution provided:

> The ratification of the Convention of nine States, shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

On June 21, 1788, the United States came into being, upon ratification of the Constitution by New Hampshire, the ninth State to do so. On the eastern seaboard there were then the United States, comprised of nine States, and four other independent nations, for a total of five. Of the other States, most ratified the Constitution and joined the United States shortly thereafter. None was compelled to do so. They could have remained separate and apart. Rhode Island did remain a separate nation for almost 2 years, despite former alliances and common causes with the others, and when Rhode Island did join the Union on May 29, 1790, it was by a two-vote margin of the convention of that State and not from any external compulsion.

Federalism in America was a byproduct of the English colonial order, rather than the brain child of political theorists. Had the pattern of settlement developed all along the seaboard in one expansive colony and, therefore, been administered as one political entity, it is problematical whether federalism would have been incorporated into our political structure. Even in the settlement of English America, it was diversity of interests and purposes that dictated the plurality of colonies, rather than the other way around. In Virginia, profit was the prime motive for the settlement efforts. In New England, religious freedom was the prime motive; while in Georgia, humanitarianism, in the form of providing a new life for unfortunates in debtor's prison, mixed with a desire for protection of the other colonies from the Spaniards, were the motivating forces.

These diversities were magnified, rather than diminished, under the influence of differences in geography and climate, after the colonies achieved a foothold. The political structure of each colony developed in accordance with the needs of the particular colony, and the differences were carried over into the State governments when the colonies became free. This political accommodation of diverse interests and purposes was the key to the success of the English colonial system, and the benefits of it were not lost on the politically sophisticated Americans of the Revolutionary period.

The emergence of federalism as a byproduct of historical occurrences, rather than as a design institution to achieve a political end, does not detract from its potential as a worthy political device, but, indeed, accentuates its usefulness. In the absence of federalism, successful republican government is limited to areas in which there is substantial identity of geographical, climatical, and historical influences, for republicanism places the ultimate rule in the hands of some majority to the modified and limited dictates of which the minorities must conform. By the use of federalism, the need to require minorities to conform is minimized, thereby promoting individualism, and in individualism lies the seed of diversity.

One but need look to Europe for examples of the limited possibilities of republicanism without federalism. Republics in small geographic confines exhibit the greatest stability, as exemplified by Switzerland, the Netherlands, Belgium, and the Scandinavian countries. The French Republic, applied to a larger area and more diverse peoples, fluctuates between instability and absolutism, each occurring in turn as a reaction to the other. The British Empire, employing federalism in the form of dominionship and commonwealth devices, presents a graphic illustration of the possibilities of federalism grafted on colonialism.

If republicanism is the process for implementing self-government, federalism is the process for implementing local self-government. Local self-government is beneficial not only because its permits individualism, but also because of its contributions to the continuation of self-government at all levels. It is human nature for a person to be most apathetic about situations over which his individual conduct has the least influence. A citizen is, therefore, less motivated to exert himself in matters of government in which his activity plays a smaller relative part. The same citizen is much more inclined to direct his influence to the solution of a local matter where his activity shows the most direct result. In the local political arena, where there is a local political arena, the citizen acquired the experience and sophistication with which to exercise his obligations of citizenship in relation to the furthest removed level of government.

It is in local self-government, a product of federalism, that the real secret of domestic tranquillity lies. In no other way can the variances of human conduct be reasonably bounded, for requiring conformity over broad areas will inevitably lead to civil strife. For instance, a prohibition of gambling over the entire United States would conform to the will of the majority, in all probability, but there is a strong likelihood that it would promote civil strife in some areas, such as Neveda. Strict nationwide regulation of fishing might be only an inconvenience to recreation in some areas of the country, but would possibly impair the earning of a livelihood in others. A change in the legal relationship of an inn or hotelkeeper and the guests would have a limited impact in the rural Midwest, but might change the pattern of economic existence in some resort States. Through the medium of local self-government, the laws can be adapted to whatever conditions exist, thus keeping civil strife at a minimum.

Although circumstances dictated that the Government of the United States be Federal, it remained for the delegates to the Philadelphia Convention to shape the form of the federation. So ineffectual was the central government under the Articles of Confederation, that for all practical purposes the several States, at the time of the Convention, each exercised the total powers of sovereignty. Sovereignty was vested in the people of each State, and the people of the individual States had vested the power of sovereignty in their particular State. Through the Constitution, the several States delegated certain specific ones of the powers of sovereignty to the National Government. This creation of a common agent of the States in no way affected the retention of sovereignty by the people of each State, for sovereignty is indivisible, and the creation of the general government could not make the people of all the States collectively sovereign in some matters, and leave the people of one State sovereign in others. It was the power of sovereignty, and not sovereignty itself, that was delegated to the National Government; and the delegation of powers was made by each State—a sort of subleasing—and was not a delegation by the people of the several States collectively. The ratification of the Constitution did not accomplish a withdrawal of powers from each State by its own people and a revesting of those powers in a new government. Two facts are therefore explicit in our constitutional government. First, the National Government was and is a creation of the States, and as such is an agent of the States. Second, sovereignty in our country rests totally in the people of any individual State, rather than in the people of the United States collectively.

The National Government holds the right to exercise the specific powers delegated to it, not by virtue of any power of sovereignty vested directly from a people; but by virtue of a contract between the States. The specific powers delegated cannot be withdrawn by an individual State because of the agreement with the other States embodied in the Constitution. The contract can be changed only by the contracting parties—the States; and by agreement, most features of the contract can be changed with the consent of less than all the States. Nothing illustrates better and more emphatically that the National Government is a creation of the States, rather than of the people, than the fact that the Constitution can be amended by the States through their legislatures, and not by the people themselves. The equal representation of the States in the Senate is not, of course, subject to the amendment process; and any change in this feature would require unanimous consent of the States, and, indeed, any change without unanimous consent would have the effect of dissolving the Union.

As complicated as these relations may seem to the contemporary citizen of the United States, they were elementary to the citizens at the time of the Constitution's adoption. Indeed, they were so fundamental in the minds of the delegates to the Constitutional Convention that they saw no need to specifically spell out all of them. By the mere delegation of certain specific powers to the National Government, the delegates considered it implicit in the whole document that those powers not delegated remained where they had been theretofore. To the people of their era, it was abundantly clear that the National Government was intended to exercise only those powers delegated, but it is most fortunate for those in later generations that many insisted that the matter not be left to conjecture. Perhaps these wise persons anticipated the tremendous upsurge of apathy that was to occur in later generations. The inclusion of the 10th amendment removed any doubt as to the nature of the powers of the National Government, and the relationship of the National Government to the States and to the people. The 10th amendment provides:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

The 10th amendment did more than spell out that the National Government was to be one of limited powers, although it accomplishes that purpose. It also provides an insight into the relation of the States to the National Government and of the National Government to the people of each State. The powers not delegated were not reserved to the States collectively, but to each individually. The retained powers of sovereignty of each State were not in any way compromised by the Constitution. There was no pledge to achieve uniformity, nor even to strive for it, in the administration of the reserved powers. There was not even a pledge of the States to exercise all of the reserved powers in any way at all. The States, individually, had received their grant of sovereign powers from the people of the States through the State constitution, some States receiving more, and some less, powers. In each instance, the people reserved the right to themselves to modify or change the powers granted to the State, and the 10th amendment recognized this fact by the verbiage "or to the people." The reservation of power was not to the people of the entire country, but to those in each State. The people in the territories were people of the country, but not being within a particular State, were not among the group who had granted power to a State in the original instance, and were not, therefore, among those to whom powers were reserved.

The Constitution did not create the General Government as a supreme one, but as one parallel to the State governments. It is a fallacy to assume that with regard to the delegated powers, the right of the National Government to regulate is exclusive, for it was not so intended. As a practical necessity, a direct conflict between the exercise of delegated powers by the National Government, and an exercise of powers by a State in the same field, must be resolved in favor of the exercise by the National Government; or else the original delegation could be nullified by the action of a State.

In the absence of such a direct conflict, however, the only consistent interpretation of the Constitution is to acknowledge in the States a power to act in the same fields as those in which powers were delegated to the National Government. In those matters where exclusive power was intended for the National Government, the Constitution specifically prohibits State action. It is not the general exercise of powers by the States that is prohibited, however, but only specific actions. Not only the substantive provisions of the Constitution attest to this intention, but also the form and order of the Constitution.

The principal delegations of powers to the General Government appear in section 8 of article I. In section 9 of the same article, the powers delegated are limited by certain specific prohibitions against the National Government in the exercise of those powers delegated. In section 10 of the same article, there is an enumeration of prohibitions of those State actions which would obtain such exclusiveness in the exercise of delegated powers by the General Government as was deemed necessary. The exercise of powers by a State were restricted by the Constitution, then, in only two instances: First, when the State action is in direct conflict with an action of the National Government taken pursuant to a delegated power; and, second, when such action by the State is specifically prohibited by the Constitution. From this it is clear that the States did not necessarily surrender their power to act in fields in which power was delegated to the National Government.

The prohibitions against State action are not nearly so broad as even those limited powers delegated to the National Government, as readily appears from the provisions of section 10, article I, which is as follows:

> SEC. 10. No State shall enter into any treaty, alliance, or confederation; grant letters of mark and reprisal; coin money; emit bills of credit; make anything but gold and silver coined a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grants any title of nobility.
>
> No State shall without consent of [the] Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of [the] Congress.
>
> No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

In addition to the deprivation of sovereign powers of the States that accrues through these prohibitions of State action and the requirement of consistency with actions of the National Government taken under the delegated powers, the States incurred additional obligations under the Constitution through provisions regulating certain mutual relations among the States themselves. These provisions are contained in article IV, sections 1 and 2. Section 1 provides that each State shall give full faith and credit to the public acts, records, and judicial proceedings of every other State. Congress is appointed as the arbitrator of this agreement, and is authorized to prescribe the manner in which such acts, records, and proceedings must be presented in order to qualify for the agreed status. In section 2, each State agreed to extend the privileges and immunities enjoyed by its own citizens to the citizens of the other States. Each State also agreed to extradite escaped criminals to the State from which they escaped upon demand by such State. The third agreement in this section, which bound each State to refrain from freeing slaves escaping into it from another, became irrelevant when slavery was abolished.

The National Government is in no way concerned with the provisions of section 2, compliance being left to the good faith of each State, and to the advantage of reciprocal treatment which inure from strict observance of the agreement. The provisions of section 2 also serve as irrebuttable evidence as to the nature of the Constitution as a compact or treaty between sovereign States.

The sovereign powers of the several States were thus impaired by the Constitution in three ways: By the delegation of certain powers to the General Government, by mutual agreement to the prohibitions of specific State actions, and by agreement to four items of reciprocal conduct. Although these three areas contain the total impairment to State action embodied in the original Constitution, there is one remaining provision which restricts not the power of a State, but the sovereignty of the people of each State. This provision is contained in section 4 of article IV, and provides that the United States shall guarantee to each State a republican form of government. Despite the fact that prior to the adoption of the Constitution, each State did in fact have a republican form of government, the people of each State, being completely sovereign—and they remain so today except in this one instance—had the power to establish any form of government they desired, including a monarchy, a dictatorship, or, if they saw fit, a pure democracy. This power of sovereignty was surrendered by the people of each State upon the adoption of the Constitution. From a practical standpoint this surrender of sovereignty was and is inconsequential, for in no State have the people shown a disposition to deviate from a republican form. Realization of the full implications of this provision should serve as a refreshing reminder, however, that the pure democracy, on the tenets of which so many of the radical proposals of the current age are based, is as foreign to our Government in the United States as are any of hated "isms."

In any attempt to define the expanse of powers of each State which remain unimpaired by the compact of the States in 1788, it is necessary to reckon, not only with the provisions of the Constitution, but also with the fact that the people of each State are the source of sovereignty, both of those powers delegated by the States to the National Government, and of those reserved to themselves by the States. Of those delegated, any substantive power is subject to the sovereignty of the people of the several States, and through the prescribed method of amendment may be expanded, altered, returned to the several States, or revoked altogether. Except for those powers delegated to the National Government and those actions prohibited to the States, the several States retain all other powers exclusively, with one limitation—the total powers of sovereignty, at the will of the people, may be withheld from the State. Although subject to the same external limitations, the powers of one State may substantially exceed those of another State, whose people have seen fit not to vest certain of the powers of sovereignty in any government. Such a limitation by the people on their State government would be embodied in a State constitution. The term "reserved powers of the States," therefore, refers to those powers of sovereignty which may be granted to a State by the people, and exercised by the State without conflict with the United States Constitution.

While enumeration of the powers of the National Government requires only a quick reference to the Constitution, where they are fully listed, the reserved powers of the several States are so broad as to defy enumeration. Any definitive approach to the State powers must necessarily be from the standpoint of what they are not, although we can list almost without end powers that are included among State powers.

By almost any definition, the police power encompasses a broader range of State actions than any other of those reserved. Under some definitions, it is almost synonymous with the entire scope of reserve powers, being in no way restricted to the realm of criminal law. For instance, in *Sweet* v. *Rechel* (159 U.S. 380, p. 398), the U.S. Supreme Court—by no means a defender of State powers—referred with approval to a reference to the police power as "the power vested in the legislature by the Constitution to make, ordain, and establish all manner of wholesome and reasonable laws, statutes, and ordinances, either with penalties or without, not repugnant to the Constitution as they shall judge to be for the good and welfare of the Commonwealth and of the subjects of the same." And from the same source, as expounded in *The License Cases* (5 Howard 504, p. 599), comes this comment on police powers:

> The assumption is that the police power was not touched by the Constitution but left to the States as the Constitution found it. This is admitted; and whenever a thing, from character or condition, is of a description to be regulated by that power in the State, then the regulation may be made by the State, and Congress cannot interfere.

These definitions of police power are broad enough to encompass the majority of reserved powers, and attest to the intention of the Constitution to implement federalism in substance, as well as in form.

At a minimum, the police power includes the right to take such actions as seem necessary to protect life and liberty. Since life and liberty—and the latter necessarily includes property—are of the primary importance to society, laws made to protect them must take precedence over those of secondary importance.

Under the broader definitions, police power would include the right to take action in the field of social conduct and welfare; but whether within the police power or without, there can be no question that such actions are within the scope of reserved powers of the State. No authority whatsoever is delegated to the National Government in this area. Through this reservation, one of the most beneficial applications of federalism is obtained. In no other field is there more variance from State to State than in the field of welfare needs and desires for governmental action by the people.

Indeed, there is even nothing static about the variance from State to State, for even within a single State the needs and desires of the people in this area fluctuate substantially with time. Laws designed at the national level to meet the maximum need in one locality would be highly wasteful in most areas, as well as distasteful; and one designed to meet the average need—if such there be—would be too little in one area, and too much in another. The exercise of this power by the States, rather than by the National Government, makes it possible to fit the remedy of governmental action to the specific need, without either squandering the resources of the citizenry or encouraging slough in areas where governmental action is unneeded.

Among the powers reserved to the States none is more important than the regulation of the public educational system. It is in the educational process that lies the control of the minds of men, and no easier path to despotic power exists than the one available in a power to shape and mold the thinking patterns of immature minds. So inherently dangerous is this awesome power, that it would be unthinkable to trust any one human or group of humans with its totality.

The individual liberty of all posterity depends on the diversification of the power to control education. Under the federated republican constitutional government, prescribed for the United States, the control of education is dispersed at least to the level of the several States; even slight prudence dictates that it be dispersed even further to the hands of purely local authority. Americans should never forget examples of the establishment and perpetuation of totalitarian regimes in Germany and Italy, with the brainwashed consent of those subjected to the influence of an educational system in the control of a centralized power.

Although these are but a few of the many powers reserved to the States, they serve to illustrate that the total powers reserved are formidable, and constitute a broader jurisdiction by far than that comprised of the powers delegated to the National Government. It was the intention of the Constitution that neither the National Government nor the State governments be supreme: Each was to be supreme in its own realm, the two to operate on a parallel, with each accomplishing those tasks of government for which it was best suited. Strict limitations on jurisdiction were imposed on the General Government, whose influence extended over the breadth of the country; while residual jurisdiction was reserved to the several States, whose influence was bounded by the geographic limitations of State boundaries. The total power of sovereignty was thereby dispersed among the 14 governments—13 State governments and 1 Central one—at the time the Constitution was adopted. The plan of decentralization permitted growth of the Nation without any weighting of the scales toward centralization. As a result, the total powers of sovereignty are now dispersed among 51 governments. No new power accrued to the National Government with the admission of new States, although its powers were extended thereby geographically.

Despite the absence of any delegation of additional powers to the General Government, or of any consequential new prohibitions against State actions, the balance between the powers of the National Government, on the one hand, and those of the States, on the other, has tipped heavily in favor of the former. Almost from the beginning, events and practices have worked for a diminution of State authority; and what began as a slow, almost imperceptible process has now snowballed into such proportions that the whole concept of federalism is threatened with extinction. Once wholly autonomous States now appear doomed to conversion into mere subdivisions of an all-powerful centralized Government, with the host of individual liberties, which flourished under the umbrella of the parallel governments of federalism, being squeezed to death in the formation of the triangle of pyramidal government with the top at Washington. So strong is the wave of centralization that only a completely awakened and alarmed public can turn the tide.

Unfortunately, some of the most adaptable tools for the maintenance of federalism and States rights, designed for our use and protection by the authors of the Constitution, have been lost in the intervening years.

In this era, liberty is challenged worldwide on a scale unprecedented. We find ourselves in a position of leadership of the free world, not because of our material wealth, primarily, but because our political structure has permitted and encouraged the individual freedom of thought and action which promotes diversity in the form of independent initiative, which in turn has permitted our great material rewards.

The real path to liberty, stability, and tranquillity lies in a recultivation and renewed reverence for the sound and timeless fundamental concepts which are interwoven in such careful balance into our Constitution and the political structure therein established.

Mr. STENNIS. Mr. President, will the Senator from South Carolina yield?

Mr. THURMOND. I am happy to yield.

Mr. STENNIS. I wish to commend the Senator from South Carolina most heartily for his very fine discourse on the purpose, nature, and framework of our Government.

Mr. THURMOND. I thank the Senator from Mississippi.

Mr. STENNIS. It has been most refreshing and delightful to listen to his discourse on that subject, and I appreciate very greatly the thought he has devoted to it. He has made a real contribution to the RECORD. I wish more Senators had been present to hear his remarks, and I hope all of them will read his remarks as they appear in the CONGRESSIONAL RECORD.

Mr. THURMOND. I thank the Senator from Mississippi.

Mr. STENNIS. I wish to propound several questions in regard to the power of a Senator and the power of a State in this body.

Mr. THURMOND. I am glad to yield.

Mr. STENNIS. As the Senator from South Carolina said, if the power of a Senator is decreased, the effect is also to decrease the power of the State he represents. Is not that inescapable?

The Senator from Alaska pointed out, last Thursday, I believe, that 23 States—almost half of the total—have 5 or less Representatives in the House of Representatives, as compared with their 2 Senators among the total 100 Members of the Senate. He also pointed out, in that connection, that five States have only one Member of the House of Representatives.

Mr. THURMOND. I believe there were six until recently, when Hawaii gained another Member of the House of Representatives.

Mr. STENNIS. Yes.

Mr. THURMOND. The States which now have only one Member of the House of Representatives are Vermont, Delaware, Wyoming, Nevada, and Alaska—and, until recently, Hawaii.

Mr. STENNIS. Yes.

Furthermore, I believe that under the House rule, a Member of the House can serve on only one major committee. So such States do not have a chance to have representation on more than one major House committee. Furthermore, when votes are taken in the House, each of those States has only one vote out of the total of 437.

By the way, let me point out that as the population of the country increases, unless the total number of Members of the House is greatly increased, there will be more and more States which will have fewer and fewer Representatives in the House of Representatives. Will not the House rule work that way?

Mr. THURMOND. That appears to be the case.

Mr. STENNIS. Certainly it has worked that way in recent years.

However, the Senator pointed out that the Members of the House from ten of the large States can, by taking concerted action, defeat a bill, merely because they have sufficient sheer mass or numbers, because of the large population of the States they represent. So in the House only 20 percent of the States can either pass or defeat a bill, whereas in the Senate the votes of the Senators from 26 States are required in order to pass a bill.

He also pointed out that concerted action by the Senators from 17 States can prevent the passage of a bill which is considered by them to be particularly injurious either to them or to the country as a whole.

Do not those figures tend to support the Senator's thought in regard to the power and the political strength of a State in the Senate, as compared to its position in the House of Representatives? That is not an invidious comparison, at all; it arises merely because of the difference between the two legislative bodies. Does the Senator from South Carolina agree?

Mr. THURMOND. Yes, I am in hearty accord with the Senator's sound statements on that point.

Mr. STENNIS. Whereas if the Senate rule were to be changed, so that the will of a mere majority of the Members of the Senate could prevail, the Senate would become more or less an appendage of the House of Representatives. Is not that correct?

Mr. THURMOND. It seems to me that would be so; and it would be a terrible mistake.

Mr. STENNIS. I mean insofar as legislation is concerned.

Mr. THURMOND. As the Senator from Mississippi has said, there is no question that in that way the power of the Senate would be diluted, the power of a Senator would be diluted, and the power of the State he represented would be diluted; and the small or the medium size States would especially feel the effect of that development—because, as the Senator from Mississippi has ably pointed out, they have so few Members in the House of Representatives.

Mr. STENNIS. So the Senator from South Carolina has clearly expressed the point that if such a change in the rule were to be made, the representation of the smaller States in the Senate would be decreased to a great extent.

Mr. THURMOND. The Senator is eminently correct. I wish to commend him for bringing out those points. He has rendered the Nation a great service in doing so.

Mr. STENNIS. I thank the Senator and commend him for having made a fine speech.

Mr. THURMOND. I thank the Senator very much.

Mr. President, in closing, I wish to say that the existing rule XXII is the most suppressive of debate which has ever existed in the Senate. If any change in the rule is to be made which prevents cloture by the vote of any number of the Senators the wisest course would be to return to a requirement for a two-thirds vote of the membership of the Senate. Under no circumstances should cloture be made easy.

RECESS UNTIL TOMORROW AT 10 O'CLOCK A.M.

Mr. STENNIS. Mr. President, in keeping with the agreement heretofore entered into, I move that the Senate take a recess until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 10 minutes p.m.) under the order previously entered, the Senate took a recess until tomorrow, Tuesday, February 5, 1963, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate February 4 (legislative day of January 15), 1963:

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Archibald S. Alexander, of New Jersey, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

IN THE ARMY

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. William Henry Sterling Wright, O18129, U.S. Army, in the grade of lieutenant general.

Maj. Gen. Ben Harrell, O19276, Army of the United States (brigadier general, U.S. Army), in the grade of lieutenant general.

NATIONAL MEDIATION BOARD

Howard G. Gamser, of New York, to be a member of the National Mediation Board for the term expiring February 1, 1966, vice Robert O. Boyd.

EXTENSIONS OF REMARKS

Part 5: Let's Keep the Record Straight—A Selected Chronology of Cuba and Castro—September 13–October 14, 1962

EXTENSION OF REMARKS

OF

HON. DON L. SHORT

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1963

Mr. SHORT. Mr. Speaker, part 5 of my chronology of Cuba and Castro begins with a series of newspaper quotes on our U.S. policy for dealing with Cuba.

While the Monroe Doctrine and its application to the present situation was endlessly debated by our newspapers, our columnists, commentators, and newspapers in other countries—our Congress stubbornly went ahead adopting resolutions upholding the right of the United States to invoke the Monroe Doctrine, protect our country, and protect the entire hemisphere against an extension of the Marxist-Leninist Cuban Government.

Because of the reluctance of our NATO allies to cease shipments of materials and goods to Cuba which would be detrimental to the interests of this hemisphere, the House of Representatives boldly included amendments to our foreign aid appropriations bill which would cutoff aid to any country that permitted its ships to transport goods to Cuba. This perhaps was not what we might call a diplomatic approach but it certainly was a practical approach to the problem. It underlined the psychological approach of appealing to self-interest when the idealistic approach failed.

And on September 21, 1962, Adlai E. Stevenson admitted in the United Nations, in answering Soviet threats, that it was officially known that the U.S.S.R. was stuffing Cuba with planes, rockets, and other arms.

It began to be clear to all who followed the situation that some of our news columnists were about to find themselves with "egg on their face," because of their weighty—and in some cases—frightened pronouncements on what we as a Nation should do or what we could not do.

A SELECTED CHRONOLOGY ON CUBA AND CASTRO—PART 5

September 13, 1962: U.S. policy for dealing with Cuba: "If necessary we can take care of Cuba; and if the necessity is obvious, the Russians, despite what they now say, will acquiesce. They do not have any greater desire to fight a nuclear war over Cuba than we do. Force might some day prove the lesser of two evils for us; but it could never provide a solution for the Cuban problem" (New York Times, Sept. 12, 1962). "The only plausible employment for [the Russians] in Cuba * * * is to do more or less exactly what the Americans are doing in South Vietnam; that is, to train the local army to fight a more advanced kind of war . . . the defense of Cuba against another invasion. Whether [the Russians] are troops or technicians is at bottom immaterial . . . in the sense that the Americans cannot very well assert the right to intervene, whatever the Russians are. Doubtless, in a perfectly ordered world, the Monroe Doctrine would require the removal of these alien intruders. But in the imperfect real world, where the Americans keep troops along the border of the Communist block (in one case, within it; remember Berlin), and claim an unhindered right of access to these outposts, it is going to be awkward, to say the least, to expel or blockade the Russians in Cuba. Mr. Khrushchev has made the neatest of moves in the international chess game; take my pawn in Cuba, he says, and you risk your castle in South Vietnam—or your Berlin queen. If Dr. Castro is one day replaced by a democratic government, it will not be as a result of the one threat against which Russian advisers can give his army any real help—a regular invasion, a la D-day, from over the sea. The United States learned its Cuban lesson in April last year. The United States can perhaps help to organize and supply a rebellion, as the Communists do elsewhere; it cannot import a rebellion, prepackaged. Given enough time, and enough rope, the Cuban regime may yet produce the internal disaffection that will be its downfall. If [Dr. Castro's] support in the countryside begins to fade, one of the conditions of a successful revolt against him will have been established. And if the test ever came, it would be far harder for the Russians to keep an unpopular government in office in Cuba than it is for the Americans to do a similar job in other parts of the world which are better left unnamed. Mr. Khrushchev has no 6th or 7th Fleet to keep his supply lines open. If things go the way the United States hopes—if discontent grows inside Cuba—any further investment in Dr. Castro is going to look very risky indeed to Moscow. Patience, not a choleric lunge, is the Americans' best policy" (Economist, London, Sept. 8, 1962).

"In the hemisphere, in the United Nations, with the uncommitted nations, the reaction [to a U.S. invasion of Cuba] would be most unfavorable for us" (New York Times, Sept. 14, 1962). "The United States is, of course, able easily to blockade Cuba. But stopping ships under threat of seizure or sinking would be an act of war not only against Cuba but against the Soviet Union. The invasion of Cuba would, of course, be an act of war against Cuba. But what we could not be sure of doing is to prevent the retaliatory moves to which we would have laid ourselves wide open, moves against Berlin or against Turkey, or against Iran. For we would have acted on the rule that a possible threat against our security or our interests justifies us in going to war. We would be saying that because Cuba is in the grip of an unfriendly European power, we have a right to blockade or occupy the island; we would be saying too that the Soviet Union has no such right to act against the American military positions in Turkey, Iran, Pakistan, right on her own frontier. Let us not fool ourselves. Such an argument does not wash. It would be rejected, probably even laughed at, not only by all neutrals but by powerful elements among our closest allies. We could go to war if Castro injures us. But we cannot go to war, even against Castro, because of what he may do in the future. We cannot wage a preventive war against Castro without establishing the rule that a preventive war is legitimate against our military position in Berlin, Turkey, Iran, Pakistan, Thailand, South Vietnam, Formosa, Okinawa, South Korea, and Japan" (Walter Lippmann, in the New York Herald Tribune, Sept. 18, 1962). "Cuba has made Mr. Kennedy look like a man with not one, but two, Achilles heels [Berlin and Cuba]. Americans are suffering from the all too familiar affliction of frustration. They think that they were ineffectual in dealing with the Berlin wall and they fear that the administration is going to be ineffectual again in dealing with Cuba * * * acknowledging that an armed invasion of Cuba would mean the deaths of thousands of Cubans, of an untold number of Americans. Not totally precluded are landings by anti-Castro Cubans, avoidance, this time, of a Bay of Pigs disaster and the start of serious guerrilla warfare. Almost everyone is perfectly aware of the dangers of Cuba becoming the scene of another Spanish civil war, in which Russians as well as Cubans would no doubt kill and be killed.

"Perhaps the chief restraining factor on bitter American impatience is that action by the United States against Cuba, including a naval blockade, might tempt Mr. Khrushchev to snap shut the trap in which Berlin finds itself. Yet the administration's own view of the world remains essentially unaltered. It is still thought that Mr. Khrushchev will not in fact risk a third and final world war over Berlin; that, whatever happens there, he still has his own difficulties and that one of them is that his own country is changing, on the whole for the better; and that an eventual easement of tensions through disarmament and bans on nuclear tests is in Russia's interest as well as the West's. Recent events suggest, however, that Mr. Khrushchev, having grasped the fact that general war has become impossible, is tempted as a result to be more rather than less provocative" (Economist, London, Sept. 15, 1962).

On the same day, U.S. Senator BARRY GOLDWATER, Republican, declares that "the American people will not be satisfied with President Kennedy's reiteration of a do-nothing policy toward Cuba."

September 15, 1962: Press reports state that the U.S. Government has had little success in persuading its Allies to withhold ships being chartered to carry Soviet supplies to Cuba. The Governments of Britain, West Germany and Norway are reported to have begun inquiries among their shipowners, but these are regarded as polite responses to U.S. diplomatic pressure, and center on the question whether Allied ships are carrying arms among their cargo to Cuba. U.S. officials have pointed out to these Governments that the use of Allied ships for ordinary goods releases Communist-bloc shipping for arms deliveries to Cuba.

September 17, 1962: U.S. Secretary of State Rusk briefs members of the Senate Foreign Relations and Armed Forces Committees at a joint closed door session. "Rusk took pains to assert a direct relationship between events in Cuba and Berlin, particularly in the next 3 months. * * * It is widely assumed [in Washington] that the Russians will make the big push in Berlin before the first of the year, but after the November 6 elections [in the United States].

September 18, 1962: Former U.S. Vice President Richard Nixon urges President Kennedy to take stronger action on Cuba and suggests a program including a naval blockade of the island and the obtaining of commitments from U.S. allies that their vessels will not be used by the Soviet Union for shipments to Cuba. He concedes that the risks of nuclear war are raised by a blockade, but asserts that "the risks of inaction are far greater." He adds that immediate action is needed to "revitalize" the Monroe Doctrine.

The present state of the Monroe Doctrine in relation to Cuba: "The policy of the United States in the Western Hemisphere is guided by two main considerations: its own national security and the peace and security of its hemispheric neighbors. On the one hand, the United States has the tradition of the Monroe Doctrine, enunciated more than a century ago as a warning to European powers that the United States would move against intrusions into the hemisphere. On the other, the United States is pledged, under the Rio Treaty of 1948 which formed the OAS, and under the U.N. Charter, to abstain from unilateral military action. The United States, nevertheless, has affirmed that it would take whatever steps are necessary to move, unilaterally if necessary, against a clear and present threat to its security and that of its allies in Latin America. * * * There is a vocal body of opinion that the Russian shipments of arms to Cuba is a clear threat to U.S. security and therefore a violation of the Monroe Doctrine demanding immediate action. This opinion holds that the Cuban buildup, in effect, constitutes the establishment of a military base by Russia in the Western Hemisphere" (New York Times, Sept. 16, 1962).

"The Monroe Doctrine has been modified to apply only to situations which directly endanger the security of the United States; 'The United States will consider any attempt by European powers to extend their system to any portion of this hemisphere as dangerous to our peace and safety.' * * * Soviet Russia has made this extension in Cuba, and is amplifying the activity. But President Kennedy has evaluated it thus far as not endangering our peace and safety, thereby narrowing the original scope of the Monroe Doctrine. The fact is clear. But the only administration spokesman who has publicly conceded it is Senator HUMPHREY" (Arthur Krock, in the New York Times, Sept. 18, 1962). "It is true, of course, that the Soviet lodgment in Cuba is a gross violation of the Monroe Doctrine. Yet we cannot invoke the Monroe Doctrine. Why not? The crucial point is that the American claim for the isolation of the Western Hemisphere was coupled with a renunciation of American interest in the Eastern Hemisphere: 'In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy so to do.' * * * This basis of the Monroe Doctrine disappeared in the 20th century, in the two World Wars, the Korean war and the cold war. We cannot invoke the Monroe Doctrine without meeting the question of what we are doing all over Europe and Asia. Our right to put Cuba under surveillance, and if necessary to blockade an invader, rests not on the Monroe Doctrine but on the elementary right of a people to insure its own security. * * * This right can, however, be exercised only when there is a clear and present danger. Castro is an insulting nuisance but he is not, and is not now remotely capable of becoming a clear and present danger to the United States. So we must practice watchful waiting, and hold ourselves in readiness, never for a moment forgetting the vastly greater dangers elsewhere" (Walter Lippmann, in the New York Herald Tribune, Sept. 18, 1962).

On the same day the U.S. State Department announces that an informal, private meeting of American Foreign Ministers will take place in Washington on October 2 to review the Soviet military buildup in Cuba and possible steps for dealing with the whole Cuban problem.

September 20, 1962: U.S. Senate adopts by 86 to 1 a resolution stating that the United States is determined to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending by force or threat of force its aggressive or subversive activities to any part of this hemisphere; to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States.

On the same day, the U.S. House approves the foreign-aid appropriation bill, including three amendments intended to cut off aid to any country permitting the use of its merchant ships to transport arms or goods of any kind to Cuba.

The House approved the foreign aid appropriation bill without restoring any of the $1,124 million urged by President Kennedy. By a 249-to-144 vote, the measure was sent to the Senate after the Democratic leadership decided not to risk deeper cuts in a floor fight. In earlier voice votes, the House shouted its approval of three amendments to cut off aid to any country that permits its ships to transport goods to Cuba (New York Times, Sept. 20, 1962).

A resolution endorsing the use of arms, if necessary, to prevent Cuban aggression or subversion in the Western Hemisphere was adopted by the Senate, 86 to 1, after 3 hours of debate (New York Times, Sept. 20, 1962).

September 21, 1962: The Soviet Union issued a new warning that any U.S. attack on Cuba would precipitate a nuclear war. The threat was made by Foreign Minister Gromyko in a tough and uncompromising policy statement to the United Nations General Assembly. Adlai E. Stevenson replied that the threat to peace came from the Soviet Union, which is "stuffing Cuba" with planes, rockets, and other arms.

September 24, 1962: Secretary of State Rusk met yesterday with the Norwegian Foreign Minister, Halvard M. Lange, in an effort to win cooperation in blocking shipments of strategic goods to Cuba. They conferred in New York where Mr. Rusk has been making similar appeals to other allied diplomats. Italy and West Germany were said to be responding more favorably than Britain and Scandinavia.

September 25, 1962: Russian trawlers will operate out of Cuba under a plan disclosed by Premier Castro in a television speech. He said the two nations would build a port somewhere on Cuba's coast for a joint Atlantic fishing fleet.

September 26, 1962: The House of Representatives completed congressional action on a declaration of the U.S. determination to oppose with force, if necessary, Communist aggression or subversion based in Cuba. The House approved the joint resolution as anger and concern mounted in Washington over Moscow's plans to help build a port in Cuba for Soviet fishing trawlers. Moscow portrayed the project as a routine agreement for aid to the Castro regime.

Ways to guard against Cuban-based aggression and subversion were discussed in New York by Secretary of State Rusk and foreign ministers of the Latin-American nations. One proposal is the establishment of a Caribbean military organization.

September 29, 1962: Cuba stands in greater danger of attack, Premier Fidel Castro asserts, because U.S. politicians facing November elections are "trying to push the country toward aggression."

In a television address last night, Premier Castro said that in the U.S. House of Representatives and Senate "there is a competition to see who can shout most. It doesn't matter to them that they play with the destiny of the world and play with war."

He said armed intervention in Cuba could lead to World War III.

"We know the Soviet forces are with us," Dr. Castro declared. "If the imperialists think the Soviet Government's words are merely words, they are wrong."

September 30, 1962: At a White House luncheon, the President and Britain's Foreign Secretary discussed ways to contain further Communist expansion and subversion in the Caribbean. A joint communique suggested that Britain might have changed her policy of regarding the Cuban problem as a matter of concern only to Washington.

October 1, 1962: OAS meets today to discuss Cuban crisis.

October 2, 1962: Behind closed doors at the State Department, Secretary of State Rusk assured Latin America's foreign ministers that the United States was prepared to give the necessary leadership to efforts to defeat Communist inroads in this hemisphere.

October 4, 1962: A U.S. program to penalize all shipowners who transport Soviet-bloc supplies to Cuba will be even tougher than expected. The four-point program, to be started within 2 week, will threaten foreign shipowners with the loss of all U.S. Government-owned or financed cargo if even one of their vessels engages in such trade.

October 8, 1962: Amid the applause of some delegates and the cries of hecklers, Cuban President Dorticos urged the United Nations yesterday to condemn the American "naval blockade" of his country. Gripping the rostrum, the bespectacled President had to shout his speech to the General Assembly. He was interrupted 4 times by hostile demonstrators in the visitors' gallery and about 12 times by applause, mainly from the Soviet bloc.

Havana sources predicted that the release of 1,113 captives held since last year's abortive invasion would be announced soon after final talks today between Premier Castro and James B. Donovan. In a move against Cuban trade, leaders of the International Longshoresmen's Association planned to ask their men not to load cargoes to or from the Soviet Union and to boycott all lines servicing Cuba.

October 9, 1962: On Cuba, Secretary of State Rusk vowed U.S. aid for Cuban development if Communist rule is ended there, but he said the big issue now was Communist use of Cuba as a military and subversive base. Meanwhile, Washington said the release of anti-Castro Cubans seized in last year's invasion attempt still was not set. In Havana, however, James B. Donovan, who is negotiating for the prisoners' release, was optimistic about an early agreement.

October 10, 1962: A Cuban exile group—Alpha 66—announced that its members made a successful raid Monday on the Cuban port city of Isabela de Sagua. The exiles said that a commando group of 15 to 25 men had killed about 20 defenders, including Russians.

October 12, 1962: Britain has discussed with the United States a threat by a Cuban exile group, Alpha 66, to attack all merchant ships carrying supplies to Cuba. A carefully worded statement by a Foreign Office spokesman avoided saying that any complaint had been made. Washington indicated it was not yet ready to act against the exiles.

October 14, 1962: Responding to a radio message, the Coast Guard picked up two wounded crew members of a Cuban patrol boat and flew them to a Miami hospital. The Cubans were shot when their craft was sunk by a raiding vessel manned by exiles off the Cuban coast.

Republican Views on Kennedy Farm Message

EXTENSION OF REMARKS

OF

HON. CHARLES B. HOEVEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1963

Mr. HOEVEN. Mr. Speaker, last week President Kennedy sent his annual farm message to the Congress. Under leave to extend my remarks in the RECORD, I include a statement by the Republican members of the House Committee on Agriculture issued at a press conference today covering our views on the President's recommendations:

HOUSE AGRICULTURE COMMITTEE REPUBLICANS COMMENT ON KENNEDY FARM MESSAGE

I. GENERAL

By formally dropping his plea for the complete control of American agriculture, the President's farm message is, to some extent, sweet music to the ears of the American farmer. Its general tone is in sharp contrast to the radical request he submitted in 1961 for Congress to delegate its constitutional and legislative responsibilities to the Department of Agriculture to write and enforce strict farm controls on every commodity produced in our Nation. Fortunately, in regard to dairy products and feed grains, it is also a substantial reversal from the President's request of last year for stringent controls over producers of these vital commodities.

And, finally, it represents the complete repudiation by the Democratic Party of the concept of farm price supports at 90 percent of parity. The record of Secretary Freeman has for some time been abundantly clear in this regard, for he has at no time supported, nor is he at the present time supporting, any agricultural commodity at 90 percent of parity, even though on many commodities (including rice, peanuts, cotton, and wheat, which are already under "supply management" programs) he could do so with the stroke of his pen.

We applaud the President's repudiation of marketing quotas on producers of livestock, feed grains, dairy products, and all our other farm commodities. We are happy to see no mention of criminal penalties and penitentiary terms as was proposed last year for dairy farmers. We hope that now, at long last, the administration will cooperate with Congress in the formulation of sound and workable Government farm programs.

We will continue our efforts to strengthen the prosperity of rural America. We insist that the President give more concern to the problem of rising farm costs (which just 3 days ago reached another all-time record) in the conduct of the general fiscal affairs of our National Government which proposes to operate on a $11.9 billion deficit next year. We support a unified and bipartisan effort to hold and expand markets for U.S. agricultural commodities in the European Common Market. We have already taken the initiative in this regard by pledging our full cooperation to the chairman of the House Committee on Agriculture.

We now support as we have in the past the selective diversion of farmland to long-term conservation practices. We favor the expansion of the conservation reserve program as well as the extension of contracts expiring in 1963, and thereafter.

We regret very much that this administration has injected partisan politics into the operation of the Federal Extension Service. We share the traditional view of the American farmer that the Extension Service should not be transformed into a political tool if it is to continue its long-respected status as an institution of true agricultural progress.

II. COMMODITY PROGRAMS

1. Wheat: We deplore the threatening tone of the President's message applying to wheat farmers. We feel that the wheat farmer is the proper person to decide his own economic destiny in 1964 in choosing between the two alternatives that this administration is presenting to him. We feel that he will express an intelligent answer in the wheat referendum if left free of intimidation. In the event of a "no" vote in the referendum, however, we pledge our support toward the enactment of sound and constructive legislation during this session of Congress.

2. Feed grains: We feel that the feed grain problem can be met with in the framework of a voluntary program based on land conservation where program benefits are available only to cooperators operating in a market economy. It is noteworthy that the President has already rejected his 1964 corn program calling for 80-cent corn, (50 percent of parity) even before it is scheduled to become effective.

3. Cotton: We recognize the very serious problems facing the cotton industry. Under the present program, cotton farmers face a cut in income in 1963, U.S. textile mills face an inequitable 2-price cotton market structure, man-made fibers have taken and are continuing to take away cotton markets, many textile workers face the loss of their jobs, and the burden on taxpayers continues. We submit that this serious situation came into being primarily because of the administrative action taken by Mr. Freeman shortly after he became Secretary of Agriculture.

In reversing the progress that had been made under the Agriculture Act of 1958, Secretary Freeman's record shows these results between 1959-60 and 1961-62:

Exports down from 6.9 to 4.7 million bales.

Total disappearance down from 15.4 to 13.2 million bales.

Domestic consumption down from 8.5 to 8.45 million bales.

Carryover up from 7.1 million bales at the end of the 1960 marketing year to a now estimated 9.9 million bales on August 1, 1963.

Until and unless the cotton industry, the Kennedy administration, and the majority members of the Committee on Agriculture reconcile their differences as to needed cotton legislation and put it into bill form, the minority members of the committee must of necessity withhold comment as to further legislation at the present time.

4. Dairy products: The President's recommendation on dairy products should be closely scrutinized in view of increasing signs that Commodity Credit Corporation purchases of dairy products are beginning to decline. The latest Dairy Situation published

by the Department of Agriculture makes this appropriate comment:

"The milk equivalent of CCC purchases, after running ahead of a year earlier during April through July, slackened in August. From August through November CCC purchases have been about three-quarters of a billion pounds of milk equivalent less than a year ago. This decline in milk equivalent of purchases (delivery basis) is the result of a drop in butter purchases, since cheese deliveries during August through November were about the same as a year earlier.

"From August through November of this year, CCC purchases of butter were around 36 million pounds compared with 73 million pounds a year before. This lower rate of purchase reflects (1) about 16 million pounds less butter production in August–November of this year than last year; and (2) a net difference of 16.7 million pounds in the August–September movement of butter stocks compared with a year earlier."

It is, we feel, still too early to tell whether an adjustment in dairy production is coming or whether there is need for further legislation.

III. EXPENDITURES AND PERSONNEL

We sincerely hope that the President will, in the spirit of his farm message, make every possible effort to control the spending of the Department of Agriculture.

We respectfully submit that the taxpayers of this Nation cannot much longer afford the alleged savings the President discussed in his message. Secretary Freeman has already spent more money, $7.418 billion, in 1 fiscal year (fiscal year 1962) than has any previous Secretary of Agriculture spent in the history of the United States in a like period * * * and in fiscal year 1964, the Office of Budget and Finance of the Department of Agriculture estimates that total USDA spending will be some $8,481,700,000. This is nearly 5 times the amount required to operate the Department of Agriculture 10 years ago (fiscal year 1954) and 49 times the amount needed when farm programs began in 1933.

At a time when the farm population is dwindling rapidly, the number of employees in the Department continues to grow. While it took 76,276 employees to run the Department of Agriculture 10 years ago, the Department has asked for 121,583 jobs in fiscal year 1964, an increase of 45,307. In the 3-year period June 30, 1961, to June 30, 1964, this represents an increase of 19,026 people, the equivalent of a U.S. Army field division.

Unless the President places some realistic restraints on the employment policies of the Department of Agriculture, we may indeed see the day that the number of employees in USDA exceeds the number of farmers in America.

Independence Day of Ceylon

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1963

Mr. POWELL. Mr. Speaker, on February 4th, Ceylon will celebrate the 15th anniversary of her independence. On this memorable occasion, I wish to take the opportunity to extend warm felicitations to His Excellency, the Governor General of Ceylon, Sir Oliver Goonetilleke; and His Excellency, the Ceylonese Minister Counselor to the United States, Dr. Jan H. O. Paulusz, Chargé d'Affaire ad interim.

Ceylon, a beautiful island situated south of India, has the heritage of a highly developed civilization dating back to the sixth century B.C., and the Ceylonese people justly possess a strong nationalistic feeling inspired by pride in the antiquity of their culture and the glories of the past.

In recent centuries, Ceylon has been dominated successively by Portugal, the Netherlands, and Great Britain. The British, while deriving economic benefits from their development of tea and rubber plantations in Ceylon, at the same time brought benefits to Ceylon by developing schools, a free press, legal institutions, transport, communications, health facilities, and finally the representative principle of government. One measure of these benefits may be gained from the fact that Ceylon's literacy rate is over 70 percent, among the highest in all of Asia.

But after World War I the winds of national self-determination swept around the world, thanks partly to the fervent eloquence with which President Woodrow Wilson had advocated the principle of self-determination. After World War II the time for Ceylon's independence arrived, and she made a remarkably peaceful transition from a British colony to a dominion within the British Commonwealth. In spite of the existence of internal tensions based on ethnic, religious, and economic differences, there was no partition such as on the Indian subcontinent, and no rebellions such as in Burma, Malaya, and Indonesia.

Since independence, Ceylon has had remarkable political stability, within a highly democratic framework, and made significant economic and social progress. General elections were held in 1952, 1956, and 1960, representing the free expression of the will of the people through universal adult suffrage. In the 1956 election, one group of leaders, who had been in office since well before independence, was peacefully replaced by a new coalition of political forces. The machinery of government has functioned since independence without interruption and has coped with many serious social, economic, educational, administrative, and political problems with considerable success.

Nor has Ceylon enjoyed responsible government only in its internal affairs. In its foreign relations Ceylon has steadfastly pursued a policy of nonalinement in her political, economic, and military relations with the major powers of the world. Her foreign policy is aimed at the preservation of peace, the fostering of friendly and mutually beneficial relations with other nations, and the protection of her own freedom and independence. To achieve these aims, Ceylon feels she needs the freedom of action that a nonalinement policy provides.

Mr. Speaker, the United States is satisfied to cooperate and maintain amicable relations with Ceylon on those terms. The nationalism and the heritage of democratic institutions prevailing in Ceylon are as good guarantees as any that Ceylon will not succumb to evil forces, either external or internal, which might aim at depriving Ceylon of the freedom and independence of which she has had a taste in recent years. I am confident that I speak for all Americans when I express my deep sympathy to the people of Ceylon and wish them continued progress along the paths they have freely chosen.

Future Urban Transportation Needs

EXTENSION OF REMARKS

OF

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Monday, February 4, 1963

Mr. HARTKE. Mr. President, in the current issue of Metropolitan Transportation, a magazine published "for coordinated transportation and urban renewal," appears an article by our distinguished colleague, the junior Senator from New Jersey, HARRISON A. WILLIAMS, JR., who is the chief sponsor of U.S. mass transportation legislation.

Perhaps one of the most profound statements in Senator WILLIAMS' article is this:

> It is imperative that there be no dogmatism and rigidity in thinking about future urban transportation needs.

This provocative article deserves the attention of all Members of the Senate, Mr. President, and I, therefore, ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHO'S RIGHT IN RAIL-BUS ROW?

There's no doubt that certain interest groups will cite a recent report to the White House on urban transportation to promote conflict and confusion over the merits of bus versus rail transportation in metropolitan areas.

It is imperative that there be no dogmatism and rigidity in thinking about future urban transportation needs. Transit needs could not be considered without taking anticipated and desired land use developments into account.

The recent report on urban transportation, "Technology and Urban Transportation," undoubtedly will be used by those interest groups which seek to promote bus transit as the wave of the future to the exclusion of all others.

In the report, made to the White House Panel on Civilian Technology, the three authors, John Meyer, of Harvard University; John Kain, of Rand Corp., and Martin Wohl, of the Department of Commerce, made this conclusion:

"The probably best economic solution of the urban transportation problem would be further improvement of the capacity utilization of highway systems, by redesigning the public transit system to make better use of highways. The evidence clearly points to the superiority of the express bus, reserved rights-of-way, transit system for most metropolitan areas."

This report needs to be put into the proper perspective because it is not the job of the Federal Government or others to tell a metropolitan area what modes of transportation it should have.

DECISION UP TO PEOPLE

If this report is taken as providing some useful food for thought, it should be welcomed. But there are some who will try to promote it as gospel, when in fact only the people of the metropolitan area involved can make the decision in the light of their own best interests and needs.

This philosophy is implicit in the administration's transit bill. It requires only that the urban area seeking funds undertake the planning that will enable it to evaluate different alternatives and determine what mix of transportation facilities would be best for that area.

The Federal Government would contribute financial aid to the development of that transit system, whatever it might be. And the fact that the State or local government involved must also contribute to the project cost will insure that sound and well-thought-out projects will be undertaken.

Undoubtedly there are many cities that want to improve their bus systems, but certainly highway lanes devoted exclusively to bus service do not come for free. It will be necessary to obtain financial assistance if truly modern and fast bus systems are to be devised.

There seems to be some doubt whether the authors, who were asked to identify useful technological research areas, were fully qualified as observers of the social and economic urban scene on which they commented.

The report suggested it might be better to attack the housing segregation problem itself rather than attempting to perpetuate it by subsidizing additional transportation facilities for those whose travel demands are created by a search for segregation.

A PERTINENT QUESTION

A pertinent question is involved here whether this observation would also apply to future highway as well as transit expenditures, and whether the authors would go so far as to say that the problem of traffic congestion should be attacked by a program to get people to live within walking distance of their place of work.

The authors of the report also asserted that transit had little or no effect on the growth or welfare of central cities.

How could the authors make such a sweeping comment inasmuch as there hasn't been a major transit system built in the United States in nearly a half century?

Fragmentary evidence, at least, indicates a substantial beneficial effect on central cities from transit improvements, and it might be better to await the results from San Francisco before transit is consigned to the junk heap.

Let's defer judgment on the relative costs of bus versus rail transit. The question of taking x dollars and deciding whether they would be better spent on a new bus or a new rail system is not the same as deciding whether it would be more economical to develop a new business system or rehabilitate an existing rail system of comparable value.

Eighty-eighth Congress Convenes

EXTENSION OF REMARKS

OF

HON. JACK WESTLAND

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1963

Mr. WESTLAND. Mr. Speaker, in past years I have periodically mailed to constituents of the Second Congressional District newsletters, which I believe help them to keep abreast of the work of the Congress.

My first newsletter for the 88th Congress has been prepared. Therefore, Mr. Speaker, under leave to extend my remarks in the RECORD, I include the newsletter so that it will be available to those who may not be on my mailing list.

The newsletter follows:

THE 88TH CONGRESS CONVENES

Congress, as usual, has gotten off to a slow start. The Senate is debating its filibuster rules and the House has been waiting for committee assignments. But, like everything else, this will pass and the Congress will get on with its real business.

I'm still on the Committee on Interior and Insular Affairs, which is important to Washington State and the Pacific Northwest. Also, I shall remain on the Joint Committee on Atomic Energy, an extremely critical assignment.

Since Congress convened, I have introduced several bills which I hope will become law. Some are bills I've introduced before, but, as you know, the process of getting laws enacted can be pretty slow. One bill I've dropped into the hopper would permit students at the college level or parents of students in college to deduct up to $1,000 when they figure their income taxes. This, I believe, is a grassroots approach which would encourage many persons to obtain higher education and could be more effective than direct scholarships.

Another bill I've introduced would give a preference to industry of the Pacific Northwest over California public utilities in the use of hydroelectric power produced in the Columbia Basin. Also, I've asked Congress to reaffirm the right of a State to regulate the time and method of taking fish in our rivers. As you know, there has been some doubt in Olympia about this right as it concerns Indians who fish illegally. I'm sure this bill will interest everyone who is a sports fisherman like myself.

The problems of commercial fishing also are important to everyone in the Second Congressional District. America has lagged behind many nations in fisheries research, particularly Japan and Russia which compete directly with our fishermen. This is one reason I've introduced a bill to authorize construction of a stern trawler to be used for fisheries and oceanographic research.

A bill of particular interest to dairy farmers is H.R. 963, which I have introduced that would make it possible of a milk producer to deliver his allocation of the market requirement at a price related to the class I price rather than the average price now in use.

It seems to me the present system discriminates against the dairy farmer who wants to keep his production at a level that would represent his allotment of the market requirement, because he can get only the blend price even though he is selling what amounts to only class I fluid milk.

All of these bills have been assigned to committees for hearings and I'll appear as a witness in their behalf. The wheels grind slowly, but surely.

All Members of Congress are greatly interested in the proposals the President has made for a tax cut and his budget. I don't know of anyone who wouldn't like to have his taxes cut—I know I would. But, if it means a $12 billion deficit, we had better take a pretty close look at these proposals, otherwise every housewife might have to use a wheelbarrow to carry her money to the grocery store to buy a loaf of bread.

The President's budget proposals make it the highest ever—peace or war—yet, he calls it a frugal budget. Ninety-nine billion dollars. For 1 year. Frugal? I believe it can be cut substantially and still leave plenty to run the Government. What do you think?

Let me hear from you. We may not always agree on everything, but I do welcome your opinions.

Sincerely,

JACK WESTLAND.

AS I SEE IT

(By Helen Westland)

Thanks to so many of you for taking the time to tell us that you approve of, and enjoy hearing remarks about life in Washington, D.C. "As I See It."

And speaking of seeing things, getting a view of the Mona Lisa was probably the greatest undertaking. We called at the National Gallery of Art three times before we were successful. Fashionwise it is a story in itself. On the first visit, we were in formal attire, but the lady had too many other guests and it was impossible to pay her proper homage. Two nights later, we tried again, this time wearing casual cold weather gear. But, she had closed her home away from home at the appointed hour of 9 p.m. Finally, on a Sunday evening, after checking Mona's calling hours, we rushed to the gallery in our Sunday-go-to-meeting clothes, got in line with hundreds of other sightseers and sure enough there was Mona Lisa smiling at us as though she was amused by our fashion antics in attempting to call on her. It was worth it, for she's lovely to look at.

Visitors:

Oak Harbor: Mr. and Mrs. A. Glenn Smith.

Deming: Mr. and Mrs. Harold L. Woolf and family.

Snohomish: Kenneth Schilaty.

Sedro Woolley: Sig Berglund.

Mount Vernon: Mr. and Mrs. Frank Gilkey.

Equal Pay for Equal Work

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1963

Mrs. SULLIVAN. Mr. Speaker, as a strong supporter—and a sponsor—of legislation to provide for equal pay for persons doing the same work, I am pleased to submit for inclusion in the CONGRESSIONAL RECORD an excellent editorial on this subject which appeared last month in the St. Louis Post-Dispatch.

Noting that both Houses of Congress last year passed such legislation, but that the bill was not enacted into law in the 87th Congress, the Post-Dispatch expresses the hope that the 88th Congress will finally write this proposition into Federal law, adding:

> The strength of the equal-pay principle is perhaps best indicated by the weakness of the arguments used against it.

Mr. Speaker, the St. Louis Post-Dispatch editorial referred to is as follows:

EQUAL PAY FOR WOMEN

Women should receive equal pay with men for equal work on jobs the performance of which requires equal skill. We hope that proposition, which women have been trying for more than a century to write into Federal law, will be legitimized by the 88th Congress. It was approved in both Houses in the 87th but killed on a technicality. It's about time this act of economic justice was finally performed.

The strength of the equal-pay principle is perhaps best indicated by the weakness of the arguments against it. Some employers claim it costs them more to employ women than it does to employ men—because of higher absenteeism and turnover and increased costs of pension and health plans. Proponents of the bill dealt with this argument by making it a complete defense for an employer if he can prove the differential in his pay is due to a differential in his costs. The remaining objection is that Federal equal-pay legislation for women would be an unwarranted interference in private business. At this day, and considering BARRY GOLDWATER's praise of the measure, that is pretty antediluvian.

Women are an important part of the U.S. work force—they constitute a third of it, more than 24 million of them. Yet in almost every business, industry, and profession in which they are employed they are discriminated against in pay—and many occupations are virtually barred to them. This is not a situation of which the country can be proud. It is rooted, not in rationality, but in habit—and not a good habit. Nineteen hundred and sixty-three is a good year to change it.

Mr. Speaker, I now submit for inclusion in the RECORD the bill which I have introduced again this year on the subject of equal pay, H.R. 1151, as follows:

A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in operations affecting commerce, and to provide procedure for the collection of wages lost by employees by reason of any such discrimination.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Women's Equal Pay for Equal Work Act of 1963".

DECLARATION OF PURPOSE

SEC. 2. The Congress hereby finds that the existence in industries engaged in commerce or in operations affecting commerce of wage differentials based on sex—

(1) depresses wages and living standards of employees necessary for their health and efficiency;

(2) prevents the maximum utilization of the available labor resources;

(3) tends to cause labor disputes, thereby burdening, affecting, and obstructing commerce;

(4) burdens commerce and the free flow of goods in commerce; and

(5) constitutes an unfair method of competition.

DEFINITIONS

SEC. 3. When used in this Act—

(a) "Person" means an individual, partnership, association, corporation, business trust, legal representatives, or any organized group of persons.

(b) "Commerce" means trade, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(c) "Affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led to or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

(d) "Employer" includes any person acting directly or indirectly in the interest of any employer in relation to an employee but shall not include the United States or any State or political subdivision of a State, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization.

(e) "Employee" includes any individual employed by an employer.

(f) "Wages" means all remuneration for services performed by an employee for an employer, including board, lodging, or other facilities customarily furnished by an employer to his employees.

PROHIBITION OF WAGE RATE DIFFERENTIAL BASED ON SEX

SEC. 4. No employer engaged in commerce or in operation affecting commerce shall discriminate between employees on the basis of sex by paying to any employee wages lower than those which he pays to employees of the opposite sex for work of comparable character on jobs the performance of which requires comparable skills, except where such payment is made pursuant to a seniority or merit increase system which does not discriminate on the basis of sex.

ADMINISTRATION

SEC. 5. (a) The Secretary of Labor—

(1) shall prescribe such regulations as he deems necessary and appropriate for the administration of this Act, including regulations to provide standards for determining work of a comparable character on jobs the performance of which require comparable skills;

(2) may investigate and gather data regarding the wages, hours, and other conditions and practices of employment in any industry subject to this Act, and may enter and inspect such places and such records (and make such transcriptions thereof), question such employees, and investigate such facts, conditions, practices, and matters as he may deem necessary or appropriate to determine whether any person has violated any provision of this Act, or which may aid in the enforcement of the provisions of this Act;

(3) may enter and serve upon any employer found by the Secretary, after notice and hearing in conformity with sections 5, 6, 7, and 8 of the Administrative Procedure Act, to be engaged in or to have engaged in any violation of section 4 of this Act an order requiring such employer (A) to cease and desist from such violation, and (B) to pay to each employee who has been adversely affected a sum equal to the aggregate amount or value of the wages which such employee has been deprived by reason of such violation plus an additional equal amount as liquidated damages; and

(4) may enter and serve upon any employer found by the Secretary, after such notice and hearing, to have discharged or otherwise discriminated against any employee on account of any action taken by such employee to invoke, enforce, or assist in any manner in the enforcement of the provisions of section 4 of this Act, an order requiring such employer to reinstate such employee, or to remove such discrimination, and to pay to such employee a sum equal to the aggregate amount or value of the wages of which such employee has been deprived by reason of such discharge or other discrimination plus an additional equal amount as liquidated damages.

(b) For the purpose of any investigation conducted under paragraph (2) of section 5(a) of this Act, the provisions of sections 9 and 10 of the Federal Trade Commission Act (relating to the attendance of witnesses and the production of books, papers, and documents) (15 U.S.C. 49, 50), shall be applicable to the jurisdiction, powers, and duties of the Secretary of Labor.

(c) Any order entered by the Secretary of Labor pursuant to paragraph (3) or paragraph (4) of section 5(a) of this Act shall be subject to judicial review, and shall be enforced judicially, in the same manner and with the same effect as provided by section 5 of the Federal Trade Commission Act (15 U.S.C. 45) with respect to orders issued thereunder by the Federal Trade Commission, except that in any proceeding before any court for the review of any order issued under paragraph (3) or paragraph (4) of section 5(a) of this Act the findings of the Secretary as to the facts shall be conclusive if supported by substantial evidence.

WAGE RESTITUTION

SEC. 6. (a) The Secretary of Labor is authorized to supervise the payment of any amounts for which any employer has been finally determined to be liable under any order for payment under clause (A) of paragraph (3) or paragraph (4) of section 5(a) of this Act. Any sum so recovered by the Secretary on behalf of any employee under this subsection shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to the employee. Any such sum not paid to an employee because of inability to do so within a period of three years shall be covered into the Treasury as miscellaneous receipts.

(b) No wage restitution shall be made with respect to any violation of this Act for any period which preceded by more than four years the date of commencement by the Secretary of Labor of the proceeding in which such restitution is ordered.

INJUNCTIONS

SEC. 7. The district courts, together with the United States District Court for the District of the Canal Zone, and the District Court of the Virgin Islands, shall have jurisdiction upon application made by the Secretary of Labor, for cause shown, to restrain any violation of section 4 of this Act. No court shall have jurisdiction, in any action brought by the Secretary of Labor to restrain any such violation, to order the payment to any employee of any wages of which such employee may be deprived by reason of such violation.

GOVERNMENT CONTRACTS

SEC. 8. (a) In any contract made and entered into by any executive department, independent establishment, or other agency or instrumentality of the United States, or by the District of Columbia, or by any corporation all of the stock of which is beneficially owned by the United States (all of which are referred to hereinafter as agencies of the United States), for the manufacture or furnishing of any materials, supplies, articles, or equipment, or the rendition of any service, there shall be included stipulations under which the contractor (1) is required to compensate all persons employed by him in the manufacture or furnishing of such materials, supplies, articles, or equipment, or in the rendition of such service, in conformity with the requirements of section 4 of this Act and (2) shall be subject to all other provisions of this Act with respect to the compensation of such persons.

(b) Unless the Secretary of Labor shall by order otherwise determine and permit, no contract shall be awarded by the United States or any agency thereof to any person finally determined to have violated any of the provisions of this Act or of any stipulation entered into in compliance with subsection (a) of this section, or to any firm, corporation, partnership, or association in which such person has a controlling interest, until three years has elapsed after the date of final determination that such violation has occurred. The Comptroller General is authorized and directed to distribute to all agencies of the United States a list containing the names of such persons.

POSTING

SEC. 9. Every employer subject to this Act shall keep a copy of this Act posted in a conspicuous place in or about the premises where any employee is employed. Employers shall be furnished copies of this Act by the United States Department of Labor on request without charge.

APPROPRIATION

SEC. 10. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

EFFECTIVE DATE

SEC. 11. This Act shall take effect one hundred and twenty days after the date of its enactment.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1963

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of February 2, 1963:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, February 2, 1963)

TAXES—UP OR DOWN?

Tax changes, the year's most important legislative issue according to the President, are quite uncertain. Not only is there no specific legislative language yet available, but there is legitimate doubt whether the total effect will be up or down to many individuals. Corporate taxes will be lowered, yet the speed-up of pay-in will more than offset the tax cut for the first 2 or 3 years so that there cannot be reduced prices, increased investment, jobs, and production, in short, the economic stimulus envisioned by the President. As to individuals, while rates are cut, some deductions being eliminated might balance out or even increase future taxes over present taxes.

Middle income group to pay bill: The President's tax proposals could be disappointing to the bulk of our citizens. He stresses tax relief for the aged and the low income group, but then proposes to make up the difference by taking more from the middle income group. For instance, he calls for reductions of $320 million for the aged; $220 million for the $3,000 and under income group; and $440 million for small corporations in the reversal of rates. This accounts for $1 billion in tax cuts. He then plans to take $2.5 billion from the the middle income group by cutting back or eliminating certain deductions. This is the joker in the New Frontier deck. Cutback in deductions is to be compensated for by adjusting rates, but we all know that rates go up and down with regularity. Once a deduction is lost it is almost impossible to regain it. So, as spending goes up and the need for more tax money becomes acute, the rates must rise and in the end the majority of the taxpayers will be paying more because they have lost their deductions.

The long laborious process of hearings and drafting tax legislation now begins before my Committee on Ways and Means. The views of all constituents are welcome and the technical knowledge of tax attorneys and accountants is solicited—certainly everyone should be concerned and study the progress of this legislation. I shall do my best to bring about sensible tax reform and tax reduction in all brackets. I will then continue, on the floor of the House, the constant battle to cut spending so that tax cuts, so badly needed, will be effective and in sound dollars, not watered currency.

INVESTIGATION OF THE DEPARTMENT OF STATE

House Resolution 210, which I introduced this week, calls for an investigation by the Committee on Foreign Affairs of the "personnel and policymaking practices, procedures, and methods of the Department of State." This investigation is necessary to find out, once and for all, who are the policymakers in the State Department and why so many of their decisions prove to be wrong in protecting U.S. self-interest. A long list of fatal decisions could be recited from our failure in China which made possible the takeover by the Communists, to the confused and questionable policy in Cuba which has allowed the Soviet Union to establish a firm beachhead in this hemisphere. Congress must know, and the American people are entitled to know, just who is responsible for our weak, or total lack of a firm foreign policy.

FEDERAL AID TO EDUCATION

The President's fourth message to the 88th Congress called for a broad and comprehensive plan for Federal aid to education. Everyone is for education, the best for the most; in quality second to none; in quantity, all of our people, if that is possible. We all agree with the President when he says, "Education is the keystone in the arch of freedom and progress." The disagreement with the President stems from this statement of his: "The program here proposed is reasonable and yet far reaching. It offers Federal assistance without Federal control." This cannot be. Federal aid requires Federal control or else we fail to do our fiscally responsible job as Congressmen. And Federal control contradicts the local control the President eulogizes. The best and only maximum educational program in a free society will come from local and private effort, not government.

There is no need to evaluate selectively, as the President endeavors to do in his message, the various programs because of the many self-contradictory and self-defeating statements it contains. Perhaps the President's own language shows most pitilessly his misunderstanding and inconsistency. "In all the years of our national life, the American people—in partnership with their governments. * * *" This is impossible. We have a government of, for, and by the people. So it follows, according to the President, that the people are in partnership with themselves. The President's statement shows an error of judgment and of his misconception of the role of government is particularly serious. He implies that the American people are an entity separate from another body politic which is government. How far a cry from the philosophy of our Founding Fathers and the great Presidents Washington, Jefferson, Lincoln, and Wilson. We must point out and correct these errors in the thinking of the President—not permit their acceptance as basic American thinking.

MISUNDERSTANDING OF OUR SYSTEM

The President's misconception of our system continues when he says: "In our present era of economic expansion, population growth, and technological advance, State, local, and private efforts are insufficient." Under our system there is nothing but the private efforts and initiative of the people. The Government creates no wealth, only the industry of the people does that. The President proposes to take the wealth from the people at the local level, in the form of taxes, and return it to them in whatever manner an all-encompassing Federal bureaucracy determines. This is not in accordance with the spirit of the Constitution which gives the people the right and the opportunity to do for themselves those things they themselves determine are their goals in the pursuit of happiness.

Are we to throw the Constitution out the window because we are experiencing population growth, economic expansion, and technological advance? Are we no longer sure the people can be the government? I don't believe it. The best way to handle education is at the local level. The most help the Federal Government can give is to trim the fat from the budget so the people will be able to keep more of their own money and then they, at the local level, will take care of building enough schools, hiring the best teachers, and providing for their own children the best possible educational system.

THE PRESIDENT'S FARM MESSAGE

The President's farm message, like the five previous messages presented to this session, speaks in broad, general terms without ever coming to grips with the problem. Underlying the whole message is the same New Frontier philosophy for more Federal direction, more ultimate control, instead of presenting a plan to allow farmers to operate in a free market. As a counterproposal to solve the complex farm problems with which this Nation has been plagued for three decades, I suggested we begin the long journey back to freeing the farmer, to make him the master of his own destiny. Our objective should be that the farmer should be free to operate his own farm in whatever manner he feels is best for him, to grow the crops that he wants to grow, and to engage in those farm practices which he alone is best fitted to decide. As a starter, because we cannot abolish all the programs at once, we can enact a program which will permit a farmer to grow on his own land whatever he needs for his own use and for use on his land. We should never forget that the American farmer, operating as a free individual in a free marketplace, built the greatest and most efficient agricultural plant in the history of the world. I have faith in the American farmer as I have faith in all the American people. Free him from the slavery imposed by the theorists and the Washington desk farmers and he will solve the problems of agriculture and will contribute, as he has always contributed, to the progress, the growth, and the freedom of all our people.

Growth Through Technology

EXTENSION OF REMARKS

OF

HON. OREN HARRIS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1963

Mr. HARRIS. Mr. Speaker, the Secretary of Commerce, Hon. Luther H. Hodges delivered a most interesting and timely speech to the Chamber of Commerce of the United States public affairs conference a few days ago.

I wish to call it to the attention of the Members of Congress and our people throughout the country in view of the importance of research and technology to the business community. I ask therefore it be included in the RECORD:

I am happy to have this chance to talk to you about a matter that bears importantly on business progress and prosperity: what we are putting into science and technology today and what we are getting out of it for the consumer.

With all that has happened since World War II, most Americans, I daresay, are aware of how much our scientific and engineering capability has to do with our world position, our military effectiveness, and, certainly, our hopes for leading man's conquest of space.

I think, too, there is general recognition of how much research and development means to our economy—invention, new techniques of production, along with improved skills, are the lever of rising living standards and economic growth.

We now know, for instance, that less than half the rise in this country's output since 1900 can be accounted for by increased amounts of labor and capital. The rest, it appears, has come largely from improved skills and education of the labor force and from advances in management and technology.

Because we have had a great surge of research and development activity in the past decade, we have also seen accepted a third "truth," one that, unfortunately, is as faulted as it is well rounded. This is the assumption that all the money we're spending for research and development will not only give us military security and space supremacy, but will automatically provide improvements in productivity and a cornucopia of new products and processes to invigorate and expand the economy.

As anyone can see, research and development has become big business. The total of a century and a half of research and development spending—that is $18 billion—has been matched in just 5 years, from 1950 to 1955. And it was almost equaled in 1 year, fiscal 1962, when we spent an estimated $15 billion, or about 3 percent of our gross national product, on research and development. Today, about three-fourths of all research and development in the United States is being done by corporations. If Government now finances some 60 percent of this work—versus 40 percent in 1953—it is nonetheless true that business has doubled its aggregate outlays for research and development in the last 8 years and has largely validated the prophecy of "a new industry of discovery."

The trouble is that relatively few people have bothered to see exactly what sort of discovery industry this is.

By wrongly assuming in the first place that research and development for any purpose—space, military, or whatever—automatically fosters economic growth, they have completely missed the point that this is a highly concentrated industry, restricted by purpose, by geography, by company. Of the total effort, overwhelmingly oriented to defense, relatively little is directed to the creation of new consumer products, or to improved machines to make the products, or to improved processes to use in the machines. In short, the national research and development effort is not the incubator of demand and productivity increases that people think it is, or that the country needs for a growing, healthy economy.

Actually, only about a quarter of our huge research and development expenditures—or an estimated $4 billion—is being spent by industry for civilian purposes. And only about $1.5 billion of this is aimed at work that is likely to increase productivity.

In many companies and industries that are important contributors to gross national product—textiles and construction, for example—there is relatively little research and development. Nor is there much being done on the needs and conditions of our urbanized society. Transportation, air pollution, water resources—all require research and interested technical people, but they are attracting relatively little of either.

What makes this situation doubly disturbing is that our competitors in the world are not caught in this net.

Other industrialized nations, free from a burden of large military and space commitments, are able to devote almost their entire scientific and technical effort to developing the civilian economy and their social welfare. West Germany, for instance, spends a far larger portion of its total resources on civilian needs and product development than we do. The speed with which other nations adapt scientific advance to practical use often exceeds ours, which explains, in part, why they are able to compete against us today in both price and quality.

Given the fact that good ideas won't keep—that all nations today share each other's discoveries and that it's mainly a matter of which one applies them first—it seems to me that if we don't want to spend the next decade just talking about competition and inadequate economic growth, we are going to have to do something to strengthen civilian technology and correct the imbalance in our scientific and engineering effort.

Now whta are we up against in doing this? The crux of the matter is people—technically educated people. Even if we were prepared to double our outlays for civilian research and development next year, we could not double our effort. There just would not be enough technical people available to do the job. And, unfortunately, we can't increase the supply of brains on an assembly-line basis.

Consider what's been happening to technical manpower in the past few years:

Since 1954, the number of scientists and engineers doing research and development in industry has risen by 160,000. But all but 30,000 of these have been absorbed by projects for Government. The demands for personnel doing research and development for Government purposes jumped more than 300 percent, 10 times the increase for industry-oriented research and development.

In 1963, the supply of scientists and engineers for R. & D. is expected to enlarge by about 30,000. But the increase in space R. & D. alone this year will require almost the entire new supply.

With engineering enrollments dropping—and engineers, remember, are the people we count on to apply technology—the manpower problem in civilian research and development is, obviously, beyond short-run solution. This fact makes it all the more urgent, that we take steps now to conserve and husband our scientific resources, while at the same time working toward improving the supply of personnel for improving industrial technology in the future.

What steps, specifically?

At the direction of the President, the Department of Commerce has initiated a civilian industrial technology program to be guided by the new Assistant Secretary of Commerce for Science and Technology. Initially, it will rely on Federal funds. But its continuation and expansion, as well as its areas of concentration, will depend directly on the extent to which Federal funds are matched by State and local governments, and by industry associations.

Let me emphasize that this program will be to stimulate and invigorate, not to control industrial or university work.

We have asked the Congress to provide funds for:

1. Attracting personnel at universities to work in industrial research and development. Through the award of research contracts, we hope to provide incentives and training for research workers and educators in specific industrial fields and, at the same time, develop new knowledge on which to base industrial innovations.

2. Stimulating research in industry institutions. The idea here is to generate technical work, necessary to progress advance, but not normally undertaken through simple profit incentives. We want also to provide additional research services and facilities for those firms that lack a broad enough line of products and services to support an efficient R. & D. program. Federal funds through contract awards, will be used primarily to stimulate industry and local initiative. And the selection of particular industries for contracts will be guided by the advice of industrial leaders, educators, and others.

3. Developing an industry-university extension service. This service, I think, can be extremely important in increasing the rate and extent of diffusion of technology throughout industry.

Just 100 years ago, we took a giant step in this country by establishing land-grant colleges to provide broad education for rural Americans. Out of these colleges grew agricultural extension and research activities where, under local control, agricultural technology was developed and made available to the American farmer. The resources thus open to agriculture have been immeasurable and have contributed mightily to the rise of U.S. farm productivity.

Through an industry extension service, we hope to provide similar rootfeeders for civilian technology.

Working with the business community, the universities, and local governments, we hope to define technical problems affecting local industries and seek solutions for them. In some cases extension research teams may initiate the studies. Or industrial groups, or government, may bring problems, bearing on an industry or the local economy, to the centers.

Here, as elsewhere, the key element will be the encouragement of local grassroots initiative, and specialized attention to the problem of developing technology to fit specific local needs.

Fourth, and finally, we have asked for funds to support technical information services that meet industry's specific needs for knowledge about technological activities and developments. These information services would collect, abstract, review, and disseminate pertinent information from Government, universities, and foreign laboratories, in forms that industry can use. The information would also enable workers at universities and in industry to remain up-to-date on the state of the art of their respective fields. In addition, these services would alert technical people to existing developments and thereby reduce duplication of effort.

The initial effort of the civilian industrial technology program will be applied to industries that are major contributors to our gross national product and our export trade, and that also currently have limited or dispersed technological resources. Among them, we envisage, will be textiles, construction, machine tools, metal fabrication, lumber, foundries, and castings.

But even with a more far-reaching program, which may evolve, our main hope for improving civilian technology is business itself. In large matters, as in small, there is much that Government can do to help scale down the barriers that stand between us and a higher rate of technical development. But unless industry itself recognizes the basic problem—that we must find ways to make engineering education possible for everyone capable of it and desiring it, and that we must put more of science to practical use—we shall not achieve the productivity rises or the new products that can lead us to faster growth.

Let me make it perfectly clear, too, that how much we increase productivity will have great bearing on our effort to expand American exports and to ease our still critical balance-of-payments problem.

If American goods are to remain competitive in world markets, we have no choice but to accelerate the productivity rise. Nor is this simply a matter of productivity—and costs—in export commodities and services. It goes, rather, to the whole of the domestic cost structure and, therefore, to productivity in fields such as energy, construction, and transport, all of which affect substantially the cost of the goods we sell abroad.

World War II and our postwar commitments taught us that we must be economically strong to repel threats to freedom and help strengthen the other democracies of the world. Our ability to defend ourselves, to assist underdeveloped areas, to lead the way in space, depends on science and technology.

If public and private policymakers can bear down on the problems of investment in plant and equipment and in education, if we can accelerate the rate of technological progress in the nonspace, nonmilitary parts of this economy, if we can raise disposable incomes of consumers we will be able to achieve our target of an economy of maximum employment, maximum production, and maximum purchasing power. It's a big order, but this is not the first time that this country has faced, and met, a challenge of this magnitude.

The 88th Congress and Our Highway Future—An Address Delivered by the Honorable William C. Cramer, of Florida, at the 18th Annual Convention of the National Limestone Institute in Washingon, D.C., January 23, 1963

EXTENSION OF REMARKS

OF

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 4, 1963

Mr. SCHWENGEL. Mr. Speaker, of very special interest to me was the recent speech of our able colleague from Florida, the Honorable WILLIAM C. CRAMER, who addressed the 18th Annual Convention of the National Limestone Institute at Washington's Statler Hotel, January 23, 1963.

As a member of the Public Works Committee on which Congressman CRAMER serves with distinction, I can attest to the vital interest the entire Nation has in our highway system. This is one of the reasons why Congressman CRAMER's remarks should be read by all of us.

Congressman CRAMER is currently the ranking Republican member of both the Subcommittee on Roads and the Special Subcommittee on the Federal-Aid Highway Program. He is, indeed, qualified to discuss the topic, "The 88th Congress and Our Highway Future." I know my friends in the Limestone Institute enjoyed the privilege of hearing his address and I know my colleagues will find it as informative as I did.

Under leave to extend my remarks, I request that Congressman CRAMER's remarks appear in the RECORD.

THE 88TH CONGRESS AND OUR HIGHWAY FUTURE

"The 88th Congress and Our Highway Future"—this title could imply that the future of our highway program depends upon the 88th Congress. In one sense, of course, this is true. During the 88th Congress, careful attention will be devoted to the highway program, its progress, the laws pertaining to it, and related matters. I am sure that during the session the Congress will consider legislation which could have a deep and lasting impact on the highway program. In another sense, however, its future does not depend upon the 88th Congress. The present Federal-aid highway program is the result of the efforts of many succeeding sessions of Congress, beginning at least with the 64th Congress which, in 1916, enacted the original and basic Federal-Aid Road Act. The Federal-aid highway program is a continuing program, and, although each session of the Congress devotes attention to it and may enact laws which affect it, and has periodically expanded it, its basic concept has remained substantially the same: an essential, State-Federal partnership program, which must grow with the Nation and without which the Nation cannot grow. I am confident that the 88th Congress will not alter this concept, or substantially change the Federal-aid highway program as it exists today, although I feel sure that the Congress will consider and enact legislation of considerable importance to the program.

OUTLOOK AT THE BEGINNING OF THE SESSION

Two years ago, at the beginning of the 1st session of the 87th Congress, the problems confronting the highway program were varied, difficult, and, in some cases, highly controversial. First, it had become obvious that the revenues deposited in the Highway Trust Fund would not be sufficient to continue the highway program on an orderly basis under existing and anticipated authorizations. Second, the estimates of cost of completing the National System of Interstate and Defense Highways made it clear that additional funds would have to be provided in order to complete the Interstate System as orginally planned. Third, the Special Subcommittee on Federal-aid Highway Program had disclosed serious deficiencies and irregularities in the highway program, including construction practices in Oklahoma, and intolerably cozy relationships between contractors in my own State of Florida.

In a fine display of bipartisan effort, the 87th Congress enacted the Federal-Aid Highway Acts of 1961 and 1962, which provided solutions to most of the financial problems, continued the highway program on an orderly basis, and added certain modifications and revisions to the Federal-aid highway laws.

However, the 87th Congress did not solve all of the problems, and the 88th Congress will have much to do on the subject of highways.

AUTHORIZATIONS FOR THE A–B–C SYSTEMS

The Federal-Aid Highway Act of 1956, with subsequent amendments, has already authorized the appropriation of funds adequate, on the basis of present estimates, to complete the 41,000-mile Interstate System in 1972, as originally contemplated. The next estimate of the cost of completing the Interstate System is not required until 1966, so the 88th Congress will not be confronted with the problem of authorizations for that system.

However, authorizations for continuation of the construction of Federal-aid primary and secondary highways, and their extensions in urban areas, the so-called A–B–C program, has been on a biennial basis. These authorization bills traditionally have been considered and enacted during the 2d session of each Congress, and I expect the same practice will be followed by the 88th Congress.

The 87th Congress authorized the appropriation of $950 and $975 million, respectively, for fiscal years 1964 and 1965, for the A–B–C program. In doing so, the Congress reaffirmed the original plan (which had been temporarily abandoned by the 86th Congress) to progressively increase authorizations for the A–B–C program until an annual authorization of $1 billion is reached. In light of this, I expect that the 88th Congress will authorize $1 billion for each of the fiscal years 1966 and 1967, and I can assure you that this will have my full support.

FEDERAL-AID HIGHWAY REFORM ACT

The 88th Congress will also give attention, I feel sure, to legislation to revise and strengthen the Federal criminal laws in regard to the highway program.

The Congress has repeatedly demonstrated its confidence in the highway program and the persons who are involved in it. I believe that most Members of Congress share my firm belief, that the vast majority of persons who participate in the program are honest and competent. Nevertheless, it would be the height of naivete—it would be ignoring established facts—to pretend that no fraud, deficiencies or irregularities occur in the highway program. Such things do occur, and are almost inevitable in any program involving great sums of money and great numbers of people.

In order to punish the comparatively few persons who seek to profit at the expense of the public, and to provide strong deterrents to others who might be tempted to follow the same course, we must have comprehensive, adequate criminal laws. Experience over the past few years has made it obvious that the Federal criminal laws applicable to the Federal-aid highway program are badly in need of revision and strengthening.

In September of 1961, I introduced a bill to accomplish this objective. The 87th Congress took no action on the bill. However, I have introduced another bill for the consideration of the 88th Congress and am hopeful that my bill or a comparable one will be enacted.

Briefly speaking, my bill would do the following:

1. It would prohibit donations to political parties or political candidates by individuals or firms contracting with the States on Federal-aid highway projects. Existing Federal law, enacted in 1940, contains such a prohibition with respect to Federal contracts. My bill would simply extend this to Federal-aid highway contracts which are generally State rather than Federal contracts, although Federal funds may bear from 50 to 95 percent of their cost.

2. My bill would prohibit reprehensible practices which we know have occurred with disturbing frequency: the practice of highway contractors giving money and other things of value to the highway department personnel responsible for inspecting or supervising the contractors' work, and the directly related practice of performing work or furnishing materials and equipment, or permitting the performance of work or furnishing materials or equipment other than as

provided in the contract or applicable plans and specifications.

3. The bill contains provisions directed toward conflicts of interest. It would prohibit persons performing services for the highway departments (including highway department employees) from having a financial or other personal interest in Federal-aid highway contracts with respect to which they have performed such services. It would also require such persons to publicly disclose any interest they might have in any real property required for Federal-aid highway projects on which they worked or had an official responsibility.

4. The bill would revise and strengthen the existing law having to do with false statements and certifications concerning Federal-aid highway projects, by extending its terms to cover real property transactions.

The need for enactment of legislation covering these matters has become obvious, and I intend to press for early congressional action.

TOLL ROADS ON THE INTERSTATE SYSTEM

Since 1921, Federal law has required that all highways constructed with the aid of Federal funds be free of tolls of all kinds with certain exceptions in the case of toll bridges and tunnels. The Federal-Aid Highway Act of 1956, which provided for construction of the Interstate System with Federal funds paying 90 percent of its cost, authorized the Secretary of Commerce to approve as part of the Interstate System toll roads which meet the geometric and construction standards adopted for that system. This provision was designed to avoid the economic waste that could result if toll-free highways were constructed to duplicate the service provided by toll roads.

Since 1956, 2,167.2 miles of toll roads in 17 States have been approved as parts of the Interstate System. Some other States are even now constructing or contemplating the construction of additional toll road sections of the Interstate System, which were not planned as toll roads in 1956.

In my opinion, the legislative history indicates that the Congress intended the provisions of the 1956 act to apply only to toll roads then in operation, under construction, or authorized, and not to authorize the future substitution of newly conceived toll roads for toll-free highways on the Interstate System. The unrestrained placing of toll traps on the Interstate System is not, in my opinion, either in the public interest nor in accord with the intent of the Congress.

Early in 1961, I introduced a bill to require concurrence by the Public Works Committees of the House and the Senate before any toll road, bridge, or tunnel is hereafter approved as a part of the Interstate System. Hearings were held on this bill, but no further action was taken by the 87th Congress.

Within the next few days, I intend to introduce another bill on this subject and to press for early consideration. Our Interstate System, which the public thought would be generally toll free is already polka-dotted with toll traps, and the motorists, in too many cases, are being forced to pay twice—once through gasoline taxes and again at the toll gates. The longer congressional action is delayed the worse the situation will become. In my judgment, the public interest demands early corrective measures.

DIVERSION OF HIGHWAY FUNDS THROUGH STATE AND LOCAL TAXES

One aspect of the highway program which is of increasing concern to highway officials is the matter of increasing costs and diversion of highway funds as a result of State and local taxes.

During recent years—particularly since enactment of the Federal-Aid Highway Act of 1956—there has been a noticeable tendency for some States and many local governmental units to impose taxes which increase the costs of highway construction. Examples are taxes on sales of highway construction materials, and taxes measured by the size of highway contracts. The proceeds of such taxes are ordinarily used to provide funds for general governmental expense including such items as salaries, school construction, relief and welfare programs, and the like.

Nobody questions the need for the imposition of taxes to pay the cost of such necessary governmental expenses. However, a question does exist as to the extent to which Federal-aid highway funds—which are derived from highway user revenues—should be used to pay such taxes, and this is particularly true on Interstate System projects, where Federal funds pay 90 percent or more of the costs.

During the 87th Congress, the Honorable GEORGE H. FALLON, the highly respected chairman of the Roads Subcommittee, introduced a bill to prohibit Federal participation in highway construction costs attributable to such State and local taxes. No action was taken by the 87th Congress, but I believe that this is a subject which should receive the serious consideration of the 88th Congress. I anticipate that this will be done.

REPORTS OF THE SECRETARY OF COMMERCE

The Federal-Aid Highway Act of 1956 required the Secretary of Commerce to undertake certain studies, and make reports to the Congress, concerning taxation and motor vehicle sizes and weights. Much information relative to these studies was derived from the Illinois test road project, with which you people are familiar because it utilized considerable quantities of limestone and limestone byproducts.

The Secretary of Commerce has not yet submitted his final findings and recommendations, but it is expected that he will do so during the 88th Congress. Thus, the 88th Congress will have for consideration two important reports. One will be the final report concerning adequate and equitable taxation for highway purposes, based upon needs, burdens, and benefits. The other will involve the question of maximum sizes and weights of motor vehicles on the Federal-aid highway system, and whether Federal laws should be enacted on this subject.

I cannot forecast the results of congressional consideration of these subjects, but I think you should follow their progress with considerable care.

PROGRESS OF THE INTERSTATE HIGHWAY PROGRAM

The Federal-Aid Highway Act of 1956 provided for the completion of the Interstate System, simultaneously in all of the States, by 1972. At the beginning of the year 1963—6½ years after the 1956 act and about 10 years before the expected end of the program—the program is on schedule, if averages are accepted. However, this record has been attained only by accepting averages. A few States are well ahead of schedule, while several States are deplorably behind schedule. The objective of completing the Interstate System simultaneously in all States by 1972 can be attained only if all the States maintain comparable and acceptable progress.

I believe that the Congress should and will give attention to this problem.

CONCLUSION

Most of the Members of Congress approve the conduct and purpose of the Federal-aid highway program, but their obligations as representatives of the citizens of their districts require them to give objective and critical attention to the program. As I mentioned at the outset, I believe the Federal-aid highway program will be preserved and promoted by the 88th Congress. But many important legislative proposals will be considered.

Questions asked of Congressman CRAMER and his answers following his speech to the National Limestone Institute 18th Annual Convention.

Question. Congressman, is there a problem of any States losing their Federal money because of slow construction—how can we find out the status of our State, moneywise, mileagewise, and so forth, compared to others and what can be done so we won't lose our money?

Answer. Well, the Bureau of Public Roads issues a quarterly report on the progress of each State and I am sure that any of you that are interested could get a copy by requesting it from the Bureau of Public Roads. This report shows, by State, the mileage of Interstate highways now open to traffic, the mileage on which work is now in progress, and the mileage on which no work has yet been done. It also shows the amount expended for completed projects, and the estimated cost of projects underway or authorized.

As to whether there is danger of any State losing Federal funds, I can say that no State has lost Interstate funds, and no States have lost other Federal-aid highway funds since the 1920's, when two States (Montana and Hawaii) lost funds. Of course, if a State does not use available Federal funds within the time allowed (2 years after the fiscal year for which they are authorized) the State would lose those funds. So, it is essential that the States move ahead with the program as rapidly as possible. There have been States who have accelerated construction, for instance, in urban areas and downgraded construction in rural areas; the result being that less mileage is constructed as compared to other States, but an equal amount of dollars is spent because it obviously costs more money to build in urban areas.

So there are a lot of factors that enter into it. When I suggest Congress is going to look at these matters, all these would obviously have to be taken into consideration. I will say this, however, that a number of States have lost Federal matching money by inserting these toll roads into the free roads, because they have no way of getting that money back. Once they insert X number of miles into what we suppose to be a free Interstate System, the cost of constructing that X number of miles is subtracted from the Interstate funds they are entitled to. So, any time a toll road is injected into the free system, the State loses the money. There isn't any question about that. I don't know of any other State that is losing money, otherwise, on the Interstate System. Now, they could be, possibly by poor administration, not getting as much dollar value out of it. But I don't know of them actually losing the money—the Federal matching funds.

Question. Congressman, what is the current thinking as to what will happen with our road program after 1972?

Answer. That's very interesting. I intended to project my thinking just a little bit by suggesting that unquestionably before 1972, I think Congress is going to have the duty to sit down and consider that very question. Should the mileage on the Interstate System be increased, should additional connecting links be authorized, and if so, on what basis or should an entirely new program be considered, not called the Interstate System, but perhaps increases on the ABC system? What additional needs are there defensewise? These are all going to have to be looked at. Then you have the other interesting question of reimbursement of these States for toll roads, this 2,400 miles I mentioned, that has already been inserted into the Interstate System, and those States have lost that mileage at the very outset of the program—are they entitled to bonus mileage? Are they entitled to any reimbursement of any kind, and that is a very debatable question and hotly contested in Congress. But, I don't think that there is any question but what the highway program after 1972 is going to continue to go forward on a long-range planned basis.

SENATE

TUESDAY, FEBRUARY 5, 1963

(Legislative day of Tuesday, January 15, 1963)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, at the day's beginning in this hushed and hallowed moment, we pause to proclaim our faith that Thy truth, against which the gates of hell cannot prevail, is marching on to its coronation, even amid the perplexities and bafflements of these terrific days.

In the midst of events so colossal on the confused world's stage, O God, who sitteth above the flood of man's insanity, lift us into the only greatness we shall ever know by using us as the channels of Thy purpose and intent.

Solemnize us with the consciousness that beyond the appraisals of men, regarding what we do and say here, there falls upon our record the searching light of Thy judgment.

In these days of great peril and of critical decisions, as Thy servants here in the ministry of public affairs face powers of darkness which have not Thee in awe, save us from all shortsighted policies whose reaping may bring a harvest of horror for our children's children. Give us to know clearly, and to follow faithfully, the things that belong to our peace, and to the peace of the whole world.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MENTAL HEALTH PROGRAMS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 58)

Mr. HUMPHREY. Mr. President, the President's message on mental health, sent to the Congress today, has been read in the House of Representatives. I ask unanimous consent that the reading of the message be waived by the Senate, and that it be appropriately referred.

The VICE PRESIDENT. Without objection, it is so ordered.

The message was referred to the Committee on Labor and Public Welfare.

(For President's message, see House proceedings of today.)

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 212. An act to amend section 904, title 38, United States Code, so that burial allowances might be paid in cases where discharges were changed by competent authority after death of the veteran from dishonorable to conditions other than dishonorable; and

H.R. 2439. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use in the 1964 National Jamboree, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H.R. 212. An act to amend section 904, title 38, United States Code, so that burial allowances might be paid in cases where discharges were changed by competent authority after death of the veteran from dishonorable to conditions other than dishonorable; to the Committee on Finance.

H.R. 2439. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use in the 1964 National Jamboree, and for other purposes; to the Committee on Armed Services.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Is there objection?

Mr. RUSSELL. Mr. President, I did not hear the request.

Mr. MANSFIELD. It is a request for a morning hour.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

OBJECTION TO MEETINGS OF SENATE COMMITTEES TODAY

Mr. MANSFIELD. Mr. President, I will object to any meetings of Senate committees during the day.

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair appoints the Senator from Kansas [Mr. PEARSON] to be an observer on the part of the Senate at the United Nations Cultural and Scientific Technological Conference, to be held in Geneva from February 4 to 20, 1963.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

MAP ON PRINCIPAL ELECTRIC FACILITIES IN THE UNITED STATES, 1962

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate, a copy of the map "Principal Electric Facilities in the United States, 1962" (with an accompanying map); to the Committee on Commerce.

AMENDMENT OF DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL ACT

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Alcoholic Beverage Control Act (with an accompanying paper); to the Committee on the District of Columbia.

AMENDMENT OF FOREIGN SERVICE BUILDINGS ACT, 1926, TO AUTHORIZE ADDITIONAL APPROPRIATIONS

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

REPORTS ON STATUS OF PUBLIC BUILDINGS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on the status of construction, alteration or acquisition of public buildings (with an accompanying report); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Idaho; to the Committee on Finance:

"HOUSE JOINT MEMORIAL 1

"*To the Honorable Senate and House of Representatives of the United States in Congress assembled and to the Honorable Secretary of the Treasury of the United States:*

"We, your memorialists, the members of the House of Representatives and the Senate of the Legislature of the State of Idaho, assembled in the 37th session thereof, do respectfully represent that:

"Whereas there is no shortage of timber for the production of lumber and related items in the United States; and

"Whereas there is a need to cope with the large volume of blowdown timber on the Pacific coast and to increase the cut from over-mature forests to prevent excessive loss from decay, disease, and other causes; and

"Whereas U.S. lumber manufacturing firms pay the highest wages and provide working conditions equal to or better than similar firms in other countries; and

"Whereas lumber manufacturing firms in the United States are losing their home markets to foreign firms, especially Canada, due to advantages such as:

"1. Depreciated currency;

"2. Low stumpage rates;

"3. Noncompetitive bidding;

"4. Less costly and restrictive forest practices;

"5. Lower wage rates;

"6. High tariff rates on lumber shipped to Canada;

"7. Low charter rates for coastwise and intercoastal shipping; and

"8. A Cooperative Government; and

"Whereas lumber imports from Canada are increasing yearly at an alarming rate and now constitute about one-sixth of the annual consumption of lumber in the United States; and

"Whereas unemployment in the lumber industry of the United States is increasing with resultant loss of wages to the workers, loss of taxes and income to taxing bodies and communities; and

"Whereas there is no longer any justification by reason of a trade agreement between Canada and the United States for exempting Canadian lumber from the requirement that all foreign imports be marked; and

"Whereas without foreign imports being marked it is difficult to be certain that the Executive orders requiring the use of domestic lumber in certain installations will be obeyed: Now, therefore, be it

"*Resolved by the 37th session of the Legislature of the State of Idaho, now in session (the House of Representatives and the Senate concurring)*, That the Congress, the President, and the Secretary of the Treasury of the United States of America, be respectfully petitioned to give immediate attention to and request action necessary to place the lumber industry of the United States on an equitable and competitive basis with foreign manufacturers through the use of a quota system or other means, including the requirements that imported lumber be marked to show the country of origin, to the end that domestic manufacturers are not placed at a disadvantage with resultant loss of markets, reduction of employment, loss of taxes, and deterioration of communities; and be it further

"*Resolved*, That the secretary of state of the State of Idaho be, and he hereby is authorized and directed to forward certified copies of this memorial to the President, Vice President, Secretary of the Treasury of the United States, the Speaker of the House of Representatives of the Congress, and the Senators and Representatives representing this State in the Congress of the United States.

"Passed the house on the 11th day of January 1963.

"PETE T. CENARRUSA,
"*Speaker of the House of Representatives.*

"Passed the senate on the 22d day of January 1963.

"W. E. DREVLOW,
"*President of the Senate.*

"Attest:

"ROBERT H. REMAKLUS,
"*Chief Clerk of the House of Representatives.*"

A joint resolution of the Legislature of the State of Idaho; to the Committee on Interior and Insular Affairs:

"HOUSE JOINT MEMORIAL 3

"*To the Honorable Senate and House of Representatives of the United States in Congress assembled:*

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

"Whereas approximately two-thirds of the land area of the State of Idaho is federally owned and contains approximately 3¼ million acres set aside for primitive and proposed wilderness areas; and

"Whereas the economy of the State of Idaho is based upon its agriculture, forest products, mining, sheep and cattle industries, and the use of its waters for irrigation and hydroelectric power; and

"Whereas excessively large and unmanageable primitive and wilderness designations are very restrictive to full utilization and do not permit the Federal Government to develop wisely the natural resources of the State of Idaho for the continuation and expansion of its natural resource industries; and

"Whereas one of the great potential industries of the State of Idaho is its growing tourist trade and wild life attractions; and

"Whereas the denial of ready access to these areas to the tourist trade, to the citizens of Idaho and to industry is detrimental to the State's present and future growth and prosperity; and

"Whereas water supply, game habitat, forest productivity and recreational opportunities for all are increased with good forest management in contrast to the very limited use of wilderness areas; and

"Whereas the State of Idaho needs the development of lands and its resources to create a broader base for its taxing units and to increase employment for its people: Now, therefore, be it

"*Resolved by the House of Representatives, State of Idaho (the Senate concurring)*, That we are most respectfully opposed to the dedication of additional lands as primitive or wilderness type areas in the State of Idaho and respectfully request that all primitive and wilderness areas in the State of Idaho be reviewed and studied to determine and establish their greatest use potential; and be it further

"*Resolved*, That we oppose Federal enactment of legislation, and existing rule and regulation designating authority, embodying the principle of establishing excessive wilderness areas of limited use which would deny to the natural resources industries, including recreation, the right to develop wisely natural resources and would also be to the detriment of the people of the State of Idaho and the Nation; and be it further

"*Resolved*, That the present agencies administering all Federal lands do so with the view of developing the full multiple use of the lands to further the general welfare and the economy of the State of Idaho and the Nation; and be it further

"*Resolved*, That the secretary of state of the State of Idaho be authorized and he is hereby directed to immediately forward certified copies of this memorial to the Senate and House of Representatives of the United States of America, the Secretary of Interior, the Secretary of Agriculture, and to the Senators and Representatives in Congress from this State; and be it further

"*Resolved*, That the secretary of state of the State of Idaho be authorized and he is hereby directed to immediately forward certified copies of this memorial to the speaker of the house and to the president of the senate of the following States: Washington, Oregon, California, Montana, Utah, Wyoming, Colorado, Nevada, Arizona, New Mexico, North Dakota, and South Dakota, and that these States are hereby urged to take similar action in their respective legislative bodies.

"Passed the house on the 21st day of January 1963.

"PETE T. CENARRUSA,
"*Speaker of the House of Representatives.*

"Passed the senate on the 24th day of January 1963.

"W. E. DREVLOW,
"*President of the Senate.*

"Attest:

"ROBERT H. REMAKLUS,
"*Chief Clerk of the House of Representatives.*"

A resolution adopted by the Chamber of Commerce of Wallace, Idaho, favoring the enactment of legislation to place the lumber industry of the United States on an equitable and competitive basis with foreign lumber manufacturers; to the Committee on Finance.

CONCURRENT RESOLUTION OF SOUTH CAROLINA LEGISLATURE

Mr. THURMOND. Mr. President, on behalf of myself and the senior Senator from South Carolina [Mr. JOHNSTON], I present a concurrent resolution of the South Carolina Assembly memorializing the Congress of the United States of America, the President of the United States of America, and the Secretary of Agriculture of the United States of America not to ban or permit the banning of the use of MH-30 in the culture of tobacco, or permit any reduction in the support price of tobacco treated with MH-30.

I ask that the concurrent resolution be appropriately referred.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution was referred to the Committee on Agriculture and

Forestry, and, under the rule, ordered to be printed in the RECORD, as follows:

RESOLUTION ON TOBACCO

Concurrent resolution memorializing the Congress of the United States of America, the President of the United States of America, and the Secretary of Agriculture of the United States of America not to ban or permit the banning of the use of MH-30 in the culture of tobacco, or permit any reduction in the support price of tobacco treated with MH-30

Whereas farming is one of the major industries of South Carolina and tobacco is one of the most economically important parts of the agricultural industry and since it does not lend itself readily to mechanization it has received fewer benefits from the modern advances of technology and other phases of our economy; and

Whereas farmers and especially tobacco farmers have been hurt by the rising costs of production and especially by the rising cost of labor; and

Whereas the recent discovery and development of MH-30 has been a tremendous boon in the culture of tobacco; and

Whereas recent protests alleging that the use of MH-30 on tobacco has been injurious to the quality of tobacco, but no definite or positive proof that the use of MH-30 is in fact injurious to tobacco has been made available to farmers and tobacco growers; and

Whereas the banning of the use of MH-30 will adversely affect the economic status of tobacco farmers and will force many of them out of the industry: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That the Congress of the United States of America, the President of the United States of America, and the Secretary of Agriculture of the United States of America are hereby memorialized, requested, and urged not to ban or permit the banning of the use of MH-30 in the culture of tobacco or permit any reduction in the support price of tobacco treated with MH-30; and be it further

Resolved, That copies of this resolution be sent to the President of the United States of America, the U.S. Senators and Members of Congress from South Carolina, and the Secretary of Agriculture of the United States of America.

Attest:

INEZ WATSON,
Clerk of the House.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 686. A bill for the relief of Millie Gail Mesa; and

S. 687. A bill for the relief of Mr. Pavlos G. Trovas; to the Committee on the Judiciary.

By Mr. CLARK:

S. 688. A bill for the relief of Ronald Whiting; to the Committee on the Judiciary.

By Mr. LONG of Missouri (for himself and Mr. SYMINGTON):

S. 689. A bill for the relief of Lila Everts Weber; to the Committee on the Judiciary.

By Mr. McGEE:

S. 690. A bill for the relief of Mr. and Mrs. Pendelis Salvaris; to the Committee on the Judiciary.

By Mr. SIMPSON:

S. 691. A bill to require public hearings to be held in each State affected by a proposed agency rule, if timely protest is filed with the agency after notice of the proposed rule is published in the Federal Register; to the Committee on the Judiciary.

By Mr. INOUYE (for himself and Mr. FONG):

S. 692. A bill to establish Federal agricultural services to Guam, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. HUMPHREY:

S. 693. A bill for the relief of Kurush Shahbaz; to the Committee on the Judiciary.

By Mr. MORSE:

S. 694. A bill to increase the compensation of the Commissioners of the District of Columbia and of the Superintendent and Deputy Superintendent of Schools of the District of Columbia; to the Committee on the District of Columbia.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE:

S. 695. A bill for the relief of Mrs. Angela Puccio;

S. 696. A bill for the relief of Ruth Cliver;

S. 697. A bill for the relief of Misako Moriya;

S. 698. A bill for the relief of Song Wan Young; and

S. 699. A bill for the relief of Gerardo Labay; to the Committee on the Judiciary.

By Mr. PELL:

S. 700. A bill for the relief of Rosarinha Cardosa; and

S. 701. A bill for the relief of Anne B. Mason; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself, Mr. BARTLETT, and Mr. KENNEDY):

S. 702. A bill relating to domestically produced fishery products; to the Committee on Commerce.

By Mr. MOSS:

S. 703. A bill to provide for the flying of the American flag over the remains of the U.S.S. *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941; to the Committee on Armed Services.

S. 704. A bill for the relief of Richard Wong; to the Committee on the Judiciary.

(See the remarks of Mr. MOSS when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. 705. A bill for the relief of Andreas Galis;

S. 706. A bill for the relief of Eduardo Pires; and

S. 707. A bill for the relief of Angelo DeSimone; to the Committee on the Judiciary.

By Mr. KEFAUVER (for himself and Mr. KEATING):

S.J. Res. 35. Joint resolution proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office; and

S.J. Res. 36. Joint resolution to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives; to the Committee on the Judiciary.

(See the remarks of Mr. KEFAUVER when he introduced the above joint resolutions, which appear under a separate heading.)

By Mr. KEATING (for himself and Mr. KEFAUVER):

S.J. Res. 37. Joint resolution proposing an amendment to the Constitution of the United States relative to residence requirements for voting in presidential elections; and

S.J. Res. 38. Joint resolution proposing an amendment to the Constitution of the United States granting to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above joint resolutions, which appear under a separate heading.)

By Mr. KEATING (for himself, Mr. JAVITS, Mr. CLARK, Mr. HUMPHREY, and Mr. SCOTT):

S.J. Res. 39. Joint resolution designating the week of May 20-26, 1963, as National Actors' Equity Week; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above joint resolution, which appear under a separate heading.)

INCREASED COMPENSATION FOR COMMISSIONERS, SUPERINTENDENT, AND DEPUTY SUPERINTENDENT OF SCHOOLS, DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, late in the last session of Congress a dispute developed between the Senate and House conferees over an increase in the salary for the Superintendent of Schools, Deputy Superintendent of Schools, and the District of Columbia Commissioners.

The Senate conferees on the teachers' pay bill took the position that the salary increase adopted by the Senate for the School Superintendent and Deputy Superintendent was a modest one. We were convinced, however, that these two dedicated school officials whom I have just mentioned, would not want the teachers' salary bill lost in conference over any dispute with regard to their salary. The Senate receded from its position with the understanding that the matter would be seriously considered in this session of Congress.

On January 17, 1963, Representative MCMILLAN, chairman of the House Committee on the District of Columbia, introduced a bill, H.R. 1931, which is similar to the bill I am introducing today. My bill increases the salary of the two school officials higher than provided for in H.R. 1931. Both measures make the increase retroactive for the District of Columbia Commissioners, the Superintendent of Schools, and Assistant Superintendent of Schools to the effective date of the salary increase bill for teachers which was January 2, 1963.

Thus, Mr. President, I introduce the salary increase bill today because I believe that it is completely justified and also because it keeps faith with the understanding which was reached by the Senate and House conferees last year when the matter was under consideration.

The PRESIDING OFFICER (Mr. BAYH in the chair). The bill will be received and appropriately referred.

The bill (S. 694) to increase the compensation of the Commissioners of the District of Columbia and of the Superintendent and Deputy Superintendent of

Schools of the District of Columbia, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on the District of Columbia.

FLYING OF THE FLAG OVER THE HULK OF THE U.S.S. "UTAH"

Mr. MOSS. Mr. President, I am pleased to introduce, for appropriate reference, a bill directing the Secretary of the Navy to have a flagpole erected over the hulk of the U.S.S. *Utah*, which lies half-submerged off Ford Island at Pearl Harbor, and to direct that the colors be raised and lowered each day in tribute to the 54 men and officers who lie entombed there as a result of Japanese military action on December 7, 1941. I have asked the Secretary of the Navy to take administrative action in this respect, and he has advised me that congressional authorization will be necessary because the U.S.S. *Utah* had been decommissioned when attacked.

Mr. President, many glowing tributes have been written these past 21 years to the brave men who died in the Japanese sneak attack on Pearl Harbor. Particularly have there been numerous tributes to the men who went down on the U.S.S. *Arizona*—1,102 of them—and who are still entombed in her charred hulk. These men were the first of our World War II dead—the first of our many heroes—and it was a proud and grateful nation which erected a memorial over the *Arizona*, and directed that the colors should be flown there every day.

But, until this past December, few people realized that the same recognition had not been given to the 54 other officers and men who also lost their lives in that infamous attack on Pearl Harbor—the 54 officers and men who lie entomed in the half-submerged hulk of the U.S.S. *Utah*.

Although I knew of the entombed men and had seen the *Utah* lying half submerged in Pearl Harbor, and although I felt that something should be done to recognize and honor the dead aboard the *Utah*, I did not get around to doing something until the Navy Times, and its able editor, Mr. Bill Kreh, called the forgotten 54 of the U.S.S. *Utah* to the attention of the American people, and again to my attention. At once I went again to Pearl Harbor to see the U.S.S. *Utah* for myself and found its great hulk still lying awash less than a mile from the *Arizona* which lies beneath its magnificent memorial. But the *Utah* flew no flag and on it was only a small marker in memory of its heroic dead. At once I agreed to head the crusade to give the men of the *Utah* the recognition of our flag along with the other Pearl Harbor dead—and it is a privilege to introduce a bill to do so today.

It is one of the ironies of history that the *Utah* was an unarmed target ship on Pearl Harbor Day. It had been decommissioned and its great guns removed. But the *Utah* still had the contour and the battleship gray of a massive warship, and the Japanese targeted on her just as fiercely as on the other battleships lying at anchor. Scores of bombs and torpedoes were sent her way, bombs and torpedoes which could have been used to sink other ships which were later used to help bring the Japanese Empire to its knees. But the U.S.S. *Utah* took the bombs instead, and its crew died for their country just as surely as the men on the fully armored ships.

By special dispensation, a flag flies over the sunken *Arizona*, and properly so. But the Navy insists that this flag is for all of the Pearl Harbor dead. This implies that if a flag were flown also over the *Utah* it would detract from the flag and the memorial over the *Arizona*. I do not agree. The *Utah* is on the opposite side of Ford Island out of view of the *Arizona*. It is a separate ship in a separate location. Moreover, there are separate flags flying over other Pearl Harbor dead who are buried in the land cemeteries nearby—and the *Utah* is just as much a military cemetery as any plot of ground containing graves and the granite markers and flowers. Flying the flag over the *Utah*, and raising and lowering it each day, would give it the similar recognition which its men deserve.

Even though the *Utah* spent her last days as a target ship, this does not detract from her proud history. Commissioned in 1911, she was once the best of the U.S. Navy. During World War I she served as a convoy ship, and in 1918 was one of the escort vessels which guarded President Wilson on his way to Europe. In the early 1920's the *Utah* served as the flagship of the Atlantic Fleet. And in 1928, she carried President Hoover home from a good-will trip to South America. In 1930, the *Utah* was converted to a target ship, radio controlled, which meant she could be operated by radio from another command ship. During mock battles the *Utah* even laid down her own smokescreen. The people of Utah were proud of her during every one of her years of service to this country.

Since the articles written by Bill Kreh have appeared in the Navy Times, and in Parade magazine, I have received thousands of letters, post cards, petitions, notes, and memos from all parts of the country supporting me in my efforts to commemorate the dead of the U.S.S. *Utah*. They have come from people in all walks of life—from Navy men of all ranks, from people who were at Pearl Harbor on that fateful day, and from people who have visited there since, and from a cross section of housewives, business executives, schoolchildren, and their teachers, retired citizens, and young people—in groups and as individuals.

A woman in Hialeah, Fla., Miss Doris L. Draper, has written a song dedicated to the U.S.S. *Utah*, and sent it to me. Any number of Americans have dedicated poetry and blank verse to the men of the *Utah*. A young lady suggested a commemorative stamp. There has been a great national outpouring of sympathy and support for my efforts.

One letter which I received recently was from Mr. F. E. Foster, executive vice president of the American Monument Association, at Olean, N.Y. It makes a dignified and restrained offer of a suitable granite memorial to be placed aboard the *Utah*. The association would finance designing, fabrication, furnishing the material, and transporting and erecting the memorial on the deck of the *Utah*. I shall recommend that this generous offer be considered, and that the names of the men who lie entombed in the *Utah* be engraved upon it. This is a roster of them as I received it from the Department of the Navy:

OFFICERS KILLED ON U.S.S. "UTAH" DECEMBER 7, 1941

Rudolph P. Bielka, lieutenant commander.
John E. Black, lieutenant, junior grade.
Herold A. Harveson, lieutenant junior grade.
David W. Jackson, ensign.
John G. Little III, lieutenant junior grade.
Charles O. Michael, lieutenant commander.

ENLISTED PERSONNEL KILLED ON U.S.S. "UTAH" DECEMBER 7, 1941

S2c. William D. Arbuckle.
F3c. Joseph Barta.
S1c. Virgil C. Bicham.
F1c. John T. Blackburn.
S2c. Pallas F. Brown.
F3c. William F. Brunner.
OC2. Feliciano T. Bugarin.
S2c. George Chestnutt, Jr.
S2c. Lloyd D. Clippard.
F1c. Joseph U. Conner.
F1c. John R. Crain.
S1c. David L. Crossett.
F2c. Billy R. Davis.
S2c. Leroy Dennis.
SM1. Douglas R. Dieckhoff.
S2c. William H. Dosser.
S1c. Vernon J. Eidsvig.
QM1c. Melvyn A. Gandre.
BM2c. Kenneth M. Gift.
S2c. Charles N. Gregoire.
S2c. Clifford D. Hill.
Bkr1c. Emery L. Houde.
S1c. Leroy H. Jones.
SC2c. William A. Juedas.
Y3c. John L. Kaelin.
GM3c. Eric T. Kampmeyer.
F1c. Joseph N. Karabon.
S1c. William H. Kent.
GM3c. George W. La Rue.
S2c. Kenneth L. Lynch.
S2c. William E. Marshall, Jr.
EM3c. Rudolph M. Martinez.
S2c. Marvin E. Miller.
S2c. Donald C. Norman.
F2c. Orris N. Norman.
EM2c. Edwin N. Odgaard.
CSK(PA). Elmer A. Parker.
SC3c. Forrest H. Perry.
S1c. James W. Phillips.
MM1c. Walter H. Ponder.
SF3c. Frank E. Reed.
S1c. Ralph E. Scott.
F1c. Henson T. Shouse.
StM1c. George R. Smith.
S2c. Robert D. Smith.
S2c. Joseph B. Sousley.
F3c. Gerald V. Strinz.
CWT(PA). Peter Tomich.
F3c. Elmer H. Ulrich.
F3c. Michael W. Villa.
FC1c. Vernard O. Wetrick.
F1c. Glenn Albert White.

Although I have received many petitions and letters from groups of adults and from members of service organizations, chambers of commerce, and other citizens groups, offering support for my efforts in behalf of the *Utah*, I have been most touched, I believe, by the many petitions and letters I have received from schoolchildren and young people. Almost every child in the sixth grade at Vernal, Utah, has written, each expressing in the student's characteristic way his patriotism and love of his State and country.

One of them, Rosa Rae Millican, 11 years old, gravely pointed out:

> I think that the colors should at least be flown over the *Utah*, because we respect our State as much as the people of Arizona respect their State.

Ken Gordon, a ninth-grader at the Jonas E. Salk, Jr., High School in Levittown, N.Y., sent me a petition, 39 pages long, and signed by 1,300 students and teachers. Other schools which have sent petitions, or individually written letters from one or more classes include: Fairless Senior High, Navarre, Ohio; third grade, Oak Forest Elementary School, Houston, Tex.; St. Mary's School, Taylor, Tex.; sixth grade, Russellville School, Russellville, Tenn.; Corbett Public Schools, Corbett, Oreg.; Boyceville Junior High, Boyceville, Wis.; fifth grade, Columbus Avenue School, Freeport, N.Y.; Boyerton Area Schools, Pennsylvania; Olive Branch Junior High, New Carlisle, Ohio; Dixie Hollis High School, Clearwater, Fla.; and the eighth grade, Eighth Ward Elementary School, Clinton, La.

College and university students have been equally as active. I have received letters or petitions from representatives of the University of Arkansas, Fayetteville, Ark.; McNesse State College, Lake Charles, La.; University of South Dakota, Vermillion, S. Dak.; State University College at Brockport, N.Y.; Upper Iowa University, Fayette, Iowa; University of North Dakota, Grand Forks, N. Dak.; Mercer University, Macon, Ga.; Radford College, Radford, Va.; and the University of Utah in Salt Lake City, Utah.

It is a temptation to ask that all of the splendid individually written letters I have received be printed—they are a heart-warming demonstration of patriotism and fairmindedness of the American people. Since this, of course, is not practical, I ask unanimous consent that a few of these letters—a cross section of opinion and comment—be printed at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MOSS. Mr. President, December 7, 1963, will be the 22d anniversary of the sinking of the *Utah* in the sneak attack on Pearl Harbor. Long before that anniversary date it is my hope that the colors of our country will fly proudly from that great ship to honor the men still aboard who gave their last full measure of devotion that this Nation of free men be not driven to slavery and submission. I ask early and favorable action on this bill. I ask not for an elaborate or costly memorial structure. I ask only for a simple standard from which our national emblem will fly daily for all to see and to remember and to honor. I ask only the recognition which is lovingly given to honor our military dead wherever they lie this world over.

Other Senators may wish to join me as cosponsors. I ask that the bill lie at the desk for 1 week for the addition of names of cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Utah.

The bill (S. 703) to provide for the flying of the American flag over the remains of the U.S.S. *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Armed Services.

EXHIBIT 1

QUOTATIONS FROM LETTERS RECEIVED

Mr. Reuben John Eichman, Springfield, Ohio: "I was one of the fortunate members of the crew aboard the U.S.S. *Utah* that survived the Japanese attack December 7, 1941, at Pearl Harbor. A great deal of appreciation to you for taking up the battle to see these men are given an honor they most certainly deserve. I have made an appeal to the citizens of Springfield, Ohio, to also make an appeal to the U.S. Government to do what is possible for the U.S.S. *Utah* and her crew that are still entombed aboard."

Mr. and Mrs. C. J. Villa, Long Island, N.Y.: "As the parents of Michael Villa, one of the 54 dead of the complement of the U.S.S. *Utah* at Pearl Harbor on December 7, 1941, I believe that it is a shame that their deaths have not been memorialized by the flying of the U.S. flag and appropriate tablet with their names at the location of the remains of said ship at Pearl Harbor. I and my wife Anna wholeheartedly support your movement."

Pasquale J. Siracusa, Newark, N.J.: "I am in firm agreement with you and your cause. The honor of the 54 men who lost their lives on the *Utah* should at least be repaid by the honor of the flag they died for. It is true that the *Arizona* had most of her men aboard and the quantity of lives lost was great, but the individual still remains prominent in this case. The 1,102 total lost on the *Arizona* is nothing other than 1,102 individuals as are the *Utah*'s 54. How could anyone have such fantastic ideas as to think that the colors over the *Utah* would diminish the image of the *Arizona* in the public mind? I say let the public decide for themselves whether or not these lonely 54 should go unnoticed. This image they speak of would be amplified rather than diminished. We should never let them forget that more ships than the *Arizona* went down, and that more men than the *Arizona*'s were lost. The officials say the *Arizona* memorial is a tribute to all the men whose lives were lost at Pearl Harbor. But this is an indirect tribute, these are not unknown sailors, their names are on file. There is no greater honor than to be buried by the flag, excepting to die for it. I join you in your fight."

Richard M. Davis, Chicago, Ill.: "I have never been to your State of Utah, Senator; I am from Framingham, Mass., but the difference means nothing. We, as people, should be thankful to these 54 men of the U.S.S. *Utah*, as well as the U.S.S. *Arizona*. Their undying devotion to duty, let alone their country, should not be and cannot go unrewarded. If I can help in any way possible, I will do so with honor."

Don Mack Dalton, attorney, American Fork, Utah: "Again you are right and I congratulate you for your honest endeavor to honor the 54 boys entombed in the battleship *Utah*. To some this may appear to be a little thing—not noticed, but to you it is showing big. Fifty-four men in a steel cemetery, under water, without appropriate honor, seems to me to be a revolting thing. We are proud, of course, that the *Arizona* with its 1,102 men is honored, but honor should not be so insincere that it will not reach less than a mile away."

Andrew A. Lazzara, Chicago, Ill.: "The *Utah* has been denied any sort of memorial because of rules and regulations. If we deny these brave men we make all our war memorials only hollow shells of what they should be, to deny a handful is to deny all."

Eugene W. Metcalf, San Marino, Calif.: "Twenty-one years ago I was an officer aboard the U.S.S. *Tucker* (DD374) moored just forward of the U.S.S. *Utah*. I had classmates on board and regret the memory of watching her capsize. In 1951, while passing the *Utah*, I was upset to see that no recognition had, as of that date, been given to the ship or its personnel, and advised the Navy League, Navy Department, and friends in the service regarding my feelings. If there is anything I may do to further assist you in your efforts, I would be only too happy to do so."

Arthur C. MacCollum, Metuchen, N.J.: "As a young apprentice machinist I worked on many parts of the *Salt Lake City* and the *Utah* at Camden, N.J., in the American Brown Boveris Corp., now known as the New York Shipbuilding Co. She was a fine cruiser and carried our standards as long as they commissioned her and most assuredly must have recommissioned her during the lead-up to World War II. If she was good enough to carry them then she most certainly should carry them now, holding our dead entombed irrespective of any adding or detracting from the *Arizona*. You know, we are not a class-distinction nation, despite what many here in the free living world would like to perpetuate to their own advantage, so I say raise a flag by all means over that warship and honor the dead in their country's service, not to the detriment of the *Arizona* but as a sister ship with buddies aboard and brothers also."

Edward R. O'Brien, Vienna, Va.: "My son, Kevin O'Brien, saw Mr. Kreh's article in the Washington Post of December 2. He felt that his Boy Scout troop could do something toward furthering your proposal. Kevin, therefore, went before the troop last night and read the article to the boys. When he finished, each patrol in turn, Apaches, Flaming Arrows, Fox, Rattlesnake, Stag, and Wolf, came forward and signed the attached letter. I have added my name to the list, as did our scoutmaster, James Vawter. I'm sure my boyhood friend will not feel any less honored than now should 54 more of his Navy buddies be afforded some proper tribute. My friend still serves aboard the U.S.S. *Arizona* as one of her eternal crew. With the best of luck and success in your bid to provide a fitting memorial."

Mrs. J. A. Olvias, Crestline, Calif.: "Were I the mother of one of the 54 men on board the *Utah*, I would be crushed to think my dead son, who also gave his life for his country, lay so forgotten. My prayers are with you in this cause."

Richard F. Salmon, Oak Forest, Ill.: "To join you in your drive to put a flag on the *Utah*, I put the attached paper on the bulletin board in our truck shop at Cummins, Ill., Engine Sales Corp. in Chicago. You will note there are signatures of our customers from other States who have helped in the cause."

Barry Sagendorf, Whippany, N.J.: "It is my sincere hope, Senator, that the Representatives in Congress from my State shall support you in your justified campaign to raise this Nation's emblem over the masthead of the *Utah* as a fitting memorial to those that lie within her hulk. May I wish you overwhelming success in your efforts."

Mrs. Frank Radin, Amityville, N.Y.: "My husband and I were quite moved by the article in the Parade section of our newspaper. My husband served in the Korean war and received the Bronze Star. He is also a member of the DAV. We both feel that those men who died aboard the *Utah* deserve some kind of tribute. The American flag flies over the remains of the men killed in all parts of the world. It is only fitting and proper that these men should have their country's flag fly over their burial ground."

Dale T. Bradford, Fayetteville, Ark.: "This is to cast my vote for honoring in an appropriate manner the 54 officers and men that died on the U.S.S. *Utah* December 7, 1941. As many of us know, the U.S.S. *Utah* was serving as a target ship during the time of Pearl Harbor. This, however, does not detract or lessen the glory of the service of this great ship, officers, and men. I was stationed on Ford Island and in full view of the U.S.S. *Utah,* U.S.S. *Arizona,* U.S.S. *California,* U.S.S. *Tennessee,* U.S.S. *Maryland,* U.S.S *Oklahoma,* U.S.S. *Pennsylvania,* and U.S.S. *Nevada;* all except the *Pennsylvania* were tied up alongside of Ford Island. The *Pennsylvania* was in drydock on December 7. It would seem to me that the daily raising and lowering of the colors on the U.S.S. *Utah* would be the least that our country could do to remember the men that lost their lives on December 7, 1941. Wishing you success in your efforts to accomplish your mission in this regard."

Mrs. W. L. Sederquist, Modesto, Calif.: "I am sure your thoughts and campaign to have our Stars and Stripes raised over the remains of the battleship *Utah* are reechoed by every redblooded American who has or has not seen Pearl Harbor with the remains of those two ill-fated battleships. My husband and I had these strong thoughts as we took the harbor cruise and felt the need of such a memorial for both ships."

James B. Herd, St. Louis, Mo.: "It is unthinkable to me that a memorial should not be erected for any Americans who died in the service of their country as did the men of the *Utah*. It certainly is not too much to request that the names of the *Utah's* crew be appropriately commemorated and that the flag for which they willingly died be flown above them. I join you in your effort to rectify this disgrace."

Mrs. Douglas Holman, La Grande, Oreg.: "My whole family agrees that a banner of a grateful nation should fly over the bodies of these 54, too long neglected, heroes of the 'day of infamy.' They have, indeed, waited too long for the honor they deserve."

Mrs. Mary Anne Tohtz, Midland Park, N.J.: "I would very much like to endorse the idea of raising the U.S. flag over the *Utah*. One of the young men entombed there was a very close friend of mine, and his death was the first personal tragedy in my then young life. I believe, too, that there should be some kind of memorial plaque with the names of the men listed. The young man referred to above was William D. Arbuckle. So far as I know there is no one of his family left. His mother died within a short time after the Pearl Harbor tragedy."

Walter S. Hayes, Perrysburg, Ohio: "As an ensign during the fall of 1918 I served on the Big U while she was stationed in Bantry Bay, Ireland. I am most interested in this proposition of yours and if I can be of service in this undertaking, do not hesitate to call on me. One of my prize possessions is a picture of the entire crew of the *Utah* taken during the summer of 1918 just prior to our departure for Bantry Bay. I also have a couple of copies of the Big U, a publication put out by the crew during this period."

Thomas M. Shea, Wendover, Utah: "Please accept the signatures of both my wife and myself as we have always believed there should have been a flag or some sort of memorial for the U.S.S. *Utah*. Maybe the *Utah* was not in commission at the time, but the men were, and we believe that they should be honored as you have suggested. How well I know that these men should be honored, as I worked on Ford Island and worked on raising the *Oklahoma* and trying to raise the *Utah*.

Mr. and Mrs. Carroll J. Meador, Moab, Utah: "Yes, we certainly do think a flag should be raised over *Utah's* war dead, in the battleship *Utah*. It's such a little thing to do for those who gave their lives for their country."

Richard Blackburn Black, rear admiral, U.S. Naval Reserve (retired), Woodbridge, Va.:

"It will interest you to note that Mrs. Black saw one of the torpedoes released which struck the *Utah*. We were awakened by the first detonations of the attack in our home at Pearl City on the east side of Pearl City Peninsula. During our drive to the submarine base gate where she and my son dropped me on my way to my battle station on Ford Island, Mrs. Black said, 'While you were in the house dressing and I was in the front yard I saw something fall off of one of the planes just outside the mullet-pond wall in front of the house.' When I asked her what sort of thing fell off, she said, 'I don't know, but it was almost as large as the plane and it went through the water.' Later, checking the time of certain events, we were sure that this was a torpedo destined to strike *Utah*. A few minutes later, as we passed along the fence just outside the sub base gate we saw *Arizona* exploding and burning and *Oklahoma* on her side just going over. Still later, from my station on Ford Island, I saw *Nevada* with her Sunday flag at her staffrail and all her antiaircraft guns blazing steaming at high speed around Ford Island to her rendezvous with the bombs and torpedoes which caused her to beach near the harbor entrance. I never hear "The Star-Spangled Banner" but I see that brave sight again. Allow me to wish you and the State of Utah the greatest success in this worthy mission."

Robert W. Nolte, Urbana, Ohio:

"My letter to you sir, will be of little value, but it makes me, and I know it will also make thousands of other Americans who will read the story of the 'Neglected Heroes,' in Parade magazine, a little ashamed that the United States has not for 21 years bestowed at least the same honor as we gave the U.S.S. *Arizona* and her crew, on their 'day of infamy.' My sincerest regards toward your fine proposal to have Old Glory forever fly over the battleship *Utah* and her last crew."

Michael Nemeoh, Litchfield, Ill.:

"My name is Michael Nemeoh. I'm 15 years old. I live in Litchfield, Ill. I say your idea is very good about raising the flag above the U.S.S. *Utah*. Myself, I would like to be the one to raise the flag, but I know this is impossible."

Blanche M. Justesen, Manti, Utah: "My son, Maj. Wayne I. Justesen, retired, was 12 hours late entering Pearl Harbor on that fateful day. He could have been one of those who never came back. By all means, do all in your power to see that honor is paid those brave men who died on the battleship *Utah*. It's tragic, but thousands of Utahans do not know of this neglect."

Alan Wolfley, Detroit, Mich.: "I very definitely second and commend your efforts to make the heroic battleship *Utah,* now lying at Pearl Harbor, all but forgotten, a national shrine. If it takes an elaborate memorial, I am for that and will gladly donate to a private citizen fund. If it takes merely the flying of our flag over the remains, by all means let's do it."

Lt. David J. Wright, U.S. Navy, FPO, San Francisco, Calif.: "I support your contention to honor U.S.S. *Utah,* lying awash in Pearl Harbor. To see her so is a sad sight, indeed, but a grim and almost necessary reminder, along with *Arizona,* of the continuing price and awareness required to maintain our heritage. To leave her lying in the mud, unhonored, does not do us credit, sir."

Cpl. Bruce D. McPhee, U.S. Marine Corps, Port-au-Prince, Haiti: "I am writing to let you know that I stand behind you 100 percent in your endeavor. As a member of the naval service, one might think me prejudiced, but, I believe that irregardless of the number of national shrines, and the proximity of their locations, one will not detract from the others."

Burrell M. Ketchersid, minister, Chattanooga, Tenn.: "I agree with you that the U.S. flag should fly over the remains of the battleship *Utah* and the 54 neglected heroes entombed therein. It seems rather strange that this matter has so long been neglected, and I sincerely trust that your efforts will be rewarded with success as you seek to have this wrong righted."

Mrs. George B. Modell, Chicago, Ill.: "This is to inform you that we, the Gold Star Mothers of Illinois, do agree with you that at least a flag be raised over the *Utah* and this should have been done long ago."

James H. Melton, McNeese State College, Lake Charles, La.: "I agree also that the Stars and Stripes should fly over the sunken battleship, the U.S.S. *Utah*. Is the price of a simple flagpole too great for a Nation such as ours that spends millions on foreign aid? We should not forget our dead."

John J. Williamson, Alameda, Calif.: "I believe that this is a noble gesture on your part to honor these heroes. I have enclosed some poetic prose that will explain my feelings in this matter. Please feel free to use it in any way you desire. I hope it will be of help in accomplishing the desired project."

PROPOSED AMENDMENTS TO THE CONSTITUTION

Mr. KEFAUVER. Mr. President, I introduce, for appropriate reference, two joint resolutions, each of which contains a proposed constitutional amendment. I am pleased that the distinguished Senator from New York [Mr. KEATING], who is one of the most active supporters of constitutional reform, has joined with me as cosponsor of these measures.

The purpose of these proposed amendments is to correct a situation which now exists whereby the executive or legislative branch of our Government might be paralyzed, either by the inability of some future President to discharge the duties of his office, or by the death of a large number of the Members of the House of Representatives as a result of a national disaster.

On January 23, 1963, I introduced as Senate Joint Resolution 28 a proposed constitutional amendment which would place in the President's Cabinet the power of deciding the beginning and termination of any Presidential inability. This is essentially the solution which Attorney General Rogers and Attorney General Brownell advanced during the Eisenhower administration. It would remove in advance any uncertainties as to what procedure would be followed in case one of our Presidents should become disabled.

I feel that the best plan is to adopt an amendment which would set out in detail exactly what should be done if a President should become unable to discharge his duties. But if we are unable to pass an amendment which deals with the problem in detail, I favor in the alternative a constitutional amendment which would give Congress the power to deal with such a situation, so that the executive branch of government would not be hopelessly paralyzed in the event of a prolonged inability of one of our Presidents to discharge his duties.

Therefore, I am today introducing, as an alternative to Senate Joint Resolution 28, a separate joint resolution which has the support of the American Bar Association, the New York State Bar Association and the Association of the Bar of the City of New York. It would merely authorize Congress by legislation to provide a method for determining the commencement and termination of an inability of the President. As our Constitution stands now, no individual or governmental body has this authority, and the result is a potentially dangerous situation, which should be eliminated by means of an appropriate amendment to the Constitution.

I am also reintroducing a joint resolution which has passed the Senate on three different occasions. It would authorize State Governors to fill vacancies in the House of Representatives temporarily whenever the total number of vacancies in the House exceeds one-third of its total membership. This might result, for example, from a nuclear attack.

During the first 161 years following the ratification of our Constitution, it was unimportant that no provision was made for the appointment of temporary Members of the House of Representatives to fill vacancies created by the death of Members. There was always ample time to hold special elections to fill these vacancies.

However, since September 1949, when Soviet Russia detonated its first nuclear bomb, the grim possibility has always existed that a national disaster might cause the death of a third or more of the Members of the House of Representatives, and Congress would be unable to act for many months, while special elections were being held.

Mr. KEATING. Mr. President, I am pleased to join with the Senator from Tennessee [Mr. Kefauver] in the introduction of several proposed constitutional amendments dealing with the operations of the Government and eligibility for voting.

None of the amendments we are proposing would alter the basic spirit of the Constitution or change the character and structure of our governmental system. However, all reflect the need to adapt our fundamental law to new conditions and problems, some of which could not have been anticipated in 1789. While the amendments vary in importance and urgency, all would be desirable supplements to the 23 amendments already adopted to attune the Constitution to changing national and world situations.

Two of the amendments are designed to encourage the participation of more Americans in the electoral process. The first of these would establish uniform residence laws for voting in presidential elections. Under present conditions, millions of qualified Americans who change their residences prior to an election are unable to vote for President because of unreasonable and conflicting State residence requirements. The number politically dispossessed by these requirements is constantly growing because of the increased mobility of our population. There is no justification for denying these Americans a voice in the selection of our Nation's Chief Executive. The only way to deal with this problem in a uniform manner is by the adoption of a constitutional amendment which would preserve every qualified citizen's right to vote despite his change in residence, as long as he satisfied registration requirements in his new area. According to some estimates, the adoption of the amendment we are proposing would have affected as many as 8 million qualified voters in the last presidential election.

The second voting amendment would extend the right to vote to every otherwise qualified citizen over the age of 18. It is our judgment that a man or woman old enough to fight for his country—especially in view of the expanding educational opportunities available to all Americans, certainly deserves a voice in the selection of the Nation's leaders. Despite the attention we justifiably center on the problems of juvenile delinquency, I believe that the overwhelming number of our Nation's youth is more mature and better educated today than at any time in our history. They are as much concerned with the welfare of their country and as well informed about the issues in election campaigns as other voters. Permitting them to vote in elections would show our faith in their judgment and instill an even greater sense of responsibility in them. Our proposed amendment would welcome these young Americans into the ranks of the electorate when they pass their 18th birthday.

The third amendment we are proposing makes provision for appointments to the House of Representatives in situations in which a third or more of its Members have been killed. This is essential if Congress is to be able to function during a period of national disaster. In the age of nuclear weapons, this is a situation which must be faced now and not after castastrophe has struck.

Our final amendment would authorize Congress to provide by legislation for the determination of Presidential inability in cases in which the capacity of the President is in controversy. This question also takes on special urgency in this perilous era. We have previously suggested different detailed plans for coping with the inability problem, but have now joined together in a plan simply authorizing legislation on this subject in an effort to break a stalemate which has blocked action in the past. We hope that a spirit of compromise will prevail and that this amendment will be presented to the States for ratification during this session of Congress.

Mr. President, I ask unanimous consent to have printed in the Record, following my remarks, the text of the two joint resolutions which I am introducing and of which the distinguished Senator from Tennessee is a cosponsor. I assume that he either has asked or will ask that the joint resolutions he is introducing be printed in the Record also.

Mr. KEFAUVER. Mr. President, I do ask unanimous consent that, following this colloquy, these two resolutions be printed in the body of the Record.

The PRESIDING OFFICER. The joint resolutions, introduced by the Senator from Tennessee [Mr. Kefauver], and the joint resolutions introduced by the Senator from New York [Mr. Keating], will be received and appropriately referred; and, without objection, the joint resolutions will be printed in the Record.

The joint resolutions, introduced by Mr. Kefauver (for himself and Mr. Keating), were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 35. Joint resolution proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"In case of the removal of the President from office or of his death or resignation, the said office shall devolve on the Vice President. In case of the inability of the President to discharge the powers and duties of the said office, the said powers and duties shall devolve on the Vice President, until the inability be removed. The Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then be President, or in case of inability, act as President, and such officer shall be or act as President accordingly, until a President shall be elected or, in case of inability, until the inability shall be earlier removed. The commencement and termination of any inability shall be determined by such method as Congress shall by law provide."

S.J. Res. 36. Joint resolution to amend the Constitution to authorize Governors to fill temporary vacancies in the House of Representatives.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, and shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLES —

"SECTION 1. On any date that the total number of vacancies in the House of Representatives exceeds one-third of the authorized membership thereof, and for a period of sixty days thereafter, the executive authority of each State shall have power to make temporary appointments to fill any vacancies, including those happening during such period, in the representation from his State in the House of Representatives. Any person temporarily appointed to fill any such vacancy shall serve until the people fill the vacancy by election as provided for by article I, section 2, of the Constitution.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

The joint resolutions, introduced by Mr. Keating (for himself and Mr. Kefauver), were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 37. Joint resolution proposing an amendment to the Constitution of the United States relative to residence requirements for voting in presidential elections.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years of the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. No citizen of the United States who is otherwise qualified to vote in any election held in any State or in the District constituting the seat of Government of the United States for the purpose, in whole or in part, of choosing electors of President and Vice President shall be denied the right to vote for such electors in such election because of any residence requirement of such State or such District, as the case may be, if such citizen has resided in such State (or the political subdivision thereof with respect to which the requirement applies), or in such District, as the case may be, for a period of at least ninety days preceding such election.

"SEC. 2. Any citizen of the United States who has been a resident of a State, or any political subdivision thereof, or the District constituting the seat of the government of the United States for a lesser period than that required for voting in an election for electors of President and Vice President, and who is otherwise qualified to vote in such election, shall nevertheless be entitled to vote in such election, if he was either eligible to so vote in another political subdivision of the same State, or in another State, or in such District, immediately prior to his change of residence, or if he would have been eligible to so vote if he had continued to reside in such place until such election."

S.J. Res. 38. Joint resolution proposing an amendment to the Constitution of the United States granting to citizens of the United States who have attained the age of 18 the right to vote.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"The right of citizens of the United States, who have reached the age of eighteen years, to vote shall not be denied or abridged by the United States or by any State on account of age. The Congress shall have power to enforce this article by appropriate legislation."

DESIGNATION OF NATIONAL ACTORS' EQUITY WEEK

Mr. KEATING. Mr. President, in behalf of the senior Senator from New York [Mr. Javits], the senior Senator from Minnesota [Mr. Humphrey], the Senators from Pennsylvania [Mr. Clark and Mr. Scott], and myself, I introduce, for appropriate reference, a joint resolution designating the week of May 20 to 26, 1963, as National Actors' Equity Week.

Mr. President, Actors' Equity was founded 50 years ago on May 26, 1913. Today it represents about 13,000 professional actors in the United States and Canada. Its founding purpose, which has been carried out to this day, is to advance, foster, and benefit all those connected with the art of the theater. As the organizational arm of actors and performers in the legitimate theater, Actors' Equity has fulfilled the twin functions of protecting and securing the rights of its members while striving for betterment of the cultural life of our Nation. It stands for the highest artistic ideals of our country.

It is therefore a great privilege for me, Mr. President, to present this joint resolution, and I ask unanimous consent that its text be printed at this point in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 39) designating the week of May 20–26, 1963, as National Actors' Equity Week, introduced by Mr. Keating (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Whereas Actors' Equity Association now represents approximately 13,000 professional actors who reside and perform in the United States and Canada; and

Whereas Actors' Equity Association was formed in order to "advance, promote, foster, and benefit all those connected with the 'art of the theater';" and

Whereas Actors' Equity Association has provided responsible and creative leadership in the field of the performing arts while it has encouraged and reflected the artistic ideals of our country; and

Whereas in fulfilling its function of protecting and securing the rights of actors and performers in the legitimate theater, Actors' Equity Association has materially enhanced and inspired the cultural life of the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the week of May 20–26, 1963, is hereby designated as National Actors' Equity Week, in recognition of the outstanding contribution which Actors' Equity Association has made to the cultural life of our Nation.

NOTICE OF MOTION TO AMEND THE STANDING RULES OF THE SENATE

Mr. PROUTY submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend rule XXII of the Standing Rules of the Senate for the purpose of proposing that the question of bringing debate to a close shall be decided by an affirmative vote of three-fifths of the Senators present and voting and also by a majority vote of the Senators duly chosen and sworn.

Such amendment to the Standing Rules of the Senate shall read as follows:

"RULE XXII

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting and also by a majority vote of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

AMENDMENT OF RULE RELATING TO CLOTURE—AMENDMENT

Mr. **PROUTY**. Mr. President, I intend to offer at the appropriate time a proposal for a Senate rules change which would correct a serious injustice.

I have already given notice, in accordance with rule XL, that it is my intention to move to amend the standing rules of the Senate for the purpose of adding a new rule which will guarantee minority Senators the adequate number of staff members on committees and subcommittees they so badly need at the present time.

Although Republicans constitute over one-third of the Senate, they have at their disposal only a small percentage of the total number of committee and subcommittee staff members. In analyzing hearings, in studying bills, and in developing new concepts and new policies, the minority labors under a serious handicap, because of the staffing situation.

The need for a congressional minority to keep the majority on the path of reason and good sense is sharply pointed out in an essay by Walter Lippmann. Lippmann says in part:

> The democratic system cannot be operated without effective opposition. * * * The party in power should never outrage the minority. That means that it must listen to the minority and be moved by the criticisms of the minority. A good statesman, like any other sensible human being, always learns more from his opponents than from his fervent supporters. For his supporters will push him to disaster unless his opponents show him where the dangers are.

When there is an improper imbalance of majority and minority rights, to the extent of the imbalance, democracy perishes.

I do not ask that Republican Senators be allowed the same privileges as those of the majority party Senators, but I do feel that they are entitled to some minimum guarantees if our two-party system is to have any meaning.

These are the guarantees I seek:

First, that 40 percent of the professional and clerical staff members of committees be assigned to the minority.

Second, that 40 percent of the funds authorized for hiring temporary employees on select and special committees or subcommittees be used for staff members selected by the minority members of each group.

Mr. President, I now send to the desk an amendment to the Humphrey substitute. I shall call up the amendment at the appropriate time; and I ask that it be printed.

The **PRESIDING OFFICER**. The amendment will be received, printed, and will lie on the table.

SUMMARY OF MONTHLY PERSONNEL REPORTS OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

Mr. **BYRD** of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a summary of monthly personnel reports on civilian employment in the executive branch of the Federal Government issued during the recess of the Congress. These reports were concerned with employment and payrolls during the period August to November 1962, inclusive.

In accordance with the practice of several years standing, I ask unanimous consent that the summary, together with a statement by me, be printed in the body of the RECORD as a part of my remarks.

There being no objection, the summary and statement were ordered to be printed in the RECORD, as follows:

Personnel and pay summary, August through November 1962

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In November numbered—	In August numbered—	Increase (+) decrease (−)	In October was—	In July was—	Increase (+) decrease (−)
Total[1]	2,498,179	2,512,199	−14,020	$1,316,906	$1,221,740	+$95,166
Agencies exclusive of Department of Defense	1,428,209	1,436,487	−8,278	737,424	689,351	+48,073
Department of Defense	1,069,970	1,075,712	−5,742	579,482	532,389	+47,093
Inside the United States	2,330,618	2,347,276	−16,658			
Outside the United States	167,561	164,923	+2,638			
Industrial employment	567,655	573,638	−5,983			
Foreign nationals	170,222	170,286	−64	27,513	27,113	+400

[1] Exclusive of foreign nationals shown in the last line of this summary.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during November 1962, and comparison with August 1962, and pay for October 1962, and comparison with July 1962*

Department or agency	Personnel				Pay (in thousands)			
	November	August	Increase	Decrease	October	July	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	108,390	110,834		2,444	$51,969	$51,266	$703	
Commerce	29,843	31,392		1,549	19,296	18,323	973	
Health, Education, and Welfare	77,836	78,638		802	39,587	38,589	998	
Interior	61,953	64,050		2,097	33,040	34,169		$1,129
Justice	31,953	32,271		318	21,326	20,001	1,325	
Labor	8,799	8,855		56	5,392	4,934	458	
Post Office	589,284	590,632		1,348	281,297	256,445	24,852	
State [1] [2]	[3] 41,117	40,802	315		21,455	19,349	2,106	
Treasury	83,704	[4] 84,332		628	50,579	46,894	3,685	
Executive Office of the President:								
White House Office	334	334			244	232	12	
Bureau of the Budget	462	485		23	435	395	40	
Council of Economic Advisers	49	59		10	43	46		3
Executive Mansion and Grounds	78	75	3		40	36	4	
National Aeronautics and Space Council	26	23	3		23	22	1	
National Security Council	40	46		6	35	31	4	
Office of Emergency Planning	426	483		57	382	400		18
President's Commission on Campaign Costs [5]		1		1	(6)	1		1
Office of Science and Technology	46	27	19		27	22	5	

See footnotes at end of table.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during November 1962, and comparison with August 1962, and pay for October 1962, and comparison with July 1962*—Continued

Department or agency	Personnel				Pay (in thousands)			
	November	August	Increase	Decrease	October	July	Increase	Decrease
Independent agencies:								
Advisory Commission on Intergovernmental Relations	26	27		1	$23	$19	$4	
American Battle Monuments Commission	393	435		42	83	87		$4
Atomic Energy Commission	6,958	6,932	26		5,356	4,967	389	
Board of Governors of the Federal Reserve System	609	599	10		412	391	21	
Civil Aeronautics Board	831	843		12	617	596	21	
Civil Service Commission	4,156	4,162		6	2,475	2,373	102	
Civil War Centennial Commission	5	5			4	4		
Commission of Fine Arts	7	6	1		6	5	1	
Commission on Civil Rights	87	88		1	52	52		
Delaware River Basin Commission	2	2			2	2		
Export-Import Bank of Washington	270	273		3	192	187	5	
Farm Credit Administration	238	237	1		182	164	18	
Federal Aviation Agency	45,153	44,880	273		31,078	29,544	1,534	
Federal Coal Mine Safety Board of Review	6	7		1	4	4		
Federal Communications Commission	1,430	1,523		93	1,033	977	56	
Federal Deposit Insurance Corporation	1,242	1,264		22	840	790	50	
Federal Home Loan Bank Board	1,201	1,210		9	847	751	96	
Federal Maritime Commission	192	179	13		143	129	14	
Federal Mediation and Conciliation Service	390	379	11		353	321	32	
Federal Power Commission	1,029	1,011	18		739	657	82	
Federal Trade Commission	1,132	1,129	3		809	741	68	
Foreign Claims Settlement Commission	73	67	6		53	49	4	
General Accounting Office	4,631	4,704		73	3,129	2,900	229	
General Services Administration	32,063	32,214		151	15,903	15,187	716	
Government Printing Office	7,125	7,028	97		4,310	4,017	293	
Housing and Home Finance Agency	13,525	13,528		3	8,663	[4] 8,022	641	
Indian Claims Commission	23	24		1	20	27		7
Interstate Commerce Commission	2,398	2,418		20	1,710	1,598	112	
James Madison Memorial Commission						(6)		
National Aeronautics and Space Administration	25,389	24,817	572		19,092	16,592	2,500	
National Capital Housing Authority	418	416	2		196	185	11	
National Capital Planning Commission	48	52		4	37	38		1
National Capital Transportation Agency	79	83		4	84	59	25	
National Gallery of Art	319	319			140	135	5	
National Labor Relations Board	2,004	1,982	22		1,418	1,283	135	
National Mediation Board	139	135	4		120	103	17	
National Science Foundation	989	861	128		616	555	61	
Outdoor Recreation Resources Review Commission [7]		4		4		3		3
Panama Canal	14,914	14,825	89		4,946	4,676	270	
President's Committee on Equal Employment Opportunity	48	50		2	31	33		2
Railroad Retirement Board	2,026	2,094		68	1,170	1,117	53	
Renegotiation Board	203	194	9		161	153	8	
St. Lawrence Seaway Development Corporation	162	165		3	107	105	2	
Securities and Exchange Commission	1,408	1,368	40		972	861	111	
Selective Service System	6,797	6,812		15	2,279	2,129	150	
Small Business Administration	3,168	3,220		52	2,106	1,938	168	
Smithsonian Institution	1,312	1,338		26	692	679	13	
Soldiers' Home	1,058	1,047	11		349	349		
South Carolina, Georgia, Alabama, and Florida Water Study Commission	55	59		4	46	43	3	
Subversive Activities Control Board	26	25	1		22	22		
Tariff Commission	271	280		9	209	234		25
Tax Court of the United States	151	151			123	112	11	
Tennessee Valley Authority	18,357	18,553		196	11,979	11,274	705	
Texas Water Study Commission [8]						12		12
U.S. Arms Control and Disarmament Agency	106	99	7		115	70	45	
U.S. Information Agency	11,398	11,277	121		5,217	4,686	531	
Veterans' Administration	177,248	177,024	224		80,862	76,055	4,807	
Virgin Islands Corporation	581	724		143	127	134		7
Total, excluding Department of Defense	1,428,209	1,436,487	2,029	10,307	737,424	689,351	49,285	1,212
Net change, excluding Department of Defense			8,278				48,073	
Department of Defense:								
Office of the Secretary of Defense	2,036	1,971	65		1,608	1,466	142	
Department of the Army	390,168	[4] 395,508		5,340	205,472	185,152	20,320	
Department of the Navy	345,248	348,446		3,198	[3] 195,436	183,800	11,636	
Department of the Air Force	307,281	305,073	2,208		163,837	150,374	13,463	
Defense Atomic Support Agency	2,087	2,084	3		1,097	1,029	68	
Defense Communications Agency	278	210	68		164	107	57	
Defense Intelligence Agency	284	250	34		194	145	49	
Defense Supply Agency	21,039	20,616	423		10,565	9,257	1,308	
Office of Civil Defense	1,009	1,004	5		[3] 790	779	11	
U.S. Court of Military Appeals	40	40			34	32	2	
Interdepartmental Activities	20	36		16	17	18		1
International Military Activities	59	59			45	35	10	
Armed Forces Information and Education Activities	421	415	6		223	195	28	
Total, Department of Defense	1,069,970	1,075,712	2,812	8,554	579,482	532,389	47,094	1
Net change, Department of Defense			5,742				47,093	
Grand total, including Department of Defense [9]	[10] 2,498,179	2,512,199	4,841	18,861	1,316,906	1,221,740	96,379	1,213
Net change, including Department of Defense			14,020				95,166	

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[1] November figure includes 16,341 (estimated, pending completion of reporting process revisions now in progress) employees of the Agency for International Development as compared with 15,810 in August and their pay. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The November figure includes 4,190 (estimated) of these trust fund employees and the August figure includes 3,795.

[2] November figure includes 841 employees of the Peace Corps as compared with 895 in August and their pay.

[3] Subject to revision.

[4] Revised on basis of later information.

[5] Agency abolished Nov. 1, 1962.

[6] Less than $500.

[7] Ceased to exist Sept. 1, 1962, pursuant to Public Law 87-12.

[8] Ceased to exist pursuant to Public Law 85-843.

[9] Exclusive of personnel and pay of the Central Intelligence Agency and the National Security Agency.

[10] Includes employment by Federal agencies under the Public Works Acceleration Act (Public Law 87-658) as follows: Agriculture Department, 9,394, and Interior Department, 2,963. If in subsequent months employment reported under provisions of this act become widespread among Federal agencies, it will be shown in a special table in this report.

TABLE II.—*Federal personnel inside the United States employed by the executive agencies during November 1962, and comparison with August 1962*

Department or agency	November	August	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	107,216	109,714	--------	2,498
Commerce	29,203	30,749	--------	1,546
Health, Education, and Welfare	77,243	78,102	--------	859
Interior	61,442	63,554	--------	2,112
Justice	31,614	31,915	--------	311
Labor	8,693	8,747	--------	54
Post Office	587,831	589,186	--------	1,355
State [1] [2]	[3] 10,315	10,551	--------	236
Treasury	83,090	[4] 83,724	--------	634
Executive Office of the President:				
White House Office	334	334	--------	--------
Bureau of the Budget	462	485	--------	23
Council of Economic Advisers	49	59	--------	10
Executive Mansion and Grounds	78	75	3	--------
National Aeronautics and Space Council	26	23	3	--------
National Security Council	40	46	--------	6
Office of Emergency Planning	426	483	--------	57
Office of Science and Technology	46	27	19	--------
President's Commission on Campaign Costs [5]	--------	1	--------	1
Independent agencies:				
Advisory Commission on Intergovernmental Relations	26	27	--------	1
American Battle Monuments Commission	7	8	--------	1
Atomic Energy Commission	6,924	6,901	23	--------
Board of Governors of the Federal Reserve System	609	599	10	--------
Civil Aeronautics Board	830	842	--------	12
Civil Service Commission	4,152	4,158	--------	6
Civil War Centennial Commission	5	5	--------	--------
Commission of Fine Arts	7	6	1	--------
Commission on Civil Rights	87	88	--------	1
Delaware River Basin Commission	2	2	--------	--------
Export-Import Bank of Washington	270	273	--------	3
Farm Credit Administration	238	237	1	--------
Federal Aviation Agency	44,170	43,907	263	--------
Federal Coal Mine Safety Board of Review	6	7	--------	1
Federal Communications Commission	1,428	1,521	--------	93
Federal Deposit Insurance Corporation	1,240	1,262	--------	22
Federal Home Loan Bank Board	1,201	1,210	--------	9
Federal Maritime Commission	192	179	13	--------
Federal Mediation and Conciliation Service	390	379	11	--------
Federal Power Commission	1,029	1,011	18	--------
Federal Trade Commission	1,132	1,129	3	--------
Foreign Claims Settlement Commission	62	63	--------	1
General Accounting Office	4,547	4,616	--------	69
General Services Administration	32,053	32,204	--------	151
Government Printing Office	7,125	7,028	97	--------
Housing and Home Finance Agency	13,346	13,347	--------	1
Indian Claims Commission	23	24	--------	1
Interstate Commerce Commission	2,398	2,418	--------	20
National Aeronautics and Space Administration	25,376	24,805	571	--------
National Capital Housing Authority	418	416	2	--------
Independent agencies—Continued				
National Capital Planning Commission	48	52	--------	4
National Capital Transportation Agency	79	83	--------	4
National Gallery of Art	319	319	--------	--------
National Labor Relations Board	1,970	1,949	21	--------
National Mediation Board	139	135	4	--------
National Science Foundation	976	850	126	--------
Outdoor Recreation Resources Review Commission [6]	--------	4	--------	4
Panama Canal	167	172	--------	5
President's Commission on Equal Employment Opportunity	48	50	--------	2
Railroad Retirement Board	2,026	2,094	--------	68
Renegotiation Board	203	194	9	--------
St. Lawrence Seaway Development Corporation	162	165	--------	3
Securities and Exchange Commission	1,408	1,368	40	--------
Selective Service System	6,646	6,658	--------	12
Small Business Administration	3,118	3,173	--------	55
Smithsonian Institution	1,297	1,327	--------	30
Soldiers' Home	1,058	1,047	11	--------
South Carolina, Georgia, Alabama, and Florida Water Study Commission	55	59	--------	4
Subversive Activities Control Board	26	25	1	--------
Tariff Commission	271	280	--------	9
Tax Court of the United States	151	151	--------	--------
Tennessee Valley Authority	18,355	18,551	--------	196
U.S. Arms Control and Disarmament Agency	106	99	7	--------
U.S. Information Agency	3,180	3,106	74	--------
Veterans' Administration	176,243	176,010	233	--------
Total, excluding Department of Defense	1,365,452	1,374,378	1,564	10,490
Net decrease, excluding Department of Defense	--------	--------	8,926	
Department of Defense:				
Office of the Secretary of Defense	1,976	1,913	63	--------
Department of the Army	337,957	343,322	--------	5,365
Department of the Navy	321,132	324,526	--------	3,394
Department of the Air Force	278,903	278,450	453	--------
Defense Atomic Support Agency	2,087	2,084	3	--------
Defense Communications Agency	259	203	56	--------
Defense Intelligence Agency	284	250	34	--------
Defense Supply Agency	21,039	20,616	423	--------
Office of Civil Defense	1,009	1,004	5	--------
U.S. Court of Military Appeals	40	40	--------	--------
Interdepartmental activities	20	36	--------	16
International military activities	39	39	--------	--------
Armed Forces Information and Education Activities	421	415	6	--------
Total, Department of Defense	965,166	972,898	1,043	8,775
Net decrease, Department of Defense	--------	--------	7,732	
Grand total, including Department of Defense	2,330,618	2,347,276	2,607	19,265
Net decrease, including Department of Defense	--------	--------	16,658	

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[1] November figure includes 2,741 (estimated, pending completion of reporting process revisions now in progress) employees of the Agency for International Development as compared with 2,891 in August.

[2] November figure includes 583 employees of the Peace Corps as compared with 669 in August.

[3] Subject to revision.

[4] Revised on basis of later information.

[5] Agency abolished Nov. 1, 1962.

[6] Ceased to exist Sept. 1, 1962, pursuant to Public Law 87-12.

TABLE III.—*Federal personnel outside the United States employed by the executive agencies during November 1962, and comparison with August 1962*

Department or agency	November	August	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,174	1,120	54	--------
Commerce	640	643	--------	3
Health, Education, and Welfare	593	536	57	--------
Interior	511	496	15	--------
Justice	339	346	--------	7
Labor	106	108	--------	2
Post Office	1,453	1,446	7	--------
State [1] [2]	[3] 30,802	30,251	551	--------
Treasury	614	608	6	--------
Independent agencies:				
American Battle Monuments Commission	386	427	--------	41
Atomic Energy Commission	34	31	3	--------
Civil Aeronautics Board	1	1	--------	--------
Civil Service Commission	4	4	--------	--------
Federal Aviation Agency	983	973	10	--------
Federal Communications Commission	2	2	--------	--------
Federal Deposit Insurance Corporation	2	2	--------	--------
Foreign Claims Settlement Commission	11	4	7	------
General Accounting Office	84	88	--------	4
General Services Administration	10	10	--------	--------
Housing and Home Finance Agency	179	181	--------	2
National Aeronautics and Space Administration	13	12	1	--------
National Labor Relations Board	34	33	1	--------
National Science Foundation	13	11	2	--------
Panama Canal	14,747	14,653	94	--------
Independent agencies—Continued				
Selective Service System	51	154	--------	3
Small Business Administration	450	47	3	--------
Smithsonian Institution	15	11	4	--------
Tennessee Valley Authority	2	2	--------	--------
U.S. Information Agency	8,218	8,171	47	--------
Veterans' Administration	1,005	1,014	--------	9
Virgin Islands Corporation	581	724	--------	143
Total, excluding Department of Defense	62,757	62,109	862	214
Net increase, excluding Department of Defense	--------	--------	648	
Department of Defense:				
Office of the Secretary of Defense	60	58	2	--------
Department of the Army	52,211	[4] 52,186	25	--------
Department of the Navy	24,116	23,920	196	--------
Department of the Air Force	28,378	26,623	1,755	--------
Defense Communications Agency	19	7	12	--------
International military activities	20	20	--------	--------
Total, Department of Defense	104,804	102,814	1,990	--------
Net increase, Department of Defense	--------	--------	1,990	
Grand total, including Department of Defense	167,561	164,923	2,852	214
Net increase, including Department of Defense	--------	--------	2,638	

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[1] November figure includes 13,600 (estimated, pending completion of reporting process revisions now in progress) employees of the Agency for International Development as compared with 12,919 in August. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The November figure includes 4,190 (estimated) of these trust fund employees and the August figure includes 3,795.

[2] November figure includes 258 employees of the Peace Corps as compared with 226 in August.

[3] Subject to revision.

[4] Revised on basis of later information.

TABLE IV.—*Industrial employees of the Federal Government inside and outside the United States employed by the executive agencies durin November 1962, and comparison with August 1962*

Department or agency	November	August	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,765	3,739	26	
Commerce	5,562	5,727		165
Interior	7,584	8,658		1,074
Post Office	251	252		1
Treasury	5,201	5,193	8	
Independent agencies:				
Atomic Energy Commission	247	269		22
Federal Aviation Agency	2,972	2,905	67	
General Services Administration	1,764	1,699	65	
Government Printing Office	7,125	7,028	97	
National Aeronautics and Space Administration	25,389	24,817	572	
Panama Canal	7,512	7,572		60
St. Lawrence Seaway Development Corporation	162	132	30	
Tennessee Valley Authority	15,312	15,490		178
Virgin Islands Corporation	581	724		143
Total, excluding Department of Defense	83,427	84,205	865	1,643
Net decrease, excluding Department of Defense			778	
Department of Defense:				
Department of the Army:				
Inside the United States	[1] 141,938	[2] 143,836		1,898
Outside the United States	[1] 4,552	[2] 4,400	152	
Department of the Navy:				
Inside the United States	198,218	201,353		3,135
Outside the United States	1,282	1,264	18	
Department of the Air Force:				
Inside the United States	135,061	135,460		399
Outside the United States	1,184	1,052	132	
Defense Supply Agency:				
Inside the United States	1,993	2,068		75
Total, Department of Defense	484,228	489,433	302	5,507
Net decrease, Department of Defense			5,205	
Grand total, including Department of Defense	567,655	573,638	1,167	7,150
Net decrease, including Department of Defense			5,983	

[1] Subject to revision.

[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under U.S. agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of November 1962 and comparison with August 1962*

Country	Total		Army		Navy		Air Force		National Aeronautics and Space Administration	
	November	August	November	August	November	August	November	August	November	August
Australia	1	1							1	1
Canada	35	36					35	36		
Crete	65	60					65	60		
England	3,320	3,290			100	91	3,220	3,199		
France	22,455	22,439	18,505	18,751	11	11	3,939	3,677		
Germany	81,658	80,990	68,838	68,045	87	87	12,733	12,858		
Greece	266	261					266	261		
Greenland	163	128					163	128		
Japan	53,009	53,687	18,986	19,278	14,404	[1] 14,478	19,619	19,931		
Korea	6,218	6,212	6,218	6,212						
Morocco	2,417	2,568			783	763	1,634	1,805		
Netherlands	52	54					52	54		
Trinidad	563	560			563	560				
Total	170,222	170,286	112,547	112,286	15,948	15,990	41,726	42,009	1	1

[1] Revised on basis of later information.

STATEMENT BY SENATOR BYRD OF VIRGINIA

Civilian employment in the executive branch of the Federal Government decreased 14,020 during the period August through November 1962. The total in August was 2,512,199. In November there were 2,498,179 civilian employees.

Employment by civilian agencies of the Federal Government showed a net decrease of 8,278 during the period from August through November 1962, decreasing from 1,436,487 in August to 1,428,209 in November. Civilian employment in the Department of Defense decreased 5,742 during the same period, decreasing from 1,075,712 in August to 1,069,970 in November.

Inside the United States civilian employment decreased 16,658 from 2,347,276 in August to 2,330,618 in November. Outside the United States civilian employment increased 2,638 from 164,923 in August to 167,561 in November. Industrial employment by Federal agencies decreased 5,983 from 573,638 in August to 567,655 in November.

In July the Federal civilian payroll was running at an annual rate of $14,661 million, and in October it was running at an annual rate of $15,803 million.

These figures summarize compilations of monthly personnel reports certified by executive agencies to the Joint Committee on Reduction of Nonessential Federal Expenditures since Congress adjourned October 13, 1962.

In addition to this regularly reported civilian employment, there were foreign nationals working under U.S. agencies overseas, excluded from usual personnel reporting, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid. These numbered 170,286 in August and 170,222 in November, a decrease of 64.

IMPOSITION OF ADDITIONAL DUTIES ON CERTAIN IMPORTED CATTLE, BEEF, AND VEAL—ADDITIONAL COSPONSORS OF BILL

Mr. SIMPSON. Mr. President, on January 28 I introduced S. 557, a bill to amend the Tariff Act of 1930 to impose additional duties on cattle, beef and veal imported each year in excess of annual quotas. I ask unanimous consent that the names of Senators CURTIS and DOMINICK be included as cosponsors of this measure the next time it is printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

REVISION OF FEDERAL ELECTION LAWS—ADDITIONAL COSPONSOR OF BILL

Mr. LONG of Missouri. Mr. President, on January 28, I introduced on behalf of myself and 13 of my colleagues, the bill (S. 559) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes. I ask unanimous consent that the name of the senior Senator from New York [Mr. JAVITS] be added as a cosponsor at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that yesterday the Senate received the nomination of Archibald S. Alexander, of New Jersey, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. RANDOLPH:

Address by Postmaster General J. Edward Day delivered at Charleston (W. Va) Chamber of Commerce dinner for members of the West Virginia Legislature, January 29, 1963.

By Mr. WILLIAMS of New Jersey:

Television address by President Kennedy in tribute to the Anti-Defamation League of B'nai B'rith, on January 31, 1963; also a news item from the Washington Post of February 4, 1963, relating to the election of Dore Schary as chairman of the Anti-Defamation League.

THE ADMINISTRATION HAS BEEN SHOVELING OUT THE TAXPAYERS' MONEY TO CONGRESSMAN ADAM CLAYTON POWELL

Mr. WILLIAMS of Delaware. Mr. President, today I wish to call to the attention of the Senate the loose manner in which the administration has been shoveling the taxpayers' money out to Congressman Adam Clayton Powell.

During the past 12 months various agencies of the Government have been scrambling around to see who could give Mr. Powell the most favorable deal.

Last summer on the front page of every newspaper were accounts of Mr. Powell's European vacation with his lady friends, where he attended all the night spots of the European capitals on a tax-paid junket that was financed through the State Department.

There was no excuse for the State Department's ever having approved this unnecessary junket. The State Department is in no way obligated to finance any such extravaganza by any Member of Congress.

While the State Department was financing Mr. Powell's and his lady friends' trip to Europe, however, other agencies were determined not to be outdone.

For example, on August 1, 1962—just 4 months prior to the election—the Department of Health, Education, and Welfare made an outright grant of $250,000 to Mr. Powell and his associates. This $250,000 grant allegedly was made to Mr. Powell for the purpose of developing the nucleus of a domestic peace corps. The fact that a domestic peace corps has, as yet, not been approved by Congress did in no way deter the Department from financing such a project. They merely tapped an appropriation which had been approved under Public Law 87–274 for the study of juvenile delinquency.

One official of the Department of Health, Education, and Welfare attempted to justify this questionable grant to Mr. Powell from the Federal Treasury by explaining that he thought Mr. Powell with his experience could make an outstanding contribution toward solving the juvenile delinquency problem.

For the administration to authorize a grant of $250,000 from the Federal Treasury to be placed at the disposal of Congressman Powell under the guise that it would help to combat the juvenile delinquency problem is an insult to the intelligence of the American taxpayers.

Mr. Powell, whose escapades have been on the front page of every newspaper for several months, could well be recognized as an authority on "adult delinquency," but most certainly he is not the caliber of a man who the American people would want to set an example for the youth of our country.

At this point, I ask unanimous consent to have printed in the Record a letter of February 15, 1962, signed by Mr. Nestingen, Acting Secretary of the Department of Health, Education, and Welfare.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Secretary of Health,
Education, and Welfare,
Washington, D.C., February 1, 1963.

Hon. John J. Williams,
U.S. Senate, Washington, D.C.

Dear Senator Williams: This is in response to your letter dated January 21, 1963, regarding a Federal grant of $250,000 to Associated Community Teams, Inc.

Enclosed is a statement by Bernard Russell, special assistant to the Secretary, which should clarify your questions as well as those raised by Mr. Davenport on the telephone.

Thank you for your interest in this program. If I can be of any further help to you, please feel free to call upon me.

Sincerely,

Ivan A. Nestingen,
Acting Secretary.

Report on Associated Community Teams, Inc.

(By Bernard Russell, special assistant to the secretary for juvenile delinquency)

Associated Community Teams, Inc., first submitted an application on May 15, 1962. The application was withdrawn after consultation with staff since it overlapped with another project in Harlem. The proposal was then redrawn requesting a grant "to sponsor in the central Harlem community the development of (1) a domestic peace corps, and (2) an urban service corps program as an outgrowth of the domestic peace corps. This will require the development of a program for the effective training of professional and lay personnel who will be competent to design and conduct the several programs involved in the domestic peace corps concept. The urban service corps is conceived as an evolving phase of the domestic peace corps, in which peace corps trainees would eventually gain the skills and competence for supervising youngsters recruited into the urban service corps." This proposal was reviewed by a technical review panel composed of experts outside of Government who recommended approval. The grant was approved on August 1, 1962.

The incorporators of Associated Community Teams, Inc., are the following five people: Adam Clayton Powell, Congressman, minister; Livingston L. Wingate, associate counsel for labor-management, Committee on Education and Labor; David D. Jones, deputy commissioner of correction; Jawn A. Sandifer, attorney, civic leader; and Jose Ramos Lopez, assemblyman, New York City.

Attached is a list of the board of directors who elect their own officers. The officers are Mr. Andrew Tyler, president; Miss Evelyn Cunningham, secretary; and Mr. David Jones, treasurer.

Associated Community Teams, Inc., has offices at 179 West 137th Street in New York City. They were awarded this grant under Public Law 87–274, section 4.

Accounting reports on projects under this program are required to be filed at the end of each year's experience, or within 3 months after expiration of the grant, whichever comes earlier.

An audit is being conducted at this time on the grant issued to Associated Community Teams, Inc., which is part of an interim audit we are conducting for all our projects.

Mr. WILLIAMS of Delaware. Mr. President, I cite an example of Mr. Powell's influence with this administration under the Housing and Home Finance Agency. Long-term loans totaling nearly $11 million at interest rates as low as 3⅛ percent have been approved to Mr. Powell and his associates.

Three loans totaling $10,838,000 have been approved for the construction of a housing development and the purchase of hotels, the total cost of which, based on the administration's own records, was to be only $8,588,000.

Not only were these loans sufficient to cover 100 percent of the acquisition cost of the properties in question, but in one instance the loan approved was for exactly double the acquisition price.

At this point, I ask unanimous consent to have incorporated in the Record two letters both signed by Mr. Robert C. Weaver, Administrator of the Housing and Home Finance Agency, one dated November 14, 1962, and the second dated December 18, 1962, in which these loans are more fully described.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Housing and Home
Finance Agency,
Office of the Administrator,
Washington, D.C., November 14, 1962.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: This is in reply to your letter of October 23, 1962, requesting a record of all loans which have been approved for Congressman Adam Clayton Powell, Jr., the Adam Clayton Powell Foundation, or other company (sic) with which he is connected.

With respect to the Federal Housing Administration program of insured mortgages, Commissioner Neal J. Hardy advises me that in the small homes program (one- to four-family residences), he is not able to immediately identify any loans which have been insured in the name of Adam Clayton Powell, Jr., or related companies. I am sure you will understand that since there are approximately 3½ million small home mortgages insured by the FHA, it is not possible to say with certainty that Representative Powell has not been the mortgagor in an insured mortgage.

With respect to multifamily housing operations, there are presently three proposals before the Federal Housing Administration. One application in formal processing is a section 221(d)(3) project for lower income occupants. The essential facts are as follows:

The Iliad, Bronx, N.Y. project No. 012–55002NP, section 221(d)(3): Below market interest rate, 3⅛ percent; 358 units, 24-story; mortgage, 100 percent, $4,938,000; sponsor, Morris Park Senior Citizens Housing Council, Inc. (instrumentality of the Abyssinian Baptist Church); eligibility of nonprofit approved September 3, 1962; builder, Robert Chuckrow Construction Co.

In addition, there are two firm proposals before the FHA involving mortgages under section 231 to provide housing for the elderly as follows:

1. Hotel 2400, Washington, D.C. (rehabilitation), project No. 000–38003–NP: 407 units,

8-story; acquisition price of property, $2,250,000 plus; requested mortgage amount, $4,850,000; interest 5¼ percent plus one-half of 1 percent mortgage insurance premium. Application was found feasible at $4,500,000 subject to enactment of legislation granting tax abatement. Processing will be undertaken upon formal advice from mortgagee.

2. Douglas Hotel, Newark, N.J. (rehabilitation): 183 units, 8-story; acquisition price of property, $1,400,000; interest 5¼ percent plus one-half of 1 percent mortgage insurance premium. Preapplication analysis is now underway. The submissions necessary to determine eligibility of nonprofit mortgagor not complete at this time.

In regard to your request for the financial statement accompanying the applications, it is our opinion that the FHA is legally precluded from disseminating information of this type which is submitted by private parties on a confidential basis in support of applications for mortgage insurance.

In connection with the two projects involving rehabilitation, Commissioner Hardy informs me that the proposals involve loan amounts which will exceed the acquisition cost of the property by reason of the costs incidental to repairing and converting the property to its new use. By law, the amount of mortgage cannot exceed the acquisition cost or as-is value whichever is lesser, plus the cost of rehabilitation; or the value of the property as rehabilitated whichever is lesser.

Sincerely yours,

ROBERT C. WEAVER,
Administrator.

HOUSING AND HOME
FINANCE AGENCY,
OFFICE OF THE ADMINISTRATOR,
Washington, D.C., December 18, 1962.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in reference to your letter of December 4, 1962, wherein you request additional information pertinent to the three proposals now pending before the Federal Housing Administration sponsored by affiliates of Congressman ADAM CLAYTON POWELL.

Your questions will be answered in the order presented.

The first relates to proposed legislation necessary to obtain tax abatement for Hotel 2400 in the District of Columbia. On August 1, 1962, the Honorable ABRAHAM J. MULTER, of New York, introduced bill H.R. 12757, copy of which is enclosed. If passed in its present form, it appears this bill would provide for complete abatement of real estate taxes unlimited as to time.

The second question relates to financing details of the three projects. In relation to the ratio of loan to acquisition cost of Hotel 2400 and the Douglas Hotel, our rules require that the loan not exceed the acquisition cost, plus cost of rehabilitation. Processing in FHA has not yet reached the point where their estimate of rehabilitation cost is available and thus we are unable to furnish you with the amount of loan that would be eligible provided the tax legislation is obtained. FHA Commissioner Hardy informs me the Douglas Hotel proposal has not proceeded beyond the initial preliminary stage and there is no representation as to a firm acquisition cost at this time.

The third property known as The Illiad is proposed construction and not rehabilitation, thus the acquisition cost will relate to land only.

Information is not available as to disbursements since no mortgagor corporation has been created nor closing obtained in any of the three mentioned cases and is not expected before the summer of 1963.

The answer to question three is, of course, in the affirmative as a result of section 227 of the National Housing Act wherein cost certification is required.

In answer to (a), (b), (c), and (d), I am informed the FHA has had no previous experience with this sponsoring group.

Sincerely yours,

ROBERT C. WEAVER,
Administrator.

Mr. WILLIAMS of Delaware. Mr. President, in addition to approving these loans, the administration gave its support to H.R. 12757, introduced on August 1, 1962, the sole purpose of which was to exempt from all District of Columbia real estate taxes one of the properties listed above—the Hotel 2400, in Washington, D.C.

I quote one paragraph from this bill as endorsed by the administration. This paragraph follows a description of the property known as the Hotel 2400 in the District of Columbia:

> It is hereby exempt from all real property taxation so long as the same is owned by and used to carry out the purposes of the Adam Clayton Powell Foundation.

I ask unanimous consent that this administration-sponsored bill, H.R. 12757, which would give Mr. POWELL this favored tax exemption, be printed at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that certain plot, piece, or parcel of land, with the buildings and improvements thereon, lying and being in the District of Columbia and known and described as follows: Lot 99 in the combination made by Kennedy Brothers, Incorporated, of lots in block 6, Meridian Hill; as per plot recorded in liber Numbered 55, folio 162, of the records of the Office of the Surveyor of the District of Columbia; and, also, all of the lots 100 in the combination made by Kennedy Brothers, Incorporated, of lots in said block 6, Meridian Hill, as per the plat recorded in liber numbered 56, folio 16, of the aforesaid surveyor's office records; excepting the part thereof condemned and taken for alley purposes by proceeding in district court case numbered 1535 in the United States District Court for the District of Columbia; which land is designated on the records of the Assessor of the District of Columbia for taxation purposes as lots 903 and 920 in square 2571, is hereby exempt from all real property taxation so long as the same is owned by and used to carry out the purposes of the Adam Clayton Powell Foundation, Incorporated, and is not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia", approved December 24, 1942 (56 Stat. 1091; D.C. Code, secs. 47-801b, 47-801c, 47-801e).

Mr. WILLIAMS of Delaware. Mr. President, while these three agencies were shoveling out the taxpayers' dollars to Mr. POWELL and his numerous operations, we find that the Treasury Department, over on the other side of the street, was still carrying Mr. POWELL on its books as delinquent in his Federal income taxes for the years 1949, 1950, 1951, 1952, 1953, 1954, and 1955.

While the Treasury Department states that, as yet, it has not accepted a compromise for the settling of these taxes, I find no evidence where the Department is really trying to collect the money.

At this point, I ask unanimous consent to have incorporated in the RECORD a copy of a letter signed by Mr. Mortimer Caplin, Commissioner of the Internal Revenue Service, under date of December 31, 1962, in which he outlines Mr. POWELL's delinquency in Federal income taxes.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., December 31, 1962.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This refers to your letter of December 5, 1962, concerning Representative ADAM C. POWELL. For the sake of clarity I am repeating the inquiries contained in your letter, with our response directly beneath each question.

1. Question: The total amount of back taxes which Mr. POWELL owed, along with the amount of the penalties and the accrued interest due as of that date, broken down by years.

Answer: The amount of back taxes owed by Mr. POWELL has not been finally determined. The Federal Government notified the taxpayer that it proposed to assess certain deficiencies against him for the years 1949 through 1955. The taxpayer has petitioned the U.S. Tax Court for a hearing on these matters. The records of the Tax Court reveal the following:

Docket No. 2850-62: The taxpayer was notified on April 18, 1962, that the Government proposed to assess the following deficiency against him for the taxable year ended December 31, 1951:

Tax	$7,442.12
Fraud penalty	3,721.06
Estimated tax penalty	533.34
Total	11,696.52

Docket No. 2851-62: The taxpayer was notified on April 18, 1962, that the Government proposed to assess the following deficiencies against him for the taxable years ended December 31, 1949, 1950, 1952, 1953, 1954, and 1955:

	1949	1950
Tax	$5,512.41	$2,643.34
Fraud penalty	2,756.20	1,321.67
Estimated tax penalty	515.66	408.31
Total	8,784.27	4,373.32
	1952	1953
Tax	$6,203.00	$2,141.59
Fraud penalty	3,101.50	1,070.80
Estimated tax penalty	346.75	37.87
Total	9,651.25	3,250.26
	1954	1955
Tax	$940.69	$1,124.81
Fraud penalty	470.35	562.41
Estimated tax penalty	131.06	30.21
Total	1,542.10	1,717.43

2. Question: Has Mr. POWELL filed timely tax returns in each of the years beginning with 1950 through 1962? If not, so indicate.

Answer: Mr. POWELL has filed individual tax returns for the years 1950 through 1961. The return for 1962 is not due to be filed until April 15, 1963. The transcript of accounts received from our field office does not indicate that the returns for the years 1950 through 1961 were delinquent when filed.

3. Question: Have there been any compromise settlements on income taxes made by the Federal Government with Mr. POWELL or any of his companies during the past 10 years?

Answer: There have been no accepted offers in compromise with Mr. POWELL during the past 10 years.

I hope that this satisfactorily answers your questions. If I may be of further assistance, please let me know.

With kind regards.

Sincerely,

MORTIMER M. CAPLIN,
Commissioner.

Mr. WILLIAMS of Delaware. Mr. President, summarizing this report, we have this situation: Mr. POWELL has been delinquent in his income taxes on 7 of the years since 1949, and he is still being carried as a delinquent.

Notwithstanding this tax delinquency, three agencies of the Government were vying with each other as to which could curry the most favor with Mr. POWELL by opening the doors of the Federal Treasury.

The State Department, with no strings attached, freely financed Mr. POWELL's tour of the nightclubs in Europe.

The Department of Health, Education, and Welfare tapped a fund which had been approved by the Congress for the control of juvenile delinquency, and made an outright grant of $250,000 to a foundation which Mr. POWELL and his administrative assistant, Mr. Wingate, had organized just 8 days before the receipt of the gift.

The officials of this agency were not quite clear as to whether they thought Mr. POWELL would spend this money in studying the juvenile delinquency problem or whether he would use it to organize a domestic peace corps in Harlem. There is one point on which they did agree—that the money would be spent at Mr. POWELL's discretion, and apparently without any exercise of control by the Federal Government.

The Housing and Home Finance Agency, the third Government agency, was equally generous; it approved three loans totaling nearly $11 million on property which was being purchased for approximately $8.5 million, and, as further evidence of the administration's philanthropy, it endorsed a bill which would provide complete exemption from all real estate taxes on one of these properties as long as it was owned and controlled by Mr. POWELL's outfit.

THE NEW YORK CITY NEWSPAPER STRIKE

Mr. JAVITS. Mr. President, I wish to call the attention of the Senate to the fact that the newspaper strike in New York City remains unresolved, although at this time the parties—so we are informed by the press, and I know this personally—are in negotiation, or at least are carrying on discussions with the mayor of New York, in an effort, if possible, to arrive at a settlement agreement.

Mr. President, this is not, perhaps—it is a question, but perhaps it is not—the kind of dispute which involves the national health and safety, as does, for example, a strike at a missile base, a defense facility, a communication, or a public-utility enterprise. Nevertheless, this strike is verging upon a national disaster. The newspapers of New York City are, in a real sense, national publications which express most importantly points of view, and report news of vital interest, not only in New York City, but throughout the Nation. They are read and consulted throughout the Nation and throughout the world.

In addition, New York City itself—much the largest city in terms of its being a center, not only of population, but also of business, finance, commerce, and communications—is suffering intolerable losses. Whatever may be the technical definition of a strike involving the public health and safety, the public interest is perilously at stake.

I deeply believe that the people of New York are becoming understandingly impatient about the lag in the disposition of this matter. In a most important way I believe that what happens in New York will have a highly important effect upon what happens here and what happens in our State legislature in terms of the way in which collective bargaining is to be dealt with and the interest in and participation by Government in that process.

In short, I rise today to express my feeling—and I deeply believe it is the feeling of the people of my city and State—that the time has come to settle the New York City newspaper strike. The parties are meeting for that purpose, and any aspect of public responsibilities and the public interest which is involved in bringing about a settlement should be impressed upon them now. I rise for that purpose, and express the expectation that both management and labor will see their public duty. The trial of strength has gone on long enough, it seems to me, to satisfy anyone. The time has come to bring the question to a conclusion. I hope that as the parties go through their deliberations today, they will be impressed with the fact that the public wants the strike settled, which is my view. If it is not settled, I deeply believe the public will feel aggrieved, and, as it always does, will find ways through those of us in public life and otherwise to express in a very practical way its dissatisfaction with the fact that the strike has been allowed to go on for so long.

ANNOUNCEMENT OF LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to state that I anticipate that a statement in which Senators will be interested will be made at approximately 12 o'clock today. I think that we have gone long enough in our discussion of the proposed change in rules. Frankly, the Senate has wasted entirely too much time. I hope that whatever Senator may have the floor at 12 o'clock will show me the courtesy of yielding to me at that time for the purpose, if it is at all possible, of presenting a motion which may bring the question to a conclusion. I make that announcement at this time merely to put the Senate on notice.

The PRESIDING OFFICER. Is there further morning business?

OUR PRESIDENT'S PROPOSAL FOR PAY RAISE IN OUR ARMED FORCES DESERVES SUPPORT

Mr. YOUNG of Ohio. Mr. President, in regard to the President's message asking the Congress to provide a pay raise for the men in our Armed Forces, I rise to state that I am in full accord with this proposal. The President asked us to raise the pay of the men in our Armed Forces by approximately 14 percent. These men have not received any pay increase in 5 years.

Having been a private and also an officer in the Armed Forces and a Reserve officer in peacetime, very frankly I state that servicemen, enlisted or drafted, are underpaid and have been underpaid.

Civil service employees of the Federal Government have, of course, done a great deal better. They have received two pay increases since 1958. In fact, their raises seem to come automatically. The simple truth of the matter is that our military men have been and are underpaid. This is certainly so in comparison with what is handed out so readily to civil service employees. In many instances civilians working under military officers receive higher compensation than the officers.

Moreover, these civilians are protected by dozens of civil service regulations and built-in privileges. They enjoy a 40-hour workweek, in many cases less, sick leave, and many, many other benefits. There are no courts-martial for them if they happen to disobey orders, as I am sure happens on occasion. When they do, it is quite often excused by saying they have psychological problems, domestic difficulties, or a personality disorder.

On the other hand, our servicemen have none of these guarantees which have become hallowed in the stone tablets of the Federal bureaucracy.

The men who form our military might, pilot our airplanes, and spend days on end underseas in our atomic-powered submarines deserve a pay raise. We enjoy the freedoms we have due to those who for the most part do their duty—or their dying—under the old slogan which our sophisticates would do well not to scorn too much, "for God and country."

Mr. President, I ask unanimous consent that I may be permitted to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Many servicemen trained in critical specialities have been leaving the Armed Forces for civilian life. This has resulted in the spending of additional millions of taxpayers' money in training their replacements.

For instance, some 133,600 enlisted men are leaving the Navy this year, and this service will also require 12,000 new officers. It requires 40 months to train the nuclear-qualified personnel for a modern submarine and 36 months to train a Polaris missile technician. An enlisted man's first enlistment is usually almost over before he is completely trained.

In these areas—in the electronics ratings—the Navy is able to reenlist only 11 percent of its qualified people. The others, attracted by the far shorter work hours and the much higher pay available in civilian industry leave the service just as they are becoming useful.

This is an unfortunate situation for our Government.

A police patrolman or a fireman in New York City has a beginning salary of $5,600 a year. The International Brotherhood of Teamsters starts a 1-ton-truck driver at $513 a month. A chief petty officer in the Navy—and the petty officers in our Navy perform very important duties—one who has 20 years of experience, married, with two children, receiving both commuted rations and quarters allowances, has an income of $5,670, less than the lowest paid truck-driver.

It is a fact that the chief petty officer has retirement benefits and medical protection. However, so do the policeman and the union truckdriver in our society today.

Mr. President, these are just a few examples of the situation that is prevalent in all branches of our Armed Forces.

More men would make the Armed Forces their career were salaries to be adjusted upward. As a result, we would not only save taxpayers' money in the long run, but have a more efficient, well-trained modern Defense Establishment.

Whether the pay increase should amount to 14 percent is a matter for congressional study and action. Both officers and men are entitled to raises, but let us start at the bottom—not with the generals. I was amazed to read in Newsweek magazine of February 4 the report that a senior officer with the rank of colonel was angry enough to ignore the caution against writing complaints to headquarters.

> As I understand it—

He said—

> all the raise I will get is about $45 a month. This is almost insulting.

Mr. President, if I were Secretary of Defense, I would say to this colonel, if I could locate him, "Buster, if you feel that way, you get out—and quick."

Mr. President, selective service, or conscription, expires this year. If we make a service career more attractive to our youth and to those young men already in the Armed Forces, we might hope to end peacetime conscription. We might be able to build a large, strong, professional Defense Establishment, fully trained, and always alert. We have an excellent one now, but I feel that we could improve on it. In that event, we would no longer have to rely on 6-month draft enlistments and a large pool of untrained, uninterested, and unwilling reservists. We can bring this about by raising the standard of living of our military personnel to a level at least commensurate with their civilian counterparts.

This pay raise proposal, advocated by the President, is worth careful consideration and final approval by the Congress.

GOVERNOR SCRANTON, OF PENNSYLVANIA, SETTLES PHILADELPHIA TRANSIT STRIKE

Mr. SCOTT. Mr. President, after others had tried their hands and failed, Gov. William W. Scranton, ably assisted by his attorney general, Walter E. Alessandroni, succeeded in ending the transit strike in Philadelphia. The Governor's tact and firmness have earned him the gratitude of Philadelphia's involuntary pedestrians and the respect of all Pennsylvanians.

I ask unanimous consent to have printed in the RECORD stories of this successful settlement, from the Philadelphia Inquirer and the Philadelphia Sunday Bulletin.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

SCRANTON'S FIRM GRIP IN TRANSIT STRIKE PUTS PHILADELPHIA BACK ON RAILS

(By Saul Kohler)

HARRISBURG, February 2.—This is the inside story of the settlement of the PTC strike. But more than that, it is the story of a man who made his move at precisely the right time. Not too early and, as it turned out, not too late.

This is the story of Gov. William W. Scranton, who called both sides together in his office and, despite the fact he knew none of the negotiators personally, soon had all of them eating out of his hand.

One high union official, who described himself as a rock-ribbed Democrat, asked for an autographed photo of the Governor before leaving Harrisburg Friday night.

The role played by the Governor was summed up best by Michael J. Quill, international president of the Transport Workers Union, soon after he arrived here last Tuesday.

"Mr. Scranton has a complete grasp of the situation," Quill said, and he was right. For days before Scranton intervened, he had been briefed thoroughly on the strike situation every few hours. His eyes and ears were Attorney General Walter E. Alessandroni, who brought regular and complete reports to the executive offices after talking to mediators who were seeking a settlement.

On Tuesday morning Scranton acted. He had read an editorial on the front page of the Philadelphia Inquirer, entitled "A Cry for Help: End Strike Now." The editorial pointed up the gravity of the situation.

After a meeting with his staff, the Governor made his move.

But between Tuesday morning and Friday night, there were crises galore.

This, then, is the story of these crises and how they were handled.

There is no question but that the two top negotiators are rough customers. There is Quill, the fast-quipping labor leader with a brogue and a shillelagh, who—within the confines of the union's conference room—breathed from an oxygen mask and slipped pills under his tongue.

Then there is Douglas M. Pratt, president of National City Lines and former head of PTC, who bows his head, speaks softly but decisively and about whom everyone says:

"I'd hate to play poker with him."

These are men of different types, and though Scranton is younger than both, they found in him a man to whom they could tell their troubles. He listened, and he acted, going from side to side as though he were a mediator instead of the State's chief executive officer.

It's amazing to those who sat in the Governor's reception room through the long negotiations that any State business was accomplished during the 4 days of strike talks. But Scranton did it. Perhaps he considered this strike one of the most important pieces of business on his desk.

He knew he had a job to do and realized soon that he had hurdles to clear. The biggest one was Philadelphia Mayor James H. J. Tate, who was adamant about his opposition to a PTC fare increase.

Scranton had summoned Joseph Sharfsin, chairman of the public utility commission, to Harrisburg from Pittsburgh, and neither the Governor nor Sharfsin could—or would—guarantee the company the increase it has requested from the commission.

This meant, then, that Tate had to be convinced—and he was. Although the mayor retained his opposition to any rise in the school fare, he softened somewhat on the cash and token fares. Once he did, the strike was as good as settled.

Here is a day-by-day log of the high points of the negotiations in Harrisburg:

TUESDAY

The Governor decided to intervene. He didn't storm in, he was well acquainted with the situation. The negotiators glared at each other and waited for Scranton to speak.

The Governor spoke softly but decisively. Thirty minutes later, he had both sides negotiating again. In half an hour, he had become the focal point of the talks. The union and the company were convinced they could come to him with their gripes.

Scranton promised them he would be available so long as they were talking. He waited for something to happen Tuesday night, but nothing did.

This was the first of the crises—getting both sides together—but it came close to being ruined.

WEDNESDAY

The guidelines having been drawn the night before, there was a somewhat better understanding of the situation and the differences which had kept the parties locked in verbal combat.

But the whole thing almost went out the window when the principals left Harrisburg. Quill went to Philadelphia to report to the executive board of local 234. Pratt went to New York, and from there was going home to Chicago.

It was apparent that nothing could be done without Pratt, especially since the PTC executive committee had rejected a union-approved contract 5 days earlier.

The pros were betting that Quill wouldn't be back either. But Iron Mike had promised the Governor he would negotiate in good faith, and he kept his word.

After a short collective bargaining session, the mediators and Alessandroni informed the Governor that nothing was being accomplished without Pratt.

For 90 minutes, they looked for the National City Lines president. He was located at New York's Idlewild Airport and Scranton placed a call for him. Either Pratt didn't hear himself being paged or he was refusing to answer the telephone.

Finally, the Governor asked airport officials to announce over the public address system who was calling. Pratt answered the phone.

One of Scranton's aids reported "the Governor leaned on Mr. Pratt hard." Indeed, he is reported to have told the transit executive that if he didn't return to Harrisburg, he alone would be responsible for the strike's continuation.

Pratt agreed to come back Thursday morning.

The second mountain had been scaled. But soon there was to be a third.

Scranton flew to New York to address a Republican fund-raising dinner. Gov. Nelson A. Rockefeller sent his airplane, and with the Pennsylvania chief executive flew members of his staff and John O'Donnell, counsel for TWU.

The Governor and the union lawyer—who was "hitching a ride home"—discussed the situation on the flight. Scranton had come into the picture without a clear-cut solution, but on the flight he learned something he hadn't realized: that both the company and the union thought he had the answer in his hip pocket.

O'Donnell never returned to the negotiations, but Scranton flew back the next morning feeling a little stronger and a little more confident that he had done the right thing—at the right time.

THURSDAY

The whole business almost collapsed because of the State supreme court decision on the receivership sought by the city. Both sides wanted to quit talking and go home, pending a decision by the court.

It was Scranton who kept them talking while the court deliberated. Had the decision upheld the receiver, Pratt and his team would no longer have been the bargainers. The Governor appealed to them to stay on until they were sure.

This was the Bill Scranton who campaigned so effectively for the Governor's chair—which by this time was a hot seat.

You couldn't figure him. One minute he was warm and smiling, listening to somebody's troubles. The next minute he was dignified and precise, demanding the respect his position deserves.

The court decision came through, rejecting the receivership, and Pratt was the man with whom the union had to do business. This being settled, the negotiations began again. But the parties were in separate rooms in the attorney general's suite of offices.

The Blue Shield matter was discussed. The question of the 42 trolleys with two employees aboard was taken up. These were the stumbling blocks at this point.

The no-layoff clause, which former Mayor Richardson Dilworth is credited with having arranged by his decision to buy the company for $75 million, had been just about settled.

And the time came to discuss money.

Scranton called Sharfsin, who was in Pittsburgh on commission business. The chairman boarded a plane to Harrisburg and landed at 8:33 p.m. He was met at the airport, 6 miles from the Capitol, by William G. Murphy, secretary to the Governor, and State Trooper Antavilla, Scranton's bodyguard.

Less than 20 minutes later Sharfsin was in the Governor's office. For 2 hours, they talked. They discussed the petition for a fare increase, the suspension of the increase and PUC's decision not to lift the suspension pending the public hearings.

Sharfsin is reported to have told the Governor that although he could not and would not pledge himself or his fellow commissioners to any fare increase, he would see to it that the hearings were speeded up so the final decision could be made sooner than usual.

Scranton also was shown figures and reportedly was told that on the basis of evidence taken so far, the company was entitled to relief.

It is significant that as soon as he finished his talks with the Governor, Sharfsin strode out of the executive suite, and went to his hotel room. Under the public utility law, the commission may not concern itself with labor disputes, only with rates and services.

But Scranton had heard enough from the PUC chairman to convince him that this was the time to call in Mayor Tate.

And here, the Governor knew, was another peak to be climbed.

FRIDAY

It all started at 12:30 a.m., when the Governor put in a call to Tate at home, telling the mayor he thought it was time for the Philadelphia chief executive to be on the scene.

Tate arrived with Turnpike Commissioner John F. Byrne, an official of the Democratic city committee and a public member of the PTC executive committee. It was Byrne who had cast the only favorable vote on the earlier agreement.

They went into Scranton's office at 10:30 a.m., and Tate never emerged until the time came to announce the settlement 10 hours later.

"What the Governor did was to convince Tate that this was the time for him to get himself out of the 'box' into which he had backed himself," an aid in the Governor's office said.

Pratt insisted on a guaranteed fare increase. The Governor insisted that he couldn't have it guaranteed, that if his petition had merit it would be approved. Sharfsin was called back and restated both his own position and the utility law.

Tate had to be convinced. Finally, after much telephoning and several conferences with advisers, the mayor softened on the cash and token fare opposition, though he refused to budge on the opposition to the 4-cent school fare increase sought by PTC.

Through all this, Quill lay on a couch in the attorney's general office. Fares did not concern him.

By 1 p.m., the situation was clearing up. There were minor matters to be settled, and this was accomplished by the Governor and the mediators working with Alessandroni. The company and union were kept apart, with the intermediaries going from room to room.

At 6 o'clock, it looked as if the show was over. Quill was due to go on television with a telephone report from the negotiations. Ten minutes later, the union leader was telling his audience that the strike was solid, that Pratt was trying to fire 42 infirm conductors and that Pratt was selling the people of Philadelphia down the river.

Pratt and two of his aids walked down Capitol Hill to a hotel and spent 20 minutes cooling off. Then they came back to find a knotty problem in connection with the wording of the successor clause affecting the ailing conductors who serve as second men on certain trolley lines.

Scranton, himself a lawyer, asked to see the wording of the clause. When it didn't reach him right away, he walked across the hall and ordered the principals to move faster.

Minutes later, he looked at the legal wording. He summoned Pratt and the company attorneys, and they initialed it.

By this time, it was reported, Byrne was arguing that the negotiations be concluded in Philadelphia, where they had begun.

This was rejected by both Pratt and Quill, who expressed utmost confidence in the Governor.

Quill insisted the PTC executive committee approve the agreement before it was signed by the union, and telephone calls were made to Edward Hopkinson, Jr., in Philadelphia, and C. Frank Reavis.

[From the Philadelphia Sunday Bulletin, Feb. 3, 1963]

All Roses So Far for Scranton—New Governor Starts Off by Winning Friends

(By Duke Kaminski)

Harrisburg.—The fledgling administration of Governor Scranton closed out its third week and everything seemed to be coming up roses.

Since this is the First Lady's favorite dance tune, developments on Capitol Hill appeared to be following the script.

The PTC strike ended after 4 furious days of Scranton-inspired negotiation with Attorney General Walter E. Alessandroni doing much of the ball carrying.

Tardy motorists beamed as the Governor ordered a 15-day extension of deadlines on auto inspections and driver license renewals.

Rural school directors grinned from ear to ear as the administration rushed to enact a 1-year moratorium in local district reorganization.

Even Senate Democrats got into line by finally confirming the last two of Scranton's cabinet choices.

Bingo lovers cracked corn when the Governor said incoming State Police Commissioner E. Wilson Purdy would not raid their penny ante parties.

Conservationists were enchanted when Mines Secretary Harris Beecher Charmbury announced that he favored tougher State controls than those proposed by the Governor himself on anthracite mine stripping.

The Governor, with only one-eightieth of his term behind him, continued to be a political charmer.

To the distress of downtown beaneries, he was eating with the other hired help in the capitol cafeteria—waiting in line, carrying his tray and exchanging pleasantries with the cooks and waitresses.

No trooper barred public access to him during his luncheon.

FIRST NAME BASIS

The Governor appeared to be going out of his way to be on first-name terms with just about everyone including newsmen who earlier were involved in a minor flap with his staff over editing the transcript of his press conference and requiring appointments for interviews with his staff.

Even Democratic holdovers on the payroll, who know their day of reckoning is coming appeared to be impressed.

There were a few people, of course, who were grousing.

A few hardback Democrats muttered about an indefinite threat to push Pennsylvania back into the 19th century.

Then there were 106 disappointed out-of-State groups who had sought the Governor as their Lincoln Day speaker.

Instead, the Governor promised his services to four Pennsylvania groups including one in Germantown.

The Governor will make two Lincoln speeches on the normal February 12 birthdate of the great President and two more the next day.

The Governor, who has high doubts on any Republican upending President Kennedy in 1964, went off to New York City and said some kind things about front-running Nelson Rockefeller.

His New York speech keynoted progress and enthusiasm as the cornerstones of his administration.

POSITIVE ENTHUSIASM

"We must be positive, so we can be enthusiastic," he declared.

There is no question as to the current enthusiasm of the administration.

And certainly it will be needed in the days ahead.

Unemployment in mid-January rose by 64,000 to 430,000.

If there's a State-level answer to unemployment, no one has yet come up with one.

Then, there are some 90,000 public schoolteachers waiting around for pay raises and just about everyone with their fingers crossed on the need for new taxes.

If Scranton can carry his administration's enthusiasm through the remaining seventy-nine eightieths of his term, he's certain to end up as one of Pennsylvania's gubernatorial immortals.

THE PRESIDENT'S POSITION ON THE PROPOSED SENATE RULE CHANGE

Mr. SCOTT. Mr. President, it has been widely reported—and I think generally accepted—that at the beginning of the filibuster now in progress there were at least 57 Members of this body who were prepared to vote for the imposition of a limitation on debate by three-fifths of the Senators.

The administration undoubtedly was most active as to the retention of certain rules changes affecting the Committee on Rules in the other body, and accepted modestly the credit for having won that victory. I suggest to them that if they are really interested in the civil rights fight, they have another opportunity to accept credit for another victory, and, in my judgment, there are many members of the President's party who are prepared to vote for an amendment relating to three-fifths—sufficient, with the aid of the members from the Republican party, to provide the needed majority.

If the majority is forthcoming, in my judgment it will be because the administration has passed the word that it really wants to do something to change the rules. If the majority is not forthcoming it will be difficult for the public to understand why the administration was so interested in effecting continuation of certain desirable rules in the other body and so disinterested in doing anything about the change in the Senate rules.

Mr. MANSFIELD. Mr. President, I was interested in what the distinguished Senator from Pennsylvania, the acting minority leader, just said relative to Presidential interference in the affairs of this body.

What the House does and what interpretation the President places on any action taken in the House is, of course, his own business; but, so far as this body is concerned, no intervention or interference by anyone in the executive branch will be welcomed. The Senate will attend to its own business. It will assume its full responsibility and make its own decisions.

COLORADO RIVER DISPUTE

Mr. ENGLE. Mr. President, yesterday I inserted in the RECORD part 1 of a series of four articles in the San Diego, Calif., Union on the dispute between the United States and Mexico over salt in the Colorado River. Today I ask unanimous consent to insert the second article in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WASHINGTON.—The Colorado River rises clear and cold in northern Colorado at the Continental Divide. Before it empties into the Gulf of California 1,400 miles away it passes through some of the most spectacular scenery in the world.

Some other things happen to the Colorado before it reaches the gulf, however. As it moves into what is known as its lower basin its waters are dammed and used to generate power, to provide a domestic water supply for most of southern California, and to irrigate some of the most famous farmland in America—the Imperial Valley and the Coachella Valley in California and the Yuma Valley and lower Gila River Valley in Arizona.

The river water is diverted out over the fertile acres of onetime desert, allowed to sink into the soil, and then, to avoid waterlogging the fields, it is conveyed back to the river or, in some cases, to the Salton Sea.

The water which goes back to the river is called return flow and with each reuse it extracts salts from the soils it has irrigated. As the salts accumulate in the water each succeeding farmer who uses it must apply a greater quantity of water to leach the salt out of his soil.

The pattern is set: Irrigation increases the amount of dissolved salt in the river. The more salt, the more water it takes to irrigate. Department of Agriculture experts say that when the salt in water reaches 3 tons per acre-foot the water applied to the land must be doubled to avoid a gradual poisoning of the soil with salt.

("The use of water that has an excessive amount of salt has already returned to the barren desert millions of acres of land in the West. In the Euphrates Valley and in other great areas of the world, millions of acres have been destroyed because of the use of waters too highly impregnated with salt," Senator Sheridan Downey, of California, during U.S. Senate hearings in 1945 on the Colorado River Treaty.)

The basic problem of salinity in the Colorado was foreseen many years ago but it became an international problem almost overnight in October of 1961 when the Mexican Ambassador complained to the U.S. State Department that the water being received by Mexico under the treaty provisions had become so heavily loaded with salt as to be unusable for irrigation in the Mexicali Valley.

Mexico pointed the finger at the activities of the Wellton-Mohawk Irrigation District, a division of the U.S. Bureau of Reclamation's Gila River project. Mexico accused Wellton-Mohawk of dumping into the river water which had a salt content far in excess of what could normally be expected from return flow.

Wellton-Mohawk, like so many irrigation districts of the West, operates with its own elected directors, but it was financed with Federal funds and is a Federal reclamation project. Wellton-Mohawk draws about 450,000 acre-feet of water a year from behind the federally built Imperial Dam and it applies this water to about 62,000 acres of land in Arizona's Gila River Valley.

If Wellton-Mohawk were the usual irrigation district the experts say she would receive water containing about 900 parts per million of salt and return water to the river containing about 2,300 parts per million. Instead the water which the district puts back into the river reaches a level of about 6,000 parts per million.

Wellton-Mohawk is in an unusual situation. It lies in a closed valley. Deep under its floor is a layer of gravel which, as the result of years of irrigation without adequate drainoff, has built up into a vast underground pool—perhaps 3½ million acre-feet—of very salty water.

Hydraulic engineers say the Colorado River water, first applied to the Wellton-Mohawk fields in 1952, sank down to swell the salty pool. Since the underground water could not be allowed to rise and drown the fields, the irrigation district has used pumps, about 75 of them, to pump water from the pool and discharge it via a cement-lined canal into the Colorado.

It is at this point that Mexico screams foul. She acknowledges that under the terms of the 1944 treaty she is bound to accept return flow water as well as virgin flow from the river. But Mexico insists that the mixture which Wellton-Mohawk is pouring back into the Colorado is not the return flow of the water it got from behind Imperial Dam but instead is brine which has been lying for years in Wellton-Mohawk's vast agricultural cesspool.

The record of expert testimony before the U.S. Senate in 1945 when the treaty which Mexico was under consideration shows that the engineers anticipated the problem of increased salt as development of the river progressed. But the record shows, too, that the engineers based their calculations on the assumption that the irrigation projects would operate on the normal pattern of use and return flow—maintaining a salt balance but not flushing out the accumulated salt of years of closed irrigation.

Officials of our State Department are confident that they could defend increased salinity in the Colorado caused by normal irrigation practices. But they seem worried about what will happen if an International Court takes a look at the Wellton-Mohawk operation.

Wellton-Mohawk returns about four times the amount of salt to the Colorado that it receives. It is, in fact, sweetening its underground pool of salty water with the relatively fresh Colorado River water. There are those who say Wellton-Mohawk is creating a valuable new resource—a huge nonevaporating reservoir of water. For this reason and others, including cost, Wellton-Mohawk directors have balked at the suggestion that the district install a tile drainage system which would siphon off the Colorado River before it reached the underground pool and return it to the river in a fairly sweet state.

Engineers say at the present rate of pumping it will take about 40 years to dilute Wellton-Mohawk's underground water supply to an acceptable level.

Mexico is understandably hoping for an earlier solution.

Next: Negotiating a treaty is something like buying a used car.

REDUCING THE STOCKPILE

Mr. ENGLE. Mr. President, I wish to call attention to the editorial in the Washington Post of February 4, 1963, entitled "Shaving the Stockpile." I am glad to see this commendatory editorial regarding the work of the Stockpiling Subcommittee, of which I am proud to be a member. Digging out the facts on the stockpile has been a long and difficult process. It has been possible because of the energy, diligence, and fairness of the senior senator from Missouri, Senator STUART SYMINGTON, the chairman. He deserves the gratitude of the Congress and the Nation.

I am glad that his good work is recognized in this editorial and I am sure that the recommendations finally made by the Stockpiling Subcommittee will be sensible, and fair to both the Government and industry.

I ask unanimous consent to enter this editorial in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SHAVING THE STOCKPILE

There have been no blockbusters dropped in Senator SYMINGTON's concluding hearings on the defense stockpile, but new details have been disclosed about known abuses. It was useful to have Arthur S. Flemming, the Defense Mobilizer in the Eisenhower administration, confirm again the lead and zinc were purchased during the 1950's to support prices and help the industry. The melancholy chronicle of dubious contracts and questionable intercession by Cabinet officials has been lengthened but the narrative is by now familiar and Mr. SYMINGTON has proved his point.

What needs to be done is to cleanse the Augean stables and to revise purchasing procedures thoroughly. Senator SYMINGTON is preparing legislation to this end. As a first step, he would consolidate the management of an $8.9 billion stockpile now administered in four distinct categories. The largest is the $6 billion national stockpile, which can only be disposed of through cumbersome procedure involving 6 months' notice of sale and permission of Congress.

In addition, there is the Defense Production Act stockpile, acquired at $1.5 billion; the $1.1 billion supplemental stockpile; and the $99.8 million Commodity Credit Corporation stockpile acquired through bartering. Grouped under a single administrator, the four stockpiles could be systematically reduced if the President were given flexible authority with the express safeguard that no sales be authorized that dislocate markets or injure industry.

Obviously the need to avoid reckless dumping means that some of the vast inventory will be around for years. But varying methods can be used to shave down a stockpile that now cost $17.4 million annually in storage charges alone. The rubber industry, for example, has accepted the principle of using stockpile stores in the manufacture of goods procured by the Government. We now have about $800 million worth of superfluous rubber—and this is a material that can deteriorate within 10 years.

Another formula might be resale of commodities to the industry itself—a procedure that aluminum producers have suggested for their commodity. With adequate pricing safeguards, this might be a useful technique. In those cases in which world market prices might be drastically reduced, offset payments might be considered to foreign producers who are understandably nervous about the ruinous plenty locked in the storage bins.

But whatever Mr. SYMINGTON proposes and Congress enacts, one safeguard is mandatory. For years, the stockpiles accumulated in secret and routine commercial contracts were blanketed with classified stamps. Many of the contracts that lacked the normal renegotiation clauses and other features essential to protect the public interest were spawned in secrecy. Mr. SYMINGTON'S investigation has made an impressive case for the right to full scrutiny of public business. The true scandal of the stockpile is that so much was spent on so many superfluous things with the public knowing so little.

SALUTE TO PRESIDENT KENNEDY

Mr. ENGLE. Mr. President, on January 18 an impressive galaxy of talent donated their services in a salute to President Kennedy. It was a blockbuster of a show.

An excellent review of the sparkling occasion was made by Les Carpenter in the January 23 issue of Variety. I commend it to the attention of my colleagues and ask unanimous consent that it be printed in the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

KENNEDY BOFF STANDUP COMIC—BANISH GREMLINS FROM D.C. SHED

(By Les Carpenter)

WASHINGTON, January 22.—Show business looked good, the talent shimmered, the acoustics were perfect, the jinxed armory was tamed. It was all an exciting smash entertainment. Thus may be summed up last Friday night's salute to the second anniversary of the inaugural of President John F. Kennedy and Vice President LYNDON B. JOHNSON. If the earlier culture program made culture dull because locally inaudible, this redeeming event put showmanship back in good repute. True, the auspices this time did not have the dread of a feedback due to closed circuit. The entertainment was confined to the drill shed.

And the National Armory, site of many a muster of the political elite, never looked lovelier or sounded its syllables so perfectly. (There were newsreel items on New York video stations Saturday night.)

This time the production was worthy to be put before a President. And considering the success, plus the money which rolled in to the Democratic Party at $100 per ticket (those who went to the preshow dinner paid $1,000 each), it could well restore a U.S. "command performance" tradition, badly dented by the closed circuit thing.

Richard Adler, producer and director of the JFK-LBJ salute (he spent 7 weeks on it), conquered the sound difficulty with an army of technicians and an assembly of electronics rivaling Cape Canaveral. It might have been costly, but it shows what can happen when the experts are brought in. It was loud and clear. Quality of the sound, in fact, left nothing to be desired.

The ugly premises were transformed into a dazzling sight, as well, with a multitude of balloons and glittering streamers.

LOTSA SENTIMENT

Politically motivated or otherwise, every performer on the bill put heart into his-her act. (On the "I Love Jack" note, Gene Kelly, who emceed along with Kirk Douglas, introduced himself: "I'm a part-time dancer and a full-time Democrat." When it was Douglas' turn, he quipped:

"Mr. President, we are honored that you have so much interest in our business and that you read Variety every week. We are trying to reciprocate. We have Jayne Mansfield reading the CONGRESSIONAL RECORD."

But the hit of the show turned out to be the President himself, who is now established as the best standup comedian outside of the "New Acts" files. With his skill at accenting and timing gag lines, he received the loudest yoks of the night. "The $100 per plate dinner," he said, "was originated 30 years ago in the days of the Roosevelt New Deal. We have revolutionized that by removing the dinner. But we are hanging on to the $100. The day will come when we will let you go."

(The latter referred to charges that Government employees were forced by arm twisting to divvy up for $100 tickets. One such Federal worker in the crowd was overheard: "I'd applaud but I can't use my arm anymore.")

TOP EV AND CHARLIE?

Vice President JOHNSON also thanked the talent at the end of the show, telling the crowd: "The Republican Party has the Ev and Charlie Show. But look what we've got. Weren't they great?" There was another ovation for the cast.

Producer Adler lost three members of his cast for illness or other reasons, Danny Kaye, Judy Garland and Cyril Ritchard. But the blend of talent remaining was a variety bill of excellence from the opening by Yves Montand (Gallic favorites in French) to the rousing windup, excerpts from George Balanchine's "Stars and Stripes" by the New York City Ballet.

Two arias by Australian Soprano Joan Sutherland, with the orchestra under the baton of her husband, Richard Boynge, set off the longest applause, but it was obvious all night that the crowd liked everybody.

George Burns and Carol Channing were a major hit with their high style return to oldtime vaudeville, a segment of their nitery act. There was such laughter that their carefully timed allotment of the show by Adler (11 minutes) ran 3 minutes over.

LOOKERS

Britain's Shirley Bassey who belts her numbers with high charged feeling sang, "I Had a Dream," "Everything's Coming Up Roses," and "Nearness of You." Broadway's Diahann Carroll, magnificently gowned, was well received after "Love Walked In," "Poor Little Rich Girl," and "You're Nobody Until Somebody Loves You." (She had not made the Madison Square party last May to J.F.K.)

Carol Burnett had plenty of comic freshness in a skit based on an old idea. She was a princess making a television film wherein she was to drink a toast to President Kennedy on his inaugural anniversary. She, of course, miscued the first few times and then began to feel the effect of the booze. As executed by the amusing Miss Burnett, it had more razzle-dazzle than any ordinary alcoholic scene.

Antonio and his Flamenco Ballet Espanol was heel pounding mucho grando, with a rousing pace in the staging.

Peter, Paul and Mary were effective as representatives of American folk singers. Among their four numbers were "This Land Is My Land" and "Lemon Tree."

Larry Galbart and Bart Shevlove wrote the gags for Kelly and Douglas. (One by Douglas, related to what show biz is willing to do for J.F.K.: "Darryl Zanuck, during the Cuban crisis, volunteered to send 30,000 of his own troops.")

John Reardon opened vocally with "The Star-Spangled Banner."

The skill and mother hen care for details by producer-director Adler were in evidence throughout. Apparently, no film was made of the complete show, although all three TV networks were there and shot segments. They are for use only on news shows, according to the understanding here.

The show ran 2 hours and 45 minutes with no intermission.

INAUGURAL ANNIVERSARY SALUTE LINEUP

Produced and staged by Richard Adler.

1. "Star Spangled Banner," John Reardon.
2. Anniversary Overture; Hal Hastings, conductor; orchestrated by Sid Ramin.
3. Gene Kelly (writers: Larry Galbart, Bart Shevlove).
4. Yves Montand; Robert Castella, conductor.
5. Antonio and his Flamenco Ballet Espanol, with Carmen Rejas.
6. Shirley Bassey; Raymond Long, conductor.
7. George Burns and Carol Channing; Robert Hunter, conductor.
8. Peter, Paul, and Mary.
9. Kirk Douglas (same writers as Kelly).
10. Joan Sutherland; Richard Bonyge, conductor.
11. Carol Burnett, assisted by Dick Altman.
12. Diahann Carroll; Peter Matz, conductor.
13. New York City Ballet; excerpts from "Stars and Stripes"; choreography by George Balanchine; costumes by Karinska; Robert Irving, conductor; music by John Philip Sousa; orchestration by Hershy Kay; featured soloists, Allegra Kent, Arthur Mitchel, Edward Villella.
14. Anniversary finale.
15. Lyndon B. Johnson, Vice President of the United States.
16. John F. Kennedy, President of the United States.

Associate producer, Jerome I. Meyers; musical director, Hal Hastings; lighting, Sam Leve; decorations, Robert Rowe Paddock; production stage manager, Chet O'Brien; sound, Phil Romone; production assistant, Paul Blaustain; assistant production stage managers, Ira Cirker, Bob Bostwick.

SENATE YOUTH PROGRAM GRADUATION NIGHT

Mr. KUCHEL. Mr. President, a highly successful Senate youth program came to a delightful conclusion last Friday evening. I was privileged—along with the high school students who participated and the sponsors of the program—to listen to an excellent address which on that occasion was delivered by the distinguished junior Senator from Rhode Island [Mr. Pell]. Senator Pell was cochairman of the Senate youth program, along with the distinguished senior Senator from Kentucky [Mr. Cooper].

Senator Pell's comments to the students who were in attendance were highly instructive and most interesting. I ask unanimous consent that the text of his address be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Senate Youth Program Graduation Night

(Speech by Senator Claiborne Pell, Democrat, of Rhode Island, at the closing dinner of the Senate youth program)

Tonight might be described as graduation night for you all as this dinner concludes the most worthwhile undertaking known as the Senate youth program in which you have been participating.

I want to thank those who have been responsible in making this program, the first of its kind, such a resounding success. Because the program was so challenging and stimulating, many contributed of their time and talents generously. It would be difficult to single them out individually. The principal debt of gratitude is owed to Randolph Hearst and his fellow trustees of the William Randolph Hearst Foundation, without whom this whole week of yours would not have occurred. Without them, this week would have been just like last week. But, because of this week, next week, and all your weeks hereafter will be different because of the increased knowledge and awareness this trip will have brought you. I thank Ira Walsh of the Hearst Foundation and Cora Prifold and the American Political Science Association for all the spadework they did in bringing about this week. I thank my fellow Senators, all of them who took of their time to be with the interns from their own State and, more especially, our Senate youth program cochairman Senator Cooper, our ex-officio members, Senator Humphrey, majority whip, and Senator Kuchel, minority whip, and our fellow Members, Senators Curtis and Jordan. And, finally and most particularly, I thank my own administrative assistant, Ray Nelson, without whom I could not have had an intern program to start with and without whom I could not have done what little I have done to be of help to the Senate youth program.

I sincerely hope that it has done much to encourage you fine young people, representing as you do the young people of your own age throughout our country, in participating in government and politics. Our Nation and our two-party system will only be as strong and vibrant as we make it. In our youth is our future as a country and a society. I have termed this program "Project Political Awakening."

The future of our country in great part depends on the amount of interest, enthusiasm, and participation that our young people display in taking part in politics, government, and public service at all levels.

I am very concerned that they do not fully appreciate or understand our heritage and the necessity for their playing a lively and responsible role in the future. I feel too often, unfortunately, they look upon men in public life, particularly those who are politicians, as people they do not want to emulate.

Our great heroes of the past, more often than not, have been politicians. If we are to continue to be great in the future as a nation, our heroes of the future, I hope, will continue to be well represented by politicians. And, don't forget, to be a statesman, you must be a successful—and—dead politician.

I have seen the enthusiasm and work of a small group of young people in my own campaign who gave of their time and talents and know what a job they can do when motivated.

Aware of the need to stimulate the interest of young people, and because I feel a responsibility to do something myself, I have conducted my own internship program involving college and high school students. By this summer, about 100 young men and women will have gone through my office during a 2½-year period.

As Ray Nelson has already described to you, I understand, the program, I will not go into further details except to say that my staff has enjoyed having them, being stimulated in turn by their enthusiasm and interest.

I might add that when they leave at the end of an altogether too brief week, they never fail to mention their surprise at the great amount of work that goes on in a Senator's office, and the long hours put in by staff members. This is quite a common thing throughout the Senate.

The overwhelming majority, in fact nearly all of the young people in our high schools today, I am sure, could not answer simple questions as to the names of their Senators and Congressmen, Governor, and other State officials. Indeed, I would wager that practically all have never really read the Constitution and the Bill of Rights with interest or so they understood it. In fact, even amongst you selected students, how many of you know the name of your own State representative?

Unfortunately, as we all know, the word "politician" has a bad connotation in our society today. Our citizens too often look down upon those who serve and want nothing to do with public service, politics, and government. I remember the remarks of Artemus Ward "I am neither a politician, nor do I have any other bad habits."

But, politics is here to stay. It has been with us since society first began to form. There is politics in everything, your schools, public institutions, clubs, indeed, in your own home. Essentially, it is working with people—the relationships of people brought to a fine art in the field of government.

But, this is a two-way street. It is up to us who serve as well as up to those who elect. Politics and public service are a challenge, indeed, a responsibility.

How often I have heard the expression "I didn't bother to vote—what good would it do?" Anyone who says this has forfeited his right to criticize. Unfortunately, those who didn't bother to vote would wonder what happened if they were ever part of a society ruled by a dictator.

In other parts of the world, people remember only too well. And, they turn out today in vast numbers at the polls compared to our poor showings.

I have seen many fine people in government, dedicated, sincere, trying to do a good job. Many of these people are not greatly rewarded financially. But if that were their goal alone, they would never have gone into public service. We do not live by bread alone.

Can the quality of men in government be improved? Of course, it can. There is always room, and need, for improvement.

Why do men seek public office? For varying reasons. These are the reasons of public conscience, the desire to serve, to give of themselves. And, there are the reasons of accomplishment, power, influence, recognition, and rewards, tangible and intangible, that go with it. And, most of us are impelled by a mixture of the two.

However, I make no apology for this. This is human nature at work. Again, this has been politics at work since the beginning. What we want to stimulate is the giving of oneself as well as that of seeking to achieve and accomplish. This can be done at many levels of government. Become a part-time politician. Support the two-party system. Pick the party of your choice. There are many opportunities and much need. Work at the ward level, ring doorbells, drive on election day, seek to register new voters, run for office at the city council or school committee level. Don't let the goal ever be too big. If you ever want to do and are old enough to do so, do so. Run. Don't be discouraged by being called too young. You have nothing to lose. And, you will be amazed how often you will win. There is a lot in the old phrase, "Ask and ye shall receive." If you don't try, you won't succeed.

Perhaps there are some serving in politics who are less qualified than others. And, for this they may fairly be criticized if they fall short in their public duty. But why are they there in the first place? The answer is simple. Because they were put there, too often by the indifference and refusal of others in the community to share the responsibility of government.

So, who is more to blame? The one less qualified and serving, or those more qualified, and refusing. I think the one serving deserves the tribute that at least he tried, he was willing. The others deserve nothing but the quality of the government they get.

And how often we have heard about the "crooks in city hall." And, about how they are filling their pockets. And how they are robbing the taxpayers blind. And at times, individuals are singled out for condemnation, subject of vicious rumors, of slander, and libel.

If there are crooks in city hall, turn them out. If they fill their pockets at your expense, how foolish of you to let them. If you have knowledge of crookedness in city hall, you have an equal responsibility to do something about it, either in legal recourse, or in helping turn the rascals out. But, don't criticize without offering a positive contribution or solution. That is just being negative.

My young friends, there are many drones in the world. Because of them, because of their refusal to accept responsibility, your opportunities will be greater.

Seek out responsibility, take risks, welcome adversity as a blessing in disguise. Life is not easy, nor is it meant to be. And, above all, don't be afraid to care. Rather, care, care passionately, and do something about it.

A society and a nation that knows sacrifice also knows discipline. They, too, are blessings in disguise. They make and mold a people. They are too often qualities denied us individually and as a whole.

We have two parties in this country. And there are those in between the two, and some even to the extremes of both. And within our two parties there is diversity of opinion and direction. In fact, as Professor Burns points out in his "Deadlock of Democracy," we have four parties. But, perhaps because of this diversity, we change our governments through orderly elections, and not through coup d'etat, or revolution. In fact, ours may be a new nation, but it is one of the oldest governments in the world today.

When I was your age, I and others blamed the older generation for the problems of the world. Today we are becoming the older generation, and it is your turn to observe, criticize, and, unfortunately for us, replace us in turn.

This has been a fine program. I hope to see it repeated, and others like it. But, much remains to be done.

I believe that in the years ahead, our schools, particularly at the high school level, and into the colleges, too, should encourage knowledge and participation in politics and government.

I even go so far as to propose we should think seriously about intrduction into the curriculum, possibly in the senior year of high school, of a subject of realistic political activity, not just theory alone, as a mandatory credit course.

I think in terms of teachers, with specialized training, perhaps at summer sessions, instructing in this area, with mandatory attendance by the students at their city and town council meetings, school committee sessions, courts, other municipal affairs, and even at the State legislatures, if possible.

I would encourage talks and lectures by leaders of political parties, and by elected and appointed officials, at State and local levels.

And, I would propose also that such programs be done by the States, not through the Federal Government, so that we can have the continued great diversity of opinion, belief, and background that has gone into our politicians from the south, north, east, and west of our Nation.

Above all else, though, care about the course of events, care about conditions in the world, in your State, in your community. Care passionately. And do something to remedy the conditions about which you care.

TRIBUTE TO SENATOR PASTORE

Mr. PELL. Mr. President, I am proud and happy to know that my senior colleague, Senator PASTORE, will be chairman of the Joint Committee on Atomic Energy, as I know my colleagues are.

Senator PASTORE will do an outstanding job in this demanding job and will carry out his responsibility in the excellent and distinguished way in which he has carried out every responsibility that has ever been assigned to him.

It is with great pleasure that I ask unanimous consent to insert in the RECORD a copy of the Woonsocket Call lead editorial of January 21, 1963, entitled "Senator PASTORE Can Handle the Job." This editorial truly reflects the respect and regard held throughout Rhode Island for Senator PASTORE.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SENATOR PASTORE CAN HANDLE THE JOB

The selection of Senator PASTORE as chairman of the Joint Atomic Energy Committee of Congress should do more than fill his Rhode Island constituents with pride. It should also make them feel a bit more secure in the knowledge that such a vital committee will be guided by his particular abilities.

Obviously the committee is one of the most sensitive, or at least deals in a highly sensitive area. The chairmanship rotates between the House and Senate and last year the senior Senator from Rhode Island was the vice chairman.

It is possible that Senator PASTORE knows more about atomic energy and its international ramifications than any other Member of the Congress. It was he who laid the groundwork for agreements negotiated by this country with 40 other nations to which we have supplied atomic techniques and nuclear materials.

The field of atomic energy covers a far wider range than the layman can visualize. But Senator PASTORE has pretty much grown up with it and his background is invaluable. Certainly the people of Rhode Island have made a contribution to the cause by putting the talents of Senator PASTORE at its disposal.

During his 12 years in the Senate the Rhode Islander has been regarded as one of its workhorses. In fact the new chairmanship assignment brings to four the number of Senate committees he heads. He is chairman of the Subcommittees on Communications and Textiles under the Senate Commerce Committee, and of the legislative subcommittee under the Senate Appropriations Committee. None of these is a sinecure. And aside from these chairmanships he is a member of five other subcommittees.

Quite frequently we complain of the archaic system the Senate has of promoting only through seniority. Very often it is impractical. The selection of Senator PASTORE, however, is one occasion where the right man was picked for the right job—at the right time.

Senator PASTORE's new duties will not be without multitudinous problems and, indeed, they will weigh heavily as a responsibility for they so involve the Nation's welfare. But we doubt whether a man with any more stamina or any keener intellect could have been found to carry them out. The choice is a good one not just for Rhode Island, but for the United States.

NEGOTIATIONS FOR BRITAIN'S ENTRY INTO THE EUROPEAN COMMON MARKET

Mr. PELL. Mr. President, all too often events in this complex world are baffling because we persist in examining them from our own viewpoint. This most certainly has been the case with the lamentable collapse of negotiations for Britain's entry into the European Common Market.

Most of us in the West have become so imbued with the spirit of North Atlantic unity over the past 18 years that it has seemed almost inconceivable to us that the French Republic and her President whom we have come to admire so much, could think in any other terms. There has, however, been another point of view, a distinctly French point of view and, right or wrong, it has, for the moment, prevailed.

Mr. Walter Lippmann, the distinguished dean of American columnists, has analyzed and explained this French view in his usual lucid style in a recent issue of Newsweek magazine. It is the kind of analysis we must have if we are to adjust effectively to the realities in Europe.

Mr. President, I ask unanimous consent that the article entitled "The Gaullist Explosion," by Walter Lippmann, from the February 4 issue of Newsweek, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GAULLIST EXPLOSION

(By Walter Lippmann)

To understand General de Gaulle and his recent actions, we have to look at the world through very different spectacles than those we have been using. For he is at odds with almost all of our postwar policy, and he is determined to dismantle the main structure of Western policy which has been built up since the cold war began.

This decision has long been maturing in his mind. General de Gaulle is a conservative in the high European tradition, which means that he regards as alien such 19th century developments as mass democracy and representative government, free enterprise, collective security, and the search for international peace. For him the old nations are the enduring elements of civilization, which leads him to believe that the cold war with Bolshevik Russia is only a passing moment. The old Russia, in his view, will outlive the Bolshevik conquest as France has outlived the Nazi conquest.

Though General de Gaulle is, of course, stanchly anti-Communist, he has never been overawed by the manifestations of Communist power, and he has always regarded the cold war as a brief moment in the history of our civilization. Thus, he has no doubts that eventually, perhaps sooner than we dare to suppose, Russia will be ready for a peace with the West. His deep purpose in creating all this commotion is to make sure that when the eventual peace from "the Atlantic to the Urals" is made, it will be he and not the American President who makes it.

The critical fact is that General de Gaulle regards the cold war as temporary, whereas the other Western leaders act as if it were virtually permanent. For them the division of the world is the shape of the world. The object of policy is to withstand communism and at the same time to create on this side of the Iron Curtain a flourishing civilization. To do this, the West must organize the non-Communist nations.

Because General de Gaulle has never believed that the cold war is permanent, he has never liked the array of postwar institutions. To his way of thinking, the movement toward Western unity is shot through with sentimentality and meddlesomeness. It is unnecessary because the Communist menace is overestimated. Communist Russia is not strong enough to conquer the West and, as General de Gaulle might well say now, Khrushchev has at last admitted it.

UNCIVILIZED AMERICA

Furthermore, the institutions that are being created depend on the support and leadership of the United States. The United States is not, in General de Gaulle's mind, civilized enough to lead Western civilization. And so, now that he is the undisputed ruler of a rich and stable France, he has declared himself the opponent of the whole structure of Western postwar policy.

To be sure, he recognizes that for some years to come NATO as a military alliance is needed. But he has little use for the integrated NATO establishment and has withdrawn the greater portion of the French forces from the NATO command. He is opposed to the European Economic Community whether it is conceived as supranational with Jean Monnet and Paul-Henri Spaak or with Mr. Kennedy and Macmillan as the center of a trading area extending over Europe and the Americas.

He is opposed to the Atlantic community. I find this a little hard to take. For France has twice been saved because she belongs to the Atlantic community which Americans have crossed the ocean to defend. But General de Gaulle resents the influence in European affairs which these expeditions to Europe have given the United States. He is, of course, opposed to the United Nations used as a bridge connecting the old established powers with the new countries. He is opposed to suspending nuclear tests. And he is opposed to our policy of talking and talking and talking with Mr. Khrushchev about disarmament, Laos, Berlin, or anything else.

And so, we ask ourselves whether this great man who has so often been right can now be totally wrong. I, for one, would not say so. His error, which is serious, is to watch the horizon without paying sufficient attention to the foreground. No doubt it is true that eventually there will be an accommodation with Moscow. This will probably come by the evolution of the Soviet Union, by the changing balance of power, and, it may be, by the pressure of Red China. But the time for that accommodation has not yet arrived. What De Gaulle chooses to ignore is that détente is more likely to arrive if the unity of the Western World is growing than if its unity is shattered and disrupted.

TIGHT LITTLE EUROPE

The more generous the frame of Western unity, the better able will the West be to make this kind of accommodation. The tight little Europe which General de Gaulle wants has no room for Great Britain and Scandinavia. But also, it has no room for the East European nations which will eventually be returning to Europe.

No doubt many of the fragments of the postwar arrangements are obsolete. Moreover, the original motive, which was fear, is diminishing. Nevertheless, the main structure of cooperation is not a mere cold-war instrument but is good in itself and carries with it the promise of a much better and more spacious life for multitudes of men.

And so, for what seems to us good reason, we shall have to oppose the opposition of General de Gaulle. If we are mistaken in thinking that there is a strong tide running in favor of Western unity, we shall fail. But there is no reason to think we are mistaken. Even within the small continental community of the Six, there is reason to think he is an isolated leader. Western Europe, except for Dr. Adenauer personally, is overwhelmingly opposed to a Gaullist Europe in which the great popular parties—the Christian Democrats, the Liberal Democrats, and the Social Democrats—will be pushed aside while the critical decisions are made in the Elysée Palace in Paris.

THE PROVIDENCE (R.I.) JOURNAL-BULLETIN

Mr. PELL. Mr. President, few cities in the United States can take such pride in an unbroken tradition of outstanding journalism as does the city of Providence in my home State of Rhode Island. And few cities can anywhere duplicate the fine, journalistic tradition represented by the Providence Journal and its sturdy journalistic offspring, the Evening Bulletin.

The Providence Journal's proud history as a leader in the morning newspaper field dates back to 1829, and over the years it became not only the leading news organ of Rhode Island, but, in the view of many, the conscience of all New England.

On January 26, 1863—just 100 years ago last month—in response to the news demands of the Civil War, the Journal Co. entered the afternoon field with the publication of the first issue of the Evening Bulletin. In the century which has followed, the Bulletin has outgrown its parent in size and circulation, and in its own way, has at least matched the Journal's traditions of excellence, integrity and journalistic enterprise

Last week the Journal commemorated this notable anniversary by devoting its entire Sunday supplement of January 27 to the story of the Evening Bulletin's first century. It was an exciting story told in the clear and straightforward style of an oldtime New England editor, Mr. David Patten. It was, however, far too long a story to be retold here, and I ask only that the brief forward to the supplement, by John C. A. Watkins, president and publisher of the Journal-Bulletin, be reprinted.

And since newspapermen are often their own worst critics, it seems especially appropriate to call attention at the same time to a congratulatory editorial which appeared in the columns of one of the Bulletin's most vigorous competitors, the Providence Visitor, weekly publication of the Roman Catholic diocese of Providence.

As the Visitor is first to acknowledge, these newspapers have not always seen eye to eye, and they certainly have sprung from different traditions. Nevertheless, the Visitor's editorial bears testimony to the fact that their differences have been far outweighed by their mutual respect and by their common interest in the welfare of the Rhode Island community.

Mr. President, I ask unanimous consent that the article entitled "The Bulletin Century," by John C. A. Watkins, from the Providence Sunday Journal of January 27, be printed in the RECORD. I also ask unanimous consent that the editorial entitled "A Century of Distinction," from the Providence Visitor of January 25, 1963, be printed in the RECORD. I commend both of these articles to all those who would have faith in the power and ability of the press not only to endure and survive, but to grow constructively with the times.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

THE BULLETIN CENTURY

(By John C. A. Watkins)

Just 100 years ago, the Evening Bulletin came into being to bring the latest news of the Civil War to Providence. It is significant that the first issue of the newspaper carried a local news story of paramount interest—the sacking of Rhode Island's own General Burnside as commander in chief of the Army of the Potomac.

On the opening day of its long life then, the Evening Bulletin assumed the character—an absorbing interest in local news—that was to mark it throughout the years and that distinguished it right down to yesterday's issue in which Rhode Island teenagers read, as usual, several pages of news of their own activities. The daily Journal was a healthy institution when its younger brother was born and its coverage always has spanned the world—from our own statehouse to Washington and Calcutta.

But the Evening Bulletin has been preponderantly local. From the outset, it has been interested primarily in the doings and sayings of the people and in the size and shape, the color and movement of the State of Rhode Island and Providence Plantations. Its coverage of local news has been exhaustive, and to some occasionally may seem almost overwhelming. The newspaper has probed into dark corners of the local scene, possibly to the embarrassment of someone now and then, but to the overall benefit, we hope, of our State and its people.

It is a satisfaction that many businesses have grown and prospered with the Bulletin by drawing on the strength of its local news coverage and in turn making it possible for that news coverage to get even better. Many of these businesses have made news of their own through the advertising columns—not that the two kinds of news knowingly have ever been mixed or confused for the eyes of the reader.

The general history of the Evening Bulletin that is printed in this special issue of the Rhode Islander was written by the knowledgeable hand of David Patten, for many years managing editor of both the Bulletin and the Journal and now living in retirement, but most definitely not in torpor. Mr. Patten has scanned the records, and he has talked at length to many people who were and are intimately associated with the past and present of these newspapers. Parts of the narrative come alive under Mr. Patten's hand because he was there. Much of it has never been published before.

But through the whole story runs the insistent theme of the Evening Bulletin's pressing concern with local news. For 100 years the newspaper has been what it started out to be on its first day—the unabashed chronicler of Providence and of Rhode Island.

[From the Providence Visitor, Jan. 25, 1963]

A CENTURY OF DISTINCTION

The Providence Evening Bulletin is 100 years old tomorrow. The Visitor, 88 years young, offers its congratulations. In the newspaper business, it's the survival of the fittest, and the Bulletin has not only survived but come off as one of the country's best. The Bulletin has always been an organ of strong convictions, and with many of them the Visitor could not agree; but it also has had many fine convictions, from which the community has benefited. The Visitor has frequently tilted with the Bulletin, but perhaps not so often as it has concurred—as it does at the moment, for example, in pressing for no increase in Rhode Island racing, the campaign against bookies, fair housing, and the ad rem obscenity statute. And as to a friend the Visitor turned to the Journal-Bulletin for physical aid last June when because of a press breakdown the Visitor was printed on the Journal-Bulletin presses. The Visitor remembers with satisfaction, conversely, coming to the Bulletin's aid in the hurricane of 1938 when one of its issues was printed on Fenner Street. These are pleasant reflections on the happy occasion of the Bulletin's anniversary. We may hope that time will tend to extend them. We wish the Bulletin and its sister paper the Providence Journal many more years and the wisdom that comes with them.

THE DOCTRINE OF COUNTERFORCE

Mrs. SMITH. Mr. President, one of the most incisive writers today is Claude Witze, senior editor of the Air Force/Space Digest, and one of the most incisive articles he has even written is in the current issue of Air Force/Space Digest, the February 1963 issue.

I invite the attention of all Members of the Senate and the House to it—especially members of the Armed Services Committee—and I invite the attention of the Secretary of Defense to it.

I ask unanimous consent that it be placed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FAREWELL TO COUNTERFORCE

(By Claude Witze)

In early 1963, as the Kennedy administration passes the halfway mark in its stewardship, the schism between the military and civilian hierarchies in the Pentagon is moving toward a climax.

This division is both unfortunate and unnecessary. But, unless checked, it poses a threat to our security, looms as a barrier to domestic political harmony, and frustrates our diplomatic efforts.

An important facet of this Pentagon schism, and one that is a disappointment particularly to scores of lifelong Democrats, is the growing evidence that it is the civilian secretariat, not the uniformed column, that takes the conservative point of view. The military, for so many years pictured as hidebound to obsolete methods and weapons, are the people eager to break technological frontiers. In an ironic switch, it is the civilian leadership which wishfully thinks of fighting the next war in terms of the last one.

The most alarming manifestation of the situation was delineated on these pages last month, when the editor of Air Force/Space Digest reported that the doctrine of nuclear deterrence is being tacitly replaced by one of nuclear stalemate, that a strategic ceiling will replace our umbrella of strategic superiority if the present trends in doctrine and weapon system development continue.

To this report it can be added that the active Chiefs of Staff, the heads of the Army, Navy, Marine Corps, and Air Force, do not approve of the change in strategy. They are unanimous in their support of a doctrine of strategic superiority. And they consider this superiority to be essential if their forces are to retain the flexibility needed to hold potential conflict to some level of violence lower than a nuclear holocaust involving all-out exchange of intercontinental ballistic missiles.

In contrast, the administration now obviously believes that superiority is not necessary, that it is undesirable because it is provocative and that it is meaningless because nuclear war is unthinkable. No other conclusion can be drawn from recent events. Equally clear is the position of Defense Secretary Robert S. McNamara as the President's chief strategic adviser, overshadowing—indeed, censoring and subjugating—the opinions of our military experts.

When we turn our backs on the requirement for strategic superiority we are abandoning the counterforce doctrine which Mr. McNamara himself enunciated at Ann Arbor only last June. By definition, a counterforce capability is expensive to buy and maintain. It calls for a large arsenal of weapons and a variety of means to deliver them. It requires a sophisticated mixture of manned and unmanned systems, with all of that force combat ready and a substantial part of it on alert.

In his Ann Arbor speech, Secretary McNamara said our objectives, which means targets, in the event of a nuclear war "should be the destruction of the enemy's military forces, not of his population." Our strength would not be used for a first strike, for America is pledged never to perpetrate a Pearl Harbor, but for retaliation only. Thus our strategic force must be large, powerful, and protected—to be able to survive a blow and then to seek out and destroy the enemy's well hidden and hardened weapons.

The slow erosion of our ability to carry out this counterforce doctrine and, in fact, our deliberate intention to replace the necessary strategic superiority with strategic stalemate, are clear in decisions already made and our plans for future decisions. These decisions are being explained to the American people in terms of budgetary and technological doubletalk. The budgetary argument is considered good because it is related to every man's pocketbook and close to the heart of Congress in a tax-cutting year. Technological arguments have the further merit of being, for the most part, beyond the comprehension of the general public and thus requiring no documentation beyond a simple statement.

Probably the best way to explain what is being done is to cite, as we have again and again, the Cuban crisis. The administration viewpoint was cogently expressed by Walter Lippmann, who said in a Paris speech that the confrontation showed "the importance of conventional military power when nuclear power has been balanced and neutralized. The United States prevailed in Cuba because, after nuclear power had been neutralized, it had powerful conventional weapons."

Our military leaders know better. U.S. nuclear power was not neutralized or balanced in the Cuban affair. The United States had superiority. It was plain and simple and President Kennedy at the outset made it credible, and therefore effective. He told the world we would use this power on Russia itself if missiles were fired at us from Cuba. It was Russia's nuclear power that was neutralized and it was our strategic superiority that did the trick.

This is not to derogate the role played by conventional systems, mainly those of the Navy and Air Force, in the Cuban showdown. But it should be clear that these alternates to total war can be exercised only under an umbrella of strategic superiority.

Gen. Curtis E. LeMay has pointed out repeatedly, particularly in testimony on Capitol Hill, that budget trends in recent years indicate a progressive retreat from this posture of strategic superiority. President Kennedy's fiscal 1964 defense budget is on its way to Congress as these words are written, and the trend is expected to continue.

Manned strategic systems, with their innate flexibility, appear doomed. From the projected pattern of research-and-development expenditures for strategic systems over the next 5 years it is clear that we are unilaterally freezing technology at the level of Polaris and Minuteman. One report says the outlay for the R. & D. effort will drop from $2 billion to two-tenths of a billion in the next 5 years. The strategic potential of space is being overlooked entirely.

The impression has been made, and encouraged, that the doctrinal argument involves only the Air Force. This is at worst an untruth, at best an oversimplification. It happens that our strategic systems, with the single exception of Polaris, all are assigned to the Air Force. Hence, a policy calling for nuclear stalemate of necessity has its greatest impact on Air Force missions and programs.

Until 1963, however, there had not been any sign that the other chiefs, Gen. Earle G. Wheeler of the Army; Adm. George W. Anderson, Jr., of the Navy; and Gen. David M. Shoup of the Marines, might lend support to General LeMay in his expression of concern over the trend. Indications now are that strategic superiority is gaining support from all three services, and the Air Force does not stand alone.

This change of heart undoubtedly was brought about by the recent palaver, on both a national and international level, over the Skybolt air-launched ballistic missile. Skybolt was killed because it did not conform to the new strategic policy. The decision had international repercussions because the weapon was promised by us as a substitute for British development of its own air-launched ballistic missile. Lack of Skybolt forces Great Britain into agreement with our new policy. The budgetary arguments against Skybolt are dubious, since Britain now has to build a fleet of Polaris-armed submarines. The technological arguments advanced against Skybolt have been spurious from the beginning.

Much the same can be said for the RS–70 Mach 3 airplane. Its price tag was high, although expert witnesses testified that the Russians would have to spend even more to find a defense against it. Other witnesses, equally expert, have sworn that the system is within the state of the art and that it involves far fewer unknowns than the ICBM did nearly a decade ago when it was ordered into high-priority development. But both the RS–70 and the Skybolt are inconsistent with the new strategic policy of nuclear stalemate. That is why they are not wanted by the administration.

As a matter of fact, other advanced manned aerospace military systems, which might operate in either the atmosphere or space, are equally incongruous to the new policy. In the new budget this is expected to result in denial of USAF requests for improved air defense systems, and at least four more F–4C wings for the Tactical Air Command. In the research-and-development area there will be minimum allowance for a long look at the potentials of space. USAF's Dyna-Soar project now is expected to suffer and, in the long run, it's a good bet that the TFX variable-sweep fighter will go the route of the RS–70 and Skybolt. A nuclear-armed TFX would also be inconsistent with the nuclear stalemate philosophy.

This report would be remiss if it did not lay some emphasis on the pregnant suggestion that the stalemate policy constitutes a significant step by the United States toward some degree of unilateral disarmament.

In the January issue of Harper's magazine there is an outline by P. M. S. Blackett, a British physicist, of the early steps he considers essential to achieve a disarmed world. Blackett's main thesis is that a complete shedding of arms is urgent and that the West must change its military policies in order to achieve the goal. There is a striking parallel between Blackett's recommendations and our current trend toward nuclear parity. Parity, in fact, is what Blackett recommends. Superiority, of the kind that made our Cuban venture possible, is viewed by this scientist and Nobel Prize winner as a provocative menace. Like a great many of his fellows in the cult now influencing military strategy on the basis of computer techniques, he consistently underestimates the risks, with a fervor approaching that of India before the Chinese swept across the Himalayan Mountains. He does not admit that a disparity in basic aims and methods might be a significant factor in the power relationship between the Soviet bloc and the free world. He implicitly views the United States as a mirror-image of the U.S.S.R.

Blackett points to our current strategic superiority—he credits us with a 3 to 1 advantage over the Soviets—and says that a reduction by percentage, therefore, would not be acceptable. It follows that the first step toward disarmament is to reduce the strategic nuclear forces of both sides to the same equal and low level. A couple of dozen invulnerable missiles on either side would do. The author, who underestimates the power of the executive branch in the U.S. Government, then speculates that President Kennedy of necessity faces delays getting Congress to approve nuclear parity. He says that the American military, which he views typically as a self-serving monster, will fight the approval by convincing Americans that arms control is preferable to disarmament because it will be less disruptive to the economy.

Blackett contends that the goal must include approximate parity in both nuclear and conventional forces, then lends support to the Kennedy-McNamara effort to restrain England from exercising independence in the area of nuclear capability.

Professor Blackett views with alarm the McNamara Ann Arbor pledge to avoid attack on enemy cities, a pledge that is a commitment to a counterforce strategy. He laments the fact that counterforce strategy necessitates forces that are overwhelmingly superior and recognizes that it makes slim the chances for nuclear parity as a first step toward disarmament. He then lists four reasons why U.S. policy, up to now, has been in favor of counterforce. Not one of these reasons even suggests the possibility of a Soviet attack on us or our allies. The deterrent effect of superiority is dismissed as a minor argument. He expresses hope that the Kennedy administration, with its effort to bring the U.S. military more firmly under civilian control, will find a way to replace nuclear superiority with nuclear parity.

There is an undeniable parallel between the Blackett recommendations and what our force structure is pointing toward in the next several years by the McNamara budget planning.

This is not to say than an individual Briton, or a group of Britons, is dictating the shift in our policy. There are Blacketts holding influential positions in the U.S. Government. As pointed out in this magazine last September, the critics of counterforce capability fear its fertilizing effect on the arms race. They warn it may be provocative. They hold that it is technically infeasible and that it is not realistic. They are receiving sound support in the Pentagon from Mr. McNamara's own budgetary and technological experts, who are providing specialized and diversionary excuses to change the force structure without admitting that the goal is a strategic policy which adds up to a unilateral disarmament program.

Realistically, it must be admitted that scientist Blackett's sympathizers in this country are more sophisticated than he in the American political arena. Congress has shown a minimum of interest in strategic policy, a maximum of interest in the hardware of weaponry, its technical feasibility, and its price. Yet it also is true that Congress seeks to mold strategic policy when it authorizes the adoption of weapon systems and tries to force the executive branch to spend the appropriated money. Recent years are heavy with examples of how the will of Congress has been frustrated, despite the fact that it has been consistently more aware of the nature of our peril than the White House and Pentagon secretariat.

There has been mention here of the effect of the Pentagon schism on our diplomatic efforts. The furor in England and France has been so well publicized there is no need to repeat the details. Edmund Taylor, writing from Paris in the Reporter, says what we won in Cuba we have thrown away in Nassau. He comes up with a French suggestion, not entirely a joke, that the White House should forget about a direct telephone line to the Kremlin and get a closer link to Europe.

It is clear we have not fooled our allies, and it is likely, Taylor reports, that the final result of Nassau will be the loss of prestige and possibly the fall of the Macmillan government, the torpedoing of Britain's entry into the Common Market, and the further widening of the rift between France and America, thereby reducing the Atlantic Alliance to an empty shell.

It is interesting that only last June, on a visit to West Point, President Kennedy cautioned the cadets that they had to be more than soldiers and understand the foreign policies of nations all over the world. There is a good chance that today's military chiefs, all of them, have a firm understanding of why the British and French are upset at our espousal of nuclear stalemate. Like the French and British they would be justified in some mystification about a policy that sanctions a military risk in Cuba but refuses to take a technological risk that may be essential to national security.

On this point, there is no competent observer who doubts Russia can and will take technological risks to improve its military stature. These chances can be taken in such fields as ballistic missile defense, antisubmarine warfare, military space systems, the improvement of guidance or warheads. Once we freeze our own technology at the level of the Polaris and Minuteman systems and drain away our strategic flexibility, Moscow needs but a single and possibly modest breakthrough to upset the stalemate and achieve superiority.

Realization of this threat must be common to all dedicated American military men. The realization, for reasons already explained, is most vivid to USAF. The example here, let it be made clear, is not that of the cavalry officer who clung to his horse or of the lamented admiral who held the battleship invincible. The requirement is for progress, not stagnation; it is for technological advances to meet threats as yet themselves undeveloped.

The schism in the Pentagon is between this kind of military progress and the most conservative effort to turn back the clock by arguing that costs are excessive and the technology is beyond us. This progress has been with us at least since Kitty Hawk and Alamogordo. The Russians will not let us stop.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

The PRESIDING OFFICER. The pending question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] that the Senate proceed to the consideration of Senate Resolution 9, to amend the cloture rule of the Senate.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested, and the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 18 Leg.]

Aiken
Allott
Anderson
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that the Senator from North Carolina [Mr. JORDAN] is necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. ERVIN obtained the floor.

Mr. HOLLAND. Mr. President, will the Senator from North Carolina yield to me so that I may ask consent to speak as in the morning hour without his losing the floor?

Mr. ERVIN. I ask unanimous consent that I may be permitted to yield to the Senator from Florida without my losing the floor and without any subsequent remarks I may make being counted as a second speech.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

RATIFICATION OF THE POLL TAX AMENDMENT TO THE CONSTITUTION

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may speak as in the morning hour on some important information which has just come to me. I will confine myself within the 3-minute limitation as in the morning hour.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. HOLLAND. I hope that all Senators read in the Washington Post this morning the very fine editorial expressing the hope that ratification of the anti-poll tax amendment—which, if ratified, would become amendment No. XXIV of the Constitution—will be proceeded with without delay and be accomplished this year. I was happy to note that editorial, for which I express my gratitude.

I express my own appreciation, and I wish to say for the record that every Senator, except one, who was helpful in the adoption of the amendment in the Senate last year, has again been helpful in bringing the subject to the attention of his own legislature and other State authorities. The same has been true, in the main, as to new Senators.

I am indeed glad that that kind of cooperation on a completely bipartisan basis has continued.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. ERVIN. Mr. President, I ask unanimous consent that I may yield to the able and distinguished Senator from New York [Mr. KEATING], the able and distinguished Senator from Missouri [Mr. LONG], the able and distinguished Senator from Tennessee [Mr. KEFAUVER], and the able and distinguished Senator from Vermont [Mr. PROUTY], in that order, without my losing the floor and without having any remarks that I may make now or later being counted as a second speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEATING. Mr. President, along the line of what the distinguished Senator from Florida has just said, word has come to me that the New York State Legislature yesterday ratified the amendment to which the Senator has referred. I am gratified that this has been done, and that New York is one of the first States to take this action.

I express the hope that the legislatures of the other States, most of which are in session this year, will take similar action.

I know how indefatigably the Senator from Florida has worked to get this legislation through the Senate and to contact those of us who might be able to help in the State legislatures to get the amendment ratified. It was a pleasure for my colleague and me to urge such action upon our Governor and State legislature. I am very happy to be able to make this announcement.

Mr. HOLLAND. Mr. President, if the Senator from North Carolina will yield to me again on the same terms on which he has yielded to me previously, I should like to express my gratification and appreciation to the Senators from New York. I would appreciate his doing so.

Mr. ERVIN. I yield to the Senator from Florida under the same conditions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, I do express my deep appreciation to the distinguished junior Senator from New York and also to the distinguished senior Senator from New York, both of whom have been very active, not only last year in the submission to the States of the anti-poll tax amendment, but also this year in recommending its prompt ratification to the Governor and the leaders in the Legislature of the State of New York.

I am grateful that the State of New York, has, as we are informed by the distinguished junior Senator from New York [Mr. KEATING], became the third State to ratify the amendment. The earlier two States were Illinois and New Jersey. The Legislature of New Jersey ratified the amendment by the unanimous vote of both houses; and the Legislature of Illinois by overwhelming votes in both houses.

Mr. DOUGLAS. Mr. President, I wonder if I might ask the distinguished Senator from Florida a question?

Mr. ERVIN. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois upon the same conditions under which I yielded to the distinguished Senator from Florida and the distinguished Senator from New York.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. Mr. President, I appreciate the gratitude which the Senator from Florida has shown the States of Illinois, New Jersey, and New York. I should like to inquire if the Florida Legislature has ratified the constitutional amendment.

Mr. HOLLAND. Mr. President, might I have the right, upon the same terms, to advise the Senator from Illinois that the Florida Legislature has not ratified the amendment? The Florida Legislature will have its regular session beginning in April. The special session which adjourned only recently dealt with the troublesome question of reapportioning the legislature, a highly controversial subject. I personally requested the Governor not to put the constitutional amendment before that session of the legislature for practical reasons which are evident.

I am glad to advise the distinguished Senator from Illinois that the Governor of Florida will, in his message to the regular session of the legislature of the State of Florida, in April, recommend the early ratification of the amendment.

I also advise the Senator from Illinois that the Senators from Florida expect to appear before the legislature and request that ratification. Of course, we cannot control our legislature, but we are doing everything in our power to bring about the ratification of the amendment by the State of Florida.

I wish again to express, as I have in my earlier statement, my deep appreciation to the State of Illinois for having been the first State to ratify the amendment. I hope and believe that both Senators from Illinois had a part in that very constructive result. I certainly am grateful for their activity.

Mr. DOUGLAS. I hope the Senator from Florida may have equal fortune.

ORDER OF BUSINESS

Mr. YARBOROUGH. Mr. President——

Mr. ERVIN. Mr. President, I ask unanimous consent that at this time I may yield to my good friend, the senior Senator from Texas [Mr. YARBOROUGH], without losing my right to the floor and without having anything which I may say now or hereafter on this occasion count as two speeches by me.

The PRESIDING OFFICER. Without objection, it is so ordered; and the Senator from Texas is recognized.

DEATH OF DR. WALTER SPLAWN, DISTINGUISHED EDUCATOR AND PUBLIC SERVANT, LOSS TO NATION

Mr. YARBOROUGH. Mr. President, on January 17, 1963, Dr. Walter Marshall William Splawn, a Texan and one of our most distinguished educators, an author of texts on economics, and a dedicated public servant, died at the age of 79.

Dr. Splawn once served as a member of the Texas Railroad Commission, was president of the University of Texas from 1924 to 1927, and served for nearly 20 years as a member of the Interstate Commerce Commission. He was called by one public official in Washington "The last great liberal on the ICC—always working for the public interest." He had a remarkable career in public service, was author of some of our most beneficial regulation laws, and was once counsel to Sam Rayburn's committee in the House of Representatives.

His signature is on my University of Texas law degree. After Dr. Splawn retired from the ICC in 1953, blind, his scrawled notes came to me through the years, encouraging me in all of my hard campaigns. He lived and served in the great tradition of Jim Hogg, William Jennings Bryan, Woodrow Wilson, John H. Reagan, and Tom Campbell.

His was an interesting life, and one that few living Americans can match in governmental achievements.

Walter Marshall William Splawn was born at Arlington, Tex., on June 16, 1883. His father, William Butler Splawn, was born in North Carolina, and his mother, Mary Marshall—Collins—Splawn, was born in Alabama. The son received his early education at Decatur College, from which he graduated in 1904. He then studied law at Baylor University and received his bachelor of laws degree in 1906. Yale University conferred upon him the bachelor of arts and master of arts degrees in 1908. He obtained his doctor of philosophy degree from the University of Chicago in 1916. The Howard Payne College has conferred upon him the doctor of laws degree.

He was instructor in English at Decatur College in 1906 to 1907, and a teacher in the Fort Worth, Tex., high school in 1909 to 1910. He read law in the offices of Buck, Cummings, Doyle & Bouldin, at Fort Worth, and was admitted to the Texas bar in 1909. From 1910 to 1912 he was instructor in social science in Baylor College. From 1912 to 1915 he practiced law at Fort Worth. He returned to Baylor University in 1916 as professor of social sciences. He was dean of its summer school in 1917 to 1919, and became dean of the university in 1918. In 1919 he became professor of economics at the University of Texas and held that post until 1928. From 1924 to 1927 he was president of the University of Texas, and in 1927 to 1928 was director of research in social science there. In 1929 he became dean of the Graduate School of the American University at Washington, D.C. He relinquished that post upon becoming a member of the Interstate Commerce Commission. While at the University of Texas he served for a time as a member of the Railroad Commission of Texas. In 1927 he was chairman of the board of arbitration of western railroads and groups of employees. He was also a referee under the Settlement of War Claims Act.

Dr. Splawn attracted widespread public attention by his work as special counsel for the Committee on Interstate and Foreign Commerce of the House of Representatives. He made a survey of railroad holding companies, which resulted in the Interstate Commerce Commission being given power to regulate them. He then made a survey of holding companies in the power and gas public utility field. This survey was followed by the enactment of the Securities Act of 1933, the Stock Exchange Regulation Act of 1934, and the Public Utility Act of 1935. On April 6, 1934, he made a recommendation to the Committee on Interstate and Foreign Commerce of the House of Representatives that there be a thorough investigation of telegraph and telephone companies, and that they be subjected to strict Federal control. He also made a study of communications for the Interdepartmental Communications Committee, upon the basis of which recommendation was made to the President for the establishment of a Federal commission to regulate communications operations. This eventuated in the enactment of the Federal Communications Act, and the establishment of the Federal Communications Commission.

Dr. Splawn at one time advocated the creation of six or seven regional Federal commissions to relieve the Interstate Commerce Commission, which he considered to be then "overburdened, overworked, and well-nigh overwhelmed by the great number of cases presented each year."

Commissioner Splawn was appointed to the Commission by President Roosevelt on January 8, 1934, for the term ending December 31, 1940, to succeed Commissioner Brainerd whose term had expired. He was renominated by President Roosevelt to succeed himself on December 19, 1940, for the term ended December 31, 1947, and was renominated by President Truman on January 14, 1948, for the term expiring December 31, 1954. Commissioner Splawn served as Chairman of the Commission during the calendar years 1938 and 1951.

Almost immediately after his appointment to the Interstate Commerce Commission he was named Vice Chairman of the Interdepartmental Committee on Aviation, and requested by the President to make a survey of all phases of civil, commercial, and military aviation, similar to his communications survey.

At the time of his retirement from government service on June 30, 1953, after having served with great distinction for 19 years as a member of the Interstate Commerce Commission, his fellow members on the Interstate Commerce Commission presented Dr. Splawn with the following eloquent testimonial:

JUNE 30, 1953.

HON. WALTER M. W. SPLAWN,
Washington, D.C.

DEAR BROTHER SPLAWN: Having reached the age of three score years and ten and having decided not to request Presidential exemption from the statutory provisions requiring retirement at that age, you are now leaving the Commission after more than 19 years of able, devoted, and diligent service, including two terms as Chairman. As your colleagues, we are loath to record this termination of our official relations; but as your friends we avail ourselves of this opportunity to assure you of our continuing high regard and to express our earnest hope that the future may bring you the complete fulfillment of your aspirations.

Your career prior to your appointment on the Commission was both varied and distinguished. A classical scholar, you had specialized in the law, in economics, and in sociology. Then first as teacher and later as administrator you achieved a national reputation in the field of education. It was with this background that you were called upon to serve the public in other important lines of endeavor as a member of the Railroad Commission of Texas, as chairman of the Board of Arbitration of Western Railroads and Groups of Employees, as a referee under the Settlement of War Claims Act, as special counsel for the Committee on Interstate and Foreign Commerce of the House of Representatives of the United States, and, finally, as a member of the Interstate Commerce Commission.

In the consideration of numerous, intricate, and momentous problems of transportation regulation you have contributed exceptional experience, high intellectual attainments, and untiring energy. The results of your labors on the Commission for almost a score of years will be recorded and treasured as a rich contribution to the Commission's resources, traditions, and achievements. We shall miss you. May your years ahead be many, happy, and fruitful.

Cordially,

J. Haden Alldredge, William E. Lee, Charles D. Mahaffie, William J. Patterson, J. Monroe Johnson, Richard F. Mitchell, Hugh W. Cross, James K. Knudson, Martin K. Elliott, Anthony F. Arpaia.

The Senate Committee on Interstate and Foreign Commerce unanimously adopted a resolution, on his retirement in 1953, commending the distinguished public service of Dr. Splawn, as follows:

RESOLUTION OFFERED BY SENATOR CHARLES W. TOBEY, CHAIRMAN OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, FOR CONSIDERATION AND ADOPTION BY THE FULL COMMITTEE IN EXECUTIVE SESSION, JULY 7, 1953, IN COMMENDATION OF THE SERVICES AS A PUBLIC SERVANT OF THE HONORABLE WALTER MARSHALL WILLIAM SPLAWN, FORMERLY OF THE INTERSTATE COMMERCE COMMISSION

Whereas the retirement of the Honorable Walter Marshall William Splawn from membership on the Interstate Commerce Commission became effective June 30, 1953, concluding 19 years of public service as a member of this Commission; and

Whereas Dr. Splawn's contributions to the commonwealth have taken many other forms during his notable career, such as professor of social sciences and dean of Baylor University, professor of economics, and later president of the University of Texas, dean of the graduate school of the American University in Washington, D.C., member of the Railroad Commission of the State of Texas, chairman of the board of arbitration between management and employees of the western railroads, a referee under the Settlement of War Claims Act, special counsel of the House Committee on Interstate and Foreign Commerce, vice chairman of the Interdepartmental Committee on Aviation, and as an author in the fields of economics and transportation; and

Whereas the results of his outstanding work in the fields of public utility regulation, especially as it concerns railroads and communications facilities, are still of great effect; and

Whereas Dr. Splawn has added greatly to the luster of the Commission as an independent, objective, and detached agency of Government, through his devotion to his work, his mastery of the materials of that work, his scholarly approach and great integrity; and

Whereas we of this committee who have followed his career on the Commission with particular interest have long been convinced that Dr. Splawn has achieved for himself a position of great eminence in the field of public service and a deserved reputation as one of the truly outstanding members of the Interstate Commerce Commission in its long history: Now, therefore, be it

Resolved, That the Committee on Interstate and Foreign Commerce of the United States Senate express its fulsome commendation of Dr. Walter Marshall William Splawn on the occasion of his retirement from the Interstate Commerce Commission for his great contributions to the public welfare; that the committee express its deep respect for Dr. Splawn the man, for his integrity, courage, and independence, and for the masterful qualities of his mind; and that the committee wish him Godspeed and continued happiness and satisfaction in whatever he may undertake for the benefit of his fellow men.

The Senator from Washington [Mr. MAGNUSON], chairman of the Senate Committee on Commerce, voiced his sorrow over the passing of Walter M. W. Splawn, who was twice Chairman of the Interstate Commerce Commission during his 19 years of service, stating:

Walter Splawn was one of the great architects of our laws regulating securities, utilities, transportation, and communications, dedicating his life to legislative and administrative service of the national interest and of that of safeguarding the consumer and investor.

I mourn his passing as both mentor and friend. Although he had become blind and had retired from Government activities in 1953, his interest in national economic policies never abated and he continued to benefit the Commerce Committee of the Senate and the Interstate and Foreign Commerce Committee of the House with his wise counsels.

During the 1930's, Mr. Splawn was a consultant to the House committee where he had an important role in drafting the Securities and Exchange Act, the Utility Holding Company Act, the Federal Communications Act, Railroad Holding Company Act, Trust in Securities Act, and other important legislation. It was as a member of the House that I came first to know him and to admire his brilliant talents and humanistic approach to legislation.

Mr. Splawn's contributions to a more dynamic America will live long after all of us are gone. I grieve over his departure at the age of 79 and express my deepest sympathy to his family.

Dr. Splawn was a Mason, a Baptist, a member of the Cosmos Club, and belonged to the American Bar Association, the American Economics Association, and the Southwestern Political Science Association.

He was the author of "Introduction to the Study of Economics," 1922; "The Consolidation of Railroads," 1942; "Government Ownership and Operation of Railroads"—which he advocated—1928.

I ask unanimous consent to have the following editorials and articles printed in the RECORD: "Dr. Splawn Passes in Washington," from the Austin (Tex.) Statesman of January 18; "Splawn Rites Set in Virginia," from the Austin (Tex.) Statesman of January 18; "Dr. Splawn Rites Set in Virginia," from the Austin (Tex.) American of January 18; "Dr. Walter Splawn, 79, Ex-University of Texas President, Dies," from the Dallas (Tex.) Morning News of January 18; "Notebook: Dr. Splawn," from the Austin (Tex.) American of January 19; "Walter Splawn Dies, Former Head of ICC," from Washington Evening Star of January 18; "Walter Splawn, Ex-Interstate Commerce Commission Chief," fram the Washington Post, January 18; "End of a Remarkable Career in Public Service," Tarffic World, January 26.

There being no objection, the editorials and the articles were ordered to be printed in the RECORD, as follows:

[From the Austin (Tex.) Statesman, Jan. 18, 1963]

DR. SPLAWN PASSES IN WASHINGTON

WASHINGTON, D.C.—Dr. W. M. W. Splawn, president of the University of Texas from

1924 until 1927, died here Thursday morning after a long illness.

From 1934 until June 1953, he was a member of the Interstate Commerce Commission in Washington, and served twice as Chairman of the ICC, in 1938 and in 1951.

Dr. Splawn returned to the University of Texas in 1955, at the request of Dr. Logan Wilson, to record his recollections of his administration as president of the university to go into a history of the University of Texas.

He was born in Arlington, Tex., and educated at Decatur Baptist College, Baylor University, Yale University, and the University of Chicago.

A social science professor at Baylor early in his career, Dr. Splawn also practiced law in Fort Worth before going to the University of Texas as an economics professor in 1919. He took leave of absence from the university to serve on the Texas Railroad Commission for a time.

[From the Austin (Tex.) Statesman, Jan. 18, 1963]

Splawn Rites Set in Virginia

Washington, D.C.—Funeral services for Dr. Walter M. W. Splawn, a Texan who was Chairman of the Interstate Commerce Commission for years, will be held Sunday at Purcellville, Va.

Burial will be at Lincoln, Va.

Dr. Splawn died Thursday at his home in Washington after a long illness.

He also was a onetime president of the University of Texas, a lawyer recognized as an expert on railroad law, an economist, and author.

He leaves two daughters, Mrs. Joe H. Munster and Mrs. Thomas E. Taylor, both of Lincoln, Va.

Splawn was a native of Arlington, Tex. He took a degree from Decatur Baptist College in 1904 and Baylor University in 1906, subsequently doing graduate work at Yale and the University of Chicago.

He joined the University of Texas faculty in 1919, became president in 1924 and served in that capacity for 3 years.

Splawn was appointed to the ICC in 1934 and retired as its Chairman in 1957. Then, despite blindness, he returned for a time to teach at Decatur Baptist College.

State laws which he formulated as a member of the Texas Railroad Commission served as a model for the Federal railroad reorganization laws of 1922.

As a consultant to the House Interstate Commerce Committee in the early 1930's, he was largely responsible for the drafting of the Railroad Holding Company Act, the Truth in Securities Act, the Securities and Exchange Act, the Utility Holding Company Act, and the Federal Communications Act.

All of these were initiated during the administration of President Franklin D. Roosevelt.

He was a close friend of the late Speaker Sam Rayburn who, as chairman of the Interstate Commerce Committee, sponsored the regulatory legislation on which Splawn worked.

During the late 1920's, Splawn served as Chairman of the Western Railroad Board of Arbitration and referee of the War Claims Settlement Act.

His books include "Introduction to the Study of Economics," "Government Ownership and Operation of Railroads," and "Consolidation of Railroads."

[From the Austin (Tex.) American, Jan. 18, 1963]

Dr. Splawn Rites Set in Virginia

Washington, D.C.—Funeral services for Dr. W. M. W. Splawn, 79, president of the University of Texas from 1924 until 1927, will be held Sunday in Purcellville, Va. Burial will be in Lincoln, Va.

Dr. Splawn, who also served on the Texas Railroad Commission and who was a member of the Interstate Commerce Commission for 29 years, died in Washington Thursday morning after a long illness.

He was Chairman of the ICC twice, in 1938 and in 1951.

Dr. Splawn returned to the University of Texas in 1955, at the request of Dr. Logan Wilson, to record his recollections of his administration as president of the University of Texas to be part of a comprehensive history of the university.

Born in Arlington, Tex., and educated at Decatur Baptist College, Baylor University, Yale University, and the University of Chicago, Dr. Splawn was a social science professor at Baylor early in his career. He practiced law in Fort Worth before going to the University of Texas as on economics professor in 1919.

He took leave of absence from the university to serve on the Texas Railroad Commission.

[From the Dallas (Tex.) Morning News, Jan. 18, 1963]

Dr. Walter Splawn, 79, Ex-University of Texas President, Dies

Washington.—Dr. Walter M. W. Splawn, 79, one time president of the University of Texas and for years Chairman of the Interstate Commerce Commission, died at his residence here Thursday after a long illness.

A native of Arlington, Tex., he was graduated from Baylor University in 1906 and did advanced studies at Yale and the University of Chicago. After joining the University of Texas faculty in 1919, he served as president there from 1924 to 1927. He was appointed to the ICC in 1934.

Surviving him are two daughters, Mrs. Joe H. Munster and Mrs. Thomas E. Taylor, both of Lincoln, Va. Funeral services will be held Sunday in Purcellville, Va. Burial will be in Lincoln.

Splawn, an economist, author, attorney, and educator, also was an authority on railroad law.

The Texas railroad laws which he formulated as a member of the State railroad commission served as a basis for the Federal railroad reorganization laws of 1922.

As a consultant to the House Interstate Commerce Committee during the early 1930's, he was largely responsible for the formulation of the Railroad Holding Company Act, the Truth in Securities Act, the Securities and Exchange Act, the Utility Holding Company Act, and the Federal Communications Act. All of these were initiated during the administration of President Franklin D. Roosevelt.

He was a close friend of the late Speaker Sam Rayburn who, as chairman of the Interstate Commerce Committee, sponsored the regulatory legislation on which Splawn worked.

During the late 1920's, Splawn served as chairman of the Western Railroad board of arbitration and referee of the War Claims Settlement Act.

Splawn retired as Chairman of the Interstate Commerce Commission in 1957, and despite blindness, returned to Decatur Baptist College, from which he had received a degree in 1904, as a teacher.

His books include "Introduction to the Study of Economics," "Government Ownership and Operation of Railroads," and "Consolidation of Railroads."

He was a member of the American Bar Association, American Economic Association, Southwestern Political Science Association, the Masons, and the Baptist Church.

[From the Austin (Tex.) American, Jan. 19, 1963]

Notebook: Dr. Splawn

The death in Washington of retired Dr. Walter M. W. Splawn revived memories of his service in Austin to both the University of Texas and the State government.

Professor of economics at the University of Texas, he took leave to serve, by appointment of the Governor, as a member of the Texas Railroad Commission. He returned to the university, but in the role of its president, serving in that office from 1924 to 1927.

He went to Washington, and for nearly 20 years, until 1953, served as a member of the Interstate Commerce Commission. He was twice Chairman of the ICC. Dr. Splawn is author of one of the leading textbooks on the economics of rail transportation.

After his retirement from the ICC, Dr. Splawn again returned to the University of Texas briefly in 1955, on invitation of then President Logan Wilson, when he recorded his memories and experiences as president of the university to be part of a history of the institution.

Dr. Splawn was an extremely slender, frail man. He wore thick eyeglasses, and in his later years was nearly blind. He has been described by associates as "all intellect."

Native of Arlington, Tex., student in Decatur College, Baylor University, graduate of Yale and the University of Chicago, Dr. Splawn was a Texan who helped give stature to higher education in his State, and who also turned his ability to the field of public administration, State and Federal. His was a useful life.

[From the Washington Star, Jan. 18, 1963]

Walter Splawn Dies, Forever Head of ICC

Walter M. W. Splawn, 79, who served for 23 years on the Interstate Commerce Commission and retired as its Chairman in 1957, died of a heart ailment yesterday at his home, 3138 Connecticut Avenue NW.

An economics professor, attorney, and author, Mr. Splawn was president of the University of Texas during 1924–27.

As a member of the Texas Railroad Commission, he helped to formulate Texas railroad laws that served as a basis for Federal railroad reorganization laws in 1922.

In 1929 he was appointed dean of the Graduate School and the School of Political Sciences of American University here, a post he held briefly before accepting an appointment as professor of economics at the university.

NATIVE OF TEXAS

Born in Arlington, Tex., Mr. Splawn was graduated in 1904 from Decatur Baptist College where he returned to teach, although blind, on his retirement in 1957. He earned his law degree at Baylor University in 1906, received his master's degree at Yale University in 1908, and his doctorate at the University of Chicago in 1921. The subject of his doctorate was "The Railroad Commission of Texas."

He practiced law in Fort Worth, then taught social science at Baylor and economics at the University of Texas.

In addition to his American University work in the late 1920's, he served as chairman of the Western Railroad board of arbitration and was referee of the War Claims Settlement Act. In the latter position, he investigated millions of dollars worth of claims by German, Austrian, and Hungarian nationals against the U.S. Government.

He wrote several books, including "Government Ownership and Operation of Railroads," in 1929; "Consolidation of Railroads," and "An Introduction to the Study of Economics."

MEMBER OF COSMOS CLUB

A member of the Cosmos Club, Mr. Splawn also was a Mason, a Baptist, and belonged to the American Bar Association, the American Economics Association, and the Southwestern Political Science Association.

He leaves his wife, Zola, of the Connecticut Avenue address; and two daughters, Mrs.

Thomas E. Taylor, of Lincoln, Va., and Mrs. Joe H. Munster, of Cleveland.

Services will be at 2 p.m. Sunday at the Hall Funeral Home, Purcelville, Va. Burial will be in Lincoln Cemetery.

[From the Washington Post, Jan. 18, 1963]

Walter Splawn, Ex-ICC Chief

(By William J. Raspberry)

Walter M. W. Splawn, twice Chairman of the Interstate Commerce Commission and former president of the University of Texas, died of a heart ailment yesterday at his home, 3133 Connecticut Avenue NW.

The 79-year-old economist, author, attorney, and educator was an authority on railroad law. The Texas railroad laws which he formulated as a member of the State railroad commission served as a basis for the Federal railroad reorganization laws of 1922.

A consultant to the House Interstate Commerce Committee during the early 1930's, Mr. Splawn was largely responsible for the formulation of the Railroad Holding Company Act, the Trust in Securities Act, the Securities and Exchange Act, the Utility Holding Company Act, and the Federal Communications Act, all initiated during the administration of President Roosevelt.

He was a close friend of the late Speaker Sam Rayburn who, as chairman of the House Interstate Commerce Committee, sponsored the regulatory legislation on which Mr. Splawn worked.

Born in Arlington, Tex., he was graduated from Decatur Baptist College in 1904, earned his law degree at Baylor University in 1906, took his master's degree at Yale University in 1908, and received his doctorate at the University of Chicago in 1921.

After practicing law in Fort Worth for a time, he taught social science at Baylor and economics at the University of Texas, where he was president from 1924 to 1928.

During the late 1920's he served as chairman of the Western Railroad board of arbitration and referee of the War Claims Settlement Act.

Mr. Splawn retired as Chairman of the Interstate Commerce Commission in 1957 and, despite his having become blind, returned to Decatur College as a teacher.

He was a member of the American Bar Association, the American Economic Association, the Southwestern Political Science Association, the Masons, and the Baptist Church.

Surviving are his wife, Zola, and two daughters, Mrs. Thomas E. Taylor, of Lincoln, Va., and Mrs. Joe H. Muster, of Cleveland.

[From Traffic World, Jan. 26, 1963]

End of a Remarkable Career in Public Service

Laid to rest in a cemetery in Lincoln, Va., the afternoon of January 20, after a funeral service in Purcellville, Va., were the mortal remains of Dr. Walter M. W. Splawn, who died the morning of January 17 at his residence, 3133 Connecticut Avenue, Washington, D.C., at the age of 79. Not only because of his outstanding record of performance as a member of the Interstate Commerce Commission for 19 years (until his retirement on June 30, 1963, after he had reached the age of 70), but because of various other achievements and demonstrations of intellectual superiority, Dr. Splawn was admired by thousands as truly an eminent servant of the public.

He attained national prominence as an educator prior to his service on the ICC. He was professor of social sciences and dean at Baylor University, Waco, Tex., and later (in the years 1924–27) was president of the University of Texas, at Austin. Subsequently he was a member of the Railroad Commission of Texas, chairman of the board of arbitration of western railroads and groups of employees, a referee under the Settlement of War Claims Act, and special counsel for the Committee on Interstate and Foreign Commerce of the U.S. House of Representatives, when the late Sam Rayburn was chairman of the committee. Dr Splawn was appointed a member of the ICC in 1934. He was Chairman of the Commission in 1938 and 1951.

When he became an ICC member, his eyesight had failed to the point that he was unable to read; assistants had to read to him the numerous letters, documents, newspaper and magazine articles, books, etc., that required his attention or attracted his interest. In the course of his service on the Commission he became totally blind. Yet he did not falter in his work as a Commissioner. He was brilliant mentally; his memory was wonderfully retentive. Testifying before committes of Congress, he could refer to any of several statistical tables that might be attached to the prepared statement he was "reading" and he could pick out with astonishing accuracy certain of the figures in those tabulations as he developed the point he was making.

The printed record of the Senate Interstate and Foreign Commerce Committee's hearings in 1949 on S. 2113, a bill to clarify the status of freight forwarders and their relationship with motor common carriers, includes testimony by Dr. Splawn. In oral testimony he referred to tables of figures covering nine pages of the book. We quote only a small part of his discussion of the statistical compilations:

"I offer the statistical summary of revenues, expenses, and selected statistics of some 56 companies, I think it is, with an income of $100,000 a year or more. May I call attention to some of the outstanding statistics? You take first the revenues: The total revenue collected from shippers by freight forwarders for 1948 is shown to be about $264 million. For 1947 it was $25 million less, $239 million. The number of tons originated by the freight forwarders (was) 4,087,000 in 1948 and 4,527,000 tons in 1947, a decrease in tons handled, 1948 under 1947, of about 440,000 tons. In 1947 there were over 18 million shipments; in 1948, over 17 million shipments.

We were present when Dr. Splawn presented those figures from memory; we can testify that he received no prompting from anyone. It was one of many amazing performances by Dr. Splawn as a memory expert. But the respect he gained among his colleagues and on Capitol Hill was based on qualities of greater depth. In a special session of the Commission on June 30, 1953, the day of his retirement, Dr. Splawn was honored by his fellow Commissioners. They gave him a scroll, the inscription on which included these words:

"As your colleagues, we are loath to record the termination of our official relations; but as your friends we avail ourselves of this opportunity to assure you of our continuing high regard. In the consideration of numerous, intricate, and momentous problems of transportation regulation you have contributed exceptional experience, high intellectual attainments, and untiring energy."

The Senate Interstate and Foreign Commerce Committee shortly thereafter adopted a resolution in which it said that "Dr. Splawn has added greatly to the luster of the Commission as an independent, objective, and detached agency of the Government, through his devotion to his work, his mastery of the materials in that work, his scholarly approach and great integrity. The committee added that Dr. Splawn had "achieved for himself a position of great eminence in the field of public service and a deserved reputation as one of the truly outstanding members of the Interstate Commerce Commission in its long history." In a statement he issued January 18, Senator Warren G. Magnuson, of Washington, chairman of the Senate Commerce Committee, described Dr. Splawn as "one of the great architects of our laws regulating securities, utilities, transportation, and communications," and said that "Dr. Splawn's contribution to a more dynamic America will live long after all of us are gone."

There will always be a need for men of Dr. Splawn's moral and intellectual stature to fill positions of responsibility in the Federal Government.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. ERVIN. Mr. President, Mark Twain is reputed to have said:

> Truth is precious. Use it sparingly.

But I do not propose to take Mark Twain's advice. Instead, I expect to be rather extravagant in the use of truth, both in the amount of the dosage which I should like to give to the Senate and also in the number of words which I expect to employ in administering it.

I expect to look to history, despite the fact that some of my brethren have said we should not look back to the words of Jefferson or Washington or the other great men of the past.

Mr. President, I am not the only person who has some veneration for history. The founder of the Democratic Party, Thomas Jefferson, said, on one occasion:

> History informs us of what bad government is.

One of my purposes in looking back to history is to let Senators know what some may have forgotten. In times past, we have had some bad government in our great Republic.

The great French philosopher Lamartine said:

> History teaches everything, even the future.

One of the reasons I expect to look backward to history is that we may know from the history of the past what the future may be.

The great German philosopher Von Schlegel emphasized that point. He said:

> A historian is a prophet looking backward.

The reason I wish to look back to history is the hope that we might avoid the misfortune which George Santayana predicts for those who ignore the lessons of history. He said:

> Those who cannot remember the past are condemned to repeat it.

So I look to the past, that is, to history, because I want the Senate to look to the future and appreciate what the result might be, if the Senate should repudiate all of its history since 1789, and change rule XXII so that Senators can be silenced in the hope that impatient men and organizations will get their way.

When the rulers of a nation ignore the lessons of history, they condemn their nation to repeat the mistakes of the past.

I wish our country to have a great future. I wish my five little grandchildren and their contemporaries to enjoy life in a nation which has institutions that safeguard the people against governmental tyranny. Every time a new Congress comes to Washington, we repeat the performance we are witnessing concerning rule XXII. I am convinced that there is no popular demand abroad in our land for a change in rule XXII. I think that the effort which is made every 2 years by those who seek to change the rule and to destroy the only thing that makes the Senate a distinctive legislative body comes from a few organizations dominated by impatient and, I fear, sometimes intemperate men. If it were not for such organizations, dominated by impatient and, as I fear, sometimes intemperate men, the Senate could proceed immediately to its work whenever a new Congress convenes.

We live in a rather dangerous age for America, because we have abroad in our land many men who give their allegiance to what may be called the cult of conformity. For some strange reason those men no longer put value on such things as the right of any American to dissent from the views of the majority. If they had their way, they would compel every American to quit thinking his own thoughts and to adopt theirs, and they would compel every American to conform his actions to their wishes rather than to his own honest convictions.

We sometimes see the cult of conformity accepted among men in high places. The impatient organizations which demand that the Senate lay aside its work every 2 years and discuss a proposed change in rule XXII apparently suffer under the delusion that if they could find some way to keep Senators from pointing out the folly of some of the notions they entertain, they could induce the Senate to put their ideas of conformity into law and impose them upon all the American people. They suffer under a delusion, because I think the reason Members of the Senate will not vote for their proposals is that Senators recognize that the proposals are unwise.

I do not know what effect my turning to history on this occasion may have on the minds of other Senators. I am compelled to confess, however, that it has enabled me to escape, at least temporarily, from some of the confusion which has been engendered of late by the pronouncements of theoretical economists.

The other day I read some utterances of theoretical economists. In substance, they said that when government spends more than it receives in revenue, government has an "active deficit" which can be of great benefit to the country. But when government receives in revenue less than it spends, government has a "passive deficit" which indicates a sluggish condition of the economy and is harmful to the country.

Ever since I read that pronouncement of theoretical economists, I have been more or less in a state of confusion, because I have been totally incapable of comprehending the precise difference between government spending more than it receives in revenue and government receiving in revenue less than it spends.

It has enabled me, however, to comprehend the moral in the story which I heard many years ago about the annual meeting of the Society of Theoretical Economists. The treasurer of the society made his annual report concerning the fiscal affairs of the organization. His annual report disclosed that the society had a deficit of $25. One of the members of the organization arose and said, "Mr. President, it is a shame for us to leave this deficit lying idle in our treasury when it could be put to so much good use." He said, "I therefore move that we give our deficit to the Red Cross, which is a great organization that brings relief to our people in times of disaster." Another member of the Society of Theoretical Economists arose and said, "Mr. President, I would not like for the other members of our great organization to think that I do not hold the Red Cross in proper respect. I agree that the Red Cross is a fine organization which brings relief to our people in times of disaster. But there are other great organizations, and I think we could do much more good with our deficit if we divided it among several of these organizations which minister to human needs." He said, "There is the Salvation Army. It is a great organization which looks after those who are supposed to be down and out." He added, "Mr. President, I make a substitute motion. I move that we divide our deficit between the Red Cross and the Salvation Army so that each of these organizations can put it to good use."

As I have stated, there is a controversy about rule XXII every time a new Congress meets.

I have been much intrigued by the reasons given in times past, during my service in the Senate, by those who seek a change in this rule.

When I first came to the Senate the proponents of change in rule XXII said that we should change the rule because the southerners thwart the will of the Senate. I do not claim to be an expert in mathematics, but I have not been able to comprehend how anyone can delude himself into believing that 22 southerners can thwart the will of 78 other Senators. As a matter of fact, rarely do 22 southerners stand together on this proposition. Usually several secede from the Confederacy. The charge that a few sinful southerners who never number more than 22 can thwart the will of 78 other Senators is preposterous. It always makes me think of the story which I have told before in the course of these discussions.

I think all Senators have enjoyed at times seeing the cartoons which depict Jiggs and his wife Maggie. On one occasion one of these cartoons showed Jiggs and Maggie on a visit to Spain. They were walking along the streets of Madrid when Maggie became irritated with Jiggs and proceeded to visit her irritation upon his person. It happened that a few days before Jiggs had learned about the existence of a society in Spain called the Kazooks. The Kazooks were composed of married men who had developed some idea of forming a self-protective organization to guard themselves against injury at the hands of their wives. Jiggs had become a member of this organization. Each Kazook had taken a blood oath to come to the relief of any brother Kazook when that brother was threatened by his wife and gave the word of distress, "Kazook." On this occasion when Maggie started to vent her irritation upon Jiggs, Jiggs remembered this fine and great organization which he had joined, so he gave the word of distress, "Kazook." The cartoon then showed about a thousand fellow Kazooks running to Jiggs' assistance. The cartoon then depicted the fact that Maggie took her umbrella and laid all the Kazooks out. The last picture in the cartoon on that occasion showed Jiggs in the hospital, all bandaged up, and philosophizing thus, "The idea behind this Kazook Society is pretty good, but the trouble with the society is it hasn't got enough members."

That is one trouble about the southern Members of the Senate. I think it would be a good thing for the country if there were more of them in the Senate, provided they entertained the same sound views on all subjects that I do. I am bound to confess, however, they do not all do that.

When I first came to the Senate the excuse was that rule XXII had to be destroyed, that the freedom of debate that has existed in the U.S. Senate since George Washington was inaugurated as President, had to be abolished, to keep 22 sinful southerners from thwarting the will of all other Senators. That excuse became somewhat threadbare when a person used only a little mathematics, so the proponents of rules change abandoned that insupportable contention as the basis for demanding a rules change.

The next thing the proponents of rules change did was to come in at the beginning of a session of a new Congress with a very eloquently phrased document saying that the rules of the Senate had to be changed, particularly rule XXII, because the rules of the Senate were conceived by the minds and written by the hands of men who were sleeping in "the voiceless silence of the dreamless dust." The proponents of rules change evidently came to the conclusion that there was no wisdom on earth until the present generation arrived.

I may be guilty of some heresy in saying this, but I happen to entertain the view that there was a considerable amount of wisdom on this earth before my colleagues and I reached this earth or reached the U.S. Senate; but the proponents of rule changes came in at the opening of the particular Congress to which I refer with the demand that the rules of the Senate be rewritten, and particularly rule XXII, because they were conceived by the minds and written by the hands of dead men.

This movement did not get very far in that particular Congress, because, after some days of debate, it slowly began to dawn upon certain Members of the Senate that the Ten Commandments were brought down off Mount Sinai by Moses, and that Moses had been sleeping the everlasting sleep on the top of Mt. Nebo for many generations. So that conviction, which came to Members of the Senate as the debate progressed, tended to weaken the contention that the rules of the Senate had to be changed merely because some of them had been written by men who had passed into the Great Beyond.

Then, after some days of debate, it occurred that those who embrace most of the great religions of the earth, and particularly Christianity, received their religious doctrines from the Man of Galilee and His successors, such as St. Paul. It dawned upon the Senate, after some days of debate, that the Man of Galilee, St. Paul, St. Peter, and the rest of the apostles and disciples, had vanished from human life many centuries ago. The realization of that truth tended to minimize the appeal of those who urged that rule XXII ought to be changed, and that other rules of the Senate ought to be rewritten because they had been conceived by the minds and written by the hands of men now dead.

It was further called to the attention of the Senate, during the debates on that occasion, that the barons who exacted Magna Carta from King John at Runnymede in about the year 1215 had also descended into the "voiceless silence of dreamless dust" many generations and centuries ago; and even those who did not like documents such as the Senate rules, which had been conceived in the minds and written by the hands of men now dead, had to concede that there were some things in Magna Carta that they were not willing to rewrite.

As the debate on that occasion continued, the contention that the rules of the Senate had to be rewritten because they were conceived in the minds and written by the hands of men now dead became even weaker. It suddenly dawned upon the proponents of rule changes in that session that Thomas Jefferson, the author of the Declaration of Independence, as well as all the men who framed the Constitution of the United States, were likewise sleeping in the "voiceless silence of dreamless dust." So the effort to rewrite the rules of the Senate, and particularly rule XXII, because they were written in part by the hands of men now dead, lost its driving force; and the majority of the Senate decided that perhaps, after all, the Ten Commandments, the Gospel, Magna Carta, the Declaration of Independence, the Constitution, and the rules of the Senate had much virtue in them notwithstanding that the hands which wrote those great documents or those great rules originally had crumbled into dust in the grave.

The next argument that was made to justify a change in the rules was that rule XXII prevents majority rule. This argument is based fundamentally on the proposition that the way the Government ought to be conducted is not on the basis of debate, not by reason, not by adherence to principles, not by correctly appraising the welfare of the American people, but by counting the number of noses on one side and the number of noses on the other side of a proposition.

So the proponents of rule change say, "We want majority rule. We want to count the noses on this side of the question and the noses on the other side of the issue and decide the issue on that basis, without debate, without reasoning together, without determining on which side wisdom lies and on which side folly is to be found."

Mr. President, the Founding Fathers were great students of the history of men's bitter struggle for the right of self-rule. They knew that man had wrested every right he had in this area—the right of freedom, the right of freedom of speech, the right of freedom of religion, the right of self-government—from tyrants. Anyone who reads the Constitution of the United States and studies the speeches and writings of the men who framed that immortal document, and anyone who studies the debates which raged around the ratification of that document by the States, and anyone who reads "The Federalist" knows that the Founding Fathers were seeking to establish a government to preserve liberty and prevent tyranny.

We are told on the floor of the Senate by some of the proponents of the proposed rule change that our Government does not work fast enough, that it does not pass laws fast enough, and that it is not efficient enough. Those who make those assertions overlook one thing which was well known to the Founding Fathers, and that is that if we want an efficient government, we must have a dictatorship. If the Founding Fathers had been concerned primarily with establishing an efficient government, they would not have established a House of Representatives and a Senate; they would have established only one legislative body. One legislative body can pass a law a great deal faster than two legislative bodies. However, the Founding Fathers knew that any one legislative body can make mistakes. Therefore they created the Senate, in order that the Senate might remedy the mistakes in legislation committed by the House, and they created the House, in the hope that the House might cure any errors which the Senate might make in legislation.

Some days ago the able and distinguished junior Senator from Texas [Mr. TOWER] called to our attention the historic incident when Jefferson returned from France and had a conversation with George Washington, who was the Presiding Officer of the Constitutional Convention. George Washington and Thomas Jefferson were drinking coffee on that occasion. Thomas Jefferson, in accordance with the fashion of the day, had poured some of his coffee into the saucer to cool it.

Thomas Jefferson asked George Washington why the Convention had created the Senate, instead of reposing all legislative power in the House of Representatives. George Washington replied: "The Convention created the Senate in order that it might do the same thing that your saucer is doing. You are cooling off your hot coffee in your saucer. The Constitutional Convention created the Senate in order that the hot legislation passed by the House might be cooled before it is poured down the throats of the people of America."

The Founding Fathers did two things to preserve liberty and to prevent tyranny. They used what is properly called the doctrine of the separation of governmental powers in the Constitution. They also inserted in the Constitution what we know as the system of checks and balances. Why did the Founding Fathers do that when they drafted our Constitution and created the Government of the United States? They did it because they had read the history of man's long and bitter struggle to escape from governmental tyranny, and they had found this lesson written in letters of blood on each page of history: "Government itself is the deadliest foe of liberty."

The Founding Fathers separated the powers of government in a twofold manner. In the first place, they separated the powers of government between the Federal Government and the States by assigning to the Federal Government the powers necessary to be exercised on a national level, and by preserving to the States the powers which in equity and in good conscience ought to be exercised on the local level. They employed the doctrine of the separation of powers in the second sense by separating the powers of the Federal Government among the executive department, the legislative department, and the judicial department of the Federal Government.

In their wise efforts to establish a government under which men could remain free, and a government of laws rather than of men, they also inserted in the Constitution what we call the system of checks and balances.

Mr. MANSFIELD. Mr. President, will the Senator from North Carolina yield to me without losing his right to the floor, so that I may suggest the absence of a quorum, and so that I may have the floor when the quorum call is concluded, with the understanding that then the floor will revert back to the Senator from North Carolina?

Mr. ERVIN. Upon that understanding and also upon the understanding that what I may say afterward may be counted as a part of the same speech and not as a second speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, will the Senator from North Carolina yield to me for a unanimous consent request, before he yields to the majority leader?

Mr. ERVIN. With the understanding that I do not lose the floor by so doing. I yield to the Senator from Pennsylvania with that understanding, and then I will yield to the majority leader on the same terms.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE MANAGEMENT OF NEWS BY THE GOVERNMENT—THE SITUATION IN THE MIDDLE EAST

Mr. SCOTT. Mr. President, I have discussed in the Senate before the basic rights of the American people, particularly their right to know what their Government was doing. As other Senators may recall, I have itemized several occurrences in the past few years which indicate a trend in Washington to manage the news in a manner which often borders on outright censorship.

Furthermore, I have been concerned with some developments in our foreign policy, particularly the attitude the present administration displays in matters of the Middle East. Although we have a huge stake in that area of the world, the present administration too often seems to equate oil rights with human rights and is sadly neglectful of the one country, Israel, on whom we can depend. After my most recent exchange with the Department I concluded publicly that it was taking a pro-Arab position.

Today I should like to call attention of the Senate to the most recent abuse of the people's right to know, which happens to be in this area of Middle Eastern affairs.

Merriman Smith of United Press International reports to the Philadelphia Bulletin that Milton Friedman of the Jewish Telegraphic Agency, an American news service which is accredited to the Capitol Press Galleries, was refused admittance to a State Department background briefing session on problems involving refugees in the Middle East. Apparently the State Department disagreed with recent dispatches which had been filed by Mr. Friedman, who many of us know to be a careful and accurate reporter.

The story further states that Robert C. Strong, director of the Department's Office of Near Eastern Affairs, told him that he was considered a foreign agent.

This is more than an affront to an American news correspondent. It is a reflection upon all the newspapers which subscribe to the Jewish Telegraphic Agency and should serve as a warning to the public generally.

A Government official can call a secret background session to suit his own needs, invite persons in whom he has confidence, and the rest of the press—and the public—be damned.

My office has been in touch with the State Department today and confirmed the accuracy of Merriman Smith's account of this matter. I have been assured that there was no anti-Semitism involved in this matter. But the facts remain that Mr. Friedman learned of this briefing session before it was held, spoke with Mr. Strong and others in the Department and was intentionally not invited even though this information was brought to the attention of Mr. Lincoln White of the State Department's Bureau of Public Affairs.

I personally object strongly to this kind of news management and this reflection upon the integrity of a fine news correspondent, and I urge others to do likewise.

I ask unanimous consent to insert the Merriman Smith article at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Philadelphia Bulletin, Feb. 3, 1963]

Backstairs at the White House—Newsman Barred From Background Briefing—Reporter Friedman Not Welcome at State Department

(By Merriman Smith)

Washington.—The other night President Kennedy went to a glittering dinner at the Sheraton Park Hotel here marking the 50th anniversary of the Anti-Defamation League of B'nai B'rith. During the course of the evening, the President received the league's 1963 Democratic Legacy Award.

In accepting the award, the Chief Executive said, "It is a proud privilege to be a citizen of the great Republic, to hear its songs sung, to realize that we are the descendants of 40 million people who left other countries, other familiar scenes, to come here to the United States to build a new life, to make a new opportunity for themselves and their children."

During the nationally televised entertainment program before the President's speech, one of the featured songs, "We Want No Irish Here," told of the days when the Chief Executive's own forebears also encountered intolerance, prejudice, and discrimination.

Leaning over the rail of the balcony at one end of the ballroom and listening intently was Milton Friedman, a proud birthright American and longtime Washington correspondent for the Jewish Telegraphic Agency, an American organization which deals primarily with news concerning Jews of many nations. The agency naturally carries many items of news to and from Israel.

Only a short time before the President's speech to the 50-year-old league, which was established in 1913 "to stop . . . the defamation of Jewish people," Friedman heard that State Department specialists on the Near East were about to have a private background briefing for select reporters on problems involving refugees in an area of intense interest to Arabs, as well as the people of Israel.

The State Department is part of Friedman's regular beat. He tried to get into the briefing, but was discouraged.

According to the reporter, Robert C. Strong, director of the State Department's Office of Near Eastern Affairs, told him the Department regarded Friedman as a foreign agent, that the Department was displeased with some of his recent dispatches, and that he dealt too emotionally with matters involving Israel.

For these reasons, according to the correspondent, he was informed that he was not welcome at the background session. And thus he was not admitted to a briefing session which he felt vital to his coverage of the news for the Jewish Telegraphic Agency.

Friends of the reporter pointed out that the press officers of the State Department privately were quite regretful about Strong's decision, but apparently they could not overrule him.

While there well could be other circumstances and considerations involved—any reporter can be barred from any background session for just about any reason if the Government official in charge so desires—this incident could be heard from long after the joys of the Anti-Defamation League banquet have faded.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. Anderson] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. ERVIN. I yield to the majority leader on the terms he has suggested.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, debate on the pending motion has proceeded, with only brief interruptions, since January 15. Nineteen speeches have already been made. Under the rule granting each Senator the right to speak twice on a matter before the Senate, most of the Senators who have been heard in opposition to the motion may speak again. Altogether, about 13 speeches remain to those opponents of the motion who are likely to speak again. On the basis of past experience, it seems unlikely that a vote on the motion will come this week or perhaps next week.

Assuming that we can eventually bring Senate Resolution 9 before the Senate, Senators should be aware of the parliamentary possibilities open to Senators who are in opposition to the resolution. It is disclosing no secrets to say that the following motions would be in order: Motions to refer to committee; motions to refer with various instructions; a motion to postpone indefinitely; motions to postpone to various days certain; motions to amend the resolution, and so forth. I recognize that these motions may be tabled; nevertheless, there is nothing to prevent a Senator from speaking at great length and in offering such a motion at the conclusion of his remarks.

There is nothing to prevent the making of numerous points of order, the calling of live quorums, motions to adjourn, and so on.

I remind Senators that the word "dilatory" appears in the Senate rules only in connection with the proceedings once cloture has been adopted.

I trust that the Senate will understand that I am not making threats by describing the legislative situation in this manner, but that I am merely outlining what the situation is to the best of my ability.

The prospects for prompt action on this matter are not especially good, to put it mildly.

Mr. President, I will support Senate Resolution 9; and I will vote against a tabling motion, which I shall present tomorrow, at 2 o'clock. Assuming the motion to consider the resolution will not be tabled, I shall ask Senators to join me this afternoon, ahead of time, in having a cloture petition ready. Senators can expect—after the tabling motion is defeated, as I anticipate it will be—a cloture vote on Thursday, 1 hour after the Senate convenes. Should the result of that vote be reasonably close to the required two-thirds, I shall confer with proponents of the resolution as to the best course of action for the Senate. Needless to say, I recognize the gravity of the decision we shall then have to make. I also recognize my own responsibilities in the matter, and I will not shirk them.

During the period when the motion is before us, Senators should be prepared to attend the debates on the floor.

For the reasons I outlined last week, I shall object to having committees meeting during the sessions of the Senate. I shall not call a meeting of the Democratic conference to approve or disapprove vacancies on the steering and policy committees, nor shall I call a meeting of the Democratic steering committee, to fill other committee vacancies, until this question has been resolved. Consequently, for some time, we shall not be able to assign new Members to committees or to fill the present vacancies on our policy and steering committees.

If it becomes necessary, we shall lengthen the sessions each day, although I do not anticipate round-the-clock sessions.

We shall meet 6 days a week. There will be live quorums; and Members should be prepared to cancel out-of-town engagements, in order that we may quickly secure those quorums.

Our experience last year has convinced me that cooperation is essential to any progress whatsoever; and if the debate continues into next week, Senators should be prepared to forego the usual Lincoln Day recess.

Mr. President, I have certain responsibilities in this body, and I intend to perform them. We are in one of those situations—which have occurred throughout our history—in which a determined group which is urging change has met an intractable opposition to change.

The vote on applying cloture to the motion will tell us whether those who urge change should continue to press for it, given the difficulties which will attend their efforts. I see my task, and the task of all others concerned with orderly, progressive government, to keep the Senate functioning as an arm of that government.

Mr. President, let me say, once again, that it is my intention to offer a tabling motion tomorrow; and I shall offer it as close to the hour of 2 o'clock as possible, so that all Senators may be informed and be on hand.

It is my further intention this afternoon to file a motion for cloture; and, on that basis, Senators should be on notice that a vote on the question of cloture will be taken on Thursday next.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. I yield to the distinguished minority leader.

Mr. DIRKSEN. I should like to ask the distinguished majority leader whether this statement has been made pursuant to a meeting held this morning by the proponents of the rule change, or whether he is making it on his own responsibility.

Mr. MANSFIELD. In response to the question, I must state that, in effect, I am doing it on my own responsibility. However, within the past 10 minutes I have had some conversations with certain Senators who are in favor of the proposed change in the rule, and they have told me that it is their preference that a tabling motion first be made. I have agreed to what they wanted done, although it was my original intention not to offer a tabling motion—because I can see certain difficulties therein—but only to offer a motion for cloture. However, aside from that, this was my own independent judgment, and I take full responsibility for the statement.

Mr. DIRKSEN. I should like to ask the distinguished majority leader another question: I apprehend that this is a firm program; that the tabling motion definitely will be offered on Wednesday; and that the cloture petition will be completed and filed this afternoon, and, under the rule, the motion would come up for vote on Thursday.

Mr. MANSFIELD. The Senator from Illinois is correct; and I hope the Senate as a whole is aware of the firm commitments made.

Mr. DIRKSEN. I should like to ask one further question: If the tabling motion fails—and I share the conviction of the majority leader that it will fail—and assuming that the attempt to apply cloture fails, what can we foresee for the remainder of the week? I ask this question because many Senators have made commitments with respect to the Lincoln Day period, and they would be going into the field to make speeches.

Mr. MANSFIELD. It is my intention—if the motion for cloture does not receive approximately 60 votes in its favor—that the first cloture motion will mark the end of this debate, so far as I am concerned; and I will then make a motion to adjourn.

However, if the vote is fairly close—say, 60 or more—it will be my intention to offer a second motion on cloture, on the day when the first cloture vote is had; and that would mean that the second vote on cloture would come next Saturday.

Mr. DIRKSEN. And that would be definite, I assume?

Mr. MANSFIELD. I cannot be too definite about the second vote on cloture, because once the vote has been taken, I think it only fair that I meet with the proponents of the resolution, seek their advice and counsel, and be guided—as far as possible—by their wishes.

Mr. DIRKSEN. Mr. President, if the majority leader will yield further, I make these interrogations only so that notice will be given to all Senators who have commitments to be away from Washington for the Lincoln Day period—in order that they may know what will happen in the Senate, and also may know about the possibility of a Saturday session.

Mr. MANSFIELD. The Senator from Illinois has stated the question correctly.

Mr. JAVITS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield to the Senator from New York.

Mr. JAVITS. I think that in all fairness I should state what I believe to be the position of one Senator in regard to what is to be done. I believe that when the motion to table was lost, on the basic constitutional question, the initiative in connection with this matter properly passed to the majority leader and to the other Members of the majority; and while we could make known to him our views and desires—as I and other Members have done, quite properly—I should like again to express my appreciation, as one Member, for the fact that whenever the majority leader can do so, he makes life very easy for us, in paying some attention—if he can do so consistent with his views and conscience and duty—to what we would like.

But I believe it should be made clear that the Senator from Montana is exercising the leadership prerogative and responsibility, because I feel that with the defeat of the motion, the other day, the initiative passed to the majority leader, in order to determine, within his responsibilities, what could be done in order to bring about an actual vote on the proposed rule change.

For myself, I could not sign a cloture petition, because I think that would compromise my conscience as to the constitutionality of such procedure, inasmuch as I believe that the majority has a right to close debate, and I have argued that many times. But when presented with that issue, I shall vote for cloture.

I thank the majority leader for his understanding, but I did wish to make clear my feeling that this was his initiative, and I was very pleased to hear him say that he has made his decisions in pursuance of his leadership responsibility.

Mr. MANSFIELD. Mr. President, I thank the senior Senator from New York. May I add that although I shall offer the motion to table, I am in favor of the Anderson proposal and shall vote against the motion which I shall offer.

I yield to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I appreciate the frankness with which the majority leader has presented the question. I believe I could answer the able Senator from Illinois [Mr. DIRKSEN] by saying to him—I know he would respect my word on it—the able majority leader came to me at least 2 days ago and outlined the procedure he has presented as a general suggestion to see what some of us thought of it. So it could not have exactly come from another meeting this morning.

I compliment the majority leader in striving to talk frankly with Senators. As for myself, I hope that regardless of how we come out on motions to table or on cloture petitions, we ought to say to those who desire to keep speaking engagements next week that we will work out some way whereby they can keep them.

I recognize that it is said that there is a responsibility on the part of Senators to be present in the Chamber. But when a Senator has come to the Senate expecting to return home for the normal Lincoln's birthday speeches, he ought to be told fairly frankly that he can safely plan to go, and that he can be reasonably sure that his presence will not be required here. For a great many years our Republican friends have gone home. The Senate has not been torn apart by their going home. We expect at a later date to be given freedom to fulfill our engagements.

I assure the majority leader and the minority leader that I shall not try to hold Senators here and keep them from speaking engagements which they may have next week.

It is a fine thing for Senators to go home and meet their constituents. Most Senators who run into trouble do so because they have not gone home and told the folks whom they represent what is going on in Washington.

We have perplexing questions relating to taxes and many other things. It would do us all good to go home and seek the advice and counsel of our neighbors and friends on those important questions. I pledge to the majority leader that I for one will not interfere with his program of trying to get to some sort of decision on the question by the end of this week. It is not conclusive at all. We can find ways of discussing it together and reaching a method by which Senators on the Republican side can keep their speaking engagements, which I believe are important to keep.

Mr. MANSFIELD. Mr. President, I appreciate the frank, candid, and fair statement of the distinguished senior Senator from New Mexico. I always appreciate his advice and counsel, not only on the present occasion, but over the years.

I must say in all fairness, however, that if the question is not settled this week, Republican Senators and others who have made plans to be absent to fulfill speaking engagements should consider seriously the cancellation of those plans or the keeping of such engagements at their own risk.

This is not a Republican or a Democratic question. This is a senatorial question, which includes all Senators. We ought to face our responsibilities in that respect.

I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I should like to make a comment on the remarks of the distinguished Senator from New Mexico. Over the years the so-called Lincoln's birthday recess has lengthened in both directions from February 12. Commitments have been made for as early as Thursday and Friday of this week. The question becomes a slightly delicate one in cases in which such commitments have been made.

In view of the fact that there is no business on the Senate calendar, I should like to ask the distinguished majority leader what he would propose to do if the cloture petition should fail on Thursday.

Mr. MANSFIELD. Mr. President, Lincoln's birthday is on February 12, which is next Tuesday. If the question is disposed of—and what I am about to say is not a carrot being held out to Senators, I assure them—it would be my suggestion that the Senate recess from Friday, February 8, until Tuesday, February 12, and then recess from Tuesday, February 12, until Friday, February 15. We would then resume normal business on Monday, February 18.

Mr. DIRKSEN. Mr. President, the majority leader submits his proposal for 3-day recesses which would start on Thursday night, but if a second cloture petition were filed on Thursday, in the normal procedure the vote on the second cloture petition would come on Saturday.

Mr. MANSFIELD. It would. Of course, it would mean that we would not be able to start the so-called Lincoln Day recess until consideration of the question now before the Senate is completed, because the Senate will remain in session until it is finished one way or the other, even though it will work hardship on some Senators who have longstanding commitments. I feel that it is our responsibility collectively and together to operate this institution in that fashion.

Mr. DIRKSEN. Mr. President, I should like to make a suggestion to the majority leader. If a second cloture petition were filed on Thursday, the vote would obviously come on Saturday. If the Senate could come in at an early hour on Saturday, that vote could be the first and immediate order of business after a quorum had been developed. The question would then come to a vote. A Senator could then catch an early afternoon plane, affording Senators an opportunity to meet some of their commitments on Saturday night.

Mr. MANSFIELD. Mr. President, I see by the look on the face of the Senator from Georgia [Mr. RUSSELL] that he has a comment to make on the proposal. I yield to him.

Mr. RUSSELL. Mr. President, I am afraid that my look is one of confusion. It is difficult to understand the present proceeding. The other day I stated that there had been more unusual and peculiar approaches, starts and stops, filling and backing, on the particular resolution now being debated than I have ever seen in my experience in the Senate, which covers a number of years. It all goes to show what trouble we get into when we depart from the usual and ordinary procedure of submitting such questions to the appropriate committee and letting the committee conduct hearings and go through the due course of parliamentary operations and procedures that are usually followed with respect to bills and resolutions.

I am all the more confused by the statement of the distinguished majority leader that someone had asked him to make the motion to table, but having made the motion, he would vote against his own motion. I believe he repeated that statement twice.

Mr. MANSFIELD. The Senator is correct.

Mr. RUSSELL. I believe he stated, though, that the proponents of the resolution had suggested that he make the motion to table.

Mr. MANSFIELD. The Senator is correct. I had considered it myself. I had thought that it would be inadvisable to do so because I can see some consequences which might not be too favorable to the proponents of the present proposal. But I feel that they are entitled to that consideration, and I was glad to comply with their request.

Mr. RUSSELL. Mr. President, there has been so much unusual procedure in the manipulations of this resolution that I cannot say I am surprised to hear that even the majority leader intends to make a motion that would go against his own beliefs. I must confess that that is a somewhat new procedure in the Senate. I have seen it only once before in my career here. Some Senator moved to adjourn in order to get the advantage of a quorum call. To get the yeas and nays on the motion to adjourn, he voted against his own motion.

We have heard many unusual suggestions with respect to the power of the Vice President to terminate debate in the Senate in his discretion, and in so doing to completely bypass committees. We have heard so many other strange suggestions that I do not know what kind of hocus pocus our friends who are pressing the question have cooked up for us in persuading our leader to make the unusual motion to table and then to vote against his own motion.

For my part, as I have stated here several times, a motion to table is the most summary and brutal form of gag rule or cloture, and I am always very reluctant to vote to table. In these circumstances I shall join the distinguished Senator from Montana and vote against the motion to table. I shall follow his leadership. I call on all the friends of freedom of debate in the Senate to vote against the motion to table, because we do not know just what peculiar proposal may evolve itself from a motion that is made whereby in effect the man kills the child of his own tongue and brain. And he does it without instructions from on High, such as Abraham had when he prepared Isaac as a burnt offering. He will give birth to the motion, and then offer it as a sacrifice or a burnt offering, without having had an admonition from any source other than from the proponents of this very unusual resolution and this very remarkable procedure.

So, if there were any considerable vote to table, I suppose we would hear a clamor in the Senate from three or four of our opponents who have rewritten the rules in their own minds under their own hands claiming that the vote meant the Vice President had to do something; or perhaps that the majority leader was under compulsion to take some peculiar step; or that the minority leader, forsooth, should abandon his conviction in the matter and make some motion he was bound to oppose.

Mr. DIRKSEN. Oh, yes.

Mr. RUSSELL. All of this because of the unusual situation that arises from a byplay, whereby the Senate majority leader strangled the creature of his own mind and his own position.

Mr. President, in these circumstances I think all those in favor of orderly procedure in the Senate and in favor of freedom of debate in the Senate would be well advised to join the majority leader and to vote against the motion to table so that we might proceed in an orderly fashion.

Mr. DIRKSEN, Mr. HUMPHREY, and Mr. MANSFIELD addressed the Chair.

Mr. RUSSELL. I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I should like to ask the Senator from Georgia whether it is his suggestion that we make this vote unanimous; that every Senator vote against the motion to table.

Mr. RUSSELL. I think it would restore a slight air of tranquillity in this Chamber to have a unanimous vote, with all of us showing our distinguished leader the complete unanimity of our support by voting with him against his motion to table. It may be an experience he will not have again for a long time. It would make him feel good to have the support of all 99 of his colleagues, all voting with him against the summary gag motion to lay on the table.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator.

Mr. MANSFIELD. The only thing that would make me feel good would be to get rid of this question one way or the other, and get down to the business of the Senate in the matter of legislation, committee assignments, and committee business of various kinds.

The support given to the majority leader by the distinguished Senator from Georgia is something that I had anticipated but had not known, and was one of the reasons why I was personally against offering a motion to table.

Mr. RUSSELL. I hope that the Senator does not object to my voting with him.

Mr. MANSFIELD. Not at all.

Mr. RUSSELL. When a Senator makes a motion, and then objects to another Senator supporting him in his motion, I say we shall have seen everything, Mr. President in unusual and bizarre parliamentary practice.

Mr. MANSFIELD. But we are operating within the rules of the Senate, are we not?

Mr. RUSSELL. Yes, indeed. The motion to table is in order.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HUMPHREY. I assure the Senator from Georgia that while my inclinations were the same as those of the majority leader in reference to the motion to table—in fact, I advised against it, among those with whom I am associated, and I told the majority leader that if I were his personal attorney I would advise him against it—nevertheless, because he is a fine man and because he is our leader he has accepted the decision of a group of Senators who are interested in a change in the rules. The majority of that group requested the majority leader to make the motion to table.

On one occasion the Senator from Minnesota had been requested to make the motion to table. I refused to do it—but not because I did not want to vote with my good friend from Georgia.

Mr. RUSSELL. I am sure the Senator would like to be right at least once.

Mr. HUMPHREY. The Senator would like to be always right. He also would like to be with the Senator from Georgia as often as possible but this time it is difficult, since our views hardly coincide on this matter.

I say to the Senator that the only unusual procedure I see lies in the unusual situation which prevails, according to the rules of the Senate.

Under Senate rule XIV, the resolution was placed on the calendar. The resolution is on the calendar for the purpose of being acted upon. Under the rules of the Senate, a motion was made for the consideration of that resolution.

It is most unusual for any Senator to object to a motion to consider in this body. Thousands of measures are passed in the Senate; and the very first motion which is made with respect to them is, "I move, Mr. President, that the Senate proceed to consider the resolution." or "Senate Resolution 9."

That is the usual thing. The unusual thing is the objection.

If the Senator from Georgia wants to know why the Senate is in such disarray on these matters, all he has to do is to examine his own objection and the other objections made to the pending Anderson motion. They were all made under the rules of the Senate.

The Vice President—who knows the rules of the Senate, who has told us about the rules of the Senate, who does not want to be a dictator of the Senate—ordered the resolution placed on the Calendar. In short, the motion to consider was made under normal procedure.

So what is unusual? What is unusual is that Senators who were so cooperative in 1959 have become quite obstinate in 1963. That is what is unusual.

With all the great charm and graciousness and gentlemanliness of our good friends from the South, they have lost a little of that magnolia aroma and magnolia spirit, and have taken on, I might say, some of the toughness of the pine cone of the frigid North.

I hope that Senators will permit us to follow the usual and ordinary course, and to act within the rules. There is a simple way to do that. We can vote on the Anderson motion to consider Senate Resolution 9.

What would be usual after that would be to debate the substance of the resolution. That is the usual procedure.

So the unusual parade before us has been headed by those who now give us dissertations and lectures on the unbelievable disarray of the Senate and the unusual procedures which are being followed here.

Let the Record be clear that when a Senator votes against tabling he means that he believes the matter is worthy of consideration. Under the precedents of the Senate, a vote against tabling is an indication that the Senator is for the measure.

Mr. President, according to the leader, there is to be one other vote. I thank the leader for his helpfulness and for his courtesy. He has been very patient with us. He knows my views on this question. I have been in close touch with him.

I want to see this dispute brought to an end. I have made it crystal clear that I do not want to see this debate carried on indefinitely, to the embarrassment of any Senator, or, more importantly, to the detriment of the business of the Senate. I am prepared to make that statement anywhere. I believe we ought to come to a conclusion on this issue.

What will be the real test vote on cloture? I do not have any doubt. I do not think we ought to go around trying to pretend what we have or what we do not have in terms of strength. I do not believe there are enough votes in this body to invoke cloture. I wish there were.

But I do believe that a majority of this body wants a change in the rule. The regrettable thing is that a majority, after many weeks of discussion, is being thwarted by a rule in the Senate rule book which some of us believe is unconstitutional.

Mr. President, the only way we are going to determine whether a majority of this body wants a change in the rules along the line that the Senator from New Mexico has proposed—which is a very modest change, a very conservative change; which surely is no radical departure from what we now have—is by the result of the vote on the question of invoking cloture.

I want the record to be clear. This will be another tough vote, because many people do not believe in invoking cloture. Nevertheless, if 51 Members of the Senate vote to invoke cloture on Thursday next, it ought to well be understood that 51 Members of this Senate believe that a rules change is in order.

I think more than 51 Members of this Senate will so vote. But I say to the majority leader that I do not believe that we have the 67 votes which are required to invoke cloture, or the votes of two-thirds of those present and voting which are required.

I can assure the majority leader now that if we do not show the kind of strength which approximates 60 votes, this Senator will feel that it is time to bring this matter to a halt.

I want to point out the precedent for the tabling motion. A motion was made by the majority leader [Mr. Mansfield], to table the pending Mansfield-Dirksen amendment prohibiting arbitrary or unreasonable voter registration tests, in the 2d session of the 87th Congress, last year. The majority leader does this in his role of leader. I do not think we ought to make any special point of it except to say it is done to show the measure of strength. At that time, on his motion to table the pending Mansfield-Dirksen amendment prohibiting arbitrary or unreasonable voter registration tests and providing that citizens who have completed six grades in an accredited school would be considered as literate for the purpose of State literacy or interpretation tests in registering to vote in Federal elections, the result was yeas, 33, nays, 64.

One of those voting "yea" was the Senator from Georgia [Mr. Russell]. The Senator from Minnesota did not vote to table.

Mr. RUSSELL. I thank the Senator from Minnesota for clarifying the RECORD.

(At this point Mr. MCGOVERN assumed the chair as Presiding Officer.)

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Illinois.

Mr. DIRKSEN. The Senate owes a debt of gratitude to the Senator from Minnesota for so candidly disclosing his plan, even though he violates the accepted and ancient rules of the indoor sport called poker by showing his hand.

If there seems to be such great concurrence in the belief that there will be a vote against the motion to table, why not have the vote right now, and save much time?

Mr. MANSFIELD. Mr. President, I would like to consider that suggestion, but absent Senators are entitled to at least 24 hours' notice.

I yield now to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I merely want to say that in this rush to come to a vote on the motion to table, I hope some of us will be able to insert in the RECORD information as to how some of these same Senators voted on a motion to table in 1953, made by the then majority leader, Senator Taft. I think Senators will find that many Senators who now intend to vote for the motion to table were anxious to vote against the motion to table at that time.

The RECORD will show how they voted in 1957 on a motion submitted by the then majority and minority leaders. They led the fight on the motion to table. It is so horrible to vote against a motion to table now, but it was all right at that time. Again in 1959 similar questions were raised.

On the point made by the Senator from Minnesota [Mr. HUMPHREY], I point out that nobody tried to tie up the Senate for weeks and not give Senators an opportunity to look at the question and decide it. Every Senator who was in favor of a change in the rules stood by and said, "This is proper; this is reasonable." I do not know why the situation is so extraordinary now. It is customary for the majority leader to lay the proposal before the Senate and have the question debated. Now we have established a precedent in this Congress whereby every time the majority leader moves to proceed to the consideration of a measure, an attempt will be to engage in a 2- or 3-week filibuster. This procedure will come back to plague the Senate.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. HUMPHREY. On May 9, in the 87th Congress, 2d session, on the pending Mansfield-Dirksen amendment, when the majority leader announced he would vote against his own motion and against tabling, on that motion there were in favor of the motion to table 33 votes and 64 votes against tabling. The Senator from Montana was against tabling. The Senator from Minnesota was against tabling. The Senator from Georgia [Mr. RUSSELL] was for tabling a motion identical with the type that is to be made tomorrow by the majority leader.

Mr. ANDERSON. I think it is important that we recognize that these things are strange. For 10 years Senators have been voting one way. Suddenly, when they realize that a motion to table is to be made, they decide that they are going to change sides. I do not think anyone will be fooled by this procedure. These are different times. We have not been permitted to proceed to the consideration of a motion to change the rules, but a motion to table will be lodged against it. It opens the door to all sorts of peculiar results. If Congress is to continue in session until the middle of October or the first of November, it will be for no other reason than the fact that there was a filibuster against the motion to take up.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. DIRKSEN. There is no such thing as a friendly motion to table. The rule book says "motion to table," and that means a motion to kill. One cannot, out of a great burst of friendship, vote to kill, and then say, "I did not mean to kill." I have never been in that unhappy position. I have joined the majority leader, but I have joined him with my eyes open, because there is no such thing as a friendly, qualified motion to table.

Mr. ANDERSON. I say to the Senator from Illinois that I am reminded of the story of the boy who went to the zoo and saw a giraffe and said, "There's no such animal as that." It so happens that there is such a thing as a friendly motion. The Senator from Montana has made it, courageously and honestly, on previous occasions. To state now that, to expedite the Senate's business, or to advance the work of the Senate, or in order to permit friends to keep engagements, he will make a motion and vote against it, will not confuse anybody or mislead anybody.

Mr. DIRKSEN. I joined the majority leader before. I knew exactly what I was doing. The rule book does not say "qualified motion to table."

Mr. ANDERSON. I do not think the rule book classifies any motion as friendly or anything else. Many motions are made for the purpose of bringing matters to the floor. I do not know how they should be distinguished; I only say that the majority leader and the minority leader, exercising their consciences, have done it before, and no Senator has criticized what was done before.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. HUMPHREY. Any Senator who votes against the motion to table that is coming up tomorrow will be voting to keep the resolution before the Senate; voting, in effect, that he thinks it is a good measure. If he does not want it, he can vote for the tabling motion. If a Senator votes to table, he votes to bury it without flowers; he votes to put it down deep; he votes to put it on the hard table. If a Senator wants to vote to keep the measure alive because he thinks it may have some merit, he should vote against tabling. I shall be interested in seeing who will vote against tabling.

Mr. ANDERSON. I recognize that what the Senator from Minnesota has said is true. I know that a motion to table is a motion to kill. I ought to know, because I have the scars on my throat from 1953 and all the other times when a motion to table effectively killed the proposal to give Members of the Senate the right to adopt their own rules. I read about a bill being introduced to make it possible for people in certain parts of the country to vote. The Senate can give some consideration to Senators having a right to vote if we have an opportunity to vote on the proposal being made to change the rules, and not merely on a motion to table, to test constitutionality, and every other issue before the Senate. I think it is too bad.

Mr. RUSSELL. Mr. President, I have been greatly interested in the construction of the distinguished Senator from Minnesota, in his best professional manner, as he delivered his version of the effect of the coming vote to the Senate.

I know of no right that any Senator has to construe the vote of any other Senator, even though the Senator who makes the construction is the assistant majority leader of the Senate.

We all construe our own votes. In my opinion, a Senator certainly would not be standing on his rights as a Senator if he were to allow another Senator the power and privilege of construing the effect of his vote or even his intent in voting any way he may desire.

The question of consistency has been brought into discussion. Senators have stated that the Senator from Georgia and other Senators have been inconsistent. I am not afraid of being inconsistent. I do not claim to have a great mind, but I remember that it was Emerson who had said that consistency was the hobgoblin of small minds. Therefore, I have never sought to be consistent.

I am willing to lay my consistency in this matter on the line for comparison by any fairminded Senator with the consistency of the Senator from Minnesota and the Senator from New Mexico.

Those two Senators, the Senator from Minnesota and the Senator from New Mexico, in 1959 voted for a rule that provided that the rules of the Senate shall continue in effect from one Congress to the next Congress unless they are changed as provided in the rules of the Senate.

Now Senators try to avoid every rule in the rule book in order to get a vote on this question in the most unusual manner that has ever been seen in the Senate. I match my consistency against that of any Senator who possesses a record like that.

Senators voted in 1959 that the rules carry over from one Congress to the next. Yet in 1963 they say the rules do not apply at all. They say, "Here is a new rule. We are going to substitute something that is not in the Constitution or in the rules but which we think should be there, to the effect that a majority of the Members of the Senate can vote a gag rule in the early days of a session."

I was also interested to hear the Senator from Minnesota say, "If a Senator votes a certain way, he votes against a fair and reasonable cloture proposal with respect to three-fifths of the Senate, which has been offered by the Senator from New Mexico."

I suppose if I wished to construe something I might say that the Senator from Minnesota has abandoned his majority cloture proposal. I have not heard him mention it for 2 weeks. Every time he rises to speak on this subject he talks about the cloture proposal that has been offered by the Senator from New Mexico, "this very modest change, which is from 67 to 60." He does not mention the one that he has offered, which represents the difference between 67 and 51, which is 16, or more than twice the number he has referred to in the proposal of the Senator from New Mexico.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. RUSSELL. The Senator may have overlooked that fact and may have forgotten about it in the very lucid outpouring of his beautiful rhetoric, but the Senator from Georgia has not forgotten it. We all know that that majority gag rule is lurking in the background, and the Senator from Georgia knows that the Senator from Minnesota has so arranged things that his proposal will be voted on before the Senate has an opportunity to vote on the proposal of the Senator from New Mexico.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HUMPHREY. The Senator is just as right as he can be.

Mr. RUSSELL. Of course.

Mr. HUMPHREY. I know I have not spoken on a majority rule cloture proposal because we cannot even get the predicate, the basis of the whole subject, before the Senate for discussion. We must first adopt the motion of the Senator from New Mexico to proceed to the consideration of the proposal, before we can proceed to the consideration of the proposal of the Senator from Minnesota in the nature of a substitute. We cannot even offer our proposal until that is done. If the Senator from Georgia is so worried about the fact that I have not spoken on the majority cloture rule proposal, in which we have been joined by the Senator from California [Mr. Kuchel], there is an easy way to take care of the situation.

Let us vote on the Anderson motion to take up Senate Resolution 9. Then we will offer the substitute for the Anderson resolution and the Senate will vote on the substitute. We understand what it is all about.

Mr. ANDERSON and **Mr. SALTONSTALL** addressed the Chair.

Mr. RUSSELL. The Senator may understand what it is all about according to his interpretation. The Senator from Georgia has his own ideas on that subject. While I do not undertake to lecture the Senate as to the effect of a vote, I have my own ideas about these matters. It is much more common to oppose the consideration of a proposed bill or resolution than for a Senator to vote against his own motion. The Senator from Montana has produced a record, which apparently I have forgotten, or I did not catch the full significance of it. I am fully aware of what I am doing now, and I will join the Senator from Montana in voting against the motion to table. I may have made a mistake previously in that regard, but I shall not make the same mistake again.

Mr. HUMPHREY. I wish to add another clarification. I misjudged the full ramifications of the section of rule XXXII which was approved in 1959. I would not support such a proposal today. We now have two public confessions in this body. This is the second time that I have joined the Senator from Georgia.

Mr. RUSSELL. I merely say to the Senator from Minnesota that my mistake was procedural; his mistake was constitutional. There is certainly a slight difference between the two mistakes that were made.

I have heard a great many things read into certain votes. A great many references have been made as to what has transpired in this year or last year. I shall avoid anything that might give the appearance of making an excuse for what I have done. I will be well advised to go along and support our grand leader in his vote on the tabling motion. Then we can take up the cloture motion and vote on it, too, and we can determine at that time what the future holds. I shall await with interest the construction the Senator from Minnesota will place on the various votes.

Mr. MANSFIELD. Methinks there are too many St. Pauls in this body.

Mr. DIRKSEN. I wish the majority leader would now recapitulate for the Senate precisely what the course will be, the motions that will be offered during the week, and whatever else the program will be.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. In response to the question raised by the distinguished minority leader, I ask unanimous consent that when the Senate completes its deliberations today, it recess to meet at 10 o'clock tomorrow morning.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

MOTION TO TABLE—MOTION FOR CLOTURE

Mr. MANSFIELD. If I can obtain the floor at approximately 2 o'clock tomorrow—and I anticipate that I will—it will be my intention at that time to offer a motion to table the pending motion of the Senator from New Mexico to proceed to the consideration of Senate Resolution 9.

Later today I will submit a motion for cloture, which I now have before me. The motion will be voted upon on Thursday next. If the vote is reasonably close at that time, no second motion for cloture will be filed.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. RUSSELL. When the Senator says "reasonably close," does he use the construction of the Senator from Minnesota, that 51 would indicate that the motion should be held here indefinitely, or does the Senator have some other number in view? We should like to know, so that we may make our plans accordingly.

Mr. MANSFIELD. If the vote is less than 60 for cloture, my opinion would be that we ought to lay it aside.

Mr. RUSSELL. I thank the majority leader.

Mr. MANSFIELD. If it were 60 or above, after consultation with those who are the proponents of the resolution before us, we would have to decide what to do. But if I do submit a second motion for cloture, it will be on Thursday, immediately after the vote on the first one. Then it would be my thought that the Senate could meet early Saturday morning, as the Senator from Illinois has suggested. If cloture were once again defeated, I should think that would end the matter for this session.

The Senate will convene at 10 o'clock for the remainder of this week or, if need be, earlier, and will meet on Saturday next, depending on events in the meantime.

Mr. President, I send to the desk a motion for cloture and ask that it be read.

Mr. SALTONSTALL. Mr. President, the Senator from Montana said several times he would yield to me. I have relinquished the floor each time.

Mr. MANSFIELD. If the Senator will wait until the cloture motion has been read, I shall be happy to yield to him.

Mr. President, I ask that the motion for cloture be read at this time.

The **PRESIDING OFFICER.** The rule requires the Presiding Officer to state the cloture motion to the Senate. Without objection, the Chair will ask that the clerk read the cloture motion.

The legislative clerk read as follows:

> We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion of the Senator from New Mexico [Mr. Anderson] that the Senate proceed to the consideration of Senate Resolution 9, to amend the cloture rule of the Senate.
>
> Mike Mansfield, Frank Church, Edward V. Long, George McGovern, Eugene J. McCarthy, Clair Engle, Harrison Williams, Birch Bayh, John O. Pastore, Lee Metcalf, Stephen M. Young, Thomas McIntyre, Frank E. Moss, Warren G. Magnuson, Pat McNamara, Vance Hartke.

AUTHORIZATION FOR SENATORS TO SIGN CLOTURE MOTION

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the Senator from Connecticut [Mr. Dodd] and the Senator from Rhode Island [Mr. Pell] be allowed to sign the cloture motion which is now at the desk.

Mr. President, I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I am much interested in rule XXII. I deeply regret that the majority leader feels he must make the motion to lay on the table tomorrow. I make that statement in this spirit: I intend to vote to lay the motion on the table, but that does not influence me as to what my future votes on this question will be. I do not agree at all with the interpretation given by the Senator from Minnesota [Mr. HUMPHREY] that this vote is an indication pro or con as to my feelings on the Anderson proposal. I shall vote to lay the motion on the table because I believe this body should, after thoughtful debate, have an opportunity to proceed with its business.

I was the first one to suggest an amendment of rule XXII, in 1947, on a motion to take up, which was not at that time subject to cloture. I made a similar motion in 1949. It was adopted with a different plurality, a constitutional two-thirds in 1950, and was further amended in 1959 to its present form.

I believe the purpose of rule XXII is to permit the Senate to have an opportunity to vote. The pending motion has been debated for a long time. I know the majority leader feels, as I do, that the Senate should get down to its business. I shall vote to lay this motion on the table, because I believe that the Senate should get on with its business. I think that we who will vote to lay this matter on the table are being put in a very false light, because the question is not concerned with what we shall vote on at a later date.

At the present moment, I intend to vote for cloture in the same spirit, but how I shall vote on the question itself, if cloture shall be voted, is another matter. But I make this statement because I think we have delayed action on the pending motion, rightly or wrongly—and every Senator is entitled to his opinion—for too long a time.

The Senate should get on with its business. I say very sincerely to the majority leader that a motion tomorrow to lay on the table will not help matters, because obviously such a motion will be rejected; and when it has been voted down, a motion for cloture will come before the Senate. It seems to me that a vote on cloture would carry out the objective of the majority leader.

I also most respectfully call this point to the attention of the majority leader. If he files a second cloture motion, and it is not adopted, and he then moves that the Senate adjourn, there is nothing on the calendar of the Senate for consideration. There being no committee meetings, there cannot be anything on the Senate Calendar; therefore, there will be no business for the Senate to take up if a motion to adjourn shall be agreed to—as I hope would be the situation if the second cloture petition should fail.

I have the utmost respect for the majority leader. I know how he feels about closing up these matters. Still, I think a motion to lay on the table is a difficult one for those of us who feel the Senate should get action, regardless of what that action shall be, after a reasonable time for debate.

Mr. MANSFIELD. The Senator from Massachusetts is correct. I appreciate his comments. I assure him that he has described the policy which the leadership intends to pursue.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield to the Senator from Florida.

Mr. HOLLAND. I strongly approve the position taken by the distinguished Senator from Georgia [Mr. RUSSELL] that at this time a motion to lay on the table should be defeated, and, if possible, by as nearly unanimous action of the Senate as may be obtained. My reason for taking that position is perhaps a little different from some of the other reasons which have been stated.

The senior Senator from Florida will not favor a motion to lay on the table, under present conditions at least, because he believes that every Senator who feels as he does has the right to be heard to the full under the rules, which is twice upon this question, before such a summary cloture proceeding should be invoked as that which would result from the motion to lay on the table.

The second point I wish to make is this: The Senator from Minnesota [Mr. HUMPHREY] insists that under rule XIV the present effort is directly in accordance with the rules. That is one view. But I invite the attention of the Senator from Minnesota to the fact that the method which he prescribes to amend the rules is one which has not been followed customarily. Customarily, the regular procedure of reference to the Committee on Rules and Administration has been followed, and that is in accordance with the rules. I ask the Senator to read rule XXV, section 10, subsection (e), which places within the jurisdiction of the Committee on Rules and Administration "matters relating to parliamentary rules."

Certainly on a question as far-reaching and controversial as this, it seems to me, on the very face of things, any commonsense approach to this problem should have followed the customary course of referring such a resolution to the Committee on Rules and Administration, allowing Senators to express their views at a hearing, and also allowing the public to appear and express its views on the proposal.

So instead of being under the rules, simply because rule XIV permits a resolution to come up after lying over a day, to the contrary, the infraction of the rules proposed, is much greater, because the jurisdiction of the Committee on Rules and Administration which is clearly existent, is not recognized at all, nor is the fact that any proposal of such a serious nature would customarily be referred to the appropriate committee which has jurisdiction, which would therefore have the opportunity to act in accordance with the rules and the procedure of the Senate.

Some of us have not been so fortunate as to be invited to make Lincoln Day speeches throughout the Nation; but on the strength of the fact that our colleagues on the other side of the aisle had been so invited, and pursuant to the practice which has existed in the Senate, at least as long as I have been here—and I believe this is my 17th year—we have availed ourselves usually of the opportunity to be away on Monday and Tuesday of next week, February 11 and 12.

As the distinguished majority leader well knows, the senior Senator from Florida availed himself of the opportunity to be away from the Senate on February 12, Lincoln's birthday, because he has received many invitations to attend the State fair in Florida on the day of the largest attendance at that fair, when it is expected that half a million people will be present. The Senator from Florida has been honored by being invited to take part in the proceedings of that day.

The Senator from Florida hopes that the solicitude and tenderness which exists on the part of some of his colleagues toward the other side of the aisle will also cause them to take note of the fact that not only the Senator from Florida, but also several other Senators who have the good fortune, or the misfortune, to be up for election next year, have arranged to be absent from the Senate on February 11 and 12, because of the unfailing custom of the Senate to permit the Republican Members of this body the courtesy of absence on those 2 days, and perhaps other days, to make Lincoln's Birthday addresses.

I merely express the hope that such cause as I have just now expressed is entitled to some consideration by our brethren in the Senate, just as much as the cause of our distinguished colleagues on the other side of the aisle, who certainly have every right to expect to be excused from attending the sessions of the Senate during those 2 days, and also to be assured that no important business will be transacted during that time.

Regardless of the outcome of the well-laid plan as to what shall be done during the remainder of this week, I hope the majority leader will, from the generosity of his heart, give consideration to those of us who have longstanding arrangements to be absent on the 11th and the 12th, so that we may continue with our plans and may be absent then without being subjected to the possibility that during that period of time this important measure will come up for a vote.

I thank the majority leader.

Mr. MANSFIELD. Mr. President, I sympathize with the Senator from Florida. But I certainly can make no commitment to him or to anyone else. The rules under which we are operating have been laid down; and so far as the Senate is concerned, its business comes ahead of the engagements of individual Senators. I am as sorry as anyone could be to make this statement; but I intend to see to it that the business of the Senate comes first, and is attended to, and that this issue is disposed of one way or the other. I think we have wasted 4 weeks already, and I do not look forward to having another week wasted.

Mr. KUCHEL. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. It is the intention of the distinguished majority leader to have the Senate vote, pursuant to his cloture motion, on Thursday?

Mr. MANSFIELD. Yes.

Mr. ERVIN. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. Mr. President, I thank the Senator from North Carolina for his customary generosity and consideration.

Mr. HUMPHREY. Mr. President, will the Senator from North Carolina yield, in order that I may make a statement, if it is understood that he may do so without losing his right to the floor?

Mr. ERVIN. Mr. President, I ask unanimous consent that I may yield, as requested, to the Senator from Minnesota, without losing my right to the floor and without having the preamble of my speech—only half of which has been delivered—counted as one speech and the remarks I shall make hereafter counted as another speech.

Mr. HUMPHREY. I assure the Senator from North Carolina that I would not want that done. In fact, I am certain that his speech will be scholarly and informative, and I am afraid it may be slightly persuasive.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, regarding motions to table, I merely wish to point out that of course there is a difference of opinion as to what is meant by a vote in favor of such a motion.

However, at the last session a number of motions were made to table certain amendments which were offered to the communications satellite bill. I merely say that anyone who wishes to examine that record will find that when there was a desire to end the debate and to kill the amendments offered by the Senator from Tennessee [Mr. KEFAUVER] or the Senator from Oregon [Mr. MORSE] or other Senators, motions to lay on the table were made.

Let us clearly understand that such motions to lay on the table were made merely because that was the easiest way to bring the issue to a head and to obtain a determination as to the will of the Senate.

The Senate voted on the Mansfield motion to lay on the table the Morse motion to discharge the Rules Committee from the further consideration of Senate Resolution 24. That resolution would, in effect, have permitted cloture to be had by a majority vote, instead of by the affirmative votes of two-thirds of the Senators present and voting. I point out that all those motions were made during our consideration of the communications satellite bill. That vote was 70 yeas, 14 nays, and 16 not voting; and the RECORD shows that among the "yeas"— in favor of tabling the motion—were the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. HOLLAND], myself and 67 other Senators, as listed.

Mr. HOLLAND. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. What conclusion does the Senator from Minnesota draw from that, except that the Senators he has named were in favor of having that particular matter tabled at that time?

Mr. HUMPHREY. Mr. President, the Senator from Florida is always prudent. He is a good Senator and an experienced and able legislator and public servant. He knows better than I do—because he has had more experience—that there is only one explicit purpose in voting in favor of a motion to lay on the table; namely, to do away with, get rid of, kill, and table whatever substantive measure or motion has been offered. That is the purpose of a motion to lay on the table.

Other interpretations can be placed on it, if that is desired; but I would be willing to take my case to a court and to state that precedent and experience demonstrate that a motion to lay on the table is made as the most convenient method of both choking off debate and killing the pending proposal.

On August 10, a motion was made to lay on the table the Kefauver amendment or motion that the Senate consider S. 1552, the drug bill. That happened during the debate in connection with our consideration of the communications satellite bill: At that time the same Senators I have already named voted in favor of tabling. The vote was 70 yeas and 13 nays.

That process continued day after day. I do not recall the exact number, but considerably more than 20 motions to lay on the table were made in connection with our consideration of the communications satellite bill and the amendments offered to it. There is not one Member of this body who, if put under oath, would not admit that this procedure offered the most convenient and positive way to maintain the communications satellite bill, to defeat every amendment which was offered to it, and to bring about the decision quickly and decisively. That is why the motions to lay on the table were made.

Lest there be any doubt about that, let me say that I attended all the conferences which related to the communications satellite bill, and I know the procedure which was agreed upon and the method which was to be used to kill the amendments offered to that bill. I know why I voted in favor of the motions to lay on the table: I did so because I felt that was the only way by which we could bring forth a communications satellite bill which would not be riddled and torn apart by amendment after amendment.

Finally, Mr. President, today I heard the statement that we are offering all kinds of motions in order to prevent the taking of a vote. But, Mr. President, that is not the case. Our purpose in offering the motions is to obtain a vote. To prove that I should like the Senate to vote, before I yield the floor I shall request unanimous consent that the Senate vote on the motion of the Senator from New Mexico.

I have not offered it yet. I said that before I yielded the floor I would do that.

Mr. ERVIN. Mr. President, I yielded to the Senator for the purpose of his making a statement, but not for the purpose of making a unanimous-consent request.

Mr. HUMPHREY. Then I will return later and make the request.

Mr. JAVITS. Mr. President, will the Senator from North Carolina allow the Senator from Minnesota to yield to me?

The PRESIDING OFFICER. The Senator from North Carolina has the floor.

Mr. ERVIN. Mr. President, I will not yield for a unanimous-consent request, but I ask unanimous consent that I may yield to the able and distinguished Senator from Minnesota so that he may yield to the able and distinguished Senator from New York without my losing the floor, or without having my remarks counted as the completion of the preamble to my speech or part of a second speech. I will yield provided I have the unanimous consent for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, it is very essential, and I believe it is our duty, between now and tomorrow, to put into focus the reasons and the bases for the motions.

First, I have no doubt that no one will be confused by any votes which are cast against the motion to table, which as my colleague from Minnesota has already pointed out, is so unusual, out of context, and out of the voting pattern or basic advocacy of the particular Senators who may cast them.

What we are trying to show, I believe—and I would deeply appreciate the Senator's confirmation of what I am about to say—is that a majority of the Senate wishes to change the rules, at least to the extent of providing for a 60 percent cloture provision, and that that majority is being frustrated, defeated, and stopped in its tracks by the fact that the Senate cannot—and we have argued the question completely—unravel itself on the constitutional question as to whether we can do it without recourse to these very rules themselves in closing off debate.

The controversy has not been settled in the present Congress—not at all. The RECORD will show that notwithstanding the fact that the majority of the Senate wished to change the rules, the majority was defeated, frustrated and prevented from doing so. The question will then go out to the country as to whether that is the way in which the country wants its business run.

Mr. HUMPHREY. The Senator has stated the situation very well, and I fully concur.

Mr. JAVITS. I thank my colleague. I should like to pay a sincere tribute to the distinguished Senator from Minnesota. Bipartisan activity can do a great deal, and the Senator has so demonstrated. I have rarely seen as much harmony, accord and bipartisan effort, whatever may have been the internal differences, and as frustrating and unhappy as is our endeavor.

What we have seen is a battle; it is not the war.

What we want to go out to the country in every way that we can demonstrate is the fact that a majority of the Senate, notwithstanding all the arguments of the Senator from Georgia and other distinguished Senators, cannot work its will when a determined minority seeks to prevent it from doing so.

Knowing the processes of American public life as I do, I deeply feel that that is the only way to rouse the country to its perils, not only on questions of civil rights—and there is a peril on civil rights; I am not a bit ashamed of the fact that it is a civil rights issue and ought to be, a great one—but on every other question that comes before the

Senate. I am grateful to the Senator for his indulgence.

Mr. HUMPHREY. I thank the Senator.

Finally, I point out that those who are seeking to change the rule are seeking to do so within the rules of this body. They are seeking to do it in a method which is prescribed by the rules.

I recognize that the ordinary procedure is for a motion, a resolution, or a bill to be referred to a committee. The Senator from Florida is quite correct about that procedure. The same rules provide also that a Senator may motion up a bill or a resolution. Under rule XIV, which was argued at some length on the opening day of the present Congress, Senate Resolution 9 was placed on the calendar, within the rules, within all the order of this body, and motion was made in the most traditional and customary manner to have it considered.

The Senator from New Mexico has made a telling point here when he stated today that if every bill that is on the calendar is to be argued when the motion to consider is made, we shall never get our work done. We will be here month after month attempting to bring up a bill.

While the Senator from Minnesota has disagreed with measures, he has never attempted to use the rules of the Senate to prevent bringing up a bill.

For example, I was opposed to the so-called proposed tidelands legislation. Yet I went before the policy committee of the Democratic Party and assured the policy committee that, while I opposed the measure, I surely would not be a part of what I considered to be a dilatory action by preventing consideration of the measure.

I believe that measures ought to be considered on their merits. That is my conviction. Others have their point of view, and they are entitled to it. We have rules that presently permit us to argue at length a motion to consider a particular resolution or bill. It would seem to me that we would be well advised in this body to permit the motion to consider to be a normal procedure, readily accepted, and if there is to be debate, that the debate be on the substance of the measure itself.

What must the people of the United States think when they discover—if they discover—the confusion involved in the present argument? All we have been talking about all the time is whether or not we can even debate a resolution which is ordered placed on the Calendar for the action of the Senate. All of the speeches that have been made are on the resolution itself. Yet the argument, the actual point of order that is here before us, is on the motion to take up the resolution. So I do not feel that I am unorthodox or out of line, nor do I feel that I have engaged in any kind of practice which is beyond the limits of parliamentary debate.

I consider that what the Senator from New Mexico [Mr. ANDERSON], the Senator from Minnesota and other Senators have been trying to do is so traditional that it is as much a part of our Republic as are the Stars and Stripes that we see behind the Presiding Officer. To take up a motion or a bill in a parliament or in the Congress is as normal as the Fourth of July, and to deny people the opportunity even to take up a bill for debate and consideration is unusual, abnormal, and the burden of proof rests upon those who take that position.

Mr. President, the Senator from North Carolina has been very courteous. I thank him.

TURKS REMAIN FAITHFUL TO NATO AND UNITED STATES

Mr. HUMPHREY. Mr. President, I regret that a story published in the Washington Post and Times Herald, of February 4 has cast doubt upon the solidarity of one of our stanchest allies on the periphery of the Soviet empire. The article, from the London Observer News Service, treats the forthcoming visit of a Turkish parliamentary delegation to the Soviet Union as an indication of a possible rapprochement between Turkey and the Soviet Union—a rapprochement caused at least in part by alleged dissatisfaction with Western aid coupled with financial blandishments from Moscow. I ask unanimous consent that the article referred to be published at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Minnesota? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. I am personally satisfied, Mr. President, that the author has placed an entirely erroneous interpretation upon the Turkish parliamentary visit. The Turks are not turncoats, and they have shown no evidence of the economic opportunism that characterizes the policy of some nations. Any assertion to the contrary is particularly unfortunate when viewed in the context of the current turmoil within the Western alliance.

It is a fact that a Turkish parliamentary delegation plans to visit the Soviet Union this spring. It is a fact that this is the first such visit in many years. It is likewise a fact that ever since the overthrow of the extremely anti-Soviet government of Annan Menderes the Soviet Union has lost no opportunity to dangle attractive offers of credits and other forms of assistance before the new rulers in Ankara.

But there is no truth whatsoever to the allegation that the Turks visiting Moscow "will be authorized to discuss economic matters." The Turkish Government has taken pains to assure our Ambassador in Ankara, Mr. Raymond Hare, one of our most distinguished Foreign Service officers, that the objectives of the visit in no way contravene or compromise NATO policy. Indeed, no substantive conversations with the Russians are contemplated, although the Kremlin will undoubtedly do its best to pry Turkey loose from its present and prospective relations with the OECD.

Furthermore, let us not be misled by references to the Russo-Turkish treaty of friendship in 1921. It would be foolish, of course, to repose blind faith in the non sequitur that, since the Turks and the Russians have clashed repeatedly over the centuries, today's Turk will remain an inveterate enemy of Moscow. This type of pseudohistorical argument should never be taken seriously by our policymakers. Traditional enemies often contract alliances when objective circumstances change; traditional friendships are often wrecked for the same reason. A treaty of friendship between the revolutionary governments of Ataturk and Lenin was a not unnatural accommodation between two countries which at that particular juncture of history were ostracized from Europe. Indeed, the treaty of 1921 bore striking similarities in this regard to the much more significant Soviet-German rapprochement at Rapallo. Each treaty was an adjustment, however shocking, from the point of view of the Western Allies, to the radically altered circumstances that followed World War I. Today the Soviet-Turkish treaty is irrelevant.

The Turkish Government, Mr. President, has left no doubt that the circumstances binding Turkey to the West have not changed essentially since the end of World War II. By no means has the Kremlin formally abandoned its claim, inherited from czarist imperialism, to fortify the Turkish Straits and to acquire the right of free, unhindered transit for its warships to and from the Black Sea. Those Russians who once dreamed of planting the cross atop Saint Sophia now want to crown this edifice with the hammer and sickle. Crude Soviet pressure to this end has given way to the more subtle pressure of economic offers.

The Turkish Government, however, consciously maintains that the solution of its economic problems—and the success of its 5-year plan—lies with the West. The Turks are relying heavily on U.S. assistance and on the support of an OECD consortium. Far from resenting the speed with which Greece normalized its relations with the Common Market, Turkey understands that Greece had to press her claim to associative status before the Turkish claim could be acted upon seriously. Considering her own lower level of economic development and her political problems, Turkey had no choice but to let Greece take the lead in negotiating with the Common Market. Discussions between Turkey and the Market are proceeding normally, I am informed. The proud land of Ataturk has no hankering to become entangled in the meshes of Soviet economic imperialism.

Mr. President, I bring this article to the attention of Senators as an example of speculative, misleading reporting which has done a disservice to the excellent relations between loyal allies.

Mr. President, we have a particular obligation and responsibility at this time, in the light of recent developments in the Western alliance, to see to it that every statement we make is thought through as to its consequences, and that we seek in every way possible to strengthen the alliance by words of reassurance rather than to use words which are subject to misinterpretation.

I recognize that we need always be concerned about dangerous possibilities in the struggle between the Western bloc of nations and the Soviet bloc and its satllites; but, Mr. President, we shall only be playing into the hands of the Soviet Union if we permit ourselves to be unduly suspicious of and doubtful about allies who have proved themselves to be stanch friends.

Our relationships with Turkey are good. We have problems. We are free countries. The people in Turkey face tremendous economic difficulties and many serious political problems.

The answers to those problems cannot be found in the spreading of doubt and suspicion between faithful allies. Instead, a quiet, determined, thoughtful, careful negotiation and diplomacy between these allies is needed.

We need Turkey as an ally, and Turkey needs the United States. The fact that Turkey's parliamentarians may be visiting the Soviet Union should be no more disconcerting to the United States than the fact that many Americans have visited the Soviet Union. High officials of this Government, high officials of our military departments, prominent Americans in private life, and parliamentarians—Members of the Senate and of the House—have visited the Soviet Union by the dozens. That does not mean we are giving in to Russia. It means we are learning. It means we are trying to achieve a better understanding of the Soviet Union. It means that possibly we can learn something about the apparatus which governs the Soviet Union, and about its economic and social development.

I raise my voice in this body today, Mr. President, because we have enough trouble already due to the developments between France and Great Britain, about the Common Market. This has strained the Western alliance. Nothing could be more disastrous than for this kind of tension to spread and for doubt to be raised in the councils of this Government or even in public opinion about the faithfulness and the loyalty of an ally who has stood fearlessly on the very border of the Soviet Union.

We are far away. The Turks were the bravest of all men who served in Korea. The Turks have stood with us as faithful allies in the Mediterranean. They are under the very nose of the cannon of the Soviet Union, right under the powerful atomic weapons of the Soviet Union, and they have not flinched a muscle.

Talk about being "eyeball to eyeball"—this is whole body to whole body. The Soviet Union is right up against Turkey.

The Turks have been faithful. Why? Because they can trust us. Trust is a mutual matter. Not only can they trust us, but also we must trust them.

If we have reasons to be concerned, I believe Mr. Raymond Hare, our distinguished Ambassador, a man whom I know and whom many Members of the Senate know, will give us the first alarm. If there is reason to be concerned, then the first effort must be made by the representatives of our Government in the State Department and by the representatives of our Government in the Defense Department.

I, for one, am not going to contribute anything to this alleged misunderstanding. I should like to contribute only something to erase misunderstandings or doubts.

Mr. President, I bring this clipping and story to the attention of the Senate—and I hope to the attention of many of the people of this country—because I want the word to get to Turkey that, first, we are appreciative of them; second, we trust them; and, third, we are a faithful ally.

The Soviet Union needs to know that this country does not let its friends down, that we can be trusted, that the power of this country is right on the border of the Soviet Union with the alliance we have with Turkey and NATO.

NATO is our shield of strength. It is the greatest defense structure which has ever been created, in modern times or in ancient days. Anything that weakens NATO weakens the United States, and threatens our very existence.

For these reasons we have been concerned in recent days about difficulties in the alliance. I say once again that the alliance is big enough and strong enough to withstand these differences. It is big enough and strong enough to stand even a contest of wills between strong minded men, so long as the United States of America maintains its perspective, maintains its leadership, and maintains its faithful trust in its allies.

EXHIBIT 1

[From the Washington Post, Feb. 4, 1963]

TURKISH DELEGATION TO VISIT SOVIET IN MAY

ANKARA.—A Turkish parliamentary delegation will leave in May for a tour of the Soviet Union—the first such delegation to visit Russia in 30 years.

For 16 years, since Stalin's clumsy demands for joint Russo-Turkish control of the straits linking the Mediterranean with the Black Sea and Soviet territorial claims in eastern Turkey, Turkey has been solidly bound to the West. She is a member of two Western alliances, NATO and the Central Treaty Organization, and has been so strongly supported by the West that she has been able to ignore Moscow's threats. Indeed, during the Menderes period in the 1950's, Ankara hardly even condescended to reply to the Soviets' frequent warning notes.

NOT NATURAL ENEMIES

It is often mistakenly assumed, however, that all Turks are congenitally and irrevocably hostile to Russians. It is too often forgotten that in 1921 the Turkish leader Mustafa Kemal Ataturk and Lenin were close friends and allies in their common struggle against the West, and that the Russians supplied money, material, and arms for the Turkish war of independence. In March 1921 Turkey and Russia signed a treaty of friendship which, after several renewals, lasted to the end of the 1930's.

Since the 1960 coup d'etat and hanging of the former premier, Adnan Menderes, the Soviets have made great efforts to improve relations with Ankara. In March 1961 there was an interesting exchange of messages between Soviet Premier Nikita Khrushchev and President Gursel on the occasion of the 40th anniversary of the Turco-Russian treaty of friendship.

These were Soviet initiatives, but they have already borne fruit with Turkey's neighbor Iran, which has moved nearer to agreement with Moscow by guaranteeing, despite its alliance with the West, not to permit Western bases on its territory. It is interesting to note that the Soviet diplomat credited with achieving the Russian success in Iran has now been posted to Ankara.

NOW DISSATISFIED

Turkey is dissatisfied with the West at the moment because of uncertainties over financial support for its 5-year plan. The Turks are annoyed at both the amount and the credit terms proposed, while, on the Western side, there have been doubts about Turkey's intentions of financing her own share of the plan. Thus the persistent Russian offers of long-term credits are bound to seem attractive to the Turks. According to reliable sources, members of the parliamentary delegation invited to Moscow in May will be authorized to discuss economic matters.

A further cause of Turkish dissatisfaction is the continued refusal, or at least postponement, of her application to join the Common Market. Turkey's motive is much less economic than political: it is a symbol of the passionate desire of modern Turkey to be part of the European Community.

The Turks feel bitter that Greece, with an economy and a geographical situation not much different from Turkey's, should have been admitted almost immediately to association, whereas Turkey, which applied at the same time, is made to wait at the door.

This is a question of which people in the West, amid the din about Britain's entry into the Common Market and other matters, are hardly aware, but which may well be of great importance.

Mr. HUMPHREY. Mr. President, I thank the distinguished Senator from North Carolina for yielding.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. ERVIN. Mr. President, it was a pleasure to yield to my good friend from Minnesota. I thank him for his advice as to how those of us who are opposed to changing rule XXII should vote. In return for that advice, I would like to offer him some advice which I think is much better, and it is that if Senators are impatient with the procedures here, those who favor the rule change might withdraw their proposal, and thus do a good service for the country, and also permit the Senate to go about its business. I think my advice to the Senator from Minnesota is much better than the advice he gives those of us who oppose a rule change.

Mr. HUMPHREY. I have always been moved by the advice of the Senator from North Carolina, because it is advice that comes from one who not only has had long experience, but who has kindness and graciousness.

Mr. ERVIN. I thank the Senator.

Mr. HUMPHREY. I do not suppose I will follow the advice of the Senator from North Carolina willingly or voluntarily, but I may be forced to.

Mr. ERVIN. I am always hopeful that preaching sound doctrine will get converts, and I refuse to abandon the Senator from Minnesota to his own devices, notwithstanding the fact that he has announced he may follow his own advice rather than my advice.

Mr. HUMPHREY. I thank the Senator. I have been hoping that, by what limited talents of persuasion I may have, I may be able to convince the Senator from North Carolina; but I am afraid there will have to be weeping at the door, because I do not think I have been successful. But the Senator from North Carolina has impressed me. He does not convince me, but he impresses me. But I would like to get him to impress me as to other measures, because he is more impressive about other measures than he is in this instance.

Mr. ERVIN. I thank the Senator. If he will remain in the Chamber, I will call attention to much more material than I have already presented, because when I yielded to the majority leader, I was about half way through the preface to my remarks.

Mr. President, when I yielded the floor to the majority leader in order that he might announce his plans for the immediate future, I was discussing the third reason which is assigned by proponents of rule change for their proposals, which is that the rule in its present form prevents majority rule. I had discussed the separation of Government powers inserted in the Constitution by the Founding Fathers to protect our country from governmental tyranny, and was about to discuss the system of checks and balances which were placed there by the Founding Fathers for like purpose.

The Constitution provides that all the legislative power of the Federal Government is vested in the Congress, but the Founding Fathers wanted to put some check on possible abuses in legislation by the Congress, so they vested in the President the power to veto measures. Then, in order to put a countercheck upon the President and thus prevent the President from vetoing wise legislation as distinguished from foolish legislation, the Founding Fathers inserted in the Constitution the provision that Congress could override Presidential vetoes by a two-thirds vote.

Another illustration of the system of checks and balances placed in the Constitution by the Founding Fathers to prevent governmental tyranny is found in the provisions which say that the President is the Commander in Chief of the Army and the Navy, but that the Congress shall have control of power of the purse and make appropriations for the Army and Navy, but that no appropriation made by the Congress for the Army or the Navy shall endure for more than 2 years.

The purpose of that provision was to prevent a President from being able to become a dictator by control of the Armed Forces of the Nation.

I could go on at great length to point out how careful the Founding Fathers were to draw a Constitution which would prevent oppression of the people by any governmental power.

One of the finest documents on government, particularly on the American system of government, was written by a Frenchman who visited America and acquired a very profound knowledge of our system of government, and who already possessed a profound knowledge of human nature. I refer to Alexis de Tocqueville's book "Democracy in America." This is a book which contains some very sage advice for those of us who believe the Founding Fathers were wise in recognizing that the most important thing they could do for the benefit of their fellow Americans was to establish a system of government which would be devoted primarily to the preservation of liberty, rather than efficient government.

We talk about majority rule, which, as I have said, in the eyes of those who disagree with us who think we should debate public questions, is regarded as a counting of noses rather than the use of human reason and human powers of persuasion. Such majority rule is fraught with danger. De Tocqueville, on page 259 of volume 1 of his "Democracy in America" which I hold in my hand, said this concerning the fact that majorities cannot safely be trusted:

> A majority taken collectively is only an individual, whose opinions, and frequently whose interests, are opposed to those of another individual, who is styled a minority. If it be admitted that a man possessing absolute power may misuse that power by wronging his adversaries, why should not a majority be liable to the same reproach? Men do not change their characters by uniting with one another; nor does their patience in the presence of obstacles increase with their strength.

That is a very sage observation. I am very much impressed by what the writer said, that the patience of men does not increase with their power. I believe there are illustrations in the Senate which indicate that even some of the fine Members of the Senate are somewhat impatient.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. ERVIN. They wish to put their reform into effect before the sun goes down and are willing to destroy the only thing that makes the Senate a distinctive legislative body in order to do so. I am delighted to yield to the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. I should like to ask the Senator if it is not true that the greater the power becomes, the more intolerant, and even contemptuous, the majority, or the person possessing the power, becomes of those elements who do not have the power.

Mr. ERVIN. The Senator is absolutely correct in the question he has propounded to me. That is why the Founding Fathers sought to set up a government which would prevent the tyranny of the majority. They had studied the history of man's long struggle for the right of self-government, and they had found, as a result of reading that history, that no man or set of men on this earth could be trusted with unlimited governmental powers.

Mr. LONG of Louisiana. I thank the Senator. Will he refer again to the book from which he has been reading?

Mr. ERVIN. I have been reading from the book entitled "Democracy in America," written by Alexis de Tocqueville. I will read another passage on this same subject. He is discussing the unlimited power of the majority. I now read from page 260:

> Unlimited power is in itself a bad and dangerous thing. Human beings are not competent to exercise it with discretion. God alone can be omnipotent, because His wisdom and His justice are always equal to His power. There is no power on earth so worthy of honor in itself or clothed with rights so sacred that I would admit its uncontrolled and all-predominant authority. When I see that the right and the means of absolute command are conferred on any power whatever, be it called a people or a king, an aristocracy or a democracy, a monarchy or a republic, I say there is the germ of tyranny, and I seek to live elsewhere, under other laws.
>
> In my opinion, the main evil of the present democratic institutions of the United States does not arise, as is often asserted in Europe, from their weakness, but from their irresistible strength. I am not so much alarmed at the excessive liberty which reigns in that country as at the inadequate securities which one finds there against tyranny.

Here one of the securities against tyranny is rule XXII of the U.S. Senate, which provides that the votes of two-thirds of the membership of the Senate are required to silence those who wish to speak for the welfare of their country. The proponents of the rule change seek to destroy the last remaining security to guard the liberty of America.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. ERVIN. I am delighted to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Has not the Senator found by experience that the more we permit such transgressions upon the tradition of checks and balances, such as the right of free speech, the greater is the temptation for a majority leader, or someone who is in a position to exercise power in this body, to go even further and more or less arrogate unto himself additional powers by using the powers he already has? In other words, Is there not the temptation to use power to build additional, greater power on top of it?

Mr. ERVIN. The Senator is correct. Although a Member of the Senate is not supposed to speak in a disparaging manner about the House of Representatives, I cannot forbear thinking that we have in the House of Representatives an illustration of what the Senator from Louisiana refers to. In the House a system of rules has grown up under which it is almost impossible for the average Member to get an opportunity to make a speech. When he does get the opportunity to make a speech, ordinarily he cannot speak for more than 5 minutes. Under what is called the closed rule a Member cannot even get the right to offer an amendment to a bill. The more power that is given to an individual the more power he wants, and the less liberty he is willing to give to other people.

Mr. LONG of Louisiana. Is it not true that even in the present debate, those who contend that the rule should be changed, so that 60 percent would be able to silence 40 percent if they were successful, would proceed to use the 60-percent rule, whereas previously 67 percent was required, in order to silence the remaining 33 percent; and that then they would proceed to make a subsequent rule change to reduce the percentage to 55 or 50 percent?

Mr. ERVIN. Yes. That is what I believe is the objective of some Senators who are supporting the so-called Anderson proposal.

Cloture by 60 percent is only one step on the road to a system of cloture under which 51 percent of the Senate would deprive the other 49 percent of the Senate of their right to represent their States in the Senate.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. ERVIN. I am delighted to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Is the Senator familiar with the identity of some of the various groups and organizations, some of them very high-minded organizations, and some of them very practical, down-to-earth groups, who seek to get their way?

Mr. ERVIN. Yes. I stated at the outset of my remarks that I thought that, in the last analysis, there is no pronounced demand from the country at large for any change in the Senate rules; on the contrary, the demand comes, every time a new Congress assembles, from three or four organizations which are dominated by very impatient and, as I said, sometimes intemperate men. In other words, they want to impose their will upon the American people before the sun goes down. We are in a peculiar situation in America today. We used to have legislative bodies which passed laws to regulate the external actions of people when such external actions injured other people. We have today in the United States an almost overpowering demand from these impatient organizations for the passage of laws which would impose on all men the legal duty that they think thoughts similar to what they are thinking, and commit such acts as those who are pressing for the changes want them to commit. They would destroy freedom of speech and freedom of thought for everyone who disagrees with them. In other words, they belong to the cult of conformity.

Mr. LONG of Louisiana. Is the Senator aware of the fact that some of these groups and organizations are in the position of being able to contribute a large number of votes and sometimes large amounts of money to the campaigns of those who are running for office?

Mr. ERVIN. There is no question about it.

Mr. LONG of Louisiana. Does the Senator know of any of the impatient groups of persons who would be satisfied with a 60-percent gag rule in the Senate?

Mr. ERVIN. They would not be satisfied, certainly not for more than overnight. They would be back the next day asking for a 55-percent gag rule or a 53-percent gag rule.

Mr. LONG of Louisiana. Or a 50-percent gag rule.

Mr. ERVIN. Or a 50-percent gag rule.

Mr. LONG of Louisiana. My impression has been that none of these people would be satisfied at this moment with less than the power of a majority. Does the Senator agree?

Mr. ERVIN. Yes.

Mr. LONG of Louisiana. I should like to ask the Senator if it is not his impression that some of those in the labor movement, some of whom are good friends of this Senator, would like to see those with whom they have influence in this body control the Senate in the way they operate their labor unions?

Mr. ERVIN. Certainly. Some of those men have tremendous power. Not only can we not trust men with unlimited governmental power; we cannot trust men with unlimited power to control the Government—at least, we cannot do so safely.

Mr. LONG of Louisiana. Cannot the Senator see that there is a great distinction between a situation in which a labor union leader who felt that someone was causing trouble or dissension in the union might order the sergeant at arms to grab him by the seat of his pants and throw him out the rear door, and the way the U.S. Senate is operated?

Mr. ERVIN. Yes; but I do not believe that even a union ought to be operated like that. As a member of the Rackets Committee, I recall that we found that some locals had placed men on the payroll in order to throw out of union meetings men who disagreed with the policies of the local.

Mr. LONG of Louisiana. While I feel certain that most labor unions are not operated in that fashion—particularly the best ones—is it not true that some labor organizations do have the power to silence members at any time the presiding officer wishes to do so?

Mr. ERVIN. Yes. As the Senator from Louisiana says, a great majority of American organizations, whether they be unions or other types of associations, have an understanding of the American system. They understand that men have the right to freedom of speech, freedom of thought, and the other great freedoms.

I thank the Senator for his observations.

I shall read one more extract from page 269 of De Tocqueville's book entitled "Democracy in America." It relates to the dangers of majorities. De Tocqueville said:

> If ever the free institutions of America are destroyed, that event may be attributed to the omnipotence of the majority.

I have discussed three of the reasons advanced for asking for rule changes. The first was that a rule change is needed because there is a danger that a few simple Southerners, who at most never constitute more than 20 percent of the membership of the Senate, are controlling the other 80 percent. As a matter of mathematics, that contention is without foundation.

Then I discussed their contention that the rules of the Senate should be changed because some rules of the Senate, like the Ten Commandments, the Bible, Magna Carta, the Declaration of Independence, the Constitution, and George Washington's Farewell Address to the American people, were written by men whose hands have crumbled into dust in the grave.

The third reason given for a change was that rule XXII prevents majority rule in the Senate.

There was another argument, which was made a few years ago. It was said that the Senate was a kind of governmental atom, sailing aimlessly upon the sea of chaos. It was said that the Senate, like the House of Representatives, had no rules at the beginning of a new Congress; that the Senate is not a continuing body; that actually it had no rules and had to adopt rules at the beginning of a new Congress.

If I may change the metaphor, the proponents of a change in the rules were saying, in effect, that the Senate was like Josh Billings' mule: It "didn't kick according to no rules"; and the reason why the Senate could not act was, that like Josh Billings' mule, the Senate had no rules.

The Senator from Louisiana [Mr. LONG] will remember that there were several weeks of debate, during which those who proposed rule changes did most of the speaking. They said that since the Senate had no rules, the majority of the Senate had constitutional power to change the rules or to adopt rules at the beginning of a Congress, but did not have that power at any other time in a Congress. Of course, that argument had no validity, for two reasons. In the first place, the Senate came into existence in 1789. It adopted rules in 1789. It has had the rules ever since 1789, and those rules have been changed on several occasions.

The Senate has always proceeded according to those rules at the beginning of each new Congress, as well as at the later stages of each Congress. So the proponents of a rule change who said the Senate had no rules were confronted with the fact that the Senate had had rules long before they were born, and that the Senate had always regarded those rules as continuing from session to session.

Another obstacle confronted those who advanced this argument. They argued that the Senate could change its rules by a majority vote at the beginning of each session, but not later in the session. It is an obvious absurdity that the Constitution of the United States changes its meaning from the first part of a session to other stages of a session. The constitutional truth is that the Senate is empowered to make the rules of its own proceedings, and this provision of the Constitution applies at the beginning of a session and during every day of the session. So far as the Constitution itself is concerned, it applies when there is no session of Congress, because the Constitution does not change from day to day, as the advocates of this very fantastic proposal contend.

I shall discuss another reason that is given for the proposed rule change. Some of the proponents stand upon the floor of the Senate and say that the reason why a change is needed in rule XXII is that under the rule the Senate cannot give any consideration to so-called civil rights bills. There is a great deal of propaganda in the world. Those who advocate changes in the rule have been listening to their own propaganda for so long that they have actually reached the point where they accept it.

Their propaganda reminds me of a custom we have in the rural areas of North Carolina. At certain times of the year, it is customary in North Carolina for people whose relatives are buried in the little country cemeteries to meet and clear out the weeds which have grown up. It happened on one occasion that a man, somewhat like the Senator from North Carolina, who was somewhat opposed to too strenuous physical work, attended a gathering at a little country churchyard to assist in removing the weeds from the cemetery. Being opposed to strenuous physical labor, he hired a boy named George to go along with him and do his work for him. George was down on the ground, pulling the weeds off the grave. All at once he burst into laughter.

The man who had employed him said, "George, what are you laughing about?"

George said, "I am laughing about the funny words written on this tombstone."

George's boss said, "I don't see any funny words written on the tombstone."

George said, "Boss, just look there at what it says. It says, 'Not dead but sleeping.'"

The boss said, "I don't see anything funny in that."

George said, "He ain't foolin' nobody but himself."

When the proponents of this rule change tell us that it is necessary to change the rule in order to have civil rights bills considered, they are fooling nobody but themselves. If they will read the Congressional Record, they will not fool even themselves very long.

The truth is that since Attorney General Brownell came here with a so-called civil rights bill in 1957, the Senate has spent more of its time debating, on the floor of the Senate, about civil rights than it has about the survival of the Nation. During that period the Senate spent more of its time voting on so-called civil rights bills than it spent in voting on any other type of measure, except perhaps the 100-odd amendments offered last year to the satellite communications bill.

Mr. President, Senators talk about civil rights bills, but I point out that in the 86th Congress alone the great pile of civil rights bills which I now show to Senators was introduced—in only that one Congress, although it is said that nothing can be done about such bills without changing the rules. I may have lost some of those bills since 1960, when I weighed them; but at that time they weighed 5 pounds and 3 ounces. Some Senators said it was necessary to have those bills enacted in order to control the sins of a few sinful southerners.

Mr. LONG of Louisiana. Mr. President, will the Senator from North Carolina yield for a question?

The PRESIDING OFFICER (Mr. Kennedy in the chair). Does the Senator from North Carolina yield to the Senator from Louisiana?

Mr. ERVIN. I yield.

Mr. LONG of Louisiana. Is it not correct that in some cases one or two Senators had put their names on as many as 100 different bills with which they wanted to change the South?

Mr. ERVIN. I am not sure about that; but I know that on one occasion I called the attention of a Senator to the fact that I had found 41 of his bills in that package which weighed 5 pounds and 3 ounces; and the Senator from Georgia said that was entirely an underestimate of the zeal of that particular Senator, because he had 50-odd bills of that sort.

Mr. President, I want Senators to contrast the space taken up by the great number of so-called civil rights bills introduced in that one Congress, in the attempt to deal with the supposed sins of a few sinful southerners, with the space occupied by the Holy Bible, which the good Lord gave us in order to deal not only with the sins of the sinful southerners, but also with the sins of the sinful northerners, easterners, and westerners, if such there be, and also with the sins of those who live in Europe, Asia, Africa, South America, Australia, New Zealand, and the islands of the sea. I ask Senators to observe the size of the great pile of so-called civil rights bills which were introduced in that one Congress, whereas the Holy Bible, which was given us to take care of all the sins of all the people on earth in all generations is much, much smaller. I ask Senators to compare them in size.

Let us measure them. The Bible is less than 1½ inches in thickness, whereas this great package of so-called civil rights bills is almost 3 inches thick; and as I have said, all of them were introduced in the 86th Congress only.

First, Mr. President, some Senators say they are unable to have their civil rights bills considered. But in 1957 a civil rights fight was carried on in the Senate. It began in June, and ended on August 29; and the six large volumes of the Congressional Record which I now place on my desk contain all the words which were spoken on the floor of the Senate and all insertions made at that time in regard to those so-called civil rights bills. We might compare the words spoken in the Senate on those civil rights bills with the words of the men who were inspired by the Good Lord to write the Bible. When we compare them, what an amazing contrast.

Mr. President, on February 24, 1960, the then majority leader and the then minority leader arose on the floor of the Senate and said that Members of the Senate had been craving an opportunity to introduce some civil rights bills and have them voted on by the Senate. The two leaders said they had selected the little Stella School District bill, which dealt with a situation in Missouri; they said that any Member of the Senate who wished to offer a civil rights bill as an amendment to the Stella School District bill could do so. What happened, Mr. President? In the next few days Senators offered—as amendments to the Stella School District bill—the great pile of so-called civil rights bills which I now exhibit to Senators. I want Senators to contrast the size of this large pile of so-called civil rights bills with the size of the Constitution of the United States. The little booklet I now hold in my hand includes a copy of the Constitution of the United States; the Constitution occupies only 22 pages of the total of 256 pages in this booklet. But the civil rights bills which some Senators then tried to tack on to the poor little Stella School District bill, in 1960, cover 396 pages.

The Senate began the debate on those bills on February 24, 1960; and the debate continued, and Senators argued about those bills and debated them and voted on them from February 24, 1960, until April 9, 1960. I now display to the Senate the numerous volumes of the Congressional Record which contain all the words spoken by Senators during that period of time; and I believe it will be rather interesting to Senators to compare the thickness of this large pile of Congressional Records with the thickness of the Good Book which contains the words of the Lord. This large pile of Congressional Records is nine and a half inches thick. I am certainly glad that when the Good Lord saw fit to give us the Book which would tell us all we need to know about our sins on this earth and about how we can get to heaven, he was not as verbose as the Members of the U.S. Senate were between February 24 and April 9, 1960, because if the Good Lord had been that verbose, we would never be able to read the Bible, even if we devoted all our time to it between the cradle and the grave.

Mr. LONG of Louisiana. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I yield.

Mr. LONG of Louisiana. Would not it be fair to say that each one of those pages of the Congressional Record—and each page has three columns in small print—contains many more words than those to be found on the average page of the Bible—with the result that the debate over the Stella School District bill probably was the subject of 10 times as many words as all those to be found in the Old Testament and the New Testament, combined?

Mr. ERVIN. That is very easy to see, from a quick inspection. The words of the Bible are printed in type five or six times larger than the type used in printing the Congressional Record.

Furthermore, it is said by some Senators that they had no chance to have votes taken on those civil rights bills. Yet these volumes of the Congressional Record show that between February 24 and April 9, 1960, the Senate had 45 yea-and-nay votes on matters relating to those so-called civil rights bills, and, in addition, had 29 voice votes—making a total of 74 votes which during that period of time were cast in the Senate on matters dealing with those so-called civil rights bills.

Mr. LONG of Louisiana. I thank the Senator.

Mr. ERVIN. Mr. President, to anyone who believes that the Senate has not spent more of its time on so-called civil rights bills since 1957 than it has on questions of the survival of our Nation, I suggest that he read the bills and Congressional Records which I have exhibited here. In the course of the debate later I shall undertake to read some of those bills and show that if they had been enacted into law in accordance with their terms, the constitutional and legal systems of the United States and every constitutional and legal safeguard erected by the Founding Fathers and the Congress to protect the people from governmental tyranny would have been destroyed as far as the advocates of civil rights bills could destroy them.

Mr. President, I ask unanimous consent that I may now yield to the able and distinguished senior Senator from North Dakota [Mr. YOUNG] for a speech with the understanding that I shall not lose my right to the floor or to have my speech counted as a second speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE NATIONAL DEFICIT

Mr. YOUNG of North Dakota. Mr. President, increasing Federal expenditures and an almost continual deficit year after year in the national budget presents a very serious situation. It could well weaken the entire economic structure of this Nation. The past has been bad enough but the outlook for the future is even more dismal.

During the last year of the Eisenhower administration, for example, the request for Federal spending, including all obligational authority, for fiscal year 1962 was approximately $81 billion. The request by President Kennedy for fiscal year 1964 for Federal spending, including all obligational authority, is $108 billion. Thus, in a 2-year period, Federal spending has increased by $27 billion.

While Federal expenditures are being sharply increased, it is now proposed that income taxes be lowered resulting in a decrease of income to the Federal Government from this source of more than $13 billion.

The deficit for fiscal year 1963 is estimated to be approximately $8 billion. We will be fortunate, indeed, if the deficit next year—fiscal year 1964—can be held to $14 billion.

If the slightest recession occurs, which is always a possibility, it would mean deficits far beyond the $14 billion figure. The outlook for the future is indeed an alarming one. I doubt very much if the present policy continues that we can avoid runaway inflation. Of equal seriousness is the effect it could have on the balance of payments and our gold reserve.

Mr. President, all this means that we in Congress are going to have to make a determined effort to cut Federal expenditures wherever possible. This can and must be done.

All the requests for spending by the executive department are not nearly as urgent and necessary as they would have us believe. During the closing days of the last session, the Bureau of the Budget sent over more than 75 different requests for supplemental appropriations. After making sizable cuts, the last supplemental bill called for appropriations of more than $550 million, as it passed the Senate.

Mr. President, in almost every instance representatives of the departments of the Federal Government, testifying in behalf of those supplemental appropriations, claimed that they were so urgently needed that they could not possibly wait until the new Congress convened in January of 1963.

Mr. President, one would think from listening to those urgent pleas for money last September that the country would be in deep trouble if the money were not appropriated right away. Some of the funds undoubtedly were necessary. The point I am trying to make is that time has proven most of this money was not needed.

Because of problems that arose between the House and the Senate during the closing days of the last session, the supplemental appropriation bill never was approved by Congress. Mr. President, the very fact that neither the Bureau of the Budget nor any department of Government has renewed the requests for these appropriations to this date certainly would indicate that their requests were not nearly as urgent as they would have us believe last fall.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I am happy to yield to the distinguished Senator from Florida.

Mr. HOLLAND. First, I commend the Senator for mentioning the supplemental appropriation bill which failed of enactment last October because of the unwillingness of the House to grant a conference on the differences between the House bill and the Senate bill. It is to that particular supplemental bill that the Senator is referring, is it not?

Mr. YOUNG of North Dakota. The Senator is correct. The bill was considered by the subcommittee of which the distinguished Senator from Florida [Mr. HOLLAND] is chairman, and the senior Senator from North Dakota was the ranking Republican member.

Mr. HOLLAND. Mr. President, as I recall, the hearing on that supplemental appropriation bill consumed several days. The Senator from North Dakota was very diligent in his attendance upon his duties and in attendance at hearings of the subcommittee. The Senator from Florida tried to be equally diligent and was present for most, if not all, of the hearings.

Is it not true that the bill reported by the Senate subcommittee of which the Senator from North Dakota and myself are members, passed the Senate in the amount of $550 million and represented urgent requests by the various departments, but the bill as passed represented only a portion of the urgent requests which were made of us during that hearing?

Mr. YOUNG of North Dakota. The Senator is correct. Largely, through the efforts of the chairman of the subcommittee, the senior Senator from Florida, the subcommittee made sizable cuts in the requests.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. YOUNG of North Dakota. I yield.

Mr. HOLLAND. I ask the Senator if he would object if I referred at the present time to several of those supplemental items which were said to be particularly urgent, and without which, we were told, the agencies involved could not operate until Congress returned.

Mr. YOUNG of North Dakota. I shall be happy to have the Senator do so. At the time of the hearings last September I was troubled by statements of what would happen if certain appropriations were not approved. One request in particular related to money that would enable the administration to put into operation the new Trade Act. We were told that some industries would be hurt and would require Federal assistance. We were told that they could not exist without assistance through those appropriations. Six months have elapsed since that time and no requests have come to Congress since for that money.

Mr. HOLLAND. Mr. President, since the Senator has mentioned the money requested because of the Trade Act, I shall refer to those appropriations first. There were three requests. The first request was for $1,450,000 for the Secretary of Commerce to carry out functions of that Department directed toward enforcing of the new trade bill.

Second, there was a request for $3 million for the Small Business Administration for trade adjustment loans and guarantees to prevent businesses and workers from sustaining severe losses due to the operation of the Trade Act.

Third, we received an urgent request for $1 million for the Department of Labor so that it could do its part in surveying the losses of labor and in making sure that labor was promptly compensated for losses sustained by reason of the operation of the Trade Act.

Does not the Senator recall those three items in the bill to which he has referred?

Mr. YOUNG of North Dakota. Yes, I do. I recall that the importance of the Federal Trade Act was stressed. We were told that it had to be put in operation as soon as possible in order to protect the vital interests of the United States. But again no appropriations were made, and it is strange that no requests have been made since Congress convened for that program. If the administration believed that the Federal Trade Act was important and the appropriation was necessary, I wonder why we have not received a further request. Perhaps some other subject—maybe a rule change in the Senate—is more important to the administration than the Federal Trade Act.

Mr. HOLLAND. Mr. President, I concur with that conclusion. It seems a reasonable one. We are now in the second month of the new year. After having lost about 4 weeks of Senate sessions, we find that we have passed no measures. More particularly, speaking as chairman of that subcommittee—and I think I am speaking correctly for the distinguished Senator from North Dakota, who is the ranking minority member of the subcommittee—there has not come to our attention any request for supplemental appropriations at the present session of Congress to take care of the items represented by the earlier requests which were included in that $550 million bill which was not enacted. Am I correct in that statement?

Mr. YOUNG of North Dakota. So far as I know, they have decided that these appropriations are not necessary at all.

Mr. HOLLAND. I say to the distinguished Senator, in order to be entirely fair on the record, I have discussed this subject twice, as I have told the distinguished Senator, with the new Director of the Budget, who just recently assumed the duties of that office. He has explained to me some of the difficulties with which he is faced; which difficulties, I am sure, he is doing his best to overcome as promptly as possible. I understand that we shall be receiving a supplemental request in the near future; I hope within the next day or two.

The fact is, is it not, that if these various requests, and others which I shall mention, had been as critical as they were painted to us last year the country almost would have come to an end by this time by reason of the appropriations not having been provided; is that correct?

Mr. YOUNG of North Dakota. That is correct. I think some of the appropriations probably were necessary and were necessary last fall, but certainly they were not as urgent as they were pictured to the Senate. If they had been, surely a request would have been made by now for the Congress to appropriate the money.

Mr. HOLLAND. Another request, as the Senator will remember, was for an item of $30 million to meet the increase in the payment of the Government to retirees, which increase had been voted by the Congress and approved by the President some time last fall. The Senator remembers that item, does he not?

Mr. YOUNG of North Dakota. That is correct. The law was passed. The people are entitled to the payments, but the payments are being withheld because no appropriation has been made.

Mr. HOLLAND. Another item which I recall had to do with agriculture. I ask the Senator if he recalls an item of $12.3 million to make good the salary increases for employees of the Government in the Extension Service of the Department of Agriculture, which is certainly an important Service?

Mr. YOUNG of North Dakota. There is no finer Service in the Government than the Extension Service. The appropriation would have put the people in the Extension Service on the same basis as all other Federal employees, had it been provided.

Mr. HOLLAND. I thank the Senator. As I recall, there was another item of $5 million to put the employees of the cooperating State experiment services on the same basis as other employees; is that correct?

Mr. YOUNG of North Dakota. That is correct. That is an equally fine service.

Mr. HOLLAND. I ask the distinguished Senator if he does not recall that last year we passed a bill greatly increasing the responsibility of the Food and Drug Administration, and that the supplemental bill carried $1.5 million so that the Administration could operate in carrying out its new responsibility. Does the Senator remember that item?

Mr. YOUNG of North Dakota. That is correct. That does seem to be an important program. Either it has been possible to make savings on some other programs to take care of it, or the program may not have been put into operation, waiting for appropriations.

Mr. HOLLAND. I ask if the distinguished Senator remembers that another item in that supplemental bill was $35 million for the Office of Education, for its defense educational activities, for contributions to student loan programs at the various colleges and universities of the country? Does the Senator remember that item?

Mr. YOUNG of North Dakota. Yes, I do. I have had many inquiries from students and university presidents asking what happened to that program.

Mr. HOLLAND. The Senator from Florida has had some inquiries of the same kind. He also is beginning to receive inquiries from many retired people who live in his State, who have received payments after the date that the new retirement level was authorized, but for which funds were not appropriated, who cannot understand why they are not receiving their additional money.

I hope the Senator has not been receiving a large number of those inquiries because they are particularly distressing.

Mr. YOUNG of North Dakota. Many people of North Dakota who have retired have gone to Florida.

Mr. HOLLAND. The State of Florida is glad to have them, even with their additional troubles.

I think it was wrong to pass a law stepping up retirement pay of civil servants who have retired after long years of service, and then not make the money available. Since January 1, no request has been made to make the money available that I am aware of. It seems to me that does not even need discussion; it is so very wrong, in essence.

Mr. YOUNG of North Dakota. This is a commitment of the Federal Government, which it should meet.

Mr. HOLLAND. Various other projects will have to be considered, as well. For instance, I understand the Department of Justice will need additional funds for the payment of fees of witnesses appearing in the Federal courts because of the increased judgeships which have been created. The Senator will recall, the Senate has approved and confirmed many nominations for additional district judges and other judges in the Federal judicial system.

Mr. YOUNG of North Dakota. Yes. It seems to me to be an urgent matter, indeed.

Mr. HOLLAND. Mr. President, without belaboring the matter further, and also thanking the Senator for his enduring so many questions, is it not true that the point is that the agencies either asked for many emergency items last fall before they were emergency items or else they have forgotten about those emergencies since the first of the year, in that they have not yet sent to us any requests for these items to be considered by our committee and by the two Houses of Congress?

Mr. YOUNG of North Dakota. The Senator is correct. I think probably it is a little of both. I am sure many of the appropriations were not necessary, but others were very necessary.

Mr. HOLLAND. Mr. President, I thoroughly agree with the statement the distinguished Senator has made. I think a great many of the appropriations were necessary. I have not named the largest of all, which certainly is necessary. That is the item to supplement the payments to welfare clients in the various States, as a supplement to State payments. My recollection is that the request was for $350 million for that purpose, although I understand from the Bureau of the Budget that the revised figure will be only $210 million.

Does it not seem to the Senator that this is a matter which should be recognized promptly, or for that matter should have been recognized ahead of time, so that the funds will be on hand to meet the shortages in payments to the States when the States are trying earnestly to take care of their people who are on the welfare rolls?

Mr. YOUNG of North Dakota. Yes. It is unbelievable that requests such as that would have been passed over for the past 6 months. Even now no urgent request is being made of the Congress to make the funds available.

Mr. HOLLAND. Does the Senator recall that at the time the conference was refused on the bill in the other body statements were made on the floor, which appear in the RECORD, indicating that action on these items would be an item of first business as soon as Congress convened in January, so that people would not have to worry about receiving the money due? Does the Senator remember that?

Mr. YOUNG of North Dakota. That is correct. I remember it very well.

Mr. HOLLAND. I hope the Senator will join me in grieving over the fact that someone, either in the administrative agencies or in the other body, or in both—or perhaps we ourselves—has been neglectful in the taking care of these just claims which were left uncared for when the supplemental bill last fall was shunted aside without passage.

I thank the distinguished Senator for yielding to me.

Mr. YOUNG of North Dakota. I thank the Senator from Florida for his very appropriate comments.

I think the Congress has learned a lesson. In the future, members of the Appropriations Committees probably will not be greatly moved if the administration asks for another 75 or more supplemental requests during the closing days of a session.

When it comes to practical operation of its own affairs, the Democratic Party holds $1,000 and $100 fundraising dinners and steps up its campaign party contributions in order that the party machinery itself will be debt free and in sound fiscal condition.

But when it comes to the American people, the party disregards the practical approach in favor of a high-spending, deficit-financed dream which has never worked in the past, and will not work now. The $98 billion budget, combined with tax reduction, and the enormous, planned deficit, is nothing more than a calculated plan of inflation. Actually what the Democratic administration did during the past month was, first, to offer the American people what it termed a $13.6 billion tax break, and, second, a fortnight later, take it all back when it presented a huge budget.

The administration defends its huge budget on defense, at least to a large degree, and states that there are no places in the budget where money could be saved without damaging the defense posture of the Nation. Cuts can be made in this budget as well as most others.

But this is not according to the facts. In the fiscal year 1961, spending for other than defense purposes amounted to $34 billion, and the estimated fiscal 1964 budget calls for $43.3 billion—an increase, Mr. President, of $9.3 billion.

The increase in nondefense spending includes many new and questionable domestic programs. The money for these programs, plus some of the increases in nondomestic programs, offers a fertile field for savings.

Just to keep the record straight, I ask unanimous consent to insert in the RECORD at this time a chart submitted to the Congress on January 17, 1963, by Mr. CLARENCE CANNON, Democratic chairman of the House Appropriations Committee, which shows nondefense spending since 1954.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Increased nondefense spending

[Other than defense spending, in billions]

Fiscal year:	
1954	$20.5
1955	23.6
1956	25.5
1957	25.0
1958	27.1
1959	33.8
1960	30.8
1961 (1st Kennedy year)	34.0
1962	36.6
1963	41.3
1964 (estimated)	43.3

Source: CONGRESSIONAL RECORD, Jan. 17, 1963, p. 537.

Mr. YOUNG of North Dakota. Mr. President, the main point I am trying to make is that during the closing days of the last session we were told that the more than 75 items in the $550 million supplemental appropriations bill were badly needed, that it was urgent that Congress take action before it adjourned, and that the departments administering these various programs could not possibly wait until the next session of Congress. Mr. President, here it is a month after Congress convened, and still nothing is done toward considering all of these budget requests. I can only conclude that either this one-half billion dollars in appropriations was not necessary, or the present leadership is not giving it a very high priority.

This top priority apparently is being given to changing the rules in the Senate when there is no major piece of legislation pending in Congress for which the proponents of the rule change could even claim a rule change was necessary. It seems to me that we have spent enough time trying to change the rules of the Senate when there is little, if any, need for it. There are a great many issues that Congress should be giving serious consideration to. I hope that we can get on with the business of the Senate soon.

I yield the floor.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum.

Mr. MORSE. Will the Senator withhold that request?

Mr. HOLLAND. I made that request simply so the Senator from North Carolina [Mr. ERVIN] might return to the floor.

The PRESIDING OFFICER. Does the Senator withhold his request?

Mr. HOLLAND. I withhold my request.

Mr. ERVIN. Mr. President, I ask unanimous consent that I may be permitted to yield to the distinguished and able Senator from Oregon, without losing the floor, and without having any remarks I make on the pending matter counted as another speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE CUBAN SITUATION

Mr. MORSE. Mr. President, I just read on the ticker an account of a statement by the distinguished Senator from Minnesota [Mr. HUMPHREY], the Democratic whip, in which he suggested that we should undertake public hearings on the various allegations which are being made concerning an alleged Russian buildup in Cuba that supposedly threatens the security of the United States.

The story states that, in the opinion of the Senator from Minnesota, we should have public opinions with regard to the matter; that Mr. McCone, head of the CIA, should be called as a witness; that other administration leaders should be called as witnesses. I only rise to associate myself with the suggestion of the Senator from Minnesota. I think there should be public hearings.

As chairman of the Subcommittee on Latin American Affairs of the Committee on Foreign Relations, I say I think we have reached such a point in the charges and countercharges with regard to the subject matter that the American people are bewildered and confused. As I have said so many times, American foreign policy belongs to the American people, and any administration is but the trustee of the people's foreign policy. The American people cannot judge this situation unless they know the facts. The time has come, in my judgment, when there should be a full public disclosure of whatever we know about what is going on in Cuba.

Oh, I know, Mr. President, the old argument might be made that it might involve some top secret information; but I repeat, labeling something top secret does not make it top secret. We must run risks in a democracy. I would much rather run the risk of having the people know about the facts of our foreign policy than run the risk of having the Russians know and the American people not know.

So I associate myself with the remarks of the Senator from Minnesota.

I make one other suggestion. I think the time has come, in view of all the charges and countercharges that have been made—and I have rechecked the transcript—to release to the public the transcript of record made by the Foreign Relations Committee. I presided over most of those meetings, which were held shortly after the Bay of Pigs operation, where we had before the committee the top officials who had so much to do with the ill-fated incident. We heard witnesses from the Pentagon and the Department of State and the head of the CIA, the then Director, Allen Dulles. I have reread the transcript. I do not know of a single thing in that transcript that the people of the United States are not entitled to know.

When the transcript was taken it was understood by the witnesses that it was an executive session, and therefore its release now may be said to be some breaking of faith or understanding with those witnesses. But things have been said in public by administration officials that alter the picture. The public interest has to come first, always. The question now is whether the public interest is best served by releasing the text so there can be an evaluation of that transcript in light of developments subsequent to its token.

It happens to be my opinion that the release of that transcript would put at rest, once and for all, a good many of the partisan charges being made about the President of the United States in regard to what happened at the Bay of Pigs. The impression has been created, through partisan political charges, that the President of the United States had promised American Air Force cover of the Bay of Pigs operation. It never was true. And it never was true that Dwight Eisenhower had any such plan in connection with the Bay of Pigs.

We do not hear very much from the partisans about the fact that most of the Bay of Pigs operation was prepared and planned by the Eisenhower administration to the tune of expenditures of $40 million, whereas the Kennedy administration spent in the neighborhood of $5 million.

The Kennedy administration made a great mistake in picking up the mistake of the Eisenhower administration and associating itself with that mistake, but this great President of ours was big enough to assume responsibility for what happened.

Here is one Senator who does not think it is fair for us to leave in the secret files of the Foreign Relations Committee a transcript of record which was made shortly after the unfortunate Bay of Pigs project, and which, in my judgment, answers the partisan libel of the President that he withdrew American air coverage of the Bay of Pigs invasion.

I say again it never was promised. Apparently a part of the confusion arises from the fact that the Cuban exiles who made the invasion had their own air force. It is true that every craft in that air force came, in the first instance, from the United States, because they were American planes. It is true that the Cuban exile air force made a strike on one day against the airbase at Havana. It is true that the Cuban exile air force planned to make a strike the next morning. The first one had not been too successful. It had not knocked out as many of Castro's planes as it was expected to. It is true that there was discussion of this matter in the inner councils of the United Nations, when many allies were greatly concerned about reports that had reached New York, and that the second strike was postponed a few hours.

To quote one of the Cuban invaders as saying they were promised control of the air does not mean they were promised American air cover.

As we know, the Cuban exiles ran into a Castro air force that he apparently was not known to possess. What irony it is that the air force of Castro consisted of effective fighter planes which the United States had supplied to Fascist Batista before his overthrow. Those American fighter planes which had been supplied to Batista had been captured by Castro. He brought them out, and that surprised people. It was that air force that practically demolished the Cuban exile air force.

But, Mr. President, that is far different from giving to the American people the impression that at any time the Government of the United States promised to bring the American Air Force in as a cover for the invasion. Had that promise been made, it would have constituted an act of war, and it would have taken this Republic outside the framework of international law and made us an aggressor nation, in violation of one Latin American treaty after another to which we had affixed our signature.

I discussed this international law feature on April 24, 1961, in my speech in the Senate. I pointed out that if there had been carried out what it was alleged was planned we would have been convicted before the world as an aggressor nation, committing an act of war in violation of treaty after treaty. In my speech of April 24 I asked, "Where would our allies have been?" We might have had two or three Caribbean nations stand with us, but all of Latin America would have left us.

It is so easy for these Monday morning quarterbacks, with partisan speeches, to confuse this whole issue.

Let me say that I believe the time has come, irrespective of the fact that the transcript was taken in executive session, because the national welfare is more important, that the American people are entitled to know what Allen Dulles did say, are entitled to know what the Chief of Staff did say, are entitled to know what the Secretary of State did say, and are entitled to know what every other important witness who appeared before our committee did say as to what happened in connection with the Bay of Pigs, what the plans were, and what went awry.

I speak only for myself. I have not the slightest idea whether the other members of my committee agree with me. I have my own responsibility to my own State.

I close by saying what I have been heard to say so often about what is basic to democratic government: In a democracy there is no substitute for the full public disclosure of the people's business. This Cuban matter is clearly becoming a matter of business of the American people, and so paramount in its importance that the people are entitled to know the facts.

To the American people I say: "You, too, have a responsibility of citizen statesmanship. The time has come for the American people to make clear to their Government and the officials of their Government in both parties, 'Give us the facts. We can take them. We can judge them. We can then follow whatever course of action, as a free people, we believe should be followed.'"

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. ERVIN. Mr. President, I have thus far today discussed the reasons assigned by the proponents of the proposed rule change to justify their position. I respectfully submit that for the reasons I have already stated none of those arguments made in favor of the rules changes is valid. I shall now devote myself to showing that the history of our country shows the advisability of having safeguards which will prevent hasty and impatient and intemperate action by those in positions of authority. It was my purpose to refer to American history for a striking illustration of the desirability, nay, the necessity, of protecting the people of this Nation against impatient and intemperate actions on the part of their officials.

Rule XXII of the Senate is one of the few restraints left. Many of the great Senators of the past have stated that no good legislation has ever been prevented by the rule of the Senate permitting free debate, but that, on the contrary, much bad legislation has been prevented by this rule.

I call attention to a similar rule that is in the Constitution of the United States. First I wish to read from section 4 of article II of the Constitution these words:

> The President, Vice President, and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

It will be noted that this paragraph in the Constitution sets forth three conditions, and three conditions only, for which a President, a Vice President, or a civil officer of the United States can be impeached. They are: treason, bribery, or other high crimes and misdemeanors.

The other provisions of the Constitution relating to impeachment are found in subsections 6 and 7 of section 3 of article I of the Constitution. I read subsection 6 of section 3 of article I:

> The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the Concurrence of two thirds of the Members present.

Subsection 7 of section 3 of article I reads as follows:

> Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

I shall later discuss these constitutional provisions in more detail. At present, however, I wish to emphasize that the provision of subsection 6 of section 3 of article I of the Constitution, which prescribes that "no person shall be convicted without the concurrence of two-thirds of the Members present," is the only thing which saved the United States at one of the most crucial hours of its history from witnessing a total blackout of constitutional government.

In speaking for the retention of rule XXII in its present form, I say it is not beyond the realm of possibility that the two-thirds provision of rule XXII may serve like subsection 6, section 3, article I of the Constitution, and some day again prevent a total blackout of constitutional government in the United States.

The scene which I propose to discuss in this connection was enacted in this very Senate Chamber. If it had not been for the two-thirds provision of subsection 6, section 3, article I, and the courage of a handful of Senators, constitutional government in the United States would have been destroyed on the very floor of the Senate.

In order to discuss this subject, I shall have to go back a little into American history. On one occasion on this continent and in this Nation a terrible fratricidal war occurred, in which thousands of the flower of the youth of our land, both in the South and in the North, died. My study of American history has convinced me that that terrible war and its carnage would never have occurred if it had not been for intemperate and impatient men in the North and impatient and intemperate men in the South. If ever there was an event which ought to teach all Americans the virtue of patience, it was that terrible war and the terrible carnage it caused.

One of the great men in American history was Abraham Lincoln. I often wonder what would have happened to Lincoln, after Lee's surrender, if he had not fallen by an assassin's bullet. I suspect that perhaps he would have been more maligned at the hands of Members of Congress and at the hands of the American press than any other man in our history. Sometimes a tragic event, such as Lincoln's assassination, spares the man who suffers such an event from great future tragedy. Abraham Lincoln was a merciful man. He was a man who loved his fellow men.

After the surrender of Lee at Appomattox, the question naturally arose as to what was to be done to adjust the relations between the Union and the 11 Confederate States. Lincoln had a very fine plan for the rebuilding of the relationship between the Union and the 11 so-called Confederate States. I shall read a brief statement of his plan from page 804 of the Concise Dictionary of American History, which was edited by Wayne Andrews and published by Charles Scribner's Sons:

> In his proclamation of December 8, 1863, President Lincoln offered pardon, with certain exceptions, to those who would take oath to support the Constitution of the United States and abide by Federal laws and proclamations touching slaves. When oath-takers equal in number to one-tenth of the State's voters in 1960 should "re-establish" a government in a seceded commonwealth, Lincoln promised executive recognition of such government without commitment as to congressional recognition. Both the "plan" and the whole southern policy of Lincoln were denounced as far too lenient, and there followed a storm of controversy with the radical Republicans who by their control of Congress prevented any settlement of this vital question during Lincoln's life. The hopeless deadlock between President and Congress was seen in the Radical Wade-Davis bill which Lincoln killed by a pocket veto. After this Lincoln issued a proclamation (July 8, 1864) explaining that he could not accept the radical plan as the only method of reconstruction and was promptly answered by Wade and Davis in a truculent manifesto.

It would be quite interesting to know why Lincoln pocket-vetoed the Wade-Davis bill. Those who advocate majority rule on the spur of the moment and in haste ought to ponder the Wade-Davis bill which Lincoln denounced and vetoed.

Now I read a very brief description of the provisions of that bill, from the "Encyclopedia of American History," by Richard B. Morris, on page 246:

> The Wade-Davis bill, which was passed by Congress on the 4th of July 1864, represented the congressional blueprint for reconstruction. It required a majority of the electorate in each Confederate State to take an oath of past as well as future loyalty as a condition precedent to restoration.

Mr. LONG of Louisiana. Mr. President, will the Senator from North Carolina yield?

The PRESIDING OFFICER (Mr. CASE in the chair). Does the Senator from North Carolina yield to the Senator from Louisiana?

Mr. ERVIN. I am glad to yield.

Mr. LONG of Louisiana. Was not that condition tantamount to disfranchising almost every honorable white man in the South?

Mr. ERVIN. That condition precedent to restoration, under the Wade-Davis bill, would have prevented any of the 11 Southern States from again being admitted to their rights as States of the Union, because that bill required the taking of an oath of both present loyalty and past loyalty; and a majority of the people of the Southern States could not have truthfully taken such an oath. This is very well illustrated by the situation in the State of North Carolina. In 1860, North Carolina had a total population of approximately 629,000, counting all the men, women, and children, and both the white people and the Negro people. Out of that population, North Carolina had sent into the Confederate Army 125,000 of its men and boys—a number far in excess of the total electorate of that State. Under that condition of the Wade-Davis bill, it would have been impossible for any more than a very negligible part of the electorate of North Carolina to have taken the oath required by the terms of the bill as a condition precedent to readmission as part of the Union. In fact, the bill was designed to prevent any of the Southern States from being readmitted to the Union.

Mr. LONG of Louisiana. Mr. President, will the Senator from North Carolina yield for a further question?

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Does the Senator from North Carolina yield to the Senator from Louisiana?

Mr. ERVIN. I yield.

Mr. LONG of Louisiana. If the electorate had been restricted to the small element who had been against the Civil War and had opposed the position of their State in that connection—and I believe that at that time such persons were called "Buffaloes"——

Mr. ERVIN. Yes.

Mr. LONG of Louisiana. Would it be possible, by thus restricting the electorate to former slaves and "Buffaloes," to permit the State of North Carolina ever to return into the Union?

Mr. ERVIN. I believe that bill required a majority. So I do not think that, under that bill, any of those States could have secured readmission to the Union. In fact, I think the bill was designed to prevent their readmission, because Senator Wade turned out to be a violent opponent of anything reasonable in connection with reconstruction.

Mr. LONG of Louisiana. Would it be fair to assume that the purpose of that bill was to prevent North Carolina and the other Southern States from being readmitted at all to the Union, in so far as representation in the Senate was concerned? Instead, would a proper construction or interpretation of that bill be that it was intended to limit the electorate to former slaves and to persons unsympathetic with the position of those States during that war?

Mr. ERVIN. I think the idea of reconstructing them on the basis finally adopted had not then come into existence. I think the proposal then under consideration was advanced on the basis of the electorate authorized in 1860.

Mr. President, a moment ago, when I said that perhaps the assassin's bullet spared Lincoln from much abuse and suffering, I had in mind the fact that even during his lifetime he was maligned by the authors of the Wade-Davis bill and by the other supporters of that bill for his wise action in vetoing it.

After the assassin's bullet felled Lincoln, Andrew Johnson, the Vice President during Lincoln's administration, who was a native of North Carolina, succeeded Lincoln in the Presidency. At that time there was in existence what was known as the Joint Committee on Reconstruction. It was composed of six Senators and nine Members of the House of Representatives, and was dominated by Thaddeus Stevens, a Member of the House of Representatives from the State of Pennsylvania. That Joint Committee acquired domination over Congress; and it was not long before the Joint Committee found itself able to ride roughshod over Members of the Senate and Members of the House of Representatives who did not agree with its plans.

Some day, Mr. President, history will recognize that Andrew Johnson was one of the truly great men of America. When he became President of the United States, he undertook to carry into effect Lincoln's plan for the so-called reconstruction of the Confederate States. Andrew Johnson made a slight modification in the plan, in that he added a provision that those who had been disqualified as electors in those States by the Lincoln plan for reconstruction of the States should include those who owned $20,000 or more in property. But Andrew Johnson did a superb job in carrying out that plan, which, in effect, provided that the persons residing in those States who were qualified to vote by State laws should establish a State government, should outlaw the debts incurred by the Confederate States for war purposes, and should approve the laws and the amendment abolishing slavery.

Andrew Johnson was privileged to act, by reason of the fact that Congress was not in session at the time he assumed the Presidency and at the time he undertook to put into effect Lincoln's plan for reconstruction. Before Congress assembled in December 1865, all of the 11 Southern States, except Texas, had reorganized their State governments in accordance with the presidential plan of reconstruction and were maintaining law and order within the borders of their States and were operating civil courts for the trial of civil and criminal cases. The last Confederate soldier had laid down his arms and returned to peaceful pursuits. The people of the Southern States were looking forward to resuming their old place in the Union.

But Congress met. Congress immediately entered into a controversy with Andrew Johnson, claiming that the Congress, and not the President, had the power to reconstruct the governments in the Southern States.

About that time the Supreme Court of the United States entered the picture by handing down the most courageous decision ever rendered by that body. I refer to the decision in Ex parte Milligan.

Ex parte Milligan was a case which involved a civilian who was a resident of the State of Indiana. He had been tried before a military commission created by President Lincoln as Commander in Chief of the Army. Milligan had been convicted of treason and other charges and had been sentenced to death. Milligan's attorneys filed a petition in the circuit court for habeas corpus, contending that the courts of Indiana were open for the trial of criminal cases, that Milligan was not within the jurisdiction of the military commission, and that Milligan was surrounded by the protection of the constitutional provisions which required indictment by a grand jury and conviction by a petit jury before he could be punished for the charges preferred against him.

Milligan was defended in the Supreme Court of the United States on the review of the habeas corpus proceeding by Jeremiah Black, one of the greatest lawyers of America. The opinion of the Supreme Court in Ex parte Milligan was written by one of the greatest judges our Nation has ever known—Judge Davis, an Associate Justice of the Supreme Court. He was known not only for his great legal learning and his devotion to constitutional government, but also for his great courage, which never failed him.

Before reaching the main body of his opinion, Judge Davis set out some of the facts. Incidentally, his opinion is reported in 4 Wallace. The case begins at page 1 and runs through to page 142. The opinion of Judge Davis covers only a portion of those pages. It begins on page 107 and ends on page 131. It is an opinion which every person who believes in constitutional government ought to read and reread.

Beginning on page 118, Judge Davis said:

> The controlling question in the case is this: Upon the facts stated in Milligan's petition, and the exhibits filed, had the military commission mentioned in it, jurisdiction, legally, to try and sentence him? Milligan, not a resident of one of the rebellious States, or a prisoner of war, but a citizen of Indiana for 20 years past, and never in the military or naval service, is, while at his home, arrested by the military power of the United States, imprisoned, and, on certain criminal charges preferred against him, tried, convicted, and sentenced to be hanged by a military commission, organized under the direction of the military commander of the military district of Indiana. Had this tribunal the legal power and authority to try and punish this man?
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> No graver question was ever considered by this court, nor one which more nearly concerns the rights of the whole people; for it is the birthright of every American citizen when charged with crime, to be tried and punished according to law. The power of punishment is, alone through the means which the laws have provided for that purpose, and if they are ineffectual, there is an immunity from punishment, no matter how great an offender the individual may be, or how much his crimes may have shocked the sense of justice of the country, or endangered its safety. By the protection of the law human rights are secured; withdraw that protection, and they are at the mercy of wicked rulers, or the clamor of an excited people. If there was law to justify this military trial, it is not our province to interfere; if there was not, it is our duty to declare the nullity of the whole proceedings. The decision of this question does not depend on argument or judicial precedents, numerous and highly illustrative as they are. These precedents inform us of the extent of the struggle to preserve liberty and to relieve those in civil life from military trials. The founders of our government were familiar with the history of that struggle; and secured in a written constitution every right which the people had wrested from power during a contest of ages. By that Constitution and the laws authorized by it this question must be determined. The provisions of that instrument on the administration of criminal justice are too plain and direct, to leave room for misconstruction or doubt of their true meaning. Those applicable to this case are found in that clause of the original Constitution which says, "That the trial of all crimes, except in case of impeachment, shall be by jury;" and in the fourth, fifth, and sixth articles of the amendments. The fourth proclaims the right to be secure in person and effects against unreasonable search and seizure; and directs that a judicial warrant shall not issue "without proof of probable cause supported by Oath or affirmation." The fifth declares "that no person shall be held to answer for a capital or otherwise infamous crime, unless on presentment by a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger, nor be deprived of life, liberty, or property, without due process of law." And the sixth guarantees the right of trial by jury, in such manner and with such regulations that with upright judges, impartial juries, and an able bar, the innocent will be saved and the guilty punished. It is in these words: "In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor; and to have the Assistance of Counsel for his defence." These securities for personal liberty thus embodied, were such as wisdom and experience had demonstrated to be necessary for the protection of those accused of crime. And so strong was the sense of the country of their importance, and so jealous were the people that these rights, highly prized, might be denied them by implication, that when the original Constitution was proposed for adoption it encountered severe opposition; and, but for the belief that it would be so amended as to embrace them, it would never have been ratified.

I now come to the portion of this opinion which I think contains the greatest judicial language ever uttered on this continent. Judge Davis continued:

> Time has proven the discernment of our ancestors; for even these provisions, expressed in such plain English words, that it would seem the ingenuity of man could not evade them, are now, after the lapse of more than 70 years, sought to be avoided. Those great and good men foresaw that troublous times would arise, when rulers and people would become restive under restraint, and seek by sharp and decisive measures to accomplish ends deemed just and proper; and that the principles of constitutional liberty would be in peril, unless established by irrepealable law. The history of the world had taught them that what was done in the past might be attempted in the future. The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government, within the Constitution, has all the powers granted to it, which are necessary to preserve its existence; as has been happily proved by the result of the great effort to throw off its just authority.

Then, after discussing the fact that men in naval and military service were subject to trial by military courts rather than by juries in civil courts, Judge Davis says:

> All other persons, citizens of States where the courts are open, if charged with crime, are guaranteed the inestimable privilege of trial by jury. This privilege is a vital principle, underlying the whole administration of criminal justice; it is not held by sufferance, and cannot be frittered away on any plea of State or political necessity. When peace prevails, and the authority of the Government is undisputed, there is no difficulty of preserving the safeguards of liberty; for the ordinary modes of trial are never neglected, and no one wishes it otherwise; but if society is disturbed by civil commotion—if the passions of men are aroused and the restraints of law weakened, if not disregarded—these safeguards need, and should receive, the watchful care of those instructed with the guardianship of the Constitution and laws. In no other way can we transmit to posterity unimpaired the blessings of liberty, consecrated by the sacrifices of the Revolution.

Judge Davis then proceeded and showed that in the military trial Milligan had been denied his constitutional rights to be indicted by a grand jury before he could be put on trial, and his constitutional right to a trial by jury, and held that his trial before a military commission was a nullity under our Constitution.

As I speak in favor of the retention of rule XXII, which is one of the safeguards erected not for the benefit of individual Senators but, as former Senator Joe O'Mahoney said, "for the benefit of our country," I cannot help thinking that we ought to heed the words of Judge Davis when he said:

> Those great and good men—

Who drew up our Constitution—and the same applies to the great men who wrote the rules of the Senate—

> foresaw that troublous times would arise, when rulers and people would become restive under restraint, and seek by sharp and decisive measures to accomplish ends deemed just and proper.

As I have said, in my judgment this was the greatest decision ever handed down by the Supreme Court of the United States. It proclaims a great constitutional principle. It was written by a judge of the highest legal learning, of the greatest character, and of the stanchest courage.

When this decision was handed down the Joint Committee on Reconstruction and the other radicals in the Congress of the United States, and a considerable portion of the American press, heaped vituperation upon the Supreme Court of the United States. As a result of this decision the radicals, in control of the Congress, concluded that the Supreme Court of the United States had entered into a conspiracy with the President, Andrew Johnson, to thwart the will of the radicals.

They came to that conclusion because the purpose in the minds of the radicals was to destroy the State governments which had been erected in the Southern

States under the Presidential plan of reconstruction, and to establish military government in the South.

So, in July 1866 the radicals in Congress enacted a law for the purpose of keeping President Johnson from filling any vacancy on the Supreme Court. At that time there was one existing vacancy, and President Johnson had designated as his appointee for the vacancy Henry Stanbery, one of the greatest lawyers this country has ever known. When the bill was brought up in the Congress, one of the Representatives, who was piloting the bill through the House, was asked if the bill was intended to keep Stanbery from becoming a member of the Supreme Court. He frankly said, "Yes; and to prevent further appointments from being made by President Johnson."

The bill would have reduced the number of judges on the Supreme Court Bench by two, so as to take care of the then existing vacancy and those which might occur in the future during Johnson's Presidency.

Not only did the radicals in Congress make this proposal to prevent President Johnson from filling vacancies on the Supreme Court, but they began to demand that the Supreme Court be reorganized. They threatened to take away all of the appellate jurisdiction of the Supreme Court, and some of them went so far as to threaten to abolish the Supreme Court by constitutional amendment.

The radicals in Congress had such complete control over Congress that they would undoubtedly have been able to carry out their threat, so far as Congress was concerned, to enact a proposed constitutional amendment by a two-thirds vote, with a view to abolishing the Supreme Court of the United States.

It is not altogether surprising that some of the members of the Supreme Court began to lose their courage. The court handed down only two other courageous opinions in this period. One was the decision in the case of Cummings against Missouri, and the other was the decision in Ex parte Garland.

The first of these decisions involved the law of the State of Missouri. The legislature of that State had enacted a law providing that no man could practice his profession unless he was able to take an oath to the effect that he had never aided the Confederacy in any way.

It is a rather strange thing that the Missouri law was applied to a preacher. Cummings was a preacher, and he undertook to preach the gospel. For some reason, the legislature of Missouri thought it was better for sinners to go to the devil than to be brought to the Lord through the agency of a minister who could not take an oath that he had not aided the Confederacy in any manner. It is a rather strange conception that the State legislature could ever reach the conclusion that a man ought not to be able to preach the gospel of Christ if he had had anything to do with the Confederacy. The legislature of Missouri had evidently forgotten something of the record of Saul of Tarsus, who became Paul, the great apostle to the gentiles.

The other case involved one of the great lawyers of this Nation, Augustus H. Garland, who was noted for his appearances in many cases before the Supreme Court of the United States.

In those two cases, the Supreme Court, which had not been frightened entirely away from courageous action by radicals in Congress, held that the law of Missouri and a Federal statute enacted by Congress which attempted to apply the same rule to attorneys were ex post facto laws and therefore unconstitutional.

But thereafter too much courage was not exhibited by the members of the Supreme Court, with the possible exception of Judge Davis, Judge Grier, and one or two others, because, as Benjamin R. Curtis, a great lawyer from Massachusetts, wrote about this time, "The Congress, with the acquiescence of the country, has subdued the Supreme Court as well as the President."

In other words, the radicals in Congress had threatened to impeach members of the Supreme Court or to rob them of their jurisdiction, and even to abolish the Court by a constitutional amendment, because they were displeased with the courage the Court had displayed in Ex parte Milligan, in Cummings against Missouri, and in Ex parte Garland. That was the way they dealt with the Supreme Court.

Just to elaborate on that particular point, let me say that the radicals in Congress took control of the Congress and rode roughshod over those Members of Congress who dared to oppose them. They subdued the Supreme Court to such an extent that it practically withdrew from the constitutional field insofar as the Southern States were concerned. They prevented the Southern States from defending themselves by denying them representation in the Senate and in the House of Representatives. Then they undertook to enact laws under which they would take charge, through military forces, of local government in all of the Southern States except Tennessee. Tennessee was allowed representation in the Senate and in the House, while the other 10 Southern States were denied such representation, because Tennessee had ratified the 14th amendment and the other 10 Southern States had rejected the 14th amendment.

In March 1867 the radicals, who controlled Congress, passed the most monstrous legislation ever passed in American history.

I refer to the so-called Reconstruction acts under which all Southern States, except Tennessee, were placed under military government. Also at that time a statute was enacted which was directed against President Johnson. I refer to the Tenure of Office Act.

President Johnson had inherited, as a part of Lincoln's Cabinet, the Secretary of War, Edwin M. Stanton, who proved himself to be in alliance with the radicals in Congress and unfaithful to his chief, the President.

The radicals in Congress were afraid that President Johnson would do what any person in his situation desired to do, and remove Stanton from office as Secretary of War. Therefore, Congress passed the Tenure of Office Act, which provided in substance that the President could not remove from office any appointee whose appointment had been confirmed by the Senate. Andrew Johnson felt that this act was unconstitutional, and he removed Stanton from his post as Secretary of War. That act on his part was the chief cause of his later impeachment by the House of Representatives, controlled as it was, by the radicals.

I come now to the Reconstruction acts, which I consider the most monstrous and unconstitutional legislation ever enacted in this Nation.

I should like to read from a book written by one of my former teachers of history, Dr. J. G. de Roulhac Hamilton, entitled "Reconstruction in North Carolina." The book was published at Columbia University in 1914. But before I read a passage from that book, I wish to state that the 10 Southern States, when they were represented by legislatures elected by voters possessing constitutional qualifications, that is, qualifications prescribed by State law, all rejected the 14th amendment.

I now read from pages 216 to 219 of "Reconstruction in North Carolina":

> The fate of the 14th amendment, when submitted to the North Carolina Legislature, has been noticed.[1] It met with rejection in all the other Southern States except Tennessee. When Congress met in December 1866 enough of the Southern States had rejected the amendment to show the prevailing opinion in the South, and consequently the question at once arose as to what policy should be adopted. The uncertainty in regard to this became less as the remaining Southern States in turn rejected the amendment. Consequently, in February 1867 it became a determined fact that the State governments, as organized by the President, should be superseded by others organized under military authority; that the political leaders of the Southern States should be disqualified from taking part in the reorganization of the governments; and that the right of suffrage should be extended to the Negro by national legislation, in utter defiance of the constitutional right of the individual States in the matter.

I digress from a reading of the text to say that in North Carolina there had been an election in 1865, conducted under the presidential plan for reconstruction, and the State government had been reestablished by its people, with officers coming largely from those North Carolinians who had opposed secession from the Union. The State Legislature of North Carolina, like the State legislatures of other Southern States, had ratified the 13th amendment prohibiting slavery, and had outlawed the Confederate debt, and had also accepted in good faith all the other conditions prescribed by the presidential plan for reconstruction.

This Government had been in existence for approximately 2 years when the first of the Reconstruction acts was passed.

I now resume my reading from "Reconstruction in North Carolina," by Dr. Hamilton:

> In pursuance of this determination, the act of March 2, 1867, "to provide for a more efficient government of the rebel States," was passed. It was vetoed by the President, but was passed over the veto on the same

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[1] Cf. supra, p. 187.

> day. Declaring in the preamble that no legal State governments or adequate protection for life or property existed in the 10 "rebel" States, the act provided that these States should be divided into 5 military districts, each under an officer of the army of not lower rank than brigadier general, and made subject to the military authority of the United States. North Carolina and South Carolina formed the second district. The commander of each district was required to protect all persons in their rights and to suppress insurrection, disorder, and violence. In the punishment of offenders, he was authorized to allow the civil tribunals to take jurisdiction, or if he deemed it necessary, to organize military commissions for the purpose. All interference with such tribunals by the State authorities was declared void and of no effect. It was further provided that the people of any of the said States should be entitled to representation whenever they should have framed and ratified a constitution in conformity with the Constitution of the United States. This constitution must be framed by a convention elected by the male citizens of the State, regardless of race, color, or previous condition, with the exception of those disfranchised for participation in rebellion or for felony. Those persons on whom disabilities would be imposed by the proposed 14th amendment were disqualified from holding a seat in the convention and from voting for delegates. The constitution thus framed, and containing the provision that all persons whom the act of Congress made electors should retain the electoral franchise, must then be approved by Congress. Whenever representatives should be admitted, the portion of the act establishing military governments would become inoperative so far as concerned the State in question. Until the completion of this reconstruction, the existing civil governments were declared provisional and liable at any time to modification or abolition.
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> On March 23, a supplementary act was passed. The original act left the whole matter of the initiation of reconstruction very indefinite. The supplementary act provided that the district commanders should cause a registration to be made of all male citizens who could take a required oath as to their qualifications as electors. The election of delegates to a convention should then be held by the commanders. For the sake of giving at least an appearance of following the will of the people, the act provided that the question of holding a convention should be submitted to them at the same time. Unless a majority of the registered voters took part in the election and a majority in favor of holding the convention resulted, no convention should be held. Provision was made for boards of election composed only of those who could take the ironclad oath. Finally, it was provided that a majority of those registered must take part in the voting on the ratification of the Constitution in order to make it valid. This act was also vetoed by President Johnson and promptly repassed by the required majorities.
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> In July, Congress met again. In the meantime Attorney General Stanbery had sent to the President an interpretation of the act, which closely restricted the power of the military commanders. At once another supplementary act was passed, as an authoritative interpretation of the former acts. It gave the commanders full power to make any removals from office that they might see fit, and authorized the boards of registration to go behind the oath of an applicant for registration whenever it seemed to them necessary. District commanders, the boards of registration, and all officers acting under either were relieved from the necessity of acting in accordance with the opinion of any civil officer of the United States. The executive and judicial officers referred to in the imposition of disabilities were declared to include the holders of all civil offices created by law for the administration of justice or for the administration of any general law of a State. An extension of time for registration was authorized, and also a revision of the lists of registered voters before the election. This act, as was now the customary thing, had to be passed over the President's veto.
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> Such was the most important legislation enacted for the restoration of the South. Questions of precedent and of constitutional law were alike disregarded in their passage, and justification found for all.

Mr. President, I have read a synopsis from Dr. Hamilton's book, setting forth the provisions of the Reconstruction acts. These acts provided for military government in the South. They provided that the South should be garrisoned. A garrison was stationed in my hometown until 1874, if my recollection of history serves me aright. I have heard older men in my county tell how they had to go through the ranks of soldiers of the army of occupation in order to vote in 1868, and see their natural leaders, on whose advice they had relied in times past, sit on rail fences and not vote because they were disfranchised.

The gentleman in charge of each of those five military districts was given the power to decide whether civilians should be tried by military commissions or in civil courts. They were given the power to remove from office any of the State or local officials who had been placed in office under Presidential reconstruction. They were given charge of the election machinery of those States and charge of the elections and of registration of voters. They were even excused by act of Congress from paying any attention to any advice they received from any civil authorities at the National or State level.

Of course, those States tried to get an interpretation of the Reconstruction acts and to get a decision from the Supreme Court of the United States as to their constitutionality. The first of these attempts was made on April 5, 1867, when three great lawyers, Robert J. Walker, Augustus H. Garland, and William H. Sharkey, applied to the Supreme Court for leave to file a bill in equity to enjoin "Andrew Johnson, a citizen of the State of Tennessee and President of the United States, and his officers and agents appointed for that purpose, and especially E. O. C. Ord, assigned as military commander of the district * * * from executing or in any manner carrying out the acts of March 2 and 25, 1867."

The Supreme Court refused to allow those attorneys, who were representing the State of Mississippi, to file such a bill in equity in the Supreme Court; and that first attempt to secure a decision in regard to the constitutionality of the Reconstruction Acts failed. On April 15 the Supreme Court held that it would not permit a bill in equity to be filed, because it did not wish to pass on the delicate issue as to the power of the Court to control Executive acts; and, therefore, the Court denied the leave sought.

A few days later another application was made to the Supreme Court for permission to file a bill in equity to challenge the constitutionality of the Reconstruction acts; and the Supreme Court granted that application. However, after argument, a few days later the Court entered a decision dismissing the suit—on the ground that it called for adjudication, not of the rights of persons or property, but of rights of a political character affecting the sovereignty or corporate existence of a State; and the Court said it had no jurisdiction over such a controversy.

Then it appeared possible that by a curious twist of fate a case which did reach the Supreme Court of the United States would require the Court to pass on the constitutionality of a statute which the radicals had passed in Congress on February 5, 1867, for the benefit of Federal officials and so-called loyal persons in the South. That statute was so phrased that it gave the Federal circuit courts jurisdiction in all cases in which any person was restrained or deprived of his liberty, in violation of the Constitution or in violation of any treaty or law of the United States. It happened that at that time there was in Vicksburg, Miss., an editor, named McCardle, who had published in his newspaper an editorial criticizing the military government then in vogue in Mississippi and in other Southern States. The radicals in Congress had no respect for the right of freedom of speech, which was supposed to be secured by the first amendment of the Constitution to persons who disagreed with them; and McCardle was arrested, at the instance of the military authorities, for speaking ill of them. He was imprisoned, and was held for trial before a military commission. He applied to the circuit court for habeas corpus for his release, on the ground that his arrest and detention under the Reconstruction acts violated the Constitution. When the circuit court refused to grant him his liberty, he appealed to the Supreme Court of the United States. He was asserting a constitutional right as a person; and the Supreme Court of the United States clearly had jurisdiction of his case, and the case clearly made it necessary—if the Supreme Court was to discharge any judicial function whatever—for it to rule on the constitutionality of the Reconstruction acts. That situation sent a good deal of fear into the hearts of the radicals who then controlled Congress because their actions showed time and time again that they were conscious of the unconstitutionality of the Reconstruction acts. So the radicals introduced in Congress a bill which provided that in any case involving the constitutionality of an act of Congress, unless two-thirds of the judges of the Supreme Court agreed that the act was unconstitutional, the Court could not hand down such a decision. That bill was defeated because of the terrible criticism it received at the hands of the American bar.

So, at the instance of Thaddeus Stevens, the radicals then introduced in the Senate a bill which forbade the Supreme Court of the United States to take jurisdiction of any case in law or equity which arose out of the Reconstruction acts. That bill also caused a violent reaction in the press and among the lawyers of the North, and the bill was laid aside.

Finally, the McCardle case was argued before the U.S. Supreme Court, and the Supreme Court took it under advisement. When that happened, the radicals saw it was necessary for them to take some drastic action immediately. As I have pointed out, McCardle had done nothing except exercise his right of free speech, and he was applying for a writ of habeas corpus to free him from his imprisonment—which he claimed was illegal and unconstitutional—under the Reconstruction acts. He was seeking the greatest right of all—the right to secure the liberty of a person against unlawful imprisonment—that had ever been developed in any legal system on the face of the earth.

So what did the radicals in Congress do in their attempt to keep the Supreme Court of the United States from handing down a decision as to the constitutionality of the Reconstruction acts under which McCardle was arrested and held for trial, before a military tribunal, for exercising the right of freedom of speech and for condemning something which ought to have been condemned? The radicals in Congress succeeded in having passed a statute which robbed the Supreme Court of the United States of its jurisdiction to review habeas corpus proceedings brought under the act of 1867.

Mr. President (Mr. Byrd of Virginia in the chair), in that connection, a certain amount of criticism can justly be leveled at the Supreme Court of the United States, because the Court had heard arguments in that case and had taken the case under advisement before that measure was brought up in Congress, and the bill was passed through the House, in the first instance, by a sneak action, in which a Member of the House obtained unanimous consent to have the House take up a bill, then on the calendar, which had no relationship to this matter. It was taken up, following a statement that it was an innocuous bill, but then the bill was amended so suddenly in that way that scarcely any other Member of the House knew what had happened. The bill was then passed by both Houses of Congress, but was vetoed by President Johnson, and it was passed over President Johnson's veto, in the course of a heated debate in which the opponents of the bill—such as Senator Reverdy Johnson and others—correctly characterized the bill, and in no uncertain terms condemned the action of the radicals in having it passed.

So the Supreme Court missed a glorious opportunity to hand down a decision on that act. On the contrary, apparently the majority of the Court postponed action so that Congress could act, thus enabling the Court to escape making a decision. That statement does not apply to some of the judges, because some of them wanted to take action.

The bill was passed by the Congress while the impeachment trial of Andrew Johnson was in progress in this very Senate Chamber. The greatest exhibition of courage of the most sublime character ever given by any President of the United States was given by Andrew Johnson at that time. He was actually being tried at the instigation of the radicals who controlled Congress in an impeachment proceeding which could have resulted in his removal from office and his inability ever to occupy another office under the Federal Government. Despite that fact, Andrew Johnson signed a magnificent statement vetoing the act of Congress which robbed the Supreme Court of jurisdiction to review the McCardle decision. He said in his great veto message:

> It will be justly held by a large portion of the people as an admission of the unconstitutionality of the act on which its judgment may be forbidden or forestalled, and may interfere with their willing acquiescence in its provisions, which is necessarily harmonious and efficient execution of any law.

In other words, at the very time when his political life was at stake in the impeachment proceeding, that President, a man who had fewer opportunities in life than any other man who has attained that high office, had the courage to veto the bill which most of his judges had assisted in passing through the Congress.

(At this point, Mr. Brewster took the chair as Presiding Officer.)

Mr. ERVIN. Some time ago I said that I favored the retention of the two-thirds requirement of rule XXII, because the history of the Nation showed that at one time the constitutional provision requiring a two-thirds vote to remove a President had prevented the total blackout of constitutional government in the United States.

Let us stop and think a moment of that impeachment proceeding. The Members of Congress who were controlled by the radicals knew that Andrew Johnson had not done anything to merit impeachment. They knew that Andrew Johnson had not been guilty of treason. On the contrary, they knew that Andrew Johnson had been trying to save the Constitution and constitutional government from destruction at their hands. They knew that Andrew Johnson had not been guilty of bribery. They knew that Andrew Johnson had not committed any high crime or misdemeanor. They knew that the only offense of which Andrew Johnson was guilty was his fidelity to the oath which he had taken to uphold the Constitution of the United States. They knew that the only thing they really had against Andrew Johnson was that he had vetoed acts of Congress which were entirely inconsistent with the Constitution and which were absolutely repugnant to free government in the United States.

Those were tragic days. The greatest tragedy lies in the fact that they showed that partisans will yield to temptation in times of stress and turmoil. This entire tragic story illustrates beyond any doubt that if liberty is to be preserved in our Nation, there must be some safeguards which will restrain impatient and intemperate acts on the part of those in authority in times of stress, strain, and turmoil.

Despite the fact that all of the Members of the House of Representatives knew that Andrew Johnson had not committed treason, bribery, or any high crime or misdemeanor as grounds for impeachment under the Constitution, the House of Representatives, by an overwhelming majority, impeached him on false charges, the main charge being that he had violated the Tenure-of-Office Act. Incidentally, at this point, I add that Andrew Johnson made repeated efforts to obtain a decision from the Supreme Court of the United States as to the validity and constitutionality of the Tenure-of-Office Act. He was unable to obtain such a decision because, as Benjamin R. Curtis has said, the radicals subdued the Supreme Court, at least temporarily.

Andrew Johnson was the only public official in our Nation who was able to stand between a radical Congress and a complete blackout of constitutional government in the United States.

So he was impeached, because he was resisting the radical Congress and its unconstitutional measures. They reasoned that if they could get rid of Andrew Johnson and remove him from office, he would be succeeded, in all probability, by Senator Wade, one of the chief leaders of the radicals, who would do the will of the radicals.

Impeachment proceedings were brought against Andrew Johnson in the House of Representatives. He was tried in the Senate Chamber. In all human probability, Chief Justice Salmon P. Chase, as the Presiding Officer at the impeachment trial of Andrew Johnson, sat in the seat now occupied by the Presiding Officer.

Chief Justice Chase was a man of rare ability. As Chief Justice he did many things which manifested his courage. He presided over the impeachment trial of Andrew Johnson in an extremely fair and legal manner. However, I feel that he missed greatness by a narrow margin, because of his ambition to be President of the United States. On rare occasions he had a tendency to fail to match his great ability with what was right. He yielded to the temptation to trim his sails to fit the political winds.

The trial occurred in this Senate Chamber.

Subsection 6 of section 3 of article I of the Constitution saved this Nation from a most disgraceful event. That was because it provides that when the Senate of the United States sits as a court of impeachment the person being impeached cannot be convicted without the concurrence of two-thirds of the Members present.

Andrew Johnson was saved from impeachment by the vote of one Senator, because those voting for his conviction lacked one vote of having the constitutionally required two-thirds majority.

The President of the United States has written a very fine chapter in his book entitled "Profiles in Courage," on one of the Senators who voted with the minority. The President writes of Edmund G. Ross. It has always seemed to me there was another Senator who voted with the minority who deserved great credit. I think the other Senator was James W.

Grimes, a Member of the Senate who had a stroke of paralysis and who had himself carried into this Chamber in order that he might vote against the unjust impeachment of a President of the United States who was standing between a radical Congress and complete destruction of constitutional government in America.

At the risk of being somewhat tedious, I shall read what the President said about this trial and particularly what he said about Senator Edmund G. Ross. It is a stirring chapter. It is a stirring chapter because it deals with a man who had the courage to vote with the minority for what was right in the face of what was probably the greatest popular demand for an unjust act that this country has ever witnessed:

> In a lonely grave, forgotten and unknown, lies "the man who saved a President," and who as a result may well have preserved for ourselves and posterity constitutional government in the United States—the man who performed in 1868 what one historian has called the most heroic act in American history, incomparably more difficult than any deed of valor upon the field of battle—but a U.S. Senator whose name no one recalls: Edmund G. Ross of Kansas.

I digress for a moment to say that if the radical Congress had been successful in the conviction of Andrew Johnson and had removed him from office this would have set a precedent for other partisans and other radicals in the control of the Congress to follow, and we might have seen constitutional government in this country become as unstable as it is in many other parts of the Americas.

I resume the reading of the President's article:

> The impeachment of President Andrew Johnson, the event in which the obscure Ross was to play such a dramatic role, was the sensational climax to the bitter struggle between the President, determined to carry out Abraham Lincoln's policies of reconciliation with the defeated South, and the more radical Republican leaders in Congress, who sought to administer the downtrodden Southern States as conquered provinces which had forfeited their rights under the Constitution. It was, moreover, a struggle between executive and legislative authority. Andrew Johnson, the courageous if untactful Tennessean who had been the only southern Member of Congress to refuse to secede with his State, had committed himself to the policies of the Great Emancipator to whose high station he had succeeded only by the course of an assassin's bullet. He knew that Lincoln prior to his death had already clashed with the extremists in Congress, who had opposed his approach to reconstruction in a constitutional and charitable manner and sought to make the legislative branch of the Government supreme. And his own belligerent temperament soon destroyed any hope that Congress might now join hands in carrying out Lincoln's policies of permitting the South to resume its place in the Union with as little delay and controversy as possible.
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> By 1866, when Edmund Ross first came to the Senate, the two branches of the Government were already at each other's throats, snarling and bristling with anger. Bill after bill was vetoed by the President on the grounds that they were unconstitutional, too harsh in their treatment of the South, an unnecessary prolongation of military rule in peacetime or undue interference with the authority of the executive branch. And for the first time in our Nation's history, important public measures were passed over a President's veto and became law without his support.
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> But not all of Andrew Johnson's vetoes were overturned; and the radical Republicans of the Congress promptly realized that one final step was necessary before they could crush their despised foe (and in the heat of political battle their vengeance was turned upon their President far more than their former military enemies of the South). That one remaining step was the assurance of a two-thirds majority in the Senate—for under the Constitution, such a majority was necessary to override a Presidential veto. And more important, such a majority was constitutionally required to accomplish their major ambition, now an ill-kept secret, conviction of the President under an impeachment and his dismissal from office.
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> The temporary and unstable two-thirds majority which had enabled the Senate radical Republicans on several occasions to enact legislation over the President's veto was, they knew, insufficiently reliable for an impeachment conviction. To solidify this bloc became the paramount goal of Congress, expressly or impliedly governing its decisions on other issues—particularly the admission of new States, the readmission of Southern States and the determination of senatorial credentials. By extremely dubious methods a pro-Johnson Senator was denied his seat. Over the President's veto Nebraska was admitted to the Union, seating two more anti-administration Senators. Although last minute maneuvers failed to admit Colorado over the President's veto (sparsely populated Colorado had rejected statehood in a referendum), an unexpected tragedy brought false tears and fresh hopes for a new vote, in Kansas.
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> Senator Jim Lane, of Kansas, had been a conservative Republican sympathetic to Johnson's plans to carry out Lincoln's reconstruction policies. But his frontier State was one of the most radical in the Union. When Lane voted to uphold Johnson's veto of the civil rights bill of 1866 and introduced the administration's bill for recognition of the new State government of Arkansas, Kansas had arisen in outraged heat. A mass meeting at Lawrence had vilified the Senator and speedily reported resolutions sharply condemning his position. Humiliated, mentally ailing, broken in health and laboring under charges of financial irregularities, Jim Lane took his own life on July 1, 1866.
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> With this thorn in their side removed, the radical Republicans in Washington looked anxiously toward Kansas and the selection of Lane's successor. Their fondest hopes were realized, for the new Senator from Kansas turned out to be Edmund G. Ross, the very man who had introduced the resolutions attacking Lane at Lawrence.
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> There could be no doubt as to where Ross' sympathies lay, for his entire career was one of determined opposition to the slave States of the South, their practices and their friends. In 1854, when only 28, he had taken part in the mob rescue of a fugitive slave in Milwaukee. In 1856, he had joined that flood of antislavery immigrants to "bleeding" Kansas who intended to keep it a free territory. Disgusted with the Democratic Party of his youth, he had left that party, and volunteered in the Kansas Free State army to drive back a force of proslavery men invading the territory. In 1862, he had given up his newspaper work to enlist in the Union Army, from which he emerged a major. His leading role in the condemnation of Lane at Lawrence convinced the radical Republican leaders in Congress that in Edmund G. Ross they had a solid member of that vital two-thirds.
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> The stage was now set for the final scene—the removal of Johnson. Early in 1867, Congress enacted over the President's veto the tenure-of-office bill which prevented the President from removing without the consent of the Senate all new officeholders whose appointment required confirmation by that body. At the time nothing more than the cry for more patronage was involved, Cabinet members having originally been specifically exempt.
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> On August 5, 1867, President Johnson—convinced that the Secretary of War, whom he had inherited from Lincoln, Edwin M. Stanton, was the surreptitious tool of the radical Republicans and was seeking to become the almighty dictator of the conquered South—asked for his immediate resignation; and Stanton arrogantly fired back the reply that he declined to resign before the next meeting of Congress. Not one to cower before this kind of effrontery, the President one week later suspended Stanton, and appointed in his place the one man whom Stanton did not dare resist, General Grant. On January 13, 1868, an angry Senate notified the President and Grant that it did not concur in the suspension of Stanton, and Grant vacated the office upon Stanton's return. But the situation was intolerable. The Secretary of War was unable to attend Cabinet meetings or associate with his colleagues in the administration; and on February 21, President Johnson, anxious to obtain a court test of the act he believed obviously unconstitutional, again notified Stanton that he had been summarily removed from the office of Secretary of War.
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> While Stanton, refusing to yield possession, barricaded himself in his office, public opinion in the Nation ran heavily against the President. He had intentionally broken the law and dictatorially thwarted the will of Congress. Although previous resolutions of impeachment had been defeated in the House, both in committee and on the floor, a new resolution was swiftly reported and adopted on February 24 by a tremendous vote. Every single Republican voted in the affirmative, and Thaddeus Stevens of Pennsylvania—the crippled, fanatical personification of the extremes of the radical Republican movement, master of the House of Representatives, with a mouth like the thin edge of an ax—warned both Houses of the Congress coldly: "Let me see the recreant who would vote to let such a criminal escape. Point me to one who will dare do it and I will show you one who will dare the infamy of posterity."
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> With the President impeached—in effect, indicted—by the House, the frenzied trial for his conviction or acquittal under the Articles of Impeachment began on March 5 in the Senate, presided over by the Chief Justice. It was a trial to rank with all the great trials in history—Charles I before the High Court of Justice, Louis XVI before the French Convention, and Warren Hastings before the House of Lords. Two great elements of drama were missing: the actual cause for which the President was being tried was not fundamental to the welfare of the Nation; and the defendant himself was at all times absent.
>
> But every other element of the highest courtroom drama was present. To each Senator the Chief Justice administered an oath "to do impartial justice" (including even the hotheaded radical Senator from Ohio, Benjamin Wade, who as President pro tempore of the Senate was next in line for the Presidency). The chief prosecutor for the House was Gen. Benjamin F. Butler, the "butcher of New Orleans," a talented but coarse and demagogic Congressman from Massachusetts. (When he lost his seat in 1874, he was so hated by his own party as well as his opponents that one Republican wired concerning the Democratic sweep, "Butler defeated, everything else lost.") Some 1,000 tickets were printed for admission to the Senate galleries during the

trial, and every conceivable device was used to obtain one of the four tickets allotted each Senator.

From the 5th of March to the 16th of May, the drama continued. Of the 11 articles of impeachment adopted by the House, the first 8 were based upon the removal of Stanton and the appointment of a new Secretary of War in violation of the Tenure of Office Act; the 9th related to Johnson's conversation with a general which was said to induce violations of the Army Appropriations Act; the 10th recited that Johnson had delivered "intemperate, inflammatory, and scandalous harangues * * * as well against Congress as the laws of the United States"; and the 11th was a deliberately obscure conglomeration of all the charges in the preceding articles which had been designed by Thaddeus Stevens to furnish a common ground for those who favored conviction but were unwilling to identify themselves on basic issues. In opposition to Butler's inflammatory arguments in support of this hastily drawn indictment, Johnson's able and learned counsel replied with considerable effectiveness. They insisted that the Tenure of Office Act was null and void as a clear violation of the Constitution; that even if it were valid, it would not apply to Stanton, for the reasons previously mentioned; and that the only way that a judicial test of the law could be obtained was for Stanton to be dismissed and sue for his rights in the courts.

I digress at this point to say that since that time the Supreme Court has held in many cases that a President has the constitutional power to remove from office any person he appoints to an office, regardless of whether that persons' appointment has been confirmed by the Senate. So the position of Johnson's lawyers in the impeachment proceedings that the Tenure of Office Act was unconstitutional has been confirmed many times.

I continue to read:

But as the trial progressed, it become increasingly apparent that the impatient Republicans did not intend to give the President a fair trial on the formal issues upon which the impeachment was drawn, but intended instead to depose him from the White House on any grounds, real or imagined, for refusing to accept their policies. Telling evidence in the President's favor was arbitrarily excluded. Prejudgment on the part of most Senators was brazenly announced. Attempted bribery and other forms of pressure were rampant. The chief interest was not in the trial or the evidence, but in the tallying of votes necessary for conviction.

Twenty-seven States (excluding the unrecognized Southern States) in the Union meant 54 Members of the Senate, and 36 votes were required to constitute the two-thirds majority necessary for conviction. All 12 Democratic votes were obviously lost, and the 42 Republicans knew that they could afford to lose only 6 of their own Members if Johnson were to be ousted. To their dismay, at a preliminary Republican caucus, six courageous Republicans indicated that the evidence so far introduced was not in their opinion sufficient to convict Johnson under the articles of impeachment. "Infamy," cried the Philadelphia Press. The Republic has "been betrayed in the house of its friends."

But if the remaining 36 Republicans would hold, there would be no doubt as to the outcome. All must stand together. But one Republican Senator would not announce his verdict in the preliminary poll—Edmund G. Ross, of Kansas. The radicals were outraged that a Senator from such an anti-Johnson stronghold as Kansas could be doubtful. "It was a very clear case," Senator Sumner, of Massachusetts, fumed, "especially for a Kansas man. I did not think that a Kansas man could quibble against his country."

From the very time Ross had taken his seat, the radical leaders had been confident of his vote. His entire background, as already indicated, was one of firm support of their cause. One of his first acts in the Senate had been to read a declaration of his adherence to radical Republican policy, and he had silently voted for all of their measures. He had made it clear that he was not in sympathy with Andrew Johnson personally or politically; and after the removal of Stanton, he had voted with the majority in adopting a resolution declaring such removal unlawful. His colleague from Kansas, Senator Pomeroy, was one of the most radical leaders of the anti-Johnson group. The Republicans insisted that Ross's crucial vote was rightfully theirs and they were determined to get it by whatever means available. As stated by DeWitt in his memorable "Impeachment of Andrew Johnson," "The full brunt of the struggle turned at last on the one remaining doubtful Senator, Edmund G. Ross."

When the impeachment resolution had passed the House, Senator Ross had casually remarked to Senator Sprague of Rhode Island, "Well, Sprague, the thing is here; and, so far as I am concerned, though a Republican and opposed to Mr. Johnson and his policy, he shall have as fair a trial as an accused man ever had on this earth." Immediately the word spread that "Ross was shaky." "From that hour," he later wrote, "not a day passed that did not bring me, by mail and telegraph and in personal intercourse, appeals to stand fast for impeachment, and not a few were the admonitions of condign visitations upon any indication even of lukewarmness."

"Throughout the country, and in all walks of life, as indicated by the correspondence of Members of the Senate, the condition of the public mind was not unlike that preceding a great battle. The dominant party of the Nation seemed to occupy the position of public prosecutor, and it was scarcely in the mood to brook delay for trial or to hear defense. Washington had become during the trial the central point of the politically dissatisfied and swarmed with representatives of every State of the Union, demanding in a practically united voice the deposition of the President. The footsteps of the anti-impeaching Republicans were dogged from the day's beginning to its end and far into the night, with entreaties, considerations, and threats. The newspapers came daily filled with not a few threats of violence upon their return to their constituents."

Ross and his fellow doubtful Republicans were daily pestered, spied upon and subjected to every form of pressure. Their residences were carefully watched, their social circles suspiciously scrutinized, and their every move and companions secretly marked in special notebooks. They were warned in the party press, harangued by their constituents, and sent dire warnings threatening political ostracism and even assassination. Stanton himself, from his barricaded headquarters in the War Department, worked day and night to bring to bear upon the doubtful Senators all the weight of his impressive military associations. The Philadelphia Press reported "a fearful avalanche of telegrams from every section of the country," a great surge of public opinion from the "common people" who had given their money and lives to the country and would not "willingly or unavenged see their great sacrifice made naught."

The New York Tribune reported that Edmund Ross in particular was "mercilessly dragged this way and that by both sides, hunted like a fox night and day and badgered by his own colleague, like the bridge at Arcola now trod upon by one army and now trampled by the other." His background and life were investigated from top to bottom, and his constituents and colleagues pursued him throughout Washington to gain some inkling of his opinion. He was the target of every eye, his name was on every mouth and his intentions were discussed in every newspaper. Although there is evidence that he gave some hint of agreement to each side, and each attempted to claim him publicly, he actually kept both sides in a state of complete suspense by his judicial silence.

But with no experience in political turmoil, no reputation in the Senate, no independent income and the most radical State in the Union to deal with, Ross was judged to be the most sensitive to criticism and the most certain to be swayed by expert tactics. A committee of Congressmen and Senators sent to Kansas, and to the States of the other doubtful Republicans, this telegram: "Great danger to the peace of the country and the Republican cause if impeachment fails. Send to your Senators public opinion by resolutions, letters, and delegations." A member of the Kansas Legislature called upon Ross at the Capitol. A general urged on by Stanton remained at his lodge until 4 o'clock in the morning determined to see him. His brother received a letter offering $20,000 for revelation of the Senator's intentions. Gruff Ben Butler exclaimed of Ross, "There is a bushel of money. How much does the damned scoundrel want?" The night before the Senate was to take its first vote for the conviction or acquittal of Johnson, Ross received this telegram from home:

"Kansas has heard the evidence and demands the conviction of the President.

"D. R. ANTHONY AND 1,000 OTHERS."

And on that fateful morning of May 16 Ross replied:

"To D. R. ANTHONY AND 1,000 OTHERS": I do not recognize your right to demand that I vote either for or against conviction. I have taken an oath to do impartial justice according to the Constitution and laws, and trust that I shall have the courage to vote according to the dictates of my judgment and for the highest good of the country.

"E. G. ROSS."

That morning spies traced Ross to his breakfast; and 10 minutes before the vote was taken his Kansas colleague warned him in the presence of Thaddeus Stevens that a vote for acquittal would mean trumped up charges and his political death.

But now the fateful hour was at hand. Neither escape, delay or indecision was possible. As Ross himself later described it: "The galleries were packed. Tickets of admission were at an enormous premium. The House had adjourned and all of its members were in the Senate chamber. Every chair on the Senate floor was filled with a Senator, a Cabinet Officer, a member of the President's counsel or a Member of the House." Every Senator was in his seat, the desperately ill Grimes, of Iowa, being literally carried in.

It had been decided to take the first vote under that broad 11th article of impeachment, believed to command the widest support. As the Chief Justice announced the voting would begin, he reminded "the citizens and strangers in the galleries that absolute silence and perfect order are required."

But already a deathlike stillness enveloped the Senate Chamber. A Congressman later recalled that, "Some of the Members of the House near me grew pale and sick under the burden of suspense"; and Ross noted that there was even "a subsidence of the shuffling of feet, the rustling of silks, the fluttering of fans, and of conversation."

The voting tensely commenced. By the time the Chief Justice reached the name of

Edmund Ross 24 "guilties" had been pronounced. Ten more were certain and one other practically certain. Only Ross' vote was needed to obtain the 36 votes necessary to convict the President. But not a single person in the room knew how this young Kansan would vote. Unable to conceal the suspense and emotion in his voice, the Chief Justice put the question to him: "Mr. Senator Ross, how say you? Is the respondent Andrew Johnson guilty or not guilty of a high misdemeanor as charged in this article?" Every voice was still; every eye was upon the freshman Senator from Kansas. The hopes and fears, the hatred and bitterness of past decades were centered upon this one man.

As Ross himself later described it, his "powers of hearing and seeing seemed developed in an abnormal degree.

"Every individual in that great audience seemed distinctly visible, some with lips apart and bending forward in anxious expectancy, others with hand uplifted as if to ward off an apprehended blow * * * and each peering with an intensity that was almost tragic upon the face of him who was about to cast the fateful vote. Every fan was folded, not a foot moved, not the rustle of a garment, not a whisper was heard. * * * Hope and fear seemed blended in every face, instantaneously alternating, some with revengeful hate * * * others lighted with hope. The Senators in their seats leaned over their desks, many with hand to ear. It was a tremendous responsibility, and it was not strange that he upon whom it had been imposed by a fateful combination of conditions should have sought to avoid it, to put it away from him as one shuns, or tries to fight off, a nightmare. I almost literally looked down into my open grave. Friendships, position, fortune, everything that makes life desirable to an ambitious man were about to be swept away by the breath of my mouth, perhaps forever. It is not strange that my answer was carried waveringly over the air and failed to reach the limits of the audience, or that repetition was called for by distant Senators on the opposite side of the Chamber."

Then came the answer again in a voice that could not be misunderstood—full, final, definite, unhesitating, and unmistakable: "Not guilty." The deed was done, the President saved, the trial as good as over and the conviction lost. The remainder of the rollcall was unimportant, conviction had failed by the margin of a single vote and a general rumbling filled the Chamber until the Chief Justice proclaimed that "on this article 35 Senators having voted guilty and 19 not guilty, a two-thirds majority not having voted for his conviction, the President is, therefore, acquitted under this article."

A 10-day recess followed, 10 turbulent days to change votes on the remaining articles. An attempt was made to rush through bills to readmit six southern States, whose 12 Senators were guaranteed to vote for conviction. But this could not be accomplished in time. Again Ross was the only one uncommitted on the other articles, the only one whose vote could not be predicted in advance. And again he was subjected to terrible pressure. From "D. R. Anthony and others," he received a wire informing him the "Kansas repudiates you as she does all perjurers and skunks." Every incident in his life was examined and distorted. Professional witnesses were found by Senator Pomeroy to testify before a special House committee that Ross had indicated a willingness to change his vote for a consideration. (Unfortunately this witness was so delighted in his exciting role that he also swore that Senator Pomeroy had made an offer to produce three votes for acquittal for $40,000.) When Ross, in his capacity as a committee chairman, took several bills to the President, James G. Blaine remarked: "There goes the rascal to get his pay." (Long afterward Blaine was to admit: "In the exaggerated denunciation caused by the anger and chagrin of the moment, great injustice was done to statesmen of spotless character.")

Again the wild rumors spread that Ross had been won over on the remaining articles of impeachment. As the Senate reassembled, he was the only one of the seven "renegade" Republicans to vote with the majority on preliminary procedural matters. But when the second and third articles of impeachment were read, and the name of Ross was reached again with the same intense suspense of 10 days earlier, again came the calm answer, "Not guilty."

Why did Ross, whose dislike for Johnson continued, vote "Not guilty"? His motives appear clearly from his own writings on the subject years later in articles contributed to Scribner's and Forum magazines:

> In a large sense, the independence of the executive office as a coordinate branch of the Government was on trial. If * * * the President must step down * * * a disgraced man and a political outcast * * * upon insufficient proof and from partisan considerations, the office of President would be degraded, cease to be a coordinate branch of the Government, and ever after subordinated to the legislative will. It would practically have revolutionized our splendid political fabric into a partisan Congressional autocracy. This Government had never faced so insidious a danger * * * control by the worst element of American politics. If Andrew Johnson were acquitted by a nonpartisan vote * * * America would pass the danger of partisan rule and that intolerance which so often characterizes the sway of great majorities and makes them dangerous.

The "open grave" which Edmund Ross had foreseen was hardly an exaggeration. A Justice of the Kansas Supreme Court telegraphed him that "the rope with which Judas Iscariot hanged himself is lost, but Jim Lane's pistol is at your service." An editorial in a Kansas newspaper screamed:

"On Saturday last Edmund G. Ross, U.S. Senator from Kansas, sold himself, and betrayed his constituents, stultified his own record, basely lied to his friends, shamefully violated his solemn pledge * * * and to the utmost of his poor ability signed the death warrant of his country's liberty. This act was done deliberately, because the traitor, like Benedict Arnold, loved money better than he did principle, friends, honor and his country, all combined. Poor, pitful, shriveled wretch, with a soul so small that a little pelf would outweigh all things else that dignify or ennoble manhood."

Ross' political career was ended. To the New York Tribune, he was nothing but "a miserable poltroon and traitor." The Philadelphia Press said that in Ross "littleness" had "simply borne its legitimate fruit," and that he and his fellow recalcitrant Republicans had "plunged from a precipice of fame into the groveling depths of infamy and death." The Philadelphia Inquirer said that "They had tried, convicted, and sentenced themselves." For them there could be "no allowance, no clemency."

Comparative peace returned to Washington as Stanton relinquished his office and Johnson served out the rest of his term, later—unlike his Republican defenders—to return triumphantly to the Senate as Senator from Tennessee. But no one paid attention when Ross tried unsuccessfully to explain his vote, and denounced the falsehoods of Ben Butler's investigating committee, recalling that the general's "well-known groveling instincts and proneness to slime and uncleanness" had led "the public to insult the brute creation by dubbing him 'the beast.'" He clung unhappily to his seat in the Senate until the expiration of his term, frequently referred to as "the traitor Ross," and complaining that his fellow Congressmen, as well as citizens on the street, considered association with him "disreputable and scandalous," and passed him by as if he were "a leper, with averted face and every indication of hatred and disgust."

Neither Ross nor any other Republican who had voted for the acquittal of Johnson was ever reelected to the Senate, not a one of them retaining the support of their party's organization. When he returned to Kansas in 1871, he and his family suffered social ostracism, physical attack, and near poverty.

Who was Edmund G. Ross? Practically nobody. Not a single public law bears his name, not a single history book includes his picture, not a single list of Senate "greats" mentions his service. His one heroic deed has been all but forgotten. But who might Edmund G. Ross have been? That is the question—for Ross, a man with an excellent command of words, an excellent background for politics, and an excellent future in the Senate, might well have outstripped his colleagues in prestige and power throughout a long Senate career. Instead, he chose to throw all of this away for one act of conscience.

But the twisting course of human events eventually upheld the faith he expressed to his wife shortly after the trial: "Millions of men cursing me today will bless me tomorrow for having saved the country from the greatest peril through which it has ever passed, though none but God can ever know the struggle it has cost me." For 20 years later Congress repealed the Tenure of Office Act, to which every President after Johnson, regardless of party, had objected; and still later the Supreme Court, referring to "the extremes of that episode in our Government," held it to be unconstitutional. Ross moved to New Mexico, where in his later years he was to be appointed Territorial Governor. Just prior to his death when he was awarded a special pension by Congress for his service in the Civil War, the press and the country took the opportunity to pay tribute to his fidelity to principle in a trying hour and his courage in saving his Government from a devastating reign of terror. They now agreed with Ross' earlier judgment that his vote had "saved the country from * * * a strain that would have wrecked any other form of government."

Those Kansas newspapers and political leaders who had bitterly denounced him in earlier years praised Ross for his stand against legislative mob rule: "By the firmness and courage of Senator Ross," it was said, "the country was saved from calamity greater than war, while it consigned him to a political martyrdom, the most cruel in our history. Ross was the victim of a wild flame of intolerance which swept everything before it. He did his duty knowing that it meant his political death. It was a brave thing for Ross to do, but Ross did it. He acted for his conscience and with a lofty patriotism, regardless of what he knew must be the ruinous consequences to himself. He acted right."

* * * * *

I could not close the story of Edmund Ross without some more adequate mention of those six courageous Republicans who stood with Ross and braved denunciation to acquit Andrew Johnson. Edmund Ross, more than any of those six colleagues, endured more before and after his vote, reached his conscientious decision with greater difficulty, and aroused the greatest interest and suspense prior to May 16 by his noncommittal silence. His story, like his vote, is the key to the impeachment tragedy. But all seven of the Republicans who voted against conviction should be remembered for their courage. Not a single one of them ever won reelection to the Senate. Not a single one of them escaped the unholy combination of threats, bribes, and coercive tactics by which their fellow Republicans attempted to intimidate their votes; and not a single one of them escaped the terrible torture of vicious criticism engendered by their vote to acquit.

William Pitt Fessenden, of Maine, one of the most eminent Senators, orators and lawyers of his day, and a prominent senior Republican leader, who admired Stanton and disliked Johnson, became convinced early in the game that "the whole thing is a mere madness."

The country has so bad an opinion of the President, which he fully deserves, that it expects his condemnation. Whatever may be the consequences to myself personally, whatever I may think and feel as a politician, I will not decide the question against my own judgment. I would rather be confined to planting cabbages the remainder of my days. Make up your mind, if need be, to hear me denounced a traitor and perhaps hanged in effigy. All imaginable abuse has been heaped upon me by the men and papers devoted to the impeachers. I have received several letters from friends warning me that my political grave is dug if I do not vote for conviction, and several threatening assassination. It is rather hard at my time of life, after a long career, to find myself the target of pointed arrows from those whom I have faithfully served. The public, when aroused and excited by passion and prejudice, is little better than a wild beast. I shall at all events retain my own self-respect and a clear conscience, and time will do justice to my motives at least.

The radical Republicans were determined to win over the respected Fessenden, whose name would be the first question mark on the call of the roll, and his mail from Maine was abusive, threatening, and pleading. Wendell Phillips scornfully told a hissing crowd that "it takes 6 months for a statesmanlike idea to find its way into Mr. Fessenden's head. I don't say he is lacking; he is only very slow."

Fessenden decided to shun all newspapers and screen his mail. But when one of his oldest political friends in Maine urged him to "hang Johnson up by the heels like a dead crow in a cornfield, to frighten all of his tribe," noting that he was "sure I express the unanimous feeling of every loyal heart and head in this State," Fessenden indignantly replied:

"I am acting as a judge * * * by what right can any man upon whom no responsibility rests, and who does not even hear the evidence, undertake to advise me as to what the judgment, and even the sentence, should be? I wish all my friends and constituents to understand that I, and not they, am sitting in judgment upon the President. I, not they, have sworn to do impartial justice. I, not they, am responsible to God and man for my action and its consequences."

On that tragic afternoon of May 16, as Ross described it, Senator Fessenden "was in his place, pale and haggard, yet ready for the political martyrdom which he was about to face, and which not long afterward drove him to his grave."

The first Republican Senator to ring out "not guilty"—and the first of the seven to go to his grave, hounded by the merciless abuse that had dimmed all hope for re-election—was William Pitt Fessenden of Maine.

John B. Henderson, of Missouri, one of the Senate's youngest Members, had previously demonstrated high courage by introducing the 13th amendment abolishing slavery, simply because he was convinced that it would pass only if sponsored by a slave-state Senator, whose political death would necessarily follow. But when the full delegation of Republican Representatives from his State cornered him in his office to demand that he convict the hated Johnson, warning that Missouri Republicans could stomach no other course, Henderson's usual courage wavered. He meekly offered to wire his resignation to the Governor, enabling a new appointee to vote for conviction; and, when it was doubted whether a new Senator would be permitted to vote, he agreed to ascertain whether his own vote would be crucial.

But an insolent and threatening telegram from Missouri restored his sense of honor, and he swiftly wired his reply: "Say to my friends that I am sworn to do impartial justice according to law and conscience, and I will try to do it like an honest man."

John Henderson voted for acquittal, the last important act of his senatorial career. Denounced, threatened, and burned in effigy in Missouri, he did not even bother to seek reelection to the Senate. Years later his party would realize its debt to him, and return him to lesser offices, but for the Senate, whose integrity he had upheld, he was through.

Peter Van Winkle, of West Virginia, the last doubtful Republican name to be called on May 16, was, like Ross, a "nobody"; but his firm "not guilty" extinguished the last faint glimmer of hope which Edmund Ross had already all but destroyed. The Republicans had counted on Van Winkle—West Virginia's first U.S. Senator, and a critic of Stanton's removal; and for his courage, he was labeled "West Virginia's betrayer" by the Wheeling Intelligencer, who declared to the world that there was not a loyal citizen in the State who had not been misrepresented by his vote. He, too, had insured his permanent withdrawal from politics as soon as his Senate term expired.

The veteran Lyman Trumbull, of Illinois, who had defeated Abe Lincoln for the Senate, had drafted much of the major reconstruction legislation which Johnson vetoed, and had voted to censure Johnson upon Stanton's removal.

But, in the eyes of the Philadelphia Press, his "statesmanship drivelled into selfishness," for, resisting tremendous pressure, he voted against conviction. A Republican convention in Chicago had resolved "That any Senator elected by the votes of Union Republicans, who at this time blenches and betrays, is infamous and should be dishonored and execrated while this free government endures." And an Illinois Republican leader had warned the distinguished Trumbull "not to show himself on the streets in Chicago; for I fear that the representatives of an indignant people would hang him to the most convenient lamppost."

But Lyman Trumbull, ending a brilliant career of public service and devotion to the party which would renounce him, filed for the record these enduring words:

"The question to be decided is not whether Andrew Johnson is a proper person to fill the Presidential office, nor whether it is fit that he should remain in it. Once set, the example of impeaching a President for what, when the excitement of the House shall have subsided, will be regarded as insufficient cause, no future President will be safe who happens to differ with a majority of the House and two-thirds of the Senate on any measure deemed by them important. What then becomes of the checks and balances of the Constitution so carefully devised and so vital to its perpetuity? They are all gone. I cannot be an instrument to produce such a result, and at the hazard of the ties even of friendship and affection, till calmer times shall do justice to my motives, no alternative is left me but the inflexible discharge of duty."

Joseph Smith Fowler, of Tennessee, like Ross, Henderson, and Van Winkle, a freshman Senator, at first thought the President impeachable. But the former Nashville professor was horrified by the mad passion of the House in rushing through the impeachment resolution by evidence against Johnson "based on falsehood," and by the "corrupt and dishonorable" Ben Butler, "a wicked man who seeks to convert the Senate of the United States into a political guillotine." He refused to be led by the nose by "politicians, thrown to the surface through the disjointed time * * * keeping alive the embers of the departing revolution." Threatened, investigated, and defamed by his fellow Radical Republicans, the nervous Fowler so faltered in his reply on May 16 that it was at first mistaken for the word "guilty." A wave of triumph swept the Senate—Johnson was convicted, Ross's vote was not needed. But then came the clear and distinct answer: "not guilty."

His reelection impossible, Fowler quietly retired from the Senate at the close of his term 2 years later, but not without a single statement in defense of his vote: "I acted for my country and posterity in obedience to the will of God."

James W. Grimes, of Iowa, one of Johnson's bitter and influential foes in the Senate, became convinced that the trial was intended only to excite public passions through "lies sent from here by the most worthless and irresponsible creatures on the face of the earth" (an indication, perhaps, of the improved quality of Washington correspondents in the last 87 years).

Unfortunately, the abuse and threats heaped upon him during the trial brought on a stroke of paralysis only 2 days before the vote was to be taken, and he was confined to his bed. The Radical Republicans, refusing any postponement, were delightedly certain that Grimes would either be too sick in fact to attend on May 16, or would plead that his illness prevented him from attending to cast the vote that would end his career. In the galleries, the crowd sang "Old Grimes is dead, that bad old man, we ne'er shall see him more." And in the New York Tribune, Horace Greeley was writing: "It seems as if no generation could pass without giving us one man to live among the warnings of history. We have had Benedict Arnold, Aaron Burr, Jefferson Davis, and now we have James W. Grimes."

But James W. Grimes was a man of great physical as well as moral courage, and just before the balloting was to begin on May 16, four men carried the pale and withered Senator from Iowa into his seat. He later wrote that Fessenden had grasped his hand and given him a "glorified smile. * * * I would not today exchange that recollection for the highest distinction of life." The Chief Justice suggested that it would be permissible for him to remain seated while voting—but with the assistance of his friends, Senator Grimes struggled to his feet and in a surprisingly firm voice called out "not guilty."

Burned in effigy, accused in the press of "idiocy and impotency," and repudiated by his State and friends, Grimes never recovered—but before he died he declared to a friend: "I shall ever thank God that in that troubled hour of trial, when many privately confessed that they had sacrificed their judgment and their conscience at the behests of party newspapers and party hate, I had the courage to be true to my oath and my conscience. Perhaps I did wrong not to commit perjury by order of a party; but I cannot see it that way. I became a judge acting on my own responsibility and accountable only to my own conscience and my Maker; and no power could force me to decide on such a case contrary to my convictions, whether that party was composed of my friends or my enemies."

Mr. President, I have read the very dramatic story written by the President of the United States about the occasion in the Senate when a rule requiring a two-thirds vote in the Senate saved the reputation of the Senate and constitutional government in our Nation. In light of that circumstance, with that warning of history before me, I expect to stand for a rule of cloture which will require a two-thirds vote of Senators to silence any Senator who feels that his duty to his country and his God, and to his conscience, demands that he stand upon the floor of the Senate and say what he believes he should say.

There is an old saying that, "The saddest epitaph which can be written for the loss of any right is that those who had the saving power failed to stretch forth a saving hand while there was yet time."

In closing, I appeal to Senators to remember this tragic event from the history of our past and to stand by a rule of the Senate which will require a two-thirds vote before any Senator can be prevented from speaking what he honestly believes in his heart is necessary for the welfare of his country.

RECESS UNTIL 10 O'CLOCK A.M. TOMORROW

Mr. MANSFIELD. Mr. President, in accordance with the previous order, I move that the Senate stand in recess until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 11 minutes p.m.), under the previous order, the Senate took a recess until tomorrow, Wednesday, February 6, 1963, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate February 5 (legislative day of January 15), 1963:

U.S. PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR CONFIRMATION OF RECESS APPOINTMENT

To be senior surgeons

David Frost
Raymond T. Moore
Patricia K. Roberts
Wesley W. Wieland

To be surgeon

Paul G. Smith

To be senior assistant surgeons

Scott I. Allen
Ronald L. McCartney
William P. McElwain
Will L. Nash
Milton Z. Nichaman
Stuart C. Nottingham
Raphael T. Nussdorf
S. David Rockoff
Bruce I. Shackter
Leland L. Sprague

To be dental surgeon

Edward A. Graykowski

To be senior assistant dental surgeons

Richard R. Baker
Meade E. Butler
Richard Q. Dunn
Donald W. Johnson
James V. Petersen
Keith J. Ryan
John W. Topping, Jr.
Dale S. Pyke

To be senior sanitary engineer

John H. McCutchen

To be sanitary engineer

Theodore C. Ferris

To be assistant sanitary engineers

Oscar E. Dickason
Rodger L. Leupold
Albert C. Printz, Jr.

To be junior assistant sanitary engineers

Fred O. Bridges
Troy Marceleno
Walter S. Smith

To be senior assistant pharmacist

Robert Frankel

To be assistant pharmacists

Donald E. Hill
John J. Lucas
Donnie L. Powell

To be senior scientist

Richard B. Eads

To be scientist

Thomas W. Haines

To be senior assistant scientist

McWilson Warren

To be sanitarian

Francis J. Goldsmith

To be senior assistant sanitarians

Donald R. Johnston
Gerald J. Karches
Arthur L. Kenney

To be assistant sanitarians

Joseph Lovett
Thomas C. Rozzell

To be veterinary officer

Robert L. Rausch

To be senior assistant veterinary officer

Calvin E. Sevy

To be nurse officers

Agnes Des Marais
Mary J. McGee
Marjorie E. Myren

To be senior assistant nurse officer

Marion N. Keagle

To be senior assistant therapist

Gordon S. Pocock

To be assistant therapist

Richard S. Mazzacone
Herbert R. Pruett

To be health services officer

Viola L. Cunningham

II. FOR CONFIRMATION OF RECESS PERMANENT PROMOTION

To be senior assistant sanitary engineer

Richard D. Grundy

To be assistant sanitary engineer

William A. Felsing, Jr.

To be senior veterinary officer

Lauri Luoto

To be senior assistant nurse officer

Juanita M. Barkley

To be senior assistant health services officer

Martha G. Barclay

III. FOR APPOINTMENT

To be senior assistant surgeons

Morton G. Miller
Roger W. Schuler

To be senior assistant dental surgeons

Allen Doorn
Earl F. Pierce, Jr

To be assistant sanitary engineers

John J. Henderson
Thomas C. Tucker

To be assistant therapists

C. Douglas Billion
James L. Witt

IV. FOR PERMANENT PROMOTION

To be senior assistant therapist

Richard S. Mazzacone

IN THE MARINE CORPS AND NAVY

The following-named officers of the Marine Corps for permanent appointment to the grade of colonel:

Campbell, Robert A.
Payne, John S.
Maguire, James B., Jr.
Prowell, James P.
Peltzer, Vernon A.
Sachs, Carl A.
Hahn, Peter H.
Baughman, Lewis D.
Hay, Hardy
Doswell, Gelon H.
Maas, John B., Jr.
Teller, Robert W.
Irish, Hugh J.
Leineweber, Thomas M.
Fisher, Thell H.
Matsinger, Henry
Grady, Thomas T.
Curtis, William W.
Wolf, George P., Jr.
Hood, Webster R.
Anderson, Robert W.
Bartram, Vernon L.
Neville, Robert B.
Codrea, George
Dutton, Thomas C.
Fairburn, Robert R.
McBroom, Robert B.
Reynolds, Walter E., Jr.
Juett, James G.
Barrett, Drew J., Jr.
Cochran, Robert L.
Barrett, Charles D.
Lawrence, James F., Jr.
Ridlon, Walter J., Jr.
Bright, Cruger L.
Sims, William J.
Wolverton, George D.
Peters, Herbert A.
Walter, Howard L.
Richards, Samuel, Jr.
Hollowell, George L.
Dawes, George M.
Blackmun, Arvid W.
Mahon, John L.
Hill, Homer S.
Lemke, Willard C.
Read, Robert R.
Moore, Clarence H.
Nehf, Arthur N., Jr.
Herzog, Lawrence L.
Johnson, James E.
Pierce, Richard H.
Cook, Milton M., Jr.
Grow, Lowell D.
Winters, Jack B.
Dukes, William P.
Noble, John D.
Babashanian, John G.
McDonald, Jay E.
Hood, Harlen E.
Wagner, Joseph F., Jr.
Etheridge, James A.
Schutt, Richard W.
Joslin, Henry V.
London, Lyle K.
Cuenin, Walter H.
Hadd, Harry A.
Johnson, Floyd M., Jr.
Douglass, Graham T.
Hoffman, Carl W.
Weir, Robert R.
Bale, Edward L., Jr.
Thomas, Robert L.
Hartley, Dean S., Jr.
McCombs, Grant W.

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel:

Miller, William T.
Stahlstrom, Harry A.
Booker, Jesse V.
Moore, Harry R.
Peevey, Nathan B., Jr.
Crapo, William M., Jr.
Gibson, John A., Jr.
Doxey, Donald T.
Stanfield, James C.
Ronald, Robert C.
Leland, Harry E., Jr.
McPartlin, Charles E., Jr.
Limberg, Robert D.
Blankenship, Clifford P.
Cotton, James T.
Sumerlin, Earl B., Jr.
Lavoy, John H.
Ciampa, Emilius R., Jr.
Seibert, Kenneth D.
Blakely, James A., Jr.
Gallo, James A., Jr.
Page, Leslie L.
Riley, David
Barney, Irvin J.
Poppe, Elery G.
Hickey, Thomas R., Jr.
Waltz, Herbert R.
Doty, William C., Jr.
Kostich, Alexander
Whitaker, James L.
Carlock, Robert O.
Morel, Oscar J.
Daze, Louis R.
Gentry, Tolbert T.
Hopkins, Donald S.
Dimond, Neil
Shook, Frank A., Jr.
Lauer, Stewart R.
Crew, Charles E.
Hall, Harold K.
Aynes, James P.
Bauman, George F.
Doherty, John J.
Redmond, Walter L.
Stingley, Elmo J.
Long, Edwin B.
Mackel, Edward H.
Brandon, Lawrence H.
Pippin, Franklin N.
Prestridge, John G.
Barber, Billy H.
Fox, James G.
Stirling, Harold H., Jr.
Dupre, Paul J.
Gallagher, Burnette R.
Young, Frank R.
Reece, Josef I.
Davis, Stanley
James, William C., Jr.
Stephenson, Lyle S.
Ostby, John L.
Yerkes, Robert W.
Victor, James E., Jr.
Knauf, Robert C.
McRobert, Perry P.
Turner, Byron C.
Watson, Paul B., Jr.
Allen, Robert L.
Rupp, George R.
Bell, Robert T.
Gourley, Norman W.
Cloud, Guy M.
Biehl, William, Jr.
Mayer, Henry
Cordes, Alfred M.
Canan, Christopher M.
Lewis, Edward L., Jr.
Campbell, Charles I., Jr.
Jefferson, James M., Jr.
Shields, Robert F.
Rinehart, James H.
Dove, Charles E.
Healy, Robert M.
Smith, Leland R.
Lillie, James L., Jr.
Sanders, Roger M.
Callen, George W.
Traynor, William L.
Taylor, Richard M.
Magon, Walter E.
Malcolm, Joseph W., Jr.
Holcombe, James V.
Perry, Jack E.
Garrotto, Alfred F.
Davis, Dellwyn L.
Morrison, William R.
Dunlap, Jack
Cox, Lewis J.
Bennett, Eugene N.

Russell, Marvin R.
Gocke, Charles E.
Farrell, William
Webster, William J.
Woodard, Richard M.
Curtis, Oliver W.
Baker, Robert W.
Browning, Richard C.
Dochterman, Lloyd B., Jr.
Risner, Albert H.
Schoner, Albert C.
Hohl, Robert W.
Schriver, Richard J.
Bauer, Richard A.
Kelley, John P.
Lindley, Dean W.
Bledsoe, Willmar M.
Woods, Laurence H.
Jarrett, Clyde R.
Watts, Frederic T., Jr.
Klingman, Robert R.
Reier, Gordon R.
Fitzgerald, Austin C.
McMullen, Robert A.
Barber, Neil E.
Smith, Mercer R.
Skeath, Marvin A., Jr.
Perrin, John S.
Petro, George E.
Martin, Samuel F.
Briganti, Emidio
Semb, Allen R.
Jobe, Harrel K.
Huntington, Kenneth E.
Helstrom, Roland S.
Horner, Bill E.
Walker, Edward H.
Johnson, James D., Jr.
Davis, Philip A.
Ward, Dale L.
Mouzakis, George E.
Wilson, Alexander
Redalen, Dwain L.
Michael, Richard L., Jr.
Bortz, William H., Jr.
Lucas, William R.
Waldrop, Otis R.
Wade, Robert
Gallentine, Owen V.
Seminoff, Nicholas M.
Luther, James W.
Phillips, Allen L.
Deasy, Rex A.
Austin, Marshall S.
Weidner, James M.
Morton, Lawrence C.
Johnson, Thirl D.
Poor, Ernest E.
Hill, Arthur T.
Knocke, Jack K.
Davis, George L., Jr.
Quay, John E., Jr.
Graham, Paul G.
Remington, Edgar F.
Slay, Robert D.
Fellingham, Richard J.
Clary, Matthew A., Jr.
La Spada, John F.
Barrineau, William E.
Kellogg, Wilbur C., Jr.
Mariades, James P.
Cooper, Milton B.
Holzbauer, Joseph F.
Fallon, Eugene B.
Smith, Edgar L.
Keim, Robert M.
Pearce, James T.
Rash, Richard S.
Fenton, Donald L.
Dorsey, James A.
Edelmann, George J., Jr.
Rowe, Carroll D.
Cline, Richard W.
Bland, Richard L.
Rooney, John J.
Fink, Gerald
Muller, Godfrey
Crew, Erskine B.
Riffle, James C.
Berger, Ernest J.
Bowen, Ralph E.
Artnak, Edward J.
Hart, Henry
Armstrong, Charles B., Jr.
Williams, Royce M.
Fornonzini, Benjamin A., Jr.
Coleman, Thomas A.
Hodde, Gordon V.
Oglesby, Edward D.
Ritter, Darrell L.
Davis, Raymond R.
Willis, Robert L.
Maloney, Emmons S.
Slaton, Clyde H., Jr.
Geissinger, Robert S.
Waskom, Wendell M.
Takala, David O.
Hinshaw, Don M.
Sienko, Walter
Urell, John
Aldworth, James
Johnston, Thomas J., Jr.
Herndon, John L.
Stien, Laurence J.
Beach, William L.
Cassidy, Earl W.
Gillis, Alexander J., Jr.
Winneberger, George L., Jr.
Maire, Gerald J.
Eldridge, William W., Jr.
Shields, John E.
Davis, Oliver R.
Moore, John T.
King, George J.
Allen, Norris D.
Huffstutter, Hardy V., Jr.
Miller, Lewis L.
Denny, Rex C., Jr.
Dykes, Kenneth T.
Hall, W. C.
Stewart, Walter C., Jr.
Sullivan, John W.
Dennis, Nicholas J.
Gould, Charles H.
Williams, Lynn F.
Albers, George H.
Smith, Jerry B.
Seabaugh, Paul W.
Zorn, Elmer J.
Snapper, John N.
O'Hara, Frank J., Jr.
Boswell, Charles E., Jr.
Ritter, Leland C.
Lovette, Lenhrew E.
Stender, Bernard J.
Daniel, Walter E.
Githens, Daniel P., Jr.
Brown, Williams P.
Zitnik, Robert J.
Barden, Arnold W.
Leis, Sylvester F.
Roark, Walter N., Jr.
Mulvihill, Thomas E.
Hines, Cloyd V.
Campbell, Marshall S.
Tucker, Lud R.
McGlade, Lawrence
Voth, Stanley B.
Elder, Thomas G.
McCain, Warren E.
Stewart, Grover S., Jr.
Connell, Herschel G.
Jernigan, Curtis D.
Olsen, Williard C.
Mason, John B.
Robertson, Robert S.
Cavalero, John H.
Weaver, James R.
Walker, William L.
Bushnell, Richard H.
Foss, Donald H.
Haley, Harold L.
Whitlock, Roy B.
Hanes, John V.
Crooks, William M.
Heitzler, Joseph S.
Koster, Edward A.
Stanton, Eldon C.
Wolf, Howard
Tomlinson, Francis K., Jr.
Kuprash, George
Leon, James
Watson, William D.
Childers, Lloyd F.
Browne, John
Mixson, Herman L.
Tweed, McDonald D.
Calhoun, Loren W.
Harrell, William F.
McCormick, Herbert F.
Clark, Truman
Clarke, Thomas W.
Nelson, Joseph A.
Bianchi, Rocco D.
Hunter, Harry, Jr.
Champion, Cecil L., Jr.
DiFrank, Joseph, Jr.
Sparling, Walter E.
Hitchcock, Paul L.
Quinn, William R.
Dunwiddie, Stanley G., Jr.
Jones, Elwin M.
Bass, Julian G., Jr.
Somerville, Daniel A.
Shank, James W.
Engelhardt, Lloyd J.
Corcoran, Clement T.
White, Thomas A.
Costello, Keith W.
Goebel, Jerome L.
Kelly, William D.
Schwartz, Leo R.
Harris, William S.
Curtis, Paul F.
Gleason, Thomas E.
Vale, Sumner A.
Roeder, Horton E.
McCulloch, William L.
Blanchard, Don H.
Joens, Ray N.
Dionisopoulos, James G.
Gasser, James C.
Tope, Lyle V.
Opeka, Francis C.
Mullane, Raymond W.
Smith, Burneal E.
Gibson, George A.
Mendenhall, Herbert E.
Rainer, Mark A., Jr.
Taylor, Robert W.
Spielman, Harvey E.
Hixson, Wilmer W.
David, Maurice A.
Williams, James F.
Schick, Edwin S., Jr.
Schwenk, Adolph G.
Vickers, Earl K., Jr.
Matthews, Lyle B., Jr.
Blue, Miller M.
Mample, Richard H.
Affleck, William R., Jr.
Crompton, Wallace W.
Zeugner, Robert
Odenthal, Joseph T.
Hess, Theodore D.
Horgan, Thomas J., Jr.
Snell, Albert W.
Bailey, Almarion S.
Wydner, Charles E., Jr.
Farmer, Chester V.
Evans, Daniel R.
Lanagan, William H., Jr.
Poage, Jay V.
Watterson, Donald E.

The following-named officers of the Marine Corps for temporary appointment to the grade of lieutenant colonel, subject to qualification therefor as provided by law:

*Rodenberger, Wesley H.
*Jannell, Manning T.
*Bronleewe, Loren K.
*Johnson, Irving R.
*Freitas, Joseph L., Jr.
*Ottmer, Walter E.
*Gill, John R.
*Temple, Jack W.
*Dekeyser, Charles F.
*Stout, Marvin R.
*Alberts, Howard K.
*Deeds, William E.
*Pultorak, Joseph
*Wilson, Robert R.
*Rollins, John J.
*Boll, Joseph L.
*Scheffer, Cornelius
*Moise, Frank V., Jr.
*Seaman, Milford V.
*Roe, Murray O.
*Goode, Charles L.
*Hirt, Paul L.
*Fitzmaurice, Charles W.
*Moody, Richard E.
*Sparkman, Thomas B.
*Patton, Walter B.
*Goldston, Eugene V.
*Filippo, John J.
*Ramseur, Franklin F., Jr.
*Chamberlin, George E., Jr.
*Hanson, Harry B.
*Ecklund, Arthur W.
*Fiegener, Kenneth G.
*Corley, Ruel H., Jr.
*Trager, Earl A., Jr.
*Roley, William H.
*Ashton, Clark
*Losse, Robert N.
*Stribling, Joe B.
*Ludden, Charles H.
*Flynn, John P., Jr.
*Johnson, Danny W.
*McGee, James M.
*Street, Lewis C., III
*Boyle, Patrick D.
*Latta, Arthur W., Jr.
*Lynch, Duane G.
*Furimsky, Steve, Jr.
*Bowen, Ermel D.
*Murray, Edward D.
*Silverthorn, Russell L.
*Slack, Arthur B., Jr.
*Lucas, Burton L., Jr.
*Sherwood, James M.
*Cosgrove, William P.
*Kranice, Francis R.
*Brigham, George A.
*Graf, David P.
*Peterson, Richard F.
*Dayson, Patrick J.
*O'Callaghan, Thomas P.
*Ezell, Don D.
*Barber, Stewart C.
*Mildner, Theodore J.
*Lafond, Paul D.
*Koehnlein, William F.
*Judd, Amo F.
*Sartor, Louis J.
*Smith, George H.
*Alford, Bennett W.
*Kelly, Joseph J.
*Brandel, Ralph E.
*Ladutko, John
*McGlynn, Raymond J.
*Green, Carleton M.
*Janiszewski, George
*Reeder, James H.
*Ingram, Alfred L. V.
*DeBarr, John R.
*Kirchmann, Charles S.
*Bland, Kenneth R.
*Webb, James O.
*Ettenborough, Robert B.
*Shea, William E.
*Wadsworth, Thomas B.
*Webb, Marshall A., Jr.
*Daskalakis, John A.
*See, Charles M.
*Shuford, Robert L.
*Metzger, Theodore E.
*Platt, Robert M.
*Burke, Thomas W.
*Barrett, James B.
*Schwartz, John L.
*Kelly, William D.
*Girard, David D.
*Cuneo, John E.
Hill, Franklin A.
Kluckman, Wilson A.
Weizenegger, James A.
Chapman, Fred D.
Kearns, Timothy J.
Timme, William G.
Pickett, Philip G.
Schening, Richard J.
Primrose, Richard A.
Misiewicz, John
Hewlett, Marvin M.
Kritter, Eugene J., Jr.
Palatas, Michael V.
Funderburk, Ray
Zaudtke, Wilbur K.
Young, Robert E.
Lorence, Herbert M.
Graeber, William G.
Cooke, Morris D.
Fenton, Clayton C.
Uskurait, Robert H.
Condra, James E.
Demas, John G.
Roland, Harold E., Jr.
Harris, Frank W., III
Rice, Knowlton P.
Vuillemot, Floyd L.
McCreight, James K.
Haigwood, Paul B.
Herod, Jack
Noble, Richard F.
Paris, Euclid P.
Calvert, Robert W.
Nesbitt, Cleon E.
DeNormandie, Frank R.
Taves, Alfred C.
Keller, Gene S.
Ammer, Henry G.
Fischer, Henry, Jr.
Smith, William L.
Benskin, George H., Jr.
Johnson, Tracy N.
LaRouche, Charles R.
Chambers, Franklin R.
Hoff, Frank X.
Wallace, Charles M., Jr.
McMahon, Clare R.
Lynk, Edward H. P.
Reid, James H., Jr.
Rodney, Glenn W.
Westphall, Howard A.
Butler, Jack H.
Boyd, Clarence W., Jr.
Judge, Clark V.
Burroughs, Charles R.
Mills, Neil B.
Edwards, Paul M.
Rose, Maurice
Poillon, Arthur J.
James, Curtis A., Jr.
Humphreys, Richard D.
Sullivan, Charles H.
Hendricks, Clayton V.
Thomas, Robert J.
Dahl, Clarence G.
Smith, Richard E.
Kiser, Harrol
VanCantfort, Rollin F.
Parsons, Harold L.
Rieder, Alvin R.
Goss, Joseph A.
Randolph, Richard J., Jr.
Spaulding, Jack D.
McNaughton, George C.
Young, Robert F., Jr.
Harris, Howard H.
Easter, Edward V.
Boles, Jack F.
White, Jack D.
Barrett, Roscoe L., Jr.
Fagan, William S.
Phillips, Jack B.
Bey, Robert T.
Keyes, Edward B., Jr.
Hunter, Clyde W.
Baites, Lonnie P.
Kerrigan, William E.
McLennan, Kenneth
Linn, Joseph W.
Olson, Fredric O.
Holt, Thomas J.
Valdes, Edmund
Good, George F., III
Reid, Ernest R., Jr.
Shepherd, Lemuel C., III
Gover, Robert L., Jr.
Babe, George A.
Koler, Joseph, Jr.
Bradley, Lawrence J.
Shanahan, Thomas C.
VomOrde, Ewald A., Jr.
Foyle, Robert A.
VanZuyen, William M.
Lerond, Jack M.
Hall, Donald L.
Munn, Charles R., Jr.
Heffernan, Neal E.
DeLong, Earl R.
Snyder, Joris J.
Miniclier, John F.
Langley, Charles F.
Barde, Robert E.
Anderson, Robert V.
Robinson, Dayton, Jr.
Bennett, Nalton M.
Stavridis, Paul G.
Barr, John F., Jr.
Palmer, Kenny C.
O'Connell, John P.
Redman, Charles B.
Perrich, Robert J.
Carpenter, Stanley H.
Rodes, Nye G., Jr.
Sloan, James A.
Savage, Richard A.
Weiler, Paul
Middleton, Austin B., Jr.
Brier, George R.
Spark, Michael M.
Parnell, Edward A.
Heinemann, Hermann
Curwen, Bertram H., Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel, subject to qualification therefor as provided by law:

*Sasser, Ruthledge S.
*Darnell, James B.
*Knack, Frederick J.
*Shuman, William H.
*McKain, George E.
Lisi, Frank
Folsom, Allison G., Jr.
Caminiti, Louis J.

The following-named woman officer of the Marine Corps for permanent appointment to the grade of lieutenant colonel, subject to qualification therefor as provided by law:

*Sustad, Jeanette I.

The following-named officers of the Marine Corps for permanent appointment to the grade of major:

Rodes, Nye G., Jr.
Rapp, David A.
Sloan, James A.
Walker, William T.
Coffman, Raymond P., Jr.
Wilson, Robert H.
Eastman, Robert E.
Edwards, Roy J.
McGrail, Arthur F., Jr.
Savage, Richard A.
Woodruff, Paden E., Jr.
Ives, Merton R.
Weiler, Paul
Peabody, Clifford J.
Eagle, Joseph N.
Middleton, Austin B., Jr.
Hunter, Daniel B.
Brier, George R.
Rogers, Harry L., Jr.
Hall, William D.
Markham, Edward J., Jr.
Spark, Michael M.
Richards, Wayne E.
Meyer, Edward B.
Parrott, Robert E.
Arford, Jack O.
Parnell, Edward A.
Heinemann, Hermann
Swanda, Donald F.
Plaskett, William, Jr.
Green, Thomas N.
Schimmenti, Joseph A.
McCarty, Stewart B., Jr.
Dowlearn, Donald W.
Steinway, Robert A.
Dicus, William A., Jr.
Ziegler, Leland E.
Curwen, Bertram H., Jr.
Norfolk, Ira P.
Hanifin, Robert T., Jr.
Mazzuca, Paul, Jr.
Hecker, James S.
Segner, Donald R.
Whitebread, Robert C.
Reed, Jack L.
Schreier, William J.
White, William J.
Miller, Robert T.
Bousquet, Arthur R.
New, Noah C.
Pytko, Albert R.
Lillich, Gerald L.
Tooker, Donald K.
Morgan, James L.
Drury, John W.
Fredericks, Harold D.
Morrison, Karl D.
Davis, William J.
Dawson, Thomas E.
Fox, George C.
Hunt, Forest J.
Shutler, Philip D.
Izzo, Robert E.
Galbraith, Thomas H.
Arkland, Ezra H.
Jesse, William L.
Kliefoth, George C.
Messina, Anthony V.
Belbusti, Albert F.
Timmes, Edward A.
Simpson, Parks H.
Steed, Robert E.
Buck, John
Pieti, Jerome N.
Walsh, John J.
Henry, Kenneth W.
Tardif, Donald W.
Lucy, Robert M.
Snow, Melvin W.
Crowley, Richard W.
Waldrop, Floyd H.
Cothran, Charles A.
Vernon, Thomas E.
Harris, Jack W.
Bunnell, Charles F., Jr.
Pearson, Martin
Holt, Edward Y., Jr.
Evans, Donald L., Jr.
Murphree, Thomas E.
Flores, James R.
Jaworski, Edmund W.
Puckett, Eugene R.
Petska, Jack J.
Westerman, Jack
Schneeman, Charles J., Jr.
Young, Edwin M.
Zorack, John L.
Lenffer, Guenther W.
Durning, Robert H.
Cohoon, Jack A.
Rice, Kenneth E.
Hill, Robert E.
Davis, Ernest K.
Carper, Esten C., Jr.
Uffelman, Paul R.
Vosmik, Joseph M.
Chiappetti, Donald A.
Brady, Byron F.
Marousek, Lawrence A.
Jackson, John M.
Mooney, Arthur R.
Caridakis, George
Marlowe, William H.
Gardner, Marvin D.
Cummings, Brian J.
Cowling, David R.
Purdum, Frederick K.
Masterpool, William J.
Blank, Howard G.
Erickson, Loren T.
Young, James R.
Post, Robert J.
Smith, Robert N.
Hess, John J.
Worster, Lyle H.
DuCharm, Roy M.
Bush, Clayton O.
Marks, Billy C.
Damm, Raymond C.
Cashion, Dana B.
Howland, Willis T.
Arkadis, Nicholas D.
VanCleve, Roy R.
Clifton, William R.
Murphy, Edward S.
Roeder, Raymond E., Jr.
Johnson, Richard M.
Hopkins, Frederick W.
Sivert, Patrick G.
Hittinger, Francis R., Jr.
Smith, Edward E.
Garm, Philip J.
Trapnell, Nicholas M., Jr.
Deptula, Edwin A.
Thompson, Carl B., Jr.
Swords, John J.
McCloskey, Donald V.
Sullivan, Ralph E.
Paradis, Eugene J.
Newsom, Rollie D.
Hudson, Floyd G.
Counselman, John D.
Christolos, John N.
O'Keefe, Keith
Edler, William S.
Harrell, James E.
Kavakich, Nicholas
Rudzis, Edwin M.
Stemple, James W.
Snelling, Edward W.
Moore, Ben A., Jr.
Muir, Joseph E.
Ruggiero, Alexander S.
Schryver, Hugh C., Jr.
Gastrock, Joseph K., III
Crocker, William G.
Hanlon, Edmund W.
Stewart, Gerald H.
Morrow, Richard C.
McAlee, George E.
Kleess, George J.
Fields, Paul R.
Covert, Bert R., Jr.
O'Connell, James P.
Sigmon, Emmett B., Jr.
Brimmer, Donald R.
Marchette, Donald E.
Sharon, Donald W.
Jones, Donald R.
Stuart, Vaughn R.
Cahill, John J. H.
Gallman, James R., Jr.
Phelps, Laurence M., Jr.
Alderman, Harry L.
Werner, Robert F.
Fly, Jerry D.
Wirth, LeRoy K.
Dickey, Robert R., III
Collins, Edward E.
Brown, Travis D.
Kenyon, Joris F.
Nolan, Jack L.
Carey, Richard E.
Hall, Edward C., Jr.
Sisson, Donald D.
Coffman, Harold L.
Utter, Leon N.
McPoland, Edmund C.
King, Ethmer W.
Aitken, Hugh S.
Adams, Nate L., II
Scott, Kenneth M.
Doezema, Richard M.
Reames, John A.
Pollock, Edwin A., Jr.
Duncan, Edward F.
Starek, Robert H.
Morris, Edward C.
Sevilian, Robert C.
Hermes, Jack M.
Cunliffe, Bruce F.
Kelley, David D., Jr.
Eddy, Rodger I.
Newton, Minard P., Jr.
Williams, Kenneth C.
Degernes, Mayhlon L., Jr.
Glasgow, Joseph M.
Strauley, Wesley E.
Hetrick, Lawrence W.
McCarthy, R. Michael
Gibson, Tom L.
McClure, Mack R.
Eason, Raymond S.
Salvo, Victor A.
Heyer, Wallace A.
Allen, Merle W.
Jenkins, Morris N.
Mason, Ronald A.
Zimmerman, Cullen C.
Winter, Robert M.
Balzer, George T.
Roe, Patrick C.
Brown, Dale L.
Wayerski, Joseph R., Jr.
Andersen, Frank R.
Tief, Francis W.
Cooney, Orville D.
Yerger, William P.
Holmes, Page H.
Finney, Henry F.
Doster, Grover C., Jr.
Cole, Doyle H.
Siegfried, William G., Sr.
Engesser, Robert B.
Volney, Frank, Jr.
Lundin, Herbert V.
Mooney, Thomas G.
Seaman, James B.
Baxter, John E.
Campbell, William W.
Bahner, Robert H.
Osserman, Stanley J.
Cory, Orie E.
Geddes, David G.
Shortsleeves, Vernon C.
Fuller, George E.
Troxler, George W.
Schoenberger, Leonard
Kelly, Hercules R., Jr.
Vogt, Timothy S.
Smith, George W.
Skvaril, Warren J.
Gunning, Thomas I.
Taft, Leonard C.
Kapetan, Nick J.
MacLean, James H.
Ashley, Maurice C., Jr.
Taylor, Robert W.
Needham, Robert C.
Jackson, Mallett C., Jr.
Miller, John H.
Nolan, Harry J.
Peard, Roger W., Jr.
Sherman, Warren C.
Wentworth, William
Johnson, John M., Jr.
Barrie, Raymond L., Jr.
Maiden, Robert F.
Francis, Richard H.
Saunders, William F., Jr.
Brown, Ralph H.
Reissner, Pierre D., Jr.
Tubbs, Henry W., Jr.
Dawe, Harold L., Jr.
Kennington, Charles R., Jr.
Schiweck, Kenneth W.
Hall, Wayne L.
McElroy, Robert L.
Lubka, Basile
Sturgell, Charles B.
Jones, Charles M. C., Jr.
Hunt, Robert G., Jr.
Gober, James R.
Hatch, Harold A.
Sparks, William F.
White, Thomas B., Jr.
Roberts, Dwight E.
Briden, Derrell C.
Parsons, Tom D.
Hayward, George E.
Henzel, Hans W.
Sheppe, Richard W.
Lindell, Alan M.
Deen, Thomas J., Jr.
Conroy, John F.
Merrill, Willard D.
Taylor, Joseph Z.
Hoover, Miles M., Jr.
Scruggs, Robert L.
Turner, Kenneth E.
Hoppe, Henry, III
Ringwood, Thomas E., Jr.
Wilson, James S.
Speckart, Eugene O.
Devine, Lewis H.
West, Richard H.
Opfar, Charles H., Jr.
Killeen, Calhoun J.
Lockhart, Robert L.
Schied, John P.
Heppert, John R.
Riegert, Theophil P.
Troen, Luther G.
Gagne, Walter A., Jr.
Cook, Andrew B.
Belden, John G.
Bassett, William D., Jr.
Commiskey, Henry A., Sr.
Carver, Ivil L.
Anderson, Tilton A.
Snipes, Thomas G.
Woods, Harry D.
Haynes, George A. P.
Beard, Wendell O.
Whiting, Charles S.
Lawrence, Randlett T.
Jarman, Charles V.
Englehart, Samuel E.
Wall, Theodore R.
Waller, Littleton W. T., II
Merritt, Max A.
Townsend, Jack E.
Karukin, David S.
Ogilvie, Bruce C.
Musgrove, Edgar F.
Haggerty, John W., III
Miller, Richard R.
Eyer, Clyde L.
Harris, Allen S.
Magness, Byron L.
McCarthy, John F., Jr.
Grabowsky, Fred
Smith, Albert C., Jr.
Dickson, John R.
Peterson, Willard S.
Greenstone, John R.
Eykyn, Richard G.

The following-named officers of the Marine Corps for temporary appointment to the grade of major, subject to qualification therefor as provided by law:

*Schauppner, Ernest G.
*Annas, Themistocles T.
*Thompson, William A.
*Jordan, Branch
*Shippen, William D.
*Farley, William F.
*Epps, Thomas B., Sr.
*Start, Raymond J.
*Dillon, Jimmie L.
*Geister, Herbert H.
*Lindenmuth, Donald L.
*Poorman, Donald W.
*St. Germain, Donald C.
*Johnson, Joe L.
*Wilson, Charles W.
*Vugteveen, Harold L.
*Seissiger, John E.
*Thornton, Dale
*Elstner, Earl T.
*Knapp, Charles W.
*McIntyre, Philip G.
*Koethe, Frank R.
*Rehfus, James R. A.
*Hill, Billy J.
*Smola, John K.
*Burin, Michael
*Walker, Phillip C.
*Winfield, Charles R.
*Glancy, Robert F.
*Ford, Charles T.
*Visage, Billy F.
*Seymour, Rufus A.
*Costello, Frank P., Jr.
*Baker, Charles E.
*Eckmann, Ronald P.
*Cook, Gorton C.
*Donnelly, Thomas E.
*McCaffrey, Joseph J.
*Barth, Olav
*Coleman, Joseph E., Jr.
*Allison, James O.
*Newmark, Charles C.
*Rilling, Fred C., Jr.
*Farnsworth, Francis W., Jr.
*Colleton, Francis X.
*Wright, Herbert L.
*Iverson, Rhonald D.
*Weiland, Joseph K.
*Haggard, Robert G.
*Johnson, Lee R.
*Wills, Daniel
*Kaasmann, Bernard A.
*Diamond, Donald L.
*Barrett, Richard C.
*Cahill, Edward D., Jr.
*Smith, Richard B., Jr.
*Johnson, Robert C.
*Wickham, John C.
*Plauche, Brockman L.
*Lee, Kurt C. E.
Hoffman, Olin V., Jr.
Vanderswag, Irwin J.
Ferguson, Robert W.
Hannan, James E.
Krieger, Roy E.
Gutheinz, Joseph R.
Walsh, Ronald L.
Day, John R.
Williams, Kenneth W.
Buckon, William E.
Carroll, John T.
Maher, James E., Jr.
Patrick, Victor E.
Day, Warren H., Jr.
Henn, Howard R.
Steele, Raymond B.
Hollingshead, John S.
Bolves, Rudolph W.
Price, Joseph V.
Vaught, Richard H.
Hyslop, Kenneth D.
McKee, Roland D.
Gray, Alfred M., Jr.
Buckman, John G.
Roberts, Stanley G., Jr.
Farrington, Norman C., Jr.
Enoch, John T.
Kern, Richard J.
Burritt, Richard R.
Shinbaum, Marvin S.
Allen, Terence M.
Ward, Guy W.
Hoffner, Charles W.
Guay, Gerald F.
Oden, Thomas S.
Wilson, George M.
Huguenin, Sidney A., Jr.
Bell, Ray H.
Lyons, Robert J.
Sanford, Dale W.
Romano, Carlo
Bonsall, William O.
Haight, William P.
Gaut, Donald L.
MacInnis, Joseph A.
Anderson, William D.
Albers, Vincent A.
Holmes, Lee M.
Fortmeyer, Raymond D.
Froncek, Richard A.
Bergmann, Henry C.
Metzko, John J.
Fulham, Donald J.
Helsel, James F.

Reedy, Thomas M.
Lindell, Clifford A.
Bodnar, Nicholas K.
Wagner, Douglas A.
Crist, George B.
Williams, Justin, Jr.
Ripley, George H.
Weinert, Frederick R.
Moody, Ralph F.
Ammentorp, Warren L.
Critz, Richard L.
Gregory, Rawley M.
Gipson, Sam M., Jr.
Hyndman, Gerald H.
Gray, D'Wayne
Bailey, Earl W.
Crews, Eugene E.
Fisher, Lawrence W.
Herbert, Clayton G., Jr.
Scott, John A.
Coulter, Richard W.
Macy, William T.
Reich, Nathaniel N.
Stanley, John R.
Roche, John F., III
Rochford, Edward J., Jr.
Gaffen, Malcolm C.
Snell, Bradley S.
Runkle, Harry M.
Shoults, Eugene E.
Folsom, Charles A.
McManus, Walter J.
Butler, Owen J.
Mullen, Arthur L., Jr.
Shanahan, James L.
Hefty, Milton T.
Faulk, Samuel G.
Tribe, Stanley G., Jr.
Keeling, Harold J.
Brown, Thomas S.
Berg, Donald R.
Bowser, James R., Jr.
Gould, John F., Jr.
Goggin, Thomas P.
Perea, Horacio E.
Gustitis, Bernard V.
Andriliunas, Francis
Riley, William E., Jr.
Hutter, Harold H. J.
Hennegan, Joseph E.
Luley, Ronald E.
Otteraaen, Robert M.
Gray, Thomas F.
Aspinwall, Glen S.
Knobel, William H.
Buran, Philip F.
Johnson, Oliver K., Jr.
Oliver, Joseph H., Jr.
Phillips, Rhys J., Jr.
Spence, Allan J.
Sautter, Melvin H.
Polakoff, Gerald H.
Smith, Robert H.
Bethel, William F.
McMillan, David R., Jr.
Manning, Martin F.
Lindsay, Prentice A.
Rogers, William W.
Olney, Herbert F.
Dunwell, Ronald P.
Morgan, Thomas R.
Roberts, William C., Jr.
McCamey, Robert E., II
Gibson, Charles R.
Gentile, Vincent J.
Click, James C.
Daley, Richard F.
Lutz, Theodore J., Jr.
Edebohls, Hans G.
Henry, Charles W. J.
Kummerow, Ray G.
Litzenberg, Homer L., III
Wilson, William C.
Plummer, James R.
Price, Kenneth R.
Allen, Albert N.
Colby, Dwain A.
Kansier, Raymond H.
Taylor, Harry E.
Geiger, William J.
Budd, Talman C., II
Ruthazer, Warren C.
German, Paul K., Jr.
First, Ralph D.
Olds, James H.
Brewster, Albert E., Jr.
Taber, Richard D.
Lawler, George P.
Morrill, David W.
Neilson, Roger B.
Kyle, John S.
Rudolph, William E.
Lonergan, Harold S.
Townsend, Edward J.
Bjerke, Duwain E.
Parker, Evan L., Jr.
Olsen, Herbert F.
Hall, Bobby R.
Culligan, Thomas M.
Klinedinst, James C.
Gunther, Donald E.
Alexander, Dan C.
McInnis, Robert W.
Bailey, Garnett R.
Malmgren, Everett L.
King, James P.
Elmwood, Robert E.
Griffin, Thomas L., Jr.
Gagliardo, Joseph P., Jr.
Shilan, Arthur B.
Chapell, Donald R.
Johnson, Edward C.
Braddon, John R.
Flynn, John J.
Milbrad, Robert L.
Heath, Francis J., Jr.
Zeigler, Lewis I.
Hayden, William K., III
Enderle, Rodolfo R.
Campbell, Laurence A., III
Bengele, Charles M., Jr.
Bowron, Walter F.
Hallisey, William J., Jr.
Bancroft, John V.
Weir, Kenneth W.
Crist, Raymond F., III
Huerta, Genaro
Gillick, Richard O.
Dean, John M.
Blanton, Harold L., Jr.
Morgenthaler, Wendell P. C., Jr.
McCandless, John R.
Danielson, Darrell C.
Pirhalla, Paul P.
Laning, Edward A.
Slee, Don J.
Jones, Vernon E.
Fontenot, Karl J., Jr.
Saul, Jacque L.
Cottom, John W.
Bird, James H., Jr.
Lewis, Robert W.
Trescott, Eugene H.
Green, Austin H.
Andrews, John W.
White, Michael E.
Hodges, Ervin E.
Turner, Frank P.
Barlow, Glen H.
Bates, William H.
Hollis, John S.
DePrima, Joseph
Weise, William
Hyland, Richard L.
Cash, Richard A.
Thomas, Spencer F.
Christopherson, James W.
Borjesson, Stanley G.
Hofstetter, Robert E.
Field, Wells L., III
Huerlimann, Ernest A., Jr.
Lavigne, Arthur W. J.
Graham, Edward T., Jr.
McLane, Donald C., Jr.
Steinberg, Melvin J.
Jones, Robert I.
Johnston, Paul M.
Dorman, John F.
Munson, James D.
Thompson, Alva F., Jr.
Davis, Jack W.
Gale, John R.
Bucher, William E.
Mickle, Don A.
Andrus, Kermit W.
Drovedahl, Robert
O'Brien, John A.
Kuci, Richard A.
Harris, John B.
O'Brien, William J.
Penny, James R.
Kelly, Thomas J.
Wallace, Charles F.
Hagaman, Harry T.
Duffield, Daniel M., Jr.
Irion, John W., Jr.
Benton, William D.
Karker, Floyd A., Jr.
McCarthy, Eugene C.
Johnson, Frederick S.
Cheatham, Ernest C., Jr.
Pickett, Bayard S.
McGlone, Vincent P.
Radtke, Paul G.
Batchelder, Sydney H., Jr.
Angelo, Leon N.
Hunter, Maurice
Thomas, William J.
Tolnay, John J.
Chesla, Edward J., Jr.
Lee, Thomas I.
Reddick, Cleveland N. F., Jr.
Witt, Lewis C.
Cornwall, Gerald B.
Lynch, Ronald J.
Fitzgerald, Edward F.
Whalley, Albert
Phillips, John
Jones, Joseph F.
Conlon, James F.
Scoppa, Joseph, Jr.
Snyder, Louis G.
Powell, Rollin R., Jr.
Whelan, William L.
Kramer, William K.
Walker, Dallas R.
McEwan, Frederick J.
Gravel, Marcus J.
Hippler, Rollin E.
Corliss, Gregory A.
Balogh, Howard G.
O'Donnell, Harold F.
Cox, John V.
Johnson, Floyd J., Jr.
Fibich, Michael J., Jr.
Moser, Charles F.
Morris, Wilbur J.
St. Amour, Paul A. A.
*Willis, Maxey A.
*Craumer, Luther C.
*Lloyd, Paul V.
*McCormick, Charles A., Jr.
*Holliday, John H.
*Johansen, Carl, Jr.
*Wilkinson, DeRonda A.
McKonly, Norman E.
Yeater, Otto L.

The following-named officers of the Marine Corps for permanent appointment to the grade of major, subject to qualification therefor as provided by law:

*Seal, Cecil O.
*Newman, Jack W.
*Amick, Donald D.
*Layman, Daniel F.
*Graham, James H.
*Palonis, Anthony J.
*Anderson, James L.
*Baker, Jesse G.
*Luttge, William G.
*Skinner, Richard F.
*Gidley, Ross E.
*Dubois, John H.
*Grebenstein, Edward E., Jr.
*Parker, Roy I.
*Ridgway, George A.
*Day, Leslie P.
*Ratigan, James W.
*Matson, Kenneth S.
*White, John L.
*Vuckovich, Joe
*Baker, Thomas
*Mullen, Joseph E., Jr.

The following-named women officers of the Marine Corps for permanent appointment to the grade of major, subject to qualification therefor as provided by law:

*Watson, Patricia A.
*Hayes, Theresa M.
*Ray, Irene L.
*Halvorsen, Marie J.
*Moroney, Ellen B.
*Wrenn, Jenny

The following-named officers of the Marine Corps for permanent appointment to the grade of captain:

Sleger, Joseph, Jr.
Viera, Daniel J.
Howard, John G.
Terrell, Daniel E., Jr.
Schmidt, Laveen D.
Damone, William F.
Marting, Henry A.
Babski, Bruce S.
Jerrell, James D.
Fischer, Robert W.
Tyson, Charles J., III
Cooper, Robert M.
Brackett, Richard C.
Rocha, Thomas, Jr.
Colbert, Arthur B.
Stice, Ray B.
Fry, Robert L.
Milligan, James F.
Fortie, Ralph
Dewell, Jack L.
Brause, Bernard B., Jr.
Chaney, Guy R.
Foster, Roger D.
Wheelock, Richard J.
Cretney, Warren G.
Jackson, Harold L., Jr.
Martinelli, Joseph W.
Kutchmarek, Jene R.
Aichroth, Donald T.
Andersen, James V.
Ernst, Vincent M., Jr.
Lee, Richard P.
Mead, John E.
Blakeman, Wyman U.
Stewart, Ray N.
Brandon, Virgil B.
Beaver, Carl J.
Hubner, John
Warn, Lloyd K.
Lavelle, John B.
Micheels, Herman M.
Wright, Frank H.
Shea, Speed F.
Kron, Ronald W.
Overturf, Charles D.
Svoboda, Theodore D.
McDonald, Oliver G.
Johnson, Victor J., Jr.
Prather, James E., Jr.
Teichmann, David A.
Latall, Raymond F.
McBride, James P.
Peck, Matthew B., Jr.
Moriarty, James M.
Sherman, James R.
Redman, Carroll G.
Gebsen, Clarence U.
McCaughey, Douglas A., Jr.
Gascoigne, Donald G.
D'Angelo, Samuel E., III
Leipold, Robert D.
Lovell, Earl F.
MacDonald, George N.
Ross, William H., Jr.
Brown, Rangeley A.
Keck, Louis K.
Taylor, Hosea E., Jr.
Herber, John A.
Patterson, Frederick D., Jr.
Black, Charles H.
Edwards, Raymond W.
Marosek, Joseph R.
Collier, James G.
Ladd, Bobby T.
Belli, Roy L.
Coombe, Donald E.
Block, William E.
Murray, Michael P.
Miller, Clarence B., Jr.
Hubbard, William D.
Gipson, Thomas J., Jr.
Williams, Donald G.
Knowles, Charles H.
Doser, Joseph G.
Timmons, Dwight R., Jr.
Shirley, Joe W.
Carson, William G., Jr.
Reese, Clifford E.
Dereng, Chester P.
Snyder, Robert L.
Ledet, Rodney H.
Reisinger, Frederick J.
Mundell, Wilbur L.
Giubilato, John J.
Wojcik, Donald
Lang, Richard H.
Schaefer, Donald A.
Larson, Eddis R.
Hughes, Ralph L.
Daniels, Claude M.
Wilcox, Kenneth H.
Warner, James W.
Moore, Thomas R.
McCarthy, John J.
Creighton, Robert W.
Farley, Bob W.
Waunch, Donald S.
Garrison, Marvin T., Jr.
Peterka, Bert W.
Summers, Bennie W.
Gilion, Robert A.
Reichert, John P.
Forbes, David T., Jr.
Markwitz, Leonard R.
Heim, Donald C.
Wells, James A., Jr.
Gowdy, Richard J.
Jorgenson, Conrad A.
Hertberg, Edward C.
Toyeas, George E.
Herther, Herbert M.
Clayson, Holly
Gallagher, Gerald F.
Mura, Michael
Sypniewski, William A.
Donnelly, Joseph A.
VanManen, Charles M.
Fillmore, Walter D.
Boalch, Dennis F.
Jaross, James
Cummins, Billy R.
Wise, Robert C.
Bishop, Daniel G.
Saxton, Patrick J.
Grattan, Roland N.
Hedrick, Joseph C.
Bridges, Robert L.
Dinnage, Merritt W.
Smith, Harry E., Jr.
Murphy, Dennis J.
Hopkins, Joseph E.
Haskins, Jack
McGuire, William D.
Gardner, Grady V.
Frey, Francis X.
Cochran, James R. W.
Martin, Gene H.
Collins, John J.
Stapleton, Cleo P., Jr.
Redelfs, John E.
Archbold, John C.
Earles, Marcie J.
Keller, Donald E.
Quigley, Richard B.
Turner, Leon B.
Riney, Francis
Ritts, Robert O.
Andrews, Roi E.
Pierce, Edward R.
Fuetterer, Paul W.
Cote, Normand A.
Stark, Alfred E.
Chinner, John W.
Deutschlander, Herman C.
Crowley, James A.
Ledbetter, Walter R., Jr.
Roder, Henry W.
Jones, Thomas W.
Beach, Richard J.
Ritchie, Richard G.
Begnaud, Pierre H.
Buschhaus, Ernest W.
Weatherford, Edwin G.
Bustos, Robert G.
Crandell, John E.
Ryan, Patrick J.
Kent, Gary D.
Dewey, Henry C.
DeLaughter, Carl W., Jr.
Burt, Wayne F.
Gasparine, Louis, Jr.
Armstrong, Richard F.
Rosenthal, Joseph S.
Goller, Winston O.
Godby, Lawrence J.
Carroll, Daniel I.
Draayer, Lloyd J.
Stephens, Arthur C., Jr.
McKenna, George X.
Ryder, James N.
Rubrecht, William W.
Kress, Herbert W.
Coit, Francis E.
Forhan, James F.
Thompson, Milton G.
Reid, Robert D.
Bergstrom, Carl F., Jr.
Anderson, Arthur R., Jr.
Dillow, Walter R.
Cornish, John F., Jr.
Proctor, Ralph D.
Todd, Larrance M.
Stendahl, Walter R., Jr.
Clewes, John E.
Dunn, Russell M., Jr.
Wieland, Richard A.
Medina, Thomas J.
Riddell, William R., Jr.
Norton, Jerome L.
Blanc, Richard J.
Bond, Henry J.
Murphy, Edmond J.
Lottsfeldt, Peter F.
Dunn, John D.
Fogo, Wallace E.
Pierce, James D.
Boozman, Paul G.

Furstenberg, Lawrence
Rowe, Donald L.
Snider, Howard L.
Charlton, Albert K.
Smith, Donald G.
Prather, Richard L.
Dean, Clyde D.
Carr, Gerald P.
McKinstry, William E.
Sanford, Glen
Self, William R.
Bradshaw, Harvey D.
Kirby, Robert W.
Stephens, Willard M.
Jones, Paul R., Jr.
Slepicka, Alois A.
Spencer, Noel W., Jr.
Barstow, Charles A.
Smith, Lloyd W., Jr.
Gannan, Henry R., Jr.
Egan, Martin J., Jr.
Harrison, Jerry M.
Peterson, Perry M.
Lyttle, Dan J. C.
Henderson, Ted R.
MacPherson, Robert T.
Williams, Clifton C., Jr.
Townsend, Thomas A.
Mathews, Frederick A.
Jones, Robert C.
Lukeman, Anthony
Lacey, Fred E., Jr.
Spreitzer, Richard L.
Friedrichs, Phillip B.
Badeker, Roger W.
Carlson, Gary L.
Stratford, William K.
Ready, Bobby J.
Hamlin, Thomas M.
Hagerty, Roger C.
Coleman, Ellsworth P.
Belt, James L.

The following-named officers of the Marine Corps for temporary appointment to the grade of captain subject to qualification therefor as provided by law:

*Stingley, Patrick R.
*Fiel, Mervin A.
*Psaros, George C.
*Black, Harry
*Simon, Clyde C.
*Albro, Raymond C., Jr.
*Lecky, Timothy B.
*Linnemann, John A.
*Rogers, Jack J.
*Booher, Robert B.
*Doran, Robert R.
*Reynolds, Charles A.
*Lasseter, Lee T.
*Conley, Charles K.
*Hoar, Joseph P.
*James, Robert L.
*Haupt, Hans S.
*Kiene, Christian F.
*English, John P.
*McCrindle, Ronald B.
*Ramzel, David R.
*Dunn, John L.
*McMahon, Bernard
*Brooks, Robert P.
*Marada, Joseph P.
*Slater, John P.
*Wells, Richard C.
*Treadwell, Russell P.
*Millice, Kenneth P., Jr.
*Squillace, Gaetano F.
*Horner, William H., Jr.
*Fassler, Gerald D.
*Lessard, Paul F.
*Angus, Thomas P.
*Mann, Elliot F.
*Redding, William P., Jr.
*Bates, William S.
*Tardy, James S.
*Revell, Joseph E.
*Hughes, Laurice M.
*McSweeney, Harold R.
*Pyne, Richard S.
*Gardner, George L.
*Johansen, Peter J.
*Firnstahl, Vernon E.
*Blaul, Daniel J.
*Hagan, James T., III
*Wheeler, Eugene L.
*Fagerskog, Henry D.
*Chereson, Robert S.
*Palmer, Billy J.
* Johnson, Gerald L.
*Solan, John M.
*McGaw, William A., Jr.
*Nielsen, Daniel F. M., Jr.
*Jones, Arthur L., III
*Barnsley, William C.
*Acott, Richard D.
*Ades, Robert E., III
*Endresen, Danny A.
*Henry, Norman E.
*Legge, John B.
*Hansston, Jack F.
*Neal, Robert G., Jr.
*Huebner, Anthony C.
*Martin, Robert J.
*Blackington, Robert C., Jr.
*Griggs, William J., Jr.
*Reynolds, Angus S., Jr.
*Gerard, Charles G.
*Salas, Francisco U.
*Hammack, Tommy R.
*Murray, James W.
*Powell, Ferrell F., Jr.
*Gleason, Richard E.
*McIntyre, Melvin J.
*McNally, Paul F.
*Embry, John P. J.
*Laughlin, William S., Jr.
*Walsh, Gerald E.
*Hart, George R.
*Bottesch, Terrence M.
*Lewis, Robert D.
*Hoffman, Richard L.
*Davis, Jay M., Jr.
*Moore, Royal N., Jr.
*Makeever, Harrison A.
*Payton, Luther L., Jr.
*Amick, Lewie E., Jr.
*Poore, Horace
*Gailey, Lloyd E.
*Pederson, Richard J.
*James, Joseph L.
*Thien, Robert L.
*York, Everett E.
*Roman, Donald J.
*Kynion, Kaye M.
*Arnold, Curtis G.
*Cook, Ernest T., Jr.
Weir, Charles J.
*Cooper, Harlan C., Jr.
*Overmyer, Robert F.
*Lovell, John H., II
*Rigg, Richard J.
*Duffy, Patrick E.
*McLaughlin, George D., Jr.
*Gardner, Benjamin W.
*Sisley, Frederick E.
*Shaw, Phillip E.
*Catoe, Christopher
*Czerwinski, John J.
*Shuman, William D.
*Summerlin, Billy M.
*Kieselbach, Philip J.
*Hester, Charles E.
*Rivella, Hernon J.
*Drury, Michael C.
*Burnette, Robert D.
*Morris, Calvin M.
*Davis, William G.
*Collison, Walter N., Jr.
*Sutton, Verl D.
*Howell, Gordon E.
*Lindauer, Jerry D.
*Curl, James R.
*Rebstock, Werner F.
*Tiffany, Russell B.
*Taylor, Madison L.
*Welty, Michael F.
*Floyd, William C.
*Sullivan, Louis
*Smartz, Joseph J.
*Ledeboer, Willis D.
*Hocevar, Francis A.
*Ross, James W.
*Sweitzer, Merrill A., Jr.
*Scialdone, Frank, Jr.
*Seed, Richard J., III
*Jersey, David E.
*Stremlow, George J.
*Mockler, Edward M.
*Ayers, James W.
*Thompson, Daryl W.
*Read, Harold D.
*Osmondson, Eugene L.
*Paganelli, John J.
*Ruane, Joseph D.
*O'Brien, Richard V., Jr.
*Leonard, William H.
*Foti, Joseph G.
*Lemon, Douglas W.
*Miller, Harl J.
*Stewart, Douglas P.
*Appezzato, Ralph J.
*Alford, Donald F.
*Hughes, Richard D.
*Walters, William H.
*Ross, David L.
*Carlton, Richard L.
*Bailey, Gene E.
*Grubbs, Wendell O.
*Ondrick, Robert M.
*Simpson, Patrick S.
*Caton, James R.
*Meissner, Howard W.
*Turner, James D.
*Lewis, Floyd C.
*DeMartino, Pasquale W.
*Knight, James R.
*Chaimson, Ross C.
*McDonough, Michael R.
*Reed, Robert W.
*Miller, Donald E. P.
*Ditto, John H.
*Warfield, Harry R.
*Abney, Robert D.
*Alexander, Charles R.
*Stoffey, Robert E.
*Merrihew, Ronald E.
*Bishop, Richard A.
*Huffman, Donald R.
*Notine, Daniel M.
*Nappi, Louis T.
*Krebs, John F.
*Collins, Carl G.
*Alexander, Robert B.
*Keith, Charles R.
*Burkhart, Arthur E.
*Horton, Samuel M.
*Kelly, Daniel A.
*Kerwin, Paul C.
*Stumpf, Thomas A.
*Rutledge, Bobby G.
*Martin, Raymond H.
*Tutterrow, James H.
*Fugate, Ray A.
*Berchiolli, Kent V.
*Alley, Rodney H., Jr.
*Marshall, William H.
*Wood, David V.
*Dominquez, Marino T.
*Taffe, Henry W.
*Stevens, John D.
*Chase, William E.
*Daugherty, Charles L., Jr.
*Cox, George F.
*Baldwin, William S.
*Judkins, Paul G.
*Browne, Edward R.
*Wakefield, Robert H.
*Phenegar, Wesley R., Jr.
*Foster, Edward B.
*Prewitt, Robert C.
*McElroy, Theodore R.
*Bowman, Bruce B.
*Stevenson, Samuel H.
*Iles, Jacob E.
*Bynum, Franklin D.
*Thomas, Willard Y.
*Bown, Rodney L.
*Keating, Daniel J., Jr.
*Van Antwerp, William M., Jr.
*Deegan, Gene A.
*Keller, Noel J.
*Molineaux, Joseph F., Jr.
*McNelly, John F.
Rasavage, John R.
Navadel, George D.
Steffen, Allan J.
Cooper, Jerome G.
Smaldone, Ronald A.
Buss, Richard H.
Mayers, Kenneth E.
Culver, Richard O., Jr.
Stremic, Anthony W.
Lemmons, Jimmy B.
Charles, Robert S.
Held, Arthur E.
Schenck, Kennell I., Jr.
House, Edward L., Jr.
Graham, Robert J.
Jenkins, Jerry H.
McNutt, Kenneth A.
Gratto, Joseph M.
Whipple, Oliver M.
Willmarth, John M.
Aiken, Thomas H.
Ferguson, William C., III
Douse, George H.
Cuthrell, Donald W., Jr.
Bucknam, Howard V.
Knowles, Robert C.
Hemingway, John W.
Wright, Ronald W.
Fraser, Thomas J., Jr.
Baker, Horace W.
Martin, Warren L.
Taylor, Bruce C.
Butchart, Edward W.
Kandra, Myron J.
Burger, Joseph C., Jr.
Brackman, James T., II
Houseman, William B.
Chambliss, John C.
Cobb, Jerry L.
Carty, John J.
Yon, Dandridge H.
Booth, Francis D.
Brill, Arthur P., Jr.
Clark, Robert L.
U'ren, William F. H., Jr.
Knapper, Roger E.
Russo, Anthony R.
Reeves, Thomas L.
Lindseth, Clarence D.
Langton, Robert E.
Caswell, Russell J.
Allen, James R.
Cooper, Matthew T.
Vowell, David E.
Dean, Bennett R.
Sweeney, Smith
Thibault, Dale R.
Wiggins, Stanley C.
Wunderlich, Leonard A.
Warnicke, Edward A.
Reczek, Gerald F.
Walters, Warren S.
Bowles, Ray W.
Salmon, Michael D.
Kirkham, James H.
Smyth, Thomas J.
Miller, Anthony D.
Cormack, Donald H.
Mulkey, Jesse G.
Hanthorn, Russell L.
Manazir, Charles H.
Dalberg, James E.
Raines, Richard C.
Shroyer, David K., Jr.
Brown, Larry K.
Sudmeyer, Paul T.
Ludwick, William B.
Huffcut, William H., II
Olson, Reid H.
Dulaney, Richard L.
Bohr, Harper L., Jr.
Beckwith, William H.
Curd, James H. R.
Maley, Fredric W.
Lengauer, George T., Jr.
Wilson, Robert B.
Gilligan, Adrian
Rushing, Clifton L., Jr.
Hogaboom, Pieter L.
Featherston, Robert K.
Robinson, Donald M.
Merriss, William D.
Renner, William A.
Toth, James E.
Lanigan, John D.
Breitenbach, Roy G.
Stewart, Douglas K.
Austin, Randall W.
Thompson, Amos D., Jr.
Lawe, Richard C.
Auten, Don E.
McCabe, John G.
Dougherty, Paul K.
Paige, Reid B.
Hanley, Michael J.
Henry, James W.
Collins, Larry M.
York, Geoffrey A.
Wanner, Sanford B.
Means, Henry N., III
Tinker, Alan
Alexander, Richard H.
Allinder, Myrl W., Jr.
Swenson, Wayne R.
Oakley, Cledith E.
Murphy, John R.
Cunningham, Dennis M.
Westphal, Paul E., Jr.
Davis, Charles E., III
Parks, Hugh L., III
Roberts, Alfred M., III
Andersen, Donald E.
Simpson, James F.
Granger, James H.
Polk, Larry J.
Donnelly, John L.
Byrnes, Robert E., III
Garner, John T.
Day, Bernard C.
Bergen, Daniel F.
Hodge, Gene D.
Caulfield, Matthew P.
Sinnott, William T.
Carswell, Donn A.
Kelley, John D.
VanNiman, John H.
Burke, John P.
Bauer, William D.
Brinegar, Richard L.
Driscoll, Eugene J., Jr.
Whiting, Edward R.
Studer, Edward A.
Pratt, Thomas M., III
Woodward, Robert L.
Oravits, Joseph J.
Britton, Oscar W.
Reynolds, Richard C.
Doughty, Clifford C.
Omer, Jack L.
Mead, William H.

The following-named officers of the Marine Corps for permanent appointment to the grade of captain, subject to qualification therefor as provided by law:

*McDorman, Leroy D., Jr.
*Seymour, Kenneth F.
*McCraner, James N.
*Smith, William W.
*Davidson, James U.
*Hart, Robert W., Jr.
*Kohnen, Hubert
Bloodworth, John M.
Bridges, Larry W.
Dearth, Wayne R.
McGee, David O.
Robinson, Frederick J.
Waibel, Leonard C.
Butler, John W.

The following-named women officers of the Marine Corps for permanent appointment to the grade of captain, subject to qualification therefor as provided by law:

Roberts, Roberta N.
Schleichert, Dolores A.
Houser, Peggy S.
Broetzman, Marie M.
Vertalino, Carol A.
Carlson, Carol J.
Rick, Nancy T.
Carroll, Nancy A.
McDuff, Colleene M.

The following-named officers of the Marine Corps for permanent appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Addams, William A., II
Albright, Donald A.
Aleksic, Walter P.
Alexander, Joseph H.
Allison, Charles R.
Ammons, Kenneth L.
Anderson, Clifford H.
Anderson, Gary H.
Anderson, John E.
Andrews, Louis P.
Antonille, Russell T.
Asanovich, Elie M.
Atkins, George W. P., Jr.
Babbie, Earl R.
Bacon, James N.
Badolato, Edward V.
Bagwell, Charles H.
Baig, Mirza M.
Bailey, Alfred D.
Baker, Clarence L.

Baker, Robert L.
Balash, Steve R., Jr.
Baldwin, Larry L.
Bane, Ronald E.
Barnhill, Dwight D.
Bartel, James A.
Bartnick, Stanley J.
Bass, Murray, Jr.
Bastian, Dean L.
Baxter, Thomas W.
Beaudoin, Leonard J., Jr.
Bechtol, Bruce E.
Bechtol, Joseph A. L.
Beck, Duane C.
Bennett, Allan L.
Bennett, Elizabeth A.
Bennett, Jesse D., Jr.
Bergman, Donald D.
Bergstrom, Alfred R., Jr.,
Besch, Edwin W.
Bethea, William D.
Betz, Thomas R.
Bierman, Edward O.
Bikakis, Charles N.
Bilyeu, Byron L.
Bivens, Alfred H.
Bland, Richard P. L.
Blythe, Ralph A., Jr.
Boller, Lawrence J.
Bomkamp, Norman H.
Bowden, Howard J.
Bower, James W.
Bowers, Gene W.
Bowlby, Samuel W.
Bowman, James H.
Bradbury, Donald L.
Brandtner, Martin L.
Braun, Robert A.
Britell, Claudius J.
Broadwell, Donald N.
Bronson, James V.
Brooks, Carl E., Jr.
Broome, Eugene F.
Brown, John H.
Brown, Robert J.
Burgess, Alan E.
Burgess, Richard S.
Burke, Francis M.
Burkley, George W.
Burns, Charles W.
Burns, James P., III
Burton, Lou L., Jr.
Byers, Larry E.
Carlson, Robert A.
Carroll, Thomas J.
Cassel, Louis A.
Cathell, Peter H.
Cauley, Bernard J.
Cavallaro, Joseph M.
Cazares, Alfred F., Jr.
Cerney, William F.
Chambless, Edward L.
Ciccone, Ronald G.
Clark, Francis S.
Clark, John L., Jr.
Clawson, Roger L.
Clements, Richard F.
Cochran, Bruce A.
Coll, Vincent S.
Collins, William
Conklin, Raymond C.
Connor, Briah K., Jr.
Conrad, Frederick A.
Cooke, John P.
Cooper, William J.
Copeland, Randolph G.
Core, George E.
Costa, Keith A.
Coulter, Robert S.
Cox, Donald C.
Craig, Frederick B.
Crampton, James H.
Crawford, Ronald W.
Culver, John L.
Curley, Michael H.
Cutcomb, David H.
Dabney, William H.
Daniel, Jack N.
Darrow, Donnie L.
Daubenspeck, Lynn A.
Davey, Judith A.
Davis, Brian P.
Derbes, David G.
Desautels, Ernest J.
Deshler, George O.
Despotakis, John A.
Dickerson, Michael G.
Dickson, Bonneau H., Jr.
Diffen, Ray I.
Dilweg, Gary T.
Dobak, John D.
Dodd, George G.
Dokos, Chris G., Jr.
Donnelly, Francis L.
Douthit, Nathan C.
Duncan, Hubert G.
Dunn, Theodore R.
Dusse, Ronald J.
Edgell, George P.
Eggleston, George D.
Eirich, Donald G.
Elgin, Arthur C., Jr.
Elpers, David J.
Elrod, McLowery
Ennis, Berlis F.
Enochs, George H.
Eppinger, Edward A.
Erb, Louis F.
Everill, Peter D.
Farnsworth, Charles E.
Farrington, Daniel O.
Fehnel, Richard A.
Feitel, Joseph Y., Jr.
Ferris, Roger E.
Filkins, Eleanor E.
Filson, John R.
Flaharty, John P., Jr.
Flynn, Robert G.
Forbes, Philip A.
Foster, Karl A.
Fox, Raymond F.
Friedl, Richard C.
Friend, Gerald E.
Friis, David J.
Fullem, Donald
Fulmer, Mark T.
Fuqua, Beverly B.
Gale, Robert T.
Gamer, Peter P.
Gann, Robert B.
Gardner, Phillip E.
Garriott, John W.
Gatz, Frederic L.
Gay, Charles B., Jr.
Gaynor, Paul B.
Germer, Henry A., Jr.
Gibbons, Joel W., III
Gibbs, Joseph W., III
Giff, Urban L.
Gilbert, Jan R.
Gill, John P.
Gillespie, Gary L.
Gleeson, Richard
Glover, Douglas
Goodwyn, George W., Jr.
Gorman, Merle W.
Gormley, Joan C.
Gosnell, Harold C., Jr.
Grant, Herbert A., Jr.
Greene, Bruce A.
Griffin, Wayne G.
Grubbs, William A., III
Gruner, John M.
Gruning, Charles R.
Guy, John W.
Hahn, Warren G.
Hale, Lynn A.
Handrahan, Robert G.
Hanson, Chester E.
Harbison, Charles E.
Harlan, Robert R.
Harris, Henry W., Jr.
Harris, Richard I.
Harter, Gary D.
Hatfield, Maynard A.
Hathaway, John A.
Hawley, George T.
Hayes, Frank S.
Heil, Thomas C., Jr.
Heinisch, Roger P.
Helm, John H.
Hendricks, Nelson P.
Hildebrandt, Earl W.
Hitchcock, Gene R.
Hock, Kemper L.
Hofmann, David H.
Holdaway, Karl S.
Holman, Robert S.
Hopkins, Harvard V., Jr.
Houlahan, Thomas J.
Hracho, Eugene E.
Huggin, Gerald C.
Hughes, Richard W.
Hungerford, Ed V., III
Hutchison, Samuel G.
Hutton, LaJon R.
Ingebretsen, Carl R.
Jackson, Richard D.
Jerbasi, John T.
Jessen, Donald W.
Johnson, Donald W.
Johnson, Gerald M.
Johnson, Richard A.
Johnson, Robert L.
Jones, Kenneth N.
Jordan, Gregory W.
Judd, David W.
Kealey, James A.
Keefe, Edmund M., Jr.
Kelly, Francis D.
Kelly, Gordon L.
Kemp, Steven J.
Kerr, James A., Jr.
Kerrigan, Richard T.
Kew, Robert J.
Keys, William M.
King, Dennis G.
Kirkpatrick, Joe J.
Kish, Julius P., III
Kisner, Ned B.
Klapinsky, Raymond J.
Klingler, Donald P.
Knepp, Donald R.
Knestis, James F.
Koenig, Donald M.
Kolbe, Frank P., Jr.
Koontz, Robert P.
Kowalski, Thomas J.
Kraft, Daniel J.
Kreider, James W.
LaFon, Robert W.
Lamb, Donald L.
Landes, Burrell H., Jr.
Lantz, Conrad W.
Larson, Donald H.
Larson, Kenneth P.
Lee, Vincent R.
Lefeve, David A.
Leggett, James
Leiker, Robert
Lewan, Lloyd S.
Lindley, Edward A.
Lindquist, Terry K.
Little, Thomas F.
Lohmeier, Donald L.
Lokken, Wesley A.
Loveland, Gary N.
Loving, Francis L.
Lowe, James W., Jr.
Lumsden, James L.
Lusk, Rudolph F.
Luther, Lawrence A.
Lutheran, Joseph A.
Lutton, John M., Jr.
Lynch, Charles L.
Lytle, William J.
MacDonald, Gerald E.
Mackie, Nancy J.
Manning, Douglas R.
Marshall, Robert D.
Martikke, Erwin J., Jr.
Martin, William R.
Massey, Tom E.
Matson, Claude A.
May, James S.
May, Joel A., Jr.
Mayers, David, Jr.
Mays, Miles C.
McAfee, Ernest W., Jr.
McCain, Charles M.
McCallum, William J.
McClanahan, Garrett W.
McClellan, Gary C.
McDonald, John C.
McInteer, Robert C.
McIntyre, William A., III
McKee, Samuel K., III
McKenney, David M.
McLaughlin, John L.
McLaughlin, Paul A.
McLaurin, Robert L., Jr.
Meck, Robert S.
Meeks, Clarence I., III
Mehl, Spencer P.
Metzler, Harry R.
Miller, Allen H.
Miller, Dan G.
Mills, James D.
Mitchell, Larry G.
Mize, Alfred L.
Moore, James L.
Moore, Lawrence R.
Moran, Thomas J.
Morgan, Robert F.
Morley, Guy H.
Mueller, Gerald R.
Murphy, Richard J.
Myers, Oran L.
Nestande, Bruce K.
Newton, David B.
Niotis, John D.
Nolen, Thomas A.
O'Byrne, Elton C.
O'Connell, Maurice C.
O'Laughlin, Larry L.
Olin, John H., Jr.
Oliver, Troy R., Jr.
Olson, Joseph C., III
Oots, Samuel E.
Opean, Michael I.
Orr, Alan L.
Otto, Milton C.
Oxenreider, Lynn F.
Parks, John R., Jr.
Pate, Hugh P.
Pearson, Jeremiah W., III
Pease, Mark C.
Peat, Harry C., Jr.
Pennell, Robert M.
Perrin, Richard K.
Peterson, Wayne A.
Pinson, Joseph W.
Presley, Olen D.
Prestera, Richard A.
Price, Charles E.
Prouty, Russell C.
Prue, David B.
Puaa, En Sue Pung
Puckett, Scott C.
Pynchon, George E.
Quinlan, David A.
Ransom, Albert J.
Raper, Donald L.
Rasmussen, Robert J.
Reagan, Ronald E.
Reams, William H.
Reed, Robert M.
Reimer, John H., Jr.
Reusse, Edward O.
Richardson, Jimmy D.
Richardson, Tom V.
Rippelmeyer, Karl
Roark, Richard D.
Robinson, George K., Jr.
Robinson, Lance R.
Roche, William A.
Rogers, Torrence W.
Ross, George C.
Ross, James M.
Ross, Robert A.
Roth, Ronald K.
Roy, Barbara J.
Ruffini, James R.
Ruyle, James B.
Sabater, Jaime, Jr.
Sadler, Kenneth R.
Sale, Charles L.
Salmon, Lawrence R.
Sammis, Norman W.
Sampson, Charles W.
Sanchez, Kelly J.
Sawyer, Carl R., Jr.
Sawyer, John F.
Schwab, William F.
Scrivner, James D.
Seaman, Lawrence E., Jr.
Seely, Rae C.
Sehulster, James T.
Shaver, Wayne E.
Shaver, William C.
Shaw, Walter C.
Shea, James R.
Sherwood, Susan H.
Silva, Lionel M.
Simpson, Jerry I.
Sirois, Benoit J. L.
Slater, John H.
Sloan, Robert W.
Slone, Hardy A.
Smelich, Walter R.
Smith, Gid B.
Smith, James M.
Smith, Vincent M.
Smolenski, Robert J.
Sneed, Richard C.
Snodgrass, Clyde R.
Snook, Howard M.
Sohm, Jacque E.
Solak, Thomas J.
Solomon, John E., Jr.
Somerville, Gary J.
Spence, Wesley F.
Spevetz, Louis M.
Spolyar, Robert J.
Stacy, Richard M.
Steele, James L.
Stefansson, David R.
Stensland, William C.
Stewart, James J.
Stiegman, Donald L.
Strand, Robert H.
Strickland, Anthony R.
Studds, John A.
Stull, Jay W.
Sturkey, Charles E.
Sullivan, Harold D.
Sumler, Lamar
Sutton, Edward N.
Sweeney, William T.
Sweetser, Warren E., III
Swetman, Roderick E.
Sypult, Robert P.
Szweda, Edward H., Jr.
Taylor, Lawrence A.
Telles, John, Jr.
Tener, Frederick S., Jr.
Tenney, Joseph R.
Terpak, John B., Jr.
Thomas, James N.
Thompson, Albert K.
Thompson, Allan
Thompson, James G.
Thompson, Richard K.
Tilley, William A., Jr.
Todd, Gary E.
Todd, John H.
Troutman, Howard P.
Tschida, Rudolph G.
Tull, Martin N.
Tumlinson, James H., III
Tunberg, Karl A.
Turbeville, Bobby G.
Turner, Carlon N.
Uzzelle, George H., III
VanWert, Paul J., Jr.
Vaughan, Jean P. C.
Wallace, Arthur L., Jr.
Wallace, Richard F.
Walters, Hugh L.
Ward, Sanford D.
Watson, Jack H., Jr.
Watson, John R.
Watson, Robert C.
Webster, Ralph D.
Webster, Steven S.
Weren, Arthur D.
Werner, Evan C.
Wheeler, Karen G.
Whitaker, Allen P.
Whitfield, Howard M.
Wickens, Justin H.
Wilkins, George M.
Williams, Paul R.
Winston, Herbert T.
Wood, Herbert H.
Wright, Floyd K., Jr.
Young, Gordon K.
Young, Harry C., Jr.

The following-named officers of the Marine Corps for temporary appointment to the grade of first lieutenant, subject to qualification therefor as provided by law:

Abbott, Thomas C.
Acree, William R.
Adams, David H.
Adams, Richard G.
Anderson, Robert R.
Angil, John F.
Arbogast, William L.
Arick, John C.
*Ariss, David W.
Arnold, Mordecai R.
Atkinson, Al R.
Austin, Lowell E., Jr.
Austin, Stephen W.
Ayala, Isaac
Bacon, Maurice S.
Bannigan, Vincent W., Jr.
Banning, Maurice R.
Barner, Wayne A.
Barth, David R.
Baxa, Ernest G., Jr.
Beckley, James F.
Beitel, Richard T.
Bell, William F.
Bellows, Bruce A.
Bergman, Craig A.
Beyer, Malcolm K., Jr.
Bierman, James W.
Blanks, Charlton H.
Blot, Harold W.
Bolster, Robert W., Jr.
Bourgeois, Kenneth L.
Brabham, James A., Jr.
Bremer, Darwin E.
Brentlinger, Richard A.
Bricker, Peter W.
Bridges, Charles R.
Brodeur, Gerald P.
Buch, Alan D.
Burgin, Robert A.
Burke, John G.
*Cadwalader, George
Calkin, James F.
Campbell, Jack R., Jr.
Capitanio, David A.
Carpenter, Charles L., Jr.
Carroll, Ronald J.
Carter, Marshall N.
Carter, Richard H.

Carter, Thomas L.
Caskey, Robert D.
Celmer, Lawrence J.
Chamberlin, Henry B., III
Chambers, John A.
Chambers, Russell A.
Chang, Melvyn H.
Chapman, Arthur C.
Chesson, John W.
Chipman, Sydney E.
Chittenden, Thomas J.
Choate, Thomas W.
Christy, Donald E.
Clark, Gary D.
Clement, Donald A.
Clemmons, Robert F.
Climo, William H., Jr.
Collins, Eldridge R., Jr.
Collins, Emmett B.
Collins, Randy J.
Conoley, Robert O.
Cook, Frederic W.
Cossaboon, Everett E.
Cox, Edward V.
Coyle, Edward L.
Craney, Dennis W.
Cullen, William E., Jr.
Currie, Herbert L.
*Curtis, Charles B.
DaGrosa, John B.
Dailey, Paul B., Jr.
Davis, Sheridan
Dawson, Robert G.
Dees, Wilton F.
DeGroot, Robert H.
DeHart, Earl R., Jr.
Dennis, Chadwick H.
Dennis, Robert M.
*Derry, James O.
Dickson, Ted O.
Dillon, Thomas J., Jr.
Doty, Leonidas, III
Douglas, David J.
Dove, Thomas R.
Dow, Charles W.
*Downs, Michael P.
Draude, Thomas V.
Drez, Ronald J.
Driscoll, Steven J.
Drummond, John F.
Duffy, Peter A.
Dumont, Thomas J., Jr.
Dunphy, William W.
Eastman, James E.
Edmunds, Richard L.
Egan, Francis X.
Eiff, Ralph T.
Ellis, Daniel J.
Emanuel, Roy N.
Enockson, John O.
Erwin, Harold A.
Everroad, John D.
Fairfield, Rupert E., Jr.
Falkenbach, Robert W.
Falkenberg, Ken
Farrell, Patrick G.
Ferrante, Frank
Fetzer, James H.
Filo, William R.
Fiorillo, Michael, Jr.
*Fisher, Thomas V.
Flowers, Walter E.
Focht, George A.
Foltz, Gary E.
Ford, Michael E.
Forlano, Anthony J.
Franzwa, Robert E.
Frese, Frederick J., III
Fritz, David H.
Furleigh, James R.
Fye, Carl R.
Gage, William R.
Gallagher, Thomas D.
Gallagher, William T.
Gallaway, James W.
Garner, Robert E.
Garten, Ronald C.
Garwick, Gerald G.

Gay, George R.
Geddes, Roland T.
Gedris, Joseph R.
Gentry, John R.
Gibson, Robert F.
Gill, George K.
Gill, Gerald L.
Glad, Andrew D.
Glass, Eugene M.
Goehring, John A.
Goodwyn, Ben R.
Gordon, Charles R.
Gorman, James
Gray, William B.
Green, Geoffrey E.
Green, Jerry M.
Green, Larry S.
Greenfield, Howard E., Jr.
Greer, Jan P.
Griffin, William R.
Grisier, D'Arcy E.
Groot, Roger D.
Guidry, Norman R.
Guinn, Robert L.
Hadden, Lon D.
Hadley, John A.
Hafner, Arnold N.
Hahn, Joseph J., Jr.
Hammond, Benjamin G.
Harbaugh, Thomas E., Jr.
Harborth, William M.
Hardaway, James D.
Harman, Milton L.
Harrington, Robert F.
Hassinger, Edward J.
Hastings, Garner R.
Hayden, James B.
Hearney, Richard D.
Hehnen, Mark T.
Heinz, Hans R.
Helm, Hugh H.
Hemphill, Frederick H., Jr.
Henderson, Frederick P., Jr.
Henderson, Porter K.
Hennessy, John M.
Hesser, William A.
Hewitt, Thomas E.
Hickok, James B.
Hicks, Gerard R.
Higgins, Howard W.
Hinman, Marlin N.
Holbrook, James H., Jr.
Holleran, Martin P., Jr.
Holmes, Curtis E.
Honeywell, James A.
Horn, Thomas R.
Howatt, Franklyn J.
Howell, Jefferson D., Jr.
Hurdle, Patrick M.
Irons, Jerrold T.
Jackman, Richard B.
Jacobson, Kenneth R.
Jacoby, Jimmy K.
Jarboe, Robert L.
Jardine, Theodore J.
Jenkins, John L.
*Jennings, Harry E., Jr.
Jensen, Harold B., Jr.
Johnson, Alford B.
Johnson, Jimmy L.
Johnson, Ken H.
Johnson, Robert E.
Johnson, Weston L.
Jolley, John N., Jr.
Jones, Douglas A.
Jones, Lloyd C.
Jones, Patrick J.
Jones, Philip T.
Jordan, David M.
Keller, Gerald J.
Kenny, James P.

Kerney, James L.
Kerr, Wendell H., Jr.
Kolb, James G.
Kosciw, Thomas L.
Kott, Stephen J.
Kratcoski, Eugene L.
Krulak, William M.
Kszystyniak, John E., Jr.
Kuchinskas, Richard J.
Kunkel, Donald J.
Kuzela, Edward V.
La Duca, Nicholas J., Jr.
Lamb, Charles T.
Larson, George H.
Lau, James
La Voo, John A.
Lehr, Antone D.
Levasseur, James H.
Levine, Michael D.
Lindberg, Perry C.
Lindstrom, William A.
Lingenfelter, Theodore P.
Link, Louis A.
Linkonis, Bertram L.
Lloyd, Calvin A., II
Lorch, Robert E.
Lucci, Michael J.
Luebke, William R.
Luster, Dale A.
Lytch, William D., Jr.
Madalo, Michael
Maddox, Robert W.
Madonna, Raymond C.
Mahoney, Hugh D.
Mannila, Richard R.
Marks, David E.
Martin, Arville D.
Martin, Eugene J.
Martinsen, Richard C.
Matlack, John G.
Matthews, Frederick R.
McAllister, Thomas C., Jr.
McCarter, James W., Jr.
McCoy, Charles B.
McDermott, Patrick L.
McDonough, Edward J.
McGee, James L.
McGowan, Michael J.
McKee, Roger G.
McNeal, Robert J.
McNutt, Paul V.
*McVay, Kenneth A.
McPherson, Richard G.
*Meadows, Charles L.
Mecham, Steven G.
Merrell, Thomas H., Jr.
Miller, Donald G.
Miller, Jon
Miller, Richard P.
Mirtz, Phillip J.
Mitchell, Neil F.
Mixon, Aaron M., III
Moeller, Paul A., Jr.
Moody, Joe D.
Moore, Alfred H.
Moore, Ned A.
Morgan, Jerry L.
Morin, James J.
Morris, Donald
Morrissey, Richard T.
Morrow, Russel E.
Mortensen, Ivan R.
Mulford, Charles G.
Mullen, John J., Jr.
Mulligan, Dennis K.
Muncie, Donald R.
Murray, John A.
Myers, Karl L.
Negron, William P.
Neill, John E., III
Nelson, Arnold R.
Nelson, Sigurd E.
Neyman, James L.

Nissenson, Leonard
Noland, Kenneth E.
Nordquist, Myron H.
North, Bruce A.
Novak, Paul D.
Oberndorfer, Gerald J.
Obert, Carroll K.
O'Dell, Donald O.
Odle, William J.
Orfanedes, George C.
*Oss, Merton J.
Overstreet, Richard C.
Palka, Fred
Palmer, Richard K.
Parker, David R.
Patraitis, Chester J.
Pearce, Frank G.
Pearson, James O., Jr.
Pelner, Joseph J., Jr.
Perz, Vernon J.
Peters, Eric G.
Pfalzgraf, John R.
Pleva, James F.
Posey, Franklin H.
Poss, Willard B.
Preuss, Charles F.
Price, Donald L.
Rachford, Jon N.
Rahm, Bruce M.
Reasoner, Frank S.
Reed, Thomas J.
Richardson, David G.
Rintye, Edward D.
Ripley, John W.
Risler, Eugene S., III
Roberton, James C.
Roberts, Joseph T., III
Robertson, Munro V.
Robinson, Jerry C.
Roll, William R.
Romine, Richard A.
Rouleau, Eugene J.
*Rowe, Peter J.
Roulier, Mike H.
*Rudeen, Paul E., Jr.
Rupertus, Patrick H.
Russell, Leo K.
*Russell, William E.
Ruth, George W.
Rutledge, Earl R.
Sage, Henry J.
Sanchez, Herbert M.
Sarsfield, Patrick J.
Schara, Earl M., Jr.
Schlitz, Gordon M.
Schmidt, Arthur J., Jr.
Schreck, Edwin E.
Schulz, Richard W.
Schwartz, John R.
Scott, Denver D.
Selwitschka, William J., Jr.
Shafer, Francis L., Jr.
Shallene, Frank M.
Shaw, Charles T.
Shepherd, James A.
Sherman, John B.
Shockey, Donald K., Jr.
Simons, Gary F.
Sketoe, James G.
Smith, Loring E.
Smith, Phillip R.
Smith, Willie A.
Soechtig, Steven A.
Sommers, Alfred E., Jr.
Sorensen, Charles R.
Sramek, John S., Jr.
Stanat, Christopher W. J.
Staples, Robert D.
Stevenson, Robert R.
Stiven, James F.
Stowell, David W.
Stumpf, William W.
Sullivan, John P. T.
Tait, Glenn S.
Tarnopilsky, Walter
Tatum, Reiss P.

Tatum, William T., Jr.
Thompson, David E.
Thompson, Gary D.
Topken, Peter W.
Trudeau, James L.
Updegrove, Kenneth R.
Uyeda, Theodore Y.
Valentine, Igor R.
Vardell, William W.
Varn, Forest N.
Ver Eecke, Richard W.
Vick, Dellie A., Jr.
Walsh, Philip J.
Watt, Lewis C.
Wauchope, Douglas J.
Wells, James E.
Westendick, William A.

Wheeler, Carl B.
Whitfield, George A.
Wilkenloh, William C.
Wilkinson, Morgan L.
Williams, Leslie A.
Williams, Robert D.
Williams, Russell D., Jr.
Windham, Dale D. M.
Wood, Walter E.
Woolley, Dennis R.
Wroblewski, Edwin A.
Wyly, Michael D.
Wyser-Pratte, Guy P.
Yale, Carl R.
Yarnell, James H.
Yost, James L.
Yung, Carl H.

The following-named officers of the Marine Corps for permanent appointment to the grade of chief warrant officer, W-4, subject to qualification therefor as provided by law:

*Baker, Clyde G.
Goeke, Henry K.
Winchester, Cecil V.
Sparks, Thomas, Jr.
Anderson, Thomas E.
Hoffman, Robert C.
Willis, Maxey A.
Tillis, James G.
Smith, Robert E.
Tallentire, Gilson A.

Craumer, Luther C.
Alexander, George M., Jr.
Loesch, Robert J.
Dorgan, Alfred V., Jr.
Keeton, Charles W.
Clement, Robert A.
Jenkins, J. T.
Huff, Robert R.

The following-named officers of the Marine Corps for permanent appointment to the grade of chief warrant officer, W-3, subject to qualification therefor as provided by law:

Volle, Leslie E.
Holden, Howard
Cinotti, William J.
Leahy, Paul H.

Conner, Terrance A.
Becker, Alfred E.
Olesak, Andrew M.
Van Doren, Howard W.

The following-named officers of the Marine Corps for permanent appointment to the grade of chief warrant officer, W-2, subject to qualification therefor as provided by law:

Lawrence, John E., Jr.
Dalbey, Rolland M.
Piontek, Edward
Nelson, Delbert L.
Wiese, James J.
Richards, Daniel W.
Bracken, Wallace D.
Hurd, Archer D.
Ockuly, Eugene J.
Craig, Alvin L.
Morgan, Roger G.
Smith, Charles W., Jr.
Bishop, John W.
Myers, Paul A., Jr.
Hedrick, Joe P.
Omdahl, William H.
Hiester, Willington A., Jr.
Favreau, Robert D.
Mauri, Enrique A.
Stowell, James H.
James, Fred L.
Allen, Kenneth E.
Taylor, Charles C.
Downes, Edward A. G.
Baker, Paul R.
Fenwick, George W.
Mattox, Leon
Gardner, Thomas R.
Paquette, Joseph R.
Clem, Kenneth W.
Doran, Bernard R.
Ketring, Walter R., Jr.
Backo, Joseph L.
Fager, Wendel P.
Schlondrop, William C.
Keroack, Bernard W.
Lott, L. J.
Merry, Bion E.
Shank, Paul S.
Lisenby, William E.

Johann, Joseph A.
Georgia, Barry J.
Hanna, Richard J.
Keyes, Roy C.
Doyle, Duane R.
Fifer, Billy J.
Bowen, Eugene A.
Champion, George W.
Prato, Sam J.
Folsom, Clyde W.
Taylor, Thomas F.
Redican, Thomas E.
Miles, John J.
Thrailkill, Allen B.
De Meo, Angelo C.
Russell, Richard S., II
Gronert, Kenneth A.
Cline, Maurice G.
Weatherly, Richard E.
Humm, Edmond R.
Newman, Ronald D.
Duncan, Emmett D.
Gurney, Joseph R.
Drawdy, Joseph C.
Johnson, Dan E.
Weber, David C.
Raymond, Dale
Williams, John C.
Milliman, Glenn P.
Duncan, Dorris A.
McConnell, Harold V.
Innerarity, Vernon E.
Coyle, Edwin J.
Baschnagel, Walter T.
Driscoll, William F.
Hollis, James F.
Gibson, Ernest L., Jr.
Loof, Charles J., Jr.
Worcester, Floyd B.
Stone, Joe W., Jr.
Hufnagel, Edward A., Jr.

Mucci, Anthony
Stroup, Guy S.
Huggard, Byron L.
Waldenville, Alan W.
Pearce, Arthur R.
Fetchko, John B.
Lichty, Randall W.
Henderson, Jack R.
McWhorter, Robert J.
Preston, Thomas R.
Lambert, Frank A.
Hurley, Daniel J.
Grice, Marshall M., Jr.
Girvin, Bobby G.
Gabriel, Billy K.
Claus, Roger J.
Capelle, Paul W.
Gwaltney, William J.
Garibay, Antonio F.
Mulherin, Byron J., Jr.
Dangler, Joseph C.
Chance, James M.
Grose, Lester R.
Riggs, Robert K.
Brown, Charles O.
Nyenbrink, Henry W.
Montana, Douglas W.
Perry, Leon E.
White, Louis L.
Maguire, Paul B.
Werner, David B.
Moriarty, Michael E.
Acosta, Louis
Chavez, Lonnie S.
Bunting, Jerry E.
Lee, James N.
Simpson, Billy E.
Kuchinsky, Peter, Jr.
Paschen, Charles W.
Brandt, George H., Jr.
Bowden, Holland C.
Ferguson, Raymond E., Jr.
Clark, James A.
Scaplehorn, William E., Jr.
Harry, Lawrence E.
Hicks, Billie E.
Oakiey, Howard C.
Reuschling, Richard R.
Harrison, Ronald C.
Whisler, Theodore L.
Nicolai, Peter W.
Underwood, Howard L.
Fischer, George A.
Sakert, January T., Jr.
Kelly, James R.
Beaver, Dale S.
Steele, John M., Jr.
Mockenhaupt, Robert J.
LaRue, Billy B.
MacFarlane, Robert W.
Roberts, Morris R.
England, Joe H.
Ashmore, Kent D.
Sutherland, Frank R.
Deibert, Glen A.
Pierse, Donald E.
Targett, Donald H.
Wieden, Clifford, Jr.
Stubbe, Harry F.
Ashe, Thomas D.
Rosta, Stephen J.
Capps, Darl G.
Ross, Richard L.
Pitts, Thomas E.
Heusner, Robert A.
Olson, Robert V.
Johnson, Kenneth E.
Olsen, James G.
Clinch, Ralston S.
Hainsworth, John J.
Kenner, George F.
Peltzer, Benson, Jr.
Porter, Bebe B.
Worley, Robert L.
Pope, Robert E.
Dietz, Robert G.
Hazlett, Donald L.
Long, Charles E.
Guthrie, Clarence L., Jr.
Simons, Frank J., Jr.
Humphreys, Allyn A.
Davis, Ray Y.
Gray, Edwin T.
Rodgers, John H.
Golden, John J.
Noonan, William, Jr.
Hassen, Lyle C.
Tidwell, Edwin D.
Miller, Robert D.

The following-named officers for temporary promotion to the grade of captain in the staff corps, as indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

*Country, John C.
*Holmes, James H.
Johnson, Wendell A.
Kee, Charles E.
Marshall, Francies
Pariser, Harold P.
Waite, Richard R.
Weidemann, Karl C.
*Whiteside, James E.

SUPPLY CORPS

*Arthur, Harry B.
*Beckmeyer, Harold E.
Blankinship, Grover F., Jr.
Brademan, Royce A.
Burkhead, Franklin
Cook, Glover H.
Cornell, Alexander H.
Daley, Clement E.
Dawson, Thomas H., III
*Diggle, Raymond H.
*Dowd, Wallace R., Jr.
*Eckfield, Kenyon C.
*Ernst, Clayton W.
*Foster, Thomas E., Jr.
Fulton, Clyde E.
*Furtwangler, Leo E., Jr.
Hackett, John J.
Hamblen, Eunice A.
Hempson, Donald A.
Herron, John C.
Hopwood, Alonzo L.
Huebner, Dale C.
*Hughes, Augustus P., Jr.
Hurley, Robert E.
Jeffrey, Paul W.
*Jeppson, Robert B., Jr.
*Kesselring, Waverly D.
*Leighton, Richard W.
Lenox, Wilbert W.
Lohse, William M.
*Lotterhos, Augustus, Jr.
*Maiman, Elmer J.
*MacQuarrie, Harry A.
*McLanahan, Clarence E.
*Mills, Hubert P.
Morrissey, John E.
*Nalley, Thomas L.
*Oldfield, Edward C., Jr.
*Paist, John B., Jr.
Perkins, Charles F.
Race, William W.
Robison, Dale M.
*Sanders, Allen B.
*Schmeder, Charles E.
Scheela, Jerome J.
*Scott, John A.
Sheehan, William J.
Slettvet, Richard M.
*Swan, Alfred W.
*Swint, Elwin O.
Wiedman, Charles, Jr.
*Wilson, Robert H.
Young, Gilbert S.
*Zivnuska, Robert W.

CHAPLAIN CORPS

Brink, Frederick W.
*Cahill, Richard A.
Elliott, Robert E.
*Ernstmeyer, Milton S.
*Ferris, James S.
Garrett, Francis L.
*Gendron, Anthony L.
Hemphill, Edward J., Jr.
Jones, Oliver W.
*Kapalczynski, Eugene J.
*Lonergan, Vincent J.
Lyons, Earle V., Jr.
*Sargent, Gerald H.
*Schneck, Robert J.
*Swinson, Jesse L.
*Tuxbury, Vernon W.

CIVIL ENGINEER CORPS

*Anderson, Nelson R.
*Busbee, Greer A., Jr.
*Castanes, James C.
*Cunney, Edward G.
Dillon, John "G"
Dougherty, John A.
Engram, Robert C.
*Hobson, Harold E.
Johnson, Edwin E.
*Trzyna, Zbyszko C.
*Turner, Charles W.

DENTAL CORPS

*Colby, Gage
*D'Vincent, Richard "C"
*Knapp, Victor P.
Mazzarella, Maurice A.
Troxell, Richard R.

MEDICAL SERVICE CORPS

*Austin, Paul L.
*Kuntz, Robert E.
*Mann, Charles F.
Swanson, Robert W.

The following-named officers of the U.S. Navy for temporary promotion to the grade of commander in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

Aiken, Robert A.
Akins, Joseph W., Jr.
Alberta, Edward T.
Alexander, Charles S., Jr.
Alford, Zeb D.
*Allen, James Brent
Allen, James Blakeslee
Almonrode, Roland H.
Ambrose, Robert W.
Ames, Lionel E., Jr.
*Anderson, Arland T.
*Anderson, John M.
*Ashford, Robert "L"
Athow, Robert F.
Austin, William H., Jr.
*Ayres, James E.
*Babineau, Francis E.
Bacon, Francis W., Jr.
*Bade, Robert B.
Baer, Joseph, Jr.
Bagwell, Wallace B.
*Bailey, Emera S.
Ball, George F.
*Banks, Daniel L., Jr.
*Barber, Albertus V., Jr.
*Barfield, Charlie H.
*Barfield, Norwood R.
Barley, Cecil E.
*Barnes, Robert J.
Barondes, Earl D.
*Barr, Leon V.
*Barr, Robert M., Jr.
*Barry, William
*Barteluce, John J.
Bass, Richard W., Jr.
Baughman, Fred H.
*Bauman, Robert W.
*Bebb, Kenneth N.
*Beck, Lester H.
*Beck, William, Jr.
*Becker, Terrill F.
*Begley, Robert E.
Bell, John H.
Benson, Harry L.
Berglund, Burton E.
*Bernstein, Fred J.
Betts, Martin B.
*Beumer, Everett H.
*Bihr, Richard A.
*Bird, Comer H., Jr.
*Bird George B., Jr.
*Bivins, William "F"
Black, Charles H.
*Blair, Richard E.
*Bliesener, Arthur B.
*Blixt, Melvin D.
*Blumberg, David H.
Bodnar, Andrew J.
*Boger, Clarence E.
*Bohner, Jack L.
*Bond, John C., Jr.
*Bott, Alan R.
Boushee, Frank L.
Bowen, Edwin E.
Bowen, James W.
*Boyack, Maurice R.
*Brabant, Robert J.
Bradley, Claiborne S.
Bradshaw, Ray H.
*Brady, Charles G., Jr.
*Briggs, Winston D.
Brimmer, Herbert H.
*Brisco, Kenneth B.
Brooks, Wharton H., Jr.
*Brower, Robert C.
*Brown, Floyd H.
Brown, Lofton C.
*Brown, Louis F., Jr.
*Brown, Thomas D.
Bruce, John C.
*Buck, Edward G.
Buck, Maurice D.
Bunganich, John, Jr.
*Burke, Edwin J.
Burkett, Alva D.
*Bush, Philip R.
Bush, Ward A.
*Butler, John E.
Byrd, William J.
Cantrell, Charles E., Jr.
*Carey, Edmond J.
*Carlin, James
Carlquist, Roger
Carlstead, Edward M.
Carman, Warren E.
Carr, Herbert W.
Carraway, Bertram R.
*Carroll, Kent J.
Carter, Rodney B.
*Casserly, Christopher J.
*Chattleton, William D.
*Cheek, Glen R.
Chelgren, John L.
*Christensen, Jack A.
Christoph, Karl J., Jr.
Chuilli, Ernest J.
*Cislo, Louis
*Clark, Carroll D.
Clark, William E.
Clay, Harold S.
Clement, Robert R.
Clemente, Angelo E.
Clifford, William F., Jr.
*Clymer, Roy E., Jr.
Cocke, Edgar M.
Coggins, Jack C.
*Cole, Russell W.
*Collins, Robert M.
*Condon, Vernon W.
Connelly, John J., Jr.
*Cooke, Robert S.
Cope, Harland B.
Corley, Frank W., Jr.
*Corley, James W.
Corrigan, Paul T.
Cort, Walter W., Jr.
Cover, John H.
*Craig, Neil
*Craven, Phillip R.
*Crawford, Bentley B.
Crawford, Wayne H., Jr.
*Creasman, Jesse C.
Crispin, Robert E.
*Cross, William E.
Crouter, Robert W.
Crump, Frank L., Jr.
*Cummings, Donald E.
Cummings, Edward M. Jr.
*Curtin, Lawrence J.
Dadisman, Richard "A"
*Dahlby, Philip C.
*Dale, Robert L.
Dallmann, Paul H.
Darcy, Robert T.
*Davenport, Thomas T.
*Davidson, James B.
Davies, James W.
Davis, Cabell S., Jr.
*Davis, William R.
*Davis, William G.
*Dawson, John F.
DeBaets, Donald J.
DeBaets, Ronald M.
DeChow, Claude E.
Decker, Harvey L.
Dedman, Tyler F.
Deffenbaugh, Robert M
*Degler, Forrest R., Jr.
*DeHart, Turner
Denkler, John M.
Dermody, Richard J.
Dibble, Henry M.
Dickieson, Robert W.
Doe, Willard C.
Donovan, Walter J.
*Dorman, "R" "H"
Douglas, Stephen P., Jr.
Doxey, Robert C.
*Draz, David I.
Dudley, Calvin C.
*Durden, Walter D.
Durfos, Robert E.
*Durkin, Michael F.
Dyer, John C.
Early, Paul J.
Edelson, Burton I.
Edwards, George D., Jr.
Edwards, Maurice M., Jr.
Eidson, George V.
Ekas, Claude P., Jr.
Eldridge, Richard A.
*Elliott, Edward C.
*Elliott, Hollie H., Jr.
Elmer, Joseph S.
Engle, Calvin R.
*Enright, John P.
*Evans, Jack E.
Ewing, John R.
*Ewing, Paul C.
Fargo, Robert R.
*Farris, George W.
Faulkner, Doc G., Jr.
Fay, Lawrence J.
Fenn, Richard W.
Ferris, Wilbur G.
Fisher, John H.
*Fitchko, George W., Jr.
*Fletcher, Gene C.
Flood, Robert H.
Fogarty, Francis C.
Foulds, Donald D.
Foxgrover, James H.
Foxwell, David G.
Franklin, Isaac N., Jr.
*Fransen, Arnold J.
*Franz, Donald A.
Freeland, Harold H.
*Freeman, James
Fry, John C.
Fuller, Jack D.
*Fuller, Richard, Jr.
*Gallagher, Joseph
*Gallagher, Cornelius R.
Gammon, James M.
*Garbee, Edwin T.
Garlinghouse, Bruce B.
Garner, Alan S.
Garvin, Wilbur C.
*Gaunt, Richard H.
*Gauntt, Wesley R.
Gauthier, Gene F.
*Geary, Joseph R.
Gebler, Gerard P.
Geiger, Robert K.
Gibson, George W.
Gideon, Robert A., Jr.
*Gilliland, Frank
*Gilmore, Russell G.
*Ginn, John O.
*Gokey, Noah W., III
Goldman, Peter J.
*Goldstein, David A.
Gorder, Charles F.
Gorman, Donald V.
Gormley, Robert H.
*Grause, Jerome E.
*Gravely, Samuel L., Jr.
Graves, Robert F., Jr.
*Gray, Joseph W.
Green, Norman K.
*Greene, Wallace A.
Greig, Joseph E.
Griffin, Harry J.
Gross, James R.
*Groves, Thomas E.
Gurney, Sumner
Hale, Claude E.
Hale, Robert F.
*Hallam, Orval K.
*Hamilton, George
*Hamilton, Joe
*Hamilton, Robert M.
*Hanna, Donald L.
*Harbottle, Lyman W.
Hargarten, Robert W.
Harkins, William D.
*Harper, John R.
Harrier, John H.
Harris, Jack H.
Harris, William H.
Harrison, James L., Jr.
*Hart, Harry S.
*Hattersley, Julian
*Haugen, Edward S.
Haupt, Richard W.
Hawvermale, Joseph R.
*Hayes, James W., Jr.

Haynes, Kenneth G.
Hazelwood, James M.
Heckert, Nelson E.
*Heesacker, Bernard A.
*Heinberg, Wolf
*Heise, Frederick J.
*Heller, Glenn G.
*Henderson, James R.
*Herrick, Carl H.
*Herzog, James H.
*Hess, John A.
*Hesse, Theodore S.
*High, John R.
Highsmith, Frederick L.
*Hill, Edward C.
Hinden, Harry J.
*Hinds, Charles D.
Hodder, Arthur J., Jr.
Hoffman, Richard A.
Hoffmann, Henry A.
Hoffmann, Roy F.
*Holden, William P.
Holland, John P.
Holshouser, Jesse A., Jr.
Holton, Wallace C.
Hornbrook, James M.
*Houck, John F., Jr.
*Hough, William L.
Howard, Donnell
*Howard, John N.
*Hubka, Verne R.
*Hubler, Vernon R.
Huddle, Norman P.
Huling, Harold E.
Hunter, "H" Reid
*Ives, John R., Jr.
Jackson, Donald C., Jr.
*Jackson, Thomas E.
*Jacobs, Richard "B"
Jagoe, William H.
Jahant, John W.
Jefferson, Harry P.
Jennings, Verne "H," Jr.
*Johnson, Benjamin T.
*Johnson, Francis A.
Johnson, Harvey J.
*Johnson, John D., Jr.
*Jordan, Edward V.
*Jordan, Francis P.
*Kaffer, Gerald H., Jr.
*Kalasinsky, Frank
*Karnagel, Donald T.
Kearny, James D.
*Keegan, Earl W., Jr.
*Keen, Timothy J.
Keenan, Paul C., Jr.
Keener, Bruce, III
*Keith, James
*Keller, William F., Jr.
Kelly, Eugene F.
*Kelly, William F.
Kelso, Quinten A.
*Kennedy, Clarence L.
*Keough, Raymond F.
Kern, John S.
King, John W., Jr.
*King, William D.
*King, William L., Jr.
*Kington, Joseph E., Jr.
*Kleczewski, Marion J.
*Klein, Melvin E.
Kline, John L., Jr.
*Klingberg, Franklin N.
Knutson, Albert E.
Koehler, Robert H.
Koenig, William H.
Kojm, Leonard R.
Kolda, Frank C.
Krejcarek, Donald J.
*Kreutz, Arthur R.
Lang, Hugh E.
Lansden, Humphrey B.
*Larsen, Bertrand "O"
Larsen, Norman E.
*Lauver, George I.
Lawson, Kent W.
Lawton, Lawrence W.
Lebiedz, Edward F.
*Lee, Earl B.
Lee, Harry B.
Lember, David B.
*Lemeshewsky, Andrew A.
*Lemmon, Donal D.
Leo, Joseph P., Jr.
Lewis, Chantee
Lewis, William S.
*Lindgren, George B.
*Longo, Charles R.
Lott, Jesse P.
*Lowans, Warren H.
*Lowell, Percival D., Jr.
Lynch, Robert E.
Lyon, Henry J.
MacOnie, Robert T.
*Madill, William G., Jr.
*Magee, William C.
Maige, George N.
Manganaro, Francis F.
Mangold, John F., Jr.
*Maragos, George
Marsolais, Lawrence D.
*Martin, Claude F., Jr.
*Martin, James W.
*Martin, Reginald E., Jr.
*Martin, Samuel A.
*Mathews, John M.
Matthew, William M.
Maurer, Richard C., Jr.
*Mawhiney, William T.
Maxwell, Robert A.
McArdle, Robert P.
McClinton, Robert B.
McConnell, John H., Jr.
McCook, John A.
McCord, Wayne S.
*McDaniel, William O.
McDonald, Carlton A. K.
*McDonald, Nathan F.
McDonald, William M.
*McElwain, Richard S.
*McGill, John C., Jr.
McGonagle, William L.
*McGrath, John J., Jr.
*McGraw, Donald L.
*McGrievy, Joseph L.
*McKenzie, William W., Jr.
McKinley, William
McLaughlin, Norman H.
*McMahon, James P.
*McMakin, Charles H., Jr.
McNary, Johnnie W.
Measel, James G.
*Meisenheimer, John L.
*Melander, Vincent E.
*Midgette, Oliver F.
*Miechurski, Thomas A.
Miko, Charles R.
Miles, Bernard L.
*Miller, William O.
Milligan, Donald F.
*Mitchell, Eugene B.
Mitchell, Frank A.
Mitchell, John E.
*Mone, James V.
*Mooney, Rodney T.
Morgan, Clifford L.
*Morgan, Newton H.
*Morgiewicz, Daniel J.
Morris, Marion E.
Morris, Max K.
Morrison, Edward B.
Morrison, Wilbur M.
Mott, William R.
Mulligan, Eugene W., III
Munly, Richard E.
*Murline, Robert A. H.
*Murphy, James J.
Murray, Richard D.
Murrill, Robert L.
*Mussetto, Bruno
Navarrette, Claude, Jr.
Nealon, William G.
*Negele, John H., Jr.
*Nelson, Clifford
Netherland, Roger M.
Newcomb, Robert C.
*Newkirk, Kenneth H.
*Nienberg, Robert J.
*Nockold, Louis W.
Norman, Oliver L., Jr.
*Nourse, James A.
Nowers, William E.
Nuber, George E., Jr.
O'Brien, Leo F.
*Oddo, Phillip W.
*O'Grady, John P.
Olds, Corwin A.
O'Leary, Stephen J., Jr.
Olson, Delbert A.
Olson, Robert C.
*Orbeton, Maurice C., Jr.
Osborn, Neri, III
Osmer, James W., Jr.
Ostlund, Eugene W.
*Palmer, Frederick F.
Parish, George R., Jr.
Parks, William L., Jr.
Patterson, Randolph F.
*Pavelle, John J., Jr.
*Peebles, George C., Jr.
*Pefley, John W.
Pehrsson, Pehr H.
*Peoples, George F.
Perdue, Uley F.
*Perkett, Arthur J., Jr.
Perry, Dale S.
*Perry, William J.
*Peterson, John P.
*Peterson, William S.
Pfeiffer, Willard D.
*Phillips, Alva L., Jr.
*Phillips, George W., Jr.
Phillips, Kenneth E.
Pickens, Jackson R.
Ploof, Kenneth
Pope, John E.
*Porter, William W.
Powell, Robert A.
Prange, William L.
*Prassinos, George
*Presgrove, Charles K.
Price, Mood B., Jr.
Prichard, Reuben P., Jr.
*Prum, Bruce E.
Puckett, Howard M.
*Pullen, Boyd M., Jr.
Pyle, Robert E.
Radtke, Robert N.
*Ragsdale, Homer C., Jr.
*Rank, Cyrus "A"
Rasmussen, John E.
Rauch, Charles F., Jr.
Rawlins, Robert D.
Rawson, Charles E.
*Reardon, Francis P.
Rectanus, Earl F.
Reichwein, Fremont E.
*Renz, Louis T.
Reynolds, Milton L.
Rideout, Joseph M., III
*Riehl, Julian W., Jr.
Rigot, William L.
Riley, Daniel P.
Robertson, Bruce W.
*Robertson, William D., Jr.
Rockcastle, Charles H.
*Rogers, William H.
Rohrer, Leonard V.
*Rollins, Henry G.
Rose, Meyer H.
*Ross, Royal R., Jr.
Ross, Seymour N.
*Rouse, Jerome A.
Ruehrmund, James C.
*Ruoti, Anthony
Rusche, Alvin E.
*Rush, William A.
Russell, Paul E.
Russell, Wallace L.
*Ryder, Donald F.
Sanders, James E.
Sapp, Earle W.
Saubers, Maurice D.
Scappini, Mimo L.
Schaefer, William M.
*Schloer, Eric G.
Schniedwind, Robert F.
*Schou, Aage J.
Scoggins, Marvin C., Jr.
Scott, Robert L.
Scudder, Harold
*Seger, Josef M.
*Seidel, George H.
*Sell, Carl H.
Sellman, Edmund W.
*Shanahan, John J., Jr.
Shaver, William McC.
*Sheppard, James C.
*Shinn, William G.
Short, Edward A.
Shugart, Kenneth L., Jr.
Simmons, John A., Jr.
Simons, Joseph T.
Sisson, Jonathan A.
Skelly, Harold F.
Slater, Robert W.
*Smith, Bertram C.
Smith, Deming W.
*Smith, George K.
Smith, Harold A.
*Smith, Howard G.
*Smith, John A.
*Smith, Lloyd H.
*Smith, Ralph F.
Smith, Robert H., Jr.
Smith, Robert P.
*Smullen, Orville A., Jr.
*Soper, Malvern E.
Spangenberg, Walter, Jr.
Spoon, Donald D.
Spry, Warren L.
*Stahl, Douglas
*Stensrud, John D.
*Stephens, Alvis H.
*Stephens, Lawrence B.
*Stilwell, Edward P.
*St. Louis, Joseph A. R.
Stone, John F.
Stone, Troy E.
*Straton, Andrew C.
*Strong, George T.
*Stroux, Peter M.
Styer, Robert T.
Sullivan, Elmer D.
*Sullivan, John F.
*Sumney, Frank F.
*Sup, George C.
*Sutton, Thomas L.
*Sylva, Gerald
*Sylvia, Henry J.
*Tarpey, John F.
*Taylor, Cecil O.
*Taylor, David J.
Taylor, Dean, Jr.
*Tedholm, Charles E.
Tell, William M.
Terrass, Milford S.
Terry, Bernard E., Jr.
Thomas, Edward W.
Thomas, Lee R., Jr.
Thomas, Lon C.
*Thomas, Ralph L., Jr.
*Thomas, Robert H.
*Thompson, Elmer N.
Thompson, Robert K.
*Thompson, Thomas N.
Thomson, James
Thummel, Gerald F.
Timidaiski, James T.
Tobin, Daniel P.
*Toole, Wycliffe D., Jr.
Trout, Roscoe L.
Trusso, Sebastian
*Tuel, Merritt D.
*Turner, John S.
*Ulbricht, Frederick W.
Ulm, Robert B.
Underwood, John "L," Jr.
*Urban, Henry, Jr.
Urbanczyk, Louis T., Jr.
*Usina, Joseph D.
Vermilya, Jay "J"
Vermilya, Robert S.
Vollertsen, Russell A.
Vollmer, Cecil R.
Voves, Martin C.
Wadsworth, Dwight
*Waits, Jack E.
Walker, Grant J.
*Walker, Grover "C," Jr.
*Walsh, Francis R., Jr.
Ward, Edgar F.
Ward, "J" "D"
Warde, William A.
Warriner, Victor G.
Warring, Leo B.
*Waterman, Jack "E"
*Watkins, Robert W.
*Weber, Kent J.
Wegner, William
Weidman, Robert M., Jr.
*Weidman, William K.
Welch, Edward F., Jr.
Welch, Paul R.
Wellons, Alfred G., Jr.
*Wells, John T.
*Wellsman, Howard C.
*Wente, David A.
Wenzel, Harold F.
*Wicks, William F.
*Wilcox, Charles L.
Wilda, Gerald L.
Williams, Bernard P., Jr.
Williams, Glenn E.
Williams, Hexter A.
*Williams, James S.
*Williams, William H.
Williamson, Robert C.
Wineman, Gordon L.
Winkler, Cornelis, Jr.
*Winslett, Ernest R.
Witkowski, Eugene F.
*Wood, Eugene E.
*Woodard, David A.
*Woods, William L., Jr.
*Wyand, Donald M.
Yates, Andrew J.
Yates, William K.
*Young, Grant C.
Zelov, Randolph D.
*Zenni, Martin "M"

MEDICAL CORPS

Allison, Mack E., Jr.
Babalis, William J.
Barnwell, Frank M.
Burkhart, Vernon A.
Clarke, Pauline E.
*Egan, John F.
Frew, Mable A.
Hyams, Vincent J.
*Jacoby, William J., Jr.
*Lucas, William E.
Maughon, James S.
*McDonough, Robert C.
*Myers, Willis S.
*O'Connell, Patrick F.
*Paslay, Jefferson W.
*Wilson, David Q.
*Winter, William R.

SUPPLY CORPS

*Abrams, Bernard
Ahern, James R.
Allshouse, Thomas J.
Baumgartner, James M.
Benson, Bruce A.
Bow, Joseph R.
Chapman, John A., II
Chesure, Joseph H.
*Dellinger, Charley P.
*Downey, James G.
*Ferris, Robert H.
Fisk, Calvin W.
*Fry, Roy A., Jr.
Grechanik, Walter
Haines, Donald R.
*Handforth, Carlos H., Jr.
*Harris, Melvin W.
*Harvey, Hobart D.
Hatch, Bobby L.
Havener, Millard F.
Heasley, Gail L.
Heitmeyer, Richard C.
Hency, Max E.
Hereford, James D., Jr.
*Hillard, Herbert S., Jr.
Holt, Robert O.
Honsinger, Jack E.
*Huntress, James F.
Hutchinson, Marvin S.
*Jankovsky, Norlin A.
*Johnson, Richard D.
*Jones, Joseph B.
Jongeward, Keith W.
*Keller, Richard C.
*Kellogg, Dean L.
*Kennedy, Patrick F.
Keyser, Carroll R.
*Kimball, Jack F.
*Knobel, Roland J., Jr.
Kraus, Walter L.
Lake, Donald H.
*Lent, Robert E.
*Lindsey, Bob R.
Longmire, Billy R.
Manion, Uriel V., Jr.
Maurstad, Alfred S.
Maxon, Ivan B.
McCabe, John N.
*McKenna, James E.
*Murray, Douglas S.
Nash, William T.
Nunn, Enoch W.
Nunnally, Roy S.
O'Connor, Thomas J.
Olin, William C.
Oliver, James C., Jr.
Ortland, Warren H.
Ouellette, Joseph F.
*Owen, Frank T., Jr.
Park, Jack M.
*Pate, Walter T., Jr.
Pawlowski, Thomas J., Jr.
Pflueger, Paul J.
Phelps, Gordon W., Jr.
*Pluto, Raymond J.
*Pope, George S., Jr.
*Primm, Jules R.

Rainey, Richard L.
Reichert, Harold H.
Reynders, William J.
*Robison, John T.
*Ronayne, William D.
Ross, Joel E.
Ryder, John K.
*Schanze, Fred, Jr.
Schultz, Jackson L.
*Sloan, Dale F.
Spalding, Joseph E.
Stephens, Samuel S.
*Sueur, Charles A.
Sutherland, Lawrence E., Jr.
*Tanner, Sylvan
*Taylor, Edward J.
Thompson, Edwin H.
Tylman, Frank J.
*Vogel, Robert E.
Waldron, William S.
Weyrauch, Gerald H.
Whelan, David W.
Willis, Thomas J., II
Wilson, Robert M.
*Zenk, Lawrence P.

CHAPLAIN CORPS

Anderson, Robert E.
Agnew, James F.
Below, Ralph W.
*Boyer, Arthur C.
Caldwell, Ralph G.
Detrick, Wayne N.
Duncan, Henry C.
Dunn, Edward J.
Hammerl, Paul C.
Hunter, William M.
Killeen, James J.
Lineberger, Ernest R.
*Long, Bradford W.
McDonnell, James T.
*Palmer, Wendell S.
Paulson, George I.
Powell, Willie D.
Riley, George B.
Smith, Vincent M.
Somers, Lester I.
*Sundt, Valery E.
*Widman, John A., Jr.
Williams, Bruce H.
Wootten, Thomas J.

CIVIL ENGINEER CORPS

*Burch, Bobby F.
Butterfield, Ossian R.
Curione, Charles
*Dearth, Keith H.
Dewey, Elliot A.
Floyd, Archie E.
Heid, Charles C., Jr.
*Hoskins, Dalton
*Jasper, Paul R.
Jortberg, Robert F.
Ledoux, John C.
Miller, Robert H.
Nims, William E.
*Nuss, Edward S.
Perkins, Anson C.
Pickett, Eugene L.
*Puddicombe, Robert W.
Reed, William F., Jr.
Shockey, Dan N.
Simonson, Nelson C.
Stroh, Alfred, Jr.
*Tarran, David G.
*Timberlake, Lewis G.
Trompeter, Richard W
Wallace, Billy C.
*Williams, Richard C.

DENTAL CORPS

Allen, Ethan C.
Austin, Robert E.
Bartosh, Andrew J.
*Brown, Edward H.
Charles, Thomas J., Jr.
Cohen, Robert
Corthay, James E.
*Dennis, Harry J., Jr.
Duggan, Norman E.
*Elliott, Robert W., Jr.
Enger, Theodore C.
*Finnegan, Frederick J.
*Ikenberry, Esthel D. K.
*Johnson, "C" Paul, Jr.
Knoedler, David J.
*Penick, Edward C.
*Rau, Charles F.
*Zeigler, Paul E.

MEDICAL SERVICE CORPS

*Combs, Norris K.
Noble, Howard F., Jr.
*Thompson, Rufus L.

NURSE CORPS

*Brennan, Mary P.
*Cohan, Patricia G.
Cornelius, Dolores
*DeMariano, Helen J.
Emery, Lura J.
Finn, Mary V.
*Gallagher, Eleanore M.
Houghton, Arline D.
Hurst, Patricia
Jacobson, Frances J.
Job, Florence K.
*Kovacevich, Mary T.
Perry, Bessie M.
Smith, Marcella E.
*Turner, Jessie E.
*Wardell, Marion F.

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant commander in the line, subject to qualification therefor as provided by law:

LINE

Abe, Henry H.
*Abele, Henry F.
*Abercrombie, Jerry T.
*Abrahams, Thomas P.
Abrahamson, Dean A.
Abrom, Richard M.
Adamson, Edwin C., Jr.
Adcox, James R.
*Addams, John F.
Adler, Ronald E.
Adorney, Frank
Ahlgren, Kenneth L.
*Ahlquist, Stanley W.
Aiau, Harvey C. K.
Aitcheson, George A., Jr.
Albee, Thomas L., Jr.
*Albers, William P.
*Albertson, William H.
Albertson, Norman
Albright, Richard K.
Alderson, James M.
*Alexander, Marvin W.
*Alexander, Robert C.
Alexander, Charles F.
Alexander, Adelore L.
Alford, Darius M.
Alford, William J.
*Alldredge, Donald L.
Allen, George W.
*Allen, William D.
Allingham, James R.
*Allison, Arnold W.
Almberg, Francis J.
*Altee, Thomas M.
*Altmeyer, John M.
Andersen, Alexander R.
*Anderson, Charles A.
Anderson, Curtis O.
*Anderson, David W.
Anderson, Ernest J.
*Anderson, Forrest P.
Anderson, Kenneth E.
*Anderson, Robert P.
Anderson, Robert N.
Anderson, Richard N.
Anderson, Samuel B.
Andrassy, Michael F.
*Ankrum, Glenn E.
*Apted, George L.
*Archambault, Jackson L.
*Archer, Burton E., Jr.
Armstrong, Philip M., Jr.
Armstrong, Stephen O., Jr.
*Arnheiter, Marcus A.
Arnold, Robert B.
*Asbacher, Martin A., Jr.
*Ash, Leonard "C"
*Ashley, Bruce H.
Atkinson, Robert J.
Aubuchon, Harvey
*Aucoin, Leonard L.
Augustine, Grant, III
Austin, Carl G.
*Avary, James C., Jr.
*Avrit, Richard C.
*Babcock, Donald E.
*Backes, Ronald J.
*Bacon, John L.
Bagby, Hallam O.
*Bailey, George T.
Bailey, Joe E.
Bailey, William R., Jr.
Baker, Halbert E.
*Baker, Robert O.
*Balderston, Buele G.
Baldwin, Charles C.
*Ball, Courtland D., III
Banham, Herbert G., Jr.
*Banks, Sidney M.
Banta, Robert
Barber, William H.
*Barke, Arthur R.
*Barnes, Donald K.
Barnes, Harry G., Jr.
Barnes, Harold
*Barnes, John B.
*Baron, Charles R.
Barrett, Thomas D.
*Barry, Thomas M.
Barth, Joseph J., Jr.
*Barthelenghi, George H., Jr.
Bartlett, Frederick R.
*Bassett, Jerry S.
Bassett, Melvin S.
Bates, Carl M.
Battaglino, Joseph M.
Bauchspies, Rollin L., Jr.
*Bauer, Bruce A.
*Baum, Joseph H.
Bayer, David A.
Bayne, John P.
Beat, Robert S.
*Beaulieu, Reo A.
*Beaumont, Eugene A G.
*Beaver, Alfred S.
Beaver, John T.
*Beck, Donald A.
Beck, William H.
*Becker, Glynn R.
*Beers, Robert C.
Beeton, Harvey J.
*Behnken, Clifford R.
*Bein, George E.
Bekkedahl, Clifford L.
Belechak, Stephen C.
Bell, Bill J.
*Bell, William R.
*Belton, Jack G.
*Benero, Manuel A., Jr.
*Bengel, Audrey L., Jr.
Benner, Leslie W., Jr.
*Bennie, Donald B.
*Bentley, William C.
Bergbauer, Harry W., Jr.
Berge, Charles W.
*Berge, Norman K.
*Berger, James K.
*Berglund, Lester W., Jr.
Berner, William G., Jr.
Berry, Richard C.
*Berry, William H.
Besio, Louis F.
Best, Eddie F.
*Bethke, Earl E., Jr.
Beuris, Charles B.
Bingham, Joseph L.
Bird, Charles F.
Bird, Joseph W., Jr.
Bishop, Richard D.
Bittick, Marshall V., Jr.
*Bivens, Arthur C.
Bjork, Kenneth S.
*Blackington, Richard N.
*Blackmore, Thomas A.
*Blackwood, Robert G.
Blanchard, Robert C.
*Blandine, Robert E.
*Blasczak, Walter J.
Block, Stanley H.
Block, Steven
Blouin, Stanley G., Jr.
Blundell, Peveril
Boaz, George L.
*Bodling, Paul F., Jr.
Boggs, Steve V.
Boguszewski, Frank S., Jr.
Bolster, Harry E.
*Borthwick, Robert B.
Bostwick, Charles G., Jr.
*Botsko, Ronald T.
Bottenberg, Foster L.
Botts, Ronald H.
Bowen, Thomas J.
Bowling, Charles R.
Bowling, David H.
Bowling, Roy H.
*Bowman, Lawrence F.
*Boyd, John H., Jr.
*Boyer, Walton T., Jr.
Boyer, William E.
Boyett, Stephen G.
*Boyle, Darrell D.
Boyle, Henry F., Jr.
Boywid, Edward T.
Bozell, Rex K.
*Bozeman, Henry G.
*Brabec, Richard C.
Bradbury, John I.
Braden, Melvin E., Jr.
Brady, Bernard F.
Braun, William K. G.
*Breaux, Fred J., Jr.
*Bredestege, Joseph J., Jr.
Breedlove, James D.
Brewer, Cleon H.
*Bridge, James A., Jr.
*Bristol, Robert B.
*Britton, William L.
Brodhead, Edward M.
Brooks, Darrell H.
Brooks, Edwin H., Jr.
Brown, Cloyde I.
Brown, Dennis A.
Brown, Donald D.
Brown, Frederick P.
*Brown, George A.
Brown, George P.
*Brown, Harold
Brown, Kenneth R.
*Brown, Larry J.
*Brown, Lloyd H.
*Brown, Walter H., Jr.
*Browning, Siras D.
*Bruce, George W., Jr.
Brummage, Richard L.
*Bruning, Richard A.
*Brunskill, Robert J.
*Brunson, Wright "A", Jr.
Buc, Gerald G.
Buc, William J.
*Bucher, Lloyd M.
Buckholdt, Robert A.
Buckley, James R.
*Bucy, John T., Jr.
Bueck, Robert K.
Bull, Joseph L., III
*Bullard, John R.
*Bullock, William A.
*Burdon, Eugene R.
Burgess, James A.
*Burke, William C.
Burkhardt, Lawrence, III
Burris, Raymond M.
*Burriss, John R.
Burrow, Billy M.
*Burt, Thomas E.
Busey, James B.
Bushong, Brent
*Butcher, Nathan T.
Butcher, Paul D.
*Butler, Archie P., Jr.
*Butler, Charles T.
Butler, Harold E.
Butner, Oscar W., Jr.
*Butrym, Stanley B., Jr.
Butz, John T.
Byberg, Robert C.
Byrne, John A., Jr.
*Byrnes, Robert E.
Cagle, James B.
Calkin, Cecil R.
*Callaghan, Joseph M.
Callicott, Jack D.
*Cameron, Kenneth R.
*Cameron, Norman A.
Cammall, John K.
*Campbell, Edward L.
Campbell, George R.
Campbell, Hugh J., Jr.
Campbell, Hugh T.
*Campbell, John A.
*Campbell, James B.
Campbell, Jack
Campbell, Robert J.
*Campbell, William N.
*Canfield, Gerald I.
*Cann, Tedford J.
Cannell, Donald T.
Cannon, David E.
*Canon, George A., III
Cantlion, Henry C.
Cantwell, Richard B.
*Carelli, Francis L.
*Carey, William R.
*Carl, William T.
*Carlin, Robert J.
Carlson, Olof M., Jr.
*Carlson, Ronald F.
Carmody, Cornelius J.
*Carnevale, Angelo M.
*Caron, Robert R.
*Carosia, Joseph J.
Carothers, Philip "F," Jr.
*Carr, John H.
Carr, Nevin P.
Carr, Roland J.
Carrington, James H., Jr.
Carroll, James F.
*Carter, James D.
Carter, Robert D.
Carter, Winfred G.
*Carterette, Robert T.
*Cash, Eugene J.
*Cashman, Michael, II
*Cassen, John S., Jr.
*Cassidy, Thomas J., Jr.
Castro, William B.
Cate, Thomas R., Jr.
*Causey, Donald F.
Cave, David B.
*Cave, Thomas H.
Cavitt, William M.
*Chadwick, John K.
*Champlin, Gerald B.
*Charest, Alexis N.
*Charest, Philip G.
Chase, Edgar M.
Chase, Robert T., Jr.
*Chase, Warren A.
*Check, Robert T.
Chesley, James F.
Chezem, Norman B.
Childs, George M.
Chin, Donald
*Chisum, Albert, Jr.
Christensen, Raymond J.
Christie, William G.
*Christon, Paul W.
*Clark, Donald E.
*Clark, Edwin B.
Clark, George K.
*Clark, Lynn R.
Clark, Philip K.
Clark, Richard G.
Clark, Robert A.
*Clark, Stanley D.
*Clarkin, James J.
Clayman, Samuel W.
Clemens, Eugene M.
*Clements, Billy R.
*Clew, William M.
Clingenpeel, William K.
*Clinton, Thomas G.
Cloud, Benjamin W.
Cobb, Richard S.
*Coe, David C., Jr.
Coffin, George R.
*Cole, Edgar E.
Cole, William S., Jr.
*Coleman, James O.
Coleman, Michael T.
Coleman, Thomas R.
Colgan, John G.
*Collier, Larry D.
*Colligan, Thomas R.
*Collins, Philip K.
*Combs, Martin F.
*Comey, Robert W.
Compton, Charles R.
Conn, Clayton "J"
Connelly, John J.
Connolly, Timothy W.
Conrad, Charles, Jr.
Conroy, Robert O.
Coogan, Richard D.
*Cook, Charles L.
Cook, Harry K.
Cook, Vernon H., Jr.
*Cooley, Arthur W.
Cooper, Andrew N., Jr.
*Cooper, Donald H.
Cooper, Lowell H.
*Cooper, Robert G.
Cooper, Tommy G.
*Corbett, Eugene A.
*Corley, Bennie L.
Cormier, Conrad R.
*Cornell, Arthur F.
*Coscina, Michael A., Jr.

*Coskey, Kenneth L.
*Coston, Stanford W., Jr.
*Cottrell, Walter N.
*Cotugno, Paul J.
*Coughlin, Eugene F.
*Coughlin, Paul G.
*Cour, Edward E.
Cox, Floyd E.
Cox, Gerald W.
Crabb, Eugene V.
*Crader, Clifford L.
Craig, Earl C.
*Crain, James D.
Crandall, Alan W.
*Crane, Leonard B., Jr.
*Crater, Ray F.
Crawford, Bobby C.
Crawford, Kerrins M.
*Crawford, Nace B., Jr.
*Crepeau, George A.
Cricchi, John V.
*Cringlaw, Douglas L.
Critz, Merrill E.
Crockett, Thomas L.
Cronkrite, Donald W.
Crook, Richard W.
Cross, Charles H.
Crumpler, Benton E., Jr.
Cuccias, Leo P.
Culbert, Joseph M., Jr.
*Culver, Eugene A.
*Cunningham, Edward F.
*Curl, Kent W.
*Curry, Thomas E.
*Curtis, Fayne E.
Dagdigian, James J.
Daily, Hubert D., Jr.
Dally, David F.
*Dalton, Charles W.
Dalton, Richard V.
Daly, Harry P., Jr.
Daly, Richard G.
Daniels, James M.
*D'Arville, Edmond J.
Davenport, Philip C.
Davidson, Charles H.
*Davis, Bill N.
*Davis, Frank E.
Davis, George K.
*Davis, Henry J., Jr.
Davis, John B.
*Davis, Noble J., Jr.
Davis, Robert C., Jr.
Davis, Russell E.
*Davis, Walter J.
*Day, Arthur R.
Deal, Walter C., Jr.
Dearcot, Michael E.
*Dearman, Kermit E.
*Debit, Dion G. B.
DeBolt, Frank C.
DeFeo, Modestino R.
DeHart, William
Delaney, William E.
DeMaris, Darryl A.
DeMartini, Edward J.
Demonbreum, James R.
Dempsey, Gerald M.
*Denman, Charles C., Jr.
Dennis, Aubrey D.
Derda, James R.
Derda, James R.
Desrocher, Marvin P.
*DeTonnancourt, Arthur E.
Devereaux, John R., Jr.
Dey, Gordon J.
*Dick, Joseph L.
Dickman, Jerry A.
Dickson, John A.
*Dickson, William T.
Dierdorff, Loren M.
Diesel, Charles N.
*Dietz, Richard J.
*DiGiacomo, Joseph G
Dillard, Marvin B.
Dillingham, Paul W., Jr.
*Dimon, Charles G., Jr.
*Dinola, Michael J.
Divelbiss, Dallas R.
*Dobyns, John E.
Dodds, Robert M.
*Dolan, William R.
Domingue, William A.
*Donaldson, Robert S.
Donaldson, Robert J.
*Donnelly, Raymond D., Jr.
Donnelly, Robert G.
Donnelly, Richard F.
*Donohue, David P.
*Donovan, James F.
*Doolittle, James E.
Dorland, John E.
*Doroshuk, John, Jr.
Dorsey, Arthur G., Jr.
*Douglas, Jack R.
*Douglass, James G., Jr.
Dowd, Francis X.
*Dowds, Donald H.
*Dowe, Robert M., Jr.
Dowe, William J., Jr.
Downs, James R.
*Doyle, William J.
*Drain, John F.
Drake, William L.
Drees, Morris C.
Dreghorn, Richard T.
*Drew, Russell C.
Drummet, Richard C.
*Drummond, Scott E., Jr.
Dubino, Andrew D.
Dubois, Roland H.
Duff, Robert G.
*Duffy, Bernard A.
*Duffy, Joseph A., Jr.
Duhrkopf, Don J.
Duke, Marshal D., Jr.
*Dunaway, John A., Jr.
Dunbar, Vance O.
*Duncan, Dale W.
*Dunkin, Ray L.
Dunlop, Thomas E.
Dunn, John F.
Durant, Michael
Durant, Thomas W.
*Durbin, Peter
Dwyer, George M.
Eberhart, Robert S.
Eckerd, Kenneth C.
*Eckhouse, Morton A.
Eddy, Denver D.
Edwards, Donald L.
*Edwards, Forrest L.
*Edwards, Jerry J.
*Edwards, William R., Jr.
Eibert, Don C.
Eichinger, Joseph C.
Eldridge, David B., Jr.
*Eller, Richard L.
Elliott, Orville G.
Ellis, Davis E.
*Ellis, George D., Jr.
*Elmore, John F., Jr.
Elmore, John E.
*Elster, James M.
*Emerson, Jesse R., III
Emry, John O.
Engelbrecht, Richard H.
*Englander, Owen
English, Francis W., Jr.
Erickson, William K.
*Erwin, Donald E.
Evans, Albert L.
*Evans, Boyce "D"
*Evans, David W.
Evans, George J.
Evans, Richard B.
Evans, Robert C.
*Evans, Thomas B.
Eyres, Thomas D.
*Falconer, Alastair S.
*Fall, David R., Jr.
Fanning, William M.
*Farber, Karl H.
*Farnham, Charles G.
*Farris, Don M.
*Fawcett, Craig R.
*Feeks, Edmond M.
Fehl, Frederick C., Jr.
Fell, Roy T.
Fellows, Charles D.
*Felt, Donald L.
*Felt, Joseph A.
*Fenn, Dan E.
Ferguson, William W.
*Fergusson, Ernest W.
*Fernandes, James E.
Ferrazzano, Fred J.
*Fette, Estal J.
*Field, Harford, Jr.
Fiene, Donald F.
Filkins, William C.
Filteau, George L.
Fimian, James J.
*Finneran, William J.
Finney, Jack L.
*Fischbein, Ernest
Fischer, David H.
Fischer, Edward J.
Fisher, John C.
*Fisher, Paul J.
*Fisher, Russell H.
*Fitzgerald, Thomas W., Jr.
Fitzgerald, David E.
*Fitzpatrick, Edward C.
Flatley, John E.
*Fleischmann, William H., Jr.
Fleming, Raymond T., Jr.
Flom, Hewitt O.
*Florance, John E., Jr.
*Foley, Edmund F.
Folz, Charles E.
*Fong, Chong S.
Font, Carlos G.
Forsman, Arvid E.
Fossum, Paul G.
Fox, Charles W., Jr.
Fox, Richard V.
Frank, Benjamin L.
Frankenfield, Robert T.
Fraser, George K., Jr.
*Fraser, Robert "E"
*Frederick, Donald R. A.
Frederick, John L.
Freed, Maitland G.
*Freeman, Linus W., Jr.
*Freeman, Robert W.
French, Fred H.
French, Henry A.
Freund, Herman C.
Frick, Joseph F.
*Friedel, Gordon W.
*Friese, George A.
*Friesen, Floyd A.
*Fudge, David A.
Furey, Laurence T.
Furgerson, John A.
*Furmanski, John A.
*Gall, Daune M.
Gallagher, Hugh L.
Gallagher, Robert S.
*Gallipeau, Richard W.
Gallup, Shelley P.
Galvin, Bernard J.
Gandy, John D.
Garcia, William V.
Gardner, Louis J.
Gardner, Ruel E.
Garnett, Walter W.
*Garrett, John E.
Garver, Hollis V.
*Gatewood, Tommy L.
Gatterman, Raymond D.
*Gavazzi, Robert R.
Gedney, George, Jr.
*Gennette, Robert L.
Gentry, Osby Z., Jr.
Gentry, Timothy P.
Gherrity, Patrick F.
Gibber, Philip "F"
*Gibbs, Charles E., Jr.
Giberson, William A., Jr.
Gibson, Robert B., Jr.
Gigliotti, Felix P.
*Gildea, Joseph A.
*Giles, Thomas N.
*Gillette, Halbert G.
Gilmore, Arthur H.
Gilroy, John W., Jr.
*Giovanetti, William C.
*Gjertson, Glenn R.
Glasgow, Thomas A.
*Glaves, Robert H.
*Glazier, Alvin S.
Gleason, Joseph P.
*Gleim, Ernest H.
*Glickman, Walter
Goben, Robert D.
*Godfrey, Forrest J.
*Golde, Morton
*Goldner, Robert R.
Gomer, August W.
*Good, Ronald P.
*Gooden, Richard O.
*Goodfellow, John
*Goodman, Kelsey B.
Goodrich, John R.
*Goodwin, Frank O., Jr.
*Gordon, Richard F., Jr.
*Gorman, Hugh J., Jr.
Goschke, Erwin A.
*Gowing, Richard M.
*Gradel, Robert
Graf, Frederic A., Jr.
Grahlert, Walter H.
Granger, Russell P.
Graveson, George L., Jr.
Gray, Charles A.
*Greeley, Michael T.
*Green, Thomas B.
Greene, William F.
*Greenwood, Eugene I.
Greer, Marvin S., Jr.
*Greer, Wayne C.
Gregory, Donald G.
*Gregory, George B.
Greiwe, William H.
*Gress, Donald H.
*Grich, Richard J.
*Grier, Robert W., Jr.
Griffith, Webster
*Griggs, Norman E.
*Groenert, Frederick E.
Groff, Noel E.
*Gross, Arthur J.
Grouby, Edward A., Jr.
Guess, Malcolm N.
Gunning, Patrick J.
*Gurnsey, Ronald A.
Guzman, Indalecio
Haas, Kenneth R.
Hack, Arthur J., Jr.
*Hackney, Benjamin F., III
Hagberg, Roy V.
Hageman, Roger H.
Hager, Charles F.
Haggquist, Grant F., Jr.
Hahn, Edward W., Jr.
*Hahn, Frederick, Jr.
*Hairston, Thomas F.
Hall, Donald L.
Halsey, Charles H., Jr.
*Halverson, Richard K.
Hamaker, Laurence P., Jr.
*Hamel, James K.
*Hamilton, Glenn D.
Hamm, Clement D., Jr.
*Hammock, John W.
Hammond, Russel J., Jr.
Hampton, Winfred F., Jr.
*Hamrick, Thomas D.
Hangartner, Lyle G.
*Hannula, Brian K.
*Hansard, Stonewall
*Hansell, Emerson L., Jr.
*Hansen, Norman T.
*Hansen, Rodney V.
Hanson, Albertlea
Harlow, David L.
Harney, Russell F.
*Harns, John H.
Harper, George T., Jr.
Harper, William W.
*Harris, Dennis C.
*Harris, James William
Harris, James Wesley
Harris, James C.
Harris, Neil A.
*Harris, Richard A.
*Harrop, Robert D.
Hartnagle, Eugene F.
Hartranft, Richard J.
Harwood, John B.
*Haslam, Edward H., Jr.
Hassett, Joseph K.
Hatch, Harold G.
*Hatcher, Robert E., Jr.
Havens, Stanley L.
Havird, Lloyd B.
Hawk, Arthur L.
*Hawkins, Richard M.
Hayes, Albert M., Jr.
Hayes, Jerome B.
*Hays, Estel W.
Haywood, Jesse H.
Headland, Carl B.
Headrick, Billy J.
*Heasley, Waldo L.
Hebbard, Leroy B., Jr.
Heft, James O.
Heisel, Lawrence L.
*Helgemoe, Raymond A.
Helgeson, Harry E., Jr.
*Helms, Harlie B., Jr.
Helms, Ronald L.
*Henderson, Charles G.
Henderson, Jerry E.
Hendrick, David R.
*Henley, John R.
Hennessey, Aloysius G., Jr.
Henriquez, Joseph S.
Henson, James D.
*Henson, John M.
*Herkner, Richard T.
Hernan, Peter J.
*Herring, Edwin L.
Herriott, Donald M.
Higginbotham, Allen B.
Higgins, Byron R.
*Higgins, Hugh W.
*Higgins, Raymond F.
Higgins, Thomas G.
High, James T., Jr.
Hill, Frank W.
Hill, James J.
Hill, Marshall E.
Hille, Edward W.
*Hilz, Harold J.
Hinden, Stanley
Hinman, Albert H.
*Hipp, Ronald N., Jr.
*Hoch, John E., Jr.
Hodge, Sidney T.
*Hodges, James W., Jr.
*Hodson, Theodore L., Jr.
Hogan, Walter V.
*Holbert, William H., Jr.
Holcomb, Gordon B.
*Holcomb, "M" Staser
Holder, Luther C.
*Holian, James J.
*Holland, Elbert R.
Holland, James N.
*Hollen, Frederick M.
Hollenbach, William T.
Hollingsworth, Robert L.
Holly, Daniel T., Jr.
Holmes, Harold C., III
*Holt, Ivey B., Jr.
Holt, John J.
*Holt, Kenneth N.
Holt, Philip R.
*Holway, Nathan C.
*Hoover, John S.
Hope, Edgar G., Jr.
Hopkins, Earl E.
*Horan, Robert A.
*Horton, Edward R.
Horton, Robert L.
Hoskins, Bill J.
*Hoskovec, William B.
Hostettler, Stephen J.
*House, Edward C.
*Houston, Albert W.
*Howard, Albert W., Jr
*Howard, Donald L.
Howell, Franklin M.
*Howell, Harry E.
Howell, Roswell L.
*Howey, Robert E.
Hoye, James M., II
Hoyt, Richard L.
Hozey, Ira D., Jr.
Hubal, Augustine E., Jr.
Hubbard, Clifford R., Jr.
*Hubbard, Samuel W., Jr.
Hubbell, Walter B.
Huber, John J., Jr.
*Hudson, John P., Jr.
Huffman, Malcolm L.
Hughes, George A.
*Hughes, Kenneth P.
Hughes, Ronald E.
Huisman, Roland K.
Hukill, Henry D., Jr.
Hullryde, Donald
*Humber, Marcel B.
*Humphreys, Felton "M", Jr.
Hunter, Charles B.
Hurd, John B.
*Hurley, Robert J.
Hussey, Clifton M.
Hyde, Deloss C.
*Ingraham, Talcott L., Jr.
*Irrgang, Carl H.
*Isaacks, Marion H.
Isaacs, Allen L.
*Jacobs, Edward J.
*Jacobs, Edward J., Jr.
James, Joe M.
James, Joel L., Jr.
*Jamison, Billy D.
*Jasper, Charles R.
Jefferis, Allen S.
Jellison, Robert K.
*Jenkins, Folsom
Jensen, Clifford V.
Jeter, Norman L.
*Johnsen, Roy M.
Johnson, Alfred C., Jr.
Johnson, Arne C.

Johnson, Bert W.
*Johnson, Dale W.
Johnson, Eldon D.
*Johnson, Oren D.
*Johnson, Robert G.
Johnson, Robert E.
*Johnson, Theodore F.
*Johnson, William R.
*Johnston, George T.
*Johnston, John M.
Johnston, James I.
Jonasz, Fredric
Jones, Alfred L., Jr.
Jones, Arthur L., Jr.
*Jones, Donald W.
*Jones, Donald S.
Jones, Henry R.
*Jones, Robert C.
Jones, Robert H.
*Jordan, James S.
Joy, Bernard I.
Kaiser, Dean E.
*Kane, Charles K.
Kane, Paul E.
Karcher, Robert K.
Karge, Ronald E.
*Karpaitis, Anthony J.
Kastelein, Cornelius
*Kattmann, Roger H.
*Kauderer, Bernard M.
Keely, Leroy B.
Keenan, Richard L.
*Kehoe, Thomas R.
*Keimig, Allen D., Jr.
Keith, William H.
Kelley, Alfred G., Jr.
*Kelley, Roy A.
*Kelly, James F.
*Kelly, James M.
*Kelly, John S.
*Kelt, William N.
*Kendrick, William O.
*Kennedy, William E.
Kent, James F., Jr.
Ketzner, Harry T.
Kiddle, Bradley D.
Killebrew, Carl W.
Killian, Donald J.
*Kimzey, Walter F.
King, Donald E.
King, John E., Jr.
King, Julian B.
*Kinsley, Harry W., Jr.
Kirkpatrick, Hollis H.
*Kirksey, Robert E.
Kirtley, Daniel J.
Kish, Steven E.
Klar, Norman
*Klee, Robert E.
*Kling, William T.
*Knapp, William R.
Knepper, Donald E.
Knerr, Donald O.
Knies, George C., Jr.
*Knight, Charles H.
*Kniss, Donovan E.
Knoerr, Don H.
Knowles, George I.
Koci, Vaclav H.
Kostoch, Walter B.
*Kratz, Marshall L.
*Kretzschmann, Curt H.
Krisman, Frank A.
*Krochmal, Alfred F.
Kruse, Charles H., Jr.
*Krusi, Peter H.
Kube, Cleo J.
Kugler, Kenneth D.
Kuklinski, Steve T.
*Kunstmann, Clarence M.
*Kurzenhauser, Alfred
Kuttler, Manfor D., Jr.
*Kutzleb, Robert E.
LaBarre, Richard E.
*Labeau, Thomas J.
Lacefield, Joe V.
*Lage, Robert L.
Lahr, John J.
Laib, Ernest E., Jr.
*Lake, Walter W.
*Lamb, David C.
*Lamb, Marion G.
*Lamm, William A.
*Lancaster, William L., Jr.
*Landers, John D.
Landers, Robert J.
Landersman, Stuart D.
*Lane, Archie G.
Lane, Robert E.
Lane, Terry L.
*Lang, James M.
Lange, Kenneth B.
*Langer, Donald A.
Langner, David S.
*Langston, John L.
*Lanphear, Roy E.
Lardis, Christopher S.
*Larsen, John H.
*Lashbrook, Durwood E.
*Latham, William B.
*Latta, Robert L.
Lauber, Ronald M.
Lauer, William C.
Laughlin, Gerald F., Jr.
*Lavender, Robert E.
Law, Vincent G.
Lawler, Frederick W.
Lawler, James C.
Lawler, William A.
Lawrence, Donald S.
Lawrence, Keith D.
Leaman, Richard E.
Leavitt, Horace M., Jr.
Leckie, William O., Jr.
Lee, Earl C.
Leenerts, Rolland E.
Lehto, Robert K.
Leitner, Lorayne A.
Lemen, Ura B.
*Lemmon, Virgil J.
*Lenahan, Robert P.
Lent, Willis A., Jr.
Lentz, Lindley A.
Leonhardi, Roger L.
Levenson, Lee E.
*Levey, Sanford N.
Levin, Burt L.
Lewis, Dewey T.
*Lewis, Robert
Lewis, Willis I., Jr.
*Lewit, Howard L.
*Lichlyter, Stanford E.
*Lightsey, Elvin G., Jr.
*Limbaugh, Harold D.
*Limerick, Christopher J., Jr.
Lina, Robert A.
Lind, Anton F.
Lindsay, Gilbert M.
Lindsay, Robert B.
*Lipford, Charles E.
*Lloyd, Theodore L., Jr.
Locke, Barrie B.
*Lodge, Billups E.
*Logan, Joseph B.
*Lohr, Chester H.
*Longman, Richard D.
*Lorden, Lawrence R.
*Lorge, Eugene P.
Lott, Carl D.
Lott, William A.
Lough, Gordon K.
Lowry, George C.
*Luthin, Richard B.
Lyman, John S., Jr.
*Lynch, William A.
Lynch, William C.
Lyon, Peter W.
Lytle, Donald E.
MacAdam, William F.
MacClary, David B.
*MacGregor, John
Machak, Peter N.
Mack, Chester M.
*Mackenzie, William W., Jr.
MacKinnon, James C., III
*Mahony, Wilbur J.
Mallinson, William K.
*Mallory, John S.
*Mangin, Joseph N., III
*Manion, James H.
Manke, Leo O.
*Mann, Horace D., Jr.
Margeson, Alan "J"
*Markham, Lewis M., III
*Markley, Edward K.
Markoskie, John V.
Marks, Stanley J.
Marriott, Jack L.
Marsh, William C.
Marsha, Patrick P., Jr.
Marshall, Jack L.
*Marshall, Robert M.
*Martin, Alan F.
Martin, Charles William, Jr.
Martin, Charles Wesley, Jr.
*Martin, Donald E.
Martin, Donald F.
Martin, James K.
Martin, Robert C.
Martini, Richard A.
*Mason, Wesley R.
Matais, George R.
Matheson, Eugene C.
*Mathews, Bobby D.
Mathews, Donald W.
*Mathews, Thomas H.
Mathis, Glen A.
Matthews, William B., Jr.
*Mattson, Donald J.
*Mauldin, Richard A.
Maxim, Rodney E.
May, Robert E.
*Mayberry, Thomas A., Jr.
Mays, Clayton P.
*McAlevy, John H.
McAlister, Roger C.
*McAuliffe, John H.
*McBrayer, John E., Jr.
McBride, Thomas K.
McBurney, Cleland V.
McCabe, Billy E.
McCall, Walter H.
McCanna, Marvin G., Jr.
*McCardell, James E., Jr.
McCartney, Rodney F.
McCarty, Charles M.
McComb, Robert B.
*McConnell, Donald L.
McConnell, Giley R., Jr.
*McCormack, William E.
McCrane, Brian P.
McDaniel, Johnny B.
*McDonald, Clovis K.
*McDonald, Raymond T.
McDowell, Curtis G.
McElrath, Thomas W.
*McGathy, Charles L., Jr.
McGovern, Joseph J.
*McGrath, William D.
McGreevy, Walter J., Jr.
*McKay, John H.
*McKee, Jack V.
McKenna, Gerard A.
McKenna, Patrick
McKenzie, Jon C.
McKeown, William G., Jr.
McLaughlin, Bernard R.
McLin, Robert D.
*McLuckie, James D.
McMahon, Thomas J.
*McMurtray, Robert A., Jr.
*McNaughton, James M.
*McNett, William T.
McNulty, James F.
McQuesten, John T., Jr.
*McVay, Donald H., Jr.
McWaters, William A., Jr.
*Meacham, Arthur J.
Mead, George R.
*Meador, William A.
Meighan, John M., Jr.
Melton, Edward C., Jr.
Menadier, Michael J.
Meredith, Stuart T.
Merget, Andrew G.
Merwin, Paul L.
Mesler, Robert A.
*Metzler, Donald M.
*Mhoon, John E.
Middleton, Charles O., III
*Milano, Vito R.
*Miles, Richard P.
Miller, Blount R., Jr.
Miller, Bruce J.
*Miller, Clarence W.
*Miller, Curtis W., Jr.
*Miller, Grant "W"
Miller, Hal Y., Jr.
*Miller, James H., Jr.
Miller, Joseph J., Jr.
Miller, Kenneth F.
Miller, Robert L.
Millman, Larry
Millner, Clayton L.
Mills, James R.
Mills, James P. W.
*Mills, Merle E.
*Miner, Jack B.
Minetti, Bernard L.
Mirtsching, Leonard C.
*Mitchell, Carroll K.
*Mitchell, Howard C.
*Mitchell, Joseph S.
Mitchell, Jerry L.
Mitchell, James C.
Mitchell, Lewis N., Jr.
*Mitchell, Robert C.
*Mock, Roy L.
*Monroe, Edward H., Jr.
*Monroe, Harvey N.
Monroe, William D., III
Mooney, John B., Jr.
*Moore, Carlton H., Jr.
*Moore, Clarence E.
Moore, Earle G.
Moore, Harrison M.
Moore, Johnnie R.
*Moore, Mark H., Jr.
Moore, Milton W., Jr.
Moore, Raphael B.
Moore, Thomas G.
*Moran, Clifford D.
*Moran, Thomas M.
Moranville, Kendall E.
Moreau, Arthur S., Jr.
*Morford, Dean R.
*Morgan, Houston M.
Morgan, John M.
Morgan, Joseph R.
*Morgan, Leroy W., Jr.
Morgan, Robert E.
*Morin, Ronald D.
*Morris, Robert D.
Morse, Edward A.
Mosman, Jack H.
*Moss, Daniel J.
Moury, Roger F.
*Muench, Gerald W.
Muka, Joseph A., Jr.
Mulcahy, William J., Jr.
Mullen, Richard D.
Mulvany, George M.
Mumford, Charles E.
Munson, Roger D.
*Murdoch, Alan G.
*Murnane, Frederick C
Murphy, Elbridge F., Jr.
Murphy, George A.
*Murphy, Gordon F.
Murphy, Robert I.
*Murray, Joseph E., Jr.
Musorrafiti, Francesco A.
*Myers, Coleman E.
Nairon, Harold B.
*Naschek. Marvin J.
*Nason, Charles F., Jr.
Neill, Louis D., Jr.
Nelson, Charles W., Jr.
Nelson, George E., Jr.
Nelson, Herbert F.
*Nelson, James M.
Nelson, Keith
Nelson, Teddy N.
Nesbitt, Harry J.
Neth, Fred A.
Nevarez, Antonio
Neville, Paul E.
*Newcomb, James A.
*Newman, Robert L.
Nichols, Jack H.
*Nichols, John F.
*Nichols, Richard L.
Nicholson John L., Jr.
Nielsen, Donald E.
*Nielsen, George L.
*Nielsen, Richard
Nokes, Neil M.
*Nomady, Verne G.
Norby, Merlin R.
Nordhill, Claude
Nork, John R., Jr.
*Noyes, Bradford W.
Nunnally, Edward H., Jr.
Nuss, Charles R.
*Nutter, Andrew T. J.
Nystrom, Frederic L.
Oaksmith, David E., Jr.
*O'Connell, John D.
*O'Connor, Joseph E.
Oder, John T.
O'Donnell, Richard J.
Ogilvie, Robert M.
*Ogle, William J.
O'Hara, John T.
*O'Keefe, James L., Jr.
Olander, Darrell W.
*Olds, Robert B.
Olear, Joseph P.
*Olsen, Harold L.
*Olson, Conrad B.
Olson, Gerard R.
*Olson, Richard S.
*Onorato, Ernest D.
O'Reilly, Charles W.
*Orell, Quinlan R.
*O'Rourke, Bernard J.
O'Rourke, Daniel, Jr.
*Ortega, Joseph J.
*Osborne, Arthur M.
*Osborne, Charles N.
*Oshea, John A., Jr.
Oster, John S.
Ottey, William H.
Owens, Robert M.
Owesney, William T.
*Padgett, Harry E.
*Page, Jack A.
*Painter, George V.
*Pajak, Michael M.
*Palmieri, John J.
Paolucci, Donald C.
Papio, Emil M.
Pappas, Pete A.
*Parcher, Stuart M.
Parker, John T., Jr.
Parker, Joseph R.
*Parker, Thomas C., Jr.
*Parks, Joe
*Parr, Donald R.
*Passantino, Sebastian P.
Paterson, Dale R.
*Pattee, Arthur W.
Patterson, William V.
Patton, Peter W.
*Paul, David L.
*Paul, John E.
Pawley, Sigmund B., Jr.
Payne, Dean M.
Peacock, Henry F.
Pearlman, Samuel S.
*Peckworth, Dana
Pedersen, Robert M.
*Pendergraft, George W., Jr.
Perkins, James E.
Perkins, Joseph "A," Jr.
Perkins, Richard L.
*Perrault, Mark E.
*Perry, Lowell E.
*Perry, Timothy J.
Persels, Lyle D.
*Person, Ross H.
Personette, Alan J.
Pertel, Joseph A.
*Pestcoe, Joseph
Peters, William J.
*Petersen, Edwin J., Jr.
Petersen, Leroy E.
Petersen, Walter R.
Peterson, Dale A.
*Peterson, John W.
*Peterson, Richard N.
Petit, Pierre A.
*Petry, William A.
Pettyjohn, William R.
*Pfromer, Robert A.
Phelps, Robert L.
*Phillips, Charles A.
Phillips, John T.
Phillips, Lawrence, Jr.
*Phillips, Walter M., Jr.
Pickell, Norman L.
Pieper, Thomas M.
Pifer, Charles E.
Pine, Gordon F.
Pitkin, Ronald E.
*Pitts, Paul D.
Pixley, George D.
*Place, Allan J.
*Platt, Ralph E.
Ploss, John H.
*Podaras, Nicholas C.
Poland, James B.
*Pollum, Edgar W.
Poore, Ralph E.
Porter, David N.
Porter, Robert D.
*Porterfield, Robert E.
Potosnak, Joseph E.
*Potter, Arthur M., Jr.
*Prentiss, Dickinson
*Preston, Edgar H.
Price, Frank J.
Price, Oliver L.
*Price, Walter P.
Price, William J.
Prickett, Bruce L.
*Priddy, Clarence L.
Prindle, Charles O.
Pringle, Donald B.
*Pritscher, Robert L.
*Profilet, Clarence J.
*Pugh, Jack M.
*Purdum, William H.

Purvis, Ronald S.
Pyle, Louis W.
Quamme, Lyle D.
Quin, John M., Jr.
Quirk, William J.
Raffaele, Robert J.
*Ragsdale, Herbert W.
Ralph, Richard P.
Ralph, Steve, Jr.
*Ramsey, Gayle
Rand, Donald H.
*Randall, Howard W.
Randall, Howard F., Jr.
Ratcliff, Stephen D.
Rawls, Roy J.
*Rayder, Daniel F.
Reddick, Robert E., Jr.
*Redding, Robert M.
Reed, Charles A.
*Reeg, Frederick J.
*Reffitt, Raymond E.
*Reger, William L.
Reid, Richard G.
Reilly, William F.
Reith, George, Jr.
Renegar, Garland M.
Rennie, William B., Jr.
*Renz, Donald J.
Reynolds, James H.
*Reynolds, Robert F., Jr.
Reynolds, Stuart V.
*Rhodes, Randolph L.
*Rice, Daniel W.
Rice, Gary L.
*Rice, Stanley G.
Richards, Lloyd W.
Richards, Robert J.
Richardson, Harold M.
Richardson, Phillip D.
Ricketson, Francis B.
Ridge, James J.
*Rieken, Richard G.
Rigney, William J.
Riley, Kenneth J.
*Riley, Raymond T.
*Ritz, Merlin C.
*Roach, Francis L.
Robbins, Noel
Roberson, George D.
*Roberton, James L.
Roberts, John W.
*Robertson, Coll E.
Robey, Robert V.
*Robinson, Percy E., Jr.
Robinson, William A.
*Rodgers, Dean T.
*Rodgers, Harvey P.
Rodgers, James B.
Rodgers, James R.
*Rodgers, Thomas A.
Roe, Charles W.
Roepke, John R.
Roff, Ray, Jr.
Rogers, Charles E., Jr.
Rogers, Gerard F.
*Rogers, Ralph E.
Rogers, Warren F.
Roland, Gerald K.
Rollins, James R.
Romano, Matthew E.
*Roner, Charles R.
*Rorie, Conrad J.
Rose, Hardy N.
Rose, William R.
Ross, Joseph E.
Rossman, Robert H.
*Rosson, James W.
*Rowan, Thomas C.
*Rubb, Milton R.
Ruch, Martin, Jr.
*Rudolph, Francis A., Jr.
*Ruhsenberger, Roger H.
Runyon, Richard E.
*Rusch, John M.
*Russ, William A.
Russell, William F.
Rutzler, Joseph A.
*Ryan, James A., Jr.
Ryan, Thomas J.
Ryan, William A.
*Sacks, Harold H.
*Sanden, Oscar E., Jr.
*Sanders, Ben T.
Sanford, Edward
Santuae, Theodore A.
Sapp, Charles S.
*Sargent, Richard E.
Sarkisian, Ara
Saubers, Walter F.
Saucier, Gerald
*Saunders, Thomas J.
Sawiak, Conrad B.
Saylor, Thomas P.
Scarborough, Robert L., Jr.
Schaadt, Douglas D.
Schaaf, Thomas W.
Schafer, Edward D., Jr.
*Schasteen, James C.
Schatzle, Francis J.
*Schaub, John R., Jr.
Schermerhorn, James R.
*Schimansky, John A.
Schmidt, Don D.
Schmidt, Gilbert E.
*Schmidt, Walter P.
Schnetzler, Estill E., Jr.
*Schroeder, Robert E.
Schulte, Jean H.
Schultz, Eugene D.
Schuman, Martin S.
Schuster, Dale G.
*Schutz, Albert C., Jr.
*Schwartz, Wallace J.
Schweitzer, Robert J.
*Scott, Frank P.
Scott, Jack E.
*Scott, Kenneth M.
*Scully, John J.
*Sebring, Leland H.
Seeba, Herman A.
Seitz, Richard L.
Selby, Paul F.
*Self, David L.
*Semple, William C., III
*Sesow, Anthony D.
*Seymour, Conrad L.
Shafer, Don M.
*Shafer, William J. E.
*Shappell, John R.
Sharp, Gail "J"
Sharrah, Ronald L.
*Shaw, John H.
Shaw, John G.
Shaw, Warren L.
Shay, Fred L.
*Sheehy, Eugene E.
Sheeley, Elmer E., Jr.
Sheets, Jean P.
Sheets, Leonard G.
*Sheets, Roger E.
Shemanski, Francis B.
Sherrouse, James B.
*Shilling, John D.
*Shine, Maurice J.
*Shirley, William B.
Shoemyer, James W.
*Shrewsbury, Lawrence H., II
Shropshire, Edwin D., Jr.
Shughrou, John J., Jr.
*Shuler, Ashley C., Jr.
*Shuler, Olin J.
Shurtleff, Bruce K.
Silverman, Arnold M.
Simmons, Arlis J.
*Simmons, Clayton M.
Simon, Douglas M.
Simpkins, George C.
*Simpson, Philip M.
Singer, Freeman J.
*Siska, Edward
Skeen, Richard R.
Skelton, Stuart A.
*Skerrett, Robert J.
*Skillman, Charles F.
Skolnick, Alfred
Skomsky, Louis J.
Skubinna, Myron A.
*Slawson, Ralph L.
Slyfield, Frederick J.
*Small, Joseph F.
*Smevog, Herbert W.
Smiley, Charles B.
*Smiley, Douglas I.
Smith, Alfred A.
Smith, David G.
Smith, Delvin W., Jr.
*Smith, Frederick D., Jr.
*Smith, James H.
*Smith, John P.
Smith, Joseph C.
*Smith, Morgan H.
*Smith, Paul J., Jr.
*Smith, Robert M.
Smith, Thomas J.
Smith, Thomas G.
Smith, Walton W., Jr.
*Smith, William F., Jr.
*Smith, William Louis
Smith, William Lindsay
*Smitter, Clarence H.
*Snively, Abram B., III
Snow, George M.
Snuffin, Jerry A.
*Snyder, Aaron W. S.
*Snyder, Fred D.
Snyder, Herman L., Jr.
*Solan, Thomas V.
Soldwedel, Eugene L.
Sonniksen, Ronald G.
Sotherland, Jack L., Jr.
Spanagel, Herman A., Jr.
*Spar, Edwin F.
Spargo, Richard A.
*Spartz, John N.
*Spaulding, Robert E.
Spaulding, Ralph L.
Speelman, Thomas W.
Spiegler, Felix R.
Spohnholtz, James R.
*Spradley, Van E.
Stafford, Kenneth B.
*Stallings, Clyde, Jr.
Stamps, Robert M., II
*Stanard, John D., Jr.
Stanley, Thomas A.
Starcher, Charles W., Jr.
*Stark, Gerry L.
Steele, John T.
*Steinke, Harris E.
Stephens, Wayne L.
Stevens, Duncan P.
Stevens, Harold F.
*Stevens, Jack D.
Stewart, Blair
*Stewart, David H.
*Stewart, Douglas A.
Stich, John D.
Stierman, Joseph W., Jr.
*Stocking, William B.
*Strawn, James H.
Struven, Robert L.
Studebaker, Clayton A.
Sturgeon, William J., III
Sullivan, Joseph E., Jr.
Sullivan, Thomas J.
*Sullivan, Walter F.
*Sullivan, William W.
*Sutherland, Doyle L.
Suzan, Frank M.
*Sweeney, John F.
Swor, Jerry G.
*Sykes, Lewis B.
Szpara, Thaddeus J.
Tabler, Benjamin E.
Taipale, Richard G.
Talbot, Frank R., Jr.
*Talbot, James R., Jr.
Tall, Charles H., III
*Tally, Billy F.
Tappan, Jeremy R.
*Tarlton, Joe E.
Taylor, Charles C.
Taylor, Don W.
Taylor, Reeves R.
*Taylor, Thomas H.
Templeman, William E.
Tenney, Vincent L.
*Terry, Daniel G. W.
*Thomas, Donald P.
*Thomas, Frederic J.
Thomas, George R.
Thomas, Glenn F.
*Thomas, John C.
*Thompson, Clifford E.
*Thompson, George I.
Thompson, Jack C., Jr.
*Thonneson, Earling R.
*Throop, James R.
Thweatt, Freddie J.
*Tietz, William A.
Timm, Alvin R.
Tinkler, David R.
Tips, David S.
Toland, Hugh J. C., Jr.
Tolson, Richard M.
Tomenendal, Robert J.
Tomlinson, Alva C.
Tortora, Anthony M.
Toscano, Eugene M.
Townsend, Marshall N.
Trabue, Howard W.
*Traweek, Billy B.
Treat, Richard A.
Trebbe, Shannon L.
Treber, Gerald R.
*Trebor-MacConnell, Barrie K.
Trowbridge, Vern H.
*Trueblood, William E.
*Tucker, Alvin E.
*Turk, Herman L.
*Turner, Sherman W.
Tuttle, George S.
*Tuttle, John R.
Uelman, William C.
Ulrich, Charles H.
*Umberger, Robert C.
Upshaw, Donald E.
Vaden, Donald E.
*Vahlkamp, Eugene W.
*VanderGoore, Jacob L.
*VanHoof, Eugene R.
*VanHorssen, David A.
*VanValkenburg, George B.
*VanWestendorp, Steven
*Varner, Duane L.
*Veach, Clarence E.
Velazquez-Suarez, Francisco A.
Verich, Demetrio A.
*Vernon, Everett L.
Viera, John J.
Vinti, Joseph P.
*Vitali, Burt M.
Vogt, Henry L., Jr.
Vohden, Raymond A.
Vojtek, Thomas M.
*Volatile, Thomas M.
*VonMoll, Francis J.
*Voyer, Irving L., Jr.
*Wachtel, Joseph J.
Waddington, Jack B.
*Wagner, David F.
*Wagner, James W.
*Waite, Charles E.
*Walker, Henry M.
*Walker, Peter B.
Walker, Peter R.
Wall, Joseph E.
Wall, Richard H.
Wallace, Thomas M.
*Walls, Richard B.
*Walshe, Edward C., Jr.
*Walters, James V.
*Wanamaker, John F.
*Ward, Robert B.
*Warren, Billy R.
*Warren, Thomas C.
*Warthen, Donald
Washchysion, John
*Wasson, John E.
*Waters, George H.
Watson, Max H.
Watson, Wyatt P.
Weaver, James J.
*Weaver, John H.
*Webb, James I.
Weber, Lawrence K., Jr.
*Webster, James M.
*Weddington, George L., Jr.
*Weedon, Robert E.
*Weeks, Alan L.
Weeks, Wayne F.
Wehling, Michael S.
Wehram, Philip W.
Weinig, Raymond E.
*Weishar, Charles F.
*Weissman, Marvin M.
*Wellings, John F.
*Wells, Don V.
Wells, Walter H., Jr.
*Wenker, William A.
*West, George D., Jr.
*West, Gordon R.
Westmoreland, Ralph M.
Westphal, Lloyd M., Jr.
*Wetmore, Horace O., Jr.
Wetrich, Charles R.
*Wetz, James E.
Wheat, Billy V.
*Wheeler, James B.
Wheeler, John R.
*Whiddon, Elmer C., Jr.
Whitcomb, Richard A.
White, Charles E.
White, Donald C.
White, James R.
*White, John E.
*White, Richard E.
*Whittaker, Don J.
Whittier, James F.
Wiederholt, Jerome B.
*Wilbert, John F.
Wildberger, August M.
Wilkins, William R.
Will, Otto W.
*Willenbring, James F.
Willever, Edward L.
Willhauck, Marion
Willhauck, Aarion
Williams, Clyde V., Jr.
*Williams, David W.
*Williams, James B.
*Williams, Kenneth A.
Williams, Louis Arthur, Jr.
Williams, Louis Alvin
*Williams, Randall L.
Williams, Ralph T.
Williams, Ralph E., Jr.
Williams, Wallace E.
*Williamson, Robert L.
*Williamson, Harry H., Jr.
*Willis, Jack R.
*Wills, Doyne R., Jr.
*Wilson, Jack L.
Wilson, James A., Jr.
Wilson, Richard V., Jr.
Wilson, Robert W., Jr.
*Wilson, Samuel B.
*Wilson, Vaughn E., Jr.
Wilson, William D.
*Wilson, William R., Jr.
Wiltse, Irving M.
Winans, Gilbert L.
*Winfree, Herman D., Jr.
Winslett, John C., Jr.
Wirt, Robert O.
Wisdom, Robert W.
Wise, George M.
Wise, James E., Jr.
*Wise, Peyton R., II
*Witcher, John R.
Witherow, Thomas S.
Withrow, John E., Jr.
Witowski, Charles C.
*Wittrock, Henry L.
Wohl, Paul
Wolf, George C.
*Wolf, James D.
Wolff, William F.
Wolke, Victor B. C.
Wood, Edgar K., Jr.
*Wood, John P.
Woodall, Franklin T., Jr.
*Woodberry, Earle B.
*Woodburn, Craig E.
Wooden, Bruce J.
Woods, Charles S.
*Woods, Paul G.
Woods, Robert C.
*Woodyard, Jon C.
*Worth, Edward R.
Wright, James D.
Wright, Kenneth L., Jr.
*Wright, Richard H.
*Wright, Richard T.
*Wright, William F.
*Wright, William W.
Wuebler, Robert J.
*Wunsch, John R.
*Wynn, Carl E., Jr.
*Yanaros, John O.
Yeager, Donald R.
Yenowine, George H.
*Yoder, Dwane F.
Yoder, William A.
*Young, Alfred A., III
Young, David B., Jr.
Young, Glenn L.
Young, Joseph A.
Youngjohns, Richard P.
Youse, James A.
Zebrowski, Joseph P.
Zick, Richard A.
Zinn, Jack W.
*Zirps, Christos
*Zitani, Genius A.
Zophy, Merle E.

The following-named officers of the Navy for permanent promotion to the grade indicated:

Lieutenant commander, line

Abbott, John
Abdon, Albert L.
Abel, Paul F.
Abelain, Herman C.
Abels, Robert F.
Abromitis, William, Jr.
Ackerman, Eugene B.
Ackerman, Warren J.
Ackley, Richard T.

Adams, Francis McK., Jr.
Adams, Joseph A.
Adler, Robert E.
Agnew, Richard S.
Albers, Hugh W.
Alderman, Edward L.
Aldrich, Robert G.
Alford, Richard L.
Allard, Robert E.
Allen, Benjamin G.
Allen, James A.
Allen, Lawrence R.
Allen, Richard P.
Allender, Gene T.
Alley, Lester L.
Allison, Paul
Allmann, Richard R.
Alsager, Richard H.
Alt, Walter L.
Alvis, John H.
Ambrose, John E.
Andersen, John M.
Anderson, Lee C.
Anderson, Lyle C.
Anderson, Norris O., Jr.
Anderson, Robert G.
Anderson, Robert J.
Anderson, Roy C.
Anderson, Stanley J.
Anderson, Williom J., III
Andresen, Ronald N.
Andrew, Neil H.
Andrews, Jack B.
Andrus, Jack F.
Angleman, Cornell C.
Anglim, Daniel F., Jr.
Anthony, John D., Jr.
Ardinger, Robert H.
Armstrong, John E.
Armstrong, Robert P.
Arnold, Henry C., Jr.
Arnold, Henry D.
Arnold, Junius H., Jr.
Arnold, William S. MacK.
Ashmore, Jackie K.
Ashurst, Albert J.
Ashworth, Albert R., Jr.
Aslund, Roland E.
Atkin, Wayne H.
Atkins, "A" "J" Martin
Augustine, William F.
Aumack, Robert F.
Aus, Charles A.
Ausbrooks, Erskine P., Jr.
Austin, Carl B.
Austin, Fuller A.
Austin, James M.
Axe, John R.
Axell, Charles L.
Ayers, William R.
Ayres, William H., Jr.
Baarstad, David E.
Babb, James R.
Babbitt, James A., Jr.
Babcock, Robert E.
Bacchus, Wilfred A.
Bacheller, Frank E.
Bachtold, James R.
Backstrom, Robert I.
Bacon, Allan F.
Bading, Herman M.
Badsky, Ted A.
Baggett, Lee, Jr.
Baggett, Talmadge S.
Bailey, Gilliam M.
Bailey, Henry G.
Bailey, Richard T.
Bailey, William C.
Bain, Robert
Baird, Orlie G.
Bajus, John C.
Baker, Norman K.
Baker, Richard L.
Bakke, Harlan J.
Balch, Allen H.
Balish, Daniel
Balmforth, Stanford C.
Banke, Elmer A.
Barck, Dale E.
Bardecki, Frank J.
Bare, Keith R.
Barie, Arthur H.
Barkalow, Gerald H.
Barker, Franklin H.
Barker, Harold D.
Barker, Raymond H.
Barlow, Cecil G.
Barnard, Robert W.
Barnes, Philip A.
Barnette, Curtis L.
Barnhart, Robert W.
Barr, Albert T., Jr.
Barr, Max D.
Barrineau, Edwin
Barron, Joseph M.
Barrow, John C.
Bartz, Donald P.
Barunas, George A., Jr.
Basso, Robert J.
Bates, George M.
Bates, Richard W.
Baty, Edward M.
Baty, Norman R.
Bauer, Edward C.
Bauerlein, Leo P.
Bauernfeind, Joseph H.
Bauman, Charles J., Jr.
Bausch, Norbert L.
Baysinger, Reaves H., Jr.
Beasley, James W.
Beck, Frederic E., Jr.
Beckman, Kenneth L.
Beckwith, Reynolds
Beeler, James W.
Beesley, Howard L.
Belflower, Harry E., Jr.
Belk, Reece G., Jr.
Bell, James R.
Bellar, Fred J., Jr.
Bellinger, Richard M.
Belter, Robert H.
Bender, Albert F., Jr.
Benn, Joseph W., Jr.
Bennett, Robert E.
Bennett, Robert W.
Bennie, Ralph F.
Benson, Francis W., Jr.
Benson, Harry L.
Benton, Archie E.
Berger, David W.
Bergesen, Andrew J.
Berglund, Rex R.
Bergman, Daniel
Bergstrom, James H.
Bernhardt, Robert B.
Bernstein, Karl J.
Berthier, Neil E.
Bezore, Eugene
Bickel, William B.
Bigenho, Roy M.
Bigley, Thomas J.
Bilderback, Oral J.
Biles, Joel T.
Billings, John H.
Billings, Randall K.
Bippus, Henry
Birch, Stanley W., Jr.
Bircher, William B.
Birdwell, Carl, Jr.
Bisceglia, Michael
Blackwell, Bishop B.
Blaes, Carl E.
Blaha, Albert J.
Blakney, Walter T.
Blalock, David H., Jr.
Blaney, William C., Jr.
Blasi, Richard R.
Blaskowsky, Carl
Blizard, Floyd H.
Block, Peter F.
Bloomfield, Rollin W.
Blount, Robert P., Jr.
Boakes, William H.
Boehret, Jesse T. D.
Boeing, Charles E.
Bogart, Tudor M.
Boggs, Gilbert A.
Boh, Roger M., Jr.
Bolan, Charles D.
Bolger, Philip H.
Bond, John R.
Bonekamp, Fred H.
Bores, Joseph E.
Borgstrom, Charles O., Jr.
Born, Waldo L.
Borst, Francis W., Jr.
Bortner, James A.
Bosley, Donald B.
Boston, Leo
Bouffard, Edward N.
Bourne, William DeW.
Bouslog, Eugene H.
Bowen, Jack W.
Bowers, Thomas L.
Bowers, William W.
Bowersox, Earl C., Jr.
Bowling, William H.
Boyd, David S.
Boyd, Richard C.
Boykin, Rhodes, Jr.
Bradberry, Richard F.
Braddy, Don L., Jr.
Bradfield, James
Bradford, John W., Jr.
Bradley, Claiborne S.
Brady, Robert E.
Brainard, Donald R.
Bramley, Leslie G.
Branch, Alvin D.
Brand, Alvin
Brandenburg, Delbert E.
Brandenburg, Robert C.
Brandorff, Paul A.
Brandt, Carl R.
Brannen, Richmond D.
Brannon, John W., Jr.
Branson, John J., Jr.
Brantley, William J.
Braun, Joseph J.
Brecka, Joseph, Jr.
Breedlove, James E., Jr.
Bremus, Martin F.
Bres, John H.
Brewer, Thomas J.
Brick, John H.
Bridge, William D.
Briggs, Douglas W.
Briggs, Edward S.
Bristol, Edward R., Jr.
Brook, William N., Jr.
Brooker, George G.
Brooks, William T., Jr.
Broughton, William R., Jr.
Brown, Bruce W.
Brown, Charles H.
Brown, Charles O.
Brown, Charles "D"
Brown, James B.
Brown, James W.
Brown, Peter G.
Brown, Robert "C", Jr.
Brown, Walter F.
Brown, Warren R.
Brozena, John M.
Brubaker, Walter Y.
Brumbach, Lawrence E.
Brummitt, Gerald F.
Brunson, James S.
Bryan, Gordon R., Jr.
Bryan, Thomas S.
Bryan, William L.
Bryant, Harry F., Jr.
Bryant, Paul G.
Bryer, Bruce A.
Brzenski, Benjamin J., Jr.
Buck, Robert A.
Buck, Roger L.
Buckingham, Winfred L.
Buckmaster, Albert T.
Buechler, Robert G.
Bueg, Stanley H.
Buffkin, John W., Jr.
Bulmer, Robert W.
Burch, Clarence V., Jr.
Burden, James D.
Burgess, William L., Jr.
Burgi, George E.
Burke, William F.
Burkhalter, Edward A. Jr.
Burks, Ernest, Jr.
Burnett, James C.
Burrows, Kenneth A.
Burson, Roger T.
Burt, Alexander R., Jr.
Burton, Herbert O.
Burton, James V.
Bush, Charles L.
Bushman, Herman J., Jr.
Bustard, Francis W.
Buteau, Bernard L.
Butler, Dempsey, Jr.
Butler, James D.
Butler, Kenneth L.
Butts, John L.
Butzen, Thomas P.
Byron, John B.
Cady, John P., Jr.
Caldwell, Ronald H.
Calhoun, William P.
Callaghan, William McC., Jr.
Cameron, Allan K., Jr.
Cameron, Clifford R.
Campbell, Donald H.
Campbell, James S.
Campbell, Norman R.
Campbell, Richard B.
Campbell, William D.
Campbell, William E., Jr.
Canaan, Gerald C.
Capers, Ellison
Capone, Lucien, Jr.
Carberry, James P., Jr.
Cariker, Jess L., Jr.
Carius, Robert W.
Carlson, Burford A.
Carlson, George R.
Carlton, George A.
Carmichael, Robert C.
Carpenter, Ramon L.
Carpenter, James W.
Carpenter, Malcolm S.
Carpenter, Walter H.
Carr, Kenneth M.
Carr, Robert L.
Carr, William K.
Carraway, Terry F.
Carroll, John H., Jr.
Carter, Charles C.
Carter, Earl L.
Carter, Edward W., III
Carter, Frank R.
Carver, Edward S.
Casey, Edward J., Jr.
Cassilly, Frank R.
Castle, Ernest C.
Cates, Charles W.
Catterlin, Samuel F.
Cavanaugh, John P.
Cawley, Thomas J.
Cayce, Robert E.
Cecil, Durward L.
Cedarburg, Owen L.
Chalbeck, John A.
Chambers, Horace "B," Jr.
Chambers, John J.
Chanaud, Henry L.
Chandler, Hamilton A.
Chapman, Donald E.
Chapman, Howard M., Jr.
Chapman, Roger A.
Charnas, Steve C.
Cheesman, Thomas P.
Cheesman, Samuel R.
Chevalier, Edmond A.
Chewning, Milton J.
Childress, Michael L.
Childs, Richard V.
Childs, William J.
Chipman, William T., Jr.
Choyce, Charles V.
Christensen, Charles S., Jr.
Christenson, Donald A.
Christiansen, Charles C.
Church, Clifford E., Jr.
Church, George A..
Clampet, James V.
Clark, Fred P., Jr.
Clark, Glenwood, Jr.
Clark, Robert S.
Clark, Willard H., Jr.
Clark, Wyndham S., Jr.
Clarke, Horace D., Jr.
Clarke, James C.
Clarke, John R.
Clarke, Michael
Clarke, Wade E.
Clarke, Walter L., Jr.
Clarkson, Charlie J., Jr
Clauzel, Jean S.
Clay, Thomas C.
Claytor, Richard A.
Clemens, Porter E.
Clemens, Robert F.
Cleveland, Arthur W.
Clifford, John G.
Cobb, Warrington C.
Cobb, William B., Jr.
Cochran, James A.
Coffman, Walter W.
Cogdell, John B.
Cole, Charles W.
Cole, William F., Jr.
Colee, Cecil S.
Coleman, Eddie T., Jr.
Coleman, Frank S.
Coleman, Gerard G.
Colenda, Herbert F.
Colleary, John E., Jr.
Collins, Charles H.
Collins, Robert S.
Colvin, Robert D.
Compton, Bryan W., Jr.
Comstock, George F., Jr.
Conable, Jack H.
Cone, Henry S., Jr.
Congdon, Robert N.
Conkey, Carlton G.
Conlon, Frank S.
Conniff, William E., Jr.
Connolly, Robert D.
Conolly, Robert C., II
Conroy, Thomas P.
Conway, Thomas J.
Coogan, Joseph E.
Cook, Carroll, T.
Cook, Donald A.
Cook, Karl F.
Cook, Richard M.
Coontz, Robert J.
Cooper, Carleton R.
Cooper, David L.
Cooper, Jack E.
Cooper, Stanley G.
Corbin, Rex G.
Cordray, Richard P.
Cornell, Kenneth E.
Cornett, Francis E.
Cornwell, Robert R.
Cossaboom, William M., II
Costello, Daniel J.
Costello, Peter M., Jr.
Cotter, Charles L.
Coughlin, John T.
Coulson, Eugene R.
Counts, Stanley T.
Courtney, Robert A.
Covington, Gerald E.
Cowhill, William J.
Cowperthwaite, John K.
Cox, Sidney S.
Craig, Donald E.
Cramblet, Frank
Crangle, Richard H.
Crawford, Richard N.
Crawley, Don E.
Crosby, Howard S.
Crosby, Russell U.
Cross, Daniel F.
Crow, Edwin M.
Crow, Vernon L.
Crowell, Stewart P., Jr.
Crowl, Otho W.
Crumpton, John R., Jr.
Cuddy, Thomas W.
Cullivan, Daniel W.
Cunningham, Russell P., Jr.
Curtin, Theodore A.
Czernicki, Leonard
Dagg, Robert M.
Dahlman, Donald A.
Daley, Bradley L.
Dalla Betta, Aldo
Daly, Norman F.
Dame, Harold E.
Daniel, William A.
Danis, John F.
Danner, William P.
Darfus, George H.
Darnell, Donald P.
Daum, Theodore E.
Davi, Jerome A.
Davidson, Harrison W. Jr.
Davidson, Richard S.
Davis, Allen B.
Davis, Frederick P.
Davis, George H.
Davis, Jack W.
Davis, John M.
Davis, Ralph O.
Davis, Robert H., Jr.
Davis, Thomas E.
Davis, Whittier G.
Davis, William J.
Day, Edward R., Jr.
Day, Lawrence C.
DeArmond, Charles
Dearolph, David E.
Decook, David W.
Defelice, Edward A.
Deibler, Daniel T.
DeJarnette, Hugh M.
Dellinger, Chesley Y., Jr.
Dellinger, Donald B.
Delozier, Richard G.
Demasters, John A.
De Mers, William H., II
Demyttenaere, Jules H.
Denmark, George T.
Dennis, Edwin L., Jr.
Dennis, James M.
Derrick, Arthur C.
Dewey, William E.
Dewing, Jay N.
DeWitt, Duane D.
DeWolf, William W.
Dickins, Richard A.
Diehl, William F.

Diers, Charles E.
Dietrich, Edward O.
Dillahunty, Benjamin P.
Lillman, Louis W.
Dittmann, George W.
Dittmar, Louis C.
Dix, Robert D.
Dixon, John C., Jr.
Dixon, William J.
Doak, Samuel L.
Doan, Richard C.
Dobbins, John B., Jr.
Dobbs, Lewis L.
Doby, William C.
Dodd, Robert L.
Doering, Eugene R.
Dollinger, Richard E.
Donahoe, Norman K.
Donlon, John M.
Donnelly, John D.
Donovan, James A.
Donovan, Robert S.
Dorenkamp, Kurt F.
Dorris, Claude E.
Dorsey, Laurens
Dotson, William C.
Douglass, Robert McI.
Downs, Leslie R.
Doyle, Richard B.
Draddy, John M.
Draim, John E.
Dreesen, Robert F.
Dreyer, Royce C.
Driscoll, Jerome M.
Driscoll, William T., Jr.
Duck, John C.
Duddleston, Joseph D.
Dufort, Emile J., Jr.
Duggan, Frederick F., Jr.
Duggan, Richard W., II
Dughi, James R.
Duke, Marvin L.
Dukes, Warren C.
Dunaway, Gene T.
Dunbar, Norman L.
Duncan, Richard T., Jr.
Duncan, Richard D.
Duncan, Robert D.
Dungan, John D.
Dunn, Alex R., Jr.
Dunn, Delma D.
Dunnan, Neville D.
Dunning, Frederick S., Jr.
Dyer, Gerald W.
Eagye, Thomas R., II
Earley, Walter M., Jr.
East, George W.
Easterling, Crawford A.
Eaton, Nelson W.
Eckerd, George E.
Eckersley, Everett S.
Eckert, Earl J., Jr.
Eckert, Richard H.
Eckhout, Wilmont S.
Eckstein, John R.
Edixon, James R.
Edmundson, James E.
Edwards, Frederick A., Jr.
Egan, Henry W.
Egger, Donald L.
Ehleringer, Henry G.
Ekelund, John J.
Elfelt, James S.
Ellena, Eugene D.
Ellinghausen, Walter A., Jr.
Elliott, James D.
Ellis, James L.
Ellis, Richard M.
Ellison, David J.
Ellison, LeRoy S.
Ellsworth, William A.
Emerson, David F.
Emlet, Harold B.
Engel, Paul H.
Engle, Raymond E.
English, Ernest C., Jr.
Enny, Kenneth E.
Ennis, Robert
Ent, Kenneth E.
Erb, Charles G.
Erhart, James W.
Erikson, Warren W.
Esau, Robert L.
Estabrook, Robert K.
Estes, Dana, II
Estes, Leland F.
Estes, Windom L.
Eustace, Robert J.
Evans, Dorrance O.
Everling, Jack E.
Everngam, John L., Jr.
Eyler, Emil M.
Fagan, Edward J.
Fahland, Frank R.
Falkenstein, Rudolph F.
Farrell, John B.
Fassula, Richard F.
Fauks, Paul S.
Faulkenberry, Virgil T.
Feagin, Frederick K.
Fears, Donald G.
Featherston, Frank H.
Feeney, Harold
Feit, Harry H., Jr.
Fellowes, Robert E.
Fendorf, James E.
Fenlon, Leslie K., Jr.
Fenno, Eric N.
Fenton, Robert E.
Ferguson, George D.
Ferrucci, David E.
Field, Robert L.
Fine, Stanley S.
Finke, Eugene I.
Finlay, William A., Jr.
Finley, Alden G.
Finley, Hugh D.
Fiore, Harold J.
Fisher, William R., Jr.
Fitzgerald, Donald T.
Fleming, Francis L., Jr.
Fleming, Joseph P.
Fleming, Michael J. J.
Fleming, William O.
Fletcher, James L.
Florence, George D.
Flynn, Donald J.
Flynn, Richard E.
Flynn, William M.
Foley, Sylvester R., Jr.
Forbes, Donald K.
Forrest, Arthur B., Jr.
Forster, William G.
Forsyth, Robert J.
Forsythe, Forrest
Fosnaught, Kenneth D.
Foster, James Roger
Foster, James Richard
Foster, John B.
Foster, Ralph W., Jr.
Foster, Raymond H.
Foster, Wynn F.
Foucht, Richard A.
Fowke, Benjamin B.
Fowler, Arthur D., Jr.
Fox, Albert D.
Fox, George A., Jr.
Fox, Kenneth
Fox, Richard T.
Foxgrover, James H.
Fraasa, Donald G.
Frainier, Albert J., Jr.
Franke, Fred A. W., Jr.
Fraser, William F.
Frazee, Joyce M.
Frei, Donald P.
French, Jack T.
French, Robert D.
Freund, Charles G.
Freytag, David R.
Friedman, Arthur C.
Friesen, Edwin "J"
Frith, William C., Jr.
Fritzke, Herman E., Jr.
Frosio, Robert C.
Frost, Richard A.
Frost, William L.
Frothingham, Edward, Jr.
Frudden, Mark P.
Fry, Gayle "A"
Fuller, Joe E.
Fuller, Robert B.
Fullinwider, Peter L.
Fusco, Arthur S.
Gaches, John W.
Gaddis, George E.
Gaddy, James K.
Gallagher, Lawrence E.
Gallegos, Prudenso S.
Galloway, Richard E.
Galyean, Loyd F.
Gardner, Richard C.
Gardner, Richmond
Garland, John C.
Garner, James R.
Garrett, Everett C.
Gartland, John P.
Gates, David E.
Gates, Herbert K., Jr.
Geiger, Eugene D.
Geist, Alvin E.
Geist, Richard A.
Geitz, Kenneth L.
Gercken, Otto E.
Ghormley, Ralph McD.
Gibson, Charles L.
Gilbert, Wilmer R.
Gilbertson, John E.
Gilchrist, John F., II
Giles, Claude F.
Gillen, William V.
Gillespie, Charles R., Jr.
Gilpin, Burton H.
Gire, Larold W.
Goehring, Bernard E.
Goewey, William I.
Goldbeck, Lewis H., Jr.
Golding, William M.
Goldman, Howard A.
Goldman, Roy E.
Goodacre, Russell F., Jr.
Goode, Martin
Gooding, Niles R., Jr.
Goodman, William F.
Goodspeed, Richard E.
Goodwin, Edmund E.
Goodwin, George E.
Gordon, John
Goslow, Paul
Gottschalk, Art W., Jr.
Goulds, Ralph J.
Govan, George W.
Grace, Homer J.
Gracey, Jack L.
Grady, Edward L., Jr.
Grady, Morris R.
Graf, Harry R.
Graham, Warren C., Jr
Grayson, Roy R.
Grayson, William R.
Greathouse, David McL.
Green, John W.
Green, John N.
Green, Richard W.
Green, Robert E.
Greene, John L.
Greene, Leonard B.
Greer, James C.
Gregg, Robert F.
Gregory, George T.
Gresham, Raymond W.
Griffin, Jack R.
Griffith, Thomas J.
Grigg, William H.
Grimm, William F.
Groff, Bruce F.
Grosvenor, Alexander G. B.
Grote, Joseph C.
Grozier, Roy E.
Grunwald, Edward A.
Guffey, Elton E.
Guild, Michael B.
Guion, Joseph E.
Gully, Robert L.
Gunckel, David L.
Gureck, William A.
Gussow, Milton
Guthe, Douglas B.
Guthrie, William S.
Guyer, Robert A.
Haff, William B.
Hafner, George C.
Hage, Lealand P.
Hahn, William S.
Haley, James V.
Hall, Berkeley W.
Hall, Charles R.
Hall, Donald B.
Hall, Donald P.
Hall, Joseph F.
Hall, Robert
Hall, Robert W.
Hall, Timothy K.
Halladay, Norman L.
Halleland, Henry L.
Hallett, Edward R.
Hallman, Albert B.
Hamer, Robert R., Jr.
Hamill, Jerome E.
Hamilton, Harold E.
Hamilton, Kennard R.
Hamilton, William H., Jr.
Hamlin, David R.
Hamm, Warren C., Jr.
Hampton, Charles T.
Hanby, Robert W., Jr.
Hannum, Charles R.
Hanson, Carl T.
Hanson, Richard W.
Hanus, Charles Z.
Harber, Russell L.
Hardenburg, Chester J., Jr.
Hardgrave, James B.
Hardin, David L.
Harding, Norton D., Jr.
Hardy, Corydon C.
Hardy, Martin E.
Harkness, Vinton O., Jr.
Harlan, Donald M.
Harlan, Edgar W.
Harlow, Robert J.
Harper, Lorren G.
Harris, Elvin R.
Harris, John
Harris, Richard D.
Harris, Robert D., Jr.
Harris, Wade H.
Harrison, James R.
Harshbarger, John F.
Hart, Stephen L.
Hart, William D.
Hartell, Ronald D.
Hartigan, Richard B.
Hartley, Jack H.
Hartshorn, David L.
Hartzell, Robert H.
Harvey, John W.
Hary, Charles P., Jr.
Haskell, William C.
Hassman, Andrew U., Jr.
Hausler, Carl O.
Hawe, Stanley R.
Hawk, James T.
Hawkins, Larry L.
Hawkins, William H.
Hayden, Glenn M.
Hayes, James "G"
Hayes, Robert W.
Hayes, Stanley M.
Hayes, Winston R.
Hayman, Robert B.
Haynsworth, Donald D.
Hays, Ronald J.
Hecker, Stanley
Heerwagen, David D.
Hegrat, Donald M.
Heigl, John T., Jr.
Helmer, Dale P.
Hemann, John W.
Hemmick, Milburn K.
Henderson, Burton
Henderson, Donald
Henderson, Stanley W.
Hendrickson, Robert C., Jr.
Henning, Harvey S., Jr.
Henning, Robert F.
Henry, Albert G., Jr.
Henry, Martin H.
Herbert, Thomas J.
Herbig, Henry F.
Herndon, William J., Jr.
Herrin, Holden R.
Hibbard, Francis R.
Hibbs, Alvin S.
Hibson, Leo A., Jr.
Hickey, Charles F.
Hicks, Lawrence F.
Hieronimus, Henry M.
Higginbotham, Leonard H.
Highberg, Roy W.
Hill, Allen E.
Hill, Howard A.
Hill, Jackson D.
Hill, James C.
Hilscher, Carl C.
Hines, Gulmer A., Jr.
Hinsen, Kenneth L.
Hirstein, Robert V.
Hoare, Robert E.
Hodnett, Robert A.
Hoffman, Robert D.
Hoffman, Samuel D.
Hofford, John L.
Hoffmockel, John L.
Hofstra, Edward J.
Hoganson, John H.
Hohn, Henry E.
Holdren, Leland A.
Holgren, Marvin A.
Hollack, Michael
Holland, Alfred D.
Holland, James S.
Holler, Edward R.
Holman, Rockwell
Holmes, John S.
Holt, Donald P.
Holt, Robert E.
Holz, John C.
Homan, Bertie G.
Honey, Arthur C., Jr.
Hoover, Lloyd N.
Hoover, Matthew V.
Hoover, Richard M.
Hopf, Elwood J.
Hopkins, Clifford D.
Hopkins, Mark, Jr.
Hopkins, Thomas M.
Horan, John E., Jr.
Hornbeck, Donald R.
Hosemann, Leland J.
Hotes, John L.
Houchins, Lee S.
How, Alfred L., Jr.
Howard, Joseph B.
Howell, Joe P., Jr.
Hower, Floyd E., Jr.
Hubbard, Donald
Hubbs, Donald R.
Hudspeth, Jake W.
Huff, Mahlon S.
Hughes, Ray S.
Hughes, Wayne L.
Hugo, William P.
Hugus, Vern K.
Humphrey, John C.
Humphries, George P.
Hunsley, Lindel A., II
Hunt, Donald B., Jr.
Hunt, Harry E.
Hunter, Paul I.
Hurd, Russell E.
Hurt, David A., Jr.
Husbands, Joseph M.
Hussmann, Harry "L," III
Huth, Ralph L.
Hynes, Roy T.
Ince, Eugene St.C., Jr.
Ingram, Billy G.
Inman, Richard P.
Iredale, John P.
Irish, George E.
Irwin, Wayne R.
Ismay, Arthur P.
Jackson, Edward D., Jr.
Jackson, Frederick D., Jr.
Jackson, John G. "W"
Jacobson, Jacob H., Jr.
Jacobson, Robert C.
Jacobssen, George E., Jr.
Jaeger, Adolphus F.
James, John W.
James, Robert C.
Jansen, Alan L.
Jarrell, Donald L.
Jasmin, Robert L.
Jefferson, Robert R.
Jeffries, Claude E., Jr.
Jeffries, Rollin E., Jr.
Jenista, John E.
Jenkins, Paul J.
Jenkins, Ralph A.
Jenks, Albert L., Jr.
Jenks, Shepherd M.
Jennings, John S.
Jennings, William E.
Jensen, Arlo J.
Jensen, Donald LaV.
Jensen, Wayne LeR.
Jepson, John A.
Jermstad, Ronald H.
Jessen, George E.
Jesson, Charles F.
Jett, William S., III
Jewell, Darl W.
Jewell, Downing L.
Johns, Arthur J.
Johns, Ronald L.
Johnson, Daniel C.
Johnson, Dale C.
Johnson, Francis C.
Johnson, Henry B.
Johnson, Homer R.
Johnson, Ian J.
Johnson, Jack K.
Johnson, Joseph J.
Johnson, Merlin L.
Johnson, Neal J.
Johnson, Phillip T.
Johnson, Richard L.
Johnson, Richard "D"
Johnson, Richard C.
Johnson, Robert W.
Johnson, Willard E.
Johnston, Frederick B
Johnston, Kenneth W.
Johnstone, Richard A.
Joiner, Orrin.
Jones, Cecil B., Jr.
Jones, Francis N.
Jones, Gerald R.
Jones, Harry L.
Jones, Herman W.
Jones, Huby A., Jr.
Jones, Isaac F., Jr.
Jones, John W.

Jones, John P.
Jones, Ray P.
Jordan, Watt W., Jr.
Josephson, John V.
Kagey, Leslie O., Jr.
Kaiser, Robert C.
Kaiser, Robert D.
Kallgren, Bruce M.
Kampe, John H.
Kamrad, Joseph G.
Kanakanui, William A., Jr.
Kangas, Robert T.
Karns, Dane L.
Karschnia, Paul T.
Kastner, Thomas M.
Katcher, Martin J.
Katz, Martin
Kaufman, Norman L.
Kaufman, Richard F.
Kaune, James E.
Kay, Howard N.
Kays, Jack C.
Kearney, John R.
Keays, Keatinge
Keeler, Donald J.
Keihner, James K.
Keily, Lawrence J.
Keller, Jack E.
Keller, Robert G.
Kelley, Bruce E.
Kellogg, Edward P., Jr.
Kelly, Roger W.
Kelly, Ronald T.
Kelly, William P., Jr.
Kempf, Cecil J.
Kennedy, James R., Jr.
Kennedy, Nevin, III
Kennedy, Robert W.
Kephart, Robert D.
Kernan, William H.
Kerr, Robert G.
Kersch, Roger N.
Kertz, Jacob D.
Ketchmark, Giles J.
Kettlewell, John
Key, Harry N., Jr.
Kidd, Owen A.
Kiehl, William A.
Kiernan, Warren R.
Kiker, Herbert W., Jr.
Kilcline, Thomas J.
Kilduff, Thomas F., Jr.
Kimball, Edwin D.
Kincade, Richard W.
King, Robert R., Jr.
King, Robert A.
King, Thomas R.
King, William C.
King, William R.
Kingery, Samuel G.
Kingsbury, Ben P.
Kinnaird, Martin J.
Kinnear, George E. R., II
Kinsley, Donald T.
Kint, John R.
Kirchner, David P.
Kirk, John J.
Kirkpatrick, Darrell F.
Kissick, James W., Jr.
Kivlen, Alexander L.
Kjelgaard, Peter D.
Klabo, Richard T.
Klapka, Edward J.
Klein, Peter F.
Klemm, Vernon P.
Klett, George J.
Klimetz, Robert "J" W.
Kline, Herbert S.
Klinker, Francis J.
Kluga, Norbert R.
Kneale, James E.
Knecht, Harry B.
Knoizen, Arthur K.
Knudsen, Harold F.
Koach, John H.
Koch, Richard A.
Kollmorgen, Leland S.
Kolstad, Tom I.
Komoroff, Robert A.
Kosonen, Charles G.
Kost, John D., Jr.
Koval, Francis P.
Krag, Robert L.
Kramer, George
Kramer, Robert P.
Krantzman, Harry M.
Kraus, Rudolf L.
Kraus, Walter J.
Krause, Stephen R.
Kreck, Victor G.
Kreinberg, Alfred G.
Kremer, John L.
Kremidas, William S.
Kretchman, Frank C.
Kreiger, Earl R.
Kriser, Louis
Krohn, Stanley W.
Kropf, John F.
Krueger, Otto E.
Kubel, Samuel R.
Kunkle, Floyd S., Jr.
Lacy, James E.
Lafferty, Frederick R., Jr.
Lally, William K., Jr.
Lamb, Arthur D., Jr.
Lamb, Chris W.
Landis, Arthur, Jr.
Lane, Charles M.
Lane, Henry
Laney, Edward V., Jr.
Laque, Harold A.
Larson, Norman O.
Lasell, Max H.
Laske, Robert M.
Lasley, William W.
Lassen, William V.
Lassiter, Will E.
Latimer, Samuel E., Jr.
Lautermilch, Paul A., Jr.
Law, Jason P.
Lawler, Paul D.
Lawler, Robert L., Jr.
Lawrence, Gregory E., Jr.
Lawrence, John V., Jr.
Lawrence, William P.
Leach, Donald B.
Leach, Ralph W., Jr.
Leary, Ramon W.
Lebert, William A.
Lechleiter, Mark B., Jr.
Lechner, Thomas F.
LeDew, Thomas A.
Lee, Byron A.
Lee, William W., Jr.
Lehman, Donald A.
Leibowitz, Martin M.
Leis, Alfred C.
Lemieux, Norman
Lemon, Robert T.
Lentz, Charles M.
Leppin, William F., Jr.
Leser, John R.
Lesperance, Albert P.
Leue, David E.
Lewis, Charles B.
Lewis, Daniel A.
Lewis, James R.
Lewis, Richard E.
Lewis, William W., Jr.
Leydon, Robert L.
Libey, John D.
Liles, James E.
Linder, James B.
Lindsay, John D.
Lindsey, Wesley E., Jr.
Lintner, Richard W.
Lipchak, Edward A.
Lisanby, James W.
Little, James G.
Llewellyn, William E.
Lloyd, James L.
Lockey, Richard H.
Lockwood, Harold R.
Lofton, Edgar K., Jr.
Loheed, Hubert B.
Lombard, Richard L.
Long, Charles R.
Longhi, William J.
Longino, Hugh E., Jr.
Loomis, Aubrey K.
Loomis, Thomas A.
Lord, Warren W.
Lorfano, Joseph J., Jr.
Losey, Willis M.
Loux, Raymond E.
Lovata, Albert F.
Love, Henry H., Jr.
Lovelace, Robert H.
Loyd, Rupert H.
Luff, Charles A.
Luke, Preston
Lund, John D.
Luskin, Arthur G.
Luykx, John M.
Luzader, Robert B.
Lyle, Robert B.
Lyman, Jack N.
Lynam, Donald M.
Lynch, Robert M.
Lynch, William H.
Lyne, George C.
Lytle, James H.
MacDonald, Clinton D.
MacDowell, Charles R.
Machell, Reginald M.
Mack, Robert P.
Mackell, Richard A.
MacKenzie, John D.
Mackey, Robert R.
Madera, Harry P.
Magee, Jack E.
Magnuson, Roy W.
Mahon, Richard B.
Mahoney, Timothy R.
Maice, Lee, Jr.
Maier, Charles W., Jr.
Maier, William J., Jr.
Maire, Rex E.
Majesky, John E.
Mallard, John B., Jr.
Mallinger, William D.
Malloy, John E.
Malm, Frank S.
Maloney, Thomas E.
Mandeville, Robert C., Jr.
Mann, Charles L., Jr.
Mann, Earl
Manning, Richard T.
Mantz, Roy T.
Mape, John C.
Marangiello, Daniel A.
Marcellus, Russell A.
Markham, Walter G.
Markovits, George P.
Marlin, Hubert A.
Marr, Harold L.
Marr, William F.
Marriner, Richard E.
Marshall, George W.
Marshall, John E.
Marshall, Lee R.
Martin, Charles E.
Martin, Gene A.
Martin, Richard W.
Martin, Robert J.
Martin, William L., III
Martin, William K.
Mason, Robert C.
Massa, Emiddio
Mathews, Ross A., Jr.
Mathis, Paul J.
Matson, Willis A.
Mauney, Thomas C.
Maxwell, Daryl O.
Maxwell, Leslie, J.
May, Donald S.
May, Harry L.
Mayfield, Harley D.
Mayfield, Stanwix G., III
Mayo, Donald "H"
Mayo, William H.
Mazzolini, John A.
McAnulty, David J.
McAnulty, Robert M., Jr.
McArthur, John C.
McArthur, Kenneth V.
McArthy, Richard L.
McAvenia, James F., Jr.
McBride, Jeremiah R.
McCabe, Gerry M.
McCallum, Elmer A., Jr.
McCarthy, James P., Jr.
McClain, Kirby LaR., III
McClaran, Stephen W.
McClure, James R.
McConeghy, John K., Jr.
McConnel, Joseph E.
McConnell, Richard A.
McCord, John W.
McCoy, Joseph C., Jr.
McCrary, Dewey W.
McCraw, Frank M., Jr.
McCreight, Major I., III
McCue, William W.
McCullough, Carlos d'A.
McCumber, Harold E.
McDaniel, Willard H.
McDonald, Ewing R.
McDonald, Jack H.
McDonald, Thomas E.
McDonnel, Harold A.
McDonough, William D., Jr.
McFall, Albert D.
McFarland, Ralph I.
McFarland, Milton C.
McFarlane, William D., Jr.
McGarrah, William E., Jr.
McGihon, Robert S.
McGinnis, Thomas P.
McGinnis, Ted R.
McGlaughlin, Thomas H.
McGlohn, Robin H., Jr.
McGlone, Lawrence H.
McGrath, James J.
McIntyre, Andrew
McJunkin, Russell E., Jr.
McKay, Robert B.
McKechnie, Russell R.
McKee, Kinnaird R.
McKee, Samuel T.
McKellar, Edwin D., Jr.
McKnight, Jesse E., Jr.
McLain, Roy W., Jr.
McLaughlin, Robert F.
McLemore, Albert S.
McLoughlin, Howard T.
McLoughlin, James
McLuckie, William "E"
McMurray, William C.
McNabb, Joseph M.
McNally, John J., Jr.
McNally, John H.
McNamara, Thomas W.
McNerney, James F.
McNulty, Gerald
McQueston, Jack E.
McQuillin, John P.
McQuiston, Edward I., Jr.
McTammany, John A.
McVoy, James L.
Mealy, Daniel N.
Meanix, William H., Jr.
Meek, Donald B.
Meeks, Robert B., Jr.
Meetze, James C.
Melim, Robert D.
Melville, Charles W., Jr.
Mench, Leland E.
Merchant, Paul G.
Merkley, Carlyle "C", Jr.
Merrill, Warren H.
Merritt, Glen C.
Messenger, Frank, III
Messere, Edward J.
Messner, James R.
Metcalf, John T., Jr.
Metcalf, Joseph, III
Meyrick, Charles W.
Michaud, Robert A.
Middleton, John D.
Miesner, John A., Jr.
Miguel, Theodore, Jr.
Mikles, Arthur H.
Milani, Albert V.
Miles, Lee C.
Miller, Adair
Miller, Alfred E.
Miller, Byron K.
Miller, David B.
Miller, Dean W.
Miller, Edmund A.
Miller, Gerlous G., Jr.
Miller, James P.
Miller, Jurgen H.
Miller, Marvin J.
Miller, Raymond L.
Miller, Richard A.
Miller, Roger J.
Miller, William A.
Millpointer, Edward D.
Mills, Joseph E.
Minnigerode, John H. B.
Minnis, Marion L., Jr.
Misakian, Harry H.
Mitchell, Joe C.
Moberly, Arthur L.
Moberly, Richard O., Jr.
Modeen, Donald O.
Mohlenhoff, William
Mohr, Charles H.
Mohrhardt, Robair F.
Mollison, Oliver S.
Molzan, Edward W.
Monroe, Robert R.
Montague, Lloyd L.
Montgomery, Graden L.
Moore, Charles P.
Moore, Donald E.
Moore, John F., Jr.
Moore, Larry E.
Moore, Lundi A.
Moore, Robert S.
Moore, Roderick B.
Moore, Sumner K.
Moore, Thomas L.
Moore, William F.
Moors, Donald E.
Moran, Frank J., Jr.
Morgan, George E., Jr.
Morgan, Harry W., Jr.
Morgan, James E.
Morgan, Joseph R.
Morgan, Robert E.
Morin, Gene D.
Morin, James B.
Morin, Richard J.
Morris, Daniel M.
Morrison, Lewis E.
Morrissey, John N.
Moss, Lewis M.
Moss, Robert
Mow, Douglas F.
Moyer, Donald R.
Mozley, Paul H.
Muck, Floyd R.
Mudrock, John
Mulcahy, John E.
Mull, Charles L., II
Mulligan, James A., Jr.
Mumma, William L.
Munday, Donald F.
Munro, Ernest A.
Muros, Ralph L.
Murphy, Frank "M", Jr.
Murphy, James F.
Murphy, William L.
Murray, Douglas V.
Murray, Eugene R.
Murray, James D., Jr.
Muto, Charles J.
Myatt, Bert, Jr.
Myatt, Paul J., Jr.
Myer, George W.
Myers, Charles B.
Myers, Raymond W.
Myers, William A., III
Myrick, James E.
Nawoj, Henry J.
Neander, Stanley B.
Neeley, Guy M., Jr.
Negron, Delis, Jr.
Neidhold, Carl D.
Neidlinger, Carl C.
Neiger, Ralph E.
Neild, Arthur W.
Nelson, Andrew G.
Nelson, Frederick L.
Nelson, George G.
Nelson, Harry J., Jr.
Nelson, Marvin D., Jr.
Nelson, Robert L.
Nelson, William R.
Nemer, Harold
Netro, Robert J.
Nettnin, Leonard H.
Neustel, Arthur D.
Newark, Theodore E.
Newgard, Douglas L.
Newlund, Robert L.
Newman, Fred S.
Newman, James F.
Newton, Phinehas S.
Nichol, Monte B.
Nicholson, Richard E.
Nicholson, Jerome E.
Nickerson, Richard H.
Nix, Henry J.
Noble, Thomas I.
Noblet, Eugene J.
Noel, Lionel M.
Nolen, Dan R.
Nordan, Emile E.
Norman, Robert D.
Norris, William J.
Norton, Curtis R., Jr.
Notson, Raymond P.
Nottingham, Robert P.
Notz, Robert C.
Nugent, Thomas H., Jr.
Nulton, Frank I.
Nunneley, John K.
Nussbaumer, John J.
Nutt, Thomas O., Jr.
Nyce, William E.
Nystrom, Bruce A.
Oakes, Raymond H.
Oberholtzer, James P.
Oberle, Ronald R.
O'Brien, Charles J., Jr.
O'Brien, John W.
O'Connell, William R.
O'Connor, Francis E.
O'Donel, James H.
O'Donnell, George J., Jr.
O'Drain, John E.
Odrobina, Stephen R.
Oesterreicher, John A.
O'Hara, Jack F.
Ohlrich, Walter E., Jr.
Ohls, Karl E.
O'Keefe, Patrick G.
Oldfield, Charles B., III

Oliphant, Don "L"
Olmstead, David W.
Olsen, Richard L., Jr.
Olsen, Robert C.
Olson, Lyle R.
O'Neill, Thomas F., Jr.
O'Reilly, Charles C., Jr.
Orem, Charles A.
Orem, John B., Jr.
O'Riley, Vernon E.
O'Rourke, John J.
Orr, William E.
Orrill, Johnny W.
Ortlieb, Edward J.
Osborn, Robert D.
Osborne, Dwight G.
Otis, Burdett A., Jr.
O'Toole, Kevin J.
Otten, Henry E.
Otth, Edward J., Jr.
Ousterhout, Dean T.
Overbey, Frank E., Jr.
Overton, James B.
Owen, Charles K.
Owen, Leonard J.
Owens, Robert L.
Ozburn, Forrest C., Jr.
Paddock, Charles O.
Page, Carroll S., Jr.
Page, George L.
Page, James R.
Page, Louis C., Jr.
Paisley, Harrison B.
Palau, Henry S.
Palazzolo, Anthony L.
Palmer, Gary H.
Palmquist, John R.
Panciera, Vincent W.
Parce, James R.
Parent, Gerald "J"
Parker, Harry M., Jr.
Parker, James W.
Parode, Harlan D.
Parrish, William I.
Parthemer, Lloyd L.
Paschal, Joseph B., Jr.
Patterson, Donald W.
Patterson, Jerry C.
Patterson, William W., Jr.
Patton, James E.
Paul, Milton O.
Paulis, Joseph J., Jr.
Paulk, Joseph McD.
Pausner, Joseph J., Jr.
Peck, Paul A.
Pedersen, John C.
Pelton, Eugene A.
Pelton, Robert L.
Perry, Roger E., Jr.
Perryman, Donald B.
Pester, Benjamin H.
Pester, Fred J.
Peters, Charles H.
Peters, Ralph C., Jr.
Petersen, Donald E.
Peterson, Oren A.
Peterson, Richard J.
Peterson, Richard E.
Pette, Donald C.
Pettigrew, Raymond A.
Pettit, Royce E., Jr.
Pezzei, Engelbert G.
Pfeiffer, King W.
Pheasant, Alan G.
Phillips, Alan R.
Phillips, Charles T.
Phillips, Harry E.
Phillips, Lawrence E.
Phillips, Ralph T.
Pickering, Richard C.
Pinzel, Lawrence E.
Piraino, Daniel
Pittman, Jack R.
Place, William M.
Platte, William A.
Platzek, Eugene H.
Pleasants, John B.
Pond, Richard E.
Porter, Charles S.
Porter, Kenneth A.
Porter, Thomas
Portnoy, Howard R.
Post, Harry J.
Potter, Louis C.
Potter, William W.
Potts, Bobby L.
Pouliot, Jean R.
Powel, Samuel F., III
Powell, James R., Jr.
Prange, Eugene H.
Prehn, Frederick A., Jr.
Prescott, Richard J.
Preston, Frank W.
Preston, Joseph M., Jr.
Price, Byron
Pride, Alfred M.
Proctor, Sumner M., Jr.
Profilet, Leo T.
Provost, Robert D.
Pstrak, Theodore W.
Pullar, Andrew, Jr.
Purdy, Harlan R.
Purvis, Elvis E.
Putnam, Charles L.
Quaid, Marvin M., Jr.
Quarg, William F.
Quigley, Donovan B.
Quinn, Jack Q.
Racy, Louis P.
Radcliffe, Roderick T.
Radja, James E.
Raithel, Albert L., Jr.
Rakes, Calvin E.
Ralston, Wesley L.
Ramsey, Lee McC.
Rapp, Fred L.
Rasmussen, James P., Jr.
Ratliff, William M.
Rau, William F.
Rawsthorne, Edgar A.
Ray, Thermon L.
Ray, Thomas B.
Raymer, Gordon E.
Read, William L.
Reddick, James P., Jr.
Redman, James R.
Redmon, William L.
Redmond, John G.
Reed, Robert K.
Reed, Sherman C.
Regan, William B.
Reichel, Alfred J., Jr.
Reichert, Herbert E.
Reichl, Charles J.
Reid, Charles E., Jr.
Reid, Eugene L.
Reiher, Eugene J.
Remsen, "T" Schenck
Rentz, Frank L., Jr.
Replogle, Thomas H.
Resek, Lawrence H.
Reynolds, Kenneth C.
Ricci, William J.
Richards, Homer K., Jr.
Richards, William L., Jr.
Richardson, Robert L.
Riedl, Harold A.
Rigsbee, John T.
Riley, Jack DeW.
Ripley, Robert K.
Risser, James B.
Ritter, Franklin O.
Rivard, Earl J.
Rivers, Ernest E.
Roberts, Gerald G.
Roberts, Liona R., Jr.
Roberts, Robert T.
Roberts, Robert "E."
Robertson, Keith H.
Robertson, David W.
Robertson, John W.
Robins, Clarence O.
Robinson, Donald G., Jr.
Robinson, Robert B.
Robinson, Thomas W., Jr.
Robisch, Herbert E.
Rochester, Carl W.
Rockwell, Frank A.
Rockwell, Richard F.
Rockwood, Jerred R.
Rodgers, James F.
Rogers, Edward B., Jr.
Rogers, James O.
Rogers, Joseph P., Jr.
Rogers, Thomas S., Jr.
Rohde, Robert D.
Roman, Paul D.
Romley, Richard M.
Roney, James R.
Root, John B., Jr.
Rose, Samuel J., Jr.
Rosenberg, Donald D.
Rosendahl, Edmund I.
Rosenquist, Donald E.
Ross, Donald S.
Ross, Thomas H.
Roth, Franklin H.
Rothrock, George B., Jr.
Rough, Jimmie L.
Roulstone, Lawrence M.
Rowe, John D.
Rowlands, David M.
Rowley, Reginald C.
Rubey, Ervin B., Jr.
Rubey, William A.
Rubin, Arnold J.
Rubins, Fredrick K.
Ruble, Byron C.
Rudd, Richard O.
Rudy, Bryan C.
Ruggiero, John
Ruggiero, Michael E.
Rulis, Robert A.
Rumble, Maurice W.
Russ, Jack E.
Russell, George E.
Russell, George G.
Russell, Maclyn K.
Rust, David
Rutherford, Ralph B.
Ruthledge, Howard E.
Ryan, John J., Jr.
Ryan, Philip J.
Rylee, James E.
Saari, Aimo M.
Sabalos, Nicholas
Salin, Robert S.
Sample, Richard J.
Sample, Robert J.
Sample, Wilbur H.
Sampson, Jesse E.
Sander, Richard E.
Sanders, Ernest D.
Sandon, Kenneth M.
Sandsberry, Jack C.
Sargent, Herbert A.
Sargent, John C.
Sarosdy, Louis R.
Satre, Robert S.
Sattler, Donald C.
Sawtelle, William J.
Sayers, Clay S.
Saylor, Eugene H.
Scawthorn, Norman H.
Schaber, Rolph E.
Schader, James A.
Schaub, Robert L.
Schaufelberger, Albert A., Jr.
Schenker, Marvin L.
Schied, Charles F.
Schlank, John J., Jr.
Schlofman, Arthur S.
Schlosser, Frank P.
Schneider, Arthur F.
Schnorf, Richard A.
Schoelen, Lawrence A.
Scholl, Kenneth C.
Schorz, Ernest H.
Schrauth, George M.
Schriefer, Walter A.
Schroeder, Robert A.
Schubert, Leslie H., Jr.
Schulte, Richard J.
Schultz, Jesse Z.
Schultz, Milton J., Jr.
Schutz, Walter J.
Schwab, Robert W.
Schwan, Harold C.
Schwartz, Richard D.
Schwartz, Sheldon O.
Schwarz, Ira N.
Scott, James H.
Scott, Melvin L.
Scoville, Jack
Scribner, Henry I., Jr.
Scully, Donald G.
Seay, Wesley H., Jr.
Sebenius, Carl H., Jr.
Seelye, Thomas T., Jr.
Seipp, Russell M.
Selby, Donald E.
Self, William H. C.
Seligmiller, Harold L.
Semeraro, Angelo P.
Seward, John A., Jr.
Shabe, Gerard P.
Shacklett, Harry E.
Shafer, Walter R.
Shaffer, Guy H. B.
Shaffran, William "S"
Shannon, Rickard W.
Shapiro, Sumner
Sharpe, William C.
Sharpe, William K.
Shartel, Howard A.
Shaughnessy, William D.
Shaver, Frank T.
Shaw, John D.
Shea, Lewis A., Jr.
Shea, Paul W.
Sheehan, Charles A.
Sheffield, Hughie D.
Shepherd, Burton H.
Sheridan, William R.
Sherin, Joseph E.
Sherman, Frank E.
Sherman, Peter W.
Sherman, Thomas H., Jr.
Shick, George B., Jr.
Shields, William B.
Shimmel, Albert F.
Shine, Eugene F., Jr.
Shipman, Junious E.
Shoemaker, Frank J.
Shrewsbury, Richard M.
Shrine, Bertram, Jr.
Shultz, Robert T.
Shutty, Michael S.
Simcox, James G.
Simmons, Kenneth J.
Simmons, Louis H.
Simmons, Robert R.
Simon, Donald R.
Sims, Harvey K.
Sirrine, Jack D.
Sizemore, William G.
Skalla, Derald Z.
Skinner, Clifford A., Jr.
Skinner, Glenn E., Jr.
Skinner, William A.
Skirm, George L., Jr.
Skorheim, Robert D.
Slankard, Max L.
Sleeper, Sherwin J.
Sliwinski, Daniel J.
Slusser, Richard C.
Small, Robert H.
Smellie, Rex D.
Smith, Alan Y.
Smith, Allan R.
Smith, Carl R., Jr.
Smith, Chandler G.
Smith, Charles A.
Smith, Charles R., Jr.
Smith, David K.
Smith, Donald A.
Smith, Edgar M., Jr.
Smith, Frederic W.
Smith, George F.
Smith, Gerald F.
Smith, Gordon H.
Smith, Harold F., Jr.
Smith, Homer L.
Smith, James H. B.
Smith, Jerome W.
Smith, Leon W.
Smith, Maurice E.
Smith, Melbourne L.
Smith, Paul E.
Smith, Robert McK.
Smith, Robert L.
Smith, Robert P.
Smith, Robert F., Jr.
Smith, Robert E.
Smith, Robert G.
Smith, Stanford A.
Smith, Thomas M.
Smith, William D.
Smith, William F.
Smolinski, Joseph P., Jr.
Smoot, William N.
Smyth, James M.
Snodgrass, Cornelius S., Jr.
Snyder, Carl S., Jr.
Snyder, John C.
Snyder, Roy D., Jr.
Soberski, Floryan L.
Sobieski, Leonard J.
Sollinger, David A.
Solomon, Jerome E., Jr.
Somers, Robert W.
Somerville, William H.
Soracco, David L.
Sorg, George A.
Sourbeer, Emory R., Jr.
Southall, Walter E., Jr.
Southworth, Harrison B.
Space, David J.
Sparks, Donald E.
Sparks, Harold A., Jr.
Spayde, Keith C., Jr.
Speer, Paul H.
Speiser, Jack E.
Spence, Benjamin E.
Spencer, John R.
Spencer, Ralph G.
Spencer, Robert W.
Sperling, Bertrand T.
Spiller, John H., Jr.
Spowart, David J., Jr.
Springer, Roy M., Jr.
Sproull, Harold H.
Stack, Richard A.
Stacy, Edward F.
Staheli, Gerald D.
Stallings, Alfred K.
Stalzer, Charles E.
Stammerjohn, Robert G.
Stanley, Gregory W.
Stanley, Richard M.
Stapp, Aron L.
Steckbauer, Theodore C.
Steentofte, Eric H.
Stein, Earl M.
Stell, Joe D.
Stelloh, Reynold F., Jr.
Stephan, Robert A.
Stephenson, Claude M.
Stephenson, Donald L.
Sterrett, Bailey D., Jr.
Stewart, Merle A., Jr.
Stewart, Thomas P.
Stiegman, Daniel B.
Stiles, Charles L.
Stimler, Richard P.
Stimmel, Robert G.
St. Lawrence, William P., Jr.
St. Louis, Norman E.
Stoddard, Clarence W., Jr.
Stollenwerck, William M.
Stone, Bruce G.
Storeide, Arthur J.
Storey, Joseph D.
Storm, John S.
Stornetta, Wakefield S. M.
Strand, John A., Jr.
Stratmann, Charles I.
Streich, Paul R.
Stringfellow, Reid
Stromberg, Herman A., Jr.
Stromski, Alexander S.
Stroupe, Keith K.
Struyk, Richard
Stubbs, Robert C.
Stull, Donald
Stuyvesant, William R.
St. Ville, Edward L.
Styer, Robert T.
Sudhoff, Herbert A.
Sullivan, Don M.
Sullivan, Robert G.
Summers, Gilbert L.
Summitt, Clyde W.
Sumner, Donald A.
Sundstrom, Alex L.
Sundt, Wilbur A.
Surman, William V., Jr.
Surovik, George A.
Sutherland, Donald G.
Swadener, John R.
Swanson, Carl W., Jr.
Swanson, Charles A. L.
Swanson, Charles O.
Swanson, Peter S.
Swift, Douglas DeL.
Switzer, James R.
Swope, Homer J., Jr.
Synhorst, Gerald E.
Tangeman, Stewart E.
Tarbox, Ronald L., Jr.
Tarpenning, Duane A.
Taylor, Benjamin W.
Taylor, Francis C.
Taylor, Leslie A., Jr.
Taylor, Robert L.
Tebo, Ballard W.
Temple, Charles H.
Templeton, Stuart N.
Tennison, Lonnie D.
Terrell, Fred W., Jr.
Terry, Harold L.
Tesch, Bernard, Jr.
Tetrick, Claude J.
Thiele, Karl R.
Thiele, Malcolm H.
Thom, Norman R.
Thom, Philip H., Jr.
Thomas, Bernard K., Jr.
Thomas, Earle V.
Thomas, Gerald E.
Thomas, Harry E.
Thomas, John K.
Thomas, Robert L.
Thomas, Walter R.
Thomas, William C.
Thompson, Albert J.
Thompson, James J.
Thompson, Robert C.
Thompson, William B., Jr.
Thomson, Alexander D.
Thomson, Richard G.
Thornburg, Thomas H.
Thorndike, Robert F.
Thorp, John H.
Thurston, Dick W.
Thyberg, Robert C.
Tigner, Robert E.

Tillerson, William E.
Tillson, John G.
Timoney, Gerald P.
Tinkham, John A.
Tipton, Harold F., Jr.
Tobias, David L.
Todd, Troy E.
Todd, Walter H., Jr.
Todd, William E.
Tolbert, Robert R.
Tollefson, Norris M.
Tollefson, Charles H.
Tollgaard, Elmer M.
Tomb, Paul D.
Touch, Ralph J.
Townsend, "G" "E"
Townsend, Marland W., Jr.
Toy, Frank E.
Train, Harry DeP., II
Traub, Charles, III
Traynor, Lawrence E.
Tregurtha, James D., Jr.
Trimble, Dan M.
Tripp, Paul R.
Trommlitz, James R.
Trotter, Thomas K.
Trout, Thomas W.
Tucker, Leonard L., Jr.
Tuomela, Clyde H.
Turnbull, James R.
Turner, Keith S.
Tvede, Ralph M., Jr.
Twite, Martin J., Jr.
Tyson, James J., Jr.
Underwood, Leland J.
Utterback, Paul W.
Vail, Harold W.
Vaillancourt, Richard P.
Valentine, Robert F.
Vanderbeck, Eugene A.
Vandermolen, Dale R.
VanDeweghe, Raymond
Van Kirk, Robert W., Jr.
Van Keeck, Justin L.
Vannoy, Rex J.
VanReeth, Eugene W.
Varner, Byron D.
Varner, Eldon P., Jr.
Vaughn, Robert E.
Vayo, Myles P.
Veasie, Robert H.
Veitl, George C.
Venable, Jack D.
Venning, Elias, Jr.
Villanueva, Xavier V.
Vines, Thomas E.
Vining, Adrian D.
Vinsel, John E.
Vogel, John C.
Vogel, Oscar J., Jr.
Vogt, Leonard F., Jr.
Vollmer, Robert J.
Vosseler, Warren P.
Wachtel, John H.
Wagner, Eugene R.
Wagner, Robert H.
Walchko, Daniel P.
Wales, John R.
Walker, Charles M.
Walker, George D.
Walker, John R.
Wallace, David T.
Wallace, Edwin S., Jr.
Wallace, Kenneth R.
Waller, Alexander E., Jr.
Waller, Edward C., III
Walters, Robert L.
Walters, Thomas J.
Wamsley, John A.
Ward, Donald S.
Ward, Glenn W.
Ward, James F., II
Ward, Thomas M., Jr.
Waring, Charles E., Jr.
Warner, Brooks F.
Warner, Marvin H.
Wartman, Albert C., Jr.
Warwick, William B.
Wasniewski, Emil F.
Waterhouse, Charles N., Jr.
Watkins, Frank T., Jr.
Watkins, James D.
Watson, Peter J.
Watson, Richard K.
Weatherly, Robert T.
Webb, William H.
Webber, James H.
Webster, Dean E.
Weeks, Grady A.
Weeks, Robert H.
Wehner, William A.
Weil, Albert J.
Weisheit, Burton A.
Wells, William H.
Wentworth, Thomas F., Jr.
West, Floyd P.
Weymouth, Burton R.
Whaley, William S.
White, Grover C., Jr.
White, James A.
White, John E.
White, Joseph P.
White, Robert C.
White, Walter A.
White, Wendell A.
Whitehead, Richard T.
Whiteleather, Charles H., Jr.
Whiteman, Frank D.
Whitley, Walter J.
Whitlock, Richard T.
Whitman, Donald L.
Whitmire, Vivien C.
Whitmore, Charles A., Jr.
Whittemore, Frederick H.
Whittlesey, Eugene H.
Wholey, Lloyd C.
Whyte, James D.
Wielki, Eugene J.
Wigent, Richard A.
Wikeen, Donald B.
Wilber, Walter E.
Wilbur, Harley D.
Wild, Robert W.
Wildauer, Paul A.
Wilder, Fred W.
Wilgus, Carlton L.
Wilhite, Alan S.
Wilkins, James R., Jr.
Wilkinson, Edward L.
Willard, Daniel D. M.
Wille, James E.
Willey, George H.
Willi, Thomas A.
Williams, Allen D.
Williams, Edwin E.
Williams, James E.
Williams, Leland S.
Williams, Peter A.
Williams, Robert L.
Williams, Stanley
Williams, William A., III
Williamson, Donald A.
Williford, James R., III
Willingham, William E., Jr.
Willson, Donald M.
Wilson, Alexander B.
Wilson, Carl B.
Wilson, Clarence E.
Wilson, James H.
Wilson, James J., Jr.
Wilson, James C.
Wilson, Joseph W.
Wilson, Ralph E., Jr.
Wilson, Russell F.
Wilson, Thomas H.
Wilson, William W.
Winberg, William, III
Winfrey, Harvey M., Jr.
Winnefeld, James A.
Winton, John R., Jr.
Wiram, Gordan H.
Wirt, William O., Jr.
Wise, Gerald W.
Wiseman, Richard F.
Wisenbaker, Eugene M.
Wissler, John G.
Wolff, John M.
Wolford, Richard S.
Wood, John W.
Wood, Lewis I.
Wood, Peter W.
Wood, Robert C.
Wood, Thomas B., Jr.
Wood, William H., III
Woodard, David J.
Woodbury, John L., Jr.
Woodbury, Kyle H.
Wooden, Neal R.
Woodruff, Richard F.
Woods, Edwin E., Jr.
Woodworth, Charles M.
Woolcock, Thomas E.
Wooldridge, Edmund T., Jr.
Wooley, Robert T.
Worchesek, Robert R.
Worden, Dwight G.
Wright, David L.
Wright, Merritt R.
Wright, Walter J., Jr.
Wright, William W
Wright, William B.
Wuest, Carl I.
Wuethrich, Don L.
Wunderlich, Robert
Wurzbacher, Robert T.
Wylie, Henry K.
Wynn, James H., III
Yates, Vern M.
Yedlicka, Karel E.
Yingling, Abdiel R., Jr.
Young, Randall W.
Young, Robert M.
Young, Robert A
Youngblade, Charles J
Youngblood, Norman L., Jr.
Yowell, Grover McC.
Zajichek, Robert A.
Zeisel, Richard S.
Zekan, Charles J.
Zettel, Marcus A.
Ziarnik, Walter P.
Zicht, Austin L.
Ziegler, Frank G.
Zilch, Charles H.
Zimmerly, Arthur, III
Zink, Stewart T.
Zoehrer, Herbert A
Zoske, Frank H.

Lieutenant commander, Medical Corps

Allen, Robert M.
Alspach, Rodger L.
Anderson, Richard R.
Aquadro, Charles F.
Baggett, Arthur E., Jr.
Barsoum, Adib H.
Baxter, Donald L.
Beckwith, Frederick D.
Bickerstaff, James W., Jr.
Bishop, Calvin F.
Boyce, Charles R.
Britton, Joseph F.
Brodine, Charles E.
Brown, Dudley E., Jr.
Brown, Herbert R., Jr.
Brown, Jacob V.
Brown, James M.
Burke, Erwin L.
Burke, Robert A.
Cady, Gerald W.
Carlton, Carter E., Jr.
Carson, William E.
Cole, Buell C.
Cooper, Merril M.
Coulter, James A.
Davis, Richard G.
Dean, Harold N.
DeLave, Daniel P.
Dobel, Gerald F.
Donahue, Richard E.
Dungar, Charles F.
Dunn, Thomas S., Jr.
Easterday, Robert H.
Fobes, Clark D.
Gable, Walter D.
Garrison, Joseph S., III
Gass, Michael A., Jr.
Gebhardt, Hellmut C.
Getzen, Lindsay C.
Golden, Patrick E.
Good, Daniel C.
Gorsuch, George E.
Gresham, Richard B.
Grote, Arthur J.
Gunning, Jean-Jacques
Hart, George R.
Hartney, Thomas C.
Hayes, James W.
Henderson, Milton E.
Herrmann, Louis A.
Hinds, Paul A.
Hinton, Benjamin F.
Houk, Vernon N.
Hux, Robert H.
Jackson, Frederick E.
Jacobson, Yorke G.
James, Arthur D.
Jensen, Joseph E., Jr.
Johnson, Charles R.
Johnson, John D.
Jones, Robert C.
Kane, John R.
Karrer, Max C.
Kaufmann, Edwin D.
King, James C.
King, Lawrence M., Jr.
Kirk, Robert F.
Kleh, Thomas R.
Knox, Paul R.
Kroncke, George M.
Kurth, LeRoy E., Jr.
Latham, Wilbur D.
Lawrie, James H.
LeBlanc, Gilbert A.
Lewis, Norman G.
Lukas, John R.
Lund, Ronald R.
Manhart, John D.
McClard, Gerald J.
McDaniel, James W.
McFadden, James A., Jr.
McMahon, Edmund B.
Meese, Ernest H.
Miller, Richard J.
Mozley, Paul D.
Murray, William E.
Museles, Melvin
Nunnery, Arthur W.
Nyirjesy, Istvan
O'Connell, Fred H.
Osgood, Morgan F.
Patterson, Frederick M.
Pischnotte, William O.
Powell, Alton L., III
Ragland, Stuart, Jr.
Ramirez, Philip E.
Rankin, Charles A., Jr.
Readerman, Irwin H.
Reichardt, Kenneth H.
Richter, Tor
Roberts, Franklin M.
Roberts, Robert R. R.
Robins, John C.
Rogers, Albert McL.
Ronis, Norman
Rosborough, James F., Jr.
Rotner, Melvin
Rucci, Eustine P.
Sacher, Edward C.
Salisbury, Edward M.
Scala, Raymond D.
Schefstad, Wilbur J.
Schmitz, Nicholas W.
Schrader, William A., Jr.
Schutt, Donald A.
Scott, Daniel J., Jr.
Scott, Lewis P., III
Slemmons, Barton K.
Sowell, Richard C.
Spence, John W.
Spence, William F.
Staggers, Frank E.
Stevenson, Andrew W., Jr.
Taylor, Robert W.
Thomas, Don F.
Thomas, Wendell C.
Trabaudo, Lawrence E.
Trettel, Raymond J.
Trostle, Henry S.
Valaske, Martin J.
VanHouten, Robert J.
Vasquez, Mario A.
Viele, Billy D.
Vincent, John T.
Voss, Marlyn W.
Walton, Harry L.
Wiggs, Alfred E., II
Wilson, George L.
Wilson, James E., Jr.
Wire, George E., Jr.
Witchen, Jack M.
Wurzel, John F.

Lieutenant Commander, Supply Corps

Anderson, William "B", Jr.
Anderson, William W.
Anweiler, Calvin R.
Arcand, Albert A.
Armstrong, Edmund S.
Armstrong, George K.
Audino, Joseph R.
Austin, Robert C.
Baker, Clovis M.
Balderston, Lee R.
Ball, Thomas F., Jr.
Barber, Ray C.
Bassing, Bernard E.
Bauer, Robert F.
Baunsgard, Perry E.
Bayers, John A.
Benfell, Leonard H., Jr.
Bennett, Donald E.
Bennett, William W.
Bergeaux, Floyd E.
Blackwell, Richard B.
Bliss, Roger C.
Bohl, Stanley C.
Borbidge, George F.
Borchert, William H.
Boyd, David T.
Bozewicz, John E.
Bray, Joseph A., Jr.
Bridges, Charles D., III
Bristow, John M.
Brock, Leonard E.
Broili, Robert T.
Brown, Everett G.
Brown, Robert M.
Burbank, Donald D.
Butler, Herbert F., Jr.
Carmer, Elwood A.
Carmody, Barry S.
Carpenter, Dan M.
Carpenter, Norman E.
Carrington, James H. H.
Cecil, William F.
Cefalu, Dominic V.
Chadwick, William A.
Chegin, George I.
Chester, Francis J.
Chetlin, Norman D.
Cloutier, Norman L.
Conrad, Stanley J.
Coons, William W.
Coryell, Rex S.
Crabtree, Willard R.
Crozier, Wayne R.
Culwell, Charles L.
Curley, Wilfred B.
Dauchess, Edward G.
Davis, James B.
DeVilbiss, Robert J.
Dickson, Holton C., Jr.
Ditto, Chester L.
Doddy, William F.
Donley, Harold C., Jr.
Donoher, Thomas J.
Duessel, Harold C.
Dughi, Carl M.
Dunham, Donald J., Jr.
Edson, Stephen R., Jr.
Edwards, Howard R., Jr.
Ely, William B., Jr.
Emery, William T.
Ferrell, Reginald G.
Forehand, Joseph L.
Foster, Paul L.
Frahler, Andrew L.
Fraley, Hugh K.
Francis, Evans J.
Francisco, Dick H.
Frelander, Wendell L.
Funk, Raymond W.
Fussell, Theodore J.
Garibaldi, James J.
Ghormley, Robert L., Jr.
Goldfield, Herbert S.
Gore, Austin F., Jr.
Gove, Jack E.
Graham, Robert B.
Greenberg, Edwin G.
Haas, Harold E.
Haberthier, Jack H.
Haley, Richard W.
Halperin, George B.
Hamilton, William C., Jr.
Hammond, James E.
Hamric, Herschel B., Jr.
Hansen, Neil K.
Harvey, Robert R., Jr.
Hausold, Robert P.
Henderson, John M.
Hergesheimer, Charles H.
Herndon, Paul C.
Higgins, Everett C.
Hudson, Richard S.
Humphrey, Harvey R.
Hutchinson, Arthur E.
Ingram, Thomas J., III
James, Billy M.
Janezic, Louis A.
Johnson, Ernie F.
Johnston, William E.
Jones, Burton H.
Kapp, George H.
Katz, Samuel
Killebrew, Thomas E.
Kocher, Edward M.
Kreissl, Leary B.
Kreyenhagen, Milton
Kulczycki, Alfred S.
Lennox, Grenes J.
Leonard, William N., Jr.
Leventhal, Robert S.
Levine, Alan Y.
Lewis, Charles L.
Lewis, Frederick W.
Linthicum, Walter E.
Lynn, James W.
Mahaffey, John J.
Mason, Philip J.
Matthews, William H.
May, Thomas J.
Maynard, Frank T.
McClintock, Harry C.

McEnearney, John E.
McNally, Joseph J.
Mehaffey, Donald C.
Mija, Theodore
Mitchell, Billy R.
Mitchell, William F.
Morgan, Donald G.
Morphew, Karol M.
Morrow, David F.
Mulligan, Thomas J., Jr.
Murphy, George A.
Murphy, Ralph F., Jr.
Nicol, Robert G.
Norris, Lowry W.
Offerman, George S.
O'Neil, Harold P.
Owens, Andrew J.
Pattermann, Frank G.
Paul, Charles B., III
Perritt, Paul
Peterman, Edward E.
Pettijohn, Thomas P.
Piazza, Thomas J.
Pollen, James D.
Porter, Orland A., Jr.
Pringle, John B.
Puleo, Joseph A.
Ramey, James B., Jr.
Ratley, James R.
Renne, Raymond B.
Rice, Charles E.
Riley, James E.
Ringhausen, Robert L.
Rippert, Donald J.
Rixey, Charles W.
Roberts, Calvin W.
Roll, Arch C.
Rutter, Frank H., Jr.
Salsman, Thomas E.
Sappanos, Louis M.
Sartor, Alvis D.
Schmidt, Ben R.
Scott, Harold K.
Shealy, Oscar C., Jr.
Sherrell, David P.
Simcich, Alfred F.
Smeds, James H.
Smith, Charles McK.
Smith, Herbert R.
Smith, Roy F.
Speer, Wilburn A., Jr.
Stark, Warren H.
Sterner, Francis J.
Stevens, Robert J.
Stratton, Dene B.
Stringfellow, Hart R., Jr.
Stubbs, Raymond C.
Sullivan, John P.
Swenson, Darrell E.
Tapp, James G.
Taylor, James A.
Thomas, Lyle E.
Tracy, George D.
Tripp, Charles
Tucker, Oscar G., II
Tveita, Reynold C.
Van Malsen, Wesley W.
Vanzee, Elvin L.
Verdow, Richard L.
Vroman, William G.
Wasson, John A.
Webb, Davis L.
Webster, Kenneth B.
Welge, Harry K.
White, George H.
White, Warren P.
Wild, Emmett J.
Williams, Leslie W.
Willis, Robert G.
Wirsing, John A.
Witte, Anton L.
Woodworth, Fred I., Jr.

Lieutenant commander, Chaplain Corps

Bell, John E.
Berger, John W.
Bergeur, John P. X.
Bodle, Harold D.
Boyd, George T.
Canfield, Robert A.
Carlson, Kenneth W.
Carnes, John H.
Cohill, John W.
Condit, John C.
Conte, James W.
Crabtree, Roger LaV.
Crawford, Jack V.
Croston, Calvin J.
Davis, Joe A.
Dillard, Donald H.
Dimino, Joseph T.
Dodge, John K.
Doermann, Martin J.
Doverspike, Dale E.
Eaton, Hal H.
Feagins, Walter B., Jr.
Ferreri, Peter J.
Fisher, Jacob A. S.
Flatley, Eugene T.
Fogarty, Daniel F.
Ford, Thaine E.
Forsyth, Willis J.
Frank, Joseph A.
Frimenko, Michael
Fulfer, George W.
Fuller, William C.
Gardner, Calvin G.
Geary, Joseph F.
Geeza, Boris
Gibbons, Martin F.
Gould, John D.
Grabowski, John
Griffin, Gordon H.
Griffin, Jack B.
Hammond, Edward P.
Hardage, Owen A., Jr.
Heaney, Harold V.
Heath, Robert H.
Hershberger, George M.
Hershberger, John R., Jr.
Hill, Rodger F.
Hitchens, Walter C.
Hollis, William F., Jr.
Howard, Marvin W.
Howard, William R.
Huffman, William W.
Ivers, Victor J.
Jenkins, Charles L.
Jones, Asa W.
Jones, Edwin S.
Jones, William L., Jr.
Karras, Nick S.
Keen, Homer E., Jr.
Kenny, Thomas A.
Knicklighter, Edward H.
Kiefer, Robert W.
Killeen, James J.
Kingsley, Donald F., Jr.
Kirkbride, Donald L.
Kirkland, Albert S. M.
LeMaster, Donald C.
Leonard, Guy M., Jr.
Little, James S.
Mattiello, Lucian C.
McDonald, Leo J.
Mole, Robert L.
Moore, Withers McA.
Moye, Thomas E.
Nelson, Everett B.
Nickelson, Jay V.
O'Brien, Robert P.
O'Connor, John J.
Odell, Robert W.
Oliver, Preston C.
Osman, Robert E.
Otto, Albert J.
Paquin, William
Perry, Johnie L.
Poynter, William W.
Ramsey, Vernon J.
Reid, James D.
Ricard, Normand A.
Richards, Sherman B.

Richardson, Edward L.
Riess, Paul G.
Rittenhouse, James C.
Roberson, Ronald L.
Romantum, Peter P.
Ryan, Joseph E.
Saeger, Alfred R., Jr.
Samuel, William R.
Seiders, Marlin D.
Sessions, Hal R., Jr.
Shoulders, Harold A.
Sire, Elwin N.
Smith, Richard R.
Smith, William G., Jr.
Solomon, Charles W.
Stewart, Dell F., Jr.
Stroman, Henry W.
Symons, Harold F.
Titley, Richard K.
Trett, Robert L.
Trumbo, Warren D.
Ude, Willis P.
Veltman, Dean K.
Vinson, William H.
Waters, Howard E.
Weber, Chester R.
Wilson, Donald M.
Winterhoff, Norman E.
Wolfe, Billy N.
Zeller, Dwight F.
Zeller, Kenneth P.

Lieutenant commander, Civil Engineer Corps

Anderson, Richard E.
Bacon, Howard I.
Bartley, Delmar A.
Berger, Arthur W.
Biederman, Richard J.
Bird, David R., Jr.
Birnbaum, Philip S., Jr.
Bourne, William A.
Brown, Warren F.
Brown, Wesley A.
Calhoun, Charles W.
Carroll, Robert G.
Carroll, William C.
Church, Archer E., Jr.
Clark, John W.
Clements, Neal W.
Clerc, Louis H.
Courtright, Carl
D'Ambra, Rudolph F.
Davis, Walter E., Jr.
Day, Francis W.
Day, James C., Jr.
DeGroot, Ward W., III
Dickman, Robert E.
Dobson, John F.
Fluss, Richard M.
Foley, Richard L.
Forehand, Paul V.
Galloway, James E.
Gulick, Charles W., Jr.
Hendricks, Reinhold M.
Howe, Charles M.
Jones, Robert L.
Kimmick, Varne M.
Kleck, William, Jr.
Loomis, Raymond W.
MacCordy, Edward L.
Marquardt, Walter E., Jr.
Middleton, William D., Jr.
Nelson, Robert H.
Olson, Paul D.
Parsons, John E., Jr.
Phelps, Pharo A.
Profilet, Stephen B.
Raber, Robert R.
Stetson, John B.
Stevens, Warren G.
Swecker, Claude E., Jr.
Trueblood, Donald R.
Wagner, Walter R.
Wagoner, Jack R.
Welton, Dexter M.
Whipple, Caryll M.
Williams, Herbert C.
Wittschiebe, Donald W.
Woodworth, Robert P.
Wynne, William E.

Lieutenant commander, Dental Corps

Abbott, Paul L.
Ainley, James E., Jr.
Anderson, John "T"
Armstrong, William P.
Atkinson, Ray K.
Baird, Daniel M.
Barrow, Paul E.
Beeler, Grover G., Jr.
Bohacek, Joseph R.
Bowers, Gerald M.
Brokaw, Rodman
Chutter, Reinald J.
Clarke, Homer
Cowen, Charles E., Jr.
Cullom, Robert D.
Davy, Arthur L.
Deaton, Herbert C.
Demaree, Neil C.
Elliott, James R.
Enoch, James D.
Evans, Charles G.
Falcone, Philip R.
Fields, Robert E.
Flagg, Roger H.
Foster, Richard D.
Freeburn, Harold E., Jr.
French, Gordon K.
Garman, Thomas A.
George, Raymond E.
Glasser, Harold N.
Gorman, Walter J.
Grandich, Russell A.
Granger, Ronald G.
Hardin, Jefferson F.
Hays, James W.
Hegley, John H.
Heinkel, Erwin J., Jr.
Hiatt, William R.
Hodson, Harold W.
Hoffius, Edwin L.
Holland, Edmund M. R.
Holmes, John B.
Huestis, Ralph P.
Hyde, Jack E.
Hylton, Roscoe P., Jr.
Janus, John T.
Johnson, Dean L.
Kelley, John P.
Kelly, William P.
Klecinic, Edward P.
Little, Earl E., Jr.
Luther, Norman K.
Lyons, James, Jr.
McKean, Thomas W.
McKinnon, John A., Jr.
Mendel, Robert W.
Miller, Edward A.
Moore, Frank B.
Nolf, Robert S.
Oenbrink, Philip G.
Orrahood, Robert H.
Pebley, Harry C.
Pennell, Ernest M., Jr.
Perand, Steven W.
Phillips, Charles K., Jr
Phillips, James W.
Pinkley, Virgil A.
Pistocco, Louis R.
Prange, William H.
Pruden, Ralph W.
Raybin, Sidney
Reid, Albert F.
Ruliffson, Franklin R.
Sazima, Henry J.
Shirley, Robert E.
Shreve, William B., Jr.
Slagle, Lowell E.
Slater, Robert W.
Smith, Albert R.

Stanley, James H.
Sydow, Paul J.
Taylor, "B" Frank
Tenca, Joseph I.
Terry, Bill C.
Thomas, Julian J., Jr.
Thomason, Robert R.
Thompson, Robert G.
Tow, Herman D., Jr.
Walker, William G.
Webb, John J.
Westcott, Maurice E.
Whatley, Thomas L.
Wilson, James McC.
Wooden, Robert A.
Woodland, Everan C., Jr.
Woody, Wilton G.
Zapski, Edward G.

Lieutenant commander, Medical Service Corps

Adams, Dwight J.
Akers, Thomas G.
Alexander, Ross D.
Arm, Herbert G.
Barkley, Lucien E.
Beam, Walter E., Jr.
Bergquist, Melvin D., Jr.
Berry, Newell H.
Blalock, Jesse P.
Boggs, Clifford W.
Boudreaux, Joseph C., Jr.
Bowe, Warren G.
Bower, Harold R.
Buck, Charles W.
Carr, Charles A., Jr.
Charles, John P.
Courtney, John C.
Damato, Morris J.
Dempewolf, Eugene H.
Denningham, John S.
Dewitt, Richard G.
Douglas, George P.
Duckworth, James W.
Duffey, William S.
Freeman, Noel L.
Fry, George E.
Gaspar, Andrew J.
Gay, Laverne W.
Gehring, Jack H.
Gellman, Martin
Goodrich, Neil E., Jr.
Green, Irving J.
Hanavan, Robert J.
Harvey, Dallas C.
Huber, Godfrey S.
Jones, William H.
Jordan, Robert D.
Kaufman, Louis R.
Keating, Katherine
Kramer, Ernest S.
Lacy, Dexter J.
Laedtke, Ralph H.
Lee, Raymond W.
Levich, Calman
Marsh, William G., Jr.
McCarthy, Daniel F.
McDonough, William A.
McGuire, Francis E.
McIlraith, James D.
McMahon, Talmadge G.
McMichael, Allen E.
McWilliams, Joseph G.
Meyer, William J.
Miller, Edwin B.
Mitchell, Thomas G.
Nice, Armand R.
Nicholson, Earl M.
Paige, Ray F.
Peckham, Samuel "C", Jr.
Petoletti, Angelo R.
Pruitt, John D.
Puckett, Lucien E.
Quinn, John P.
Reed, Robert F.
Rudolph, Henry S.
Sandeen, Garnet G.
Sanders, James M.
Scales, Thomas N., Jr.
Schlamm, Norbert A.
Schwab, Albert J.
Scrimshaw, Paul W.
Sharp, Robert
Stiles, Thomas R.
Still, Donald E.
Summerour, Thomas J.
Sykes, Stanley E.
Testa, Michele J.
Thompson, Robert E.
Tober, Theodore W.
Van Metre, Milton T.
Walter, Eugene L., Jr.
Warner, Albert D.
Wells, William H.
Werner, Gordon W.
Wheeler, Thomas E.
Zaller, Frank A.

Lieutenant commander, Nurse Corps

Balashek, Helen M.
Barber, Ella
Belezos, Calliope M.
Beretta, Gwendolyn L.
Black, Helen J.
Bliek, Rachel
Breedin, Louisa F.
Bristol, Katherine J.
Bryan, Frances E.
Bull, Lola C.
Burns, Dolores T.
Carey, Geraldine M.
Carroll, Emma L.
Christ, Gertrude A.
Cleary, Virginia M.
Clemens, Rose M.
Conder, Maxine
Cooney, Mary K.
Copic, Kathryn M.
Coppola, Melanie L.
Corcoran, Anna
Crosby, Nancy J.
Croteau, Marie A.
DalMaso, Amelia M.
David, Rose M.
Davis, Betty M.
Davis, Jean E.
Devan, Winifrede
Devaney, Audrey M.
Dial, Thelma P.
Dias, Louise S.
Easter, Mary R.
Eberhardt, Marie
Ellis, Barbara
Feeney, Eleanor T.
Fenn, Bernice E.
Fitz, Barbara O.
Frank, Lillie M.
Fuller, Doris T.
Furmanchik, Helen I.
Gagnon, Eva M.
Gardill, Norma H.
Gormish, Sophia H.
Greer, Goldie D.
Hanes, Eileen
Hanley, Susan M.
Hanson, Dorothy M.
Happ, Nellie L.
Harper, Marchetta
Hart, Anna G.
Herbert, Dellabelle
Hill, Gretchen S.
Hogan, Hazel L.
Hooker, Doris H.
Humphreys, Regina B.
Hundley, Barbara J.
Jakshe, Louise F.
Johnson, Imogene L.
Jones, Eva D.

Kailan, Addie E.
Kalista, Annette A.
Kane, Margaret A.
Kenyon, Helen A.
Kirsch, Rose A.
Kuenzi, Pauline J.
Leoni, Clara J.
Lewis, Betty J.
MacDonald, Patricia H.
Madsen, Gladys
Malloy, Kathleen M.
McGinniss, Sarah C.
Merritt, Lois C.
Miller, Jean L.
Morris, Thekla W.
Morry, Mary R.
Muhlenfeld, Loretta T.
Murphy, Lorraine M.
Nicora, Adeline
Norris, Barbara
O'Brien, Margaret H.
Olund, Anna C.
Parent, Shirley M.
Pechal, Lily M.
Perlow, Marion R.
Pfeffer, Elizabeth M.
Pojeky, Ruth M.
Pommier, Angelina T.
Power, Luisa A.
Ragland, Wilda R.
Rebick, Bette A.
Redfern, Mary V.
Reese, Mary D.
Reid, Johnanna
Reid, May L.
Robinson, Libia G.
Roller, Helen
Rowe, Constance H.
Rowe, Dorothy L.
Scarcello, Julia E.
Schlachter, Wilma R.
Schuh, Lorraine C.
Schultz, Aldona
Seabury, Marion M.
Sefchok, Ann
Serak, Helen
Shearer, Carolyn J.
Shelley, Rita J.
Shelton, Waunie L.
Sheridan, Anne M.
Shields, Dorothy J.
Slate, Faye J.
Smith, Katharine C.
Smith, Mildred M.
Smith, Vivian E.
Snedeker, Mary C.
Stankovich, Melva
Steffens, Gloria M.
Sterling, Gloria J.
Sterner, Doris M.
Stewart, Mary G.
Stilwell, Adelaide
Stipe, Gloria J.
Stone, Charlotte R.
Struble, Mary R.
Sullivan, Nancy E.
Surman, Mary S.
Swoboda, Nadean M.
Taylor, Anna S.
Tepovich, Edith E.
Tracy, Dorothea M.
Troskoski, Dolores
Vanatta, Rose L.
Walker, Ruby E.
Walpole, Eva R.
Walters, Anna L.
Warren, Marion E.
Wathen, Mary J.
Wentzel, Mary M.
Williams, Alice K.
Wilson, Marjorie R.
Zabel, Kathryn E.

The following named (Naval Reserve Officers Training Corps candidates) to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

*James F. Allen
*Dean H. Batterman
*Max H. Beasley, Jr.
*Samuel E. Bishop
*James W. Bonar
*Louis J. Boos
*LeRoy H. Botten
*Andrew J. Bowen, IV
*Frederick E. Brahmer
*Melvin C. Brent
*Norman L. Bundy
*Michael T. Carey
*David R. Christiansen
*Stanley E. Cowan
*Edward R. Davidson
*Wayne F. Davidson
*Robert L. Dixon
*William J. Doyle, III
*William H. Draper
*Gerald D. Dulz
*Kenneth "O" Eastman, Jr.
*David M. Ellis
*Alvin L. Franson
*Clark W. Fulton, Jr.
*William B. Gooding, Jr.
*William D. Grasse
*John F. Greene
*John C. Griffin
*David J. Gripka
*Douglas M. Haines
*Richard B. Hamer
*Douglas G. Heggie
*Jack D. Hooks
*William A. Johnson
*Stephen B. Jordan
*Dietger E. Jung
*Michael R. Koziewicz
*John M. Knight
*Thomas P. Krakker, Jr.
*Louis A. Kressin
*Karl G. Kreutziger
*Robert C. Krishfield
*Rudolph V. Krueger
*Lee M. Lippert
*Charles G. Martinache
*Danny L. Meek
*Fred H. Merrick
*Fredrick E. Miller
*William T. Millican, III
*George K. Montgomery
*Carl F. Moslener
*Eddie Y. Newcombe
*George H. Ng
*Eugene P. Nicholson, III
*Richard N. Norfleet
*Charles V. K. Ohrenschall
*Charles R. Orr
*William H. Overgard
*Richard L. Palmer
*Jeffrey M. Parsons
*Richard L. Peil
*Dennis W. Peterson
*Harold B. Ray
*William G. Rouse
*Michael M. Sampsel
*Michael H. Savod
*Halary S. Sawicki
*Eric Schaefer
*Stephen M. Schuppert
*Ralph B. Sewell
*Jon L. Shaffer
*James M. Shepard
*Douglas G. Smith
*Robert L. Spence
*Charles M. Staehle
*Karl E. Stahlkopf
*John J. Stauffacher
*Harry A. Stewart, Jr.
*James M. Stewart
*Vernon D. Stocker
*Bernard D. Strittmatter, Jr.
*William P. Vockel
*Richard A. Webster
*Robert M. Werner
*Curtis J. Winters
*Robert E. Woodman

The following named (Naval Reserve Officers Training Corps candidates) to be permanent ensigns in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law:

*Earnie R. Breeding
*David J. Gripka
*Joel M. Lovstedt
*George A. Nugent
*Michael H. Savod
*Vernon D. Stocker
*Bernard D. Strittmatter, Jr.

The following named (Naval Reserve Officers Training Corps candidates) to be permanent ensigns in the Civil Engineer Corps of the Navy, subject to the qualifications therefor as provided by law:

*David R. Christiansen
*Stanley E. Cowan
*Richard B. Hamer
*Louis A. Kressin
*Ralph B. Sewell

The following named graduates from Navy enlisted scientific education program to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

John W. Adams
Franklyn D. Andersen
John H. Bruce
Dennis A. Costarakis
Allan W. Deprey
Paul D. Frazer
Richard F. Geissler
Edward N. Genung, Jr.
John E. Hart
Harley J. Holliday
Harry C. Hooven
Gordon W. Hutt
Jack L. Money
Jack L. Mundell
Zane W. Northcraft
James R. Proffitt
Robert E. Russell
Merrill C. Sawyer
Lewis P. Shank
Cloyce E. Shirley
Thomas J. Sindorf
Forrest E. Steber
Donald W. Swoyer
Michael Tanner
Ronald G. Walther

Robert L. Benne (Navy enlisted scientific education program) to be a permanent lieutenant (junior grade) in the line of the Navy, subject to the qualifications therefor as provided by law:

The following named (Navy enlisted scientific education program) to be permanent ensigns (engineering duty) in lieu of ensigns in the line of the Navy, as previously nominated and confirmed, subject to the qualifications therefor as provided by law.

*Edward L. Campbell
*John R. Cochran, Jr.
*Thomas W. Weisenburger

The following named enlisted candidates to be ensigns in the Medical Service Corps of the Navy, for temporary service, subject to the qualifications therefor as provided by law:

*David D. Adkins
*Wayne A. Brown
*Albert L. Buhaly
*Robert P. Clark
*William A. Ferris
*Emile N. Giard
*Franklin D. Gillespie
*Charles M. Green
*Arthur D. Hatten, Jr.
*"S" Douglas Henderson
*William O. Horne
*Larry C. Isenbarger
*Lloyd M. Jenkins
*Thaddeus A. Juda
*Dimitri L. Kalfas
*Roland E. McPeters
*Thomas F. Mackin, Jr.
*James J. Mason
*Patrick R. Patterson
*Donald D. Phillips, Jr.
*Arthur R. Rath
*Jerome D. Rosplock
*Charles L. Rowe
*Clinton E. Schmutz
*Paul R. Shackelford
*Robert E. Smith
*Bobbie L. Thompson
*Frank E. Tomczyk
*John R. Vail
*Joseph E. Warren
*James O. Wilder
*Bernard L. Zettl

The following named (civilian college graduates) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

*John R. Belasco
*Roy F. Carlson
*John D. Crawford
*Ronald E. Oldfield
*Guy E. Young

Harold D. Maxwell (civilian college graduate) to be a permanent lieutenant and a temporary lieutenant commander in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

The following named (Naval Reserve officers) to be permanent lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

*Byron E. Blank
*John M. Smith

The following named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

*Darwin S. Barrett
*Daniel E. Hayes
*Howard B. McWhorter
*Robert H. Orrahood
*Ralph R. Straub, Jr.
*Herman D. Tow, Jr.

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

*Daniel G. Badger
*George A. Bloch
*Willie A. Bumgardner
*Henry L. DeGenova
*Richard A. Esposito
*Donald L. Hearon
*Elmer R. Hudson, Jr.
*Robert C. Jann
*Frank J. McCall, Jr.
*Glen P. McGivney
*George E. Monasky
*Richard A. Murphy
*Otis D. Rackley, Jr.
*Ronald W. Scott
*Douglas B. Stalb
*Oscar B. Walker
*Woodrow D. Wheetley
*James E. Yeager

The following named (civilian college graduates) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

*Cavitt K. Bartley
*Robert A. Middleton
*Pendleton E. Thomas III

Samuel A. Youngman, Jr. (Naval Reserve officer) to be a permanent lieutenant commander and a temporary commander in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

*LeRoy E. Kurth, Jr.
*James G. Ware

The following named (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

*Paul K. Larive
*Joseph A. Pursch
*Robert J. Schultz

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

*George H. Caspar
*Robert E. Chapman
*Richard V. Crisera
*Paul W. Jewett
*Robert J. Kelly
*John S. McCabe
*John R. Marnocha
*Jerry A. Phelps

William R. Walker (Naval Reserve officer) to be a commander in the Medical Corps of the Navy, for temporary service, subject to the qualifications therefor as provided by law.

The following-named warrant officers to be lieutenants (junior grade) in the Navy, limited duty only, for temporary service, in the classification indicated, subject to the qualifications therefor as provided by law:

Supply

*August H. Asseier
*John T. Bober
*George R. Bodge
*William J. Borer
*Robert E. Boyer
*William O. Buckalew, Jr.
*William A. Coffey
*Earl F. Corday
*Charles H. Cornelison
*James T. Cox
*James H. Cox
*James C. Creek
*William R. Davidson
*Ernest Flores
*Norman C. Frates
*Elbert R. Fussell
*Kenneth E. Garrett

*William W. Glass
*Fabian J. Gomez
*Clyde J. Hamlett
*William A. Hammond
*Earl W. Haubert, Jr.
*James T. Hixson
*Willard E. Jones
*Oriel Lake
*John B. Leamons
*Thomas G. Loughran, Jr.
*Wendell W. Lovingood
*Charles P. Luke
*Lewis E. Mattox
*Jame B. Nadal
*Richard E. Otis
*Claudious A. Powell
*John C. Shedd
*Joseph E. Singleton
*Aubrey E. Swan
*Edward D. Swirka
*Charles P. Wagner
*James R. Waller
*Willie R. Wheless

Civil engineer

*Max L. Cramer
*Harold L. Higgins
*Jack J. Hofmann
*Kenneth B. Kayton
*Leverne L. Klaas
*George W. Partlow
*Charles R. Saffell
*Robert F. Schroeder
*Gig M. Shoemaker
*James E. Stewart
*Novis T. Thurmond
*Joseph M. Wilson, II

Deck

*Oliver L. Andersen
*Michael Bacha
*Bernard E. Burgett
*Joseph A. Caporicci
*James C. Carden
*J. B. Clark
*Roland F. Cote
*John O. Cullipher
*Leroy Davis
*Donald J. Donahue
*Herman B. Edwards
*Joseph A. Friel
*Maurice C. Greer
*John H. Gross
*Alfred Haberman, Jr.
*Francis G. Hanson
*Robert F. James
*Daniel G. Jones
*Thomas E. Kavanaugh
*Kenneth K. Kimble
*Alfred E. King
*Rudolph D. Leach
*Sollie McNease, Jr.
*Eugene E. McNiff
*Virgil N. Peacock
*Howard S. Reeves
*William E. Smiley
*James R. Smith
*Richard M. Stoughton, Jr.
*Thomas L. Swift
*Harley V. Taylor
*George E. Tessier
*Richard E. Thomas
*Perry T. Thompson
*Richard G. Trussell
*Hilton A. Wylie

Operations

*Charles Disney
*Gilbert C. Fergerstrom
*Albert P. Peebles
*Ralph Ross

Ordnance, surface

*William C. Arnett
*Louis W. Brugler
*Stanley W. Chwalek
*William F. Elrod
*Charles J. Gerard
*Lewis L. Jackson
*Arnold W. Kliem
*Raymond J. Zielinski

Ordnance, control

*John T. Carlin, Jr.
*George Early, Jr.
*Morrison Powell, Jr.

Ordnance, underwater

*Edward J. Kellner
*Stanley Porter
*Abner D. Reed

Administration

*Junior E. Britton
*John C. Burns
*Richard L. Durren
*Elmer S. Hutchins
*Albert N. James
*James L. Moniot
*Verne L. Moore
*Samuel L. Nickens
*Kuemen B. Patton
*Byron H. Price
*William F. Rolland
*Vernon G. Smith
*Robert Thornley
*Franklin I. Tripplett
*Robert O. Walker
*Harvey J. Westfall

Bandmaster

*Gerard T. Bowen
*Richard E. Larson
*Donald W. Stauffer

Engineering

*Arthur H. Bates
*Paul J. Bechard
*Lynwood A. Beverly
*Benton E. Buell
*Wallace D. Carey
*Charles P. Carpenter
*Joe W. Carson
*Hughie S. Carter
*Ira S. Clark
*Robert L. Deming
*Roy E. Dickerson
*Clinton E. Dutcher
*Frank M. Fellrath, Jr.
*George F. Filina
*Theodore H. Gemmill
*Roy L. Hendricks
*William C. Hillhouse
*George T. Hilt
*William H. Jacobsen
*Lester P. Jensen
*William P. Kelley
*Harold A. Kelly
*Ottis N. Morgan
*George P. Morong
*Martin U. Pellerin
*James A. Rasbeary
*Ormond H. Sandell
*Bernard Scarlett
*Douglas B. Smith
*Robert R. Spencer
*Seibert A. Ungemach
*Albert M. Worrells

Hull

*Floyd A. Duncan
*Ernest G. Gonzalez
*John C. Hughes
*James R. Kraft
*Edwin B. Moye
*Wiley B. Parrish
*Edmund P. Pendleton
*Quintin M. Sheipe
*Robert C. Shultz
*Mack R. Wilcox

Electrician

*John J. Billington
*James B. Boles, Jr.
*Loyd E. Dickinson
*John E. Ewing, Jr.
*Delbert E. Franck
*Clifford H. Hofmann
*Joseph D. Hohe
*James W. Huffman
*Thomas F. Johnson
*Robert L. Jordan
*Glenn N. Kamperschroer
*Joseph A. Kesterson
*Marcel P. Klimaszewski
*Herbert E. Kodger
*Charles A. Kulik
*Virgil Martin, Jr.
*Rollace A. Pugh
*Maurice C. Rexroad, Jr.
*John R. Sheppard
*Charles S. Sluss
*Ernest R. Witte

Electronics

*Louis R. Benson
*Warren W. Broome
*Hal G. Brown
*John P. Budrevich
*Elmer S. Burger
*Edward M. Chatterton
*Robert L. Copeland
*Walter A. Dagdigian
*William H. Davis
*Ola A. Dodson
*Hugh P. Gallagher
*Richard P. Grimes
*Norman R. Halderman
*Leo Q. Harvey
*Charles J. Johnson
*Charles M. McKellips
*Clarence D. Moss
*Killraine Newton, Jr.
*Robert H. Nicholas
*Bernard Orner
*Horace E. Paul
*Joseph W. Peironnet
*Allan C. Peringer
*William J. Preston
*Joseph T. Rhatigan
*Harley M. Rittgers
*Daniel D. Schuman
*John P. VanArtsdalen
*Daniel L. Waters
*John A. Webster
*Benjamin W. Wright
*Leon Wurzel
*Henry C. Zack

Cryptology

*Dayton L. Dersham
*Robert W. Jones
*Arthur M. Mann, Jr.
*Marvin L. Segler
*William K. Taylor
*Robert B. Toomey

Aviation operations

*Richard L. Evans, Jr.
*Donald H. Trivett

Photography

*Edward G. Marsden
*Edward H. Minges
*Robert G. Minor

Aerology

*Kenneth L. Chesmore
*Victor L. Clark
*Charles J. Hudock
*William H. Myers
*Willard L. Riner
*L. R. Upton

Aviation ordnance

*William J. Dyer
*Joseph J. Kanicki
*S. A. Parrish
*Frank H. Pennington, Jr.
*Leonard H. Preston
*Theodore J. Wilson

Aviation electronics

*John H. Benson
*Carl E. Borman
*Gerald R. Brayton
*Charles T. B. Clark
*Wiot L. Clarke
*Henry L. Claude
*Harry M. Edwards
*Raymond F. Elworth
*Robert F. Hauser
*Richard J. Henderson
*John G. Koerner
*Donald E. LeDuc
*George Mitchell, Jr.
*John S. Palmatier
*James M. Schneider
*Joel W. Timmons
*Richard D. Travis
*Arthur J. Warp
*Stanley C. Welch
*Winfield J. Whitcomb
*Duval S. Woodford
*Edwin A. Wright

Aviation maintenance

*Frans O. Brooks
*James E. Cochrane
*Daniel G. Gimmel
*Joseph F. Jaggard
*William N. McKnight
*Claude F. Peak
*Randall C. Smith

The following named (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Gerhard Borst, Jr.
William T. Hardaker
James G. LeSieur

The following named (Meritorious noncommissioned officers) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Thornton Boyd
Robert L. Brutke
John C. Harrison
Robert S. Huber
Gerald Hunt
Edward C. McConnaughney, Jr.
Richard S. McFarlane
Loren J. Okrina
Phillip K. Olson, Jr.
Ronald G. Osborne
Nicholas R. Pitaro
Edward G. Ries, Jr.
Thomas A. Varrell
Larry A. Wooldridge

The following named (from the temporary disability retired list) for permanent appointment to the grade of CWO W-4 in the Marine Corps, subject to the qualifications therefor as provided by law:

*William D. Smith

The following named for permanent appointment to the grade of second lieutenant for limited duty in the Marine Corps, subject to the qualifications therefor as provided by law:

Henry D. Barratt
Duard L. Beebe
John R. Bell
Roderick E. Benton
Bobby G. Carter
James M. Chance
Roger J. Claus
Charles E. Conway, Jr.
Joseph C. Dangler
Francis T. Dettrey
Wilson R. Dodge
Joseph J. Dzielski
Elbert A. Foster
Marshall M. Grice, Jr.
Leon A. Guimond
William P. Hamilton
Billie E. Hicks
Fred L. James
Herbert C. Johnson
Robert L. Jones, Jr.
Ronald C. Kraus
"L" "J" Lott
Kenneth R. Maddox
Enrique A. Mauri
Frederick E. Maynard
Joseph R. R. Paquette
Joaquin D. Pereira
Roger P. Pilcher
Herbert F. Posey
Thomas R. Preston
"H" "L" Redding
Richard R. Reuschling
Anthony J. Scaran
George R. Schipper
Frederick W. Schroeder
Delmas D. Sharp, Jr.
Kenneth E. Shelton
Billy E. Simpson
Jerry L. Stricker
Frank D. Strong
William E. Tisdale
David B. Werner
Theodore L. Whisler
Anthony A. Zadravec

The following named (platoon leaders class) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Charles T. Allen, III
Donald K. Angel
Dennis M. Atkinson
Roy R. Biggers, Jr.
Donald F. Bittner
Latham Boone, III
Gary E. Brown
Curtis B. Bruce
Frederick T. Bryan, Jr.
Bruce Burrows
Robert J. Butterman
Carl P. Campbell
Stanley W. Cheff, Jr.
John C. Chester
Richard "V" Coffel
Millard Cox
Charles D. Cuny
Marshall B. Darling
Thomas B. Delaney
Carmine J. Del Grosso
Charles L. Dimmler, III
William J. Edwards
Verner Eglit
Earl W. Eiland
Paul R. Ek
James G. Freas
Joseph F. Funaro
Ronald L. Gatewood
Samuel P. Gilstrap, Jr.
Robert H. Goetz
Christian L. Harkness
David S. Heilig
William M. Howard, Jr.
Eppy W. Human, Jr.
Patrick S. Jones
Stephen P. Knaebel
Harry E. Lake, Jr.
Jacob E. Libbey
William A. McVey
Donald W. Metcalf
John V. Moore
William O. Moore, Jr.
James M. Myatt
Donald J. O'Connor
Albert J. Pardini
Michael D. Parish
Jerome T. Paull
Charles C. Pierpoint, III
Frank L. Pinney, III
John F. Platt
Thomas F. Rafferty
Howard S. Roberts, Jr.
Thomas W. Roberts
William M. Sparks
John A. Sullivan, Jr.
John P. Wallace
Shelby A. Ward, Jr.
Duncan S. Werth, II
Claude N. Williams
Ronald M. Zobenica

***Indicates ad interim appointment.**

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 5, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Proverbs 28: 20: *A faithful man shall abound with blessings.*

Almighty God, we earnestly beseech Thee that our life may be more faithfully and firmly rooted in the spiritual realities. May our character and conduct be brought into close and cordial harmony with the promptings and persuasions of Thy divine Spirit.

We humbly confess that our attitudes and aspirations are frequently selfish and self-centered, as we face a world that has so many desperate needs and longings.

Grant that all the Members of this Congress may bear witness in their personal life to the grandeur and glory of the ideals and principles of our democracy.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

SUBCOMMITTEE ON ACCOUNTS, HOUSE ADMINISTRATION COMMITTEE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Accounts of the House Administration Committee be permitted to sit during the session of the House today.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ADJOURNMENT TO THURSDAY, FEBRUARY 7

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

UNITED STATES IS IN A TRAGIC SITUATION

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, it took many years before Nero fiddled while Rome burned but I am sorry to say that it has taken President John F. Kennedy only a short time after his speech on January 20, 1961, not only to place our country in one of the worst domestic messes it has ever been in, with his tax reduction and tax reform phony programs, but our country, in its foreign policy, has never been in worse shape in its history. I can remember the time when we have been in trouble with our enemies, and that is natural. But today we are knocking off our friends. Today we are making enemies of our friends. Today we are disenchanting our friend to the north; we are disenchanting our friends in England and trying to run General de Gaulle. Just where are we going with that kind of a backward policy, I shall never know. I only say that it is a tragic thing for my country.

OUR PRESENT SITUATION

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I fully appreciate the fact that Members oftentimes use the well for political purposes. I know that that has been going on for a long time and I make no complaint about it. But I would say that the gentleman from New York [Mr. BECKER] has just engaged in an exaggeration, to use a very polite way of describing his remarks. No. 1: the domestic situation in our country.

The gross national product in the last quarter of 1962 reached its highest point in the history of the United States of America. Corporate profits hit a new record. Money available to the general public hit a new record.

This does not mean that we do not have problems. We do have them and I frankly admit there are problems in our economy. The President is facing up to them, as the gentleman from New York knows. What program, if any, has the gentleman proposed? Whatever it is, he has succeeded in keeping it a secret.

Turning to the situation our country finds itself in internationally. I have never seen an administration which has handled itself with more restraint. The notion that we have done anything to alienate our neighbors to the north is not correct. The notion that we have alienated Great Britain is not correct. As a matter of fact Prime Minister Macmillan met with the President of the United States in the West Indies not long ago and it was a most cordial and fruitful meeting.

The problems of the world in which we live do not lend themselves to easy solutions. I regret the speech of the gentleman. I say to him that we have a dedicated President who understands these problems and who does his homework so that our country will remain free, strong, and at peace. It is very easy to be critical. It is harder to be constructive. I would hope we would approach these problems in a nonpartisan spirit rather than a political spirit.

THE ECONOMIC SITUATION

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, I desire to yield to the gentleman from New York [Mr. BECKER].

Mr. BECKER. Mr. Speaker, I appreciate my colleague from California's yielding. I just wanted to say to the gentleman from Louisiana that it is not unusual when a Republican stands on the floor who believes in his country and thinks the situation facing the United States is tragic and then is accused of being political. I would say the gentleman from Louisiana should be the last one to accuse a Republican on this floor of being political, because for 10 years I have heard him time and time again make political attacks on the Republicans on this floor. My attack was not political. My attack was on behalf of my country. You talk about the gross national product, but when you deduct $100 billion of Federal spending, the gross national product looks as phony as a $3 bill. Further, the ridiculous tax reduction proposal of the President—what he is proposing is that the Government borrow $12 billion from the people and then give them a tax cut. However, in the second proposal for tax reform, he is going to take the tax reduction away from the low- and middle-income families and make them pay more taxes than ever before. I remember the New Deal and Fair Deal policies of tax and tax and spend and spend, but President Kennedy has introduced a new gimmick. Spend and spend, build bigger and bigger deficits, push the national debt into orbit and reduce taxes, or try to make it look like reducing taxes. Believe me, from my mail and talking to my people back home, they are not being fooled one little bit.

CUBA

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, ever since the Bay of Pigs we have watched today's decisions on Cuba turn into tomorrow's dilemmas. Confusion and contradiction are keywords.

The United States, the most powerful military and moral force in the world, apparently is hypnotized into immobility while an island in the Caribbean balloons into a major threat to our national security.

Are we to assume that our Government is prepared to permanently accept a Soviet bastion just 6 jet minutes from Miami?

Are we going to resign ourselves forever to the presence of a pesthole of Soviet propaganda, subversion, and infiltration just 90 miles from our shore?

Or are we going to face the fact that the Soviets are pouring money, men, and military hardware into Cuba with one goal in mind: the ultimate subjugation of the Western Hemisphere?

Communist Cuba threatens the security and domestic tranquillity of the Americas. The American people have a right to know what their Government intends to do.

To that end, and to put a halt to the confusion, contradiction, and speculation which is causing unrest among our Latin American neighbors and lack of confidence at home, I am today introducing a new resolution. It encompasses my House Concurrent Resolution 51, introduced on January 24, to investigate the entire Bay of Pigs episode, and adds the provision that a special joint committee be empowered also to investigate the operations of all our intelligence-gathering agencies.

The past and present situation in Cuba demands it.

U.S. CITIZENS IMPRISONED IN CUBA

Mr. YOUNGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNGER. Mr. Speaker, on January 16 of this year I directed a letter to Secretary Dean Rusk of the Department of State, as follows:

> Since the release of the Cuban prisoners, little if anything has been said about what is happening to the 23 U.S. citizens who are imprisoned in Cuba. Will you please advise me as to what is being done toward securing the release of our own citizens from Mr. Castro's jails.

I would like to report to the House that up to date I have received no reply to this letter. I am not terribly surprised, knowing the difficulties with which the State Department is laboring in all parts of the world, but at least I thought I might get a reply stating that the Department of State is seriously concerned about the imprisonment of our own citizens by Castro.

It does seem strange that millions of dollars of tax-free money can be raised within a few hours to ransom the Cuban prisoners but nothing can be done about our own citizens.

It must be extremely galling to the Marine Corps, whose fine history dates back to the shores of Tripoli, to have to sit idly by while we ransom prisoners from the pirate Castro.

While the administration officials are doubletalking the Cuban situation, either our own Committee on Armed Services or the Committee on Foreign Affairs should get at the bottom of this powder keg 90 miles from our shores.

LEWIS L. STRAUSS VIEWS ON NUCLEAR TEST BAN

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, during the past few days I have offered the papers of several experts on the subject of nuclear test ban negotiations which have been collected by the Republican conference committee on that subject. Following are the views expressed by Mr. Strauss, former Chairman of the Atomic Energy Commission, in response to inquiries:

Mr. HOSMER. Mr. Strauss, when you were Chairman of the Atomic Energy Commission you opposed the moratorium on atomic weapons testing then. As I very well recall, you warned that the Communists would drag the negotiations along for years; that during these negotiations, they would probably cheat by conducting their own underground testing clandestinely and that they would abrogate the moratorium when they felt like it by testing in the atmosphere. Even worse, you feared that they would thus gain on us. Unfortunately, what you predicted came to pass. What is your view in the present situation now that negotiations have been reopened?

Mr. STRAUSS. Mr. Hosmer, there is no satisfaction in being proved right on circumstances as grim as those we face.

We faithfully observed our commitments, stopping testing nuclear weapons from the autumn of 1958 until after the Russians violated the moratorium in September 1961. Even after that violation took place it took us until the spring of the following year to get our tests started again. I am very worried about the present situation. We will be headed into the same kind of imprudent commitments if, at every time the Russians are to talk, we call our test programs off. I was very glad to note that the underground testing program had been reinstated last week. While the Russian people undoubtedly want atomic disarmament as much as we do, we ought to know by now that a promise by the Soviet Government is worthless. This has been demonstrated time after time but seems to make no impression here. It is less than 4 months since the President told us that the Soviet emissaries who called to see him at the White House last fall had attempted flatly to deceive him about Cuba. What possible sense is there in risking our safety on anything they say?

Mr. HOSMER. You say "risking our safety": What exactly do you mean by that?

Mr. STRAUSS. The testing of nuclear weapons is necessary to the improvement of those weapons. We need constantly to improve our nuclear arsenals so that we will be strong in the future as we have been in the past—so strong that an aggressor will be discouraged from attacking us. It has been frequently stated that further testing is unnecessary because weapons cannot be further improved. This was first said years ago, and it is often repeated, but it has often been proved untrue, time and again. The Soviets in their test series in 1961 exploded weapons which demonstrated development in size, if nothing else. The 3-year moratorium worked greatly to their advantage and to our disadvantage.

Furthermore, as it is known that we will not be the first to attack with atomic weapons, it follows that we will be first on the receiving end of an atomic war. Our stockpile must be larger because we may lose part of it in an attack, and our weapons must be more precise because they will be needed to block an attack that has already been launched.

Some of our weapons will also need to be clean, that is to say, free from fallout, as they may have to be exploded high above our own or friendly territory to destroy enemy missiles already launched at targets in our own country. Test suspension arrests the development of these weapons. This is a severe setback for us, not the Soviets.

Every time we improve the missiles which carry our weapons, we absolutely must test them with atomic warheads to be sure that they work together as an effective system. At our peril, we cannot afford to repeat the tragic mistake we made with torpedoes between World Wars I and II when we had not tested torpedoes with live warheads and its consequence was to send our submarines into the Pacific with torpedoes that would not explode.

Mr. HOSMER. Do you regard the reported easing of the Soviet objection of onsite inspection as a hopeful sign?

Mr. STRAUSS. I saw the report that the Russians had offered three on-site inspections and that this was regarded as a great breakthrough. It is not new. The Soviets proposed the same thing in 1960, and it was totally inadequate then. There are many hundreds of seismic events in the Russian land mass each year. Any of which could be the result of a clandestine weapons test. To be offered the opportunity to inspect three of the many hundreds is meaningless as a safeguard against cheating. Indeed, I am fearful of a compromise at a slightly larger number than three, but still an insignificant number. The figure 10 has been mentioned. In my opinion that would be completely inadequate.

Mr. HOSMER. What about the so-called tamperproof black boxes?

Mr. STRAUSS. There is no such thing as a tamperproof detection device and nothing can take the place of unhampered, on-site inspection by an international team on which our own people would be adequately represented.

Mr. HOSMER. Why do you think we are susceptible to all this pressure to stop our weapons development?

Mr. STRAUSS. Because so many people have been misled into a vast fear of the effect of fallout from nuclear tests. The fallout which would be the result of a nuclear war would be a fearsome thing. The very purpose of our strong weapons posture is to prevent a nuclear war. We test to keep that posture strong. The fallout from tests and the fallout from nuclear war are totally different in magnitude and effect.

There are also a large number of people who think that an agreement to stop testing is equivalent to nuclear disarmament. This, of course, is not true. Indeed, it is a dangerous misconception because it gives a false sense of security.

Naturally, the Russians want us to stop testing. The moratorium was of incalculable value to them. We must not fall into that terrible error again.

CONGRESS A BULWARK FOR THE AMERICAN PEOPLE

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, as a Member of Congress, I resent Roscoe Drummond's article in this week's Saturday Evening Post. His thesis is that

Congress fritters away its powers and shirks its duty.

Whatever may have been the situation in previous years I do not know. But now—today—the 88th Congress is a horse of a different color. As a matter of fact, Mr. Speaker, the American people should be thankful that the 88th Congress stands between them and the massive raid upon their pocketbooks that is the present administration's program.

On both sides of the aisle in this House are many men and women who neither fritter away nor shirk their duty. Confronted with reckless fiscal proposals, politically conceived, that would sacrifice the public interest through solicitation of American voters by promises of a share of Federal pork, the salavation of America is going to be the unity of Members of this House from both political parties who refuse to sell America down the river for a political mess of porridge the present President calls progress.

As never before, Congress is besieged with Presidential messages, the cumulative effect of which would be to weaken America's strength and undermine our dollars by spending billions more than we take in. And this is without regard to the existence of the greatest national debt the Nation has ever had, and all in the name of the so-called New Frontier.

Mr. Speaker, the Pied Piper was a piker next to the Kennedys. Unfortunately, it is a trifle difficult now and then to know which Kennedy is playing the flute or calling the tune. But it does not matter as long as the American people realize that the song the Kennedys play is leading America down the road to financial ruin.

THE SITUATION IN CUBA

Mr. BASS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BASS. Mr. Speaker, probably the proudest day in the history of this Nation was last October 22d. That day President Kennedy, in the strongest proclamation made by a President in history outside of a declaration of war, squared off his broad shoulders and told the Russians to pull their weapons out of Cuba. We knew at that time that we had a strong man as President; a man who had the guts to tell the biggest military power outside of this country that we would stand for no installation of offensive weapons at our back door.

This buildup had been going on for several years. This administration did not sire Castro, but inherited him. The Communists were allowed to take over Cuba in the last administration. That administration closed its eyes to the threat. But once the present President of the United States had evidence that offensive weapons were being placed in Cuba he made them remove all such weapons. They took them out, and the world knew that the United States was under the leadership of a great, and strong man.

Today we hear partisan bickering by the Republican Party trying to destroy the image that has been created internationally of the great leadership in this Nation. After 8 years of lackadaisical do-nothing this country had deteriorated internationally to a state lower than it had ever been in its history. Today it is the leader of the world, recognized as such by all nations of the world. We also have a strong national economy; we are going to keep it that way in order to have the respect of the other people throughout the world.

I regret and I deplore the fact that our international policy is now a cause for partisan bickering. Certainly this does not help our relative position in the international scene.

PRESIDENT EISENHOWER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, it seems to me that the gentleman from New York [Mr. BECKER] has touched off something of a controversy that some have tried to label as purely political. He was answered by the acting majority leader. Subsequently the gentleman from New York indicated that what he had to say had not been in the political realm.

I had not anticipated becoming involved in this matter today, but when the gentleman from Tennessee undertakes to say that under the great President Eisenhower, who knows more about war and what to do about it than anybody, and I say so even today—when he undertakes to say our whole position in the world deteriorated in those 8 years under President Eisenhower I cannot keep silent. He knows that is not quite the situation. It does not even approximate the situation. There was talk about the missile gap. Now, on the word of Mr. Kennedy's Secretary of Defense, we know there was no missile gap. There was the charge that we had lost prestige in the world. There was no truth in that either.

As a matter of fact, I am just afraid that wherever we look, whether it be unemployment continuing as high as 5.8 percent after you promised to get rid of it, the cost-price squeeze on farmers worse, FHA mortgage foreclosures greater today than any time in history, the cost of living up for everybody—deficits up—almost every place you look, yes, even abroad, you find increasingly troublesome situations. The gentleman speaks of Cuba.

First, I would point out that when the Bay of Pigs fiasco occurred in 1961, there were many people who thought Republicans should have turned that disaster into political capital.

We thought—and we still think—that to have done so with a new President in office would only have increased the enormous damage to American prestige which was caused by that incident.

Second, I would like to remind the gentleman that it was Republican Members in this body and the other body who took the lead last year in exposing the Soviet missile buildup and demanding action against it. May I remind him that on September 7 the joint Senate-House Republican leadership asked for a Formosan-type resolution in respect to Cuba. It fell on deaf ears here on the part of the majority for days and days, and then finally you woke up to the fact that you had to do something. Then at last a Formosan-type resolution was adopted. It was Republican inspired, not for political advantage but for the protection and security of our country.

Now, the gentleman speaks of the action that was taken at the White House last October in respect to Cuba. May I say to him that I was there at the request of the President when that announcement was made. You will recall that when he undertook the action, he referred to the Formosan-type resolution that had been adopted by the Congress as the basis for his authority to act. And, I just want to say to the gentleman that as that meeting broke up there had been some controversy there about what to do. I said, "Mr. President, I stand with you."

Now, if that is partisanship, I do not known what "partisanship" means.

Mr. BASS. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Tennessee.

Mr. BASS. I would like to say to my friend from Indiana that in the 8 years that I have served in the House I have never thought the gentleman from Indiana was partisan in his approach to international affairs. I want to congratulate him for being the leader on his side and giving support to a President, Republican or Democrat, in international affairs, if it became necessary. I always felt that he was that way. I was not referring to him in my remarks. I do not believe that he is a party to that sort of thing. But, I would like to say to him that I think with the press releases that I have read recently emanating from his side of the aisle, the other members of his party are not taking the course that the gentleman from Indiana would like for them to take in international affairs.

Now, in reference to what I said a few minutes ago, I would like to say to my friend from Indiana that I wish he would take the leadership and insist that the members of his party not make inflammatory statements in the international field which may tend to embarrass this country. Surely they cannot have all the necessary facts and may even unwittingly tip the hand of planned action.

Mr. HALLECK. Mr. Speaker, if I might conclude, what the gentleman has said in complimenting me will meet with mixed reaction on my side of the aisle, but in any event, the gentleman has brought it up. But, I want to say again that Republican voices were raised in respect to the buildup in Cuba long before the announcement was made by the President, and they were properly made, and today, if the gentleman asks me, I am tremendously concerned about what I believe is a further buildup of military strength in Cuba. I read in the paper that some statements were made by a Member on our side in the other body concerning the buildup, and then I think it was a representative of the State Department or the Pentagon who said, "Well, maybe the gentleman is right."

All I ask is that our Government take whatever steps are necessary to protect the security of our country, and when that is done, I will stand with the President as I have before.

U.S. SQUABBLING OVER CUBA MUST CEASE

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, Washington is rife with contradictions on the amount of Soviet military equipment in Cuba. Each day new charges on the specific number of Cuba-based Communist arms are hurled from the floors of the Congress. Executive agencies are then drawn into bickering over the quantities of Soviet military equipment, the design of this equipment, and whether it is in Cuba for offensive or defensive purposes.

The American people view the situation in simple terms. One Soviet soldier in Cuba is one too many. And when does the mission of that one Soviet soldier, with one pack on his back, and one rifle in his hand, became offensive or defensive? The answer is simple—when the Kremlin orders it so.

Mr. Speaker, we may be losing sight of the basic problem. The amount and type of Soviet military equipment in Cuba is not the problem. Nor does the offensive or defensive nature of such equipment change the problem. In simple and glaring terms, the problem centers on the existence of communism in Cuba, backed up by Soviet military equipment—whatever it may be.

How do we solve this problem? The first step is by isolating Cuba. Cuba should be placed in solitary confinement by the nations of this hemisphere. I would urge that isolation be accomplished by first closing U.S. ports to vessels calling at the island of Cuba. I further urge that the United States propose to the Organization of American States, which now stands ready to act, the following steps:

First. Close the seaports of this hemisphere to vessels calling in Cuba.

Second. Close the airports of the hemisphere to airlines flying into Cuba.

Third. Ban telecommunications relays of messages to and from Cuba.

Fourth. Curb the travel of Castro agents throughout the hemisphere.

Fifth. Freeze Cuban Government funds now on deposit in Latin American financial institutions.

Mr. Speaker, we must not be diverted by the extent of the Soviet strength in Cuba. The United States must concentrate its full strength and power toward ridding the hemisphere of all Soviet influence now present in it. The United States must exert its leadership to rid this hemisphere of communism.

THE CUBAN CRISIS

Mr. BONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker and Members of the House, I read from an editorial that was published in the daily paper of my home town. This is apropos of the discussion that has taken place on the floor of the House here this morning. Certainly all of us are interested in the situation that has arisen in Cuba and all of us are concerned. Yet during times of this nature it is advisable for men to gage their remarks and to use caution in their language.

Mr. Speaker, I read the last sentence of this editorial:

> President Kennedy acted in a role during the Cuban crisis which will be applauded by the overwhelming majority of American people.

Mr. Speaker, I concur in this statement and I concur in the defense of former Presidents as to their loyalty to this country. Yet, Mr. Speaker, the debate on this question has aroused a great interest among the people of America and, therefore, the debate should be waged with caution and discretion.

In times of great stress such as those that have developed with regard to Cuba in the last 5 or 6 months it is particularly important that we maintain our national solidarity. The President and our military leaders are entitled to the support of all of us on issues where they of necessity must bear the burden of decision. This is not to say that any man should not hold or express such personal views as he has. But such views or such information should be transmitted to those who are responsible under our system for acquiring, evaluating, and acting upon information bearing on the security of our country. I believe the vast majority of us, without regard to partisan preference, have faith in the loyalty and integrity of those in whom we vest the lonely responsibility of ultimate decision.

Mr. Speaker, I submit this editorial for the RECORD.

The matter referred to follows:

DICTATORSHIP—UGLY WORD

"Dictatorship" is an ugly word in a democracy where we pride ourselves on freedom for all. Yet there come times even in the land of the free when we must exercise a sort of dictatorship temporarily in order to preserve freedom permanently.

When the Cuban crisis arose, someone had to take the plow handle and act decisively. The only one in America who could do the job then was the President of the United States.

Whatever criticism there might be today over the fact that President Kennedy did act decisively, did assume the role of a sort of temporary dictator, and did act even without clear-cut constitutional authority at times should not cause extremists to shout "dictator." It should point up the need here in our democracy for certain reforms giving the President temporary power to act decisively in a quick crisis.

Had the President not acted quickly and decisively in the Cuban crisis, then we hesitate to think what the results might have been. Because he assumed authority and exerted definite leadership at that time in no way causes us to feel that he is trying to be a dictator over this Nation.

Yet there are people who are openly critical at what they see as a man assuming such extreme powers at such a time.

If we admit that "dictatorship" is an ugly word, we must also admit that "chaos" or "surrender" is far uglier.

No, to our way of thinking when a man becomes dictator, it takes on a status of being permanent. President Kennedy acted in a role during the Cuban crisis which will be applauded by the overwhelming majority of American people.

UNITED STATES IMPORTATION OF LUMBER FROM CANADA

Mr. WHITE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WHITE. Mr. Speaker, Northwest lumber producers have found themselves caught in an ever-tightening cost-price squeeze. The demand for softwood products has dwindled with the decreases in the homebuilding industry, but this is only a fraction of a very complex problem. Production in the United States has declined faster than consumption, and the difference is importation of lumber from Canada.

In recognition of the devastating effect the loss of lumber markets has on the Idaho economy, the 37th session of the State of Idaho Legislature has passed two memorials relative to the importation of Canadian lumber and the restrictive effects of wilderness legislation.

According to the rules of the House, Mr. Speaker, the memorials have been received and referred to the proper committees.

MENTAL ILLNESS AND MENTAL RETARDATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 58)

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

It is my intention to send shortly to the Congress a message pertaining to this Nation's most urgent needs in the area of health improvement. But two health problems—because they are of such critical size and tragic impact, and because their susceptibility to public action is so much greater than the attention they have received—are deserving of a wholly new national approach and a separate message to the Congress. These twin problems are mental illness and mental retardation.

From the earliest days of the Public Health Service to the latest research of the National Institutes of Health, the Federal Government has recognized its responsibilities to assist, stimulate, and channel public energies in attacking health problems. Infectious epidemics are now largely under control. Most of the major diseases of the body are beginning to give ground in man's increasing struggle to find their cause and cure. But the public understanding, treatment and prevention of mental disabilities have not made comparable progress since the earliest days of modern history.

Yet mental illness and mental retardation are among our most critical health problems. They occur more frequently, affect more people, require more prolonged treatment, cause more suffering by the families of the afflicted, waste more of our human resources, and constitute more financial drain upon both the public treasury and the personal finances of the individual families than any other single condition.

There are now about 800,000 such patients in this Nation's institutions—600,000 for mental illness and over 200,000 for mental retardation. Every year nearly 1,500,000 people receive treatment in institutions for the mentally ill and mentally retarded. Most of them are confined and compressed within an antiquated, vastly overcrowded, chain of custodial State institutions. The average amount expended on their care is only $4 a day—too little to do much good for the individual, but too much if measured in terms of efficient use of our mental health dollars. In some States the average is less than $2 a day.

The total cost to the taxpayers is over $2.4 billion a year in direct public outlays for services—about $1.8 billion for mental illness and $600 million for mental retardation. Indirect public outlays, in welfare costs and in the waste of human resources, are even higher. But the anguish suffered both by those afflicted and by their families transcends financial statistics, particularly in view of the fact that both mental illness and mental retardation strike so often in childhood, leading in most cases to a lifetime of disablement for the patient and a lifetime of hardship for his family.

This situation has been tolerated far too long. It has troubled our national conscience, but only as a problem unpleasant to mention, easy to postpone, and despairing of solution. The Federal Government, despite the nationwide impact of the problem, has largely left the solutions up to the States. The States have depended on custodial hospitals and homes. Many such hospitals and homes have been shamefully understaffed, overcrowded, unpleasant institutions from which death too often provided the only firm hope of release.

The time has come for a bold new approach. New medical, scientific, and social tools and insights are now available. A series of comprehensive studies initiated by the Congress, the executive branch and interested private groups have been completed and all point in the same direction.

Governments at every level—Federal, State, and local—private foundations and individual citizens must all face up to their responsibilities in this area. Our attack must be focused on three major objectives:

First, we must seek out the causes of mental illness and of mental retardation and eradicate them. Here, more than in any other area, "an ounce of prevention is worth more than a pound of cure." For prevention is far more desirable for all concerned. It is far more economical and it is far more likely to be successful. Prevention will require both selected specific programs directed especially at known causes, and the general strengthening of our fundamental community, social welfare, and educational programs which can do much to eliminate or correct the harsh environmental conditions which often are associated with mental retardation and mental illness. The proposals contained in my earlier message to the Congress on education and those which will be contained in a later message I will send on the Nation's health will also help achieve this objective.

Second, we must strengthen the underlying resources of knowledge and, above all, of skilled manpower which are necessary to mount and sustain our attack on mental disability for many years to come. Personnel from many of the same professions serve both the mentally ill and the mentally retarded. We must increase our existing training programs and launch new ones; for our efforts cannot succeed unless we increase by severalfold in the next decade the number of professional and subprofessional personnel who work in these fields. My proposals on the health professions and aid for higher education are essential to this goal; and both the proposed youth employment program and a national service corps can be of immense help. We must also expand our research efforts, if we are to learn more about how to prevent and treat the crippling or malfunction of the mind.

Third, we must strengthen and improve the programs and facilities serving the mentally ill and the mentally retarded. The emphasis should be upon timely and intensive diagnosis, treatment, training, and rehabilitation so that the mentally afflicted can be cured or their functions restored to the extent possible. Services to both the mentally ill and to the mentally retarded must be community based and provide a range of services to meet community needs.

It is with these objectives in mind that I am proposing a new approach to mental illness and to mental retardation. This approach is designed, in large measure, to use Federal resources to stimulate State, local, and private action. When carried out, reliance on the cold mercy of custodial isolation will be supplanted by the open warmth of community concern and capability. Emphasis on prevention, treatment, and rehabilitation will be substituted for a desultory interest in confining patients in an institution to wither away.

In an effort to hold domestic expenditures down in a period of tax reduction, I have postponed new programs and reduced added expenditures in all areas when that could be done. But we cannot afford to postpone any longer a reversal in our approach to mental affliction. For too long the shabby treatment of the many millions of the mentally disabled in custodial institutions and many millions more now in communities needing help has been justified on grounds of inadequate funds, further studies, and future promises. We can procrastinate no more. The national mental health program and the national program to combat mental retardation herein proposed warrant prompt congressional attention.

I. A NATIONAL PROGRAM FOR MENTAL HEALTH

I propose a national mental health program to assist in the inauguration of a wholly new emphasis and approach to care for the mentally ill. This approach relies primarily upon the new knowledge and new drugs acquired and developed in recent years which make it possible for most of the mentally ill to be successfully and quickly treated in their own communities and returned to a useful place in society.

These breakthroughs have rendered obsolete the traditional methods of treatment which imposed upon the mentally ill a social quarantine, a prolonged or permanent confinement in huge, unhappy mental hospitals where they were out of sight and forgotten. I am not unappreciative of the efforts undertaken by many States to improve conditions in these hospitals, or the dedicated work of many hospital staff members. But their task has been staggering and the results too often dismal, as the comprehensive study by the Joint Commission on Mental Illness and Health pointed out in 1961. Some States have at times been forced to crowd five, ten, or even fifteen thousand people into one, large understaffed institution. Imposed largely for reasons of economy, such practices were costly in human terms, as well as in a real economic sense. The following statistics are illustrative:

Nearly one-fifth of the 279 State mental institutions are fire and health hazards; three-fourths of them were opened prior to World War I.

Nearly half of the 530,000 patients in our State mental hospitals are in institutions with over 3,000 patients, where individual care and consideration are almost impossible.

Many of these institutions have less than half the professional staff required, with less than 1 psychiatrist for every 360 patients.

Forty-five percent of their inmates have been hospitalized continuously for 10 years or more.

But there are hopeful signs. In recent years the increasing trend toward higher and higher concentrations in these institutions has been reversed, by the use of new drugs, by the increasing public awareness of the nature of mental illness, and by a trend toward the provision of community facilities, including psychiatric beds in general hospitals, day care centers and outpatient psychiatric clinics. Community general hospitals in 1961 treated and discharged as cured more than 200,000 psychiatric patients.

I am convinced that, if we apply our medical knowledge and social insights fully, all but a small portion of the mentally ill can eventually achieve a wholesome and constructive social adjustment. It has been demonstrated that two out of three schizophrenics, our largest category of mentally ill, can be treated and released within 6 months, but under the conditions that prevail today the average stay for schizophrenia is 11 years. In 11 States, by the use of modern techniques, 7 out of every 10 schizophrenia patients admitted were discharged within 9 months. In one instance, where a State hospital deliberately sought an alternative to hospitalization in those patients about to be admitted, it was able to treat successfully in the community 50 percent of them. It is clear that a concerted national attack on mental disorders is now both possible and practical.

If we launch a broad new mental health program now, it will be possible within a decade or two to reduce the number of patients now under custodial care by 50 percent or more. Many more mentally ill can be helped to remain in their own homes without hardship to themselves or their families. Those who are hospitalized can be helped to return to their own communities. All but a small proportion can be restored to useful life. We can spare them and their families much of the misery which mental illness now entails. We can save public funds and we can conserve our manpower resources.

1. COMPREHENSIVE COMMUNITY MENTAL HEALTH CENTERS

Central to a new mental health program is comprehensive community care. Merely pouring Federal funds into a continuation of the outmoded type of institutional care which now prevails would make little difference. We need a new type of health facility, one which will return mental health care to the main stream of American medicine, and at the same time upgrade mental health services. I recommend, therefore, that the Congress: (1) Authorize grants to the States for the construction of comprehensive community mental health centers, beginning in fiscal year 1965, with the Federal Government providing 45 to 75 percent of the project costs; (2) authorize short-term project grants for the initial staffing costs of comprehensive community mental health centers, with the Federal Government providing up to 75 percent of the cost in the early months, on a gradually declining basis, terminating such support for a project within slightly over 4 years; and (3) to facilitate the preparation of community plans for these new facilities as a necessary preliminary to any construction or staffing assistance, appropriate $4.2 million for planning grants under the National Institute of Mental Health. These planning funds, which would be in addition to a similar amount appropriated for fiscal year 1963, have been included in my proposed 1964 budget.

While the essential concept of the comprehensive community mental health center is new, the separate elements which would be combined in it are presently found in many communities: diagnostic and evaluation services, emergency psychiatric units, outpatient services, inpatient services, day and night care, foster home care, rehabilitation, consultative services to other community agencies, and mental health information and education.

These centers will focus community resources and provide better community facilities for all aspects of mental health care. Prevention as well as treatment will be a major activity. Located in the patient's own environment and community, the center would make possible a better understanding of his needs, a more cordial atmosphere for his recovery, and a continuum of treatment. As his needs change, the patient could move without delay or difficulty to different services, from diagnosis, to cure, to rehabilitation, without need to transfer to different institutions located in different communities.

A comprehensive community mental health center in receipt of Federal aid may be sponsored through a variety of local organizational arrangements. Construction can follow the successful Hill-Burton pattern, under which the Federal Government matches public or voluntary nonprofit funds. Ideally, the center could be located at an appropriate community general hospital, many of which already have psychiatric units. In such instances, additional services and facilities could be added, either all at once or in several stages, to fill out the comprehensive program. In some instances, an existing outpatient psychiatric clinic might form the nucleus of such a center, its work expanded and integrated with other services in the community. Centers could also function effectively under a variety of other auspices: as affiliates of State mental hospitals, under State or local governments, or under voluntary nonprofit sponsorship.

Private physicians, including general practitioners, psychiatrists, and other medical specialists, would all be able to participate directly and cooperatively in the work of the center. For the first time, a large proportion of our private practitioners will have the opportunity to treat their patients in a mental health facility served by an auxiliary professional staff that is directly and quickly available for outpatient and inpatient care.

While these centers will be primarily designed to serve the mental health needs of the community, the mentally retarded should not be excluded from these centers if emotional problems exist. They should also offer the services of special therapists and consultation services to parents, school systems, health departments, and other public and private agencies concerned with mental retardation.

The services provided by these centers should be financed in the same way as other medical and hospital costs. At one time, this was not feasible in the case of mental illness, where prognosis almost invariably called for long and often permanent courses of treatment. But tranquilizers and new therapeutic methods now permit mental illness to be treated successfully in a very high proportion of cases within relatively short periods of time—weeks or months—rather than years.

Consequently, individual fees for services, individual and group insurance, other third-party payments, voluntary and private contributions, and State and local aid can now better bear the continuing burden of these costs to the individual patient after these services are established. Long-range Federal subsidies for operating costs are neither necessary nor desirable. Nevertheless, because this is a new and expensive undertaking for most communities, temporary Federal aid to help them meet the initial burden of establishing and placing centers in operation is desirable. Such assistance would be stimulatory in purpose, granted on a declining basis and terminated in a few years.

The success of this pattern of local and private financing will depend in large part upon the development of appropriate arrangements for health insurance, particularly in the private sector of our economy. Recent studies have indicated that mental health care—particularly the cost of diagnosis and short-term therapy, which would be major components of service in the new centers—is insurable at a moderate cost.

I have directed the Secretary of Health, Education, and Welfare to explore steps for encouraging and stimulating the expansion of private voluntary health insurance to include mental health care. I have also initiated a review of existing Federal programs, such as the health benefits program for Federal personnel, to determine whether further measures may be necessary and desirable to increase their provisions for mental health care.

These comprehensive community mental health centers should become operational at the earliest feasible date. I recommend that we make a major demonstration effort in the early years of the program to be expanded to all major communities as the necessary manpower and facilities become available.

It is to be hoped that within a few years the combination of increased mental health insurance coverage, added State and local support, and the redirection of State resources from State mental institutions will help achieve our goal of having community-centered mental health services readily accessible to all.

2. IMPROVED CARE IN STATE MENTAL INSTITUTIONS

Until the community mental health center program develops fully, it is imperative that the quality of care in existing State mental institutions be improved. By strengthening their therapeutic services, by becoming open institutions serving their local communities, many such institutions can perform a valuable transitional role. The Federal Government can assist materially by encouraging State mental institutions to undertake intensive demonstration and pilot projects, to improve the quality of care, and to provide inservice training for personnel manning these institutions.

This should be done through special grants for demonstration projects for inpatient care and inservice training. I recommend that $10 million be appropriated for such purposes.

3. RESEARCH AND MANPOWER

Although we embark on a major national action program for mental health, there is still much more we need to know. We must not relax our effort to push back the frontiers of knowledge in basic and applied research into the mental processes, in therapy, and in other phases of research with a bearing upon mental illness. More needs to be done also to translate research findings into improved practices. I recommend an expansion of clinical, laboratory, and field research in mental illness and mental health.

Availability of trained manpower is a major factor in the determination of how fast we can expand our research and expand our new action program in the mental health field. At present manpower shortages exist in virtually all of the key professional and auxiliary personnel categories, psychiatrists, clinical psychologists, social workers, and psychiatric nurses. To achieve success, the current supply of professional manpower in these fields must be sharply increased, from about 45,000 in 1960 to approximately 85,000 by 1970. To help move toward this goal I recommend the appropriation of $66 million for training of personnel, an increase of $17 million over the current fiscal year.

I have, in addition, directed that the Manpower Development and Training Act be used to assist in the training of psychiatric aids and other auxiliary personnel for employment in mental institutions and community centers.

Success of these specialized training programs, however, requires that they be undergirded by basic training programs. It is essential to the success of our new national mental health program that Congress enact legislation authorizing aid to train more physicians and related health personnel. I will discuss this measure at greater length in the message on health which I will send to the Congress shortly.

II. A NATIONAL PROGRAM TO COMBAT MENTAL RETARDATION

Mental retardation stems from many causes. It can result from mongolism, birth injury or infection, or any of a host of conditions that cause a faulty or arrested development of intelligence to such an extent that the individual's ability to learn and to adapt to the demands of society is impaired. Once the damage is done, lifetime incapacity is likely. With early detection, suitable care and training, however, a significant improvement in social ability and in personal adjustment and achievement can be achieved.

The care and treatment of mental retardation, and research into its causes and cure, have, as in the case of mental illness, been too long neglected. Mental retardation ranks as a major national health, social, and economic problem. It strikes our most precious asset—our children. It disables 10 times as many people as diabetes, 20 times as many as tuberculosis, 25 times as many as muscular dystrophy, and 600 times as many as infantile paralysis. About 400,000 children are so retarded they require constant care or supervision; more than 200,000 of these are in residential institutions. There are between 5 and 6 million mentally retarded children and adults, an estimated 3 percent of the population. Yet, despite these grim statistics, and despite an admirable effort by private voluntary associations, until a decade ago not a single State health department offered any special community services for the mentally retarded or their families.

States and local communities spend $300 million a year for residential treatment of the mentally retarded, and another $250 million for special education, welfare, rehabilitation, and other benefits and services. The Federal Government will this year obligate $37 million for research, training, and special services for the retarded, and about three times as much for their income maintenance. But these efforts are fragmented and inadequate.

Mental retardation strikes children without regard for class, creed, or economic level. Each year sees an estimated 126,000 new cases. But it hits more often and harder at the underprivileged and the poor; and most often of all, and most severely, in city tenements and rural slums where there are heavy concentrations of families with poor education and low income.

There are very significant variations in the impact of the incidence of mental retardation. Draft rejections for mental deficiency during World War II were 14 times as heavy in States with low incomes as in others. In some slum areas 10 to 30 percent of the school-age children are mentally retarded, while in the very same cities more prosperous neighborhoods have only 1 or 2 percent retarded.

There is every reason to believe that we stand on the threshold of major advances in this field. Medical knowledge can now identify precise causes of retardation in 15 to 25 percent of the cases. This itself is a major advance. Those identified are usually cases in which there are severe organic injuries or gross brain damage from disease. Severe cases of mental retardation of this type are naturally more evenly spread throughout the population than mild retardation, but even here poor families suffer disproportionately. In most of the mild cases, although specific physical and neurological defects are usually not diagnosable with present biomedical techniques, research is rapidly adding to our knowledge of specific causes: German measles during the first 3 months of pregnancy, Rh blood factor incompatibility in newborn infants, lead poisoning of infants, faulty body chemistry in such diseases as phenylketonuria and galactosemia, and many others.

Many of the specific causes of mental retardation are still obscure. Socioeconomic and medical evidence gathered by a panel which I appointed in 1961, however, shows a major causative role for adverse social, economic, and cultural factors. Families who are deprived of the basic necessities of life, opportunity and motivation have a high proportion of the Nation's retarded children. Unfavorable health factors clearly play a major role. Lack of prenatal and postnatal health care, in particular, leads to the birth of brain-damaged children or to an inadequate physical and neurological development. Areas of high infant mortality are often the same areas with a high incidence of mental retardation. Studies have shown that women lacking prenatal care have a much higher likelihood of having mentally retarded children. Deprivation of a child's opportunities for learning slows development in slum and distressed areas. Genetic, hereditary, and other biomedical factors also play a major part in the causes of mental retardation.

The American people, acting through their Government where necessary, have an obligation to prevent mental retardation, whenever possible, and to ameliorate it when it is present. I am, therefore, recommending action on a comprehensive program to attack this affliction. The only feasible program with a hope for success must not only aim at the specific causes and the control of mental retardation but seek solutions to the broader problems of our society with which mental retardation is so intimately related.

The panel which I appointed reported that, with present knowledge, at least half and hopefully more than half, of all mental retardation cases can be prevented through this kind of "broad spectrum" attack—aimed at both the specific causes which medical science has identified, and at the broader adverse social, economic, and cultural conditions with which incidence of mental retardation is so heavily correlated. At the same time research must go ahead in all these categories, calling upon the best efforts of many types of scientists, from the geneticist to the sociologist.

The fact that mental retardation ordinarily exists from birth or early childhood, the highly specialized medical, psychological, and educational evaluations which are required, and the complex and unique social, educational, and vocational lifetime needs of the retarded individual, all require that there be developed a comprehensive approach to this specific problem.

1. PREVENTION

Prevention should be given the highest priority in this effort. Our general health, education, welfare, and urban renewal programs will make a major contribution in overcoming adverse social and economic conditions. More adequate medical care, nutrition, housing, and educational opportunities can reduce mental retardation to the low incidence which has been achieved in some other nations. The recommendations for strengthening American education which I have made to the Congress in my message on education will contribute toward this objective as will the proposals contained in my forthcoming health message.

New programs for comprehensive maternity and infant care and for the improvement of our educational services are also needed. Particular attention should be directed toward the development of such services for slum and distressed areas. Among expectant mothers who do not receive prenatal care, more than 20 percent of all births are premature—2 or 3 times the rate of prematurity among those who do receive adequate care. Premature infants have 2 or 3 times as many physical defects and 50 percent more illnesses than full-term infants. The smallest premature babies are 10 times more likely to be mentally retarded.

All of these statistics point to the direct relationship between lack of prenatal care and mental retardation. Poverty and medical indigency are at the root of most of this problem. An estimated 35 percent of the mothers in cities over 100,000 population are medically indigent. In 138 large cities of the country an estimated 455,000 women each year lack resources to pay for adequate health care during pregnancy and following birth. Between 20 and 60 percent of the mothers receiving care in public hospitals in some large cities receive inadequate or no prenatal care—and mental retardation is more prevalent in these areas.

Our existing State and Federal child health programs, though playing a useful and necessary role, do not provide the needed comprehensive care for this high-risk group. To enable the States and localities to move ahead more rapidly in combating mental retardation and other childhood disabilities through the new therapeutic measures being developed by medical science, I am recommending:

(a) A new 5-year program of project grants to stimulate State and local health departments to plan, initiate and develop comprehensive maternity and child health care service programs, helping primarily families in this high-risk group who are otherwise unable to pay for needed medical care. These grants would be used to provide medical care, hospital care, and additional nursing services, and to expand the number of prenatal clinics. Prenatal and post partum care would be more accessible to mothers. I recommend that the initial appropriation for this purpose be $5 million, allocated on a project basis, rising to an annual appropriation of $30 million by the third year.

(b) doubling the existing $25 million annual authorization for Federal grants for maternal and child health, a significant portion of which will be used for the mentally retarded.

(c) doubling over a period of 7 years the present $25 million annual authorization for Federal grants for crippled children's services.

Cultural and educational deprivation resulting in mental retardation can also be prevented. Studies have demonstrated that large numbers of children in urban and rural slums, including preschool children, lack the stimulus necessary for proper development in their intelligence. Even when there is no organic impairment, prolonged neglect, and a lack of stimulus and opportunity for learning, can result in the failure of young minds to develop. Other studies have shown that, if proper opportunities for learning are provided early enough, many of these deprived children can and will learn and achieve as much as children from more favored neighborhoods. This self-perpetuating intellectual blight should not be allowed to continue.

In my recent message on education, I recommended that at least 10 percent of the proposed aid for elementary and secondary education be committed by the States to special project grants designed to stimulate and make possible the improvement of educational opportunities particularly in slum and distressed areas, both urban and rural. I again urge special consideration by the Congress for this proposal. It will not only help improve educational quality and provide equal opportunity in areas which need assistance; it will also serve humanity by helping prevent mental retardation among the children in such culturally deprived areas.

2. COMMUNITY SERVICES

As in the case of mental illnesses, there is also a desperate need for community facilities and services for the mentally retarded. We must move from the outmoded use of distant custodial institutions to the concept of community-centered agencies that will provide a coordinated range of timely diagnostic, health, educational, training, rehabilitation, employment, welfare, and legal protection services. For those retarded children or adults who cannot be maintained at home by their own families, a new pattern of institutional services is needed.

The key to the development of this comprehensive new approach toward services for the mentally retarded is twofold. First, there must be public understanding and community planning to meet all problems. Second, there must be made available a continuum of services covering the entire range of needs. States and communities need to appraise their needs and resources, review current programs, and undertake preliminary actions leading to comprehensive State and community approaches to these objectives. To stimulate public awareness and the development of comprehensive plans, I recommend legislation to establish a program of special project grants to the States for financing State reviews of needs and programs in the field of mental retardation.

A total of $2 million is recommended for this purpose. Grants will be awarded on a selective basis to State agencies presenting acceptable proposals for this broad interdisciplinary planning activity. The purpose of these grants is to provide for every State an opportunity to begin to develop a comprehensive, integrated program to meet all the needs of the retarded. Additional support for planning health-related facilities and services will be available from the expanding planning grant program for the Public Health Service which I will recommend in my forthcoming message on health.

To assist the States and local communities to construct the facilities which these surveys justify and plan, I recommend that the Congress authorize matching grants for the construction of public and other nonprofit facilities, including centers for the comprehensive treatment, training, and care of the mentally retarded. Every community should be encouraged to include provision for meeting the health requirements of retarded individuals in planning its broader health services and facilities.

Because care of the mentally retarded has traditionally been isolated from centers of medical and nursing education, it is particularly important to develop facilities which will increase the role of highly qualified universities in the improvement and provision of services and the training of specialized personnel. Among the various types of facilities for which grants would be authorized, the legislation I am proposing will permit grants of Federal funds for the construction of facilities for (1) inpatient clinical units as an integral part of university-associated hospitals in which specialists on mental retardation would serve, (2) outpatient diagnostic, evaluation, and treatment clinics associated with such hospitals, including facilities for special training, and (3) satellite clinics in outlying cities and counties for provision of services to the retarded through existing State and local community programs, including those financed by the Children's Bureau, in which universities will participate. Grants of $5 million a year will be provided for these purposes within the total authorizations for facilities in 1965 and this will be increased to $10 million in subsequent years.

Such clinical and teaching facilities will provide superior care for the retarded and will also augment teaching and training facilities for specialists in mental retardation, including physicians, nurses, psychologists, social workers, speech and other therapists. Funds for operation of such facilities would come from State, local, and private sources. Other existing or proposed programs of the Children's Bureau, of the Public Health Service, of the Office of Education, and of the Department of Labor can provide additional resources for demonstration purposes and for training personnel.

A full-scale attack on mental retardation also requires an expansion of special education, training, and rehabilitation services. Largely due to the lack of qualified teachers, college instructors, directors, and supervisors, only about one-fourth of the 1,250,000 retarded children of school age now have access to special education. During the past 4 years, with Federal support, there has been some improvement in the training of leadership personnel. However, teachers of handicapped children, including the mentally retarded, are still woefully insufficient in number and training. As I pointed out in the message on education, legislation is needed to increase the output of college instructors and classroom teachers for handicapped children.

I am asking the Office of Education to place a new emphasis on research in the learning process, expedite the application of research findings to teaching methods for the mentally retarded, support studies on improvement of curriculums, develop teaching aids, and stimulate the training of special teachers.

Vocational training, youth employment, and vocational rehabilitation programs can all help release the untapped potentialities of mentally retarded individuals. This requires expansion and improvement of our vocational education programs, as already recommended; and, in a subsequent message, I will present proposals for needed youth employment programs.

Currently rehabilitation services can only be provided to disabled individuals for whom, at the outset, a vocational potential can be definitely established. This requirement frequently excludes the mentally retarded from the vocational rehabilitation program. I recommend legislation to permit rehabilitation services to be provided to a mentally retarded person for up to 18 months, to determine whether he has sufficient potential to be rehabilitated vocationally. I also recommend legislation establishing a new program to help public and private nonprofit organizations to construct, equip, and staff rehabilitation facilities and workshops, making particular provision for the mentally retarded.

State institutions for the mentally retarded are badly underfinanced, understaffed, and overcrowded. The standard of care is in most instances so grossly deficient as to shock the conscience of all who see them.

I recommend the appropriation under existing law of project grants to State institutions for the mentally retarded, with an initial appropriation of $5 million to be increased in subsequent years to a level of at least $10 million. Such grants would be awarded, upon presentation of a plan meeting criteria established by the Secretary of Health, Education, and Welfare, to State institutions undertaking to upgrade the quality of residential services through demonstration, research, and pilot projects designed to improve the quality of care in such institutions and to provide impetus to inservice training and the education of professional personnel.

3. RESEARCH

Our single greatest challenge in this area is still the discovery of the causes and treatment of mental retardation. To do this we must expand our resources for the pursuit and application of scientific knowledge related to this problem. This will require the training of medical, behavioral, and other professional specialists to staff a growing effort. The new National Institute of Child Health and Human Development which was authorized by the 87th Congress is already embarked on this task.

To provide an additional focus for research into the complex mysteries of mental retardation, I recommend legislation to authorize the establishment of centers for research in human development, including the training of scientific personnel. Funds for three such centers are included in the 1964 budget; ultimately 10 centers for clinical, laboratory, behavioral and social science research should be established. The importance of these problems justifies the talents of our best minds. No single discipline or science holds the answer. These centers must, therefore, be established on an interdisciplinary basis.

Similarly, in order to foster the further development of new techniques for the improvement of child health, I am also recommending new research authority to the Children's Bureau for research in maternal and child health and crippled children's services.

But, once again, the shortage of professional manpower seriously compromises both research and service efforts. The insufficient numbers of medical and nursing training centers now available too often lack a clinical focus on the problems of mental retardation comparable to the psychiatric teaching services relating to care of the mentally ill.

We as a nation have long neglected the mentally ill and the mentally retarded. This neglect must end, if our Nation is to live up to its own standards of compassion and dignity and achieve the maximum use of its manpower.

This tradition of neglect must be replaced by forceful and far-reaching programs carried out at all levels of government, by private individuals, and by State and local agencies in every part of the Union.

We must act—

To bestow the full benefits of our society on those who suffer from mental disabilities;

To prevent the occurrence of mental illness and mental retardation wherever and whenever possible;

To provide for early diagnosis and continuous and comprehensive care, in the community, of those suffering from these disorders;

To stimulate improvements in the level of care given the mentally disabled in our State and private institutions, and to reorient those programs to a community-centered approach;

To reduce, over a number of years, and by hundreds of thousands, the persons confined to these institutions;

To retain in and return to the community the mentally ill and mentally retarded, and there to restore and revitalize their lives through better health programs and strengthened educational and rehabilitation services; and

To reinforce the will and capacity of our communities to meet these problems, in order that the communities, in turn, can reinforce the will and capacity of individuals and individual families.

We must promote—to the best of our ability and by all possible and appropriate means—the mental and physical health of all our citizens.

To achieve these important ends, I urge that the Congress favorably act upon the foregoing recommendations.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 5, 1963*.

ROLE OF TACTICAL NUCLEAR WEAPONS IN OUR TOTAL MILITARY PREPAREDNESS

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. PRICE] is recognized for 15 minutes.

Mr. PRICE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a speech by Hon. Eugene M. Zuckert, Secretary of the Air Force.

The SPEAKER. Is there objection to the request of the gentleman from Illinois.

There was no objection.

Mr. PRICE. Mr. Speaker, there are so many speeches, and some good ones, made by people in the executive branch of our Government that it would be impossible to read them all. From time to time, however, speeches which get little attention in the press contain information and policy statements of importance to every American interested in the defense of his country.

Two such speeches have recently been delivered by the Honorable Eugene M. Zuckert, Secretary of the Air Force. One was on January 16 before the New York alumni of the Harvard Graduate School of Business Administration, where both Mr. Zuckert and Secretary of Defense McNamara once served together on the faculty, and the other was at the College of Engineering of the University of Florida on January 29.

The things which interested me in these speeches were Mr. Zuckert's definition of the role of tactical nuclear weapons in what he called "the broadened nuclear deterrent which President Kennedy asked for nearly 2 years ago."

My work on the Joint Committee on Atomic Energy, since the day that committee was formed, has given me an opportunity to study the possible means of employment of nuclear weapons. Much attention has been given to the very high yield weapons and their employment for the strategic deterrent, with delivery by both manned bombers and missiles.

The place of nuclear weapons of smaller yield, or what are called tactical nuclear weapons, in our total military preparedness, has not been clearly defined. There has been a tendency to assume that the use of nuclear weapons of any size or type, even in the most limited situations, would automatically mean escalation to total, all out, unrestricted nuclear war.

Mr. Speaker, I have never accepted this reasoning, and I am happy to say that Mr. Zuckert has spelled out in very clear terms—and, I might say, cleared terms—the important place which nuclear weapons might play in deterring wars of any size.

In his address to the engineering students at the University of Florida, Mr. Zuckert spoke of three phases of the cold war.

First, he spoke of our motivations, that is, the sources of our strength to fight and win the cold war.

Second, he spoke of what the cold war means to men preparing to enter the engineering profession, and the role of engineering in the cold war. Finally, he discussed our national military posture for cold war.

I recommend all of his speech, but I want particularly to call to the attention of my colleagues in the House the section dealing with our national military posture. I urge your reading it and for this purpose I ask unanimous consent to include the full text with my remarks.

The 1963 Robert Tyrie Benton memorial lecture at the University of Florida by the Honorable Eugene M. Zuckert, Secretary of the Air Force, follows:

REMARKS BY HON. EUGENE M. ZUCKERT, SECRETARY OF THE AIR FORCE

It is an honor to give the Robert Tyrie Benton memorial lecture in the College of Engineering of the University of Florida.

It is also a very special privilege for the Secretary of the Air Force because it was in the air service of our country's military that Robert Tyrie Benton gave his life 18 years ago.

But, in addition, it is a very heavy responsibility because the engineering students of the university who form the core of this audience are the same strain that produced Robert Benton. You are part and parcel of the body of American students from whose ranks such men will continue to come.

Anything less than our total devotion to the cause of preserving the freedom for which he and so many others died, and of preventing the future expenditure of human lives in war, would be unworthy of their trust in us.

The gathering here tonight is a good and proper form of memorial. Its purpose is to memorialize a man by nourishing the things for which he lived. They are also the things for which he died, for his sacrifice had a purpose.

His purpose, and the purpose of the thousands of others who have served to the end—and past—in the uniform of our country, is the heart of the responsibility which rests upon each of us. It is really America's purpose. It is our primary strength for what we now call the cold war.

America's purpose covers a lot of ground. It is all the things we stand for—our political idealism, our concepts of liberty, our economic initiative, our generous but realistic role in the community of free nations, and our determination to oppose the forces of tyranny with whatever force it takes to stop them.

The cold war has many fronts. It is a war of nerves as well as words, of political and diplomatic techniques, of economic action and industrial production, of scientific and technical accomplishment, and of humanitarian motives against institutional motives.

Since a university community audience such as this one has both range and depth in terms of its interest and knowledge of the cold war, I thought that tonight I should discuss three quite separate aspects of this strange period in history. Within the span of these three, however, fall most of the other aspects which call for our understanding and attention.

First, I want to talk our motivations—the reasons why we are in the cold war and the basic plan by which it should be conducted.

Next, I want to take up briefly an aspect of the cold war which is closely related to education, particularly engineering.

Finally, I want to discuss our military posture for cold war, including our space interest.

Having in mind the traditional toughmindedness of engineers, and since the cold war calls for toughmindedness, it seems to me that the job of working all the talents of resources of the Nation into a concentrated campaign to win the cold war is very much like a big engineering job.

The bridge engineer has to mobilize many branches of engineering, many crafts and skills, then direct all these resources and talents to accomplish work upon which will depend the lives of countless thousands who travel that way.

The cold war presents a similar problem. We must mobilize all our resources and energies and direct them toward the goal of the victory of freedom over tyranny. We seek not the destruction of people or nations but the building of the bridges over which free people can travel toward realization of their own ideals.

Our national goals are high. We face a challenge perhaps unparalleled in history, true, but as President Kennedy pointed out in his state of the Union message in 1961, the hour of national peril is also an hour of opportunity. It is interesting to note that the Chinese word meaning crisis is composed of two characters, one meaning danger, the other meaning opportunity. The cold war is both.

Somebody once defined the ideal as that which is practical in the long run. The definition fits American idealism. We've been practicing it for about 188 years—and growing stronger. What is more, we've been gathering company on the way. We are an idealistic people, and we know that it is a rugged and tough course we have set for ourselves.

We are convinced that there is no other way. However rugged and tough we have to be, we will. Our idealism runs deep, and widespread. You only have to sit where I do and see daily what the men in the uniformed service of our country do in her behalf all around the world in order to know the strength of that idealism. They certainly couldn't be hired to do what they are inspired to do.

What better proof of America's idealism do you want than the Peace Corps? By the end of this year, President Kennedy says there will be 9,000 Americans working overseas for hardly more than the costs of their training, their going, and their keep, in order to demonstrate America's purpose.

He also said we have nearly a million Americans overseas working at one job or another, civil and military, working with varying degrees of success and competence, agreed, but working for a purpose more than their own.

I saw a tabulation recently which showed that since World War II the American people have spent some 41 billions of dollars in military and economic aid to other countries. There is no precedent in all of man's recorded history of such generosity, such vision, such idealism.

Starting with the United National Relief and Rehabilitation Administration, then the programs in Greece and Turkey, the Marshall plan, and NATO, the people of the United States have sought to establish the foundations upon which a new community of nations could be built.

The news on any one day, or over a month, or even a winter, brings slight evidence of progress, but if we compare Europe today to the Europe of the time when the members of this year's senior class were just toddlers, you will appreciate the significance of the period of history of which you are a part.

The real unification of Western Europe—which despite apparent setbacks of recent weeks, developing before our very eyes—is a turning point in Europe's history as great as the changes marked by Charlemagne's exploits nearly a dozen centuries ago.

Our hopes have not been so well served, however, in Latin America. There are many reasons, both divisive and diverting in this discussion. But, unquestionably, to our south lies probably our greatest challenge. The building of strong foundations for freedom and economic growth in Latin America will be one of the major tasks in the lives of the generation of men now in engineering school.

Unfortunately too, in parts of the world such as southeast Asia, the problems, which we fear can grow into serious threats to our own security, are not immediately subject to solution by peaceful means. It is necessary for us to provide both economic and military help to nations which, in addition to being pressed by critical economic and social problems, are faced with externally supported terrorism under the banner of political reform.

The reform which would be imposed upon them is the regimentation of Sino-Soviet communism. Its declared objective is to bury freedom as we know it. Its methods are subversion and terrorism, outright military aggression when dared, economic pressure, and the exploitation of human suffering and despair.

This is a worldwide program which has no timetable other than continuous expansionism through whatever means become available. It is a program which is constantly alert to opportunities to destroy the weak, weaken the strong, divide the united, and to enslave the free in increments of any size.

Behind this process of slow reduction by Communist caustic is great military power which could plunge the world into unrestrained nuclear war, with a prospect of destruction of most of the words of man on earth, if not of man himself.

Now, what do we do in the face of this broad front of aggression, blackmail, and conspiracy? It seems to me there are a few basic guidelines which can—and must—be applied to every decision we make as a free people.

First, of course, we are determined to overcome this threat to the future health of ideas which have been growing among men for a score of centuries. These ideas hold that freedom with justice in peace is attainable. They also hold that constructive order can be established and maintained in a world of self-governing nations behaving in accordance with laws agreed upon by those nations.

Second, we must look to our own strength. We must be true to our national purpose in the way we run our own country, jealously guarding the individual liberties we have defined in law, conserving and developing our human resources as well as our natural resources, and exploiting our great talents and energies for a common good.

Third, we recognize and join the essential unity of the free world nations, whose leader we are today, in President Kennedy's words, by both strength and conviction. We, therefore, seek to strengthen the whole of the free world through productive sharing and exchange of the talents and the means of all its members.

Fourth, we keep ourselves armed, and strive to assist our free world associates to do the same, to the degree necessary to deter the use of armed force against us and, if war is brought upon us, to win it.

Fifth, we work unceasingly for a peaceable solution to the issues which divide the world. We seek a reasoned reduction in both the areas and the intensity of the friction between the parts of a divided world. One of these areas is the arms race. We try for a diversion of the motivations to aggression by the strong, and we work to change the environment of vulnerability of the weak.

These five guidelines set a difficult course, and a very long one. To me, they constitute a plan as to how we fight the cold war.

It is a sign of our national maturity that we no longer look for quick solutions to the world's problems. We are prepared to follow these guidelines from now on. It is going to be a long time, but time is in our favor.

It is a sign of national confidence, in ourselves and in our institutions, that we hold such a course without being diverted from it by differences among allies or inconsistencies among neutrals. The President, the Secretary of State, and the Secretary of Defense are steering just such a course through the seas of current problems in this area.

And there is a basis for confidence in us on the part of other nations that our purpose is, in the words of the Secretary of State, "for a peace within the United Nations kind of world community."

And certainly there is a basis for confidence and encouragement for every young American preparing for a life of useful service, in engineering, music, medicine, teaching, or the military. The opportunities are unlimited. But so are the obligations, and so are the needs of our country for inspired and trained people.

This brings me to a point of educational interest in preparing for the cold war. It is a subject which to me has acquired very great importance as we look at the long-term job of maintaining the Nation's position in the world.

If it is the engineer's job to apply the knowledge which the research scientist discovers, then the fields of service open to you are many and varied as the needs of the people of all the world for all the products of man's technological genius.

Engineers are particularly needed to maintain the course in world affairs which America's national purpose has set for us. The United Nations needs and uses engineers in its technical assistance programs, and deserves the best. Our direct foreign aid programs require many kinds of engineers and demand our best. The military services must have engineers, both in uniform and out. The military demands for engineering talent are particularly high.

We have been discussing in the Air Force recently the subject of military professionalism. The Nation now has a permanent Military Establishment, the professional requirements of which are higher than ever before in all man's history of employment of military power. Our national security depends not only upon the skill and proficiency of our military professionals but also upon their professional integrity, that is, adherence to their own high standards of professionalism.

The engineer and the military man have much in common as professionals. They are professionals in every sense of the word, since they share the characteristics of expertise, responsibility, and corporateness. These are the essential characteristics of a profession listed by Samuel P. Huntington in his book "The Soldier and the State."

The expertise of a profession is primarily intellectual in nature, is developed and transmitted thought institutions of research and teaching, and embodies both knowledge and skill acquired through formal education, experience, and continuing study or practice.

Certainly these things apply both to engineering and military science. They also apply to the law and teaching, but the latter two professions involve a particular type of expertise not always recognized in the military and in engineering. That is skill in the art of advocacy.

We are placing great emphasis in the Air Force on developing skills in presentation. The ultimate decision on a weapon system costing hundreds of millions of dollars must be based on a full presentation of the facts by the men who know them. Way back in the depression, when I was studying law, I remember the case of a school which added a course in public speaking and writing to the senior year in electrical engineering. The professor explained that there wasn't much point to a designer's being able to come up with the best powerplant plan if he couldn't sell it to the board of directors.

The same requirement exists in the defense business. Professional military men must be able to present clearly and support logically the proposals for today's high-cost weapon systems. They have an obligation to provide and make understandable to the civilian managers of defense the rationale behind these proposals. It is necessary to make such presentations in a manner which will permit analysis and comparison with alternatives.

This is one of the reasons why the curriculum at the military academies is so strenuous. The beginning young officer today must do more than prepare himself with the substance of his profession; he must also be able to communicate his ideas. You might be surprised to know that we have continuing courses in the Pentagon, taken every year by men of 10 to 20 years of service, in what is nothing more than specially tailored and concentrated English composition, the bane of so many freshmen for so many years.

The range of expertise of the military man must cover many of the subjects of the humanities and the arts because, for example, the duty of a military attaché, or the duty of the military assistance people helping build the defenses of a new and developing country, requires a language competence as well as a knowledge of the history and culture of the host country.

American engineers building dams in the Middle East, bridges in Africa, powerplants in Brazil, and chemical plants or refineries in Europe, have need of the same kind of training.

The parallels between the engineering and the military profession can go on and on. They are especially marked in the second characteristic of a profession, responsibility.

One essential element of responsibility is simply occupational integrity. It is the business of striving for perfection for perfection's sake. It is the recognition that human lives depend upon the quality of performance.

Another element of professional responsibility—and truly characteristic of a profession—is that the practice of it is a necessary service to society. It is not just a way to make a living. The late Justice Brandeis once said a profession is an occupation pursued largely for others and not merely for one's self. He also said it is an occupation in which the amount of financial return is not the accepted measure of success.

Here, of course, the military man has an advantage which offsets his conditions of fixed and limited earnings. He necessarily finds satisfaction in another form. Since there is no way to put a price on his service, our country tries only to maintain the dignity of the military service and assure its strength and continuity. For reasons the military man understands well, his profession will never make him rich. It will even keep him behind in remuneration compared with his equals in other professions. He accepts this because he has accepted an obligation, dedicated his life, to serve his country. A part of his pay is his pride in what he is doing.

One of the characteristics which distinguishes the military profession is the existence and acknowledgment of an authority above and outside the profession, that is, the civil authority of the state over the military. Military expertise, responsibility, and corporateness must not only serve the national purpose, but serve it within a framework of final authority outside the profession.

Corporateness, of course, is a characteristic which the military profession enjoys, for obvious and necessary reasons, to a far greater degree than other professions, the law, medicine, engineering, teaching, etc. Corporateness is that sense of organic unity and consciousness of themselves which the members of any profession share as a group distinguished from laymen.

This collective sense, and its bearing upon the standards of the profession, is naturally stronger in the military than in civilian professions. In both, however, it has its origin in the discipline and training regimen, in associated pursuit of professional competence, in the sharing of a special social responsibility, and in common motivations.

Membership in the professional organization denotes possession of the qualifications and acceptance of the obligations. For the military man, this is symbolized by the uniform. For the engineer it is symbolized in many other ways, but in each profession the respect of one's peers is part of the incentive as well as the reward.

For the military, corporateness takes many forms. It is more a means than an end. It is probably the key element in the conduct of the honor systems at the Military Academies. It is certainly a vital element in the efficiency of a submarine crew, or of a Strategic Air Command B-52 crew flying 24 hours on airborne alert—in a plane kept skyworthy by a corporately related ground crew. Corporateness is necessary to the incredible teamwork of tankers and fighter planes, which can find each other in the pitch black 5 miles above the polar wastes and transfer 1,000 gallons of jet fuel in 4 minutes while both are moving at 400 miles an hour.

This kind of teamwork and confidence, the certainty of coordinated reactions without coordination, is based on knowledge of how a comrade-in-arms is trained, how he behaves under stress, how he thinks and what his equipment can do. It is a product of corporateness, and it demonstrates part of the reason for separate military services.

Many of you, as engineers, will experience the same aspects of corporateness, whether you are part of a design team on a chemical processing plant or a construction team on a bridge, or as a member of the many kinds of teams required for nuclear powerplants, missile systems, rocket engines, or space communication networks. In some of these, you will be working with military people.

I remind you of this professional kinship with the military people for a reason. The reason lies back in the defense guideline of national policy and leads to my third aspect of cold war—military posture.

We said we were determined to keep ourselves sufficiently armed as a nation to deter the use of armed force against us, and that if war is brought upon us, we must be prepared to win it. Furthermore, we are going to help others who are less endowed to do two things: to defend themselves and to contribute where possible to the defense of all freedom-loving nations.

We are sure in our minds and our hearts that this Nation will never employ military aggression to gain a national end. We have no ends which war could serve. There is sound basis and demonstrated reason for the growing confidence on the part of the rest of the world that this is so. Our search, however, for similar evidence of Sino-Soviet intentions is unrewarding, to say the least.

Military preparedness bids to be a way of life for us for a long time. The Nation's engineering community is essential to military preparedness. The bridge between the engineering and military professions will be heavily traveled.

In the past, this Nation kept a small military establishment of professionals, a nucleus which could be expanded and beefed up with modern equipment when the threat of war appeared. That was our approach to military preparedness for the century and a half up to the end of the forties. That theory and that period of defense history have passed.

It probably started closing with the development of the airplane as an instrument of war. The lesson was brought home to us with Korea and the advent of Soviet nuclear power.

The "get ready" period has disappeared. We have to be ready.

The time-compressing change in warfare, stemming largely from technological progress, was finally nailed down by the development of the intercontinental ballistic missile. Space bids to be the medium of the next stage of military exploitation of technology. In a sense, it is already, because part of the ICBM trajectory is through space. The timespan continues to shrink.

Two oceans obviously no longer provide the time period necessary for converting a peacetime Military Establishment into a war-ready one. We once thought of our defense frontier as the ocean's rim near our shores. World War II, as President Roosevelt pointed out, moved it to the Rhine. Aerospace vehicles and nuclear weapons remove frontiers altogether.

Our Military Establishment therefore has to be ready at all times for two widely divergent tasks of defense.

The first is to provide a strategic strike capability of sufficient power—backed by credible determination to use it if necessary—to deter a massive attack against the free world.

The second is to provide the capability of meeting and overcoming military forces at levels less than the massive thermonuclear exchange. We have to be able to meet threats to our real security all the way down the ladder of intensity to the bottom rung of guerrilla warfare. Somewhere along the way is the unfixed line between nuclear and conventional war. That is where we are now concentrating on what might be called the tactical deterrent. If offers the possibility of stopping war at a lower level of violence.

The type of warfare going on in Vietnam, which I had an opportunity to see last month, is near the bottom of the ladder. It is a very bitter kind of hit-and-run, strike-and-hide warfare. It has many of the marks of very ancient jungle wars.

If the bottom rung of the intensity ladder is spear-throwing, then the top rung is ICBM-throwing with nuclear warheads.

In between, the free nations of the world have to make sure they have the power to stop aggression and win a war at the lowest possible level of conflict. We don't want to have to jump, at the enemy's call, from the least to the worst. This is the reason for the broadened deterrent which President Kennedy asked for nearly 2 years ago.

We want to be able to stop, with victory, at any rung of the ladder. Some of the in-between rungs may involve the use of tactical nuclear weapons. They, too, can be a stopping point. Effective deterrence necessarily starts at the top of the ladder of intensity. Our posture must be one which confronts the aggressor with a higher certainty of defeat at each higher rung of intensity of war.

Each rung will be an opportunity to stop war. Each is a stage of possible limitation on war. It may be geographically limited or limited as to objective as well as to weapons used. Or it may be limited by condition or by convention. The point is, our superiority, whether nuclear or nonnuclear, at each higher level of intensity will discourage leapfrogging. It can preserve for us the power to call the stop.

We have to be able to enforce the stop—by conventional or unconventional means. We must not fall into the trap of assuming that the use of a tactical nuclear weapon—aimed from the battlefield or from the air above—to break up a concentration of armament or stop a massive ground attack means automatic escalation to ICBM delivered megatonnage on the whole nation. We must be prepared to win at the middle of the broad range of possible conflicts as well as at the ends.

The President has made clear his determination to have many more options than a choice between humiliation or holocaust. Airpower—fast becoming aerospace power—is critical in every option. The Air Force, therefore, has a tremendous responsibility within this sensemaking defense policy. The national policy calls for a wide range of effective response to aggression and airpower is essential to that flexibility. Our job is due to become more difficult, not less, more demanding of scientific and engineering talent, and will call for an ever higher order of military expertise.

It is interesting to note that on one coast of Florida, at Eglin Air Force Base, we are training men in the most ancient techniques of warfare for responses at the bottom of the ladder of war. The Special Air Warfare Center at Eglin is turning out instructors and advisers for the employment of airpower in such places as Vietnam and other areas subject to Communist terrorism and geographic chiseling.

On the opposite coast of Florida, we are testing and developing ultramodern techniques for a response so high on the ladder of intensity that even the most desperate aggressor will hesitate to invoke it.

Also on the east coast, at Cape Canaveral, the Nation is developing the technology which literally opens the universe to man's exploration. The prospect is breathtaking for both peace and war. And so is the cost. America has no choice, however, but to acquire the capability in space for whatever opportunities may be opened to peaceful exploitation, or for whatever demands may put upon us to defend freedom in space.

The primary emphasis in the U.S. national space effort has been the constructive exploitation, to learn more about what is beyond our world, to expand and improve communications among nations, to develop the science of meteorology, and to investigate the possibilities of navigation in earthly orbits.

But increasingly, and cumulatively, we are forced to recognize that the Soviet efforts in space point toward an aggressive military posture. As a consequence, American defense programs in space are necessarily being stepped up. The Air Force, which has primary responsibility for U.S. defense development in space, must provide the systems for protection of free world peaceful activities in space and for protection of the free world itself against attack through or from space.

Between the Air Force and National Aeronautics and Space Administration, the technological base is being laid for future aerospace defense forces. The billion-and-a-half dollar military space program envisions preparedness to use either earth-based defensive systems, or manned space systems, or both. We foresee reusable boosters and vehicles which operate through and beyond the far reaches of the atmosphere.

Two current projects are contributing to this capability: one is the X-15, a powered test vehicle to investigate among other things atmospheric heating problems. It has been fantastically successful. The other is the X-20, familiarly known as the Dyna-Soar, which is a boosted vehicle to investigate flight control and reentry problems.

The national program for manned space flight was given a great boost last week with the announcement of a joint planning board of NASA and Air Force representatives for the Gemini project. This is an experimental program to advance the technology of manned space flight, including rendezvous and docking, and to study the effect of weightlessness for periods up to 2 weeks.

As I say, the American people really have no choice but to pursue the space opportunity. We cannot put a barrier across the avenue knowledge of this new realm. We believe that man must never fail to push back the frontiers of ignorance. If a new salient opens a new threat to freedom, we must be prepared to defend it. Space, too, offers new dangers as well as new opportunities.

In closing, I should pay tribute to the basic good sense of the student population of America. It seems to me, they are keeping their heads better than some oldsters. It is the students who have to contend with the future. They have grown up in years of danger, so perhaps they can see more clearly the opportunities.

But they will also have the high privilege of serving America's purpose in countless and varied undertakings extending to the ends of the earth—and beyond.

AN ARTICLE MISPLACED

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CURTIS. Mr. Speaker, in speaking yesterday on the role of the property tax in our country, I said that I was placing in the Congressional Record an article which I had prepared for the Yale Political Journal's January 1963 issue. In its place, I inadvertently placed in the Record an article from U.S. News & World Report on the same subject, an article which deserves the attention of those interested in property taxation and which well found a place in the Record. It, as those who read my remarks noted, showed some of the problems which have come upon areas where imbalances have thrown property taxes out of line. As I said in my remarks yesterday, there is well-founded criticism which relates to the way in which certain communities are abusing the property tax, but we must recognize the criticism for what it is and realize it does not strike to the heart of the merits of the tax itself. Following is the article to which I referred yesterday, my article in the Yale Political Journal of January 1963.

Taxation and Economic Progress

(By Thomas B. Curtis)

(Note.—The senior Republican on the House-Senate Joint Economic Committee, Thomas B. Curtis has been the Congressman from Missouri's Second District since 1950. A graduate of Dartmouth and Washington University Law School, he has been a member of the House Ways and Means Committee since 1952.)

In 1960 total Government tax receipts were $137.3 billion, of which $95.4 were Federal, and $41.9 were State and local, 69.5 percent Federal, 30.5 percent State and local. Before World War I the percentages were almost reversed, i.e., 70 percent State and local, 30 percent Federal and, in 1927, after the impact of World War I had diminished, the ratio was 27.9 percent Federal to 72.1 percent State and local. During the depression the Federal ratio rose, 52.1 to 47.9 percent State and local by 1940. In 1946, immediately after World War II, the ratio was 82.2 percent Federal to 17.8 percent State and local. This lowered to 60.3 percent Federal, 39.7 percent State and local in 1950. Since that time the ratio has climbed back to the 70 percent Federal to 30 percent State and local ratio where it is today.

Within the State and local sector the shift was rather continuous away from local to State but has stabilized in the past decade. In pre-World War II days the local percentage was well over 50 percent, while State made up only about 15 percent, to produce the aggregate of 70 percent. Today the local and State split the 30 percent portion with the local slightly greater than the State, e.g., 1954, State 14.2 percent, local 16.5 percent.

Total adjusted Government debt in 1960 was $301 billion—$241 billion was Federal and $60 billion was State and local, 79.7 percent Federal and 20.3 percent State and local. Before World War II, similar to tax receipts, the ratios were almost reversed. In 1912 the total governmental debt was $5.7 billion, of which $1.2 billion was Federal and $4.5 State and local, 21 percent Federal and 79 percent State and local. World War I reversed these percentages. In 1922 the Federal debt was 69 percent and State and local debt 31 percent, although the total debt had risen to $33.2 billion. By 1932 the ratio had shifted still further back to State and local debt, i.e., Federal 50 percent, State and local 50 percent. World War II brought the ratio to a height of 94 percent Federal to only 6 percent State and local from which it has been declining to the present ratio of about 75 to 25 percent.

Again, within the State and local sector, the shift was rather continuous away from local to State. In 1912 State debt was only 7 percent of the total while local was 72 percent. From this 1-to-10 ratio it moved to 1 to 6 in 1922, and declined to 1 to 3½ in 1950, $5.4 billion to $18.8 billion. Since 1950, however, the ratio has moved in the other direction and today it is approximating the 1-to-6 ratio after World War I.

Some may ask, what all this has to do with Federal tax reforms and economic growth. First, let me state that in considering the impact of a tax system on economic growth we cannot concentrate our entire attention on just one part of that tax structure, however major it may be. The Federal tax structure, in the case of our society, has only predominated in relatively recent times, and most of that predominance relates to the great and needed increases in the one basic Federal function about which there seems to be little constitutional, practical, or other objection—national defense.

Second, in considering any tax structure we must relate it to the debt structure because a governmental debt, Federal, State or local, is essentially a device for spreading the tax burden over a period of years instead of concentrating it in the year in which the Government expenditures occurred. The Ways and Means Committee must consider how to market additional Federal bonds if the tax receipts do not equal the Federal expenditures.

The Federal Government relies primarily upon the graduated Federal income tax and the Federal corporation tax for its revenues. This is a shift from the 19th century tax policy in which the bulk of Federal receipts were derived from transaction taxes, the Federal tariffs and excises. The State governments today, as in the past, rely essentially on transaction taxes. The local governments still rely essentially on the property tax, which is based upon assessed valuations of property and not upon incomes or upon economic transactions.

Both incomes and economic transactions are measured with some degree of accuracy in our various series of national economic indicators. We have some idea of their aggregates and ratios. On the other hand, assessed property valuations are largely unknown either in aggregate or in components. This is a neglected area in our national and regional accounts.

We are becoming quite aware of the limitations of the income and transaction taxes to produce revenue in needed total amounts and without serious yearly fluctuations. We also are becoming aware of the impact income and transaction taxes have upon the manner in which the economy operates.

There are many people who seek tax reform, not for more efficiency in tax collection or even to produce more revenue, but rather to direct the economy and allocate our resources through the Government's tax policy. They have found tax policy to be more powerful than monetary policy and not as constitutionally inhibited as expenditure policy.

These are the people who seem unconcerned about the economic impact of utilizing debt in lieu of taxes. In fact, they argue that Government debt itself is economically advantageous and, properly used, brings about economic growth. It is true that our monetary policy does rely upon a sizable Federal debt for its operation. If we retired the Federal debt, we would have to develop an entirely new monetary policy, but, beyond this point, it is difficult to follow the economic reasoning in saying deferred tax collection promotes economic growth.

Much has been made in recent years of the fact that our national budget does not differentiate between capital and noncapital expenditures, and that we carry no capital account to which we relate the Federal debt, and that certain other countries do make such a differentiation and calculation. I would point out that our local debt and even a good bit of our State debt can be and is properly allocated to capital because the expenditures of local and State governments frequently are for capital items, or infrastructure, as it is sometimes called today. However, the bulk of our Federal expenditures, being military, are not properly capital items and can only be valued at a dollar. For example, we are generating over $7 billion in military surplus a year, on which we realize in sales less than 5 cents per purchase dollar. Military expenditures which might be classified as capital items are single-purpose items; the single purpose, being military, is therefore not of value in the economic system. Indeed, in many respects, they diminish rather than increase real economic wealth.

Furthermore, we are not heavily engaged in private type operations. By and large, we do not have our Federal Government own and operate transportation, power, and communication facilities which would require capital accounting. I would say, to the extent that the Federal Government has entered into private type operations which would justify a capital accounting system, to that extent we should be diminishing the Federal Government's activities and returning this operation to the tax base and to the more efficient personnel system we enjoy in the private sector.

Lipservice is given to the idea of a balanced budget. It is stated that the deficits created during periods of cyclical declines in economic activity, with tax receipts based upon incomes and economic transactions, will be recouped from the economic growth that results from deferring, to a later period, the obtaining of additional governmental receipts to meet the governmental expenditures. I believe I am correct in describing this kind of logic as lipservice because, if pressed to demonstrate where this recouping has even occurred, the advocates resort to the following assortment of avoidances and arguments:

1. The debt would be even greater if we had insisted upon collecting the amount of expenditures in present taxes because economic activity would have declined further, or would not have advanced so fast.

2. The debt is a smaller percentage of gross national product than it was in the year X, the year X being a year immediately following a war when, for many reasons, tax collections had to be deferred and spread to later years through the device of debt.

3. The size of the debt does not matter economically because we owe it to ourselves. This is factually untrue because a portion of the debt is always owned by people outside our society. It is economically untrue because the ownership of the debt is the base of a great deal of the reserves held by insurance companies, pension plans, and business institutions for future contract commitments. A reallocation of these committed reserves would amount to both a political and an economic revolution.

Students of taxation of all shades of economic and political belief are singling out the Federal tax structure, based as it is upon incomes and economic transactions, as the bete noir which is impeding economic growth. Some want the structure changed to further specific ends for Government regulating to "improve" the economy by reallocating our resources, rather than to gain more revenue to diminish the Federal debt either in the aggregate or in ratio to the GNP. Others seek the reform in order to gain more revenue, believing that the system has gone beyond the point of diminishing returns. Some seek reform to remove the governmental control already being exerted on the economy through tax policies, and some believe that the aggregate take is itself impeding economic growth. Still others believe that reform is necessary because of high rates that damage individual initiative by substituting tax considerations for what should be business and investment judgment. Some favor such reform for reasons of efficiency, others for reasons of "equity."

However, interestingly enough, very little other than general criticism has been directed against the local tax structure, which depends not upon economic activity, but rather upon accomplished economic growth—the value of property. It is the local tax which has responded most remarkably since World War II to meet the essential needs, other than defense, of government—police and fire protection, schools, sewers, and other community facilities.

A well-devised property tax promotes economic growth by placing incentives on proper property utilization. That is not to say that our local property tax structures cannot be improved. Indeed, they can; but it is to say, without much attention or reform, that they have responded nobly since World War II and it is the Federal tax structure which is creaking and groaning. And yet it is the Federal tax structure upon which many political people would place an even heavier burden.

Probably the worst blow that the property tax received was the result of the Federal tax and debt management policy adopted after World War II which caused the dollar to be devalued to about 50 cents. The property tax, based as it is upon valuations assessed at the time the improvements are made upon the land, was thrown completely out of kilter by this dollar devaluation. However, the requirement that all property on the assessors' books be reassessed in terms of the same dollar probably was a reform that had been needed badly even if this massive inflation had not forced it. Certainly the communities which faced up to the challenge—about 80 percent of them—are in much healthier fiscal shape for having had to grapple with this politically and mechanically difficult task of reassessment. Some counties have come out of this reform with tax systems which call for a continuing reassessment process, which is an excellent innovation.

Many who advocate Federal aid to public schools base their syllogism on a false premise. They say that certain States are poor and, therefore, cannot afford adequate schools; that local and State equalizations laws need the assistance of Federal equalizations laws to correct this deficiency. In proving their case, they refer to low per capita incomes of the States disregarding the fact that public primary and secondary education is financed basically by property taxes, not income transaction taxes. An examination of the assessed valuation of property reveals that the so-called poor States are far from poor and are as capable of financing education and community facilities as any State in the Union.

The efficiency of Federal tax collections is overrated. Economically, Federal tax collection is considerably more costly than that of the local property tax, which is the simplest of all taxes to compute and collect. The costs of the Federal system are hidden because they are largely passed on to the businesses and individuals who do most of the tax computation and collection work for the Federal Government. A corporation keeping books and records for tax purposes must pass on the cost of this tax collection process to the consumer in the price charged the public for its goods or services. The tax collection cost is paid as a consumer tax and accounts, along with corporate and transaction taxes, for a big item in the increases in the Consumer Price Index. Nor is the property tax regressive, as often stated. Actually, it is quite progressive because ownership of property, like incomes, are unequal among peoples. The progressiveness comes from the actualities of ownership, not from rates. In many respects it is more progressive than the Federal income tax with all its exemptions from tax base and exceptions from high rates.

With this long preamble, I now come to the question of Federal tax reform in the 88th Congress. First, I do not believe there can be meaningful tax reform for economic growth unless we reduce Federal expenditures to equal the amount of immediate revenue loss. This is not likely to occur, so whatever is done will result in economic damage.

I posed the basic question to Dr. Heller, the Chairman of the President's Council of Economic Advisers, Secretary of the Treasury Dillon, and other witnesses who appeared before the Ways and Means Committee and the Joint Economic Committee last summer when both these committees had under discussion the matter of the proposed quickie tax cut to stimulate the economy. I received no answer.

What will be the economic impact of marketing $5 or $10 billion in additional Government bonds on top of the $90 billion annual refinancing job we already have, to take care of the $5 or $10 billion tax cut which might be enacted?

None of the witnesses had come prepared even to discuss the implications involved in the problems of debt management. Dr. Heller did agree that selling the bonds to the public would greatly minimize the sought-after economic impact of the tax reduction. William McC. Martin, the Chairman of the Federal Reserve Board, on the other hand, warned that if the bonds were to be passed into the Federal Reserve System, instead of marketed, the inflationary forces resulting would create serious economic damage.

I believe we must start looking at tax systems in their entirety if we are going to understand the economic impact they have. We must look to their hidden costs and to the hidden economic impact they sometimes have.

The investment dollar is a very precarious and fragile thing; it can so easily be converted into a consumer dollar at the whim of the individual or, worse still, into a hoarded dollar which truly impedes economic growth. So precarious and fragile is the investment dollar that it is the first dollar that disappears when taxed too heavily. The next dollar to disappear is the transaction dollar, the business dollar, and the last dollar to disappear is the consumer dollar. The test of a depleted economic society is one that has in its repertoire a tax upon salt—the basic human necessity.

The one tax which stimulates rather than deters economic transactions and the best economic usage of property on the part of the individual citizen is the property tax. It also permits and encourages the growth of local governments. It is from these grass roots that sustained economic growth comes upon which the Central Government bases its revenue for its primary need, national defense.

The essential tax reforms needed today lie in attaining a better balance between Federal, State and local tax structures and the private sector and between taxes and debt—the charges levied against future tax receipts. The easiest reform to attain is lightening the entire tax load by broadening the tax base. Return to the private sector those operations which Government is not well designed to perform. As the tax base is broadened so the rate can be reduced without reducing the total receipts.

ANCIENT HISTORY: THE LEGISLATIVE BUDGET

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CURTIS. Mr. Speaker, in connection with the critique of the President's Economic Report which I placed in the Congressional Record—pages 1156–1165—and my remarks yesterday on the same subject—pages 1643–1650—I should like to bring an interesting piece of ancient history to the attention of my colleagues in this body and in the Senate, to the undefined but surprisingly widespread reading public of the Congressional Record and to those in the public at large who read the newspaper and periodical coverage, if there is any, of these remarks.

It comes from a time when Congress was worried about the highest peacetime budget ever sought by a President, a time when economy-minded Members of the Congress sought to shave $2.5 billion from a budget calling for the expenditure of $39.7 billion in a single fiscal year. This ancient history dates from the time of the 2d session of the 80th Congress, the year 1948.

The particular historical item to which I refer is a report, House Report No. 1361 of the 2d session of the 80th Congress, the only report of the Joint Committee on the Legislative Budget.

This joint committee was created by section 138 of the Legislative Reorganization Act of 1946. It was to study the budget requests of the President and make recommendation as to the maximum amount the Congress should appropriate for expenditure in a given year. It was, in effect, to set a legislative budget, to give the Congress an overall view of the national expenditures and not the piecemeal type of view which we now receive.

Unfortunately, the Joint Committee on the Legislative Budget died with the 80th Congress. We in the Congress lost this excellent mechanism for coming to grips with the realities of Federal expenditures and the country has suffered by the loss. I urge that we return to a system such as the one we enjoyed so briefly in those times of ancient history. We need a committee to take a searching look at the budget as a whole and to keep tabs on it as a whole while its parts progress through the legislative mill. Only in this way can we get a rational grasp on Federal spending policy.

I am placing this relic of a bygone day in the Congressional Record. The report, including its minority comments, is short, only seven pages. It is well worth reading to get the idea of how we can *bring some order into our thinking* on matters of Federal spending.

Report of the Joint Committee on the Legislative Budget

I. INTRODUCTION

Pursuant to the direction contained in section 138 of the Legislative Reorganization Act, members of the Joint Committee on the Legislative Budget convened on January 22, 1948, and selected Senator Styles Bridges, chairman of the Senate Committee on Appropriations, as its chairman. It authorized the appointment of a subcommittee consisting of five members from each of the component House and Senate committees and directed that group to make a study of the President's budget for the fiscal year 1949, together with all related matters, and to report its findings to the entire joint committee by the date provided by the Legislative Reorganization Act, which is February 15.

The members of the subcommittee to whom this task was entrusted are as follows: Senators Styles Bridges, Chan Gurney, C. Wayland Brooks, Kenneth McKellar, and Carl Hayden from the Senate Committee on Appropriations; Senators Eugene D. Millikin, Hugh Butler, Robert A. Taft, Walter F. George, and Alben W. Barkley from the Senate Finance Committee; Representatives John Taber, Richard B. Wigglesworth, Charles A. Plumley, Clarence Cannon, and George H. Mahon from the House Committee on Appropriations; Representatives Harold Knutson, Daniel A. Reed, Roy O. Woodruff, Robert L. Doughton, and Jere Cooper of the House Ways and Means Committee.

At its first meeting the subcommittee determined that in the interest of a more efficient consideration of the problems before it, the work should be divided so that members of the Senate Committee on Finance and the House Committee on Ways and Means would devote themselves especially to the problems of revenue which were involved, while the members of the Appropriations Committees of the House and Senate would concern themselves principally with problems of the budget, appropriations, and expenditures.

The Legislative Reorganization Act imposes the following requirements upon the joint committee:

(1) Due consideration of the budget recommendations of the President.

(2) Recommendation of a legislative budget for the ensuing fiscal year which shall include—

(a) An estimate of overall Federal receipts for the ensuing fiscal year; and

(b) An estimate of expenditures for the ensuing fiscal year.

(3) A recommendation for the maximum amount to be appropriated for expenditures in such year, including a reserve for deficiencies.

(4) A recommendation for a reduction in the public debt if estimated receipts exceed estimated expenditures.

(5) A recommendation to be included in a concurrent resolution which shall accompany the committee's report, expressing the sense of Congress that the public debt be increased by the amount of the excess if the estimated expenditures exceed the estimated receipts.

The committee directs attention to the fact that appropriations for expenditure are substantially less in amount than estimated expenditures as contemplated in the President's budget. The difference between these two lies in the fact that expenditures recommended by the President for the fiscal year 1949 include not only the new appropriations which are requested of the Congress for this fiscal year but also funds which are available for expenditure from appropriations which were made in prior years or in the current fiscal year or from appropriations which are anticipated.

II. REVENUES AND RECEIPTS

The President's budget for the fiscal year 1949 estimates that there will be available for expenditure $44.5 billion. On the basis of the committee's studies of revenue possibilities, it is evident that this estimate is too low and that it is reasonable and conservative to anticipate total revenue receipts to aggregate $47.3 billion in the fiscal year 1949. This is the figure used by the Committee on Ways and Means of the House of Representatives in reporting the revenue bill of 1948 to the House (H. Rept. 1274) and adopted by the Joint Committee on the Legislative Budget.

III. EXPENDITURES

The total of expenditures recommended by the President for the fiscal year 1949 aggregates $39.7 billion. The President requests new appropriations for 1949 in the amount of $32.9 billion. Of this latter amount, the President estimates that only $28.4 billion of such new appropriations would actually be expended in the fiscal year 1949 and the balance would be expended in subsequent years.

The committee has made a careful appraisal of the effect of the President's spending program on the national economy for the fiscal year 1949 and concluded that it should be reduced from $39.7 to $37.2 billion, or a total of $2.5 billion reduction in expenditures. Naturally, this figure was not arrived at by a detailed study of the numerous items comprising the President's budget, but is rather the judgment of the joint committee, based on consideration of overall fiscal policy and budgetary requirements.

Following are some of the more important reasons that impelled the committee in its determination:

(1) This is the highest peacetime budget that has ever been submitted for congressional consideration.

(2) The spending program, as outlined in the Budget document, contemplates little or no reduction in the number of Federal employees.

(3) This Budget recommends a total of $5.735 billion in new expenditures for 1949 for which there exists at the moment no authorizing legislation.

(4) This Nation is admittedly in grave danger of runaway inflation which, if historical precedents are any guide might, if unchecked, result in serious economic upheavals. Under such conditions, our present revenues would decline markedly, resulting in an increased debt and increased taxation unless present spending policies are curtailed. Since Federal, State, and local expenditures constitute the single greatest inflationary force in our economy, these expenditures should be curtailed wherever possible.

(5) For the same reason, large-scale expansion and acceleration of public works projects should be limited to such projects as are deemed urgently necessary to the public interest.

(6) It is obvious that the taxpayers of this Nation should be relieved somewhat of the burden of wartime taxation. This cannot be done if Federal commitments are widely expanded and expenditures are needlessly increased.

(7) World conditions make imperative heavy expenditures for foreign aid and national defense. Under such circumstances, discretion cautions us to conserve our financial resources.

It is the conviction of the committee that the reduction herein proposed is modest in the extreme and should be easily attained.

IV. APPROPRIATIONS

The President's budget message of January 6, 1948, in addition to proposing estimates of appropriations of $32.9 billion for 1949, also set forth anticipated supplemental appropriations for the fiscal year 1948 in the amount of $8.7 billion. Out of the $32.9 billion proposed for 1949, it is expected that $28.4 billion, or 86 percent, will be expended during the fiscal year 1949. The 1948 supplementals, $8.7 billion, include substantial amounts that will not be expended until the fiscal year 1949, which amounts are a part of the total expenditure program for 1949 of $39.7 billion as presented in the budget document.

In order to obtain a reduction in expenditures in the fiscal year 1949 of $2.5 billion it will be necessary to make reductions in appropriation estimates of approximately $2.8 billion. These reductions may be made either in the estimates for 1949, $32.9 billion, or that portion of the 1948 supplementals, $8.7 billion, which is actually intended for the fiscal year 1949.

V. CONCLUSIONS

The committee has determined as a result of its deliberations that for the fiscal year 1949:

(1) The estimate of receipts is $47.3 billion.

(2) The estimate of recommended expenditures is $37.2 billion.

(3) (a) The maximum amount recommended to be appropriated against the budget estimates for fiscal year 1949, $32.9 billion, is $30.9 billion.

(b) The maximum amount recommended to be appropriated against the supplemental budget estimates for 1948, $8.7 billion, is $7.9 billion.

(4) The reserve for deficiencies recommended is $.225 billion.

(5) The public debt should be reduced by a portion of the excess of Federal receipts over expenditures, but in no event less than $2.6 billion.

Summary

	Budget	Joint committee
	Billions	*Billions*
Estimate of receipts	$44.5	$47.3
Estimate of expenditures	39.7	37.2
Excess of receipts	4.8	10.1
Amount of new appropriations, 1949	32.9	30.9
Amount of new appropriations, 1948	8.7	7.9
Amount of 1949 appropriations for expenditure in fiscal year 1949	28.4	26.6
Reserve for deficiencies	.225	.225

Draft on concurrent resolution

The accompanying concurrent resolution, presented in compliance with the law, provided as follows:

"*Resolved by the House of Representatives (the Senate concurring)*, That it is the judgment of the Congress, based upon presently available information, that revenues during the period of the fiscal year 1949 will approximate 47.3 billion dollars and that expenditures during such fiscal year shall not exceed 37.2 billion dollars, of which latter amount not more than 26.6 billion dollars would be in consequence of appropriations hereafter made available for obligation in such fiscal year."

(The text of the Legislative Reorganization Act of 1946 creating the Legislative Budget:)

"LEGISLATIVE BUDGET

"SEC. 138. (a) The Committee on Ways and Means and the Committee on Appropriations of the House of Representatives, and the Committee on Finance and the Committee on Appropriations of the Senate, or duly authorized subcommittees thereof, are authorized and directed to meet jointly at the beginning of each regular session of Congress and after study and consultation, giving due consideration to the budget recommendations of the President, report to their respective Houses a legislative budget for the ensuing fiscal year, including the estimated overall Federal receipts and expenditures for such year. Such report shall contain a recommendation for the maximum amount to be appropriated for expenditure in such year which shall include such an amount to be reserved for deficiencies as may be deemed necessary by such committees. If the estimated receipts exceed the estimated expenditures, such report shall contain a recommendation for a reduction in the public debt. Such report shall be made by February 15.

"(b) The report shall be accompanied by a concurrent resolution adopting such budget, and fixing the maximum amount to be appropriated for expenditure in such year. If the estimated expenditures exceed the estimated receipts, the concurrent resolution shall include a section substantially as follows: 'That it is the sense of the Congress that the public debt shall be increased in an amount equal to the amount by which the estimated expenditures for the ensuing fiscal year exceed the estimated receipts, such amount being $——.'"

MINORITY VIEWS

The undersigned members on the part of the House of the Joint Committee on the Legislative Budget are unable to subscribe to the above report.

The Legislative Reorganization Act requires the recommendation of a legislative budget and provides for its preparation and submission after an analysis and study of such pertinent data as shall be available to, or procurable by, the agency charged with its formulation and presentation. There has been no such analysis or study. On the contrary, the joint committee was called together after its organization meeting and without intervening hearings, discussions, inquiries, or investigation, was asked to adopt a legislative budget in definite amounts without justifications or itemization of any kind. We cannot join in such flagrant disregard of the spirit of the law.

No legislative budget, logically premised, can precede a detailed study of the estimates. And such study under established procedure cannot be undertaken and completed in time to meet the February 15 dateline designated in the Legislative Reorganization Act. This was conclusively evidenced in the abortive attempt to enact a legislative budget for the current fiscal year. Due to lack of authoritative data, arbitrary amounts were proposed and the two Houses bogged down in hopeless disagreement with the consequence that the law was ignored and the mandatory provision of the statute was disregarded and no legislative budget was recommended. With that failure to carry out the express provisions of the law still fresh in the recollection of the country, we are unwilling to be parties to the adoption of an arbitrary recommendation which due to lack of information on which to base a justifiable conclusion will be just as ineffectual and fully as drastic a violation of the spirit of the law.

The budget proposes expenditures of $39.7 billion. Of that amount $11.3 billion would be from funds heretofore appropriated, or yet to be appropriated, for the current and prior fiscal years. The balance of $28.4 billion would flow from appropriations recommended for the fiscal year 1949, including an amount for contingencies, and including in the totals $1.7 billion for the liquidation of prior year contract authorizations. This would leave a net amount for expenditures from the 1949 appropriations, susceptible of curtailment, of $27.7 billion.

The report of the joint committee proposes a reduction in expenditures of $2.5 billion. It affords no indication of the yielding sources or the specific items from which such reductions are to be made. The report notably fails to take into consideration any expenditure demands not contemplated by the Budget, the approval of which would necessitate deeper drafts upon pending appropriation requests in order to effect the $2.5 billion goal recommended in the proposed resolution. As a matter of fact, approval already has been given to such unpredicted and unbudgeted expenditure demands.

To attain the objective of the $2.5 billion reduction recommended by the majority report would entail reductions in the requested appropriations many times the amount of such objective because, it should be borne in mind, the proposed reduction refers to expenditures from appropriations, and appropriations almost universally exceed the expenditures therefrom during the fiscal year of their availability. To illustrate, while the Budget proposes new appropriations for 1949 of $32.9 billion, expenditures therefrom during 1949 are estimated to be $4.5 billion less. Obviously, therefore, to effect an expenditure reduction of $2.5 billion, it would be necessary to reduce the appropriations to which such reduction would be applied by a much larger amount. The question is, Where would such an appropriation reduction be made without harm to the public interest? The joint committee does not know; we do not know; nor does anyone know. And no one can know definitely until opportunity has been afforded to study the estimates and conditions affecting them.

To subscribe to a fixed total reduction at this time, therefore, with every constituent factor (including total prospective appropriations and expenditures, overall Federal receipts, tax reduction and foreign aid) undetermined and undeterminable, would be obviously absurd and nothing short of an indefensible subterfuge.

In the absence of any attempt to make the Budget provisions of the Legislative Reorganization Act applicable or workable, we shall continue, as we have in the past, to examine the appropriation requests in accordance with long-established procedure and advocate, or join in advocating, any economies that appear to be practicable and consistent with the public interest.

Clarence Cannon.
George H. Mahon.
Jere Cooper.
John D. Dingell.
Harry R. Sheppard.
Noble J. Gregory.
Carl Hayden.
Albert Thomas.
Aime J. Forand.
Joe Hendricks.
Michael J. Kirwan.
Jamie L. Whitten.
Joe B. Bates.
Thomas J. O'Brien.
Albert Gore.
John J. Rooney.
John E. Fogarty.
Walter A. Lynch.
Herman P. Eberharter.
Henry M. Jackson.

TO EQUALIZE TAXATION ON REDEMPTION OF PREFERRED STOCK

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CURTIS. Mr. Speaker, I have this day introduced an amendment to section 302(b) of the Internal Revenue Code of 1954 dealing with the income-tax treatment of the proceeds received in redemption of preferred stock which provides that to the extent the said proceeds do not exceed the amount paid in to the corporation on the issuance of such stock, the proceeds shall be treated as a distribution in part or full payment in exchange for the stock and not as a dividend.

Preferred stock is, in reality, a cross between common stock with its characteristics of ownership and bonds. Under the law, in certain cases redemption of preferred stock is treated for tax purposes as the return of capital, in others this redemption of the same stock is treated as dividends and taxed accordingly. Those preferred stockholders who either own no common stock or whose common and preferred stock are held in widely varying proportions fall into the first category. On the other hand, those stockholders who own the common and preferred stock of a corporation in what is called "substantially" proportionate ratios fall into the second category. This denies the idea that one man may have two distinct relationships with a corporate entity. For example, this same reasoning is not applied to an individual who holds both the common stock and the bonds of a corporation and whose bonds are paid off, so long as the bonds represent true indebtedness and the equity capital is sufficient for the needs of the corporation.

My amendment to the Internal Revenue Code would end this capricious distinction between the treatment of the proceeds of the redemption of preferred stock in the differing situations cited and would permit this stock, insofar as it represents capital invested in money or goods, to be treated as a return of capital.

The present taxation of the income derived from the redemption of preferred stock as dividend income turns some corporations, especially closely held family corporations, to debt financing rather than equity financing when further investment is needed. A change in the system of taxation of the redemption proceeds of paid-for preferred stock would have the beneficial effect of making equity financing more attractive to the corporation and would, in the long run, produce greater tax revenues.

The taxation of capital return, as distinguished from interest or dividends paid on that capital, is contrary to our Constitution. This amendment would assure proper tax treatment for the redemption of all preferred stock.

TAX CREDIT FOR EDUCATION

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the important keys to the future of our country is the education and training which we provide for our young people. I have today introduced a bill which is designed to aid and encourage those seeking training, either academic or occupational, at the post-high school level. The mechanism which I have selected is a tax credit, for through such a mechanism we are able to avoid the major objections, and I believe that they have substance, to educational aid as proposed in other forms.

In brief my bill would provide a tax credit for 30 percent of the amount spent by a taxpayer for tuition, fees or services to institutions of higher education and occupational training or retraining. There is an upper limit, $450, to the amount of this credit in any 1 year. It might be taken either by a student who is putting himself through college or vocational school or by a parent or benefactor who is supporting such a student in his education.

This bill joins the provisions and supplants two similar measures which I offered in the 87th Congress. I have joined the two because the mechanism to be used is identical and because it is important that we give a greater emphasis to vocational and occupational training as an aspect of our educational system. Education and training of an individual after his high school years are essential if we are to build the skilled labor force which America needs to keep moving in the years ahead. We must encourage those who have the ability to get further training to meet the demanding tasks which a modern civilization poses for its citizens. This tax credit will act as such an encouragement. We can also, through the use of this credit, give aid which will help the individual student meet his expenses and give impetus to his parents or others to afford this outlay.

My bills limit the application of this tax credit to education beyond the primary and secondary level. This same approach might have application in the lower educational levels, as well. In any event, this approach offers very real assistance to education while maintaining in the individual the choice of which institution will receive this indirect benefit from the Government. By channeling aid in this way, through the uncontrolled discretion of individuals, each making his choice on the basis of what he believes is the best for his situation, we can avoid the threat of Government control which normally follows upon direct Government aid while encouraging and aiding a worthwhile goal, the education and training of our people.

INCREASED INCOME TAX EXEMPTION FOR ALL TAXPAYERS AND TAX RELIEF FOR THOSE ATTENDING INSTITUTIONS OF HIGHER EDUCATION ON FEBRUARY 5, 1963

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SHRIVER. Mr. Speaker, I have today introduced two pieces of legislation which are designed to provide much-needed tax relief to the taxpayers of this Nation. Tomorrow the Ways and Means Committee of this House will begin extensive public hearings on the administration's proposals for a tax cut. It is my hope that the committee will give this body the opportunity of acting upon a program of tax reduction which will be both meaningful to every American citizen and fiscally responsible.

It is essential that we act responsibly on any program of tax relief. The mail which I am receiving from my constituents, and I am sure most of the communications which my colleagues are getting, emphasizes the importance of "holding the line" on nondefense spending before we proceed to reduce Federal revenues.

Therefore, in proposing my program of tax relief I do so with the philosophy that the Congress must act to cut down deficit financing and reduce the threat of an inflationary trend in our Nation's economy. We cannot afford the continuing luxury of "charging" our debts to future generations.

Mr. Speaker, there is no question that every individual and every business is in need of Federal tax relief. The first measure I have introduced today would provide a tax cut which every taxpayer could easily understand and appreciate. I propose that the personal income tax exemptions of a taxpayer be increased from $600 to $900.

The $600 personal exemption has been in effect since 1948, and since that time the cost of living has cut deeply into the family pocketbook. We have seen the consumer price index rise 23.5 percent in 14 years. It continues to rise. It would appear that a $300 increase in the personal exemption is necessary to restore individuality, strength, and purchasing power to the American family budget.

Today I also have reintroduced legislation amending the Internal Revenue Code of 1954 to permit a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents at an institution of higher education.

Only last week the President sent to the Congress a comprehensive program of Federal aid to education which, if adopted, would cost the American taxpayers over $5 billion in a 5-year period.

There is no question that "education is the keystone in the arch of freedom and progress" as the President pointed out. We are living in times which demand that every person must develop his or her best talents if we are to preserve the freedoms we cherish.

I believe that the Federal Government should provide tax relief for those who are seeking to develop their talents at the university level. Such assistance would help the individual help himself.

Mr. Speaker, I urge that prompt and favorable consideration by given to this tax relief program.

LIQUIDATION OF FROZEN CAPITAL AND REINVESTMENT IN MEDIUM TERM GOVERNMENT BONDS

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, on January 9, 1963, I introduced H.R. 257, a bill to encourage liquidation of frozen capital assets and reinvestment of a substantial portion thereof in medium term Government bonds bearing a low rate of interest.

It is my opinion that this legislation will be of great benefit to the U.S. Treasury and our national economy as well as the citizen investor.

Very considerable sums of private funds for which no present similar incentive exists would be made available to the Treasury Department. The use of these funds would involve interest rates much below those currently prevailing, resulting in substantial annual savings to the Treasury—$30 million is the initial anual potential. The probable duration of tenure of securities issued under the proposal would result in lengthening U.S. Treasury bond maturities to a significant degree.

Current inflationary forces, perniciously influencing the price level of capital assets, would be subject to strong neutralizing pressures. Trustees, conservators and other court-appointed officers could discharge their duties with greater skill, since prudence would no longer be costly. Commitments in medium term Government securities would no longer lack any apparent justification. A new and dynamic source of equity capital for investment in our expanding economy would be developed from payoffs at maturity or from surrendered bonds. A tremendous fund of supporting venture capital in private hands would be created which would cushion the national economy in times of drastically declining prices. Bonds redeemed and funds committed at such times would have a more immediate and salutary stabilizing effect than the much slower process of Government pump-priming.

The incentive of preserving one's savings and the produce of his enterprise would be restored to the investor. He could be expected to: First, have his capital liquid for commitment to the most attractive available use, including financing small businesses; second, have greater amounts of funds available for gifts to institutions which contribute to the social and economic development of our Nation; third, have greater income and a larger estate upon which Federal taxes would be applicable.

Appreciation or increases in the value of capital is not income. So long as capital is held by the owner, scarcely anyone would assert that appreciation in its value is income. We maintain that when the capital is sold, the sale does not produce income, since the money or other valuable consideration received in exchange is presumably of no greater value than the capital sold. In other words, the taxpayer is clearly no better off after the sale than he was immediately before. When there has been inflation, the so-called capital gain may not be even a real gain in capital. For example, if the owner of a capital asset sells it today for twice as many of today's dollars as the number of dollars he paid for it in 1940, he is not one bit better off since today's is worth in purchasing power about half as much as the 1940 dollar. When the Government takes one-fourth of such fictitious appreciation, it is clearly imposing a capital levy, not an income tax at all. Since the inflation was caused by the Government itself, the tax is particularly unfair.

This capital levy was one of the weapons by which it was proposed to "soak the rich" at a time when "redistribution of wealth" was one of the prime objectives of the administration in power.

The present tax on long-term capital gains is certainly unjust and is injurious to the interests of hundreds of thousands of investors. They are discouraged from making long-term investments because of the present long-term capital gains treatment. It would be foolhardy for the average investor to put his capital in a long-term investment and leave it there indefinitely, ignoring possible advantages that there may be in transferring his capital to another security because of changing conditions or circumstances. However, the present long-term capital gains treatment almost forces him to ignore sound investment principles. The natural effect of this is to discourage long-term investment and for those who do venture into the field threatens them with investment problems to which they should not be exposed.

It has been conservatively estimated that American investors in corporate stocks now have over $200 billion in unrealized capital gains, a large portion of which represents paper profits which they refuse to take because of the high current rate of the tax on long-term capital gains. They can simply hold these until death and there will be no capital gains tax imposed.

The long-term capital gains tax presently yields the U.S. Treasury no revenue of consequence—less than $1½ billion a year.

Independent surveys indicate that the Treasury tax take from the long-term capital gains tax would more than double if the rate were drastically reduced.

LAND CONSERVATION FUND BILL

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I would like to talk briefly today on something which is very important to me, and I hope is important to this great body of the Congress. My subject is conservation and enjoyment of our American heritage of outdoor resources.

It was my great privilege in the first session of the 85th Congress to sponsor the outdoor recreation resources review bill. That legislation was enacted by the 85th Congress and signed into law by President Dwight D. Eisenhower. As a result, there was immediately established the Outdoor Recreation Resources Review Commission, on which I had the honor to serve.

For 3 years this bipartisan Commission studied many phases of our Nation's outdoor recreation resources. It submitted its report a year ago in January. In that report the Commission made many recommendations concerning our great outdoor heritage. I am personally concerned in seeing that certain of these recommendations are carried out. I hope that other Members of this great Chamber will also take it upon themselves to encourage the acceptance of the Commission's recommendations.

Only two of those recommendations so far have been implemented. I refer specifically to the creation of the Bureau of Outdoor Recreation in the Department of the Interior, and the establishment of the Recreation Advisory Council, made up of the heads of several Federal departments. This is a fine start, but it is just that—only a start. I would like to see more of the Commission's recommendations carried out.

My colleague from Colorado and I each introduced a bill on January 14 which would provide the Bureau of Outdoor Recreation with additional authorities which it needs to effectively operate as envisioned by the Outdoor Recreation Resources Review Commission. I hope that prompt and favorable consideration will be given to this piece of legislation. I refer to the bills, H.R. 1762 and H.R. 1763.

The Outdoor Recreation Resources Review Commission emphasizes that the key elements in the total effort to make outdoor recreation opportunities available to the American people are private enterprise, the States, and the local government. It recommended that the role of the Federal Government should be one of cooperation with the States through technical and financial assistance. It further recommended that such financial assistance should be in the form of grants for not only planning, but for land acquisition and development of facilities for outdoor recreation.

Mr. Speaker, I think these are very important recommendations. I think we need to see that they are carried out and that they are carried out promptly. The longer we delay, the higher will be the price tag for lands and facilities needed to provide for the 90 percent of all Americans who engage in some form of outdoor recreation in the course of a year.

Every day, one is aware of desirable recreation lands being taken for industrial development, highways, urban expansion, and many other purposes. Some of these beauty spots and natural areas must be tagged for the use and enjoyment of the American people. Open spaces with green vistas and sprinkling waters must be set aside in areas in which people are located—within easy driving distance from our metropolitan areas. We need to preserve some of our swamps and marshes. We need to preserve some of our lakeshores and river areas. We need to preserve some of our mountain areas and beaches. True, we are going to have to pay a high price for some, but the longer we delay, the higher the price tag. What is needed is a fiscally sound program for financing these natural areas for use and enjoyment of the American people.

It is my understanding that the executive branch is considering a broadening of the legislation which was considered, but not enacted in the 87th Congress. I refer to the Land Conservation Fund bill, H.R. 11177, which I sponsored last year. It is my further understanding that conferences on the broadening of this legislation have been held with conservation groups, recreation groups, industry groups, Federal agencies, and others.

Four months have passed since the close of the 87th Congress. This seems like ample time to revise almost any kind of bill. I do not understand the delay. The importance of this legislation requires that it be considered promptly and enacted by this Congress. Naturally, the Congress cannot consider a piece of legislation which has not yet been received. It is high time the administration makes a move.

GRUMMAN SPACE FLIGHT CENTER

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. VAN PELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. VAN PELT. Mr. Speaker, I include as part of my own remarks the address of our colleague, the gentleman from California, the Honorable GEORGE P. MILLER, chairman of the House Committee on Science and Astronautics, at the dedication of the Grumman Space Flight Center, located at Bethpage, Long Island, on February 4, 1963.

Chairman MILLER's address follows:

REMARKS OF THE HONORABLE GEORGE P. MILLER, CHAIRMAN, HOUSE SCIENCE AND ASTRONAUTICS COMMITTEE

I am indeed honored to be with you today and to participate in the dedication of this impressive addition to the many structures that bear the name Grumman.

It seems to me to be entirely fitting to regard this occasion as something more than the dedication of a building alone. Rather it should also be an occasion distinguished by the dedication of the people who will spend many hours of their lives working here, to achieve the ultimate success of our manned lunar landing program.

We can dedicate here something infinitely more important than stone, mortar, and steel. We can make here, though symbolically, an avowed dedication of American people.

We can make here an irrevocable commitment to the future of this Nation in space and to the community of this world. And we can willingly submit ourselves here, without pretension, to the obligations that we as Americans have placed upon ourselves.

We have undertaken what has been described as the greatest adventure conceived by men—manned flight to the moon and return. It is a task that will involve enormous national energies and resources, both material and human.

Our goal and timetable have been set by the President. We have planned a program to achieve those objectives that demands unqualified success in every aspect of it.

You of Grumman have undertaken, in assuming the responsibility for the lunar excursion module for Project Apollo, a task of monumental proportions. It is you at Grumman who must make it possible for our astronauts to leave their orbiting rocket for the lunar surface and return safely.

It is entirely consistent with the history of your company that Grumman should be assigned such a critical and vital role. The annals of aviation are filled with the epics of American pilots in Grumman-built airplanes whose heroism and sacrifices often made the difference between victory and defeat, success and failure.

It was the contribution of Grumman, of the people who worked to produce outstanding aircraft. Their sense of individual responsibility, in a significant sense, made possible much of the outstanding success in the air experienced by our Navy in World War II.

Now you have made a transition to space vehicles. It is a tribute to President Towl and his associates that Grumman is approaching with confidence and faith this new age of space flight and all the difficult technical problems that must be solved. Certainly, this new building and a willingness to invest company funds—$5 million—to build it, is a manifestation of that faith.

I am sure that part of that belief, that faith, goes beyond the bounds of self-interest. In practicing our philosophy of personal freedom and private enterprise we accomplish two vital purposes: the preservation of our ideals and the provision of our material welfare. We are a closely knit people. Each citizen, each company, contributes in some measure directly or indirectly to the betterment of the community and of the Nation in the achievement of its chosen objectives.

I am equally sure that the decision to build this Space Flight Center was motivated by something more than the sole desire of Grumman to gain technical advantage in the competition for space business. As a nation, we have decided to go into space, to go out to the moon for reasons that include but transcend the fact that the Soviet Union is going there, too.

True, the military facts of life in space are ever-pressing. We in Congress are certainly aware that our flights into space are directly dependent upon the strength to defend our right to be there.

And we intend, in no uncertain terms, to provide the means to enhance that strength.

But, the point is this: I don't think that we of today are any different in spirit, daring, courage, and resourcefulness than were our frontier forefathers. What made the people of a 100 years ago leave the relative security of the eastern communities and farms?

What made them willing to challenge the hazards, the hardship, and often violent death in the great trek west?

A hunger for land? An escape from economic depression? A release from religious persecution?

Surely, it was all of these and probably many more. But in addition to these temporal and mundane reasons was another reason that they all had.

It was a promise of a bright tomorrow. It was a hope that over the western horizon was a new life, a new future that would give to their children a far better world than the one into which they were born.

These hardy people probably knew specifically much less about the problems, the danger, they were to face in venturing westward than we do in going out into space. But they went. So, too, for the same and more reasons, we will go, too.

But now, penetrating the unknown is a deliberate, coordinated national effort, rather than a spontaneous surge of individuals as it was then. The Government is asking Congress for $7.6 billion to explore space, of which $5.7 billion will be for NASA programs, $1.6 billion will be for military space programs, and the remainder divided between the Atomic Energy Commission, the Weather Bureau, and the National Science Foundation.

But, as large as that budget request is, NASA is requesting approximately 10 percent of the $56 billion the American people are willing to spend to maintain a strong, progressive military defense. And the acquisition of new technology that NASA is acquiring, the striking innovations of applied science that NASA is accomplishing will unquestionably contribute greatly to the capabilities of the defense forces.

What is particularly significant is that about 90 percent of the NASA fiscal year 1964 appropriation will be spent through contracts with industry. The effect of such expenditures will surely be reflected in almost every aspect of our economy. New jobs, new businesses, new materials, new techniques—if the past is any criteria—will come into being. These will be the tangible results of NASA's activities.

The intangibles may offer even greater benefits to the future. You of Grumman are no doubt faced with the continuing problem of employing scientific and technical people of greater and greater competence, to meet the challenges of space research.

The urgent demands of our national space program, in the few short years it has been underway, for well-trained scientists, technicians, and engineers, has already been reflected in educational institutions throughout the country, from the primary grades through the graduate degree level.

Great efforts by educators and academic planners are being expended to not only improve the quality of science and engineering graduates, to improve the quality of educators themselves of all grades, but also to excite the interest of youngsters of primary and secondary schools to seek a professional career in technology or research.

I can't think of any other resource more important to the future of this country than rigorous and demanding educational systems. We need people who have been well-grounded, and thoroughly trained both intellectually and professionally.

We need more superior people who have been trained how to think, how to use their minds, and how to apply their talents. These are the kind of people you need here at Grumman in the Space Flight Center if you are to achieve the success you confidently expect.

These are the people we need throughout our entire society, not only in the fields of science and technology but also in the humanities and the arts. The drive for technological superiority must not leave us as cultural paupers.

We must not fall by choice into the same intellectual traps that now restrict or limit by government decree the philosophical development of the Russian people.

Instead we must continue to encourage and foster in every way possible the breadth and depth we try to maintain in our approach to education. It is more people of higher scholastic achievement that we need. Not an increase in emphasis on science and technology at the expense of the other disciplines.

Two weeks ago, my committee, the House Science and Astronautics Committee, conducted the fifth annual meeting of its scientific advisory panel, whose membership includes 14 outstanding scientists and educators, such as Dr. James A. Van Allen of the Iowa State University, Dr. Lee A. DuBridge of California Institute of Technology, and Dr. Fred L. Whipple of the Smithsonian Astrophysical Laboratory. I would like to quote from Dr. Van Allen's remarks before the committee. He said:

"This matter of manned lunar exploration is an undertaking of truly heroic proportions. It provides a graphic test of our national technical capabilities and our national fortitude and integrity. I, for one, would be most distressed to see the United States shrink from this challenge."

I would say that Dr. Van Allen is unquestionably correct in stating that the Nation has accepted in the lunar program a challenge that will sorely test every virtue and ideal for which we stand. I would also emphasize that it is a challenge that is freely chosen without reservation.

This was demonstrated last year when the House of Representatives voted without a dissenting voice the authorization for the NASA budget of more than $3.7 billion. This House action is, to the best of my knowledge, unprecedented in considering a budget request of that size.

The American people are convinced that we must explore space. And they expressed clearly and firmly this conviction through their elected representatives.

Thus the people look to Congress and to NASA for the assurance that our national space program, especially the manned lunar landing, will be conducted with the utmost vigor possible. And in turn, Congress and NASA look to private industry in order to achieve in practical terms all of our objectives.

Since Sputnik I took us by surprise, people at home and abroad have been and are waiting to see how the United States has met and will meet the challenges of the Soviet Union in space. We have long claimed loud and clear to be the technological leader of the world. And we were then placed in the position of having to "put up, or shut up."

Well, we have put up—more than 100 satellites in orbit since January 31, 1958. We have sent five men out into space, three in orbit. We have made scientific discoveries in space, such as the Van Allen radiation belts, that have aroused the admiration and respect of professional people everywhere.

We have given freely to all nations the benefits we have already gained—our weather satellite data, our communications satellite facilities, and the use of our navigation satellites. I think we have—again—proved our claim.

And it was possible only through the imagination, the energy, the aggressiveness, and the competence of American industry. These are achievements in which we all can be proud.

But, they are only part of primitive, early beginnings, the infant toddling steps of a new era. There never will be a time when we as a nation can afford the luxury of basking in the sun of self-congratulation. The challenges in space that we face now, as monumental as they may be, are only a few steps forward toward a future no one can envision.

I congratulate you of Grumman for your achievements in aviation. I congratulate you for your foresightedness in building the Space Flight Center. And I expect in the not-too-distant future to congratulate you for providing the means by which the first Americans, in a Grumman module, accomplish one of the oldest dreams of mankind—to reach the moon.

TAX DEDUCTION FOR COLLEGE EDUCATION

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Bow] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BOW. Mr. Speaker, amid all of the talk about the necessity of increasing opportunities for young people to attend college, too little attention has been given to the incentives that can be provided through the Federal tax laws.

I am introducing today a bill that will allow a special income-tax deduction for the expenses of a college education.

It is a simple and certain method of easing the burden of college expenses and it can be enacted speedily.

Of all of the programs the Federal Government might adopt to encourage higher education, I believe this is the most practical and the most helpful.

My bill will permit the student, his parents, or any other individual who is paying the expenses of a college student, to deduct, up to $1,000 each year, the actual cost of tuition, books, special fees and the difference between the cost of living at a college and the cost of living at home.

My bill would lift a tremendous burden from young people who are attempting to support themselves while studying. It would mean the difference between success and failure for parents of modest means who wish to send their children to college.

In addition, I believe it would encourage thousands of people in the higher income brackets to give assistance to deserving but needy youngsters.

It will be noted that my bill is more generous than others that have been introduced.

Some of them propose a tax credit for a percentage of the expenses of a college education. Some of them propose a deduction for tuition or books only, or a deduction so limited that it would have little value to the persons most in need of help. There are other systems, but it seems to me that all of these are only halfway measures.

If we truly wish to encourage and assist our bright youngsters in college, we should make the most liberal allowance so that most of the expenses of attending the average college will be covered.

CUBA

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes, to revise and extend my remarks, and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **CRAMER.** Mr. Speaker, I am concerned, as I have been for some time now, over the inability of this administration to come forth with a basic policy, an effective plan of action, to rid this hemisphere of the Castro and Communist menace.

Neither I, nor the people of America, can be satisfied with the on-again off-again approach in dealing with Castro that the administration has apparently adopted. And neither I, nor the people of America, want to wait until the 1964 presidential campaign for further dramatic action by the administration directed toward ridding this hemisphere of the Communist menace. Yesterday, I introduced House Joint Resolution 227 calling for implementation of the Monroe Doctrine.

This will be the second of many remarks I intend to make on the Cuban situation. I am doing so, because I am concerned.

Concerned, Mr. Speaker, because our record of failure in dealing with Castro is unparalleled in the history of our Nation. Concerned because this administration is apparently willing to acquiesce in the Communist exchange of the Monroe Doctrine for the Khrushchev doctrine in this hemisphere. Concerned because there is in existence, only 90 miles from our shores, a Communist nation whose military might is second only to ours in this hemisphere. Concerned, Mr. Speaker, because this great travesty continues because of the acquiescence by inaction of this administration.

In the fall of 1960, when it became abundantly clear that Castro's true colors were red and thousands of refugees had already swarmed to Florida's shores, I proposed what I considered to be two logical and initial steps necessary to rid this hemisphere of the Castro menace.

First, I proposed the recognition of a free, non-Communist refugee government-in-exile; and, secondly, a military blockade of Cuba to halt the inshipment of arms and war materiel. Although we have recently witnessed a quarantine which was too quickly lifted, we have yet to see initiated any real effort to unite and back the Cuban refugees living in the United States and elsewhere in order to win back the freedom of Cuba. This is an effort which is essential if Castro is to eventually be toppled and the Pearl of the Antilles freed.

The President, in a dramatically staged address to the Cuban refugees in Miami's Orange Bowl recently, pledged that the flag of the invading forces will once again hang in Havana. How does the President propose to do this? Mail it to Castro and hope he will change his colors by flying it?

I do not say this to be facetious, Mr. Speaker, but it is becoming disturbingly clear that Cuban refugees, should they again attempt to invade Cuba, would fail so long as they remain disunited and unsupported.

Unless the various Cuban refugee factions are united under a common banner, they will remain ineffectual. And the obvious way to unite them is by recognizing a Cuban government-in-exile. It is an exiled government, with the help of the United States, that could and properly should become the instrument behind the forces which will someday regain their freedom on Cuban soil.

In a query to the State Department in March of last year, I asked why, in view of Candidate Kennedy's support during the campaign for the recognition of a Cuban government-in-exile, no action along these lines has been taken subsequent to his election.

I received the following in reply from the State Department:

> The recognition of a government of Cuba in exile at this time is not in the national interest of the United States because neither the Government of Switzerland nor any other government could then represent U.S. interests before the Castro regime. Were a government in exile formed, and should the United States recognize such a government, the United States would have to look to that government and not the Castro government for the fulfillment of Cuban obligations.

I had been laboring under the impression that we had withdrawn diplomatic recognition of Red Cuba while all this time, we, as a nation, are continuing to transact business with the Castro government, through a middleman.

I must submit the State Department's reply as a classic example of the fuzzy thinking going on in this administration.

Where, then, does this country stand today regarding Cuba? The naval quarantine was prematurely withdrawn in that reliable sources tell us that missiles may still be hidden in the caves of Cuba's mountainous provinces because of the lack of actual inspection. In future remarks, I will point out where these missiles could be hidden—that can only be disproved by adequate inspection, particularly with our poor intelligence facilities in well guarded western Cuba.

Castro, as a result of the quarantine, is more firmly entrenched than ever before and he has had suggested U.S. assurances that this country will guarantee his island against invasion.

President Kennedy has announced that we are going to withdraw our missiles from Turkey, and naturally poses the question whether this is an aftermath of the Cuban crisis. Another concession?

Cuba continues to be an armed and highly effectual Russian military installation, a disturbing, undisputed fact.

And, the most unfortunate link on this long chain of disturbing elements, we have paid through lost tax revenues and other gimmicks indemnity to a foreign power by ransoming the Bay of Pigs invaders.

Under an administration that apparently has more respect for histrionics than history, the President's brother has reopened the Bay of Pigs invasion in an attempt to rewrite the history of that abortive invasion.

"No air cover was promised," is the latest cry of our image-conscious administration. "Not true," say the vast majority of reliable witnesses and invaders.

I am at this time, under unanimous consent, inserting the following editorials on this subject in the RECORD:

[From the Tampa Tribune, Jan. 9, 1963]

NOW WHAT'S THE POLICY?

Adlai Stevenson, U.S. Ambassador to the United Nations, and Soviet Deputy Premier Vasily V. Kuznetsov have called it quits. Their efforts to achieve a settlement of the Cuban problem have reached an impasse.

This end could have been foretold when the United States too hastily lifted its naval blockade of Cuba before Soviet Premier Khrushchev had carried out his promise to remove his nuclear missiles and bombers from the island under international inspection. With no club hanging over their heads, the Soviets felt free to welsh on their promises. The United States cannot be certain that all the offensive weapons were removed, nor are there any assurances that they won't be returned.

To be sure, some missiles and bombers were removed. But there are still some 16,000 to 17,000 Russian troops in Cuba who appear to be running Fidel Castro's military establishment, the second largest in the Western Hemisphere. The island is still in the hands of a Moscow-run Communist regime and poses a sharp threat to hemispheric security.

The question, then, is what next in Cuba? Officially the answers are mushier than the swamps at the Bay of Pigs.

President Kennedy has promised to try to halt Communist subversion of Cuba's neighbors. He told the ransomed invasion prisoners in Miami that "the Cuban people shall someday be truly free." He didn't, however, date this promissory note. Secretary of State Dean Rusk says that the immediate future of Cuba "is not easy to predict," but adds that "this hemisphere cannot accept a Marxist-Leninist penetration by forces from outside our hemisphere." He terms Cuba "unfinished business."

These pronouncements have a dreamlike quality about them which leaves the impression that if we'll ignore Cuba it will just disappear; that the passage of time alone will neutralize the Communist threat.

Indeed, there appears to be one school of thought in Washington that holds that the leadership in Cuba is so torn between pro-Moscow and pro-China forces that Castro, or perhaps a replacement, will emerge as a Tito-like Communist. Presumably such a leader would be more acceptable to the United States and Latin American nations.

One report has it that President Goulart of Brazil is attempting to wean Castro away from his Moscow ties in return for hemispheric economic aid.

It is inconceivable that the State Department would ever entertain such an approach. After the recent treachery in which Castro permitted Cuba to become a missile base from which much of the hemisphere was placed under nuclear threat, he can't be scrubbed clean again no matter how stiff the brush.

Second, the theory that Castro can be weaned away from Moscow is the wildest kind of speculation. Cuba is both an economic and military slave of Russia, costing Khrushchev a million dollars a day. Anyone who believes he is going to give up this investment without a struggle is as fuzzy-headed as those who believe that Castro may be a Tito in disguise.

It should be the announced policy of the United States to free Cuba of its Communist rulers within the shortest period possible. If it is not to be done by direct military action, then it must be achieved by all means short of war. All the economic and political resources at the command of the United States and Latin America must be brought to bear to resolve the issue as quickly as possible.

The people of Cuba indeed must be truly free. But time alone will not loosen the Communist grip. Nor will wishful thinking. Cuba will be freed only by dedicated effort. We already have wasted too much time.

[From the Tampa Tribune, Jan. 14, 1963]

THE GREATER WRONG

President Kennedy apparently has closed the books on the ransoming of the Cuban prisoners. But whether anyone approves or disapproves paying blackmail to a Communist bandit, evidence continues to mount that the Kennedy administration has been engaged in one of the most devious and slippery operations the Federal Government has ever undertaken.

Throughout the negotiations the administration contended that it was in no way involved, insisting that successful release of the prisoners would be a "private effort by private citizens." It sought to lead the public to believe that the Federal Government would contribute nothing to the ransom pot; that the Nation's food processors and pharmaceutical houses were voluntarily donating $53 million worth of goods with no pressure from the Government.

This obviously was not the truth. The Kennedy administration was up to its neck in the operation. And still is.

Now it has come to light that the Government not only contributed to the ransom payments but broke its own trade embargo on Cuba.

When it came time to add up the supplies U.S. producers had "donated," it was found that the amount of foods was not sufficient to meet Fidel Castro's demand. So the Department of Agriculture agreed to chip in 5 million pounds of surplus dried milk and is preparing to send 15 million pounds more.

The surplus milk is owned by the U.S. taxpayers, who paid for it through the farm subsidy program. It is an express declaration of policy by Congress that no surplus food be sent to Communist-dominated countries.

Administration officials sidestep this declaration by arguing that the dried milk contribution is not a "government-to-government deal" since the milk was first turned over to the American Red Cross. Thus the specious argument goes that the Kennedy administration is not giving the milk to Castro, the Red Cross is.

Furthermore, Government officials say that the Red Cross expects the Cuban Families Committee to raise the funds to reimburse the Department of Agriculture. But anyone who thinks the Committee will raise $3,800,000 to pay for the milk is kidding himself. It couldn't even raise the $2,900,000 Castro demanded for the 60 prisoners released last summer. This money had to be rounded up by Attorney General Robert Kennedy and General Lucius Clay to prevent the ransom deal from falling through at the last moment.

But if the Kennedy administration has been playing fast and loose with the Government's dried milk supply it has been equally casual about breaching its embargo regulations.

The Miami Herald has revealed that included in the ransom cargo are some $4,200,000 worth of goods which private suppliers would be forbidden to sell to Cuba. The list covered nutritional dietary foods, veterinary pharmaceuticals, pesticides, laboratory glassware, petroleum jelly, surgical rubber gloves, optical instruments, and refrigeration equipment parts. The Department of Commerce, however, was persuaded to issue export licenses for these supplies even though they were on the embargo list.

Undoubtedly the Kennedy administration feels that "humanitarianism" justified its role in the ransom deal. But its double-talk on the whole proceedings can hardly fail to undermine public confidence. Can the people ever again accept the administration's word as fact?

It is bad enough to pay ransom. Duplicity is even worse.

[From the St. Petersburg Times, Jan. 9, 1963]

CUBA: BACK TO THE BEGINNING

The last faint hope, if there ever was any, that United Nations inspection teams could insure Cuba's offensive disarmament apparently has vanished.

Where does that leave us? What is the score since last October 22, when President Kennedy ordered the blockade?

Some, perhaps most, possibly all, Soviet missiles capable of use against the United States have been removed.

Some, apparently about one-fourth, of Russia's personnel have returned to the Soviet Union.

The Cuban invasion forces captured at the Bay of Pigs have been ransomed and returned to Florida.

For the moment, at least, all members of the Organization of American States are solidly behind U.S. efforts to keep world communism out of this hemisphere.

Is this enough? Can we now relax? Will the OAS retain its solidarity behind us on the strength of these accomplishments?

We think not, on all three counts.

As matters stand, there is nothing to keep the Soviet from promptly shipping new, or the same, intermediate range missiles back to Cuba.

With the wickedly efficient-looking antiaircraft missiles recently on display in Havana, aerial surveillance is going to be increasingly difficult and dangerous. And undoubtedly, should missile-launching sites again be built, a great deal more care would be taken to disguise them from aerial discovery.

There are unmistakable signs that Soviet submarine bases are being built in Cuba.

A number of Soviet military and technical personnel, estimated as high as 17,000, remain in Cuba to train and supervise military forces and weaponry there.

This may not add up to any immediate threat to the United States. But can the same be said for the rest of the American States?

Both as a base for ideological and subversive penetration of Latin America, and as a possible staging point for military excursions against Central and South American States, Cuba is distinctly a threat.

Neither the OAS nor the United States can be content with the situation as it is.

Now that we have full OAS support, we should make the fullest use of it. It should not be necessary for us again to move first and then have the OAS come along with a vote of confidence. What we do now should in every way be a joint operation.

If we must reimpose a blockade, or, more politely, a quarantine, and that seems likely, it should be done with full OAS sanction and as much actual participation as our neighbors are able to provide.

Every step that we take to tighten the screws to bring about an end to Soviet domination of Cuba should be a joint action.

If we act now to get the OAS moving, we believe we can sustain the sense of urgency that led to such unanimity last fall. And such urgency, we feel, is imperative.

[From the Tampa Times, Jan. 15, 1963]

THE FINAL SOLUTION IS MISSING

The joy and some resentment, over ransoming of the Bay of Pigs prisoners, their relatives and release of another 89 Cubans and Cuban-Americans should not detract from the central fact that the problem in the Caribbean is far from solved.

Senator KENNETH B. KEATING, Republican, of New York, has issued a warning that the Cuban situation "remains highly critical" and he further observed that the United States has "lost what was our most precious asset in the crisis—the initiative."

Despite removal of those "weapons of offense" from Castro Cuba, there remains on the island a well armed force of Communist-led Cubans and Russian troops. Cuba is guarded by rings of antiaircraft missiles and there is good reason to believe Red forces have short-range attack missiles which could be brought to bear against Guantanamo Naval Base.

Senator KEATING's views of the Cuban problem are significant from this standpoint: It was the New York solon who first pinpointed presence of long-range rockets on the island. He was demanding counteraction long before President Kennedy responded to this threat with his blockade order.

Senator KEATING has obviously dependable sources of information and we have no doubt that the State Department and Department of Defense are similarly informed.

But there is little to suggest that a firm policy has been developed to cope with postblockade Cuba. We have been told that some exchanges have taken place between Washington and Moscow regarding continued presence of Russian troops in this hemisphere. We have also been told that no progress has been made toward effecting their removal.

Instead, the possibility looms that Nikita Khrushchev will use his Cuban position as a bargaining point toward forcing the United States to accept some form of U.N. administration in Western Berlin. Had President Kennedy retained the initiative acquired by establishing the blockade, it would have been possible to roll back the Russians even further insofar as Cuba is concerned.

Today, we are faced with a static situation on that troubled island. There is no sign Mr. Kennedy contemplates an anti-Castro invasion or even another version of the Bay of Pigs attack. On the contrary, all signs point to a hands-off attitude in hope Castro will "fall of his own weight" or that Russia will become weary of supporting this highly expensive parasite.

There is not even a suggestion that a more intense economic war will be waged against the Castro Cubans or that any effort will be made to pull the fangs of Nikita Khrushchev's troops on the island.

Meanwhile, we have Senator KEATING's report that Communist forces in Cuba are 10 times better equipped militarily now than they were last spring. Castro, KEATING asserted, "has 144 missile launchers, 24 bases and 500 antiaircraft missiles, some of them the most modern in existence, and 20,000 troops."

This force creates understandable concern in Latin America as well as among intelligent North Americans. It is illogical to suppose that the Communist organization will permit it to rust for lack of use.

If it has proved anything, the Castro problem demonstrates the danger of inaction inherent in a policy of "wait and see." That is the reason Senator KEATING's warnings will be regarded seriously and with hope that they spur the State and Defense Departments into more positive action calculated to defeat Castro and drive Khrushchev out of the Western Hemisphere permanently.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. PRICE, today, for 15 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DULSKI and to include extraneous matter.

Mr. SHORT in two instances.

(The following Member (at the request of Mr. BEERMANN) and to include extraneous matter:)

Mr. HOEVEN.

(The following Member (at the request of Mr. GRABOWSKI) and to include extraneous matter:)

Mr. MULTER.

ADJOURNMENT

Mr. GRABOWSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 46 minutes p.m.), under its previous order, the House adjourned until Thursday, February 7, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as *follows:*

357. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill entitled "A bill to amend the District of Columbia Alcoholic Beverage Control Act"; to the Committee on the District of Columbia.

358. A letter from the Secretary of State, transmitting a draft of a proposed bill entitled "A bill to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes"; to the Committee on Foreign Affairs.

359. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill entitled "A bill for the relief of Arthur C. Berry and others"; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of the rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 3386. A bill to amend the Social Security Act to assist States and communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs through provision of prenatal, maternity, and infant care for individuals with conditions associated with childbearing which may lead to mental retardation, and through planning for comprehensive action to combat mental retardation, and for other purposes; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 3387. A bill to compensate range users for authorized range improvements where land is taken to be devoted to Federal nonmilitary use; to the Committee on Interior and Insular Affairs.

H.R. 3388. A bill to repeal the tax on transfer of silver bullion, and for other purposes; to the Committee on Ways and Means.

By Mr. BEERMANN:

H.R. 3389. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL:

H.R. 3390. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.R. 3391. A bill to provide that certain aircraft may travel between the United States and Canada without requiring the owners or operators thereof to reimburse the United States for extra compensation paid customs officers and employees; to the Committee on Ways and Means.

By Mr. BOW:

H.R. 3392. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and certain other expenses at institutions of higher learning; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 3393. A bill to amend the Internal Revenue Code of 1954 to allow a 30-percent credit against the individual income tax for amounts paid for tuition, fees or services to certain public and private institutions of higher education, or for occupational training or retraining; to the Committee on Ways and Means.

H.R. 3394. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of certain redemptions of preferred stock; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 3395. A bill to amend the act of August 16, 1957 (71 Stat. 372), authorizing the construction of the San Angelo Federal reclamation project, Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FRELINGHUYSEN:

H.R. 3396. A bill to authorize the addition of lands to Morristown National Historical Park, in the State of New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FULTON of Pennsylvania:

H.R. 3397. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. GRAY:

H.R. 3398. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. HEALEY:

H.R. 3399. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3400. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which may be received by an individual while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 3401. A bill to amend Public Laws 815 and 874, 81st Congress, to extend for 2 years the provisions thereof which would otherwise expire; to the Committee on Education and Labor.

By Mrs. KELLY:

H.R. 3402. A bill to amend section 201 of the Immigration and Nationality Act, so as to provide that the population figures for the year 1960 shall be used for the purpose of computing annual immigrant quotas; to the Committee on the Judiciary.

H.R. 3403. A bill to amend section 201 of the Immigration and Nationality Act so as to provide that all quota numbers not used in any year shall be made available to immigrants in oversubscribed areas in the following year, and for other purposes; to the Committee on the Judiciary.

By Mr. KING of New York:

H.R. 3404. A bill to permit an individual to obtain coverage under title II of the Social Security Act on the basis of service which was not covered employment at the time it was performed, if service of that type has since become covered employment and such individual makes payment of the applicable social security taxes; to the Committee on Ways and Means.

By Mr. LANKFORD:

H.R. 3405. A bill to amend the Agricultural Adjustment Act of 1938 to extend for 2 additional years the present provisions permitting the lease and transfer of tobacco acreage allotments; to the Committee on Agriculture.

H.R. 3406. A bill to transfer certain administrative responsibility for the operation of Washington National Airport and Dulles International Airport from the Administrator of the Federal Aviation Agency to a Washington Airports Board, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LIBONATI:

H.R. 3407. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

H.R. 3408. A bill to amend the Public Health Service Act to provide judicial review of agency orders concerning biological products; to the Committee on Interstate and Foreign Commerce.

H.R. 3409. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 3410. A bill to amend the Internal Revenue Code of 1954 to provide a 30 percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 3411. A bill to amend titles I and XVI of the Social Security Act to provide that old-age assistance or aid to the aged, blind, or disabled otherwise payable to an individual thereunder shall not be reduced on account of certain increases in any insurance benefits to which such individual is entitled under title II of such act; to the Committee on Ways and Means.

H.R. 3412. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

H.R. 3413. A bill to amend section 37 of the Internal Revenue Code of 1954 to make eligible for the retirement income credit housewives, disabled individuals, and other individuals who are ineligible for such credit by reason of the 10-year work test; to the Committee on Ways and Means.

H.R. 3414. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses paid during the taxable year for repair, maintenance, alterations, and additions to his residence; to the Committee on Ways and Means.

H.R. 3415. A bill to amend title II of the Social Security Act to provide a more realistic definition of the term "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

H.R. 3416. A bill to amend the Internal Revenue Code of 1954 to provide an additional $2,400 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

H.R. 3417. A bill to provide that tips and gratuities received from customers of an individual's employer may be included as part of such individual's wages for old-age, survivors, and disability insurance purposes; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 3418. A bill to amend the National Housing Act to prohibit the inclusion of draperies and carpeting as part of the mortgage security in the case of Federal Housing Administration insured mortgages covering multifamily rental housing projects; to the Committee on Banking and Currency.

By Mr. MOORE:

H.R. 3419. A bill to amend title II of the Social Security Act to permit the payment of widow's insurance benefits at age 50 in the case of a woman who is permanently and totally disabled; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 3420. A bill to amend the National Housing Act to fix the premium for the insurance of cooperative housing mortgages at the minimum permissible level (one-fourth of 1 percent per annum); to the Committee on Banking and Currency.

H.R. 3421. A bill to correct certain inequities with respect to the granting of survivor annuities under the Civil Service Retirement Act to certain students, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. OLSEN of Montana:

H.R. 3422. A bill to amend Public Law 503, 84th Congress, so as to provide annuities for the widows of certain Foreign Service officers who retired prior to the effective date of the Federal Employees Group Life Insurance Act of 1954; to the Committee on Foreign Affairs.

H.R. 3423. A bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees; to the Committee on Foreign Affairs.

H.R. 3424. A bill to provide that retired Federal officers and employees shall not be required to pay any fee for admission to national parks, forests, and monuments; to the Committee on Interior and Insular Affairs.

H.R. 3425. A bill to amend the Civil Service Retirement Act so as to include as creditable service certain service performed by emergency relief project employees; to the Committee on Post Office and Civil Service.

By Mr. PUCINSKI:

H.R. 3426. A bill to amend section 9(b)(3) of the National Labor Relations Act so as to eliminate the provision thereof prohibiting the certification, as bargaining representative of persons employed as guards, of a labor organization which admits to membership, or is affiliated with an organization which admits to membership, employees other than guards; to the Committee on Education and Labor.

H.R. 3427. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 3428. A bill to amend title II of the Social Security Act to provide a more realistic definition of "disability" for purposes of the disability freeze, and to liberalize the coverage requirements for such freeze and for disability insurance benefits; to the Committee on Ways and Means.

H.R. 3429. A bill to amend the Internal Revenue Code of 1954 to provide that scholarships received by a student shall not be taken into account (regardless of such student's relationship to the taxpayer) in determining whether he is the taxpayer's dependent for income tax purposes; to the Committee on Ways and Means.

H.R. 3430. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 3431. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Ways and Means.

H.R. 3432. A bill to provide that any individual who is enrolled to practice before the Internal Revenue Service may indicate that fact on his professional stationery and in customary professional insertions in directories, publications, etc.; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 3433. A bill to correct certain inequities with respect to the granting of survivor annuities under the Civil Service Retirement Act to certain students, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROUDEBUSH:

H.R. 3434. A bill to amend title 39, United States Code, to provide career status by appointment of certain qualified substitute rural carriers of record to fill vacancies on rural routes on the basis of noncompetitive examinations; to the Committee on Post Office and Civil Service.

By Mr. SHRIVER:

H.R. 3435. A bill to increase from $600 to $900 the income tax exemption allowed each taxpayer, and for each dependent; to the Committee on Ways and Means.

H.R. 3436. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents at an institution of higher education; to the Committee on Ways and Means.

By Mr. SIBAL:

H.R. 3437. A bill to grant the consent of Congress to the States of Connecticut and New York, and other affected States, to enter into a compact relating to the taking of action to bring about improvement in commuter and other passenger services of the New York, New Haven & Hartford Railroad; to the Committee on the Judiciary.

By Mr. WHITENER:

H.R. 3438. A bill to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy; to the Committee on the Judiciary.

H.R. 3439. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 3440. A bill to provide that each member of the bar of the highest court of a State or of a Federal court shall be eligible to practice before all administrative agencies; to the Committee on the Judiciary.

H.R. 3441. A bill to amend section 2254 of title 28 of the United States Code in reference to applications for writs of habeas corpus by persons in custody pursuant to the judgments of a State court; to the Committee on the Judiciary.

H.R. 3442. A bill to amend section 3231, title 18, United States Code, to reaffirm the jurisdiction of State courts to enforce State statutes prohibiting subversive activities; to the Committee on the Judiciary.

H.R. 3443. A bill to amend section 64(a)(2) of the Bankruptcy Act; to the Committee on the Judiciary.

H.R. 3444. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence, and for other purposes; to the Committee on the Judiciary.

H.R. 3445. A bill to amend title 28 of the United States Code with respect to the eligibility of members of the bar of the U.S. Supreme Court to practice before all courts of appeals and district courts of the United States; to the Committee on the Judiciary.

H.R. 3446. A bill to amend title 18 of the United States Code so as to allow compensation to counsel assigned by the court in criminal cases; to the Committee on the Judiciary.

By Mr. CANNON:

H.J. Res. 234. Joint resolution to provide for the reappointment of John Nicholas Brown as citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. FISHER:

H.J. Res. 235. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. BELL:

H. Con. Res. 80. Concurrent resolution expressing the sense of the Congress that the President should instruct the U.S. mission to the United Nations to bring the Baltic States question before that body with a view to obtaining the withdrawal of Soviet troops from Lithuania, Latvia, and Estonia; the return of exiles from these nations from slave labor camps in the Soviet Union; and the conduct of free elections in these nations; to the Committee on Foreign Affairs.

By Mr. FUQUA:

H. Con. Res. 81. Concurrent resolution expressing the sense of the Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

By Mr. MINSHALL:

H. Con. Res. 82. Concurrent resolution to investigate the operations of all intelligence agencies; to the Committee on Rules.

By Mr. MORGAN:

H. Res. 243. Resolution providing for expenses of conducting studies and investigations authorized by House Resolution 55; to the Committee on House Administration.

By Mr. BROMWELL:

H. Res. 244. Resolution amending clause 2 (a) of rule XI and clause 4 of rule XXI of the rules of the House of Representatives; to the Committee on Rules.

By Mr. TAFT:

H. Res. 245. Resolution amending clause 2 (a) of rule XI and clause 4 of rule XXI of the rules of the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. WHITE: House Joint Memorial No. 3 of the Legislature of the State of Idaho (37th sess.); to the Committee on Interior and Insular Affairs.

Also, House Joint Memorial No. 1 of the Legislature of the State of Idaho (37th sess.); to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States that the Interstate Commerce Commission reject in its entirety the recommendation of its examiner in ICC Docket No. 33571 and continue its orders of September 30, 1960, and October 24, 1960; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States relative to being opposed to the dedication of additional lands as primitive- or wilderness-type areas in the State of Idaho and requesting that all primitive and wilderness areas be reviewed and studied to determine and establish their greatest use potential; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROMWELL:

H.R. 3447. A bill for the relief of Norma T. Sadumiano; to the Committee on the Judiciary.

H.R. 3448. A bill for the relief of Alicia A. Basco; to the Committee on the Judiciary.

H.R. 3449. A bill for the relief of Elena A. Basco; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 3450. A bill for the relief of Herbert B. Shorter, Sr.; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3451. A bill for the relief of Nava Barak; to the Committee on the Judiciary.

H.R. 3452. A bill for the relief of Pablo Fiume; to the Committee on the Judiciary.

By Mr. HEALEY:

H.R. 3453. A bill for the relief of Domenico Busetto; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 3454. A bill for the relief of Vicente Ybinarriaga-Lopategui; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.R. 3455. A bill for the relief of Rudolph Sikora; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 3456. A bill for the relief of Maria Orphanidis; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 3457. A bill for the relief of Salomon Zami-Setton; to the Committee on the Judiciary.

H.R. 3458. A bill for the relief of Filippo LoCicero, Rosalia LoCicero, Paola LoCicero, and Guiseppa LoCicero; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 3459. A bill for the relief of Peregrina Calipo Sucaldito; to the Committee on the Judiciary.

H.R. 3460. A bill for the relief of Marija Matijevic; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 3461. A bill for the relief of Gino DeSantis; to the Committee on the Judiciary.

H.R. 3462. A bill for the relief of Aurora Matessich; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 3463. A bill for the relief of Doris Gunter; to the Committee on the Judiciary.

Mr. PUCINSKI:

H.R. 3464. A bill for the relief of Jan Marchelewski; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 3465. A bill for the relief of Mrs. Rosaria Minacapelli; to the Committee on the Judiciary.

H.R. 3466. A bill for the relief of Irina Semenovna Novikova; to the Committee on the Judiciary.

H.R. 3467. A bill for the relief of Anastasia Bonaros; to the Committee on the Judiciary.

H.R. 3468. A bill for the relief of Mrs. Klara Schlittner; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Ansley Wilcox House as a National Historic Site

EXTENSION OF REMARKS
OF
HON. THADDEUS J. DULSKI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 5, 1963

Mr. DULSKI. Mr. Speaker, I am reintroducing the bill which would designate the Ansley Wilcox House at 641 Delaware Avenue in Buffalo, N.Y., as a national historic site. This is the place where Theodore Roosevelt was sworn in as President of the United States, and it is one of only four sites outside Washington, D.C., where the Presidential Oath has been administered. The others are the old Subtreasury Building in New York City where George Washington was inaugurated for his first term; Philadelphia's Congress Hall—the scene of Washington's second and John Adams' inauguration; and the homestead in Plymouth, Vt., where Calvin Coolidge was sworn in.

There is no question but that the Wilcox House is a national historic landmark of the utmost significance.

Last year legislation was enacted to add Sagamore Island on Long Island, N.Y., and the Theodore Roosevelt birthplace in New York, as national historic sites. This is a fitting tribute to our 26th President. I feel that the preservation of the Wilcox House in Buffalo, as a historic shrine, would be an even richer tribute to this great American. The bill follows:

H.R. —

A bill to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, New York, as a national historic site

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of the Interior shall acquire on behalf of the United States the real property described in section 2 of this Act, known as the Ansley Wilcox House, which real property is of national historic significance as the place in which Theodore Roosevelt took the oath of office as President of the United States on September 14, 1901, following the assassination of President William McKinley. The Secretary shall maintain and preserve such property as a national historic site for the inspiration and benefit of the people of the United States.

SEC. 2. The real property referred to in the first section of this Act is more particularly described as follows:

All that tract or parcel of land, situate in the city of Buffalo, county of Erie, State of New York, and beginning at a point in the east line of Delaware Avenue distant 110 feet southerly from the southerly line of land of Catharine Marie Richmond, recorded in Erie County clerk's office in liber 247 of deeds at page 167; running thence easterly a distance of 110 feet;

Running thence southerly a distance of 60 feet to a point in the north line of land of Morris Michael, recorded in Erie County Clerk's office in liber 531 of deeds at page 335; running thence easterly and along the north line of land of the said Morris Michael 64 feet more or less, and continuing easterly on a line extended from the land of Morris Michael a further distance of 174 feet more or less to the westerly line of Franklin Street; running thence northerly along the westerly line of Franklin Street 110 feet; running thence westerly 134 feet; running thence northerly and parallel with Franklin Street 59.51 feet more or less to a point distant 40 feet more or less easterly from the southeast corner of lands of Amelia Stevenson, recorded in Erie County Clerk's office in liber 669 at page 299;

Running thence westerly 40 feet to the southeast corner of lands of the said Amelia Stevenson and continuing westerly in a line along the south line of the land of Catharine Marie Richmond a further distance of 174 feet more or less to the easterly line of Delaware Avenue; running thence southerly along the easterly line of Delaware Avenue 110 feet to the place of beginning.

And being subject to an easement as contained in a lease agreement dated January 6, 1959, between the landlord and the Liberty Bank of Buffalo covering a driveway ramp and automobile parking privileges, together with the right of ingress and egress to Delaware Avenue and Franklin Street, as contained in said lease.

Postmaster General J. Edward Day Addresses West Virginia Legislators—Stresses Need for Resolute Action in Order To Realize National Economic Potential

EXTENSION OF REMARKS
OF
HON. JENNINGS RANDOLPH
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Tuesday, February 5, 1963

Mr. RANDOLPH. Mr. President, the pressing need for rethinking and restructuring in current tax procedures has been effectively brought out by President John F. Kennedy in his state of the Union message of January 10, 1963. The Chief Executive has pointed out that we must institute a permanent program of expanded incentives and opportunities for private expenditures, promoting fuller use of industrial capacity and higher employment.

Another effective and significant expression of this challenge which faces Congress and the Nation has now come from the capable and conscientious Postmaster General of the United States, the Honorable J. Edward Day.

Speaking before members of the West Virginia Legislature at a banquet given by the Charleston Chamber of Commerce in our capital city on January 29, 1963, the Cabinet member stated that:

> The dynamic age in which we live requires vital adjustments to new ideas. The challenges that face us are gigantic—but the opportunities are exciting.

Mr. Day also stressed that current tax proposals are designed to bring into balance our entire economy, and that the general principle of tax reduction has the support of liberal economists and conservative business groups.

Mr. President, I request that the address by Postmaster General J. Edward Day in Charleston, W. Va., January 29, 1963, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

EXCERPTS FROM AN ADDRESS BY J. EDWARD DAY, POSTMASTER GENERAL, AT THE CHARLESTON CHAMBER OF COMMERCE DINNER IN HONOR OF WEST VIRGINIA LEGISLATORS, CHARLESTON, W. VA., JANUARY 29, 1963

I am happy to have this early opportunity to congratulate West Virginians on the 100th anniversary of your State. We are going to issue a commemorative stamp marking the centennial, on June 20 in Wheeling.

Second, I have enjoyed coming to West Virginia, to Capon Springs, for family weekends. We were there to help my old friend, W. Willard Wirtz, and his family, celebrate his appointment as Secretary of Labor. He has been going there for 20 years.

In addition, as a New Frontiersman, I have a personal and sentimental interest in West Virginia. Two hundred years ago my great-great-great grandfather, John Day, was an old frontiersman right in this area and fought the Indians.

He settled in what is now Pocahontas County and fought in the Revolution, on the frontier.

It was not until 1832 that Congress authorized pensions for Revolutionary War veterans and my ancestor filed for his at age 91.

Sometimes people say that government today is complex and bureaucratic. But, you should see the complicated, lengthy application that old gentleman had to file in 1833. He had to give his whole life history. I have a copy of it which I obtained from the National Archives. Here is a section from his application:

"The Shawnee Indians had * * * killed my brother David Day and taken my mother and two sisters, Sally Day and Martha Day, prisoners, and also took some other property and made for their towns. The first night the Indians camped on a mountain, between Cape Capen River and Cedar Creek, and at that camp killed my mother, Susan Day * * *. And Captain Fry raised 20 men, of which I was one. We followed said Indians, and when we came to the Indian camp aforesaid, there lay my mother dead, and stripped naked, her head skinned; and we lifted her and laid her between two rocks and laid some rocks over her; and we followed on after the Indians, and the second day came in sight of them at their camp. I saw one of my sisters rise up right before the muzzle of my gun between me and the Indian; and I was so alarmed at seeing my sister rise before my gun that I involuntarily hollowed, which so alarmed the Indians that they broke and run, leaving the prisoners, and what they had at the camp, and run with all their might. And we got the prisoners, and what property the Indians left at the camp, and brought all safe to the fort."

The man whom this hotel is named after—Daniel Boone—was an Indian fighter of much greater note than my grandfather. Boone blazed a trail across to Kentucky which was at that time known as the dark and bloody land. After losing his holdings in Kentucky he moved back to West Virginia. In 1791, he was elected to represent Kanawha County in the general assembly.

As more and more people joined the westward migration, the Old Dominion became conscious of the needs of her western inhabitants.

Regular communication with the East was made possible by the creation of post offices at Morgantown and Wheeling in 1794, at Greenbrier Court House and West Liberty by 1797, at Clarksburg in 1798 and at Union at 1800.

A post office was established at Kanawha Courthouse sometime before 1801. (The name of the office was not changed to Charleston until 1879.)

Our ledgers show that Postmaster James A. Lewis, who served from 1822 to 1852, received total remuneration of $147.85 in 1829. Total receipts of the office were about $250 a year.

I am happy to say that the receipts of the Charleston Post Office are now a good deal larger. I am also happy to say—and I am sure Charleston's present Postmaster, Jim Lakin, shares my gratification on this—that his compensation is measurably higher than was Postmaster Lewis'.

The Post Office Department today is the largest service establishment on earth. We have a payroll of $10 million a day—with 587,000 full-time employees in 45,000 locations.

We handle 68 billion pieces of mail a year—over half the world's total. We make use of over 90,000 vehicles. We perform services for 10 other Federal agencies, such as registering 2½ million aliens annually—since we are the only department with employees and locations in every village, town and major neighborhood.

I am proud that the Post Office Department is doing a better and more efficient job in carrying the Nation's mail than ever before. Our productivity is climbing steadily.

America has made significant strides forward in the last 2 years. The last 22 months have seen uninterrupted economic recovery.

The gross national product has risen by 12 percent and inflation has been brought under control. Employment has increased by 1.3 million. Profits, personal income, and living standards have never been higher.

Even so, we are not doing well enough. As President Kennedy said in his state of the Union speech: "We cannot be satisfied to rest here. This is the side of the hill, not the top. The mere absence of recession is not growth. We have made a beginning—but we have only begun."

Our economy is capable of producing $30 to $40 billion more than we are producing today. Business earnings could be $7 to $8 billion higher. Existing plant and equipment is not being fully utilized.

Certainly we cannot be complacent about the continuing high rate of unemployment. It was 5.6 percent in December and has remained above 5 percent for 61 out of the last 62 months.

The major attack on unemployment must be increased demand. Other measures, however, are needed as well. Many able-bodied workers have skills which have become outmoded. Others remain unemployed because they and their families are too far from the places where jobs are opening up. The Manpower Development and Training Act, the Area Redevelopment Act, and the "adjustment" provisions of the Trade Expansion Act passed by the last Congress were aimed at bringing about a better balance between job skills and job requirements. Further measures may be needed if "structural" unemployment is to be reduced to a tolerable level.

Unemployed young people are one of our most serious national problems. We are faced with the prospect of between 7 and 8 million youngsters dropping out of school and coming onto the labor market in this decade. The great success the Peace Corps—which is comprised mainly of young men and women—has achieved overseas has suggested the utility of a similar corps, working in the areas of our own community needs—in slums, in hospitals, in centers for the aged, in schools for the illiterate and handicapped, etc. President Kennedy will ask Congress to enact legislation setting up such a corps this year.

To cure the chronic slackness in our economy, President Kennedy last Thursday sent specific Federal tax cut proposals to the Congress. The last decade has clearly taught us that budget deficits are not caused so much by increases in Government spending as by sluggish economic growth and periodic recessions. Our present Federal tax system, which is largely a legacy from World War II, is unduly burdensome. It siphons out of the private economy too big a share of personal and business purchasing power, and reduces the financial incentives for personal effort, investment and risktaking.

The chronic deficits of recent years have been caused not so much by too little taxes, or by too much spending, as they have been caused by a sluggish economy. It is, as President Kennedy said last month, "a paradoxical truth that tax rates are too high today and tax revenues are too low, and the soundest way to raise revenues, in the long run, is to cut rates now."

Our real aim, in the President's tax proposal, is to help balance the economy. Tax cuts in 1954 were followed by a higher total of Federal tax revenue.

The administration's proposals do not involve a quickie tax cut or a temporary shot in the arm to the economy. They represent a permanent program to expand the incentives and opportunities for greater private expenditures, for fuller use of industrial capacity, and for higher employment.

The President has made clear that this tax proposal is the top priority item on his program at the present time. The general principle of tax reduction has support from liberal economists and it has support from conservative business groups. But in between are many doubters—many men of little faith.

Some of those who oppose the tax cut say, cut Federal expenditures by an equal amount. Let us insist they tell us just where. Do they want to junk the space effort? Do they think we should spend less on defense and give up having a military position second to none? Do they want to hurry along the alarming trend toward bankruptcy for small farmers? Do they want to return to isolationism?

In 1939, 44 percent of our Federal budget went for labor, education, and welfare. Today that figure is only 7 percent. We are today using 79 percent of our Federal budget to pay for past wars and to prepare for and to attempt to prevent future wars.

Let us insist that those who oppose the President's tax proposal tell us their alternative for restoring buoyancy to our economy. Let us find out if they are among the pessimists who are believers in the so-called matured economy theory and if they think there is nothing that can be done or should be done about an unemployment rate persisting above 5 percent for 61 out of the last 62 months.

The early settlers on the Virginia frontier, in what is now West Virginia, faced challenge and struggle. Some turned back. Some were afraid. But most moved ahead and built a great State and a great nation.

Let me mention one statistic which hammers home why we have to grow and move ahead. Today there are about 3½ million students in college in the United States. It is estimated that by 1985—in just 22 years—there will be 12 million students in college. Just to provide the physical plant for this surge of new college entrants will cost nearly $90 billion.

Some throw up their hands at such a figure as this and say: "It can't done," "Where will the money came from?" "We will have to be satisfied with less."

But all those same things could have been said a century ago when this great State was new. In 1870, in the entire United States, only 8,000 students graduated from college. Last year it was over 50 times that many.

We must cast off old slogans, old inertia, and old doubts. We must think brave and think big.

Speaking last year at Yale University, President Kennedy said:

"As every past generation has had to disenthrall itself from an inheritance of truism and stereotype, so in our own time we must move on from the reassuring repetition of stale phrases to a new, difficult, but essential confrontation of reality.

For the great enemy of the truth is very often not the lie—deliberate, contrived, and dishonest—but the myth—persistent, persuasive, and unrealistic. Too often we hold fast to the cliches of our forebears."

The dynamic age in which we live requires vital adjustments to new ideas. The challenges that face us are gigantic—but the opportunities are exciting.

We are a resourceful nation and an energetic people.

We are not afraid of government. We are not afraid to use its powers—at local, State, and Federal levels—to advance the cause of the greatest good for the greatest number.

I am confident we shall boldly meet the challenges of a changing and expanding world, and fill the needs of Americans in the 1960's.

An Anniversary for a Great Organization

EXTENSION OF REMARKS

OF

HON. HARRISON A. WILLIAMS, JR.

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Tuesday, February 5, 1963

Mr. WILLIAMS of New Jersey. Mr. President, the 50th anniversary of the Anti-Defamation League of B'nai B'rith was observed in a memorable way last week. On a television broadcast, President Kennedy and others joined in tribute to this great organization. Those of us who saw the program will remember it as a dramatic, moving occasion which forcefully reminded us of the common quest we have in this Nation for full equality of opportunity and full equality of treatment for all Americans.

To those of us from New Jersey, the evening was made all the more memorable by the fact that a New Jersey native, Dore Schary, was closely associated with the television production. Mr. Schary has always raised his voice in admirable causes; he has fought discrimination and injustice in many ways. His election as national chairman of the Anti-Defamation League on February 3 was a welcome, logical development.

Mr. President, we can be proud of the B'nai B'rith, and we can be grateful for the vigilance its Anti-Defamation League has maintained for the benefit of all citizens. President Kennedy commented briefly on this at the close of the television broadcast. His message was very much to the point. I ask unanimous consent to have it printed in the RECORD, together with a Washington Post story describing the election of Mr. Schary on February 4.

There being no objection, the address and article were ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT AT THE 50TH ANNUAL MEETING ANTIDEFAMATION LEAGUE OF B'NAI B'RITH, SHERATON-PARK HOTEL, WASHINGTON, D.C.

Mr. Schultz, Mr. Vice President, Mr. Schary, members of the Supreme Court, ladies and gentlemen, I am honored to receive this award from an organization which, on its 50th anniversary, should, itself, be receiving an honor for distinguished contribution to the enrichment of America's democratic legacy. Your tireless pursuit of equality of treatment for all Americans has made a lasting and substantial contribution to our democracy.

The men who first shaped the democratic legacy that you honor tonight were filled with a sense of commitment and of wonder at the importance of the events in which they were participating. It was not only as John Adams exulted, that they were to have the unique opportunity to write a new Constitution and form a new Government and begin a new Nation; it was also the deep conviction, as later expressed by Walt Whitman, that here we have planted the standard of freedom, and here we will test the capacities of men for self-government.

America was to be the great experiment, a testing ground for political liberty, a model for democratic government, and although the first task was to mold a nation on these principles here on this continent, we would also lead the fight against its tyranny on all continents. In short, wrote Jefferson to Adams, "The flames kindled on the 4th of July 1776 have spread over too much of the globe to be extinguished by the feeble energies of despotism." Although Jefferson also foresaw that to attain liberty in other parts of the globe, years of desolation must pass over.

Almost two centuries have passed since a small, weak nation, a beachhead on a continent, began the great experiment of democracy in the world where government by the consent—it is almost 11 o'clock where government by consent of the governed was extinguished for 2,000 years. As Jefferson prophesied, there have been many years of desolation and destruction. It seems to me that it is our responsibility in this year of change and hope to prove that we are equal to this great inheritance, to make it possible for the four freedoms which Franklin Roosevelt so eloquently described in another time of peril and danger 20 years ago—to make sure that those four freedoms, indeed the great concept of indivisible freedom, are made available to all of our people, to all of our citizens, and to bear our part of the burden as we have for so many years in making that great concept available to all people.

This is a great inheritance. It is a proud privilege to be a citizen of the great Republic, to hear its songs sung, to realize that we are the descendants of 40 million people, who left other countries, other familiar scenes, to come here to the United States to build a new life, to make a new opportunity for themselves and their children.

I think it is not a burden, but a privilege to have the chance in 1963 to share that great concept which they felt so deeply among all of our people, to make this really, as it was for them, a new world, a new world for us, and, indeed, for all those who look to us.

That is what this organization has stood for for 50 years. That is what this country has stood for for 200 years, and that is what this country will continue to stand for.

Thank you.

PLAYWRIGHT DORE SCHARY IS ELECTED CHAIRMAN OF ANTI-DEFAMATION LEAGUE

(By William Raspberry)

Dore Schary, 58-year-old author of "Sunrise at Campobello," was elected national chairman yesterday of the Anti-Defamation League of B'nai B'rith at the closing session of the League's 5-day, 50th annual meeting at the Sheraton-Park.

Schary, producer as well as playwright, has been active in Anti-Defamation League affairs since 1937, when he helped organize a chapter in Los Angeles to combat Fascist activities.

Now living and writing in New York, Newark-born Schary was one of the first Hollywood figures to take a public political stand when he campaigned for presidential nominee Adlai Stevenson and other Democratic candidates.

While refusing to say he started a trend for taking political positions in the film capital, he acknowledges that he "helped move many Hollywood people away from their splendid comfort and brought them out of political hiding."

"Problems are creeping up all over America—sensitive problems, rightwing groups, extremists," Schary said in an interview. "We must take open and full opposition in any way we can."

He feels that Anti-Defamation League's fight in these areas has been sound and said he plans to broaden these programs.

His participation in political and intergroup problems does not hinder his work, Schary said.

"Anybody who achieves any sort of reputation in any field—business, arts or science—has an obligation to participate in the world around him," he said. "Any creative person finds himself deeply embroiled with the pain of the world we're living in."

Anti-Defamation League's new president admits to an element of enlightened self-interest in this: "What affects James Meredith in Oxford affects me as a Jew. All members of minority groups have to fight for the rights of all the others."

Despite Schary's involvement in the fight against bigotry and injustice, he does not want to see minorities absorbed.

"If we could cure anti-Semitism once and for all by evaporating our individuality," he said, "I'd be against such a cure." He said he would prefer a society in which group differences are accepted without prejudice rather than a society of standardized Americans.

Expenditures and Personnel in the Department of Agriculture

EXTENSION OF REMARKS

OF

HON. CHARLES B. HOEVEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 1963

Mr. HOEVEN. Mr. Speaker, one of the most confusing and complex problems facing a Member of Congress every year is the spending and lending programs of the executive branch of our Government.

While our colleagues who serve on the Committee on Appropriations have both the opportunity and responsibility to grasp the details of these programs, many on legislative committees find a great deal of confusion and conflicting claims to be in existence.

This situation is particularly true in the case of expenditures on agriculture and agricultural resources. The many programs administered by the Department of Agriculture are financed in a variety of methods ranging from the conventional appropriation process and the collection of import duties to Treasury borrowing.

As a result of these different methods used and the necessity for periodic supplemental appropriations, it is often quite difficult to get an accurate picture of the Department's fiscal affairs.

In order for Members of Congress, farmers, and the general public to have a more complete understanding of the fiscal affairs of this great Federal agency, I requested Dr. Walter Wilcox, senior agricultural specialist of the Library of Congress, to compile a set of financial data concerning the Department of Agriculture which I hope will help clarify some of the confusion which exists.

At the outset, let me point out the very basic fact that a great part of the expenditures by the Department of Agriculture are not earmarked for farmers alone. Many programs and expenditures are for the benefit of all our citizens and, in some instances, for the major benefit of nonfarmers. Foreign assistance, conservation, flood control, resource development, meat inspection, research, disease and pest control, school milk and school lunch, and surplus food distribution are examples of programs for the overall benefit of our Nation. In addition, the Department administers a number of loan programs which return almost all of the original outlay.

At this point in the RECORD, I would like to insert copies of my correspondence with Dr. Wilcox along with some explanatory comments:

JANUARY 10, 1963.

Dr. WALTER WILCOX,
Senior Agricultural Specialist, Legislative Reference Service, Library of Congress, Washington, D.C.

DEAR DR. WILCOX: As we move into the 88th Congress, I feel it is important that we have at our disposal an accurate and objective picture of the expenditures by the Federal Government for American agriculture, both in the past and at present. I would therefore appreciate your assistance in compiling some accurate and comparable facts in this area.

In particular, this is what I would like to know:

1. The total expenditures of the U.S. Department of Agriculture (including the U.S. Forest Service) by fiscal years from 1933 through 1963 (estimated) along with the projected expenditures for fiscal 1964 on a basis comparable to the data set forth in the attached table which appeared in this week's issue of the American Farm Bureau Federation Newsletter.

2. The total expenditures by USDA by commodity or program for activities designed to enhance farm income from fiscal year 1933 through fiscal year 1963 (estimated) along with the projected expenditures for fiscal 1964.

3. The total value of the following crops produced in 1962: (a) corn, (b) oats, (c) rye, (d) barley, (e) sorghum, (f) wheat, (g) cotton, (h) rice, (i) peanuts, (j) tobacco, (k) soybeans, (l) dairy products.

4. The number of employees in the U.S. Department of Agriculture on June 30 each year from 1933 to 1963 (estimated).

5. The total Federal debt by fiscal years from fiscal 1933 to fiscal 1964 (estimated) along with the budgetary surplus or deficit incurred in each of those years.

If you have any other information on this general subject which you believe is pertinent, I would appreciate having it, too.

I enjoyed very much seeing you at Ames last month.

With best wishes for a happy new year, I am

Sincerely yours,
CHARLES B. HOEVEN,
Member of Congress,
6th District of Iowa.

TABLE 1.—*USDA appropriations (fiscal year)*

[Millions of dollars]

Item	1960	1961	1962	1963
Special milk program	66.7	74.7	90.0	[1] 200.0
School lunch	110.0	155.0	170.0	170.0
Acreage allotments and marketing quotas	40.5	43.6	44.0	[2] 95.4
Sugar Act program	71.5	74.5	78.0	[2] 77.7
Public Law 480, titles I and II	1,072.5	988.1	[3] 3,013.0	1,330.6
Wheat	63.9	32.6	[2] 159.5	81.2
Barter	129.0	423.0	[3] 288.2	125.0
Surplus commodities (sec. 32)	251.4	320.0	325.9	324.0
Wool	50.1	67.2	75.3	65.0
Feed grain administrative costs			18.5	(5)
Conservation reserve	335.0	330.0	312.0	[7] 300.0
ACP	241.5	242.0	238.0	[2] 212.9
CCC losses	2,043.7	1,151.8	1,017.6	[4] 2,278.5
Total [5] (support programs)	4,475.9	3,902.4	5,820.0	5,260.3
General activities and loan authorization	958.0	823.6	1,292.1	1,436.4
Total [6]	5,433.8	4,726.1	7,122.1	6,696.7

[1] Includes reimbursement of $95,000,000 to CCC and appropriation of $105,000,000 to put program on pay-as-you-go basis for current year.

[2] Established as a consolidated appropriation item under the head "Expenses, Agricultural Stabilization and Conservation Service," for items formerly appropriated for within the items of "Acreage Allotments and Quotas" through "Special Agricultural Conservation and Adjustment Programs" for administrative expense costs.

[3] Congress appropriated funds to reimburse CCC expenditures and to put program on a pay-as-you-go basis.

[4] This budget item covers the following types of programs: (1) Price support; (2) commodity export; (3) storage facilities; (4) supply and foreign purchase; (6) feed grain, special program; (6) wheat stabilization program; and (7) special activities. This amount includes $2,066,955,000 for net realized losses, on price support activities in 1961, plus $211,500,000 to reimburse a part of realized losses due to revaluation of inventory to reflect acquisition value. The sum of $211,500,000 is included in the 1963 appropriation to restore to CCC's operating funds over a six-year period the $1,069 million involved in the inventory adjustment. The procedure adjusts the book value of commodity inventories to remove costs incurred for storage, handling, and transportation of such inventories.

[5] Special feed grain and wheat programs costs are included in CCC and export program financing.

[6] Excludes Forest Service.

Dr. Wilcox replied to my original letter as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., January 18, 1963.

To: Hon. CHARLES B. HOEVEN.
From: Walter W. Wilcox, senior specialist in agriculture.
Subject: Letter of January 10 requesting statistical information on the Department of Agriculture.

The attached table includes statistical information in response to items 4 and 5 in your letter of January 10, 1963.

Budget officers in the Department of Agriculture inform me that it may take perhaps another 2 weeks to prepare the basic data requested under items 1 and 2, unless the request is put on a time urgency basis. If you need the information at an earlier date, let me know, and I will try to meet your deadline.

TABLE 2.—*U.S. public debt, budget surplus or deficit, and number of employees in the Department of Agriculture, 1933 to 1964 (estimated)*

Fiscal year	Public debt at end of fiscal year [1]	Budget surplus or deficit at end of fiscal year [1]	Number of employees in the Department of Agriculture at end of fiscal year [2]
	Billions	*Billions*	
1933	$22.5	−$2.6	[3] 33,233
1934	27.0	−3.6	[3] 54,208
1935	28.7	−2.8	[3] 85,114
1936	33.8	−4.4	[3] 82,302
1937	36.4	−2.8	[3] 80,125
1938	37.2	−1.2	[3] 84,031
1939	40.4	−3.9	[3] 86,250
1940	43.0	−3.9	[3] 81,886
1941	49.0	−6.2	[4] 90,169
1942	72.4	−21.5	[4] 91,141
1943	136.7	−57.4	[4] 104,510
1944	201.0	−51.4	77,720
1945	258.7	−53.9	81,984
1946	269.4	−20.7	96,590
1947	258.3	+.8	87,483
1948	252.3	+8.4	82,134
1949	252.8	−1.2	86,247
1950	257.4	−3.1	84,097
1951	255.2	+3.5	81,350
1952	259.1	−4.0	78,559
1953	266.0	−9.4	78,404
1954	271.3	−3.1	76,276
1955	274.4	−4.2	85,503
1956	272.8	+1.6	89,398
1957	270.5	+1.6	95,998
1958	276.3	−2.8	101,139
1959	284.7	−12.4	97,220
1960	286.3	+1.2	98,694
1961	289.0	−3.9	102,557
1962	[5] 298.2	[5] −6.4	[5] 110,511
1963 [6]	[5] 303.5	[5] −8.8	[5] 116,268
1964 [6]	[5] 315.6	[5] −11.9	[5] 121,583

[1] U.S. Bureau of the Budget. "The Budget in Brief, Fiscal Year Ending June 30, 1963." Washington, January 1962, p. 63.

[2] U.S. Bureau of the Census. "Statistical Abstracts of the United States, 1938–62."

[3] Employment figures for December.

[4] U.S. Department of Agriculture.

[5] U.S. Budget, 1964. Washington, 1963, p. 422.

[6] Estimated.

I then replied to Dr. Wilcox as follows:

JANUARY 21, 1963.

Dr. WALTER W. WILCOX,
Senior Specialist in Agriculture, Legislative Reference Service, Library of Congress, Washington, D.C.

DEAR DR. WILCOX: Thank you for your memorandum of January 18 in response to my request for statistical information concerning the Department of Agriculture. I very much appreciate your assistance in this matter.

Your memorandum indicates that the additional information requested will be furnished in several weeks. However, since other members of the Committee on Agriculture have asked me to obtain this data in their behalf also, and since we need it urgently at this time, I would be pleased if you could ask the Department to try to get it by the end of this week.

With all good wishes, I am

Sincerely yours,
CHARLES B. HOEVEN,
Member of Congress, Sixth District of Iowa.

Dr. Wilcox then replied as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., January 25, 1963.

To: Hon. CHARLES B. HOEVEN,
From: Walter W. Wilcox, senior specialist in agriculture.
Subject: cost of farm programs.

Attached are tables showing the realized cost of programs primarily for stabilization of farm prices and income for 12 major farm commodities, 1932 to 1961. The Department of Agriculture has not worked up similar data for fiscal 1962, and it is not possible to make reliable estimates for the fiscal years 1962, 1963, and 1964.

Also attached are the values of selected crops in 1962.

On receiving your letter of January 21, I asked the Office of Budget and Finance to try and have the other data you requested available by the end of this week. They agreed to do their best and thought it would be possible. I will forward the USDA expenditure data to you as soon as it is available.

TABLE 3.—*Appropriations and REA and FHA loan authorizations, fiscal years 1933 through 1964*

[Figures in parentheses ( ) not included in totals. Adjusted for comparability with the appropriation structure in 1961]

[In millions]

	1933	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943
Agricultural Research Service	$33.8	$32.0	$28.9	$33.0	$57.0	$52.7	$56.4	$53.7	$50.9	$46.1	$48.2
Extension Service	10.3	10.2	9.5	17.5	17.9	18.3	18.8	19.4	19.3	19.7	19.8
Farmer Cooperative Service	.4	.4	.4	.4	.4	.4	.4	.4	.4	.4	.4
Soil Conservation Service	.4	.4	.3	6.0	21.3	21.2	27.1	23.0	20.1	26.8	22.6
Agricultural Marketing Service:											
School lunch program								(12.4)	(15.3)	(23.1)	(15.3)
Removal of surplus agricultural commodities (sec 32)				92.1	109.1	125.1	144.0	205.5	235.5	222.5	175.3
Other	6.8	6.2	5.4	5.7	6.6	6.6	7.3	7.8	8.1	8.3	9.0
Foreign Agricultural Service	.2	.2	.2	.2	.2	.2	.2	.2	.2	.2	.3
Commodity Exchange Authority	.2	.2	.2	.2	.3	.5	.6	.6	.6	.6	.5
Agricultural Stabilization and Conservation Service:											
Acreage allotments and marketing quotas											
Sugar Act program						40.0	54.4	47.9	47.9	47.8	47.4
Agricultural conservation program					469.0	429.1	494.8	555.4	461.4	494.7	444.6
Parity payments							212.0	225.0	211.7	211.7	5.4
Federal Crop Insurance Corporation							25.4	5.8	25.4	8.4	8.4
Rural Electrification Administration, including loan authorizations			15.4		50.8	31.3	142.1	42.4	103.1	103.7	13.0
Farmers Home Adminstration, including loan authorizations	0.5	40.0		2.0	53.0	12.9	260.1	249.5	281.2	279.9	207.1
Office of the General Counsel	.3	.2	0.4	.5	.9	1.2	1.9	2.0	2.1	2.3	1.9
Office of Information	.9	.7	.6	.7	.8	.8	.8	.9	.9	1.3	1.1
National Agricultural Library	.2	.3	.2	.3	.3	.3	.4	.4	.4	.5	.5
General administration	.7	.7	.6	.7	1.1	1.1	1.4	1.5	1.7	2.0	1.9
Forest Service	18.2	13.5	12.5	17.7	24.1	37.0	46.5	35.6	30.6	37.5	33.6
Commodity Credit Corporation:											
Restoration of capital impairment						94.3		119.6		1.6	
Special activities financed from CCC funds											
Corporate administrative expense limitation						(0.5)	(0.7)	(2.0)	(2.3)	(3.5)	(4.4)
Other funds	100.0	428.6	791.5	470.9			1.8			47.4	45.6
Deduct amounts included in above figures transferred for Pay Act costs											
Total, Department of Agriculture	173.0	533.4	865.9	647.9	812.7	873.0	1,496.3	1,596.7	1,501.6	1,563.6	1,086.4

[In millions]

	1944	1945	1946	1947	1948	1949	1950	1951	1952	1953	1954
Agricultural Research Service	$45.9	$52.0	$52.7	$58.7	$60.2	$75.6	$80.0	$77.0	$88.8	$79.2	$80.0
Extension Service	19.8	19.9	24.4	28.4	28.8	32.2	33.5	33.5	33.5	33.6	35.3
Farmer Cooperative Service	.4	.4	.4	.5	.5	.5	.5	.6	.4	.4	.4
Soil Conservation Service	22.8	28.6	34.6	46.7	41.7	53.6	62.1	59.1	69.3	66.6	71.9
Agricultural Marketing Service:											
School lunch program	(50.0)	(57.5)	(57.5)	81.0	70.0	75.0	83.5	83.5	83.4	83.4	83.2
Removal of surplus agricultural commodities (sec. 32)	97.1	119.3	114.3	116.2	84.0	57.9	125.6	111.2	158.9	181.0	172.4
Other	9.6	10.0	10.2	14.1	15.3	18.4	19.5	19.9	19.7	20.0	22.4
Foreign Agricultural Service	.5	.5	.6	.7	.6	.7	.8	.8	.7	.8	2.4
Commodity Exchange Authority	.4	.4	.3	.5	.5	.6	.6	.7	.7	.7	.7
Agricultural Stabilization and Conservation Service:											
Acreage allotments and marketing quotas				1.9	5.1	14.9	30.1	23.0	10.0	10.0	43.3
Sugar Act program	63.9	52.5	48.4	53.5	55.0	72.0	60.0	63.8	70.0	65.0	59.6
Agricultural conservation program	400.1	302.6	355.8	312.5	223.1	145.0	257.0	256.5	291.0	251.7	227.0
Parity payments	170.3										
Federal Crop Insurance Corporation	3.5	33.4	8.3	27.3	15.0	4.5	5.1	7.1	7.9	8.5	7.5
Rural Electrification Administration, including loan authorizations	22.6	28.3	304.7	255.6	405.0	406.0	502.1	305.3	133.5	100.8	248.1
Farmers Home Administration, including loan authorizations	180.8	155.5	192.5	179.5	104.8	115.2	156.2	176.1	212.4	193.3	338.7
Office of the General Counsel	1.9	2.0	2.1	2.6	2.2	2.3	2.6	2.7	2.6	2.5	2.6
Office of Information	1.0	.8	.7	1.0	1.1	1.2	1.3	1.4	1.3	1.3	1.3
National Agricultural Library	.5	.6	.5	.6	.7	.7	.7	.6	.6	.6	.6
General administration	2.2	1.8	1.8	2.2	2.3	2.3	2.3	2.3	2.3	2.4	2.3
Forest Service	40.8	44.3	52.5	72.4	73.9	73.5	80.9	84.3	98.7	104.3	108.0
Commodity Credit Corporation:											
Restoration of capital impairment		256.8		1,563.3				66.7	421.5	109.4	96.2
Special activities financed from CCC funds				10.8	30.5	34.0			109.5	193.4	178.8
Corporate administrative expense limitation	(5.4)	(7.2)	(8.9)	(8.8)	(8.5)	(10.8)	(15.4)	(19.1)	(16.5)	(16.5)	(20.0)
Other funds	69.2	57.3	44.2	24.4	4.4				1.5	2.0	
Deduct amounts included in above figures transferred for pay Act costs				−15.6		−2.2	−.2				
Total, Department of Agriculture	1,153.4	1,166.9	1,249.2	2,839.1	1,224.5	1,183.5	1,503.8	1,375.9	1,817.8	1,510.4	1,782.3

[In millions]

	1955	1956	1957	1958	1959	1960	1961	1962	1963 [1]	Budget estimates, 1964
Agricultural Research Service	$70.1	$76.5	$112.8	$104.7	$141.0	$146.6	$171.3	$165.3	$179.1	$186.7
Cooperative State Experiment Station Service	19.6	25.0	30.0	30.9	32.1	32.1	33.2	36.2	38.2	40.4
Extension Service	43.6	49.1	54.1	60.3	63.9	64.1	67.4	70.8	75.8	77.3
Farmer Cooperative Service	.7	.8	.9	1.0	1.0	1.0	1.1	1.1	1.2	1.3
Soil Conservation Service	75.1	84.9	97.2	124.1	134.7	133.2	155.2	178.6	193.3	210.0
Economic Research Service	4.7	5.9	7.3	7.8	8.2	8.1	8.7	9.1	9.5	10.3
Statistical Reporting Service	4.7	5.1	5.5	6.2	6.6	6.6	8.1	8.8	10.0	11.6
Agricultural Marketing Service:										
School lunch program	83.2	83.2	100.0	100.0	110.0	110.0	110.0	125.0	125.0	137.0
Special milk program									105.0	102.0
Removal of surplus agricultural commodities (sec. 32)	180.1	166.8	200.0	220.9	235.9	251.4	320.0	325.8	318.1	361.5
Other	16.0	16.7	18.2	22.7	29.8	33.5	35.8	41.1	43.1	46.8
Foreign Agricultural Service	2.2	14.3	7.2	10.6	9.1	8.7	17.5	15.9	21.1	19.0
Commodity Exchange Authority	.7	.8	.8	.9	.9	.9	1.0	1.0	1.1	1.1

See footnotes at end of table.

TABLE 3.—*Appropriations and REA and FHA loan authorizations, fiscal years 1933 through 1964*—Continued

[In millions]

	1955	1956	1957	1958	1959	1960	1961	1962	1963 [1]	Budget estimates, 1964
Agricultural Stabilization and Conservation Service:										
Expenses, Agricultural Stabilization and Conservation Service	$65.0	$63.6	$67.1	$118.0	$104.2	$88.1	$87.6	$105.1	$95.4	$114.9
Sugar Act program	58.1	58.0	65.8	65.5	73.8	69.2	72.0	75.8	77.7	80.0
Agricultural conservation program	169.2	191.5	203.2	187.3	209.8	214.7	212.9	209.0	212.9	220.0
Conservation reserve program	----------	----------	----------	147.3	183.8	316.6	317.6	300.7	300.0	204.0
Acreage reserve program	----------	----------	----------	565.6	590.6	----------	----------	----------	----------	----------
Land use adjustment	----------	----------	----------	----------	----------	----------	----------	----------	----------	27.0
Emergency conservation measures	----------	----------	4.0	20.0	----------	----------	----------	5.0	----------	----------
Other	----------	.2	2.0	29.7	24.5	50.1	67.2	75.3	69.2	69.0
Federal Crop Insurance Corporation	6.0	6.2	19.2	6.4	6.4	6.4	6.6	6.5	6.8	7.2
FCIC fund (operating expenses payable from premium income)	----------	(1.5)	(2.0)	(2.0)	(2.3)	(2.3)	(2.6)	(2.8)	(3.3)	(3.5)
Rural Electrification Administration, including loan authorizations	252.4	243.1	522.6	248.1	419.1	249.6	320.0	417.5	490.5	506.3
Farmers Home Administration, including loan authorizations	176.9	199.3	713.3	239.7	252.7	256.7	500.0	380.4	375.7	406.7
Office of Rural Areas Development	----------	----------	----------	----------	----------	----------	----------	----------	.1	.1
Office of the General Counsel	2.4	2.7	2.8	3.0	3.2	3.2	3.6	3.6	3.9	4.0
Office of Information	1.2	1.3	1.3	1.4	1.4	1.4	1.5	1.6	1.7	1.7
Centennial observance of agriculture	----------	----------	----------	----------	----------	----------	----------	.1	----------	----------
National Agricultural Library	.6	.6	.7	.7	.8	.8	1.0	1.0	1.2	2.2
General administration	2.3	2.5	2.5	2.8	2.9	2.9	3.1	3.1	3.4	4.0
Forest Service	112.8	130.4	153.0	168.2	181.6	208.4	317.9	286.8	274.7	310.3
Commodity Credit Corporation:										
Price support, supply, and related activities	550.2	1.6	906.9	1,194.2	1,703.4	2,043.7	1,151.8	936.4	2,278.5	2,790.4
Special milk program	----------	----------	22.4	45.6	57.0	66.7	74.7	171.2	95.0	
Special activities financed from CCC funds	2.1	117.3	13.2	605.0	19.4	1.1	----------	----------	----------	----------
Limitation on administrative expenses	(25.3)	(30.8)	(33.0)	(35.4)	(39.6)	(42.4)	(45.7)	(47.9)	(43.2)	(43.9)
Foreign assistance programs	129.6	66.9	257.2	2,550.0	1,315.8	1,265.4	1,443.6	3,460.6	1,576.9	2,429.8
Deduct amounts included in above figures transferred for Pay Act and other costs	−2.8	−1.0	−4.0	−9.9	−28.9	----------	----------	----------	−8.0	----------
Total, Department of Agriculture	2,026.5	1,613.3	3,587.0	6,878.5	5,894.5	5,641.2	5,510.1	7,418.5	6,975.8	8,481.7

[1] Includes anticipated supplementals and transfers for Pay Act and postal costs.

Source: Office of Budget and Finance, U.S. Department of Agriculture.

NOTE.—Figures may not add to totals shown due to rounding.

TABLE 4.—*Realized cost of programs primarily for stabilization of farm prices and income, major commodities, fiscal years 1932–61*

["Realized cost" means the net cost incurred to date; it does not include anticipated gains or losses from stocks in inventory. Costs reflect the realized losses of the Commodity Credit Corporation, value of commodities shipped to foreign countries under Public Law 480 less proceeds from sales of foreign currencies, and sec. 32 programs.]

[In millions of dollars]

Fiscal year	Total feed grains	Cotton and cottonseed	Wheat	Rice	Tobacco	Peanuts	Dairy products	Potatoes	Rye	Flax, flaxseed, and linseed oil	Dry edible beans	Wool
1932–39	292.0	790.3	346.5	19.9	33.2	6.0	45.6	11.2	----------	2.1	4.8	12.3
1940	160.7	264.1	171.7	6.4	7.2	1.3	17.8	5.8	----------	----------	1.6	----------
1941	148.9	264.1	121.8	3.3	14.4	8.3	14.8	16.4	----------	.1	6.9	----------
1942	144.2	121.8	124.9	3.3	16.5	1.1	29.4	15.0	----------	----------	7.8	----------
1943	195.7	60.1	124.4	.5	10.2	.7	10.4	34.5	.1	----------	3.3	----------
1944	129.1	47.2	163.6	.6	4.2	[1] .2	3.7	8.5	[1] .3	----------	.2	.6
1945	8.2	[1] 19.7	16.1	----------	[1] .2	[1] .4	----------	13.2	.1	----------	.7	1.1
1946	[1] 7.7	[1] 29.0	3.0	----------	[1] .4	----------	----------	16.9	.1	22.5	.1	14.2
1947	[1] .4	6.9	[1] .9	----------	1.0	[1] .7	----------	88.8	----------	----------	----------	33.4
1948	----------	2.8	[1] .2	----------	6.2	5.2	[1] .4	67.5	----------	.2	.1	19.5
1949	4.4	4.7	8.4	----------	----------	36.2	1.7	214.5	----------	3.1	.1	12.6
1950	35.8	6.6	114.4	1.6	[1] .4	47.4	27.0	77.6	.2	4.4	1.0	10.8
1951	35.1	[1] 27.5	201.6	.1	1.2	17.6	46.0	58.7	----------	58.6	11.7	[1] .1
1952	1.7	[1] 3.2	174.6	[1] .1	2.3	10.6	5.3	.1	----------	4.7	15.4	.1
1953	22.0	[1] 6.7	148.7	.3	2.2	4.8	25.7	.1	----------	1.4	6.8	----------
1954	102.3	48.3	193.3	[1] .6	.5	25.1	172.0	2.1	.1	51.3	8.3	.5
1955	125.8	92.7	400.6	[1] 10.4	5.1	3.5	133.1	.5	2.8	22.8	13.6	.7
1956	246.1	158.3	499.4	38.5	5.0	10.5	166.6	5.0	7.6	7.7	10.6	7.3
1957	455.2	648.7	766.9	117.5	13.8	18.7	109.6	4.1	5.4	2.5	9.9	66.7
1958	511.6	574.2	693.1	60.0	34.5	12.8	172.4	2.6	3.2	15.5	.8	58.0
1959	620.4	396.7	511.4	43.8	32.4	19.5	134.7	7.3	7.4	1.4	1.7	16.1
1960	267.3	507.6	537.5	50.8	7.8	17.4	78.2	.1	2.5	1.2	.3	85.2
1961	1,481.6	463.8	1,350.6	50.1	4.7	33.7	180.9	1.0	5.0	.2	1.9	53.9
Total	4,980.0	4,372.8	6,671.4	385.6	201.4	279.1	1,374.5	651.5	34.2	199.7	107.6	392.9

[1] Represents income or minus expenditures.

Source: USDA Office of Budget and Finance Appendix Tables, December 1959 and later unpublished data.

TABLE 5.—*Value of production of selected farm commodities, 1962* [1]

[In millions]

Corn for grain	$3,923
Oats	640
Barley	395
Sorghum grain	506
Rye	40
Wheat	2,205
Rice	323
Cotton	2,383
Tobacco	1,352
Peanuts	200
Soybeans	1,563
Dairy products	4,870

[1] Preliminary.

Source: U.S. Department of Agriculture, January 1963.

In regard to the table showing total USDA spending, you will note that the Office of Budget and Finance of the Department has compiled a detailed statement of USDA spending and lending for 30 years.

In regard to the table on realized costs by commodities, a word of explanation is in order. As reflected in the table, the realized cost does not include anticipated gains or losses from stocks in inventory. It also reflects the value of Public Law 480 shipments which in many instances are grants on loans of foreign currency. It should also be noted that this chart goes only through fiscal year 1961.

Later, my office contacted Dr. Wilcox in regard to obtaining the 1962, 1963, and estimated 1964 figures, and he replied as follows:

From: Legislative Reference Service.
To: Hon. CHARLES HOEVEN.

The attached costs for price supports for fiscal years 1961 and 1962 are based upon unpublished USDA data as indicated in the headings, which are not completely comparable with the realized cost data for earlier years furnished you under date of January 25.

WALTER W. WILCOX.

TABLE 6.—*Farm price support costs and value of marketings, specified commodities, fiscal years 1961–62*

Commodity	Value of marketings, 1961–62 average	CCC realized losses (excluding Public Law 480 costs) and sec. 32 removals, 1961–62 average		CCC realized losses (including Public Law 480 costs) and sec. 32 removals, 1961–62 average	
	Million dollars	*Million dollars*	*Percent of value of marketings*	*Million dollars*	*Percent of value of marketings*
Feed grains	[1] 5,439	1,175.0	21.6	1,277.0	23.5
Cotton	2,509	260.0	10.4	438.0	17.5
Peanuts	180	25.0	13.8	25.0	13.8
Rice	255	47.0	18.5	106.0	41.5
Tobacco	1,234	6.0	.5	20.0	1.7
Wheat	2,185	343.0	15.7	1,058.0	48.4
Dairy products	4,824	[2] 384.0	8.0	[2] 402.0	8.3
Wool	110	58.0	52.9	58.0	52.9
Rye	22	2.0	8.8	2.0	8.8
Tung oil	6	.5	7.8	.5	7.8
Dry edible beans	135	11.0	8.5	13.0	9.3
Soybeans and vegetable oil	1,339	27.0	2.0	92.0	6.9

[1] Value of feed grain crops produced.

[2] Includes costs of special school milk program.

Source: Computed from U.S. Department of Agriculture data.

As Dr. Wilcox pointed out, these figures in table 6 are not completely comparable with the realized cost data for earlier years appearing in table 4.

Since the Department states it is not possible at the present time to make reliable estimates for fiscal years 1962, 1963, and 1964, I trust that the Committee on Appropriations will be able to determine these costs in their hearings on the appropriations bill for agriculture this session.

Part 6: Let's Keep the Record Straight—A Selected Chronology of Cuba and Castro—October 22–29, 1962

EXTENSION OF REMARKS

OF

HON. DON L. SHORT

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 1963

Mr. SHORT. Mr. Speaker, this sixth portion of my continued chronology on Cuba and Castro begins with the action by President Kennedy in imposing a sea and air "quarantine" on the shipment of military equipment to Cuba—of which the public was informed on the evening of October 21, 1962, during a nationwide TV broadcast.

It had been apparent for several days to most people in political and government circles, as well as the press, that something unusual was afoot. The return of President Kennedy from his very active speaking tour on behalf of Democrat candidates for House and Senate seats was more or less a tipoff to many that something out of the ordinary was happening.

I believe it is safe to say that the American public, although understandably on edge, gave an almost collective sigh of relief after the broadcast was over. Although many felt the action taken should have been stronger, most were glad at least that it was not weaker. The public, almost to a man, expressed their complete support of the action taken by President Kennedy in finally drawing a definite line of demarcation on what the U.S. Government would tolerate as far as Cuba and the Soviets were concerned. The public had for a long long while been frustrated and uneasy about efforts which had been made for almost a generation to keep a steady footing and clear head in dealing with the Soviets. The harassment and humiliating thrusts from Castro in Cuba had been almost more than they could take—therefore the action taken by the President amounted at least to an assertion of our national pride—and a natural concern over the safety and welfare of our citizens and the security of our way of life. All seemed relieved that the President had, at long last, "dropped the other shoe." It appeared that this had the effect of welding together formerly warring factions, and we seemed to be joined in a common purpose—to protect our Nation.

This same electric impulse somehow touched many foreign nations who shared our love of freedom, but who had obviously doubted for some time our will to fight for it. One by one, many who previously had engaged in sniping at the United States—accusing us of being too soft—too hard—too vacillating—or too concerned about the whole subject of communism—Latin American countries and NATO allies alike—all lined up behind the United States and expressed approval and support. Although some had to be convinced by photographic proof that a threat really existed in Cuba—such as Great Britain—it did not take too long for the British as well as Mexico and several of the Latin and Central American countries to realize that this threat indeed existed and could swing in many directions—and that whether they liked it or not, their national fortunes were also involved to one degree or another.

The Soviets were, of course, shocked and unbelieving. They accused us of hysteria. Somehow they had formed the opinion that we would not, as a nation, "fight when the chips were down." They seemed to have forgotten or overlooked the fact that many times in the past we had successfully held the line against Soviet advances or threats—such as during the Berlin blockade-airlift, our resumption of nuclear testing after the U.S.S.R. had broken their moratorium, Korea, the Chinese Nationalist Government in Formosa, and so forth. The significance of these stands taken by the United States had somehow been overlooked by the Soviets and they had formed an unflattering opinion of what they termed our "softness" as a nation.

The following chronology of events will refresh our minds on the variety of charges, countercharges, threats and counterthreats, which took place but through it all, I do not believe the spirit of unity of the American public ever really wavered. They had wanted firm action by the President and others concerned with our national and foreign policy—and were overjoyed that this had taken place. The comment was often heard that if President Kennedy had been running for reelection in the fall campaign, he would win "hands down" against any candidate—and I am fairly sure this was true.

I would like to point out here, however, that if the American public showed their pride in President Kennedy because of his action, the President had even more reason to be proud of the American public. For he had, whether intentionally or not, created an atmosphere not only in foreign countries but in his own as well which can best be described by a paragraph taken from the Globe and Mail, Canada's leading conservative newspaper, in an editorial entitled "Mr. Kennedy's Arrogance," and printed on December 31, 1962:

> Mr. Kennedy's high-handed attitudes and ruthless methods attracted a great deal of unfavorable comment in the United States and abroad during his campaign for the Presidency. His record in the White House has not been reassuring; often he seems to confuse willfulness with toughness, and bullying with strength.

The chronology follows:

A SELECTED CHRONOLOGY ON CUBA AND CASTRO—PART 6

October 22, 1962: In a speech of extraordinary gravity, President Kennedy imposed a sea and air "quarantine" last night on the shipment of military equipment to Cuba. Broadcasting to the American people and listeners abroad, he said the Soviet Union was building offensive missile and bomber bases in Cuba. He said the bases could fire medium-range nuclear missiles 2,000 miles. Calling on Premier Khrushchev to withdraw the missiles, he said any launching against a Western Hemisphere nation would be met by retaliation against the Soviet Union. He made clear that Washington would not stop short of military action to end the provocative threat.

American warships and planes quickly put the quarantine into effect and a worldwide alert went out to U.S. forces. Destroyers, submarines, and other units put to sea all along the eastern seaboard to join a large Caribbean fleet, which included 40 ships and 6,000 marines diverted from maneuvers.

After nearly a generation of trying to avoid a direct United States-Soviet confrontation, the United States drew the line—not with Cuba but with the Russians. Mr. Kennedy's order bore out his decision to oust Soviet missiles from his hemisphere at the risk of war. American ships have orders to attack blockade runners that resist.

Havana radio said Cuba's armed forces were alerted after Mr. Kennedy's speech.

London sources said Britain would approve the quarantine. Canada closed some of its airbases to Soviet planes bound for Cuba.

Moscow radio charges hysteria in Washington. (Foreign Affairs Division, Oct. 22, 1962.)

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE.

A SELECTED CHRONOLOGY ON CUBA, OCTOBER 23–25, 1962

October 23, 1962: Soviet Government statement (handed to the U.S. Ambassador in Moscow) warns the United States that its quarantine raises the threat of thermonuclear world war. It says that the Soviet Union has "repeatedly declared that not a single Soviet nuclear bomb would fall either on the United States or on any other country unless an aggression is committed. * * * But if the aggressors touch off a war, the Soviet Union would strike a most powerful retaliatory blow." The statement insists that the weapons provided to Cuba by the Soviet Union were "aimed solely at enhancing Cuba's defense potential." It adds: "The United States demands that military equipment Cuba needs for self-defense should be removed from Cuban territory, a demand which, naturally, no state which values its independence can meet."

The U.S. blockade against ships delivering offensive weapons to Cuba goes into effect. U.S. Secretary of Defense McNamara announces that 25 Soviet merchant ships have been spotted on the way to Cuba, and that the first U.S. Navy contact with these ships will be in 24 hours.

Premier Fidel Castro (in a televised speech) describes the U.S. blockade of Cuba as an act of piracy. He says that Cuba will "never" accept the U.S. plan for a U.N. investigating committee to check on Soviet missile bases in Cuba.

The United States introduces a resolution in the U.N. Security Council calling for the removal of Soviet missiles from Cuba.

The Council of the Organization of American States (after granting itself emergency powers as a ministerial-level organ of consultation under provisions of the 1947 Rio Treaty) formally authorizes (by a vote of 19 to 0, with 1 abstention) "the use of armed forces" to carry out the quarantine of Cuba. (Uruguay—which abstains on a technicality due to a delay in instructions from the Montevideo Government adds its affirmative vote.) "[In] the greatest display of Western Hemisphere solidarity since the days of World War II—Latin America acted swiftly to join the United States in recommending all necessary measures to halt the flow of offensive weapons to Cuba from the Soviet bloc."

The British Government expresses "deep concern at the provocative action of the Soviet Union in placing offensive nuclear weapons in Cuba," and declares its support of the U.S. position. "NATO lined up solidly behind the United States. The 14 other members of the NATO Permament Council at Paris took under urgent consideration the question of a military alert for their forces."

October 24, 1962: U.S. Defense Department announces that some Soviet-bloc ships headed for Cuba appear to have changed their course, while others are still proceeding.

U.N. Secretary General U Thant sends urgent appeals to President Kennedy and Premier Khrushchev asking them to suspend, respectively, the blockade and the shipment of arms to Cuba, for a period of 2 or 3 weeks which would allow for negotiations.

In answer to a telegram from the British philosopher and pacifist, Bertrand Russell, who had appealed to Soviet Premier Khrushchev "not to be provoked by the unjustifiable action of the United States in Cuba," Khrushchev (in his reply) calls on the United States to "display reserve and stay the threat of execution of its piratical threats which are fraught with most serious consequences," and he suggests a summit meeting "in order to discuss all the problems which have arisen, to do everything to remove the danger of unleashing a thermonuclear war."

October 25, 1962:

U.S. Navy intercepts the first Soviet ship (an oil tanker) to penetrate the blockade, and allows it to continue on its way to Cuba after it is determined that it carries no offensive arms.

Soviet Premier Khrushchev accepts U.N. Secretary General U Thant's proposal of October 24 for a suspension of the U.S. blockade and Soviet shipments of arms, and for talks leading to a negotiated solution of the Cuban crisis. President Kennedy (in his reply to U Thant) says that "the existing threat was created by the secret introduction of offensive weapons into Cuba, and the answer lies in the removal of these weapons." He says that the United States is willing to engage in "preliminary talks" with the U.N. to see whether a satisfactory basis can be found for negotiations on the Cuban crisis.

In the U.N. Security Council, U.S. Delegate Adlai Stevenson displays photographic evidence of Soviet missile bases in Cuba, after Soviet delegate Valerian A. Zorin insists that the U.S. assertion is based on false evidence.

Stevenson-Zorin exchange in the U.N. Security Council, October 25, 1962:

Stevenson: "Let me ask you one simple question: Do you deny that the U.S.S.R. has placed and is placing medium- and intermediate-range missiles in Cuba? Yes or no? Do not wait for the translation. Yes or no?"

Zorin: "I am not in an American courtroom, and, therefore, I do not wish to answer a question that is put to me in the fashion of a prosecutor. In due course you will have your reply."

Stevenson: "You are in the courtroom of world opinion right now, and you can answer 'Yes' or 'No.' You have denied that they exist, and I want to know whether I have understood you correctly."

Zorin: "Will you please continue your statement? You will have your answer in due course."

Stevenson: "I am prepared to wait for my answer until hell freezes over, if that is your decision. I am also prepared to present the evidence in this room."

Canadian Government endorses the U.S. position in the Cuban crisis. Prime Minister Diefenbaker says (in the Canadian House of Commons) that the Soviet offensive weapons in Cuba are a direct and immediate menace to Canada and a serious menace to the deterrent and strategic strength of the whole Western alliance on which our security is founded.

British Prime Minister Macmillan (in a speech to the House of Commons on the Cuban crisis) does not specifically endorse the U.S. blockade, but says that the measures taken by President Kennedy are not extreme, since they are designed to meet a situation without precedent. He expresses the hope that a peaceful solution to the crisis will soon be found which will make it possible to move to a wider field of negotiation. However, he adds: "I think what has happened in the last few weeks must confirm our view that in these grave matters we cannot rest upon mere words and promises. These need, if they are to restore confidence, to be independently verified and confirmed."

October 26, 1962: In answer to a new appeal from United Nations Secretary General U Thant, Soviet Premier Khrushchev agrees to keep Soviet ships away from the U.S. blockade area for the time being, and President Kennedy says that he will try to avoid any direct confrontation at sea "in the next few days." Kennedy points out, however, that certain Soviet ships are still proceeding toward Cuba, and that work on Soviet missile bases in Cuba is still continuing.

The White House issues a statement which says: "The development of ballistic missile sites in Cuba continues at a rapid pace. * * * The activity at these sites apparently is directed at achieving a full operational capability as soon as possible * * * there is no evidence to date indicating that there is any intention to dismantle or discontinue work on these missile sites. On the contrary, the Soviets are rapidly continuing the construction of missile support and launch facilities and serious attempts are underway to camouflage their efforts."

The U.S. Navy stops and searches a Soviet-chartered freighter of Lebanese registry. The ship is allowed to proceed to Cuba after no offensive weapons are found on board.

A message from Premier Khrushchev (which is not made public) reaches President Kennedy: "Never explicitly stated, but embedded in the letter was an offer to withdraw the offensive weapons under United Nations supervision in return for a guarantee that the United States would not invade Cuba."

October 27, 1962: President Kennedy receives a second message from Premier Khrushchev (made public in a Moscow broadcast), which proposes that the Soviet Union will dismantle its missile bases in Cuba and withdraw its jet bombers from the island, if the United States will do likewise in Turkey. In his reply to Khrushchev, Kennedy ignores the proposal to link Turkey with Cuba, and bases his answers on Khrushchev's private letter of October 26 which—Kennedy says—contains proposals "which seem generally acceptable," i.e., the Soviet Union would dismantle its bases and remove its offensive weapons from Cuba under U.N. supervision, and would halt further shipment of such weapons to Cuba, and in exchange the United States would end the quarantine and give assurances against an invasion of Cuba. Kennedy adds: "I am confident that other nations of the Western Hemisphere would be prepared to do likewise." Kennedy emphasizes that "the first ingredient * * * is the cessation of work on missile sites in Cuba and measures to render such weapons inoperable, under effective international guarantees. The continuation of this threat, or a prolonging of this discussion concerning Cuba by linking these problems to the broader questions of European and world security, would surely lead to an intensification of the Cuban crisis and a grave risk to the peace of the world."

The White House issues a statement which implicitly rejects Khrushchev's proposed Cuba-Turkey deal: "Several inconsistent and conflicting proposals have been made by the U.S.S.R. within the last 24 hours, including the one just made public in Moscow. The proposal broadcast this morning involved the security of nations outside the Western Hemisphere, but it is the Western Hemisphere countries and they alone that are subject to the threat that has produced the present crisis—the action of the Soviet Government in secretly introducing offensive weapons into Cuba. * * * The first imperative must be to deal with this immediate threat, under which no sensible negotiation can proceed. * * * As to the proposals concerning the security of nations outside this hemisphere, the United States and its allies have long taken the lead in seeking properly inspected arms limitation on both sides. These efforts can continue as soon as the present Soviet-created threat is ended." Well-informed sources [at NATO headquarters in Paris] indicated that they regarded the kind of horse trading proposed by Mr.

Khrushchev as dangerous to Western security and the morale of the Atlantic alliance. It was pointed out that the missile bases in Turkey were put there on the openly proclaimed decision of the heads of government of the NATO states in December, 1957 * * * [and] this was in direct response to repeated threats of employment of Soviet missiles against the West. It would be intolerable, in the opinion of some Western diplomats, to equate this action with the clandestine installation of Soviet missiles in Cuba at a time when the highest Soviet officials were proclaiming that none but defensive arms were being supplied to Cuba.

The U.S. Defense Department announces that a U-2 reconnaissance plane is missing and presumed lost over Cuba, and that other unarmed U.S. planes on surveillance missions over Cuba have been fired on. The Defense Department warns that measures will be taken to "insure that such missions are effective and protected." At the same time, the Defense Department announces that 24 troop-carrier squadrons of the Air Force Reserve are being recalled to active duty. In this connection, Defense Secretary Robert S. McNamara says: "We must be prepared for any eventuality." Premier Fidel Castro (in answer to an appeal from U.N. Secretary General U Thant) says that Cuba will suspend work on missile bases while negotiations are in progress if the United States "desists from threats and aggressive actions against Cuba, including the naval blockade of our country." He invites U Thant to come to Cuba "with a view to direct discussions on the present crisis."

Communist saboteurs in Venezuela blow up four electric power stations of the U.S.-controlled Creole Petroleum Co.'s installations at Lake Maracaibo, thereby cutting Venezuela's oil production by 500,000 barrels a day and reducing by $1.2 million a day Venezuela's Federal oil revenues which make up 70 percent of its budget. It is estimated that it will take 1 to 3 months to repair the power stations.

October 28, 1962, Premier Khrushchev (in a message to President Kennedy) announces that he has ordered the dismantling of Soviet missile bases in Cuba and the return of Soviet offensive weapons to the Soviet Union, to be carried out under U.N. supervision.

President Kennedy issues a statement, welcoming Khrushchev's statesmanlike decision, and says (in a message to Khrushchev) that the Cuban blockade will be removed as soon as the U.N. has taken the necessary measures, and he pledges that the United States will not invade Cuba. Kennedy says that he attaches great importance to a rapid settlement of the Cuban crisis, because "developments were approaching a point where events could have become unmanageable."

Premier Fidel Castro issues a statement which declares that the United States must fulfill five conditions if the present crisis is to be resolved. These are: (1) End of economic blockade and all measures of commercial and economic pressure exercised against Cuba by the United States. (2) End of all subversive activities, dropping and landing of arms and explosives by air and sea, organization of mercenary invasions, infiltration of spies and saboteurs, "all of which actions are organized in the territory of the United States and certain accomplice countries." (3) End of pirate attacks carried out from bases in the United States and Puerto Rico. (4) End of all violations of air and naval space by U.S. planes and ships. (5) U.S. withdrawal from the naval base of Guantanamo and return of this territory to Cuba.

October 29, 1962: United States announces it will lift the blockade of Cuba for 2 days, at the request of the U.N. Secretary General U Thant during the latter's mission to Cuba which begins on October 30. (On the next day, the United States also suspends its air surveillance of Cuba during U Thant's 2-day mission.)

President Kennedy appoints a three-man coordinating committee (headed by John J. McCloy, former disarmament adviser, Under Secretary of State George Ball and Deputy Secretary of Defense Roswell Gilpatric) to carry on negotiations for a conclusion of the Cuban crisis with U.N. Secretary General U Thant and Soviet Deputy Foreign Minister Vasily Kuznetsov (Premier Khrushchev's special envoy, sent to the U.N. to negotiate about the dismantling of the Soviet bases in Cuba).

Part 7: Let's Keep the Record Straight—A Selected Chronology of Cuba and Castro (October 30-November 20, 1962)

EXTENSION OF REMARKS

OF

HON. DON L. SHORT

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 5, 1963

Mr. SHORT. Mr. Speaker, part 7 of my continued chronology of Cuba and Castro deals with the period when negotiations were underway between Secretary General U Thant of the United Nations and Premier Fidel Castro of Cuba, concerning United Nations supervision of the dismantling and removal of the Soviet missiles from Cuba.

We should keep in mind that in an interchange of messages between Soviet Premier Khrushchev and President Kennedy the United Nations was suggested as the proper agency to verify that the missiles were being removed and shipped back to the U.S.S.R. On October 28, 1962—detailed in part 6 of my chronology—Khrushchev announced in a message to the President that this was to be done under U.N. supervision, and was congratulated for his "statesmanlike decision" in a return message from the President, in which he pledged that the United States would not invade Cuba. This was followed by a five-point statement by Fidel Castro setting forth his conditions on whether the present crisis would or would not be resolved.

About this time the public began to be a little uneasy because of a growing feeling that we perhaps were making too many concessions to Cuba and the U.S.S.R.

It seemed reasonable and right that inspection and verification be made of the missiles removed from Cuba, since our country was making our willingness to negotiate the issue clear to the U.S.S.R., Cuba, and the world. But U Thant, although assuring us that his talks with Castro had been "fruitful," and assuring us that proper arrangements had been made for dismantling the missiles and shipping them back to the Soviet Union, could not assure us that their talks had borne the fruit we expected.

One bright spot in the picture appeared to be signs of a quarrel shaping up between the Soviet Union and the Red Chinese over the yielding of Khrushchev to what they term "U.S. imperialists attempt to browbeat the people of the world into retreat at the expense of Cuba." Even this had its drawbacks, however, because we knew if Red China's support of Cuba was substituted for the Soviets, our dealings with Red China would call for much more strength of purpose on our part since they were not members of the United Nations and we had no diplomatic relations with them. And while the American people's strength of purpose could not be doubted—the memory was still strong of the frustrations experienced in the Korean war in which we fought an enemy backed by the Red Chinese, in a war which it appeared could not actually be won by anyone.

We were offered the alternative of the International Red Cross assuming the task of inspecting Cuba-bound ships to determine whether or not they carried offensive weapons, in lieu of our continuation of the task which we assumed by our quarantine. However, they failed to accept the task in the end and the problem was laid back in our laps.

The "fishing port" construction plan of the Soviet and Cuban Governments, which had created such consternation and anger in the Congress previous to the quarantine, appeared to be moving ahead, although our State Department tried to reassure us that "appropriate measures" would be taken if such facilities represented a "military threat" to the United States or to the hemisphere. But these words had a familiar ring and we could not be sure what "appropriate measures" would mean.

When President Kennedy formally lifted the quarantine on November 20, 1962, after extracting a promise from the Soviets that the IL-28 bombers—also a bone of contention—would be removed from Cuba in 30 days, an uneasy peace seemed at last to shroud the entire Cuba-United States-Soviet Union issue.

And although the public seemed to need and want a little reassurance from time to time, the general feeling appeared to be that they felt they must, and could, trust their leadership. But those who felt differently were forced to merely try and preserve a calm attitude because, after all, they really had no place to go.

Part 7 follows:

PART 7: LET'S KEEP THE RECORD STRAIGHT—A SELECTED CHRONOLOGY ON CUBA AND CASTRO

October 30–31, 1962: Secretary General U Thant (accompanied by 18 U.N. officials) in Havana for talks with Premier Fidel Castro with regard to U.N. supervision and verification of the dismantling and removal of Soviet missiles from Cuba. On his return to New York on October 31, U Thant says that he has been "reliably informed" that Soviet missiles in Cuba are being dismantled and that this operation will be completed by November 2. He also says that he has been informed that arrangements for shipping the missiles back to the Soviet Union are "in hand." He describes his talks with Castro as "fruitful."

October 31, 1962: White House announces that the arms blockade and air surveillance of Cuba (suspended during U Thant's visit) will be resumed on November 1, because of "the absence of effective United Nations arrangements." It is announced in Moscow that Premier Khrushchev is sending First Deputy Premier Anastas I. Mikoyan on an urgent mission to Cuba.

Communist Chinese newspaper Jenmin Jih Pao (People's Daily) publishes an editorial which indirectly accuses Soviet Premier Khrushchev of yielding to the "U.S. imperialist attempt to browbeat the people of the world into retreat at the expense of Cuba." "There is no doubt that * * * this latest struggle of the Cuban people against U.S. imperialist aggression will have the firm support of the entire Socialist camp. China's 650 million people have stood consistently and firmly at the side of the Cuban people. We are fully convinced that the Cuban people, under their great leader Premier Castro, will * * * smash all U.S. imperialist acts of aggression and intervention."

November 1, 1962: Communist Chinese note to Cuba (made public in Peking) gives "unreserved support" to Cuba's "just demands" which include U.S. evacuation of Guantanamo. The note assures the Cuban people that China will stand by them and "fight against our common enemy, U.S. imperialism, to the very end."

Premier Fidel Castro (in a radio-television broadcast to the Cuban people) categorically rejects any international inspection of the withdrawal of Soviet missiles from Cuba. He also turns down a Soviet proposal (transmitted to him by U.N. Secretary General U Thant) that the International Red Cross Committee be entrusted with the task of inspection. Before Mr. Thant made his trip to Havana the Soviet Union had suggested that the Red Cross organization be used for the inspection. Castro says that "we respect the Soviet decision to withdraw their strategic weapons," and that Cuba is not trying to hinder their withdrawal. He declares: "If we have any misunderstanding with the Soviets they must be discussed only among the principals and not before the world. We trust the principles of the Soviet Union. Between the Soviet Union and Cuba there will never be a breach."

November 2, 1962: President Kennedy (in a broadcast report to the Nation on the Cuban crisis) says that aerial reconnaissance shows that "the Soviet missile bases in Cuba are being dismantled, their missiles and related equipment are being crated and the fixed installations at these sites are being destroyed." He declares that the United States will "follow closely the completion of this work through a variety of means, including aerial surveillance, until such time as an equally satisfactory international means of verification is affected." He says that the quarantine will remain in effect until "adequate procedures can be developed for international inspection of Cuba-bound cargoes," and adds that the International Committee of the Red Cross would be an "appropriate agent" for this task. He asserts that "progress is now being made toward the restoration of peace in the Caribbean."

Soviet First Deputy Premier Anastas I. Mikoyan arrives in Havana for talks with Premier Castro.

November 4, 1962: Meeting in New York between John J. McCloy, chairman of the U.S. coordinating committee on Cuba, and Vasily V. Kuznetsov, special Soviet representative for the U.S.-Soviet-U.N. talks on Cuba. "The United States was reported * * * to have protested that the Soviet Union had failed to remove jet bombers from Cuba. Reliable sources said that John J. McCloy * * * made the protest to Vasily V. Kuznetsov on November 4 * * *. These sources said that recent U.S. reconnaissance photographs showed no reduction in the number of bombers—most of them still in packing cases—at an airbase near Havana. The planes are IL–28's, which are capable of carrying nuclear bombs.

"Soviet Ilyushin–28 medium bombers * * * are still being unpacked and assembled in Cuba [the U.S.] Government has learned. By instruction of * * * President [Kennedy], Mr. Kuznetsov was warned [by McCloy], it was learned, that the Cuban crisis could revert to its most acute stage if the Russians turn over the bombers to Premier Fidel Castro.

November 5, 1962: Official Communist Chinese newspaper Jenmin Jih Pao publishes an editorial rejecting any "appeasement" toward the United States in the Cuban crisis and offering "full support" for Cuba's rejection of U.N. supervision over withdrawal of Soviet missile bases from Cuba.

The International Red Cross Committee declares [in Geneva] that it has been informed through the U.N. of Premier Castro's agreement to its representatives inspecting Cuba-bound ships to determine whether they carry offensive weapons.

November 6, 1962: U.S. Ambassador Adlai Stevenson confers (in New York) with Soviet Deputy Foreign Minister Vasily V. Kuznetsov. After the meeting, Stevenson says: "The missiles are moving out and the talks are moving on."

November 7, 1962: Soviet Premier Khrushchev announces (at a reception in the Kremlin on the 45th anniversary of the Bolshevik Revolution) that the Soviet Union has taken its rockets out of Cuba and that they are "probably" on their way back to the Soviet Union. He asserts that there was a total of 40 Soviet rockets in Cuba.

Subsequently the U.S. Defense Department announces: "The Soviet Union has reported ships are leaving Cuba with missiles aboard. Arrangements are being made with Soviet representatives for contact with these ships by U.S. naval vessels and for counting the missiles being shipped out." (The United States and the Soviet Union also reach agreement that inbound Soviet vessels headed toward Cuba will be inspected by the International Red Cross Committee.)

November 8, 1962: U.S. Defense Department announces that aerial reconnaissance shows that "all known" offensive missile bases in Cuba have been dismantled; "significant items of equipment" have been moved from the missile sites to port areas; "a substantial number of missile transporters have been loaded on to the main decks of certain Soviet cargo vessels * * * and several of these vessels have already departed Cuban ports." The statement also says: "Within the next 24 hours" the United States expects to obtain additional confirmation through the close alongside observation of Soviet vessels by U.S. naval vessels. It is understood Soviet vessels will cooperate in this. "The Cuban Government has informed other members of the United Nations that the bombers sent to Cuba by the Soviet Union are Cuban property and will not be returned."

November 9, 1962: U.S. Defense Department reports that U.S. Navy vessels have intercepted five Soviet cargo ships outward bound from Cuba. Three of the ships were carrying missiles back to Russia. No Americans boarded the Soviet ships which were inspected by U.S. destroyers which pulled alongside and helicopters which flew overhead.

Venezuela (at a special session of the OAS Council in Washington) presents documentary evidence (which is not made public) linking the Castro regime with recent sabotage and subversion by Venezuelan Communists.

November 10, 1962: Havana Communist daily Hoy reports that Soviet economic aid to Cuba has amounted to $912 million since the first Soviet-Cuban trade agreement was signed in February 1960. Soviet aid is reported by Hoy to have been distributed as follows: New industrial plants, machinery and equipment, $192 million; food, $130 million; raw materials, $416 million; trucks and transportation, $131 million. In addition, some 3,000 Cubans (according to Hoy) have been or are being trained in the Soviet Union. "Informed sources (in Washington) said that in addition to the economic aid, Russia and her satellites have delivered at least $1 billion in military hardware to the Caribbean island, excluding the strategic missiles that are now being shipped back to the Soviet Union."

November 11, 1962: U.S. Deputy Secretary of Defense, Roswell L. Gilpatric, announces that the United States has counted 42 medium-range missiles being removed from Cuba on Soviet ships. He declares that the United States cannot be certain that 42 was the maximum number that the Soviets brought to Cuba. With regard to the IL-28 bombers which the Soviet Union sent to Cuba, Gilpatric says: "We hold the Soviet responsible for the types of military equipment which it has funished to Castro and as of the present time, we regard the removal of those bombers as within the capacity of the Soviets to bring about." He also says: "We regard aerial surveillance as a part of our inherent self-defense, a means of protecting our country as we would through any form of intelligence collection. The extent to which we will need to rely on continued air surveillance over Cuba will depend again on what the nature of the threat is that remains in Cuba after the Soviets have completed, if they do complete, the undertakings made by Premier Khrushchev to President Kennedy."

November 12, 1962: International Chamber of Shipping (consisting of independent shipping associations in 18 maritime nations outside the Communist bloc) rejects, at a meeting in London, a U.S.-sponsored proposal recommending that member shipping associations should withdraw voluntarily from trade with Cuba.

Soviet First Deputy Premier Anastas Mikoyan (in a speech at Havana University) declares that the Soviet Government supports Premier Castro's five demands which he describes as "a program for peace in the Caribbean." He adds: "The Soviet Government will always be behind Premier Castro and the Cuban people."

November 13, 1962: Soviet Union and Cuba submit to U.N. Secretary General U Thant a joint proposal to settle the Cuban crisis. Although the nature of the proposal was not disclosed, usually reliable sources said that it would give neutralist ambassadors stationed in Havana a vaguely defined observer function.

The International Committee of the Red Cross (an all-Swiss body) issues a statement (in Geneva) specifying that only in a case that it considered a major threat to world peace and to the survival of humanity would it consider providing inspectors for ships bound for Cuba. For the moment there is no question of the Red Cross moving into action and appointing inspectors.

November 14, 1962: U.S. State Department announces that air reconnaissance photographs show that the Soviet Union is constructing naval facilities at the fishing port of Banes, in northeastern Cuba. The State Department warns that appropriate measures will be taken if such facilities might represent a military threat to the United States or to the hemisphere.

November 15, 1962: West German Chancellor Konrad Adenauer (after talks with President Kennedy) declares to newsmen in Washington: "If you hear only of peaceful coexistence over and over again, then you gradually get used to believing that such a state exists with the other side. But in the future, when I hear peaceful coexistence mentioned again, I will think of Cuba."

Premier Fidel Castro (in a letter to U.N. Secretary General U Thant) warns that

Cuba will shoot down any U.S. planes flying reconnaissance missions over Cuba.

November 16, 1962: United States declares it will continue its reconnaissance flights over Cuba and will take "appropriate measures" to protect its planes.

November 17, 1962: Three pro-Castro Cubans are arrested in New York on charges of planning sabotage. Two members of the Cuban delegation to the U.N. are also implicated in the conspiracy, and their recall is demanded by the U.S. Government.

November 18, 1962: Soviet Communist Party newspaper Pravda publishes an article defending Premier Khrushchev's policy in the Cuban crisis against the unlimited slander of critics within the Communist bloc (mainly the Communist Chinese). The article says: "They have undertaken an especially shameful and generally provocative campaign in connection with the crisis in the Caribbean. Once they talked hypocritically about peaceful coexistence, giving it an anti-Leninist content. Now they openly pursue a course of undermining peaceful coexistence and pushing mankind toward thermonuclear war."

The official Communist Chinese paper, People's Daily of Peiping, attacks as pure nonsense the claim that the withdrawal of Soviet missiles from Cuba has saved the peace.

November 19, 1962: Premier Fidel Castro sends a message to U.N. Secretary General U Thant declaring that Cuba will not object if the Soviet Union removes the IL–28 jet bombers from Cuba (which Castro had previously claimed as Cuban property). Castro describes the bombers as "antiquated equipment in relation to modern means of antiaircraft defense."

November 20, 1962: President Kennedy announces (in a televised press conference) that he has ordered the lifting of the naval blockade of Cuba after being informed (earlier the same day) by Soviet Premier Khrushchev that all of the IL–28 bombers now in Cuba will be withdrawn in 30 days. Kennedy reports that progress has been made in fulfillment of his agreement with Premier Khrushchev on the withdrawal of Soviet missiles and other offensive weapons from Cuba. "Nevertheless," he says, "important parts of the understanding of October 27 and 28 remain to be carried out. The Cuban Government has not yet permitted the United Nations to verify whether all offensive weapons have been removed and no lasting safeguards have yet been established against the future introduction of offensive weapons back into Cuba. Consequently * * * the United States has no choice but to pursue its own means of checking on military activities in Cuba."

"The importance of our continued vigilance is underlined by our identification in recent days of a number of Soviet ground combat units in Cuba. Although we are informed that these and other Soviet units were associated with the protection of offensive weapons systems and will also be withdrawn in due course, I repeat we would like nothing better than adequate international arrangement for the task of inspection and verification in Cuba."

Kennedy says that if these measures are carried out "and if Cuba is not used for the export of aggressive Communist purposes, there will be peace in the Caribbean." He adds: "We will not, of course, abandon the political, economic and other efforts of this hemisphere to halt subversion from Cuba, nor our purpose and hope that the Cuban people shall some day be truly free. But these policies are very different from any intent to launch a military invasion of the island." He expresses the hope that "the achievement of a peaceful solution of the Cuban crisis might well open the door to the solution of other outstanding problems."

Federal Charters for Savings Banks?

EXTENSION OF REMARKS
OF

HON. ABRAHAM J. MULTER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 5, 1963

Mr. MULTER. Mr. Speaker, on Thursday, January 24, 1963, I delivered the following address before the Banking Law Section of the New York State Bar Association.

Under unanimous consent I insert the speech in the RECORD, as follows:

FEDERAL CHARTERS FOR SAVINGS BANKS?

(An address by the Honorable ABRAHAM J. MULTER, U.S. Congressman, Brooklyn, N.Y., before the Banking Law Section of the New York State Bar Association, Thursday, January 24, 1963)

Mr. Chairman, distinguished guests, fellow members of the bar, I am delighted to have the opportunity to speak to you today on the question of Federal charters for mutual savings banks. On January 9, I introduced in the Congress H.R. 258, the Federal mutual savings bank bill. That bill represented the fifth time that I have introduced such legislation. The first time, in 1957, I was alone in my sponsorship. For several years this proposed legislation has received strong bipartisan support in both the House and the Senate. I am happy to report that my exclusive rights to this legislation seem to have run out and are, I believe, permanently ended. The idea of Federal mutual savings banks is one which is getting more and more support—both inside and outside Congress.

Many of you are aware of the main provisions of Federal mutual savings banks legislation. For those who are not, let me summarize: A Federal system of mutual savings banks would be authorized to exist concurrently with our present State system. These banks would be chartered and supervised by the Federal Home Loan Bank Board. They could be formed either de novo or through the voluntary conversion of savings and loan associations and State savings banks. Insurance of accounts would be under the Federal Savings Insurance Corporation, which would be organized through redesignation of the present Federal Savings and Loan Insurance Corporation. Federal mutual savings banks would enjoy, as they do today in the 18 States where they exist, diversified investment powers. Branch rights would be tied to thrift institution standards.

I need hardly point out that this is a major piece of banking legislation. It is not one to be lightly proposed or lightly enacted. That is why the sponsors of the bill have been deliberate in the extreme, we have been content to introduce and reintroduce this bill over the past few sessions so that its merits could be carefully appraised by all interested and by expert Federal agencies and outside groups.

The comments of these groups are now largely in hand. The great majority are favorable. Based on these responses, it would seem that the time has arrived to move from contemplation and study to action.

I spoke of the growing support for this bill. Many of you are aware of rumors that the President's Interagency Committee on Financial Institutions, composed of representatives from 10 Government agencies, will approve Federal charters for mutual savings banks. This would carry out the earlier recommendation of the Commission on Money and Credit. In addition, the national homebuilders organization believes the bill could greatly increase the availability of home mortgage funds. It has also become clear that many influential savings and loan association leaders welcome this opportunity to acquire diversified investment powers by converting to Federal mutual savings banks.

I am informed by the mutual savings banks national trade association that over 1,600 requests for information, from 50 States, have been received in response to their rather modest advertisements mentioning this legislation. It seems clear to me that the public's response to this bill indicates a real national interest.

I need hardly tell this group that 1963 is the 100th anniversary of the dual banking system in America. I have nothing but praise and, indeed, I have heard nothing but praise, for this uniquely American institution. There are some complaints about its operation, but none against the principle.

Dual banking is apparently on the side of the angels—it has been hailed by such dissimilar groups as the Comptroller of the Currency, the National Association of Supervisors of State Banks, and the American Bankers Association. Dual banking, of course, reflects in microcosm the concept of our Federal Government, the ideal of separate and independent operations on a State and Federal level, of independent problems and responsibilities for the State and the Nation, of the necessity for independent solutions to these problems and responsibilities. In sponsoring this bill to extend dual banking to its logical limits, my colleagues and I are suggesting Federal response to Federal responsibilities in the banking area.

Dual banking has long been the order of the day for the commercial banking industry, for credit unions, for the savings and loan industry. My fellow sponsors and I propose to end the illogic of excluding mutual savings banking from the dual system, and in doing so to make available a time-tested financial institution to the entire Nation to serve in marshaling and protecting personal savings and providing additional capital for national growth.

This year of the anniversary of dual banking is clearly a year of unusual activity in the entire financial industry—a year of reawakening and of clamor for change. The Comptroller of the Currency has indicated his belief that our entire branch banking structure should be changed. In this belief he is confronted by our State supervisors. Legislation is now being prepared for introduction in the Congress calling for a Federal banking commission to unify the Comptroller's Office, the FDIC, and the banking supervisory powers of the Federal Reserve under one agency. The banking community can also expect consideration of the so-called truth-in-lending bill and legislation providing for the exclusion of the Comptroller as a member of the Board of FDIC. In this atmosphere of reformation and change, the Federal mutual savings bank bill will, I would hope, be sympathetically received.

I have called the Federal mutual savings bank bill "major" legislation and so it is. And no "major" legislation will ever, or should ever, succeed without being tested in the cauldron of controversy. Important questions must be answered by my fellow Members of Congress. "Is Federal mutual savings banking, in fact, the logical extension of the dual banking system?" "Will Federal mutual savings banks aid national growth?" "Will Federal mutual savings banks help provide additional and less expensive home financing for the people of America?" "Why not include stock banks and associations?"

I have already answered some of these questions in the affirmative. At the moment I am certain there will be hearings on the Federal mutual savings bank bill. I need hardly tell you that the House Banking and Currency Committee solicits your views.

I would like to suggest some of the benefits I perceive in Federal mutual savings banking.

First, I think the public will benefit through more personal savings in local mutual institutions; secondly, more mortgage funds will be made available to them through local mutual institutions; and, third, lower and more uniform borrowing costs can be expected to develop throughout the Nation. These benefits will very definitely aid in the broad objective of economic growth.

It may well be that commercial bankers and State supervisory authorities perceive little benefit for themselves in this legislation. I wonder if this is true? For commercial banks, I submit, the conversion of savings and loan associations to banks will result in more uniform bank standards between commercial banks and their competitors.

State supervisory authorities will see a strengthening of the dual banking system, but many argue that it also dilutes their powers by giving State institutions another place to go when dissatisfied with State supervisors. I discount this as a valid objection because the identical situation has prevailed in each of the other three instances to which I have alluded, all without any bad effects or results. If the principle of a dual banking system is good in one instance, it should prevail in all. If bad in one, it should be eliminated. I have heard no one urge elimination. The cries for improvement continue—in fact, become louder.

Federal mutual savings banks with modern operating powers may very well stimulate State legislatures into modernizing State banking, thus aiding the supervisors in their efforts to provide their banking systems maximum opportunity for safety and performance.

We have all seen the benefits of mutual savings banking in New York. We are aware of its unparalleled record in protecting the savings of our people. We know the homes it has financed. We know the high standards of fiduciary conduct that has characterized its trustees. Because of this knowledge, I am of the opinion that people in other areas of the country should have an opportunity to decide for themselves whether a mutual savings bank in their community might not be to their advantage. Only through providing the opportunity can we be assured that the people's freedom of choice in their financial institutions has been preserved.

It has come to my attention that an opponent of this legislation has commented that there is no interest in organizing these institutions, and, besides, the presence of these institutions will introduce a destructively competitive element in banking. I ask you to ponder those pleadings for a moment. Even alternative defenses should have some consistency. I submit that if there is no interest in these banks, then, quite simply, none will be organized. If there is no interest and, therefore, none are organized, there will be no competitive threat.

I believe that many Federal mutual savings banks will be organized as a result of this legislation. I believe that in time we will see an entirely new nationwide thrift system, supplementing the commercial banks and savings and loan associations.

This legislation does not contemplate competitive anarchy, nor even an entire new system of banks that will suddenly spring full-blown from the collective congressional brow.

Under H.R. 258, the Federal Home Loan Bank Board is merely authorized to charter these banks if the organizers can demonstrate: First, community need; second, probability of financial success; and, third, no destructive competitive effect on existing financial institutions. Therefore, each time a charter is sought for one of these banks, opponents will have an opportunity to argue the merits of the proposed Federal mutual savings bank in a specific factual situation in a given community.

The need in many areas of this country for additional thrift facilities is dramatized by the recently organized Alaska Mutual Savings Bank. After 1 year in operation in Anchorage, it has $4,500,000 in assets and has made available millions in loans to finance homes.

There are other States in this country, nonmutual savings bank States, where the number of local financial institutions has proven so inadequate in meeting capital demands that mutual savings banks, through their out-of-State lending programs, have loaned to residents of those States $9.1 billion in home loans. New capital can be generated in many, if not all of these States through their own local thrift institutions. I urge that local mutual savings banks should be given a chance, along with local commercial banks and savings and loan associations, to prove they can do the job.

As I have stated, in the months ahead the Congress is going to be turning its attention to our Nation's banking problems with a scrutiny and purpose not seen since the early 1930's. Representatives of the entire financial spectrum, the Comptroller, the State supervisors, FDIC, the Federal Home Loan Bank Board, will come forward with new legislative recommendations. It would be a mistake for anyone to misinterpret the temper of the Congress. It may well respond to many of these widespread demands for change.

In this legislative climate my fellow sponsors and I are determined that the Federal Mutual Savings Bank bill will be given its day in court.

I will not take your time to relate the details of the bill at this time. A summary of the bill and a section-by-section analysis appear in the Congressional Record. My office will make copies available to you upon your request therefor.

SENATE

Wednesday, February 6, 1963

(Legislative day of Tuesday, January 15, 1963)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Most merciful God, who art the fountain of all grace, the source of all true wisdom and goodness, Thou hast called us whose mortal lives so swiftly ebb away, to labor with Thee in the unfolding purpose of the ages, in causes whose coronation date is far beyond the dimensions of our calendars. Yet we may throw the stubborn ounces of our weight on the side of the invincible power which swings the stars in their courses and which in all the universe works for righteousness.

Ever near this forum of national debate with its differing points of view and the din and clash of personal interests, may there be kept an altar of communion with the unseen reality where even as we toil in these fields of time a constant sense of the eternal may save us from spiritual decay, from moral cowardice, and from betrayal of the highest public good.

In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, February 5, 1963, was dispensed with.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report on Construction of Northwest Australia Tracking Station, Carnarvon, Australia

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of the Northwest Australia Tracking Station, Carnarvon, Australia; to the Committee on Aeronautical and Space Sciences.

Report on Provision of Aviation War Risk Insurance

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the provision of aviation war risk insurance, as of December 31, 1962 (with an accompanying report); to the Committee on Commerce.

Arming of Employees of Federal Aviation Agency

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation to authorize the Administrator of the Federal Aviation Agency to arm his employees, and for other purposes (with an accompanying paper); to the Committee on Commerce.

Application of Reorganization Act of 1949 to Reorganization Plans Transmitted to the Congress at Any Time Before June 1, 1965

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1965 (with an accompanying paper); to the Committee on Government Operations.

Arthur C. Berry

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation for the relief of Arthur C. Berry and others (with accompanying papers); to the Committee on the Judiciary.

REPORT ON POSITIONS FILLED IN CERTAIN GRADES OF CLASSIFICATION ACT OF 1949

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS-16, GS-17, and GS-18, for the calendar year 1962 (with an accompanying report); to the Committee on Post Office and Civil Service.

RESIDUAL OIL IMPORTS—CONCURRENT RESOLUTION OF WEST VIRGINIA LEGISLATURE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a concurrent resolution, adopted by the West Virginia Legislature, in January, on a subject of great concern to the State—the ever-increasing importation of residual fuel oil, which inflicts severe damage upon our coal-producing industry. I have, for years, opposed this rising tide, and have repeatedly urged lower import quotas. I have submitted the concurrent resolution to the White House, for the President's attention.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

SENATE CONCURRENT RESOLUTION 7

Concurrent resolution insisting that the President of the United States limit and curtail the importation of residual fuel oil

Whereas the importation of residual fuel oil has been constantly expanding under present Government regulations, already displacing over 40 million tons of coal annually; and

Whereas the pricing practices engaged in by the exporters and importers of this cheap waste oil in unloading it at any price in order to undercut the price of coal make fair competition impossible; and

Whereas although the American coal industry continually has improved mining methods resulting in doubling its per-man shift production and the lowering of its product price, nevertheless it cannot compete with the importation of residual oil, a waste product, which is unloaded along the Atlantic coast at whatever price it will bring; and

Whereas unless the importation of residual fuel oil is curtailed the coal industry may not be able to meet emergency demands, thereby jeopardizing the national security; and

Whereas President John F. Kennedy has demonstrated his interest in the welfare of the people of West Virginia and his desire to extend help and aid to the sagging economy and depressed areas in West Virginia: Therefore be it

Resolved by the senate (the house of delegates concurring therein), That the Legislature of West Virginia does hereby respectfully insist that the President of the United States utilize the existing legislative authority enacted to implement the various Executive orders to drastically limit and curtail the present volume of residual fuel oil now being imported; and thereby stop the further destruction of the coal industry, the coal hauling railroads, and related industries; and be it

Resolved further, That the clerk of the senate transmit a copy of this resolution to President Kennedy and the Members of Congress from the State of West Virginia.

AUTHORIZATION FOR CERTAIN WITNESSES TO TESTIFY IN THE CASE OF THE UNITED STATES AGAINST THOMAS H. KEEGAN—REPORT OF A COMMITTEE

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 82) authorizing Carl M. Schultz and Gerald E. Gotsch to appear and testify as witnesses in the case of the *United States* v. *Thomas H. Keegan*, criminal action No. 61-Cr-487, in the northern district of Illinois, which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. McCLELLAN, which appears under a separate heading.)

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 708. A bill to amend the Communications Act of 1934 with respect to the consideration of construction permit and station license applications where certain interests of Members of Congress are involved; to the Committee on Commerce.

(See the remarks of Mr. PROXMIRE when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF:

S. 709. A bill for the relief of Dr. Glen Fulcher; to the Committee on the Judiciary.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 710. A bill providing that certain privately owned irrigable lands in the Milk River project in Montana shall be deemed to be excess lands; to the Committee on Interior and Insular Affairs.

By Mr. McGOVERN (for himself and Mr. MUNDT):

S. 711. A bill to authorize the sale and exchange of isolated tracts of tribal land on the Rosebud Sioux Indian Reservation, S. Dak.; to the Committee on Interior and Insular Affairs.

By Mr. KEATING:

S. 712. A bill for the relief of Dilys Evans; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 713. A bill for the relief of Francisca Simon Hilario;

S. 714. A bill for the relief of Giuseppe Milana and Sebastiano Milana;

S. 715. A bill for the relief of Laszlo Janos Buchwald;

S. 716. A bill for the relief of Gaetano Fuccio; and

S. 717. A bill for the relief of Ta-tuan Ch'en (T. T. Ch'en); to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 718. A bill for the relief of W. H. Pickel; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 719. A bill to amend the Tariff Act of 1930 to provide that polished sheets and plates of iron or steel shall be subject to the same duty as unpolished sheets and plates; to the Committee on Finance.

S. 720. A bill to prevent the use of stopwatches, work measurement programs or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. SCOTT when he introduced the above bills, which appear under separate headings.)

By Mr. YARBOROUGH:

S. 721. A bill to amend section 124 of title 28, United States Code, to transfer Austin, Fort Bend, and Wharton Counties from the Galveston division to the Houston division of the southern district of Texas; to the Committee on the Judiciary.

S. 722. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. YARBOROUGH when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. McCARTHY:

S. 723. A bill for the relief of Hurley Construction Co.; and

S. 724. A bill for the relief of Rollo Oskey; to the Committee on the Judiciary.

S. 725. A bill to amend sections 1231, 1272, and 631 of the Internal Revenue Code of 1954 with respect to iron ore royalties; to the Committee on Finance.

By Mr. HUMPHREY:

S. 726. A bill to amend title II of the Social Security Act to increase to $1,800 the annual amount individuals are permitted to earn while receiving benefits under such title; and

S. 727. A bill to amend title I of the Social Security Act so as to define more specifically certain of the benefits which may be provided under State programs of medical assistance for the aged established pursuant to such title; to the Committee on Finance.

(See the remarks of Mr. HUMPHREY when he introduced the above bills, which appear under a separate heading.)

By Mrs. SMITH:

S. 728. A bill to amend section 316 of the Social Security Amendments of 1958 to extend the time within which teachers and other employees covered by the same retirement system in the State of Maine may be treated as being covered by separate retirement systems for purposes of the old-age, survivors, and disability insurance program; to the Committee on Finance.

By Mr. BURDICK:

S. 729. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other puroses; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. BURDICK when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 730. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROBERTSON (by request):

S. 731. A bill to repeal certain legislation relating to the purchase of silver, and for other purposes; to the Committee on Banking and Currency.

By Mrs. NEUBERGER:

S. 732. A bill for the relief of Antonio Zorich, Amabile Miotto Zorich, and Fiorella Zorich; to the Committee on the Judiciary.

By Mr. BOGGS (for himself and Mr. DODD):

S.J. Res. 40. Joint resolution providing for the establishment of a joint committee of the two Houses of the Congress to study all matters relating to national strategy; to the Committee on Armed Services.

RESOLUTIONS

AMENDMENT OF CLOTURE RULE OF THE SENATE

Mr. PROUTY submitted a resolution (S. Res. 80) to amend the cloture rule of the Senate, which was ordered to lie over under the rule.

(See the above resolution printed in full when submitted by Mr. PROUTY, which appears under a separate heading.)

DISTRIBUTION OF STAFF MEMBERS OF COMMITTEES

Mr. PROUTY submitted a resolution (S. Res. 81) to provide for a more equitable distribution of staff members of committees, which was ordered to lie over under the rule.

(See the above resolution printed in full when submitted by Mr. PROUTY, which appears under a separate heading.)

AUTHORIZATION FOR CERTAIN WITNESSES TO TESTIFY IN THE CASE OF THE UNITED STATES AGAINST THOMAS H. KEEGAN

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 82) authorizing Carl M. Schultz and Gerald E. Gotsch to appear and testify as witnesses in the case of the *United States* v. *Thomas H. Keegan*, criminal action No. 61-Cr-487, in the northern district of Illinois, which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. McCLELLAN, which appears under a separate heading.)

EXPRESSION OF SENSE OF THE SENATE RELATIVE TO SUPPORTING THE AMERICAN MERCHANT MARINE'S EFFORTS TO OBTAIN A FREE WORLD EMBARGO ON SOVIET SHIPMENTS TO CUBA

Mr. MAGNUSON (for himself and Mr. MORSE) submitted a resolution (S. Res. 83) to express the sense of the Senate relative to supporting the American merchant marine's efforts to obtain a free world embargo on Soviet shipments to Cuba, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. MAGNUSON, which appears under a separate heading.)

AMENDMENT OF RULE XIX TO ADD A NEW PARAGRAPH RELATIVE TO MEMBERS OF THE HOUSE OF REPRESENTATIVES

Mr. MORSE submitted a resolution (S. Res. 84) to amend rule XIX to add a new paragraph relative to Members of the House of Representatives, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. MORSE, which appears under a separate heading.)

ORDERING CERTAIN MATTER EXPUNGED FROM THE CONGRESSIONAL RECORD

Mr. MORSE submitted a resolution (S. Res. 85) ordering certain matter expunged from the CONGRESSIONAL RECORD, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. MORSE, which appears under a separate heading.)

CONSIDERATION OF OWNERSHIP OF RADIO OR TELEVISION STATION BY MEMBER OF CONGRESS IN AWARD OF BROADCAST LICENSES

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill which provides that ownership or part ownership of a radio or television station by a Member of Congress shall not be considered as a favorable factor in the award of broadcast licenses.

The Federal Communications Commission has in the past justified the award of a lucrative television channel in part on the ground that stockholders of the company were Members of Congress. This was held to give the applicant an edge in the civic participation criterion—one of the yardsticks used by the FCC in deciding contested cases.

I sharply disapprove of this criterion. Members of Congress have great authority over the FCC. They enact its basic law, provide the annual appropriations, and, in the case of Senators, confirm the appointment of the Commissioners.

To specifically favor an application because a Congressman participates in it could turn into a form of "payola." We in Congress benefit from the practice. It is up to us to end it.

The FCC itself, dependent as it is on Congress, cannot be expected to reverse a policy so favorable to Senators and Congressmen, unless Congress acts. Silence by Congress on this subject means that the special advantage to Congressmen in the award of lucrative broadcast franchises will continue.

I do not expect the Commission to reverse this decision on its own. Rather, it is my view that Congress has a clear, immediate responsibility to state a firm policy against giving favorable weight to ownership or pecuniary interest by a Member of Congress in a broadcasting firm.

My bill does not prohibit Members of Congress from ownership or participation in television or radio stations; but it does prevent such ownership from favorably influencing the FCC.

I introduced a similar measure in 1960, at which time the Senator from Rhode Island [Mr. PASTORE], the chairman of the Communications Subcommittee of the Senate Commerce Committee, indicated on the floor that hearings would be held if the bill were introduced again. My present action is in response to that understanding.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 708) to amend the Communications Act of 1934 with respect to the consideration of construction permit and station license applications where certain interests of Members of Congress are involved, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Commerce.

AMENDMENT OF THE TARIFF ACT OF 1930

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to amend the Tariff Act of 1930 to provide that polished sheets and plates of iron and steel shall be subject to the same duty as unpolished sheets and plates. As the law now stands, polished stainless steel sheets and plates properly dutiable at 14 percent are subject to a duty of less than 3 percent simply as a result of the polishing process, which places them under a different paragraph of the Tariff Act. This situation creates a serious import problem for U.S. producers of stainless steel and their employees and poses the threat of substantial economic injury to these domestic firms.

Since the discovery of this tariff loophole, importation of stainless steel plates and sheets has increased tremendously, by more than 1,000 percent since 1960. Japan is by far the greatest source of these polished metal plates and sheets, accounting for well over 90 percent of the imports during the first 10 months of 1962.

The Tariff Commission has already seen the unreason of this loophole and has done away with it in its new series of tariff schedules. Congress authorized the proclamation of these tariff schedules early last year; when the President implements this act, the schedules will have the force of law. However, this implementation has been unavoidably delayed.

The schedules must conform to trade agreements, and therefore the whole matter depends upon successful negotiation with principal foreign nations. There is no way in which U.S. steel producers can know when this loophole will be closed. Yet, during this time, foreign polished sheets and plates will continue to pour into this country in increasing amounts.

Mr. President, there is ample precedent for this type of protective legislation as, for example, Public Law 749, 83d Congress, and Public Law 454, 85th Congress. Furthermore, the proposed amendment does not create a discriminatory duty against foreign suppliers. The current import duty on polished stainless steel sheets is 15 percent in Japan herself.

Mr. President, this bill is necessary to protect this segment of our domestic industry from unwarranted harm.

I hope that my bill will meet with a favorable response in this body.

Mr. President, I ask unanimous consent that the text of the bill may be printed in the RECORD at this point, and that the bill may lie on the table for 10 days so that other Senators may, if they wish, join in cosponsoring the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred;

and, without objection, the bill will be printed in the RECORD, and will lie on the desk, as requested by the Senator from Pennsylvania.

The bill (S. 719) to amend the Tariff Act of 1930 to provide that polished sheets and plates of iron or steel shall be subject to the same duty as unpolished sheets and plates, introduced by Mr. SCOTT, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph 309 of the Tariff Act of 1930, as amended (U.S.C., title 19, sec. 1001), be amended by striking out "sheets and plates of iron or steel, polished, planished, or glanced, by whatever name designated, 1¼ cents per pound" and also by striking out "other than polished, planished, or glanced, herein provided for,".

SEC. 2. This Act shall take effect 30 days after the date of its enactment.

PREVENTION OF THE USE OF PERFORMANCE-STANDARDS OPERATIONS AND MEASURING DEVICES IN THE POSTAL SERVICE

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to prevent the use of stopwatches, work-measurement programs, or other performance-standards operations as measuring devices in the postal service. These measurements and programs are referred to as guidelines in the postal service.

The Department maintains that it is attempting to improve efficiency and to reduce operating costs—both of which objectives I applaud. But the operation of the guidelines system is actually destructive of employee morale and works against a most efficient and economical Post Office Department.

Testimony before a House subcommittee revealed that during a recent Christmas rush in 1 community, 14 distribution clerks were denied overtime pay because they had allegedly not met the minimum standards. Among those 14, 1 man had been seriously injured on duty and had not yet fully recovered, while others were older employees who were unable to meet the standards.

Pennsylvania postal workers have told me that the guidelines system fails to take into account the human element and, as one said just yesterday, "we can't explain our problems to a punched card."

They add that this system has increased the amount of nightwork and is sacrificing accuracy for speed. They complain of added tension on the job, dissension among the postal workers, and poor management-employee relations.

My bill would completely eliminate the guidelines system because I believe that it fails in its objectives and is basically detrimental to the postal service and the general public interest.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 720) to prevent the use of stopwatches, work-measurement programs, or other performance-standards operations as measuring devices in the postal service, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

RETIREMENT FOR HAZARDOUS DUTY FEDERAL EMPLOYEES

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to adjust the retirement annuities of Federal employees engaged in hazardous duties by increasing the computation factor from 2 to 2½ percent. This bill is the same as S. 1850 of the 87th Congress, which I introduced.

This bill is in behalf of those Federal employees whose occupations are deemed hazardous because their duties require contact with criminals. This class of employees includes FBI men, prison guards, border patrol inspectors, and other similarly occupied law enforcement officers. Formerly, the special circumstances of these employees' jobs was recognized in the Retirement Act, and there was available to them an extra one-half percent differential in the computation factor used in computing annuities. This larger factor was designed to afford them an equitable annuity rate at an earlier age than other Federal employees. The differential was in recognition of the extra hazards they normally faced in their employment, the extra demands thus made on their physical and mental health, and the general need for encouraging the filling of law-enforcement positions by younger, vigorous men. However, in revising the Retirement Act in 1956, Congress destroyed the differential rate by raising the general computation factor to 2 percent; thus the need for this legislation to restore the differential.

Hearings on this subject were held by the Senate Post Office and Civil Service Committee in 1961, and revealed a variety of opinions on this subject. In introducing this bill again in the same form as before, I do not foreclose from consideration possible amendments which have been suggested, such as increasing these employees' contribution rate, or instituting a lower mandatory retirement age. There is also the need for special consideration for the Federal Aviation Agency's air traffic controllers, who are subject to equivalent stress to that experienced by the law enforcement groups. I am hopeful some consideration can be given to all these problems this year, and legislation worked out to meet the need for special recognition of these employees who so nobly perform these especially difficult jobs.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 722) to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

AMENDMENT OF RAILROAD RETIREMENT, RAILROAD RETIREMENT TAX, RAILROAD UNEMPLOYMENT INSURANCE, AND TEMPORARY EXTENDED RAILROAD UNEMPLOYMENT INSURANCE BENEFITS ACTS

Mr. BURDICK. Mr. President, I introduce, for appropriate reference, a bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961. This bill follows the draft of the proposal made by the Chairman of the Railroad Retirement Board in a letter addressed to the President of the Senate which was referred to the Committee on Labor and Public Welfare.

The railroad retirement system and the railroad unemployment insurance system have always made up the complete retirement and insurance program for the railroad industry, which is separate and distinct from other public and private systems of this kind. The programs are financed mainly by taxes levied on railroad payrolls. The taxes supporting the railroad system are borne by employer and employee alike in equal amounts whereas the taxes financing the unemployment insurance system are paid by the employer alone. The severe deterioration in levels of railroad employment and payrolls over the past number of years is a matter which is only too well known to all of us. Among its far-reaching consequences is a heavy loss in tax revenues to the railroad retirement and railroad insurance systems.

This has caused a reduction in the rate of increase in the retirement reserve which in turn has had the effect of cutting into the interest income which had been projected by the actuaries in the establishment of the financial structure for the entire system. A reexamination of the actuarial condition of the railroad retirement program in the light of this development has established that the program has been operating with an actuarial deficit for a number of years amounting to about 1.79 percent of taxable payroll or $77 million each year.

Comparable and related financial problems have been experienced in the administration of the unemployment insurance system which also has been affected by the marked decline in the levels of railroad employment and by the resulting loss of tax revenue. Coincident to this decrease in employment is a corresponding increase in claims for unemployment benefits as unemployment among railroad workers increased. The simple fact is that these factors have created an actual deficit of about $300 million in the railroad unemployment insurance system in addition to the actuarial deficit in the retirement program.

When this condition was first noted, President Kennedy directed the Railroad Retirement Board to reappraise the systems and to develop recommendations for legislative changes designed to strengthen and improve the financial condition which I have described. The bill which I am introducing represents many months of careful study by the Railroad Retirement Board in response to the President's direction, and it is designed by it as the most effective way to remedy the deficiencies which I have touched upon.

The remedial action proposed by the Board which is in accord with the administration program would include the following steps:

First. Provide for the investment of the railroad retirement funds, which are now in an amount of almost $4 billion, at a rate equal to the average market yield of all outstanding U.S. marketable obligations rather than at the 3-percent interest rate now charged. At the present time the average market yield is about 3⅞ percent, or considerably in excess of the 3-percent rate paid at this time.

Second. Increase the tax base for taxable and creditable purposes under both the railroad retirement and the railroad unemployment insurance systems from the present $400 to $450 monthly compensation.

Third. Increase the maximum unemployment contribution rate under the unemployment insurance system to 4¼ percent from its present maximum of 4 percent—consisting of a basic 3¾ percent plus a temporary one-fourth percent applicable to the current calendar year.

Fourth. Provide for the financing of benefit payments attributable to future military service on a modified cost basis in lieu of the present tax basis.

The Railroad Retirement Board advises us that the adoption of these recommendations would put both the railroad retirement and the railroad unemployment insurance systems on a reasonably sound financial basis. The situation confronting the Board is a serious one which warrants the earliest possible attention of the Congress.

A detailed explanation of the position taken by the Chairman of the Railroad Retirement Board is contained in his letter addressed to the President of the Senate which I ask unanimous consent to have printed in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 729) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes, introduced by Mr. BURDICK, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The letter presented by Mr. BURDICK is as follows:

HON. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The Board submits herewith a draft of a proposed bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes.

As you know, the Railroad Retirement Board administers the railroad retirement and the railroad unemployment insurance systems. Both systems have been underfinanced for some time. As of now the railroad retirement system has an actuarial deficit of about $77 million a year and the railroad unemployment insurance system has an actual deficit of about $300 million. These deficits have been called to the attention of the President, who, in his letter to the Board dated September 22, 1961, requested the Board to submit recommendations for legislative changes designed to improve the financial condition of the two systems.

The following changes embodied in the bill would make the changes in the existing law, as follows:

1. The maximum monthly compensation for taxable and creditable purposes under both systems would be increased from the present $400 to $450. (Secs. 1, 2, 5, 6, 201, 202, 301, 302, and 303 of the enclosed draft bill.)

2. The maximum unemployment insurance contribution rate would be increased from the present 3¾ to 4¼ percent. (Sec. 302 (a).) This would supersede the 4-percent rate prescribed for 1962 and 1963 under the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 (Public Law 87–7) and would be a permanent part of the contribution rate table set forth in section 8 of the Railroad Unemployment Insurance Act. (Sec. 302(b).)

3. The method of financing military service credits under the Railroad Retirement Act would be changed from the present tax method (the Government paying the railroad retirement tax which would have been paid by the employer and employee on $160 of monthly compensation, less the social security taxes paid by Government and servicemen) to a modified cost method: actual costs to the railroad system of the military service credits, plus a factor, of about 25 percent, to reflect some administrative costs and a proportionate share of, what is in effect, an interest burden on the unfunded liability of the railroad retirement system, i.e., the cost of financing benefits, in the early years of the system, based in whole or in part on service which was not subject to tax or on service subject to tax rates insufficient to cover the cost of such benefits. (Sec. 4.) In addition, the bill provides against duplication of payments by the Government to the railroad retirement system and the social security system for military service credits. (The last sentence of section 4 of the draft bill to be added to section 4(n) of the Railroad Retirement Act.) With these changes, appropriation requests will be submitted covering the liability incurred by the Government respecting military service credits under the Railroad Retirement Act.

4. The interest rate on new investments of retirement account funds would be changed from 3 percent to a rate equal to the average market yield of all outstanding U.S. marketable obligations with the unexpired term of 3 or more years, determined each month for that month's investments. At the present time this average market yield is about 3⅞ percent. There would be a rollover of the 3-percent special obligations in the fund over a 10-year period, i.e., they would be converted into 10 equal 3-percent parcels, with maturities from 1 to 10 years, and at maturity, investments would be made at the new rate mentioned above. The interest rate on money borrowed by the unemployment insurance fund from the railroad retirement account would be more or less correspondingly increased. (Secs. 7 and 305.)

5. The amount to be set aside for meeting costs of administering the railroad unemployment insurance system would be increased from 0.2 percent to 0.25 percent of taxable payroll. (Sec. 304.)

The labor member of the Board joins me in support of all the changes described in items 1 to 5 above, although he favors also retaining the present 3-percent rate earned by the special obligations in the railroad retirement account as a floor and would like to have an immediate conversion of the present special obligations into the special obligations bearing the newly proposed interest rates. The management member of the Board favors the changes described in items 3, 4, and 5 above but is opposed to the changes described in items 1 and 2 above.

In view of the financial condition of the two systems, as above stated, I strongly urge the enactment of the bill during this session of the Congress. The enactment of these recommendations would reduce the actuarial deficiency of the railroad retirement account to 0.51 percent of taxable payroll or $24 million per year, which is within the limits of permissible actuarial variation. Similarly, the recommendation with respect to the railroad unemployment insurance account would help prevent any further increase and would start reducing the existing deficiency in that program. Accordingly, it is respectfully requested that you lay the proposed bill before the Senate. A similar bill has been submitted to the Speaker of the House of Representatives.

The Board has been advised by the Bureau of the Budget that there is no objection to the presentation of this draft legislation to the Congress for its consideration and that its enactment would be in accord with the program of the President.

Sincerely yours,
HOWARD W. HABERMEYER,
Chairman.

AMENDMENTS TO SOCIAL SECURITY ACT

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to amend the Social Security Act so as to increase to $1,800 the annual amount of earned income a person may receive without having his social security benefits reduced.

The Social Security Act provides that persons who are 72 years of age or older may earn any amount without having their social security benefits reduced. Prior to the amendments approved and signed into law in 1960, persons under 72 had their benefits reduced if their earnings exceeded $1,200 a year. The 87th Congress liberalized this provision somewhat by providing that retirees under 72 would have $1 of benefits withheld for every $2 of earnings between $1,200 and $1,700 per annum, and $1 withheld for every $1 of earnings in excess of $1,700.

I supported this amendment in the earnings limitation even though I had hoped for a more liberal measure.

It should be remembered, Mr. President, that while many wage earners upon reaching the age of 65 desire to retire, there are others who prefer to continue in gainful employment on either a full- or part-time basis. The present earning limitation, in my judgment, discourages many of our older citizens from continuing to utilize the skills developed over a period of many years. I do not think that this is desirable or economical. Many of our older citizens have valuable talents which our Nation needs and we should be encouraging, rather than discouraging, these people in contributing to the economic well-being of our country.

Secondly, it should be noted that while the Social Security Act contains an earnings limitation there is no limit whatsoever as to investment income. If a person over 65 years of age earns more than $1,200 a year, his social security benefits are reduced, but a person can have investment income—in the form of dividends and interest—of a million dollars a year and still receive full social security benefits. I have never understood why earned income and investment income should be treated differently. It is my opinion that the earnings limit in the present act should be removed entirely, but I am enough of a realist, after having fought this battle many times in the Senate, to know that progress is made only on a step-by-step basis. That is why my bill merely raises, rather than removes, the earnings limitation. I would hope, however, that it will not be too long before the limitation is removed altogether.

I hope, that the amendment which I am introducing today will be carefully considered and that it will be approved by this present Congress.

My second bill has as its purpose the amendment of title I of the Social Security Act so as to define more specifically certain of the benefits which may be provided under State programs of medical assistance for the aged established pursuant to such title.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. Humphrey, were received, read twice by their titles, and referred to the Committee on Finance, as follows:

S. 726. A bill to amend title II of the Social Security Act to increase to $1,800, the annual amount individuals are permitted to earn while receiving benefits under such title; and

S. 727. A bill to amend title I of the Social Security Act so as to define more specifically certain of the benefits which may be provided under State programs of medical assistance for the aged established pursuant to such title.

ADDITIONAL EXEMPTION FOR A DEPENDENT CHILD OF THE TAXPAYER WHO IS A FULL-TIME STUDENT ABOVE THE SECONDARY LEVEL—ADDITIONAL COSPONSOR OF BILL

Mr. PEARSON. Mr. President on January 14, I introduced Senate bill 34. At that time I asked that the bill remain at the desk for cosponsorship.

The distinguished junior Senator from Delaware [Mr. Boggs] expressed an interest and desire to become a cosponsor; however, he failed to do so. I am now requested by him to ask unanimous consent that he may become a cosponsor of the bill, and that at the next printing of the bill his name be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

NATIONAL ADVISORY COMMISSION ON INTERSTATE CRIME—ADDITIONAL COSPONSORS OF BILL

Mr. KEFAUVER. Mr. President, at its next printing, I ask unanimous consent that the names of Senators Keating and McIntyre be added as additional cosponsors of the bill (S. 562) to establish a National Advisory Commission on Interstate Crime, introduced by me, for myself and other Senators, on January 28, 1963.

The VICE PRESIDENT. Without objection, it is so ordered.

PROPOSED AMENDMENT OF CONSTITUTION, RELATING TO ELECTION OF PRESIDENT AND VICE PRESIDENT—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. KEFAUVER. Mr. President, at its next printing, I ask unanimous consent that the name of the junior Senator from Rhode Island [Mr. Pell] be added as a cosponsor of the joint resolution (S.J. Res. 27) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President, introduced by me—for myself and other Senators—on January 23, 1963.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mrs. NEUBERGER:

Address entitled "A Proposed Revolution for Western Counties," delivered by Secretary of Agriculture Orville Freeman on December 13, 1962, before the grazing, water, and revenue conference of the National Association of Counties, in Las Vegas, Nev.

By Mr. KEFAUVER:

Article entitled "U.S. Small Businessmen: Are Big Mergers Snuffing Them Out?" by Representative Wright Patman, published in the Washington World, issue of December 7, 1962.

THE MILWAUKEE CIRCUS PARADE ON JULY 4

Mr. PROXMIRE. Mr. President, there are certain things which nearly everyone knows about my home State of Wisconsin—such as the many lakes, the fine hunting and fishing, our outstanding dairy products, our Green Bay Packers, and the great fourth quarter of the Wisconsin Badgers in this year's Rose Bowl game. Our largest city is justly famed for its beauty and good living, its industrial might, its skilled labor, and its fine schools at every level.

Soon there will be reason why Wisconsin and Milwaukee will be getting attention and will attract thousands of visitors. This year, on the Fourth of July, Milwaukee will be the home of the greatest circus parade in the history of this country and, perhaps anywhere else. The mile-long parade will be built around 25 huge, ornate circus parade wagons from the Circus World Museum at Baraboo, Wis., with hundreds of horses, dozens of bands, calliopes, clowns, and all the other glories of the oldtime circus.

I am particularly happy that this "Day in Old Milwaukee" is being sponsored by a firm engaged in private enterprise, the Joseph Schlitz Brewing Co. Its civic generosity and the cooperation of the State Historical Society and the circus museum at Baraboo will create an event—as the old circus posters would say—"unmatched anywhere at anytime." I invite the constituents of my friends in the Senate to come to Milwaukee on July 4th, see this splendid event, and enjoy our well-known hospitality. A good time will be had by all.

Mr. President, I ask unanimous consent to have printed at this point in the Record an editorial which endorses and encourages this fine idea. It was published in the Milwaukee Journal.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Milwaukee Journal, Jan. 29, 1963]

Milwaukee Enjoy a Parade?—We'll Have Colossal One on Fourth of July

"The most stupendous, colossal, scintillating, colorful and electrifying circus parade of all time. In downtown Milwaukee, Thursday afternoon, July 4. An event never to be forgotten. Come one. Come all."

It would test the wits of the most exuberant of old time circus press agents to do justice to the Fourth of July parade promised Milwaukee through generosity of the Jos. Schlitz Brewing Co. and employees, with cooperation of the State Historical Society of Wisconsin and its circus world museum at Baraboo.

The parade should outshine the most fanciful memories of anyone's childhood. And for those who have never seen a big time circus parade, this will be the time and place to enjoy that thrill.

There has been much talk about events to bring vacationists to Milwaukee and Wisconsin. This is one that should be a really great attraction.

The circus parade, which the Schlitz people and historical society promise will be an annual event, will be unique and glamorous. It will be widely advertised and many will hear of it through press, radio, and TV coverage. Outsiders, whether or not they get here to see the parade, will be moved to visit Milwaukee and the circus world museum at Baraboo and other State points of interest. The parade and museum together, in the State that was the birthplace of so many circuses, will be a strong stimulus to tourist business.

This project deserves a vote of thanks to the brewery and the historical society, plus enthusiastic support for the event, in the Milwaukee area and statewide.

VOLUNTARY PROGRAM FOR FEED GRAINS

Mr. PROXMIRE. Mr. President, last October the distinguished commentator for the Mutual Broadcasting System, Norman Kraeft, made a concise and devastating analysis of the proposal for mandatory Federal controls on feed grain production.

Events have proved that Mr. Kraeft—who is a remarkably able commentator on agricultural matters—was entirely correct. The administration has now withdrawn the mandatory proposal, and this year is asking for what Norm Kraeft argued 4 months ago was the sensible program. I ask unanimous consent that Norm Kraeft's prediction of last October 15 be printed at this point in the RECORD.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

The principal argument advanced by those who advocate a mandatory feed-grain program, as opposed to those who favor a voluntary approach, such as we have had in 1961 and 1962, is that a mandatory program is necessary because voluntary programs cost too much money. Now, the voluntary feed-grain program for 1963, which is in the new farm law, is expected by many to cost more than the 1961 and 1962 feed-grain programs. However, those who are high in their praise of the new farm law—and these include President Kennedy and Agriculture Secretary Freeman—make a special point of predicting that the feed grain surplus may be ended with the operation of the 1963 program. As evidence, they point to the latest USDA figures comparing CCC stocks of corn for 1961 and 1962, as of July 31 of each year. These figures show a drop in this 12-month period from 1¼ billion bushels to about two-thirds of a billion bushels, or a drop of about 50 percent in the CCC corn inventory in the last year. If we have good participation in the program next year, they say, we may just about eliminate the feed-grain surplus. One other important factor in this picture is that feed-grain use is moving ahead of feed-grain production. For example, the 1962 corn crop appears likely to fall about 400 million bushels below domestic and export needs. Now, if all this is true, and if these trends continue, will not the need for control diminish in 1964 and beyond? Will not the size and, hence, cost of future feed-grain programs be reduced? Will there, in fact, be any need or excuse for a mandatory feed-grain program?

A SETTLED STRATEGY FOR EUROPE

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 6 minutes, instead of the 3 minutes normally available during the morning hour.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. JAVITS. Mr. President, today the American people face a crisis in their relationships with Europe, and perhaps even in their relationships with Canada. The fall, last night, of the Diefenbaker government in Canada is, in my opinion, closely related to the situation which has developed in Europe as a result of the new push toward isolationism represented by General de Gaulle's action there and his perspective of a "third force" Europe.

Mr. President, the American people know there are no easy answers to the complex forces which shape today's world. But we have a right to expect a settled and orderly strategy on the part of this administration for meeting the current crisis in Europe. It is my purpose to suggest to the President some ideas on that subject.

The President has often been praised by both friend and foe for his keen sense of timing. I suggest the time has come for him to face the American people directly and assure them that although General de Gaulle has temporarily derailed the grand strategy of George C. Marshall, Harry S. Truman, Dwight D. Eisenhower, and John Foster Dulles, there are other roads by which to reach our objective.

There are, indeed, alternatives for the United States to pursue. If it is true that this administration has had no alternative, strategic line of action, it is necessary to develop one now.

There has been an impression that although there were ample warnings of General de Gaulle's perspective of a third force Europe, the United States was caught flatfooted by his action, without any alternative policy to pursue. The President, I believe, must move promptly and positively to dispel this impression, to fortify the Nation's confidence in its Government, and to build the free world's respect for U.S. leadership.

I suggest that the alternative must be directed toward achievement of free world economic integration around the core of Atlantic unity. The interruption of progress toward this objective, caused by General de Gaulle's veto of Britain's application for membership in the EEC, must not divert us. This means that panicky action which could distort free world trade patterns must be avoided; furthermore, inaction which could lead to free world trade stagnation must also be avoided. The day will come when France once more will wish to participate in the mainstream of history, for there is no iron curtain around France. It is, therefore, necessary to shape our policy in such a way that when the time comes, it can accommodate France—and also the rest of the EEC partners, insofar as they, too, are forced into temporary isolation by General de Gaulle's acts.

The following steps should be taken; these are the practical suggestions, Mr. President, which I make in this situation:

First. Through exploration of means to achieve an outward-looking economic partnership with all the British Commonwealth and with other free world nations excluded from the ECC by General de Gaulle's veto. This involves the establishment of close reciprocal trade ties with Great Britain, Canada, Australia, New Zealand, members of the European Free Trade Association, and Japan. It involves closer association of the United States in the economic development programs of the British Commonwealth—as, for example, the so-called Colombo plan.

The VICE PRESIDENT. The time of the Senator from New York has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from New York may proceed for an additional 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. Second. Continued close cooperation in economic policy with the members of the European Economic Community, to the extent that this is possible for them under the Treaty of Rome which gives France a veto power of large—but certainly not all—areas of EEC members' economic policies. Let General de Gaulle veto himself into isolation, if he wants to do so. He cannot effectively prevent the application of cooperative monetary and balance of payments policies among his European Economic Community partners and the rest of the free world. He cannot destroy the bonds of cooperation in aid to developing nations which must be strengthened. He can only prevent United States private investments in France—not in the rest of the European Economic Community. If General de Gaulle wants to act like the leader of an underdeveloped nation afraid of domination by Yankee capitalists, let him do so. He will only succeed in turning France into the least supported European Economic Community member.

Third. Constant negotiations with the other NATO members of means for establishing a multilateral nuclear force with adequate conventional armed support. This involves an equitable sharing of NATO defense costs by the NATO partners of the United States, and a sharing of our responsibilities for the nuclear deterrent. Once more, General de Gaulle can isolate France from this effort—but only at the expense of turning his nation into a minor power.

Fourth. Amendment of the Trade Expansion Act of 1962 in order to furnish the President with more effective authority to negotiate with free world industrialized nations, in the light of Great Britain's exclusion from the European Economic Community. The Senator from Illinois [Mr. DOUGLAS] and I both have introduced such measures. Although our bills differ substantially, they both try to serve the purpose of deleting the restriction on reciprocal tariff elimination which is based on the requirement in the Trade Expansion Act that 80 percent or more of world exports must be attributable to the United States and the European Economic Community, with respect to any category of items, before tariffs on such a category can be eliminated. With the European Economic Community limited, for the time being, to only its six original members, the 80 percent provision, as it now stands, would preclude tariff elimination on nearly all items.

I strongly urge congressional consideration of the approach contained in these bills, and Presidential support of such a way to meet the new world situation.

Mr. President, I conclude as follows: I am convinced that Great Britain and her European Free Trade Association partners, including Scandinavia, belong in an expanded, outward looking European Economic Community, as was originally contemplated, and as we tried very much to help bring about. But, in the meantime, before this logical alinement of free world economic power can take shape, we must act to avert the damage inherent in the delay.

We must answer some profound and serious questions.

Can we still rely on voluntary standby arrangements to preserve the strength of the dollar and the pound sterling? General de Gaulle has clearly questioned the need for unified free world strength which is in large part based on the stability of these two media of international exchange.

Can we still rely on the present provisions of the General Agreement on Tariffs and Trade, the spirit of which resides in economic interdependence? General de Gaulle is clearly bent on a program of autarchy, which in turn threatens one of the two key international factors of dollars and pound sterling strength—expanded world trade—as well as the overall acceleration of free world economic progress.

Can we still rely on a NATO defense force with its fulcrum in France? General de Gaulle has clearly shown his contempt for cooperative military defense efforts, which in turn threatens the other key international factor of dollar and pound strength—equitable sharing of defense costs—as well as the "primordial" elements of military security (to use one of the General's own words).

These are the questions upon which we must act. And action by the President would solidify the confidence of the people of the United States and of our free world partners.

I hope the President will speak out promptly, as I am confident that he has a mind to, on these very trying subjects about which I have tried to offer some suggestions.

Mr. President, I am much encouraged by an article written by the venerable American statesman Bernard M. Baruch, which appeared this morning in Newsday, published in the New York City area entitled "France and the Market." The article bears out very strongly many of the points which I have made today. I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FRANCE AND THE MARKET

(NOTE.—One of America's elder statesmen, Bernard M. Baruch, today comments on the growing problems in the Atlantic alliance. To publish his statement, Newsday devotes space on this page normally used for other commentary.)

(By Bernard M. Baruch)

When Andre Malraux, France's minister of culture, was asked why he had agreed to send the treasured Mona Lisa to the United States, he is reported to have replied, "Who else saved France twice in this century?" One could only wish that the generosity of Malraux' gesture and the spirit of his words were as evident in the political as well as in the cultural realm.

The fact is, however, that France today seems to have forgotten not only America's part in two great wars, and our contribution to France's recovery from them, but the burdens we have been bearing for the past 15 years so that she and the rest of the free world might continue to enjoy freedom and prosperity, so much of which is owed to us. France has taken the leadership in the formation of the Common Market. But the Common Market has a long way to go before its future can be assured. Europe must develop not only common trade-tariff policies but a common currency. The Market must also be broadened to include all of Western Europe. Most important, it must be based upon a sound foundation of political and military unity. What hope can there be for a common market if its membership is not opened to all qualified nations? And what hope can there be for a common market in Europe if there is no common defense of Europe?

General de Gaulle's policies in regard to the Common Market, NATO and nuclear weapons seem clearly to say that France no longer needs the United States, and that the unity of the West is no longer an essential for peace. His policies reflect the sort of nationalism, even of isolationism, which Frenchmen and others were wont to attack the United States for not so long ago. These policies could lead to the collapse of the Western alliance.

In obstructing Great Britain's entry into the Common Market, France is attempting to limit the benefits of economic cooperation for her own selfish advantage. In failing, after all these years, to fulfill her commitments to NATO, she is weakening the shield which protects Europe from the East.

It is clear that De Gaulle is not interested in a common defense and that he is convinced that France, by developing her own independent nuclear force, will have the strength necessary to defend herself. Thus he has rejected America's offer of Polaris missiles in his strong-willed effort to make France an independent nuclear power, opposes the development of nuclear forces in NATO and has boycotted attempts to devise a nuclear test ban and obstructed efforts to limit the spread of atomic weapons.

But what De Gaulle fails to understand is that France's security will be assured not by the development of a national atomic force but by putting an end to all national atomic forces and by bringing all atomic weapons once and for all under international controls. No nation can be made safe from the danger of nuclear war until the power of all nations to wage such war is ended.

France once understood this cardinal truth, which was the basis of the original American plan for the control of atomic energy submitted to the United Nations in 1946. At that time France stood fast with the United States in calling for the creation of an international authority, exempt from veto power, to which all atomic weapons would eventually be assigned, which alone would be empowered to conduct atomic explosions, and which would be empowered to inspect and control all aspects of national atomic-power activities and to punish any nation violating the atomic energy agreement. This control authority would provide all nations with essential information on atomic energy so that all might share in its peaceful uses.

The technical feasibility of the American plan was vouched for by all nations including Russia, but the adoption of the plan was blocked then, as it has been blocked since, by Soviet intransigence and by the political issues between the Soviet Union and the United States which to this day remain unresolved.

But despite the failure to achieve international control of atomic energy, it has been clear to every thoughtful person that the obstacles, great enough when only Russia and the United States were atomic powers, would grow in proportion to the number of other nations which developed atomic arsenals. And the danger of nuclear war, whether by design or accident, would also grow in proportion to the number of nations armed with atomic weapons. Every thoughtful person must recognize this, and De Gaulle deludes himself and his people by insisting that France's security requires her to build nuclear weapons. If France is to be an atomic power, why not Germany? And if Germany, why not Italy? And if Italy, why not every other nation? There is no longer any secret to the making of atomic weapons and there are few nations who could not find the resources to build them. Let the atomic arms race become a free-for-all and we can abandon all hope for the future.

De Gaulle is a strong-willed man and it will take the most persuasive arguments to make him revise his views. But we must do everything possible to induce him to make room in his thinking not only for la gloire et grandeur of France, but for the strength and unity of the free world and the safety of all men.

Mr. JAVITS. Mr. President, I express my appreciation to the majority leader for his indulgence.

DOMESTIC PEACE CORPS

Mr. LAUSCHE. Mr. President, while the Congress has not yet authorized or appropriated money for a so-called domestic Peace Corps, there are already forerunners of the Federal push into State and local responsibilities under Public Law 87-274, the Juvenile Delinquency and Youth Offenses Control Act of 1961.

Signs are already appearing of extravagance in the operation. They are of such significance that I believe they ought to be discussed on the floor of the Senate. I have in mind especially a grant of $250,000 made last year to a nonprofit organization in New York. The newspapers recently described the project in New York to be a pilot test and an experiment. The local nonprofit organization put up $9,000, the Federal Government $250,000. It is a new domestic Peace Corps operation designed to fight juvenile delinquency and render other services, and as a sort of sample of what will be done by the domestic Peace Corps.

It is clearly evident now that the enactment of Public Law 87-274, authorizing the expenditure of $30 million for demonstration and evaluation projects throughout the Nation, will provide a key to the door of the U.S. Treasury from where many, many more millions of dollars will be taken for projects of questionable merit and of questionable Federal responsibility.

To date, Congress has appropriated $12½ million for juvenile delinquency studies and will be asked to appropriate at least $13 million for fiscal 1964 for the same purpose.

Some grants have been made with a trivial amount of matching money, while others have been made outright without requirement of any matching money at all; some of the latter amounting to from $150,000 to $200,000—straight gifts.

Before this Congress appropriates more funds authorized by Public Law 87-274 or considers authorizing a domestic Peace Corps, it ought to take a very close look at expenditures already made in this field. Forty grants for juvenile delinquency studies under this act have already been made, some even without State or local financial participation.

I refer to one in particular, and I do hope that it is not an example of the many others. Last year, there was a grant of $250,000 made to an agency in New York City to sponsor the development of, first, the domestic Peace Corps, and, second, an urban service corps program as an outgrowth of the domestic Peace Corps. If this service is needed, it is a local and not a Federal responsibility.

First. The Federal Government allocated $250,000 for this domestic Peace Corps project; the local agency, $9,000.

Second. Now just how much local interest is there in this project?

Third. Does $9,000 express a great local interest in the matter?

For fiscal year 1964, this particular New York operation will ask for much more than $250,000.

Now, let us see how this $250,000 grant is budgeted and is being spent. Payments already made—$62,500 in August of 1962 and another identical amount in November 1962—a total of $125,000. There is a payment of $62,500 due in March of this year and another in the same amount due on June 20, 1963.

I wish Senators would listen to the following figures. According to the organization budget, $157,080 is to be spent for personnel. A partial list of positions authorized by approval of the grant are as follows:

1 overall project director	$14,000
1 Peace Corps program coordinator	13,000
1 recruitment coordinator	10,000
1 chief of training program	13,000
2 trainee work supervisors at $8,500	17,000
Trainee consultants, part-time	10,000
1 senior research director	13,000
1 research associate	7,000
Research consultants, part-time	5,000
1 urban service corps program coordinator	12,000
1 training and recruitment coordinator	10,000
Community organization coordinators	6,000
1 office manager-administrative assistant	7,500
1 bookkeeper-auditor	8,000
2 senior clerical at $4,800	9,600
3 junior clerical at $3,300	9,900
1 messenger and office boy	3,000
Total	168,000
Less 15-percent lapse	25,200
Total salaries	142,800
Fringe benefits	14,280
Total	157,080

This is more than one-half of the entire grant. The salaries fixed, if followed in other domestic Peace Corps units throughout the country, will work havoc with local and State salary schedules. It certainly will in Ohio.

Senators will note that the approved budget authorized employment of 18 persons, ranging from project director at $14,000 per year down to messenger at $3,000 per year. In addition, there is an item of $14,280 for fringe benefits. On this staff of 18 there are listed a number of titled positions in the $7,000 to $13,000 bracket engaged in this social welfare study project.

The situation becomes exceedingly alarming when one checks the median salary of social workers in the city of New York and throughout the country. In 1959, the latest year as to which I have been able to find figures, the median salary was $4,670 in metropolitan New York, and $4,415 throughout the Nation.

I am fearful that the die has already been cast, first, that the Federal Government will make grants without local financial participation for projects that will be strictly local responsibilities; and, second, that the Federal Government has approved budgets providing for salaries far in excess of the local standards, thereby openly inviting demands for substantial increases by local workers in the same fields and paid by local and State governments.

In the budget requesting $250,000, there is an item of $36,000 for subsistence to trainees. What that means I do not know.

I call to the attention of the Senate another item. The proposed nonprofit corporation would rent what is supposed to be office space in a church. The owner of the church is the Adam Clayton Powell Community Center, Inc. The rental to be paid is $17,000 a year for space that has been unoccupied.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may proceed for an additional minute.

The VICE PRESIDENT. Without objection, the Senator may proceed for an additional minute.

Mr. LAUSCHE. I have been informed that this space has not had a rent paying tenant for some time.

Other items in the budget include—

Trainee subsistence	$36,000
Travel (trainee)	1,875
Travel (staff)	3,500
Equipment	2,800
Supplies	6,000
Miscellaneous	42,745

This New York City project is acknowledged to be a stepping stone to a domestic peace corps which ultimately will require more and more Federal handouts.

Referring to a statement issued by this New York organization and its purpose, I quote:

> This will require the development of a program for the effective training of professional and lay personnel who will be competent to design and conduct the several programs involved in the Domestic Peace Corps concept. The Urban Service Corps is conceived as an evolving phase of the Domestic Peace Corps, in which Peace Corps trainees would eventually gain the skills and competence for supervising youngsters recruited into the Urban Service Corps.

We have legions of Peace Corps workers already in our country. We have the ministers, priests, and rabbis; the parents in the homes; the teachers in our schools; the social workers in our governmental and private agencies; the recreational workers in Federal, State, and local governments; the police and the juvenile court officials; and the parole officers. We are reaching the point where we will have more guides working for government that we have people to guide. In other words, the number of officers will exceed the number of soldiers who are to be commanded and directed.

The tabulation given below was taken from the 1960 figures of the Bureau of the Census:

	Male	Female	Total
Teachers:			
Elementary	143,163	860,413	1,003,576
Secondary	274,562	243,452	518,014
Subtotal			1,521,590
Social and welfare workers	36,029	60,667	96,696
Recreational-welfare groups	20,858	15,497	36,355
Subtotal			133,051
Policemen, detectives	245,404	6,790	252,194
Sheriffs-bailiffs	22,736	1,194	23,930
Marshals-constables	5,684	225	5,909
Subtotal			282,033
Clergy	196,304	4,695	200,999
Grand total			2,147,663

The 1960 census shows that we have a population of 27,393,055 juveniles of the age bracket of 12 to 21 years; thus without the parents, we have 1 worker to every 13 juveniles.

I submit to Senators that in the program I have spoken about we have another example of the absolute indifference of the Federal Government in handling the taxpayers' money. It is a domestic Peace Corps project, supposedly calling upon recruits to sacrifice their time for the redemption of youth. Behind that lofty name, behind that spiritual quality that is supposed to be inherent in the operation, we have a background of salaries ranging from $10,000 to $14,000.

The subject is not a simple one for me to discuss. There may be political involvements. But I have reached an age in my life where political involvements will not dissuade me from speaking the truth. I say to the Vice President of the United States, seated in his chair in the Senate, that things of this type should be brought to an end. We cannot go on this way without ruining the country. Salaries of $14,000, $13,000, and $12,000 are proposed to be paid, and the taxpayers sweat and beg for help. I say to them that they will never get it so long as a program of that type continues.

I yield the floor.

Mr. YOUNG of Ohio. Mr. President, I compliment my senior colleague on the statement he has just made, and express my approval of it. We already have enough Federal programs that are nothing more than havens for high-salaried bureaucrats. We should carefully scrutinize the proposal for a so-called domestic Peace Corps before we embark on still another program which will cost millions of taxpayers' dollars. The facts set forth by my distinguished colleague are shocking. If they are an indication of what the Nation can expect from the domestic Peace Corps proposal, I shall fervently oppose this legislation. My colleague has made much research on this subject and I commend him on bringing this deplorable situation to the attention of the Senate.

Mr. LAUSCHE. I thank the Senator very much.

SPAIN SEEN EVASIVE ON U.S. BASES TALKS

Mr. RUSSELL. Mr. President, I was much interested this morning to read an article published in the Washington Post and Times Herald entitled "Spain Seen Evasive on U.S. Bases Talks."

It is very difficult for me to understand why there should be any difficulty whatever in extending the lease on the bases in Spain. I do not recall the exact amount of money we expended to construct these installations, but I am confident it will run to more than a billion dollars. They are utilized by the Spanish forces, as they are by ours, and they are the finest military establishments of their kind in the world. They are jointly occupied. For example, the great naval base at Rota has both Spanish and American naval units and headquarters.

We have fallen into the habit lately, Mr. President, of doubling and tripling the payments which we are making to countries in which such bases are located, without the slightest justification therefor. For example, we increased payments to Libya by more than 100 percent to be permitted to retain the Wheelis Air Base in that country. The fact that the base is there is one of the chief props of the Libyan economy, because of the money spent there by American personnel, yet we have found it expedient to more than double the payments which were previously made.

I sometimes think, Mr. President, that when the Congress does not allow all the appropriations requested for the so-called foreign aid program, the executive branch of the Government finds ways to supplement the funds available by payments of this kind, which are completely unjustified and uncalled for and when so spent defeat and circumvent the intent of Congress.

I know of no reason why there should be an increase of any kind in any payments for these bases. We have been very generous to Spain. We have remodeled their navy. We have furnished planes for their air force. We have supplied them a great deal in the way of agricultural products under Public Law 480. I would certainly be disturbed to believe that Spain was about to demand a great increase. I hope that those who are conducting the negotiations on the part of the U.S. Government will have some little consideration for the American taxpayers as they go about their negotiations; that they will make a real effort at bargaining; and that they will point out the fact that any increase in the payments for these bases is completely unjustified. I say this as a friend of Spain and the Spanish people—who voted to earmark the first funds for Spain that brought that country into the mutual assistance program.

I ask unanimous consent that the article to which I referred may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SPAIN SEEN EVASIVE ON U.S. BASES TALKS

(By Harold K. Milks)

MADRID.—Reliable sources indicate the United States is having difficulty getting negotiations started for renewal of the United States-Spanish aid-for-bases pact expiring in September.

These sources said there has been trouble in arranging desired interviews with Spanish officials for U.S. Deputy Secretary of Defense Roswell L. Gilpatric, scheduled to arrive February 14 for a 4-day visit to begin the defense treaty talks.

"Four top Spanish officials Gilpatric wanted to see have indicated they expect to be out of town or otherwise unavailable during his visit," one authoritative source reported.

The reported difficulties in arrangements for Gilpatric contrasted sharply with official Spanish statements that Gen. Francisco Franco's government is anxious to renegotiate the defense pact "without asking for the moon and on the basis of a firmer friendship with the United States."

Equally puzzling has been the official visit here of the French Chief of Staff, Gen. Charles Ailleret, who arrived yesterday.

Spanish spokesmen describe the visit officially as one made in return for a visit to Paris by Capt. Gen. Agustin Munoz-Grandes, Franco's Vice President.

Yet the Spanish press prominently published reports from special correspondents in Paris that the French general may be pledging help to get Spain into NATO and may be arranging a close military collaboration with Franco's armed forces.

The Russians meanwhile continue to predict a deal between Franco and French President Charles de Gaulle. A Paris dispatch from the Soviet news agency Tass today said:

"Franco hopes that flirtation with France will strengthen his position in the bargaining with the United States. His position, in the final count, will depend on who will pay him more.

"Moreover, he regards rapprochement with De Gaulle's regime as a possible loophole to get into the Common Market and NATO, from which he has so far been barred by the Western leaders, who feared an outburst of popular indignation."

SNAG IN BASES TALKS IS DENIED IN MADRID

MADRID.—Spokesmen for the Spanish Foreign Ministry and the American Embassy today denied knowledge of a report about alleged difficulties connected with the forthcoming visit here of U.S. Deputy Defense Secretary Roswell Gilpatric.

The report said four Spanish defense officials whom Gilpatric had wanted to meet during his trip had indicated they would not be available.

The U.S. Embassy spokesman said: "We know nothing of this report. It is up to the Spaniards themselves to designate the officials who will have discussions with Mr. Gilpatric."

The Foreign Ministry spokesman said nothing was known in his department of any difficulties in connection with the talks.

Mr. SALTONSTALL. Mr. President, as one who has visited those bases in Spain, I agree wholeheartedly with what the distinguished chairman of the Committee on Armed Services has said.

EDUCATION—A NATIONAL PROBLEM

Mr. YOUNG of Ohio. Mr. President, our President frequently sends messages to Congress following the time at the outset of each session he appears in person to deliver his state of the Union message.

It is difficult to conceive of a more important message from the Chief Executive than the recent one dealing with education and expressing the views as to what measures should be enacted by Congress for aid to education. Education is a national problem. "Education," said President Kennedy, "is a keystone in the arch of freedom and progress." This statement is accurate. It stresses the preeminent place which historically education has had in American growth since Thomas Jefferson founded the University of Virginia. America's hope for the future lies in the education of our youth—our children and grandchildren.

The President proposed a selective and stimulative approach to education designed to minimize conflicts over religious issues and to allay any fear over Federal interference with local authority to hire teachers and prescribe the courses of study. We all recognize the fact that our primary and secondary school systems need help. Also most of us favor some provisions for assisting colleges and universities and for loans and other aid to worthy students not financially able otherwise to attain a higher education. The President stated that Americans can no longer afford the luxury of endless debate over complicated and sensitive questions raised by each new proposal on Federal participation in education.

I express my admiration and support of our President's program for Federal aid to education.

MINORITY STAFF

Mr. PROUTY. Mr. President, I ask unanimous consent that I may be recognized for an additional 2 minutes.

The VICE PRESIDENT. Is there objection to the request by the Senator from Vermont? The Chair hears none, and, without objection, the Senator is recognized for an additional 2 minutes.

Mr. PROUTY. Mr. President, in just a moment I shall send to the desk a resolution and ask unanimous consent for its immediate consideration.

Mr. MANSFIELD. Mr. President, would the Senator repeat what he said? I could not quite hear him.

Mr. PROUTY. I said that very shortly I shall send to the desk a resolution and ask for its immediate consideration. I think the distinguished majority leader knows what is embodied in the resolution. I called him this morning.

Mr. MANSFIELD. Yes. The Senator has shown me the courtesy of notifying me ahead of time. That is why I raised the question at this time. I heard the words "unanimous consent," but not in proper alinement.

Mr. PROUTY. Mr. President, the resolution has nothing to do with cloture.

It has nothing to do with any constitutional issue. I think it will be a welcome relief to get away from such questions, even for a brief period.

Since January 9, when the Senate convened, we have been discussing possible rule modifications, and nearly every Senator who has expressed an opinion has justified his position on the basis of minority rights. Each Senator, it seems, wants to protect minorities.

Yet, Mr. President, we have within the Senate itself a grave minority problem at the present time. I refer to the fact that the minority has inadequate representation on the committee staffs. Without a sufficient number of staff people, Republicans cannot do a real effective and efficient job.

The resolution which I intend to submit will do several things.

It will provide for a more equitable distribution of committee staff members in the Senate.

It will provide an increase of from four to five in the number of professional staff members assigned to each standing committee.

It will provide for an increase of from six to seven in the number of clerks authorized on the clerical staff of each standing committee.

It will provide that 40 percent of the professional and clerical staff of each standing committee be designated to be assigned to duties deemed advisable by the minority.

It would provide, pursuant to resolutions for the purpose, that 40 percent of the funds authorized for the employment of temporary personnel on the committees and subcommittees be made available to the minority for payment of salaries of employees.

Mr. RUSSELL. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from Georgia?

Mr. RUSSELL. The Senator is discussing a rather important matter. I wonder if he desires to have a quorum.

Mr. PROUTY. I should be happy to have a quorum.

Mr. RUSSELL. Mr. President, I ask unanimous consent that, without affecting the rights of the Senator from Vermont to the floor, I may suggest the absence of a quorum.

Mr. PROUTY. I appreciate the courtesy of the distinguished Senator from Georgia.

The VICE PRESIDENT. Is there objection to the request by the Senator from Georgia? The Chair hears none; and, without objection, the clerk will call the roll.

The Chief Clerk called the roll and the following Senators answered to their names:

[No. 19 Leg.]

Aiken
Allott
Anderson
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT] is absent on official business.

The Senator from North Carolina [Mr. JORDAN] is necessarily absent.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). A quorum is present. The Chair recognizes the Senator from Vermont.

PROPOSED AMENDMENT OF RULE XXII—RESOLUTION

Mr. PROUTY. Mr. President, I ask unanimous consent that my time may be extended for 2 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PROUTY. Mr. President, I have been advised that objection will be made to the resolution which I propose to offer relating to minority staffs. Therefore, I shall, in a moment, send to the desk another resolution, this one relating to cloture.

The latter resolution provides two criteria for the invoking of cloture: First, that three-fifths of the Senators present and voting, and also a constitutional majority, or 51 Senators, must vote in favor of cloture before debate can be halted.

Under the existing rule, theoretically at least, 34 Senators could invoke cloture. So in a sense my proposal tightens up the present rule XXII. It gives the distinguished Senator from New Mexico [Mr. ANDERSON] what he is seeking; it gives the distinguished Senator from Minnesota [Mr. HUMPHREY] what he is seeking. And it offers real possibilities for compromise.

Pursuant to a notice to amend the rules, which I submitted in writing yesterday, I send to the desk a resolution to amend rule XXII of the standing rules of the Senate and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The Chief Clerk read the resolution (S. Res. 80), as follows:

Resolved, That rule XXII of the Standing Rules of the Senate is amended to read as follows:

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting and also by a majority vote of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Montana will state it.

Mr. MANSFIELD. Has the Senator from Vermont asked that his resolution be called up for consideration, or only that it be read?

Mr. PROUTY. I requested unanimous consent that it be taken up for immediate consideration.

Mr. MANSFIELD. Mr. President, I am sure the Senator from Vermont understands the position I am in. Therefore, although I shall do it regretfully, I must object.

Mr. PROUTY. Mr. President, how much time remains available to me?

The VICE PRESIDENT. The Parliamentarian informs the chair that the Senator from Vermont has used the time available to him at this time; but the Chair is sure the Senator from Vermont can obtain additional time, by means of unanimous consent.

Mr. MANSFIELD. Mr. President, I shall withhold my objection, and at this time shall merely reserve the right to object. But I shall object. Meantime, I ask unanimous consent that the Senator from Vermont may have additional time in which to speak.

Mr. PROUTY. Mr. President, I ask unanimous consent that I may proceed for an additional 3 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. PROUTY. But if the majority leader wishes to make his objection now, he may do so.

Mr. MANSFIELD. Mr. President, I reserve the right to object—so as to permit Members who wish to speak now on this matter to do so.

Mr. CASE. Mr. President, will the Senator from Vermont yield for a question?

Mr. PROUTY. I yield.

Mr. CASE. This may seem so obvious as not to be worth mentioning; but let me say that I assume that the Senator from Vermont has submitted the resolution which has been read because he firmly believes in it, hopes to have the Senate vote on it, and hopes the resolution will be adopted. Is that correct?

Mr. PROUTY. That is true. I think it represents a fair compromise for all parties concerned with a very difficult question.

Mr. MANSFIELD. Mr. President, we have spent 4 weeks while trying to arrive at a decision on the motion to take up Senate Resolution 9. After a great deal of travail and a tremendous waste of time in this body, we are now approaching the hour of 2 o'clock, at which time we shall consider a motion to lay on the table—a motion which, in my opinion, in effect will not mean a thing.

We have filed a cloture petition. On tomorrow, 1 hour after the Senate convenes, there will be a vote on the question of ordering cloture. I think that will be the critical vote.

I hope most sincerely that the distinguished Senator from Vermont—who has been most interested in this question, and has been one of its leading advocates—will consider the possibility of having his resolution referred to the appropriate committee, for its consideration.

Frankly, I feel that in the position I occupy, I have no choice but to reserve the right to object; and after Members who wish to speak on this matter have had an opportunity to do so, I shall object.

MINORITY STAFF

Mr. PROUTY. Mr. President, is it in order for me at this time to send a resolution to the desk and request unanimous consent for its immediate consideration?

The VICE PRESIDENT. Yes. Does the Senator from Vermont withdraw the resolution he already has at the desk?

Mr. PROUTY. No, Mr. President; I do not wish to do that.

The VICE PRESIDENT. Then, if objection is heard—and the Chair understands that the Senator from Montana objects to the request of the Senator from Vermont for unanimous consent for the immediate consideration of the first resolution he sent to the desk—that resolution will go over, under the rule.

It is now in order for the Senator from Vermont to submit another resolution, if he desires to do so.

Mr. PROUTY. Mr. President, pursuant to the notice in writing which I submitted and sent to the desk on February 4, I now send to the desk a resolution to amend one of the rules of the Senate, and request its immediate consideration. The resolution relates to the question of minority staffs.

The VICE PRESIDENT. Is there objection?

Mr. MANSFIELD. Mr. President, reserving the right to object, let me say that the Senator from Vermont was kind enough to call me ahead of time and inform me of what he intended to do today, during the morning hour. I understand that the resolution has to do with a proposed shift in the composition of the staffs of Senate committees. Is that correct?

Mr. PROUTY. That is correct.

Mr. MANSFIELD. Let me say that this matter was brought up on several occasions last year. The distinguished Senator from Nebraska [Mr. CURTIS] made some speeches on this matter. He also brought it up within the confines of the Rules Committee itself. I have said to him, as well as to the distinguished minority leader, that I thought it was a matter well worth considering. I made myself available for any suggestions which might be forthcoming. I believe I joined the minority leader in sending to the chairmen of all the committees a letter asking them to answer, if they would, various questions which were propounded; and, also together, we contacted Mr. George Galloway, the Library of Congress expert on congressional matters, and asked him to work on this particular matter.

I certainly think the Senator is on firm ground, insofar as any Senator is concerned with this matter. I wish to call his attention to the fact that negotiations of a sort have been going on; that the majority side has indicated that it would like to give consideration to any proposals which might be forthcoming; but that, up to this time and up to the submission, today, of this resolution, no proposal—to my knowledge—has been forthcoming from the minority side.

Mr. PROUTY. Mr. President, I appreciate what the distinguished majority leader has said; and I commend him for his spirit of cooperation.

Mr. MANSFIELD. I thank the Senator from Vermont.

Mr. PROUTY. I am very grateful for the new light he sheds on an old problem.

Certainly I can understand why he would feel constrained to object to my request for the immediate consideration of this resolution. However, I shall discuss the matter further with him at another time.

Mr. SCOTT. Mr. President, will the Senator from Vermont yield?

Mr. PROUTY. I yield.

Mr. SCOTT. I wish to state that I join very earnestly in the rule amendment proposed by the Senator from Vermont. I realize the parliamentary situation; but I should like to say that for some time conversations have been going on between the Senator from Nebraska [Mr. CURTIS], the Senator from Vermont [Mr. PROUTY], myself and three minority Members of the other body, and that I expect that we shall have proposals to submit to the majority leader and to the minority leader with regard to the minority staffing of committees, because of our desire to obtain an improvement which we believe will result in fair play and a better proportion in connection with the committee staffing, in order to enable us to do our research and our homework and be prepared to assume our responsibilities.

I understand the position of the majority leader, and I am most grateful to him for his statement that he is open to suggestions. Therefore, I state that we do plan to make suggestions.

Mr. MANSFIELD. The majority leader does have an open mind and has had an open mind. He is only awaiting the minority leader, who is looking into the question, to come up with some suggestions which we could consider together.

Mr. PROUTY. I appreciate the interest and the attitude of the majority leader.

Mr. MANSFIELD. Mr. President, I object.

The VICE PRESIDENT. Objection is heard, and the resolution will go over under the rule.

The resolution (S. Res. 81) was ordered to lie over under the rule, as follows:

RULE XLI

Minority staff members

1. Each standing committee of the Senate (other than the Committee on Appropriations) is authorized to appoint by majority vote of the committee not more than five professional staff members in addition to the clerical staffs on a permanent basis without regard to political affiliations and solely on the basis of fitness to perform the duties of the office; and said staff members shall be assigned to the chairman and ranking minority member of such committee as the committee may deem advisable, except that whenever a majority of the minority members of such committee by resolution adopted by them so request, at least 40 per centum of such professional staff members shall be appointed by majority vote of the minority members of such committee and shall be assigned to such committee business as the minority members of such committee deem advisable. Services of professional staff members appointed by majority vote of the committee may be terminated by majority vote of the committee and services of professional staff members appointed by a majority vote of the minority members of such committee may be terminated by majority vote of such minority members. Professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them.

2. The clerical staff of each standing committee of the Senate (other than the Committee on Appropriations), which shall be

appointed by a majority vote of the committee, shall consist of not more than seven clerks to be attached to the office of the chairman, to the ranking minority member, and to the professional staff, as the committee may deem advisable, except that whenever a majority of the minority members of such committee by resolution adopted by them so request, at least 40 per centum of such clerks shall be appointed by majority vote of such minority members. The clerical staff shall handle committee correspondence and stenographic work, both for the committee staff and for the chairman and ranking minority member on matters related to committee work, except that if members of the clerical staff are appointed by the minority members of such committee, such clerical staff members shall handle committee correspondence and stenographic work for those members of the committee staff appointed by such minority members, and for the minority members, on matters related to committee work.

3. In any case in which, pursuant to one or more resolutions of the Senate, a standing or select committee of the Senate, or any subcommittee of any such committee, is authorized to employ on a temporary basis one or more employees, such amount (not to exceed 40 per centum of the funds available to be used for payment of the salaries of all such employees) as may be requested by a majority of the minority members of such committee shall be used for the payment of the salaries of an employee or employees selected for appointment by majority vote of such minority members. Any employee or employees so selected shall be appointed and shall be assigned to such committee or subcommittee business as such minority members deem advisable.

4. Nothing in this rule is to be construed as requiring a reduction in the number of professional or clerical staff members authorized prior to the adoption of this rule to be employed by any committee of the Senate, or subcommittee thereof, or in the percentage of such members presently authorized to be appointed by the minority membership of any such committee or subcommittee.

RATIFICATION BY STATES OF POLL TAX AMENDMENT

Mr. HOLLAND. Mr. President, in my colloquy of yesterday with the distinguished Senator from New York [Mr. Keating], relating to ratification of the anti-poll-tax amendment by the Legislature of the State of New York on Monday of this week, I referred to the able editorial in the Washington Post yesterday morning which expressed hope that ratification of the amendment by the States will be accomplished without delay. I am grateful to those responsible for that friendly editorial, and I, at this time, ask leave to have printed in the Record that editorial as part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington Post, Feb. 5, 1963]

Twenty-fourth Amendment

Ratification of the proposed 24th amendment to the Constitution should be a "must" on the agenda of the 46 State legislatures meeting this year. The resolution proposing the amendment, which would forbid the collection of poll taxes from voters in presidential and congressional elections, passed both the House and Senate by huge majorities last year. Already it has been approved by two States—Illinois and New Jersey. The response to it in most of the other States is reported to have been good, and since all but four of the State legislatures are meeting in regular session this year, and three are expected to hold special sessions, ratification should be completed by early summer.

Mississippi has rejected the amendment, but this had been anticipated not only because of the emotions aroused at Oxford but also because Mississippi is one of the two States using the poll tax as a formidable barrier to Negro voting. The other is Alabama. Possibly all the States that still tax the privilege of voting will reject the amendment, but there are only five of them. The affirmative votes of 38 out of the 50 States are needed for ratification.

It is to be hoped that a number of Southern States will join the anti-poll-tax bandwagon, as did some southern Congressmen. The chief sponsor of the resolution was Senator Holland, of Florida, who worked for many years to build up support for it. The amendment cannot be accurately regarded, therefore, as a sectional issue. Rather it is a national effort supported by both parties to take the price tag off the right to vote.

Two years ago the success of the 23d amendment giving residents of the District of Columbia the right to vote in presidential elections demonstrated how quickly the States can act when an issue involving basic human rights is laid before them. The response should be no less prompt and sweeping in the current instance. The poll tax is a discredited relic of an era that is gone. It has no place in the present or the future of free Americans. The legislators of the various States should take no chance on its survival through the 1964 election.

Mr. HOLLAND. At this time I am also very happy to call to the attention of Senators the fact that, according to an article in this morning's Washington Post, the Legislature of the State of West Virginia, so ably represented in this body by the senior Senator from West Virginia [Mr. Randolph] and his distinguished colleague the junior Senator from West Virginia [Mr. Byrd], on yesterday ratified the anti-poll-tax amendment, becoming the fourth State legislature to do so. The other States which have acted so wisely and so promptly upon this important matter are Illinois, New Jersey, and, as I mentioned, New York.

I, indeed, wish to extend my congratulations and express my appreciation to my distinguished colleagues from West Virginia [Mr. Randolph and Mr. Byrd], each of whom has been very active, not only last year in the submission to the States of the anti-poll-tax amendment, but also this year in recommending its prompt ratification by the legislature of their State.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. SCOTT. I should like to say to the Senator from Florida that the Governor of Pennsylvania in his address to the legislature recommended the prompt ratification of the amendment. I believe that it will be ratified in due course while the legislature is in session. I hope that the ratification will occur at an early time.

Mr. HOLLAND. I thank the Senator warmly for that information. I express my appreciation to him for his own efforts in that same direction, which tend to accentuate the fact that it is a bipartisan, and perhaps even a nonpartisan, movement which I think should be promptly completed.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Vermont.

Mr. AIKEN. I thank the Senator from Florida. I believe the Senator from Florida would like to know that the Vermont Senate is today acting upon the proposed amendment. I have no question that the amendment will be virtually unanimously approved by both the senate and the house of our State legislature.

Mr. HOLLAND. I also deeply appreciate that information. I take this occasion to express my grateful thanks to both Senators from Vermont for their great help on this subject. I know they have followed up their friendly support of the amendment last year with recommendations to the Governor and the legislature looking to the early ratification of the amendment by the Legislature of Vermont. I am certainly very grateful to them.

Mr. AIKEN. I assure the Senator from Florida that probably the only reason Vermont is not the first State to ratify the amendment is that our legislature was not in session and the legislatures of three other States were in session.

Mr. HOLLAND. Mr. President, again I thank my distinguished friend.

THE COMMON MARKET AND FRANCE

Mr. CURTIS. Mr. President, we are now embarked on a new frontier of foreign relations, the object of which is to isolate ourselves by fracturing our relations with our allies. Each day some new crisis drives from our heretofore friendly conference tables another leader of an allied power.

We view the Common Market through the eyes of Prime Minister Macmillan and we have taken upon ourselves the task of preparing Britain's entry into the Market. Before we abandon objectivity, it is necessary to look at all sides of the issue surrounding Britain's entry and I am offering for the record an article by David Lawrence entitled "De Gaulle Is Thinking First of France."

Another prominent journalist well schooled in diplomacy recalls for us the beginnings of the Common Market and the year 1955 in which Britain was invited to send a representative to the Continent for discussions about the creation of a Common Market. Apparently, Britain had little regard for these first efforts to achieve European unity and sent a subofficial of her Treasury to meet the heads of European states. This in itself was considered a rebuff and, after a few hours of discussion, the subtreasury official stated:

> We fought and won the battle of Waterloo to prevent the unity of continental Europe which was Napoleon's objective. Do you imagine that we will now subscribe to such a development?

In the years immediately following, Britain gave light treatment to efforts on the Continent and undoubtedly created enmities which must now be overcome. Today, Britain's problem is not entry into the Common Market as an equal partner, but her persistent effort to gain privilege for her Commonwealth upon her entry into the Common Market.

It has now become the fashion of the day to turn down De Gaulle and to degrade him in the eyes of the American electorate. This ignores his outstanding achievements as a leader of free France to which he has brought both economic and political stability. In the interest of objectivity, I might quote from a statement recently circulated by the Italian Information Center arising at a meeting between Italian Prime Minister Fanfani and foreign correspondents on December 29, 1962. Fanfani was questioned:

> Would the entry of Great Britain into the Common Market facilitate or hamper this political union?

Prime Minister Fanfani's answer was as follows:

> If what has been reported in the newspapers is true—hence I cite no other source—regarding the meeting between De Gaulle and Macmillan in Paris in December, not even the President of the French Republic envisions obstacles that could arise from the fact of Great Britain's entering the Common Market. The problem is of a different kind; it is that of seeing whether, after joining the Common Market, there develops any problem about joining in a political union. This [political union] would be a welcome step for us Italians. I don't know whether there is general agreement on this point outside Italy, but I think that the majority share this opinion in Italy.

Mr. President, I ask unanimous consent to include in my remarks an article from the Winnipeg, Canada, Free Press of February 2, 1963, as well as the David Lawrence article.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Winnipeg (Canada) Free Press, Feb. 2, 1963]

BRITISH PAPERS SIDE WITH CANADA IN ROW

LONDON.—The quarrel between Ottawa and Washington over Canada's nuclear defense is drawing considerable comment from British newspapers.

The Times, in its leading editorial, says the root of the disagreement is that "the U.S. administration knows precisely what it wants while the Canadian Government, conscious of divided country, cannot make up its mind."

Both the Times and the Manchester Guardian say that U.S. impatience with Canadian vacillations over a weapons policy is to some extent understandable. The Guardian adds:

"At best the State Department was guilty of a foolish bit of hamfistedness; at worst it may also have been guilty of an attempt to interfere in the domestic politics of another country."

MILITARY GROUNDS

The newspaper says it is fairly clear on purely military grounds that Canada should have nuclear warheads for her Bomarc missiles. But at the same time "there are powerful foreign-policy arguments in favor of Canada's nonnuclear status.

"Canada, it should be remembered, is at present the founder and sole member of what used to be referred to as the nonnuclear club.

"Canada is the only country in the world that could indisputably have developed its own nuclear weapons and which has chosen not to do so.

"It is at least arguable that Canada can play a more useful part in world affairs by ostentatiously keeping her hands clean of nuclear weapons than by subordinating her foreign policy to the military requirements of defense."

THE TIMES

The Times says:

"U.S. impatience is in the circumstances understandable. The only question is whether, by pressing her case in public, she may not have increased the political temperature in Canada to a point where the arguments become more obscured than ever. Americans should now be aware of the danger of seeming to interfere in other countries' elections."

The Daily Telegraph says:

"The Canadian Prime Minister has played for time. * * * President Kennedy had the right to send him a reasoned reminder and though Mr. Dean Rusk offers to apologize for it, there is nothing offensive in its wording."

NOT TOUCHY

The Daily Express, owned by Beaverbrook, says:

"The Canadian nation is neither unduly touchy nor excessively submissive. Canada is one of the great powers of the world.

"They have the same stubborn spirit as the British and the Americans, the same insistence on equal consultation. And when the sky darkens the same unflinching loyalty to an ally."

The Evening Standard, another Beaverbrook paper, Friday said the U.S. quarrel with Canada shows "Washington has many lessons in tact still to learn."

"The Americans would clearly like to establish a nuclear foot in Canada. But their handling of the situation has been insulting as well as clumsy."

WORLD AFFAIRS—DE GAULLE IS THINKING FIRST OF FRANCE

(By David Lawrence)

WASHINGTON.—There's no use getting mad at General de Gaulle just because he is a realist in a world of anxiety or just because he doesn't see things the way Washington or London sees them.

The French President has been criticized as a stubborn, self-centered individual who would give up his concept of a united Europe based on continental supremacy without Britain.

Naturally this irritates many people and causes intimations in White House circles that maybe General de Gaulle is living in the 19th century.

Yet General de Gaulle has merely stood firm on the principle that a leader's first obligation is to take care of his own countrymen.

On January 14, General de Gaulle gave comprehensive answers to questions at a press conference in Paris. He has not modified his position.

His views were by no means opposed fundamentally to allied solidarity or to the organization of a common defense.

His statement explained that France would welcome Britain into the Common Market on terms of equality, but not as a special partner with trade concessions for the benefit of its home agriculture and its commonwealth associates.

Nor did General de Gaulle exclude the strategy of a common military defense. He said:

"Principles and realities combine to lead France to equip itself with an atomic force of its own. This does not at all exclude, of course, the combination of the action of this force with the action of the similar forces of its allies."

Here is a nation's leader who is thinking primarily of his own country and who is not willing to entrust its safety to the trigger finger of an executive in another country.

He is unwilling to entrust the safety of his people to a strategy that relies wholly on missiles or looks on conventional weapons as obsolete. The possibility of a big war without nuclear weapons remains on a continent in which the Soviet Union has the biggest standing army in the world.

THE GERALD M. ANDERSON CASE

Mr. SALTONSTALL. Mr. President, recently there have been a number of articles in the newspapers concerning the Air Force attitude and actions with respect to Airman Gerald M. Anderson, of Mountain Home Air Force Base, Idaho, and I personally have received a number of communications about the matter. As a consequence of the requests I have had for information on this subject, I called the Secretary of the Air Force about it. I felt it was of great importance that the Air Force position should be made clear and its actions justified.

I have this morning received a letter from the Secretary of the Air Force, Eugene M. Zuckert, and with it the "U.S. Air Force Summary of the Gerald M. Anderson Case." I ask unanimous consent that the letter from Mr. Zuckert to me and the memorandum attached to it may be printed in the RECORD at this point. I do so in order to clarify the situation.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE AIR FORCE,
Washington, February 4, 1963.

Hon. LEVERETT SALTONSTALL,
U.S. Senate.

DEAR SENATOR SALTONSTALL: The Under Secretary has informed me of your recent telephone call and letter to him concerning Airman Gerald M. Anderson, of Mountain Home Air Force Base, Idaho. Your desire to assist the Air Force in presenting a more complete and objective understanding of this case is greatly appreciated.

I welcome the opportunity to furnish you with the details of this matter, which could not be publicly released prior to this time, without prejudicing the defense position of Airman Anderson. To further an objective understanding of the facts and circumstances of this unusual murder case, I have had the attached summary prepared. Each factor set forth in this summary has been very carefully related to official documents and evidence of record.

My major concern in this matter has been to insure that Airman Anderson's rights were protected at all times, and that the due processes of the law were exercised, regardless of his guilt or innocence. This was achieved when the murder charges against Airman Anderson were dismissed and he was restored to duty after a most diligent review of the investigation report and exhibits. This investigation was conducted under the provisions of the Uniform Code of Military Justice by a highly competent and impartial investigating officer.

Upon being returned to duty on January 29, 1963, Airman Anderson applied for an immediate separation from the Air Force, with an honorable discharge. Air Force Headquarters approved this request, in view of the unusual circumstances involved. Airman Anderson was given an honorable discharge at approximately 4 p.m. (m.s.t.) on January 30, 1963, at Mountain Home Air Force Base, Idaho.

Please accept my sincere appreciation for your assistance in making the Air Force position known. If I can be of service to you in the future, I hope you will call upon me.

Sincerely,

EUGENE M. ZUCKERT.

U.S. AIR FORCE SUMMARY OF THE GERALD M. ANDERSON CASE

This summary statement has been prepared by the Department of the Air Force in response to requests from the Congress for the facts in the Anderson case. In view of the fact that Airman Anderson had been under charges both by the civil authorities and later by the military authorities, it was not possible, in fairness to Airman Anderson, to release a detailed summary prior to this time. The formal dismissal by the Air Force of the charges against Anderson on January 29, 1963, makes it now possible, in response to these congressional inquiries, to disclose the principal facets of this most unusual murder case and the actions taken by the Air Force.

The following is a résumé of the pertinent facts of this case:

On April 9, 1962, a young Air Force wife, Nancy Joy Johnson, and her 2½-year-old son, Daniel, were brutally murdered with a knife and Mrs. Johnson was sexually violated in the Johnson residence located in Mountain Home, Idaho. Within 2 days thereafter, a neighbor, A1c. Gerald M. Anderson, became the prime suspect. On April 16 Anderson confessed to the murder of Mrs. Johnson and was immediately surrendered to the civil authorities. In November 1962, while Anderson was awaiting trial by the civil authorities, an itinerant laborer, Theodore T. Dickie, confessed to the Johnson murders. This brought into question Anderson's confession and resulted in criticism of the handling of the Anderson case by the Air Force and particularly the Air Force Office of Special Investigations (OSI). The OSI is an agency under the Inspector General, U.S. Air Force, and is responsible for investigating major criminal offenses and counterintelligence matters Air Force worldwide.

On April 10, 1962, at approximately 1 o'clock in the morning, A1c. Alex E. Johnson, on returning to his home from the Mountain Home Air Force Base, saw the legs of his wife protruding from behind the washing machine in the semidarkened kitchen of his home. He touched her and found that her body was cold and concluded that she was dead. Shocked by his discovery, he undertook a search of the house for his son Daniel. Failing to find his son, he ran to the home of his neighbor, Airman Anderson, who lived approximately 230 feet from the Johnson residence. He awakened Anderson and his wife and announced that Nancy had been killed. Johnson later testified that he did not remember the exact words he used but that at the time he did not know how Nancy had been killed. Anderson went to the adjacent apartment of Sgt. Jerome Williamson and asked Williamson to come to the Anderson apartment. Johnson asked Williamson if he had a telephone, and on receiving a negative response stated that the police should be summoned to his home. Williamson stated that he would go to the laundromat nearby and telephone the police, whereupon Anderson announced that he would go and get the police. Williamson accompanied Anderson to Anderson's automobile and watched him drive away in the direction of the police station. Williamson observed that Anderson did not stop at the Johnson home.

Shortly thereafter, Anderson entered the Mountain Home Police Station and asked the only person present, a police matron, if there was an officer on duty. The matron advised Anderson that she would call the patrol car and Anderson then stated that his neighbor had found his wife all cut up and his child missing. The matron contacted the patrol car and asked the police officers to report to the police station immediately. Prior to their arrival, Anderson said to the matron, "She sure is cut." When the police officers arrived, the matron expressed her belief that it was an attempted suicide. Airman Anderson corrected her and said "It isn't a suicide." The police asked for the Johnson address and Anderson replied that he did not know the address, but that he would take them to the house.

Anderson accompanied the police officers in the patrol car to the Johnson home. While en route, Anderson made a statement to one of the patrolmen that after Johnson reported his wife's death to him, Anderson put on his pants and went to the Johnson home. He stated that he saw Mrs. Johnson's legs. On arrival at the Johnson home, the other policeman inquired, "Where is she?" Anderson responded, "She is in the back." He repeated to the second policeman that after putting on his trousers, he had gone to the Johnson home, looked in the back door, and had seen Mrs. Johnson's feet and legs before going to the police station. On entering the semidarkened kitchen, one of the policemen discovered the body of Mrs. Johnson lying on her back on the kitchen floor between the freezer and the washing machine. Lying by Mrs. Johnson's right side, face down and partially covering her body, was the body of Daniel. The policemen then dismissed Anderson, who returned to his home.

Anderson, his wife, Johnson, and Williamson were each interviewed in the Anderson apartment building by the civil authorities shortly after their arrival at the scene of the crime. Anderson related that he had delivered milk to Mrs. Johnson at approximately 8:20 p.m. on April 9, returned home, and remained there until he was called by Johnson. Mrs. Anderson volunteered that she had observed a prowler looking into the Johnson home.

On the morning of April 10 Anderson did not report for duty at Mountain Home Air Force Base. A policeman stationed at the Johnson residence observed Anderson in the vicinity of the Johnson home prior to 11 o'clock in the morning. Anderson appeared to be searching for something. Between 11 a.m. and noon on April 10 Anderson entered a bar in Mountain Home and appeared to be nervous and upset. He remained in the bar until approximately 2:45 p.m. drinking and reached a state of apparent intoxication. While in the bar, Anderson discussed the Johnson murders freely and made statements which convinced those present that he had an unusually intimate knowledge of the murders and the wounds inflicted on the victims. Anderson also stated that he must have been the last person to see Nancy alive. A married couple (in the bar) took Anderson home at approximately 2:45 p.m. On arriving at his home, as Anderson walked toward his house, he turned and faced the Johnson home, began crying, and said, "I didn't want to do it but I had to." Mrs. Anderson, who had come out of the house to meet him, said, "Shh, don't say another word." As she cautioned him, she put her arms around him and smothered him with kisses. These statements were made in the presence of the married couple who then departed. At approximately 3:25 p.m., this same couple observed Anderson searching in the grass for something near the back door of the Johnson home. Their observations and the statements made in their presence were reported to the police that evening.

On April 11, when Anderson reported for duty at Mountain Home Air Force Base, he was instructed to report to the air police office. The officer in charge at the air police office interviewed Anderson for approximately 30 minutes. He was one of many other Air Force personnel who were interviewed. These interviews were conducted at the request of the Mountain Home civil authorities to assist them in their investigation of the Johnson murders. Anderson remained at the air police office until his presence was requested by the OSI that evening, during which period he was not questioned again.

At approximately 2:30 p.m., April 11, representatives of the Air Force OSI met with the civil officials in the city of Mountain Home. During this meeting, the civil authorities reported on the progress and findings of their investigation. They specifically requested information concerning Anderson and Johnson from their Air Force personnel records. At this time Anderson had become the prime suspect of the civil authorities for the following reasons:

1. Anderson's own statement to civil law enforcement officials that he was present at the scene of the crime at the approximate time generally established by the autopsy as the time of Mrs. Johnson's death.

2. Anderson's spontaneous statements to persons other than law enforcement officials on April 10, indicating an unusually intimate knowledge of the crime scene and the bodies.

3. Anderson was observed on two separate occasions on April 10 in the yard of the Johnson home apparently searching for something.

4. Anderson's self-incriminating remarks which were made in the presence of his wife and two witnesses on April 10.

5. Anderson's statements to the police matron at the police station on April 10 when reporting the crime describing the physical condition of Mrs. Johnson's body.

6. Anderson's statement to the police officers on April 10 that it was not a suicide.

7. Anderson's conflicting statements to the police on April 10 that he had visited the crime scene prior to reporting the crime.

At the request of the civil authorities, an examination of Anderson's personnel records in the Department of the Air Force was made.

These records revealed that he had been sentenced for a period of 1 year in a reform school at the age of 15. His records revealed further that, while in the service, he had been punished for driving while drunk, disorderly conduct, and assault against a civil police officer.

The civil authorities requested that Anderson be interviewed by the OSI with respect to the Johnson murders. Members of the OSI conducted an authorized search of Anderson's automobile at approximately 9:15 p.m., on April 11. The automobile was located at Mountain Home Air Force Base and the search was conducted in the presence of Anderson and a commissioned officer from Anderson's organization. During this search, a spot which was later determined to be human blood was found on the interior roof upholstery in Anderson's automobile. Anderson explaining during the search that this spot was on the upholstery when he purchased the automobile.

At the conclusion of the automobile search, Anderson was escorted to the OSI office at Mountain Home Air Force Base to be interviewed. Before the interview began at approximately 10:30 p.m., and prior to each interview which followed, he was informed by members of the OSI of his rights under article 31 of the Uniform Code of Military Justice. (Art. 31 is the military equivalent of the fifth amendment to the Constitution.) Anderson was on each occasion also informed of the nature of the investigation.

OSI representatives interviewed Anderson on each day from April 11 to 18, 1962. Throughout this 8-day period, both the civil authorities and OSI continued to develop leads and gather information and evidence apart from the questioning of Anderson. The times and dates of these interviews are as follows:

(1) 9:15 p.m., April 11, 1962, until 6 a.m., April 12, 1962, with a total of 30 minutes of breaks.

(2) 9:05 a.m. until 4 p.m., April 13, 1962, with a total of 3 hours of breaks.

(3) 2:50 p.m., April 14, 1962, until 1:25 a.m., April 15, 1962, with a total of 3 hours and 20 minutes of breaks.

(4) 9:50 p.m., April 15, 1962, until 6 a.m., April 16, 1962, with a total of 35 minutes of breaks.

(5) 12:20 p.m., until 9:35 p.m., April 16, 1962, with a total of 45 minutes of breaks.

(6) 9:51 p.m., April 17, 1962, until 3 a.m., April 18, 1962, with a total of 2 hours of breaks.

During the early interviews, Anderson's responses revealed many inconsistencies and inaccuracies. For example, Anderson had stated during the search that the blood spot in his car was there when he bought it, but he later admitted that it was the result of his striking his wife and causing her nose to bleed. He also said that he was about 12 years old when he was placed in a reformatory for molesting a 5-year-old girl. Actually he was 15 years old. He also related previous incidents of violence toward his wife and his wife's family. He disclosed that he had at one time attempted suicide but had been unsuccessful.

On April 13, after a 27-hour interval between interviews, he voluntarily submitted to a lie detector examination. The lie detector charts indicated in a most pronounced manner that he had practiced deception when he denied any involvement in the Johnson murders. A second lie detector examination on this date indicated, however, that Anderson had no knowledge of the weapon used or of its location.

Throughout each of the interviews Anderson provided bits and pieces of information which were eventually consolidated in the final written confession dated April 16 and represent his recollection of the events. Anderson's written confession is a part of the record of the public hearing under article 32.

During the course of this inquiry, Mrs. Anderson was also interviewed and voluntarily consented to take a lie detector examination concerning her knowledge of the crime. Following an analysis of her lie detector examination, Mrs. Anderson was informed that the test indicated that she had not been truthful on some of the questions asked. She then admitted to the OSI agent that it was her personal belief that her husband had committed the crimes. She denied, however, that Anderson had ever specifically told her that he had committed the crimes. She admitted further that she had not seen a prowler near the Johnson home on the night of April 9, but had made the statement for the sole purpose of removing suspicion from her husband. She also stated that she was reasonably certain that Anderson had returned home between 8:30 and 9 p.m. on April 9.

Pursuant to the request of the civil authorities, Anderson was released to them at approximately 3 a.m. on April 18. On this same date he was arraigned and charged by the civil authorities with murder in the first degree of Nancy Joy Johnson. The sheriff and prosecutor of Elmore County, Idaho, interviewed Anderson at 8:45 p.m. on April 18. He related his confession substantially as he had to the Air Force. During this narrative, the county prosecutor asked, "Is this when it happened?" Anderson said, "Yes, this is when it happened." Following this statement Anderson became hysterical and the interview was terminated. The sheriff reported, however, that sometime around April 18 Anderson denied he had killed Mrs. Johnson.

On June 14, 1962, at the request of Anderson's civilian defense counsel, Anderson was given a lie detector examination by the chief of police of Boise, Idaho, to determine his knowledge of and participation in the Johnson murders. The chief of police, a graduate lie detector examiner, conducted one examination and the results of his findings were consistent with the previous lie detector examination conducted by the Air Force on April 13. Both examinations indicated that Anderson was untruthful when he denied involvement in the crime.

On November 19, 1962, Theodore Dickie, an itinerant laborer, who was in confinement in Boise, confessed to the Johnson murders. Dickie had, on November 10, confessed to the Boise authorities the rape slaying of a 10-year-old girl. His confession to the Johnson murders was made to a TV reporter and reiterated to the civil authorities the same day. When Dickie was previously questioned by civil authorities of Elmore County he confessed to seven felonies and two misdemeanors but specifically denied any complicity in the Johnson murder. Although his knowledge of the crime scene and of the articles removed from the Johnson home and the weapon which was used in the Johnson slaying was accurate, many aspects of his confession were inaccurate and inconsistent, as will be shown. On the basis of Dickie's written confession and his association with the murder weapon, the civil authorities dismissed the proceedings against Anderson without trial and returned him to Air Force control on November 26, 1962. He had been confined by the civil authorities since April 18, 1962, awaiting trial.

The Air Force was now faced with the fact that despite Dickie's confession with its obvious inconsistencies and inaccuracies, there was too much evidence against Anderson to be overlooked. In addition to the evidence which had made Anderson a logical suspect at the time of his initial questioning by OSI, the following additional factors were deemed pertinent:

1. Anderson's signed statement, dated April 16, 1962, in which he confessed to the stabbing of Mrs. Johnson.

2. Anderson's confession to the sheriff and prosecutor of Elmore County on April 18, 1962.

3. Anderson's statement to a cellmate in the civilian jail indicating that he had detailed knowledge of the wounds on the body of Nancy Johnson.

4. The discovery of blood on Anderson's shoes and a pair of shorts which he had worn on the day of the Johnson murders.

5. Anderson's admitted and known previous acts of violence.

6. The admission by Anderson's wife that she provided inaccurate information to the police officers to remove suspicion from her husband.

7. The conclusion of the polygraph operator that Anderson had practiced deception during the lie detector examinations when responding to questions concerning the murders.

As mentioned above, there were inconsistencies and inaccuracies in Dickie's first confession. For example, Dickie stated that he had been intimate with Mrs. Johnson on previous occasions. This was not consistent with her reputation. Dickie stated that he killed Mrs. Johnson close to midnight. This was inconsistent with the autopsy findings. With respect to the murder weapon, Dickie claimed that another man had stolen it and given it to him. The other man had denied this. Dickie stated that he did not recall stabbing Mrs. Johnson in the back, whereas the autopsy showed four stab wounds in the back. Also, it is significant that while Dickie confessed to the murders, he was inaccurate about details in this first confession. For example, he said there was no TV in the Johnson home, whereas there was. Dickie also stated Mrs. Johnson's hair was not in curlers, but actually it was when she was found dead. Dickie said that a neighbor introduced him and Mrs. Johnson in early April, whereas the neighbor said she never met Dickie herself until August.

It should be pointed out that both the civil authorities and the Air Force had jurisdiction over the crime and Airman Anderson. However, the civil authorities asked to exercise primary jurisdiction and pursuant to article 14 of the Uniform Code of Military Justice, the Air Force released Anderson to them on April 18. This action did not, however, divest the Air Force of its jurisdiction or its responsibility.

After Anderson's release by civil authorities on November 26, and after careful consideration of all the above factors, the Air Force placed Anderson in confinement on that same date and on the following day he was charged with the murders of Nancy and Daniel Johnson. Military justice procedures under the Uniform Code of Military Justice, which are in the nature of grand jury proceedings, were commenced. Under these procedures a thorough investigation by an impartial officer is conducted to determine what, if any, action is to be taken by the Air Force against one suspected of a crime. When these proceedings were initiated, Anderson was represented by both civilian and military counsel. Anderson was entitled to be present during the interrogation of witnesses, to hear all the evidence, to cross-examine the witnesses and present evidence in his own behalf. The proceedings were held at Mountain Home Air Force Base at Boise, Idaho, in December 1962 and January 1963. These covered a period of 12 days. Each session was open to the public and news media. Anderson and his civilian and military defense counsels were present during all the sessions. Counsel for Airman Anderson vigorously examined and cross-examined the witnesses, and though Anderson himself did not testify, other defense witnesses were called.

Theodore Dickie was interviewed by OSI agents on December 4 and 6, 1962, in an effort to resolve inconsistencies and inaccuracies in his confession of the Johnson murders. Then on December 7, at Dickie's personal request, communicated through his Boise appointed defense counsel, he was again interviewed by OSI agents. During this reinterview, with his defense counsel present, Dickie orally stated that he had not killed Mrs. Johnson or her son. He also said that Anderson had committed the crimes and that he, Dickie, had walked in on the scene of the crime and found Anderson there. He added further that Anderson had admitted to him that it was he [Anderson] who had committed the Johnson murders. However, this statement also contained numerous inconsistencies and inaccuracies. Shortly thereafter, Dickie reaffirmed his original confession that it was he who had murdered Nancy and Daniel Johnson. After later questioning, Dickie made and signed two sworn statements on December 28, 1962, and January 2, 1963, in which he again confessed to the murders. In his first confession of November 19, 1962, Dickie said that he knew Mrs. Johnson, but did not know Anderson. It should be noted, however, that in his confession of December 7, he stated that he knew Anderson and Mrs. Johnson. On the other hand, in his confessions of December 28 and January 2, he denied that he ever knew Anderson or Mrs. Johnson. In all four of his statements, he was inconsistent as to the reasons he went into the Johnson home. These confessions are a part of the record in this case.

After the close of the public hearings on January 10, 1963, a transcript of the proceedings was prepared. This record consists of more than 800 pages and 67 exhibits. After a review of the record by the officer who conducted the hearings, the file was forwarded to the commander, 15th Air Force, for his review and decision. He personally read and studied the entire record. The commander, 15th Air Force, had to weigh and consider all the conflicting evidence, portions of which are briefly discussed above. Under the law, before any case is referred for trial, the responsible commander must be satisfied that the accused probably committed the crime. Here two men had confessed to the murders and there was evidence tending to corroborate as well as discredit the stories of both. After carefully weighing all of these legally vital factors, he concluded that the evidence available did not warrant referring the case to trial by court-martial. Accordingly, the commander, 15th Air Force, directed that the charges against Anderson be dismissed and that he be released from confinement on January 29, 1963. Anderson was released January 29, 1963, and the following day, based on his own application, he was discharged from the Air Force with an honorable discharge.

Serious allegations have been made in the public media that individuals of the OSI exceeded their authority, used coercion to obtain Anderson's confession, and in fact violated Airman Anderson's civil rights. When these allegations first appeared, the Secretary of the Air Force ordered an investigation of each of these charges. The investigation had just begun when the Department of Justice ordered the Federal Bureau of Investigation to conduct a thorough investigation to determine whether these allegations had any substance. Until such time as the Department of Justice has completed its work and its findings on this case, it is inappropriate to discuss these allegations further at this time.

SAN LUIS PROJECT, CALIFORNIA

Mr. ENGLE. Mr. President, I want to report to the Senate on a very significant development with respect to the San Luis project in California. As many will recall, this body devoted 3 full days of debate to San Luis back in the 86th Congress. The Senate debate was conclusive to the point of passing the authorization bill, S. 44, which Senator Kuchel and I had introduced. But as the Record shows, the debate was not wholly reassuring to some Senators as to just how the reclamation 160-acre limitation would be applied to San Luis which is a joint Federal-State undertaking.

I maintained all along that whether acreage limitation applied to the State water plan or not—and the Solicitor of Interior has since ruled it does not—most certainly it did and would apply to the Federal project. Senator Kuchel took the same stand. If some who opposed us conceded this point privately, they would not concede it to the Senate. They nurtured an inference, despite our efforts of clarification, that the Federal service area, too, was involved in the argument over acreage limitation, and might somehow escape it.

Now at last, I think, that inference can be dispelled. And you do not have to accept my assurance or Senator Kuchel's promise. The proof we have is a legal document—an executed contract. I was present at the White House last week when the President signed the first San Luis water contract. I offer for printing in the Record at the conclusion of my remarks the Department of the Interior announcement on it, entitled "Nation's Largest Water Contract Signed in White House Ceremony."

Please read especially the last paragraph of the news release. Note that it says that reclamation acreage limitation will prevail on all land covered in the water service contract. This means 400,000 acres—which is not a small chunk of irrigable land. I might observe also that $7.50 an acre-foot is not a small water charge. The release further states that no water deliveries will be made to farms larger than 160 acres—or 320 acres in joint ownership—until the owners agree to dispose of their excess holdings.

This is the way reclamation law was intended to work. This is the way the larger land holdings will in time be divided up, in order that all may participate in the benefits of the Federal project, and in order that a healthier agricultural economy may be achieved for the whole area, cities and towns included.

As a longstanding champion of acreage limitation in reclamation law, I take great satisfaction in making this announcement. I think most Senators will. I ask unanimous consent to have printed in the Record the news release I have referred to.

There being no objection, the news release was ordered to be printed in the Record, as follows:

Nation's Largest Water Contract Signed in White House Ceremony

President Kennedy's pen today added another superlative to the Nation's most populous State as he signed the largest water-service contract ever approved by Uncle Sam—an agreement with one of the districts to be served by California's Central Valley project—itself one of the world's biggest.

The White House ceremony, participated in by Secretary of the Interior Stewart L. Udall, Under Secretary James K. Carr, and key California legislators, was the signing of an agreement with the Westlands Water District. The district, comprising nearly 400,000 acres, will receive urgently needed water from the CVP's San Luis project, ground for which was broken at Los Banos, Calif., by the President last summer.

Part of an unprecedented State-Federal contract for water development, the pact will bring water to San Joaquin Valley lands where ground-water tables have been dropping at alarming rates. The water deliveries, scheduled to start about 1967, will eventually return more than a quarter of a billion dollars to the U.S. Treasury over the 40-year period of the contract and will spur development of a complex of family-size farms producing such diversified crops as vegetables, nuts, long staple cotton and other nonsurplus crops. Use of the irrigation water for crops now in surplus are banned under the contract provisions.

Under the contract signed Monday at the White House, the district can receive up to a million acre-feet of water annually during early years of the pact, and 900,000 acre-feet each year later. (An acre-foot covers an acre of land to the depth of 1 foot.)

The Westlands district will be served with water to be impounded by the massive San Luis Dam, ground for which was broken by President Kennedy, California Governor Edmund Brown and others last summer. The $511 million State-Federal San Luis project, when completed in 1968 or 1969, will provide an earthfilled 350-foot-high dam stretching for 3 miles across land that is presently dry fields cupped by brown hills.

The arid locale of what one day will be a 350-foot-deep lake with a tree-girded shoreline of more than 40 miles prompted President Kennedy to say at last summer's ceremony:

"This is a fast trip, but it permits us to look at this valley and others like it across the country where we can see the green and rich earth producing rich crops—and a mile away see the same earth—brown, dusty, and useless—all because there is water in one place and none in another."

In addition to growing commerce-stimulating crops, the San Luis project will produce 13 recreational areas along its artificial lake, and by State of California estimates, is expected to draw millions of visitors to fishing, swimming, and camping areas. Thirteen thousand trees will be planted along its shores.

Secretary Udall termed the signing, "a manifesto for tomorrow."

"Of all of our resources," he said, "none must be guarded and nurtured more than water. The signing of this contract, demonstrates this administration's determination to work closely with visionary leaders in our States to make certain the America of the future will be productive, prosperous, and enjoyable."

Farmers served by the Westlands district will pay $7.50 per acre-foot for irrigation water with a further charge of 50 cents an acre-foot to cover costs of drainage facilities. Reclamation acreage limitations will prevail on all land covered in the water-service contract. No project deliveries will be made to irrigable units larger than 160 acres (or 320 acres in joint ownership) until owners agree to dispose of excess holdings within 10 years.

DEVELOPMENT OF INDIANA DUNES

Mr. DOUGLAS. Mr. President, Chicago's American, a newspaper of real vigor and intelligent curiosity about matters in the public interest, has continued in the last few days its examination of the facts associated with the Indiana Dunes-Burns Ditch Harbor issue. In an excellent series of two articles, Mr. C. Owsley Shepherd, an American staff writer, has provided an informative and searching report on this issue in the light of current developments.

These recent developments are the virtual admission by Indiana Governor Welsh that the proposed port is not economically justifiable in terms of requested Federal appropriations; Governor Welsh's attempt to get the State legislature to enact an additional 3-cent cigarette tax to pay for the Burns Ditch Harbor despite the certain defeat he faces at the hands of opposition from leaders of both parties; and the Army Engineers hearing held yesterday in East Chicago, Ind., on the proposal to construct a new Indiana port in Lake County which would not destroy the dunes.

The editorial page of the American also recently commented on the present opportunity to save the dunes, and pointed out that the strategy of certain interests is to "destroy the dunes fast, so the groups fighting to save them would not have anything left to save." This is a true and ominous warning and should alert all concerned that action must be taken soon to stop vindictive attacks on the dunes.

I ask unanimous consent that the following items be printed in the body of the RECORD along with my remarks:

An editorial entitled "Reprieve for the Dunes," which appears in Chicago's American for February 1, 1963;

Two articles by C. Owsley Shepherd entitled "Battle of the Dunes Leaves Its Scars" and "Financial Killing in Dunes Battle," which appeared in Chicago's American on February 3 and 4, 1963, respectively;

An unsigned article entitled "It Took Nature Thousands of Years To Form Dunes," which appeared in Chicago's American February 3, 1963.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Chicago American, Feb. 1, 1963]

REPRIEVE FOR THE DUNES

Indiana's plans to build a deepwater harbor and a $250 million steel plant in the dunes area have been dealt a sharp setback, but Gov. Matthew Welsh is not about to give up the idea without a struggle. Denied Federal funds for the harbor by a decision of Army Engineers, Welsh is proposing that the State finance at least a start on the project by doubling cigarette taxes to 6 cents a pack.

The Engineers found that plans for the Bethlehem Steel Co. plant didn't meet requirements for Federal help in building the harbor. They said the plant would have to be an integrated one, capable of turning raw ore into finished steel, and that the rolling mill now being built didn't qualify. Welsh hopes to raise $35 million in the next 2 years, of which $25 million would be spent on preliminary work on the Burns Ditch Harbor; meanwhile, Indiana will keep trying for Federal funds to finish the job.

Part of the strategy seems to be to destroy the dunes fast, so the groups fighting to save them won't have anything left to save. That's one reason why we hope the project fails. Besides that, there's a better place for the proposed harbor—the so-called tricities site.

We understand Indiana's desire for new steel plants and a deepwater harbor, which would be important economic assets; we can also understand why many Hoosiers resent attempts by outsiders to stop the project, as though they were interfering busybodies.

But the outsiders are right. A spot of such unique beauty and scientific value as the dunes should not be sacrificed for money reasons. A State with such a wonderful scenic asset holds it in trust for the whole country—for the millions of people who enjoy and will enjoy it. Senator PAUL DOUGLAS isn't wasting a moment of the reprieve; he has already reintroduced in the Senate his bill to save the dunes by having them declared a national park area.

We wish him luck.

[From the Chicago American, Feb. 3, 1963]

BATTLE OF DUNES LEAVES ITS SCARS

(By C. Owsley Shepherd)

Indianians, confused by the sudden collapse of plans for a federally supported deepwater public harbor at Burns Ditch, will appear Tuesday before district Army Engineers in East Chicago to discuss feasibility of a proposed tricity alternate. No one knows how this fight will end. It gets rougher as it goes on.

Hoosiers, who for 32 years have gotten their information through a succession of State administrations, now find it hard to believe that stories of prosperity, growth, and a job market for 65,000 at Burns Ditch were illusions.

They are attempting to thread their way through charges of collusion, conflicts of interest, land speculation, secret agreements, and loaded political appointments.

Most warnings they had came from out-of-State newspapers. Following the trail of dealings for the harbor is as difficult as following tracks in the shifting Indiana Dunes.

It will take a long time to sift out the full story, but the records will show that it was a plump, little, middle-aged woman, with the gumption to buck both political parties, who was the first to intercede.

She is Mrs. James H. Buell, of Ogden Dunes, who, in 1952, decided to do something to block destruction of the heart of the Indiana dunelands by the encroachment of industry. She formed a Save the Dunes Council.

The group has only 200 members, but it is dedicated to a common cause, and has an abundance of talent. Among the members are attorneys, engineers, architects, accountants, and other specialists.

Recognizing the need for an influential voice in Washington, Dorothy Buell turned to Senator DOUGLAS, Democrat, of Illinois. He at first was reluctant. He saw the issue as primarily an Indiana matter.

But when Homer E. Capehart, then a Republican Senator, met with Indiana colleagues and returned with a message that he had to support Burns Ditch, DOUGLAS vowed to take up the cudgels because he knew Senator VANCE HARTKE, a Democrat, was committed to the project. DOUGLAS reasoned this way:

"The fact that the dunes lie in Indiana is a geographical coincidence. They should be preserved for the recreational enjoyment of 7.5 million midwesterners and thousands of annual visitors, as well as for their scientific value. Industry can locate elsewhere, the dunes cannot."

At that time, the Midwest division of the National Steel Corp. was urging Congress to appropriate $25.5 million to help pay for a Burns Ditch Harbor, where it intended to build a steel mill. It was not until later that Bethlehem Steel Co. bought acreage in the area and increased the political pressure.

ASKS STATE FUNDS

On Tuesday, Gov. Matthew E. Welsh, of Indiana, told the general assembly that no Federal funds would be available for the project for at least 10 years and that the State, in addition to its $38 million share of port installations and equipment, should shoulder the $25.5 million burden for building breakwaters and for dredging. The steel firms between them would put up $4.5 million of the estimated cost of $68 million.

Welsh wants the legislature to double the State's present 3-cent-a-pack cigarette tax. He argues that if the State does not proceed with a public harbor by 1968, the steel companies can buy back at cost the 328 acres of dunelands they sold to Indiana.

(Under the overall planning, Indiana is to provide onshore facilities and equipment on 440 acres of land. It still needs to acquire 112 acres.)

Passage of the cigarette tax boost appears doubtful. Leaders of the Republican Party, which controls both houses, held an informal strategy conference January 25 and decided against State harbor financing in the absence of Federal assistance.

SEEK ALTERNATIVE

Tuesday's hearing in East Chicago, to be conducted by Col. J. A. Smedile, head of the Chicago district of Army Engineers, results from persistent demands by Burns Ditch opponents that alternate sites be studied.

The proposal is to extend existing breakwaters and connect the Calumet and Indiana harbors, providing a port 5.7 miles long and permitting a land fill of 4,800 acres to create an island for industrial development.

The tricity area—Hammond, Whiting, and East Chicago—contains a vast complex of steel, oil, and other manufacturing industries. It is served by 12 railroads and would link the ocean vessels of the St. Lawrence Seaway with barges of the Mississippi gulf system.

Offsetting these redeeming features is one sin. The area is in Lake County, to which the remainder of Indiana feels the same degree of antipathy as downstate Illinois does toward Cook County. Lake County bears the onus of being identified with Chicago financial interests.

After Governor Welsh disclosed that there would be no Federal subsidy for Burns Ditch in Porter County, some lawmakers blamed Mayor Daley, of Chicago, and others accused President Kennedy of having reneged on a promise.

DALEY NOT INVOLVED

Daley did not intercede and Kennedy broke no commitment. In fact, last January, in a conservation message to Congress, the President recommended preservation of the dunelands, and Secretary of the Interior Stewart L. Udall consistently has opposed the Burns Ditch project on the same grounds.

Besides, Congress never approved the proposal and Smedile's report never received the blessing of the Bureau of the Budget.

Nor has either Bethlehem or Midwest Steel committed itself to constructing a fully integrated mill—a plant to produce raw steel from ore—which is a condition upon which Smedile's recommendation is predicated.

Just over a year ago, Midwest completed a finishing mill and last December Arthur B. Homer, chairman of Bethlehem, announced that work would begin on a $250 million steel rolling and finishing plant on its 3,300-acre site in the disputed area. But neither company has pledged itself to build an integrated mill, which would generate shipping.

MERGER BLOCKED

Bethelem bought land in the dunelands after it worked out a merger with Youngstown Sheet & Tube because it wanted a foothold in the rapidly growing midwestern market. That consolidation, however, later was ruled unlawful. But, by now, Bethlehem may have reached the point of no return.

At a hearing on May 3, 1961, before the Indiana Port Commission, both companies said they were willing to build a private harbor, either together or alone. The State, however, seeks to become a party to the project, to make it a public deepwater port.

Senator DOUGLAS has said all along that he is not opposed to Indiana's getting the harbor it wants, but that he does oppose destroying the dunes.

He has introduced a bill similar to the one that died in the last Congress, even though it had Budget Bureau approval, for the Federal Government to purchase, through condemnation if necessary, 9,000 acres of dunelands in 5 different tracts, extending from the western Porter County line to Beverly Shores. The land would be used for a national park.

This would be in addition to the present 2,182 acres being preserved in the Indiana State Dunes Park. DOUGLAS' measure would exempt the Midwest Steel property but calls for purchase of all of Bethlehem's holdings.

SECRET CONCESSIONS

Although Indiana has an antisecrecy law, State officials have withheld from public scrutiny concessions they have made to the steel companies. A civil suit was filed last week in Marion County superior court against Clinton Green, secretary of the port commission charging he violated this statute.

Chicago's American has learned that on January 22, 1960, the Indiana Board of Public Harbors and Terminals and the conservation department signed an agreement to construct and maintain a slip 2,750 feet long and 350 feet wide for Midwest Steel if the public port is built.

Midwest also is to be allowed to fill in 225 acres of the lake, to which artificially created land it would get title for $25 an acre, with payment of $24,746.20 for mineral rights.

That some undivulged agreement between State agencies and Bethlehem exists is indicated in a deed on file in the recorder's office in Valparaiso. In conveying title to some land to the State, Bethlehem, through its trustee, stipulates in paragraph 6 on page 5:

"This conveyance is made subject to each and every term and provision of a certain agreement dated July 25, 1962, between the Indiana Port Commission, the Indiana Department of Conservation, and Bethlehem Steel Co."

PRESS FOR DATA

Members of the Save the Dunes Council charge that disclosure of details of this and other pacts would prove that Green and others made exceptional concessions to both steel companies which made the proposed Burns Ditch port "an extremely unwise public investment."

This suit was filed by Attorney Edward W. Osann, Jr., of Dune Acres, Chesterton, who is supporting Senator DOUGLAS, even though the passage of his bill would mean that Osann would have to sell his home to the Federal Government.

At first, the harbor promoters referred disdainfully to the conservationists as "crackpot bird watchers." Now they realize that they are up against a determined lot.

One charter member of the Save the Dunes Council, Mrs. Virginia Reuterskiold, and her husband, Knute, recently rejected a Bethlehem offer of $100,000 for their 71-year-old farmhouse and 10 acres of woodland in the heart of the dunes. The Reuterskiolds bought the place as a weekend retreat when both were Chicago doctors. Now they live there in retirement.

John S. Hawkinson, an artist, of 5482 Woodlawn Avenue, turned down an offer of $20,000 for his two acres. He and his wife and their two daughters have a cottage on the land, where they go to enjoy nature's wonderland.

[From the Chicago American, Feb. 4, 1963]

THE FIGHT FOR BURNS DITCH: FINANCIAL KILLING IN DUNES BATTLE

(By C. Owsley Shepherd)

Some bankers, politicians, and promoters in Indiana have done very well as a result of the Burns Ditch controversy and machinations.

In 1956 when Bethlehem Steel Co. started acquiring 3,300 acres of land in Porter County near Burns Ditch, where it and Midwest Steel hoped to get a deepwater harbor at the expense of Federal and Indiana taxpayers, John C. Reed bought a tract of 63 acres for about $15,000.

Four years later, Reed, vice president and cashier of the Chesterton State Bank, sold the property for $137,812 to the St. Lawrence Seaway Corp., an outfit set up by former U.S. Senator William E. Jenner to gamble on land deals.

When Consumers Dunes Corp., another speculator, was liquidated on June 21, 1957, after having accomplished its purpose in a year, stockholders got $85 for each of their $10 par value shares.

The highest winner was the executive vice president, Thomas W. Moses, who also is a director of the American Fletcher National Bank in Indianapolis.

BETHLEHEM SOUGHT TO KEEP IT SECRET

Incidentally, Frank E. McKinney, Democratic national chairman in the Truman administration, was board chairman of this bank. McKinney helped the Murchison brothers of Texas, John D. and Clint W., Jr., in their successful proxy fight for control of the giant Alleghany Corp.

McKinney was rewarded by being made a director of both Alleghany and of the New York Central Railroad, over which Alleghany has voting control. If the Burns Ditch Harbor ever becomes a reality, the New York Central will seek to lease and operate railroads and warehouses in the area.

When Bethlehem first entered the market, it wanted to keep its land purchases secret to prevent skyrocketing prices. So many of its deals were handled by the Farmers State Bank in Valparaiso, as trustee.

The president of Farmers State is James W. Chester, who also is an attorney for Bethlehem. Chester, a former GOP chairman of Porter County, twice was campaign chairman for Representative CHARLES A. HALLECK, House minority leader and a strong supporter of the proposed Burns Ditch port.

The bank's public relations director, George A. Nelson, was appointed to the Indiana Port Commission by the Governor and is a member of its harbor selection committee.

SEEKS TO DOUBLE TAX ON CIGARETTES

Indiana recently was notified that the Army Engineers have decided the harbor project will be considered feasible only when facilities for basic steel production are under construction.

Since Bethlehem Steel does not expect to begin making steel from raw ore in an integrated mill for at least 10 years, the port promoters' dream of getting a $25.5 million Federal subsidy has exploded.

With Indiana already pledged to put $38 million into a public harbor at Burns Ditch, Gov. Matthew E. Welsh now wants to double the State's 3-cent cigarette tax to make up the $25.5 million share, too.

Prospects of approval of this plan are dim, but the steel companies may go ahead and use their own money to construct a private harbor.

In any event, Senator DOUGLAS, of Illinois, a conservationist, warns that Congress had better hurry and pass his bill for Federal Government acquisition of 9,000 acres of dunelands, including all of Bethlehem's holdings, or there won't be any dunes left to preserve as a national park.

He points out that Bethlehem not only announced in December that it immediately would begin construction of a $250 million steel rolling and finishing plant on the site in dispute, but that it has contracted with a dredging company to supply 2.5 million cubic yards of sand to be used for fill in extending Northwestern University's lakefront campus.

SAND DEAL IRKED DUNES GROUP

This transaction evoked anguished cries from members of the Save the Dunes Council and Senator DOUGLAS, who charged that the steel company willfully was embarking on a campaign to wreck the dunes.

Bethlehem replied that when a channel is dredged a mountain of sand is scooped up on the shore and it has to be disposed of somehow.

Last April 4, Bethlehem wrote Senator ALAN BIBLE, chairman of the Senate Public Lands Subcommittee, that it believes the low price ($20,000) at which it agreed to sell the sand enabled the Missouri Valley Dredging Co. to get the Northwestern University contract.

Bethlehem went on to say that actually it is doing the Indiana Port Commission a $1.75 million favor, because if it were not for the deal with the dredgers, the commission would have to spend 70 cents per cubic yard to dispose of the excess sand.

The letter does not explain how the sand is a $20,000 asset when owned by Bethlehem and the same sandpile becomes a $1.75 million liability if owned by the port commission.

The fight over a Burns Ditch Harbor has been long and bitter. Here is how it began:

George Humphrey was one of the founders of National Steel Corp. on November 7, 1929, and it bought 750 acres of land straddling Burns Ditch, an artificial channel dug to drain the Little Calumet River.

National established a Midwest Steel division and asked the Federal Government to appropriate funds to build breakwaters for a harbor. In 1931, the Army Corps of Engineers reported that Midwest Steel would "have a complete monopoly of the improvement" and that "little if any benefit would accrue to the general public."

Humphrey successfully sought a review of the opinion, but the Engineers in 1935 upheld their earlier decision.

INDIANA PLANNERS SOLD BURNS DITCH

Congress in 1937 authorized a preliminary examination of the entire Indiana shoreline to select the best port site, but such an extensive survey never was made because the Indiana State Planning Board interceded and convinced the Engineers that Burns Ditch was the only suitable location.

However, in a 1944 report, the Engineers held "present harbor facilities adequate to existing and reasonably prospective commerce."

The issue did not die. In 1950, the Engineers' Chicago district office recommended a survey of Burns Ditch "to determine the best plan of improvement and its economic justification."

The Korean conflict delayed work on this and it was not until October 1960 that Col. J. A. Smedile, district engineer in Chicago, made an interim report recommending construction of a Burns Waterway Harbor.

Since Bethlehem by then had entered the picture, the proposed port site had been moved 4,100 feet eastward so that it would run between the holdings of Bethlehem and Midwest Steel, serving both companies.

The Board of Engineers for Rivers and Harbors in Washington ordered this report withdrawn and told Colonel Smedile to prepare an amended one after holding a public hearing on the matter in Indianapolis.

The revised version, issued in January 1962, painted a brighter picture of anticipated benefits to the general public, in addition to those to the steel companies. But it did include a warning that the recommendation was subject to provision by the steel companies of "a fully integrated steel plant." It is this condition that scuttled Federal aid at this time.

In January 1953, Humphrey was appointed Secretary of the Treasury by the then President Eisenhower, but he resigned in 1957 and became chairman of National Steel.

Representative RAY J. MADDEN, a Lake County Democrat, testified before a congressional committee that Humphrey was "very active as an adviser at the White House" in 1960 and implies that he was responsible for the recall of the Engineers' report that fall.

REPORT WARNED OF EROSION

This original report warned "that impoundment of the littoral drift by the harbor would result in progressive erosion of the shore westward to Gary."

When it was learned that the Federal Government would not construct the breakwaters and do the dredging at Burns Ditch, ex-Governor Craig was on his toes. He went to Indianapolis from his Washington law office to see Governor Welsh.

It just so happened that he has a client, Burns and Roe, Inc., of New York City, which would be delighted to get the contract if the State of Indiana goes ahead with the harbor.

An interesting sidelight in this review of happenings in Indiana is that Bethlehem was displeased when it learned that a proposed highway would cut through some of its choice property, so it paid the State $30,082 to reroute the road.

Almost anything can happen in the Hoosier State.

[From the Chicago American, Feb. 3, 1963]

IT TOOK NATURE THOUSANDS OF YEARS TO FORM DUNES

The Indiana Dunes once stretched over nearly the entire length of that State's 42-mile Lake Michigan shoreline.

But in the half century that the controversy has raged over whether they should be preserved or developed for commercial and residential use, towns have sprung up along the lakefront.

Now only an area of 9,000 acres with 5½ miles of shoreline remains, situated between the Lake-Porter County line and Beverly Shores.

The dunes, whose formation began 12,000 years ago, are a natural phenomenon, scientifically unique because of their plant succession.

SCIENTIFICALLY UNIQUE

Following the recession of the last Wisconsin ice lobes, wave action built barrier dunes parallel to the shoreline of the receding edge of glacial Lake Chicago. When the waters of what once was Lake Chicago fell to the level of present-day Lake Michigan and the waterline became stable, the main series of wind-built dunes were formed.

The process continues.

BEACH EVER-WIDENING

Boulders eroded from shores to the north are ground into sand by wave action and the grains are washed up in Indiana, forming an ever-widening beach.

Northerly winds blow unpacked particles along the surface until they come to rest against an obstruction, such as a cottonwood seedling growing in a low spot. A small foredune begins to form, being held together by the roots of sand reeds and marram grass until it rolls onward.

This mound to some extent protects from strong winds an earlier dune behind it, which in turn guards a third, and so on until there is a procession of hummocks and hills, which grow to heights of 200 feet.

SOIL FROM DECAY

The decay of plant life brings on the accumulation of soil, which becomes progressively richer and deeper as the dunes extend inland.

In the foredunes are found only such plants as sandcherry, wormwood, dogwood, and sandgrapes, and such insects as beetles, wasps, and spiders. Farther on lie pine dunes and beyond them are oak dunes.

In the extreme background are the 10,000-year-old dunes (once mere foredunes) which have climax forests of beeches and maples, dense undergrowth, and a wealth of bird and mammal fauna.

This is the phenomenon of plant succession.

BOGS IN BETWEEN

Even tamarack bogs and marshes occur between successive larger dunes, and sheltered interduana troughs hold the greatest secrets of ecology. (This is the study that treats of plants and animals with reference to their environment and to the factors that control or have controlled their distribution.)

Relentless winds keep driving the dunes southward, although the resistance increases as vegetation strengthens its grip on the sand.

AND SUDDEN DEATH

Occasionally the winds find an unprotected area and a stricken dune goes on a rampage, drifting up to 60 feet in a year and burying giant forests in its path. Centuries later when the displaced dune passes onward, it leaves behind a ghostly army of long-dead trees.

The dunes are a fantastic hybrid of desert with cactus and lizards, of plants of the swamps, and plants of the prairies, and of forests with arctic jackpines and squirrels from the North.

A. C. STORZ WRITES THOUGHTFUL HISTORY OF AIRPOWER

Mr. HRUSKA. Mr. President, few civilians in America have worked harder or concerned themselves more with problems of national security than has Mr. Arthur C. Storz, Jr., of Omaha. He has devoted an uncounted number of hours and days away from his business in order to contribute to a sound system of defense.

He is recognized as an expert in the field of airpower which we have of late come to call aerospace power. His advice and counsel have been sought by many leaders in that field, both military and civilian.

Because of his eminence as a civilian contributor to the security of his country, when Mr. Storz speaks out on the subject, it is well to listen. He has just written a pamphlet which he has called "A Billy Mitchell, 1963?" I ask unanimous consent, Mr. President, to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A BILLY MITCHELL 1963?

(By Arthur C. Storz, Jr.)

The task of meeting the aerospace threat today is a tremendous responsibility, a much more precise job than any country has faced in past history. The flexibility, responsiveness, and versatility of this threat globally is undeniable. For example, once aerospace power was exercised throughout the world during the crisis recently with Castro; an awareness of its capability had its effect well beyond Cuba.

Today we live in a world where danger is real and of awesome magnitude. With this in mind, I thought you might be interested in drawing on some lessons we have learned from history.

For example, to mention only a few, Billy Mitchell, Pearl Harbor, Hiroshima, and, most recently, as I mentioned above, the Cuban crisis. At this point, with a serious subject at hand, I'd like to report to you historically on the role of the combat plane and its development, with the thought in mind that we can't afford to make mistakes in the future if we in the free world want to keep space open for peaceful uses of all mankind.

As most of us know, a very limited role was expected of the first military plane purchased by our Government, and this was indicated by its initial assignment to the Signal Corps. A specification was issued at that time for a two-place aircraft with a speed of 50 miles per hour, a range of 125 miles, and the ability to steer in all directions without difficulty. A contract was signed on February 10, 1908, with the Wright Brothers, who began testing the 25-horsepower aircraft that September.

Like all of the following 229 flying machines delivered to the U.S. Army prior to the April 6, 1917, declaration of war, the Wright brothers' model B had no bloodthirsty intentions.

Grimmer uses for aircraft had been anticipated by farsighted airmen such as Billy Mitchell, and even H. G. Wells, as early as 1908 had portrayed future aerial attacks on New York in his book, "The War in the Air."

Nevertheless, when the United States declared war on Germany in World War I, the Signal Corps possessed but 55 aircraft, all unarmed, primitive trainers. But if youthful American aviation had no weapons and no deadly purposes, less than 3 years of warfare in Europe had defined the basic importance and future roles of today's combat planes.

The temptation to use the advantage of flight by farsighted airmen for purposes of attack even in World War I was strong. On August 14, 1914, a pair of French biplanes dropped artillery shells on hangars at Metz, and on November 21 three British Avros bombed Zeppelin sheds. A German plane a short time later dropped the first bomb on English soil. Warfare had truly taken on a new dimension.

The armistice in 1918 left the United States with a stockpile of aircraft, some limited experience in air warfare, and the rudiments of a theory of airpower.

Just what should be done to replace this rapidly aging armada? Viewpoints on this depended in part on viewpoints on the future role of airpower.

The existing organization of the Army Air Service at that time reflected the conservative view that aviation existed primarily to assist the ground army, and that bombing and fighter aircraft were unlikely to affect the course of future wars. The view was then expressed that "the duty of the aviator is to see, not to fight," and was reflected in the dispersal of air strength into observation squadrons attached to various ground units.

Subordination of the Air Service at that time to the Army, of course, had a bad effect on both morale and equipment. Service crash deaths were mostly in aging aircraft built before the end of World War I. The lack of improved and safer aircraft was criticized by progressively airminded people, and a long debate on the control of airpower ensued.

The organizational impasse of the time also reflected in the relatively slow technical advances being made in aviation. Most of the aviation headlines at the time were made by the skill of individual aviators like Jimmy Doolittle and Ira Eaker, rather than by a breakthrough in performance.

As you compare the Air Corps aircraft of 1930, a dozen years after the armistice, with those of World War I, it's obvious to see where the decisions were being made concerning Air Corps aircraft and equipment. The role of the Air Service was controlled by the Army, and it's as obvious as the nose on your face, because 12 years after World War I, you could still see the same open cockpit, fabric-covered biplanes, dragging struts, and exposed undercarriages. Advances in top speed, of course, were also modest. I think a logical conclusion with the above facts in mind would be: What would have happened to the development of the automobile if the railroads had controlled their development?

The relatively slow-paced aviation progress of the twenties contrasts sharply with the changes that took place in the Air Corps during the thirties. The depression knocked the bottom from the private-plane market, although U.S. expenditures on military aircraft rose from $13,500,000 in fiscal 1925 to $38,900,000 in fiscal 1931. This circumstance, together with Japan's invasion of Manchuria in 1931, along with the beginning of German rearmament and an administration friendlier to progressive airmen's thinking, gave a new impetus to the design of combat aircraft.

A change in the appearance of the combat plane took place during this period. Beginning in 1931, we see the replacement of the biplane with the all-metal monoplane. Retractable landing gear, enclosed cockpits, and controllable pitch propellers became standard on combat planes. In 1935, the Air Corps, free of dependence on ground armies, concentrated in their general headquarters on a war in any direction.

The Air Corps was presented with a few brandnew planes including the introduction of the B–17 bomber. This was a complete departure from the traditional pattern of aircraft design up to that time. By the time the first bombs of the Second World War crashed on Spain and China, the combat plane had finally lost its World War I aspect.

By 1945 the United States had the largest Air Force ever built, and what these planes did has been described in the official annals of history. Airpower was the largest single factor in Japan's defeat. More controversial is the role of airpower against Germany, although it is significant to point out that no Allied victories were won until after Germany's early control of the air was smashed. In any case, the role of aviation in war was vindicated beyond the boldest claims of its advocates. Congress passed an act creating a National Military Establishment with Secretaries of Army, Navy, and Air coequal under the Secretary of Defense. The U.S. Air Force, established as a separate service in 1947, has three basic combat missions: air defense, strategic air bombardment, and tactical air support for ground forces.

I think at this point it might be wise to look back into past history to know where we've been before we make any future decisions concerning airpower that could be the difference between a free world and a shackled one. Remember Pearl Harbor. Don't forget Billy Mitchell. He was court-martialed for boldly advocating a policy of air bombardment which his opponents said was a program of "ruthless bombing of civilian population and economic resources," a theory they thought unsound. Well, tell me this, How do you fight a war without ruthlessly killing people? Gen. Billy Mitchell, demoted to a colonel by a board appointed by the President of the United States, rebuked and frustrated, his usefulness to the country gone, resigned from the Army effective February 1, 1926.

For many years after that sad day in history, the General Staff in Washington went on depreciating the striking power of the bomber at the expense of the American people, hoping the need for an independent air service would disappear. It didn't. The B–17 was to come along; and airmen, enthusiastic over the performance of their one squadron of B–17's and a single XB–15, pressed for a larger role in the military scheme. But the Air Corps was again discouraged by the General Staff, which persisted in buying twin-engined bombers at the expense of the airmen and the four-engined long-range B–17's. This policy killed Boeing's YB–20 project and, if continued, would have prevented the development of the B–29, which all the world knows shortened the war with Japan, making it unnecessary for our ground troops to invade the island, and saving literally thousands of lives.

In 1938, with Hitler running through Europe, the Munich agreement was signed. Some advocates of appeasement had been motivated by Hitler's professed intention to expand only eastward, but much of the grounds for acceptance of Czech dismemberment, in my opinion, was due to a fear of Germany's well advertised bombers. Gen. Henry H. Arnold, then Chief of Staff of the Army Air Corps, said at the time: "The nation with the greatest navy in the world (Britain), in alliance with the nation having the most powerful army in the world (France), capitulated without a struggle to Germany's threat of invasion and unrestrained air attacks." Our two most powerful allies began their struggle for survival. At this point, President Franklin Delano Roosevelt, in a historic meeting at the White House on September 28, 1938, emphasized the important role airpower was taking on and gave the Air Corps the go-ahead on long-range bombers. When war was finally officially declared in 1939, President Roosevelt appealed to every belligerent government that under no circumstances should there be any bombing of civilians in unfortified cities, with the understanding that the same rules be observed by all belligerents. Except for the quick conquest of Poland, the war phrase gave some hope that the air weapon would remain sheathed; no one then realized, I guess, that the United States itself would demonstrate bombing of cities in its most violent form.

I know this has been a very lengthy report concerning the role aviation has played in history; but I thought it might be of interest to you because of the seriousness of the subject and the complexity of the times. It seems to me that many mistakes have been made in the past concerning the role of airpower, and I just thought I'd like to take a shot at washing our dirty linen. Needless to say, I hope you agree with my conclusions, and most important, that you'll give Gen. Curtis E. LeMay, the Air Force Chief of Staff, your support of adequate airpower.

Please don't shut your eyes to the problem. Don't forget Pearl Harbor. Remember, it took Pearl Harbor to say what Billy Mitchell had been saying all along—will history have to repeat itself to wake the country to the truth of General LeMay's convictions? Remember what happened to Billy Mitchell. I think it is imperative that we in this country step cautiously by accepting our responsibilities of citizenship now, because, as you can see from this report, the airpower exponents have had some bitter experiences to contend with in the past.

In closing, it is my feeling that a disservice has been done to General LeMay by the implication in press releases that he has carried his convictions concerning the future of manned systems to the public over the heads of the Defense Establishment and the President. Quite to the contrary, my observation is that Gen. Curtis E. LeMay has acted in the highest traditions of the Military Establishment in not taking this serious problem to the public. Obviously he has, as required by law, expressed his views to the Congress when requested. Too, I'm certain he must have made his views equally well known to the Joint Chiefs of Staff and the Secretary of Defense. This, of course, he has a moral obligation to do. Without question, his tenure should be continued, because his advice and counsel serve a most useful and patriotic purpose.

TRAINING FOR THE FOREIGN SERVICE

Mr. PELL. Mr. President, as a former Foreign Service officer, I was particularly interested in the recent Herter report.

In my own day I felt that my colleagues in the service were the most highly intelligent and dedicated young men of our Nation. On my recent trip abroad, I was again impressed by the high caliber of these officers.

While I agree that we perhaps need to attract a growing number of such young men, I am not at all certain that the panacea is reorganization or the establishment of a training academy.

Evidently the Rhode Island press shares my doubts. At this point I ask unanimous consent to have inserted into the RECORD what I consider to be two excellent editorials on this subject that recently appeared in the Providence Journal and Evening Bulletin.

There being no objection the editorials were ordered to be printed in the RECORD, as follows:

[From the Providence Journal, Dec. 12, 1962]

A STATE DEPARTMENT STUDY GOES WRISTON ONE BETTER

When will the experts learn that you can't solve the problems of the State Department by simplifying the organization?

Eight years ago, Brown's Dr. Henry M. Wriston headed a study of the chaotic diplomatic service, a study which came up with, among other things, an organizationally tidy proposal for integrating non-Foreign Service officers into the career Foreign Service. On paper, it looked fine.

In practice, the integration process shattered the high standards and morale of the Foreign Service by admitting to the selective ranks of an elite corps a hodgepodge of specialists, technicians, and drones, many of whom were utterly unfit to represent this country abroad in jobs to which their new rank entitled them. "Wristonization" unhappily became a bad word among professionals of the Department.

In view of this result, which is well known to anyone who has had close contact with a U.S. diplomatic post overseas, it is astonishing to find a new State Department study going Dr. Wriston one better. The latest study panel, headed by former Secretary of State Christian Herter, calls for the integration of all civil service personnel who work for State into the Foreign Service.

There is no question that this would simplify the organizational problems of the Department, as would other recommendations put forward by the Herter committee.

But organization is not the heart of the matter, important though it may be. The key to the problem of improving our diplomatic representation abroad, and our foreign policy planning at home, lies in recruiting and holding men of exceptional competence and character. Tidier organization does not help this cause and even may stand in its way.

Before he goes overboard for the Herter recommendations, Secretary of State Rusk might well ponder the following observation of George Kennan made in Foreign Affairs magazine in commenting on the Wriston report:

"Few elder officers could fail to note with a certain sinking of the heart, that whereas the committee's pamphlet made frequent reference to the need of the Service for skills, nowhere did it speak of the need for people as people. One sensed * * * a certain military 'table of organization' psychology. * * * This principle may be applicable for construction work, for industrial processes, and for military functions. But it is not likely to be useful in the work of the Foreign Service, where what is important and decisive in 99 cases out of 100 is the totality of the man himself; his character, his judgment, his insight, his knowledge of the world, his integrity, his adaptability, his capacity for human sympathy and understanding."

This kind of man is a special breed and should be recognized as such, even if it means confounding the table of organization. People are still the paramount problem at the Department of State.

[From the Providence Evening Bulletin, Dec. 21, 1962]

THE COUNTRY DOES NOT NEED A FOREIGN AFFAIRS ACADEMY

As a matter of pure bureaucratic logic, nothing could be more obvious:

You have to have a Naval Academy to train sailors.

You need a West Point to train soldiers.

You must have an Air Force Academy to turn out airmen.

Why not a Foreign Affairs Academy for diplomats?

President Kennedy, on the recommendation of an advisory panel, has announced he plans to put that proposition to Congress next year.

Why not a Foreign Service Academy, indeed? We hope the Congress tells Mr. Kennedy why not in no uncertain terms.

Because we don't need it.

Because it would do more harm than good.

We don't need a Foreign Affairs Academy because, unlike the military sciences, training in the many skills that go into the making of a diplomat is available in scores of excellent private and public colleges and universities throughout the Nation—and elsewhere in the world.

A new Service Academy would do more harm than good because it would tend to tighten the straitjacket of in-bred, doctrinaire thinking that already inhibits our diplomatic service. A Federal Academy would indoctrinate rather than educate.

If the President is really concerned about the incompetence of American Foreign Service personnel—as he should be—there are better ways to solve the problem.

More opportunities should be given to bright young Foreign Service officers, after a few years of experience abroad, to return to schools at home or abroad for advance work in the fields of their special interest.

More time should be allotted to in-service training, especially at oversea posts. For instance, there has been for many years an outstanding orientation course in New Delhi, operated jointly by the U.S. technical mission in India and the Ford Foundation. Although the United Nations and the British High Commission in Delhi have made enthusiastic use of this course to help their own new people get acquainted with the country, the U.S. Embassy frequently has been reluctant to spare personnel for the scant 2 weeks the course requires.

More contacts should be developed between Foreign Service officers and scholars in the areas of their special interest.

We need a better educated Foreign Service, but a Foreign Service Academy is not the way to get it.

WORLD IMPACT OF AMERICAN AGRICULTURAL POLICY

Mr. MORSE. Mr. President, on December 12 and 13, 1962, Secretary of Agriculture Freeman made two important policy statements in Chicago and in Denver in which he outlined the world impact and full implications of American agricultural policy.

Because these are major addresses and are particularly relevant in view of the President's farm message, I ask unanimous consent that they be printed in the RECORD at this point in my remarks.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

THE FARMER'S STAKE IN THE WHEAT REFERENDUM

(Address by Secretary of Agriculture Orville L. Freeman before the National Association of Wheat Growers, Denver Hilton Hotel, Denver, Colo., December 13, 1962)

I am here today for three reasons.

First, I wanted to come here to personally thank the members and leadership of the National Association of Wheat Growers for your support of the Agricultural Act of 1962 with its key provision for a two-price certificate program for wheat.

Second, I want to emphasize something you already know—an act of Congress is only the first step required to put the two-price wheat certificate program into action. If this new program, which you have worked so long to get, is to serve the wheat farmer—it must be approved by the wheat farmer in a referendum.

Third, I want to make it as clear as I can that more is at stake in the coming referendum than the future prosperity of the wheat farmer—important as that is to all of us. The security and welfare of millions of people in the free world also will be directly affected by the outcome.

The Wheat Growers Association has provided outstanding leadership in the past to its members and, through them, to agriculture. It has helped to secure practical legislation—it has helped to acquaint its members and other farmers with the vital role which foreign markets play in the strength of our domestic wheat economy—and you have helped to make clear that the close, working partnership between the farmer and his Government is the keystone in the success of an expanding agriculture.

I doubt, however, if any greater challenge has come to this organization than the one you will have next year. Opponents of farm legislation are fighting your wheat program today without even knowing its provisions and without knowing what will happen to the individual wheat farmer if the program is approved or rejected in the referendum. It is blind, unreasoned opposition, and therefore the most destructive.

You can only combat it with the truth—with the factual information that freemen must have if they are to make the decisions which a democratic system requires of them. I firmly believe that freemen, provided they are fully informed as to all the consequences of alternative choices, will make the right decision. Our task today is to make sure that the wheat farmers understand the consequences of their decision in the wheat referendum.

It is important, then, to take a look at the wheat situation, and at the 1964 wheat program.

Farmers today can produce more wheat than we can eat, feed, use industrially, market abroad, or even give away. They will do this for many years even at very low prices since most wheat-producing areas have few good alternative crops.

Yields have been increasing, and may soon increase even faster. The national average was 16 bushels per acre in 1955, and a record 26 bushels in 1958. We can now expect national average yields around 25 bushels per acre. With the minimum acreage allotment of the old law—55 million acres—crops of 1.3 to 1.4 billion bushels were expected. Our commercial markets today are little more than half that level—700 million bushels. Despite food-for-peace exports which have run in excess of 400 million bushels, the wheat surplus was sure to go up until the old law was changed.

Let's take a realistic look at our wheat markets—the markets you have helped to build and to hold through Western Wheat Associates, Great Plains Wheat, and other groups.

Dollar exports of wheat (excluding flour) have ranged from 100 to 200 million bushels in the last 5 years. Exports of wheat financed under special programs range from 215 up to 400 million bushels in those years. Since 1957, then only about one-third of all exports were for cash. Nearly 80 percent of Hard Red Winter exports and two-thirds of White Wheat exports moved through the food for peace program. From 1960 to 1962, 60 percent of all Western White Wheat produced was exported under the food for peace program.

Equally important is the fact that the costs of the wheat program, plus all export costs associated with wheat, have been as much as 60 percent of the value of wheat production in some recent years. For example, in 1959 these costs totaled $1 billion, or 50 percent of the value of wheat production. In 1960 they were $1.2 billion, or 49 percent. Yet, farm income fell despite these expenditures. Farm income can be increased and costs can be reduced only by reducing the surplus and by building dollar markets where they do not exist today.

But for years action on a wheat program had been postponed. It seemed the day would never come when runaway production could be checked; when surpluses could be reduced; when farm income could be built on a stronger foundation.

But wheat producers have always thrived on uncertainty; you have always lived on hope; and you have never stopped working.

You worked for the domestic parity program in the 1950's, and developed the wheat stabilization plan in 1960—looking toward the day when constructive wheat legislation would be considered on its merits by both Congress and the administration.

You supported the 1962 emergency wheat programs which will reduce the carryover this year. And your support was the key factor in the enactment of the wheat provisions of the Agricultural Act of 1962—the wheat marketing two-price certificate program.

The fact that a start was made in reducing the surplus, and at the same time improving farm income in 1962 makes the 1964 program even more important.

By April 15, under the new program, the Secretary of Agriculture must determine how much wheat we need from the 1964 crop and what acreage will be needed to produce it.

Before the middle of June, producers will decide whether to adjust their production to what the market will take in return for price supports, or whether to take all they can produce to the market—with no upper limit on wheat production, and virtually no lower limit on wheat prices.

There is much more at stake here than wheat prices alone. However, I want to discuss the direct effect of the wheat program in more detail before going into the broader issues involved.

The first discussions on the wheat program we now have were held by farmers before some of the people in this audience were born. It is not a new and radical program. This type of program originated in the 1920's. Congress approved the domestic parity plan in 1956, providing a marketing certificate program for wheat used for food in this country.

It is the soundest approach to our wheat situation because the wheat market can be divided into two main parts—domestic use and exports. All of the various two-price or certificate plans which have been proposed involved a relatively attractive level of price support for the amount of wheat used as food in the United States with lower prices for wheat for export.

The new wheat program enacted in September is substantially the same program as was approved by Congress in 1956. There have been some changes made, particularly to assure price supports between 65 and 90 percent of parity for a larger share of the crop than was provided in the 1956 proposal. This will avoid production of feed grains on acreages diverted from wheat as happened under past wheat programs. But except for these changes, the two-price wheat program just enacted is essentially the program long under discussion by wheat producers.

You are acquainted with all the production adjustment features of the program. There would be a national marketing quota equal to total requirements for wheat (minus CCC carryover reduction), a national acreage allotment geared to the national marketing quota; farm allotments based on the national allotment.

A voluntary acreage diversion program is provided to supplement any reduction from the 55-million-acre allotment. This part of the program has been generally overlooked.

The most important features of the program to farmers, naturally, are acreage allotments and price supports. Opponents of the program have already pushed the panic button on both acres and prices. North Dakota farmers have been told, for example, that their acreage allotment may be reduced by 30 percent from 1963. This is not true. The facts are that we will need around 1,100 million bushels of wheat in 1964; this will require some 44 million harvested acres, which means a planted acreage substantially larger than that.

I can assure you right now that the 1964 national wheat allotment will not be more than 10 or 15 percent below the 1963 allotment. We will make every effort to expand exports so that your farm allotments in 1964 can be as large as in 1962.

And we are going to use the voluntary acreage diversion program provided in the law to the maximum extent possible to assure a major reduction in the wheat surplus in 1964.

Payment rates will be consistent with our goal of strengthened farm income, the continued reduction of surpluses to a reserve level for security and stabilization needs and the commitment to raise the level of the rural economy to that of the country as a whole.

Certificates will be issued for all of the wheat needed for food in this country and for part of the exports. Farmers who plant within their acreage allotment can market all the wheat they produce.

Price supports for certificate wheat will be at least $2 per bushel.

Price support for wheat without certificates will be around $1.30 per bushel. There is no basis for any claim that wheat prices will be 90 cents per bushel in 1964—if the program is in effect.

Under supply circumstances as they were when I testified before the Agriculture Committees last spring, I would plan to issue certificates on about 925 million bushels of wheat.

While the amount of certificate wheat cannot be determined exactly at this time, you may be sure that the lion's share of total production will be covered by certificates providing for $2 wheat.

Another question we hear quite a bit is this: Will the substitution clause be used—can wheat be grown as a feed grain—in place of barley or sorghum? We don't have a feed grain program for 1964, but we hope to get one. We feel the success of the feed grain programs in the past 2 years merits their continuation. If we do have a feed grain acreage diversion program, we most certainly intend to have a substitution provision so that wheat producers can use their feed grain acres for wheat and vice versa.

Producers in the wheat States also have long wanted to end the 15-acre exemption. As you know, the new law does just that. The 15-acre producers can elect to participate, vote and use the program. But they no longer will be carried by the producer whose main income is derived from growing wheat.

In total, this is a program which is designed specifically for the wheat producer. It carries the opportunity for fair income for the grower, because it assures him of a fair price for his crop. It will permit a steady reduction of the carryover and should bring stocks down to reserve levels in 3 or 4 years.

It is the farmer's program because it will work to his benefit and to the benefit of us all, if he wants it to. If the farmer does not want it to succeed, it will fail and with it many other things as well.

In the time remaining I want to discuss one of these. Let me return briefly to the third point I made at the beginning of my talk—to the stake the entire free world has in the coming referendum.

There actually are two events related to wheat that will occur next year which will have a crucial effect on the welfare of people here and in Europe and on the strength of the free world.

Both seem distantly related, but in fact are tied closely together. One is the setting of the common agricultural price for wheat in the European Economic Community (Common Market) and the other is the wheat referendum here in this country.

In Europe, the Common Market will decide whether the price of wheat within the member nations will be set at a high or moderate level. In the United States, wheat farmers will approve or reject in a referendum the new wheat program.

A high internal price for wheat in the Common Market, or the rejection of the wheat referendum in this country would have the same effect—a major disruption in world trade patterns, and in the free world economy.

A moderate internal price, or the approval of the wheat referendum, could encourage a further acceleration in the expanding level of free world trade and add to the strength of the free world.

In other words, the decisions which freemen on both sides of the Atlantic will make are the intimate and direct concern to all of us—whether we are farmers, bankers, bakers, or mechanics, and whether we live in Colorado, Kansas, Belgium, or France.

I believe I can make this clearer by recounting my recent experience in Paris where it was my privilege to present a major foreign policy speech before the agriculture ministers of the countries which are members of the Organization for Economic Cooperation and Development.

I stressed the interdependence of the Western Alliance and emphasized the need for nations and groupings of nations to formulate their agricultural policies so as to maintain a high level of international trade consistent with the principles of fair competition.

In particular, I laid before my European colleagues our concern about the emerging agricultural policies of the EEC and our desire to see grain support prices fixed at moderate levels.

We are sharply troubled by the mounting evidence that the EEC is leaning toward a highly protectionist, inward-looking, trade restrictive policy. It is moving to apply variable levies on imports of grains, poultry, and other commodities that compete with its own production.

Variable levies are simply a device for preventing any imports from coming in below domestic support prices. These levies and minimum import prices, combined with a high level of internal target prices, serve to give domestic producers within the EEC unlimited protection. I cannot overemphasize the seriousness of this situation.

Wheat support prices in France are now about $2.15 a bushel. German farmers get over $3 a bushel and, I might add, these prices are for a quality of wheat that in world markets brings 30 to 40 cents a bushel less than our Hard Red Winter wheat.

If French prices move up to near the German level, probably 6 million additional acres would go into production in France. French output could supply nearly all the Common Market needs, and leave a surplus which could only move into international trade at cutthroat prices. We don't think this would be fair or just or reasonable to us and to the free world.

I made it clear that I was not objecting to the Common Market adopting a common agricultural policy or developing a single integrated market like we have in this country—I simply said this should not be done at the expense of farmers in other friendly countries. In making their decision on the level of grain support prices, I asked them to keep in mind their international responsibilities.

Now if we are going to throw bricks at other peoples' houses, we must accord them the same right. And before the bricks start coming our way we need to stop and see if we are living in a glass house. If we expect others to act responsibly when it comes to setting agricultural policies, we must continue to do so ourselves.

That is why the outcome of the wheat referendum is so intertwined with our international trade policy. If the referendum is turned down we will have utter chaos. There will be no marketing quotas, no marketing certificates, no conservation payments. Under law, price support would be available at 50 percent of parity only to those who comply with their 1964 acreage allotments. The international effects of runaway wheat production would be the same as if the Common Market adopts a high wheat support price near the German level. A ruthless price-cutting competition would develop among major grain exporters. Market outlets at the lower price, rather than expanding, would likely shrink as other countries adopt measures to protect their own growers.

The Congress has just given the President new authority to negotiate tariff reductions. We intend to use this authority to improve access to world markets for our agricultural products, and particularly to the Common Market.

Other countries are not likely to be inclined to lower their barriers to our agricultural exports if they think we are threatening world prices by unrestricted production.

We intend to keep agriculture and industry in one package in trade negotiation—it is our best chance to get access to export markets. If our negotiators are not backed by a farm policy that takes into account our international responsibilities, then their bargaining position will be greatly weakened.

On the outcome of the wheat referendum thus rides not only the question of a domestic wheat program with fair prices to the farmer, but also critical questions of foreign markets and the strength of the free world.

We owe it then to the wheat farmer to make sure he has all the facts—that he knows how the program will affect him when he votes. Together we can make sure that he has all possible information so that his vote can be the result of fact, not fiction; of careful study and thought.

It will be an important vote. Each wheat farmer will be deciding between $2 wheat and $1 wheat, but he also will be influencing the future course of the free world.

There are not many times when any person, by one individual act, can have so decisive an effect on the course of world events. Because the coming referendum is one of those times, it places great responsibility on each of us—on you and me to provide full and adequate information—and on the farmer to consider and understand all implications of his decision.

For years the American farmer has led the world in showing how agriculture can provide food and fiber at lower and lower real cost to the consumer. The challenge the American farmer has today is to maintain his world leadership by demonstrating that mature agricultural economy also can assure the farmer a level of income comparable to the nonfarmer.

This is the challenge, and I believe the wheat farmer will meet it as he has always done.

AN AGRICULTURAL POLICY FOR TODAY'S WORLD

(Remarks prepared for delivery by Secretary of Agriculture Orville L. Freeman, Agricultural Policy Forum, Chicago Board of Trade, Palmer House, Chicago, Ill., Wednesday, December 12)

I regard this occasion as both a privilege and an opportunity. This forum, sponsored by the Chicago Board of Trade, reflects your sincere concern about our national agricultural policy, and represents a constructive approach to an evaluation of many varying opinions about how to solve a major problem. I have appreciated the opportunity to participate in these discussions, as I appreciate your cooperation in our efforts to strengthen the Nation's free farm economy by achieving the kind of national agricultural policy that can best serve our needs in the world of today.

Such a policy must be directed toward basic goals.

It must assure a continued abundance, at fair and stable prices, of food and fiber, including reserves adequate to meet any foreseeable emergency, while it avoids the waste that results from production of more than we can use.

It must do this within a framework that will assure the efficient family farmer an opportunity to earn a fair income, without exploitation of either the taxpayer or the consumer; and at the same time it must seek to solve the very different income problem on submarginal land and in depressed rural areas, where not even 100-percent parity prices would bring a decent income.

The problem of adequate income in rural America has these two aspects. On the one hand, there is the low income that results from chronic overproduction and the inability of the market to absorb at a fair price all that our efficient farms can easily produce. On the other, there is the rural poverty which can be met effectively only by educational and sociological as well as economic measures. To meet this problem we have launched our rural areas development program directd toward the best use of both natural and human resources in rural America.

Under this RAD program we are developing nonagricultural employment opportunities for people, and offering help to them in qualifying for such opportunities. We are encouraging improved use of land, perhaps for grazing or for tree farming, or for the development of recreational facilities to meet one of the greatest scarcities that face our increasingly urban population today and in the years ahead, thus benefiting country and city dwellers alike. Thus our policy is directed—not toward the idling of land—but its wisest and best use.

Efforts to increase nonagricultural income in rural America must work hand in hand with programs to improve farm prices and agricultural income. Progress on both must be made if we are to reach our goals.

Finally, as our agricultural program makes its contribution to a sound overall domestic economy, it must seek to promote the maximum use of our agricultural productivity to promote progress and freedom in the world.

These are goals we seek to achieve. I believe that we can achieve these goals if we will do three things.

First. We must face, honestly and realistically, the tremendous changes that the technological revolution has brought about in agriculture; and we must therefore gear our agricultural policies to the new economy of abundance that is both a great problem and a great hope for the years ahead.

Second. We must formulate our agricultural policies and programs not only in the light of the needs of all the people of this Nation but also in terms of our relationships with the rest of the world, under the conditions that prevail in the world today.

Third. We must seek to achieve the degree of public understanding that is essential for the enactment of such policies and programs, by avoiding stereotyped thinking based on conditions of the past and the kind of controversy that is based on cliches, prejudices, and terminologies alien to American thought and experience. We must clear away the cloudy semantics that have caused so much confusion in the public mind about agriculture, and speak with honesty, clarity, and precision.

Far too few Americans realize the tremendous significance of the changes brought about by the scientific and technological revolution in agriculture. Millions of farmers, spurred by the incentive and pride of ownership inherent in the American family farm economy, have applied new discoveries and new methods to their own operations so successfully that the increase in productivity in agriculture far overshadows increases in other major sectors of our economy. During the 1950's output per manhour in agriculture increased more than three times as fast as it did in nonagricultural industries. It seems ironic that, at a time when economic growth and increased productivity are regarded as major goals, the segment of our economy that has increased its productivity the most—the American farm—receives the least reward in terms of income.

This scientific and technological revolution has not ended—in fact, it has only just begun, and is gaining speed.

The following figures demonstrate the rate of acceleration of increasing productivity. In 1900, 37 percent of our labor force was in agriculture. In 1960, only 8.6 percent. A century ago one worker on the farm supplied less than five persons—hardly more than his own family. It took nearly 80 years for that number to double, to more than 10 persons in 1940. In the decade of the forties, including the war years, the number rose to 14½. But the acceleration in the fifties was so great the number is now 27. It will continue to increase.

We have truly, here in America, reached an age of abundance in agriculture. But since we have not adapted our policies and programs to this new age of abundance we have tended to regard it as a curse rather than a blessing. We have been hindered in our efforts to make the best use of that abundance by concepts no longer valid because they harken back to an age of scarcity.

The fundamental fact that we must recognize is that American agriculture is producing more than we can use. The demand for food is inelastic. If your income doubles, you may buy twice as many clothes, twice as many cars, or twice as many TV sets. But you can't eat twice as much food.

Even a small surplus of food drives prices down. History shows that lower prices tend to cause the farmer to raise still more. Most of his expenses are fixed. In the absence of effective programs, the only way he sees to counteract lower prices is to produce and sell more. Acting alone, the farmer has no other choice.

How, then, can we gear our agricultural policies to manage this abundance?

We cannot do it by reverting to a policy of laissez faire, abandoning all farm programs and allowing the so-called laws of supply and demand to determine production and prices of farm products.

Independent and authoritative studies agree that if we were to follow such a policy today the drop in farm income and farm prices—including those of nonsupported commodities such as livestock and poultry, as well as those of grain—would be so sharp as to be disastrously destructive of our farm economy and our smalltown business.

Under such a price squeeze millions of farmers would be forced to quit. Efficient as they might be, they would lack the financial strength to survive. Now, maybe, under our new technology we do not need even as many farms as we have today. Obviously the trend is toward fewer and larger farms. But we cannot allow machines to displace men without providing those men with the opportunity to find and qualify for other employment.

We cannot suddenly tell the small, independent businesses on Main Street that they might as well close down. We cannot allow the family farms of this Nation to be put through such a wringer that the farm economy would be totally unrecognizable.

Proposals to use a drastic drop in farm prices to hasten the migration of farmers out of agriculture, and to temper the hardship caused by this process by training them for new jobs, forget that most of the farmers are over 45 years of age, when it is hard for even the experienced and trained to find jobs. The problem of rural poverty would in part be transferred to urban areas, where an influx of farmers forced off their farms would add to the problem of unemployment and put an additional obstacle in the path of economic growth.

Even at this cost, the abandonment of farm programs and the attempt to solve the problem of surplus by suddenly and sharply cutting down the number of farmers could not provide a permanent solution. Even if production were lowered for a while, the continued trend of increasing productivity would soon bring about a new cycle of overproduction, particularly in wheat and feed grains, on our millions of fertile acres that can be cultivated by fewer and fewer men. In the case of many other commodities, financially powerful interests could promote vertical integration and contract farming, thus controlling production and limiting supplies to quantities that would bring a profit. This would be supply control by private interests and consumers as well as farmers would suffer.

Analyses of all such proposals serve to confirm our position: that an agricultural policy for today's world must be based on the principle of supply management, whereby agriculture would be provided with a means of doing, through government, what most industry does for itself when it adjusts production to the amount it can sell for a profit.

Supply management is neither new nor revolutionary, even though some have tried to portray it as un-American or even sinful. Supply management programs have worked successfully for decades for such commodities as tobacco, cotton, peanuts, and rice. Supply management programs, as applied by this administration during the past 2 years to wheat and feed grains, have succeeded in decreasing our stockpiles—by 150 million bushels of wheat and 28 million tons of feed grains—while farm income has been increased more than 10 percent.

Let me make two points perfectly clear with regard to the meaning of supply management programs.

First. Supply management is the effective adjustment of supplies to needs at fair prices. It may be accomplished either by voluntary means, or by programs that become mandatory after they have been voted on and accepted by a two-thirds majority of the farmers.

But they must be effective.

All of us prefer voluntary programs where they can be effective and where their cost can be kept within acceptable bounds. The voluntary feed grain programs of the past 2 years had to deal with accumulated stockpiles of monumental proportions, and required high Government expenditures, but they have been even more successful than we had hoped in reducing those stockpiles. Consequently, with reserves beginning to approach amounts needed for security, our problem is different today. If the 1963 program can meet with equal success without undue cost to the national budget the case for supply management of feed grains by voluntary means will be substantially strengthened.

The 1964 wheat program illustrates another important approach to supply management. Most of the features of that program that affect farmers directly are familiar. There will be a national marketing quota, announced before April 15, 1963, which present estimates place at about 1,100 million bushels. There will be a national acreage allotment. Farm allotments will be handled in much the same manner as they are now handled and will be as large as possible, consistent with the national allotment. A voluntary acreage diversion program, with payments for 2 years, is provided in the law.

The grain trade, however, is most interested in the price support or marketing certificate features of the new program.

Instead of a price-support loan between 65 and 90 percent of parity on all wheat, producers will be eligible for price support on a specified number of bushels of wheat, equal in the first year to about 85 percent of the normal production on the acreage allotment. Any additional wheat produced will be seeded, fed, or marketed at a price related to its feed value or to the world price of wheat. There is a limit on the amount of wheat eligible for the higher price support, and a lower price support is provided for any other wheat produced.

Farmers will market their certificate wheat, or place it under loan, in much the same way they now market wheat which is eligible for price support. It is expected that once wheat is in trade channels, however, it will be marketed without regard to certificates.

The Department began consultations with the grain industry on the rules of the game nearly a year ago. One such conference was held at the Chicago Board of Trade. These discussions will continue. Early next year extensive discussions with the grain industry will be held to lay out our tentative plans for the program prior to announcement of the regulations. We will make the administration of the certificates as simple as possible. We hope to announce the major program details affecting both farmers and the grain trade well ahead of the referendum to be held late next spring.

When approved by farmers in the referendum, this program will: (1) Remove the remaining wheat surplus within a few years; (2) provide adequate supplies of all classes of wheat through flexible allotments, and if a feed grain program is in effect, by making it possible to produce wheat on feed grain acreages in place of other feed grains; (3) provide a new flexibility to wheat markets by making it possible for wheat to be traded near world and feed value prices; (4) maintain farm income; and (5) reduce Government costs.

If the program is not approved in the referendum, it will be disastrous for the great majority of farmers, and will lead to chaos in both domestic and world markets. Supply management is thus tied to both domestic and world problems.

The second point I wish to make with regard to supply management is that it works both ways—up as well as down. It is directed toward adjustment of supply to meet needs. It can be used to expand production to meet increased needs as well as to reduce production to avoid surpluses. It not only can be so used—it has been used for this purpose.

Soybeans provide a good illustration. At the beginning of the 1961 crop year, stocks of soybeans were being reduced. Only some 6 million bushels were in storage, roughly 1 percent of the Nation's annual requirements. There was considerable speculation, which pushed market prices to as high as $3.50 a bushel, considerably above the 1960 support price of $1.85, but little of this inflated price reached the farmer; and we were losing foreign markets and dollar sales at a time when a higher level of exports would have helped reduce our balance-of-payments deficit.

At the time this short supply was developing in soybeans, we were adding about 350 million bushels of feed grains to an already heavy surplus. This grain was being produced on land that could be used for soybeans. In February 1961, I increased the support for the 1961 crop of soybeans to $2.30 a bushel, for the purpose of both increasing farm income and to divert land from the production of feed grains to soybeans.

This action was bitterly criticized. I was charged with creating a surplus and with choking off exports because of higher prices. But the results have effectively justified this action. Farmers received higher prices for a greater volume, so that farm income from soybeans was $400 million higher than in 1960. Exports of soybeans, soybean oil, and soybean meal rose to record levels, and domestic use of soybeans reached a new high. Carryover reserve stocks into the 1962 crop year were brought up to between 55 and 60 million bushels—about 1 month's supply, and we expect stocks at the end of the current season to be at about the same level. This means that the entire 1962 crop will go to market.

Thus the soybean program in 1961 and 1962 increased production of a commodity in short supply; provided a more adequate reserve of a vital product; increased income to farmers; expanded foreign markets to earn more trade dollars; and contributed to a reduction of surpluses of feed grains.

This is supply management in the positive sense.

Another positive aspect of supply management is that it is directed toward total need. A part of our total need for food and fiber in today's world is that for adequate reserves to meet any emergency. Since the time of Joseph in Egypt prudent leaders have been concerned with reserves sufficient to survive lean years that might result from the vagaries of nature. But, today, emergency reserves must also be designed to meet special needs that would result from a Korea-type war, and also the even more crucial and complicated needs that would result from a nuclear attack. Only a few weeks ago the people of this Nation were thinking of such needs most seriously. Certainly it would be gross negligence for a nation with adequate supplies to fail to provide sufficient reserves, stored under such conditions as would be most useful, in readiness for any eventuality. This is a part of supply management that is essential for defense, and its cost should be chargeable, not to agriculture, but to the defense of the Nation.

Finally, I would like to point out that when supply management programs become truly effective Government operations in handling commodities can diminish. The deadening burden of stored surpluses and of annual surplus production will be lifted. Once surplus stocks are removed, and effective supply management programs make large annual commodity acquisitions unnecessary, CCC merchandising activity will decline. Our goal, therefore, is progress toward an agricultural economy sufficiently balanced so that the role of Government programs and payments will progressively diminish, yet be sufficiently productive and flexible so that we can meet any needs that may arise.

I should like to turn now to the necessity for formulating our agricultural policies and programs, not only in the light of the needs of all the people of this Nation, but also in terms of our relationship with the rest of the world.

International relations today affect every aspect of our economy—and of our lives. The United States is committed to a policy of expanding world trade. It is dedicated to economic and political policies that will strengthen the free world. Every domestic program is affected by these facts.

The United States is the world's largest exporter of food and agricultural products—currently at the peak rate of more than $5 billion a year. Of this amount, we sell about $3½ billion as commercial exports, and the remainder we make available on generous terms to less developed countries.

It goes without saying that our agricultural exports are of utmost importance, not only to our farm economy but to our overall economic position and our balance of payments. It is important to us that we export enough to make up for the deficit that is incurred primarily in the discharge of our security and assistance commitments around the world.

Among the most hopeful and encouraging developments since World War II have been the reconstruction of Western Europe, to which our Marshall plan contributed so much, and the development of the European Economic Community. Through the Common Market it is hoped that the free nations of Western Europe may further increase both their economic and political strength, and the United States is eager to contribute to that end. But we are seriously concerned about increasing evidence that the EEC is leaning toward a highly protectionist, trade restrictive policy where agriculture is concerned.

For American agriculture, such a trend is especially critical. Each year the United States exports $1.7 billion of agricultural commodities to Europe, more than a billion of which goes to the six Common Market countries. These six bought about 30 percent of our commercial wheat exports, and nearly half of our commercial exports of feed grains. And if the United Kingdom joins the Common Market, it will account for an even greater share. This is why I have given so much attention, for over a year—but particularly in recent weeks, to efforts by our Government to combat the protectionist trend in the Common Market.

The problem for American agriculture arises as the EEC develops its common agricultural policy. France now supports wheat at about $2.15 a bushel; Germany supports it at more than $3 a bushel, and these prices are for a quality of wheat that brings 30 or 40 cents a bushel less, on world markets, than our Hard Red Winter wheat. If the common agricultural policy of the EEC should settle at a price close to the German level, and offer such high prices to French farmers, the French would probably put 6 million additional acres into wheat. They could then supply nearly all Common Market needs, and create a surplus that would press toward dumping and consequent chaos in world markets.

The EEC is moving to apply variable levies on grains, poultry and other commodities to effectively prevent any imports coming in at less than domestic support prices. If these target prices should be established at unreasonably high levels the result will be a substitution of uneconomic production within the EEC for imports. It is thus critically important to us that these prices should be set at moderate levels, if the United States and other agricultural exporting nations are to have continued access to EEC markets.

Thus, I tried to make it clear, when I spoke at the OECD meeting in Paris, that while we do not object to Western Europe adopting a common agricultural policy, or developing a large single market area like we have in the United States, we do believe that this should not be done at the expense of friendly nations and in disregard of international responsibilities. All we ask is a chance to compete fairly and responsibly.

In the new Trade Agreements Act, the President has new authority to negotiate tariff reductions. Our Government intends to use this authority to improve access to world markets, and particularly to the Common Market, of our agricultural products. To do this most effectively we must insist on keeping agricultural and industrial products in one package in our negotiations under the new trade act.

What does this have to do with our domestic agricultural policy? Remember that we negotiate with nations that are both friends and competitors. Remember that these nations express fears that we may destroy their markets by dumping surpluses. Remember that not only is trade a two-way street, but negotiation is two-way bargaining. If we do not manage our supply effectively to prevent huge surpluses, then we will not be able to back our negotiators with a responsible farm policy, and our bargaining position will be seriously weakened.

Thus, as I noted earlier, a disapproval by referendum of American farmers of the 1964 wheat program would contribute to chaos in world markets. Unlimited production that would result would create enormous pressure to sell at any price, and it would become almost impossible for us to get the Common Market to adopt reasonable trade policies in agricultural products. On the other hand, if American farmers vote to adopt a responsible supply management program we will be substantially strengthened in our efforts to get the EEC to likewise pursue responsible, trade expansive policies.

I would like now to turn briefly to the question regarding the role of American agricultural policy in strengthening that part of the free world which, unlike Western Europe, is neither highly industrialized nor blessed with surplus agricultural capacity.

Agriculture is of utmost importance to the underdeveloped, emerging nations of the world. Most of their people till the soil. Yet most of their people are hungry. In their newly won independence, in their revolution of rising expectations, they are today desperately seeking the industrial development that characterizes economic maturity and a higher standard of living. They confront the fact that in today's world it is the advanced, highly industrialized countries that demonstrate the highest agricultural productivity, while underdeveloped nations striving for industrialization face static—or even declining—agriculture. Unless they can increase their agricultural productivity, programs for industrial development cannot succeed.

The United States is deeply concerned to assist economic growth in underdeveloped areas. Basic human decency and morality impel us to care about those who suffer from hunger and want, but, in addition to this, there are more mundane reasons.

First, our own security depends on the prevalence of conditions under which the people of underdeveloped nations can hope to achieve higher standards under free institutions.

Second, our own continued economic growth demands rising standards elsewhere, among people with whom we hope to develop expanding trade relations. One might illustrate this by pointing out that you can't sell food to a man who has no money, no matter how hungry he is. First, you give him some food—either outright or on long-term credit. Then you help him find a job to enable him to pay his own way and buy what he needs in the marketplace. A few years ago we provided Japan with food under Public Law 480. The Japanese learned to eat wheat. They have become one of our best paying customers.

The contributions that American agriculture is called upon to make thus take two forms.

One is technical assistance, which, in turn, is of two kinds. We can share the technical and scientific knowledge that makes for better farming—including such things as irrigation, soil fertility, the breeding, and development of better field crops and farm animals. But this kind of assistance is of limited value unless it is accompanied by education for those who cultivate the land, unless it includes assistance in making the kind of social and institutional changes that will bring help about better use of both natural and human resources.

In this regard, I should like to emphasize the importance of encouraging and assisting emerging nations to develop a land tenure system that—like our family farm system—is characterized by private ownership of farms by those who operate them, thus stimulating efficiency and progress by individual ownership and incentive. Many of these nations face major problems in their search for land reform. They feel impelled to choose the system of land ownership and cultivation that will bring about the increase in productivity they must have. They face the rising clamor of those who till the soil for ownership of the land they till.

I believe that we have only begun to make effective use of the challenge that American agriculture can issue to the nations and peoples that face a choice between democracy and communism. No feudal estate, no state-owned farm, no plantation, no collective—none of these has ever achieved the abundant productivity of the American family farm. No one of these has ever produced an agricultural economy that has contributed so much to overall economic growth. No one of these has ever equalled it in the development of a high level of citizenship and sense of personal dignity and worth.

I believe that we should bring this point home whenever and wherever we can. It should not be hard, at a time when the largest Communist nation in the world is suffering from hunger, and when the next largest Communist nation fires its minister of agriculture, and changes its policies, because agriculture has not produced enough. When I was traveling in India last year, a Government official there stated that they were not nearly as much impressed by American industrial development as they were by the fact that, with only 8 percent of our labor force, we are able to produce more than enough food.

And this leads to the second way in which American agricultural policy contributes to strengthening the free world—through our program of food for peace. We have contributed $14.5 billion worth of the products of our agricultural abundance to relieve hunger, meet emergencies, and promote economic development. Through this program we have done much more than relieve human suffering. We have used food as partial payment of wages for work-intensive projects such as cropland restoration, building irrigation and drainage facilities as well as schools and roads. Through school lunch programs abroad we have helped support health and stimulate education for 32 million children in 90 countries. By preventing food scarcity we have helped to prevent disastrous and destructive inflation in countries like India and Pakistan that, in their drive for industrial progress, faced a serious increase in demand for food. I am convinced that we have only begun to explore the potential value inherent in the use of food to stimulate and assist economic growth and development.

Thus our food surpluses become, in fact, an instrument for peace and progress. In worldwide terms—and we are forced to think in world terms in an age when satellites, and missiles, can circle the globe—there can be no real surplus of food as long as people are hungry.

And, therefore, our food-for-peace program must be a part of our national agricultural policy. It is another reason for supply management. As we adjust our production to supplies that we can use, an enlightened agricultural policy would include, in any calculation of the total quantities we need, those quantities that can be used effectively to promote peace and progress throughout the world. The cost of such programs, like the cost of reserves to meet emergencies, cannot justly be charged to agriculture alone. It is rather a price worth paying for the defense and the security of the people of this Nation.

I should like to conclude by summarizing the principles that I believe must guide us in formulating and achieving a national agricultural policy that will make its maximum contribution in today's world.

First, we must recognize the interrelationships and interdependence that characterize our age. No enlightened farm policy can be framed entirely in terms of wheat, or cotton, or any commodity by itself. Nor can it be framed in terms of farmers only, or the grain trade only, or the processors and marketers of commodities, or the whole agri-business community. Nor can it be considered even in terms of the entire domestic economy of the United States, by itself. For the United States isn't by itself. No matter how much it complicates our problems, agricultural policy must be considered in terms of the needs of all our people, of every segment of our economy, and of the position and responsibility of this Nation as a leader of the free world.

Second, we must face squarely the challenge of the age of abundance in American agriculture, and manage that abundance by realistic supply management programs as a flexible instrument that will increase production of those commodities for which more is needed, as well as limit production to amounts that we can use. We must recognize that, while effective supply management is directed toward conditions under which the efficient family farm will earn a fair income, there is another aspect of the problem that must be approached by broad programs to redirect those human and natural resources in rural America that are neither needed for nor suited to agricultural uses into other fields to meet other needs.

I realize that these requirements—that we view agriculture as a whole, in terms of the national and world picture, and in the light of modern science and technology—these requirements make the attainment of such an overall policy even more complicated and difficult. Greater public understanding—on the part of national leaders, of farm groups, of commodity and trade groups, of the farmers themselves, and the nonfarm public as well—becomes absolutely essential.

We cannot afford stereotyped thinking that echoes cliches of the past that have no validity today. We cannot afford name calling and partisan references to ideologies and "isms." We are concerned, not with doctrines, but with methods and policies that work, in the American tradition.

I am confident that if we discuss our problems and adjust our differences with these principles and goals in mind we can have a national agricultural policy under which efficient farmers can attain fair incomes under conditions of real freedom, under which American agriculture will continue to provide American consumers with more and better products at lower real cost than ever before, under which rural areas can revive and prosper, and under which our abundant agricultural productivity can make a maximum contribution to progress and freedom in the world.

NUTRITION EDUCATION PROGRAM IN JAPAN

Mr. MORSE. Mr. President, I was most pleased to learn from the December 1962 issue of the Great Plainsman, a publication of Great Plains Wheat, Inc., that the Wheat Associates have been commended by the Japanese Government. I am particularly pleased since the Oregon Wheat Growers League, predecessor to Wheat Associates, was responsible for launching the nutrition education program in Japan which resulted in this commendation in recognition of the splendid work being done.

Mr. President, I ask unanimous consent that the article to which I have alluded be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Scanning the Horizon: Wheat Associates Commended by the Japanese Government

Wheat Associates, Tokyo, has won the distinction of becoming the only foreign organization in Japan to receive a certificate of commendation from the Japanese Government.

The commendation is in recognition and appreciation of the leadership and assistance extended to the nutrition education program in Japan.

Oregon Wheat Growers League, predecessor to Wheat Associates, launched a nutrition education program in Japan in 1956 using a fleet of kitchen demonstration buses to carry their story to housewives of rural Japan. The new and novel promotion approach, stressing a well-balanced diet including wheat foods, gained rapid popularity and resulted in expansion of the program to all parts of Japan.

In 1961 Wheat Associates transferred the operation of the kitchen buses to the Japanese Government. Today about 70 food demonstration buses continue to operate in Japan stressing the value of good nutrition and promoting the use of wheat foods in the daily diet.

James Hutchison, regional director of the Tokyo office, was presented the commendation by Japanese Welfare Minister Eiichi Nishimura.

THE FUTURE OF AGRICULTURE

Mr. MORSE. Mr. President, in an article entitled "Busy Year Ahead for Agriculture," which was published in the December 1962 issue of Oregon Business Review, Mr. M. D. Thomas, extension agricultural economist, Oregon State University, Corvallis, Oreg., has incisively pointed out various factors which will affect the basic economy of the State.

As Mr. Thomas notes, agriculture is Oregon's second ranking industry. As it prospers so prospers the State. Unfortunately, as it is adversely affected, so, too, other sectors of our population react. The magnitude of the impact of this industry upon the economy of the State is shown by the fact that it generates some $400 million a year of spendable income for 40,000 farm families.

It is because of these economic facts that there is continuing interest and concern on the part of Oregon farmers in Federal agricultural programs, both those now operative and those in prospect. The attitude of the Department of Agriculture toward the problems of Oregon farm families is important to them in that decisions affecting bread and butter issues must be made by Oregon producers in the light of application of policies and programs by the Department.

Mr. Thomas, in his perceptive article, has, in my judgment, performed a service to the business community of my State in setting forth many of the considerations in this area which will affect the myriad of individual entrepreneurial decisions which collectively make up the total economy of our State.

Since the economy of Oregon is part of the economy of the northwest section of this country, the views and conclusions of Mr. Thomas, in my opinion, will be of interest to Senators from the Northwest States. For that reason, I ask unanimous consent that the article to which I have alluded be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Busy Year Ahead for Agriculture

(By M. D. Thomas, extension agricultural economist, Oregon State University, Corvallis)

The year ahead will be another busy one for Oregon's second ranking basic industry, agriculture.

Oregon farm operators and their families will be making many decisions and taking many actions that will affect their well-being. These decisions likewise will affect the well-being of others who have chosen Oregon as a place to live and work. All in all, there will be much economic, social, and political interaction between rural, suburban, and urban people in the new year.

FARMING SHOWS STABILITY

In recent years, agriculture has become a stable sector of the Oregon economy. Standing second only to forestry, this industry almost certainly will again generate more than a half billion dollars worth of economic activity both on and off farms in the State in 1963.

For agriculture, the new year promises to be much like other recent years. Undoubtedly, it will bring problems. At the same time, it should provide more than $400 million of spendable income for some 40,000 families who call Oregon farms home and who look to farming as the source of all or part of their cash.

ECONOMIC ACTIVITY SUPPORTED

Most of this cash will flow rapidly from farmers' hands into the State's economic stream. As it moves, this cash and the raw products from the farms will help float large capital investments and furnish many job opportunities in the cities and towns throughout the State. This is the way this flow from farming generates much economic activity.

About $3 out of every $4 received from the sale of farm products will go to pay expenses of operating and maintaining the farm business. Farm operators' decisions of other recent years suggest that they will again, in 1963, either of choice or necessity, spend more than one-third billion dollars for goods and services needed to produce farm products. These USDA estimates show where Oregon farm production dollars went in 1961.

In addition, most of the remaining cash received by Oregon farm families will go for such mundane necessities as groceries, clothing, drugs, personal services, and debt payments or savings. In these ways, earnings and spendings by farm families in 1963 will provide important economic props to an uncounted number of off-farm families and firms in Oregon and elsewhere. Harvard University estimates that 40 percent of the Nation's jobholders lean more or less on farm-related activity for all or part of their income.

On Oregon farms, more than 50,000 year-round jobs, and perhaps an equal number of part-time and seasonal jobs, will be provided. In addition, the State's farm business will sustain a market for capital totaling more than $2,500 million. This market for investment capital has grown steadily year by year. It should grow more as new technology is applied and manmade barriers to the economic development of the State are reduced.

RAW PRODUCTS SUPPLIED

Again, in the year ahead, Oregon farms will undoubtedly produce great tonnages of raw products that will be bought, sold, transported, processed, warehoused, financed, and otherwise serviced in preparation for consumers inside and outside the State.

For example, Oregon farmers produce fruits and vegetables by thousands of tons. These serve as the basic raw products for much of the food processing industry of the State. Tonnages of tree fruits and caneberries in the year ahead may be reduced noticeably. This prospect stems from the known damages of the Columbus Day windstorm in the form of broken and upturned trees. Most likely there are also unknown damages to root systems of trees and canes still standing.

During the past year, Oregon farmers produced more than a million tons of grain. Much of this has moved or will move through up-country elevators, onto barges or trucks, into terminal elevators, through mills, onto docks, and into oceangoing vessels.

Barley is another grain produced in large volume in this State, especially in recent years. Livestock and poultry within the State have converted much of this grain into meat, milk, and eggs. Some has gone into malt and malted beverages, including beer. In addition, considerable tonnage has been exported to people overseas who use this barley for both human food and livestock feed.

Wheat and barley exports have been assisted with public funds under various Federal programs. These programs have done much to sustain grain-producing and grain-exporting activities of the State, but there have been tax costs. A result: pressures for idling acreage and reducing production are increasing.

FEDERAL PROGRAMS CALL FOR ACTION

Early in 1963, Oregon barley growers, and other feed grain growers throughout the Nation, will have to decide whether or not to participate in the Federal feed grain program authorized by the 1962 Food and Agriculture Act. Under this program, growers will have a choice. They may choose between (1) idling at least 20 percent of their feed grain acreage and receiving amenities in the form of Government checks and an assured minimum price or (2) planting as much barley and other feed grain as they like and taking chances on the open market price.

Obviously, the first choice tends to reduce the amount of raw products available to support grain exporting, livestock feeding, and other related economic activity. The second choice exposes grain producers to certain short-term price and income risks that are now greater than in other recent years. These greater risks stem from new administrative alternatives and changing supply and demand conditions.

Similar pressures to reduce plantings are at work on wheat. The foreseeable possibilities no longer include wheat at $2 a bushel grown fence to fence, as would be preferred on many Oregon farms. This opportunity has not existed since 1954. At that time, wheat growers accepted the alternative of price supports at 75 to 90 percent of parity on about two-thirds of their wheat land and began shifting the remaining acres to other crops, primarily barley here and milo (grain sorghum) in the Great Plains.

NEW CHOICES PROVIDED FOR WHEAT

For 1963, wheat growers have already made the choice between (1) a further cut of at least 20 percent in their wheat acreage and eligibility for income-protecting payments and loans or (2) no payments and planting their allotted acreage.

This coming spring, wheat growers will be offered a new choice for 1964, under provisions of the 1962 Food and Agriculture Act. This new choice is a modified and diluted version of an approach long favored by Oregon wheat industry leaders. In effect, it would attempt to price some wheat back into its traditional use in this area as a feed grain. In this way, it also aims to bring idle or diverted acres back into production as soon as surpluses have been reduced to needed reserve levels.

This plan splits the wheat supply between domestic food use, exports, and other domestic uses. This approach has been resisted by politically powerful grain and livestock interests in the corn and milo country east of the Rockies. These interests prefer to minimize the Northwest of the ability to compete, directly or indirectly, in the markets for livestock and poultry products. They would like to corner as much as possible of the Pacific coast as well as the eastern market for grains, livestock, and poultry.

GRAIN-FEEDING HAMPERED

These attitudes and resulting programs have dwarfed the poultry enterprises of Oregon. Wheat feeding has practically vanished. Now barley feeding and the relatively recent expansion in the State of cattle feeding and hog raising are threatened.

For many years, and especially in the past four or five years, Federal grain programs have operated in such a way as to place the grain-feeding industries of the Northwest in a very vulnerable competitive position. Efforts are being made to alleviate this situation, but the response at the Federal administrative level has not been very encouraging since the autumn of 1961, when special sales programs were operated for a short time. Actions which tended to reduce barley prices this fall were not necessarily in the national interest and certainly were not among those favored by leaders in Northwest grain and livestock industries.

As 1962 ended, the USDA continued selling milo and corn in the Great Plains and Midwest, $4 to $6 a ton below price support levels. This held market prices down and thus became an indirect subsidy to livestock and poultry feeders there. No similar program was available in the Northwest.

STATE HAS MUCH AT STAKE

It seems safe to say that discussions and actions here in Oregon and at other points throughout the Nation during 1963 will have important bearings on whether or not the State has the opportunity to retain and expand local feed markets for grain. This situation holds the key to whether or not the State can do more to help supply the meat wanted by the rapidly growing Pacific coast population, and, in turn, enjoy the economic development that stems from converting grain into meat.

If the area is denied the opportunity to develop a larger grain feeding industry, it appears most likely that the trend will be, perhaps slowly but almost surely, toward more and more idle acres. This may mean a change in the number of Government checks. It would mean a continuing transfer of investment and employment opportunities from this area to other parts of the Nation. Of course, these idle acres, as they are called, may serve long-term beneficial purposes in soil conserving crops and as recreational open spaces; but such uses generate few jobs and rather low investment returns.

OTHER DECISIONS CHALLENGE

Aside from decisions and actions relating to Federal grain programs, there are many other matters facing farmers. These will also concern other Oregon citizens in the year ahead.

Individually, and as groups, farmers and others will study and attempt to guide thinking and action at various levels on property taxation, local government finance, management of land use through planning and zoning, and the like.

They will seek fuller understanding of efforts to promote and protect the American way of life. They will be concerned about creating jobs and providing education and training for people of all ages.

Oregon farmers and food processers will give more and more attention to adopting new technology rapidly and to producing what wholesalers, retailers, and consumers want, when wanted, and in the form wanted. This is essential to successful competition in today's world.

The thoughtful leaders also will be concerned about each and all of the present and emerging opportunities and obstacles growing out of the multitude of changes now rapidly taking place. They will be seeking ways of maximizing the gains and minimizing the pains flowing from these changes. These are the almost inevitable changes that are shifting Oregon and the world more and more away from an independent, self-sufficient, rural, agrarian society into a specialized, interdependent, highly complex, urbanized, commercial society.

A host of manmade and natural forces will continue at work in the new year. These forces will surely make 1963 another busy and exciting but at times uncertain and frustrating year.

DIRECT PRIMARY INSPECTION OF EXPORT GRAINS BY FEDERAL INSPECTORS

Mr. MORSE. Mr. President, Mr. W. A. Richards, general manager and treasurer of North Pacific Grain Growers, Inc., of Portland, Oreg., has brought to my attention, in a letter dated January 23, 1963, the opposition of that organization to proposed changes in U.S. Department of Agriculture regulations which would provide for direct primary inspection of export grains by Federal inspectors.

Since the matter is one which concerns many of the grain producing States of the Pacific Northwest, I ask unanimous consent that the letter to which I have referred be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NORTH PACIFIC GRAIN GROWERS, INC.,
Portland, Oreg., January 23, 1963.

The Honorable WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: It is our understanding that consideration is being given by the U.S. Department of Agriculture to propose amendments to the regulations which would provide for direct primary inspection of export grains by Federal inspectors.

The board of directors of North Pacific Grain Growers, Inc., representing 20,000 grain growers in the Pacific Northwest, unanimously adopted the following resolution at their meeting of January 17, 1963:

"*Resolved,* That the board of directors of *North Pacific Grain Growers, Inc.,* endorses the present system of grain inspection by individual States under Federal supervision and opposes direct Federal primary inspection of grain in foreign or domestic commerce."

It is our observation that grain inspection services provided in the past by the States of Oregon, Washington, and Idaho have been excellent. We see no reason for change and sincerely feel that Federal inspection of export grain would result in being the first step toward elimination of the State inspection services, and we solicit your assistance in defeating the proposed changes in the regulations.

Yours very truly,
W. A. RICHARDS,
General Manager and Treasurer.

WEST VIRGINIA LEGISLATURE AFFIRMS THE RIGHT OF FRANCHISE

Mr. BYRD of West Virginia. Mr. President, I am happy to advise my colleagues that yesterday, February 5, 1963, the West Virginia Legislature ratified the joint resolution adopted by the 87th Congress, which proposes an amendment to the Constitution of the United States prohibiting the imposition of a poll tax or any other tax as a requirement for voting in Federal elections. West Virginia thus becomes the fourth State in the Union to take this affirmative action.

I might say, Mr. President, that in ratifying this important amendment, the West Virginia Legislature demonstrated its faith in the constitutional processes which have made our country a great world power. Freedom of the franchise can only strengthen the freedom which we enjoy as a nation.

As I stated in a telegram which I sent on January 11 to the Honorable Howard W. Carson, president of the West Virginia State Senate, and to the Honorable Julius Singleton, speaker of the house of delegates:

> At the time of its passage by the Senate of the United States, I voted for this joint resolution (S.J. Res. 29) feeling that a constitutional amendment would be the proper approach to the elimination of a tax which inhibits and obstructs exercise of the franchise.

I can only express pleasure over the action taken yesterday by the legislature of my State, and I can only express my hope that other State legislatures follow suit affirmatively. In this perilous age of Communist imperialism, where the right of franchise is extinguished by subversion and suppression, it is noble that we are moving to see that this right is not obstructed or inhibited in the United States.

Mr. President, the action of the West Virginia State Legislature in ratifying the proposed amendment to our country's Constitution, is a fitting beginning for the centennial celebration of statehood. The Mountain State, by its action, is demonstrating to all Americans that not only are we strong believers in freedom—the freedom that is evident in *our comely hills and verdant valleys*—but proud of our heritage as freemen, and desirous of freedom for all men.

I ask unanimous consent, Mr. President, to have the telegrams I have previously referred to inserted in the RECORD *following my remarks.*

There being no objection, the telegrams were ordered to be printed in the RECORD as follows:

JANUARY 11, 1963.

The Honorable HOWARD W. CARSON,
President, West Virginia State Senate,
Charleston, W. Va.

The Honorable JULIUS SINGLETON,
Speaker of the House of Delegates,
Charleston, W. Va.:

I am advised that the Administrator of the General Services Administration has forwarded to Gov. W. W. Barron the joint resolution adopted by the 87th Congress, which proposes an amendment to the Constitution of the United States prohibiting the imposition of a poll tax or any other tax as a requirement for voting in Federal elections.

At the time of its passage by the Senate of the United States, I voted for this joint resolution (S.J. Res. 29) feeling that a constitutional amendment would be the proper approach to the elimination of a tax which inhibits and obstructs exercise of the franchise. The people of the several States, acting through their duly elected representatives in the various State legislatures, thus have the final say. The States of Illinois and New Jersey have already ratified the amendment, and I wish to express the hope that the West Virginia Legislature will promptly take affirmative action to ratify the amendment and to formally certify ratification to the General Services Administrator.

ROBERT C. BYRD,
U.S. Senator.

Mr. MANSFIELD. Mr. President, is there further morning business?

The VICE PRESIDENT. Is there further morning business?

Mr. KEFAUVER. Mr. President——

The VICE PRESIDENT. The Senator from Tennessee is recognized.

NASA PROPOSAL FOR PATENT WAIVER REGULATION

Mr. KEFAUVER. Mr. President, I should like to bring to the attention of the Senate certain important developments in connection with space research which took place while Congress was away.

As we all know, in 1958, Congress enacted the Space Act, pursuant to which the Government retains title to the patents arising out of Government financed research and development. Section 305(f) provided that in certain cases, intended to be exceptional, the NASA Administrator could waive title.

NASA and the companies with whom it deals have always been unhappy with this provision, and have repeatedly tried to have the Space Act amended to permit the contractors to take title. Congress, however, has refused. In fact, each time Congress has expressly legislated on the patent ownership issue, it has adopted the title policy whereby the Government retains title to patents arising out of Government contracts.

After NASA's most recent unsuccessful attempt to have Congress repeal the title policy of the Space Act, NASA switched its strategy and decided to attempt to achieve the same result by administrative regulation. Consequently, on October 26, 1962, several days after Congress had adjourned, NASA published a set of proposed patent waiver regulations which would, in effect, waive the Government's rights to patents on taxpayer-financed research and development in most cases. As testimony by the Justice Department, the AFL–CIO and others demonstrated, these regulations are premised on assumptions totally inconsistent with express legislative policy.

Moreover, as this same testimony pointed out, the proposed regulations favor waiver to the large contractors, to the great detriment of small business and educational institutions. The regulations will thereby increase concentration and monopoly at taxpayer expense, for, as the 1947 Attorney General's report pointed out, patents are an important factor in making for increased concentration and monopoly in our economy. As the AFL–CIO put it, public money would "be used as a foundation for strengthening private monopoly."

These hearings were originally scheduled to take place and conclude on December 10, 1962, before Congress returned. Although NASA of course disclaimed any intention to avoid congressional scrutiny, the timing of the publication of this regulation and of these hearings seemed rather odd. The Senator from Louisiana [Mr. LONG] and I came back especially for these hearings, and, at our urging, the hearing was continued to January 28, 1963.

I wish to say that the Senator from Louisiana [Mr. LONG] made a very strong statement at the hearing, which was not attended by Mr. Webb or any deputy administrator, but only by the attorneys for NASA who had prepared the regulations. I feel that the strong presentation made by the Senator from Louisiana [Mr. LONG] was the reason the hearing was postponed. If the regulation is killed, as it ought to be killed, that will be largely due to the outstanding, courageous, and intelligent fight the Senator from Louisiana has made against this attempted giveaway of patents for which the Government has largely paid.

At the January hearing, the Senator from Alaska [Mr. GRUENING] and Representatives HOLIFIELD and RYAN appeared and strongly opposed this regulation. Princeton University also sent a representative to protest the deliberate exclusion of educational institutions from the benefits of these regulations.

Patent policy on Government contracts, especially in the new and multibillion dollar area of space technology, raises some of the most fundamental economic and social issues today. The taxpayer is paying for more than 70 percent of the entire research and development bill in the United States, and is likely to pay more. The President's 1964 budget calls for $6.1 billion for NASA, of which a large part will be for research and development. This money should not be used to strengthen concentration and monopoly and to "penalize small business," in the words of patent counsel for the California Institute of Technology.

The VICE PRESIDENT. The time of the Senator from Tennessee has expired.

Mr. KEFAUVER. Mr. President, I thought that I had the floor——

The VICE PRESIDENT. The morning hour had not been closed, but, if there is no further morning business, the morning hour is closed; and the Senator from Tennessee will be recognized.

AMENDMENT OF RULE XXII—CLOTURE

The VICE PRESIDENT. The question before the Senate is on agreeing to the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of Senate Resolution 9, to amend the cloture rule of the Senate.

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

NASA PROPOSAL FOR PATENT WAIVER REGULATION

Mr. KEFAUVER. Moreover, experience shows there is no need for granting such monopolistic rights. Neither NASA nor any other title policy agency has had any great difficulty obtaining contractors. And for good reason. Almost all contractors are aware that a Government contract enables them to develop specialized know-how and competence at no risk and at Government expense.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. KEFAUVER. I am very happy to yield to my colleague from Louisiana, who came to Washington to protest this unjustified attempt by NASA to give away patents which rightfully belong to the Government.

Mr. LONG of Louisiana. Is it not true that these contracts carry with them a virtually guaranteed profit of about 7 percent, based on the volume of business done?

Mr. KEFAUVER. The Senator is correct. They are, in substance, cost-plus contracts, under which the companies cannot lose. In addition, they get a specialized know-how and competence. It is now proposed that, in addition to that, they get title to the patents and the value of the patents, which is unconscionable.

Mr. LONG of Louisiana. Is it not true that these big profits are paid to concerns even if they do not discover anything?

Mr. KEFAUVER. The Senator is correct. In many cases the concerns have made no worthwhile developments, but they have still made a profit.

Mr. LONG of Louisiana. I ask the Senator if the problem is not that not enough profit is being made, but that they all want to get in on a good thing, and many have not been able to do so?

Mr. KEFAUVER. The fact is that many of them fight hard to get the contracts under the present laws, without being given patent ownership.

Mr. LONG of Louisiana. It has been my impression, with regard to these contracts, that a great number of contractors have been fighting for such contracts, although admitting it would not cost the Government a cent more if the companies were not given monopoly rights to what was discovered under the contracts. Is that correct?

Mr. KEFAUVER. There is no dearth of available contractors under the present laws, without having to offer contracts under which the companies would be given monopoly rights.

Mr. LONG of Louisiana. Is not this just as much a matter of Government research as when the Government hires Federal employees to do it? Is it not a simple matter of the Government's paying for research?

Mr. KEFAUVER. It is. Admiral Rickover, in testifying before the Senate Small Business Committee, pointed that out, and made a strong case as to the injustice of giving away patent rights. He explained that plenty of contractors are available and that they are assured an income from the contracts whether they do or do not develop anything.

Mr. LONG of Louisiana. Is it not correct to say that the concerns are guaranteed a profit of about 7 percent, and, in addition, if they develop anything of value, also the monopoly rights to what they discover which may exceed in value the whole face cost of the contract?

Mr. KEFAUVER. The Senator is absolutely right. Their know-how and competence and the fact that they have had a headstart in developing what they might find, prove of great value, in addition to their guaranteed profit of more than 7 percent.

Mr. LONG of Louisiana. Is it not also correct that a contract guaranteeing a profit of 7 percent on volume might result in a profit of as much as 70 percent on investment?

Mr. KEFAUVER. The Senator is correct, and that fact has been brought out in actual cases before the Senator's committee.

Mr. LONG of Louisiana. I thank the Senator.

Mr. KEFAUVER. I thank the Senator for his questions and his comments. I think the whole Nation owes him a debt of gratitude for finding out what was being tried while Congress was away, and protesting vigorously so that the proposal has, at least, been put off for a while.

Further, the record shows that retention of title by the Government does not impede the "prompt working of inventions." A recent publication of the Commerce Department entitled "Government Patents—How They Benefit Industry" confirms this. I have this brief pamphlet and I ask unanimous consent that it be printed in the Record following my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KEFAUVER. On the other hand, giving monopolistic rights on these inventions to a handful of large contractors will serve to impede the widest and most rapid dissemination of knowledge. Under these regulations, the new entrant and the small company will be prevented from making full and free use of this taxpayer-financed technology, except at the sufferance of the big, established contractors who are not overly eager to permit the buildup of competition. We can hardly afford such an impediment to our great national space effort.

In almost all private contracts and at common law, he who pays for the work gets the patent rights to the fruits of this work. The Government, which represents all the taxpayers, is entitled to no less.

Mr. Laurence Sterne of the Washington Post recently reported that a study of overall Government patent policy is presently underway in the executive branch. Congress must also give this matter close study, as it did in connection with atomic energy, saline water research, and other areas. What the people have paid for should not be given away to subsidize a handful of huge contractors, to the detriment of the economy as a whole and of small business in particular.

Mr. President, I also ask unanimous consent that there may be printed in the Record following my remarks my statement made before NASA on December 10; a statement by Senator Gruening of January 28; a statement of the Justice Department of December 10; a statement of the AFL–CIO of December 10; an article in the Washington Post by Laurence Stern of January 6; Representative Holifield's excellent statement before the NASA committee on January 28, 1963, with introduction attached; and the statement of the Senator from Louisiana [Mr. Long] before NASA on December 10, 1962.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibits 2 through 8.)

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. LONG of Louisiana. I wish to congratulate the Senator on his statement against the expenditure of $14 billion a year, a sum that exceeds even the cost of interest on the national debt, perhaps the second largest expenditure in Government, second only to national defense as such, being devoted to the creation of monopoly which will plague this country for years and years to come.

The Senator from Tennessee, as chairman of the Antitrust and Monopoly Subcommittee, has done his duty, and I believe his devotion to public duty requires that he should do so, in fighting against the investment of $14 billion a year in shaping the future of America into a handful of monopolies and cartels so powerful that no government could do anything about it under the capitalistic system. This is an outrage, and in my opinion should be covered by an Executive order forbidding the granting of monopoly rights to private concerns on Government research contracts.

This has been a long, uphill fight. There are many vested interests who seek to get monopoly rights on discoveries made under government contracts.

Has the Senator from Tennessee seen the testimony of Admiral Rickover to the effect that the timelag between the discoveries of contracts until they apply for patents is about 4 years?

Mr. KEFAUVER. I have read the testimony of Admiral Rickover. I remember some statements he made to that effect. It is in the record, I believe, as part of the committee print of the Conference on Federal Patent Policy which was conducted by the Senator from Louisiana in the last session of Congress.

Mr. LONG of Louisiana. Is it not correct to say that these big firms are doing what they can, to the best of their ability, to prevent other researchers obtaining what has been discovered, for years upon years, while the national interest demands that other people know these things at the earliest possible moment?

Mr. KEFAUVER. That is the testimony that was adduced before the Senator's committee. That is what is happening. It does not make sense for the Department of Justice, in its Antitrust Division, and for the Federal Trade Commission, and other agencies of Government, to be trying to prevent monopolies and cartels and giveaways, to be trying to help small business and reduce concentration, while at the same time another agency of Government, in contravention of the clear policy of Congress, by its regulation, is trying to give away valuable patent rights to large contractors.

It is not right. It is contrary to public policy. I hope that the people of this Nation will wake up to what is being attempted in these cases, especially what was attempted while Congress was not in session, that the people will speak up loudly, and that Congress will also make itself heard.

Mr. LONG of Louisiana. Is it not correct to say that, based on the policies of the Department of Defense and the policies of NASA, it is quite obvious that this $14 billion investment in research would be a $14 billion investment in creating monopolies?

Mr. KEFAUVER. Exactly. And in the hands of the big contractors, because none of this gets to small business, and very little gets to universities, or other educational institutions.

Mr. LONG of Louisiana. Who are some of the big contractors? Would not General Electric be one of them?

Mr. KEFAUVER. General Electric, General Motors——

Mr. LONG of Louisiana. Does not General Electric hold a patent portfolio of over 15,000 patents?

Mr. KEFAUVER. Yes.

Mr. LONG of Louisiana. This, I believe, is a barrier to new competition almost beyond the comprehension of man, in the electronics field.

Mr. KEFAUVER. They do, and in all fields of electronics. General Dynamics is also one of the big ones. All of the big corporations of the Nation—and only the big corporations—would be the beneficiaries of this giveaway, if this regulation is not set aside.

Others are Boeing Aircraft and Bendix Corp. I refer Senators to the Preliminary Report of the Subcommittee on Patents, Trademarks, and Copyrights, of the Committee on the Judiciary, where they will see listed all the big contractors, who have all the big contracts. They are listed beginning at page 87.

They include very large corporations of this Nation. The study also shows that many of the Government contractors do 90 percent of their business with the Government. They have very little private development.

Mr. LONG of Louisiana. In view of the fact that some people like to say that these patents help small business, will the Senator tell the Senate what percentage of this Government research goes to small business?

Mr. KEFAUVER. A very small part of it goes to small business.

Mr. LONG of Louisiana. I believe it is around 2½ percent.

Mr. KEFAUVER. Two and a half percent or three percent. The rest of it goes to the large contractors. The claim that this regulation would help small business falls flat.

Mr. LONG of Louisiana. Is it not correct to say that 99.9 percent of the small business does not get any of these research contracts?

Mr. KEFAUVER. That is correct.

Mr. LONG of Louisiana. Therefore, small business gets practically none of these monopoly rights. Is that correct?

Mr. KEFAUVER. The Senator is correct. I hope the Senator will continue his hearings, and I hope other Members of the Senate will express their concern to the NASA Administrator and to the President of the United States, as the Senator from Louisiana has done.

Mr. LONG of Louisiana. May I make this comparison, for the benefit of the Senate? If we look at the $7 million a year investment that the Government makes in antitrust activities, in the Department of Justice, and through the Federal Trade Commission, and compare that with the $14 billion investment which the Government makes in creating monopolies under research and development contracts, how does the ratio work out with respect to creating monopolies by the Federal Government and breaking up monopolies by the Federal Government?

Mr. KEFAUVER. I am not enough of a mathematician to work out that ratio.

Mr. LONG of Louisiana. It works out to 2,000 to 1. In other words, for every dollar that is spent on antitrust policies, the Government is spending $2,000 to create monopolies.

Mr. KEFAUVER. Yes.

Mr. LONG of Louisiana. To me it seems an outrage, and I salute the Senator from Tennessee for his effort to do something about it. It is difficult to see how anyone who has studied this problem can arrive at any other conclusion. It is against the interest of the public, and is being done at the taxpayers' expense. I hope something can be done about it. It is my judgment that the Executive ought to stop it. If the Executive does not, we ought to make our own effort in the Senate.

Mr. KEFAUVER. The Senate ought to be reminded that the Space Act provides that the Government should own and have title to the patents. Congress ought to be alarmed over this situation, and certainly the Senate should be alarmed by this effort by the Administrator of NASA to do by administrative ruling what Congress has refused to do. I believe that we should have a great deal to say about it.

Mr. YARBOROUGH and Mr. METCALF addressed the Chair.

The VICE PRESIDENT. Does the Senator from Tennessee yield; and if so, to whom does he yield?

Mr. KEFAUVER. The Senator from Texas asked me first to yield to him, which I am glad to do now. Then I shall be happy to yield to the Senator from Montana.

Mr. YARBOROUGH. Mr. President, I commend the distinguished senior Senator from Tennessee and the distinguished junior Senator from Louisiana for this fight they have been making for the American people for years, to prevent this unconscionable giveaway of billions of dollars of taxpayers' money every year for the purpose of creating a monopoly and giving it away to the biggest industrial combines in the country.

The Senator from Tennessee has made a fine statement. The names of KEFAUVER and LONG of Louisiana will rank high in the history of this country as outstanding Senators who fought for years, the Senator from Tennessee in the House before he came to the Senate, and both he and the Senator from Louisiana ever since they have been in the Senate, in their efforts to protect the American people.

Mr. KEFAUVER. We thank the Senator from Texas. Of the several of us who have been on the team, he has been one of the leaders in the effort to protect the interest of the American people against monopolies, concentrations, cartels, and giveaways.

Mr. YARBOROUGH. I thank the distinguished Senator from Tennessee. I am not a member of the committees which have immediate jurisdiction over this matter, and have been a Member of the Senate for only a few years, whereas the distinguished Senator from Tennessee and the distinguished Senator from Louisiana have been here much longer and have fought so valiantly in this cause. Therefore I would not classify my efforts in the same category with theirs. They are the leaders. They have more seniority and much greater influence and intellectual achievements.

I am hopeful that something will be done about it. I am glad to note that the Senator from Montana [Mr. METCALF] is rising to speak. I hope more and more Senators do so, as the days and months and years progress, although certainly we cannot wait for years. This is one of the most flagrant attempts of a governmental agency to thwart the will of Congress and to give away what belongs to all the people when Congress has sought to prohibit them from doing it.

Mr. KEFAUVER. It is said that it is only coincidental, but to me it is rather strange that the regulations were proposed only after Congress had recessed and most Members had gone home. It was intended that there would be a 1-day hearing, and, probably, that the regulation would go into effect before Congress came back into session.

Mr. YARBOROUGH. It is shocking.

Mr. KEFAUVER. It should not be done. It may be said that it was just a happenstance, but it is certainly a very strange one. It thwarts the will of Congress to give away $14 billion per year in research while Congress is not in session.

Mr. YARBOROUGH. I wish again to express my commendation of the distinguished Senator from Tennessee. I should like to ask him if he does not think that probably this bold and brazen effort was made because these people in Government have been emboldened by the congressional giveaway last year, when in the space satellite bill, Congress, for the first time in the history of the United States, created a governmental monopoly by act of Congress, and gave away billions of dollars of the people's heritage in that law. Does the distinguished Senator from Tennessee think that perhaps the Administrators have decided that that was the key and that this was to be the rule of the future, the creation of monopolies by act of Congress with the aid of billions of the taxpayers' money?

Mr. KEFAUVER. Some of them must have felt that if they got away with the space satellite giveaway, any kind of giveaway would be all right. I am very hopeful that the President will take a different view about this particular matter.

Mr. YARBOROUGH. I again commend the Senator from Tennessee and the Senator from Louisiana for speaking out on this subject, and for calling it to the attention of the American people. I am hopeful that a majority of both Houses of Congress will also speak out against this shocking flouting of public morals that has been attempted.

Mr. KEFAUVER. I thank the Senator from Texas for his statement and his interest. They are meaningful.

I am happy to yield now to the distinguished Senator from Montana.

Mr. METCALF. I, too, thank and salute the Senator from Tennessee and the Senator from Louisiana for calling the attention of the people of America to the action which was taken by the Administrator of NASA during the time when Congress was in recess.

I was privileged to be a Member of the House and a member of its first Space Committee under the chairmanship of the present Speaker McCORMACK. I helped to write the patent legislation. In my opinion, a great many contracts with big business corporations made by the NASA organization went far beyond the public interest. The discussion today, in the colloquy between the distinguished Senator from Tennessee and the distinguished Senator from Louisiana, indicates that we have gone far afield from what Congress intended in the first Space Act and far afield from what was originally intended for the protection of the interests of the people of the United States.

It is not only a question of the billions of dollars we are losing—and we are losing billions of dollars—and the billions more which the contracts will cost; it is also a question of the millions of man-years which are being used in development and research. That is valuable time.

I commend the Senator from Tennessee for calling the attention of the Senate to this situation. He has called it an outrageous—and I agree that it is outrageous—breach of trust as compared with what was originally intended in the original Space Act.

Mr. KEFAUVER. The Senator from Montana served for a long time on the Space Committee when he was a Member of the House. He understands the legislation. I feel certain that his views will carry much weight.

I point out—and I think the Senator from Montana will agree with me—that the Space Act, so far as patents and Government ownership are concerned, was intended to and should follow the same policy as the Atomic Energy Act, under which the Government retains ownership. I feel certain that he agrees with me that the regulation is an attempt by an administrative agency to do what Congress refuses to do. The Administrator of NASA ought to think this situation over again quickly and then withdraw the regulation.

I appreciate the interest of the distinguished Senator from Montana.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee further yield?

Mr. KEFAUVER. I yield.

Mr. LONG of Louisiana. I ask the Senator if the entire case for this proposal by NASA is not stated in these words in the proposed regulation:

> Since the prompt working of inventions will ordinarily be fostered by the private retention of exclusive rights, it is the policy of the Administration to favor the waiving of exclusive rights to individual contractors.

I ask the Senator if that hypothesis, "Since the prompt working of inventions will ordinarily be fostered by the private retention of exclusive rights," does not state a proposition that monopoly is, by definition, better than competition for the public interest?

Mr. KEFAUVER. That is what the regulation states—that monopoly is better for the public interest. But the statements in the testimony show that to be untrue. It is not necessary to give contractors ownership in order to get contractors to do the work. They are happy to do it for the very large fees and the free know-how that they receive. The comments of the Department of Justice, which have been placed in the RECORD, show that that is a completely false basis on which to base the regulation.

Mr. LONG of Louisiana. If that assumption is correct, the entire case for capitalism falls. We should revert to mercantilism or other systems of private enterprise, under which the king licensed only certain favored people to produce products, rather than to pursue the theory of competition in our economy—if we are to assume that competition is not good for the country.

Mr. KEFAUVER. The Senator is correct.

Mr. LONG of Louisiana. Information which the contractors are supposed to reveal can be withheld, because they are too powerful in government and have too much influence to permit some little inspector to crack down on them and make them divulge it.

Mr. KEFAUVER. The Senator is entirely correct. I shall read a sentence from the comments of the Department of Justice, which are being filed today:

> Moreover, this regulation assumes that such prompt working "will ordinarily be fostered by the private retention of exclusive rights" in the affected inventions, an assumption seemingly at odds with the statutory premise that Government title should be the ordinary result of inventions produced by governmental expenditures (42 U.S.C. 2457 (a)).

I am sure the distinguished Senator from Montana [Mr. METCALF], who was a member of the House Committee on Science and Astronautics, knows, perhaps better than most of us, that the intention of Congress was, and the legislative history is, that it is not necessary to give away patent rights in order to get contractors to do this work.

Mr. METCALF. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield.

Mr. METCALF. When the Space Act was under consideration, we were studying the matter of patent desirability and the writing of restrictions on patents into the Space Act. As the Senator from Tennessee knows, we studied the working of the Atomic Energy Act and other historic acts of Congress as they affected contracts with various organizations and corporations, to determine whether protection of this kind was needed from the people who now have secured this regulation from the Space Administrator as it affects research.

Time after time we found, as the Senator from Tennessee has pointed out, that in the bidding for research contracts, the bidders were urging Congress and urging various Federal agencies to award them contracts for development and research.

The Government does not need this sort of thing, any more than it needs to give the benefit of monopoly to our fine scientists at the National Science Foundation or the National Institutes of Health, who perform their research as Federal employees, and do not have an outright monopoly on something which is discovered in Government laboratories while they are on the Federal payroll.

Mr. KEFAUVER. The analogy is the same, except that in the case of the little scientist the patent is owned by the Government; but the large contractors are among the largest and most powerful corporations.

Mr. METCALF. Exactly. The small operator, who might be more in need of such assistance, and more entitled to it, does not get it. It is the big corporations which are able to enjoy the privilege written into the regulation against the whole intent of the congressional committees and the two bodies of Congress when the Space Act was written. It is a complete violation of the intent of Congress and the historical precedents with respect to patent administration.

Again, I commend the Senator from Tennessee for calling the attention of the Senate to the outrageous betrayal of the original intent of the Space Act.

Mr. KEFAUVER. I am sure the views of the Senator from Montana will carry much weight. I urge him to speak further on this subject, because he has great knowledge of it.

Mr. METCALF. I certainly shall do so.

Mr. KEFAUVER. Mr. President, I yield the floor.

EXHIBIT 1

GOVERNMENT PATENTS: HOW THEY BENEFIT INDUSTRY

(By Robert E. Greenlee and William H. Bickley)

FOREWORD

A license under a Government-owned patent does not preclude infringement of other more basic patents and Government-owned patents cannot be used to protect a market.

Government-owned patents—as this study has made vividly clear—are a controversial subject. A patent to which a license is available royalty free just doesn't make sense to many proprietary-minded industrial executives.

Yet, despite the fact that possibly one-third of the company executives who have heard of Government-owned patents, and who will make comment, are dubious about their value, it is also quite clear that industry is deriving substantial benefits from the Government patent activity. These benefits are the obvious—namely, the opportunity to use at no cost the rights to an invention—and the obscure—or the subsidiary values that have little or nothing to do with direct utilization of Government inventions.

Surprisingly, the subsidiary benefits from Government-owned patents may be of more worth to industry than the use rights conveyed by licenses. Even some respondents who viewed Government-owned patents as a legal and semantic anachronism admitted side values of real consequence.

Without attempting to rate the order of importance, the following are benefits that industry gains from Government-owned patents and licenses to them:

1. The obvious one—the right to use for private business purposes, without question or complication, the inventions resulting from Government research.
2. Protective and other legalistic benefits, including protection of rights to proprietary inventions resulting from followup research in specific areas of technology.
3. The ability to meet specifications on Government contracts—and, not infrequently, entree into fields where Government contracts are available.
4. Knowledge of the results of Government research, condensed from what otherwise might be voluminous reports, and interpreted to applications objectives.
5. Background information, that can serve as stepping stones to proprietary developments.
6. Ideas for diversification opportunities and for new businesses.

These conclusions were drawn from the responses of 106 companies who were queried by letter, telephone, and personal interview about the possible benefits of Government patents and patent licenses to their operations. Of these companies, 72 had applied for and received royalty-free licenses in the past. An additional 287 manufacturing companies either failed to respond to query, knew nothing about the subject, or did not care to make comment.

Some of the subsidiary values pointed out by industy were unexpected. It was interesting to note that even some executives who objected vigorously to the concept of Government-owned patents viewed such patents and the abstract bulletins that are issued by the Office of Technical Services, U.S. Department of Commerce (E), to describe them as useful items of technical literature. One executive, the head of a management services company which specialized in finding new products and diversification opportunities for manufacturing firms, had no prior experience with Government patents and was only vaguely knowledgeable of them. However, he immediately saw the possibility of using these patents, and particularly the OTS patent abstract series, as important sources of product ideas to suggest to his clients.

THE GOVERNMENT PATENT PROGRAM

Discussion of the purposes and authority for Government ownership of patents is outside the scope of this report. However, some background is needed to understand how industry is making use of them.

As of this date, the Federal Government, through its various agencies, holds title to approximately 12,000 process and product patents. These patents were assigned to the U.S. Government by individuals working on Government-sponsored research programs, in the same manner that private researchers assign patents issued in their names to their employers. For the most part, Government patents stem from work in Government laboratories, although in some cases they are a result of Government-sponsored contracts to private industry. Any company or any private citizen can ask for—and usually will receive—a nonexclusive, royalty-free license to the Government-owned rights.

The number of companies that have applied for licenses to Government patents is relatively small. The reasons for the lack of interest are several, but the chief one—as this study indicates—is that many companies with their sensitivity to proprietary rights look askance on the value of nonexclusive licenses and are reluctant to invest capital in inventions that are available to all comers. Also, as a patent specialist at an Air Force laboratory pointed out, "companies know full well that they can use these developments, even though they don't request permission. The Government hasn't sued anybody yet for infringement on its free patents and is not likely to."

The pool from which Government patents are generated does not represent all Government research and development programs, nor all Federal agencies. Agencies that usually take title to inventions arising either from contract work or work conducted in their own laboratories are the Atomic Energy Commission; Department of Agriculture; Department of Health, Education, and Welfare; Department of the Interior; Federal Aviation Agency; and the National Aeronautics and Space Administration. Other agencies generally take only a license to patents, except in those cases where the invention results from research in Government laboratories (A). Since some 75 percent of all Government contracts are placed outside of Government laboratories, the policies of the various Federal agencies fairly well prescribe the subject areas where free license situations exist.

The Department of Defense, which has accounted for most Federal research and development expenditures in recent years, has generated the largest number of Government patents, despite the fact that it usually permits the contracting laboratory to take title, to which it receives irrevocable free license. At the end of 1959, the Department of Defense had taken title to approximately 5,500 patents. The Atomic Energy Commission, second largest generator of Government patents, held title to approximately 2,500 U.S. and several hundred foreign patents in 1960. In the same year, the Department of Interior held some 260 unexpired patents and the Department of Agriculture, approximately 1,300 (A, B).

If royalty-free Government-owned patents are to be of value to industry, there must be ready ways for companies to learn of their availability. The Office of Technical Services of the U.S. Department of Commerce, as an agency for distribution of Government information to industry, has primary responsibility in seeing that industry is made aware of the patents. Through its patent abstract series and other forms of announcements, the business public is informed of patented inventions that are available for royalty-free license.

The various bulletins constituting the patent abstract series give a paragraph description of each patent and the agency to contact to obtain a license. To enhance the usefulness of the series, the Office of Technical Services has categorized individual patent abstracts according to the following broad subject classifications:

Instrumentation; chemical products and processes; food products and processes; metal process and apparatus, machinery, and transportation equipment; electrical and electronic apparatus; ordnance; and ceramic, paper, rubber, textile, wood, and other products and processes.

This prevents the necessity of scanning numerous abstracts to find the ones falling within the reader's areas of interest. Further breakdown of subject matter will likely occur as the number of Government patents increase with the acceleration of Federal research, and especially the NASA program.

It is interesting to note that the patent abstract series is regarded as a highly useful document by the patent departments and research personnel of companies. By reviewing it, companies can keep up on developments resulting from Government research related to their interests without reviewing voluminous technical reports.

DIRECT USES OF GOVERNMENT PATENTS

Despite the nonexclusive features of Government licenses, industry does make direct and fruitful use of them. The following case histories are typical:

One of the leading manufacturers of glass products found that the chemical reduction process covered in a Federal patent offered a possible solution to a development problem in preparing a glass-molding surface. The company was seeking an oxidation-resistant material and, experimentally, tried a method of applying a plating of nickel alloy described in a Bureau of Standards patent. According to a company executive: "It worked very satisfactorily. In fact, the nickel alloy also contained a substantial percentage of phosphorus, which, we found, gave us an unexpected plus of increased lubricity and more favorable glass-release property in the molds. Our primary objective * * * was also fulfilled. Subsequently, we put the process to use on our production-mold equipment and took a license from the U.S. Bureau of Standards. * * * As a result of our use of this patented plating process, we were enabled to develop a new and improved glass mold article. This was the subject of a patent application (by us), which should issue within the next 6 to 9 months."

This glass company, thus, obtained two significant values from the Government invention: a method for improving its own production equipment and a tipoff to a proprietary value, which it developed through its own research.

The company makes no special effort to seek royalty-free patents of interest, but systematically reviews the Patent Office Gazette, Chemical Abstracts, Ceramic Abstracts, and others. "If a patent is of potential value," stated the company's patent attorney, "and happens to be owned by the Government, it is our practice to contact the proper Government agency * * * and seek information about a license."

A New York manufacturer of microfilm equipment also found a Government invention of substantial commercial value. A patent title held by the Department of the Army was discovered by this company during a literature search. The subject of the patent disclosure pertained to electrophotographic means and methods, and, while unrelated to its line of products, the company recognized an idea with interesting possibilities. A license was applied for and received in September of 1959. Over 2 years of independent research at a university laboratory followed, during which the original idea was developed into a line of proprietary products. The company's position is fully protected by development patents, and a new product line is ready for the consumer market.

A pharmaceutical company has been a licensee to fifteen Government-owned patents on penicillin and antimalarial compounds. One of these patents, covering the submerged culture process for producing penicillin, has been extensively employed.

A large Midwest chemical company not only found a patent disclosure for producing rare earth oxides and metals directly applicable to its interests, but has built a complete operation, plant and all, to utilize the technique.

Examples as clean cut as the foregoing are difficult to extract from companies. Usually there are qualifications. Some companies apparently take out patent licenses to anything within their range of interests "just to be sure," but with little intent to pursue aggressive commercialization. Thus, they report that the licenses have been of little or no value to them. Usually, some innovation or development effort is required before the invention is applied to a commercial process or product, and, in these cases, the in-plant accomplishments loom more important to the company than the original licensed rights. "It is hard to determine exactly the value * * * to our company," one executive stated, "inasmuch as it was only in the further development of the original idea that we were able to benefit * * * it was only through improvements which we developed that made it commercially acceptable."

Atomic Energy Commission licenses come in a special-situation category.

The report of the Joint Committee on Atomic Energy of 1959 (C) identifies some 450 patents which have been licensed to cover 600 companies or individuals other than the original contractor. Numerous patents assigned to the AEC have been licensed to industrial firms for the production of safety equipment, radiation counters, and radiation detection equipment. Three AEC patents pertain specifically to small portable radiation signal devices for personnel use. Nineteen licenses have been granted on these three patents alone.

It is indisputable that many manufacturing businesses have been based on Government research in atomic energy. "Let's face it," the manager of one firm manufacturing radiation gages and control devices stated, "everyone in the atomic energy and radioisotope business, whatever the nature, owes his business to the AEC and its predecessor some way or another. AEC patents are back of us. Yet, the majority of the people in these businesses would like to think that their operations are primarily based on their own ingenuity—the way they have taken Government ideas and modified them. But without the Government research, none of us would be in business today."

The records of various Government agencies contain examples of the commercial development of Government patents. An official of the Department of Agriculture stated to the Senate Subcommittee on Small Business that 40 to 50 of the Department's inventions had been "commercialized" to a considerable degree (B). Two important lines of products came from the Department's patents on frozen orange juice concentrate and the aerosol dispenser. These two inventions have created an almost revolutionary impact on the American consumer. Estimates of the value of these two inventions to American companies are in the millions of dollars.

Another Federal agency, the Tennessee Valley Authority, estimates that techniques stemming directly from patents under its control are used in the production of about two-thirds of all granular fertilizers (D). Reports both from industry and Government indicate that Government patents relating to electric batteries and their components have been important in the development of improved batteries. Magnesium cuprous chloride deferred-action batteries for general commercial applications, such as emergency lighting, have been improved by Government studies of cuprous chloride electrodes and pile-battery fabrication.

PROTECTIVE AND LEGALISTIC VALUES

Not all companies taking out licenses to Government patents do so because of the product or process idea in the Government claims. Many are interested in whatever protective benefits such licenses afford—not necessarily protection from hard-to-imagine infringement action by the Government, but protection of the base for proprietary developments and of their use of such developments from infringement suits by other companies. In some instances, licenses have apparently been useful in threatened court actions, and in others, to avoid the claims of competitors.

One company stated that its purpose in taking license to a Department of Agriculture patent was to settle an interference proceeding. This company had no intent of using the license for manufacturing purposes.

Another Department of Agriculture patent on complex polymers was discovered by a chemical company during a routine patent search. This company reported its own research activities were in the area of the patent, and that by taking the license, it could proceed without fear of a patent conflict.

A similar situation, in which independent research actually produced identical results to a Government-owned patent claim, caused a Philadelphia manufacturer to take license to the Government patent and thereby eliminate any problems that might arise.

The strategy of a large optical electronics system manufacturer is illustrative of the protective value it finds in Government licenses. The company presently holds several licenses from the Army pertaining to atomic and molecular resonance devices. The licenses were taken out, a member of the company's staff states, "to obtain overall protection." In this instance, the broad goal of the company was the establishment of a new department to actively pursue the development of products. Since the subject matter of the patents closely paralleled the development programs of the new laboratory, the company wanted to be sure that there would be no future complications. In the course of its broad research and development program, it expects to draw extensively from the Government inventions.

Similarly, a Pittsburgh manufacturer holds nearly a dozen licenses. The company's legal department indicated that licenses to patents related to present or future products are applied for routinely. No direct benefits of significance have been obtained yet, but the company is in a position to explore the applicability of the inventions in countless ways, with assurance of a sound legal basis.

A leading company in the manufacture of radiation devices and radioactive compounds claimed a twofold purpose in watching Government patent developments: first, the obvious value of the inventions; and, second, to provide legal clearance for using any important development without delay.

Another direct experience, with a very practical legal twist, was voiced by a company licensed for a patent on nickel plating by chemical reduction. Its patent department noted: "Our requirements for nickel plating are not now great but the use of this process permits us to avoid the claims of patents owned by private individuals or concerns."

OTHER SUBSIDIARY VALUES

Government patents appear to be of most value to companies strictly as items of technical literature. They are excellent mechanisms for keeping in touch with the practical developments emerging from Government research. They often trigger ideas for development work aimed at proprietary products.

Licenses are, of course, of little utility when the primary aim of the company is to seek ideas for private development. But, as noted previously, licenses may be taken out by cautious concerns just to be sure of the legal basis before attempt is made to develop or exploit ideas suggested by the information in Government patents. Most companies, however, that scan the patents or patent abstracts are not likely to bother with license applications.

A large chemical company stated that it reviews all patents that relate to new lines of research investigation or commercial activity it enters, and, thus, Government-owned patents come to its attention. On several occasions, the company has taken licenses when the patent appeared to be pertinent to operations being planned or considered.

A drug company indicated that it regarded Government patents as part of the world literature which it surveys in order to determine the course of its research and development. On two occasions it has taken out licenses.

Starting with the original information in a Government patent, a metal products company was able to develop a product which it expects to put into production within the near future. The product, in its present form, is covered by the company's own patent. The company will continue to scan Government patent abstracts for other ideas that might lead to proprietary products.

Another large chemical company stated: "Our approach to adversely owned patents, whether Government or private, is to develop our new product or process, make an infringement search, and if valid adverse patents are sound, we endeavor to negotiate a license. It is our practice to take a formal license from the Government in such a case * * * Government patents * * * of course, contribute to private researchers."

A manufacturer of grain products follows closely the patents owned by the Government that are in its fields of interest, despite the fact that it has never found occasion to take out a license. "We have found many of the Government patents to be worth while as sources of technical information and have used them for that purpose," the company's manager of patents stated.

Many companies consider the review of Government patents in their particular fields of interest for information and ideas as such a normal procedure that it hardly merits comment. Many others are apparently so disturbed by the fact that a nonexclusive license gives no competitive advantage that they have never given thought to the possibility of using the information or ideas in Government patents as steppingstones to proprietary developments. Some stated bluntly: "We don't believe in Government ownership of patents and have no use for them." This is in sharp contrast to the management service company executive, mentioned previously, who sees in Government patents great new opportunities for ideas on product diversification to offer his clients. It is also in contrast to the alleged industrial practice of going to some length through technical innovation to find ways and means to "get around" private patents. One might ask, if there is merit in a Government patent, why not seek ways to "get around" it—which, as this survey showed, some companies do.

Contract research laboratories, private business consultants, and others in technological service areas—as distinguished from product manufacturers—would seem to have real opportunities for exploiting Government patents. Such organizations are always looking for ideas to which they can apply imagination and come up with salable services. A check with the project development managers of two research foundations elicited the fact that they had not done anything in this direction, but were interested in investigating the potentialities. Government patents, plus the brainstorming techniques of contract research organizations, could very well lead to numerous research and development programs directed toward proprietary products or processes.

IDEAS AWAITING EXPLOITATION

Companies unacquainted with Government patents and wishing to investigate the ideas available—either with the intent of taking out licenses or triggering concepts for private development—will find the OTS patent abstract series most useful. These are listed in the attached bibliography. By ordering those applicable to the company's interests, the task of pinpointing patents of potential utility will be simplified.

The following are typical of ideas awaiting exploitation, as these are described in royalty-free Government patents:

Patent No. 2,873,220—an apparatus for treating sugarbeets to recover the sugar. By sudden release of pressure, the cells are ruptured and the juices freed, after which they may be recovered by pressing, centrifugation, filtration, or leaching.

Patent No. 2,957,794—a method of bonding silicone rubber to metal. An epoxy resin adhesive containing an amine curing agent and a filler is used. During curing, a cross-linked polymer is formed, which bonds silicone rubber to the metal.

Patent No. 2,933,409—methods for producing permanent creases, folds, pleats, or other deformation in textiles. The desired deformations are accomplished by impregnations with a polyamide and polyepoxide, which upon heating react to form a resinous product that sets the crease pattern.

Patent No. 2,990,308—a luminescent slate which may be scribed upon and read in darkness or under water. The device includes a base sheet of plastic material, with a layer of photoluminescent material on one face and a water-insoluble masking film on the other.

Patent No. 2,976,158—a method for producing instant coffee. Liquid coffee is dehydrated under atmospheric pressure, in relatively inexpensive equipment, to give a product that is in porous condition and rehydrates rapidly.

Patent No. 2,929,544—a paper bag for use in arctic and tropical climates. It eliminates the problem of seam failure at temperature extremes. Believed to be promising for shipment of packaged products under refrigeration.

Patent No. 2,990,602—a method for hot-pressing ceramic ferroelectric materials to produce shaped articles with high-dielectric constants. The resulting ceramic bodies have a dense, homogeneous, fine-grain structure, and may be manufactured with very slight losses due to breaking. Applicable to the production of barium titanate bodies for computer elements, magnetic amplifiers, and memory devices.

Patent No. 2,984,599—a process for bonding Teflon sheet to prepared surfaces. A precoating of Teflon is fused to the metal, after which sheet Teflon is fused to it. Precoating is accomplished by deposition from an aqueous suspension.

Patent No. 2,985,609—an adhesive substance which is suitable for use in pressure-sensitive adhesive applications and which can be removed by the use of water as a solvent. Eliminates tedious scraping or use of organic solvents to remove tape residue. The adhesive is said to give a much higher bonding strength than generally available with commercial pressure-sensitive materials.

Patent No. 2,994,089—a coverall type of protective garment to be worn by persons subjected to atomic, biological, and chemical agents. The garment is made of impermeable material and has a ventilating device to prevent buildup of heat or of stale air. It is made of a carbon-impregnated fabric, a spacer material that is woven of plastic thread, and a layer of impermeable material.

Patent No. 2,967,359—an air-insulated ski boot, with a foot cavity that can be formed on a conventional last, but with a rectangular toe so as to conform to the shape of conventional ski bindings.

Patent No. 2,975,482—a method for the manufacture of small high-voltage batteries, particularly those consisting of a stack of alternate battery plates and insulators, with a molded cover or inner jacket.

And so on—more than 12,000 ideas—some as earthly as ski boots and instant coffee, yet others requiring the knowledge of a nuclear physicist or mathematician for appraisal and understanding. Some of the above-selected examples are new patents described in the fourth supplement to the Office of Technical Services patent abstract series, released in the spring of 1962.

At the time this report was written, the Office of Technical Services was preparing for publication, for the convenience of researchers, a cumulative index covering all the Government-owned patents in its collection through December 31, 1961. This will further simplify the task of those who wish to search for free ideas for commercial exploitation.

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(B) "Senate Subcommittee on Small Business (1959)."

(C) "Joint Committee on Atomic Energy, volume I (1959)."

(D) "Patent Practices of the Tennessee Valley Authority, Preliminary Report of the Subcommittee on Patents, Trademarks, and Copyrights (1959)."

(E) Patent abstract series:

Initial series—patents to December 1953

PB111464, "Instrumentation," $2.

PB111465, "Chemical Products and Processes," $3.

PB111466, "Food Products and Proceses," $1.

PB111467, "Metal Processes and Apparatus, Machinery, and Transportation Equipment," $2.

PB111468, "Electrical and Electronic Apparatus," $4.

PB111469, "Ordnance," $2.

PB111470, "Ceramic, Paper, Rubber, Textile, Wood, and Other Products and Processes," $1.

First supplement—January 1954–June 1955

PB111854, "Patent Abstract Series Supplement" (supplements in one volume, all volumes of the initial series), $3.75.

Second supplement—July 1955–June 1958

PB151506, "Instrumentation," $1.25.

PB151507, "Chemical Products and Processes," 50 cents.

PB151508, "Food Products and Processes," 50 cents.

PB151509, "Metal Processes and Apparatus, Machinery, and Transportation Equipment," $1.25.

PB151510, "Electrical and Electronic Apparatus," $1.75.

PB151511, "Ordnance," 75 cents.

PB151512, "Ceramic, Paper, Rubber, Textile, Wood, and Other Products and Processes," 50 cents.

Third supplement—July 1958–December 1960

PB171672, "Instrumentation," $1.

PB171673, "Chemical Products and Processes," $1.50.

PB171674, "Food Products and Processes," 50 cents.

PB171675, "Metal Processes and Apparatus, Machinery, and Transportation Equipment," $1.25.

PB171676, "Electrical and Electronic Apparatus," $1.75.

PB171677, "Ordnance," 50 cents.

PB171678, "Ceramic, Paper, Rubber, Textile, Wood and Other Products and Processes," 50 cents.

Fourth supplement—December 1960–December 1961

PB181106, "All Subjects," $1.

EXHIBIT 2

STATEMENT BEFORE NASA ON PROPOSED PATENT WAIVER REGULATION

The patent waiver regulation which is under discussion at this hearing would result in a vast waiver of patent rights in direct defiance of the clear legislative intent underlying the NASA Act of 1958.

In addition, and apart from its inconsistency with congressional intent, the proposed regulation is contrary to the public interest:

(1) it would impede the widest dissemination and use of this publicly financed research and development, thereby hindering our space effort;

(2) it would increase concentration and monopoly in an already concentrated industry; and

(3) it would give away valuable rights paid for by the taxpayers.

Finally, the regulation contains no safeguards for the public interest. I, therefore, urge that this regulation not be adopted. No agency answerable to Congress may adopt by regulation what Congress has deliberately and explicitly chosen to reject.

I. THE LEGISLATIVE HISTORY

Up to now, it has been conceded by all that section 305 of the National Aeronautics and Space Administration Act of 1958 was designed to accord generally with the patent provisions of the Atomic Energy Commission Act. Section 305 expressly provides that the Government is to take title to the patents resulting from work on NASA research and development contracts. Subsection (f) permits waivers when in the public interest. The clear legislative pattern and intent is that the Government should generally take title, and that, only in exceptional cases, would waiver be permitted.

As NASA General Counsel John Johnson wrote in the Federal Bar Journal in winter 1961, Congress expressly rejected the Defense Department policy of generally giving away the patent rights to the contractor, and retaining only a license. Rather, as Admiral Rickover has testified, the AEC policy of retaining title in the Government was to be followed. Hearing before Senate Subcommittee on Patents, Trademarks and Copyrights on S. 1084 and S. 1776, page 3 (1961).

Not surprisingly, industry and the patent bar have sought to have this title policy revised in favor of a license policy. Several bills have been introduced in Congress for this purpose but to no avail. Quite the reverse. Every time Congress has expressly legislated with respect to patent policy, it has sought to retain the patents from Government-financed research and development in the hands of the Government. See for example, the 1961 Saline Water Research and the Disarmament Agency Acts, and the Atomic Energy Commission Act itself.

The proposed regulation would reverse this clearly expressed congressional policy. It would transform the exceptional case into a general rule. It would, as a practical matter, almost completely adopt the Department of Defense policy explicitly rejected by Congress, for it will result in a giveaway of the patent in most cases. Admittedly, the NASA regulation will not produce a waiver of all NASA-contract patents. However, even under the Department of Defense license policy, the Department of Defense has retained title to some 10,000 patents.

I wish to make it clear that I do not oppose all patent waivers. I can conceive of instances where a waiver would be equitable and useful, such as when the invention results from work almost entirely and initially financed by the contractor.

But, as the later detailed analysis of the regulation will show, this regulation is not so carefully contrived. It proceeds on the policy assumption in section 1245.103 that "the prompt working of inventions will ordinarily be fostered by the private retention of exclusive rights." Congress, however, has deliberately rejected this assumption by patterning section 305 on the AEC title policy. Congress indicated its belief that the prompt working of inventions—obviously one of the fundamental purposes of the legislation, would be best served by not giving exclusive rights to private contractors.

Attempts to alter the policy of section 305, attempts which have always been supported by NASA, have been made several times. (See Rept. No. 2185, 87th Cong., 2d sess., p. 7.) They have failed. NASA should not now resort to an administrative regulation to give away these patent rights in the face of Congress' deliberate and persistent refusal to do so by legislation.

II. THE PUBLIC INTEREST

This regulation is not only inconsistent with the legislative intent but, for other reasons, it will do much harm to the public interest.

A. Concentration and monopoly

In the first place, it will necessarily increase concentration and monopoly. Government-financed research and development is steadily growing. In fiscal 1963, NASA alone plans to spend at least $2.4 billion. Most of the contracts go to the large companies; small businesses are lucky to get a few crumbs as subcontractors. Most of the patents given away to the contractors will thus go to the large companies because most of the contractors are such large companies. American industry is so concentrated and oligopolistic that we should make all efforts to avoid taking any steps which aggravate this situation, especially when the taxpayer has paid the bills.

We are told, however, that it is the small contractor who really wants NASA to give away the patents. The record does not bear this out. Rather, it seems clear that small business rarely depends heavily on patents and, generally, is not particularly interested in patents. This has been noted not only by advocates of a title policy but by license policy proponents as well. (See Gorn, "Toward a Sound National Policy for Disposition of Patent Rights Under Government Contracts," 21 Fed. B.J. 105, 107 (Raytheon patent counsel). See also Senator RUSSELL LONG, "Federal Contract Patent Policy and the Public Interest," id., at 7, 19–20.)

The regulation ignores these considerations and indeed seems to bend over backward in favor of the large contractors. Thus, section 1245.105(a) expressly states that a prima facie case for waiver will be made where:

"The invention is in a field of technology in which the contractor has an established commercial interest and in which, prior to such contract, it had acquired technical competence demonstrated by factors such as know-how and patent position."

Nothing could be clearer: Obviously, the large corporation with a powerful position in its field and a large patent portfolio is the company most likely to have an "established commercial interest" and "know-how and patent position." Despite the somewhat implausable assertions that small business wants and needs title to patents, few small businesses are likely to qualify under the regulation. New entrants into a field will certainly find it almost impossible to qualify. In short, the inevitable consequence is to entrench already powerful interests even further and to make it difficult for new entrants.

Section 1245.104(b) carries this bias toward bigness even further for that subsection requires an established financial position to qualify. It provides for waiver if it "would be an effective incentive to work the invention at the earliest practicable date because of substantial expense or investment required to do so;".

Here again, it is the large rich company which is favored.

When we turn to the "inventions not generally eligible for waiver," we find an almost irrelevant standard, insofar as the concentration is concerned. Section 1245.105(a) provides that "waiver" will ordinarily not be granted—"Where the invention is in a field of technology in which there has been little significant prior experience outside of work funded by the Government and the acquisition of exclusive rights by the contractor might lead to domination of that field."

In the first place, how could a waiver ever be justified where the two conditions exist, and therefore why the phrase "ordinarily?" More important, of the two conditions, the first should be more than sufficient by itself to preclude waiver and the second is so unlikely as to be insignificant. It is very rare that waiver of one invention to one contractor "might lead to domination." One or more waivers, could, however, increase concentration, and it is oligopoly and concentration which pose the serious questions about our economy.

A truly meaningful test would use Clayton Act concepts and language. For example, no waiver should be considered if it may substantially lessen competition in any line of commerce in any section of the country.

No matter what the test, however, no waiver which will impede competition to any degree should be made. NASA may not have either the background or the expertise in this area to make an adequate judgment. I therefore suggest that no waiver be made without first giving the Attorney General the power to veto it if potentially harmful to competition.

B. Widespread dissemination of knowledge

The basic premise of the regulation in S. 1245.103, as set forth above, is not only inconsistent with the basic premise of section 305, but it is very far from proven. Certainly, the fact that Congress had adopted a title policy in all cases where it dealt with legislation related to research and development indicates that Congress has decisively rejected any such theory.

Where the title policy has been in effect, there is no indication that development has suffered. Just recently, the Atomic Energy Commission which operates under this policy, announced that it expected commercial uses of atomic energy prior to the date originally anticipated. Indeed, as Mr. Roland Anderson has said, the experience of TVA and the Department of Agriculture shows that if a product has a potential market and other economic factors are favorable, commercial exploitation will be effected on the basis of the anticipated profit rather than on whether a product manufacturer has an exclusive or nonexclusive license. Inventions Under Government Contract (21 Fed. B.J. 64, 71–72 (1961)); see also the FAA experience and the AEC experience set forth in "Government Patent Policies in Meteorology and Weather Modification, 1962" (hearings before the Subcommittee on Monopoly, Senate Small Business Committee, pp. 43–45, Mar. 26, 1962).

Moreover, there seems to be little real problem of getting contractors to do NASA or other title policy agency work. See id. at 80, 43. In the few cases where NASA may have had some difficulty in getting contracts because of competing DOD offers, the problem is not that NASA is too strict, but that DOD is too liberal.

Indeed, the whole Defense Department policy in all instances seems to be based on just the one type of case where, as I noted earlier, waiver might well be equitable. As Deputy Assistant Secretary of Defense Graeme C. Bannerman advised Senator LONG:

"Our reason for not taking title for commercial uses, non-Government uses, has been expressed, I am sure you are aware, many, many times; we feel very strongly that there will be cases, we don't want to exaggerate this problem or overstate it, but we do think that there are many, many cases, particularly in the fields of small second, third, fourth, fifth, sixth tier subcontractors who operate businesses—specialty businesses of one kind or another and have specialties needed for our purposes, and have a whole thrust of development going on in their research department, primarily for their commercial business. We have to tap that thrust of ideas. If they have devoted lots of time and effort toward that work and if we come in for a relatively small increment of work that is Government financed and for that reason insist upon having the full commercial title which, of course, the Government itself doesn't need, although the taxpayers might conceivably get some benefit out of it, we would thereby be placing a restriction on the availability of such contractors to us, either directly or in the nature of the ideas which they might be willing to bring to bear on our work" (id. at 156–157).

But this one case of a small subcontractor who has done almost all the work before the Government contract is not the usual case. It can hardly support this broad waiver regulation which favors large businesses with established positions and where much, if not all, of the work has been Government financed. Indeed the closest this regulation gets to this narrow situation is in section 1245.104(c). The other two eligibility sections cover far more situations than the one cited by Mr. Bannerman.

C. Section 1245.113

As noted, I do not believe this regulation contains any protection for the public interest. However, even the feeble safeguards it provides are rendered a complete nullity by section 1245.113 which provides:

"SEC. 1245.113 Discretion of administrator.

"Nothing herein shall preclude the Administrator, NASA, from granting or denying petitions for waiver on grounds other than those specified in these regulations, or from granting waivers on terms and conditions differing from those herein set forth."

It is difficult to understand: (a) why the scheme set out in the preceding subsections should be established if the Administrator can ignore them at will; and (b) why the Administrator should have this vast discretionary power. A section like subsection 113 has no place in any regulatory scheme and it should never even be considered by any agency charged with a responsibility to Congress and to the public to carry out a statutory mandate.

D. Taxpayer subsidization

Finally, there is no reason why all these unfortunate effects should be subsidized by the taxpayer. When a patent is granted on privately financed work, a monopoly is granted as compensation for risks and expenses. But on Government contracts, the risk is minimal for these contracts are cost-plus. Moreover, in many instances in the space field, for a very long time to come, there will be no problem of finding or developing a market for in most cases the market is already there—the Government. There is thus absolutely no reason why the taxpayer should be forced to pay twice to subsidize a private monopoly. When a contractor hires an employee or an agent to produce for him, the standard common law rule is that the contractor gets the invention. Surely the Government should have no less a right. And in space, where the Government has spent and is planning to spend many billions on an entirely new area of activity, with many as yet unknown problems, the very existence of the contractor's know-how and competence to resolve these problems, is Government financed.

CONCLUSION

The two great technological frontiers of our time are space and atomic energy. In both cases, Congress has expressly stated that the Government should retain title to the patents. Congress has also adopted the policy in other areas. The one great Government exception—the Defense Department policy—was adopted by regulation because Congress was silent. No executive agency has the right to flout the clear legislative intent—a legislative intent reiterated many times—by an administrative publication first published after Congress had adjourned. If this regulation is adopted, I shall bring it to the attention of the appropriate committees of Congress, including the Antitrust and Monopoly Subcommittee of which I am chairman, and to the attention of the Senate as a whole, for a full investigation. We should not permit deliberate and persistent congressional policy to be so ignored.

EXHIBIT 3

STATEMENT BY SENATOR ERNEST GRUENING PROTESTING PATENT WAIVER REGULATIONS PROPOSED TO BE ISSUED BY NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, JANUARY 28, 1963

I appreciate the opportunity you have afforded me of appearing here this morning to enter my strong protest against the patent waiver regulations proposed to be issued by the National Aeronautics and Space Administration.

These regulations are, in my opinion, inconsistent with the public interest for at least three reasons:

1. In policy and operation, the regulations seem in conflict with the statutory purpose of the agency.
2. They will impede the swiftest and widest dissemination of technology in a vital new field.
3. They are likely to increase concentration and monopoly to the detriment of the economy in general and of small business in particular.

I. LEGISLATIVE HISTORY

Atomic and space technology are the newest and most exciting frontiers of science. They are also among the most expensive. In recognition of the great national interest in each of these two technologies, Congress has authorized the expenditure of vast billions to develop man's knowledge and use of atomic energy and space technology. Almost all the research and development in these areas has been Government financed. The President's budget for fiscal year 1964 calls for $6.1 billion to be spent on space, of which a large part will be spent directly on research and development.

These vast projects have enormous potential for commercial use. In both the Atomic Energy and Space Acts, Congress explicitly recognized the vital taxpayer interest in the commercial results of the many billions spent on research and development and expressly provided that the Government was to retain title to all patents arising out of research and development contracts.

In the Space Act, Congress also provided that the Administrator could waive rights if such waiver were in the best interests of the United States but it has always been understood that such a waiver would be made only in the exceptional case. This understanding was reflected in the various unsuccessful attempts to amend this section of the Space Act.

The proposed regulations are likely to convert an intended exception into a general rule. The very statement of policy in section 1245.103—that "the prompt working of inventions will ordinarily be fostered by the private retention of exclusive rights—seems inconsistent with the expressed congressional policy reflected in the requirements that the Government take title. Indeed, every recent piece of legislation dealing with patent rights, from the Atomic Energy Act to the Saline Water Research Act of 1961, has similarly provided for Government retention of title.

Moreover, the policy statement in section 1245.103 has little factual basis. On the one hand, there is no evidence that the license policy followed by the Defense Department has produced especially prompt working of inventions. On the other hand, the title policy, followed by the Department of Agriculture, the Federal Aviation Agency, the Department of Health, Education, and Welfare, the Tennessee Valley Authority, and the Atomic Energy Commission, has not prevented the development of numerous commercial items such as the aerosol bomb, frozen orange juice concentrate, and air safety devices, to name but a few.

In view of the huge taxpayer investment in this research and development, one would have to present an ironclad case for the policy enumerated in section 1245.103, to justify the wholesale waiver. No such case exists, and even if it did, it would still be for Congress to decide. An administrative agency has no right to adopt a policy in a direct contradiction with an expressed and oft-reiterated congressional policy.

II. THE DISSEMINATION OF KNOWLEDGE

A policy which gives exclusive patent rights to anyone automatically restricts the dissemination of knowledge. Certainly a policy which restricts these rights to those who already have a strong and substantial patent and financial position, will prevent new businesses and small firms from obtaining the benefit of this taxpayer financed technology. Moreover, as shown by testimony before various congressional committees, even where the Government gives up title and retains only a license, it is frequently unable to make full use of its license to pass along that technology to other Government contractors.

It should also be pointed out that those favored by this regulation—the large companies with established financial and patent positions—are those which, in some instances at least, are least likely to make full use of the patent because it could render some of their other patent investments obsolete. Regardless of the safeguards against patent suppression in this regulation, safeguards which may be evaded and, in any case, must be affirmatively enforced, the best incentive to promote exploitation is to make the technology available to those who are not yet dominant in the field.

III. SMALL BUSINESS AND MONOPOLY

Finally, may I say that this regulation is extremely likely to increase concentration and monopoly and to harm small business. As I have noted, it favors the company with substantial assets, and an established position. The net effect of this regulation is to further entrench the power of large enterprises by giving them additional power to exclude new entrants. In this respect, I should like to quote the statement of the AFL–CIO, in opposition to this regulation:

"The cooperating contracting corporations which have already made a substantial contribution to our space efforts have a broad experience in space research and development activities. By the nature of things, these corporations will have a great advantage over potential competitors.

"If exclusive patents rights were also given, the field would become virtually inaccessible to future competition. In short, and quite bluntly, public money should not be used as a foundation for strengthening private monopoly."

IV. CONCLUSION

This regulation is contrary to congressional policy and to the best interests of our country. It should not be adopted.

Exhibit 4

Comments on Behalf of the Department of Justice

This letter is submitted in response to your invitation to comment on the patent waiver regulations, published in the Federal Register on October 26.

The proposed initial statement of the waiver policy (sec. 1245.103) seems to favor waiver more than the statutory standard (42 U.S.C. 2457(f)). Although the statute requires a determination that the waiver serve "the interests of the United States" this statement in the regulations emphasizes only one aspect of that interest, "the prompt working of inventions." Moreover, this regulation assumes that such prompt working "will ordinarily be fostered by the private retention of exclusive rights" in the affected inventions, an assumption seemingly at odds with the statutory premise that Government title should be the ordinary result of inventions produced by governmental expenditures (42 U.S.C. 2457(a)).

The statement of the proposed general policy of waiver "except where it appears from the nature of the invention that waiver would be inequitable to competitors, unfair to the consuming or using public, or contrary to the interests of public health, safety, or security" also lacks clarity. We do not understand what circumstances might be thought to make a waiver "inequitable to competitors." Although the circumstances which would make a waiver unfair on the other stated grounds appear to be spelled out in the section defining inventions which are not generally eligible for waiver (sec. 1245.105) there is no clarification of the "inequitable to competitors" phrase.

The section defining inventions which are generally eligible for waiver (sec. 1245.104) seems to justify waiver as the rule rather than the exception. For example, we should think there would normally be no case for waiver "where the invention is in a field of technology in which there had been little significant prior experience outside of work funded by the Government" or where "the acquisition of exclusive rights by the contractor might lead to domination" of such a field. Yet subsection (a) of section 1245.105 appears to require that both factors must be present in the same invention in order to justify denial of a waiver.

Even the "domination" test standing by itself is extremely difficult to meet as it would be very difficult to show that any single invention would "dominate" an entire field of technology.

Similarly, section 1245.105(b) suggests that no waiver should be granted where the practice of an invention is required to comply with public laws or regulations but makes this policy applicable only in the extraordinary circumstance where "the invention constitutes an end item." Again, in subsection (c), a purpose to exclude from waiver inventions developed in the course of governmental programs designed to produce goods or services for public use seems unduly narrowed by requiring that the invention have "primary utility" in such a field.

In defining as eligible for waiver inventions made in a field of technology "in which the contractor has an established commercial interest and in which, prior to such contract, it had acquired technical competence demonstrated by factors such as know-how and patent position" (sec. 1245.104(a)) the regulations may seriously inhibit technological competition. The contractors who already dominate a technological field clearly do not need any additional patent rights in that field to offer effective competition, much less exclusive rights obtained at Government expense. Yet these are the contractors who seem most likely to qualify for such rights under this criterion.

The proposed substitution of compulsory licensing (sec. 1245.107(a)) for the existing remedy of voiding the waiver, appears to provide a less effective means for insuring the working of inventions. We should think the present provision for voidability should at least be in force long enough to provide experience under it before a substitute remedy is introduced. Our own experience with compulsory licensing as an antitrust remedy has suggested to us that a simple prohibition against enforcing any exclusive rights, where the owner chooses not to work the invention, would be a more workable remedy than compulsory licensing. There is also an apparent contradiction between section 1245.107(b), which reserves the right to compel licensing to satisfy Government regulations, and section 1245.105(b), which suggests that where the invention must be practiced to satisfy Government regulations title should not be waived.

Finally, the disclaimer in section 1245.113 of any intention to be bound by the stated criteria in granting or denying waivers seems to undermine the utility of these criteria. We believe that maximum flexibility is desirable but this could be achieved by a regulation requiring a finding in the language of the statute, supported by a detailed statement of the facts which persuaded the Administrator that waiver served the interests of the United States. Until a substantial body of decisions of this kind have been made and published it might be preferable to avoid formulating any summary statements of such criteria as regulations.

These views are submitted tentatively with full appreciation of the difficult problems the Administrator faces in promulgating and enforcing any regulations in this complex and controversial area. I have asked Mr. Miles F. Ryan, Jr., of my staff to make himself available for such informal discussions of these matters with your staff as you deem desirable.

Exhibit 5

Comments on Behalf of the American Federation of Labor and Congress of Industrial Organizations

The proposed regulations would establish criteria and procedures whereby inventions brought about by work done by NASA contractors could be exploited for development by the contractor under terms of an exclusive, royalty-free license.

The areas in which such inventions would be eligible for waiver are specified in paragraph 1245.104 of the proposed amendments to the NASA patent waiver regulations. In paragraph 1245.113, the Administrator of NASA is given even broader discretion in granting or denying petitions of waiver.

Reason for these proposed amendments is contained in the policy statement by the NASA Administrator that they are "intended to state, in a forceful way, the desire of NASA to stimulate economic growth founded upon utilization by industry and the public of the byproducts of space research and development activity.

The AFL–CIO has no quarrel with the stated goals of the Administrator. We sharply question the means he has taken to aid in achieving them.

Labor's objections to the proposed patent waiver amendments are twofold:

1. NASA is attempting to accomplish by regulation what it failed to do by proposed legislation.

It is labor's strong contention that section 305 of the Space Act of 1958 does not give any such broad waiver discretion to NASA in terms of patents growing out of NASA research and development contracts.

In its background material dealing with the development of the proposed patent waiver amendments, NASA mentions congressional consideration of this problem in 1959, and in 1962, in hearings on H.R. 1934, conducted by the Special Subcommittee on Patents and Scientific Inventions of the House Committee on Science and Astronautics.

Congress did not act on the legislation before it to accomplish what NASA is now proposing to do by order, namely, modify current NASA patenting policies whereby inventions by NASA contractors would become their property unless the national security or general welfare would require otherwise.

We specifically refer to H.R. 1934, which labor strongly opposed. This bill was not enacted by the Congress and it leaves section 305 in status quo. Section 305 requires the Government to take title to NASA contractor inventions unless the administrator "determines that the interests of the United States" require waiving such title.

The Atomic Energy Commission and NASA operate under almost identical patenting policies. Under this policy, any patent issued on inventions made by a contractor under the term of the contract is issued to the United States. The contractor received a nonexclusive, royalty-free license, and the patent is available to use by other firms through cross licensing.

It is our contention that NASA does not have clearly defined discretion to proceed with its proposed patent waiver amendments. We further believe that it would be even less justified in attempting to move without clear congressional directive than the Atomic Energy Commission, as space technology is less advanced toward commercial application than the peaceful uses of atomic energy.

2. Even if NASA did not have discretion to adopt its proposed patent waiver licensing regulations, doing so would be contrary to the public interest. For this reason, too, we stand in strong opposition to the regulations as they now stand—in particular the blank check discretionary powers proposed for the Administrator in paragraph 1245.113.

We believe such regulations, patterned as they are on the powers sought unsuccessfully by NASA by means of H.R. 1934, would hinder the effective pursuit of our space program, and seriously limit competition among private business in this field.

We believe that the patenting policy in section 305 and in the patenting sections of the Atomic Energy Act have been effective in preventing monopolization by private business of invention and patent rights arising from Government contracts in the atomic energy and space programs. At the same time progress in development has proceeded rapidly through the use of private contracts in accordance with this policy.

In our judgment the amended regulations would weaken competition in this new field of industrial technology, and would consequently inhibit the rate of technological advance. Thus both the short range objectives of space research and development, and the development of commercial uses of its byproducts would be retarded.

The cooperating contracting corporations which have already made a substantial contribution to our space efforts have a broad experience in space research and development activities. By the nature of things, these corporations will have a great advantage over potential competitors.

If exclusive patents rights were also given, the field would become virtually inaccessible to future competition. In short, and quite bluntly, public money should not be used as a foundation for strengthening private monopoly.

Therefore, we believe that NASA's basic policy assumption that its proposed waiver regulations will effectively contribute to accelerated commercial development within the framework of free competitive enterprise is a mistaken one, is contrary to general interest and should not be adopted.

We see no compelling reason in the national interest to modify section 305 in this fashion, nor any regulations under its provisions. If Congress should clearly redefine NASA policy in the patenting field, then subsequent regulations could carry out congressional intent. These proposals do not.

EXHIBIT 6

[From the Washington (D.C.) Post, Jan. 6, 1963]

SLICING OUR PIE IN THE SKY

(By Laurence M. Stern)

Federally financed research in the Nation's aerospace programs is creating a multibillion-dollar pie in the sky.

Congress soon will debate whether this pie—in the form of new and immensely valuable scientific patent rights—belongs to the public or to private contractors. It is a controversy with down-to-earth implications for the taxpayer, the Government, the dizzily expanding aerospace industry and for American science.

The springboard for the debate is a proposed change in the patent rules of the National Aeronautics and Space Administration designed to make it easier for contractors to get exclusive patent rights on inventions stemming from their Government assignments.

NASA is spending $3.7 billion this fiscal year on research and development contracts, more than the entire Government outlay for R. & D. less than a decade ago. Overall, American taxpayers are currently investing at the rate of $12 billion a year in research—roughly 70 percent of all R. & D. expenditure, public and private.

Much of this research is in the realm of what was once considered Buck Rogers fantasy—such as the use of light waves for high speed communications and cutting through steel, flesh or diamonds, or the manipulation of weather for war or peace.

The Government is the chief underwriter for this technological revolution which is creating major investment frontiers.

It is probably fitting therefore that the space agency has become the center of the controversy over public-versus-private ownership of patent rights. The battle, in fact, has been raging since NASA's birth.

The private ownership point of view is being pushed by a formidable alliance of contractors, the patent bar and Members of Congress. And the case for public rights to aerospace inventions is being argued by Senators RUSSELL B. LONG, Democrat, of Louisiana, ESTES KEFAUVER, Democrat, of Tennessee, and other antimonopoly ideologists. LONG plans hearings early in the congressional session. The issue probably will be revived in the House Science and Astronautics Committee, where there is strong sentiment for private ownership.

Federal policy on the issue is a hopeless muddle. The Justice Department sides with the "public rights" position. But the Pentagon, with a $5 billion annual research budget of its own, leans heavily toward the industry side of the argument. The Atomic Energy Commission is partial to the Justice Department's position while the Commerce Department views are more in line with those at the Pentagon. And so it goes.

A scientific task force headed by Jerome B. Wiesner, the President's scientific adviser, has been studying the patent question for nearly 2 years in hopes of rationalizing the crazy quilt of conflicting agency policies. Although its recommendations have never been made public, at least two Federal agencies—Justice and the Department of Health, Education, and Welfare—privately complained to Wiesner that his recommendations for a uniform policy go too far in the direction of forfeiting the public's rights.

LONG has branded the Defense Department approach to the patent rights as a "giveaway" which he says could cost American taxpayers more than $100 billion in the next two decades. His figure is a difficult one to defend or debunk since it is virtually impossible to hang a price tag on the intangibles of future patent rights.

But one hint of the possible giveaway implicit in Pentagon patent policies was suggested in 1960 Comptroller General's report on the Air Force ballistic missiles program. It reported that one Atlas missile contractor, Thompson Ramo-Wooldridge, made 95 patent applications as a result of its Pentagon research contracts. Eleven of them were described as basic enough to provide a basis for a new industry or an entirely new product line.

NASA now takes title to all inventions by its contractors except when a waiver is deemed to be in the public interest—an admittedly fuzzy policy yardstick. The rule change NASA is seeking would place much greater emphasis on automatic waiver of Government rights and place the space agency closer to Pentagon practices.

And the history of military research programs abounds with examples of commercially valuable byproducts flowing from Pentagon R. & D. contracts, such as plastics and adhesives, automobile power-steering systems, electronic computers, dehydrated soups and frozen vegetables.

The power of the Pentagon R. & D. dollar is illustrated by the growth of such firms as Aerojet-General of California which soared from an investment of $7,500 into a $300 million enterprise within 17 years. The Government has accounted for 90 percent of Aerojet's contracts.

Space research, whether for NASA or the Pentagon, cuts through a broad spectrum of commercial technology such as electronics, communications and aeronautics, thus creating immediate opportunities for cashing in on the fruits of Government R. & D. work.

The "public rights" advocates argue that the practice of granting exclusive rights to contractors tends to foster monopoly control not only of know-how but also of price structure. Long and his colleagues maintain that the consumer is thus doubly billed by the contractor—once in the form of tax-supported research and again in higher price achieved through a controlled market. Most R. & D. contracts, furthermore, are pegged on a cost-plus basis with the Government guaranteeing both expenses and a profit.

Another social cost which is laid at the door of the private patent system is that it slows down the diffusion through the economy of technological knowledge gained at public expense.

Lee Loevinger, Assistant Attorney General in charge of the Justice Department's Antitrust Division, put the issue this way last February in opposing a bill to reverse NASA's patent policy:

"Once selected to perform research work under a Government contract, any firm necessarily obtains a substantial competitive advantage. The effect of giving such firms additional patent rights as well, tends to consolidate their already dominant positions and make their preferred status in new and important industries even more immune to competition than it now is."

On the other hand, advocates of the "private ownership" doctrine point to the U.S. Constitution which gives Congress the power "to promote the progress of science and useful arts" by granting patent rights for a limited amount of time.

Representative Emilio Q. Daddario, Democrat, of Connecticut, chairman of a House Science and Astronautics Subcommittee on Patents and Inventions, has been a leader in the so far unsuccessful congressional drive to revise NASA patent policies.

He maintains that a private ownership policy is a spur to inventiveness and also encourages contractors to do business with the Government. When the Government hires the services of a contractor, Daddario insists, it is wrong to deprive him of the fruits of the firm's inventiveness.

However, it is questionable whether the Constitution's framers could have envisioned the scientific and technological revolution that was to transform Ben Franklin's workshop into the vast corporate laboratories of the 1960's powered almost wholly by Federal tax dollars.

EXHIBIT 7

INTRODUCTION

Congressman Holifield's statement is an especially thorough analysis of the problem which is based on his long experience with the problems of industrial and Government research. He points out, among other things, how successful our atomic energy program has been under the title policy practiced by the Atomic Energy Commission. He also points to the enormous patent bonanza obtained under the Air Force program by Thompson-Ramo-Woolrich at Government expense. These included 11 patents on developments "believed to be sufficiently basic and important to provide a basis for a new industry or an entirely new product line * * *" (p. 11).

CONGRESSMAN CHET HOLIFIELD'S TESTIMONY BEFORE NASA, JANUARY 28, 1963, RE PATENT PROVISION

It was not my original intention to attend this hearing. However, after reading your proposed regulations, I felt, as a few other gentlemen do, that someone should take it on their shoulders to represent and fight for the public interest.

The National Aeronautics and Space Act was passed in 1958. Shortly thereafter NASA was constituted. Immediately following and without any working experience under the statutory guidelines enacted by Congress, this Agency attempted to nullify the property rights or patent provisions of the act. Attempts were made to pressure the Congress to legislate such a change. It was obvious that the stimulus of such attempts initiated with vested interest pressure groups aided and abetted by spokesmen for such groups within the Agency. Such efforts have been repeatedly unsuccessful. However, the Congress in this same period has enacted property right patent provisions for newly authorized research or for existing research after considering working experience under the previous provisions in the areas of coal research, saline water, helium gas, and atomic energy. In the face of Congress' refusal to nullify the existing property rights provisions of the National Aeronautics and Space Act of 1958 and in the face of Congress' enactment of similar or possibly more stringent provisions in other research areas, it appears that NASA is attempting to achieve through the back door by regulations the nullification of the property rights provisions of the National Aeronautics and Space Act of 1958.

To justify such an abdication, this hearing is being held. The subject matter of this administrative hearing specifically relates to contract property rights developed by means of Government funds.

The hearing is open to all interested parties yet there is no wide knowledge of its significance. Such a hearing, by its very nature, will bring forth a tremendous preponderance of vested interests seeking to achieve that procedure which will provide additional giveaways or unwarranted bonuses to their cost-plus-contract arrangement just like bees to honey. Regulation and policy changes of such impact and significance made by the Atomic Energy Commission relating to patents are considered by the joint committee prior to their adoption. At a congressional hearing, presentations are subject to scrutiny and examination. Government watchdog agencies are solicited for their views to determine if the public interest will be protected. Yet none of these public interest safeguards appear to have been instituted by NASA.

I would like to say I am an advocate of the American patent system.

I have never proposed impairment or change in any of the patent laws per se. I fight for what I believe to be the real principle behind the patent system, incentive and reward for the individual inventor in the American free competitive enterprise system. I have never suggested in any instance that industry cannot have patents.

The real issue relating to NASA policy and practices is whether patented inventions, nonpatented inventions, and technical information, the development of which is paid for by the Government, belong to the people or the contractor. The issue is not should the inventor under proper circumstances be allowed to keep commercial rights in his invention, so long as he gives the United States the rights to use his invention without cost. The issue goes beyond that point.

In practically all corporate practices the employee inventor, as a condition of employment, has been required to assign the contractor corporations any inventions, developments, and discoveries made or conceived during the period of his employment. The actual inventor has to give his rights to any development, to the corporation who pays him. Therefore, why should not the Government, which in turn pays the corporation, also take title to any invention developed during its research and development contract?

To assume that the inventor is allowing the Government a great windfall to use his invention without cost is a weak strawman since the inventor never owned his invention. The Government paid for its development.

To quote Vice Admiral Rickover, the issue we are discussing also touches on the problem of national interest versus group interest.

There are some who poke fun at the admiral. I am not one of those. On the contrary, I am grateful that America has had the benefit of his abilities. It has been his task and success to get things done. He has succeeded so well that in his field of endeavor the United States far surpasses the Soviets which, unfortunately cannot be claimed in many other areas. It is my belief that the U.S. space effort and space propulsion programs have need for such success as Rickover has been able to contribute to his programs. Some state that all this may be so, but what does the Admiral know about patents. I urge you to read his statements before the Senate Patents Subcommittee of the Judiciary Committee and the Senate Subcommittee on Monopoly of the Select Committee on Small Business. It is obvious that his thoughts and the present and proposed NASA regulations differ.

Patents, innovations, technical data, and know-how are all part of the package that emanates from research and development work.

They must be captured, utilized, and retained in the program if lead time is to be cut down, and prompt working results are achieved. Working examples of this are our present nuclear attack submarines, nuclear Polaris submarines, nuclear aircraft carriers, nuclear missiles light cruisers, nuclear frigates, and our commercial nuclear power reactors derived from Rickover's Shippingport reactor. I am thankful that we possess this fleet, energy capability, this know-how, this lead over the Soviets, yet I remember when the admiral proposed and begged for the chance to build the first nuclear attack submarine. At that time, many said that it was obvious that he did not know what he was talking about; that, for example, the weight of the lead shielding around the reactor would make such a submarine inoperable and if operable, completely inefficient. I, and other members of the Joint Committee on Atomic Energy, listened to this man. In turn, the Congress listened to what we had to say. Today there is our nuclear fleet to show for our willingness to listen. As a result, I believe it is worth listening to what he has to say. He made proposals which were not "pie in the sky" for he has put his nuclear fleet in the water. I hope NASA will be as successful in placing our fleet in the sky.

Regarding your proposed regulations, section 1245.103 goes far beyond the statutory standard.

The statute requires a determination that waiver serve "the interests of the United States." Yet NASA has incorporated a "strawman" in this section by the statement "since the prompt working of inventions will ordinarily be fostered by the private retention of exclusive rights" by first assuming that there will be in fact prompt working as a result of this policy and that prompt working is the interest. Agriculture, TVA, and Interior can show prompt working of their inventions following an opposite policy of Government title retention.

Agricultural research has given the consumer frozen citrus juices, dehydro frozen fruits and vegetables, potato flakes, the spray can, and many other valuable items. It has provided the farmer with hog cholera vaccines, insecticides, chicken disease tests, cotton harvesting equipment, etc. Food processors, marketers, and agricultural and food machinery manufacturers have had many new devices made available to them. The fruits of this program have been bountiful. No other nation is plagued with such bounty. Khrushchev and Mao, if they were believers in God, obviously would pray for such problems.

Again such a policy has resulted in the inventions being utilized. Yet, all of a sudden, there are voices shouting this policy does not work.

Whose voices; the farmer, the consumer, the food and agricultural processor, or that of vested interests?

I do not know of any such comparable showing as to the prompt working of Government-financed inventions that the Department of Defense or its agencies or the Department of Commerce can make. This premise is also refuted by the Newton Study and Report undertaken for the Department of Agriculture. So, I do not believe this premise to be a statement of fact and as such should not be given legal significance as a Government regulation.

The statement "except where it appears from the nature of the invention that waiver would be inequitable to competitors, unfair to the consuming or using public or contrary to the interests of public health, safety, or security" is broad, indefinite, and lacks clarity. There is nothing here to spell out what this broad, flexible language means and it appears that the contractor can make this decision.

Section 1245.104 taken with section 1245.103 seems to affirm waiver as the rule. The language will allow waiver in which the contractor "has an established commercial interest." It appears this would also include the contractor's business with other Government agencies other than NASA, where as a result of prior Government contract expenditures the contractor has acquired technical competence, know-how and a patent position.

He has been paid a fee for his services to the Government. Is it fair to his competitors to give him an additional bonus by donating to him a patent equity? This is exactly what happens when the Government-paid-for research brings into being a patentable idea. I say that unless such patentable ideas are freely extended to all entities in American industry that we are playing favorites and awarding valuable exclusive patent rights on a discriminatory basis.

AIR FORCE BALLISTIC PROGRAM

The Subcommittee on Military Operations, of which I am chairman, conducted extensive hearings reviewing the administrative management of the ballistic missile program of the Department of the Air Force. This program is the largest single military program undertaken by the United States involving the expenditure of about $2 billion a year. This program is vital to the welfare of the Nation. The Air Force has been assigned the responsibility of this program and in turn delegated the technical aspects of its management to a contractor and to a large degree has contracted away its responsibilities. As a result of the subcommittee's work and upon request, the Comptroller General of the United States undertook an examination of this program. On May 19, 1960, he forwarded the initial report, B-133042, to the Speaker. A good portion of that report relates to the problem confronting us.

The Department of Defense policy is to allow the title to any patentable inventions and specialized know-how to vest in the contractor, the Government merely retaining a license to manufacture and use the invention for governmental purposes. The approach of these new NASA regulations is to permit uniformity with the present Defense policy. Therefore, it is essential that we take heed of the Comptroller General's findings as to how the Department of Defense, in this instance the Department of the Air Force, policy actually functions.

The Comptroller General states that:

"The research and development nature of the work in the ballistic missile program provides the contractors engaged in the program with the opportunity to obtain many patents in new areas of great potential significance. The systems engineer and technical director, by virtue of his own research and development work, as well as his direction of and access to the work of the participating contractors, is in a particularly advantageous position to conceive or reduce to practice inventions leading to valuable patents.

"Because of the value of this information, participating contractors are reluctant to exchange information developed in their work with a potential competitor performing this function."

Therefore, it is evident that the Department of Air Force's disposition of property rights in inventions policy certainly hinder the free exchange of developed technical information which is so necessary and vital in cutting down lead time and development work in military and civilian technology.

The Comptroller General reported:

"Many valuable patent disclosures by Thompson-Ramo-Wooldridge arise from work under Air Force contracts.

"We were informed by the patent counsel of the R-W division, Thompson-Ramo-Wooldridge, that patent applications are not filed for all inventions that are disclosed. Patent applications are filed for disclosures which have potential commercial benefit, and, in some instances, patent applications are filed for morale purposes, that is, to provide recognition of the inventor. We were informed, however, that patent applications are not filed for inventions that only have military applicability."

In effect, under this new policy contained in the proposed NASA regulations the Government does not get a license to manufacture and use the invention for military purposes. If it desires to protect itself from a claim of patent infringement it must of necessity prosecute and obtain the patent. The Government gets only a license to manufacture and uses the invention if the contractor decides the patentable invention has a commercial potential.

Furthermore, the Government under this policy accumulates title to a group of inventions which have little or no commercial value.

The Comptroller General further reported:

"We were informed by the contractor that it could not determine the future value of the patents obtained or applied for as a result of the Government contract work. However, the following information obtained from Thompson-Ramo-Wooldridge indicates that in its opinion the value is substantial. Thompson-Ramo-Wooldridge classifies inventions as follows:

"DEFINITIONS OF IMPORTANCE CLASSIFICATIONS

"Numeral:

"1-Primary: Relates to a development believed to be sufficiently basic and important to provide a basis for a new industry or an entirely new product line; or one which may have a major effect on the expansion or conversion of an existing industry or product line.

"2-Secondary: Relates to a development which is part of an important commercial or patent position (e.g., one of several developments relating to a major commercial program or to an active patent licensing program); or which offers the possibility of obtaining enforcible patent protection for a particular product as to which commercial use is definitely predictable.

"3-Speculative: Relates to a development which offers the possibility of obtaining patent protection of substantial or broad scope, but whose use or importance is not yet definitely predictable.

"4-Marginal: Relates to a development believed to be of minor importance or of marginal patentability, but which still justifies patent consideration for some special reason (e.g., to provide recognition of the inventor, or to provide insurance against patenting by competitors)."

Thompson-Ramo-Wooldridge has rated, as follows, the 62 disclosures for which applications have been filed and the 33 which were approved for filings as of June 30, 1959:

Primary	11
Secondary	69
Speculative	13
Marginal	2
Total	95

Thompson-Ramo-Wooldridge from its own disclosure obtained legal monopoly rights in the commercial market to basic developments believed to be sufficient to provide the basis of a new industry or product line and such developments were developed through Government funds as a result of cost-plus-a-fixed-fee contracts. In fact, over 10 percent of the inventions filed or about to be filed on fell within this category.

Furthermore, another 70 percent of the inventions filed on were considered to have widespread potential.

All of these inventions obviously deal with space research. It is apparent that space research can have a tremendous potential in commercial markets. The rights of the taxpayers who paid for this research have been idly discarded. The monopolistic aspects of this disclosure, which when interpreted together with the November 9, 1956, Attorney General's report to the Congress, carry a warning to our competitive free enterprise system.

This agency has not, it seems, concerned itself with the monopolistic aspects of the problem. I believe this to be an integral part of the problem and not an element to be ignored. Should we expect big business who is receiving 95 percent of the Department of Defense research and development contracts and about 90 percent of NASA's contracts (dollarwise) to be concerned with this problem?

Under this type of contracting what chance will the surplus labor and depressed areas have for obtaining work? None—if the proprietary patents, data and know-how rights are locked up by a few favored corporations. If the broad scope of industry on the other hand, had access to all of the techniques, patentable or otherwise, which result from research and development through Government expenditures, then in my opinion, monopoly trends would be curtailed.

Section 1245.104(b) states that "a prima facie case for waiver may be established by showing that waiver of title to the contractor would be an effective incentive to work the invention at the earliest practicable date because of the substantial expense or investment to do so." Is it necessary to underwrite industry with such a bonus or is this a paper tiger piece of blackmail to which this agency is being subjected? In fact it might be noted that Admiral Rickover, operating under a patent title claiming policy, has testified that his problem has been that he had too many contractors wanting to do work under the naval reactors program of the AEC. (See hearing before the Subcommittee on Patents, Trademarks and Copyrights of the Committee of the Judiciary, U.S. Senate, 87th Cong., 1st sess., June 2, 1961, p. 21.)

Section 1245.104(c) will allow a prima facie case for waiver of title by a showing that "the invention was conceived prior to the contract of the administration under which it was first reduced to practical and independently of any other contract of the administration and is covered by a U.S. patent application filed prior to the contract." Thus if conceived under a Department of the Army, Navy, Air Force, Defense or Commerce contract, NASA would allow a prima facie case for waiver per se. Thus NASA abdicates its strong statutory position for the weaker procedures of the other agencies.

Section 1245.105 sets forth those instances where waiver of title will not be granted. The criteria here does not protect the development of our health sciences program which is stimulated by a heavy investment in basic research in biosciences.

Under suggested NASA criteria and standards NASA would allow waiver to inventions emanating from the research conducted by NASA in the biosciences field as contrasted to HEW who claims patent rights in the bioscience field.

The Housing Act of 1946 sets forth a patent policy for property rights derived from Government-sponsored research in the field of housing yet where NASA would fund research for structural materials, heat resistant materials, or other such products or processes having applicability to housing, it appears NASA would follow a policy opposite to that expressed by the Congress. I believe this same analogy could be carried over, to a large degree, to research related to water, helium gas, coal and agricultural products, processes and developments.

The proposed substitution of compulsory licensing to void the waiver and assure working of the invention indicates that this agency also has reservations about the premise it enunciated in sections 1245.103 and 1245.104 to the effect that prompt working will in fact be accomplished by a license policy. Yet it will be difficult for any proposed applicant to be in a position of knowledge that such valuable inventions are not being worked and further it will be difficult or impossible for such an applicant to obtain the necessary know-how to be able to effectively introduce and utilize such inventions. This device or mechanism appears to be only window dressing to protect the automatic waiver by this agency to achieve, in fact, a license policy which NASA has not been able to obtain from the Congress. I state this with full appreciation of the difficult problems that the Administrator faces in attempting to promulgate and enforce regulations in this complex area. I believe if NASA would accumulate working experience and knowledge under its own provisions, as the AEC has done, rather than attempt to defeat such provisions, the Congress will grant such reasonable clarification and modifications that the agency would request.

With the ever-increasing role of the Government in R. & D.—approximately 70 percent of total research dollars presently spent and in many areas 90 percent or more—the policy regarding the resulting inventions should be that which is in the "interests of the United States" and all its people. The expenditure of Government tax funds should not be utilized to create concentration and monopoly through legal monopoly patent. The widest dissemination and use of publicly financed research and development should be achieved to benefit those who in fact pay for such developments. As the Government policies and practices in the awarding of research contracts and in the disposition of the resulting data and inventions are very important determinants regarding the growth and future structure of U.S. industry and the well-being of all the people of the United States, I urge this agency to recast its regulations and to carry out its statutory responsibilities.

EXHIBIT 8

STATEMENT OF SENATOR RUSSELL B. LONG, CHAIRMAN, SUBCOMMITTEE ON MONOPOLY, SELECT COMMITTEE ON SMALL BUSINESS, U.S. SENATE, DECEMBER 10, 1962

The space industry is one of the most rapidly growing industries in the United States. It is estimated that perhaps in 10 or 15 years this industry could well be larger than the automobile industry in terms of employment and contribution to our national output.

According to the latest figures available, the Federal Government has obligated for space research and development $3.1 billion in 1962, of which $1.8 billion will come from the National Aeronautics and Space Administration, and $5.5 billion in 1963, of which $3.7 billion will come from NASA. This will probably be more than 90 percent of the total research and development expenditures in this field. In addition, the influence of the space industry pervades many other industries such as chemicals, machinery, automotives, electronics, and munitions.

It can be seen, therefore, that the Government's policies and practices in the awarding of contracts and in the disposition of data, information, and rights will be the most important determinants of the growth and future structure of this important industry.

PRESENT POLICY

Section 305 of the National Aeronautics and Space Act states that whenever any invention is made in the performance of any work under a contract of the National Aeronautics and Space Administration, and the Administrator determines that the invention falls within the scope of subparagraphs (1) and (2), then the invention comes within the statutory scope of section 305. I understand that, up to this time, no contractor has even made an attempt to rebut the presumption that his invention falls under this section.

Under section 305, subsection (f), the Administrator has the right to waive all or any part of the rights of the United States if he determines that the interests of the United States will be served thereby.

The reason for the insertion of section 305 is that Congress consciously patterned the National Aeronautics and Spact Act after the Atomic Energy Act, which reflected a fear about the prospects of control over space developments gravitating into too few hands. This section was designed to guard against such an eventuality.

One of the basic underlying considerations in the enactment of section 305 of the NASA Act was the desire to prevent the monopolization of space technology and developments and to insure the extension of free competition into the aerospace industry. The Congress has from the beginning been vitally concerned with the danger of the development of a pattern of concentrated control in industry.

NASA'S PROPOSED POLICY

Against this background, NASA's proposed patent waiver regulations as reported in the Federal Register of October 26, 1962, are directly contrary both to the words and intent of the statute. In the statute the Government must take title on behalf of the American people if the Administrator makes a positive determination under subsection 305(a). Under exceptional circumstances, however, when it is in the public interest to do so, the Administrator may waive all or any part of the rights of the United States, but it must be done on a case-by-case basis and the justification must be made part of the public record.

Waiving the rights of the American people is a very serious business, and consequently the taking of title is clearly emphasized in the law. NASA's general counsel, Mr. John Johnson, recognized this when he stated that, and I quote:

"* * * the emphasis on taking title imposes restraints which prevent NASA from contracting for lesser rights in inventions made by contractors where the interests of the Government do not require acquisition of title."[1]

In the policy statement of the proposed patent waiver regulation, paragraph 1245.103, the congressional intent is completely twisted about and constitutes a radically different policy which favors the waiving of rights of the American people to private contractors on a monopoly basis with the burden of proof on the Government to show that it is not in the public interest to waive these rights.

The reason given for this violation of the statute and the legislative intent is that "* * * the prompt working of inventions will ordinarily be fostered by the private retention of exclusive rights."[2] Whether this postulate is correct or not, we do not know. It is certainly not based on empirical knowledge. But even if we do accept this assumption which is based on vague and unexamined grounds, this is no excuse for violating the law. NASA's Assistant General Counsel Mr. Gerald O'Brien stated on May 19, 1959, and I quote:

"We believe that, upon careful examination in the light of implementing regulations and interpretations, you will agree that the patent provisions of the Act do not deprive the inventor or the private contractor of the incentives available under the American patent system."[3]

This statement was made in 1959, even before the present very liberal—in my judgment, too liberal—patent regulations were adopted.

Section 305, paragraph (f), was designed to provide for exceptions in order to give the statute flexibility to enable waiver of Government title when the equities of the situation so require. The proposed regulations, on the other hand, make waiving of the public's right the general rule and the retention of these rights the exception. The question of equity is not even mentioned.

The proposed regulations are unduly weighed in the direction of a consideration of the interests of industry. It seems more in keeping for a governmental agency, representing the public, to be more concerned with the rights of the public to inventions derived from activities supported or paid for by public funds. The fact that an invention is in a field of technology in which the contractor has an established commercial interest prior to such contract or has acquired technical competence or that the invention may have commercial value does not appear to be, in itself, either an equitable or moral justification for requiring the public to pay twice for that invention: as a payment for the performance of the research and development and as monopoly profits.

It is important to point out that the prohibitions of the Sherman Act apply to the space industry as to all other segments of our economy. Although NASA is not charged with the duty of enforcing that law, it is obliged to administer its powers in the light of the purposes which the Sherman Act was designed to achieve.

It is not NASA's function to apply the antitrust laws as such. It is clear from the various provisions of the act and the legislative history of similar acts, however, that Congress conceived as one of NASA's functions the preservation of competition in the newly developing space industry and the protection of the public as against the private interest.

A policy against monopoly has been made the subject of sanction by Congress, and it is incumbent on an administrative agency charged with furthering the public interest to apply the general policy of Congress to questions arising in the proper discharge of its duties. The underlying rationale of the free enterprise system is that competition results in improved service to the public. Monopoly is contrary to the public interest.

The patent provisions proposed by NASA will tend to concentrate scientific and technological know-how, create monopoly, and lessen competition. Hence, in no sense are they compatible with the public interest.

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[1] Prepared Statement of John A. Johnson before Subcommittee on Patents of Committee on Science and Astronautics, House of Representatives, Nov. 30, 1959.

[2] Federal Register, Oct. 26, 1962, pp. 10460–61

[3] Address by Gerald D. O'Brien, Assistant General Counsel, NASA, Briefing Conference on Patents, Copyrights, and Trademarks, Washington, D.C., May 10, 1959.

The public's rights should never be waived except in the light of broad public policy considerations. This includes monopoly, concentration of economic and political power, small business problems, economic growth, scientific and technological development, the standard of living, problems of equity, and many other factors.

Mr. Johnson, NASA's General Counsel, in discussing waivers before the Monopoly Subcommittee of the Senate Small Business Committee, stated that:

"It has occurred to me many times that this whole process has a variety of very serious implications that, quite frankly, we are not adequately set up to deal with." [4]

I am, therefore, taking the opportunity to announce a series of intensive and comprehensive public hearings beginning in January by the Monopoly Subcommittee of the Senate Small Business Committee to examine the broad implications of the proposed regulations.

I trust that no action will be taken by the National Aeronautics and Space Administration to implement the proposed waiver regulations until after completion of the investigation.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. ROBERTSON. Mr. President, on January 15 I was privileged to open the discussion on a very vital question; namely, Is or is not the Senate a continuing body?

The following day I read in a Virginia newspaper an article written by a reporter for the New York Times, in which the writer proceeded to ridicule the position which I and numerous other Senators had taken; namely, that the Senate is a continuing body.

The newspaper reporter said, for instance, that I had "declaimed in a whisper."

Mr. President, I never declaim, and I think Senators know that I do not generally whisper when I speak.

> And that instead of firing a shot heard round the world, it was not even heard across the Senate Chamber.

Then the reporter predicted overwhelming defeat. But last week, when the Senate voted on the issue, it went on record, by a margin of 14 votes, as voting to uphold the unbroken tradition of this honorable body that it is a continuing body, and that the rules made during one Congress carry forward into another Congress, until they are changed in accordance with the rule.

Mr. President, today I read in another morning newspaper an article by a columnist who wrote that neither in Hawaii nor on the west coast had he found anyone who knew anything about or cared anything about the issue of the Senate's being a continuing body. Well, Mr. President, I am not surprised at that. Anyone who knows anything about the reading habits of the American public knows that more people read the sport pages than any others. Some read the stock market items; and a few read the foreign items. If Congress is engaged in dealing with some particular piece of legislation which affects the individual, he will read about that.

Still fewer read the editorial pages. So I was not surprised when that reporter wrote that he had not found anyone in Hawaii or anyone on the west coast who knew or cared whether the Senate is a continuing body.

Mr. President, it is a lamentable fact that the average American citizen takes no interest in what his Government does, until there arises something which affects him personally. If that reporter had asked the people in Hawaii, "What do you think of the longshoremen strike on the east coast," if the strike had then reached the west coast and had affected Hawaii, they would have had an opinion about it. Approximately every 2 years we have before us a pay raise bill for the Government employees—the postal workers and other Government employees—all of them know about it, and we hear from them very freely. Whenever we have before us proposed legislation which affects the labor unions, we hear from them. But when Senators stand on this floor and debate the form of constitutional government we have and the importance of preserving that form of government if the personal liberties of the American people are to be preserved, there are reporters, such as the one for the New York Times, who say we are beating old chaff, handled so much better years ago by Senator Connally and others, and that everybody was bored by the debate.

However, some speeches have been made, which should be widely read, on the fundamental issue of the kind of government we have and the necessity for the preservation of that form of government. It is inherently a government of delegated powers, with all residual powers reserved by the States or the people thereof, and with the 10th amendment specifically protecting the rights of the States, with the Senate as a continuing body, and with freedom of debate in the Senate—in order to protect the rights of the States and minority rights, whenever such issues arise.

I mention, particularly, the excellent address delivered yesterday in the Senate by the distinguished senior Senator from North Carolina [Mr. ERVIN]. He called attention to the fact that the Senate is a continuing body. He called attention to the effort first made to take up the resolution to change the rule and immediately to agree to the resolution, on the assumption that the Senate is not a continuing body. I give thanks that that effort was defeated. Then he proceeded to call attention to the effort to change our debate rule, in order to expedite the passage of proposed hasty or partisan legislation. He referred to the impeachment returned by the House of Representatives against a President of the United States—which was the vicious action of a partisan majority in the House of Representatives. He called attention to the fact that while that President was facing trial in the Senate—on trumped up charges, of course, and before a hostile jury—he had the courage to veto a vicious bill, passed by a partisan Congress, which, following the War Between the States, would have disfranchised everyone in the South who during the war period had been loyal to the States in which they lived.

Mr. President, I wish to quote one or two passages of the fine speech delivered by the Senator from North Carolina [Mr. ERVIN]. He said:

> One of the reasons I expect to look backward to history is that we may know from the history of the past what the future may be.
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> * * * * *
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> So I look to the past, that is, to history, because I want the Senate to look to the future and appreciate what the result might be, if the Senate should repudiate all of its history since 1789, and changes rule XXII so that Senators can be silenced in the hope that impatient men and organizations will get their way.
>
> When the rulers of the nation ignore the lessons of history, they condemn their nation to repeat the mistakes of the past.

In my opinion one of the most wonderful orations ever heard in the Senate was delivered by a great statesman from Massachusetts, Daniel Webster, in reply to a speech made by a Senator from South Carolina, who claimed that South Carolina had the constitutional right to secede from the Union over the slavery issue, and intimated that someday South Carolina might exercise that right.

There is no question about the constitutional right to secede. Even New York included in the resolution by which it ratified the Constitution a provision that if the new Government did not operate satisfactorily to New York or if it oppressed New York, New York reserved the right to leave the Union. Virginia included a similar provision in its resolution of ratification.

In the course of that speech over the slavery issue, the great Daniel Webster predicted that the time might come when a once glorious Union would be dismembered and drenched in fratricidal blood.

What was the origin of the slavery issue? In the Philadelphia Constitutional Convention of 1787—as I pointed out when I spoke on this subject on January 15 last—James Madison, at the urgent request of Thomas Jefferson—then our Minister to France—proposed that the new Constitution include a prohibition against slavery; namely, that after a certain date, slavery would be abolished, and that no new State could come into the Union as a slave State.

Who led the fight against that proposal? Massachusetts. Why? Bringing slaves to the South was a very profitable business for Massachusetts and some of the other maritime States of the Northeast. The Massachusetts delegation said that it would walk out of the Convention if Madison insisted on consideration of the antislavery provision. We in Virginia wanted to abolish slavery.

What action was taken? The action taken was that the Constitution ignored the issue of slavery. That action, especially after the adoption of the 10th amendment, left to each State the right to determine whether it would be a slave State or a free State, and the Federal Government had no control whatever over the slavery issue. God knows, if Virginia could only have succeeded in having written into the Constitution, as it wanted to do, a prohibition against slavery, we would have been saved much bloodshed and suffering, because we still have the echo of the fight that started back there in the days of Hayne, of South Carolina, and Webster over slavery.

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[4] Government Patent Policies in Meteorology and Weather Modification, 1962, hearings before the Subcommittee on Monopoly, Senate Small Business Committee, p. 106.

This week I read a reprint in my local newspaper, the Lexington Gazette, which, in January, merged with the Rockbridge County News, of portions of an editorial which appeared in the January 1838 issue of the Lexington Gazette. The editorial commended the resolution offered by Calhoun of South Carolina, and stated of the Abolitionists of Massachusetts who were seeking to force through the Senate a bill to abolish slavery in the District of Columbia, when the Congress had no legal control whatever over slavery, that the Senate was eminently correct when it voted in behalf of the Calhoun resolution. It further stated that the Abolitionists of Massachusetts were fanatical, and that Virginia had nothing to fear from them. That is what was said in 1838.

But 8 years earlier—in January 1830—Webster had already predicted that if the slavery issue were not properly settled, there would be grave consequences. Incidentally, Webster should have been President of the United States. He wished to settle the slavery issue, but he wanted to settle it fairly. Because of his desire to be fair to the slave owners in the South, the Whig Party in the North turned him down and cut his political throat from ear to ear. He never became President, although he was one of the best qualified men in that day and period to hold that high office. He should have been elected, but the slavery issue killed him. His crime was that he wanted to be fair to the South over the issue of slavery.

The editorial from the Lexington Gazette of this week, reprinting the article first published in January 1838 commending the Calhoun resolution, as I said, went into great detail on the theory that there was nothing to fear from the agitation over slavery. The Calhoun resolution pointed out that each State had entered into the Union as a free, independent, and sovereign State; that in delegating a portion of their powers to the Federal Government, the States retained severally the exclusive and sole right over their own domestic institutions; that slavery was a domestic institution, so recognized by the Constitution; and that any congressional action designed to abolish slavery in the District of Columbia would be a violation of the faith implied in the concessions by the States of Virginia and Maryland and a just cause of alarm to the people in the slave-holding States, and would have a direct and inevitable tendency to obstruct and endanger the Nation.

The issue being considered by the Senate in January 1838 was, as I have said, the demand by the Abolitionist Party of Massachusetts for the abolition of slavery in the District of Columbia, regardless of the fact that the Congress had no constitutional authority to take such action. In the Lexington Gazette editorial, the Abolitionists of Massachusetts were ridiculed, as I have said, but they did not correctly appraise the future trend of that movement.

We now have an echo of that original fight, which in essence was, if we sincerely believe that our ends are just and proper, we are justified in using any means at our command to achieve that result.

What did the Abolitionists want to do? They wanted to violate the Constitution, which had left slavery to the States and abolish slavery in the District of Columbia, over which Congress, of course, had jurisdiction, but not jurisdiction to legislate on slavery.

In recent years civil rights legislation has been proposed. In the early days of this debate I had hoped that there could be some agreement that the proposal to change the debate rules from the requirement of two-thirds of those present and voting to three-fifths of those present and voting was being made for some purpose other than civil rights.

But one Senator expressly said that the proposal was being made for civil rights purposes, and all the debate since then has indicated that that is the real purpose of the attempt to change the rules.

What is now involved? As pointed out yesterday by the Senator from North Carolina [Mr. ERVIN], the endeavor is to put a gag rule upon Members of this body to prevent full and free debate, especially on constitutional questions which involve the rights of Southern States under the Constitution, not only as framed in Philadelphia, but as later amended by 10 amendments, the last of which was the one expressly reserving the rights of States.

The Senator from North Carolina stated:

> When the rulers of the nation ignore the lessons of history, they condemn their nation to repeat the mistakes of the past.

We had a wonderful illustration back in 1838 of a proposed action in the Senate to ignore the constitutional rights of the South and abolish slavery in the District. The great Calhoun of South Carolina protested. Incidentally, Virginia claims some credit for his greatness, because he was a grandson of a Presbyterian preacher who came from Pennsylvania into Virginia seeking political and religious freedom.

His name was John Caldwell. His daughter married a man from South Carolina, and she named her son, destined to be listed by us as one of the truly great Senators, John Caldwell Calhoun.

Mr. President, I ask unanimous consent to insert in the RECORD at this time the text of the Calhoun resolutions on the subject of States rights adopted by the Senate on January 12, 1838, in which he called attention to the kind of government which was formed by sovereign States and begged his colleagues not to violate it.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

> I. *Resolved,* That, in the adoption of the Federal Constitution, the States adopting the same acted, severally, as free, independent, and sovereign States; and that each, for itself, by its own voluntary assent, entered the Union with the view to its increased security against all dangers, domestic as well as foreign, and the more perfect and secure enjoyment of its advantages, natural, political, and social.
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> II. *Resolved,* That in delegating a portion of their powers to be exercised by the Federal Government, the States retained, severally, the exclusive and sole right over their own domestic institutions and police to the full extent to which those powers were not thus delegated, and are alone responsible for them; and that any intermeddling of any one or more States, or a combination of their citizens, with the domestic institutions and police of the others, on any ground, political, moral, or religious, or under any pretext whatever, with the view to their alteration or subversion, is not warranted by the Constitution, tending to endanger the domestic peace and tranquillity of the States interfered with, subversive of the objects for which the Constitution was formed, and, by necessary consequence, tending to weaken and destroy the Union itself.
>
> III. *Resolved,* That this Government was instituted and adopted by the several States of this Union as a common agent, in order to carry into effect the powers which they had delegated by the Constitution for their mutual security and prosperity; and that in fulfillment of this high and sacred trust, this Government is bound so to exercise its powers, as not to interfere with the stability and security of the domestic institutions of the States that compose the Union; and that it is the solemn duty of the Government to resist, to the extent of its constitutional power, all attempts by one portion of the Union to use it as an instrument to attack the domestic institutions of another, or to weaken or destroy such institutions.
>
> IV. *Resolved,* That domestic slavery, as it exists in the Southern and Western States of this Union, composes an important part of their domestic institutions, inherited from their ancestors, and existing at the adoption of the Constitution, by which it is recognized as constituting an important element in the apportionment of powers among the States, and that no change of opinion or feeling, on the part of the other States of the Union in relation to it, can justify them or their citizens in open and systematic attacks thereon, with the view to its overthrow; and that all such attacks are in manifest violation of the mutual and solemn pledge to protect and defend each other, given by the States respectively, on entering into the constitutional compact which formed the Union, and as such are a manifest breach of faith, and a violation of the most solemn obligations.

Mr. ROBERTSON. Mr. President, that is the essence of the fight we have been making since we convened. While I recognize that the columnist no doubt is correct in saying that he did not find anybody in Hawaii and he did not find anybody on the west coast who either knew or cared about whether the Senate was a continuing body, we hope that some day, when other actions may threaten certain groups, the people of this Nation will read what has been said during the past 2 weeks of debate on this issue and realize that there is a very fundamental principle at stake. If they do they will read that the distinguished Senator from Mississippi [Mr. EASTLAND] called attention to how the great Caesar destroyed free debate in the Roman Senate. How long did it take the Roman people to lose their democracy? Only 2 years.

I subsequently pointed out the fact that 7 years after Caesar had been assassinated the imperious Emperor Caligula was on the throne, and to show his great contempt for democracy and the Roman Senate, in which the highest honor was to be named a Roman consul, he named a horse a Roman consul. That is what happened in Rome.

That is the reason why the Senator from North Carolina [Mr. ERVIN] said so effectively yesterday:

> When the rulers of the nation ignore the lessons of history, they condemn their nation to repeat the mistakes of the past.

I was ridiculed by some members of the press when, in yielding to a Senator in a rather long speech on January 15 I said:

> We have plenty of time. We are going to debate this issue until we recess to celebrate the anniversary of the birth of Abraham Lincoln, for having saved the Union; and, after that recess, we shall come back and start the debate again on how to dismember it.

That is the essence of what is now involved. We are approaching the period of recess.

I hope, of course, when we vote tomorrow on the great constitutional issue of whether we shall have free debate in the Senate, that there will be enough Senators who believe in protecting the rights of the States, who believe in the rights of a minority to be represented and protected, to defeat the attempt to invoke cloture. I hope there will be at least enough so that the other side will have less than the 60 mentioned by our distinguished majority leader, because in that event I would expect the unnecessary debate to be ended, and that we would be given an opportunity to appoint committees and get down to the essential business which confronts the Senate.

That, Mr. President, is my hope for Thursday insofar as the motion to lay on the table today is concerned. As was pointed out yesterday, the majority leader will make the motion to table. He says he will vote against it. As the Senator from Georgia says, "Far be it from us not to follow his example." We will vote against it also. So I anticipate that the motion to table will be overwhelmingly defeated. The real action will occur tomorrow on the question of invoking cloture.

I certainly hope there will be an overwhelming number of Senators who will believe in protecting the rights of the States and of minority interests through freedom of debate in this great body.

I yield the floor.

Mr. JAVITS and Mr. CLARK addressed the Chair.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I had in mind, before the Senate votes on the motion to table, that I would summarize today the position of those who share my views in regard to the pending question. There is nothing either superficial or unnecessary at all in this, as I shall explain in a moment, as I sum up where we are and why we are there, and what this all means, because I think the press has accepted the proposition that we have been wasting our time here. Indeed, even the distinguished majority leader has said that a number of times.

Mr. President, I think it is very important, because we are self-respecting men and some of us have fought very hard and believe very sincerely, that we should put the record straight; as I am quite sure, knowing as I do the votes in this Chamber, that we are rapidly approaching the end of this debate—and a very unsatisfactory end, in my view.

Mr. President, a few things must be made clear.

First, and foremost, and most importantly, I believe it will become crystal clear by 2 o'clock today, when the majority leader will make this motion, that a majority of the Members of this body want to change rule XXII. It seems to me that of all the historic facts which must be made clear, and which it is the duty of the proponents to prove, that is fact No. 1.

I take the liberty of one who opens to a jury, as it were, to state what the evidence will prove. I believe we shall have proved by the time of the first vote at 2 o'clock today that a majority of the Senate wants to amend the rule.

Second, Mr. President, and very importantly, why is the majority being prevented from working its will? The second historic fact is that the majority will have been prevented from working its will by a minority notwithstanding the fact that it is constantly claimed that a majority can work its will and that a majority can amend the rules. The fact is that it can do no such thing unless it is given the opportunity to vote. Therefore, a minority, it will have been demonstrated by the time we conclude, between today and tomorrow, will have frustrated the majority successfully, and the rules may probably not be amended not because a majority does not want them amended but because a minority will prevent them from being amended.

The third very important fact is that this is not an unimportant question. This is a critically important question. The importance is emphasized by the fact that the Senate has been frustrated time and again, as it is being frustrated now, in deciding by a vote in accordance with the Constitution what it wants to do on many issues, many of them not involving civil rights. But if it were civil rights alone, Mr. President, even that would be quite enough. The fact is that civil rights represent one of the most explosive issues in this country. The fact is that the mandate of the Supreme Court on desegregation in the public school systems is being widely flouted. The fact is that in certain Southern States today—right now—the right to vote, which even our southern friends say they want to be assured, is being denied by various forms of extralegal activity as well as illegal activity; and we find ourselves powerless to deal with the problem because of rule XXII. A great contribution to the lack of power to deal effectively with these civil rights problems is the inadequacy of law. The mere fact that civil rights legislation is thwarted and frustrated alone would be adequate to justify a change in the rule.

In addition, it is claimed that the Senate is standing still, is not doing its business, and is not appointing committees. Mr. President, I respectfully submit that the verdict of history will show—and I think it will show properly—that to move on with the appointment of our committees, attractive as that may be, is not nearly as important as unshackling ourselves from the extraconstitutional restrictions which rule XXII imposes upon us, with its influence upon every piece of legislation and the fact that it holds a pistol at the head of the Senate at all times.

Mr. President, the third point I would like to emphasize is that we are not talking about a radical change, but, on the contrary, a quite conservative change. There have been 25 cloture votes in the Senate. Cloture has been successful only five times. Of these 25 cloture votes, from November 1919—the rule having been established in 1917—up to and including August 14, 1962, only 5 were successful, including the one which took place in August 1962.

If there had been a standard requirement of three-fifths of Senators present and voting, there would have resulted nine, rather than five, successful cloture votes—still well under 50 percent of the total number of cloture votes.

In addition, those would have included only two successful votes on civil rights issues, those votes dating back to 1950, when a cloture rule was sought twice in that year on FEPC legislation.

I respectfully submit that this is certainly not a radical or violent or critically different change.

For those who argue that the Senate is being gagged, let me point out that this is strictly a question of degree, as the figures prove. It depends on whether the Senate can be gagged by a number of 51, 60, 63, 66, or 67, for example. The fact is that the Senate has long had some sort of cloture rule, and therefore it is conceivable the Senate can now do what our friends from the South call "gag" by a vote of two-thirds of Senators present and voting. It has succeeded on five occasions. Therefore we are dealing, not with a question of power or principle, but with a question of degree. To me it appears unquestionable that our southern colleagues are standing at the bridge to head off any change. They do not want the rule to be changed in any way. They want the cloture rule to be as ineffective as possible. Especially, they do not want the cloture rule to be used to close off debate on civil rights issues, because they feel that the balance in the Senate is close enough so that they can head it off by a requirement of 66⅔, but they might not be able to head it off with a requirement of 60.

That is what the issue is all about. Let us not delude ourselves with a gold-plated expression of principles when there is none. That was true in 1917, when the Senate adopted the first rule on cloture. From then on it has been strictly a question of degree.

It is in the interest of the country that the Senate be enabled to cut off debate; otherwise it can be immobilized not only on civil rights, but on all other issues; and who knows what issues we may have to meet tomorrow in this fast-moving world?

I am the first to admit that we have not broken through to the American people on this issue; and the lack of interest in this debate demonstrates that fact. However, that fact does not in any way derogate from its importance. Many debates in this Chamber have not been attended fully and attentively, but have turned out to be portentous and important for our country.

Finally, let us look at the situation in which we find ourselves today, assuming—and I think the evidence will show it is so—that the will of the majority is being frustrated. Our opponents always add the little word "determined" when they speak of a majority. That is precisely what is missing here. That little word "determined" has not been featured in this debate. Neither the Senate nor its leadership has been determined. In the absence of determination in the Senate and its leadership, very little, if anything, can happen.

Let us take the Senate first, because we must account for ourselves. A majority wants a rule change. I think that fact will be shown beyond peradventure. But a majority does not want to invoke the constitutional authority it has to enable itself to change the rules, in other words, to close debate on the rules change question. That fact was shown by the result of the motion to table the other day, which was the single most decisive vote in the Senate, and the most important civil rights vote which will be cast in this session, in my opinion.

So, first and foremost, the very majority that wants to change the rules does not want to give itself the power to change them, although I am convinced it has that power under the Constitution; and, indeed, the submittal of the question by the Vice President to the Senate indicated that a majority of this body could have asserted that authority, but refused to do so.

Second, the majority leader and the majority leadership do not want to force action by round-the-clock sessions or similar methods of attrition which are very familiar in this body, in order to bring about a change in the rule, notwithstanding the fact that a change is desired.

In short, the majority leader and the majority leadership are not determined, either.

I think events will finally show—I hope and pray they do not, but I am sure they will—that even the majority itself is not determined that there shall be a rules change by the method of attrition, that is, of refusing to leave this question on cloture until it can be settled.

Under the circumstances, I do not see that we are dealing with anything other than acceptance of a fundamental problem, and that is a problem which can be aroused only in the public forum and in public debate, and in consideration by the people of the country.

I will make this prediction: Only by bitter experience will the public be awakened to what this debate is about, and how portentous and critical it is for the people of the United States. I predict that that will happen only when an event comes about—and it will, whether I am here or not—which will demonstrate how critical and dangerous is our unwillingness to take determined action against the effort to thwart the will of the majority to change the rules of the Senate within some realm of reason. When such an event comes along—and I predict it will, and I predict it may not be a civil rights issue, but may be something else, or it may be civil rights in the face of some really drastic and dangerous situation which demands action, and I am convinced that such a situation exists now—then and only then will the American people be awakened to the danger they face by the Senate's having shackled itself by what I say as a lawyer is minority, and not majority, rule—not even by a rule of representatives, as in a republic, not even by a rule after full debate and elucidation of the issues as contemplated by the Constitution, but a stranglehold by what we agree can be a complete veto power.

It is the duty of a Senator, when he sees a situation as clearly as I see it, to expound, expand, and develop the whole issue, and to continue indefatigably to pursue that struggle. I regard this as a battle, and not the war. We may lose the battle, but I say to the Senate that the American people will not lose the war. History has a way of showing these things up. It will show up what we are doing to ourselves and to our Nation by the way in which we have allowed the situation in this Congress to dribble away in an inconsequential way. But it is not inconsequential in the light of history. The record will show, in unmistakable terms, that valiant men like Senators HUMPHREY, KUCHEL, HART, CLARK, DOUGLAS, my own colleague from New York [Mr. KEATING], Senators CASE and SCOTT, and a whole roll of Senators, fought the struggle which, in my opinion, by the press of the country, and by the record of history will be fully justified.

I am sorry and I regret to say it, but I am confident that history will demonstrate we are making a fearful mistake in this Congress in not acting upon that issue.

Therefore, it is my duty to point that out, and not stop, whatever may be the result of the votes today and tomorrow, but to continue the struggle in the country, as I am confident that events will awaken the country to its importance. Then we will see summary action, perhaps too summary; and then those of us who feel as I do will be in the position of moderating any action which would be summary into provident, wise, and very conservative, in my view, measures to arm us against the dangers and contingencies which face us in the Nation and in the world.

AN AIR BRANCH OF THE ARMY

Mr. GOLDWATER. Mr. President, an Army board headed by Lt. Gen. Hamilton H. Howze has made a report to the Secretary of Defense which projects a plan for an air branch of the Army to consist ultimately of some 30,000 planes, including helicopters, and 55,000 pilots. This program would cost the United States at least $1 billion a year for the next 5 years. It would assign to the Army many functions now adequately performed by the Air Force and would result in waste and confusion of fantastic proportions in the defense establishments of this country.

This proposal of the Army to take over major functions which are now the responsibility of the Air Force makes about as much sense to me as a plan for the Air Force to organize ground battalions. It comes at a time when we are seeing evidence in South Vietnam of how hazardous it is to use helicopters to close support of ground troops. Since January 2 our helicopter flights in that theater have been virtually stopped. In addition, more and more of our fixed-wing aircraft, both Army and Air Force, is being shot up and shot down.

Mr. President, this destruction in South Vietnam is being brought about by small arms fire, some of it not even automatic. No one can even guess what the casualties would be in aircraft and men if the Vietcong or the Chinese Communists ever bring in antiaircraft weapons of any type.

Another point to remember when considering the proposition of putting the Army in the air is the fact that the Army can move nowhere without complete air superiority. With the kind of equipment recommended in the Howze report, all of it subsonic, it would be impossible to achieve this needed ingredient. The Army has no experience in obtaining or providing air superiority and it is not the kind of experience that can be obtained easily in noncombat conditions. What experience we now have was obtained during World War II and during the Korean war by units of the Air Force, and air units of the Navy and Marine Corps.

Mr. President, I do not quarrel with the Army's desire to have more mobility and I think that some increase in its air strength in proper fields is probably overdue. But this mobility does not call for a program of vast dimensions which would extend into another service's responsibilities. It is my hope that during the appearance of Secretary McNamara and the various members of the Chiefs of Staff before committees of Congress, the full contents of the Howze report will be made public so that it can be discussed thoroughly by all parties concerned. To me, it represents an example of gross waste—a waste of money and time which might easily extend to a waste of our tactical and strategic objectives. This report is too important to continue as a secret.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. TOWER. Does the Senator believe that the Army should not develop a tactical air arm?

Mr. GOLDWATER. I see no need for the Army developing a tactical air arm, when we are now being told that in the Air Force in effect by 1970 we will have nothing but tactical and lift aviation.

Mr. TOWER. Does not the Senator believe that the Marines should be supported by Marine Corps tactical aviation?

Mr. GOLDWATER. The Marines pioneered in this field. They are particularly adept at air support for tactical purposes in amphibious landings. I believe in these situations the Marines would be used before the Air Force units would be called in. However, by far the largest experience in tactical aviation has been in the Air Force. I do not recall how many tens of thousands of missions they flew in all the theaters of war in World War II. The Marines were pretty much confined to the Pacific actions, and then in Korea in support of ground forces. The Marine Corps, with all of their excellence—and I think they are superb—were confined to the experiences I have described.

Mr. TOWER. With the mobility of modern Navy airpower, does not the Senator believe that the Navy tactical air support can operate all over the world?

Mr. GOLDWATER. Not all over the world, because carrier-based aircraft is rather limited in range, nor has it developed the ability to refuel in the air to the extent that the Tactical Air Command of the Air Force has.

I believe that the combination of the Marines, the Navy, and the Air Force give us the flexibility in tactical aviation that forces me to say very emphatically that we do not need a fourth member of the team. The job is done for the Army, the Air Force, the Navy, and the Marines. Why, then, introduce another air force? That is particularly true when today we need supersonic aircraft. It would not be possible to use the subsonic clunkers that were used during World War II. I am surprised that the Howze report has not been aired to the public and to the Members of Congress. I am surprised that the Secretary of Defense would embark on such a venture, which is bound to arouse censure from anyone who thinks about military matters, without his first consulting Members of Congress.

Mr. TOWER. Was the Senator from Arizona sufficiently impressed by the technical competence of naval aviation as a result of his recent launching from a carrier and his landing on it?

Mr. GOLDWATER. I hold naval aviators in the highest esteem. That regard has now gone into orbit. I believe they are highly competent, as witnessed by the fact that the pilot with whom I flew, with my very poor radar operating in the back seat, was able to hit the three targets, one 48 miles away, and theoretically shoot down all three. The Navy flies an excellent airplane, their F-4, which the Air Force, in taking it over, is redesignating as the F-4C. I have flown it from land bases at speeds in excess of 2 mach, which is twice the speed of sound. It has fine characteristics. In fact, it is one of the finest new aircraft that I have flown in many a year. To give credit to the Navy for its development gives me a great deal of pleasure.

Mr. TOWER. I thank the Senator from Arizona. It gives the Senator from Texas a great deal of pleasure to hear a major general in the Air Force express his admiration for the superior caliber of naval aviation.

Mr. GOLDWATER. It is of a very high caliber. I would not go so far as to call it superior, because I do have a little feeling for the boys who fly in the Air Force. I am very glad indeed that a distinguished former member of the U.S. Navy should address these remarks to me on this subject.

Mr. TOWER. I thank the Senator.

ONLY IN AMERICA

Mr. HUMPHREY. Mr. President, on January 28 I placed in the Record a reprint of a Farmers Union Grain Terminal Association radio broadcast entitled "Definition of a Farmer." This program originally was broadcast by radio station KMA, in Shenandoah, Iowa.

Today I wish to call to the attention of my colleagues an article entitled "Only in America," published in the Washington Farmletter of January 28. Wayne Darrow, now in his 20th year of publishing the Farmletter, is among the most respected and knowledgeable farm editors in the country.

The Farmletter, published every week, presents an accurate appraisal of the overall agricultural scene.

Mr. Darrow's item "Only in America," begins by pointing out that while Americans are one of the few abundantly fed people in the world, they pay a smaller part of their income for food than any other industrialized country. Furthermore, to quote from one paragraph:

> Agriculture is close to being the Nation's biggest buyer of petroleum products, of motor vehicles, machinery and equipment, of chemicals, of electricity, and, naturally, of fertilizer and lime. Four out of ten jobs in business and industry depend on or are related to agriculture.

Mr. Darrow concludes the article:

> For every word of praise for his miracles, which are the envy of the world, he hears two about his morals—taking Government subsidies. Only in America would all this be taken with a straight face.

Mr. President, this is one of the best, one of the most concise, and one of the most factual short stories about American farmers that I have read. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

ONLY IN AMERICA

(By Wayne Darrow)

Americans are one of the few abundantly fed people in the world. They pay a smaller part of their income for food than in any other industrialized country, and in most others—20 percent compared to 42 percent in Japan, 45 percent in West Germany, and 56 percent in Russia.

America started as a nation of farmers. Time after time its agriculture has rescued the Nation in tough situations: Farm exports supplied the dollars to service European loans that built the cities after the Civil War. Farmworkers migrating to the cities replenished the labor force of industry after World War I immigration restrictions.

During the 1930 depression farmers sustained U.S. gross national output when industry cut it, and furnished a haven for millions of broke cityites. The cost to farmers and their families was enormous.

During World War II agriculture met all wartime demands for food and actually supplied civilians 12 to 14 percent more food than in prewar years. Despite shortages of labor, machinery, pesticides, and so forth, farmers were producing enough food to feed 50 million more people at the end of the war than in 1935–39 at the same dietary level.

Since World War II farm abundance has made farm exports one of America's best dollar earners in foreign markets (two-thirds of 1961–62 exports were for dollars), and has buttressed U.S. foreign policy with mountains of food—$2 billion worth annually in recent years.

It's a production miracle based on research with aid from industry in machines, equipment, chemicals, and so forth, adapted to the new technology.

Agriculture is close to being the Nation's biggest buyer of petroleum products, of motor vehicles, machinery and equipment, of chemicals, of electricity, and naturally, of fertilizer and lime. Four out of ten jobs in business and industry depend on or are related to agriculture.

The American farmer supplies more for less money and profit than any other major segment in the economy. He has more people looking over his shoulder telling him what he ought to do to be a good businessman, and a good American, than those in any other group. Many of his advisers are grandsons of those who spent 41 percent of their income for food in 1900.

One out of twelve Americans lives on a farm. For every 18 farms there is only 1 public employee engaged in some form of nominally agricultural work—USDA, extension, experiment stations, ag colleges, vo-ag teachers, State departments of agriculture, and State and county ASCS committeemen.

For every $12 in farm cash sales, $1 in Federal taxes is spent for price support and other farm programs primarily for benefit of farmers.

For every $12 net income farmers get, 12 years ago they got $15.

And for every word of praise for his miracles, which are the envy of the world, he hears two about his morals—taking Government subsidies.

Only in America would all this be taken with a straight face.

WAYNE DARROW.

U.S. SENATE YOUTH PROGRAM

Mr. HUMPHREY. Mr. President, last week the Senate sponsored a unique and highly successful experiment in citizenship education for 102 outstanding high school students from every State in the Republic and from the District of Columbia. The U.S. Senate youth program, as authorized by Senate Resolution 324 of the 87th Congress, provided these students with an intensive exposure to the operations of the Federal Government, with particular emphasis on the role of the Senate in our system of separated powers.

On the basis of my personal observation and the reports of the participants, this initial program proved to be a great success. The complete schedule of activities was introduced in the RECORD by my good friend the senior Senator from California [Mr. KUCHEL]. It was an impressive schedule. The students met with President Kennedy at the White House, and with Members of the Senate, the Speaker of the House, Justice White of the Supreme Court, the Secretary of State, the Secretary of Defense, and many other persons involved in the activities of the Federal Government.

More than half the Members of the Senate—a quorum by any Senate rule—attended a luncheon in honor of the students participating in the Senate youth program. This remarkable attendance was a clear demonstration of the Senate's support for the program and an indication of the high regard in which the Senators held those students selected by their respective States.

While the Members of the Senate may disagree on many policy issues, we are united in the realization that our country will be no stronger than its future leaders and no stronger than the durability of its constitutional processes. The Senate youth program contributed to the realization of both these objectives.

While it is naive to expect that a 1-week exposure to the working of the Senate, by itself, will produce future leaders of this Nation, it is nevertheless encouraging to see the positive reaction of these students to the processes of government they observed. Participants remarked to me that they had no conception of the excitement, satisfaction, and challenge connected with the task of governing this country, whether in the legislative, the executive, or the judicial branch. Every participant returns home with a new understanding of the importance of effective and responsible government in the survival of democracy as it exists here. This is a significant accomplishment.

When the Senate authorized this program last year, the William Randolph Hearst Foundation came forward with the necessary funds for its operation. I believe the trustees of the Hearst Foundation should be complimented for having the wisdom to support this fine endeavor. They have made a real investment in the future of this country; I hope it is an investment they will make again and again in future years. I particularly wish to compliment Mr. Randolph A. Hearst, chairman of the Hearst Foundation, and Mr. Ira Walsh, director of the Senate youth program, for their fine efforts.

The American Political Science Association also performed in its usual outstanding manner in organizing the program. As a former vice president of the American Political Science Association, I always take great pride in its numerous accomplishments and programs relating to the Congress. They scored another bullseye this time.

My good personal friend, Dr. Evron M. Kirkpatrick, executive director of the American Political Science Association, deserves the warm commendation of the entire Senate. Likewise, Mr. Don Tacheron, assistant director, and Miss Cora Prifold, administrative assistant, made outstanding contributions to the success of the program.

While the Senator from California and I were honorary cochairmen of the advisory committee, the distinguished junior Senator from Rhode Island [Mr. PELL] and the distinguished senior Senator from Kentucky [Mr. COOPER] were the working cochairmen. They rendered outstanding service and deserve our sincere thanks. The distinguished junior Senator from Nebraska [Mr. CURTIS] and the distinguished junior Senator from North Carolina [Mr. JORDAN] contributed their wise guidance and counsel as members of the advisory committee.

Since a list of the participants in the Senate youth program was printed in the RECORD last week, it is not necessary to have it printed again today. However, I desire to extend my personal congratulations to the two representatives from Minnesota, Miss Sandra Schuck, from St. Anthony of Padua High School, Minneapolis, and Mr. John Selstad, from Roosevelt Senior High School, Minneapolis. I had the pleasure of meeting both these outstanding young citizens on several occasions. They are highly intelligent, enthusiastic, and attractive representatives of the United States and Minnesota. John Selstad spent 1 full day in my office and Sandra Schuck spent her time in the office of my good friend and colleague, Senator MCCARTHY. I am not sure which office got the better deal. But I suspect that both Senator MCCARTHY and I were equally fortunate in having these young constituents spend 1 day in our respective offices.

I am sure every Senator shares my favorable evaluation of the Senate youth program. I can say without qualification that the first year was entirely successful. Moreover, I hope that the Senate youth program will become an annual fixture and tradition of this body. I can assure Senators that this tradition would never be outgrown or cast aside. In fact, it would be the best prescription in the world for keeping every Senator young in heart, in mind, and in spirit. Indeed, I look forward to next year's program with anticipation and enthusiasm.

Mr. President, in order that we may recall the exact purpose of the Senate youth program, I ask unanimous consent that Senate Resolution 324 of the 87th Congress be printed at this point in the RECORD.

There being no objection, the resolution (S. Res. 324, 87th Cong., 2d sess.) was ordered to be printed in the RECORD, as follows:

> Whereas the continued vitality of our Republic depends, in part, on the intelligent understanding of our political processes and the functioning of our National Government by the citizens of the United States; and
>
> Whereas the durability of a constitutional democracy is dependent upon alert, talented, vigorous competition for political leadership; and
>
> Whereas individual Senators have cooperated with various private and university undergraduate and graduate fellowship and internship programs relating to the work of Congress; and
>
> Whereas, in the high schools of the United States, there exists among students who have been elected to student-body offices in their sophomore, junior, or senior year a potential reservoir of young citizens who are experiencing their first responsibilities of service to a constituency and who should be encouraged to deepen their interest in and understanding of their country's political processes: Now, therefore, be it
>
> *Resolved*, That the Senate hereby expresses its willingness to cooperate in a nationwide competitive high school Senate youth program which would give several representative high school students from each State a short indoctrination into the operation of the United States Senate and the Federal Government generally, if such a program can be satisfactorily arranged and completely supported by private funds with no expense to the Federal Government.
>
> SEC. 2. The Senate Committee on Rules and Administration shall investigate the possibility of establishing such a program and, if the committee determines such a program is possible and advisable, it shall make the necessary arrangements to establish the program.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Without objection, it is so ordered.

MONEYMAKING G-MEN

Mr. TOWER. Mr. President, many persons are aware of the very fine job the Federal Bureau of Investigation does in apprehending criminals, recovering stolen property, and gathering evidence with which criminals are successfuly prosecuted. Many persons appreciate the dedicated service of the gallant men of the FBI and the very fine leadership which has been afforded that organization by J. Edgar Hoover. But probably very few persons realize that the FBI more than pays its own way. Actually, in the last fiscal year the FBI produced approximately $200 million from fines, savings, and recoveries, which amounted to approximately $70 million more than its annual budget.

I ask unanimous consent to have printed in the RECORD, as part of my remarks, an editorial entitled "Moneymaking G-Men," from the Washington Star of February 5, 1963.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MONEYMAKING G-MEN

> Senator DIRKSEN was not overstating the case when he said, "the record of the Federal Bureau of Investigation for 1962, under the diligent and expert leadership of J. Edgar Hoover, is truly spectacular."
>
> Everything in the record comfortably supports that description, including the conviction of 12,700 persons in FBI cases, the capture of 11,400 fugitives, and the recovery

of 19,000 autos. Yet even these achievements pale alongside another item Senator Dirksen might justifiably have described as supercolossal. This is simply that, in these days of sky's-the-limit Government spending, the FBI more than paid its own way.

Of course, the FBI has revenuemaking opportunities not found in every Government agency. But only by its efficiency was it able to produce more than $200 million from fines, savings, and recoveries. This amounted to some $70 million more than its annual budget. So among all the other reasons for being appreciative of Mr. Hoover's operatives, one must also not forget their spectacular solvency.

INQUIRY BY PREPAREDNESS INVESTIGATING SUBCOMMITTEE INTO CUBAN MILITARY BUILDUP

Mr. STENNIS. Mr. President, in view of recent speculations and discussions of the procedures which should be followed by the Preparedness Investigating Subcommittee in its inquiry into the Cuban military situation, I would like to make a brief statement on this subject.

With respect to the suggestions that the subcommittee hearings be held in public, I remind the Senate that, as chairman of the subcommittee, I have publicly announced that it would be our purpose to make public all facts to the fullest extent permitted by national security considerations. Senators may be sure that we fully recognize that the American people have a vital stake in this matter and have the right to be informed as fully as possible about this serious problem.

However, we must recognize that certain aspects of the hearings will unavoidably deal with matters of the highest sensitivity which directly affect our national security. In such cases, we will have no alternative except to hold our hearings in executive session. It will be our purpose, however, to hold open hearings whenever this is possible, and even when closed hearings are necessary we plan to work out a method whereby a sanitized version of the presentations to the subcommittee can be released.

This is a legislative investigation by a duly constituted legislative subcommittee. Under the circumstances, the subcommittee itself must be free to exercise its own sound discretion as to which hearings can be open and which must be closed. No person outside of the subcommittee can make this determination for us. It is obvious that if all hearings were opened, as some seem to advocate, the hearings will either seriously injure our security or else prove worthless, because witnesses, under the law, could not speak of their full knowledge.

In addition, I would like to say that I have taken note of the welter of charges and countercharges which have occurred in ever-increasing numbers since the subcommittee investigation was announced. Some of these have added to the already existing fog of doubt and uncertainty about the facts in this matter.

The subcommittee investigation has as its primary purpose the development of the true facts and the clearing away of the doubt and uncertainty. We are going to act just as vigorously and as expeditiously as possible in doing this. We want all of the facts and the entire truth to be known.

Therefore, if any person, either in or out of the Congress, has real, substantial and credible evidence which would be of value and assistance to the subcommittee in this matter I say now that we would like to have it as soon as possible. I must emphasize, however, that we are looking for hard and tangible evidence and not for unsubstantiated rumors and suspicions. Also, except in cases where this is clearly improper, we would expect the source of the information to be revealed—at least in the privacy of the subcommittee. We urge Senators or Representatives who may have valid information bearing on this subject to present it to us. We assure them it will be fully pursued.

CONDITIONS IN CUBA

Mr. TOWER. Mr. President, it is my hope that the lengthy debate on the Senate rules will come to a conclusion in the near future, because there are many matters of great importance which this body should take up and should look into, particularly in the areas of foreign affairs, national security, and defense of the free world.

I think the American people are becoming increasingly aware of the menace to the peace and security of this hemisphere that is posed by the Soviet arms buildup in Cuba. I believe the American people should also be aware that in this country there are a number of Cuban people who are dedicated to the proposition of returning to their homes and to the establishment in Cuba of a free society.

In my opinion, one of the most poignant articles I have seen on the plight of the Cuban refugee in this country was published on February 5 in the Washington Evening Star. The article was written by the very able and piercing analyst of foreign affairs and of our Nation's role in international politics, Eric Sevareid. In it he pointed out:

> The joy over the returned heroes of the Bay of Pigs was short lived; the fiery, promising words of President Kennedy in the Miami Stadium fade from the conversation or are repeated in ironic echoes. The demurrer of the Attorney General on the question of the air support came like a whiplash in their faces.
>
> The fact that they may be truly lost is beginning to penetrate.

Mr. President, I ask unanimous consent that the entire article may be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Next Door to the Cuban Tragedy—Exiles Will Live in a State of Suspension Till They Know They Can Return or Not

(By Eric Sevareid)

Key West.—This is where freedom comes to a point.

The southeastern tip of this southernmost fragment of the United States is a low stone seawall curving from the Navy installation, along the George Smathers public beach, past the Howard Johnson emporium, the long row of established fishing boats, and the Food Fair until Roosevelt Boulevard becomes Truman Avenue. At the corner of Truman Avenue and Margaret Street stands the Margaret Truman launderette.

Key West, part Spanish, part Anglo-American, is an architectural mish-mash of lovely, balconied New Orleans style frame houses lost in a neon-lighted nightmare of gas stations, shops, and joints. The tourists are few, middle-aged and middle-western. Youth consists of pairs and trios of bored U.S. sailors drifting along Duval Street under the eye of the shore patrol. The cars move at sedate speeds, the pelicans glide very slowly, and even gulls seem rarely to scream. It is the frequent jet fighter planes on patrol that supply the vigor and the sound.

The tip of freedom points toward Cuba which is closer than Miami, and easily penetrates the azure curtain of sea and sky. One has only to switch the television knob to channel five and Castro, communism, and the new songs of old Cuba, lyrics by ideologs, suddenly fill one's motel bedroom with clamor and tense reality. Nothing but the sea and the sky separate this place from the tragedy, ever present in the faces and the conversations of Cuban waiters, chambermaids, drivers, and fishermen all over this raddled spit of land.

From here the refugees are scattered, all the way up the keys, through and to the north of Miami, their mecca of desperation, their gathering and their festering place. There the complete agony is assembled out of its tens of thousands of human parts—the pride, the soul sickness, the blind but urgent hopes, the shapeless plans to somehow plan. The joy over the returned heroes of the Bay of Pigs was short lived; the fiery, promising words of President Kennedy in the Miami Stadium fade from the conversation or are repeated in ironic echoes. The demurrer of the Attorney General on the question of the air support came like a whiplash in their faces.

The fact that they may be truly lost is beginning to penetrate. They are a passionate people; they speak their bitterness as readily as they spoke their gratitude. The State of Florida and the Federal Government have an enormous and growing problem on their hands. Every living Cuban here asks himself and his friends the daily question, spoken or unspoken: Are we going back? There is no answer. If an official answer does come and it is affirmative, with evidence to support it, they will remain together and live only for the day of their return. If the answer is negative, they would explode, but sooner or later they would begin to dull the pain and to think in terms of assimilation to North American life. One way or another, their life would go on with some meaning and purpose. But today they exist in a state of suspension, their feet not on the ground nor their heads in the clouds. Prolonged, this will prove unendurable.

The other side of this coin is the dilemma of the U.S. Government. It can issue general assurances, as the President did in Miami, but it cannot support the assurance with public proof of specific plans. There is a difference between an official attitude and an official policy. For this slowly festering pool of displaced humanity there in Florida an attitude very soon will not be enough. A positive policy, even if short of armed invasion, but promising a specific schedule of pressures severe enough to realistically foreshadow Castro's downfall, would seem to justify the idea of a Cuban government-in-exile, for a host of useful purposes, including Cuban cohesion in Florida now and limiting the anarchy and fraternal violence in Cuba later.

It would also permit and inspire serious advance thinking here about the nature of the post-Castro Cuban political and social order. It is these formulations for the future that responsible Cubans here now wish to get on with. It is a new vision of Cuban life in liberty and social justice, thought out in some detail, that ought to be crackling through the airwaves now, to the ears of all within that island fortress. They ought to hear it night after night, as they now hear the mechanical drumbeat of communism's slogans, insults, and alibis. Where the vision is unstated, as where there is no vision, people perish, whether in their homes or abroad and seeking to find their homes.

THE GERMAN FEDERAL REPUBLIC

Mr. TOWER. Mr. President, recently the distinguished President of the German Federal Republic, popularly known as West Germany, addressed the people of the Soviet occupied zone. I should like to read the address delivered by Dr. Heinrich Lübke, the President of free Germany, because I believe it well expresses the sense, the will, the determination, and the preoccupation of the people of West Germany—indeed, the people of all Germany, East and West—who passionately desire a reunified Germany. In his address Dr. Lübke said:

> My dear countrymen in central Germany and East Berlin, for over 17 years central Germany has been under the totalitarian rule of a small minority, who, backed up by Soviet military power, stifles any impulse toward political and personal freedom. These functionaries have taken it upon themselves to direct the thoughts and actions of the population. Free elections, free speech, and the unfoldment of the personality, it is true, are familiar concepts to all of you, my countrymen. You, however, are denied the possibility of putting these concepts into practice.
>
> In 1962 this lack of freedom was aggravated by the disastrous effects of the regime's mismanagement of agriculture, trade, and industry. Of what use is your diligence, your expert knowledge, and your experience, if everything is thwarted by the incompetence of the functionaries of your regime? As a result of collectivization, central Germany, whose pride was once a prosperous agriculture, has suffered acute supply problems. In both urban and rural districts, there is a lack of the most basic necessities of daily life. Because neither parts nor raw materials can be procured, the machines have come to a complete standstill in some plants. The failure to meet the production quota of the national economic plan has to be compensated by overtime work and additional shifts. With the aid of the worker's council and trade unions, the workers in West Germany are able to negotiate with the management on equal terms. They can barely comprehend that you, who are represented by the so-called Free German Federation of Trade Unions, are forced to more than fulfill the standards, and that you are assigned ever greater working obligations, which exceed your strength, and that yet, your people do not reap any benefits from all this. Of late, it has come to the point that your children are not even allowed to choose the profession to which they are disposed. Instead they have to pursue professions, which will further the realization of the national economic plan. By the use of brutal and violent measures, the rupture of the intercourse between you and your fellow countrymen in the Federal Republic was effected. Since the erection of the wall, parents have been separated from their children, relatives from relatives, friend from friends. But we Germans, whether in the east, the west, the north, or the south of our fatherland, are and will always remain a spiritual community—therefore one nation. Your grief and your suffering, despite our forced separation, is our grief and our suffering as well.
>
> None of us know when the hour of freedom will strike. One thing, however, may be said: The aspirations of the Communists to make the division of Germany and of Berlin a permanent one and to keep 17 million Germans in bondage have diminished rather than increased during the course of the last year.
>
> Dear countrymen, in your fight for justice and for freedom you do not stand alone. In our talks with leading political figures, no stone is left unturned in our efforts to awaken interest in your destiny. Again and again we strive to convince the world that you, like all, must be granted the right of self-determination.
>
> Throughout the whole world, allies arise to defend your cause, especially where the checking of Communist expansion is concerned. In Berlin, in Cuba, at the Indian-Chinese border, your cause is being defended. It will fill you with hope to know that, despite all pessimistic forecasts, the freedom and independence of West Berlin was sustained throughout the past year. Firm resolution, patience, and the unity of the West, led to a success in the Cuban crisis. And when the time is ripe, these same qualities will regain Germany's freedom and unity.
>
> Several times each year I go to Berlin, the old, present, and future capital of Germany. Not least among my motivations is the desire, my dear countrymen, to show you that I am united to you in spirit.
>
> Our common goal is and remains an undivided free Germany. Let us hope that the year 1963 will bring us an important step closer to the attainment of this goal.

That concludes the address by the Right Honorable Dr. Heinrich Lübke, President of the German Federal Republic. It is my sincere hope that we as Americans will always be determined to join with them in any practical and effective effort to achieve the reunification of Germany under a free government.

CONDITIONS IN FOREIGN COUNTRIES

Mr. TOWER. Mr. President, our problems throughout this world are many. We have crises in virtually every corner of the globe. Today we have talked about Cuba and Germany. We must note, too, that we ourselves have contributed to some of the unstable conditions that exist in the great continent of Africa.

Troops of the United Nations have crushed Tshombe, Katangan leader, and the Belgian Congo is out of the headlines at the moment. The backers of our policy in the Congo are saying, in effect, "Nothing succeeds like success." But to anyone knowing the African situation, it is apparent that the defeat of Tshombe settles nothing. The situation in the Congo is chaotic and menacing. Our Government still is pursuing an African policy which parallels Communist aims and objectives, and which is inimical to the best interests of this country and of the so-called Dark Continent.

In the Congo we have backed Adoula, at best a neutralist and perhaps very far to the left. We have done so on the theory that, in some manner, we were thus preventing a head-on clash with Soviet Russia. At least, that is how I interpret the labored excuse we give for aggression. I could never understand the argument that in fighting Tshombe, we were in some hush-hush, mysterious way, fighting communism. I could never understand the contention that we should back independence for small areas all over Africa and deny independence to Katanga. I think our Government's explanation for our attack on Katanga is one of the lamest, most tortured, most unconvincing explanations of an official policy that I have ever heard. But this cannot gainsay the defeat of Tshombe, whose pro-Western sentiments have cost him dearly. After the U.N. victory, a victory by the agency created to keep the peace, the question arises: What next?

There are, in the Belgian Congo, the problems left by disorder, incompetency, and tribal animosities. There are more than 200 tribes in the Belgian Congo; total income is around $160 million annually, of which $80 million comes from the outside, but the Congolese are spending at the rate of $400 million a year. This country already has given the Belgian Congo about $170 million for nonmilitary assistance. We spent quite a hefty sum in helping defeat Tshombe, a figure which will run into the millions. Pretty soon, American taxpayers will be asked to pay more to keep up the Adoula government, as well as to pick up another tab for the U.N. Meanwhile, we have other troubles inside the Congo.

One of the strangest and most sinister developments dates back to last summer. From Léopoldville the Congo's Foreign Minister, Justin Bokombo, announced that his Government had donated an area about 75 miles northwest of Thysville, to be used as a training ground for guerrillas who planned—and still plan apparently—to invade Angola, a nearby Portuguese province.

Later, Holden Roberto, leader of the terrorist band which invaded northern Angola in March 1961, announced the formation of a government-in-exile to be based on Belgian Congo soil.

Still later, Amhed Ben Bella, Algerian leader and friend of Fidel Castro, announced he was ready to send troops to Angola as part of the continuing struggle against imperialism in Africa. After this announcement, made in a speech in Algiers, Ben Bella urged Arab unity, first among Tunisia, Morocco, and Algeria and then among all the Arab nations. This integration and unity is a favorite theme of the Egyptian dictator, Nasser. It portends Arab ambitions, which go very far indeed.

The Tunisians have indicated their cooperation in the effort to drive the Portuguese out of Africa. One of the leaders in the war on the Portuguese is Mario de Andrade, president of the movement for the liberty of Angola, has been in Algiers to recruit volunteers for the drive on the Portuguese.

Andrade is regarded as a Communist. The France Presse, French News agency, carried a story on Monday, February 4, 1963, about the opening of a headquarters for the MPLA, Andrade's Angolan faction, in Algiers. Ben Bella spoke and pledged aid to Andrade's outfit, comparing the fight the latter is making on the Portuguese to his own campaign against the French. At the ceremony, according to the news agency, were the Russian, Czech, and Red Chinese Ambassadors.

We are helping Ben Bella now, and only a few days ago Mennen Williams was in Algiers talking about more aid to the Algerian leader.

We are helping Adoula in the Congo, Tunisia, Ghana, and other countries in Africa which have indicated they will assist in the drive on our ally, Portugal. Thus we are underwriting a good part of the campaign to drive the Portuguese out of Africa. Some of our help seems to be going indirectly to Roberto and some to Andrade, the Communist, who has Ben Bella's backing. In any event, we are supporting Portugal's foes and, in so doing, are backing Communist goals.

Roberto and Andrade have been feuding, apparently over leadership of the rebel movement in Angola. But, while Andrade's ties to the Communists are well known and well documented, Roberto also has his links with the Reds.

The book "Africa's Red Harvest," by Pieter Lessing, journalist and African authority, charges that the Communists aided actively in the outbreak in Angola in 1961, an affair in which Roberto led the anti-Portuguese forces.

Lessing, whose reputation as an African authority is a very good one, says the uprising in Angola traced back to the arrival at Conakry, the capital of Guinea, of Daniel Semenovich Solod, as Soviet Ambassador in 1960. Solod got in contact with Roberto, de Andrade, and other anti-Portuguese leaders. Lessing states that the Guinean Russian Ambassador helped organize the attack on Angola and that Roberto, who became the leader, got both arms and funds from Communist sources. Prior to the invasion of Angola from the Congo, inflammatory Communist radio propaganda was beamed into the Portuguese African territories, including Angola. This went on for about 6 months prior to the attack on Angola by Roberto's terrorists in March 1961. The invaders tortured, raped, and butchered without mercy, sparing no one, regardless of age or sex. In the summer of 1961, Roberto was quoted in Le Monde, a Paris newspaper, as saying he ordered the slaying of women and children in Angola, feeling that such atrocities were necessary to drive out the Portuguese. Apparently, Roberto has never denied the interview.

We have, then, on the soil of the Belgian Congo, an armed camp, established for the purpose of invading the territory of a friendly nation, Portugal.

I should like to point out, Mr. President, that Angola is considered legally a part of Metropolitan Portugal. So, of course, any issues raised on Angola should properly be considered internal matters.

Undoubtedly, unless something intervenes, the attack will be made. If it does take place, I think Portugal, our NATO ally, will be justified in saying that this country has aided and abetted the attempt to drive the Portuguese out of Africa. The maintenance of the camp on the soil of the former Belgian Congo also is a violation of the U.N. Charter, but nowadays the Afro-Asian bloc, which controls the world organization, suffers from color blindness. The U.N., whose prestige is falling steadily, sees only the things the Afro-Asian bloc wants it to see.

While the U.N. did the fighting, the real power behind the drive against Tshombe was the United States. The real power behind Adoula is the United States. If we continue to support Adoula and to help maintain his government, we are cooperating, willingly or unwillingly, in the fight which is to be waged on an ally. This circumstance, together with events of the past, will lead the Portuguese to feel that this mighty country has conspired with its enemies to dismember it and to destroy their nation. Approximately 25 percent of European Portugal's export trade is with her oversea provinces. The bulk of this trade is provided by Angola and Mozambique.

If Angola and Mozambique are wrested from Portugal, the fall of the Salazar government is a possibility. The ousting of the Portuguese premier, strongly anti-Communist and stanchly pro-Western, long has been an objective of the Communists and the leftists. In turn, the succession of a pro-Communist government in Portugal is not unlikely. This is what happened in Cuba, which is one of the biggest headaches the United States has today. We withdrew support from Batista and caused his fall on the grounds that he was a dictator and a bad man. We got Castro instead. If it were to do over again, I suspect that some of our liberals, so prone to moral judgments, would be glad to reswap Cuban rulers, which, of course, is impossible.

Mr. President, let me say that I have no brief for dictators of the Batista stripe, but we seem to have a double standard of morality in our approach to totalitarian governments. We seem to feel that rightwing dictatorships are eminently bad, but that leftwing dictators are really humanitarian in their orientation and are far less oppressive and more popular among the people.

I submit that this simply is not true. However much we may despise dictatorship in any form, I submit that the leftwing dictators whom our country is supporting throughout the world are certainly no better than rightwing dictators. Actually rightwing dictators, for the most part, are pro-Western in their foreign policies. They do not seek to impose their political and economic systems on others who do not want them. They usually side with the rest, and therefore are not instruments of Communist encroachment in this world.

With the revelation that Castro was a Communist, something our State Department should have known, a furor arose over the responsibility for Fidel. As usual, it is difficult to get at the truth. There are many explanations, given with the benefit of hindsight, and the truth is obscured.

However, one thing is certain. Castro, who has turned his country over to the Communists, thoroughly approves of the drive by Ben Bella; Adoula; the Tunisian, Bourguiba; Nkrumah, the Ghanaian dictator; Khrushchev, and all the Communist world to force the Portuguese out of Angola. In the Washington Star of January 16, the Cuban dictator is quoted as follows:

> The liberating movement is fighting in Angola, in Vietnam, in Latin America, and this fight needs all the united force of the Socialist camp.

I am wondering whether our objectives coincide where Angola is concerned, with the aims of Castro. If so, the most we can hope for is another Belgian Congo—a country torn to pieces, chaotic, demoralized, and dependent upon the U.S. taxpayers.

Undoubtedly, the Portuguese also are wondering about our aims. About the time of the Angola terrorist invasion in March 1961, the U.S. delegation at the United Nations began voting against Portugal on the Angolan question. We even voted, in effect, to censure the Portuguese for defending themselves against Roberto's savages. This could be compared to condemning the west Texans for defending themselves against the Comanches in the 1860's and 1870's.

I am glad to say that, late in 1962, this country drew back from its anti-Portuguese position, at least at the U.N. We even opposed some resolutions aimed at Portugal by the Afro-Asian bloc at the U.N.

But, if Roberto's government-in-exile is to get Adoula's help and the help of Ben Bella, Tunisia and other violently extremist elements, Portugal may conclude—and with reason—that we are actively assisting the movement to free Angola, and also Mozambique another Portuguese African province, at a time when neither country has the capacity for self-government.

For all our claims of success and accomplishment, it is well known that the situation in the Belgian Congo is very bad indeed. In this week's U.S. News & World Report there appears an interview with George H. T. Kimble, an African specialist and author of the book, "Tropical Africa." In response to the question, "Now what have you got in the Congo?" he answered:

> You've got chaos, and you're going to have it for 30 or 40 years, unless the Belgians go back and finish the job they began. I know this sounds ridiculous to many people—they told me so, when I said it in the New York Times a couple of years ago.
>
> But what's more ridiculous than having 20,000 U.N. people in the Congo, who aren't proving anything except that Uncle Sam has got a bottomless purse? I gather he's putting in $150 million of the $300 million that have been spent in the Congo operation already. And what have we got for it? Not a thing—not even the confidence of the Congolese.

As I have said, Adoula is dependent upon the United States, as the United Nations is dependent upon the United States. If Adoula insists upon pursuing a reckless course and assisting actively in preparing for war on Angola, I wonder how far we will go in supporting him. According to Mr. Kimble, it will be a 30- or 40-year job, with our taxpayers called upon for many millions each year for Adoula and his henchmen.

We will be told, and in the not too distant future, that if we do not come forward with funds, dire things will happen in the Congo. It will be made to appear that a confrontation with Soviet Russia is imminent unless we pay millions and continue paying millions. But we have had a confrontation with Russia in Cuba and are having one now. Let us deal with a concrete situation instead of concerning ourselves with some vague shadowy and nebulous peril of the future. When we get the Russians out of Cuba, and when freedom is restored there, then will be the time to talk about the disasters that we are going to forestall in the Congo. But, may I comment that helping organize and pay for an army of terrorists to invade Angola, which is a part of our ally, Portugal, is not the way to head off calamity.

I think it is time we restore sanity for our foreign policy in Africa. The results of premature freedom for many countries are so plain that no outpouring of propaganda can hide them. Africa has been Balkanized and turned over to ambitious and, in many instances, unscrupulous politicians. Tremendous areas which have been freed are headed backward toward the jungle. Our only answer to the problems created is to continue to pour more money into quagmires which threaten to become bottomless. Our African policy is a horrendous failure. It will take years and billions before the continent will reach the stage of development that it had attained before the anticolonial frenzy began. I am not defending colonialism, but the transition should be made with some concern for the welfare of the African masses. As it is, the United States has waged a crusade against colonialism in Africa, regardless of circumstances, and the continent has suffered, will suffer, and is suffering as a result. This country's policy on colonialism has a strong element of hypocrisy in it. The deal by which we turned over Dutch New Guinea to Indonesia was brazen and shocking. We pressured the Dutch to get out of New Guinea, and then turned the natives of New Guinea, the primitive Papuans over to Indonesia, although the Papuans are not related to the Indonesians and do not want to be their underlings. The explanation, once again, was a lot of bewildering doubletalk.

If I were the Africans in the Congo, I would wonder about the aid which Ben Bella is so freely proffering. I would wonder what lies behind his offer to help drive the Portuguese out of Africa. Some of the Arab nations may also have their eyes on the wealth of the Congo. Some may regard themselves as the eventual masters in Africa. The relationship between the Arab and the Negro in the past has been none too harmonious. For the most part it has been the relationship between master and slave, with the Arab the master.

All policies must be administered with commonsense. A doctrinaire approach means trouble. Our anticolonial policy is sound in theory but Africa is long likely to regret its application.

We have approached African problems with a revivalist fervor; the natives were always right, the Europeans wrong. Now we need to pause and reflect. Do we want to demoralize the entire continent south of the Sahara? Do we want a situation which will require many years and billions from our taxpayers to handle? Do we want race war on a big scale? Or do we want to try to work out some constructive and mutually profitable relationship between the white and blacks? If so, the Portuguese African provinces are a good place to begin. The Portuguese have pursued a multiracial policy for years. The progress being made in Angola and Mozambique is tremendous indeed when compared to the deterioration in many parts of Africa.

Let us insist that Adoula dismantle the camp where the revolutionaries are training for a descent upon Angola. Let us stop working for Communist objectives in Africa. Let us stop working against our own interests. If we back the terrorist Roberto, or the Communist, de Andrade, we will turn Angola and Mozambique into an economic waste. As has been the case in the Belgian Congo, the work of generations will be wiped out. Today neither Angola nor Mozambique is costing us a penny. Tomorrow, they may well be on the growing list of new countries on our payroll.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. CLARK. Yesterday, the able, the senior Senator from Georgia [Mr. RUSSELL] expressed a sense of some confusion at the procedures into which the Senate had fallen. I should like to do what I can, in a few minutes before this important vote is had, to help the Senator from Minnesota and the Senator from New Mexico, who spoke yesterday, to dispel that confusion.

The proposition is very simple. It comes down to this: A majority of all the membership wishes to change the Senate rule respecting limitation of debate. A minority of the Senate, led by the able Senator from Georgia [Mr. RUSSELL], is determined to prevent that majority from acting. The majority is ready to act now, if permitted to do so. It has been ready to act ever since the middle of January.

Mr. HOLLAND. Mr. President, will the Senator from Pennsylvania yield for a question?

Mr. CLARK. No, I will not yield. I will yield when I have finished.

It now looks, however, as though that minority will be able, under the anarchic and chaotic procedures under which the Senate operates, to prevent action. Thus the same situation prevails in the Senate today as prevailed in 1917, when a little group of willful men kept a large majority of the Senate from passing a bill which President Wilson considered vital to the national security. So today, as Woodrow Wilson said then, the Senate of the United States is the only legislative body in the world which cannot act when its majority is ready for action.

The tabling motion, to which we who wish to change the rule have resorted, has often been used as a method of showing strength, as the able Senator from Minnesota [Mr. HUMPHREY] said yesterday. I suggest that the Senator from Georgia will not, by his vote in opposition to the tabling motion, deceive anybody. Every Senator knows that the Senator from Georgia is against changing the filibuster rule and is against permitting the proposed change to come to a vote on its merits. It will be a very simple thing for a member of the press or of the general public to separate the sheep from the goats on the motion to table, on which the Senate is about to vote. All that is necessary is to subtract the number of Senators from the old Confederacy from the total number of Senators who vote against tabling. The remainder, a majority of the Members of the Senate, want to change the rules.

I thank the Senator from Texas for his courtesy.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CLARK. I do not have the floor.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the Senator from Texas may yield to me for the purpose of my asking a question of the Senator from Pennsylvania and receiving an answer from him.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. TOWER. I yield to the Senator from Florida.

Mr. HOLLAND. I thank the Presiding Officer and the Senator from Texas.

Mr. CLARK. I am happy to respond to the Senator from Florida.

Mr. HOLLAND. I heard the Senator from Pennsylvania speak about a large majority. What happened to his large majority when the Senate voted the other day on the invidious proposal to draft a new cloture rule, which he said was constitutional?

Mr. CLARK. There was not a majority then; there is a majority today, as will appear in the next 15 minutes.

Mr. RUSSELL. Mr. President will the Senator from Texas yield me 1 minute, with the understanding that it will not affect his right to the floor?

Mr. TOWER. I yield to the Senator from Georgia.

Mr. RUSSELL. I merely wish to observe that, perhaps due to the fact that I am not able to understand and analyze the situation, instead of clarifying the matter, the statement of the Senator from Pennsylvania only made compounded confusion worse. I certainly do not understand exactly what anything anarchic has to do with the situation.

I can understand the frustration of Senators who have come here dedicated to the proposition that they wish to rewrite the rules of the Senate in their entirety. I assume that that was one of the platform planks of the Senator from Pennsylvania. He certainly has submitted resolutions with regularity. I congratulate him upon his being able to have one such resolution agreed to, namely, the amendment to rule XIX, which I was happy to support. I assure the Senator from Pennsylvania that whenever he submits another amendment to the rules which is consistent with the position of the Senate in our scheme of government, the Senator from Georgia will be glad to support him again. However, I am not going off chasing any mirages such as the Senator from Pennsylvania is endeavoring to lead the Senate to now.

Mr. TOWER. Mr. President, to illustrate that the issue of changing the rules is not a regional issue, I ask unanimous consent to have printed at this point in the Record excerpts from the weekly newsletter issued by the distinguished Senator from New Hampshire [Mr. Cotton]. Senator Cotton has made some excellent arguments for preserving rule XXII as it is.

There being no objection, the excerpts from the newsletter were ordered to be printed in the Record, as follows:

> For 4 weeks the Senate has been going through the old fight on tightening the rules to shut off debate. This happens at the beginning of each Congress and, as usual, gives rise to a grand chorus of condemnation on the air and in the press that the Senate fiddles while the country burns.
>
> These charges should be taken with a grain of salt. Actually, little time is wasted. One after another the President's messages have come down from the White House, the state of the Union message, the message on tax reduction, the message on education, the voluminous economic report, and, towering over them all, the proposed Budget of the United States. The bound volume of that budget lies on my desk as I write. It contains 1,259 pages, weighs 9 pounds, totals $99 billion—$11 billion per pound, $700 million per ounce.
>
> These recommendations have been assembled by a small army of "experts." As they reach the Hill, Members begin perusing them and professional staffs of a score of committees start their long task of breaking them down. In 4 weeks Congress couldn't even get its teeth into them. Four months is not enough. No important legislation could have reached the Senate. Indeed, last year after we had finished our annual go-round on the rules, 80 days elapsed before the tide of legislation began to reach the Senate floor. So don't be too horrified at the spectacle of a rules debate. Behind the scenes the Senate is already at work.
>
> Much of the rules controversy is a repeat performance. In 1959 I voted to amend the rules so that only two-thirds of Senators present is required to close debate, rather than two-thirds of the whole membership. I am unalterably opposed to further change.
>
> The stock arguments advanced for breaking down the rules don't hold water.
>
> It is alleged that present rules slow up legislation. That is a virtue rather than a fault. Only 16 years have passed since I came to Congress. Yet, during that period 126,903 bills have been introduced, 13,290 have become law. The constant torrent of bills must be held in check. We have too many laws, not too few.
>
> It is claimed that filibusters block necessary legislation. The record doesn't prove it. In the public mind filibusters are identified with civil rights. Yet, strong civil rights bills were passed in each of the last three Congresses under present rules.
>
> The U.S. Senate is about the last spot where small minorities cannot be smothered by huge majorities. Freedom of debate permits even a few Senators, fighting for a principle, to stay execution long enough for an aroused public opinion to rally to their support. Last year I pointed out how precious this is to the smaller States. New York has 41 Congressmen, New Hampshire but 2. In the Senate, however, we have the same voice, and how a Senator from New Hampshire could ever vote to stifle that voice is beyond me.
>
> But in this 88th Congress there are new and compelling reasons for preserving free debate. A topheavy majority is getting set to jam programs through the Congress which could be the last step in destroying the sound economy and industrial supremacy which has been the mainspring of the United States. Each page we read in the tax message points up one fact. Our economy is slipping, and even this administration knows it. The remedy offered is not a sound and sensible diet of less spending to permit real tax relief, but a wild gamble that less taxing, more borrowing, and more lavish programs at home and abroad may excite greater production, a shot-in-the-arm, antidepressant treatment that speeds us toward the fate of all drug addicts.
>
> Freedom of debate is one means by which an outnumbered opposition can hold back this juggernaut and get the facts to the people. The majority knows this. It's the real spark in this year's rules fight. Civil rights makes nice window dressing, but the real purpose in curtailing debate is to grease the wheels for a quick blitz to the New Frontier.

Mr. MANSFIELD. Mr. President, will the Senator from Texas yield to me, with the understanding that he will not lose his right to the floor; that when he resumes his speech it will not be counted as a second speech; and with the understanding that at the conclusion of the action I intend to propose he will once again have the floor?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. TOWER. Mr. President, with that understanding, I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I should like to yield 2 minutes to the Senator from California and then to have a brief quorum call before the motion to lay the pending motion on the table is made.

Mr. KUCHEL. Mr. President, 50 Senators have signed a statement asserting their desire that rule XXII be changed. The statement containing those 50 signatures is in the possession of the Senator from Minnesota [Mr. Humphrey], who will file the statement with you, Mr. President.

In addition, the distinguished majority leader has said he favors a change in rule XXII. Others have done likewise.

Thus we have a strange, paradoxical, and hypocritical situation, in which a clear majority of the Members of the Senate want to vote for a change in the rules but are prevented from doing so.

In a few minutes, the Senate will vote on the motion to table the pending motion. What that action will prove or disprove, Heaven alone knows, for I am told that the distinguished Senator from Georgia [Mr. Russell], who opposes a change in the rules—as he has a perfect and complete right to do—has stated that he will join the rest of us in voting against the motion to table the pending motion.

All I say is that the people of the United States ought to understand clearly that a majority of Senators want to eliminate the filibuster and want to change the rules of the Senate so that we may accomplish that purpose, but at present are frustrated and thwarted by a minority in our earnest desire to do so.

Mr. RUSSELL. Mr. President, who has the floor?

Mr. MANSFIELD. I have the floor.

Mr. RUSSELL. Mr. President, will the Senator from Montana yield me 1 minute?

Mr. MANSFIELD. I yield 1 minute to the Senator from Georgia.

The VICE PRESIDENT. The Senator from Georgia is recognized for 1 minute.

Mr. RUSSELL. Mr. President, I shall, of course, vote against the motion to table, even though it may find me in strange company in some respects, because the motion to table would summarily cut off debate.

I have not seen the statement to which the Senator from California adverted. If it merely states that the undersigned Senators favor a change in rule XXII, I can assure them that I shall be glad to sign the statement, if they will give me the opportunity.

I favor a change in rule XXII. I think the Senate made a serious mistake when it modified that rule from two-thirds of the Senators chosen and sworn to two-thirds of the Senators present and voting. If the statement merely recites that the Senators who have signed it favor a change in rule XXII, I think I can drum up a few additional signers to add to the 50 Senators who it is said have already signed.

Mr. HUMPHREY. Mr. President, will the majority leader yield me 2 minutes?

Mr. MANSFIELD. Mr. President, I yield 2 minutes to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I am pleased that the Senator from Georgia has made inquiry about the petition or statement which will now be filed with the U.S. Senate as a part of our proceedings. I wish to read the statement, which has been signed by 50 Senators. The purpose of the statement has been supported by an amendment of the distinguished Senator from Vermont [Mr. Prouty].

As has been indicated, the majority leader said that he favors a modification of rule XXII to provide for a three-fifths vote.

I read the statement:

> We, the undersigned Members of the U.S. Senate of the 88th Congress, are in favor of a change in rule XXII of the standing rules of the Senate, to provide for cloture after full and fair debate by the affirmative vote of a lesser number of the Senators present and voting than is provided by the present rule, and we will support such a change in the rule if given an opportunity to vote thereon.
>
> Philip A. Hart, Joseph S. Clark, Jr., Paul H. Douglas, Hiram L. Fong, H. A. Williams, Wayne Morse, K. B. Keating, Thomas H. Kuchel, Gaylord Nelson, Vance Hartke, Birch Bayh, Edward Kennedy, Hubert Humphrey, Clinton P. Anderson, Clifford P. Case, J. K. Javits, Hugh Scott, Clair Engle, William Proxmire, Quentin Burdick, Daniel Brewster, Thomas J. Dodd, Thomas J. McIntyre, Stephen M. Young, Pat McNamara, J. Glenn Beall, Thruston B. Morton, Stuart

Symington, Eugene McCarthy, Abraham Ribicoff, Maurine Neuberger, Lee Metcalf, Henry M. Jackson, Jennings Randolph, Edward Long, George McGovern, J. Caleb Boggs, John Sherman Cooper, Edmund S. Muskie, Frank E. Moss, Estes Kefauver, Frank Church, John O. Pastore, Claiborne Pell, Warren G. Magnuson, Peter H. Dominick, Gordon Allott, James B. Pearson, Ralph W. Yarborough, Frank Carlson, Jack Miller.

This statement sets forth unequivocally that the 50 Senators who have signed it—as well as others who have indicated support of it—want a lesser number of Senators than those provided by the present rule to be able to apply cloture and bring debate to a conclusion.

This signed statement demonstrates that the trend begun in 1953; namely, a steady increase of strength among those Senators supporting a more liberal cloture rule, has been sustained in 1963. I predict the tide will continue to rise in future Congresses. We look to the future with confidence.

I regret that there will not be a chance for a vote to be taken on that proposal, in connection with the Anderson resolution; but it appears that such an opportunity will be denied us. However, I ask unanimous consent that all the names of the Senators who have signed the statement be printed at this point in the Record.

The VICE PRESIDENT. Without objection, that will be done.

Mr. RUSSELL. Mr. President, will the Senator from Montana yield 1 minute to me?

Mr. MANSFIELD. I yield.

Mr. RUSSELL. Of course, Mr. President, now that I have heard the statement read, I shall have to withdraw my offer to volunteer in the interest of law and order and reason and justice. [Laughter.]

But I wish to say that after some of the statements I have heard in regard to "the large majority" in favor of this, that, or the other proposal, I shall have to revise my understanding of mathematics, because I have never understood that 50 is a majority of 100.

Mr. HUMPHREY. Mr. President, if the Senator from Montana will yield——

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. Let me say that the Senator from Vermont [Mr. Prouty] has a resolution which calls for the adoption of a rule to permit cloture to be applied by the affirmative votes of three-fifths; and the majority leader has indicated that he will support such a modification of the rule and there are other Senators who have indicated they will support it.

I merely say that if 51 votes can be obtained in the Senate for any measure, they will constitute a working majority, except in the case of matters subject to the constitutional requirement for a two-thirds vote.

Furthermore, I know that many Members of the Senate would be delighted to have a 51-percent majority in any election.

Mr. RUSSELL. Mr. President, at the beginning of this debate we heard talk about "a large majority." Now we are told of "a majority of 50." Certainly I am delighted to find that we are making such fine progress. In fact, Mr. President, I hope that before this debate is over, the proponents will be able to obtain a "one-third majority." [Laughter.]

Mr. MILLER. Mr. President, will the majority leader yield 1 minute to me?

Mr. MANSFIELD. I yield.

Mr. MILLER. I wish to point out that I was not solicited to sign the paper which has just been presented to the Senate. If I had been, I would have been pleased to sign it.

But I point out, as a warning, that I have an amendment—No. 2—to the Anderson resolution; and that amendment involves a very important principle which I would want understood in connection with any rule change proposal.

But undoubtedly some differences of opinion exist among the signers of the paper to which the majority whip has referred. I suggest this for the consideration of Senators.

Mr. LAUSCHE. Mr. President, will the majority leader yield one-half minute to me?

Mr. MANSFIELD. I yield.

Mr. LAUSCHE. Mr. President, I favor a change in the rule. But I did not subscribe to the petition, because I do not favor the procedure of circulating petitions and asking Senators to sign them. Whatever I have to develop, I will develop on the floor of the Senate, without resort to the scheme of circulating petitions in order to compel Members to say either "yes" or "no" on the issue involved.

Mr. HOLLAND. Mr. President, will the majority leader yield briefly to me?

Mr. MANSFIELD. I yield only one-half a minute to the Senator from Florida, for I should like to keep my word by submitting the tabling motion at this time.

Mr. HOLLAND. Mr. President, I wish to call attention to the fact that the very wording of the statement which has been read shows that there is still a division of opinion among Senators who say they want a change made in the rule; and they are divided into at least three groups, as follows:

First, the group of Senators who want the rule changed so as to provide that cloture may be applied by the affirmative votes of three-fifths of the Senators present and voting.

Second, the group of Senators who want the rule changed so as to provide that cloture may be applied by the affirmative votes of a majority of the constitutional membership of the Senate.

And, third, the group of Senators who want the rule changed so as to provide that cloture may be applied by the affirmative votes of a majority of a quorum of the Senate—or as few as 26, if only 51 Members are present.

I am of the opinion, Mr. President, that no substantial group of Senators—certainly not a majority of the Members of the Senate—seeks to have any specific course followed; and I point out that that is shown quite clearly by the very wording of the paper which has been read.

Mr. RUSSELL. Mr. President, will the Senator from Montana yield once more to me?

Mr. MANSFIELD. I yield one-half minute to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I wish to refresh the recollection of Senators about the matter of circulating papers to be signed by Senators. I recall that when the so-called Bricker amendment was up on the floor of the Senate, some 63 signatures of Senators were obtained in its favor; but after that matter had been debated for 3 or 4 or 5 weeks, when the vote was taken, it was found that 12 of those who signed, Senators who had signed, then voted against the Bricker amendment.

Mr. HUMPHREY. Mr. President, will the Senator from Montana yield one-quarter of a minute to me?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. Let me say that the 51 signatures now on the petition were obtained after the 4 weeks of debate, not before it, and that we are prepared to concentrate our attention on a change to three-fifths of the Senators present and voting.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum is suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I move that the pending motion be laid on the table; and on this question I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second to the request for the yeas and nays?

Obviously there is a sufficient second; and the yeas and nays are ordered.

The question is on agreeing to the motion of the Senator from Montana that the motion of the Senator from New Mexico [Mr. Anderson] that the Senate proceed to the consideration of his resolution, Senate Resolution 9, be laid on the table.

On this vote, those in favor of adoption of the motion will vote "yea"; those opposed will vote "nay."

The clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. Bartlett] is absent on official business.

I also announce the Senator from Michigan [Mr. Hart] is absent because of illness.

I further announce that the Senator from North Carolina [Mr. Jordan] is necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Michigan [Mr. Hart], and the Senator from North Carolina [Mr. Jordan] would each vote "nay."

The result was announced—yeas 5, nays 92, as follows:

[No. 20 Leg.]

YEAS—5

Dirksen
Gore
Saltonstall
Smathers
Young, N. Dak.

NAYS—92

Aiken
Allott
Anderson
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dodd
Dominick
Douglas
Eastland
Edmondson
Ellender
Engle
Ervin
Fong
Fulbright
Goldwater
Gruening
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Scott
Simpson
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—3

Bartlett
Hart
Jordan, N.C.

So Mr. Mansfield's motion to lay on the table was rejected.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it take a recess to meet at 10 o'clock tomorrow morning.

The VICE PRESIDENT. Is there objection to the request by the Senator from Montana? The Chair hears none, and it is so ordered.

TIME FOR VOTING ON CLOTURE PETITION

Mr. RUSSELL. Mr. President, I wish to submit a parliamentary inquiry.

If the Senate convenes tomorrow at 10 o'clock, does that mean that the vote on the cloture petition will be taken at 11 o'clock?

The VICE PRESIDENT. Paragraph 2 of rule XXII states:

> One hour after the Senate meets on the following calendar day but one—

The Presiding Officer—

> shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:
>
> "Is it the sense of the Senate that the debate shall be brought to a close?"

Mr. RUSSELL. The vote would be at 11 o'clock. I thank the Presiding Officer.

The VICE PRESIDENT. A quorum call must precede the vote. The Senator from Texas has the floor.

Mr. ANDERSON. Mr. President, I should like to ask the majority leader about the vote. I believe the majority leader previously said the vote would occur at 1 o'clock. There are some Senators who understood the vote would occur at 1 o'clock. I wonder if this makes any difference.

Mr. MANSFIELD. There was no indication, so far as the leadership was concerned, that the vote would be taken at 1 o'clock. It was stated in precise terms on several occasions that this week the Senate would meet at 10 o'clock each morning. The rule, of course, provides, as the Vice President has announced, that the vote on the cloture petition will occur 1 hour after the convening of the Senate, with 1 day in between, after the filing of the cloture motion.

Mr. ANDERSON. I hope the majority leader will check the Record. It seems to me that I recall the Senator said the vote would take place at 1 o'clock.

Mr. MANSFIELD. No; I did not.

Mr. ANDERSON. I may be mistaken.

Mr. MANSFIELD. Nearly every Senator is present at the moment. What the Senator from New Mexico has stated will, of course, reinforce what has already been said. All Senators are on notice once again.

If any Senator is required to be absent because of extreme difficulty, the leadership will try to obtain a live pair for that Senator.

Mr. ANDERSON. I have no objection. I thought if the majority leader had made an announcement, he would not wish to be caught in a mistake. If that is satisfactory to the majority leader, it is satisfactory to me.

Mr. MANSFIELD. I thank the Senator.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. DIRKSEN. I think the majority leader made the suggestion that the Senate would meet at 10 o'clock, in advance of the time for the vote, so that Senators who might want to leave the city for Lincoln Day speeches could get away earlier.

Mr. MANSFIELD. If a second cloture petition is filed and if the Senate has to meet on Saturday, it will meet early. I would suggest, at the moment, the hour of 8 a.m.

THE DODD-COOPER EQUAL VOTING RIGHTS BILL

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the Record an editorial from the Washington Evening Star under the caption "The Right To Vote," which comments on the Dodd-Cooper equal voting rights bill.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Right To Vote

President Kennedy has said that literacy tests to determine whether a person is qualified to vote are iniquitous. But this is not necessarily so.

What may be and, indeed, what doubtless has been iniquitous is the discriminatory manner in which literacy tests have been given in some States. When a double standard is maintained, one for whites and one for colored people, the result clearly is an unconstitutional form of discrimination.

This evil can be removed, however, without resort to Federal legislative devices which are of doubtful constitutionality in their own right, and which prescribe an arbitrary but often meaningless test of literacy. One of these is the administration's proposal last year that a sixth grade education be fixed as conclusive proof of literacy for voting purposes. If voting is thought of as a responsibility as well as a privilege, very few sixth graders of our acquaintance have the desirable qualifications. And certainly it is absurd to contend that all of them have. Some can barely read and write.

The only argument which can be made for this administration project is one of expediency. It would make it easier to enforce the right to vote of qualified persons who might otherwise be discriminated against. But the expedient way is seldom the best. And we think that there is more to be said for the remedy suggested by Senator Dodd, Democrat, of Connecticut, and Senator Cooper, Republican, of Kentucky.

They have introduced a bill which would prohibit literacy tests in any election for a Federal office unless (a) the same practices are followed in administering and grading the tests of all individuals, (b) the test is given in writing, or the questions and answers are transcribed verbatim, and, (c) upon request, a certified true copy of the questions and answers given is furnished to the individual within 30 days. Their bill also provides that immaterial errors shall not be used to deny the right to vote.

It seems to us that there is much to recommend this bill. It does not attempt to prevent the States from using literacy tests, provided only that they are fairly and impartially administered. And it has a reasonable chance of being enacted by this Congress.

HONORARY CITIZENSHIP FOR WINSTON CHURCHILL—ADDITIONAL COSPONSORS

Mr. RANDOLPH. Mr. President, earlier in the session I introduced, for the consideration of this body, Senate Joint Resolution 3, which would confer honorary citizenship of this Republic on Winston Churchill of Great Britain .

I ask unanimous consent that at the next printing of the bill the names of the Senator from Alaska [Mr. Gruening], the Senator from Vermont [Mr. Prouty], and the Senator from Texas [Mr. Tower] may be added as cosponsors.

It is gratifying to have the cooperation of these colleagues in this meaningful matter.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZATION FOR CERTAIN WITNESSES TO TESTIFY IN THE CASE OF THE U.S. v. THOMAS H. KEEGAN

Mr. McCLELLAN. Mr. President, from the Committee on Government Operations, I report an original resolution, and ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk proceeded to read the resolution (S. Res. 82).

Mr. McCLELLAN. Mr. President, I ask unanimous consent that further reading of the resolution be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McCLELLAN. I make this brief explanation. The U.S. attorney in Chicago, Ill., has requested the attendance in court of two witnesses who were temporarily members of the staff of the Senate Permanent Subcommittee on Investigations, so they may testify in the criminal case referred to in the resolution, which is pending in the court to which the resolution refers.

This is the usual, customary resolution which is adopted by the Senate in these cases.

Mr. ANDERSON. Mr. President, a parliamentary inquiry. We have been working under a gentlemen's agreement that we would not transact business because of the situation with regard to the rules. I have no objection to what the Senator from Arkansas is suggesting, if he could protect the situation on the floor so that it would not affect the present controversy on the rules.

Mr. McCLELLAN. What situation did the Senator intend to protect? I understood I had unanimous consent. If not——

Mr. ANDERSON. I do not desire to interfere at all with the Senator from Arkansas. We started off at one time to discuss a situation in which it was stated that no business was to be transacted. We have transacted certain items of business. I ask unanimous consent that whatever action is taken on the suggestion of the Senator from Arkansas shall not prejudice in any way the parliamentary situation on the floor.

Mr. McCLELLAN. Mr. President, I join in that request. I thought that was understood. I join in that request.

The VICE PRESIDENT. The Parliamentarian informs the Chair that business has previously been transacted, and all Members should be on notice to that effect. A like resolution submitted by the Senator from Mississippi [Mr. EASTLAND] was agreed to without any such reservation.

Mr. McCLELLAN. I did not seek to prejudice anyone's rights. I simply thought it was a matter which should be attended to.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 82) was considered and agreed to, as follows:

Whereas the case of the *United States of America* v. *Thomas H. Keegan*, Criminal Action No. 61–Cr–487, is pending in the United States District Court for the Northern District of Illinois, Eastern Division; and

Whereas the United States attorney for the northern district of Illinois has requested that Carl M. Schultz and Gerald G. Gotsch, former staff members of the Senate Select Committee on Improper Activities in the Labor or Management Field, appear as witnesses during the trial of the aforementioned case; and

Whereas the United States attorney for the northern district of Illinois has requested certain documents of the said former Select Committee on Improper Activities in the Labor or Management Field to be used in connection with the aforementioned proceeding; and

Whereas the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations, has in its possession, by virtue of S. Res. 255, section 5, Eighty-sixth Congress, the files and records of the former Senate Select Committee on Improper Activities in the Labor or Management Field, including those requested by the said United States attorney in connection with the aforementioned criminal proceeding; and

Whereas by the privileges of the Senate of the United States no document under the control and in the possession of the Senate of the United States can, by the mandate or processes of the ordinary courts of justice be taken from such control or possession but by its permission; and

Whereas by the privilege of the Senate and by rule XXX of the Standing Rules of the Senate, no document shall be withdrawn from its files except by the order of the Senate; and

Whereas information secured by the staff employees of the Senate pursuant to their official duties as employees of the Senate may not be revealed without the consent of the Senate: Therefore be it

Resolved, That Carl M. Schultz and Gerald G. Gotsch, former staff members of the Senate Select Committee on Improper Activities in the Labor or Management Field be authorized to appear and testify at the aforementioned proceeding; and be it further

Resolved, That the Chairman of the Permanent Subcommittee on Investigations of the Committee on Government Operations is authorized to comply with the aforesaid requests and deliver the requested documents in the possession of the said committee to the said United States attorney for use in the aforementioned proceeding.

EXTENSION OF TIME FOR PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON GOVERNMENT OPERATIONS TO REPORT

Mr. McCLELLAN. Mr. President, I ask unanimous consent for permission for the Permanent Subcommittee on Investigations of the Committee on Government Operations to file reports concerning last year's work after January 31, 1963, which is the deadline under Senate Resolution 250.

There are three reports which involve the Department of Agriculture handling of pooled cotton allotments of Billie Sol Estes, pyramiding of profits and costs in the missile procurement program and American Guild of Variety Artists. These reports have been drafted and will be submitted very soon to the committee for study. I ask for a delay until the first of April in order that adequate consideration may be given to the reports by the committee members.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSOR

Mr. McCLELLAN. Mr. President, I ask unanimous consent that at the next printing the name of the junior Senator from Utah [Mr. MOSS] be added as a cosponsor to the bill (S. 537) amending the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States, submitted by me on January 25, 1963. Together with the original cosponsors, there are now 76 Senators who have joined with me in the introduction of this important and urgently needed legislation.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McCLELLAN. Mr. President, I also ask unanimous consent that an editorial which appeared in the Washington Evening Star, on February 4, 1963, entitled "Time To Modernize," in support of this bill, be incorporated in the body of the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TIME TO MODERNIZE

Senator MCCLELLAN, of Arkansas, is supported by 75 other Senators, three-fourths of the membership of that Chamber, in sponsoring legislation to establish a Joint Committee on the Budget. The merit of the proposal is obvious, and, in fact, the need is great. It is not a partisan project, and on five previous occasions the Senate has approved similar legislation. In all cases, the House has declined to follow suit.

The function of such a committee, in brief, would be to coordinate and simplify the consideration of appropriation requests from the executive branch and to improve congressional surveillance over the expenditure of public funds. It is astonishing that such objectives, or any thoughtful proposals for attaining them, could be narrowly controversial. They have been, largely because of the point of view of the House, based upon custom and its own interpretation of the Constitution, that all money legislation must originate in that branch. In practice, as a consequence, both branches have held separate appropriation committee hearings and in other ways have operated so independently as to involve duplication of effort, waste of time and, in the end, excess of appropriations and a waste of money. The day of $100 billion Federal budgets is at hand and errors in budget "guesstimating" involve increasingly greater sums of money—usually on the deficit side, and this with the national debt moving constantly higher.

Authorization for the joint budget committee procedure exists in law, in the Legislative Reorganization Act of 1946, but has never been implemented. The McClellan bill proposes it on a streamlined and workable basis, starting with a 14-member committee that would be made up of 7 members from the appropriations committees from each branch. The most useful feature, however, would be the creation of a professional technical staff such as that which has functioned with unquestioned success in the Joint Committee on Internal Revenue Taxation. On tax legislation, this system has not led to any infringement of the rights and privileges of each branch of Congress. There is no reason to believe it would do so on appropriation measures. It is time for Congress to update its method of dealing with the public funds. The plan offered by Senator MCCLELLAN and his associates is a good way to start.

GARRISON DIVERSION UNIT—ADDITIONAL COSPONSOR OF BILL

Mr. BURDICK. Mr. President, I ask unanimous consent that the name of the senior Senator from South Dakota [Mr. MUNDT] be added as a cosponsor to S. 178, commonly known as the Garrison diversion unit measure, at the next printing of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER OF BUSINESS

The VICE PRESIDENT. Does the Senator from New Mexico desire to have his request put to the Senate, in view of the fact that other business has been transacted from time to time, since the very first day, without any special reservation?

Mr. ANDERSON. I merely wanted to have the Record clear that we were not prejudicing the situation which exists.

THE CUBAN SITUATION

Mr. HOLLAND. Mr. President, I wish to comment on the very serious problem of the relationship of the United States with the Cuba of Fidel Castro, and quite possibly the Cuba of Nikita Khruschev.

At the moment there is decided disagreement within the Government itself as to the exact status of the Russian military buildup in Cuba. This apparent lack of adequate military and diplomatic intelligence is dangerous to every American. It particularly troubles the citizens of my State since Florida is in the geographical position of being just 90 miles, less than 10 minutes by jet aircraft, from the site upon which a shooting war might possibly erupt.

But this on-target position is only a part of the problem. Ever since, for the first time in history, the United States became a "country of first refuge," Florida and its citizens have borne the brunt of the refugee problem. For more than 2 years the people of my State have carried the principal load created by a problem not of our making. While we have been more than glad to perform with the typically humane and generous behavior that marks the average American in extending all possible assistance to unfortunate refugees, Florida would welcome accelerated relocation of refugees to other parts of the country. Secondly, its citizens would like to have the assurance of protection from imminent attack which can come only through possession of accurate and timely military intelligence plus an immediate return to the firm policy invoked by the President last fall which gave us then some feeling of security.

The lead editorial in the Monday, February 4 edition of the Tampa Tribune, one of my State's great daily newspapers, contains strong and needed words on this subject from which I would like to quote at this time. Before doing so, however, let me say that the Tribune has always taken a bipartisan attitude on national affairs and is not a habitual critic of either the Democratic Party or the present administration. Most importantly, Tribune editorials almost invariably reflect the thinking of large numbers of its many thousands of readers.

In an editorial entitled "A Monument to Failure" the Tribune stated, in part:

> Fidel Castro has turned up in a new role. As a patron of the arts, he has scraped up $15,000 in prize money and has invited architects the world over to submit designs for a $2 million monument commemorating the unsuccessful Bay of Pigs invasion.
>
> When it is completed it will stand not only as a memorial to the Bay of Pigs fiasco but as one to the miserable failure of the United States to deal effectively with what now has become an entrenched Communist bridgehead in the Western Hemisphere.
>
> Despite White House denials that there has been a recent Soviet "military influx" into Cuba evidence accumulates that the Russians are continuing to strengthen their Cuban arsenal and that the United States is doing nothing about it.
>
> While the Pentagon and State Department shrug off such reports, they are largely supported by stories of refugees coming out of Cuba who say that both Russian troops and arms continue to pour into the island.
>
> One might feel more confidence in the Government's intelligence reports had not their shortcomings been evident during the missile buildup last fall.
>
> Defense Secretary McNamara told a congressional committee late last week that the Russian missiles were secretly loaded and transported to Cuba in the holds of large Soviet ships.
>
> "Since all the strategic missile-associated equipment, such as erectors and transporters, and the missiles themselves were concealed in the holds of the ships and unloaded under the cover of darkness, and under most stringent Soviet-controlled security restrictions, photographic surveillance at the time was unable to discover the initial introduction of offensive missiles into Cuba."
>
> How can the Pentagon be so certain that the same technique is not now being employed to smuggle arms and perhaps missiles into Cuba?
>
> Even if Pentagon estimates are accepted, we know that there are 17,000 or more Soviet troops in Cuba. We know that the Soviet arsenal contains a wide variety of ground-to-air missiles, all manner of tanks, artillery, trucks, ammunition, patrol boats and approximately 150 fighter planes.
>
> Secretary of State Dean Rusk concedes "a significant Soviet military presence in Cuba which is of great concern to the United States." But the Kennedy administration is doing precious little to relieve this concern.
>
> It has failed to put into effect the regulations, drawn before last fall's showdown with Russia, designed to strangle Cuba's economic life by curtailing shipping.
>
> It has done no more than express interest in a proposal by Costa Rica for the establishment of a Cuban government-in-exile to spearhead the eventual overthrow of the Castro regime.
>
> It has restrained Cuban refugee groups seeking to continue harassing attacks on Castro's fortress.
>
> There is no indication that it is supplying or helping build anti-Castro guerrilla forces inside Cuba. Nor are there signs that it is making more than a casual attempt to urge other hemispheric nations to bring increased diplomatic pressure on Cuba.
>
> In short, from all outward signs, the Kennedy administration is sitting still while Fidel builds his monument, a memorial not only to Bay of Pigs but to the failure of the United States to face up to its responsibilities.

The points raised by this editorial are vital ones which deserve the close attention of this body and definitive action by the administration. I am most hopeful that the investigation now being launched by Senator Stennis' Subcommittee on Preparedness Investigating will be effective in correcting the unfortunate situation which now exists. I have been able to supply this subcommittee with some pertinent information, and I will continue to support its work in every possible way. I strongly hope, and I urge, that the executive department will be completely helpful and frank with Senator Stennis and the other able members of his subcommittee and that early publicity may be given to all of the facts which can be established. My people, and the people of the Nation, in general, are entitled to know what the facts are, and not to be left to choose between the conflicting statements and rumors which now plague them.

I also ask unanimous consent that there be printed in the Record at this point an editorial entitled "U.S. Public in Dark on Cuba," published in the Panama City News-Herald of Sunday, February 3, 1963.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

U.S. Public in Dark on Cuba

> The Kennedy administration is screaming "foul" over pressure for a thorough investigation into negotiations between the United States and Russia over Soviet missiles in Cuba, claiming demands for a probe are only partisan efforts to discredit the Democratic regime.
>
> Crux of the matter is the removal of American intermediate range missiles from bases in Italy and Turkey concurrent with an apparent buildup of Russian military strength in Cuba. Far from being partisan, demands for more information on the problem are being made by both Republicans and Democrats.
>
> The administration has issued the explanation that its Jupiter missiles are being removed from Italy and Turkey because they are now somewhat obsolete and not needed, that the Polaris submarines can do a better job.
>
> However, the respected London Times has commented that the planned withdrawal of U.S. Jupiter missiles from bases in Italy and Turkey shows that "President Kennedy is prepared to carry out what Mr. Khrushchev demanded as the price of removing Soviet missiles from Cuba."
>
> Senator Milward Simpson, Wyoming, Republican, went on record last week with the statement that President Kennedy is fulfilling his part of a secret bargain with Khrushchev.
>
> Meanwhile many voices in both the Senate and the House are warning sternly that Russia is continuing to build up a powerful military machine in Cuba. It is constantly adding both men and equipment to turn the island into a tremendous fortress just 90 miles away from the United States.
>
> Americans are not content with the President's contention that the Red military machine in Cuba is purely defensive in nature. For, the same guns, tanks, planes, and short-range missiles that would be effective in defense would also prove deadly on offense.
>
> As of now, the public has no inkling of what promises or pledges, if any, were contained in the now famous exchange of letters between Kennedy and Khrushchev. The public has no idea of what is now the Nation's foreign policy.
>
> However, the public can still add. It can add the mounting military buildup in Cuba to the awakening of NATO defenses in Italy and Turkey to the antagonism of France and Canada to the United States to the growing preoccupation of the administration with the Congo and other backward African nations.
>
> All these add up to "trouble" and the Nation has a right to know fully what the trouble is, who is largely responsible for increasing difficulties and what feasible solutions exist.

Mr. HOLLAND. Mr. President, these two editorials, one of which I have quoted in part, and one which I have inserted in full in the Record, express the feelings shown by almost every newspaper within my State.

I believe that the task now confronting the Senator from Mississippi [Mr. Stennis] and his subcommittee is one in which they can, and I am sure will, render a very great service to all our people. I urge strongly that the executive department not withhold, either on the ground of executive privilege or any other ground, facts which are basic to the determination of just what our situation is in that troubled area.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MAGNUSON. I am pleased to hear the Senator's statement that he had some information and some facts which he is presenting to the subcommittee headed by the Senator from Mississippi [Mr. Stennis], and that he would be glad to do what he can to furnish the committee whatever he receives from other sources along that line.

I wonder if the Senator does not believe that, so long as he is accepting his responsibility in this matter, that the same suggestion should be made to other Members of Congress who may have information.

Mr. HOLLAND. I assume that all Members of Congress will gladly supply to this able subcommittee, headed by one of our most distinguished Members, any information within their possession. I shall certainly do so. I do it not in an effort to sidestep any responsibility of mine, but because I do not have available any means by which I can determine the facts from the contrasting or contrary statements being made, and because I realize that this committee will be given, by the Senate, any personnel and any facilities that it may feel to be necessary.

I am sure that all Members of the Senate will take that same position. I thank the Senator for asking that question.

MERCHANT SHIPPING TO CUBA

Mr. MAGNUSON. Mr. President, it is no secret in geography that Cuba is an island and that to sustain any military force in that area a supply line must come by water or by air, but mainly by water.

In July and August of last year, many Senators, including the Senators from Florida [Mr. Holland and Mr. Smathers] and me, and members of the Committee on Commerce, of which I have the honor to be the chairman, particularly Senators who are active in merchant marine affairs, called attention to the fact that a part of our action to stop the spread of Castroism and all that it entails, or at least to contain it in some degree, should be to place not only an embargo on shipping, but also other kinds of embargoes which would affect Cuba.

At that time I did research on the subject and secured all the information which was then available, some of it even classified, as to the number of ships which were stopping in Cuba, and the extent to which free world shipping was participating in Cuban trade. Besides the number of ships which were then engaging in Cuban trade, I secured information concerning the flags they flew and many other items, which I shall not place in the Record, because I referred to it last year either in August or early September.

Suffice to say that during a specified period in June 1962, prior to the missile buildup, or during the time of the missile buildup, a total of 169 merchant ships, including 28 tankers, flying the flags of 20 free world countries, made a total of 185 trips to Cuba. Ships flying the flags of Greece, the United Kingdom, the Federal Republic of Germany, and Norway accounted for 61 percent of the total number of ships involved, or 71 percent of the total trips to Cuba.

At the time the United States was engaged in the controversy, struggle, or enterprise—whatever one wishes to call it—to contain what is now existent in Cuba, 169 ships flying the flags of countries of the free world, countries which presumably are joined with us in this effort—at least, they say so—in that 2 months' period alone, made a total of 185 trips, accounting for 71 percent of the total number of trips made to Cuba.

No ship flying the U.S. flag called at Cuban ports at any time during that period or long prior thereto, except in one or two rare exceptions for the hauling of medical supplies or the evacuation of people, and also excepting ships going to Guantanamo Bay. But the number of free world ships in the Cuban trade prior to the blockade of last fall and the number of trips by such ships to Cuba during that period were almost double the comparable figures for ships of Soviet bloc nations. I have prepared a list of all the ships.

I think it is significant to note that ships flying the flag of Greece accounted for 25 percent of the total number of ships; ships flying the flag of the United Kingdom accounted for 15 percent; ships flying the flag of the German Federal Republic accounted for 12 percent; and ships flying the flag of Norway accounted for 9 percent.

I have a list of 20 free world nations which participated in sending ships to Cuba and were presumably doing business as usual and taking part in the buildup which is now causing the world so much trouble.

This subject was discussed at that time, and on September 20, 1962, as appears in the Congressional Record, volume 108, part 15, page 20324, I again made the point. Prior to that time I had sent this record to the State Department and the President of the United States. A copy was also sent to the Department of Defense, which records such information. However, the Department of Defense did not need the information, because much of it came from that Department. It was suggested that the United States place an embargo upon shipping to Cuba because, although that would not solve the entire problem, it would be of great assistance in achieving our objective, with which everyone is now in agreement; namely, to end communism and Castroism in the Western Hemisphere.

On that day I called the subject to the attention of the Senate and to other officials because a group of Italian seamen had refused to load or to sail two supply ships from Italy because they had learned that a part of the cargo was destined for Cuba. At that time a U.S. Department of State employee went to the port involved and suggested that the seamen proceed to load the ship, thus actually interfering in the matter. Finally, he was withdrawn by the State Department, and the cargo was removed from the ship, so that it might sail.

Prior to that time, members of American maritime groups, including both labor and management, had strongly urged that the Government place an embargo at an earlier date on Cuban shipments by American-flag ships and other ships of the free world. As a matter of fact, at an international conference they pressed strenuously for a resolution that seamen of the International Maritime Labor Conference refuse to load any ship flying a free world flag or to unload any ship from a Soviet bloc country which was destined for Cuba and was loading or unloading in free world ports.

Mr. Joseph Curran, the head of the Maritime Union; the Pacific American Steamship Association; the American Maritime Institute; and others associated with management joined in this request. They also criticized the Department of Agriculture, which had control over bookings on foreign-flag ships carrying surplus commodity cargoes, in the hope that such nations would make their regulations more stringent.

On September 18, Mr. Ralph D. Dewey, president of the Pacific-American Steamship Association, sent to the President of the United States a long telegram, which I ask unanimous consent to have printed in full at this point in the Record.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

September 18, 1962.

The President,
The White House,
Washington, D.C.:

Respectfully suggest an unprovocative method available to you to discipline foreign-flag merchant ships which persist in trading with Cuba.

Suggest Presidential instructions to responsible Government agencies to resume control over ocean transportation of Public Law 480 and other similar cargoes which are lifted on foreign-flag vessels for the purpose of stopping bookings on any foreign vessels which have recently traded with Cuba or Red China. No such authority or control now exists. Responsible agencies should be required to be furnished with names of vessels recently trading with Cuba and be given authority to disapprove charters or use of such vessels for carrying foreign aid or surplus cargoes.

This would at least bring to a halt our Government's aiding and abetting those shipowners abroad who refuse to stop their profiteering with our declared enemies.

We fully support efforts of State Department to seek voluntary prohibitions by negotiation with NATO countries. As constituent member of International Chamber of shipping, we join with our east coast colleagues in trying to get voluntary withdrawal of free world shipowners from these nefarious trades. Also, we are asking American ship brokers to stop acting as agents for vessels which trade with countries such as Cuba and Red China.

But, we are skeptical of early voluntary results and the situation calls for use now of governmental authority already available.

Action your part to stop American largesse to these profiteers will deter many foreign owners from further Cuba and Red China trade, since U.S. surplus cargoes too good to give up. It will also serve notice to all maritime nations that the 50-percent carriage of our foreign aid cargoes which foreign-flag vessels now enjoy by statute is a congressionally sanctioned privilege, not a vested international right. Also, this privilege has a price in terms of keeping the peace which is at least equal to that which American shipowners are paying.

It is paradox that Treasury ruling T–1 and T–2 of December 1950 should prohibit U.S.-flag vessels from ever again calling at U.S. ports if they trade with Red China and Cuba and, at the same time, it permits foreign-flag vessels to call here under same circumstances. Would ask that T–1 and T–2 be amended to stop any vessels of a foreign owner who allows any of his ships to trade with Cuba and Red China from calling at U.S. ports to lift any cargo—commercial or governmental. At the very least, however, such vessels should not be allowed to carry Government-sponsored grain or other cargo.

When you were member of Senate Investigations Subcommittee, the records in the 1955 hearings on China trade showed several hundred European-flag vessels were concurrently enjoying both China trade and the lucrative U.S. aid cargoes. No success in calling halt then but the power to do so is now in your hands.

Am taking liberty of furnishing copies of this communication to Secretaries of State, Defense, Treasury, Commerce, and Agriculture.

RALPH B. DEWEY,
President.

Mr. MAGNUSON. Mr. President, in the telegram Mr. Dewey pointed out that at that time the State Department had begun to seek a voluntary arrangement with the associated companies, in hopes that they would join—not only those on the east coast, but also on the gulf coast and also those on the west coast—in the endeavor to end this trade.

I now read part of the telegram:

> Also, we are asking American ship brokers to stop acting as agents for vessels which trade with countries such as Cuba and Red China.

Prior to the blockade, the State Department did begin to take some action, and made some attempts—the Secretary of State himself did, I believe—to get these free world countries to stop that trade and to join in this crusade and this worldwide embargo by the free world on shipments to Cuba. I must say that the Secretary of State obtained some results. The German Federation agreed that it would take steps to do that. Great Britain and Norway rather dragged their heels, and used the excuse that many of the ships which were going to Cuba were under charter, and that they had no legal right to call them back. Also, the State Department was hampered—I must say, in all fairness—by maritime multilateral and unilateral agreements with many countries which had to be considered before a decision could be made.

That went on a long time; but I point this out to the Senate, in order to suggest that the American merchant marine and those operating American-flag ships not only were alert to that situation, but also had strenuously suggested and insisted—months and months before the blockade—that the whole free world do something about that matter. It also had some economic aspects, because American-flag ships were being prohibited from stopping or discharging cargo or picking up cargo in Cuba and coming to American ports; but we found that other ships could do that.

I also communicated with the State Department—and I made a statement about this matter to the members of my committee—in hopes that all of us would back up the Secretary of State and the President of the United States and in hopes that we could achieve this goal—long before there was any evidence of an offensive armaments buildup. Of course, some of the foreign-flag vessels have been doing some doubledealing in regard to this matter. At that time I said it was bad enough to deny a privilege to American-flag ships, but it was unthinkable to allow these foreign ships to serve the cause of communistic Cuba and still take business from vessels of the United States or from vessels of powers friendly to the United States. At that time we called upon the President to take the necessary steps, if possible, to do something about that matter.

All of us know that since then, evidence of a buildup of offensive weapons in Cuba has been obtained, and that buildup has been proven, and the President did slap a blockade upon all shipments into Cuba. The blockade was lifted after some limited agreements were made; but then nothing was done about the matter—despite the fact that many of these ships are still plying their trade, and now are engaged in the same activities in which they were engaged early this year and during the summer.

However, Mr. President, it is significant to note that Cuba's foreign trade with the free world and with the Soviet-Sino bloc since 1958 has been as follows:

In 1958, the Soviet-Sino bloc supplied Cuba with the comparatively small amount of US$15 million worth of trade; in 1959, $15 million worth of trade; in 1960, $260 million worth of trade; in 1961, $930 million worth of trade; and in 1962, $945 million—almost $1 billion—worth of trade.

So the Soviet-Sino bloc, with its flagships and with some ships chartered from the Norwegians and from the United Kingdom—and perhaps even with some which had been built in the United States, increased its trade to Cuba from approximately $15 million worth in 1958 to $945 million worth in 1962; and this is a conservative estimate.

To be fair about this matter, it should be pointed out that there have been some results in the free world, because at the same time the following developments occurred:

In 1958, the free world shipping, including our own, contributed to Cuban foreign trade a total of $1,495 million worth; in 1959, the amount dropped to $1,310 million worth; in 1960, it dropped to $860 million worth; in 1961, it dropped to $315 million worth; and the estimate for 1962 is $245 million worth.

So we see that to that extent the balance has shifted.

But the latest figures we have show that last year the trade with Cuba from the Soviet-Sino bloc amounted to $945 million worth, and that from the free world to Cuba amounted to $245 million worth; and of course that $245 million worth is too much. Our purpose is to dry it up as much as possible.

So, Mr. President, today—long overdue—the President is supposed to issue, probably the report of it is already on the wires, a revival of an administrative order which will further limit trade between Cuba and the free world. I wish to supplement that order by submitting a letter from Mr. Dutton, the Assistant Secretary of State, to me. The letter was delivered yesterday afternoon, and in it Mr. Dutton states:

ASSISTANT SECRETARY OF STATE,
Washington, D.C., February 2, 1963.

DEAR SENATOR MAGNUSON: Attached is a summary of the shipping orders which were to be put into effect to further limit Cuban trade with the free world. They include the following points:

1. The administrative order applies only to the ship rather than to all vessels of the same line.
2. The order permits a vessel to "purge itself" if the line gives assurance that all vessels under its control will stay out of the Cuban trade.
3. It applies not only to bloc-Cuban trade but to all trade with Cuba.
4. It applies only to cargoes shipped from the United States and will not affect offshore procurement.
5. By setting the beginning date of January 1, of this year, it avoids penalizing vessels which were previously engaged in the Cuban trade but which have subsequently been removed from that trade.
6. It is an adaption of the fourth point of the proposed shipping orders which were to have been issued. The balance of the orders have been delayed because of legal problems caused by treaty commitments and obligations with many nations. The other parts of the order are under consideration presently and may be issued in the future if our informal efforts with our allies do not produce the desired result, further isolating Cuba.

Presently, many of the objectives are being met by voluntary compliance on an informal basis with our allies.

If there is anything I can do for you on this or any other matter, please do not hesitate to call on me.

Sincerely yours,
FREDERICK G. DUTTON.

SUMMARY OF ADMINISTRATIVE ORDER ON SHIPPING TO CUBA

The U.S. Government is about to put into effect the shipping regulation intended to reduce, still further, the amount of nonbloc shipping in the Cuban trade. The effect of the regulation will be modified because of the drastic reduction in free world shipping to Cuba since October 1962. However, pronouncement of the regulation is expected to discourage shippers who withdrew their vessels under the pressure of the October crisis, and prevent their ships from reentering the Cuban trade now that some of the excitement has died down.

The United States appreciates that many free world countries have made efforts to assist the United States by discouraging ships in the Cuba trade, and that shipping has declined since October. Despite this cooperation by our allies, shipping to Cuba, unfortunately, continues. For example, since the end of the U.S. quarantine on November 20, a total of 46 free world ships have arrived at Cuban ports. U.S. official cargo should not be made available to ships engaged in the Cuban trade, and thereby make their trade more profitable. Therefore, it is necessary to issue the following administrative regulations.

The regulations apply to shipments financed by the Department of Agriculture, Department of Defense, the General Services Administration, and AID, on foreign-flag ships engaged in the Cuban trade. Such cargoes will not be shipped from the United States on a foreign-flag vessel, if such vessel has called at a Cuban port on or after January 1, 1963. An exception may be made as any such vessel, if the persons who control the vessel, given satisfactory assurances that no ships under their control will be employed in the Cuba trade in the future so long as it remains the U.S. policy to discourage such trade. This order should not be regarded as being in lieu of the Four Point Shipping Actions announced earlier which are still under consideration.

It is interesting to note that the decline in free world trade with Cuba, which began in 1959 has continued and accelerated since the U.S. quarantine. This is shown in the following table.

	July	Aug.	Sept.	Oct.	Nov.	Dec.
Dry cargo	75	57	43	54	32	15
Tanker	17	7	9	11	5	6

Although comparable confirmed figures are not available for January 1963, the trend in January was continuing.

Free world countries having vessels of their flag under charter to the Soviet bloc in the Cuba trade in recent months have generally included Norway, Sweden, Greece, Lebanon, and the United Kingdom.

Bloc shipping continues at approximately the same rate as in the first 6 months of 1962, or before the missile buildup.

Cuba's foreign trade with the free world and the bloc since 1958 has been as follows:

[Millions of U.S. dollars]

	1958	1959	1960	1961	1962 [1]
Bloc	15	15	260	930	945
Free world	1,495	1,310	860	315	245

[1] Estimated.

The decline in free world shipping to Cuba and the increase in bloc shipping has in itself caused a drop in free world cargoes for Cuban ports, since the great majority of bloc voyages for Cuba leave from bloc ports and carry bloc cargoes. In the slightly more than 2 months since the quarantine ended there have been a number of reliable reports from Cuba describing that country's increasing isolation from the free world—inability to obtain spare parts for Western-origin machinery, delays in receipt of shipments ordered from the West, lack of transport for shipments to free world countries. In some cases, bloc ships are recently reported to have called at free world ports to pick up cargoes scheduled for Cuba, but these diversions have not been sufficient to compensate for the volume which would be moved if more free world shipping were available.

During January 1963, almost all cargoes arriving at Cuban ports have been of bloc origin. This includes all crude oil and refined petroleum products and the great majority of machinery and equipment.

Mr. President, I address myself briefly to the last point. I repeat it:

> The other parts of the order are under consideration presently and may be issued in the future if our informal efforts with our allies do not produce the desired result, further isolating Cuba.

In other words, unless we can convince the rest of the free world that it should join with us in an effort to bring about at least a partial solution of the Cuban problem, we shall have to issue some additional orders.

The President's order will be strong enough. It may now be on the wireless services. It will provide that American ports will be closed to the vessels of any country whose ships carry arms to Cuba, or vice versa.

That order will go part of the way. But what about other countries whose ships do not touch American ports? Many ships of the free world do not ply in the American trade. For example, a ship could sail from a Norwegian or an English port, stop at Cuba, and go down to Buenos Aires or Rio de Janeiro; or it could go through the Panama Canal to the Far East. Many ships follow that route. It is a great trade route of the world. Such ships could then pick up cargo in the Far East or from Red China. Those ships cannot be covered by a Presidential order.

So it is my suggestion that we back up the State Department and the President of the United States. I know that the President and those in the State Department are very sincere about this problem. Many other governments are also. We in the Senate should make an effort to gather together all of those in the free world who wish to engage in the endeavor to do something about the problem, and back them up.

Mr. President, I intend today to introduce a resolution. As the Secretary of State has pointed out, there has been some voluntary compliance. But a great many countries are still "dragging their heels." They want to do business as usual. For the life of me I cannot see how such countries can countenance the commerce in which they are engaged on the one hand and then go to great forums in the world and exchange diplomatic notes telling us they are wholeheartedly behind us in our attempt to rid Castro from the Western Hemisphere.

Many such countries have cooperated. But, Mr. President, over 2,500 ships, many of which are American-built and American-owned, fly the Liberian or Panamanian flag. Those ships are under no control. Many of them have been stopping in Cuba. I suppose many have cargoes of aviation fuel and other products that we do not want in Cuba.

There is absolutely no control over them. As of this morning, the best information I have is that South American countries other than Panama—and I must confess that they have not much control over the ships themselves after the ships get the Panamanian flag—but other South American countries have not been using their ships contrary to the order. However, they have not yet clamped down on the operations of ships that come to their ports from other parts of the world, having previously stopped at Cuba, or having picked up cargo in Cuba.

What we can do about such runaway ships flying foreign flags I do not know. We have been trying to do something about them for years. The operation is nothing but legalized tax evasion. American companies tell us that the ships are flying the flag deliberately so that they might pile up profits in Panama. Though the companies are not actually based in Panama, they may have a bank account in that country and can bring in their profits during the most propitious year for them.

Many companies follow that practice in order to avoid safety regulations. Many do it to get cheap labor. Yet we are trying to do something about companies whose ships fly those foreign flags. We are attempting to bring them under control, so that a responsible government can say to them, "You shall not go to Cuba; if you do so, you cannot enter an American port or a port in any other part of the free world."

We must do a great deal more about that situation. I do not know the answer. I hope that compliance will come voluntarily. Then we can accomplish the kind of isolation that we intend in that particular field.

We get very little help from the Defense Department on this problem. Every time we try to get some help in our effort to build up the American flag on the high seas as contrasted with the runaway operation of companies who fly foreign flags, we are told by the Department that, as a question of defense, those ships are under our effective control. If something should happen, those ships would immediately come home. Most of them are American-owned. They are owned by American corporations.

For example, I do not know that there is effective control of a tanker in the Red Sea, flying the Panamanian flag with a Greek crew and Italian officers, if something should happen. We know that the merchant marine is the fourth arm of our defense. One facet of a solution that the Government should be working on is the endeavor to get those countries whose leaders profess they are part of the free world to say to owners of ships flying their flags, "If you have the protection of our flag, whatever it may be, you are going to adhere to it or we will take the flag away from you."

Mr. President, perhaps the order to which I have referred has already been issued. We should make an effort to go further than that order, in an effort to carry out what I think is almost the unanimous agreement of the Organization of American States.

There has been some good work on the part of the State Department in working with leaders in other countries. There has been a ban on air travel and communications with Cuba, and the extension of economic sanctions voted a year ago at the Uruguay Conference to halt all trade with Cuba. Then, of course, there should be a crackdown on ships that trade with Cuba. We should formulate a program of countermeasures against Castro's campaign of terrorism, sabotage, and subversion throughout the continent.

In an effort to help out on this broad objection upon which we are embarked, I introduce the following resolution. I hope the Senate will agree to it quickly. It will help the President and the State Department, and will be an expression of opinion to the free world. It is something that we should do right now in order to do the things that need to be done or are dictated by the times. The resolution reads as follows:

Whereas the Cuban Government is maintaining a continuing campaign of terrorism, sabotage, and subversion throughout Central and South America; and

Whereas there is a direct relationship between free world shipping to Cuba and the transformation of that island into a military base by the Soviet Union; and

Whereas there is a realization among Central and South American nations that the presence of Soviet equipment in Cuba poses a serious threat to the security of the Western Hemisphere; and

Whereas 46 ships from outside the Communist bloc have unloaded cargoes in Cuba since the termination of the blockade (November 20, 1963) through January 1, 1963—

That is a little more than 5 weeks—and I do not have the latest figures for January—

and

Whereas the American merchant marine industry has called upon maritime lines throughout the free world to ban the carrying of Soviet cargoes to Cuba and has urged the President to support this embargo: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should direct the Secretary of State to endeavor to make such arrangements as may be possible with the countries of South and Central America to prevent shipments of goods from such countries to Cuba and to extend the economic sanctions voted upon at the Punta del Esta Conference to halt all trade with Cuba; and be it further

Resolved, That the President should strenuously support the American merchant marine's efforts to obtain a free world embargo on Soviet shipments to Cuba.

Mr. President, I submit the resolution.

The **PRESIDING OFFICER**. The resolution will be received and appropriately referred.

The resolution (S. Res. 83), submitted by Mr. Magnuson (for himself and Mr. Morse), was referred to the Committee on Foreign Relations, as follows:

Whereas the Cuban Government is maintaining a continuing campaign of terrorism, sabotage, and subversion throughout Central and South America; and

Whereas there is a direct relationship between free world shipping to Cuba and the transformation of that island into a military base by the Soviet Union; and

Whereas there is a realization among Central and South American Nations that the presence of Soviet equipment in Cuba poses a serious threat to the security of the Western Hemisphere; and

Whereas 46 ships from outside the Communist bloc have unloaded cargoes in Cuba since the termination of the blockade (November 20, 1963) through January 1, 1963; and

Whereas the American merchant marine industry has called upon maritime lines throughout the free world to ban the carrying of Soviet cargoes to Cuba and has urged the President to support this embargo: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should direct the Secretary of State to endeavor to make such arrangements as may be possible with the countries of South and Central America to prevent shipments of goods from such countries to Cuba and to extend the economic sanctions voted upon at the Punta del Este conference to halt all trade with Cuba; be it further

Resolved, That the President should strenuously support the American merchant marine's efforts to obtain a free world embargo on Soviet shipments to Cuba.

Mr. MAGNUSON. I see the Senator from Oregon [Mr. Morse] is in the Chamber. He agreed with us last year on this shipping problem, long before the embargo.

I am sure the resolution will be sent to the Senator's subcommittee of the Committee on Foreign Relations. I think it is time that we say to those in the administration and to the American merchant marine and all its people that we will support them on anything they can get done to completely tighten this embargo.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. MORSE. Not only do I find myself in agreement with the distinguished Senator from Washington but also I express keen disappointment over the fact that he overlooked me in respect to cosponsorship of the resolution. I should be delighted to join him.

Mr. MAGNUSON. I must say to my friend that I would have come to him, but I had it ready for discussion. I wanted to wait until the order came from the White House. I have been reading every day that it was on its way, and I took this opportunity to get the floor to speak. I assure the Senator there is no one I would rather have as a cosponsor than my friend from Oregon. He and I last August had a colloquy in this regard, and perhaps even earlier.

This can be done.

Mr. MORSE. Mr. President, will the Senator yield further?

Mr. MAGNUSON. I yield.

Mr. MORSE. The Senator knows that my comment about cosponsorship was made facetiously; but, in all seriousness, I shall be honored to join the Senator from Washington as cosponsor of the resolution.

Mr. MAGNUSON. I hope we can pass this fast. I am sure the Senate will agree, because it will be of great help in taking care of the problem.

There have been 45 instances of this action in the period of December. I do not know how many there are now.

These come from our allies, not from bloc countries. These are allies; people who stand up and say, "We are 110 percent with you on this Cuban matter."

It seems to me something ought to be done about it. It can be done. All they have to do is what the President of the United States is going to do or has done, perhaps, by this hour today; which is to say, "If you stop in Cuba, either coming or going, you cannot pick up cargoes in our ports."

Mr. MORSE. I completely agree.

Mr. MAGNUSON. This may not be the whole answer to the problem, but it surely represents one step which will do a great deal to achieve our objective, or what we hope will be our grand objective in this area.

Mr. MORSE. I completely agree with my colleague from Washington, and I agree with his resolution.

Mr. MAGNUSON. I thank the Senator.

AUTHORIZATION FOR SENATOR TO SIGN CLOTURE MOTION

Mr. RANDOLPH. Mr. President, I ask unanimous consent that I may be permitted to sign the cloture motion which was placed at the desk by the Senator from Montana [Mr. Mansfield] on yesterday.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

PROPOSAL TO EXPUNGE REMARKS BY SENATOR WILLIAMS OF DELAWARE ON FEBRUARY 5, 1963, FROM PERMANENT CONGRESSIONAL RECORD

Mr. MORSE. Mr. President, I should like to have the attention of my good friend the Senator from Delaware [Mr. Williams]—and I use the phrase "good friend" advisedly and sincerely—for I rise to discuss a delicate matter. I wish to assure the Senator from Delaware that at no time during the discussion, nor at any time after the discussion, will there be any diminution of my very sincere affection and friendship for him.

But I rise to take exception to a speech made on the floor of the Senate yesterday by the Senator from Delaware. It contained, in my opinion, such a serious imputation against the character and reputation of a colleague on the House side that in my judgment the speech should not stand, at least without a protest. It should not, in my judgment, stand as a precedent.

Therefore, before finishing my remarks, I shall offer an amendment to Senate rule XIX, and I shall offer a resolution to expunge the speech of the Senator from Delaware on yesterday from the permanent record of the Congressional Record.

I have spoken previously with the Senator from Delaware. He is aware that I am going to express these views.

Many people may not know that in this body there are many friendships. I know of no friendship between two men in this body which is based on deeper roots of mutual respect—and I speak for myself, but I take the liberty of speaking for the Senator from Delaware also—than the friendship which exists between the Senator from Delaware [Mr. Williams] and the senior Senator from Oregon. It is a friendship that has existed from the time we first came into the Senate, up until today, and it is going to continue to exist so far as the senior Senator from Oregon is concerned.

The Senator from Delaware and I have differed many times on issues in the Senate. We often have good-natured conversations about our differences. We have a difference on this matter, and unfortunately the difference goes to what some may say is a matter of delicacy in the Senate, but our differences are sincere.

The Senator from Delaware has made clear to me that he does not intend to expunge his speech from the Record, and I respect his attitude.

There is no question about this man's courage, sincerity, and high principles. In fact, I wish to say that the contributions the Senator from Delaware has made over the years by frequently calling to the attention of the Senate and of the country various evidences of malfeasance and corruption and wrongdoing in the administration of government is his own monument—and it is a great monument; it is a monument to this man's record and reputation that is going to live long after he ceases to be alive on this planet.

I can say nothing more, Mr. President, it seems to me, to show my high regard and deep respect for the Senator from Delaware.

On this matter I find myself in unalterable disagreement with the policy that I think is inherent in the precedent, if it remains the precedent, that the Senator from Delaware established yesterday in his speech. In my judgment, no one can read it without coming to the conclusion that it is a speech which in part at least does reflect upon the character and reputation of a colleague over on the House side.

I am not going to speak at any great length, but I am going to start my discussion by calling attention to rule XIX of the Senate, to be found on page 20 of the Senate Manual. I will read section 2 of it, which is relevant and pertinent to my remarks:

> No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

Section 3 reads:

> No Senator in debate shall refer offensively to any State of the Union.

I do not think there is any question that, if the speech on yesterday by my good friend from Delaware had been made about a Senator of the United States, he would have been subject to a point of order. I am not sure that a point of order could have been sustained against the speech he made yesterday. I would have tried it had I been here, in order to get a ruling from the Chair, through the Parliamentarian; but I was not here and therefore no point of order can be raised at the present time. The only way the point of view I express could be effectuated into action would be through a resolution of expunction, which I propose to make at the conclusion of my statement here this afternoon.

If Senators are thus protected by a rule of order in the Senate, under rule XIX, I think it is only fair and proper and within the spirit of comity that the same protection should be guaranteed to Members of the House. This is not a question of black or white. I fully realize there is a public interest involved, but there are procedures, Mr. President—parliamentary procedures—to be taken in case it is decided that the course of conduct of a Member of Congress is so improper that the public interest calls for action in respect to that conduct.

Speaking hypothetically, let us take the Senate. If the course of conduct of a Senator becomes such that, in the opinion of a Member of this body, or several Members of this body, it is unbecoming a Senator, the parliamentary procedure to follow is the submission of a resolution of censure. But it is hoary with tradition that each body of the Congress is the judge of its own Members and their conduct, and it is traditional that Members of the Senate do not utter statements in debate on the floor of the Senate that impugn the motives, characters, or reputations of Members of the other body.

It is historic that, when it has happened in debate, the Speaker of the House has called the attention of the President pro tempore of the Senate to the fact that such statements had been made. The President pro tempore of the Senate then, acting through the majority leader and the minority leader, usually sought to get the Senator who made the speech voluntarily to expunge the speech from the Record.

I have been advised today, as I have made some brief research, that the tradition of not reflecting upon Members of the other body is a historic one. There are many instances in which, in the course of debate, what has been said in the Senate or in the other body in respect to Members of the two Houses has resulted in the Speaker of the House and the President pro tempore taking the matter up with the other body and having the comments expunged from the Record.

Quite frankly, I was of the opinion that probably the rules would cover the question. But I found the following when I went into a study of Senate procedure, as found on page 264 of the manual entitled "Senate Procedure," which book was written by our two very able Parliamentarians, Charles Watkins and his Assistant Parliamentarian, Mr. Riddick:

> There is no standing rule of the Senate relating to comments upon proceedings of the House of Representatives, although such a provision is contained in Jefferson's Manual.
>
> Jefferson's Manual not having been adopted as a part of the rules of the Senate, a Senator has the right to refer to proceedings in the House of Representatives, provided it is done in parliamentary language.
>
> The rule in Jefferson's Manual is not actually regarded by the Senate as a question of order, but rather as a question of propriety or impropriety, and the Presiding Officer on one occasion expressed a reluctance to call a Senator to order for that alone where there was no breach of a positive rule of the Senate.
>
> The Presiding Officer (in 1913) expressed the opinion that as a self-governing body it was for the Senate to determine how far Senators might go in commenting upon language used in the other body.
>
> Under the precedents, however, it has been held not in order in debate for a Senator to make reference to action by the House of Representatives to read an extract from the proceedings of the House relating to a matter under discussion, to read from a speech made by a Member of the House during that particular Congress on the pending subject, or to make reference to the proceedings in the House on the matter under consideration for the purpose of influencing the action of the Senate.
>
> It is out of order, as interfering with the independence of the two Houses, to allude to what has been done in the other House as a means of influencing the judgment of the one in which a question is pending.
>
> It has been held that "it was not competent for a Senator to make reference" to the House of Representatives, or to criticize that body.
>
> References in debate to the proceedings of the House of Representatives are out of order, and a Senator called to order for a violation can only proceed in order on motion.
>
> It has been held out of order in debate for a Senator to refer to the proceedings in the House, to read from the House proceedings as published in the Record, as ruled in 1923, or to refer to proceedings relating to action on a bill.
>
> It is also a violation of the privilege to refer to the individual character or to the acts or conduct of Members of that body.
>
> It has been held out of order for a Senator to make references to Members of the House, to refer to a Member of the House by name, to criticize the action of the Speaker, or to refer in debate to a Member of the House in opprobrious terms or to impute to him unworthy motives.
>
> The reading of a telegram being interrupted by a point of order that it reflected upon a Member of the House of Representatives, the objectionable language by unanimous consent was stricken from the Record.
>
> In connection with the consideration of a resolution authorizing an inquiry into the failure of the Speaker of the House of Representatives to take prompt action on a Senate joint resolution passed by the Senate, the Vice President held that it was in the discretion of Senators as to what they might or might not say about proceedings in the House, provided they do not speak disrespectfully.
>
> The House of Representatives, in a message to the Senate, characterized certain language by a Senator in debate as being improper, unparliamentary, and a reflection on the character of one of its Members; the Senate, subsequently, upon the request of that Senator, ordered the language expunged from the permanent Record.
>
> On another occasion, the Senate never took any action on such a House-passed resolution—the resolution alleged that certain language used by a Senator concerning a Member of the House was a reflection on him, and requested that the Senate take appropriate action in connection therewith.
>
> A resolution of the Senate declaring that certain language used by a Member of the House in debate concerning a Senator was unwarranted, unjust, and untrue, thus constituting a breach of privilege, was returned by the House on the ground that the resolution itself was a breach of privilege; the House, however, subsequently expunged from the permanent Record the remarks to which the Senate took exception.

Mr. President, these are the findings of our Parliamentarians as to the precedents and the history of the Senate. On the basis of those precedents I believe that the speech of my friend from Delaware yesterday would have been subject to a point of order, and had I been here I would have raised a point of order at least for a determination of the issue. It is too late now, because the speech is in the Record, and the only way that it can be taken out of the Record now, as the Parliamentarians advise me, is to have the Senate adopt a resolution for the expungement from the Record of that speech.

Mr. President, I have visited many parliamentary bodies in the world, and there are many differences between the Congress of the United States and parliamentary bodies elsewhere in the world. One of the greatest differences and one of the most important differences, and one of the reasons why in my judgment this system of legislative representation works, is that historically debate in the House and debate in the Senate never takes the form of reflecting upon the character and the reputation of Members of either body.

Of course, it can be said that not even Senators or Members of the House should be above criticism in debate in Congress. There is some merit to that argument.

Yet we must look at values and compare values. If we start the practice we will, in my judgment, get into a situation of personal, nasty debate that one can hear in many parliamentary bodies around the world, which in my judgment destroys the effectiveness of such parliamentary bodies.

There is nothing that prevents a Senator or Member of the House, outside the Halls of Congress, if he believes a situation regarding the conduct or activity of a Member of Congress is such that it should be called to public attention, to discuss it out of the precincts of Congress.

What concerns me is, What is going to happen if we start a practice in Congress whereby a Senator can rise on the floor and express his disrespects for the Members of the House, and a Member of the House can rise and express his disrespect for the Members of the Senate? What is that going to do to legislative efficiency? What is that going to do to orderly debate? What is that going to do to keeping effective the legislative process in this great parliamentary body, the greatest in the world?

I believe it is a mistake to permit such a precedent to live on. I respectfully say that it is not in keeping with the historic debate practice in Congress. That is all I am going to say. I have made my point. Each Senator will have to judge for himself.

I send to the desk, as I close, a resolution—Senate Resolution 85—for appropriate reference, which reads as follows:

Resolved, That the matter appearing in the daily issue of the Congressional Record of February 5 (legislative day, January 15), 1963, beginning on page 1673, at the top of the second column, under the caption "The Administration Has Been Shoveling Out the Taxpayers' Money to Congressman Adam Powell," and extending down to and including so much of the second column on page 1675 as precedes the matter entitled "The New York City Newspaper Strike," be, and it is hereby, ordered to be expunged from the Record.

I also send to the desk, for appropriate reference, a resolution proposing an amendment to rule XIX, which reads as follows:

Resolved, That rule XIX be amended to add a new paragraph at the end thereof, as follows:

"8. No Senator in debate shall by any form of words impute to any Member of the House of Representatives any conduct or motive unworthy or unbecoming a Representative."

The PRESIDING OFFICER (Mr. Ribicoff in the chair). The resolution will be received and appropriately referred.

The resolution (S. Res. 84) was referred to the Committee on Rules and Administration.

Mr. MORSE. In closing, I say to my good friend from Delaware that my difference with him is certainly not a personal difference; it is a professional difference. I am sure he will admit that I am just as sincere in my conviction on my side of the issue, as he will now discover, as he is sincere on his side.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate the remarks of my good friend, the Senator from Oregon, and I certainly appreciate his sincerity. I know of no better way to display and illustrate this great fellowship than to ask that instead of having his resolution referred to a committee where it will die, we get immediate action on it; and I will join the Senator in a request for the immediate consideration of the resolution. In that way we can have a record vote on it immediately.

Mr. JAVITS. Mr. President, I am the only other Senator on the floor, and I therefore suggest the absence of a quorum.

Mr. WILLIAMS of Delaware. I withhold my suggestion momentarily. But I say to my good friend from Oregon that I will join him in such a request because I am perfectly willing to have the Senate itself decide this issue rather than to send it to committee and allow it to die with nothing but the effect of a speech on it. I would like to settle the issue, whether it be done today or tomorrow. In other words, let us call the roll on this issue. I would be glad to join the Senator from Oregon tomorrow in getting a vote. In that way we can settle it in short order.

Mr. MORSE. Mr. President, what the Senator has said bears out everything I have said about his fairness. I would be glad to join the Senator in the kind of request he has made. However, he and I know that we have a leadership problem that we must get through first. I am perfectly willing to have the matter submitted promptly to the Senate without its going to committee. A committee would not have to study the matter very long. I made the offer to send it to committee because I believe that is the proper thing to do. I thank the Senator from Delaware very much for his offer, and I agree to make the resolution the pending business of the Senate just as soon as the leadership will oblige us.

Mr. WILLIAMS of Delaware. I am perfectly willing to do that. If the Senate wants to strike my remarks of yesterday from the Record that is the business of the Senate. I made my remarks yesterday, as I explained to my good friend from Oregon, on certain expenditures of Government funds which I thought needed to be called to the attention of the Senate and the country. Before making the statement I checked carefully as to whether my remarks would violate any rule of the Senate, and I was advised that they would not. If the Senate wishes to pass on this question the Senate can do so. I am not retracting my remarks.

I should like to make one point which apparently has escaped the Senator's attention that I did not yesterday question the propriety of any action of any Member of the House from the standpoint of his conduct in the House of Representatives.

The rules to which the Senator from Oregon has referred have reference to the rules and proceedings of the House. I did not discuss the rules and proceedings in the House. I did not discuss this person's conduct in the House of Representatives. I never said one word yesterday, nor will I today, about this person having relatives on the public payroll who are not working. I am not calling attention to it today.

I will not mention the fact that his wife is on his payroll, nor will I raise any question as to whether she does any work. Neither will I say that he is not fulfilling his duties and is guilty of a great deal of absenteeism. I will not call attention to that fact. I did not say it yesterday.

What I did call attention to yesterday is what I will repeat today, and I will stand by it, although out of my great respect for the Senator from Oregon I will not today refer to this individual by name but instead will refer to him as the very close personal friend of my good friend from Oregon. I will refer to him in that manner. Also, rather than refer to him by name I will refer to him as someone who is very close to this administration. Yes, I will say that my remarks refer to the administration's expenditure and its allocation of money to this very good friend of the Senator from Oregon. I was criticizing the administration. Perhaps I could refer to him as the administration's sacred cow, but that perhaps would not be proper. Maybe I should refer to him as a sacred bull of this administration. I do not care how he is referred to, but I do know I am critical of these transactions. As a Member of the Senate I have a perfect right to criticize these transactions.

This is what I was criticizing yesterday: The fact that the Department of Health, Education, and Welfare had allocated to this very good friend of the Senator from Oregon, this pet of the administration, a $250,000 grant from a program which had been approved by the Senate and the House of Representatives to combat juvenile delinquency. I helped appropriate the money, and I reserve the right to examine its expenditures. This has nothing to do with the House proceedings. This program was voted by the House of Representatives and by the Senate. We voted to appropriate two and a half million dollars for a study of the juvenile delinquency problem, and later I found that $250,000 of that amount was set aside as a grant to this very good friend of the Senator from Oregon, this sacred bull of the administration, for a study of juvenile delinquency problems in the city of New York.

I did not think that was proper. As one who voted on that program, I felt, I repeat, that I had a right to criticize that expenditure, and to criticize it when there was an attempt to justify it by the administration on the ground that the administration was setting up a Peace Corps in Harlem. I criticized that because as yet, at least, the Senate of the United States has not approved such a domestic Peace Corps. I thought that before the money was allocated and spent I should have something to say about it. As a member of the Committee on Finance I am asked to levy taxes to pay for this $250,000 grant. The taxpayers will be asked to pay for it. By what line of reasoning can anyone argue that we have no right to discuss it? Why is there any objection to mentioning the gentleman's name? The fact that he is a good friend of the Senator from Oregon does not change my point in any way. I thought it was right for me to point out wherein I thought the expenditure was a waste of money.

All the letters which I placed in the Record mentioned the name. The first letter referred, not to a loan, but to a Federal grant of $250,000 which was made to Associated Community Teams, Inc. That agency does not emphasize whether it is headed by a Member of the House of Representatives or is not. But the fact that a Member of the House of Representatives was its president—perhaps I am going too close when I say that—the fact that this good friend of the Senator from Oregon was its president does not alter the circumstances at all.

The fact is that the organization was formed 8 days before the grant was made. It was discussed with the Treasury Department as recently as this week. I was advised unofficially on Monday—and it was unofficially—that they have never approved the legal status of this organization. Yet it has had $250,000 for about 8 months, and the money has been spent, as the Senator from Ohio [Mr. Lausche] so ably pointed out this morning. Still, the Treasury Department has not yet decided whether it is a legally tax-exempt agency.

I think this is a matter which ought to be discussed. I am willing to discuss with the entire Senate the organization of this agency. I have placed in the Record a letter from the Secretary of Health, Education, and Welfare dated February 1, 1963. I do not think the Secretary of Health, Education, and Welfare intended to insult anyone when he referred in the letter to a certain Representative. I shall not mention his name now out of deference to his good friend, the Senator from Oregon—and he is a very good friend of the Senator from Oregon. There is nothing wrong with that. If a Member of Congress does not want his name mentioned in connection with a program being administered by the U.S. Government let him stay out of it.

Even though the gentleman in question is associated with the project I do not want the Senator from Oregon, whom I respect, to feel that my remarks are intended as an insult to his friend. The Senator from Oregon must know something about the subject I discussed yesterday. I merely discussed the fact that the gentleman got $250,000 of the taxpayers' money. I simply stated that he had arranged loans through the Housing and Home Finance Agency. I did not arrange to negotiate those loans of which I am critical. I did say that the Agency seemed to be rather liberal in providing the taxpayers' money, which I as a taxpayer will have to help pay.

For example, the Housing and Home Finance Agency called attention to the fact that these loans—and I hope there is no objection to this statement appearing in the Record—were obtained by a certain man. I shall not mention his name, but he is a very good friend of the Senator from Oregon. That man borrowed $4,938,000; that is, he had arranged to do so; on mortgage guarantee to purchase a hotel in the Bronx, N.Y., Project No. 012-5502-NP. It was a loan at a below-minimum interest rate, 3⅛ percent. It was supposed to cover 100 percent of the construction cost of the property. Eligibility as a nonprofit organization was approved September 3, 1962.

By what line of reasoning is this loan above criticism just because it involves a Member of Congress?

Referring to this transaction was in no way a reflection on this man as a Member of Congress or a violation of any rule. But the transaction is subject to question. The name appears in the letter. Every letter the Agency wrote about the loans on the projects refers to him as a Representative. It gives him all the titles. I never thought there was any reflection upon any man to refer to him as a Member of Congress. If he has negotiated a loan which is overly liberal and one that is a reflection upon him, that is his fault and the Agency's fault, not mine. I did not negotiate the loan for him; I can assure the Senate on that.

In addition, a second loan was negotiated, this one on the Hotel 2400, in Washington, Project No. 000-38003-NP, 407 units, 8 stories. The acquisition cost of the property is given as $2,250,000. The requested amount of the mortgage is $4,850,000. The interest rate is given as 5¼ percent plus one-half percent mortgage insurance premium. The application was found feasible for a mortgage at $4,500,000. I am reading from a letter from the Agency signed by Mr. Robert C. Weaver, Administrator of the Housing and Home Finance Agency.

I do not see why it should be a violation of the rules of the Senate to read the letter. I do not see why it should be a violation of anybody's conscience to call attention to the fact that the loan, the application for which Mr. Weaver said was found feasible at $4,500,000, represents exactly double the purchase price of the property. When a Government loan is made or a mortgage is guaranteed by the U.S. Government at exactly double the cost of the piece of property, I will stand on the floor of the Senate and criticize it on any day of the week. I care not whose friend is involved.

It was stated that some of the money was to be used, or was intended to be used, for the renovation of projects. At any rate, it is a highly questionable project.

Over a period of years—and I am not boasting about it because it is not the pleasantest task in the world to call attention to these matters—I have had occasion to call attention to what I thought were some improper loans to persons who were not connected with Congress. I had occasion to call the attention of the Senate and the country to what I thought was improper conduct by certain officials in the executive branch.

I wish to make one point clear. So long as I am a Member of the Senate if I see something which I feel needs to be criticized I will not exempt Members of Congress from the same criticism I would direct against anyone outside of Congress or anyone who was a member of the executive branch. None of us is above criticism. After all, if we cannot criticize ourselves occasionally who will criticize us? Shall we say that we can find fault with the administration, we can find fault with those outside of government, but we must not open our mouths to criticize anyone connected with the House of Representatives or the U.S. Senate? I was acting strictly within the rules of the Senate and the rules of the House. If a man tried to get a $4,500,000 loan on property which cost $2,250,000, he deserves criticism. If he does not want criticism I respectfully suggest that he not try to borrow so much money on property which is not worth any more than half the amount of the loan.

To make matters worse, I noticed that this loan of $4,500,000, which was found to be feasible on property which it was said cost $2,250,000, was approved subject to the enactment of legislation which would amount to permanent tax abatement. A bill which was introduced in the House last year—I placed it in the Record yesterday—had it passed Congress would have provided permanent exemption from all real estate taxes. I do not know to what extent I contributed to see that it did not pass, but to that extent I am proud in having had a part in making certain that it did not. And I intend to see to it that it does not pass this year.

But had that particular bill passed it would have guaranteed in perpetuity that the particular property being acquired in the District of Columbia would never be subject to any more real estate taxes so long as it was owned and controlled by the foundation—the foundation in the name of the good friend of the Senator from Oregon whose name he does not want me to mention.

Another loan which was approved, for a hotel in Newark, N.J., was for $1,400,000. Again I felt we had a right to learn something about these attractive 100 percent mortgage guarantees. As one who must help to raise this money and as a Member of the U.S. Senate, I insist that I have a right to discuss what is being done with it.

None of the companies seeking these loans was in the personal name of this very good friend of the Senator from Oregon, but he was the dominant figure in each instance. I cannot change that point. All of these loans were in the names of companies he was establishing. It has been said that some of them were branches of the Abyssinian Church.

At any rate, all of these companies were trying to borrow money under programs that had been approved by both Houses of Congress and approved by the administration, and I felt it was very proper for me as a Member of the Senate to call attention to what I felt were excessive loans on the property being procured.

A few years ago a Senate committee conducted an investigation because of the fact that under a program administered by the housing agencies they were loaning in excess of 100 percent of the value of the property involved, and that some of the persons involved were taking back the excess loans as windfall profits. Certainly we do not want anything of that sort to be done again.

However, in my remarks on yesterday I made no statement to the effect that he had withdrawn any windfall profits. I did not want to leave any inference that there has been any such withdrawal, but it could happen unless these loans were more carefully checked.

I do not think this agency should ever be approving loans which are 100 percent in excess of the acquisition cost of the property involved. Even if every Member of the House of Representatives were in the company that was borrowing the money I would not think that was right, and I would continue to denounce it.

I did not write this next letter. This one was signed by an official of the Treasury Department. I put the letter in the Record yesterday because it shows that this gentleman who was borrowing this money from the U.S. Government, had not paid his taxes. This is an important factor in regard to the financial background of the individual. Certainly that is so where I come from. If a man comes to me and wishes to borrow money, I want to know something about his background and his eligibility to repay the requested loan.

In response to my inquiry, I was advised that the individual would not furnish the financial statement. I do have a letter from Mr. Mortimer Caplin, who calls attention to the fact that this good friend of the Senator from Oregon who was trying to borrow $4½ million on property which cost only $2¼ millicn, this good friend of the Senator from Oregon who was taking $250,000 of Government funds to study a juvenile delinquency program in Brooklyn or get $250,000 of Government funds to study a domestic peace corps—a program which never has been authorized by the Congress—has been—and I emphasize this fact—delinquent in his Federal income taxes for 9 years. I thought that an important matter to call to the attention of the Senate, and I put it into the Record. All he has to do to correct this situation is to pay his taxes, just as I or the Senator from Oregon pay our taxes. After all, why should he not pay his taxes? If a Member of Congress is delinquent in paying his taxes for 9 years, why is it not time for him to pay them? I know that in my State there are many people—and no doubt there are many in the State of Oregon—who are working for $50 or $100 a week, and the Government has no hesitancy at all in attaching their salaries if they are delinquent in the payment of their income taxes. Something should be said about this matter; it is a disgrace, and I do not apologize for having said it; and I doubt that Mr. Caplin is apologizing for having written the letter calling attention to his delinquencies.

At any rate, I pointed out this record of top delinquencies in connection with these Government loans. If the Senate thinks that should be expunged from the Record, this reference to this good friend of the Senator from Oregon, I will not mention his name; let it do so. I did say—and I repeat—that these Government agencies have been shoveling out money to this good friend of the Senator from Oregon, and I did use the word "shovel"—if the Senator from Oregon can think of a better word, I shall be glad to cooperate. Perhaps we should use the word "pour."

However, I did say that I did not think that this good friend of the Senator from Oregon, this protege of the administration, was a man of the caliber that I, at least, would select to establish a juvenile delinquency program in the United States of America. If my good friend, the Senator from Oregon, or if the Congress feels that his caliber is such that he could best set a good example for the youth of our country that is their business, for they have a perfect right to make that their position. But I will repeat my statement without any retraction whatever: Based on my study of this record, I still do not think he is the caliber of man that I want to set an example for my children and my grandchildren.

That statement stands, and I care not what official title he may hold.

Mr. DIRKSEN. Mr. President, will the Senator from Delaware yield?

Mr. MORSE. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield first to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I should like to ask my distinguished friend, the Senator from Oregon, a question. It occurs to me—as I recall—that several years ago our distinguished friend, the Senator from Oregon, either introduced a bill or made some speeches to the effect that each and every Member of the Senate and each and every Member of the House should disclose all details in connection with his income tax, and should include a schedule of his ownership of property—the ownership of stocks, bonds, and so forth. Is that correct?

Mr. MORSE. I have already reintroduced it this year.

Mr. DIRKSEN. Then would not the Senator from Oregon say that everything the Senator from Delaware [Mr. Williams] said yesterday and today is quite in line with the results the distinguished Senator from Oregon is seeking to achieve?

Mr. MORSE. The answer is, not at all.

Mr. DIRKSEN. And why?

Mr. MORSE. Because the objection I was raising is not to any discussion of the statistics included in the Senator's speech. The objection goes to the language he used—and shortly I shall reply to him, when I obtain the floor in my own right—which reflects upon the character, the reputation, and the repute of the person referred to.

My bill calls for disclosure of facts. It leaves entirely to the public the drawing of any conclusions from those facts.

Mr. DIRKSEN. If the Senator from Oregon will permit a further observation, let me say that the distinguished Senator from Delaware [Mr. Williams] has been talking about a tax delinquency and I would assume that the Senator from Oregon would be deeply interested in that matter.

Mr. MORSE. I am deeply interested in the resolution I offered, which applies to all Members of Congress and also to all Federal officials. But I say most respectfully that it has nothing to do with the unparliamentry language—to which I am objecting—used in the Senator's speech.

Mr. DIRKSEN. But of course his observations go to the character of this distinguished, unnamed friend of the Senator from Oregon—if I heard the Senator from Delaware correctly—in that friend's capacity as a citizen, not as a Member of Congress.

Mr. MORSE. I say to my good friend, the Senator from Illinois, that to the extent that the charges of the Senator from Delaware dealing with the business practices, the tax charges, or any of the other charges, reflect upon the character and reputation of this singled-out individual, in my judgement they involve improper debate. They set a very bad precedent, and, in my judgement, would do great damage to this parliamentary body, if we were to permit debate of that type to grow in either the Senate or the House. That is what I said.

The PRESIDING OFFICER (Mr. Edmondson in the chair). Is there any objection to the request that the resolution lie temporarily on the table?

Mr. MORSE. Mr. President, I was going to request that the resolution lie temporarily on the table, so that the leadership can decide on the procedure involved in the offer of the Senator from Delaware—which is perfectly acceptable to me—that at the earliest possible moment the resolution be made the business of the Senate without having the resolution referred to committee.

In submitting the resolution, it was my intention to have it referred to committee, because I though that the courteous thing to do in connection with my relationships with the Senator from Delaware. But he said he thought it perfectly proper to have the resolution placed directly before the Senate, rather than referred to committee; and that will be perfectly all right.

But I should like to have my resolution on rule No. 19 referred to committee.

The PRESIDING OFFICER. The resolution has been referred to the Committee on Rules and Administration.

Mr. DIRKSEN. Mr. President, if the Senator from Oregon is willing to have the Senate proceed immediately to consider the resolution, I would be more than glad to confer on that point with the majority leader.

Mr. MORSE. I have already agreed to that course; and I have pointed out that we should get in touch with the leadership, inasmuch as leadership rights are involved in this matter, in view of the timetable.

Of course, in connection with this matter I should like to do what I can to have the full membership of the Senate present to hear the debate. I do not speak for the Senator from Delaware; but my interpretation is that he requested that the Senate proceed with this matter tomorrow. I think this debate and the resolution should be read by Senators first.

Mr. DIRKSEN. However, after the vote is taken tomorrow on the cloture motion, a good many Senators may leave on speaking engagements. But I would not want any Senator to be absent, and thus not be able to hear the distinguished Senator from Oregon.

Mr. MORSE. Well, a number of Senators have heard the debate thus far; and those who have not heard it have only to read the Record.

Mr. DIRKSEN. I am sure the Senator from Oregon would want all Senators to be present to hear his remarks in connection with his motion to expunge.

Mr. MORSE. I am sure the Senator from Delaware would, too.

Mr. WILLIAMS of Delaware. Mr. President, I would be willing to enter into a unanimous-consent agreement to have the Senate proceed to vote tonight. I do not think that would jeopardize any other piece of our business. I think the issue is very clear. I think even the Senator from Oregon conceded—as I have pointed out—that my remarks do not involve any violation of any rule of the Senate. My remarks were not a criticism of proceedings in the House.

As I pointed out in my remarks today, I did not criticize the proceedings in the House. I did not criticize any committee proceedings. Nothing was said here about the fact that he may have his relatives on the Government payroll. Nothing was said about the fact that he has overstaffed his committee or about his record of absenteeism. I have not gone into such subjects. The Senator will not find any such references at all to those points in yesterday's Record. I said that I would not go into those subjects today. There are many things I could say, but I said I would not do so.

What I said yesterday—and I am repeating today—is the fact that he negotiated loans. Out of deference to my good friend from Oregon I will not refer by name to this very good friend of the Senator from Oregon. That friend had negotiated under three different companies loans totaling approximately $11 million on three properties, the total acquisition cost of which was only around $8½ million. I said I would criticize such a transaction any day in the week as long as I was a Member of the Senate, especially when they are being approved to a man who is delinquent for 9 years in his income taxes. It makes no difference if it involves every Member of the House, every Member of the Senate, and the President of the United States—I will still criticize such a transaction. I still say that we can raise questions when loans are made.

Remember, in one instance the loan which was tentatively approved was double the acquisition cost. Yes, and that transaction involved the enactment of legislation which would have exempted the property from all real estate taxes in the District of Columbia. That point was worth calling to the attention of the Senate, and I did so. I asked for the financial background of the company seeking these loans some of which totaled over 100 percent of the acquisition cost. I was furnished with a report which showed that the head of the company was delinquent in the payment of his Federal income taxes for 9 years. I put that fact into the Record. That is what the Senator from Oregon wants stricken out.

If putting that information in the Record or if the report is in any way a reflection on the good friend of the Senator from Oregon I am sorry, but, I can suggest to him a very, very simple way to straighten it out. He can just send his check to the Federal Treasury and pay his taxes as I and all other taxpayers must. Let him pay his taxes. Then I will expunge that part from the Record. I will agree with the Senator on that any time, but until he pays his taxes the Record stands. I care not whose friend he is, nor do I care what position he holds.

The point is that as long as he owes the taxes, the statement of that fact must remain in the Record. This information was furnished by the Department and is going to remain in the Record as long as I have anything to do with it. No one questions its accuracy.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DIRKSEN. Does the distinguished Senator wish a quorum call?

Mr. MORSE. Not for the purpose of Senators listening to my remarks at this time.

Mr. WILLIAMS of Delaware. Mr. President, I suggest that the Senate proceed to vote on the resolution tonight.

Mr. DIRKSEN. I should be delighted to make a point of no quorum.

Mr. WILLIAMS of Delaware. Mr. President, I suggest that we have a vote on the resolution tonight. I suggest the absence of a quorum.

Mr. MORSE. Mr. President, will the Senator withhold his request until I make my reply?

Mr. WILLIAMS of Delaware. Yes, with the understanding that I will have an opportunity to renew the request.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oregon.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. WILLIAMS of Delaware. I wonder if the Senator from Oregon would not prefer to have the quorum present in order that more Senators may hear his remarks. Then we could proceed to vote without a repetition of our statements.

Mr. MORSE. I can take judicial notice that the Senate will not vote on the resolution today, with the pending business presently before the Senate. The majority leader and the majority whip would have to be called into consultation. I hope that we will vote on the question immediately after the cloture vote tomorrow.

Mr. WILLIAMS of Delaware. I think we should be able to vote tonight.

Mr. MORSE. If there is any concern about the maximum consideration for Senators, I doubt whether they are available. There would have to be a live quorum at this time, which would probably not make a vote on the question tonight feasible.

Mr. WILLIAMS of Delaware. What the Senator has said may be true. At the request of my good friend from Oregon I will agree to withhold my request and get a live quorum later. My understanding is that Senators are here. If we wait too long Senators may be gone. We can alert them that there will be a vote. There will be a live quorum and then a vote. Will the Senator yield so that I may suggest the absence of a quorum now?

Mr. MORSE. If the Senator will withhold his request, I should like to answer the Senator now and then he might suggest the absence of a quorum.

Mr. WILLIAMS of Delaware. Would the Senator be willing to vote on the resolution tonight?

Mr. MORSE. If the leadership, including the majority leaders, the majority whip, the minority leader and the minority whip, decide that they wish to vote on the resolution tonight, it would be perfectly satisfactory with the Senator from Oregon.

Mr. WILLIAMS of Delaware. Mr. President, I withhold my request.

Mr. MORSE. Mr. President, in reply to my good friend from Delaware, seldom do I find him guilty of falling into the trap of fallacy by false assumption. But throughout his comments in his speech just delivered he repeatedly referred to our colleague in the House as "the good friend of the Senator from Oregon." That is quite a false assumption on the part of the Senator from Delaware. The gentleman about whom he is talking is an acquaintance of the Senator from Oregon. He is a colleague in the Congress of the Senator from Oregon.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MORSE. In just one moment. The gentleman is chairman of the House Labor Committee. In all of my years in the Senate I have sat with the gentleman not more than six times, and four of those times were when we had the conference on the education bill last year. I sat in a conference with him when I was a conferee on the minimum wage bill. I believe there was a sixth time.

The Senator from Delaware was very artful in his comments, but to give the impression that the gentleman to whom we are referring is a good friend of the Senator from Oregon, the Senator from Delaware could not be more wrong on a fact. He is an acquaintance and a colleague in the Congress.

I now yield.

Mr. WILLIAMS of Delaware. I wish to assure the Senator that his remarks about our own good friendship stand, but to accommodate I shall be glad to ask that the RECORD show clearly that the Senator from Oregon is not a good friend of the gentleman whom we are discussing.

Mr. MORSE. No. The Senator is just as fallacious in that comment.

Mr. WILLIAMS of Delaware. Then the Senator from Oregon will have to bring out his position; I am trying to do the best I can.

Mr. MORSE. That is an old debating trick. It is like the question, "Have you stopped beating your wife?" I have learned to avoid those pitfalls. I have explained to the Senator from Delaware my acquaintance with the gentleman concerned. That is the fact. The Senator from Delaware will not be able to change the fact by any of those old fallacious bromides that are so common in high school debate. But, Mr. President, I repeat that there is no question that if the Senator had made his speech in the Senate about a Senator, he would have been in violation of rule XIX.

Mr. WILLIAMS of Delaware. Mr. President, I wish to add a point which I believe the Senator from Oregon has overlooked. When I said I did not think the gentleman was the caliber of man to conduct this juvenile delinquency program, my criticism was directed against him as the individual in charge of this program and not as a Member of the House of Representatives. It was made against this individual who had been selected by the administration in power to receive an outright grant of $250,000 from the Treasury Department to administer a program that was being established for the study of juvenile delinquency.

Mr. MORSE. I merely take the position that comity, propriety, and the maintenance of parliamentary order that I think distinguishes the Congress from so many other parliamentary bodies, calls, in my judgment, for the adoption of my resolution. I do not intend to go into any detail. I only cite that language from my good friend's speech of yesterday in which he said, speaking about the individual concerned, "whose escapades have been on the front page of every newspaper for several months, could well be recognized as an authority on adult delinquency, but most certainly he is not the caliber of a man who the American people would want to set an example for the youth of our country."

Mr. WILLIAMS of Delaware. On that statement I stand pat.

Mr. MORSE. That statement certainly reflects on the character and reputation of an individual. I do not think it is proper parliamentary language in this body. I do not think we should let it stand in the permanent RECORD.

I close by also pointing out that the gentleman from New York was elected by the free people of his congressional district. They have sent him here as their Representative. We ought to follow the well-established historic policy I referred to in my earlier remarks and confine ourselves to disagreement with colleagues on substantive legislative issues, and leave out of our debate all personal references that reflect upon the character and the reputation of any man who, so long as he sits in the Congress, sits here as the elected representative of a free people. In my judgment, so long as he sits here, our debate should stay within the confines of the framework I have referred to in my earlier remarks as parliamentary debate.

This is my honest opinion, my sincere conviction, just as I know that the Senator is equally sincere on the other side of the controversy.

Mr. WILLIAMS of Delaware. I do not care whether he is a Member of the House of Representatives or of the Senate, when a man spends public money under any Federal program we certainly have a right and a responsibility to be interested in how it is administered.

I repeat, we do have a right to question whether we think an individual is of the right caliber to handle this particular program which was financed by an outright grant of $250,000 from the Federal Treasury.

And when that same individual is trying to borrow $11 million on property, the acquisition cost of which was only $8½ million, and when he is delinquent for 9 years in the payment of his Federal income taxes it is all the more reason why questions should be raised, and I am not retracting anything which I said in connection with this case.

THE PRESIDENT'S TAX REDUCTION PROGRAM

Mr. LAUSCHE. Mr. President, of late the newspapers have been carrying the story that the President's tax reduction program will entail a loss of revenues of $13.6 billion, less $3.4 billion, in a 3-year period.

I have before me some columns out of a Washington newspaper. One is titled "Kennedy's Plan To Cut Taxes a Net of $10.2 Billion Over the Next 3 Years."

Today the Secretary of the Treasury testified before the House Committee on Ways and Means and afforded the first direct information, so far as I have been able to see, about what the tax program entails.

I direct the attention of the Members of the Senate to table 3, set forth in the presentation of the Secretary of the Treasury, Mr. Dillon.

I now wish to point out what that recommendation means. Table 3 of this presentation shows that the total tax cuts for the 3-year period will be $26,220 million; and that if the reform recommendations are made and the accelerated payment of corporation tax is adopted the total loss in revenues over the 3-year period, before "feedbacks," will be $16,860 million.

I respectfully point out that the 3-year aggregate will be $26,220 million; and that if the reforms are made and the accelerated payment of corporation tax is approved the 3-year loss will be $16,860 million.

It has already been indicated that there is no purpose on the part of the administration to press this year for tax reforms. I submit that the tax reform recommendation is now down the drain. It will not be adopted. It is not being pressed.

On that score there is a direct inconsistency between the positions of the President and of the Secretary of the Treasury.

On page 7 of Secretary Dillon's presentation to the House Committee on Ways and Means today there appears this statement:

> Therefore, the structural reforms are inextricably tied to the rate reforms. Failure to raise revenue through structural reform will necessarily require an upward revision of the recommended rate structure.

The Secretary states that the two are inextricably tied together; that without the passing of both, the program recommended cannot stand up.

Finally, in my judgment we have a boatload of dynamite involving a loss of revenues which may be as great as $26 billion. The modern fiscal experts and advisers of the President are running around this boatload of dynamite with flaming torches, not realizing that they may set it ablast. If they do, I am of the opinion that there will be disaster running rampant throughout the country.

To make certain that my interpretation of these figures was correct, I today addressed a letter to the Honorable Douglas Dillon, propounding to him five questions. I ask unanimous consent that a copy of the letter may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 6, 1963.

HON. DOUGLAS DILLON,
Secretary,
Department of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: I have before me your printed statement made before the Committee on Ways and Means of the House of Representatives on the President's special message on tax deductions and reform on Wednesday, February 6.

I direct your attention especially to table III; with respect to it, I would like to have you answer the following questions:

"Am I correct in my understanding that if the structural reforms, including capital gains and losses and the acceleration of corporation payments are not adopted, the revenue losses before feedback will be $3,090 million for 1963; $9,530 million for 1964; and $13,600 million for 1965, making a total loss for the 3-year period of $26,200 million?

"Is it a fact that if the structural reforms, including capital gains and losses, recommendation of the President is adopted, that there will be but a recoupment of $3,280 million in 1964, and $3,280 in 1965, making a total recoupment for the 2 years of $6,560 million?

"If the structural reforms, including capital gains and losses, recommended by the President are adopted, the revenue loss for 1963 will be $3,090 million; for 1964, $6,250 million, and for 1965, $10,320 million, making a total loss for the 3 years of $19,660 million?

"Is it a fact that if the acceleration of corporation payments is adopted by the Congress, there will be no collection on that item in 1963, but that it will produce $1,300 million in 1964 and $1,500 million in 1965?

"Is it a fact that if both the structural reforms including capital gains and losses and the acceleration of the corporation payments are adopted, the revenue losses for 1963 will be $3,090 million; for 1964, $4,950 million; and for 1965, $8,820 million?"

I will appreciate very much if you would give me the answers to the foregoing questions.

Sincerely yours,

FRANK J. LAUSCHE.

Mr. LAUSCHE. Mr. President, I also ask unanimous consent to have a table in this regard printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	1963	1964	1965	Total for 3 years
Total before acceleration of corporation payments:				
A. Rate reduction and revision	−3,090	−9,530	−13,600	−26,220
B. Structural reforms including capital gains and losses	------	+3,280	+3,280	+6,560
Total if structural reforms are passed	−3,090	−6,250	−10,320	−19,660
Total including acceleration of corporation payments	−3,090	−4,950	−8,820	−16,860

Mr. LAUSCHE. Mr. President, to summarize: the talk has been about a $10.2 billion reduction over a 3-year period. The fact is that it would be a $26 billion reduction, and $10 billion might be recouped if the reform legislation is passed. If it were not passed, and the recommendation of the administration were carried into effect with respect to the rate reduction, the loss of revenue would be $26 billion, as I have stated.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the testimony of the Secretary given before the House Committee on Ways and Means, beginning on page 6 and ending on page 8.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

In addition to rate reform, the President has proposed a series of structural changes designed to offset in part the revenue losses implicit in a truly meaningful rate reduction and to modify, correct, or remove certain inequalities, special provisions and defects in our tax system. A number of the defects are byproducts of our excessively high tax rates and can and should be remedied only in conjunction with a general reduction in rates such as is being proposed. A number of the structural changes are designed to rectify hardships and will result in revenue losses totaling $790 million. Others will increase revenue, the net result of all these changes being an increase in revenues of approximately $3.3 billion. These increased revenues will offset a portion of the $13.6 billion cost of the rate reforms, reducing the total revenue cost to $10.3 billion. It is our conviction that this represents the maximum revenue cost that can safely be accepted. Therefore, the structural reforms are inextricably tied to the rate reforms. Failure to raise revenue through structural reform will necessarily require an upward revision of the recommended rate structure. This would be unfortunate since there seems to be a broad measure of agreement that an individual rate structure such as we have proposed, grading up from a 15-percent low—14 percent taking into account the split in the first bracket—to a top rate of 65 percent, is what is required to release energies and efforts and to avoid the area of diminishing returns and excessive concern with the tax consequences of business and personal decisions.

The overall effect of the program on budget receipts will be further reduced by the acceleration over a 5-year transition of the tax payments of large corporations. This will increase receipts by approximately $1.5 billion annually beginning in fiscal 1964 and reduce the cost of the program to $8.8 billion.

TIMING AND OVERALL SHAPE OF THE TAX PROGRAM

The amounts of tax reduction for the calendar years 1963, 1964, and 1965, before taking into account the feedback effects resulting from economic expansion induced by the tax program, are as follows:

Reduction in tax liabilities

[In millions]

1963	$3,090
1964	6,250
1965	10,320

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSAL TO EXPUNGE REMARKS BY SENATOR WILLIAMS OF DELAWARE — UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I suggest to the attachés of the Senate on both sides that they call their respective Senators and ask them to be on the floor.

Mr. President, with the approval of the distinguished Senator from Delaware [Mr. WILLIAMS], I should like to make the unanimous-consent request at this time, that one-half hour be allocated to a discussion of the pending question. If that request is agreed to, it is my intention to move, at the end of the half hour, that the matter be referred to the appropriate committee for consideration.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Actually, there are pending two matters by the Senator from Oregon.

Mr. WILLIAMS of Delaware. No; there is only one.

Mr. DIRKSEN. He has a resolution for a rule change.

Mr. WILLIAMS of Delaware. That has been referred.

Mr. MANSFIELD. Is the request satisfactory to the Senator from Delaware?

Mr. WILLIAMS of Delaware. Yes, if then we are to have a vote on the pending question.

Mr. JAVITS. Mr. President, reserving the right to object, may I inquire what is the appropriate committee?

Mr. MANSFIELD. I assume the Committee on Rules and Administration, but it is for the Parliamentarian to decide.

Mr. WILLIAMS of Delaware. What we should do is vote on the pending resolution.

Mr. MANSFIELD. Yes, but the vote would be on whether or not to refer it to the appropriate committee.

Mr. WILLIAMS of Delaware. Not unless a Senator made such a motion.

Mr. MANSFIELD. I anticipate making a motion at the end of the allocated time, as I have indicated.

Mr. JAVITS. Mr. President, will the Chair rule on whether, within the time limitation, a substitute for the pending motion may be offered?

Mr. DIRKSEN. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. The pending motion is the motion to expunge, is it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. And the time limitation and the time division would appear on the motion to expunge.

The PRESIDING OFFICER. If that is the agreement.

Mr. JAVITS. Under the unanimous-consent request, may such a motion be amended to refer the pending motion to committee?

The PRESIDING OFFICER. That would depend on the agreement.

Mr. MANSFIELD. I have stated that that would be my intention, at the end of 30 minutes, if the unanimous-consent request is agreed to.

Mr. JAVITS. That is included in the request?

Mr. MANSFIELD. Yes.

Mr. DIRKSEN. Are we definite that the resolution would be referred to the Committee on Rules and Administration if the Senate so voted?

The PRESIDING OFFICER. The Senator is correct.

Is there objection to the unanimous-consent agreement? Without objection, the order is entered.

Mr. MANSFIELD. I understand that the time is equally divided and under the control of the Senator from Delaware and the Senator from Oregon.

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 3 minutes of the time under my control. I certainly hope that no motion will be made to send the resolution to committee. If the motion is made I hope it will be defeated.

The Senate has a responsibility in this matter. This question has been raised. Let us vote on it. Let us settle it. I certainly would oppose a motion to send it to committee.

There has been no violation of any rule of the Senate. I am amazed that anyone will defend this transaction.

What I did was call attention to certain loans and grants of money that I felt were improperly made. The fact that they were made to a Member of the House of Representatives makes it even worse. Under the law as I understand it a Government agency cannot made a direct loan to a Member of Congress. There could be a serious question raised about the propriety of making such loans to companies owned or controlled by Members of Congress. The situation here is that loans had been approved in the approximate amount of $11 million.

Mr. **LAUSCHE**. Mr. President, we cannot hear. We are entitled to have order.

The **PRESIDING OFFICER**. The Senate will be in order.

Mr. **WILLIAMS** of Delaware. What interested me in this case was that applications for three loans totaling $11 million had been made on property which was only going to cost around $8.5 million. I do not believe that the U.S. Government, through one of its agencies should ever consider lending $11 million on something that is going to cost only $8.5 million.

I criticized it yesterday, and I will criticize it again. Then when I asked for the financial background of the companies involved I was informed that the top official of the companies had been delinquent in income taxes for 9 years. The mere fact that this person is a Member of Congress does not exempt that Member of Congress from the responsibility of paying his taxes.

There has never been any question about the operations of the House or any proceeding of the House. I did question the propriety of these loans, the making of loans to an individual who is delinquent in the payment of his income taxes for more than 9 years. I did question the propriety of the U.S. Government, through any agency, to make an outright grant of $250,000 to an organization which was formed and controlled by a tax delinquent and by one whose character has been questioned in many other areas. No one defends these transactions—or at least I have heard of none.

It will be a sad day in Congress if we ever reach the point where we can criticize members of the executive branch, criticize citizens on the outside who we believe have done something wrong, but not dare to question anyone who happens to be elected to Congress.

We are not a special class as far as I am concerned.

I repeat, my remarks were not made against any individual as a Member of the House of Representatives, but my remarks were made in criticism of what this individual and the Federal agencies were doing.

Let the Senate vote on this question, and I hope that the resolution will not be referred to committee.

Mr. **MORSE**. Mr. President, I shall vote to refer the resolution to committee. We have already debated the subject matter, and Senators can read our speeches in the RECORD tomorrow. I yield back the remainder of my time.

Mr. **WILLIAMS** of Delaware. I yield time to the Senator from Ohio.

Mr. **LAUSCHE**. I believe we must be exceedingly careful not to fall into the pitfall of stifling discussion of facts on the floor of the Senate.

If as a Member of the Senate I am prohibited from speaking facts, even though they pertain to a fellow Senator or to a Member of the House of Representatives, I can only say that we are indulging in the stifling of the spirit and the decency of Members of Congress.

If in my conduct I do something that is wrong, shall a fellow Member of the Senate be denied the right to speak about those facts?

If that is the rule, then I can see the ultimate end as the darkening of truth and the stifling of a revelation of what has been.

The Senator from Delaware did not speak of a Member of the House of Representatives in his official capacity. He spoke about facts. If they pertain in person to a Member of Congress, that is not the fault of the Senator from Delaware. It is the consequence of immutable facts.

I do not believe that the resolution ought to be adopted. I do not want the word to go back to Ohioans that I voted for a measure, regardless of how it was attired, that contemplated stopping a Senator from speaking about facts, even though they refer to a Member of Congress.

If and when that happens, we only contribute to the adoption of a course of action that cannot be conducive to decency in government, and cannot be conducive to the security of our country. I shall vote against the resolution when it finally comes to the floor.

Mr. **MORSE**. Mr. President, I yield myself 1 minute to reply to the Senator from Ohio. The Senator has made an eloquent plea that we be free to speak on facts. I simply ask the Senator from Ohio if the following language, referring to a Member of the House "whose escapades have been on the front page of every newspaper for several months, could well be recognized as an authority on 'adult delinquency,' but most certainly he is not the caliber of a man who the American people would want to set an example for the youth of our country" falls within his definition of facts?

We can certainly discuss facts without violating what I respectfully submit is considered to be within the propriety of all forensic debate in Congress throughout our history. I do not believe that the Senate will let this precedent go unchallenged. I am perfectly willing to have the speech corrected by the Senator from Delaware—although he has already made clear that he is not interested in doing that—so that the speech could be a clean speech under rule XIX of the Senate, as if it had been delivered in respect to a Senator. I simply say that the same courtesy and the same kind of propriety ought to be extended to a Member of the House that we apply to a Senator.

The Senator from Ohio is subject to rule XIX as far as speaking about a Senator is concerned. He cannot make improper remarks about a Senator. If he does, he is subject to the discipline of the Senate.

The Senate is not without power to call its Members to account, and neither is the House of Representatives. Such authority exists not just in the form of rules and precedents, but in the Constitution of the United States.

Mr. **WILLIAMS** of Delaware. I wish to point out again that my remarks, to which the Senator from Oregon has made objection, related to the president or head of a corporation which proposed to spend a $250,000 grant of the taxpayers' money. I said that I felt he did not qualify to set an example for the youth of this country. I will not apologize for my statement. I will say it again. This money was given to Associated Community Teams, Inc., a company which he organized. It was a $250,000 outright grant from the Treasury of the United States for a study of juvenile delinquency.

The fact that a Member of the House of Representatives is the president of that company is something which he arranged, not I. The fact that this is taxpayers' money which Congress voted gives me a perfect right to state that the head of that agency is not a man whom I consider to be of a caliber to set an example for the youth of this country. I will stand upon that statement. If the Senator from Oregon feels that that man is the proper caliber of man, that is his right.

Mr. President, on the resolution, I ask for the yeas and nays.

Mr. **MANSFIELD**. Mr. President, will the Senator yield back the remainder of his time?

Mr. **WILLIAMS** of Delaware. If we could have the yeas and nays ordered on the resolution, I would be perfectly willing to yield back the remainder of my time.

Mr. **MANSFIELD**. If the Senator will yield back the remainder of his time, I should like to move, as I indicated in the unanimous-consent request, that the resolution of the Senator from Oregon be referred to the appropriate committee, which I understand is the Committee on Rules and Administration, for consideration and action.

Mr. **WILLIAMS** of Delaware. In the first place, I do not think the resolution should ever have come before the Senate. I will ask the Senate that I be excused from voting since I am so closely involved on the question. I do not feel that I should vote. I ask unanimous consent that I may be excused from voting either on the resolution or on any motion in connection therewith. Under the circumstances, I do not feel that I should vote.

However, I say to the Senate, as I pointed out to the Senator from Oregon earlier, that I was not interested in this subject being settled merely on the basis of a speech questioning what I had done. I stand pat on my full statement. I think what I did was something that needed to be done.

But if the Senator from Montana wishes to make his motion, I hope we may have a yea-and-nay vote on it. As I said, I will not vote. However, I desire to have the Record show that I will interpret action to refer the resolution to committee as sustaining my position.

Mr. MANSFIELD. I hope that the Senator from Delaware will not withhold his vote on this resolution. After all, he has as much in the way of rights as any other Senator. I again express the hope that he will exercise his prerogative as a U.S. Senator.

Mr. WILLIAMS of Delaware. I believe that under the circumstances I should withhold my vote. I think the Senator from Montana understands my position. After all, the vote on this question is to decide the propriety of a statement which I made yesterday. I think the question is one that the other 99 Members of this body should decide. It is not a question which I should be in a position to decide by casting a vote.

Mr. MANSFIELD. Under the rule, the Senator has that privilege.

Mr. WILLIAMS of Delaware. I appreciate the position of the Senator from Montana. I am sorry the question has come up. If Senators will read the Record, they will see that my criticism was directed against certain loans and grants made to companies owned and controlled by a man who I do not think is qualified. A Member of Congress has a responsibility to see to it that his actions are above suspicion.

Do not forget, I was, and still am, equally as harsh in my criticism of the loose manner in which the Government agencies involved have distributed the taxpayers' money to this party and his companies.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Delaware? The chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I move that the Senate reconsider the vote by which the motion was agreed to.

Mr. KUCHEL. I move to lay that motion on the table.

Mr. WILLIAMS of Delaware. Mr. President, nothing has been voted on.

Mr. MANSFIELD. Mr. President, my request was entirely out of order. I withdraw it.

Mr. WILLIAMS of Delaware. Mr. President, I yield to the Senator from Montana, if he wishes to make a motion.

Mr. MANSFIELD. Mr. President, I again move to refer the resolution of the Senator from Oregon to the appropriate committee, which I understand is the Committee on Rules and Administration, for consideration and attention.

Mr. WILLIAMS of Delaware. Mr. President, on the motion, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested. Is there a sufficient second?

The yeas and nays were not ordered.

Mr. WILLIAMS of Delaware. Mr. President, on this motion I ask for a division.

Mr. SALTONSTALL. Mr. President, will the chair please state the question on which we are asked to vote?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana to refer the resolution to the appropriate committee. A division has been requested.

On a division, the resolution (S. Res. 85), submitted by Mr. Morse, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the matter appearing in the daily issue of the Congressional Record of February 5 (legislative day, January 15), 1963, beginning on page 1673, at the top of the second column, under the caption "The Administration Has Been Shoveling Out the Taxpayers' Money to Congressman Adam Powell", and extending down to and including so much of the second column on page 1675 as precedes the matter entitled "The New York City Newspaper Strike", be, and it is hereby, ordered to be expunged from the Record.

Mr. HUMPHREY. Mr. President, I wish it to be clearly understood that the motion which was just agreed to does not carry any valued judgment about the resolution, one way or the other. That will have to be determined after the committee has taken its action and when the Senate itself votes on the resolution. Also, it is my understanding that when a bill, an amendment, a motion, or a resolution is sent to the desk, it is automatically referred to committee. I do not understand what all the to-do is about in regard to having the resolution referred to committee. Unless I have misinterpreted the rules of the Senate for several years, it seems to me that when a resolution or a bill is sent to the desk, it is referred to committee.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the motion to refer the resolution to committee was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, with all due respect to the Senator from Minnesota, the Record shows that immediately prior to the vote I said that I would not vote on this question but that I would interpret a vote to refer the resolution to committee for consideration as sustaining my position. I stated flatly that I would oppose any change in the Record.

I realize that each Senator can place his own interpretation on the vote. But if the Senate wanted to expunge the remarks from the Record the time to have done it was today. The Record is circulated, and the action as shown in the Record which has been circulated stands as it is now.

Mr. MORSE. Mr. President, in response to the very interesting comment of the distinguished Senator from Delaware, when I submitted the resolution I asked that it be referred to the appropriate committee. The Senator from Delaware asked if I would be willing to enter into an agreement to vote on it immediately. I said I would, if that met with the pleasure of the leadership of the Senate—the majority leader, the minority leader, the majority whip, and the minority whip.

I was then asked to change my request to have the resolution remain at the desk. There has been this discussion. There is a recognition by many Senators who have spoken with me that this is a question of great historic importance in the parliamentary history of the Senate. They believe the resolution ought to receive the consideration and deliberation of the Committee on Rules and Administration. I am sure that it will receive such consideration and deliberation. That kind of reasoning process ought to prevail in the consideration of the resolution.

Any statement that action under the procedures of the Senate which apply to the consideration of this resolution can be interpreted as being in support of the position of the Senator from Delaware simply has no cause-and-effect reasoning connected with it. I am perfectly willing to have the Committee on Rules and Administration pass judgment on the merits of my resolution.

Mr. MANSFIELD. Mr. President, I wish to commend the Senator from Delaware and the Senator from Oregon for allowing the Senate to reach a reasonable conclusion to a question which I think is of the utmost importance. I am quite certain that the resolution submitted by the Senator from Oregon and now referred to the Committee on Rules and Administration will be given the very careful consideration which it deserves.

Again, I thank the Senator from Delaware for showing his courtesy and understanding in a matter of great delicacy.

Mr. WILLIAMS of Delaware. I appreciate the Senator's position. I had no objection to a vote on the resolution. It was my suggestion that the Senator from Oregon raise the question which the Senate itself decided. The Senate has decided to send the resolution to the scrapbasket where it belongs.

My criticism stands.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. Anderson] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. JAVITS. Mr. President, the Senate will be voting tomorrow on a cloture motion with respect to the pending business before the Senate. We shall have only 1 hour in which to discuss the subject tomorrow morning. It may very well be that Senators may or may not have an opportunity to address themselves to the issue.

But Senators have a way of reading the Record overnight. So I wish to point out, first, that the vote on cloture will be far more determinative, as the question has developed itself here, than merely of the question whether we will or will not impose cloture, and that the debate may continue under the general rule, or generally.

Since the majority leader has announced that if the cloture motion fails to receive as many as 60 votes, notwithstanding the fact that a majority of the Senate has indicated, in writing, its desire to have the rules changed, and the fact that the vote against tabling the whole subject today was overwhelming—whatever may have been the tongue-in-cheek element of voting, the vote was still overwhelming—it seems to me Senators should recognize what we are doing.

The majority leader has announced that if less than three-fifths of the Members of the Senate vote in favor of ordering cloture—and thus, in a sense, he has informally used, as a standard, a three-fifths vote, which I think a very decided majority of the Senate favors, in connection with ordering cloture—he will not seek another cloture petition, but that in that event, in due course—tomorrow, I have little doubt—will seek to have the Senate adjourn until Monday. If that happens, then the motion to take up the resolution will go back to the calendar, and for all practical purposes will be considered as dead.

So let us understand that in voting tomorrow on the question of ordering cloture, Senators will not only be voting on the question of whether they would like to have the debate on rule XXII continued generally or in a specific way; they will also be voting, for all practical purposes, on the question of either laying aside or continuing the struggle to bring about an amendment of rule XXII at least to the three-fifths basis which many Senators want in connection with this rule XXII issue.

Therefore, I hope very much that Senators will understand the seriousness and the importance of the vote to be taken tomorrow.

I shall not now detain the Senate by stating again my view of the seriousness and importance of the substantive matter involved. Perhaps on tomorrow I shall have an opportunity to do so.

But, Mr. President, let all Senators understand that the vote taken tomorrow will determine whether in this Congress we shall be able to get anywhere with this matter, or whether it is to be buried. I do not speak invidiously in that connection, but merely refer to the plans, as outlined by the majority leader.

Mr. MANSFIELD. Mr. President, as I understand the remarks of the Senator from New York, he is correct.

RECESS UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until tomorrow, at 10 o'clock a.m.

The motion was agreed to; and (at 5 o'clock and 2 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Thursday, February 7, 1963, at 10 o'clock a.m.

EXTENSIONS OF REMARKS

The Merger Movement

EXTENSION OF REMARKS
OF
HON. ESTES KEFAUVER
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Wednesday, February 6, 1963

Mr. KEFAUVER. Mr. President, one of the greatest threats to our free enterprise system is the tremendous merger movement which has affected practically every industry in the Nation.

The early development of this merger movement first came to my attention at the end of World War II. At that time I was a Member of the House of Representatives and served on the House Small Business Committee.

Those of us who worked to plug the gaping loophole in section 7 of the Clayton Act through passage of the Celler-Kefauver Act of 1950, hoped that this legislation would hold the merger movement in check. Although the antitrust agencies have been given more effective statutes, the merger movement nonetheless has continued to gather force.

The sharp upward trend in the merger movement has been highlighted in a staff report recently issued under the direction of the able Congressman and my good friend, the Honorable WRIGHT PATMAN, of Texas. That report, entitled "Mergers and Superconcentration," reviews the merger movement in recent years since the passage of the Celler-Kefauver Act, and is required reading for anyone concerned with the monopoly problem.

The Washington World of December 7, 1962, published a debate between the gentleman from Texas [Mr. PATMAN] and Dr. Chares T. Stewart, the gentleman from Texas [Mr. PATMAN] contending that big mergers are snuffing out American small businessmen and Dr. Stewart taking the opposite position. Dr. Stewart is the director of economic research of the U.S. Chamber of Commerce.

I have carefully studied the gentleman from Texas [Mr. PATMAN'S] report on "Mergers and Superconcentration." This document is mentioned in the Washington World article, along with a report entitled "Concentration Ratios in Manufacturing Industry, 1958," recently issued by the Senate Subcommittee on Antitrust and Monopoly, of which I am chairman.

Dr. Stewart's argument to the contrary notwithstanding, it is my opinion that these two documents are full of objective evidence of the dangers to small business posed by the merger movement. In any event, I am surprised to see the representative of the U.S. Chamber of Commerce taking the position that recent increases in concentration represent merely a shake-out of small business and a return to normal. Moreover, I am amazed that such a representative would take the cavalier position that many small firms which remain must make the invidious choice of merge or fill.

Dr. Stewart has no factual basis for intimating that mergers are motivated by technological factors. The fact is that most mergers are motivated by power and profit, and small business is the victim.

I ask unanimous consent that the article in the Washington World previously referred to be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. SMALL BUSINESSMEN: ARE BIG MERGERS SNUFFING THEM OUT?

(NOTE.—Representative WRIGHT PATMAN, Democrat, of Texas, is chairman of the House Select Committee on Small Business, which recently released a study of business acquisitions of the Nation's 500 largest industrial firms and 50 largest merchandising companies. A Member of the House since 1928, he is chairman of the Joint Economic Committee and vice chairman of the Joint Defense Production Committee.)

YES

(By Hon. WRIGHT PATMAN, of Texas)

America is at the crossroads. It must face up to the alternative paths lying ahead. Will it follow the road to monopoly and ever-increasing concentration of economic power? Or will it take the other alternative—the hard and rocky road to a restoration of competitive free enterprise, with the preservation of the American ideals of opportunities for small, locally oriented companies to enter business and thrive and grow?

The Congress has repeatedly paid allegiance to a competitive enterprise system. Such allegiance has been expressed in the passage of our various key antitrust statutes—the Sherman Act, the Clayton Act, the Federal Trade Commission Act, the Robinson-Patman Act, and the Celler-Kefauver Act.

Both the Senate and the House have Small Business Committees, and small business has a voice in the executive branch in the Small Business Administration.

Yet despite these noble efforts designed to preserve opportunity for small, local enterprise, big business has grown apace. Loopholes have appeared in our antitrust laws, and big business has fashioned new techniques of controlling markets and enhancing its power.

Mergers feed growth

It is most appropriate that this report be titled "Mergers and Superconcentration," for all appearances suggest that we are moving into a new phase of industrial and financial domination and control of American industry. Merger movements have fed this cancerous growth. The United States is rapidly becoming a nation of clerks and hired hands. Opportunities for independent small businesses are eroding.

More than a decade has elapsed since the Celler-Kefauver Act was enacted with the purpose of forestalling increasing concentration resulting from mergers and acquisitions.

By interesting coincidence, on the very day (June 25, 1962) that the Supreme Court handed down its first opinion (*Brown Shoe Co. v. United States*) interpreting the Celler-Kefauver Act of 1950, the Senate Antitrust Subcommittee, under the chairmanship of Senator KEFAUVER, issued a new report on manufacturing concentration.

According to Senator KEFAUVER: "The most important single fact brought out by the report is that in the years following World War II the industrial economy has become significantly more concentrated in the hands of a few large corporations. Thus, between 1947 and 1958 the share held by the 200 largest companies of total industrial output, as measured by value added by manufacture, rose 27 percent. In 1947 the 200 largest companies accounted for 30 percent of the value added by manufacture; by 1958 their proportion had risen to 38 percent."

Top firms absorb others

Much of the recent increase in concentration has resulted from merger activity of the larger corporations. Based on the information reported in the various financial manuals, the top 500 industrial firms absorbed some 3,404 other companies and the 50 largest merchandising firms acquired 332 companies.

Moreover, based on limited data as to the size of the acquired firms, the preponderance of the assets removed from the stream of private business enterprise has stemmed from merger actions of the top corporations.

The merger movement has, of course, affected many lines of business in addition to those in which the large industrial and merchandising firms are engaged. In particular, it has made enormous inroads in the field of commercial banking—traditionally an important small business field in the United States.

The latest annual report of the Federal Deposit Insurance Corporation, for example, indicates that in 1961 some 133 banks, operating some 423 banking offices, with aggregate resources of $5,994 million, were absorbed by mergers, consolidations, and acquisitions.

(The Federal Deposit Insurance Corporation report stated: "The House Small Business Committee has underway a number of inquiries into banking, including regional concentration of commercial banking, growth of chain, holding company, and branch banking, the bank merger movement and its impact on concentration in banking, availability of bank credit for small business and related subjects.")

NO

(By Dr. Charles T. Stewart)

(NOTE.—Dr. Charles T. Stewart is acting director of economic research at the U.S. Chamber of Commerce. He is an expert in the field of economic growth. The economist taught at Utah State University and George Washington University before joining the chamber 4 years ago. His current job includes the preparation of testimony for congressional inquiries.)

The recent report, "Mergers and Superconcentration," by the staff of the House Select Committee on Small Business, warns that "much of the recent increase in concentration has resulted from the merger activity of the larger corporations"; that we are "becoming a Nation of clerks and hired hands"; and that "opportunities for independent small businesses are eroding."

But nowhere does it present any objective evidence of such dangers.

Another recent publication cited to prove the alleged rise in concentration is the Senate Antitrust Subcommittee's "Concentration Ratios in Manufacturing Industry, 1958." But that report demonstrates no significant 1954–58 change in the level of manufacturing concentration in the United States. Moreover, most of the 1947–58 increase in concentration—of which the committee makes much—was spurious: It largely reflects the shakeout, as the economy returned to more normal market conditions, of the large number of ill-conceived new enterprises formed immediately after World War II in response to the lure of pent-up demands.

Ratios declined

Due to this rapid postwar formation of new firms, concentration ratios fell during 1945–47 below their prewar levels; and the 1947–54 rise in concentration appears to have been a return toward the longer-term normal, rather than a rise above it. Moreover, this statistical approach to concentration takes no account of the roles played by rising foreign competition and interproduct substitutions as sources of increased competition within our domestic economy.

In fact, the whole concentration through mergers issue is grossly exaggerated. When the number of mergers in manufacturing and mining (reported by the Federal Trade Commission) is expressed as a proportion of the total number of manufacturing and mining businesses in operation (reported by the Department of Commerce), there is no postwar wave of mergers.

More opportunities

If we relate the number of separate businesses in the United States (Department of Commerce) to the labor force (Bureau of Labor Statistics) we find an alltime high, 66 operating businesses per 1,000 civilian labor force, in 1961. In other words, the opportunity for members of our working population to have their own businesses was never better than now. We are not "becoming a nation of clerks and hired hands."

The Small Business Committee's report is so preoccupied with one part of the economy that it fails to see any other. Between 1950 and 1961, the total number of operating businesses in the United States rose by 18 percent. Manufacturing and retail trade, the two sectors which concern the Committee, increased less than did the national total (by 2 percent and 12 percent, respectively).

These two sectors, primarily for technological reasons, are the two most likely to contain large and growing firms. On the other hand, most of the opportunity for successful independent small businesses is now to be found in contract construction (up 36 percent) and the services industries (up 21 percent), which today account for a significant and rapidly expanding portion of all business enterprises.

Complex problems

A fair summation of the real merger-concentration issue would be technological and institutional forces beyond individual businesses' or businessmen's control make many of today's business problems too complex and all-pervading to be coped with by yesterday's typical small business. Therefore, many smaller firms in many lines (including mining, manufacturing, distribution, and banking) must choose among (a) growing to a larger size, (b) merging into a larger firm, or (c) failing. The small enterprise must be exceptionally well-managed in order to survive.

No available evidence demonstrates rising concentration to result from the deliberate plans of any particular group.

Even though we may look back with yearning to the "good old days" of small shops, atomistic competition, and problems which seem simple when compared to today's global issues, only the most unrealistic-minded think that such a system can be maintained or re-created in a modern setting. In order to realize those "good old days" we would have to give up more progress and prosperity than Mr. PATMAN probably would be willing to sacrifice.

New Frontiers for the Old West

EXTENSION OF REMARKS
OF
HON. MAURINE B. NEUBERGER
OF OREGON
IN THE SENATE OF THE UNITED STATES
Wednesday, February 6, 1963

Mrs. NEUBERGER. Mr. President, on December 13, 1962, the National Association of Counties held a grazing, water, and revenue conference in Las Vegas, Nev. This meeting brought together officials representing county units of government throughout the western region to discuss improved programs and policies for use of our natural resources.

The concluding banquet address at the conference was delivered by the Honorable Orville Freeman, Secretary of Agriculture. He offered a proposed revolution for western counties. Through forward-looking proposals, Secretary Freeman suggested methods by which we could renew and revitalize development of rural areas. I ask consent that a portion of the text of Secretary Freeman's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

EXCERPTS OF ADDRESS BY HON. ORVILLE FREEMAN, SECRETARY OF AGRICULTURE

I want to challenge you to help rural America.

In the past 2 years we have made sound progress in bringing rural areas development from a vague concept to a specific and detailed program which can bring new economic opportunity to rural America. We have both recognized and taken vigorous action to meet the problem of underdeveloped areas in our own country. And I say underdeveloped advisedly, for there are many areas in our own country which lag far behind the rest of the Nation. These areas desperately need economic and technical assistance.

Now this administration has begun to develop ways to get our own underdeveloped areas moving ahead, as well as those in other nations. The actions we have taken should have been taken long ago.

Some of it has been administrative action which could have been taken any time the will to act was there. Other steps involve legislative action which could and should have been requested years ago.

The single most significant advance in rural areas development came with the enactment of the Agricultural Act of 1962.

It provides authority to initiate rural renewal projects, a tool which can be most effective in helping rural areas in the most serious economic trouble. We can provide technical assistance and loans to local public agencies designated by the Governor or the State legislature to develop comprehensive, far-reaching programs in rural areas which are similar in purpose and scope to the more familiar urban renewal projects.

It places the agricultural conservation program on a permanent basis, marking the turning point in land use legislation. It makes many farmers eligible for additional help under long-term agreements with USDA to change cropping systems and land use and to develop soil, water, forest, wildlife, and recreational resources. Much of the land coming out of the conservation reserve will be eligible for the new land use adjustment program. The act authorizes USDA to share with local public bodies up to half the cost of land, easements, and rights-of-way for small watershed projects to be dedicated to public recreation.

Earlier this week we announced the first pilot program to develop the most effective techniques for converting land on which crops are now grown to other uses—grazing, timber, recreation and others. This is in line with our philosophy that the land resources of rural America should be used and not lay idle.

It gives new authority for FHA loans for outdoor recreational enterprises at a time when the Department was getting thousands of inquiries about such enterprises. The large number of requests for information about the opportunities for family farms and groups of farmers under this program reflect a high degree of interest—and it encourages us greatly.

The Congress also took other actions this year which will benefit the rural development program. It appropriated increased funds for credit through FHA and REA, and it also increased funds for research on new uses and new processes for farm commodities.

Through the Manpower Development and Training Act, persons living in rural areas can obtain assistance in learning new skills which can open doors to new opportunities for employment either in their home community or other areas.

The urgent task is to inform the people. The recent series of land and people conferences which some of you may have attended was an important first step but more needs to be done. We need to take vigorous action to awaken local interest in rural areas development, to help rural residents organize local programs, and then help them draw on the technical competence and rural credit facilities of the Department of Agriculture. The measure of our success will be determined by the response of people in the local community.

Too many people do not yet know of the going programs—people who stand to benefit most from supervised farm credit, from low-cost loans for rural homes, and from pooling their resources in cooperatives or community development corporations.

There are examples of rural growth today where local initiative, combined with financial and technical assistance from the Department, has produced new jobs and new opportunities.

Sanders County, Mont., is such an example. For years, many farmers there had been hard pressed to make a living from dairying, hay, and grain. The soil conservation district supervisors wondered why woodlots on these farms couldn't be managed to increase farm income.

They asked the forest ranger to make a survey. He found that the area's timber if properly managed could keep a small mill in business.

Today, Sanders County has a mill employing about 75 people, and providing supplemental income for about 200 farmers. It is operating because local leadership provided the catalyst that combined local resources with those available from the Government. The Small Business Administration supplied some of the funds to build the mill. The local electric cooperative loaned money to the plant to buy needed electrical equipment.

The new accelerated public works program already is putting additional resources into Sanders County. On Lolo and Kaniksu National Forests, new projects have been started to construct roads and trails and improve timber stands. More than 3,000 man-days of work will result from these public works projects. And these national forests will become even greater assets to the county. I'm told that the national forests last year returned nearly $100,000 to the county's treasury—money which supports schools and roads.

To illustrate the importance of credit to development of a county, I cite Roosevelt County, N. Mex.

In 1940, only 56 percent of the county's farmers owned their farms. By 1960, the number of owners had increased to 71 percent of all farmers.

Loans from the Department's Farmers Home Administration were a major factor in this rise. FHA has loaned $1,750,000 to 150 county families to become farmowners. FHA has also advanced $2,500,000 to farmers in the county for operating expenses. It has aided nearly 100 rural families to build new homes and farm service buildings.

You county officials, who struggle day in and day out with local financial problems, know what this new capital has meant to the people of Roosevelt County.

And the effect goes far beyond the county. It is like a pebble dropped in a still pond. It provides additional markets that help to buoy the urban economy. This is extremely important, for we are an interdependent people—rural, suburban, and urban. Revitalization of the countryside will be speeded by a strong and vigorously growing urban economy with the means to buy the goods and services, including outdoor recreation, produced in rural areas.

A second task that we see developing is the great need for technical and financial assistance to help local groups of citizens organize and begin drawing plans for overall economic development. This work is presently being carried out through the Extension Service and the technical action panels, but we already find ourselves being swamped in some areas.

It would be of great assistance if local government bodies could provide financial and technical aid to supplement the work now being done by the technical action panels. These men are not specifically trained for development planning, and they also have normal workloads to carry in addition to these new assignments.

A third area of concern relates to the development of new industries in rural communities. Many of those people who have experience in this area recognize that the community that waits for a new industry to be located from outside the community will usually wait a long time. The hope for real progress is best realized by emphasizing the growth potential from within the local community itself.

Individually, these people cannot meet the requirements for financing, management, promotion, and other essential skills. But by pooling their funds and skills, and through assistance from State and Federal agencies, the needs of establishing modern industry can be met. Perhaps cooperative arrangements can be very useful in this regard, but we need to explore ways of creating a more effective technique for developing industrial opportunity in rural communities.

The solution to this problem will also help solve a universal problem in rural areas—that of finding job opportunities for the young people as they leave high school.

A fourth area where your advice will be most helpful relates to the creation of a domestic peace corps—a project which currently is being discussed among several departments and agencies of the Government. We have assigned one man to a special group being formed by Attorney General Robert Kennedy to study and evaluate the proposed development of a corps of men and women who would serve in rural and urban areas of this country where social and economic conditions required immediate and massive attention.

How could a domestic peace corps contribute most effectively to correcting some of the very serious problems we know exist in rural areas? Can the drive and enthusiasm which is found in the Peace Corps abroad overcome the apathy and frustration in poverty areas where rural renewal projects are needed? Could these corpsmen help the low income white, Negro, and Indian families value the economic barriers which tie them to a life of poverty? Can they provide educational opportunities which now are lacking for many young people in rural America? Can they provide the personal and individual attention needed to help the illiterate, the physically and mentally handicapped?

I believe a domestic peace corps can be a healthy and dynamic influence in the rural areas development program, and I would welcome your ideas and thoughts on the subject.

Finally, it is clear that the scientific and technological changes in agriculture have come so swiftly—and are still at work at an unbelievable speed—that most people could no more accurately describe rural America today than they could the surface of Venus. It is at once the most outstanding example of productive success in the history of man and yet harbors more poverty than all the metropolitan centers put together. It is one of the basic elements in our ability to lead the free world and yet young people leave it for want of adequate opportunity. It is sometimes described as the last bastion of freedom and yet some organizations advocate using economic pressure to drive people out of it.

It is clear, both from cold statistics and the observable events of the past decade, that the core of the problem in rural America has two parts—low income caused by chronic overproduction, the inability of the market to absorb at a fair price what our farms can easily produce and a social problem caused by farms too small to support a family, and by the failure to develop adequate income opportunities through putting the resources of rural America to nonfarm uses.

Emphasis on improving farm prices and income is essential but it is not the full answer, nor will a concentration on developing nonfarm uses of rural resources be enough to enable the Americans who live in rural areas to enjoy a standard of living equal to that of their urban cousin.

Supply management, applied as a tool and not as a doctrine, is a flexible instrument to increase production of commodities in short supply and to balance production with demand when stocks become too great. It furthers at the same time the welfare of both the producer and the consumer. It provides for national security and our commitments to friendly nations abroad by maintaining adequate reserves for war, natural disaster and the food-for-peace program. It maintains fair prices for the consumer and fair income for the farmer.

I believe we can reach a fair level of living for the rural American if we are willing to accept new ideas and explore new ways. Tangible progress has been made in that direction. We have new tools, and many people have shown their willingness to use them. We know the resources are in rural America waiting to be put to new uses. We are at a critical time when action counts.

And I am optimistic that rural America will make the most of its new opportunities.

HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Matthew 5: 6: *Blessed are they who do hunger and thirst after righteousness for they shall be filled.*

Almighty God, in these days of international conflicts, bless us with those insights and inspirations of righteousness which will sustain our morale and save us from becoming disheartened and cynical.

Grant that the hazardous situations we are facing may challenge and constrain us to lay hold upon Thee with increasing tenacity of faith.

God forbid that we should ever be dubious and doubtful about the prediction and certainty that truth and righteousness shall prevail.

May we not merely be content with bringing economic unity among us and our allies and all the nations of the earth.

Show us how we may help humanity crucify those baser passions which breed hatred and war and supplant them with the spirit of good will and brotherhood.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of Tuesday, February 5, 1963, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

CONTESTED ELECTION CASE—ODEGARD AGAINST OLSON (H. DOC. NO. 62)

The SPEAKER laid before the House the following communication from the Clerk of the House, which was read and, together with the accompanying papers, referred to the Committee on House Administration and ordered to be printed:

February 7, 1963.

The Honorable the Speaker,
House of Representatives.

Sir: That there is in progress under the statutes a contest for a seat in the House of Representatives, growing out of the election held November 6, 1962, in the Sixth Congressional District of the State of Minnesota, was evidenced by the filing of a notice by Robert J. Odegard with the returned Member Alec G. Olson and by the filing of the answer to the notice by Alec G. Olson.

Now comes the contestee, Hon. Alec G. Olson, with a notice to dismiss said contest and citing the reasons for the requested action.

Since this is a question that can only be resolved by the House itself, the notice to dismiss, together with the notice of contest and reply thereto is being submitted for such action as the House in its wisdom may deem proper to take.

Respectfully yours,
Ralph R. Roberts,
Clerk, U.S. House of Representatives.

JAMES MADISON MEMORIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86–417, the Chair appoints as members of the James Madison Memorial Commission the following Members on the part of the House: Mr. Smith, of Virginia; Mr. Slack, of West Virginia; Mr. Poff, of Virginia; and Mr. Moore, of West Virginia.

HEALTH PROTECTION RECOMMENDATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 60)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

Health, as Emerson said, is the "first wealth." This Nation has built an impressive health record. Life expectancy has been increased by more than 20 years since 1900; infant mortality rates have been dramatically reduced; many communicable diseases have been practically eliminated. We have developed or are close to developing the means for controlling many others. The intensive medical research effort begun shortly after World War II is now showing dramatic results. The array of modern drugs, appliances, and techniques available to prevent and cure disease is impressive in scope and in quality.

But each improvement raises our horizons; each success enables us to concentrate more on the remaining dangers, and on new challenges and threats to health. Some of these new challenges result from our changing environment, some from new habits and activities. More people than ever before are in those vulnerable age groups—the very young and the very old—which need the greatest amount of health services. More people are living in huge metropolitan and industrial complexes, where they face a host of new problems in achieving safety even in the common environmental elements of food, water, land, and air. The hazards of modern living also raise new problems of psychological stability.

In addition to the long-neglected problems of mental illness and mental retardation on which I made recommendations earlier this week, other areas affecting our Nation's health also require serious and sustained attention:

There is a shortage of professional health personnel. We must take prompt and vigorous action not only to increase the numbers of trained personnel but to perfect better means for making the most effective use of the health manpower now available.

Health facilities must be improved and modernized. More of them need to be geared to the problems of older and long-term patients.

Health care is not adequately available to our older citizens. Costs to aged individuals too often are prohibitively high, and we have not yet been effectively able to bring modern health services to many of them.

Threats to the physical well-being of our families from the contamination of food, air, and water, and from hazardous drugs and cosmetics, must be dealt with more promptly and more effectively.

Health protection and care must be made more widely available to our children, particularly those whose parents cannot afford proper care and those who are suffering from crippling diseases.

In each of these key areas, this Nation has an obligation to strengthen its resources and services. The alternative is a weaker people and Nation, a waste of manpower and funds, and a denial to millions of people of a full and equal opportunity to life, liberty, and the pursuit of happiness. The Federal Government has stimulated much of the recent progress in medical research, without any interference with a scientific, academic, or individual liberty. Our task now is to be equally decisive in putting this knowledge into practice. Financial provision for the recommendations made in this message was included in the 1964 budget which I transmitted to the Congress last month.

I. PROFESSIONAL HEALTH PERSONNEL

Perhaps the most threatening breach in our health defenses is the shortage of trained health manpower. Our health can be no better than the knowledge and skills of the physicians, dentists, nurses, and others to whom we entrust it. It is essential that we always have a sufficient supply of such talent, drawn from the best and most gifted men and women in the land.

But the harsh fact of the matter is that we are already hard hit by a critical shortage in our supply of professional health personnel, with the situation threatening to become even more critical in the years immediately ahead. Our hospitals report substantial numbers of unfilled positions for nurses and other health workers. In some cases, entire wings or floors have been closed for lack of trained personnel. In others, particularly mental hospitals, where thousands of patients languish in needless confinement and suffering due to a lack of doctors and nurses, the unavailability of sufficient personnel is a reluctantly accepted fact.

A. MEDICAL AND DENTAL EDUCATION

The shortage of physicians and dentists is particularly serious. Our medical and dental schools do not graduate enough students to keep pace with our growth in population. There are 137 physicians and 56 dentists for every 100,000 American people in the country today. And merely to maintain even this ratio will require, over the next 10 years, a 50-percent increase in the number of graduates from our medical schools and a 100-percent increase in the number of dental graduates.

In an effort to meet present needs, we now license more than 1,500 graduates of foreign medical schools each year to practice in this country—approximately one-fifth of the annual additions to our medical profession. In addition, one-quarter of the interns and residents in our hospitals are foreign medical graduates. Yet many internships and residencies remain vacant due to lack of manpower. More and more physicians are devoting their time to teaching, to research, to advanced preparation in a specialty; and while this trend represents progress, it also decreases the proportionate supply of physicians available to treat our families. In 1950, there were 1,300 people in the United States for each family physician. The present outlook, unless steps are taken now to increase the supply of physicians, is for more than 2,000 people per family physician by 1970.

Therefore, I again urgently recommend enactment of legislation authorizing (1) Federal matching grants for the construction of new, and the expansion or rehabilitation of existing, teaching facilities for the medical, dental, and other health professions; and (2) Federal financial assistance for students of medicine, dentistry, and osteopathy.

B. NURSE'S EDUCATION

There were 550,000 professional nurses and 225,000 practical nurses in active practice in 1962. This number is far too small to meet the needs for high quality nursing care. Too many hospitals have been required to rely on inadequately trained orderlies and attendants. At my request, a distinguished group of citizens, serving as consultants to the Surgeon General, has studied the scope and solutions of this problem. They concluded that a feasible and essential goal for 1970 is to increase the number of professional nurses in practice to some 680,000 and the number of practical nurses to 350,000. This requires a 25-percent increase in the supply of nursing personnel and, therefore, a major expansion in both collegiate and hospital programs of nursing education. The number of nurses graduating from collegiate courses would have to double from 4,000 in 1960 to at least 8,000 in 1970. This expansion would require the equivalent of more than 30 to 35 new collegiate nursing schools. Graduates from hospital schools would have to increase from 25,000 to 40,000 by 1970, and junior colleges would have to be graduating 5,000 by that year.

Nursing schools are unable to bear the tremendous financial burden for an expanded effort of this size. Despite diligent effort, nursing has had little success in commanding sufficient local support for the development of its educational facilities and programs. Federal assistance in the expansion of our capacity to train nurses will be necessary.

To meet these goals, and generally to improve the quality of nursing services, the consultant group recommended that the Federal Government: (1) provide financial assistance to expand teaching facilities for nurses' training; (2) provide financial assistance to students of nursing, many of whom cannot afford an education beyond high school; (3) initiate new and improved programs for the support of graduate nursing education, to provide more teachers of nursing; and (4) initiate new programs and expand current programs of research which are directed toward improved utilization of nursing personnel.

I shall transmit to the Congress for action legislation now being prepared on the basis of this report.

II. HEALTH FACILITIES

A. AID FOR CONSTRUCTION OF HOSPITALS AND NURSING HOMES

The Hill-Burton program of Federal aid for the construction of health facilities has been in operation for more than 16 years. Its success can best be measured by the network of modern and efficient hospitals which have been built throughout the country, particularly in smaller towns and rural areas. But the gains have been more than quantitative. The program has had a marked effect in raising State licensing standards, and in improving the design, maintenance, and operation of health facilities in every State. It has helped attract vitally needed physicians and other health specialists to rural areas. And, through development of more effective State plans, it has encouraged the first steps toward the establishment of more coordinated systems of hospital and other facilities to provide more efficient and economical health care.

A year ago I asked the Secretary of Health, Education, and Welfare to review this program and to make recommendations for its future. This review has now been completed. It points out the necessity for continuing the program to meet new and changing medical facility needs.

Significant progress has been made in reducing the deficit of general hospital beds throughout the country, especially in rural areas. Nevertheless, shortage areas remain and their needs should be met. Indeed, rapid population growth alone requires a constantly expanding hospital system. I recommend, therefore, that the Hill-Burton program, which is due to expire June 30, 1964, be extended for 5 years.

A particularly acute problem is that of the older hospitals faced with physical deterioration and functional obsolescence. Many hospitals are growing obsolete at such an alarming rate as to hamper the quality of care. State Hill-Burton agencies have reported that there are 75,000 beds in general hospitals that have serious structural or fire hazards. Almost half of all the hospitals in the Nation need some form of modernization.

A 1960 study, based on reports made by State hospital agencies, revealed that it would cost $2.8 billion to modernize or replace antiquated general hospitals, without even adding to the number of beds. This estimate is more than three times the present annual level of construction expenditures for all health facilities. Because of the priority it gives to projects which increase the total number of beds, particularly in rural areas, the Hill-Burton Act as presently constituted cannot meet this vast need for modernization and replacement.

In response to this critical national need, I am recommending modification of the Hill-Burton Act to authorize a new program of financial assistance for modernizing or replacing hospitals and other health facilities.

Although some progress has been made in meeting the backlog of need for chronic disease hospitals and nursing homes, it is estimated that less than one-third of this need has been met and that an additional 500,000 beds for long-term patients are required to meet today's demand.

The outlook for the future is even more serious. In 1960, there were nearly 18 million people aged 65 or over. By 1980, this group will exceed 24 million. As the number of older people increases and as the economic barriers to care in these facilities are eased, the demand for long-term care facilities will soar. The need for high quality nursing homes will be especially great. For these reasons, I recommend amendment of the Hill-Burton Act to increase the appropriation authorization for nursing homes from $20 to $50 million annually.

B. MENTAL HEALTH AND MENTAL RETARDATION FACILITIES

My proposals for a national mental health program and a national program to combat mental retardation, including proposals to assist in the construction of community mental health centers and mental retardation facilities, have been set forth in an earlier message on these subjects. I wish to underline here again the urgency of the Nation's need for long-postponed solutions to a long neglected problem, and to urge once more their prompt enactment by the Congress.

C. HEALTH FACILITY PLANNING GRANTS

As health facilities become more numerous and complex, there is a greater need for more coordinated planning, particularly in our metropolitan areas. This is necessary to insure against the use of public and private resources to construct facilities which are not needed, are poorly located, create unnecessary duplication, or create further imbalances among the kinds of services provided. Proper planning will not only make for more efficient use of the large sums of capital expended for health facility construction, but may also help materially to control the ever increasing cost of hospital care. Therefore, I recommend legislation to authorize planning grants to public and nonprofit organizations, including State agencies, to assist in developing comprehensive areawide plans for the construction and operation of all types of health facilities.

D. ENCOURAGEMENT OF GROUP PRACTICE

Concern over the shortage of professional personnel and the shortage of health facilities makes clear the desirability of encouraging those efforts which seek to make the most effective use of both. Experience has demonstrated that both patients and professional personnel benefit from group practice facilities, where general practitioners and specialists are able to combine their diverse professional skills and use common facilities and personnel to furnish comprehensive medical and dental care. Group practice of medicine and dentistry promises to improve the quality of medical and dental care, while making possible significant economies for both patient and practitioner. Unfortunately, the difficulty of obtaining financing on reasonable terms to construct and equip such facilities is too often a major obstacle in their development.

In order to encourage this trend, particularly in our smaller communities and under the sponsorship of cooperative or other nonprofit organizations, I recommend legislation to authorize a 5-year program of Federal mortgage insurance and loans to help finance the cost of constructing and equipping group practice medical and dental facilities.

III. COMMUNITY HEALTH PROTECTION

Substantial advances have been made during the past year in protecting the American people against contamination of food, air, and water, and the hazards associated with drugs.

In 1962, as a result of legislation passed by the 87th Congress, our communities with Federal financial aid, spent $600 million to build needed waste treatment facilities, the largest total in our history. Our national program of protection against undue exposure to radiation was strengthened through broadened surveillance, expansion of research, increased training of manpower, and aid to the States in developing their own programs of radiation protection and control. Better protection for the consumer was assured by the enactment of the Kefauver-Harris drug control amendments, which set higher standards of safety, honesty and efficacy in the manufacture and sale of prescription drugs and new drugs of all kinds. Additional action by the Department of Health, Education, and Welfare to improve controls over the clinical testing of new drugs will add to our safeguards against the possibility of health catastrophes during the development of new remedies.

But much remains to be done.

We need to broaden our surveillance and control of pollution in the air we breathe, the water we drink, and the food we eat. We need to intensify our research effort in this area, to define the precise damages done to our health by various contaminants, and to develop more effective and economical means of controlling or eliminating them. We need to step up our training of scientific manpower in the many disciplines related to the maintenance of a healthy environment. We need to continue our support and stimulation of vigorous control programs in States and communities.

In addition, there is clear and urgent need for new legislative authority in three specific areas of health protection.

A. FOOD, DRUGS, DEVICES, AND COSMETICS

Legislation is needed to strengthen the Food, Drug, and Cosmetic Act in its task of protecting the health of the consumer. The Food and Drug Administration, which lacks authority to require the adequate safety testing of cosmetics before they are placed on the market, has ample evidence of the harm which is caused by harmful cosmetic products. Other problems are presented by untested dangerous or worthless therapeutic or diagnostic devices. Of particular danger to children are the 300,000 ordinary household items containing poisonous or dangerous substances without proper labeling and warning. Food, drugs, and cosmetics were not included in the Federal Hazardous Substances Labeling Act of 1960.

We cannot afford to withhold from the Food and Drug Administration the full authority required to provide the maximum protection to our families. I recommend the enactment of new legislation to:

(a) Extend and clarify inspection authority to determine whether food, over-the-counter drugs, cosmetics, and therapeutic or diagnostic devices are being manufactured and marketed in accordance with the law; and to provide authority similar to that of most other regulatory agencies for the production of evidence in hearings;

(b) Require cosmetics to be tested and proved safe before they are marketed;

(c) Require manufacturers of therapeutic devices to maintain controls which assure the reliability of their products, and require proof of both safety and effectiveness before such devices are put on the market; and

(d) Extend existing requirements for label warnings to include hazardous household articles, where necessary.

Further delay in the enactment of this authority can only prolong and aggravate these unnecessary hazards to health.

B. AIR POLLUTION CONTROL

Reports by leading scientists in the past year have stressed that there is overwhelming evidence linking air pollution to the aggravation of heart conditions and to increases in susceptibility to chronic respiratory diseases, particularly among older people.

Economic damage from air pollution amounts to as much as $11 billion every year in the United States. Agricultural losses alone total $500 million a year. Crops are stunted or destroyed, livestock become ill, meat and milk production are reduced. In some 6,000 communities various amounts of smoke, smog, grime, or fumes reduce property values and, as dramatically shown in England last year, endanger life itself. Hospitals, department stores, office buildings, and hotels are all affected. Some cities suffer damages of up to $100 million a year. One of our larger cities has a daily average of 25,000 tons of airborne pollutants. My own home city of Boston experienced in 1960 a "black rain" of smoke, soot, oil or a mixture of all three.

In the light of the known damage caused by polluted air, both to our health and to our economy, it is imperative that greater emphasis be given to the control of air pollution by communities, States, and the Federal Government. We are currently spending 10 cents per capita a year in fighting a problem which cost an estimated $65 per capita annually in economic losses alone. I therefore recommend legislation authorizing the Public Health Service of the Department of Health, Education, and Welfare:

(a) To engage in a more intensive research program permitting full investigation of the causes, effects and control of air pollution;

(b) To provide financial stimulation to States and local air pollution control agencies through project grants which will help them to initiate or improve their control programs;

(c) To conduct studies on air pollution problems of interstate or nationwide significance; and

(d) To take action to abate interstate air pollution along the general lines of the existing water pollution control enforcement measures.

C. ENVIRONMENTAL HEALTH

The long-range assault of multiple environmental contaminations on human health are cumulative and interrelated. It is of great importance, therefore, that our efforts to learn about and control health hazards be unified and mutually supporting. The President's Science Advisory Committee, in cooperation with the Federal Council for Science and Technology, has undertaken a major review of the Government's activities with respect to the use of chemicals in the environment. Special attention is being given to the control of pesticides. Nearly 180 million pounds of pesticides valued at more than $1 billion are used in the United States every year. If this review reveals need for additional authority, necessary recommendations will be made to the Congress.

I am renewing my recommendation of last year that authority be granted to the Surgeon General of the Public Health Service, with the approval of the Secretary of Health, Education, and Welfare, to bring environmental health functions together in one Bureau. I also ask that the Congress approve the funds requested in my 1964 budget for initial steps to establish a central facility in the Washington area which can serve as a focal point for related research, training, and technical assistance in environmental health.

IV. HEALTH RESEARCH

This Nation has made impressive strides in its search for knowledge to combat disease and, as a result of a deliberate national effort, a bold and far-reaching program is moving well. The Federal Government is now providing the financial support for nearly two-thirds of the $1.5 billion in public and private expenditures for medical and health-related research in this country. But this effort is unending—new breakthroughs lie ahead—major problems are unsolved. This country must invest in a further expansion of essential and high quality research and related activities. I have, therefore, recommended appropriations in the 1964 budget of $980 million for support of the National Institutes of Health, an increase of $50 million in authorizations and $113 million in expenditures over the current year.

The budget also provides funds for the work of the Institute of Child Health and Human Development and the Institute of General Medical Sciences. These new Institutes, which were authorized by the 87th Congress, will provide a needed focus for more intensive research efforts in these areas.

One of the greatest threats to maintaining the high quality health research now being achieved through the activities of the National Institutes of Health is the continued loss of its outstanding scientists as the result of pay scales which are not generally competitive. The Federal Salary Reform Act approved last October carries forward the administration's plan to provide Federal salary rates that are comparable with national private industry salary rates for the same work levels. However, the final stage of that salary reform plan, which will be effective next January, provides salary rates that are still too low, particularly in the upper levels, when measured by the compensation provided outside of Government. It is important that the Congress take appropriate action to correct this disparity.

Last year I pointed out that the accumulation of knowledge through research is of little use unless communicated in useful form to those who need to use it, to other scientists, educators, practitioners, administrators, and the public. There is now wide recognition that improved scientific communication is an urgent goal, and action is being taken. With the assistance of information developed by congressional studies, I have asked the Department of Health, Education, and Welfare to take the lead in developing new methods and systems of utilizing and making effectively available more health research results and information. Should additional legislation be required, it will be transmitted promptly to the Congress.

V. OTHER ESSENTIAL HEALTH EFFORTS

A. HEALTH INSURANCE FOR OUR OLDER CITIZENS

In a subsequent message to the Congress concerned solely with the needs of older people, I will again outline my recommendations for a long overdue measure to fill a crucial gap in our social insurance protection—health insurance under social security. This measure should also be at the top of the congressional agenda on "health."

It is a tragic irony that medical science has kept millions of retired men and women alive to face illnesses they cannot afford, that the very drugs and methods which have done so much to prolong their lives and ease their pain are too expensive for the majority of older citizens. Many can face one siege of serious illness, with the help of savings and families. But a second wipes them out, and the average person can expect two or three hospital bouts after age 65. Needless suffering in silence, financial catastrophe, public or private charity, these are not acceptable alternatives in the richest country on earth. Social security health insurance must be enacted this year. Details will be contained in a forthcoming message.

B. IMPROVING MATERNAL AND CHILD HEALTH

In my special message on mental health and mental retardation, I recommended several new measures designed to improve the health of mothers and children. The relationship between improving maternal and child health and preventing mental retardation is clear. But equally clear is the fact that the need for better health services for mothers and children is steadily increasing in general, due to the growing child population, the rising costs of medical care, and changes in the practice of medicine and public health. I take this opportunity, therefore, to stress again the urgency of those provisions.

C. VOCATIONAL REHABILITATION

As we expand and improve health services, we make it possible for larger numbers of people to recover from the damaging effects of serious illness and injury, and to return to active and useful lives. Vocational rehabilitation programs, both private and public, are playing a key role in helping to convert these gains in curative medicine into gains in productive living. Work, often the mere hope of returning to work, provides a powerful incentive for large numbers of seriously disabled people as they travel the difficult road to recovery and rehabilitation. For these reasons, I recommend that funds for the State-Federal program of vocational rehabilitation be increased to permit 126,500 handicapped individuals to be successfully returned to employment, a 25-percent increase over this year. I am also recommending legislation to strengthen and improve the vocational rehabilitation program, including Federal assistance in constructing rehabilitation facilities and workshops, additional aid to help States increase the number of persons rehabilitated, and special provisions to increase the rehabilitation of the mentally retarded.

D. COMMUNITY HEALTH SERVICES

Last year the Congress passed the Vaccination Assistance Act and the Migrant Health Act, both of which were designed to meet important national health problems. The Vaccination Assistance Act looks toward the eradication of poliomyelitis, diphtheria, whooping cough, and tetanus through the mass immunization of children at the earliest possible stage, under community-sponsored programs. We can and should eliminate these four deadly diseases. The Migrant Health Act authorizes grants to improve the deplorable health conditions of migrant workers.

I am submitting supplemental appropriation requests to the Congress to provide funds in this fiscal year to enable both the vaccination assistance and migrant health programs to get underway at the earliest possible date.

These programs, coupled with progress now being made under the Community Health Services and Facilities Act of 1961, are directed toward the long-range goal of comprehensive community health services, available to people in their own communities, when and where they need them. To permit the more effective prosecution of programs to improve health services at the community level, I am again renewing my recommendation of last year that authority be granted to bring all community health activities of the Public Health Service together in one bureau.

E. INTERNATIONAL HEALTH

We must continue our collaborative efforts with other nations in the global struggle against disease. Over the past few years the United States has rapidly expanded its international medical research activities and support. We have also been instrumental in encouraging research under the aegis of the World Health Organization. These efforts are consistent with and in furtherance of our goals of world peace and betterment, and it is important that they be continued.

A problem of particular significance in the Western Hemisphere is that of yellow fever. Many countries of the Americas have conducted campaigns to eradicate the mosquito which carries yellow fever, but the problem of reinfestation has become a serious one, particularly in the Caribbean area. We have pledged our participation in a program to eradicate this disease-carrying mosquito from the United States, and the 1964 budget provides funds to initiate such efforts. This will bring this country into conformity with the long-established policy of the Pan American Health Organization to eliminate the threat of yellow fever in this hemisphere.

CONCLUSION

Good health for all our people is a continuing goal. In a democratic society where every human life is precious, we can aspire to no less. Healthy people build a stronger nation, and make a maximum contribution to its growth and development.

This national need calls for a national effort, an effort which involves individuals and families, States and communities, professional and voluntary groups, in every part of the country. The role of the Federal Government, although a substantial one, is essentially supportive and stimulatory. The task is one which all of us share, to improve our own health, and that of generations to come.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 7, 1963.*

THE HEALTH OF THE AMERICAN PEOPLE

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. ALBERT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ALBERT. Mr. Speaker, the President, in his message to the Congress today, has eloquently described the many problems which are accumulating to endanger the health of the American people.

We have always prided ourselves on our health, and have told the world we are the healthiest Nation of all. This may not continue to be the case, if the President's recommendations go unheeded.

The import of the President's message is not difficult to grasp nor easy to challenge: the total American institution which today guarantees our health is not keeping pace with the swift developments occurring within our society.

Our professional health personnel force is beginning seriously to lag behind our burgeoning population. Mr.

Speaker, I regard this as a command. We must take steps to assure for our people a sufficient number of doctors, dentists, nurses, and other health professionals.

An inadequate number of health facilities is being built to cope with the sheer number of citizens who must use them tomorrow. There is no alternative. We must have enough hospital beds for our sick.

Community health protection is still behind requirements. While we are taking steps toward control of air and water pollution, we must begin to take strides.

These and many other problems challenging our health and that of our children command our strictest attention. I urge the Congress to consider carefully the President's many proposals.

ELECTION TO COMMITTEES

Mr. HALLECK. Mr. Speaker, I offer a privileged resolution (H. Res. 246), and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That the following-named Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

Committee on Education and Labor: Paul Findley, Illinois; Robert Taft, Jr., Ohio.

Committee on Interior and Insular Affairs: Patrick Minor Martin, California.

Committee on Merchant Marine and Fisheries: Hastings Keith, Massachusetts.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The chair recognizes the gentleman from Pennsylvania [Mr. Barrett].

THE LATE HONORABLE JAMES PATRICK McGRANERY

Mr. BARRETT. Mr. Speaker, it is with profound sadness that I rise today to pay respect and tribute to the memory of a former Member of this House, the late distinguished and capable Congressman from Pennsylvania, the Honorable James Patrick McGranery.

Jim McGranery was a very dear and personal friend of mine for many, many years. His devotion to his family, his country, and his many friends will always be an inspiration to me.

Jim was born of Irish parents in my congressional district in south Philadelphia in 1895. Though poor and unable to give him much financial help, their faith in him inspired his greatness. He received his education at St. Charles Borromeo and the Roman Catholic high school.

During the First World War, Jim enlisted. He later served as adjutant of the 111th Infantry of the Pennsylvania National Guard.

After the war, he was financially unable to continue his education and, therefore, had to seek employment. He became a member of the Philadelphia Electrotypers' and Finishers' Union and worked every day in order to finance and further his education at the Temple University evening law school. He was graduated in 1928 and that same year was admitted to the Philadelphia bar.

In addition to the general practice of law in the City of Brotherly Love, Jim McGranery became the pioneer of the Democratic Party in Philadelphia and demonstrated beyond a shadow of a doubt his political astuteness and leadership.

Jim's political star rose rapidly. In 1934 he was appointed by Governor Earle to the position of chairman of the Philadelphia Registration Commission. Two years later he was elected to the Congress of the United States and served in the 75th and three succeeding Congresses. He was an important member of the Committee on Banking and Currency, the Interstate and Foreign Commerce Committee, and the Ways and Means Committee.

During his service in the 78th Congress, he resigned at the request of President Roosevelt to become the Assistant to the Attorney General of the United States. His record of achievement was outstanding and because of his vital war contribution to the national defense, he was awarded the Medal of Merit by President Truman in March 1946.

The following July, Jim was appointed judge of the U.S. District Court for the Eastern Division of Pennsylvania, where he served with distinction for 5½ years.

In 1953 Judge McGranery was appointed as the Attorney General of the United States at the personal request of President Truman. Although his first love was the law, he felt compelled to render additional service to his country. He was a fearless fighter for right, and Americans nationwide acclaimed him. All Philadelphians, of course, openly admired him and were proud to claim him as one of their own.

Jim received many honorary degrees during his lifetime. Villanova awarded him a doctor of laws; La Salle College conferred the degree of doctor of humanities upon him. Jim was also awarded the degree of doctor of laws by the National University School of Law, in Washington, D.C.

Congressman McGranery was an outstanding layman of the Roman Catholic Church and received many honors, including the decoration of Knight Commander of the Order of Saint Gregory the Great, Private Chamberlain of the Cape and Sword, both conferred by His Holiness, Pope Pius XII; and the Knight in the Equestrian Order of the Holy Sepulchre of Jerusalem, invested by His Eminence, Francis Cardinal Spellman, of New York.

Mr. Speaker, I have merely touched on the highlights of Jim McGranery's career and life on earth. His many deeds of kindness and the sacrifices he made for others are too numerous to mention, but then he was just that kind of a man—a true humanitarian.

To me, who knew him so well, he was more than a great statesman and leader. He was a kindly man with a brilliant Irish wit who was devoted to his gracious and talented wife, Regina Clark McGranery, who is also an attorney and a member of the Philadelphia bar. She is the mother of his two very fine sons and beautiful daughter, all of whom are now attending college.

To Mrs. McGranery and the children I extend my very best wishes for every happiness and success. It has been difficult for me to reminisce, and with a saddened heart, let me say, it was an honor to know and love James Patrick McGranery.

Mr. Speaker, I respectfully request that the following proceedings in the U.S. District Court for the Eastern District of Pennsylvania in memory of the late Honorable James P. McGranery be printed in the Record.

Mr. Speaker, the proceedings referred to are as follows:

In the U.S. District Court for the Eastern District of Pennsylvania—Proceedings in Memory of Hon. James P. McGranery, Former U.S. District Judge and Former Attorney General of the United States—Philadelphia, Pa., Friday, February 1, 1963, at 12 o'Clock Noon

(Before Hon. Thomas J. Clary, Ch. J., presiding; Hon. William H. Kirkpatrick, Sr., J.; Hon. John W. Lord, Jr.; Hon. Francis L. Van Dusen; Hon. Joseph S. Lord III; Hon. Abraham L. Freedman; Hon. Alfred L. Luongo; Hon. Thomas M. Madden, Camden, N.J.; and Hon. Winfred Feinberg, New York City)

Judge Clary. This special session of the court has been called in memory of the Honorable James P. McGranery, who served as a judge of this court.

The court will now recognize the Honorable Hubert J. Horan, Jr. Mr. Horan.

Mr. Horan. If Your Honors please, Mrs. McGranery, her sons and daughter, and the good people who are here this morning:

I had the honor of being what I consider a very intimate friend of Jim McGranery. I knew him when he was practicing law here in Philadelphia. I have the honor of having been one of three members of our bar who went down to speak on his behalf at the time he came up for confirmation by the U.S. Senate.

I also had the experience, which was rather unusual, of being chairman of a testimonial dinner for a man who belonged to an administration which was going out of power, the Democrats having been defeated in 1952, and after they had gone out of power the Bellevue Stratford ballroom and the rooms immediately connected with it were filled, up in the boxes and everywhere else, with people who had nothing except respect for Judge McGranery. Since he was going out with his party, they knew there was little he could do in the way of conferring favors, and in spite of that, the leaders of the bar and many people who were not members of the bar attended that dinner simply and solely to do him honor.

Judge McGranery was born in 1895. He came to the bar in 1928, having graduated from Temple University Law School. He was appointed in 1934 to the honorable position of chairman of the Registration Commission in the city of Philadelphia. He held that position until he went to Congress, and he served in Congress in the 75th, 76th, and 77th sessions and part of the 78th session.

He was appointed to the bench in 1946, and during his lifetime term he was asked by the President of the United States to give up the position that he held on the bench and to accept the post of Attorney General of the United States.

Every position that Judge McGranery occupied he filled with honor and distinction. I still remember my statement under oath before the Members of the Senate—because there were those who were taking the position, that he should not be confirmed—that I had known James McGranery for many years, had been against him in cases during the period in which he was trying cases in Philadelphia, and I never found him to utter anything that was double entendre or anything that was anything but the truth.

He has been honored by the church and by the state. He has received the Order of Merit from President Truman. He has been honored by the church by Pope John XXIII and Pope Pius XII in being made a Knight Commander of the Order of St. Gregory and a Papal Chamberlain. He likewise, in his active career. which really only started in 1928, filled an incredible number of positions. How he was able to do it is to me a mystery.

He was a member of the board of trustees of Immaculata College. He was a member of the boards of Temple University Law School and Villanova University in Philadelphia. He was a member of the boards of various other colleges, and just before his death he was elected a member of the board of trustees of the Catholic University in Washington and of the Shrine of Mary Immaculate. He received a medal from the Ancient Order of Hibernians as the most distinguished Catholic gentleman in the country. He likewise received the De LaSalle Medal, which was a medal for civil decency in government and decency in his private life.

The year 1928 was a turning point in his career. In 1939 there was another turning point in his career, when he was able to persuade the beautiful and accomplished Regina Clark to marry him. That helped him tremendously. With her help and aid he went right straight ahead.

There is nothing that anyone can say derogatory to him and still tell the truth. It was amusing to me, at the time that he was up for confirmation in the Senate, his appointment was questioned by some of the columnists in the United States; and the situation was that he went into the Department of Justice realizing the tremendous job that he had to do in limited time. These columnists claimed that he was going to brush dirt under the carpet. That was not what he did, and when he ceased being Attorney General there wasn't a single columnist who did not praise him for the wonderful work that he did.

He was an outstanding man. Being the strong character that he was, he, of course, made enemies. Any man who doesn't make some enemies is not much, and he made enemies of men who were vituperative and abusive. He held no rancor, he held no hatred of those men, and he was a truly great American.

During World War I he was a member of the Observation Corps of the U.S. Government in the Balloon Corps, and if anything could be more exposed and more like a sitting duck than that, it is impossible to conceive what it was.

We regret his passing, but I say to Jim McGranery, Jr., and Clark McGranery, and Regina McGranery that they have inherited something which is much greater than wealth. They have received an honorable name, a name that they have the duty to keep unspotted.

Thank you.

Judge Clary. Thank you, Mr. Horan.

The court will now recognize the nestor of the legal profession in Philadelphia, the Honorable William A. Gray.

Mr. Gray. I shall address the court, as is customary on other occasions, by saying, "If Your Honors please."

I know many of the things that Mr. Horan has directed his remarks to.

I shall not repeat them. They have been mentioned. But I shall speak of Jim McGranery as a lawyer. He was 20 years younger than I, and he was admitted to the bar much later than I was, but in Philadelphia I remember him because—and this has been said by Mr. Horan, but I repeat this—he was an honorable man. He was a man of integrity. He was a good lawyer, and I know that because I was cocounsel with him in several cases during the time that he spent in Philadelphia.

He left Philadelphia, as Your Honors know, and went to Washington as a Member of the Congress, and during his fourth term, he resigned to accept appointment from President Roosevelt as the Assistant to the Attorney General, and then in 1946, if I recollect the date correctly, he was appointed by the then President Truman to be a judge of this court, and in 1952, if I recollect that date correctly, President Truman took him from the bench and made him Attorney General.

I followed his career from the time he became a lawyer in the city of Philadelphia. I saw him on different occasions in Washington, but especially after he was Attorney General. Every time I went to Washington I visited him in his office. To me he was Jim; to him I was Bill. We lost a great man, a good lawyer.

We have been very closely in touch and for many years past we have exchanged Christmas greetings. That maybe is not unusual between friends, but every Christmas, even this last Christmas, prior to Christmas Day, of course, I received from him his usual Christmas greeting, which contained a photograph of his children, all of which I have preserved at home.

God rest his soul.

Judge Clary. Thank you, Mr. Gray.

We will next hear from a distinguished jurist and a very close personal friend of our late beloved colleague, the Honorable Robert V. Bogler, judge of the orphans court of Philadelphia.

Judge Bolger. If Your Honors please, I am especially grateful to you for extending me this honor this morning to appear before this distinguished court to repay the honor that Jim McGranery bestowed upon me in letting me be his friend, his companion on about six different vacation trips, his best man when he was married, and godfather to his second child.

He had one of the greatest capacities for friendship that I have ever known, and second only probably to that of another mutual friend, James A. Farley. I met him first in the Democratic primary in 1927, when Democrats in Philadelphia numbered less than 20,000.

Many years ago I heard the phrase, "The joy is in the striving." There also appears in "As You Like It" the aphorism, "Sweet are the uses of adversity."

They are things that, in my opinion, epitomize a great deal of Jim McGranery's career. He came from the little people. He shared their vicissitudes, their struggles. They tell me that as a kid he was quite proficient with his fists—of course, only in self-defense—but he learned the motivations of these little people, and in conjunction with a firm belief in God, a profound belief in God, he became a fearless man in everything that he did. He loved life, he loved pleasure, he loved recreation, and he loved his friends. The lessons that he learned in his young life as a little person carried through with him, together with his love of God, later on in life when he became a big man.

On one of our trips we went abroad in 1939. We visited England, Ireland, and France. While we were in Ireland we were the guests of the late Joseph P. McGarity, who was, I suppose, the greatest Irish-American patriot of his time.

Jim was a great defender of equal rights.

I remember specifically when as a Congressman, his constituent, Marian Anderson, one of the greatest voices of all time, was being kept back in her career because of racial prejudice. She was refused the use of Convention Hall in Washington by one of the patriotic societies, and Jim made a speech on the subject on the floor of Congress chiding them that he was the son of an Irish immigrant and he had to remind these persons, these scions of American patriots, of their responsibilities as citizens.

He loved his country, as we know, and as Mr. Horan said, his marriage in 1939 to the beautiful and scholarly Regina Clark, an able lawyer in her own right, gave new direction to his life upward and onward to greater things and to complete fulfillment. I have said that the judge took great joy in the striving. Indeed he did so and was triumphant, so that today, while we are saddened by the terrific shock of his loss, we must express and record our joy in his abundant contributions to our society, to the service of God, to his family, and to his friends.

Judge Clary. When Judge McGranery came to the bench of this court he served under one of the finest chief judges ever to grace the bench of the country, Judge Kirkpatrick, who is here today. I have asked Judge Kirkpatrick to say a few words.

Judge Kirkpatrick. I was very happy to have Jim McGranery as one of the judges on the court while I was chief judge. I think the thing that impressed me more than anything else about Jim was indirectly referred to by Mr. Horan, his tremendous energy. He was a dynamic personality and a very magnetic personality. His whole manner was most attractive to others, and we worked along together very well indeed. I had the highest regard for him.

He was a man of unquestioned integrity and not only great energy but very great industry, because he really went to work when he became a judge of this court. He had a great deal of work to do, and he turned it out, so I can second everything that has been said. I didn't know him as well as Judge Bolger or some of the others, but I knew him quite well in connection with our official position, and I did form a very, very high opinion of him and I certainly felt very badly when I heard of his recent death.

Judge Clary. Thank you, Judge Kirkpatrick.

There is a circuit judge here who likewise was one of the finest judges ever to sit on any court in the country. He was supposed to be up here with us but was delayed, and I am going to ask whether Judge Ganey will not say a few words.

Judge Ganey. Chief Judge Clary and my former colleagues, I really had no knowledge that the chief was going to call on me, or I should have sat down for a few moments and recorded some of the very happy recollections I had of former Judge McGranery. He occupied a chamber next to mine, and on many occasions we traded opinions, and we sometimes didn't agree, but with all our differences of opinion with respect to some things, we agreed in most. We had a very, very happy association together.

I could go on and laud Jim McGranery, but were I to do this I think it would dim the luster of those beautiful tributes that have been paid to him by those who have just preceded me. However, I should be ungracious if not remiss if I did not extend to Mrs. McGranery, Regina Clark McGranery, and her lovely children the generous sympathy and deepest regrets from the court of appeals at his passing.

Thank you.

Judge Clary. Thank you very much, Judge Ganey.

One part of Judge McGranery's distinguished life has not been touched upon, and that is his membership in the Caveat Club and the fun he had at the inner meetings of the Caveat Club.

It certainly is a real tribute to the memory of Judge McGranery that we have here today the president judge of the Orphans Court of

Philadelphia and vice chancellor of the Caveat Club, Judge Charles Klein, the chairman of the board, Walter Gibbons, Judge Winnet, Mr. Barton, Mr. Wobensmith, Jerry Walker, Jim Mallie, and others. A lot of fun was had together and work was done together at those meetings, and I thank all of you gentlemen for attending this memorial service to our late colleague.

Judge Wood has already expressed his deep sorrow to Mrs. McGranery for his inability to be here, and Judge Body has also asked me to express his regrets that he can't be with us today, Mrs. McGranery. Judge Grim, however, did drop me a note. Judge Grim was unable to be here, and he wrote as follows:

"Since I shall be unable to be present at the court session this Friday in honor of Judge McGranery, I am taking this opportunity to write to you about it.

"Please express to Mrs. McGranery and the fine McGranery children my condolences for their great loss and my regret at my inability to attend the special court session.

"Judge McGranery was a very fine and vigorous judge and a thorough gentleman. His presence on this court brought honor to it. It was a real pleasure and honor to me to have served with him.

"Sincerely,

"Allan."

Of the judges nearest to Judge McGranery, one had adjoining chambers the other way from Judge Ganey's, and I refer to our beloved colleague Judge Welsh. Judge Welsh on his departure from Philadelphia handed me this letter:

"The date for the memorial to Judge McGranery has not been fixed as yet. As you know I will not be able to be present due to my visit to my home in Bermuda. As you will be presiding on the bench I am asking you to explain to the family and the friends of Jim why the judge, senior, in age, is not present. It would be the last worldly tribute that I could extend to him.

"Jim filled a very unique place in my own life's history and experience. The difference of some 20 years in tenure was never a gap nor a bar to our mutual respect and affection.

"There will be many present in the courtroom who will go on record as to his qualifications, attainments and performances in his numerous activities. You knew him before I did and as a younger man; I knew him after he had matured and was writing his life's history by his deeds. Between the two of us we span his career from the cradle to the grave. He and I had some of the strongest ties that can join two mature active spirits together in harmony and friendship. I like to think of the day he came into our court family. We had both served in the Congress, but at different times; we had adjoining chambers; we had many experiences in the political world on opposite sides, it is true, but of the same general character and purpose; we had mutual friends and some not so friendly toward either of us. But I particularly enjoyed his alert mind; his grasp on the realities of life; his freedom from bunk and hypocrisy. He never mouthed virtue to slay it on the altar of fake performance. In my long career at the bar and my close association with judges as prosecutor and associates, I can truly say I never knew a judge to be more dedicated to securing justice, although at times I felt that his zeal for justice, as he understood it, was such as would have been moderated if circumstances and public currents were different. I always felt that that was one of the reasons why he was willing to give up the judicial duties, for the battle in the area was not subject to the ethics and limitations imposed on a judge. Perhaps my own nature and weakness enables me to understand this characteristic in him.

"But now he has gone from our midst. But, Tom, the word 'gone' is a relative term. It is true, his physical presence is gone; no more shall we see his sprightly form or hear his cheery speech. That is due to his change from the mortal to the immortal. But the real Jim, the Jim that we saw, heard and loved, is not the Jim that lies in Arlington. That shall molder away to dust. And it is no fantasy of the imagination to say to you that on account of the lessons brought about by the sorrows of life, its heartbreaks of the natural and the intense joys of the spiritual, that I feel that what left Jim when his spirit took its flight, is the Jim I shall see with my own spiritual eyes in a very few years, and perhaps less. There is neither time nor space in the realm of heartbeats and as I say goodby to Jim today, in a very short time I will say hello and we will not be strangers to each other and I would not write this way to you, Tom, if I thought you did not understand. My heart goes out to Regina and the family and we remember them in our prayers. May the darkness of the Christmas of 1962 be but the prelude to the spiritual illumination of 1963 and the future years for them all.

"Best wishes to you, Tom.

"Sincerely yours,

"George A. Welsh."

We have also been honored today by the presence of Mrs. McGranery, her three children, and Judge McGranery's family.

I see here many of the lawyers who knew him, Jim Masterson is here. The Register of Wills of Philadelphia I see is here, and on the bench with us today we have two distinguished visitors from other districts, the chief judge of New Jersey, who sits on my left, and the distinguished judge from the southern district of New York, Judge Wilfred Feinberg, who served early in Judge McGranery's career on the bench as his law clerk, and I am sure that it gave Judge McGranery just as much pleasure when Bill Feinberg was appointed to the bench as I had when Judge Luongo was appointed, who now honors the bench of this court.

I have been asked by all my colleagues who are here today to express to Mrs. McGranery and the family their sincere regret at the passing of a gentleman who was a colleague of ours for a number of years.

The eastern district of Pennsylvania came into being by reason of the act of Congress of September 24, 1789. The first judge was appointed on September 30, 1789, Francis Hopkinson. The 19th in succession to Francis Hopkinson was appointed a judge on the 7th of August 1946, James P. McGranery. We understand, of course, that the District Court of the United States in its earlier days and until the Judiciary Act of 1912 was concerned primarily with admiralty, criminal, and bankruptcy. We do know, however, that every one of the district court judges sat in the circuit and heard, in addition to those, all of the civil cases which were filed in the district.

Judge McGranery, as has been said, has served this court and served it well. It has a long and honorable history, and he added luster to the history of this court. It was a pleasure for me and to all of us to have served with him. He was a fine gentleman of complete integrity, and I can echo everything that Judge Welsh has said in that beautiful tribute to him, that he hated humbug and hypocrisy. He left us on a challenging assignment, and while many years ago, over 10 years ago, we ceased hearing his booming hello and his wonderful sense of humor at our meetings, we have been in contact from time to time, and we rejoiced in his success in his practice in Washington and we were delighted every Christmas to receive that wonderful card that Mr. Gray spoke about showing his growing and wonderful family.

Jim has gone, but his memory will live long in the annals of this court and everywhere that Jim served in public life.

We are taught early that there are four reasons for existence and only four in this world: To know God, to love Him, and to serve Him. That, Judge James P. McGranery did to the utmost. The ultimate aim of life, we are taught, is to be happy with God forever in heaven. That he is now fulfilling that destiny is our fond hope and prayer, and as we come to the close of this ceremony, on behalf of all the judges here assembled, Regina and children, I extend our deepest sympathy, and I know that you, the children, and Jim will have our prayers.

I direct that a transcript of this proceeding be made, filed of record in the court, and copies furnished the family of the late Judge McGranery. The original letters which I have here, one also from Senator Scott, who called to express his deep regret that he couldn't be here, I direct be attached to the copy to be furnished Mrs. McGranery.

The court will now stand adjourned.

(Adjourned at 12:45 p.m.)

(The letter received from Senator Hugh Scott reads as follows:)

"Dear Tom: I regret so much that my Senate business commitments in Washington will prevent me from attending the memorial services for our longtime friend, James P. McGranery.

"We all miss him greatly, and it is most fitting that his memory be observed in these proceeding. I extend my warm sympathy to his family and many friends present at the services.

"Sincerely,

"Hugh Scott."

(Telegram received from Edward H. Cushman, as follows:)

"Regret inability to attend McGranery memorial service. Please convey our sincere condolences to Regina.

"Edward H. Cushman."

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, I served here in the House of Representatives with Jim McGranery. At that time I found him to be one of the finest, most able, conscientious and hardworking Members of this body I have ever known. After he left this body he went on to the other affairs of which the gentleman has spoken.

I have seen Jim McGranery from time to time, the last occasion not very long ago. Ours was a friendship that I shall always value. I was shocked beyond words to express when the gentleman in the well of the House told us of his passing, because the last I saw of him he was vigorous and in good health, buoyant, vibrant, full of life, cognizant of everything going on in the country and the world. It is just almost unbelievable that he is gone.

I thank the gentleman for yielding to me, and I join with him in expressing my deep sympathy to his widow and his children.

Mr. TOLL. Mr. Speaker, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Pennsylvania.

Mr. TOLL. Mr. Speaker, it is a privilege to join my distinguished colleagues in observing the memorial for a distinguished former Member of Congress, the Honorable James P. McGranery. His professional career as a lawyer and his political career as a Congressman, judge, and as Attorney General of the United States indicate the outstanding results which crowned his efforts.

Jim McGranery's life is the story of a self-made man. I first knew him when he was a student at Temple University School of Law in the city of Philadelphia. He served in the early days of the development of the Temple Law Quarterly as its business manager, and I had the good fortune to succeed him in this post.

I occasionally studied in preparation for the bar examination in the library of James F. Masterson, Esq., and was frequently joined in these studies by Jim McGranery and his associate, Morris Freedman, who served his clerkship in the Masterson office.

Later I observed Jim's great activity in the political field when he conducted meetings on behalf of Alfred E. Smith in the center of the city during the 1928 presidential campaign.

I met him frequently in the city of Philadelphia in connection with his numerous activities and always found him very affable and cooperative. Jim often reminded me of another wonderful Jim—Jim Farley. They both possessed the same warm personalities and genuine love of people. Thousands will miss him and his good fellowship.

I extend to Mrs. McGranery and their children my sincere sympathy and best wishes.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Massachusetts, the distinguished Speaker of the House of Representatives.

Mr. McCORMACK. Mr. Speaker, the passing of my dear friend, Jim McGranery, grieves me very much. Those of us who served with Jim McGranery remember his outstanding qualifications—his great courage and his vibrant personality, and the marked contribution that he made to the legislative history of our country while he served in this body.

Mrs. McGranery and Jim have been close friends of Mrs. McCormack and myself for many, many years. I might say that Mrs. McGranery was the inspiration of Jim McGranery, contributing a great and constructive influence in his life and work. As husband and wife they were an example for all of us to follow in the close family ties that existed both between them as husband and wife and between them as parents and their children.

Mr. Speaker, when Jim McGranery left this body, he left it with great regret on the part of his colleagues because we knew what an outstanding legislator he was. Our colleague, the gentleman from Pennsylvania [Mr. Barrett], has already referred to the other important public positions that Jim McGranery occupied and, therefore, I will not make any reference to them at this time. As a legislator, judge, and Attorney General, Jim McGranery served with imagination, with vision, with dedication, and with courage. So long as we have public officials possessing the spirit of Jim McGranery, we need not worry about our country's future or its safety. Jim McGranery was an ideal legislator, always fighting for the best interests of our people. He was a sound progressive on domestic matters and always stood for strong national defense and a firm foreign policy. As a judge, Jim McGranery lived up to the highest traditions of our judicial system. As Attorney General he brought luster to that important office. Jim McGranery was not only a great man, he was a good man, a man possessed of deep faith, a man who lived in accordance with the spiritual truths that he believed in.

I know that Mrs. McGranery and her loved ones will feel great consolation in the knowledge that their loved one now departed played a very important part during his lifetime in the history of our country both on the legislative level and on the level of the executive branch of our Government. I shall miss him very much and I know that those who served with Jim McGranery feel the same way as I do. I extend to Mrs. McGranery and her loved ones the profound sympathy of both Mrs. McCormack and myself in their great loss and sorrow.

Mr. Speaker, I ask unanimous consent that in my remarks I may include the remarks of Hon. Matthew F. McGuire on the occasion of the memorial service in memory of our late friend on January 31, 1963, and also the eulogy offered by the Right Reverend Monsignor John J. Cartwright, pastor of St. Matthews Cathedral in Washington on the occasion of the pontifical requiem mass for our late friend.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

In the U.S. District Court for the District of Columbia, United States of America

I, Harry M. Hull, clerk of the U.S. District Court for the District of Columbia, do hereby certify the annexed to be a true and correct copy of the original entry as provided by the court at the time of the announcement of the death of the Honorable James P. McGranery.

In testimony whereof, I hereunto subscribe my name and affix the seal of said court, at the city of Washington, D.C., this 5th day of February 1963.

Harry M. Hull,
Clerk.

Memorial Exercises in Memory of the Honorable James P. McGranery

(Proceedings before the Honorable Matthew F. McGuire, chief judge, U.S. district court, January 31, 1963)

Chief Judge McGuire. During the Christmas recess the court became apprised of the sudden death of the Honorable James P. McGranery, the distinguished former Attorney General of the United States.

Therefore, we formally pause this morning to recognize that fact. Thus it is in a sense also a formal announcement to the bar and from the standpoint of the court for its record.

It has been given to few men to have served in positions of the highest importance in each of the three great constitutional divisions of our Government. In the legislative branch he served as a Member of Congress from Philadelphia and the Commonwealth of Pennsylvania, later serving in the executive branch in the Department of Justice in that post now known as the Deputy Attorney General, and thereafter in the judicial branch as a U.S. district judge for the eastern district of Pennsylvania. He later resigned, leaving the almost contemplative calm of the judiciary at the call of President Truman to become his Attorney General.

I think it can be truly said of Jim McGranery that, as a human being, he was a complete extrovert. He liked people and he liked them for what they were, not for what they might appear to be. He hated sham and hypocrisy for he was a man of principle and decided ones. There was no shading in his evaluations. He was outspoken, intensely human, generous and warmly gregarious. You might not agree with him at times but you never had to speculate as to where he stood. When he gave his friendship it was given wholeheartedly and without reserve.

Life to him was merely the passing interval between two eternities, the eternity before which he came and that which is and will be for all of us after we go. Yet he enjoyed every precious moment of it. A man of faith and deep religious conviction, death held no fear for him and he ordered his life accordingly.

It is hard to realize that one so vital and so filled with the very zest of living is no longer with us, yet we can be confident that when the call came, sudden and unheralded as it was, and the final word was spoken, he went with only one regret—that of leaving behind his lovely family.

For despite the bustle of life and labor, despite honor and acclaim, which are food and drink to some, they were nothing to him compared to that small world of the family which he loved with a love beyond expression and which to him was everything. No finer tribute can be paid to any man.

To his devoted, loving wife and children, therefore, we extend our most sincere condolence and sympathy, sharing with them, vicariously, if you will, their keen sense of loss and bereavement, yet confident in the thought and prayerful hope that he is now enjoying that reward which he always desired, earnestly strove for and hoped to achieve and that peace which surpasseth all understanding.

Let the record indicate that when the court adjourns as of this day, it adjourns out of respect to his memory.

In Memoriam: The Honorable James P. McGranery

Hon. Matthew F. McGuire, chief judge, announced the death of the Honorable James P. McGranery and thereupon the court directed that an appropriate entry be made upon the records of this court as a testimonial to the high character of the deceased as a lawyer, citizen and public servant, and of sorrow for his death, which is done.

The court adjourned in honor of his memory.

Sermon Delivered by the Right Reverend John K. Cartwright at the Requiem Mass for the Repose of the Soul of the Honorable James P. McGranery in St. Matthew's Cathedral, Washington, D.C., December 28, 1962

We are gathered for the solemn task of saying farewell to a distinguished citizen of Washington and of the United States and to an honored friend. It is my privilege to give a brief expression to some of the crowding thoughts that come to us at such a moment.

It is our natural way to think first of the family of him who has gone. Our deep sympathy of course goes out to the beloved wife and to the children who meant so much to him. To them he carried out in very full measure the role of husband and father. They will certainly miss him most, for among the many duties of his life none was more important and among his many privileges and honors none was higher than his vocation as head of a Christian family. In the present conditions of our social life nothing is more notable and regrettable than the multitudinous breakdowns of family responsibility, breakdowns which are due not only to frailty and the selfishness of passions but in last analysis to the pale and impoverished concepts which many have of their God-given role. Of this side of life James McGranery had a strong concept. Before he was a citizen he was the head of a family. And so, the family being the cornerstone of society, he rendered no finer service to his country in any office than by upholding a firm example of this one basic tradition.

However, like all husbands and fathers, he was also a citizen. In this role he attained success and eminence far beyond the ordinary. He made part of the highest legislative body of the United States as a Member of four successive Congresses. He served as a judge in our Federal court system. He was first Deputy Attorney General and afterwards Attorney General. In all these offices covering his middle years he served with the efficiency and distinction which made his name notable and which many of you present today are, by reason of your own offices, able to gage in detail and fullness. After these days were over his closing years were passed as a legal counselor whose services were highly valued as displaying the experience that could come only from a very fertile and rich career.

The existence and continuance of a civilized commonwealth is dependent upon the loyalty of the multitudes of men and women who sustain it. This loyalty in turn depends upon a supply of those who are willing to take upon themselves its magistracies. To a superficial view these offices are honored and are therefore enviable. However, not all who wish for them are capable of filling them. And those who are so capable have much besides honor to think about while they fill them. They must of necessity yield themselves to an extraordinary number of demands not made on the ordinary citizen, demands which grow in number and insistency in proportion to the rank and dignity of the offices. These demands may often be such as to stale the savor of the honors. When the civilization of the ancient world disintegrated in the fifth and sixth centuries of our era we are told that one of the chief phases of the decline was the refusal of the capable people to take on the magistracies whose burdens had eclipsed their honors. Today in any case we should all be grateful to those who, like this man, are willing to harness their abilities to these heavy burdens and whose conscience and sense of responsibility assure us all of the continuity of official service which is necessary in order that our Republic may endure. For this willingness, as well as for his gifts, we are all debtors to this citizen who gave us so much.

He was more than an official. He was a leading citizen. In our society there are manifold groups of those who volunteer for social, educational, and charitable improvement. To these he was always ready to lend his experience and prestige. We cannot enumerate the boards and committees on whose rosters his name appeared and to which he gave what could be spared of time and energy after the discharge of his official duties. Here, too, the general communities of both Washington and of his native State and city owe him a great debt of thanks.

Behind all spheres of public and private tasks lies the region of the soul. Here an individual comes to face his duties in terms of his ultimate understanding of what such things are really all about. Here he understands the real origin and purpose of his own life and of the other lives with which he deals. To James McGranery this understanding was identical with the traditions of his Catholic faith. The pontifical title and uniform which he held were prized by him not so much as personal honors but rather as an expression of the glory of the faith of our fathers. He appreciated what many seem to forget: that we are here by God's will and that our mission and our health consist in carrying out God's purpose, not our own. It is God who made us, God who placed us where we are, God who made us the friends and servants of our neighbors, God who calls us, God who judges us, God who rewards the good we have accomplished, and separates it from our imperfections and our sins. Our individual life is His. Our family life is arranged by Him much more than by ourselves. Our tasks are imposed by Him rather than selected by us. Our charges are validated by Him more than by our society or community. Our responsibility is tested in last analysis by God. The tenure of office and of life itself is in His hands. And we lay down our burdens and our honors, our affections and our friendships when God decides that the time for this is come. This is the fact, whether we know it or not. There are many who do not know or do not seem to know it. But in the long run those best serve their fellow man who best understand the fact that we are children of God together, and that our service, our duty, even our love, are paid to God whose blessed hand overrules them and us with the purposes of His own love and beneficence. There was no one who understood this more clearly than this man whose life has now ended. The faith by which he held this truth was to him the supreme gift, better than all honor, better than all ambitions, better than all success, better even than all friendship and all love. For even those high gifts of friendship and of love are as great and holy as they are because they are emanation of God's love.

Into the hands of God we commend him, of God who is his judge, of God who will record all that he has done of good, his services to his fellow man, his duties as husband and father, his loyalty to his faith. May God bless his soul with the heavenly destiny which validates with immortality all our good. May the faith which enlightened him in life become the vision of blessedness to which we all are called and to which we pray to come when our life too is ended.

May his soul and the souls of all the faithful departed through the mercy of God rest in peace. Amen.

Mr. GREEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. BARRETT. I shall be pleased to yield.

Mr. GREEN of Pennsylvania. Mr. Speaker, the immediate period of time reserved in this Chamber could not be used for a more noble purpose than to eulogize one of our great Americans of recent history, our departed colleague, James Patrick McGranery.

It was my pleasure to personally know Jim McGranery for many of his fine, useful and productive years, both in the service of his country and for the betterment of mankind. He was a man of great talents which came to the fore as the occasion necessitated. He was imbued with a tremendous degree of loyalty, integrity, and generosity toward those who sought his wise counsel.

Jim McGranery was the product of a modest and typical Philadelphia family, one of the similar thousands of limited means whose parents sought to gain the better things in life for their children. Despite obvious handicaps, he was fired with a God-given ambition to pursue his individual course to educational and professional stature, and he succeeded admirably. His ambitions were temporarily halted by the ominous sounds of World War I, which eventually found him in France serving as an observation pilot in the then experimental Army Air Force.

Following 2 years of active service, he again pursued his educational ambitions and was graduated from Temple University Law School in 1928. This was the beginning of the career of the real Jim McGranery, as we knew and loved him. With diploma in hand and substantial mature knowledge in his head, he surveyed the course ahead which pointed to righting the wrongs that were strangling and decaying his native city, brought about by over 60 years of inept and decrepit civic leadership which lacked foresight and fought progress.

His sights were also focused on a perennial State leadership which vested power and financial gain in the hands of a chosen few, to the detriment of the many. Then to a continuing national administration which failed to recognize that the laborer was worth his hire and justly entitled to a fair share in the fruits of his labor as well as obtaining a better standard of living for himself and his family.

Truly, and in the immortal words of Franklin D. Roosevelt, Jim McGranery had a rendezvous with destiny. With determination and fortitude he entered the political arena to meet it forcibly. Eventually, he was elected to the 75th Congress and served in this honorable body with distinction through the 78th Congress, resigning to accept appointment to the Federal judiciary in eastern Pennsylvania.

During his tenure in Congress, he was familiarly known for his friendly slap on the back, his hearty laugh, and his deep resonant voice ringing through this Chamber in behalf of a cause for the many, and oft to the discomfiture of the guardians of the chosen few. He was an able legislator, and a statesman who commanded the respect of his colleagues on the floor of this House.

He was widely known as a true friend of the oppressed, the aged, weary, and forgotten, in a changing world with a quickened pace. He was never too busy to listen to a plea for help, to undo a wrong, or lend his talents in a justified cause.

His public career was capped when President Harry S. Truman requested he resign his judicial duties to accept the high post of Attorney General of the United States where he rendered a distinguished service to the Nation and added strength to the Truman Cabinet.

Jim McGranery's life presents a striking example of the opportunities that await our youth who have the initiative to seek and the fortitude to persevere, no matter the station in life from which to rise. The door is open to those who choose to venture.

James Patrick McGranery has gone to eternal rest, sadly missed but not forgotten by his friends, who were legion. Gone, but ever remembered will be his friendly smile, his keen wit born of Irish ancestry, never lacking, be it for friend or foe.

May his rest be in heavenly peace.

Mr. Speaker, in further eulogy I include at this point a short biography of the life and character of our friend, the Honorable James P. McGranery.

The Honorable James P. McGranery, formerly Attorney General of the United States under President Truman, prior thereto judge of the U.S. District Court for the Eastern District of Pennsylvania, before that Deputy Attorney General of the United States under President Roosevelt, previously elected to the 75th, 76th, 77th and 78th Congresses of the United States, also served as a member of the Commission on Government Security by appointment of President Eisenhower.

Judge McGranery had been honored by Pope John XXIII and by the late Pope Pius XII with the Papal decorations of Private Chamberlain of the Cape and Sword, as Knight Commander of the Order of St. Gregory the Great and also as Knight Commander of the Order of the Holy Sepulchre.

He was a member of the boards of trustees and of the advisory committees of the Catholic University of America and the National Shrine of the Immaculate Conception; of Immaculata College, Pa.; Manhattanville College of the Sacred Heart, N.Y.; St. Joseph College, Emmitsburg, Md.; Villanova University and its law school; and of the Law School of the Catholic University.

He was chairman of the board of trustees of the Institute for Police Management, the foundation of the International Association of Chiefs of Police; vice chairman of the National Multiple Sclerosis Society of Washington, D.C.; member of the council of the Pennsylvania Society of New York; member of the board of governors of the National Conference of Christians and Jews; member of the board of governors of the John Carroll Society of Washington; member of the board of governors and past president of the Catholic Laymen's First Friday Club of Washington, D.C.; honorary member, National Council of Boy Scouts of America; honorary member, Lawyers' Club of Philadelphia; honorary member of the District of Columbia Bar Association; honorary member of the Association of Immigration and Nationality Lawyers of the United States; and member of the board of directors of the Citizens' Crime Commission of Metropolitan Washington.

Judge McGranery was a member of the American, Pennsylvania, and Federal Bar Associations and a former member of the County Board of Law Examiners of Philadelphia.

President Truman in 1946 awarded the Medal of Merit to Mr. McGranery, who has since been the recipient of the De LaSalle Medal of the American Congress for Civic, Social, and Industrial Achievement; and the Ancient Order of Hibernians' Award of Honor as Most Distinguished Catholic Layman.

Judge McGranery had been awarded the honorary degree of doctor of humanities by LaSalle College, Philadelphia; and the degree of doctor of laws by Villanova University, National University, Manhattanville College of the Sacred Heart, St. John's University, Mount St. Mary's College, Emmitsburg, and the Catholic University of America.

A native Philadelphian, the former Attorney General was graduated from Temple University Law School after having served during the First World War as an observation pilot in the Army Balloon Corps and later as adjutant of the 111th Infantry.

In 1939 he married Regina T. Clark, a member of the Philadelphia bar, and they have three children, James P. McGranery, Jr., Clark McGranery and Regina McGranery.

Mr. BARRETT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BYRNE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. **BYRNE** of Pennsylvania. Mr. Speaker, the recent death of James Patrick McGranery has removed from our midst a man who, aside from being one of this country's outstanding Catholic laymen, had distinguished himself in all phases of Government life.

Judge McGranery's death certainly was a shock to me. I knew him before my arrival here, not only as a member of this body but as a close friend growing up in the same great city of Philadelphia.

My friend's rise in Government circles was phenomenal, but it certainly was earned, for Jim McGranery had an unusually keen mind.

Following his graduation from Temple University Law School in Philadelphia, Jim went into the service of his country and was attached to the Army Balloon Corps as an observation pilot.

When he returned to Philadelphia, his practice increased rapidly. He entered politics and was elected to this body, the House of Representatives, for the 75th through the 78th Congresses. He then was appointed by President Roosevelt as a Deputy Attorney General of the United States. He was serving as a district judge of the United States when he was selected by President Truman to serve as Attorney General of the United States.

During President Eisenhower's tenure, Jim McGranery served as a member of the Commission on Government Security.

Jim also served his God. He was active in all fields of religious life and had been honored by Pope John XXIII and by the late Pope Pius XII with papal decorations.

Also, a great number of colleges and universities throughout the United States have honored Jim McGranery with honorary degrees. The list of honors is far too numerous to recite here, but they are an indication of the great respect held by so many for this man.

I extend to his fine wife, the former Regina T. Clark, and their three wonderful children my deepest sympathy in the loss of a fine husband and father. May his soul rest in peace.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from California.

Mr. ROOSEVELT. Mr. Speaker, I want to join in this tribute today to Judge McGranery. I am sure that there are not many men in the United States who have served in all three branches of our Government; served not only well but with great distinction. It takes an unusual man to be able to adjust from the legislative to the judiciary and finally to the executive branch of our Government, and it is a judgment of the depth of this man, his capabilities, his heart and his soul, that he was able to write so great a record for the benefit of the citizens of our country.

I would just simply like to express my appreciation to Mrs. McGranery for her kind invitation to act as an honorary pallbearer at his funeral. I am sure this is recognition of the fact that my father, as a public official, and my mother, as personal friends, had not only the highest respect but the greatest affection for Judge McGranery. Therefore, on behalf of all of my family, I am most pleased to join the gentlemen from Pennsylvania today in this tribute to a great American.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Speaker, I wish to join my distinguished colleagues, especially those from the great city of Philadelphia, Jim McGranery's hometown, in words of tribute on behalf of myself and Mrs. Flood to the memory of my old and dear friend, Jim McGranery. I, too, wish to express my feelings to our good friend, his beloved wife, Regina—as you know, a distinguished lawyer in her own right.

I was prepared today, Mr. Speaker, to insert in the RECORD at this place the remarks of the distinguished Judge Maguire at the memorial exercises here in the District, but that has been done even more properly by the distinguished Speaker just a few minutes ago.

I wish to join in these eloquent, heartfelt tributes by my colleagues from Philadelphia. I have lost a close and a respected friend, a remarkable, dynamic personality as I remember him best and closest during the war years here in the city and since.

Not only do I join with my friends, but with all those Members of the House and others here in Washington who knew him so long and so well.

I might say, Mr. Speaker, that "they are not dead as we that are left shall die. Age shall not weary them nor the years condemn—at the going down of the sun and in the morning. We shall remember them."

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BARRETT. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I desire to join our distinguished colleagues from Philadelphia in this word of tribute to one of the most dynamic men I ever had the honor to know, a man of tremendous accomplishments, who attained the heights in many fields. He was a brilliant lawyer, an outstanding legislator, a great judge, and certainly one of our most outstanding Attorneys General.

Mr. Speaker, James McGranery lived a very full life. He contributed far more than is expected of man to his day, his generation, and his country.

Mr. Speaker, we have lost a brilliant and wonderful former Member of this House, a great American. His family has lost a devoted husband and father. To Mrs. McGranery and her children I extend my deepest sympathy.

Mr. FLOOD. Mr. Speaker, the following statement was made in open court on January 31, 1963, by my distinguished good friend and jurist, the Honorable Matthew F. McGuire, Chief Judge, U.S. District Court, Washington, D.C., in behalf of a great lawyer, statesman, and jurist, the Honorable James P. McGranery, former Attorney General of the United States.

In Memoriam: The Honorable James P. McGranery

(In the U.S. District Court for the District of Columbia, Washington, D.C., January 31, 1963)

The Court (McGuire, C. J.). During the Christmas recess the public and the court became apprised of the sudden death of the Honorable James P. McGranery, the distinguished former Attorney General of the United States.

Therefore, we formally pause this morning to recognize that fact. Thus it is in a sense also a formal announcement to the bar and from the standpoint of the court for its record.

It has been given to few men to have served in each of the three great constitutional divisions of our Government and in positions of the highest in importance, a Member of the legislative branch as a Representative in the Congress from Philadelphia and the Commonwealth of Pennsylvania. He later served in the executive branch in the Department of Justice in that post now known as the Deputy Attorney General and then in the Judicial as a United States District Judge from the Eastern District of Pennsylvania. He later resigned that post and the almost contemplative calm of the judiciary at the call of President Truman to become his Attorney General.

I think it can be said of Jim McGranery that, as a human being, he was a complete extrovert. He liked people and he liked them for what they were, not for what they might appear to be. He hated sham and hypocrisy for he was a man of principles and decided ones. There was no shading in his evaluations. He was outspoken, intensely human, generous, and warmly gregarious. You might not agree with him at times but you never had to speculate as to where he stood; and when he gave his friendship it was given wholeheartedly and without reserve.

Life to him was merely the passing interval between two eternities, the eternity before which he came and that which is and will be for all of us after we go. Yet, he enjoyed every precious moment of it. A man of faith and of deep religious conviction, death had no fear for him and he ordered his life accordingly.

It is hard to realize that one so vital and so filled with the very zest of living is no longer with us—yet we can be confident that when the call, sudden and unheralded as it was, came—and the final word was spoken, one may be certain he went with only one regret, if he had the opportunity to so say—that of leaving behind his lovely family.

For despite the bustle of life and labor, despite honor and acclaim, which are food and drink to some, they were nothing compared to that small world of the family which he loved with a love beyond expression and which to him was everything. No finer tribute can be paid to any man.

To his devoted, loving wife and children, therefore, we extend our most sincere condolence and sympathy, sharing with them, vicariously, if you will, their keen sense of loss and bereavement, yet confident in the thought and prayerful hope that he is now enjoying that reward which he always desired, earnestly strove for, and hoped to achieve, and that peace which surpasseth all understanding.

Let the record indicate that when the court adjourns as of this day, it adjourns out of respect to his memory.

Thank you.

Mr. BUCKLEY. Mr. Speaker, I knew Jim McGranery for a great number of years. He was a colleague of mine in the House of Representatives and I knew him then and afterwards to be a dedicated, hard-working individual. As a Member of this body, he performed his duties both to his district, his State, and his country in the highest possible fashion. He had a long and distinguished career. He was a lawyer, a Congressman, a judge, and finally he held the highest legal office in the Government of the United States as the Attorney General of this great Nation. Jim McGranery was a self-made man and a real one. I valued his friendship and I will miss him.

I extend to Mrs. McGranery and their children my sincere sympathy and best wishes.

Mr. BOGGS. Mr. Speaker, many fine words of tribute have already been spoken in this House to the memory of James Patrick McGranery, whose sudden death this winter has saddened all who knew him. A number of us remember Jim McGranery as a fellow Representative in the 75th, 76th, 77th, and 78th Congresses. It was my privilege to serve with him when I first joined this distinguished body in the 77th Congress. As the youngest member at that time, I looked to leading Democrats like Jim McGranery for guidance and example. His record as a member of the Committees on Banking and Currency, Interstate and Foreign Commerce, and Ways and Means, was outstanding. But Jim McGranery's service in this House was only one chapter in his long and dedicated public career that dates back to flying as an Army observation pilot in World War I. As a matter of fact he left this House in 1943 at President Roosevelt's request to become assistant to the Attorney General of the United States—an office he was to see again. President Truman awarded him the Nation's Medal of Merit in 1946. Next he served for more than 5 years as a U.S. district judge.

It was early in 1952 that President Truman capped Jim McGranery's career as a public servant by naming him Attorney General of the United States. And following the change of administrations, President Eisenhower appointed him to the Commission on Government Security. Jim McGranery thus served his country in all three branches of Government—the legislative, the judicial, and the executive—and in all three he won the undying friendship and respect of his colleagues. Yet we must go beyond Government service alone if we are to view the full measure of Jim McGranery's career. He was an outstanding Catholic layman, and received papal decorations from both Pope Pius XII and Pope John XXIII. Aside from the law degree he earned at Temple University, he was awarded honorary degrees by a whole series of outstanding colleges and universities. Furthermore he served on the boards of a number of important civic, charitable and religious organizations. In private life, he was a good friend to many, and a devoted husband and father. I would like at this time to express my most heartfelt condolences to Mrs. McGranery and to their three fine children.

And I would add that the death of Jim McGranery is a great loss to all of us and to his country. For myself, his memory shines as a bright symbol of strong character, warm personality, firm patriotism and dedication to the public interest. He was a man the city of Philadelphia can be proud to call its own, the kind of man that reminds us of that metropolis' nickname, "the city of brotherly love." This House and this Nation can be proud of Jim McGranery, for it is men like him that help make democracy more than a word.

Mr. ROONEY. Mr. Speaker, it is with sadness that I join the Speaker and my colleagues in this memorial tribute to my very good and longtime friend, the Honorable James P. McGranery. Jim McGranery's widow and family and the entire Nation have suffered a tremendous loss in his unexpected passing. Jim McGranery will not soon be forgotten since he carved a niche in the history of the United States that should be an incentive to all our youth as an example to follow. His public service in his home State of Pennsylvania, as a Member of this House of Representatives, as the Assistant to the Attorney General of the United States, as judge of the U.S. District Court for the Eastern District of Pennsylvania and as Attorney General of the United States was of the highest caliber in ability and integrity. The loss of Jim McGranery is bound to be sorely felt by the people of the city of Philadelphia, the people of the State of Pennsylvania and the people of the United States.

It was my privilege to act as an honorary pallbearer at the pontificial requiem mass which was offered for the repose of Jim McGranery's soul on last December 28 by the Most Reverend Patrick A. O'Boyle, D.D., archbishop of Washington.

The deacon of the mass was the Right Reverend Monsignor John S. Spence, director of education; and the subdeacon was the Very Reverend James D. Clark, O.S.A., rector of Tolentine Seminary, Illinois. The archpriest was the Right Reverend Monsignor William J. McDonald, Ph. D., Sc. D., Ed. D., rector of the Catholic University of America. The Right Reverend Monsignor John K. Cartwright, P.A., rector of St. Matthew's Cathedral, delivered the eulogy. Among those in the sanctuary were the Most Reverend Francis J. Furey, D.D., Ph. D., LL.D., auxiliary bishop of Philadelphia, and the Most Reverend Gerald V. McDevitt, D.D., auxiliary bishop of Philadelphia, representing the archbishop of Philadelphia; the Most Reverend J. Carroll McCormick, D.D., bishop of Altoona-Johnstown, Pa.; the Most Reverend Philip M. Hannan, D.D., auxiliary bishop of Washington; the Right Reverend M. James Fox, O.C.S.O., abbot, Abbey of Our Lady of Gethsemani, Kentucky; the Right Reverend Alban Boultwood, O.S.B., abbot, St. Anselm's Abbey, Washington, D.C.; the Very Reverend John A. Klekotka, O.S.A., president of Villanova University; the Very Reverend John P. McCormick, S.S., Ph. D., rector, Theological College of the Catholic University of America; and the Right

Reverend Monsignor John B. Roeder, chancellor of the archdiocese of Washington. At Arlington, the blessing was given by the Right Reverend M. James Fox, O.C.S.O., abbot, Abbey of our Lady of Gethsemani, Kentucky.

As we know, Jim McGranery served as Attorney General of the United States under President Harry S. Truman. At the time of his passing, former President Truman issued the following statement from Independence, Mo.:

> The passing of Jim McGranery was a loss to the country, the community, as well as a personal loss to me. He was an able and devoted public servant, and he always conducted himself in a faithful and forthright manner in his service to his country.
>
> As a judge, he combined courage and compassion by dispensing justice with mercy. As a member of my Cabinet he worked diligently and faithfully in protecting the public interest.
>
> He was a good man, a good friend, and an outstanding citizen. We shall miss him.

I should also like to call attention to the following editorial published in the Catholic Standard, Washington's archdiocesan newspaper under date Friday, December 28, 1962:

HON. JAMES P. MCGRANERY

James P. McGranery was an extraordinarily competent and zealous member of the lay apostolate, though he would have been the first to disclaim any eminence in this regard. In fact, he began his career of service to the church as a boy, nurtured in the ideals of Catholic citizenship by his parents, and his life of achievements was spent in devotion to that ideal.

Although James McGranery supported every activity of the church, he was particularly interested in the application of Catholic ideals to the civic life of our country. He readily and eagerly responded to every opportunity to be of service to the country—at the local, State, and National level—seeing in such service a contribution to God through his assistance to his fellow citizens. The depth of his religious fevor was expressed in his devotion to this country which was paramount.

Every promotion quickened his readiness to be of service. Any invitation to participate in a good work was a summons. All that was needed was the assurance that the good of the church and the state required his assistance. Such readiness naturally increased the demands, and so there was never any retirement from the requests for service that he so ably fulfilled.

The life of James P. McGranery served not only the country and the Archdioceses of Philadelphia and Washington but it also afforded an excellent example of Christian citizenship for emulation.

Finally, Mr. Speaker, I am sure that his widow and three children may well be proud of the great and beloved husband and father they lost, and take comfort in the remembrance of such a distinguished head of their fine family.

GENERAL LEAVE TO EXTEND

Mr. BARRETT. Mr. Speaker, I ask unanimous consent that all Members have 5 days in which to extend their remarks memoralizing the late Honorable James Patrick McGranery.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

RESOLUTION EXPRESSING THE SENSE OF CONGRESS TOWARD NATIONS TRADING WITH CUBA

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, last October the people of America and the world applauded the President for his forthright and courageous stand on Cuba. Hope for freedom loving people everywhere was kindled as finally our Nation, the leader of the free world, had gained an advantage in the cold war. Unfortunately we now find this hope and advantage dashed against the rocks of our subsequent timidity, indecision and concession.

Today I have introduced a joint resolution expressing the sense of Congress toward nations trading with Cuba urging appropriate action by the President of the United States. Specifically, the resolution urges the President to notify those nations receiving benefits under the various Foreign Assistance Acts that further trade with Cuba in commodities, other than humanitarian items such as food and medicine, would result in immediate termination of further aid.

Mr. Speaker, resolutions have been introduced urging our President to do "what is necessary." My resolution specifically points out, as I see it, the minimum of "what is necessary" today. I am aware that many may take hope in yesterday's action by the White House as the answer. With that I disagree. I submit that the President's order makes a mockery of real economic sanction. Under it a foreign company or country may trade indefinitely with both Cuba and with this Nation, because the order is directed toward individual vessels rather than companies or countries. Some vessels could make calls in Cuba and others could make calls in the United States and this could go on indefinitely.

Furthermore, this order has done nothing to restore the confidence of the people to the level it was last October when the President demonstrated that he was willing to risk war in order to rid our hemisphere of the Communist cancer in Cuba and to uphold our national prestige both in our own eyes and in the eyes of the world. We may toy with Cuba for generations, but we will never overthrow the Soviet puppet regime there by the soft shoe method. Mr. Speaker we need more of the "big stick." That is the only language the Soviets understand.

Mr. Speaker, I include in my remarks the following editorial which appeared in the January 31 issue of the Columbia (S.C.) Record.

Although we have had extensive discussions concerning the grave situation in Cuba I do not recall some of the thoughts contained in this excellent editorial having as yet been touched upon by any of us. The author of this editorial is Mr. Gordon Tullock, a research associate in the Institute of International Studies at the University of South Carolina which department is staffed by some of the best, if not the leading, brains in the field of international studies.

May I commend the careful reading of this editorial to not only my colleagues in the House, but, also, to the President and those in the State Department responsible for our policies on Cuba? The editorial follows:

CUBA: WE THREW AWAY DIPLOMATIC WIN

(By Gordon Tullock)

Only a few months ago President Kennedy took the Nation "to the brink" of nuclear war over Russian missiles in Cuba. That this was the proper thing to do few will question. That we won a victory is also clear. Unfortunately part of this victory has been fritted away, with the result that we today cannot say for certain whether there are or are not missiles in Cuba.

The missile launching sites which our aircraft photographed were for two types of missiles, one with a range of about 1,200 miles and one with a range of twice that much. The missile launching sites were dismantled, and 42 cases which may well have contained missiles of the shorter range type were removed from Cuba. Given the type of "inspection" to which ships carrying these missiles were subjected to, no one can be sure whether they did in fact remove all of the short-range missiles, but they surely did not remove any of the longer range type.

COULD BE HIDDEN IN CHURCHES

It is quite possible, of course, that the longer range missiles had not yet actually arrived in Cuba at the time the blockade was imposed, and this may well account for their nonremoval. It is surely also possible, however, that they were there and are still there. It is also possible that they have been brought in since the blockade was removed.

Rocket launching installations do not have to be the openly visible type which air photography can detect. You can build a building in such a way that it will completely cover the installation, or you can put the rockets in a pit in the floor of an existing building (churches are particularly good). This is, of course, more expensive and slower than the open type of installation. It also may require a good deal of ingenuity in such things as disposal of the dirt removed without being detected in aerial photographs or arranging for the opening of the roof when firing. These problems, however, are merely difficult, not impossible of solution. Since a camera cannot see through a solid roof, this type of installation is proof against inspection by camera.

The obvious way of detecting this sort of installation is through espionage. Espionage, however, is a most difficult matter in a Communist police state. Failure of the spies to find something would certainly not prove that it was not there. In the case of Cuba we have a further difficulty. The American Government has established a tradition of not believing the Cubans who are opposed to Castro. Since the pro-Castro Cubans are unlikely to be willing to tell us anything, this puts us in great difficulty.

All through last summer the Cubans were telling our intelligence agencies that missiles were being moved into Cuba and were being disbelieved. Within a week of the beginning of the demolition of the missile sites, the same Cubans were reporting that missiles were being hidden on the island and official American spokesmen were once again saying that they didn't believe them. If the Cubans cannot be trusted, then espionage is impossible as a way of checking on the presence of missiles in Cuba. If they can be trusted, then the missiles are there.

RUSSIAN TROOPS STILL THERE

The Russian troops who entered Cuba with the missiles are mostly still there, which could be considered evidence that the missiles are also mostly still there. There are, however, three other excellent reasons for the presence of these troops. During the Cuban crisis there was a good deal of worry in Washington about killing Russians which, it was thought, might lead Khrushchev to fight a major war.

Since the Russians killed an American during the crisis and have killed several hundred since the end of World War II without leading us to start a war, this would seem to imply that the Communists are more concerned with the lives of their citizens than we are with the lives of ours. This seems to me an unlikely hypothesis, but it is believed in Washington; and the Russians know that it is believed. The small garrison on Cuba thus might insure against an American attack by playing on this peculiar idea which seems to dominate our policy.

The other two functions which the garrison might serve are internal. The Cubans are slowly but steadily turning against Castro, and a small force of foreign troops which can be depended upon to hold the natives down might be helpful. At the same time, the garrison will insure Khrushchev against any Titoist or pro-Chinese tendencies on the part of the unstable Cuban satrap. This last consideration has, according to rumors, rather disturbed Castro and he is reportedly trying to build up a force which is loyal to him and strong enough to beat the Russians in a showdown. Altogether, it seems possible to explain the presence of the Russian garrison in Cuba without assuming that the missiles are still there.

KHRUSHCHEV GETS A SCARE

If we turn to the international political scene, there seems to be a good deal of evidence that the missiles have been removed. Khrushchev, if his recent utterances are not bogus, got the scare of his life in Cuba and is not likely to repeat the experiment. The problem here, of course, is that Khrushchev has fooled people before. Personally I would judge that he is not acting, but I do not like betting my life and freedom on it.

The Chinese denunciations of Khrushchev's behavior in Cuba might be taken as proof that the missiles are gone, but the Chinese would not necessarily know what is going on in Cuba. They might also disbelieve Khrushchev if he told them confidentially that the missiles were still there.

The obvious rift between Cuba and Russia when Khrushchev announced the withdrawal of the missiles was the most significant proof that Khrushchev meant it. The mending of relations might be taken as evidence that Khrushchev changed his mind. This is particularly so since the improvement in Russo-Cuban relations went hand in hand with the gradual elimination of ground inspection from our demands. Here again, my own judgment would be that the improvement in relations arises partly from the fact that Castro does not have to fight Russia in order to keep foreign inspectors out of his "people's paradise" and partly out of his gradual realization that he could not last without Russian support. Again, however, I don't like to risk so much on this type of political judgment.

How did the real, if not massive, victory we originally won turn into this disappointing situation? The answer must be sought in the diplomatic maneuvers and negotiations after Khrushchev accepted our terms. He sent Mikoyan to Havana, where Castro wouldn't even see him and started negotiations with Stevenson and company in New York. Castro simply refused to let inspectors into Cuba, and it was obvious that the Russians could not force him to do so without destroying their support on the island. The crucial point in the negotiations, really, came when the Russians reported that Castro was refusing. Our negotiators apparently tried to press them into carrying out their agreement, but also apparently showed that we had no alternative plan in mind in case the Russians did not live up to their word.

The Russians must have regarded this as the first crack of dawn. From long experience with negotiations with the Americans they knew that they had only to stall and we would gradually back down; as we did.

OUR INEXPERT DIPLOMACY

There was, of course, a simple alternative diplomatic strategy. When the Russians told us that Castro woud not carry out Khrushchev's word, we could simply have replied: "If Castro continues to make difficulties, just tell us and we will take care of him." This combined with a few more gestures which looked like preparations for an invasion would surely have worked. Why didn't we do this? This is merely part of the larger question of why our diplomacy is inexpert. Again and again in the postwar world we have thrown away opportunities for diplomatic victories. Why? I wish I knew.

PROPOSED HEARING ON CASTRO-COMMUNIST SUBVERSION IN THE WESTERN HEMISPHERE

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, apart from direct military threat, the long-range Castro-Communist threat to the hemisphere lies in Soviet-Cuban potential for subversion throughout the Americas.

Operating from their Cuban island base, Castro-Communist agents are actively fomenting violence and Soviet-style revolution throughout Latin America. The very existence of a Soviet Cuba is the ultimate "offensive" weapon upon which the Kremlin relies in its campaign to destroy the Inter-American system.

Unless we are prepared to face up to the subversive export of Castro-communism, the argument over whether Soviet arms in Cuba are technically "offensive" or "defensive" in nature may well become irrelevant. Our continued failure to recognize and cope with the export of Castroism in Latin America is an open invitation to the creation of new Vietnams on our own hemispheric frontier.

Therefore, Mr. Speaker, the House Subcommittee on Inter-American Affairs, of which I am chairman, plans to begin on February 18, 1963, exploratory hearings into the nature of the Castro-Communist subversive apparatus in the hemisphere. We intend to probe the extent of the Castro subversive threat to the Inter-American system and to the nations comprising that system. It is also our intention to inquire as to current and long-range U.S. policy regarding the existence of Soviet bases in the Americas.

ADJOURNMENT TO MONDAY, FEBRUARY 11

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. BEERMANN. Mr. Speaker, reserving the right to object, and I shall not object, I should like to inquire of the majority leader concerning the program for the balance of this week and next week.

Mr. ALBERT. Mr. Speaker, if we adjourn over today, there will be no further legislative program this week. There will be no legislative program next week pursuant to an understanding heretofore reached and announced on the floor, next week being Lincoln's birthday week. We expect the House to meet on Monday and to adjourn over until Thursday in order to conform to the 3-day rule, but otherwise there will be no legislative business.

Mr. BEERMANN. Mr. Speaker. I thank the majority leader for his information.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NATIONAL SERVICE LIFE INSURANCE FOR CERTAIN VETERANS

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I am today introducing legislation which will grant national service life insurance to certain veterans.

My bill would, for a 1-year period, permit insurable veterans who served between December 7, 1941, and September 2, 1945, and June 27, 1950, and July 27, 1953, to purchase new participating national service life insurance policies, with the premium rate structure based upon modern-day mortality experience. An additional premium would be charged to pay the costs of administration.

Subsection (c) would permit any persons who were denied insurance under subsection (a) solely because of a service-connected disability for which compensation is or would be payable if 10 percent or more disabling, to be issued nonparticipating national service life insurance. The premium rate structure would be based upon the American experience table of mortality, and an additional charge would be made to cover the costs of administration. Any person who became incompetent on account of service-connected disability within the 1-year period would be granted an extension of 1 year from the date a guardian is appointed, or 1 year from the date competency is restored, whichever is earlier.

The effective date of the act would be the first day of the first calendar month beginning 6 months after the date of enactment.

BROTHERHOOD WEEK OR WEAK BROTHERHOOD?

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, our Nation is once more about to mark Brotherhood Week. To paraphrase Mark Twain's comment about the weather, many people talk about brotherhood but precious few do anything about it. If we merely celebrate Brotherhood Week by mouthing a few pious platitudes which we promptly forget and disregard, we have surely accomplished nothing of value.

Too many of us who consider ourselves people of good will are content to remain silent in the face of bigotry and racial prejudice. Just as it is necessary for those in public office to be vocal against bigotry, it is equally important that all persons of good will in their daily personal and social lives be not hesitant to speak up when they hear remarks derogatory to a particular race or religion. Instead of cringing in embarrassment, why not transfer the embarrassment to the bigot by quietly informing him that you consider his remarks to be unfair, cruel and undemocratic? You will find it good for your own soul and psyche, but more important, you will be letting the bigot and his hearers know that you are not a member of his awful fraternity. I have found that bigots, like bullies, often retreat in shame when so confronted.

The civil rights question is basically a moral issue. It is my belief that no first class person should endorse second class citizenship. However, even if we are to disregard the moral issue involved, do we dare to overlook the political impact of the civil rights issue on the world stage? Can the United States expect to gain the friendship of the millions of nonwhites who make up the majority of the world's population so long as the opponents of civil rights for all Americans refuse to relinquish their prejudice in the national interest?

We sparked a revolution on our shores in 1776 by the electric declaration that taxation without representation is tyranny. Yet two centuries later, a sizable segment of American political thought would tax our Negro citizens while at the same time denying them the right to vote. Indeed we even ask, and have asked, American Negroes to fight our country's wars and shed their blood to protect a political system in which they are refused a voice. We delude ourselves if we believe that the rest of the world is blind to this cruel inconsistency, and that the Communists are not making political hay out of it.

But aside from considerations of international politics, let us commit ourselves to the eradication of religious and racial hatred for the sake of our own self-respect and self-esteem. Hatred is a consuming passion which must burden the hater with a not conscious, but heavy, load of guilt. Just as hatred poisons the wellsprings of the human soul, it can erode the national soul. Those of us who realize this must never fail to be heard about it. It cannot be better conveyed than in the words of "America the Beautiful" which we all sang as school children:

> And crown thy good with brotherhood
> from sea to shining sea.

TAX DEDUCTION FOR CONTRIBUTIONS TO LOCAL ECONOMIC DEVELOPMENT GROUPS

Mr. RYAN of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RYAN of Michigan. Mr. Speaker, I rise today to urge upon my distinguished colleagues serious consideration of the amendment which I have introduced to make it possible for contributions to local economic development groups to be legitimate items for tax deduction, both for individuals and for corporations.

Local economic development groups, formed to draw on a community's total resources in order to help solve long-standing problems of enforced unemployment, depend for their existence on broad civic participation. Certainly we in the Congress, who look to the local community for the basic generation of self-help plans, should be inclined to look with favor on this pooling of resources—time, talent, initiative, and money—in the pursuit of programs that help improve local economies and help put people back to work.

Many business organizations have been successful, under the present system, of obtaining allowance for the deduction of contributions to nonprofit development organizations as legitimate business expenses. But even this is an uncertain and therefore discouraging business. As things now stand, in the absence of clear-cut recognition of the tax deductibility of such contributions, business firms are never quite certain whether or not these deductions will be allowed. As a result, they make their contributions—often reluctantly—and then wait until a year later to learn once and for all whether or not they can deduct these obviously legitimate expenses.

What is more, no provision is made for the contribution from the average citizen—and experience has shown that very often local economic development committees depend, for their success, on the numerous small contributions made by individuals.

We have no difficulty, Mr. Speaker, in reconciling the right of the citizen to make a tax deduction for his legitimate contributions to voluntary agencies in the social welfare field—the agencies which succor the unfortunate jobless, the victims of our changing times and changing technologies. Certainly if this is a legitimate deduction—and I submit, most emphatically, that it is—then how much more legitimate would it be to deduct from the individual tax return a contribution, not to support able-bodied workers in idleness, but to help restore them to their full status as taxpaying members of society?

OUR POLICY ON THE CAPTIVE NATIONS OF EUROPE

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I have been concerned about some of the aspects of our policy regarding the captive nations of Europe and, in recent months, I have been particularly concerned about our policy toward Hungary.

I am convinced that we should maintain a firm policy of supporting these captive nations who are strongly oriented to the West and friendly to the United States. I view with concern any action which would indicate any lessening of our support of these nations in their aspirations to return to freedom and self-determination.

One of the recent matters which gave me cause for concern was the position which our delegation in the United Nations Organization took in connection with current consideration of the Hungarian question in that organization. As an expression of my views, I wrote a letter to the Secretary of State, Hon. Dean Rusk, and I include that letter herewith:

DECEMBER 21, 1962.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: Mr. Richard H. Davis has been kind enough to indicate to me the position which the U.S. delegation is prepared to take in the United Nations in connection with the Hungarian resolution.

I am happy to know that our representatives will remain firm on the refusal to support acceptance of the credentials of the Hungarian delegation, and I am pleased that they will support a resolution reaffirming previous actions of the General Assembly and pointing out the failure of the Russians and others to comply therewith.

I must express my misgivings, however, about the decision to support the removal of the Hungarian problem from the jurisdiction of Sir Leslie Munro and his committee and to refer it to the Secretary General with the request that he take such measures as he may believe useful.

It is my belief that firmness in this question is vitally important because of our expressed national policy of supporting captive nations such as Hungary. I certainly have no confidence that the Secretary General will display aggressiveness in this matter, and I suspect that he will be disposed to pigeonhole the whole question.

While it is true that Sir Leslie was unable to accomplish very much in establishing contact with the Hungarian Government, it is not with the field of immediate positive action that I am concerned but with the question of an apparent relaxation on our part and a further indication that our support of self-determination and freedom is weaker than we had claimed. The proposed shift appears to me to be a change of substance rather than a change of form.

It would be unfortunate in these vital matters to have our policies determined by the attitude of minor nations in the United Nations, and I suggest that we might very well stand on principle on questions such as this which concern fundamental issues even though the resolutions in question were to be defeated.

Very truly yours,

JOHN S. MONAGAN,
Member of Congress.

Another matter which gave me serious concern was the news that Secretary General U Thant had determined to discontinue Hungarian language broadcasts to that country.

Accordingly, I wrote the following letter to Ambassador Adlai E. Stevenson on January 28, 1963:

JANUARY 28, 1963.

Hon. ADLAI STEVENSON,
U.S. Ambassador,
The United Nations
New York, N.Y.

DEAR MR. AMBASSADOR: The German Tribune of January 19, 1963, carried an article, date-lined Hamburg, January 7, 1963, which indicated that shortwave broadcasts of United Nations proceedings in the Hungarian language would be discontinued as the result of a decision by Secretary General U Thant.

I regret this decision very much. The expressed policy of our Government is to support the Hungarian people in every way possible and to take all practical steps toward bringing about their ultimate liberation. There have been many means, short of war, which have been available to us to weaken those governments behind the Iron Curtain. One of them has been the directing of facts and uncolored news into the captive nations. Such a program was the shortwave broadcasts of the U.N. This decision to limit broadcasting, when added to the prior U.N. vote which terminated Sir Leslie Munro's mission investigating the condition of civil rights in Hungary, leads one seriously to wonder whether or not the U.N. is really interested in advancing the freedom of the Hungarian people.

It is my belief that there should be more rather than less broadcasting from the free world to the captive nations and I hope that you will do everything in your power to see to it that the U.N. programs to Hungary are promptly resumed.

Sincerely yours,

JOHN S. MONAGAN,
Member of Congress.

I was happy to receive the following reply from Ambassador Stevenson. Although this can be viewed primarily as a report of progress, nevertheless, it is gratifying to know that Ambassador Stevenson shares my view of these broadcasts and promises to take vigorous action to support this position:

FEBRUARY 4, 1963.

Hon. JOHN S. MONAGAN,
House of Representatives.

DEAR CONGRESSMAN MONAGAN: I wish to thank you for your letter of January 28, 1963, relative to the suspension of United Nations broadcasts in the Hungarian language to Hungary.

This came to my attention early in January and an immediate protest was lodged with the United Nations. I was informed that Secretary General U Thant had discontinued the United Nations broadcast, which started in 1956, because the Hungarian item was no longer on the agenda of the General Assembly. However, I pointed out that the Assembly had asked the Secretary General to become active in the Hungarian case and that the United States felt these broadcasts should be continued. The Secretary General hopes an arrangement can be worked out whereby United Nations material will be broadcast again to Hungary. I am awaiting a report from the U.N.

I agree with you that it is important that United Nations news be sent into Hungary in the Hungarian language and I will continue my efforts with that end.

With all good wishes I am,

Cordially yours,

ADLAI E. STEVENSON.

FREEDOM OF THE PRESS

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, I have recently been told about an incredible incident which I want to bring to the attention of the House. On January 28 the Department of State held a briefing for reporters on the Arab refugee question. One reporter, Milton Friedman, of the Jewish Telegraphic Agency, who is a leading expert on the Near East, was excluded from the briefing.

I understand that Mr. Friedman was told by Mr. Robert C. Strong, Director of the Office of Near Eastern Affairs, that the Department of State regarded Mr. Friedman as a foreign agent and that the Department of State considered his writings unfriendly to Department policy. He was also told that he could not attend the briefing because his articles were used sometimes by the Israeli Government in discussions with the Department of State. Of course, the same comment could be made about the New York Times and other newspapers.

Mr. Speaker, the exclusion of Mr. Friedman amounts to a blatant effort to pressure a respected and reputable correspondent. The Jewish Telegraphic Agency, a duly accredited American news agency, is accredited to the White House, to the House and Senate press galleries, as well as to the State Department.

Mr. Speaker, this action undermines one of the foundations of our democratic system—a free press. If this reporter can be excluded, so can any other reporter or news agency or newspaper which incurs the displeasure of the State Department. The free flow of news and the right to comment freely upon it is vital. I have protested to the Secretary of State, and I hope my colleagues will join me.

INDIVIDUAL INCOME TAX CREDIT FOR TUITION TO INSTITUTIONS OF HIGHER EDUCATION

Mr. MILLIKEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MILLIKEN. Mr. Speaker, I have today introduced legislation to provide a 30-percent credit against individual income tax for amounts paid as tuition to institutions of higher education.

My principal purpose in sponsoring this legislation, of course, was to facilitate the education of America's youth. A second reason for sponsoring this legislation involves my fundamental conviction that education at the college level should to the maximum extent be made available to as many students as possible. I submit that this can be accomplished under a legislative proposal such as I have recommended. In recent decades the rising cost of higher education has imposed a heavy burden upon the taxpayer who seeks to provide for the education of his family. But in spite of the high cost we can never assume that education is a luxury to be enjoyed only by the privileged few. Education leads to knowledge and the latter is an essential prerequisite of good citizenship. The growth in education is demonstrated by the interesting statistics that 30 years ago only 20 percent of our young people between the ages of 14 and 18 attended high school, while today the percentage of young people between the ages of 18 and 21 who attend college is almost twice as high. A college of today is what the high school was a generation ago. Confronted as we are with a shortage of skilled technicians, proficient professionals, and other occupation classifications, it is imperative that our society make every effort to maximize the education opportunities available to our children.

It is not a question of can we afford the cost of good education; the real question is can we afford not to do everything possible to enhance the opportunity available in America to attend college. It is true that a revenue loss in the short run would result from the enactment of my bill. I am confident, however, that the longrun effect would be to increase revenue. The validity of this contention is demonstrated by the fact that only 15 percent of elementary school graduates earn over $6,000, but 66 percent of college graduates earn over this amount and as a consequence they will pay substantially higher income taxes on those incomes.

Mr. Speaker, it is my earnest hope that the Congress will find it possible to take prompt and speedy action on this legislative request.

FEDERAL DEFICITS

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, when I spoke on the floor on Tuesday of this week I was challenged for being political. Unfortunately, some of our colleagues are political so often they always see it in the other fellow, and do not realize that perhaps he only has the best interests of his country at heart. Believe me, I will never let politics interfere with my interest in my country nor let it restrain me from saying what I believe to be the truth.

We are facing another situation here that no one can understand, a proposal from the President for reduction of taxes. We are told that this reduction will cause about a $12 billion deficit. I am not sure this is going to be true any more than any other statements that have been made. In the first 2 years of this administration the guessers down in the Budget Bureau were off by $8 billion in the 1962 budget, and were off $8 billion on the 1963 budget. They were $8 billion off on their efforts each one of those years. If we will take the first 2 years of President Kennedy's administration as an example of the lack of competency of the Budget Bureau, God help us in the 1964 budget, wherein they project a $12-billion deficit. On the basis of the 1962 and 1963 false estimates, the 1964 budget will be a $20 billion deficit and not $12 billion. We are going to a type of what I honestly call screwball economics by increasing our national debt and by increasing our deficit, and at the same time telling the American people, "We are going to give you a tax reduction, we are also going to have a tax reform, and we are going to take it away from you." This is not in the best interests of my country or of the security of the future of my children, and, I might add, of my grandchildren.

CUBA

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, the facts outlined by the Secretary of Defense on nationwide television last night are a shocking affront to American sovereignty and security. If the administration intended by this presentation to prove a lack of need for on-site inspection in Cuba, it has done just the contrary. The need is pressing. It is urgent. It was there in plain sight for each of us to see.

Many of the American people did not know all of the grisly details of these hordes of Communist combat troops next to our shores until last night. But our people do have good judgment when they are put to the test and they do have courage.

In this instance the American people know that, in spite of everything Mr. McNamara said last night, he still cannot tell us whether or not ballistic missiles are hidden on Cuba. He cannot and did not tell us they are not there. He suggests that Senator KEATING should eat his hat, but even our Secretary of Defense does not know—and it bothers him. It bothers the President too, I think.

Mr. Speaker, if this dismal portrayal depicts anything, it is that America needs a refresher course in character. What has happened to this country that it should tolerate a leadership that permits a hostile military establishment in being in this hemisphere?

Let me speak a little horsesense for a minute—not as an expert, for I am not, but as a representative of the man on the street. What does the man on the street see out of all this? He knows:

First. That atomic bombs are not too big; that they can be armed and carried in Mig's as well as missiles, and that there are many supersonic Communist Mig's on Cuba at this moment.

Second. He knows that the Communists have no conscience, no God, and an insatiable, fanatical determination to destroy this Nation.

Third. He knows that the head of our Department of Defense has just admitted that there are on an island 90 miles from Florida 17,000 Soviet troops, 24 operational missile sites with launchers, and a total of 500 missiles whether or not labeled "antiaircraft," 4 operational coastal defense missile sites with 150 missiles, many guided missile patrol boats, and 4 armored groups with a strentgh of at least 5,000 men, and more.

Fourth. He knows we never would have gotten into this mess if he had been kept posted on the rapidly deteriorating situation over the last 2 years because he would have let his Congressman know that the situation should be met, in no uncertain terms.

Fifth. He knows that a statement from any source, whether or not his name is McNamara and his title Secretary of Defense, that the Defense Department of the United States had no evidence that Cuba was being used as a base for subversion directed against other Latin American countries, is utter nonsense. It is of the essence of communism that it is subversive of our way of life and of freedom everywhere. Communism and freedom can no more live alongside of each other than oil and water can be mixed.

Mr. Speaker, who is kidding whom here? This Cuban operation is not defensive. The Communist weapons there are not defensive. Missiles, tanks, airfields, MIG's—all these and more are in Cuba for one simple definitive reason. They are there as the first stage toward Communist conquest of this hemisphere.

The Secretary of Defense has stated the case of essential need for American control of Cuba. Latin America is watching. Latin America is rightfully concerned. Latin American governments know what the Castro operation bodes for them.

In the atmosphere now prevailing, neither official aid programs nor direct U.S. assistance can be effective in the smaller nations that lie to the south of us. Private investment just will not go there under this shadow of Communist military threat and domestic subversion. Our friends are uneasy. They look to us for leadership, for firmness in meeting and disposing of this hostile overt challenge, but they do not find this leadership.

The conclusion is compelled that the Kennedy administration is drifting in this hour of crisis. It is drifting on the sands of indecision, pressed by the dreamers, the compromisers, and the coexisters whose advice and suggestion has received a disproportionate amount of the President's ear.

There is only one course of action for the United States to take in these circumstances. There is only one affirmative solution to this undermining of our security, this mounting threat to the entire hemisphere.

We must insist now upon on-sight inspection on a continuing basis in Cuba and if our insistence is met by refusal we must accomplish such continuing inspection by force if necessary. Such action will not precipitate a world war. Such action is entirely consistent with the history and tradition of American foreign policy in this hemisphere. Such action is the only action consistent with the character, determination, virility, and strength that has made America great. It will earn us sorely needed respect in other friendly corners of the world where there is now concern and dismay. It will check this cancer.

On-site inspection is something that needs to be done now, not a month from now, but now, within the next few days. If a buildup is needed as a condition to the capacity to back up the demand, let us be on with the buildup. But this time, Mr. Speaker, let us be on with it as a matter of public record so the man on the street will know that his great country is at long last acting to protect him and his family and his children to follow. Let us not have it the way it was in September and October, Mr. Speaker, when we were massively preparing for action in Cuba with the President's knowledge, only to throw it all away with a half-baked solution called quarantine, in reality but a limited blockade and never completely effective, and abandoned without inspection of Cuba and without evacuation of Communist troops, missiles, tanks, and guns from Cuba.

Mr. Speaker, for years it has been claimed by the Soviet and its satellites that America is imperialist and for years we have backed away from doing the things that needed to be done for fear that someone might call us names. The influence of the Department of State in achieving this negative pattern of inaction and weakness has been undeniable. It is time that our policy took on a new vigor, a new firmness, a new character. Let us do what we know we must do for the salvation of our way of life and be on with it despite the propaganda cries of the left and the Communists. There is nothing imperialistic about our own survival in the atomic age. There is nothing imperialistic in physical on-site inspection of a 700-mile long aircraft carrier permanently anchored 90 miles from Florida. It must be done.

Beyond the immediate objective of physical on-site inspection—which the man on the street and anyone with a brain in his head knows is the only, and

I repeat only, way we can know what is or is not hidden on the island of Cuba—lies the disturbing fact that a Communist government now exists in once-friendly Cuba. I might observe a Cuba still full of basically friendly people who never voted for communism—born in revolution, aided and abetted by the Soviet Union with a leadership that now indoctrinates its youngsters to hate America, that preaches venom and subversion, that arms itself as a new link in the Communist chain across the sea to damage and destroy our country.

A Communist government on the island of Cuba is a violation of the Monroe Doctrine. If the American Government had guts there would be no Communist government tolerated in this hemisphere unless it was freely and fairly voted into being by its own people, and, Mr. Speaker, the man on the street knows that no people do this.

Mr. Speaker, beyond the immediate objective of on-site inspection of the island of Cuba, we must soon face up to the fact that Cuba itself must be rid of its Communist government. Its people must be given the opportunity by plebiscite, to choose a new government whose inclinations and policies are neither Communist nor otherwise hostile to the United States.

All this under our initial aegis is what eventually must be done. This, I am confident the American people will insist upon, who are now vastly better informed of the crisis before them, thanks to Mr. McNamara.

INTELLIGENCE GATHERED BY CUBAN REFUGEES

Mr. STINSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the body of the RECORD and include a radio transcript from NBC entitled "Bay of Pigs—What Really Happened," and intelligence information from Cuban refugee organizations.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STINSON. Mr. Speaker, there has been much talk about the reliability of intelligence information coming from Cuban refugees. Ray Henle of NBC's "Three Star Extra" has made an investigation into this type of information and also into the Bay of Pigs invasion. His preliminary investigation was broadcast over radio station WRC–NBC at 6:45 on February 6, 1963, and should be made available to all Americans:

INTELLIGENCE INFORMATION FROM CUBAN REFUGEE ORGANIZATIONS

It has become standard procedure over the past few months for official Washington to discount refugee reports on Communist activities inside Cuba.

Nevertheless, the parade of events before and since the Cuban missile crisis indicates a degree of accuracy on the part of the refugees which it is difficult to disregard.

In order to properly evaluate refugee information, it is necessary to understand how it is gathered. It is not just a collection of rumors and hearsay. The reports provided by the refugees are the products of a well-organized network that operates inside Cuba under the very noses of the Castro police.

Refugee organizations, such as the Student Directorate, have informers in all walks of Cuban life. Their men are on the docks when war supplies are unloaded. They are among the clerks, the truck drivers, and even the militiamen supposedly loyal to Castro.

By coded radio and telephone messages, by written communications, and through the courage of underground leaders who move in and out of Cuba as some of us go to the grocery store, a constant flow of information is channeled into the United States. It is not difficult to understand why many regard this information as more accurate and more detailed than that gathered by the high-flying planes of the United States.

THE BAY OF PIGS—WHAT REALLY HAPPENED

The return to the United States of the young Cubans who took part in the Bay of Pigs invasion of Cuba, and the stories they now tell, add new pages to the unhappy history of that event.

The attempt to unseat Castro in 1961 by the Pigs Bay landing was admittedly a fiasco. If only part of what the returning invaders now are saying is true, the operation becomes an incredible network of error, blunder, mismanagement, and even corruption.

Looking back on what happened from the beginning of their training to their capture on the Cuban beaches, the young Cubans find it difficult to believe that the United States was capable of such mismanagement. The question which many of them ask is: "Did someone want the invasion to fail?"

In order to look at the Bay of Pigs failures through the eyes of the invaders, "Three-Star Extra" has talked with a number of them. We found them to be sincere, dedicated young men whose primary object in life now is to win back their country from communism.

Then, they say, they can resume their education and get on with their personal lives.

Many of these men are surprisingly young. Some even now just reaching their twenties. It is difficult to imagine them as the same men who faced Castro's armies on the Cuban beaches and later defied their captors through 2 long years in prison.

According to the stories these young men tell, the errors and the bungling began long before the day of the invasion. One group tells of inadequate clothing, housing, and food at the training base in Guatemala. They say they lived on canned rations and artificial fruit drink while steaks obviously flown in for their use were trucked off and sold in Guatemala City. They say each was issued one uniform for the duration and it was worn out by invasion time. There were five showers for a thousand men.

One group of paratroopers told us that what happened at the time of the invasion was a nightmare. They were hauled by plane from Guatemala to Nicaragua for the final jump to Cuba. When the time came for the final takeoff they had not slept for 2 nights. They then were packed into small C–47 transports—32 fully equipped men to each plane. The flight to Cuba took more than 7 hours during which time the men sat wedged into their seats with neither food nor water. When they finally bailed out for their assault on Castro, they were in a state of near exhaustion.

The account of what happened on the beaches adds to the pattern of bungling. The young Cubans told us that in spite of what already had happened they still had faith in the invasion, which was planned, financed, and managed by the U.S. Government. They all thought they had definite pledges from the American training officers that they would have the protection of U.S. air strength in the final assault.

But what happened, they feel, adds up to betrayal. No one was supposed to know where the landing was to be made. But Castro's troops were waiting. The first two paratroopers to jump from one plane were shot before they hit the ground.

Then, they say, disaster followed disaster. Their supply ships were sunk by Castro's air force which had not been knocked out as planned. When the invaders ran out of ammunition, Castro's militiamen, who were eager to surrender in the early hours, returned to their own forces. When ammunition was dropped by air to one group armed with 30-caliber machineguns, they found the cartridges were 50-caliber. Another group armed with Garand rifles got cartridges made for Springfields.

The invaders told us that U.S. jets did appear over the battlefield. But they circled without joining the fight while Castro's jets blasted the invader positions.

When the situation became hopeless and the invaders attempted to reach, by small boat and raft, the U.S. warships lying off the Cuban coast, the warships steamed away before they could reach them, and left them to the mercy of Castro. When they looked for U.S.-appointed Cuban officers who had been provided with thousands of dollars in cash by us, so that each man could be given $20 which might help him lose himself in the Cuban population, both the officers and the money were gone.

Those are some of the stories being told by the Cuban patriots. They indicate much still is to be told by our own Government about the Bay of Pigs.

GREAT SALT LAKE

Mr. LLOYD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. LLOYD. Mr. Speaker, I am today introducing a bill to confirm in the State of Utah title to all lands lying below the high waterline of Great Salt Lake as of the effective date of the admission of that State into the Union. The lake is deemed navigable and confirmation of title to the lake bed in Utah is, therefore, legally proper and traditional. Relictions and accretions since the date of statehood have raised questions as to present title to surrounding and neighboring lands, which this legislation is designed to clarify and settle.

Care has been taken to draft this proposed legislation in a manner which will avoid altering any claim, right or interest presently existing in, or to, the lands concerned, and a special exclusionary clause has been added which will protect the Bear River Bird Refuge, which borders on part of the lake.

An identical bill to this is being introduced into the Senate, jointly sponsored by both Senators from Utah, one from each political party, indicating the nonpartisan aspect of the legislation.

STATEHOOD ENABLING ACT

Mr. BURTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BURTON. Mr. Speaker, for some time, there has been controversy over the ownership of the shoreline lands of the Great Salt Lake located in the State of Utah. The law relating to the ownership is not as confusing as some of the agencies and individuals are trying to make it appear.

Vital interests of the State of Utah are concerned and procrastination in making these lands available to the State is working great hardship on us and the development of some exceptional scenic attractions.

I am happy to join with my colleague from Utah in sponsoring legislation which will give the State of Utah part of its birthright, granted in the statehood enabling act.

THE CUBAN SITUATION

Mr. **FASCELL.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **FASCELL.** Mr. Speaker, as we say down South, I believe the time has come for some administration critics to fish or cut bait. A new game is being played by critics of the administration who allege they possess superior information on the Cuban situation.

For its part the administration has put its facts and its intelligence sources on the line for the American people to evaluate and exercise their own judgment; to make their own courageous and intelligent decisions thereupon.

Some criticism has been directed by self-styled oracles of the unsuccessful Bay of Pigs invasion. They have clamored and demanded a determination of the question of U.S. air cover on that occasion. Based on sources, some named but mostly unidentified, these critics have sought to charge the failure of that invasion upon the withdrawal of promised U.S. air cover.

Yet the record should be made clear that this determination has been made and the question answered on the record.

On January 21, 1963, David Kraslow, Washington correspondent of the Knight Newspapers, published an exclusive interview with the Attorney General of the United States, Robert F. Kennedy. He was the man empowered by the President of the United States to conduct the original investigation of the entire Bay of Pigs matter. In that interview the Attorney General stated clearly and unequivocally:

> There never was any plan to have U.S. air cover. There never was any promised.

Since this interview is the first time that this administration has publicly discussed this matter and since the entire interview is important in an evaluation of all facts upon which judgment must be made, I wish to read this historical document to my colleagues:

Pigs Bay Story Errs, Robert Kennedy Says

(By David Kraslow)

No U.S. air cover was ever planned or promised for the Bay of Pigs invasion of Cuba in April 1961, Robert Kennedy says.

Nor was the inability to control the skies the only thing that doomed the U.S.-backed Cuban refugee brigade.

There were several major mistakes. Perhaps 10 times as many men were required for a successful operation.

Kennedy insisted repeatedly that responsibility for the failure rests with the President. But it seems clear that the Pentagon and the Central Intelligence Agency, both of whom approved the invasion plan, virtually ignored what proved to be a crucial element in Premier Fidel Castro's arsenal.

These and other disclosures by the Attorney General made in an interview requested by the Knight newspapers, broke the Kennedy administration's long silence on one of the most embarrassing episodes in American history.

It must be presumed that Robert Kennedy had the approval of the President to speak for the record, to acknowledge officially this Government's role in the attempt to liberate Cuba, and to explain finally what went wrong.

For some 20 months, while the Cuban refugees who were crushed at the Bay of Pigs languished in Castro's prisons, the President chose restraint rather than retort.

Now, largely because the ransomed prisoners are free in the United States, the Kennedy administration feels it can reply to what it regards as grossly inaccurate accounts—published and spoken—of the Bay of Pigs disaster.

AUTOPSY PERFORMED

Few people can match Robert Kennedy's knowledge of the affair. At the direction of the President, he and three others performed the autopsy. The report of their investigation led to shakeups in the CIA and the Pentagon.

During the interview, Kennedy referred critically to several national magazine articles that purported to tell the inside story.

One widely held belief is that the President reneged at the last moment on promised U.S. air cover for the invaders and that this guaranteed failure.

"There never was any plan to have U.S. air cover," Kennedy said. "There never was any promise. Not even under Mr. Eisenhower was American air cover in the picture."

BEGUN UNDER IKE

(The recruitment and training of Cuban refugees for an invasion of their homeland was begun in the Eisenhower administration. A force was already in being when President Kennedy took office in January 1961.)

"From the beginning the President said no American forces would take part in the operation. It was made absolutely clear that under no condition, under no condition whatsoever, would Americans be used in the invasion.

"And it simply cannot be said that the invasion failed because of any single factor. There were several major mistakes. It was just a bad plan. Victory was never close.

"A great deal more manpower and material was needed. Pepe San Roman (Jose A. Perez San Roman, the brigade commander who visited the Attorney General in Washington recently) says they might have succeeded if they had 15,000 men instead of 1,500.

"And all 1,500 fought bravely," Kennedy emphasized. "The investigation showed that they all fought with such determination and courage that this is how I became so committed to freeing them. These were not mercenaries. These are brave volunteers with a mission to free their country."

ROLE OF TRAINERS

The bitterly ironic, and vital role played by three or four T-33 jet trainers at the Bay of Pigs relates to one of the major errors in the American plan.

Ironic because these were American planes given to former Cuban dictator Fulgencio Batista and inherited by Castro when the Batista regime collapsed.

Vital because the T-33's easily mastered the only air cover which Kennedy said had been planned for the invaders—antiquated World War II B-26 bombers piloted by refugees.

The T-33 is a training device. But armed with rockets it proved to be a highly effective instrument of war at the Bay of Pigs.

"We underestimated what a T-33 carrying rockets could do," Kennedy said. "It wasn't given sufficient thought. They caused us a great deal of trouble."

PRESENT IN VICINITY

One possible explanation for the apparent misconception on the question of U.S. air cover has to do with the presence of American warships, including an aircraft carrier, in the vicinity of the Bay of Pigs.

If the ships transporting the invaders from Nicaragua were spotted by Cuban planes before they reached the target area, they had orders to turn back.

If the ships were attacked on the high seas on their way back to Central America, Kennedy said, the American forces in the area were under orders to give them protection.

Kennedy said the invaders "got all the air cover the plan called for." But the second of two planned advance raids by B-26's intended to knock out Castro's air force on the ground was postponed, he said.

The first raid, on Saturday, April 15, was not very successful, he said. It didn't do anywhere near the damage the planners had hoped for.

STORY DISTRIBUTED

(When the raiders landed their B-26's in south Florida later that day a "cover" story was distributed through the Immigration Service in which the pilots said they had just defected from Castro's air force.)

Not only was the element of surprise now gone insofar as the second strike was concerned, but the repercussions from the first raid were loud and immediate.

The President received one call (Robert Kennedy would not identify the caller, but said it was not United Nations Ambassador Adlai Stevenson) informing him that the first raid was causing us serious problems at the U.N. and elsewhere," the Attorney General said.

"It was suggested that the second raid be postponed. That raid was to take place early Monday morning (April 17—the day of the invasion).

NO OBJECTIONS

The President said that if those who had the responsibility for the plan had strong objections to postponing the raid, they should let him know. No strong objections were registered.

"The raid actually was made later on Monday, after the invasion was underway. It did not accomplish much."

Kennedy confirmed that the invading force appealed to the U.S. warships for help when they were pinned down on the beach. He declined to say whether the appeals were relayed to the President.

"The decision was made that there would be no change in the ground rules," Kennedy said. "There had been a firm understanding always, accepted by everyone, that there would be no U.S. forces in the invasion under any condition. We stayed with that."

Why, he was asked, since the prestige of the United States was committed, did the President not also commit American forces from the beginning to insure success for the operation?

IN CRITICAL STAGE

"If it was just the Cuban problem alone," Kennedy said, "there would have been no difficulty. We would have ended it right there.

"But the Berlin issue was in a critical stage at the time. And there were difficulties in

> Vietnam and Laos, among other places. We just could not commit our forces in Cuba. Even in retrospect, I think this was the wise decision."
>
> Kennedy said no invasion plan had been completed during Mr. Eisenhower's term. "There was just a general concept," he said. "The logistics and the details were worked out after the President took office.
>
> "The President has taken responsibility for the failure and that's as it should be. He approved the plan. But it's not true that he sat down with two or three civilians and worked out this plan at the White House.
>
> "The plan that was used was fully cleared by the CIA and the Joint Chiefs of Staff. It was war-gamed at the Pentagon in whatever manner they do these things."
>
> ACCEPTED ADVICE
>
> "The President inherited people with major reputations and he accepted their advice.
>
> "There was not sufficient air cover at the beach. That was a mistake. There were not enough men and equipment. That was a mistake. Underestimating the T-33's—that was a serious mistake. The planning was inadequate, just inadequate."
>
> Kennedy might just as well have said that the entire plan was a mistake.
>
> The strategy behind the invasion, Kennedy explained was to establish a firm enough beachhead so that a Cuban Government-in-exile could function on Cuban soil. Kennedy did not say so, but presumably the United States later would have formally recognized that exile government.
>
> Kennedy also said that no Americans were killed in the invasion. (Reports circulated after the ransomed prisoners arrived in Miami that two Americans who had helped train the brigade died at the Bay of Pigs.)
>
> This is not the whole story. Kennedy backed off from exploring various details.
>
> He pondered a request for additional information for several moments. "I don't think so," he said finally. "It wouldn't serve the national interest."

As far as I am concerned, I support making public any congressional transcripts dealing on this subject.

Now, the point is, Mr. Speaker, that with respect to this particular subject matter, the administration is giving the American people the facts and the opportunity to evaluate them—facts based upon governmental investigation and our regular intelligence system. The administration, therefore, has alleged the facts and identified the sources of its information.

Now, Mr. Speaker, let us move to another Cuban issue which has been the subject matter for critics of this administration. This has to do with the charges and the allegations concerning the Soviet military posture in Cuba.

In order to allow the American people to make a proper evaluation on this matter this administration, through the Secretary of Defense, Robert S. McNamara, and the Director of the Central Intelligence Agency, John A. McCone, gave the American people the facts—and the sources relied upon—accumulated through governmental investigation and our regular intelligence system. Having the facts presented by the leadership of this country and the sources identified, the American people are able to make their own evaluation.

I submit it is extremely vital to the security of the American people for them to know at this point the source, the identified source of all the so-called superior information and intelligence alleged by those who disagree with this administration so that the American people can also evaluate this information. This is only fair. I think the American people are entitled to that. The American people have intelligence to properly evaluate and decide who is right and who is wrong. So those who raise the clamor, those who sound out an alarm, those who possess or profess to have the intelligence and information superior to that which our leaders have disclosed to the American people have the duty and the responsibility, Mr. Speaker, to tell the American people the source of their information. Did they obtain it by leaks from our own intelligence system, private collectors of intelligence, or from others who have a source of intelligence information not available to the CIA, our Defense Department and the President of the United States?

Charges are easily made, Mr. Speaker. Confusion is easily generated. But those who claim to have facts and sources of information superior to our Government must, for the benefit of all Americans, disclose publicly the sources of their superior knowledge.

As Members of Congress, we should demand this information.

Now, Mr. Speaker, I raise no question as to the motives of the critics. I do not call them spoilers or unwarranted discreditors. I do not allege that they seek self-aggrandizement, that they act in political partisanship, that they are demagogs, or that they are purposely seeking to destroy the confidence of the American people in our Government. I shall assume they are highly motivated. Being so highly motivated, therefore, I am confident that they will cooperate with our Government in making available their sources of information.

While as a result of these expected disclosures, Mr. Speaker, we may have to make some changes in our intelligence operations, I believe it is perfectly warranted and proper at this time to say to such people: "Let's fish or cut bait."

THE CUBAN SITUATION

Mr. CEDERBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, I agree with the gentleman from Florida that the time is now to fish or cut bait, and I think the administration should face up to it. I refer to Candidate Kennedy's speech of October 15 at Johnstown, Pa., in which he set forth how to handle this menace of the Communist threat 90 miles off our shores. Time does not permit to read this complete speech, but you can get it at the office of the Public Printer. Here is what he said after blaming the Republicans:

> This would not have happened under Franklin Roosevelt, who warned the Nazis in 1940 to stay out of our hemisphere; this would not have happened under Harry Truman, who warned the Communists in 1947 to stay out of Greece and Turkey. And this would not have happened in Cuba if the Republican leadership Mr. Nixon represents had taken every step which foresight and experience should have directed them to take in order to prevent a Communist victory only 90 miles from our shores.

Then he outlines five points. Time will not permit my reading them, but the third point is this:

> Third, we must let Mr. Castro know that we do not intend to be pushed around any longer, and in particular do not intend to be pushed out of our naval base at Guantanamo, or denied fair compensation for American property he has seized.

I know of no actions to compensate for this property that has been seized. He continues:

> Fourth, we must let Mr. Khrushchev know that we are permitting no expansion of his foothold in our hemisphere.

He did not say there that we would permit him to come into the hemisphere as long as he kept his missiles out, but he said:

> No expansion in this hemisphere. And that the Organization of American States will be given real strength and stature to resist any further Communist penetration by whatever means are necessary.

This is Candidate Kennedy's speech on October 15 in Johnstown, Pa., wherein he said there would be no expansion under his administration.

What are the facts today? Now the Russians are stronger in Cuba. They have thousands of soldiers there. They have a great number of guns, tanks, and missiles, and for all we know maybe intercontinental missiles as well. They are in this hemisphere.

Yes, I say to my friend from Florida it is time to fish or cut bait and start delivering of the promises made by this administration.

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, the speech that the gentleman from Michigan has just cited, made in 1960, is clear evidence that the Cuban problem has been with us for quite a few years. It began back in 1958.

There were occasions on which the previous administration could have acted and possibly have averted this crisis in the world today. If I wanted to be political about it, and I do not want to be, I could say that the sum total of the foreign policy of the previous administration, after 8 years, was the establishment of Castro in Cuba. But I want to forget politics for a moment and I want to point out that through some possible act beyond our poor human ability to perform, possibly an act of God, that when the occasion demanded, this Nation always seemed to be strong and when men were called to positions of great responsibility to assume our national leadership they seemed to measure up to that responsibility. I think the American people have been proud of the way our national leaders have assumed responsibility and have measured up to responsibility.

How tragic would it be if we were to depend upon leadership that was purely political in essence and in thought and not a leadership of men of the character who seize moments of crisis to demonstrate just how irresponsible they can be in their statements.

Mr. Speaker, we should be interested in our national security and we should be interested in preserving this national security by supporting our leadership and indicating to them that we will support them in dealing with any foreign threat to our national security. Remember this: Cuba is not a new problem. The gentleman from Michigan [Mr. CEDERBERG] mentioned the seizure of American property. This was done in 1960. Perhaps we should have taken the floor in those days and made a political issue out of it and demanded that the administration then in power do something about it; do what the gentleman from Michigan says should have been done about it. But, he should have called upon his own administration back in 1960 to act then.

At any rate the gentleman from Michigan has performed a good service by pinpointing the beginning of the Cuban crisis as pre-1960, almost 2 years before the start of the present administration.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I should like to associate myself with the remarks of the gentleman from Florida and the gentleman from Illinois. It is rather interesting to me that those who today, claim to have better intelligence information on Cuba than our own security officials, in many instances are the same voices that not too long ago so vigorously questioned our policy in the Congo. During the Congo debate, these same people claimed to have better information on the Congo than our own intelligence sources only to be proven wrong.

Mr. Speaker, I do not ever question the motives of anyone, but I think it is a sad reflection upon our times when we see the integrity of our highest officials being challenged on the basis of information the source of which to this moment has not been identified. It seems to me these people who are trying to shake the confidence of the American people in their Government would do well to ponder the consequences of the source if their information is erroneous. Particularly, Mr. Speaker, when one false move could plunge the world into nuclear havoc.

I believe the gentleman from Florida is correct when he says the time has come for these people now to come forth and tell us what is the basis for their information. Certainly, these men have an opportunity and a duty to go to the highest authority in this country if their information is more reliable than the information compiled by the CIA and our other security agencies. If such information exists, and our highest military agencies do not have it, it is the duty of these people to make it fully available including the source. I cannot think of anything, however, Mr. Speaker, that Khrushchev would like better than, one, to have the unity of this country divided; two, the confidence in the leadership of this country in some way shaken; and, three, an invasion of Cuba. Certainly, Mr. Khrushchev might well like to have us invade Cuba at this time so that he could march into Berlin. And, I think this should cause us to give cool and rational appraisal, therefore, as Members of the Congress of the full worldwide aspect of this problem. I am sorry to hear people question the statements made by our highest authority on what the situation in Cuba is unless these people are prepared to prove our intelligence agencies wrong. The Secretary of Defense yesterday disclosed the best information we have on the current situation in Cuba. It seems to me that the gentleman from Florida is correct, that those who want to challenge that statement should come forth and make public their source of information.

President Kennedy has stated clearly and unequivocally that the United States will not hesitate to use any means necessary, including the use of armed force, in Cuba whenever in the opinion of responsible authorities, the Communist menace in Cuba poses a threat to our security or survival. I am sure the Congress will agree President Kennedy was ready to carry out that pledge when Khrushchev agreed to withdraw his missiles. It is a tragedy to see President Kennedy's gallant effort to chart a course for the ultimate victory of freedom over the tyranny of communism without a war become a political football. I say, Mr. Speaker, President Kennedy should be given all the help possible today—from both sides of the aisle—to chart victory for freedom.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I am sure we would all be in better shape in the matter of information if there was not so much managed news and managed information coming out of this administration. Now, with respect to fishing or cutting bait, the Kennedy administration might try this on for size as an opener: A real explanation and fixing of responsibility for the Bay of Pigs invasion fiasco.

Mr. WYMAN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes, I am happy to yield to the gentleman from New Hampshire.

Mr. WYMAN. Did the gentleman from Iowa [Mr. GROSS] hear the Secretary of Defense last night tell the American people that there are on this island now, 90 miles from Florida, 17,000 Soviet troops, 24 operational missile sites with launchers and a total of 500 missiles whether or not he referred to them as antiaircraft missiles—4 operational coastal missile sites equipped with 150 missiles, many guided missile patrol boats and 4 armored groups with a strength of at least 5,000 men? And more?

Is it not a fact that all this was allowed to develop under the present administration?

Mr. GROSS. Yes, and the same administration made the Bay of Pigs invasion a fiasco.

Mr. WYMAN. If the gentleman will yield further, let us have the record clear on the grave responsibility this administration bears.

Mr. GROSS. Mr. Speaker, I agree with the gentleman from New Hampshire and yield back the balance of my time.

WARNING AS TO THE CUBAN DANGER NEAR OUR SHORES

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, certainly the Republicans in the Congress performed a great service prior to the action which was taken by the President on October 22, 1962. They performed a great service by warning this Nation and by warning the administration of the dangers which lay so close to us in Cuba.

I think that it is vital and important that Republicans, for that matter, all Members of Congress, should speak up today if they have anything to express and anything to say with regard to this imminent danger. If they have a position with regard to the application of the Monroe Doctrine in the defense of the Western Hemisphere, if they have any reason to believe that the United States now should be taking decisive action, this should be so stated.

I do not think that there is any belligerence expressed on this side of the aisle, but I think there is a strong warning that defensive measure must and should be taken.

Certainly the action which was taken on October 22 was important. Yet, just the day before that action was taken or 2 days before it was taken, at a time when I was warning the administration as a candidate for office that action should be taken, the President was out in Illinois making a political speech.

Mr. Speaker, I do not suggest that the action he took was not timely. I do not suggest anything at all, but I do suggest that the warnings and the statements that are made on the floor of this House and elsewhere by Republican Members should be weighed carefully by the administration as expressions of the American people with respect to the vital defense and welfare of this country and, for that matter, the survival of this Nation.

PROGRAM FOR THE NATIONAL FORESTS

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, in my State of Montana, especially the district I represent, we live and breathe forests. Our forest products industry—the water for homes, agriculture, and factories; hunting, fishing, and other forms of recreation enjoyed by millions of people from all 50 States; and forage to support domestic livestock and big game—all stem from the forests. The same situation to a greater or less degree exists in most of the other States.

Even those not so generously blessed as Montana with a forest resource reap the benefits of an abundant forest economy and enjoy the bounties of a forest environment. For example, the Nation's 773 million acres of forest lands have long been recognized as a resource of vital importance to our country. The timber, water, forage, fish, and wildlife, recreation, and other goods and services that come from the forests make valuable and varied contributions to our economy and to the enjoyment of our citizens.

I want to speak today of the problems of providing a strong scientific basis on which the development and management of the Nation's forests must rest. I want to speak of a national forestry research program that must be implemented if our forest resources are to contribute the many benefits which they are capable of doing.

In March of 1959 the Department of Agriculture sent to the Congress a program for the national forests, which described not only the developmental work needed on these Federal forest lands but also a program of research that would lead to improved technology for protecting and managing these important resources. Subsequently, on September 21, 1961, President Kennedy sent to the Congress a development program for the national forests, a revised outline of work to be done to assure that the national forests and national grasslands contribute most to present and future public needs. This document did not include plans for a supporting forestry research program although it indicated that such a program would be submitted at an early date.

A few months later, both the House and Senate Subcommittees on Appropriations reviewed some of the details of the research program. The Chief of the Forest Service reported on highlights of this national forestry research program in speaking to the 53d Western Forestry Conference in Seattle, Wash., on December 12, 1962.

In spite of these references and reviews, the national forestry research program is not well enough known or understood; it has not been presented to the Congress in its entirety by the Department of Agriculture. I believe we all should be familiar with the forestry research needs. I believe a strong research program is necessary. Hence, I want to sketch for you my understanding of what is needed and why.

Today, we see the demands increasing steadily for even greater returns from the forests. Pressures arise on every side for more timber products. We are told that consumption of wood may double by the year 2000 when our population reaches 330 million or more. We see the recreational use of forests rising at a dizzying pace and expect that the present 400 million annual recreation visits to publicly owned forest lands alone will quadruple in a few decades. The needs for water are expected to increase from the present 270 billion gallons per day to 600 billion gallons in less than 20 years. More than 10 million big game animals graze in the forests and provide the basis, along with the game fish in thousands of miles of forest streams, for hunting and fishing enjoyed by millions of Americans. The forest rangelands support half our beef cattle and three-fourths of our sheep for much of the year.

Along with all of these uses of the forest we see continued losses caused by forest fires and insect and disease depredations. We lose each year about as much timber as we grow. I have seen the ravages of these destructive agents in my home State of Montana and I know how serious to the welfare of communities such losses can be.

With the accelerating demands for goods and services have come many conflicts in use. A forestry specialist is confronted today with a difficult job to fit these various multiple uses into a compatible pattern—one that yields the maximum returns and benefits with a minimum of sometimes painful compromise.

FORESTRY RESEARCH PROGRAM NEEDED

The only way we can progress with a sound development of our forests is by improving the technical basis and knowledge for solving the many problems. This means a vigorous program of forestry research. This is why I believe the national forestry research program needs special attention now. It embraces research that is bound to pay big dividends and lead to a sounder technology for handling our forest lands.

The program as outlined to the Appropriation Committees a year ago calls for a gradual and orderly increase in research programs from the present $22.3 million to $80 million by fiscal year 1972. An accompanying laboratory construction program would require approximately $60 million distributed over the next few years.

Every corner of the Nation would benefit by this program. In many parts of the East Central and Southern States the forest land is primarily held in small ownerships. Greatly improved markets and marketing systems developed through research are needed if these owners are to market their products—often of poor quality and in small amounts—at a profit.

That the timber industry is not enjoying its best days is probably the understatement of the year and all of us from timber States west to east and north to south are conscious of the problems besetting the industry. But, of one thing I am sure. Problems of the industry will decline in direct proportion to the effort put into the development of a new and better forest products technology, one that will suggest new uses for lumber and other wood based materials, one that will lead to a more lasting and efficient use of wood in homes and other structures, one that will show how to get the highest values from wood of varying qualities. Allied forest products industries, such as those in the pulp and paper or other fiber products fields will likewise benefit from a stepped-up research program. The majority of timber industrial concerns are small in size and not individually capable of carrying on an adequate forest products research program. Therefore, a strong Federal program of basic research is needed to broaden the opportunities for a healthy and expanding wood products industry.

Chief Edward Cliff pointed out in his address to the Western Forestry Conference recently the opportunities for utilizing biological control methods on forest insects and diseases, approaches that have been successful in agriculture but barely begun in forestry. Much more research is needed before we can capitalize on the use of parasites, predators, viruses, and other biological controls. Chemical attractants, or chemosterilants and radiation treatments that interfere with reproductive processes of pests are exciting opportunities still on the horizon.

Much more research needs to be done to improve forest-fire control technology and to discover new ways to prevent fires. I have visited the Forest Fire Laboratory at Missoula, Mont., and have seen first hand some of the things being done by the fire researchers. Here they are studying ways to prevent lightning-caused forest fires, detecting fires through smoke and haze with highly sensitive infrared instruments, and perfecting the use of chemicals to bombard fires from the air. Such research has already paid big dividends, but more needs to be done to reduce fire losses in several parts of the Nation. Improved fire control technology, developed through research, is one of the surest ways I know to cut down the large public expenditures we are forced to make each year to control forest fires, to say nothing of reducing the huge losses to timber, soil, wildlife, and other values.

Tree improvement through forest genetics should be expanded, because here we already have strong evidence that trees can be selected and bred to grow faster and resist the ravages of insects and diseases. All parts of the country would benefit by this type of research, some of which is underway now but on a far too small scale. It is greatly in need of expansion.

WATERSHED, RECREATION, AND RANGE RESEARCH

The importance of managing wisely the forests which produce most of our water can scarcely be overemphasized.

But here again research is badly needed to show how our valuable watersheds can be logged, grazed, used for recreation or other purposes without soil erosion and impairment of water quality. Great opportunities exist for extending the supply of water yielded by the snowpack through manipulation of forest vegetation. This is especially important in the Western States. In other areas such as the Southeast and arid Southwest increased yields of water may be possible if research can learn how to replace water-loving vegetation with kinds that use lesser amounts.

I have mentioned how forest recreation is skyrocketing everywhere. Systematic study is greatly needed to guide the planning for recreational developments, determining the "carrying capacity" of campgrounds to avoid permanent damage, finding out what people want and need from an array of outdoor recreation opportunities that vary from simple outdoor family picnics to extended wilderness pack trips, from spectacular winter sports to swimming and boating, from birdwatching to hunting and fishing. Provision for the use of the forest for these forms of recreation can be haphazard, or it can be orderly and based on the best knowledge of the resource and its development.

In this country we have 940 million acres of grazed range, much of it forested or mingled with timbered areas. More research is needed to improve the technology for restoring and managing these lands, utilized by domestic livestock and wildlife. I have seen how many deteriorated western rangelands need improvement. The scientific basis for restoring and managing these ranges must be developed through a broad program of research.

In the foregoing I have mentioned a number of problems that can be solved by research as contemplated in the national forestry research program. Other areas that I have not mentioned would benefit by additional research. Forestry engineering research would lead to improved systems and mechanization in timber harvest, pest control, tree planting, and other activities. We need economic research to point out how multiple use of forest land can yield the greatest returns. Such research of nationwide importance should be expanded. All of these activities, balanced among one another and scheduled in an orderly fashion make up a highly desirable national program.

LABORATORIES NEEDED

Only in the past few years has the Forest Service been able to construct modern laboratories for its research scientists. Some significant progress has been made at a few locations but greater speed in research achievements and more probing and productive investigations would be possible if modern facilities were available. Laboratories with modern equipment enable scientists to utilize new techniques such as radioisotopes, microchemistry, and other timesavers. According to the Forest Service's estimates presented to the Senate Appropriations Subcommittee last year, the construction program calls for 78 projects at 67 locations. Forty-one of these are expected to be in the $100,000- to $500,000-size class. Only 11 projects would cost as much as $1 million. For the benefits to the overall program the total required expenditures, spread over several years is a modest requirement to make forestry research scientists fully productive.

Up until now there has not been one full report issued describing the forestry research program. Presumably the Department of Agriculture has such a report and published references to the program have been referred to earlier in my remarks. I note that the fiscal year 1964 budget for the Forest Service's research program falls far short of the projected needs. In fact, the budget proposes more than $1 million cut in funds and no provision at all is made for laboratory construction. Does this mean that the Department of Agriculture has changed its mind with respect to the Forest Service research program?

I would hope that the full report outlining the national forestry research program, promised more than a year ago, would be quickly forthcoming from the administration. The Forest Service has shown foresight in developing a national forest research program.

From reading the several references explaining the program and from knowledge of the problems needing solution, I am convinced that it should be supported and implemented at a reasonable rate. The returns, many of them immediate, would greatly outrun the costs. This research program will greatly benefit the Nation.

PROGRAM OF RESEARCH LABORATORY CONSTRUCTION

Chairman Hayden. From the information in exhibit 3 I assume the construction of all laboratory facilities is contemplated within the 10-year period. Will you supply for the record the proposed research laboratory construction and show the number of projects and estimated total cost by years, and a brief summary of the planned construction program?

Mr. McArdle. May we do that for the record, Mr. Chairman?

Chairman Hayden. Yes.

Mr. McArdle. I don't believe we have that information here today.

(The information referred to follows:)

Proposed forestry research laboratory construction program

Fiscal year	Estimated cost	Number of projects
1963	$7,000,000	6
1964	11,100,000	12
1965	13,100,000	20
1966	13,100,000	19
1967	8,100,000	10
1968	5,100,000	11
1969	2,500,000	(1)
Total, 1963-69	60,000,000	78

[1] The dollar estimates for construction include funds for auxiliary facilities such as greenhouses, insectaries, service buildings, or other minor structures and for scientific equipment to be provided at laboratories already built or building. These miscellaneous smaller structures are not counted as "projects" in the summary of number of construction projects. The $2,500,000 proposed for fiscal year 1969 would provide for auxiliary facilities and equipment needed at about 30 locations to complete laboratories built in the final 3 years of the construction program.

The forestry research construction program has as its objective the development of facilities at the locations where we do research that will provide for efficient high-quality work. Facilities that are planned will provide equipped laboratory rooms, offices for scientists and servicing personnel, and auxiliary buildings such as greenhouses and insectaries for the research work. There are 88 locations in the 50 States and Puerto Rico where we do research. At 21 of these locations we already have adequate facilities or they are to be provided for us. There are 78 projects proposed in the 10-year forestry research program to be constructed at the 67 remaining locations. Of the 78 construction projects, 60 units will be built at as many locations and 18 units will be built at 7 additional locations. These 18 projects represent staged construction with 2 or 3 stages planned for each of the 7 locations. Of the 67 locations for construction, 47, or 70 percent, will be on or near college or university campuses.

Forty-one of the seventy-eight projects are expected to be in the $100,000- to $500,000-size class. Only 11 projects would cost as much as $1 million.

Proposed implementation of national forestry research program related to 1962 appropriation

Appropriation, "Forest protection and utilization"	1962 appropriation (1)	Maximum annual level, fiscal year 1972 (2)	Amount needed for full implementation (col. 2 minus col. 1) (3)	Fiscal year 1963		Fiscal year 1964		Fiscal year 1965		Fiscal year 1966	
				Total increase (4)	Total available (5)	Total increase (6)	Total available (7)	Total increase (8)	Total available (9)	Total increase (10)	Total available (11)
Forest research:											
Forest and range management research	$9,737,000	$33,705,000	$23,968,000	$2,730,000	$12,467,000	$3,220,000	$15,687,000	$3,340,000	$19,027,000	$3,400,000	$22,427,000
Forest protection research:											
Forest fire research	1,349,000	5,190,000	3,841,000	900,000	2,249,000	640,000	2,889,000	400,000	3,289,000	400,000	3,689,000
Forest insect research	1,590,000	7,125,000	5,535,000	850,000	2,440,000	750,000	3,190,000	720,000	3,910,000	700,000	4,610,000
Forest disease research	1,405,000	5,925,000	4,520,000	920,000	2,325,000	575,000	2,900,000	520,000	3,420,000	460,000	3,880,000
Forest products and engineering research	4,477,000	19,210,000	14,733,000	1,712,000	6,189,000	1,820,000	8,009,000	1,900,000	9,909,000	2,350,000	12,259,000
Forest resources research:											
Forest survey	1,583,000	2,560,000	977,000		1,583,000		1,583,000	270,000	1,853,000	280,000	2,133,000
Economics research	1,032,000	6,285,000	5,253,000	910,000	1,942,000	1,000,000	2,942,000	850,000	3,792,000	410,000	4,202,000
Total, forestry research program	21,173,000	80,000,000	58,827,000	8,022,000	29,195,000	8,005,000	37,200,000	8,000,000	45,200,000	8,000,000	53,200,000

Proposed implementation of national forestry research program related to 1962 appropriation—Continued

Appropriation, "Forest protection and utilization"	Fiscal year 1967		Fiscal year 1968		Fiscal year 1969		Fiscal year 1970		Fiscal year 1971		Fiscal year 1972	
	Total increase (12)	Total available (13)	Total increase (14)	Total available (15)	Total increase (16)	Total available (17)	Total increase (18)	Total available (19)	Total increase (20)	Total available (21)	Total increase (22)	Total available (23)
Forest research:												
Forest and range management research	$3,230,000	$25,657,000	$2,540,000	$28,197,000	$2,244,000	$30,441,000	$1,472,000	$31,913,000	$1,002,000	$32,915,000	$790,000	$33,705,000
Forest protection research:												
Forest fire research	300,000	3,989,000	200,000	4,189,000	441,000	4,630,000	400,000	5,030,000	80,000	5,110,000	80,000	5,190,000
Forest insect research	550,000	5,160,000	640,000	5,800,000	140,000	5,940,000	615,000	6,555,000	340,000	6,895,000	230,000	7,125,000
Forest disease research	490,000	4,370,000	500,000	4,870,000	500,000	5,370,000	140,000	5,510,000	385,000	5,895,000	30,000	5,925,000
Forest products and engineering research	1,840,000	14,099,000	1,650,000	15,749,000	1,298,000	17,047,000	1,021,000	18,068,000	812,000	18,880,000	330,000	19,210,000
Forest resources research:												
Forest survey	150,000	2,283,000	----------	2,283,000	277,000	2,560,000	----------	2,560,000	----------	2,560,000	----------	2,560,000
Economics research	440,000	4,642,000	470,000	5,112,000	100,000	5,212,000	352,000	5,564,000	381,000	5,945,000	340,000	6,285,000
Total, forestry research program	7,000,000	60,200,000	6,000,000	66,200,000	5,000,000	71,200,000	4,000,000	75.200,000	3,000,000	78,200,000	1,800,000	80,000,000

THE CITY OF DALLAS: THE STORY OF AMERICA

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, the story of Dallas is the story of America, the growth and progress of a great community under the private enterprise, free economy system—capitalism. The skyline of Dallas in 1963, the tremendous increase in homebuilding and homeownership, the humming factories, the crowded stores, the expanding highways, the thousands of new automobiles, the effectiveness of its schools and colleges, the ever-increasing opportunity for its people to achieve ultimate happiness is the story of what free men and women can accomplish through their own initiative, vision, ability, and willingness to venture and to work. The present status of Dallas, one of the great metropolitan centers of this Nation with growth and progress over the past decade second to none, has been accomplished through the efforts of the people themselves, through their own hustle and sweat and their own investment, without Federal aid.

The spirit of Dallas is ably set forth in an editorial in the Dallas Times Herald of February 3, 1963. Quoting from that editorial:

> People are moving to Dallas County. Our bank deposits are the largest in our history. We are the only city in the Nation with 3 bank skyscrapers under construction—1,117 new businesses opened in Dallas in 1962 and the pace continues. We are still the religious leader of the Southwest with the Nation's three largest Protestant churches located here. We are still the cultural capital of the Southwest. We are still the home of the Nation's largest State fair. Our new fine arts center at SMU; our graduate research center; our new courthouse complex; the new Presbyterian Hospital; the new St. Paul's Hospital are just a few of the irons we have in the fire and there are more to come.

THE DISTRICT I AM HONORED TO REPRESENT

This is the Dallas of today. I am proud that during the greater part of this decade of growth and progress of my native city, I have been honored to represent the people of the Fifth District of Texas, Dallas County. In the 8 years since I was elected to Congress Dallas growth is shown in these almost unbelievable figures: Population up 57.85 percent; employment up 75.22 percent; bank deposits up 115 percent; construction up 73.82 percent; residential construction up 108.74 percent; postal receipts up 134.85 percent; electricity consumption up 245.44 percent; natural gas consumption up 97.49 percent; automobile registrations up 97.49 percent; effective buying income up 99.95 percent; per family income up 26.42 percent; retail sales up 116 percent; wholesale sales up 77.79 percent. On top of this fantastic growth we find we are still going up as shown from these figures depicting our progress from 1961 to the close of 1962: average income up 9 percent; bank deposits up 3 percent; consumption of electricity up 14.4 percent; construction up 19 percent; employment up 11 percent; natural gas sales up 9.4 percent; new motor vehicle registrations up 28 percent; number of telephones up 6.2 percent; postal receipts up 4.5 percent; retail sales up 8.5 percent. Total business activity in Dallas reached new record levels in 1962 and projections by business leaders, together with economic indicators, show that 1963 levels will be even bigger. This is capitalism in action. This is the reward of free enterprise. This is the record of what people can do for themselves.

CANNOT BE MATCHED BY COMMUNISM

The Dallas record is unmatched by any community in America and cannot even be approached by many areas where growth and development has been predicated upon Federal handouts and Federal planning and Federal direction. The Dallas story could never be told under a totalitarian system, no Socialist or Communist state could ever come close to its achievement. It takes a hustling economy to support a city like Dallas and only a free people, inspired by the incentives offered, in a free society, to get ahead, can accomplish the miracle of Dallas.

MORE JOBS FOR MORE PEOPLE

What does this tremendous record mean to the people themselves, those who are helping to make the record? The growth and progress of Dallas means more jobs for more people. Dallas Chamber of Commerce figures show that on January 1, 1963, the total civilian labor force was 494,430; of this number 476,340 were gainfully employed as follows: Nonagricultural, 465,340; manufacturing, 103,280; nonmanufacturing, 362,060; agricultural, 11,000; unemployed, 18,000; involved in labor disputes, 90. Let a bureaucratic controlled community match that record of achievement. The 1960 census showed there were 951,527 people in Dallas County and 1,083,601 in the metropolitan area. In the 2 years since the census was taken, Dallas County now has over a million residents making the Fifth Congressional District the largest in the United States. The single word that describes Dallas best is "growing." Growing in population, growing in opportunity, growing in aspiration, growing in strength and in character, growing in freedom. The secret of Dallas' growth, if it is a secret, is the same philosophy upon which this Nation of ours was founded and upon which we developed, in the space of some 186 years, to be the most powerful, the most effective, the greatest country in the world offering a better standard of living and greater opportunity for our people than any other country in the whole course of human history.

The philosophy as expressed in our great founding documents "that all men are created equal, endowed by their Creator with certain unalienable Rights, that among these Rights are Life, Liberty and the pursuit of Happiness."

In this stirring declaration there is no hint of the present-day philosophy some government leaders would like us to adopt, that "all men must look to a centralized bureaucracy for the achievement of all their goals." Dallas did not wait for political favor nor Federal permission to get out and build this great community. Our local farsighted leadership, in true American and Texas style, dreamed their own dreams, took their own risks, suffered their own losses when they occurred, and created their own great city.

LEADERSHIP CHANGES

An important factor in the growth of Dallas is that its leadership has never been static. Each generation, each decade, yes, each year has produced its own leadership to keep a constant stream of new and vigorous blood flowing into the lifestream of the community. These leaders have not been handpicked by a select group, they have not been the heir apparents of a controlled hard core dynasty, they have come from the people, imbued with the strength that only leaders from the people can have. Because of this strength, the ever changing and ever broadening community leadership, the vision and the hope and the initiative of our people, the future of Dallas, under the private enterprise system, will continue to set the course of every community whose people have the courage to do and dare and spit in the eye of the 20th century pessimists who would turn back to 18th century feudal philosophy as a means of progress. Dallas is proud. Dallas is prosperous. Dallas is growing. Dallas is happy. Dallas is free.

APPOINTMENTS OF MEMBERS OF THE BOARD OF VISITORS TO THE U.S. NAVAL ACADEMY

The SPEAKER. Pursuant to the provisions of 10 United States Code 6968(a), the Chair appoints as members of the Board of Visitors to the U.S. Naval Academy the following Members on the part of the House: The gentleman from Pennsylvania, Mr. Flood; the gentlewoman from West Virginia, Mrs. Kee; the gentleman from Ohio, Mr. Minshall; and the gentleman from Washington, Mr. Stinson.

THE 45TH ANNIVERSARY OF UKRAINE INDEPENDENCE

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, concerning the observance of the 45th anniversary of Ukraine independence, a private order is being submitted for reprint publication of all statements made by the Members prior to, during, and after the January 22 event. If there is no objection from any such Member, his or her statement will be incorporated in the reprint brochure.

CONGRESS MUST REFORM

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Lindsay] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. LINDSAY. Mr. Speaker, this week I had the opportunity to present a television program to the New York metropolitan area on the all-important subject of congressional reform. I was privileged to have as my guests two of the most respected Members of this body: the Honorable Chet Holifield, Democrat, of California, and the Honorable Thomas B. Curtis, Republican, of Missouri.

Both gentlemen urged that a major study of the workings of Congress be undertaken and that the findings of the study be considered by a joint congressional committee so that the recommendations might receive appropriate implementation. This would follow an identical pattern that led to the establishment of the La Follette-Monroney committee and culminated in the Legislative Reorganization Act of 1946.

It is clear that the problem of improving the workings of Congress must be tackled on two fronts—from the outside with the support of an enlightened and concerned citizenry and from within Congress itself. Both approaches are essential; they complement each other.

The constructive efforts of Representatives Holifield, Curtis, and others are accorded recognition in an outstanding article by the distinguished Washington columnist, Roscoe Drummond, which appeared in the January 9 issue of the Saturday Evening Post and is entitled: "Congress Must Reform."

In eloquently pleading the case for immediate congressional reform, Mr. Drummond states:

> Congress cannot keep up with its space age duties in a flivver. Time is short, and much needs to be done. Only aroused public support for reorganization can save Congress from collapse.

I highly commend this article to the attention of all Members of Congress who are concerned with maintaining our National Legislature as a responsible and effective branch of our Federal Government—capable of meeting the complex challenges of our difficult age.

Under unanimous consent, I include the text of Mr. Drummond's article at this point in the Record:

Congress Must Reform

(By Roscoe Drummond)

The Congress of the United States has virtually lost its capacity to transact the public business. Senate and House are both woefully incapable of transacting this business carefully, responsibly and efficiently.

From the depression of the 1930's, through the long career of F.D.R. and his successors, we have witnessed the rising tide of presidential power and the ebb of congressional power.

In the depression the Nation turned to the President, not to Congress, to rule—and Congress has never been the same since. The legislative initiative has now been with the President, not the Legislature, for more than a quarter of a century.

Moreover it was the President, not Congress, who took the United States into war to defend South Korea. It was the President, not Congress, who by raising his voice and brandishing his power compelled Big Steel to cancel its price increases.

Obviously there is no merit in a weak President. But there is crucial need for a strong, efficient and disciplined Congress. Today Congress is not even the second most influential branch of the Government. It is third.

For a decade the second most influential branch of the Government has been the judiciary. From 1954 to 1963 no act of Congress has affected the shape of our society as profoundly as the two decisions of the Supreme Court—the one requiring the racial integration of the public schools and the other requiring the reapportionment of the State legislatures to provide more equitable representation for the more heavily populated urban and suburban areas.

Until 1957 Congress had gone 80 years without passing any meaningful legislation protecting civil rights, and finally the Supreme Court had to act. When the 1950 census showed the grievous damage which was being done to the democratic process by discriminatory apportionment of the State legislatures, Congress was either unwilling or unable to take any corrective measures. It was left for individual citizens to petition the judiciary for redress—and the judicial branch filled the vacuum created by the failure of Congress to act.

Thus Congress is no longer the coequal of the other two branches of our Federal system. Our whole system of checks and balances which depends on a strong legislative body, is in grave danger. Congress will continue to decline in importance unless it is radically reorganized and equipped to discharge its vast responsibilities. Congressmen need only look at Europe to see what is ahead if they do not mend their ramshackle organization. In France parliamentary power has been checked and presidential power greatly increased. In West Germany Chancellor Adenauer rules the Bundestag more than it rules him. The British Parliament, in modern times, has never been weaker than it is today.

With all the earnestness of a deathbed confession and shortly after his death about 10 years ago, the late Republican Senate floor leader, Senator Kenneth Wherry, of Nebraska, made this plea to his colleagues: "The creaking machinery of Congress is so appallingly inadequate for modern times that free representative government is endangered."

The present Senate majority whip, Hubert Humphrey, of Minnesota, echoed this theme: "The modernization of Congress to keep it abreast of the requirements of the times is a continuing problem which demands continuous attention."

Not only has Congress failed to give "continuous attention" to modernizing its machinery; Congress has not given it any attention at all in 16 years.

No significant step has been taken to improve the functioning of Congress since the Legislative Reorganization Act of 1946. This measure introduced useful but limited reforms. However, Senate rules have not been significantly revised since 1884. House precedents have not been codified since 1936—and only one man really knows them, the House Parliamentarian, who carries them in his head. This puts every minority party member at a grievous disadvantage by forcing him to check his parliamentary strategy with the Parliamentarian, a lieutenant serving under the Speaker.

Meanwhile, the workload of Congress and the complexities of legislation have increased tremendously. Consider just a few of the things which have happened since that last. feeble effort to modernize the machinery of Congress 16 years ago:

The annual Federal budget has mounted from $35 billion in 1946 to $92 billion in 1963, almost a threefold increase.

The volume of legislation has become overpowering. At least 20,000 bills are introduced during every 2-year Congress, requiring 4,000 committee reports on legislation and investigation, consuming more than 3,000 hours of floor debate and filling 65,000 pages of the Congressional Record. Compare these figures with those of the 80th Congress in 1947–48, which introduced a mere 7,163 bills, with correspondingly fewer committee reports, floor debates, and pages in the Congressional Record.

The volume of mail from constituents has swollen to unmanageable proportions. In just 1 month 2,500,000 pieces of mail are received by Members of the House. They haven't the means to deal with these letters. The letters cannot be properly analyzed to gage constituent reactions, nor can they receive adequate reply. Such mail is an invaluable means of mutual education, but Congress refuses to provide means to maintain this vital two-way channel of communication.

The range and complexity of the responsibilities which rest with the Congress—in atomic power, in military missiles, in outer space, in satellite communications—constantly grow, and so does the amount of knowledge required to cope with these new forces.

The role of the Federal Government in promoting the growth of the national economy, the crucial demands of the cold war, the ominous trends towards Big Government, Big Business and Big Labor—all these impose the most exacting burdens upon Congress. But our disorganized Congress, confused, hopelessly geared to its cumbersome machinery, is incapable of filling its vital responsibilities.

Year after year Congress presents the frightening spectacle of approving with a wave of the back of its hand the expenditure of billions of the taxpayers' dollars. How many billions are approved during the weary, frenzied last days of each session? Last October the expiring 87th Congress rushed through five appropriation bills totaling $15,850,981,900. This is one-sixth of the Government's $92 billion budget, and Congress, after it had been in session 173 days, appropriated the money in 4 frantic days.

Year after year Congress fails to give any scrutiny whatsoever to the Federal budget in toto. No wonder Federal spending gets out of hand.

Congress, after haphazardly appropriating these billions of dollars, fails to give itself an adequate staff to review the misuses of Federal funds as reported to Congress by its own agency—the General Accounting Office. The record is equally dismal in purely legislative matters.

An aid-to-education bill—long endorsed by the platforms of both national parties—was passed by both the House and the Senate in slightly different versions. The next logical step was for a joint committee to settle the differences and produce a compromise bill agreeable to both Houses. Did this happen? Could a clear, decisive majority of both Houses prevail? No, the aid-to-education bill was killed by the House Rules Committee voting 7 to 5 to refuse to send the approved measures to conference to adjust the differences. Liberal Democrats will tell you that this is a typical example of how 7 of the 537 Members of Congress trampled on the will of the majority. Many Republicans view it as an illustration of how their Democratic opponents, unable or unwilling to act, hid behind the Rules Committee. However you look at it, it is bad Government and standard congressional practice.

In 1962 the Members of the House were denied even the right to debate the youth-employment-opportunities bill after it had been duly reported by the House Education and Labor Committee. Why? Because the chairman of the Rules Committee, HOWARD SMITH, singlehandedly refused to permit his own committee to vote on the bill after hearings had been held. Thus one stubborn man—one of the several all-powerful committee chairmen—prevailed over the entire Congress.

The powers of the autocratic committee chairman are completely out of control. The personal feud between the two octogenarian chairmen of the House and Senate Appropriations Committees, Senator CARL HAYDEN, Democrat, of Arizona, and Representative CLARENCE CANNON, Democrat, of Missouri, hopelessly stalled the work of Congress. As a result, several agencies of Government, including the Secret Service (but not Congress itself), couldn't pay their employees. What was the issue? The question of where the conference committee should meet.

In considering what ought to be done in the way of reforms there are many possible starting points: There should be separate fiscal and legislative sessions to enable Congressmen to concentrate on the two entirely different types of legislation, money bills and new laws. Such a division might enable Congressmen to give proper scrutiny to budgetary matters, eliminate irrelevant riders tacked on the appropriations bills and improve the quality of the nonfiscal bills.

Electronic equipment should be installed to reduce timewasting rollcall votes to a matter of seconds. It now takes an hour to complete a rollcall vote in the House. The 87th Congress spent 600 hours, or seventy-five 8-hour days or fifteen 5-day weeks on 600 rollcall votes.

Joint hearings by House and Senate committees would save precious time for Congressmen and also for witnesses, who often must repeat their testimony three or four times under the present procedures.

MISFITS ARE A PROBLEM

Committee chairmen should not be czars with the power to overrule the whole Congress. Until some other process of committee operation is worked out each party must exercise control over the seniority system to keep obvious misfits off important committee posts.

The cause of modernizing the creaky machinery of Congress has important champions on Capitol Hill. In the House, Republican Representative THOMAS CURTIS, of Missouri, and Democratic Representative CHET HOLIFIELD, of California, although at nearly opposite poles ideologically, have been working together for months to make Congress a more effective body. They have requested funds from several foundations to finance a study of how Congress could best reorganize itself.

Democratic Senators JOSEPH CLARK, of Pennsylvania, and HUBERT HUMPHREY, of Minnesota, and Republican Senators THOMAS KUCHEL, of California; JOHN SHERMAN COOPER, of Kentucky; and CLIFFORD CASE, of New Jersey, among others, believe a joint congressional committee ought to survey the whole range of congressional procedures and then prepare reforms.

But these reformers are struggling against massive inertia and the active resistance of those Congressmen who would rather see a weak and ineffectual Congress than give up special privilege or personal power.

Congress cannot keep up with its space-age duties in a flivver. Time is short, and much needs to be done. Only aroused public support for reorganization can save Congress from collapse.

GOVERNMENT AND COLLECTIVE BARGAINING

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I think that it is high time the Congress woke up to the fact that crisis strikes, which cripple major segments of our economy, must be faced up to by the Government, for it has become painfully clear that the Government machinery designed to bring about settlement in these crippling strikes is inadequate.

I do not favor compulsion, particularly when it emanates from the Central Government. And I am not yet convinced that compulsory arbitration is the answer to crisis strikes. Ultimately, compulsory arbitration will lead to Government control of wages, prices, and all other aspects of the free economy.

However, it has become apparent that the Government in these long crisis strikes ultimately must sit at the conference table as the representative of the public. If it is going to do this, it seems clear that more precise machinery is needed. I am in the process of drafting a bill on this important subject and I would welcome the assistance of every Member of the House who shares my concern. I am sure that other Members have suffered through the damage done to the public as a result of the newspaper and shipping strikes.

There appeared in the most recent issue of the Reporter magazine, January 31, 1963, an excellent article by A. H. Raskin, of the New York Times editorial board. I do not think that I have ever read a clearer or more logically stated discussion of the Government's role in the bargaining process.

Mr. Raskin, who before going on the editorial board of the New York Times, was the Times' No. 1 labor reporter, has summed up the pitfalls and the advantages to be gained by additional Federal powers in the arbitration field. He concludes by suggesting that new legislation is needed, but that no legislation should be considered in the midst of a critical period in which tempers are hot and the public angry.

At the same time, it must be noted that when crises are over there is a tendency for the public and the Congress to subside into a quiescence which is not conducive to necessary action. This should not happen. It is time for reasonable action, and I urge the Congress to take it.

Meanwhile, I should like to congratulate Mr. Raskin on the contribution he has made in this difficult and troublesome field. I hope that all Members will take the time to read the reproduction of Mr. Raskin's article which, with the unanimous consent of the House, will follow these remarks:

THE GOVERNMENT'S ROLE WHEN BARGAINING BREAKS DOWN

(By A. H. Raskin)

Faith in the effectiveness of collective bargaining as an instrument for protecting the public interest has been severely shaken by the costly strikes on the New York newspapers and the Atlantic and Gulf docks. For week after icebound week, the inanimate statute of the negotiations testified to the futility of warnings by the Federal, State, and city governments that both tieups were becoming intolerable. The nonbargainers seemed thoroughly unimpressed by the argument that the public's stake in the reopening of the waterfront or in the free flow of news transcended any interest of their own.

As a result of these two wasting strikes and with more disruption threatening, notably on the railroads and in the aerospace industry, the 88th Congress is apt to give priority attention to a search for ways to limit strikes in key industries—a subject the Kennedy administration had hoped to avoid meeting headon during this session. The problem will be to devise legislation that can provide an acceptable balance between the country's need for improved safeguards and the right of unions and employers to the maximum exercise of economic freedom. Unfortunately, any legislation passed in a crisis atmosphere is apt to be more responsive to the urge to do something than to the desirability of doing something that makes sense. And yet when things are quiet enough on the labor front to permit an objective appraisal of this most complex of economic issues, neither the White House nor Congress is eager to take new action.

MR. GOLDBERG'S SHOES

Before Mr. Kennedy moved into the White House, he emphasized his determination to overhaul the Federal machinery for dealing with major strikes. He even listed a variety of new weapons he felt the President ought to have, from fact-finding to Federal seizure of struck industries. His first Secretary of Labor, Arthur Goldberg, was equally convinced of the need for changes in the national-emergency provisions of the Taft-Hartley Act. The drafting of specific recommendations for a new strike law was among the first projects completed by the President's Advisory Committee on Labor-Management Policy, of which Goldberg was Chairman.

But the President never sent any of the proposals—his own or the committee's—to Congress. The principal reason was that Goldberg's unique blend of audacity, resourcefulness, and energy proved so effective in averting large-scale explosions on the industrial front that improvisation was considered a wiser course than a venture into the morass of congressional hearings and debate. In the administration's first year, time lost through strikes dropped to the lowest level since the Second World War, and the figure for 1962 was only a little higher.

Moreover, in the one area in which congressional pressure became intense, Goldberg succeeded in winning labor-management agreement to a no-strike pledge without the necessity for any new legislation. This was in the missile field, where a disturbing increase in wildcat stoppages by construction unions had provoked demands for a legal ban by Senator McCLELLAN and other critics of union abuses. The strike toll has been cut sharply in the year and a half since the policing of disputes at missile bases was turned over to a special arbitration panel made up of union, employer, and public representatives.

However, by the time the President moved Goldberg to the Supreme Court last August, his magic wand seemed to have lost some of its power. He was finding it increasingly difficult to buy time when unions set strike deadlines or walked out in disputes over the effects of automation on working conditions and job security. His freewheeling technique failed to prevent a strike at the Chicago & North Western Railway, and the only deterrent to a new eruption of labor trouble in the airlines after more than a year on a sputtering fuse was the fact that the flight engineers had become so expendable in jet cockpits they could no longer conduct a crippling strike.

The new Secretary of Labor, W. Willard Wirtz, made it plain from his first day in office that he did not consider it any proper part of his job to mediate strikes. That is the mission of the theoretically autonomous Federal Mediation and Conciliation Service, and the Secretary felt that he would only detract from the service's usefulness if he involved the authority of his office in every labor dispute that came along. Wirtz feels that he ought to focus his attention on the overriding problems of full employment and adjustment to changing technology in the expectation that progress in finding satisfactory answers to these problems will do more than anything else to ease the sense of job insecurity that is the basic cause of most current strikes. Despite all the wrangling about money, anxiety about automation underlay both the dock and the newspaper strikes.

The new Secretary's hopes for a respite from strike patrol duty lasted no longer than his opening press conference. He has been personally involved ever since—usually at the President's express order—in strikes in railroads, companies manufacturing missiles and spacecraft, the waterfront, and the New York newspapers. He has worked just as hard and just as imaginatively as his predecessor, but this sort of extralegal improvisation in peacetime labor relations inevitably produces diminishing returns. The decline in the effectiveness of top-level intervention, already apparent before Goldberg's departure from the scene, becomes increasingly evident with each new application.

The choice now is to stop intervening or to get a new law. Otherwise, a series of failures will undermine the prestige of both the President and the Secretary. A close look at the dock and newspaper strikes demonstrates the urgency of the need for a clear definition of both the scope and the limit of Federal action. It also demonstrates how difficult it will be to formulate legislation that will give suitable weight to the often conflicting considerations of public responsibility and private freedom.

A TALE OF TWO UNIONS

The unions involved in the two disputes are as different as the nature of the crises they precipitated by going on strike. The International Longshoremen's Association, which has make-or-break power over all the ports from Maine to Texas, was expelled from the old American Federation of Labor 10 years ago on charges of racket domination. It did not get back into full good standing in the merged labor movement until December 1961, and even now the Waterfront Commission of New York Harbor is perennially at war with the ILA on the ground that underworld elements still have power in its affairs.

In the old days, waterfront strikes used to be settled by under-the-table payments to union officials. The ILA now seeks to demonstrate its purity as a reformed champion of the workingman by supermilitancy in holding out for big gains at the bargaining table and by resisting the introduction of more efficient loading equipment to replace antiquated manpower practices. A bistate compact passed in 1953 by New York and New Jersey and approved by Congress subjects the ILA's officers and members to more rigorous controls than any other American union. Yet none of these restraints has been any more successful at keeping the ILA in check than have the combined assaults of White House and congressional critics on James Hoffa and his Teamsters.

The union that called the New York newspaper strike—Big Six of the International Typographical Union—is one of the country's oldest, cleanest, and most democratic. No breath of scandal or of authoritarianism has ever touched it. The strike that shut the metropolitan dailies was the first it had called against them in 80 years. In contrast to the ILA, where rank-and-file influence has always been notable by its absence, Big Six and its parent union carry membership debate over the formulation of policy to a length that has made the ITU the only American union with a permanent two-party system. The knowledge that a strong opposition is always ready to make political capital of any rank-and-file grievance is no stimulus to reasonableness at the bargaining table. The party in control must regard each new contract as its platform for the next election. If the members are dissatisfied, they can always vote in a new administration.

Yet this very emphasis on the vigorous and autonomous exercise of internal democracy—one of the central goals Congress endeavored to establish for all labor in the Landrum-Griffin bill of 1959—is in large part responsible for the printers' unwillingness to accept the notion that their own economic interests ought to be tempered by concern for the public interest. The ITU opposes all forms of arbitration, factfinding, or other encroachments on its autonomy by either the Government or the AFL–CIO. It is as rigidly committed to the idea that no outsider can tell it what to do as the most dedicated exponent of rugged individualism in the Union League Club.

So strong is the ITU attachment to this view that it sought unilaterally to force repeal of the Taft-Hartley Act by refusing to sign any contracts with employers after its passage in 1947. This policy led to a crushing defeat for the union in its disastrous 22-month strike against the Chicago newspapers. Even though repeal of Taft-Hartley stood at the top of the AFL's legislative program in that period, its executive council regarded the ITU tactics as suicidal and refused even to vote moral support to the Chicago adventure. But the go-it-alone spirit of the printers remains undimmed.

Bertram A. Powers, president of Big Six, told Secretary Wirtz that he regarded any form of Government-imposed factfinding studies as a camouflage for compulsory arbitration, the most hated of all terms in ITU's lexicon. He said he would not cooperate even if the panel of peacemakers consisted of George Meany, Walter P. Reuther, and Harry Van Arsdale, Jr., head of the New York AFL–CIO, whose local electricians' union contributed $10,000 to the Big Six strike fund.

But with negotiations deadlocked and all other channels apparently closed, Wirtz joined with Governor Rockefeller and Mayor Wagner in naming three distinguished jurists to a specially created Board of Public Accountability, charged with the responsibility of finding out why the strike had dragged on for more than a month and whether both sides were sufficiently mindful of the public interest. Powers promptly announced that he would boycott the proceedings and told a rally of sympathetic unionists that the extinction of labor's freedom in the Soviet Union had been carried out under a similar cloak of necessity to protect the common welfare.

The real trouble, it quickly developed, was not that the board had Khrushchev-like power but that it had none at all in the one area that was important—namely, providing some worthwhile help toward settling the strike. The judges put practically all the blame for the tie-up on Powers, an outcome that simply provided ammunition for his stock argument that no union should ever trust government intervention because it always comes in on the side of the boss. If the panel had been empowered to make settlement recommendations, the public and, more especially, the other newspaper unions would have had an impartial standard on which to base pressures for an agreement. Unfortunately, the board was categorically prohibited by the terms of its charter from making such recommendations. Thus, what might have been a useful new mechanism for bringing the public interest into focus became instead a mere finger-pointing exercise that did more harm than good.

WET AND INTRACTABLE

Precisely the same hostility toward Government intervention was adopted by the ILA when the Government vainly attempted to induce it to postpone its strike to permit a fact-finding review of the key issues. The President personally telephoned Thomas W. Gleason, the dock union's executive vice president, at his home to ask his cooperation in a 90-day delay. The call came through while Gleason was in the shower; and since it took some time to convince the union chief that the caller was not some prankster impersonating Vaughn Meader impersonating the President, the conversation did not even begin very auspiciously. It ended with Gleason offering to bring a three-man committee to Washington or Palm Bearch to explain why the ILA did not believe it could hold off any longer after it had fulfilled all the legal requirements by complying with an 80-day no-strike injunction under Taft-Hartley.

Mr. Kennedy, not interested in excuses, rang off, and the strike rang on. Gleason blithely predicted that employer resistance would collapse in 4 days and that the longshoremen would win everything they wanted. When they didn't get a quick agreement on their terms, he accused the Government of being in league with the shipping companies and went so far as to claim that its interference was as vicious as anything the gestapo had done.

Again the fact proved the reverse of the bombast. In the fourth week of the tieup, with congressional clamor for rigid strike curbs mounting, the President named a decidedly prolabor board to propose peace terms. It was obviously a final effort to check the legislative drive—and to do it on terms that seemed likely to give the balky ILA a bigger wage package than the administration's own guidelines would justify. In the present bargain basement atmosphere surrounding Government intervention, obstructiveness brings rewards rather than penalties.

What of the emergencies created by the hostility of these two dissimilar organizations to the efforts of government to help both sides reach a settlement? In the case of the dock union, the peril to the national health and safety of a prolonged shutdown was clear enough. The last three Presidents of the United States have so regularly certified to the Federal courts that a two-coast strike jeopardizes the country's interests (and have been sustained by the courts in that judgment) that an injunction has now become little more than a formality in the negotiating process.

This means no one really starts bargaining until after the no-strike order has been signed. What is worse, during the 80-day truce, the Presidential board of inquiry is prohibited by law from making specific recommendations for breaking the deadlock in negotiations. Thus the cooling-off period runs out with no movement by either side, no informed suggestions as to what might represent an equitable settlement, and no further legal possibilities open to the President. And, it might be added, with no diminution of the national emergency cited by the courts in ordering that there be no strike because it would put the country in danger.

What constitutes an emergency is, of course, a matter that varies from industry to industry and from strike to strike. Nothing shows this more clearly than the experience in steel, where a tradition of formal and informal government intervention has become firmly established. The diverse standards that have been applied to justify a particular form of intervention or to delay intervention make it obvious that a strike becomes an emergency when the President says it is—even if his determination or nondetermination is prompted by political rather than economic reasons.

To be sure, on the waterfront the threat to the national interest is much less obscure than it might be in other key industries. The high priority the President and Congress accorded to passage of the Trade Expansion Act last year was the best testimonial to the importance of uninterrupted movement of imports and exports in our harbors. That is why the settlement of labor disputes on the docks must be swift and sure.

PRESSURE ON THE PRESS

In a newspaper strike, even when the press of the Nation's biggest city is blacked out, the nature of the emergency is not so readily apparent. Of course, many aspects of the metropolitan economy suffer—but the impact is not calamitous in the way that an extended work stoppage in foreign commerce can be. The real damage is to the community's awareness of what is going on in the world, the Nation, the State, and the city. But just how big an emergency is this?

Is it enough to say, as everyone from the President on down does in other connections, that a vigilant press is an indispensable support and protector of freedom—and that to be vigilant it must be publishing? How much importance should we ascribe to that curious grayness which comes over the city when all there is to read is some other city's dailies, the sad feeling of emptiness with which we note even the lack of the familiar journalistic inanities when they are not around to pique our wrath or derision? Most pertinent of all, can a valid contribution be made to strengthening one freedom, the public's right to know and the press' right to publish, by abridging another freedom, the right of newspaper unions and publishers to make their own economic decisions, no matter how blunderingly they go about it?

My own reluctant conclusion, after weary weeks of the frustration of the New York strike, is that both the nature of the enterprise and of its function in a democracy rule out the use of Federal compulsion to keep newspapers printing, just as they would make it unthinkable to use compulsion to tell the newspapers what to print. This does not mean, however, that the Government must stand on the sidelines while the presses rust away.

The most fruitful approach, it appears to me, is the establishment by municipal law in each city of a procedure through which the mayor could impanel a version of the Board of Public Accountability, made up of prominent citizens representing various segments of the community. However, the New York experience demonstrates the futility of such boards if they lack any power to suggest an equitable formula for resolving the strike issues. The board should have authority to subpena reluctant union or management witnesses through the issuance of public show-cause orders—a recourse that would probably rarely require invocation once the board's legal foundation was established.

The panel's task would be to let the city know what the strike was about and also how it felt it could be settled most fairly. From there on, it would be up to the force of public opinion to compel progress at the negotiating table. No coercive power should rest with the board or the mayor, except to mobilize civic pressure and disseminate the report itself in a city lacking the best method of distribution, the local newspapers.

GRADUATED DETERRENCE

In situations where a strike produces greater dangers and stresses, such as the waterfront, stronger action is necessary. Apart from the dock strike, the most imminent such test now on the horizon is the prospective showdown in the long wrangle over featherbedding and the modernization of archiaic work rules on the Nation's railroads. The dispute will go next to the Supreme Court. From there it will probably go to a Presidential emergency board under the Railway Labor Act, but there is no basis for optimism that it will not result in a new strike sometime next summer. Once again the White House will find itself with no further legal devices available unless Congress supplies some new ones in the interim.

The administration's reluctance to open the whole question of new strike legislation was made manifest by the President's total omission of the subject from his state of the Union message. His appointment of the stopgap factfinding board in the dock strike was further evidence that he would like the whole subject to be buried for this session. However, the newspaper and dock strikes plus the threat of other big strikes in the transportation and aerospace fields are likely to force his hand. If the administration is obliged to act, it will be inclined to scrap the present national-emergency clause in favor of one that would put many more weapons in the President's arsenal. Instead of having no choice except an 80-day injunction, the President would be free to choose any of these courses: demand a postponement without a court order; establish a factfinding board that would have power to make recommendations or not make them as the President desired; seize a struck plant or industry, with an option to keep the profits or turn them back at the end of the takeover; get an injunction; or do nothing at all. The definition of what constitutes a national emergency would also be redrawn to give the Chief Executive broader discretion than he now has to decide when the Nation's welfare was menaced.

The purpose of this imposing array of powers is to keep both labor and management guessing about which device the President will use if they fail to come up with an agreement by themselves. The thought is that this uncertainty will compel them to bargain more earnestly for fear that the White House will choose the instrument least favorable to the side it considers the more derelict in meeting its public responsibilities. While this flexibility is obviously preferable to the present complete dependence on the injunction, the danger it raises is that most of the bargaining will be done with the Government on what device to use rather than between the parties on achieving a direct settlement. The more powerful the political connections of one side or the other, the more the multiplication of alternatives is likely to become a diversionary factor at the bargaining table instead of a goad.

A preferable revision, in my opinion, would be one that would retain the present 80-day cooling-off period when the President felt the situation was serious enough to require intervention. The board of inquiry should have the authority to make settlement proposals if its mediation efforts during the first month or 6 weeks of the armistice prove ineffective. The proposals would not be legally binding on either side, but any points they could not agree on in bargaining before the 80-day deadline would then be subject to mandatory arbitration. To argue that a tightly drawn arbitration law is unneeded because the country has survived lots of strikes without bleeding to death is no more persuasive than to contend that we can afford wars because we have never yet had one that blew up the world. Arbitration is a necessary shield for the public where private responsibility breaks down.

Ideally, nothing would ever have to go to arbitration. But this is an illusory expectation in a period when workers of all sorts are worried about losing their jobs to machines and when the solutions to technological problems worked out in collective bargaining are always experimental and usually inadequate. The very extent to which automation has created problems of retraining and reemployment that necessitate new relationships between government, management, and labor dramatizes the urgency for the overhauling of both our bargaining machinery and our laws to deal with bargaining breakdowns that cut off vital services.

HOW NOT TO MAKE NEW LAWS

The common attitude voiced by the leaders of the otherwise dissimilar dock and printers' unions, that government must stay out of any direct involvement in the negotiating process no matter what its public impact, is as out of tune with majority thinking in American labor as it is with the realities of the new industrial revolution. Joseph A. Beirne, president of the Communications Workers of America and a national vice president of the AFL-CIO, is more representative of the emerging labor view when he says that the Nation is moving toward a State-guided economy that will require a vastly greater measure of restraint and cooperation by both unions and management.

He is not at all unhappy about the prospect. On the contrary, as head of the union that represents most employees of the Bell Telephone System, he believes that the Government has both a right and a duty to use an evenhanded process, short of compulsory arbitration, to achieve a fair industrial peace. He preaches restraint and cooperation as the surest way for unions and employers to discharge their obligation to the public without inviting shackling legislation.

That this type of thinking may be more welcome to employees in automated industries than the rewarmed hate-the-boss slogans of the 1930's or the posting of keep-out signs against Government is indicated by the overwhelming support the Beirne union has just received from its members in the installation department of Western Electric. They repelled an attempted raid by Hoffa and his Teamsters by a margin of nearly 3 to 1 in an NLRB election.

Other big unions and their employers are demonstrating originality and enterprise in modernizing their bargaining structures to deal with the challenge of automation. Outside experts have helped Kaiser Steel and the United Steel Workers devise a formula for giving workers a tangible stake in increased productivity. U.S. Industries, Inc., has put a royalty on the automated equipment it makes to finance a foundation it operates jointly with the International Association of Machinists. The job of the foundation will be to seek durable solutions to the unemployment problems produced by the company's machines.

All these are signs that the state of labor-management relations is not so benighted as residents of New York and many other cities may have concluded from the recent history of labor-management relations at the newspapers and on the piers.

Crisis strikes are vestigial elements in industrial relations. Their frequency will diminish as automation renders more industries invulnerable to interruption by strikes, as more third-party machinery is perfected for taking the dynamite out of contract negotiations, and as we ease workers' fears of displacement by doing a better job of creating national full employment. But the community cannot afford to remain undefended while we strive for this millennial era of industrial harmony. The real victim of the crisis strike is the public, not the economic warriors.

Congress has a crucial job to do in reformulating our laws to deal with emergencies that result from such impasses. So have State and local governments. But rushing ahead in a spirit of vindictive rage or desperately clutching at this proposal or that as a magic formula is apt to produce both a bad law and an even greater sense of letdown than that which now depresses many citizens. Any serious effort to prevent labor crises in the United States must begin with the understanding that the overall problems are too serious and complex to be dealt with in the haste of a crisis.

CUBAN SITUATION

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MATHIAS. Mr. Speaker, the new controversy over Cuba requires that all Americans should give their attention to this dangerous and vexing problem. At this time, it seems valuable to sum up what is known about the Cuban situation and to evaluate those facts which are not controversial or contradicted by any responsible source. In so doing, the situation becomes more clear and more understandable, although the solution is still difficult and elusive.

Shortly after the congressional elections of 1962, I made a trip to New York to the United Nations and there met with Ambassador Adlai Stevenson and Ambassador Charles W. Yost, deputy representative of the United States in the Security Council. We discussed the question of on-site inspection of the long range and medium range missile bases in Cuba. At that early date, the outlook within the United Nations was pessimistic that such an inspection either by the United States unilaterally, the Organization of American States, or the United Nations would be allowed. This prospect was discouraging and in my judgment held the seed of much future trouble.

During the month of December, I went to Cuba and visited our naval base at Guantanamo Bay. While in Cuba, I had occasion to make a helicopter inspection of the entire perimeter of the Cactus Curtain and to discuss the military situation with respect to Cuba with military and intelligence officials both at Guantanamo Bay and at other bases in the Caribbean area. In addition to such briefings and conversations I took part in aerial surveillance flights of the shipping lanes and in rigging or photographing Russian shipping and in conducting a search for Russian submarine activity. In this way, I have actually seen the Russians going about their work of building up a Communist base in Cuba.

Many conscientious and patriotic Americans today differ on the details of the Cuban situation. Some facts are, however, uncontroverted and in fact generally agreed. Among these is the fact that the Russians are in Cuba in force and with no apparent intention of leaving in the immediate future. It is further agreed that the Russians who are in Cuba are not ground troops or labor battalions but are in fact highly trained technicians who are manning one of the most sophisticated Red defense systems that exist anywhere in the world outside of the Soviet Union. It is obvious that such skilled technicians could easily be transferred from one job in the area of technological warfare to another. These Russians must be considered to be potentially offensive despite the fact that the job that they may presently be doing can be called defensive in the narrow sense.

There is no universal agreement that all long-range and medium-range missiles have been withdrawn from Cuba, although the consensus of the informed persons with whom I have talked is that such missiles have been removed by the Russians. It will be remembered, however, that photographs which appeared in the press during the time of removal were usually captioned as "Missile Shapes" and this was accurate reporting since no American actually inspected the deck cargo which was purported to be the offensive missiles and the long-range bombers. It is generally agreed that the Russians have imported into Cuba and have mounted for use some short-range defensive missiles and have set up an establishment capable of maintaining a missile system. All of the elements necessary to the maintenance of this system are being provided.

It is also undisputed that the Russians are supplying to the Cubans both airplanes and naval craft which might be characterized as defensive or offensive according to their employment.

In summary it is perfectly clear that the Russians are completing in Cuba a well-defended if not impregnable bastion of communism 90 miles off our coast. What was an undefended tropical island a few years ago is now an island fortress of formidable dimensions. Although we do not suffer any immediate aggressive action originating from behind the Cactus Curtain yet we are unable to find out precisely what is happening in Communist Cuba.

Thus, the true tragedy of the Bay of Pigs now becomes apparent. In the larger sense that tragedy is not the death and anguish suffered on the beach, much as we respect those who made these sacrifices for freedom. On the contrary the tragedy for our country and for the Western Hemisphere is that the decision to go forward at the Bay of Pigs, without the resolution to complete the job, produced results that are proving to be increasingly damaging for all the Americas. That mistake left available to the Communist conspiracy an attractive and strategic base in the Western Hemisphere and, at the same time, gave to the Communist conspirators a logical excuse to make it their business to take advantage of the excuse which we had ineptly given them to enter the Western Hemisphere and reinforce and fortify their new possession in the West.

Once this sequence of events had run its fatal course, the irresolution at the Bay of Pigs became a truly momentous error. To have tried and failed at the Bay of Pigs has brought upon us that unfortunate situation which cannot now be remedied by a patriotic band of Cuban refugees returning to their homeland under arms.

It is clear that concerted economic and diplomatic action is initially necessary. I personally advocate a complete investigation by a joint committee of the Congress of our entire Cuban policy from the rise of Castro as a rebel leader until the present time. I believe that the object of this investigation should be the formulation of a consistent, firm, and successful Cuban policy rather than seeking out political scapegoats. I think it is then vitally necessary that we should frame our foreign policy to those ends which will make it possible for us to gain the support of the rest of the hemisphere and of our free allies in those forceful measures which will demonstrate to the Soviet Union that it is unprofitable to continue to maintain even a "defensive" base in Cuba and which will ultimately bring about an opportunity for self-determination by the people of Cuba.

IS THERE A STALEMATE?

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. FORD. Mr. Speaker, my good friend and colleague, not only in the Congress but also on the Subcommittee on Defense Appropriations, Representative Melvin R. Laird, has written a significant book entitled "A House Divided."

I have always held the views of Mr. Laird in highest regard and have great respect for his judgment. He is an authority in the area of national defense and foreign policy. What he has to say in his book "A House Divided" is important to every Member of the Congress and all citizens.

Representative Laird's book was competently reviewed by M. Stanton Evans in the National Review for January 29, 1963.

Under leave to extend my remarks, I include this review, which was labeled "Is There a Stalemate?"

Is There a Stalemate?

(By M. Stanton Evans)

Congressman Melvin Laird, of Wisconsin, is one of the Republican Party's specialists in the field of foreign policy. As a member of the Defense Appropriations Subcommittee of the House, he has had frequent access to information, much of it classified, on the state of America's defenses and the condition of her fortunes abroad. Laird has now written a book on these matters, and in so doing he has joined congressional expertise to a scholarly comprehension of bolshevism and the struggle it has thrust upon us. "A House Divided," subtitled "America's Strategy Gap," is a wise and often brilliant book, which reveals its author as considerably more knowledgeable than the official soothsayers whose views he examines.

His thesis is one familiar to readers of National Review; yet he sets it forward with such clarity and thoroughness that it unfolds new insights at every turning. He begins with the affirmation that Western society, in its confrontation with Moscow, has something larger at stake than biological survival; that Western man, to be worthy of his heritage, must hold certain values important enough to die for them. Only if that proposition is central to our policy, Laird says, can we marshal a credible defense against the Communist enemy—a defense which can enable us both to resist and to survive, not as slaves but as freemen. Upon this foundation, he builds his critique of our continuing default in the cold war. America, he demonstrates, must—

Realize communism is the enemy, and that the antagonism cannot be conjured away by talk of mellowing or accommodation or coexistence.

Know that the enemy can, however, be deterred by strength properly employed, and deterred without touching off a nuclear Armageddon.

Fathom the techniques, psychological and political, by which communism is now contriving our defeat, and devise methods to neutralize these.

Fashion a strategy which will look beyond containment of current Soviet advances to the business of dislodging the enemy from command positions gained during previous aggressions—revoking the defeatist guarantee that the cold war will be waged only in territory held by the free world.

Many aspects of this discussion are worthy of extended comment. One in particular is memorable because Laird is virtually alone among public officials, liberal or conservative, in spelling out its significance. This is the matter of America's response to the Soviet campaign of nuclear terror, with its peculiar mixture of technical and psychological components. Laird calls the response the underdog strategy. In official circles, it goes by the more palatable name of "the safe assumption."

Since the middle fifties, the Soviet Union has obstreperously claimed vast prowess in aircraft, nuclear weapons, and missilery. For the most part, these claims are unsubstantiated by the record. In many cases—principally those of long-range bombers and intercontinental missiles—subsequent developments have proved them false. The safe assumption holds, nevertheless, that we should take Soviet claims as fact; that we should believe the Soviets are in truth far more powerful than we in space-age weaponry, or—failing that—substantially our equals; in either event, that we should accept the existence of an effective stalemate, in which the United States and the Soviet Union have at their disposal the means of mutual obliteration. This is called safe because it is deemed more prudent to overestimate one's enemy than to underestimate him.

"A House Divided" approaches the safe assumption theory from two directions. First, Laird examines the techniques necessary to counter Communist aggression within the framework of the stalemate. He observes that planning for limited war with conventional forces, a la Gen. Maxwell Taylor, largely misses the point. Confronted by our atomic arsenal, the Soviets are not likely to send their armies marching across borders. In the assumed condition of nuclear deadlock, the more probable form of aggression is sublimited—guerrilla action, capture of nationalist movements, subversion. Laird spells out the required countermeasures—e.g., the helicopter airlift of troops and strategic village tactics employed in South Vietnam.

Accompanying this discussion, he directs a withering fire at the obvious confusion of U.S. policy in various parts of the globe—confusion stemming from the fact that our officials have no clean concept of what communism is, and so try to conciliate it in Laos and the Congo at the very time they are fighting it in Vietnam or Berlin.

At a more fundamental level, Laird tackles the idea of the stalemate itself. It is, he argues, a myth, and a pernicious one. Strategically, it checkmates America's nuclear advantage. Psychologically, it engenders official hesitation, nuclear pacifism, and associated pressures for disarmament. Tactically, it provides the Communists with a zone of immunity within which they may wage sublimited war at their leisure.

In short, the mutual deterrent posited by same-assumption thinking does not deter the Communists; it does deter us. We are prevented from bombing north of the Yalu River or helping Hungarian freedom fighters because such action might touch off a nuclear holocaust. The Communists are not prevented from subverting Laos or the Congo or Cuba. Moreover, by assuming us into a stalemate when it does not in fact exist, this line of thought brings us closer to the day when it will. Intimated from acting now, when the advantage is ours, we give the Communists both the time and the elbow room necessary to reverse things. Laird observes:

"Time today not only buys the Soviets opportunity to perfect new missiles and nuclear warheads, but it also buys opportunity to make existing missiles more and more invulnerable and, more importantly, to wage virtually unrestricted political and psychological warfare. * * * We could, in short, move into a future where the upper end of the scale of power would be balanced in truth as it is today in popular misconception."

A specific example of Laird's thesis came to light shortly after his book was published, in the Soviet buildup of Cuba. For the first time since the beginning of the cold war, the American homeland was probably threatened by Soviet missiles—medium-range missiles stationed just 90 miles from our shores. Although the buildup had been going on since July, President Kennedy and his subordinates took no effective precautions and assured themselves the Communist intention in Cuba was purely defensive. Why? Among other reasons, because our assumption that the Communists could already bombard the United States with long-range rockets made it seem preposterous they would go to such great difficulty to build missile bases in Cuba. By assuming the unproved existence of ICBM's, we blinded ourselves to the presence and danger of real short-range missiles.

This is but one of several instances in which Congressman Laird's book is validated by events as well as by the inner logic of his argument. And it is but one of many reasons why "A House Divided" is required reading for serious students of the cold war.

REPEAL NUISANCE TAXES

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. Cunningham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I am today introducing a bill to repeal the cabaret tax. This tax has been a hardship on small businesses and on working people, and it has been especially difficult on musicians.

We hear frequently that it is important to our national heritage to encourage interest and participation in the arts. Certainly we should give all possible consideration to the present plight of the professional musicians.

This cabaret tax, so called because it is applied to most cabarets, is in effect at most places where live music is furnished. It can easily be seen that this has resulted in less live music and thus less work for musicians.

I have read figures on the plight of musicians. With few exceptions, the thousands of professional musicians in this country do not have enough work to afford a minimum living. Thus, they are forced to enter other fields and perform their music as a sideline.

This cabaret tax is one of the nuisance taxes from World War II. It is the type of discriminatory tax which we should eliminate at the first opportunity.

DR. JOHN A. WHEELER'S VIEWS ON NUCLEAR TESTING

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hosmer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. HOSMER. Mr. Speaker, Dr. John A. Wheeler of the Physics Department of Princeton University, is one of the early pioneers of nuclear physics who took part in the the Manhattan project which produced the atom bomb during World War II. He has held many scientific consultant and advisory posts in the U.S. Government and is the author of numerous articles on atomic and nuclear physics. Dr. Wheeler has made the following statement to the Republican conference committee on nuclear testing:

The Nuclear Test Ban

(By Dr. John A. Wheeler)

As a physicist and specialist on nuclear fission I see a decisive loss to national security from a test ban.

It will prevent us from developing a technology of pure hydrogen devices free of fission fallout. I am convinced that present nuclear weapons will be outdated in 3 to 10 years. The new technology will have important peacetime applications in mining and earth moving and will revolutionize ground warfare.

If we do not keep this scientific leadership others will take it. Second level nations will be able to make these ultimately inexpensive devices. No responsible proponent of any detection system has claimed ability to detect a minuscule pure hydrogen detonation underground.

It is unconscionable to renounce for the free world a revolutionary device which others will then make without our knowledge.

COMMUNIST TAKEOVER IN THE WESTERN HEMISPHERE

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Younger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. YOUNGER. Mr. Speaker, while the debate on whether missiles are or are not in Cuba is most interesting, it seems to me that the arguments miss the most important point. The original sin, to my mind, is permitting the Russian Communists to take over a sovereign country in the Western Hemisphere.

This is all the more baffling when we consider that many of our Armed Forces are fighting in the swamps of Vietnam to prevent the Communist Vietnamese from getting control of that country and we have had 53 of our brave men killed in action in that war, yet we permit our archenemy, dedicated to burying us, take over a sovereign nation within 90 miles of our border without even firing a shot. We have permitted the Communists to establish a sanctuary in the Western Hemisphere from which they are already sending arms to their Communist friends in such places as British Guiana and other Central and South American countries.

This is indeed a very sad, bewildering, and humiliating day for Uncle Sam when we find him in trouble with our neighbor to the north, with whom we have never had any conflict, in Europe with our former allies, in battle in Asia, and with thousands of Communist soldiers taking over Cuba where their armaments and personnel are increasing daily.

It seems to me that our President insulted our intelligence when in his message on the state of the Union, he assured us that it was good.

PROGRAMS IN HIGHER EDUCATION

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, Dr. John A. Howard, president of Rockford College, Rockford, Ill., in an address before the Republican fund forum in Chicago on January 17, dealt with the general subject of programs in higher education. In view of the fact that the President's recent education message dealt with this subject in substantial detail, I feel that Dr. Howard's remarks are timely, and direct them to the attention of the Members:

Address of Dr. John A. Howard

A story is told about a commercial flight that encountered some difficulties. Midway between two distant airports one of the engines caught fire. The passengers were naturally dismayed. While the pilot was trying to extinguish the fire, a second engine burst into flame and then a third. When all four motors were hopelessly ablaze, the pilot with a parachute on his back entered the passenger cabin and, unlatching the emergency exit, shouted to the passengers, "Don't anyone panic. I'm going for help." And out he jumped.

As one who is working in the field of education, I find it about as reassuring to be promised Federal aid as the passengers of the plane felt at the pilot's promise. Help isn't help unless it helps. The lifeguard who drowns the swimmer on the way back to shore may be praised for his intentions and may win some votes for his heroism, but he loses the vote of the victim.

In order to judge what will strengthen and what will damage our educational system it is necessary to agree upon what we want education to accomplish. This is easier said than done. For one thing many of us don't have a very clear idea of what education is. The definition has become clouded in recent years by an upsurge in research and a widespread impression that research and education are to some extent synonymous. When people look to education to keep us ahead of the Russians many of them may think it is simply a matter of pouring money into one end of the educational machine and grinding out research at the other in the form of satellites and bigger bombs and rockets to the moon. This is not education.

Education is a process that happens to a human being. Whether it takes place in a classroom or in the school of hard knocks, it is the accumulation of a person's knowledge and experience and the effect of that knowledge upon the person's judgments, decisions, and performance in the course of his daily existence. Education cannot be measured by a diploma or a degree, nor by the physical plant in which the person went to school, nor even by the eminence of the teachers in whose classes he sat. The quality of a person's education can only be judged by how he performs. If we truly understand this point, it is safe to proceed to examine the purpose of education, that is the kind of human performance we wish to bring about.

Dr. Sterling McMurrin, the recent U.S. Commissioner of Education, speaking for America at an international conference last July, voiced the aims of education in this fashion:

"The educational enterprise of a people must ultimately be judged by its effectiveness in cultivating fully the rational capacities of the individual, his critical facilities and his independence of mind, and his abilities for artistic creation and appreciation—by its contribution to his achievement of that intellectual, moral, and spiritual quality of life that describes the proper character and vocation of man. Above all, the nature and quality of a nation's education must be judged by its relevance to its people's personal dignity, their sense of individual worth, and their enjoyment of genuine freedom."

It will be recognized that in the international context this statement may well have served to put educators from certain other nations on the defensive, but that circumstance in no way diminishes the validity of the phrasing. On the contrary the character of the audience made it all the more important that the educational objectives of a free society be phrased with the greatest possible skill and accuracy. To repeat, "Above all, the nature and the quality of a nation's education must be judged by its relevance to its people's personal dignity, their sense of individual worth, and their enjoyment of genuine freedom."

Let us accept Dr. McMurrin's statement of our educational purpose—and I for one would be hard put to improve on it—and we will have a criterion for judging whether Federal aid is the kind of help which helps, or whether it is the reverse.

First, we should observe that a society which places primary emphasis on the dignity of the individual and his freedom of action forfeits certain safeguards to the individual which may only be provided at the expense of his freedom and dignity. Since man is imperfect—or at least is generally so regarded—and is also infinitely variable, no form of government can be devised which will serve all men equally well. Governments fall somewhere on a scale between the extremes of freedom and regulation. That government which is designed to maximize individual liberties permits the greatest development of the positive and creative qualities of each person while it does little to protect the citizen from his own shortcomings. The regulated society on the other hand may shield each person against his own and others' failings, but it circumscribes his creative impulses and represses such characteristics as responsibility, initiative, and integrity. The free society is predicated on the predominance of the affirmative qualities in man's nature. Its byword is opportunity. The controlled society, even in its best form, assumes the ascendancy of man's baser motives. Its byword is protection. Unfettered opportunity or protection—they do not lie in the same direction. When we move toward one, we depart from the other.

The remarkable history of our Nation in cultural advances as in commercial growth, in peaceful motives as in military success, in inventive genius as in philanthropic undertakings is, I believe, more directly attributable to the free character of our society than to any other favorable condition. The heights which we have attained in every field of endeavor were reached because individual people or individual organizations were free to dream great dreams and to succeed or go broke in trying to realize them. Our history is not without its sordid and cruel chapters, nor have we run out of momentous problems to solve, and yet on the tally sheet of civilizations ours stands supreme, for the good that has been wrought far outweighs the evil and the opportunities available to the members of the society have never been greater.

All that has just been said about American society in general applies equally well to the educational system in this country. Although it is not without its flaws, it has set an example to the world of ingenuity, adaptability, dynamism, and growth. The one condition which has contributed most to its success has been its freedom. That freedom is manifested in the extraordinary diversity of programs. At the higher education level (and my remarks from here on will pertain only to higher education), the colleges are spread out along the political spectrum from extremely liberal to extremely conservative. Their curricula, their calendars, their course format, and their programs of student activities are as widely varied as their enrollments and the communities in which they are located. The freedom which has characterized education has indeed fostered individual creativity and placed reliance upon the critical powers, and the judgments, and the inventive talents of individual educators and individual educational institutions.

Now let us try to observe what effect Federal funds have upon the educational system. Since eight Federal agencies now spend a billion and a half dollars a year on education, we are not exactly confined to hypothetical cases.

For one thing Federal programs have an inherent rigidity. Applicable as they must be to a vast number of institutions, chaos would follow if the door were ever opened for exceptions to suit particular circumstances. A certain well-known university applied for and was authorized a Federal construction loan. The terms of the loan required that the construction contract be awarded to the low bidder. Dismayed to discover that the low bidder had a rather shaky credit rating, the university asked permission to employ the second low bidder. The request was denied, for the Government understandably found it impractical to make its own investigations of the circumstances of the loan. For good reasons Government programs must be inflexible.

Government programs may be the result of political compromise with some astonishing results. In the Federal program of language institutes for school teachers, public school teachers are paid a stipend for attending whereas teachers from private and parochial schools are not. What reputable college would ever be a party to such a double standard in a program of its own devising?

Government programs reduce diversity among the separate educational institutions. The terms under which Federal funds are granted must specify the purpose and to some extent the nature of the program for which those funds are spent. Were each institution undertaking the same objective independently, each program would be different. Some would be better than the standardized form and some undoubtedly worse, but the advantage lies with independence. The uniformity required by the Government cannot avoid stultifying effects.

Government programs are generally more costly than programs locally initiated, not only because of the salaries of all the echelons of officers who must collect, administer, and distribute the funds, but because the Government dollar is committed in advance to a specific program and is not weighed on either the scales of thrift or the scales of alternative uses as are all the unrestricted funds that an institution earns and enlists through its own devices.

Let us add one other point to this list which could be a much longer one. Each college and university is seeking the best students and the best faculty and as much money as possible. Under the present system of diversified sources of funds, the only way to obtain these three essentials is to create a superior educational program. Can anyone deny that this striving to reach institutional superiority is one of the most productive aspects of our educational system? Once we accept the postulate that Government must guarantee and pay for whatever the separate educational institutions do not provide through their own wisdom and energies, we shall begin a new era. That decision would seem to mean that each college will have a right to and will receive from the Government the money it needs. There lies the road to mediocrity and worse. Think about that one a while.

Now let us back away from present concerns and turn the clock back a few years. What I am about to read is so surprising in these days that I want to cite the secondary source, failing the opportunity to see the original document. This passage comes from a statement made by Dr. Robert Millikan, of the California Institute of Technology on June 7, 1949. It was supplied to me by President Emeritus Cowling of Carleton College. I quote Dr. Millikan:

"A joint report was put out in March 1945 by the problems and policies committee of the American Council on Education and the educational policies committee of the NEA. It states the views of some 20 of the most distinguished educators in the United States."

Among the quotations Dr. Millikan gives from that joint report are these:

"The first purpose of this document is to warn the American people of an insidious and ominous trend in the control and management of education in the United States. Its second purpose is to propose policies and procedures by which citizens may resist and reverse this dangerous trend.

"For more than a quarter of a century and especially during the last decade, education in the United States, like a ship caught in a powerful tide, has drifted ever farther into the dangerous waters of Federal control and domination.

"This drift has continued at an accelerated rate during the war. Present signs indicate that unless it is sharply checked by an alert citizenry, it will continue even more rapidly after the war.

"It is the deliberate and reasoned judgment of the two educational commissions who join in the appeal which this document makes to the people of the United States that the trend toward the federalizing of education is one of the most dangerous on the current scene.

"Education should be placed high on the list of services to be continued under State and local control. The ability to make distinctions as to what should and what should not be centralized permits some nations to preserve their liberty."

It would be well for us to review some other statements of this period. President-emeritus of the University of Minnesota, Dr. W. C. Coffey, wrote in April 1949:

"Now comes the proposal to support the public school system out of Federal funds. Local control of education is fundamental to the American type of democracy. More than any other activity, education calls for adaptation to local needs and a sense of local responsibility for its successful prosecution. If the responsibility is placed elsewhere, democracy is unavoidably weakened at the grassroots."

And Dr. Ray Lyman Wilbur in 1948 reaffirmed his belief as he had stated while Secretary of the Interior:

"It seems to me that there is a distinct menace in the centralization in the National Government of any large educational scheme with extensive financial resources available. Abnormal power to mold and standardize and crystallize education which would go with the dollars, would be more damaging to local government, local aspiration and self-respect, and to State government and State self-respect than any assistance that might come from the funds."

Just one more quotation, this from a report to the trustees of Columbia University by President Nicholas Murray Butler. Although the date of that report was 1921, Dr. Butler's reaction to proposed Federal funds for education seems equally applicable today:

"It is now proposed to bureaucratize and to bring into uniformity the educational system of the whole United States, while making the most solemn assurance that nothing of the kind is intended. The glory and the successes of education in the United States are due to its freedom, its unevennesses, to its reflection of the needs and ambitions and capacities of local communities, and to its being kept in close and constant touch with the people themselves. There is not enough money in the United States, even if every dollar of it were spent on education, to produce by Federal authority or through what is naively called cooperation between the Federal Government and the several States, results that would be at all comparable with those that have already been reached under the free and natural system that has grown up among us."

The purposes of American education set forth recently by Commissioner McMurrin were the same purposes upheld by these educational statesmen of another era. The thwarting of these purposes by Federal participation in education foreseen by them in their day has already to some extent come to pass in our own.

If those educational leaders who are now pressing so eagerly for great new Federal subsidies of education have in mind some new national purpose for education let them disavow the supremacy of "the people's personal dignity, their sense of individual worth, and their enjoyment of genuine freedom," and make known what greater good they aspire to. If, on the other hand, they believe that the purpose remains the same and that it can somehow be sustained and fulfilled through Federal means despite the mounting evidence to the contrary, let them tell us how.

It is to be wondered if this generation of college executives sees its mission in such a different light from its recent predecessor, and if not, why there are so few voices opposing the Federal advance into their bailiwick. One possible answer suggests itself from our own campus. The professors involved in the Federal language institute to be held on our campus next summer are not a little uneasy about their President's outspokenness on the issue of Federal educational programs. Can it be that Federal funds are already so important on so many campuses that the great body of college executives is silent out of hesitancy to bite Uncle Sam's provident hand? That is a question which can only be answered by some soul-searching on the part of each person concerned. We should, however, emphasize the fact well phrased in a recent editorial by Leo

Rosten in Look magazine. He said: "The greatest political invention known to the race of man is the idea that men shall be protected in their sacred right to criticize the state itself."

Ladies and gentlemen, in the views of this speaker, the freedom, the creativity, the integrity, and the ingenuity of our educational system are threatened by further subsidies on the part of the Federal Government. Such aid does not appear to be the kind of help that helps. The principal advantage claimed in its behalf is to protect some margin of future students against the possible failure of the individual institutions to provide enough room for them. The protection thus achieved if the legislation passes will be offset by a comparable sacrifice of freedom and flexibility and opportunity for all future students. We cannot move toward freedom and regulation at the same time.

As educational institutions may lose their diversity and dynamism and creativity, so will the society which they serve.

I do not know of any college or university executive who would not agree that every aspect of education now supported on our campuses by Federal funds could be carried on at least as effectively by a comparable amount of money from other sources, and in many, many instances could be carried on with more imagination, more flexibility, less bother and at a much lower dollar cost if the funds came from the traditional sources.

Now let us go the next step. You can continue only so long saying why the other fellow's answer to a problem is wrong. If you do not offer some good answers, then a bad one may seem better than none.

The problem is to provide sufficient facilities and teachers to accommodate larger numbers of students. If our economy is to remain strong, we can do no less than make college education available to the same percentage of youth as is now enrolled. Just to serve the same portion of the college age will require very substantial expansion of collegiate services. And, of course, we cannot stop there. The pace of increase in applying technology demands a comparable increase in the skills of the labor force.

It will be necessary to devote a larger part of the gross national product to education. The issue is whether this urgent objective is to be achieved through congressional action—which forces the people to pay more for education and at the same time diminishes the diversity and circumscribes the creativity of the separate colleges—or whether the Nation can be persuaded to provide the necessary funds through the traditional sources and thus preserve the freedom and the strength of American education.

The latter course takes hard work. Fundraising is often a frustrating and thankless task, but no priceless asset is earned or retained without labor and sacrifice.

I cannot believe that my colleagues in college administration would so readily sacrifice the full potential of their respective institutions, nor would shirk the task of local financing if they fully realized what was at stake. As bleak as their financial future may appear to them, it cannot be the reason for abandoning educational integrity. The course of educational statesmanship is to protect the greatest creative potential and the greatest institutional individuality. I don't believe that course lies via the Federal Treasury.

The college executives and the officers of Government who may have a part through their silent or vocal support of Federal subsidy will have to answer to history for the consequences of their work.

May this Nation recognize in time the stake it has in keeping education decentralized and unfederalized. If these views make sense to you, I urge you to do everything in your power to defeat any forthcoming educational subsidy bills and also to increase the flow of funds to higher education through other channels. The accomplishment of both objectives is essential to the strength and vitality of the Nation.

FIFTY-THREE YEARS OF SCOUTING FOR ALL BOYS

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Horton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. HORTON. Mr. Speaker, today marks the opening of the weeklong celebration of the 53d anniversary of the Boy Scouts of America.

It is a privilege to join in this nationwide tribute to the Scouting program. All of us are summoned during this celebration to recognize the Boy Scouts' high purposes, unique opportunities, and mighty accomplishments.

America is proud of Scouting for its balanced program of good citizenship, high moral character and sound physical fitness. Through Scouting, we are building finer youth, a better democracy and greater understanding of our fellow man.

Contributing immensely to the boyhood of our Nation, Scouting is a program for the present and for the future.

On this occasion, I would like to share with my colleagues the enviable record of membership participation by boys and adults and a report of recent activities of both the Otetiana Council and Finger Lakes Council of the Boy Scouts of America. These two councils are responsible for the excellent Boy Scout program in the district I represent in Congress.

The Otetiana Council—A Report by Frederic Wellington, Scout Executive, Boy Scouts of America

The Otetiana Council closed 1962 with a membership over 16,000 boys for the first time, actually 16,037. It also has 6,339 volunteer adult workers in Monroe County and 1962 growth was approximately 800 boys and adults. Of all the Boy Scout councils with headquarters in cities of 300,000 and more the Otetiana Council has about the highest proportion of boys in Scouting. The council ended the year with 172 Cub packs, 217 Boy Scout troops, and 79 Explorer units under more than 200 church, school, and civic sponsorships. More than 3,100 Boy Scouts and 500 leaders participated in 2 weeks of summer training at Massawepie Camps last summer, a new high. A total of 2,815 men and women completed leader training courses in 1962 and a total of 152 Eagle Scout awards were made, also the highest total in our history. Cub Scouts and Boy Scouts earned a total of 9,251 advancements in rank and 8,503 merit badges. In 1963 the council will send a patrol of eight boys to the World Jamboree in Greece, a delegation of junior leaders to the junior leader training camp at the National Boy Scout Training Center, Mendham, N.J., and an expedition of nearly 100 boys to the Philmont Scout Ranch at Cimarron, N. Mex.

Scouting in Wayne County—A Report by Edmond Hesser, Scout Executive, Finger Lakes Council, Boy Scouts of America

At the end of 1962, there were 19 Cub packs, 29 Boy Scout troops, and 15 Explorer units active in Wayne County, N.Y. Total membership in these 63 groups came to 1,870, an increase of 200 boys from 1961. There are some 600 adult volunteers who carry on the Scout program in the county. This ratio of nearly 1 adult to every 3 boys is the highest percentage of trained leaders ever achieved in the county.

A total of 49 separate church, school, and civic organizations sponsor the various Scout units and support their activities; 1962 also saw Scouting in Wayne County record the greatest number of boys ever to participate in camping.

A BILL TO AMEND THE ELECTORAL COLLEGE

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Skubitz] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, I am introducing a House joint resolution proposing an amendment to the Constitution of the United States to provide that the members of the electoral college, who choose the President and Vice President, be elected on a basis that closely parallels in each State the way in which Senators and Representatives are elected.

My resolution is identical with Senate Joint Resolution 12, which is sponsored by 10 Members of the other body.

This proposed amendment, I am convinced, provides fair and just representation of the people in the election of the President and Vice President, which the present system, as we all know, does not do. And it does this with the absolute minimum of change in the Constitution.

The Constitution provides that presidential electors may be appointed—the constitutional wording—in each State in any manner that the State legislature may direct. The result has been that presidential electors in every State are elected statewide, usually as a party slate. This has been true, with minor exceptions, for over a century. The effect of this, not too well understood, is that some voters have more votes in presidential elections—the number of electors for which he can vote—than others, depending upon the States in which they live.

For example, as a Kansas voter, I cast votes for eight elector candidates in 1960. On that same day the gentlemen from New York cast 45 such votes. As we all know, each State has one elector for each of its Senators and one for each Representative. The trouble is that we Representatives are elected in districts, with a few exceptions, while our elector-counterparts are chosen statewide.

The effect of this is that presidential elections turn on 50 statewide pluralities as against the 435 separate pluralities which make up the membership of this House. As a matter of principle, it seems to me, our counterpart electors should be elected in fairly drawn districts, as most of us are.

This proposed amendment is very simple. It provides that:

> The electors to which a State is entitled by virtue of its Senators shall be elected by the

> **people thereof, and the electors to which it is entitled by virtue of its Representatives shall be elected by the people within single elector districts established by the legislature thereof.**

What this means is that every voter in every State would vote for two statewide and one district elector, three and three only. Could anything be fairer than that?

A BILL TO CREATE A JOINT COMMITTEE ON THE BUDGET

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Skubitz] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. SKUBITZ. Mr. Speaker, when the 88th Congress convened a month ago, everyone knew that nine-tenths of its business would have to do with raising and spending public money—close to $100 billion of it—unless this Congress decides to make it possible for the Treasury Department to resume, at long last, the use of black ink.

Very shortly, one set of committees will be working on plans to cut taxes on the one hand and yet raise more money; another set of committees will be busy on plans to spend more money. One set will scarcely know what the other set is doing or even talking about. It is comparable to a large corporation with two boards of directors—one board seeking diligently to earn money and the other seeking with equal diligence to spend it without knowing what funds will be available for expansion and maintenance.

The growth of government makes it mandatory that the legislative branch modernize its procedures if it is properly to meet the responsibilities vested in it by the Constitution. It would seem to me that the time is now when we should be thinking in terms of developing procedures that will result in a close working relationship between the Senate and House tax raising and tax spending committees. Although the Legislative Reorganization Act of 1946 made provision for such action, the size of the committee made it unwieldy; and as a result, the committee has been inoperative. The Congress, if it is to function properly, must take steps to remedy this situation. A close relationship must be established if we are to perform our duties as Congressmen with the utmost intelligence and efficiency.

Mr. Speaker, the President has presented to the Congress the largest expenditure budget in the history of this country.

On January 17, I sat and listened with rapt attention to the distinguished gentleman from Missouri, the chairman of the Committee on Appropriations, review the President's budget message. There is not a man in either branch of Congress better equipped to evaluate the budget. And, Mr. Speaker, if it were in your power, I would recommend that you make his statement required reading for every Member of Congress.

An examination of the budgets submitted for the past 9 years shows that the executive department has estimated that if the budgets were adopted, the result should have been a $3.6 billion surplus; the fact is that $33.9 billion has been added to the national debt. Mr. Speaker, this alone should make every Member of this body recognize the need for altering our legislative procedure.

Today, I have introduced a bill which would provide for a Joint Committee on the Budget. This bill is identical to a bill introduced in the Senate by the distinguished Senator from Arkansas, Mr. McClellan. The Congress has already created a Joint Committee on Taxation. In my humble opinion, the creation of a Joint Committee on the Budget is the next step that must be taken if we are to get our legislative house in order.

CIVIL RIGHTS ACT OF 1963

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. Frances P. Bolton] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mrs. FRANCES P. BOLTON. Mr. Speaker, I am introducing today a bill identical to the proposal sponsored by the gentleman from Ohio [Mr. McCulloch], ranking minority member of the House Judiciary Committee, and other Republican Members to carry out the civil rights plank of the Republican Party platform of 1960. The minority members of the Judiciary Committee are to be commended for the fine work they have done in preparing a careful bill, a moderate bill, and one that is designed to be able to become law.

We have heard many words from the present administration, starting with the campaign for the Presidency in 1960, regarding the matter of equality of opportunity, and civil rights problems. However, the only significant civil rights bill to be adopted by the 87st Congress was an amendment submitted to the States for ratification to abolish the poll tax which now exists in only 5 of the 50 States. The failure of his administration to press for comprehensive civil rights legislation is regarded by pretty much all and sundry as one of the most serious shortcomings of the last Congress. The 88th Congress has a real opportunity to make significant progress in the civil rights field and I am proud that it is again Members of the Republican side who have taken the lead in proposing constructive action.

The major provisions of this proposed legislation are as follows:

First. The Civil Rights Commission is made permanent, and is given additional authority to investigate vote frauds, including the denial of the right to have one's vote counted.

Second. A Commission for Equality of Opportunity in Employment is established which shall have the power to investigate discrimination in employment by any business organization or labor union engaged in carrying out Government contracts.

Third. The Attorney General is authorized to institute civil action in behalf of a citizen who is denied admission to a nonintegrated public school, after the local complainant has exhausted his State's legal remedies if such remedies are plain, speedy, and efficient, and only if the local school district has failed to institute a plan to desegregate its facilities "with all deliberate speed."

Fourth. The Federal Government is authorized to offer technical assistance to States and localities at their request to aid them in desegregating their public schools.

Fifth. Citizens, otherwise qualified to vote in a Federal election, are presumed to have sufficient literacy, comprehension, and intelligence to vote if they have completed six grades of an accredited elementary school.

Mr. Speaker, it is my hope that we will be joined by many Members on both sides of the aisle in passing this very important legislation.

CIVIL RIGHTS ACT OF 1963

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MORSE. Mr. Speaker, I regret that illness prevented my being on the floor last Thursday when several Republican Members of the House introduced H.R. 3139, the Civil Rights Act of 1963. I am happy to join them now in introducing this bill. It is a comprehensive and reasonable approach to an extremely complex problem. It recognizes the national scope of civil rights denials and attempts to break the vicious circle of discrimination at several points. It attacks the subtle forms of discrimination in employment at the same time as it combats glaring abuses of the right to vote and the persistence of segregated public school systems.

Specifically, the bill makes the Commission on Civil Rights a permanent agency, and extends its authority to investigate voting abuses. Further it creates the presumption that a citizen with a sixth grade education in an accredited school has sufficient literacy, comprehension, and intelligence to vote in Federal elections. Far from usurping State power to fix voter qualifications, this provision merely shifts the burden of proving that a citizen is not so qualified to the State.

Section 103 of the bill, providing for the compilation by the Bureau of the Census of registration and voting statistics by race and color, would not only better enable the Congress to make well-informed judgments about the extent of the problem before us, but would also be of inestimable value to researchers and scholars in this field.

This bill will also give the Attorney General the authority to initiate civil suits on behalf of parents and pupils attempting to enroll in segregated public schools. This provision lifts at least some of the burden from the shoulders of persons seeking to assert their constitutional right to a desegregated public school education. At present these citizens must bear the financial and social consequences of initiating this litigation and may receive assistance from the Department of Justice only after the initial suit is filed.

An additional approach to the problem of segregated education is contained in the provision for assistance to those communities which request it, to aid them in formulating and carrying out desegregation plans. This assistance, together with the additional information which will be made available by the Department of Health, Education, and Welfare, can do much to ease the difficult period of transition from a segregated to a desegregated public school system.

The proposed Commission on Equality of Opportunity in Employment puts Federal activities in this field on a statutory basis and increases the available investigatory and remedial powers. The Federal Government, its contractors, and employment agencies supported by Federal funds should never be parties to discrimination of any kind. This Commission will go far toward insuring this situation.

I need not point out that this bill, comprehensive as it is, does not deal with many of the civil rights problems which were so graphically pointed out to us by the Commission on Civil Rights in its 1961 report. While firmly supporting the proposals contained in this fine bill, I will be sympathetic to additional measures aimed at increasing our knowledge and understanding of the civil rights problem today, and to achieving, at long last, equality before the law, and equal opportunity for all Americans.

I am happy to lend my strong support to H.R. 3139 and I will cooperate with my colleagues in every way to insure its passage.

TOLL TRAPS ON THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE HIGHWAYS

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CRAMER. Mr. Speaker, section 301 of title 23 of the United States Code provides:

> Except as provided in section 129 of this title with respect to certain toll bridges and toll tunnels, all highways constructed under the provisions of this title shall be free from tolls of all kinds.

Despite this statute, the motoring public is becoming increasingly disturbed about the mileage of toll roads which they encounter on the Interstate System which they had understood would be free from tolls. As of the present time, more than 2,000 miles of toll roads have been inserted into the Interstate System.

Prior to 1956, Federal funds could participate in the construction of toll bridges and toll tunnels with certain limitations relative to ultimate freedom from tolls but toll roads could not be placed on the Federal-aid highway system. The Federal-Aid Highway Act of 1956 provided for the construction of the 41,000-mile National System of Interstate and Defense Highways. At the time this act was being considered by the Congress, it was recognized that some of the routes on the system would coincide with or closely parallel existing toll roads. To avoid the economic waste which would result from the building of duplicate facilities, the 1956 act authorized the Secretary of Commerce to approve toll roads, bridges, or tunnels as part of the Interstate System upon a finding by him that such action would promote the development of an integrated Interstate System.

In my opinion, the legislative history indicates that the Congress intended this provision of the 1956 act to apply only to toll roads then in operation, under construction, or authorized, and not to authorize the future substitution of newly constructed toll roads for toll-free highways on the Interstate System. The unrestrained placing of toll traps on the Interstate System, in my opinion, is not in the public interest or in keeping with the intent of Congress. This not only violates the concept of a toll-free Federal-aid highway system; it also makes road users pay twice—gas taxes and tolls—and adversely influences the planning and construction of needed highway improvements since highway officials try to avoid building highways which would compete with toll facilities. The problem is made more acute by the fact that under existing law, the States can construct toll roads on routes selected for the Interstate System without the knowledge or consent of the Secretary of Commerce or the Bureau of Public Roads. Of course, Federal-aid highway funds do not participate in the construction of toll roads but toll-free sections of the Interstate System constructed with Federal-aid funds funnel traffic into these toll traps.

Today I am introducing a bill to correct this deplorable situation. The bill would accomplish the following:

First. After July 1, 1963, all project agreements for projects on the Interstate System must contain a clause providing that no toll facility will be constructed on that interstate route without the concurrence of the Secretary of Commerce. The Secretary of Commerce would be required to refuse concurrence unless he affirmatively finds that construction of the facility as a toll facility rather than toll-free would be in the public interest.

Second. If the construction of any toll facility is commenced on any interstate highway route without the concurrence of the Secretary, the Secretary would be required to make a complete report to the Congress. Such report would include recommendations of the Secretary including whether or not to stop further interstate projects on the route involved, whether to recover Federal funds previously expended, and so forth. The Secretary would be permitted to carry out his recommendations unless within 60 days either the House or Senate passed a resolution disapproving such recommendations.

I am hopeful that early consideration will be given to this bill because as time goes by more and more toll facilities may be added to the Interstate System and once they are constructed there is little the Congress or anyone else can do to remove them.

I introduced a bill on this subject during the last session of Congress. Hearings were held on the bill but no further action was taken. I am very hopeful that the 88th Congress will take early action toward the consideration and enactment of this bill.

The bill follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of Section 129, United States Code, is amended by adding the following material after the last sentence of the subsection:

"After July 1, 1963, all agreements between the Secretary and a State highway department for the construction of projects on the Interstate System shall contain a clause providing that no toll road, bridge or tunnel will be constructed on the interstate highway route involved without the official concurrence of the Secretary. The Secretary shall not concur in any such construction unless he shall affirmatively find that, under the particular circumstances existing, the construction of such road, bridge or tunnel as a toll facility rather than a toll-free facility is in the public interest. The Secretary shall promptly report, in writing, to the Committees on Public Works of the Senate and the House of Representatives any action taken by a State or other agency after July 1, 1963, and without the prior concurrence of the Secretary, to construct a toll road, bridge or tunnel on any route designated as a part of the Interstate System. All such reports of the Secretary shall set forth his recommendations as to whether approval of further projects on the affected interstate route within the State should be withheld, whether Federal funds previously paid to the State on account of projects on such route should be recovered, in whole or in part, by the United States, and such other action as the Secretary deems appropriate. The Secretary may proceed to carry out such recommendations after the expiration of the first period of sixty calendar days of continuous session of the Congress following the date on which the report is transmitted to it, but only if, during such sixty-day period, there has not been passed by either the Senate or the House of Representatives, a resolution stating in substance that the recommendations of the Secretary are not favored. For the purposes of this subsection continuity of session shall be considered as broken only by an adjournment of the Congress sine die, but in the computation of the sixty-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than three days to a day certain."

HEADLINE HUNTING

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DEROUNIAN] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. **DEROUNIAN**. Mr. Speaker, there have been some references in the press recently to charges of "headline hunting." Many of us know that a very successful technique employed by the real headline hunters is to accuse someone else of headline hunting.

Calling someone a headline hunting McCarthyite is guaranteed to get you a headline every day. It is a shrewd tactic, but I do not think it fools many people anymore. The public recognizes that the one who hurls such charges is more likely to be a "McCarthyite headline hunter" than anyone against whom they are directed.

The Cuban crisis has brought out some deep emotions. Some cannot resist playing politics with this explosive international issue. They blind themselves to the most extreme criticism from members of their own party, but recklessly lash out against much more modest criticism from a member of the opposition party. No doubt their motives are pure—pure politics that is.

The Senator from New York [Mr. Keating], our former colleague, has sought from an early date to provide the American people with all the information possible on the seriousness of the Communist buildup in Cuba. He has tried to shake us out of our complacency and to remind the country that even if all the missiles and bombers have been removed from Cuba, the Migs, the torpedo boats, the tanks, the combat battalions and the 17,000 or more troops still in Cuba are a continuing menace to the security of the Western Hemisphere. He has cautioned against overreliance on aerial surveillance and against the abandonment of our October demands for onsite inspection.

He has sounded these warnings on many occasions—but he has never attacked anyone's motives or patriotism. I remember well the fulsome manner in which he backed and praised President Kennedy for the stand the President took at the height of the missile crisis in October. He has continually reiterated his intention to back the President again in whatever firm action the executive branch may take to deal with the unfinished crisis in Cuba.

Senator Keating does not attack the motives of those with whom he disagrees. He does not see a Communist or a Fascist behind every unwise policy. He knows the evils of guilt by association and has been guided by a sense of honor and fairplay throughout his life and service in Congress.

I happen to agree with Senator Keating that Cuba does continue to represent a "maximum danger" to the Western Hemisphere—to quote some picturesque language President Kennedy used to describe this situation way back in 1960. I also am of the view that even if our aerial cameras can photograph the hairs in Castro's beard, only onsite inspection can tell us what is in Castro's caves, in his jungles, in the holds of ships and unopened crates, in the planes in regular service between Moscow and Havana.

But even if I disagreed with Senator Keating, I would have to protest against the extreme, bitter, and partisan slurs on his motives. Such attacks, I am confident, will reflect much more adversely on those desperate officeseekers who make them than on the junior Senator from New York. No one who is courageous and fearless can avoid making enemies. The character and motives of a man's enemies, however, oftentimes merely emphasize the man's own worth and stature—and this is certainly a case in point.

I know that there are some who find it hard to resist temptation, but I hope and pray that we can join together in dealing with this problem without being distracted and divided by the ugly slurs of overly ambitious politicians. This is a matter which should be approached with one heart, if not with one voice, and with the national, not our personal, interests uppermost in our thoughts and actions.

CUBA REMAINS A THREAT AND TO RID THE HEMISPHERE OF THIS THREAT REQUIRES ENFORCEMENT OF THE MONROE DOCTRINE RATHER THAN ACCEPTANCE OF THE KHRUSHCHEV DOCTRINE OF COEXISTENCE

The **SPEAKER**. Under previous order of the House, the gentleman from Florida [Mr. Cramer] is recognized for 45 minutes.

Mr. **CRAMER**. Mr. Speaker, this discussion of Cuba generated in the last few days, I think necessitates my making a couple of comments. I remember having participated in one of the discussions prior to the adjournment of the last Congress, and prior to the quarantine. I do not remember exactly how many times and from how many different public officials in Washington in the executive branch, those of us who called upon that branch of Government to carve out an effective program to get rid of Castro and communism in Cuba and indicated that the best information available to us was that a substantial military buildup was occurring at that time, were called irresponsible, and numerous other epithets. As if it were not the responsibility of a Member of Congress, if he believes that the security of his country is at stake, or the growth of communism in this hemisphere or anywhere else in the world, to call that to the attention of the American people. If that is so, then his idea of representative, responsible government and a two-party system and of a Congressman's duty is different from mine.

The present criticism by the Executive is just about what was said before the last affair. The administration ended up proving us right. The administration ended up following the recommendation of many of us who for months had said that that is what should be done, and what we had suggested impose an air-sea blockade to shut off heavy war material imports—they called it a quarantine—which was intended to have the same effect.

Mr. Speaker, similar questions are being raised now. Such as, "What is America's policy with regard to Cuba?" That question was not answered by Mr. McNamara's briefing yesterday. The public press conference revealed little more, as a matter of fact, than had been known to Congress through briefings and from other sources prior thereto. Most of the Members on my right—Democrats—for whom I have the highest respect, unfortunately in this situation I think now, as they were prior to the quarantine, are in a position of having to defend the Democratic administration which, so far, has been ineffective in getting rid of Castro and communism in Cuba. The continued emphasis on the lack of offensive capabilities in Cuba seems to imply that the New Frontier is trying to sell a "coexistence with communism in Cuba" policy and the Khrushchev doctrine as a substitute for the Monroe Doctrine.

Many can say a great deal in criticism of Republicans who are concerned about military preparations and buildups in Cuba; many can speculate with regard to that, but what does the Democratic Senator from Mississippi [Mr. Stennis] say, after holding hearings by Senate investigators, after questioning Central Intelligence Director John A. McCone, that statement being made today? Here is what Senator Stennis, a Democrat, who had just heard the head of the CIA before his committee had to say. He said that:

> There is no evidence of a lessening military threat from Russia's base in Cuba.

This man is an authority. This is what he says, and I repeat it, "that there is no evidence of a lessening military threat from Russia's base in Cuba."

I wonder if the President of the United States, as he did, incidentally, in campaigning in Indiana against the then Senator, when he made suggestions that the Senator was irresponsible in suggesting something be done in Cuba, is going to make the same suggestion that Secretary McNamara made of some of his critics—about Senator Stennis, that is that he is irresponsible, too. The Senator from Mississippi made the statement after the Senate Preparedness Committee completed its questioning of Mr. McCone. McCone spent 2½ hours before the subcommittee yesterday, asserting that the buildup has been relatively small. This is the best record we have before the American people so far as Congress is informed. Senator Stennis commented, however, that "assuming the removal of Russian bombers and missiles during the quarantine, there was no evidence of any general withdrawal, no evidence of a lessening military threat."

That is Senator Stennis, an authority in the other body with regard to the Cuban situation.

What did Senator Stuart Symington, of Missouri, have to say? He said in a statement issued after the session that "a large military complex in Cuba is involved"—is this irresponsible, I ask—"and is not lessening," and added, "One can only ask why."

Is not that exactly what many of us have been doing right here on the floor of the House ever since this menace first came to the attention of the American people? Further quoting Senator SYMINGTON:

> I believe much of the answer lies in the aims and ambitions—

And this is interesting—

> of Khrushchev and Castro in Central and South America.

Said SYMINGTON:

> It is my belief also that if this major Soviet buildup is allowed to remain in Cuba it can only result in further Communist problems in this hemisphere.

He said he was impressed with the testimony of Mr. McCone. Quoting further:

> I believe he told the American people all he knew for sure about the Soviet personnel.

He added, however:

> The question of whether or not a weapon is or is not offensive—

This is another Democrat, STUART SYMINGTON, considered an authority on this—

> The question of whether or not a weapon is or is not offensive is both technical and relative. In any case, there is general agreement that the Soviets are still maintaining on the island at very heavy expense a large military complex.

I think that is interesting. He says that whether military materiél is offensive or not is technical and relative. Relative to what? Obviously to the people who desire to use it, if Mr. Khrushchev and Castro desire to export these arms to other countries, which they were as of yesterday when Secretary McNamara was on television telling the American people they had no information of arms being exported, and that Cuba had "no export capability" for arms to other Latin-American countries.

Here is what was going on as reported in the press that very afternoon, and this is from the Washington Star of February 6, 1963, in an article by Jerry O'Leary, Jr.:

> Fidel Castro has begun sending arms received from Soviet Russia to his Communist admirer, Prime Minister Cheddi Jagan, of British Guiana, informed Government sources disclosed today. Two shiploads of arms reportedly recently left the Cuban port of Mariel on their way to Georgetown, British Guiana.

Who says Castro does not intend to or does not have the "capability" to export communism? Who says that Khrushchev does not directly intend to use Cuba as a stepping off point for arming other Communist nations in Central and South America? And interestingly enough, I am sure most military advisers will agree that it does not take many arms of much magnitude to upset the non-Communist governments of most of the smaller Central and South American countries, those governments having little arms themselves. I would point to the Guatemalan revolution as an example of where very few arms resulted in upsetting the government of that country and then in winning back this freedom not too many years ago.

Mr. STINSON. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I am glad to yield to the gentleman.

Mr. STINSON. In reference to the gentlemen from the other side of the aisle who are making the charge that we on this side of the aisle are making our statements about Cuba for political reasons, I would like to point out the distinguished Democratic Senator from South Carolina, STROM THURMOND, has made some of the very strongest attacks on the administration for our lack of action in the situation down in Cuba. I would also like to point out that it was Senator KEATING from New York who brought out all of the situation in Cuba prior to the blockade that we had there starting in October, and very likely we would not have gotten the immediate action if Mr. KEATING had not revealed all of this information that he was able to bring out. I would like also to point out one more thing concerning the gentleman from the other side of the aisle who said that the Republican administration had done nothing to correct the situation in Cuba. It was under the leadership of President Eisenhower in 1960, before this administration was in office, that the troops that initially went into Cuba in 1961, the Bay of Pigs invasion, were started on the training program and the troops were fairly well trained before the invasion was effected or at least attempted under this particular administration.

Mr. CRAMER. I thank the gentleman. I might add to that, although I do not think it adds too much to the consideration of what must be done with our present problem, the fact that the Eisenhower administration was the one that cut off the sugar quotas from Cuba and took away the much needed economic support from Castro and that it withdrew recognition and that it had in the making plans for the invasion force that if, I am sure, President Eisenhower had commanded the invasion forces, knowing what he does militarily, they would have been successful and would have had the needed air coverage.

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. DEVINE. Mr. Speaker, I would like to take this opportunity to compliment the gentleman from Florida. I am reminded that during October 1961—I repeat in 1961—on the occasion of a Paul Revere panel which I know the gentleman will remember, and I happened to be on that panel, we made a tour of four or five Southern States and on those occasions, Mr. CRAMER, of Florida, pointed out time and time again about the buildup in Cuba, the fact that it posed a threat to the freedom and security of the western hemisphere and asked the question of the administration time and time again whether we were going to wait until an attack became impractical and too dangerous before we took some action. This, I think, demonstrates a very keen foresight on the part of the gentleman from Florida—as I repeat, this was in October 1961—one year before the President discovered, the time of his speech being October 22, 1962, that there was in fact a substantive weapons buildup in existence in Cuba.

Mr. CRAMER. I thank the gentleman, and to make sure that the record is clear, I believe the remarks I made throughout Florida were to the effect that there was a substantial buildup militarily in Cuba, and that it was of sufficient quantity and quality to require action on the part of the administration including an air-sea blockade. The continued emphasis on lack of "offensive capabilities" in Cuba seems to imply that the New Frontier, and to me this is the crux of the situation, and anyone can raise questions all he wants to about the offensive potential or capabilities of what is presently in Cuba that he wants to, as to whether or not Cuba could successfully attack the United States. That serves little constructive purpose because I do not think anybody is claiming that Cuba could successfully attack the United States, meaning with any hope of victory, but the point is—does this use of semantics to confuse the issue, this policy of describing "offensive capabilities" imply that the present buildup in Cuba is not to be condemned because its buildup is "defensive" and that the New Frontier is thus trying to sell coexistence with communism in Cuba as the U.S. policy? That is the crux of what is disturbing many of us.

In other words, are we willing to accept the Khrushchev doctrine of "leave us in Cuba and we won't arm offensively" as a substitute for the Monroe Doctrine? Khrushchev is tickled to death if what he ends up with is Cuba as a permanent armed Communist camp.

Many of us are disturbed with the suggestion that there have been commitments of nonintervention by the United States. These have been denied, of course.

When you realize that the State Department is saying to some of the Cuban refugees in Florida that are training and have been training for a number of years that they are either going to have to disband, to stop training or to suffer the penalties of going to jail, or of being deported—that is what is happening—you can draw your own conclusions from the facts as to whether this constitutes part of a noninvasion pledge.

To show lack of concern over the buildup since the quarantine, the administration has made no effective protest to Russia about the continuing military buildup. No effective protest has been made. Before the quarantine I said this—I said it on the floor of the House time and time again last year—that there had been no effective protest made to Russia about the then known—and you can call it whatever you want, offensive, defensive—buildup, in Cuba which was substantial. No effective protest has been made to Russia about the continuing military buildup which has followed the quarantine in late 1962 and in 1963. Incidentally, the presentation of the Secretary of Defense yesterday clearly demonstrated, I think, to the amazement of many of the American people, and you can call it "offensive" or "defensive" as you wish, the amazing and massive military buildup in Cuba that has been continuing since the quarantine, since the Communists were put on notice. Again I say there has been no strong, effective protest over the continuing shipment of heavy war materiel into Cuba since the quarantine; and the administration has utterly failed to take even this action of calling for a halt to the buildup when it constitutes Cuba as an island fortress of communism in this hemisphere capable of training subversives and exporting weapons throughout Latin America the latter of which is already beginning to happen according to news reports.

How many subversives are being trained in Cuba? How many residents of other nations, Communist sympathizers, are being trained in Cuba to go back and do the dirty job of enslaving the people for the Communists in those other Latin American nations? This is a very disturbing situation, and it is definitely time for the administration to either fish or cut bait.

This growing and menacing Communist cancer must be cut out by a planned program to get rid of Castro and the Soviet and Red Chinese control of Cuba and its people. This can only be accomplished if the Monroe Doctrine is reinstated and implemented as the basic U.S. policy in this hemisphere. My resolution introduced Monday so declares our policy.

I am glad to hear from the distinguished gentleman on the Foreign Affairs Committee [Mr. SELDEN], that his subcommittee is going to undertake a congressional investigation of the Cuban situation. I hope it is a thorough investigation. I hope it is an investigation of all phases of Communist influence over Cuba and emanating from Moscow.

I called for action on my Monroe Doctrine resolution (H.R. 227) on Monday, and called for a full investigation. The public briefing only fortifies my position by showing clearly to the world that the Communists continue their massive military buildup on the island with Russian personnel, Frog missiles, Komar class missile launching cruise boats, and it is further suggested that even "electronic counter equipment" capable of tracking and even jamming missiles launched at Cape Canaveral has been installed, the construction of submarine ports capable of accommodating Russian Polaris-type missile subs, which the Russians now claim they have, and the latest reports indicating small arms exports already to Dutch Guiana.

Massive electronic equipment has been shipped in and put up in Cuba under direct Russian supervision, and also the construction of so-called fishing ports capable of accommodating Russian subs. The picture shown in the TV show portray vast harbor improvements. Yes, the Russians now say they have the Polaris missile, have fired it, and it is not going to be too long before they become functional if their rate of progress continues. Does not this mean an eventual risk of Polaris subs in Cuban waters at some future date unless action is taken now?

Now, this briefing on TV should not lull the United States into complacency, and that is what I am afraid the result will be. The briefing should not lull the United States into complacency, and it should not lull us to accept coexistence with Castro and communism in Cuba or communism in this hemisphere. It should not be used to minimize the threat to our objectives, being that of freedom—that has always been our objective in Latin America—that is posed by the Russians and the Red Chinese on the heavily armed Red island of Cuba.

There are a lot of questions that I think should be asked concerning the situation in Cuba, concerning the buildup in Cuba.

But, to give you a couple of examples of questions that remain unanswered:

First. In view of the inability of our inside Cuba intelligence to inform the United States of the missile buildup before the quarantine, what method is there of guaranteeing—and that is what the administration is saying to the American people, "There is not, beyond a reasonable doubt, any missile in Cuba"—so, what method is there in view of the inability of our inside Cuba intelligence to inform the United States of the missile buildup before the quarantine—this was basically by aerial reconnaissance—what method is there without onsite inspection of guaranteeing that missiles are removed and not some hidden from aerial inspection, meaning underground, camouflaged, or in some of the big caves in western Cuba. This is a question that should properly be answered by the administration.

Second. What checks did we have on the war material—that was moved during the 2 days that U Thant was in Cuba and the aerial surveillance and quarantine were lifted? What happened during the time when aerial surveillance, as I understand it, was not in effect?

Third. What proof positive has our intelligence that all the covered objects, deckloaded and appearing like missiles leaving Cuba after the quarantine were, in fact, missiles when all were not inspected or uncovered for full inspection?

Fourth. How can anyone define as "defensive weapons" the massive system in Cuba which now prevails? How can the Defense Department and the administration condone the continuing military buildup in Cuba, the preparation of fishing ports capable of accommodating Russian subs which are known to be in the Caribbean; electronic counterequipment capable of tracking missiles launched from Cape Canaveral and thought to be capable of jamming their operation when all such Russian activity is in direct violation of the Monroe Doctrine?

Fifth. How can the administration fail to carry out a plan and program to get rid of Castro and communism rather than "coexist" with communism in this hemisphere, when this massive buildup, call it "defensive" or "offensive," has the objective of cementing communism in Cuba and making it an exportable product of other Latin American Communist groups?

Sixth. What shift in basic American policy under the New Frontier has taken place that would allow the retention and continuing military buildup of a Communist stronghold 90 miles from our shores? Does this signal the death of the Monroe Doctrine?

Seventh. Is it not true that the military threat today is even greater than when Congress passed the Cuban resolution—before we knew of missiles in Cuba—and that action is thus needed to remove this threat?

Those are some of the questions that I think should be asked of the administration, and the answers should be forthcoming, not to me, necessarily, but I think to the American people, because the American people are concerned and disturbed about the continuing existence and, as proved last night in the briefing session, the continuing military buildup in Cuba and the attitude of the administration, its unwillingness to carve out an effective program to do something about it or to even announce as U.S. policy, what is understood to be the Monroe Doctrine, that no alien government be permitted to get a foothold in this hemisphere, which has undoubtedly been done in Cuba. Failure even officially to protest to Russia this continuing buildup is inexcusable.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Minnesota.

Mr. NELSEN. In the briefing in Chicago we were told that mobile launching equipment was onsite, and that missiles could be launched from this equipment without any extensive preparations.

Is there any evidence which has been shown that these mobile launching facilities have been removed? They were capable of a 1,200-mile range. Has there been any statement with regard to that to the knowledge of the gentleman from Florida?

Mr. CRAMER. Well, only what the Secretary said last night and previous statements made, although the only foolproof assurance is onsite inspection.

I think the obvious question that resulted from the presentation last night is—and I attended the similar briefing as the gentleman from Minnesota and have attended some others in an effort to try to get to the bottom of the actual facts of the situation—in that it appears that there was no nose count—if I can use that phrase—of missiles prior to their aerial discovery on their onsite locations, principally just a few weeks before the actual quarantine—who can guarantee no missiles were imported and secreted before the aerial surveillance started.

The question that is obviously raised is, and I think properly so, were there additional missiles imported prior to the beginning of our air surveillance? If so, where are they now? Even the administration counted only as many leaving—supposedly—as had been spotted. Is not that a very good question for the American people to ask?

Mr. NELSEN. If the gentleman will yield further, I think it is.

Mr. CRAMER. The Central Intelligence Agency and the State Department admit they did not have aerial surveillance generally of Russian shipping to Cuba before a missile, on site and partially uncovered, tipped the Russian plot and this I do not understand. This is despite the fact that they had evidence of substantial objects secretly moving in Cuba called to their attention time and time again by refugees coming into this country who stated that they had seen vehicles and they had seen objects which they describe as appearing to be missile-launching equipment and possibly missiles. However, the State Department and CIA discounted this information. Yet even with this information available, we had no air surveillance over the Russian ships coming into Cuba, it being admitted that the missiles were so large, as were the IL-28 fuselages, that they could have been detected if they were deckloaded at least to some extent and yet there was no air surveillance of these missile-carrying ships coming in prior to the time that the actual construction of the missile sites was discovered by air surveillance, and then the closer surveillance which resulted. That being the case, who can say without equivocation—and we cannot afford to second-guess on this situation—who can say without equivocation and beyond a reasonable doubt as the Secretary suggested that no missiles came in prior to that time when there was no aerial surveillance or other type of surveillance prior to that time, when our internal intelligence was not sufficient to advise us of the buildup of the missile components, which we understand now were prefabricated and must have been coming in for weeks?

We had, apparently, no intelligence within Cuba that adequately informed the American Government of that. We discovered it by our air surveillance—and partially by accident.

So, the question is raised. Let us assume that every missile that they spotted was removed, and they counted them. Let us assume that the missiles were under the covers aboard the ships leaving Cuba after the quarantine. Were other missiles shipped? Where are they? The western part of Cuba has 900 caves, many of which are large enough to handle the missiles themselves and the launching equipment. This is the supersecret area af activity where onsite inspection appears to be the only answer.

Mr. NELSEN. If the gentleman will yield further, I would like to compliment the gentleman on the work he has done in this respect. But I would like to call the gentleman's attention to the observation the gentleman has made to the effect that the gentleman regrets that those of us who pressed for action are called irresponsible. Out in the Midwest they called us cornfield generals when we made a suggestion that something ought to be done.

You also recall that there were some aerial photographs that indicated underground concrete construction probably for nuclear warheads. Has there ever been any information available to us to the effect that these nuclear warheads have been removed from the underground silos, or whatever they call them?

Mr. CRAMER. As I understand it, according to the briefing last night, onsite storage facilities, including these, were dismantled. I do not think that answers the question of what happened to the warheads. I do not think that the briefing showed, nor do I think it was intended to show, that the warheads were sighted being removed. So it leaves the obvious question as to what happened to them. Are they removed or are they not? The only way in which I know that that could be proven is through onsite inspection that the others have also called for.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, the gentleman from Florida mentioned the fact that we should not be lulled into a false sense of security by a military briefing.

I would suggest to the gentleman from Florida that there is another area in which we might be lulled into a false sense of security, and that is the announcement yesterday that the administration was going to curb the use of ships that visited Cuba as far as our Government-originated cargo is concerned.

Mr. Speaker, the quarantine does not mean much. It affects only ships that have visited Cuba since January 1. It does not affect the ships of the fleet owned by the operator of any one ship that went there. In effect, it is a movement in a direction which I applaud, but I think we should go much further, and I have introduced legislation along this line and hope that that legislation will be acted upon, that we will absolutely ban the use of any ship of any owner whose ships have visited Cuba with any cargo, not only that which emanates from the United States, but also that which is generated outside the United States.

So, as I say, there again is a sample where some might feel that action is being taken, but where it is only a move in a desirable direction.

Mr. Speaker, I thank the gentleman for yielding.

Mr. CRAMER. Mr. Speaker, I thank the gentleman for his remarks and agree wholeheartedly. The announced ban is full of holes. For instance.

Kennedy said Government-financed cargoes cannot be carried on any ship which has stopped at a Cuban port since January 1. At first glance this sounds significant, but is it?

Shipping lines can still carry U.S. cargoes in their other ships, the administration admitted, even if some of the line's ships are engaged in Cuban trade. So, the ban merely means that the line has to commit some of its ships to Cuban trade and some to U.S. Government hauling.

But what the "ban" really does is give the administration's blessing to trade with Cuba in assuring shipping firms that the line itself won't be punished for Cuban trade, just the individual ships.

The whole Cuban trade situation has been bungled by the administration. The short-lived, scarcely enforced blockade of Cuba did nothing to cut down shipping. A news magazine ran a series of pictures this week showing Havana Harbor jammed with Soviet ships of all sizes.

Many nations who received U.S. aid are plying the profitable Cuban trade routes. Now they have permission in a set of ground rules which in their omissions make commission of a violation a highly unlikely event.

The administration has only itself to blame that Cuba has been built into a bristling armed fortress in the Caribbean. Tough talk with everyone who gets U.S. money—and what country doesn't nowadays—and those nations benefiting from U.S. trade, would long ago have dried up all but the Soviet-Cuba direct shipping, a tenuous and thin lifeline for Castro's already emaciated empire.

Mr. Speaker, let me say that I believe that the Cuban resolution passed in the last session of Congress in and of itself would require the administration to take further action than it presently is, under existing circumstances of a substantial military buildup in Cuba, whether you call it "offensive" or "defensive," and the apparent beginning of the export of arms by Castro—to Dutch Guiana, as an example. Under that resolution itself the administration today ought to move more effectively than it has in this area.

Mr. STINSON. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. STINSON. Yesterday I missed a small part of the briefing, but I was present when the statement was made that there were 17,000 Soviet troops, approximately, still in Cuba. I assume by Soviet troops they mean Russian Soviet troops. Was any mention made as to how many Chinese Communist troops or Czechoslovakian Communist troops or Ghanaian troops or troops of any other nationality were there besides these 17,000 Communist troops?

Mr. CRAMER. I do not recall any such reference and this number certainly is something that is of equal concern and equal importance to the 17,000. Communists are Communists, whether they are Chinese, Russians, Ghanaians, or Czechs.

Mr. STINSON. Would it be possible that there are actually many, many more than the 17,000 Soviet troops referred to in Cuba?

Mr. CRAMER. If in fact the Secretary meant only Soviet troops, then obviously there are others; technicians and advisers and possibly troops, meaning Red Chinese and other nationalities. It is common knowledge that there are numerous Red Chinese in Cuba. Of course some Members of Congress have asserted that there are as many as 40,000 Russians in Cuba and I do not know how the administration makes its nosecount with such precision and certainty.

In further answer to the gentleman from Washington [Mr. PELLY], let me say that I have wondered why the administration took so long in studying these shipping regulations which I had understood were going to be put into effect very shortly after our adjournment last year and then were held up for months and months and not until very recently announced, and then in very weakened and ineffective form.

ESSENTIAL QUESTIONS POSED TO ROMULO BETANCOURT, PRESIDENT OF VENEZUELA, ON HIS VISIT TO THE UNITED STATES—NEEDING ANSWERS BEFORE PLEDGING FURTHER AID

The SPEAKER. *Under previous order of the House, the gentleman from Florida is recognized further.*

Mr. CRAMER. Mr. Speaker, I have some questions that I want to pose at this time with regard to the coming visit of Mr. Betancourt of Venezuela, it being my understanding from certain press announcements that he is coming to this country on February 19–20 to ask for economic assistance in one form or another to the tune of about $1 billion, of which he has already acquired some $273 million, and is to receive a 21-gun salute.

I think it is necessary to ask a number of questions of him while he is here and that a number of assurances be obtained by the American Government and by the President himself before any assurances are given him with regard to any aid of any kind, or any additional aid, as he has already acquired about $273 million for Venezuela. I hope that when the President sits down at the White House with Mr. Betancourt for discussions he will insist upon some unqualified answers to the following questions. Any further assistance to the Government of Venezuela by the United States should be based upon positive answers to these questions. I think these are the types of questions that most American citizens would ask if they had an opportunity to do so themselves, knowing that their dollars in substantial quantity may be involved and knowing that the objective of the Government of the United States is the freedom of the individual and of representative government throughout this hemisphere.

First. Does the Betancourt government have any genuine plan for the outright illegalization of the Communist Party in place of its present temporizing and halfway policy which, when Betancourt came into power, resulted in the recognition of the Communist Party in his country? It is a party that runs a slate of candidates, which was not the case prior to his coming to power.

Second. Does the Government have any plan for purging the Government and educational rolls of the great number of Communists or Communist sympathizers that now infest the country and even some Venezuelan high public offices?

Third. Will the Government discontinue its present equivocal policy toward private business and enunciate a clear and unmistakable position in support of free enterprise? Or are we facing—and helping to finance—another situation of a takeover of U.S. assets and property expropriation by another foreign government?

Fourth. Will it renounce its present reported plans for nationalization of various sectors of the Venezuelan economy?

Fifth. Will the Government pledge itself to discontinue its present policy of ruling Venezuela by executive decree whenever it desires to restore the process of democratic government once and for all, Mr. Betancourt having recently invoked such executive-decree rule in Venezuela? This should include the restoration of the right of freedom of the press, recently outraged by the arrest of Director General Arismendi of El Universal newspaper; and he is still in jail because he said what he thought. Is this freedom of the press? Is this the type of government suppression that U.S. money should be used to support?

Sixth. Will the Government give assurance that further American aid will be used honestly to restore what is now the shattered economy of Venezuela and not waste it on demagogic and boondoggling experiments of a radical nature?

Then I think the State Department should be asked to answer some questions and make some soul-searching answers.

Does the Betancourt type of government indicate a turnaway from our traditional friends in Latin America and a turn toward a new alinement with the Latin American left, which has been recently reinstated in the Dominican Government, and which for instance, is now in Bolivia, and which was barely defeated in Peru, despite the fact that Betancourt supported the loser, who was a radical leader, in that contest?

Does this betoken a plan to turn away from our traditional friends in Latin America and to now turn toward an alinement with the Latin American left as Arthur M. Schlesinger, and others in the administration have urged?

Are we now prepared to welcome and finance the government heads in Latin America who are notorious for their contempt and opposition for the American principle of free enterprise and the continuation on a nonconfiscatory basis of American economic interests in their countries?

There is to me an interesting comment on the Venezuelan situation and the indecision of the State Department in our Government. Back in 1954 Perez Jimenez, who is now languishing in jail in Miami, and who was the predecessor of Betancourt, was welcomed to this country by President Eisenhower and given a medal by this country. He was proclaimed as a man who fought against communism and who had evidenced friendship for the United States.

It is interesting to note a few years later, in 1958 and 1959, Mr. Betancourt was asked to leave this country as an undesirable alien and is now being given a 21-gun salute and welcomed with open arms. He left this country and went to Puerto Rico on the request of this Government. So is this not an interesting situation and an indication of a complete lack of any continuity and certainty in our foreign policy as it relates to Latin America and Venezuela in particular?

In 1954, the man now languishing in jail and who is now being asked to be extradited was declared to be a hero in this country. At the time he is languishing in jail, a man driven out of the country, Betancourt, is now being asked to come to this country and is going to be given a 21-gun salute. Is there not something completely inconsistent? And, of course, there is.

I have very substantial material documented to back up and to indicate my reasons for asking these specific questions, and in the time remaining I will give a few examples of the reasons for my concern.

First, however, I believe the imprisonment and threatened extradition to Venezuela of former anti-Communist Venezuelan President Perez Jimenez, whose plight I have just discussed, needs clarification.

It is interesting that on the eve of his visit, his government is announcing its assurance that Perez Jimenez will be returned to Venezuela, and such justice or injustice as might result.

It seems strange that Betancourt's Foreign Minister, Marcos Falcon Briceno, after a hasty visit to Washington, returned to Caracas to announce, on February 1, that he had been told on high authority in Washington that Perez Jimenez will definitely be extradited to Venezuela—something which Americans themselves and I am sure the courts considering the matter did not know. This statement was published boastingly in all the Caracas newspapers which favor Betancourt.

On the same date, the Attorney General of Venezuela is quoted as saying that "before February 10, Perez Jimenez would be back in Venezuela." Whom did Mr. Briceno talk to in Washington to receive such closely guarded official information? The Congress did not know about it. The American press did not know about it. And yet, who told the plan to Betancourt's Foreign Minister?

The story becomes even more repugnant when we learn that the legal firm which has been engaged by Betancourt to lead the fight for Perez Jimenez' extradition in the U.S. courts is the Washington firm of Covington & Berling, the senior member of which is Dean Acheson, the President's close adviser on foreign policy. The 1961 report of the Department of Justice on registered agents of foreign countries reveals that Mr. Acheson's firm in that year received $180,000 from Betancourt's government—1962 figures, not yet released, will probably be much higher. Is it possible that it was Mr. Acheson to whom Mr. Briceno talked in Washington and who gave him the assurance that the State Department had decided to extradite Perez Jimenez to Venezuela? The final decision rests with the Secretary of State after court decision.

I urge you to remember this is the same Perez Jimenez who was decorated by the United States on November 12, 1954, with the Order of Merit. President Eisenhower, in conferring this decoration, praised Perez Jimenez warmly as a ruler who had shown "an outstanding spirit of mutual aid and friendship for the United States." It was further stated that Perez Jimenez' "constant vigilance before the problem of Communist infiltration has kept his government alert for the removal of the menace existing against his own country and the rest of the Americas." Is it possible that our

State Department has now become so forgetful of the firm pro-American record of this man, during his 6 years in the Venezuela Presidency, that it is now willing to deliver him into the hands of his political enemies.

President Kennedy has spoken some admirable words about his abhorrence of "conflict of interest" on the part of Government executives. Can he now calmly contemplate the spectacle of Dean Acheson, sitting as a trusted policymaking adviser to the administration and then accepting a fee of $180,000 for his law firm from Venezuela to accomplish the extradition of Perez Jimenez?

The fact of Acheson's connection with the case is officially admitted by the State Department in a letter addressed to me on the date of January 12, 1963, and signed by Mr. Frederick G. Dutton, Assistant Secretary of State. Mr. Dutton reveals that, although it is customary for our Department of Justice to prosecute extradition cases, in this particular case the Government of Venezuela has taken the step of employing Mr. Acheson's firm to handle the prosecution. Why did Betancourt do this? Did he believe that there was some magic that Mr. Acheson could exercise in the Kennedy administration which could accomplish Perez Jimenez' extradition? The conflict of interest seems to be glaring in this case.

The paradox of this sudden burst of pro-Betancourtism on the part of official Washington is to be contrasted with the former attitude of Washington toward this same Betancourt. As recently as 1956, Betancourt's Communist record and his associations were so well known to our Government security agencies that he was barred from admittance and residence in continental United States. In a syndicated column appearing on December 15, 1961, it was revealed that Betancourt was picked up in New York by Government officers on information supplied by the FBI in 1956 and was hustled out of the country, finally being permitted to live in Puerto Rico under strict surveillance. And yet this is the same man who, in an amazing about-face, our Government is prepared to honor and fete on February 19.

It is not a reassuring sight to see such confused self-contradiction on the part of our State Department. It prompts us to raise the question—does the United States now have any clear Latin American policy at all except the policy of drift and of cynical day-to-day opportunism?

This man who for 5 years was an official functionary of the Communist international, who has convincingly proved to anyone who understands communism that he is knowledgeable about and capable of practicing a Communist double game, has suddenly been accepted by the same coterie which once recognized Fidel Castro in the State Department as a great "anti-Communist." He is being hailed as our shield against Castro and Khrushchev in Latin America.

But is he?

One of the oldest strategems of world communism is the strategem of the Trojan Horse. In many situations, the man who is really carrying the ball for Moscow *is* not the self-proclaimed official Communist, it is a mask-wearing Communist who penetrates the very apparatus of the enemies of communism, often becoming the supposed leader of anti-Communists. *I need only cite two glaring* examples of such Trojan Horse strategy to make my point clear, Alger Hiss and Fidel Castro. Anyone who called either of these worthies a "Communist" at the heyday of their careers would have been accused of absurdity or worse. Castro, after his victory in 1958, came to Washington to receive a hero's welcome and in this very city announced that he was "going back to Cuba to fight the Communists." We believed him then, just as so many members of the Kennedy administration seem to believe today that Romulo Betancourt is our champion against communism in Venezuela.

One thing stands indelibly between Betancourt and present unqualified acceptance as an "anti-Communist." At the beginning of his career, he was so incautious as to outline his life plan on paper and send it from Costa Rica, where he was then heading the Communist Party, to his Communist comrades in Venezuela. One of the men who received these Betancourt letters in 1932 was Raul Leoni, now the handpicked successor to Betancourt in the Venezuelan presidency and the president of the Accion Democratica, Betancourt's own political party.

In these letters, Betancourt frankly said that he had decided to make Venezuela a Communist country without using the Communist name. He wrote:

> With vaseline we may be able to insert into the people all of Marx and all of Lenin, the most vehement hatred of private property, the most intense and active desire to do away with the capitalistic regime without ever having to use this word which smells of sulfur—communism.

Did ever a seeker of power reveal his strategy more clearly than did Betancourt in these communications which are popularly known in Venezuela as the "Barranquilla letters"?

They came to light when the Colombian police found them in a raid on a Communist headquarters in Barranquilla and turned them over to the Venezuelan authorities. They were published in photostat by President Lopez Contreras in 1936 in an official Red Book. They were authenticated by a report by the military attaché of the U.S. Embassy in Caracas in 1936, and a copy of his report, unless it has been waylaid, is in the archives of the State Department. They were repeated in the autobiography of Lopez Contreras, published in 1945.

This leads to the obvious question, Is he following his own Barranquilla plan?

But it will be protested by some—oh, but Betancourt has now changed. Where is the evidence? It is true that, in Venezuela, he poses as an opponent of the Communist Party. But if he genuinely wished to wipe out communism in Venezuela, he could easily illegalize it, just as Perez Jimenez illegalized it during his administration, and as the majority of the other Latin American countries have done. But although in May 1962, he instituted a temporary ban on specified activities of the party, he has never gone the whole way to suppression. Why does he turn back from such a step? Why did he recognize it and the satellite governments shortly after he was elected?

In fact, something which happened in January throws the gravest kind of light upon the seriousness and sincerity of Betancourt's whole anti-Communist pretensions.

On January 13, 1963, Raul Leoni, Betancourt's candidate for president in the 1963 elections, in a press conference, reported by all the Caracas dailies, announced that Betancourt's Accion Democratica was ready to consider the "rehabilitation" of the official Venezuela Communist Party if it would discontinue its insurrectional activities. Ultima Noticias, the Caracas daily, reported the statement as follows:

> Dr. Raul Leoni announced that his party is willing to support the Communist Party and the MIR in their hope to return to the legal activities from which they were barred by executive decree. He established as a condition that all Communists and the MIR should cease their subversive and insurrectional activities.

Does this sound like a firm anti-Communist policy? Is it conceivable that an anti-Communist government, having taken government measures against the Communists, should then turn around and "rehabilitate" them? It does not add up. Raul Leoni has perhaps unwittingly unmasked himself and cast a doubt on the whole Betancourt assertions of an anti-Communist policy.

But there are other cracks in Betancourt's action that makes one wonder if these are a masquerade. One of these is the unremitting Betancourt war of attrition against private enterprise.

Toward the oil industry—which pays his government monthly royalties and taxes aggregating $100 million—he has been cautious. The oil revenues are the fountain from which he supports his whole padded structure of teeming government payrolls and thus keeps his supporters in line. But even here, he has pronounced the doom of the private petroleum industry. In his 700-page book, "Politica y Petrolro," published in Mexico in 1956, a book teeming with anti-American and antibusiness emotion, he frankly declared that the nationalization of petroleum was his ultimate goal. The first step toward that goal has been taken by ending the granting of concessions and turning over all exploration of new oilfields to a newly formed government petroleum monopoly which is the scaffold of the future nationalized oil industry. He is moving in this direction by slow but steady strides.

Oil is the overshadowing industry, but in other areas of the economy the march toward socialization is apparently in progress. The Caracas Daily Journal on January 27, 1963, reported the revelation of Ricardo Zuloaga, executive manager of C.A. Electricidad de Caracas, that Betancourt's "Plan de la Nacion" provides for the nationalization between 1963 to 1966 of nine private electric power companies. Betancourt was quick to deny this but Mr. Zuloaga pointed out the page and paragraph of the plan where the provision was set forth. An uncomfortable thought is that the projected nationalization of electric power is likely to be financed by U.S. aid. This plan Betancourt will undoubtedly avoid discussing with President Kennedy on February 19 if possible.

The rest of Betancourt's long-range plan is even more horrifying. Literally, he has pursued policies, since he came to power, which have virtually wiped out the Venezuelan middle class, an inevitable part of every long-range Marxist plan. Unemployment is now 400,000—its highest point under Perez Jimenez was 15,000—5,000 small companies have gone into bankruptcy; $1,300 million of Venezuelan private capital has fled the country for storm cellars abroad. The bolivar has been devaluated. A nation virtually without foreign debt under Perez Jimenez, Venezuela now has a towering foreign debt. The national bank reserves have been depleted and squandered. Public works, which were modernizing the country under Perez Jimenez have ground to a sick stop. The whole construction and building material industry, once the second largest in the nation, has been reduced to a comparatively few surviving units. The showoff agrarian reform, which was flashed in front of President Kennedy on his visit in 1961, has accelerated instead of remedied the steady drop in food production, and Venezuela now is faced by the necessity of importing foodstuffs in categories where she was once self-sufficient.

If Betancourt were deliberately planning the scuttling and demoralization of the free enterprise system, he could have taken no more certain steps to bring it about. The Caracas daily, L'Esfera, has characterized Betancourt's economic policies as "the impoverishment of the country." Those who understand how Communists work can reach no other conclusion but that if they were seeking power they would have planned it that way. A forgotten incident of 1954 highlights lividly the contrasting quality of friendship for the United States of Betancourt and Perez Jimenez, whom Nr. Briceno tells us, we are now prepared to hand over to his political enemies.

In March 1954, while Perez Jimenez was President of Venezuela, the United States inspired the holding of the Inter-American Conference in Caracas. Its purpose was to secure from the OAS members a binding pledge to act unitedly against communism in this hemisphere. The reaction of Latin American leaders toward this American move can be regarded as an acid test of their pro-Americanism.

How did Perez Jimenez and how did Betancourt meet this test?

Perez Jimenez gave unqualified support to the United States and firmly supported what has gone down into history as the "Caracas declaration."

Where was Betancourt? Just before the conference, he made a tour of the so-called "liberal" countries, urging them to boycott the conference and not send delegations. He succeeded in persuading Costa Rica to join the boycott. For a time, he persuaded Bolivia to take a similar course, but Bolivia, dependent on United States aid, had a second thought and attended.

This revealing bit of history should not be forgotten as the United States contemplates Betancourt's visit.

Today the great task of American statesmanship is to preserve the climate of free enterprise in this hemisphere. We are not doing very well in that task. We will certainly not win this imperative fight if we engage in a policy of supporting and pampering the forces in Latin America which do not believe in free enterprise and practice expropriation of U.S. assets. We certainly will not further our cause by announcing to the free governments of Latin America that they no longer need to retain representative, freedom-seeking governments but can substitute the Betancourt brand. Let these questions and thoughts be the background of the talks which President Kennedy will hold with Betancourt on February 19—questions involving the freedom of the people of Latin America—our broad, overall policy.

CUBAN VENOM CONTINUES TO TRICKLE

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Florida [Mr. ROGERS] is recognized for 20 minutes.

Mr. ROGERS of Florida. Mr. Speaker, the events of the last 6 months offer dramatic proof that a policy of coexistence with Cuba would ultimately lead to no existence of freedom in the Western Hemisphere. To allow Cuba to remain as it is will only permit the beachheads of liberty to erode under the Red tide.

There is ample evidence at hand to illustrate the export of communism from Cuba to the other nations of this hemisphere. This export program is being carried out on an increasing scale. With the presence of Soviet military equipment to discourage any anti-Castro uprising, the Cuban dictator is now free to concentrate his efforts on subversion and guerilla activities throughout South America.

You will recall the crash of a Varig Airlines plane near Lima, Peru, on November 27, 1962. One of the passengers on that ill-fated flight was a high-ranking Castro agent who had been in Brazil supposedly attending a United Nations regional conference. His true mission was to act as liaison between Fidel Castro and an organization of Brazilian peasant rebels supported by the Brazilian Communist Party. The agent, Cepero Bonilla by name, carried on his person a document dealing with the peasants who were reliable to the Communist cause, and information regarding a meeting to be setup in Brazil between January 16 through 20 between the Brazilian peasants, the Brazilian Communist Party, and Castro agents. In short, the document exposed a conspiracy of continental proportions.

You will also recall that on October 27, 1962, four Venezuelan electric power stations were dynamited, resulting in a shutdown of approximately one-sixth of Venezuela's oil supply. Shortly after this incident occurred, the Venezuelan representative to the Organization of American States, Nelson Himiob, presented a report to the OAS outlining the blueprint of cables and radio messages which Havana had used to foment such sabotage. The power station sabotage was directed entirely from Havana, and a similar mission to sabotage American-owned oilfields in the Maracaibo region of Venezuela was uncovered at that time.

Even more disturbing was the plot uncovered by our own Federal Bureau of Investigation in New York. Shortly after the missile crisis of last October, three Castro agents, one a member of the Cuban delegation to the United Nations, were arrested on charges of espionage and sabotage. They were linked to a plot to spread a reign of terror through the city of New York, and were found with a cache of various types of bombs.

On December 16, 1962, the Brazilian police announced that Castro agents had slipped into that country to train guerrilla bands. The police offered as their proof a station wagon they had captured. The car was loaded with arms, ammunition, and pro-Castro propaganda.

On December 28, 1962, the Brazilian press carried photographs and descriptions of Czechoslovakian-made light machineguns found buried in farm fields some 100 miles north of São Paulo. The arms were wrapped in Cuban newspapers.

And just yesterday, Mr. Speaker, it was reported in the press that arms were shipped from the port of Mariel, Cuba, to British Guiana. This Caribbean nation, as you well know, is in control of one of Castro's most ardent and open admirers, Cheddi Jagan.

Thus, Mr. Speaker, is a recent history of how the Soviet Union is pressing its advantage in this hemisphere. Working through Fidel Castro, who still remains a psychological stimulus for violence and terror, the Communists are increasing their buildup in the Americas. With the arms buildup begun last year, the Communists are now able to mass a psychological buildup in the minds of the discontented, impoverished campesinos who gullibly accept the absurd lies that communism is the answer to every human need.

Reports are that in Haiti, the tiny Caribbean nation just south and east of Cuba, where dictator Francois Duvalier's regime totters over seething discontent, Fidel Castro has initiated a French-speaking infiltration unit of Cuban-trained guerrillas. I have asked the State Department for a full report on this matter, and have been assured that it will be available soon.

As I urged on September 12, 1962, the United States must be the leader in acting to isolate communism in this hemisphere. As an American and a Floridian, it has become evident to me that immediate isolation of Castro must be imposed. On that date in September, I called for the closing of U.S. ports to nations whose flagships engage in running cargo to Cuba. It was at that time the Russians were engaged in their intensified arms race in Cuba. The use of allied vessels for transporting civilian goods allowed the Communists to utilize their otherwise limited merchant fleet to transport arms. Thus the flags of virtually every free world nation were indirectly engaged in the sovietization of Castro's island. Even more deplorable is the fact that most of the allied traffic to Cuba was controlled either directly or indirectly by our greatest allies, namely Italy, West Germany, Norway, Greece, and particularly, Great Britain.

After repeated speeches on the floor of the House, my requests for an investigation into this situation were met and conducted by the House Select Committee on Export Control. The public attention which was focused on allied shipping to Cuba resulted in several governments agreeing at that time to suspend and/or discourage further use of their flags in Cuba traffic. West Germany was the first nation to do so. Greece, even though facing serious unemployment on the docks of Piraeus, consented to cooperate with the United States and disallow use of its flag in this trade. Turkey recalled several of its ships which were on the high seas en route to Cuba. The only major offender was our old and trusted ally, the other member of the Anglo-American community, Great Britain.

Mr. Speaker, the United States has taken the position that our friend Great Britain should be allowed entry into the Common Market of Europe. The United States strongly feels that British entry into the Common Market would be for British well-being and the benefit of the entire free world. In addition, the United States has committed itself to provide the British with Polaris missiles, again so doing for the well-being of Britian and the free world to build strength against communism. But what reciprocity has this brought from the British in U.S. efforts to ban communism from this hemisphere?

From September 1 through November 30, there were 11 ships flying the British flag which called in Cuban ports. As was released yesterday by the Maritime Administration, an agency which it should be mentioned has done an excellent job in recording and tabulating the traffic to Cuba since the early days of the buildup, 13 ships from the free world called in Cuba during the month of January of this year. Mr. Speaker, 5 of the 13 ships calling in Cuba during January were British ships.

Now the British, with their excellent and famed ability to gather intelligence data throughout the world, should have been aware of the U.S. policy against the Communist Castro regime in Cuba. If Great Britain is mindful of the U.S. position against Cuba, why were vessels of the British merchant fleet allowed to put into the Cuban ports with Communist cargo? Are these vessels symbolic of Anglo-American friendship? The names of these vessels make British traffic in Cuba particularly ironic. For example, when the British merchant ship *Overseas Pioneer* put into Cuba, did its name suggest a new departure in British foreign policy to pioneer in this hemisphere for Russia? Is the ship *London Confidence* which steamed into Cuba during January of this year representative of the good will between the United States and Great Britain? And think of the impact the sight of the British flag must have created as it waved over the decks of the ship *London Splendour* as it pulled into the Cuban harbor last month.

Mr. Speaker, this Government has just announced that it will discourage the further practice of allied shipping to Cuba by banning any U.S. Government-generated cargoes being transported in the hulls of ships calling in Cuba. This action is commendable as a first step toward banning free world shipping to Cuba. However, we should not be content with timid gestures, but should move to fully close all U.S. ports to Cuban traders as soon as possible. As you will recall, plans were made from 3 months ago to institute the four-point plan to close U.S. ports.

The inaction of this ban not being imposed in October, or shortly thereafter, may be largely responsible for the fact that even those nations who had agreed to cooperate with us last year have begun to resume shipping to Cuba.

I urge again at this time that the United States exert its leadership by stiffening its opposition to allied shipping to Cuba. I urge that the United States close its ports to the flags of all nations which allow any of its vessels to call in Cuba.

Closing U.S. ports would show such nations as Great Britain who continue trading with Cuba that we mean business. The effect of a U.S. port ban would keep for instance the *Queen Mary* out of New York Harbor. If the United States denies its ports to our free world allies who continue to trade with Cuba because rubles are worth more than friendship and freedom, then they will soon realize the cutoff of the dollar. More world trade flows out of U.S. ports than Cuba can begin to account for. Trade from Cuba amounts to some 1 percent of total world trade. It would seem that U.S. friendship is worth much more than that to our allies.

Closing U.S. ports would also be an act of U.S. leadership. Such leadership is urgently awaited by the other nations of this hemisphere who stand ready to act to isolate Castro. The Organization of American States is fully aware of the extent of Latin American subversion which is underway at this very moment. This inter-American body voted unanimously during the Cuban missile crisis of last fall to support the United States in its efforts to rid the hemisphere of this Communist pestilence.

The hemisphere, indeed the entire free world, knows the threat which communism poses is vicious and immediate. I reiterate my call that the United States exert its position as the leader of free men everywhere, and start by fully closing its seaports to those who do business with communism.

CONSUMER BULLETIN NO. 2

The SPEAKER pro tempore (Mr. RYAN of Michigan). Under previous order of the House, the gentleman from Ohio [Mr. VANIK] is recognized for 20 minutes.

Mr. VANIK. Mr. Speaker, in recent weeks, there has been considerable discussion of the fruit and vegetable damage resulting from the mid-December and mid-January freeze which blanketed most of the United States. This agricultural damage has weighed heavily on the farmer and even more heavily on the family budgets which have been strained with increased costs for fresh fruit and vegetables.

Many of the consumer price increases resulting from the freeze are understandable, some are not. Most prominent among the commodities leaping forward with a totally unwarranted price increase is frozen concentrated orange juice, currently being used as an essential food in the daily diet of most of the households of America.

Almost simultaneously with the announcement of the December 12–13 Florida freeze, the price of orange juice skyrocketed and then settled at a 30 percent increase over prefreeze prices. The price boost was on orange juice processed from last year's crop—completely unrelated to the December 1962 freeze. This was ruthless profiteering on stock on hand which glutted the market only 2 weeks before the freeze.

Early in December, the stocks of orange juice concentrate were so glutted that the orange juice overlords pleaded with the U.S. Department of Agriculture to help them out of their surplus dilemma by purchasing orange juice concentrate for Government stocks. Obligingly, the Department of Agriculture spent $1.5 million to buy up some of the surplus for ostensible use in the school lunch program.

The day after the mid-December freeze when the price for orange juice skyrocketed the Government stocks increased in value to over $4 million. The processors then prevailed on the obliging Department of Agriculture to release the supplies acquired under the school lunch program and turn them back to the processors who now could make a 266 percent hot profit on the frozen juice deal with the Government because of the increased value of the orange juice.

Three large processors picking up the profit windfall on the Government stocks included Libby, McNeil & Libby with 105,900 cases; Stokely-Van Camp with 80,000 cases; Pasco Packing Co., with 168,085 cases; while 2 co-ops, the Plymouth Citrus Products Co-op and the Adams Packing Association, Inc., came in for 29,500 and 10,600 cases, respectively.

In the meanwhile, housewives throughout the country immediately began paying 33½ to 37 percent more for frozen orange juice processed from last year's surplus crop. If the price pattern follows the price manipulations after the 1957 freeze which occurred at almost the identical time, this is only the beginning. The real climb will occur in late

March and April. The price increase could go as high as 60 percent over prefreeze price levels.

The 1957–58 price increase resulted in congressional hearings on the "controlled" marketing and pricing of orange juice concentrate. Hearings should be resumed this year to determine the who and the how of profiteering in this essential food.

In the meanwhile, while housewives struggle with rising prices in this important daily food, they should consider several alternatives to paying the ridiculous high prices. A 46-ounce can of pineapple juice can be obtained for 25 cents; six 6-ounce cans of frozen grape juice can be obtained for 89 cents (less than one-half the price of frozen orange juice); while three 46-ounce cans of tomato juice can be acquired for 79 cents. These juices are as nutritious as orange juice with much less calorie count—for those who must worry about calories. Although these foods may not measure up to orange juice in vitamin C, the tremendous savings in these foods will adequately cover the cost of vitamin C implementation and still leave substantial savings.

The real answer to this recurring problem in orange juice profiteering lies in congressional investigation prompted by the indignation of the consumer who must foot the bill.

COMMITTEE ON EDUCATION AND LABOR

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the subcommittees of the Committee on Education and Labor may sit during the session of the House the balance of the afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

THE CUBAN SITUATION: CAN WE RELY ON SELF-APPOINTED INTELLIGENCE EXPERTS?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. STRATTON] is recognized for 45 minutes.

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, the revelation of the extent of our intelligence information with regard to Cuba that was presented dramatically to the press and to the Nation last night by Secretary McNamara and by a top official of the defense intelligence agency certainly should have convinced any reasonable person that our Defense Department is strong, that our intelligence services are well equipped, and that we as Americans can feel proud and secure in a topflight intelligence service. I do not think any fairminded American who had at least a good television set could have followed that program last night without having been tremendously and deeply impressed that this country knows an awful lot about what is going on in Cuba, and that the precision and the depth of our detail is simply phenomenal, particularly when you consider that Cuba is a closed society, almost as tightly closed as the Soviet Union itself.

I do not think any reasonable, fairminded American whose heart is not tinged with partisan politics or more concerned wtih trying to make a political point or build a political reputation or get himself reelected to a political office could have followed that presentation last night and come away without agreeing wholeheartedly with Secretary McNamara that beyond all reasonable doubt the intermediate-range ballistic missile sites and the medium-range ballistic missile sites that have been constructed in Cuba have been removed and are now destroyed and inoperable.

This latter point was the specific charge made by the junior Senator from New York in the Senate of the United States. Senator KEATING charged on January 31 that the sites constructed during the Cuban crisis had not been destroyed, that the launching pads were being maintained, and that the Soviets have made no effort to break up the concrete. That specific charge, Mr. Speaker, was completely and wholly and totally refuted by Secretary McNamara on television last night.

This is the basic issue here. Let us not get into a lot of extraneous things.

This is a basic point. This is the charge that was made on the floor of the Senate of the United States by a U.S. Senator who also holds a commission as a brigadier general in the Reserve of the Army of the United States. This is the specific charge that was repeated before the news cameramen across the Nation as the Senator held up not an MRBM—not an IRBM, but an ICBM, a Minuteman missile over the map of Cuba, thereby implying to the American people that intercontinental ballistic missiles were still on the island of Cuba; and it was the precise charge that was repeated on a television program and in the newspapers following that time.

Mr. Speaker, I have said that no reasonable person could deny that the Secretary had made a very persuasive and convincing case last night. Let me cite just two editorials that I picked up this noon from the Washington press.

Here is the Washington Daily News of Thursday, February 7.

The concluding statement of this editorial says:

> Mr. McNamara's briefing should quiet some of the more irresponsible statements which have been made about Cuba. It will not, in our opinion, quiet the demands for more positive action.

Mr. Speaker, the editorial in full is as follows:

McNamara on Cuba

> The unprecedented, 2-hour public briefing by Defense Secretary McNamara at least recognizes growing public concern over the Soviet arms buildup in Cuba.
>
> The televised photographs, taken by U.S. reconnaissance fliers, were convincing to the extent photography can be convincing. They showed that the big missiles detected going into Cuba also were detected going out, along with their support equipment. The missile bases photographed in process of construction apparently have been torn down.
>
> As to whether there may yet be long-range nuclear missiles hidden in Cuba, there can be no certain information short of the onsite inspection promised by Khrushchev, but not delivered. Mr. McNamara obviously believes all the missiles are gone and his opinion must be respected. But, again, there is no certainty.
>
> As John A. McCone, director of the Central Intelligence Agency, told Senate investigators yesterday: "Absolute assurance on these matters could only come from continuing, penetrating onsite inspection."
>
> It is the lack of that absolute assurance which remains disturbing.
>
> Disturbing also is the apparent lack of alarm at continuing Cuban fortification, even if it does not, at this time, include big missiles.
>
> According to Mr. McNamara's own statement yesterday there are 102 Soviet Mig interceptor planes in Cuba. This is in quite a contrast to the handful of antique trainer planes Castro had at the Bay of Pigs.
>
> Mr. McNamara said there were 22,000 Russians on Cuba at the peak, that about 5,000 have gone home, leaving about 17,000. Of these about 5,000 are organized into four combat units. There are elaborate installations for short-range missiles which are useful against planes or ships, also artillery, tanks, etc.
>
> If the Russians have no further designs for the use of them, what are these 17,000 troops doing in Cuba?
>
> Public concern, in our opinion, is not centered so much on the quantity of these weapons, or even their nature, as it is in the apparent official tendency to tolerate this Soviet base, with unknown but awesome future potentialities, 90 miles from U.S. soil.
>
> Official attitude does not seem as stern even as it was before the big missile revelations which showed up Soviet intentions as clear as day.
>
> Limitations on ships trading with Cuba finally were instituted yesterday and amounted to a mere slap on the wrist. Ships which have carried cargo to Cuba since January 1 can't carry any U.S. Government cargo—unless they promise not to do it any more. As originally planned, not only individual ships would have been barred, but any other ships operated by the same owner.
>
> Mr. McNamara's briefing should quiet some of the more irresponsible statements which have been made about Cuba. It will not, in our opinion, quiet the demands for more positive action. Even on the basis of facts presented by Mr. McNamara that situation is a growing menace to the security of the United States.

Mr. Speaker, here is another editorial, this one from the Evening Star of today, Thursday, February 7. The editorial starts out by saying, if Secretary McNamara had been firing nuclear weapons, not a man would be left alive in the critics' camp.

The editorial concludes with the statement:

> As matters stand, however, or so it seems to us, the case is strong for the proposition that Russian offensive weapons are no longer a threat in Cuba, although the island continues to be a very powerful forward military base for the Communists. And the burden of proof surely passes to those who have claimed otherwise, and who say they are not satisfied by Mr. McNamara's performance. Certainly, if these critics really have any proof of their charges, it is their duty to produce it.

> The responsible subcommittee headed by Senator STENNIS is looking into the Cuban question and it is well to have this congressional checkup on the Pentagon's version of the Cuban affair. We hope that Senator KEATING and the other critics, some of whose charges have been made head on and denied by Mr. McNamara, will make it their business to appear before the STENNIS group.

Mr. Speaker, the editorial in full is as follows:

> CUBAN WEAPONS
>
> Defense Secretary McNamara's massive rebuttal of charges that a Soviet offensive capability remains in Cuba belongs in the "overkill" class. Had he been firing nuclear weapons, not a man would be left alive in the critics' camp.
>
> Even with verbal weapons—except for a few details—it was a rather convincing show.
>
> One detail which raises some doubt is the Pentagon's recent commitment to "managed" news. It is difficult to know when the truth, or at least the whole truth, is being revealed. Another detail concerns Mr. McNamara's answer to a question as to why the photographs had not been made public earlier. He said there was a fear of compromising our intelligence techniques. But Adlai Stevenson showed many of the photos in his U.N. speech. And both the Russians and the Cubans knew we were photographing and also knew what we were photographing. How was our intelligence going to be compromised by releasing the pictures? There is still another interesting and unexplained detail. Some scenes showed troops rushing toward their antiaircraft guns as our low-level reconnaissance planes swept over the missile sites. The implication was that the Russians would have shot them down had they been able to do so. Apparently, however, our high-flying U–2's were and still are ranging over Cuba at will without a hostile surface-to-air missile being fired, although one of them knocked down a U–2 early in the surveillance.
>
> Why is this? Are the U–2's now flying higher than the 80,000-foot range of the missiles? Has there been some kind of agreement under which the Russians have said they will not shoot? Or is it simply because they realize that we know what they had there and, having removed the offensive weapons systems, they no longer care about the surveillance flights? Mr. McNamara was asked about this, but refused to be drawn into any discussion.
>
> As matters stand, however, or so it seems to us, the case is strong for the proposition that Russian offensive weapons are no longer a threat in Cuba, although the island continues to be a very powerful forward military base for the Communists. And the burden of proof surely passes to those who have claimed otherwise, and who say they are not satisfied by Mr. McNamara's performance. Certainly, if these critics really have any proof of their charges, it is their duty to produce it.
>
> The responsible subcommittee headed by Senator STENNIS is looking into the Cuban question and it is well to have this congressional checkup on the Pentagon's version of the Cuban affair. We hope that Senator KEATING and the other critics, some of whose charges have been met head on and denied by Mr. McNamara, will make it their business to appear before the Stennis group.

So—do not take my word for it that this was a persuasive performance last night. Here are two newspapers, both of them usually critical of the Kennedy administration, and both admit that this was a tremendous and a persuasive performance.

Let me say, Mr. Speaker, I agree that this was a persuasive performance because, as a member of the Committee on Armed Services, I had the opportunity a week and a half ago to get this same presentation presented behind closed doors as secret classified information which was available only to members of the Committee on Armed Services. The presentation, Mr. Speaker, was so dramatic and so forceful and so complete in its detail—why, you could see the Russians running away from our surveillance photographic airplanes, and you could even look down the bore of one of the mortars, the 120-millimeter mortars, and you could even see the shadow of one of our reconnaissance aircraft—yes, the whole thing was such a tremendous demonstration of an intelligence service of which we Americans can be proud, that every member of our committee, when the presentation was concluded, joined in spontaneous applause for the same young gentleman who appeared on television last night and for Mr. McNamara, who brought him there.

Now you might say—why was a presentation that was given to the Committee on Armed Services of the House of Representatives behind closed doors, because it was so highly classified that we could not risk an open session, why was it put on television for the American people last night? Well, it was put on there, Mr. Speaker, to try to end once and for all the irresponsible charges that have been made—the irresponsible and disgraceful efforts to suggest that there are individuals who have somehow a secret pipeline of information to Cuba which has been denied to the established agencies of the U.S. Government and to the top intelligence officials of our Government.

Frankly, as an individual who has had the privilege of serving in the intelligence services of the Navy during two wars and is still connected with the Naval Reserve, let me say that I was a little disturbed that the presentation was put on television. But here is an example of the willingness of our administration to risk even some of our own security information in an effort to try to convince fairminded Americans—not those who are engaged in partisan political effort; we never could convince them—but to convince fairminded Americans of what we are doing in the Department of Defense and of the fact that our intelligence services know a little bit more about what is going on than any single individual who says he has some kind of pipeline of information that he refuses to reveal even to the President of the United States—and that applies even if the gentleman in question is a Member of the other body.

Mr. MACGREGOR. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I yield.

Mr. MACGREGOR. I have listened with great interest to the gentleman from New York. I should like to pose to the gentleman a question the answer to which may be classified and cannot be revealed; but I call the gentleman's attention to the fact that a number of Members of Congress directly following the President's speech of October 22, 1962, were invited to attend briefing sessions held throughout the country. As a Member of this body from the State of Minnesota I was invited to attend a session at Chicago.

Mr. STRATTON. I can yield for a question but I am afraid I do not have time to yield to the gentleman for a speech.

Mr. MACGREGOR. I am not making a partisan speech, if the gentleman will permit me to continue.

Mr. STRATTON. I am happy to yield for a question, but I cannot yield for the gentleman to make a long speech. If the gentleman has a question, let us have it, and I will try to answer.

Mr. MACGREGOR. Pursuant to the invitations issued by the Department of Defense to Members on both sides of the aisle, we traveled to Chicago on the afternoon of October 24 where we were told that there was no classification of the information. We were further told that as of that moment there were in Cuba 8 to 10 medium-range ballistic missile sites with a capability of firing 4 missiles almost simultaneously from each site. In other words, a first salvo capability of 32 to 40 medium-range ballistic missiles. We were told that there was a second strike capability of an additional 32 to 40 medium-range ballistic missiles.

I ask the gentleman whether or not that information which was given to Members of Congress in Chicago on October 24 is correct in the gentleman's knowledge as a member of the Armed Services Committee?

Mr. STRATTON. I do not know what the gentleman was told in Chicago. I went to a similar session in New York; and, frankly, I do not recall exactly what figures were given to our group because, frankly, the attempt to make partisan political hay out of that meeting was so great that it became disruptive of the entire meeting, and Senator CLARK, of Pennsylvania, for example, commented on it afterward. All I can say is what was presented to the American people last night. The President made his address on the 22d of October and we were invited to this briefing, my recollection is, on the 25th or the 26th. Is that correct?

Mr. MACGREGOR. The Chicago briefing was on Wednesday afternoon, October 24. It was there that we were given information that there was at that time in Cuba a capability of between 64 and 80 medium-range ballistic missiles, or so all of us present understood.

Mr. STRATTON. I do not recall any specific figures. All I know is that, as was pointed out last night on the television, the total complex was not ready to fire until, ironically, the very day that Khrushchev agreed to withdraw them.

Mr. MACGREGOR. I think the gentleman refers to intermediate range ballistic missiles.

Mr. STRATTON. I am referring to everything, both intermediate and medium range; that the total complex was not ready to fire until the very day that Mr. Khrushchev agreed to withdraw it.

Mr. MACGREGOR. May I respectfully say that is contrary to the information that Members of Congress were given by the Department of Defense in Chicago last October 24.

Mr. STRATTON. I cannot be responsible for what the gentleman was given, and I am sure the gentleman knows what he was given. I am only commenting on a very serious charge that was made in the Senate of the United States, which was answered on television last night, and I think that the gentleman who made that charge in the Senate of the United States owes it to the American people to admit that he is wrong and come forward and admit that he made a mistake, and if he does not do that, I think he has sacrificed any future appeal to the confidence of the people of New York State.

Now, Mr. Speaker, there is no question about the fact that we have a very serious military situation in Cuba; the Soviet military presence in Cuba has disturbed me greatly as a member of the Committee on Armed Services, and it disturbs, I think, any normal and fair-minded American.

But, Mr. Speaker, this is precisely the reason why today there should be no demagogery in the Halls of Congress, and why there should be no effort to undermine the confidence of our people in the duly constituted defense agencies and intelligence agencies of Government because, God forbid, they might in the near future be called upon to carry out American policy in that island. And, I say that anybody who, for any reason, undermines confidence in these agencies and undermines confidence in the Department of Defense at this critical hour is doing a grave disservice to the national security of this country and is giving aid and comfort to the enemy.

Now, Mr. Speaker, there are some people who have made these charges who apparently would never be convinced no matter what was said. I was interested today in the Washington Daily News to read that the gentleman from Indiana [Mr. BRUCE] who made certain rather sweeping charges in this body on Monday to the effect that he knew conclusively that there were not 40 missiles but that there were 80 missiles in Cuba, quite fantastically enough, said that he would not be convinced by anything that Mr. McNamara said. Here it is in the Washington Daily News:

> Representative DONALD C. BRUCE who claimed Monday that more than 40 big Soviet missiles still are hidden in Cuba, said after listening to Mr. McCone—

Not Mr. McNamara, Mr. McCone—

> that he would not be convinced otherwise by anything Mr. McNamara said.

Well, there are people that you cannot convince. There are people who are going to maintain their view no matter what the facts are, and they have a perfect right to do it. I would not presume to suggest on what kind of a basis a Member of Congress ought to make his decisions; but as a member of the Committee on Armed Services and as a member of the Naval Reserve, I suggest that this country cannot afford to base its own military and foreign policy on fiction, on fancy, on some kind of ethereal outside information. We have got to base it on facts and demonstrated proof, not on the kind of thing that is motivating an individual that says he cannot be convinced no matter what the facts are.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Does not the gentleman feel it is quite unusual that certain of these critics who are completely unimpressed by the statements by Mr. McNamara, by Mr. McCone, and President Kennedy are still impressed by Moise Tshombe?

Should not our President and our administration at least be entitled to the same confidence in debate by some of our Republican colleagues that they place in Moise Tshombe's every word, every deed, and every statement?

Mr. STRATTON. I thank my colleague from New Jersey for his observation. I will just say: Thank God our defense is in the hands of President Kennedy, Secretary of Defense McNamara, Mr. McCone, and General Carroll, instead of in the hands of some of these people who have tried to set up their own private intelligence agencies in the Capitol of the United States.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I would be glad to yield to the gentleman from Iowa.

Mr. GROSS. I want to get just one thing clear: I assume that the gentleman from New York notified the gentleman from Indiana [Mr. BRUCE] that he was going to imply that the gentleman from Indiana was dealing in fiction? Did the gentleman notify the gentleman from Indiana that he was going to take this special order this afternoon?

Mr. STRATTON. I have not been able to locate the gentleman.

Mr. GROSS. If the gentleman will yield further, did the gentleman make an effort to locate the gentleman from Indiana [Mr. BRUCE]?

Mr. STRATTON. I have not been able to locate the gentleman from Indiana.

Mr. GROSS. The gentleman from New York made an effort to locate the gentleman from Indiana, did he not?

Mr. STRATTON. I did not make much of an effort because I was directing my remarks to another charge. I was simply pointing out that the gentleman from Indiana is quoted in the paper as saying he would not be convinced no matter what Mr. McNamara said.

Mr. GROSS. If the gentleman from New York will yield further, the gentleman went on to say that the gentleman from Indiana was dealing in fiction.

Mr. STRATTON. I said anyone could see that anyone who would not change his mind no matter what the facts were would have to be dealing in something other than facts, which is what we mean by definition by "fiction."

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. STRATTON. Yes indeed.

Mr. GROSS. Then the gentleman from New York did not bother to call the office of the gentleman from Indiana to notify him that he was going to use his name this afternoon as is customary; is that correct?

Mr. STRATTON. That is correct.

Mr. Speaker, the individual who has been the leader in trying to suggest that the intelligence services of our Government are not doing their job and that he has information other than that which is available to the intelligence agencies is, as I have suggested, the junior Senator from New York. I think we have a right too to take a look at the nature of this information and the claims that have been made. In fact, the same article which quotes the gentleman from Indiana also quotes Senator KEATING as saying:

> But Senator KEATING said Mr. McNamara had failed to "dispute" any of his specific claims that Soviet forces in Cuba have been strengthened since October or that Russian medium-range missile sites in Cuba have not been fully destroyed.

Mr. Speaker, let us now take a look at the specific charge that was made so that we can know exactly what is being talked about here. When the President of the United States directs the Secretary of Defense to reveal some of our most highly held and closely held intelligence on a nationwide television show, risking an impairment of security about which any individual in the intelligence service must be deeply disturbed, just to reassure the American people and to clear up some of the confusion and put an end to efforts to frighten the American people that have been going on, I think it is important that we ought to know exactly what the charges are to which this massive effort, this unprecedented effort to respond last night was being directed.

Mr. Speaker, I quote from the CONGRESSIONAL RECORD of January 31, 1963, where Senator KEATING is speaking, page 1462:

> Furthermore, while evidence mounts of new equipment pouring in from the Communist bloc, there is continuing—

Get this—

> there is continuing, absolutely confirmed and undeniable evidence that the Soviets are maintaining and guarding the medium-range sites they had previously constructed in Cuba. There has been no Soviet move to dismantle these concrete sites or withdraw the launching bases, as one might expect if the Soviets intended in good faith to keep these missiles out of Cuba in the future.

Now, let us be clear about what Senator KEATING was alleging. He says:

> There is absolutely confirmed and undeniable evidence that the Soviets are maintaining and guarding the medium-range sites they had previously constructed in Cuba.

Not missiles in caves that we have been talking about, not something that is under a tree somewhere camouflaged where even the highly competent planes of our Air Force and Navy could not get at it, not something that is in some obscure part of the island where perhaps it might be alleged we had not even penetrated with the U-2 or with anything else.

What he is saying is that they are maintaining and guarding the medium-range sites "previously constructed in Cuba," the same ones that created the crisis, the ones that all the fuss was about. And he goes on to say:

> There has been no Soviet move to dismantle these concrete sites.

Well, did you not see on television last night those pictures? Did you not see where the Soviet bulldozers had gone in and pushed the concrete aside, where they had taken everything out and there was not a single thing left except one beat-up Soviet truck driving around, trying to pick up a few pieces that were left? How much evidence do you have to have? There they are, the medium-range sites, the intermediate-range sites, destroyed, dismantled, broken up, the concrete destroyed, presented by photographic evidence, not only to Senator KEATING but to the people of the United States. And yet the charge has not yet been withdrawn and it stands here in the RECORD of the Congress on the 31st of January of this year.

Mr. CUNNINGHAM. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER** pro tempore. Does the gentleman from New York yield for a parliamentary inquiry?

Mr. STRATTON. Mr. Speaker, it is my understanding that it is not my province to yield for a parliamentary inquiry; that is an inquiry that has to be addressed to the Chair.

The **SPEAKER** pro tempore. Does the gentleman yield for that purpose?

Mr. STRATTON. No; I do not yield.

Mr. CUNNINGHAM. Mr. Speaker, a point of order.

The **SPEAKER** pro tempore. The gentleman will state the point of order.

Mr. CUNNINGHAM. Is it permissible under the rules of the House to use the name of a Member of the other body in criticism?

Mr. STRATTON. Mr. Speaker, I am not criticizing him; I am just trying to analyze the charge. Then we will know whether the information presented last night was correct.

Mr. CUNNINGHAM. Mr. Speaker, I made the point of order that the name of a Member of the other body may not be used in the well of the House.

The **SPEAKER.** Does the gentleman insist on his point of order?

Mr. CUNNINGHAM. I do, Mr. Speaker.

The **SPEAKER.** The Chair will state that under the rules of the House, if a Member insists upon strict compliance, to mention the name of a Member of the other body is not consistent with the rules of the House. The rules of the House are different from the rules of the Senate.

Mr. STRATTON. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER.** We in this body—and this is in addition to an answer on the point of order—we in this body recognize the comity between the two branches.

The gentleman from New York will state his parliamentary inquiry.

Mr. STRATTON. Mr. Speaker, my parliamentary inquiry is this. Would it be in order to refer to a Member of the other body without the use of his name?

The **SPEAKER.** The Chair feels that a proper reference to the other body as such may be in order, but reference to a Member of the other body may be not consistent with the rules of the House.

Mr. STEED. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER.** Does the gentleman from New York yield for that purpose? The Chair would like to say that the Chair is trying delicately to answer the question.

Mr. STRATTON. Mr. Speaker, would it be in order for the gentleman from New York to proceed without reference to the name of any Member of the other body and simply refer to him as a Member of the other body?

The **SPEAKER.** Under the rules, even a reference in praise of a Member of the other body is not consistent with the rules of the House. The Chair has not ruled as yet that the gentleman has violated the rules. The Chair wants that clearly understood.

Mr. STRATTON. Mr. Speaker, it is my wish to proceed in order and in accordance with the rules. But it is my recollection that Members on the other side of the aisle have been mentioning names of Members of the other body most of the afternoon.

The **SPEAKER.** That may be correct, but then no Member voiced a question of order. The Chair asked the gentleman who made the point of order if he insisted on it. There are degrees of statements that might not be consistent with the rule. Some might be in violation.

Without objection, the gentleman from New York is recognized.

There was no objection.

Mr. STRATTON. Mr. Speaker, referring to the charge that appeared in the CONGRESSIONAL RECORD that I have just read on page 1462, I think we ought perhaps to pursue the chronology just a bit. This charge was made on the 31st of January. It is my information, and I so disclosed it to the press yesterday, that the following day the individual that made the charge was visited by the head of the Central Intelligence Agency, the top man of the intelligence service of this country. Mr. John McCone, who is incidentally a distinguished member of the Republican Party, came there for the purpose of presenting to the individual that had made the charge the same information, the same proof, that was presented publicly to the American people on television last night, to prove that the medium range sites which had previously been constructed in Cuba had not only been dismantled but the concrete had been all destroyed, and that was the end of it.

That was on last Friday. In spite of that fact, on the following Sunday there appeared a television show in which the same charge was made. There were then on Monday press releases issued by the same individual who made the charge renewing that charge, getting further publicity out of it. There was a picture circulated nationwide, to which I have referred, with the individual making the charge holding a Minuteman intercontinental ballistic missile over the map of Cuba, although actually there has been no charge about intercontinental ballistic missiles. Then on Monday there appeared in the U.S. News & World Report a detailed interview with the individual once again repeating the charge which Mr. McCone, of the Republican Party, and the man who is charged with the top management of our intelligence services, had already demonstrated to him personally was false; yet it was repeated without any effort being made to correct it.

On Tuesday as a member of the Armed Services Committee and as an officer in the Naval Reserve I just could not take it any longer. I felt that regardless of the comity between the branches of the Congress, regardless of the regular courtesies that prevail in this body, to which my good friend from Iowa referred a moment ago—and I want to tell him I apologize for not having informed the gentleman from Indiana, because it was my intention to deal specifically with another charge, and this statement of the gentleman from Indiana was one that I brought in parenthetically, simply because I happened to read it in a newspaper just before I came onto this floor.

But on Tuesday, as I say, I could not stand it any longer and I pointed out that on the basis of the information already presented to our committee, there could not possibly be any basis to that charge and any individual who would make it would be talking through his hat. Well, surprisingly enough, that did get some attention. Apparently it even got back to the individual who made the charge because on Wednesday morning, there appeared an interview, an exclusive interview that came over the wire—I have not seen it in the paper to tell the truth, but it came over the wire—an interview with the individual who had made the charge, by the Associated Press. The interview was conducted by reporters Jack Bell and Fred Hoffman. They were asking him about this charge. Here is what he said. They were asking him a question. The individual replied as follows:

> The intermediate range missile bases have a concrete base. I was at no time talking about that—no reference to that whatsoever. When the Defense Department replied, they got that into the picture. Now a great many of those have been bulldozed and broken up and, perhaps, all of them have so far as I know. What I was talking about was the medium range missile sites which do not have a concrete base at all. They are gravel or hard-top in character.

Now, who was it again that got the concrete in? The Defense Department? Oh, no, here it is in the CONGRESSIONAL RECORD. On Thursday, the 31st of January, and I read it again—"There has been no Soviet move to dismantle these concrete sites." And yet on Wednesday he says, "Oh, I never mentioned concrete—no, I was talking about gravel. Of course, the IRBM sites have concrete bases. I was not talking about them. I was talking about the medium range missile pads. They are made of gravel or black-top construction or macadam or asphaltic concrete or whatever you want to call it."

Well, the fact of the matter is—and I think if you watched television last night you saw it—the fact of the matter is that the medium-range missile sites that were constructed in Cuba, and that is what we are talking about here, those previously constructed, also had concrete and you saw in the pictures last night the concrete and you saw the concrete broken up; and when the portions of the medium-range site were sitting on the dock waiting to be loaded, Mr. Hughes, the Department of Defense intelligence expert pointed out how these launching rings for the MRBM had been torn from their concrete bases. So where does the gravel come in? Not certainly from the intelligence service of the U.S. Government—not from the pictures—not from any facts. But nobody was talking about gravel in the CONGRESSIONAL RECORD on January 31 and in the subsequent TV, newspaper, and magazine publicity, and the fact is there never was any gravel or black top in the intelligence pictures taken over Cuba.

I think we should nail this thing down right now because if someone is going to charge anything about the intelligence service of our Government, then certainly he should know what he is talking about, and if someone is going to frighten the American people and destroy their confidence in what their Government is doing, then he ought to know what he is talking about. And yet, here we see he is just talking nonsense because on the 31st of January he is talking of concrete and on the 5th of February he is talking about gravel.

A little bit reminiscent, if I may say so, of the late Senator Joe McCarthy, who sometimes said one thing one day and another thing another day.

Now maybe the gentleman who made this charge would say, "Well, there is the word 'concrete' in the CONGRESSIONAL RECORD—that is right. But that was just an oversight. I didn't really mean concrete. I just got it in there by mistake." And, Mr. Speaker, it is true that the word "concrete" does not appear in the charge that appeared subsequently in the newspapers. The word "concrete" had been stricken and it is also true the word "concrete" had been stricken in the U.S. News & World Report article. So maybe he might claim that one of our good friends who was recording the deliberations of another body somewhere had just made a mistake. Oh, no, no, no. Here is a clipping from the Rochester Democrat and Chronicle dated February 1, 1963. It refers to this same speech, this same charge, and it says that after his speech the individual who made that charge was asked by a reporter, Edmund B. Lambeth of the Gannet News Service, to describe the sites and remaining equipment and their maintenance.

He replied to Mr. Lambeth that the sites and the equipment he referred to were concrete emplacements.

There is no mistake about that. It was not a slip of the reporter:

> Concrete emplacements with embedded metal attachments.

Then a little further on in the Rochester Democrat and Chronicle story we read:

> The medium range missiles believed to have been removed were fired by mobile launchers.

Actually they were not set up for firing from mobile launchers in Cuba. They had concrete bases.

Asked whether he had evidence of where the mobile launchers were physically located on the sites, this individual is quoted as saying:

> No, I don't, but the concrete emplacements are still there.

Here he was talking to reporters after the speech, so there is no error in transcription:

> The concrete emplacements are still there.

I challenge any fairminded American who looked at the television broadcast last night to say that the concrete emplacements are still there. If that presentation was not a refutation, a sweeping refutation of the gentleman's original charge, then I cannot read the English language.

I have heard it said that the individual who made the charge said that if anything he had said was disproven he would eat his hat. Well, I think we in this body can look for a good deal of hat eating around here in the days ahead.

Mr. Speaker, I think I have said enough now to indicate that our Defense Department is still safe, fortunately, that our intelligence agencies are still in good hands, and that we would be well advised to continue to entrust the collection of intelligence, its evaluation, and its dissemination to the duly constituted agencies of our Defense Department. I think it is quite clear that an individual who cannot tell the difference between a medium range ballistic missile and an intermediate range ballistic missile, or a person who cannot tell the difference between concrete and gravel, or a person who cannot recall on the 5th of February a sweeping charge he made on the 31st of January, is not the kind of person we want to take over the top operation of our intelligence services and supersede those who have been duly constituted by our Government to handle these matters.

As I say, any individual is welcome to have any source of information he wants—revelation, dreams, myths, fiction; but, believe me, when it comes to maintaining the security of this country in time of peril—oh, let us not make any question about that, we are certainly facing peril here, there is no question about that; when you look at what was facing us in Cuba you realize that there was peril and there is still peril—but when we are facing a time of peril this is precisely the reason why we cannot now turn our intelligence services over to fiction and fancy and to whimsy, but we must base their conclusion on hard and established facts.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. STRATTON. I am afraid I do not have time to yield. I have a couple of other points I am very anxious to make. I am sorry.

Mr. Speaker, this is a matter that transcends party. We are facing the possibility of serious action at any time. The individual who made the charges that were quoted a moment ago is also quoted as saying:

> I am not at this moment advocating a specific course of action.

How easy it is to be an armchair strategist. How easy it is to talk about things when all you have to do is fill pages of the RECORD or to get headlines in a newspaper. But, Mr. Speaker, when you have the security of 180 million people in your hands, when you have been through once and are likely to go through again the threat of nuclear warfare, as President Kennedy went through it in October with great courage and great determination and got the thanks, applause, and respect of the people of America as well as the freedom-loving people around the world for his forceful leadership, then you are not going to base your actions on the kind of flimsy thing I have been analyzing here this afternoon, you are going to look for hard facts.

Oh, it is all right to play legitimate politics. We all play politics at times, and sometimes we even play politics on the floor of this House, and I think, frankly, Mr. Speaker, there has been a little more of this play in the past few weeks on the left side of the aisle, if I may say so, than I have seen here in some time. It is all right to play politics; it is all right to try to undermine a party, even the Democratic Party; we are all fair game. But there is no right, on the part of any responsible individual, any responsible American, to try to undermine the confidence of the American people in our Government, in our defense intelligence service, or in the Department of Defense, at a time when we face a Soviet threat 90 miles from our shores. Let us not pursue personal gain or personal aggrandizement, and let us not be making irresponsible charges that do not even stick together, that do not even make sense, that cannot even be remembered from one day to the next. This is the kind of thing that undermines our national security and gives aid and comfort to the enemy.

I sincerely hope, Mr. Speaker, that the individual that made them, as an honorable gentleman, will admit publicly that he was wrong when he claimed that Secretary McNamara had not disputed any of his specific claims. Otherwise he surely forfeits the confidence of the people that he represents. We cannot deal effectively with the Communist threat if we are going to have people sniping irresponsibly and trying to undermine established agencies of Government on the basis of nothing more substantial than the flimsy, evanescent, off-again-on-again evidence I have revealed here today.

Mr. Speaker, some years ago a Member of the other body was censured for actions unbecoming that body. I certainly hope that as the result of some of the activities that have been going on in recent days, that there will not be a repetition of that action in days to come on the floor of the Senate of the United States.

NATIONAL SERVICE PROGRAM

The SPEAKER. Under previous order of the House, the gentleman from

Iowa [Mr. Gross] is recognized for 15 minutes.

Mr. GROSS. Mr. Speaker, on January 19, 1963, I received the following unsolicited letter from the Office of the Attorney General and signed by David L. Hackett, special assistant to the Attorney General:

> January 18, 1963.
>
> Hon. H. R. Gross,
> *Congress of the United States,*
> *House Office Building, Washington, D.C.*
>
> Dear Congressman Gross: Enclosed are two copies of the report to the President on a national service program. As you know, the President appointed a Cabinet-level committee to make a recommendation on the feasibility of such a program.
>
> In the course of this study, we contacted several hundred organizations and individuals in a wide variety of areas. In almost every case, these groups indicated interest in and support for the concept of a service program.
>
> We will very much appreciate your comments and suggestions regarding this proposal.
>
> Sincerely,
>
> David L. Hackett,
> *Special Assistant to the Attorney General.*

On January 29, 1963, I responded to Mr. Hackett's letter as follows:

> Mr. David L. Hackett,
> *Special Assistant to the Attorney General,*
> *Washington, D.C.*
>
> Dear Mr. Hackett: Reference is made to your letter of January 18, with which you included copies of a Report to the President on a "national service program."
>
> Since I am unaware of any action by Congress authorizing a "national service program," can you tell me the source of the funds used for the preparation of this report? Also, please advise me of the total amount spent.
>
> According to an Associated Press dispatch in the Washington Evening Star of January 28, "youthful planners" are already at work on the program in a "few top story rooms at an old house on Jackson Square."
>
> How many planners are at work, and what is the salary level of each planner? From what funds are they being paid?
>
> Sincerely yours,
>
> H. R. Gross.

Today, I received the following reply from Mr. Hackett:

> Dear Congressman Gross: Thank you for your letter of January 29 concerning the proposed Domestic Peace Corps. I would also like to take this opportunity to express my appreciation to you and Congressman Devine for your visit on January 30.
>
> Congresswoman Frances Bolton wrote to the Attorney General on January 30 raising some of the same questions raised by your letter. A copy of the Attorney General's reply to Mrs. Bolton is enclosed.
>
> The 10 agencies assigned by the President to prepare a report concerning the desirability and feasibility of establishing a domestic service program have cooperated in this activity in accordance with his instructions. Each agency has developed data within its own area of concern and contributed its ideas to the report.
>
> I have no reliable information as to the number of persons the various departments and agencies may have assigned to the development and presentation of data in connection with the preparation of this report, their respective pay scales, or the amount of time they devoted to this activity; however, it is my understanding that this work was accomplished as a part of the regular activities of the persons involved and without significant disruption of their regular duties.
>
> If we can be of any further service to you, please let me know.
>
> Sincerely yours,
>
> David L. Hackett,
> *Special Assistant to the Attorney General.*

At no place in Mr. Hackett's letter to me or in the Attorney General's letter to the gentlewoman from Ohio [Mrs. Frances P. Bolton] are specific answers provided to my questions. He does not see fit to advise me of the number of youthful planners already at work on a national service program. Neither will he tell me the salary level of each planner nor the source of the funds from which they are being paid.

Despite the evasiveness of Mr. Hackett's reply, I can assure my colleagues that there are in fact "youthful planners" at work to get this latest New Frontier boondoggle rolling—even though Congress has never authorized a Domestic Peace Corps, a national service program or whatever the new Robert Kennedy baby is to be named.

On January 30, the distinguished gentleman from Ohio [Mr. Devine] and I paid a visit to the Domestic Peace Corps nursery, which is located in top story rooms of a building at 736 Jackson Square—just a stone's throw from the White House. This is what we found:

We found among other things that the start of this so-called Domestic Peace Corps is already an accomplished fact in the minds of the youthful planners as they are called. There is no question about that. They are off and running.

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to my friend from Ohio.

Mr. DEVINE. On the afternoon of Wednesday, January 30, 1963, just before 2 o'clock, the gentleman from Iowa [Mr. Gross] who is presently addressing the House and I paid a visit to this national service corps, or Domestic Peace Corps, or whatever it may be called. We found it located on the third and fourth floors of an old-type residential building that now apparently has been acquired by the General Services Administration. The first two floors, I believe, are occupied by some music organization; 736 Jackson Place is located on Lafayette Square.

As we entered the third floor of this walkup office structure, we found quite a number of desks and quite a number of papers strewn around the various desks and maps on the wall outlining each congressional district in the United States. We made inquiry of some of the girl secretaries who were occupying office space and they advised us that there was a Mr. McClure apparently in charge in that local facility. We were introduced to Mr. Don McClure who treated us quite cordially and attempted to conceal nothing particularly, and he in turn introduced us to a man, I believe by the name of Ellinger.

Mr. McClure advised both the gentleman from Iowa, Congressman Gross, and I that he was on loan from the Peace Corps which incidentally is located at 806 Connecticut Avenue, just a few doors from the Domestic Peace Corps offices. We asked him how much time was spent there and he said he usually reported at the Peace Corps in the morning, then he came over on loan and spent all day long at the Domestic Peace Corps and sometimes in the evening he would check back at the so-called foreign Peace Corps. Mr. Ellenger, I believe, was attached to the staff of the Attorney General. They both indicated to us that the entire operation was under the guidance and control apparently of the author of the letter to which the gentleman from Iowa has alluded, a Mr. Hackett in the Attorney General's Office.

They also indicated that there was another man in some type of supervisory capacity by the name of Boone. Upon inquiry as to the number of persons engaged in this particular operation they said that they imagined there were around 18, and I think they went up to about 22. They stated that these employees were on loan from various departments of the Government, including HEW and the Department of Justice, or the Attorney General's Office and the Peace Corps. They said they had been in operation, I believe, at this particular location, since November 17, 1962.

Mr. GROSS. That is right.

Mr. DEVINE. Of course, as the gentleman knows, our interest in this was, How could there be in existence a national service corps, or a Domestic Peace Corps at this time without an authorization of the Congress of the United States? The purpose of our inquiry was to find out how many people were there, what they were doing, and who or what group of taxpayers were paying the salaries of these persons.

I might say upon inquiry that they said they had corresponded with a number of organizations across the Nation. We asked them on whose letterhead they directed their inquiries, and they said that they were written on the letterhead of the Attorney General of the United States.

I merely put that in the Record so there is no question of the purpose of our visit, when it occurred, and what we did.

Mr. Speaker, I thank the gentleman for yielding.

Mr. GROSS. Mr. Speaker, I thank the gentleman for his observations concerning this matter.

This Mr. McClure from the Peace Corps said that he was there full time getting this show on the road, and when questioned as to how the Peace Corps could operate without a man of his dimension on the job, he being a full-time employee of the international Peace Corps, he said, as my good friend from Ohio has just related, that he stopped at the office in the morning and made certain checks and then came on over to the office of the Domestic Peace Corps.

Of course, the staffing of this outfit on Jackson Place on the basis of loaned personnel means that other departments of Government must be liberally overstaffed with stenographers and organizers, and what-have-you. Congress ought to be interested in finding out how they obtain these surplus employees they have available to move around with the greatest of ease throughout the Government.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. SCHWENGEL. Did the gentleman inquire of this group of people whether or not this development was the result of any studies or any contact with the youth organizations in America whose principal objective concerns the youth of America, and who have definite programs to develop character and help take care of their leisure interests, and to do those things that build for good citizenship, et cetera?

Mr. GROSS. They claimed to have contacted many organizations over the country. I could not say whether they have contacted any specific organization.

Mr. SCHWENGEL. I am interested in whether or not the Boy Scouts or the Girl Scouts were contacted.

Mr. GROSS. I do not know. I cannot answer as to that. I do know that they said that they had contacted many organizations across the country.

Mr. SCHWENGEL. Does not the gentleman think it would be better for us to show an interest in the programs now established to do the job that they say they want to do?

Mr. GROSS. I quite agree with the gentleman.

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. DEVINE. I might add that they—Mr. McClure and Mr. Ellenger—provided us with a pamphlet indicating an outline of the President's study on, I think, juvenile delinquency. They also gave us a mimeographed sheet with questions and answers.

There is one thing to which I would specifically like to call to the attention of the membership, and that is at page 1875 of the CONGRESSIONAL RECORD of February 6, 1963, where they will find a very fine breakdown by the senior Senator from Ohio in connection with the operation of the so-called national service organization, or Domestic Peace Corps.

In addition, I am wondering if the gentleman is aware, in speaking of the Peace Corps generally, of quite a gala entertainment or reception of some kind or other that was held about a week or 10 days ago at Duke Zieberts to celebrate the acquisition of this fine Washington Redskin quarterback as a member of this organization. I understand from the papers recently he was hired at $75 a day, then, for some reason, he decided or was persuaded that he was a volunteer. I thought in our general inquiry we might find out who picked up the check for this lavish entertainment.

Mr. GROSS. I assume that came out of the representation allowance of some Government agency. Some of us have been opposed to these lavish entertainment funds which are provided by the taxpayers.

There is still another interesting development in this Domestic Peace Corps story, for now it is revealed as a result of the diligent work of a Member of the other body that on August 1, 1962, the Department of Health, Education, and Welfare made an outright grant of $250,000 to an organization known as Associated Community Teams, Inc., with offices at 179 West 13th Street, in New York City. Of the total grant of $250,000, another distinguished Member of the other body reports that $157,080 is to be spent for personnel, or more than one-half of the total grant. This is fantastic.

The Department lists one of the incorporators of Associated Community Teams, Inc., as ADAM CLAYTON POWELL, Congressman, Minister.

I might say in passing that I endeavored to contact Mr. POWELL early this afternoon to tell him I would use his name on the House floor. I was informed that his whereabouts is unknown to his office. I was totally unable to contact the gentleman. There are newspaper reports to the effect that he is at his residence in Puerto Rico. In any event I learned nothing of his whereabouts.

I repeat, Adam Clayton Powell, Congressman, minister; Livingston L. Wingate, associate counsel for labor-management, Committee on Education and Labor; David D. Jones, Deputy Commissioner of Correction; Jawn A. Sandifer, attorney, civic leader; and Jose Ramoz Lopez, assemblyman, New York City.

This grant allegedly was made for the purpose of developing the nucleus of a Domestic Peace Corps. There is a serious doubt, in my mind, at least, that the Department had the authority to make the grant, coming as it did from an appropriation specifically earmarked for the study of juvenile delinquency.

Perhaps it is appropriate to mention that it will be the House Committee on Education and Labor, chairmaned by the same gentleman from New York, Mr. ADAM CLAYTON POWELL, which will consider Domestic Peace Corps legislation, providing, of course, that the President and the Attorney General condescend to consult the Congress about it. In view of what has happened thus far, there is some reason to doubt that they will bother with anything so "unimportant" as obtaining congressional approval for a program which obviously already is on the road.

NATIONAL ACTORS' EQUITY WEEK

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I call the attention of my colleagues to a joint resolution I am introducing today to designate the week of May 20–26 as National Actors' Equity Week.

I am delighted to join my distinguished colleague from New York [Mr. LINDSAY], in the sponsorship of this resolution. And I wish to take this opportunity to commend the distinguished gentleman for his interest, concern, and activity on behalf of all phases of the performing arts. I am privileged indeed to join with him in this step to give proper recognition to the performers in the American theater.

The dates designated in this resolution have a special significance, for it was on May 26, 1913, that a group of leading American actors and actresses, dedicated to their art and determined to improve the status of those in the theatrical profession, formed Actors' Equity. It is most appropriate that this resolution is presented in the Golden Jubilee Year of Actors' Equity.

Equity's concern has been not only for the stars and featured performers on the American stage. It has fought also for the welfare of the "bit" players, the members of the chorus, and the other performers whose names are not displayed in lights but who have done so much to bring entertainment to the American people.

The progress of the American theater in the past half century is due in no small part to Actors' Equity. Not only has Equity won for theatrical performers such benefits as decent wages, standard contracts and better working conditions, but its insistence on the highest artistic standards has been a major contribution to the climb of the American stage to its present preeminence in the world.

I urge my colleagues to support this resolution—as an official recognition of what Actors' Equity has done for its members, for the public, for the performing arts, and for America.

DOMESTIC PEACE CORPS

The SPEAKER. Under previous order of the House, the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 30 minutes.

Mr. SCHWENGEL. Mr. Speaker, before I begin to speak on the subject that I intend to speak on, I want to say I am glad my colleagues, the gentleman from Iowa and his friend, the gentleman from Ohio [Mr. DEVINE], have gone to the trouble to investigate this Domestic Peace Corps and make known to us and to the people of the United States their findings. In this, I think they have performed a very fine public service.

Mr. Speaker, I have noted the development of this program. I have been interested because I have been interested in youth programs of all kinds ever since I have been in public life. In the early period of my life after I graduated from college, I was a high school teacher and a coach. I have been identified with the Boy Scout movement and a number of youth organizations, and since I have been in the Congress I have continued my interest in these youth programs by cooperating with institutions and organizations that want to help to educate boys and girls to become better citizens. We have a project in our office known as the "Week in Washington" project which we carry on in cooperation with the Iowa Center for Education In Politics of the University of Iowa which brings students to Washington. While they are here they live with Mrs. Schwengel and me. While they are here we try to help them to get experience of government at this level—which is designed to capture their interest in government and we hope as a result that they will become better citizens—and inspire them to pass on the benefits of that experience to other men and women with whom they associate at the grassroots level, and to realize the importance of this great system of government that we live under. So I could not help but have a great interest in this program. Everybody wants to do something for the young people and to give them advantages that they could have and should have. In doing so, in my opinion, we should cooperate with those organizations and those people who have a great interest in this and who are willing to stand high and cooperate in every way to do something about the problems that this proposed Peace Corps at the local level wants to do something about.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I am glad to yield to my colleague, the gentleman from Iowa.

Mr. GROSS. I am sure the gentleman would agree that in attempting to attain that goal that we should not support a program where a $250,000 grant is made, knowing that $157,080 of that amount is to be spent on salaries. That is scarcely taking care of the juveniles—rather, that might be taking care of adult delinquency—one might think about that.

Mr. SCHWENGEL. Yes, I am very much aware of that and I totally agree with the gentleman from Iowa in his position on this. I hope the gentleman continues his investigation and makes known to us and to the people his findings.

THE PROPOSED WORLD CONFERENCE OF HUMANISTS

Now, Mr. Speaker, I want to speak for a few minutes, if I may, on the conference of humanists that has been proposed by a distinguished American. To me this proposal is as brilliant and appropriate as it is unique. For it is unique in its purpose. This meeting proposes to bring together the most illustrious world figures from the field of the humanities, that is, the students of human nature and human thought, the men learned in the classics of Greece and Rome, men learned in literature, in philosophy, in history, and in ethics.

According to the plan, as I understand it, they would gather for the purpose of finding some solution to the terrible muddle that this world we live in finds itself in at this time. The solution, specifically, should be a formulated plan to keep international morality ahead of, or at least abreast of, man's probings in the physical universe—a wonderful thing to happen in that atmosphere that became great because its early leaders saw and revealed and promoted the values inherent in the humanities.

Of course, you know, I am speaking of my country.

This proposal is put forth not by a visionary man; rather by a man of vision, a man whose vision has been applied and approved and proved practicable, and his genius has been combined with a concern for humanity. It is proposed by Adm. Lewis L. Strauss, who took part among other things in that wonderfully human and decent act by the United States of feeding the hungry after World War I, and who in World War II proceeded from a major role in the development of the atom bomb to the instigation and initiation of the atoms-for-peace program.

It is logical that an effort to turn men's minds from contemplating the fear of a nuclear holocaust, which obsesses many, the possibility of total destruction which would result to all civilization, a sorched earth from which life might never rise again—it is logical that the task should be put in the hands of those who know most about the eons of time that it took to develop that civilization. The students of the humanities would realize most profoundly that the oldest forms of writing, the cuneiform inscriptions, start the story for us. Homer, the bard, is the first link in the unbroken line of literary and philosophic thought that the humanists trace when showing us that all civilization has a common origin the Greco-Roman, the Judaic-Christian, and the medieval traditions. Although to some extent antedated by the Jewish writers, the foundation of the culture of present-day Europe and America was laid by the genius of the Greeks, adopted and elaborated by the Romans, modified and preserved by the Judaic-Christian cultures, defended through the Middle Ages by the church, reborn in the Renaissance, to be modulated and expanded—almost beyond recognition—in modern times.

The main currents of thought can be traced through the stories, the situations, the characters, as well as the allusions in different ages and countries. The historical significance is inescapable. What seems like masses of unrelated material takes on shape and meaning and historical significance when an unbroken thread can be traced from Homer to Virgil, to Dante, to Shakespeare and Milton, to Marlowe and Goethe; when Faust reflects the "Book of Job"; and Ibsen's plays show the influence of the antiquities.

Were the civilized world today to take time to consider the value of its heritage, the centuries of development necessary to produce its rich endowment, its pervasive dependence upon the thread of culture that persisted in spite of the prevalence of violence and the destruction of empires that fill our history books, there might be some true realization of the necessity of preserving what has taken millenniums to build. The current preoccupation with physical survival might better be directed toward an appreciation of the fact that a moment's demolition may destroy the cultural heritage of all time.

While fallout shelters have long impressed me as products of a maginot line mentality, let us suppose that some of them might prove effective in a thermonuclear war. What would the survivors have to return to?

All physical considerations aside, to what sort of world would they emerge? To what would their minds turn? For Plato reality is not to be found in the objects around us but in ideas. To what would the thermonuclear survivor turn for ideas? His heritage of thousands of years would have been wiped out. Must he start as Homer started—blind, a wanderer—a bard to sing of things remembered, wasted decades, wasted centuries, wasted aeons—by an ion.

Writing of the age of the Greeks, Will Durant said, "From that obscure age to our own time and place the history of civilization has been the adventure of human reason." Our own experience as Americans gives eloquent testimony to an adventure of human reason almost beyond imagination. Surely human reason today, the product of that history of all civilization, is capable of saving itself, and capable of saving for itself the heritage of the ages.

Among the many lessons of philosophy none is more apt than that which teaches us that the art of regulating ourselves is basic to the art of regulating the world.

A conference of the humanists could serve the world in various ways conjunctive with the primary purpose set for it. As reminders of the gifts to man of all time—literally from the beginning of time, from all places, all cultures, all ages, their task would be not only to stimulate the will to preserve the rich heritage, but to stimulate the desire to emulate it. Above all, however, their purpose must be to set in motion a reappraisal of the set of values that men live by, to place in proper perspective the standards of behavior—not in the narrow sense, though it is hoped that that would follow—but in all the fields to which the paths of humanism lead.

To be more specific, are the standards of art to be set by the measure of publicity an objet d'art receives? I refer, of course, to the recent spectacle of tens of thousands of spectators who lined up to see what was indeed among the finest of all art objects—and this is significant—but which was hung among many splendid, famous, and beautiful objects of its kind which received not a passing glance from the majority of these same tens of thousands who visited the art gallery in Washington, D.C.

Are our schoolchildren to continue to be taught according to the location in which they happen to be put rather than the level of education of which they are capable? An equalization of opportunity is the true standardization which should be met. The educators are certainly not chiefly responsible; society as a whole needs to be reminded along this and the many lines that the humanists can pursue.

And, speaking of education, how long are the courses in education—with a capital "E"—how much longer are they going to provoke such comment as that in a recent journal to the effect that "Education Continues To Deserve the Scorn It Gets?" When is there to be a reappraisal of courses for the teachers of the taught? A lead article in the American Scholar in the spring of 1960 commences with the remark: "This is an age that inspires little enthusiasm." To me this seems a sad and unnecessary state of affairs. To be sure, enthusiasm often depends on the personal capacity for it. Yet it is, indeed, capable of stimulation. Here, indeed, is a cause for our humanists to pursue. The author of the article himself reaches a wise conclusion, and one which coincides with our theme.

He says:

> our deepest need is not to propose specific reforms, but rather to create an intellectual and cultural atmosphere in which it is possible for men to attempt affirmation without undue fear that valid constructions will collapse through neglect, ridicule, or their own inherent errors. We need a generous tolerance for synthetic and constructive formulations. Instead of concentrating on the possible bad motives from which they arise. We must reappraise our current concepts and interpretations of man and society. * * *

In endorsing the present proposal for a Conference of Humanists we quote a paragraph so apt that it might have been written to further the idea, though actually it appeared a decade ago. We conclude our comment with the following partial quotation—

> If we aim at a world republic of law and justice, we must recover and revive the great tradition of liberal human thought, rethink, our knowledge in its light and shadow, the world republic of law and justice is nothing but the political expression of the world republic of learning and the world community.

Since those words were written the necessity has been thrust upon us by the thermonuclear age of finding the means of saving from destruction all tangible and intangible evidences of this great tradition of human thought and humanity itself. The humanists can most clearly present us with the wisdom of the ages.

Mr. Speaker, if there is anything that can save us it is the wisdom that can come from a conference of this kind.

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a copy of a speech delivered by Adm. Lewis Strauss.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The matter referred to follows:

REMARKS OF LEWIS L. STRAUSS, WORLD AFFAIRS COUNCIL, PHILADELPHIA, PA., JANUARY 18, 1963

Mr. Chairman, ladies and gentlemen, it is a great pleasure to come to Philadelphia, one which I enjoy much too infrequently. I hope you will understand that it is meant as an endearment when I say that, in many ways, Philadelphia reminds me of Richmond, Va., where I was raised. In spite of the greater size and importance of your city, there is a shared reverence for what is beautiful and good in old ways and customs. You have halted the bulldozer and housewrecker before they could demolish the evidences of a more contemplative and graceful way of life. Yet, on the very next street, one finds here the throb of giant commerce, and your temples of education and research are as advanced as tomorrow.

I was here most recently only a short time ago, during the Christmas holidays, to present a paper before one of the sections of the American Association for the Advancement of Science. I had been asked to speak on the "Genesis of the Atoms for Peace Plan" which, you may recall, was based in 1953 upon the assumed rarity at that time of the element uranium. What I would like to discuss with you today might well begin at that point in time also.

President Eisenhower had come into office with very strong feelings about the hazard to humanity as a consequence of our invention of atomic weapons, especially the fact that their use in warfare had been initiated by us. He had been an observer at the Potsdam Conference in July and early August 1945, at which the employment of the weapons against Japan had been agreed upon between President Truman and Prime Minister Churchill. The fateful decision then had been communicated to the enigmatic tyrant who ruled Russia. Even before those ominous days, General Eisenhower had known of the atomic research project. Officer messengers had come from Washington to his oversea headquarters to bring him the supersecret information as to its progress.

At that time, the soldier, statesman, commander of the Allied forces in Europe had some faint hope that if we never used the weapon for war, other nations might remain in ignorance of the fact that its development had been achieved. He did not then know that security in this vital matter had been breached—that Soviet spies had penetrated our weapon laboratory in Los Alamos. The traitor, Fuchs, was only one of several.

Then after the two bombs had been dropped on Hiroshima and Nagasaki, the general was profoundly concerned by the impact of this revolutionary change in warfare. In an instant, as he viewed it, the old concepts of war had been swept away. The purpose of an aggressor nation thereafter might well be to stock atomic bombs in quantity for a devastating surprise attack while the defending country would launch its store of atom bombs against the attacker's homeland. As the general looked about him, even the bombed ruins of Germany seemed but a faint forecast of what war in the future might mean. "I gained hope," he wrote in his memoirs, "that this development of the ultimate in destruction would drive man to find a way of eliminating war." He even speculated that where statesmanship had not been successful, universal fear and the instinct of self-preservation might find a way.

On January 20, 1953, after taking the oath of office on the steps of the Capitol, the new President turned to the microphone: "In pleading our just cause before the bar of history," he announced, "and in pressing our labor for world peace, we shall be guided by certain fixed principles. These principles are: First, abhorring war as a chosen way to balk the purposes of those who threaten us, we hold it to be the first task of statesmanship to develop the strength that will deter the forces of aggression and promote the conditions of peace. In the light of this principle, we stand ready to engage with any and all others in joint effort to remove the causes of mutual fear and distrust among nations so as to make possible drastic reduction of armaments. The sole requisites for undertaking such an effort are that in their purpose they be aimed logically toward security for all; and that, in their result, they provide methods by which every participating nation will prove good faith in carrying out its pledge."

President Eisenhower was obsessed with the absolute necessity to find some means of ending the threat to civilization from allout nuclear war. The forces of diplomacy had been at work, although fruitlessly, ever since 1946 with that goal in view.

First, there had been the United Nations Atomic Energy Commission established in the year after the United Nations itself was founded, founded some of us may wistfully remember as an instrument committed to the principle of peaceful negotiation among nations. Those were the days when our hopes for the United Nations never included any premonition that it would ever coerce a political decision by itself resorting to armed force.

It was in the presence of the United Nations Atomic Energy Commission that our delegate to it in 1946, Mr. Bernard Baruch, had said: "We are here to make a choice between the quick and the dead. That is our business. Behind the black portent of the new atomic age lies a hope which, seized upon with faith, can work our salvation. We must elect world peace or world destruction."

Our proposals were then put before the United Nations. Unhappily, they were not seized upon with faith. Had they been, they would have provided safe, international control of the entire development of atomic energy all the way back to the mines where the ores of the fissionable elements were produced. The sword which now hangs over the heads of all men would have become a universal plowshare for peace. But Soviet negotiators employed every parliamentary tactic to block the adoption of the Baruch program and for reasons we could not then fathom. Later these reasons emerged.

Diplomacy failed in 1946 in spite of the fact that we had offered to give up our atomic advantage, indeed, it was a monopoly, if nations would only agree to a safe, inspected plan of international control of this great new force. As a matter of fact, the nations did agree except Russia and its satellites. Diplomacy, compelled to accept the defeat of the Baruch plan, has since accepted many other rebuffs, without wavering in the hope that eventually reason would prevail.

In the 15 years since the Baruch proposal, there have been a procession of diplomatic negotiations; negotiations for total atomic control, for atomic weapon disarmament, for general disarmament, for the cessation of nuclear weapons testing, and for the founding of an international agency to deal with the peaceful atom. The statesmen have been kept busy. Their meetings on this subject have taken place, usually, in Geneva where they have become almost institutionalized. Our consulate general at Geneva is staffed about as completely as are some of our embassies. There is entertaining back and forth between the delegations. There is protocol, rotating chairmanship, agendums, and proposals which, after a few months, no one apparently ever looks at again. For instance, the recent Russian offer of three onsite inspections has been described as "new" and a "breakthrough." It had been proposed and rejected as inadequate back in 1960.

Meanwhile, certain events have occurred that are irreversible. First. Our monopoly has been lost. Gone forever is the opportunity to state, as President Truman did within a week of Hiroshima, "The atom bomb is too dangerous to be loose in a lawless world. We must constitute ourselves trustees of this new force—to prevent its misuse and to turn it into the channels of service to mankind. It is an awful responsibility which has come to us." It was indeed. We can no longer demand, as then we could, that other nations join us in shackling this terrible threat by internationalizing its control. We are no longer able to insist upon that aim for the salvation of humanity. Second: Our wartime ally in the East began a series of attempts to deceive us as to his intentions. Vyshinsky, the principal Soviet representative at the United Nations, said that the Soviet nuclear program, in contrast to our own, was solely concerned to remove mountains and alter the channels of rivers. The fact was that Russia had been engaged in developing atomic weapons clandestinely for months before her first test. Fortunately, we had uncovered this deception by detecting the test and, since 1949, we have known beyond any doubt what the assurances of the Soviet Government were worth.

But though the Russians have not always succeeded in deceiving us, our capacity for self-deception has been monumental. We were beguiled into a moratorium on testing—that is to say, on discontinuing improvement of our nuclear weapons. We ceased our tests for 3 years in good faith, while the Soviets, in total disdain of such a bourgeois convention as good faith, continued to produce test explosions underground. When they had reached the point where tests in the atmosphere were essential to their program, they violated the moratorium—without even so much as a diplomatic blush—and staged the longest test series including the largest explosions ever detonated. It took us more than 6 months to recover from that shock to our credulity, even to resume our own tests.

We continued negotiating in Geneva on nuclear test suspension even after that and are about to begin a new round of talks. Presumably, we are again prepared carefully to consider the next round of Soviet assurances that this time they mean it, all based upon mutual good faith. I sincerely hope we will not be trapped into another mutual accord which will again prove to be unilateral. But that is not the way to bet.

You will recall the statement by President Kennedy on October 22, that Soviet Foreign Minister Gromyko had called on him at the White House and had made statements to him which were false. Yet we still negotiate for an agreement on nuclear weapon test cessation to be based upon veracity.

The whole idea of suspending nuclear weapon tests is prejudicial to us. I might digress for a moment to try and explain this. Tests are conducted to see whether new inventions will work. These new ideas are not only new weapons but new weapons systems, that is, the weapon together with its carrier. We have to know whether they will work together. As we have voluntarily foresworn aggression, we will be the defenders if, may God forbid, a nuclear war ever comes. The weapons of the defender must be more numerous and specialized than the weapons of the aggressor. They must be more numerous because many may not survive a surprise attack. They must be more sophisticated and specialized for they can be launched only after the attacker's weapons are on the way and they, accordingly, must be far more accurate for, initially, we must hope that our weapons will intercept and blunt the attack. The aggressor will be aiming at cities. By comparison, our targets will be pinpoints. They must be as clean of fallout as possible for they will be detonated high above our own territory. Thus, if we do not continually improve our weapons systems, our position as defenders would place us at a marked, perhaps a fatal, disadvantage even if a fool-proof test moratorium could be arranged, for there are stockpiles of aggressor-type weapons in existence.

There is, of course, a public demand for a suspension of nuclear weapon testing. The demand was generated by a campaign over several years and supported by propaganda employing statements, some of which were half true or not true at all. These dealt with the effects of fallout. The effects were pictured as: (1) lethal and as (2) genetically horrible. This would be all too true of the effect of fallout from a nuclear war, but false as applied to the experienced fallout from nuclear tests at the rate they have been conducted. Our weapon tests are designed to maintain us in a posture which will discourage a nuclear war. If we stop improving our military devices, our chances of discouraging a nuclear war begin to slide from that moment.

President Eisenhower's atoms-for-peace plan took this fact into account as well as the absence of good faith. It did not postulate that virtue. It was based upon conditions which would require no demonstration of mutual confidence. Among those conditions was the fact to which I earlier referred, that in 1953, uranium was believed to be a very rare element. Though widely dispersed in the crust of the earth, its concentrations were generally in parts per million except in a very few, known deposits. The greatest of these was in the Belgian Congo and, but for it and the friendly reasonableness of the Belgians, we could not have achieved atomic superiority as early as we did. Furthermore, of the known rich deposits, all but one were in the possession of the free world. The Eisenhower atoms-for-peace plan accordingly was a proposal that we would match the rest of the world in contributing uranium to a peaceful stockpile, that stockpile to be administered by the United Nations for the purpose of bringing the blessings of cheap electrical energy to the newly developing countries.

As in every other move we made, the Russians and their satellites dragged their feet so successfully that 3½ years elapsed between the President's inspiring speech to the General Assembly in December 1953 and the date in September 1957 when the International Atomic Energy Agency at last was organized. In the meanwhile, as a result of worldwide prospecting efforts, uranium has been found to be far less rare than earlier had been believed.

I once deplored the failure to reach a point of understanding so that these large amounts of uranium would be placed in the hands of the United Nations where they would be secure forever from use by men to kill other men. Today, one might view that failure as an intervention of Providence. For now, with the United Nations employing planes, cannon, tanks, and bombs in the hands of military contingents commanded by officers who, not long ago launched an unauthorized attack in Katanga, it is well that the means to conduct nuclear warfare is not in their hands.

Like many Americans, I am a supporter of the basic concept of the United Nations, but I am grieved by the events in the Congo-Katanga tragedy where our policy, so eloquently enunciated as being "self-determination, not coercion," is at such variance with our actions. It may not be inexplicable but certainly it has not been explained to the American people.

I have come to the disillusioned conclusion that diplomacy, though well intentioned, seems incapable of exorcising the demonic threat of nuclear war within a hopeful time span. If diplomacy has failed, or should one say, has not succeeded, ought we not turn to science? It was science which led mankind into the nuclear age, science which fissioned the atom, which warned that our Nazi enemies might make nuclear weapons before we did, and which then initiated our weapon program. It was science which successfully solved the great problem of separating uranium 235 from uranium 238; it was science that made the dread weapons; and it was science that confirmed the selection of the doomed cities in Japan. With so much of responsibility and so much of competence, it seemed reasonable to look to science for the answer.

In furtherance of the atoms-for-peace plan and speaking at a meeting of your sister organization, the World Affairs Council in Los Angeles in 1954, I proposed convening a world congress of scientists to promote peace through atomic energy. The following year we had that congress in Switzerland. It was the largest scientific gathering ever to take place. It was attended by many hundreds of scientists from all over the world, and they came together for the first time since before World War II. It was an inspiring and useful meeting, so successful that it was repeated in 1958. While as a result, scores of volumes of scientific papers were published and millions of words were spoken, nothing came of the conferences in the shape of any idea for easing the tensions of the world, no plan for removing the threat of a war which, if ever it comes, will be fought with truly apocalyptic weapons. Both conferences were staged with great formality in the ornate palace of the old League of Nations. There were daily sessions for 2 weeks, and many scholarly papers were presented. Peace, however, was not on the agenda.

Only last June, some 700 people, most of them professional scientists, came together in New York in a meeting styled, "The congress of scientists on survival." Many of us looked with hope to what might evolve from that meeting. In scientific publications which reviewed its results, the congress was described as a great disappointment. It suffered, one reviewer wrote, from "a dearth of hard thought."

Leaving aside for the moment the failure of direct steps to secure peace, there are some who find hope in what is described as a "thaw" in the attitude of the Soviets, ascribable, perhaps, to the rift between Moscow and Peking. Some profess to see Soviet designs on the free world as lessening. I wish I could agree with this wishful thinking. At the very time the Russians were making a great show of removing their rockets and bombers from Cuba, they were testing new multi-million-ton nuclear bombs in Siberia. Which event is of most significance to us? Obviously, the latter, although it passed almost unnoticed in the flood of euphoria which filled the dispatches about the "retreat from Cuba." Parenthetically, 3 months later there are reliably reported to be 15,000 Soviet troops still there as good neighbors, although this report may be false. At any rate, our Government as of this morning has not confirmed it.

On the other side of the world, Peking may or may not be at odds with Moscow which are irreconcilable, and Khrushchev may give Mao no bombs. But experience has taught us, or should have, that a dictatorship can sharply focus its scientific and technical capabilities to a single objective at the expense of others and, in this manner, accomplish more than might be expected. In consequence, regardless of whether a rapprochement between the two great foci of Communist ideology occurs, I should not be surprised to see the Chinese testing their own atomic weapons at a date much closer at hand than has been predicted—perhaps within a year or two.

Uranium may very well have been found in the great landmass controlled by China. It would be surprising if this were not so. There is enough in open literature about atomic weapons to inform the Chinese of the early designs of bombs. Such primitive models may not even limit them, for there are Chinese scientists who have been educated in the universities of England, Germany, Russia—and in our own country—and who are highly competent.

In consequence, the threat of atomic war may soon be visible across the frontiers of a number of nations whose ambition to achieve prestige and status by becoming members of the "nuclear club" is persuading them to spend a large part of their resources on such weapons.

As the danger grows, one is inclined to brood in the night hours and to ponder whether there is anything which might be done, but as yet untried. Is there not some course we may take to avert the coming of a day when, through error, through accident, through misjudgment, through some failure, mechanical or human, forces will be unleashed impossible to recall, nullify, or abort?

At the International Scientific Conferences on the Peaceful Uses of Atomic Energy to which I have referred, there were representatives from every country in the fields of physics, chemistry, medicine, biology, engineering, metallurgy, agriculture, geology and all the other disciplines. There was no representation from the humanities however, save in those few unusual instances where some individual provided, in himself, an ambivalence of interest, accidental to the overall design. And though the aim of the conferences was the exchange of data and of ideas for future achievement which would advance the whole world toward the goal of the fullest use of the benign possibilities of the atom, there was lurking behind the scenes the certain knowledge that the destructive possibilities of the atom, unless curbed, could cancel every peaceful prospect in an obliterative holocaust.

Has same stone been left unturned? Is there something that might yet be done to discover whether somewhere in human ingenuity there is a key? Surely, the great majority of all men and women in every land must desire, passionately, a sure way to peace.

Dr. Paul Tillich, the venerable theologian, taking as his text verses from the 4th chapter of Jeremiah and the 24th and 54th chapters of Isaiah, sees the world as now arrived upon the threshold of that apocalyptic moment foreseen by the prophets where, having found the secret to unlock the fiery forces bound by Divine Providence within the atom—so that life could develop—man has begun to subject these forces to his will, and his will, initially, being the will to destruction. In his homily, "The Shaking of the Foundations," Dr. Tillich points to the crying need to discover something more than natural laws, something more than diplomacy or than science, some means of equating man's progress in the use of nature with his progress in education and the development of moral forces.

But short of a religious revival for the whole world, which seems too much to count upon, is there anything that we can do? I think there is. Before it is too late, I would like to see one more conference among the nations, different from the Conferences on the Peaceful Uses of Atomic Energy about which I spoke a moment ago, different from the gathering of statesmen and diplomats in San Francisco in 1945 which created the United Nations. What I have in mind is a conference in which men might consider what we will lose if an atomic war should come, all the accumulated treasure of art and culture and civilization, a conference that may kindle a light to show the way out of the deep darkness that shrouds the years into which we are heading.

What do you think would be the effect if our Government were to announce that we proposed to convoke a great world congress in the area of the humanities; that to it would be invited the outstanding figures from all nations in sociology, in philosophy, in economics, in history, in ethics, in the humanistic studies generally, men of the stature of Albert Schweitzer, of Paul Tillich, of Father John LaFarge, of Louis Finkelstein, of Reinhold Niebuhr and Theodore Hesburgh, that they would come together to consider whether some plan might not be formulated for the peoples of the earth by which man's international morality could be kept abreast of his discoveries in the physical universe?

I realize that this suggestion can be scoffed at, laughed out of court as visionary. It will be asserted that the men invited to such a gathering, by their backgrounds, their education and their habits of thought, all would be impractical people, called upon to deal with a situation which demands pragmatism, that, in any case, they will have nothing more to contribute as a body than they have been able to give as separate individuals.

In rebuttal to this, I would submit an analogy from the area of physics. A single atom of uranium 235 is, by itself, ineffective, but a sufficiently large number of these atoms become what is now known to science as a "critical mass." In that condition, a chain reaction can originate, transforming all of them.

So it may be that in such a conference of humanists, an idea born of an inspiration, which we cannot now even imagine, may produce a new phenomenon. And if such a conference accomplished nothing, it would at least be an attempt by rational human beings to leave no available human resource untried in the effort to save humanity.

The event in any case, having done our utmost, is in the hand of God.

RECENT CRITICISMS OF U.S. CUBAN POLICY

The SPEAKER pro tempore (Mr. RYAN of Michigan). Under previous order of the House, the gentleman from New Jersey [Mr. GALLAGHER] is recognized for 15 minutes.

Mr. GALLAGHER. Mr. Speaker, there has been a great deal said about Cuba and the intelligence reports eminating or not eminating from Cuba. However, I should like to point out to my colleagues on the other side that this might be a time to be very careful in making a political issue out of Cuba, and those less interested in our Nation's security than in partisan politics should weigh well the fact that the preponderance of evidence clearly demonstrates that Cuba was a problem that President Kennedy inherited from the last administration. It is about time that we looked to the future rather than pointing out mistakes of the past.

Mr. Speaker, a recent talk on the floor of the House regarding "soft heads" and "hard heads" recalls to mind the President's statement of September 13, 1962, when he recognized that rash talk was cheap particularly on the part of those who did not have the responsibility and expressed the hope that the American people "will keep both their nerve and their heads." I cannot help but feel that this statement is as applicable today as it was then.

No one in this Congress can look back on those fateful days late last October and not recall with admiration the President's cool judgment and outstanding leadership at a time of crisis. As a result of this administration's ability to keep its head and its nerve, the United States has gained immeasureably in prestige and stature throughout the world, to the detriment of the Communist bloc. The Monroe Doctrine still remains the cornerstone of U.S. foreign policy in the Western Hemisphere. It cannot be the intention of Members of Congress, some of whom seem to be showing signs of "hot heads and unsteady nerves," to see our heightened prestige dissipated by headline hunting.

The numbers game being played by a few irresponsible individuals is a dangerous way to handle national security problems.

This type of irresponsible criticism without factual presentation is misleading to our allies and our adversaries and tends to diminish the great prestige our country enjoys since the masterful handling by our President of the October confrontation. It is inexcusable that some people would jeopardize our Nation's interest in a desire to find a nonexistent issue with which to belittle our great President.

Some of our Republican friends are very unimpressed by Mr. McNamara, by Mr. McCone and President Kennedy, but they are very impressed by every statement ever made by Moise Tshombe. Is it too much to ask that they place at least the same faith and confidence in their own government as they do in Moise Tshombe in Katanga?

I believe any Member of the U.S. Congress possessing such intelligence has not only a duty but a very grave obligation to present such evidence instead of keeping it under a paper cloak and a pointless dagger. I am sure the chairman of the Foreign Affairs Committee will give all the time necessary to anyone possessing such vital information.

In the meantime I prefer to look to more informed authorities.

This business of everyone running around with a do-it-yourself CIA kit might be all right, but such psuedo super-spies certainly should not take precedence over the hard intelligence of professional experts. If such evidence really exists it should be produced and properly evaluated by the proper authorities.

Yesterday two of the most able men in our Government, Secretary of Defense Robert S. McNamara and CIA Director, John A. McCone—who, by the way, served very effectively under the Eisenhower administration—effectively laid to rest the wild speculations concerning the continued presence of offensive weapons in Cuba.

Ably assisted by John Hughes, special assistant to the Director of the Defense Intelligence Agency, Secretary McNamara conclusively showed that, in his own words:

> There are no offensive weapons systems in Cuba and I am satisfied of this beyond any reasonable doubt.

I respectfully remind those armchair strategists who have not presented their intelligence to the proper agencies that Robert S. McNamara is the man chosen by President Kennedy and confirmed by the Congress to administer the defense policies of this Nation.

CIA Director McCone, in testimony before the Senate Preparedness Subcommittee, stated that all rumors and reports of the continued presence of offensive weapons in Cuba have been meticulously checked. He asserted that so far these findings have been negative.

Mr. McCone concluded his statement with a reminder with which all responsible Members of Congress will agree. He said:

> The U.S. Government must be provided the most accurate, responsible, and balanced evaluation of the Soviet military presence in Cuba. Significant information concerning conditions in Cuba received by citizens or Government officials should be transmitted to the intelligence community promptly for evaluation in our continuing close scrutiny of this grave situation.

I am confident that President Kennedy will take every necessary step to protect this country and its neighbors from any offensive threat to our security from Cuba. The President will not be provoked into hasty or ill-considered action, nor do I believe it is the desire of responsible Members of Congress to so provoke the administration. The continued leadership and wisdom of President

Kennedy and his cabinet will see the achievement of our long-range goal—a free Cuba, restored to and welcomed into the American family of nations.

POVERTY IN THE UNITED STATES

The SPEAKER pro tempore (Mr. RYAN of Michigan). Under previous order of the House, the gentleman from New Jersey [Mr. THOMPSON] is recognized for 60 minutes.

Mr. THOMPSON of New Jersey. Mr. Speaker, a new book, entitled "The Other America: Poverty in the United States," published by Macmillan, makes the point that mass poverty still exists in the United States, and that it is disappearing more slowly than is commonly thought.

In this connection two recent reports are of especial interest. The first is by the Department of Commerce which showed that, while the average family income increased from $2,340 in 1929 to $7,020 in 1961, almost all of the substantial recent advances were made by families with incomes over $7,500 and that the rate at which real poverty is being eliminated in this country has slowed down greatly since 1953.

The second report titled "Poverty and Deprivation in the United States," was issued by the Conference on Economic Progress.

Because I consider that the problem of mass poverty is of significant national interest, and believe it should be widely discussed in order that steps can be taken to come to grips with it, I include as part of my remarks an article by Dwight Macdonald which appeared in the January 19, 1963, issue of the New Yorker magazine:

OUR INVISIBLE POOR

(By Dwight Macdonald)

In his significantly titled "The Affluent Society" (1958) Prof. J. K. Galbraith states that poverty in this country is no longer "a massive affliction [but] more nearly an afterthought." Dr. Galbraith is a humane critic of the American capitalist system, and he is generously indignant about the continued existence of even this nonmassive and afterthoughtist poverty. But the interesting thing about his pronouncement, aside from the fact that it is inaccurate, is that it was generally accepted as obvious. For a long time now, almost everybody has assumed that, because of the New Deal's social legislation and—more important—the prosperity we have enjoyed since 1940, mass poverty no longer exists in this country.

Dr. Galbraith states that our poor have dwindled to two hard-core categories. One is the "insular poverty" of those who live in the rural South or in depressed areas like West Virginia. The other category is "case poverty," which he says is "commonly and properly related to [such] characteristics of the individuals so afflicted [as] mental deficiency, bad health, inability to adapt to the discipline of modern economic life, excessive procreation, alcohol, insufficient education." He reasons that such poverty must be due to individual defects, since "nearly everyone else has mastered his environment; this proves that it is not intractable." Without pressing the similarity of this concept to the "social Darwinism" whose fallacies Dr. Galbraith easily disposes of elsewhere in his book, one may observe that most of these characteristics are as much the result of poverty as its cause.

Dr. Galbraith's error is understandable, and common. Last April the newspapers reported some exhilarating statistics in a Department of Commerce study: The average family income increased from $2,340 in 1929 to $7,020 in 1961. (These figures are calculated in current dollars, as are all the others I shall cite.) But the papers did not report the fine type, so to speak, which showed that almost all the recent gain was made by families with incomes of over $7,500, and that the rate at which poverty is being eliminated has slowed down alarmingly since 1953. Only the specialists and the statisticians read the fine type, which is why illusions continue to exist about American poverty.

Now Michael Harrington, an alumnus of the Catholic Worker and the Fund for the Republic who is at present a contributing editor of Dissent and the chief editor of the Socialist Party biweekly, New America, has written "The Other America: Poverty in the United States" (Macmillan). In the admirably short space of under 200 pages, he outlines the problem, describes in imaginative detail what it means to be poor in this country today, summarizes the findings of recent studies by economists and sociologists, and analyzes the reasons for the persistence of mass poverty in the midst of general prosperity. It is an excellent book—and a most important one.

My only serious criticism is that Mr. Harrington has popularized the treatment a bit too much. Not in the writing, which is on a decent level, but in a certain vagueness. There are no index, no bibliography, no reference footnotes. In our overspecialized culture, books like this tend to fall into two categories: Popular (no scholarly "apparatus") and academic (too much). I favor something intermediate—why should the academics have all the footnotes? The lack of references means that the book is of limited use to future researchers and writers. A pity, since the author has brought together a great range of material.

I must also object that Mr. Harrington's treatment of statistics is more than a little impressionistic. His appendix, which he calls a coming to grips with the professional material, doesn't live up to its billing. "If my interpretation is bleak and grim," he writes, "and even if it overstates the case slightly, that is intentional. My moral point of departure is a sense of outrage. In such a discussion it is inevitable that one gets mixed up with dry, graceless, technical matters. That should not conceal the crucial fact that these numbers represent people and that any tendency toward understatement is an intellectual way of acquiescing in suffering." But a fact is a fact, and Mr. Harrington confuses the issue when he writes that "these numbers represent people." They do—and one virtue of his book is that he never forgets it—but in dealing with statistics, this truism must be firmly repressed lest one begin to think from the heart rather than from the head, as he seems to do when he charges those statisticians who "understate" the numbers of the poor with having found "an intellectual way of acquiescing in suffering." This is moral bullying, and it reminds me, toutes proportions gardées, of the habitual confusion in Communist thinking between facts and political inferences from them. "A sense of outrage" is proper for a "moral point of departure," but statistics are the appropriate factual point of departure, as in the writings of Marx and Engels on the agony of the 19th-century English working class—writings that are by no means lacking in a sense of moral outrage, either.

These objections, however, do not affect Mr. Harrington's two main contentions; that mass poverty still exists in the United States, and that it is disappearing more slowly than is commonly thought. Two recent dry, graceless, and technical reports bear him out. One is that Commerce Department study, already mentioned. More important is "Poverty and Deprivation in the United States," a bulky pamphlet issued by the Conference on Economic Progress, in Washington, whose national committee includes Thurman Arnold, Leon H. Keyserling (said to be the principal author of the pamphlet), and Walter P. Reuther.

In the last year we seem to have suddenly awakened, rubbing our eyes like Rip van Winkle, to the fact that mass poverty persists, and that it is one of our two gravest social problems. The other is related: While only 11 percent of our population is nonwhite, 25 percent of our poor are. Two other current books confirm Mr. Harrington's thesis: "Wealth and Power in America" (Praeger), by Dr. Gabriel Kolko, a social historian who has recently been at Harvard and the University of Melbourne, Australia, and "Income and Welfare in the United States" (McGraw-Hill), compiled by an imposing battery of four socio-economists headed by Dr. James N. Morgan, who rejoices in the title of program director of the Survey Research Center of the Institute for Social Research at the University of Michigan.

Doctor Kolko's book resembles Mr. Harrington's in several ways: It is short, it is based on earlier studies, and it is liberally inclined. It is less readable, because it is written in an academic jargon that is merely a vehicle for the clinching statistic. Although it is impossible to write seriously about poverty without a copious use of statistics—as this review will demonstrate—it is possible to bring thought and feeling to bear on such raw material. Mr. Harrington does this more successfully than Doctor Kolko, whose prose is afflicted not only with academic blight but also with creeping ideology. Doctor Kolko leans so far to the socialist side that he sometimes falls on his nose, as when he clinches the inequality of wealth in the United States with a statistic: "In 1959, 23 percent of those earning less than $1,000 [a year] owned a car, compared to 95 percent of those earning more than $10,000."

The real point is just the opposite, as any citizen of Iran, Ghana, Yemen, or the U.S.S.R. would appreciate—not that the rich have cars but that almost a quarter of the extremely poor do. Similarly, although Dr. Kolko has two chapters on poverty that confirm Mr. Harrington's argument, his main point is a different and more vulnerable one: "The basic distribution of income and wealth in the United States is essentially the same now as it was in 1939, or even 1910." This is a half fact. The rich are almost as rich as ever and the poor are even poorer, in the percentage of the national income they receive. Yet, as will become apparent later, there have been major changes in the distribution of wealth, and there has been a general improvement in living standards, so that the poor are much fewer today than they were in 1939. "Most low-income groups live substantially better today," Dr. Kolko admits. "But even though their real wages have mounted, their percentage of the national income has not changed." That in the last half century the rich have kept their riches and the poor their poverty is indeed a scandal. But it is theoretically possible, assuming enough general increase in wealth, that the relatively poor might by now have achieved a decent standard of living, no matter how inferior to that of the rich. As the books under consideration show, however, this theoretical possibility has not been realized.

Inequality of wealth is not necessarily a major social problem per se. Poverty is. The late French philosopher Charles Péguy remarks, in his classic essay on poverty, "The duty of tearing the destitute from their destitution and the duty of distributing goods equitably are not of the same order. The first is an urgent duty, the second is a duty of convenience. When all men are provided with the necessities what do we care about the distribution of luxury?" What indeed? Envy and emulation are the motives—and not very good ones—for the equalization of wealth. The problem of poverty goes much deeper.

"Income and Welfare in the United States" differs from the other works reviewed here in length (531 big pages) and in being the result of original research; 2,800 families were interviewed "in depth." I must confess that, aside from a few interesting bits of data, I got almost nothing out of it. I assume the authors think poverty is still an important social problem, else why would they have gone to all this labor, but I'm not at all sure what their general conclusions are; maybe there aren't supposed to be any, in the best tradition of American scholarship. Their book is one of those behemoths of collective research financed by a foundation (in this case, largely by Ford) that daunt the stoutest hearted lay reader (in this case, me). Based on "a multistage area probability sample that gives equal chance of selection to all noninstitutional dwelling units in the coterminous United States [and that] was clustered geographically at each stage and stratified with interlaced controls," it is a specimen of what Charles Lamb called *biblia abiblia*—things that have the outward appearance of books but are not books, since they cannot be read. Methodologically, it employs something called the "multivariate analysis," which is explained in appendix E. Typographically, appendix E looks like language, but it turns out to be strewn with boobytraps, all doubtless well known in the trade, like "dummy variables," "F ratios," "regression coefficients," "beta coefficients" (and "partial beta coefficients"), and two kinds of "standard deviations"—"of explanatory variable A" and "of the dependent variable."

My experience with such works may be summarized as follows: (alpha) the coefficient of comprehensibility decreases in direct ratio to the increase in length, or the longer the incomprehensibler, a notion that is illustrated here by the fact that Dr. Kolko's short work is more understandable than Dr. Morgain and others long one; (beta) the standard deviation from truism is inversely related to the magnitude of the generalization, or the bigger the statement the more obvious. (Beta) is illustrated by the authors' five general proposals for action ("Implications for Public Policy"). The second of these is: "Fuller employment and the elimination of discrimination based on prejudice would contribute greatly to the independence of nonwhite persons, women, teenagers, and some of the aged." That is, if Negroes and the rest had jobs and were not discriminated against, they would be better off—a point that doesn't need to be argued or, for that matter, stated. The authors have achieved such a mastery of truism that they sometimes achieve the same monumental effect even in nonmagnitudinous statements, as: "table 28-1 shows that the proportion of parents who indicated that their children will attend private colleges is approximately twice as large for those with incomes over $10,000 as for those with incomes under $3,000." Could be.

What is "poverty"? It is a historically relative concept, first of all. "There are new definitions [in America] of what man can achieve, of what a human standard of life should be," Mr. Harrington writes. "Those who suffer levels of life well below those that are possible, even though they live better than medieval knights or Asian peasants, are poor. Poverty should be defined in terms of those who are denied the minimal levels of health, housing, food, and education that our present stage of scientific knowledge specifies as necessary for life as it is now lived in the United States." His dividing line follows that proposed in recent studies by the U.S. Bureau of Labor Statistics: $4,000 a year for a family of four and $2,000 for an individual living alone. (All kinds of income are included, such as food grown and consumed on farms.) This is the cutoff line generally drawn today.

Mr. Harrington estimates that between 40 and 50 million Americans, or about a fourth of the population, are now living in poverty. Not just below the level of comfortable living, but real poverty, in the old-fashioned sense of the word, that they are hard put to it to get the mere necessities, beginning with enough to eat. This is difficult to believe in the United States of 1963, but one has to make the effort, and it is now being made. The extent of our poverty has suddenly become visible. The same thing has happened in England, where working-class gains as a result of the Labor Party's post-1945 welfare state blinded almost everybody to the continued existence of mass poverty. It was not until Prof. Richard M. Titmuss, of the London School of Economics, published a series of articles in the New Statesman last fall, based on his new book, "Income Distribution and Social Change" (Allen & Unwin), that even the liberal public in England became aware that the problem still persists on a scale that is "statistically significant," as the economists put it.

Statistics on poverty are even trickier than most. For example, age and geography make a difference. There is a distinction, which cannot be rendered arithmetically, between poverty and low income. A childless young couple with $3,000 a year is not poor in the way an elderly couple might be with the same income. The young couple's statistical poverty may be a temporary inconvenience; if the husband is a graduate student or a skilled worker, there are prospects of later affluence or at least comfort. But the old couple can look forward only to diminishing earnings and increasing medical expenses. So also geographically: A family of four in a small town with $4,000 a year may be better off than a like family in a city—lower rent, no bus fares to get to work, fewer occasions (or temptations) to spend money.

Even more so with a rural family. Although allowance is made for the value of the vegetables they may raise to feed themselves, it is impossible to calculate how much money they don't spend on clothes, say, or furniture, because they don't have to keep up with the Joneses. Lurking in the crevices of a city, like piranha fish in a Brazilian stream, are numerous tempting opportunities for expenditure, small but voracious, which can strip a budget to its bones in a surprisingly short time. The subtlety and complexity of poverty statistics may be discovered by a look at Dr. Kolko's statement that in 1959 "23 percent of those earning less than $1,000 owned a car." Does this include college students, or are they included in their families' statistics? If the first is true, then Dr. Kolko's figure loses much of its meaning. If the second is, then it is almost too meaningful, since it says that one-fourth of those earning less than $20 a week are able to afford a car. Which it is, deponent sayeth not.

It is not, therefore, surprising to find that there is some disagreement about just how many mililons of Americans are poor. The point is that all these recent studies agree that American poverty is still a mass phenomenon. One of the lowest estimates appears in the University of Michigan's "Income and Welfare," which states, "Poor families comprise one-fifth of the Nation's families." The authors do not develop this large and crucial statement, or even give sources for it, despite their meticulous pedantry in all unimportant matters. So one can only murmur that the other experts put the number of poor much higher. (Though even a fifth is still over 35 million people.) The lowness of the Michigan estimate is especially puzzling since its cutoff figure for poverty is $4,330, which is slightly higher than the commonly accepted one. The tendentious Dr. Kolko is also unconvincing, in the opposite direction. "Since 1947," he writes, "one-half of the Nation's families and unattached individuals have had an income too small to provide them with a maintenance standard of living," which he sets at $4,500 a year for a family. He does give a table, with a long supporting footnote that failed to make clear to me how he could have possibly decided that 90 million Americans are now living on less than $4,500 a year; I suspect some confusion between a "maintenance" and a "minimum comfort" budget.

More persuasive estimates appear in the Conference on Economic Progress pamphlet, "Poverty and Deprivation." Using the $4,000 cutoff, the authors conclude that 38 million persons are now living in poverty, which is slightly less than Mr. Harrington's lowest estimate. One reason may be that the pamphlet discriminates, as most studies don't, between "multiple-person families" and "unattached individuals," rating the latter as poor only if they have less than $2,000 a year. But there is more to it than that, including a few things I don't feel competent to judge. Income statistics are never compiled on exactly the same bases and there are all kinds of refinements, which vary from one study to another. Thus the Commerce Department's April report estimates there are 17,500,000 families and "unattached individuals" with incomes of less than $4,000. How many of the latter are there? "Poverty and Deprivation" puts the number of single persons with under $2,000 at 4 million. Let us say that in the 17,500,000 under $4,000 there are 6,500,000 single persons—the proportion of unattached individuals tends to go down as income rises. This homemade estimate gives us 11 million families with incomes of under $4,000. Figuring the average American family at three and a half persons—which it is—this makes 38,500,000 individuals in families, or a grand total, if we add in the 4 million "unattached individuals" with under $2,000 a year, of 42,500,000 Americans now living in poverty, which is close to a fourth of the total population.

The reason Dr. Galbraith was able to see poverty as no longer "a massive affliction" is that he used a cutoff of $1,000, which even in 1949, when it was adopted in a congressional study, was probably too low (the CIO argued for $2,000) and in 1958, when "The Affluent Society" appeared, was simply fantastic.

The model postwar budgets drawn up in 1951 by the Bureau of Labor Statistics to "maintain a level of adequate living" give a concrete idea of what poverty means in this country—or would mean if poor families lived within their income and spent it wisely, which they don't. Dr. Kalko summarizes the kind of living these budgets provide:

"Three members of the family see a movie once every 3 weeks, and one member sees a movie once every 2 weeks. There is no telephone in the house, but the family makes three pay calls a week. They buy one book a year and write one letter a week.

"The father buys one heavy wool suit every 2 years and a light wool suit every 3 years; the wife, one suit every 10 years or one skirt every 5 years. Every 3 or 4 years, depending on the distance and time involved, the family takes a vacation outside their own city. In 1950, the family spent a total of $80 to $90 on all types of home furnishings, electrical appliances, and laundry equipment. The family eats cheaper cuts of meat several times a week, but has more expensive cuts on holidays. The entire family consumes a total of two 5-cent ice cream cones, one 5-cent candy bar, two bottles of soda, and one bottle of beer a week. The family owes no money, but has no savings except for a small insurance policy."

One other item is included in the BLS "maintenance" budget: a new car every 12 to 18 years.

This is an ideal picture, drawn up by social workers, of how a poor family should spend its money. But the poor are much less provident—installment debts take up a lot of their cash, and only a statistician could expect an actual live woman, however poor, to buy new clothes at intervals of 5 or 10 years. Also, one suspects that a lot more movies are seen and ice-cream cones and bottles of beer are consumed than in the Spartan ideal. But these necessary luxuries are had only at the cost of displacing other items—necessary necessities, so to speak—in the BLS budget.

The Conference on Economic Progress' "Poverty and Deprivation" deals not only with the poor but also with another large section of the "underprivileged," which is an American euphemism almost as good as "senior citizen"; namely, the 37 million persons whose family income is between $4,000 and $5,999 and the 2 million singles who have from $2,000 to $2,999. The authors define "deprivation" as "above poverty but short of minimum requirements for a modestly comfortable level of living." They claim that 77 million Americans, or almost half the population, live in poverty or deprivation. One recalls the furor Roosevelt aroused with his "one-third of a nation—ill-housed, ill-clad, ill-nourished." But the political climate was different then.

The distinction between a family income of $3,500 ("poverty") and $4,500 ("deprivation") is not vivid to those who run things—the 31 percent whose incomes are between $7,500 and $14,999 and the 7 percent of the topmost top dogs, who get $15,000 or more. These two minorities, sizable enough to feel they are the Nation, have been as unaware of the continued existence of mass poverty as this reviewer was until he read Mr. Harrington's book. They are businessmen, Congressmen, judges, Government officials, politicians, lawyers, doctors, engineers, scientists, editors, journalists, and administrators in colleges, churches, and foundations. Since their education, income, and social status are superior, they, if anybody, might be expected to accept responsibility for what the Constitution calls "the general welfare."

They have not done so in the case of the poor. And they have a good excuse. It is becoming harder and harder simply to see the one-fourth of our fellow citizens who live below the poverty line.

"The poor are increasingly slipping out of the very experience and consciousness of the Nation [Mr. Harrington writes]. If the middle class never did like ugliness and poverty, it was at least aware of them. "Across the tracks" was not a very long way to go. Now the American city has been transformed. The poor still inhabit the miserable housing in the central area, but they are increasingly isolated from contact with, or sight of, anybody else. Living out in the suburbs, it is easy to assume that ours is, indeed, an affluent society.

"Clothes make the poor invisible too: America has the best-dressed poverty the world has ever known. It is much easier in the United States to be decently dressed than it is to be decently housed, fed, or doctored.

"Many of the poor are the wrong age to be seen. A good number of them are 65 years of age or better; an even larger number are under 18.

"And finally, the poor are politically invisible. They are without lobbies of their own; they put forward no legislative program. As a group, they are atomized. They have no face; they have no voice. Only the social agencies have a really direct involvement with the other America, and they are without any great political power.

"Forty to fifty million people are becoming increasingly invisible."

These invisible people fall mostly into the following categories, some of them overlapping: Poor farmers, who operate 40 percent of the farms and get 7 percent of the farm cash income; migratory farmworkers; unskilled, unorganized workers in offices, hotels, restaurants, hospitals, laundries, and other service jobs; inhabitants of areas where poverty is either endemic ("peculiar to a people or district"), as in the rural South, or epidemic ("prevalent among a community at a special time and produced by some special causes"), as in West Virginia, where the special cause was the closing of coal mines and steel plants; Negroes and Puerto Ricans, who are a fourth of the total poor; the alcoholic derelicts in the big-city skid rows; the hillbillies from Kentucky, Tennessee, and Oklahoma who have migrated to Midwestern cities in search of better jobs. And, finally, almost half our "senior citizens."

The only pages in "Poverty and Deprivation" that can be read are the statistical tables. The rest is a jungle of inchoate data that seems deliberately to eschew, like other collective research projects, such human qualities as reason (the reader has to do most of the work of ordering the material) and feeling (if Mr. Harrington sometimes has too much, it is a venial sin compared to the bleakness of this prose). My hypothesis is that "Poverty and Deprivation" was composed on that TX–0 "electronic brain" at MIT. This would account both for the vitality of the tables and for the deadness of the text.

And what shall one say about the University of Michigan's "Income and Welfare in the United States"? Even its tables are not readable. And its text makes "Poverty and Deprivation" look like the Federalist Papers. On the first page, the authors unloose a generalization of stupefying generality: "The United States has arrived at the point where poverty could be abolished easily and simply by a stroke of the pen. [Where have we heard that before?] To raise every individual and family in the Nation now below a subsistence income to the subsistence level would cost about $10 billion a year. This is less than 2 percent of the gross national product. It is less than 10 percent of tax revenues. [They mean, but forgot to say so, Federal taxes, since if State and local taxes were added, the total would be much higher than $100 billion.] It is about one-fifth of the cost of national defense." (They might have added that it is slightly more than three times the $3 billion Americans spend on their dogs and cats and canaries every year.) This got big headlines in the press, as must have been expected: "'Stroke of Pen' Could Eliminate Poverty in United States, Four Scientists Say." But the authors, having dropped the $10 billion figure on the first page, never explain its meaning—is it a seedbed operation or a permanent dole? They are not clear even on how they arrived at it.

At their own estimate of 35 million poor, $10 billion would work out to slightly less than $300 per person. This seems too little to abolish poverty "easily and simply by a stroke of the pen."

There are other vaguenesses: "A careful analysis of the characteristics of families whose incomes are inadequate reveals that they should earn considerably more than they do on the basis of their education and other characteristics. The multivariate analysis indicates that heads of poor families should average $2,204 in earnings. In fact heads of poor families earned an average of only $932 in 1959." I have already confessed my inability to understand the multivariate analysis, but the compilers seem to be saying that according to the variables in their study (race, age, sex, education, physical disabilities, and locale), heads of poor families should now be making twice as much as they are. And why don't they? "The discrepancy may arise from psychological dependency, lack of motivation, lack of intelligence, and a variety of other factors that were not studied." One wonders why they were not studied—and what those "other factors" were, exactly. Also, whether such a discrepancy—the earnings the researchers expected to find were actually less than half those they did find—may not indicate some ghastly flaw in that "multivariate analysis." There is, of course, no suggestion in the book that Dr. Morgan and his team are in any way worried.

The most obvious citizens of the Other America are those whose skins are the wrong color. The folk slogans are realistic: "Last to be hired, first to be fired" and "If you're black, stay back." There has been some progress. In 1939, the nonwhite worker's wage averaged 41.4 percent of the white worker's; by 1958 it had climbed to 58 percent. A famous victory, but the nonwhites still average only slightly more than half as much as the whites. Even this modest gain was due not to any Rooseveltian or Trumanian social reform but merely to the fact that for some years there was a war on and workers were in demand, whether black, white, or violet. By 1947, the nonwhites had achieved most of their advance—to 54 percent of white earnings, which means they have gained, in the last 15 years, just 4 percent.

The least obvious poverty affects our "senior citizens"—Those over 65. Mr. Harrington estimates that half of them—8 million—live in poverty, and he thinks they are even more atomized and politically helpless than the rest of the Other America. He estimates that one-fourth of the "unrelated individuals" among them, or a million persons, have less than $580 a year, which is about what is allotted for food alone in the Department of Agriculture's minimum-subsistence budget. (The average American family now spends only 20 percent of its income for food—an indication of the remarkable prosperity we are all enjoying, except for one-quarter of us.) One can imagine, or perhaps one can't, what it would be like to live on $580 a year, or $11 a week. It is only fair to note that most of our senior citizens do better: The average per capita income of those over 65 is now estimated to be slightly over $20 a week. That is, about $1,000 a year.

The aged poor have two sources of income besides their earnings or savings. One is contributions by relatives. A 1961 White House Conference Report put this at 10 percent of income, which works out to $8 a week for an income of $4,000—and the 8 million aged poor all have less than that. The other is social security, whose benefits in 1959 averaged $18 a week. Even this modest sum is more than any of the under-$4,000 got, since payments are proportionate to earnings and the poor, of course, earned less than the rest. A quarter of them, and those in general the neediest, are not covered by social security. The last resort is relief, and Mr. Harrington describes most vividly the humiliations the poor often have to put up with to get that.

The problem of the aged poor is aggravated by the fact that, unlike the Italians or the English, we seem to have little respect for or interest in our "senior citizens," beyond giving them that honorific title, and we don't include them in family life. If we can afford it, we are likely to send them to nursing homes—"a storage-bin philosophy," a Senate report calls it—and if we can't, which is the case with the poor, they must make do with the resources noted above. The Michigan study has a depressing chapter on "The Economics of Living With Relatives." Nearly two-thirds of the heads of families queried were opposed to having their aged parents live with their children. "The old do not understand the young, and the young do not understand the old or the young," observed one respondent, who must have had a sense of humor. Other replies were "Old people are pretty hard to get along with" and "The parents and the children try to boss each other and when they live with you there's always fighting." The minority in favor gave practical reasons, like "It's a good thing to have them with you so you can see after them" and "The old folks might get a pension or something, so they could help you out." Hardly anyone expressed any particular respect for the old, or a feeling that their experience might enrich family life. The most depressing finding was "People most able to provide support for relatives are most opposed to it. Older people with some college education are 11 to 1 against it." The most favorable toward including older people in the home were Negroes, and even they were mostly against it.

The whole problem of poverty and the aged is especially serious today because Americans are living longer. In the first half of this century, life expectancy increased 17.6 years for men and 20.3 years for women. And between 1950 and 1960 the over-65 group increased twice as fast as the population as a whole.

The worst part of being old and poor in this country is the loneliness. Mr. Harrington notes that we have not only racial ghettos but geriatric ones, in the cheap roominghouse districts of large cities. He gives one peculiarly disturbing statistic: "One-third of the aged in the United States, some 5 million or more human beings, have no phone in their place of residence. They are literally cut off from the rest of America."

Ernest Hemingway's celebrated deflation of Scott Fitzgerald's romantic notion that the rich are "different" somehow—"Yes, they have money"—doesn't apply to the poor. They are different in more important ways than their lack of money, as Mr. Harrington demonstrates:

"Emotional upset is one of the main forms of the vicious circle of impoverishment. The structure of the society is hostile to these people. The poor tend to become pessimistic and depressed; they seek immediate gratification instead of saving; they act out.

"Once this mood, this unarticulated philosophy becomes a fact, society can change, the recession can end, and yet there is no motive for movement. The depression has become internalized. The middle class looks upon this process and sees 'lazy' people who 'just don't want to get ahead.' People who are much too sensitive to demand of cripples that they run races ask of the poor that they get up and act just like everyone else in the society.

"The poor are not like everyone else. They think and feel differently; they look upon a different America than the middle class looks upon."

The poor are also different in a physical sense: they are much less healthy. According to "Poverty and Deprivation," the proportion of those "disabled or limited in their major activity by chronic ill health" rises sharply as income sinks. In reasonably well-off families ($7,000 and up), 4.3 percent are so disabled; in reasonably poor families ($2,000 to $3,999), the proportion doubles, to 8 percent; and in unreasonably poor families (under $2,000), it doubles again, to 16.5 percent. An obvious cause, among others, for the very poor being four times as much disabled by "chronic ill health" as the well-to-do is that they have much less money to spend for medical care—in fact, almost nothing. This weighs with special heaviness on the aged poor. During the fifties, Mr. Harrington notes, "all costs on the Consumer Price Index went up by 12 percent. But medical costs, that terrible staple of the aged, went up by 36 percent, hospitalization rose by 65 percent, and group hospitalization costs (Blue Cross premiums) were up by 83 percent."

This last figure is particularly interesting, since Blue Cross and such plans are the AMA's alternative to socialized medicine, or, rather, to the timid fumblings toward it that even our most liberal politicians have dared to propose. Such figures throw an unpleasant light on the Senate's rejection of medicare. The defeat was all the more bitter because, in the usual effort to appease the conservatives (with the usual lack of success—only five Republicans and only four southern Democrats voted pro), the bill was watered down in advance. Not until he had spent $90 of his own money—which is 10 percent of the annual income of some 3 million aged poor—would a patient have been eligible. And the original program included only people already covered by social security or railroad retirement pensions and excluded the neediest of all—the 2,500,000 aged poor who are left out of both these systems. These untouchables were finally included in order to placate five liberal Republican Senators, led by JAVITS, of New York. They did vote for medicare, but they were the only Republicans who did.

Mental as well as physical illness is much greater among the poor, even though our complacent cliche is that nervous breakdowns are a prerogative of the rich because the poor "can't afford" them. (They can't, but they have them anyway.) This bit of middle-class folklore should be laid to rest by a study made in New Haven: "Social Class and Mental Illness," by August B. Hollingshead and Frederick C. Redlich (Wiley). They found that the rate of "treated psychiatric illness" is about the same from the rich down through decently paid workers—an average of 573 per 100,000. But in the bottom fifth it shoots up to 1,659 per 100,000. There is an even more striking difference in the kind of mental illness. Of those in the four top income groups who had undergone psychiatric treatment, 65 percent had been treated for neurotic problems and 35 percent for psychotic disturbances. In the bottom fifth, the treated illnesses were almost all psychotic (90 percent). This shows there is something to the notion that the poor "can't afford" nervous breakdowns—the milder kind, that is—since the reason the proportion of treated neuroses among the poor is only 10 percent is that a neurotic can keep going, after a fashion. But the argument cuts deeper the other way. The poor go to a psychiatrist (or, more commonly, are committed to a mental institution) only when they are completely unable to function because of psychotic symptoms. Therefore, even that nearly threefold increase in mental disorders among the poor is probably an underestimate.

The poor are different, then, both physically and psychologically. During the 1950's a team of psychiatrists from Cornell studied "Midtown," a residential area in this city that contained 170,000 people, of all social classes. The area was 99-percent white, so the findings may be presumed to understate the problem of poverty. The description of the poor—the "low social economic status individuals"—is blunt: "[They are] rigid, suspicious, and have a fatalistic outlook on life. They do not plan ahead. They are prone to depression, have feelings of futility, lack of belongingness, friendliness, and a lack of trust in others." Only a Dr. Pangloss would expect anything else. As Mr. Harrington points out, such characteristics are "a realistic adaptation to a socially perverse situation."

As for the isolation that is the lot of the American poor, that is a point on which Mr. Harrington is very good:

"America has a self-image of itself as a nation of joiners and doers. There are social clubs, charities, community drives, and the like. [One might add organizations like the Elks and Masons, Rotary and Kiwanis, cultural groups like our women's clubs, also alumni associations and professional organizations.] And yet this entire structure is a phenomenon of the middle class. Some time ago, a study in Franklin, Indiana [this vagueness of reference is all too typical of 'The Other America'], reported that the percentage of people in the bottom class who were without affiliations of any kind were eight times as great as the percentage in the high-income class.

"Paradoxically, one of the factors that intensifies the social isolation of the poor is that America thinks of itself as a Nation without social classes. As a result, there are few social or civic organizations that are separated on the basis of income and class. The 'working-class culture' that sociologists have described in a country like England does not exist here. The poor person who might want to join an organization is afraid. Because he or she will have less education, less money, less competence to articulate ideas than anyone else in the group, they stay away."

One reason our society is a comparatively violent one is that the French and Italian and British poor have a communal life and culture that the American poor lack. As one reads "The Other America," one wonders why there is not even more violence than there is.

The richest city of all, New York, has been steadily growing poorer, if one looks beyond Park Avenue and Wall Street. Of its 2,080,000 familes, just under half (49 percent) had incomes in 1959 of less than $6,000; for the city's nonwhite families, the percentage was 71. And a fourth of all New York families in 1959 were below the poverty line of $4,000. These percentages are at present slightly higher than the national average—an ominous reversal of the city's earlier position. In 1932, the average national weekly wage was only 67 percent of the New York City average. In 1960, it was 108 percent. The city's manufacturing workers in 1946 earned $11 more a week than the national average; in 1960 they earned $6.55 a week less. The two chief reasons are probably the postwar influx of Puerto Ricans and the exodus to the suburbs of the well to do. But whatever the reasons, the city seems to be turning into an economically backward area, like Arkansas or New Hampshire. Even the bankers—the nonsupervisory ones, that is—are modestly paid: 54 percent of the males and 78 percent of the females make less than $80 a week. All these statistics come from John O'Rourke, president of Joint Council 16, International Brotherhood of Teamsters, which has 168,000 members in the area. Mr. O'Rourke has been campaigning to persuade Mayor Wagner to raise the city's minimum hourly wage to $1.50. (The mayor has gone as far as $1.25). The New York teamsters are motivated by enlightened self-interest: the more other wages stagnate, the harder it will be to maintain their own comparatively high level of pay. They complain especially about the low wages in the highly organized garment trade, to which Mr. Dubinsky's International Ladies' Garment Workers' Union replies that if it presses for higher wages the manufacturers will simply move to low-wage, nonunion areas, mostly in the South, as the New England textile manufacturers did many years ago—a riposte that is as realistic as it is uncheering. However, Mr. O'Rourke has an enterprising research staff, plenty of persistence, and a sharp tongue. "New Yorkers," he says, "are accustomed to thinking of themselves as pacesetters in an allegedly affluent society [but] at the rate we are going, we will soon qualify for the title 'Sweatshop Capital of the Nation.' "

The main reason the American poor have become invisible is that since 1936 their numbers have been reduced by two-thirds. Astounding as it may seem, the fact is that

President Roosevelt's "one-third of a nation" was a considerable understatement; over two-thirds of us then lived below the poverty line, as is shown by the tables that follow. But today the poor are a minority, and minorities can be ignored if they are so heterogeneous that they cannot be organized. When the poor were a majority, they simply could not be overlooked. Poverty is also hard to see today because the middle class ($6,000 to $14,999) has vastly increased—from 13 percent of all families in 1936 to a near-majority (47 percent) today. That mass poverty can persist despite this rise to affluence is hard to believe, or see, especially if one is among those who have risen.

Two tables in "Poverty and Deprivation" summarize what has been happening in the last 30 years. They cover only multiple-person families; all figures are converted to 1960 dollars; and the income is before taxes. I have omitted, for clarity, all fractions.

The first table is the percentage of families with a given income:

[In percent]

	1935–36	1947	1953	1960
Under $4,000	68	37	28	23
$4,000 to $5,999	17	29	28	23
$6,000 to $7,499	6	12	17	16
$7,500 to $14,499	7	17	23	31
Over $15,000	2	4	5	7

The second table is the share each group had in the family income of the Nation:

[In percent]

	1935–36	1947	1953	1960
Under $4,000	35	16	11	7
$4,000 to $5,999	21	24	21	15
$6,000 to $7,499	10	14	17	14
$7,500 to $14,999	16	28	33	40
Over $15,000	18	18	19	24

Several interesting conclusions can be drawn from these tables:

1. The New Deal didn't do anything about poverty: The under-$4,000 families in 1936 were 68 percent of the total population, which was slighly more than the 1929 figure of 65 percent.

2. The war economy (hot and cold) did do something about poverty: Between 1936 and 1960 the proportion of all families who were poor was reduced from 68 percent to 23 percent.

3. If the percentage of under-$4,000 families decreased by two-thirds between 1936 and 1960, their share of the national income dropped a great deal more—from 35 percent to 7 percent.

4. The well-to-do ($7,500 to $14,999) have enormously increased, from 7 percent of all families in 1936 to 31 percent today. The rich ($15,000 and over) have also multiplied—from 2 to 7 percent. But it should be noted that the very rich, according to another new study, "The Share of Top Wealth Holders in National Wealth, 1922–56," by Robert J. Lampman (Princeton), have experienced a decline. He finds that the top 1 percent of wealth holders owned 38 percent of the national wealth in 1929 and own only 28 percent today. (Though let's not get sentimental over that "only.") Thus, pace Dr. Kolko, there has in fact been a redistribution of wealth—in favor of the well-to-do and the rich at the expense of the poor and the very rich.

5. The reduction of poverty has slowed down. In the 6 years 1947–53, the number of poor families declined 9 percent, but in the following 7 years only 5 percent. The economic stasis that set in with Eisenhower and that still persists under Kennedy was responsible. (This stagnation, however, did not affect the over-$7,500 families, who increased from 28 to 38 percent between 1953 and 1960.) In the New York Times magazine for last November 11, Herman P. Miller, of the Bureau of the Census, wrote, "During the forties, the lower-paid occupations made the greatest relative gains in average income. Laborers and service workers had increases of about 180 percent and professional and managerial workers, the highest paid workers of all, had the lowest relative gains—96 percent." But in the last decade the trend has been reversed; laborers and service workers have gained 39 percent while professional-managerial workers have gained 68 percent. This is because in the wartime forties the unskilled were in great demand, while now they are being replaced by machines. Automation is today the same kind of menace to the unskilled—that is, the poor—that the enclosure movement was to the British agricultural population centuries ago. "The facts show that our 'social revolution' ended nearly 20 years ago," Mr. Miller concludes, "yet important segments of the American public, many of them highly placed Government officials and prominent educators, think and act as though it were a continuing process."

"A reduction of about 19 percent (in the under-$6,000 families) in more than 30 years, or at a rate of about 7 percent per year, is no ground for complacency," the authors of "Poverty and Deprivation" justly observe. There is even less ground for complacency in the recent figures on extreme poverty. The authors estimate the number of families in 1929 with incomes of under $2,000 (in current dollars) at 7,500,000. By 1947 there were less than 4 million, not because of any philanthropic effort by their more prosperous fellow citizens but entirely because of those first glorious years of a war economy. Six years later, in 1953, when the economy had begun to slow down, there were still 3,300,000 of these families with incomes of less than $2,000, and 7 years later, in 1960, "there had been no further reduction." Thus in the last 15 years the "bottom dogs" have remained on the bottom, sharing hardly at all in the advances that the income groups above them have made in an ascending scale that is exquisitely adjusted, by the automatic workings of capitalism, so that it is inversely proportionate to need.

There are, finally, the bottomest "bottom dogs," i.e., families with incomes of under $1,000. According to "Poverty and Deprivation," the numbers of these families appear to have risen slightly of late (1953–60), from 800,000 to about 1 million. It is only fair, and patriotic, to add that according to the Commerce Department study, about 10 million of our families and unattached individuals now enjoy incomes of $10,000 a year and up. So while some 3,500,000 Americans are in under-$1,000 families, 10 times as many are in over-$10,000 families. Not bad at all—in a way.

The post-1940 decrease in poverty was not due to the policies or actions of those who are not poor, those in positions of power and responsibility. The war economy needed workers, wages went up, and the poor became less poor. When economic stasis set in, the rate of decrease in poverty slowed down proportionately, and it is still slow. Kennedy's efforts to "get the country moving again" have been unsuccessful, possibly because he has, despite the suggestions of many of his economic advisers, not yet advocated the one big step that might push the economy off dead center: a massive increase in Government spending. This would be politically courageous, perhaps even dangerous, because of the superstitious fear of "deficit spending" and an "unbalanced" Federal budget. American folklore insists that a government's budget must be arranged like a private family's, Walter Lippmann wrote, after the collapse of the stock market last spring:

"There is mounting evidence that those economists were right who told the administration last winter that it was making the mistake of trying to balance the budget too soon. It will be said that the budget is not balanced: it shows a deficit in fiscal 1962 of $7 billion. But the budget that matters is the Department of Commerce's income and product accounts budget. Nobody looks at it except the economists [but] while the administrative budget is necessary for administration and is like a man's checkbook, the income budget tells the real story.

"[It] shows that at the end of 1962 the outgo and ingo accounts will be virtually in balance, with a deficit of only about half a billion dollars. Thus, in reality, the Kennedy administration is no longer stimulating the economy, and the economy is stagnating for lack of stimulation. We have one of the lowest rates of growth among the advanced industrial nations of the world."

One shouldn't be hard on the President. Franklin Roosevelt, a more daring and experimental politician, at least in his domestic policy, listened to the American disciples of J. M. Keynes in the early New Deal years and unbalanced his budgets, with splendid results. But by 1936 he had lost his nerve. He cut back Government spending and there ensued the 1937 recession, from which the economy recovered only when war orders began to make up for the deficiency in domestic buying power. "Poverty and Deprivation" estimates that between 1953 and 1961 the annual growth rate of our economy was "only 2.5 percent per annum contrasted with an estimated 4.2 percent required to maintain utilization of manpower and other productive resources." The poor, who always experience the worst the first, understand quite personally the meaning of that dry statistic, as they understand Kipling's "The toad beneath the harrow knows/Exactly where each tooth-point goes." They are also most intimately acquainted with another set of statistics: The steady postwar rise in the unemployment rate, from 3.1 percent in 1949 to 4.3 percent in 1954 to 5.1 percent in 1958 to over 7 percent in 1961. (The Tory Government is worried because British unemployment is now at its highest point for the last 3 years. This point is 2.1 percent, which is less than our lowest rate in the last 15 years.)

Some of the post-1940 gains of the poor have been their own doing. "Moonlighting"—or holding two or more jobs at once—was practiced by about 3 percent of the employed in 1950; today this percentage has almost doubled. Far more important is what might be called "wife-flitting": Between 1940 and 1957, the percentage of wives with jobs outside the home doubled, from 15 to 30 percent. The head of the U.S. Children's Bureau, Mrs. Katherine B. Oettinger, announced last summer, not at all triumphantly, that there are now two-thirds more working mothers than there were 10 years ago and that these mothers have about 15 million children under 18—of whom 4 million are under six. This kind of economic enterprise ought to impress Senator Goldwater and the ideologs of the National Review, whose reaction to the poor, when they think about such an uninspiring subject, is "Why don't they do something about it?" The poor have done something about it and the family paycheck is bigger and the statistics on poverty look better. But the effects on family life and on those 4 million preschool children is something else. Mrs. Oettinger quoted a roadside sign, "Ironing, Day Care and Worms for Fishing Bait," and mentioned a babysitter who pacified her charge with sleeping pills and another who met the problem of a cold apartment by putting the baby in the oven. "The situation has become a 'national disgrace,' with many unfortunate conditions that do not come to public attention until a crisis arises," the Times summed up her conclusion.

This crisis has finally penetrated to public attention. The President recently signed a law that might be called Daycare. It provides $5 million for such facilities this fiscal year, which works out to $1.25 for each of the 4 million under-6 children with working mothers. Next year, the program will provide all of $2.50 per child. This is a free, democratic society's notion of an adequate response. Almost a century ago, Bismarck instituted in Germany state-financed social benefits far beyond anything we have yet ventured. Granted that he did it merely to take the play away from the Social Democratic Party founded by Marx and Engles. Still, one imagines that Count Bismarck must be amused—in the circle of hell reserved for reactionaries—by that $2.50 a child.

It's not that public opinion doesn't become aroused every now and then. But the arousement never leads to much. It was aroused 24 years ago when John Steinbeck published "The Grapes of Wrath," but Mr. Harrington reports that things in the Imperial Valley are still much the same: low wages, bad housing, no effective union. Public opinion is too public—that is, too general; of its very nature, it can have no sustained interest in California agriculture. The only groups with such a continuing interest are the workers and the farmers who hire them. Once public opinion ceased to be aroused, the battle was again between the two antagonists with a real, personal stake in the outcome, and there was no question about which was stronger. So with the rural poor in general. In the late fifties, the average annual wage for white male American farm workers was slightly over $1,000; women, children, Negroes, and Mexicans got less. One recalls Edward R. Murrow's celebrated television program about these people, "Harvest of Shame." Once more everybody was shocked, but the harvest is still shameful. One also recalls that Mr. Murrow, after President Kennedy had appointed him head of the U.S. Information Agency, tried to persuade the BBC not to show "Harvest of Shame." His argument was that it would give an undesirable "image" of America to foreign audiences.

There is a monotony about the injustices suffered by the poor that perhaps accounts for the lack of interest the rest of society shows in them. Everything seems to go wrong with them. They never win. It's just boring.

Public housing turns out not to be for them. The 1949 Housing Act authorized 810,000 new units of low-cost housing in the following 4 years. Twelve years later, in 1961, the AFL-CIO proposed 400,000 units to complete the lagging 1949 program. The Kennedy administration ventured to recommend 100,000 to Congress. Thus, instead of 810,000 low-cost units by 1953, the poor will get, if they are lucky, 500,000 by 1963. And they are more likely to be injured than helped by slum clearance, since the new projects usually have higher rents than the displaced slum-dwellers can afford. (There has been no dearth of Government-financed middle-income housing since 1949.) These refugees from the bulldozers for the most part simply emigrate to other slums. They also become invisible; Mr. Harrington notes that half of them are recorded as "address unknown." Several years ago, Charles Abrams, who was New York State rent administrator under Harriman and who is now president of the National Committee Against Discrimination in Housing, summed up what he had learned in two decades in public housing: "Once social reforms have won total appeal in the public mind, their slogans and goal-symbols may degenerate into tools of the dominant class for beleaguering the minority and often for defeating the very aims which the original sponsors had intended for their reforms." Mr. Abrams was probably thinking, in part, of the title I adventures of Robert Moses in dealing with New York housing. There is a Moses or two in every American city, determined to lead us away from the promised land.

And this is not the end of tribulation. The poor, who can least afford to lose pay because of ill health, lose the most. A national health survey, made a few years ago, found that workers earning under $2,000 a year had twice as many "restricted-activity days" as those earning over $4,000.

The poor are even fatter than the rich. (The cartoonists will have to revise their clichés.) "Obesity is seven times more frequent among women of the lowest socioeconomic level than it is among those of the highest level," state Drs. Moore, Stunkard, and Srole in a recent issue of the Journal of the American Medical Association. (The proportion is almost the same for men.) They also found that overweight associated with poverty is related to mental disease. Fatness used to be a sign of wealth, as it still is in some parts of Africa, but in more advanced societies it is now a stigma of poverty, since it means too many cheap carbohydrates and too little exercise—which has changed from a necessity for the poor into a luxury for the rich, as may be confirmed by a glance at the models in any fashion magazine.

Although they are the most in need of hospital insurance, the poor have the least, since they can't afford the premiums; only 40 percent of poor families have it, as against 63 percent of all families. (It should be noted, however, that the poor who are war veterans can get free treatment, at Government expense, in Veterans' Administration hospitals.)

The poor actually pay more taxes, in proportion to their income, than the rich. A recent study by the Tax Foundation estimates that 28 percent of incomes under $2,000 goes for taxes, as against 24 percent of the incomes of families earning five to seven times as much. Sales and other excise taxes are largely responsible for this curious statistic. It is true that such taxes fall impartially on all, like the blessed rain from heaven, but it is a form of egalitarianism that perhaps only Senator GOLDWATER can fully appreciate.

The final irony is that the welfare state, which Roosevelt erected and which Eisenhower, no matter how strongly he felt about it, didn't attempt to pull down, is not for the poor, either. Agricultural workers are not covered by social security, nor are many of the desperately poor among the aged, such as "unrelated individuals" with incomes of less than $1,000, of whom only 37 percent are covered, which is just half the percentage of coverage among the aged in general. Of the welfare state, Mr. Harrington says, "Its creation had been stimulated by mass impoverishment and misery, yet it helped the poor least of all. Laws like unemployment compensation, the Wagner Act, the various farm programs, all these were designed for the middle third in the cities, for the organized workers, and for the big market farmers. [It] benefits those least who need help most." The industrial workers, led by John L. Lewis, mobilized enough political force to put through section 7(a) of the National Industrial Recovery Act, which, with the Wagner Act, made the CIO possible. The big farmers put enough pressure on Henry Wallace, Roosevelt's first Secretary of Agriculture—who talked a good fight for liberal principles but was a Hamlet when it came to action—to establish the two basic propositions of welfare state agriculture: subsidies that now cost $3 billion a year and that chiefly benefit the big farmers; and the exclusion of sharecroppers, tenant farmers, and migratory workers from the protection of minimum-wage and social security laws.

No doubt the Kennedy administration would like to do more for the poor than it has, but it is hampered by the cabal of Republicans and southern Democrats in Congress. The 1961 revision of the Fair Labor Standards Act, which raised the national minimum wage to the not exorbitant figure of $1.15 an hour, was a slight improvement over the previous act. For instance, it increased coverage of retail trade workers from 3 to 33 percent. (But one-fourth of the retail workers still excluded earn less than $1 an hour.) There was also a considerable amount of shadowboxing involved: Of the 50 million poor: They were organized, and they had a patriotic appeal only a wink away from the demagogic. Their "unusual parliamentary strategy" failed by 18 votes in the Congress. But there will be another Congress.

It seems likely that mass poverty will continue in this country for a long time. The more it is reduced, the harder it is to keep on reducing it. The poor, having dwindled from two-thirds of the population in 1936 to one-quarter today, no longer are a significant political force, as is shown by the Senate's rejection of medicare and by the Democrats' dropping it as an issue in the elections last year. Also, as poverty decreases, those left behind tend more and more to be the ones who have for so long accepted poverty as their destiny that they need outside help to climb out of it. This new minority mass poverty, so much more isolated and hopeless than the old majority poverty, shows signs of becoming chronic. "The permanence of low incomes is inferred from a variety of findings," write the authors of the Michigan survey. "In many poor families the head has never earned enough to cover the family's present needs." They give a vignette of what the statistics mean in human terms:

"For most families, however, the problem of chronic poverty is serious. One such family is headed by a 32-year-old man who is employed as a dishwasher. Though he works steadily and more than full time, he earned slightly over $2,000 in 1959. His wife earned $300 more, but their combined incomes are not enough to support themselves and their three children. Although the head of the family is only 32, he feels that he has a chance of advancement partly because he finished only seven grades of school. The possibility of such families leaving the ranks of the poor is not high."

Children born into poor families today have less chance of "improving themselves" than the children of the pre-1940 poor. Rags to riches is now more likely to be rags to rags. "Indeed," the Michigan surveyors conclude, "it appears that a number of the heads of poor families have moved into less skilled jobs than their fathers had." Over a third of the children of the poor, according to the survey, don't get beyond the eighth grade and "will probably perpetuate the poverty of their parents." There are a great many of these children. In an important study of poverty, made for a congressional committee in 1959, Dr. Robert J. Lampman estimated that 11 million of the poor were under 18. "A considerable number of younger persons are starting life in a condition of 'inherited poverty,'" he observed. To which Mr. Harrington adds: "The character of poverty has changed, and it has become more deadly for the young. It is no longer associated with immigrant groups with high aspirations; it is now identified with those whose social existence makes it more and more difficult to break out into the larger society." Even when children from poor families show intellectual promise, there is nothing in the values of their friends or families to encourage them to make use of it. Dr. Kolko, citing impressive sources, states that of the top 16 percent of high school students—those scoring 120 and over in IQ tests—only half go on to college. The explanation for this amazing—and alarming—situation is as much cultural as economic. The children of the poor now tend to lack what the sociologists call "motivation." At least one foundation is working on the problem of why so many bright children from poor families don't ever try to go beyond high school.

Mr. Raymond M. Hilliard, at present director of the Cook County (i.e., Chicago) Department of Public Aid and formerly commissioner of welfare for New York City, recently directed a "representative sample" investigation, which showed that more than half of the 225,000 able-bodied Cook County residents who were on relief were "functionally illiterate." One reason Cook County has to spend $16,500,000 a month on relief is "the lack of basic educational skills of relief recipients which are essential to compete in our modern society." An interesting footnote, apropos of recent happenings at "Ole Miss," is that the illiteracy rate of the relief recipients who were educated in Chicago is 33 percent, while among those who were educated in Mississippi and later moved to Chicago it is 77 percent.

The problem of educating the poor has changed since 1900. Then it was the language and cultural difficulties of immigrants from foreign countries; now it is the subtler but more intractable problems of internal migration from backward regions, mostly in the South. The old immigrants wanted to better themselves and to get ahead. The new migrants are less ambitious, and they come into a less ambitious atmosphere. "When they arrive in the city," wrote Christopher Jencks in an excellent two-part survey, "Slums and Schools," in the New Republic last fall, "they join others equally unprepared for urban life in the slums—a milieu which is in many ways utterly dissociated from the rest of America. Often this milieu is self-perpetuating. I have been unable to find any statistics on how many of these migrants' children and grandchildren have become middle class, but it is probably not too inaccurate to estimate that about 30 million people live in urban slums, and that about half are second-generation residents." The immigrants of 1890–1910 also arrived in a milieu that was "in many ways utterly dissociated from the rest of America," yet they had a vision—a rather materialistic one, but still a vision—of what life in America could be if they worked hard enough; and they did work, and they did aspire to something more than they had; and they did get out of the slums. The disturbing thing about the poor today is that so many of them seem to lack any such vision. Mr. Jencks remarks:

"While the economy is changing in a way which makes the eventual liquidation of the slums at least conceivable, young people are not seizing the opportunities this change presents. Too many are dropping out of school before graduation (more than half in many slums); too few are going to college. As a result there are serious shortages of teachers, nurses, doctors, technicians, and scientifically trained executives, but 4,500,000 unemployables."

"Poverty is the parent of revolution and crime," Aristotle wrote. This is now a half truth—the last half. Our poor are alienated; they don't consider themselves part of society. But precisely because they don't they are not politically dangerous. It is people with "a stake in the country" who make revolutions. The best—though by no means the only—reason for worrying about the other America is that its existence should make us feel uncomfortable.

The Federal Government is the only purposeful force—I assume wars are not purposeful—that can reduce the numbers of the poor and make their lives more bearable. The authors of "Poverty and Deprivation" take a dim view of the Kennedy administration's efforts to date:

"The Federal budget is the most important single instrument available to us as a free people to induce satisfactory economic performance, and to reduce poverty and deprivation.

"Projected Federal outlays in the fiscal 1963 budget are too small. The items in this budget covering programs directly related to human improvement and the reduction of mass poverty and deprivation allocate far too small a portion of our total national production to these great purposes."

The effect of Government policy on poverty has two quite distinct aspects. One is the indirect effect of the stimulation of the economy by Federal spending. Such stimulation—though by wartime demands rather than Government policy—has in the past produced a prosperity that did cut down American poverty by almost two-thirds. But I am inclined to agree with Dr. Galbraith that it would not have a comparable effect on present-day poverty:

"It is assumed that with increasing output poverty must disappear [he writes]. Increased output eliminated the general poverty of all who worked. Accordingly, it must, sooner or later, eliminate the special poverty that still remains. Yet just as the arithmetic of modern politics makes it tempting to overlook the very poor, so the supposition that increasing output will remedy their case has made it easy to do so too."

He underestimates the massiveness of American poverty, but he is right when he says there is now a hard core of the specially disadvantaged—because of age, race, environment, physical or mental defects, etc.—that would not be significantly reduced by general prosperity. (Although I think the majority of our present poor would benefit, if only by a reduction in the present high rate of unemployment.)

To do something about this hard core, a second line of Government policy would be required; namely, direct intervention to help the poor. We have had this since the New Deal, but it has always been grudging and miserly, and we have never accepted the principle that every citizen should be provided, at State expense, with a reasonable minimum standard of living regardless of any other considerations. It should not depend on earnings, as does social security, which continues the inequalities and inequities and so tends to keep the poor forever poor. Nor should it exclude millions of our poorest citizens because they lack the political pressure to force their way into the welfare state. The governmental obligation to provide, out of taxes, such a minimum living standard for all who need it should be taken as much for granted as free public schools have always been in our history.

It may be objected that the economy cannot bear the cost, and certainly costs must be calculated. But the point is not the calculation but the principle. Statistics—and especially statistical forecasts—can be pushed one way or the other. Who can determine in advance to what extent the extra expense of giving our 40 million poor enough income to rise above the poverty line would be offset by the lift to the economy from their increased purchasing power? We really don't know. Nor did we know what the budgetary effects would be when we established the principle of free public education. The rationale then was that all citizens should have an equal chance of competing for a better status. The rationale now is different: that every citizen has a right to become or remain part of our society because if this right is denied, as it is in the case of at least one-fourth of our citizens, it impoverishes us all. Since 1932, "the government"—local, State, and Federal—has recognized a responsibility to provide its citizens with a subsistence living. Apples will never again be sold on the street by jobless accountants, it seems safe to predict, nor will any serious political leader ever again suggest that share-the-work and local charity can solve the problem of unemployment. "Nobody starves" in this country any more, but, like every social statistic, this is a tricky business.

Nobody starves, but who can measure the starvation, not to be calculated by daily intake of proteins and calories, that reduces life for many of our poor to a long vestibule to death? Nobody starves, but every fourth citizen rubs along on a standard of living that is below what Mr. Harrington defines as "the minimal levels of health, housing, food, and education that our present stage of scientific knowledge specifies as necessary for life as it is now lived in the United States." Nobody starves, but a fourth of us are excluded from the common social existence. Not to be able to afford a movie or a glass of beer is a kind of starvation—if everybody else can.

The problem is obvious: the persistence of mass poverty in a prosperous country. The solution is also obvious: to provide, out of taxes, the kind of subsidies that have always been given to the public schools (not to mention the police and fire departments and the post office)—subsidies that would raise incomes above the poverty level, so that every citizen could feel he is indeed such. "Civis Romanus sum!" cried St. Paul when he was threatened with flogging—and he was not flogged. Until our poor can be proud to say "Civis Americanus sum," until the act of justice that would make this possible has been performed by the three-quarters of Americans who are not poor—until then the shame of the other America will continue.

OFFICE OF THE PUBLIC DEFENDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Farbstein] is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, the sixth amendment to the Constitution declares that in all criminal prosecutions the accused shall enjoy the right to have the assistance of counsel for his defense. As interpreted by the Supreme Court this means that the court must provide counsel to an accused who is unable to obtain counsel. Failure to do so renders a conviction void unless the accused waives this right. This requirement is now embodied in rule 44 of the Federal Rules of Criminal Procedure, which stipulates that:

> If the defendant appears in court without counsel, the court shall advise him of his right to counsel and assign counsel to represent him at every stage of the proceeding unless he elects to proceed without counsel or is able to obtain counsel.

Although a Federal court can designate a member of the bar to defend an accused, such counsel cannot be compensated, or even reimbursed for his expenses, except in a few situations. This arrangement is not only inequitable to the lawyers involved, especially those assigned to difficult and time-consuming cases, but it falls short of insuring equal justice to indigent defendants. A large proportion of the lawyers available to supply gratuitous assistance are young and inexperienced. Moreover these young lawyers are least able to bear the expenses incident to the preparation for, and conduct of, the trial of a case and the costs of appeal.

I am today introducing a bill which would provide a solution for the problem by authorizing U.S. district courts to appoint public defenders, with necessary supporting personnel, to be paid from the Federal Treasury and reimbursed for reasonable expenses incurred in the performance of their duties.

District courts would be empowered to assign the public defender to represent indigent defendants, or a defendant who is unable to obtain counsel for any other reason, at every stage of the proceedings against him. If the district court found that representation of indigent defendants could best be provided by appointment of counsel to represent defendants in particular cases, the bill would permit such appointment, and allow specified compensation and reimbursement for expenses.

The judicial conference of the United States has been recommending legislation to deal with this problem for many years. Enactment of this measure should not be delayed any longer.

NORTHERN INDIANA TRICITY HARBOR

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. MADDEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MADDEN. Mr. Speaker, on Tuesday of this week, the U.S. Army Corps of Engineers held a public hearing in the city of East Chicago, Ind., to determine the feasibility and advice of building a deepwater lake port adjacent to the industrial Calumet region, and particularly off the shores of Hammond, Whitting, and East Chicago, Ind. The hearing was attended by a large delegation from northern Indiana, representing public officials, industrial heads, conservation, and civic groups.

The following is a statement which I personally made at the hearing in behalf of the tricity port project:

STATEMENT OF HON. RAY J. MADDEN, FIRST DISTRICT, INDIANA, U.S. ARMY CORPS OF ENGINEERS, HEARING FEBRUARY 5, 1963, 10 A.M., CITY HALL, EAST CHICAGO, IND., ON PROPOSALS FOR TRICITY PORT

Mr. Chairman, I wish to commend the Chicago district of the Corps of Army Engineers for your diligence and cooperation in setting a hearing to determine the feasibility and advantages for the building of and expanding a deep water lake port adjacent to the industrial Calumet region of Indiana. Your department is displaying good judgment and consideration in your effort to select the most practical and serviceable location in recommending a site for a northern Indiana deepwater port. The Indiana and American taxpayers are happy that you are not confining your study to one location on the south shore of Lake Michigan. During the last 20 years, the population of Lake County, Ind., has increased from 340,000 to almost 600,000.

NORTHERN INDIANA NEEDS A MAJOR PORT

All Congressmen and Senators from the State of Indiana, agree that there should be a deepwater port in northern Indiana, and I am supporting the location in the industrial Calumet region for the following reasons:

1. This area is made up of the greatest concentration of industries and manufacturing per square mile than any similar area in the United States.

2. A port in the Calumet region would be adjacent to the transportation facilities of 12 major railroad systems.

3. It is located immediately adjoining river and barge transportation connecting lake shipping with the Mississippi River and the Gulf of Mexico.

4. Existing breakwater systems are already installed at this tricity port location which would protect a deep-water port extending from the Illinois-Indiana line along the lake shore of Hammond, Whiting, and part of the Indiana harbor, a distance of about 4 miles.

5. Already millions of dollars have been spent by private industry on the development of this tricity harbor location for lake shipping. It would accommodate three major steel mills, all major oil refineries, and several hundred other industrial plants already in operation, amounting into billions of dollars in valuation.

6. Sufficient land for further extensive industrial development is located nearby, and a main trunkline highway for truck transportation is at the very doorstep of this port location.

7. The mayors and officials of all major cities in the Calumet region, labor unions, the Chambers of Commerce of Hammond-East Chicago-Whiting, and heads of Calumet region industries have endorsed and are sponsoring a deepwater port at this tricity location.

8. More important, the expenditure of money for the erection of a port at this location would serve a great industrial area and not be a subsidy for a couple of proposed steel mills.

Witnesses from the Hammond, East Chicago, and Whiting Chambers of Commerce will present facts and figures setting out the economic advantages and the reduced cost to build a harbor at this location. These facts will be submitted for the record of these hearings, and I will not take up the time of this hearing in outlining that angle of testimony.

Testimony and statements will be submitted by dozens of nationally known manufacturers and business concerns in the Calumet region outlining the natural facilities and economic benefits to be derived from a port located where business is already established and seeking to take advantage of already existing rail, truck, and water transportation.

I want it clearly understood by the Department of the Army, Corps of Engineers, that what I say here today is not a criticism of your department for some of the developments that have taken place regarding the highly financed pressure and power that have been engendered by certain forces in behalf of the Burns Ditch location.

I have in my hand a letter from Maj. Gen. William S. Cassidy, U.S. Army Director of Civil Works, Department of the Army Engineers, dated August 29, 1961. In this letter, Major General Cassidy states that on December 7, 1931 (32 years ago), an unfavorable report was given for the results of a preliminary examination as to the feasibility of constructing a harbor in the general area of the Burns Ditch on the south shore of Lake Michigan. The third paragraph of this letter states that on April 2, 1936, another unfavorable report was made from an additional study concerning the same project. In the fourth paragraph of this letter, General Cassidy states that on January 12, 1943, another unfavorable report was made from a preliminary examination by the Department of Army Engineers concerning a harbor in the Burns ditch general area.

UNEMPLOYMENT IN THE CALUMET REGION

I do not have to remind the Department of the Army Engineers that the unemployment problem primarily caused by automation has been with us for a number of years and is growing more serious as time passes. From a study made by the House Education and Labor Committee last session, automation is usurping the jobs of a million workers each year and also reducing numerous others to part-time employment. The steel mills in the Calumet region are now running slightly above 50 percent. Thousands of steelworkers are unemployed in Lake County today. According to a recent survey by the Armour Research Foundation, it was found that for every 150 workers hired by new mills 250 workers will be laid off by the older mills. Unemployment spreads like cancer. It decreases purchasing power and dries up the market for consumer goods.

Proponents of the lake harbor at the Burns ditch location have been flooding Indiana with propaganda that the building of this automated mill at Burns Ditch will increase employment. This propaganda is not based on fact and is as phony as a $3 bill. The two proposed automated steel mills if built would greatly increase unemployment in industry and factories of the Calumet region. Thousands of unemployed from other areas of the United States would flock into Lake and Porter Counties, further burdening our local taxpayers, and will add more names on the township trustee relief rolls. This added grief to our local citizens would be further enhanced by the additional taxes which our citizens would have to pay to build a port for two major steel corporations.

On the other hand, the construction of a deepwater port adjacent to the three major steel mills and oil refineries now operating in Lake County along with several hundred other established industries would increase production and reemploy thousands of our idle workers.

FOR 35 YEARS BURNS DITCH ON GRIDDLE

It seems that all these requests for a port have been made by the Midwest Steel Corp. and have been pressed since the corporation bought 750 acres of land in 1929 at the Burns Ditch location. I have not been able to find where the Army Engineers at any time made a major port study, either favorable or unfavorable at any location in northern Indiana except at Burns Ditch in the heart of the beautiful Indiana Dunes.

Major steel mills in Lake County, as well as other heavy industry organizations, are practically unanimous in endorsing the tri-city port location. Inland Steel is the eighth largest steel producer in the United States and operates at its Indiana harbor works the third largest steel mill in the Nation, and is opposed to locating a port in the isolated location in the Indiana Dunes area. Your committee, at the Indianapolis hearings, received a statement of Hjalmer W. Johnson, vice president of Inland Researching and Planning. Since 1919, Inland has owned more than 800 acres of shoreline land from the Lake-Porter County line eastward to Ogden Dunes, but for over 40 years, for reasons of its own, has rejected the building of a steel mill in this hazardous and storm-ridden location. In Mr. Johnson's statement, he made this remarkable disclosure and I quote verbatim:

"Inland's statement declares that the October 1960, interim report submitted by the Army Engineers estimates that general public cargo would amount to only 165,000 tons a year by the 10th year after the proposed Burns Ditch port is completed, and only 370,000 tons a year by the end of a 50-year period. In contrast, the annual waterborne tonnage for steel mills proposed to be built at the site would run to 10 million tons per year."

This astounding revelation that after 10 years of a completed harbor, the percentage of shipping to the Indiana public would be infinitesimal compared to the use of the harbor by the Midwest Steel.

BURNS DITCH HARBOR A DEAD DUCK

I hold in my hand a United Press dispatch from the Chicago Tribune of January 30, 1963 (last Wednesday). The headline reads: "Governor Welsh Told Lake Port (Burns Ditch) Not Feasible Now—Ten-Year Wait Is Seen by U.S. Engineers."

The article continues to explain why the Army Engineers advised him that the proposed port was not feasible at the present time.

I also hold in my hand a front-page news item from Gary, Ind., Post Tribune (United Press International dispatch, dated Indianapolis, January 26, 1963). Among other port news, the article contains the following quote:

"John Van Nuys, representing Midwest Steel Corp. and James Chester, attorney for Bethlehem Steel, asked the State Republican leadership concerning financing the cost of (dunes) port construction. The answer was, quote: 'We are for the port (Burns Ditch), but not for spending State funds on it as proposed by Governor Welsh'."

Further in the article, State Senator Roy Conrad, GOP caucus chairman, said:

"Why doesn't he (Governor Welsh) get his President to approve the $25 million?"

No doubt Senator Conrad was serious in this remark as he should remember Secretary of the Treasury George Humphrey, head of Midwest Steel Corp., during the former administration, operated from both the front and back door of the White House.

I have in my hand one of the few available copies of the now extinct 1960 Report of the Army Engineers on Burns Ditch harbor. On page 19 of the Interim Report on Burns Waterway Harbor, dated October 1960, table 8 contains the following figures:

TABLE 8.—*Summary of average annual benefits*

Commodity:	*Annual benefits*
Steel plant:	
Coal	$2,574,000
Iron ore	4,645,000
Limestone	721,000
Total (97.3 percent)	7,940,000
Transshipped:	
Coal	$57,000
General cargo (public cargo)	68,000
Grain	92,000
Total (2.7 percent)	217,000
Grand total	8,157,000

In other words, the 1960 Army Engineers report which was mysteriously withdrawn and copies are now unavailable, stated that 97.3 percent of all shipping through the Burns Ditch harbor would be for the benefit of the proposed steel mills to be erected at some future date. Possibly, Senator Conrad, Secretary George Humphrey with his powerful influence at the White House in 1960, had some influence in omitting the above and other findings concerning sandfill from the latest 1962 report on Burns Ditch Harbor.

What Senator Conrad also overlooks is that maybe President Kennedy and the Bureau of the Budget read the article by William Peeples of the Louisville Courier-Journal and printed in the February edition of the Atlantic Monthly magazine, entitled "The Indiana Dues and Pressure Politics." The Atlantic Monthly article continues with five pages, revealing the magic financial touch of former Secretary of the Treasury George Humphrey and others in this pressure speculation promotion that would astound the most enterprising of all fast buck sponsors of Burns Ditch.

It is not surprising that some of the Republican statesmen and politicians are slowing down on Burns Ditch and taking a runout powder. Maybe President Kennedy and the Bureau of the Federal Budget have become alarmed at the following blow-by-blow revelation of a Burns Ditch real estate financial operation as taken verbatim from the Atlantic Monthly magazine story of this month, February 1963.

Quote page 84 of Atlantic Monthly magazine:

"Shortly after he took office in 1953, Republican Gov. George Craig threw his political influence behind the Burns Ditch project. In 1954, Clint W. Murchison, the Dallas multimillionaire, controlled the Consumers Co. of Chicago, which sandmining land it owned in the Burns Ditch area. Thus, on September 23, 1954, Consumers Co. officials duly incorporated the Consumers Dunes Corp. in Indianapolis with the stated purpose of speculating in dunes land. The Consumers Co. traded 1,100 acres of its land near Burns Ditch to Consumer Dunes in exchange for 31,000 shares of Consumers Dunes common stock with a par value of $10 a share. Consumers Co. stockholders got one share of Consumers Dunes stock for each Consumers Co. share they held. Consumers Dunes also borrowed $77,500 from a bank and bought another 100 acres of dunes land. To repay the loan, it issued 7,750 more shares at $10 par and offered them to Consumers Co. stockholders. Governor Craig's efforts to get private financing for the Burns Ditch project also were frustrated, and soon afterwards, Consumers Dunes moved to sell its dunes land, by approaching the Lake Shore Development Corp. of Indianapolis. Lake Shore had been incorporated May 6, 1956, as a land-buying agency for Bethlehem Steel. Thus, another steel company entered the dunes picture, and before long, Bethlehem owned 4,000 acres of dunes land, including tracts between the Midwest Steel acreage and the State park to the east. On June 3, 1956, Consumers Dunes sold its 1,200 acres, valued on its books at about $300 an acre, to Lake Shore (Bethlehem) for $3,326,500, or about $2,770 an acre. Its job now done, Consumers Dunes was liquidated on June 21, 1957. Holders of its $10 par shares repeated the tidy profit of $85 a share."

Although I am not an expert on high promotional financing but the way I figure the above financial transaction the Consumer Dunes Co., a dummy corporation, made a net profit of $2,966,500 in 21 months and then liquidated after 30 months' existence as a corporation.

I reluctantly place some of the deplorable real estate and other promotional aspects of the original sponsors of the Burns Ditch speculation venture but the public should know the taxpayers will be called upon to finance a multimillion-dollar harbor for the almost exclusive benefit of two powerful and highly solvent steel mills.

Several dozen local and national conservation organizations are opposed to the Burns ditch port project as it is located in the center of the last remaining natural recreational park and perfect beach shoreline in the Middle West. Waste and debris from the industrial deposits will destroy beach water for miles along the shore. Over 600,000 people in the Calumet region and about 6 million in the Chicago area who cannot afford to drive hundreds of miles for recreation will be denied this nature's wonderland.

I do join the people of Indiana and especially the people of the Calumet region in the hope your Engineers Corps gives a favorable decision on the northern Indiana tri-city harbor development.

A BILL TO IMPROVE FEDERAL ADMINISTRATIVE PRACTICES

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I am today introducing a bill to establish an Office of Federal Administrative Practice and to provide for a corps of Federal agency hearing commissioners. This bill is identical to S. 593, introduced by Senator KENNETH B. KEATING. Senator KEATING also introduced this bill in the 87th Congress as S. 2189. It has the strong endorsement and support of the American Bar Association. Both Senator KEATING and the American Bar Association are to be commended for the work they have done on this very important measure, which is the product of considerable study and research by lawyers, both in and out of the Government, and others interested in improving the administrative processes of our several Federal agencies.

This bill, if enacted, would create an independent agency to be known as the Office of Federal Administrative Practice, which would be responsible for the continuing oversight and improvement of the administrative process.

In a sense, the Federal Government now has a fourth branch, composed of the various rulemaking and regulatory functions within the executive branch of government. The complexity of its procedures and the scope of its activities in many ways exceed those of the three traditional branches of our Federal Government.

The Office of Federal Administrative Practice would report periodically to the Congress and would submit recommendations for legislation needed to strengthen, simplify, and improve the administrative processes. It would also report directly to the President, and either Congress or the President could require special reports. Thus, the Office would bear the same relation to the administrative functions of the executive branch as that borne by the Administrative Office of the U.S. Courts to the Federal judiciary.

The bill would also establish a corps of hearing commissioners. Higher qualifications would be required of commissioners in an attempt to insure that only those meeting the highest standard of legal competence and judicial temperament are selected. A hearing examiner acts as the presiding officer at agency hearings. His rulings affect the liberty and property of thousands of litigants. It is therefore imperative that his qualifications be similar to those of appointees to the Federal bench. This requires a sharp upgrading in such areas as qualifications, tenure, and compensation.

Recent years have all too clearly demonstrated the many shortcomings in our administrative processes. Administrative procedures have been particularly burdensome upon the small businessman. He often lacks both the financial resources and the legal staff required to carry his case through the long, involved, and often tortuous procedural tunnels leading to the desired administrative remedy.

The Congress can make administratively dispensed justice more attainable if it will focus its attention upon this pressing problem. The creation of an independent agency and corps of examiners can provide the reservoir of expertise and highly qualified personnel needed for the task.

H.R. 3619, A BILL TO AMEND THE SMALL BUSINESS ACT

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I have today introduced a bill, H.R. 3619, which will require the Small Business Administration and the Federal Communications Commission to cooperatively develop a small business contracting program which will enable small business concerns to have an equitable opportunity to compete, either directly or as subcontractors, for contracts and procurements awarded under the Communications Satellite Act of 1962.

If we are to have effective competition for contracts awarded under that act, we must insure that small business concerns have a fair opportunity to participate. Experience indicates that Federal agencies do not have the necessary expertise to insure small concerns a fair chance. They need the assistance of an agency whose sole mission, as stated by the Congress, is to "aid, assist, counsel, and protect small business." We have such an agency in the Small Business Administration. No doubt it was these factors which caused the Congress to require the Federal Communications Commission to consult with and solicit the recommendations of the Small Business Administration on measures and procedures to insure that small concerns have an equitable opportunity to compete for contracts.

However, that remedy is too limited. SBA's guidance to other Federal agencies is effective only when SBA is brought into the stream of the regulatory process, not as an outsider whose suggestions are regarded as gratuitous and to be followed only when they coincide with the thoughts of other agencies but rather as a full-fledged partner.

This is exactly what Congress did when it enacted Public Law 87–305 and made SBA a partner in prescribing the subcontracting program to be followed by Government contractors.

This amendment is patterned after, and comparable to, that subcontracting legislation, changed only to accommodate the difference in the situations. It has been suggested that the situation at hand is not comparable to the subcontracting problem. They would have us believe that here we are, the Government, telling a private concern what it should do in its own buying, whereas in the subcontracting area the item is being bought for the Government. But the similarity between the buying by the communications satellite corporation and Government contractors is apparent to those who will look at the situation as it really is.

Under the weapons system of Government procurement, the prime contractor is engaged to bring into being an end product which is composed of many separate systems and components. The prime contract outlines the broad details of what is to be achieved and the guidelines to be followed by the prime contractor in achieving the intended goal. As the prime contractor has been granted a form of a monopoly, the public interest demands that the prime contract obligate the prime contractor to subcontract as much of the work as is practicable, including subcontracting to small firms.

In the space communications program the U.S. Government has given to the new corporation the power to bring into being an end product composed of many separate subsystems and components. As does the prime contract under the weapons system, the enabling legislation outlines the broad details of the desired result and the guidelines to be followed in achieving the goal. Both the prime contract and the legislation create monopolies and both contain provisions which require competition. Thus, the prime contract under the weapons system and this legislation are analogous.

Under the amendment proposed in this bill, SBA's role is strictly limited. All SBA will be able to do is to participate with the Federal Communications Commission in the writing of the regulations which all agree that the Commission should promulgate. SBA will have no authority with respect to the selection of contractors or the placing and administering of the contracts themselves.

The amendment also permits SBA to secure reasonably obtainable information concerning procurement from the new corporation and from communications common carriers. In Public Law 87–305 we provided that SBA in obtaining information concerning subcontracting should act through the procurement agencies. This was one of the ways in which Congress met the objectives that only the contracting officer should do business with the contractor lest the contractor be placed in the position of receiving directions from both the contracting officer and SBA, and that SBA should not be in a position to require contractors to disclose design and other private data. These conditions cannot exist in the procurement activities of the corporation or the communications common carriers so that it is unnecessary for SBA to act through an intermediary, in order to obtain reasonably available, and I emphasize "reasonably available," information.

The impact of the program under the Communications Satellite Act cannot be underestimated. Unless we insure that small concerns will be afforded an opportunity to participate, the likelihood, based on past experience, is that they will not. Procurement is a complex and difficult science. Even the Department of Defense, with its vast know-how in procurement, could not by itself cope with the problem of assuring small business a fair chance. For this reason it was necessary to create SBA.

How then can we expect the Federal Communications Commission with its limited experience in this complex field to meet this challenge?

SBA must be enabled to participate in the preparation of those procurement regulations which relate to small business. This amendment would do this and nothing more. I urge its enactment.

SUMMER EMPLOYMENT IN WASHINGTON, D.C.

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Beckworth] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I wish to include in the Congressional Record a table which appeared in the Congressional Record, volume 108, part 16, page 21541:

Summary of temporary employment in selected Government agencies, summer 1959

States	Summary	General Accounting Office[1]	The Library of Congress[2]	Department of Agriculture[3]	Department of Commerce[4]	Department of Defense[5]	Department of the Air Force[6]	Department of the Army[7]	Department of the Navy[8]	Department of Health, Education, and Welfare[9]	Department of the Interior[10]	Department of Labor[11]	Department of State[12]	Department of the Treasury[13]	Atomic Energy Commission[14]	Civil Service Commission[15]	Federal Communications Commission[16]	Federal Power Commission[17]	Federal Trade Commission[18]	Interstate Commerce Commission[19]	National Aeronautics and Space Administration[20]	National Science Foundation[21]	Securities and Exchange Commission[22]	Veterans' Administration[23]
Alabama	3				2				1															
Arizona	5				4					1														
Arkansas	6		3	1	1	1																		
California	37	2		2	9					1	1			21										1
Colorado	37				34					2					1									
Connecticut	9		1		5					1	1													1
Delaware	3				3																			
District of Columbia	490		30	48	54	5	3	52	23	164	43	1	19	19		2	11	1		3		5		7
Florida	13	1	1		9				1															1
Georgia	4									2	1	1												
Idaho	13				1										11							1		
Illinois	33			2	13			2	6	2	3			4								1		
Indiana	14				5			2	4			1												2
Iowa	10		1		5	1			2	1														
Kansas	10		1		7				1	1														
Kentucky	9				2				2	3				1		1								
Louisiana	5								1					2							1			1
Maine	2				2																			
Maryland	628	6	16	88	80	1	4	80	33	208	34	2	17	23		5	15	1	2	2	2	4		5
Massachusetts	54		1	1	21	1		2	10	8	1	2		1			1			1			2	2
Michigan	25	1	2		3			2	8	3	1	2	1					1						1
Minnesota	4			1	2					1														
Mississippi	5		1		2			2																
Missouri	13		1		5			2	1	2		1											1	
Montana	2							1						1										
Nebraska	9			2	6						1													
Nevada	1				1																			
New Hampshire	6				2					1		2										1		
New Jersey	24		1		6			2	3	1	1			2	8									
New Mexico																								
New York	110		4	7	28		1	11	9	11	4	1	2	2	23						1		2	4
North Carolina	26		2	1	9			5	4	2				3										
North Dakota	1			1																				
Ohio	16	1	2		6			2			3		1											1
Oklahoma	4			1	3																			
Oregon	6				6																			
Pennsylvania	57	1	2		22	1		9	4	4	1	1		4	4							1		3
Rhode Island	3				3																			
South Carolina	4		1		1				2															
South Dakota	4		1	1	2																			
Tennessee	12		1		8				1	1				1										
Texas	14	2			10	1		1																
Utah	12		1		7										2		1							1
Vermont																								
Virginia	546	2	13	88	77	17	7	137	30	61	57	1	16	15			12	2		4		1	1	5
Washington	9	1	1		4					2					1									
West Virginia	5		2		1					1				1										
Wisconsin	10		1	1	7							1												
Wyoming	2				1																			1
Alaska																								
Hawaii	2				2																			
Puerto Rico	1									1														
Virgin Islands																								
Foreign	3		3																					
Total number of employees	2,321	17	93	245	481	28	15	312	146	485	152	16	56	100	50	8	40	5	2	10	4	14	6	36

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[1] General Accounting Office, letter of June 1, 1959. The figures given represent applicants who had been chosen or tentatively chosen to fill summer jobs in 1959.

[2] The Library of Congress, letter of Mar. 1, 1961. The figures given represent temporary employees hired for varying lengths of time, up to a year, from May 15 to Aug. 15, 1959. The Library has no special program of summer employment.

[3] Department of Agriculture, letter of June 16, 1959. The figures stated represent temporary jobs in the Washington, D.C., metropolitan area which were to be filled by students during the summer, 1959.

[4] Department of Commerce, letter of June 18, 1959. The figures given represent student assistants and student trainees hired for the summer, 1959.

[5] Department of Defense, letter of June 10, 1959. The figures given represent students selected for summer employment in 1959 by the Office of the Secretary of Defense.

[6] Department of the Air Force, letter of June 23, 1959. The figures given represent student trainees hired by the Department of the Air Force Headquarters for the summer, 1959.

[7] Department of the Army, letter of June 15, 1959. The figures stated here represent students who had been selected or tentatively selected for temporary appointments for the summer, 1959, with the Department of the Army.

[8] Department of the Navy, letter of May 19, 1959. The figures given represent students majoring in engineering or the physical sciences who were prospective employees of the Navy Department for the summer, 1959.

[9] Department of Health, Education, and Welfare, letter of Aug. 19, 1959. The figures given represent students employed by the Department of Health, Education, and Welfare for the summer, 1959.

[10] Department of the Interior, letter of July 21, 1959. The figures stated represent students who were appointed to temporary jobs in the Department of the Interior in the Washington, D.C., metropolitan area for the summer, 1959.

[11] Department of Labor, letter of June 1, 1959. The figures stated include temporary student assistants who were selected for positions with the Department of Labor for summer, 1959.

[12] Department of State, letter of June 4, 1959. The figures given represent temporary employees and students whom the Department of State had hired or planned to hire for typing, stenographic, and student assistant positions for summer, 1959.

[13] Department of the Treasury, letter of June 23, 1959. The figures given include all summer appointments of students, regardless of the temporary or nontemporary nature of the jobs themselves, for 1959.

[14] Atomic Energy Commission, letter of June 15, 1959. The figures given include all temporary summer appointments to the entire Atomic Energy Commission for summer 1959.

[15] Civil Service Commission, letter of June 9, 1959. The figures given indicate students occupying temporary positions with the Civil Service Commission for summer, 1959.

[16] Federal Communications Commission, letter of June 5, 1959. The figures given represent students temporarily employed by the Federal Communications Commission for summer, 1959.

[17] Federal Power Commission, letter of June 1, 1959. The figures given include individuals who were employed on a temporary basis as student assistants for summer, 1959.

[18] Federal Trade Commission, letter of May 28, 1959. The figures given indicate students holding temporary summer jobs as of May 28, 1959.

[19] Interstate Commerce Commission, letter of June 1, 1959. The figures listed include tentative selections of individuals made to fill temporary typing and stenographic positions with the Interstate Commerce Commission for summer, 1959.

[20] National Aeronautics and Space Administration, letter of June 10, 1959. The figures given include summer appointments for 1959 with the National Aeronautics and Space Administration.

[21] National Science Foundation, letter of June 3, 1959. The figures given include temporary stenographic, typing, and student trainee positions that were to be filled primarily by students during the summer, 1959.

[22] Securities and Exchange Commission, letter of June 3, 1959. The figures given include students who were selected for participation in the student assistant program of the Securities and Exchange Commission for summer, 1959.

[23] Veterans' Administration, letter of June 17, 1959. The figures given include temporary summer jobs filled by students in the Central Office Headquarters and the Medical Division of the Veterans' Benefits Office for summer, 1959.

Compiled by Sandra D. Worthen, History and Government Division, Legislative Reference Service, Library of Congress, Mar. 17, 1961.

In the 20 years I have been in Congress, it always has been my feeling that it is a good thing for our students and teachers and others to learn and know about the functioning of the Federal Government in Washington, D.C. As a former teacher and as the father of five children, I have known and know of no better way for our teachers and students and others to learn about the workings of the Federal Government than to work within the Government in Washington a summer or two. I refer, of course, to those who wish to learn about our Government. But too many of those chosen for summer employment are from Virginia, Maryland, and the District of Columbia, in my opinion. People from other States including Texas obtain too little consideration for summer employment. The above table illustrates this.

I introduced H.R. 5698 to eliminate these injustices as between States. It passed the House committee 15 for, 1 against. The Member who voted against it in committee is from Virginia.

In the CONGRESSIONAL RECORD, volume 108, part 17, pages 21557–21558, is shown the record rollcall on my bill; 309 Members of the House voted for my bill and 19 Members voted against it, even though the Civil Service Commission and Budget Bureau wrote unfavorable reports about my bill. In fact it had the support of no Government department of which I know. The bill then was favorably reported by the Senate Post Office and Civil Service Committee, but died on the Senate floor.

Almost all the Members who voted against my bill are from Maryland and Virginia; only 3 of the 19 are from other States. Maryland had 628 summer jobs, Virginia had 546, the District of Columbia had 490, out of a total of 2,321 summer jobs shown in the table above. For 1962 summer employment figures in the Washington area, Maryland had 812, Virginia had 655, and the District of Columbia had 536, out of 2,946 summer jobs in the Washington, D.C., area shown in another table. Texas again had 14 jobs.

On January 9, 1963, I introduced H.R. 10, a bill exactly like H.R. 5698. Although I favor decreasing the number of total Federal jobs, yet in filling each summer, the summer jobs now in being, people from all States should be dealt with fairly.

I hope the people of our Nation will see the fairness of the provisions of H.R. 10 and indicate their desire that it or a similar bill be passed for I sincerely believe clearer understandings of how the U.S. Government functions in Washington will prevail if a higher percentage of people are brought into Washington from the other 48 States for the summer jobs now available. In my opinion summer jobs should be filled on a competitive basis. One of the results of the passage of H.R. 10 probably would be more efficiency in the operation of our Government in Washington.

AN ORDINARY DAY

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, one of the great, continuing debates of our time is whether there is cause to worry over the alleged continuing concentration of economic power within the American economy. Closely allied with this are the various shades of opinion as to whether discriminatory trade practices are being used to accelerate this tendency toward concentration.

Sometimes it seems that the argument is carried on too much in the abstract. It seems to me that it would be more helpful if we would look at the actual present state of the various businesses and industries contained within our national economy. In this country we are most fortunate in having an extensive trade press. There are publications which specialize in the news of almost every conceivable business and industry. These are most informative in many respects.

The presence or absence of a trend toward concentration may be seen in microcosm by examining any issue of a typical trade publication. For example, the most recent issue of the Supermarket News, a trade publication covering the food industry, was published on February 4, 1963. It contained 60 pages. It was an average day.

On page 1 there is a story covering the question recently presented to the Supreme Court as to whether a chain food store may legally demand a discriminatory price from its suppliers.

Also stories on the bankruptcies of two relatively small food chains.

There were a number of stories on the use of trading stamps.

On page 19 a small grocery store in Salt Lake City had filed a bankruptcy petition.

On page 20 I noted that a number of American chains were going through a variety of discount experiments.

Also on page 20 was a story that King Kullen Grocery Co., a 39-unit chain, has purchased 2 of the 3 Long Island units of Angus Beef Co., a local independent.

On page 22 the National Association of Food Chains stated that it would be "very silly" for retailers to get together on poultry prices. The speaker went on to point out that "vertical integration is essentially nothing more or less than a drive for maximum efficiency." It was then suggested that growers should consider long-term contracts to supply poultry to chainstores.

On page 26 there is a story covering certain alleged discriminatory pricing practices by the National Dairy Products Corp. claimed to have allowed large food chains in the North Central States to obtain goods at lower prices than similar competing retailers.

On page 34 I noted that a stockholder in the National Tea Co. filed suit for an injunction to prevent the issuance of National's common stock as payment for the purchase of 115 supermarkets from another chain.

On page 38 representatives of the meat and food chain industries were depicted as exploring "possibilities of dovetailing their operations for greater efficiency."

On page 40 the Foremost Dairies were said to be ready to shortly submit new divestiture plans for consideration by the FTC.

On page 41 the head of Adams Dairy Co. is described as testifying at St. Louis that his competitors sometimes forced drastic price cuts. The case involved charges against the A. & P. grocery chain, the Kroger Co., Adams Dairy, and National Dairy Products Corp. for selling milk below the cost of production to eliminate competition.

On page 42 the fourth largest dairy in the Chicago area was listed as having been sold to a former Borden Co. executive.

On page 48, there are stories of Procter & Gamble's acquisition of Clorox and the acquisition of the Burma-Vita Co. by the Philip Morris Corp., which is making it a division of its subsidiary, American Safety Razor Co.

On page 50 the Nutrilite Products Co. is described as acquiring control of the Pacific Vitamin Co.

Interspersed throughout the entire edition were such headlines as: Nabisco net rises 7.1 percent; Libby net rises 11 percent; peak sales earnings for Johnson & Johnson; Winn Dixie net and volume higher; Food Mart earnings up 15.8 percent—this included the Evans Food chain which had been acquired during 1962; Gerber sales net up 12 percent; Dr. Pepper hikes quarterly dividend; Ralston sales higher for quarter.

Just a typical day. The economy grew; large firms grew larger; small firms continued to disappear. A typical day but worthy of note, because it shows far more vividly than any technical or abstract analysis that the days of the independent small businessman within the American economy are numbered unless the Congress acts to provide the needed appropriations to implement our present laws and to enact needed new legislation.

NEWARK, N.J., VETERANS' ADMINISTRATION REGIONAL OFFICE SELECTED AS BEST

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. MINISH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MINISH. Mr. Speaker, I am pleased and proud to call attention to the selection of the Newark Veterans' Administration regional office as the best regional office in the VA during 1962 by the Administrator of Veterans' Affairs. He has announced the following awards to the Newark regional office for achievements during calendar year 1962: Best regional office—tied with Winston-Salem, best administrative division, runnerup loan guarantee division, runnerup finance and data processing division—tied with Wilkes-Barre.

Moreover, the field director, area No. 1, has announced the following awards to the Newark regional office for performance in area No. 1 during calendar year 1962: Best regional office, best administrative division, best finance division—tied with Wilkes-Barre, best loan guarantee division, best personnel division.

Mr. T. V. Williams, the able regional manager, and his loyal staff have performed invaluable service to the veterans, their dependents, and survivors in New Jersey, and, indirectly, to all the American people. Their dedication to the highest ideals of public service is most commendable and I am happy at the recognition that has been given their accomplishments.

Mr. Williams expressed the spirit that animates the employees under his fine leadership in the following comment:

> Even though we have reached this plateau of achievement, we intend to keep trying to find ways to do a better job in the future.

LET'S NOT HELP CASTRO

Mr. STRATTON. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Monagan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MONAGAN. Mr. Speaker, on January 17, 1963, in the Congressional Record, I called to the attention of the House the continued lease on life enjoyed by the United Nations proposal to provide over $3 million for an agricultural research project in Cuba.

At that time, I pointed out that over 40 percent of the funds involved would be contributed by the United States and I emphasized the ridiculous nature of this situation in view of our relations with the Castro regime.

At that time, I included in the Record a letter which I had written to Ambassador Adlai E. Stevenson, our representative in the U.N. In that letter, I expressed my support of the resolution of our delegation to continue its opposition to this proposal in spite of its approval by the Governing Council.

I have received an encouraging letter from Ambassador Stevenson reiterating the opposition of the U.S. delegation to this project and I am happy to include his letter herewith:

> January 31, 1963.
>
> Hon. John S. Monagan,
> *House of Representatives.*
>
> Dear Congressman Monagan: I was glad to have your views on the controversial U.N. Special Fund agricultural experimental station project in Cuba.
>
> This is yet another vexing problem we face in dealing with events presently transpiring on that troubled island. While I have long supported the activities of the Special Fund, and am convinced Managing Director Paul Hoffman is doing a first-rate job, this is one instance when we felt no hesitancy in vigorously opposing an ill-timed project, just as the Soviet Union has several times opposed other projects in which the United States was interested.
>
> Your comments are a great help to me, and I thank you for them.
>
> With all best wishes,
> Sincerely yours,
> Adlai E. Stevenson.

I sincerely trust, as I previously indicated, that the opposition of the U.S. delegation will continue at every opportunity.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Rogers of Florida, for 30 minutes, today.

Mr. Vanik, for 20 minutes, today, and to revise and extend his remarks.

Mr. Stratton, for 45 minutes, today.

Mr. Gross, for 15 minutes, today.

Mr. Halpern (at the request of Mr. Beermann), for 5 minutes, today.

Mr. Schwengel (at the request of Mr. Beermann), for 30 minutes, today.

Mr. Gallagher (at the request of Mr. Stratton), for 15 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. Thompson of New Jersey (at the request of Mr. Stratton), for 1 hour today, to revise and extend his remarks and to include extraneous matter.

Mr. Farbstein (at the request of Mr. Stratton), for 15 minutes, today, to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Dorn and to include extraneous matter.

Mr. Dulski and to include extraneous matter.

Mr. Philbin in three instances and to include extraneous matter.

Mr. Burton.

Mr. Short.

(The following Members (at the request of Mr. Beermann) and to include extraneous matter:)

Mr. Bray.

Mr. Bob Wilson.

(The following Members (at the request of Mr. Stratton) and to include extraneous matter:)

Mr. Gallagher.

Mr. Flood.

Mrs. Kelly in two instances.

ADJOURNMENT

Mr. STRATTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until Monday, February 11, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

360. A communication from the President of the United States, transmitting proposed new obligational authority in the amount of $325,000 for the fiscal year 1962 and $1,341,840,131 for fiscal year 1963 for various agencies and $5,414,000 for the District of Columbia for fiscal year 1963. In addition, other proposals not increasing new obligational authority are made for the appropriation of $15,478,000 to liquidate obligations incurred under previously granted contract authority, for transfer between appropriations in the amount of $6,431,350 and for an increase in limitation in the amount of $91,058,000 (H. Doc. No. 61); to the Committee on Appropriations and ordered to be printed.

361. A letter from the Clerk, U.S. House of Representatives, relative to a contest for a seat in the House of Representatives, growing out of the election held November 6, 1962, in the Sixth Congressional District of the State of Minnesota (H. Doc. No. 62); to the Committee on House Administration.

362. A letter from the Secretary of the Army, transmitting a draft of a proposed bill entitled "A bill to amend title 10, United States Code, to exempt certain contracts with foreign contractors from the requirement for an examination of records clause"; to the Committee on Armed Services.

363. A letter from the President and Chairman, Export-Import Bank of Washington, transmitting a draft of a proposed bill entitled "A bill to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes"; to the Committee on Banking and Currency.

364. A letter from the Chairman, National Labor Relations Board, transmitting lists containing the names, salaries, and duties of all employees and officers in the employ of the National Labor Relations Board, and cases heard or decided by the Board, and total obligations and expenditures for the fiscal year ended June 30, 1962, pursuant to the Labor Management Relations Act of 1947; to the Committee on Education and Labor.

365. A letter from the Comptroller General of the United States transmitting a report on the review of selected automatic data processing activities under Atomic Energy Commission cost-type contracts with the University of Chicago as operator of Argonne National Laboratory and with the Midwestern Universities Research Association; to the Committee on Government Operations.

366. A letter from the Secretary of Commerce, transmitting a report of the activities relating to providing aviation war risk insurance for the period as of December 31, 1962, pursuant to title XIII of the Federal Aviation Act of 1958; to the Committee on Interstate and Foreign Commerce.

367. A letter from the Secretary of Labor, transmitting a report pertaining to the administrative adjustment of claims of $2,500 or less paid by this Department during the year ending December 31, 1962, pursuant to title 28, section 2673, United States Code; to the Committee on the Judiciary.

368. A letter from the Assistant Secretary of Defense, transmitting the report of the Department of Defense on civilian positions in this Department allocated or placed in grades GS–16, 17, and 18 during the calendar year 1962, and a report relating to positions requiring the services of specially qualified scientific or professional personnel, pursuant to Public Laws 84–163, 84–854, 85–322, and Public Law 86–36; to the Committee on Post Office and Civil Service.

369. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of

Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217), and section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 383); to the Committee on Science and Astronautics.

370. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 383); to the Committee on Science and Astronautics.

371. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 383); to the Committee on Science and Astronautics.

372. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 383); to the Committee on Science and Astronautics.

373. A letter from the Administrator, General Services Administration, transmitting a report of the status of construction, alteration or acquisition of public buildings authorized, pursuant to section 11(a) of the Public Buildings Act of 1959, 40 U.S.C. 610(a); to the Committee on Public Works.

374. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 5, 1962, submitting a report, together with accompanying papers, on a letter report on the Allegheny River and Oil Creek in the vicinity of Oil City, Pa., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 6, 1949; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. KELLY: Committee on Foreign Affairs. Report on the Soviet economic offensive in Western Europe (Rept. No. 32). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AVERY:

H.R. 3469. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BARRETT:

H.R. 3470. A bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act (relating to the insurance of savings and loan accounts) with respect to the maximum amount of insurance which may be provided thereunder; to the Committee on Banking and Currency.

H.R. 3471. A bill to provide for the transfer for urban renewal purposes of land purchased for a low-rent housing project in the city of Philadelphia, Pa.; to the Committee on Banking and Currency.

By Mr. BOGGS:

H.R. 3472. A bill to amend the Internal Revenue Code of 1954 so as to limit the tax liability resulting when, because of litigation involving the title to property, the income produced by such property in several years is received by the taxpayer in a single year; to the Committee on Ways and Means.

H.R. 3473. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources within said boundaries; to the Committee on the Judiciary.

By Mr. HÉBERT:

H.R. 3474. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources within said boundaries; to the Committee on the Judiciary.

By Mr. LONG of Louisiana:

H.R. 3475. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources within said boundaries; to the Committee on the Judiciary.

By Mr. MORRISON:

H.R. 3476. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources within said boundaries; to the Committee on the Judiciary.

By Mr. PASSMAN:

H.R. 3477. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources within said boundaries; to the Committee on the Judiciary.

By Mr. THOMPSON of Louisiana:

H.R. 3478. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources with said boundaries; to the Committee on the Judiciary.

By Mr. WAGGONNER:

H.R. 3479. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources within said boundaries; to the Committee on the Judiciary.

By Mr. WILLIS:

H.R. 3480. A bill to amend the Submerged Lands Act to establish the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending 3 marine leagues into the Gulf of Mexico and providing for the ownership and use of the submerged lands, improvements, minerals, and natural resources within said boundaries; to the Committee on the Judiciary.

By Mrs. FRANCES P. BOLTON:

H.R. 3481. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 3482. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. GLENN:

H.R. 3483. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 3484. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 3485. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 3486. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs; to the Committee on Education and Labor.

By Mr. BRAY:

H.R. 3487. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the admission of the State of Indiana to the United States to be celebrated in 1966; to the Committee on Post Office and Civil Service.

H.R. 3488. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the statehood of the State of Indiana; to the Committee on Banking and Currency.

By Mr. BURTON:

H.R. 3489. A bill to confirm in the State of Utah title to all lands lying below the high-water line of Great Salt Lake in such State; to the Committee on Interior and Insular Affairs.

By Mr. CAHILL:

H.R. 3490. A bill to amend the Small Business Act to make it clear that disaster loans in cases of flood or other catastrophe may be made with respect to property of any type (including summer homes as well as other residential property); to the Committee on Banking and Currency.

H.R. 3491. A bill to provide for the construction of a new Veterans' Administration hospital in southern New Jersey; to the Committee on Veterans' Affairs.

By Mr. CAREY:

H.R. 3492. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unmarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 3493. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. CRAMER:

H.R. 3494. A bill to amend section 129(b) of title 23, United States Code, relating to toll roads, bridges, and tunnels on the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. CUNNINGHAM:

H.R. 3495. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

By Mr. DAWSON:

H.R. 3496. A bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1965; to the Committee on Government Operations.

By Mr. DENTON:

H.R. 3497. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. DEROUNIAN:

H.R. 3498. A bill relating to the marketing requirements for imported cigar labels and bands and for other imported labels; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 3499. A bill to authorize expended programs of marine and aquatic biological research by the Smithsonian Institution, and for other purposes; to the Committee on House Administration.

By Mr. DULSKI:

H.R. 3500. A bill to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site; to the Committee on Interior and Insular Affairs.

H.R. 3501. A bill to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3502. A bill to amend section 411 of title 38, United States Code, to provide additional dependency and indemnity compensation payments to widows with one or more children; to the Committee on Veterans' Affairs.

H.R. 3503. A bill to amend title 38, United States Code, to permit for 1 year the granting of national life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

By Mr. FARBSTEIN:

H.R. 3504. A bill to provide for the representation of indigent defendants in criminal cases in the U.S. district courts; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3505. A bill to amend the Civil Service Retirement Act to permit employees with at least 30 years of service to retire at 55 years of age with full annuities; to the Committee on Post Office and Civil Service.

By Mr. FRIEDEL:

H.R. 3506. A bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees; to the Committee on Foreign Affairs.

By Mr. FULTON of Pennsylvania:

H.R. 3507. A bill to accelerate, extend, and strengthen the Federal air pollution control program; to the Committee on Interstate and Foreign Commerce.

H.R. 3508. A bill to amend the Civil Service Retirement Act so as to eliminate the provisions requiring termination of annuities of surviving widows or widowers upon remarriage; to the Committee on Post Office and Civil Service.

By Mr. GLENN:

H.R. 3509. A bill to permit donation of surplus agricultural commodities to State and county penal and correctional institutions; to the Committee on Agriculture.

By Mrs. GREEN of Oregon:

H.R. 3510. A bill to amend the act of August 30, 1890, to eliminate the provisions thereof authorizing Federal contributions for the maintenance of schools of higher education in which racial segregation is practiced; to the Committee on Education and Labor.

H.R. 3511. A bill to amend the hospital survey and construction provisions of the Public Health Service Act to strengthen the provisions thereof relating to the use of facilities without discrimination on account of race, creed, or color; to the Committee on Interstate and Foreign Commerce.

H.R. 3512. A bill to provide that certain survivor benefits received by a child under public retirement systems shall not be taken into account in determining whether the child is a dependent for income tax purposes; to the Committee on Ways and Means.

By Mr. HARRIS:

H.R. 3513. A bill to provide that the Administrator of the Federal Aviation Agency shall limit the height of radio and television antenna towers; to the Committee on Interstate and Foreign Commerce.

H.R. 3514. A bill to authorize the Administrator of the Federal Aviation Agency to arm his employees, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HÉBERT:

H.R. 3515. A bill to establish the Director of Civil Defense, and for other purposes; to the Committee on Armed Services.

H.R. 3516. A bill to further amend the Federal Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes; to the Committee on Armed Services.

By Mr. HENDERSON:

H.R. 3517. A bill to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in the administration of such act; to the Committee on Post Office and Civil Service.

By Mr. HOLLAND:

H.R. 3518. A bill to amend section 9(b)(3) of the National Labor Relations Act so as to eliminate the provision thereof prohibiting the certification, as bargaining representative of persons employed as guards, of a labor organization which admits to membership, or is affiliated with an organization which admits to membership, employees other than guards; to the Committee on Education and Labor.

H.R. 3519. A bill to provide annuities payable from the civil service retirement and disability fund in additional cases for certain widows and widowers by eliminating the required period of marriage; to the Committee on Post Office and Civil Service.

H.R. 3520. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to child's insurance benefits shall continue, after he attains age 18, for so long as he is regularly attending high school; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 3521. A bill to amend the Atomic Energy Act of 1954, as amended; to the Joint Committee on Atomic Energy.

By Mr. JENNINGS:

H.R. 3522. A bill to provide for the establishment and administration of the Allegheny-Cumberland Parkway in the States of Virginia, Kentucky, West Virginia, and Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JOELSON:

H.R. 3523. A bill to prohibit discrimination in employment because of race, color, religion, or national origin; to the Committee on Education and Labor.

H.R. 3524. A bill to provide for the desegregation of public schools, with all deliberate speed, including nationwide first-step compliance by 1963, and for other purposes; to the Committee on Education and Labor.

H.R. 3525. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

H.R. 3526. A bill to make the Commission on Civil Rights a permanent agency in the executive branch of the Government, to broaden the scope of the duties of the Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H.R. 3527. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the 1st census of manufactures conducted by the U.S. Government; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of Wisconsin:

H.R. 3528. A bill to amend title II of the Social Security Act to provide a more realistic definition of the term "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

By Mr. KARTH:

H.R. 3529. A bill to amend section 1(14)(a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3530. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. KORNEGAY:

H.R. 3531. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

H.R. 3532. A bill to amend title 38, United States Code, to exclude expenses of the last illness and the burial of a spouse from the annual income computation of a dependent parent in determinations of entitlement to dependency, and indemnity compensation; to the Committee on Veterans' Affairs.

By Mr. LESINSKI:

H.R. 3533. A bill to amend title 39, United States Code, with respect to advancement by step increases of certain postal field service employees; to the Committee on Post Office and Civil Service.

H.R. 3534. A bill to amend the Classification Act of 1949 to restore the granting of step increases on the basis of performance ratings of satisfactory in lieu of the standard of acceptable level of competence, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LLOYD:

H.R. 3535. A bill to confirm in the State of Utah title to all lands lying below the high-water line of Great Salt Lake in such State; to the Committee on Interior and Insular Affairs.

By Mr. McINTIRE:

H.R. 3536. A bill to authorize assistance to public and other nonprofit institutions of higher education, including junior colleges and technical institutes, in financing the construction, rehabilitation, or improvement of needed academic and related facilities; to the Committee on Education and Labor.

By Mr. McMILLAN:

H.R. 3537. A bill to increase the jurisdiction of the Municipal Court for the District of Columbia in civil actions, to change the names of the court, and for other purposes; to the Committee on the District of Columbia.

By Mr. MILLER of California:

H.R. 3538. A bill to amend title 38, United States Code, to provide sufficient appropriations to the Veterans' Administration to allow for modern and adequate facilities commensurate with the increased needs of the veterans population of the United States; to the Committee on Veterans' Affairs.

H.R. 3539. A bill to adjust the annuities of certain former Members of Congress; to the Committee on Post Office and Civil Service.

By Mr. MILLIKEN:

H.R. 3540. A bill to amend the Internal Revenue Code of 1954 to allow a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

By Mr. MORRIS:

H.R. 3541. A bill to promote the coordination and development of effective Federal and State programs relating to outdoor recreation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

H.R. 3542. A bill to provide for a Veterans' Administration general, medical, and surgical hospital of 500 beds at Sacramento, Calif.; to the Committee on Veterans' Affairs.

By Mr. MURRAY:

H.R. 3543. A bill to amend the act of May 16, 1958, providing for the conveyance of certain lands in Shiloh National Military Park, State of Tennessee, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3544. A bill to amend section 25 of title 13, United States Code, relating to the duties of enumerators of the Bureau of the Census, Department of Commerce; to the Committee on Post Office and Civil Service.

H.R. 3545. A bill to amend section 131 of title 13, United States Code, so as to provide for taking of the economic censuses 1 year earlier starting in 1968; to the Committee on Post Office and Civil Service.

By Mr. NELSEN:

H.R. 3546. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 3547. A bill to authorize free post office box service for certain patrons, and for other purposes; to the Committee on Post Office and Civil Service.

By. Mr. NORBLAD:

H.R. 3548. A bill to amend section 27 of the Merchant Marine Act, 1920, to permit the waiver of such section under certain circumstances; to the Committee on Merchant Marine and Fisheries.

By Mr. O'BRIEN of New York:

H.R. 3549. A bill to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site; to the Committee on Interior and Insular Affairs.

H.R. 3550. A bill to provide for the maintenance of the graves of former Presidents of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3551. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. POAGE:

H.R. 3552. A bill to amend the Agricultural Adjustment Act, as reenacted by the Agricultural Marketing Agreement Act of 1937, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. PUCINSKI:

H.R. 3553. A bill to amend section 8 of the Labor-Management Relations Act, 1947, and for other purposes; to the Committee on Education and Labor.

H.R. 3554. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 3555. A bill to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RAINS (by request):

H.R. 3556. A bill to authorize the chartering of organizations to insure conventional mortgage loans, to authorize the creation of secondary market organizations for conventional and other mortgage loans, to authorize the issuance of debentures upon the security of insured or guaranteed mortgages, and to create a joint supervisory board to charter and examine such organizations, and for other purposes; to the Committee on Banking and Currency.

By Mr. RANDALL:

H.R. 3557. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. ROOSEVELT:

H.R. 3558. A bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees; to the Committee on Foreign Affairs.

H.R. 3559. A bill to require certain companies engaged in dual distribution to disclose separate annual operating data on each of their establishments which compete with independent customers of such companies in the sale and industrial use of their products; to the Committee on the Judiciary.

H.R. 3560. A bill to establish an Office of Federal Administrative Practice, and to provide for the appointment and administration of a corps of hearing commissioners, and for other purposes; to the Committee on the Judiciary.

H.R. 3561. A bill to amend title 35, United States Code, to permit the publication of patent applications, and for other purposes; to the Committee on the Judiciary.

H.R. 3562. A bill to amend the Clayton Act to prohibit vertically integrated companies from engaging in discriminatory practices against independent producers and distributors; to the Committee on the Judiciary.

H.R. 3563. A bill to amend section 4071 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 3564. A bill to amend the Internal Revenue Code of 1954 to treat wholesale distributors of automotive parts and accessories as manufacturers for purposes of the tax on such parts and accessories; to the Committee on Way and Means.

By Mr. ROYBAL:

H.R. 3565. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

By Mr. RYAN of Michigan:

H.R. 3566. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 3567. A bill to amend the Internal Revenue Code of 1954 to exempt a nonprofit corporation from the corporate income tax when its operations are carried on exclusively to promote the economic development of its defined geographic area and to thereby alleviate unemployment and underemployment in that area, and further, to provide that contributions made to or for the use of such nonprofit corporations shall be charitable contributions; to the Committee on Ways and Means.

By Mr. RYAN of New York:

H.R. 3568. A bill to provide for the District of Columbia an appointed Governor and secretary, and an elected legislative assembly and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

H.R. 3569. A bill to provide that tips received by an employee in the course of his employment may be included as part of his wages for old-age, survivors, and disability insurance purposes; to the Committee on Ways and Means.

By Mr. SHELLEY:

H.R. 3570. A bill to provide for the desegregation of public schools, with all deliberate speed, including nationwide first-step compliance by 1964, and for other purposes; to the Committee on Education and Labor.

H.R. 3571. A bill to prohibit discrimination in employment because of race, color, religion, or national origin; to the Committee on Education and Labor.

H.R. 3572. A bill to enforce constitutional rights, and for other purposes; to the Committee on the Judiciary.

H.R. 3573. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. SHEPPARD:

H.R. 3574. A bill to provide for the withdrawal and reservation for the use of the Department of the Air Force of certain public lands of the United States at Cuddeback Lake Air Force Range, California, for defense purposes; to the Committee on Interior and Insular Affairs.

H.R. 3575. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. YOUNGER:

H.R. 3576. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. KING of California:

H.R. 3577. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. MILLER of California:

H.R. 3578. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. DOYLE:

H.R. 3579. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. SHELLEY:

H.R. 3580. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. GUBSER:

H.R. 3581. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. HAGEN of California:

H.R. 3582. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. HOSMER:

H.R. 3583. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. LIPSCOMB:

H.R. 3584. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. MAILLIARD:

H.R. 3585. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. MOSS:

H.R. 3586. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. UTT:

H.R. 3587. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. BOB WILSON:

H.R. 3588. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. BALDWIN:

H.R. 3589. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. SISK:

H.R. 3590. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. TEAGUE of California:

H.R. 3591. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. SMITH of California:

H.R. 3592. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. COHELAN:

H.R. 3593. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. JOHNSON of California:

H.R. 3594. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. BELL:

H.R. 3595. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. CORMAN:

H.R. 3596. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. BROWN of California:

H.R. 3597. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. EDWARDS:

H.R. 3598. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. HANNA:

H.R. 3599. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. HAWKINS:

H.R. 3600. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. LEGGETT:

H.R. 3601. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. MARTIN of California:

H.R. 3602. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. TALCOTT:

H.R. 3603. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. CHARLES H. WILSON:

H.R. 3604. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. CLAUSEN:

H.R. 3605. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. ROYBAL:

H.R. 3606. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. SHORT:

H.R. 3607. A bill to amend the Federal Seed Act, as amended, with respect to screenings of seed; to the Committee on Agriculture.

By Mr. SLACK:

H.R. 3608. A bill to amend the Internal Revenue Code of 1954 to provide that interest on series E U.S. savings bonds held to maturity shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 3609. A bill to increase the opportunities for training of physicians, dentists, pharmacists, optometrists, and professional public health personnel, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMSON of Wisconsin:

H.R. 3610. A bill to require disclosure of the effectiveness of filters on cigarettes distributed in commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. UDALL:

H.R. 3611. A bill to authorize the establishment of the Hubbell Trading Post National Historic Site, in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3612. A bill to define the term "child" for lump-sum-payment purposes under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. UTT:

H.R. 3613. A bill to abolish the Arms Control and Disarmament Agency, and repeal the Arms Control and Disarmament Act; to the Committee on Foreign Affairs.

By Mr. VINSON:

H.R. 3614. A bill to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes; to the Committee on Armed Services.

By Mr. WICKERSHAM:

H.R. 3615. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mr. CLARK:

H.R. 3616. A bill to assure that certain Government contracts with small business concerns to be carried out in areas of substantial unemployment will help reduce unemployment in those areas; to the Committee on Public Works.

By Mr. KEOGH:

H.R. 3617. A bill relating to the application of the manufacturers excise tax on electric light bulbs in the case of sets or strings of such bulbs; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 3618. A bill to establish the Whiskeytown-Shasta-Trinity National Recreational Area in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MULTER:

H.R. 3619. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

By Mr. O'BRIEN of New York:

H.R. 3620. A bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a Water Resources Council and River Basin Commission, and by providing financial assistance to the States in order to increase State participation in such planning; to the Committee on Interior and Insular Affairs.

By Mr. SKUBITZ:

H.R. 3621. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. CAHILL:

H.J. Res. 236. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 237. Joint resolution expressing the determination of the Congress that the United States maintain, implement, and enforce the Monroe Doctrine throughout the Western Hemisphere; to the Committee on Foreign Affairs.

By Mrs. GREEN of Oregon:

H.J. Res. 238. Joint resolution proposing an amendment to the Constitution of the United States relating to residence qualifications for voting for electors of President and Vice President; to the Committee on the Judiciary.

By Mr. HALPERN:

H.J. Res. 239. Joint resolution designating the week of May 20–26, 1963, as National Actors' Equity Week; to the Committee on the Judiciary.

By Mr. KARTH:

H.J. Res. 240. Joint resolution designating the week of April 21–26, 1963 as National High School Journalism Week; to the Committee on the Judiciary.

By Mr. McDOWELL:

H.J. Res. 241. Joint resolution to amend the joint resolution of May 17, 1938, to extend the benefits, by the use of artmobiles and other means, of the National Collection of Fine Arts to museums and art galleries in the smaller cities and towns, and to rural communities, and for other purposes; to the Committee on House Administration.

By Mr. MORRIS:

H.J. Res. 242. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.J. Res. 243. Joint resolution to amend the joint resolution of May 17, 1938, to extend the benefits, by the use of artmobiles and other means, of the National Collection of Fine Arts to museums and art galleries in the smaller cities and towns, and to rural communities, and for other purposes; to the Committee on House Administration.

By Mr. WATSON:

H.J. Res. 244. Joint resolution to express the sense of the Congress with respect to nations trading with Cuba and to urge appropriate action by the President of the United States; to the Committee on Foreign Affairs.

By Mr. BURLESON:

H.J. Res. 245. Joint resolution to provide that Members of Congress shall be limited to per diem allowances and necessary transportation costs in connection with travel outside the United States, and for other purposes; to the Committee on House Administration.

By Mr. SKUBITZ:

H.J. Res. 246. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. BURLESON:

H. Con. Res. 83. Concurrent resolution expressing the determination of the United States with respect to the matter of general disarmament and arms control; to the Committee on Foreign Affairs.

By Mrs. GREEN of Oregon:

H. Con. Res. 84. Concurrent resolution authorizing the Joint Committee on Printing to conduct a study of the CONGRESSIONAL RECORD with a view to improving its format, index, typography, and so forth; to the Committee on House Administration.

By Mr. PATMAN:

H. Con. Res. 85. Concurrent resolution to authorize the printing as a House document the pamphlet entitled, "Our American Government—1,001 Questions on How It Works"; to the Committee on House Administration.

H. Con. Res. 86. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our Flag"; to the Committee on House Administration.

By Mr. REUSS:

H. Con. Res. 87. Concurrent resolution to explore an OECD parliamentary conference; to the Committee on Foreign Affairs.

By Mr. WESTLAND:

H. Con. Res. 88. Concurrent resolution expressing the intent of Congress that naval and Marine Corps officers captured by the enemy during World War II who were authorized for promotion during captivity and subsequently promoted after release be entitled under the authority of section 2 of the act of March 7, 1942 (56 Stat. 143, ch. 166), to pay, allowances, and precedence from the date of rank stipulated in the later appointing orders; to the Committee on Armed Services.

By Mr. McINTIRE:

H. Res. 247. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. KING of New York:

H. Res. 248. Resolution expressing the sense of the House of Representatives in favor of direct negotiation between Israel and the Arab States in the search for peace; to the Committee on Foreign Affairs.

By Mr. WALTER:

H. Res. 249. Resolution to authorize the expenditure of certain funds for the expenses of the Committee on Un-American Activities; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. MOORE: Memorial of the Senate of the State of West Virginia insisting that the President of the United States limit and curtail the importation of residual fuel oil; to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States relative to the plan of the U.S. Public Health Service to build a water pollution field control laboratory in the Midwest, and recommending the location in the St. Louis metropolitan area for this laboratory as being an ideal site for the same; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States relative to requesting action to place the U.S. lumber industry on an equitable basis with foreign competitors and require the marking of imported lumber to show the country of origin; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 3622. A bill for the relief of Nicola Nunnari; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 3623. A bill for the relief of Col. Frank D. Schwikert, U.S. Air Force; to the Committee on the Judiciary.

H.R. 3624. A bill for the relief of Maj. Donald B. Powers, U.S. Air Force; to the Committee on the Judiciary.

H.R. 3625. A bill for the relief of Maj. Leonard H. Potterbaum, U.S. Air Force; to the Committee on the Judiciary.

H.R. 3626. A bill for the relief of Ronnie E. Hunter; to the Committee on the Judiciary.

H.R. 3627. A bill for the relief of Arthur C. Berry and others; to the Committee on the Judiciary.

By Mr. BLATNIK:

H.R. 3628. A bill for the relief of William Chae-Sik Lee and Grace Koom-soon Lee; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 3629. A bill for the relief of Pong Yong Jin (also known as Pang Yong Chin); to the Committee on the Judiciary.

H.R. 3630. A bill for the relief of Andre Pachany; to the Committee on the Judiciary.

H.R. 3631. A bill for the relief of Constantin Chroussalas; to the Committee on the Judiciary.

H.R. 3632. A bill for the relief of Rosa Macri; to the Committee on the Judiciary.

H.R. 3633. A bill for the relief of Evgenia E. Glikofridis; to the Committee on the Judiciary.

H.R. 3634. A bill for the relief of Vlasios G. Dimakopoulos; to the Committee on the Judiciary.

H.R. 3635. A bill for the relief of Dimitrios Dimakopoulos; to the Committee on the Judiciary.

H.R. 3636. A bill for the relief of Helene Gavrilou; to the Committee on the Judiciary.

H.R. 3637. A bill for the relief of Georgios P. Sotos; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H.R. 3638. A bill for the relief of Dvora Tai Fields; to the Committee on the Judiciary.

By Mr. BURLESON:

H.R. 3639. A bill for the relief of Alfred C. Altum; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 3640. A bill for the relief of O'Brien Dieselectric Corp.; to the Committee on the Judiciary.

By Mr. CAHILL:

H.R. 3641. A bill for the relief of Jankiel Borsuk and wife, Sylvia Borsuk; to the Committee on the Judiciary.

By Mr. CHENOWETH:

H.R. 3642. A bill for the relief of Mike Mizokami, Sam Mizokami, Tom Mizokami, and Hatsuyo Mizokami; to the Committee on the Judiciary.

By Mr. CORMAN (by request):

H.R. 3643. A bill for the relief of Gertrud Swienty; to the Committee on the Judiciary.

H.R. 3644. A bill for the relief of Douglas A. Smithers; to the Committee on the Judiciary.

H.R. 3645. A bill for the relief of Yeghsa Ketenjian; to the Committee on the Judiciary.

By Mr. DOYLE:

H.R. 3646. A bill for the relief of Gordon Liu Brooks and Jackie Lee Brooks; to the Committee on the Judiciary.

By Mr. DULSKI (by request):

H.R. 3647. A bill for the relief of Maria M. Mourad and Mahmoud Mourad; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 3648. A bill for the relief of Fiore Luigi Biasiotta; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 3649. A bill for the relief of Miss Panagiota Elizavet Koroneos; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 3650. A bill for the relief of Christos Papayianis; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 3651. A bill for the relief of Imre Kiss; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.R. 3652. A bill for the relief of Rosaria Nogueira; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 3653. A bill for the relief of Marcelo Canlas; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 3654. A bill for the relief of Paolo Armano; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 3655. A bill for the relief of Elvira V. Sommers; to the Committee on the Judiciary.

By Mr. PILLION:

H.R. 3656. A bill for the relief of Laura Mary Pankotai; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 3657. A bill for the relief of Zbigniew Tadeusz Franciszek Kubiak; to the Committee on the Judiciary.

H.R. 3658. A bill for the relief of Savino, Maria, and Michele Ottolino; to the Committee on the Judiciary.

H.R. 3659. A bill for the relief of Marcella Bucchianeri; to the Committee on the Judiciary.

H.R. 3660. A bill for the relief of Giuseppina Bucchianeri; to the Committee on the Judiciary.

H.R. 3661. A bill for the relief of Josef Leszka; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.R. 3662. A bill for the relief of Mrs. Margaret Patterson Bartlett; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 3663. A bill for the relief of Miss Hermina Kuk; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 3664. A bill for the relief of Leon Cohen, his wife, Yvonne Cohen, and their minor children, Danielle, Jean, and Josiane Cohen; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 3665. A bill for the relief of Carol Rennie; to the Committee on the Judiciary.

By Mr. SHIPLEY:

H.R. 3666. A bill for the relief of Leonidas Athanasakos; to the Committee on the Judiciary.

By Mr. SIBAL:

H.R. 3667. A bill for the relief of Missionia Arsin Varjabedian; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

38. By Mr. MOORE: Petition of Moundsville Chamber of Commerce protesting import quota for residual fuel oil; to the Committee on Ways and Means.

39. By Mr. MORSE: Petition of employees of the Fish Peir Box Co., Inc., petitioning that the lumber industry of the United States be placed on an equitable and competitive basis with foreign manufacturers through the use of a quota system or other means; to the Committee on Ways and Means.

40. By Mr. STRATTON: Resolution 6-63 of the Board of Supervisors of Yates County, N.Y., expressing opposition to the proposal to reduce the domiciliary care at the Veterans Rehabilitation Center in Bath, N.Y.; to the Committee on Veterans' Affairs.

SENATE

THURSDAY, FEBRUARY 7, 1963

(Legislative day of Tuesday, January 15, 1963)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, who looketh not upon outward things, but upon the hidden things of the heart, out of which are the issues of life: In this age of automatic, mechanical devices, save us from regarding the boastful display of these symbols of physical power as the expressions of the chief achievements of a nation—ours or another. To a watching world, let us rather, by Thy help, set up an exhibition of honor untarnished, of promises sacredly kept, of human dignity defended, of freedoms unfettered, and of spiritual verities lifted above self-centered materialism devoted to surpassing others in a race for domination.

May this land of our hope and prayer display to a world that has lost its way the splendor of a peace which comes of purity and of a strength to simple justice due. God of our fathers, make it true. In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 6, 1963, was dispensed with.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

RESOLUTION OF GENERAL ASSEMBLY OF RHODE ISLAND

Mr. PASTORE. Mr. President, on behalf of myself and the junior Senator from Rhode Island [Mr. Pell], I present a certified copy of the resolution—House Resolution 1057—entitled "Resolution memorializing the Congress of the United States with respect to the junior ROTC program in secondary schools throughout the United States, and the Department of Defense plan to discontinue it."

This resolution passed the Rhode Island General Assembly at the January session, 1963, and became effective on the 26th day of January 1963.

I request that this resolution be appropriately referred.

The **PRESIDENT** pro tempore. The resolution will be received and appropriately referred.

The resolution was referred to the Committee on Armed Services and, under the rule, was ordered to be printed in the Record, as follows:

H. Res. 1057

Resolution memorializing the Congress of the United States with respect to the junior ROTC program in secondary schools throughout the United States, and the Department of Defense plan to discontinue it

Whereas the Department of Defense plan to abandon the junior ROTC plan in secondary schools throughout the country on the basis of economy has little merit, since the amount spent on the plan is minor in comparison to the billions spent by the Defense Department; and

Whereas this plan does give good disciplinary training to teenagers at a time when authorities are deeply concerned about the lack of such training leading to juvenile delinquency; and

Whereas the program does provide invaluable military training to young men who may be drafted and/or called upon to serve in a national emergency during these trying times; and

Whereas this same program has a long history of successful accomplishment at Rogers High School in Newport, R.I.: Now, therefore, be it

Resolved, That the General Assembly of the State of Rhode Island and Providence Plantations be placed on record in favor of continuance of the junior ROTC program in its present form; and be it further

Resolved, That the Senators and Representatives in Congress from Rhode Island are earnestly requested to support the program and to contact the proper authorities concerning this matter; and be it further

Resolved, That duly certified copies of this resolution be transmitted forthwith by the secretary of state to the Members of Congress from the State of Rhode Island in the Congress of the United States.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 733. A bill for the relief of Yung Yuen Yau; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 734. A bill to establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 735. A bill for the relief of Peter Hopeton Maylor; to the Committee on the Judiciary.

By Mr. RIBICOFF (for himself, Mr. Bible, Mr. Boggs, Mr. Cannon, Mr. Dodd, Mr. Hart, Mr. Humphrey, Mr. Inouye, Mr. Kuchel, Mr. Long of Missouri, Mr. Magnuson, Mr. McGee, Mr. Randolph, and Mr. Williams of New Jersey):

S. 736. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of treatment works to control water and air pollution by permitting the deduction of expenditures for the construction, erection, installation, or acquisition of such treatment works; to the Committee on Finance.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF (for himself, Mr. Bible, Mr. Cannon, Mr. Dodd, Mr. Hart, Mr. Humphrey, Mr. Inouye, Mr. Kuchel, Mr. Long of Missouri, Mr. Magnuson, Mr. McGee, Mr. Randolph, Mr. Williams of New Jersey, and Mr. Young of Ohio):

S. 737. A bill to promote water and air pollution control and abatement by authorizing the Secretary of Health, Education, and Welfare to provide certain assistance to small business concerns in obtaining necessary treatment works; to the Committee on Public Works.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER (for himself and Mr. Beall):

S. 738. A bill to transfer certain administrative responsibility for the operation of Washington National Airport and Dulles International Airport from the Administrator of the Federal Aviation Agency to a Washington Airports Board, and for other purposes; to the Committee on Commerce.

S. 739. A bill to amend section 501(c)(14) of the Internal Revenue Code of 1954 to exempt from income taxation certain nonprofit corporations and associations organized to provide reserve funds for domestic building and loan associations, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Brewster when he introduced the above bills, which appear under separate headings.)

By Mr. CLARK:

S. 740. A bill for the relief of Dr. Michael Panagiotis Manoloudis; to the Committee on the Judiciary.

By Mr. KEATING:

S. 741. A bill to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Keating when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD (for himself, Mr. Kefauver, Mr. Lausche, and Mr. Ribicoff):

S. 742. A bill to amend title 18 of the United States Code to prescribe criminal penalties for bringing certain dangerous drugs into the United States for illegal sale or use; to the Committee on the Judiciary.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. KUCHEL (for himself and Mr. Engle):

S. 743. A bill to furnish to the Padre Junipero Serra 250th Anniversary Association medals in commemoration of the 250th anniversary of his death; to the Committee on Banking and Currency.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. Bartlett, Mr. Kennedy, and Mr. Saltonstall):

S. 744. A bill to authorize the Secretary of the Interior to construct two modern stern ramp trawlers to be used for experimental commercial fishing, research, and for other purposes; to the Committee on Commerce.

By Mr. SPARKMAN:

S. 745. A bill to provide for adjustments in annuities under the Foreign Service retirement and disability system; and

S. 746. A bill to provide for adjustments in annuities under the Foreign Service retirement and disability system; to the Committee on Foreign Relations.

(See the remarks of Mr. Sparkman when he introduced the above bills, which appear under a separate heading.)

By Mr. HART (for himself, Mr. Keating, Mr. Humphrey, Mr. Fong, Mr. Dodd, Mr. Long of Missouri, Mr. Case, Mr. Clark, Mr. Douglas, Mr. Engle, Mr. Javits, Mr. Morse, Mr. Moss, Mr. Muskie, Mrs. Neuberger, Mr. Pastore, Mr. Pell, Mr. Proxmire, Mr. Scott, Mr. Williams of New Jersey, Mr. Young of Ohio, Mr. Brewster, Mr. Gruening, Mr. Kefauver, Mr. Kuchel, Mr. Lausche, Mr. McGovern, Mr. Metcalf, Mr. Ribicoff, Mr. Saltonstall, and Mr. Inouye):

S. 747. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE:

S. 748. A bill for the relief of Giannino Monaco; to the Committee on the Judiciary.

By Mr. HOLLAND (for himself and Mr. Smathers):

S. 749. A bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 (dealing with unrelated business taxable income); to the Committee on Finance.

(See the remarks of Mr. Holland when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS (for himself, Mr. Mansfield, Mr. Magnuson, Mr. Case, Mr. Clark, Mr. Proxmire, Mrs. Neuberger, Mr. Dodd, Mr. Kefauver, Mr. Hart, Mr. Randolph, Mr. Young of Ohio, Mr. Moss, Mr. Cannon, Mr. Gruening, Mr. Morse, Mr. Bartlett, Mr. McGee, Mr. Pell, and Mr. McGovern):

S. 750. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

(See the remarks of Mr. Douglas when he introduced the above bill, which appear under a separate heading.)

By Mr. PELL:

S. 751. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 752. A bill for the relief of Janos Kardos; and

S. 753. A bill for the relief of Mrs. Giuseppa Rafala Monarca; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

TO PRINT AS A SENATE DOCUMENT, WITH ILLUSTRATIONS, A PAMPHLET ENTITTLED "OUR CAPITOL," AND TO PRINT ADDITIONAL COPIES THEREOF

Mr. DIRKSEN submitted the following concurrent resolution (S. Con. Res. 14); which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That there be printed as a Senate document, with illustrations, the pamphlet entitled "Our Capitol"; and that three hundred and twenty-three thousand five hundred additional copies shall be printed, of which one hundred and three thousand copies shall be for the use of the Senate and two hundred and twenty thousand five hundred copies for the use of the House of Representatives.

RESOLUTION

TWENTY-FIFTH ANNIVERSARY OF THE PAPIO DISTRICT

Mr. HRUSKA submitted a resolution (S. Res. 86) extending felicitations to persons contributing to the success of the Papio soil and water conservation program in Nebraska, which was referred to the Committee on Interior and Insular Affairs.

(See the above resolution printed in full when he submitted the above resolution, which appears under a separate heading.)

WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA

Mr. KUCHEL. Mr. President, I introduce, for appropriate reference, a bill to establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes.

Available for recreation to the people of my State and, indeed, to the people of the Nation as a whole is a large area near two giant Federal reclamation projects located in the vicinity of the Shasta Lake and the Trinity-Lewiston Reservoirs, in northern California.

A few days ago the Secretaries of the Interior and Agriculture in a joint public release noted that their Departments had reached agreement on the administration of lands under their jurisdiction which would be devoted to recreation.

In California, an area of approximately 280,000 acres would be set aside. It would be known as the Whiskeytown-Shasta-Trinity National Recreation Area.

The proposed area would consist of three noncontiguous units surrounding reservoirs built by the Bureau of Reclamation.

The areas around Shasta Lake and the Trinity-Lewiston Reservoirs, within the Shasta and Trinity National Forests, would be administered by the Forest Service.

The portion of the proposed national recreation area lying outside the national forest, the 50,000-acre Whiskeytown unit, would be administered by the National Park Service.

Mr. President, it is rather unique that two Departments, each with jurisdiction over some of the public lands located in the State from which I come, now recommend to the Congress the creation of a new national recreation area, with joint jurisdiction. This is a commendable action. In the last Congress, I coauthored and worked for the successful passage of the Point Reyes National Seashore. These are great steps forward in meeting the conservation goals set down by Theodore Roosevelt and Gifford Pinchot. Such areas will be vital in meeting the recreation needs of our urban citizens.

This measure will be referred to the Committee on Interior and Insular Affairs. There an opportunity will be given to residents of California and local and State government officials to be heard. The final determination will be made, of course, by the committee and Members of the Senate on this new and forward-looking proposal. I am confident that my colleagues will approve.

I have long been interested in the designation by Congress of this area generally as a public recreation area; and this bill will furnish a vehicle for the committee, and also for the Congress, I hope, to work its will on that subject.

I ask unanimous consent that the bill lie at the desk for the remainder of this week, through tomorrow, to enable other Senators to join in sponsoring it.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from California.

The bill (S. 734) to establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes, introduced by Mr. Kuchel, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AID TO INDUSTRY FOR POLLUTION CONTROL

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, two bills designed to make it economically feasible for private industry to install facilities to control water and air pollution. I ask unanimous consent that these bills be printed in the Record and lie on the desk for 3 days so that other Senators may join as cosponsors.

The PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record, and lie on the desk, as requested.

The bills, introduced by Mr. Ribicoff, were received, read twice by their titles, ordered to be printed in the Record, and referred as follows:

By Mr. RIBICOFF (for himself, Mr. Bible, Mr. Boggs, Mr. Cannon, Mr. Dodd, Mr. Hart, Mr. Humphrey, Mr. Inouye, Mr. Kuchel, Mr. Long of Missouri, Mr. Magnuson, Mr. McGee, Mr. Randolph, and Mr. Williams of New Jersey):

S. 736. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of treatment works to control water and air pollution by permitting the deduction of expenditures for the construction, erection, installation, or acquisition of such treatment works; to the Committee on Finance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to itemized deductions for individuals and corporations) is amended by adding at the end thereof the following new section:

"Sec. 183. Expenditures for Treatment Works To Control Water and Air Pollution.

"(a) Treatment as Expenses.—

"(1) In general.—A taxpayer may elect to treat expenditures (or any portion thereof) paid or incurred by him during the taxable year in connection with his trade or business for the construction, erection, installation, or acquisition of—

"(A) any certified water pollution control treatment works (as defined in subsection (c)), and

"(B) any certified air pollution control treatment works (as defined in subsection (d))

as expenses which are not chargeable to capital account. The expenditures so treated shall be allowed as a deduction.

"(2) Deferral of year of deduction.—A taxpayer who during any taxable year has paid or incurred expenditures to which paragraph (1) applies may elect to treat such expenditures (or any portion thereof) as having been paid or incurred in any of the four taxable years following the taxable year in which such expenses are paid or incurred, to the extent such expenditures are not treated as having been paid or incurred in any prior taxable year.

"(b) Elections.—

"(1) Time.—The election provided by subsection (a)(1) shall be made not later than the time prescribed by law (including extensions thereof) for filing the return for the taxable year in which the expenditures are paid or incurred. The election provided by subsection (a)(2) shall be made not later than the time prescribed by law (including extensions thereof) for filing the return for the taxable year in which the expenditures (or portion thereof) are treated as having been paid or incurred.

"(2) Manner; revocation.—The elections provided by subsections (a) (1) and (2)—

"(A) shall be made in such manner as the Secretary or his delegate shall prescribe by regulations; and

"(B) may not be revoked except with the consent of the Secretary or his delegate.

"(3) Certificates required.—No election may be made under subsection (a) with respect to any expenditures unless the certificates required under subsection (c)(1) or (d)(1), as the case may be, have been issued with respect to the certified water pollution control treatment works or the certified air pollution control treatment works for which such expenditures were paid or incurred.

"(c) Certified Water Pollution Control Treatment Works.—

"(1) In general.—For purposes of this section, the term 'certified water pollution control treatment works' means so much of any facility, land, building, machinery, or equipment, or any part thereof, used to control water pollution by removing, altering, or disposing of wastes from any type of manufacturing process, including the necessary intercepting sewers, outfall sewers, pumping, power, and other equipment, and their appurtenances—

"(A) the construction, erection, installation, or acquisition of which is completed after December 31, 1962;

"(B) which the State certifying authority has certified to the Federal certifying authority as having been constructed, erected, installed, or acquired in conformity with the State program or requirements for control of water pollution; and

"(C) which the Federal certifying authority has certified to the Secretary or his delegate as beneficial to the control of water pollution and in furtherance of the general policy of the United States for cooperation with the States in the prevention and abatement of water pollution under the Federal Water Pollution Control Act, as amended (33 U.S.C. sec. 466 et seq.).

"(2) State certifying authority.—For purposes of paragraph (1), the term 'State certifying authority' means the State water pollution control agency as defined in section 11(a) of the Federal Water Pollution Control Act, as amended.

"(3) Federal certifying authority.—For purposes of paragraph (1), the term 'Federal certifying authority' means the Secretary of Health, Education, and Welfare.

"(4) State.—For purposes of this subsection, the term 'State' includes the District of Columbia and the Commonwealth of Puerto Rico.

"(d) Certified Air Pollution Control Treatment Works.—

"(1) In general.—For purposes of this section, the term 'certified air pollution control treatment works' means so much of any facility, land, building, machinery, or equipment, or any part thereof, used to control atmospheric pollution or contamination by removing, altering, or disposing of atmospheric pollutants and contaminants from any type of manufacturing process—

"(A) the construction, erection, installation, or acquisition of which is completed after December 31, 1962;

"(B) which the State certifying authority has certified to the Federal certifying authority as having been constructed, erected, installed, or acquired in conformity with the State program or requirements for control of atmospheric pollution or contamination; and

"(C) which the Federal certifying authority has certified to the Secretary or his delegate as beneficial to the control of atmospheric pollution or contamination and in furtherance of the general policy of the United States for cooperation with the States in the prevention and abatement of atmospheric pollution and contamination under the Act of July 14, 1955, as amended (42 U.S.C., sec. 1857 et seq.).

"(2) State certifying authority.—For purposes of paragraph (1), the term 'State certifying authority' means the State air pollution control agency as defined in section 6(a) of the Act of July 14, 1955 (42 U.S.C., sec. 1857e).

"(3) Federal certifying authority.—For purposes of paragraph (1), the term 'Federal certifying authority' means the Secretary of Health, Education, and Welfare.

"(4) State.—For purposes of this subsection, the term 'State' includes the District of Columbia and the Commonwealth of Puerto Rico.

"(e) Limitations.—

"(1) Profitmaking treatment works.—If it can reasonably be expected that the taxpayer will derive a profit from the operation of any certified water pollution control treatment works or certified air pollution control treatment works, through the recovery and profitable utilization of wastes, or otherwise, the expenditures with respect to such treatment works which would otherwise be taken into account for purposes of subsection (a) shall be reduced by the amount of such expenditures—

"(A) which are attributable primarily to the construction, erection, installation, or acquisition of any facility, land, building, machinery, or equipment, or any part thereof, used in such profitmaking operation; and

"(B) which would not have been paid or incurred but for such profitmaking operation.

"(2) Adjustment for prior depreciation deduction.—If—

"(A) the taxpayer elects under subsection (a)(2) to treat any expenditures to which subsection (a)(1) applies as having been paid or incurred in any taxable year following the taxable year in which such expenditures are paid or incurred, and

"(B) any deduction has been allowed under section 167 (relating to depreciation) with respect to the certified water pollution control treatment works or air pollution control treatment works for which such expenditures were paid or incurred,

the amount otherwise allowable as a deduction under subsection (a)(1) for the expenditures so treated shall be properly reduced in such manner and to such extent as the Secretary or his delegate shall prescribe by regulations."

(b) The table of sections for such part VI is amended by adding at the end thereof the following item:

"Sec. 183. Expenditures for treatment works to control water and air pollution."

Sec. 2. Section 263(a)(1) of the Internal Revenue Code of 1954 (relating to disallowance of deductions for capital expenditures) is amended—

(1) by striking out "or" at the end of subparagraph (D);

(2) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof ", or"; and

(3) by adding at the end thereof the following new subparagraph:

"(F) expenditures for certified water pollution control treatment works and certified air pollution control treatment works deductible under section 183."

Sec. 3. The amendments made by this Act shall apply to taxable years beginning after December 31, 1962.

By Mr. **RIBICOFF** (for himself, Mr. Bible, Mr. Cannon, Mr. Dodd, Mr. Hart, Mr. Humphrey, Mr. Inouye, Mr. Kuchel, Mr. Long of Missouri, Mr. Magnuson, Mr. McGee, Mr. Randolph, Mr. Williams of New Jersey, and Mr. Young of Ohio):

S. 737. A bill to promote water and air pollution control and abatement by authorizing the Secretary of Health, Education, and Welfare to provide certain assistance to small business concerns in obtaining necessary treatment works; to the Committee on Public Works.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PURPOSE AND AUTHORIZATION

Section 1. For the purpose of promoting Federal and State programs for the control and abatement of water and air pollution, the Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") may make loans, in accordance with the provisions of this Act, to small business concerns for the acquisition, installation, or construction of treatment works necessary to abate or control water or air pollution caused by such concerns.

DEFINITIONS

Sec. 2. For the purpose of this Act—

(1) the term "small business concern" means the same as provided under section 3 of the Small Business Act (15 U.S.C. sec. 632) for the purposes of such Act;

(2) the term "State" includes the District of Columbia and the Commonwealth of Puerto Rico; and

(3) the term "State certifying authority" means—

(A) with respect to a loan for water treatment works, the State water pollution control agency, as defined in section 11(a) of the Federal Water Pollution Control Act; or

(B) with respect to a loan for air treatment works, the State air pollution control agency, as defined in section 6(a) of the Act of July 14, 1955 (42 U.S.C. sec. 1857e).

CONDITIONS AND TERMS OF LOANS

Sec. 3. A loan pursuant to this Act—

(1) shall be made only for treatment works, certified by the State certifying authority as being in conformity with the State program or requirements for the control of water or air pollution, whichever the case may be, and determined by the Secretary to conform to Federal programs in water and air pollution;

(2) shall be made in such amount, not exceeding the cost of the treatment works, as is determined to be necessary by the Secretary, and only if the applicant is unable to secure the amount of such loan from other sources upon terms and conditions equally as favorable as the terms and conditions provided under this Act;

(3) shall be secured in such manner and shall be repaid within such period, not exceeding ten years, as may be determined by the Secretary;

(4) shall bear interest at a rate determined by the Secretary which shall be not more than the higher of (A) 2¾ per centum per annum, or (B) the total of one-fourth of 1 per centum per annum above the average annual interest rate on all interest-bearing obligations of the United States forming a part of the public debt as computed at the end of the preceding fiscal year, adjusted to the nearest one-eighth of 1 per centum.

REVOLVING FUND

Sec. 4. There is established in the Treasury a water and air pollution loan fund which shall be used by the Secretary as a revolving fund to make loans under the provisions of this Act. Any funds received in payment of principal or interest on such loans shall be deposited in the fund and shall be available for making additional such loans. There are authorized to be appropriated to the fund such amounts as may be necessary for the purpose of this Act.

GENERAL PROVISIONS FOR LOAN PROGRAM

Sec. 5. (a) Such financial transactions of the Secretary as the making of loans and vouchers approved by the Secretary in connection with such financial transactions, except with respect to administrative expenses, shall be final and conclusive on all officers of the Government.

(b) In the performance of, and with respect to, the functions, powers, and duties vested in him by this Act, the Secretary, notwithstanding the provisions of any other law, may—

(1) prescribe such rules and regulations as may be necessary to carry out the purpose of this Act;

(2) sue and be sued in any court of record of a State having general jurisdiction or in any district court of the United States, and such district courts shall have jurisdiction of civil actions arising under this Act without regard to the amount in controversy, and any action instituted under this subsection by or against the Secretary shall survive notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office; but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Secretary or property under his control, and nothing herein shall be construed to except litigation arising out of activities under this Act from the application of sections 507(b) and 2679 of title 28 of the United States Code and of section 367 of the Revised Statutes (5 U.S.C. 316);

(3) foreclose on any property or commence any action to protect or enforce any right conferred upon him by any law, contract, or other agreement, and bid for and purchase at any foreclosure or any other sale any property in connection with which he has made a loan pursuant to this Act; and, in the event of any such acquisition (and notwithstanding any other provisions of law relating to the acquisition, handling, or disposal of real property by the United States), complete, administer, remodel, and convert, dispose of, lease, and otherwise deal with, such property, except that any such acquisition of real property shall not deprive any State or political subdivision thereof of its civil or criminal jurisdiction in and over such property or impair the civil rights under the State or local laws of the inhabitants of such property;

(4) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any real property so acquired or owned;

(5) sell or exchange at public or private sale, or lease, real or personal property, and sell or exchange any securities or obligations, upon such terms as he may fix;

(6) subject to the specific limitations in this Act, consent to the modification, with respect to the rate of interest, time of payment of any installment of principal or interest, security, or any other term of any contract or agreement to which he is a party or which has been transferred to him pursuant to this section; and

(7) include in any contract or instrument made pursuant to this Act such other covenants, conditions, or provisions as he may deem necessary to assure that the purpose of this Act will be achieved.

ADMINISTRATION

Sec. 6. (a) The Secretary may delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Department of Health, Education, and Welfare.

(b) In administering the provisions of this Act the Secretary may utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution in accordance with appropriate agreements, and may pay for such services either in advance or by way of reimbursement, as may be agreed upon.

ADMINISTRATIVE APPROPRIATIONS AUTHORIZED

Sec. 7. There are authorized to be appropriated such amounts as may be necessary for administering the provisions of this Act.

Mr. RIBICOFF. Mr. President, I have previously introduced S. 432, a bill to authorize an effective program of air pollution control. And I have been proud to cosponsor S. 649, introduced by the distinguished Senator from Maine [Mr. Muskie], a bill to take effective action against water pollution.

The attack on both these dangers of air and water pollution must go forward. But, I learned as a Governor that solving problems of this sort requires not only a constructive program of governmental assistance but also the active cooperation of those in the local communities upon whose efforts real progress ultimately depends.

If we are to clean up our air and our water, a large part of the job must be done by private industry. But we cannot simply point the finger at private industry and say, "You are causing some of the pollution—do something about it." We must frankly recognize that the purchase and installation of equipment to control pollution is a big expense. And unlike many capital outlays that ultimately produce new profits, these costs basically serve the health and safety of the public. Therefore, there must be some public sharing with private industry of the economic impact of these expenditures.

These two bills are designed to accomplish this objective. The first lessens the economic impact of these costs through tax relief. The second makes inexpensive credit available to small firms that would otherwise have difficulty financing these purchases.

Under existing Federal tax laws, expenditures for treatment works to control water and air pollution must be capitalized and the cost deducted as depreciation over the useful life of the machinery or equipment.

This requirement fails to recognize that such expenditures do not contribute to the revenue producing capacity of the business.

In recognition of this problem, a number of States have moved forward and adopted measures to ease State and local taxes. I ask unanimous consent to insert in the Record at this point a digest of State legislation providing financial assistance to industries for waste treatment facilities.

There being no objection, the digest was ordered to be printed in the Record, as follows:

State Legislation Providing Financial Assistance to Industries for Waste Treatment Facilities

ARKANSAS

Allows a credit on severance taxes to oil producers who install underground salt water disposal systems. House bill No. 102, approved February 18, 1959.

MAINE

Exempts from property tax industrial disposal systems that produce no byproducts which are marketed or used in the process of production. Public Laws 1961, chapter 333.

MASSACHUSETTS

Exempts from taxation any equipment, facility, or device installed on or attached to real property for the purpose of abating or preventing pollution of any stream, pond, lake, tidal water, or flats. Laws of 1961, chapter 539.

NEW HAMPSHIRE

Exempts industrial waste treatment facilities from local taxation for 25 years. Laws of 1955, chapter 196.

NORTH CAROLINA

Provides for rapid amortization for tax purposes of industrial waste treatment works permitting their writeoff in 5 years and in addition, exempts industrial waste treatment facilities from local taxation forever. Laws of 1955, chapter 1100.

VERMONT

Exempts from property tax any real and personal property exclusively installed and operated for the abatement of pollution of waters within the State or within the purview of the New England Interstate Water Pollution Control Compact in accordance with engineering principles approved by the Vermont Water Resources Board. Exemption for this property continues as long as its operation meets with the approval of the Vermont Water Resources Board. Laws of 1961, house bill 148.

VIRGINIA

Provides for accelerated amortization for tax purposes of industrial waste treatment

> facilities which would permit their write-off in 5 years. Laws of 1954, chapter 516.
>
> WISCONSIN
>
> All equipment installed to abate or eliminate water or air pollution is exempt from local taxation for 5 years, provided the operation of the facilities does not produce a new income during that period. This law also provides for accelerated amortization for tax purposes of industrial waste treatment facilities, allowing the cost to be written off in 60 months. Laws of 1953, chapters 183, 648.

Mr. RIBICOFF. Mr. President, considerable interest in proposals to furnish Federal tax relief in order to encourage the installation of industrial waste treatment facilities has been shown recently.

One of the recommendations of the National Conference on Water Pollution held in 1960 was as follows:

> That financial incentives should be provided to encourage industry to install needed waste treatment facilities. This may be accomplished by permitting industry for corporate income tax purposes to charge the cost of nonproductive waste treatment facilities as expense.

In October of last year the Advisory Commission on Intergovernmental Relations urged consideration of such incentives.

And last month the Federal Water Pollution Control Advisory Board adopted the following resolution:

> RECOMMENDATION NO. 2
>
> The Board reaffirms its endorsement of the principle of rapid tax amortization of industrial waste treatment facilities as a needed incentive to accelerate the abatement and prevention of water pollution. We recommend the Secretary undertake to secure the incorporation of this principle in the tax revision legislation under consideration by the current Congress.
>
> The Board further recommends the continued study of other kinds of incentives directed at industrial waste problems. Feasible incentives are highly desirable in the opinion of this Board.

Tax incentive for the construction of industrial waste facilities also has the support of organized industry. Testifying in 1961 in opposition to legislation to strengthen the Federal Water Pollution Control Act, Mr. Peter J. Short, Jr., speaking for the National Association of Manufacturers, said:

> If the Congress wishes to be helpful in the field of industrial waste control, the situation arising out of the case of *Woolrich Woolen Mills* v. *United States* (178 F. Supp. 874 (D.C. Penn., Dec. 4, 1959)), might offer possibilities. In this case, the Internal Revenue Service challenged the right of the company to deduct the full cost of a treatment plant in the year of expenditure on the ground that this cost represented a capital investment that must be amortized over the years of useful life of the facility. The court held against this contention. The court pointed out that the construction had been undertaken to forestall court action by the Commonwealth of Pennsylvania which could have closed down the operation. However, the real basis of the decision appears to be that the treatment plant was not an essential part of the operation, did not improve, better, or extend the useful life of the overall operation, and, therefore, could not be considered as a capital investment.
>
> But some tax experts have expressed doubt that the Commissioner of Internal Revenue will permit current deduction of expenditures for treatment plant construction. If the Congress could clear up this confusion, it could be extremely helpful to the cause of water pollution abatement, particularly in connection with the problems of small companies. I should point out that the official policy statement of the National Association of Manufacturers "urges provision for sufficient income tax deductions to offset the cost of such nonrevenue-producing facilities within a 5-year period, if desired, rather than over the useful life of the facilities."

During the recent National Conference on Air Pollution, according to the report of Lewis W. Cadwallader, chairman of the panel on the industrial air pollution situation, it was stated that most industrial and municipal pollution problems are susceptible to economic methods of control. As Mr. Cadwallader points out:

> A variety of control methods are used by industry to reduce emissions to the point where air quality is acceptable. Occasionally, the value of material recovered will pay in whole or in part for recovery equipment and its operating costs. In the vast majority of cases, control equipment must be installed to prevent or greatly reduce emissions and represents a capital investment and extra operating costs over and above an uncontrolled process. For an equitable solution the cost of control must be weighed against the frequency, severity, and nature of the effect caused by the pollutant. The air pollution problems of old plants are far more difficult to solve than those of new plants. Consideration should be given to accelerated amortization allowances for nonrevenue producing control equipment. Progress is being made in clearing the air of industrial waste, but we still have a long way to go.

In his tax revision message to Congress, President Kennedy recommended that expenditures for machinery and equipment used directly in research or development activities be allowed as a current expense deduction. If this tax relief is desirable to promote research and development, which often lead to new profitable activities, it should be as important for nonrevenue producing items that promote public health and safety.

Tax incentives, however, may not be enough, especially for the older, smaller concerns. The prospect of tax relief is of little value to the marginal plant operator who must first raise the necessary capital to install the required facilities.

In 1947, the late Senators Alben Barkley and Robert Taft introduced S. 418, a bill that eventually became the first Federal Water Pollution Control Act. As originally introduced S. 418 contained the following provision:

> SEC. 6. The Federal Security Administrator is authorized to extend Federal aid in the form of loans to industrial enterprises for the construction of necessary treatment works and the preparation of engineering reports, plans, and specifications in connection therewith, to prevent the discharge by such enterprises of untreated or inadequately treated sewage or other waste into the surface or underground waters in or adjacent to any State, which in the opinion of the Surgeon General would substantially impair the quality of such waters. Such loans shall be made upon such terms and conditions as the President may prescribe, subject to the following limitations: (1) Loans shall be made only with respect to projects approved by the appropriate State health authority and by the Surgeon General; (2) all loans made under this section shall be fully and adequately secured and shall bear interest at the rate prescribed by the President; (3) each loan may be made for a period not exceeding 10 years. Compliance with the provisions of this act shall not be conditioned upon the availability of Federal loans.

Senator Barkley, testifying in support of his bill, said:

> We recognize that the same situation applied to private industries. They are not always able to do things, many of them are not. Maybe they are situated so they are not in position to make a bankable loan which means a short turnover. Banks cannot make long-term loans to industries, they have to keep their assets liquid, because they belong to other people who deposit their money in banks. So we have provided in here that in cases where it is necessary, the Federal Government may make loans to these private industries—no grants, but loans—to enable them to do what the general welfare calls upon them to do in the interest of public health.

Section 6 of S. 418 was approved by the Senate but stricken in the House. The 1948 Water Pollution Control Act authorized loans only to municipalities for the construction of public water pollution control facilities.

Mr. President, I think this additional incentive to private industry—especially smaller concerns—is still needed.

The two bills introduced today will provide the necessary encouragement and incentive to private industry to make the investment necessary to protect the public health and welfare from the dangers of air and water pollution.

I ask unanimous consent to insert in the RECORD at this point an analysis of this proposed legislation.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

ANALYSIS OF BILLS TO ENCOURAGE THE CONSTRUCTION OF INDUSTRIAL WASTE TREATMENT WORKS TO CONTROL WATER AND AIR POLLUTION

TAX INCENTIVES

This bill affords income tax relief to individuals, corporations, etc., undertaking to construct industrial waste treatment works by permitting them to deduct the cost of these facilities as ordinary and necessary business expenses in computing their income tax and by allowing them to elect to take such deductions either in the year the expenditures were incurred or to defer them over a 5-year period. This permits the entire cost to be deducted in a single year, instead of being capitalized and depreciated over a period of years.

A new section is added to part VI of subchapter B of chapter I of the Internal Revenue Code of 1954 relating to itemized deductions for individuals and corporations. The new section, to be designated "section 183," permits a taxpayer to elect to treat as deductible expenditures (or any portion thereof) paid or incurred by him during the taxable year in connection with his trade or business for the construction, erection, installation or acquisition of any certified water or air pollution control treatment works.

The section further permits a taxpayer who has paid or incurred such expenses to elect to defer such deductions by treating these expenditures (or any portion thereof) as having been paid or incurred in any of the 4 years following the taxable year in which actually paid or incurred.

The section specifies when such election shall be made and in what manner it may be revoked.

Deductibility is conditioned on the construction of such facilities after December 31, 1962, and on the certification of State and Federal authorities that the facilities are in conformity with State and Federal pollution control laws.

The deduction is limited to such portion of the expenditures as is incurred in connection with the construction of treatment facilities from which the taxpayer derives no profit.

FINANCIAL ASSISTANCE

This bill extends inexpensive credit to small business concerns to help them finance the installation of air and water pollution control facilities. The bill authorizes the Secretary of Health, Education, and Welfare to make 10-year loans to firms eligible for assistance under the Small Business Act for the acquisition, installation or construction of treatment works certified by State authorities as being in conformity with State air and water pollution control programs and which conform to Federal programs in this field. Loans would be in the amount of the project cost and would bear interest as with college housing loans at a rate determined by the Secretary which shall be not more than the higher of (A) 2¾ percent per annum, or (B) the total of one-fourth of 1 percent per annum above the average annual interest rate on all interest-bearing obligations of the United States forming a part of the public debt as computed at the end of the preceding fiscal year, adjusted to the nearest one-eighth of 1 percent. Loan repayments would be deposited in a revolving fund from which additional loans could be made.

DIVESTITURE OF AIRPORTS BY FEDERAL AVIATION AGENCY

Mr. BREWSTER. Mr. President, on behalf of my colleague, the distinguished senior Senator from Maryland [Mr. BEALL] and myself I introduce for appropriate reference a bill of great importance to the citizens of Maryland.

The bill would divest the Federal Aviation Agency of the responsibility for ownership and operation of Washington National and Dulles International Airports, eliminating an important conflict of interest which threatens the economic life of Baltimore's Friendship Airport. Under present law, the Federal Aviation Agency is charged with regulating air commerce in order to promote its development and safety in the public interest. Also, under current law, it is charged with the ownership and operation of airports which compete with other airports that are subject to its regulations. It is my firm belief that such an arrangement is contrary to the public interest as well as the public safety. I am convinced that the air passenger and the independent airlines and airport boards throughout the Nation would be better served if this key Federal agency is free to concentrate on its primary function of enforcing safety regulations and maintaining proper air traffic control and navigational facilities.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 738) to transfer certain administrative responsibility for the operation of Washington National Airport and Dulles International Airport from the Administrator of the Federal Aviation Agency to a Washington Airports Board, and for other purposes, introduced by Mr. BREWSTER (for himself and Mr. BEALL), was received, read twice by its title, and referred to the Committee on Commerce.

BUILDING AND LOAN ASSOCIATION RESERVES

Mr. BREWSTER. Mr. President, on behalf of my colleague the distinguished senior Senator from Maryland [Mr. BEALL] and myself, I introduce for appropriate reference, a bill to exempt from income taxation certain nonprofit corporations organized to provide reserve funds for domestic building and loan associations. Legislation similar to this has heretofore been enacted for the States of Massachusetts and Ohio and is sorely needed in my own State where the unscrupulous operations of a few savings and loan associations have undermined public confidence in the entire industry. This measure enjoys the blessings of the Department of the Treasury and the Bureau of the Budget and deserves the careful consideration of the Congress.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 739) to amend section 501 (c) (14) of the Internal Revenue Code of 1954 to exempt from income taxation certain nonprofit corporations and associations organized to provide reserve funds for domestic building and loan associations, and for other purposes, introduced by Mr. BREWSTER (for himself and Mr. BEALL), was received, read twice by its title, and referred to the Committee on Finance.

BRIBERY IN SPORTING CONTESTS

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a bill to prohibit schemes in interstate commerce to influence by bribery the outcome of sporting contests.

This bill would provide the authority our law enforcement agencies need to prevent gamblers from corrupting college and professional sports. It would halt the contamination of sports by organized gambling syndicates by punishing any players or officials as well as gamblers who attempt to corrupt these games for personal gain. It would cover schemes to affect the point spread in a contest as well as to throw the game entirely and would apply to every case in which interstate facilities—such as the telephone or the mails—have been used to carry out the conspiracy.

Thousands of Americans earn a legitimate livelihood in professional sports. Tens of thousands of others participate in college sports as part of the physical fitness and character building programs of their schools. Tens of millions of Americans find sports a favorite form of recreation. We must do everything we can to keep sports clean so that the fans, and especially young people, can continue to have complete confidence in the honesty of the players and the contests. Scandals in the sporting world are big news and can have a devastating and shocking effect on the outlook of our youth to whom sports figures are heroes and idols.

Unfortunately, sports have become a favorite target of organized crime. The proceeds from gambling on sporting events is considered by many law enforcement authorities as today's major source of income for the underworld. Because of the large stakes involved, the gambling fraternity will stop at nothing, including murder and blackmail, to keep things in line. The loot obtained from these operations are then plowed into other criminal activities such as the narcotics traffic, bootlegging, labor racketeering, and white slavery or is used by the kingpins of crime to buy a stake in legitimate businesses. It is a vicious cycle all set in motion by a $2 bet with a local bookmaker—a local bookmaker linked by an intricate communications system to syndicate operations designed to guarantee a huge profit for crime every day.

The leaders of many associations with a responsibility for keeping sports honest recognize that a criminal conspiracy has invaded the college campuses and sports arenas. These dedicated men are determined to take whatever action they can to cure this evil cancer and to preserve public confidence in the sporting events they supervise. They recognize, however, the need for assistance from law enforcement agencies and this bill which I am introducing today was drafted with their full cooperation and has their strongest endorsement.

This bill also has the full approval of the Department of Justice, which recognizes that it would constitute "a further step toward strengthening the supporting role of the Federal Government in the assault on organized crime." As the Department pointed out in a report approving this bill:

> State law enforcement agencies have been handicapped either by an absence of adequate laws in this area or by jurisdictional limitations; the Federal Government has been handicapped by lack of complete statutory authority to assert its full power.

Nothing in this proposed legislation would relieve the colleges and associations involved from their obligations or affect or interfere with whatever efforts local law enforcement agencies are able to make against bribery in sports. However, it would allow the Federal authorities to move in against interstate conspiracies beyond the control of the local authorities and make it impossible for the manipulators and vipers to slip through geographical loopholes.

In conclusion, I want to particularly commend the officials of the National Collegiate Athletic Association and the Eastern College Athletic Conference for the steps they have initiated to protect college sports and for the invaluable assistance they have provided in the preparation of this bill. I also want to express my appreciation for the support of the commissioner of baseball, Ford C. Frick, and the president of the National Association of Professional Baseball Leagues, Mr. George M. Trautman, and to many others dedicated to preserving and improving sports.

A companion bill is today being introduced in the House of Representatives by Representative WILLIAM M. MCCULLOCH, the ranking minority member of the House Committee on the Judiciary. We know of no opposition to this measure from any informed source. The leaders of our major sports have come to us for help. In the interests of the thousands of honest and outstanding men and women who participate in competitive sports and the millions of their fans we must do whatever we can to respond to their plea.

Mr. President, I also ask unanimous consent that the text of the bill may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 741) to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes, introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 11, United States Code (entitled "Bribery and Graft"), is amended by adding at the end thereof the following new section:

"§ 224. Bribery of participants in sporting contests

"(a) Whoever carries into effect, attempts to carry into effect, or conspires with any other person to carry into effect any scheme in commerce to influence by bribery the outcome of any sporting contest, with knowledge that the purpose of such scheme is to influence by bribery the outcome of that contest, shall be fined not more than $5,000, or imprisoned not more than 10 years, or both.

"(b) This section shall not be construed as indicating an intent on the part of Congress to occupy the field in which this section operates to the exclusion of a law of any State, territory, Commonwealth, or possession of the United States, and no law of any State, territory, Commonwealth, or possession of the United States, which would be valid in the absence of the section shall be declared invalid, and no local authorities shall be deprived of any jurisdiction over any offense over which they would have jurisdiction in the absence of this section.

"(c) As used in this section—

"(1) The term 'scheme in commerce' means any scheme effectuated in whole or in part through the use of any facility for transportation or communication in interstate or foreign commerce;

"(2) The term 'sporting contest' means any contest in any sport, between individual contestants or teams of contestants (without regard to the amateur or professional status of the contestants therein), the occurrence of which is publicly announced before its occurrence;

"(3) The term 'person' means any individual and any partnership, corporation, association, or other entity."

(b) The analysis of chapter 11, title 18, United States Code, is amended by adding at the end thereof the following new item:

"224. Bribery of participants in sporting contests."

CRIMINAL PENALTIES FOR BRINGING CERTAIN DANGEROUS DRUGS INTO THE UNITED STATES

Mr. DODD. Mr. President, in behalf of Senators KEFAUVER, LAUSCHE, YARBOROUGH, RIBICOFF, and myself, I introduce, for appropriate reference, a bill to prescribe criminal penalties for bringing certain dangerous drugs into the United States for illegal sale or use. I ask unanimous consent that the bill may be allowed to lie on the table for 5 days, so that additional Senators who so desire may join as cosponsors; and I ask unanimous consent that a copy of the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table, as requested, and be printed in the RECORD at the conclusion of the Senator's remarks.

The bill (S. 742) to amend title 18 of the United States Code to prescribe criminal penalties for bringing certain dangerous drugs into the United States for illegal sale or use, introduced by Mr. DODD (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. DODD. Mr. President, as chairman of the Subcommittee on Juvenile Delinquency I have become increasingly aware of the alarming increase in the illicit traffic in dangerous drugs and its effect on juveniles and young adults. As I pointed out when I introduced a bill to regulate the interstate traffic in "pep" pills and "goof" balls, the picture painted by witnesses appearing before the subcommittee of juvenile drug use is startling and discouraging. It is imperative that we initiate and pass legislation in the 88th Congress that is designed to halt this illicit traffic with the eventual hope of alleviation of the problem altogether.

While there is a recognized medical need for these drugs, the barbiturates and amphetamines, it is nevertheless estimated that half of the total of these drugs produced in the United States eventually is funneled into the illicit market through criminal and other devious methods.

One major method is through the illegal smuggling of these drugs into the United States from Mexico. I should point out that such drugs are first legally shipped into Mexico by American drug firms. They are ordered by druggists and wholesalers in the border towns in wholesale lots, illegally sold, and smuggled back into the United States by criminals and young adults.

There is no special provision in the Federal law for the smuggling of dangerous drugs into the United States. Thus, persons engaged in bringing these deadly drugs into this country are presently liable to the same penalties as someone who fails to pay duty on sugar, or shoes, or silk.

The bill I am introducing today would create a legal distinction between the criminal who smuggles dangerous drugs as a business, and the tourist who attempts to take an alcoholic beverage through customs without declaring it. Under present law, the seconal or benzedrine smuggler has committed no greater crime than the aforementioned tourist, when he should be treated on the same basis as a criminal who smuggles opium or cocaine.

I find myself in full agreement with Governor Brown, of California, who said that the problem is such that the Federal Government should "make smuggling of dangerous drugs a felony, with penalties as severe as those applying to narcotics."

We must have Federal controls placed on the reimportation of these dangerous drugs, which for the most part are destined for the illicit market and most likely for the juvenile and young adult trade.

This problem is most acute in California but also poses a menace to all of our southwestern border States, including Texas, whose border cities are prime targets for this traffic. These border cities have further been described as pipelines for the reentry of these drugs into other parts of the United States as far north as Oregon on the west coast and Illinois in the Midwest.

That these drugs are being shipped into Mexico in large quantities was attested to by many witnesses, among whom was Governor Brown, who stated in his testimony before the subcommittee:

> My study commission on narcotics, for example, discloses some dramatic figures about activity in the short period of 23 days, and this reflects your own findings. During that time 1 million units of dangerous stimulant drugs were shipped from American drug manufacturers to Tijuana at the apparently regular wholesale price of 76 cents per 1,000 units.
>
> More recently 600,000 units were shipped to Mexican border towns in 3 days. In turn, these drugs were sold openly and without prescription to Americans, including teenagers, who brought them back into California.

Further, the subcommittee was informed that in February 1962 a shipment of some 3 million amphetamine tablets was shipped from the United States to a Senor Santa Cruz, in Tijuana, Mexico.

In testimony before the subcommittee, the president of a west coast drug firm told us that his company had shipped some 4 million amphetamine units to the same Senor Cruz during the period February to June 1961. I might add here that the executive of the firm testified that the shipments were voluntarily suspended by him, after having determined that Senor Santa Cruz was possibly selling the drugs indiscriminately for reimportation into the United States.

Another west coast drug firm supplied the subcommittee with information indicating that they had shipped large amounts of dangerous drugs totaling some 2,750,000 to Senor Santa Cruz during 1959 and 1960. The firm went on to state that shipments were voluntarily suspended when they became aware that Mexican authorities had reason to question the activities of Senor Santa Cruz.

While such shipments do not violate present Federal law, it is nevertheless a fact that the majority of these drugs do reenter this country illegally for eventual use by many youngsters.

Evidence of the smuggling of these drugs into the United States was presented by Stanley Mosk, the attorney general of the State of California, who told the subcommittee:

> In 1960 U.S. Customs seized 33,635 units of these drugs which were purchased in Mexico and smuggled into the United States from Tijuana, Tecate, and Calexico.

Additional information in the files of the subcommittee showed that during the years 1960 to 1961 the U.S. Customs Bureau reported the confiscation of some 62,802 amphetamine pills and the arrest of 1,241 persons, as a result of border checks between Mexico and the United States.

And here it must be remembered that it is estimated that at best only from 1 to 10 percent of contraband drugs are confiscated by the authorities during a given year.

That Mexico is a source for dangerous drugs used in the United States has been documented by several respondents to a subcommittee questionnaire on dangerous drugs, which was sent to 128 chiefs of police throughout the United States.

The following replies from the police departments of southwestern border States are representative:

From the police chief of Anaheim, Calif.:

> Sources are Mexico, mainly Tijuana. Individuals obtain drugs there and furnish to others. Large quantities of dangerous drugs are obtainable across the border in Mexico.

From the police chief of San Diego, Calif.:

> The majority of drugs confiscated have been sold through retail drug outlets in Mexico, primarily in Tijuana (majority confiscated by border arrests). This conclusion was reached through interviews with persons arrested.

From Albuquerque, N. Mex.:

> Considerable traffic in dangerous drugs in this area believed coming from Mexico.

From Corpus Christi, Tex.:

> Most dangerous drugs confiscated were smuggled in from Mexico.
>
> Our big problem is that young boys and girls go to Mexico, buy the drugs and do not declare them. They bring them in, use them and are arrested for fighting or disturbing the peace.

The most appalling figures establishing the tremendous increase in the illicit traffic in dangerous drugs come from Los Angeles, Calif. In that city the problem is especially acute with regard to juveniles.

The testimony of Capt. Walter Colwell, of the Los Angeles Police Narcotic Division, before the subcommittee outlined this overwhelming increase:

> Juvenile arrests for possession and sale of dangerous drugs reflect the same rise as adult arrests. Juvenile arrests have risen from the total of 35 during 1957 to 426 during 1961. The current year 1962 shows a further increase of 37 percent over 1961. Until late in 1960 only 10 percent of juveniles arrested for violations of the broad field of narcotic enforcement were using dangerous drugs. In September 1960 a sharp increase was noted which in 1961 resulted in a 103-percent increase over 1960 and represented 63 percent of the total juvenile narcotic arrests.

The depressing picture depicted by these figures is only compounded by the fact that in many instances we find that juveniles arrested for dangerous drug offenses have had no previous arrests. This is especially true in Los Angeles where in previous years narcotic use was mainly prevalent among youth who were already delinquent or criminal. It is also becoming evident in some areas that dangerous drug use is fast replacing marihuana as the first step on the degrading road to narcotic addiction.

While the youngsters who use these drugs for the pleasurable sensations they afford, for "kicks" or the release of tensions or worry, believing the drugs to be harmless, the fact is that prolonged use can result in tragedy, not only for the user but also for others with whom he may come in contact while under the influence of the drugs.

I can best illustrate the tragic results of the illicit dangerous drug traffic by again citing the testimony of Captain Colwell, of the Los Angeles Police Department Narcotic Division, who said:

> Many juveniles have been hospitalized, some for as long as 3 days, when they lost consciousness as a result of the ingestion of these drugs.

Captain Colwell then went on to describe the circumstances surrounding two homicides that had occurred in Los Angeles just prior to our hearings, one of which was a brutal stabbing and the other a shooting. Both homicides were perpetrated by juveniles under the influence of dangerous drugs.

This testimony is only too symbolic of the results of the use of dangerous drugs by juveniles. It has its counterparts in many cities in the States bordering Mexico.

The legislation I am introducing today has a provision that would increase penalties for those over 18 smuggling these drugs for sale to juveniles. While such a provision may seem unnecessary on the surface, I cannot impress this body with the degree of sophistication achieved by young people who are actually conducting large-scale businesses selling these drugs to schoolmates. I refer again to Captain Colwell who told the subcommittee of the activities of a 17-year-old boy who was apprehended with 139 seconal capsules in his possession. The boy informed officers that he purchased jars of 1,000 seconal capsules for $50 and realized a profit of from $250 to $300 per month by the sale of these drugs to his schoolmates. While the boy did not divulge his source of supply to officers, Captain Colwell testified from experience that in all probability the boy purchased the drugs from an adult or adults who had smuggled them into the country.

This illicit traffic in dangerous drugs must be stopped before it assumes even more outrageous proportions. It has already been allowed to continue virtually uncontrolled for too long a time, but we can and must act, not only to deter the trafficker but to perhaps save the countless numbers of human lives of those who can and will become addicted to these drugs.

Because there is no special provision prohibiting the smuggling of dangerous drugs in the Federal law, the majority of persons who are apprehended at the Mexican border by U.S. customs officers in possession of dangerous drugs are turned over to the San Diego Police for prosecution under California law. Under California State law, possession of dangerous drugs brings a maximum penalty of 6 months.

I feel that there should be a separate law against smuggling dangerous drugs, just as there is a separate law against smuggling heroin or marihuana. The trafficker in these drugs is selling the same misery as the trafficker in narcotics.

I feel that if there were a Federal prohibition against smuggling dangerous drugs, carrying felony penalties, it would emphasize the seriousness with which Congress views this crime and would act as a strong deterrent to the illicit trafficker in these drugs.

I, therefore, commend, to my colleagues for their approval this bill to amend Title 18 of the United States Code which provides for prosecution of anyone smuggling dangerous drugs into the United States for illegal sale or use. The bill provides penalties for the first offense of not more than 2 years imprisonment and $2,000 fine, and for second and subsequent offenses a fine of $10,000 and not more than 4 years imprisonment.

The penalties for smuggling for sale or other disposition to a juvenile under the age of 18 years by someone who has passed his 18th birthday would be substantially greater. For the first offense a fine of not more than $10,000 and a prison term of not more than 3 years would be imposed. For the second and subsequent offenses a fine of not more than $20,000 and a prison term of not more than 6 years would be imposed.

Mr. President, I cannot too strongly urge the passage of this legislation. I believe that its passage is essential to the future welfare of a large segment of juveniles and young adults in our Nation.

The bill (S. 742) was ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) title 18 of the United States Code is amended by inserting after chapter 27 thereof the following new chapter:

"CHAPTER 28—DANGEROUS DRUGS

"Sec.
"561. Definitions.
"562. Importing for illegal sale or use.
"563. Importing for illegal sale to juveniles.

"§ 561. Definitions

"As used in this chapter—

"(1) The term 'barbiturate' means any drug which contains any quantity of (A) barbituric acid or any of the salts of barbituric acid; or (B) any derivative of barbituric acid which has been designated by the Secretary of Health, Education, and Welfare under section 502(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(d)) as habit forming.

"(2) The term 'habit-forming stimulant drug' means a drug which contains any quantity of (A) amphetamine or any of its optical isomers; or (B) any salt of amphetamine, or any salt of an optical isomer of amphetamine; or (C) any substance which the Secretary of Health, Education, and Welfare, after investigation, has found to be, and by regulation designated as, habit forming because of its stimulant effect on the central nervous system (excluding substances now included, or which may hereafter be included, within the classifications stated in section 4731, and marihuana as defined in section 4761, of the Internal Revenue Code of 1954 (26 U.S.C. 4731, 4761)).

"(3) The term 'State' includes the Commonwealth of Puerto Rico, the District of Columbia, and the possessions of the United States.

"§ 562. Importing for illegal sale or use

"Except as provided by section 563 of this title, any person who knowingly brings into the United States any barbiturate or any habit-forming stimulant drug for the purpose of selling or otherwise disposing of, or of using, the same in violation of the laws of any State or of the United States shall—

"(1) for the first such offense, be fined not more than $2,000 or imprisoned not more than two years, or both; and

"(2) for the second and each subsequent such offense, be fined not more than $10,000 or imprisoned not more than four years, or both.

"§ 563. Importation for illegal sale to juveniles

"Any person who has attained the age of 18 years who knowingly brings into the United States any barbiturate or any habit-forming stimulant drug for the purpose of selling or otherwise disposing of the same, in violation of the laws of any State or of the United States, to any person who has not attained the age of 18 years shall—

"(1) for the first such offense, be fined not more than $10,000 or imprisoned not more than three years, or both; and

"(2) for the second and each subsequent such offense, be fined not more than $20,000 or imprisoned not more than six years, or both."

(b) The analysis of title 18 of the United States Code is amended by inserting after

"27. Customs........................... 541".

the following:

"28. Dangerous drugs.................... 561".

SEC. 2. (a) Chapter 203 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 3061. Officer's powers involving dangerous drugs

"Any officer of the customs may arrest any person violating section 562 or 563 of this title in his presence or view, and may execute any warrant or other process issued by an officer or court of competent jurisdiction to enforce the provisions of such sections."

(b) The analysis of such chapter 203 is amended by adding at the end thereof the following:

"3061. Officer's powers involving dangerous drugs."

SEC. 3. (a) Chapter 205 of title 18 of the United States Code is amended by adding at the end thereof the following new section:

"§ 3117. Search warrants for seizure of dangerous drugs

"Any officer of the customs shall have authority to execute any warrant to search for and seize barbiturates and habit-forming stimulant drugs brought into the United States in violation of section 562 or 563 of this title. Any barbiturates and habit-forming stimulant drugs so seized shall be held by the customs officer or by the United States marshal pending disposition thereof by the court."

(b) The analysis of such chapter 205 is amended by adding at the end thereof the following:

"3117. Search warrants for seizure of dangerous drugs."

JUNIPERO SERRA COMMEMORATION

Mr. KUCHEL. Mr. President, the years 1962 and 1963 have particular significance in the history and development of the State of California. In 1962 the State became the most populous one in our Federal Union. In 1963 Californians will honor the memory of a pioneer who probably never envisioned such rapid growth, but whose own efforts provided so much of the foundation for it—the Golden State's first citizen, Padre Junipero Serra.

This year marks the 250th anniversary of the birth of the Spanish friar who introduced Western civilization into the area which has become the modern State of California. At an age when many think of retirement, Padre Serra accepted the challenge of a new mission field. Remaining true to his motto, "Always to go forward and never to turn back," he devoted the final 15 years of his life to laboring among the Indians of California. Despite physical misfortunes and the despair of his associates, he established 9 of the 21 Franciscan missions which stood as milestones along El Camino Real, the trail he himself blazed through the wilderness.

Padre Serra exemplified the contributions made by many citizens of Spanish descent, in creating our unique California culture. His purpose was to Christianize Indians; but he accomplished much more. He developed temporal institutions—economic, political, and social—to bring order to a primitive, restless land. I think it is interesting to note that that was a few years before the time when other men of good will met to draft the Constitution which still guides the destinies of our Republic. The missions which Serra planned and established brought progress. Indians, who had enjoyed no familiarity with work or industry, were trained in more than 50 trades. Agriculture was developed to such an extent that during the peak year of the mission period 20,000 natives were fed, housed, and clothed in mission settlements. By effectively colonizing the mission lands and civilizing their inhabitants, Padre Serra and his fellow Franciscans initiated a period of progress which we, 250 years later, still enjoy in the Golden State.

Mr. President, Californians will always remember the missionary, Junipero Serra, a man who truly matched our mountains. Some 30 years ago we recognized his memory by conferring the highest honor that any State can confer: We selected him, as one of our State's two representatives, to be honored by a statue to stand in Statuary Hall, in the Nation's Capitol. I think it is now time—during this anniversary year—to accord national recognition to the endeavors of this venerable padre of the Mission Trail.

One of the most effective methods we have of thus honoring our pioneering forebears is through the striking and issuance of a commemorative medal by the Treasury Department. These medals will be completely privately financed. I am delighted to author such an authorizing bill. My colleague from California [Mr. ENGLE] joins me, as do the members of the California delegation in the House of Representatives, in sponsoring this bill authorizing the Secretary of the Treasury to produce a Junipero Serra Medal, honoring our first citizen and pioneer.

Mr. President, I introduce the bill, and request its appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 743) to furnish to the Padre Junipero Serra 250th Anniversary Association medals in commemoration of the 250th anniversary of his death, introduced by Mr. KUCHEL (for himself and Mr. ENGLE), was received, read twice by its title, and referred to the Committee on Banking and Currency.

RETIREMENT BENEFITS FOR FOREIGN SERVICE OFFICERS AND THEIR DEPENDENTS

Mr. SPARKMAN. Mr. President, I introduce two bills for appropriate reference. Both of them are related to retirement benefits for Foreign Service officers and their dependents.

An explanation of each bill, to show just what the proposal would do, is included.

The bills follow very closely two bills I introduced last year, S. 1010 and S. 1011. The committee gave some consideration to the bills and held hearings, at which certain suggestions were made concerning redrafting. The bills have now been redrafted to meet, in large part, we hope, the objections which were raised at that time.

Mr. President, I ask unanimous consent that the text of each bill and the explanation thereof be printed at this point in the RECORD.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills and explanations will be printed in the RECORD.

The bills, introduced by Mr. SPARKMAN, were received, read twice by their titles, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 745. A bill to provide for adjustments in annuities under the Foreign Service retirement and disability system.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That annuities paid from the Foreign Service Retirement and Disability Fund on the date of enactment of this Act, based on service performed by annuitants which terminated prior to October 16, 1960, shall be adjusted under the provisions of section 821(b) of the Foreign Service Act of 1946, as amended, relating to the formula for reduction in annuity to provide for a surviving widow, as though such provisions had been in effect on the date of the annuitant's separation from the Service, and in accordance with the following:

(a) An annuitant who at time of retirement was married to a wife who is still living, whether or not he so elected at time of retirement or subsequently, may within ninety days of enactment of this Act, elect to provide the maximum survivor annuity, and if the maximum be less than $2,400 the annuitant may elect up to $2,400;

(b) The annuitant's current full annuity, exclusive of annuity increases, shall be used as a base, and the amounts of annuity increases which have been granted, either at time of retirement or subsequent thereto, shall not be affected by such adjustments;

(c) If, during the 90-day period following enactment of this Act an annuitant dies without having made a new election in accordance with the provisions of this Act, leaving a wife to whom he was married at time of retirement, benefits shall be payable to her as though the maximum benefit had been elected, except that such annuity shall not be less than $2,400, unless the annuitant has certified in writing his intention of not making a new election under the provisions of this Act.

Sec. 2. If a former participant whose service was terminated prior to October 16, 1960, and who elected a deferred annuity, dies before becoming eligible to receive an annuity, the annuity of the surviving widow, if eligible under the terms of the law in effect upon his separation from the Service, shall be computed under the provisions of section 821(b) of the Foreign Service Act of 1946, as amended.

Sec. 3. In any case where an annuitant who retired prior to October 16, 1960 dies prior to enactment of this Act, leaving a widow to whom he was married at time of retirement who is not entitled to receive an annuity under the Foreign Service Retirement and Disability System, and who is not receiving benefits as a widow under the Federal Employees' Compensation Act, the Secretary of State is authorized and directed to grant such a widow an annuity of $2,400 per annum; or in cases where such widows are receiving less than $2,400, the annuity shall be increased to $2,400.

Sec. 4. No annuity shall be payable from the Foreign Service Retirement and Disability Fund to the widow of an annuitant whose services terminated prior to October 16, 1960, who did or did not provide for a widow survivor at time of retirement, or subsequently, and who elects not to avail himself of the provisions of this Act: *Provided*, That this section shall not operate to deny to a widow an annuity previously provided by her husband or granted otherwise by law.

Sec. 5. No annuity for a survivor shall be computed on any additional annuity purchased with voluntary contributions pursuant to the provisions of section 881 of the Foreign Service Act of 1946, as amended.

Sec. 6. The provisions of this Act shall not apply to annuitants recalled to duty under section 520 of the Foreign Service Act of 1946, as amended, who are separated subsequent to October 16, 1960.

Sec. 7. The following provisions of law are hereby superseded, except in no event shall existing annuity increases provided therein be reduced by the enactment of this section:

(a) Section 2 of Public Law 82–348 (66 Stat. 81).

(b) Sections 4 and 5 of Public Law 84–503 as amended by section 2 of Public Law 86–612 (70 Stat. 125; 74 Stat. 371).

(c) Sections 1(a) and 1(b) of Public Law 85–882 (72 Stat. 1705).

Sec. 8. Any adjustment in annuity provided by this Act shall commence on the first day of the month following the expiration of 90 days after enactment, and the monthly rate payable after such adjustment shall be fixed at the nearest dollar.

The explanation accompanying Senate bill 745 is as follows:

EXPLANATION OF DRAFT BILL

1. COVERAGE

The draft bill is intended to apply to three groups of persons as follows:

(a) Former participants in the Foreign Service retirement and disability system who became annuitants prior to October 16, 1960, and their surviving widows.

(b) Widows of annuitants whose husbands retired prior to October 16, 1960, and who elected not to provide widow survivor benefits and who die prior to enactment of this bill, or between enactment and its effective date.

(c) Widows of former participants in the system who chose deferred annuities based on service which terminated prior to October 16, 1960.

2. PURPOSES

The main purposes of this bill are:

(a) To afford relief both to those former participants described in group 1(a) above, who provided a survivor annuity at time of retirement, which required a greater reduction in annuity than does the current law; and to those who failed to provide for a widow because the cost, in many cases, was too high in proportion to the participant's own annuity.

(b) To permit widows of former participants who separated from the service prior to October 16, 1960, and who chose a deferred annuity in lieu of refund of contributions, to receive annuity benefits computed in accordance with the current provisions of section 821(b) of the Foreign Service Act, if such former participant dies before his annuity becomes payable.

SECTION-BY-SECTION ANALYSIS

Section 1

This section would permit annuitants under the system, whose annuities commenced prior to October 16, 1960, to make a new election with respect to naming a widow survivor to receive a benefit upon his death, if he elected not to designate a survivor. October 16, 1960, is the date after which active Foreign Service officers were entitled to provide for their widows at the rate of reduction of 2½ percent of the first $2,400 of the base elected, plus 10 percent of the amount over $2,400; whereas, retirees before that date were required, if they elected to provide anything for a widow, to pay 50 percent of the annuity elected for her, which amounts to approximately four times as much.

An example is as follows: Foreign Service officer A retired prior to October 16, 1960, with a high 5-year average salary of $9,600. He could have elected a maximum of 25 percent of this amount for his widow, or $2,400, at a reduction of $1,200 in his own annuity. Under the current formula, Foreign Service officer B, who retired on or after October 16, 1960, on an annuity of $4,800 may elect a maximum of $2,400 for his widow at a reduction in his own annuity of only $300.

Upon enactment of this bill, an annuitant who retired prior to October 16, 1960, could designate his wife to receive the maximum permissible under the current provisions of section 821(b) of the Foreign Service Act, that is, 50 percent of his annuity, or a maximum of $2,400 with a reduction in his annuity of $300.

Since the bill proposes 90 days for an annuitant to decide whether to make a new election, the section provides that in cases where an annuitant dies before he has so elected, the widow would get the maximum benefit that he could have elected.

Section 2

There are some former participants who elected to receive deferred annuities in lieu of refund of contributions, since at time of separation they were not eligible to receive an immediate annuity. Section 3 would permit a widow of such a former annuitant (if he dies before his annuity becomes payable) to receive an annuity computed in accordance with the current provisions of section 821(b) of the Foreign Service Act. The eligibility for a widow to receive an annuity would be governed by the law in effect at time of the participant's separation from service. See section 832 (death in service) of the Foreign Service Act, which required, prior to October 16, 1960, that the wife be married to the participant for 3 years prior to his separation from the service. As an example, a former participant who separated from the service in 1951 chose a deferred annuity which does not become payable until 1971. Should he die before the annuity become payable, leaving a widow eligible to receive an annuity, this bill proposes that the computation be based on the current provisions of section 821(b)—that is, that she be allowed to receive 50 percent of his computed annuity, rather than 25 percent of his high-five average salary.

Section 3

In cases where an annuitant who separated prior to October 16, 1960, has already died, thus without opportunity to elect benefits for a widow under the liberalized terms proposed by this bill, provision is made for such widow to receive $2,400, unless she is receiving benefits under the Federal Employees' Compensation Act as his widow, or as the widow of someone else. (Sec. 1(c) covers those wives who may become widows during the 90-day period following enactment.)

All widow annuities were increased to at least $2,400 by Public Law 86–612, provided they became payable by June 30, 1962. This section will close the gap existing between June 30, 1962, and the date of enactment of this bill, since there may be widows who are receiving nothing, if their husbands died between August 29, 1954, and the date of enactment; and still others, if they became annuitants between June 30, 1962, and date of enactment, although provided for by their husbands, who are receiving less than $2,400.

Section 4

This section guarantees that no annuity will be payable to a widow if her husband chooses not to provide for her under the provisions of this bill; however, it does not prohibit a participant from allowing his original election to stand, and if he does so, his widow would receive the amount so provided, if any (plus any increases which have accrued to her), rather than the more liberal amount he could elect under this bill.

Section 5

Since voluntary contributions are used to purchase additional annuity, no provision is made to allow a computation based on any portion resulting from these contributions.

Section 6

Any annuitant who is recalled to duty subsequent to October 16, 1960, and subsequently separated is allowed to retire anew and receive benefits of the current law; therefore, there is no reason to include them in this bill.

Section 7

In order to bring together all provisions of law affecting future annuities of persons based on service which terminated prior to October 16, 1960, this section is designed to supersede all sections of law which would affect future annuities without affecting the benefits already provided by such laws.

Section 8

The effective date is projected 90 days from enactment in order to allow sufficient time for annuitants to make a new election. As noted, section 1(c) protects those widows whose husbands may die during the 90-day period, unless he has already made a determination not to change his original election.

S. 746. A bill to provide for adjustments in annuities under the Foreign Service Retirement and Disability System.

Be it enacted in the Senate and the House of Representatives of the United States in Congress assembled, That, for the purpose of reducing the existing disparity between the annuities of Foreign Service annuitants who retired prior to October 16, 1960, and those who retired or retire on or after that date, the current full annuity of such annuitants, exclusive of annuity increases but inclusive of deductions to provide annuities for widows, used as a base, shall be increased as follows:

(a) By 15 per centum if retirement took place before November 13, 1946;

(b) By 10 per centum if retirement took place on and after November 13, 1946, and before October 28, 1956; and

(c) By 5 per centum if retirement took place on and after October 28, 1956, and before October 16, 1960.

SEC. 2. The annuities of widows whose husbands died prior to October 16, 1960, shall be increased by the percentages set forth in section 1 (a), (b), and (c), above, according to the dates mentioned in the said section before or between which their husbands died.

SEC. 3. (a) Effective April 1, 1965, the annuities of those, if living, who benefit by the provisions of section (1) and (2) of this Act shall be increased (monthly installments adjusted to the nearest dollar) by the per centum rise in the price index, adjusted to the nearest one-tenth of 1 per centum, as of January 1, 1965, over January 1, 1963, if the rise is found by the Civil Service Commission to be 3 percent or more; and

(b) Similarly, effective on April 1 of each year subsequent to 1965, the annuities of those, if living, who benefit by the provisions of section (1) and (2) of this Act, shall be further increased when the Civil Service Commission determines that the cost of living on any January first subsequent to 1965 has risen by 3 per centum or more over the January first of the year preceding the most recent cost-of-living adjustment to the latest complete year.

SEC. 4. No increase in annuity provided in this Act shall be computed on any additional annuity purchased at retirement by voluntary contributions pursuant to the provisions of section 881 of the Foreign Service Act of 1946, as amended.

SEC. 5. The provisions of this Act shall not apply to annuitants recalled to duty under section 520 of the Foreign Service Act of 1946, as amended, who are separated from the Service on or after October 16, 1960.

SEC. 6. The increases provided for in sections 1 and 2 shall take effect on the first day of the first month which begins more than thirty days after the date of enactment of this Act, and the monthly installments of annuity after adjustment shall be fixed at the nearest dollar.

The explanation accompanying Senate bill 746 is as follows:

EXPLANATION OF DRAFT BILL

1. COVERAGE

This bill applies to Foreign Service officers, and their widows, who retired in three periods prior to October 16, 1960 (effective date of sec. 34 of Public Law 86-723, September 8, 1960), viz:

(a) Those retired prior to November 13, 1946 (effective date of sec. 412, Foreign Service Act of 1946, approved August 13, 1946);

(b) Those retired between November 13, 1946, and October 28, 1956 (effective date of sec. (2) and (3), Foreign Services Act of 1946, as amended, July 28, 1956); and

(c) Those retired between July 28, 1956, and October 16, 1960 (effective date of Foreign Service Act of 1946, as amended, September 8, 1960).

The three effective dates mentioned above are the dates on which substantial increases in base salaries or other important benefits became available to active Foreign Service officers.

2. PURPOSES

(a) To grant a 15-, 10-, 5-percent increase in the current full annuities, exclusive of annuity increases but inclusive of deductions to provide annuities for widows, first (sec. 1), of annuitants who retired during the three periods mentioned above and, second (sec. 2), of widow annuitants whose husbands died prior to October 16, 1960. The primary reason for seeking these increases is to eliminate some of the disparity between the annuities of those three groups and those possible for Foreign Service officers who retired on and after October 16, 1960. In the case of the first group (pre-1946), the disparity is 62 percent; of the second group (1946–56) 34 percent; and of the third group (1956–60) 3 percent.

While the above is the major purpose of this bill, the proposed increases would also mitigate some of the loss in purchasing power of the existing annuities of these annuitants, notwithstanding annuity increases hitherto granted, due to the large increase in the cost of living between 1940 and 1960; viz, those who retired prior to 1940 are 80 percent behind the cost-of-living index as of January 1, 1961; those retired between 1940 and 1946 are 79 percent behind; those between 1946 and 1956 are 63 percent behind; and those retired between 1956 and 1960 are 74 percent behind.

(b) The existing annuities of retirees prior to October 16, 1960, having been brought somewhat up to parity with the annuities of colleagues retiring on and after that date, as proposed in section (1) of this bill, the second purpose of the bill (sec. 3) is to accord to annuitants in the 3 groups mentioned the benefit of the periodic and automatic increase in annuities which was accorded to retirees of other annuity systems in new section 18 (a), (c), and (d) of the Civil Service Retirement Act, amended by section 1102 of the Postal Service and Federal Employees Salary Act of 1962 (Public Law 87-793, October 11, 1962).

(c) The purposes of sections (4), (5), and (6) are self-explanatory; viz, exclusion of annuities based on voluntary contributions; exclusion of annuitants recalled to duty under section 520 of the Foreign Service Act, and provision for effective date and adjustment of monthly annuity installments to the nearest dollar.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. HART. Mr. President, on behalf of myself, and Senators KEATING, HUMPHREY, FONG, DODD, LONG of Missouri, CASE, CLARK, DOUGLAS, ENGLE, JAVITS, MCCARTHY, MORSE, MOSS, MUSKIE, NEUBERGER, PASTORE, PELL, PROXMIRE, SCOTT, WILLIAMS of New Jersey, YOUNG of Ohio, BREWSTER, GRUENING, INOUYE, KEFAUVER, KUCHEL, LAUSCHE, MCGOVERN, METCALF, RIBICOFF, and SALTONSTALL, I send to the desk and ask that it lie on the desk a bill to amend the Immigration and Nationality Act of 1952.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Michigan.

The bill (S. 747) to amend the Immigration and Nationality Act, introduced by Mr. HART (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. HART. Mr. President, a great deal has been said in recent years about the need to revise our basic immigration statute, which is the Immigration and Nationality Act of 1952. American citizens and civic organizations in every corner of the country have voiced this need for reform. Bills to this end have been introduced in the several sessions of Congress since 1952.

The bill we offer today is essentially the same as the one introduced in the last Congress on behalf of myself and 24 other Senators. Similar bills were introduced in the House. The continued impressive support for this legislation evidences, I believe, a growing public awareness of the need for immigration reform, and a fast-evolving consensus as to the kind of reform that is needed. The President, at his new conference on January 24, added his voice to those who suggest reform. Hopefully, the bill we offer today will become the basis of the administration's immigration proposals.

This reform bill is sponsored by Senators on both sides of the aisle. It is aimed at rectifying the shortcomings of our immigration policy described eloquently in the 1960 platform of both the national parties.

The Democratic plank on immigration, in pertinent part, reads:

> We shall adjust our immigration, nationality, and refugee policy to eliminate discrimination and to enable the members of scattered families abroad to be united with relatives already in our midst.
>
> The national origins quota system limiting immigration contradicts the founding principles of this Nation. It is inconsistent with our belief in the rights of man.
>
> The revision of immigration and nationality laws we seek will implement our belief that enlightened immigration, naturalization, and refugee policies and humane administration of them are important aspects of our foreign policy.

The Republican Party plank on immigration policy reads:

> Immigration has been reduced to the point where it does not provide stimulus to growth that it should, nor are we fulfilling our obligation as a haven for the oppressed. Republican conscience and Republican policy requires that—
>
> The annual number of immigrants we accept be at least doubled.
>
> Obsolete immigration laws be amended by abandoning the outdated 1920 census data as a base and substituting the 1960 census.
>
> The guidelines of our immigration policy be based upon judgment of the individual merit of each applicant for admission and citizenship.

The enactment of our bill would accomplish a number of highly desirable objectives. First, the 1952 act's well-known restrictive provisions against immigrants from eastern and southern Europe, its token quotas for Asian countries, and the racist implications of its Asia-Pacific triangle clauses have no place in our public policy. Our reform bill would remove the purely arbitrary barriers to immigration on the basis of race and national origin, and would substitute a new formula based on equality and fairplay.

The essence of our democratic credo is the dignity of man. Our constant effort to implement fully this credo, and our vigilant protection of America's heritage, require that our immigration policy be brought in line with the moral and ethical principles upon which our democracy is based.

Secondly, the enactment of our bill would set America's immigration record straight, and update our basic statute to conform more with our actual practice since 1952. Since 1952 over 2,500,000 immigrants have been admitted to this country, most of them now contributing skills and talents to our social and economic growth. This number includes over 750,000 displaced persons, refugees, and escapees. Much progress has also been made in the reunion of families. But this record has not been achieved under the act of 1952. It has been achieved in spite of it—through a series of special, temporary, immigration enactments circumventing the strictures and the inequities of the basic statute.

This list of special enactments is a long one—from the Refugee Relief Act of 1953 through the act passed in the closing days of the last session to allow several thousand skilled persons and relatives of Americans to enter this country. The cumulative effect of these special enactments has radically revised the pattern of immigration envisioned by the act of 1952. In fact, this legislation has so drastically modified our immigration practice, that the act of 1952 is no longer an accurate measure of American policy. It is easy to understand that our present quota provisions need an overhauling. Of the 1,500,000 quota immigrants authorized during the 1950's, only a million actually entered the United States. However, 1,500,000 nonquota immigrants were admitted during the same period.

The special legislation is clear evidence that the act of 1952 has grave shortcomings—that it is, in fact, unworkable and out of step with reality. The argument is made that the special measures have brought refinement to our immigration policy. Have they really? I think not. For these efforts stop short of the point where a stable and permanent policy comes into question.

Our present quota system's discriminatory provisions continue to generate skepticism relative to America's practice of democracy. In these anxious times it is important that we bring our basic immigration law into line with our more tolerable practice, and with our traditions and ideals.

A third objective of our bill is to facilitate the reunion of families now separated because of inequities in the act of 1952. What could be more humane? But today American citizens find it most difficult and sometimes impossible to bring close relatives to this country. Our reform bill would correct this situation by easing restrictions on the reunion of families.

Fourthly, enactment of our bill would enhance America's economic growth rate by eliminating obstacles to the admission of persons who possess talents and skills urgently needed in this country. Historically, immigrants have been a stimulus to the growth of America. As the report of President Truman's Commission on Immigration and Naturalization rightly observed:

> Our remarkable national development testifies to the wisdom of our early and continuing belief in immigration. * * * Our growth as a nation has been achieved, in large measure, through the genius and industry of immigrants of every race and from every quarter of the world. The story of their pursuit of happiness is the saga of America. Their brains and their brawn helped to settle our land, to advance our agriculture, to build our industries, to develop our commerce, to produce new inventions, and, in general, to make us the leading nation that we now are.

Today America's need continues for the highly trained and skilled who can contribute directly to our complex technological economy.

Congress recognizes this fact. As I mentioned before, at the end of the last session, special legislation was passed to permit the nonquota admission of several thousand specialized immigrants. These are persons certified by the Attorney General as having services urgently needed in the United States because of their education, special training, or exceptional ability. That bill cleared the way for a number of distinguished scientists whose special talents are vital to the performance of important defense work. Nearly 50 universities, hospitals, and research organizations in all parts of the Nation are benefiting by this special enactment. Under the act of 1952, these exceptional and needed persons were inadmissible to our country. Enactment of our reform bill would correct this situation and bring the special-skills provision of our law into a creative relationship with the needs of the sixties.

A recent report of the National Science Foundation is entitled "Scientific Manpower From Abroad." A stated purpose of this report was to investigate the contribution made to America's professional scientific manpower pool by foreign-born scientists and engineers. The report is directly related to the subject of immigration, the assimilation of immigrants into our society, and the continued need for specialized personnel. The conclusions of the report state in part:

> The United States is historically an immigrant country in contradistinction to the emigrant countries of Europe. Migrations to the United States have generally brought valuable numbers of scientists and persons capable of being trained as scientists. * * * The intellectual cross-fertilization which has resulted from the influx of foreign scientists to the United States has, in general, had a broadening influence on the outlook of both immigrant and native-born scientists alike.
>
> It is particularly interesting that the percentage of immigrant scientists in the United States has tended to increase in proportion to the level of scientific eminence. * * *
>
> The majority of immigrant scientists in the United States probably settle down quickly in their new environment and make valuable contributions both to the cause of American science and to the general good of the Republic. Social and cultural maladjustment among immigrant scientists appear to be quite slight. Scientists from non-English-speaking countries suffer initially from the change of language, but after a period of about a year the language problem in most cases largely disappears. Despite the fairly large influx of foreign scientists during the 1950's there is no evidence that native American scientists have been placed at any great disadvantage by their presence. Since domestic institutions of higher education do not yet provide the country's needed annual aggregate of scientists, it would seem reasonable to assume that the American scientific community could continue to absorb foreign scientists at approximately their present rate of entry for some time to come.

These conclusions to the report on scientific manpower cannot, of course, be generalized to every segment of our manpower pool. But they are indicative, nevertheless, of the situation in critical segments.

A final objective of our reform bill is to provide a continuing and orderly, but flexible, authority for the yearly admission of a reasonable number of refugees. The steady trickle of escapees into Western Europe, the flight of Chinese into Hong Kong, and the Jewish exodus from North Africa immediately come to mind, an example of the continuing need for permanent flexibility in our admission practices.

A firm steppingstone to a permanent provision for refugees now exists in Public Law 87-510, the Refugee and Migration Assistance Act of 1962. This act includes a continuing authority that in each 6-month period—ending June 30 and December 31—the United States shall admit up to 25 percent of the number of refugees, under the mandate of the U.S. High Commissioner for Refugees who have been received by other countries in the preceding 6 months. This legislation is aimed specifically at the residual refugee problem in Europe.

The solution to today's refugee problem does not lie in immigration to the United States. Nevertheless, the benefit that such an opportunity affords to a reasonable number of individual refugees, some of whom are relatives of American citizens, is highly desirable, and in keeping with America's best tradition of freedom and humanitarianism.

Commonsense tells us, of course, that the modern world has created imperative demands for the regulation of immigration. But in meeting these demands, we must not trample the credo of democracy. We must not sacrifice the security of America. Our task is to bring our traditional principles into a creative relation with the facts of the modern world.

I shall outline briefly the major provisions of our bill. It authorizes 250,000 quota visas each year, of which 50,000 are to be made available to refugees and/or escapees without regard to quota areas. The remaining 200,000 quota visas are to be allocated to countries under a two-part computation.

First, 80,000 quota visas are to be divided among countries based on the relation of their population to world population, and no one country would receive more than 3,000 numbers under this category.

Second, 120,000 quota visas are to be allocated to countries based on the proportion of their immigration to the United States over the past 15 years to the total of all immigration to the United States over the past 15 years.

No quota area shall receive less than they received under the old law. The maximum quota, however, is 25,000. The minimum quota is 200. Quotas are allocated to applicants either by country of birth or by country of citizenship, provided the applicant has been domiciled for 10 years or more in his place of citizenship.

All unused quota numbers at the end of the year are pooled and divided among quota areas having a backlog of applicants waiting for immigrant visas. No quota area shall receive from this pool, however, a number of visas greater than its regular annual quota. No more than 100,000 numbers may be used from the pool in any one year.

Quotas under the bill will be revised every 5 years. Within the quotas 60 percent are available to "blood relatives of a citizen or of an alien lawfully admitted for permanent residence through the third degree of consanguinity, their spouses and children." The remaining 40 percent are available to other qualified immigrants.

Persons born in the Western Hemisphere remain nonquota. Nonquota status is expanded to include the parents of a U.S. citizen and persons with special skills, including spouse and children.

The bill eliminates the Asia-Pacific triangle provisions of present law.

To provide a more precise understanding of how the proposal would operate, the Visa Division of the Department of State has made a computation of the proposed new quotas. An examination of this computation, and related statistics, illustrates how this bill responds to demonstrated immigration requirements.

I ask unanimous consent that there be printed at this point in my remarks a table which sets forth the present immigration quotas, average annual immigration by countries over the last 10 years, the new quotas provided under this bill, and the present number of registrants in oversubscribed quota areas. The table includes those countries which have been the principal contributors to immigration from 1951 to 1960.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparative table of recent immigration levels and oversubscribed quotas to existing quotas and quotas proposed under 1963 bill, principal countries contributing to recent immigration

	Present quota	Average immigration, 1951–60	Proposed quotas	Immigrants registered oversubscribed quotas
Europe:				
Austria	1,405	2,968	2,595	2,862
Belgium	1,297	1,292	1,710	---------
Czechoslovakia	2,859	2,880	3,357	---------
Denmark	1,175	1,370	1,293	1,981
Finland	566	668	792	2,608
France	3,069	3,802	6,172	6,827
Germany	25,814	34,545	25,000	---------
Greece	308	4,844	3,458	105,690
Hungary	865	6,455	4,556	11,999
Ireland	17,756	6,455	17,756	---------
Italy	5,666	18,700	15,648	266,184
Europe—Con.				
Latvia	235	1,913	2,292	1,039
Lithuania	384	1,186	1,841	1,439
Netherlands	3,136	4,719	3,902	6,221
Norway	2,364	2,467	2,364	---------
Poland	6,488	12,798	13,848	61,029
Portugal	438	2,043	1,892	52,534
Rumania	289	1,743	2,441	12,941
Spain	250	1,072	2,614	13,336
Sweden	3,295	1,886	3,295	---------
Switzerland	1,698	1,719	1,698	3,234
Turkey	225	684	2,367	17,498
United Kingdom	65,361	20,887	25,000	[1] 18,924
U.S.S.R	2,697	4,650	6,487	8,469
Yugoslavia	942	5,866	5,295	33,729
Asia:				
China	205	3,274	5,335	[2] 2,396 [3] 5,781
India	100	314	3,233	13,780
Indonesia	100	1,012	3,789	4,750
Iran	100	291	1,586	8,689
Iraq	100	190	458	6,671
Israel	100	935	810	15,741
Japan	185	4,467	5,378	4,706
Jordan	100	511	507	3,298
Korea	100	702	2,616	1,127
Lebanon	100	337	365	3,135
Philippines	100	1,809	2,913	8,925
Africa:				
Morocco	100	216	964	4,068
Tunisia	100	137	259	2,675
Union of South Africa	100	232	1,243	3,219
United Arab Republic	100	618	1,670	11,845
Oceania:				
Australia	100	500	1,344	4,923
New Zealand	100	189	397	1,389

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[1] Subquota areas:

Antigua	1,045
Bahamas	816
Barbados	2,788
Bermuda	247
British Guiana	655
British Honduras	2,760
British Virgin Islands	922
Grenada	1,012
Hong Kong	371
Malta	5,890
Montserrat	444
St. Christopher	1,233
St. Lucia	169
St. Vincent	572

[2] Whites.

[3] Chinese.

Mr. HART. Mr. President, our reform bill follows closely the counsel and wisdom of America's foremost immigration specialists. It is also in line with the estimates of our leading economists, both in Government and in the private sector, regarding the number of immigrants this country can absorb.

The sponsors of this bill pay tribute to the efforts of these dedicated Americans who have seriously concerned themselves with immigration policy. The American Immigration and Citizenship Conference and its affiliated organizations have played a major role in these efforts. An ad hoc committee of the American Immigration and Citizenship Conference has given 2 years of intensive study to American immigration policy. Recently the American Immigration and Citizenship Conference circulated a statement on the bill we offer today to the Members of Congress. Mr. President, I ask unanimous consent that this statement, and a letter addressed to me from the chairman of the board of directors of the American Immigration and Citizenship Conference be inserted in the RECORD at this point.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

JANUARY 10, 1963.

To Members of the U.S. Congress:

The undersigned agencies wish to call the attention of the Members of the Congress to the following statement which bears directly upon the public policy of the U.S. Government in regard to immigration:

Since June 27, 1952, the date of the enactment of Public Law 414 (the McCarran-Walter Act), there have entered this country as immigrants an average of 250,000 people annually. The fact that two-fifths of the total entered under regular quota, while well over one-half came either under exceptions to the quota, or as nonquota immigrants, points out how unrealistic the national origins quota system is. And yet it is our restrictive quota which the world sees as our national policy toward immigration.

Also, since 1952 (and largely included among the foregoing figures) there have entered the United States as refugees or escapees some 400,000 persons. They have been admitted under special legislative warrants needed because of the limitations of Public Law 414. At the same time as each successive legislative provision was made for particular groups of refugees and escapees, the accompanying debates call attention before the world to the seriously restrictive provisions of the basic law. On each occasion the inconsonance of the basic legislation with an enlightened American foreign policy has become clear.

We believe that serious reconsideration of a revision of the basic immigration law of the United States is long overdue and that every effort should be made to encourage public interest in and an awareness of the need for action.

As a contribution in this connection, we wish to state herewith our support of the principles of immigration policy that were embodied in S. 3043, the bipartisan bill which was introduced last session by Senator Philip A. Hart, Democrat, of Michigan, and cosponsored by Senators Kenneth B. Keating, Republican, of New York; Hubert Humphrey, Democrat, of Minnesota; Jacob K. Javits, Republican, of New York; Patrick V. McNamara, Democrat, of Michigan; Edward V. Long, Democrat, of Missouri; Maurine B. Neuberger, Democrat, of Oregon; Joseph S. Clark, Democrat, of Pennsylvania; William Proxmire, Democrat, of Wisconsin; Oren E. Long, Democrat, of Hawaii; Paul H. Douglas, Democrat, of Illinois; Harrison A. Williams, Democrat, of New Jersey; Hugh Scott, Republican, of Pennsylvania; Thomas J. Dodd, Democrat, of Connecticut; Hiram L. Fong, Republican, of Hawaii; Prescott Bush, Republican of Connecticut; Eugene J. McCarthy, Democrat, of Minnesota; John O. Pastore, Democrat, of Rhode Island; Benjamin A. Smith II, Democrat, of Massachusetts; Stephen M. Young, Democrat, of Ohio; Frank E. Moss, Democrat, of Utah; Edmund S. Muskie, Democrat, of Maine; Clair Engle, Democrat, of California; Wayne L. Morse, Democrat, of Oregon; Clifford P. Case, Republican, of New Jersey; and Claiborne Pell, Democrat, of Rhode Island.

We believe that the objectives of S. 3043, viewed in the perspective of domestic requirements and international responsibilities, were consonant both with the interests of the United States and her ideals of equal treatment for all men regardless of race, creed or national origin.

May we respectfully suggest, in connection with the 88th Congress, your serious consideration of the principles of S. 3043 with special reference to the revision of the national origins quota system envisaged therein.

LIST OF AGENCIES

American Civil Liberties Union.
American Council for Emigres in the Professions, Inc.
American Committee on Italian Migration.
American Council for Nationalities Service.
American Federation of Jews from Central Europe.
American Friends Service Committee.
American Fund for Czechoslovak Refugees, Inc.
American Jewish Committee.
American Jewish Congress.
Anti-Defamation League of B'nai B'rith.
Brethren Service Commission.
Catholic Relief Services, N.C.W.C.
Committee on Immigration and Naturalization of Allegheny County.
Community Church of New York, Social Action Committee.
Council for Christian Social Action of the United Church of Christ.
Department of Christian Social Relations, National Council Protestant Episcopal Church.
Greater Miami Section, National Council of Jewish Women.
Immigrants' Service League.
International Institute of Boston.
International Institute of Gary, Ind.
International Institute of Jersey City.
International Institute of Milwaukee County.
International Institute of Providence, R.I.
International Institute of San Francisco.
International Institute of Toledo, Inc.
International Rescue Committee.
International Social Service—American Branch.
International Union of Electrical, Radio and Machine Workers, AFL–CIO.
Iuliu Maniu American Romanian Relief Society.
Italian Welfare League, Inc.
Japanese American Citizens League.
Jewish Community Relations Council of Greater Philadelphia.
Jewish Counseling and Service Agency.
Jewish Labor Committee.
Jewish War Veterans of the U.S.A.
La Gazzetta Legale Italio-Americana.
Laurin Hyde Associates.
Lutheran Immigration Service.
Massachusetts Governor's Commission on Refugees.
Methodist Committee for Overseas Relief.
Michigan Committee on Immigration.
National Board YWCA.
National Community Relations Advisory Council.
National Conference of Catholic Charities.
National Council of Jewish Women.
National Travelers Aid Association.
Naturalization Council of Kansas City.
Order of AHEPA.
Philadelphia Citizens Committee on Immigration and Citizenship.
Polish American Immigration and Relief Committee, Inc.
Selfhelp of Emigres from Central Europe, Inc.
The United Presbyterian Church in the U.S.A., Committee on Resettlement Services.
Tolstoy Foundation.
Ukrainian Workingmen's Association.
Union of American Hebrew Congregations, Social Action Commission.
United Automobile Workers of America, AFL–CIO.
United Friends of Needy and Displaced People of Yugoslavia, Inc.
United HIAS Service.
United States Committee for Refugees.
United Steelworkers of America, Committee on Civil Rights.
Worcester Section, National Council of Jewish Women.

Mr. HART. Mr. President, in conclusion, I would emphasize that this reform bill is the product of diligent and serious thought. It is not a radical proposal designed to flood this country with immigrants or an irresponsible measure to negate the gains achieved under the act of 1952. It replaces only the quota provisions of the act of 1952.

The nationwide support for our bill calls to mind a statement in President Truman's veto message to Congress on the Immigration and Nationality. Act of 1952.

I am sure—

He said—

> that with a little more time and a little more discussion in this country the public conscience and the good sense of the American people will assert themselves and we shall be in a position to enact an immigration and naturalization policy that will be fair to all.

Former President Eisenhower has spoken similarly.

The statement just cited is a prophetic one; we have come a long way since 1952. The sponsors of the reform bill are hopeful that hearings will be held shortly. President Kennedy's recent statement encourages us to urge a thorough review of our immigration policy, and to enact legislation which will restore morality and commonsense to a significant area of public policy.

Mr. President, I ask unanimous consent that the bill we offer today be printed in full at this point in my remarks and that it lie on the table for 1 week, so that other Senators who wish to join as cosponsors may have the opportunity to do so.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (27) of section 101(a) of the Immigration and Nationality Act is amended—

(1) by amending subparagraph (A) to read as follows:

"(A) an immigrant who is the child, spouse, or parent of a citizen of the United States;";

(2) by amending subparagraph (C) to read as follows:

"(C) an immigrant who was born in Canada, the Republic of Mexico, the Republic of Cuba, the Republic of Haiti, the Dominican Republic, the Canal Zone, an independent country of Central or South America, or any of the adjacent islands which becomes an independent country, and the spouse or the child of any such immigrant, if accompanying or following to join him;";

(3) by striking "or" at the end of subparagraph (F);

(4) by striking the period at the end of subparagraph (G) and inserting in lieu thereof a semicolon and "or"; and

(5) by adding the following new subparagraph at the end thereof:

"(H) (i) an immigrant whose services are determined by the Secretary of Labor to be needed urgently in the United States because of the high education, technical training, specialized experience, or exceptional ability of such immigrant and to be substantially beneficial prospectively to the national economy, cultural interests, or welfare of the United States; and (ii) the spouse or the child of any such immigrant, if accompanying or following to join him within a period of one year after he is admitted to the United States for permanent residence.".

SEC. 2. Section 201 of the Immigration and Nationality Act is amended to read as follows:

"NUMERICAL LIMITATIONS; REFUGEE VISAS; ANNUAL QUOTAS; MINIMUM AND MAXIMUM QUOTAS

"SEC. 201. (a) The number of quota immigrant visas to be issued in any fiscal year, except for any such visas to be issued under subsection (e) of this section, shall not exceed two hundred and fifty thousand, of which number (1) fifty thousand immigrant visas shall be made available for issuance in each fiscal year, without regard to the quota of each quota area for such year and the limitations of subsection (c) (1) and (2) of this section, (A) to qualified quota immigrants in a country or area which is neither Communist nor Communist dominated, who because of persecution, fear of persecution, or military operations are out of their usual place of abode and unable to return thereto, and who have not been firmly resettled, and (B) to the spouse or the child of any such immigrant, if accompanying or following to join him within a period of one year after he is admitted to the United States for permanent resident; (2) eighty thousand visas shall be allotted among the annual quotas of the separate quota areas on the basis of the proportion which the number of inhabitants in each quota area represents of the world population exclusive of those countries specified in section 101(a) (27) (C) of this Act; except that the maximum quota for any quota area allotted under this distribution shall be three thousand; and (3) one hundred and twenty thousand visas shall be allotted among the annual quotas of the separate quota areas on the basis of the proportion which the average annual number of quota and nonquota immigrants admitted to the United States from any such quota area during the period of fifteen consecutive years immediately prior to the effective date of the Immigration and Nationality Act of 1963 represents of the average annual number of quota and nonquota immigrants admitted to the United States during such period: *Provided,* That the minimum annual quota under this Act for any quota area shall be two hundred, and the maximum annual quota under this Act for any quota area shall be twenty-five thousand: *Provided further,* That, subject to the limitations of the maximum annual quota, in no case shall the annual quota for any quota area allotted under this subsection be less than the annual quota for such area as heretofore determined under the provisions of the Immigration and Nationality Act prior to the effective date of the Immigration and Nationality Act of 1963.

"(b) The determination of the annual quota of any quota area shall be made by the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly. Such officials shall, jointly report to the President the quota of each quota area, and the President shall proclaim and make known the quotas so reported. Such determination and report shall be made and such proclamation shall be issued as soon as practicable after the date of enactment of the Immigration and Nationality Act of 1963. Quotas proclaimed therein shall take effect on the first day of the fiscal year, or the next fiscal half year, next following the expiration of six months after the date of the proclamation, and until such date the existing quotas proclaimed immediately prior to the effective date of the Immigration and Nationality Act of 1963 shall remain in effect. After the making of a proclamation under this subsection the quotas proclaimed therein shall continue with the same effect as if specifically stated herein and shall be final and conclusive for every purpose, except (1) insofar as it is made to appear to the satisfaction of such officials and proclaimed by the President, that an error of fact has occurred in such determination or in such proclamation, or (2) in the cases provided for in section 202(d).

"(c) Except as otherwise provided in subsections (a)(1) and (e) of this section, there shall be issued to quota immigrants chargeable to any quota of a quota area (1) no more immigrant visas in any fiscal year than the quota for such year for such quota area, and (2) in any calendar month of any fiscal year, no more immigrant visas than 10 per centum of the quota for such year for such quota area; except that during the last two months of any fiscal year immigrant visas may be issued without regard to the 10 per centum limitation contained herein.

"(d) Nothing in the Act shall prevent the issuance (without increasing the total number of quota immigrant visas which may be issued) of an immigrant visa to an immigrant as a quota immigrant even though he is a nonquota immigrant.

"(e) All quota numbers available in any fiscal year, but not actually used during such fiscal year, shall be assigned to a general pool and made available for distribution in the next following fiscal year for use by qualified quota immigrants of those quota areas which, at the close of the fiscal year immediately preceding the year of authorized distribution, had immigrants registered on quota waiting lists. Each such quota area shall be entitled to a number of the quota numbers assigned to the general pool for use during any fiscal year in the same proportion as the number of immigrants registered, at the close of the preceding fiscal year, on quota waiting lists of such quota area bears to the number of immigrants registered, at the close of the preceding fiscal year, on quota waiting lists of all such quota areas. In no case shall (1) more than one hundred thousand quota numbers be made available in any fiscal year for distribution from such pool, and (2) the quota numbers distributed to any quota area in any fiscal year from such pool be in excess of the annual quota for such quota area for such year under paragraphs (2) and (3) of subsection (a) of this section. Such quota numbers distributed among such quota areas in any fiscal year shall be made available within each quota area, first for the issuance of immigrant visas to the class specified in paragraph (1) of section 203(a), and second for the issuance of immigrant visas to the class specified in paragraph (2) of section 203(a).

"(f) In the issuance of immigrant visas under clause (1) of subsection (a) of this section, due consideration shall be given to equal distribution as determined by the registered demand."

SEC. 3. Section 202 of the Immigration and Nationality Act is amended to read as follows:

"DETERMINATION OF QUOTA TO WHICH AN IMMIGRANT IS CHARGEABLE

"SEC. 202. (a) Each independent country, self-governing dominion, mandated territory, and territory under the international trusteeship system of the United Nations, other than the United States and its outlying possessions and the countries specified in section 101(a)(27)(C), shall be treated as a separate quota area when approved by the Secretary of State. All other inhabited lands shall be attributed to a quota area specified by the Secretary of State. For the purposes of this Act, the annual quota to which an immigrant is chargeable shall be determined by birth within a quota area, or citizenship of a quota area acquired by such immigrant if he has been domiciled within such area for at least ten years immediately preceding his date of registration on a consular waiting list, except that—

"(1) an alien child, when accompanied by or following to join his alien parent or parents, may be charged to the quota of such parent or of either such parent if such parent has received or would be qualified for an immigrant visa, if necessary to prevent the separation of the child from the parent or parents, and if the quota to which such parent has been or would be chargeable is not exhausted for that fiscal year;

"(2) if an alien is chargeable to a different quota from that of his spouse, whom he is accompanying or following to join, the quota to which such alien is chargeable may, if necessary to prevent the separation of husband and wife, be determined by the quota of the spouse, whom he is accompanying or following to join, if such spouse has received or would be qualified for an immigrant visa and if the quota to which such spouse has been or would be chargeable is not exhausted for that fiscal year;

"(3) an alien born in the United States shall be considered as having been born in the country of which he is a citizen or subject or, if he is not a citizen or subject of any country, then in the last foreign country in which he had his residence as determined by the consular officer;

"(4) an alien born within any quota area in which neither of his parents was born and in which neither of his parents had a residence at the time of such alien's birth may be charged to the quota area of either parent.

"(b) Any immigrant born in a colony or other component or dependent area of a governing country for which no separate or specific quota has been established, unless a nonquota immigrant as provided in section 101(a)(27) of this Act, shall be chargeable to the quota of the governing country.

"(c) The provision of an immigration quota for a quota area shall not constitute recognition by the United States of the political transfer of territory from one country to another, or recognition of a government not recognized by the United States.

"(d) After the determination of quotas has been made as provided in section 201, revision of the quotas shall be made by the Secretary of State, the Secretary of Commerce, and the Attorney General, jointly, (1) after each period of five years on the basis of the most current authoritative data, and (2) whenever necessary, to provide for any change of boundaries resulting in transfer of territory from one sovereignty to another, a change of administrative arrangements of a colony or other dependent area, or any other political change, requiring a change in the list of quota areas or of the territorial limits thereof. In the case of a revision of quotas after each period of five years, the Secretary of State, the Secretary of Commerce, and the Attorney General shall, jointly, report to the President the quota of each quota area, and the President shall proclaim and make known the quotas so reported. Such determination and report shall be made and such proclamation shall be issued as soon as practicable after the termination of each period of five years. Quotas proclaimed therein shall take effect on the first day of the fiscal year, or the next fiscal half year, next following the expiration of six months after the date of such proclamation, and until such date the existing quotas proclaimed under the immediately preceding proclamation shall remain in effect. After the making of a proclamation under this subsection the quotas proclaimed therein shall continue with the same effect as if specifically stated herein and shall be final and conclusive for every purpose, except (A) insofar as it is made to appear to the satisfaction of such officials and proclaimed by the President, that an error of fact has occurred in such determination or in such proclamation, or (B) in the cases provided for in this subsection. In the case of any change in the territorial limits of quota areas, not requiring a change in the quotas for such areas, the Secretary of State shall, upon recognition of such change, issue appropriate instructions to all consular offices concerning the change in the territorial limits of the quota areas involved. Whenever one or more colonies or other component or dependent areas overseas from the governing country, or one or more quota areas have been subject to a change of administrative arrangements, a change of boundaries, or any other political change, the annual quota of the newly established quota area or the number of visas authorized to be issued under section 202(b), notwithstanding any other provisions of this Act, shall not be less than the sum total of quotas in effect or number of visas authorized for the area immediately preceding the change of administrative arrangements, change of boundaries, or other political change."

SEC. 4. Section 203 of the Immigration and Nationality Act is amended to read as follows:

"ALLOCATION OF IMMIGRANT VISAS WITHIN QUOTAS

"SEC. 203. (a) Immigrant visas to quota immigrants under section 201 (a) (2) or (3) shall be allotted in each fiscal year as follows:

"(1) The first 60 per centum of the quota of each quota area for such year, plus any portion of such quota not required for the issuance of immigrant visas to the class specified in paragraph (2), shall be made available for the issuance of immigrant visas first to qualified quota immigrants who are the spouse, children, or parents of an alien lawfully admitted for permanent residence; and any portion of the quota of each quota area for such year available to such immigrants but not required for the issuance of immigrant visas to such immigrants shall be made available for the issuance of immigrant visas (A) to qualified quota immigrants who are the blood relatives of a citizen or of an alien lawfully admitted for permanent residence, through the third degree of consanguinity, and (B) to qualified quota immigrants who are the spouse or children (including adopted children) of any immigrant described in clause (A) if accompanying or following to join him within a period of one year after such immigrant is admitted to the United States for permanent residence.

"(2) The next 40 per centum of the quota for each quota area for such year, plus any portion of such quota not required for the issuance of immigrant visas to the classes specified in paragraph (1), shall be made available for the issuance of immigrant visas to other qualified quota immigrants chargeable to such quota.

"(b) Quota immigrant visas issued to aliens in the classes designated in paragraphs (1) and (2) of subsection (a) shall, in the case of each quota, be issued to qualified quota immigrants strictly in the chronological order in which such immigrants are registered in each class on quota waiting lists which shall be maintained for each class in accordance with regulations prescribed by the Secretary of State.

"(c) In determining the order for consideration of applications for quota immigrant visas under subsection (a), consideration shall be given first to applications under paragraph (1) and second to applications under paragraph (2).

"(d) Every immigrant shall be presumed to be a quota immigrant until he establishes to the satisfaction of the consular officer, at the time of application for a visa, and to the immigration officers, at the time of application for admission, that he is a nonquota immigrant. Every quota immigrant shall be presumed to be a quota immigrant under paragraph (2) of subsection (a) until he establishes to the satisfaction of the consular officer and the immigration officers that he is entitled to a quota status under paragraph (1) of such subsection."

Sec. 5. (a) The heading of section 204 of the Immigration and Nationality Act is amended by striking "or section 203(a)(1)(A)" and inserting in lieu thereof" 101(a)(27)(h)(i)".

(b) The text of section 204 of such Act is amended by striking "section 203(a) (1) (A)" wherever it appears therein and inserting in lieu thereof "101 (a) (27) (H) (i)".

Sec. 6. Section 205 of the Immigration and Nationality Act is amended to read as follows:

"PROCEDURE FOR GRANTING NONQUOTA STATUS BY REASON OF RELATIONSHIP

"Sec. 205. (a) In the case of any alien claiming in his application for an immigrant visa to be entitled to a nonquota immigrant status under section 101 (a) (27) (A), or to a quota immigrant status under section 203 (a) (1), the consular officer shall not grant such status until he has been authorized to do so as provided in this section.

"(b) Any citizen of the United States claiming that any immigrant is his spouse, child, or parent and that such immigrant is entitled to a nonquota immigrant status under section 101(a)(27)(A), or any alien lawfully admitted for permanent residence claiming that any immigrant is his spouse, child, or parent and that such immigrant is entitled to a quota immigrant status under section 203(a)(1), or any citizen of the United States or any alien lawfully admitted for permanent residence claiming that any immigrant is his relative within the third degree of consanguinity and that such immigrant is entitled to a quota immigrant status under section 203(a)(1)(A), may file a petition with the Attorney General. No petition for nonquota immigrant status in behalf of a child as defined in section 101(b)(1)(F) shall be approved by the Attorney General unless the petitioner establishes to the satisfaction of the Attorney General that the petitioner and spouse will care for such child properly if he is admitted to the United States, and (i) in the case of a child adopted abroad, that the petitioner and spouse personally saw and observed the child prior to or during the adoption proceedings, and (ii) in the case of a child coming to the United States for adoption, that the petitioner and spouse have complied with the preadoption requirements, if any, of the State of such child's proposed residence. The petition shall be in such form and shall contain such information and be supported by such documentary evidence as the Attorney General may by regulations prescribe. The petition shall be made under oath administered by any individual having authority to administer oaths, if executed in the United States, but, if executed outside the United States, administered by an immigration officer or a consular officer.

"(c) After an investigation of the facts in each case the Attorney General shall, if he determines the facts stated in the petition are true and that the alien in respect of whom the petition is made is eligible for a nonquota immigrant status under section 101(a)(27)(A) or for a quota immigrant status under section 203(a)(1), approve the petition and forward one copy thereof to the Department of State. Not more than two such petitions may be approved for one petitioner in behalf of a child as defined in section 101(b)(1) (E) or (F) unless necessary to prevent the separation of brothers and sisters. The Secretary of State shall then authorize the consular officer concerned to grant the nonquota immigrant status, or quota immigrant status, as the case may be. Notwithstanding the provisions of this subsection, no petition shall be approved if the alien previously has been accorded, by reason of marriage determined by the Attorney General to have been entered into for the purpose of evading the immigration laws, a nonquota status under section 101(a)(27)(A) as the spouse of a citizen of the United States or of an alien lawfully admitted for permanent residence.

"(d) Nothing in this section shall be construed to entitle an immigrant, in respect of whom a petition under this section is approved, to enter the United States as a nonquota immigrant under section 101(a)(27)(A) if upon his arrival at a port of entry in the United States he is found not to be entitled to such classification, or to enter the United States as a quota immigrant under section 203(a)(1) if upon his arrival at a port of entry in the United States he is found not to be entitled to such classification."

Sec. 7. Section 212(a) of the Immigration and Nationality Act is amended by striking, in paragraph (14), the following: "(i) those aliens described in the nonpreference category of section 203(a) (4), (ii)".

Sec. 8. Section 201 of the table of contents of the Immigration and Nationality Act is amended to read as follows:

"Sec. 201. Numerical limitations; refugee visas; annual quotas; minimum and maximum quotas."

Sec. 9. Section 204 of the table of contents of the Immigration and Nationality Act is amended to read as follows:

"Sec. 204. Procedure for granting immigrant status under section 101(a)(27)(F)(i) or 101(a)(27)(I)(i)."

Sec. 10. Section 205 of the table of contents of the Immigration and Nationality Act is amended to read as follows:

"Sec. 205. Procedure for granting nonquota or quota status by reason of relationship."

Sec. 11. This Act may be cited as the "Immigration and Nationality Act of 1963".

Mr. KEATING. Mr. President, it is again a great privilege for me to join with the distinguished Senator from Michigan in sponsorship of this much-needed permanent revision of the outdated national origins quota system. I am extremely gratified also by the large number of Senators—31, to be exact—who have concurred in the merits of this legislation through their cosponsorship. According to my recollection, this is one of the largest bipartisan groups ever to join in legislation of this type in the Senate. It is my sincere hope that still other Senators may see fit within the next week to lend to this endeavor their names, their prestige, and their active support.

Mr. President, as my friend from Michigan has pointed out, both national political parties are pledged by their 1960 campaign platforms to a fair and equitable revision of the quota system. Given enthusiastic assistance by Government officials, I would be optimistic that much progress can be made within the coming months and, hopefully, final action taken before this first session of the 88th Congress comes to a close.

Let me just say briefly, in concluding, that all of us who share in the belief that the immigration quota system is sorely in need of reform, deeply appreciate the able and competent work of all the private organizations operating in this field, both in the way of technical assistance and for their unrelenting encouragement and vigorous advocacy in behalf of a rational immigration policy attuned to national needs and ideas for the years that lie ahead.

AMENDMENT OF SECTION 512 OF INTERNAL REVENUE CODE, PERTAINING TO UNRELATED BUSINESS TAXABLE INCOME

Mr. HOLLAND. Mr. President, I introduce, for appropriate reference, a bill to amend subsection (b) of section 512 of the Internal Revenue Code of 1954, dealing with unrelated business taxable income. I am joined in the introduction of this bill by my distinguished colleague the Senator from Florida [Mr. Smathers].

I also ask permission to include in the Record, as part of my remarks, a letter to me dated February 6, 1963, from Mr. Peter E. Terzick, general treasurer of the United Brotherhood of Carpenters and Joiners of America, which presents in detail the tax problem which jeopardizes the continued successful operation of the union's home for aged members at Lakeland, Fla.

I might add, Mr. President, that proposed legislation identical to the measure I now send to the desk was introduced in the House of Representatives on January 9, 1963, by my distinguished colleague, Mr. James A. Haley, of the Seventh District of Florida.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 749) to amend subsection (b) of section 512 of the Internal Revenue Code of 1954 (dealing with unrelated business taxable income), introduced by Mr. Holland (for himself and Mr. Smathers), was received, read twice by its title, and referred to the Committee on Finance.

The letter presented by Mr. Holland is as follows:

United Brotherhood of
Carpenters and Joiners of America,
Washington, D.C., February 6, 1963.

Hon. Spessard L. Holland,
U.S. Senate,
Washington, D.C.

Dear Senator Holland: You are well aware that our brotherhood has maintained a home for aged members at Lakeland, Fla., since 1928.

In connection with the home we have also maintained sizable citrus groves. For some 40 years, whatever profits were derived from the operation of the groves were used to help defray the cost of running the home.

On May 31, 1962, the Internal Revenue Department determined that the profits derived from the groves were "unrelated" income and, therefore, subject to the regular income tax. We were presented with a tax deficiency bill for the years 1951 through 1960. The total amount of taxes claimed, plus penalties and interest, amount to $1,684,000.

After several conferences with the Internal Revenue Department at the appellate level which came to nothing, on October 22, 1962, we paid the tax bill in order to stop the accumulation of interest charges which are very substantial on an amount of this size.

I need not tell you, Senator Holland, that this action by the Internal Revenue Department jeopardizes the future of the home. We believe the ruling of the Internal Revenue Department to be arbitrary and not justified by the facts.

In the first place, the determination that any profit derived from the groves is "unrelated" income is unrealistic.

Our organization was brought into being in August of 1881. From the very beginning a primary objective has been the alleviation of suffering for members beyond their working years. As early as 1900 our members were laying plans for establishing a program to care for aged members. In a general convention held in Scranton, Pa., in September of that year, a proposition was drafted committing the organization to establish such a program. Every succeeding convention between 1900 and 1920 grappled with the problem. However, the mechanics of financing such a program constantly presented a roadblock.

It was not until 1923 that the problem was finally solved. In April of that year a proposition to increase the per capita tax to the general office by 10 cents per month for the purpose of establishing a home and pension fund was submitted to referendum vote. The proposition carried by the necessary two-thirds vote. Thereafter all members began paying 10 cents per month to the home and pension fund.

On December 15, 1923, a contract was entered into to purchase 1,826 acres of land at Lakeland, Fla., as a site for the home. Despite the establishment of the home and pension fund, it was necessary for $449,383 to be withdrawn from the general fund to consumate the deal. It is also significant to note that only 300 of the 1,826 acres were in bearing citrus groves at the time of purchase.

Before the Lakeland site was purchased, committees investigated many areas and the decision in favor of the Lakeland property was determined by the favorable climate of that area. There was no intention on the part of the organization to go into the citrus business as such, and the operation of the groves has always been an incidental by-product of maintaining the home for aged members.

Since the original purchase, some 40 years ago, the 300 acres of citrus groves have been expanded to over 900 acres through wise management. Despite this increase in productive acreage, profits from the groves do not come close to meeting the expenses of maintaining the home.

We hold our conventions quadrennially. Consequently, our reports are made on a 4-year basis.

For the period from 1950 through 1954, the home and pension fund was required to spend $1,300,177.17 above and beyond the amount of income derived from the groves. In this period grove profits ranged from a low of $237,466.07 in 1952 to a high of $401,117.16 in 1950.

For the period from 1954 through 1957, grove net profits fell $962,003.39 short of meeting home operating expenses, This sum, of course, came from the home and pension fund.

In the next 4 years, the home and pension fund was required to add $751,790.18 to grove profits to keep the home operating. This relatively smaller amount resulted from the fact that 1959 was an exceptionally profitable year.

In connection with grove profits, I think it is only fair to point out that last December's freeze did extensive damage to our groves, the effects of which will be felt for several years to come. Since the trees are now in blossom, another freeze could wipe out next year's crop entirely.

So that you may understand the situation completely, I think you should know that the per capita tax to the home and pension fund at the present time is 60 cents per member, per month, for each beneficial member in good standing. It is this revenue that makes possible the maintenance of the home.

As I understand the Internal Revenue Act, any income derived from operations directly related to the primary purposes of a nonprofit organization are tax exempt, while those derived from purposes not directly connected with the prime concerns of such an organization are not.

I submit to you that maintenance of a home for aged and ailing carpenters has always been a primary aim and function of this organization. I submit, also, that profits derived from operation of the groves do not come close to meeting the costs of operating our home.

If the earnings from the groves met all costs of operating the home and, in addition, afforded a profit to our organization, I would not question the validity of the Internal Revenue ruling; but since this is not the case, I find it difficult to follow the reasoning of the Department.

Certainly, taking care of our own people when they have passed the years of usefulness has been one of the prime functions of our organization. It is as directly related to our aims as maintaining a headquarters building or engaging in collective bargaining.

I should also like to point out that the 300-odd men at the home mostly would be burdens on county or city governments if our organization did not maintain this fine institution. Almost every State in the Union is represented by occupants at the home.

I am frank to say that if the ruling of the Internal Revenue Department stands we may be compelled to abandon the home, for involved is not only the matter of back taxes but also future taxes as well. On the other hand, we have been developing plans for greatly augmenting the present services of the home, if the tax ruling does not force abandonment.

Right now we have a committee studying the feasibility of erecting housing for the elderly on the home property. This committee was set up as a result of convention action last year. Other unions have approached us inquiring whether it would be possible for them to enter into some sort of an arrangement to build housing for the elderly on our home property. For my own part, I have been dreaming of a large geriatrics center eventually on our Lakeland property. Such a venture would be a very long-range project, but one that I think could be achieved if we can maintain our home.

Since 1928, occupancy at the home has fluctuated between 260 and 375 oldtime members. The care home occupants receive sets a high standard for institutions of this kind.

All food, clothing and even smoking tobacco are provided by the home, free of charge.

Every type of recreational activity suitable for elderly men is available. Church services are held regularly in the auditorium, and first-rate movies are shown several nights a week. A 90-bed hospital is maintained in conjunction with the home where ailing occupants are given comprehensive medical treatment without charge. A bus transports occupants to the city for shopping trips or pleasure jaunts. Rules permit the men to take leaves of absence to visit friends or relatives.

The home maintains its own dairy herd, beef cattle and hogs. The quality of food served the occupants is second to none, and all of us look forward to eating at the home whenever we are in Lakeland on official business.

I appreciate that the Federal budget is a tremendous one and revenue must be raised to meet it, but I cannot conceive that it would be the intent of Congress to undermine an eleemosynary institution that helps an organization take care of its own through its own efforts.

You were considerate enough to introduce Senate bill 3765 in the last session. I sincerely hope that you will see fit to reintroduce it in the present Congress.

A fine institution that has a 40-year record of providing a place of haven for oldtimers is in jeopardy as a result of this Internal Revenue Department ruling. Unless relief is forthcoming as provided in your bill, the long and honorable record of this organization for taking care of its own may come to an end. And 122 employees at the home, most of whom have been with us for many years, many find themselves unemployed.

I believe that justice dictates that the provisions of your bill be enacted. On behalf of our entire organization I extend to you my sincerest thanks for your efforts to redress this undeniable wrong.

When you introduce and work for this measure you can rest assured that you are advancing the cause of those organizations which are ready, willing and anxious to take care of their own rather than shunting the burden to government.

Sincerely yours,

PETER E. TERZICK,
General Treasurer.

TRUTH-IN-LENDING ACT

Mr. DOUGLAS. Mr. President, on behalf of myself, and Senators MANSFIELD, MAGNUSON, CASE, CLARK, PROXMIRE, NEUBERGER, DODD, KEFAUVER, HART, RANDOLPH, YOUNG of Ohio, MOSS, CANNON, GRUENING, MORSE, BARTLETT, MCGEE, PELL, and MCGOVERN, I introduce, for appropriate reference, a bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit. I am delighted that so many of my colleagues have joined me in cosponsoring this vitally needed reform measure endorsed by the administration—a bill to require truth in lending.

The truth-in-lending bill is both a simple and modest measure. It requires that all lenders and credit sellers fully disclose to the consumer the costs of using credit in an accurate and uniform manner.

Anyone engaged in the business of extending credit at the retail level would have to fully disclose in writing the costs of credit to the borrower before the credit transaction is signed. This written statement would include the total amount of the finance charge expressed in dollars and cents and the percentage that this charge bears to the total amount financed expressed as a simple annual rate on the unpaid balance.

For example, if the consumer sought a 1-year, $500 loan, payable in equal monthly installments, from his local bank, the bank would be required if such were the facts, to tell the borrower that the finance charge is $30 and the interest rate, therefore, is 12 percent.

Or, to take another example, if a consumer wished to finance for 36 months the $2,000 due on his new car through an automobile dealer, the dealer would be required, if such were the fact, to tell the customer the finance charge will be $460, and the interest rate will be 15 percent.

Thus, if this bill were enacted, every borrower would know in advance before signing on the dotted line the two indispensable measures of the price of credit—the dollar cost, and the interest or finance rate. This would enable the consumer to compare accurately the costs of alternative credit plans and to shop as wisely for credit as he does for other items in the family budget.

This bill would not in any way control credit or regulate the terms of credit. Our objective is merely to strip away the disguises which frequently hide or distort the true price of credit.

CREDIT ABUSES

For the past 3 years, the Production and Stabilization Subcommittee—of which I am chairman—of the Senate Banking and Currency Committee has held extensive hearings on various truth-in-lending bills.

The subcommittee has explored current consumer credit practices in depth and detail. The record of these hearings encompasses thousands of pages. It includes testimony from representatives of almost every segment of the credit industry, from most of the Government departments, from labor unions, consumers' groups, and from many distinguished experts in the field of consumer credit.

This investigation of current consumer credit practices has conclusively demonstrated that the average consumer is often either unaware or badly misinformed about the credit charges and interest rates he pays for various types of credit.

For instance, Chairman William McChesney Martin, of the Federal Reserve Board, a former Assistant Secretary of the Treasury and a former president of the New York Stock Exchange, in supporting the proposed legislation requiring full disclosure of interest costs, admitted during the public hearings that he was confused by the practices now used by lenders and vendors in stating their interest or financial rates on consumer credit transactions.

Indeed, even experts in the finance industry admit that consumers are not adequately informed by lenders about the cost of credit.

Dr. Theodore O. Yntema, vice president in charge of finance, Ford Motor Co., testifying during the Senate hearings on automobile financing, stated:

> The variety and complexity of finance and insurance arrangements and the charges for them are such as almost to defy comprehension. It is impossible for the average buyer to appraise the rates for the finance and insurance services offered, as compared with alternatives available elsewhere.

A credit union manager with many years of experience in the lending field vividly described the dilemma of the consumer today. He said the average borrower is caught in "a wonderland of credit where percentages multiply and divide at will, where finance charges materialize on command and fees are collected on the way out; where sharp practices and rackets not only inflate the costs of credit, but also impose enormous financial hardships on the debtor, particularly those who can least afford it."

A number of cases presented in subcommittee hearings revealed how harsh these sharp practices can be. For example, a woman with four children to support, on $44 a week, was persuaded through appeal to parental pride to purchase, on time, a $600 accordion for her daughter, whom the local "conservatory" of music insisted had great talent. Within months, the conservatory reported the daughter had "such exceptional talent" an $1,800 instrument would be necessary. The carrying charges alone came to $400, a simple interest rate of 20 percent. When finally the poor woman reached the edge of bankruptcy, she discovered she could have bought the $1,800 instrument elsewhere for only $400, and at half the rate of interest. She finally settled for a loss of $383.

A typist in the Justice Department who became deeply involved with personal loans from bank and finance companies because of family illness, ultimately reached the end of her ability to pay. In reviewing all the special loan charges, the refinancing costs, the required insurance, and the original high—but unstated—finance charges, the young lady found she had been paying more than 40 percent in simple interest.

Another credit union manager recounted the case of an experienced FBI agent who was certain the proposed financing of his automobile would cost him 4 percent. On carefully rechecking the figures, he was amazed to find the true cost of credit was more than 20 percent.

Still another documented case was presented to the subcommittee in which a customer had purchased a television set for $285.55, to be paid at the rate of "about $14 per month." No mention of the interest or finance charge was made, either verbally or in writing, and even the number of months the customer would have to pay was not mentioned in the contract. After faithfully paying, on time, a total of $147.30, the customer discovered that to pay off the balance would cost him $206.22. So he actually paid $67.97 in credit charges, or more than 33 percent per annum simple interest.

Many Government agencies have testified before our committee. The Council of Economic Advisers, the Federal Trade Commission, the Housing and Home Finance Agency, the Justice Department, and the Labor Department, have all strongly urged the enactment of the truth-in-lending bill. And most important, the Department of Commerce has strongly urged that the truth-in-lending bill be enacted.

The former Under Secretary of Commerce Edward Gudeman, who for many years had been responsible for Sears, Roebuck & Co.'s credit operations, wholeheartedly endorsed the truth-in-lending bill in his appearance before the committee and urged its enactment for the following reasons:

> 1. It will arm consumers with the basic price information necessary for rational decisions among alternatives;
>
> 2. It will invigorate competition in the consumer credit market and reward the more efficient credit supplier;
>
> 3. By rendering consumer credit charges more cyclically sensitive it will contribute to the overall stability of our economy; and
>
> 4. Lastly, it will, like the Securities and Exchange Act, eliminate the possibility of deception and near fraud from a major sector of the economy.

Last spring, the President in his consumer protection message to the Congress strongly urged the enactment of the truth-in-lending bill. The President said:

> Excessive and untimely use of credit arising out of ignorance of its true cost is harmful both to the stability of the economy and to the welfare of the public. Legislation should therefore be enacted requiring lenders and vendors to disclose to borrowers in advance the actual amounts and rates which they will be paying for credit. Such legislation, similar in this sense to the truth-in-securities laws of 1933–34, would not control prices or charges. But it would require full disclosure to installment buyers and other prospective credit users, and thus permit consumers to make informed decisions before signing on the dotted line.

A NATIONAL DILEMMA

A few facts about the growth and size of consumer credit indicate the magnitude of the problem the consumer faces in attempting to use credit intelligently.

Today, consumer credit outstanding, including mortgage credit, totals over $230 billion. Of this total, consumers owe approximately $168 billion on their homes, and around $63 billion in short and intermediate term consumer debt of which $48 billion was in installment debt and $15 billion in noninstallment debt.

On this massive debt, consumers last year paid out approximately $7 billion in interest and finance charges on the short and intermediate term installment debt alone, and another $8 billion in interest charges on mortgage debt.

In other words, consumers paid approximately $5 billion more last year for their personal debt than the whole Nation paid in carrying charges on the national debt. The annual cost of our personal debt has long ago zoomed past the cost of the national debt, and the size of the personal debt is growing at such a rate that it will soon surpass the national debt.

Looking at this massive debt from the point of view of the individual family budget—out of every $100 of after-tax income, the American family pays out approximately $13 to meet installment debts and $5 to meet mortgage payments.

These figures demonstrate the extent to which consumers have previously mortgaged their present income to meet personal debts. But this is only part of the story.

To what extent are consumers mortgaging their future income? In 1945, short and intermediate term consumer debt was 4 percent of after-tax personal income.

In 1950, it was 10 percent of after-tax personal income.

In 1955, it was 14 percent of after-tax personal income.

In 1962, it had grown to 16 percent of after-tax personal income.

If we add in personal mortgage debt as well as noninstallment debt—consumers at the end of 1962 had mortgaged 60 percent of their current income. And, moreover, consumers are mortgaging their future income at an ever-increasing rate.

Along with this tremendous growth of personal debt, there has been a radical increase in another relevant statistic—bankruptcies. From 1950 to 1962 bankruptcies climbed almost fivefold—from

33,000 cases filed in 1950 to approximately 148,000 cases filed in 1962. The bankruptcy rate today is more than twice as high as it was in 1930 or 1935. Estimates indicate that almost 90 percent of current bankruptcies are nonbusiness in nature, and that the primary cause of these individual bankruptcies is overuse of personal credit.

CONFUSING THE CONSUMER

The consumer, faced with $230 billion of debt, a $15 billion yearly bill for interest and credit charges, paying out $18 of every $100 of his take-home pay to meet current debt payments and mortgaging his future income at an increasing rate, usually does not know what the rates or charges are on the credit he is using. Independent studies have indicated that the average consumer, given the present trade practices in the credit industry, has little idea of what credit is really costing him.

The consumer is faced with a bewildering and indeed incomprehensible variety of rate statements and charges when he borrows money or buys an article on the installment plan.

For example, a consumer who desires to obtain credit for a $100 purchase to be repaid in monthly installments is usually confronted with one of the following alternatives:

First, no rate is quoted: The borrower is told that the charges will be $10 down and $10 a month. Neither the total finance charges nor the finance rate is disclosed.

Second, the add-on rate: The borrower is told that the finance charge will be $6 on the $100 loan. The lender represents this to the borrower as being a 6-percent rate. This quoted rate is a play on the digit 6. The actual rate is almost 12 percent, or nearly double the stated rate, because a borrower over a period of the year only has the use of approximately $50 credit rather than the $100 face amount.

In other words, the interest rate is quoted on the original amount of the debt and not on the declining or unpaid balance as is the custom in business credit, government loans, or consumer mortgage transactions.

Third, the discount rate: This is a variation of the add-on rate. In the case of the add-on the borrower receives $100 in cash or goods and must pay back $106. In the case of the discount technique the borrower receives $94 but repays $100. The finance charge again is $6 and is often represented as being 6 percent. Again, the actual rate is almost 12 percent, or twice the quoted rate because the borrower is periodically repaying the loan.

Fourth, a simple monthly rate: This rate statement method is usually quoted by small loan companies and by retailers using revolving credit plans. The finance rate is represented as being 1, 2, 3, or 4 percent per month. The simple annual rate in this case is 12 times the quoted figure, or 12, 24, 36, or 48 percent per year.

Fifth, add on or discount plus fee system: Sometimes lenders compound the camouflaging of credit by loading on all sorts of extraneous fees, such as exorbitant fees for credit life insurance, excessive fees for credit investigation, and all sorts of loan processing fees which rightfully should be included in the percentage rate statement so that any percentage rate quoted is completely meaningless and deceptive.

Looking at these credit practices another way, how many consumers are aware that—

The small service charge of 1½ percent per month on department store charge accounts is often a true annual interest rate of 18 percent.

The 3 percent per month plan of small loan companies is really 36 percent per year.

The 4½-percent new car financing plan of some commercial banks is really 9 percent per year.

The advertised 5-percent rate on home improvement loans is not less than a 6-percent first mortgage—but nearly twice as much or about 10 percent per year.

The so-called 6-percent rate for financing used cars offered by some dealers is at least 12 percent per year and sometimes very much higher—18 to 25 percent per year or more.

The cost of teenage credit now being promoted by some retailers as only "pennies per week" is sometimes as high as 80 percent per year.

THE "GOLDEN RULE" OF LENDING

At first it appears that there is no rhyme or reason for this vast proliferation of practices in stating the costs of consumer credit. And yet on the basis of our 3 years of committee hearings and the thousands of pages of testimony, we have discovered the secret that every lender knows but never discloses—the one "iron law" of the credit industry—the "golden rule" of the lending business. That is: Never quote a finance or interest rate or make other representation of the cost which would suggest that the cost of credit is greater than 6 percent per year.

To state the "golden rule" in its positive form:

Always represent the cost of credit as being less than 6 percent.

Under Secretary of Commerce Gudeman, in his testimony before the committee, explained the origin of this mythological 6-percent rate. He said:

> Medieval church doctrine suggested that the maximum interest rate that ought to be charged for loans to consumers was 6 percent. Such borrowers normally needed credit only because of some natural catastrophe or similar occurrence which threatened them with starvation or other such adversities. Thus, charging a rate of interest to consumers in excess of 6 percent was regarded as unfair profiteering at the expense of the needy, the desperate, or the unfortunate.
>
> With the development of mortgage credit in the early part of the 20th century, repayable in installments, this simple historical interest rate of 6 percent continued to be regarded as a maximum rate for ethical mortgage lenders.
>
> When commercial banks first entered the consumer credit field by extending single-payment loans, merely as a convenience to preferred or well-to-do customers, again 6 percent was regarded as a reasonable or fair interest rate. But it should be obvious that, given modern installment credit techniques and services, only a part of the total finance charge involved in installment and revolving credit is interest in its historical sense and that a major portion of the finance charge must cover a broad array of risks and services to the consumer.
>
> Lenders and merchants * * * fear the reaction of their customers who would now be fully aware that the annual rate on any type of nonmortgage credit will usually be in excess of 6 percent—the mythical "fair" credit price. Obviously, the idea of a 6-percent credit charge is a myth under the conditions applying to a modern installment credit system and this requires explanation to the public. Consumers should know the true cost of credit. I am confident that businessmen can explain to the public what is really involved in fair and competitive rates for consumer credit.

I heartily agree it is time we exploded this myth about the cost of credit. That is the purpose of the truth-in-lending bill.

REASONS FOR BILL

There are at least five reasons why the truth-in-lending bill ought to be enacted.

First, protecting consumer rights: The President, in his consumer protection message to the Congress, outlined a bill of rights for consumers to protect the citizen against exploitation in a modern industrial society. These individual rights of the consumer include, the President said:

> 1. The right to safety—to be protected against the marketing of goods which are hazardous to health or life.
> 2. The right to be informed—to be protected against fraudulent, deceitful, or grossly misleading information, advertising, labeling, or other practices, and to be given the facts he needs to make an informed choice.
> 3. The right to choose—to be assured wherever possible, access to a variety of products and services at competitive prices; and in those industries in which competition is not workable and Government regulation is substituted, an assurance of satisfactory quality and service at fair prices.
> 4. The right to be heard—to be assured that consumer interests will receive full and sympathetic consideration in the formulation of Government policy, and fair and expeditious treatment in its administrative tribunals.

I believe that the American consumer is entitled to know the truth about credit rates and charges—to be informed about credit costs so that he can, on the basis of accurate credit-price information, exercise his right to make intelligent choices among various credit plans.

Second, protecting businessmen: One witness very aptly described the truth in lending bill as being "part and parcel of the purest of classical economics and the basic principle of the free enterprise system—the rational informed man buying in the free marketplace with full knowledge of prices, and making a decision which is best for him, and therefore, best for the entire economy."

It should be clear that the truth-in-lending bill will not only protect consumers but the ethical and efficient lender or credit extender. Today the lender or credit extender who wishes to be honest and accurate in disclosing the cost of credit he is offering, can only do so at the peril of losing his customers to competitors who would continue to disclose deceptively low credit prices. With credit prices made explicit in an accurate and uniform manner, consumers would then have the information to shop around and select the lowest cost credit packages. Thus, the efficient lender or credit extender would be benefited greatly by legislation requiring the full disclosure of the costs of consumer credit.

Third. Invigorating competition: Although some businessmen protest against any measure which invigorates competition in their particular market, most realize that in the long run the best interests of the business community will always be served if there is honest and effective competition. Indeed, we cannot have a workable free enterprise system unless there is an adequate framework of rules which require sellers to accurately and honestly inform the buyers about their wares.

It should be obvious that the competitive pricing system cannot survive or flourish in the presence of misleading or deceptive pricing practices. The truth-in-lending bill will help restore healthy competition to the consumer credit market. Although some businessmen complained bitterly about the Truth in Securities Act and the various other Federal labeling and full disclosure acts at the time they were enacted, businessmen soon came to realize that such legislation was essential to the maintenance of a competitive free enterprise system.

Fourth. Stabilizing the economy: Untimely shifts in this massive consumer debt may well initiate and carry booms too far; retrenchment of purchasing could intensify future recessions. This danger is even greater, because the cost of much of the consumer debt is not accurately disclosed.

The consumer-debtor is not adequately aware of the changes in the interest or finance rates for many types of credit over the business cycle. When rates are increased in boom times, the increase would become apparent and encourage consumer restraint. Conversely, as rates drop as economic activity recedes, consumers might be encouraged to undertake previously postponed purchases.

We have seen that this process does occur in the mortgage credit market where simple interest rates are used; consumers or prospective home buyers do respond to changes in interest rates over the business cycle. However, this same stabilizing process does not work effectively in the other consumer credit markets where annual rates of credit costs are not disclosed. Dr. James Tobin of the President's Council of Economic Advisers in his testimony on the "truth in lending" bill in 1961 said:

> Actually, the cost of credit is a natural countercyclical influence on the timing of credit purchases and repayments, and the purpose of the bill is to increase the efficacy of this mechanism. The cost of credit normally rises in periods of boom and inflation and falls in periods of recession. This natural cycle in credit charges, reinforced by monetary and credit policy, is a stabilizing force in the economy. High credit costs in boom periods restrain credit purchases; low costs in periods of slack encourage credit-buying. These variations in credit costs help to dampen the business cycle.
>
> However, the stabilizing effect of changes in credit costs depends on awareness by consumers that the changes have occurred. If buyers are ignorant of the true costs of credit, they are less subject to influence by cost changes. By increasing consumer awareness, this bill will help to make the cyclical fluctuation of credit costs a more stabilizing influence on the economy. In times of boom, rises in finance charges will be more evident to borrowers, while in periods of relative recession, borrowers will be made aware of the more favorable terms on which credit is then available.

Thus, a major benefit of this bill is its significant contribution to overall economic stability. In short, a "truth in lending" law would make consumer credit more responsive to changes in general credit conditions and it would enhance the effectiveness of Federal Reserve monetary policy.

Fifth, encouraging economic growth: No one can accurately measure the extent of economic waste when consumers pay too much for credit because they are unaware of what it really costs or are unable to shop around for lower credit prices. However, to the extent that with full information about the cost of credit consumers will use it more efficiently, it will contribute to the growth of the economy. This point has been fully recognized by experts in the field of credit.

For instance, the Federal Reserve Bank of Philadelphia in the April 1960 issue of its Business Review pointed out that a real burden for the economy "occurs because consumers often buy on time in an uninformed way without knowing the cost of the money they are borrowing. When they do this, they not only hurt themselves, but they reduce the efficiency with which the economy provides goods and services in accordance with consumer taste."

Federal Reserve officials believe that the economic growth of the Nation is jeopardized when consumers are misled about the price of credit.

CONCLUSION

Basically the question is whether we want truth to prevail in the transactions between dealers and lenders on the one hand and buyers and borrowers on the other. Men often fear truth, but ultimately the truth is beneficent and healing. It rewards the ethical, deters the careless, and less ethical, and raises the whole level of conduct. It ultimately benefits all but the determined and conscious wrongdoers.

My bill gives to everyone the chance to conform to the standards which the vast majority in their hearts recognize to be right. It would throw light into dark places and, by that very fact, help to clear them up.

The technical difficulties of revolving credit have been removed. The new slide rule devised and perfected by the Credit Union Supply Association gives to little-skilled clerks the ability to compute true interest rates in a few seconds which are accurate to a tenth of a percentage point. In short, we are ready to move forward with malice toward none. My associates and I will push for action with temperateness but with decision. We ask that the issue be studied and considered on its merits.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 750) to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit, introduced by Mr. DOUGLAS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. PELL. Mr. President, there is probably no single matter of law or tradition that divides the free world from the Communist empire so dramatically as does the question of freedom of movement and migration. The Berlin wall stands as a mute and monstrous testament to the power of the dictatorial state to curb the freedom of men to change their environment. And yet, as deep as the differences of philosophy are between East and West on this question, it must be admitted that we in the United States do not do full justice to our ideals, and that we, too, have our own walls of exclusion. To be sure, these are walls of prejudice and legislated bigotry, but they are, nonetheless, hurdles to the free movement of peoples.

The bill which I am introducing today is designed to lower one of those hurdles. It is a bill to amend the Immigration and Nationality Act to provide not only liberalized quotas but to allow for better use of the quota system itself. I take special pride in introducing this measure because immigration matters have long been of close concern to me, as a Foreign Service officer, and as a director and officer of the American Immigration and Citizenship Council and of the International Rescue Committee.

The present laws regulating immigration into the United States are viewed by the world as noxious barriers to free movement not so much because they impose numerical limitations but because the limitations imposed are based on unrealistic and unjust assumptions. The present formulas for distributing the national quotas are based all too clearly on the concept that northern and western Europeans make better Americans than do southern and eastern Europeans. This national origins quota system stands as a mockery of American ideals and of the world's onetime view of America as a haven for the oppressed and the weary of all lands.

Experience has shown that the national origins system also is unrealistic in operation. Since the enactment of the McCarran-Walter Act of 1952, an average of 250,000 immigrants have entered this country annually. But the complete unworkability of the quotas established by the act is indicated by the fact that only two-fifths of the total entered under quotas. Well over one-half had to be admitted under exceptions to the quota or as nonquota immigrants.

Mr. President, the bill I offer today would not lead to a radical liberalization of the system. But it would at least attempt to bring some honest balance into the distribution of quotas and this, I submit, will go far toward correcting the world's adverse view of American immigration policy.

My bill would permit the admission of 250,000 immigrants annually. The visas issued under the proposed bill would be broken down into four major categories: First, 120,000 to be allocated among the nations of the world according to the proportion which each country's immigration holds to total immigration to the United States over the previous 15 years; second, 80,000 to be allocated among the nations on the basis of the proportion which each nation's population holds to the world population, with no one country to receive more than 1,500 visas under this provision; third, 40,000 visas reserved for refugees from tyranny without reference to national origin; and fourth, 10,000 visas reserved for persons of skills critically needed by the United States, also without reference to national origins.

Clearly this formula would introduce some new balance into a system which heretofore has relied on prejudice rather than arithmetic in apportioning the privilege of a U.S. visa.

My bill would admittedly place particular emphasis on the value of uniting persons who already have immigrated to these shores with loved ones who may wish to join them here. Up to 100 percent of each country's quota could be allocated for reuniting families. Moreover, husbands, wives, parents, brothers, and sisters of American citizens would be admitted without regard to quota. The justice and humanity of such provisions can hardly be contested.

Because of this emphasis on following the natural trends of prior immigration and because of the new provision for visa issuance in proportion to population, my bill would result in some striking changes in present quota allotments.

Italy, for example, with a population of over 49 million and a present quota of only 5,666, would be assigned a new quota of 15,648.

Portugal's quota would increase from 438 to 1,892, and Greece's quota would increase from 308 to 3,458.

Portions of the national quotas which are not needed for reuniting families would be allocated to "pioneer" immigrants, who, without family ties or prior associations, would bring new blood and new vitality to our shores. The bill provides that such pioneer immigrants must be in excellent health and that they spend their first 2 years in areas where they are likely to have the greatest economic opportunity.

Mr. President, it is my feeling that legislation such as this can help this country to take new initiatives in the cold war. Not only would it remove the regrettable blemish of the present quota system from our record, but it would enable us to take positive steps as well. The provision to admit 40,000 refugees, for example, would enable this country to fulfill its great obligation to the fugitives from communism who are risking their lives to live in the free world. I urge that Congress give its fullest consideration to the need for this legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 751) to amend the Immigration and Nationality Act, introduced by Mr. PELL, was received, read twice by its title, and referred to the Committee on the Judiciary.

TWENTY-FIFTH ANNIVERSARY OF THE PAPIO DISTRICT

Mr. HRUSKA. Mr. President, I submit, for appropriate reference, a resolution recognizing the 25 years of outstanding conservation work carried on by the Papio Soil and Water Conservation District in Washington County, Nebr.

Last month friends and supporters of the district, including State and National conservation leaders, celebrated its 25th anniversary, a milestone which skeptics believed would never be reached by the first district organized in Nebraska and one of the first formed in the Nation.

Nowadays we Americans, particularly those in my part of the country, are somewhat inclined to take soil and water conservation for granted. After all, 96 percent of all the farmland in the Nation is in a soil conservation district and 94 percent of all the farms and ranches in America are served by a conservation district.

But 25 years ago, there were many who said this could not be accomplished. It was believed that people would not serve their communities without pay. History has shown otherwise. As Administrator Donald Williams, of the Soil Conservation Service, observed at the anniversary dinner, in Blair, Nebr.:

> Fifteen thousand soil conservation supervisors serve as 15,000 examples of how wrong were those who said it couldn't be done.

Mr. President, many people share in the credit for the success of the Papio district. The list is too long to recite here. Instead, as symbols of their fellow workers, I salute two of the men who, 25 years ago, helped organize the district and are still supervisors today: Hjalmer Quist and Clarence King.

I ask unanimous consent, Mr. President, to print at this point in the RECORD the text of the resolution offered.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 86) was referred to the Committee on Interior and Insular Affairs, as follows:

> Whereas the State of Nebraska has for many years participated in and promoted programs for the conservation of soil and water resources; and
>
> Whereas the Papio Soil and Water Conservation District, the first soil conservation district established in the State of Nebraska, was one of the pioneering districts in promoting the conservation of this Nation's two most precious natural resources; and
>
> Whereas January 8, 1963, marked the twenty-fifth anniversary of the establishment of the Papio Soil and Water Conservation District: Now, therefore, be it
>
> *Resolved*, That the Senate, in recognition of the twenty-five years of outstanding conservation work carried on by the Papio Soil and Water Conservation District, Washington County, Nebraska, extends its felicitations to the supervisors, cooperators, and all other persons in that district who have contributed through the years to the success of programs for the conservation of this Nation's valuable soil and water resources.

CLEAN AIR ACT OF 1963—ADDITIONAL COSPONSOR OF BILL

Mr. RIBICOFF. Mr. President, I ask unanimous consent that at its next printing the name of the senior Senator from Washington [Mr. MAGNUSON] be added as a cosponsor to the bill (S. 432) to accelerate, extend, and strengthen the Federal air pollution control program.

The PRESIDING OFFICER. Without objection, it is so ordered.

HUMANE TREATMENT OF ANIMALS—ADDITIONAL COSPONSOR OF BILL

Mr. CLARK. Mr. President, at its next printing, I ask unanimous consent that the name of the Senator from Ohio [Mr. YOUNG] be added as a cosponsor to the bill (S. 533) to provide for the humane treatment of vertebrate animals used in experiments and tests by recipients of grants from the United States and by agencies and instrumentalities of the U.S. Government and for other purposes, introduced by me on January 25, 1963.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate of January 31, 1963, the following names have been added as additional cosponsors of bills of the following titles:

S. 626. A bill to increase the limitation on payments for construction engineering for Federal-aid primary, secondary, and urban projects: Mr. METCALF and Mr. CHURCH.

S. 627. A bill to promote State commercial fishery research and development projects, and for other purposes: Mr. KENNEDY, Mr. HART, Mr. YARBOROUGH, Mr. EASTLAND, Mr. PELL, Mr. DODD, Mrs. NEUBERGER, Mr. SMATHERS, Mr. CASE, Mr. SPARKMAN, Mr. MCINTYRE, Mr. SALTONSTALL, Mr. HOLLAND, Mr. SCOTT, Mr. PASTORE, and Mr. ERVIN.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. RIBICOFF:

Sundry editorials dealing with proposed changes in the Senate cloture rule.

PROPOSED CHANGES IN TAX LAWS RELATING TO OIL INDUSTRY

Mr. MONRONEY. Mr. President, one of the most dangerous illusions of our times seems to have gained both circulation and stature in recent days. Many of the interpretations which have been offered concerning the proposed changes in tax laws relating to the oil industry have tended to magnify and dignify this illusion. Far too many people, some of them identified as experts, continue to inflate the illusion that our oil industry is fair game and a fat and fitting target for tax reformers. This illusion, if allowed to flourish unchallenged, could lead the Nation to disaster. I should like at this time to alert the Senate to two alarming items of information, both of which shatter this illusion.

First, I wish to call to the attention of Senators a dispatch published on Sunday, February 3. It points up deadly new aspects of the Soviet Russian cold war offensive, based on expansion of Russian oil production and exports. I ask unanimous consent that this article, an Associated Press dispatch from the Daily Oklahoman, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Russian Oil Exports Expected To Increase

Hamburg, Germany.—The Soviet Union has achieved a decisive breakthrough in its efforts to become one of the world's leading oil-exporting countries, German economic observers believe.

As a result, pressure of cutrate Soviet oil in non-Communist markets is expected to gain momentum. Domestically, some major hurdles in the country's industrialization program also appear to have been cleared, possibly at the expense of other projects, however.

German oil industry observers base their views on the latest official statistics which show that 1962 targets were exceeded both in the production of crude oil and natural gas.

With more than 100 new finds reported in 1962, few experts were surprised by the 12 percent growth in the Soviet output of crude to 186 million tons—making the Soviet Union again the world's No. 2 oil producer after the United States.

Most interesting to experts, however, was that for the first time in at least 5 years, the output of natural gas did not lag behind but even moved ahead of schedule. Official figures listed a 23 percent increase to 75 billion cubic meters—4 billion above plans.

Natural gas has been the Kremlin's industrial pet, but has caused frequent worries in the past. Soviet planners are known to feel that in the long run cheap gas is more important to industrial development than oil which could be channeled abroad.

The main reason annual targets had not been met for natural gas for years was an admitted shortage of equipment for transmission of gas. It delayed the top project in the natural gas industry, a 4,500-kilometer line about 2,700 miles from Gasly near Bukhara—one of the Soviet Union's largest fields—to the industrial center in the Ural area.

Western oil experts predicted as recently as last year that the situation would curtail Soviet export plans, because part of the oil marked for abroad would be diverted to the domestic market to meet the shortfalls in gas availability. But their predictions were premature.

Faced with a growing gap between plans and actual output, Soviet authorities took drastic action. Equipment industries received increased priorities, order for gas pipes went out to Western manufacturers and oil pipeline plans were reportedly subjected to a radical revision.

Reports reaching the West said that work on the gigantic trans-Siberian pipeline to Vladivostok—potential carrier of Soviet oil exports to Japan—had been suspended, freeing additional pipe capacities for the gas project.

With the hurdles to the growth of natural gas production now overcome, more and more oil will be available for exports. Paul Zieber, of Kiel University's Institute for World Economics, last year estimated that sales to the West may soar to 75 million tons by 1965. This would be almost a 300-percent increase in 4 years.

Zieber says Soviet exports to Italy, Japan, Iceland, Greece, Finland, Sweden and West Germany have been growing during the past few years. He says there is little doubt that the Soviet Union will find markets in the non-Communist world for all its spare oil.

He thinks there is little prospect that Soviet oil prices, now more than a third below Western quotations, will increase to world market levels.

According to Western statistics, the Soviet oil price to its satellites last year was almost twice as high as the price charged to non-Communist countries.

Mr. MONRONEY. Second, Mr. President, I wish to bring to the attention of Senators a recent dispatch published in the Wall Street Journal. When it is viewed alongside the information concerning Soviet Russian oil activities, it is shocking to discern the tragic decline in oil and gas drilling activity in the United States. I ask unanimous consent that this article also be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Drilling Activity for Oil, Natural Gas This Week Declined to 19-Year Low—New Depletion Allowance Proposal Is Said To Contribute to Other Factors That Slow Operations

Dallas.—Drilling activity for oil and natural gas in the United States fell to a 19-year low this week.

Oil well drilling operations have been declining for 6 years, due principally to excess productive capacity, tight production restrictions, and falling crude oil prices. Some oilmen say President Kennedy's recent proposals to change the method of applying drilling costs in computing percentage depletion tax allowances may be having a further depressive effect on drilling.

As of Monday, there were 1,306 rotary drilling rigs in operation, 73 fewer than the preceding week, 272 less than a year earlier and the fewest since January 1944, when 1,292 were active, according to Hughes Tool Co., Houston.

Through January 26, operators had completed only 3,334 wells, 236 below the like year earlier period, according to the Oil & Gas Journal, a trade publication. The magazine predicts there will be 45,459 wells drilled this year, down from 46,179 in 1962. That would be the fewest completions in 12 years.

Adding further pressure to crude oil postings, the refinery margin between the prices paid for crude at the wellhead and the prices received for refined products tumbled to 78 cents a barrel this month, according to the Independent Petroleum Association of America. That is off 6 cents a barrel from December, 11 cents a barrel under January 1962, and the smallest margin since it fell to 73 cents a barrel last March. Crude prices have fallen an average of 19 cents a barrel since July 1957.

Mr. MONRONEY. Mr. President, these two items should remind us forcefully of the need for better understanding between the Government and the oil industry. Tax-policy changes are inevitable in this changing world, but they need not be suicidal in character. One leader of the oil industry—Harold Decker, president of the Independent Petroleum Association of America—has declared that Presidential tax recommendations would "directly and severely depress the development of oil and gas resources." This responsible industry leader added that in his opinion the recommendations "are shocking because the effect of the proposed changes on the Nation's largest resource industry would run contrary to the President's objective of stimulating capital investment and economic growth." His warning should not be ignored.

Neither should we ignore the fact that our domestic oil industry already has slowed down, and we cannot ignore the determined effort of Soviet Russia to make oil a major cold-war weapon. We cannot ignore, either, the illusion, held by so many people, that neither of these two facts exists. This illusion, however, can be destroyed by a careful and expeditious congressional review of the facts. Such study and review are now urgently needed in the national interest.

I hope that through such a study we can quickly resolve the present uncertainties which endanger the position of the free world in its most critical economic sector—namely, the discovery, production, and distribution of petroleum and petroleum products.

CHERISHED DEBATE SELDOM PRACTICED IN SENATE

Mr. PROXMIRE. Mr. President, in today's issue of the Wall Street Journal Mr. Jerry Landauer points out that no other legislative body in the world cherishes the right to debate more than does the Senate, or exercises its prerogative less. He argues that many speeches are read, but rarely is there the clash of ideas or give-and-take discussion out of which persuasion and consensus develop. Many Senators, for instance, will never yield to a colleague except for a question. This makes debate almost impossible, if a speech is long and other, extraneous business intervenes.

The article, entitled "Debates Decline," by Jerry Landauer, is extraordinarily thoughtful and perceptive. Mr. Landauer adduces many reasons for the virtual disappearance of genuine debate.

This year our distinguished majority leader, the Senator from Montana [Mr. Mansfield], suggested a procedure which would enable more Senators to be in the Chamber during debate. I believe that is an excellent proposal and hope that something will come of it. However, the main ingredient for debate depends on the attitude of Senators—their willingness to engage in discussion, to disagree and arrive, I hope, at some kind of consensus on measures, instead of permitting them to be settled as almost all measures are now, quietly outside the Chamber and beyond public scrutiny. The difficulty with private, secret determination without public discussion is that there is no possibility of developing public understanding. A few years ago Prof. Lindsey Rogers, of Columbia

University, wrote that the Senate is probably the only forum in America in which discussion of broad public policies can win some national attention.

This body is failing to enter into the discussion that will serve that great public purpose today.

I ask unanimous consent that the article entitled "Debates Decline," by Mr. Jerry Landauer, that appeared in today's issue of the Wall Street Journal, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Debate's Decline—Senate Battles Over the Rules but Practice Itself Fades

(By Jerry Landauer)

Washington.—No legislative body cherishes the right to debate more than the U.S. Senate, but none employs its prerogative less. Senators talk a great deal, listen less often, and only rarely engage in the give-and-take of reasoned argument. Not even the most articulate lawmaker will claim that what he says publicly sways votes.

All this is acknowledged, indirectly, by those engaged in the Chamber's 3-week-old struggle to change the rules governing limitation of debate. Even those who wish to keep "King Filibuster" on his throne do not contend that discussion in the Senate contributes, in normal circumstances, to the education of the citizenry.

The Senate is still a great deliberative body, perhaps even, as some contend, the world's greatest. But if deliberation means argument for all to hear; if it implies that Senate debate illuminates or clarifies knotty issues; if it means that Senators generally listen to experts among them before deciding—if debate means any of these, then the Senate does little of it.

The decline of debate accelerated during the memorable reign of Majority Leader Lyndon Johnson, when the arts of maneuver and accommodation prevailed. The majority leader's lanky arm draped over the shoulder of an uncommitted colleague spoke more tellingly than words recited for the Record.

The Vice President's successor as uncrowned king of the Senate, the late Senator Kerr of Oklahoma, was a brilliant speaker who could adjust manner and tone to any mood or need. Few cared to tangle with him oratorically and none, except possibly Rhode Island's diminutive Senator Pastore, could match his lung power. But oratory is quite different from debate.

HAYDEN'S RULE

In today's Senate, with the exception of Democratic Leader Mansfield, GOP Leader Dirksen, and Minnesota's voluble Senator Humphrey, the Democratic whip, it is generally true that Senators who know the most and wield the most influence speak the least. The governing attitude is that held by Arizona's esteemed Senator Hayden, the Chamber's dean: When you've got the votes you needn't talk.

Senator Russell, of Georgia, chairman of the Armed Services Committee, knows a good deal more about the Defense Establishment than most of his colleagues. Once a year, when presenting the committee-approved military authorization bill, he shares his wisdom with the Senate. Vermont's Senator Aiken is the acknowledged Republican farm expert. Yet, it is novelty rather than habit for him to engage in meaningful verbal jousts with supporters of the President's farm program.

Because the Senate's most influential seniors seem to disdain debate, thoughtful discussion (as distinguished from mere speechmaking) is rare on major matters that engage the Nation's attention. Cuba, nuclear testing and the Common Market abroad; education, Federal spending, tax cuts, and a sluggish economy at home—on none of these does the Senate sharpen the issues or try to frame a consensus for alternatives to what the President seeks.

Last summer, for example, President Kennedy, then considering tax cuts, called for a "sober, dispassionate, and careful discussion" of national economic issues. The Senate failed to generate such an exchange, though it did find time to discuss (for 2 hours) the wisdom of saving $198,000 by slicing a half dozen technical writers from the Interior Department's Bureau of Land Management. (The economizers were defeated on a rollcall vote.)

During a lull in the recurring Berlin crises, Mr. Mansfield last year suggested debating possible alternatives to administration policy. The Chamber did not oblige. Later the majority leader was forced to ring the quorum bells seven times before anyone could be found to open debate on the Trade Expansion Act. "The performance of the Senate today is most disheartening," he said.

Even when the Senate does attempt debate, on most subjects this consists merely of the monotonous reading, often unrelated in time, of prepared manuscripts. Zealous readers of the Congressional Record for September 1962 will find, for example, carefully researched speeches about Katanga. One day Connecticut's Senator Dodd complained bitterly that U.S. policy in Katanga was irresponsibly foolish. Two days later Senator Church, of Idaho replied, and 3 days after that Senator Humphrey delivered a second response.

CUSTOM LIMITS DEBATE

The face-to-face espousal of opposing viewpoints on the Senate floor is rare partly because the rules and precedents are stacked against it. The Senate's 16 standing committees and 70-odd subcommittees normally may meet when the Chamber is in session. Moreover, a Senator who gains floor recognition need not address himself to the pending business; he can orate on any topic.

Further, it has become customary for Senators to confine remarks to matters on which they specialize. Chairman Hill of the Labor Committee, for example, wouldn't dream of engaging Chairman Fulbright of the Foreign Relations Committee in a discussion about United States-Soviet relations. Members who repeatedly violate this custom (Javits, Keating, Proxmire, Morse) are apt to find themselves regarded as grandstanders.

But perhaps the most dampening factor of all is the burden of senatorial duty. The pre-Civil War Senators of memory—Calhoun, Webster, Clay, Benton—devoted years of study to the big issues. Now the pace is frantic and the time for reflection minimal. Today's Senators must run errands for growing numbers of constituents, greet visitors, be seen at social functions, tend to committee work, berate bureaucrats, investigate, approve reports, placate friends, and, alas, a number must accept far-off speaking engagements for pay to balance the family budget. The typical Senator also must dig hard into the pork barrel on behalf of constituents for contracts, projects, loans. His prospects for reelection may depend far more on what he can deliver than on the quality of his debating style.

As the pace quickens, senatorial bureaucracy flourishes. More and more, speeches bear the cold touch of the ghostwriter. The frantic schedule inevitably cuts deeply into the time available for attendance on the Senate floor. Except when bells clamor for a vote, it is unusual to find more than one-tenth of the membership in the Senate Chamber. Debaters require listeners, and empty chairs do not provoke the best in a man.

JANESVILLE GAZETTE ATTACKS "SACRED COW" ALIBI FOR SPENDING

Mr. PROXMIRE. Mr. President, the Janesville Gazette on February 4 published an editorial entitled "What Is That Sacred Cow?" It is one of those rare editorials that not only calls for a critical consideration of the proposed increases in spending, but zeros in on the increases in the defense budget. The editorial wisely argues that no spending should be beyond the critical scrutiny of the Congress.

I ask unanimous consent that the editorial from the Janesville Gazette be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

What Is That Sacred Cow?

Judging from the reaction in the administration to the budget and the country's needs, very little can be trimmed out of the Nation's spending plans. In fact, the 1962-63 budget will end with a deficit of about $7,800 million.

It is shocking to discover that this will be the second largest deficit in the last 10 years. And current indications are that the next budget will be even more out of balance, especially with the Kennedy tax cut now planned.

There are many besides Senator Byrd and Representative Mills who demand a cut in spending, but the answer is that more than half the budget is for defense, which can't be cut. Then there are commitments to veterans, farm subsidies and interest on the national debt. That leaves only the civil departments where savings would not amount to much.

Perhaps we ought to reexamine the glib answer that the defense budget cannot be touched. It is by far the largest factor.

Of course, the Nation must place security and defense above budget considerations, but does security demand some of the military spending always defended as sacrosanct or protected by powerful lobbies?

The citizen needs a lobby to force closing of some needless operations, cut the manpower, or cancel some aircraft project. And Congressmen stanchly protest any tampering with military spending in their States.

The Christian Science Monitor has pointed out the fallacy of spending $2 billion a year on nuclear explosives when the U.S. stockpile of nuclear bombs was estimated by Khrushchev at 40,000, or several times enough to destroy all prime targets in any nation. Such a cut, however, would affect uranium producers, and they could be expected to object.

Let's not be frightened away from the sacred cows.

NASA LABORATORY NEAR BOSTON PROTESTED BY SOME FAR-SIGHTED BAY-STATERS

Mr. PROXMIRE. Mr. President, an article entitled "Space Research—Planned NASA Laboratory Near Boston Worries Private Industry" was published recently in the Wall Street Journal. The article is most remarkable because in the Boston area many people are questioning the wisdom of a $50 million establishment that would provide 2,000 jobs and obvious economic stimulation. I think that that attitude of concern for Federal spending by our people, even in areas which would directly and immediately enjoy economic benefits, is a very healthy one.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SPACE RESEARCH—PLANNED NASA LABORATORY NEAR BOSTON WORRIES PRIVATE INDUSTRY

(By Cal Brumley)

BOSTON.—Electronic and other scientific Yankee businessmen are looking critically at a proferred Federal gift.

The object of this appraisal is a $50 million Space Electronics Research Center the National Aeronautics and Space Administration plans to build in the Boston area. President Kennedy asked for an initial appropriation of $8.5 million to acquire a site and begin construction in 1964. Additional funds would be requested in later years for completion.

As could be expected, many people here are clapping their hands at the prospect of a big Government plum which will employ about 2,000 people. Among others, however, the reception is cooler. Some are asking such questions as:

Will the NASA Center perform research which otherwise would be contracted to private industry? Will the Center compete with private industry for scientific personnel? Is it really needed or will it duplicate facilities or work private industry is doing and thus be a waste of taxpayers' money? Will Government bureaucracy stifle research inspiration?

NASA IS QUESTIONED

"These questions are being asked pretty generally by executives of Boston's research and electronic-minded industries," says Lt. Gen. Roscoe C. Wilson, chairman of Allied Research Associates, Inc., and until retirement about a year ago deputy chief of the Air Force staff for research and technology. A NASA spokesman says at least 100 people have called the NASA office in Boston with similar questions.

The Boston complex of research and electronic industries and institutions makes up one of the Nation's major scientific communities. Such electronic giants as Raytheon Co., General Telephone & Electronics Corp., Radio Corp. of America, and Avco Corp. have sizable installations in the area. Massachusetts Institute of Technology and Harvard University are centers for advanced research.

The questions probably are even more significant nationally than locally. Besides focusing on differences in basic political philosophy—big Government versus reduced Government—they also strike at the heart of another problem: Is the Government robbing the private sector of research?

Companies here, which already have a difficult time finding scientific brainpower and an equally difficult time keeping it from slipping away to competitors, fear that the answer is yes in the personnel field.

"When anything like the proposed NASA center is brought in it has a harmful effect on the men of local companies," says Henry Harding, president of Laboratory for Electronics, Inc. "As the NASA center builds its staff it is sure to put pressure on research people to move around."

There is evidence that even some top-level New Frontiersmen are beginning to worry about the shortage of technical and scientific manpower. Commerce Secretary Luther H. Hodges in a recent speech expressed concern about the "relatively little" research directed at improving the civilian economy. He also pointed out that even if money were available for additional civilian oriented research there is still a serious shortage of technically educated personnel.

NASA says it plans to minimize the personnel impact by staffing the center from its existing personnel, other Government agencies, and by recruiting nationwide.

If NASA's laboratories in effect compete with private industry for research assignments the impact on industry could be even greater than that of personnel raids. Massachusetts companies had about $16.5 million in NASA research contracts last year out of a national total of nearly $1.3 billion.

HELP FROM SUBCONTRACTS

New England companies probably would not feel competition from a NASA center as much as companies in other parts of the country, however. "There probably would be enough spillover, or subcontracts from the NASA center to make up for what local companies might lose, but I fear contract losses by research companies in other parts of the country," says one executive.

New Englanders have real doubts about the need for a NASA research center. One specific objection: One center's research intelligence is more limited than is industry-wide capability. "It is my feeling that the genius of the people is large," says Lieutenant General Wilson.

NASA spokesmen, as could be expected, stoutly defend their proposed center. One in Washington says NASA cannot expect private industry to provide critically needed increased competence in the area of electronics and physics. He adds that NASA expects to increase contracts to private industry.

But a spokesman for a big New York company with facilities ranging over a broad field of research and hardware says, "Although it may be inappropriate for us to comment, the question remains: Is the Government doing too much research?"

FANTASTIC WASTE AT DULLES INTERNATIONAL AIRPORT

Mr. PROXMIRE. Mr. President, I have received from the Budget Bureau a record of the estimates for constructing the Dulles International Airport since 1950. I point out that in 1950 the estimate was $12 million. In 1956 it was $35 million; in 1957, $49 million; in 1958, $66 million; in 1959, $93 million. To date $108 million has been appropriated. The current estimate to meet traffic needs of 1975 is $180 million. This is an example of what has happened through the old pork barrel in this disgracefully oversubsidizing field of commercial aviation. Federal subsidies for aviation have climbed in 7 short years from a fat $219 million to $885 million.

I ask unanimous consent that the table to which I have referred be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Dulles International Airport: Estimates of the cost of building a second airport to serve the Washington metropolitan area

[In millions]

Year in which estimated was made:	*Amount*
1950	$12
1956	35
1957	49
1958	66
1959	93
Appropriated to date	108
Current estimate to meet traffic needs of 1975	180

Mobile lounges: In use, 15; on order for delivery by June 30, 1963, 6; requested in 1964 budget, 7; average lounge cost, $258,000.

Interceptor sewer: $28 million ($3 million grant; $25 million loan to the District of Columbia).

NEW SKI RESORT OPENS IN MONTANA

Mr. MANSFIELD. Mr. President, the State of Montana is rapidly becoming another of the major ski resort areas in the Nation. On December 22 of last year the Missoula Snow Bowl opened its slopes to skiers. The new resort is 12 miles from Missoula, Mont. This is the third major ski area in the State. We have the nationally famous Big Mountain at Whitefish and the more recent Grizzly Peak at Red Lodge.

Skiing is becoming more popular with each winter season; and Montana is endeavoring to keep up with the national trend in its development of recreation and tourist resources which abound in the State. The new Missoula Snow Bowl is fully equipped; and there are plans for rapid expansion. This development is an example of local enterprise with the cooperation of the U.S. Forest Service, administrator of the national forests in the area.

The city of Missoula is to be complimented on this new attraction; and I wish it every success. I ask unanimous consent that the introductory article in a special edition printed in the January 27, 1963, edition of the Missoulian, be printed at the conclusion of my remarks in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FAST-EXPANDING SNOW BOWL GAINS NATIONWIDE ATTENTION

On December 22 the newest major ski area in the Northwest, the Missoula Snow Bowl, opened its slopes to skiing just 12 miles from the Garden City.

The initial reaction to the new area is one that can be fully appreciated only by the skiers who have already tested the bowl's varied slopes and enjoyed the area's wilderness splendor first hand.

But in a few short years the Snow Bowl may well be the winter pride of the entire community. The area's present facilities and high-mountain potential has already rated it mention in national magazines, indirectly providing even greater interest in the already popular recreational and vacation features of the surrounding area.

With the introduction of a chairlift, the third to be installed at a ski area in the State, Montana now must be considered a potential ski State.

Touring skiers, that sometimes carefree breed of humanity that leaves warm home and dry highway in search of snow-covered mountain passes and vertical slopes, will now be able to test Montana's dry powder and Alpine conditions in a gigantic schuss from north to south.

THREE CENTERS

With the now established Grizzly Peak at Red Lodge in southeastern Montana and the nationally famous Big Mountain resort at Whitefish in the north, the addition of Missoula's Snow Bowl gives the Big Sky Country the type of ski-country look that tourists will find hard to ignore.

The Snow Bowl's impact on Missoula and Missoula's economy will grow in proportion to its own capability for growth—and that capability appears immeasurable. If the bowl thrives, and with more than 5 million skiers in the United States looking for new slopes there is little reason to believe it won't, the reasons for its success will in part be found with the initial planning.

The area was not designed as a weekend play area, substituting proximity for excellence. It encompasses both qualities, enhancing even more the ready potential of the resort.

The expert skier seeking new trails and challenges and the novice hoping to master the fast-growing sport under the proper conditions and to learn from qualified instructors will quickly find their particular wants satisfied at the Snow Bowl.

In the spring of 1954 Bob Johnson, president of Missoula Snow Bowl, Inc., and Dave Flaccus, secretary-treasurer, investigated possibilities for a suitable ski area close to Missoula.

FIRST FACILITIES

During the same year the two men formed a corporation called TV Mountain, Inc., and began building ski facilities southwest of the present Snow Bowl site. Concurrently they continued their search for the ultimate location of a major ski area and the task of proving that the mountains surrounding Missoula had the snow, terrain, and conditions necessary for a fully qualified ski development.

Seven years later, in 1961, equipment was transferred from Snow Park on the west side of TV Mountain to the head of Butler Creek and work on the Missoula Snow Bowl began.

During the 7-year period from 1954 to 1961 Johnson and Flaccus covered the mountain area by airplane and helicopter, studying terrain, wind conditions and sun, spotting at varying times of the day and at different times of the year. The aerial investigations were expanded with trips covering hundreds of up and downhill miles on the ground and over snow, checking and rechecking snow depths, fog, wind, and snow conditions.

As a result of their explorations the two men became convinced that the huge bowl area surrounding the head of Butler Creek was the spot they had been seeking.

With a 2,500-foot vertical drop from top to bottom, 5,000 feet above sea level at the base and 7,500 at the top of Big Sky Mountain, the area is situated in a natural bowl about 3 miles around at the upper perimeter. It offers almost unlimited exposure, slope variety, and opportunity for trail expansion.

LODGE BUILT

Since 1961 a $50,000 lodge has been built; an $8,000 upper warming lodge at the 7,012-foot level completed; a $175,000 double chairlift system installed and approximately 10 miles of trails have been prepared and improved for the 1962 opening. Chairlift profile was by Peterson Engineering, Inc., of Missoula.

In 1 year major on-the-hill facilities have been developed with a total value approaching $400,000, representing the initial phase of a projected half-million dollar investment.

The Snow Bowl is approximately 12 miles northwest of Missoula. It can be reached by following U.S. Highway 10 to 1 mile west of the city limits and turning right at the Snow Bowl sign. From there it is only a matter of following similar signs to the area.

A winding mountain highway cuts off from the Grant Creek Road and runs from the valley floor at the high-gear grade of 5 percent, leading directly into the bowl's 450-car parking lot next to the lodge.

Extensive work has been done on the road this winter by the Forest Service and plans call for continued improvements. Under Federal supervision and maintenance, the road soon will be officially known as the Point 6 Recreation Highway.

The Snow Bowl lodge at 5,000 feet lies at the base of Big Sky Mountain. The area's natural beauty speaks for itself, but at such an elevation snow conditions, as western ski resorts are finding again this year, can be mercilessly subjected to vacillating weather conditions.

FICKLE WEATHER

Almost all western resorts face a similar problem at one time or another, and the problem is magnified at those areas that depend on their lower slopes for beginner and intermediate skiing.

The Snow Bowl also has its beginner and intermediate runs at the lower levels, but these skiers are not limited to that area as at some resorts. The introduction of the chairlift was not only an important step in making the Snow Bowl a major ski area, it came also as a blessing to first- and second-year skiers who, because in many areas they are restricted to runs at the lower levels, must wait until late in the year before their skiing begins.

The Riblet lift, capable of carrying 546 skiers per hour, follows a 1¼-mile trail up 2,000 vertical feet to the Snow Bowl's unique High Park area where skiable snow is often found while Missoulians in the valley are mowing lawns.

At 7,012 feet above sea level the skier steps off the double chairlift onto a plateau that offers unparalleled vistas plus skiing opportunities for expert, intermediate, and beginner. Two rope tows, one 500 and another 1,000 feet in length, serve the High Park's beginning and intermediate runs as well as the uppermost points of trails reserved for the veterans.

If early-year conditions are unfavorable below, the skier need only take the short chairlift ride and he can be pounding snow that packs to 8- and 10-foot depths. The area's unique "learn to ski in the sky" program also gives the beginner an opportunity to test conditions in the air almost 1 mile above Missoula.

The elevation at the top is surpassed by very few areas in the country and yet High Park is notably free of wind; well protected by timber stands on either side. And the skier who finds the craving for a warm cup of coffee or a protected resting spot too much to endure, won't have to ride or ski back down the mountain to the main lodge. An attractive A-frame warming lodge with floor space of 34 by 35 feet was completed at High Park this winter.

With a window complex facing both north toward High Park and south toward Missoula, the warming lodge is complete with a light-lunch counter, warming facilities, electric lights, and benches on which to rest.

In all there are 11 trails and areas ready for the skier. Including the chairlift and two High Park rope tows, there are six tows presently in operation. Near the lodge area is a 1,900-foot pomalift servicing a beginner-intermediate bowl area. A baby pomalift, 400 feet long, and a 300-foot rope tow are also located near the lodge on beginner hills.

THE CLOTURE VOTE

Mr. CLARK. Mr. President, yesterday I had occasion to state in the Senate that more than a majority of Senators favored a change in the cloture rule so as to make the number required to close debate no more than three-fifths. Subsequently, the significance of that statement was challenged by both my good friends the Senator from Florida [Mr. Holland] and the Senator from Georgia [Mr. Russell].

I should now like to point out that, as a result of what happened yesterday, it is clear that at least 54 Senators are now ready to vote in support of the Anderson motion to provide for three-fifths cloture. Since there is some confusion in the Record as it appears this morning as to who those 54 Senators are and what they stand for, I ask unanimous consent that a list of 51 Senators who have signed the round robin stating that they favor a relaxation of the cloture rule, and a list of 3 other Senators who have publicly stated on the floor of the Senate that they would support three-fifths cloture—a total of 54 Senators—be printed in the Record at this point in my remarks.

There being no objection, the lists were ordered to be printed in the Record, as follows:

February 6, 1963.

We, the undersigned Members of the U.S. Senate of the 88th Congress, are in favor of a change in rule XXII of the Standing Rules of the Senate, to provide for cloture after full and fair debate by the affirmative vote of a lesser number of the Senators present and voting than is provided by the present rule, and we will support such a change in the rule if given an opportunity to vote thereon.

Senators who have signed (51): Allott, Anderson, Bayh, Eeall, Boggs, Brewster, Burdick, Carlson, Case, Church, Clark, Cooper, Dodd, Dominick, Douglas, Engle, Fong, Hart, Hartke, Humphrey, Jackson, Javits, Keating, Kefauver, Kennedy, Kuchel, Long of Missouri, McCarthy, McGovern, McIntyre, McNamara, Magnuson, Metcalf, Miller, Morse, Morton, Moss, Muskie, Nelson, Neuberger, Pastore, Pearson, Pell, Proxmire, Randolph, Ribicoff, Scott, Symington, Williams of New Jersey, Yarborough, Young of Ohio.

Senators who have stated publicly they favor cloture by vote of three-fifths (3): Prouty, Lausche, Mansfield.

Mr. RUSSELL. Mr. President, I do not know what the Record will disclose when the vote is taken at 11 o'clock on the motion to shut off debate and to gag the Senate on the pending motion. The Senator from Pennsylvania may derive whatever consolation or pleasure he desires from contemplating securing a majority in favor of the petition to cut off debate.

I do not know whether the vote will result as it did in another instance when the Senator claimed a majority, and wound up 11 short of a majority. I do not believe all the sweetness of chewing on this cud on contemplation of a majority will prove as bitter as it did before, because there is not as direct a constitutional question involved.

There is only one thing upon which some of us who are opposing the motion are in agreement with the Senator from Pennsylvania and some of those who are pressing it; that is, as to its importance. I do not know of any more important matter that will come before the Senate of the United States, or that could come before the Senate of the United States, at this session of the Congress than the motion to revolutionize the Senate in such a way as to take away from the minority substantial rights which they have enjoyed for 180 years.

We can stand this as long as the proponents of the rules change can stand it. Of course, it is silly to say that this is not affecting the program of legislation for this year. Anybody who knows anything about the Senate knows that it has already delayed the beginning of the consideration of the legislative program for this year by a matter of weeks.

For my part, I am perfectly willing to take whatever responsibility may devolve upon me for that delay.

If it develops, as the Senator from Pennsylvania so confidently predicts, that the proponents of cloture do have a majority, he may enjoy that to the fullest.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. RUSSELL. I know of one distinguished Senator who told me he intended to vote for cloture because he wanted to get the matter out of the way but that he was going to vote against taking up the Anderson resolution because he was perfectly content with the rules as they are today.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CLARK. My very good friend, I am sure quite inadvertently and unintentionally, has misstated my position.

I did not say—and I do not now say—that there is a majority of this body who will vote for cloture. I do not know.

Mr. RUSSELL. Oh.

Mr. CLARK. We will find out at 11 o'clock. What I said was that 54 Senators have stated in writing that they wish to change rule XXII so as to provide for not more than three-fifths cloture. Many of them want majority cloture. I say to my friend from Georgia that none of them—not one—wants cloture by a majority of one.

I thank my friend from Georgia for yielding.

Mr. RUSSELL. The Senator from Oregon [Mr. Morse] stated he would offer an amendment. The Senator does not have the habit of abandoning his position quickly.

I did misunderstand the Senator. I thought he was talking about the vote that was going to transpire on the cloture petition, not some paper that was passed around in the Senate.

After all, Senators are human beings. I read once about a professor of psychology, I believe it was, or perhaps of political science—I am not an expert in those matters—at some college in a small city who conducted experiments. A petition was circulated, respectfully urging that the signers of the petition be taken out and hanged—after some long preliminary statement, but it wound up, after the "whereases," with the petition that the signers of the petition be hanged; and a number of the distinguished citizens of the town came along and signed that petition. I recall reading about that as an objective study in one of the colleges of the country.

So I am even less impressed than I was by the Senator's statement as to the vote on cloture. I thought he meant that a majority of Senators would vote that they be hung, for all intents and purposes, so far as rights of Senators are concerned.

Mr. HOLLAND. Mr. President, the Senator from Pennsylvania [Mr. Clark] stated just a few minutes ago, if I understood him, for my information, that none of the Senators signing the petition, the roundrobin, favored cloture by a majority of a quorum. I just want to remind him and have the Record clearly state that my seatmate, the honorable senior Senator from Oregon [Mr. Morse], has submitted an amendment to the resolution on the calendar which would so provide.

I want the Record also to show that one of the first hearings in which I sat in the Senate, in 1947, when I was on the Rules Committee, was a hearing on this very matter. At that time there were three points of view. At that time the Senator from Oregon and other Senators were insisting on cloture being imposed by a majority of a quorum. Other Senators wanted a majority of a constitutional membership to govern. There were still other Senators of a different point of view.

So this is an ancient, and, if long years of pendency can make it honorable, an honorable view on the part of many Senators, some of whom are still here—an effort for cloture by a simple majority of a quorum, which could be 26 at any one time. Anyone who thinks otherwise has not kept up with the history of the movement.

So those asking for a change in the cloture rule are asking that we open the door at this time for consideration of three proposals; one for three-fifths of those present; one for a majority of a constitutional membership, or 51; and the third for a majority of a quorum of Senators present.

I ask unanimous consent at this time to place in the Record, not because I favor it, but so the record may be perfectly clear, the amendment proposed by the distinguished senior Senator from Oregon [Mr. Morse], who is asking the Senate to adopt a rule providing for cloture by a majority vote of a quorum present.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

Strike out all after the resolving clause and insert the following:

"That subsection 2 of rule XII of the Standing Rules of the Senate, relating to cloture, is hereby amended to read as follows:

" 'Notwithstanding the provisions of rule III or VI or any other rule of the Senate, if at any time at which any measure, motion, or other matter, or the unfinished business, has been pending before the Senate for not less than seven calendar days, a motion, signed by sixteen Senators, to bring to a close the debate upon that measure, motion, matter, or business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" ' "Is it the sense of the Senate that the debate shall be brought to a close?"

" 'And if that question shall be decided in the affirmative by a majority vote of those voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

" 'Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same; except that any Senator may yield to any other Senator all or any part or the aggregate period of time which he is entitled to speak; and the Senator to whom he so yields may speak for the time so yielded in addition to any period of time which he is entitled to speak in his own right. It shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. No dilatory motion, dilatory amendment, amendment not germane, or motion to table any germane amendment offered to the said measure, motion, matter, or business shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer shall be decided without debate.'

"Sec. 2. Subsection 3 of such rule is hereby repealed."

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Pennsylvania.

Mr. CLARK. I want to apologize to my friend from Florida. I had overlooked that our good and useful friend from Oregon has proposed this highly unusual suggestion of cloture by a majority of a quorum. The point I wanted to make to the Senator from Florida and other Senators is that the Senators who have stated they wanted to change the rule on cloture—every single one of them, all 54—are prepared to vote right now, if our southern friends will allow us, on the question of a three-fifths cloture rule, and our southern friends will not allow us to vote on it.

Some Senators, including myself, prefer the imposition of cloture by majority vote, but we do not have the votes. There is only one—I think only one—Senator who proposes the imposition of cloture by a majority. But all 54 Senators who signed the cloture motion are in favor of a three-fifths vote. My friends from Florida, Georgia, and other Senators are not willing to have a majority act on this question when a majority of the Senate is willing to vote on it.

Mr. HOLLAND. Mr. President, may I have additional time to reply?

Mr. CLARK. Mr. President, I ask unanimous consent that the Senator from Florida may have as much time as necessary to reply.

Mr. MANSFIELD. Mr. President, I object. I consent to the Senator's having 3 minutes, but to have as much time as he desires might take a long time.

Mr. HOLLAND. I shall take only 1 minute. I sympathize with the majority leader.

Assuming everything the Senator from Pennsylvania has said is true, and certainly I do not question it, he is asking that 54 Senators have the right to sit down the rest of us, when the present proposal which he favors is a requirement of 60 percent for cloture, which would require more than 54. So he is taking two positions very hard to reconcile.

Mr. JAVITS. Mr. President, I rise to defend the position taken by the Senator from Pennsylvania, which I think supports the position of Senators who are proposing a rule change. If there is to be a legitimate question as to the validity of a majority's right to change the rules, it would best be put to a test which reliably puts all speculation aside, and there should be a vote on the motion which a majority of the Senate is presenting. I cannot see, by any doctrine, how the minority can expect the Senate to assume anything other than that a majority have signed the motion and expressed themselves in respect to a change, in the absence of their willingness to allow the question to come to a test.

So I think we must assume, as we would in any legal case, that a majority wants to change the cloture rule at least to the extent of allowing three-fifths to impose cloture.

As to the argument that we must get three-fifths to agree in order to reach that point, that argument does not stand, certainly not in the mouths of those who oppose any change in the cloture rule. On the other hand, the only way, if we abide by the Constitution, is to allow a majority to close the debate, if the opponents allow us to come to a vote.

Let us make no mistake. The decision on the cloture motion is the decision in this Congress. I deeply feel that the majority leader will not, on that basis, seek to send the proposal to committee. His fingers were burned before. He had the proposal sent to committee before. It fell by the wayside, just as it would now. Let us not deceive ourselves.

These are very critical times. The civil rights question is critical enough when it blows up in violence, as it did in Mississippi and other places of our country. For that reason, we ought to be able to engage in enacting appropriate legislation, instead of being frustrated, as we will be if the rule continues in its present form. But when there is, as we saw last night, a confrontation between the Executive and Members of the Congress as to some peril alleged to exist in Cuba, the Senate of the United States should not be tied and be unable to act when a determined minority obstructs it, inasmuch as any such happening risks the foundations of the Republic.

What has not got through to the people is the importance of this issue. We will debate every other issue but this one, because there is a complete veto power. We must act——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. May I have a half minute more to complete my thought? Every other issue with which we will deal is postulated on our ability to act in this one. Let it be historically said, in the face of this issue, that for the next 2 years we are casting a vote which, if wrongly cast, will be critical to our Republic. Whether the Republic listens or not, let this at least be said, so we may refer to it when action will be urgently required and we may be frustrated from doing what we must do to close off debate and act.

Mr. ERVIN. Mr. President, I am very much intrigued by the remarks of the Senator from Pennsylvania. I have never thought the Senate should deny the right to speak to those Members who wish to reason with their fellow Members and let the issue be settled simply upon the basis of which side can count the most noses. I think the way to operate the Senate is on the basis of debate and reason, and not on the basis of counting the noses of its Members.

I am not disturbed about being in a minority, because the King James version of the Bible, gives us this wise counsel: "Thou shalt not follow a multitude to do evil."

When I see Members of the Senate ignoring the purpose of the Senate in the scheme of American Government and advocating that the Senate be converted into an ordinary legislative body which can curtail debate with ease, I cannot help thinking they are proposing to do evil. This is true because the only thing which makes the Senate of the United States a distinctive legislative body of unique value to our Nation is the fact that under rule XXII Senators can stand on the floor of the Senate and say what they think is necessary for the salvation of their country until two-thirds of the Senate vote to silence them. This makes the Senate the last legislative body on earth which can be rightly called a forum of free debate by free men.

Mr. President, the men who loom largest in the history of the Senate have been virtually unanimous in the opinion that freedom of debate in the Senate has never defeated good legislation or even unduly postponed the passage of good legislation; on the contrary, they have declared that such debate has resulted in enlightening the country and thus causing the defeat of much bad legislation. I have seen that happen in the Senate in the brief time that I have been here.

In 1957 the then Attorney General of the United States came to Congress and persuaded 36 Senators to introduce a so-called civil rights bill by the assurance that it was a reasonable bill. We debated the bill on the floor of the Senate for several weeks. The then Attorney General of the United States had assured us that President Eisenhower favored the bill. After the distinguished senior Senator from Georgia [Mr. Russell] arose on the floor of the Senate and told the country what a monstrous bill it was, President Eisenhower was asked at a press conference about the remarks of the Senator from Georgia. President Eisenhower said, in substance, "I did not know that all that stuff was in that bill. I thought it was a simple voting rights bill."

After the provisions of the bill had been revealed by informed debate, 11 of the cosponsors of the bill voted, on the floor of the Senate, to eliminate the most monstrous parts of the bill, which would have rendered every State and local official in the United States subject to the caprice of the temporary occupant of the Office of Attorney General, whoever he might be.

As a result of this demonstration of the value of debate, I say to my good friend from Pennsylvania that I propose to stick to the admonition in the Good Book and not follow even a great multitude to do evil by destroying the only safeguard for free speech that we have in the Senate.

Mr. YARBOROUGH. Mr. President, for some weeks we have been debating the question of whether to consider the Anderson resolution. I hope the public understands that we have been spending all this time, not on the issue itself, but solely on the question of whether to begin consideration of the proposed rule change. I think it is such a procedure as this, where the Senate is prevented from even taking up a measure, that makes the most compelling case for limiting debate. None of us likes to cut off fellow Senators from lengthy debate, and I would be most reluctant to ever do so where debate was on the merits of an issue. I am not opposed to filibusters as such, they have been often used to defend the rights and privileges of the people, as in the case of the satellite debate last year, but it seems to me that 3½ weeks is long enough to debate whether to take up the Anderson resolution.

Should we reach debate on the Anderson resolution itself, I feel that perhaps a change in our present cloture rule, to require only a three-fifths majority, would be desirable. However, since the very unhappy experience of the satellite communications bill cloture last year, I am unwilling to vote for any cloture change unless it would also provide more guarantees for adequate consideration of amendments after cloture has been voted on a bill. I do not think any Member of the Senate can take pride in the manner in which thoughtful and reasonable amendments to the satellite communications bill were tabled out-of-hand without debate or consideration by the Senate. I would be extremely reluctant to approve any cloture rule change that does not set up guarantees for at least some hours of debate on each pertinent amendment after cloture is voted on a bill.

THE CURRENT BUDGET AND THE PRESIDENT'S TAX PROPOSALS

Mr. FULBRIGHT. Mr. President, on January 21 of this year, our esteemed colleague, the senior Senator from Indiana, the Honorable Vance Hartke, delivered an address to the Conference of Business Executives at the Brookings Institute in Washington, D.C. Because this address is such a thoughtful and concise comment on the current budget and the economic theory on which the President's tax proposals are based, I ask unanimous consent that it be printed in the body of the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Senator Vance Hartke

We have all been hearing a lot of large numbers lately—numbers in the billions—of which $98.8 is one. That is the total anticipated regular budget expenditures for next year. Another is $11.9 billion—that is the size of the anticipated Government deficit. Still third is a very much larger number—$315.6 billion. That is the predicted size of the total Federal debt at the end of the coming fiscal year.

These are all numbers which have caused concern in many quarters, not least of all among businessmen, such as yourselves.

There are some other numbers which have met a mixed response—$13.5 billion, $3.5 billion and $10 billion. These are, in order, the size of President Kennedy's proposed tax reduction, to take place over a 3-year period; the revenue increases resulting from certain tax reforms he will propose and, lastly—the $10 billion figure—the size of the remaining net tax cut, in which, the President has told us, virtually every family and every business in this country will share. And the share, he has added, will be substantial.

Yet even the prospect of a net $10 billion reduction in the tax bills of business and individuals has not been universally cheered. One reason is to be found in those numbers I mentioned at the outset—the size of Government spending, the size of the prospective budget deficit, and the size of the national debt.

Fears have been expressed that Government spending is "out of control." Yet is it? Particularly is it when viewed against the broadest measure of our economic capacity to sustain that spending—the size of the gross national product.

In the 1954 fiscal year—the first peacetime year of the Eisenhower administration—the Federal budget equaled 18.6 percent of the gross national product. That proportion has actually declined since—declined, not risen—and this year equals 16.3 percent of gross national product. For fiscal 1964, the year for which President Kennedy has just presented his budget, it will be the same as this year's—16.3 percent. And this reduction in Government spending as a percentage of the gross national product has occurred despite the vast increases in our military outlays, the advent of the age of the rocket, and our great—and expensive—efforts to be first in space.

Some people, recognizing the need for military and space outlays, fear that it is Government spending in other areas—for welfare programs, farm price supports, housing activities, foreign aid, and other activities outside the defense and space areas—feel that it is these expenditures which have gone out of control, especially since the Kennedy administration came into office. Here, too, the facts are reassuring. Regular budget outlays aside from defense, space, and the fixed interest charge on the debt amounted to 4.7 percent of the gross national product in fiscal 1961, the last year of the Eisenhower administration. For the coming fiscal year, they will amount to just a fraction more—4.8 percent. And compared to this year's they will actually be down, not only in terms of the portion they represent of the gross national product, but in absolute dollar terms.

How much do you think is the total cost of all Federal budget spending for programs other than defense, space, and interest? Is it $40 billion? $50 billion? No, in fiscal 1964 it will amount to less than $30 billion—$29.4 billion, to be exact, a reduction of $300 million from current levels.

Still, there will be a deficit. And this will mean an increase in the Federal debt to an anticipated $315.6 billion by June 30, 1964. A frightening figure? No. A debt much smaller—in terms of our ability to carry it—than we have borne at any time in recent years.

At the end of World War II, the Federal debt was larger than the gross national product—116 percent of gross national product at the end of 1946. By the time President Truman left office, it had been reduced to 74 percent of the gross national product. President Eisenhower made progress in this area, too—there is no need to be partisan. By the time he left office, the Federal debt as a percentage of gross national product had been reduced to 58 percent. What has President Kennedy done? Reduced it still further. Despite the large deficit this year, and the larger one foreseen for next year, the Federal debt will equal only 51 percent of gross national product—less than half what it was at the end of World War II; 12 percent less, as a proportion of gross national product, than it was when President Kennedy took office.

It is easily demonstrable, therefore, that our deficit and our debt are easily within our economic capacity to bear.

But there are still other grounds on which I would say to you unequivocally that President Kennedy's budget reflects the highest standards of fiscal responsibility.

Let me explain exactly what I mean. When this budget was being prepared, President Kennedy faced a choice. Each alternative involved a deficit, simply because there was no way to avoid one, short of reducing spending for defense, space and other essential programs below safe levels. The choice lay between a large deficit without a tax cut—which would mean a long string of similar deficits to follow—or a somewhat higher deficit with a tax cut—which would put our country back on the road to growth and full employment.

President Kennedy chose to recommend a tax cut, which represents a little more than 20 percent of the deficit, but which also holds out the promise of less deficit spending in the future.

If cutting taxes in order to reduce the Government deficit sounds like some impossible trick of magic—let me explain.

Our nearly 4 million unemployed workers are today paying no income taxes at all. Another 2 million on short workweeks are not paying as much in taxes as they would if fully employed. Our idle factories are producing no profits, and no tax collections.

But through the stimulus of tax reduction we can get people back to work and get our plants producing at capacity. When that is done, the Government will collect more in taxes—even at the lowered rates—than it is collecting now.

Let us do some simple arithmetic to demonstrate why this happens.

The President's Council of Economic Advisers has estimated that if the economy were operating at full employment levels, our gross national product would be some $35 billion higher than it is now. The income received by individuals would be some $20 billion higher. And corporate profits would reach a level $8 billion above their current rate of $51 billion.

Let us look at that corporate profit figure for a moment. Eight billion dollars on top of the present $51 billion represents an increase in corporate profits of somewhat more than 15 percent. You can do your own arithmetic. Figure out what a 15-percent increase in profits would mean to your company—assuming your company merely received a proportionate share of the increase in all profits and did not—as you all doubtlessly hope and expect it will—increase its relative share of the market.

Take the arithmetic one step further. Bear in mind that these new profits—115 percent of the present level—will by 1965 be taxed at only 47 percent instead of 52 percent. What will that mean to you?

One further exercise in arithmetic—which demonstrates what the President means when he says that a tax reduction will mean larger tax collections for the government in the future.

On each $100 worth of profits now, the Government collects approximately $52 in taxes—a little less, of course, actually, because the first $25,000 is taxed at only 30 percent.

But on each $115 worth of profits—which will be earned when the economy reaches full employment—the Government will collect $54 in taxes, at the new corporate rate of 47 percent.

This is exactly what economists mean when they talk of what they call the "feedback" which results from a reduction in tax rates. The tax cut generates more economic activity, by increasing consumer demand and by strengthening the incentive system of our free market economy. This, in turn, means higher taxable incomes for both individuals and businesses—which in the long run brings higher tax collections to the Government, even at the lower tax rates.

That is why I say to you that President Kennedy's budget, with its tax reduction proposals, represents what is—in the long run—the most fiscally responsible position he could possibly have taken.

For without a tax cut, our national economy faces the dismal prospect of not even approaching full employment—and full profit—levels at any time during the foreseeable future. And that means no balanced budgets at any time in the foreseeable future either.

There is literally no reason to fear the deficit which is ahead for the coming year—and, in fact, for the year after that. Our economy in 1958 withstood a deficit larger than the $11.8 billion President Kennedy is planning for this year. And it was a smaller economy then too. It withstood the deficit without inflation. It also withstood that deficit without any adverse effects on investor confidence. I suggest a look at the Dow-Jones averages, or any other stock market averages, for 1959, as demonstration of what I mean.

It is my earnest hope that each one of you will support President Kennedy's proposal for tax reduction and tax reform. The plan is an entirely safe one. It carries with it no threat whatever of inflation.

If few were unemployed, if our plants were running at full tilt, then there would be a threat of inflation. But the additional money taxpayers will have to spend as a result of the planned tax cut will create a demand for goods which will put idle men and idle plants back to work—not create any upward pressure on prices.

The tax reduction, in fact, contains a built-in counter against inflation. The planned reductions in taxes for business and individuals will make it more attractive for both to invest their money in modern and efficient industrial facilities. And as we all know, modern facilities contribute greatly to the ability of American business to produce at stable costs—and prices.

Not only is the planned tax reduction safe, moreover, it is also necessary. More than necessary—essential. Essential if we are to fulfill our national potential, put people back to work, start the machinery turning again in all our factories, and place our Nation in the position to meet the heavy commitments which our role as defender of the free world—and of freedom itself—has placed upon us.

I hope the President's program will have the support of each one of you.

REPORT ON THE GAVINS POINT RESERVOIR PROJECT

Mr. HRUSKA. Mr. President, I note with gratification the adoption by the Public Works Committee of a resolution asking the Corps of Engineers to review its report on the Gavins Point Reservoir project, near Yankton, S. Dak., with special attention to the problem of siltation.

My colleague, Senator Mundt, is to be commended for his foresight in seeking the resolution with which I am in full accord.

The Niobrara River empties into the Missouri River at a point approximately 35 miles above the Gavins Point Dam. Formerly, the heavy siltation load it carries was deposited well out into the channel of the Missouri River and, subsequently, was flushed further downstream by high water levels. After the Gavins Point Dam was completed, and the Missouri River backed up to form

Lewis and Clark Lake, this flushing action no longer took place—at least as efficiently as before.

Silt picked up by the Niobrara is now being deposited almost immediately at its mouth and, as it accrues, further and further upstream. This filling-in forces the Niobrara out of its normal channel at times so that during the spring rise or in a heavy runoff, it threatens a State park and the sanitary system of the town of Niobrara, Nebr., which is located on the stream's immediate east bank. Siltation is also hampering the operation of a Missouri River ferry near the town, threatening the usefulness of a bridge and causing a high ground water level in the general area. In an interview with the townfolk, Congressman BEERMANN was told that the clearance under the mentioned bridge has shrunk to less than 6 feet. Septic tanks in the area are no longer functioning.

This problem of sedimentation is also occurring at the mouths of other tributaries emptying into the Missouri River on or above the Gavins Point Dam. In practically all instances, it is endangering public and private facilities adjacent to the reservoir. We have learned that the Corps of Engineers is now in the process of developing recreational areas on the Nebraska and South Dakota sides of the lake; but unfortunately, siltation deposits, sometimes extending several miles downstream, are hampering its beauty. They are also threatening the beneficial use of facilities provided at taxpayer and private expense including a number of boat marinas.

Representatives of at least five affected communities along the reservoir feel so strongly about the problem that public meetings have been called to discuss possible solutions. In the latest of these meetings, held at Yankton, S. Dak., in early December, District Engineer Col. H. C. Woodbury, of Omaha, said sedimentation results in an annual loss of benefits to the Gavins Point water project of some $250,000 in navigation benefits and $1 million in recreation.

Proper administration of the Gavins Point project should require constant corps evaluation of conditions which might interfere with its authorized function; or cause injury to private or public facilities located on the lake or its headwaters. In addition, recreation, while not a formally authorized function, is of sufficient importance to justify concern for alleviating conditions which threaten it.

Last year this dam and reservoir were visited by nearly 2 million persons and the number is expected to double within a few years as recreational development continues. Tourism is receiving new emphasis in my State and is looking forward to increased demands upon all of its facilities.

Mr. President, measures successful in meeting the siltation problem might double the expected life of Lewis and Clark Lake, relieve increasingly serious flood control storage problems, and possibly result in increased navigation and expanded power production. The early action by the Public Works Committee this session was welcome news to the many Nebraskans immediately confronted with these problems and potentialities.

BRITISH GUIANA ANOTHER CUBA?

Mr. HRUSKA. Mr. President, on January 31, my colleague, the junior Senator from Nebraska, inserted in the CONGRESSIONAL RECORD a letter addressed to Secretary of State Dean Rusk, relating to an intelligence report identifying the shipment of arms from Cuba to British Guiana. I commend my colleague for his alertness in bringing this matter to the attention of the Senate and would like to offer for the RECORD a story appearing in the Washington Star of February 6, 1963, which validates, from an official Government source, the occurrence of these arms shipments. It acknowledges the transshipment of arms by Premier Castro received from Soviet Russia and delivered to British Guiana. We know well the character of British Guiana's head of government, Dr. Jagan, an avowed Communist.

This further illustrates that Premier Castro is taking the fullest advantage of the "breather" he has enjoyed since Soviet missiles were reported to have been withdrawn from Cuba. The shipment of these arms and the presence in British Guiana of 2,000 Cuban "tourists," officially acknowledged by our Government, illustrate that Premier Castro's mission, as a Soviet satellite, to communize Latin America continues unabated. As a practical matter, the semantic exercise over what or what not is now in Cuba misses the point. Cuba is armed and is dedicated to its objective in Latin America. Cuba is alleged to have removed missiles, but nowhere have I seen any allegation that nuclear warheads have also been removed from Cuba. Nowhere have I seen a definition of what constitutes "defensive" armament which gives me any comfort about the quantity of "defensive" armament now in Cuba. We must be intensively practical about Cuba's known potential and not take any comfort from the fact that a small part of its total military capacity may have been removed by the withdrawal of Soviet missiles. In effect, we have a tacit admission that our present effort is not equal to the task of meeting Castro's expansionist activities.

I ask unanimous consent to insert at this point in the RECORD the news story referred to.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CUBA REPORTED SENDING ARMS TO BRITISH GUIANA

(By Jerry O'Leary, Jr.)

Fidel Castro has begun shipping arms received from Soviet Russia to his Communist admirer, Prime Minister Cheddi Jagan, of British Guiana, informed Government sources disclosed today.

Two shiploads of arms reportedly left the Cuban port of Mariel recently for Georgetown in British Guiana.

A U.S. Government official said the Guianese described the arms as "old U.S. rifles needed for training purposes." However, it was considered unlikely that Dr. Jagan would settle for obsolete equipment with so many new Czech arms already in possession of Communist Cuba.

AN AVOWED COMMUNIST

This was the first confirmed case of what the United States has long warned—that Mr. Castro would use his island as a transshipment point for arms to Communists everywhere south of the Rio Grande.

British Guiana, about the size of Kansas, lies on the southern rim of the Caribbean, 1,400 miles east of the Panama Canal—nearly twice as far from the waterway as Havana.

Dr. Jagan, who is of East Indian descent and a dentist, has long clamored for independence for his humid and poverty-stricken land. The 45-year-old Prime Minister is an avowed Communist and an open admirer of both Soviet Premier Khrushchev and Mr. Castro.

Dr. Jagan heads the Red-dominated Peoples Progressive Party in the colony. Its greatest membership is among the East Indians who were brought to the colony years ago to work in the sugar fields and have remained to become British Guiana's farmers and shopkeepers.

He is bitterly opposed along racial lines by many of the colony's Negroes, led by anti-Communist Linden Forbes Burnham. The white, Chinese, and Portuguese peoples who form minority groups there, also oppose Dr. Jagan's policies. About 48 percent of the colony's half-million people are East Indian and 42 percent are Negroes with the Asians having a greater birth rate.

JUNGLE TRAINING CAMPS

The British retain control of Guiana's defense and foreign policy, but the country is run by a constitution granted in 1961. This provided for an elective legislature with veto powers reserved to a crown-appointed governor, Sir Ralph Francis Gray. Full independence, however, long has been withheld with the United Kingdom apparently determined to wait until there is a non-Communist government there.

A British official recalled that there have been reports over a period of more than a year that Dr. Jagan has provided jungle training camps for Mr. Castro, that there are missile bases in the jungle back country and that as many as 2,000 Cuban "tourists" have been seen in British Guiana.

"We don't dismiss these reports," he said, "We just don't have any evidence that they are true. The point is, we have got troops there and we are still in charge."

There is considerable commerce between Cuba and the crown colony since British Guiana supplies Cuba with rice. However, the ships in general, come to the colony in ballast.

GUIANESE CALLED DOCILE

The official said he could not imagine who Dr. Jagan would train with the reported weapons from Cuba. The most dangerous elements there are members of the Guianese United Youth movement. The official said these are leather-jacketed youth who "roar about on motor bikes."

The Guianese, he said, are a docile people who fear and dislike the jungle interior and are well content to live in the heavily populated coastal zone. They would not be likely, he added, to go into the back country in revolt.

"Revolt against whom?" he asked. "After all, they (Dr. Jagan's supporters) are the government. The average member of Jagan's P.P.P. Party is not attracted by Communist or Marxist beliefs. There is such a clique, however, and Jagan is capable of considerable mischief just to remain in the limelight."

GOT U.S. AID IN 1961

Dr. Jagan visited Washington in 1961 and, after calling on the President, received some U.S. aid largely in the form of technical surveys of the underdeveloped country.

Dr. Jagan also visited Mr. Castro in 1961 and returned to Georgetown saying: "We have friends with rockets, guns and gold." He also has predicted in the past that the Marxist Communist philosophy will "sweep the whole world."

Last October, a British member of Parliament warned the House of Commons there is a "threat" in the political situation in Guiana.

Britain keeps a small force of the Coldstream Guards in British Guiana. The only other force is the police.

PROGRESS OF PUBLIC DEFENDER LEGISLATION

Mr. HRUSKA. Mr. President, it is worthy of notice that earlier this week the American Bar Association unanimously endorsed the principles of public defender legislation and urged the Congress to act promptly to provide such a system for our Federal courts.

The adoption of the report and recommendations of the Association's joint committees at its mid-winter meeting in New Orleans brings added assurance that our efforts to secure passage of this bill this year will be successful. It is my hope that hearings will be scheduled on S. 63 and related proposals this spring so that the Senate can take action at the earliest possible time.

Due to the wide interest which has been expressed in this legislation, I ask unanimous consent to insert at this point in my remarks the text of the ABA report prepared jointly by its special committee on defense of indigent persons accused of crime and of the standing committee on legal aid work.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE RIGHT OF INDIGENT DEFENDANTS TO COMPETENT COUNSEL IN CRIMINAL CASES IN THE FEDERAL COURTS

(By the American Bar Association Special Committee on Defense of Indigent Persons Accused of Crime, jointly with Standing Committee on Legal Aid Work)

RECOMMENDATIONS

The American Bar Association recommends prompt action by Congress to insure adequate defense for indigent defendants in criminal cases in the Federal courts, to implement the sixth amendment of the Federal Constitution and the court decisions thereunder.

The American Bar Association approves in principle legislative proposals to this end which include the following fundamentals:

1. Giving the several district courts an option either to:
   (a) Appoint a public defender with necessary staff, or
   (b) designate a voluntary defender, legal aid society or other similar agency, or
   (c) Appoint counsel from the Bar, or
   (d) Utilize some satisfactory combination of the foregoing.
2. Providing reasonable compensation for those involved in any of the foregoing, including individual assigned counsel, as well as adequate funds for investigation and preparation.
3. Providing for appointment of counsel at the earliest possible time and insuring availability of counsel through necessary appeals.
4. Providing for payment of the foregoing out of adequate funds appropriated for the judiciary.

The standing committee on legal aid work and the special committee on defense of indigent persons accused of crime, with such assistance as they may ask, are authorized to present the views of the association on particular legislation within the foregoing principles, and also to comment on details of the proposed legislation which are related to such principles.

REPORT

Congressional action is urgently needed to balance the scales of justice in criminal trials in the Federal courts and give reality to the indigent defendant's constitutional right to counsel. This right is guaranteed by the sixth amendment of the U.S. Constitution, decisions of the U.S. Supreme Court, and the Federal Rules of Criminal Procedure.

The sixth amendment requires: "In all criminal prosecutions, the accused shall enjoy the right * * * to have the assistance of counsel for his defence."

The U.S. Supreme Court: "The sixth amendment withholds from Federal courts, in all criminal proceedings, the power and authority to deprive an accused of his life or liberty unless he has or waives the assistance of counsel." (*Johnson* v. *Zerbst*, 304 U.S. 458, 463 (1938).)

The Federal Rules of Criminal Procedure: "If the defendant appears in court without counsel, the court shall advise him of his right to counsel and assign counsel to represent him at every stage of the proceedings unless he elects to proceed without counsel or is able to obtain counsel" (rule 44).

Leaders in Congress and in the executive branch as well as in the judiciary and at the bar have long recognized that Congress should provide a remedy so that the constitutional guarantee can be honored in all Federal courts. Congressman EMANUEL CELLER and Senator ESTES KEFAUVER have advocated measures which at one time passed the Senate. At the last session, Senator HRUSKA and others pressed for passage of a measure (S. 2900) which resembled the earlier measure and differed in only minor particulars. This too passed the Senate. It is our understanding that the President, with the advice of the Attorney General and a distinguished committee appointed by the Attorney General, headed by Prof. Francis A. Allen of the University of Michigan Law School, will submit a measure which is similar in principle and differs from the Hruska bill in relatively minor respects. In view of the variety of measures which may be submitted and considered by Congress, it seems impractical to ask the House of Delegates to act on a particular measure. Instead we have selected what we regard as the principal ingredients of any measure adequate to deal with the problem. These are embodied in the resolution which we have recommended. Each of the measures which may be proposed will undoubtedly have some incidental provisions which will have to be dealt with when the final form of the measure emerges. The House should adopt the basic principles in our recommendations and authorize the two committees to present the association's views on those principles and any incidental and related matters as the matter advances in Congress.

THE OUTMODED ASSIGNED-COUNSEL SYSTEM

At this late stage in the development of our jurisprudence, the general practice in the Federal court is still to assign counsel to indigent defendants on any basis that seems appropriate to the trial judge. Some judges call upon young lawyers, on those whose practice is not large, or on any lawyer who may be in the courtroom at the time. A few judges consider the entire local bar to be available, and some make it a practice to designate the ablest and most experienced lawyer available, especially in capital cases. One of the most important considerations in the court's choice is the fact that funds are not available to compensate appointed lawyers. Many judges are reluctant to appoint a lawyer who has a thriving practice which he will have to set aside in order to defend an indigent client.

This haphazard system has been effective in most capital cases. It has worked fairly well in other cases in at least some of the less populated areas. But in the large urban centers, where the volume of criminal cases is great, the system has been tragically unfair to many defendants in noncapital cases, and has imposed needless burdens on the courts, and needless hardships on lawyers.

The solution, long overdue, rests squarely with the Congress.

UNFAIR TO THE DEFENDANT

The offices of prosecuting attorneys are staffed by career men who have a high degree of technical skill. They have at their disposal modern devices for crime detection and extensive facilities for factual investigation. The indigent defendant is in an unfair position unless he also has able and experienced counsel. But competent counsel is not often supplied by the present haphazard system of appointments. A young, inexperienced lawyer cannot balance the scales for the defendant against the modern organization of the prosecuting attorney. Nor can a skillful, experienced attorney, if his experience is in tax matters, bankruptcy, antitrust law, or in any area other than criminal law.

Even if appointed defense counsel is exceptionally well qualified, he usually enters the case too late to balance the scales of justice. All too frequently, when defense counsel is appointed, Government counsel is well along in the preparation of its case. By this time, it may be difficult to locate possible witnesses for the defendant, or they may have become unavailable, or have forgotten relevant facts. As one lawyer stated, "It is like running a 100-yard dash, giving the other side a 50-yard headstart."

Quite aside from the need for prompt preparation of the defense, the constitutional rights of the defendant may have been waived or denied during the preliminary proceedings if the advice of counsel was not available.

As the Supreme Court pointed out in the leading case of this kind: "* * * during perhaps the most critical period of the proceedings against these defendants, that is to say from the time of their arraignment until the beginning of their trial, when consultation, thoroughgoing investigation, and preparation were vitally important, the defendants did not have the aid of counsel in any real sense" (*Powell* v. *Alabama*, 287 U.S. 45, 57 (1932)).

UNFAIR TO THE COURT

The present system imposes on the court responsibilities that belong elsewhere. Many conscientious judges accept the obligation to protect the rights of a defendant who is represented by inept, inexperienced, or indifferent counsel, but this task should not be added to the other exacting responsibilities of the trial judge.

Also, often it is impossible for the court to make a proper determination of indigency when an unrepresented defendant is arraigned or appears for trial. And frequently it is embarrassing for judges to assign reluctant, uncompensated counsel to cases that may require weeks of preparation and trial, and may involve the probability of defeat and consequent damage to reputation at the bar.

Judge Leon T. David, a veteran trial judge in Los Angeles, has described the situation (45 Minn. L. Rev. 753, 756–7):

"The judge ordinarily has no investigatory facilities to verify the indigency of the prisoner. If the defendant cannot post bail and says he has neither money nor friends who will assist him, the judge may have to let the matter rest. But what lawyer will he assign to the case?

"In my early years of practice, I have seen the judge scan the courtroom and summon to the indigent's defense the first young lawyer whom he recognized that morning. I have seen another reach for a list of names he kept under the corner of his blotter; the names were those of young lawyers who had requested that they be assigned for the experience. Since a lawyer is bound by tradition, by canons of ethics, and by law never to reject the cause of the defenseless or oppressed from any consideration personal to himself, it is accepted law that the court may appoint counsel from the ranks. By tradition, however, such appointments fall to the newer members of the bar although the courts have assigned eminent counsel in unusual circumstances."

All of this undermines the adversary process which is so deeply rooted in the American system of jurisprudence.

UNFAIR TO THE LAWYER

Since funds are not available to compensate appointed lawyers for their services or out-of-pocket expenses, or for investigations of the facts, a lawyer must often make a substantial personal sacrifice in order to discharge his responsibilities conscientiously. Those who do so, represent the noblest tradition of the bar.

In practice, however, the burden is spread among relatively few members of the profession.

Many of the assignments go to young lawyers, on the questionable theory that this provides good training for the inexperienced junior members of the bar. While they may need the experience, few of them can afford to work without compensation for weeks or even months. In a hearing in 1959 before the House Judiciary Committee, scores of letters and affidavits from young lawyers, appointed to represent indigent defendants in the Federal courts, were introduced in evidence. Their testimony provided convincing evidence that the uncompensated assigned counsel plan is unduly burdensome on the young attorney. Here are some quotations from the record:

Case A: "I devoted somewhere in the area of 550–600 hours to this litigation—all without compensation and in a large measure without reimbursement for my out-of-pocket disbursements, which ran approximately $400."

Case B: "This case took 3 full months of my time when I was trying to build up a practice. I had to spend money I had planned on using for a vacation (for family)."

Case C: "I had spent approximately $100, which was advanced to me by my wife from her bank account (saved from schoolteaching days) * * * 150 hours would be a conservative estimate (of time spent)."

Even if the appointments were distributed among all the lawyers practicing criminal law in the Federal courts, the burden would fall upon a comparative few. Unfortunately only a small percentage of the lawyers specialize in criminal law practice.

Arthur S. Bell, Jr., chairman of the Los Angeles County Bar Association Federal Courts Criminal Indigent Defense Committee (the most ambitious volunteer plan established by lawyers), reports:

"We cannot expect * * * to match the performance of public defenders or paid assigned counsel. Based upon years of actual experience, (this) association favors the passage of H.R. 2696 (Congressman Celler's bill for a Federal public defender) to fill a critical public need."

THE DEFENDER PRINCIPLE IS SOUND

The defender office is a tried and proven method of providing fair play for indigent defendants. The first public defender was established in Los Angeles County almost 50 years ago. Today, indigent defendants in the State courts are served by more than 110 defender offices, most of them in the larger cities. The defender offices that reported to NLADA in 1961 handled a total of 141,719 cases. Accordingly, we believe that defenders, public or voluntary, or legal aid societies, should be selected in the more populous districts. Of course, payments for services must be made to such entities or groups. Where this is impractical, appointed counsel should be compensated. The principle of compensation for appointed attorneys is also well established.

Forty-seven of the fifty States compensate appointed attorneys in areas where no organized defender office exists.

The Judicial Conference of the United States first approved the proposal to establish the public defender system in the Federal courts in 1937, and has since reaffirmed its position 17 times. Specific bills to provide Federal public defenders were endorsed in 1944 by a special committee composed of distinguished Federal judges headed by Judge Augustus Hand.

The U.S. Department of Justice has supported this principle since 1937. Every Attorney General since then has advocated public defender legislation. These have included Homer S. Cummings, Frank Murphy, Robert H. Jackson, Francis Biddle, J. Howard McGrath, Tom C. Clark, James P. McGranery, Herbert Brownell, Jr., William P. Rogers, and Robert F. Kennedy who, in calling for public defender legislation, said to the House of Delegates in 1962: "The time to translate good intentions into law is long overdue. I ask for your help as a group or as individuals in working for its enactment."

The American Bar Association has taken an active interest in proposed legislation to improve the method of providing counsel for poor defendants since 1936. In 1939, the public defender principle was approved by the House of Delegates. The Board of Governors endorsed a specific public defender bill in 1958.

Emanuel Celler, Chairman of the Judiciary Committee of the House of Representatives, reported to the committee in 1960 that a poll of 545 Federal judges, law school deans and professors, and ABA members showed that 89 percent favored public defender legislation.

Individual leaders of the bar who have supported the principle include: Hon. Earl Warren, Chief Justice of the United States; Hon. Augustus Hand and the late Hon. John J. Parker, U.S. Court of Appeals; President Sylvester C. Smith, Jr., president of the American Bar Association, and many of his predecessors; Harrison Tweed, chairman of the American Law Institute; Henry P. Chandler, former Director of the Administrative Office of the U.S. Courts; James V. Bennett, Director of Federal Prisons; and William T. Gossett, president of the National Legal Aid and Defender Association and former vice president and general counsel of Ford Motor Co.

We should remind ourselves of the eloquent summary of the test of civilization by the chief justice of one of our State supreme courts over a generation ago:

"Equal and exact justice has been the passionate demand of the human soul since man has wronged his fellowman; it has been the dream of the philosopher, the aim of the lawgiver, the endeavor of the judge, the ultimate test of every government and every civilization." [John B. Winslow, CJ, Supreme Court of Wisconsin, "4 Journal of Criminal Law and Criminology," 650 (1914)]

To deny equal justice to the poor is intolerable in principle. To continue the present system, when such a practical alternative is available, jeopardizes our country's claim to world leadership in the cause of freedom and justice under law.

This report is presented jointly by the two committees whose chairmen have signed it. In addition, the position is squarely supported by the National Legal Aid and Defender Association. We are submitting this report also to the council of the section on criminal law and are hopeful that at its meeting in New Orleans before the meeting of the House, its Delegate may be authorized to state to the House the council's support for our recommendations.

Respectfully submitted.

John W. Cummiskey,
Chairman, Standing Committee on Legal Aid Work.

Whitney North Seymour,
Chairman, Special Committee on Defense of Indigent Persons Accused of Crime.

Mr. HRUSKA. Also, Mr. President, I call to the attention of my colleagues the comprehensive report on the current practice of representing indigent criminal defendants in our Federal district courts which was published in the January 1963 issue of the Harvard Law Review. The study not only assesses the existing situation but offers thoughtful and pertinent comments on numerous proposals now before the Congress. In offering this article, it may be helpful to observe that the present bill, S. 63, was drafted to take into consideration the comments made with respect to the coverage of subsection (g) of S. 2900 contained therein. I want to commend the authors of this Law Review note for their outstanding study which will undoubtedly serve as a basic working paper for the Judiciary Committee in considering this vital legislation.

I ask unanimous consent, Mr. President, to insert at this point in the Record the article referred to.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Representation of Indigent Criminal Defendants in the Federal District Courts

(This was written by Bruce J. Havighurst and Peter MacDougall, third-year editors of the Harvard Law Review, with interviewing and editorial assistance from Richard P. Schulze, Jr., Review note editor, and was financed by a grant from the William F. Milton Fund. The editors conducted approximately 70 interviews in Baltimore, Birmingham, Boston, Chattanooga, Cleveland, Des Moines, Detroit, Honolulu, Kansas City (Mo.), Los Angeles, Louisville, Milwaukee, Minneapolis, Nashville, New York, Omaha, Pittsburgh, St. Louis, and Washington, D.C. In addition, a detailed questionnaire was sent to every U.S. district judge and U.S. attorney. The judges' questionnaire was somewhat longer than the prosecutors', but both asked the same basic questions. Of 365 questionnaires mailed, 136 responses were received (79 judges, 57 prosecutors). In some cases, one questionnaire represented the consensus of several judges within a district. Since most of the practices and attitudes described in this note are common to many districts and persons, a specific source generally will not be given unless a practice is unique and given detailed treatment. The authors wish to express their gratitude to the many persons who were interviewed or responded to written inquiries or questionnaires.)

In 1938 the "right to counsel" provision of the sixth amendment was interpreted by the Supreme Court as entitling a criminal defendant unable to retain counsel to the services of an attorney appointed by the court.[1]

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[1] *Johnson* v. *Zerbst*, 304 U.S. 458 (1938).

The Federal Government, in the absence of a waiver of the right to counsel, must thus furnish counsel for the indigent or forgo prosecuting him. As of today, however, the Government has no attorneys in its employ who provide this service[2] nor has it any means of contracting with private attorneys or firms to perform its obligation. The job is done almost wholly by private individuals who volunteer their services or who are directed to serve without compensation by the court. Each district has been left to solve its own problems.

One difficulty which pervades the area should be mentioned at the outset: there is at present no widely accepted definition of "indigent." It is impossible to formulate any workable definition based on a specific sum of liquid assets available to the defendant, for the cost of representation will vary among districts because of differing fee scales, and will vary even within a district according to the difficulty of the case and the work and money necessary to defend it. As a beginning toward giving content to the term, it might be said that an indigent is one who has insufficient funds to pay an attorney for the services his particular case requires. But this is imprecise, for the decision as to the requirement in a particular case depends on a number of complex factors peculiar to that case alone, and must be made in the first instance by the attorney. The judge, having only the information or indictment in front of him, is in no position to assess these with accuracy. It is impossible to generalize on the means by which judges resolve this dilemma; some seem to assume that if the defendant has sufficient funds to retain any lawyer, even one who for that amount will clearly do no more than enter a guilty plea, the defendant is not indigent. Others seem to believe that the defendant should be able to pay for representation the quality of which is to some extent higher than the absolute minimum before he is classified as nonindigent. For purposes of this note, the term "indigent" refers to a defendant possessing no money or so little that he clearly meets the standard by which the court determines those to whom counsel will be assigned. The term "borderline indigent" is used to describe a defendant with some resources but in an amount that is insufficient to obtain the quality of representation his case requires.

The Review's primary purpose in embarking upon this note was to investigate and report the situation existing in a large number of districts, the special problems being faced, and the various means being adopted to solve them. Publicity given to the latter, it is hoped, will assist other districts with similar problems to benefit in some measure from the experience of others. More important, perhaps, with the large body of data obtained through observation, interviews, and questionnaires the authors have attempted an analysis of the situation as it exists throughout the country. Both the defects and the successes, to the extent they are sufficiently widespread to be looked upon as general characteristics, are discussed. The third section of the note contains a short résumé of each of three systems which have been advanced in proposed legislation and by commentators as workable alternatives, either individually or in combination, to the present practice. A number of the arguments for and against these systems are summarized and some are evaluated in terms of the results of the research conducted for this note. Finally, in section 4 the various legislative proposals presented to Congress during the last session are subjected to scrutiny and comparison, and several suggestions for changes are advanced.

To compile the data on which the note is based, comprehensive questionnaires were sent to every Federal district judge and U.S. attorney in the country.[3] Two editors spent a good part of last summer, and one other a lesser period, in field research, observing operations and interviewing judges, U.S. attorneys, other Federal officials, and private attorneys in 19 major cities. Information has been obtained from over 90 percent of the judicial districts. Additional helpful statistics were furnished by the Administrative Office of the U.S. Courts. The study is limited in scope to the problems presented by criminal defendants in Federal district courts; appeals, probation revocations, and habeas corpus hearings are excluded, as are the problems and procedures of State courts.

I. OPERATION OF THE PRESENT SYSTEM

A. Assigned counsel

I. Assignment methods: In the vast majority of districts, the court assigns lawyers engaged in private practice to represent indigents accused of Federal crimes. The assignment methods vary in their success in spreading the workload throughout the bar and in picking a suitable attorney for a particular case. The least organized method, employed in some smaller districts, involves the appointment of lawyers who happen to be present in the courtroom when indigents appear before the judge for arraignment and plea.[4] If too few lawyers are present, the judge contacts others whom he knows, requesting them to appear immediately. In either case, the delay for consultation before plea is brief. Although this practice may permit the judge to select a lawyer whose experience and ability are suited to the particular case, it contains several undesirable features. Only a small proportion of the attorneys in a community will normally be present at arraignment sessions and therefore they will receive a disproportionate share of the assignments. Furthermore, a lawyer already in court on other business may find it difficult to devote sufficient time to the indigent and may as a result enter an ill-considered plea. While some attorneys may be present solely to obtain indigency assignments, these persons, except for young lawyers desiring Federal courtroom experience, are often of mediocre ability and may be more interested in extracting a fee from the defendant or his family than in preparing a defense.[5]

The most widespread method for obtaining counsel is selection by the court from a list of lawyers who have been admitted to practice before the Federal district court. The persons on the list may or may not be volunteers, depending on the district. Limiting assignments to volunteers may be desirable if a sufficiently large number can be obtained; otherwise, it seems preferable to list all attorneys admitted to the Federal bar, except those whose work is extremely specialized and remote from criminal law, such as patent attorneys and trust officers. A variety of methods can be employed to assure an adequate supply of counsel. For example, in Hawaii the oath of admission to the Federal bar is looked upon as committing the lawyer to represent indigents if he is asked to do so.[6] A less compulsory system is used in Massachusetts, where the clerk of the court asks each lawyer as he is admitted to practice whether he would be willing to accept assignments.[7] In some districts the local bar association assists the court by supplying a list of volunteers.

In at least three districts, attorneys are selected from a panel of volunteers who appear in court on each arraignment day to represent indigents. In the western district of Texas the panel seems to be informally organized by the U.S. Attorney;[8] in San Francisco[9] and Los Angeles[10] it is organized by the local bar association. In Los Angeles a committee of the junior barristers of the Los Angeles bar association assigns a weekly chairman, who has the responsibility for ensuring that a panel of at least five lawyers is present in court on arraignment day. Generally the chairman has some courtroom experience and can advise the other panel members, many of whom are appearing in Federal court for the first time. Fifteen or twenty indigents appear on a typical arraignment calendar and one of the panel is assigned to each. Arraignment is then deferred so that the lawyer may consult briefly with the accused and either advise him how to plead or request a continuance to permit further study of the case. Although the panel member is expected to supply such representation as is needed, when a case goes to trial he often persuades a more experienced lawyer to replace him. The advantages of the Los Angeles system are that the burden of obtaining counsel does not fall on the court, and that assignments are distributed among a large group. But the quality of the panels is quite uneven. A chairman associated with a large office can supply a group of competent junior lawyers, but one practicing alone or in a small firm lacks sufficient contacts to be very selective.[11] Thus fortuity dictates the competence of representation on any arraignment day. Furthermore, speedy disposition of the case seems a prime objective of many panel attorneys, who want to confine their services to arraignment day and to avoid spending additional time in investigation, consultation with the defendant, or trial. Since there is no opportunity to confer with the defendant before arraignment day, the action to be taken may be decided on hastily and without full knowledge of the facts. Much of the burden of representing indigents has been assumed recently by one volunteer lawyer who devotes substantially all her time to trying indigency cases; the feeling was expressed that without her efforts the panel system might be much less successful.

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[2] In the District of Columbia, Federal funds support a Legal Aid Society which is governed by a private board of trustees; see p. 593 infra. A public defender represents indigents in the Canal Zone; he is appointed by the Governor, while his salary is fixed by the President. (C.Z. Code tit. 7, § 43 (Supp. 1943).)

[3] The questionnaire is reproduced in the appendix to this note.

[4] The arraignment is conducted by a judge. Another procedure often described as an arraignment is the preliminary examination before the U.S. commissioner soon after arrest. There probable cause is determined, bail is set, and the defendant is informed of the charges against him. For the sake of clarity, this note will always refer to arraignments as arraignments and to preliminary examinations as preliminary examinations.

[5] See Mars, "Public Defenders," 46 J. Crim. L., C. & P.S. 199, 207 (1955).

[6] Interview with U.S. district judge for the district of Hawaii, July 25, 1962. The oath of admission reads in part:

"I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay any man's cause for lucre or malice."

A similar oath is used elsewhere; e.g., Cal. Bus. & Prof. Code § 6068(h).

[7] Interview with the clerk of court for the district of Massachusetts, April 2, 1962.

[8] Questionnaire reply of the U.S. attorney for the western district of Texas.

[9] Questionnaire replies of U.S. district judges for the northern district of California.

[10] See Bell, "Criminal Indigent Defense in the Federal Courts," 37 Los Angeles B. Bull. 297 (1962).

[11] It appears that chairmen practicing alone or in a small firm often have great difficulty even in obtaining a full panel. The view was expressed that the Los Angeles system might collapse if this problem were not solved.

A feature apparently common to all selection systems is the frequent use of young lawyers with little experience. Although 90 percent of those replying to the questionnaire considered the experience of assigned counsel adequate, almost three-fifths said that the lawyers assigned are usually young and relatively inexperienced. Many reported that assignments, except in the most difficult cases, are confined to lawyers admitted to the Federal bar within the past 5 or 10 years, and a few districts apparently use primarily persons admitted within the past year. More than three-fourths of those replying indicated that assignments are not confined to attorneys with experience in criminal law, and about two-thirds of the districts represented do not require trial experience of any kind. But most judges do attempt to obtain an experienced trial lawyer for particularly serious or difficult cases.

2. Percentage of guilty pleas: A large majority of the persons interviewed estimated that about 90 percent of the defendants appearing in their district plead guilty.[12] The principal explanation given for this high percentage was the excellent investigatory work of the Federal Bureau of Investigation and other Federal agencies. Other factors cited were the disinclination of U.S. attorneys to prosecute when the evidence is not virtually conclusive, and a general feeling that guilty pleas result in lighter sentences because the judge has not heard the evidence and because guilty pleas save time and effort for all concerned.[13]

It appears that the percentage of guilty pleas among indigents is higher than among other defendants. Thirty-eight percent of those responding to the questionnaire indicated that assigned counsel entered proportionately more guilty pleas than retained counsel; only 16 percent felt they entered fewer.[14] The variation rests in part on the fact that many indigents are involved in such crimes as violation of the Dyer Act,[15] forgery of signatures on Government checks, and illegal use of narcotics, in which the suspect is often apprehended in the commission of the crime and thus there is little doubt about his guilt.[16] In addition, a defendant who borders on indigency may make a serious effort to retain counsel of his own choice if he plans to plead not guilty, but may prefer to obtain gratuitous legal assistance or waive the right to have counsel appointed if he plans only a guilty plea.

3. Waiver of the right to have counsel appointed: The percentage of defendants who waive the right to counsel varies greatly: in about half the districts, less than 20 percent waive, but in a few districts more than 80 percent may do so.[17] There seems little correlation between size or location of district and percentage of waivers, although the percentage tends to be low in districts with a very large volume of criminal business.[18] Disparity among districts[19] apparently can be explained only by differences in attitude among district judges toward permitting a defendant to plead without counsel. Judges in some areas are extremely reluctant to permit a defendant to waive the right to counsel;[20] in New York City, Los Angeles, San Francisco, and Pittsburgh, for example, counsel is appointed in virtually every case. But in other large cities such as Boston, Cleveland, and Detroit, respondents estimated that from one-third to one-half of the defendants waived the right. The disparity is somewhat accentuated by a tendency of defendants at arraignment sessions to follow the lead of those required to plead first. Thus if waivers are freely accepted by the court, waivers by the first few defendants may set a pattern for the rest.

Opinion is divided concerning the value of an attorney to a defendant who intends to plead guilty. It is impossible to estimate how often defendants who waive counsel and plead guilty have sufficient grounds for a defense to make representation very valuable. Each judge and prosecutor was asked how many such cases he knew to have occurred in his district. Over 90 percent of those responding to the questionnaire checked the category "0 to 20 percent," and most persons interviewed knew of no such occurrence in their districts. Most judges and attorneys felt that even where the defendant is clearly guilty, counsel could often be of help in connection with the sentence, especially in presenting mitigating circumstances not known to the court. But a few suggested that counsel is usually superfluous in this respect because of the pre-sentence report compiled by the probation office in every case.[21] A number of attorneys suggested that the primary value of counsel to a defendant intending to plead guilty is counsel's ability to secure a reduction of the charges in return for the guilty plea.

Defendants who waive the right to counsel rarely plead not guilty and attempt to represent themselves at trial. Many of the persons questioned had never experienced such an occurrence, and most of the others knew of only a few cases of this type. Everyone interviewed considered trials without counsel to be highly undesirable. Since the defendant is seldom acquainted with the rules of evidence and techniques for examination of witnesses, the judge allows him considerable latitude in conducting his defense, and most U.S. attorneys indicated that they also would treat a case involving an unrepresented defendant differently. In addition, many persons thought that the appearance of a defendant without counsel tended to prejudice the jury in his favor. Therefore in districts where waivers are freely accepted from those who intend to plead guilty, a defendant is rarely permitted to go to trial unrepresented. If one adamantly refuses counsel, the court will sometimes appoint an attorney to sit as amicus, with whom the defendant may consult during trial. This practice seems desirable,[22] since trials in which the defendant represents himself have no commendable features whatsoever and often may produce an error-filled record and an irrational verdict.

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[12] Of a total of 28,496 Federal criminal defendants whose cases were terminated in fiscal 1962, 71.3 percent pleaded guilty immediately and another 15.2 percent subsequently withdrew a different plea and pleaded guilty. Thus only 13.5 percent went to trial. These statistics do not include juvenile-delinquency proceedings and also omit all cases from the District of Columbia, Guam, the Virgin Islands, and the Canal Zone. Table II, attached to letter from the Administrative Office of the U.S. Courts to the Harvard Law Review, Oct. 9, 1962.

[13] Two-thirds of the Federal judges responding to a Yale Law Journal questionnaire indicated that they took the defendant's plea into account in determining sentence. See Comment, 66 Yale L.J. 204, 206 (1956).

[14] The remaining 46 percent estimated that assigned counsel entered about the same percentage of guilty pleas as retained counsel. Virtually all defendants who waive the right to counsel plead guilty. See p. 565, infra.

[15] 18 U.S.C. sec. 2312 (1958) (interstate transportation of stolen motor vehicles).

[16] According to the statistics supplied by the Administrative Office of the U.S. Courts, counsel was appointed for 30.2 percent of a total of 29,736 defendants in fiscal 1962. The types of crimes for which the highest percentage of appointments were made were: (1) Dyer Act (auto theft) (47 percent); (2) forgery (43.1 percent); (3) narcotics violations (39.9 percent); (4) larceny (37.3 percent). These were also the types of crimes in which the four highest conviction rates obtained. Of all Federal defendants 95.88 percent were convicted; the highest rates by type of crime were: (1) forgery (98.32 percent); (2) auto theft (97.97 percent); (3) larceny (95.82 percent); (4) narcotics violations (95.57 percent). Of defendants with assigned counsel only 0.85 percent more than other defendants were convicted, so the correlation would seem to be explained by the nature of the crime rather than the source of representation. See tables III and IV, attached to letter from the Administrative Office of the U.S. Courts to the Harvard Law Review, Oct. 9, 1962.

[17] Questionnaire replies from the district of Wyoming, the northern district of Oklahoma, and the eastern and southern districts of Texas indicated a waiver rate of 81–100 percent. Other respondents from the two Texas districts, however, indicated a lower percentage. Only one reply was received from each of the other two districts.

[18] The districts were divided into four categories according to the number of criminal defendants in fiscal 1961: (a) more than 750 defendants (9 districts); (b) 501–750 (12 districts); (c) 201–500 (34 districts); (d) fewer than 201 (36 districts). The questionnaire asked whether the percentage of criminal defendants waiving the right to counsel was 0–20, 21–40, 41–60, 61–80, or 81–100 of the total. Almost 75 percent of those responding from districts in category (a) indicated 0–20 percent, while in the other categories only about 50 percent did so.

[19] In fiscal 1961 the percentage of defendants for whom counsel was appointed varied from 0 percent of a total of 41 defendants (district of Rhode Island) and 5.3 percent of 76 (district of South Dakota), to 62 percent of 137 (district of Utah) and 75.3 percent of 392 (district of New Mexico). Counsel was appointed for 29.3 percent of all Federal criminal defendants. Table attached to letter from the Administrative Office of the U.S. Courts to the Harvard Law Review, March 30, 1962.

In fiscal 1962 the percentage of appointments varied from 2.2 percent of a total of 45 defendants (district of New Hampshire) and 3.8 percent of 400 (western district of Louisiana), to 69.9 percent of 163 (eastern district of Illinois) and 70.5 percent of 224 (district of Oregon). Counsel was appointed for 30.2 percent of all Federal criminal defendants. Table V, attached to letter from the Administrative Office of the U.S. Courts to the Harvard Law Review, Oct. 9, 1962.

As to those defendants for whom counsel was not assigned, these statistics unfortunately do not distinguish between those who were unrepresented and those who had retained counsel. Thus they provide at best only a rough indication of the extent of waiver of counsel, since there would seem to be no basis for an assumption that the percentage of indigent defendants is constant throughout the country and therefore that a low percentage of appointments automatically indicates a high percentage of waivers.

[20] Many judges explained their reluctance to allow waiver of counsel on the ground that virtually all defendants need legal assistance to obtain just disposition of their cases. Another reason often given was that a defendant who waived the right to counsel might later move under 28 U.S.C. § 2255 (1958) for a reversal of his conviction, claiming either that his waiver of counsel was not made intelligently or that his right to counsel was not adequately explained to him. Consistent appointment of counsel will prevent such collateral attacks.

[21] Fed. R. Crim. p. 32(c).

[22] See Staff of House Committee on the Judiciary, 86th Cong., 2d sess., "Report on Representation for Indigent Defendants in Federal Criminal Cases" 153 (committee print 1960) (hereinafter cited as 1960 staff report).

4. Determination of indigency: The most widely felt abuse of the assignment system is the false claim of indigency to obtain free counsel. In more than three-fourths of the districts, no investigation of indigency is conducted other than perfunctory questioning by an official, usually the judge presiding at the arraignment. If the defendant is without counsel and claims indigency, he is generally believed and counsel is assigned. Most persons interviewed deplored false claims, but felt that any extensive investigation of indigency would cost more than it would be worth. In a few districts there is extensive probing by the judge, the U.S. attorney, or the probation department into the defendant's background and resources. In several others, the defendant must file an affidavit of indigency under oath. One advantage of the latter practice is that the defendant theoretically can be prosecuted for perjury if he is not indigent; in practice, however, those persons questioned felt that the indigency concept is so vague as to make it virtually impossible to convince a jury that a defendant was clearly not indigent and had willfully lied. Apparently no prosecutions based on perjured indigency oaths have been attempted,[23] but the threat of prosecution and the formality of executing an affidavit may be salutary.

Another method for combating false indigency claims is inquiry into the source of bail.[24] Even in districts where indigents are ordinarily assigned counsel as a matter of course, judges often hesitate to assign counsel to a defendant who has met bail, especially if the amount set was relatively large. In a few districts the practice is to refuse to appoint counsel for any defendant who has met bail unless unusual circumstances are shown.[25] But the bail test, while it has a rational relation to the fact of indigency, can hardly be determinative. Often a parent or other person may put up bail or pay a bondsman's fee in order to secure the defendant's freedom, but is either unwilling or unable to pay even a moderate fee to a criminal lawyer. A rigid bail test will sometimes thus require that an indigent forgo bail to preserve his right to counsel. A bail test may seem more justifiable where the defendant has exhausted his own funds to pay a bondsman's fee.[26] Since the defendant could choose to remain in jail and use his money to retain counsel, some persons interviewed felt that a lawyer should not be asked to provide gratuitous representation. But once again the use of a bail test forces the defendant to choose between freedom and representation. Since there is no significant interest served by requiring this choice and since it is one not required of wealthy defendants, a rigid bail test seems clearly unwise and is contrary to a philosophy of equal representation. It does seem proper, however, to treat the posting of bail as a signal for more searching inquiry into the purported indigent's finances.[27]

One suggestion for eliminating false claims of indigency is to refer borderline cases to a panel of capable attorneys willing to handle criminal cases for a modest fee.[28] If all these lawyers refused the case, the defendant would be deemed eligible to have counsel assigned. An advantage of such a practice is that it would provide a method for referring defendants with limited funds who are unacquainted with any lawyer to a competent person whose fees are moderate. But such a system might delay arraignments considerably, since the process of decision by the panel would be time-consuming. Another solution to the borderline indigent problem might be a partial fee system, whereby a defendant would bear a portion of the cost of his defense commensurate with his ability to pay. At present, when the defendant states that he cannot afford a full fee, the practice seems to vary. In about 40 percent of the districts the court will assign counsel and order the defendant to pay what he can afford.[29] Elsewhere, it would appear that either counsel is assigned and receives no compensation or the defendant is told to retain counsel with whatever money he has. About 70 percent of the judges responding to the questionnaire, however, said they would favor establishment of a partial fee system.[30]

Occasionally a lawyer assigned to represent an indigent discovers that in fact the defendant has funds. The usual practice in such a case is for the attorney to report his discovery to the judge, who either authorizes him to charge a reasonable fee or discharges him from the assignment and advises the defendant to retain the same counsel or one of his own choosing. In some districts the judge will require the defendant to pay a reasonable fee to the assigned counsel for services already performed; in others, the judge will permit the lawyer to collect a fee only if the defendant will pay voluntarily. It seems clearly preferable that the judge attempt to compel payment if he is satisfied that the defendant is not indigent. A defendant whose conscience will permit him to claim indigency falsely is unlikely to pay voluntarily if his obligation is considered only a moral one, and a lawyer should not be asked to serve without compensation for a defendant not entitled to free representation. While most of the judges responding to the questionnaire felt that assigned counsel could not properly accept a fee without the court's permission, over 25 percent did not consider this objectionable. But judicial approval would seem absolutely essential to avoid the application of improper pressure by an attorney upon a defendant.

Determining the proper extent of indigency investigations is very difficult. In principle it seems clearly wrong for courts to allow persons capable of retaining counsel to obtain free representation in violation of existing law, thereby unnecessarily burdening the bar. But extensive investigation is extremely costly and determination of indigency is often difficult. Moreover, most abuses of the indigency requirement are apparently committed by persons with extremely modest fund, who not only are reluctant to spend their own money for a lawyer but also may feel that an assigned counsel would be more capable than anyone they could retain. Such an opinion would seem to have considerable foundation, since most persons interviewed indicated that assigned counsel are at least as competent as most retained counsel, and are frequently more able.[31] Thus the present disinclination to investigate indigency thoroughly may well be justified by practical considerations.

5. Assigned counsel's preparation: The time spent by assigned counsel in court and in outside preparation naturally varies considerably from case to case. Since the typical indigent defendant pleads guilty[32] counsel's role is generally limited to appearances at arraignment and sentencing, discussions with his client and the prosecutor, and occasionally a brief investigation of the case in order to uncover mitigating circumstances. It is thus not surprising that the consensus of responses was that in about half of all assignment cases, counsel spends less than 3 hours in out-of-court preparation, and in at least three-fifths of the cases he makes only one or two brief appearances in court. Many persons felt it impossible to estimate time spent with any degree of accuracy, and some commented that assigned counsel spent as much time as was necessary in nearly all cases.

When asked to comment on the thoroughness of assigned counsel's preparation, about 20 percent of those responding considered it very adequate, and almost all the rest found it adequate. Only about 7 percent judged it to be inadequate, and only one judge thought assigned counsel's preparation was seriously deficient. But there were indications in the interviews that while assigned counsel are normally well prepared if a trial is to occur, a hurried 10-minute conference in a corner of the courtroom is often the sole prelude to a guilty plea.

6. Reaction of counsel to assignment: U.S. district judges were asked to report the reaction of attorneys in their district to receiving assignments in indigency cases, although it was realized that most attorneys would rarely complain to the judge. Over 20 percent of those responding said that such appointments apparently were no burden at all; the majority, however, felt that the average lawyer considered them at least a minor

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[23] Such prosecutions would present a peculiar problem. In many districts assigned counsel may obtain a fee if after appointment it appears that the defendant does have funds. Ordinarily this practice creates no real difficulties. But a lawyer assigned to defend a man charged with perjury for falsely swearing indigency would seem to have an interest directly opposed to that of his client; while an acquittal would tend to establish the defendant's inability to pay a conviction would show that the defendant is not indigent, and thus that the lawyer could obtain a fee.

[24] A defendant has a right to bail except in a capital case. Fed. R. Crim, p. 46.

[25] A bail test is also used in the Superior Court of Los Angeles County, where the State public defender represents all indigents. Approximately 10 percent of the defendants are able to raise bail; these persons are expected to retain counsel "in the absence of some serious mental or physical disability, or other situation, which renders * * * (them) unemployable." The court assists nonindigents by contacting an attorney on a referral list upon request, or by directing the defendant to a lawyers' reference service managed by a bar association. Letter from judge of superior court, Los Angeles, to the Harvard Law Review, Oct. 11, 1962.

[26] But see Trebach, "A Modern Defender System for New Jersey," 12 Rutgers L. Rev. 289, 325 (1957); Schwartz, "The Future of the Defender Association," 19 Legal Aid Brief Case 73, 75 (1961).

[27] See New York Institute of Judicial Administration, Public Defenders 9 (1956).

[28] See Trebach, *supra* note 26, at 325–26.

[29] In several districts when an indigent is placed on probation the judge may condition such probation on payment in small installments of a modest fee, agreed upon by counsel and client or fixed by the court. It might be argued that such a payment condition deprives the indigent defendant of a right to free representation. But since probation allows the defendant to obtain gainful employment, it seems reasonable to require him to utilize some of his earnings to satisfy the moral obligation to his assigned counsel, who may have been instrumental in persuading the court to grant probation.

[30] Since such a procedure would seem to be open to the judge whenever he wishes, it is unclear why so many judges who favor a partial fee system have never utilized one.

[31] It may be that persons on the borderline of indigency presently obtain the least adequate representation. "An indigent defendant, through the services of a first-rate volunteer attorney, may receive a better defense than one who pays a small fee and gets incompetent or indifferent counsel." Address by Attorney General Robert F. Kennedy, American Bar Association house of delegates, San Francisco, Aug. 6, 1962.

[32] See p. 583 supra.

burden, and about one-sixth thought they were considered highly burdensome. In the interviews many expressed the view that uncompensated assignments were only a minor burden, but nevertheless one that lawyers should not have to bear; others viewed appearances in indigency cases as a duty of the legal profession for which lawyers should not expect remuneration.

7. Investigation and witnesses: Under the present system assigned counsel not only donates his time but also receives no reimbursement for out-of-pocket expenses incurred in the preparation of a case; [33] thus investigation needed to discover the circumstances of the crime, to support an alibi, or to uncover favorable witnesses must be financed by the lawyer himself. Since the cost of hiring trained private investigators would ordinarily be prohibitive and counsel may lack the time and money to do the investigatory work himself, favorable defenses may have to be forgone. Interviews revealed several instances in which an assigned lawyer spent several days in a distant city at his own expense in preparing a defense, but such dedication is probably rare and certainly constitutes a sacrifice that should not be expected. The questionnaire asked whether preparation of defenses suffered from lack of funds for investigation, and almost 40 percent felt that preparation was seriously hampered. Less than 10 percent thought that the defense was not hurt at all. With respect to the financial impact of unreimbursed expenses upon counsel, almost half of the respondents indicated that expenses were burdensome, and almost 10 percent considered them highly burdensome. It is therefore not surprising that virtually all persons interviewed, whatever their view on the present system in general, felt that some plan for reimbursing reasonable expenses should certainly be adopted.

There are a few exceptions to the general rule that assigned counsel must bear the cost of a defense. If an indigent is unable to pay the cost of bringing to the trial a witness whose testimony is material to the defense, the court may issue a subpena to insure the attendance of the witness, and the necessary expenses will be paid by the Government.[34] It would seem that this authorization is broad enough to include payment of expert witnesses considered necessary by the defense.[35] Even if it is not, the court is authorized to appoint and pay expert witnesses of its own selection,[36] and presumably it could do so at defense counsel's suggestion; however, such a witness must advise both parties of his findings—a requirement which may prove disadvantageous to the defendant.[37]

The court may also order the Government to pay the expenses of defense counsel in obtaining depositions from witnesses unable to appear at trial.[38] In two cases involving serious crimes on Wake Island,[39] the district judge in Hawaii obtained reimbursement from the Administrative Office of the U.S. Courts for expenses of assigned counsel in making trips to the scene of the crime. If such expenses can be reimbursed, it might seem that the Government, even under existing law, could pay for investigatory trips to distant districts or even to other areas within the same district. But in the exceptional cases noted above the crimes were serious and the district court was far removed from the scene of their commission; the Administrative Office has indicated that it will continue to deny requests for reimbursement in other cases.[40]

The problem of preparing an adequate defense is ameliorated in some districts by the practice of allowing defense counsel access to the prosecution's records. More than two-thirds of those responding indicated that these records were made available to defense counsel in the normal case, although a higher percentage of judges than of U.S. attorneys indicated that this was done in their districts. Some prosecutors interviewed believed that the defense was entitled to view the prosecution's records in order partially to redress the imbalance in investigatory facilities which normally exists in a criminal case. Others thought that revealing at least part of their case to the defense resulted in more guilty pleas, since defense counsel often became aware of the hopelessness of obtaining an acquittal. Because familiarity with the prosecution's case may enable assigned counsel to become acquainted with the facts and to discover possible defenses and favorable witnesses, the practice of permitting them access to the Government's files compensates at least to some extent for the lack of time and funds for investigation and therefore seems highly desirable.[41] A more direct means of redressing the imbalance would be to permit utilization of the prosecution's investigatory facilities. Interviews suggested, however, that such a procedure is seldom permitted.[42] The proposition that such agencies as the Federal Bureau of Investigation should be neutral in loyalty, serving both prosecution and defense, is not indefensible. But such a departure from existing practice seems unlikely.

8. Difficulties in obtaining counsel: It appears surprisingly easy for Federal district judges to obtain lawyers who will represent indigents without remuneration. Almost 80 percent of those responding indicated that they had very little difficulty in obtaining counsel for all indigents who desired one. About one-sixth said there was some difficulty, and only 5 percent had experienced substantial difficulty in obtaining counsel. One factor cited by those interviewed which would explain the ease with which counsel is obtained is the considerable prestige of the Federal courts. And some lawyers, especially younger ones, desire Federal court experience and wish to become known to the district judge and other Federal officials. Also, many attorneys would be reluctant to refuse a judge's request when they might later have to appear before him on an important matter.

Should a lawyer who has been requested to represent an indigent appear unwilling to do so without giving a satisfactory reason to be excused, opinion differed among judges as to whether he should or could be compelled to serve.[43] Only about 10 percent felt that the court lacks the power to require the lawyer to defend an indigent. Another one-fourth felt that they should not order a reluctant attorney to serve, in part because such an action might create bad feeling within the bar, and in part because the indigent might not receive adequate representation from resentful counsel. The majority of judges, however, argued that it is definitely the lawyer's duty to serve and that they would order him to do so. This view may be preferable since if it became known that a mere indication of unwillingness would cause the court to turn elsewhere, it might become significantly more difficult to obtain adequate representation for indigents. Moreover, excessive lenience in accepting excuses will unfairly burden honorable and conscientious lawyers with an inequitable number of assignments.

Explanatory factors cited by the few judges who found some difficulty in obtaining counsel for indigents included competition with the State courts for a relatively small bar, an unusually heavy criminal caseload, and a shortage of capable criminal lawyers. Judges were asked whether particular types of cases present unusual difficulty in obtaining counsel; a majority responded in the negative. Most of those answering in the affirmative found difficulty in cases where a prolonged trial was anticipated. A few others mentioned conspiracy indictments, narcotics cases, and Smith Act [44] prosecutions.

9. Time of appointment: Normally the indigent appears at arraignment without counsel. If counsel is appointed the arraignment is delayed so that he may confer with the defendant and become acquainted with the facts of the case. Over five-sixths of those questioned felt that it would be valuable to the defendant to have representation at some point before the arraignment session. Early representation was considered important for a variety of reasons, of which one of the most common was simply that the defendant's rights should be protected early. Others stressed that he would not be so likely to give incriminating statements to officials after conferring with a lawyer. Emphasis was also placed on the advantage to the lawyer in becoming involved in the case as soon as possible; early involvement may enable him to discover defects in the indictment or information,[45] to gain the confidence of the client, to get an accurate version of the facts, and to uncover evidence while it is still fresh.

The questionnaires sought opinions as to the most appropriate time for appointment. About half of those responding indicated merely that representation should be afforded as soon as possible.[46] Most of the specific recommendations indicated that a day or two before arraignment was sufficient, though a smaller number suggested a week, and several persons thought appointment should be made as early as the preliminary examination. Most advocates of early representation felt that it could be provided within the framework of the present assigned counsel system, but there were few concrete suggestions for implementing such a plan. In those few districts where some attempt is now made to provide counsel before arraignment, the most common approach is for the U.S. attorney, a probation officer, or the marshal to notify the judge when a defendant desires representation. This approach is somewhat less than satisfactory, for the official usually is aware of the needs only of those defendants who are in jail; persons released on bail thus have no opportunity to obtain early representation. Furthermore, the defendant often will have had ample time to make damaging admissions before his assigned counsel can advise him. A suggestion made by 10 respondents was that the commissioner should appoint counsel when the defendant is brought before him shortly after arrest. At present, commissioners seem unsure of their power to appoint counsel and hesitate to assume the responsibility. Occasionally, however, if the defendant requests counsel at this stage the commissioner will notify the district judge, who may make an appointment.

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[33] See Celler, "Federal Legislative Proposals To Supply Paid Counsel to Indigent Persons Accused of Crime," 45 Minn. L. Rev. 697 (1961).

[34] Fed. R. Crim. P. 17(b).

[35] *United States* v. *Fox*, 19. F. Supp. 463 (S.D.N.Y., 1937). See *Willis* v. *United States*, 285 F.2d 663, 665 (D.C. Cir. 1960) (dictum). But see *United States* v. *Brodson*, 241 F. 2d 107, 110 (7th Cir.), cert. denied, 354 U.S. 911 (1957).

[36] Fed. R. Crim. P. 28.

[37] See *United States* v. *Brodson*, 241 F. 2d 107, 114 (7th Cir.) (dissenting opinion), cert. denied, 354 U.S. 911 (1957).

[38] Fed. R. Crim. P. 15(c).

[39] *United States* v. *Garin*, Crim. Nos. 11,512 & 11,559, D. Hawaii, May 7, 1962; *United States* v. *Limsipson*, Crim. No. 11,640, D. Hawaii, April 19, 1962.

[40] Letter from the Administrative Office of the U.S. Courts to the Harvard Law Review, Oct. 1, 1962.

[41] See New York Institute of Judicial Administration, Public Defenders 14 (1956).

[42] One-third of the questionnaire respondents indicated that investigatory facilities are made available, but many of them pointed out that this is done very rarely.

[43] Some judges indicated that the bar was so cooperative that the problem had never arisen.

[44] 18 U.S.C. § 2385 (1958).

[45] Objections to the information or indictment are normally waived unless made before trial. Fed. R. Crim. P. 12(b)(2).

[46] One district judge, apparently more concerned with the preventive than the punitive purpose of the criminal law, suggested that representation be afforded before the offense was committed.

As an alternative, other districts could consider adoption of the system used in Detroit or in Milwaukee. In Detroit no commissioner is used, for the judges rotate in presiding at the defendant's first appearance. Detroit officials pointed out that since the judge has no doubt of his power to appoint counsel immediately, the system insures early representation for those who wish it.[47] In Milwaukee the judges conduct a prearraignment explanation-of-rights session at which counsel are assigned to indigent defendants.

B. Defender organizations

In Cleveland, New York City, Philadelphia, and Washington, D.C., a system of institutional defense provides representation for some indigent Federal defendants. In the first three cities, privately financed legal aid societies or defender associations,[48] originally established for the purpose of representing indigents in State or local courts, have expanded their activities to include some Federal criminal cases.[49] In Washington, D.C., on the other hand, a government-financed agency was established to assist the local bar in representing the unusually large number of indigents appearing in the Federal courts of that city.[50]

In Cleveland the local judges have been hestitant to utilize the Legal Aid Society's services,[51] thus freeing two of its staff to represent a number of indigents in the Federal district court. The extent to which these attorneys are utilized by the Federal court varies greatly depending on the judge presiding over the criminal calendar. One judge with long experience reported that he used them rarely, preferring instead to appoint a lawyer present in the courtroom. A more recently appointed judge utilizes legal aid attorney on many occasions. All the Cleveland Federal officials questioned felt that the society had provided good representation and constituted a more satisfactory method of obtaining counsel than assigned private lawyers. One judge noted that the legal aid lawyers as yet lack experience, but it was also mentioned that appointed private attorneys are also inexperienced as a rule and often are merely seeking a chance to try a case in the Federal court. The investigatory facilities afforded by the Cleveland society give their attorneys an advantage not available to private assigned counsel. Continued availability of legal aid lawyers to the Cleveland Federal court, however, seems dependent on their continued disuse in the local courts.

In Philadelphia the Community Chest supports the Defender Association of Philadelphia, which handles representation for some indigents in the Federal courts.[52] The usual practice is for a defender to represent only indigents who requested counsel and who cannot meet bail. A private lawyer is chosen from a panel of volunteers, however, when there are multiple defendants with conflicting interests, when a defendant objects to being represented by the association, or when the trial promises to be of exceptionally long duration. The association provides prearraignment representation for those unable to post bond; for those who have posted bond, if the judge determines at arraignment that they are nevertheless indigent, a defender or private attorney will be appointed at that time. The defender office sometimes investigates and rejects certain indigency claims that it feels are false. The representation provided by the association is apparently of high quality, and through its streamlined office procedure, the use of law students as investigators, and the services of volunteer lawyers, it can provide representation for many defendants at low cost. Continuance of its services, however, is occasionally threatened by lack of funds.[53]

In the southern district of New York,[54] the New York City Legal Aid Society assigns a staff member to represent Federal indigent defendants.[55] Since there are very few waivers in the district, a large number of indigents must be defended, virtually all of whom are represented by the legal aid lawyer. A private attorney must be assigned, however, when several defendants in a case have conflicting interests. The judges interviewed indicated that obtaining private counsel constituted a considerable problem, especially when a protracted trial was anticipated. Interviews and questionnaires indicated that typically the attorney from the society is highly competent and dedicated to his work. The representation he provides is considered far superior on the whole to that afforded by the typical retained lawyer in a minor criminal case. Familiarity with Federal criminal substantive law and procedure enables him to dispose of a heavy caseload with great efficiency. The society has investigatory facilities which help the efficient preparation of a defense, although the opinion was expressed that more money was needed for this activity. No formal investigation of indigency is held, but the legal aid attorney in the southern district felt that he could usually discover and eliminate the false claimants. Assignment in New York is made on arraignment day, and although counsel can request any continuance that he feels to be necessary, earlier representation would seem desirable. The Legal Aid Society could undoubtedly provide representation at an earlier stage if it were notified, but this additional responsibility might well require an expanded staff, and while the New York bar provides generous financial support,[56] this source of funds is not inexhaustible.

The Federal District Court for the District of Columbia faces a unique situation. The District of Columbia is a Federal enclave, and the district court has jurisdiction over local felonies as well as the Federal crimes handled by other district courts. As a result the number of indigent defendants entitled to representation under the U.S. Constitution is disproportionately large.[57] In 1960 Congress established the Legal Aid Agency for the District of Columbia to ameliorate the heavy burden which representing these indigents had theretofore placed on the local bar. The Agency is supported by Federal appropriations, but is governed by a private board of trustees which serves without pay. Its staff, consisting of seven attorneys and four investigators as well as an administrator and several secretaries, was not intended to supply all needed representation, and thus volunteers from the local bar are still utilized to a large extent. The Agency's procedure is to conduct an investigation to determine indigency, and to administer an oath of indigency to those who qualify for free representation.[58] It then recommends specific lawyers for appointment by the court.[59] In the year ending May 31, 1962, volunteer private attorneys recommended by the Agency conducted the defense in about two-thirds of the cases; lawyers on the Agency's staff handled about 20 percent; and representation in the remaining one-eighth was supplied by the Georgetown University Law Center Legal Interns.[60] All assigned counsel, whether or not they are on the Agency staff, may use the investigative facilities of the Agency; 60 percent of the 189 Agency investigations conducted from June 1, 1961 to May 31, 1962, were performed for outside counsel.[61] As these investigations averaged nearly 10 hours apiece,[62] conducting them at public expense relieves private counsel of a substantial burden. The statute also provides for reimbursing out-of-pocket expenses incurred by outside counsel, but apparently this is not done to a significant extent at present.[63] The Agency is sometimes able to provide representation at the preliminary hearing before the U.S. Commissioner. But staff limitations prevent it from appearing each time the Commissioner requests; therefore, since the Commissioner does not himself appoint counsel, a number of defendants are not represented at preliminary hearings.

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[47] Persons interviewed in Detroit also stressed that their system enables more defendants to be released on their own recognizance without posting bail. Since judges have prestige and tenure superior to that of commissioners, they are not as likely to fear the criticism which might develop if a defendant failed to appear, and therefore need not protect themselves by setting substantial bail.

A possible objection to the Detroit approach is that the judge who binds the defendant over upon a showing of probable cause may also preside at the trial. But this complaint could be easily met in multi-judge districts by assigning the initial appearance and the trial to different judges. Even in a one-judge district, the argument seems largely theoretical, since the decision that probable cause exists is hardly a prejudgment of the issue of guilt beyond a reasonable doubt.

[48] The distinction between a legal aid society and a defender association is not a purely verbal one. Legal aid societies normally represent indigents in civil cases, but some appear also in criminal matters. Defender associations, often described as "private" or "voluntary" to avoid confusion with government-financed public defender offices, represent indigent criminal defendants only.

[49] The Boston Voluntary Defender Office formerly represented indigents in the Federal District Court for Massachusetts. In 1960 this body was granted financial support by the State and renamed the Massachusetts Defender Committee; its activities are now limited to the State courts. See Hall, Public Funds Support New Massachusetts Defenders Committee, 19 Legal Aid Brief Case 10 (1960).

[50] D.C. Code Ann. §§ 2-2201 to -10 (1961).

[51] It was suggested that since Ohio law permits judges to compensate assigned counsel, the Cleveland judges preferred to make assignments which serve as a source of patronage, rather than utilize the society's attorneys.

[52] See note, 107 U. Pa. L. Rev. 812, 836-853 (1959); Letter from assistant defender, Defender Association of Philadelphia, to the Harvard Law Review, Oct. 2, 1962.

[53] See [1957-58, 1958-59, 1959-60] Directors of the Defender Association of Philadelphia Ann. Rep.; Schwartz, supra note 26, at 74.

[54] The Legal Aid Society also represents indigents in the eastern district of New York.

[55] The principal responsibilities of this lawyer are the arraignments and other matters appearing on the daily miscellaneous criminal calendar. When an indigent pleads not guilty, a different attorney from the society represents him at the trial.

[56] Many persons interviewed emphasized that the large law firms make substantial contributions, and one judge expressed the view that the relative affluence of the New York bar unfortunately inhibits any feeling in the community of responsibility for financing the defense of indigents.

[57] In addition, many indigents prosecuted for lesser offenses in the municipal court for the District of Columbia have a constitutional right to representation, while minor offenders in State courts do not. The statute which established the Legal Aid Agency for the District of Columbia authorized it to appear in the municipal court, but its operations there have been limited and sporadic, primarily for budgetary reasons.

[58] The agency lawyers ordinarily are assigned to jailed defendants in advance of arraignment, but appointments for indigents released on bail are not made until arraignment.

[59] The agency has compiled a long list of volunteers and ordinarily recommends two or three, from whom the judge selects one. Such an assignment process enables the agency to distribute indigency cases so as to insure that few volunteers are called upon more than once annually and that its staff lawyers receive a maximum number of cases without becoming overburdened.

Those interviewed in the District of Columbia generally felt that the Legal Aid Agency has provided good representation for indigents and has significantly reduced the burden on the bar. Differing views were expressed, however, as to the advisability of expanding its services and budget. The Agency's director felt that the current budget is adequate to operate the system in its present hybrid form if the Agency's operations are not extended to the municipal court. He thought that several years' experimentation using both volunteer private counsel and the paid legal aid staff would be valuable in making an ultimate choice as to the best method. Others pointed out that since private counsel still appear without fee in a large number of cases, it would be desirable either to increase the Agency's staff or to provide compensation for private assigned counsel.

II. OVERALL EVALUATION OF THE PRESENT SYSTEM

There are many aspects of the present uncompensated assignment system which would appear to inhibit attainment of the ideal of providing adequate representation for each indigent defendant. A prominent defect is the dependence upon young, inexperienced lawyers for all but the most difficult or serious cases. The typical assigned counsel is little versed in the technicalities of the criminal law or the questioning of accused persons, and has had little if any previous courtroom experience. But use of inexperienced lawyers seems almost inevitable under a noncompensatory system for two reasons: judges prefer not to impose on successful attorneys whose monetary sacrifice may be substantial and who might often provide only perfunctory representation because of other pressing business; and judges prefer to appoint willing young lawyers who are able to devote sufficient time to the indigent and can improve their professional competence by gaining valuable experience.[64] The practice of appointing lawyers present in the courtroom solely to obtain indigency assignments combines a type of willingness with a modicum of experience, but some persons interviewed indicated that the experience of many of these men is primarily in the extraction of fees from their clients. This method seems even less likely to provide adequate representation and is fortunately rare in the Federal courts. The enthusiasm-experience dilemma seems incapable of satisfactory solution under existing conditions.

Another weakness of the present system is that district judges must occasionally expend considerable time and effort to obtain counsel for indigents. The burden can be reduced in most cases through preparation of a list of volunteers by the local bar association, while selection and notification of counsel can be delegated to the clerk or a secretary. But neither of these methods is of much assistance in particularly difficult or serious cases, and the drain on judicial resources is particularly acute when the defendant's cause is unpopular or a prolonged trial is anticipated. In such cases weeks or months have occasionally been required to obtain counsel, and sometimes only then by forcing large local law firms either to donate a man apiece or to contribute to a fee for outside counsel who could not fairly be asked to bear the burden alone.[65] Such drastic solutions may create friction between bench and bar, but the noncompensatory system leaves the judges with no reasonable alternative.

In addition, the nuisance of obtaining counsel and the understandable hesitancy to impose too frequently upon lawyers may induce some judges to accept an excessive number of waivers of the right to have counsel appointed. Few waivers are probably accepted "improperly" in the constitutional sense of coercion, inadequate explanation, or incapacity of the defendant, but the high percentage of waivers presently occurring in some districts seems unfortunate. While it may seldom happen that an unrepresented defendant with grounds for a defense discernible only to a lawyer pleads guilty through ignorance, prevention of any such occurrences is highly desirable. Moreover, counsel may be of help in obtaining a reduction of charges and an equitable sentence.[66] It would seem therefore that counsel should be appointed for all indigent defendants, except perhaps when an intelligent and mature defendant, after a full explanation by the court of the advantages of representation, firmly insists on pleading guilty without counsel.

Another disturbing feature of the unpaid counsel system is that it may encourage unwarranted guilty pleas by assigned counsel. A retained lawyer who spends considerable time on a case ordinarily is compensated accordingly, and therefore lacks any incentive to seek a speedy disposition unfavorable to his client. But an unpaid assigned counsel, who must sacrifice time and money if he appears at trial, has an interest in encouraging a guilty plea in order to conclude the case rapidly, unless he is seeking trial experience. Evidence to support the view that the noncompensatory system does encourage guilty pleas may be found in the responses to the questionnaires.[67] While few persons among those interviewed discerned a significant tendency to enter such pleas in doubtful cases,[68] it seems unwise to utilize a system which may encourage ill-considered guilty pleas.

Another highly indefensible aspect of the present system is its failure to reimburse assigned counsel for out-of-pocket expenses. During interviews this defect was almost unanimously condemned, since lack of reimbursement clearly burdens assigned counsel and inhibits preparation of a satisfactory defense by all but the wealthiest or most dedicated lawyers. In at least one large city, an association of private investigators has volunteered its services in preparing defenses for indigents, and in other cities private investigators might be asked to do so. But obtaining their services might prove more difficult than securing lawyers, since investigators have no connection with the operations of the courts. Moreover, all of the factors which may induce uncompensated counsel to perform perfunctorily in indigency cases would apply equally to investigators. An alternative technique would be for the local bar association to reimburse assigned counsel for out-of-pocket expenses reasonably incurred in representing indigents. This approach has the advantage of spreading the burden of expenses equitably among the bar as a whole, although it does not spread it among the entire community, where it seems properly to belong.

Some districts have devised methods for amelioration of the present system's defects which might usefully be adopted elsewhere. In districts with a large number of criminal cases, the bar association could be requested to provide a panel of lawyers supervised by an experienced attorney, as is presently done in San Francisco and Los Angeles. Since more than two-thirds of the judges responding to the questionnaire who had requested the cooperation of the local bar association reported good success, the panel approach might be widely feasible. It largely frees the court from the task of obtaining counsel and rotates the burden of representing indigents over a large number of lawyers, but it provides no advantages in serious or difficult cases where it seems desirable to obtain very experienced attorneys. It is conceivable that the panel system could be expanded to provide representation before arraignment day, perhaps as early as the preliminary examination by the commissioner. Providing such representation, or even representation after the preliminary examination but before arraignment, would increase significantly the panel member's burden, for it presumably would require him to make several trips to interview the indigents to whom he has been assigned rather than the one he now must make on arraignment day.

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[60] See [1961–62] Legal Aid Agency for the District of Columbia Ann. Rep. 3–11 and appended table. The Georgetown interns are graduate law students who have been admitted to the bar; after instruction in criminal procedure and experience gained from representing indigents in the municipal court, they each handle several district court indigency cases.

[61] See id. at 4, II.

[62] Ibid.

[63] Although private counsel appeared in 519 cases between June 1, 1961 and May 31, 1962, in the first 11 months of that period only $623 was paid out for reimbursement of their expenses. Id., appended table and statement of expenses.

[64] Three-fifths of the questionnaire respondents indicated that the experience provided by indigency assignments is "very valuable" to young lawyers, and virtually all the rest felt it is "of some value." But it has been suggested that such experience should not be gained to the detriment of the defendant. See Trebach, "A Modern Defender System for New Jersey," 12 Rutgers L. Rev. 289, 296 (1957).

[65] Such a solution to the counsel problem had to be adopted by Pittsburgh Federal district judges in a highly publicized Smith Act prosecution. Interview with U.S. district judge, western district of Pennsylvania, July 3, 1962.

[66] The U.S. attorneys' questionnaire asked whether defense counsel can play an important role in achieving the proper disposition of a case after conviction; almost 90 percent of the respondents answered in the affirmative.

[67] See p. 583 supra. The statistics for the fiscal year 1962, supra note 12, would seem to corroborate the opinion of many judges and U.S. attorneys that assigned counsel enter a higher percentage of guilty pleas than retained counsel. The percentage of guilty pleas by defendants with assigned counsel, 86.7 percent, is almost identical with the figure for all other defendants, 86.4 percent. But waivers of the right to counsel are frequent in many districts, and virtually all defendants who waive plead guilty. Therefore, the percentage of defendants with retained counsel who plead guilty is almost certainly below 86 percent. An estimate that 20 percent of all defendants waive the right to counsel seems realistic. Of those probably 99 percent pleaded guilty (even this high a figure yields the result that 57 defendants went to trial unrepresented in fiscal 1962, and interviews would suggest that such occurrences are far more rare). These assumptions produce the conclusion that about 81.4 percent of defendants with retained counsel pleaded guilty. If only 81.4 percent of defendants with assigned counsel had pleaded guilty, there would have been 420 fewer pleas by indigents than there actually were. But this difference is explicable in part by the factors mentioned at pp. 583–584 supra.

[68] In fact, several persons suggested that a mediocre retained counsel who subsists on a large number of small fees from persons on the borderline of indigency is more likely to enter a doubtful guilty plea, because he will not then have to go to trial for someone who could not afford to compensate him sufficiently.

This would require not only more time, but more individual interruptions in his schedule.[69] Such difficulties could be minimized, without sacrifice of early representation, by assigning panel members at an "explanation of rights" session of the type held in Milwaukee.[70] Such sessions would also permit early representation in smaller districts where a panel system would not be advisable. These districts could provide representation at the preliminary examination by adopting the Detroit no-commissioner approach[71] or by having the commissioner appoint counsel; since the lawyer represents only one indigent the additional burden imposed on him would not be as substantial as where he represents several. The explanation of rights solution is the least satisfactory because it does not provide representation at the appearance before the committing magistrate, but may be the most feasible politically because it involves neither a possible extension of the powers and duties of the commissioner nor his elimination.

Because of the relatively small number of Federal criminal cases and the prestige attaching to a lawyer appearing in the Federal courts, the noncompensatory system generally has not produced an aggravated situation; many persons interviewed indicated that in practice the system works surprisingly well. The quality of representation generally afforded by assigned counsel is adequate, judging from responses to the questionnaire: 30 percent rated assigned counsel's work excellent, and another 30 percent thought it good, while less than 10 percent considered it inadequate. A few respondents added that assigned counsel's work was superior to that of retained counsel, but interviews revealed that many judges and U.S. attorneys have a rather low opinion of the average lawyer retained by criminal defendants. In any event, that the noncompensatory system works more satisfactorily than might be expected does not mean that it works well. If satisfactory results have been achieved in some districts despite the defects inherent in the present system, they have resulted from the ingenuity and attitude of individual judges and a high degree of cooperation by the local bar; there can be no assurance that such a fortunate combination of factors will continue to exist, or will spread to other districts. That more than three-fourths of the judges and U.S. attorneys responding to the questionnaire opposed retention of the noncompensatory system constitutes a strong repudiation by the persons who know it best. The tradition that the bar should provide gratuitous representation for the poor[72] is not responsive to practical reality; moreover, it unjustly requires a small number of people to devote a large amount of time to fulfilling a responsibility which seemingly belongs to the whole community.

Many of the objections to the uncompensated assignment system do not apply to districts which can appoint lawyers employed by a private defender association. Private defenders provide experienced and dedicated representation; they are generally rated very highly by the Federal officials with whom they work; they have investigatory facilities and some funds for expenses; and their availability relieves the court of the task of finding assigned counsel. But such local facilities for providing free representation, which the Federal courts borrow but cannot pay for, are available in only a very few districts. Private defender associations are generally short of funds; only the most affluent ones can afford to provide counsel in the Federal courts, and some of the societies currently providing this service may be forced to discontinue it in the future. And, of course, many district courts are located in cities which have no private defender association. Thus use of the free services of private defender associations is not a generally available solution to the problem of providing adequate representation for Federal indigent defendants. But the desirable features of representation by private defenders are suggestive of the direction that realistic solutions might take.

III. ALTERNATIVES TO THE PRESENT SYSTEM

The central difficulty with the present system is the total lack of funds available to administer it. This defect must be alleviated before any major improvement can be made, since compensation for those who devote their time and abilities to the defense of indigents seems clearly prerequisite to any significant advance in the caliber of counsel available and the quality of defense provided. Perhaps the most obvious source of funds for this purpose is the Federal Government. It might be thought that it would be unwise to give judges the kind of power which would accompany authority to use such funds, but even if this objection has any merit the danger can easily be minimized.[73] In any event, it is sufficient to point out that there are no available alternative sources for these funds. The community chest has, it is true, provided a defender's organization in Philadelphia,[74] but it seems unlikely that this will become a nationwide practice. Members of the New York City bar provide substantial support for defenders in both State and Federal courts in that city, but New York has a very large and relatively affluent bar, and in any case it seems unreasonable to expect attorneys in other cities to assume an undesired financial burden just because the New York bar does so. More important, there is no indication that the attorneys in other cities are willing to offer their funds, and there is neither agency nor authority to force them to do so. In sum, the argument against using Federal funds is of necessity an argument against any funds.

In addition to this practical difficulty with the argument against Federal funds, the argument also seems wrong in principle. If the Constitution of the United States gives an affirmative guarantee of counsel to those who cannot afford to pay them, the obligation of providing such counsel seems rightly to belong to the people as a whole and not to a small group among them. Further discussion of alternatives in this note assumes the availability of funds from the Federal Government.

A. Payment of assigned counsel

One alternative which retains the structure of the present method would be to pay private counsel assigned to represent indigents. This system is used in most States for capital offenses, and in at least 30 States for less serious crimes;[75] sometimes the amount of compensation is left to the discretion of the court,[76] but frequently the statute sets limits which vary according to the seriousness of the crime. Many States have established rates which appear extremely inadequate,[77] but a few provide reasonably liberal compensation.[78] An example of the latter group is Ohio, where there is no upper limit for cases of murder and manslaughter in the first or second degree, and where counsel can obtain up to $300 and expenses in cases involving other felonies.[79]

Reimbursement of expenses incurred by assigned counsel was advocated by virtually all persons interviewed. While this seems an absolutely essential adjustment of the present system, it would rectify only the most obvious of existing deficiencies. Payment of fees to assigned counsel has also been widely advocated for the Federal courts,[80] especially by those who are dissatisfied with the present system but fear establishment of Federal public defenders.[81] A principal argument advanced in interviews for payment of assigned counsel is that lawyers should not be required to suffer financially while performing society's task of defending indigents. In addition, the expectation of reasonable compensation for his efforts may provide an inducement for the lawyer to investigate his case thoroughly and go to trial if trial is merited.[82] Furthermore, payment of assigned counsel may speed disposition of the court's business, for if the lawyer is not donating his time the court need not be excessively lenient in granting continuances.[83] Most importantly, provision for compensation would undoubtedly enable judges to obtain more experienced and able lawyers for indigents.

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[69] This problem would be reduced if the panel were large enough so that each lawyer were assigned to only one indigent. But since some Los Angeles panel chairmen have difficulty recruiting even five volunteers from a sizable bar, it would seem virtually impossible to obtain enough additional panel members to achieve that result.

[70] See pp. 592–593, supra. Such a procedure would require only one additional trip to the courtroom, since the panel member's quota of indigents could be filled at one session held for a group of defendants.

[71] See p. 592, supra.

[72] See *Wayne County* v. *Waller*, 90 Pa. 99 (1879); Celler, "Federal Legislative Proposals To Supply Paid Counsel to Indigent Persons Accused of Crime," 45 Minn. L. Rev. 697, 698 (1961); 1958 A.B.A. Crim. L. sec. 8.

[73] See note 142 infra.

[74] Until recently, the community chest was virtually the sole source of the Defender Association's funds. In the last few years, however, the city of Philadelphia has made substantial contributions, which began at $10,000 per year and now amount to about $35,000 annually. Interview with member of executive committee, Defender Association of Philadelphia, in Cambridge, Mass., Nov. 30, 1962.

[75] See Special Committee to Study Defender Systems, Equal Justice for the Accused app. (1959).

[76] Arizona, California, Colorado, Delaware, Idaho, Indiana, Maine, Maryland, Montana, and Vermont. Ibid.

[77] E.g., Va. Code Ann. § 14–181 (1950) ($25 unless felony punishable by death or more than 10 years' imprisonment).

[78] E.g., Minn Stat. § 611.07 (1961) (reasonable expenses plus $25 per day of preparation and $50 per day in court).

[79] Ohio Rev. Code Ann. § 2941.51 (Page Supp. 1962).

[80] See hearings before the Subcommittee No. 2 Representation for Indigent Defendants in the Federal Courts of the House Committee on the Judiciary, 86th Cong., 1st sess., ser. 13 passim (1959) (hereinafter cited as 1959 hearings); Celler, supra note 72, at 697; Judicial Conference of the United States, Report of the Committee To Consider the Adequacy of Existing Provisions for the Protection of the Right of Indigent Litigants in the Federal Courts (1944), quoted in Subcommittee on Constitutional Rights, Senate Committee on the Judiciary, 87th Cong., 1st sess., Legal Counsel for Indigent Defendants in Federal Courts 6 (Comm. Print 1961).

[81] See 1959 hearings at 12–13, 48.

B. Public defenders

The establishment of Federal public defenders is an alternative which departs significantly from the structure of the present system, but provides a means of avoiding most of its infirmities. Unlike existing private defender associations, a Federal public defender office would be entirely financed by public funds. A number of States use public defenders, either exclusively or in conjunction with assigned counsel, to represent indigent defendants.[84] And even in States where public defenders are not widely used, many large cities have a public defender office.[85]

The principal advantage of a public defender system is that it provides representation by lawyers who have developed substantial experience in criminal work.[86] The public defender, whose professional efforts are devoted to criminal defendants, may be better able to ascertain the facts of the case and to judge the veracity of the defendant than an assigned counsel who is deeply absorbed in problems, for example, of tax litigation or corporate reorganization.[87] In addition, the public defender is likely to be well acquainted with, and respected by, both the judge and the prosecutor, and may therefore be able to obtain more equitable sentences for those defendants who plead guilty.[88] Moreover, a public defender office would be able to perform investigatory work more efficiently and economically than paid assigned counsel. Another advantage of a public defender office is that a staff member will be readily available, thus ensuring early representation for the indigent and eliminating delays which occur when individual private appointments are being worked out. With a public defender, the court need not expend time and effort to obtain counsel, and therefore cases could be more speedily concluded.[89]

On the other hand, opponents of a public defender system argue that it would be difficult to obtain able public defenders,[90] and that long service, while it may increase a man's experience, cannot improve his ability.[91] In addition, a public defender handles so many cases that he may routinely categorize them,[92] so that his work would lack the spark of freshness which an eager assigned counsel might bring to the case;[93] thus the public defender may dispose of cases with insufficient care. Moreover, it is possible that the public defender's acquaintance with the prosecutor may produce manipulations and trades whereby the defender might obtain favorable treatment for one defendant at the expense of another.[94] More generally that acquaintance might undermine the defender's independence of judgment.[95] Another objection is that the public defender office would be a source of patronage through which a judge might reward incompetent but loyal acquaintances who would then be dependent upon him.[96] But the most fundamental criticism made by opponents of a public defender system is that under it the government handles and finances both sides of a criminal case.[97]

On the whole, these objections raise difficulties which are conjectural and seem by no means inevitable. It may well be possible, for example, that competent Federal defenders would be obtained if reasonable salaries were provided;[98] in any event, representation by a lawyer with only average intelligence and education but with great experience in criminal law and courtroom procedure might prove at least as helpful to the normal criminal defendant as representation by a prominent lawyer with little experience in either of these fields. Furthermore, judging from reports of those who have had experience with State public defenders, there is little evidence that Federal public defenders would categorize cases and handle them routinely. A person would probably not become a public defender unless he were interested in criminal law and in defending accused persons. Therefore, it would seem that public defenders would generally possess more zeal and interest than most retained counsel, who may be indifferent to criminal law and whose sympathy for criminal defendants may be slight. While the relationship between the U.S. attorney and the public defender might indeed lead to negotiations for the reduction of charges in exchange for a guilty plea, many private counsel representing guilty defendants approach the prosecutor to seek similar treatment for their clients. In the proper case, exchange of a guilty plea for substitution of a lesser offense may be the best way to serve the defendant and the public.[99] The principal answer to the patronage objection is that Federal judges, who have lifetime tenure, would have little reason to give appointments to friends with inferior ability. And a requirement that the judicial council of the circuit either appoint or approve all Federal public defenders would seem to eliminate any possibility of significant abuse.

To the argument that the Government plays two inconsistent roles when a public defender appears for the defendant, the short answer is that the Federal Government is too large and too complex to justify treating all of its employees as members of the same group. At present the district judge and the U.S. attorney are both Federal employees, but it has not been suggested that this connection is sufficient to give them a common interest beyond that of achieving justice.[1] Moreover, the public defender and the prosecutor, while both have a common goal of achieving justice in each case, will both be interested in doing the best possible job in order to insure status and possible promotion; this motivation should lead them to oppose each other when opposition is proper. The risk of improper behavior by a public defender seems no greater than for any professional employee in Government service.[2] Any question of domination or lack of independence could be eliminated by vesting general control over the public defender office in a private board of trustees.[3] Thus there would seem little practical objection to having public officials appear on both sides of a criminal case.[4]

C. Support of private defender associations

In districts where private defender organizations are already in existence, Federal funds might best be utilized by reimbursing them for representing Federal indigent defendants. For the few associations now appearing in the Federal courts, such a source of income would help to guarantee that their services will be continued in the future, and might also enable them to expand their Federal court operations as well as to improve the already high quality of representation they provide. Associations now limiting their activities to State courts might be enabled, through this potential source of income, to include the Federal courts. Reimbursement could be provided in the form either of periodic lump-sum payments or on the fee-per-assignment basis that has been suggested for private assigned counsel. The associations would continue to be operated by private persons;[5] therefore, whatever difficulties are raised by the Government-employee status of Federal defenders would be reduced or eliminated, while the advantages of efficiency and economy inherent in an institutionalized defense system would be retained.

It might be desirable to give judges the power to reimburse private associations on a discretionary basis, however, so that they could either appoint private attorneys or establish a public defender office if the representation afforded by the association should become perfunctory or otherwise inadequate.[6] As long as the association is available and is providing adequate service, supporting it seems a highly desirable way to provide defense services; its personnel often have already attained a high level of skill and experience, and duplication of their services and capabilities through establishment of a defender office to serve the Federal court alone would seem largely wasteful.

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[82] See Mars. Public Defenders, 46 J. Crim. L., C. & P.S. 199, 201, 209 (1955).

[83] See id. at 201.

[84] California's public defender system has been the most widely discussed and has often been highly praised. See, e.g., *People* v. *Adamson*, 34 Cal. 2d 320, 333, 210 P. 2d 13, 19 (1949); David, "Institutional or Private Counsel: A Judge's View of the Public Defender System," 45 Minn. L. Rev. 753 (1961). Most persons interviewed in Los Angeles praised the State public defender system and preferred Federal public defenders to continuation of the assigned counsel panel system presently used in the Los Angeles Federal Court.

Illinois has the most public defender offices, followed by California, Connecticut, and Indiana. See Subcommittee on Constitutional Rights, op. cit., supra, note 80, at 9.

[85] These cities include Minneapolis and St. Paul, New Orleans, Omaha, and St. Louis. Ibid.

[86] See Brownell, "Legal Aid in the United States 144" (1951); David, supra note 84, at 762–63; hearings on H.R. 2091 and H.R. 398 before Subcommittee No. 4 of the House Committee on the Judiciary, 83d Cong., 2d sess., 50 (1954).

[87] See CONGRESSIONAL RECORD, vol. 108, pt. 16, pp. 22257–22258 (remarks of Senator KEATING).

[88] See New York Institute of Judicial Administration, Public Defenders 16–18 (1956); David, supra note 84, at 766.

[89] See Beattie, "The Public Defender and Private Defense Attorneys," 25–27 (1935); Brownell, op. cit. supra note 86, at 145; Mars, supra, note 82, at 203.

[90] See 1960 staff report at 150, 168, 170.

[91] See id. at 160.

[92] See id. at 154.

[93] See 17 A.B.A.J. 141 (1931); Schweinburg, "What State Defense in Criminal Procedure Presupposes," II U. Chi. L. Rev. 444, 447 (1944).

[94] See Stewart, "The Public Defender System Is Unsound in Principle," 32 J. Am. Jud. Soc'y. 115, 116 (1948). But see Baker, "The Public Defender's Work in Cook County," 25 J. Crim. L. 5, 8 (1934).

[95] Hartshorne, "Equal Justice for All: The Bar and the Indigent Criminal Defendant," 37 A.B.A.J. 104, 106 (1951).

[96] See 1958 A.B.A. Crim. L. Section 12; Dimlock, "The Public Defender: A Step Toward a Police State?" 42 A.B.A.J. 219, 221 (1956); Mars, supra note 82, at 208.

[97] See Dimock, "No Public Defender System for New York State," 29 N.Y.S.B. Bull. 300, 303–04 (1957); Dimock, "The Public Defender: A Step Toward a Police State?" 42 A.B.A.J. 219, 220–21 (1956); Stewart, supra note 94, at 117.

[98] Comments on the quality of public defenders in California have been very favorable; the salary schedule for the post ranged from $18,480 to $23,028 in 1959–60. See Mancusco, "The Public Defender System in the State of California," 6 (1959).

[99] See *Brownell, op. cit., supra*, note 86, at 145. But see comment, 66 Yale L.J. 204 (1956).

[1] See 42 A.B.A.J. 712 (1956).

[2] Ibid.

[3] See Special Committee To Study Defender Systems, *supra* note 75, at 76, 93.

[4] See Howell, "The Defense of Indigents and How Should the Burden on the Bar Be Distributed," 23 Fla. L.J. 276, 279 (1949).

[5] In establishing the Legal Aid Society for the District of Columbia, Congress explicitly provided control by a private board of trustees. See p. 595 supra.

D. Views of judges and prosecutors concerning alternative systems

The vast majority of U.S. district judges and U.S. attorneys are in favor of abolishing the present noncompensatory system; only one-tenth were undecided, and only one-eighth preferred the present program.[7] Those in the majority preferred some method of providing compensation, but their responses do not reveal overwhelming support for any particular one of the alternatives discussed. The following questions as to preference among alternatives were asked in the questionnaires (the percentage of responses in each category is indicated):

Responses, 133: "What is your reaction to establishing either a full or part-time public defender?" Very favorable, 40(−)percent; acceptable, 40(−)percent; unacceptable, 25 (−)percent.[8]

Responses, 133: "Would you prefer paying assigned counsel to having a public defender?" Yes, 45(+)percent; No, 30(−) percent; either is equally acceptable, 20(+)percent; neither, 3 percent.[9]

Responses, 127: "Would you prefer public support to a private volunteer defender association to a public defender?" Yes, 33 percent; no, 45 percent; either, 10(+)percent; neither, 10(+)percent.[10]

Responses, 125: "Would you prefer public support to a private volunteer defender association to paying assigned counsel?" Yes, 25(+)percent; no, 55(+)percent; either, 10 (−)percent; neither, 10(−)percent.[11]

One factor which emerged during interviews may well account for some of the variance among responses: those persons having experience with a State public defender system generally applauded the results of such a program and favored establishment of one for the Federal courts; on the other hand, persons having no experience with State public defenders generally indicated lack of information about the system, and either refused to express an opinion on its desirability, or, more frequently, felt that such a significant departure from existing practice would be unnecessary or unwise. Similarly, it seemed that persons who had some familiarity with private defender associations, in either the State or the Federal courts, were more likely to recommend them than were the majority of those replying, who had little acquaintance with such a system and consequently could only guess as to its probable results.

Another factor which seems to bear on choice of alternative is the volume of criminal business within the respondent's district. Those from districts with the most criminal business in fiscal 1962 expressed stronger approval of a public defender system than did their counterparts in other districts, and even preferred it by a slight margin to a system of paying assigned counsel. This result is to be expected; districts with heavy criminal case loads would be able to keep a public defender and some assistants fully occupied, but in smaller districts a public defender might see only sporadic service and would probably be more expensive than paying assigned counsel. Many persons interviewed felt that no one system could satisfactorily solve the problem of providing adequate representation for indigents and that it would be necessary to make available a variety of methods for use throughout the country, or even within a single district. Most of the proposed legislation which has been before Congress embodies such a flexible plan, so that each district could provide for its own particular needs.

IV. ANALYSIS OF STATUTORY PROPOSALS

Numerous bills to provide compensated representation for indigent defendants have been introduced in recent sessions of Congress,[12] but as yet none has been enacted into legislation. During the 87th Congress five such bills were introduced—four in the Senate [13] and one in the House of Representatives; [14] S. 2900 was passed by the Senate late in the session,[15] but none of the bills came to a vote in the House. Since these bills represent the culmination of all prior efforts to pass such legislation and will probably set the pattern for proposals in the next Congress, it is appropriate to consider the provisions of each. All embody a similar approach, making funds available to the district whereby it may either pay private counsel on a fee plus expenses basis, or establish a public defender office, including assistants, clerks, and investigators.[16] Where there is no city with a population greater than 500,000 within the district, the court may adopt either system at its discretion. In other districts, however, the funds are available only to pay a public defender unless the judicial council of the circuit grants permission to use assigned counsel, or unless several defendants have conflicting interests; in these situations the court is authorized to pay assigned counsel. There is no requirement that any district make use of the funds—each may at its option continue the present system. But it would seem desirable to require that the funds be utilized, so that there will no longer be districts in which attorneys must donate their services.[17] None of the bills prescribes any standards for determining indigency, but in view of the great difficulty in formulating generally applicable criteria [18] this problem is perhaps best left for solution by the individual district courts. All the bills provide that the public defender or assigned counsel is to represent the accused at every stage of the prosecution. Appeals are included if there is no finding by the district court or the court of appeals of either improper motive or frivolity in the appeal. The wisdom is requiring that trial counsel normally appeal on appeal seems doubtful; a preferable solution might be to require transfer of the case to the public defender's office at the site of the appellate court or, if no office exists, to allow that court to appoint and pay local counsel. Although the bills are similar in approach, they differ in their methods of implementing their proposals. These variations are considered below.

A. Appointment, qualifications, and salary of the public defender

Two of the bills [19] provide that the public defender and assistant public defender shall be appointed by the district court alone and three others, including S. 2900, require approval by the judicial council of the circuit.[20] A more desirable approach might be to vest the actual power of appointment in the judicial council, framing the district judge's function as one of recommending. This would remove any apparent dependence of the public defender on the judge before whom he appears.[21]

S. 2900 contains what appears to be the most realistic combination of experience requirements and provisions for term of office and salary. Public defenders must have had 5 years' experience in practice before the bar of their States, but no experience requirement is imposed for assistants. This insures that an experienced lawyer will be in charge of the office, but permits the hiring of young assistants who are eager for experience and do not yet command a high salary. Any extensive experience requirement for assistants would seem undesirable since it would result either in increased expenditures for able persons or staffing with older lawyers whose practice had not been successful; in any case, the guidance of one experienced lawyer seems sufficient. Two of the bills [22] specify no term of office, thus making appointments indefinite, but S. 2900 fixes the term at 4 years.[23] Appointment for a fixed term accords with the views of more than two-thirds of the judges expressing a preference on the questionnaire. Under S. 2900 the salary is to be set by the Judicial Conference of the United States at an amount not to exceed that of the U.S. attorney for the district.[24] This should permit the establishment of rates ample to attract able lawyers, although it will mean greater expenditures than under another bill which set a limit of $10,000.[25] A rigid ceiling rather than one tied to the compensation of the U.S. attorney seems undesirable, because it is less responsive to inflationary pressures and differences among districts; furthermore, $10,000 seems inadequate to attract experienced and able lawyers even at present salary levels.[26] A third proposal would limit the salary of the public defender to the lower of $16,000 per year or $2,500 less than that of the U.S. attorney.[27] Although this salary ceiling might be adequate, it seems undesirable to establish an inferior status for the public defender's office by stipulating a lower rate of pay than that received by the U.S. attorney. The desirability of according equal stature to both offices was given explicit recognition in S. 2900 by the requirement that defender appointments be confirmed by the Senate, but this provision would be unfortunate if it allowed political considerations to dictate the choice of public defenders.

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[6] A few of the persons questioned in New York City feared that the Legal Aid Society would have too much independence, and therefore preferred establishment of a public defender office to public support of the society.

[7] Opinion on this question was seemingly unrelated to the volume of criminal business in the respondent's district.

[8] A higher proportion of judges than U.S. attorneys were "very favorable" to a public defender on the questionnaire, but the interviews disclosed a somewhat stronger preference for such a plan among prosecutors than among judges.

[9] A greater percentage of U.S. attorneys than of judges favored paid assigned counsel to a public defender, but this result was again contradicted by the interviews.

[10] U.S. attorneys disagreed with judges on this question; the former favored public support to a private defender association by a significant margin.

[11] U.S. attorneys, while preferring paid assigned counsel by a small majority, were again more favorable to private defender associations than were judges. The volume of criminal business in the district did not seem to affect significantly the answers to the two questions regarding private defender associations.

[12] See, e.g., S. 895, 86th Cong., 1st sess. (1959); H.R. 4185, 86th Cong., 2d sess. (1960); S. 655, H.R. 2696, 87th Cong., 1st sess. (1961). See CELLER, supra, note 72, at 700.

[13] S. 655, S. 854, S. 1484, 87th Cong., 1st sess. (1961); S. 2900, 87th Cong., 2d sess. (1962).

[14] H.R. 2696, 87th Cong., 1st sess. (1961).

[15] See CONGRESSIONAL RECORD, vol. 108, pt. 16, p. 22258.

[16] The bills permit appointment of a public defender for each place at which term of court are held. But in districts where short terms are held in various cities during the year, it would appear economically preferable to arrange the court's business so that a central defender office could handle all the cases.

[17] The administration favored such a requirement. See S. Rept. No. 2261, 87th Cong., 2d sess., 9 (1962) (recommendation of Deputy Attorney General).

[18] See pp. 579–580, supra.

[19] S. 655, S. 854, 87th Cong., 1st sess. (1961).

[20] S. 1484, H.R. 2696, 87th Cong., 1st sess. (1961); S. 2900, 87th Cong., 2d sess. (1962).

[21] See 1959 hearings at 56; Special Committee To Study Defender Systems, Equal Justice for the Accused, 92–93 (1959).

[22] S. 655, S. 854, 87th Cong., 1st sess. (1961).

[23] S. 1484 and H.R. 2696, 87th Cong., 1st sess. (1961) also contain this provision.

[24] Such a provision is also contained in S. 1484 and H.R. 2696, 87th Cong., 1st sess. (1961).

[25] S. 655, 87th Cong., 1st sess. (1961).

B. The unpopular case and the borderline indigent

There are two situations in which defendants, although not indigent, are nevertheless unable to obtain adequate representation. The first of these involves defendants with sufficient funds who cannot retain counsel because the legal profession is unwilling to become associated with an offense bearing great public opprobrium. Interviews and questionnaires indicated that these cases were infrequent,[28] but several judges recalled Smith Act prosecutions where the defendants had found it virtually impossible to hire a lawyer. A public defender could appear in such cases with less concern for public disapproval; even if the district uses the services of assigned counsel or of a legal aid society partially dependent on contributions by the public, the fact that the representation is by assignment of the court may help to erase the stigma the community might otherwise attach. Although their opinions were largely speculative, more than three-fourths of the respondents felt that this would be so. Subsection g of S. 2900 makes specific provision for such cases by allowing appointment of the public defender or, if he cannot provide adequate representation, an assigned counsel, whenever the defendant "is unable to obtain counsel for any reason other than the fact that such person is indigent." The second situation, involving borderline indigents who cannot afford to retain adequate counsel, would also seem to be encompassed by this subsection. This provision does not seem to apply, however, to districts which have no public defender; there S. 2900 confers only the "authority to appoint counsel to represent indigent defendants."[29] Seemingly, a district's choice not to establish a public defender should not affect the class of people to whom assigned representation is available; S. 2900 is therefore inconsistent in allowing use of assigned counsel when the public defender cannot provide adequate representation, but only in districts where there is a public defender. When the bill is again submitted to Congress, this curious and possibly inadvertent distinction might well be removed. S. 2900 also permits collection of full or partial fees from nonindigent defendants so long as approval is first obtained from the court. This policy, whereby defendants who can afford to contribute are required to do so, seems desirable particularly since their contributions will help to defray the cost of administering the act.[30]

Although it seems clearly desirable that legislation providing for the representation of indigents should encompass other cases where the defendant cannot obtain an attorney, the other bills contain no explicit provision for this. Two of them, S. 655 and S. 854, arguably can be construed to permit assignment of the public defender to such cases, since his services are authorized whenever the defendant "is unable to employ counsel."[31] Both remaining bills[32] limit the public defender to defense of indigents and all of the versions make that limitation for assigned counsel.

C. Waiver of counsel

It is not clear that the proposed bills would have any effect on the widely varying practices regarding acceptance of waivers of counsel. S. 655 and S. 854 appear to require that all defendants who cannot retain counsel be represented by the public defender. No mention is made of waiver; however, each bill, allowing the court to utilize assigned counsel rather than a public defender in certain circumstances, uses "may appoint," rather than "shall appoint" and it is doubtful that a different standard was intended where public defenders are to be used. In S. 1484 and H.R. 2696 assignment is to be made "unless counsel has been waived";[33] this would not require any change in current practices. S. 2900 has slightly different language requiring assignment of counsel "unless counsel has been properly waived."[34] Unless improper waivers have been accepted, this language dictates no change, but it may be intended to encourage assignment of counsel unless the defendant has definitely and comprehendingly asked to proceed on his own.

D. Time of assignment

Under present law assignment of counsel is not required before arraignment in open court,[35] but the great value of legal counsel well before the arraignment has been widely noted.[36] The mechanics of making assignments under the proposed legislation are to be worked out by each district court. Two bills merely stipulate that the public defender shall represent the defendant "at every stage of the prosecution";[37] the others explicitly provide that such representation shall include the preliminary examination,[38] but only S. 2900 makes it clear that this proviso applies to assigned counsel as well as to the public defender. Representation at the first appearance before the U.S. commissioner is very desirable, however, and it might be useful to require representation at that time to insure that the defendant will be advised whether to waive the preliminary examination and warned against giving damaging statements to the prosecution.[39]

E. Limitation on payments to assigned counsel

For the districts which do not establish a public defender, all the bills except S. 2900 limit annual expenditures for the payment of fees and reimbursement of expenses to all assigned counsel to either $5,000[40] or $10,000.[41] Faced with such a limitation, any district foreseeing greater expenses presumably would establish a full- or part-time defender office, for which there is no limitation on expenses. This might prove wasteful in a number of districts, however, for the economies of representation by a public defender are present only where there is substantial business and where it is relatively evenly spread throughout the year. Thus the limitations in themselves effect no savings and indeed often require waste. Further, they inhibit the freedom of the district to utilize the system or combination of systems best suited to its needs. Of course, the monetary limitations were probably designed to discourage use of assigned counsel in the more populous districts.[42] S. 2900, however, provides a method which accomplishes this purpose without entailing these undesirable consequences. By establishing no monetary limitation it avoids coercing those districts which would be better off without a public defender to appoint one.[43] It prohibits, however, the use of assigned counsel in any district with a city of greater than 500,000 population unless permission is obtained from the judicial council of the circuit. The fact that a defender can often handle substantial caseloads at greater efficiency and lower cost than assigned counsel[44] will create a pressure upon the judicial council to permit the latter only when there are compelling reasons for doing so.

Every bill sets a maximum fee which assigned counsel may be paid for each day spent in preparation and trial. The approach of many States whereby a maximum fee per case is established according to the seriousness of the offense is avoided. Thus the judge is allowed maximum flexibility in tailoring compensation to the work performed, yet an effective check on excessive compensation is retained. Three maximum daily rates have been proposed in the bills: $35,[45] $50,[46] and $100[47] per day. Although the statutory purpose probably is not to pay the lawyer the same amount that he would request from a solvent client, but rather to cover his overhead plus a small amount for his time, it seems desirable to set a relatively high maximum fee so that established and experienced attorneys can be appointed in serious cases without suffering financial hardship. Less than one-eighth of the judges responding to the questionnaire felt that $35 was sufficient, and more than half thought that $50 was inadequate. Thus of the maximum figures that have been suggested, $100 per day seems the most satisfactory.[48] In addition to the daily fee, all of the bills authorized reimbursement for expenses reasonably incurred in the defense. No doubt can exist about the necessity for this provision; many of those interviewed considered lack of such funds the most flagrantly unfair feature of the present noncompensatory system. S. 2900 explicitly authorizes the reimbursement of assigned counsel for "expenses incurred in employing investigators and other personnel."[49] Although such expenses could be included under the general authorization contained in all of the bills for reimbursement of reasonable expenses, this clarification is desirable.

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[26] See 1960 staff report at 150.

[27] S. 854, 87th Cong., 1st sess. (1961).

[28] Over 90 percent of the questionnaire respondents have never encountered such a case in their districts.

[29] Subsec. (e).

[30] Payments received from those represented by the public defender go directly to the Government; payments from those represented by an assigned counsel go to him, and his compensation is reduced accordingly.

[31] Subsec. (a) of both bills.

[32] S. 1484, H.R. 2696, 87th Cong., 1st sess. (1961).

[33] Subsec. (a) of both bills.

[34] Subsec. (a).

[35] See Fed. R. Crim., p. 44.

[36] See, e.g., *Crooker* v. *California,* 357 U.S. 433, 448 (1958) (dissenting opinion); Beaney, "Right to Counsel Before Arraignment," 45 Minn. L. Rev. 771 (1961). See p. 592, supra.

[37] S. 655, 87th Cong., 1st sess., sec. (a) (1961); S. 854, 87th Cong., 1st sess., sec. (a) (1961).

[38] S. 1484, 87th Cong., 1st sess., sec. (a) (1961); H.R. 2696, 87th Cong., 1st sess., sec. (a) (1961); S. 2900, 87th Cong., 2d sess., sec. (c) (1962).

[39] It is true that providing representation at the initial appearance might significantly inconvenience defense counsel; see p. 599; supra. But there is more justification for imposing such a burden when the lawyer will be compensated for his time and effort than there is under the noncompensatory system. And in the large districts where initial appearances may take place at highly inconvenient hours, public defender offices will probably be established; therefore, staff members can rotate at the early sessions.

[40] S. 655, 87th Cong., 1st sess., sec. (c) (1961); S. 854, 87th Cong., 1st sess., sec. (c) (1961).

[41] S. 1484, 87th Cong., 1st sess., sec. (c) (1961); H.R. 2696, 87th Cong., 1st sess., sec. (c) (1961).

[42] See Subcommittee on Constitutional Rights, op. cit., supra, note 80, at 7.

[43] If one of the purposes of such a limitation were thought to be to minimize the amount of money over which the judge had direct power of disbursement, such a purpose could be easily attained within the framework of S. 2900 by a method such as this: Payments for assigned counsel could be routed through an administrative official established in each circuit. The assigned lawyer would prepare a statement of the number of hours devoted to each case, the hourly fee agreed upon, and the necessary expenses incurred. The judge would then approve the statement and it would be forwarded to the administrative official for payment. This system would exercise some review over abusive spending, yet not restrict a district's choice of representation method.

[44] See Pollock, "Equal Justice in Practice," 45 Minn. L. Rev. 737, 744 (1961); N.Y. Institute of Judicial Administration, Public Defenders 22, 39–41 (1956); Goldman, "Economies Effected by Public Defender Plan," 23 J. Am. Jud. Soc'y 63 (1939); Callagy, "Legal Aid in Criminal Cases," 42 J. Crim. L., C. & P.S. 589, 600–602, 620–621 (1952).

F. Legal aid societies

Three of the bills explicitly refer to legal aid societies: S. 854 authorizes grants not exceeding $30,000 per year in each district to legal aid societies or bar associations providing free legal services to indigent defendants in the Federal district courts; H.R. 2696 provides that a legal aid society may be appointed on the same basis as assigned counsel; and S. 655 permits the use of legal aid societies or other groups "providing free legal services to indigent defendants in criminal proceedings."[50] Because of the $10,000 annual limitation contained in H.R. 2696 some districts would be unable to utilize a legal aid society for all its cases and therefore would have to appoint a public defender. It is doubtful under S. 655 whether the society may be paid for its services, but since legal aid societies are chronically short of funds,[51] it is unrealistic to expect them to continue to provide free representation when Federal funds for compensating counsel are available. Although S. 2900 does not refer specifically to legal aid societies, there seems no reason why legal aid lawyers could not be assigned and compensated under the authorization for assigned counsel but an explicit provision to this effect would be desirable. Since this bill contains no limitation on expenditures for assigned counsel, even the largest districts could continue to make full use of legal aid society services.

V. CONCLUSION

On the whole Federal judges and the bar deserve commendation for their efforts. Indigents in many districts receive representation which is often excellent and may occasionally be superior to that which even a wealthy defendant could have purchased. But the fact that representation of the highest quality is sometimes afforded should not obscure the fact that much more often it is not. Personal observations and interviews with several attorneys active in representing indigents confirm the fact that efforts of assigned counsel are occasionally perfunctory, often uninspired; lack of experience is widespread and cannot help but reduce the effectiveness of counsel in some measure. This points up a serious defect in the present system—a severe lack of uniformity in the quality of representation. Whether an indigent under present conditions receives excellent or mediocre representation is largely fortuitous. Probably some element of inequality is inevitable under any system, but it now seems present to an unnecessary degree.

There are other defects: the high percentage of waivers of counsel in a number of districts must to some extent emanate from an attitude of some judges that many defendants do not need counsel, and this attitude is undoubtedly reinforced in a number of instances by an understandable reluctance to burden attorneys with unpaid assignments. Furthermore, the indigent is seldom represented until arraignment, and even then the lawyer is unlikely to conduct anything more than a perfunctory investigation, since he cannot even be repaid for his expenses. The burden imposed on the bar is also significant and in some districts it must be termed substantial.

Change seems necessary. At the very minimum a program should be immediately established to reimburse counsel for their expenses; but such a program should be coupled with a method of compensating them for their time and effort. S. 2900, which was passed in the Senate during the last session, fulfills both needs adequately, and with the improvements suggested is worthy of serious consideration in both Houses during this session. Because of the great variation in the number of criminal cases before the various district courts, the flexible structure of this bill seems essential to economical operation. Appointment of private counsel is probably the most feasible approach in districts where there is neither a private defender association nor enough criminal business to warrant the expense necessary to maintain a public defender office. In districts with a large volume of criminal business a public defender seems desirable for several reasons: all indigents will be represented by a lawyer with experience in criminal cases; investigatory facilities can be established; representation early in the proceedings will be facilitated; and a lower per-case cost will be achieved than on an individual-fee basis. These advantages would appear to outweigh any detriment that might be thought to exist in a system of institutionalized defense. In districts where a competent private defender association exists it would seem more economical and equally effective to support it than to create a duplicative organization. These three methods are altogether satisfactory as components for a system which will meet the requirements of all districts; it is necessary only that the enabling legislation permit each district to combine them to meet particular needs.

Appendix

Judges' Questionnaire

1. What system is used in your district for allotting criminal cases to the various judges?

2. About what percentage of the defendants who came before you charged with crime not connected with business (such as income tax evasion, antitrust violations) waive their right to counsel? 0–20 percent; 21–40 percent; 41–60 percent; 61–80 percent; 81–100 percent.

3. Of these, what percentage do you think would not have waived counsel had there been a public or voluntary defender association to represent them? 0–20 percent; 21–40 percent; 41–60 percent; 61–80 percent; 81–100 percent.

4. Of the defendants who waive counsel, what percentage plead guilty?

5. In what percentage of the cases in which the defendant has waived counsel has it later seemed that there were sufficient grounds for a defense to have made representation valuable? 0–20 percent; 21–40 percent; 41–60 percent; 61–80 percent; 81–100 percent.

6. What percentage of defendants who waive counsel but plead not guilty obtain trial by jury? 0–20 percent; 21–40 percent; 41–60 percent; 61–80 percent; 81–100 percent.

7. When assigning counsel to an indigent, which of the following methods do you use?

(a) Selection from a list of volunteers? Yes. No.

(i) If so, how and by whom is the list compiled?

(ii) Are selections made from it at random or in order? Former. Latter.

(iii) Who makes the selection?

(b) Appointment of a lawyer known to you? Yes. No.

(i) From what group, if any, do such lawyers come?

(c) Selection from a panel of volunteers who have lawyers available in court on a rotating basis? Yes. No.

(i) Who arranges for the panel?

(d) Appointment of an attorney who happens to be present in court when assignments are to be made? Yes. No.

(e) Assignment of a lawyer from a voluntary defender organization? Yes. No.

(f) Any other system? Please describe.

(g) If you use more than one system, what considerations dictate which you employ in a particular case?

8. (a) To what segment of the bar, if any, are your assignments limited?

(b) If this segment is so small as to place a serious burden upon its members, how could it be expanded?

9. (a) Have attempts been made to secure the assistance of the local bar association in providing counsel for indigents? Yes. No.

(b) If so, with what success?

10. To what extent do you feel that you can insist upon a lawyer's accepting an assignment if he has no compelling reason to be excused?

11. To what degree is there difficulty in obtaining counsel for all indigents who request it? Substantial difficulty. Some difficulty. Very little difficulty.

12. If there is a problem of obtaining counsel for indigents, are there any peculiarly local reasons for this, such as an unusually heavy criminal case load or competition with State court sessions for the services of a small bar?

13. For what types of cases is it especially difficult to obtain counsel?

14. (a) Are only lawyers with criminal experience assigned? Yes. No.

(b) Are only lawyers with trial experience assigned? Yes. No.

(c) What other limitations do you place on the group from which counsel is chosen?

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[45] S. 655, 87th Cong., 1st sess., sec. (c) (1961).

[46] S. 1484, 87th Cong., 1st sess., sec. (c) (1961); H.R. 2696, 87th Cong., 1st sess., sec. (c) (1961).

[47] S. 854, 87th Cong., 1st sess., sec. (c) (1961); S. 2900, 87th Cong., 2d sess., sec. (f) (1962).

[48] Since less than one-fourth of the respondents thought that more than $75 per day was needed in their districts, that might seem a satisfactory figure. But it would be undesirable to set a maximum which would be inadequate in any significant number of districts.

[49] Subsection (f). The administration suggested this provision. See S. Rept. No. 2261, 87th Cong., 2d sess., 10 (1962) (recommendation of Deputy Attorney General). S. 1484, 87th Cong., 1st sess., sec. (c) (1961) provides that reimbursable expenses shall include the cost of technical experts.

[50] Subsec. (g).

[51] See 1959 hearings at 55.

(d) Are the lawyers assigned generally young and relatively inexperienced? Yes. No.

(e) In what types of cases do you attempt to obtain more experienced counsel?

(f) In general, do you consider the experience of assigned counsel seriously inadequate? Inadequate? Adequate?

15. (a) In determining the indigency of a defendant, do you conduct any examination of his finances other than questioning him? Yes. No.

(b) If so, how extensive is the investigation and who conducts it?

16. When a defendant is not completely indigent, but is unable to pay a full lawyer's fee, do you ever assign counsel and require the defendant to pay a certain amount of the fee? Yes. No.

17. Would you consider it improper for an assigned counsel to seek a fee from the defendant or to accept one without permission of the court? Yes. No.

18. (a) How often have cases come before you in which the defendant, although not indigent, is unable to obtain counsel because of the unpopular nature of his case? Never. One to three times. Three or more.

(b) Have you assigned counsel in such cases? Yes. No.

(c) Do you feel that court assignment would help to erase the stigma that the community might attach to a lawyer who takes such a case? Yes. No.

19. If a defendant requests counsel upon arraignment, is there a delay between such request and the time when the defendant must plead to the charge or does he plead at once, being free to change his plea after consultation with counsel? Former. Latter.

20. (a) Would it be of valuable assistance to the defendant to have representation before arraignment? Yes. No.

(b) If so, at what time?

(c) Why do you feel that this would be valuable?

(d) Do you think it possible to provide legal assistance to the indigent before arraignment under an assigned counsel system? Yes. No.

(e) If so, how would you suggest that this be administered?

21. (a) To what extent would you say the defense is hampered by the unavailability of funds for investigation? Substantially. Slightly. Not at all.

(b) Does the prosecution make available its records in order to ameliorate the lack of funds for defense investigation? Yes. No.

(c) Is there any way the defense can use the prosecution's investigatory facilities? Yes. No.

22. In each of the following respects, please compare the performance of assigned counsel with that of retained counsel.

(a) Frequency of nolo contendere pleas. More. Equal. Fewer.

(b) Frequency of guilty pleas. More. Equal. Fewer.

(c) Skill in challenging the admission of objectionable evidence. Greater. Equal. Less.

(d) Skill in protecting the record for appeal. Greater. Equal. Less.

(e) Assistance in achieving the proper disposition of a case after conviction. Greater. Equal. Less.

23. What general comment would you have on the quality of representation provided by assigned counsel?

24. How frequently is a particular lawyer assigned to defend an indigent? Only once. About once a year. Once or twice a year. More than twice.

25. In your estimation, in what percentage of cases does the assigned counsel spend—0 to 3 hours; 3 to 12 hours; more than 12 hours—in out-of-court preparation?

26. In your estimation, in what percentage of cases does the assigned counsel—

(a) Make one or two brief appearances in court?

(b) Spend up to 2 days in court appearances?

(c) Spend more than 2 days in court appearances?

27. In general, how adequate is assigned counsel's preparation? Very adequate. Adequate. Inadequate. Seriously inadequate.

28. Do you feel that the out-of-pocket expenses an assigned counsel must bear are a—Trivial burden? Burdensome? Highly burdensome?

29. (a) Do you ever attempt to compensate indirectly assigned counsel by giving them appointments as trustees, masters, auditors, etc.? Yes. No.

(b) If so, what percentage of assigned counsel is it possible to compensate in this way? Very few. A substantial number. Most.

30. (a) If an indigent appeals, is he generally represented by the same counsel who handled his trial? Yes. No.

(b) If not, by what method is a new attorney chosen?

(c) Is the indigent given legal assistance in deciding whether or not to appeal? Yes. No.

(d) If so, how is this accomplished?

(e) Who makes the final decision on whether or not to appeal?

31. Does the reaction of attorneys asked to serve as assigned counsel indicate that they consider such requests—A serious burden? A minor burden? Not really a burden at all?

32. Do you feel that the experience afforded young lawyers who handle assigned cases is—Very valuable? Of some value? Of very little value?

33. To what extent do you feel you can adequately protect the rights of a defendant who waives counsel? Very well. Adequately. Inadequately.

34. What is your reaction to establishing either a full- or part-time public defender? Very favorable. Acceptable. Unacceptable.

35. Would you prefer paying assigned counsel to having a public defender? Yes. No. Either is equally acceptable. Neither.

36. Would you prefer public support to a private volunteer defender association to a public defender? Yes. No. Either. Neither.

37. Would you prefer public support to a private volunteer defender association to paying assigned counsel? Yes. No. Either. Neither.

38. Do you prefer the present noncompensatory system to any of the alternatives? Yes. No. Neutral.

39. If payments are to be made to assigned counsel, would you favor a per diem fee rather than a per case fee? Yes. No. Either is acceptable.

40. What minimum rate of pay would be necessary to obtain competent counsel?

41. In your district what amount would be needed each year to pay counsel's fees and reimburse them for necessary expenses?—$5,000 or less; $5,000–$10,000; $10,000–$20,000; more than $20,000.

42. If there is to be a public defender in a district, who should have the responsibility for choosing him?

43. Should he be appointed for a set term rather than indefinitely? Yes. No. Either is acceptable.

44. (a) Would you favor a system whereby a defendant who is not completely indigent but who is unable to pay a full counsel's fee is provided representation for such amount as he can afford? Yes. No.

(b) If so, who would administer the system, determining how much each defendant could afford to pay?

45. If funds were made available to be used in your discretion, what system for compensating counsel for indigents would you set up in your district?

U.S. ATTORNEYS' QUESTIONNAIRE

The U.S. attorneys were asked only 28 questions. The questions listed below are the only ones which differed substantially from those asked the judges.

13. In achieving the proper disposition of a case after conviction, do you feel defense counsel can play an important role? Yes. No.

15. As a prosecutor do you find it helpful for the defendant to be represented by counsel? Yes. Doesn't matter. No.

16. When the defendant is unrepresented do you handle the prosecution differently? Yes, considerably. Yes, slightly. No.

JACOB DEUTSCH, NEW YORK CITY TEACHER

Mr. JAVITS. Mr. President, I want to join with the many friends and students of a New York City school teacher who this month brought to a close nearly a half-century of teaching in our city schools. On February 1, 1963, Jacob Deutsch, of Jamaica, Long Island, retired after 49 years as a teacher, guidance counselor, and supervisor of new teachers, the last 32 of them at Junior High School 65 on Forsyth Street in lower Manhattan.

I know the part of New York City in which Mr. Deutsch has served, and I know all too well the tremendous need for competent teachers and men of good will to teach our children there. A friend and adviser, a Jacob Deutsch who understands young people, can mean the difference between hope and despair for the student who has a will to succeed.

As Mr. Deutsch looks back over this past half century he must feel a deep and rewarding sense of achievement. And he must feel too a sense of the future—in the knowledge that his teaching and advice and guidance have reached thousands of young people who looked to him and learned from him.

Mr. Deutsch's philosophy as a man and as a teacher is best reflected in the advice he gives new teachers:

> For many of these children you are the replacement they seek for the lack of parental guidance and understanding at home. You are their last hope. The example you set for them, the understanding you give them, and the direction you point them will determine the usefulness they will be for themselves and society. For if you fail them, you fail our country.

If dedication to the cause of public education and meaningful participation in the betterment and growth of his community give cause for pride in a man's lifework, then I know Jacob Deutsch must be a proud and happy man today. He deserves our heartfelt thanks and respect.

THE TAX PROPOSAL OF THE ADMINISTRATION

Mr. SMATHERS. Mr. President, several days ago I was on the floor of the Senate when the able Senator from Delaware [Mr. WILLIAMS] recited some instances under the tax plan submitted by the administration which would result in some inequity being done to several categories of our senior citizens. I listened with intense interest, because there are a great many senior citizens in my State, and because I know that the administration wishes to do justice to our senior citizens.

Therefore, I directed an inquiry to the Secretary of the Treasury asking him to examine the charges made by the Senator from Delaware and to respond to them in the form of a letter to me.

I have here before me a letter from the Secretary of the Treasury, dated February 6, which I shall not read in its entirety. I shall read only an excerpt or two from it:

> DEAR GEORGE: You have requested the comments of this Department concerning statements by Senator WILLIAMS on the floor of the Senate that the special provisions for the aged in the President's tax proposal would result in increased tax liability for certain older people.
>
> In the first place, it is important to keep in mind the objectives and the overall results of the President's tax proposal for the aged. These provisions, coupled with the rate reductions and other proposals made by the President, will reduce the taxes borne by our elderly citizens by $790 million a year from the present total of slightly more than $4 billion. A tax reduction of this amount, shared by virtually all of our 3.4 million elderly taxpayers, will obviously be of great and direct benefit to the overwhelming majority of our senior citizens.
>
> In brief, the proposal for the aged would provide a special $300 credit against taxes, to replace the present $600 extra exemption for older taxpayers and the cumbersome retirement income credit. Those under 65 now using the retirement income credit would be allowed to continue to do so. The effect of these provisions, combined, would be to lower the taxes paid by our elderly citizens by $320 million a year.

Then the Secretary of the Treasury goes on to examine the examples cited by the Senator from Delaware specifically. I will read from page 2, where the Secretary says:

> Together, these taxpayers constitute a group numbering less than one-seventeenth of 1 percent of all the people over 65 in the United States.

It is admitted that under certain calculations, with respect to a certain type of income, there is a small group of senior citizens who would suffer. However, the overall number of senior citizens would benefit to the extent of $790 million a year.

I know that the Senate is short of time now, and I therefore will cite only one additional excerpt from the letter of the Secretary of the Treasury:

> Additional positive aspects of the proposed program for the aged are important to understanding the impact of the proposal.
>
> 1. All of the 11 million older people who do not now have to file a tax return because their income is low would remain exempt from filing.
>
> 2. Nearly all the 3½ million who file returns, but pay no tax, would still pay no tax.
>
> 3. Older people with incomes below $3,000 a year would get proportionately greater reductions in their income taxes than would people with yearly incomes above $3,000.
>
> 4. Social security and railroad retirement benefits and those other pensions which are now excluded from taxable income would continue to be exempt from tax.
>
> 5. All income would be taxed more equitably than under present law, including the earnings of that 75 percent of our taxpaying citizens over 65 who are still working and who are now taxed more heavily than those who live on income from other sources.

I ask unanimous consent that the letter in its entirety be printed in the RECORD.

I am sure that the small group—comprising one-seventeenth of 1 percent of the total number of elderly citizens in the country—adversely affected by the proposal as it was first made, will receive the sympathetic attention of the House Ways and Means Committee and of the Committee on Finance in the Senate. I am confident that these committees of the Congress will not let any inequity or hardship go uncorrected. I am sure it will be corrected. In fact the letter from the Secretary of the Treasury specifically points out that if changes are needed to eliminate inadvertent hardship, they will be made not with reluctance but with the active cooperation and help of the administration.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
Washington, D.C., February 6, 1963.
Hon. GEORGE A. SMATHERS,
U.S. Senate,
Washington, D.C.

DEAR GEORGE: You have requested the comments of this Department concerning statements by Senator WILLIAMS on the floor of the Senate that the special provisions for the aged in the President's tax proposal would result in increased tax liability for certain older people.

In the first place, it is important to keep in mind the objectives and the overall results of the President's tax proposal for the aged. These provisions, coupled with the rate reductions and other proposals made by the President, will reduce the taxes borne by our elderly citizens by $790 million a year from the present total of slightly more than $4 billion. A tax reduction of this amount, shared by virtually all of our 3.4 million elderly taxpayers, will obviously be of great and direct benefit to the overwhelming majority of our senior citizens.

In brief, the proposal for the aged would provide a special $300 credit against taxes, to replace the present $600 extra exemption for older taxpayers and the cumbersome retirement income credit. Those under 65 now using the retirement income credit would be allowed to continue to do so. The effect of these provisions, combined, would be to lower the taxes paid by our elderly citizens by $320 million a year.

Senator WILLIAMS cited four cases of retired taxpayers who might pay higher taxes under the President's proposal.

The first dealt with a retired taxpayer living on a disability pension. Contrary to Senator WILLIAMS' examples, the taxes on this group of taxpayers will not be raised. The proposal to repeal the present provision which exempts sick pay from tax will not affect those now retired on disability pensions; so their taxes will not be raised as a result. In other words, the tax increases for this group as cited by Senator WILLIAMS would not actually occur, and these taxpayers would pay no tax under the new proposal, just as under present law.

Another example put forward by Senator WILLIAMS concerned a retired taxpayer under 65 whose taxes would allegedly be raised by the elimination of the retirement income credit. In this case also the taxpayer actually would, contrary to Senator WILLIAMS' example, have no tax increase, because the retirement income credit would be retained for all those under 65 who are now using it.

Senator WILLIAMS' remaining two examples dealt with a single taxpayer and a married couple, both over 65, using the standard deduction and both taking the maximum retirement income credit. They would have their taxes raised by $22.32 and $44.64, respectively. While these examples are correct, it should be noted that they come from a very small group of taxpayers, with an unusual combination of income characteristics. First of all, it has been estimated that when the rate reductions are taken into account, there are fewer than 6,000 single taxpayers and hence than 2,000 couples in this category who would actually pay any higher taxes at all as a result of the elimination of the retirement income credit.

Furthermore, the tax increases given in the examples used by Senator WILLIAMS are the maximum that any taxpayer with an income of $10,000 or less could possibly pay as a result of the elimination of the retirement income credit.

In other words, the combination of the tax rate reductions and the $300 credit for the aged would reduce the taxes of all the 3.4 million taxpayers over 65 with the exception of a small number who might have to pay something like $10 or $15 more a year—in no case more than the maximum amounts cited by the Senator from Delaware in his examples.

Together, these taxpayers constitute a group numbering less than one-seventeenth of 1 percent of all the people over 65 in the United States.

These are people, furthermore, all of whom had their retirement income credit increased in 1962, so that after this temporary change, their taxes in 1964 would be lower than they were in 1961 or preceding years.

Furthermore, this small group of taxpayers would have to fulfill very specific conditions. Each individual or couple adversely affected would have to be using at least 92 percent of the present retirement income credit—whereas the average elderly taxpayer uses only about two-thirds of it. For a married couple to pay more taxes under the President's proposal, the husband and wife together would have to be using more than 92 percent of the maximum retirement income credit. This meanss that both man and wife must have earned a minimum of $600 a year for at least 10 years. In addition, they must jointly have retirement income of at least $2,800 of which the wife's own income must be not less than $1,280.

What is more, only taxpayers within a very narrow income range stand any chance of owing additional taxes. Assuming the facts of the examples cited by Senator WILLIAMS, these taxpayers' incomes would have to fall between $2,900 and $3,911 for a single taxpayer and between $5,778 and $7,822 for married couples. All such taxpayers over 65 with income lower than this would pay no tax at all under the President's program, and taxpayers with incomes higher would receive tax decreases under the proposal for the aged and the tax rate reductions.

In other words, the President's proposal will lower taxes for all except a small group of older people, and these people would have their taxes increased only slightly. Furthermore, this increase would merely represent the partial loss of a tax reduction they have received for only 1 year.

It is, of course, difficult in the complex field of taxation to tailor a bill to fit every single case every single year, but I can assure you that the President will not allow any technical difficulties to impose any hardship whatsoever on any elderly taxpayer, or any other taxpayer for that matter, as a result of his program. If changes are needed, after consideration of all the facts, they will be made.

Additional positive aspects of the proposed program for the aged are important to understanding the impact of the proposal.

1. All of the 11 million older people who do not now have to file a tax return because their income is low would remain exempt from filing.

2. Nearly all the 3½ million who file returns, but pay no tax, would still pay no tax.

3. Older people with incomes below $3,000 a year would get proportionately greater reductions in their income taxes than would people with yearly incomes above $3,000.

4. Social security and railroad retirement benefits and those other pensions which are now excluded from taxable income would continue to be exempt from tax.

5. All income would be taxed more equitably than under present law, including the earnings of that 75 percent of our taxpaying citizens over 65 who are still working and who are now taxed more heavily than those who live on income from other sources.

6. The $300 tax credit for the aged would more than replace the tax benefits of the existing $600 extra exemption for nearly all of our elderly taxpayers. A credit against tax reduces tax bills much more than does a simple deduction against income for all except the highest bracket taxpayers. Only when the tax rate reaches 50 percent—as it does for a married couple now at $32,000 of income and would under the President's program at $52,000—is an exemption worth more than a credit. For a bottom bracket elderly couple, the $600 joint credit they will receive under the President's program would reduce their tax bill as much as a $4,000 exemption.

7. Those with incomes high enough to be subject to tax would have all their income, regardless of source—from work, private pensions, dividends—taxed more equitably than under the present law.

8. Of the $320 million in tax reductions which the proposals for the elderly would bring, about one-half would go to those with incomes of $5,000 or less and 97 percent to those with yearly incomes of $10,000 or less.

9. In no circumstance would a single person 65 or over with an income of less than $2,900 have to pay tax—whereas at present an aged taxpayer can be taxed on as little income as $1,333. For a married couple filing a joint return, when both are over 65, there would be no tax whatever on any income up to $5,778, whereas they may now be taxed on as little as $2,667.

10. Employed older people, in particular, will receive significant benefits from the proposed provisions. Our employed elderly with earnings of more than $1,200 now pay significantly higher taxes than others over 65 who live on income they receive from other sources. The President's proposals will remove much of this unfairness—all of it in a great many cases.

In summary, the vast majority of older people would benefit from the program, and benefit significantly.

If changes are needed in the proposals to eliminate inadvertent hardship, they will be made—not with the reluctant consent of the administration, but with its active cooperation and help.

With best wishes.

Sincerely,

DOUGLAS DILLON.

THE CLOTURE VOTE

Mr. SPARKMAN. Mr. President, I was interested in the remarks of the distinguished Senator from North Carolina a few minutes ago, when he discussed the fact that the mere signing of a petition or cosponsoring a bill does not indicate what may be the final disposition as to the individual. He may recall—and I am not sure whether he was in the House of Representatives at the time, although I believe he had not yet entered the House—the famous Ludlow resolution was presented. It was presented just prior to commencement of World War II. The committee would not report it. Of course, in the House there is the system of filing a petition to discharge the committee. If a majority of Representatives sign that petition, the committee is discharged. A great many Representatives who may favor a proposal ordinarily will not sign a discharge petition. In spite of that, a majority of the House of Representatives signed the petition. It came to a vote in the House. On that vote there was far less than a majority voting for it, showing that a great many of those who had signed the petition, and whose names had been published all over the country—there was a great deal of interest in that subject in the prewar days—after the matter had been fully discussed and fully considered in legislative session, would not stand by their signing of the petition.

Numerous examples can be cited of Senators having sponsored a bill and then having voted against the bill on the floor of the Senate.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. SPARKMAN. If I have the time available.

Mr. ERVIN. The Ludlow proposal provided that there should be a national referendum before the United States could go to war.

Mr. SPARKMAN. Yes.

Mr. ERVIN. The United States could have had its sox beaten off before it could have held the referendum.

Mr. SPARKMAN. The Senator is correct.

THE NATION'S SCIENTIFIC MANPOWER POLICIES

Mr. CANNON. Mr. President, 1 full year ago, on January 15, 1962, the President of the United States made the following statement regarding the critical national shortage of scientists and engineers:

> One of the most critical problems facing this Nation is the inadequacy of the supply of scientific and technical manpower to satisfy the expanding requirements of this country's research and development efforts in the near future.

And he went on:

> Because of the seriousness of this problem, I have asked my Science Advisory Committee * * * to report to me as quickly as possible on the specific measures that can be taken within and without the Government to develop the necessary well-qualified scientists and engineers and technicians. The National Academy of Sciences at my request will shortly begin a new study of scientific and technical manpower utilization.

I was disappointed that in his state of the Union address the President did not assign any immediate priority to the scientific manpower shortage, especially since he took the trouble to mention the shortage of doctors and medical school facilities. The shortage of engineers and scientists is, in my opinion, no less acute and carries equal peril for the Nation as does the shortage of doctors.

Mr. President, this is not the first time I have quoted these words of the President to the Senate. Nearly 6 months ago, on August 28, 1962, I stated on the floor of the Senate:

> Six months have gone by since this precise directive from the President himself, and virtually nothing concrete has been done.

Now 1 entire year has passed and still we are no nearer to a full scale attack on this problem than we were when the President made his urgent request.

Mr. President, this concern about our critical technical manpower shortage is not something new with me. As early as March 1 of last year I said to this body:

> I am concerned that the American public—and perhaps some Members of this body—are not yet sufficiently alerted to the critical nature of the scientific manpower shortage. Without such an alertness, the necessary corrective measures are doomed to failure. The tremendous Soviet strides in this field coupled with our own declining technical manpower output cannot fail to be a matter of the gravest concern to the Nation. We cannot help sounding the alarm over this situation, which is no less than a major threat in the longrun struggle between democracy and totalitarianism.

I concluded my remarks at that time by saying:

> It is my feeling that Congress, by every means at its disposal, must alert Americans to the very real dangers which face us should we not drastically step up our supply and improve our utilization of scientific and engineering manpower.

Following that speech I spoke again on May 28 calling for a closer working relationship between NASA and our universities, modeled along the lines of the Atomic Energy Act, as one way to help achieve a greater output of needed engineers. Again, on August 28, I called for a census of engineers and scientists, saying:

> It seems almost unbelievable that we can know our reserves of a raw material such as plutonium or iron ore down to a gnat's hair, but when it comes to our most precious resource—our priceless engineering and scientific talent—we have only the foggiest notion as to where these people are or what they are doing.

Mr. President, it is my personal belief—and a belief held by many other people knowledgeable in the field—that our entire scientific effort in the decades ahead might well run aground because of an insufficient supply of trained technical personnel.

Since the President's statement 1 year ago, all we have received from the executive branch of the Government is one study from the President's Science Advisory Committee. That study, released by Dr. Jerome Wiesner, hardly does any more than reidentify the problem. However, in calling for increased numbers of graduate engineers, the report fails to tell us how we are to get the needed numbers of undergraduate engineers and scientists from whom the graduates must come. One reference to this subject was the final paragraph of a speech by Dr. Wiesner before the American Society of Mechanical Engineers in which he said:

> It is my own view that if the importance of the effort (to increase the number of graduate students) becomes well understood and publicized right down to the high school, the problem of undergraduate enrollments will take care of itself.

As the President pointed out on January 29 of this year, only 1 percent of this school-age generation will go on to get the degree of doctor of philosophy in higher education. The President also said that mankind has acquired more scientific information in the past 20 years than in all previous history. The President made many points in his message on education. Many of the needs which he cited will not be solved by this Congress because of the omnibus character and the broad scope covered by the message. It is, therefore, of the utmost importance that specific areas, where prompt and effective action is possible, be pinpointed.

Mr. President, this problem simply will not take care of itself. This is especially true in view of the fact that undergraduate enrollments in engineering have been going down steadily during the entire past decade, and the latest figures from the Engineering Manpower Commission of the Engineers' Joint Council show that 1962 enrollment declined another 2.3 percent from 1961. And if you choose to take the results of a study conducted by the University of Cincinnati, that figure is not 2.3 percent but 5.7 percent.

This steadily declining enrollment is bad enough in itself; but when it is compared to the projections of the future demands for engineers and scientists, it becomes even more disturbing. Studies now in preparation show that the Federal Government alone will require 16,000 engineer hires in 1963. Last year the Government took 7.5 percent of the graduating engineers. This year, if they are to get a proportionate percentage of their needs from the campus, the Government would have to get 13 percent of the graduating class—Civil Service Commission. The same figures apply generally to the physical scientists. In mathematicians, where the number of graduates is up, the picture is more as it should be, with the Government's needs amounting to about 2 percent of the graduating class.

One wonders where we will get all of the scientists and engineers needed to complete the tasks that are inherent in the $7,262 million research and development appropriation which is being sought now by the Department of Defense and $2,957,878,000 by NASA. Since there is this great shortage, they will have to come from industry. And it is interesting to note that our civilian industry—exclusive of defense work—spends only half the amount on research and development as currently expended by West Germany. Comparisons with other countries are equally discouraging for the long pull in the field of industrial competition. How much thought are we giving to the fact that Japan is able to produce more cheaply and efficiently in some fields of electronics than we—and I mean exclusive of the cost of labor. I cannot say what effect this shortage has had upon the cost or ability of civilian industry to procure engineers in competition with defense recruiters; but it must surely be a difficult problem considering that each scientist or engineer represents an industry investment of $60,000 annually.

This then is the measurement of the urgent need to which I have been calling attention for the past year. Certainly more graduate engineers are needed; but if we are to reach the moon and accomplish even greater, multibillion dollar objectives in research and development for space, defense, and civilian production, we cannot ignore the fact that the job must—and will—require a drastically increased quantity of technical manpower. As the authoritative publication Electronic News recently put it:

> The need is increasing for the Indians as well as the chiefs, and the requiremetns for more engineers with bachelor's degrees cannot be ignored.

Therefore, the twofold problem remains: not only must we provide for our future requirements, but we must do something to increase the efficiency with which we are using our present supply of engineers and scientists.

One way to do this is through retraining. Just as the last Congress found it necessary to pass legislation providing for the retraining of blue-collar workers whose skills were technologically out of date, so I believe we must provide retraining for degree-holding engineers whose skills are no longer in demand by modern industry.

Figures provided me by Careers, Inc., whose national manpower register lists over 20,000 engineers and scientists annually, reveal the astonishing fact that 54 percent—over half—of the degree-holding engineers on their register do not receive a single bid for a job interview from any of the 67 major defense contractors among whom the qualifications of these engineers and scientists are circulated. Moreover, nearly 20 percent of the engineers and scientists registering with Careers' manpower register are unemployed.

Certainly statistics such as these lend support to the importance of establishing some kind of retraining program for professional people. Dr. Wiesner in his report underlined another aspect of this same thought when he said:

> To turn out more undergraduates with obsolescent training denies the individual the opportunity to make the fullest use of his own latent ability, and denies the Nation the benefit of his deeper contribution.

Mr. President, I believe that a very great immediate increase in our present supply of technical manpower could be achieved if we made it possible for civil, chemical, and electrical engineers, for example—many of whom are in oversupply—to take up-dating courses which would qualify them for work on electronic and aerospace projects.

To quote again from the aforementioned study: At one extreme it was found 23 percent of those in the electronic sciences receiving five and more employment bids from the major defense contractors, while 91 percent of the civil engineers on the register received no bids at all.

As the study points out:

> A high IQ in itself is no guarantee against technical obsolescence. The engineer with an outmoded specialty can be just as much up aginst it as his bluecollar counterpart; both need to be retrained in a more-needed field if they are to make their proper and rightful contribution to the national scientific effort. The retraining of professional people is still a novel and somewhat unfamiliar concept, but it is worth very careful consideration by the Government as one of the more promising means of helping to bring about near-term relief of the technical manpower shortage.

Along with retraining of our professional personnel we must also take decisive measures to increase the number of technicians available each year. At present the ratio of technicians to degree-holding professionals in American industry is less than ½ to 1. A more normal and efficient ratio would be 2 or 3 to 1. Dr. Wiesner has touched on this in his report, but he has suggested no method, program or procedure for bringing this increase in technicians about.

Another useful program to help achieve more rapid relief of the technical manpower shortage is to increase the on-the-job educational opportunities for young engineers and scientists, both in Government and industry. As a practical matter, the initial high-wage offers of industry and the tendency of Americans to marry and have families increasingly early have operated against the entry of young B.S. holders into graduate school. If this reality is to be faced, we must provide an alternative pathway to higher education as a complementary program for the one suggested by Dr. Wiesner. Such a program, it seems to me, is to be found in an increased number of young engineers and scientists who continue their education during a part of the working day. NASA has already taken some significant steps in this direction as a part of its program, but the practice needs to become more widespread both in Government and in industry.

Moreover, the concept of a complete year of additional schooling at Government or company expense also needs to be further explored. Last year only 259 people in the entire U.S. Government of 2,500,000 employees took sabbatical leave for further training for more than 120 days at nongovernmental institutions. Certainly we can do better in this area.

These, then, are some of the thoughts that I want to leave with you on the first anniversary of the President's plea that specific measures be taken to help reverse a trend that is resulting in an ever-increasing shortage of technical manpower. I again ask this body to consider the shortage of engineers and scientists to be a matter of most vital national urgency; and I reiterate my resolve to see that the legislative branch does not default in its obligation to take action in this area.

MERCHANT SHIPPING TO CUBA

Mr. MAGNUSON. Mr. President, yesterday I placed in the Record a statement of the number of free world ships which had operated into and out of Cuba between November 20 and December 31, 1962.

I ask unanimous consent to have printed at this point in the Record an additional list of free world ships which have plied into and out of Cuba between January 1 and January 31, 1963.

There being no objection, the list was ordered to be printed in the Record, as follows:

Free-World Ship Arrivals in Cuba, January 1-31, 1963

Abbreviations: Br, British; Gr, Greek; It, Italian; Ja, Japanese; (T) tanker; Le, Lebanese; Pa, Panamanian; Sw, Swedish.

NAME OF SHIP AND FLAG OF REGISTRY

Arlington Court (Br).
Cannaregio (It).
Capetan Petros (Gr).
Cooranga (Sw).
Gloria (Gr).
London Confidence (T) (Br).
London Splendour (T) (Br).
Meishun Maru (Ja).
Mousse (Le).
Oversea Pioneer (T) (Br).
Pampas (Br).
Perseus (T) (Gr).
Redestos (Gr).

THE ANTICIPATED BUDGET DEFICIT

Mr. CANNON. Mr. President, in recent weeks we have heard a great outcry over the anticipated deficit which is a part of the budget which Congress now has under review.

I do not believe that the country is happy over the anticipated deficit, regardless of the attractive package with which it is presented; namely, a tax cut.

I was naturally distressed to read in a dispatch by the Associated Press that the Navy is charged by Government auditors with paying $408,000 too much for aircraft engine bearings. The Government Accounting Office alleges that this unconscionable waste resulted from the failure of the Navy to use competitive bidding.

I am sure that it is high time that all of the services, as well as other Government agencies, begin a crackdown on wasteful and inefficient purchasing methods.

I personally object strongly to this kind of activity by any Government agency, and I feel certain that this sentiment is shared by all Senators.

I ask unanimous consent to have printed in the Record the Associated Press article which appeared on page 6 of the Washington Evening Star of February 6, 1963.

There being no objection, the article was ordered to be printed in the Record, as follows:

Navy Paid Too Much, Auditors Say

The Navy is charged by Government auditors with paying $408,000 too much for aircraft engine bearings because it declined to use competitive bidding.

In addition, the Government Accounting Office said, the Navy needlessly bought $48,000 worth of a particular bearing at the same time it was disposing of identical bearings as surplus items.

Reporting its findings to Congress, the Government Accounting Office said it is recommending that the Defense Department maintain a close watch over Navy purchasing practices to assure the fullest competition possible.

The report said the Navy insisted on getting its bearings from the aircraft engine manufacturer, rather than directly from the bearing producer, as does the Air Force for similar bearings.

"Although the Air Force * * * advised the Navy that the bearings could be bought for about one-third less if purchased competitively, the Navy insisted on the purchase being made from the engine manufacturer," the Government Accounting Office said yesterday.

The report said the Navy argued it did not have the technical data to buy bearings competitively but had to rely on the quality assurance services of the engine manufacturer.

In the case cited the Navy paid $1,145,000 for bearings that could have been bought competitively for $737,000, the Government Accounting Office said.

RATIFICATION OF ANTI-POLL-TAX AMENDMENT

Mr. HOLLAND. Mr. President, I am happy to announce that two additional States have approved the anti-poll-tax amendment which the 87th Congress submitted for ratification last year.

I have been informed by my colleagues, the distinguished Senators from Maryland [Mr. Beall and Mr. Brewster], that the Maryland Legislature has given its overwhelming endorsement to this important amendment. The vote in the Maryland House of Delegates yesterday, February 6, was 125 to 3. I am informed that the vote in the senate on January 24 was equally overwhelming, although I have not been able to obtain the figures.

Last night I received word from my colleague, the distinguished junior Senator from Oregon [Mrs. Neuberger], that the Oregon House of Representatives on January 25 approved the amendment, completing action on ratification by the Oregon Legislature, the Oregon Senate having approved the measure 3 days earlier, on January 22. It is my understanding that the Oregon Legislature's endorsement was overwhelming in each case.

As Senators will recall, on Tuesday the distinguished Senator from New York [Mr. Keating] announced that the New York State Legislature had ratified the amendment on Monday of this week. I now understand that the senate vote was 55 to 2. Yesterday I brought to the attention of the Senate the fact that the Legislature of West Virginia, represented in this body by my colleagues, the distinguished Senators from West Virginia [Mr. Randolph and Mr. Byrd], both of whom have given such vigorous leadership to this movement, had ratified the anti-poll-tax amendment the day before, on Tuesday of this week. I now can inform the Senate that the action by both Houses of the West Virginia Legislature was unanimous—the senate approving the amendment by a vote of 32 to 0 and the house by a vote of 94 to 0.

Maryland and Oregon are the fifth and sixth States, respectively, from which I have heard, to ratify the amendment, which Senators will recall was sponsored by 68 Members of the Senate, including myself. The other States which have promptly given their endorsement, in addition to Maryland, New York, West Virginia, and Oregon, are the States of Illinois, which was the first, and New Jersey, the second, as I have indicated in previous remarks I have made upon this subject.

I am indeed delighted with the Maryland Legislature's commendable action. I extend my congratulations and express my sincere appreciation to my colleagues from Maryland, Senator Beall, who cosponsored and supported the amendment in the Senate in the 87th Congress, and Senator Brewster, who, as a Member of the House of Representatives from Maryland at that time, gave it vigorous support in that body. Each of them also has followed through, in commendable bipartisan fashion, in recommending prompt ratification by the Maryland Legislature, which responded so nobly, as yesterday's action shows.

I also wish to congratulate and express my appreciation to both Senator Neuberger and the distinguished senior Senator from Oregon [Mr. Morse] upon the action of the legislature of their great State. Each of them cosponsored my resolution in the 87th Congress which proposed this important Amendment to the Constitution, and each has continued to work toward its prompt ratification by the legislature of their State. I indeed thank them most sincerely for their efforts.

Mr. MANSFIELD. Mr. President, I yield back all but the last half minute of my time, and I yield that half minute to the Senator from Delaware.

THE TAX PROPOSAL OF THE ADMINISTRATION

Mr. WILLIAMS of Delaware. Mr. President, after the vote on the cloture motion, I shall reply more fully to the letter just placed in the Record by the distinguished junior Senator from Florida [Mr. Smathers], which was sent to him and signed by Secretary of the Treasury Dillon.

The letter takes exception to some of the examples which I placed in the Record on January 31, 1963, pages 1444 to 1447, concerning the President's tax proposal. The Treasury now points out that under the new proposal my examples would not all be accurate. I do not question that statement as far as the new proposals are concerned because the administration has changed its proposal since it was first submitted by the President. I emphasize again—and I will speak in more detail on this subject later—that the proposal of the President of the United States would have raised the taxes of a substantial number of retired employees, and would have raised them in exactly the same manner which I cited.

In addition, the Secretary in his letter admits that even the administration's latest, modified proposal does not correct all the inequities. He said that there would be about one-seventeenth of 1 percent—I understand that is about 2,000 retirees who would be affected adversely. According to the administration these 2,000 of our elderly are expendable.

At a later date I will speak again on this subject and point out the difference in the administration's newest proposal as compared to what the President actually tried to put over on the taxpayers.

I think the administration's tax proposal is one of the greatest monstrosities that has ever been presented to the American people and is one of the most misrepresented pieces of proposed legislation that has ever been sent to Congress from the White House.

I sometimes wonder if even they understand the full implication of what they have proposed.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. MANSFIELD. Mr. President, I wish to state on my own responsibility that if the vote in favor of cloture is less than 60, I shall immediately, upon the conclusion of the vote, move that the Senate adjourn until Monday.

Mr. JAVITS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. If there are 60 or more votes in the affirmative, I have a cloture motion which I will file immediately. If the Senate adjourns today, following the vote on cloture, it is my intention to call a meeting of the Democrats into caucus this afternoon, to consider the filling of the vacancies on the steering and the policy committees.

I am pressed for time; I understand that automatically the rollcall will begin at 11 o'clock. But I want the Senate to know, beforehand, just what I intend to do.

The VICE PRESIDENT. It now being 11 a.m., 1 hour after the Senate met today, the Chair, under paragraph 2 of the cloture rule, lays before the Senate the motion proposed by the Senator from Montana [Mr. MANSFIELD], on Tuesday last, to close debate on the motion of the Senator from New Mexico [Mr. ANDERSON] to have the Senate proceed to the consideration of Senate Resolution 9, to amend the cloture rule of the Senate; and the Chair directs the Secretary to call the roll for the ascertainment of the presence of a quorum.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 21 Leg.]

Aiken
Allott
Anderson
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Edmondson
Ellender
Ervin
Fong
Fulbright
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, Idaho
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT] and the Senator from California [Mr. ENGLE] are absent on official business.

I further announce that the Senator from North Carolina [Mr. JORDAN] is necessarily absent.

The VICE PRESIDENT. A quorum is present.

The Chair now places before the Senate the question, Is it the sense of the Senate that the debate shall be brought to a close?

A yea-and-nay vote is required by the rule; and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. METCALF (when his name was called). On this vote, I have a pair with the Senator from California [Mr. ENGLE] and the Senator from North Carolina [Mr. JORDAN]. If present and voting, the Senator from California [Mr. ENGLE] would vote "yea," and the Senator from North Carolina [Mr. JORDAN] would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT] and the Senator from California [Mr. ENGLE] are absent on official business.

I further announce that the Senator from North Carolina [Mr. JORDAN] is necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT] would vote "nay."

The yeas and nays resulted—yeas 54, nays 42, as follows:

[No. 22 Leg.]

YEAS—54

Aiken
Allott
Anderson
Bayh
Beall
Boggs
Brewster
Burdick
Case
Church
Clark
Cooper
Dodd
Dominick
Douglas
Fong
Hart
Hartke
Humphrey
Jackson
Javits
Keating
Kefauver
Kennedy
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
McNamara
Morse
Morton
Moss
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smith
Symington
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NAYS—42

Bennett
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Dirksen
Eastland
Edmondson
Ellender
Ervin
Fulbright
Goldwater
Gore
Gruening
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Johnston
Jordan, Idaho
Long, La.
McClellan
McGee
Mechem
Miller
Monroney
Mundt
Robertson
Russell
Simpson
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Young, N. Dak.

NOT VOTING—4

Bartlett
Engle
Jordan, N.C.
Metcalf

The VICE PRESIDENT. On this vote, the "yeas" are 54; the "nays" are 42. Two-thirds of the Senators present and voting not having voted in the affirmative, the motion is rejected.

MOTION TO ADJOURN TO MONDAY

Mr. MANSFIELD. Mr. President, I move that the Senate stand in adjournment until noon next Monday. On that question I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana. A motion to adjourn is not debatable. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. BARTLETT], and the Senator from California [Mr. ENGLE] are absent on official business.

I further announce that the Senator from North Carolina [Mr. JORDAN] is necessarily absent.

On this vote, the Senator from North Carolina [Mr. JORDAN] is paired with the Senator from California [Mr. ENGLE]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from California would vote "nay."

The yeas and nays resulted—yeas 64, nays 33, as follows:

[No.23 Leg.]

YEAS—64

Aiken
Bayh
Bennett
Bible
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Church
Cotton
Curtis
Dirksen
Dominick
Eastland
Edmondson
Ellender
Ervin
Fulbright
Goldwater
Gore
Gruening
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Johnston
Jordan, Idaho
Kefauver
Long, Mo.
Long, La.
Mansfield
McClellan
McGee
McIntyre
Mechem
Metcalf
Miller
Monroney
Morton
Moss
Mundt
Muskie
Neuberger
Pearson
Prouty
Robertson
Russell
Saltonstall
Simpson
Smathers
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—33

Allott
Anderson
Beall
Boggs
Burdick
Case
Clark
Cooper
Dodd
Douglas
Fong
Hart
Hartke
Javits
Keating
Kennedy
Kuchel
Lausche
Magnuson
McCarthy
McGovern
McNamara
Morse
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Symington
Williams, N.J.
Young, Ohio

NOT VOTING—3

Bartlett Engle Jordan, N.C.

The VICE PRESIDENT. On the motion by the Senator from Montana that the Senate stand in adjournment until noon on Monday, the "yeas" are 64, and the "nays" are 33. The Senate stands adjourned until 12 o'clock noon on Monday.

Thereupon (at 11 o'clock and 27 minutes a.m.) the Senate adjourned until Monday, February 11, 1963, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Part 8: Let's Keep the Record Straight—A Selected Chronology of Cuba and and Castro (November 21–December 15, 1962)

EXTENSION OF REMARKS

OF

HON. DON L. SHORT

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

Mr. SHORT. Mr. Speaker, part 8 is now offered as a continuation of my chronology on Cuba and Castro.

The "mopping-up" operations which normally take place after a battle is over now became the order of the day after the coldest of cold wars was over. First the American quarantine was lifted, the Soviets returned the courtesy by ending their combat readiness status, our ships, reservists, Navy, Marine Corps, and Strategic Air Command returned home or ceased their operations in and around Cuban waters. Even the Cuban Government was reported to have begun demobilizing its militia units which had been called to arms the day after our quarantine was declared.

Then the glow of our uneasy peace began slowly to fade as a Cuban Government newspaper renewed the controversy by an offer to swap U.N. verification of Soviet missiles removal from Cuba for U.N. supervision of dismantling of alleged anti-Castro camps on U.S. soil which supposedly were "training camps of mercenaries, spies, saboteurs, and terrorists."

Mikoyan, the Soviet's No. 1 troubleshooter, left Cuba, returned to New York, and journeyed to the White House for what was termed an "inconclusive conference on Cuba and other cold-war issues" with President Kennedy.

Secretary of State Dean Rusk did little to relieve the renewed tension when he broadcast a warning that Americans must not draw too many conclusions about a relaxation of world tensions. Stating that easing of the Cuban crisis "gives us all some confidence for the future," he nevertheless pointed out that "there were special circumstances in Cuba which are not necessarily present in other parts of the world." And the American public swallowed this bitter medicine reluctantly, but with resignation, because it knew Secretary Rusk spoke the truth.

We soon found controversy was going to remain our way of life when the Stevenson-Alsop-Bartlett issue was suddenly dropped in our laps. Publication in the December 8 Saturday Evening Post of a joint Alsop-Bartlett article alleging that Adlai Stevenson—whose public image had improved immensely during the U.N. discussion and debate of the Cuban-Soviet missiles buildup—had advocated a soft policy toward Moscow in National Security Council discussions created a new issue. The combined indignant denials of Stevenson, his supporters, and a carefully worded letter of confidence written by President Kennedy to Stevenson were not able to put to rest a rumor that President Kennedy himself had engineered the whole thing. Later public utterances of both Stevenson and the President not only did not clear up the muddy waters, but in the opinion of many, added a shade more mud.

And it remained for Soviet Premier Khrushchev—in his own fight for an improved public image in the U.S.S.R.—to place the whole Cuban affair in clear and cold perspective by a few well-chosen words. Pointing out that although the so-called Marxist-Leninists — Chinese Communists—called imperialism a paper tiger—that paper tiger has nuclear teeth—and, therefore, should not be treated lightly. Then he outlined some undeniable, but to us indigestible, truths, which it would pay us to memorize in order not to forget them:

> In what way have we retreated? Socialist Cuba exists. Cuba remains a beacon of Marxist-Leninist ideas in the Western Hemisphere. The impact of her revolutionary example will grow. The Government of the United States has given a pledge not to invade Cuba. The threat of thermonuclear war has been averted. Is this a retreat?

Then, staying in character, Khrushchev continued pressing for a guarantee of noninvasion of Cuba by the United States. Ignoring completely the fact that his own guarantees to the United States regarding verification of the missiles removal were worthless, he admonished us to take care lest the Soviet confidence in the word of the United States was destroyed.

And the Red Chinese added the final note of hypocrisy in virtuously declaring that they really had no part in the whole thing because they neither introduced nuclear weapons into Cuba, nor obstructed their removal. In their denial of the charge of "adventurism" or of attempts at plunging the whole world into a thermonuclear war, however, we concede that they to a certain extent spoke the truth because their actions smacked of the typical troublemaker who says, "I'll hold your coats, and let's you and him fight."

Part 8 follows:

PART 8—A SELECTED CHRONOLOGY ON CUBA AND CASTRO

November 21, 1962: Soviet Union ends the combat-readiness alert of its armed forces which was imposed at the beginning of the Cuban crisis. Most of the U.S. ships participating in the blockade of Cuba return to their ports. The U.S. Defense Department orders the release from active duty of 14,200 Air Force reservists called to active duty during the Cuban crisis, cancels involuntary duty extensions of Navy and Marine Corps personnel, and ends the special alert of the Strategic Air Command.

November 24, 1962: Castro Government begins demobilization of militia units called to arms on October 22.

November 26, 1962: Cuban Government newspaper Revolucion reports that Cuba will permit UN investigators to verify the removal of Soviet missiles from Cuba if the United States will agree to U.N. supervision of the dismantling of "training camps of mercenaries, spies, saboteurs and terrorists" allegedly set up as anti-Castro bases on U.S. soil.

Soviet First Deputy Premier Anastas I. Mikoyan leaves Cuba and returns to New York.

November 28, 1962: The Cuban situation was discussed by Secretary of State Dean Rusk on a television program tonight. He warned that although negotiations here and in Washington had eased the Cuban crisis, Americans must not draw too many conclusions about a relaxation of world tensions.

"We were deeply gratified to see the immediate unification of the [Western] hemisphere with unanimity on the nature of this threat and the necessity that it be removed," Mr. Rusk said in reference to the Soviet introduction of missiles and other offensive weapons into Cuba and their subsequent withdrawal. "Had there been disunity and had we fallen to quarreling among ourselves, I think the results might have been quite different."

He said of the easing of the Cuban crisis: "I think it gives us all some confidence for the future."

However, he added: "I don't want to mislead you on that because we have cautioned our friends from drawing too many conclusions from the Cuban experience. The Soviet Union remains a great power. There were special circumstances in Cuba which are not necessarily present in other parts of the world."

November 29, 1962: President Kennedy and Anastas I. Mikoyan, a Soviet First Deputy Premier, met for 3 hours and 15 minutes today in an apparently inconclusive conference on Cuba and some other cold-war issues.

Both the White House and Mr. Mikoyan announced after the meeting that an agreement had been reached to continue at the United Nations the United States-Soviet negotiations on the Cuban situation.

November 30, 1962: A luncheon conference in Washington between Anastas I. Mikoyan and Secretary of State Rusk covered a wide range of issues. There was no sign of any change in Soviet and United States positions.

December 1, 1962: Anastas I. Mikoyan left Washington for Moscow, affirming the goodwill of the United States and pledging that the same "will be evinced by us." The Soviet leader expressed optimism on a settlement on Cuba and future Soviet-United States relations, but American officials were more reserved.

December 2, 1962: Secretary General Thant voiced hope that the "spirit of compromise" in United States-Soviet negotiations on Cuba would be extended to other outstanding problems. The United Nations leader cited Berlin as an issue on which compromise might be imperative and added that the West did not seem to grasp the full significance of "an obvious change" in the Soviet political mood.

December 3, 1962: Washington announced yesterday that Soviet jet bombers were being shipped out of Cuba in line with Premier Khrushchev's pledge to President Kennedy. The Pentagon said patrol planes had spotted the Russian freighter *Okhotsk* sailing from Cuba with at least three dismantled Ilyushin-28's on deck, while other jets were being crated at a Cuban airbase.

December 5, 1962: President Kennedy sought yesterday to end speculation that Adlai E. Stevenson would be replaced as U.S. representative to the United Nations. In a letter to Mr. Stevenson, the President expressed his "fullest confidence" in him and voiced deep regret over a controversial magazine article implying that Mr. Stevenson had advocated a "soft" line toward Moscow in the Cuban crisis. Mr. Stevenson termed the article "wrong in literally every detail."

December 5, 1962: The economic plight of Cuba was reflected in a Government decree nationalizing most shops dealing in clothing, shoes, and hardware. The move was regarded as a first step toward rationing. Many of the stores were painted with the word "nationalized"—and a hammer and sickle.

December 6, 1962:

U.S. Navy planes have verified that 42 Soviet jet bombers are being transported home from Cuba aboard 3 ships. Coincident with this Pentagon announcement yesterday was a report from anti-Castro sources in Havana that Soviet troops were apparently bolstering Cuba's defenses. The report, dated November 29, said that many Soviet troop units were building underground fortifications and airfields throughout the island.

December 7, 1962:

U.S. analysts expressed doubts today that Cuban negotiators would be able to obtain sufficient Soviet-bloc aid to overcome Cuba's worsening economic difficulties.

This view was held despite the contention by Carlos Rafael Rodriguez, head of the 16-man economic mission that flew to Moscow Wednesday, that in 1963 Cuban-Soviet trade would exceed this year's total.

U.S. specialists believe the Soviet bloc may lack both the capacity and the desire to raise again at this time the flow of aid and of subsidized trade that has been reaching Cuba in recent years.

December 8, 1962:

Nine thousand marines quit Caribbean.

A Marine brigade of about 9,000 men is on its way back to California after service in the Caribbean area during the Cuban crisis, the corps announced Friday.

This was the first official disclosure of the size of the Marine force sent to the Caribbean and to the Guantanamo Naval Base in late October, when the United States was building up its military power to cope with a missile threat from Cuba.

December 9, 1962:

Adlai E. Stevenson sought to draw the final curtain yesterday on the Adlai affair.

"There has been too much talk, I think, already, and much of it wholly uninformed," said the United Nations Ambassador of the furor created by a Saturday Evening Post article last week suggesting that Stevenson favored a softer policy on Cuba than President Kennedy adopted.

"The important thing," Stevenson said yesterday, "is that the Soviet Union has removed the nuclear weapons and the bombers from Cuba without us firing a shot or seriously risking world war and without cost to the United States.

"I think that President Kennedy's firmness and prudence have been richly rewarded, and I am proud to have had a part in the formulation of his policy and in its execution."

Stevenson continued: "The important thing, it seems to me now, is to conclude this transaction with the Soviet Union and to move on to further negotiations with them about the many other problems and conflicts that embarrass our relations and the security of the world."

He said the United Nations throughout the Cuban affair, "performed in the classic manner in which it was intended to perform."

"It provided a forum for the parties to expose their grievances. It afforded a means of marshaling world opinion. And it provided an opportunity to the United Nations, to the Secretary General, to offer mediation and conciliation."

December 10, 1962:

The United States is about ready to close the book on the Cuban crisis and open the way for possible talks with the Soviet Union on other world issues, Secretary of State Dean Rusk made clear yesterday.

The one remaining obstacle, Rusk indicated at his first press conference in 5 months, is the continuing presence in Cuba of Soviet military forces. The Secretary recalled President Kennedy's statement that the Soviets had promised that at least some of these forces would be withdrawn. Rusk added:

"Certainly we in this hemisphere could not accept as a normal situation any Soviet military presence in Cuba."

Rusk said there are several thousand troops still in Cuba, adding that "the numbers are significant but not large. Their role there is something that is of great concern to us and something we will follow very carefully."

Rusk called the failure of the Soviet Union to provide in Cuba the verification of missile removal which Soviet Premier Nikita S. Khrushchev had promised the President "a very serious deficiency." But he made it evident the United States was not going to push any further on this. The United States intends to continue aerial reconnaissance over Cuba and is prepared to shoot back if any of its planes are shot at, it was learned elsewhere.

December 11, 1962:

Soviet Premier Nikita Khrushchev today rebuked Communist China for its criticism of Russian handling of the Cuban crisis in the most direct Russian comment so far on the ideological rift between the two countries.

In a 2-hour and 48-minute televised address to the final session of the Supreme Soviet (Parliament), Khrushchev said the "so-called Marxist-Leninists" who criticized his Cuba policies were trying to get the United States and Russia at each other's throats and provoke a world war.

He said those who call imperialism a "paper tiger" should remember that "the paper tiger has nuclear teeth."

It may still use them and should not be treated lightly. Therefore, in relations with imperialist countries, compromises are possible.

He said that if Russia listened to "ultrarevolutionary shouters" during the Cuban crisis the world would have been plunged into a thermonuclear war.

The Soviet leader said the time had come for ending the crisis through negotiations.

"In what way have we retreated?" he asked. "Socialist Cuba exists. Cuba remains a beacon of Marxist-Leninist ideas in the Western Hemisphere. The impact of her revolutionary example will grow. The Government of the United States has given a pledge not to invade Cuba. The threat of thermonuclear war has been averted. Is this a retreat?"

Khrushchev pledged himself to fulfill Soviet commitments in the Cuba settlement "so long as the other side stands by this understanding." Then he added:

"But if the commitments assumed are not observed by the other side, we shall be compelled to take such action as may be required by the situation."

Referring to Cuban Premier Fidel Castro's five demands (which include U.S. evacuation of its Guantanamo Naval Base on Cuba), Khrushchev called them "just demands in keeping with the elementary rights of every soverign state."

Khrushchev noted that Russia had withdrawn its rockets and bombers from Cuba.

Now, he said, it was time for President Kennedy to guarantee noninvasion of the island.

Should U.S. pledges be broken, he said, it would have a far-reaching effect in destroying Soviet confidence in the word of the United States.

He said the main result of recent Soviet foreign policy was that an attack on Cuba "prepared by aggressive militarist circles of the United States was averted."

World public opinion warmly greeted "the victory of the policy of commonsense."

He said Russian rockets were sent to Cuba only so that the United States could see "the real danger of thermonuclear war."

"We were sure that this would bring them to their senses," he said.

Khrushchev ridiculed contentions that Russia had chosen Cuba as a jump-off site for war against the United States and said this was "malicious fabrication."

"Had we wanted to start war against the United States we would not have agreed to dismantle the rockets installed in Cuba which were ready for launching for action. We would have brought them into play. We did not do that because we had no such aims," he said.

December 12, 1962:

President Kennedy indicated yesterday that there has been too much speculation about Adlai Stevenson's role in the Cuban crisis and pointedly declared that the matter should be left to historians.

At the same time, the President stressed that positions taken in the Cuban crisis frequently changed during the discussions as the National Security Council examined alternatives and the possible repercussions.

But, he added in a discussion of the matter at his press conference, the final judgment was always made by him as President.

December 13, 1962:

Under Secretary of State George W. Ball said today the world may be entering a period of "profound political change" in which both the hazards and possibilities of peace would be increased.

Ball said recent events in Cuba and other trends suggest that we may be passing from a period of rigidity in world politics into an era of great mobility and maneuver.

Ball said President Kennedy's quarantine of Cuba to be only the first move in a complicated strategy. But Soviet Premier Nikita S. Khrushchev's decision to remove his missiles made the rest of the strategy unnecessary, Ball said.

December 13, 1962:

American firmness and flexibility in handling the Cuban crisis have transformed the spirit of the Western Alliance, members of the NATO Ministerial Council acknowledged to one another today.

German Foreign Minister Gerhard Schroeder aptly summed up the feelings of many others when he said that Cuba had shown that the United States was prepared to run the necessary risks to safeguard mutual interests.

As a result of the Cuban experience, Secretary of State Dean Rusk told the 15-nation NATO Council, there is a sense of anticipation among the allies that the opportunity for new initiatives may be opening up.

Nevertheless, he said, it would be dangerous to think that the Cuban developments have made the situation in Berlin any more favorable. The Russians still reject any notion of continued Western presence in Berlin.

Actually the Cuban crisis is not yet over, Rusk pointed out. The United States is reasonably confident that all Soviet missiles and IL–20 bombers have left Cuba, but cannot be entirely sure.

A non-American source said Rusk told the Council that 10,000 to 12,000 Soviet troops remain in Cuba in four distinct combat units. These are not instructors or a military assistance group but definite military units, the source said.

In addition, Rusk asserted, Russian surface-to-air missiles are still in Cuba, despite Soviet Premier Nikita S. Khrushchev's indications that all would be removed.

Although the United States has no desire to invade Cuba, Rusk reiterated, it cannot be in the position of giving assurance above its treaty commitments in the Western Hemisphere or of sanctioning interference by the Castro government with neighboring countries.

December 15, 1962:

North Atlantic Alliance countries today wound up their 3-day fall ministerial meeting with a tribute to the American stand on Cuba and a concession to appeals for strengthening conventional military forces.

Soviet action in secretly stationing nuclear missiles in Cuba had brought the world to the verge of war, the final communique said, but the peril was averted by the firmness and restrain of the United States, supported by the alliance and other free nations.

December 15, 1962:

Red China, asserting unshakable belief in its brand of communism, issued a manifesto today accusing the Soviet bloc of attempting to split the Communist world.

And while chiding Moscow over its role in the Cuban episode, the 6,500-word Peking policy statement proposed a meeting of all the world's Communist parties to attempt to heal the Chinese-Soviet rupture.

The Chinese stand was published in the Peiping People's Daily, official organ of the Chinese Communist Party.

In backing down on Cuba, the Soviet Union was "scared out its wits" in the face of nuclear strength, Peiping said.

"We neither requested the introduction of nuclear weapons into Cuba, nor obstructed the withdrawal of 'offensive weapons' from that country," the People's Daily said. "For us, therefore, there is no question whatsoever of 'adventurism,' still less of 'plunging the whole world into a thermonuclear war.' "

Proposed Changes in the Immigration and Nationality Act of 1924

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

Mrs. KELLY. Mr. Speaker, for many years there have been proposals for changes in the Immigration and Nationality Act of 1924. As one who has long been interested in immigration problems, I feel that we have now reached the point where a minimum of change is expedient.

To accomplish this, I have introduced two bills. The first of the bills would amend section 201 of the act so as to provide that all quota numbers not used in any year shall be made available in the following year to immigrants of oversubscribed nations. Under the law as it exists today, the total annual quotas number 154,659. In 1960 only about 101,000 quota immigrants were admitted. Generally speaking, about one-third of the quota goes unfilled each year. This lack of utilization is caused by the fact that there is an excess of quota numbers allotted to some countries. As the Congress determined the annual number of immigrants who shall enter the United States, I can find no valid reason for not permitting the full number to enter each year. So long as we have determined that the United States has sufficient room for a specific number of good immigrants, let us admit them.

The second bill I have introduced concerns a more basic change in the law. I propose that the census figures for 1950 instead of 1920 be used as a basis for determination of annual quotas. In 1920, the population of the continental United States was 105,710,620. Today, the total population including Alaska and Hawaii is 179,323,150—1960 census. My bill would thus provide for a population increase in annual quotas and enable the quotas to reflect the up-to-date pattern of national origins rather than those existing in 1920. Allocation of quotas among countries in the same proportions as the countries are reflected in our population is the basis for the entire national origin theory. Surely this system, in order to sustain its validity, must be shown to be sufficiently flexible to reflect the present and not the distant past.

The Bureau of the Census estimated that the change I propose would raise the total annual quota to 210,492 places for an increase of 55,835. Some important differences in the quota allocations would be as follows:

Country	Present quota based on 1920 census	Implied quota based on 1950 census
Austria	1,405	3,309
Baltic States	734	1,317
Greece	308	676
Italy	5,645	11,499
Poland	6,488	8,155

I therefore respectfully urge that these proposals be considered at an early date and that any other Members who so desire join with me in their support.

Macauley's Warning

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

Mr. PHILBIN. Mr. Speaker, some 100 years ago the great British thinker and famed writer, Macauley, in one of his writings issued a stern forbidding warning to the Government and the people of the United States.

This warning is so realistic and timely today that I think it is well worth repeating for the possible benefit of the House and the country.

It goes as follows:

> Your Constitution is all sail and no anchor. As I said before, when a society has entered on this downward process, either civilization or liberty must perish.
>
> Either some Caesar or Napoleon will seize the reins of Government with a strong hand, or your Republic will be as fearfully plundered and laid waste by barbarians in the 20th century, as the Roman Empire was in the 5th: with this difference, that the Huns and vandals who ravished the Roman Empire came from without and that your Huns and vandals will have been engendered within your own country and by your own institutions.

While I do not agree that either the American Constitution or our political institutions are inadequate to cope with present conditions, I firmly believe that it is imperative for us to pause and take account of present conditions and trends in the Nation and then move with all practicable speed to strengthen and reinforce our institutions, where this is deemed necessary, so that they may resist the incessant clamors and impacts of subversive and softening ideas and destructive movements and be streamlined and modernized, where the need may be shown, to cope with and solve the challenging problems of our rapidly changing, growing country and the world.

To preserve intact our cherished freedoms, and at the same time adapt our Government and economic system to the needs of the present, should not be too difficult a task for our great democracy, experienced as it is in the affairs and techniques of Government.

But we must tackle this important task before our free institutions are overwhelmed by the whirlwind of radical thought and movements that literally besiege us, and before, by the sheer force of events, we succumb to the tides of moral, social, and political disintegration which godless materialism is sweeping across the world.

Meritorious Service Award

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

Mr. DORN. Mr. Speaker, John D. Swygert, on December 19, 1962, received the Post Office Department's Meritorious Service Award, being one of the first recipients under the Department's new awards program. His citation read:

> For outstanding leadership and direction in the initiation and administration of the Christmas and vacation operation programs; for expert direction of staff work required to improve the work measurement system; for

effective manpower control resulting in efficient and economical organization of our Nation's post offices.

Mr. Swygert has been Director of the Installations Management Division, Bureau of Operations, Post Office Department, since August 1961, having been promoted to this position from executive assistant to the Assistant Postmaster General, Bureau of Operations.

Mr. Swygert is a native of Columbia, S.C., and first entered the postal service in October 1935 as a substitute clerk. He volunteered during World War II and served in the U.S. Navy with honor and distinction. At the time of his separation from service, he was district postal officer of the 6th Naval District. Immediately upon his discharge, he returned to postal service.

Mr. Swygert was elected a member of the executive board of the National Association of Postal Supervisors in September 1950 and, in August 1953, was appointed by President Michael C. Nave to fill the unexpired term of national secretary in Washington, D.C. He continued as secretary until December 1958, having been elected unanimously to the secretary position on three occasions in Miami, Omaha, and Louisville. In December 1958 he resigned as national secretary to accept a position with the Post Office Department as organization management officer in the Atlanta regional office.

Mr. Speaker, John D. Swygert typifies the dedicated, loyal, public servant. His many friends and admirers in the Congress join me in congratulating him for this great honor and in expressing our appreciation for his many kindnesses and courtesies to us. Mr. Swygert like his chief, the able and distinguished Edward Day, exemplifies those traditions, principles, and ideals of public service that made the Post Office Department the superb organization that it is today.

Fifty-third Anniversary Salute to the Boy Scouts of America

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

Mrs. KELLY. Mr. Speaker, the 53d anniversary of the Boy Scouts of America is an appropriate time for me to extend my personal greetings and congratulations to this notable organization. The problems which face our Nation are tremendous, but the resources and vitality of our youth working together give us great hope for the future.

Since 1910 the Scout program has offered tremendous opportunities "to practice the right with satisfaction—to practice the wrong with annoyance." Conditions are constantly present in scouting which enable the boy to tell success from failure. In scouting a youth is thrown in contact with men and older boys whose respect he desires. A Scout knows when his conduct pleases or displeases. Conditions in scouting are most favorable for the boy to learn to plan his own activities and to cooperate in a group with purpose.

Scouting makes valuable use, through den, patrol, and troop activities, of group enterprises with their attendant possibilities to develop sound habits of conduct. Scouting has wisely taken notice of the physical development of the boy which is one of the great needs of the day.

World progress has given us more freedom, leisure time, and removed many of the restraints of past ages. However, these factors have created an area of greater personal responsibility toward our youth. This Nation should hold in high regard the adults who work so earnestly in scouting to develop strength of character, initiative, physical endurance, and honesty, so that the citizens of tomorrow will be equipped to make full and proper use of the freedoms that are theirs, both as boys and men.

On this 53d anniversary, I urge the Boy Scouts of America to press forward with their projects. The United States and the world need your continued efforts.

Proposed Changes in Senate Cloture Rule

EXTENSION OF REMARKS

OF

HON. ABRAHAM A. RIBICOFF

OF CONNECTICUT

IN THE SENATE OF THE UNITED STATES

Thursday, February 7, 1963

Mr. RIBICOFF. Mr. President, during the entire discussion over changing the rules of the Senate, the question of what should be done has often been confused with the question of how a change should be made.

I have steadfastly supported making a change in the cloture rule and I believe my votes during these proceedings have made my position clear. But I have not agreed with those who believe that the method we should use to accomplish a change is to insist that the Vice President exercise powers that properly belong to the Senate itself. I believe the Vice President has fully and faithfully discharged all of his responsibilities, and I believe the Senate should exercise its responsibilities.

I ask unanimous consent that the following editorials and letter be inserted at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

EDITORIAL BROADCAST ON JANUARY 31, 1963, OVER WTOP TELEVISION AND WTOP RADIO

Vice President Lyndon Johnson has made what we consider to be a most effective reply to criticisms of his rulings in the Senate filibuster fight.

Mr. Johnson came under fire from some Members of the so-called liberal bloc for his alleged failure to use all his powers as Senate presiding officer to curb filibusters.

In reply to this charge, Mr. Johnson cited unbroken and impressive precedents dating back to the first years of Congress. He told the Senate that he does not intend to "arrogate to himself a responsibility and a power which he does not have." He declined to "appoint himself a dictator of the Senate."

Mr. Johnson's position was supported by Senator Eugene McCarthy of Minnesota, who certainly is no friend of the filibuster. Senator McCarthy declared, "For Senators to stand up and say that the Vice President, who is simply the presiding officer of this body, must save the Senate from itself is, in my judgment, most unfair. If anybody is on trial today it is not the presiding officer but it is the Senate of the United States."

This seems to us a precise description of the situation. We are not entirely convinced that a change in the filibuster rule is essential. But even conceding that it is, such an important revision in Senate procedure must be decided by the one hundred senators. It is both unfair and unwise to demand that the Vice President reverse many years of precedents to achieve for members of one group what they have been unable to achieve for themselves.

This was a WTOP editorial, Jack Jurey speaking for WTOP.

[From the Washington Post, Jan. 30, 1963]

THE FILIBUSTER DEBATE

Hope for modification of the Senate's antifilibuster rule as a result of the present maneuvers in that body has dwindled to a very thin thread. Senate Majority Leader Mansfield is working hard for an agreement to vote on Senator Anderson's motion aimed at bringing the rules controversy to a showdown, and there appears to be a good deal of support for this solution. But as it must necessarily involve consent of the filibustering southern Senators, they must have concluded that the outcome will be defeat of the proposed reform.

The preliminary move which prepared the way for defeat of the proposed majority cloture was Vice President Johnson's ruling on Monday. Citing 36 precedents, the Vice President ruled that the asserted constitutional right to close debate and adopt new rules at the beginning of a new session must be decided by the Senate itself. The issue thus laid before the Senate is debatable; so there was nothing to prevent indefinite continuation of the filibuster—unless the southerners can foresee an end in their favor.

The question before the Senate is not, of course, whether the rules can be amended by majority vote. The Senate acts by majority whether in passing bills or making its rules. The problem is to stop the talking so that a vote can take place. If Vice President Johnson had ruled as former Vice President Nixon had indicated he would rule, to the effect that the Senate is not a continuing body, the question would have been whether a majority of the Senate would sustain him in that view. It is highly improbable that the filibusters would permit a vote unless they are convinced that it will not.

The Senate liberals who are fighting for an easier way of cutting off debate claim 46 signatures on a statement supporting their view. If they could obtain a majority, they would score an important point in public opinion. But the effect in the Senate would doubtless be to solidify the ranks of the filibusterers, and hope of stopping the talkfest by a two-thirds vote for cloture under rule 22 appears to be virtually nil.

What is to be gained, therefore, by prolongation of the agony? Probably the legislative program has not been seriously delayed to date by the talkathon, but it cannot long continue without holding up the works and wearing down senatorial energy. The time appears to be near at hand when the Senate will have to lay aside its biennial quarrel and get on with the business of the session. If it can do this by an agreement to vote on the constitutional issue, so much the better.

[From the Washington Post, Feb. 2, 1963]

THE FILIBUSTER DEBATE

I find myself in general agreement with the conclusion reached in your editorial of January 30, that little is to be gained by prolonging the agony of the cloture rule debate.

I do question, however, your contention that "If Vice President JOHNSON had ruled as former Vice President Nixon had indicated he would rule, to the effect that the Senate is not a continuing body, the question would have been whether a majority of the Senate would sustain him in that view."

Mr. Nixon said that "until the Senate indicates otherwise by its majority vote the Senate is proceeding under the rules adopted previously by the Senate," while adding that he believed "a majority of the Senate has a constitutional right at the beginning of each new Congress to determine what rules it desires to follow."

So it seems to me that Mr. Nixon recognized the continuance, even if provisional, of the Senate rules. Of course, it also appears that, if he had been a Senator, he would have voted for the Senate's constitutional right to close debate on a rules question, at the beginning of a new Congress by majority vote.

Further, Mr. Nixon said that as Presiding Officer he would put the constitutional question to the Senate for its decision, after indicating his opinion that it was in order. The procedure Vice President JOHNSON has followed in 1963 is exactly that indicated by Mr. Nixon's opinion: he has submitted it to the Senate for its decision. He accepted the view of his predecessors, that, as Mr. Nixon said, "The Chair lacks the power to make a decision on a constitutional question."

Since 1803, Presiding Officers have not decided constitutional questions, to be sustained or overruled by the Senate itself; they have instead submitted such questions to the Senate for its independent determination.

The suggestion raised in recent debates, that the Vice President should "exercise his authority" to close debate and order a vote on the matter, is unprecedented and in my opinion highly dangerous. The Vice President, a member of the executive branch, has no such authority in the Senate. As Presiding Officer he is empowered to close debate only when the Senate rules authorize him to do so, or pursuant to a unanimous consent agreement. Together with Senators HUMPHREY and MCCARTHY I have resisted the implication that he has authority to close debate by arbitrary fiat.

As a supporter of a more liberal cloture rule, I believe it is the Senate's responsibility to make the rules under which it will operate, not the Vice President's. The question of a constitutional right to end debate by majority vote was placed where it should have been—before the Senate, for its decision.

MIKE MANSFIELD,
Majority Leader, U.S. Senate.
WASHINGTON.

[From the Washington Post, Feb. 1, 1963]

SENATE RULES

Much confusion has arisen from the criticism of Vice President JOHNSON for refusing to rule on the constitutional question implicit in the liberal bloc's motion to amend the rules. The Vice President was accused by Senator JAVITS and others of not exercising the powers of his office to promote liberalization of the antifilibuster rule. What they were asking the Vice President to do, however, was to disregard limitations on his office that have a long history.

As early as 1826 the Vice President submitted a constitutional question directly to the Senate. That practice was followed by Vice President Calhoun in 1830 and apparently by all subsequent Vice Presidents who have had to confront such issues. When the question arose in Vice President John Nance Garner's day, he said:

"It seems to the Chair * * * that this is purely a constitutional question; and under the precedents for more than a 100 years, where constitutional questions are involved as to the right of the Senate to act, the Chair has universally submitted the question to the Senate."

In the debate on Monday some of the liberal Senators who are trying to induce the Senate to disregard its old rules and vote on a new rule 22 agreed with the Vice President's ruling. Both Senators CLARK and HUMPHREY voiced their assent. Senator HUMPHREY's statement was especially significant. "I am not sure," he said, "that I want to give the Vice President of the United States the power to choke off debate. I should like to have the Senate itself face the responsibility."

This goes to the nub of the issue. The power to make rules belongs to the Senate. Should the Vice President say to the Senate that its old rule is unconstitutional and that it may proceed to an immediate vote on the making of new rules in disregard of the old rule, despite the insistence of a substantial group of Senators that the issue be debated ad infinitum? To say the least, such action would amount to an assumption of far-reaching power on the part of the Vice President. It would be welcomed in this case by some groups, but in the long run would doubtless be resented and vetoed by the Senate.

Incidentally, former Vice President Nixon did not differ from Mr. JOHNSON on this particular issue. While he expressed the view that rule 22 unconstitutionally restricts the authority of the Senate to adopt new rules at the beginning of a session, he went on to say that "under Senate precedents, a question of constitutionality can only be decided by the Senate itself and not by the Chair." In the light of the current debate it may be assumed that if the Vice President should presume to rule on a constitutional issue, some of the sponsors of cloture reform would vote against him merely to keep the Vice President in his place.

The Senate's rejection of the liberal bloc motion yesterday will not of course end the struggle to devise better means of limiting debate in the Senate. But it appears obvious that sponsors of the reform will now have to devise a more appealing approach than trying to induce the Vice President to assert the prerogatives of the Senate in the decision of constitutional issues.

Ceremony Introducing the New 5-Cent American Flag Postage Stamp

EXTENSION OF REMARKS
OF

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

Mr. DULSKI. Mr. Speaker, on January 9, 1963, the Government Employees Council—AFL-CIO—joined with the Post Office Department in sponsoring a very impressive stamp ceremony that introduced a new 5-cent American flag postage stamp.

I was privileged to witness this ceremony and, under leave to extend my remarks in the RECORD, I wish to include the program.

The opening comments were made by Mr. James F. Kelleher, special assistant to the Postmaster General. Mr. E. C. Hallbeck, chairman, Government Employees' Council, made appropriate remarks pertaining to this new stamp issue.

The main speaker was the Honorable J. VAUGHAN GARY, chairman, House Appropriation Subcommittee, Departments of Treasury and Post Office, and his remarks follow:

REMARKS BY HON. J. VAUGHAN GARY, OF VIRGINIA, AT THE AMERICAN FLAG CEREMONY, JANUARY 9, 1963

As chairman of the Appropriations Subcommittee which is normally concerned with what the Post Office Department spends each year, it is a refreshing experience for me today to participate in this revenue-producing venture—the dedication of the new 5-cent American flag stamp.

The Post Office Department is to be congratulated for its efforts in this field. Postmaster General Day gave up writing novels but he continues to produce best sellers. You have used men in space and upside-down diplomats to sell stamps—and you have played Santa Claus, to the mailers of the country with a popular Chritsmas issue.

It looks like you have another big seller here today and it is likely to serve a double purpose. It is just possible that the stamp we are dedicating will be the sugar coating for the pill some people find the increased postal rates to be. You have wrapped that extra penny of cost on first-class mail in the Americn flag and I know of no better way to make it more palatable to the patriotic citizens of this country.

But I seriously question whether the sugar coating is necessary. Reflect for a moment on the service you can get for a 5-cent stamp.

You can let your relatives in San Francisco know that you are coming West next summer for a 2-week visit. And you can let your other relatives in Texas know that you are sorry, but you won't be home when they want to visit you.

You can drop Casey Stengel a line to let him know that you watched him on television and that you think he should have taken his pitcher out two innings earlier.

Or you can write George Marshall and ask him when the Redskins are going to get a punter—or a team so good it won't have to punt.

You can even write your Congressman and tell him what you think of him for voting to increase postal rates.

But seriously, the postage stamp is still one of America's best buys. It is encouraging to note that a country which has almost forgotten about a good 5-cent cigar can still rely on a good 5-cent stamp.

And while the service is costing a penny more this year on first-class mail, the increase is a step toward solving a very real problem—the postal deficit. I am told that the required 5-cent stamp on first-class letters will bring in an additional $400 million in the coming year. I understand further that all of the rate increases will reduce the annual postal deficit to approximately $250 million.

This is progress that is particularly pleasing to the Congress. As I look upon the colors in this new stamp today, I am mindful of my former colleague, the Honorable Gordon Canfield, who once served as chairman of the Appropriations Subcommittee it is now my privilege to head. Gordon Canfield was a prime advocate of the multicolored stamp program and I know he will be proud of this issue today.

Let me congratulate you again on your salesmanship. And let me assure you that those of us in the Congress close to your

> operation of the world's largest business know that in handling close to 70 billion pieces of mail a year you are performing a masterful and patriotic service. It is most appropriate that you utilize in this service the flag of the United States of America to carry the mail over the land of the free and to the homes of the brave.

The ceremony was concluded with some well-chosen words by the Postmaster General, Hon. J. Edward Day.

Tax Reform and Reduction

EXTENSION OF REMARKS

OF

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

Mr. BURTON. Mr. Speaker, in the President's special message on tax reduction and reform, he said:

> The chief problem confronting our economy in 1963 is its unrealized potential—slow growth, underinvestment, unused capacity and persistent unemployment. The result is lagging wage, salary and profit income, smaller take-home pay, insufficient productivity gains, inadequate Federal revenues and persistent budget deficits.

Of course many of us are in agreement and many of us feel that something should, in fact, be done. The President then recommended a tax rate reduction which would provide a cut in tax liabilities of some $13.6 billion, and other proposed adjustments, some of which would gain and some of which would lose revenue, but would "on balance produce a revenue gain of $3.4 billion, leaving a net reduction of $10.2 billion."

The President then went on to tell us that this loss of revenue would be more than offset by stimulated business activity and increased individual spending. Here are his very words:

> Total output and economic growth will be stepped up by an amount several times as great as the tax cut itself. Total incomes will rise—billions of dollars more will be earned each year in profits and wages.

I am not yet convinced that this is, in fact, true; I have not yet been converted to the principle that we can cut taxes, increase spending, and get rich in doing so. Individuals and private businesses cannot do it and there is serious doubt in my mind, and in the minds of many other Americans, that governments can.

The purpose of this comment is not to criticize or take issue with this basic proposition, but certainly we are entitled to some concrete evidence that this bit of sophisticated tax planning will work in practice as it does in the minds of the sophisticated planners. And most certainly each of us will have to expend a lot of time, study, and research before we can take a firm position on the President's overall tax proposal. Most certainly, any consideration of the tax reduction and reform must be made with a full and complete knowledge of the proposed budget.

Great concern with the President's proposal arises from the following statement in which he recommended a floor on itemized reductions:

> I, therefore, recommend that itemized deductions, which now average about 20 percent of adjusted gross incomes, be limited to those in excess of 5 percent of the taxpayer's adjusted gross income.

This recommendation very simply and clearly means that the first 5 percent of itemized deductions on the individual's tax return will not be deductible, and itemized deductions will be limited to those in excess of 5 percent of the taxpayer's adjusted gross income. This floor under the itemized deductions of individuals will make $2.3 billion available for the reduction of individual tax rates. I suggest that this revenue will come from churches, schools, boy scout organizations, community chest funds, and other very worthwhile charitable organizations that are forced to rely upon charitable contributions for their operating revenue.

I can think of no way in which the Federal Government can discourage charitable contribution more than by placing a penalty on contribution itself. The reform proposes that we take $2.3 billion away from those who itemize deductions and spread it around to those who do not. It may very well be true that everyone will receive a reduction in taxes, but, in many instances, the taxpayer who itemizes his deductions will not receive the same tax cut as his neighbor who does not. The President indicated in his message that this floor will help to simplify the filing of tax returns and that an additional 6½ million taxpayers will no longer itemize their deductions but will still benefit overall from the reduced rates and other relief measures. The 6½ million American taxpayers will no longer itemize deductions simply because 6½ million taxpayers will not find it to their advantage to itemize their deductions and, obviously, many of these taxpayers are those that make sizable contributions to charities and charitable organizations. In my own State, a reasonably high percentage of the total population are members of the Latter-day Saints Church, more commonly known as Mormons. As such, they are committed to a principle of charity known as the law of tithing, wherein they contribute 10 percent of their total income to their church, plus other contributions for the construction of church houses, the maintenance of church buildings, and so forth.

To those of my friends and neighbors in this category, the proposed tax cut is not, in fact, a very enticing measure, and the interests of these people and those many other millions of Americans who make sizable contributions ought to be protected. Proponents of this plan may very well argue that it is not the business of Government to reward those who contribute to charities, and that the donor is not and should not be motivated by a concession from his Government to induce him to perform his Christian duties and become his brother's keeper.

Even if we cannot become too concerned for the taxpayer, we ought to give every consideration to the charitable organization. We ought to be concerned when Government takes positive action which dampens incentive of its citizens to give of their means and substance to the poor, the sick, the Boy Scouts, the Community Chest, the Heart Fund, and a host of other organizations dedicated to the service of the community and service to the less fortunate. The President himself recognized the desirability of symphony orchestras, educational institutions, community chests, and cultural centers, and proposed that the ceiling on charitable contributions be liberalized. This is fine for the large contributor, but the small or moderate contributor receives no consolation from the fact that the ceiling on charitable contribution is lifted from 30 to 40 percent. He is much more concerned by the fact that the first 5 percent of his itemized deductions will not be deductible.

I am greatly concerned about the individuals to be affected by the proposed change, and I am greatly concerned about the organizations mentioned herein. These facts and the problems may well have been overlooked by the President and his planners. I hope that this is the case, and I hope that they and the Congress take a good long look at the proposal and act in accordance with the spirit of charity and consideration for our fellow man, the less fortunate, and those organizations that have dedicated themselves to the service of these people.

Nelson Award: Great American Institution

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

Mr. PHILBIN. Mr. Speaker, the Nils V. Nelson Award for Sportsmanship was presented January 5 at Boston to Pat Culpepper, great University of Texas football star, for being the player who, by his conduct on and off the gridiron, demonstrates a high esteem for the football code and exemplifies sportsmanship to an outstanding degree. Thus, a notable award named for one of Massachusetts' most famous and beloved sports heroes and leaders, was conferred upon a brilliant, promising, stalwart young son of Texas, distinguished for his high character as a young man and his sense of fairness, skill, and leadership on the gridiron and in his great university.

Established some years ago by the noted Gridiron Club of Boston in honor of its outstanding member, its former esteemed president, and star Harvard football player, the beloved, and incredibly magnificent, Swede Nelson, this award has taken its place as one of our Nation's most cherished honors for lofty sportsmanship and noble character.

The code of American football is something far more than an empty phrase, something far more than stellar performance on the gridiron. It is a set of principles of high honor, fair dealing and clean sportsmanship that pertains, not only to playing the game of football, but playing the game of life in the best sense of that term.

It is a rigid code in that it calls for courage, toughness, tenacity and the do-or-die spirit. But it rigorously demands fairness, toleration, and recognition of the thesis upon which most of the great achievements of free civilization are based: That individuals should be judged on their merits and their true worth, rather than on the superficial standards of birth, position, or material success. That is Americanism in perhaps its purist form—true equality of opportunity for all.

The many-sided, monumental contributions of Swede Nelson give special distinction and significance to this award, because his entire life has been an incredible story of unselfish service to country, community, and very many great causes.

The selection of this fine young man from Texas, Pat Culpepper, to receive the Nelson Award, is another chapter in American sport that evidences the universal nature of those qualities of character, courage, and talent which provide ready inspiration for all those who aspire and strive by their own efforts to set an example that may well be followed by others, and that will exert beneficial influence upon our youth and upon our way of life.

It has been well said that any game worth playing is worth winning, but it must also be recognized that any game must be won fairly and that out of defeat often come great lessons. To be sure, defeat is not a substitute for victory.

Many have paid tribute to Swede Nelson's great dedicated work throughout the years and I fear that I can add little to the many fine things that have been said of him so many times and in many places by some of our greatest leaders. I would make this one observation, however, that having known Swede as a very dear friend, and having seen the tremendous impact of his character, his personality, his wit, and his ever-present spirit of buoyancy and helpfulness, and the fine code of human understanding and human uplift that he has religiously and zealously followed, that the Nation that has a Swede Nelson to inspire, to aid, to counsel, and to encourage its youth in lofty patriotism, higher standards, and achievements, is most fortunate.

Those of us who are interested in the advancement of clean sport and high-level sportsmanship, and the perpetuation of the great values of our heritage, family, school, free religious worship, toleration of our fellow man, and the building and strengthening of the Nation may well be grateful that such a fine person and leader occupies such a lofty place in American life.

I think that the award committee has made a splendid selection this year in choosing this splendid young man from the University of Texas to receive the Nelson Award. As his famous coach, the gifted Darrel Royal, another great American, said of him, "I have never known a boy who practices the art of sportsmanship as Culpepper does. I would be happy if my own sons would emulate him. He has been living like Swede Nelson all his life."

Our State and our people are very happy that our very distinguished Nelson Award goes to this fine American boy from Texas this year. Texas and Texans are close to our hearts. Pat Culpepper is a credit to his family, school, State, and country.

May the Nelson Award which symbolizes the fine qualities and contributions, high sense of values, and patriotism of the incomparable Swede Nelson long continue to inspire American youth, sustain the cause of good sportsmanship, and enrich our great Nation.

Jersey City Volunteer Housing Corps a Model for Domestic Peace Corps

EXTENSION OF REMARKS

OF

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

Mr. GALLAGHER. Mr. Speaker, as sponsor of H.R. 2656, a bill to establish a domestic Peace Corps to provide opportunities for dedicated American citizens to serve their country, I have been most gratified by the numerous letters of support I have received from citizens in all parts of the country.

The enthusiasm for service demonstrated by those who have written me urging passage of the domestic Peace Corps bill is nowhere better demonstrated than in Jersey City, N.J., in my own congressional district.

Last Monday, February 4, the Housing Authority of the City of Jersey City honored six charter members of the authority's housing volunteer corps with well-deserved certificates of merit. These six dedicated people have given freely of their time and money for several years to help the 6,673 children and other residents of Jersey City's public housing.

Mr. Speaker, the purpose of my domestic Peace Corps bill—which is in full accord with the recommendations of President Kennedy—is to enable dedicated Americans to answer many of the unmet social needs in the United States by using their skills in programs designed to promote the welfare of less fortunate groups in our society.

Under the terms of my bill, local authorities in the cities, towns, and countryside would make requests for the assignment of volunteers to their areas. Local authorities would direct the activities of the volunteers and provide them with facilities and space for carrying out their wide-ranging services.

I know of no better argument for the potential success of a domestic Peace Corps than the successful example of Jersey City's housing volunteer corps. I am certain that the dedication and spirit of community service of Michael Scrudato, Capt. Charles E. Griffin, Thomas Broderick, Teresa Berghold, Anthony Ambrosio, and the Reverend Earl Greene is shared by thousands of Americans in our great country. And I am certain that the creation of a domestic Peace Corps will enable more Americans to serve their country in the same unselfish manner.

Mr. Speaker, under unanimous consent I include the following material in the RECORD:

First, a letter of January 30 from Conrad Vuocolo, director, tenant relations, Housing Authority of Jersey City.

Second, a letter of February 1 to Conrad Vuocolo.

Third, an article, "Housing Volunteer Corps Gives Services in Silence," from the February 5 Jersey Journal.

HOUSING AUTHORITY OF THE
CITY OF JERSEY CITY, N.J.,
Jersey City, N.J., January 30, 1963.

Hon. NEIL GALLAGHER,
House of Representatives,
Washington, D.C.

DEAR NEIL: I read with interest in the papers lately of your desire to have a Domestic Peace Corps established. We heartily approve as the need is great, especially with groups like housing tenants, many of whom are senior citizens or broken families needing help.

To help us to obtain volunteer community citizen participation we have formed a housing volunteer corps. This group is designed to encourage various individuals or organizations to aid us in social, welfare, recreational, educational, and even religious programing for our almost 14,000 tenants.

On Monday next we are honoring the charter members of our housing volunteer corps by presenting them certificates of merit for their work. You will note that we are honoring the president of a dress manufacturing company for donating each year cloth, thread, and materials for our girls' sewing class at Currie's Woods. We are honoring a police captain for providing 5,000 candy gifts for the children who are entrants in our various contests. The president of the Musicians Local No. 526 will receive a certificate as a tribute for the many times his union has provided free music and entertainment for our senior citizen groups. An amateur artist is being honored for work as a judge in our art contests, which our children enter by the thousands. Local No. 617 of the Teamsters is being honored for providing more than 1,000 gifts for the kids at Christmas in the past 2 years. Reverend Greene is also to be honored for his work providing religious instructions to the tenants at Marion Gardens. By the way, he comes all the way in from Hackensack each Sunday to do this in our community hall.

I am notifying you of this housing volunteer corps for several reasons:

1. It points up what a great job a thoroughly organized Peace Corps as you recommend can do for us here in the United States.

2. It may offer some justification for your stand for such a bill with whatever committees you are working with.

3. It is an invitation to groups who are not directly related to us to help provide or underwrite some worthwhile activity and help us reach our main objective of molding better citizens of tomorrow.

We have checked in housing circles and we know our regional office is pleased with this activity and new approach in getting active voluntary citizen participation on a broad community basis.

Please let us know if we can arrange any program on this for you. Best of health and success in your new session.

Very truly yours,

CONRAD J. VUOCOLO,
Director, Tenant Relations.

FEBRUARY 1, 1963.

Mr. CONRAD J. VUOCOLO,
Director, Tenant Relations, Housing Authority, Jersey City, N.J.

DEAR CONNIE: I want to thank you very much for your kind invitation to attend the housing volunteer corps award ceremonies of the Housing Authority of Jersey City on Monday, February 4.

Unfortunately, legislative business will compel me to stay in Washington. However, I wish to convey to all those receiving certificates of merit my sincerest congratulations.

It is the dedication and spirit of community service of Americans like Michael Scrudato, Capt. Charles E. Griffin, Thomas Broderick, Teresa Berghold, Anthony Ambrosia, and the Reverend Earl Greene which has enabled America to build a nation free from the conflict and misery which characterizes less fortunate countries in the world. This same spirit of idealism and service characterizes the young people in our Peace Corps who are representing America so well abroad.

As a sponsor of the domestic Peace Corps bill, it is my hope and expectation that the successful example of local groups of citizens, like Jersey City's own housing volunteer corps, will result in the creation by the Congress of a nationwide domestic Peace Corps dedicated to the same unselfish ends.

I also wish to commend Samuel C. DiFeo, board chairman, and Conrad J. Vuocolo, director of tenant relations of the Housing Authority of the City of Jersey City for their important role in creating and guiding the activities of the housing volunteer corps. The success of the housing authorities' own domestic peace corps sustains me in my belief in the future success of a nationwide domestic Peace Corps.

To all of those assembled at the award ceremonies, I extend my greetings and best wishes. It is the idealism and dedication of citizens like you which makes our country great.

Kindest regards.

Sincerely,

CORNELIUS E. GALLAGHER.

[From the Jersey Journal, Feb. 5, 1963]

HOUSING VOLUNTEER CORPS GIVES SERVICES IN SILENCE

Jersey City's Housing Volunteer Corps came out into the open today after years of operating underground.

Before the domestic Peace Corps was dreamed of in Washington, the six members of the Jersey City corps were on the scene, donating time and money to help the 6,673 children—and others—in the city's public housing.

Their services were free, and unpublicized. None of the six is directly connected with public housing. Their activities are known to few—except the children.

But today the housing authority—at ceremonies in its Newark Avenue offices—made the volunteer corps an official honorary group.

The ceremonies probably came as a surprise to some members. They had helped out with the children because they enjoyed it and hadn't thought of themselves as a corps at all.

One member is Capt. Charles E. Griffin of the Jersey City police.

"He's been very generous in furnishing candy for more than 5,000 children who have entered various contests the authority has sponsored over the years," said Samuel C. DiFeo, chief housing commissioner.

As a result, said DiFeo, the contests boomed and they are a major event in the children's lives.

Another member is Thomas Broderick, president of Musicians Local 526, AFL-CIO.

"Several times a year he has seen to it that free music was provided at the projects," said Conrad Vuocolo, head of tenant relations.

A minister is also a corpsman. He is Rev. Earl Greene of the Interdenominational Ministerial Council of Hudson County.

Reverend Greene lives in Hackensack, but he has driven continually from his home to the Marion Gardens housing project in Jersey City to give religious instruction and to conduct services.

"Our tenants tell us of the inspirational value of his leadership. It has played a big part in the great improvements in the project over the past year," DiFeo said.

Michael Scrudato, president of a Jersey City dress company, is another member of the group.

He organized a free weekly sewing class for 102 young girls at the Currie's Woods development. At his own expense he provided cloth, thread and other items.

An artist is a member, too. Teresa Berghold of Jersey City regularly acted as a judge in the authority's Easter, Halloween and Thanksgiving coloring contests.

How much time, and effort this required over the years is indicated by the several thousand children who enter each contest.

Another union leader, Anthony Ambrosio, business agent of Independent Teamster's Local 617 of Jersey City, completes the list.

"For the past few years his local has sent us more than 1,000 toys for distribution to children at Christmas," DiFeo said.

"Obviously we can't repay these people," said Vuocolo. We can only give them a certificate."

"But at least they will know we appreciate them. And they have their own kind of satisfaction."

Television Advertising's Role as a Major National Economic Growth Factor—Jericho: The Wall Between Us

EXTENSION OF REMARKS
OF

HON. BOB WILSON

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 7, 1963

Mr. BOB WILSON. Mr. Speaker, as the only present Congressman associated with the advertising business, it was my honor to attend the recent Television Bureau's Washington, D.C., showing of "Jericho." Under unanimous consent, I include my remarks at the showing, together with a brief summary of the film, at this point in the RECORD:

I would like to express my appreciation for this opportunity to be with you this morning. Yesterday I saw an advance print of "Jericho," the presentation you are going to see this morning. It is, obviously, aimed at manufacturers and advertisers but I believe the basic message is far broader.

As you know, I am from California. California, like television, is something about which everyone has an opinion, everyone is an expert. However, these opinions about California, just like those about television, are sometimes not quite right, too often reflect a lack of real knowledge or real understanding on the part of the people. California is more than a swimming pool in everyone's backyard just as television is more than a western in every time period.

One of the concepts of today's presentation is the need for those who wish the public to understand something to go to these people and tell them what they wish understood. This is TVB's job as far as television is concerned, and it is one of my jobs as far as California is concerned.

But how do I tell you about my State and my district without taking you there? How can I convince you that California is far more than Hollywood? Big Sur is a beautiful part of my State but it isn't all my State. Smog exists in California, but not every place and not any place all the time.

And so I, as Congressman from the 36th District of California, have something I wish the public understood and better appreciated. I believe that each one of you, regardless of where you are from or the type of company or industry you represent, you too have things you wish more of the public understood and appreciated.

It takes no knowledge at all to be able to say that the most efficient way of going to the public to tell them something is through advertising. The contributions advertising has made to our physical well-being through the distribution of news about new products and new services are well known by those who have cared enough to study advertising and how it works. But I feel that even advertising's best informed friends too often overlook the still more important contribution advertising has made toward the understanding of ideas, concepts, opinions.

When people talk about advertising, they usually refer to the selling of products and they too seldom think of advertising's ability to promote the understanding of ideas. Without these ideas, I believe our national economy would be far less active, far more static, far less healthy.

We in America have long believed in free speech. The right of free speech, however, carries with it the obligation to express our opinions, to have something to say. Advertising that expresses ideas, that exercises this right of free speech, is advertising in the public interest. It makes us think. It tells us things we should know. It offers us opportunities to debate and question. It keeps us alert and, at the same time, it can act to alert us.

In the presentation you are about to see and which I saw yesterday, there are many examples of how manufacturers have expressed their opinions not only about their products or their industries but about their rights to do business. If you as citizens and as members of our American economy have opinions about your freedom to speak and your freedom to grow, then I urge you to express them.

Silence may be golden but if there is something that needs to be said, silence may be deadly. Silence, to government, may too often stand for agreement or, even worse, no opinion. Without your expressed opinion, government would find it impossible to act as you wish government to act. And one way to express your opinion to government is by expressing it to the public because, as you know, government is the public.

Advertising and television are exciting professions today. I assure you government is too. There is little that can happen today without the involvement of government, advertising, and television. The working together of these basic ways of moving ahead will be an important key to the future of all of us.

"Jericho," today's presentation, has a message. I hope that you will have them too. And, of course, may I take this opportunity to invite you to visit my fair State of California, to see for yourself that California is more than sunglasses, although the view is certainly rosy.

Thank you.

SUMMARY—"JERICHO"—THE WALL BETWEEN US

This is the Television Bureau of Advertising's 1962–63 presentation designed to show industry its need to reach the total public through advertising.

Product manufacturers have long used advertising to sell their own product. Now ingredient product manufacturers are using advertising to sell the products into which their ingredient goes: steel promotes new cars made of steel. And more manufacturers are promoting their entire industry either on their own or through their association (American Gas Association).

The profitability of going to the public through advertising is best seen by combining Fortune magazine's "Top 500 Corporations" with TVB's "Top 100 National Advertisers." Between 1956 and 1961, the top 500 increased sales by 20 percent but net profits by only 1 percent. The top advertisers who went toward the public but kept their distance by spending less than half their budget in television, had a 13 percent increase in sales and a 6 percent increase in profits. The companies that went closest to the public by spending half or more of their advertising budget in television had a 44 percent sales increase and net profits increased 50 percent.

The era when industry could grow without involvement with the public has ended. Growing stockholder lists and increased union strength divide corporate control and yet corporate management retains the responsibility for corporate growth.

This management is learning that what the public thinks of its company will influence the sales of its products sometimes more than what the public thinks of the products themselves. And the same management is finding that television best reaches the total public to create the total impression about product, about company.

There is no one way for corporations to use television to help themselves. As today's presentation was introduced, there is as much opportunity for the small, local, or regional advertiser to buy television in keeping with his budget to cover his area as there is for the national advertiser to cover the Nation. The problem today is finding that management that sees the need to express its opinions to the total public it serves and the appreciation of television as the medium through which to do this.

To Still Freedom's Voice

EXTENSION OF REMARKS

OF

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

Mr. FLOOD. Mr. Speaker, on January 29, in the Record is an article written by Harold E. Fey, editor of the Christian Century magazine, which gave reasons why the continued existence of the House Committee on Un-American Activities is detrimental to the Nation's health.

Mr. Speaker, under unanimous consent, I place in the Record the text of the January 31, 1963, newsletter of the American Security Council, entitled "To Still Freedom's Voice." This newsletter, as an editor's note on page 1 indicates, was written by our distinguished colleague and chairman of the Committee on Un-American Activities, the gentleman from Pennsylvania, Francis E. Walter, at the request of the American Security Council because of "the renewed vigor of the Communist attack" on the House Committee on Un-American Activities.

This newsletter is, I believe, a most effective reply to the article by Mr. Fey and makes it crystal clear why this House should, without question, retain the Committee on Un-American Activities.

In comparing these two articles, I ask, Mr. Speaker, that my colleagues in the House consider the relative authority with which the authors speak and also the authority of those who are quoted in or endorse these two articles.

First, I would like to point out that Mr. Fey is not, and never has been, recognized here in this country or anywhere else as an authority on communism and how to fight it. To the contrary, although I am certain that he is not in the least bit pro-Communist, he has naively given his support to a number of Communist fronts.

To bolster the position he takes in his article, Mr. Fey quotes two men, Alan Barth and Telford Taylor. These two men, again, are not recognized as authorities on communism, and such public name as they have is based largely on the fact that they have been outspoken critics of numerous anti-Communist and security measures taken by the U.S. Government and particularly congressional investigations of subversion.

Mr. Fey names some religious leaders who, he says, have called for abolition of the committee. Again, not one of these men is recognized as an authority on communism. On the other hand, religious leaders who do have such recognition, are the authors of well-known books on the subject and famed speakers on it, have indicated their support of the committee by voluntarily testifying before it on various phases of communism. They are—

Dr. Daniel A. Poling, editor of the 84-year-old Christian Herald, the most widely circulated interdenominational monthly in the United States; Bishop Fulton Sheen; Dr. S. Andhil Fineberg, community religious consultant of the American Jewish Committee and director of its program against communism; and Dr. Charles W. Lowry, chairman and executive director of the Foundation for Religious Action in the Social and Civil Order.

Numerous other clergymen and religious leaders have endorsed the work of the committee and urged its continuance.

Though, as I said before, Mr. Fey is in no way recognized as an authority on communism, the chairman of the Committee on Un-American Activities, on the other hand, is recognized throughout our Nation as a real authority on the subject and how communism should be fought

Moreover, in what he states in his article, he does not stand alone. He is supported by the distinguished officers, members, and consultants of the American Security Council.

Who are these men? I will not take the time to name them all, but do want to mention a few of the names, at least, that are known to every American and also some of those who, because of their scholarly writings on the subject of communism, are recognized not only in this country but abroad as outstanding authorities on the subject: Loyd Wright, former president of the American Bar Association and former Chairman of the Commission on Government Security; Dr. Edward Teller, father of the H-bomb; Adm. Arthur W. Radford, former Chairman of the Joint Chiefs of Staff; Dr. Stefan T. Possony, of the Hoover Institution on War, Revolution, and Peace, and former special adviser on strategic intelligence to the Air Force; Adm. Felix B. Stump, former commander in chief of the Pacific Fleet, and chief executive officer of the Freedoms Foundation, Valley Forge; Dr. Gerhart Niemeyer, of the University of Notre Dame; Edward Ansel Mowrer, the well-known author, columnist, and commentator on national and international affairs; and Dr. William R. Kintner, of the Foreign Policy Research Institute of the University of Pennsylvania.

I could go on, but I believe the few names I have mentioned are sufficient to convince all Americans where the voice of authority, the voice of knowledge, and the voice of America lies on the question of the Committee on Un-American Activities and whether it should be continued by this House.

The newsletter follows:

TO STILL FREEDOM'S VOICE

At the direction of Moscow, one of the most intense Communist drives to destroy the House Committee on Un-American Activities that has ever been waged is now in full swing.

Top-ranking Communists from more than 20 countries met in Lidice, Czechoslovakia (near Prague), at the end of May 1962, to plan how Communists in various countries could best destroy their enemies and thus pave the way for a Communist victory. Under the title "Anticommunism, the Enemy of Mankind," abridged proceedings of this gathering have been published in the World Marxist Review, the official world Communist directive organ published in Prague in 18 languages.

These proceedings reveal that seven steps were spelled out at this international Communist conference as essential to the victory of communism in the United States. The fourth reads, in part, as follows: "Abolition of the House Un-American Committee."

For months the Communist press and top U.S. party leaders have been exhorting the party faithful to concentrate on abolition activity. Numerous party fronts have been thrown into the campaign. Many thousands of dollars are being spent.

WHAT IS THE PARTY'S ABOLITION STRATEGY?

It is to demand outright abolition of the committee by amending the House rules. Knowing, however, that there is no possibility of achieving this at present, the party is concentrating on a half-a-loaf strategy. It has called for the transfer of the committee's functions to a subcommittee of the Judiciary Committee and, failing that, a large cut in the committee's appropriation. Either move would drastically impair the committee's operations and, the party hopes, pave the way for its complete destruction.

Representatives Lindsay and Farbstein, of New York, and Roosevelt, of California, have introduced resolutions to transfer the committee's functions to the Judiciary Committee.

The party is now claiming that, as a result of the thousands of telegrams and letters it has caused to be sent to Congressmen and the personal visits to them by about 100 Communists and fellow travelers who were in Washington on the opening days of the new Congress, 84 House Members will vote for these resolutions or to oppose the committee appropriation.

The actual record of the committee—as opposed to the lies about it spread by the Communists with the help of some not so highly principled liberals—reveals what will actually be at stake when these questions come to a vote.

LEGISLATIVE RECORD

During the years 1941–62, the Committee on Un-American Activities made 142 legislative recommendations to Congress, 98 without repetition (44 have been repeated to emphasize legislative security gaps and keep these issues alive until effective legislation is enacted).

Forty-two of the committee's recommendations have been enacted into law. (An indication of the soundness of the committee's recommendations: The last Congress enacted 6 bills embodying 7 committee recommendations, and Members introduced 113 bills to implement its recommendations.)

The committee has developed information relating to policy rather than legislative problems. At least 13 of its policy recommendations have been put into practice by the executive branch.

The American Bar Association's Special Committee on Communist Strategy, Tactics, and Objectives made the following finding, on July 1, 1960, concerning the committee's legislative activity:

"The record of the HCUA and the Senate Subcommittee on Internal Security is one of accomplishments and achievements despite the fact they have been the targets of inspired propaganda attacks designed to curb their effectiveness. Continuation of these committees is essential to the enactment of sound security legislation."

THE COMMITTEE'S METHODS

The committee has actually been a pacesetter for other committees in the field of refining and improving congressional committee procedures and practices.

As far back as March 1945, at the request of the committee, the Brookings Institution in Washington, D.C., published a document entitled "Suggested Standards for Determining Un-American Activities." This study, based on the Constitution, has since been used by the committee as a guide to its operations and procedures.

The committee was the first House committee to publish rules of procedure (1953). It had followed these rules for several years before publishing them.

During the 84th Congress, the House considered the advisability of authorizing one-man subcommittees (as in the Senate). The counsel of the Committee on Un-American Activities, representing the committee, argued against the proposal so strongly and effectively before the Rules Subcommittee, that the idea was dropped.

The Special Committee on Communist Strategy, Tactics, and Objectives of the American Bar Association, after reviewing the committee's hearings some years ago, stated:

"The congressional committees investigating communism, and in particular the House Un-American Activities Committee, have been attacked on the ground that they have engaged in smear campaigns and have invaded the constitutional rights of persons investigated. Your committee is impressed with the fairness with which hearings before that committee have been conducted. * * * We are satisfied that the witnesses called to testify before the committee are being treated fairly and properly in all respects and we also feel satisfied that each witness is accorded full protection so far as his constitutional or other legal rights are involved. * * *"

CONSTITUTIONALITY OF THE COMMITTEE AND ITS ACTIVITIES

Because the Communist Party is so intent on destroying the committee, it fights it in every way possible, not only by propaganda and agitation—and even by riots at the committee's hearings—but also in the courts. Invariably, the committee's contempt citations are appealed following conviction. Although the Supreme Court has upset a number of these convictions on technicalities (after lower courts had upheld them), it has repeatedly sustained the constitutionality of the committee, its procedures and actions.

There is no committee of the Congress, actually, which has had its basic constitutionality so thoroughly tested by the courts of this land as has the Committee on Un-American Activities.

WATCHDOG FUNCTION

Legislative oversight—keeping a watchful eye on the administration of the law by the executive branch—is another duty of every congressional committee. The Committee on Un-American Activities' recent investigation of security practices in the National Security Agency—our Government's super-secret code and communications arm—following the defection of two NSA employees to the Soviet Union, demonstrates how it has carried out its duties in this field.

Because of NSA's highly sensitive operations, the committee's hearings were held in 16 secret sessions (a revealing comment on the committee's alleged penchant for headline hunting). When its investigation was completed, the NSA Personnel Director had been fired; the Security Director had "resigned"; 26 employees had been dismissed as sex deviates, and 22 reforms in NSA security procedures had been instituted.

THE INFORMING FUNCTION

Revelation, the development of facts (the committee's enemies like to call it "exposure") about conditions affecting the national welfare and the related activities of certain individuals and groups, is an inevitable side effect of congressional hearings. This is as our Founding Fathers intended it to be—so that the Congress would be informed about matters vitally affecting the Nation and could act and vote accordingly.

Almost 4,000 witnesses have testified before the committee during the past 25 years. The overwhelming majority have been Communist Party members, but the number also includes top authorities on communism such as J. Edgar Hoover.

Information developed for the Congress by the committee through its investigations and hearings has been published in 497 separate volumes, occupying 11 feet of shelf space.

Public demand has been such that over 7 million copies of these documents have been distributed—and requests for them are increasing. In 1962, the committee distributed over 456,000 copies of its publications, an alltime annual high.

Alger Hiss, Gerhart Eisler, J. Peters, Harry Dexter White, and Nathan Gregory Silvermaster are just a few of the many persons whose operations as Soviet spies, Comintern agents and infiltrators of high Government posts, have been uncovered by the committee. Its hearings have destroyed the effectiveness of numerous party fronts, infiltration schemes and united front operations.

Committee documents are used as texts and supplemental reading materials in high schools, colleges and seminars, Government agencies, and by foreign governments. They provide speech material for Government officials, civic leaders, educators, and clergymen, as well as Members of Congress and the press. They have been distributed abroad as weapons in the battle for men's minds.

Numerous books on communism, written by recognized scholars and authorities, refer to, quote from, and base their findings on committee hearings and reports.

Abolishing the Committee on Un-American Activities—let's face it—means destroying the agency that has developed more security legislation, given the Congress more information about communism, and done more harm to the Communist Party than any other institution, public or private, in this country. To do this at a time when world communism strength is at an alltime high, is suicidal.

I fully appreciate why the Communists, and Moscow, want to destroy the committee. The so-called liberals, though, have me utterly confused.

FRANCIS E. WALTER,
Chairman, House Committee on Un-American Activities.

Communist Training School in Cuba

EXTENSION OF REMARKS
OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

Mr. BRAY. Mr. Speaker, in the growing controversy as to whether long distance missiles remain in Cuba, there is the danger of ignoring a problem which is perhaps more important.

When President Kennedy negotiated with Khrushchev on the removal of the Russian missiles in October, and early November, 1962, there apparently was some understanding or agreement between them about future invasion of Cuba. On October 30, Pravda stated that the United States had agreed to give "guarantee that no aggression will be made against Cuba by the United States or other countries of the Western Hemisphere."

I sent a telegram to President Kennedy asking, in effect, if such a guarantee would protect the expansion of Russian communism in Cuba. A month later, on November 29, I received a letter in reply to that telegram from Frederick Dutton, Assistant Secretary of State, which stated, among other things:

> Any United States assurance against an invasion of Cuba will not guarantee communism against the united action of freemen in this hemisphere.

This answer is vague. It is now coming to light that there is a situation in Cuba which is endangering freedom in the Western Hemisphere.

Secretary of Defense McNamara, while denying long-distance missiles are in Cuba, admits that there is a buildup of crack combat units of the Russian Army in Cuba, armed with the most modern weapons. He admits that this force of combat troops, in addition to Russian technicians in Cuba, numbers many thousands. Other sources estimate that there are more than 40,000 of these combat troops. This force, also armed with scores of the most modern Russian planes,' the Mig–21, is sufficient to have absolute control of Cuba—even against Castro.

Communists also have organized, in Cuba, schools of sabotage, subversion, and revolution. One of the leading instructors is "Che" Guevara, an expert on guerrilla warfare who recently wrote a book on this subject. At least five Russian generals are participating in these schools. Thousands of students are being trained to return to their own countries—Mexico, Brazil, Venezuela, Peru, and other South and Central American countries—to commit sabotage and lead revolutions. On the last day of January, this school graduated 1,017, each of whom is to become an instructor.

These conditions bring to mind the ominous statement and prophecy made more than 15 years ago by Stanley Mikolajczyk, ex-Premier of Poland. He said of Russian communism:

> In Russia today men and women of every nation are now being trained and schooled for the day when they will return to their native lands, which they know so intimately, to rule under direct command from Moscow. Stalin trains Frenchmen to rule France, Italians to rule Italy, Englishmen to rule England, Latins to rule the Latin countries, Japanese to rule Japan, Chinese to rule China, Indians to rule India, blacks to rule blacks, and Americans to rule America.

Thus Russia has planted in Cuba a vicious school of Communist revolution, training Mexicans to destroy freedom and rule in Mexico, Peruvians in Peru, Brazilians in Brazil, Haitians in Haiti, Nicaraguans in Nicaragua, just as the Polish Premier said, except that this school is conducted within 90 miles of the United States.

Not only does this vicious and secretive Communist attack on our free neighbors of Latin America threaten Western freedom, but allowing this school to operate under our implied protection wrecks the confidence and faith in the United States as the leader of the free world. Perhaps we are spending an undue amount of time worrying about missiles in Cuba and not enough time worrying about the subversive threat which can be far more dangerous to the free world.

The President is aware of this threat. Under our Constitution the President is the one who must assume leadership and take the appropriate action.

AID Program for Small Business

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 7, 1963

Mr. PHILBIN. Mr. Speaker, it is very interesting to note that our Agency for International Development missions have been requested to stress, wherever appropriate, the role that investment, both private and public, can play in the development of foreign nations where this program is operating.

Congress laid down policy directing this Agency to make arrangements to find and draw the attention of appropriate enterprise to opportunities for investment and development in less developed countries in friendly areas, and wherever appropriate to carry out programs of assistance through private channels, including loans under section 201, to any individual, corporation, or other body of persons.

As the program is now being operated there are several AID programs being administered which are designed to foster and promote private investment.

Dollars are available to private borrowers for projects which are well conceived.

Investment guaranties are now available in more countries than before and there is increased interest on the part of U.S. business.

Guaranties are now being issued for Colombia, and will be available in Argentina and Venezuela.

The investment survey program under which the Government shares the cost with potential investors who wish to explore investment opportunities has already resulted in getting American industry to take a look at potential investments which they would not otherwise explore in Turkey, Pakistan, the Philippines, and Colombia. Many more survey grants are being made.

In some key countries the 104(e) Cooley loan program is expected to provide a useful source of local currency financing for sound private undertakings.

Local enterprises, as well as government, are being encouraged to make full use of the development banks, many of which this Government has financed.

All these AID programs are being given increased emphasis, and the Office of Development Finance and Private Enterprise, headed by Mr. Seymour M. Peyser, Assistant Administrator, provides a much needed contact point for AID with the U.S. business community. In Secretary Rusk's letter to all ambassadors he stressed their role and that of all senior officers to give maximum impetus to the national export drive.

Thus it appears under AID and related programs that this Nation is moving along a broad front to spark development of underdeveloped nations, not only by direct grants, but by utilizing American private business units supported by Government assistance and loans to make investments in these countries.

Vigorous efforts have also been made to spur the export drive—so-called.

I think there are some areas where this type of aid can be helpful, if properly directed, and others where it might well be wasted, regardless of the pains taken to put it on some sound basis. That must remain, however, for administrative decision, since Congress cannot directly administer the law.

On the other hand, it would be very helpful at this time when the dollar gap is still giving us such concern, and when there are several areas in our own country that are economically depressed, and where many people in this country are living under substandard living conditions, where the Government might inaugurate programs for many resident American people, beset by unemployment and depressed industrial conditions, similar to those which are underway in so many foreign lands to help some foreign nationals.

Some time ago, Congress established the SBA to try to help the small businessman in this country.

I think this is an excellent program, and on the whole it is being well handled. But I think there is room for broadening the base of operations of this agency and making funds more readily available for American businessmen who need adequate financing for meritorious business projects to get more substantial assistance in the form of loans.

I think that the SBA could well be expanded to operate somewhat like AID does in making surveys of our depressed areas, to ascertain the needs and then move to try to assist in the economic rehabilitation and revival of many areas in the Nation where there is distress, unemployment, and hardship; where the economy needs a decided lift.

Notwithstanding our high gross national product, and the general prosperity which the Nation is experiencing, the position and condition of small business in many areas is not especially favorable. To the contrary, it is very unfavorable.

Small business' share of the gross national product is steadily and sharply diminishing.

Its dominant position of a few years ago in employment and business volume has been reversed in favor of big business. It is showing steady decline in vitality, strength and relative importance.

While it is the cornerstone of our free enterprise institutions, the most fruitful climate for the exercise of initiative, imagination, creative managerial skills, business acumen, and opportunity for those eager to advance their station in life in accordance with American traditions, small business has been steadily losing its place in the performance of these functions.

If the present rate of its decline should continue over the period of the next 10 or 15 years there will be to all intents and purposes little remaining of the great structure of small business in this country that in the past has given so much impetus to our free enterprise system and free way of life.

I have no desire at this time to present the mass of available figures and statistics, charts, and economic indicators that would completely support the statements I have made concerning the alarming decline of small business in our times.

The thesis that I have advanced is readily discernible in almost every community as well as in the statistics, and I think that this Congress must take note of the serious plight of the small businessman today and do something to try to help small business recover its important key place in the American economic system.

The Congress has repeatedly taken note of the need for assisting small business, not only in the legislative field, but by the creation of our Select Committee on Small Business, which has been so ably led in the past by the esteemed gentleman from Texas, my good and able friend and colleague, Congressman WRIGHT PATMAN, who together with his committee has made some great contributions in bringing the distressing conditions of small business to the attention of Congress and the country and seeking redress and consideration.

But I think we must move along a much broader front, starting now, and going into future years, by expanding the operations of SBA and cooperating agencies of the Government to strengthen and revitalize the entire small business structure.

It seems to me that if we can afford to spend billions to develop business in underdeveloped countries, that we should have no hesitancy about providing such sums as are needed, as promptly as we can, to rescue and resuscitate, revive, and firmly reestablish the small business system of the Nation's economy, so that we may give new life and new opportunity to small business people and all those fellow citizens of ours who may be prompted to select their careers in this field, but who are now dissuaded, discouraged, and disheartened by the continuing retrogression and decline of the small business unit in this country.

Various measures have been taken in the past to help small business, but these must be reinvigorated and more substantially supported, I must repeat.

Small business needs special tax relief to enable it to plow back its profits into business in the form of such measures as I have proposed heretofore and which have not been on the whole favorably considered. It needs a large share of government procurement. Apart from that which is provided for industries in labor surplus areas there should be definite set-asides of government procurement for small business, and as is the case in our foreign investment practices there should be better measures for small businessmen to secure adequate financing when their business is being efficiently conducted, their projects are sound and meritorius, and there is a reasonable expectation that regular loans will be repaid.

Small business has never looked for charity and is not looking for charity now. It does not need charity to succeed.

It can succeed if it is given a fair opportunity to do so. It needs to be free of discriminations and it needs to be put in a position where it can compete fairly and equally with big business, and not be ground underfoot by huge corporate aggregations that are so strong, that they can secure many advantages in the production, distribution, and marketing of goods that are not given to smaller producers or smaller business people.

America needs every legitimate business, big and small, operated under our free system, and not by the Government.

If Congress continues to remain inert and inactive in the face of this great threat to small business and allows it to be dissolved and liquidated by the pressure of big business, big combines, corporate trusts, and great monopolies, the time will come when there will be no small business in this country.

When that time comes, the day of socialism will be at hand, because when that time comes, the people will make such insistent, economic demands upon remaining big business units that they cannot possibly meet them and still remain solvent.

At that time the day of Government ownership will arrive, and first socialism, and then probably communism, will take over the American economic system, and eliminate both the profit motive and private ownership.

None of us wants to see that happen, though there are those who are surreptitiously working for it.

The American people want to retain our free enterprise institutions, but if we would retain them we must do our part to protect and preserve them against the obviously injurious conditions and effects from which they are now suffering.

In a word, the Congress and the American people must awaken to the dangers of socialism and communism and move speedily to avert them, if it is our real purpose to retain our free enterprise system which has been responsible for our great progress as a nation and the high standards of living, of prosperity, and general happiness that this Nation has achieved.

As we view these dangers of socialism and communism and spur ourselves to greater efforts to preserve our great, free system, it might be relevant for us to recall the way a New York teacher once illustrated communism to his class. "I want to show you the way communism works," he said. "John, you secured an average mark of 95 percent; Dick, your mark was 55 percent. I will now equalize your marks, taking 20 points from John's and adding 20 points to Dick's. This will give you both 75. It will also mean that John's initiative will be taken away and he will not be encouraged to work, and Dick will realize that he has gotten something for nothing and doesn't have to work anyway. The net result will be that neither boy will work." When that happens in the economic system the economic system will collapse, because it is only work that can sustain any system or any nation.

I think that we all might well keep in mind this illustration as we contemplate the needs and problems of small business and make up our minds to move as fast as we can to assist it, before we are no longer able to do so.

SENATE

MONDAY, FEBRUARY 11, 1963

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Most gracious Lord, whose mercy endureth forever, with reverent step at the beginning of another week we pause at this wayside shrine of devotion reared so long ago at the Nation's birth by the architects of our freedom. As we come, our spirits are made solemn by the vastness of the vistas revealed through the clear windows of prayer. Grant us such a vision of the amazing sweep of Thy purposes for all Thy children, even the least and the last, that we may be delivered from the sting of irritating trifles and be less agitated by the little annoyances which the daily pressures bring.

In a day when all the most precious values are imperiled by powers of darkness which would rob the individual of his birthright, arouse and stir us from our selfish love of comfort and the temptation to put safety and security first.

By the compulsion of these revolutionary times, drive us, we beseech Thee, from our too easy nest of cushioned complacency. Give us open eyes to see the momentous facts of our generation, and undergird us with courage to meet them, and dedicated intelligence to handle them.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 7, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

HEALTH PROGRAM — MESSAGE FROM THE PRESIDENT (H. DOC. 60)

Mr. MANSFIELD. Mr. President, the message on health was transmitted to the Congress Thursday, February 7, 1963, by the President of the United States and was read in the House of Representatives. I ask unanimous consent that the message be referred to the appropriate committee, without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

The message was referred to the Committee on Labor and Public Welfare.

(For President's message, see House proceedings of Thursday, February 7, 1963, pp. 1940–1943.)

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, notified the Senate that, pursuant to the provisions of 10 United States Code 6968(a), the Speaker had appointed Mr. FLOOD, of Pennsylvania, Mrs. KEE, of West Virginia, Mr. MINSHALL, of Ohio, and Mr. STINSON, of Washington, as members of the Board of Visitors to the U.S. Naval Academy, on the part of the House.

The message also notified the Senate that, pursuant to the provisions of section 1, Public Law 86-417, the Speaker had appointed Mr. SMITH of Virginia, Mr. SLACK, of West Virginia, Mr. POFF, of Virginia, and Mr. MOORE, of West Virginia, as members of the James Madison Memorial Commission, on the part of the House.

CALL OF LEGISLATIVE CALENDAR DISPENSED WITH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the bills and other measures on the Legislative Calendar be waived.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection with the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair announces the following appointments:

Senators MILLER and JORDAN of Idaho to be members of the Joint Economic Committee, vice Senators Bush and Butler, retired from Senate.

Senator CURTIS to be a member of the Joint Committee on Atomic Energy, vice Senator DIRKSEN, resgined.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON CONSTRUCTION OF A METEOROLOGICAL RADAR FACILITY, ATLANTIC MISSILE RANGE, FLA.

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of a meteorological radar facility at its Launch Operations Center, Atlantic Missile Range, Florida; to the Committee on Aeronautical and Space Sciences.

REPORT ON CONSTRUCTION OF AN ENGINEERING BUILDING AT MICHOUD PLANT, NEW ORLEANS, LA.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of an engineering building at its Michoud plant, New Orleans, La.; to the Committee on Aeronautical and Space Sciences.

REPORT ON CONSTRUCTION OF ADVANCED SATURN SECOND STAGE STATIC TEST FACILITIES AT MISSISSIPPI TEST FACILITY

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of advanced Saturn second stage static test facilities at its Mississippi test facility; to the Committee on Aeronautical and Space Sciences.

REPORTS OF REAPPORTIONMENT OF APPROPRIATIONS

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that sundry appropriations in certain departments and agencies of the Government were reapportioned on a basis which indicates the necessity for supplemental estimates of appropriations (with accompanying papers); to the Committee on Appropriations.

AMENDMENT OF TITLE 10, UNITED STATES CODE, TO EXEMPT CERTAIN CONTRACTS WITH FOREIGN CONTRACTORS FROM THE REQUIREMENT FOR AN EXAMINATION-OF-RECORDS CLAUSE

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend title 10, United States Code, to exempt certain contracts with foreign contractors from the requirement for an examination-of-records clause (with accompanying papers); to the Committee on Armed Services.

INCREASE OF LENDING AUTHORITY OF THE EXPORT-IMPORT BANK OF WASHINGTON

A letter from the President and Chairman, Export-Import Bank of Washington, Washington, D.C., transmitting a draft of proposed legislation to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes (with an accompanying paper); to the Committee on Banking and Currency.

REPORT ON FOREIGN EXCESS PROPERTY DISPOSED OF BY U.S. DEPARTMENT OF COMMERCE

A letter from the Director, Office of Administrative Operations, U.S. Department of Commerce, reporting, pursuant to law, on foreign excess property disposed of by that Department during calendar year 1962; to the Committee on Government Operations.

REPORT ON REVIEW OF SELECTED DESIGN AND CONSTRUCTION ACTIVITIES OF THE FEDERAL-AID HIGHWAY PROGRAM IN THE STATE OF VIRGINIA

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of selected design and construction activities of the Federal-aid highway program in the State of Virginia, Bureau of Public Roads, Department of Commerce, dated February 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF SELECTED AUTOMATIC DATA PROCESSING ACTIVITIES UNDER ATOMIC ENERGY COMMISSION COST-TYPE CONTRACTS WITH UNIVERSITY OF CHICAGO AND MIDWESTERN UNIVERSITIES RESEARCH ASSOCIATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of selected automatic data processing activities under Atomic Energy Commission cost-type contracts with University of Chicago and Midwestern Universities Research Association, dated February 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON TORT CLAIMS PAID BY U.S. DEPARTMENT OF LABOR

A letter from the Secretary of Labor, transmitting, pursuant to law, a report on tort claims paid by that Department during the year ended December 31, 1962 (with an accompanying report); to the Committee on the Judiciary.

FINANCING COST OF CONSTRUCTING AND EQUIPPING FACILITIES FOR THE GROUP PRACTICE OF MEDICINE OR DENTISTRY

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to authorize mortgage insurance and loans to help finance the cost of constructing and equipping facilities for the group practice of medicine or dentistry (with accompanying papers); to the Committee on Labor and Public Welfare.

REPORT OF NATIONAL LABOR RELATIONS BOARD

A letter from the Chairman, National Labor Relations Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

Two resolutions of the Legislature of the State of Florida; to the Committee on the Judiciary:

"SENATE MEMORIAL 12-X (63)

"A memorial to the Congress of the United States requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States creating a Court of the Union

"*Be it resolved by the Legislature of the State of Florida*, That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE —

" 'SECTION 1. Upon demand of the legislatures of five States, no two of which shall share any common boundary, made within 2 years after the rendition of any judgment of the Supreme Court relating to the rights reserved to the States or to the people by this Constitution, such judgment shall be reviewed by a court composed of the chief justices of the highest courts of the several States to be known as the Court of the Union. The sole issue before the Court of the Union shall be whether the power or jurisdiction sought to be exercised on the part of the United States is a power granted to it under this Constitution.

" 'SEC. 2. Three-fourths of the justices of the Court of the Union shall constitute a quorum, but it shall require concurrence of a majority of the entire court to reverse a decision of the Supreme Court. In event of incapacity of the chief justice of the highest court of any State to sit upon the Court of the Union, his place shall be filled by another justice of such State court selected by affirmative vote of a majority of its membership.

" 'SEC. 3. On the first Monday of the third calendar month following the ratification of this amendment, the chief justices of the highest courts of the several States shall convene at the National Capital, at which time the Court of the Union shall be organized and shall adopt rules governing its procedure.

" 'SEC. 4. Decisions of the Court of the Union upon matters within its jurisdiction shall be final and shall not thereafter be overruled by any court and may be changed only by an amendment of this Constitution.

" 'SEC. 5. The Congress shall make provisions for the housing of the Court of the Union and the expenses of its operation.

" 'SEC. 6. This article shall be inoperative unless is shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission'; be it further

"*Resolved,* That if Congress shall have proposed an amendment to the Constitution identical with that contained in this memorial prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"*Resolved,* That a duly attested copy of this memorial be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

"Filed in office, secretary of state, February 5, 1963."

"SENATE MEMORIAL 13-X(63)

"A memorial to the Congress of the United States requesting Congress to call a convention for the purpose of proposing an amendment to article V of the Constitution of the United States relating to method of amending the Federal Constitution

"*Be it resolved by the Legislature of the State of Florida,* That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing as an added amendment to article V of the Constitution of the United States the following to read:

" 'ARTICLE V

" 'The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States. Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate'; be it further

"*Resolved,* That this article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission; be it further

"*Resolved,* That if Congress shall have proposed an amendment to the Constitution identical with that contained in this memorial prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"*Resolved,* That a duly attested copy of this memorial be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

"Filed in office, secretary of state, February 5, 1963."

A concurrent resolution of the Legislature of the State of Oklahoma; to the Committee on the Judiciary:

"HOUSE CONCURRENT RESOLUTION 501

"Concurrent resolution petitioning the Congress of the United States to propose an amendment to the Constitution of the United States regarding apportionment of representation in State legislatures; and directing that copies of this resolution be transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each member of the Oklahoma delegation in the Congress of the United States

"*Be it resolved by the House of Representatives of the 29th Legislature of the State of Oklahoma (the Senate concurring therein)*:

"SECTION 1. That the Congress of the United States is respectfully petitioned by the 29th Legislature of the State of Oklahoma to propose an amendment to the Constitution of the United States in substantially the following form:

" 'ARTICLE —

" 'SECTION 1. No provision of this Constitution shall restrict or limit any State in the apportionment of representation in its legislature.

" 'SEC. 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy relating to apportionment of representation in a State legislature.

" 'SEC. 3. The provisions of this article shall apply only to States which authorize direct initiative by the people in proposing amendment of the legislative apportionment formula for representation.'

"SEC. 2. That a duly authenticated copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Oklahoma delegation in the Congress of the United States.

"Adopted by the house of representatives the 28th day of January 1963.

"J. D. McCARTY,
"*Speaker of the House of Representatives.*

"Adopted by the senate the 30th day of January 1963.

"CLEETA JOHN ROGERS,
"*Acting President of the Senate.*"

A joint resolution of the Legislature of the State of Montana; to the Committee on Finance:

"HOUSE JOINT MEMORIAL 1

"Joint memorial of the Senate and House of Representatives of the State of Montana to the President of the United States and the Montana congressional delegation requesting action to place the U.S. lumber industry on an equitable basis with foreign competitors and require the marking of imported lumber to show the country of origin

"Whereas there is no shortage of timber for the production of lumber and related items in the United States; and

"Whereas there is a need to increase the cut from overmature forests to prevent excessive loss from decay, disease, and other causes; and

"Whereas U.S. lumber manufacturing firms pay the highest wages and provide working conditions equal to or better than similar firms in other countries; and

"Whereas lumber manufacturing firms in the United States are losing their home markets to firms in foreign countries, especially Canada, which have advantages such as depreciated currency, low stumpage rates, noncompetitive bidding, less costly and restrictive forest practices, lower wage rates, high tariff rates on lumber shipped to Canada, and low charter rates for coastwise and intercoastal shipping; and

"Whereas lumber imports from Canada are increasing yearly at an alarming rate and now constitute about one-sixth of the annual consumption of lumber in the United States; and

"Whereas unemployment in the lumber industry of the United States is increasing with resultant loss of wages to the workers, loss of taxes and income to taxing bodies and communities: Now, therefore, be it

"*Resolved by the Senate and House of Representatives of the State of Montana,* That the Legislative Assembly of the State of Montana urges the President and the Congress of the United States to give immediate attention to and request action necessary to place the lumber industry of the United States on an equitable and competitive basis with foreign manufacturers through the use of a quota system or other means, including the requirement that imported lumber be marked to show the country of origin, to the end that domestic manufacturers are not placed at a disadvantage with resultant loss of markets, reduction of employment, loss of taxes and deterioration of communities; and be it further

"*Resolved,* That the secretary of state be instructed to send copies of this memorial to the President and the Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Honorable MIKE MANSFIELD and LEE METCALF, Senators from the State of Montana, and the Honorable ARNOLD OLSEN and JAMES BATTIN, Congressmen from the State of Montana.

"———— ————,
"*Speaker of the House.*
"DAVID F. JAMES,
"*President of the Senate.*"

The petition of Local No. 318, United Papermakers and Paperworkers, of Pomona, Calif., relating to lumber imports; to the Committee on Finance.

As in executive session,

The memorial of J. W. Rajavuori, of Duluth, Minn., remonstrating against the confirmation of the nomination of John Green, of Superior, Wis., to be collector of customs; to the Committee on Finance.

By Mr. GOLDWATER:

A concurrent resolution of the Legislature of the State of Arizona; to the Committee on Interior and Insular Affairs:

"SENATE CONCURRENT MEMORIAL 1

"Concurrent memorial requesting the Congress of the United States and the Secretary of Interior to take appropriate action to name the Glen Canyon Dam the Fred T. Colter Dam

"*To the Congress of the United States of America and the Secretary of the Department of Interior:*

"Your memorialist respectfully represents:

"The Honorable Fred T. Colter, a native Arizonian, distinguished himself by his civic and political activities throughout his life up until the time of his death.

"Mr. Colter was born in the village of Nutrioso, Apache County, Ariz. In addition to being an established rancher, he participated in Arizona political activities and was instrumental in developing not only the constitution of Arizona but many of the laws which make up the Arizona Revised Statutes.

"Fred T. Colter was a member of the constitutional convention which met in Phoenix, Ariz., in 1910. Mr. Colter, along with former Governor Osborne, had the distinction of being one of the youngest members of the constitutional convention. Moreover, he served the citizens of this State as State senator and representative and also in other county offices.

"The interest of Fred T. Colter in the development of Arizona was maintained by him throughout his life. He became interested in the utilization of water from the Colorado River and pushed his program forward relentlessly for many years. For their time, his ideas relating to the use of water appeared visionary but as the years passed it was realized that he had proposed a practical program of water utilization.

"Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

"1. That in honor of Fred T. Colter, a person of established eminence, the Glen Canyon Dam be hereafter named the 'Fred T. Colter Dam.'

"2. That the Congress of the United States and the Secretary of Interior recognize the achievements of Fred T. Colter and his importance in development of the State of Arizona, and take appropriate action which would result in changing the name of the Glen Canyon Dam to the 'Fred T. Colter Dam.'

"3. That the secretary of state of the State of Arizona be directed to transmit a certified copy of this memorial to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Secretary of the Department of Interior, and to each member of the Arizona congressional delegation.

"Passed the senate February 27, 1962.

"Passed the house March 17, 1962.

"Approved by the Governor March 22, 1962."

By Mr. SYMINGTON (for himself and Mr. Long of Missouri):

A resolution of the House of Representatives of the State of Missouri; to the Committee on Public Works:

"House Resolution 70

"Whereas the wise use of the State's natural resources and the development of its economy is a matter of concern to all Missourians; and

"Whereas several proposals have been and are now being studied for the Meramec River Basin, which includes the areas of its tributaries, the Big and Bourbeuse Rivers; and

"Whereas the overall study is now drawing to a conclusion; and

"Whereas the proposals of said study envision a comprehensive development plan of the Meramec Basin's water, land, forestry, mineral, and industrial resources to the end of a system of lakes for flood control, water supply, commerce, outdoor recreation, agricultural and industrial development; and

"Whereas the appropriate agencies of the State of Missouri are working cooperatively with the U.S. Corps of Engineers, the Soil Conservation Service, the U.S. Forest Service, the National Park Service, and several other Federal departments on said plan; and

"Whereas the Meramec Basin Corp., a nonprofit citizens' association, has secured and spent private funds for research to further sound planning; has strived to keep the people of the area informed concerning Meramec Basin proposals; and is performing certain needed services; and

"Whereas the people of the Meramec Basin have displayed great interest in the proposals for area development, a desire for the same, and initiated efforts in behalf of securing such progress; and

"Whereas such proper and sound development of the 4,000 square miles of the Meramec Basin is of vital importance to its 200,000 residents; its towns, cities, and counties; the St. Louis metropolitan area; and the State of Missouri as a whole: Now, therefore, be it

"*Resolved*, That it is the sense and accord of the members of the house of representatives that such efforts above referred to as are being expended in and for the Meramec Basin are most laudable and necessary to the advancement of our State and for the welfare of its people; and that the congratulations and approval of this body are extended hereby to all those engaged in the Meramec Basin project, with our further approbation of the spirit of cooperation, the gathering of energies, the display of progress and sound thinking that will most certainly redound to the increased benefit and welfare of all; and be it further

"*Resolved*, That the chief clerk of the house of representatives be instructed to send copies of this resolution to the Members of the Missouri delegation to the 88th Congress, the Secretary of Interior, the Secretary of Agriculture, the Secretary of the Army, the commanding general of the Corps of Engineers, and the Governor of Missouri."

REPORT ENTITLED "DEVELOPMENTS IN AGING—1959-63"—REPORT OF A COMMITTEE—SUPPLEMENTAL AND MINORITY VIEWS (S. REPT. NO. 8)

Mr. McNAMARA. Mr. President, from the Special Committee on Aging, I submit a report entitled "Developments in Aging—1959-63," pursuant to Senate Resolution 33 and Senate Resolution 238 of the 87th Congress. I ask unanimous consent that the report be printed, together with supplemental and minority views.

The VICE PRESIDENT. The report will be received, and without objection, the report will be printed, as requested by the Senator from Michigan.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DODD:

S. 754. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income exemption of $1,200 for an individual who is a student at an institution of higher education; to the Committee on Finance.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 755. A bill to provide for assistance in the construction and initial operation of community mental health centers, and for other purposes; and

S. 756. A bill to assist States in combating mental retardation through construction of research centers and facilities for the mentally retarded; to the Committee on Labor and Public Welfare.

By Mr. METCALF:

S. 757. A bill to amend the Small Business Act to provide that the program under which Government contracts are set aside for small business concerns shall not apply in the case of contracts for maintenance, repair, or construction; to the Committee on Banking and Currency.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING (for himself, Mr. Bartlett, Mr. Bennett, Mr. Bible, Mr. Cannon, Mr. Church, Mr. Goldwater, Mr. Jordan of Idaho, Mr. McGee, Mr. Morse, Mr. Moss, Mr. Mundt, and Mrs. Neuberger):

S. 758. A bill to establish in the Office of the Secretary of the Department of the Interior a Board of Public Lands Appeals, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Gruening when he introduced the above bill, which appear under a separate heading.)

By Mr. ENGLE:

S. 759. A bill to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States; to the Committee on Commerce.

By Mr. CARLSON:

S. 760. A bill for the relief of Dr. Yehya Abd El-Kareem Shawky; to the Committee on the Judiciary.

S. 761. A bill to amend the Federal Employees Health Benefits Act of 1959 with respect to the contributions made by Government toward health benefit protection for employees and annuitants and members of their families; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Carlson when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. KUCHEL (for himself and Mr. Engle):

S. 762. A bill to provide for increased wheat acreage allotments in the Tulelake area of California; to the Committee on Agriculture and Forestry.

By Mr. PROUTY:

S. 763. A bill to amend the District of Columbia Public Assistance Act of 1962 so as to provide for the furnishing of medical assistance for the aged to eligible residents of the District of Columbia; to the Committee on the District of Columbia.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN:

S. 764. A bill for the relief of Lloyd L. Ward, Jr.; to the Committee on the Judiciary.

By Mr. BURDICK:

S. 765. A bill for the relief of Soon Duk Koh; to the Committee on the Judiciary.

By Mr. GORE:

S. 766. A bill to amend the act of May 16, 1958, providing for the conveyance of certain lands in Shiloh National Military Park, State of Tennessee, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 767. A bill for the relief of the McNairy County Board of Education, McNairy County, Tenn.; to the Committee on the Judiciary.

By Mr. GORE (for himself and Mr. Kefauver):

S. 768. A bill to authorize the Atomic Energy Commission to construct a modern administration and office building at Oak Ridge, Tenn.; to the Joint Committee on Atomic Energy.

By Mr. SCOTT:

S. 769. A bill for the relief of Andre Gustave Francois; to the Committee on the Judiciary.

By Mr SIMPSON (for himself, Mr. Allott, Mr. Dominick, and Mr. McGee):

S. 770. A bill to provide for the construction, operation and maintenance of the

Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. SIMPSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 771. A bill to confer jurisdiction on the Court of Claims to entertain, hear, and determine a motion for a new trial on the claim of Robert Alexander; to the Committee on the Judiciary.

By Mr. CLARK (for himself, Mr. HART, Mr. WILLIAMS of New Jersey, Mr. LONG of Missouri, Mr. HUMPHREY, Mr. GRUENING, Mr. JAVITS, Mrs. NEUBERGER, and Mr. SCOTT):

S. 772. A bill to provide for the desegregation of public schools, with all deliberate speed, including immediate nationwide first-step compliance, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself, Mr. HART, Mr. DOUGLAS, Mr. WILLIAMS of New Jersey, Mr. JAVITS, Mr. LONG of Missouri, Mr. HUMPHREY, Mr. GRUENING, Mrs. NEUBERGER, Mr. SCOTT, and Mr. PELL):

S. 773. A bill to prohibit discrimination in employment because of race, color, religion, or national origin; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. KUCHEL, Mr. PROXMIRE, Mr. SCOTT, Mr. MCCARTHY, Mr. MUNDT, and Mr. MORTON):

S. 774. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. ROBERTSON (by request):

S. 775. A bill to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions and for other purposes; to the Committee on Banking and Currency.

By Mr. HART (for himself and Mr. TALMADGE):

S. 776. A bill to encourage the creation of original ornamental designs of useful articles by protecting the authors of such designs for a limited time against unauthorized copying; to the Committee on the Judiciary.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. CLARK, and Mr. RANDOLPH):

S. 777. A bill to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees; to the Committee on Foreign Relations.

By Mr. PROXMIRE:

S.J. Res. 41. Joint resolution providing for the establishment of the National Capital Parks Memorial Board; to the Committee on Rules and Administration.

(See the remarks of Mr. PROXMIRE when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

LLOYD L. WARD, JR.—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. McCLELLAN submitted the following resolution (S. Res. 87); which was referred to the Committee on the Judiciary:

Resolved, That the bill (S. 764) entitled "A bill for the relief of Lloyd L. Ward, Jr." now pending in the Senate, together with all accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

ADDITIONAL INCOME TAX EXEMPTION FOR CERTAIN STUDENTS

Mr. DODD. Mr. President, I introduce, for appropriate reference, a bill to provide taxpayers an additional income tax exemption of $1,200 for dependents who are students at institutions of higher learning. This bill also provides the same income tax exemption for taxpayers who are themselves college or university students.

For almost a decade I have tried to call attention to the need for fairer tax treatment of those who are paying the cost of higher education. Almost 9 years ago, as a member of the House of Representatives, I introduced a bill providing this kind of tax relief; and in May 1961 I introduced a similar bill in the Senate. The time has come when we no longer can afford to ignore this issue.

The mounting costs of tuition, books, and other educational expenses are making it more and more difficult for people of moderate means to afford higher education for their children. Yet we live at a time when the spreading of higher education becomes increasingly important to the individual and to the country, a time when our national survival may well hinge on our willingness and ability properly to educate our young people in the sciences and the humanities.

For most people, the years when their children are away at school are years of crushing financial burdens, which many are finding impossible to carry. The tax exemption provided in this bill would lessen these burdens to some degree, and would also provide needed tax relief for students who are working their way through college, and who need every dollar for educational purposes.

The time has come when we must recognize that for millions of people the financing of educational costs is more than a mere personal problem; it is a vital national problem, and should be recognized as such in our tax laws.

Parents and students who make the heavy sacrifices required to pay for education are serving more than their children or themeselves. They are making a tangible contribution to the future of our country, a contribution which is impossible to measure or exaggerate. They need and deserve the kind of assistance provided in this bill.

Two of the major legislative matters before the Senate this year are tax reduction and a program of Federal assistance to education. I believe my bill offers one way by which we can reduce taxes equitably and aid higher education immeasurably by restoring to hard-pressed parents and students some of their tax dollars, which they may then apply to the costs of education. This seems to me to be practicing first things first.

I ask unanimous consent that the text of this bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 754) to amend the Internal Revenue Code of 1954 so as to allow an additional income exemption of $1,200 for an individual who is a student at an institution of higher education, introduced by Mr. DODD, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 151 of the Internal Revenue Code of 1954 (relating to deductions for personal exemptions) is amended by adding at the end thereof the following new subsection:

"(f) ADDITIONAL EXEMPTIONS FOR TAXPAYER, SPOUSE, OR DEPENDENT ATTENDING INSTITUTION OF HIGHER EDUCATION.—

"(1) FOR TAXPAYER.—And additional exemption of $1,200 for the taxpayer if (A) during each of 4 calendar months during the taxable year, he is a full-time student at an institution of higher education, and (B) he is not the dependent of another taxpayer.

"(2) FOR SPOUSE.—An additional exemption of $1,200 for the spouse of the taxpayer if a separate return is made by the taxpayer, and if the spouse (A) during each of 4 calendar months during the calendar year in which the taxable year of the taxpayer begins, is a full-time student at an institution of higher education, and (B) for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.

"(3) DEPENDENTS.—An additional exemption of $1,200 for each dependent (as defined in section 152) (A) with respect to whom the taxpayer is entitled to an exemption under subsection (e) (1), and (B) who, during each of 4 calendar months during the calendar year in which the taxable year of the taxpayer begins, is a full-time student at an institution of higher education.

"(4) EXEMPTION DENIED IN CASE OF CERTAIN MARRIED DEPENDENTS.—No exemption shall be allowed under paragraph (3) for any dependent who has made a joint return with his spouse under section 6013 for the taxable year beginning in the calendar year in which the taxable year of the taxpayer begins.

"(5) OPTIONAL TAX; DECLARATION OF ESTIMATED TAX.—For purposes of section 4(a) (relating to rules for optional tax) and section 6015(a)(2) relating to requirement of declaration of estimated tax), an exemption allowed under paragraph (1), (2), or (3) shall be treated as two exemptions.

"(6) DEFINITION OF INSTITUTION OF HIGHER EDUCATION.—For purposes of this subsection, the term 'institution of higher education' means an educational institution (as defined in subsection (e)(4)) which—

"(A) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;

"(B) is legally authorized within the State in which it is situated to provide a program of education beyond secondary education;

"(C) provides an educational program for which it awards a bachelor's degree or provides not less than a 2-year program which is acceptable for full credit toward such a degree;

"(D) is owned and operated by a State, by a political subdivision of a State, or by an agency of a State or political subdivision, or by an organization described in section 501(c)(3) which is exempt from taxation under section 501(a); and

"(E) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited."

SEC. 2. Section 213(c) of the Internal Revenue Code of 1954 (relating to maximum limitations on deductions for medical, dental, etc., expenses) is amended by striking out "subsection (c) or (d), relating to the additional exemptions for age or blindness" and inserting in lieu thereof "subsection (c), (d), or (f), relating to certain additional exemptions".

SEC. 3. Section 3402(f)(1) of the Internal Revenue Code of 1954 (relating to withholding exemptions) is amended—

(1) by striking out "or (C)" in subparagraph (D) and inserting in lieu thereof "(C), or (F)";

(2) by striking out "and" at the end of subparagraph (D);

(3) by striking out the period at the end of subparagraph (E) and inserting in lieu thereof a semicolon; and

(4) by adding after subparagraph (E) two new subparagraphs as follows:

"(F) two additional exemptions for himself if, on the basis of facts existing at the beginning of such day, there may reasonably be expected to be allowable an exemption under section 151(f)(1) (relating to attending an institution of higher education) for the taxable year under subtitle A in respect of which amounts deducted and withheld under this chapter in the calendar year in which such day falls are allowed as a credit; and

"(G) two exemptions for each individual with respect to whom, on the basis of facts existing at the beginning of such day, there may reasonably be expected to be allowable an exemption under section 151(f)(3) for the taxable year under subtitle A in respect of which amounts deducted and withheld under this chapter in the calendar year in which such day falls are allowed as a credit."

SEC. 4. The amendments made by this Act, other than the amendments made by section 3, shall apply to taxable years beginning after December 31, 1962. The amendments made by section 3 shall apply only with respect to wages paid on or after the first day of the first month which begin more than ten days after the date of the enactment of this Act.

REPEAL OF SO-CALLED SMALL BUSINESS SET-ASIDES IN GOVERNMENT CONSTRUCTION

Mr. METCALF. Mr. President, I introduce, for appropriate reference, a bill to amend the Small Business Act by repealing the so-called small business set-asides in Government construction. Construction set-asides have created a number of very serious problems in the building-construction industry. Organized labor in building construction, as well as management groups with which I have consulted, strongly support my proposal.

In addition to repealing the small business set-asides in Government construction, my bill would set up a system of reports to the Small Business Administration from prime contractors on Government construction projects. Such reports could be used by the Congress in its continuing effort to improve the operation of the SBA.

Throughout our history, building construction on Government projects has been awarded on the basis of responsive competitive bidding. Without competitive bidding, the specter of political favor, the waste of taxpayers' money, and the prospect of inefficient and inadequate work performance will be with us again.

One of our best defenses against monopoly in Government construction is the responsive competitive bid. No matter how large or how small a man's business may be, he is not entitled to the job unless he can meet price competition in the construction industry.

In other small business set-asides, competitive bidding is used to determine the price. After the price has been determined in this manner, the procurement item in question is set aside, in order that small businessmen may have an opportunity to meet the competition of price, as well as quality.

This has not been the case, however, in the operation of the small business set-aside in Government construction. Competent contractors sometimes are not permitted to bid. The result is that the Government does not always know what a fair price for these set-aside jobs might be.

The set-aside in Government construction also can be harmful to labor-management relations. Contracts in construction are arrived at before jobs are bid and begun. Because of this practice, stable labor relations in the industry depend upon agreements of a continuing nature between unions and established contractors. Construction set-aside, by definition, invites into Government construction, workers who are nonunion and not organized. If they are not in business, or have not been in business as contractors, obviously they have no incentive to become part of the labor-management fabric in that industry.

Although the defenders of the construction set-aside insist that small business contractors with Government contracts pay the prevailing wage provided by the Davis-Bacon Act, the fact remains that these set-aside contractors are not required to pay the so-called fringe benefits which exist in most other construction contracts.

In addition to this advantage, Mr. President, the set-aside contractors make very little contribution to the manpower training program of the construction industry. They do not participate in apprenticeship agreements, and, therefore, are not carrying their share of this burden.

Finally, the small business set-aside in construction should be repealed because it simply has not worked. It is my understanding that the arrears and liquidation rate of loans by SBA to the construction industry are much higher than that on other types of loans. When this is compared with the average loss rate of all SBA loans of something less than 2 percent, it is apparent that we should take another look at this phase of the program. In our efforts to assist the small businessman and to promote the general welfare, we should not impose upon the building construction industry a system of set-aside which is opposed by labor and management and is detrimental to the best interests of the Federal Government.

I believe in the Small Business Administration and the efforts of the Kennedy administration to strengthen this agency. I do not believe, however, that the set-aside procedure should be applied in the building construction industry. I hope the majority of this body will agree.

I ask unanimous consent that the bill be printed in the body of the RECORD immediately following these remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 757) to amend the Small Business Act to provide that the program under which Government contracts are set aside for small business concerns shall not apply in the case of contracts for maintenance, repair, or construction, introduced by Mr. METCALF, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the fourth sentence of section 2(a) of the Small Business Act is amended to read as follows: "Such security and well-being cannot be realized unless the actual and potential capacity of all business is encouraged and developed."

(b) The fifth sentence of section 2(a) of such Act is amended by inserting before the period at the end thereof the following: ", and to insure that full and free competitive bidding by all contractors, on an equal basis, shall be afforded in connection with contracts for maintenance, repair, and construction".

SEC. 2. The first sentence of section 15 of the Small Business Act is amended by striking out "but nothing contained in this Act shall be construed to change" and inserting in lieu thereof "but nothing contained in this Act shall be construed to prevent or eliminate full and free competitive bidding, on an equal basis, by all contractors in connection with contracts for maintenance, repair, or construction, nor to change".

SEC. 3. All other statutes to the contrary notwithstanding, the Congress finds that the nature of and special conditions that exist in the construction industry are such that prime contractors in construction, maintenance and repair, as a matter of practice and policy, generally do subcontract a large percentage of their construction work. This condition varies depending on the nature and type of construction to be performed.

SEC. 4. (a) In order to maintain present policies and practices of subcontracting to small business firms whose organizations are not large enough to take on the responsibility of prime contracts, therefore, contractors having prime Federal construction, maintenance and repair contracts shall file annual reports with the Federal agency administering such contract, showing the names of any subcontractors working under such prime contract and amount of contract volume such subcontractor had in the previous year.

(b) Such reports of subcontracted work shall be made annually by the Government agency administering Federal prime contracts in construction, maintenance, and repair to the Administrator of the Small Business Administration. The Administrator shall forward these reports upon receipt to appropriate committees of the House of Representatives and the United States Senate.

FEDERAL AGENCIES SHOULD BE MORE RESPONSIBLE AND RESPONSIVE — LANDOWNERS NEED A BOARD OF PUBLIC LANDS APPEALS

Mr. GRUENING. Mr. President, every citizen of our Nation should have, if he desires, his day in court. Our Constitution and its amendments carefully spell this out.

But even the best can be made better. Flaws, when discovered, can be corrected. Unintended imbalances can be balanced.

Citizens deprived of the right to appeal locally a governmental decision which affects them are citizens minus the protection of the checks and balances which are the safeguards of our Constitution. Fortunately, the Congress of the United States can, if necessary, correct inequities which force needless and thoughtless hardships upon landowners.

Therefore, Mr. President, on behalf of myself and the senior Senator from Alaska [Mr. BARTLETT], the senior Senator from Utah [Mr. BENNETT], the senior Senator from Nevada [Mr. BIBLE], the junior Senator from Nevada [Mr. CANNON], the senior Senator from Idaho [Mr. CHURCH], the junior Senator from Arizona [Mr. GOLDWATER], the junior Senator from Idaho [Mr. JORDAN], the senior Senator from Wyoming [Mr. MCGEE], the senior Senator from Oregon [Mr. MORSE], the junior Senator from Utah [Mr. MOSS], the senior Senator from South Dakota [Mr. MUNDT], and the junior Senator from Oregon [Mrs. NEUBERGER], I introduce, for appropriate reference, a bill to establish a Board of Public Lands Appeals in the Office of the Secretary of the Department of the Interior.

In order to give other Senators an opportunity to join in sponsoring this measure, I ask unanimous consent that the bill be held at the desk for 7 days.

This proposed legislation is identical with that I introduced in the 87th Congress and was cosponsored by a number of my colleagues.

The bill provides for an objective review of decisions by the Bureau of Land Management and the Geological Survey in the Department of the Interior.

It would establish directly in the Office of the Secretary a Board of Public Lands Appeals consisting of three persons. This Board, or skilled hearing examiners employed by the Board, would hear appeals from decisions rendered by the Bureau of Land Management concerning the uses or claims to public lands under the jurisdiction of the Department of the Interior.

Appellants would be given an opportunity for a hearing either before a member of the Board or before a hearing examiner employed by the Board. The hearing would be held at a location convenient to the appellant. The Board's activities would be governed by rules and regulations promulgated by the Secretary of the Interior and would be in accord with the provisions of the Administrative Procedure Act. Final decisions of the Board would be appealable to the U.S. Court of Appeals for the circuit in which the land involved is situated.

While provision is made in the bill to have the Board's decisions be in accordance with the applicable regulations issued by the Secretary, a specific provision of the bill authorizes the Board to call to the attention of the Secretary of the Interior any inequitable, unjust, or unintended application of the law, so that he may have an opportunity to remedy the regulations issued.

As a Senator from a State having a large amount of land owned by the Federal Government—not only far more, actually, than that in any other State, but also far more percentagewise—I realize that the actions of the Bureau of Land Management and the Geological Survey in the Department of the Interior, concerning the uses of or claims to such lands, vitally affect many of the citizens of my State.

I have on previous occasions discussed the arbitrary action by some officials of the Bureau of Land Management and the Geological Survey as such action affected Alaskan homesteaders. The life of the homesteader in the 49th State differs from that of the homesteader in the Great Plains States nearly a century ago.

Many Members of this body will recall that during World War II in anticipation of the entry into the United States of war refugees, the Department of the Interior had withdrawn certain lands in Alaska which the Department of Agriculture, after careful study, had determined were suitable for agriculture. However, that project of opening these lands to refugees was abandoned and it was decided instead to open these lands to veterans for homesteading.

Homesteading in Alaska is difficult since the land must first be cleared of dense covering of trees.

At the time the land on the Kenai Peninsula was opened to homesteaders heavy equipment was almost completely unavailable in the then Territory. Clearing the land of trees was a slow, backbreaking task. In addition, the veterans who took up homesteading in Alaska had to brave the cold and snow of the long winters. Many stories of courage, of daily heroism against odds undreamed of, have been written in Alaska. Many are being written.

In the closing days of the 86th Congress I was able to secure passage of legislation which gave some homesteaders on the Kenai Peninsula their oil and gas rights. But inequities continue.

Imagine the reaction of the homesteader who, after an investment of many thousands of dollars and untold hours of hardship clearing land, building a home and clearing and planting his land, one day finds his land has been reclassified. It is possible for the Geological Survey to change lands classification and to take oil and gas rights for the Government.

And it is possible for the Bureau of Land Management to tell the homesteader that if he wants his patent he has to waive oil and gas rights which the Geological Survey has found after the homesteader started to clear his acres.

Let me make it clear that the homesteaders of my State did not come to Alaska to seek oil and gas rights. They came to settle, to make Alaska their home. But by the same token they are entitled to the mineral rights on their property. A Federal agency some 5,000 miles away should not take away rights which rightfully belong to the homesteaders.

My investigations have convinced me that a drastic revision is needed in the procedures of the Bureau of Land Management and of the Geological Survey to safeguard the men and women affected by the actions of those bureaus which are arbitrary and capricious.

The small sheepherder denied a grazing permit in Montana, Oregon, or Idaho, for example, just cannot afford to come to Washington, hire a lawyer and carry his case up to the Secretary of the Interior.

Nor can the miner. Although he seems daily to be more of a rarity and unless the Federal Government takes long overdue decisive action soon the miner may become extinct—as will, I fear, our gold supply.

But this is another problem. The legislation we propose today is designed to keep the homesteader and the miner healthy and a little more wealthy.

When I introduced S. 3107 in the 87th Congress, I sent copies of the bill to many persons throughout the country versed in public-land matters and asked them for their suggestions.

The responses were universally favorable to the approach proposed. Some modifications in procedure were suggested.

Bureaucracy bumbles. It is so big, so organized that it tends to be disorganized. One person commenting on the need for the Appeal Board wrote:

> I would like to make a further suggestion; namely, that two of the members of the Board be selected from the public domain States and one from any State. It is possible that if two of the members of the Appeal Board came from public domain States, they may be more understanding of the problems at the local level.
>
> My experience has been chiefly in the oil and gas phase of the Bureau's work. Our problems in general do not arise from disputed facts but concern disputes over the interpretation of the law as given to a set of facts. Our experience with the personnel

> of the district offices of the Bureau of Land Management on the whole have been pleasant. We have found the employees to be helpful. However, these employees at the district level are so limited by the regulations, the decisions, and the memorandums that it is difficult for them to act except by rule. I can well understand why they do act by rule, when I realize that the statutes with reference to leasing for oil and gas purposes have been amended many times, the regulations of late years are constantly being amended and the volume of the work has increased.
>
> Therefore, perhaps the heart of the trouble is with true understanding of the needs of the public with reference to our land system. I think your comment is good about the fact that those who seek to use or obtain public lands should not be treated as though they were trying to deprive the Federal Government of something. I realize that there are, of course, persons who take advantage of any loophole possible and therefore, the employees of the Government must necessarily protect the Government's interest. However, I have read decisions which fail to consider the spirit of the law and with results which may be inequitable.
>
> I think the Secretary's Division should spend more money for more employees, since the business of the Bureau of Land Management is "big" business. I think your proposal for a separate board may be helpful. I suppose that the Secretary himself could set up a separate board of appeals, but that would not necessarily provide for hearings which you think are necessary and which may be necessary if there are disputed facts. Your proposed legislation might be a lever to accomplish the desired results within the Secretary's Division itself. At any rate, I hope my suggestions may be of some small help.

Mr. President, such suggestions are helpful.

The writer I have quoted at length strikes at the heart of the problem with his observation:

> Perhaps the heart of the trouble is with true understanding of the needs of the public with reference to our land system.

The men and women who commented on the need for a Board of Public Lands Appeals agreed that the statutory rights of the public in the public domain are not being safeguarded.

Many commented particularly on the need to hold hearings at a location convenient to the appellant. They concurred in my contention that present hearings before field commissions and examiners are held at a time and place of their own choosing without much regard to the location of the land or the private party.

Many felt that appeals from final decisions of the Board of Public Lands Appeals shall be to the U.S. court of appeals for the circuit in which the land involved is situated. This will avoid, they agree, the bulk of the public land cases having to be prosecuted in the Federal courts in Washington, D.C., and it will cut down the long timelags.

Mr. President, a Board of Public Lands Appeals would certainly minimize the inconveniences which are described in one letter I received commenting on the proposed legislation, a portion of which I shall quote at this time:

> The appeals procedure on Bureau of Land Management cases is to my mind entirely unsatisfactory and I welcome your efforts at creating a more equitable appeals system.
>
> I am highly in accord with your proposal to establish a Land Appeals Board for the reason that I believe a party should be able to present his appeal to an appeals body in person, or through counsel, to present his case more effectively.
>
> More important, under the present setup there is no opportunity to cross-examine the so-called experts in the Bureau of Land Management who have made the decision regarding the land problem. In other words, I have had the experience of fighting a determination by a lower level person in the Department that a certain tract of land should be classified as a "recreational" area. This is a factual determination obviously by a man in the field supposedly with some expertise on the situation. Appeals of these matters are practically fruitless because the Director of the Bureau of Land Management and then the Secretary of the Interior will hardly ever question or reverse a discretionary finding by a lower level person. In other words, we never know who is making the decision and have no opportunity to question same in any stage of the proceeding. To me this violates the essential thesis of due process and would be contrary to the tenets of the Administrative Procedure Act. The people in the Bureau of Land Management should be called upon and be required to substantiate their discretionary decisions the same as any other administrative agency is.
>
> It is appalling to me to see that the Secretary of the Interior is considering a further weakening of the appeals process in Bureau of Land Management matters. It is bad enough as it is without limiting the appeals still further by a discretionary review procedure. I hope that you will do everything in your power to fight this proposed appeals system and to push for enactment of your bill, S. 3107.
>
> I should also state a further matter that happened to me personally in making an appeal on a land problem involving a friend's and my ownership of a piece of property upon being turned down on an appeal to the Director of the Bureau of Land Management. I submitted an appeal to the Secretary of the Interior and in the press of business forgot to send the check for $5. The appeal was, of course, summarily dismissed in accordance with the regulations of the Department of the Interior for nonpayment of the filing fee. This, of course, could not happen in an ordinary legal matter where you are dealing with local authorities because you would need your filing fee to file the papers in the appropriate court. I wonder how many other appeals are dismissed in the Department of Interior for the neglect of persons to send in the $5 filing fee. It seems to me that the law could be changed so that in the event this fee was overlooked, that it could be paid within 10 days of notice of nonpayment of the Department. One other course of action to ease this problem would be to allow the appeals to the Secretary of the Interior to be filed on the local offices of the Bureau of Land Management.

One writer in commenting on the need for a Board of Public Lands Appeals said:

> I am concerned because of the unjustified manner in which the Forest Service and the Bureau of Land Management have been treating mining claim holders. I presume this appeals board will be available to claim holders who feel they have been wrongly deprived of their mineral rights.

Mr. President, we who feel there is a need for this legislation believe the laws and regulations governing the use and the disposition of the public lands should be interpreted and applied uniformly and equitably.

This can be accomplished only if the initial decision is subject to objective administrative review, with ultimate recourse to the courts.

The Secretary of the Interior has been entrusted with the management of the public lands, and has been instructed by the Congress to permit their use for certain purposes, and their disposition under certain conditions.

I have discussed the lack of an opportunity for a proper hearing. This is but one of the difficulties with the manner in which the Secretary of the Interior performs his functions with respect to the use and disposition of the public lands.

A second equally serious objection to the existing procedural operations is that there is no sharp division between the administrative power and the quasi-judicial power thus exercised in the name of the Secretary of the Interior.

Both the Associate Solicitor responsible for providing legal advice to the Bureau of Land Management and the Assistant Solicitor responsible for advising the Secretary of the Interior on the appeal from the decision of the Director of the Bureau of Land Management are responsible directly to the Solicitor.

Thus, the attorney advising on the initial decision and the attorney advising on the appeal are responsible to, and act under, the direction of the same individual, the Solicitor.

An individual appealing an adverse ruling must argue to an Assistant Solicitor, who is only a branch chief, that an individual standing higher in the bureaucratic scale—an Associate Solicitor and a Division Chief—was incorrect in his legal decision. That is certainly a most difficult case to argue. These two functions should be divided.

This is not the only Federal program in which this problem arises. It was one of the reasons for the enactment of the Administrative Procedure Act, which, however, exempted actions dealing with the public lands.

Such a procedure is, however, as much needed for public-land use and disposition as in the performance of many other functions of the executive branch.

An objective, impartial board along the lines of the one which we propose for the Department of the Interior could be established by administrative action.

However, a board along the same lines has been functioning for many years in the Department of Health, Education, and Welfare. It was established by administrative action with respect to the old-age, survivors, and disability program under title II of the Social Security Act. Surely a decision as to entitlement under that program is not necessarily more or less important than a decision as to whether a homesteader has complied with the provisions of the law, or a decision as to whether the applicant for an oil lease has similarly complied, or a decision as to whether an applicant for a grazing permit is entitled to it. A rebuffed and frustrated applicant for any of these public benefits should be entitled to an appeal to a tribunal which has in no way—either directly or indirectly—participated in the initial decision, or which can have its decision on appeal influenced by the maker of the original decision.

Those who seek, under the applicable provisions of the law, to use or obtain public lands should not be treated as though they were trying to deprive the Federal Government of something. The Congress has stated that the public lands may be used for certain purposes or may be disposed of under certain conditions. An applicant who complies with the conditions laid down should have his application granted. Applicants in any of the public land States are entitled to have those conditions interpreted uniformly and applied objectively.

The proposed legislation we have introduced this day is objective, impartial, and bipartisan. It will insure uniformity and equal justice in use and disposition of public lands which are homesteaded.

My bill corrects the intolerable situation in which an attorney advising on the initial decision and the attorney advising on the appeal are responsible to the same person. We must bring to a close the situation in which an individual appealing an adverse ruling must argue to an assistant solicitor who is only a branch chief that an individual standing higher in the bureaucratic scale—an Associate Solicitor and a Division Chief—was incorrect in his legal decision for this is comparable to the director overruling the chairman of the board, a most unlikely event.

Mr. President, my experience with some of our Federal bureaus in Alaska leads me to the conclusion that they need to become more responsible and responsive.

They need to accept the responsibility for the acts and say-so's of their personnel, high and low. That has not been the case all too often with the Bureau of Land Management. Homesteaders have gone to the regional offices of this Federal agency, seeking guidance and direction. They have received it and followed it with labor and expenditure, only to find out months later, when they have acted on that advice and guidance, that it has been erroneous and that the Bureau then repudiates it, disclaiming responsibility for the errors which it then alleges the homesteader made—made on the Bureau's say-so.

The Bureau officials need, also—and this is a corollary of being more responsive—to be more responsive to the public's needs. Their mission is, or should be, to serve the public, not to rule it, boss it, push it around. There has been much too much of that in Alaska, and I gather, judging from the diversity of cosponsors, elsewhere in the United States.

It is inexcusable for public officials, by their actions, to cause people to lose faith in their Government. That has often happened. That faith needs to be restored and maintained. That is one of the motivations for this legislation.

Mr. President, I ask unanimous consent that the full text of the bill I have introduced today on behalf of myself and other Senators be printed in the RECORD at the close of my remarks, and that a statement by our able colleague, the junior Senator from Nevada [Mr. CANNON] supporting this legislation, be likewise appended at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection the bill and statement will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Alaska.

The bill (S. 758) to establish in the office of the Secretary of the Department of the Interior a Board of Public Lands Appeals, and for other purposes, introduced by Mr. GRUENING (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established in the Office of the Secretary of the Department of the Interior (hereinafter called the "Secretary") a Board of Public Lands Appeals (hereinafter called the "Board"), under the administrative control and supervision of a Chairman.

SEC. 2. The Board shall consist of a Chairman and two associate members, appointed without regard to the civil service and classification laws, and such other professional, administrative, clerical, and stenographic personnel as are necessary in conducting hearings and considering and disposing of appeals properly before the Board.

SEC. 3. Members of the Board (including the Chairman) shall be appointed by the Secretary, with the approval of the President, and shall receive compensation at the annual rate of $-------.

SEC. 4. Any final decision of the Bureau of Land Management or the Geological Survey of the Department of the Interior concerning the uses of or claims to public lands under the jurisdiction of the Department of the Interior may be appealed to the Secretary, and the Board shall hear and determine such appeals on behalf of the Secretary. Final decisions on such appeals, after giving the appellant an opportunity for a hearing at a location convenient to the appellant, shall be made by vote of a majority of the Board on the basis of the entire record.

SEC. 5. An appeal under this Act may be filed with the Secretary only by an individual, partnership, corporation, or other organization or a State (or political subdivision thereof) materially affected by the appealed decision.

SEC. 6. The Secretary shall establish rules and regulations governing the Board's procedures and activities, which rules and regulations shall be in accord with the provisions of the Administrative Procedure Act (5 U.S.C. 1001–1011).

SEC. 7. Hearings may be held before the entire Board or before a single member thereof or before an employee of the Board designated by the Chairman to conduct such hearings.

SEC. 8. The Board shall be bound in its decisions by the applicable regulations issued by the Secretary: *Provided,* That, if the Board finds that, as applied to a particular case or group of cases, the regulations issued by the Secretary would lead to an inequitable, unjust, or unintended application of the law, it shall recommend to the Secretary appropriate and legally justifiable changes in such regulations and shall delay its decisions on affected appeals until the Secretary has considered the changes suggested and has made a decision as to whether or not to promulgate such changes in the regulation.

SEC. 9. Appeals from final decisions of the Board shall be to the United States Court of Appeals for the circuit in which the land involved is situated.

STATEMENT BY SENATOR CANNON

I have joined with Senator GRUENING and others in reintroducing this session a bill to establish a Board of Public Land Appeals in the Department of the Interior.

It has been my thought both during the 87th Congress and in cosponsoring this bill that a semi-independent group should be established for the thorough and impartial consideration of appeals brought by public land applicants.

Coming from a State comprised of over 86 percent public domain and second in land area under public control only to the State of Alaska, I am acutely aware of the problems which arise from the administration of public lands and the difficulties encountered by applicants in their efforts to comply with the law in order to obtain such lands. I hope that this Board can be established and that it can function so as to dispel a rather widely held view that the appellate process is futile in that the same Department considers the appeal as issues the initial decision. It is further felt that there is insufficient investigation made of the cases on appeal due to the pressure of other activities on those who are presently charged with decision.

AMENDMENT OF FEDERAL EMPLOYEES HEALTH BENEFITS ACT, 1959

Mr. CARLSON. Mr. President, I introduce, for appropriate reference, a bill which would eliminate some troublesome inequities which exist in the Federal Employees Health Benefits Act of 1959.

As we all know, this act has proved itself to be one of the most wholesome and beneficial pieces of "fringe benefit" legislation ever enacted in behalf of our Federal employees. However, despite all the good intentions of the legislative and the executive branches of Government, the act has fallen short, in several important particulars, of the goals we had in mind when we fashioned it.

In the first place, Mr. President, it was the intention of the Congress to provide for our Federal employees a health insurance program equal to that provided by most modern-thinking private industries. This would mean a 50-percent participation on the Government's part in the financial support of the program. Because of certain technical problems, which would be solved by the bill I have introduced, the Government's participation today falls short of what the Congress intended at the time of the passage of the present act in 1959. The Federal Government's participation today averages around 38 percent.

Mr. President, I have long held that the Federal Government should set an example in its employee relations for the private sector to follow. As of now, in the area of health benefits, we are not doing this. In fact, we are lagging considerably behind private industry. My bill would correct this situation and would make the Federal Government's participation in the health benefits program an equal partnership with the employee.

Second, Mr. President, the Health Benefits Act of 1959, as it stands, has a built-in inequity, never intended by the Congress, in regard to married women with nondependent husbands. This inequity amounts to a discrimination againts female Federal employees which is quite contrary to the spirit of our times, and, indeed, is altogether foreign in the spirit of fairplay which otherwise permeates the act, as it stands, and motivated its enactment. The bill I introduce today would remove this inequity.

I sincerely hope the Senate Committee on Post Office and Civil Service, of which I have the honor of being a member, will consider this bill as soon as possible and will give it swift approval.

I ask unanimous consent that the bill may be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 761) to amend the Federal Employees Health Benefits Act of 1959 with respect to the contributions made by Government toward health benefit protection for employees and annuitants and members of their families, introduced by Mr. Carlson, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 7(a) (1) and (2) of the Federal Employees Health Benefits Act of 1959 (5 U.S.C. 3006(a) (1) and (2)) are repealed, and a new section 7(a)(1) is inserted in their place to read as follows:

"(1) The Government contribution for health benefits for employees or annuitants enrolled in health benefits plans under this Act, in addition to the contributions required by paragraph (2) shall be $2 biweekly for an employee or annuitant enrolled for self alone, and $5 biweekly for an employee or annuitant enrolled for self and family, but not more than one-half the biweekly subscription charge for the enrollment."

Sec. 2. Sections 7(a) (3) and (4) of the Federal Employees Health Benefits Act of 1959 (5 U.S.C. 3006(a) (3) and (4)) are redesignated sections 7(a) (2) and (3) respectively.

Sec. 3. This amendment is effective at the beginning of the first pay period in the first contract period beginning more than 90 days after its enactment.

MEDICAL ASSISTANCE FOR THE AGED TO ELIGIBLE RESIDENTS OF THE DISTRICT OF COLUMBIA

Mr. PROUTY. Mr. President, it is a very sad thing to see politics given priority over the health needs of aged persons. When the Kerr-Mills bill was enacted into law, it was the hope and expectation of Congress that most—perhaps all—States would take advantage of it and would make available to older men and women health care they previously could not obtain or could not afford.

For some reason known only to the administration, the President has not fought for Kerr-Mills implementation to benefit the senior citizens in the District of Columbia. He has had over 2 years to consider the plight of the 61,000 people over the age of 65, but still no recommendation has been forthcoming.

I realize that there are many in the executive branch who hold the view that if Kerr-Mills is successful, the social security plan may not gain congressional approval. But is this an excuse for inaction? Is this an excuse for neglecting the medical needs and hospital needs of retired people who, during their working years, made a real contribution to our society? I think all Senators know the answer to these questions. In fact, the administration also knows, or should know, what course of action is the decent one to follow. Indeed, it even acknowledges that Kerr-Mills will be needed, even if the compulsory social security scheme becomes law.

Why is Kerr-Mills still needed on a nationwide basis and in the District of Columbia? It is needed because it permits the States to adopt programs adapted to their peculiar needs. Basically, the administration social security scheme deals with the hospitalization problem. It overlooks the importance of preventive medicine. It overlooks the significance of diagnostic facilities. It overlooks the varying needs of individuals, some of whom have insurance policies of their own.

Consider how broad the scope of Kerr-Mills can be for the District of Columbia if Congress does something to implement it for older people here in Washington.

Kerr-Mills specifies that the Federal Government will share in the expense of providing any or all of the following kinds of medical services: Inpatient hospital services, skilled nursing home services, physicians' services, outpatient hospital or clinic services, home health care services, private duty nursing services, physical therapy and related services, dental services, laboratory and X-ray services, prescribed drugs, eyeglasses, dentures, and prosthetic devices, and diagnostic, screening, and preventive services.

Mr. President, on Wednesday of last week I was disturbed to see that the District, together with a minority of the States, is not participating in medical care for the aged under Kerr-Mills.

I immediately requested of the District government and the Department of Health, Education, and Welfare information necessary for me to introduce legislation to make the District a participating jurisdiction. Much to my astonishment, I received conflicting information from the Department and the District. Indeed, the District suggested that legislation may not be required. If this is the case, its inaction is all the more inexcusable.

My own view leads me to believe that enactment of a bill may be necessary. For this reason, I now introduce, for appropriate reference, a bill which would aid in making health care available to older persons in the District.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 763) to amend the District of Columbia Public Assistance Act of 1962 so as to provide for the furnishing of medical assistance for the aged to eligible residents of the District of Columbia, introduced by Mr. Prouty, was received, read twice by its title, and referred to the Committee on the District of Columbia.

CONSTRUCTION OF CERTAIN RECLAMATION PROJECTS UNDER COLORADO RIVER STORAGE PROJECT ACT

Mr. SIMPSON. Mr. President, on behalf of the Senator from Colorado [Mr. Allott], I introduce, for appropriate reference, a bill authorizing the construction, operation, and maintenance of three reclamation projects as participating projects under the Colorado River Storage Project Act. I ask unanimous consent that a statement, prepared by the Senator from Colorado, be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the Record.

The bill (S. 770) to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act, introduced by Mr. Simpson (for Mr. Allott and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The statement of Mr. Allott, presented by Mr. Simpson, is as follows:

Statement by Senator Gordon Allott

I introduce, for appropriate reference, a bill authorizing the construction, operation, and maintenance of three reclamation projects as participating projects under the Colorado River Storage Project Act, in behalf of my colleagues Senators Dominick, McGee, Simpson, and myself.

Included in this bill are authorizations for the Savery-Pot Hook project in Colorado and Wyoming, which has been given priority by the Colorado Water Conservation Board. In addition the bill would authorize the Bostwick Park and Fruitland Mesa Colorado projects. Separate bills on each of these projects have previously been introduced, however, it appears to us that the similarity in project characteristics recommends that they be considered together. I am, therefore, pleased to join in cosponsoring this bill.

THE DESEGREGATION OF PUBLIC SCHOOLS—PROHIBITION OF CERTAIN DISCRIMINATION IN EMPLOYMENT

Mr. CLARK. Mr. President, I introduce, for appropriate reference, two bills which are sponsored by a number of Senators. The first bill will speed public school desegregation. The second bill will insure fair employment practices in Government and interstate employment.

I ask unanimous consent that the bills be referred to the Committee on Labor and Public Welfare, as was done 2 years ago with identical measures.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. Clark, were received, read twice by their titles, and referred to the Committee on Labor and Public Welfare, as follows:

By Mr. CLARK (for himself, Mr. Hart, Mr. Williams of New Jersey, Mr. Long of Missouri, Mr. Humphrey, Mr. Gruening, Mr. Javits, Mrs. Neuberger, and Mr. Scott):

S. 772. A bill to provide for the desegregation of public schools, with all deliberate speed, including immediate nationwide first-step compliance, and for other purposes.

By Mr. CLARK (for himself, Mr. Hart, Mr. Douglas, Mr. Williams of New Jersey, Mr. Javits, Mr. Long of Missouri, Mr. Humphrey, Mr. Gruening, Mrs. Neuberger, Mr. Scott, and Mr. Pell):

S. 773. A bill to prohibit discrimination in employment because of race, color, religion, or national origin.

Mr. CLARK. Mr. President, the school desegregation bill would require every school board operating a racially segregated public school to adopt a desegregation plan within 6 months of the date of enactment of the bill and to file the plan with the Secretary of Health, Education, and Welfare. The plan would state how the board intended to achieve desegregation with all deliberate speed in each of its schools and include a schedule showing the time and the manner in which desegregation would be achieved in each class and school. To meet the requirements of the act, the plan would have to provide for "first-step compliance" not later than the school year or semester next commencing 6 months after date of enactment. Technical and financial assistance would be given under the bill to desegregating school districts, and court enforcement would be authorized in the cases of school boards which violated the duties set forth in the act.

The fair employment practice bill would provide administrative and court remedies for persons discriminated against as a result of race or color in Government or interstate commerce employment. The bill would make it an unfair employment practice for any business or labor union employing more than 50 persons to discriminate in its hiring, promoting or firing practices on the basis of race, color, religion, or national origin.

The eve of Lincoln's Birthday on the 100th anniversary year of the Emancipation Proclamation is a fitting time to remind ourselves of the vast unfinished business of the Nation in the field of civil rights, particularly in the matters of education and employment discrimination.

Two thousand public school districts remain entirely segregated almost a decade after desegregation was held to be the law of the land in the Supreme Court Brown decision. Nonwhite unemployment rates have hovered at a shocking 11 to 13 percent—more than double the national average. These rates were 12.7 percent in January.

It is a severe indictment of the Senate that these twin national problems, affecting the lives and income of millions of our fellow citizens, have not been given attention in public hearings or floor debate. Despite the hurdle of the present inadequate antifilibuster rule, I intend to do everything within my power to have these matters given the consideration they deserve in the Senate of the 88th Congress.

Mr. CLARK subsequently said: Mr. President, earlier today I introduced, for appropriate reference, two bills on the general subject of civil rights. I now ask unanimous consent that the text of each of those measures be printed in the Record, together with a section-by-section analysis of each bill.

The PRESIDING OFFICER (Mr. Hart in the chair). Without objection, it is so ordered.

The bills and section-by-section analyses are as follows:

S. 772

A bill to provide for the desegregation of public schools, with all deliberate speed, including immediate nationwide first-step compliance and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public School Desegregation Act".

TITLE I—DEFINITIONS

Sec. 101. As used in this Act—

(a) "Desegregation" means the assignment of all students to public schools irrespective of their race or color. No assignment system in which race or color is a factor in the initial assignment of students to particular public schools shall be deemed to have achieved desegregation even though placement or other tests or transfers or other options may be available to change such assignment.

(b) "Public school" means any elementary or secondary educational institution operated by a State, subdivision of a State, or governmental agency within a State, or operated principally or substantially from or through the use of governmental funds, or funds derived from a governmental source.

(c) "School board" means any agency or agencies, the members, agents, and employees thereof, and any other person or persons, authorized to determine, control, or direct the institutions, structures, or places at which particular students are assigned to or attend public school.

(d) "First-step compliance" means the affording of desegregated education to a substantial number of students at each public school within the jurisdiction of the school board, not later than the next school year or semester commencing after a period of six months from the date of enactment.

TITLE II—DUTY TO ADOPT AND IMPLEMENT DESEGREGATION PLANS

Sec. 201. Every school board which, on the date of the enactment of this Act, has failed to achieve desegregation in all public schools within its jurisdiction, shall adopt a desegregation plan as provided in section 202 and shall file said plan, within one hundred and eighty days of the date of enactment of this Act with the Secretary of Health, Education, and Welfare.

Sec. 202. Every desegregation plan required under section 201 shall—

(1) provide for achieving desegregation in all public schools within the jurisdiction of the school board with all deliberate speed, pursuant to a schedule setting forth the time when and the manner in which desegregation is to be achieved for each class, grade, school, and district within the jurisdiction of the school board involved; and

(2) provide for at least first-step compliance not later than the next school year or semester commencing after a period of six months from the date of enactment.

Sec. 203. Every school board required to adopt a desegregation plan pursuant to section 201 shall forthwith implement the same in accordance with its terms immediately upon its adoption and thereafter continue its implementation in good faith and with all deliberate speed until desegregation is fully achieved in all public schools within its jurisdiction.

Sec. 204. Whenever any school board subject to the requirements of this title loses or relinquishes any of its authority over public schools formerly within its jurisdiction or its authority to assign students to schools within its jurisdiction, the duties prescribed in this Act shall immediately devolve upon the person or persons to whom such authority has been transferred or relinquished.

Sec. 205. Wherever, because of overlapping or complementary jurisdiction, more than one school board is subject to the requirements of this title with respect to the same schools or students, the boards concerned shall exercise their obligations hereunder jointly.

Sec. 206. The requirements of this title shall not apply to any public school which, on the date of enactment of this Act, is subject to a court order providing for or approving a desegregation plan for the said school.

TITLE III—TECHNICAL ASSISTANCE BY SECRETARY OF HEALTH, EDUCATION, AND WELFARE TO FACILITATE DESEGREGATION

Sec. 301. The Secretary of Health, Education, and Welfare shall upon application render technical assistance to school boards by such means as he deems appropriate in the preparation, adoption, and implementation of desegregation plans required by this title. Technical assistance may include, but shall not be limited to, such matters as the assembling, publishing, and distributing of information, including successful case histories of desegregation, the planning, calling, and holding of conferences, the appointment of advisory councils and the assisting by such other means as the Secretary deems appropriate of progress toward desegregation in the public schools of the Nation.

TITLE IV—FINANCIAL ASSISTANCE BY SECRETARY OF HEALTH, EDUCATION, AND WELFARE TO FACILITATE DESEGREGATION

Sec. 401. Every plan submitted to the Secretary of Health, Education, and Welfare pursuant to section 201 of this Act shall be reviewed by the Secretary to determine whether it conforms with the requirements of this Act. Whenever the Secretary determines that a desegregation plan submitted to him meets the requirements of this Act, he is authorized for the purpose of facilitating the carrying out of any such desegregation plan and upon receipt of application therefor to make grants to school boards, States, municipalities, school districts, and other governmental units to assist in meeting costs he determines to be reasonably necessary for the implementation of such desegregation plan. Grants may be made under this section for—

(1) the cost of employing additional schoolteachers;

(2) the cost of giving to teachers and other school personnel inservice training in dealing with problems incident to desegregation;

(3) the cost of employing specialists in problems incident to desegregation and of providing other assistance to develop understanding by parents, schoolchildren, and the general public of desegregation in order to reduce the possibility of community hostility or resistance to such desegregation;

(4) the cost of replacement of funds to schools or schoolteachers withheld because such schools or schoolteachers have undertaken or may undertake desegregation;

(5) the cost of construction, enlargement, or alteration of school facilities when the Secretary finds that lack or inadequacy of existing facilities makes the carrying out of

a desegregation plan impracticable or materially more difficult; and

(6) other costs directly related to the process of eliminating segregation in public schools.

SEC. 402. The Secretary of Health, Education, and Welfare is further authorized for the purpose of facilitating the carrying out of desegregation in accordance with any court-approved desegregation plan not subject to the requirements of title II of this Act, to make grants to school boards, States, municipalities, school districts, and other governmental units to assist in meeting costs he determines to be reasonably necessary for the implementation of such desegregation plan in the same manner and for the same purposes as provided for in the foregoing section of this title.

SEC. 403. Each application made for a grant under this title shall provide such detailed breakdown of the measures for which financial assistance is sought as the Secretary may by regulations prescribe. Each grant under this section shall be made in such amounts and on such terms and conditions as the Secretary shall prescribe, which may include a condition that the applicant expend certain of its own funds in specified amounts for the purpose for which the grant is made. In determining whether to make a grant, and in fixing the amount thereof and the terms and conditions on which it will be made, the Secretary shall take into consideration the amount available for grants under this section and the other applications which are pending before him; the financial condition of the applicant and the other resources available to it; the nature, extent, and gravity of its problems incident to desegregation; and such other factors as he finds relevant.

SEC. 404. Payments of grants under this title may be made in advance or by way of reimbursement, and at such intervals as the Secretary may determine.

SEC. 405. There are hereby authorized to be appropriated for the fiscal year in process at the date of enactment of this Act and for each succeeding fiscal year, such sums, not exceeding $40,000,000 for any fiscal year, as may be necessary to carry out the provisions of this title.

TITLE V—ENFORCEMENT OF DUTY TO ADOPT AND IMPLEMENT DESEGREGATION PLANS

SEC. 501. In the event that a school board, or its successor as provided in section 204, subject to the requirements of title II of this Act has violated any of the obligations prescribed therein, the Attorney General is authorized to institute for or in the name of the United States in the United States district court for the district wherein such school board or its successor is located or meets, a civil action or other proceeding for preventive relief including an application for an injunction or other order, against such school board or its successor. The court wherein such action is instituted is authorized, upon finding that there has been a violation of title II of this Act, without limitation upon the grant of such other relief as may be appropriate under the circumstances, to require the school board or its successor (1) to adopt and implement a plan of school desegregation pursuant to the requirements of title II of this Act, (2) to implement any other school desegregation plan which the court may find appropriate and consistent with the requirements of this Act, or (3) to issue such other orders and grant such other relief as will most expeditiously achieve first-step compliance and desegregation with all deliberate speed in the public schools under the jurisdiction of the school board or its successor.

SEC. 502. The district courts of the United States shall have jurisdiction over proceedings instituted under section 501 of this Act, and shall exercise the same without regard to whether any administrative or other remedies that may be provided by law shall have been exhausted, and in a manner calculated to achieve desegregation in accordance with the requirements of this Act.

TITLE VI—MISCELLANEOUS PROVISIONS

SEC. 601. Nothing in this Act shall be construed to impair any right guaranteed by the Constitution or laws of the United States or any remedies already existing for their protection or enforcement, nor to prevent any individual or private organization from acting to enforce or safeguard any constitutional right in any manner now or hereafter permitted by law.

SEC. 602. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

SECTION-BY-SECTION ANALYSIS OF CLARK BILL, ENTITLED "PUBLIC SCHOOL DESEGREGATION ACT"

TITLE I—DEFINITIONS

Section 101(a): "Desegregation" is achieved only when race or color is completely eliminated as a factor in assigning students to public schools.

(b) "Public school" is defined to include any elementary or secondary school operated principally or substantially from or through the use of governmental funds, or funds derived from a governmental source.

(c) "School board" includes any agency or person that controls or directs the assignment of pupils to public schools.

(d) "First-step compliance" means the affording of desegregated education to a substantial number of students at each public school within the jurisdiction of the school board, not later than the school year or semester next commencing 6 months after enactment.

TITLE II—DUTY TO ADOPT AND IMPLEMENT DESEGREGATION PLANS

Section 201 requires every school board which, on the date of enactment of this act has failed to achieve desegregation in all public schools within its jurisdiction, to adopt a desegregation plan and file it within 180 days after enactment of this act with the Secretary of Department of Health, Education, and Welfare.

Section 202: Such a desegregation plan must provide for two things:

1. A program of ultimate desegregation to be attained with all deliberate speed, pursuant to a schedule setting forth the time when and the manner in which desegregation is to be achieved for each class, grade, school, and district within the jurisdiction of the school board, and

2. A program for "first-step compliance" not later than the school year or semester next commencing 6 months after enactment.

Section 203 requires every school board adopting a desegregation plan pursuant to this act to implement it in good faith and with all deliberate speed until desegregation is fully achieved in its district.

Section 204 provides that the duties required of a school board under this act shall devolve immediately upon any successor should the school board's authority be relinquished. This is aimed at obviating slowdowns resulting from the resignation of school boards or from the elimination of such boards. It means that any public body, local or State, that assumes control over local schools, can be made subject to the provisions of this bill.

Section 205 provides for the joint exercise of obligations under the bill by school boards, the jurisdiction of which might overlap. Prevents a situation arising where nothing would be done under this bill because neither of two school boards would desire to exercise its jurisdiction.

Section 206 provides that this bill shall not apply to any public school, which on the date of enactment of this bill, is subject to a court order providing for or approving a desegregation plan for said school.

TITLE III—TECHNICAL ASSISTANCE BY SECRETARY OF HEALTH, EDUCATION, AND WELFARE TO FACILITATE DESEGREGATION

Section 301 authorizes the Secretary of Health, Education, and Welfare, upon application therefor, to render technical assistance to school boards in preparing, adopting, or implementing desegregation plans required by this bill. Such assistance might include dissemination of information, appointment of advisory councils, the holding of conferences, etc.

TITLE IV—FINANCIAL ASSISTANCE BY SECRETARY OF HEALTH, EDUCATION, AND WELFARE TO FACILITATE DESEGREGATION

Section 401 requires the Secretary of Health, Education, and Welfare to review every desegregation plan filed under this bill to ascertain that it complies with the provisions of the bill. Permits the Secretary, in the case of such plans that qualify and upon application therefor, to make grants to school boards, States, etc., to assist in meeting costs which the Secretary determines to be reasonably necessary for the implementation of a desegregation plan. Grants can be made to meet the costs of (1) employing additional personnel such as teachers and community counselors, (2) inservice training programs for school personnel, (3) replacing funds withheld from schools or teachers by local or State authorities because of desegregation, (4) construction or alteration of school facilities, and (5) other costs directly related to the process of eliminating segregation.

Section 402 authorizes the Secretary to provide grants to school boards, States, etc., to assist in meeting costs he determines to be reasonably necessary for the implementation of court-approved desegregation plans not subject to the requirements of this bill.

Section 403 requires the Secretary to prescribe regulations governing the granting of funds under this title and requires each application for such a grant to conform to the requirements of the Secretary. Provides that the Secretary might require that a grant be conditioned upon the local authority contributing similarly of its own funds.

Sets forth criteria to guide the Secretary in making the grants funds available, financial condition of applicant, etc.

Section 404 provides that grants can be paid by way of reimbursement for expenses already undertaken by a school district, or in advance for expenses to be undertaken.

Section 405 authorizes the appropriation of $40 million each fiscal year to carry out the grant provisions.

TITLE V—ENFORCEMENT OF DUTY TO ADOPT AND IMPLEMENT DESEGREGATION PLANS

Section 501 provides that when a school board or its successor violates any of the obligations required by this bill (filing desegregation plans and implementing them), the U.S. Attorney General is authorized to institute in the local U.S. district court, in the name of the United States, a civil action or other proceeding for preventive relief against such school board or its successor. Upon finding that there has been a violation of title II of this bill, the court may require the school board or its successor to adopt a school desegregation plan or to implement any other school desegregation plan which the court may find appropriate and consistent with the terms of this bill, or, to issue such other orders or grant such other relief as will most expeditously achieve first-step compliance and desegregation.

Section 502 provides that the jurisdiction of U.S. district courts shall extend to such proceedings regardless of whether administrative or other remedies provided by law have been exhausted.

TITLE VI—MISCELLANEOUS

Section 601 provides that nothing in the bill shall be construed to impair any right guaranteed by the Constitution or laws nor prevent individuals or private organizations from acting to enforce or safeguard any constitutional right or remedy.

Section 602: Saving clause in the event any provision is held invalid.

S. 773

A bill to prohibit discrimination in employment because of race, color, religion, or national origin

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal Fair Employment Practice Act".

FINDINGS OF FACT AND STATEMENT OF PURPOSE

SEC. 2. The Congress hereby finds that large numbers of qualified persons in the United States are discriminated against in employment because of their race, color, religion, or national origin, and that such discrimination interferes with the normal flow of commerce and with the full production of articles and commodities for commerce. It is the purpose of this Act, in order to promote the full flow of commerce and the full production of articles and commodities for commerce, to prohibit discrimination in employment because of race, color, religion, or national origin, and to provide administrative and court remedies for persons injured by such discrimination.

DEFINITIONS

SEC. 3. As used in this Act—

(a) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers, or any organized group of persons and any agency or instrumentality of the United States, including the District of Columbia, or of any territory or possession thereof.

(b) The term "employer" means a person engaged in commerce or in operations affecting commerce having in his employ fifty or more individuals; any agency or instrumentality of the United States, including the District of Columbia, or of any territory or possession thereof; and any person acting in the interest of an employer, directly or indirectly; but shall not include any State or municipality, or political subdivision thereof, or any religious, charitable, or educational corporation or association, not organized for private profit. Such term includes, for purposes of the provisions of this Act relating to employers, a labor organization which has fifty or more individuals in its employ.

(c) The term "labor organization" means any organization, having fifty or more members employed by any employer or employers, which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, wages, hours, terms or conditions of employment, or for other mutual aid or protection in connection with employment.

(d) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States; or between any State, territory, possession, or the District of Columbia and any place outside thereof; or within the District of Columbia or any territory or possession; or between points in the same State but through any point outside thereof.

(e) The term "territory" includes the Commonwealth of Puerto Rico.

(f) The term "possession" means all possessions of the United States, and includes the trust territories which the United States holds as administering authority under the United Nations trusteeship system, and the Canal Zone, but excludes other places held by the United States by lease under international arrangements.

(g) The term "Commission" means the Fair Employment Practice Commission, created by section 6 hereof.

EXEMPTION

SEC. 4. This Act shall not apply to any employer with respect to the employment of aliens outside the several States, the District of Columbia, and the territories and possessions.

UNLAWFUL EMPLOYMENT PRACTICES DEFINED

SEC. 5. (a) It shall be an unlawful employment practice for an employer—

(1) to refuse to hire, to discharge, or otherwise to discriminate against any individual with respect to his terms, conditions, or privileges of employment, because of such individual's race, color, religion, or national origin; or

(2) to utilize in the hiring or recruitment of individuals for employment any employment agency, placement service, training school or center, labor organization, or any other source which discriminates against such individuals because of their race, color, religion, or national origin.

(b) It shall be an unlawful employment practice for any labor organization to discriminate against any individual or to limit, segregate, or classify its membership in any way which would deprive or tend to deprive any individual of equal employment opportunities, or would limit his employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, or would affect adversely his wages, hours, or employment conditions, because of such individual's race, color, religion, or national origin.

(c) It shall be an unlawful employment practice for any employer or labor organization to discharge, expel, or otherwise discriminate against any person, because he has opposed any unlawful employment practice or has filed a charge, testified, participated, or assisted in any proceeding under this Act.

THE FAIR EMPLOYMENT PRACTICE COMMISSION

SEC. 6. (a) There is hereby created in the executive branch of the Government a commission to be known as the Fair Employment Practice Commission, which shall be composed of five members who shall be appointed by the President by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, and one for a term of five years, but their successors shall be appointed for terms of five years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as Chairman of the Commission, and one member to serve as Vice Chairman. The Chairman shall be responsible on behalf of the Commission for the administrative operations of the Commission. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman or in the event of a vacancy in that office. Any member of the Commission may be removed by the President, upon notice and hearing, for neglect of duty or malfeasance in office, but no other cause.

(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members thereof shall constitute a quorum.

(c) The Commission shall have an official seal which shall be judicially noticed.

(d) The Commission shall, at the close of each fiscal year, make a report in writing to the Congress and to the President stating in detail its activities during such fiscal year, including the number and types of cases it has handled and the decisions it has rendered; and shall report to the President from time to time on the causes of and means of eliminating discrimination and make such recommendations for further legislation as may appear desirable.

(e) Each member of the Commission shall receive a salary of $20,000 a year, except that the Chairman shall receive a salary of $22,500 a year.

(f) The principal office of the Commission shall be in the District of Columbia, but it may meet or exercise any or all of its powers at any other place and may establish such regional offices as it deems necessary. The Commission may, by one or more of its members or by such agents as it may designate, conduct any investigation, proceeding, or hearing necessary to its functions in any part of the United States. Any such agent, other than a member of the Commission, designated to conduct a proceeding or a hearing shall be a resident of the judicial circuit, as defined in title 28, United States Code, section 41, within which the alleged unlawful employment practice occurred.

(g) The Commission shall have power—

(1) to appoint, in accordance with the Civil Service Act, rules, and regulations, such officers, agents, and employees, as it deems necessary to assist it in the performance of its functions, to appoint, without regard to the Civil Service Act, rules, and regulations, such attorneys as it deems necessary to assist it in the performance of its functions, and to fix the compensation of such officers, agents, employees, and attorneys in accordance with the Classification Act of 1949, as amended;

(2) to cooperate with regional, State, local, and other agencies;

(3) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents the same witness and mileage fees as are paid to witnesses in the courts of the United States;

(4) to furnish to persons subject to this Act such technical assistance as they may request to further their compliance with this Act or any order issued thereunder;

(5) upon the request of any employer acting in good faith, whose employees or some of them refuse or threaten to refuse to cooperate in effectuating the provisions of this Act, to assist in such effectuation by conciliation or other remedial action;

(6) to make such technical studies as are appropriate to effectuate the purposes and policies of this Act and to make the results of such studies available to interested governmental and nongovernmental agencies; and

(7) to create such local, State, or regional advisory and conciliation councils as in its judgment will aid in effectuating the purpose of this Act, and the Commission may authorize them to study the problem or specific instances of discrimination in employment because of race, color, religion, or national origin, and to foster through community effort or otherwise good will, cooperation, and conciliation among the groups and elements of the population, and make recommendations to the Commission for the development of policies and procedures in general and in specific instances. Such advisory and conciliation councils shall be composed of representative citizens, residents of the area for which they are appointed, who shall serve without compensation, but shall receive transportation and

per diem in lieu of subsistence as authorized by section 5 of the Act of August 2, 1946 (5 U.S.C. 73b–2), for persons serving without compensation; and the Commission may make provision for technical and clerical assistance to such councils and for the expenses of such assistance.

PREVENTION OF UNLAWFUL EMPLOYMENT PRACTICES

SEC. 7. (a) The Commission is empowered, as hereinafter provided, to prevent any person from engaging in any unlawful employment practice as set forth in section 5. This power shall be exclusive, and shall not be affected by any other means of adjustment or prevention that has been or may be established by agreement, code, law, or otherwise: *Provided,* That the Commission is empowered, by agreement with any agency of any State, territory, possession, or local government, to cede to such agency jurisdiction over any cases even though such cases may involve charges of unlawful employment practices within the scope of this Act, unless the provision of the statute or ordinance applicable to the determination of such cases by such agency is inconsistent with the corresponding provision of this Act or has received a construction inconsistent therewith.

(b) Whenever a sworn written charge has been filed by or on behalf of any person claiming to be aggrieved, or a written charge has been filed by a member of the Commission or by an officer, agent, or employee of the Commission specifically authorized by it to file charges pursuant to this section, that any person subject to the Act has engaged in any unlawful employment practice, the Commission shall investigate such charge and if it shall determine after such preliminary investigation that probable cause exists for crediting such written charge, it shall endeavor to eliminate any unlawful employment practice by informal methods of conference, conciliation, and persuasion. Nothing said or done during and as a part of such endeavors may be used as evidence in any subsequent proceeding. Any written charge filed pursuant to this section must be filed within one year after the commission of the alleged unlawful employment practice.

(c) If the Commission fails to effect the elimination of such unlawful employment practice and to obtain voluntary compliance with this Act, or in advance thereof if circumstances so warrant, it shall cause a copy of such written charge to be served upon such person who has allegedly committed any unlawful employment practice, hereinafter called the respondent, together with a notice of hearing before the Commission, or a member thereof, or before a designated agent, at a place therein fixed, not less than ten days after the service of such charge.

(d) The respondent shall have the right to file a verified answer to such written charge and to appear at such hearing in person or otherwise, with or without counsel, to present evidence and to examine and cross-examine witnesses.

(e) The Commission or the member or designated agent conducting such hearing shall have the power reasonably and fairly to amend any written charge, and the respondent shall have like power to amend its answer.

(f) All testimony shall be taken under oath and a verbatim transcript of all testimony shall be made.

(g) The member of the Commission, or the officer, agent, or employee of the Commission, who filed a charge shall not participate in a hearing thereon or in trial thereof, except as a witness.

(h) At the conclusion of a hearing before a member or designated agent of the Commission, such member or agent shall transfer the entire record thereof to the Commission, together with his recommended decision. The Commission, or a panel of three qualified members designated by it to sit and act as the Commission in such case, shall afford the parties an opportunity to be heard on such record at a time and place to be specified upon reasonable notice. In its discretion, the Commission upon notice may take further testimony.

(i) With the approval of the member or designated agent conducting the hearing, a case may be ended at any time prior to the transfer of the record thereof to the Commission by agreement between the parties for the elimination of the alleged unlawful employment practice on mutually satisfactory terms.

(j) If upon the record, including all the testimony taken, the Commission shall find that any person named in the written charge has engaged in any unlawful employment practice, the Commission shall state its findings of fact and conclusions of law and shall issue and cause to be served on such person an order requiring him to cease and desist from such unlawful employment practice and to take such affirmative action, including reinstatement or hiring of employees, with or without back pay, as will effectuate the policies of the Act: *Provided, however,* That interim earnings or amounts earnable with reasonable diligence by the person or persons discriminated against shall operate to reduce the back pay otherwise allowable. If upon the record, including all the testimony taken, the Commission shall find that no person named in the written charge has engaged or is engaging in any unlawful employment practice, the Commission shall state its findings of fact and shall issue an order dismissing the said complaint.

(k) Until a transcript of the record in a case shall have been filed in a court, as hereinafter provided, the case may at any time be ended by agreement between the parties, approved by the Commission, for the elimination of the alleged unlawful employment practice on mutually satisfactory terms, and the Commission may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it.

(l) The proceedings held pursuant to this section shall be conducted in conformity with the standards and limitations of sections 5, 6, 7, and 8 of the Administrative Procedure Act.

JUDICIAL REVIEW

SEC. 8. (a) The Commission shall have power to petition any United States Court of Appeals or, if the court of appeals to which application might be made is in vacation, any district court or other United States court of the territory or place within the judicial circuit wherein the unlawful employment practice in question occurred, or wherein the respondent transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order, and shall certify and file in the court to which petition is made a transcript of the entire record in the proceeding, including the pleadings and testimony upon which such order was entered and the findings, conclusions, and order of the Commission. Upon such filing, the court shall conduct further proceedings in conformity with the standards, procedures, and limitations established by section 10 of the Administrative Procedure Act.

(b) Upon such filing, the court shall cause notice thereof to be served upon such respondent and thereupon shall have jurisdiction of the proceeding and of the question determined therein and shall have power to grant such temporary relief or restraining order as it deems just and proper and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript a decree enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the Commission.

(c) No objection that has not been urged before the Commission, its member, or agent shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Commission with respect to questions of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive.

(d) If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Commission, its member, or agent, the court may order such additional evidence to be taken before the Commission, its member, or agent and to be made a part of the transcript.

(e) The Commission may modify its findings of fact and conclusions of law, or make new findings and conclusions, by reason of additional evidence so taken and filed, and it shall file such modified or new findings and conclusions and its recommendations, if any, for the modification or setting aside of its original order.

(f) The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the appropriate United States court of appeals, if application was made to the district court or other United States court as hereinabove provided, and by the Supreme Court of the United States as provided in title 28, United States Code, section 1254.

(g) Any person aggrieved by a final order of the Commission may obtain a review of such order in any United States court of appeals of the judicial circuit wherein the unlawful employment practice in question was alleged to have been engaged in or wherein such person transacts business, by filing in such court, within sixty days after the issuance of such order, a written petition praying that the order of the Commission be modified or set aside. A copy of such petition shall be forthwith served upon the Commission and thereupon the aggrieved party shall file in the court a transcript of the entire record in the proceeding certified by the Commission, including the pleadings and testimony upon which the order complained of was entered and the findings, conclusions, and order of the Commission. Upon such filing, the court shall proceed in the same manner as in the case of an application by the Commission under subsection (a), and shall have the same exclusive jurisdiction to grant to the petitioners or the Commission such temporary relief or restraining order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying and enforcing as so modified, or setting aside in whole or in part the order of the Commission.

(h) Upon such filing by a person aggrieved, the reviewing court shall conduct further proceedings in conformity with the standards, procedures, and limitations established by section 10 of the Administrative Procedure Act.

(i) The commencement of proceedings under subsection (a) or (g) of this section shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

INVESTIGATORY POWERS

SEC. 9. (a) For the purpose of all investigations, proceedings, or hearings which the Commission deems necessary or proper for the exercise of the powers vested in it by this Act, the Commission, or any member thereof, shall have power to issue subpenas requiring the attendance and testimony of witnesses, and the production of any evidence relating to any investigation, proceeding, or hearing before the Commission, its member, or agent conducting such investigation, proceeding, or hearing.

(b) Any member of the Commission, or any agent designated by the Commission for such purposes, may administer oaths, examine witnesses, and receive evidence.

(c) Such attendance of witnesses and the production of such evidence may be required, from any place in the United States, including the District of Columbia, or any territory or possession thereof, at any designated place of hearing.

(d) In case of contumacy or refusal to obey a subpena issued to any person under this Act, any district court of the United States as constituted by chapter 5, title 28, United States Code (28 U.S.C. 81 et seq.), or the United States court of any territory or other place subject to the jurisdiction of the United States, within the jurisdiction of which the investigation, proceeding, or hearing is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring him to appear before the Commission, its member, or agent, there to produce evidence if so ordered, or there to give testimony relating to the investigation, proceeding, or hearing.

ENFORCEMENT OF ORDERS DIRECTED TO GOVERNMENT AGENCIES AND CONTRACTORS

SEC. 10. (a) The President is authorized to take such action as may be necessary (1) to conform fair employment practices within the Federal establishment with the policies of this Act, and (2) to provide that any Federal employee aggrieved by any employment practice of his employer must exhaust the administrative remedies prescribed by Executive order or regulations governing fair employment practices within the Federal establishment prior to seeking relief under the provisions of this Act. The provision of section 8 shall not apply with respect to an order of the Commission under section 7 directed to any agency or instrumentality of the United States, or of any territory or possession thereof, or of the District of Columbia, or any officer or employee thereof. The Commission may request the President to take such action as he deems appropriate to obtain compliance with such orders.

(b) The President shall have power to provide for the establishment of regulations to prevent the committing or continuing of any unlawful employment practice as herein defined by any person who makes a contract with any agency or instrumentality of the United States (excluding any State or political subdivision thereof) or of any territory or possession of the United States, or of the District of Columbia. Such regulations shall be enforced by the Commission according to the procedure hereinbefore provided.

NOTICES TO BE POSTED

SEC. 11. (a) Every employer and labor organization shall post and keep posted in conspicuous places upon its premises a notice to be prepared or approved by the Commission setting forth excerpts of the Act and such other relevant information which the Commission deems appropriate to effectuate the purposes of the Act.

(b) A willful violation of this section shall be punishable by a fine of not more than $500 for each separate offense.

VETERANS' PREFERENCE

SEC. 12. Nothing contained in this Act shall be construed to repeal or modify any Federal, State, territorial, or local law creating special rights or preference for veterans.

RULES AND REGULATIONS

SEC. 13. The Commission shall have authority from time to time to issue, amend, or rescind suitable regulations to carry out the provisions of this Act. Regulations issued under this section shall be in conformity with the standards and limitations of the Administrative Procedure Act.

FORCIBLY RESISTING THE COMMISSION OR ITS REPRESENTATIVES

SEC. 14. Whoever shall forcibly resist, oppose, impede, intimidate, or interfere with a member, agent, or employee of the Commission while engaged in the performance of duties under this Act, or because of such performance, shall be punished by a fine of not more than $500 or by imprisonment for not more than one year, or by both.

SEPARABILITY CLAUSE

SEC. 15. If any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

Section-by-Section Analysis of Clark FEPC Bill

Section 1, short title: "Federal Fair Employment Practices Act."

Section 2, findings of fact and statement of purpose: Congress finds that large numbers of qualified persons in the United States are discriminated against in employment because of their race, color, religion, or national origin, and that such discrimination interferes with interstate commerce. The purpose of the legislation is to promote interstate commerce by prohibiting such discrimination and by providing administrative and court remedies for persons injured by such discrimination.

Section 3, definitions: The prohibition against discrimination in employment because of race, color, religion, or national origin set forth hereafter applies to employers and labor organizations. Domestic service and small business are exempted from the scope of the bill by a provision which defines "employer" as a person engaged in interstate or foreign commerce and who employs 50 or more individuals. In like manner, the only labor organizations covered are those which have 50 or more members. Also exempted from the operation of the act are State, municipalities, or political subdivisions thereof, and any religious, charitable, or educational corporation or association not organized for private profit. The agencies of the Federal Government are covered by the bill.

Section 4, exemption: The employment of aliens outside the continental United States, its territories and possessions is specifically exempted from the provision of the act.

Section 5, unlawful employment practices defined: This section defines unlawful employment practices by employers as a "refusal to hire, or to discharge" or otherwise penalize any employee with respect to his employment because of race, color, religion, or national origin. In addition, an employer is prohibited from using any employment agency or placement service which discriminates. Labor organizations are forbidden to discriminate against any individual or limit, segregate, or classify its members in any way which would deprive or limit an individual's employment opportunities because of his race, color, religion or national origin. Both employers and labor organizations are forbidden to discriminate against any individual because he "has opposed an unlawful employment practice or has filed a charge, testified, participated, or assisted in any proceeding under this act." In short, because such individual has undertaken to effectuate the purposes of this act.

These prohibitions do not go beyond saying that there shall be no discrimination because of factors which have no real relationship to an employee's fitness or qualifications. Management remains free to determine its hiring practices, organize its internal plant policy, and discharge employees, according to any standard it may adopt so long as there is no discrimination because of prohibited irrelevant factors. Likewise, a labor organization is free to manage its internal affairs as it deems fit, except that it may not deny any of the advantages of union membership or collective bargaining to any person because of race, color, religion, or national origin.

Section 6, the Fair Employment Practice Commission: The administration of the bill is entrusted to a national Commission against discrimination in employment composed of five members to be appointed by the President and confirmed by the Senate. The members of the Commission hold office for overlapping terms at the outset of 1 to 5 years, and their successors hold 5-year terms.

The Commission is empowered to appoint staff members; to cooperate with regional, State, and local agencies; to furnish technical assistance to persons subject to the act and to make necessary studies; and to assist employers whose employees "refuse or threaten to refuse to cooperate in effectuating the provisions of this Act." In order to foster community goodwill and cooperation in carrying out the purposes of the act and to help conciliate the differences and tensions between various groups and the elements of the population, provision is made for the creation on local, State, and regional levels of advisory councils.

Section 7, prevention of unlawful employment practices: The Commission is empowered to investigate the sworn written charges of any person who believes that he has been the victim of an unlawful employment practice and to eliminate the unlawful practice by conference. Provision is also made for the filing of charges of discrimination by any members of the Commission who have knowledge of an unlawful employment practice. If efforts at voluntary compliance fail, then hearings shall be held before the Commission in conformity with the Administrative Procedure Act, and it may issue an order requiring the respondent to cease and desist from such unlawful practice. If the respondent still refuses to comply with the order, the Commission may apply to the U.S. circuit court of appeals for enforcement of such order.

Recognizing the existence of State and local fair employment practice laws, the act provides that the Federal Commission may, by agreement with any agency of any State "cede to such agency jurisdiction over any cases even though such cases may involve charges of unlawful employment practices * * * unless the provision of the statute or ordinance * * * is inconsistent with the corresponding provision of the act or has received a construction inconsistent therewith."

The bill contains the traditional safeguards for separation of the prosecution and judicial functions of the Commission, for representation by council and protection of the right of confrontation and cross-examination.

Section 8, judicial review: Judicial review of cease and desist orders is provided in conformity with the Administrative Procedures Act. The Commission's orders to cease and desist from an unlawful employment practice or to reinstate an employee with or without backpay are legally enforceable only after they have received judicial approval.

Section 9, investigatory powers: The Commission is given the customary powers to issue subpenas, administer oaths, examine witnesses, and receive evidence.

Section 10, enforcement of orders directed to Government agencies and contractors: The bill provides that if any Government agency is found to have engaged in an unlawful employment practice the Commission is required to place the matter before the

President for appropriate action. The President is also empowered to establish regulations to prevent unlawful employment practices by persons entering into contracts with the U.S. Government or any of its agencies. Such Executive regulations will be enforced by the Commission.

Section 11, notices to be posted: Persons subject to the act are required to post a notice giving sufficient information about the law to inform employees and members of labor organizations of their rights.

Section 12, veterans' preferences: The bill disavows any intent to interfere with special rights or preference for veterans.

Section 13, rules and regulations: Rules and regulations may be issued by the Commission in conformity with the Administrative Procedures Act.

Section 14, forcibly resisting the Commission or its representatives: Penalties by fine of not more than $500 or by imprisonment for not more than 1 year, or by both are provided for conviction for forcibly resisting or interfering with agents of the Commission engaged in the performance of their duties.

Mr. CLARK. Mr. President, I also ask unanimous consent that the bills, before being referred to the Committee on Labor and Public Walfare, may lie at the desk for 1 week for additional cosponsorship.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE QUALITY STABILIZATION ACT OF 1963

Mr. HUMPHREY. Mr. President, on behalf of myself and the Senator from California [Mr. KUCHEL], I introduce a bill entitled "The Quality Stabilization Act of 1963." Other cosponsors include the Senator from Minnesota [Mr. McCARTHY], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from South Dakota [Mr. MUNDT], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Kentucky [Mr. MORTON].

I ask unanimous consent that the bill be permitted to remain at the Secretary's desk for 2 additional weeks—that is, until February 25. I want every Senator who is interested in this proposed legislation to have an opportunity to become a cosponsor. I predict that the quality stabilization bill will receive even more impressive bipartisan sponsorship than it did last year, when 10 Senators joined in sponsoring this measure.

As will be noted, the quality stabilization bill introduced today has been revised from last year, although in principle and purpose, it remains unchanged. Today's version is the natural result of the extensive public hearings held last year in both the Senate and House. We now have a stronger, more effective quality stabilization bill, a measure which enjoys the enthusiastic endorsement of more than 70 business organizations representing about 4 million private entrepreneurs from all cities and towns across the country.

Let me remind Senators once again of the objective and the purpose that the quality stabilization bill is intended to accomplish in behalf of the competitive interests of the Nation's independent businessmen.

Simply stated, it strengthens our antitrust laws by outlawing certain unfair methods of competition that inevitably promote monopoly in distribution. The bill would let the owner of a product identified by his trademark or brand name stop distributors from, first, making misrepresentations about it; second, using it as bait merchandise; and, third, selling at other than the established resale price. This would allow the product owner to prevent damage to his mark or brand and the goodwill he may have taken years to build up.

Whenever a trademark or brand name owner discovers his products being used by a distributor in any such scheme, he may revoke the offending distributor's right to use his mark or brand in resales. If the offending distributor disregards the notice of revocation and continues the challenged sales practices, the owner may get a court injunction to stop him.

Basically, no more is involved than recognition of, first, the property values inhering in business goodwill and in the trademark or brand name adopted to maintain and extend such goodwill; and, second, the need to give trademark or brand name owners a means of protecting their rights from injurious marketing practices. In this light, the bill is merely an extension of our historic trademark and copyright laws.

Surely, if we accept the right to own property and the corresponding right to protect such property, which are basic rights of every American citizen, then we must accept the objective of the quality stabilization bill—the protection of valuable investments in trademarks, brand names, and goodwill from ruinous marketing practices.

It should be noted that nothing in the quality stabilization bill would bar a distributor from removing the trademark or brand name from the product—thus separating the physical property, which he owns, from the goodwill which is another's property—and then selling the commodity at his own price or in his own way, so long as he does so without making use of the goodwill of the latter to reach his end.

As Senators can see, the quality stabilization bill is based upon the conviction that today's small businessman is not losing the battle to stay solvent as a result of inefficiency, but because he does not have the capital necessary to fight off predatory and deceptive price-cutting tactics of bigger competitors.

The predatory price cutter, with his superior capital resources, can, by slashing prices on national branded, fast-moving merchandise, prevent the family retailer from making a profit, and, thus, can doom him to bankruptcy. No question of business efficiency is involved. It is no more than "domination by the long purse."

So you can see that the quality stabilization bill would simply reestablish a system of economic fairplay in the marketplace.

In reviewing the nature and the purpose of the proposed legislation, I should like to stress the permissive character of its provisions. There is no obligation, for example, upon the trademark or brand name owner to avail himself of the rights accorded under the proposed legislation.

In other words, this is not compulsory legislation; it is permissive. It is conceivable that the owner may not be interested in protecting his good will, trademark, or brand name from the unfair methods of competition defined in this bill. But whatever his decision, it will be his own.

No one may force him to decide either way. Whether he does so or not is his own decision, provided his products are in free and open competition with other similar products.

Similarly, those engaged in merchandise distribution—that is, the wholesalers and the retailers—are not in any way obliged to handle trademarked or branded merchandise subject to the quality stabilization resolution. As always, they will decide for themselves what products they will stock and what products they will offer for sale. And consumers, too, enjoy full freedom of choice under this measure. They are free to accept or reject all merchandise, to pick and choose between so-called protected and unprotected products.

It is in the interest of the consumers that we encourage independent retailing and fair competitive practices in quality stabilization. Our huge productive capacity turns out a tremendous amount of goods which provide us with a standard of living higher than that of any other country in the world.

In order to distribute efficiently, our free enterprise system needs hundreds of thousands of independent retail dealers as well as the large chainstore outlets. We need retailers who are responsive to the needs and wants of their customers.

A system which includes hundreds of thousands of independent retailers protects the consumers against monopolistic tendencies and resultant high prices. I think that just speaks for itself. When you have a large number of outlets for products, you obviously stimulate commerce, you stimulate consumer desires, you stimulate the flow of goods, and you obviously protect what we call the competitive enterprise system.

The fair competitive practices which are promoted under this proposal assure the consumer that quality tested and reliable products will continue to be available. As the late Associate Justice Holmes once said:

> I cannot believe that in the long run the public will profit by permitting * * * to cut prices for some ulterior purpose of their own and thus impair, if not destroy, the production and sale of articles which are assumed to be desirable that the public should be able to get.

Also, in terms of economic health of the independent business community, this legislation is long overdue.

The marketplace is witness to a vast multitude of misrepresentations amounting, too often, to outright fraud upon the consumer. The misrepresentations arise from the practice of price juggling by retailers with substantial dollar power. The price juggling consists in selling nationally popular famous brand goods at very low prices, often profitless prices, to create in the public's mind the impression that everything these retailers sell is as much a bargain as the bait items here referred to. In fact, there is hardly a store in the United States which engages in such tactics that does not sell many less well known branded goods at prices that yield far higher profits to the juggling retailer than he could realize through the sale of famous brand goods at fair prices.

These tactics have put in jeopardy the very survival in America of the independent retailer. On September 12, 1962, in a report on House Joint Resolution 636, the Committee on Interstate and Foreign Commerce of the House of Representatives observed:

> Business failures in 1961, as reported by Dun & Bradstreet, numbered 17,075, the largest number since the depression year of 1932, and these firms registered aggregate losses of $1.1 billion, an alltime record. Business mortality in 1961 was higher than in 1960, which in turn was up 11 percent from 1959. However, there was a change in the incidence of failures. Whereas the increase in 1960 over 1959 was greatest among construction firms, the 1961 increase was spread over all sizes of business below $1 million, and centered in wholesaling and retailing. Drugstores, general merchandise stores, auto dealers, and service stations showed failures running 23 to 16 percent higher than a year earlier. About half of all business failures in 1961 were in retail trade, and small independent retailers accounted for 63 percent of retail failures.
>
> The small retailer is at a great disadvantage in competing pricewise with the big department store, the discount house, the mail order house, the chain store or supermarket. Looking at the situation very realistically, if a price war should break out, the little retailer, the small businessman, must be the first to die because he lacks the resources to endure the financial strain imposed upon him by a price war.
>
> We are faced squarely with the proposition that unless the small businessman is afforded the opportunity of making a profit by enabling him to compete pricewise on nationally advertised, branded merchandise, we shall find ourselves faced in a few years with the biggest concentration of retailing in the hands of a few giant corporations that this country has ever seen. And if we permit this trend to continue, the economy of this country will suffer.

Bringing the facts up to date, we find that in 1962, total failures came to 15,782, some 8 percent below the 28-year record set in 1961. Except for 1961, this toll is still the highest since 1934. Also except for 1961, the failure rate of 60.8 per 10,000 listed enterprises is the highest since 1940.

Nor can the small independent retailer take comfort from the slight decline in failures in 1962. Of the 15,782 failures—covering mining and manufacturing, wholesale trade, retail trade, construction, and commercial service—retail trade alone accounted for 7,552, or almost half. Of this number, 7,083 retailers failed with liabilities of $100,000 or less. Only 469 retailers had liabilities in excess of $100,000.

Moreover, the failures among retailers are not entirely confined to those recently entering the business. The latest available statistics show that 20.1 percent of all retail failures in 1961 occurred among retailers who had been in business for 6 to 10 years, and 17.6 percent among those who had been in business for longer than 10 years.

The enactment of the quality stabilization bill is essential to the competitive survival of hundreds of thousands of independent businessmen in all parts of the country. Most importantly, its enactment will make possible the advancement of independent retailing and thereby add significant social and economic values to our free enterprise society. I know most Americans agree that independent business in America is worthy of preservation. It is the key to the strength of a free economy based on healthy and fair competition.

At the same time, this measure can do much to restore the confidence of the American consuming public in the quality standards of available merchandise and the fairness of applicable prices. No longer will the ethics of the marketplace be determined by the price juggling operator who cuts prices on the stars of the merchandise world and recoups his losses by selling lesser known higher-profit-margin goods. Replacing such practices of the oriental bazaar will be fair, honest, and vigorous competition in favor of the consumer.

Mr. President, I pledge to use all of my energies to see that the quality stabilization bill becomes law this year.

I now ask unanimous consent to have the text of the quality stabilization bill printed in full at this point in the Record, and also a list of certain organizations which support legislation of this type, and support this bill, in particular.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and list will be printed in the Record, and the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 774) to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes, introduced by Mr. Humphrey (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this Act may be cited as the "Quality Stabilization Act".

(b) Section 5(a) of the Federal Trade Commission Act, as amended, is hereby amended by adding at the end thereof the following new paragraphs:

"(7) The owner of a brand, name, or trademark shall be deemed to retain his property rights therein, and in the trade and public goodwill symbolized thereby, regardless of any sale or transfer of the goods to which such band, name, or trademark relates, and no such sale or transfer shall be deemed to diminish or extinguish any such rights.

"(8) Any person who resells goods identified by a distinguishing brand, name, or trademark, either on the label, container, or dispenser thereof, may rightfully employ such brand, name, or trademark, but only in effecting the resale of such goods and subject to the following provisions of this paragraph. If goods usable for the same general purpose are available to the public from sources other than the owner of such brand, name, or trademark, and are in free and open competition therewith, the right of any person to employ such brand, name, or trademark in effecting resale of goods so identified may be revoked by the owner of such brand, name, or trademark, subject to the provisions of paragraph (10) of this subsection, on written and dated notice of revocation, if, within ninety days prior to the date of the written notice of revocation—

"(A) such person has employed goods bearing such brand, name, or trademark in furtherance of bait merchandising practices;

"(B) such person, after written notice given by such owner of such owner's currently established resale price or price range, has advertised, offered for sale, or sold any such goods, acquired by such person after he has been given such notice, at a price other than such currently established resale price or at a price not within such currently established resale price range; or

"(C) such person, with intent to deceive purchasers, has published a misrepresentation or misrepresentations concerning such goods.

The owner of a brand, name, or trademark who avails himself of the provisions of paragraphs (7) to (17) of this subsection for the purpose of establishing a resale price or price range shall thereby subject himself, without respect to the amount in controversy, to the jurisdiction of the district court of the United States for any district in which goods identified by such brand, name, or trademark are offered for sale, but such jurisdiction shall apply (i) only for the adjudication of issues involving a complaint, by a bona fide purchaser at retail or goods so identified, that the owner of such brand, name, or trademark had published, in an offer of such goods for sale, misrepresentation as to the size, capacity, quality, condition, model, or age of such goods, upon which misrepresentation such purchaser had relied with resultant unfair damage and loss to him, and (ii) only if the owner of such brand, name, or trademark is not subject to process in the courts of the State in which such purchaser acquired such goods.

"(9) Notwithstanding revocation pursuant to paragraph (8) of this subsection of the right of a person, in reselling goods, to employ the brand, name, or trademark which identifies such goods—

"(A) such person may, in the regular course of his business and within a reasonable time after the date of such revocation, sell all such goods of which, on such date, he is possessed: *Provided,* That in such sale he shall commit none of the acts described in subparagraphs (A), (B), and (C) of such paragraph (8); or

"(B) if such person, promptly upon such revocation, shall have supplied to the owner of such brand, name, or trademark a correct itemized listing of the inventory of such goods with a statement of the price paid per item and the total price (including transportation costs) paid therefor, together with a firm offer to sell and deliver all such inventory to such owner at any time within ten days thereafter upon payment of such total price plus the cost of transportation to the owner in the manner directed by such owner, then such person, upon expiration of the ten-day term of such offer without acceptance, may so sell such goods in such inventory, in the regular course of his business and within a reasonable time thereafter, without restriction as to price, in which event each advertisement of, or offer to sell, such goods, shall state plainly that the right of the reseller, offering such goods, to employ in any way the brand, name, or trademark carried by the goods has been revoked as to any such goods not in that reseller's possession at the time of such revocation.

"(10) Any person whose right to employ a brand, name, or trademark has been revoked by the owner thereof pursuant to the provisions of paragraph (8) of this subsection, and who thereafter, except as authorized by paragraph (9) of this subsection, resells goods identified by such brand, name, or trademark, or who otherwise employs such brand, name, or trademark in effecting resale of such goods or any other goods, shall be libel in a civil action for damages and an injunctive relief by the owner of the brand, name, or trademark, to prevent and restrain further violations of paragraphs (7) to (17), inclusive, of this subsection. Such owner may sue in any district court of the United States in the district in which defendant resides or is found or has an agent, without respect to the amount in controversy, and shall be entitled to (i) recover the amount of any damages sustained, (ii) injunctive relief to prevent and restrain further violations of paragraphs (7) to (17), inclusive, of this subsection, whether or not specific money damages are established, and (iii) recover the cost of suit including reasonable attorneys' fees. Any injunction granted under clause (ii) of this paragraph shall remain in effect for one year from the date it is granted unless it is the second or a subsequent such injunction issued against the same defendant in favor of the same plaintiff in which case it shall be a permanent injunction; except that any such injunction, upon petition of such plaintiff, may be vacated unconditionally by the court granting it.

"(11) In any proceeding under paragraph (10) it shall be a defense for the defendant (A) to establish that the plaintiff has not used due diligence to effectuate observance or enforcement of plaintiff's rights under paragraphs (7) to (17), inclusive, of this subsection against other persons who are in substantial competition with the defendant and who are known to plaintiff to be violating the same subparagraph of paragraph (8) of this subsection on which revocation of the defendant's right to employ the brand, name, or trademark was based or (B) to establish that the plaintiff has sold the same kind of goods of like grade and quality as the goods involved in such proceeding to another person similarly situated under terms more favorable or at lower prices than those under which the plaintiff sold such goods to the defendant.

"(12) No action pursuant hereto shall preclude remedial action otherwise available for wrongful use of a brand, name, or trademark.

"(13) Paragraphs (7) to (17), inclusive, of this subsection shall apply to all acts and transactions of the character referred to therein, in or affecting commerce, which Congress may lawfully regulate.

"(14) As used in paragraphs (7) to (17), inclusive, of this subsection—

"(A) The term 'person' means any individual, partnership, association, or corporation.

"(B) The term 'goods' means goods, wares, and merchandise.

"(C) The term 'currently established resale price' means the price for goods identified by a brand, name, or trademark specified by writtten notice invoking paragraphs (7) to (17), inclusive, of this subsection given by the owner of such brand, name, or trademark to the person reselling such goods.

"(D) The term 'currently established resale price range' means all prices including and between the minimum and maximum resale prices for goods identified by a brand, name, or trademark, specified by written notice invoking paragraphs (7) to (17), inclusive, of this subsection given by the owner of such brand, name, or trademark to the person reselling such goods.

Each such currently established resale price and resale price range shall be uniform at each level of distribution within each marketing area determined by the owner of the brand, name, or trademark. Such owner of the brand, name, or trademark may so establish, for resale of a combination of two or more items of goods, a resale price or price range different from the sum of the currently established resale prices or price ranges for the items when sold individually. Such owner of the brand, name, or trademark may also engage in other promotional activities not made unlawful by any other statute.

"(15) All rights and remedies provided in paragraphs (7) to (17), inclusive, of this subsection, to owners of a brand, name, or trademark, shall be also available to any owner of a brand, name, or trademark who, in the sale of goods identified by such brand, name, or trademark, shall compete, at any level of distribution, with any reseller offering such goods: *Provided*, That, within each marketing area referred to in paragraph (14) of this subsection, such owner shall sell such identified goods, at whatever level of distribution, only at the price or within the price range currently established by such owner for that area and for that level of distribution.

"(16) The following transactions shall be exempt from paragraphs (7) to (15), inclusive, of this subsection—

"(A) Sales of bulk commodities when sold without wrappers or containers.

"(B) Sales by any officer acting under the orders or authority of any duly constituted court; or sales by any person in mitigation of damages or enforcement of a lien or other secured interest in said goods, when such person is not primarily engaged in the distribution of goods for resale.

"(C) Sales of damaged, deteriorated, defaced, or secondhand goods, when plain notice of the condition of the goods is given to the public.

"(D) Sales to or by the Federal, State, or municipal governments or their political subdivisions or agencies.

"(E) Sales to charitable, educational, medical, and religious organizations, for their own use and not for resale.

"(17) If any provision of paragraphs (7) to (17), inclusive, of this subsection or the application of any such provision to any person or circumstances shall be held invalid for any reason it is the intention of the Congress that the remaining provisions thereof shall not be affected but shall remain in full force and effect."

The list of organizations presented by Mr. HUMPHREY is as follows:

NATIONAL ASSOCIATIONS THAT SUPPORT THE QUALITY STABILIZATION BILL

Sponsoring organizations are: National Association of Retail Druggists; Quality Brands Associates of America, Inc.; National Retail Hardware Association; National Retail Furniture Association; National Association of Retail Clothiers & Furnishers; National Appliance & Radio-TV Dealers Association; National Sporting Goods Association; National Office Machine Dealers Association; Retail Jewelers of America; Master Photo Dealers & Finishers Association; Independent Garage Owners of America; Toy Wholesalers' Association of America; Wholesale Stationers' Association; National Stationery & Office Equipment Association; National Wholesale Jewelers Association; Associated Fishing Tackle Manufacturers; Archery Manufacturers & Dealers Association; National Association of House to House Installment Companies, Inc.; Marine Manufacturers Safety Equipment Association; Gift & Decorative Accessories Association of America; Sporting Goods Jobbers Association; Billiard & Bowling Institute of America; American Watch Association, Inc.; Automotive Service Industry Association; Fountain Pen & Mechanical Pencil Manufacturers' Association, Inc.; National Wholesale Hardware Association; Watch Material Distributors of America; National Association of Bedding Manufacturers; the National Association of Shirt, Pajama & Sportswear Manufacturers; National Industrial Distributors Association; Christian Booksellers Association; National Small Business Men's Association; National Congress of Petroleum Retailers; National Shoe Manufacturers Association; Wallcovering Wholesalers Association; American Research Merchandising Institute; American Retailers Association; National Art Materials Trade Association; Motor & Equipment Manufacturers Association; National Shoe Retailers Association; Northamerican Heating & Airconditioning Wholesalers, Inc.; American Watch Manufacturers Association; National Association of Women's & Children's Apparel Salesmen, Inc.; National Audio-Visual Association, Inc.; National Bicycle Dealers Association, Inc.; National Office Furniture Association, Inc.; National Outerwear & Sportswear Association; the Automotive Warehouse Distributors Association, Inc.; National Frozen Food Association, Inc.; American Association of Small Business; National Association of Glove Manufacturers; National Marine Products Association; American Pharmaceutical Association; Conference of State Pharmaceutical Association Secretaries; National Retail Farm Equipment Association; National Association of Tobacco Distributors; Retail Tobacco Dealers of America; Paint & Wall Paper Association of America, Inc.; American Booksellers Association; National Association of Chain Drugstores; the Toilet Goods Association.

PROHIBITION OF UNAUTHORIZED COPYING OF ORIGINAL ORNAMENTAL DESIGNS OF USEFUL ARTICLES

Mr. HART. Mr. President, on July 23 of last year the Senate approved a bill—S. 1884—designed to give moderate but effective protection against the copying of the appearance of useful articles. The need for this protection has been established in 3 days of hearings held by the Patent Subcommittee of the Committee on the Judiciary in 1961. The House did not act upon the bill—S. 1884—before adjournment, and the need adequately to protect creative designs remains unmet. To correct this failure the distinguished junior Senator from Georgia [Mr. TALMADGE] and I offer the bill in form substantially similar to that approved by the Senate a year ago.

This bill provides that when a person can establish it was his mind, his time, and his talent that produced the design, then he is entitled to a measure of protection. The Senator from Georgia and I believe the fairness of this proposal again will appeal to the Senate and I ask unanimous consent that the bill lie on the table 4 days to permit Members who may be interested to become cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 776) to encourage the creation of original ornamental designs of useful articles by protecting the authors of such designs for a limited time against unauthorized copying, introduced by Mr. HART (for himself and Mr.

TALMADGE), was received, read twice by its title, and referred to the Committee on the Judiciary.

CAPITAL PARKS MEMORIAL RESOLUTION TO CUT CAPITAL SPENDING

Mr. PROXMIRE. Mr. President, I introduce, for appropriation reference, a joint resolution to create a National Capital Parks Memorial Board. This joint resolution is primarily aimed at the fantastic increase in spending that has been developing in the Nation's Capital from the custom of tagging a revered American name to some unnecessary public building or monument.

Congress is then confronted with the dilemma of spending another $30 or $40 million or failing to show due respect for one of our great statesmen. In such a clash, reverence for the departed statesman always clobbers economy.

Just a few minutes ago the Senate was informed that the Speaker had just appointed members of the James Madison Memorial Commission. Although technically this resolution would not apply to the proposed $39 million Madison Memorial, this proposal is a case in point. A group of eminent Senators has introduced this multimillion-dollar boondoggle again this year. Any opposition will be viewed as an affront to the father of the Constitution, and probably as a calculated insult to Virginia, President Madison's birthplace.

And who is to say whether the Madison Memorial fits into any overall plan for the Nation's Capital?

Unless we exercise some discrimination in honoring our great departed statesmen, Washington will become a clutter of stony statuary.

A lid must be put on this mass move for massive memorials and this can be done by funneling all such proposals through the Memorial Board, which will evaluate each proposal and make recommendations to the Secretary of the Interior. The Board will recommend to the Secretary criteria, guidelines, and policies for memorials on Federal land in the National Capital parks system.

Mr. President, I ask unanimous consent that excerpts from a letter from Secretary Udall to the Speaker of the House supporting the joint resolution be printed at this point in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred and, without objection, the excerpts will be printed in the RECORD as requested by the Senator from Wisconsin.

The joint resolution (S.J. Res. 41) providing for the establishment of the National Capital Parks Memorial Board, introduced by Mr. PROXMIRE, was received, read twice by its title, and referred to the Committee on Rules and Administration.

The excerpts presented by Mr. PROXMIRE are as follows:

> Memorializations place a constant demand on parkland of the Nation's Capital. There are 96 memorials of the monument or statue type already existing on land in the National Capital parks system. A number of others have been authorized but not yet constructed. In the 86th Congress alone seven public laws were enacted authorizing the construction of memorials. At least 17 bills were before the 86th Congress and 8 before the 87th Congress to authorize the construction of memorials on parklands in the Nation's Capital. It is evident that, if the concept of open space and dignity which contribute so much to the beauty of the Nation's Capital is to be preserved in the face of constant pressures to use the land for memorials, sound guidelines for the control of this use must be formulated, a comprehensive plan must be developed, each proposal must be carefully evaluated, and sound criteria must be steadfastly followed. In fact, such a plan offers the only assurance that sites will be available for future memorials that in all respects merit a location in the parks.
>
> We recommend the establishment of the Memorial Board as a means of meeting the critical situation which confronts the National Capital parks system. The Board will provide an effective method for focusing attention on the problem, and will help all concerned to view the numerous proposals in proper perspective.

APPROPRIATION COMMITTEE MEETINGS

Mr. HAYDEN. Mr. President, I ask unanimous consent that the Committee on Appropriations be authorized to sit during the sessions of the Senate for the remainder of the present session of Congress.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEE ON APPROPRIATIONS TO REPORT APPROPRIATION BILLS, ETC.

Mr. HAYDEN. Mr. President, I ask unanimous consent that during adjournments or recesses of the Senate during the 1st session of the 88th Congress, the Committee on Appropriations be, and it is hereby, authorized to report appropriation bills, including joint resolutions, with accompanying notices of motions to suspend paragraph 4 of rule 16 for the purpose of offering certain amendments to such bills or joint resolutions, which proposed amendments shall be printed.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORT ON AUTHORIZATION OF FOREIGN CURRENCIES AND U.S. DOLLARS BY COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the report of the Committee on Interior and Insular Affairs concerning the foreign currencies and U.S. dollars utilized by that committee in 1962 in connection with foreign travel.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Report of expenditure of foreign currencies and appropriated funds by Committee on Interior and Insular Affairs, U.S. Senate

[Expended between Jan. 1 and Dec. 31, 1962]

[U.S. dollar equivalent or U.S. currency]

Name and country	Lodging	Meals	Transportation	Miscellaneous	Total
Stewart French:					
New Zealand	$168.00	$58.00		$15.00	$241.00
Antarctica	28.00				28.00
Total	196.00	58.00		15.00	269.00

RECAPITULATION

Appropriated funds: S. Res. 242, 87th Cong $269.00

CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs.

JANUARY 21, 1963.

COMMISSION ON CONGRESSIONAL REORGANIZATION—ADDITIONAL COSPONSOR OF BILL

Mr. CASE. Mr. President, on January 14, I introduced S. 177, to establish a Commission on Congressional Reorganization, and for other purposes. I ask unanimous consent that the name of Senator JACOB K. JAVITS, of New York, be included as a cosponsor of this measure the next time it is printed.

The VICE PRESIDENT. Without objection, is it so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of January 31, 1963:

S. 649. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling and abating pollution of interstate or navigable waters, and for other purposes: Mr. HART, Mr. YOUNG of Ohio, Mr. MOSS, Mr. LONG of Missouri, Mr. RIBICOFF, Mr. GRUENING, Mr. DOUGLAS, Mrs. NEUBERGER, Mr. ENGLE, Mr. RANDOLPH, Mr. PELL, Mr. MAGNUSON, Mr. CLARK, Mr. WILLIAMS of New Jersey, Mr. INOUYE, Mr. MCGEE, and Mr. MCCARTHY.

Authority of February 7, 1963:

S. 736. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of treatment works to control water and air pollution by permitting the deduction of expenditures for the construction, erection, installation, or acquisition of such treatment works: Mr. Muskie, Mr. McIntyre, and Mr. Pell.

S. 737. A bill to promote water and air pollution control and abatement by authorizing the Secretary of Health, Education, and Welfare to provide certain assistance to small business concerns in obtaining necessary treatment works: Mr. Muskie, Mr. McIntyre, and Mr. Pell.

TRIBUTE TO THE GENERAL ACCOUNTING OFFICE AND TO COMPTROLLER GENERAL JOSEPH CAMPBELL

Mr. WILLIAMS of Delaware. Mr. President, yesterday the Washington Post in a feature article paid a well-deserved tribute to an important agency of the U.S. Government and in particular to the man who heads that department.

This article calls attention to the outstanding job which the General Accounting Office under the leadership of the Comptroller General, Joseph Campbell, has rendered to the American taxpayers in its careful scrutiny of governmental expenditures.

The General Accounting Office has over the years established an enviable record under a tradition which was first laid down by the Honorable Lindsay Warren and which is now being followed so ably by the present Comptroller General, Joseph Campbell.

As one who has carefully followed the numerous reports which this agency sends to the Congress calling attention to excessive and unnecessary expenditures I am proud to join in adding my words of respect to this agency, its employees, and to Comptroller General Joseph Campbell.

This agency has over the years built its own monument in the millions of dollars which it has saved the American taxpayers.

I ask unanimous consent that this article written by Mr. Lawrence Stern and as appearing in the Washington Post on February 10, 1963, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

GAO Sleuthing Pays Big Dividends

(By Lawrence Stern)

In the tidy world of Comptroller General Joseph Campbell there isn't a single cloak or dagger to be found. Yet the 62-year-old former Columbia University official commands one of the most efficient international police forces anywhere this side of the television screen.

His quarry is simply the whole U.S. Government. All of it, that is, except Campbell's 535 bosses in Congress.

The Comptroller General's mission is to track down waste and inefficiency in the trackless administrative forest of the Federal bureaucracy. For this task his only weapons are the pencil, adding machine, and competence of thousands of trained accountants working under his command.

Last week Campbell reported to Congress that the Government saved about $95 million during 1961 through findings and recommendations of his General Accounting Office staff. This sum would be enough to pay for the new House Office Building, which, of course, GAO could not investigate because it is a congressional project.

INSULATED FROM POLITICS

Aside from the curtain of investigative immunity that Congress draws around itself, it has given the Comptroller General as broad a license as he could hope for to ferret out waste, mismanagement, and even dishonesty in Federal programs.

By law, Campbell is as carefully insulated from political pressures as any Federal officeholder. The Comptroller General is appointed by the President with the advice and consent of the Senate. Once on the job, he can be ousted only by joint resolution of Congress or by impeachment.

"If someone had my resignation in his pocket," Campbell mused in a recent interview, "I'm not sure what I'd do."

Even so, in the continuing battle between Campbell and the Federal leviathan, the odds are heavily rigged.

Campbell has a staff of 4,600 (down 1,200 from the day he took office) and a current annual budget of $43 million. However, he rides herd on Government expenditures that will total nearly $100 billion this year. The Federal work force that Campbell's GAO is responsible for policing numbers 2.5 million.

SLEUTHING BEARS FRUIT

It is for this reason that the Comptroller General uses a target pistol rather than a shotgun in pursuing waste. Here are some typical fruits of Campbell's detective work:

In Nevada the GAO found that a $384,000 interstate highway cloverleaf was built for the benefit of a bawdy house and four or five small ranches in a desolate rural section of the State. The Federal Bureau of Public Roads explained that the interchange served a special case of need.

The Air Force in 1 year spent $5.5 million to ship material by commercial air freight that could have gone on cheaper transportation at less than $1 million. In one case, empty tool boxes worth $10 each were rushed to Korea by commercial air carriers at a shipping cost of $40 each. Chemicals available in Japan at 65 to 75 cents a gallon were flown there at costs of $10 to $15 a gallon.

Private banks were earning from $19 million to $24 million annually by accepting interest-free Government deposits and then lending the money back to the Government in the form of short term Treasury notes at interest rates of 2¼ to 2½ percent.

Because of intraservice dissension on such questions as how high a collar should rise on a man's neck, or how wide a belt loop should be, the Defense Department was forced to pay an extra $2.8 million a year in clothing costs.

FOREIGN AID IS BIG ITEM

If GAO's achievements are measured in sheer dollar terms, then its most significant contributions are in the areas of foreign aid, defense and space contracts and the stockpile programs.

Campbell reported last year that the $1.2 billion spent by the United States in Korea from 1957 to 1961 stunted that country's growth and encouraged corruption. The $200 million-a-year level of assistance, said GAO, was "beyond the capacity of the Korean economy to absorb productively or of its government to administer efficiently."

In another instance, GAO found that the Air Force had sent $12 million worth of complex navigational equipment to countries that were incapable of using it.

In South Vietnam, GAO investigators recently found that a road project originally priced at $18 million under an International Cooperation Administration contract soared to a final cost of $70 million.

OVERCHARGING UNCOVERED

By digging into relationships between the Pentagon and its contractors, GAO has uncovered incredible amounts of overcharging and loose bookkeeping for which American taxpayers are ultimately paying the bills.

In one instance, Campbell's office found that defense contractors had overcharged the Air Force and Navy by at least $60 million on 53 fixed-price contracts negotiated by the two services between 1957 and 1961.

During 1959 findings by GAO of excess profits in defense contracts touched off a heavy clamor on Capitol Hill for an investigation of what was then called the munitions lobby but is now familiarly known as the military-industrial complex.

The groundwork for a recent Senate investigation into the ballooning costs and astronomical waste in the national stockpile program was first laid by the GAO in a series of audits during 1960 and 1961.

It was Campbell's investigators who first turned up the politically explosive nickel stockpile contract between the Government and the M. A. Hanna Co., headed by former Treasury Secretary George M. Humphrey. Under the most celebrated of these agreements, the Government contracted to pay Hanna $22 million for construction of a nickel smelter which the company could then buy back for a salvage value of $1.7 million.

In all these programs, GAO is the last line of defense between the taxpayer and the bureaucracy. The agencies themselves obviously cannot act as judge, prosecutor and defendant. Often Congress itself is not equipped to follow the labyrinthian trail.

FOE OF SECRECY

Sometimes the executive departments have tried to shut the door or the filing cabinet against GAO investigators on grounds of executive secrecy. In such instances, Campbell, normally a mild man with the demeanor of a university don, has spoken out with gruff impatience.

He has gone to war on the secrecy issue with the Navy, Army, Air Force, National Aeronautics and Space Administration—even private contractors. Once recently, when the Navy refused to turn over a full report on buying practice of the Military Sea Transportation Service, Campbell grumbled that the will of Congress was being thwarted.

"We consider it illogical, impractical, and contrary to express provisions of the law for public officials to withhold, in their discretion, information concerning the discharge of their public trust," he said.

In his running battle against executive secrecy, Campbell has had stanch allies on Capitol Hill, most notably the House Government Information Subcommittee.

When the Air Force recently refused to turn over to GAO a full report on an inspector general's review of the Air Force ballistics missile program, the House Subcommittee denounced the action as a "step toward despotism."

OBSERVES HIGH STANDARDS

In the investigation of itself, however, Congress takes another tack. GAO post-audits of oversea junkets by lawmakers, for example, are handled as confidential communications between the Comptroller General and the committee chairman of jurisdiction. Not even a majority of Members of Congress are eligible to receive them.

However, the GAO can examine with impunity such congressional activities as the House and Senate recording studios, restaurants, barber shops and folding rooms.

In the 8 years of Campbell's administration of the Accounting Office, he has rigidly adhered to the standards that he has laid down for other agencies.

Although Campbell has weeded out 1,200 employees since he was appointed in 1954 by former President Eisenhower, he has more than doubled his force of professional accountants. Roughly a sixth of all GAO employees were trained accountants 8 years ago. Now the proportion is a little under half.

Campbell personally clears every report before it goes to Congress. However, each document, even before reaching Campbell's desk, is rechecked back to the original work papers.

"Our goal is to maintain the highest and strictest reporting standards in the country," he insists.

Campbell went to the GAO as a professional accountant with a varied career in business, education, and government. At Columbia, where he got his doctorate in law, Campbell became a vice president and treasurer of the board of trustees. There he also was in on the founding of the U.S. atomic energy program in the early 1940's. Mr. Eisenhower first brought him to Washington as an Atomic Energy Commissioner in 1953.

Unlike such dashing operations as the Central Intelligence Agency, Secret Service, and Federal Bureau of Investigation, GAO's feats of service for the American taxpayer probably will never be celebrated in song, comic page, or TV serial.

Campbell is used to that. In fact it is part of the atmosphere of anonymous professionalism that he has cultivated within the GAO.

"We're just looking forward to turning back some of our appropriation this year," Campbell said in an interview. GAO wishes other agencies would follow the example.

COUNTY REVENUES AND WETLANDS

Mr. METCALF. Mr. President, on December 13, 1962, Mr. Max N. Edwards, assistant to the Secretary of Interior, and legislative counsel, discussed "County Revenues and the Wetlands Acquisition Program" before the National Association of County Officials' Grazing, Water and Revenue Conference, at Las Vegas.

Mr. Edwards cogently presented the need for additional wetlands acquisition and the need for legislation which will provide equitable payments to counties.

Passage of legislation along the lines outlined by Mr. Edwards will facilitate the work of the Migratory Bird Conservation Commission, on which the distinguished senior Senator from Nebraska [Mr. Hruska] and I serve.

Senators who seek an informed analysis of the wetlands revenue matter will benefit from reading Mr. Edward's address.

Mr. President, I ask unanimous consent that the address be printed in the body of the Record, immediately following these remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

The reason for my being invited to participate in this program stems largely, I think, from an offhand statement I made to one of your executive officers just after the last Congress had adjourned. To the best of my recollection I said that I didn't think the National Association of Counties had given its best support to proposed legislation to change the distribution of revenues from the national wildlife refuge system. Your man became indignant, if not downright hostile, and said it just wasn't so. He did ask me a few questions about the bill, though, and we got on quite well for the remainder of the evening. One week later I received the invitation to speak here on the subject of his choice, "County Revenues and the Wetlands Acquisition Program."

I accepted right away, and I would have done so even if you had decided to hold this conference down in Needles, Calif. I say this because I welcome any opportunity to speak up for a program so vital to the whole Nation and so vigorously supported by President John F. Kennedy and Secretary Stewart L. Udall. It isn't often that I get the chance to sell such an important program to so many important people.

Not so many years ago there were more than 127 million acres of wetlands in this country, but now more than 80 percent of these coastal marshes, prairie potholes and shallow ponds have lost their fish and wildlife benefits at the expense of real estate and agriculture developments. As the wetlands have diminished, so have the ducks, the geese, the ruffled grouse and even the muskrat and the beaver. But not so the unhappy hunter and impatient fisherman. Their legions have increased at an unbelievable rate. In 1960, 40 million hunters and fishermen spent $4 billion for equipment, food, lodging, travel and licenses, according to a recent survey by the Fish and Wildlife Service—and that is $1 billion more than spent as recently as 1955. Here is real economic benefit for everyone, yet there is no way to express the full value of this heritage in monetary terms to the hiker, the picnicker, the camper, the photographer, the bird watcher.

President Kennedy in his 1961 message to the Congress on our natural resources hit upon the problem of saving the wetlands by saying: "I am also hopeful that consistent and coordinated Federal leadership can expand our fish and wildlife opportunities without the present conflicts of agencies and interests: One department paying to have wetlands drained for agricultural purposes while another is purchasing such lands for wildlife or waterfowl refuges. * * * I am directing the Secretary of the Interior to take the lead, with other Federal and State officials, to end these conflicts and develop a long-range wildlife conservation program—and to accelerate the acquisition of upper Midwest wetlands through the sale of Federal duck stamps."

The importance of saving wetlands is obvious to most of us and we should be thankful that Congress has not been unmindful of so important a conservation program. After the treaty between the United States and Great Britain in 1916 for the protection of migratory birds in Canada and America, the year 1929 should be remembered for something other than the crash in Wall Street. It is a legislative landmark because Congress had the wisdom then to pass the Migratory Bird Conservation Act, authorizing a program to acquire land as refuges for migratory game birds. The law permits the Secretary of the Interior to purchase or lease lands for migratory bird refuges but only upon approval of the Migratory Bird Conservation Commission which the 1929 act also established. This Commission consists of the Secretary of the Interior, as chairman, the Secretaries of Commerce and Agriculture, and two Senators and two Representatives. In addition, the head of the State fish and game department or bureau is an ex officio member of the Commission for the purpose of considering and voting on all questions relating to acquisitions in his State. Finally, the act provides that no land may be acquired unless the State in which the land is located consents by law to the acquisition by the United States.

In 1934 Congress wisely passed the Migratory Bird Hunting Stamp Act, better known as the Duck Stamp Act, requiring every person who has reached the age of 16, and who hunts migratory waterfowl, to purchase a stamp. The receipts from the sale of stamps were made available for acquisition, administration, maintenance and development of suitable refuge areas, enforcement of Federal regulations, as well as post office expenses in connection with the printing and sale of the stamps.

Then in 1958 the Duck Stamp Act was amended to provide that all of the receipts from the $3 stamp must be used for the acquisition of land for migratory waterfowl refuges and waterfowl production areas.

This is the way we were proceeding with our acquisition program under the old law. We were selling about 1½ million duck stamps per year, but it became readily apparent to most people that the program had to be accelerated if we were to win our race against the drainage and reclaiming developments. To expand the program Congress passed the 1961 Wetlands Acquisition Act, authorizing the appropriation of not to exceed $105 million for a 7-year period, including fiscal years 1962 through 1968. Funds appropriated are an advance against the Migratory Bird Hunting Stamp Fund and will be repaid to the Treasury out of duck stamp receipts beginning with fiscal year 1969 in annual amounts comprising 75 percent of the annual duck stamp receipts. In other words, this new law, passed in the first session of the last Congress, permits us to get advances for the migratory bird fund and buy wetlands now, while the matter is urgent, and pay the money back to the Treasury from duck stamp receipts beginning in 1969.

To give you a picture of the acreage we are talking about, it is estimated that about 4½ million additional acres of land should be brought under Federal control if we are to preserve the migratory waterfowl resource at a satisfactory level. Of this total it is believed that about 780,000 acres will be land acquired by agencies such as the Corps of Engineers or the Bureau of Reclamation for water development projects. Another 1,150,000 acres will be controlled by easement or lease with the fee title retained by the owners and the lands remaining on the tax rolls. The remaining 2,570,000 acres we propose to acquire in fee.

When the Senate Commerce Committee reported the bill to accelerate our wetlands acquisition program it contained a final proviso that no land could be acquired without the approval of "the Governor of the State or appropriate State agency." The House conference committee approved this language reluctantly but did so nevertheless so that the Senate conference committee would agree to increasing the authorization to be advanced to the fund from $50 million to $105 million. This compromise had to be made, of course, but this veto power conferred upon the Governors of the States has proved extremely troublesome. Planned acquisitions have been blocked because some Governors seek the advice of their county officials who fear the effect of removing these wetlands from the local tax rolls.

This argument is not new and as early as 1935 Congress responded to pressures from the States to make some kind of compensation to local governments for Federal acquisitions. The law passed in 1935 applies today, and it provides that counties in which wildlife refuges are located be paid 25 percent of refuge income to be used for the benefit of public schools and roads. Revenue is produced from the sale of surplus wildlife, timber, hay, grass or it may come from oil, gravel or any other activity which is not inconsistent with the primary purpose of refuge administration. The other 75 percent of this net income goes for construction and repair of roads, buildings, dams, and for the enforcement of the migratory bird law.

In fiscal year 1962, the net receipts from the 137 revenue-producing national wildlife refuges, game ranges, and waterfowl production areas in the 48 contiguous States amounted to $2,308,141. Of this amount $577,035 was returned to the 185 counties in which the refuges were located. Under the formula of the present law there are many counties throughout the country containing refuges which do not receive a penny because a great number of these refuges are not income producing. In this connection it should also be remembered that many wildlife areas are carved from the public domain because their best use is for fish and wildlife benefits, but are otherwise nonproductive. To further illustrate the inequity of our present method of distribution, take the case of Plaquemines Parish in Louisiana. Because of a rich oil play this parish was paid $272,485 in 1962 as its 25 percent of the net revenue from the Delta Refuge, and remember, this is almost one-half of the total amount available for distribution to all counties.

Because of these gross inequities many bills were introduced in the late Congress to provide a new formula for distribution of income to the counties from producing activities on national wildlife refuges. Our Department recommended enactment of legislation in the form of a draft bill which we believe sound in every respect. Our proposal, which we will press for in the next Congress, will continue the present formula of 25 percent of income payments to counties having wildlife refuges on lands taken from the public domain. The real reform of our proposal is that on lands acquired in fee for the national wildlife refuge system, the Federal Government would pay to the counties containing those lands three-fourths of 1 percent of the cost of that land, adjusted to present value, exclusive of improvements. Under the Department's bill the cost of land would be adjusted to represent current values as determined by the Secretary of the Interior. This new concept of distribution would permit revenue sharing with counties containing refuge lands purchased on water resource developments with project funds where the lands are acquired solely for wildlife management purposes. Let me further emphasize, that our proposal will for the first time allow counties containing lands acquired for refuges which are not revenue-producers, to share in the distribution of all the receipts. In other words, what we propose to do is pool all of the income and then pay to each county containing land acquired for a refuge three-fourths of 1 percent of its adjusted cost value. The payments of course could not exceed the annual income collected, and the surplus after distribution under the new formula would be used by the Fish and Wildlife Service as under the old law for construction and repair of roads, buildings, dams and for law enforcement.

If I may indulge for a moment in some rather fancy but tedious arithmetic conclusions, the Bureau of Sport Fisheries and Wildlife, which administers the wildlife refuge system, estimates that in fiscal year 1962, under the proposed formula, about $652,000 would have been paid to 226 counties in the contiguous 48 States. This is close to $75,000 more than the actual payments under existing law. Under the formula which we recommend, of the 185 counties receiving payments in 1962, 148 would get a total of $406,000 more in the aggregate than under existing law. Nine counties would receive the same payments under the new concept generally because of refuges located on public lands. Twenty-eight counties would receive a total aggregate payment of $357,000 less than under existing law, but remember, this is because one parish in Louisiana would receive about $9,000 instead of a $272,000 windfall. Payments to the remaining 27 counties would be reduced overall about $93,000 or an average of $3,600 per county. In addition to the counties which received payments in 1962, there would be, under the proposed formula, 41 additional counties sharing in the distribution for the first time.

In conclusion let me stress the importance of the Wetlands Acquisition Act of 1961 by quoting an observation of Secretary Udall, "The quiet conservation crisis of the 1960's has resulted neither from folly nor ignorance, but from our very success as a nation—it touches our total environment, affects all of our resources and is heightened by the demands of our burgeoning cities, thriving industry and expanding population."

The 1961 act is designed to provide genuine economic benefits for the whole Nation and preserve a vital segment of our natural heritage. The hunter and the fisherman may seem to be the primary benefactors, but I can assure you that saving the wetlands will enrich the lives and pocketbooks of both the storekeeper and the artist, the hiker and the farmer, the photographer and the manufacturer. To insure the success of the acquisition program it is imperative that Congress amend the present method of revenue sharing on wildlife refuges. The Department's recommendation will enhance the benefits to more counties and more States, and cure the inequities which have existed for so many years.

CURTAILMENT OF RAILROAD SERVICE IN MONTANA

Mr. MANSFIELD. Mr. President, in recent years one of the most difficult situations we in Montana have had to combat has been the persistent effort on the part of the railroads to withdraw, curtail service and merge. For many years Montana has boasted of the three transcontinental railroads which served the State, east to west, a situation enjoyed by few States.

Unfortunately this situation no longer exists. The Interstate Commerce Commission is now considering the proposed merger of the Great Northern and Northern Pacific Railroads along with two lesser lines. Should the consolidation be approved it will create a virtual monopoly of railroad service between the Twin Cities in Minnesota and the west coast. It will create such a monopoly in the instance of passenger train service now that the Milwaukee Railroad has filed a petition indicating that they are going to withdraw their passenger trains between Deer Lodge, Mont., and Aberdeen, S. Dak. A year ago the Milwaukee Railroad was granted permission to discontinue the passenger service between Seattle and Deer Lodge.

A shaky financial setup has been a common consideration in the railroad mergers here in the East, but this certainly cannot be established in the case of the huge western consolidation. The Great Northern and Northern Pacific are doing very well. In the instance of the Milwaukee Road, their passenger train service has not been an unprofitable segment of their corporation, but I am convinced this is due to lack of initiative, unimaginative public relations, poor service and deteriorating equipment. This aspect was very well analyzed by Robert Scanlan, publisher and editor in the editorial column of the February 4, 1963, issue of the Miles City Star in Montana.

Mr. President, I ask that this editorial be printed at the conclusion of my remarks in the CONGRESSIONAL RECORD, together with a letter addressed "To Whom It May Concern," dealing with passenger service on the Milwaukee Railroad.

Before concluding my brief remarks today on the railroad situation in the Northwest I wish to say that the entire situation needs some very close attention here in Congress. The retreat of the railroad industry into reduced service and consolidations is moving too fast. The general public and the Nation's economy will ultimately be the losers.

There being no objection, the editorial and letter were ordered to be printed in the RECORD, as follows:

[From the Miles City Star, Feb. 4, 1963]

THE MILWAUKEE ROAD

It is with regret that we acknowledge the Milwaukee Road's desire to eliminate passenger train service west of Aberdeen, S. Dak. It has been generally felt that this was coming ever since the big hearing in Miles City 2 years ago, conducted by the Interstate Commerce Commission. Following that hearing, the Milwaukee was permitted to drop service west of Butte.

Little by little during the past half dozen years, the Milwaukee has reduced its passenger service through this area and with each reduction, the Milwaukee has lost more than just passenger service. It has lost prestige and public support.

This is discouraging, especially to those who can remember the days when Miles City was a railroad town—a Milwaukee railroad town.

Last May 22, the ICC issued its statement that passenger service west of Butte could be dropped. The Milwaukee chose to extend the run to Deer Lodge for it was a more convenient stopping point for them. Most everyone figured the passenger service would be continued to Seattle at least during the 6-month run of the Seattle World's Fair. This was not done, however, and the number of passengers dropped from an average of 30 per mile to 19 per mile.

It is hard to believe that much effort was made to encourage more passenger traffic. The firm's advertising program was reduced to an extreme minimum. Many persons who rode the train reported the service was none too good. A couple of former Miles Citians have told of trouble trying to purchase a ticket to Miles City from Chicago. One person was a former Milwaukee employee here in Miles City. He tried to buy a ticket on the Milwaukee to come here for a visit and at the ticket office in Chicago they told him to go via the Northern Pacific.

After a bit of arguing, he was able to travel via the Milwaukee.

The loss of the Milwaukee's passenger service in Montana will probably be delayed from the announced February 22 date. The ICC will call for public hearings and there will be much said which will sound like we can't get along without this service. Yet figures will show that it costs a lot more to run the train than they derive from revenue. In other words we are not patronizing the railroad enough to warrant the continuation.

It is hard to say how much longer we will have the Milwaukee passenger trains operating in Montana. Perhaps the ICC will insist the trains continue to operate. If they do, it will be only a matter of time before the same discontinuance will be announced again.

On one hand, the railroad faces the competition of good highways, fine cars, and much faster airlines. On the other hand, one need only to look at the Northern Pacific Railway to see a great deal of increased passenger service.

The difference seems to be in aggressiveness. That is perhaps the one major commodity which has been lacking in the Milwaukee Road's operation for some years.

By comparison, consider the position of Lewis Dymond, president of Frontier Airlines. He made a whopping big improvement in Frontier's operation. Although Frontier has not done too well in eastern Montana and we may lose the air service due to lack of patronage, Mr. Dymond came to Miles City to ask "What can we do to improve our service and secure greater patronage?"

It appears the Milwaukee prefers to reduce the length of its passenger run. In time it will accomplish this goal. The Star has long been friendly with the Milwaukee and it is difficult to condemn them for their action. Yet we would be remiss if we did not admit that much of their loss of patronage has been their own fault. Certainly there is enough passenger traffic available to cause the once-mighty Hiawatha to reclaim its prominence in the passenger business. But to reclaim this prominence will require much aggressiveness and promotion on the part of the railroad and all its employees to resell themselves to the public. If this is not accomplished, we will lose the Hiawathas forever, with much loss to Montana, its cities and towns served by the Milwaukee, the general public, and the Milwaukee Road, itself.

SEAL BEACH, CALIF.,
January 31, 1963.

To Whom It May Concern:

My wife and I started a vacation tour by rail in May 1962. We left from Santa Ana, Calif., thence to Chicago and Kenosha, Wis., where we stayed several months.

My inquiry in Santa Ana regarding the return trip, Milwaukee to Three Forks, Mont. (where we were to stay over) elicited the information that the Milwaukee Road was inferior and we would do better to take the Northwestern out of Milwaukee and transfer, in St. Paul, to the Northern Pacific. The agent thought that no Milwaukee Road train stopped at Three Forks, Mont.

In the Milwaukee Road depot in Milwaukee, Wis., I again made inquiries regarding the train schedule. The Milwaukee agent also informed me that his railroad was not as good as their competitors. When I offered to have my routing changed he convinced me not to, saying that the passenger service was so inferior that it would very likely be discontinued by January of 1963.

This letter is for the reason of relaying the negative and uninterested attitude of the railroad agents in both California and Wisconsin.

Sincerely yours,

——— ———.

AMENDMENT OF RULE XXII—CLOTURE

Mr. JAVITS. Mr. President, I ask unanimous consent that the Congressional Record for Thursday, February 7, be amended at page 2058, to conform to the original manuscript of the Official Reporter, so that immediately following the announcement by the Vice President of the result of the vote on the motion for cloture, and continuing to the calling of the roll on the motion to adjourn, the Record will show as follows:

Mr. Javits. Mr. President, a point of order.

Mr. Mansfield. Mr. President, I move that the Senate stand in adjournment until noon next Monday. On that question I ask for the yeas and nays.

Mr. Javits. Mr. President——

The Vice President. Is there a sufficient second?

The yeas and nays were ordered.

Mr. Javits. Mr. President, a point of order.

The Vice President. The question is on agreeing to the motion of the Senator from Montana. A motion to adjourn is not debatable. The yeas and nays have been ordered, and the clerk will call the roll.

The VICE PRESIDENT. Is there objection to the request submitted by the Senator from New York? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. Let me say that what the Senator from New York has just stated to the Senate is correct. Let me also state that to the best of my knowledge the Senator from Pennsylvania [Mr. Scott], the Senator from Illinois [Mr. Douglas], and the Senator from New Mexico [Mr. Anderson] were likewise on their feet at that time, seeking to raise a point of order.

Mr. JAVITS. Mr. President, let me add that, so I was told, the Senator from New Jersey [Mr. Case] also was seeking recognition.

Mr. MANSFIELD. Yes; and there may have been other Senators who were then seeking recognition; but those are the ones I recall.

Mr. President, referring to what the Senator from New York [Mr. Javits] has stated, I wish the Record to be very clear about the points of order. As I recall, they came at the time when I was addressing the Chair; voices were heard in the background, so to speak, when I asked for recognition; and I was given recognition while that happened; but, as I recall, once I was recognized, there were—to the best of my knowledge—no more cries of "point of order" being raised.

I hope the Senator from New York [Mr. Javits] will either corroborate that or will show me wherein I am wrong.

Mr. JAVITS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I realize that this matter is finished, and I realize that it was finished when the motion to adjourn was carried.

I feel in all dignity and honor that the facts should be before the country and before the Senate; and they will have effect on another occasion when we make the same effort—which we undoubtedly will do, in my opinion, in 2 years; and I hope I will still be alive then.

All that I did, therefore, in order to end all controversy over the matter, was just to ask that the Official Reporter's transcript be made part of the Record—for whatever it says or whatever it does.

I have no desire—and I think it would not be helpful to the Senate or to my own feeling—to engage in any controversy with the majority leader or with the Vice President. It was a moment of stress. It all happened in the twinkling of an eye. I am delighted that the Record—the transcript, at least—tells the story for whatever it is worth. It gives the chronology of events very accurately. I congratulate the stenographers. It seemed to me to be precisely the way the matter went.

I will say this to the Senator, if he will allow me. It is a fact that no Senator can be taken off his feet. That goes for me as well as for the majority leader. The only thing that I had hoped—and I use that word advisedly—I hoped that someone would stop long enough—because that is the way we generally do things around here—to find out what my point of order was all about. Perhaps then the Chair would have said, "You are not entitled to recognition. There is no debate. I cannot entertain it. We are sorry." That one thing was the thing I had hoped would happen.

Again, I repeat, all I tried to do this morning was actually—and I think I am very fortunate, in a sense, that the transcript was exact—to put into the Record exactly what the transcript said.

What it said was that upon three occasions, while the majority leader was dealing with a question which was his absolute right, I was seeking recognition. I made it very clear that I was seeking recognition on a point of order. Beyond that as we say in the law, "Deponent sayeth not." Whatever that means, it means.

The important thing is that for the purpose of dignity and self-respect to myself as a Senator of the United States, with editorials and news stories all over the country, to look into the Congressional Record and find not a word about it was something I thought in all fairness I could not let stand.

Again, I repeat, I am very fortunate that the stenographer's transcript is so accurate. The only thing I put into the Record is the stenographer's transcript.

Mr. MANSFIELD. Mr. President, does the Chair wish to make a statement?

The VICE PRESIDENT. If the stenographer's transcript showed that the Senator from New York or any other Senator addressed the Chair before the Senator from Montana, the Chair says that the transcript is inaccurate. He is supported in that statement by every Member at the desk plus other Senators.

The Senator from Montana stated on two occasions that it was his intention, immediately after the vote was taken, to make a motion to adjourn. While the rollcall was proceeding, he came to the desk and asked to be recognized. When the Chair announced the vote, the Senator from Montana addressed the Chair. Numerous other Senators addressed the Chair. The Chair recognized the Senator from Montana. The Chair heard the Senators on one side and Senators on the other side. But the Senator from Montana was the first to address the Chair, in the opinion of the Chair, and in the opinion of others at the desk.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I should like to say to the Chair that my recollection is that the stenographer's transcript is correct. The Chair has used the words "in my opinion." The Chair has used the words "in the opinion of those at the desk."

Again, as a lawyer, I say that both versions are completely compatible.

I have attended law school classes in which someone dashed in and shot the professor—not actually—but to show that observers are often inaccurate. I have no claim for my infallibility. I would say to the Chair that I would not challenge the Chair's good faith or the Chair's feeling that that was his judgment for an instant. All I think, in all fairness to me, so that it should not appear that I am somebody who is clamoring for something which is wrong or improper or which has no basis in fact, is to have the RECORD show the situation according to the stenographer's transcript. That is in accordance with my recollection or, to use the Chair's words, "in my opinion."

In all deference and respect, there they stand. The Chair has made his statement. I think it is most generous of the Chair to go that far and make a statement of the fact, which the Chair rarely does, and I appreciate the statement deeply. I have made mine, according to the stenographer's transcript, and that is it. When I get another opportunity a little later in the morning, I will state as briefly and as conscientiously as possible the point of order I was trying to make, and that will be the end of the matter, so far as I am concerned. But I *do* think that it could be important a couple of years ahead, when we come to the question again. That was my only reason for trying to see that the RECORD, at least, showed whatever in my opinion it ought to show. I thank the Chair.

Mr. MANSFIELD. Mr. President, on Thursday last I took the floor at about 10 hours and 59½ minutes, reserving the last half minute of debate prior to the mandatory live quorum and cloture vote. I announced my intention of moving to adjourn if the votes for cloture were less than 60. This was in keeping with my statements of Tuesday, February 5, and Wednesday, February 6. Those statements expressed my desire to end the rules fight one way or another, and grew out of the following facts:

First, the debate had proceeded without interruption since January 15. No end to it was in sight. Thirteen speeches, as I estimated, still remained to the opponents of the motion to take up. Countless motions and amendments could be offered once the three-fifths resolution became the pending business. The constitutional procedure urged by the Senator from New Mexico [Mr. ANDERSON] had been tabled by a decisive vote of 53 to 42. Clearly the Senate did not care to go that route. It was originally my impression that those urging this procedure would be prepared to shelve the entire rules question if the constitutional procedure were tabled.

After the vote, however, they showed no clear intention one way or the other.

At the request of the proponents I later moved to table the motion to take up the three-fifths resolution. But on that question, for obvious reasons, a vote of 92 to 5 did not give an accurate picture of sentiment on the question.

I then circulated a motion for cloture under rule XXII, the vote on the constitutional procedure having shown that the Senate was operating under preexisting rules.

I announced on Tuesday and Wednesday that I would move to adjourn if less than 60 Members voted for cloture.

The Senator from New York [Mr. JAVITS], who is on the floor at the moment, specifically accepted that procedure in a Senate speech on Wednesday. He warned Senators that the outcome of the cloture vote would terminate the matter or keep it alive for further debate. See page 1936 of the CONGRESSIONAL RECORD.

My speech prior to the cloture vote on Thursday was, therefore, a recapitulation of what I had said on Tuesday and Wednesday and what the distinguished Senator from New York [Mr. JAVITS] specifically had acknowledged on Wednesday.

Following the cloture vote, the Vice President announced that two-thirds not having voted for cloture as required by the rule, the cloture motion had failed. I sought recognition. Several Senators, including the Senator from New York [Mr. JAVITS], were on their feet also seeking recognition to make points of order. Following the customary practice of the Senate, the Chair recognized me as majority leader. From the time when I began to make my motion until the time when the first Senator voted on it, no Senator, to my knowledge, attempted to raise a point of order.

To sum up, I did exactly what I told the Senate I would do. I accepted the responsibility for moving the Senate off this rules question and onto its substantive responsibilities. I had not sought to prevent Senators from any of the following means of ending the matter:

First. A "constitutional" procedure.

Second. A motion to table.

Third. A cloture motion under the rules.

Each of those methods was tried and each failed. Some Senators may have wanted to try the first method again. They may have thought they could narrow an 11-vote margin or possibly prevail. They may have thought Senators who had spoken out against the procedure, but who voted for cloture, would change their minds after a week's reflection. They are entitled to those views, however remote from the probabilities they seem. Some Senators may simply have been trying to make political capital out of the matter. They may have decided to attack the Vice President for recognizing the majority leader, although this was in keeping with precedent in the Senate. These Members had shown little regard for precedent when they asked the Vice President to "cut off debate" on the constitutional question at his own discretion.

The Vice President has presided over this long, tedious debate with exemplary fairness to both sides. He has not varied once from his appropriate role to preside over the Senate in accordance with the rules and precedents of the Senate.

It was the majority leader who made the decision that the Senate had debated this matter long enough and should get on to its other responsibilities. It was the majority leader who sought the floor and moved to adjourn, so as to cut off this matter. The majority leader accepts responsibility for that.

If they had chosen to do so, a majority of the Senate—a simple majority of a quorum—could have resisted adjournment and revived the matter.

The majority leader is not brutal. He would not have wreaked vengeance on those who would override his judgment.

Instead, the Senate voted by a margin of almost two to one to adjourn. In the majority leader's opinion, that is a fairly accurate picture of the sentiment in the Senate last Thursday.

Now, Mr. President, if I may be permitted to have the floor for 1 additional minute, I want to make a further statement, and I ask unanimous consent that I may have that time.

Mr. GORE. Mr. President, before the Senator leaves that point, will he yield to me?

Mr. MANSFIELD. My remarks are to be on the same subject, I say to the Senator. I yield.

Mr. GORE. As I understand the rules of the Senate, when two Senators, or several Senators, or any number of Senators, address the Chair seeking recognition simultaneously, in concert, or during a fractional minute period before the Chair accords recognition, it is clearly within the discretion of the Chair to recognize a Senator.

Is it not customary in the Senate that if two or more Senators address the Chair in concert, and if the majority leader is one of those Senators so addressing the Chair, the Presiding Officer, whoever he may be, accords the courtesy of recognition to the majority leader of the Senate?

Mr. MANSFIELD. The distinguished Senator from Tennessee is correct. It is a courtesy usually accorded to either the minority leader or the majority leader, whoever happens to be on his feet. There is nothing in the rules which says that they should be given this prior consideration, but on the basis of courtesy and precedent that has been the rule which has been followed. The Senator is correct.

Mr. KUCHEL. Mr. President, will the Senator yield to me?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. So that there may be no misunderstanding, Mr. President, the senior Senator from New York has been one of the effective and efficient leaders in a fight in which some of us have been engaged with respect to a change in the rules. The Senator from New York would have done less than his duty required had he not attempted to exhaust the responsibilities which those of us in this fight jointly share.

The Senator from New York is not indicting anyone. Neither is the Senator from California. I can well understand that what the Senator from Tennessee has just suggested is true. There has been a discretion which any Presiding Officer can discharge. There is no question about that.

The point is that some of us in this Chamber heard the Senator from New York address the Chair.

Mr. MANSFIELD. I have so stated.

Mr. KUCHEL. And we—some of us in this Chamber—did not hear the Democratic leader address the Chair. That does not prove that the Democratic leader did not address the Chair. There was a good deal of bedlam in the Chamber, at least some.

The only point I wish to discharge by standing here at the moment, I say to my friend, is that all the Senator from New York has asked to be done is to have the Record disclose what the Official Reporter in his judgment believed to have been the chronology. That is all that has been asked on this occasion.

Mr. MANSFIELD. I think the Record has been made clear.

Mr. President, I ask unanimous consent that I may proceed for an additional 2 minutes.

The VICE PRESIDENT. Will the Senator from Montana yield to allow the Chair to make an observation?

Mr. MANSFIELD. I do.

The VICE PRESIDENT. The Chair would like to observe that the Chair thinks the Record has been "doctored." The Chair has just talked to the Chief Reporter. Mr. Rhodes, the Chief Reporter, was in the Chamber and heard several Senators address the Chair.

When the transcript showed that the Senator from New York first addressed the Chair, the Chief Reporter, on his own authority, struck that sentence out, because he did not think that was in keeping with the facts of the situation.

The Senator from New York has his testimony from the Senator from California, that he heard the Senator from New York and he did not hear the Senator from Montana.

The Chair had been notified twice by the Senator from Montana that he was going to seek recognition; and the Chair asserts, on his responsibility, that the Senator from Montana did seek recognition and was recognized, and the Chair heard him seek that recognition, as the Chair heard other Senators address the Chair. The Chair heard Senators from the Democratic side, and Senators from the Republican side, but the Chair felt that Senators from neither side had yet been raised to the stature of taking over the duties of the majority leader, and that the majority leader was entitled to recognition if seeking it.

The Parliamentarian, Mr. Watkins; the Assistant Parliamentarian, Mr. Riddick; Mr. Hickey; and Mr. Frazier were all at the desk, and each of them heard the majority leader ask for recognition, and he was recognized in accordance with the rules.

Whatever some transcript may show, the Record, as published—and it has already been printed—before objection was made, did not show that the Senator from New York addressed the Chair first; and in the opinion of the Chair, the Senator from New York did not address the Chair first; and if the transcript shows that, it is in error.

Mr. MANSFIELD. Mr. President, I fear I must disagree in part with the Presiding Officer.

First let me say that it is quite possible for the distinguished Senator from California to have heard the Senator from New York and not to have heard me, because there was bedlam at the moment. But the Presiding Officer is correct when he states that I was on my feet and that I did address the Chair; and that I was, under the rules of courtesy, entitled to recognition.

May I say also that I did hear the Senator from New York [Mr. Javits]; the Senator from New Jersey [Mr. Case]; the Senator from Illinois [Mr. Douglas]; the Senator from New Mexico [Mr. Anderson]; and other Senators during the time that I was addressing the Chair shout out "Point of order," so I think that ought to be in the Record, because they did make those statements, and I think it was just an oversight on the part of the reporter that it was not so listed; and I think the Record ought to be clear on both sides.

Mr. GORE. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. MANSFIELD. I yield.

Mr. GORE. Mr. President, is there any motion, point of order, or procedure of any other sort which, under the rules of the Senate, is accorded prior consideration or priority of order over a motion to adjourn?

The VICE PRESIDENT. There is not; and shouted statements from the floor are meaningless unless the Senator has received recognition.

The point the Chair makes is that several Senators addressed the Chair simultaneously. The Chair could not specify each individual Senator. The Chair heard them from both sides. The people at the desk heard them. Those in the galleries heard them. Senators heard them.

The Senator from Montana had notified the Chair he wanted recognition. He was on his feet. He asked for recognition, and he received it.

Mr. KUCHEL. Mr. President, will the Senator yield so that I may propound a parliamentary inquiry?

Mr. MANSFIELD. Yes.

Mr. KUCHEL. Mr. President, under the rules, if a Senator is recognized by the Presiding Officer and another Senator rises and addresses the Chair and says "Point of order," does the Senator making the statement "Point of order" have a right to recognition; or is that subject to the right of the Senator who has the floor?

The VICE PRESIDENT. The Senator from Montana announced twice before the Senate that immediately following the rollcall he would move to adjourn.

Mr. KUCHEL. Yes, Mr. President.

The VICE PRESIDENT. He sought recognition for that purpose. He was recognized. He made the motion to adjourn. Senators were heard saying "Point of order." He did not yield.

Once a motion to adjourn is made, unless the Senator withdraws it—and the Senate ordered the rollcall by the "seconds"—there is no procedure that would permit a point of order or any other business to intervene under any circumstances unless or until the Senator from Montana had withdrawn the motion to adjourn.

Mr. KUCHEL. Sir, is it the Chair's ruling that a point of order cannot be raised and disposed of by the Presiding Officer unless the Senator who has the floor permits it to be raised and disposed of?

The VICE PRESIDENT. That is the Chair's opinion. The Chair is not making a ruling, but that is in line with the precedents of the Senate and, I may say, the precedents of the House. In practically every parliamentary body, from a debating society to the House of Representatives and the Senate, a motion to adjourn has to be voted on unless it is withdrawn, and it is not debatable, and that means it is not subject to a point of order.

Mr. KUCHEL. So all of us may understand, suppose the Senator from Montana had been recognized, and suppose, prior to the time he had made a motion to adjourn, the Senator from New York had stood up and said, "Point of order." Under our rules, did the Presiding Officer have any jurisdiction to accept the point of order, or in the absence of approval from the Senator from Montana?

The VICE PRESIDENT. The Presiding Officer, so far as any Senator is concerned, has no right to recognize any Senator except the Senator who has the floor. Unless the Senator yields for a question or a point of order, the Chair has no jurisdiction to recognize him. The Chair cannot reach out and say he recognizes the Senator, but is going to transfer that recognition to someone who may holler a little louder.

Mr. MANSFIELD. May I repeat what I said earlier? Following the customary practice of the Senate, the Chair recognized me as a majority leader. From the time when I began to make my motion until the time when the first Senator voted on it, no Senator—I repeat—no Senator—to my knowledge, attempted to raise a point of order. The point of order, however, was raised before.

Mr. President, I am deeply disturbed by some of the intemperate criticism directed at the Vice President of the United States by several ardent proponents of a rule change. Some of this criticism is so irrational, so heavy with personal venom, as to merit no reply from friends of the Vice President. Such is the statement by a Washington lawyer and civil rights advocate that the Vice President's first loyalty is to "Southern racists." We may leave that ludicrous pronouncement to the ash heaps of history.

Others, however, both within and without the Chamber, have reproached the Vice President for submitting the "constitutional" question of the rules change to the Senate, instead of deciding it forthwith; and for declining to exercise some mysterious power, whose origin is not described, to terminate debate when it appeared to him that the Senate had talked long enough. To those who have ears to hear and eyes to read, the precedents for the submission of the constitutional question have been amply and conclusively demonstrated. So have the extreme dangers of a policy whereby a presiding officer could determine for himself when the debate has exhausted the merits of a public question.

The Vice President of the United States has demonstrated his fairness and his concern for human rights throughout his career in government. His place in history as a mediator between hostile factions, and as a progressive whose achievements in the field of civil rights are an important part of our laws, is assured. It makes a mockery of the political attacks on him, such as have been heard in recent days. Those who look ahead to 1964 will have to find another, more vulnerable point of attack on the Democratic ticket if their broadsides are to find credence among the public.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I have been mentioned a number of times here, so I think I would like to make a reply.

Mr. MANSFIELD. I would say, in reply, the references have been very complimentary.

Mr. JAVITS. In the first place, no one knows better than I of the Vice President's credentials in the civil rights field. I am the first to admit that they are excellent. The Vice President, in my opinion, was very heavily responsible for the enactment of the Civil Rights Act of 1957. I think the same could be said of the Civil Rights Act of 1960. The same could be said of the extension of the Civil Rights Commission. I, myself, am the first to say those things.

Second, so we may have this matter in focus, no one will more stoutly defend the Vice President of the United States from that viewpoint. He practiced in this good Chamber before he became the Vice President. We lawyers think that trial lawyers make the best judges. I think that same appraisal will be true of Vice Presidents, as well.

The fact that we will disagree on points of procedure or disagree on the powers of the Vice President in a unique situation in no way derogates my respect and my admiration and my belief in the complete good faith of the Vice President. I would say every one of those things for the majority leader, with whom I served not only in this body but the House of Representatives.

I think it is most essential, in the interest of this particular discussion, to see that all these questions are answered in the affirmative and are laid aside and do not intrude on our debate.

It seems to me only one thing stood out in this situation the other day. I am speaking only unilaterally, but it seems to me to be an established rule of parliamentary bodies that where a point of order is made against what a Member is saying, then that point of order may be entertained. For example, words are ordered to be taken down. Then the Chair will decide whether the words were of such a character as to require the Member to take his seat. So it is not unusual for a point of order to interrupt a speech. That is the only way in which it could be done.

There are rules which relate to debate, such as the requirement to stand up to be heard. This rule is employed in debate, filibusters, and so forth.

All I was trying to make a point of is this, and I think it is essential that people understand that I am not arbitrary: In the first place, I was trying to raise a question which had not been raised before, and that is the fact that upon the cloture vote on a rule change there was a substantial majority—a majority would have been enough—for the first time to close debate on a rule's change. Therefore, my purpose was to raise the constitutional question on the majority vote, which was very different from the vote on tabling, where the side I was on was in the majority. The majority vote was for cloture.

It was my desire to raise the question whether that did not effectively close debate under the Constitution, notwithstanding the fact that the vote was taken under the rule, because the constitutional mandate was submitted.

When the vote came on adjournment, I thought that concluded the matter. I believe the Members in the Chamber understood very well they had the sovereign power to decide each question as they wished to. Some may not have been consistent, but that is only my judgment. In my judgment, they were deciding on whether—it was more than honoring a rule to them—we should adjourn. I thought the vote on adjournment, as I understood it, ended the matter.

I have no desire to reargue the case or to question good faith, which I now affirm on the highest level to be secure, and with respect to which the country can now rest secure; neither do I raise any question of fact or of issue which may be involved.

I merely felt that in fairness to myself the point of order which I was about to make should have been spelled out on the actual occasion itself.

I understand the stress and strain which was involved, and we all understand it. However, normally—and that is all I said previously—when a Senator is trying to make a point of order, whether or not it may be precisely within the rules of the Senate to do so, he is accommodated at least to state what he is trying to make the point of order about.

That did not happen in this case.

I have no condemnation of any kind to make. I repeat that I do not question good faith.

However, I do believe that this whole question will come back again 2 years hence, and a similar situation may arise, and, therefore, it was desirable to have clear in the RECORD what occurred and what I was trying to do, namely, to make a point of order.

I close by saying that no question of good faith is involved. I have the highest respect and confidence in the good faith of all concerned. Certainly there is no question being raised about a rehearing or a reargument of the matter. It is closed as far as the Senate is concerned—certainly as far as I am concerned. Certainly that is the case on this issue in respect to the present debate.

Mr. CASE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CASE. So that I may be fully advised, and that the RECORD may show what occurred, I wonder if I might ask the majority leader, and perhaps the Senator from New York, whether the Senator from New York had advised the majority leader, before the matter was finally brought to the floor in the form of a motion to adjourn, whether the Senator from New York intended to make his point of order?

Mr. JAVITS. Mr. President, may I answer that question?

Mr. MANSFIELD. The Senator from New York informed me that he did do so. I have no recollection of it. However, I take the word of the Senator from New York. That is enough for me.

Mr. JAVITS. I should like to affirm what the majority leader has said. It was a moment of real bedlam and of great difficulty in the Senate. I did go down to the majority leader; and so informed him. However, in my previous remarks I did not want to raise the question, because it is all a matter of recollection on his part and on my part. I will take the complete word of the majority leader on that point. If he did not hear or understand or grasp what I thought I had told him or had intended to tell him, that is understandable, and it is an honest difference. That can happen in life, as we all know. Therefore, Mr. President, I do not claim that the majority leader was conscious of my desire to make my point of order.

Mr. MANSFIELD. If I had recollected being informed of the Senator's desire, I very likely would have acted in the same way I did act, because I had informed the Senate on 2 previous days what I had intended to do. I felt I had made a commitment. In all honesty, I must state that if I had recollected his stating to me that he was going to make a point of order, I would have offered the same kind of motion that I did make.

Mr. CASE. Mr. President, I thank the majority leader for his complete frankness. It is typical of what we have come to expect always from the Senator from Montana.

However, I am a little distressed by his last statement, which was made with great honesty. I hope that in any situation in which an announcement by the Presiding Officer resulted in a Senator desiring to make a point of order, it may be disposed of at that time, and that the Senator making such a point of order be not cut off. That is what I have expected would always be done by proper notice to the majority leader. I hope that this course will be followed in the future. Of course, I realize the question can only be raised then.

Mr. MANSFIELD. Mr. President, the Senator from Montana is no more honest than any one of his 99 colleagues. However, a statement had been made by me, and I had promised the Senate to follow a certain course of action. We had gone on long enough. I am afraid, had I been fully aware of what the Senator from New York was going to do, I still would have acted as I did.

One thing disturbs me about the Senate; namely, that so many people imply motives where motives are absent. I regret very deeply the personal attacks made on the Vice President by Members of this body and by groups outside the Senate. I think they are very unfair, because when such persons attack the Vice President, as the Presiding Officer of the Senate, or any action he takes, in pursuit of his duties, in following the Constitution and various procedures of the Senate, they are attacking the Senate as an institution.

I did not like some remarks that were made in the press and on the radio to the effect that there is some sort of collusion between the Vice President and the majority leader, or between the majority leader and the minority leader. So far as I am concerned, I have been operating on my own. The motions I have made were my own, and mine alone. I did not discuss them with the minority leader, nor did I discuss these motions with the Vice President, who is the Presiding Officer of the Senate.

My colleagues gave me a responsibility. It is not a very pleasant responsibility. However, someone must take over the leadership on this side of the aisle, just as someone must take it over on the other side of the aisle. We do the best we can. We operate as honestly as we can. We are as honest as we can be with each other.

Therefore, I would hope that these outside groups, who are neither elected nor representative of the people as a whole, tend to their own business and let us tend to ours.

Mr. LAUSCHE. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. LAUSCHE. Mr. President, there has been some discussion about the Vice President recognizing the majority leader while other Senators were similarly asking for recognition. I was present, as were many other Senators, and I think it is the height of folly to say that in that bedlam the Vice President could clearly identify who was the first Senator who asked for recognition. No matter who was in the chair, in my judgment, under the circumstances that prevailed, the majority leader, standing there and asking for the floor, following the statement which he had made twice to the Senate about his proposed course of action, would have been recognized by the Chair.

To say anything else is completely contrary to the conditions which prevailed.

Each one of us has sat in the Presiding Officer's chair. We have heard shouts on the floor from Senators asking for recognition, and frequently we have found it impossible to determine who was the first one to ask for recognition.

On Thursday the majority leader was on the floor. He announced twice that he would follow a certain course of action. I am sure that the eyes of whoever was in the chair would have been on the majority leader, and the majority leader would have been recognized as the Senator who was entitled to speak. I merely add that statement to what has been said heretofore on this subject which has been under discussion.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. STENNIS. I should like to observe that several Senators are concerned about Senate Resolution 9, Senate Resolution 10, Senate Resolution 80, and Senate Resolution 81, which will automatically be laid down at the close of morning business under the 3-minute recognition rule.

As the Senator from Mississippi understands, automatically Senate Resolution 9 and Senate Resolution 10 will be laid down at the end of the 3-minute period, and either one could be debated until 2 p.m., and that then it would automatically go to the calendar, as the rest of them would.

The Senator from Mississippi thought request might be made, after conference with the Senator from Montana, the Senator from Minnesota, the Senator from New York, and other Senators, that there be submitted a unanimous consent agreement which would dispose of the entire matter. I wonder, Mr. President, if I might propose a unanimous-consent request. Will the Senator from Montana yield for that purpose?

Mr. MANSFIELD. I yield.

Mr. STENNIS. I was about to propose, if there be no objection——

Mr. CLARK. Mr. President, I should like to ask what Senate Resolution 10 is.

Mr. STENNIS. Senate Resolution 10 is to amend the cloture rule. It was submitted by the Senator from Minnesota [Mr. Humphrey] and other Senators. Senate Resolution 80 and Senate Resolution 81 were submitted by the Senator from Vermont [Mr. Prouty].

Mr. President, I ask unanimous consent, in order that the matter may be disposed of at this time, that the three resolutions, Senate Resolution 10, Senate Resolution 80, and Senate Resolution 81, be referred to committee.

Mr. PROUTY. Mr. President, reserving the right to object——

Mr. STENNIS. Mr. President, I yield to the Senator from Vermont. However, if unanimous-consent is not given, the Senator from Mississippi will propose a unanimous-consent request that the resolutions be placed on the calendar. I yield to the Senator from Vermont.

Mr. PROUTY. Mr. President, I should like to have the Senator from Mississippi assure me, if he can, that no action will be taken on these resolutions until at least after February 18. I had hoped that Senators who are interested in the resolutions would be notified by the majority leader before any action was taken on them on the floor of the Senate.

Mr. MANSFIELD. If the Senator from Mississippi will yield, the Senator from Vermont has that assurance.

Mr. PROUTY. As I understand, the Senator from Mississippi simply wishes to have the resolutions placed on the calendar.

Mr. STENNIS. Mr. President, my request was that they be referred to committee.

Mr. PROUTY. I object. I misunderstood the Senator's request.

The VICE PRESIDENT. Does the Senator from Vermont object?

Mr. PROUTY. Yes.

The VICE PESIDENT. Objection is heard.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Mississippi will state it.

Mr. STENNIS. Does the Senator from Mississippi correctly understand that the resolution—Senate Resolution 10—would automatically be laid before the Senate during the morning hour and could be debated until 2 o'clock, when it would automatically be placed on the calendar?

The VICE PRESIDENT. The Senator is correct; it could be debated during the morning hour and until the hour of 2 o'clock arrived.

Mr. STENNIS. Mr. President, I ask unanimous consent that Senate Resolution 10, Senate Resolution 80, and Senate Resolution 81 be placed on the calendar.

Mr. GRUENING. Mr. President, reserving the right to object—and I shall not object—I wonder whether the distinguished Senator from Mississippi would make it possible for Senators who are planning to leave the city on official business to make a few insertions in the Record during the morning hour, before the resolution is debated.

Mr. STENNIS. If the resolution is to be debated, I will withdraw my request for the moment, with the understanding that there will be a quorum call before the resolution is taken up.

Mr. HUMPHREY. Mr. President, as one of the authors of Senate Resolution 10, I have spoken about it with the Senator from Mississippi. It is my hope that the resolution may be placed on the calendar or referred to committee. There is no intention of trying to bring the resolution up for lengthy debate, or for any debate. The Senate has had its debate. Another day for the consideration of this subject will come in due time.

Mr. STENNIS. I thank the Senator from Minnesota. Will the Chair put the question?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi that the resolutions go to the calendar? The Chair hears none, and it is so ordered.

Mr. STENNIS. I thank the Chair.

Mr. CLARK and several other Senators addressed the Chair.

The VICE PRESIDENT. The Chair recognizes the Senator from Pennsylvania, because he heard his voice first; then the Chair will recognize Senators on the other side of the aisle.

Mr. CLARK. I shall be perfectly happy to yield.

The VICE PRESIDENT. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Pennsylvania will state it.

Mr. CLARK. In view of the comments made a moment or two ago by the Senator from Mississippi, do I correctly understand that Senate Resolution 9, to amend the cloture rule of the Senate submitted by the Senator from New Mexico [Mr. Anderson] and the Senator from Kentucky [Mr. Morton], a motion for the consideration of which was the pending business of the Senate adjourned last Thursday, is at present on the calendar under the heading "General Orders Under Rule VIII"?

The VICE PRESIDENT. The Chair is of the opinion that the motion to take up was pending when the Senate adjourned; and that left the resolution on the calendar.

Mr. CLARK. Where it still remains?

The VICE PRESIDENT. Yes; where it is now.

Mr. CLARK. I thank the Chair.

Mr. JAVITS subsequently said: Mr. President, I shall take but a moment. I hope the majority leader will indulge and understand me. I wish to discuss one little question of fact remaining from our discussion about what took place in the Senate last Thursday. Apparently it still remains not fully understood.

Mr. President, I ask unanimous consent that what I am about to say may be incorporated in my remarks made earlier in that connection.

The PRESIDING OFFICER (Mr. HART in the chair). Without objection, it is so ordered.

Mr. JAVITS. I say advisedly that I, myself, am absolutely certain that neither the majority leader nor the Vice President was conscious of what I desired to do with respect to the question of a point of order before I was on my feet. I made no statement, I repeat, to the Vice President. The only one I have any recollection of having said anything to was the majority leader. I think those facts should be clear, and I hope very much that they will also be very clear.

I again repeat, because in a way it marks a period to what I have said, that there is no question of good faith or devotion to civil rights, or anything else, which is involved. I think I have made the record clear and explicit this morning. However, there was this one little remaining question of fact which I simply wanted to be certain everyone understood.

THE GOVERNMENT TREATS SILVER WELL: WHY NOT GOLD?

Mr. GRUENING. Mr. President, the able Assistant Secretary of the Interior in charge of mining and minerals, John M. Kelly, delivered an excellent address at the National Western Mining Conference in Denver, Colo., on February 8. In it he tells of the activity of the Department discussing in his field, coal, silver, lead, uranium, sand, gravel, and much else. In regard to silver he says:

> As you know, the President's action of late 1961 in ceasing Treasury sales of silver to industry from its free stocks has had quite a beneficial effect on the silver market. The silver price now is hovering about $1.25 per ounce and there has been a substantial rise in silver production in Montana, Arizona, and Idaho. Industrial consumption continues to increase, and a substantially larger quantity was used in coinage last year, in relation to prior years. Our silver output for 1962 is estimated at $38.8 million, compared with $32.2 million in 1961.
>
> The President, in recognition of the increasing industrial demand for silver, has taken further steps to treat silver as a commodity rather than primarily as a monetary metal. In his economic message on January 21, President Kennedy recommended that the Congress:
>
> 1. Repeal those acts that oblige the Treasury to support the price of silver.
>
> 2. Repeal the 50 percent silver transactions tax.
>
> 3. Authorize the Federal Reserve System to issue notes in $1 denominations so as to make possible the gradual withdrawal of silver certificates from circulation, permitting the use for coinage purposes of the silver thus released.

That is excellent, and those of us who are interested in the wise development of all of our mineral resources can rejoice at our Government's action with regard to silver.

But what about gold? Uniquely it suffers a discrimination which is a striking paradox under our free enterprise system. Here is a mineral of great value, produced by a once great domestic industry, arbitrarily restricted by government to a sales price established 29 years ago and limited in every opportunity to market its product which should be afforded it. In consequence nearly all gold mines in the United States have shut down, and within a year or two none will be operating. This is one of the most flagrant injustices of which our government has been guilty, and it applies equally to Republican as well as to Democratic Administrations. Neither has had the vision, enterprise or interest to try to do anything about gold.

Mr. Kelly's remarks about gold are brief. He says:

> Of course, there always is a substantial interest in gold, and many varying proposals are offered. Within the scope of our responsibility in Interior, we are anxious to encourage legislative and administrative action which would provide indirect assistance to the industry through technical and exploration assistance to gold miners. Already, we have added gold to the list of minerals for which our Office of Minerals Exploration will grant—and, I might add, is granting—exploration assistance loans.

This is wholly inadequate. What is the use of assistance loans in view of the rigid price and marketing controls? These loans will not permit a single goldmine or gold dredge to resume operations or to continue operations.

Is it not about time the Interior Department viewed gold in the same way as it does silver by stressing the industrial aspects rather than the monetary. If the President has, as Mr. Kelly says, "taken further steps to treat silver as a commodity rather than primarily as a monetary metal," what is wrong about doing that for gold? It has many such industrial aspects and they are increasing. Gold is now important in space exploration. That is a new use.

In the 87th Congress two hearings were held before the Senate Subcommittee on Mines, Minerals, and Fuels of the Senate Interior and Insular Affairs Committee, in which the representative of the Treasury Department took a wholly negative attitude against any proposals before it, such as a subsidy for gold mining. At the conclusion of these hearings the subcommittee requested that Secretary Dillon, if he did not approve of the proposed measure, come up with some alternatives. To date, no reply has been received. I think it is high time that the Treasury and the Interior Departments got together, noted the plight of this industry, as well as our dwindling gold supply, and in cooperation with Congress sought an equitable solution for our gold mining industry's distress.

COMMUNITY RESPONSIBILITY

Mr. PROUTY. Mr. President, the junior Senator from Iowa [Mr. MILLER] has been a very effective and able member of the Committee on the District of Columbia. On January 4 of this year, he addressed the junior chamber of commerce. I believe the address he delivered on that occasion is sufficiently thought provoking to merit inclusion in the RECORD. Therefore, I ask unanimous consent that the address be printed at this point, in the RECORD, together with an editorial—from the Washington Post of February 4—relative to the views of the Senator from Iowa on some of the problems of the District of Columbia.

There being no objection, the address and the editorial were ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR MILLER

I would like to take the occasion of these awards to make a few comments about our Nation's Capital City.

As many of you know, it has been my privilege to have served on the Senate Committee on the District of Columbia for the past 2 years. It is pretty well recognized, I believe, that this committee has been progressive in its views and in the legislation it has reported out for passage. I am pleased to say that every member of the committee has been responsible for this record, and that bipartisanship has been the keynote under the leadership of our able chairman, Senator ALAN BIBLE.

And so, perhaps, what I have to say may be heard with the thought that I am speaking from a point of view that is friendly and in a spirit that tries to be understanding.

The other day, the President made a comment about the serious problems of the situation here in the District. He did not spell out what he meant by the situation, but I believe all of us know what he meant. He was, of course, referring to the sum total of the social problems which, added together, pose as great a challenge for their solution as those faced by any of our States. It is a challenge which must be faced honestly, intelligently, and patiently. Emotionalism will only make solutions more difficult. There will be no simple answer. Ignoring the problems, hoping they will go away, will be futile. Speeches and studies will not be enough.

Money, of course, is going to be one of the answers. There is no doubt in my mind but what the responsibilities of the city government cannot be adequately carried out unless it has the money needed to put into effect the programs necessary to meet these responsibilities.

I believe that Congress has not played fair with the District in the amount of the annual payment appropriated. When Congress passes legislation raising the salaries of Federal employees, it should recognize that this automatically will increase the budget of the District. This, in turn, warrants at least an equivalent increase in the annual payment. But this has not happened.

On the other hand, this is not just a one-way street. When Members of Congress receive reports indicating that moneys appropriated are not being prudently spent, there is a natural reaction to wait until prudent spending occurs before increasing appropriations. Abuses uncovered by Senator ROBERT

BYRD's Appropriations Subcommittee in the social welfare area were shocking to Members of Congress. The attitudes of some officials following these disclosures only made matters worse. They seemed to resent the fact that publicity was given to these abuses. Suggestions were made that these were isolated cases. When the evidence was clear that they were not isolated, complaints were made that the law was unsound. (I refer to the man-in-the-house rule, for example.) Perhaps the law should be modified, but one wonders why it had to be Congress rather than the people of the District of Columbia which dug up these abuses. Failure of the people of the District to take the initiative has placed the burden on them to satisfy Congress that prudent management of appropriated moneys is being followed. This is what I mean when I say that an increased payment to the District is not a one-way street.

Let Congress know that prudent spending is being followed and that the law is being lived up to (even granted that the law is imperfect), and I believe Congress will respond—not only in coming through with a fair annual payment but in a reasonable modification of the law if it is properly justified.

It is probable that most Members of Congress have read the citizens committee report on the Thanksgiving Day riot at District of Columbia Stadium. They have noted that major District of Columbia crime went up over 3 percent during 1962. They have read about rowdyism in some of the schools, the dropout problem, and violence of teenage gangs. And many of their constituents back home have read about these happenings, too.

Money alone is not going to solve these problems.

Stricter discipline on the part of some school officials is clearly indicated. It is unfair to the students who are sincerely trying to obtain an education to have rowdyism exist in their schools. It is unfair to the taxpayers who are paying for the educational system. It is unfair to the teachers and principals who are exercising proper discipline. Removal of hoodlums from the schools should be swift. Public employees who are derelict in enforcing discipline should be removed from the taxpayers' payroll as swiftly.

Obviously many of these disciplinary problems could be avoided if the parents concerned were exercising proper discipline in the home. More parents ought to take an active part in parent-teachers' associations, and the members of these associations could bring a great deal of effective pressure on parents whose children are not receiving proper discipline at home.

And what do we do with the dropouts and with the children who do not have parents who will give them proper discipline? I believe that trade schools offer a lot of possibilities here and that appropriations to build and staff such schools would be worth far more than some so-called Domestic Peace Corps or Youth Conservation Corps. More YMCA, CYO, Scout, and similar activities are needed. We won't have them unless more citizens volunteer their time.

The children, schoolteachers and officials, and parents are not the only ones to whom criticism should be directed. When children read or hear about numerous fraudulent claims in social welfare cases—these involving adults—can we expect them to have a proper respect for the law?

It seems to me that along with money and discipline we need something more. I think what it could be called is a sense of community responsibility. It is not acquired overnight, but acquired it must be if a city is to rise to the status of what we often refer to as "a nice place to live in."

Granted that a majority of the residents of the District of Columbia possess a strong sense of personal responsibility, this is not enough. It is not enough to say to oneself that he is law abiding, but that what his neighbor does is none of his business. It is very much his business if he wishes to have a city that is "a nice place to live in." True, he doesn't have a legal obligation to see that his neighbor lives a good life, but he has a community responsibility to cooperate with law enforcement officers in this respect; and, along with his law-abiding neighbors, he can bring pressure on the neighbor who would bring disrepute to his community. In fact, enough pressure could be brought to make a good citizen out of that neighbor.

Let me say a word about home rule for the District.

The District of Columbia, as the seat of the Government of the United States, is not a sovereign unit of government. It is owned and operated by and for all of the people of the United States as the seat of the Federal Government. Responsibility for its proper administration is vested—not in the citizens living in the District, but rather in the people of the various States, who have delegated this responsibility to their respective Senators and Congressmen. This is why we have the Senate and House District Committees on the District of Columbia.

This situation has no necessary relationship to home rule for citizens living in the District. It does have a direct bearing on the question of whether or not the District should have representation in Congress. Accordingly, I believe it is very unwise to include the subject of representation in Congress in a home rule bill. People who are strongly in favor of home rule may well be unalterably opposed to the bill if congressional representation is also included.

To me, the biggest single step that could be taken to pave the way for the sense of community responsibility which I have referred to is a good home rule status. It will not do to say that the crime rate, abuses in social welfare programs, and other social problems must first be cleaned up by the citizens of the District of Columbia as a means of demonstrating their capacity for home rule. These problems have arisen under the present system of government. A limited but substantial delegation of responsibility to these citizens for home rule holds promise for improvement—not alone because the present system has not worked satisfactorily, but because it would promote a sense of community responsibility among the citizens which, as I have pointed out, is so necessary to making this city the kind of city we want it to be.

Let the District citizens elect a city council. Give the council jurisdiction over ordinances relating to public health and safety, schools, streets, and parks. Have the councilmen elected from various sections of the District, so that the citizens from these sections will have as close control over their councilman as possible, and so the councilman will be most responsive to the needs and wishes of the people in his particular section of the District.

I would urge that these home rule elections and matters be conducted in an atmosphere as much removed from the arena of partisan politics as possible. There is no relationship between clean, sound, honest, efficient municipal government and partisanship. To bring in partisanship would tend to promote controversy rather than harmony, and it is harmony that we need so very much in the District. A Republican city council might find a Democratically controlled Congress uncooperative. Or a Democratic city council might find a Republican-controlled Congress hard to work with. There is no point in running this risk.

I first came to Washington almost 25 years ago. Then there were front page newspaper stories about home rule proposals. The stories today aren't any different. And the situation isn't either—there still isn't any home rule. Why is this so? I believe that one reason has been the lack of realism which some proponents have held in presenting the matter to Congress. It has been easy enough to get a President to come out with a statement favoring home rule, but this hasn't been enough. It is the Congress that will have to pass a home rule bill—and it is both Houses of Congress, too. Proponents have tended to ask for too much home rule, or to clutter up their proposals with the unrelated question of representation in Congress. They often forget that many Members of Congress come from cities which, under their own State laws, have very limited home rule—not nearly as much as what some of the proponents demand for the District. They are not inclined to give the District more home rule than they enjoy in their own hometowns.

The important thing is to make a start. I have suggested certain areas which I am sure a substantial number of the Members of Congress would consider reasonable and which would furnish the citizens of the District with a substantial stakehold in their own affairs. There may well be other areas of jurisdiction which could be added, but I would caution against overloading a home rule bill. Far better to have a little less than you believe necessary, and have it pass the Congress and get home rule underway, than to have a little too much and end up with nothing.

Let me make it clear that I sympathize with the reasons and feelings which have motivated those who have pushed for home rule these last 25 years that I have been following it. The desire for self-government in a nation such as ours is as natural as our desire for food and water, because it springs from our inherent nature to be free and self-determining. But I make these comments because I think that after 25 years of failure, a fresh approach may get the job done.

In conclusion, let me express my appreciation to you for permitting me to be a part of this splendid program. The Jaycees are performing a real service in the cause of a sense of community responsibility, as have all of you who have joined in making this program possible. To the winners of the Hazen Award for 1963, I extend my congratulations. It is your service—far beyond the requirements of your position—which will furnish an inspiration to your coworkers to give a little more of themselves to make Washington, D.C., a nice place to live in.

[From the Washington (D.C.) Post, Feb. 4, 1963]

COMMUNITY RESPONSIBILITY

Coming from a rational and orderly place like Iowa, which has been electing its Governors for 117 years and its territorial legislatures before that, a man has difficulty comprehending the profound damage that a century of disfranchisement has done to the District of Columbia. Senator MILLER is entirely justified in telling the people of the District that they bear the burden of proving to Congress that the city's appropriations are being spent carefully. But perhaps he does not fully realize that the District's government, given very little responsibility for these many years, is not able now to bear very much of it.

Senator MILLER was speaking particularly of the Welfare Department, which is currently being overtaken by fresh disaster. He was warning us, pleasantly but bluntly, that he does not expect Congress to put expanded funds at the disposal of demonstrably incompetent managers. No doubt that view strikes a resonance among some of the local taxpayers, as they contemplate another increase in the real estate rates. And yet the District Commissioners are seized by a strange paralysis. The old tradition of Commissioners' deference to their professional staff has petrified into an absolute reluctance to bridle them at all.

Senator MILLER recommends, of course, the solution that Iowa has always applied: the vote. The welfare scandals demonstrate the failure of communications between the prosperous classes that run this city and the less prosperous classes that receive relief. An efficient political party cuts sharply, and vertically, through the social structure, carrying back word of malfunctions in the governmental machinery. But home rule is not yet in sight, and the city's administration must be put in order before the budget hearings begin in the spring. A demonstration by its citizens that the District possesses what the Senator terms "a sense of community responsibility," both now at the District Building and later in the hearings, may very well be necessary to passage of the President's budget for the city.

ELEVENTH ANNUAL PRESIDENTIAL PRAYER BREAKFAST

Mr. CARLSON. Mr. President, on Thursday morning, February 7, 1,000 persons, including the President of the United States, the Vice President, members of the executive, legislative, and judicial branches of our Government, delegates to the conference, and representatives of the Council of Christian Leadership groups attended the Presidential prayer breakfast, at the Mayflower Hotel, in Washington, D.C.

This gathering of the leaders in government, the clergy, and lay leaders at a prayer breakfast, where we rededicated ourselves to the spiritual values which have been, and are, basic in our Nation's history, was most inspirational. It should create confidence among peoples everywhere.

I ask unanimous consent to have printed in the RECORD a copy of the program and the statements made by the President of the United States, the Vice President, Dr. Billy Graham, and others who participated.

There being no objection, the program and the statements were ordered to be printed in the RECORD, as follows:

PRESIDENTIAL PRAYER BREAKFAST PROGRAM

At 8 a.m.: Senator FRANK CARLSON, Kansas, presiding.

Invocation: Judge Boyd Leedom, president, International Christian Leadership.

Welcome: Senator FRANK CARLSON.

Breakfast.

Introduction of host, Mr. William C. Jones, of California: Senator FRANK CARLSON.

Introduction of distinguished guests: Senator FRANK CARLSON.

Scripture reading, Old Testament, Deuteronomy 8: 11-20, the Honorable JOHN F. BALDWIN, JR., of California, chairman of the House Breakfast Prayer Group; New Testament, John 15: 1-11, the Honorable JOHN STENNIS, of Mississippi, chairman of the Senate Breakfast Prayer Group.

Solo: "How Great Thou Art," Jerome Hines, an outstanding Christian layman and member of the Metropolitan Opera Co.

The Vice President of the United States.

Message: Dr. Billy Graham.

The President of the United States.

Closing prayer: Dr. Richard C. Halverson, associate executive director of International Christian Leadership.

"America": Last stanza with the audience standing:

"Our fathers' God, to Thee,
Author of liberty,
To Thee we sing;
Long may our land be bright
With freedom's holy light;
Protect us by Thy might,
Great God our King."

PRAYER BY DR. ABRAHAM VEREIDE

Infinite God, our Father, help us to pray. Help us to truly repent from our spiritual neglect and our disobedience to Thee. Open our eyes that we may see. Grant us grace to believe Thee and to rely fully on Thy word and thus in obedience to Thee to accomplish the humanly impossible.

With all America turning to Thee at this hour, we pray for Thy wisdom, grace and guidance to our President, the Vice President, the Cabinet, the courts, the Congress and all men in positions of responsibility everywhere. This we pray, O God, for our neighbors to the north, our neighbors to the south and for the world neighborhood of nations that righteousness and peace may be established.

We dedicate ourselves to Thee that justice, truth and Thy will may be done in and through us. Help us to recognize Thy constant abiding presence in infinite love, that we may go forward a united people to dare and to do Thy will.

We thank Thee for accepting us and hearing our prayers, in Jesus' name. Amen.

MESSAGE OF WELCOME BY SENATOR CARLSON

We are greatly honored that the President is meeting with us. We are also honored to have with us the Vice President, the Chief Justice, members of the Supreme Court, members of the diplomatic corps, members of the executive branch of the Government, Members of Congress and other citizens interested in the welfare of our great Nation.

This annual breakfast is in commemoration of the organization of the prayer group of over 26 years ago, which was organized in Seattle, Wash.

I am glad to report that this year an ever-increasing number of prayer breakfasts are being held not only in the United States, but in many foreign lands.

As a result of action taken at the last Governors' Conference, the Governors of many States are this morning holding simultaneous breakfasts with us in their State capitols. In addition, mayors of many cities are holding prayer breakfasts at this time.

We are indebted to former Gov. Price Daniel, of Texas, for his assistance in arranging these Governors' breakfasts, as well as securing NBC television coverage of this breakfast.

It is most encouraging to note the interest that is being manifested in these breakfasts.

The cornerstone of American life rests on a strong prayer foundation. I firmly believe that the greatness of America comes from the loyalty, the patriotism and the righteousness of our people.

It is imperative, in order to preserve and save our sacred freedom, that we have a strong and courageous God-fearing people and a total mobilization of all the spiritual forces of the Nation.

We welcome you here this morning.

INTRODUCTION OF HEAD TABLE GUESTS BY SENATOR CARLSON

Mr. Jerome Hines; the Honorable W. Willard Wirtz, Secretary of Labor; the Honorable J. Edward Day, Postmaster General; Mr. William C. Jones, host; the Honorable Robert S. McNamara, Secretary of Defense; the Honorable John Stennis, Senator from Mississippi; the Chief Justice of the Supreme Court; Dr. Abraham Vereide; the Vice President; Judge Boyd Leedom, president, International Christian Leadership; the President; Dr. Billy Graham; the Honorable John McCormack, Speaker of the House; the Honorable John F. Baldwin, Congressman from California; dean of the diplomatic corps, His Excellency, Dr. Sevilla-Sacasa; Dr. Richard Halverson; Associate Justice of the Supreme Court, the Honorable Arthur Goldberg; the Honorable Orville L. Freeman, Secretary of Agriculture; the Honorable Anthony Celebrezze, Secretary of Health, Education, and Welfare.

MESSAGE OF THE VICE PRESIDENT OF THE UNITED STATES

The VICE PRESIDENT. Senator CARLSON, Mr. President, Mr. Chief Justice, Mr. Speaker, distinguished guests, and friends, in 1778, after the long winter at Valley Forge, Gen. George Washington issued a general order to the Americans under his command, and that order said, "The signal instances of providential goodness which we have experienced and which have now almost crowned our labors with complete success demand from us in a peculiar manner the warmest returns of gratitude and piety to the Supreme Author of all good."

It is in that spirit that we meet here this morning as Members of the Congress, the judiciary, and the executive branches of the Government of the United States. Our Constitution separates state and church. We know that separation is a source of our system's strength, but the conscience of our Nation does not call for separation between men of state and faith in the Supreme Being.

Since the United States first stood on its feet among the nations of the earth, the men who have guided her destiny have had the strength for their tasks by going to their knees. This private unity of public men and their God is an enduring source of strength for our Nation and for our cause. It is a source of reassurance for the people of America to know that those entrusted with public office are never too powerful and never too proud to pray, for while history has shown that nations can be powerful without being godly, history has also demonstrated that the people do not prosper where the rulers of their nation are godless.

The men and women of this Capital who bear the heavy responsibilities of public trust pray not for favor upon missions of conquests and dominion, but for guidance that their discharge of responsibilities toward fellow human beings may be both worthy and wise and just.

Our goal is a world of peace, a world in which justice prevails, a world in which the light of freedom pervades the farthermost corner of the darkness of tyranny.

I am sure that these prayers and these goals are in the hearts of all Americans who are represented by those present today at this annual Presidential Prayer Breakfast in Washington led by our great President.

And now it is my high honor and my great pleasure to present a speaker who is not new at these annual prayer breakfasts. Here and in all nations, he has carried the message of prayer and salvation to more people than any other living person. He not only is a great ambassador for the Lord, but also for the spirit and the ideals of America. Dr. Billy Graham.

MESSAGE OF DR. BILLY GRAHAM

Dr. GRAHAM. Mr. President, Mr. Vice President: Damocles, who lived in the fourth century B.C. once insulted the King of Syracuse during a royal banquet. He was condemned to sit beneath a naked sword suspended by a single hair. President Kennedy has reminded us that the whole world now sits in that chair with total destruction hanging by a hair above its head. Nor can we escape by turning our heads and wishing it would go away. The blade keeps on swinging, and the thread that holds it grows thinner and more frayed with each passing day.

Even the most naive among us must now recognize that we will eventually face a crisis that will make the recent Cuban affair pale into insignificance. Many factors lead us to recognize that we stand on the threshold of unprecedented events that will test the moral and spiritual toughness of this Nation as it has not been tested since the Civil War.

In the picturesque language of his time, the prophet Jeremiah, speaking for God, rebuked the people of Israel for holding broken cisterns. He said, "For my people have committed two evils. They have forsaken me, the fountain of living waters, and hewed them out broken cisterns that can hold no water." Israel stood at the crossroads of her national life, a way of deliverance and victory was offered by God, but they preferred to go their own way. It seemed more reasonable to trust in plans which they themselves had devised, but their plans failed, and their hopes were drained away through the cracks in these worn out cisterns.

The Psalmist said, "Some trust in chariots and some in horses, but we will remember the name of the Lord our God." Today we, as a Nation, are offered a choice. We stand at the crossroads of our national destiny. Once again we can hear the voice of Moses as he stood before the people of Israel and challenged "Who is on the Lord's side? Let him come unto me." Once again we can hear the voice of Joshua as he hurled an ultimatum to the people of his day: "Choose you this day whom you will serve. As for me and my house, we will serve the Lord."

We can take the road of our own choosing if we want to, but the Bible warns "There is a way that seemeth right unto men, but the end thereof are the ways of death." And when the storm breaks in all of its fury, we can run for our sedatives, but it will be too late. Or we can choose God's way, that at times seems mysterious and strange, but with sheer trust in Him we could this day in this place commit this Nation to a path of national righteousness.

We have on our coins "In God We Trust." Let's show the world by our courage, by our disciplined living, by our example and by our prayers that we mean it. Let us, as a people, and as leaders this day, rededicate ourselves to the moral and spiritual principles that have undergirded this Nation from the beginning.

I challenge you here today, and the Governors prayer breakfasts that are watching by television, to lead this Nation back to the God of our fathers, and trust Him for our deliverance and our salvation.

What is the formula? How can we do it? The Bible tells us: "If my people which are called by my name shall humble themselves and pray and seek my face and turn from their wicked ways, then will I hear from Heaven and forgive their sin and heal their land."

During the Civil War, President Lincoln deemed it necessary to call this Nation to national repentance. So the Nation once again is in need of repentance of its sins, and a renewal of faith in God. How can it start? Where must it begin? It can begin with you as an individual. The greatest contribution that any citizen can make to the Nation's strength at this hour is your personal faith in Jesus Christ. Christ died on the cross to bring about a reconciliation between God and man. He stands ready to forgive and to cleanse. He will make the crooked paths straight. He can give a new dimension of living to all of our people.

This is the path we must follow. This is the road we must take. Otherwise, we shall surely meet the fate of other nations of history. The King of Syria once sent an entire army to capture one prophet of God by the name of Elisha. He was in his home at the top of a hill at Dothan. At sunrise, Elisha's servant saw a huge army completely around the city with their horses and chariots. Frightened, he ran to his master and said, "What shall we do?" Calmly the prophet answered, "Fear not, for they that be with us are more than be with they." The prophet said, "Lord, I pray Thee open his eyes that he may see," and on that day God caused one of the greatest military victories of all history. It was brought about by the faith and prayers of a man that believed God.

The Scripture says, "Blessed is the nation whose God is the Lord." If we will put our trust and faith and hope in Him, we need not have fear that any enemy, however strong, can overwhelm us.

Mr. President, this day we dedicate ourselves to pray for you and your administration as you lead the country in this crucial period of history. May God bless you and those associated with you.

MESSAGE OF THE PRESIDENT OF THE UNITED STATES

The PRESIDENT. Mr. Chairman, Senator Carlson, Mr. Vice President, Rev. Billy Graham, Mr. Speaker, Mr. Chief Justice, gentlemen, I am honored to be with you here again this morning. These breakfasts are dedicated to prayer and all of us believe in and need prayer. Of all the thousands of letters that are received in the office of the President of the United States, letters of good will and wishes, none, I am sure, have moved any of the incumbents half so much as those that write those of us who work here in behalf of the country are remembered in their prayers.

You and I are charged with obligations to serve the great Republic in years of great crisis. The problems we face are complex; the pressures are immense, and both the perils and the opportunities are greater than any nation ever faced. In such a time, the limits of mere human endeavor become more apparent than ever. We cannot depend solely on our material wealth, on our military might, or on our intellectual skill or physical courage to see us safely through the seas that we must sail in the months and years to come.

Along with all of these we need faith. We need the faith with which our first settlers crossed the sea to carve out a state in the wilderness, a mission they said in the Pilgrims' Compact, the Mayflower Compact, undertaken for the glory of God. We need the faith with which our Founding Fathers proudly proclaimed the independence of this country to what seemed at that time an almost hopeless struggle, pledging their lives, their fortunes, and their sacred honor with a firm reliance on the protection of divine providence. We need the faith which has sustained and guided this Nation for 175 long and short years. We are all builders of the future, and whether we build as public servants or private citizens, whether we build at the national or local level, whether we build in foreign or domestic affairs, we know the truth of the ancient Psalm "Except the Lord build the house, they labor in vain that build it."

This morning we pray together; this evening apart. But each morning and each evening let us remember the advice of my fellow Bostonian, the Reverend Phillip Brooks: Do not pray for easy lives. Pray to be stronger men. Do not pray for tasks equal to your powers; pray for powers equal to your tasks.

THE RATIONALITY OF U.S. AGRICULTURAL POLICIES

Mr. CARLSON. Mr. President, in recent years questions have been raised regarding the contribution of the farm program to our economic development and national goals. Dr. Walter W. Wilcox, senior specialist in agriculture, of the Legislative Reference Service, in a paper presented at the annual meetings of the American Economic Association, in Pittsburgh, Pa., last month addressed himself to this topic. He finds that agriculture's performance in the recent postwar years is most impressive.

Farming efficiency has increased more rapidly than industrial efficiency. Abundant supplies of food have held down inflationary pressures in the United States, and have contributed to economic development in many underdeveloped countries. Farm tenancy is now at a record low, and the cost of food as a percentage of consumers' incomes is the lowest in the world. In fact, when the cost of the price-support program is added to the retail cost of food, consumers in the United States are still getting a bargain, as compared with consumers in other countries.

In spite of recordbreaking increases in efficiency in the postwar years, farm production expenses per unit of output have increased 20 percent. This is largely because of industrial price rises. And, even though price-support programs were in effect, farm prices declined 11 percent.

Because of the many detailed and interesting facts in this article, I ask unanimous consent to have it printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE RATIONALITY OF U.S. AGRICULTURAL POLICIES

(By Walter W. Wilcox, Library of Congress)

Agriculture's outstanding contribution to the economy of the United States and the world in recent years represents merely a continuation of its long record as a dominant force in American economic development. In this country's infancy it was the agricultural exports of the colonies which financed much of the original industrial development. O. V. Wells, in an excellent paper presented at the centennial observance of the U.S. Department of Agriculture, reviewed the performance of agriculture in the past 100 years in relation to current theory regarding agriculture's appropriate role in the economic development of a nation.[1]

He found that agriculture was a dominant force in pulling the American economy out of the difficulties of the 1870's and was a strong sustaining force in the 1880's and 1890's. And, especially in the last half of the period, agriculture released large numbers of workers for employment in other industries and supplied a growing market for the manufacturing and service industries. In short, he found the 100-year record of American agriculture measured up in every respect to all that might be expected of it by current theories of economic development.

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[1] O. V. Wells, "Agriculture—A Moving Force in Economic Growth," proceedings of the World Food Forum (USDA, 1962). He examined five areas of performance: (1) That of expanding the supply of food and agricultural raw materials keeping pace both with increasing population and incomes; (2) the release of workers for industrial and other nonfarm employment; (3) the generation of foreign exchange and domestic capital for industrial development; (4) the provisions of a growing market for the manufacturing and service industries; and (5) that of providing sufficiently abundant supplies of food and the natural raw materials to assist in controlling inflation.

AGRICULTURE'S POSTWAR PERFORMANCE

Agriculture's performance in the postwar years is fully as impressive as its 100-year record. In the past 10 years the average annual increase in output per man-hour on farms was three times the rate of increase in nonfarm activities. Also in 1948-53, the most recent 5-year period for which data are available, total factor productivity was increasing at a rate more than 50 percent faster in the farm than in the nonfarm sector.

Employment in the agricultural labor force has declined by one-third—or about 2.8 million during this period—releasing sufficient workers to account for one-fourth of the growth in civilian nonagricultural employment. Only Sweden has equaled the United States in the rate of decrease in the farm labor force in recent years.[2]

Farm output per unit of all resources used in production increased by more than 30 percent in the postwar period.

Farm tenancy declined moderately during this period and farm consolidations led to a decrease of more than 2 million—or 35 percent—in the number of farms between 1947 and 1961. About 80 percent of all farms, averaging a third larger than in 1947, are operated by owners or part owners today. Owner-operated farms as a percentage of all farms enumerated are now at a record high.

Not only did farm output increase by one-third in the 1947-61 period, but meat animal and other livestock products increased by a similar percentage. Per capita consumption of red and poultry meats increased by 29 pounds, or 17 percent.

Per capita production and consumption of frozen fruits and vegetables tripled during this period. In addition to supplying domestic consumers with increasing per capita supplies of meats, poultry and fresh frozen fruits and vegetables, both commercial and noncommercial exports of food and fibers also were increased.

As a result of sharply higher weekly wages and only slightly higher retail food prices, expenditures by urban wage earners' families for a fixed basket of farm-produced food dropped from 37 percent of annual earnings in 1947 to 23 percent in 1961.

Because of the ample supplies of food at moderate prices, even though diets were upgraded sharply, expenditures for food dropped from 27 percent of consumers' disposable income in 1947 to 19 percent in 1961. Over half of this 19 percent goes to the food processors and distributors; less than 8 percent is received by farmers.

The retail cost of food plus the Government cost of the farm prices support programs in 1961 was only 20 percent of consumers' disposable income, less than the cost of food alone as a percentage of consumers' income in 1958 or any earlier year.

Per capita food costs, including the Government cost of farm price supports, are the lowest on record and the lowest in the world—in relation to consumers' earnings. Moreover, these relatively low per capita costs for food and price support programs, include the financing of national food reserves for emergencies, supplementary distribution of nutritious foods to domestic low income consumers and an annual contribution of $1 to $2 billion of foods and fibers to the food-for-peace part of U.S. foreign aid program.

Agriculture's productivity greatly eased the inflationary pressure in the postwar period. In spite of the price support and supply adjustment programs in effect during this period, farm prices declined 11 percent (from 1947-49 to 1961). Wholesale prices for all commodities other than farm products and foods increased 28 percent during this period, and the retail prices of all consumer items other than food increased 31 percent.

How better can the rationality of past policies be judged than in terms of the industry's record of performance?

Professor Brandow, in his presidential address at the annual meeting of our association in August, made the most recent overall appraisal of farm price policy.[3] He asked, "If we had had no price programs over the past 30 years, would agriculture be more technically advanced than it is? Would the reduction in the farm labor force have been much faster—especially, would more farm-reared people now be productively employed elsewhere? Would the size of farms have increased more rapidly?" His answer was: "I think not, or at least not much."

He also said, "I think, however, that average family incomes are higher than they otherwise would be—perhaps as much as one-fourth higher."

A more extended evaluation of the empirical analyses available suggest that price support programs may well have been a positive force for more rapid technical progress, increased efficiency and the speeding up of adjustments in agriculture in the past 30 years.

Studies conducted by the staffs of Iowa State University, Cornell University, the U.S. Department of Agriculture and the Joint Economic Committee of Congress, as well as my own analyses, all lead to the conclusion that these programs have held farm prices and incomes substantially higher than they otherwise would have been. Yet they primarily prevented farm prices and incomes from falling as far as they otherwise would have fallen. It is significant that in the postwar years when prices have rested on supports and price support programs were effective, returns to workers and capital in agriculture were substantially lower than the earnings of workers and the returns to capital in most nonagricultural pursuits. Also, contrary to public opinion, empirical studies indicate little distortion of crop production patterns or practices resulting from the Government price supports and acreage allotments.[4]

The major thrust of the price support programs, efficiencywise, appears to have been to facilitate more rapid technical progress. Higher and more stable incomes facilitated increased use of credit in farm consolidation and equipment modernization. Higher family incomes permitted the financing of more education for children in the family. In these and other ways, the overall effect of the price support programs probably has been in the direction of increasing the efficiency of resource allocation both within agriculture and between agriculture and other industries.

Such relevant data as are available also indicate that the income differential between the families on the low and the high production farms has narrowed in the period 1947 to date.[5] Although the price support programs have primarily benefited high production farms, price supports plus some increase in off-farm income did not prevent a drop in income on these larger farms. Increased off-farm income on the low production farms, however, has more than offset the drop in farm income resulting in some improvement in their income position.

In short, taking into account all the evidence examined, it appears that governmental farm policies have been a positive factor contributing to agriculture's performance record in recent years. This is not to infer, however, that current criticism of farm price supports is without justification.

IMPROVEMENT OF FARMERS' MARKETING POWER AN APPROPRIATE GOAL

Turning now to aspects of recent farm policies which offer greatest possibilities for improvement, one immediately thinks of the excess stocks accumulated in recent years. It is encouraging to note that in recent months progress has been made on politically acceptable and reasonably effective supply adjustment programs for feed grains and wheat. The only major commodity now subject to mandatory price supports entirely lacking supply adjustment provisions is dairy products.

There are other aspects of recent agricultural policies in need of improvement. In keeping with the general title of this series of meetings, however, my appraisal is directed to the overall rationality of farm price support and supply adjustment programs for the remainder of the 1960's.

Current price support policies are little more than a patchwork of programs originally developed in the 1930's to serve agriculture in a period of continued unemployment. At that time it was assumed that when relatively full employment was achieved, farm price support and adjustment programs no longer would be needed. Yet, as farm families on commercial farms entered the 1960's their incomes were lower relative to nonfarm incomes than in earlier years.[6]

Low farm incomes persisted in spite of:

(1) A decline of 7.3 million in the farm population in the previous 10 years;

(2) A decline of 2 million in number of farms; and

(3) Farm programs which added several billion dollars annually to farm product sales.

Excessive production on American farms is one of the basic causes of the low incomes of farm families. Regardless of the number of farm operators in the industry, farm output in recent years has been expanding more rapidly than market demand, even at substantially reduced prices. A number of factors are responsible for continued overabundant farm production. The rapid rate of technological progress, considering the economic organization of agriculture, is surely of first importance. Lack of education and training, cultural deficiencies, and lack of alternative employment opportunities for people now engaged in farming may be of almost equal importance.

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[2] International Labor Office. "Why Labor Leaves the Land." (Geneva, 1960), p. 10.

[3] G. E. Brandow, "In Search of Principles of Farm Policy." To be published in the 1962 proceedings issue of the Journal of Farm Economics.

[4] See Geoffrey Shepherd, "Appraisal of the Federal Feed Grains Programs," Agriculture Experiment Station Research Bulletin 501, Iowa State University, 1962, p. 35; Christensen and Aines, "How Have Acreage-Control Programs Affected Crop Yields?" Journal of Farm Economics, Proceedings issue, 1961; and John A. Schnittker "Wheat Problems and Programs in the United States," Agriculture Experiment Station Research Bulletin 753, Missouri State University, 1960.

[5] N. M. Koffsky and E. W. Grove, "The Current Position of Commercial Agriculture," "Policy for Commercial Agriculture," U.S. Congress, Joint Economic Committee print, November 1957, p. 86.

[6] See "Economic Policies for Agriculture in the 1960's," U.S. Congress, Joint Economic Committee print (November 1960), p. 1.

Farmers have much to gain from improvements in the functioning of other sections of the economy. Higher educational standards and more nonfarm job training programs are needed in the rural areas. Above all, a more rapid rate of national economic growth and a more rapid rate of growth in stable nonfarm job opportunities is needed.

Industrial price stability also is urgently needed to assist in relieving the current cost-price squeeze in farming. Even though manufacturers of industrial products have operated at less than full capacity much of the time in recent years, there have been substantial increases in the prices of industrial products purchased by farmers. Largely because of increased industrial prices, even though farm output per unit of input has increased 30 percent in the postwar years, expenses per unit of output have been rising while prices received by farmers have been falling. Production expenses per unit of output are now 20 percent higher than in 1947–49 while prices received by farmers are 11 percent lower.

A recent monograph on oligopoly and technical progress points out that in countries where oligopolistic organization of industry prevails, including the United States, the fruits of technical progress in industry tend to be distributed through rising money incomes, while in agriculture where atomistic competition prevails the tendency is for prices to fall.[7] The exchange ratio between agricultural and industrial products thus deteriorates for agriculture. Furthermore, in such economies technical progress generates stronger unemployment than new employment forces.

Political as well as economic uncertainties make it hazardous to rely on an accelerated rate of economic growth and employment, to be achieved by appropriate fiscal and monetary policies, as the complete solution to farmers' economic problems. It also is doubtful that educational standards and training programs can be improved and expanded rapidly enough to make an appreciable contribution to the solution of farmers' economic problems in the near future.

Rather than relying solely on improvements in the nonfarm economy to protect farmers to the extent possible against further worsening of their economic position, in view of the structure of the economy, continued supply adjustment and government price support programs in the 1960's may be expected to increase both agricultural and national welfare. They would avoid the slowing down in farm consolidation, investment in labor saving equipment and in adoption of more efficient practices which would result from sharply lower prices and incomes. Output per unit of input, which has increased dramatically in recent years, will be higher in the late 1960's if farm income stabilization measures are continued than it otherwise would be according to this analysis.

In addition to the monograph mentioned earlier two recent papers describe in some detail the influence of market power structure on the output patterns of agriculture, labor, and industry.[8] Free markets for the products of corporate industry and organized labor (free of government influence) in the 1960's they point out, lead to output results entirely different from those of a free market in agriculture with its atomistic structure. Their analyses indicate that "free markets" in modern manufacturing industries, under existing market structures and regulations governing labor and industry, lead to private supply control or supply management. With its atomistic structure and rapidly developing new technology, free markets in agriculture, however, lead to excessive supplies at even substantially depressed price levels.

In the 1920's the leading agricultural reform movement was to make the tariff effective for agriculture. In the 1930's the goal of agricultural policy was to protect farmers' economic position in a period of continued larger scale unemployment. The 1950's was a period of indecision as to whether farm price support and adjustment programs were needed. The steadily worsening position of commercial agriculture in the late 1950's, reflects farmers' inadequate market power in a period of rapid technical progress.

An indication of the current weak market position of farmers and the highly favorable position of consumers may be inferred from the fact that although production expenses per unit of product have increased 20 percent in the past 14 years and domestic consumers are now receiving a third more food, payments to farmers for this increased quantity of food in recent years have been 6 percent less than in 1947–49.

In the light of this evidence the improvement of farmers' market power might well be the central agricultural policy goal for the remainder of the 1960's.[9]

IF IMPROVEMENT OF FARMERS' MARKET POWER WERE MADE THE CENTRAL GOAL OF AGRICULTURAL POLICY

The central goal of Government agricultural policy at the present time is the achievement of parity of returns for resources used in agriculture with those used in other sectors of the economy. There is widespread agreement on the desirability of achieving this goal but bitter controversy over the feasibility and desirability of alternative means of achieving it. Although there might be similar controversy over alternatives for improving farmers' market power, the focal points of the controversies would more often be decentralized in commodity groups. Also, by focusing improvement of farmers' market power it should be possible for farm groups to achieve a better balance of supply with market demand with less direct Government involvement in production and marketing practices than otherwise.

One of the unfortunate developments in recent years is that farm price-support programs have become more Government regulations to be circumvented to the maximum extent possible. Too little discussion and effort in recent years has gone into assisting farms groups increase their market power locally and regionally as well as on a national basis. Our educational system has been concerned with ways of expanding output and not with appropriate ways for dealing with the limited markets for family farmers in a predominantly commercial and industrial society. Our educational system has failed farm people in this postwar period to such an extent that misguided leaders have caused a great deal of confusion of the issue regarding appropriate national farm production and price policies, when markets are limited.

If strengthening farmers' market power were made the central goal of the Government's agricultural policy in the 1960's, more emphasis would be placed on research and education focusing on market organization and structure. There would be more emphasis on improvements in marketing which farmer cooperatives could achieve with a minimum of help from Government.

As groups of farmers understand their own price and income problems better, there probably would be more use of marketing agreement and market order programs including supply adjustment incentives.

National supply adjustment programs, although modified from time to time, probably would be continued and perhaps would be expanded to additional agricultural commodities on a moderate economic incentive basis. If farmers and farm groups increased the effectiveness of their own organizations it might be possible to operate future national adjustment programs with fewer Government administrators.

Farmers, if they understood their marketing and price problems as well as they understand their production techniques would, I believe, develop organizations which could increase their market power with only a minimum of direct Government activity such as the use of market orders. Where farm groups assumed major responsibility for the programs, the Secretary of Agriculture might find his essential functions those of administering market orders and protecting the public interest. The goal of full parity of returns per unit on the labor, management, and capital invested, might well become the upper limit to be achieved, if possible, by the strengthened market power of a farm group or by a supply adjustment program.

U.S. AND COMMON MARKET AGRICULTURAL POLICIES SHOULD BE HARMONIZED

In addition to the inferior market power position of family farmers, the major new development farm price policies faced in the 1960's is the unified internal and external policies of the European Common Market. Farmers in all Common Market countries have problems somewhat similar to those of U.S. farmers. Each country has a complex set of price supports, subsidies, and regulations.[10] As these become unified under the Common Market authority it is urgent that United States and Common Market farm policies be shaped in a manner to permit adjustments in food and fiber production in line with comparative advantage in the Atlantic Community.

It is also probable that throughout the 1960's supplies of food and fiber in international trade will be overabundant relative to available commercial markets at even substantially reduced prices. It would be entirely consistent with a policy of strengthening farmers' market power, for the United States to take a leading role in developing international food and fiber agreements which include supply adjustment and price stabilization provisions.

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[7] Paolo Sylos-Labini, "Oligopoly and Technical Progress," Harvard University Press, 1962.

[8] Robert L. Clodius, "Lessons from Recent Antitrust Decisions—An Economist's View," in forthcoming proceedings of 1962 American Farm Economics Association meetings, and National Council of Farmer Cooperatives statement before the House Committee on Agriculture on "An Adaptive Program for Agriculture," Aug. 9, 1962, committee hearings, series MM.

[9] Harlen L. McCracken, in his recent book "Keynesian Economics in the Stream of Economic Thought," Louisiana State University Press, 1961, says that the guiding principle in the work of John R. Commons was a statement by Sidney and Beatrice Webb: "It is a sound principle of government established over two thousand years, that where two parties to a contract stand on unequal footing and one has undue power to oppress the other, it is not the privilege but the duty of the state to step in and succor the weaker party." Commons reasoned, "Transactions result in contracts; contracts are enforceable by public authority; therefore public authority must see to it that contracts are negotiated by equals. And where equality is impossible or cannot be secured, the government must throw its weight in the balance on behalf of the weaker party" p. 64.

[10] Agricultural Policies in the European Common Market Countries, U.S. Congress, House Committee on Agriculture (1962).

SITUATION OF THE MAGAZINE PUBLISHING INDUSTRY

Mr. CARLSON. Mr. President, I know that many of my colleagues have shared my concern for the economic difficulties that has beset a large segment of the magazine publishing industry during the past few years. True, some of the reverses are the result of normal attritions that occur in any highly competitive endeavor. Nevertheless, it has been a sad and nostalgic experience to witness the plight of many of the famous journals and periodicals that had become so important a part of our heritage and way of life. Probably no single industry has contributed so much over so long a period to our national development and unity of spirit as has the periodical publishing industry.

The current issue of Barron's I am happy to report, carries an article of renewed hope and optimism for this industry. Entitled "Back in Circulation," the article portrays confident assurances that "magazines are regaining some of their lost prestige and profits." It is one of the most significant statements and hopeful references I have seen in some time. The reassurances contained in the article should be given the widest possible circulation. It is for this reason, Mr. President, that I request unanimous consent that the article be printed in its entirety in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BACK IN CIRCULATION—MAGAZINES ARE REGAINING SOME OF THEIR LOST PRESTIGE AND PROFITS

(By David A. Loehwing)

A few weeks ago, the television program "Open Mind," seen Sunday afternoons (sustaining) on New York's WNBC–TV, invited five prominent magazine men to preside, in effect, at their own wake. The topic for discussion was "The Crisis in American Magazines," and the moderator, Prof. Eric Goldman, of Princeton University, taunted the panel with being part of a horse-and-buggy industry, destined to disappear from the American scene. If smug TV executives expected so easily to kick dirt over the prostrate form of the magazine business, however, they were disappointed.

The five (Joseph Culligan, of Curtis Publishing Co., Dan Mich, of Look, John Fischer, of Harper's, Woodrow Wirsig, of Printer's Ink, and Bernard Asbell, president of the Society of Magazine Writers) neatly demolished Professor Goldman. Mr. Mich pointed out that magazines in 1962 had their best year in history, both in advertising revenues and in copies sold, and Mr. Fischer was able to prove that they are growing in influence. Taking a backhanded swipe at their host, panel members agreed that the magazines' chief difficulty these days is finding enough good writing to satisfy a public whose appetite for culture has been only whetted by television.

OPTIMISTIC PUBLISHERS

General prosperity is the chief reason for the current optimism; magazines are highly susceptible to the ups and downs of the business cycle. Many publishers also are convinced that they have special things going for them. For one, they profess to discern, on the part of advertisers, a certain disenchantment with television, deepened by the Government's crackdown on that medium's extravagant audience claims. For another, magazines are improving their own product and sharpening their selling methods. Again, many firms are achieving greater earnings stability through diversification. Finally, publishers have called a halt to the disastrous circulation race which killed a half dozen general interest "books" in as many years, and are making a concerted effort to end other forms of cannibalism.

The proof is in the figures. According to the Magazine Publishers Association, advertising revenues of 82 leading magazines (altogether there are more than 8,000) rose 5.4 percent last year, to a record $875 million. Readership increased, too: the combined circulations of 269 magazines which have their sales audited reach 196.8 million, up 2.8 percent from the total for 270 magazines in 1961. It simply is not true that television is crowding the magazines out of their market. Since 1949 their circulation per 100 adults has risen from 130.4 to 157.1, while the upward trend of their advertising revenues is about as steep as before TV came along. Advertisers have more than tripled their outlays for space since World War II; the magazines' share of the $3.6 billion spent in four media (TV, magazines, newspapers, radio) last year was just under 28 percent, up from 26.5 percent in 1958. Further gains are expected this year. Most ad space is bought months in advance of publication dates, and bookings for the first half of 1963 are well ahead of last year.

Nearly a score of publicly held companies are sharing in the gain. Time, Inc., which puts out Time, Life, Fortune, Sports Illustrated, Architectural Forum, and House & Home, is the Nation's (and the world's) largest magazine publishing concern, with gross revenues well above $300 million. Others include Curtis Publishing Co. (Saturday Evening Post, Ladies Home Journal, Holiday, American Home, Jack & Jill); Cowles Magazine & Broadcasting, Inc. (Look, Family Circle, Insider's Newsletter); McCall Corp. (McCall's, Redbook, Saturday Review of Literature); Macfadden-Bartell Corp. (Pageant, True Romance, True Love, and eight other fan and romance books); Esquire, Inc., and New Yorker Magazine, Inc. Since Coronet died in September 1961, Esquire's only entries are Esquire itself, the Gentlemen's Quarterly and Scott stamp albums. The New Yorker confines itself to publishing the urbane weekly which, despite its name, gets 80 percent of its circulation from the hinterlands.

Besides the foregoing, several publicly held firms concentrate on what is called the special-interest field. The largest is McGraw-Hill Publishing Co., Inc., which puts out Business Week and 30 other business and industrial journals. Others include Chilton Co., which has 20 titles; the Penton Publishing Co., with six; and Breskin Publications, Inc. (Modern Plastics and Modern Packaging). Conde Nast Publications, Inc., (Vogue, Glamour, Mademoiselle, House & Garden) is rated a special-interest concern, as are the American Heritage Publishing Co., Inc. (American Heritage, Horizon); Meredith Publishing Co. (Better Homes & Gardens, Successful Farming); Universal Publishing and Distributing Corp. (Golf, Ski, Family Handyman); and National Periodical Publications, which accounts for about a third of the 350 million comic magazines sold annually in the United States.

CLIMBING EARNINGS

Since they do not compete directly with TV, special-interest magazines generally outperform the broad-scope periodicals in terms of earnings growth. To be sure, in 1962 Meredith lost ground for the second year in a row, and a 2-percent gain in the operating earnings of American Heritage failed to offset a 16-percent rise in the number of shares outstanding; the company's per-share net was lower. Nonetheless, some of the industry's best gains last year were posted by the special-interest publishers.

The performance is likely to be equaled or surpassed this year, although Conde Nast officials say they will be content if they can hold last year's 100-percent jump in net. That was due chiefly to economies achieved by merging Living for Young Homemakers, acquired with the 1959 purchase of Street & Smith, into House & Garden. More sanguine, L. Keith Goodrich, executive vice president of McGraw-Hill, believes that over the next 2 years that firm's earnings will average at least $1.40 per share, with variations depending on when the cost of moving some departments to a new building in New Jersey is absorbed.

Irwin Donenfeld, vice president of National Periodical Publications, looks for further gains in 1963, although perhaps not on the scale of the 36-percent jump in net last year, which stemmed chiefly from a 2-cent boost in the selling price of comic books. Universal's President A.E. Abramson has his eye fixed on 65 cents per share in fiscal 1963, against 59 cents in 1962. Chilton's President G. C. Busby says the outlook for 1963 is "so good it's almost frightening."

THE LEAN YEARS

Such optimism in the special-interest field is nothing new. Far more noteworthy is the swaggering of the general-interest magazine publishers. While they have managed to score gains in both circulation and advertising revenues in the face of TV competition, there is no denying that the past few years have been difficult. Witness the number of publications that have died: Colliers, Coronet, Woman's Home Companion, American, Quick, Bluebook, and dozens of lesser-known journals. Quite simply, they were caught in a vise-like profit squeeze.

In 1950, the 35 largest publishing houses reporting to the MPA had aftertax profits amounting to 4.3 percent of sales, but in 1960 the comparable figure was 1.4 percent and more than a third were losing money. In the decade of the fifties, while Time, Inc., boosted its gross revenues 115 percent, from $134 to $287 million, profits increased only 9.4 percent, from $8.5 to $9.3 million. Curtis Publishing's volume went from $149 to $260 million in the same period, but earnings skidded from $6.2 to $1 million.

Last year, it became apparent to everyone that Curtis Publishing was in deep trouble. In 9 months it had run up a $14 million deficit, and the full-year projection was for $19 to $20 million. Along Madison Avenue, where the scent of blood always enrages the sharks, knives were drawn for the kill. Bernard Gallagher, the street's official gossip, wrote last fall: "One major publication has its space salesmen waving $100 bills with the offer to bet that the Saturday Evening Post won't be in business next July."

Since the turn of the year, however, that bet has been called and raised. Five top-ranking advertisers have signed network contracts for full-page ads in every issue of Curtis' four major publications, on a year-round basis. "Call it an act of faith if you wish," says Marty Sheridan, vice president of Admiral Corp., which is one of the five. "In effect, we are betting well over $1 million that the Post will survive."

The man generally credited with winning a new lease on life for Curtis is 44-year-old Matthew Joseph Culligan, who wears a black patch over one eye and an earnest, almost fanatic expression in the other. The effect on space buyers is nothing short of hypnotic; Culligan's renown as a supersalesman dates from 1958, when he saved NBC Radio. Since taking over as president of Curtis last June, he has personally buttonholed hundreds of ad agency and corporation executives, preaching to them about the pulling power of his magazines and the savings inherent in Curtis' new volume discount plans (up to 35 percent on the network buy).

"The change is refreshing in itself," says one media man. "Curtis representatives used to act as though they were doing you a favor to sell you space." Culligan has also lopped 1,400 people, or $8 million annually, off the company's payroll and given the Post's new editor, Clay Blair, Jr., license to add a little tabasco to the bland diet which the magazine offered its readers for many years. As a result, billings are running 10 to 15 percent ahead of last year, and by the last half of 1963 Culligan is confident the firm will be in the black.

BEACON OF OPTIMISM

Magazines are sensitive to trends, whether literary or fiscal, and Curtis' difficulties had cast a pall over the entire industry. Conversely, as one publisher puts it, "that little ray of hope now kindling in Philadelphia is being magnified into a bright beacon of optimism." Virtually everyone connected with the business is forecasting better times ahead. For example, A. L. Blinder, president of Esquire, projects 65 cents per share in fiscal 1963, ending March 31, against a 78-cent deficit (due to the Coronet shutdown) in 1962. With first-quarter ad revenues running 12.5 percent ahead, he looks for further gains in the coming year. Gerald Bartell, board chairman and president of Macfadden-Bartell, declares, "This is our year." He expects to convert the 1962 operating loss of a few cents a share (before a $529,000 nonrecurring profit on the sale of a radio station) into a sizable profit.

For his part, Marvin Whatmore, vice president and general manager of Cowles, Inc., says, "I have never been so high on magazine publishing as I am now." Cowles recently boosted its dividend from 15 cents semiannually to 10 cents quarterly, and Mr. Whatmore predicts a 10 percent gain in revenues in 1963. Herbert Mayes, president of McCall Corp., says linage in the first three issues of McCall's is 8 percent ahead of last year, in Redbook 10 percent. Hence, he foresees no difficulty about fulfilling our minimum objective of a 10 percent jump in net. Andrew Heiskell, board chairman of Time, Inc., looks for a 5 to 8 percent increase in advertising revenues and adds menacingly that profit margins will also rise—or else.

A FEW CLOUDS

True, there are some dark clouds. Magazine profits will be adversely affected by the postal rate increase voted by Congress last year. It takes effect in three annual bites, the first of which began last month, and for most publishing firms it will amount to a rise of about 16 percent in postage costs over the 3-year period. McGraw-Hill executives say their tab will be just under $550,000 in the first year, or 3 cents per share after taxes. Time, Inc., which uses direct mail extensively for soliciting subscriptions, will be harder hit; the company estimates that its postage bill will go up at least 23 percent, or about $3 million, over the 3-year period. Publishers say, however, that the measure finally adopted by Congress was a reasonable compromise, far less brutal than they had anticipated.

To some extent, the improved outlook stems from publishers' diversification into other fields of endeavor. Cowles, for example, is going into encyclopedia and trade book publishing and has just bought a second newspaper. Time, Inc., has set up joint ventures with publishers in Argentina, Italy, and Japan to turn out magazines in those countries and, via acquisition of Silver Burdett Co., has invaded the textbook business. Universal, which already derives half its income from paperback books, has entered the vocational guidance field with a series of manuals for high-school youths on opportunities in various professions. American Heritage is looking to the other end of the age scale: it has purchased a concern called the Retirement Council, which sells advice to men about to retire.

Probably the most extensive diversification has been carried out by Esquire, which now derives about 60 percent of its income from nonmagazine activities. However, according to Mr. Blinder, acquisitions have been made with an eye to utilizing, in other fields, the promotional know-how of the magazine organization. As an example, he cites Esquire's purchase of Wide-Lite Corp., a manufacturer of lighting fixtures. Manufacturers of office copying machines have proved, Mr. Blinder says, that sales of industrial equipment can be successfully promoted through advertising in consumer magazines, and he intends to demonstrate this relationship further by pushing Wide-Lite fixtures in Esquire. Other fields in which the company now has a stake include data processing, book publishing, and educational films.

To their credit, few publishers are deserting to the enemy—television—in search of profit opportunities. Their resoluteness, however, may stem from tactical rather than ideological considerations. Mr. Culligan thinks that announcing the acquisition of a TV station was what finished Colliers a decade ago. "You cannot go to advertising agencies purporting to be a man interested in magazines and then make your first executive decision a statement about the purchase of a television station," he says. "Psychologically, that was an error from which they never really could recover."

Both Cowles and Time, Inc., do have TV interests, but they are relatively small. Macfadden-Bartell is putting its chips, not on commercial television, but on pay-TV, which executives of the firm are convinced is destined to become big business. They are committed to a $350,000 investment in a 3-year test in Denver by their two-thirds-owned affiliate, Macfadden-Teleglobe-Denver Corp., starting in April.

THE PROFIT SQUEEZE

As for the magazine business itself, the immediate task of publishers is to beat the profit squeeze. The latter stems from no reluctance to raise ad rates. Average cost per thousand readers of a four-color page in a nationally circulated magazine rose from $3.58 at the end of World War II to $6.11 last year; the 73 percent rise was almost exactly that of the wholesale price index.

Magazine costs, however, have risen a good deal more steeply than those of industry in general. By automation or other means, most other manufacturers have been able to offset rising labor costs with higher productivity, but the publishing business has been less fortunate. Nothing has come along since the typewriter to speed the output of writers; in fact, the high prices which TV pays for material have bettered their bargaining position, and editorial outlays have increased faster than ad rates.

Through scientific research financed by the magazine publishers, however, some progress is being made toward holding down paper and printing costs. Cowles takes credit for two forward steps in this area. One is the trailing-blade process for coating paper, which gives a smoother printing surface; developed in 1956 from Mr. Whatmore's basic idea, it is now accepted throughout the industry. More recently, the firm has come up with what it calls Look-Kromatic, a refinement of the gravure technique, which gives more sparkle to four-color ads. Over the past 5 years Cowles has put more than $2 million into research, and Mr. Whatmore says the firm is close to another printing breakthrough.

CUTRATE SUBSCRIPTIONS

The toughest nut to crack, from the standpoint of costs, has been distribution. Here the postwar flight to suburbia, particularly of the young married couples who are the best sales prospects for goods advertised in magazines, forced publishers to change their ways. Newsstands, traditional outlets for magazines as well as newspapers, simply do not reach out effectively to suburbanites. Television, on the other hand, does.

In order to compete with the "big eye," magazines put on costly subscription campaigns, sometimes by house-to-house canvassers, more often by direct-mail teasers, but always with cut-price "trial" offers. So prevalent have the latter become that relatively few subscribers today pay the full price. Indeed, with the January issue, Reader's Digest cut its basic subscription price from $4 a year to $2.97, explaining that the latter figure was more realistic because "nearly all of our subscriptions are sold at $2.97 anyway."

Although expensive, cutrate subscription campaigns can be singularly successful in building circulation. Over the past 5 years, despite a decline of 18 percent in single-copy (mostly newsstand) sales, the total circulation of 270 leading magazines has increased 9 percent—owing to a 25-percent jump in subscription sales. Bemused by the ease with which readers can be "bought," many publishers have plunged into what has come to be known in the trade as "the numbers game." It bears a certain resemblance to Russian roulette. The circulation of a magazine is boomed by means of a forced-draft subscription campaign, and advertisers are called upon to pay the tab through higher page rates—supposedly justified by the larger readership. If all goes well, the magazine thus will overwhelm its competitors and become the leader in its field.

At some point in the process, however, ad agency media experts may begin to doubt the quality of the readership and call for statistics on renewals. Unless a high proportion of the "trial offer readers" renew at the full rate, they are not considered true subscribers. If the media men cannot be satisfied on that score, advertising revenues will start to dry up immediately. As the magazine becomes thinner and thinner, readers also lose interest and the renewal rate drops further. Soon the magazine fades into the limbo of Colliers, Coronet, and the other publishing ghosts.

There is some evidence that magazine managements are starting to see the folly of the numbers game. "We learned our lesson with Coronet," says Mr. Blinder. "We are not likely to repeat the experience with Esquire." Life, announcing a boost in subscription prices, to take effect next month, proclaimed, "We are not in the numbers race." At this news, executives of Look, which surpassed Life in circulation last year, smirk: "That's because they're losing it." At the same time, they deny that Look's reader lists are being expanded by other than "natural" means.

Mr. Mayes says that McCall's circulation guarantee will remain at 8 million, although the actual figure is 8.2 million, and that ad rates will not be increased this year. Mr. Culligan has lowered the guarantee on the Ladies Home Journal from 6.75 to 6.5 million, even though average circulation in the second half was 7.1 million, and the page rate has been trimmed accordingly. "We are out of the circulation race," he declares. "If circulation goes down, it will just have to go down. Those who want to compete with TV on a numbers basis have my best wishes."

ENTER UNIVAC

Computerization of subscription fulfillment departments, meanwhile, is trimming distribution costs. Time, Inc., has two IBM 7070's to perform the tedious task of keeping track of subscribers' accounts and printing their names and addresses on the gummed labels used to direct magazines through the mails. The same technique has resulted in side profits for Esquire. When

Coronet folded, the company was left with excess capacity in its data-processing center, and it began performing the service for others. Now it handles subscription fulfillment for 18 publications and has ordered a new Univac III, for delivery next summer, to double the center's capacity. Mr. Blinder says the system has cut Esquire's fulfillment cost 30 percent below that of a decade ago.

In their continuing battle with TV for advertising revenues, magazine publishers say they are making progress. Admittedly gains in television time sales last year (network up 11 percent, spot 15 percent, local 8 percent) far outstripped those of magazine advertising, but in some product categories there was apparently a slippage.

In the first half of the year, according to Gallagher's Reports, jewelry, optical goods and camera ads on network television were off 7 percent, while household furnishings manufacturers cut their time purchases by 6 percent. "Advertisers are less mesmerized by TV nowadays," says Mr. Blinder. "If you have a product that is for tremendous numbers of people and if you can afford it, TV can do a great job. But if you have to be selective, other media can do a better job."

Mr. Culligan has a theory, which he believes is gaining credence in the industry, that magazine men would do better to snipe at TV than at each other. By standing together, he thinks they will be able to convince advertisers that, while television may be the best medium for selling impulse, packaged goods (like soap, cigarettes, and cakemix), magazines can more effectively promote sales of high-priced and high-style items, like automobiles, dresses, and furniture, purchase of which normally calls for some reflection. "If we can get across to advertisers a realization of that fundamental difference and stop all this cannibalism," Mr. Culligan says, "magazines will have their best decade in history."

Publishers are crowing over the current difficulties of the television rating services, which were ordered by the Federal Trade Commission a few weeks ago to tone down claims of almost total accuracy in measuring audiences. Two congressional committees also are threatening to investigate the ratings. As a consequence, magazine people hope that advertisers will conclude that television is not quite so all pervasive as it pretends.

READER SURVEYS

The magazine companies, meanwhile, are doing what they can to pep up their own product and heighten its salability. Since one of their selling points in fighting TV is selectivity, they conduct endless surveys to determine for advertisers just who their readers are, how much money they have, and where their interests lie. Macfadden-Bartell, for example, has just completed a year-long, $100,000 study of the 13 million working class housewives it claims to reach with its romance and movie fan publications. The project not only has served to put the advertising fraternity in closer touch with a vast segment of the American market, but also has reshaped the thinking of Macfadden editors.

"These women are not nearly so stupid as the magazine fraternity thought," says Mr. Bartell. "We have greatly upgraded the editorial content of the books, and I am convinced this is responsible for the dramatic upturn in sales." Ad revenues of the Macfadden women's group showed a 45-percent gain last year. Incidentally, a stockholder's suit which has plagued the company since the Bartell brothers took over a year ago was settled recently.

LURING SPACE BUYERS

Another lure which the publishers are using successfully to snare advertisers is the regional breakout. It enables a manufacturer whose product is distributed in only one part of the country, the Middle Atlantic States, for example, to place an ad only in the copies of Life or Look, say, which will be delivered in that area. Rates, naturally, are far lower than for the nationwide audiences which those magazines can deliver but which would be superfluous to such a company. Look, which pioneered the plan, now offers breakouts for any State or combination of States. During the New York newspaper strike, Life has been inserting several pages of local news, as well as ads, in the copies delivered in the metropolitan area. According to Gallagher's Reports, ad revenue from regional editions reached $130 million last year, up 30 percent from 1961, and it may hit $175 million this year.

Newest bait for space buyers is the renewal discount. Faithful advertisers who renew expired contracts, agreeing to take as much space as before, are rewarded with discounts running to perhaps 5 percent. "Magazine publishers have perhaps been slow to recognize the inherent advantages in discount pricing, long used effectively by broadcast media, but they're making up for lost time," says C. R. Devine of the Reader's Digest. "These renewal discounts simply give recognition to the basic principle that continuity in advertising is one of its essential ingredients. It isn't, by any stretch of the imagination, bargain-basement price cutting."

Others in the industry, to be sure, do see a bit of the bargain-basement touch in Mr. Culligan's 35 percent discounts to purchasers of network schedules. A few gossips, indeed, hint that these contracts may not be profitable, and that Mr. Culligan may simply be trying to build up sales volume quickly, as window dressing for potential lenders. Some months ago it was reported that Curtis management was considering recapitalization moves which would eliminate certain restrictions on borrowing. Nevertheless, the new discount-house atmosphere at Curtis is undeniably meeting with approval from ad agency men. The Saturday Evening Post has signed up 21 clients for 1963 who were not Post advertisers in 1962, while 41 who did use the magazine last year have increased their schedules.

THE EDITORIAL PRODUCT

"In the final analysis, of course, magazines stand or fall chiefly on the merits of their editorial product. That's what makes this business so difficult to analyze from an investment point of view," muses Gerald Rosen, financial vice president of American Heritage. "Book value, asset value—the usual yardsticks are meaningless. Everything depends on the imagination, the creativity of the staff, and how do you measure that?"

The point is illustrated by the New Yorker, which has compiled an enviable earnings record by ignoring virtually all considerations except editorial quality. "Our editors don't even have a budget," says a business-side executive, obviously awed by the power of the pen. "They just pay what they consider necessary to get what they want, and I can tell you it's more per reader than any other publication."

No effort is made to recruit subscribers, all of whom must pay the full rate, cash in advance, while advertisers are permitted to buy space if the book is not too full and their copy is acceptable. Last year, the New Yorker turned down $500,000 worth of advertising, much of it because editors deemed the copy too shrill. Yet the magazine runs more pages of advertising than any other, at a stiff $7.46 per thousand of circulation for a black-and-white page, and profits consistently run to 10 percent of gross volume or better, as against the industry average of 1.4 percent.

It is a truism that great magazines are created by great editors, and when the New Yorker's Harold Ross died in 1951 fears were expressed that the book might not long survive him. Since then, however, advertising pages have increased from 3,500 annually to 5,000, and per-share earnings have climbed from $2.04 to $7.29. "As A. J. Leibling said at the time," recalls the company spokesman, "'Look what happened to sex after Freud died.'"

American Heritage Publishing Co. since 1954 has been attempting to duplicate the New Yorker's success, while accepting no advertising at all, with two hard-cover, bimonthly publications of high literary and artistic quality. American Heritage, with which the enterprise was launched, makes U.S. history come alive at $15 per year, while Horizon, started in 1958, covers the contemporary cultural scene at $21 for six issues. Sales and earnings followed a steeply ascending trend line until fiscal 1962, ended last June, when net slipped to 82 cents per share from $1.07. The previous year's earnings, however, were abnormally high because of the success of Bruce Catton's Picture History of the Civil War, which brought in over $4 million. Mr. Rosen declines to make predictions about this year.

EXIT "TOGETHERNESS"

Lately, the editorial bias of many consumer magazines seems to be shifting. Only a few years ago "togetherness" was a byword, and the chief preoccupation of writers was to avoid controversy; deep subjects were shunned like the plague. Now, in contrast, editors are looking for significance and their predilection for the controversial is such that some observers fear the country may be in for a new era of muckraking.

Mr. Mayes is widely credited with starting the trend. Fired from Good Housekeeping in 1958 for insubordination, he became editor of McCall's at a low point in that magazine's 60-year history. Circulation and advertising revenues were slipping, and had become a drag on earnings (derived chiefly from printing magazines for other companies at its Dayton, Ohio, plant). Searching for a formula which would distinguish McCall's from the crowd of women's books, he experimented with some heavy fiction—Paul Gallico, John Steinbeck, and others.

The response was so favorable that Mr. Mayes came to the conclusion, then considered almost heretical for an editor of a woman's magazine, that his readers might have interests other than recipes, clothes, and babies. In 1960, he startled the publishing world by running Anthony Eden's memoirs, and he followed it up with Sherman Adams' "The Real Story," a "Letter From Mrs. Khrushchev," and a blast at the British royal family by the Duchess of Windsor. McCall's promptly climbed from third to first place in the women's magazine field.

Other magazines were quick to follow his lead. Look has been making headlines with such material as its recent article charging a deal between Mississippi Gov. Ross Barnett and Attorney General Robert Kennedy at the time of the Ol' Miss integration riots. The magazine's public relations chief, indeed, claims that the average issue of Look gets a half dozen "wire breaks" (stories on the AP or UPI wires).

Whatever the consequences, through meaningful journalism, the magazines are fulfilling a need. Says Harper's Editor John Fischer: "As long as magazines offered the same kind of commodity that television did they were in trouble; as long as they depended on pictures and light entertainment, they were trying to sell something the reader could get for nothing on television. But that day is pretty well past. Magazines have gotten much more serious, and I think they are much more important to the country than they have ever been before, because newspapers have been getting steadily worse in their coverage of world events. The country depends much more on magazines to interpret and give a rounded picture of the world."

TAX CUTS VERSUS DEFICITS

Mr. LAUSCHE. Mr. President, we read that the public is to be educated into believing that although in this fiscal year without a tax cut the Federal Government will be operating in the red by about $9 billion, our economic position will be better if we spend more and tax less.

The promoters of the theory that the evil of spending more than you take in can be cured through a tax reduction are depending upon some mysterious power of hokus-pokus. The economic advisers are using a lot of jargon to give strength to their fantastic proposition.

For example, they make a distinction between an active deficit and a passive deficit. What the difference is, I cannot understand. They argue that when you deliberately tax less than you deliberately spend, you have an active deficit which is not harmful, but when you spend more than your taxes produce, a passive deficit results causing grave harm to the economy.

The promoters of the principle that by taxing less and spending more the country will be better off contemplate what is called an intensive educational program. Labeling it an educational effort is wrong, because in truth it is nothing but a brainwashing undertaking.

We are in need of a tax reform aimed at producing a system of taxation which will restore incentives for investment and will remove the present provisions deterring our economic growth.

Tax reductions can honestly be made only when warranted by a sound financial situation of the Federal Government that takes into account:

First. The amount of the national debt.

Second. The extent to which we have paid off the debts incurred in World War II and in Korea.

Third. The confidence of the people of the world in our paper currency.

Fourth. The ability and willingness of the public out of savings accounts to buy the deficit financing bonds instead of having them bought finally by the Federal Reserve Banking System which might mean calamity and at least the gravest danger.

Fifth. The status of our gold reserves, which now are down to the precarious level of about $16.5 billion.

A tax cut without a corresponding reduction in spending will merely increase the already alarming deficits, substantially increase the interest burden which already amounts to $10 billion a year, increase the national debt which is already up to $300 billion—being $30 billion more than it was at the end of World War II in 1945, and further increase the fiscal burdens that will have to be carried by future generations.

The folly of accepting the advice of the modern, sophisticated, nonpuritanical monetary and fiscal advisers, remembering, for example, that for this fiscal year the prediction was made by them in January of 1962 that we would enjoy a $500 million surplus, but contrary to the prediction we now find a $9 billion deficit.

Mr. President, tax reductions cannot be made by the use of a magician's wand, as pretended by the economists of the 1962 school.

Tax reforms are needed to remove present provisions which stifle the incentive of investment and produce inequities in carrying the tax burden.

With the reforms should come a reduction in spending or at least an end of the Federal Government's—first, creating new subsidies and increasing old subsidies; second, taking on functions that historically have been performed by local and States governments; third, entering into functions never intended for performance by Government but by private enterprise; and, fourth, promoting at this time of desirable but not essential projects.

If the reforms are adopted and spending reduced, or at least abated, then and only then shall tax reduction be justified.

Beware of this 1962 school of economists. They are playing with dynamite. They are experimenting and in doing so will bring on catastrophe unless stopped.

BIRTHDAY OF KOSCIUSZKO, GREAT POLISH PATRIOT

Mr. PROXMIRE. Mr. President, on February 12 Polish-American communities throughout the United States observe the birthday of Tadeusz Kosciuszko, the Polish general who became a hero of our Revolutionary War.

In Milwaukee, Stevens Point, Pulaski, and many other Wisconsin communities, American citizens of Polish descent take pride in the great contributions of this Polish patriot to our Nation. Kosciuszko came to America in 1776 to join George Washington in the fight to free the colonies from British domination. He built the fortifications at West Point, fought with distinction in the battles of New York, Yorktown, Saratoga, and the Carolinas, and served as Washington's adjutant.

After our Revolution he returned to Poland, where he commanded the revolutionary army in the rebellion which followed the first partition of the Polish nation by Russia, Austria, and Prussia. As commander he was temporarily the ruler of his country, and in that capacity he freed the serfs and tried to abolish serfdom. His gallant fight was successful for a time, but he was unable to prevail ultimately against the combined might of his country's three powerful oppressors. He died in exile in Switzerland; his dream of a free and independent Poland was not realized until a century after his death, and then for only the short space of 20 years.

Tadeusz Kosciuszko was a democrat of the school of Jefferson and Lafayette, far ahead of the political and social thinking of the Europe he knew and lived in. Only in the American Revolution were the democratic ideas he fought for brought to fruition in his time.

In respect for the great history of the Polish nation, in sorrow for the enslavement of Poland behind the Iron Curtain, and in honor of the Polish-Americans who are among our country's finest citizens, we observe the 217th anniversary of Kosciuszko's birth.

HAIL LITHUANIA'S INDEPENDENCE DAY

Mr. PROXMIRE. Mr. President, 45 years ago on February 16 Lithuania was proclaimed an independent country after 123 years of Russian rule. Today, in many communities throughout the United States, commemorative observances are being held in honor of this small nation and its gallant people, who have been under Soviet domination for 23 years.

Lithuania was not always a tiny Baltic nation. In medieval times the Lithuanian kings ruled most of what is now Russia. After four centuries of union with the Poles, Lithuania, coveted by imperial Russia for its Baltic ports, fell to the Czar when Poland was dismembered by the three great eastern powers of the time. National liberation came only in the final year of World War I. The short 22 years of life given to Lithuania as an independent nation were filled with threats and deprivation, but the people, including the thousands of Lithuanian Americans, lived happily in their national fulfillment.

World War II brought both the Wehrmacht and the Red army to Lithuania. It ceased to exist as an independent nation, though the United States has never extended recognition to the Soviet annexation. Free Lithuania exists today only in the hearts of its people. Russian oppression is severe, but the hope of a better future survives. As a pledge that all the enslaved peoples of Eastern Europe will on some distant day be freed, we in the United States observe the anniversary of the birth of independent Lithuania.

HEAVY COST OF THE MOON PROJECT

Mr. PROXMIRE. Mr. President, recently the New York Times published an editorial which critically discussed the $2 billion proposed increase in spending for the Space Agency. Together with virtually ever other Member of Congress, I heartily support the objectives of the Space Agency. I recognize that the objectives are very laudable. At the same time, I feel strongly that the Senate and the House have not debated this enormously expensive program adequately or critically. There has been no hard, tough challenge of this fantastically expensive program.

The editorial which appeared in the New York Times is a thoughtful, constructive, and critical evaluation of the proposal. I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Reaching for the Moon

A budget increase of $2 billion (or 75 percent) for the Space Agency to proceed with the top priority manned lunar landing program as the major goal within this decade once again raises doubts about the wisdom of such a crash project. The program is conservatively estimated to cost $20 billion by 1968, and possibly as much as $30 to $40 billion, not to mention the enormous diversion of scientific and human resources to this one objective.

Scientists of the eminence of Dr. Vannevar Bush hold that an instrumented mission, such as the highly successful Venus probe (Mariner 2) would yield the same knowledge about the moon at a minute fraction of the cost of the proposed manned lunar landing. Whatever additional knowledge a manned landing may give us, it may be reasoned, would still be available in the decades beyond the 1960's and could be obtained at a much more leisurely pace at much smaller cost.

The achievement of a manned lunar landing within this decade is sometimes justified on grounds of national prestige. This argument is based on the doubtful assumption that if we do not place a man on the moon in this decade, Russia will get there first. But the question remains whether the prospective gain in prestige outweighs the loss in development of scientific and human resources in other directions that the United States will inevitably suffer by such large-scale concentration of its energies and abilities on an intensified moon race.

Boosters powerful enough to send a round-trip manned mission to the moon would also have the power to send intercontinental ballistic missiles with 100-megaton warheads to any target on earth. If the real reason for the crash program is this, the military reason, then we believe the American public should be told so.

Energetic research and development efforts in space are vital, as a report just issued by the President makes clear, but intensive work (and expenditures) in the vast expanse of space studies is far different from—and far more important than—a mere race with the Russians. Whether the $20 billion (or $40 billion) race to the moon is justified on scientific, political, or military grounds, we do not think the matter has been sufficiently explained or sufficiently debated. We hope it will be in the present Congress.

SUPPORT FOR RAISING MANDATORY SCHOOL ATTENDANCE TO AGE 17

Mr. PROXMIRE. Mr. President, recently I introduced a sense-of-the-Senate resolution calling on States to increase the mandatory school age to 17, as one means of coping with unemployment. I received an eloquent, thoughtful, and remarkable letter from a young lady, who lives in Rockford, Ill., age 15, who is now in school. I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ROCKFORD, ILL., *January 29, 1963.*

DEAR SENATOR PROXMIRE: I happen to be 15 years old and I just want to say I like your idea of raising the age limit for quitting school. I like school very much and enjoy going and the number of kids that drop out each year bothers me terribly because they are not only cheating themselves but they cheat the country and the many people who finish school will end up helping them support themselves, with the exception of a few who will become successes.

I hope you will do everything humanly possible to get your bill passed. I realize there are many people who will find faults with it, but in the long run it will be a lot better, not only for the individual, but for the country as well. I am behind you 100 percent.

In my opinion, anyone who does not agree with you should stop and think of it from this point of view: we teenagers have to take over this country of ours and I should think you, as adults, would want even the people who drop out of school to be more educated than they are.

Unfortunately, the American people do not find out enough about the bills suggested by our Senators and Representatives, so I sincerely hope you will write to me and tell me how the bill fares.

Thank you for your time and God bless you and your fellow Senators.

I hope you forgive me for typing this entire letter but I write about as bad as the President. In fact, I am insulting the President by saying that; I write worse.

Yours truly,

GAYLE HILLYER.

P.S.—Why don't you talk to the President if you both can find the time to get together?

CAPTIVE EUROPEAN NATIONS ON HUNGARIAN REVOLUTION

Mr. PROXMIRE. Mr. President, the plight of the peoples of Eastern Europe has been a matter of concern to the United States ever since the realization shortly after the end of World War II that the Soviet Union had executed a power play throughout that region and was setting up puppet governments by force in order to keep these nations under continuing domination.

Our interest in Eastern Europe was sharpened in 1956 when we watched the tragedy of the Hungarian revolution played out almost before our eyes. The naked cynicism and inhumanity of the Soviet Government were uniformly revolting to the American people.

The Assembly of Captive European Nations is an organization devoted to the cause of freedom for Eastern Europe. At its recent plenary assembly, the organization adopted a declaration concerning the handling of the Hungary question in the United Nations. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the declaration was ordered to be printed in the RECORD, as follows:

THE QUESTION OF HUNGARY BEFORE THE UNITED NATIONS

(Declaration unanimously adopted in the 105th (extraordinary) meeting of the plenary assembly, in New York City, on January 23, 1963)

Ever since 1956, the Assembly of Captive European Nations has made the question of Hungary one of its main concerns. This concern was and is motivated not only by the moral and political solidarity binding all victims of Soviet imperialism. It also stemmed from the expectation that the brutal aggression the Soviet armed forces perpetrated before the eyes of the whole world, against a people which succeeded in overthrowing a Moscow-imposed Communist regime, would refresh the memory of similar armed interventions which, in the confusion of the final phase of the Second World War and of the initial postwar period, brought forth the establishment of Communist regimes throughout East-Central Europe. It was the hope of the assembly that the leading free nations would be thus prompted to open the issue of the forcible suppression of freedom and independence in all captive countries, this unresolved consequence of World War II, before the United Nations and at all high-level international conferences, and to keep it open until resolved in harmony with the universally recognized right of self-determination.

The decisions taken at the last session of the United Nations General Assembly on the question of Hungary, and the trends revealed by the handling of the matter and by the debates as well, once again dim these expectations. They are, indeed, indicative of a rather general reluctance to broaden the issue, and suggest a growing inclination to downgrade and eventually eliminate it from the concern of the United Nations.

The resolutions adopted by the United Nations General Assembly on the proposal of the United States comprise two positive features the Assembly of Captive European Nations is all the more anxious to welcome as they are in accord with the requests it repeatedly presented to the free United Nations member nations. One is the decision of the Committee on Credentials, promptly confirmed by the General Assembly, not to validate the credentials submitted by the Kadar regime. The other, is the reaffirmation, in the preamble of the resolution adopted on December 20, 1962, of the objectives of the resolutions adopted in 1956 and 1957. In the words of the report submitted on September 25, 1962, by Sir Leslie Munro, special United Nations representative on the question of Hungary, "basically these resolutions were directed toward three objectives: (a) Withdrawal of Soviet forces from Hungary; (b) free elections in Hungary under United Nations auspices; (c) observance by the Hungarian authorities of fundamental human rights and freedoms." It is a matter of regret that the resolution carefully avoids spelling out these objectives and that it contains no direct call on the Soviet Union and the Kadar regime to comply with past resolutions, and no condemnation for their defiance of the authority of the United Nations.

The resolutive part of the resolution raises serious questions. It provides for the suppression of the position of United Nations Special Representative on the Question of Hungary and requests the Secretary General "to take any initiative that he deems help in relation to the Hungarian question." It must be noted that the last holder of this position, Sir Leslie Munro, was given in 1958 the task "to represent the United Nations for the purpose of reporting to member states or the General Assembly on significant developments relating to the implementation of the resolutions of the General Assembly on Hungary." The terms of reference given for the Secretary General are at once broader and much more vague. He is not asked to report on developments, or to seek compliance with past resolutions. He is given a blanket authority to exercise any initiative in relation to the question of Hungary. It is to be hoped that there will be no attempt to construe this as meaning that the General Assembly and the individual members have divested themselves of the right to taking any initiative on the Hungarian question in favor of the Secretary General. The recent suppression of the United Nations news broadcasts to Hungary on the alleged ground that the Hungarian question is no longer on the agenda, and news reports about behind-the-scenes talks on an amnesty in Hungary, to be announced before or during the projected visit of Secretary General U Thant to Budapest, and to be followed by the rehabilitation of the Kadar regime, are by no means the only developments justifying serious apprehension in this respect. There have been further disturbing developments the Assembly of Captive European Nations is enjoined to mention:

1. Unlike in past sessions of the United Nations General Assembly, the Question of Hungary was not dealt with directly by the Assembly, but was assigned to the special political committee which ranks way behind the political committee, and placed on its agenda as the last item.

2. United States initiative was late in taking shape. The ground was thus left

open for an intense effort on the part of the Communist delegations, aided by some nonalined delegations, to push the argument that Hungary was a mere cold-war issue and, as such, had no place on the agenda. Another consequence was that time for debate was reduced to a minimum and friendly delegations were not encouraged to speak.

3. Most supporters of the U.S.-sponsored resolution studiously averted mentioning the main demands of past resolutions and stressed, instead, as the United Nations objective, the alleviation of the "plight" of the Hungarian people.

As all other captive peoples, the Hungarian people would naturally welcome any improvement in their lot. But they are not prepared to give up their birthright, individual freedom, and national independence, in return for some marginal ameliorations. By the same token, they would welcome an amnesty for a number of political prisoners now smarting in Kadar's jails. But not at the price of shutting the prison doors on a nation of 10 million; not at the price of sealing their national subjugation. The prisoners themselves, in jail precisely because they stood up for freedom, would not welcome a bargain which would deprive their sacrifices of any meaning. The Assembly of Captive European Nations hold that the West has the right and duty to demand freedom for them without any blackmail payments, by using the many means of pressure available to it.

The fundamental issue, of which the recent developments on the Hungarian question are but reflections, is whether the United States and its allies will put their faith in the people of the captive countries and continue to press for the restoration of their rights by every legitimate means; or whether they will put their faith in an effort to bribe, cajole, and convert the Communist masters of these countries in the vain expectation to wean them away from the Soviet Union—the source and only proven safeguard of their power and privileges.

The Assembly of Captive European Nations would be remiss in its duties if it were not to warn against the harmful consequences of the latter option for the moral integrity and political security of the free world. It trusts that for reasons of principle and self-interest the leading free nations would choose to side with their true allies—the peoples of the captive countries. It hopes that this decision will soon be reflected in a determined effort to maintain United Nations concern for Hungary and to extend it to all captive nations.

DEFICIT SPENDING

Mr. WILLIAMS of Delaware. Mr. President, under date of February 6, 1963, there appeared a syndicated column by Mr. Henry J. Taylor in which he commented upon the recent request of the Senator from Virginia [Mr. BYRD] for the resignation of the new Budget Director, Kermit Gordon.

This articles gives an excellent summary of Mr. Gordon's testimony wherein he as the new Budget Director has renounced any intention of attempting to achieve a balanced budget. In fact, it called attention to Mr. Gordon's apparent belief that there is virtue in Federal deficits.

In reply to this radical proposal of the new Budget Director, the Senator from Virginia [Mr. BYRD], who is recognized as this country's outstanding authority on budgetary policies, made some well chosen remarks.

Mr. Taylor's article which so clearly outlines the dangers of deficit spending should be read by every Member of Congress.

I ask unanimous consent that the complete article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARTICLE BY HENRY J. TAYLOR

Senate Finance Committee Chairman HARRY F. BYRD, Democrat, of Virginia, is calling for the resignation of (new) Budget Director Kermit Gordon, another White House Robin Hood of the red ink.

This easy-come easy-go professor turned politician looks to clear-eyed Senator BYRD like a crow guarding our corn.

Dr. Gordon testified before the Joint Economic Committee on January 29 that "a balanced budget would lead to increased unemployment, higher taxes and a general economic decline."

Says BYRD: "I submit that a man who thinks a balanced budget would be a catastrophe belongs elsewhere. It is the Director's function to protect the budget, not to destroy it. If we do not get crackpot economists out of such positions heaven help the American people and the whole United States. And the whole free world, besides."

The debt is $305 billion. Every baby born here today already owes the U.S. Government $1,600. Whether times are good or bad Washington still runs in the red, no matter what taxes the spenders collect. We have had a net deficit of $28 billion since the Korean war. There was a $3.9 billion deficit in fiscal 1961; another $6.4 billion last year instead of the surplus President Kennedy and Treasury Secretary Douglas Dillon predicted; and there will be another $9 billion deficit this year.

Budgetman Gordon sounded to Senator BYRD like the Japanese pickpocket: "So solly, please," with a toothy smile, his hands fumbling in somebody's vest. Gordon's incomprehensible economic jargon likewise failed to confuse this senior Senator. He can translate it into commonsense (or not) very fast indeed. "The children are trying take over the candy store," said BYRD.

Solvency disappears through the self-interest of opportunists who will one day be gone while the wreck they leave behind is not.

France collapsed under the economic opportunism of Socialist-Labor Premier Leon Blum—the same debt theory New Frontiersmen sponsor here as if it has not already been discredited everywhere tried.

Well, Senator BYRD knew Blum and remembers him. Moreover, by common consent, BYRD has the Capitol's best fiscal staff. He does his own homework. Usually he knows more about official proposals than the proposers know themselves. This makes him a hard man to bog down in the hot and fetid swamps of political doubletalk.

Treasury Secretary Dillon is also encountering Gordon's difficulty. Under the law, the Secretary of the Treasury is intended to be the watchdog of our moneybags, along with the Budget Director, the taxpayers' friend and guardian. When Mr. Dillon asked Senator BYRD's committee to confirm him in this post, he testified: "Everything we do depends on having a sound economy, which, in turn, means a sound fiscal system." Mr. Dillon called a balanced budget "essential for national security."

He stated our colossal debt must be reduced. The earliest moment wasn't even soon enough, he said, looking Senator BYRD square in the eye. It all turned out to be a mere Sunday pose.

Within 90 days after the Byrd committee confirmed Mr. Dillon he announced that President Kennedy's vastly increased deficit from added spending "is not a cause for alarm." He forecast even bigger deficits to come. "These, too," he said, "will be entirely appropriate."

The watchdog quit watching on the very day his guard duties began and he has been a leading Robin Hood of the red ink ever since.

Their policy says we must go further in debt by borrowing more to pay expenses so that we can give more away. This is not a policy; it is a political picnic. "It is easy to be generous with another's goods" was a proverb even in the days of Rome. Governments become corrupt and venal (which party makes no difference) from feeding on absolute power. The first place they show it is in the handling of the people's funds. Senator BYRD is not misled by the appearance that this is right. No wonder he says Budget Director Gordon should resign. The New Frontier sent a boy on a man's errand when it sent Gordon to confuse Senator BYRD.

THE ADMINISTRATION CORRECTS SOME OF THE ERRORS IN ITS TAX PROPOSALS

Mr. WILLIAMS of Delaware. Mr. President on January 31, 1 week after the President's tax message was sent to the Congress, I illustrated for the Senate several instances in which retired persons would pay higher taxes under the President's proposals than under the existing law. On February 6, 2 weeks after the President's message was referred to the Congress and on the day the Secretary of the Treasury appeared before the Ways and Means Committee to explain the President's message in more detail, the Senator from Florida received from the Secretary of the Treasury a letter commenting on my statements. In this letter which the Senator from Florida inserted in the RECORD on February 7, Secretary Dillon agrees that my illustrations accurately reflect the impact of the President's proposals upon older retired persons and he concedes that some older people will pay higher taxes under the proposals than under the existing law. With respect to my illustrations of the impact of the proposals upon retired people under age 65, however, he stated that I was not correct. I rebut the Secretary's statements.

I stated that under the President's proposals persons retired on disability pensions before retirement age would pay tax, whereas under the existing law they would owe none. I based my statement on the following sentence taken from page 16 of the President's message:

> The sick pay exclusion—which is of greatest benefit to those with large salary incomes and of far less value to most wage earners—should be repealed.

In his statement to the Ways and Means Committee on February 6, Secretary Dillon, who apparently had studied my illustrations, said:

> There is one matter in this area that may deserve special attention. Although it is not specifically mentioned in the law, and apparently was not contemplated in 1954 when the sick pay exclusion was adopted, the present internal revenue regulations state that permanent disability pensions are covered under the sick pay provisions even though a return to work is not contemplated.

It would seem only fair to provide that those receiving disability pensions under existing contracts should retain their present benefits.

The only other instance in which Secretary Dillon disagrees with my illustrations concerned a retired taxpayer under 65 who had previously worked for the Government. I stated he would have to pay more tax under the proposal than under the existing law. I based this on the following sentence from page 12 of the President's tax message—relating to the tax credit for the aged:

> This credit would replace both the extra exemption allowed to older people and the retirement income credit.

Later, in his statement to the Ways and Means Committee on February 6, Secretary Dillon, who again apparently had studied my illustrations, stated:

> Under the President's proposal this complex retirement income credit would be eliminated, except that, as a transition measure, persons who have already retired on public pensions by December 31, 1963, may continue to use the retirement income credit until they reach 65.

Mr. President, the examples I cited to the Senate 2 weeks ago correctly reflected the President's message. As a result of my examples, in the week following my statement to the Senate, the Secretary of the Treasury amended the President's tax proposals to insure that people already in the situations I described would not be subjected to unwarranted tax increases by the administration's tax program.

However, the Secretary has not covered the situation of those individuals under age 65 who plan to retire after 1963 from jobs covered by public retirement plans and who will have to pay more taxes under the President's tax proposals than under the existing law. As a matter of fact, a single Government worker under age 65 who retires after 1963 would have to pay more tax under the President's proposals than under the existing law if his taxable pension were between $900 and $7,792. A married couple under age 65, both of whom retire from the Government after 1963, would have to pay more tax under the President's proposal than under existing law if their taxable pension income were between $1,600 and $15,033.

Nor has he covered the situation of those individuals who retire in the future under permanent disability pensions.

I think it is fine that the administration has amended its tax proposals to the extent that it has, and from time to time, I shall point out additional situations in which the administration might also desire to amend its tax program.

At this point I ask unanimous consent that there be printed in the RECORD an article appearing in the February 18, 1963, issue of the U.S. News & World Report entitled "Tax Plan Rules Being Eased." This article further confirms that many of the features of the President's original tax proposals would have worked severe hardship on numerous people and that some of these extreme hardships are now being modified by the administration. There still remain many obnoxious features in the administration's proposals for what they describe as a tax cut.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Tax Plan Rules Being Eased

President Kennedy already has begun to accept compromises in an effort to sell tax reform to Congress.

Treasury Secretary Douglas Dillon, presenting the details of the Kennedy tax plan to the Ways and Means Committee on February 6, disclosed that the proposals announced earlier had been eased to—

Grant a minimum standard deduction of $400 to married couples—instead of $300.

Let people already retired on disability pensions continue to claim sick pay exemptions, though the Kennedy plan would deny those to others.

Let people who have retired on pensions from a Federal, State, or local agency continue to get the retirement income credit until age 65, though the plan would deny that benefit to others.

Members of Congress, pouring over the 640 pages of Mr. Dillon's statement, explanation, and exhibits, found other new and significant details of the plan

LUMP-SUM PENSIONS

Under a new proposal, employees who take their company pension or profit-sharing money in a lump sum would pay ordinary income taxes on it, instead of capital gains.

The proposed rule would not apply, however, to lump-sum payments made from sums already in pension and profit-sharing funds before February 6, 1963. Any tax would be figured as if the payment had been spread over 5 years.

STOCK OPTIONS

On stock options granted after January 24, 1963, executives would pay ordinary income taxes on the paper profit when they exercise their options. If the result is a bunching of income in one year, the executives would get to average their incomes over a 5-year period and pay the stock option taxes over that period.

INCOME AVERAGING

Any individual whose income in 1 year is more than a third larger than his average income in the 4 preceding years could figure the tax on two-thirds of his excess income as if it had been received over 5 years.

MEDICAL EXPENSES

Aspirin, other over-the-counter drugs no longer would count toward medical deductions.

Also: Air conditioners would not be deductible. Only facilities of a type customarily used primarily for medical purposes would count.

Trips to warmer climates would be ruled out as medical deductions.

DEATH BENEFITS

In most cases, the $5,000 exemption now allowed on death benefits paid to widows by their husbands' employers would be reduced. It would be eliminated in many cases.

CAPITAL GAINS AT DEATH

When an individual dies, the capital-gains tax would be applied to the paper profits on his assets. But the proposal is hedged with cushions, exemptions, a 5-year income-averaging device and a rule permitting installment payments over 10 years.

Examples: Residences and household furniture and effects would be excepted. Each individual would get an exemption of $15,000 of capital gain. A marital deduction would be allowed for bequests to wives, or to husbands. Charitable bequests would be exempt.

In most cases, too, similar exceptions and exemptions would be provided in applying the capital gains to gifts of assets that have risen in value.

SALES OF FARMS

Hobby farmers would be hit. Some of the gain on the sale of their farms would be taxed as ordinary income.

PATENTS

Inventors would pay ordinary income taxes when selling patents.

TIMBER SALES

Profits of more than $5,000 a year on the sale of timber would be taxed as ordinary income.

RIGHT TO EMIGRATE

Mr. JAVITS. Mr. President, a most important step in the progress of mankind was taken on February 1 when basic principles of human rights, including the right to emigrate, were adopted at the United Nations by the Subcommission on the Prevention of Discrimination and Protection of Minorities. The report, which deals with the right to emigrate, is a subject which, I hope very much, will have favorable action and may come before us here in the Senate.

The report now goes to the U.N. Commission on Human Rights and must be adopted first by the U.N. Economic and Social Council and finally by the General Assembly.

If the draft principles are eventually adopted, this action could have far-reaching effects throughout the world, particularly in the U.S.S.R. and other countries behind the Iron Curtain. These countries at present very severely restrict emigration to other countries.

The subcommission's draft principles were adopted by a vote of 10 to 0, with the Soviet representative abstaining. I ask unanimous consent to have printed in the RECORD at this point the summary of this action issued by the United Nations on February 1, 1963.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Press Release WS/72, February 1, 1963

The working group was set up on January 30 and consisted of the Committee's officers: A. Rosenstand Hansen, of Denmark, Chairman; D. S. Joshi, of India, First Vice Chairman; Ladislav Smid, of Czechoslovakia, Second Vice Chairman; and Chedly Ayari, of Tunisia, Rapporteur.

This working group was asked to draw up a preliminary agenda, in consultation with the representatives of Brazil, Nigeria, U.S.S.R., United States, and Yugoslavia.

The main headings of the agenda topics submitted by this working group included the following: Expansion of international trade and its significance for economic development; international commodity problems; trade in manufactures and semimanufactures; improvement of the invisible trade of developing countries; implications of regional economic groupings; financing for an expansion of international trade; other questions of economic and commercial policies affecting trade and development; and institutional arrangements, methods, and machinery to implement measures relating to the expansion of international trade.

The Committee will proceed with consideration of each of these main heading items in the preliminary agenda submitted.

On January 31, Raul Prebisch, who was recently appointed Secretary General of the

Conference, was present for the first time in the Committee. Mr. Prebisch was welcomed by the Chairman. In reply, Mr. Prebisch expressed appreciation for the generous comments which had been made. He said he trusted that he would be able to shoulder all the duties now incumbent on him.

DISCRIMINATION: SUBCOMMISSION COMPLETES WORK

The Subcommission on the Prevention of Discrimination and Protection of Minorities—which began its session on January 14 and concluded it on February 1—this week completed work on three major topics on its agenda.

It took action on draft principles defining a person's right to leave any country, a draft declaration against racial discrimination and a draft principle on religious freedom.

First, it approved, for submission to the Commission on Human Rights, a series of draft principles defining the right of everyone to leave any country, including his own, and to return to his country. This was based on a study prepared by its Special Rapporteur, Jose D. Ingles, of the Philippines. The study showed that the right seemed "by no means to be generally recognized as a constitutional or a legal right," and that only about one-third of the 90 countries studied expressly recognized it.

The Subcommission requested its parent body to recommend that the Economic and Social Council (1) urge governments to be guided by the principles drawn up by the United Nations in the matter, both in their internal policies and in their collaboration with other states; and (2) transmit the study, together with the draft principles, to an international technical conference on travel and tourism which the Council has decided to convene in Rome in August–September 1963.

The draft principles as approved by the Subcommission cover the right of a national to leave his country and to return to his country; the right of a foreigner (including stateless persons) to leave the country of his sojourn; travel documents; the right to a fair hearing and recourse to an independent and impartial tribunal by the aggrieved; sanctions; and application of the principles to all independent countries and dependent territories.

Second, the Subcommission adopted a draft declaration containing principles for eliminating all forms of racial discrimination for submission to the Commission on Human Rights. This was done in response to a request contained in a General Assembly resolution of December 7, 1962.

In that resolution, the Assembly requested the Economic and Social Council to ask the Commission on Human Rights to prepare a draft declaration and a draft international convention on the subject. The draft declaration is to be submitted to the Assembly's 18th session and the draft convention to the Assembly's 19th session, if possible, and not later than the Assembly's 20th session.

The draft declaration, as adopted by the Subcommission, consists of two principles spelled out in 15 paragraphs. It asserts that any theory of differentiation between races or racial superiority is scientifically false, morally reprehensible, socially unjust, and dangerous, and that no distinction, segregation, or discrimination in the matter of human rights, based on considerations of race, color, or ethnic origin, shall be enforced, permitted, encouraged or perpetuated.

It asks that all states shall immediately take all legislative, administrative, and any other appropriate measures to give effect to this declaration and that the United Nations has the duty to discover the forms taken by racial discrimination with a view to recommending effective measures to combat it.

Third, the Subcommission adopted a resolution urging the Commission on Human Rights to complete its examination of a series of draft principles, prepared by the Subcommission in 1960, on "freedom and nondiscrimination in the matter of religious rights and practices." The draft was prepared on the basis of a study by its Special Rapporteur, Arcot Krishnaswami, of India.

The action was taken in response to a request contained in the General Assembly resolution of December 7, 1962, for the Commission on Human Rights to prepare a draft declaration and a draft international convention on the elimination of all forms of religious intolerance for future consideration by the Assembly.

The draft principles, as approved by the Subcommission and transmitted to the Commission on Human Rights in 1960, consist of four parts. They assert that everyone shall be free to adhere, or not to adhere, to a religion or belief, in accordance with the dictates of his conscience and that anyone professing any religious or nonreligious belief shall be free to do so, without suffering any discrimination on account of his religion or belief.

Public authorities, according to the draft principles, shall refrain from making any adverse distinctions against, or giving undue preference to, individuals or groups of individuals with respect to the right to freedom of thought, conscience, and religion; and shall endeavor to prevent any individual or group of individuals from doing so.

* * * * *

HUMAN RIGHTS DAY CELEBRATION: SUBCOMMITTEE ESTABLISHED

The special committee to draw up plans for the celebration of the 15th anniversary of the Universal Declaration of Human Rights met at headquarters this week, and considered several documents prepared by the United Nations Secretariat on ways to celebrate the 15th anniversary of the declaration.

The committee was originally set up as a 13-member body, but it expanded its membership to 21 on January 28. Its members now are: Argentina, Canada, Ceylon, Colombia, Costa Rica, Ecuador, France, Greece, Guinea, Iran, Italy, Japan, Jordan, Mali, Mauritania, Saudi Arabia, Thailand, United Kingdom, U.S.S.R., United States, and Uruguay.

On January 28 the committee formed a subcommittee to prepare working papers for the next meeting. The subcommittee is composed of the representatives of Argentina, France, Greece, Jordon, Mauritania, Thailand, U.S.S.R., and United States.

In the discussion, a number of speakers suggested general guidelines for the work of the subcommittee and stressed that it should not restrict itself to international activities for the forthcoming celebrations, but should cover all aspects of the matter and prepare a complete, single document on the observance of the anniversary.

It was agreed that the subcommittee would hold its first meeting on February 4, and the committee itself would then meet again on February 18.

THE UNITED STATES AND THE ARTS—FORD FOUNDATION EXPERIENCE

Mr. JAVITS. Mr. President, the need to provide assistance to the arts and the substantial rewards which America can reap through a program to stimulate cultural development is clearly demonstrated by the experience of the Ford Foundation. Beginning in 1957 it has been spending about $2 to $3 million a year on music, theater, opera, art, and creative writing with some very important results. The experience of the Ford Foundation in this field offers guidelines for the kind of national program which I believe a U.S. Arts Foundation, such as I have proposed, can produce in cooperation with private philanthropy.

Some idea of the accomplishments of the Ford Foundation in the arts is provided by a feature article in the Philadelphia Inquirer, February 4, 1963. I ask unanimous consent to have printed at this point in the Record an article in that newspaper by Martin Mayer entitled "Ford Millions Foster Humanities and Arts."

There being no objection, the article was ordered to be printed in the Record, as follows:

Ford Millions Foster Humanities and Arts

(By Martin Mayer)

Of all the children's crusades that have set out to make the world perfect in our time, the biggest, best-financed and most childlike was that of the Ford Foundation. On its emergence from a limited family fund into a national philanthropy in 1950, the foundation had total assets of something over $2 billion. This money was to be devoted to improving human behavior in education and in political, economic, and international relations.

"Straight ahead" was the order of the day. For years the children marched, only to be beset by misadventures and to lose much gold in the sands.

They were ambushed by barbarians from the Congress, Turks from the press, Byzantines from the universities; and then Representative Carroll Reece pursued their Robert M. Hutchins with a congressional investigation, and Henry Ford 2d donned sackcloth and declared Hutchins' Fund for the Republic a "wholly disowned subsidiary."

Inevitably, the commanders who had to live with such disappointments began to feel a need for other approaches and other worlds to conquer. Some of these were orthodox. There were wide grants to hospitals and the sciences. Then, finally, after 2 years of preparation, the foundation struck out again toward uncertain goals through treacherous territory: The arts.

PHASE OF BEHAVIOR

Since 1957 it has appropriated $2 to $3 million every year under a program it names "Humanities and the Arts"—aid to university presses, libraries, humanistic scholarship, new painting, sculpture, theater, opera, musical composition, novel writing, poetry, etc.

The money goes out in closely supervised, separate projects, most of which expire within 2 years.

Yet, though the outlay may seem small, its range is phenomenal, extending from carefully weighed subsidies to poets in Brooklyn to the commissioning of new theater ventures in Texas and the publishing of monographs of abstract painters on the west coast.

The decision to move in on the arts was by no means an easy one. The initial frame of reference of the Ford trustees had excluded any possibility of help to artists.

What convinced the trustees, apparently, was the argument that the arts are in fact more than an embellishment—they are a phenomenon of behavior that can profitably be studied.

Though the Humanities and the Arts is the largest organized foundation program in the arts (and the only one to do anything beyond helping institutions and individuals to carry out their own plans), it is in Ford terms a very small effort. Less than 2 percent of the Ford budget is allocated to it.

But this tiny program accounts for about half the mail received by the foundation, and its publicity rivals that of the Ford fund for the advancement of education, which puts most of its energies into procuring publicity for its goals.

Most important, Humanities and the Arts has shown results. At the least, it has produced some music, some paintings and sculpture, some novels and some theatrical productions that might not have existed without Ford's help.

"Ford," says W. McNeil Lowry, the program's director, "started out as a problem-oriented foundation; then it became a subject-matter foundation, like all the others."

Since March 1957 Lowry has visited about 50 American communities to look over the artistic terrain (his staff has covered another 110), and he probably knows more than anyone else in America about the functioning of the European tax-supported arts councils.

Ford's Humanities and the Arts does not accept other people's definitions of the problems of the arts. Lowry and his staff find their own targets and then, hopefully, find weapons to aim at the targets.

With a few exceptions, Lowry's problems are those which afflict recognized talents who have demonstrated a high order of ability, but whose artistic production seems to be hindered by economic forces beyond their control.

Most of Lowry's projects have attempted to find out how much more successfully these already successful artists could work in an improved economic atmosphere.

THEATERS, SCHOOLS

Ford's program, during its first 4 years, explored and applied money to several areas, including the following:

Creative writing (novels and poetry): 3 or 4 years of work will produce—for poetry, certainly, and for serious novels, almost certainly—less money than a schoolteacher's annual salary. To writers, Ford has granted eleven 2-year fellowships of up to $8,500 a year (the average grant has been about $6,500 a year).

Graphic and plastic arts: A sample of 20 artists who sold paintings through recognized dealers in 1958 showed their average net income ran about $5,000 a year after deduction of dealers' commissions and costs of supplies.

In 1957–61 Ford gave 20 painters and sculptors grants of $10,000 each. Twenty-one others were awarded purchase price; that is, they were authorized to donate a work to a local museum, school, library, or college, and Ford paid them for it at an average price of about $650.

Nineteen more were given exhibitions of their work, opening in their local area and then traveling around the country under the auspices of the American Federation of Arts.

Ford will seek to buttress the reputations of living American artists by sponsoring the publication of a series of monographs devoted to their work; the recipients of these professional puffs have not yet been chosen.

Another new project will greatly expand the purchase price award, with prices up to $6,000 for a sculpture and $4,500 for a painting, the work to be donated to a local art center.

Music: Today's composers are first in history to try to make a living from their writing. Where a composer could once guarantee the performance of his music by playing it himself, he must now approach third parties. Younger composers may go for years without hearing a note of their own orchestral music.

So, Humanities and the Arts has bluntly paid for performances. Later, Humanities and Arts arranged for prominent performers to commission works for themselves, with orchestra, from composers of their choice. Each of the artists performed the resulting work with three orchestras.

Ford paid each artist $5,000 to cover performing fees and traveling expenses; each composer a $3,000 commission plus up to $1,000 for copying of parts, and each orchestra $3,000 for the extra rehearsals involved in new music.

SUPPORTS YOUNGSTERS

In the music area, too, Ford has granted money to unknown youngsters. A remarkably imaginative scheme has in the last 4 years sent about 40 young composers, at Ford expense, into public school systems throughout the United States to serve as composers in residence, where they write everything from concert pieces for assemblies to marches for the football field.

Theater: The effort has been to build an audience for theater outside New York and to provide better theater in the few places where interest already exists. One of the first Ford grants $136,000 went to the Cleveland Play House for a professional touring company.

Later, grants to $10,000 each went to some 20 directors, mostly out of town, who could use the money to "enrich their artistic development" or to improve the quality of their own productions by hiring professionals whose services they could not otherwise afford.

A subsequent program made larger grants to several small theaters to enable them to hire actors for a season at a guaranteed salary of $200 a week, and thereby be free of the curse of "the jobbing actor," who comes and goes.

A hunt was made for 10 unproduced plays to be performed under subsidy at regional and university theaters. The first time around, eight plays were accepted, but on the second go-round, the judges found only four.

The result was a project that gathered in 11 novelists and poets and "tried to bait them into an interest in the theater" by paying them to spend a year just hanging around a stage.

It is hoped that some of them will some day write plays or librettos.

Still other Ford projects have tried to modernize American theater production, which has scarcely advanced since the days of Belasco.

Opera: Ford has gambled in two directions. It has sponsored new American operas in hopes of interesting an audience and starting a tradition, and it has subsidized regional opera houses to give experience in major roles to young singers.

Academic influence: The universities do influence fashions of acceptability in art; they promote easily analyzed sterility.

In a small way, humanities and the arts has struck some blows for liberty. One of its first grants was to the Minneapolis Society of Fine Arts—$150,000 for an experiment in curriculum design which might give the art schools some means of competing against the universities.

Another project awarded grants to people expressly not affiliated with universities. Many Ford grants have been given to relieve artists of the necessity to teach.

Generally people become eligible for humanities and the arts grants through nomination by third parties rather than through their own applications. Nominations are solicited from hundreds of professionals in the field where the specific grants are to be awarded.

An anonymous jury of outstanding caliber makes the final selections.

The success of Ford awards is impossible to measure objectively. Art is, by its nature, an immensely wasteful occupation. From any period's art works, only a handful survives, and value is inevitably judged by survival.

ULTIMATE EVALUATION

Ford's most obviously successful project has been that in which musical performers commissioned new works for soloist and orchestra. The average was astonishingly good, and Lukas Foss' "Time Cycle" won the New York Critics Circle Prize for the 1960–61 season.

The opera projects are far too young to be either a success or a failure. The art projects, in the opinion of artists, are comme ci comme ca.

There has also been criticism in New York of Ford's high concentration on regional theaters. They have not developed new acting styles, production techniques, playwrights or sophisticated audiences.

Ultimately humanities and the arts can be successful only by putting itself out of business, by raising such a storm of interest in the arts that the audience will once again be willing to pay the costs.

Propaganda is no good for this purpose; what is needed is a display of irresistible artistic spectacle.

U.S. HEROISM IN VIETNAM

Mr. JAVITS. Mr. President, over the weekend, a dramatic story of heroism in Vietnam came to light. A pilot from Huntington Station, N.Y., died at the controls of a disabled bomber so his crew could parachute to safety before the plane crashed.

Such heroism is clearly worthy of a major combat decoration. But because the fight against communism in South Vietnam is an undeclared war, the American servicemen serving there are not eligible for combat decorations. In addition, American men fighting in South Vietnam are not eligible for many other war benefits, such as pensions, educational loans, housing loans, and insurance advantages.

This situation ought to be corrected, and it is up to Congress to do it. Until last April, men killed or wounded by hostile action on cold war fronts were not even eligible for the Purple Heart, but President Kennedy changed that ruling with an Executive order. The administration has asked Congress for legislation permitting the award of major combat decorations to servicemen engaged in cold war fronts. I believe Congress should enact such legislation. In addition, I think it is time we considered extending "hot war" benefits to those serving on the front lines of the cold war.

I ask unanimous consent to have printed in the Record at this point two articles—one describing the heroic action of Maj. James O'Neill of Huntington Station, N.Y., and the other, an excellent article by Mr. Jules Witcover describing the official distinctions drawn by the United States for the men who risk their lives in the cold war.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Medal of Honor for Pilot?—His Crew Out, the B–26 Bomber Crashed

Saigon, February 9.—Fellow fliers said today Maj. James O'Neill, of Huntington Station, N.Y., died a hero at the controls of a crippled bomber Wednesday so his crew could parachute to safety before the plane crashed.

"I sincerely believe he saved my life," said 1st Lt. James E. Johnson, of Mary Esther, Fla., copilot and navigator of the doomed B–26. Lieutenant Johnson and Dien Chinh Thuong, the plane's Vietnamese radioman, survived the crash.

U.S. Air Force officers here said Major O'Neill, 40, may be recommended for the Medal of Honor, America's highest decoration for valor.

But, they admitted they did not know whether the medal can be awarded for actions performed in an undeclared war like the fight against communism in South Vietnam.

Lieutenant Johnson told newsmen at Saigon Airport the B-26 was returning from an abortive mission against Communist guerillas when one of its two engines quit and the other began to sputter. He said Major O'Neill stayed at the controls while Lieutenant Johnson and Dien bailed out.

Precious seconds were lost when Dien's parachute hung up in the escape hatch. Major O'Neill held the plane steady on its course while the radioman worked himself loose.

"We had about 15 seconds to get out," Lieutenant Johnson said. "I was the first man out."

The B-26 slammed into a 4,000-foot mountain, exploded and burned before the Major had a chance to escape. His badly burned body was recovered from the wreckage Thursday and brought here for return to the United States.

Major O'Neill, a rugged, 6-foot bachelor, was a veteran of World War II and the Korean war.

His aunt, Mrs. Mary Rumens, said in Huntington Station that his widowed, 65-year-old mother somehow knew when he left for South Vietnam that he wouldn't come back.

"He was in World War II, and he won the Distinguished Flying Cross flying B-26 bombers in Korea, but his mother never worried about him * * *" Mrs. Rumens said.

"He was stationed at Hancock Field in Syracuse, N.Y., when his orders came to go overseas this time. For some reason, his mother had a premonition. She didn't want him to go. For the first time, she cried when he went away."

[From the Washington Star, Feb. 10, 1963]

Hazards of Peace—Men Risk Lives, Without War Benefits

(By Jules Witcover)

Though hardly a week goes by now without the death of another American serviceman in Vietnam, the U.S. troops there are still considered by their Government to be serving peacetime duty.

Among the official distinctions drawn by Uncle Sam concerning these and other cold war combatants are:

1. They are not eligible for the major combat decorations for heroism—the Medal of Honor, the Distinguished Service Cross, the Navy Cross, the Air Force Cross, the Silver Star.
2. They are not eligible, after discharge, for the same pension given World War I, World War II and Korean war veterans totally and permanently disabled by a non-service-connected cause.
3. They are not eligible for the so-called GI Bill of Rights providing educational, housing loan, and other readjustment benefits available to men who served in the last three "hot" wars.
4. They are not eligible, if they lose a limb, for a special automobile made available for men who suffered such losses in World War II or Korea.
5. They are judged by much more stringent presumptions of preservice fitness than are applied to bona fide "wartime" servicemen in determining eligibility for service-connected disability compensation.
6. They cannot buy the cheap $10,000 national service life insurance policy available to men who served in the last three "hot" wars.

LEGISLATION ASKED

The first-mentioned distinction—their ineligibility for major combat decorations—soon may be removed. The Kennedy administration has asked Congress for legislation permitting the award of these medals, now restricted to distinguished service in active conflict with an armed enemy of the United States in time of "hot" war.

Until last April, men killed or wounded by hostile action on cold war fronts were not even eligible for the Purple Heart. An executive order by President Kennedy changed that ruling, but Congress must act on the remaining decorations.

As far as other benefits are concerned, there is no distinction made between those servicemen who are on active duty on the front lines of the cold war in places like Vietnam, Laos, Korea, and Berlin, and those who are carrying out normal military peacetime pursuits in the States.

If a man is permanently disabled or killed on a cold war front, he or his next of kin may be eligible for a somewhat higher disability compensation or death benefit payment based on "extra hazardous" service. But this is one of the few instances in which a special consideration is given.

INSURERS WON'T PAY

The Government's distinction between hot and cold war apparently is not drawn by a number of insurance companies. Widows and parents complain that life insurance policies they hold on their deceased men are not paid because death occurred overseas and on a hazardous mission of war.

Mrs. Julia Oshinskie, of Shamokin, Pa., mother of A1c Robert J. Oshinskie, 1 of 11 Americans never recovered in the 1958 crash of a C-130 transport over Soviet Armenia, says:

"We had two personal policies on Bob, and when he was lost they refused to pay the full benefits because he was overseas and was on this type of mission."

Mrs. Edgar W. Weitkamp, of Arlington, Va., wife of an Army warrant officer lost in a transport crash in Laos in 1961, says:

"This wasn't supposed to be a war, but the insurance company won't pay double indemnity for an accidental death. How can it be both ways?"

LOST SON IN CUBA

Other survivors wonder at the distinctions drawn. Mr. and Mrs. Edward S. Connard, Sr., of Milton, Del., parents of Capt. Edward S. Connard, Jr., navigator of the Air Force transport that crashed attempting to land at Guantanamo Bay Naval Base at the outset of the Cuban crisis, are among them.

They frankly question why the Pentagon singled out Air Force Maj. Rudolf Anderson, the U-2 pilot who lost his life on a photo reconnaissance mission over Cuba, for full military honors and did not list their son and the other six crew members of the Guantanamo crash as Cuban crisis casualties.

"We don't think they received proper recognition," Captain Connard's father says. "They were there to bring out the women and children. They were doing their part as much as anyone."

Another parent, one more closely associated with the military's attitude toward the problem of casualties, gets down to the nub of things—more important than how a casualty is categorized is public understanding of the necessity for it.

UNDERSTANDING VITAL

Maj. Gen. William F. Train, commandant of the U.S. Army War College at Carlisle Barracks, Pa., is the father of Lt. William F. Train III, killed in South Vietnam in June 1962, while traveling with a Vietnamese army convoy. He says:

"The desirable thing would be to have everyone fully understand the term 'cold war.' Insofar as the Vietnamese are concerned, their nation is a battleground and the shooting makes it a hot war for them.

"Lives are frequently lost in the periphery of the Nation's interest, whether it be the opening of the West in the 1870's or stemming the flow of communism in Vietnam. * * *

"I think my son's loss of life in the service of his country is similar to the loss of life in any operation providing the freedom we know—in war or peace."

LORD SAMUEL

Mr. JAVITS. Mr. President, I call to the attention of the Senate the death of Lord Samuel at the fine old age of 93. Lord Samuel played a significant part in obtaining the Balfour declaration of November 2, 1917, pledging the British Government to facilitate the achievement of the Jewish homeland in Palestine. In view of my long standing-interest in that subject, I call the Senate's attention to the passing of that illustrious man.

I ask unanimous consent that an article published in the Washington Post on February 7th be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Lord Samuel, 93, Dies; Once Led Liberals

London, February 5.—Lord Samuel, former leader of the Liberal Party and often a Cabinet minister, died today at the age of 93. He had been in ill health since before Christmas.

The death of Herbert Louis Samuel, son of a wealthy Jewish family from Liverpool, left Sir Winston Churchill the sole surviving member of the famous Liberal government of Sir Henry Campbell-Bannerman of 1906, which laid the basis for the modern welfare state.

Lord Samuel was born November 6, 1870, a member of a family which has given to Great Britain other statesmen and businessmen.

He made a brilliant record at Balliol College, Oxford, and he was graduated with first honors in 1893.

Immediately he struck out into the rough and tumble of politics, and christened his future by running for Parliament in 1895 and 1900 without success as a Liberal candidate.

In 1902 the party managers recognized his zeal, his energy and ability, and he was made the candidate in the Cleveland division in the Yorkshire North Riding. Elected, he held this seat from 1902 to 1918.

His first Cabinet office was that of parliamentary under secretary to the home office. He held this post from 1905 to 1909.

While his career was getting underway in the 1890's, he found time for courtship and in 1897 married Beatrice Franklin. They had three sons and a daughter.

During the years that the Liberal Party and various coalition governments were in power he held other important posts until, in 1920, he was sent to Jerusalem to govern Palestine under the new British mandate. It was at this time that he was knighted by King George.

Lord Samuel played a large part in obtaining the Balfour Declaration of November 2, 1917, pledging the British government to facilitate the achievement of a Jewish homeland in Palestine.

Posts he held included that of postmaster-general, when he reorganized the telephone, telegraph, and postal systems; president of the board of trade, chancellor of the Duchy of Lancaster, and the chairmanship of many important committees.

THE DEVELOPMENT OF EXPORT MARKETS

Mr. JAVITS. Mr. President, the expansion of U.S. exports is a vital factor in our efforts to improve this Nation's international balance-of-payments position. Furthermore, I believe that the development of export markets can play a continuing and increasing role in the acceleration of economic growth within the United States.

It is with considerable concern, therefore, that I see repeated reports indicating both a lack of interest and a lack of effective management among large sectors of U.S. private enterprise in the export field. It is also disturbing to note that when the hoped-for economic expansion takes place within the United States, a further slackening of interest in export markets is predicted by experts who base their opinions on the past performance of U.S. businesses.

Mr. President, as the free world's economic leader we cannot afford a lag in the active participation of the private sector in overseas markets. I ask unanimous consent to have printed in the RECORD an excellent article on this subject by Prof. Henry C. Wallich, published in the January 15, 1963, Journal of Commerce.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ASTONISHING BLUNDERS OF U.S. EXPORTERS CITED

(By Henry C. Wallich, professor of economics, Yale University)

"The average American businessman hasn't even begun to discover the foreign market." That comment on American exporters, on the part of a German competitor, is reflected in the fact that, line for line, the percentage of American firms that export is small compared with firms in most European countries.

The comment goes hand in hand with considerable admiration for American business methods in general. American market research, American planning are highly respected, even though many old-line businessmen consider them excessive. But the German side is quick to notice American weaknesses.

U.S. EXHIBITORS BLUNDER

A recent show of electrical appliances at the new American Trade Center in Frankfurt, which, in general, was well received, brought out some astonishing blunders.

One exhibitor, after going to the expense and trouble of sending his samples to Frankfurt, failed to put price tags on them. Another listed U.S. retail prices, Federal excise tax included. When someone pointed out that this tax didn't apply to exports, the manufacturer's representative retorted that it might about offset the German import duty.

What that duty actually was he had not thought to find out. Some products came with descriptive literature and instructions in English. Measurements in inches and feet often were not translated into metric values.

But it also turned out that in order to get some 80 companies to exhibit, the Department of Commerce had to contact several hundred firms in the United States.

GERMANS CRITICAL

German businessmen are critical also of what they call the foul weather exporter. When business in the States is poor, he remembers the export market and begins to sell abroad. When things pick up at home, his interest in foreign sales flags, and the service which he renders to earlier buyers also deteriorates. Service is crucial.

American garage equipment, for instance, ought to have a good market in Germany, given the great experience of American suppliers in providing labor saving equipment. But German operators in this rapidly growing service industry have so far shown an increasing preference for local equipment because they want to be assured of quick and reliable service.

The suggestion has been made that American exporters in related lines might establish joint service organizations, antitrust laws permitting. Such facilities might significantly improve sales prospects for many kinds of equipment and appliances.

An incident that made the rounds is the statement of Heinz Nordhoff, head of the Volkswagen Works, who said that his firm had asked for offers from suppliers in the United States but in many cases had not been able to elicit so much as acknowledgment of receipt of the inquiry.

A followup in some instances produced the opinion that "European business is too small to bother with. (Volkswagen ranks as the world's third largest producer, by number of cars.)

EXTRA COSTS INVOLVED

It is difficult to distinguish, of course, between cases in which profitable business is being rejected owing to lack of flexibility, and others in which export business cannot in fact be made profitable. Some extra costs and some specialized American exports to Germany have had unfortunate repercussions. Recent sales of polyethylene by American producers at very low prices gave rise to charges of dumping. Reaction in the chemical industry and in the press was all the sharper because it is widely known in Germany that the United States has an antidumping legislation directed against foreign sales in the American market and can impose antidumping duties.

Rather exaggerated views are entertained as to the frequency which such countermeasures are applied. It is also suggested that the mere existence of this legislation has some disciplinary effect upon foreign producers who otherwise might feel tempted to dump in the American market.

The German tariff law contains an analogous provision which so far has been in abeyance. Owing to the stir created skills and activities undoubtedly are involved in exporting.

A leading research organization estimates that American products require some significant adaptation in about half the cases in order to be salable in the German market.

Electric appliances, for instance, must be adapted to the 220 volts and 50 cycles that are standard in most European countries. Sometimes it may be impossible to overcome obstacles of these sorts even though the product looks promising and its price seems to be in line.

But in many instances, it is believed, obstacles are overrated, efforts not made, and feasible sales allowed to slip by. German manufacturers point out that they are more effectively organized for exports than many American firms.

An export department which is a minor appendage of the sales department usually will have to play second fiddle to the domestic department. A separate international organization stands a better chance of getting its fair share of high grade staff, promotional budget, and attention from the production department.

GERMANS GET MORE SERVICE

German exporters point out also that they seem to get more service from their trade associations than do their American counterparts. In Germany, trade associations are often very powerful groups.

They also work very hard in the export field. In some industries, members routinely receive information on business opportunities, such as public projects for which bids may be submitted, market changes, activities of competitors. These services are particularly helpful to smaller firms.

Some observers in the United States seem to question whether small and medium firms have much of a role to play in exports. They point out that organizational overhead is heavy so long as volume is small. They also note that the bulk of the business usually will be done by a small number of large firms.

They conclude that as far as benefits for the balance of payments are concerned, it is futile to look to growth of exports among smaller firms as a solution of present difficulties.

SMALL FIRMS ADVANTAGE

Against this view it is pointed out by German exporters that smaller firms have many advantages in exporting, and that these advantages ought to count particularly for U.S. exporters.

Adaptability of production is one such advantage. The possibility of increasing sales in a way that really counts by going into foreign markets is another. The very large American enterprise, it is pointed out, frequently very soon pass from exports to local production. This is far less likely in the case of smaller producers.

The German reaction to American efforts to sell more in Germany seems to be on the whole not unfavorable. In the earlier postwar years, there was considerable fear of supposedly overwhelming American competition.

This fear has largely disappeared. In fact, the Common Market partners, who soon will be able to sell in Germany free of duties, now seem to be regarded as more dangerous competitors.

THE MIDDLE EAST PROBLEM

Mr. JAVITS. Mr. President, I should like to point out the very confused situation which we face now in the Middle East. We have a report that the Department of Defense has assigned U.S. paratroopers to participate in the training of Saudi Arabian paratroopers when at the same time we are contesting the presence of Egyptian troops in Yemen. Also at the same time, we have recognized Yemen, the revolutionary regime there, notwithstanding Nasser's participation. It seems to me those are very contrary decisions. In addition, we are maintaining a very large aid program for Egypt, in the face of the tremendous storm which Egypt is kicking up in the Middle East—in Yemen, and now in Iraq. I deeply feel that the time has come for our State Department to appraise very carefully whether or not we are justified in our current policy with respect to President Nasser without apparently any assurance of any action leading to a diminution in the storm in the Middle East, rather than even greater disturbance.

I shall address myself to these subjects more in the days ahead, but I raise the question now, as we are on the threshold of consideration of appropriations, et cetera. It seems to me either we are proceeding with a very contradictory policy or we are not using the diplomatic and economic strengths we have in order to help bring greater tranquillity to this very disturbed area of the world, a very dangerous area in terms of the East-West struggle.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "Middle East Caldron," which appeared in the Washington Post, February 10; and a report on U.S. aid to Jordan, which appeared in the Journal of Commerce, January 23.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 10, 1963]

MIDDLE EAST CALDRON

Despite the apparent success of the revolt in Iraq, it is not yet certain that Premier Kassem is dead. Nor can any conclusions be drawn as to the future of the new regime. Once before, in 1959, a dozen bullets were pumped into Mr. Kassem, and yet he survived the assassination attempt. The first move in a Middle Eastern coup is to seize the radio and proclaim that the man in power is dead. This happened a few months ago in Yemen, where the Imam is still very much alive, and it happened in Baghdad in 1957 when former Premier Nuri-as Said was pronounced dead a full 48 hours before this was the fact.

Uncertainty and confusion, then, is the first fact of any Middle Eastern upheaval. The second is like facile labels are wholly misleading; phrases like "pro" or "anti" Communist have only limited utility and can confuse more than clarify. Whatever their differences on other matters, both Premier Kassem and President Nasser of Egypt have been quite pragmatic about working every side of the street and simultaneously accusing everyone else of intervention.

Only a few days before the bomb attack in Iraq, Radio Baghdad abusively attacked President Kennedy for "protecting the Zionist gangster state" and intervening in the Middle East. The same day, Radio Cairo charged the United States with committing the "ugliest of crimes against principles of freedom, civilization and peace" by allegedly aiding Saudi aggression against Yemen. Never mind that not long ago America leaned over backward to recognize the new Yemen regime that Mr. Nasser himself is actively aiding.

To talk about any one military faction in Iraq being more or less anti-American can well be a game of words. When it suits an Arab nationalist, he will work with the Communists; when it does not, he will throw them into jail. The fundamental reality in the Middle East is a bitter power struggle between rival prophets of Arab unity, and on this cold war rivalries have been superimposed.

In this power struggle, consolidation of the apparent victory for the Nasserites in Iraq would have far-ranging consequences and would upset the uneasy balance of forces that now exists. Yet it is difficult to believe that Mr. Nasser's followers could bring Iraq into a new and resurgent United Arab Republic. Mr. Kassem's many opponents have been chiefly united by negative passions; they are profoundly divided among themselves. All that is certain at the moment is that the armed forces will have the decisive role. Experience suggests that the military of Iraq are not stooges to anyone else and that whatever government emerges will need to show that its brand of Arab nationalism is not made in Cairo.

[From the Journal of Commerce, Jan. 28, 1963]

JORDAN PLANS TRANSFORMATION—1970 TARGET HELD OPTIMISTIC

AMMAN, JORDAN, January 27.—With American aid, the Jordan Government is preparing plans for transforming this arid land into a self-supporting country by 1970.

Western diplomats here believe the plan can be successful. But they are almost unanimous in agreeing it would take far longer than 7 years. Their most optimistic estimates range from 12 to 15 years.

Government statistics show just how much Jordan depends on foreign aid. In the fiscal year 1960–61, the government's domestic revenue was $35 million while domestic expenditure was $90 million, of which $52 million went to defense. The enormous deficit was largely overcome by direct budgetary grants of $39.5 million from the United States and $7 million from Britain.

FURTHER HELP

In addition, the United States provided further help by returning to the Jordanian Government the equivalent of about $3 million in Jordanian currency which it had spent in buying U.S. wheat and other surplus products. Loans from foreign sources, notably Kuwait and West Germany made up the remainder.

Senior U.S. Embassy officials have made no secret of their belief that the U.S. Congress will not go on paying out such sums of money forever. Jordanian Government officials, such as Development Board Secretary General Dr. Nazzimuddin Dejani, admit the situation enables Jordan's enemies the opportunity to refer to her as a "hired stooge of the Western imperialists."

To much of the world, Jordan arbitrarily hacked out of the former Turkish Empire after World War I, is known as a desert territory inhabited by roaming tribesmen and 600,000 refugees from Palestine, with no chance of becoming economically viable.

HOPE FOR ANSWER

Jordan hopes its development plan is the answer. But among the imponderables that could upset it would be any major eruption of trouble in the Middle East. The constant threat of this and the continuing Arab-Israeli dispute, make the government believe an expenditure of more than 50 percent of its total income is necessary for defense.

The development plan as explained by Dejani aims to jump Jordan's gross national production from $270 million in 1962 to almost $430 million in 1970.

It is hoped this advance will be achieved mainly by developments in three fields:

CANAL PLAN

The development of agriculture through irrigation, a field where the U.S.-backed East Ghor Canal plan in the Jordan Valley is expected to add something like 20,000 acres of farmland.

The exploitation of mineral resources.

The development of the tourist industry.

Dejani said the plan calls for an increase in phosphate production from the existing 500,000 tons annually to 2 million tons annually by 1965. The new potash industry is expected to be producing 250,000 tons annually by 1965, and copper resources—on the site of the original King Solomon's mines—are expected to turn out 10,000 tons annually by then.

SERIOUS ERRORS

It is precisely in the mineral field that Western diplomats here feel the Jordanian plan is possibly too optimistic. They insist there is no certainty these production figures can be achieved. In the field of copper, for instance, workable deposits have not yet been found. Therefore they say it is a serious error to predicate major portions of the development plan on this basis.

In the other two fields there is little desire to question the Jordanian predictions, notably on the issue of tourist income. It is expected to total $15 million this year, a 25 percent increase over last year and to have topped $20 million by 1970.

The hard factor which any development plan has to overcome is that Jordan imported goods valued at $129 million in 1961 while her total foreign exchange earnings were only $61 million, of which nearly one-third came in the form of remittances from Jordanians working abroad.

Only if the hunt for minerals proves successful will it be possible for Jordan to balance this fantastic differential. Hopes of this are high here because the phosphate deposits are proving larger than expected and of an unusually high quality. Also there are indications that the West German company currently prospecting for copper will prove workable deposits in the near future.

TRIBUTE TO SENATOR SPARKMAN

Mr. HILL. Mr. President, all of us in the Senate know of the outstanding services of our colleague, Senator JOHN SPARKMAN, in the field of housing legislation which have helped in so many ways to enable more and more families in our country to become homeowners. At the same time, his leadership and work as chairman of the Senate Subcommittee on Housing of the Senate Banking and Currency Committee have strengthened the homebuilding industry which is vitally important to a healthy and expanding economy.

It was gratifying to learn that officials of the Home Builders Associations of Birmingham, Decatur, Dothan, Etowah County, Huntsville, Lee County, Mobile, Montgomery, Muscle Shoals, and Tuscaloosa, and of the Home Builders Association of Alabama, meeting in conference on January 26, 1963, paid deserved tribute to Senator SPARKMAN and unanimously passed the resolution which I ask consent to have printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas those of us here assembled at the VIP conference sponsored by the Home Builders Association of Alabama and consisting of the officers of the Home Builders Association of Alabama and the officers of the Home Builders Associations of Birmingham, Decatur, Dothan, Etowah County, Huntsville, Lee County, Mobile, Montgomery, Muscle Shoals, and Tuscaloosa, are giving consideration to plans, projects, and programs for our respective associations for the year; and

Whereas under these conditions and circumstances we are especially mindful of the functions and duties of the associations, national, State, and local, throughout the United States; and

Whereas too it has been mentioned several times during our discussions and deliberations that the great and continuing dedicated services rendered the homebuilding industry by the Honorable JOHN SPARKMAN, U.S. Senator from Alabama and chairman of the Subcommittee on Housing of the Senate Banking and Currency Committee; and

Whereas his services in this particular and influential position lends dignity and prestige to these individuals and to those of the State of Alabama putting him in a particularly important position to voice exceptional influence in matters pertaining to housing; and

Whereas even though our local, State, and national associations have voiced objection to the issuance of an Executive order by the President of the United States pertaining to any phase of integration in housing; and

Whereas there have been some public utterances and information released regarding the possibility of Senator SPARKMAN retiring from his position as chairman of the Subcommittee on Housing of the Senate Banking and Currency Committee: Now, therefore, be it

Resolved and reaffirmed, That those of us here assembled speaking for ourselves and for the membership of the organizations so represented do earnestly urge and recommend to Senator SPARKMAN that he remain in this position not only because of his experience in housing matters in the past and the great contributions he has made and is continuing to make in housing for our State and the Nation but also because we believe all interests pertaining to the best possible housing program would be best served; and be it further

Resolved, That a copy of this resolution be sent to Senator SPARKMAN and to the various State and local associations throughout the United States advising them of the action taken and urging that they concur in it.

Done this the 26th day of January 1963.

Berry N. Shirley, President; James C. Lewis, First Vice President; Joe T. Porter, Jr., Second Vice President; Joseph C. Martin, Secretary; Theo M. Compton, Treasurer; W. E. Owens, Jr., Alternate National Director; Robert Diehl, National Director; Bentley Owens, National Representative; Frank R. Broadway, Executive Vice President. Birmingham: Gordon E. Burton, J. Gregg Scott, Jr., Arthur M. Rice, Jr., Alan W. Spearman, Jr., Edward Hacker. Decatur: Theo M. Compton, Marion E. Simms. Dothan: Lamar J. Sullivan. Etowah County: Carl Richardson, W. E. Owens, Jr. Huntsville: James M. Dunn, Jr., J. Paul Holladay, Hal B. Ensor, Jr. Mobile: David B. Fuller, George R. Irvine, Jr., Harry M. Smith, Jr. Montgomery: Frank Selby, Jr., I. D. Martin, Jack Loeb, John M. Boatwright, Jr., M. C. Watson (Mrs. Nelle). Muscle Shoals: Dan W. Davis (Florence), Ted Carmack, Glen Jenkins (Florence). Tuscaloosa: H. A. Edwards, Jr., H. Blake Rowe.

FOREIGN AID TO COMMUNIST COUNTRIES

Mr. SCOTT. Mr. President, I ask for unanimous consent that an article entitled "Ask Americans To Pray for Us," by Christine Hotchkiss, which appeared in a recent issue of the Saturday Evening Post, be printed in the RECORD. The information in this well-written story has much bearing on the continuing debate concerning foreign aid to Communist countries.

I have followed with much interest and concern the continuing struggle of the Polish Catholic Church against attempted suppression by the Communist Gomulka regime. I have often heard that church-state relations in Poland are based on a concordat, an understanding between the church and the Communist Party favorable to both. But just as often I am supplied with facts which indicate that the Communists are doing everything in their power to violate this understanding. The article in question clearly reveals that Gomulka is unrelenting in his drive to erase the influence of religion in Poland.

The story of Cardinal Wyszynski's struggle against the Communist Gomulka is truly an inspiring one. Therefore I would like to draw it to the attention of every Member of this body.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ASK AMERICANS TO PRAY FOR US—IN AN EXCLUSIVE INTERVIEW STEFAN CARDINAL WYSZYNSKI TELLS OF HIS NEWEST CONFLICTS WITH POLAND'S COMMUNIST RULERS, HIS EFFORTS TO AVERT BLOODSHED, HIS STRUGGLE TO UPHOLD RELIGIOUS FREEDOM

(By Christine Hotchkiss)

"We form the most powerful body of dissent in the Soviet Empire," said the tall, elegant man in the black cassock and scarlet skullcap, "and the struggle we are engaged in is affecting the balance of the cold war. * * * So far we are holding the line, but the pace of the onslaught is quickening. Our existence is a shattering proof of the failure of the Communist doctrine."

As he spoke, Stefan Cardinal Wyszynski looked out the window of his book-lined study and watched the winter wind tear a cluster of leaves from the row of trees along the Tiber. He was soon to leave this haven at the Ecclesiastical Institute in Rome, for the Ecumenical Council was ending its session, and duty called him back to his post in Warsaw. It is a unique post, and a dangerous one. As the primate of Communist-ruled but solidly Catholic Poland, Cardinal Wyszynski is the spiritual leader of 30 million people; he is the embodiment of their fervent faith. And he has used this faith as a moral weapon to win more religious freedom than is permitted in any other Communist country. But because the Cardinal knows there are limits to what neighboring Russia will allow, because he is determined to spare his people the fate of the Hungarians, he has thrown aside the rule book and built a precarious alliance with Communist leader Wladyslaw Gomulka. In exchange for Gomulka's promises of limited religious freedoms, he has even campaigned for a Communist victory at the polls. Out of this strange alliance has come a kind of semi-independence for Poland, and the United States has supported it with special trade arrangements and millions of dollars in aid. But Cardinal Wyszynski knows that he can count on no permanent victory, that his struggle goes on continuously.

"Forty-five years ago, when the Russian revolution was born, Lenin vowed that communism would eradicate all religion," the cardinal reflects. "But today there is a religious revival in Russia. As for Poland, the churches throughout the country are bursting, though according to their calculations, religion should have been growing weaker, not stronger. 'Is there something wrong with the Communist doctrine?' some may ask. No, say the Communist Party leaders, the doctrine can never be wrong, but the witness of failure has to go. Let us speed up the destruction of the church. Mass arrests? No, that's a quick way to create martyrs. No, there are more efficient ways to attack us."

The cardinal is accustomed to pressure, and hardship, and even prison. He has experienced them all. Unlike many of Poland's prewar bishops, who were often criticized for being out of touch with the people, Cardinal Wyszynski was born in modest circumstances. He was one of five children of a schoolteacher and village organist in the little town of Zuzela, in central Poland. As a young priest, he wrote several books on unemployment and became well known as an authority on labor problems. I remember, in the days of my childhood, hearing my father mention him as one of the most brilliant specialists on the subject. As a very young girl, I even met him one day when he came to visit a neighboring country house in western Poland. But I remember very little of him at that time. Many years passed before we met again in a changed world.

World War II started with the division of Poland between Nazi and Soviets, and Wyszynski soon began underground work in Warsaw. The Nazis imprisoned 40 percent of Poland's Catholic priests, and half of their prisoners died, but Wyszynski survived to become bishop of Lublin in 1946 and primate of Poland in 1948—just as the Communists were taking over the country. He had never wanted to be a diplomat, still less a politician, but he was soon to learn the necessity of being both.

In a systematic campaign of terrorism, the Communists began closing churches, arresting priests, and practically abolishing public worship. On Friday, September 25, 1953, Cardinal Wyszynski held his regular evening service in the church of St. Anne in Warsaw. In the gathering dusk, he walked a few blocks to his residence in Miodowa Street. He saw his courtyard filled with armed secret police. A huge tank guarded the entrance. The cardinal's 80-year-old father, two nuns, and several visiting priests were ordered to face the wall or be shot.

"The Lord be praised," the cardinal greeted the police. They raised their guns in reply. At this moment the cardinal's Alsatian dog Baca ran out into the courtyard. Barking furiously, it bit the hand of the policeman who stood nearest to its master. The bite was not serious, but the cardinal insisted on personally bandaging the police man's hand. That night the police took the cardinal to a monastery in Polish Silesia, the first of four places where he lived under detention during the next 3 years. The Communists did not dare disclose his arrest for 3 days. Nor did they dare mistreat him, but they kept him under constant surveillance, with microphones in his room. The cardinal calmly spent his days writing, studying history and economics and the works of Marx and Lenin. "I am better versed in Communist dialectics than any of the Polish Politburo members," he likes to remark. "I get the better of them in a discussion any time." Several times the Communists offered to release him if he would give up his post as primate. He could still be a bishop, say Mass and preach. "I prefer to pray for you gentlemen here," said Wyszynski coolly as he returned to his studies.

AS THE EMPIRE TOTTERED

Then came the upheavals of 1956. Nikita Khrushchev's denunciation of Stalin had unloosed a force that Khrushchev himself could not control. In Poznan, armies of Polish workers openly demonstrated with placards calling for bread and freedom. That October the Polish Communist leaders themselves rebelled against the years of Russian domination. In a sudden coup, they ousted Soviet Marshal Rokossovsky as defense minister, brought in the long-imprisoned Titoist Gomulka as Communist Party chairman. And that same week Hungary was rising in revolt. In this moment of near chaos, Gomulka sent an emissary to the isolated monastery in the Carpathian foothills where Cardinal Wyszynski was imprisoned. He offered immediate release, but the cardinal now dictated his own terms. He demanded that the teaching of religion be reinstated in schools, that all imprisoned priests and monks be freed, that all nationalized church property be restored, that the church regain freedom of religion in hospitals, army posts, factories and universities. Gomulka promised everything the cardinal asked. In return, the cardinal undertook to prevent any bloodshed and even to support the Gomulka regime.

How is this bizarre concordat working today? When I called on Cardinal Wyszynski in Warsaw in 1957 and again last fall, I sensed his increasing dissatisfaction with the way Gomulka had carried out their agreement. I asked him whether he would be willing to express his dissatisfaction publicly, and he finally agreed to receive me in Rome during the Ecumenical Council meeting. "I'll talk with you after my early morning Mass," he said.

It was still dark outside and the Roman streets were asleep when I arrived at the Ecclesiastical Institute on the Via Pietro Cavallini, a stone's throw from the Vatican. I was shown to a small private chapel, where a religious service was in progress. An hour later the cardinal received me in his study.

I found him as impressive as ever. At 58, he moves with quick, vigorous gestures. His tall, austere figure, clothed in a simple black cassock, radiates vitality and strength. Somehow there is none of the conventional manner of a cleric about him. His voice is vibrant. He talks crisply. His smile is pleasant and quick. Still, there is an extraordinary repose in his face, as if years of reflection had given him an inner serenity that no outside force could break. And he is firm in his determination to maintain his church's role in the life of the Polish people.

"The agreement that I negotiated with Gomulka 6 years ago last October has been ignored," he said. "Hardly any of the promises have been kept. Instead, a powerful administrative apparatus has been mobilized to fight us. Its tentacles spread everywhere."

To Americans, who have never experienced state control over everyday affairs, the extent of Communist bureaucratic interference is hard to understand. "A recent decree," Cardinal Wyszynski explained, "compels every employee of the state to refer every matter concerning a clergyman, church organization or religious order to a special government agency called the Office for Religious Beliefs. It makes no difference whether this involves an application for a building permit, a driving license for the local priest or an allotment of coal for a convent. * * * The policy of the Office for Religious Beliefs is quite simple—'no' to every request.

"Then there is the financial pressure through taxes. * * * The government calculated." The cardinal stopped talking and his face took on a look of wry amusement. "I'll show you the exact figures," he said, picking up a sheaf of papers.

"The government calculated that the revenue of the church comes to 2,500 million zlotys a year (about $100 million). It fixed taxes on this revenue at 800 million zlotys (roughly one-third). The absurd estimate was made to provide a so-called legal basis for the exorbitant levies that are now being extorted from us. There is no money to pay it, for the church's real income amounts to less than one-sixth of the government's estimate (which would make the tax twice as high as the income).

COLLECTING BACK TAXES

"But the government is relentless. In one parish the furniture of the village priest has been seized in payment for so-called back taxes due from the collection plates last year. In another, a priest's bicycle and his wristwatch were confiscated when internal-revenue agents were unable to locate the preposterously high sums of money they demanded. According to a recent regulation, all religious schools, seminaries, and convents are classified as luxury hotels and thus subject to exorbitant taxation. Our clergy lives in constant fear of eviction. For the state confiscates everything—buildings, furniture, livestock, farm produce. * * * The students in a seminary in central Poland recently found themselves sleeping in drawers used to store clerical vestments. Every other piece of furniture had been seized by the tax collector."

The cardinal saw the expression of amazement on my face. "Yes, they are brutal," he said. "They hope to discourage young people from joining the ranks of the clergy. Some, of course, do succumb through sheer physical exhaustion. I can't blame them. * * * But these are all flagrant violations of Gomulka's agreement in 1956."

Apart from economic disputes, Cardinal Wyszynski also charges that Gomulka's commissars are trying to harass the church by hampering its publications. "Strict censorship," he told me, "is applied to all circulars, pamphlets and church publications essential for the dissemination of faith and the routine functioning of church administrative bodies. It involves endless delays and expense. Take the case of books, for example. The Communist censor requires that a copy which is bound and ready for sale be submitted to him. He then proceeds to blank out parts of it, making it necessary to reprint and rebind the entire book. The allocation of paper is also in the government's hands and we are entirely dependent on their whim. Yes, we have traveled a long way from the heady days of October 1956—unhappily in the wrong direction."

Perhaps the bitterest church-state conflict arises from the struggle for the minds of the coming generation. When Gomulka returned to power in 1956, he promised Cardinal Wyszynski to permit religious education in the public schools. Ever since, however, he has been weakening that guarantee with new restrictions.

"In its effort to create an atheistic society in Poland," Cardinal Wyszynski said, "the Government has suspended religious teaching in schools. This has been the most serious violation of the 1956 agreement. Poland is 95 percent Catholic, and close to 90 percent of the parents have gone on record demanding that religion be a required subject in schools. But today the state tries to prevent even the teaching of catechism to children. Complicated permits are needed to open a 'meeting point' after school. The refusal is never direct, but the building is declared 'unsafe in case of fire,' or some other technical flaw is discovered. * * * This defers the matter ad aeternum.

"Over the last 6 years the tension has indeed been great," the cardinal continued, rising from his armchair and pacing the marble floor in his study, "but the climacteric was not reached. Neither I nor Gomulka will allow it. They know that we will not compromise in some matters; I know that the prestige of the party has to be saved. I have never, for example, asked the state to make religious education compulsory for all—it is a demand that Gomulka could not possibly defend before his fellow Communists and consequently could not grant. I have never yet told them 'all or nothing.'

"At times I am forced to make big tactical concessions, like withdrawing a nomination for a bishop, or substituting one name for another. But I can't risk having all my bishops arrested. The administration of the church would collapse, and worship would be seriously interfered with. If the worst comes, it is better to preserve a flicker than to extinguish the flame altogether.

"It is all part of the balancing act that Gomulka and I are engaged in. We understand each other thoroughly, though our meetings are rather infrequent. It has been almost 2 years since I last talked to him, but predictions of a rupture between us are unfounded. We both firmly believe that an explosion has to be prevented at all costs. Poland is a very young country; almost half of its people are under 30 years of age and they are inflammable, like timber. * * * To most of them Catholicism and patriotism are one. Imagine what would happen if a popular revolt were to break out. The Russian armies which encircle us on all sides would march in. An ocean of blood would flow. Our youth would be lost. No, I will not allow Poland to suffer the fate of Hungary. There must be peace."

Despite this passionate desire for peace, Cardinal Wyszynski feels just as passionately that he must fight for what he considers religious issues. "The fierce battle I am engaged in just now is to prevent a mass biological suicide of a nation," he said as he stopped before his window, a look of intense concentration on his face. By now the sun was shining on the jewel-encrusted cross hanging on a gold chain from his neck.

The Government has enacted a new law which legalizes abortions. It is enough for a woman to declare that she wishes to interrupt pregnancy, and the hospital or the doctor are legally compelled to oblige her. * * * This is the exact opposite of what is happening in Russia, where abortion is punishable by imprisonment. * * * To a Catholic, of course, abortion is a mortal sin, but it is difficult for me to condemn Polish women for desiring to take advantage of the law. In their desperately overcrowded living quarters, the arrival of a new child often means almost insurmountable new problems. * * * But if abortions continue at the present fast-growing rate, the population of our country will be drastically reduced within the next 20 years. There is no economic necessity for this. Even with the present food shortages, mostly due to inefficient Communist management, the present territory of Poland can easily support a population of 50 million people or more. I have publicly denounced this vicious, inhuman measure and will spare no efforts to combat it. It is a crime aimed at the existence of Poland, and I shall fight it. The biological defense of the nation is as important to me as religion."

The cardinal is aware, however, of the need for maintaining the balance between the people's religious feelings and their Communist rulers. "I frequently take one line of defense, knowing that I may have to withdraw to the next," he remarked. "I don't mind it. Our survival depends on our knowledge of the changing Communist tactics. One has to foresee their moves and try to match them. It is not always wise to denounce immediately a new hostile law, for example. These laws change and often cancel each other after a time. I remain inflexible only in matters of faith. * * *

"My life's purpose is to be with my people—no matter what the cost. I prefer to remain in prison in my own country rather than to be free in exile or have a high ecclesiastical office abroad. * * * I am rather in a hurry to get back, for the pressure is on us again in full force."

WHEN CLERICS WERE KINGS

By now, this imperious but shrewdly diplomatic cardinal is back at his post in the same three-story, yellow-tinged palace that the primates of Poland have occupied since the 18th century, when they served as interim kings during any vacancy in the monarchy. Every day, the cardinal rises at 5 a.m., says mass, then begins his audiences with the priests and delegations who come flocking to the rectangular courtyard of the palace. He lives austerely with his private chaplain and two priest secretaries, receives the visitors in his office. It is a small, sunny room with a high Florentine ceiling, red-and-gold armchairs, and French windows overlooking the formal Italian garden behind the palace. And every few days he is apt to set off in his old Ford to ride over Poland's bumpy country roads to check on conditions in his 24 dioceses.

Is he aware of any danger to his life, this symbol of freedom behind the Iron Curtain?

"I never think of it," the cardinal said with great emphasis. "It is true that I get thousands of letters every day begging me not to travel at night, or to use armed guards in the palace. I would not think of it for a moment. Why, I never even lock my door at night in my bedroom! I know I am under the protection of our Lord and of the Holy

Mary, His mother. That is the best guarantee for my safety.

"You ask me, what does the future hold? I don't know. But I know that the church in Poland will survive, and with it a degree of freedom for our people.

"Bless you, my child," he concluded, making the sign of the cross over me. "You may tell the people in the United States all I have told you. And ask them to pray for us, for we need it."

WHAT IS WELFARE WORTH?

Mr. SCOTT. Mr. President, my distinguished colleagues Senators Barry Goldwater, Jennings Randolph, and Abraham Ribicoff, and well-known journalist Henry Hazlitt, a contributing editor of Newsweek magazine, recently participated in a panel discussion on an "All America Wants To Know" program entitled "What's Welfare Worth?" This discussion was based on Mr. Hazlitt's article "The Fallacy of Too Much Planning" appearing in the February issue of the Reader's Digest.

I ask unanimous consent that the transcript of the program as it was recorded on January 11, 1963, be printed in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

All America Wants To Know

Announcer. Many of our welfare programs were conceived during the days of the great depression to alleviate human misery and suffering. The American economy has had a phenomenal growth since then, yet the number of people receiving welfare aid has continued to increase. Does this mean our public welfare policies are creating a dependent society? What role should the Federal Government play in the field of welfare? "All America Wants To Know—What's Welfare Worth"—a monthly discussion of the great questions facing our country, created and produced for the Reader's Digest by Theodore Granik, in cooperation with the Freedom's Foundation at Valley Forge, and presented by this station as a public service. This month's subject is based on the article "The Fallacy of Too Much Planning" by Henry Hazlitt appearing in the February issue of the Reader's Digest. To discuss this issue, we are pleased to have as our guest Senator Abraham A. Ribicoff, former Secretary of Health, Education, and Welfare, and now Democratic Senator from Connecticut; Senator Barry M. Goldwater, Republican, of Arizona, member of the Senate Labor and Public Welfare Committee; Senator Jennings Randolph, Democrat, of West Virginia, member of the Senate Labor and Public Welfare Committee; and Mr. Henry Hazlitt, contributing editor of Newsweek magazine. We will join our group in just a moment.

(Announcement.)

Announcer. Now here is your moderator, Mr. Granik.

Mr. Granik. Mr. Hazlitt, in your article, you state: "The welfare state is the great fiction by which everybody tries to live at the expense of everybody else." Would you explain that, Mr. Hazlitt?

Mr. Hazlitt. Well, what I was getting at was this. In this welfare state into which we're getting deeper and deeper, everybody—nobody is supposed to pay for the education of his own children, but everybody is supposed to pay for the education of everybody else's children. Nobody is supposed to provide for his own medical bills, to pay his own medical bills, but everybody is supposed to pay everybody else's medical bills. In a word, nobody is expected any longer to provide for the contingency of his own old age, his own unemployment, his own sickness, but everybody is supposed to provide for the contingency of the unemployment or old age or sickness of everybody else. And so that's why I quoted the remarkable and uncanny prediction of Bostier—Frederic Bostier, the French economist—more than a hundred years ago, that the welfare state, or he called it, the state, is the great fiction by which everybody tries to live at the expense of everybody else.

Mr. Granik. Senator Randolph.

Senator Randolph. The facts of our economy and the public spending do not support the argument which has been made by Mr. Hazlitt, the distinguished journalist. Now here are the facts. In 1961 prices, constant, the gross national product in 1938 was $201 billion. The Federal budget was $19 billion. Now the non-defense-connected Federal expenditures were about $16 billion. Therefore, the nondefense public sector was about only 7½ percent of the gross national product. In 1946, it was $325 billion—the GNP. The Federal budget was $106 billion. The nondefense expenditures were $30 billion. And it was about $9.3 billion in that year. Now what is it today, Mr. Hazlitt, $519 billion as our gross national product; $81½ billion annually as our Federal budget, and about $16 billion, the non-defense-connected expenditures—about 3.1 percent. Thus we are spending proportionately today, one half of what we were in 1938, and barely one-third of what we were in 1946.

Mr. Granik. Senator Goldwater.

Senator Goldwater. Well, Senator Randolph, I don't know where you got your figures, but the expenditures that I have of 1961 in the general field that we're discussing of social welfare expenditures total $37,345 million. In fact, I remember what President Roosevelt said in 1936, when old-age assistance began. He said "This will put an end to relief." And if I remember correctly, in that year we had about 6,700,000 people on some kind of relief program. This year—I believe in that year we spent about $3 billion for these people. Now we have about 7 million people on some kind of relief and the budget for 1961 called for an expenditure of $37 billion. In other words, an increase of over 300 percent, while the number of people remain about the same on relief.

Mr. Granik. Could we hear from Senator Ribicoff?

Senator Ribicoff. I think there's a great confusion here, Senator Goldwater. I think you are including social security and also including unemployment compensation.

Senator Goldwater. Including everything that we spend.

Senator Ribicoff. Yes, yes. But what you have to keep in mind is this—that if you go purely in the field of public welfare, that while we do have 7 million people on relief, that represents about 4 percent of the population. We had fewer people on relief 10 years ago but that represented only 4 percent of the population. Today we are spending $4 billion on Federal, State, and local welfare charges, as against some $2,400 million some 10 years ago. But again, this represents about 4 percent. But I think that where the great misunderstanding is that I am willing to admit that the welfare programs have been wrong, but what we should understand is that we have done something about it. And I think I can talk about that because as Secretary I recognized that our welfare programs of the past 25 years are wrong, and we had to get away from just the funneling in of cash of a welfare worker through the individual, but we must do everything we possibly can to break down the question of having succeeding generations on relief and this can only be done in a positive way through prevention and rehabilitation and this is what we achieved in the Congress of the United States in the last year in the welfare program.

Mr. Granik. Do you want to ask a question, Mr. Hazlitt?

Mr. Hazlitt. Well, yes. I'd like to get back to Senator Randolph's question, and I'd like to get the summary of what welfare in this country is really costing us. Now in these budgets for 1963, health, labor, and welfare amounts to $5 billion—a little bit more than $5 billion. And this is mainly made up of public assistance payments and nearly a billion and a half for health services and research. But this is only the beginning. The Federal Government is spending about a billion and a half on aid to education. It is spending nearly a billion dollars on housing and community development. It is spending more than $5 billion on veterans' benefits. This adds up to a total of $12,700 million. But even this is less than a third of the story. We must also add the enormous trust fund expenditures, most of them are for old age and unemployment insurance, and these total $26,700 million. So this adds up to a grand total of about more than $39 billion. Let's say, almost $40 billion that we're spending in this country for welfare alone.

Senator Randolph. Mr. Hazlitt, you asked where we get these figures, or rather Senator Goldwater indicated that he would like to know. They are the Joint Economic Committee and the Bureau of the Budget figures. And frankly, the public sector is not increasing at the expense of the private sector. And I must say that this is an actual situation, not an emotional situation which I have given. We are spending much less proportionately on such promotions or programs, Mr. Hazlitt, as education, if you want to call it that—public welfare, slum clearance, transportation and national forests and parks, and national resources conservation. We are spending much less than we did in 1938 and 1946. Is not that a fact?

Senator Goldwater. Let me answer that. That does not compare with my figures. I will go to 1915 and in the field of public money, public assistance, we are spending today 75 percent more than we spent in that period. In fact, the total expenditures in these fields from trust funds or from funds that have been contributed to, and from appropriated funds, has gone up 170 percent in the last 10 years.

Senator Ribicoff. Yes, but Senator Goldwater, you would not advocate the repeal of the social security system, would you?

Senator Goldwater. I would advocate the improvement of it. I wouldn't advocate the repeal of that. I have never advocated the repeal of it, but I would advocate the improvement of it, because I prophesy that around 1970 you're going to find a revolt amongst the payers of social security when they discover that the taxes they pay, plus the taxes of their employer, would enable them to buy a much better program on the private market than they're getting from the Government.

Senator Ribicoff. I think one of the great problems we have here is we have all this conversation about how bad these programs are, but yet I know of no public figure, either Republican or Democrat who advocate their repeal. I recall in 1961 when we extended and expanded the social security system, the vote in the Senate was 90 to 0. Now I don't know whether you were there to vote that day, but for each particular type of thinking—liberal, middle of the road, conservative, all voted for the expansion of social security system. Every time we extend the social security system, the vote is overwhelming—both Democratic and Republican—and yet, Mr. Hazlitt and Senator Goldwater, we have these arguments constantly that these are bad programs.

Senator GOLDWATER. We're not talking specifically about the social security field. In fact, I have advocated time and again that we make it number one, voluntary, and that we make it more flexible.

Senator RIBICOFF. But the figures that you and Mr. Hazlitt are proposing include the trust funds of the social security.

Senator GOLDWATER. That's right.

Senator RANDOLPH. I remember—I was in the House when we passed the Social Security Act. I spoke for it, voted for it. And I remember that a year after we had passed it—it had become law—Alf Landon was saying, let's repeal it. And so it's never been repealed, of course. The American people believe in it.

Senator GOLDWATER. I think though it is going to be violently changed when the American people realize they can do better with their own money around 1970 than they're going to be able to do through the Federal Government. This is why I've advocated making it flexible and making it voluntary. I'm going to do it again. I hope I'm successful sometime in doing this. The problem of paying these funds is going to be a gigantic one.

Senator RIBICOFF. But the problem that you have. What do you do with the individual who does not choose to go into a voluntary system, and they're usually the type of people who then are in need in their old age. As human beings, as part of our Western civilization, we're not going to let them starve and we're not going to put them in old-fashioned almshouses. And consequently, we're better off making sure that we, as a people make them self-sufficient by their own contributions, which they are making themselves, in a trust fund to take care of their needs and their old age.

Senator GOLDWATER. Well now, first of all, these moneys are proving inadequate to the needs of most of the recipients. This is one of the reasons I'd like to see some changes made in the program, so that it could be more self-supporting in a better supporting way. And your argument that—well what will we do with the person who doesn't volunteer but can't take care of himself? That type of person is not going to duck it. I'm talking about the man that feels that he can take care of himself and he doesn't want to contribute his money.

Mr. GRANIK. Gentlemen, I have a question here. The elderly have mounting medical and hospital bills because they are sick more frequently and spend more time in hospitals. Now Senator RIBICOFF, should the Federal Government have the responsibility of providing medical care for the aged?

Senator RIBICOFF. I would say the Federal Government should not have the responsibility for providing medical care. But the Federal Government should have the responsibility of setting up the plan under the social security system in which these benefits can be paid for out of the funds. I think your question indicates a great difficulty. It hasn't been proposed by the President or those who are for medical care under social security, the Federal Government supply any medical services. We just set up a system under social security in which the people contribute to a trust fund and they choose their own doctors and their own hospitals, and then like Blue Cross, or any other voluntary plan, the bills are paid for. I think this is a must if we are going to preserve the liquidity of middle-class America.

Mr. GRANIK. Mr. Hazlitt, please.

Mr. HAZLITT. I'd like to get back to this point before we talk about expanding these programs and going into new programs, the essential things seem to me, stop for a moment, stop, look, and listen at what these programs are already costing us. And we can't ride over this as if it were an unimportant question. Now talking about the question of what is right here, let's take the question simply of nondefense expenditures as a whole. In the current fiscal year the Government is spending $115 billion. Now I'm adding in all the payments to the public to that. If we deduct $52,700 million for the total national defense expenditure, we get nonmilitary expenditures of $62 billion or more than half. Now if we compare these totals even with 1959, we find that defense spending has gone up only $6 billion and nondefense spending has gone up nearly $14 billion. And if we carry the comparison back 10 years to 1953, we find that whereas military spending has gone up only $2 billion, overall spending has gone up $19 billion, and counting the trust funds, $40 billion. Now this is a tremendous growth, and every time the budget is discussed, we are told that it's the military expenditures that are costing us all the money.

Senator RANDOLPH. Well, Mr. Hazlitt, I turn just a moment to indicate we are constantly thinking of more welfare programs and more people on the Federal payrolls in connection with the latter. Why, in relationship to our population, we have less persons today per thousand on the Federal payroll than we had 15 years ago, than we had 10 years ago, than we had 5 years ago. And yet, Mr. Hazlitt——

Mr. HAZLITT. Civilians?

Senator RANDOLPH. Yes, civilians. Less civilians per 1,000 than we had in 1946, 1951. Think of that—we had 19 out of 1,000 15 years ago and 10 years ago we had 17 out of 1,000, and today we have only 13 out of 1,000.

Mr. HAZLITT. Oh, that was on the war effort. Wait a minute, that was on the war effort.

Senator RANDOLPH. Well, I'm saying, these are.

Mr. HAZLITT. We have about two and a half million people on the civilian payroll.

Senator RANDOLPH. We have less percentagewise today of our population per thousand employees than we had 10, 15 years ago.

Mr. HAZLITT. And if we talk in absolute figures, we've got 77,000 people in the HEW alone. Now this seems to be a tremendous overgrowth. They've grown from about 63,000 or something of that sort.

Senator RIBICOFF. Mr. Hazlitt, let me say this. Now basically let's get down to specifics and just general figures.

Mr. HAZLITT. That's what I'm talking about.

Senator RIBICOFF. That's what I want to get down to. Would you advocate that the Federal Government stop its research through itself and through our great universities to discover the cure for cancer? Let me ask you this question.

Mr. HAZLITT. I think this is reflecting.

Senator RIBICOFF. No, no; this is very important, because this is where we're spending our people's money to discover a cure for cancer—to discover a cure for heart—Would you stop that?

Mr. HAZLITT. I think that we are spending too much on research and we are not adding to the net.

Senator RIBICOFF. I didn't ask that question. Sir, would you advocate the stopping of Federal funds?

Mr. HAZLITT. I'd rather have them doing that than trying to send a man to the moon.

Senator RIBICOFF. All right. So you are for the research in fields of cancer and heart?

Mr. HAZLITT. Well now wait a minute. I'm not for the research to the extent that you may be. I mean, we're talking about.

Senator RIBICOFF. No, I want to pin you down because you have these general statements and general connotations, Mr. Hazlitt. And let's get down to specifics. Would you advocate that the Federal Government get out of the field in research for the cure of cancer?

Mr. HAZLITT. I think if the Government were out of the field for research in the field of cancer, we'd have more research or private research than now. I do not think that the Federal Government adds net what it—it takes the people away from the private industry.

Senator RIBICOFF. Mr. Hazlitt, you haven't talked to any researcher in any medical school country who will tell you that without the Government contributions in the field of health research, we would just have no health research and ever be able to find a cure for cancer.

Senator GOLDWATER. Let me try to get this back on what I think is the right track. I like to see results. Now we are spending today some 300 percent in this field than we spent when our population was 125 million. Our population has gone up in the neighborhood of 30 percent. Expenditures have gone up in the nature of 300 percent. There has to be some relationship here. We seem to be living in a better time than we were in the middle 1930's. More people are employed. Fewer people percentagewise are unemployed. And yet we find a growing need for dollars where there hasn't been a showing for a growing need for the expenditure of these dollars. I agree about research. I think there are many fields of research that private research can't or won't get into. I'm talking about this overall problem. I think of the 6.7 million people who were on relief in the middle 1930's, 7 million people that are still in this bracket. I think what we've created in this country, if you'll excuse my saying it, is sort of a welfare class. The people who live in this way, others that dip into it because they have to.

Senator RANDOLPH. I want to come in here for a moment, may I?

Senator RIBICOFF. I certainly will yield to the senior colleague.

Senator RANDOLPH. No, but when we spend money for research, largely it's not a dollar spent. It's a dollar invested, because it returns not only that 100 cents on the investment, but a dividend. I feel this strongly. I remember when on the outskirts of Pittsburgh, a singer, a balladier, was making $15,000 a week. And that's all right. Dr. Jonas Salk at the University of Pittsburgh, was giving us the polio vaccine. He was making $15,000 a year. Now this is where the Government must step in. I believe that Senator RIBICOFF would agree, and have a research program, not just involved.

Senator GOLDWATER. Well we have a research program. In fact, it's gone up 827 percent in the last 10 years. I don't think you can complain about that.

Senator RIBICOFF. I would say Senator GOLDWATER raised a good point, if I may get back to it, because, in this I happen to agree with you—that I have always been concerned against creating a permanent class of welfare recipients. This would be tragic to the people, tragic to this country. And in this recognition, I'm sure that you were one of the ones who voted for a complete reformation of our welfare laws, which I happened to initiate as Secretary. And what I have recognized, that we must get away from the pure funneling and giving people money. And how do we do this? First, do you realize that only—there is only one trained welfare worker for every 23,000 recipients, that you have one caseworker handling some 200 cases in your own city of Phoenix, Ariz. They have been able to show how you get around and help cure this. For a period of 5 months, 5 welfare workers each taking 40 families—200 families—gave a special careful attention and that—would it surprise you to know that in 5 months, 47 families went off of relief, saving the city of Phoenix some $27,000 to $28,000. Now, my feeling is that we must be very, very careful and scrutinize, eliminate fraud, locate deserting husbands, and go in for training and rehabilitation. Many of these people on welfare can't read, can't write, don't know how to hold down a job. And, therefore, the whole emphasis of the approach to welfare, must be one of prevention and rehabilitation, instead of mere handouts from the Government. I'm sure you and I can agree on that.

Senator Goldwater. Well now I think we're getting close to the point here, and I wanted to use one or two figures to try to make this point. First of all, Mr. Hazlitt and myself are not opposed to welfare. I don't think any Christian human being can be opposed to helping his brother. But we are fearful that when the state takes this entire responsibility. I speak of the state as the Federal Government. That the controls that have to go with the expenditure of this money—constitutionally have to go with it—will result in other controls that ultimately can be destructive of freedom. Now how would we do it? Because I don't think a conservative should oppose unless he recommends. Back in 1929 the Federal Government's budget was 2½ percent of the gross national product. The State and local were 7.3. Today the State and local remain pretty near that at 9.3 percent of the gross national product, but the Federal Government has jumped to 19.5. Now I think that our problem can be much better solved in this particular field—we're talking about welfare now, not necessarily research, but welfare—if we get it back to local controls, local expenditure.

Senator Ribicoff. Senator Goldwater, now may I say in all due respect to you, this is exactly what has taken place in the field of welfare. The Federal Government does not administer or distribute welfare. Welfare is handled by the State and the subdivisions of the State.

Senator Goldwater. I know that.

Senator Ribicoff. The Federal Government comes in and gives matching grants, and the States are the one that formulate their programs, and the Federal Government comes in with matching grants. So what we have now is about $2 billion spent by our States and localities, matched by the Federal Government. So the Federal Government is here under act of Congress to butress the States, but the administration of these programs are in the States.

Senator Goldwater. I grant you that.

Mr. Hazlitt. But what do the 77,000 people do who are in HEW?

Senator Ribicoff. Well I'll tell you what they do. They make sure that there is not an abuse of our Pure Food and Drug Act, so that women like Dr. Kelsey, who gets paid and her coworkers, can make sure that harmful drugs do not come in. They make sure that all the frauds in the field of food—they're going to make sure that in the field of distributing the social security, just a bookkeeping work. It takes these people, if they distribute the checks and run the IBM machines, they are people who do this in a large advancing field. The research in the field of cancer, and the field of health, this is what people do in HEW. And may I also point out that there isn't a person in HEW who has been put on there by HEW. They are only put on there because the Congress of the United States passes—authorizes a program, appropriations are made, and in the appropriations there is authorization for x number of employees, and then the Secretary or the administrator carries out the act of Congress. So if you are unhappy about what's taking place, don't blame the administration or the executive branch, blame Congress for the program it passes. This is really what takes place. I think this is one of the problems of government—it is so easy to blame the executive. Having been in both the executive and legislative branch both of the State and the Nation, usually you will find where the executive branch has to take the blame, it is usually the legislative branch who votes the funds for the program.

Mr. Hazlitt. I agree entirely that is partly the fault of Congress.

Mr. Granik. May I ask a question to you, Senator Randolph? Instead of outright relief grants, wouldn't it be better to provide public works projects for pay for the unemployed?

Senator Randolph. Yes, the acceleration——

Mr. Granik. You're chairman of the subcommittee.

Senator Randolph. Well, I am on the Public Works Committee. And in the last Congress, we did pass an accelerated public works program. It wasn't what I wanted, frankly, from the standpoint of the amount of money which I felt was necessary. But in the State of West Virginia and in many States, these projects, of course, build a strong economy. They are not leaf-raking projects. And I think that this session of the 88th Congress will give us more money for the acceleration of public works.

Senator Goldwater. Will you yield to me, because I don't happen to agree that public works can promote any kind of an economy at all. In fact, we've passed everything that the President asked for in this field, extended unemployment compensation. I think at least two public works bills aimed at this—depressed area bills. Yet, as I understand it, West Virginia is still in trouble. Where we have the greatest expenditure of public funds in any one area, the TVA, we still have a depressed area down there. I just don't agree that continued public works, that continued Federal expenditures and growing expenditures are going to help our economy. I get back to this fact that the Federal Government now takes over twice from the taxpayer what our local taxpayers do. Suppose we could reduce that just by 10 percent, then you'd begin to see the economy beginning to bloom in West Virginia. You'd see it bloom around this country. Our argument as conservatives is just this. It's not against the expenditure of the money. It's the fact that money is better spent closer to home, by local governments, raised closer to home by local governments. We lose control of it when it comes to Washington. We also lose a certain percentage that has to be——

Senator Randolph. Well, Senator Goldwater, now you're a pilot, and you fly hundreds of miles in, very frankly, a few minutes.

Senator Goldwater. Yes.

Senator Randolph. In the old days it was closer from one county seat to the other than it is from Arizona now to Washington, D.C. You don't really mean that, I'm sure.

Senator Goldwater. Mean what? I mean exactly what I said.

Senator Randolph. Well I disagree and if you want to go back to——

Senator Goldwater. I'd like you to cite me then—cite me an example of where public works in West Virginia has expanded your economy to the point where you'd like to see it.

Senator Randolph. Well public works is just now beginning in West Virginia under the legislation.

Senator Goldwater. We've had public works for a long time.

Senator Randolph. Well let's go back then to the Franklin Roosevelt days and in West Virginia we had many projects—highways, airports—that stand there today helping us in West Virginia, with our problems.

Senator Goldwater. But your economy still hasn't come up to what it should be.

Senator Randolph. Well maybe we don't have as much sunshine as you do in Arizona.

Senator Goldwater. No, but you've got a lot of coal.

Senator Randolph. Yes. But automation moved in. That wasn't any fault of the expenditure of Federal moneys, you know that, Senator Goldwater.

Senator Randolph. Well let's go back, and this will only take 20 seconds. It was Alexander Hamilton, a businessman himself, who back in 1792, he thought of the American sailors who went out healthy and very frankly, they were in their ships and they came back home with scurvy. And they went into the ports and they were a load practically on the local economy, and the taxpayer there. And he suggested, and it became law in 1778 that a small portion of those wages of the seafarers, that this was a system of self-financing, that should go frankly, and the Public Health Agency of the United States was created at that time. Now that was a businessman, he felt that there was soundness.

Senator Goldwater. We don't quarrel with that. This is covered by the Constitution—interstate and foreign commerce is a charge under the Constitution to be taken care of by the Congress of the United States.

Senator Randolph. Well but here came the U.S. Public Health Service into being.

Senator Goldwater. We're not complaining about that. We haven't talked about the Public Health Service. We're talking about the expanding welfare state.

Mr. Granik. May I ask a question?

Senator Goldwater. Yes, go ahead.

Mr. Granik. In many areas of this great country, our citizens live in ramshackle farmhouses or dilapidated city tenements. These are Americans whose subsistence is a Government check. What can they plan for? Is the future of these people almost certain dependency on welfare, Mr. Hazlitt?

Mr. Hazlitt. Well, answering your question broadly, I think that we—people are planning all the time for their own future.

And are capable of doing it. And the assumption of the welfare state people is that they are incapable of doing this and that the State should have to do all the planning for them. And so, the whole business of a plan, of an overall plan means that you take my plan—your individual plans are no good. And you have, instead of a voluntary sector of the economy, the coercive sector of the economy. This is the real name that ought to be given. There's a public sector and a private sector.

Mr. Granik. Can Senator Ribicoff answer that?

Senator Ribicoff. Well, let me say this, Mr. Hazlitt, I don't know of anybody who is advocating an overall plan such as you suggest. I know of nobody in a position of responsibility in government or out of government in a position of responsibility who advocates it. Now again may I say to you this—the men that Mr. Granik is talking about—the families—if they can't read or they can't write, and they don't have even the most common elementary skills, how do these people then take care of their own needs? It would seem to me that if we want to keep them off relief and, as Senator Goldwater says, we are a people who aren't going to let people starve. And since we're not going to let them starve, and we don't want to continue giving them relief checks, then we must give them the training for a job. Now who is to give them the training? The only one that can give them the training is some level of government—local, State, or National. Now the weakness of Senator Goldwater's argument to give this all back into the States is because these problems are national in scope, and we have wealthy States if we do it, and we would have some very poor States, where the needs are greatest, that would do nothing for their needs. And yet Senator Goldwater's State is growing very rapidly, and there were 5 million people who move across State lines every year. We are a very mobile people, and we must take some of our programs, if we are going to sustain the future growth of our Nation, and we should only—let me finish, Mr. Hazlitt. We can only do this if we recognize that the individuals in these fields can't take care of themselves. This is one of the great problems that we face.

Mr. Hazlitt. But what your whole argument overlooks is the cancerous overgrowth of this system. Now in Italy, for example, 44 percent of every dollar, or 44 percent of their currency unit, that the Italian employer pays out, goes for welfare funds, so that the employee only gets 66 cents of it, and the rest is distributed by the state in its discretion. Now I think if the Italian workers were really allowed to vote on that, they probably would want to take the 44 cents for themselves and get the full dollar and spend it as they want to spend it, and not as so-called bureaucrats would like to spend it for them.

Senator Randolph. Mr. Hazlitt, I become profoundly weary, and I use that expression, when you promptly charge that it's bureaucracy that brings this situation into being.

Mr. Hazlitt. Oh, no; I gave the figures. It's less, percentagewise, in the population today than it was 15, 10, 5 years ago. I think Senator Goldwater and Mr. Hazlitt, they just won't accept the fact of change.

I feel that they are reluctant to accept it, and we must not only accept the fact of change, but I think we've got to understand the depth and scope of change. And that's what Senator Ribicoff's been talking about.

Mr. Granik. May the Senator answer that?

Senator Goldwater. I want to answer that because that's a popular charge of the liberal element in this country. There's nothing new about this. There's no change, when you go to a welfare state. This has been tried unsuccessfully, I might say, by nearly every government in history. It's been a strong contributing factor to the downfall of nations older than ours is today. If we could keep this thing in bounds, if we could conceive of some way that we could hand out Federal money without Federal control, you'd find me speaking in behalf of Federal programs. I am fearful of the day when it comes, when not just a handful of our people depend upon the government for their health, but all of us have to depend upon the government for our health. And again, this is not new. We conservatives are looking for new things. There's nothing new about welfare.

Senator Ribicoff. Well, as a matter of fact, you're right; it isn't new. It goes to the Constitution, to the general welfare clause.

Senator Goldwater. That's your opinion.

Senator Ribicoff. That's right. The general welfare clause is there. It goes back to the Mayflower Compact, where a handful of people agreed to work for the common good. And I think one of the great disservices that is being done with this type of philosophy is to take actions that are taken under the general welfare clause of the Constitution, and twisting it around to say that's welfare state when we are acting under the general welfare clause and Supreme Court.

Mr. Granik. May I ask one question? We have a few moments. Senator, can we expect medicare legislation to be passed in this session of Congress?

Senator Ribicoff. Yes, I confidently expect that it will be.

Senator Randolph. I would like to say that I believe——

Senator Ribicoff. I think it will probably pass the Senate, but I don't think it will pass the House.

Mr. Granik. You don't think it will pass?

Senator Ribicoff. No.

Mr. Granik. May I ask one other question? If we are to have the public welfare programs, can we afford a tax cut?

Senator Goldwater. I don't think we can afford a tax cut—period—unless we have a cut in public spending, whether it's in this area, some other area, I don't care where it is, but I think we're adding up to a very disastrous addition to our deficit in 1963 if we have a cut without a corresponding cut in expenditures.

Senator Randolph. Mr. Granik, I think that a tax cut is not only necessary, I think it's imperative now. It will stimulate our economy, strengthen our Nation.

Mr. Hazlitt. I'd like to raise one point. Why are taxes so burdensome today? Precisely because we're paying for all these wonderful welfare programs.

Mr. Granik. Did you want to comment on that, Senator?

Senator Ribicoff. No, I would say that basically, I think our tax system is a wrong system. I think our taxes in many places are onerous. It takes away incentive. This—I'm conservative like you—I think a tax system should not take away incentives. It should increase productivity, and I would like to see some tax reforms and a tax cut in such a nature that individuals and corporations—to keep our private enterprise going full blast. I do agree that private enterprise is No. 1, implemented by the Federal Government. But I'm only for the Federal Government coming in when private industry and the private sector cannot do it.

Senator Goldwater. If you would include a reform of the tax structure with a tax cut, I can buy that, because I agree with you. Our taxes today are so oppressive that I think it's a major contributor to the failure of money to go into West Virginia or Arizona or Connecticut. There's plenty of money around. Savings are at an alltime high. Insurance is at an alltime high. But they're keeping it. They're sitting on it because the tax structure is so outdated—if you want to do something new, Jennings, let's get on the ball with a new tax program and I think it will solve much of the things we've been talking about today.

Senator Randolph. Well, Barry, I would join you on that.

Senator Goldwater. Well maybe we could work out a program. Let's enable the American people to take care of their own needs. If the time ever comes that they can't do it—as far as I can see everybody agrees. I think the day——

Mr. Granik. I must interrupt. We'll return after this important announcement.

(Announcement.)

Mr. Granik. Thank you very much, Senator Abraham Ribicoff, Democrat, of Connecticut; Senator Barry M. Goldwater, Republican, of Arizona; Senator Jennings Randolph, Democrat, of West Virginia; and Henry Hazlitt, contributing editor of Newsweek magazine. Now join us again next month when "All America Wants To Know" will present another provocative discussion, based on an article from the March issue of the Reader's Digest. And now this is Theodore Granik bidding you goodbye.

Announcer. "All America Wants To Know"—a monthly discussion of the great questions facing our country—is presented as a public service by the Reader's Digest, the world's most widely read magazine, in association with the Freedom's Foundation at Valley Forge. "All America Wants To Know" is created and produced by Theodore Granik, Associate Producers Jay B. Cutler and Robert Johnson, Assistant Producer Margie Magranahan, directed by Dennis B. Kane, Senior Technician Sam Ford, Technical Director Claude Strickland. This is Julian Barber inviting you to be with us again next month when we present another subject of national importance, based on an article from the March issue of the Reader's Digest or "All America Wants To Know."

THE MANAGEMENT OF OUR NATURAL RESOURCES—PARTICULARLY SOIL AND WATER—IS THE FOUNDATION ON WHICH THE FUTURE OF AMERICA WILL BE BUILT

Mr. MUNDT. Mr. President, on February 4 at the annual meeting banquet of the Mississippi Valley Association, Senator Frank Carlson, of Kansas, delivered a very stirring and informative address on the development of our water resources not only in the Mississippi Valley but throughout these United States.

I ask unanimous consent to have this address printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Speech by Senator Frank Carlson, of Kansas

I am pleased to have the opportunity to address the 44th annual meeting of the Mississippi Valley Association here in St. Louis. I had this pleasure back in 1947. Since that time, I have also been privileged to work with a large number of your members, your officers, and staff people.

I have cooperated with your organization in efforts to carry out the objectives sought in your platform in developing the water resources of the central part of the United States and, for that matter, for the entire Nation.

The Good Book reads, "Where there is no vision people perish." Our Nation has been fortunate in that this organization has not only had the vision, but the courage to carry on a great program of control of water runoff.

Water conservation and utilization is becoming recognized more and more as the No. 1 economic problem in the Nation.

I agree with the language in your 1962 platform, which states that "the management of our natural resources—particularly soil and water—is the foundation on which the future of America will be built."

Our Nation has lost—the U.S. Senate has just lost—and the Mississippi Valley Association has just lost one of their greatest friends—Senator Robert Kerr.

America had no greater leader, dedicated to the continuing search for water answers, than Bob Kerr. He was a personal friend of mine and I will always feel indebted to him for the splendid support that I received on vital projects in which our Kansas people were interested.

I congratulate your membership from the 23 States which are all, or partly, in the Mississippi Basin, in your dedication to vigorous and aggressive action to further the wise management of these valuable natural resources.

Your association over the years has played a vitally important role in the success attained in this section of our Nation in water resources development. This, of course, includes controlling this great river and its tributaries against the historically wasteful cycle of floods and droughts.

This also includes developing this river and its tributaries, where feasible for navigation, irrigation water to reclaim some of our arid land, water supply for municipal and industrial use, outdoor recreation for millions, stream pollution abatement and the incidental generation of hydroelectric power.

I consider an organization such as yours with your large membership of dedicated leaders in this section of the country to be rendering this Nation a great service for its people—its economic betterment and its security.

In 1935, when I became a member of the 74th Congress, I was assigned to the Flood

Control Committee, under the very able leadership of Will Whittington, of Mississippi.

Can you imagine the irony of a Kansas Member of Congress being appointed to the Flood Control Committee at a time when our State and the Midwest suffered one of its greatest droughts in history?

As I look back on my service on that committee, I feel it was one of the most important assignments that I could have received. Our people were becoming conscious of the need for the control of water runoff for beneficial uses.

As a member of the committee, I helped write the Flood Control Act of 1936, which for the first time in our Nation's history recognized that destructive floods on the rivers of the United States constituted a menace to our national welfare. In my opinion, this was one of the most important steps ever taken. In my opinion, this was truly the beginning of the successful program which is now being carried on in this field.

As a member of the Flood Control Committee, I secured in 1936 the authorization for the appropriation for the Kanopolis Reservoir—which was the first reservoir constructed in the State of Kansas. Now we have a complete network of reservoirs either constructed, partially constructed, or authorized in our State. It has been my privilege to have been associated in securing every one of those projects.

During my years in both Houses of Congress and also as Governor of the State of Kansas, I have watched and supported the program of the Mississippi Valley Association in its development of this great river and its tributaries.

Sometimes it seemed like a long road between floods and flood control, but as congressional approval was given and funds became available, much progress has been made over the last two decades.

I vividly recall the tragic flood of 1951 which occurred in the Kansas Basin and is estimated to have done well over a billion dollars in damage to cities and farms in the lower Kansas Basin—as well as on downstream in the Missouri and Mississippi Rivers.

I also vividly recall when the Missouri reached record flood stage in 1952 and Omaha and Council Bluffs were miraculously saved from serious flooding. Now, 11 years later, the Missouri River above Kansas City flows on a stop-and-go order from a great chain of dams which extend all the way to Montana. Fort Peck Dam in Montana built in the thirties, was the first.

As a Member of Congress, I assisted in the passage of the Flood Control Act of 1944, which was built around what is known to conservation-minded people as the Pick-Sloan law, which provided full water resources development for the Missouri Basin.

As Governor of Kansas, I had the privilege of working with the interagency committee of the States for an accelerated construction program of this plan. Such important reservoirs as Garrison—Fort Randall—Gavins Point, and Oahe were considered. A sixth, Big Bend, will be ready to store water this summer.

Much progress has been made in the flood control reservoirs and local flood protection projects in the cities in the lower basins—such as the Kansas and Osage-Marais des Cygnes, but there still remains much work to be done on these and many other lower basin tributaries.

These big upstream dams—whose geographical location is in the upper Missouri River country—are by no means limited to the Dakotas and Montana when it comes to distributing the multiple-purpose benefits for which they were designed and are being operated.

Their flood control storage provides varying degrees of security for bustling communities and rich agricultural lands all the way to the Gulf of Mexico. When filled, these reservoirs will store 3 years flow of the Missouri River.

The big block of hydroelectric power they generated last year would run Washington, D.C., and not all the units are yet on the line. This power has led many areas out of the darkness and lighted the way for incoming industry.

Teaming up with the bank stabilization works from Sioux City to the mouth, they are guaranteeing a navigable channel, which—although not yet completed—is setting a new tonnage record every year.

Last year's 2,250,000 tons of commercial freight barged on the Missouri was 43 percent over the 1961 figure. When the 9-foot channel from St. Louis to Sioux City is complete—and this is the key—the 2 million tons seem small indeed. The huge tonnages hauled on the Mississippi, the Ohio and other rivers are proof of that. River shippers on the Mississippi and Ohio have had recent reason to realize what this important operation means to them during the current cold spell which has caused ice jams to virtually shut down this operation.

Perhaps the greatest beneficiaries of river transportation have been the farmers of the Midwest. Not only do feed and fertilizers—molasses and phosphates—arrive at farms from the gulf areas at substantial savings—thanks to river service—but the barges put extra sums of money into the pockets of farmers.

As grain dealers have explained many times—the savings in transportation are passed along to farmers in the form of higher prices. Furthermore, cheap transportation over long distances from the upper Midwest to gulf ports and ports on the Tennessee, give the farmers alternative markets which they never had before the rivers were opened up. This in turn has meant higher prices for the farmers.

The inland waterways have demonstrated their worth as conveyors of our large rockets. Water and plenty of it is needed in the research and manufacture of space vehicles and their accessories. This water and the controlled routes into which it has been channeled would be unavailable were it not provided by natural resource development programs in years gone by.

Our history shows we have leaned heavily on water resources projects in supporting our military might in time of war.

The dams in the West generated the vitally needed electricity for the great defense plants on the Pacific coast during World War II. Navy amphibious craft were built in the safety and security of inland shipyards and floated to the coasts on the manmade navigable channels.

The President's Water Resources Policy Commission had this to say about the role of our navigable rivers in its report of 1950:

"The service rendered by inland waterways transportation during World War II demonstrated conclusively that it is of vital importance to national defense. Its performance in contributing to the winning of the war more than justified the confidence of Congress in the Corps of Engineers waterway improvement program prosecuted for and sponsored by the people, and more than repaid the Federal Government for all expenditures of public funds for that program."

Those who would have us abandon the Federal Government's role in developing our rivers and harbors are sending us down the path of economic stagnation and defense deterioration. Just as civilizations were built on water resources development—so too were they lost when their governments failed to keep abreast of this vital need.

The basic purpose and justification for construction of reservoirs by the Corps of Engineers in the Mississippi Basin on tributary streams was—of course—for flood control and navigation. We should never lose sight of this fact to the extent that the flood control storage would ever be encroached upon in years to come. However, some of the so-called fringe benefits are becoming big business. Recreation, for example, is fast becoming an industry on some of the tributary streams. Last year over 6½ million people visited the Corps of Engineers reservoirs in the Missouri River Basin.

Recreation also has its practical side, as it affords an ideal opportunity to supplement—in an enjoyable manner—our physical fitness program.

Although my major and initial interest in this program was in the manner it would affect my home State of Kansas, I recognize full well that the multiple benefits derived from these important projects are of major significance and value.

I have attempted to consistently support this program as we deal with it at the Washington level. "To plagiarize a phrase often used, I believe that what is good for Kansas is good for the country—and what is good for the other States is good for Kansas."

I agree with my good friend, Senator **Ellender**, who said, "That is why my temper rises and my blood boils when I hear the all-too-familiar label of pork barrel placed on public works projects. These shortsighted mudslingers have no conception of the good that flows to our entire Nation as a result of such programs. A channel in New York is deepened, and, as a result, increased trade pours into Pennsylvania. A harbor in Louisiana is completed and there is an increased demand for Iowa corn—Pittsburgh steel and so on. These are the true end results of public work programs—increased trade and activity which will continue to keep our country great and at the forefront of nations."

This public works program of developing our water resources wisely for future generations is sound capital investment in the future of America. I know of no better place in which we should invest our money—our faith and our efforts.

One thing that has always disturbed me about the water picture is the fact that there has been such a tremendous lack of coordination. We are polluting on the one hand and trying to unpollute on the other. Often the right hand doesn't know what the left hand is doing.

I am reminded of a story told by the late Senator Robert Kerr.

There were four boys whose father had just died. They all got together at the time of the funeral and agreed that their father had been very generous to all of them. One of the boys suggested that it might be well for their father to take a little money with him—and as a good will gesture—they decided to put some money in the coffin. They agreed that they should put in $125 each. The first three boys each put an envelop containing $125 in their father's coffin, but the fourth brother, who was a little sharper, came along and took the three envelopes and replaced them with one containing his check.

This, I think, symbolizes sometimes the lack of coordination and poor planning we do in dealing with water uses.

It is estimated that before the white man came to this continent, the area between Canada and the Gulf of Mexico was inhabited by approximately 1 million Indians. They had the resources of the entire continent at their disposal and approximately 4,000 acres for each man, woman, and child. Yet, quite often, they starved because they lacked the capacity to develop their important natural resources.

Today, in this same area, with our increased population—there is said to be approximately 2 acres of cultivated land per person.

We maintain the highest level of living in all of history. This is the result of increased effective development of our natural and human resources.

It has been estimated that by the year 2000 our population might reach over 300 million. This population explosion would leave less than 1½ acres of cultivated land per person.

The Senate appointed a select committee to study our water problems. Two of my good friends and former colleagues—the late Senator Robert Kerr, from Oklahoma, and my deceased colleague from Kansas, Senator Andrew Schoeppel, served on this important committee.

This study indicates that in the next 20 years the Nation will need to have new reservoirs to provide an additional 332 million acre-feet of storage capacity to provide adequate level flows.

I am convinced that this is more reservoir capacity than has been installed in the United States by all agencies—Federal, State, and private—since we became a nation. This would mean that it would be necessary to provide reservoir capacity of at least 16 million acre-feet a year which is about double the rate that the Federal Government has been building during the past 5 years.

The following is a quote from a Senate select committee summary report:

"With its abundant supply of good water—and its advanced technology and skills—the United States need never suffer for lack of water. Water shortages can be alleviated. The lack of water need not limit our economic destiny. But positive action must be substituted for complacency.

"There is work to be done—work to develop and use the abundant resources placed in our custody by a generous providence—work to develop the practices and techniques which will permit ever-increasing needs to be filled within the infinite limits of the resources we have.

"The first and most important step toward getting the job done is the development of increased public awareness and understanding of the Nation's water resources problems—of their effects on the Nation's economy—and of the possible ways of solving them. Facilitating this step has been one of the primary objectives of the Select Committee on National Water Resources."

In the 44 years the Mississippi Valley Association has been meeting to assess the growth and needs of our rivers, much has been recorded along the road of progress. But we are just getting started on the road to full and complete control of our water supply. Much remains to be done—but with the Mississippi Valley Association on the sidelines—I am confident the future of our inland waterways is in capable hands.

This has been said many times, but is worth repeating. The history of every civilization that the world has ever known has been tied to the care and proper use of the nation's water resources.

Babylon, China, the Holy Lands, Mesopotamia, Egypt, and others attained a high degree of prosperity so long as they husbanded their water resources. They all deteriorated when there was not enough water.

The pattern of man's development and the periods of growth and deterioration all followed the same pattern:

Bondage to spiritual faith.
Spiritual faith to great courage.
Courage to liberty.
Liberty to abundance.
Abundance to selfishness.
Selfishness to complacency.
Complacency to apathy.
Apathy to dependency.
Dependency to bondage.

We in America are now in the period of abundance—where we go from here depends on you and me.

NATIONAL ACTORS' EQUITY WEEK

Mr. HUMPHREY. Mr. President, I was honored to join the distinguished Senators from New York [Mr. KEATING and Mr. JAVITS], and the Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT] in introducing a joint resolution designating the week of May 20–26, 1963, as National Actors' Equity Week.

This will commemorate the 50th anniversary of Actors' Equity. Founded on May 26, 1913, Equity now boasts a membership of some 13,000 professional actors and performers, ranging from the unknowns in the chorus to the greatest stars of the legitimate stage. Through the years Equity has been the decisive factor in guaranteeing adequate wages and working conditions and has also been a prime source of strength in the enrichment of the cultural life of the entire Nation.

While the legitimate stage is currently faced with many difficult problems, it is also simultaneously entering its most creative and hopeful era. The rising costs associated with major Broadway productions have forced the price of admissions steadily upward, making it difficult for persons of average income to attend the theater with any regularity. Similarly, the high costs of Broadway shows have kept producers from gambling with unknown talent or highly creative and original productions.

But this is also the era of off-Broadway theater groups presenting highly stimulating, creative, and successful theater at prices within the range of the average theater goer. Moreover, throughout the United States local acting companies are bringing first-class theater to communities where legitimate theater had never existed. The new Tyrone Guthrie Theater in the Twin Cities and the Arena Stage in Washington are two outstanding examples of these new endeavors. The Ford Foundation has recently provided badly needed financial support to a number of such resident groups.

In short, as Actors' Equity begins its second half century it faces both problems and opportunities. I am confident that Equity will continue to be a major factor in guaranteeing a flourishing American theater in the decades ahead.

Representative JOHN LINDSAY, who represents the New York theater district, has introduced a similar joint resolution in the House of Representatives. I hope prompt action is possible in both Houses so that National Actors' Equity Week can be designated by an act of Congress. It would be a fitting and highly appropriate tribute to this fine organization.

COLORADO RIVER DISPUTE

Mr. ENGLE. Mr. President, I have inserted in the RECORD parts 1 and 2 of a four-part series of articles from the San Diego (Calif.) Union. Today, I ask unanimous consent to have printed in the RECORD part 3. The series of articles reports on the dispute between the United States and Mexico over salt in the Colorado River.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WASHINGTON.—Negotiating a treaty seems to be something like buying a used car. It doesn't matter what you think he said; or what he thinks you said. All that matters is what's in the fine print—or what a judge says is in the fine print.

Mexico and the United States are finding this out about a treaty which they signed in 1944 with the hope that it would settle for all time the rights of the two countries to water in the mighty Colorado River.

The river is the most valuable resource shared by the two countries and, in fact, is the largest single source of water for the entire Southwest.

The treaty worked pretty well until last year. Then the Mexican Government complained that the water it was getting had become too salty to be used for irrigating.

That was the point when the two countries parted company on the meaning of the 1944 treaty. And as both sides began digging back into history to support their contentions it sometimes seemed as though each side must have operated in a vacuum.

The U.S. State Department set the tone for this country's official stand on December 21 with the following communique:

"The United States considers that it is fully complying with its obligations under the treaty, which placed no obligation on the United States to deliver any specified quantity of water." Then follows an important sentence:

"It was widely understood at the time that the treaty was concluded that the saline condition of the water might increase as a result of the development of the Colorado River Basin * * *."

The State Department went on to say that the United States would do all it could to help the Mexican farmers without compromising U.S. legal rights under the treaty.

Mexico flatly rejected the U.S. interpretation of the treaty and, based on its own reading of the document, argued that the water supplied to it must be "usable" to fulfill U.S. obligations. Later the Mexican position was expanded to include a charge that the very salty water being discharged into the river by Arizona's Wellton Mohawk Irrigation District was not "return flow" as understood by the treaty but "contamination."

But although Mexico would like to portray Wellton Mohawk as the villain, its basic contention is that the 1944 treaty contains some assurance that the water it gets will be of acceptable quality.

The official U.S. position is that there is no such guarantee in the treaty and further that any guarantee was specifically exempted by the men who wrote the treaty and the men who ratified it.

With the benefit of hindsight, the transcripts of the treaty ratifications hearings by both countries make fascinating reading. Take the testimony of Engineer Aldolfo Orive Alba, head of the Mexican National Irrigation Commission, before Mexican senators on July 31, 1945. Senor Orive must have set a record for poor forecasting that day.

"With respect to the possibility that water delivered to us from the Colorado River may be of poor quality because it contains dissolved salts, we can state on the basis of reasons of both a technical and a legal nature that fortunately such a danger does not exist," he said.

"The water is intended for irrigation * * * therefore in this treaty, as in any other of this nature, it is fully understood that the water must be of good quality."

Orive said Mexico had the right to demand virgin flow from the river but would be willing to accept return flow (water which had been used by upstream irrigators and allowed to go back into the river). Orive didn't stop there. He assured the Mexican Senate:

"The most pessimistic technical calculations show that even if return-flow water of high salinity reaches the Colorado River this return flow mixed with the rest of the allotment to our country would make a mixture which our country probably would accept in accordance with its undeniable right to water of good quality."

It is worth noting that Orive was testifying after the U.S. Senate, in its own hearings, had heard our State Department spokesmen take just the opposite stand.

Assistant Secretary of State Dean Acheson was asked if it was his Department's contention that Mexico * * * must take water regardless of quality?" Acheson said, "Yes." Senator Sheridan Downey, of California, asked Acheson why the words "regardless of quality" could not be inserted in the treaty.

The Assistant Secretary, who was later to be Secretary, cautioned against suggesting doubts where there are no doubts. He explained the interpretation still held by the United States that the treaty limited Mexico to water from any and all sources and whatever their origin.

"Even though it becomes so saline that it is not usable by Mexico?" Downey asked him. "Those are the plain words of the treaty, Senator," Acheson replied.

Earlier, R. J. Tipton, a consulting engineer for a protreaty six States committee, was even more positive. It was Tipton's unqualified opinion that from the language of the treaty a court or an international arbitration tribunal would not hold that Mexico was entitled to water fit for irrigation." Tipton added the interesting comment that if the words "regardless of quality" were used in the treaty the Mexican Senate might not ratify it.

But the Tipton opinion on water quality was not unanimously accepted even on the American side. Clay C. Elder, a Los Angeles water expert, testified that if return flow water became too salty it could be described as salty brine and not as water at all.

Harry W. Horton, chief counsel for the Imperial Irrigation District, seemed to foresee the present problem.

"Do not place our internal affairs in such a shape that we cannot control them," he begged the Senators. Horton called the refusal to state plainly that water quality was not being guaranteed an "evasion" and said it was "evidence of lack of good faith even before the treaty is ratified."

However, there is no doubt that in 1945 many people in Mexico, as well as the United States, thought the treaty was a good deal for everybody. About 100 miles of the river's 1,450-mile length flows through Mexican territory, but the entire flow of the river is produced in the United States and all the natural damsites are in the United States. Reclamation works in this country have turned a river which once fluctuated between "a trickle and a flood" into a managed resource.

Under the treaty Mexico was guaranteed about double the amount of water it previously had been able to use beneficially. With a firm water supply agriculture expanded enormously in the Mexicali Valley until a peak of 500,000 acres were under irrigation.

Perhaps it should be remembered that California was opposed to the treaty. The California Legislature appropriated $50,000 in 1945 to lobby against it. The Golden State saw even then that the growth in the Southwest would soon drink up even the mighty Colorado and valid claims in the river could someday be a matter of survival.

CUBA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes or so.

The **VICE PRESIDENT.** Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, we will undoubtedly be hearing a lot about Cuba this week, as we have for the past several weeks and as we did prior to October 22, 1962. The Senate will recall, in the latter instance, that campaign oratory on Cuba was in full flower at that time. Then, suddenly, the Nation looked war fully in the face, and the busy tongues fell still. We placed our trust as a nation where it belongs in an international crisis—in the President—and he led the Nation through that grim crisis with magnificent courage, great wisdom and careful restraint.

Now, apparently, there is a margin of safety again. There is a little elbow room this side of the next grave crisis. And there are, once again, a lot of elbows elbowing for space in it to play CIA Chief, Defense Department Chief, and Secretary of State, if not President of the United States.

Let me make clear, Mr. President, that I am not calling for an end to discussion of Cuba or of any other issue which confronts the people of this Nation. Senators not infrequently have information and constructive insights in these matters which can be of value to the Nation. They should not be constrained to silence but should be urged to communicate in these matters. In matters of information, of course, I have no doubt that members of both parties know the difference between a conjecture and a fact. They know well that in delicate matters of foreign relations, there is a vast difference between heat and light. They know very well that beyond the urge of anxiety to do something about Cuba there is the difficult problem of defining a constructive course of doing something. Two Presidents have been working on this problem for years, and the problem is still with us.

Knowing that Members of Congress are speaking on Cuba with these lofty thoughts of the Nation's welfare in mind I am disturbed by the amount of information on Cuba which certain Members of Congress appear to have but which is not available to the responsible officials of the Cabinet—the Secretary of State and the Secretary of Defense. We have congressional reports of missiles. We have the last congressional word on the attitudes of Latin American nations toward U.S. policies on Cuba. And all the while, the executive branch has different information or no information on the same matters.

I would be the last one to suggest that any Member of Congress might know less about these critical and delicate matters pertaining to Cuba than the President, the Secretary of State and the Secretary of Defense. After all, these executive branch officers have many responsibilities, and Cuba is only one of them. And in these early weeks of the session, some Members of Congress have apparently had nothing else to worry about except Cuba.

But I would suggest most respectfully, Mr. President, that the responsible course, the course which helps rather than hurts the Nation, would be for these well-informed Members to take their inside unimpeachable information on Cuba to the appropriate departments at the same time that they take it to the press galleries. After all, it is the Secretary of State, the Secretary of Defense, and the Director of the CIA who have to deal with these matters in the end, and I am sure these officials would appreciate any information which they can obtain so that they, in turn, can pass it on to the President whose responsibility the conduct of foreign policy is. Or if the Members need to protect their sources, as newsmen do, and do not trust the Secretaries of State or Defense or the CIA Director, then perhaps they might wish to give their information to the President. I want to offer now my services as confidential messenger to any Member of this body to carry to the President information or suggestions which he or she feels the President does not have and must have if he is to conduct our policies with regard to Cuba effectively. I would, in this connection, note that the President reads many newspapers carefully, and if the Member's information or ideas have already appeared in the press there would be little point in repeating them in private to him.

In this connection, I should note that it is my understanding, according to the radio, that a Senator has said, in effect, that if the administration does not put into operation the recommendations and suggestions which he made to Mr. John McCone, Director of the CIA, last week, he will publicize them. I also understand that another distinguished Senator has said that some kind of an understanding was made by the President with Chairman Khrushchev at the time of the October crisis and that our part of the deal, the removal of Jupiter bases from Italy and Turkey and Thor bases from England, is now being consummated.

May I say to these two Senators that if the one wants to publicize his recommendations, he should take the responsibility of doing so if he thinks it is in the national interest. To the other I would suggest that he establish contact with the Defense Department to find out just how long before Cuba the removal of these bases from Europe was being considered and to find out why this was done. May I assure him there is absolutely no foundation to his charge of an understanding which implies a secret deal, and may I say to him further that his Republican colleagues in the leadership in both Houses have been called to the White House on many occasions and have been kept fully informed of all developments in the Cuban situation.

I note, too, Mr. President, that over the weekend, the distinguished Governor of New York also felt impelled to enter the public discussion of Cuba. I welcomed his participation, Mr. President, but I must confess that I looked in vain for a contribution worthy of him. After all, the Governor of New York is one of the most qualified men in the Nation on Latin American affairs. Over the years, he has worked on the problems of that region, as a private citizen and as an official of the U.S. Government, with vast powers to do something about them. And even now, the Governor has in his own backyard, so to speak, in New York City, a microcasm of the immense problems of poverty, human neglect, and inequity which are at the root of the ills of Latin America.

One would expect from an authority of his stature a deep insight into what ought to be done; some possible answers on the Cuban situation. But the Governor found only that Cuba was a cause of difficulty in Latin America; and, according to the press, Mr. President, the Governor said that what we need is more information.

It is not so much more information that we need on this subject. We have the facts supplied by President Kennedy and Cabinet officials, and we have every conjecture on Cuba that political fantasy can devise. We have a surfeit of information, Mr. Kennedy. What we really need is more restraint on irresponsible public utterances which are playing dangerously with the fires of public emotion. What we really need from the Governor and from the Senate are constructive suggestions that will help ease the Cuban situation.

The presentation of the Cuban situation by the Defense Department last week, followed by the President's press conference, was a combined statement of intelligence and broad policy and a firm and unequivocal presentation of the administration's stand in Cuba. The President of the United States—any President—can act in a situation involving war or peace only on intelligence of which he is sure. To act otherwise would be irresponsible and would not be in the best interests of our country.

On last October the President received intelligence several days before he called a meeting of the leadership on October 22. To be absolutely sure he had that initial intelligence confirmed again and again, but in the meantime he ordered the Air Force on a strict alert, he increased the Armed Forces in Guantanamo, and ordered Marines and other combat elements into the Caribbean area from as far away as the West Coast. The policy he pursued then was one which took the unavoidable risk of involving this country in nuclear war. The Republican leadership knew it; the American people knew it; and Mr. Khrushchev knew it.

I believe that the intelligence furnished the President under the direction of Mr. John McCone is excellent. I believe that the combined judgment of the Joint Chiefs of Staff and Mr. McCone that swift preparation in Cuba for an offense could not go undetected is accurate.

May I remind my Republican colleagues that Cuba is only one of a number of difficulties which confront the President of the United States and, thereby, all of us, regardless of party, at this time. I would call to their attention the recent events in Iraq, the ever-present danger at West Berlin, the critical situation in South Vietnam, the difficulties in various parts of Latin America, and the ever present dangers at Taiwan and Korea.

I would call on all to be less interested in the partisan politics of attacking the President and his policy and to be more interested in the national need to be constructive and to come forward with the kind of assistance which any President needs at any crucial period in our history.

Insofar as the Senator from Montana is concerned, he believes that the Cuban difficulty is being handled in a most responsible fashion by the President of the United States. I trust him to continue to handle it in that fashion. What the rest of us need most of all to do is to get down to the business of legislating on the inner ills of this Nation. We are not going to gird this Nation for the tests of our times by playing guessing games on the facts in the Cuban situation. There is the hard business of dealing with the facts at home which the President set forth in his state of the Union message. Let us get on with our work and let us do so responsibly and constructively.

Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of the remarks I have made on Cuba, a commentary entitled "Intelligence Gathering: In Cuba or Elsewhere, Imprecision Is Hard To Avoid," written by Philip Geyelin, and published in the Wall Street Journal of today, February 11, 1963.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INTELLIGENCE GATHERING: IN CUBA OR ELSEWHERE, IMPRECISION IS HARD TO AVOID

(By Philip Geyelin)

WASHINGTON.—Some 17,000 Soviet troops are now in Cuba, President Kennedy and his top associates now estimate with a public air of certainty. Yet they would be less than stunned, and the Government's intelligence gatherers would not be greatly abashed, if this estimate should have to be drastically altered a week or a month from now—without a single Soviet soldier actually moving in or out of Cuba in the interval.

Congressional critics of the Kennedy administration's Cuban policies doubtless would be up in arms. Uneasy citizens probably would be shocked. But the unhappy fact is that apart from one downward adjustment in troop estimates based on the actual departure of 4,000 Russian troops, the United States has been hastily revising upward its estimate of Soviet troop strength in Cuba in past months, not on account of new arrivals but simply because fresh evidence revealed that original calculations were far too low.

All this points up a problem that promises to bedevil the Kennedy administration's conduct of Cuban policy for just as long as the Cuban crisis lasts. The root of the problem is simply that imprecision, revision and indecision are facts of life in the complex, clandestine world of intelligence.

And Cuba's tightly closed police state is a classic case in point. For "absolute assurance" on Cuban doings, as Central Intelligence Agency Chief John McCone said the other day, the United States would require "continuing penetrating on-site inspection," but since the shutdown of the U.S. Embassy in Havana 3 years ago, the U.S. Government officially hasn't a single representative on the spot. Instead, it must rely entirely on aerial photography, spy networks on the ground, the Havana embassies of friendly nations, and refugee reports. These sources supplied the bits and pieces of information which, when welded together, convinced President Kennedy to take the world to the brink of war last October, and now convince him Cuba poses no offensive military threat.

VARIETY OF TECHNIQUES

Some of the ingredients are incredibly precise. A U-2 aircraft, soaring at 80,000 feet, over Cuba, can peer into the open holds of a ship and provide the dimensions of a crate. It can furnish the height of a Soviet soldier and probably tell if he needed a haircut. It can pick up the tracks of a truck in rough terrain. It can provide a welter of detail about goods in the process of being loaded or unloaded from ships and could produce a highly accurate troop nose-count—if the Russians would be amiable enough to mass their total Cuban strength out in the open on parade.

But the Russians have not been so amiable. Havana harbor, moreover, boasts one set of covered docks, where unloading is quite impossible to photograph. Nor can aerial cameras pierce closed hatch covers, warehouses—or caves.

So the highly technical process of reading photo negatives is only the beginning of aerial intelligence, a process, which in the case of Cuba, required an astounding variety of supplementary fact-finding. For instance, the business of identifying those 42 Soviet offensive missiles in Cuba can be said to have begun with sober study of the length of a brick in Moscow's Red Square. By using the bricks as a measuring rod, photos of Russian rocketry in the annual May Day Red Square parade yielded rather precise dimensions of the weaponry.

With these dimensions and by working on the assumption that Russian and U.S. missile designers are subject to the same laws of physics and aerodynamics, U.S. specialists can deduce a rocket's probable thrust and range. With this data, they could then draw conclusions about the nature of missiles photographed in Cuba, dimensions of these missiles could be calculated in relation to some item in the photos whose size is known—say the gage of a railway track.

The United States knew well before last October's missile crisis that Mr. Castro had been favored with a batch of Soviet SA-2 high-altitude, antiaircraft missiles, which were subsequently credited with knocking down an American U-2 plane over Cuba. But only the CIA's Mr. McCone, insiders say, rightly read this intelligence lead as a highly suspicious sign that the Russians might have some very special reason for wanting to keep American aerial photography planes away from Cuba. Largely on this evidence, he interrupted a European honeymoon to write a memorandum to his CIA aides predicting that the Russians might be preparing to introduce offensive missiles in Cuba.

Other experts, already convinced that Mr. Khrushchev had no such intentions, dismissed the SA-2 evidence on the ground that similar weapons had been given by Russia to Indonesia and to the United Arab Republic; in neither case had the move foreshadowed shipments of big, strategic missiles.

HAZARDOUS GUESSWORK

Original estimates of Soviet troop strength in Cuba went awry in somewhat the same way. Actually, counting the incoming Russian soldiers is impossible. Even envoys of Allied countries in Havana profess inability to estimate with much precision on the basis of what they can observe; "How can you be sure you aren't counting the same troops twice?" says one. What the United States usually can do is detect when troop transports arrive and estimate how many men probably were aboard. Also, it's possible to identify personnel carriers, tanks, and other specific pieces of military equipment by photo or by word-of-mouth reports and, by applying these figures to known tables of organization for Russian units, estimate how much manpower is likely to be involved.

But this is hazardous guesswork at best, at least in the beginning, and in Cuba it led the United States seriously astray. Now, experts say, more of the Soviet forces are organized into formal units in permanent encampments and their numbers can therefore be more accurately estimated.

Even so, the United States can't be certain about this, or about much else. There is, as President Kennedy observed last week, "no finite proof" that offensive weapons aren't stashed away in caves—but only U.S. confidence that any concealed missiles couldn't be made operational without detection. And if deductions from the relatively hard evidence of aerial photos are dangerous, intelligence analysts must also deal with a torrent of information of other sorts whose reliability is even more uncertain.

Even the reports of trained agents run a wide gamut of reliability, and must be graded accordingly. Untrained observers flood the Government with rumors and reports that are far harder to weigh.

Finally, no computer can sift the Government's massive intelligence yield. It must be evaluated by mere men, with preconcived notions, bested interests, conscious or unconscious prejudices. Military intelligence authorities, for example, generally take the darkest view. With responsibility for possible action if Cuba should turn into an active military threat, they don't usually err on the conservative side. If the United States was somewhat slow in accepting as "hard" the evidence of the Cuban missile buildup, the explanation for that they may well trace to the overwhelming view of Soviet experts here that Mr. Khrushchev wouldn't ship missiles out of Russia because he never had before.

DANGER OF DISTRACTION

Small wonder, then, that policy-makers move cautiously toward hard judgments on intelligence. Yet politicians as well as the public prefer to deal in neat, hard "facts." The result is a partisan debate, not over what the U.S. Government ought to do about the Communist military penetration of Cuba it admits to knowing about, but over the question of whether the penetration isn't a good deal deeper than the U.S. Government admits. Maybe it is; perhaps, also, U.S. intelligence gathering needs jacking up. But the public controversy over the accuracy of specific intelligence data also risks distraction from the bigger Cuban problem.

And already it has provoked the administration, the experts fear, into dangerously detailed rebuttal, imperiling intelligence sources and resting the Government's prestige and credibility far too heavily on intelligence data which by its nature is seldom conclusive, sometimes erroneous, almost always imperfect—as well as astonishingly accurate, detailed, and prescient at times.

Mr. GRUENING. Mr. President, before the morning hour is concluded, I ask unanimous consent that I may address the Senate for 15 minutes on three subjects.

Mr. HUMPHREY. Mr. President, I would like to exercise my right under the morning hour.

Mr. COOPER. Mr. President, will the Senator yield for a moment so that I may make a comment on the speech which the Senator from Montana has made?

Mr. HUMPHREY. I yield.

Mr. COOPER. Mr. President, I would first like to say I am glad to have heard the statement made by the distinguished majority leader. He is not only a great Senator, but I can say in the finest sense, a great American. All of us, of both parties, respect him. We have confidence in what he says and does.

During the debate about Cuba, which has been going on for a long time, I have not spoken often. I have had no special sources of information. But chiefly, I have recognized, as have all of us, that the Cuban issue is a dangerous and delicate situation—one which I have never believed should become a partisan issue, because it affects the security of our country.

There has never been any question in my mind but that the President of the United States, in dealing with this difficult problem, has addressed himself to it with the greatest diligence and with the greatest concern for the security and best interests of our country.

Nevertheless, I speak today on the basis of my own study, because of my continued concern about the Soviet base in Cuba. It is the second statement I have made on this subject, and I want to speak with restraint.

Last year, when there were many calls for invasion and blockade before the discovery of the Soviet long-range missiles, I pointed out in a speech in the Senate that the imposition of a blockade could lead to a confrontation with Soviet Russia, which could lead to war; that it could lead to nuclear war; and that those who urged invasion, or a blockade, and all of us, must be prepared to the fullest extent to carry out all the implications of such a choice.

We are thankful that last year when the President made his decision—and it was the correct decision—that it did not result in war, but brought about the withdrawal, as I believe, of the Soviet long-range missiles. I salute him for his courageous and correct decision.

Nevertheless, I think we must now take into account the fact that the continuing presence of Soviet forces and arms in Cuba is a matter of concern to this country, a concern which cannot be easily allayed, and their presence could well lead to a new crisis.

I think it correct—as the President and Secretary McNamara have said publicly, and as I understand Mr. McCone said in committee—that the administration, because of its various and many sources of intelligence, has the greatest capability to secure and evaluate information concerning Soviet military forces and weapons. Nevertheless, because it has been demonstrated that these appraisals have not always been accurate in the past, and because onsite inspection has been refused by Cuba, it is not possible to verify fully the judgment that additional weapons, and even weapons of offensive capacity, are not lodged in Cuba.

For myself, I wish to say that I accept the judgment of the administration at this time, because of its capacity to secure and evaluate the many sources of intelligence regarding Soviet strength and weapons. Nevertheless, if future developments should indicate a continued increase in Soviet forces or weapons of any character, it is inevitable that concern in this country will continue to mount.

If this occurs, I doubt very much that the administration could allay this concern by repetitions of the briefings by Secretary McNamara and other administrative officials, valuable as they were. In this respect I might say that I have had access to the briefing given the Senate Foreign Relations Committee, and it gave me the impression that Soviet strength in Cuba had increased since last fall—though not in long-range capabilities.

I agree that this is a dangerous and delicate situation which demands that the greatest responsibility be exercised by the Members of Congress of both parties—for the President has the ultimate responsibility. In whatever course he takes, he must have the support of Congress and the people.

However, I point out that as a human factor, if developments should indicate that Soviet forces or weapons of any kind continue to be introduced into Cuba, it will be very difficult to expect Members of Congress to refrain from formation available to the public or to the public. It might be better if they would make their information known to the administration, and to the intelligence agencies concerned. However, I repeat that if Members of Congress believe their sources are valid, it will be difficult for them not to make such information available to the public or to expect that they will not make it available.

I will not comment on the statements of every Member who has talked on this subject. However, I must say that I have listened to what the senior Senator from New York [Mr. KEATING] has said. I have never heard him, since he began this debate last fall, say anything other than with a constructive purpose. I have never heard him urge upon the administration any rash action.

I am glad that the President is now urging Mr. Khrushchev to fulfill his promise to remove Russian troops from Cuba. Removal of the Soviet troops, in my view, is the crucial issue to which our policies should be directed. It is hard to believe that if Soviet troops are withdrawn, they would leave in the hands of Castro weapons and missiles capable of attacking the United States, or any other country in this hemisphere. Withdrawal of Soviet troops would be the best evidence, the best proof, that there are no missiles in Cuba capable of seriously threatening our country, or any other country in this hemisphere.

Conversely, if Soviet troops remain—remembering the false assurances of Mr. Khrushchev and Mr. Gromyko last fall—the haunting uncertainty about the presence of missiles at this time, or their future introduction, will persist. We support the President's policy of obtaining removal of the Soviet troops. I believe it to be the crucial issue.

There has been much talk about the Monroe Doctrine. In my judgment it has already been compromised. However, I think the United States has the opportunity at this time to adopt a policy which will be effective—that is, the firm policy that it will not accept or tolerate a Russian base in Cuba or anywhere else in this hemisphere.

The President has valid grounds to insist upon the withdrawal of the Russian troops from Cuba, as well as missiles, on the basis of Russian promises made at the time of the crisis last year. I have no doubt that the President will pursue this policy by every diplomatic means. We hope he will be successful. I believe it is possible that he will be successful.

But, in the event that diplomatic measures do not suffice, the question will still be before us, with all its uncertainties.

If Russia does not accede to the President's reasonable and proper request for the withdrawal of troops, after such time as he believes reasonable, the President, supported by the Congress, should take the same firm measures that he took last fall, and impose a blockade.

Of course, the imposition of a blockade would bring again the risk of war. I do not believe the Soviet Union would risk a confrontation and nuclear war on this issue. Rather, I believe such action would establish the proposition that we will not accept or tolerate a Russian base in Cuba. If successful, it would be a policy which we can maintain for the entire hemisphere.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. JAVITS. I thank the Senator for yielding to me. I should like to say to him that I believe he is doing two things, and I should like to associate myself, if he will permit me to do so, with his statement.

First, he is putting into perspective these debates and discussions about the adequacy of the information, and the extent to which the American people were taken into confidence by the administration on what information the administration has or should have, and transferring it to the issue: What ought we to do about it?

Everyone agrees it is a serious matter, whether he is on this side of the aisle or whether it is the President and his Cabinet.

Secondly, the Senator from Kentucky is making clear to the President that he feels the country would back him even on the reintroduction of a quarantine—I believe that is the word the President used—and that the Senator is now equating the presence of Soviet organized units—and I use that word "organized" advisedly, because I have had some experience with the Armed Forces, because it is one thing to speak of 18,000 personnel, if that is the number, who are specialists or technicians, dispersed in many places, and an entirely different thing to speak of tightly organized military units, which, the Senator has pointed out, in the eyes of the American people, would possess the capability of some offensive military action.

Therefore the Senator feels that the procedure which the President used before is susceptible, within the compass of what the American people would expect, as the measure fitting the cause of reapplication of the proposal.

If I understand correctly what the Senator has said, I would like to associate myself with the Senator, because I feel exactly the same way. That is what I said over TV, but I am sure I did not say it as well.

Mr. COOPER. Mr. President, I thank the Senator. The Congress in its resolution has affirmed its support to the President.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. COOPER. I ask that I may be permitted to proceed for an additional 2 minutes.

The VICE PRESIDENT. Without objection, the Senator is recognized for an additional 2 minutes.

Mr. COOPER. Congress supported the President's declaration that he would take such steps as he felt necessary to protect the security of this country. He is pursuing diplomatic means to secure the withdrawal of Soviet troops. I believe the policy which would protect this country, and which would be a clear policy, is that we do not accept or tolerate the existence of a Russian base in Cuba, or anywhere else in the Western Hemisphere.

Mr. MANSFIELD. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Does the Senator from Kentucky yield to the Senator from Montana?

Mr. COOPER. I yield.

Mr. MANSFIELD. The distinguished Senator from Kentucky, as always, is most constructive in his approach to the difficulties which confront our Nation, not only with respect to domestic policy, but also, and most especially, in the field of foreign policy.

If the Senator from Kentucky was on the floor at the beginning of my remarks, he may have heard me say that I did not call for a moratorium or a period of silence on Cuba. All that I was, in effect, asking for was constructive criticism, and that any information which was available would get to the sources in our Government which are charged with the task of evaluating that information.

As the Senator has pointed out, I too feel that the President has a grave responsibility. My mind goes back to last October 22, when the minority leader and I were in the White House, and when what the President proposed to do at that time was laid before us.

It was a grim moment in the history of this country. We could have been engaged in a nuclear war. I daresay that every member of the leadership who was there at that time, both Republicans and Democrats, felt that that was far more than a bare possibility. When I returned home, the people knew it. Most important of all, Mr. Khrushchev knew it. At that critical moment, the President made a decision on the basis of facts which had been evaluated, over and over again, by his intelligence advisers. That is the President's responsibility always, not ours, except incidentally.

I hope that if Members of Congress get any information from any source, they will see to it that it is brought to the attention of the proper authorities, because Mr. McCone told the Committee on Foreign Relations that every rumor, every bit of evidence, which is brought to the attention of his Agency is sifted through thoroughly.

So I ask for constructive criticism, not silence. I am asking for responsibility, not for shouting merely for the purpose of making a noise or for the purpose of achieving a little publicity. The country comes first—always. So far as we are concerned—Republicans and Democrats—we come second—always.

Mr. HUMPHREY. Mr. President, first, I wish to compliment the distinguished Senator from Montana [Mr. MANSFIELD], the majority leader, and the distinguished Senator from Kentucky [Mr. COOPER] upon their statements today relating to the Cuban situation. This is the kind of discussion and debate which lends dignity to the Senate.

The Senator from Kentucky is considered to be one of the most able and informed Members of this body in the field of foreign policy. The majority leader of the Senate is looked upon as a scholar in this area. When these two able public servants speak as they did today, it ought to be reassuring to the American people.

During the past weekend, I was in my home State. I must confess that in talking with my fellow citizens, I found them worried, concerned, and confused over the Cuban situation, because of the many conflicting reports which come to their attention through the news media. Of course, these reports are the result of statements by Members of Congress and the executive branch. It was my hope that the statement of the Secretary of Defense on the radio and television and before the representatives of the press during the past week would do much to clarify the situation relating to our policy on Cuba. It is regrettable that following his full and complete statement, with extensive documentation, there is still dispute and argument over the so-called facts of Russian troops and Soviet arms in Cuba.

Mr. President, it is the duty of the President of the United States and Members of Congress to give direct, frank, and candid answers to the American people. I, for one, believe that the President is doing just that. I believe that the Secretary of Defense has done so and will continue to do so. I believe that both the Secretary of State and the Director of Central Intelligence are being candid and frank.

As the majority leader has said to the Senate today, we can help in the system of information and intelligence by making available to the executive officers of the Government whatever information we as Senators or Representatives may have. Then, if these officials fail to follow up on such alleged facts, they should be taken to the public in a responsible fashion.

A clear statement of our purpose and policy toward Cuba is needed, even though I feel that that purpose and policy are generally well understood. First, we in the United States and in this Government have as a policy the freedom of Cuba from the present dictatorship of Fidel Castro and from occupation by Soviet troops. We should make it clear to the world that Cuba is as much occupied today as is Hungary, and that Soviet troops are there to impose their domination upon Cuba. We have as our purpose, the withdrawal of such troops and armaments from Cuba. How that is to be done can best be determined by the executive branch of the Government.

As the director of the CIA has testified, all information relating to the security of the United States is given the most meticulous scrutiny. All leads will be checked out. Nothing will be swept under the rug. This is a very sensitive situation. The United States has commitments all over the world. There are trouble spots in many areas of the world that cannot be ignored or forgotten. The possibility of nuclear war is ever present. Therefore, our approach to these problems must be carefully designed, taking all these factors into consideration, and must be handled in a most meticulous and prudent manner.

Second. We must have the objective of restoring free government in Cuba through progressive programs of political and economic reform. In all this, we need the counsel, advice, and cooperation of our Latin-American friends and neighbors. President Kennedy journeys to San Jose, Costa Rica, for his meeting in late March with the presidents of the Central American Republics. I am hopeful that high on the agenda of this important meeting will be a statement of common policy on the part of the United States with our Central American neighbors and other Latin American neighbors along the lines I have indicated today.

The American people will not be content until our objectives and purposes are realized by a program of action. There are many details that can be discussed at a later date.

It is imperative that rash charges which cannot be substantiated by facts do not find their way into this Chamber or into the media of public information. It is the solemn duty of every public official in this country to speak with caution and to use prudent judgment and extreme care when he discusses these highly sensitive and dangerous situations.

Mr. GRUENING. Mr. President, will the Senator from Minnesota yield for a question?

The PRESIDING OFFICER (Mr. Hart in the chair). Does the Senator from Minnesota yield to the Senator from Alaska?

Mr. HUMPHREY. I yield.

Mr. GRUENING. Does not the able Senator from Minnesota believe that the holding of the conference in Costa Rica is particularly appropriate, because of the conspicuously democratic government of that country?

Mr. HUMPHREY. I certainly do. There is no area in which there is greater concern over the Communist regime of Fidel Castro and its effect upon democratic institutions and Republics throughout Latin America. The conference at San Jose can be a highly significant one. It is in the right environment, with the right people, and under the right auspices; and I hope that out of that conference will come not only another condemnation of Castroism, but also a program of democratic action. Many things can be done and should be done. The economic noose can be tightened around Cuba. The freedom fighters within Cuba can be aided. Guerrilla fighters can be trained. Subversion can be combated. Many other things can be done.

This Government, in cooperation with other Latin American governments, has instituted and has had underway for some time a program to meet Communist subversion in Latin America—by training counteragents, by strengthening the police forces, by the preparation of counterpropaganda programs, and by a host of other things. It is necessary that there be considerable expansion of the many efforts which are being made by our Government and by other governments to check the movement of Communist subversion and ultimately to destroy the Communist penetration of this hemisphere. The American people will be satisfied with nothing less.

TRIBUTE TO ROBERT FROST

Mr. HUMPHREY. Mr. President, only recently the Nation suffered a tragic loss in the death of one of its great citizens and great poets, Robert Frost. Today, we should pause to honor the memory of this beloved American poet.

The mantle of greatness has never been limited to the athlete, the orator, the soldier, the adventurer, the leader. It has its more quiet and unobtrusive forms, its peaceful sunsets, and its child's innocence. It has forms that capture us unaware in gentle assaults, placing something beautiful in our hearts forever. Such was the greatness of Robert Frost.

Now the sure voice that sang from the strong hills of Vermont has been stilled, but only for a moment, only out of respect for the eternalness of death, for a true poet's voice never dwindles away into echoes, but rings clearly for all ages.

His fellow poets around the world loved him as one of the master singers, the poet of strength and simplicity. And to millions of Americans he was America's greatest poet, a craggy-faced New Englander who sang of his rugged country in a way they had never heard before.

He published his first book of poems, "A Boy's Will," while living with his wife on a farm in England. He was 40 years old then, and soon returned to America, to publish volume after volume of poetry. Thousands remember being enthralled by his wry Yankee humor at his innumerable platform readings around the country. Honor after honor began to come his way as his fame spread. He won the Pulitzer Prize four times. And in January of 1961 he traveled from his farm in Vermont to read one of his poems at President Kennedy's inauguration, an event which gave public acknowledgement to his place as the first poet of the land.

Let us mark with restraint the passing of this man. Let us build him no monuments. Can we add to those he has built himself? Every schoolchild has read them and felt them and had his life enriched by them. Let us only record here one of his most beloved poems, "Stopping by Woods on a Snowy Evening," a poem which stands peculiarly by itself as a fitting eulogy of Robert Frost.

Mr. President, I ask unanimous consent that the text of this poem be printed at this point in the Record.

There being no objection, the poem was ordered to be printed in the Record, as follows:

Whose woods these are I think I know.
 His house is in the village though;
He will not see me stopping here
 To watch his woods fill up with snow.

My little horse must think it queer
 To stop without a farmhouse near
Between the woods and frozen lake
 The darkest evening of the year.

He gives his harness bells a shake
 To ask if there is some mistake.
The only other sound's the sweep
 Of easy wind and downy flake.

The woods are lovely, dark and deep,
 But I have promises to keep,
And miles to go before I sleep.
 And miles to go before I sleep.

HOW FARES THE ALLIANCE FOR PROGRESS?

Mr. GRUENING. Mr. President, recently our able colleague, the senior Senator from Oregon [Mr. Morse], the chairman of the Subcommittee on American Republics Affairs, of the Senate Foreign Relations Committee, delivered before the Women's National Democratic Club an admirable summary of the situation existing in the southern portion of the Western Hemisphere. His address was entitled "Basic Facts for an Understanding of Latin America."

I ask unanimous consent that his speech be printed in the Record at this point in my remarks.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Basic Facts for an Understanding of Latin America

(Remarks of Senator Wayne Morse before the Women's National Democratic Club, Washington, D.C., January 23, 1963)

The first fact which is essential to an understanding of Latin America is that Latin America does not exist except as a shorthand expression to describe a large geographic area lying generally to the south and east of the Rio Grande River and the Florida Straits. Included in this are 19 independent republics, 1 Soviet satellite, 2 sovereign members of the British Commonwealth, and a congeries of British, French, Dutch, and American territories in varying degrees of self-government.

I shall limit my remarks tonight to the 19 independent republics and to the 1 Soviet satellite, because these are the countries, stretching from Mexico to Argentina on the continental land mass and including the island countries of Cuba, Haiti, and the Dominican Republic in the Caribbean, which most people in the United States mean when they speak of "Latin America." But this all-inclusive term obscures the individual characteristics which make each of the 20 countries unique. These unique qualities are further obscured by the fact that all 20 have a common religion, and 18 have a common language.

The truth is that nowhere else in the world, except on adjacent sides of the Iron Curtain, does one find such startling differences. Consider, for example, Argentina and Bolivia, which have a common boundary. Argentina is more than 90-percent white, almost 90-percent literate, with a good industries base, and—until its recent deterioration—a good infrastructure. Bolivia is more than 90-percent Indian, less than one-third literate, with no significant industry and with the barest beginnings of infrastructure. Furthermore, almost two-thirds of the Bolivian people do not speak Spanish, but only their ancient Indian language. The per capita gross national product in Argentina is something more than $400; in Bolivia, it is substantially less than $100.

Now, I have admittedly taken one of the most extreme cases. Yet, except for the fact that Argentina and Bolivia have a common boundary, this is no more extreme than the differences between, say, Venezuela and Haiti; or between Uruguay and Paraguay. And important differences can be found between any other pair of Latin American countries.

It is a cardinal error ever to generalize about Latin America except in the most banal terms. I make this point as strongly as possible to put you on your guard against my generalizations which will follow. These are, to a large extent unavoidable, because although I modestly claim some renown for the length of some of my speeches, even I cannot do justice to 20 countries individually in a single speech. I will try to do justice to them collectively, and I will try to indicate the generalizations which are subject to the most exceptions. But I warn you again that little of what I say will be applicable to all 20 countries, and none of it will be applicable with equal force.

One of the keys to this diversity is found in Latin America's geography. Most of the huge land area of Latin America provides an inhospitable physical environment. It has some of the world's most barren deserts, most impenetrable jungles, and most forbidding mountains. Only in southern Brazil, Uruguay, and Argentina are there large tracts of easily accessible fertile land. In most other areas, it is an adventure to travel even short distances by automobile, train, or—as is frequently necessary—muleback.

The airplane therefore assumes a relative importance far beyond that which it has in the United States. But this is fairly recent, and historically Latin America has not developed as a unit but as a series of unrelated entities, isolated from each other and carrying on most of their trade with the United States or Europe rather than with each other. Even in the jet age, it is still easier to go from Bogotá to New York than it is to go from Bogotá to Buenos Aires. And telephone calls from Guatemala to neighboring El Salvador are routed through Miami.

Another key to Latin America's diversity is ethnic. There are basically four groupings—where the Indians resisted assimilation (and still do); where the Indians were assimilated; where there was no significant Indian population; and where large numbers of Negro slaves were imported from Africa.

The first group, where the Indians have resisted assimilation, includes Guatemala, Ecuador, Peru, and Bolivia, and poses special problems. Each of these countries is in effect two countries—one white or mestizo (i.e., a combination of Indians and white), speaking Spanish, living according to the traditions and culture inherited from Europe; and the other Indian, not speaking Spanish, and living as nearly as possible in the manner of its ancient ancestors. In each case, these two countries within a country are remote from each other culturally (they cannot even carry on a conversation) and physically. The Indians, who have always lived in the mountains and high valleys, have gradually been pushed farther up the slopes as whites or mestizos have preempted the best lands. They have little if any sense of identity with a nation called Peru, or Bolivia, or Guatemala. As a matter of fact, the Indians of southern Peru generally feel closer to the Indians of Bolivia than to the whites of Lima.

The other three groupings include countries which are predominantly mestizo (for example, Mexico and Colombia), predominantly white (for example, Chile and Argentina), or with a large mulatto population (for example, Brazil). Haiti, which is entirely black and mulatto is unique. But in none of these is there a problem of national integration such as exists in the Indian countries.

Let us now look at the main economic, social, and political characteristics of these diverse countries.

The economic pattern of Latin America is basically one of exporting raw materials (agricultural products, minerals, petroleum) and importing manufactured goods. For several years, Latin America's terms of trade have been deteriorating—that is, the prices of Latin American exports have been going down while the prices of Latin American imports have been going up. This has resulted in crisis in country after country.

In the case of coffee, which is the most important commodity involved here, a difference of 1 cent per pound in the price means a difference of $61 million per year in Latin American foreign exchange earnings. And the price of coffee has gone down more than 40 cents a pound since 1954. Through the price drop in this single commodity, Latin America has lost far more than it has received in foreign aid. After hemming and hawing far too long over theoretical economic principles, the U.S. Government finally agreed to join in an international effort to stabilize coffee prices and the International Coffee Agreement was signed in New York last September. It seeks to prevent further price drops by imposing export quotas, which the importing countries agree to help enforce. The agreement is now pending before the Senate for ratification as a treaty, and I hope this will be accomplished at an early date.

I think it is also of some importance, from a political point of view, that almost all of the mineral and petroleum production and a good deal of the agricultural production—notably bananas in Central America—is controlled by foreign, mainly North American, corporations. (The nationalized tin mines in Bolivia and the nationalized oil industry in Mexico are important exceptions.) Most of the other agricultural commodities produced for export come from Latin-owned very large landholdings. (The principal exception here is Colombian and Costa Rican coffee which is mainly produced on small- and medium-sized holdings.)

In 1951, the United Nations estimated that half the agricultural land in Latin America was in plots of more than 15,000 acres but that these accounted for only 1½ percent of all private holdings. Despite some movement toward land reform, this pattern has not changed substantially. The pinnacle of social prestige is still occupied by the large landowner who lives in Lima, makes annual trips to Paris, and keeps his money in New York or Switzerland.

At the other extreme are the minifundia, or extremely small holdings, many of which are 1 acre or less. In many places, this problem is becoming more acute as land is divided and redivided among the heirs every generation. This accounts in part for the phenomenal growth of Latin American cities. People are finding that they can no longer exist, even at minimum subsistence levels, in the rural areas, and they are therefore moving to the cities.

The Latin American social structure is essentially what was inherited from Spain and Portugal. It is pyramidal and highly paternalistic. At every layer, there are obligations extending both upward and downward. The peasant is obligated to work for the owner of the hacienda, but the owner of the hacienda is obligated to take care of the peasant.

This has in it, of course, many elements of authoritarianism. But this in turn is tempered by a very special kind of individualism. Latin individualism turns inward and emphasizes the individual's personality, his dignity, his pride, his value, and importance as a separate, unique creature. Even in the days of slavery in Spain, the Crown took special care to prescribe master-slave relationships and the Catholic Church insisted upon the equality of master and slave in the eyes of God. Latin individualism is a very personal thing; it is not to be intruded upon, and one does not intrude upon others. It is the kind of individualism which flouts traffic regulations but tolerates censorship of the press.

It is also the kind of individualism which inhibits social cooperation, for political or other ends. Thus, with the exception of a few countries (Mexico, Colombia, Chile, and Uruguay are perhaps the most prominent), political institutions have never really taken deep root in Latin America. And so the political history of most Latin American countries is a dreary recital of coups d'etat, palace revolutions, military juntas, and rigged elections which provide the legal basis Latins consider so important for authority.

Now, in this essentially static, inward-oriented agrarian society of Latin America, the winds of change have begun to blow. In part, this is due to the technological revolution, including importantly the revolution in communications. In part, it is due to the impact of industrialization upon a society which is ill adapted to an industrial economy.

Related to all of this is the area's rapid population growth and the even more rapid growth of its cities. Latin America now has something more than 200 million people. Demographers estimate that it will have 600 million by the end of this century. The population of Mexico alone is estimated to increase from a little more than 35 million to 100 million in the same period.

And these people are flocking to the cities which are ill-equipped to provide housing, schools, hospitals, water supplies, or sewage systems. One-third of all Argentines, or more than 6 million people, live in Buenos Aires. Mexico City has 5 million people, São Paulo, 4 million, Rio de Janeiro, more than 3 million; Caracas, Bogotá, Lima, Santiago, and Montevideo are all in the 1 to 2 million class.

Latin America's population is growing so fast because birth rates are remaining steady while death rates, especially infant mortality rates, are falling dramatically, thanks mainly to DDT and penicillin. This means a startlingly young population. Four out of every 10 Latin Americans are under 14 years of age. The burden of this economically unproductive group is almost insupportable. How are they to be fed, clothed, housed, educated? The answer is that, to a distressing extent, they are not. Although one of the major thrusts of the Alliance for Progress is in education, some countries of Latin America will be lucky if illiteracy does not in fact increase over the next decade.

Latin Americans are confronted with a situation in which their old institutions are breaking down faster than new ones can be created to take their place. The result is a serious and urgent threat of total collapse, disintegration, and chaos.

This threat materialized in Cuba, and the result is Castro and the deliverance of Cuba into the hands of international communism. It is nonsense to say that Castro won in Cuba, and it is base, vile slander to say he won either because of the stupidity or with the connivance of anybody on the fourth floor of the State Department. The Subcommittee on American Republics Affairs of the Senate Foreign Relations Committee was in close contact with the fourth and other floors of the State Department during the period of Castro's rise to power, and I know what I am talking about. Castro did not win in Cuba; Batista lost. It was inevitable that Batista would lose, because he was an anachronism. It was not always inevitable that Castro would win, but this became inevitable when it developed that no one else had the strength to do so.

It is one of the unfortunate habits of mind we have fallen into since World War II that we assume that every change in government everywhere in the world is managed and planned by the U.S. Government.

You still hear it said that the fall of China to the Communists was arranged somewhere in the State Department. The fact is that great changes were taking place in China over which this country had no control and over which we could not prevail short of a virtual occupation of the Chinese mainland. Frankly, I am of the opinion that some hold the same delusion of grandeur toward such Communist nations as Poland and Yugoslavia, because I do not think our trade and aid policies have had much more effect upon their course of action within the Communist world than our $2 billion in aid to Nationalist China had on events in that country.

In short, we should stop looking for scapegoats here in the United States for every change abroad that we do not like. The triumph of Castro in Cuba was the doing of the people of Cuba, not of the United States. It was the masses of the Cuban people, and the educated classes, too, who put Castro where he is today, however much they may regret it, and however much some of them are now trying to blame the United States for it.

It is quite true that we had not used our great influence in Cuba to develop reasonable, stable, and democratic institutions. But the upper and middle classes in Cuba did little in that direction, either, and it is their country, not ours. The unfortunate result was that when Batista's fascism was belatedly abandoned by both the United States and the educated classes in Cuba, there was nothing to take his place but the bearded megalomaniac.

This tragedy of Cuba is the potential tragedy of all Latin America. If it happens elsewhere, it will not be because the Communists and Castroites are strong but because the liberal democratic forces are weak.

We can advise and encourage and contribute limited amounts of capital to strengthen democratic forces. But we cannot create them and impose them in the rest of Latin America any more than we could in Cuba. That is the responsibility of the people who live there.

The most urgent task in Latin America is to strengthen the social and political fabric so that it will be tough enough to resist subversion, strong enough to insure stability, and flexible enough to permit change. And let me make it clear that this task would be equally urgent if Fidel Castro were to disappear tomorrow—or, indeed, if he had never existed. If it is not Castro, it will be some other crackpot waiting in the wings to pick up the pieces of a broken social order.

This task can basically be done only by the Latin Americans themselves. A solution made in United States of America cannot work. The solution must be made in Latin America; because if it is going to work, it must be a natural outgrowth of Latin American history, conditions, and desires.

The United States does, however, have a role to play. The principal instrument we have chosen for this role is the Alliance for Progress, the most imaginative, constructive, and hopeful American initiative in foreign policy since Marshall plan and NATO. It is said the Alliance is not progressing. This is only partly true. The Alliance is a 10-year program, and it is only in its second year. It has set for itself goals the net effect of which is to remake the societies of 19 countries. It would be sad, but not surprising, if this turned out to be impossible.

It must be emphasized also that the Alliance is an alliance. It is not, and should not be, wholly or even principally within the control of the United States. Whether or not it works will be determined more in the capitals of Latin America than in Washington.

I think it must be said, however, that neither in Latin America nor in Washington has the proper effort been put into the Alliance. There are many dedicated men, both here and there, who are fighting a valiant battle; but their efforts, both here and there, are too often stultified by the bureaucracy or the oligarchy. There are some things we can do in Washington by way of streamlining our administrative machinery. There are some things our Latin American friends can do by way of improving their own procedures.

The old is dying in Latin America and the new has not yet been born. We can expect many more crises, much more toil and trouble, before we emerge into the dawn of a new and better era.

Mr. GRUENING. Mr. President, as the address reveals, the senior Senator from Oregon is both an idealist and a realist. He labeled President Kennedy's Alliance for Progress program "the most imaginative, constructive, and hopeful American initiative in foreign policy since Marshall plan and NATO."

As to its prospects, he pointed out that the Alliance is only in its second year of what is planned as a 10-year program, and that the goals it has set for itself—namely, the remaking of the societies of 19 countries—could turn out to be impossible. He pointed out that neither in Latin America nor in Washington has the proper effort been put into the Alliance.

The senior Senator from Oregon [Mr. MORSE] could have elaborated this justified criticism by making clear that one reason for the failure of the program thus far is the unwillingness of most of the Latin American republics to initiate the measures of self-help and the economic and social reforms which President Kennedy predicated, and the corresponding failure of his administrators of the program to insist upon these reforms as prerequisites to our aid. These failures are illustrated in the major Latin American republics where the administration issues bold ultimatums, and then backs down—as in Peru, Brazil, and the Argentine.

The plight of Argentina is well described in an article entitled: "The Argentine Mess," published in the January issue of the Reporter magazine. I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ARGENTINE MESS

(By Gladys Delmas)

BUENOS AIRES.—There is a mood of panic in Argentina today. People who can are pulling up stakes and moving out. The disorder is total: Economic, political, social, and above all, moral.

The financial crisis, a predictable result of the others, is naturally the most immediate concern. In mid-October the Argentine Industrial Union warned the Government that industry was on the verge of complete collapse. Bankruptcies in November topped the figure for the whole of 1961. Some of the best blue chips on the Bolsa can be bought for the price of a pack of cigarettes. The peso, stable for 2 years at 83 to the dollar, has since April plunged to below 155.

The Government itself owes its suppliers millions of dollars. The debt to foreign contractors of YPF, the Government oil monopoly, has been estimated at $40 million, to say nothing of the taxes YPF has collected for the highway commission that have not been passed along for years. In lieu of pay, Government employees are now being asked to accept bonds of such dubious negotiability that even the Government-run casino in Mar del Plata recently refused to accept them as legal tender.

The cost of living went up some 30 percent during 1962, and with recent sharp increases in the price of gasoline and bread, it threatens to soar higher in the near future. Unemployment, a phenomenon heretofore unknown to this generation of Argentines, is increasing rapidly, and underemployment is already considerable. For the first time in years, there are beggars on the streets of Buenos Aires.

Argentines seem stunned by this turn of events. Little more than 9 months ago, a boom psychology reigned here. The year 1961 had shown a growth rate of 5.7 percent, the highest since the war and a stimulating change from the backing and filling of the previous decade. Foreign credit was easy to obtain, and companies modernized and expanded—probably well beyond the capacity of the local market to absorb their product. The Government announced grandiose development plans. The financing remained vague, but Argentines were confident.

This illusion of prosperity was shattered during the provincial and parliamentary elections of last March 18 and the subsequent political upheavals. Most Argentines tend to blame those upheavals for the economic disaster. Economists point out, however, that the recent prosperity was based on very slender premises. In 1961 the deficit in the balance of payments ran 50 percent above export income; the 1962 budget, balanced on paper with great fanfare, actually ran 35 percent in the red. The foreign debt stands at between $3 and $4 billion. With exports rarely exceeding $1 billion a year and indispensable imports at least equaling if not surpassing that figure, it is gloomily predicted that these debts cannot be paid before the end of the century.

The expansion was thus a jungle growth, with no plan, no priorities, no projections. Some 20 companies are producing cars, since this business offered a quick profit to both the manufacturers and to the politicians who authorized the ventures, but there has been little investment to alleviate the grave shortages of electric power, telephones, roads, freight cars, housing, and schools.

ALSOGARAY ALSO RAN

The man chiefly responsible for this chaotic state of affairs is Alvaro Alsogaray, Minister of Economy under President Frondizi from June 1959, to May 1961, and again from May of 1962 until just a few days ago. A retired army officer with no particular economic training, Alsogaray became Argentina's most fervent advocate of 19th-century laissez-faire economics. In a country long accustomed to controls, quotas, and protectionism, his economic views had the political merit of appearing novel. Talking incessantly, ebulliently optimistic, Alsogaray promised a great deal more than he produced. And despite the almost universal unpopularity he acquired, his ambitions became increasingly political rather than economic. It is hoped that his successor, Eustaquio Méndez Delfino, a disenchanted former colleague, will subscribe to the more familiar economics of the contemporary period to a degree that will satisfy the International Monetary Fund experts on whose approval the country's tottering world credit rating now depends.

The economic anarchy reflects the political incoherence and instability that have characterized the country for years. Frondizi swept into power in 1958 with the votes of the extreme nationalists, the Communists, and the Peronists in addition to those of his own Intransigent Radicals. He survived 35 crises in 4 years by playing one extreme against the other. He was never interested in building up the center but rather in splintering it. When the Peronists showed unexpected strength in the March elections, the armed forces showed theirs, and Frondizi was caught with no center to fall back on.

Since the fall of the president and the centering of power in the military, the splintering process has gone on apace. All the main political parties are divided into various warring subgroups. Frondizi's Intransigent Radical Party cannot make up its mind whether to agitate for his return, for which there is no sign of popular enthusiasm, or to devote its efforts to building up a candidate for future elections. The other wing of the Radical Party, the People's Radicals, who gradually took over Frondizi's original nationalist-leftist program just as he took over their more liberal one, are now undecided which they like better. The healing of the breach between the two would give the Radicals a comfortable majority, but this is one thing on which both agree: neither wants it. Even the Peronists are not a monolithic group. They are divided between "hard" and "soft": those who consider the return of the general their immediate objective and those who would compromise in exchange for their own accession to power.

The one man who, Argentines hoped, might be able to resolve their differences is Gen. Pedro Aramburu, who headed the provisional government a few months after the revolución libertadora that ousted Peron in 1955. Argentines used to say, "He is our General de Gaulle." He tried to save Frondizi by forming a coalition cabinet, but neither the parties nor the armed forces were willing to negotiate. Since then, Aramburu, whose own presidential ambitions are no secret but who has no party organization of his own, has tried to negotiate on his own behalf with the Intransigent Radicals. This met with no success either, and simply made him look like an ordinary politician. Furthermore, there is a growing realization that many of the country's basic problems—excess bureaucracy, featherbedding in industry, poor management of state-run enterprises with attendant deficits, the sacrifice of agriculture to industry—could have been solved relatively painlessly during the 2½ years of Aramburu's government. "Why give him another chance?" many Argentines are now saying. This tarnishing of the general's image also dims the hopes of a government of national union. However, in the evident hope of regilding it, he undertook a lengthy trip to the United States and the capitals of Europe, and his interviews with the Pope and General de Gaulle have received ample coverage in the local press.

REDS AND BLUES VERSUS GHOST

The process of disintegration, as all the recent upheavals have demonstrated, has affected even the armed forces. During the pocket civil war in September, the two bands then at odds became known as the reds and the blues, tags adopted from war games. In September there was an effort on the part of the victorious blues to wrap themselves in the mantle of constitutionality and to identify the reds as reactionaries and totalitarians. In their communique 150, the blues promised immediate elections, the withdrawal of the army from politics, and the right of all Argentines to participate in politics—an overt appeal to the Peronists.

None of these brave phrases has much meaning in Argentina today. Elections will now take place in June instead of October, a small gain. The new electoral law, while not specifically naming the Peronists, outlaws any party which receives orders from abroad, which makes a cult of a personality, which receives funds from abroad, or from labor unions (the source of Peronist strength), or from anonymous sources. A recent statement by Gen. Benjamin Rattenbach, the Minister of War, declared that "the political role of the military should be so contrived that the people do not have the impression they are being governed by the military," who, he added, "will exclude from power Communists, Peronists, and all those who during the past 4 years have contributed to the ruin of the country"—by which he means the followers of Frondizi. This makes up at least two-thirds of the electorate.

The reigning blues were never a homogeneous group in any case; their dissensions were made startlingly evident just recently by the revolt of a group within the air force. This group is now labeled totalitarian in its turn by the victors, and may well belong to the Nasserist tendency which observers began to note some time ago. Concomitantly the Red officers imprisoned in September are being released.

It is difficult and probably specious to give an ideological content to these dissensions. Sides are chosen primarily in terms of personal ambitions, loyalties, service rivalries, the happenstances of geography, and the deficient Argentine communication system. And on the whole it may be said that while the armed forces differ on matters of technique, they are united in their opposition to Peronism and communism. The armed forces thus remain the center of power in Argentina, facing the only other cohesive force—the Peronists.

The survival of Peronism 7 years after the ousting of the dictator is one of the most disquieting factors in the present situation. It is due not only to the erosion of the democratic parties by internal squabbling but also to the absence in Argentina of any genuine party of the left. The Socialists, presently split into three factions, have remained a small party of intellectuals. The Radicals, who originally drew their strength from the lower middle class, became under Frondizi the party of business deals and laissez-faire economics. The recently formed Christian Democrats, unlike their counterparts in Chile, have completely failed to capture the popular imagination.

The good behavior of the Peronists during all the recent upheavals—and after a startling electoral victory last March that might have been expected to make them feel their oats—has puzzled many observers. Some question whether the Peronist leadership really wants to assume responsibility for carrying out the party's impossible demands—raise wages, lower prices, throw out the International Monetary Fund but protect the peso—at a time of economic disaster. There is also an evident desire to soften the image of Peronism. The righteous posture of a party denied the fruits of an electoral victory is being exploited to the utmost.

While the Peronists thus bide their time, the other parties almost without exception dicker for Peronist votes. The most unlikely alliances have been made. In the March elections, the Christian Democrats carried the Province of Jujuy, thanks to the Peronists who once burned the churches. In the Province of Buenos Aires, Socialists voted Peronist, although Socialist leaders had been jailed under Perón.

While these recent maneuverings have all but ended any hope that the Peronists would gradually be absorbed into the democratic parties, those parties themselves, by trading principles for votes, have lost their authority. A recently published poll taken in middle-class districts of the capital shows that 43 percent of the potential voters had no interest whatsoever in politics, and a further 28 percent did not care much who won. When army tanks in the street decide the fate of the Government, the people retreat behind iron shutters. Not a single cry was heard when constitutional government fell with Frondizi.

THE POLITICS OF CYNICISM

Even recent revelations of corruption in high places have done no more than confirm the well-established Argentine belief that power is for profit and that government is the most profitable business of all. An investigatory commission set up in June published its first findings just before the army upset in September. They covered a wide range: the oil contracts signed by President Frondizi without public bidding and in contravention of the constitution; huge loans, in a time of credit restriction, made without collateral to political cronies when devaluation was imminent by the official Banco de la Nación whose president, an architect, now resides in Uruguay; the purchase, also without public bidding, of $60 million worth of Japanese railroad coaches, which turned out not to fit Argentine tracks. As soon as the smoke had cleared from the September battles, the then victorious Minister of Economy, Alsogaray, who had been cited in the report, forthwith dissolved the commission and ordered its archives sent to the military intelligence bureau, where they are now safely interred. There was no public protest.

More disturbing still are the signs that the Government itself is falling apart into a number of minor fiefs. A recent post office strike was settled on the basis that the postmen, who like all government employees are 2 months behind in their wages, would henceforth be paid directly from the sale of stamps. The customs people are clamoring for a similar deal. The bureau of internal revenue just imported some 50 American compact cars, although the same car is now produced in Argentina; the tax collectors explained that since they do not have to pay taxes, the Detroit product is much cheaper.

President José Maria Guido, president of the senate under Frondizi, who was installed by the military in March, was never designed either by temperament or training to preside over the complexities of a national government. Mild little Dr. Guido, who fainted in the midst of the September crisis when rival red and blue army factions fought in the streets, offered his resignation and then withdrew it, stigmatized the blues as rebels, and then in a matter of hours declared them to be the bulwark of the state. "Have a cigarette," said a general to the president, one current joke goes. "Oh, I don't smoke," the president replies. "But if I have to, I will."

Such a shattered society would seem to be ideal for breeding Communists or Fascists. Argentines of all opinions are constantly calling each other one or the other. If one totals the accusations, the inevitable conclusion is that all Argentines are both. The anti-Peronist factions talk constantly of a Peronist-Communist plot, but there appears to be very little contact between the two. There are some Communist-controlled unions, but they are relatively small and have made no significant gains recently. The Communists are, however, employing their usual tactics of infiltration at the shop

> level, avoiding politics while making full use of their superior training in labor matters.
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> The party is outlawed and there are no accurate statistics on its strength, but even the most generous estimates do not exceed a hundred thousand (in a country of 21 million). Its most active members are to be found in the universities, a common phenomenon in Latin America. Communist infiltration of the traditionally leftist Reforma group has cost that organization its dominance of university politics. When representatives of the student body, the alumni, and the faculty voted to elect a rector at the University of Buenos Aires a few weeks ago, Frondizi's brother, Risieri, the former rector and a pronounced leftist, lost to the Humanista candidate, a young Catholic liberal.
>
> Even more sinister than the Communists, an armed and secret society known as the Tacuara has recently made its appearance among Argentine students. These young toughs are overtly Nazi. They break up student meetings with gunfire and are responsible for the recent anti-Semitic demonstrations in Buenos Aires. Their presence was noted among the blues in the September uprising.
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> There are indeed deep-rooted Fascist tendencies in Argentina, whether on the left or the right. The autocratic penchant of the Argentine character has frequently been pointed out. But while some form of dictatorship appears to be an immediate danger, no new strong man has yet appeared on the horizon.
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> Just as the Argentine example influenced the military takeover in Peru, the Peruvian junta is now casting its shadow on Argentina. "If the elections take place and the Peronists win, then we're sure of a military dictatorship," said one of those who will cast his vote next June. "The Americans will grumble a bit, but they've even restored military aid to Peru. I think I'll vote Peronist."

Mr. GRUENING. Mr. President, on July 19, 1962, I addressed the Senate and expressed my apprehension that our aid program would continue, mistakenly, to bail out shaky and unstable Latin American regimes, such as Argentina's manifestly is. I earnestly hope this will not continue to be the case. If it is, the Alliance will prove a disaster. Argentina's receipts from the various grant and loan sources in the United States are nearing a billion dollars. Yet today we have what Gladys Delmas rightly calls "The Argentine Mess." More dollars will not cure it.

A similar situation exists in Brazil. Into that country—rich in virtually every resource known to man—the United States has already poured, in grants and loans, over $2\frac{1}{4}$ billion. What is there to show for this staggering sum?

Mr. LAUSCHE. Mr. President, in connection with that statement, will the Senator yield?

Mr. GRUENING. I am glad to yield.

Mr. LAUSCHE. The Senate would be interested to know that about 3 years ago a representative of the Brazilian Government was entertained at luncheon by the Committee on Foreign Relations. At that time I asked that representative the status of the stability of their currency. I said to him, "I understand that your currency is eroding away in value at the rate of 50 percent a year."

He looked at me astounded. He said, "That is not so." He then turned to his economic adviser, and the economic adviser said, "Not 50 percent but 25 percent a year."

I then asked, "Do you have any national debt to your own citizens?"

He said, "No."

I asked, "How do you finance your operations?"

He said, "By printing money."

That man was the head of the largest industrial institution in Brazil. It hired 45,000 people. He said, "I am an orthodox economist. I did not subscribe to that manner of running our fiscal affairs. But finally I went along, and I have now concluded that we will print and print, spend, get the thing done, and then wash out."

At that time I inquired of those who were at the table representing our Government how we could be sure that we would be paid back the value of the money which we loaned in currency.

At that time no answer was given. But I am interested in what the Senator has said because now the subject of inflation is acute. It was acute 3 years ago.

Mr. GRUENING. If my good friend from Ohio had referred to last year, he would have been entirely correct in his figure of 50-percent inflation. It was 50 percent last year and 50 percent the year before. The Brazilian Government is resorting to the printing press right now.

I see my good friend the Senator from Louisiana [Mr. LONG], who is also a member of the Committee on Foreign Relations, is in the Chamber. I should like to ask both Senators, as a matter of information, whether the Committee on Foreign Relations, in acting upon requests of the State Department and the AID agency, approves that policy. As an observer, it is rather baffling to me. We are going more deeply into debt every day. We are told that we cannot supply many domestic needs because we cannot afford them. Yet the administration continues to pour vast sums of money into unstable countries. Loans are not loans at all. There is no likelihood of those loans being repaid. Actually our money is not only being wasted, but the very result of helping the countries in that manner is counterproductive, preventing the countries from reforming themselves and getting on a stable basis.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. LONG of Louisiana. In large measure, I share the Senator's views. I am one of those who is very much among the minority of the Committee on Foreign Relations on that subject. As a practical matter, if our country will not insist on freedom to use the currencies generated by our grant program, leaving the foreign country the right to say whether they shall be used and in what fashion they shall be used, the foreign country would have the power to practically strike the American counterpart funds off the books. It would be like lighting a match to the currency. For example, if we send $1 billion worth of commodities into a country to support a program, and that generates $1 billion of currency in that country's own money, as long as that country has the right to deny us the right to spend or use it in any fashion, it would be as though the funds did not exist.

So far as the Senator from Louisiana can see, there has never been any real desire or strong motivation on the part of those who handle the programs to disencumber themselves from their restraints that they have agreed to impose upon themselves in the use of those funds.

The Senator knows that in many cases when such funds have been used we do not even get credit for them. That statement includes even some of the more enlightened nations that have been cooperative, such as the nations of Western Europe.

Under the Marshall plan, about $2.5 billion of our aid money was used to reduce the national debt of those countries. I believe that one country completely retired its national debt with American foreign aid money. It was like canceling their debt by heaping it on the backs of the American people. The funds that were used to cancel the debt have been generated by American aid.

I do not believe the Senator will find that we shall be able to get a majority of the committee to take any great interest in trying to see that the money is maintained in value and is used for the benefit of the people in those countries under a program that we would control.

Mr. GRUENING. I thank my friend from Louisiana. I wish to assure him of my deep conviction, as one who has studied Latin America for many years, including my service as the adviser to the U.S. delegation at the Montevideo Conference in 1933, which was President Roosevelt's first venture into that field, and one who has kept in touch with the subject, that unless we exercise the restraint, vigilance, and prescriptions which President Kennedy has predicated as a preliminary to aid, the whole program will go down the drain, and the billions of dollars that we have already spent and the billions of dollars we probaby will spend before we awake up will be completely wasted.

As I will show, as I continue my speech, a few weeks ago our administration showed its real concern for Brazil's galloping inflation by sending its No. 2 man, as he has been referred to journalistically—namely, our able Attorney General, Bob Kennedy—to talk to President Goulart, and in the words of the newspaper report, "to warn him that the United States would not subsidize the Brazilian descent into economic and political bankruptcy." An announcement to that effect appeared in the papers, but 24 hours later it was modified by news of a $30 million loan to Brazil.

It may be well to ask whether these loans are really loans in the sense that repayment is expected. Nothing in Brazil's history would lead to that conclusion. In fact hers is a continuous story of repeated promises to straighten out her affairs, promises made only to be broken. One of these loans—a lesser one—was of $10 million from the Export-Import Bank for Brazilia, the nation's proposed new capital. That monumental fantasy of President Kubitchek, which has already cost over a billion dollars, is far from completed, and on which work is now suspended, is part of the folly which our past policies have compounded. Export-Import Bank loans are supposed to go to revenue-producing projects.

It was also assumed by the press that Bob Kennedy's visit brought about a reversal of the previous refusal of Goulart's brother-in-law, former Governor Brizola, of the State of Rio Grande do Sul, to compensate the American owners of a light and power company and of a telephone company which he had expropriated. Without this reversal, under the Hickenlooper amendment to the foreign aid bill, this expropriation without compensation would automatically have stopped further grants-in-aid to Brazil.

As for inflation, far from taking measures to halt the rocketing living costs which had risen by more than 40 percent in 1961 and by over 50 percent in 1962, the Brazilian authorities aggravated this disaster by granting corresponding wage increases and turning to the printing presses. They issued over 100 million new cruzeiros in 1961 and again in 1962.

On January 6, however, the people of Brazil voted to give the President the extraordinary powers he asked for, virtually abolishing parliamentary procedure, in the hope that he would take the necessary steps to improve the situation. It is announced from Brazil that he is establishing an austerity program and will take such steps as may be needed. But, simultaneously, we are told that a financial mission from Brazil will be arriving in Washington late this month or early next month, presumably to cash in on the promise of future reform.

In view of the past record of repeated promises and failure to perform, it would seem reasonable to suggest that the United States would be most unwise to return to its policy of indiscriminate giving to Brazil until it is certain that these reforms are more than gestures designed to overcome our very proper resistance against pouring further money into a bottomless pit.

The Peruvian situation needs similar scrutiny. There are a few countries in Latin America which, despite the inherited problems of feudalistic political and economic domination, political instability, and usurious lending practices, are making a serious effort to live up to President Kennedy's prescription of adopting measures of self-help, namely, adequate tax legislation and tax collection, land reform, measures to prevent the flight of capital, and so forth.

The whole program will fail, however, if countries which make no serious attempt to carry through these reforms continue to be treated with the lavish openhandedness which has characterized much of our foreign aid policy to date. Not only will such funds be wasted and be actually incentives for Castro-type revolts, which our AID program seeks to forestall, but such a policy will discourage those governments that are trying seriously to make the word "alliance" meaningful and seeking to make clear, by their actions, that they consider the Alianza Para el Progreso not a one-way street through which U.S. funds are channeled but a cooperative effort.

Mr. LAUSCHE. Mr. President, I commend the Senator from Alaska for his statement.

Mr. GRUENING. I thank the Senator from Ohio.

Mr. LAUSCHE. I inquired of the appropriate officials of the Government what was the status of our soft currency, with respect to Poland, and to my great astonishment I learned that we have $300 million worth of zlotys and that the Polish Government has the option of paying off either with dollars or with zlotys. The Polish Government may determine which will be more suitable to use to pay off this soft currency debt.

With that Government in the main we have changed our policy a bit. We have a right to use the zlotys if we can cash them in the world market; but, as to the matter of paying off the money, the Polish Government has the option to say to us, "We will give you our currency, zlotys," or "we will give you dollars."

I suppose that means that if our dollars become cheaper and cheaper at some time in the future, and if their zlotys become stronger and stronger, they will pay us off with their paper currency.

I should like to make one further comment about what the Senator from Alaska said. If we continue to contribute to these governments without exacting the responsibility of abiding by what is right in economics, we shall merely give them encouragement for the continued adoption of irresponsible economics. That is what we are doing.

The Senator says representatives from Brazil will soon be here.

Mr. GRUENING. Either this month or early next month; within a matter of weeks.

Mr. LAUSCHE. They will soon be here, seeking further help. Probably we shall be told the help should be given to them without exacting from them the requirement that they adopt what is called sound fiscal and monetary policy.

What bewilders me is that in the law pertaining to the International Monetary Fund, a part of the World Bank, it is specifically written that when the International Monetary Fund gives hard cash or gold to a nation it must impose upon that nation a course of conduct which will eliminate the inflation. I know that money was given to Brazil. Yet today, 3 years after the discussion in the Foreign Relations Committee, the Senator from Alaska points out that their currency has dropped in value more than 50 percent.

Mr. GRUENING. The rise in the cost of living was more than 40 percent in 1961, and 50 percent in 1962.

Mr. LAUSCHE. So if the money had a 50-cent purchasing value in 1961 all one could get for the 50 cents of value last year was 25 cents worth of goods. That is about the situation, is it not?

Mr. GRUENING. I think it is worse than that.

Mr. LAUSCHE. My commendations go to the Senator from Alaska.

Mr. President, I think we must become firm in these matters. The facts cry out what principle should be applied, and the principle which is correct should be applied before we continue to give our dollars away.

I make that statement to the Senator from Alaska, because he said he contemplated asking the Senator from Louisiana [Mr. LONG] and myself these questions.

I thank the Senator very much for his discussion.

Mr. GRUENING. I thank the Senator from Ohio.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. LONG of Louisiana. I ask the Senator if this type of situation does not point up more than ever the fact that much of the foreign aid program seems to be based on merely spending some money somewhere in a way which someone hopes will be beneficial, without it being a part of any plan or any arrangement to guarantee that we shall reach any particular objective at any given time.

Mr. GRUENING. The record shows clearly that that is the case in many instances. There have been some countries in which there have been reasonable programs of economic development, but other countries have done nothing, and in giving them budget support we have been pouring money into a bottomless pit to shore up governments which have no desire to reform themselves and no prospects for doing so.

That is the particular situation to which I refer with respect to Brazil. It exists in other countries.

One thing which I think should be borne in mind by our colleagues is that the use of money as an instrument of foreign policy is a relatively new thing. It is only as old as the Marshall plan. which was an excellent plan, wisely conceived for a specific purpose—to rehabilitate the countries which had been wrecked by the war and which were in danger of a Communist takeover. These countries were countries with experience. They knew how to handle the money. They knew how to spend the money wisely. The program was limited in scope.

At the end of that period our Government then expanded its program into a kind of world WPA, and countries, no sooner spawned, were approached and asked, "What can we give to you?" In some cases we approached the colonies before liberation. I think particularly of British Guiana, in which case we gave a large amount to a man it was politically doubtful we should support. That has been done in other instances. It is a most unwise policy. If we continue we shall not only bankrupt ourselves but also not achieve the results we hope to achieve.

Mr. LONG of Louisiana. The Senator has mentioned the Marshall plan as a prime example of wisely considered aid. The Marshall plan at least had in it an objective that was deemed to be attainable in a limited period of time. I think 5 years was regarded as the period during which Marshall plan aid should be extended. Even with regard to that plan, I ask the Senator from Alaska if there is not serious question as to whether it was a fully considered plan on this basis: The $17 billion proposed to be given under the Marshall plan is just about the value of the gold we now have at Fort Knox. The Senator knows that the money that was given could have been loaned on favorable terms. One of those favorable terms could have been a waiver of interest until such time as we sought to make a demand for payment. If the plan was envisaged as being a success at all, the Europeans would eventually have been able to pay. But after the money was given, rather than loaned, under the Marshall plan, to the most enlightened nations in the world, it was proposed to make loans to countries in Asia, Africa, and South America, which are very poor credit risks.

If we had shown good judgment simply by proceeding in the ordinary way of doing business, we would have loaned money to those in distress until they got back on their feet, at which time they would start repaying.

Had such a procedure been followed, we would not today be in a position that nations of Europe can demand every dollar in gold that we have at Fort Knox. Now we are told we must have high interest rates in this country, which penalize every homeowner, every buyer of a car, the rank and file of the people up and down the country, and which add about $4 billion a year to the burden of carrying our national debt, because those foreigners are in a position to demand the gold we have.

I ask the Senator from Alaska, from the hindsight point of view, Would it not have been better to lend the money rather than give away the money?

Mr. GRUENING. I think the Senator from Louisiana makes a very proper correction of my enthusiasm for the Marshall plan. My enthusiasm was for its success as compared to what I think will be the ghastly failure of the foreign aid program as now being administered. While it is true that we made grants rather than loans under the Marshall plan, at least we saw the countries to whom those grants were made restored to prosperity, which was our objective. While we were not perhaps thinking enough of our own self-interest, happily that program was successful.

Mr. LONG of Louisiana. Unhappily, we have seen them so well restored that our own currency is now the soft currency, because if they demanded satisfaction of their credit in gold, and we paid as the President proposed, this country would be out of gold and we would not have enough to provide for the filling of one's molar.

Mr. GRUENING. The so-called loans are being made on terms that raise questions as to whether they are loans at all. It is clear that those making the loans and those commenting on them will not be here to see whether they will be repaid. In my judgement, a very small amount, if any, will be repaid. It looks better to call them loans. It looks better if it appears that we are following a wise policy, which my friend says should have been followed in the Marshall plan.

Mr. LONG of Louisiana. Hardly any of those loans were on the basis that they would pay us back. They pay it back to themselves, and in ways in which they are willing to be repaid. Generally speaking, if these nations want to do so, they can sterilize that money, with the result that, having had our dollars and commodities, they can see to it that nothing ever happens thereafter.

U.S. BASES IN SPAIN

Mr. GRUENING. Mr. President, I will say to my friends from Louisiana and Ohio that I am about to speak on another related subject, which I think they may be interested in, because last Wednesday the distinguished senior Senator from Georgia [Mr. RUSSELL], who has long been the able chairman of the Armed Services Committee, rendered a valuable public service by calling attention to a news item in the morning paper entitled "Spain Seen Evasive on U.S. Bases Talks." It referred to the coming negotiations with Spain's ruler, Franco, concerning the renewal of the agreement between the United States and Spain relating to our bases there. Senator RUSSELL very properly voiced his apprehension that we would be asked to pay more than under the present arrangement for the privilege of having these bases in Spain, which were located there as part of our policy of defending the free world from Communist aggression. Senator RUSSELL pointed out that we have already spent vast sums there, not merely for our Military Establishment but for economic aid, which was due to Dictator Franco's exacting this aid as part of the price for his permission to establish our bases on Spanish soil.

Senator RUSSELL pointed out that Spain had greatly benefited from our aid, and that he, as a friend of Spain and of the Spanish people, had voted to earmark the first funds for Spain that brought that country into the mutual assistance program.

Senator RUSSELL deserves high credit for sounding this warning because it seems likely, judging by past experience, that Dictator Franco will try to "raise the ante," and that likewise, our State Department, eager to propitiate him, will yield. Let us hope this will not be the case.

Joining Senator RUSSELL in an expression of apprehension that this oft-repeated performance would recur was the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], who happens also to be the ranking minority member of the Armed Services Committee.

Senator RUSSELL's calling attention to this impending possibility was no doubt responsible for an excellent editorial which appeared in the Washington Post last Friday, entitled "The Spanish Bases." It concludes with the wise suggestion that:

> If there is the odor of blackmail in Spanish demands, the United States should not let itself be played the fool by the master of maneuver in Madrid.

The master of maneuver is, of course, Dictator Franco.

Mr. President, there has been much discussion in official circles about our our changing weaponry. We are told by our military experts that the airplane is obsolescent and that missiles are replacing it. Our foreign bases were conceived and established varyingly a decade or more ago before the present development of missilery. It is time that the situation be reappraised realistically not merely by our Department of Defense but also by our State Department. It is also not only high time but overdue that we depart from this policy of trying to purchase good will by increasing payments of dollars. Our Nation's annual deficit runs into billions of dollars, whereas many of the countries which we have resuscitated economically through our foreign aid dollars have reduced their taxes and are highly prosperous.

As my friend from Louisiana said, one of them paid off its national debt with our dollars, while our own debt goes higher and higher.

Spain is a conspicuous example of a country that has been lifted from economic doldrums to prosperity by American taxpayers' dollars. Franco should have welcomed our bases as an aid in combating communism, which he presumably opposes, and not have sought to exact the last bottom dollar therefor.

Let us trust that the administration will be adamant in refusing to yield to the probable efforts of the Spanish dictator to make us pay more for the great benefits which he has been receiving, and to use the fact that our bases are now there and not removable as a basis for further exactions. If he tries, the word "blackmail" used in the Post editorial will have been fully justified.

I ask unanimous consent that the editorial, "The Spanish Bases," from the Washington Post, be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SPANISH BASES

Generalissimo Franco is among this century's shrewdest statesmen, and this must be conceded whether one approves of the objectives of his rule or not. He stopped short of formally alining himself with the Axis Powers during the last war and he survived a period of ostracism after the war. It is a mark of his firm control of Spain today that even his opponents concede that change of regime is out of the question while the Caudillo retains his vigor.

In both internal and foreign affairs, Franco has shown himself a master of playing off one faction against the other. Within Spain, he mediates between the army, the church, business, and landed classes, monarchists and the Falange. He has done the same thing in foreign affairs—extracting as much as he could for Spain while giving as little as possible.

This background should be kept in mind as the negotiations begin on the renewal of the United States-Spanish bases pact. What the generalissimo wants is full acceptance of his regime in the Atlantic community. He is reportedly seeking membership in NATO and has already applied for associate membership in the Common Market, where 41 percent of Spain's exports (mostly food produce) are sold. In dealing with the United States, the generalissimo is sure to drive as hard a bargain as possible, and his present flirtation with President de Gaulle can be seen as part of the psychological campaign.

American military specialists insist that the Spanish bases are among our most important overseas. Yet as Secretary of Defense McNamara has clearly intimated, the day of the oversea bases is fading and before long Polaris and hardened missile sites will make installations like those in Spain obsolete. All question of political principles aside, there ought to be as much cold calculation in the United States on the worth of Spanish bases as there is sure to be in Madrid. If there is the odor of blackmail in Spanish demands, the United States should not let itself be played the fool by the master of maneuver in Madrid.

LET US HAVE THE TRUTH IN LENDING

Mr. GRUENING. Mr. President, it is sometimes a puzzle why an excellent legislative proposal, thoroughly designed to serve the public interest, and of a type that could scarcely be considered controversial, has so much difficulty in getting approval. I refer to the truth-in-lending bill which our able and distinguished colleague, the senior Senator from Illinois [Mr. DOUGLAS] sponsored in the 86th Congress and has again introduced this year with a substantial number of cosponsors, of whom I am happy to be one.

This bill failed of action in the last Congress because of a tie vote in the Banking and Currency Subcommittee which failed to report it. For reasons which perhaps they can best explain, the Republican members of the committee voted solidly against it.

All this bill does is to require those who sell on credit to state on the face of the contract precisely what the interest rates and other finance charges are. That is all. Nothing more.

One would suppose that a bill like that, so designed to protect the consumer, would roll through committees and our two Houses by a voice vote. The fact, however, is that there is a real conspiracy of silence or at least a policy of suppression of facts on the part of those who sell on credit and who expect to make their largest profits not on the sale of the commodity but cn the sale of indebtedness.

As Senator DOUGLAS pointed out in one of his excellent speeches on the subject, those who negotiate a loan at a bank and think they are paying 6 percent are actually paying 12 percent. Those who buy an automobile on a 3-year installment plan find that their interest payment and other charges approximate one-quarter of the sale price for the automobile. Why should the purchaser not have that information before he buys?

I highly recommend Senator DOUGLAS' magnificent speech beginning on page 2027 of the February 7 CONGRESSIONAL RECORD to any and all who are purchasing—whether it be a home, an automobile, a washing machine, a television set, or any other article on the installment plan. It will be a revelation.

A year ago, there appeared an excellent book on this subject entitled "Buy Now; Pay Later." At the time of its appearance, I spoke about it on the floor of the Senate.

This book and my remarks were wholly pertinent to the truth-in-lending bill. I ask unanimous consent that the aforesaid remarks be reprinted in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

For those Americans who would escape a new and rapidly developing form of hornswoggling, honeyfugling, and horsefeathering, I strongly recommend a highly important, recently published volume which has as its title the intriguing, inviting, and enticing beckoning so alluringly presented to multitudes of Americans by a great variety of services and businesses: "Buy Now, Pay Later."

It is written by Hillel Black, published in New York by William Morrow & Co., and carries a foreword by our distinguished colleague, the senior Senator from Illinois, PAUL DOUGLAS.

The book exposes that—while a legitimate business—the wide extension of credit and installment purchasing presents pitfalls of which the average consumer, householder, and housewife are innocently unaware. The pitfall consists in no small degree of their ignorance of what installment buying actually costs them. Thousands never even inquire. Others are content with a reply that the charge in such-and-such percent. This leaves unanswered how much percent for what unit of time. It omits mention, also, of all kinds of special charges, of which virtually every installment buyer remains unaware.

The startling fact which Mr. Hillel Black's book reveals is that the financing of purchases has in many ways become more profitable than the profit on the purchased article or service itself.

The interest of Senator DOUGLAS—a noted economist and, before his election to the Senate, professor of economics at the University of Chicago—is that the installment buyer shall be informed, before he signs his installment contract, whether for an automobile, a dishwasher, a TV set, housefurnishings, or uses his credit card for travel, for dining, or for any purpose whatever—what the credit service is actually costing him above the price of the article or service he is buying. To achieve this end, Senator DOUGLAS introduced in the 1st session of the 87th Congress, along with 20 cosponsors, of whom I am happy to be one, a bill which has become known informally as the truth-in-lending bill.

This bill (S. 1740) is entitled "A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit."

All that the bill requires is disclosure to the purchaser of what he is actually paying when he buys on credit; what the interest rate actually is; what fees, service charges, discounts and other charges, not apparent on the face of the purchasing contract or not explicit in the use of a credit card, are.

Is there opposition to this legislation? Indeed there is. There is opposition from the vast and growing category of what Hillel Black, author of the book, rightly terms "the debt merchants."

Today, millions of Americans are being bombarded with pleas to "buy now, pay later." Credit cards are being generously handed to all possible takers, and persuasion to use them is a no less generous accompaniment.

Today, many an American family finds itself in precarious financial straights because it has succumbed, unaware, to the siren songs of the "debt merchants."

Reading of Hillel Black's "Buy Now, Pay Later," may avert countless domestic tragedies and contribute mightily to a sounder national economy which has been weakened by the spreading habit of buying things one doesn't need with money one does not have.

Mr. GRUENING. Mr. President, there was also an excellent article on this subject in a recent issue of Harper's by Julius Duscha, of the Washington Post, entitled "Your Friendly Finance Company and Its Friends on Capitol Hill." It makes most interesting reading, and I strongly recommend it to my colleagues.

I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUR FRIENDLY FINANCE COMPANY AND ITS FRIENDS ON CAPITOL HILL

(By Julius Duscha)

(How the foes of the truth-in-lending bill are fighting to keep millions of installment buyers in profitable ignorance while those "easy monthly payments" continue to cost up to 40 percent interest a year.)

A little noticed fact of Washington life is the way in which lobbyists form shifting coalitions to meet their ever-changing legislative needs in Congress. The tools of their exacting trade are unobtrusive. A quiet word here, a private luncheon there, an appointment on Capitol Hill, a corridor conversation in one of the Senate or House Office Buildings—these are the modern lobbyist's instruments rather than the women and liquor of fiction. But the impact is equally deadly, and usually it is the public interest that suffers.

A disturbing current example of such a behind-the-scenes operation is the campaign against Senator PAUL DOUGLAS' truth-in-lending bill. Everybody who buys on the installment plan—which includes the majority of American families—would benefit from this law, which simply requires merchants and lenders to disclose the real cost of credit to their customers. Twenty-one Senators are cosponsors of the legislation. It also has wide support in the House and has been endorsed by President Kennedy as part of his consumer-protection program. Yet for more than 2 years the bill has been suffocated in a Senate subcommittee.

The attack began in 1960 when Senator DOUGLAS first introduced his bill. The small loan companies quickly understood that one effect of such a law would be to bring about a reduction in their rates, which are now frequently camouflaged in what has been called the wonderland of credit. Often the installment buyer who thinks he is charged only 6 percent a year is actually paying six or seven times that amount. The Douglas bill would require the lender to disclose not only the dollar cost of the loan ("only $5 a month") but also the annual interest rate. It would not regulate rates, but the result would be real price competition in the lending business and a lowering of finance charges which can legally run as high as 36 or even 42 percent a year.

Natural allies of the finance companies were the automobile dealers—particularly used-car merchants—whose National, State, and local associations were lined up against the bill. They were joined by furniture stores and other retail establishments which have discovered a bonanza in "revolving" credit (the poor man's charge account which permits him to be permanently in debt to the vendor—for a price). The problem now was to broaden the base of the opposition, for a lobby made up only of those with a crude financial stake in legislation is in a vulnerable position.

To cover their exposed public-relations flank, the two high-powered organizations of the small-loan companies shrewdly sought the backing of the American Bankers Association, the American Bar Association, and the U.S. Chamber of Commerce. They entered the battle despite serious disagreement within these organizations over the truth-in-lending bill. Generally, spokesmen for the larger banks and the bigger businesses saw no great harm in bringing to the credit marketplace two time-honored goals of conservatism—the full disclosure of price as well as true competition based on price. Twenty-eight years ago, exactly the same principles were applied to the stock market with the New Deal truth-in-securities legislation.

But in the end, other considerations prevailed. For one thing, bankers regularly need the support of finance companies in State capitols where laws regulating banking are enacted. For years the small-loan people have assiduously—and profitably—cultivated State legislators to protect their own State-regulated business interests. In many States, harmonious relations are assured by the fact that lawyers who serve in State legislatures are also attorneys for loan companies. Furthermore, small-loan companies are often big customers of banks, and, like all businessmen, bankers want satisfied customers who will come back for more.

As for the American Bar Association, its committees concerned with credit problems are usually made up for the most part of lawyers with close ties to lenders. The chairman of its Consumer Bankruptcy Committee, for example, is Linn K. Twinem, who also happens to be general counsel for the Beneficial Finance Corp., one of the largest small-loan companies in the country.

The chamber of commerce is always concerned about any extension of Federal authority and has based its opposition to the bill largely on the familiar States rights arguments.

MORE SOPHISTICATED TRUTH

Professors have also been enlisted in the campaign. At hearings on the bill the principal spokesman for the National Retail Furniture Association was Albert Haring, professor of marketing in the School of Business at the University of Indiana and a consultant to the Nation's furniture dealers for the last 20 years. Another star witness for the opponents of the truth-in-lending bill was Prof. Robert W. Johnson, of Michigan State University. Appearing for the National Retail Merchants Association was its consultant, Theodore N. Beckman, professor of business organization at the College of Commerce and Administration of Ohio State University.

In seeking to explain his opposition to the truth-in-lending bill, Beckman made much of his own search for truth. "At no time have I been motivated solely or principally by pecuniary considerations on matters of this kind," he said, "because all of my adult life has been devoted to teaching and research at the university level, and thus in a constant search for truth."

Senator Douglas then placed in the Record excerpts from a book, "Principles of Marketing," of which Beckman is the senior author. The book seems to support the truth-in-lending bill by noting that "few consumers know just how to determine the actual rates paid by them on a per annum basis, and yet such knowledge is indispensable in making intelligent comparisons with respect to alternative methods of financing."

Beckman hastily explained that he was preparing a new edition of the book. "In that edition," he added, "I am treating the subject with greater maturity, with much more knowledge, a great deal more sophistication, and you will not find me making statements of that character."

The president of the National Retail Merchants Association this year is Harold H. Bennett, a prominent Salt Lake City businessman. His brother happens to be Senator Wallace F. Bennett, of Utah, a well-known Salt Lake City automobile dealer and a former president of the National Association of Manufacturers. Senator Bennett has led the opposition to the Douglas bill in the Subcommittee on Production and Stabilization of the Senate Banking Committee where it has been languishing. Douglas is chairman of this 10-man subcommittee, which include Banking Committee Chairman A. Willis Robertson, of Virginia. The subcommittee is split 5 to 5 on the legislation.

With such a formidable opposition lined up, neither of the two small-loan company organizations throught it even necessary to testify against the bill this year. The spokesman for the National Foundation for Consumer Credit, William J. Cheyney, describes his organization as being "dedicated to making consumer credit more widely and more perfectly understood by those who use it and all others in American society." Despite its name, the foundation does not represent consumers, but speaks for small-loan companies, merchants who do an extensive credit business, and a few bankers.

The other small-loan company organization is the National Consumer Finance Association, the industry's trade association which is run by Paul L. Selby.

Cheyney, Selby, and their aids are largely responsible for putting together the highly effective lobby against the truth-in-lending bill. In this project they have the great advantage of dealing with a committee whose chairman, Senator Robertson, is a now aging protege of that still older friend of business and banking interests, Senator Harry F. Byrd, also of Virginia. (Byrd himself is chairman of the powerful Senate Finance Committee, which handles all tax legislation, including the social security program.)

Organizations favoring the bill include the AFL-CIO and the Credit Union National Association as well as some mutual savings banks and well-meaning but anemic consumers' groups. This support has been far from sturdy. Nowadays, the AFL-CIO has plenty of troubles getting its way with labor legislation, and its influence on issues like consumer credit is marginal. Nor are the credit unions any match for finance companies and banks.

But, as its opponents realize, the few consumers who do know about the legislation are for it. In fact, all consumers have money to gain and not a penny to lose from the bill. That may be why the chamber of commerce noted in a recent letter to its members:

"Because the bill obviously now has administration backing, this magnifies the problem of heading off the legislation. As in the past, though, our best opportunity to do this is still within the subcommittee itself. Fortunately, 5 of the 10 members of the subcommittee still share our views about the bill—and so long as they are opposed, Senator Douglas cannot muster a majority vote for reporting his bill."

A SCHOLARLY COMMANDO

Should the proposal ever get out of subcommittee into the full Banking Committee and then onto the Senate floor it would undoubtedly find overwhelming support. Few Senators or Representatives want to be recorded against a bill that tries to help consumers by seeking out "truth in lending," and Senator Douglas is stubbornly determined to fight for his bill. Despite the forces lined up against it, he may well succeed.

A deliberate man who prefers to concentrate on one legislative proposal at a time, Douglas did not begin to press for action on this bill until the spring of 1961 when Congress finally approved the depressed-areas program that he had been championing, at times almost single-handedly, for 7 years. The Senator says, however, that he has been concerned about the cost of consumer credit since his academic days of the 1920's and 1930's when the dollar-down, dollar-a-month philosophy became part of the American middle-class economy.

Douglas may not be a member of "the Club" that runs the Senate, to which Byrd and Robertson belong, but he is equally persistent and can be as political as he is learned. It is no ordinary academician who can be elected to the Chicago City Council while serving as an economics professor at the University of Chicago, as Douglas was in the late 1930's. Nor would many men of 50 volunteer as privates in the Marine Corps which Douglas did soon after World War II began. His white hair askew, his blue eyes blazing, words tumbling from his mouth with a faint of touch of a disarming down east accent (he was born in Maine), the Senator is a formidable adversary in debate.

He is one of the few champions of mortgaged-to-the-gills middle-class America. Personal debt in the United States now totals nearly $200 billion, of which $140 billion consists of home mortgages. However, interest on mortgages, has been kept relatively low, largely through the influence of the federally fixed rates on mortgages insured by the Federal Housing Administration and guaranteed by the Veterans' Administration. Furthermore, Congress long ago equated low interest rates on housing loans with the public interest—and votes.

It is the remaining $55 to $60 billion in consumer debts that concerns Douglas. Since the end of World War II consumer credit has increased a spectacular ninefold, from less than $6 billion in 1945 to more than $55 billion today. By contrast, mortgage debt has gone up about sevenfold, from less than $19 billion to today's $145 billion.

Americans have come to accept personal loans, installment purchases, charge accounts, revolving credit, and the credit card itself as a way of life. But they have been little agitated about the staggering cost of credit. This is partly because credit charges and interest rates are often cleverly concealed and misrepresented. The average consumer cares only about the amount of the monthly payments on the car, the television set, the refrigerator, and now even the summer vacation.

When the consumer decides to buy on credit he is generally faced with one of the following five situations:

1. He is simply told that, say, a $10 down payment will be required and that the monthly payments will be $10 for 1, 2, or 3 years. Neither the total finance charges nor the interest rate is even mentioned.

2. He is informed that the finance charge will be $6 a year per $100 borrowed. Although such an add-on rate is often represented as 6 percent interest, it actually amounts to almost 12 percent over a period of a year because the borrower has the use of only about $50 in credit during the year as the outstanding balance declines month by month.

3. He learns that the loan will be discounted at the rate of $6 per year for each $100 borrowed. Under this variation of the add-on rate he receives $94 and the interest rate again amounts to about 12 percent a year.

4. He is told that the monthly interest rate will be 1 percent or 1.5 percent, which

sounds small but actually is a substantial annual rate of 12 to 18 percent.

5. He discovers that fees are loaded on the loan to pay for its cost and to increase the lender's profit. These fees usually are for such things as credit investigations, the processing of the loan, and credit life insurance.

Douglas insists that the annual interest rate is the only yardstick available to consumers for meaningful comparison of credit costs. "A major segment of the consumer credit industry," he has said, "is trapped in a web of misleading and deceiving trade practices when it comes to stating the true costs of credit. Honest and ethical lenders are frequently forced into deceptive practices in order to survive in competition with some of their less ethical competition."

Commenting on hearings held on the bill by his subcommittee, Douglas went on to say: "One witness who was in the lending business described the average borrower as being caught in a wonderland of credit where percentages are divided and multiplied at will, where finance charges materialize on command and fees are collected on the way out—where sharp practices and rackets not only inflate the cost of credit but also impose enormous financial hardships on the debtor, particularly those who can least afford it."

In automobile financing, for example, kickbacks to dealers by banks as well as by loan companies are common. In one instance cited to the Douglas subcommittee, an automobile dealer who steered a customer to a particular bank received almost half of the $500 interest charge. There is vigorous competition among lending institutions for automobile dealers' papers, a sure sign that it is highly profitable despite the cost of kickbacks.

Opponents of the truth-in-lending bill all argue that the compilation of annual interest rates would make life unbearable, if not unprofitable, for small retailers. In answer the proponents point out that financial tables are available now for the compilation of bank loans to businessmen, who insist on knowing the true annual interest rate on the money they are borrowing. Surely America's computers are capable of solving this rather minor mathematical problem for haberdashers and hardware dealers.

As the President said in his message on consumer legislation last spring, consumers have the right "to be informed" and "to be heard." Douglas is trying to make certain that they are informed about the costs of credit. But consumers still cannot make themselves heard in Congress. They are unorganized and often inarticulate. Unless they can organize as effectively as have small-loan companies, automobile dealers, retail merchants, bankers, lawyers, and other business interests, consumers will have to depend on tenacious Senators like Douglas to fight their battles for them.

What "Truth in Lending" Would Mean

You decide to buy a $2,500 automobile by making a downpayment of $500 and spreading the rest of the cost over a 3-year period. The dealer will tell you merely that the charge will be $65.56 a month. Under the truth-in-lending bill, he would have to disclose that the finance charge on the $2,000 you owe amounts to $360 and that the true annual interest is 11.5 percent.

Or perhaps you acquire a $400 refrigerator-freezer without any downpayment at all. It will take 18 monthly payments of $26.18 to pay for it. But you are not told the annual interest rate is actually 22 percent.

The truth-in-lending bill would arm consumers with information which would enable them to shop around intelligently for the best credit deal.

Mr. GRUENING. Mr. President, I yield the floor.

SUSPENSION OF U.S. FOREIGN ASSISTANCE PROGRAM IN CEYLON

Mr. HUMPHREY. Mr. President, I wish to bring to the attention of the Senate the suspension of the U.S. foreign assistance program for Ceylon on Friday, February 8. This action was taken after the Government of Ceylon failed to take appropriate steps to compensate two American companies for properties expropriated last year.

I regret that this action had to be taken. The people of Ceylon need outside assistance if they are to make rapid economic progress. The American aid program to Ceylon has been very successful in helping to train the Ceylonese people to improve their health and to develop their economy. Our aid program has helped to eradicate malaria in Ceylon. In cooperation with the World Health Organization, the United States helped the Government of Ceylon to reduce malaria cases from almost 3 million in 1946 to only 110 cases in 1961. Deaths from malaria were cut from 1,000 a year in 1946 to none in 1961. I think these are remarkable results, and I am proud of this achievement.

Our aid program in Ceylon has accomplished a number of other objectives; it could have achieved more for the Ceylonese people. It is regrettable that the program will have to be closed before its work is complete.

Having said that I regret this occurrence, I must say again that the responsibility for this suspension of aid rests not upon the Government of the United States but upon the Government of Ceylon itself.

It is my hope that the Government of Ceylon will reconsider its position and provide adequate compensation to the oil companies whose properties were expropriated. If and when this should happen, I feel sure that our Government will want to reconsider its suspension of the assistance program.

At the same time, I want to call the attention of the Senate to the fact that negotiations are proceeding satisfactorily in an expropriation case in Brazil. The properties of the International Telephone & Telegraph Co. in the province of Rio Grande do Sul were expropriated last year by the state government. I understand that the Government of Brazil has taken appropriate steps to provide adequate compensation within the meaning of international law. Accordingly, the aid program for Brazil will not have to be terminated at this time.

I commend all parties concerned—not only the Brazilian Government and I.T. & T., but also the U.S. Government for its active role in assisting in the negotiations. It is my hope, and I am sure the hope of all Senators, that a satisfactory final arrangement will be made to fully compensate the company for its losses.

These are the first two cases to arise under the expropriation amendment added to the Foreign Assistance Act last year, which provides that U.S. aid must be terminated if a country receiving aid nationalizes or takes over property of an American citizen or company and fails within 6 months to take appropriate steps under international law to provide compensation.

The amendment was debated in committee and on the floor of the Senate and in conference. It was an amendment which I believed was needed to counter the reckless abandon that seemed to be prevailing in certain countries relating to the expropriation of American property. I voted for the amendment. I believed it was necessary. I commend AID for taking the action which it was required to take under the law in this instance.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Ohio.

Mr. LAUSCHE. I have a letter on my desk, informing me that Brazil has taken action to compensate the American citizen whose property was confiscated. It is a pleasure to hear what has happened. Those of us who sponsored the Hickenlooper amendment to the Mutual Security Act saw definitely the existence of a trend of events which had its beginning with the Castro expropriation of American property. It began with Castro. It went into Brazil. There was talk about its happening in the Far East and talk about its happening in other nations of South America, after Castro had established a precedent.

With evidences appearing that other nations were going to confiscate property of American citizens, the Senator from Iowa [Mr. Hickenlooper] proposed an amendment providing that any country which confiscates property of an American citizen shall be denied future aid under the foreign aid program, unless the American citizen is compensated for the property taken.

The point I wish to make is that that proposal met with serious opposition. My recollection is that the State Department was hesitant about the advisability of adopting the amendment. They did not oppose it directly, but they offered reasons why it might produce complications. Finally, the amendment was adopted.

Here we have an example of what firmness achieved. A weak-back approach would have produced expropriations in, I venture to say, a half dozen more countries. It will not happen if we maintain that law. It is delightful news to hear the Senator from Minnesota describe the effective impact of the amendment that was adopted.

Mr. HUMPHREY. I thank the Senator from Ohio.

I believe the Record ought to be clear and show that the members of the committee, after discussing the amendment—and there were other amendments—brought to the floor of a similar nature—unanimously approved this particular approach. The Senator from Ohio is right. A position of firmness and fairness—and surely it was fair—results in honor and justice being obtained. In those instances where results are not being obtained, the law is being applied in the way Congress wants it to be applied.

Mr. LAUSCHE. The Senator from Minnesota says that when we apply the rules of firmness and fairness, we can expect good results. Earlier in my discussion with the Senator from Alaska I made the statement that it is imperative that we apply principles which are sound. A sound principle comprehends fairness and justice. I submit that when we stood by and allowed property of American citizens to be expropriated we applied a principle which was low, base, and foul. When we apply that type of principle we give encouragement and say to everybody, "You steal from American citizens their property, and nothing will be done to you. America will continue to give you aid. America will bow to whatever threats you make."

I know that the committee in unison voted for the measure, and it is good to know that good results are being obtained.

Mr. HUMPHREY. I thank the Senator from Ohio. He is certainly correct. When this kind of practice of expropriation and confiscation without adequate compensation or adequate consideration is condoned, a fire is set loose which will consume the values and principles for which this country stands.

The amendment about which we have been speaking, as was indicated, was placed in the law in order to protect American citizens and companies against arbitrary and unlawful action by foreign governments. I am hopeful that it will also have the effect of improving the investment climate in the less-developed countries.

It is important, however, to put the problem of expropriation in perspective. During the last 17 years, there have been very few cases of expropriation by non-Communist countries of property of American companies. Most of these have been satisfactorily settled.

Mr. President, I ask unanimous consent to place in the RECORD at the conclusion of my remarks a letter from the Department of State to the chairman of the Foreign Relations Committee on the subject of expropriation which appears as appendix 8 of the Foreign Relations Committee Report on the Foreign Assistance Act of 1962.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed at the conclusion of my remarks a statement from the Agency for International Development on the suspension of aid to Ceylon and a press release from the International Telephone & Telegraph Co. concerning the satisfactory negotiations in Brazil.

The PRESIDING OFFICER. Without objection, is is so ordered.

(See exhibit 2.)

Mr. HUMPHREY. Mr. President, private enterprise is vital for the development of less-developed countries. American private enterprise has made a great contribution in many less-developed countries, especially in Latin America. Many less-developed countries have discovered since gaining their independence that they need private investment in order to develop rapidly.

At the same time, it is unreasonable to expect business to invest in countries where the climate for investment is not favorable. The level of investment in recent years has been far below what it could have been if the investment climate had been more favorable. It is encouraging to note that the foreign aid agency's investment guaranty program has been expanding. There are now investment guarantee agreements with 51 countries. But it is still incumbent upon the less-developed countries to provide better opportunities for private investment to play a role in their development. It is such private investment which will really provide the impetus which is needed for the economies of the underdeveloped countries. Private investment not only supplements, but greatly augments what can be done through the public investment field.

I am pleased to note this new emphasis of our Government on private investment. I detect, if I may say, a new climate for private investment in the aid administration itself. This is a long overdue and welcome change.

I hope the administration will now give some thought to the developing of new international institutions and legal arrangements for the promotion and protection of investment. As aid begins to accomplish its objective of promoting self-sustaining growth, private investment will become increasingly important. The time has come to consider new ways of strengthening the part played by private enterprise in development, and to prepare for the future expansion of international business relationships.

We will need to watch very carefully the effect of the expropriation amendment and other amendments to the foreign aid act, in order to make sure that foreign aid serves the public interest and is not used to enforce private agreements. Cutting off aid to a country is a drastic step. Many countries might be willing to pay unwarranted private claims in order to avoid losing this assistance. This is not the intent of the expropriation amendment, but if this should prove to be an end result, we will want to consider other ways of protecting American investments.

Mr. President, I wish to make it clear, however, that there are many legitimate private claims for which this country has an obligation to seek a solution. Our Government has a responsibility to its citizens overseas. In all too many instances I have observed that our citizens, and many times our financial institutions and private companies, are being treated in a discriminatory manner, being treated most unfairly. In the instances in which such conditions prevail, and companies have had agreements or contracts which have not been honored, I feel it is the duty of this Government in every instance to investigate the circumstances. If the circumstances reveal that there has been an abridgement of contract, I believe our Government should take whatever steps it can take within the law and within the field of diplomacy to help such companies obtain their compensation or the fulfillment of their contracts.

I have called this subject to the attention of the Senate today because I know that there is great concern in Congress over the expropriation of properties of American citizens and over the failure of certain governments to fulfill constracts which they have entered into with American citizens and companies.

I feel that if the foreign aid program is to have the acceptance it must have in Congress, these evidences or instances of violations of contracts must be brought to the attention of Congress, and the remedies which are being used must be cited for the record and for public knowledge.

I again commend the Agency for International Development upon its action and am hopeful it will be constantly vigilant for similar developments in other countries.

EXHIBIT 1

APPENDIX 8

LETTER FROM THE DEPARTMENT OF STATE TO SENATOR J. W. FULBRIGHT CONCERNING EXPROPRIATION OF U.S. PRIVATE INVESTMENTS, WITH ATTACHMENT "MAJOR INSTANCES OF EXPROPRIATION OF PROPERTY BELONGING TO U.S. NATIONALS SINCE WORLD WAR II"

MAY 7, 1962.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate.

DEAR MR CHAIRMAN: In response to your request of May 1, 1962, for information concerning expropriation of foreign investments owned by U.S. nationals enclosed is a list of major instances of such expropriation since World War II.

As to information on the questions specified in your letter, the list describes briefly the nature and ownership of property involved, the circumstances of the expropriation, possible discrimination, and the steps taken to effect settlement, either by the investor or by the U.S. Government. Complete answers could not be given to all the questions specified in your request because of the difficulty of compiling accurate information without lengthy, extensive research, or, in some instances, because of the lack of accurate information.

So far as is known, no complete list of expropriated property is maintained by any U.S. Government agency. Thus the enclosed list cannot be considered a complete record of all expropriations or actions of foreign governments affecting U.S. investments abroad for the period covered. Undoubtedly there have been cases quickly settled by the government and the investor involved without the Department of State being informed. Other cases, of which the Department may have been informed, have not been recorded for purposes of compilation nor collected for ready reference.

In most cases, the problem of evaluation of property taken is so complex that it is impossible to arrive at a definite figure which represents the inherent value of the property for purposes of comparison with the amount of compensation offered by the taking country. The amount of compensation is usually set by a process of detailed negotiation by the parties involved. Therefore, no figures representing value have been included in the list. However, there are indicative figures for some cases which may be useful to you. U.S. Government published statistics indicate that the wartime valuation of worldwide direct U.S. private investment was $7.4 billion. Of this amount, so valued, approximately $350 million was located in Eastern Europe and Communist China and seized without compensation, or approximately 5 percent. In Cuba, at the time when U.S. properties were seized, similar statistics show that the book value of direct private investment was $956 million. This is contrasted with $30 billion of direct U.S. private investment worldwide at that time. There are many other forms of American-owned property taken by the Government of Cuba which direct investment statistics do not cover. The Cuban expropriations are unquestionably the largest which have taken place in the period with which your request was concerned.

Assembling of information as the "nature, value, and timeliness of compensation" provided by the taking government would require extensive examination of the records of each case of expropriation.

The enclosed list indicates only whether settlements were made, but the Department of State considers that the fact that a settlement is concluded acceptable to both sides is more significant than the initial terms offered by the taking government.

In response to your request for information to put the extent of expropriation in perspective, there is enclosed the latest edition of the Department of Commerce publication Survey of Current Business. Table 3, beginning on page 22, indicates the geographic areas and amounts of current U.S. private investment. Although based on somewhat older figures, the 1960 Department of Commerce publication U.S. Business Investments in Foreign Countries has a more detailed breakdown by country and type of investment. A copy of that publication is also enclosed. The Office of Business Economics of the Department of Commerce is prepared to cooperate in any special line of inquiry you may wish to pursue in this area. Finally, on this point, as you know applications for investment guarantees have greatly increased since the Cuban expropriations and the enactment of the new investment guarantee authorities. As a result, there were 484 applications for investment guarantees, amounting to $2,026,179,945, as of January 1, 1962, as opposed to 287 applications and $1,440,084,347 a year before.

It would be a difficult matter to characterize accurately "the significant trends regarding expropriation and compensation." Very generally, except for countries which embark on programs of full-scale socialization of their economies, completely repudiating the concept of private property, expropriation of foreign-owned property is relatively infrequent.

The pattern of expropriation, again with the exception of the completely socialized countries such as Cuba, has been the taking over by the Government of companies which have operated in the country concerned for a long period of time, which have held key positions in the economy of the country (tin in Bolivia, fruit in Guatemala, utilities in several countries), and which, in many cases, have become politically vulnerable due to widespread resentment of long-held foreign economic power. As far as is known, there have been no expropriations of more recent U.S. investment abroad outside the completely socialized countries. The American & Foreign Power Co., and perhaps others, have initiated a policy of reinvesting in the same country the proceeds of expropriation settlements in other industries where foreign ownership is not so sensitive a matter.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary
(For the Acting Secretary of State).

MAJOR INSTANCES OF EXPROPRIATION OF PROPERTY BELONGING TO U.S. NATIONALS SINCE WORLD WAR II.

Like the United States, most countries maintain procedures for nationalization or expropriation of property for governmental or other public purposes. Where property of U.S. nationals is subjected to such procedures abroad, the Department of State would not ordinarily become involved unless the taking or provision for compensation did not comply with international law standards, and the adversely affected U.S. national complained. Consequently, a number of expropriation actions are not reported at all or, if reported, are not recorded for purposes of compilation nor collected for ready reference. So far as is known, no complete list is maintained by any U.S. Government agency.

Subject to the foregoing qualification, the list below does include the major instances of expropriation in the period since the end of World War II. A case-by-case breakdown could not be prepared without extremely extensive and time-consuming research.

Years 1945–50

Eastern Europe: General nationalization of land and business properties including U.S.-owned property in Yugoslavia, Poland, Czechoslovakia, Bulgaria, Rumania, and Hungary.

Settlement:

Claims agreement between United States and Yugoslavia, July 19, 1948—lump sum settlement.

Claims agreement between United States and Rumania, March 30, 1960—lump sum settlement.

Claims agreement between United States and Poland, July 16, 1960—lump sum settlement.

Claims of U.S. nationals against Czechoslovakia, Bulgaria, and Hungary have been paid in part out of vested assets of respective countries in United States by legislation: International Claims Settlement Act of 1949, as amended, title III (Public Law 285, 84th Cong.—Hungary, Bulgaria, Rumania) and title IV (Public Law 85–604—Czechoslovakia).

Communist China: General nationalization of land and business properties, including U.S.-owned property. United States does not maintain diplomatic relations.

Settlement: None concluded.

October 31, 1952

Bolivia: Nationalized tin mines including the Patino interests of which one company was partially owned by U.S. stockholders. None of nationalized companies incorporated in United States.

Settlement: Interim payments pending final settlement made to U.S. stockholders out of proceeds of tin sales under agreement between Bolivia and Patino interests in 1953, renewed in 1956. Final settlement now under negotiation between company and Government.

March 5, 1953

Guatemala: Expropriation of 234,000 acres of subsidiary of United Fruit Co. for purposes of agrarian reform.

Settlement: United States submitted formal claim against Guatemala after company exhausted local remedies, but expropriation was rescinded by new Government which took power in 1954.

July 26, 1956

United Arab Republic: Nationalization of Suez Canal Co. which had some U.S. stock ownership.

Settlement: Compensation agreement signed July 13, 1958, by United Arab Republic and representatives of stockholders. International Bank afforded good offices in negotiations between United Arab Republic and stockholders.

July 7, 1958

Argentina: Municipal government of Toberia in Buenos Aires Province expropriated subsidiary of American & Foreign Power Co. (ANSEC).

Settlement: Overall settlement between Government and company for this property and other properties expropriated, seized and intervened previously by local governments in Argentina made November 28, 1958, with all American & Foreign Power electric facilities in Argentina transferred to Argentine Government. Settlement contract called for court evaluation of properties which was issued April 26, 1961, and accepted by company.

December 26, 1958

Yugoslavia: Nationalization of urban dwellings, business premises and undeveloped building lots, including U.S.-owned property.

Settlement: United States and Yugoslavia have agreed to begin negotiations soon for settlement of claims arising after 1948.

May 11, 1959

Brazil: Governor of Rio Grande de Sul issued order expropriating American & Foreign Power Co. holdings in state.

Settlement: Case now pending in Brazilian courts.

June 3, 1959

Cuba: Agrarian reform law provided for expropriation of estates over a certain size including U.S.-owned sugar plantations. U.S. note to Cuban Government protested inadequate provision for compensation.

Settlement: None concluded to date.

July 5, 1960

Cuba: Law authorized nationalization of all U.S.-owned properties to be carried out as applied to particular properties by subsequent decrees. Law was in specific retaliation against United States cutting Cuban sugar quota. Probably all or nearly all U.S.-owned property in Cuba has been taken under this or other expropriation law. Several U.S. notes to Cuban Government protested discrimination and inadequate provision for compensation.

Settlement: None concluded to date.

Year 1962

Brazil: Governor of Rio Grande de Sul expropriated International Telephone & Telegraph properties in that State.

Settlement: Presently under negotiation between company and Government.

Ceylon: Requisition of certain assets of oil companies, including American.

Settlement: Formal note from Ceylon Government received stating its intention to make prompt and effective compensation for all assets requisitioned.

Years 1945–62

Mexico: From time to time Mexico expropriates U.S.-owned, and other, property under its agrarian reform program.

Settlement: While there has been no overall settlement of claims, there have been isolated instances of individual settlements.

EXHIBIT 2

U.S. ASSISTANCE PROGRAM SUSPENDED IN CEYLON

The U.S. economic and technical assistance program for Ceylon has been suspended, it was announced today by David E. Bell. Administrator of the Agency for International Development.

The suspension action was taken in accordance with provisions of the Foreign Assistance Act.

The Government of Ceylon issued a series of official notices last April, May, and June nationalizing 83 gasoline stations and other properties belonging to two American oil companies, Esso Standard Eastern, Inc., and Caltex Ceylon, Ltd., by vesting these properties in the Ceylon Petroleum Corp.

The Government of the United States, Bell pointed out, did not then and does not now contest the right of Ceylon, as a sovereign state, to nationalize private property. However, when such property belongs to a citizen or a company of a foreign country, the payment of prompt, adequate, and effective compensation is required by international law.

This suspension of assistance is in accordance with section 620(e) of the Foreign Assistance Act of 1961, as amended in 1962. This section provides that if a country receiving U.S. aid nationalizes or takes over the property of an American citizen or company and fails, within 6 months of enactment of the legislation on August 1, 1962, to take appropriate steps to provide equitable and speedy compensation as provided by international law, the U.S. Government must suspend assistance extended to that country under the Foreign Assistance Act.

The Government of Ceylon has not denied its obligation to pay compensation and has in fact given repeated assurances to this effect. However, the actions taken by the Government of Ceylon are not regarded by the U.S. Government as appropriate steps because they do not insure the prompt payment of compensation representing the full value of the property as required by international law.

During the past several months, the U.S. Embassy has discussed with the Government of Ceylon actions which, in the opinion of the U.S. Government, would constitute appropriate steps fulfilling the requirements of international law. The Government of the United States was prepared to consider a negotiated settlement of the claims of the oil companies, the submission of these claims to arbitration or any other alternative plan which the Government of Ceylon wished to advance, provided there was adequate assurance that the payment of compensation would meet the standards of international law. In the absence of progress toward a settlement meeting these standards, the Government of the United States is required by law to suspend aid to Ceylon.

On January 31, 1963, in response to efforts being made by the Prime Minister and the Government of Ceylon to establish settlement negotiations mutually satisfactory to the parties concerned, the U.S. Government decided to hold in abeyance a decision on the suspension of assistance. Since the basic purpose of the legislation and of the U.S. Government is to obtain compensation rather than to withdraw assistance, Bell said, it was felt that those efforts deserved a fair trial. Unfortunately, the present discussions between the oil companies and the Government of Ceylon have not produced significant progress.

Bell said the U.S. Government hopes that prompt, adequate, and effective compensation will be paid in this case, not only to satisfy the provisions of the Foreign Assistance Act but also so that a favorable climate will be reestablished in Ceylon for the investment of foreign capital. Such investment is considered necessary for the realization of development goals in countries seeking to modernize and expand their economies.

BACKGROUND INFORMATION ON SUSPENSION OF U.S. AID TO CEYLON

The suspension of U.S. aid to Ceylon resulted from a provision incorporated in the Foreign Assistance Act of 1961 as amended by Congress in August of 1962. The relevant provision (sec. 620(e)) states:

"The President shall suspend assistance to the government of any country to which assistance is provided under this act when the government of such country or any governmental agency or subdivision within such country on or after January 1, 1962—

"(1) has nationalized or expropriated or seized ownership or control of property owned by any United States citizen or by any corporation, partnership, or association not less than 50 per centum beneficially owned by United States citizens, or

"(2) has imposed or enforced discriminatory taxes or other extractions, or restrictive maintenance or operational conditions, which have the effect of nationalizing, expropriating, or otherwise seizing ownership or control of property so owned,

and such country, government agency or government subdivision fails within a reasonable time, not more than six months after such action or after the date of enactment of this subsection, whichever is later, to take appropriate steps which may include arbitration, to discharge its obligations under international law toward such citizen or entity, including equitable and speedy compensation for such property in convertible foreign exchange, as required by international law."

Application of section 620(e) resulted from the taking by Ceylon of certain assets of two U.S. companies, Caltex Ceylon, Ltd., and Esso Standard Eastern, Inc. These companies are engaged in the distribution of gasoline and other petroleum products in the island. The assets concerned are 83 gasoline and kerosene outlets belonging to the two companies, plus certain pipelines and bunkering facilities. Although the properties represent only 20 percent of the outlets owned by the two companies in Ceylon, they did almost 50 percent of the business of all their outlets.

Expropriation of the oil company facilities followed the passage of an act by the Ceylon Parliament in May 1961 creating the Ceylon Petroleum Corp. (CPC). In order to assume part of the distribution of oil products in Ceylon without using additional local resources to develop new outlets of its own, the Government of Ceylon in April, May, and June 1962, took over the oil company filling stations and other facilities.

The Government of Ceylon has not denied its obligation to pay compensation and has, in fact, given repeated assurances that it would do so. To date, however, 8 months after the latest property seizure, no compensation has been paid to the American oil companies. Furthermore, the actions that have been taken by the Government of Ceylon are not regarded by the United States as appropriate steps because they do not insure the payment of equitable and speedy compensation in convertible currency, as required by international law.

Since the Government of Ceylon has not as yet taken appropriate steps within the meaning of section 620(e) of the Foreign Assistance Act to discharge its obligations under international law for compensating the owners of the property which it has taken over, the Government of the United States has had no alternative but to suspend assistance to Ceylon. The United States had made clear to the Government of Ceylon that such action would be mandatory if appropriate steps had not been taken prior to February 1, 1963. While the Government of Ceylon had indicated its intention to pay compensation to the oil companies, it proposed to do so on the basis of a valuation inconsistent with the established principle of international law that in evaluating vested property, all elements or interests of value which make up the total worth of the property must be evaluated and compensated.

Effect of suspension

Immediately affected by the suspension will be two programs authorized under the Foreign Assistance Act: a development grant program, consisting principally of technical assistance projects and amounting to $800,000 for the fiscal year 1963, and a development loan program involving more than $3 million.

The AID mission's staff of 20 persons, headed by Andrew J. Bennett, will be transferred to other posts or to Washington. Employment of Ceylonese personnel will be terminated, but efforts will be made to place those whose services can be used with other U.S. agencies in Ceylon.

The three major development grant projects affected provided technical assistance, training, and some commodities in the fields of agricultural extension, research and education, industrial productivity, and malaria eradication.

In order to avoid personal hardship, an exception is being made in suspending the development grant program. Some 57 Ceylonese whose training abroad is financed under this program will be allowed to continue their training courses until there is a natural break in their programs, such as the end of a semester or a school year. While AID could have forced the immediate return of these trainees, 38 of whom are in the United States and 19 in other countries, such an action might seriously affect their careers.

The most significant development loan being suspended is one for $3.2 million authorized by AID under an agreement signed January 30, 1961. It was to provide financing for expansion and modernization of Katunayake Airport, Ceylon's largest, located some 20 miles from Colombo, to permit its use by international jet aircraft. With $165,000 of this loan already committed, AID is suspending the use of the remaining $3,035,000. Also suspended is an allocation of local currency derived from the sale to Ceylon of U.S. agricultural products, which was being used to finance some of the local costs of the airport project.

The other loan involved, authorized in 1958, has helped to rehabilitate part of Ceylon's railway system. Proceeds of this $750,000 loan have been disbursed, except for $24,000 which will be withheld under the aid suspension.

Again, to avoid hardship to the people of Ceylon, the United States will continue a food for peace program which is providing milk and wheat flour through CARE for a school lunch program which is reaching daily some 1,847,000 children, as well as a nutrition program at health centers for 70,000 mothers and preschool children.

Under another section of the food for peace program, the United States has since 1958 made three agreements with Ceylon to sell $25 million worth of U.S. agricultural commodities. Some $19 million of the local currency proceeds was earmarked to be turned back in the form of loans and grants to the Government for economic development and loans to private enterprise in Ceylon. The loans and grants stemming from these food for peace agreements will be completed, except for the loans for the local costs of the airport project.

Any new requests for local currency sales of U.S. commodities under the food for peace program will be considered on their merits and in the light of circumstances existing at the time of the request. Suspension of food for peace programs is not legally required as these programs are authorized under legislation other than the Foreign Assistance Act.

Program accomplishments

U.S. economic and technical assistance to Ceylon, which began in 1955, can lay claim to a number of notable achievements, including the following:

Health: A U.S.-aided malaria control and eradication program carried out in cooperation with the World Health Organization has cut malaria cases from 2.7 million in 1946 to 110 in 1961, and has cut deaths from malaria from 1,000 a year in 1946 to none in 1961.

Irrigation and water development: This project has provided machinery, equipment, and technical knowledge for the restoration and rehabilitation of reservoirs and irrigation works, built by ancient civilizations, which had fallen into disrepair and disuse.

Production of food: A soil conservation program has provided technical training, education and demonstration in modern land and water use methods. A serious infestation of salvina, a rapidly spreading weed pest, was cut back and placed under modern control methods. A factory established under this program is producing small scale farm equipment adapted to

Ceylon's needs, and 19 farm schools have been developed and improved.

Industrial development: U.S. assistance in this field has been concerned with increasing and diversifying production and with the development of a competent labor force.

A state-owned industrial park, the first in Ceylon, has been established for the use of private industries, and 4 of its 20 sites are now occupied for the manufacture of a variety of products.

Transportation: The United States has furnished Ceylon with railway coaches and diesel engines to help modernize its railways and to relieve rail congestion in and around Colombo.

Participant training: More than 340 Ceylonese were given training in their respective technical specialties under the U.S. development grant program. Some 240 of these came to the United States and 100 trained in other countries.

U.S. economic and technical assistance to Ceylon, including agricultural commodity programs, has totaled $79.6 million through last June 30. A summary of the amounts of the various aid programs follows:

U.S. assistance to Ceylon, fiscal years 1955 through 1962 (obligations and loan authorizations)

[In millions]

Technical cooperation—development grants	$10.1
Development loans	6.3
Local currency proceeds of sales of agricultural commodities under sec. 402, Mutual Security Act	9.0
Total	25.4
Public Law 480 (food for peace):	
Grants and loans of local currency sales proceeds	19.2
Emergency relief food	9.3
Food through voluntary agencies	25.6
Total	[1]54.2
Grand total	79.6

[1] Rounded figures.

The development loans authorized, totaling $6.3 million, were as follows:

Purpose of loan	Date of loan agreement	Amount of loan agreement
Irrigation and land development.	June 1958	$1,475,942.29
Highway development	July 1958	900,000.00
Rehabilitation of railways.	September 1958	750,000.00
Airport construction	January 1961	3,200,000.00
Total		6,325,942.29

INTERNATIONAL TELEPHONE & TELEGRAPH CORP. RELEASE, FEBRUARY 1, 1963

NEW YORK.—International Telephone & Telegraph Corp. today disclosed it has reached a satisfactory interim arrangement for payment of its expropriated telephone properties in the State of Rio Grande do Sul in Brazil.

H. S. Geneen, president of the corporation, said the interim arrangement was reached following negotiations between representatives of ITT and the Bank of Brazil, under the auspices of the Brazilian Government. The arrangement is based largely on a proposal made by ITT in March following expropriation of the properties on last February 16.

Mr. Geneen called the agreement a "demonstration of men of good will working together in a difficult situation to achieve an equitable conclusion which can only have the most constructive results in future, continuing relations.

"This was achieved through the understanding and close cooperation of the Brazilian Government and the U.S. State Department."

Mr. Geneen particularly commended "the forward-thinking policy of our Government—enunciated by Congress and carried out by the administration—intended to renew the flow of investment funds to our Latin American neighbors and in particular—as part of that policy—to support equitable treatment of existing U.S. investment in that area. This type of equitable solution and continuing government support, combined with the constructive contributions of our Latin American friends—as in this case—will mark the reestablishment of a favorable new investment and growth climate for all of South America."

He added that "the part played—and the patient consideration shown—by ITT's seasoned, long-resident local executives in Brazil, who are in turn dedicated to the future of that country, should not be overlooked in this conclusion."

Mr. Geneen said that under the terms of the interim agreement, a portion of the total amount will become available for investment in Brazil. "This gives us the opportunity to step up expansion of our manufacturing facilities of Standard Electrica, S.A., which has been in operation in Rio de Janeiro for the past 35 years," he added. Standard Electrica is a producer of telephone instruments and switchboards, radio and television sets, and other electronic products.

SUBMISSION TO CONGRESS OF SECOND ANNUAL REPORT OF THE U.S. ARMS CONTROL AND DISARMAMENT AGENCY

INTRODUCTION

Mr. HUMPHREY. Mr. President, it gives me great pleasure to call the attention of Senators to the Second Annual Report to Congress of the U.S. Arms Control and Disarmament Agency. Every American wants peace, but peace with honor. The Arms Control and Disarmament Agency has been created by Congress to help us to achieve this goal through measures to reduce and control armaments and to help increase the effectiveness of international peacekeeping machinery.

It is a new agency, not yet a year and one-half old, and it is unique in being the only Government instrumentality devoted exclusively to the problems of arms control and disarmament. As such, it is in a position to give these most important problems the attention and study they must have if we are ever to make progress toward a world where the use of force has been subordinated to the rule of law.

Some say this is impractical—that it is an idealist's dream which has never worked before. But I say that never before have we approached the problem in its totality. In the past, more limited disarmament efforts had no lasting effect, because arms reduction was treated as a goal in itself, and efforts were unrelated to effective peacekeeping measures. The Arms Control and Disarmament Agency is an organization dedicated to the ultimate goal of eliminating war and bringing a secure and lasting peace under workable controls and with effective methods for keeping the peace—not just through the destruction of arms.

I have always advocated a strong Military Establishment. It does not follow, however, that our security can be maintained indefinitely by continuing the present arms race. Our defense budget is so large, and the weapons of war are so devastating, that safeguarded alternatives to the arms race must continue to be explored.

As the chief sponsor of the legislation in the Senate to create the Arms Control and Disarmament Agency, I have maintained a continuing and abiding interest in its activities. I have been gratified and encouraged by what I have observed and by the account given in the second annual report.

RESEARCH FOR ARMS CONTROL AND DISARMAMENT POLICY FORMULATION

One of the primary functions of the Arms Control and Disarmament Agency is to conduct, support, and coordinate research for arms control and disarmament policy formulation. The research program has greatly expanded during the short time the Agency has been in existence, thus reflecting the extreme importance the Agency attaches to it.

This has been evidenced by the increasing allotments of appropriations for research purposes. For fiscal year 1962, the Agency's first year of operation, the budget provided $600,000 for contract research, approximately one-third of the Agency's total budget. For the current fiscal year, 1963, the Congress has provided $4 million for contract research which is roughly two-thirds of the Agency's total budget of $6.5 million. In the budget recommendations for fiscal year 1964 which the President has just forwarded to Congress, $11 million of a recommended budget of $15 million would be allocated for arms control and disarmament research. The increasing research budget reflects the recognized importance of the need for profound analysis of the problems of arms control and disarmament as a basis for policy formulation.

During most of calendar year 1962, the Agency's research effort was divided into five categories: First, studies directed toward assuring that the substantive provisions of arms control and disarmament measures under consideration have a sound basis and are fully consistent with our security interests; second, studies dealing with the political aspects of arms control and disarmament; third, a series of studies dealing with the problem of verification of arms control and disarmament measures; fourth, studies dealing with international organization patterns best designed to assure compliance with arms control and disarmament measures; and finally, a continuing survey of the economic impact of disarmament. This study of the economic consequences of disarmament is of vital importance. The Arms Control and Disarmament Agency should give a higher priority to this study and act as a coordinator of all other government agencies having responsibilities for our economic progress.

In carrying out studies in these areas, the Agency awarded nine contracts and three grants, in addition to which numerous staff studies were made. I was glad to see that many of the studies dealt with various aspects of the verification problem.

To assist the Agency in formulating research policy and controlling the Agency's contract and grant awards, the Director established the Research Council in September of 1962. The Council is also charged with responsibility for both monitoring research activities of actual Agency personnel and coordinating staff and contract studies of all other agencies, as required both by the basic statute and Executive Order 11044.

The Council serves under the Director as the focal point of all Government research activities in arms control and disarmament problems, and is responsible for assuring that both long- and short-term research needs are met. It must submit a semiannual report and analysis of the total research effort in arms control and disarmament within the Government. Other agencies, including the Department of Defense, the Atomic Energy Commission and the National Aeronautics and Space Agency, are required to submit to the Agency semiannual reports covering the status of their research projects. In these reports the agencies are called upon to assess the projects as they relate to the overall U.S. Government research effort.

As stated in the Agency's report to Congress for 1962:

> Such a procedure will contribute to the elimination of any duplication of efforts in the research area and will aid in insuring that activities in this field will continue in an orderly fashion.

In 1963, the Agency looks forward to continued expansion of its activities in the research field. The positions which the United States takes on arms control and disarmament matters will be no better than the thought, analysis, and research which go into them. The problems are difficult and while much good work has been done, there is much that remains.

IN-HOUSE RESEARCH BY PERSONNEL OF THE AGENCY STAFF

I was particularly impressed to note in the annual report that a sizable portion of the research done in 1962 was in-house research accomplished by Agency personnel. Among other things, during the past year, the Agency staff was responsible for the development, in coordination with other interested Government agencies, including the Departments of State and Defense, the Atomic Energy Commission and the Central Intelligence Agency, of the "Outline of Basic Provisions of a Treaty on General and Complete Disarmament in a Peaceful World." This was presented by Ambassador Arthur H. Dean to the 18-nation Committee on Disarmament in Geneva on April 18, 1962, and represents the most comprehensive blueprint for peace through multilateral international disarmament that the United States or any other country has ever undertaken.

This was accomplished despite the fact that when the first annual report of the Agency was submitted a year ago, the staff totaled only 101 employees. By January 1963, personnel strength had risen to 162, consisting of 96 officers and 66 clerical employees. The authorized total employment figure of 220 is expected to be reached by end of fiscal 1963.

I gather that recruitment of personnel has been relatively slow because of the stringent security requirements imposed by law and because the original act that created the Agency in September 1961 had a legislative ceiling of $10 million to establish the Agency and provide it with operating and research funds for an initial period.

Of the Agency's original $10 million authorization ceiling, $8.33 million has been appropriated and only $1.67 million remains. The President has recommended a comparatively modest budget of $15 million for fiscal year 1964 and if the increasingly important work of our Agency for peace is to continue, the $10 million ceiling on appropriations will have to be removed. This would permit the appropriations for the Arms Control and Disarmament Agency to take the normal form of statutory authorization under which annual appropriations are determined each year by the appropriate committees of Congress.

COMMITTEE OF PRINCIPALS

In connection with the proposed treaty outline, it is reassuring to know that it was the result of a coordinated effort among the several Government departments and agencies concerned with preserving and enhancing our national security.

I might add, too, that major policy recommendations made by the Arms Control and Disarmament Agency are reviewed by a Committee of Principals before they are brought to the President for a decision. This Committee is composed, among others, of the Chairmen of the Atomic Energy Commission and of the Joint Chiefs of Staff, the Director of the Central Intelligence Agency, the Special Assistants to the President for National Security Affairs and for Science and Technology, and the Secretaries of State and Defense. According to testimony presented last fall before the Preparedness Investigating Subcommittee of the Senate Armed Services Committee, it is the function of the Committee of Principals to see that policy proposals have been thoroughly worked out and the issues made precise before being brought before the President.

NEGOTIATIONS FOR GENERAL AND COMPLETE DISARMAMENT

I was greatly interested in that part of the Agency's Annual Report which dealt with the international negotiations. I recall one statement that reflects the frankness and realism with which our Government viewed the discussions at the 18-nation Disarmament Conference. According to the report, the United States entered the Conference recognizing that the chances of early agreement on major disarmament plans were not great because of deep feelings of distrust on both sides. Yet because of the awesome nature of modern armaments, our Government feels it must continue to press for the greater security that could come to all of us from effectively verified arms control.

The report states that no substantial progress has been made on the question of general disarmament. Nevertheless, the discussions did provide the opportunity for the participating nations to discuss in detail the problems involved. Aided by the adoption of an agreed agenda, the Conference has now undertaken a detailed study of the United States and Soviet positions, which will continue when the Conference resumes on February 12.

The Conference has also provided the United States with an excellent opportunity to communicate its sincere desire for a meaningful disarmament agreement to the other nations present. The oversimplified Soviet propaganda slogan of "General and Complete Disarmament in 4 Years" has sometimes sounded impressive to other nations in U.N. debates because procedural limitations prevented a probing analysis.

In the Conference, however, adequate opportunity is provided for full analysis and lengthy debate by our negotiators. As a result, non-Soviet-bloc participants have been able to perceive the wholly unrealistic and superficial context of the Soviet slogan.

Our position stresses balanced multilateral disarmament, adequate verification of compliance, and the need for increasing the world's peacekeeping machinery as disarmament progresses. This is elaborated upon in the April 18 "Treaty Outline for General and Complete Disarmament in a Peaceful World," which served, together with the Soviet draft treaty, as a basis for the discussions at Geneva and the United Nations.

NEGOTIATIONS FOR A NUCLEAR TEST BAN AGREEMENT

Concurrently with the negotiations on general and complete disarmament, both the 18-nation Disarmament Committee and the United Nations General Assembly considered the question of a nuclear test ban. These culminated in bilateral United States-Soviet talks and finally in United States-British-Soviet talks in January 1963.

On December 19, 1962, Premier Khrushchev, in a letter to President Kennedy, stated that the Soviet Union was now prepared to accept two to three on-site inspections per year on Soviet territory. In addition, he said that there could be three unmanned seismic stations on Soviet territory. Although he suggested specific locations, he left open the question of where they should finally be located.

In responding to Premier Khrushchev's letter, President Kennedy, on December 28, 1962, indicated that he was encouraged that the Soviet Union could now "accept the principle of on-site inspections." In addition, the President indicated that the three proposed unmanned seismic stations on Soviet territory were not sufficient, nor were the Soviet-suggested locations optimum from the standpoint of increasing the capabilities of a verification system.

On January 7, 1963, Premier Khrushchev's reply to President Kennedy's letter substantially reiterated the Soviet position, but agreed to further negotiations. As a result of this exchange of letters, N. T. Fedorenko and S. K. Tsarapkin, representing the U.S.S.R., and William C. Foster, representing the United States, continued the negotiations in New York and in Washington, D.C.

Our Government has always insisted upon a verification system which would include both adequate detection facilities for discovering the existence of suspicious events and adequate inspections for determining whether the suspicious events were, in fact, nuclear explosions.

Ambassador Dean suggested, last fall, agreement on between 8 and 10 on-site inspections each year. The Soviet Union has returned to its earlier proposal of two or three inspections; and, as Senators know, the Soviets terminated the recent discussions in New York when our Government felt it could not agree to that. The President then ordered a resumption of preparations for further underground testing in Nevada.

In connection with detecting underground nuclear explosions, there have, over the years, been various technical developments which affect our position. Changes in our detection capability have resulted in changes in our position. These developments have resulted from actual observations of earth tremors over a period of years and from extended research. Some significant developments have occurred since the United States submitted a complete nuclear test ban treaty on April 18, 1961.

According to information supplied by the Agency, the first of the significant developments was the establishment of an improved capability for long-distance detection of earth tremors caused by nuclear explosions or earthquakes.

The second significant technical development is that an earlier estimate of the number of tremors resulting from earthquakes in the Soviet Union which might be confused with tremors resulting from nuclear explosions has been shown by actual observation and research to be several times too large. Let me digress to say that I am highly disturbed by the tendency of some people, who seem interested in the failure of the test ban negotiations, to stand first on one foot and then on the other when it comes to scientific estimates. Such behavior not only confuses our own delegates, who are negotiating in good faith, but also provides ammunition for hostile propagandists who maintain that we do not want and never have wanted a test ban. One of the chief reasons for setting up the Arms Control and Disarmament Agency in the first place, Mr. President, was to obviate confusion of this type. I am happy to report that Mr. Foster and his staff have given no one any reason to doubt that the United States, in seeking a nuclear test ban, is looking diligently for the relevant scientific facts on which to base a sound, well-prepared negotiating position.

The third significant development is that our ability to ascertain from a distance that some earth tremors are caused by earthquakes, not explosions, has been steadily improving. In a recent study of the annual earth tremors located in the Soviet Union—a study made at stations operated from a distance—over half gave indications of being earthquakes on the basis of such seismic criteria as "first earth motion," "depth of focus," and "aftershock or foreshock of an earthquake." Somewhat less than another third were found to be unlikely possibilities for nuclear tests, based upon nonseismic criteria, such as their general geographic location and the detailed characteristics of the area of the tremor's origin.

Although these technical considerations have permitted reductions in the quota of on-site inspections in recent years, there is still a gap between the positions of the two sides of the annual quota of on-site inspections required, as witnessed by the recent New York discussions.

I may add that the Director of the Agency, Mr. Foster, has stated several times that no test ban treaty would be placed into effect without Senate ratification.

Mr. President, if there is any one thing that I hope will be recalled from these remarks, it is that whatever agreement is reached will be brought to the Senate, for ratification by the Senate. I say this because there has been some reckless talk in connection with that matter. Some persons in Congress and some persons outside of Congress have said the administration contemplates an executive agreement, as differentiated from a treaty agreement, inasmuch as an executive agreement does not require the advice and consent of the Senate. Whereas a treaty does require advice and consent by two-thirds of the Senate.

Mr. President, such talk is mischievous, irresponsible, and false. It should not be indulged in. It serves only to confuse the American people and our allies and friends, and to make it very difficult for our negotiators to conduct effective negotiations. In fact, those who make such statements are playing directly into the hands of the Soviet Union.

On many occasions the Soviet Union has indicated that only an executive agreement was necessary. So I am rather surprised that some Americans have indicated that an executive agreement would be the path which would be pursued. I emphasize that it is not the path which is being pursued.

Mr. Foster is an honorable man. He has made quite clear to the appropriate committees of Congress that if and when a nuclear-test-ban agreement is arrived at, it will be submitted to the Senate for its advice and consent.

This commitment follows from section 33 of the Arms Control and Disarmament Act. Mr. Foster has pointed out that disclussions so far have involved only proposals. No agreement has yet been reached. But if our negotiators ever do reach an agreement with the Soviets, it would not be effective without the advice and consent of the Senate. Mr. President, the Nation, the Congress, and the Soviets should know that; and I hope that the voices being heard on this subject will speak the truth in a more responsible manner.

In his letter of December 19, 1962, to President Kennedy about the possible cessation of nuclear tests, Chairman Khrushchev said:

> You, Mr. President, and your representatives point out that without at least a minimum number of onsite inspections you will not manage to persuade the U.S. Senate to ratify an agreement on the cessation of tests. This circumstance, as we understand, ties you and does not allow you to sign a treaty which would enable all of us to abandon for good the grounds where nuclear weapons are tested.

Replying to Chairman Khrushchev on December 28, 1962, the President said, in his letter:

> I am encouraged that you are prepared to accept the principle of onsite inspections. These seem to me to be essential not just because of the concern of our Congress but because they seem to us to go to the heart of a reliable agreement ending nuclear testing.

Chairman Khrushchev's implication was that the U.S. Senate would take an arbitrary and unreasonable stand, to the detriment of all humanity. Obviously, he made such a statement for propaganda purposes to serve his own needs and ends; but since it impugns the integrity of the U.S. Senate, I feel constrained to comment on it.

I feel assured, and I think the world should be assured, that if a rational and reasonable test ban agreement with adequate security safeguards is brought before the Senate for ratification, this body and its committee would give it the favorable consideration we customarily accord to matters of such great import.

In other words, we will look at such a treaty carefully, objectively, and act on it favorably if it serves the security interests of our country and the interests of peace. It is very important that this question be clarified, and that those who are attempting to confuse our own people, and at the same time apparently aiding and abetting the claims of Mr. Khrushchev, stop their noisy confusion and get on with the task of concentrating their energies upon the many great issues before this country.

I also hope that Senators will take the opportunity to consider in their own minds the opportunities we have to conclude regional arms control agreements. I have made this suggestion several times on the Senate floor and I believe there is great potential in such an approach.

Frankly, it is only commonsense to attempt those things that have the greatest likelihood of success. Brazil has proposed a regional denuclearized zone and arms control agreement in the Western Hemisphere. I believe this proposal merits sympathetic and careful study by the United States. I hope that other republics in the Western Hemisphere will also consider this proposal carefully. The accomplishment of a regional arms control agreement among the democratic republics of the Americas would provide the entire world with proof that arms control was politically and militarily feasible.

In addition, it would be good economics for the section of the world that is starved for capital. There is nothing more costly than for impoverished nations to attempt to maintain a military establishment. I might add that a military establishment for many of these countries in the Western Hemisphere is useless and needless, since the security of our hemisphere is today, in light of the great strength of the Soviet Union, the responsibility of the United States of America. We are capable of fulfilling that responsibility.

I urge the Arms Control Agency to devote some of its efforts in this direction in the coming year.

CONCLUSION

Even though discussions on general disarmament measures have not produced tangible results during the past year, the Agency does feel that the more limited measures might be achievable in the foreseeable future. It does not view the Soviet termination of the test ban talks in New York and their proposed resumption at the 18-nation Disarmament Conference at Geneva as discouraging. Indeed our officials hope that during the interval the Soviets will reevaluate their position on certain matters in dispute.

In addition to a proposed nuclear test ban, the United States urged, in the wake of the Cuban crisis, agreement on six distinct measures designed to reduce the risk of war through accident, miscalculation or the failure of communication. These six measures included: First, the exchange of military missions among nations. We currently exchange military attachés with the Soviet Union: this proposal would be a broadening of this precedent. Second, advance notification to all countries of military maneuvers. Third, the improvement of communications between major governments. This would include the so-called "hot line" or "purple telephone" between President Kennedy and Chairman Khrushchev but would also take in lower echelon communications as well. Fourth, observation posts established at major ports, railway centers, motor highways, and river crossings. Fifth, an international committee to study other methods to reduce the risk of war through miscalculation. Sixth, additional observation procedures—not specified.

The revolutionary nature of modern weapons is such that if they are ever utilized in a mistaken effort to solve human problems, they can only succeed in dissolving the human race. I plan to make a major speech on this subject next week.

I think the Agency and our negotiators should be encouraged in their efforts if the arms race is to be prevented from extending indefinitely into outer space and spreading to other countries of the globe.

As an item of urgent business, our Government should press forward at every international conference the concept of keeping outer space from becoming a battlefield, and preserving outer space as a laboratory for peaceful pursuits.

Outer space today is an area in which armament does not exist. A few years from now it can be an area that will be a potential arsenal or battlefield. It is my hope that our negotiators, as they seek to find solutions to some of these problems, would point to such areas as outer space, in which militarization has not yet become the pattern. But make no mistake about it. There are plans to make it the pattern in certain countries. Therefore the importance of seeking agreements now in every possible forum, in every possible international conference and conclave, to prevent outer space from becoming a battlefield to the detriment and possibly the doom of the world.

I ask unanimous consent that the report of the Arms Control and Disarmament Agency be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

U.S. Arms Control and Disarmament Agency Second Annual Report to Congress, January 1 to December 31, 1962

LETTER OF TRANSMITTAL

To the Congress of the United States:

I have the honor to transmit the Second Annual Report of the U.S. Arms Control and Disarmament Agency.

In this report, submitted pursuant to law, the Agency describes its activities for the calendar year 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE.

U.S. ARMS CONTROL AND
DISARMANENT AGENCY,
Washington, D.C., January 28, 1963.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: I submit herewith to you for transmittal to the Congress, as required by the Arms Control and Disarmament Act, the Second Annual Report Concerning the Activities of the U.S. Arms Control and Disarmament Agency.

This report covers the period from January 1, 1962, to the end of the calendar year. The Agency has arranged for it to be printed by the Government Printing Office.

Respectfully,

WILLIAM C. FOSTER,
Director.

INTRODUCTION

As 1962 drew to a close the U.S. Arms Control and Disarmament Agency entered into the second year of its operation. The Agency and its role remains unique as an instrumentality of Government which is devoted solely to the problems of arms control and disarmament. It is an organization dedicated to the ultimate goal of a world at peace—a world in which the use of force has been subordinated to the rule of law and international adjustments are peaceably achieved.

It was brought into existence by the Congress in the belief that arms control and disarmament measures can be acceptable alternatives to a continued arms buildup. Its efforts are directed toward promoting the relaxation of tensions and furthering peace. Yet, it seeks these alternatives without in any way jeopardizing the Nation's security interests.

Today the world is not only divided by ideology but is endangered by an arms race, involving weapons of massive destruction, which if left uncontrolled could lead to untold disaster. The Agency is convinced that arms control and disarmament measures—balanced, phased, and fully safeguarded—can not only insure the maintenance of our national security in such a world but can actually enhance it and that of the entire free world. There is no contradiction between the aim of achieving peace through such measures and the national determination to maintain the defense force necessary to safeguard our vital interests as progress on arms limitation is being sought.

To this end, we have been deeply involved in disarmament negotiations this past year. With other interested Government agencies we have developed a comprehensive and flexible course of action to bring under control the world's massive buildup of arms. In support of this effort we have also initiated a significant beginning in research on the multitude of problems entailed in this quest for peace.

During the major part of the year under review this effort resulted in no substantial progress toward practical arms control or disarmament agreements. But an encouraging development concerning the test ban issue did occur as the year drew to a close. In an exchange of correspondence between President Kennedy and Premier Khrushchev in December and January the Soviet Union once again accepted the principle of on-site inspections—an essential element in assuring adequate verification of a comprehensive test ban agreement. Although many problems still must be resolved in the search for accord, this step represents a constructive advance toward a possible solution of the test ban question.

However, the Soviet proposals presented thus far on almost all other aspects of the disarmament problem appear to have largely been but extensions of their foreign policy objectives aimed at the expansion of Communist influence by gaining military advantage rather than determined efforts to achieve agreements which would insure the security, freedom, and independence of all nations. Consequently, unless or until the Soviet Union severely modifies much of its present approach, prospects for significant progress in the arms control and disarmament area will remain dim.

Yet this broad-ranging effort must continue. Negotiations in 1962 have isolated areas of mutual interest as well as areas of disagreement between the two sides on a number of important points. The fact that some common ground does exist suggests that steps can be agreed upon to lessen the pace of the arms race and the risks inherent in it.

Consequently, in the months to come, the Arms Control and Disarmament Agency will continue to explore every possibility and exploit every opportunity which could lead to practical, progressive steps toward arms control and disarmament agreements. The stakes in this effort—the very survival of our civilization as we know it—are too high to do otherwise.

WILLIAM C. FOSTER,
Director.

PARTICIPATION IN INTERNATIONAL NEGOTIATIONS

The Arms Control and Disarmament Act requires that the Agency prepare for and manage U.S. participation in international negotiation in the disarmament and arms control field. To that end, under the direction of the Secretary of State, it is empowered to consult and communicate with representatives of other nations and of international organizations.

Success in arms control and disarmament negotiations is the goal to which the Agency's energies are directed and the chief purpose of its existence.

The United States entered the 18-Nation Disarmament Conference at Geneva in March 1962 believing that while the chances for early agreement were not great because the distrust on both sides is very deep, yet the awesome nature of modern armaments is such that this country must continue to press for the greater security that could come to all nations from effectively verified arms control. To this end the Arms Control and Disarmament Agency during the past year was responsible for the development, in coordination with other interested Government agencies, including the Departments of State and Defense, the Atomic Energy Commission, and the Central Intelligence Agency, of three significant negotiating instruments: an "Outline of Basic Provisions of a Treaty on General and Complete Disarmament in a Peaceful world"; a "Draft Treaty Banning Nuclear Tests in All Environments"; and a "Draft Treaty Banning Nuclear Weapon Tests in the Atmosphere, Outer Space and Underwater." Following Presidential approval these were introduced at Geneva during the 1962 negotiation effort.

The United Nations General Assembly, on December 20, 1961, unanimously adopted a resolution which set the stage for negotiations in 1962 both on general and complete disarmament and on a nuclear test ban agreement.[1] This resolution climaxed the bilateral discussions held by the United States and the USSR during the major part of 1961 in an attempt to break the deadlock in negotiations that had persisted since the Communist bloc walked out of the Ten Nation Committee,[2] in June 1960.

The Assembly welcomed the joint statement on agreed principles for disarmament negotiations reached by Presidential Adviser John J. McCloy and Soviet Deputy Foreign Minister Zorin on September 20, 1961. It also endorsed a later agreement between the United States and the Soviet Union respecting the composition of the negotiating body. This new negotiating forum, known as the Eighteen Nation Committee on Disarmament, consists of the members of the 10 nation committee plus eight additional countries designed to give broader geographical representation, namely, Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden, and the United Arab Republic. In a letter dated January 17, 1962, the Soviet and U.S. representatives informed Acting U.N. Secretary-General U Thant that the Eighteen Nation Committee would meet at Geneva on March 14, 1962.

Just prior to the convening of the Conference, President Kennedy on March 2 authorized a new series of atmospheric tests to be held in the Pacific beginning in late April. In making this announcement the President noted that the previous resumption of tests by the Soviet Union (1961) had emphasized the development of new weapons and consequently further Soviet tests coupled with an absence of further Western progress, "could well provide the Soviet Union with a nuclear attack and defense capability so powerful as to encourage aggressive designs." At the same time, the President expressed the hope that the Soviet Union would yet accept the United States-United Kingdom draft treaty of April 1961 for terminating nuclear weapon tests. He said that the United States would not carry out its testing plans if the Soviets would sign the United States-United Kingdom draft treaty, with certain modifications, by the latter half of April.

Concurrently with these developments, 10 expert consultants were meeting in New York. They had been appointed as a result of U.N. General Assembly resolution 1516 (XV) of December 1960 which requested the Secretary General, with expert consultants, to examine the use of material and human resources that would become available as a consequence of disarmament. On February 16, 1962, they approved and sent to the Acting Secretary-General a report on the "Economic and Social Consequences of Disarmament" which, inter alia, estimated that throughout the world $120 billion was being spent annually for military purposes, an amount equal to at least two-thirds of the entire national incomes of all the underdeveloped countries.[3] The report of the U.S. Government, one of the countries that responded to the Secretary-General's request for information on the economic and social impact of disarmament in individual countries, formed part of a supplement to this report.[4]

Eighteen-nation Disarmament Committee

On March 14, 1962, the Conference of the Eighteen-nation Disarmament Committee (ENDC) opened in Geneva at the foreign minister level. France, although included in the newly formed ENDC, has not participated in the negotiations. The French position was explicitly enunciated by President de Gaulle in a letter to Premier Khrushchev on February 19. Indicating his country's desire to participate in any negotiations that could presage progress toward nuclear disarmament, President de Gaulle expressed the conviction that if renewed negotiations were to be fruitful, they should be restricted to countries already possessing, or soon to possess, nuclear weapons. He also indicated his belief that more emphasis should be placed on destroying existing weapons and halting their manufacture than on merely halting nuclear tests. Formal announcement that France would not send a delegation to the ENDC was made by the French Foreign Ministry on March 5, 1962.

Procedural arrangements

At its initial meetings, the Conference adopted certain procedural arrangements to expedite the conduct of the negotiations. These included the designation of the representatives of the United States and the Soviet Union as permanent conference cochairmen and the rotation among all the ENDC members of the daily chairmanship. In addition, the conference established three separate negotiating forums: plenary sessions, a committee of the whole, and a subcommittee on a treaty for the discontinuance of nuclear weapon tests.

Plenary meetings were directed primarily toward efforts aimed at resolving the primary task of developing a treaty on general and complete disarmament. However, a number of these sessions, either in part or in whole were also devoted to a discussion of the test ban issue. The considerably more limited meetings of the committee of the whole have considered various proposals on the implementation of certain measures which need not await agreement on a total disarmament program but which might facilitate such a program and contribute to the diminution of international tension. The subcommittee, comprised of the representatives of the United States, the United Kingdom, and the Soviet Union, has dealt solely with the question of formulating a treaty on the cessation of nuclear weapon tests. Periodic progress reports were made by the subcommittee members to the plenary. The Conference also has instituted the practice of holding some informal sessions to permit all delegates to discuss certain substantive and procedural matters on an off-the-record basis.

The ENDC met in three sessions during 1962: March 14 to June 14, July 16 to September 7, and November 26 to December 20.[5] The tripartite subcommittee, in an effort to achieve a test ban agreement by January 1, 1963, continued to meet between September 7 and November 26. The ENDC is scheduled to resume its work again early in the coming year.

Negotiations for general and complete disarmament

The two basic general disarmament proposals considered by the Geneva Conference have been the United States "Outline of Basic Provisions of a Treaty on General and Complete Disarmament in a Peaceful World" and the Soviet Union's "Treaty on General and Complete Disarmament Under Strict International Control."

The main lines of the U.S. approach were initially set forth by the President at the 16th U.N. General Assembly. This approach, revised and elaborated, was subsequently introduced as an "Outline of Basic Provisions of a Treaty on General and Complete Disarmament in a Peaceful World" on April 18, 1962. The basic Soviet draft treaty was tabled at Geneva on March 14, 1962. Both nations during the course of negotiations have modified certain elements of their programs.

Although the United States and Soviet plans each propose a three-stage program for the achievement of general and complete disarmament, there is considerable difference in their approach toward this objective.

The U.S. treaty outline[6] is distinctive in both scope and purpose, and is the most comprehensive disarmament proposal ever advanced by the U.S. Government. The United States proposes to achieve the goal of general and complete disarmament in three stages. In each stage all major armaments, including nuclear delivery vehicles, would be reduced by one-third. The United States believed that this across-the-board approach, by preserving the existing relative balance in present military establishments between nuclear and conventional striking power during the whole disarmament process, is a fair approach which protects the security interests of all nations.

The U.S. plan also provides for the reduction of forces of the United States and the Soviet Union to 2.1 million in stage I and 1.05 million in stage II, with corresponding reductions by other nations. Stage I of the U.S. plan contains essential measures to meet the nuclear threat, especially by a cutoff of the production of fissionable materials for nuclear weapons purposes. Further measures to reduce and eventually eliminate nuclear weapons remaining in national arsenals would be carried out in stages II and III of the U.S. program after the completion of international expert studies. The United

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[1] For a full discussion of the developments leading to U.N. General Assembly Resolution 1722 (XVI), see First Annual Report of U.S. Arms Control and Disarmament Agency, pp. 10–12.

[2] The 10-nation committee was composed of five NATO countries: The United States, the United Kingdom, France, Canada, and Italy; the five Warsaw Pact countries: The U.S.S.R., Czechoslovakia, Poland, Bulgaria, and Rumania.

[3] This report of the Secretary-General transmitting the study of his consultative group, issued as E/3593/rev. 1, February 1962, subsequently was considered and appreciation therefor expressed by the Economic and Social Council meeting in Geneva in July 1962. U.N. General Assembly Resolution 1837 (XVII) passed on Dec. 18, 1962, in addition to commending this report, noted that disarmament would make available more funds to aid the developing countries which would enable millions of people to improve their present living standards substantially within a generation.

[4] Issued as U.N. document, E/3593/add. 1, Apr. 11, 1962. Republished as "The Economic and Social Consequences of Disarmament, U.S. Reply to the Inquiry of the Secretary-General of the United Nations, Part II," Arms Control and Disarmament publication 6. Independent U.S. interest in this subject was shown by the convening of a panel of experts under the chairmanship of Prof. Emile Benoit of Columbia University. The report of this panel, Economic Impacts of Disarmament, was issued as Arms Control and Disarmament publication 2.

[5] The permanent cochairmen of the ENDC have transmitted two interim progress reports to the U.N. Disarmament Commission, the first covering the period Mar. 14 to June 1, 1962 (DC/203) and the second covering the period June 1 to Sept. 8, 1962 (DC/205). They also submitted to the U.N. General Assembly on Dec. 7. 1962, a report on the test ban negotiations (U.N. documents (A/5338, A/5338/Add. 1, and A/5338/Add. 2, Dec. 10, 1962).

[6] See app. II for the text of the U.S. treaty outline as amended on Aug. 6 and 8, 1962.

States proposes completion of stages I and II in 3 years each and stage III as soon as possible.

Provision is also made for appropriate inspection and verification at all stages. Adequate assurance must be provided not only as to arms destroyed, but also as to permitted levels of retained arms. It is not anticipated that verification would have to be excessive to be effective but its intensity would be commensurate with the specific disarmament measure under consideration. The United States has suggested a progressive zonal system of inspection as a possible way of assuring observance of the treaty.

The U.S. plan further proposes the establishment of an International Disarmament Organization within the U.N. framework. It also contains specific provisions for a prohibition against placing weapons of mass destruction in outer space, the institution of measures aimed at reducing the risk of war which could be initiated prior to the conclusion of an overall disarmament treaty, and the strengthening of peacekeeping arrangements through improved procedures for peaceful settlements of disputes and the eventual establishment of an international peace force.

In contrast, the Soviet plan places emphasis on reducing selected categories of armaments in each of its three stages. Accordingly, the Soviet draft treaty initially sought a 100-percent reduction in nuclear delivery vehicles in stage I although the nuclear weapons themselves would not be eliminated until stage II. The Soviet Union thus rejects the U.S. across-the-board approach and advocates a method which would radically alter the existing relative balance at the very beginning of the disarmament process. The Soviet draft treaty was later revised to make provision for the United States and the Soviet Union to retain a limited number of intercontinental ballistic missiles, antimissile missiles, and surface-to-air missiles during stages I and II.

However, the overall Soviet approach remains substantially the same in that, even in the light of this shift, it is inadequate in terms of preserving the existing relative military balance. This remains a subject for further exploration. The Soviet Union later agreed, however, to a percentage reduction of conventional armaments. Coupled with the almost complete elimination of delivery means in stage I, it also insists on the abolition of all foreign military bases and the withdrawal of all foreign troops from abroad.

On the matter of force levels, the Soviet Union originally proposed stage I levels of 1.7 million for the United States and the Soviet Union and stage II levels of 1 million although later expressing a willingness to accept a level of 1.9 million for stage I. The Soviet position on verification calls only for arrangements to verify the destruction of agreed numbers of armaments. It makes no provision for a check of remaining levels to determine, for example, whether weapons have been secretly hidden.

According to the initial Soviet plan, all three stages were to occur over a 4-year period, with stage I being carried out in 21 months; the overall time period was subsequently extended to 5 years, with stage I extending to 2 years. Although the Soviet plan also advocates reliance upon a strengthened United Nations to maintain peace during and after the disarmament process, these provisions have not been clearly defined.

The delegates in the ENDC plenary meetings have attempted to merge the United States and Soviet drafts into one treaty which would be the product of the Conference. During its first session (March 14–June 14), the delegates initiated an article-by-article draft of agreed language. This procedure originally seemed feasible since the introductory articles of both plans were broad and general in scope.

However, during these early plenary discussions it also became clear that certain major differences relating to the extent of proposed cuts in armaments, particularly those involving nuclear delivery vehicles, the matter of verification, the question of peacekeeping machinery, and the time periods for each stage would require a different approach—one that was not adopted until the Conference began its second round. Although the first session failed to resolve these major differences on substantive matters, almost full agreement was reached on the initial draft preamble to the treaty.

The deliberations in the Committee of the Whole were also of significance during the first session. On April 2, the permanent cochairmen submitted to the Conference a list of seven items recommended by one side or the other for the committee's agenda: cessation of war propaganda; cutoff of fissionable materials for use in weapons; measures to reduce the risk of war; measures to insure the peaceful use of outer space; creation of nuclear free zones; measures to prevent the further dissemination of nuclear weapons; and, the conclusion of a NATO-Warsaw nonaggression pact.

After lengthy consideration and as a compromise, the first item selected for the Committee's consideration was the Soviet proposal on the cessation of war propaganda. The United States and the Soviet Union, taking into consideration the views of the other ENDC members, agreed on the text of a draft declaration against war propaganda which was unanimously approved ad referendum by the other members of the Committee of the Whole on May 25. However, in an abrupt turnabout on May 29, the Soviet Government refused to approve the draft declaration and insisted on amending the text it had previously approved. The Soviet amendments, which changed the character of the earlier agreed declaration, called for the enactment of laws making any form of war propaganda a criminal offense. In initial discussions the United States had rejected this provision as being contrary to its constitutional guarantees of freedom of speech and of the press. It termed the Soviet amendments unacceptable and declared that in view of the Soviet Union's reversal of its position, no further fruitful negotiations on this matter were possible at the time.[7]

The Soviet turnabout dampened hopes of progress on other matters. However, the Committee of the Whole did devote a few further sessions in the first phase of its work to a discussion of measures concerning the nondissemination of nuclear weapons, and the reduction of the possibility of war by accident, miscalculation, or failure of communications.

At the opening of the second session of the ENDC in mid-July, the United States and other Western delegations pressed for the adoption of a work plan which would facilitate plenary discussion in depth of the key measures in the two disarmament programs before the Conference. Taking the Western comments into account, on July 24, the ENDC adopted a "procedure of work" for stage I measures of a treaty on general and complete disarmament. Of the 12 items listed for discussion, this session of the ENDC gave detailed consideration to 3: (1) Basic obligations concerning the measures of disarmament, verification and maintenance of international peace and security and the time limits for their implementation; (2) disarmament measures in regard to nuclear weapons delivery vehicles, including the problems pertaining to the production of such vehicles, together with appropriate control measures; and (3) disarmament measures in regard to conventional armaments, including the problems pertaining to the production of such armaments together with appropriate measures of control.[8] Although discussion of these three items did not result in agreement on any additional treaty articles, the United States and the Soviet Union introduced certain modifications to their original disarmament plans.

On August 6 and 8, the U.S. delegation submitted two key amendments to its program. One provided for a halt of production of existing major armaments and the prohibition of production of new types of major armaments at the beginning of stage I. The other proposed that decision on the transition from stage to stage and on the completion of stage III should be made by the Control Council of the International Disarmament Organization based on a two-thirds vote, including the concurring votes of at least the United States and the Soviet Union. As originally proposed in the U.S. treaty outline submitted in April, the above limitation on the production of armaments would have been effective at the end of stage I or the beginning of stage II, and the U.N. Security Council would have had the responsibility for making the decision on transition.

The Soviet Union on July 16 had proposed several amendments to its original draft treaty submitted in March. Foremost of these was its acceptance of the U.S. proposal for an approximate 30-percent reduction in conventional arms in stages I and II. Initially, the Soviet Union had advocated the reduction of these armaments "in direct proportion" to cuts in the armed forces. Another Soviet amendment included a group of measures to reduce the risk of war. Some of these measures were an adaptation of proposals previously introduced by the United States, e.g., exchange of military missions between states and groups of states, and the establishment of rapid and reliable communications among the heads of governments and with the U.N. Secretary-General. On the other hand, certain other measures seemed to be aimed primarily at undermining the West's defensive preparations. For example, the one prohibiting major joint military maneuvers and movements between two or more states or groups of states, in the form it was introduced, would preclude joint military maneuvers among NATO nation forces.

In addition to these amendments, Foreign Minister Gromyko at Geneva on July 24 suggested that the Soviet Union would be willing to consider a 5-year time limit (instead of its initial proposal for 4 years) for the completion of all disarmament measures. At the same time he expressed the Soviet Union's willingness to reach a compromise force level of 1.9 million men (midway between the 2.1 and 1.7 figures proposed by the United States and the Soviet Union, respectively) at the end of stage I. Finally, on September 5, Soviet delegate Kuznetsov offered to transfer the Soviet proposed measures covering the liquidation of nuclear weapons from stage II to stage I.

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[7] In September the Soviet Union asked the U.N. General Assembly to include an item on the agenda of the 17th session of the U.N. General Assembly on condemnation of propaganda favoring preventive nuclear war. However, the First Committee accepted a proposal made by the Soviet Union on November 22 not to consider the item but instead to refer it to the ENDC.

[8] The remaining nine items include: measures in the field of nuclear disarmament together with appropriate measures of control; disarmament measures in regard to military bases and to armed forces at such bases or elsewhere in foreign territories, together with appropriate control measures; disarmament measures in regard to armed forces, together with appropriate control measures; measures in regard to military expenditures together with the appropriate control measures; measures on the use of outer space for peaceful purposes only, together with appropriate control measures; measures to insure the security of states; measures to reduce the risks of war; transition from the first to the second stage; and, measures related to the establishment, organization, and functioning of the International Disarmament Organization.

Following the end of the second session of the ENDC in early September, disarmament was discussed at the 17th session of the U.N. General Assembly in New York. There, on September 21, Foreign Minister Gromyko expressed Soviet willingness to have the United States and the U.S.S.R. retain in their own territory until the end of stage II an agreed limited number of ICBM's, antimissile missiles, and antiaircraft missiles in the ground-to-air category.[9] One day earlier, on September 20, Ambassador Stevenson in his opening address to the U.N. General Assembly had again restated the American position of moving by actions in rapid stages toward total disarmament under effective international control and toward effective international peacekeeping. Ambassador Dean and the Soviet representatives explained their countries' positions more fully in the First Committee, and other countries also expressed their views.

The U.N. General Assembly on November 21 adopted resolution 1767 (XVII) which called upon the ENDC to resume its discussions at Geneva and requested the Conference to report periodically to the General Assembly on its progress and, in any case, not later than the second week of April 1963.

In addition, the first committee of the U.N. General Assembly considered a Brazilian resolution on the establishment of a nuclear-free zone in Latin America which was also later sponsored by Bolivia, Chile, and Ecuador. The United States was sympathetic to this proposal, believing that the creation of such zones in areas where nuclear weapons were not deployed would be useful provided that the states in the area concerned freely supported such a measure and there were adequate verification arrangements. However, during the course of the discussion on this subject, the Cuban delegate introduced unacceptable qualifications regarding the establishment of this nuclear-free zone, such as the elimination of all military bases in the region. Action on this resolution was postponed until the 18th session of the U.N. General Assembly.

The General Assembly also considered the Secretary General's report, pursuant to General Assembly resolution 1653 (XVI) of November 24, 1961, on his consultations with governments of member states with respect to ascertaining their views on the possibility of convening a conference for signing a convention on the prohibition of the use of nuclear and thermonuclear weapons for war purposes. The Secretary General had received 62 replies (33 for, 26 against or in doubt, and 3 who desired to wait for the results of the ENDC Conference). The U.S. reply indicated opposition to such a convention on the ground that a prohibition of the use of nuclear weapons must be accompanied by measures leading to the attainment of general and complete disarmament if it is to provide any real protection to potential victims of atomic attack. The General Assembly by resolution 1801 (XVII) of December 18 requested the Secretary General to consult further and report to the General Assembly at its 18th session.

The third session of the ENDC Conference resumed at Geneva on November 26. This session, of course, followed in the wake of the Cuban crisis. Given the experiences of this situation, the United States again urged consideration of certain measures which, it maintained, offered opportunities for early agreement; namely, measures to reduce the risk of war through accident, miscalculation, or failure of communications. U.S. Ambassador Dean submitted a six-point working paper to the ENDC plenary meeting on December 12, and recommended the establishment of informal technical-military groups to study various methods for implementation of these measures. The measures pinpointed for consideration include: advance notification of major military movements to allay fears of aggression; installation of permanent observation posts at strategic locations to guard against clandestine mobilization; exchange of military missions to promote improved communications and understanding; establishment of communications links between major capitals to insure rapid and reliable communication in times of crisis; studies of the ways in which modern weapons themselves might touch off a war; and announcements by various countries of the steps taken to avert accidental war. It is anticipated that these measures will be considered later by the Conference.

Despite the previously mentioned modifications in both plans for general disarmament, disagreement over basic substantive areas persists. Foremost among these is the matter of a wholesale cut in nuclear delivery vehicles proposed in stage I of the Soviet plan (with the exception provided for the United States and U.S.S.R. with respect to various missiles), as opposed to the 30-percent cut in this and other armaments proposed in stage I of the U.S plan. The United States maintains that the Soviet proposal is impractical because it would pose difficulties in control and implementation, and would result in a grave strategic imbalance in the world which the more gradual across-the-board reductions proposed in the U.S. plan would avoid.

With respect to verification, the Soviet Union has claimed that inspection to determine whether agreed levels of armaments are not being exceeded or to ascertain whether any weapons are being hidden amounts to control over armaments and not over disarmament. Consequently, they allege this can only be construed as an effort to conduct espionage. The Western delegates have deplored the Soviet Union's unwillingness to recognize the fact that the absence of confidence between the two sides makes reasonable controls an indispensable condition for insuring the effectiveness of an agreement.

Both the United States and Soviet plans contain provisions for the establishment of peacekeeping machinery, but the emphasis and obligations in the U.S. plan are considerably greater than in the Soviet one. As part of the overall objective of its proposed treaty, the United States has maintained that disarmament per se will not usher in a peaceful world and that, therefore, international institutions, including the proposed U.N. peace force, must be gradually strengthened during the course of the disarmament process in order to insure the security of all nations. The Soviet Union, on the other hand, has contended that disarmament and peace are synonymous and, consequently, the United Nations, along with a peace force consisting of national contingents operating under a troika command and used only if no permanent member of the U.N. Security Council vetoes its employment, will suffice.

On the question of timing, the United States has not stipulated an overall time period for the completion of all disarmament measures in the belief that such a period can only be determined when certain unknown factors become clear. These unknown factors include the time required for transition between stages and the execution of verification arrangements, among others. The United States, however, has tentatively set a 6-year period for stages I and II, exclusive of those periods of time required for the transitions between stages. In contrast, the Soviet Union has stated its willingness to complete its entire three-stage disarmament program in a 5-year period.

Negotiations for a nuclear test ban agreement

As with the disarmament negotiations, discussions during 1962 designed to achieve a nuclear test ban agreement were held both at Geneva and at the U.N. General Assembly in New York. In January the Conference on the Discontinuance of Nuclear Weapon Tests, which had met intermittently at Geneva since October 31, 1958,[10] adjourned without fixing a date for further meetings. Beginning in March 1962, test ban negotiations were held at Geneva under the aegis of the 18-nation Disarmament Committee (ENDC) which, on March 21, established a Subcommittee on a Treaty for the Discontinuance of Nuclear Weapon Tests (composed of representatives of the United States, United Kingdom, and the U.S.S.R.) as the main forum for these negotiations.

During the first session of the ENDC (March 14–June 14), the members of the tripartite Subcommittee considered the joint United States-United Kingdom draft treaty and the Soviet proposals on a nuclear test ban which they had previously tabled at the Geneva Conference on the Discontinuance of Nuclear Weapon Tests on April 18, 1961, and November 28, 1961, respectively.[11] The United States-United Kingdom treaty advocated the establishment of an international system of internationally operated control posts, an international system of inspection, including the right to conduct a limited number of onsite inspections of unidentified events, and an international control commission to supervise verification arrangements aimed at ascertaining that tests in all environments had ceased.

Immediately after the opening of the ENDC, the United States and the United Kingdom stated their willingness, with adequate verification, to prohibit all underground tests of whatever magnitude. This would eliminate the previous treaty threshold of 4.75 seismic magnitude on underground tests. In addition, they offered to allocate inspections so that most of them would be conducted in highly seismic areas—where there is a greater chance of unidentifiable suspicious events occurring—and only a few would take place in aseismic regions.

The Soviet proposals, on the other hand, advocated exclusive reliance on existing national detection equipment to police a test ban in the atmosphere, underwater, and in outer space, with an unpoliced moratorium on underground tests pending the development of a control system for general and complete disarmament.

Faced with the prospect of a deadlock in the ENDC primarily because of continued Soviet refusal to accept the principle of international verification, President Kennedy and Prime Minister Macmillan on April 9 personally appealed to Premier Khrushchev to reconsider the Soviet position. They pointed out that scientific instrumentation was not fully capable of distinguishing earthquakes from underground explosions. They further noted that the effectiveness of a treaty depends on the inclusion of measures for adequate verification, and advised Premier Khrushchev that if the test-ban negotiations were unsuccessful the U.S. tests planned for the end of April would be conducted.

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[9] A revised version of the Soviet draft treaty, which incorporated this and most of the Soviet proposals made since March, was circulated by the U.N. Secretariat on September 24, 1962, as U.N. document A/C.1/867. Kuznetsov's proposal was not reflected in this draft treaty.

[10] For a discussion of this Conference, see Geneva Conference on the Discontinuance of Nuclear Weapon Tests, Department of State Publication 7258, and International Negotiations on Ending Nuclear Weapon Tests, September 1961–September 1962, Arms Control and Disarmament Agency Publication 9. The latter publication also discusses the first two sessions of the ENDC.

[11] For a discussion of the United States and Soviet proposals, see First Annual Report of the U.S. Arms Control and Disarmament Agency, pp. 6–8.

On April 12, Premier Khrushchev rejected the Kennedy-Macmillan joint statement. Also, in reply to a personal note from Prime Minister Macmillan, he asserted that the only reason the Western Powers wanted inspection was "for choosing the moment to attack the Soviet Union." On the same day various members of the ENDC appealed to the countries directly concerned not to resume testing for the duration of the Conference. The Soviet Union agreed to this proposal, but the United States, reminding the conferees of the Soviet violation of the previous moratorium in September 1961, rejected Soviet endorsement of the proposed moratorium as another unfortunate effort to substitute paper pledges for guaranteed agreements.

To close the wide gap on this issue between the United States and United Kingdom and the Soviet Union the eight new members of the ENDC introduced on April 16 a so-called compromise solution. This joint memorandum asked that the nuclear powers consider these suggestions and ideas:

"* * *

"3. They [the eight] believe that possibilities exist of establishing by agreement a system for continuous observation and effective control on a purely scientific and nonpolitical basis. Such a system might be based and built upon already existing national networks of observation posts and institutions, or if more appropriate, on certain of the existing posts designed by agreement for the purpose together, if necessary, with new posts established by agreement. The existing networks already include in their scientific endeavors the detection and identification of manmade explosions. Improvements could no doubt be achieved by furnishing posts with more advanced instrumentation.

"4. Furthermore, the feasibility of constituting by agreement an International Commission, consisting of a limited number of highly qualified scientists, possibly from nonalined countries together with the appropriate staff might be considered. This Commission should be entrusted with the tasks of processing all data received from the agreed system of observation posts and of reporting on any nuclear explosion or suspicious event on the basis of thorough and objective examination of all the available data. All parties to the treaty should accept the obligation to furnish the Commission with the facts necessary to establish the nature of any suspicious and significant event. Pursuant to this obligation the parties to the treaty could invite the Commission to visit their territories and/or the site of the event the nature of which was in doubt.

"5. Should the Commission find that it was unable to reach a conclusion on the nature of a significant event it would so inform the party on whose territory that event occurred, and simultaneously inform it of the points on which urgent clarification seemed necessary. The party and the Commission should consult as to what further measures of clarification, including verification in loco, would facilitate the assessment. The party concerned would, in accordance with its obligation referred to in paragraph 4 above, give speedy and full cooperation to facilitate the assessment.

"After full examination of the facts, taking into account any additional data furnished to it as suggested above, the International Commission would inform the parties to the treaty of all the circumstances of the case and of its assessment of the concerned event.

"The parties to the treaty would be free to determine their action with regard to the treaty on the basis of reports furnished by the International Commission."

Discussion soon showed that the Western and Soviet interpretations of the eight-nation proposal were widely divergent. In reply to questions seeking clarification of its meaning, the sponsors indicated that the nuclear powers themselves would have to interpret the memorandum and that it was not intended as a complete blueprint, but merely as the starting point of immediate, new and constructive negotiations.

The United States and other Western representatives interpreted the memorandum as endorsing the principles of international control and onsite inspection. At the same time, the United States insisted that the proposed International Commission must have an unquestioned legal right of inspection. The United States and the United Kingdom therefore accepted the memorandum as basis, albeit not the exclusive basis, for negotiation.

On the other hand, the Soviet Union, which interpreted the eight-nation proposal in such a way as to make it practically coincide with its November 28, 1961, proposal, accepted the memorandum as the basis for further negotiations. In particular, the Soviet Union upheld the efficacy of national detection systems and viewed the matter of onsite inspection as strictly invitational in character. Despite these divergent interpretations of the proposal the United States believes that the eight-nation proposal has made a useful contribution to the test ban negotiations.

In view of the failure to reach a test ban agreement the United States held its first in a series of atmospheric tests on April 26. Most of the eight new ENDC members continued to hope that the memorandum might yet lead to an agreement. In this connection, Mexico on May 9 proposed that the nuclear powers fix a date for the termination of nuclear tests. Continued Soviet rejection of the West's proposal for an international control network and compulsory onsite inspection dimmed prospects for reaching an accord and the Conference recessed on June 14.

At the opening of the second session of the ENDC in mid-July the United States, in an attempt to break the deadlock on the test ban issue, proposed a discussion and study of scientific findings which might have a bearing on the problem. In this connection, Ambassador Dean stressed the significance of recent data, much of which stemmed from project VELA, the U.S. program for basic research and technical improvement in seismic detection. In essence these data showed that there now existed a substantially better capability to detect seismic events at long range and that the number of earthquakes comparable to an underground test of a given magnitude was substantially less than had been previously thought.

Two weeks later, on August 1, President Kennedy announced that on the basis of these technical advances in the detection of underground tests the United States was now prepared to accept national control posts which would be internationally monitored or supervised, and noted that this internationally supervised system would be simpler and more economical than the system contained in the United States-United Kingdom draft treaty of April 18, 1961. At the same time, however, the President emphasized that the new assessments did not affect the requirement for onsite inspection of unidentified seismic events.

In line with the President's statement, U.S. Ambassador Dean at a subcommittee meeting on August 9 introduced certain modifications in the U.S. position on a comprehensive test ban which he had previously presented informally to the Soviet representative. These changes included a U.S. offer to cut by more than half the number of detection stations proposed to monitor a test ban treaty and to accept the principle of nationally manned stations if the Soviets agreed to their supervision by the international commission. However, Ambassador Dean noted that the keystone of the new proposal was the obligation to accept onsite inspection and stated that all U.S. proposals were made contingent upon Soviet acceptance of this essential principle. The Soviet Union immediately rejected the new proposal.

Indicative of their interest in reaching a test ban agreement, the United States and the United Kingdom introduced two new draft treaties on August 27: (1) A comprehensive one providing for a total ban on nuclear testing in all environments based on internationally supervised, nationally manned control posts and onsite inspections; and (2) a limited ban ending nuclear testing in the atmosphere, under water, and in outer space, without the need to establish any international verification machinery.[12] President Kennedy and Prime Minister Macmillan, in a joint statement, emphasized the preference of their two Governments for prompt action on the comprehensive treaty. However, if early agreement on a total ban was not possible then they were prepared to conclude a partial agreement. In tabling these treaties at Geneva, the United States and United Kingdom representatives stressed that the proposals contained in both draft treaties were consistent with recently publicized scientific findings and the principles of the eight-nation memorandum, and took into consideration the Mexican proposal of May 9 which had urged that a date be fixed for the termination of nuclear tests. One reason for presenting the limited treaty was to take full account of the wishes of the eight nations, whose representatives had urged this approach if efforts for a comprehensive agreement proved unsuccessful.

The Soviet Union rejected both Western treaty proposals, insisting that provision for onsite inspection was not necessary. It charged that the proposed treaties were only changes in nomenclature, and did not represent substantive changes. The Soviet representative then, once more, urged a comprehensive test-ban agreement based on the eight-nation memorandum and indicated his Government's willingness to consider a cutoff date on testing at the beginning of 1963. President Kennedy rejected the repeated Soviet proposal for an uninspected moratorium but accepted the beginning of 1963 as a reasonable target date for the termination of all nuclear testing and indicated U.S. willingness to join with all interested parties to reach an effective agreement which would enter into force on New Year's Day. Prior to the recess of the second session of the ENDC on September 7, the Soviet Union accepted the U.S. proposal for continued test-ban negotiations and the Tripartite Subcommittee continued to meet at Geneva while the ENDC was in recess prior to its third session which began on November 26.

With the opening of the 17th session of the U.N. General Assembly in September, the attention of those interested in the test-ban issue shifted to New York. Ambassador Stevenson, in his opening address to the U.N. General Assembly on September 20, disclosed that the United States had exploded between July 1945 and September 1962 nuclear weapon devices with a total yield of 140 megatons (of which 25 megatons had been exploded between September 1961 and September 1962). On the other hand, the U.S.S.R. between August 1949 and September 1962 had exploded nuclear weapon devices with a total yield of 250 megatons (of which 200 megatons had been exploded between September 1961 and September 1962).

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[12] The texts of these draft treaties are in apps. III and IV.

Actual debate on the test-ban issue did not open until the matter was taken up by the General Assembly's First Committee on October 10. On October 19, 30 nations (subsequently increased to 37) presented a resolution in the committee proposing a cessation of nuclear testing by January 1, 1963. In the ensuing discussion the Canadians submitted four amendments, including the key one of calling for the parties concerned to enter into an immediate agreement prohibiting tests in the atmosphere, underwater, and in outer space, accompanied by an interim arrangement suspending all underground tests, in the event an agreement to cease all tests had not been concluded by January 1, 1963. The United States and the United Kingdom offered an additional amendment providing that such an interim agreement on underground tests should include adequate assurance for effective detection and identification of seismic events by an international scientific commission.

After voting on the individual amendments and revisions, the resolution as a whole was adopted. In addition to this multisponsored resolution, the United States and the United Kingdom tabled a joint resolution calling for continued negotiations by the ENDC on a treaty to prohibit nuclear weapon tests in all environments for all time with effective and prompt international verification. Both resolutions were adopted by large majorities on November 6 as U.N. General Assembly resolution 1762 (XVII).

The United States voted against the operative paragraph of the 37-power resolution which called for an end to testing by January 1, 1963, because this paragraph, taken alone, might be construed as an endorsement of an uncontrolled moratorium. However, it was able to abstain in the vote on the resolution as a whole because this provision was substantially weakened by the Canadian and United States-United Kingdom additions to the resolution which changed the main thrust of the resolution to a call upon the parties to reach an appropriate agreement. The Soviet Union, which had announced it could support the original 37-power resolution, abstained in the final vote because of the adoption of the key Canadian and United States-United Kingdom amendments. The Soviet Union also voted against the United States-United Kingdom resolution.

The tripartite ENDC subcommittee meetings which had been continuing at Geneva, largely concomitant with the General Assembly meetings in New York, proved fruitless. One new element introduced into the deliberations was a Soviet suggestion made at the November 13 session to employ unmanned seismic stations as an addition to existing national detection stations. The unmanned seismic station concept had been broached at the 10th Pugwash Conference in London in early September 1962.[13] The Soviets alleged that this Conference had indicated the feasibility of using automatic seismic stations for the purpose of detecting nuclear explosions and effecting control over compliance with an agreement on the cessation of tests.

On December 10, again in the test ban subcommittee, the Soviet Union turned this suggestion into a proposal. It stated that it was prepared to agree to the establishment of two or three such unmanned stations on the territories of states possessing nuclear weapons. Those in the Soviet Union could be situated in the Far Eastern, Central Asian, and Altai mountain zones (near Yakutsk, Kokchetav, and Bodaibo). The Soviet Union also indicated that under this plan, a group of international scientists would be permitted to visit such stations and study their recording equipment to determine whether or not illegal tests had been conducted. The Soviets conditioned this proposal on abandonment by the West of its insistence on international supervision of control posts and obligatory onsite inspection of unidentified events. These conditions were unacceptable to the Western Powers. They were willing to explore the usefulness of the unmanned seismic stations as an additional element of an international control system. They did not believe that such stations would be able to resolve all doubts on the identity of seismic events.

The Pugwash scientists had in fact made no such claim. The United States noted that at least two of the stations proposed by the Soviet Union were not located in optimum areas and would provide little useful information. In spite of repeated Western appeals, the Soviet Union refused to agree to a detailed scientific examination of the problem.

In addition, some of the eight nations and Canada in the plenary made new efforts to achieve a compromise accord on the basis of the General Assembly resolution 1762 (XVII) of November 6. Sweden proposed the establishment of an interim international scientific commission to study and make recommendations on test ban control problems prior to final agreement on a comprehensive treaty. It recommended that while this commission was so engaged, an interim arrangement suspending all underground tests should be effected. The interim arrangement would include provisions for the detection and identification of seismic events by the commission, which could carry out onsite inspection if needed. There was considerable discussion regarding the methods by which onsite inspection could be carried out under an interim arrangement of this kind.

Returning to the eight-nation proposal, India suggested that it be implemented, at least for an agreed, limited period. Under the terms of this provisional agreement, the proposed international commission could request states to issue invitations to make inspections of unidentified seismic events within an agreed quota and for a given period, with the understanding that any breach of the agreement would free other countries from their obligation to honor the agreement.

In announcing that it would study further the Swedish proposal, the United States noted that the U.N. General Assembly resolution linked the conclusion of an interim agreement with the need for adequate assurances for effective detection and identification, and again maintained that it would not accept any uncontrolled moratorium on underground tests. The Soviet Union, however, made it clear that it would not accept an interim arrangement with effective verification provisions. In response to paragraph 7 of U.N. General Assembly Resolution 1762 A(XVII) which requested a report by December 10 on the results achieved with regard to the cessation of nuclear weapon tests, the permanent cochairman of the ENDC in a letter of December 7 to the President of the U.N. General Assembly indicated no progress.

As the year drew to a close, the ENDC recessed on December 20. On December 19, 1962, Premier Khrushchev, in a letter to President Kennedy, stated that the Soviet Union was now prepared to accept two to three onsite inspections per year on Soviet territory. In addition, he said that there could be three unmanned seismic stations on Soviet territory. Although he suggested specific locations, he left open the question of where they should finally be located. In responding to Premier Khrushchev's letter, President Kennedy on December 28, 1962, indicated that he was encouraged that the Soviet Union could now accept the principle of onsite inspections. He recalled that the United States had offered to reduce the number of onsite inspections from a figure of 12–20 to one of 8–10 inspections per year, and expressed the hope that the Soviet Union would match this motion on the part of the United States by an equivalent motion in the figure of two or three onsite inspections. In addition, the President indicated that the three proposed unmanned seismic stations on Soviet territory were not sufficient, nor were the Soviet-suggested locations optimum from the standpoint of increasing the capabilities of a verification system. On January 7, 1963, Premier Khrushchev's reply to President Kennedy's letter reiterated in large part the Soviet position, but agreed to further negotiations. As a result of this exchange of letters, N. T. Fedorenko and S. K. Tsarapkin, representing the U.S.S.R., and William C. Foster, representing the United States, have been continuing the negotiations in New York and Washington, D.C.

The fourth session of the ENDC is scheduled to convene at Geneva on February 12, 1963.

RESEARCH FOR PLANS AND POLICY FORMULATION

General

One of the four primary functions of the Arms Control and Disarmament Agency is the conduct, support, and coordination of research for arms control and disarmament policy formulation. The Agency research program is expanding, as evidenced by the increasing allotments of appropriations for this purpose. For fiscal year 1962, the first year of operations for the Agency, the budget provided $600,000 for contract research, approximately one-third of the Agency's total budget. For the current fiscal year, 1963, the Congress has provided $4 million for contract research which is roughly two-thirds of the Agency's total budget of $6,500,000. In the budget recommendations for fiscal year 1964 which the President has just forwarded to Congress $11 million of a recommended budget of $15 million would be allocated for arms control and disarmament research. This increasing percentage of the Agency's appropriations to be devoted to the research program is indicative of the importance attached to the mandate from Congress to conduct and support research for arms control and disarmament policy formulation.

In accordance with the basic statute and Executive Order No. 11044 dated August 20, 1962,[14] the Agency has taken several steps in coordinating Government-wide research in this field. Under the terms of the Act and related Executive order the Director is required to develop and keep current a comprehensive and balanced program of necessary research to be conducted by and for the Government for arms control and disarmament policy formulation. In addition, the Director is required to maintain a continuing inventory of all Federal research activities in the field and advise pertinent agencies concerning their respective participation in planned projects in order to maintain a balanced overall program. In this connection the Director of the Agency is required to prepare for the Bureau of the Budget a periodic report which would include an assessment and evaluation of all Government-wide research activities in the arms control and disarmament field.

ACDA Research Council

To assist the Agency in carrying out Government-wide responsibilities in the field of research the Director established on September 20, 1962, a Research Council within the Agency.

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[13] The term "Pugwash Conference" refers to informal gatherings of Soviet and Western scientists which have been held at intervals since July 1957. It derives its name from the fact that the first such conference was held at Pugwash, Nova Scotia.

[14] See app. I.

The Council is composed of the heads of all bureaus and offices of the Agency plus staff support, with the head of the Science and Technology Bureau serving as Council Chairman.

The Council advised the Director on all aspects of arms control and disarmament studies in three general categories:

1. Studies undertaken by ACDA staff.
2. ACDA contract research studies.
3. Staff studies and contract studies of all other agencies.

The Council's basic responsibility is the promotion and coordination of a comprehensive and balanced U.S. arms control and disarmament research program. The Council coordinates the annual budgetary requirements for the Agency's contract research program assuring that each discipline related to arms control and disarmament is adequately supported.

The Council is also responsible for assuring that liaison is maintained with other agencies and initiating recommendations to other agencies to promote a comprehensive and balanced Government program of research in the field of arms control and disarmament.

Since its creation the Council has served as the focal point of the Agency's research activities. One of the Council's principal activities has concerned consideration of contract and staff research programs for fiscal years 1963 and 1964. The Council's aim was to orient research work in these years toward meeting both the short-term and long-term negotiating requirements of the Agency. The Council approved during calendar year 1962 the following projects:

(a) Military aspects of arms control in Europe.

(b) The European view of European security and the present proposals for general and complete disarmament.

(c) Political aspects of curtailing an arms race in the developing areas.

(d) Ground inspection for clandestine armament production.

(e) Techniques for monitoring production and deployment of strategic vehicles.

(f) Inspection for retained levels of conventional and tactical nuclear weapons.

(g) Responses to violations.

(h) Implications and inspection of restrictions on missile and military space system research, development, test and evaluation activity.

Another major responsibility of the Council is the compilation and preparation of a semiannual report and analysis of the total research effort in arms control and disarmament within the U.S. Government. Interested agencies, including the Department of Defense, the Atomic Energy Commission, and the National Aeronautics and Space Agency, are required to submit to the Agency twice each year reports covering the status of their research projects. In these reports the agencies are to assess the projects as they relate to the overall U.S. Government research effort. Such a procedure will contribute to the elimination of any duplication of efforts in the research area and will aid in insuring that activities in this field will continue in an orderly fashion.

Studies made or in progress

In designing the research and study program in March of 1962 for the fiscal year 1963, the Agency planned to continue and expand the modest program begun in the prior year. This plan called for providing support for immediate disarmament negotiations, planning new long-range approaches and proposals, developing in greater detail proposals already made, and studying the relation between arms control plans, military security, and U.S. foreign policy. The scope of the research program directed toward these objectives was set forth in a series of five study groups.

A first series of studies is directed to the substantive provisions of the arms control and disarmament measures under consideration at that time. Its purpose is to insure that these measures had a sound basis and were fully consistent with the security interests of the United States. This series includes studies of measures dealing with levels of strategic weapons systems and with tactical weapons and conventional forces; problems of timing and phasing; consequences of possible violations of agreements; implications of measures prohibiting the stationing of weapons of mass destruction in outer space; regional security approaches; means of inhibiting the proliferation of nuclear weapons capability; prevention of war by surprise attack, accident, miscalculation or failure of communication; the possibility of imposing meaningful limitations on indirect aggression; and questions of reserve forces and remobilization potential in disarmament arrangements.

The second series of studies deals with the political aspects of arms control and disarmament. This series includes analyses of the similarities and differences in the basic arms control and disarmament objectives of the United States and its allies and the Soviet bloc, the interests of other countries in arms control, and the impact of arms control and disarmament measures upon alliance systems.

A third series of studies is concerned with the general problem of verifying compliance with arms control measures. These studies include evaluations of a variety of inspection techniques, including utilization of national fiscal records, national budgets, surveys of industrial production and similiar processes as might supplement physical inspection under any arms control and disarmament agreement.

The fourth series of studies deals with with questions relating to the international organization patterns best designed to accompany arms control and disarmament measures. Included are studies of the structure and powers of an international disarmament organization, methods for the settlement of disputes, and an evaluation of sanctions available to enforce such arms control and disarmament agreements.

A fifth series of studies is in the economic field. These studies involve a continuing survey, in cooperation with other departments of the Government, of the economic impact of possible arms control agreements and the programs and policies required for industrial readjustment and reallocation of national resources in the event of disarmament.

In carrying out studies in these areas the Agency has left nine contracts, awarded three grants, and has made numerous staff studies during the year under review.

Contracts

Contracts covering the following subject matter were awarded in 1962 on the dates and in amount indicated:

1. Study of techniques for monitoring the production of strategic delivery vehicles. Contract awarded on February 6, 1962, to the systems division of the Bendix Corp., Ann Arbor, Mich., in the amount of $150,000.

2. Study on progressive zonal inspection to verify arms control and disarmament agreements. Contract awarded on March 26, 1962, to the Raytheon Missile and Space Division, Bedford, Mass., in the amount of $125,000.

3. Study of methods of peaceful settlement of disputes among Communist nations. Contract awarded to Mr. K. Grzybowski on April 11, 1962, in the amount of $3,000.

4. Study of the application of statistical methodology to the inspection and verification of various arms control and disarmament measures. Contract awarded on June 13, 1962, to Mathematica, Princeton, N.J., a subsidiary of the Market Research Corp. of America, in the amount of $47,461.

5. Inquiry into the inspection and control of disarmament agreements which might be entered into by the United States. Contract concluded on June 20, 1962, with the Institute for Defense Analyses, in the amount of $120,000.

6. Study of the problems of indirect aggression, subversion and peaceful change in connection with an agreement which might be reached on general and complete disarmament. Contract awarded on June 26, 1962, to Mr. Richard L. Falk, in the amount of $3,500.

7. Study of the verification requirements associated with specific arms control and disarmament agreements. Contract awarded on June 28, 1962, to the systems division of the Bendix Corp., Ann Arbor, Mich., in the amount of $95,000.

8. Study of the political and strategic implications of civil defense programs for arms control and disarmament policy. Contract concluded on June 29, 1962, with the Hudson Institute of Eastview, N.Y., in the amount of $147,000.

9. Study of verification arrangements related to arms control and disarmament measures prohibiting the placing of weapons of mass destruction in orbit and restricting or halting the flight testing of missiles. Contract awarded on November 2, 1962, to the Sylvania Electric Products, Inc., of Mountain View, Calif., in the amount of $354,000.

Grants

The Agency awarded three study grants in 1962 as follows:

1. Study of the factors pertinent to the political control of an international police force. Grant awarded on June 19, 1962, to the Peace Research Institute of Washington, D.C., in the amount of $20,000.

2. Study of "Alternative Ways of Handling Conflict: Behavioral Science Research Toward Peace." Grant awarded in support of this summer institute project on June 21, 1962, to the American Academy of Arts and Sciences, in the amount of $15,000.

3. Examination of arms information in relation to arms control measures. Grant awarded on June 27, 1962, in partial support of a summer study of the Institute for Defense Analyses, Washington, D.C., in the amount of $10,000.

ACDA staff studies

During 1962, the first full calendar year of operations, the staff of ACDA conducted numerous study and research projects and prepared background papers dealing with the preparation of the U.S. "Outline of Basic Provisions of a Treaty on General and Complete Disarmament in a Peaceful World" to backstop the arms control and disarmament negotiations in Geneva.

Studies dealing with limited arms control measures covered such areas as reduction of risk of war by accident, miscalculation, surprise attack, or failure of communication; the renunciation of the use of weapons of mass destruction and declaratory limitations on use of nuclear weapons. In addition, more than a dozen studies were conducted of more substantial measures for general arms control and disarmament. These included, among others, areas such as prohibition of nuclear weapons reductions in force levels, chemical and biological warfare limitations, control of military expenditures, phasing of disarmament measures, and limitation of military production.

Future study areas

The Research Council recommended on October 17, 1962, that the five series of studies described earlier be converted into two principal areas of undertaking. One group identified as "Concept Studies" deals with the implications of arms control and disarmament measures. The other group, identified as "technical supporting studies" deals with specific technical aspects of arms control and disarmament measures.

The concept studies contemplated for fiscal year 1963 fall in the following four general categories:

A. Regional security and arms control and disarmament: These studies will be concerned with those analyses which require specified detailed consideration of the military and political environment peculiar to specific geographic regions.

B. Preliminary measures for general arms control and disarmament: These studies include those concerning arms control measures designed for improving confidence and means of communications.

C. Substantial measures for general arms control and disarmament: This classification of studies includes arms control measures which have a substantial effect on the military power balance but does not include those measures which are so extensive that international security becomes largely dependent on international peacekeeping forces.

D. International security arrangements for disarmament and the preconditions for disarmament: These studies include the analyses of peacekeeping arrangements and methods for settling disputes in a world where an international peace force is a major element in maintaining international security.

The second major category of studies includes those dealing with the technical aspects of arms control and disarmament measures. These studies have been placed in the following categories:

1. Inspection system studies covering inspection systems and the integration of various inspection techniques.

2. Studies of elements in an inspection system including aerial inspection, satellite inspection techniques, sensor devices of all types, and analyses of records and financial data.

3. Verification techniques for detecting specific armaments and activities including strategic delivery vehicles, chemical and biological warfare capabilities, nuclear tests, and retained levels of weapons.

4. Legal and political aspects of inspection.

5. Problems relating to the theory of violations and responses.

6. Strategy of negotiations, political factors bearing on agreements, and tactics and techniques of negotiating agreements.

7. Relationship between national political environments and arms control measures.

8. Historical studies designed to derive lessons for policy formulation.

9. Technical and economic dislocations and resultant impact of arms control and disarmament measures.

10. Interactions between public attitudes and arms control policy.

11. Arms control implications of current technical developments in war technology.

12. Studies dealing with gaming simulation and methodological approaches to arms control planning.

13. Bibliographical studies bearing on arms control and disarmament matters.

The Agency believes that a valuable beginning has been made toward solving a vast and varied number of problems in the arms control and disarmament field. The current negotiations on general disarmament and the cessation of tests add urgency to the research task. Consequently, in 1963, the Agency looks forward to a continued expansion of its activities in the research field.

ACTIVITIES OF THE AGENCY'S BUREAUS AND OFFICES

Office of the Director

The Director of the U.S. Arms Control and Disarmament Agency is the principal adviser to the President and the Secretary of State on arms control and disarmament matters, and under the direction of the Secretary of State has primary responsibility within the Government for such matters. He is responsible for the executive direction and coordination of all activities of the Agency and of its liaison relationships with other Government agencies and the Congress.

He is assisted with these responsibilities by the Deputy Director.

The Director is advised concerning his responsibilities by the General Advisory Committee, established on September 26, 1961, by the same law setting up the Agency. The Committee, consisting of 15 national leaders under the chairmanship of Mr. John J. McCloy, began its functions after its members were sworn in at the White House in a ceremony on April 2, 1962. It has met with the Director four times during 1962 to advise him respecting matters affecting arms control and disarmament.[15]

The highlights of the Agency's activities and relationships in 1962 are delineated in the reports which follow:

Office of the General Counsel

The Office of the General Counsel is responsible for all legal matters arising in or referred to the Agency.

The work of the Office was concentrated in three principal areas: research contracting; problems of international law and organization; and liaison with Congress.

In the contracting field the Office contributed significantly to the development of Agency policy and procedures on contracts and grants and participated actively in the selection of contractors and in the drafting and negotiation of research contracts and grants. The Office of the General Counsel undertook to develop Agency policy with respect to the establishment of a Research Council to coordinate research activities in the field of arms control and disarmament, contractual formats for research contracts, procedures governing the solicitation of contract proposals and the selection of contractors, research grants, and internal guides concerning competition in contracting.

In the area of international law and organization, the Office participated in the drafting of the outline of basic provisions of a treaty on general and complete disarmament in a peaceful world of April 18, 1962, and of two proposals for a nuclear weapons test ban submitted to the Geneva Conference on August 27, 1962. The Office also participated in formulating policy on, and in developing the substantive content of, U.S. proposals relating to the development and strengthening of international institutions and procedures for the peaceful settlement of disputes to be carried out along with reductions in armaments.

The U.S. disarmament program makes provision for the gradual strengthening of international peacekeeping institutions as national military arsenals are scaled down. In this connection, a meeting of jurists from the United States, the United Kingdom, Canada, and Italy was held in Geneva on December 5 and 6 to discuss problems of peacekeeping machinery. The Office provided major support to the U.S. representatives at this meeting. Legal assistance was also provided to the U.S. delegation to the Eighteen-Nation Disarmament Conference at Geneva.

Finally, the Office devoted considerable attention to research on the substantive problems of peacekeeping. This work was carried out through two research contracts and a number of in-house studies undertaken by the staff of the Office. One of the contract studies analyzed the methods employed by Communist bloc nations for settling international disputes among themselves; the other pertained to the problems of indirect aggression and subversion and the need to develop means of facilitating peaceful change. Included in the in-house research undertakings were a study of the concept of "peaceful coexistence" upon which Soviet jurists base many of their international law writings; a study of the mechanisms and historical development of means for the peaceful settlement of disputes; and, an analysis of the basic viewpoints of the West and the Soviet bloc regarding the relationship between disarmament and peacekeeping.

The General Counsel, under the direction of the Director, is responsible for liaison between the Agency and Congress. During 1962, in addition to appearances during the course of appropriation hearings, officials of the Agency testified at special hearings held by the Disarmament Subcommittee of the Senate Committee on Foreign Relations, the Preparedness Investigating Subcommittee of the Senate Committee on Armed Services, and the Joint Committee on Atomic Energy. The Office of the General Counsel prepared materials and background papers in connection with these appearances by Agency officials. The Office also responded to many inquiries from Members of the Congress about arms control and disarmament matters during the past year.

Finally, the Office has engaged in other activities during 1962 which have contributed to the overall objectives of the Agency. Among these has been the rendering of general legal advice regarding the day-to-day operation and administration of the Agency, participating in a variety of working groups concerned with the development of Agency policy on various arms control and disarmament measures and on inspection and verification.

Disarmament Advisory Staff

The complexity of the problems of disarmament requires the Arms Control and Disarmament Agency to deal with a great number of widely divergent matters which range from the intricacies of international politics to the results and effects of today's fast-moving scientific and technological developments. The various bureaus and offices of the Agency set up to study and propose action on these problems base their proposals to a large extent on the results of research which they have conducted or supervise. The primary function of the Disarmament Advisory Staff during the year has continued to be the coordination of these proposals through review and appraisal, and where appropriate, to develop for the Director a recommended policy which takes all factors of the problems involved into account. At the same time, its role in the policy area included short and long-term planning studies by the staff and the maintenance of working relationships with the Policy Planning Council of the Department of State to insure full coordination of arms control and disarmament proposals with overall U.S. foreign policy objectives.

In the research area the Disarmament Advisory Staff during much of the year played an active role in the coordination, both within the Agency and between it and other governmental departments, of the arms control research effort. After the creation of the Agency's Research Council, its role shifted to that of furnishing administrative staff support to that body.

Early in 1962, DAS completed the coordination of the Agency effort to prepare a series of background papers setting forth the broad policies of the United States on various major disarmament topics, elaborating and refining in that connection the proposals advanced by the President at the United Nations in September 1961. A number of these background papers also were authored by the staff. DAS participated as well in the drafting and reviewing of the briefing position papers discussed with our allies on the eve of the Geneva Conference and assisted in drawing up the outline of the basic provisions for a draft treaty submitted to the Conference as a U.S. proposal in April. The staff also has provided support to the U.S. Delegation in Geneva.

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[15] See app. VI.

During the course of the Geneva Conference the staff organized and coordinated an Agency systematic study program to assess the Geneva Conference experience in negotiating with the Soviet Union. In part, the aim of these studies was to explore separable and limited disarmament measures which might be negotiable short of general and complete disarmament without interfering with the latter as an ultimate goal. The studies also considered ways in which the U.S. position on general and complete disarmament might be modified without jeopardizing U.S. security interests.

Studies were also undertaken by the staff on certain aspects of the problem of peacekeeping such as the responsibilities of the proposed international disarmament organization.

Bureau of International Relations

The Bureau has a dual responsibility: first to translate U.S. disarmament policies into action at the conference table and in the forum of the United Nations; second, to bring the experiences from international negotiations and the problems of the U.S. negotiators to bear on the continuing task of policy formulation in Washington. This dual responsibility can be carried out only if there is constant and vigorous interaction between negotiations on the one hand and research and analysis on the other.

The simple internal organization of the Bureau is aimed at efficiently carrying out this dual responsibility. The Director of the Bureau supervises the work of two offices. The Office of Political Affairs, which is directly responsible for the conduct of international negotiations on disarmament and nuclear testing, develops positions and send instructions to the U.S. negotiators. The Office carries out these responsibilities in conjunction with other U.S. Government agencies and, as required, consults with diplomatic representatives in Washington of various foreign governments.

In addition, the political office is the primary source of political advisers assigned to U.S. delegations at international nuclear testing and disarmament conferences and to the annual meeting of the United Nations General Assembly.

The other section of the Bureau of International Relations, the Office of Political Research and Analysis, works closely with the Office of Political Affairs and with other bureaus and offices of ACDA, as well as with other interested agencies, in assessing the international implications of arms control and disarmament proposals of the United States and other countries and examining longer range international trends and developments having a bearing on the negotiation and implementation of such proposals.

The major development of U.S. arms control and disarmament policy in 1962 stemmed from the following proposals: 1. The U.S. Outline of Basic Provisions of a Treaty on General and Complete Disarmament in a Peaceful World, tabled at the Geneva Conference on April 18, 1962. 2. Drafts of comprehensive and partial (atmosphere, underwater, and outer space) treaties banning nuclear weapons test explosions, submitted to the Conference August 27, 1962. 3. The U.S. working paper on Reduction of the Risk of War Through Accident, Miscalculation, or Failure of Communications, presented to the Conference December 14, 1962.

Consequently, the Bureau's operations centered around the preparation of negotiating positions and their presentation and elaboration in diplomatic discussion through the U.S. delegation.

Economics Bureau

During 1962 work was continued on the economic and social consequences of disarmament and greater attention was given to the economic aspects of proposed arms control and disarmament measures.

Early in the year the Agency published a report on the economic impacts of disarmament prepared by a panel of economists within and outside the Government. Several months later it published the U.S. reply to the inquiry of the Secretary General of the United Nations on the economic and social consequences of disarmament prepared in the Agency in cooperation with other Government agencies. The U.S. reply contributed significantly to the work of an international group of experts appointed by the Secretary General to prepare a report to the General Assembly on the economic and social consequences of disarmament. The U.N. report was submitted during the year to the United Nations Economic and Social Council and the General Assembly and its conclusions were strongly endorsed by those bodies. The general sense of these conclusions was that disarmament would be an economic blessing for mankind and that, given appropriate planning and economic adjustment policies, both the Socialist and private enterprise economists could manage the transitional economic problems of disarmament without serious difficulty.

The Economics Bureau also provided substantive support to the U.S. delegations to ECOSOC and to the United Nations in connection with consideration of the experts' report.

Through the Economics Bureau, the Agency maintains liaison with other agencies of the Government with respect to their studies and other activities which are of significance for evaluation of the economic impact of arms control and disarmament. The Bureau has endeavored to encourage interest in the problems of planning for industrial conversion in connection with disarmament by industry, labor, local governments and citizens groups, and the academic community.

Representatives of the Bureau have participated during the year in a number of discussions on the economic impact of disarmament or on industrial conversion arranged by nongovernmental persons or groups. It is expected that more specialized research in the field of economic impact will be undertaken in 1963.

The Bureau participates in the support of negotiations on arms control and disarmament by the development of proposals of an economic nature and by conducting economic analyses, relating to limitations on production of armaments and on expenditures for armaments, conversion of armaments and armament facilities to peaceful use, verification methods affecting economic activity or relying on the use of economic data, and economic factors bearing on the policies of principal negotiating countries.

Science and Technology Bureau

The Science and Technology Bureau is responsible for conducting research on the scientific and technical aspects of arms controls and disarmament responsive to the needs of negotiation and policy formulation and for coordinating relevant research throughout the Government.

During the past year the technical aspects of the nuclear test ban have been under intensive and continuous study. Results of studies conducted by the Department of Defense under the Vela program have been analyzed and related to possible test ban proposals. The capabilities of improved detection techniques developed as part of this program, and of such special equipment as unmanned seismic stations, have been investigated. While primary emphasis has been placed on techniques for detecting underground tests, techniques for detecting tests in other environments such as outer space have also been evaluated.

The Bureau has conducted a contract research program involving six contracts and totaling slightly more than $1 million. Primary emphasis in this program has been placed on inspection—a key problem in the arms control and disarmament field.

Contracts have been let to identify and evaluate techniques for monitoring the production of strategic delivery vehicles and for verifying compliance with restrictions on military space activities. The verification of possible limitations on research and development, and the use of statistics and other mathematical disciplines to analyze inspection systems, are also under investigation.

In addition to studying inspection techniques, several studies have examined the role and function of inspection systems. A summer study brought together physical scientists, political scientists, and lawyers to consider the rationale of verification in disarmament agreements and its relation to possible responses to violations. The verification requirements associated with agreements restricting strategic delivery vehicles are also under study.

The Bureau has conducted a variety of inhouse studies. Topics that have been considered include the impact of future weapons on arms control, nuclear stockpile inspection problems, and the strategic implications of reductions in the level of long-range nuclear delivery vehicles. On a continuous basis analysis of limitations on armaments production and of such special areas of military technology as chemical and biological warfare is being conducted. New concepts of inspection which can be instituted progressively during the disarmament process have been developed.

The Science and Technology Bureau has provided continuing technical advice and support to the delegation at Geneva. Numerous discussions of technical problems of arms control have been held with outside consultants, representatives of the Department of Defense, the Atomic Energy Commission, the Central Intelligence Agency, the President's Science Advisory Committee, and members of allied governments.

Weapons Evaluation and Control Bureau

The Weapons Evaluation and Control Bureau is responsible within the Agency for assessing the impact of arms control and disarmament proposals on the Nation's military security. To carry out this responsibility, the Bureau works in close cooperation with various offices in the Department of Defense. Thus the Bureau is able to utilize the best available information on the capabilities of both U.S. and foreign military forces. When the problems of arms control and disarmament require the investigation of military problems which are not covered in the normal activities of the Department of Defense, the Bureau has the responsibility for initiating the necessary study. In such cases, the studies may be undertaken as a joint ACDA/DOD effort; a DOD study requested by ACDA; or an ACDA study on either a contract or an in-house study basis.

The WEC Bureau is organized into three offices: Policy Support; Research; and Field Operations. Its regular staff is supplemented by a small group of professional civilian employees and military officers contributed by the Department of Defense to work with Bureau personnel in the preparation of plans for a joint ACDA/DOD series of field tests of inspection methods, techniques, concepts, and systems.

The Office of Policy Support is responsible for providing appropriate military information as required for current policy issues. This involves the preparation, analysis, and coordination of negotiating proposals from a military point of view, and the development of plans and projects as necessary to support the establishing of policy within ACDA. The Office develops background and position papers concerning weapons systems capabilities, and requirements for and capabilities of inspection systems in connection with agreements concerning military forces (armaments, manpower, bases, deployment, etc.).

The Office of Research is responsible for initiating longer range studies, designed to provide better and more complete information on military factors as a basis for future policy formulation. The efforts of this Office are directed both toward the development of basic information required for the analysis of proposals, and toward the exploration and development of new arms control and disarmament approaches which may be promising for future consideration.

To provide ACDA with the ability to conduct a more adequate analysis of arms control and disarmament measures, the Office has begun the development of a simulation and gaming capability. The initial work has been accomplished on an in-house basis, using the computational facilities of the Department of Defense. The Office has underway a series of strategic simulations which should help in evaluating alternative proposals for reduction of strategic forces. In addition, it has participated in arms control games sponsored by the Department of Defense. Plans are underway to expand these efforts during the succeeding year.

In addition, the Research Office has the responsibility for organizing and monitoring the contract research program on the military aspects of arms control and disarmament. This program is designed to increase our knowledge of the problem.

The more recently established Field Operations Office of the Bureau is designed to plan and conduct field operations and experiments as necessary to support inspection and verification aspects of proposed measures. The activities of this Office are now concerned primarily with Project Cloud Gap, which is a joint ACDA/DOD venture, designed to plan and execute field tests of various inspection concepts of interest to ACDA.

As a first priority task in its program, the Field Operations/Cloud Gap staff has been conducting a review and evaluation of DOD R. & D. projects and activities in the fields of intelligence, surveillance and reconnaissance, insofar as these may have a bearing upon arms control inspection and verification research and application. In addition to the review of DOD activities of potential utility to the project, planning is underway for the conduct of two field tests: a field test for aerial and ground inspection and the verification of a declared inventory of conventional ground force armaments; and, a field test series designed to generate planning factors for the monitoring of mobile armament through the use of ground inspection teams coordinated by airborne observers.

Executive staff

The executive staff continued throughout the year to discharge the administrative management responsibilities of the Agency, including administrative services, budget, personnel, contract negotiation and administration, and security. A growth in staff of 60 percent was attained during this first full year of the Agency's existence.

When the first of this series of reports was submitted to the Congress 1 year ago, the staff totaled 101 employees. By January 1963, personnel strength had risen to 162, consisting of 96 officers and 66 clerical employees. Recruitment action underway is expected to bring total employment to the authorized figure of 220 by June 30, 1963.

With the Agency's operations beginning 3 months after the start of fiscal year 1962, its appropriation was $2,017,000 of which $1,417,000 was for program operations and $600,000 for contract research. For fiscal year 1963 the Agency received an appropriation of $6,500,000 of which $2,500,000 was for program operations and $4 million for contracts and research grants.

Secretariat

During the calendar year 1962 the Secretariat continued its basic function of assuring full coordinated staff work in support of Agency programs.

In pursuance of its responsibility to provide the Director, the Deputy Director, the staff and key committees, task forces, and other special groups with essential information and action documents to fulfill their action responsibilities and executive functions, the secretariat provided such services within the Agency and to the General Advisory Committee; the Review Panel; the Agency's Research Council and its intelligence committee; and in cooperation with the Department of State, to the Committee of Principals chaired by the Secretary of State.

A key task involved backstopping the U.S. delegation to the 18-nation Disarmament Committee meetings in Geneva, beginning in March 1962, including detail of secretariat personnel to the U.S. delegation secretariat, communications and documentation to and from Geneva, and liaison with the Department of State's Office of International Conference on administrative and personnel arrangements for the delegation.

The secretariat also edited and published a monthly ACDA Activities Report and daily and weekly classified summaries of policy developments in the disarmament field. These reports are designed to insure that other interested organizations within government have available to them a continuing flow of information on developing disarmament policies.

Other important normal activities included directing and controlling the prompt and orderly flow of information documents, maintaining followup on action papers and communications to insure completion on schedule, and review of cables, memorandums, letters, and position papers to insure accordance with or to reflect authorized changes in established national policy.

Reference Research Staff

The Reference Research Staff provides research and reference services in support of the activities of the Agency, including the conduct of the research program, the formulation of policy, and the carrying on of international negotiations. The research undertaken by the Staff is frequently short-term, often performed on request from the other bureaus and offices of ACDA. It is generally background in character, and is the kind of research that is heavily dependent on documentary collections and other library source materials. The reports of the Reference Research Staff cover a wide variety of topics. Typical subjects include surveys and analyses of other countries proposals or policies on disarmament and arms control, comparisons between the disarmament proposals or policies of the United States and other countries, historical reviews of positions taken by governments on specific issues in disarmament negotiations, or compilations of statements by officials or of statistical data.

At times, extended in-house research projects are undertaken. One such project was the preparation of the Agency publication entitled "International Negotiations on Ending Nuclear Weapon Tests, September 1961–September 1962." This historical and documentary survey supplements an earlier "white paper" released by the Department of State in 1961 which reviewed and analyzed the Geneva Conference on the Discontinuance of Nuclear Weapon Tests. The reference staff also edits the annual volume of Documents on Disarmament, a selection of significant official documents issued by governments and various international organizations. In addition, this Office has cognizance over certain historical projects in the Agency's contract research program, including studies of past arms limitation negotiations and arrangements. The staff also services the U.S. delegation to the 18-nation Disarmament Conference in Geneva carrying out diverse research assignments, including the preparation of a detailed analytical index of the official proceedings of the Conference.

Another prominent activity of this staff arises from Executive Order No. 11044 on "Interagency Coordination of Arms Control and Disarmament Matters" (see app. I). Under this Order, the Director of ACDA is responsible for planning and developing a program of government research and studies on arms control and disarmament policy.

The order enjoins him to maintain a "continuing inventory" of Government research activities and to submit to the Bureau of the Budget periodically a "consolidated schedule" of such activities, with his evaluation. The reference research staff aids the Director in fulfilling this responsibility, particularly by maintaining a record on research carried on by other Government departments and agencies.

As a further aid to planning and carrying out the Agency's research program, the reference research staff obtains information about research being conducted by persons and institutions outside the U.S. Government. To assist in this activity, the reference research staff has initiated arrangements with the external research staff of the Department of State which has long specialized in this type of function.

The reference research staff also prepares comprehensive and specific bibliographies on subjects in which the Agency has an interest and makes analyses and digests of pertinent literature. To provide comprehensive services of this type, the office has blueprinted a combined in-house and contract program.

The reference collection maintained as an integral part of this office consists of a body of classified and unclassified literature on disarmament, arms control, and associated subjects. The mounting number of books, magazines, documents of international organizations and conferences, governmental and other publications, as well as the growing file of classified studies, periodicals and reports on pertinent subjects retained in this collection indicate that it is becoming one of the most comprehensive libraries in its subject field.

Public Affairs Adviser

The basic American precept that the public be well informed is no stranger to the Arms Control and Disarmament Act which establishes as one of four primary functions of the Agency the "dissemination and coordination of public information concerning arms control and disarmament." Under the direction of the Director of the Agency, this function is performed by the public affairs adviser.

In essence this effort is directed toward insuring that information covering all phases of the Agency's work—policy development, research, and negotiation—is made available to the public.

Dissemination of disarmament information took a number of forms in 1962. The fact that disarmament matters played a large role in international affairs over the past year led to a substantial number of requests from a variety of groups and organizations for both speeches and speakers. Although it was not possible to fulfill all of these requests, Agency officials did participate in over 100 meetings, panel discussions and study groups in 1962. In addition, such informational materials as articles for commercial journals, scripts for educational television programs, network and local TV and radio programs were prepared, and briefings and interviews were arranged with Agency officials for correspondents of public information media.

A major aspect of this work centered on the preparation of publications. To insure a broader understanding of U.S. efforts and interest in the arms control and disarmament problem the agency issued among others: "Economic Impacts of Disarmament; Blueprint for the Peace Race—Outline of Basic Provisions of a Treaty on General and Complete Disarmament in a Peaceful World; The Economic and Social Consequences of Disarmament; Disarmament: The New U.S. Initiative; Toward a World Without War; and International Negotiations on Ending Nuclear Weapons Tests, September 1961–1962."

An adviser on public affairs for the U.S. delegation to the 18-nation disarmament conference in Geneva was provided on a continuing basis during the year beginning with its initial session in March. He assisted the delegation on public affairs matters, acted as delegation spokesman to the press, both American and foreign, and also briefed U.S. and other nongovernmental groups which called at delegation headquarters in Geneva.

Another important element of the public affairs task has been a close liaison with the Department of State, particularly with the Bureau of Public Affairs. This has helped to increase the flow of arms control and disarmament information to U.S. diplomatic representatives abroad thereby insuring greater understanding of U.S. objectives in this field by foreign governments.

It also has led to assistance in such public affairs activities as publications production and distribution and special public service information projects with educational and commercial media. These have furthered the Agency's efforts to provide a greater and more timely flow of information to the general public.

A similar coordinating effort with the U.S. Information Agency continued to provide that Agency with official U.S. positions and policies and general information on arms control and disarmament. USIA has cooperated fully in using this information in its programs abroad. In this connection program ideas were suggested—and many were accepted—to help in the process of communicating to people overseas what the U.S. Government is thinking and doing in the quest for peace with freedom.

In the months to come every effort possible, consistent with the provisions of the enabling act, will be made to provide the public with factual information concerning these matters so entwined with human destiny.

APPENDIX I

INTERAGENCY COORDINATION OF ARMS CONTROL AND DISARMAMENT MATTERS

(The White House, Executive Order No. 11044)

Whereas there has been established by law the U.S. Arms Control and Disarmament Agency; and

Whereas the Arms Control and Disarmament Act provides that the Director of that Agency shall be the principal adviser to the Secretary of State and the President on arms control and disarmament matters and requires the Director to assume primary responsibility within the Government for such matters under the direction of the Secretary of State; and

Whereas the act authorizes and directs the said Director to coordinate significant aspects of the U.S. arms control and disarmament policy and related matters; and

Whereas it is desirable that the President establish procedures for coordination, and for the resolution of differences of opinion between the U.S. Arms Control and Disarmament Agency and other affected Government agencies, concerning all significant aspects of arms control and disarmament policy and related matters: Now, therefore, by virtue of the authority vested in me by the Arms Control and Disarmament Act (75 Stat. 631; 50 U.S.C. 1501 et seq.), and as President of the United States, it is hereby ordered as follows:

SECTION 1. DEFINITIONS.—As used hereinafter:

(a) The word "Director" means the Director of the U.S. Arms Control and Disarmament Agency.

(b) The term "affected agencies" shall include the Department of Defense, the Atomic Energy Commission, the Central Intelligence Agency, the National Aeronautics and Space Administration, and, when not inappropriate in the context, the U.S. Arms Control and Disarmament Agency, and shall include also such other agencies as the Director may designate hereunder.

(c) The terms "arms control" and "disarmament" shall be defined as they are defined in section 3(a) of the Arms Control and Disarmament Act.

(d) The term "related matters" shall include those matters which are necessary to, desirable for, or otherwise directly connected with the functions described in sections 3 and 4 of this order.

SEC. 2. COOPERATION.—The Director and the heads of affected agencies shall keep each other fully and currently informed on all significant aspects of U.S. arms control and disarmament policy and related matters, including current and prospective policies, plans, and programs. Differences of opinion concerning arms control and disarmament policy and related matters arising between the U.S. Arms Control and Disarmament Agency and other affected agencies with respect to such subjects which involve major matter of policy and cannot be resolved through consultation shall be promptly referred to the President for decision. In such instances the head of an agency presenting recommendations with respect to such differences to the President shall give the heads of affected agencies notice of the occasion for and substance of his recommendations.

SEC. 3. POLICY COORDINATION.—(a) The Director shall establish procedures consistent with this order and the Arms Control and Disarmament Act to assure coordination of:

(1) his recommendations to the Secretary of State and the President and to the heads of affected agencies relating to U.S. arms control and disarmament policy;

(2) Government planning for the conduct and support of research for arms control and disarmament policy formulations, including the comprehensive and balanced plan provided for in section 4 of this order;

(3) Government planning for the dissemination of public information concerning arms control and disarmament;

(4) the preparation for and management of U.S. participation in international negotiations in the arms control and disarmament field; and

(5) the preparation for, operation of or, as appropriate, direction of U.S. participation in such control systems as may become part of U.S. arms control and disarmament activities.

(b) The Director shall exercise leadership in assuring that differences of opinion concerning arms control and disarmament policy and related matters are reoslved expeditiously and shall take such steps as may be appropriate in order to produce common or harmonious action among the agencies concerned.

SEC. 4. RESEARCH.—With the advice and assistance of affected agencies, the Director shall develop and keep current a comprehensive and balanced program of research, development, and other studies needed to be conducted by or for the Government for arms control and disarmament policy formulation. The Director shall maintain a continuing inventory of Federal activities related to the planned program and advise the affected agencies as to their respective participations in the planned program in order to produce harmonious action and prevent duplication of effort. The Director shall periodically submit to the Director of the Bureau of the Budget a consolidated schedule of such activities with assessments of their respective programs by the responsible agencies, together with his evaluations regarding these activities.

SEC. 5. FORCE AND ARMAMENT LEVELS.—The Secretary of Defense shall keep the Director informed with respect to the planning of Armed Forces levels and armaments and, for consideration in connection with such planning. The Director shall furnish the Secretary of Defense statements of existing and projected arms control and disarmament policies.

JOHN F. KENNEDY.

THE WHITE HOUSE, *August 20, 1962*.

APPENDIX II

OUTLINE OF BASIC PROVISIONS OF A DRAFT TREATY ON GENERAL AND COMPLETE DISARMAMENT

(Submitted on April 18, 1962, by the United States to the 18-nation Committee on Disarmament at Geneva, as amended on August 6 and 8, 1962)

In order to assist in the preparation of a treaty on general and complete disarmament in a peaceful world, the United States submits the following outline of basic provisions of such a treaty. The preamble of such a treaty has already been the subject of negotiations and is therefore not submitted as part of this treaty outline.

A. OBJECTIVES

1. To insure that (a) disarmament is general and complete and war is no longer an instrument for settling international problems, and (b) general and complete disarmament is accompanied by the establishment of reliable procedures for the settlement of disputes and by effective arrangements for the maintenance of peace in accordance with the principles of the Charter of the United Nations.

2. Taking into account paragraphs 3 and 4 below, to provide, with respect to the military establishment of every nation, for:

(a) Disbanding of armed forces, dismantling of military establishments, including bases, cessation of the production of armaments as well as their liquidation or conversion to peaceful uses;

(b) Elimination of all stockpiles of nuclear, chemical, biological, and other weapons of mass destruction and cessation of the production of such weapons;

(c) Elimination of all means of delivery of weapons of mass destruction;

(d) Abolition of the organizations and institutions designed to organize the military efforts of states, cessation of military training, and closing of all military training institutions;

(e) Discontinuance of military expenditures.

3. To insure that, at the completion of the program for general and complete disarmament, states would have at their disposal only those nonnuclear armaments, forces, facilities, and establishments as are agreed to be necessary to maintain internal order and protect the personal security of citizens.

4. To insure that during and after implementation of general and complete disarmament, states also would support and provide agreed manpower for a United Nations Peace Force to be equipped with agreed types of armaments necessary to insure that

the United Nations can effectively deter or suppress any threat or use of arms.

5. To establish and provide for the effective operation of an International Disarmament Organization within the framework of the United Nations for the purpose of insuring that all obligations under the disarmament program would be honored and observed during and after implementation of general and complete disarmament; and to this end to insure that the International Disarmament Organization and its inspectors would have unrestricted access without veto to all places as necessary for the purpose of effective verification.

B. PRINCIPLES

The guiding principles during the achievement of these objectives are:

1. Disarmament would be implemented until it is completed by stages to be carried out within specified time limits.

2. Disarmament would be balanced so that at no stage of the implementation of the treaty could any state or group of states gain military advantage, and so that security would be insured equally for all.

3. Compliance with all disarmament obligations would be effectively verified during and after their entry into force. Verification arrangements would be instituted progressively as necessary to insure throughout the disarmament process that agreed levels of armaments and armed forces were not exceeded.

4. As national armaments are reduced, the United Nations would be progressively strengthened in order to improve its capacity to insure international security and the peaceful settlement of differences as well as to facilitate the development of international cooperation in common tasks for the benefit of mankind.

5. Transition from one stage of disarmament to the next would take place upon decision that all measures in the preceding stage had been implemented and verified and that any additional arrangements required for measures in the next stage were ready to operate.

INTRODUCTION

The treaty would contain three stages designed to achieve a permanent state of general and complete disarmament in a peaceful world. The treaty would enter into force upon the signature and ratification of the United States of America, the Union of Soviet Socialist Republics and such other states as might be agreed. Stage II would begin when all militarily significant states had become parties to the treaty and other transition requirements had been satisfied. Stage III would begin when all states possessing armed forces and armaments had become parties to the treaty and other transition requirements had been satisfied. Disarmament, verification, and measures for keeping the peace would proceed progressively and proportionately beginning with the entry into force of the treaty.

STAGE I

Stage I would begin upon the entry into force of the treaty and would be completed within 3 years from that date.

During stage I the parties to the treaty would undertake:

1. To reduce their armaments and armed forces and to carry out other agreed measures in the manner outlined below;

2. To establish the International Disarmament Organization upon the entry into force of the treaty in order to insure the verification in the agreed manner of the obligations undertaken; and

3. To strengthen arrangements for keeping the peace through the measures outlined below.

A. ARMAMENTS

1. Reduction of armaments:

(a) Specified parties to the treaty, as a first stage toward general and complete disarmament in a peaceful world, would reduce by 30 percent the armaments in each category listed in subparagraph (b) below. Each type of armament in the categories listed in subparagraph (b) would be reduced by 30 percent of the inventory existing at an agreed date.

(b) All types of armaments within agreed categories would be subject to reduction in stage I (the following list of categories, and of types within categories, is illustrative):

(1) Armed combat aircraft having an empty weight of 40,000 kilograms or greater; missiles having a range of 5,000 kilometers or greater, together with their related fixed launching pads; and submarine-launched missiles and air-to-surface missiles having a range of 300 kilometers or greater.

(Within this category, the United States, for example, would declare as types of armaments: the B-52 aircraft; Atlas missiles together with their related fixed launching pads; Titan missiles together with their related fixed launching pads; Polaris missiles; Hound Dog missiles; and each new type of armament, such as Minuteman missiles, which came within the category description, together with, where applicable, their related fixed launching pads. The declared inventory of types within the category by other parties to the treaty would be similarly detailed.)

(2) Armed combat aircraft having an empty weight of between 15,000 and 40,000 kilograms and those missiles not included in category (1) having a range between 300 and 5,000 kilometers, together with any related fixed launching pads. (The parties would declare their armaments by types within the category.)

(3) Armed combat aircraft having an empty weight of between 2,500 and 15,000 kilograms. (The parties would declare their armaments by types within the category.)

(4) Surface-to-surface (including submarine-launched missiles) and air-to-surface aerodynamic and ballistic missiles and free rockets having a range of between 10 and 300 kilometers, together with any related fixed launching pads. (The parties would declare their armaments by types within the category.)

(5) Anti-missile-missile systems, together with related fixed launching pads. (The parties would declare their armaments by types within the category.)

(6) Surface-to-air missiles other than anti-missile-missile systems, together with any related fixed launching pads. (The parties would declare their armaments by types within the category.)

(7) Tanks. (The parties would declare their armaments by types within the category.)

(8) Armored cars and armored personnel carriers. (The parties would declare their armaments by types within the category.)

(9) All artillery and mortars and rocket launchers having a caliber of 100 millimeters or greater. (The parties would declare their armaments by types within the category.)

(10) Combatant ships with standard displacement of 400 tons or greater of the following classes: Aircraft carriers, battleships, cruisers, destroyer types, and submarines. (The parties would declare their armaments by types within the category.)

2. Method of reduction:

(a) Those parties to the treaty which were subject to the reduction of armaments would submit to the International Disarmament Organization an appropriate declaration respecting inventories of their armaments existing at the agreed date.

(b) The reduction would be accomplished in three steps, each consisting of 1 year. One-third of the reduction to be made during stage I would be carried out during each step.

(c) During the first part of each step, one-third of the armaments to be eliminated during stage I would be placed in depots under supervision of the International Disarmament Organization. During the second part of each step, the deposited armaments would be destroyed or, where appropriate, converted to peaceful uses. The number and location of such depots and arrangements respecting their establishment and operation would be set forth in an annex to the treaty.

(d) In accordance with arrangements which would be set forth in a treaty annex on verification, the International Disarmament Organization would verify the foregoing reduction and would provide assurance that retained armaments did not exceed agreed levels.

3. Limitation on production of armaments and on related activities:

(a) Production of all armaments listed in subparagraph b of paragraph 1 above would be limited to agreed allowances during stage I and, by the beginning of stage II, would be halted except for production within agreed limits of parts for maintenance of the agreed retained armaments.

(b) The allowances would permit limited production of each type of armament listed in subparagraph b of paragraph 1 above. In all instances during the process of eliminating production of armaments, any armament produced within a type would be compensated for by an additional armament destroyed within that type to the end that the 10 percent reduction in numbers in each type in each step, and the resulting 30 percent reduction in stage I, would be achieved.

(c) The testing and production of new types of armaments would be prohibited.

(d) The expansion of facilities for the production of existing types of armaments and the construction or equipping of facilities for the production of new types of armaments would be prohibited.

(e) The flight testing of missiles would be limited to agreed annual quotas.

(f) In accordance with arrangements which would be set forth in the annex on verification, the international disarmament organization would verify the foregoing measures at declared locations and would provide assurance that activities subject to the foregoing measures were not conducted at undeclared locations.

4. Additional measures: The parties to the treaty would agree to examine unresolved questions relating to means of accomplishing in stages II and III the reduction and eventual elimination of production and stockpiles of chemical and biological weapons of mass destruction. In light of this examination, the parties to the treaty would agree to arrangements concerning chemical and biological weapons of mass destruction.

B. ARMED FORCES

1. Reduction of armed forces:

Force levels for the United States of America and the Union of Soviet Socialist Republics would be reduced to 2.1 million each and for other specified parties to the treaty to agreed levels not exceeding 2.1 million each. All other parties to the treaty would, with agreed exceptions, reduce their force levels to 100,000 or 1 percent of their population, whichever were higher, provided that in no case would the force levels of such other parties to the treaty exceed levels in existence upon the entry into force of the treaty.

2. Armed forces subject to reduction:

Agreed force levels would include all full-time, uniformed personnel maintained by national governments in the following categories:

(a) Career personnel of active armed forces and other personnel serving in the active armed force on fixed engagements or contracts.

(b) Conscripts performing their required period of full-time active duty as fixed by national law.

(c) Personnel of militarily organized security forces and of other forces or organizations equipped and organized to perform a military mission.

3. Method of reduction of armed forces: The reduction of force levels would be carried out in the following manner:

(a) Those parties to the treaty which were subject to the foregoing reductions would submit to the International Disarmament Organization a declaration stating their force levels at the agreed date.

(b) Force-level reductions would be accomplished in three steps, each having a duration of 1 year. During each step force levels would be reduced by one-third of the difference between force levels existing at the agreed date and the levels to be reached at the end of stage I.

(c) In accordance with arrangements that would be set forth in the annex on verification, the International Disarmament Organization would verify the reduction of force levels and provide assurance that retained forces did not exceed agreed levels.

4. Additional measures: The parties to the treaty which were subject to the foregoing reductions would agree upon appropriate arrangements, including procedures for consultation, in order to insure that civilian employment by military establishments would be in accordance with the objectives of the obligations respecting force levels.

C. NUCLEAR WEAPONS

1. Production of fissionable materials for nuclear weapons:

(a) The parties to the treaty would halt the production of fissionable materials for use in nuclear weapons.

(b) This measure would be carried out in the following manner:

(1) The parties to the treaty would submit to the International Disarmament Organization a declaration listing by name, location and production capacity every facility under their jurisdiction capable of producing and processing fissionable materials at the agreed date.

(2) Production of fissionable materials for purposes other than use in nuclear weapons would be limited to agreed levels. The parties to the treaty would submit to the International Disarmament Organization periodic declarations stating the amounts and types of fissionable materials which were still being produced at each facility.

(3) In accordance with arrangements which would be set forth in the annex on verification, the International Disarmament Organization would verify the foregoing measures at declared facilities and would provide assurance that activities subject to the foregoing limitations were not conducted at undeclared facilities.

2. Transfer of fissionable material to purposes other than use in nuclear weapons:

(a) Upon the cessation of production of fissionable materials for use in nuclear weapons, the United States of America and the Union of Soviet Socialist Republics would each transfer to purposes other than use in nuclear weapons an agreed quantity of weapons-grade U^{235} from past production. The purposes for which such materials would be used would be determined by the state to which the material belonged, provided that such materials were not used in nuclear weapons.

(b) To insure that the transferred materials were not used in nuclear weapons, such materials would be placed under safeguards and inspection by the International Disarmament Organization either in stockpiles or at the facilities in which they would be utilized for purposes other than use in nuclear weapons. Arrangements for such safeguards and inspection would be set forth in the annex on verification.

3. Transfer of fissionable materials between states for peaceful uses of nuclear energy:

(a) Any transfer of fissionable materials between states would be for purposes other than for use in nuclear weapons and would be subject to a system of safeguards to insure that such materials were not used in nuclear weapons.

(b) The system of safeguards to be applied for this purpose would be developed in agreement with the International Atomic Energy Agency and would be set forth in an annex to the treaty.

4. Nontransfer of nuclear weapons:

The parties to the treaty would agree to seek to prevent the creation of further national nuclear forces. To this end the parties would agree that:

(a) Any party to the treaty which had manufactured, or which at any time manufactures, a nuclear weapon would:

(1) Not transfer control over any nuclear weapons to a state which had not manufactured a nuclear weapon before an agreed date;

(2) Not assist any such state in manufacturing any nuclear weapons.

(b) Any party to the treaty which had not manufactured a nuclear weapon before the agreed date would:

(1) Not acquire, or attempt to acquire, control over any nuclear weapons;

(2) Not manufacture, or attempt to manufacture, any nuclear weapons.

5. Nuclear weapons test explosions:

(a) If an agreement prohibiting nuclear weapons test explosions and providing for effective international control had come into force prior to the entry into force of the treaty, such agreement would become an annex to the treaty, and all the parties to the treaty would be bound by the obligations specified in the agreement.

(b) If, however, no such agreement had come into force prior to the entry into force of the treaty, all nuclear weapons test explosions would be prohibited, and the procedures for effective international control would be set forth in an annex to the treaty.

6. Additional measures:

The parties to the treaty would agree to examine remaining unresolved questions relating to the means of accomplishing in stages II and III the reduction and eventual elimination of nuclear weapons stockpiles. In the light of this examination, the Parties to the treaty would agree to arrangements concerning nuclear weapons stockpiles.

D. OUTER SPACE

1. Prohibition of weapons of mass destruction in orbit: The parties to the treaty would agree not to place in orbit weapons capable of producing mass destruction.

2. Peaceful cooperation in space: The parties to the treaty would agree to support increased international cooperation in peaceful uses of outer space in the United Nations or through other appropriate arrangements.

3. Notification and prelaunch inspection: With respect to the launching of space vehicles and missiles:

(a) Those parties to the treaty which conducted launchings of space vehicles or missiles would provide advance notification of such launchings to other parties to the treaty and to the International Disarmament Organization together with the track of the space vehicle or missile. Such advance notification would be provided on a timely basis to permit pre-launch inspection of the space vehicle or missile to be launched.

(b) In accordance with arrangements which would be set forth in the annex on verification, the International Disarmament Organization would conduct prelaunch inspection of space vehicles and missiles and would establish and operate any arrangements necessary for detecting unreported launchings.

4. Limitations on production and on related activities:

The production, stockpiling and testing of boosters for space vehicles would be subject to agreed limitations. Such activities would be monitored by the International Disarmament Organization in accordance with arrangements which would be set forth in the annex on verification.

E. MILITARY EXPENDITURES

1. Report on expenditures: The parties to the treaty would submit to the International Disarmament Organization at the end of each step of each stage a report on their military expenditures. Such reports would include an itemization of military expenditures.

2. Verifiable reduction of expenditures: the parties to the treaty would agree to examine questions related to the verifiable reduction of military expenditures. In the light of this examination, the parties to the treaty would consider appropriate arrangements respecting military expenditures.

F. REDUCTION OF THE RISK OF WAR

In order to promote confidence and reduce the risk of war, the parties to the treaty would agree to the following measures:

1. Advance notification of military movements and maneuvers: Specified parties to the treaty would give advance notification of major military movements and maneuvers to other parties to the treaty and to the International Disarmament Organization. Specific arrangements relating to this commitment, including the scale of movements and maneuvers to be reported and the information to be transmitted, would be agreed.

2. Observation posts: Specified parties to the treaty would permit observation posts to be established at agreed locations, including major ports, railway centers, motor highways, river crossings, and airbases to report on concentrations and movements of military forces. The number of such posts could be progressively expanded in each successive step of stage I. Specific arrangements relating to such observation posts, including the location and staffing of posts, the method of receiving and reporting information, and the schedule for installation of posts would be agreed.

3. Additional observation arrangements: The parties to the treaty would establish such additional observation arrangements as might be agreed. Such arrangements could be extended in an agreed manner during each step of stage I.

4. Exchange of military missions: Specified parties to the treaty would undertake the exchange of military missions between states or groups of states in order to improve communications and understanding between them. Specific arrangements respecting such exchanges would be agreed.

5. Communications between heads of government: Specified parties to the treaty would agree to the establishment of rapid and reliable communications among their heads of government and with the Secretary-General of the United Nations. Specific arrangements in this regard would be subject to agreement among the parties concerned and between such parties and the Secretary-General.

6. International Commission on Reduction of the Risk of War: The parties to the treaty would establish an International Commission on Reduction of the Risk of War as a subsidiary body of the International Disarmament Organization to examine and make recommendations regarding further measures that might be undertaken during stage I or subsequent stages of disarmament to reduce the risk of war by accident, miscalculation, failure of communications, or

surprise attack. Specific arrangements for such measures as might be agreed to by all or some of the parties to the treaty would be subject to agreement among the parties concerned.

G. THE INTERNATIONAL DISARMAMENT ORGANIZATION

1. Establishment of the International Disarmament Organization: The International Disarmament Organization would be established upon the entry into force of the treaty and would function within the framework of the United Nations and in accordance with the terms and conditions of the treaty.

2. Cooperation of the parties to the treaty: The parties to the treaty would agree to cooperate promptly and fully with the International Disarmament Organization and to assist the International Disarmament Organization in the performance of its functions and in the execution of the decisions made by it in accordance with the provisions of the treaty.

3. Verification functions of the International Disarmament Organization: The International Disarmament Organization would verify disarmament measures in accordance with the following principles which would be implemented through specific arrangements set forth in the annex on verification:

(a) Measures providing for reduction of armaments would be verified by the International Disarmament Organization at agreed depots and would include verification of the destruction of armaments and, where appropriate, verification of the conversion of armaments to peaceful uses. Measures providing for reduction of armed forces would be verified by the International Disarmament Organization either at the agreed depots or other agreed locations.

(b) Measures halting or limiting production, testing, and other specified activities would be verified by the International Disarmament Organization. Parties to the treaty would declare the nature and location of all production and testing facilities and other specified activities. The International Disarmament Organization would have access to relevant facilities and activities wherever located in the territory of such parties.

(c) Assurance that agreed levels of armaments and armed forces were not exceeded and that activities limited or prohibited by the treaty were not being conducted clandestinely would be provided by the International Disarmament Organization through agreed arrangements which would have the effect of providing that the extent of inspection during any step or stage would be related to the amount of disarmament being undertaken and to the degree of risk to the parties to the treaty of possible violations. This might be accomplished, for example, by an arrangement embodying such features as the following:

(1) All parts of the territory of those parties to the treaty to which this form of verification was applicable would be subject to selection for inspection from the beginning of stage I as provided below.

(2) Parties to the treaty would divide their territory into an agreed number of appropriate zones and at the beginning of each step of disarmament would submit to the International Disarmament Organization a declaration stating the total level of armaments, forces, and specified types of activities subject to verification within each zone. The exact location of armaments and forces within a zone would not be revealed prior to its selection for inspection.

(3) An agreed number of these zones would be progressively inspected by the International Disarmament Organization during stage I according to an agreed time schedule. The zones to be inspected would be selected by procedures which would insure their selection by parties to the treaty other than the party whose territory was to be inspected or any party associated with it. Upon selection of each zone, the party to the treaty whose territory was to be inspected would declare the exact location of armaments, forces and other agreed activities within the selected zone. During the verification process, arrangements would be made to provide assurance against undeclared movements of the objects of verification to or from the zone or zones being inspected. Both aerial and mobile ground inspection would be employed within the zone being inspected. Insofar as agreed measures being verified were concerned access within the zone would be free and unimpeded and verification would be carried out with the full cooperation of the state being inspected.

(4) Once a zone had been inspected it would remain open for further inspection while verification was being extended to additional zones.

(5) By the end of stage III, when all disarmament measures had been completed, inspection would have been extended to all parts of the territory of parties to the treaty.

4. Composition of the International Disarmament Organization

(a) The International Disarmament Organization would have:

(1) A General Conference of all the parties to the treaty;

(2) A Control Council consisting of representatives of all the major signatory powers as permanent members and certain other parties to the treaty on a rotating basis; and

(3) An Administrator who would administer the International Disarmament Organization under the direction of the Control Council and who would have the authority, staff, and finances adequate to insure effective and impartial implementation of the functions of the International Disarmament Organization.

(b) The General Conference and the Control Council would have power to establish such subsidiary bodies, including expert study groups, as either of them might deem necessary.

5. Functions of the General Conference: The General Conference would have the following functions, among others which might be agreed:

(a) Electing nonpermanent members to the Control Council.

(b) Approving certain accessions to the treaty.

(c) Appointing the Administrator upon recommendation of the Control Council.

(d) Approving agreements between the International Disarmament Organization and the United Nations and other international organizations.

(e) Approving the budget of the International Disarmament Organization.

(f) Requesting and receiving reports from the Control Council and deciding upon matters referred to it by the Control Council.

(g) Approving reports to be submitted to bodies of the United Nations.

(h) Proposing matters for consideration by the Control Council.

(i) Requesting the International Court of Justice to give advisory opinions on legal questions concerning the interpretation or application of the treaty, subject to a general authorization of this power by the General Assembly of the United Nations.

(j) Approving amendments to the treaty for possible ratification by the parties to the treaty.

(k) Considering matters of mutual interest pertaining to the treaty or disarmament in general.

6. Functions of the Control Council: The Control Council would have the following functions, among others which might be agreed:

(a) Recommending appointment of the Administrator.

(b) Adopting rules for implementing the terms of the treaty.

(c) Establishing procedures and standards for the installation and operation of the verification arrangements, and maintaining supervision over such arrangements and the Administrator.

(d) Establishing procedures for making available to the parties to the treaty data produced by verification arrangements.

(e) Considering reports of the Administrator on the progress of disarmament measures and of their verification, and on the installation and operation of the verification arrangements.

(f) Recommending to the conference approval of the budget of the International Disarmament Organization.

(g) Requesting the International Court of Justice to give advisory opinions on legal questions concerning the interpretation or application of the treaty, subject to a general authorization of this power by the General Assembly of the United Nations.

(h) Recommending to the conference approval of certain accessions to the treaty.

(i) Considering matters of mutual interest pertaining to the treaty or to disarmament in general.

7. Functions of the Administrator: The Administrator would have the following functions, among others, which might be agreed:

(a) Administering the installation and operation of the verification arrangements, and serving as chief executive officer of the International Disarmament Organization.

(b) Making available to the parties to the treaty data produced by the verification arrangements.

(c) Preparing the budget of the International Disarmament Organization.

(d) Making reports to the Control Council on the progress of disarmament measures and of their verification, and on the installation and operation of the verification arrangements.

8. Privileges and immunities: The privileges and immunities which the parties to the treaty would grant to the International Disarmament Organization and its staff and to the representatives of the parties to the International Disarmament Organization, and the legal capacity which the International Disarmament Organization should enjoy in the territory of each of the parties to the treaty would be specified in an annex to the treaty.

9. Relations with the United Nations and other international organizations:

(a) The International Disarmament Organization, being established within the framework of the United Nations, would conduct its activities in accordance with the purposes and principles of the United Nations. It would maintain close working arrangements with the United Nations, and the Administrator of the International Disarmament Organization would consult with the Secretary General of the United Nations on matters of mutual interest.

(b) The Control Council of the International Disarmament Organization would transmit to the United Nations annual and other reports on the activities of the International Disarmament Organization.

(c) Principal organs of the United Nations could make recommendations to the International Disarmament Organization, which would consider them and report to the United Nations on action taken.

NOTE.—The above outline does not cover all the possible details or aspects of relationships between the International Disarmament Organization and the United Nations.

H. MEASURES TO STRENGTHEN ARRANGEMENTS FOR KEEPING THE PEACE

1. Obligations concerning threat or use of force: The parties to the treaty would undertake obligations to refrain, in their international relations, from the threat or use of

force of any type—including nuclear, conventional, chemical, or biological means of warfare—contrary to the purposes and principles of the United Nations Charter.

2. Rules of international conduct:

(a) The parties to the treaty would agree to support a study by a subsidiary body of the International Disarmament Organization of the codification and progressive development of rules of international conduct related to disarmament.

(b) The parties to the treaty would refrain from indirect aggression and subversion. The subsidiary body provided for in subparagraph (a) would also study methods of assuring States against indirect aggression or subversion.

3. Peaceful settlement of disputes:

(a) The parties to the treaty would utilize all appropriate processes for the peaceful settlement of all disputes which might arise between them and any other State, whether or not a party to the treaty, including negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, submission to the Security Council or the General Assembly of the United Nations, or other peaceful means of their choice.

(b) The parties to the treaty would agree that disputes concerning the interpretation or application of the treaty which were not settled by negotiation or by the International Disarmament Organization would be subject to referral by any party to the dispute to the International Court of Justice, unless the parties concerned agreed on another mode of settlement.

(c) The parties to the treaty would agree to support a study under the General Assembly of the United Nations of measures which should be undertaken to make existing arrangements for the peaceful settlement of international disputes, whether legal or political in nature, more effective; and to institute new procedures and arrangements where needed.

4. Maintenance of international peace and security: The parties to the treaty would agree to support measures strengthening the structure, authority, and operation of the United Nations so as to improve its capability to maintain international peace and security.

5. United Nations Peace Force: The parties to the treaty would undertake to develop arrangements during stage I for the establishment in stage II of a United Nations peace force. To this end, the parties to the treaty would agree on the following measures within the United Nations:

(a) Examination of the experience of the United Nations leading to a further strengthening of United Nations forces for keeping the peace.

(b) Examination of the feasibility of concluding promptly the agreements envisaged in article 43 of the United Nations Charter.

(c) Conclusion of an agreement for the establishment of a United Nations Peace Force in stage II, including definitions of its purpose, mission, composition, and strength, disposition, command and control, training, logistical support, financing, equipment, and armaments.

6. United Nations peace observation corps: The parties to the treaty would agree to support the establishment within the United Nations of a peace observation corps, staffed with a standing cadre of observers who could be dipsatched promptly to investigate any situation which might constitute a threat to or a breach of the peace. Elements of the peace observation corps could also be stationed as appropriate in selected areas throughout the world.

I. TRANSACTION

Stage I, section I, transition

1. During the last 3 months of stage I, the Control Council would review the situation respecting the following listed circumstances with a view to determining in the light of specified criteria, whether these circumstances existed at the end of stage I:

(a) All undertakings to be carried out in stage I had been carried out;

(b) All preparations required for stage II had been made; and

(c) All militarily significant states had become parties to the treaty.

2. Transition from stage I to stage II would take place at the end of stage I or at the end of any periods of extension of stage I, upon a determination, in the light of specified criteria, by affirmative vote of two-thirds of and members of the Control Council, including at least the United States and the U.S.S.R., that the foregoing circumstances existed.

3. If, at the end of stage I, one or more permanent members of the Control Council should declare that the foregoing circumstances did not exist, the agreed period of stage I would, upon the request of such permanent member or members, be extended by a period or periods totaling no more than 3 months for the purpose of bringing about the foregoing circumstances.

4. Upon the expiration of such period or periods, the Control Council would again consider whether the foregoing circumstances did in fact exist and would vote upon transition in the manner specified in paragraph 2 above.

Stage II would begin upon the transition from stage I and would be completed within 3 years from that date.

During stage II, the parties to the treaty would undertake:

(1) To continue all obligations undertaken during stage I;

(2) To reduce further the armaments and armed forces reduced during stage I and to carry out additional measures of disarmament in the manner outlined below;

(3) To insure that the International Disarmament Organization would have the capacity to verify in the agreed manner the obligations undertaken during stage II; and

(4) To strengthen further the arrangements for keeping the peace through the establishment of a United Nations peace force and through the additional measures outlined below.

A. ARMAMENTS

1. Reduction of armaments:

(a) Those parties to the treaty which had during stage I reduced their armaments in agreed categories by 30 percent would during stage II further reduce each type of armaments in the categories listed in section A, subparagraph 1(b) of stage I by 50 percent of the inventory existing at the end of stage I.

(b) Those parties to the treaty which had not been subject to measures for the reduction of armaments during stage I would submit to the International Disarmament Organization an appropriate declaration respecting the inventories by types, within the categories listed in stage I, of their armaments existing at the beginning of stage II. Such parties to the treaty would, during stage II, reduce the inventory of each type of such armaments by 65 percent in order that such parties would accomplish the same total percentage of reduction by the end of stage II as would be accomplished by those parties to the treaty which had reduced their armaments by 30 percent in stage I.

2. Additional armaments subject to reduction:

(a) The parties to the treaty would submit to the International Disarmament Organization a declaration respecting their inventories existing at the beginning of stage II of the additional types of armaments in the categories listed in subparagraph (b) below, and would during stage II reduce the inventory of each type of such armaments by 50 percent.

(b) All types of armaments within further agreed categories would be subject to reduction in stage II (the following list of categories is illustrative):

(1) Armed combat aircraft having an empty weight of up to 2,500 kilograms (declarations by types).

(2) Specified types of unarmed military aircraft (declarations by types).

(3) Missiles and free rockets having a range of less than 10 kilometers (declarations by types).

(4) Mortars and rocket launchers having a caliber of less than 100 mm. (declarations by types).

(5) Specified types of unarmored personnel carriers and transport vehicles (declarations by types).

(6) Combatant ships with standard displacement of 400 tons or greater which had not been included among the armaments listed in stage I, and combatant ships with standard displacement of less than 400 tons (declarations by types).

(7) Specified types of noncombatant naval vessels (declarations by types).

(8) Specified types of small arms (declarations by types).

(c) Specified categories of ammunition for armaments listed in stage I, section A, subparagraph 1(b), and subparagraph (b) above would be reduced to levels consistent with the levels of armaments agreed for the end of stage II.

3. Method of reduction: The foregoing measures would be carried out and would be verified by the International Disarmament Organization in a manner corresponding to that provided for in stage I, section A, paragraph 2.

4. Limitation on production of armaments and on related activities:

(a) The parties to the treaty would halt the production of armaments in the specified categories except for production, within agreed limits, of parts required for maintenance of the agreed retained armaments.

(b) The production of ammunition in specified categories would be reduced to agreed levels consistent with the levels of armaments agreed for the end of stage II.

(c) The parties to the treaty would halt development and testing of new types of armaments. The flight testing of existing types of missiles would be limited to agreed annual quotas.

(d) In accordance with arrangements which would be set forth in the annex on verification, the International Disarmament Organization would verify the foregoing measures at declared locations and would provide assurance that activities subject to the foregoing measures were not conducted at undeclared locations.

5. Additional measures:

(a) In the light of their examination during stage I of the means of accomplishing the reduction and eventual elimination of production and stockpiles of chemical and biological weapons of mass destruction, the parties to the treaty would undertake the following measures respecting such weapons:

(1) The cessation of all production and field testing of chemical and biological weapons of mass destruction.

(2) The reduction, by agreed categories, of stockpiles of chemical and biological weapons of mass destruction to levels 50 percent below those existing at the beginning of stage II.

(3) The dismantling or conversion to peaceful uses of all facilities engaged in the production or field testing of chemical and biological weapons of mass destruction.

(b) The foregoing measures would be carried out in an agreed sequence and through arrangements which would be set forth in an annex to the treaty.

(c) In accordance with arrangements which would be set forth in the annex on verification the International Disarmament

Organization would verify the foregoing measures and would provide assurance that retained levels of chemical and biological weapons did not exceed agreed levels and that activities subject to the foregoing limitations were not conducted at undeclared locations.

B. ARMED FORCES

1. Reduction of armed forces:

(a) Those parties to the treaty which had been subject to measures providing for reduction of force levels during stage I would further reduce their force levels on the following basis:

(1) Force levels of the United States of America and the Union of Soviet Socialist Republics would be reduced to levels 50 percent below the levels agreed for the end of stage I.

(2) Force levels of other parties to the treaty which had been subject to measures providing for the reduction of force levels during stage I would be further reduced, on the basis of an agreed percentage, below the levels agreed for the end of stage I to levels which would not in any case exceed the agreed level for the United States of America and the Union of Soviet Socialist Republics at the end of stage II.

(b) Those parties to the treaty which had not been subject to measures providing for the reduction of armed forces during stage I would reduce their force levels to agreed levels consistent with those to be reached by other parties which had reduced their force levels during stage I as well as stage II. In no case would such agreed levels exceed the agreed level for the United States of America and the Union of Soviet Socialist Republics at the end of stage II.

(c) Agreed levels of armed forces would include all personnel in the categories set forth in section B, paragraph 2, of stage I.

2. Method of reduction: The further reduction of force levels would be carried out and would be verified by the International Disarmament Organization in a manner corresponding to that provided for in section B, paragraph 3, of stage I.

3. Additional measures: Agreed limitations consistent with retained force levels would be placed on compulsory military training and on refresher training for reserve forces of the parties to the treaty.

C. NUCLEAR WEAPONS

1. Reduction of nuclear weapons: In the light of their examination during stage I of the means of accomplishing the reduction and eventual elimination of nuclear weapons stockpiles, the parties to the treaty would undertake to reduce in the following manner, remaining nuclear weapons and fissionable materials for use in nuclear weapons:

(a) The parties to the treaty would submit to the International Disarmament Organization a declaration stating the amounts, types, and nature of utilization of all their fissionable materials.

(b) The parties to the treaty would reduce the amounts and types of fissionable materials declared for use in nuclear weapons to minimum levels on the basis of agreed percentages. The foregoing reduction would be accomplished through the transfer of such materials to purposes other than use in nuclear weapons. The purpose for which such materials would be used would be determined by the state to which the materials belonged, provided that such materials were not used in nuclear weapons.

(c) The parties to the treaty would destroy the nonnuclear components and assemblies of nuclear weapons from which fissionable materials had been removed to effect the foregoing reduction of fissionable materials for use in nuclear weapons.

(d) Production or refabrication of nuclear weapons from any remaining fissionable materials would be subject to agreed limitations.

(e) The foregoing measures would be carried out in an agreed sequence and through arrangements which would be set forth in an annex to the treaty.

(f) In accordance with arrangements that would be set forth in the verification annex to the treaty, the International Disarmament Organization would verify the foregoing measures at declared locations and would provide assurance that activities subject to the foregoing limitations were not conducted at undeclared locations.

2. Registration of nuclear weapons for verification purposes: To facilitate verification during stage III that no nuclear weapons remained at the disposal of the parties to the treaty, those parties to the treaty which possessed nuclear weapons would, during the last 6 months of stage II, register and serialize their remaining nuclear weapons and would register remaining fissionable materials for use in such weapons. Such registration and serialization would be carried out with the International Disarmament Organization in accordance with procedures which would be set forth in the annex on verification.

D. MILITARY BASES AND FACILITIES

1. Reduction of military bases and facilities: The parties to the treaty would dismantle or convert to peaceful uses agreed military bases and facilities, wherever they might be located.

2. Method of reduction:

(a) The list of military bases and facilities subject to the foregoing measures and the sequence and arrangements for dismantling or converting them to peaceful uses would be set forth in an annex to the treaty.

(b) In accordance with arrangements which would be set forth in the annex on verification, the International Disarmament Organization would verify the foregoing measures.

E. REDUCTION OF THE RISK OF WAR

In the light of the examination by the International Commission on Reduction of the Risk of War during stage I the parties to the treaty would undertake such additional arrangements as appeared desirable to promote confidence and reduce the risk of war. The parties to the treaty would also consider extending and improving the measures undertaken in stage I for this purpose. The Commission would remain in existence to examine extensions, improvements, or additional measures which might be undertaken during and after stage II.

F. THE INTERNATIONAL DISARMAMENT ORGANIZATION

The International Disarmament Organization would be strengthened in the manner necessary to ensure its capacity to verify the measures undertaken in stage II through an extension of the arrangements based upon the principles set forth in section G, paragraph 3, of stage I.

G. MEASURES TO STRENGTHEN ARRANGEMENTS FOR KEEPING THE PEACE

1. Peaceful settlement of disputes:

(a) In light of the study of peaceful settlement of disputes conducted during stage I, the parties to the treaty would agree to such additional steps and arrangements as were necessary to assure the just and peaceful settlement of international disputes, whether legal or political in nature.

(b) The parties to the treaty would undertake to accept without reservation, pursuant to article 36, paragraph (1), of the Statute of the International Court of Justice, the compulsory jurisdiction of that Court to decide international legal disputes.

2. Rules of international conduct:

(a) The parties to the treaty would continue their support of the study by the subsidiary body of the International Disarmament Organization initiated in stage I to study the codification and progressive development of rules of international conduct related to disarmament. The parties to the treaty would agree to the establishment of procedures whereby rules recommended by the subsidiary body and approved by the Control Council would be circulated to all parties to the treaty and would become effective 3 months thereafter unless a majority of the parties to the treaty signified their disapproval, and whereby the parties to the treaty would be bound by rules which had become effective in this way unless, within a period of 1 year from the effective date they formally notified the International Disarmament Organization that they did not consider themselves so bound. Using such procedures, the parties to the treaty would adopt such rules of international conduct related to disarmament as might be necessary to begin stage III.

(b) In the light of the study of indirect aggression and subversion conducted in stage I, the parties to the treaty would agree to arrangements necessary to assure states against indirect aggression and subversion.

3. United Nations Peace Force: The United Nations Peace Force to be established as the result of the agreement reached during stage I would come into being within the first year of stage II and would be progressively strengthened during stage II.

4. United Nations Peace Observation Corps: The parties to the treaty would conclude arrangement for the expansion of the activities of the United Nations Peace Observation Corps.

5. National legislation: Those parties to the treaty which had not already done so would, in accordance with their constitutional processes, enact national legislation in support of the treaty imposing legal obligations on individuals and organizations under their jurisdiction and providing appropriate penalties for noncompliance.

H. TRANSITION

1. During the last 3 months of stage II, the Control Council would review the situation respecting the following listed circumstances with a view to determining, in the light of specified criteria, whether these circumstances existed at the end of stage II:

(a) All undertakings to be carried out in stage II had been carried out;

(b) All preparations required for stage III had been made; and

(c) All states possessing armed forces and armaments had become parties to the treaty.

2. Transition from stage II to stage III would take place at the end of stage II or at the end of any periods of extension of stage II, upon a determination, in the light of specified criteria, by affirmative vote of two-thirds of the members of the Control Council, including at least the United States and the Union of Soviet Socialist Republics, that the foregoing circumstances existed.

3. If, at the end of stage II, one or more permanent members of the Control Council should declare that the foregoing circumstances did not exist, the agreed period of stage II would, upon the request of such permanent member or members, be extended by a period or periods totaling no more than 3 months for the purpose of bringing about the foregoing circumstances.

4. Upon the expiration of such period or periods, the Control Council would again consider whether the foregoing circumstances did in fact exist and would vote upon transition in the manner specified in paragraph 2 above.

STAGE III

Stage III would begin upon the transition from stage II and would be completed within an agreed period of time as promptly as possible.

During stage III, the parties to the treaty would undertake:

1. To continue all obligations undertaken during stages I and II;

2. To complete the process of general and complete disarmament in the manner outlined below;

3. To insure that the International Disarmament Organization would have the capacity to verify in the agreed manner the obligations undertaken during stage III and of continuing verification subsequent to the completion of stage III; and

4. To strengthen further the arrangements for keeping the peace during and following the achievement of general and complete disarmament through the additional measures outlined below.

A. ARMAMENTS

1. Reduction of armaments: Subject to agreed requirements for nonnuclear armaments of agreed types for national forces required to maintain internal order and protect the personal security of citizens, the parties to the treaty would eliminate all armaments remaining at their disposal at the end of stage II.

2. Method of reduction:

(a) The foregoing measure would be carried out in an agreed sequence and through arrangements that would be set forth in an annex to the treaty.

(b) In accordance with arrangements that would be set forth in the annex on verification, the International Disarmament Organization would verify the foregoing measures and would provide assurance that retained armaments were of the agreed types and did not exceed agreed levels.

3. Limitations on production of armaments and on related activities:

(a) Subject to agreed arrangements in support of national forces required to maintain internal order and protect the personal security of citizens and subject to agreed arrangements in support of the United Nations Peace Force, the parties to the treaty would halt all applied research, development, production, and testing of armaments and would cause to be dismantled or converted to peaceful uses all other facilities for such purposes.

(b) The foregoing measures would be carried out in an agreed sequence and through arrangements which would be set forth in an annex to the treaty.

(c) In accordance with arrangements which would be set forth in the annex on verification, the International Disarmament Organization would verify the foregoing measures at declared locations and would provide assurance that activities subject to the foregoing measures were not conducted at undeclared locations.

B. ARMED FORCES

1. Reduction of armed forces: To the end that upon completion of stage II they would have at their disposal only those forces and organizational arrangements necessary for agreed forces to maintain internal order and protect the personal security of citizens and that they would be capable of providing agreed manpower for the United Nations Peace Force, the parties to the treaty would complete the reduction of their force levels, disband systems of reserve forces, cause to be disbanded organizational arrangements comprising and supporting their national military establishment, and terminate the employment of civilian personnel associated with the foregoing.

2. Method of reduction:

(a) The foregoing measures would be carried out in an agreed sequence through arrangements which would be set forth in an annex to the treaty.

(b) In accordance with arrangements which would be set forth in the annex on verification, the International Disarmament Organization would verify the foregoing measures and would provide assurance that the only forces and organizational arrangements retained or subsequently established were those necessary for agreed forces required to maintain internal order and to protect the personal security of citizens and those for providing agreed manpower for the United Nations Peace Force.

3. Other limitations: The parties to the treaty would halt all military conscription and would undertake to annul legislation concerning national military establishments or military service inconsistent with the foregoing measures.

C. NUCLEAR WEAPONS

1. Reduction of nuclear weapons: In light of the steps taken in stages I and II to halt the production of fissionable material for use in nuclear weapons and to reduce nuclear weapons stockpiles, the parties to the treaty would eliminate all nuclear weapons remaining at their disposal, would cause to be dismantled or converted to peaceful use all facilities for production of such weapons, and would transfer all materials remaining at their disposal for use in such weapons to purposes other than use in such weapons.

2. Method of reduction:

(a) The foregoing measures would be carried out in an agreed sequence and through arrangements which would be set forth in an annex to the treaty.

(b) In accordance with arrangements which would be set forth in the annex on verification, the International Disarmament Organization would verify the foregoing measures and would provide assurance that no nuclear weapons or materials for use in such weapons remained at the disposal of the parties of the treaty and that no such weapons or materials were produced at undeclared facilities.

D. MILITARY BASES AND FACILITIES

1. Reduction of military bases and facilities: The parties to the treaty would dismantle or convert to peaceful uses the military bases and facilities remaining at their disposal, wherever they might be located, in an agreed sequence except for such agreed bases or facilities within the territory of the parties to the treaty for agreed forces required to maintain internal order and protect the personal security of citizens.

2. Method of reduction:

(a) The list of military bases and facilities subject to the foregoing measures and the sequence and arrangements for dismantling or converting them to peaceful uses during stage III would be set forth in an annex to the treaty.

(b) In accordance with arrangements which would be set forth in the annex on verification, the International Disarmament Organization would verify the foregoing measure at declared locations and provide assurance that there were no undeclared military bases and facilities.

E. RESEARCH AND DEVELOPMENT OF MILITARY SIGNIFICANCE

1. Reporting requirement: The parties to the treaty would undertake the following measures respecting research and development of military significance subsequent to stage III:

(a) The parties to the treaty would report to the International Disarmament Organization any basic scientific discovery and any technological invention having potential military significance.

(b) The control council would establish such expert study groups as might be required to examine the potential military significance of such discoveries and inventions and, if necessary, to recommend appropriate measures for their control. In the light of such expert study, the parties to the treaty would, where necessary, establish agreed arrangements providing for verification by the International Disarmament Organization that such discoveries and inventions were not utilized for military purposes. Such arrangements would become an annex to the treaty.

(c) The parties to the treaty would agree to appropriate arrangements for protection of the ownership rights of all discoveries and inventions reported to the International Disarmament Organization in accordance with subparagraph (a) above.

2. International cooperation: The parties to the treaty would agree to support full international cooperation in all fields of scientific research and development, and to engage in free exchange of scientific and technical information and free interchange of views among scientific and technical personnel.

F. REDUCTION OF THE RISK OF WAR

1. Improved measures: In the light of the stage II examination by the International Commission on Reduction of the Risk of War, the parties to the treaty would undertake such extensions and improvements of existing arrangements and such additional arrangements as appeared desirable to promote confidence and reduce the risk of war. The Commission would remain in existence to examine extensions, improvements, or additional measures which might be taken during and after stage III.

2. Application of measures to continuing forces: The parties to the treaty would apply to national forces required to maintain internal order and protect the personal security of citizens those applicable measures concerning the reduction of the risk of war that had been applied to national armed forces in stages I and II.

G. INTERNATIONAL DISARMAMENT ORGANIZATION

The International Disarmament Organization would be strengthened in the manner necessary to insure its capacity (1) to verify the measures undertaken in stage III through an extension of arrangements based upon the principles set forth in section G, paragraph 3 of stage I so that by the end of stage III, when all disarmament measures had been completed, inspection would have been extended to all parts of the territory of parties to the treaty; and (2) to provide continuing verification of disarmament after the completion of stage III.

H. MEASURES TO STRENGTHEN ARRANGEMENTS FOR KEEPING THE PEACE

1. Peaceful change and settlement of disputes: The parties to the treaty would undertake such additional steps and arrangements as were necessary to provide a basis for peaceful change in a disarmed world and to continue the just and peaceful settlement of all international disputes, whether legal or political in nature.

2. Rules of international conduct: The parties to the treaty would continue the codification and progressive development of rules of international conduct related to disarmament in the manner provided in stage II and by any other agreed procedure.

3. United Nations Peace Force: The parties to the treaty would progressively strengthen the United Nations Peace Force established in stage II until it had sufficient armed forces and armaments so that no state could challenge it.

I. COMPLETION OF STAGE III

1. At the end of the time period agreed for stage III, the Control Council would review the situation with a view to determining whether all undertakings to be carried out in stage III had been carried out.

2. This determination would be made by affirmative vote of two-thirds of the members of the Control Council, including at least the United States and the Union of Soviet Socialist Republics. If an affirmative determination were made, stage III would be deemed completed.

3. In the event that one or more of the permanent members of the control council should declare that such undertakings had not been carried out, the agreed period of stage III would, upon the request of such permanent member or members, be extended for a period or periods totaling no more than 3 months for the purpose of

completing any uncompleted undertakings. Upon the expiration of such period or periods, the control council would again consider whether such undertakings had been carried out and would vote upon the question in the manner specified in paragraph 2 above.

4. After the completion of stage III, the obligations undertaken in stages I, II, and III would continue.

GENERAL PROVISIONS APPLICABLE TO ALL STAGES

1. Subsequent modifications or amendments of the treaty: The parties to the treaty would agree to specific procedures for considering amendments or modifications of the treaty which were believed desirable by any party to the treaty in the light of experience in the early period of implementation of the treaty. Such procedures would include provision for a conference on revision of the treaty after a specified period of time.

2. Interim agreement: The parties to the treaty would undertake such specific arrangements, including the establishment of a preparatory commission, as were necessary between the signing and entry into force of the treaty to insure the initiation of stage I immediately upon the entry into force of the treaty, and to provide an interim forum for the exchange of views and information on topics relating to the treaty and to the achievement of a permanent stage of general and complete disarmament in a peaceful world.

3. Parties to the treaty, ratification, accession and entry into force of the treaty:

(a) The treaty would be open to signature and ratification, or accession by all members of the United Nations or its specialized agencies.

(b) Any other stage which desired to become a party to the treaty could accede to the treaty with the approval of the conference on recommendation of the control council.

(c) The treaty would come into force when it had been ratified by ------ states, including the United States of America, the Union of Soviet Socialist Republics, and an agreed number of the following states:

- -

(d) In order to assure the achievement of the fundamental purpose of a permanent state of general and complete disarmament in a peaceful world, the treaty would specify that the accession of certain militarily significant states would be essential for the continued effectiveness of the treaty or for the coming into force of particular measures or stages.

(e) The parties to the treaty would undertake to exert every effort to induce other states or authorities to accede to the treaty.

(f) The treaty would be subject to ratification or acceptance in accordance with constitutional processes.

(g) A depository government would be agreed upon which would have all of the duties normally incumbent upon a depository. Alternatively, the United Nations would be the depository.

4. Finance:

(a) In order to meet the financial obligations of the International Disarmament Organization, the parties to the treaty would bear the International Disarmament Organization's expenses as provided in the budget approved by the general conference and in accordance with a scale of apportionment approved by the general conference.

(b) The general conference would exercise borrowing powers on behalf of the International Disarmament Organization.

5. Authentic texts: The text of the treaty would consist of equally authentic versions in English, French, Russian, Chinese, and Spanish.

APPENDIX III

THE UNITED KINGDOM AND THE UNITED STATES OF AMERICA

(Draft treaty banning nuclear weapon tests in all environments)

PREAMBLE

The Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America,

Desirous of ending permanently all nuclear weapon test explosions,

Have agreed as follows:

ARTICLE I—OBLIGATIONS TO DISCONTINUE

Each of the parties to this treaty undertakes, subject to the provisions of this treaty:

(a) to prohibit and prevent the carrying out of nuclear weapon test explosions at any place under its jurisdiction or control; and

(b) to refrain from causing, encouraging, or in any way participating in, the carrying out of nuclear weapon test explosions anywhere.

ARTICLE II—ESTABLISHMENT OF THE INTERNATIONAL SCIENTIFIC COMMISSION

1. The carrying out of the obligations assumed in articles I and IX of this treaty shall be verified by an International Scientific Commission, hereinafter referred to as the "Commission." The Commission shall include an international staff, hereinafter referred to as the "staff," and a verification system, hereinafter referred to as the "system."

2. Each of the parties undertakes to cooperate promptly and fully in the establishment and effective organization of the Commission. Each of the parties also undertakes to cooperate promptly and fully in carrying out the measures of verification set forth in this treaty and in any agreements which the parties may conclude with the Commission.

ARTICLE III—FUNCTIONS OF THE INTERNATIONAL SCIENTIFIC COMMISSION

1. The Commission shall have general responsibility for the collection of data on, and the reporting of, all events which could be suspected of being nuclear weapon test explosions, and for making positive identification of the nature and origin of such events wherever possible.

2. The Commission shall maintain supervision of all elements of the system in order to insure that such elements function in an integrated manner. For this purpose the Commission shall establish and monitor adherence to standards for the operation, calibration and coordination of all elements of the system.

3. The Commission may consult with the parties concerning the nature of any unidentified event which could be suspected of being a nuclear weapon test explosion and, on the basis of available data, may issue to all parties a report concerning the nature and origin of any event reported to it by the staff.

4. The Commission, by majority vote including the concurring votes of the permanent members, shall approve the total amount of its annual budget.

5. The Commission shall arrange for observers to be permanently stationed at, and to make periodic visits to, elements of the system in order to insure that established procedures for the rapid, coordinated and reliable collection of data are being followed.

6. The Commission may enter into an agreement with any State or authority to aid in carrying out the provisions of this treaty.

7. The Commission shall establish such laboratories and other facilities as it deems necessary for the carrying out of the tasks assigned to it under this treaty.

8. The Commission, by majority vote including the concurring votes of the permanent members, shall appoint an executive officer to assist it in carrying out its functions.

9. The Commission shall conduct, and shall facilitate the participation of members of the staff in, programs of basic scientific research to improve the capability of the Commission to perform its functions under the present treaty and to insure the use of the most efficient and up-to-date methods of verification of the obligations undertaken by the parties to this treaty.

10. The permanent members of the Commission shall arrange for a conference of parties to the treaty to be held when, in the opinion of the permament members, a sufficient number of states have become parties to it, in order to hold the elections referred to in paragraph 1b of article IV. Such conference shall be held, in any event, when ——— number of states, including the permanent members, have become parties.

11. Approximately every 3 years thereafter, the Commission shall invite the parties to a conference in order to hold subsequent elections to the Commission.

12. The Commission may arrange for a conference, at any time it deems appropriate, in order to discuss matters pertaining to the treaty.

ARTICLE IV—ORGANIZATION AND PROCEDURES OF THE INTERNATIONAL SCIENTIFIC COMMISSION

1. The Commission shall be composed of 15 members. They shall be selected as follows:

(a) The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, shall be permanent members.

(b) Twelve other members shall be elected by majority vote of the parties present and voting in the conference described in paragraphs 10 and 11 of article III, of which—

(i) three shall be from among parties nominated by the Union of Soviet Socialist Republics;

(ii) two shall be from among parties nominated jointly by the United Kingdom of Great Britain and Northern Ireland and the United States of America;

(iii) seven shall be from among parties nominated jointly by the permanent members of the Commission on as wide a geographical basis as possible.

(c) To the extent that any nominations called for in paragraph 1b of this article are not made, the parties to the treaty shall elect, at the conferences described in paragraphs 10 and 11 of article III, the remaining members of the Commission from among all of the parties.

2. The members elected to the first Commission shall serve for 3 years from their election. Regular elections shall be held triennially thereafter, and those members elected to the Commission shall serve until replaced or reelected at the next triennial election.

3. Each member of the Commission shall have one vote. All decisions, unless otherwise specified in this treaty, shall be taken by a simple majority of the members present and voting.

4. Any party to the treaty which is not a member of the Commission may participate, without vote, in the discussion of any question brought before the Commission whenever the latter considers that the interests of that party are specifically affected.

5. The Commission shall meet at such times as it may determine or within 24 hours at the request of any member.

6. The permanent members shall carry out the functions of the Commission until it has been established pursuant to paragraph 1 of this article. In doing so, the permanent members shall act by unanimous agreement. They shall cooperate in encouraging

other states to become parties and they shall take prompt action to nominate parties, as provided in paragraph 1b of this article, for the purpose of insuring selection of membership in the Commission at the earliest possible date.

7. The headquarters of the Commission shall be located at———.

ARTICLE V—FUNCTIONS OF THE INTERNATIONAL STAFF

1. The staff shall assist the Commission in carrying out its functions.

2. The staff shall supervise the collection of data by all elements of the system and shall provide the observers who are to be stationed at and make visits to elements of the system for the purposes specified in paragraph 5 or article III.

3. The staff shall provide the personnel for the manning of such international elements of the system as may be established by the Commission.

4. The staff shall analyse data collected by the system in accordance with such standards as are set forth in this treaty and as may be set forth by the Commission, and shall forward to the Commission reports on all such data. Such data and reports shall be available for the inspection of any party upon request.

5. The system shall, in accordance with procedures and standards prescribed by the Commission, collect and report to the staff, within 24 hours after detection of any event which could be suspected of being a nuclear weapon test explosion, all data received relating to the detection, location, and identification of the event. Thereafter, additional data, if any, relating to the event shall be reported to the staff as it becomes available.

6. The staff shall provide technical instruction for personnel operating elements of the system.

ARTICLE VI—ORGANIZATION OF THE INTERNATIONAL STAFF

1. The executive officer shall be responsible to the Commission and, under its supervision, shall carry out its policy directives. His appointment shall extend for a period of 4 years. The executive officer shall be subject to removal from office by the Commission if, as a result of failure on his part to comply with the directives of the Commission or for any other reason, the Commission decides that it no longer has confidence in him. Any such decision, and the exercise of the power of removal, shall require the concurring votes of 11 members of the Commission.

2. Subject to regulations approved by the Commission the executive officer shall recruit, organize and oversee the functioning of the staff.

3. The staff shall include such qualified scientific, technical, and other personnel as may be required to fulfill its functions, and paramount consideration shall be given to obtaining officials of the highest standards, efficiency, technical competence and integrity. Subject to this princple, the executive officer shall also give consideration to the selection of personnel who are nationals of states which have participated in, or intend to participate in, the establishment of elements of the system.

4. The executive officer shall also be guided by the considerations that the permanent staff shall be kept to the minimum necessary to perform its assigned tasks and that personnel should be obtained on as wide a geographical basis as possible.

5. In the performance of their duties, the executive officer and the staff shall not seek or receive instructions from any government or from any other authority external to the Commission. Each party undertakes to respect the exclusively international character of the responsibilities of the executive officer and the staff and not to seek to influence them in the discharge of their responsibilities.

ARTICLE VII—ORGANIZATION OF THE VERIFICATION SYSTEM

1. The system shall consist of the integrated elements described in the annex on verification, together with such additions as the Commission deems desirable. It shall be designed to insure the rapid and reliable collection and reporting of data. It shall include the following classes of stations:

(a) Stations to be constructed at sites listed in the verification annex. Each such station shall be maintained and manned, in accordance with specifications established by the Commission, by nationals of the state in whose territory such station is located. The construction of and equipment for each such station shall be paid for by the Commission and the personnel for each such station shall be trained by the Commission. All parties in whose territories such stations are located agree to accept observers at such stations for the purposes specified in paragraph 5 of article III.

(b) Existing stations to be provided, maintained, and manned by the Commission in agreement with individual parties as requested by and in agreement with the Commission.

(c) Stations to be constructed, maintained and manned by the Commission in agreement with individual parties if the Commission deems such stations desirable.

(d) Such detection instruments in outer space, in the atmosphere, and on and beneath the surface of the earth (including the waters thereof) as the Commission may deem desirable. These may be provided, maintained and manned by the Commission or by particular parties, as the Commission may determine.

2. The parties to this treaty agree to cooperate in the establishment (including the provision of suitable sites), operation, expansion, calibration and standardization of all elements of the system and in providing the Commission with such assistance, equipment or data as may be useful to the Commission in performing its functions.

3. The parties to this treaty agree to ensure that within 6 months from the entry into force of this treaty, all existing stations referred to in paragraph 1b of this article will commence operation in accordance with the provisions of this treaty. They also agree to ensure that within 12 months the stations referred to in paragraph 1a of this article will be constructed and commence operation in accordance with such provisions.

4. In accordance with standards set forth by the Commission, stations referred to in paragraph 1a of this article shall maintain continuous operation of such equipment as the Commission deems desirable for each station including the following: apparatus for the collection of radioactive debris and for the recording of fluorescence of the upper atmosphere, visible light, cosmic noise absorption, telluric currents, resonance scattering of sunlight, acoustic waves, seismic waves, and electromagnetic signals. Stations on islands or near the shorelines of oceans shall, in addition, maintain continuous operation of apparatus for the recording of hydroacoustic waves, fluorescence of the upper atmosphere and visible light as deemed desirable by the Commission.

ARTICLE VIII—ON-SITE INSPECTION

1. The executive officer shall certify immediately by public notice at the headquarters of the staff whenever he determines that a seismic event has been located pursuant to paragraph 2 of this article and not eliminated from consideration pursuant to paragraph 3. The executive officer shall make every effort to make this certification within 72 hours after the location of the event.

2. A seismic event shall be considered located when seismic signals, whose frequencies, amplitudes, durations, and velocities are consistent with those of waves from earthquakes or explosions, are recorded at a sufficient number of stations to establish the approximate time and position of the event. This requires at least four clearly measurable arrival times of identifiable phases which are mutually consistent to within plus or minus 3 seconds. These four mutually consistent arrival times must include P-wave arrival times at three different detections stations.

3. A located seismic event shall not be suspected of being a nuclear weapon test explosion if it fulfills one or more of the following criteria:

(a) Its depth of focus is established as below 60 kilometers;

(b) Its epicentral location is established in the deep ocean, and the event is unaccompanied by a hydroacoustical signal consistent with the seismic epicenter and origin time;

(c) It is established to be a foreshock of aftershock of a seismic event of at least magnitude six which has clearly been identified as an earthquake by the criteria in subparagraphs a and b of this paragraph. For this purpose a foreshock must occur as part of a sequence of earthquakes less than 48 hours before the main shock, and an aftershock must occur as part of a sequence of earthquakes less than a week after the main shock, and their epicenters must have been located within 10 kilometers of the epicenter of the main shock.

4. Data provided by stations in territory under the jurisdiction or control of a state in which the event may be located may not be used to render it ineligible for inspection but may be used to assist in establishing its eligibility for inspection.

5. When a seismic event has been certified pursuant to paragraph 1 of this article, the executive officer shall designate an area lying within the circumference of a circle, the radius of which is ——— kilometers, and the center of which is the location of the epicenter of that event.

6. On-site inspection of areas designated by the executive officer pursuant to paragraph 5 of this article shall be carried out pursuant to this article:

(a) On territory under the jurisdiction or control of the United States of America or the United Kingdom of Great Britain and Northern Ireland, if requested by the Union of Soviet Socialist Republics;

(b) On territory under the jurisdiction or control of the Union of Soviet Socialist Republics, if requested by the United States of America or the United Kingdom of Great Britain and Northern Ireland;

(c) On territory under the jurisdiction or control of any other party, if directed by the Commission.

7. Any party having jurisdiction or control over territory on which an on-site inspection is requested or directed pursuant to paragraph 6 of this article shall make the necessary arrangements to facilitate the prompt on-site inspection of the area designated pursuant to paragraph 5 of this article.

8. The maximum number of inspections which may be requested in territory under the jurisdiction or control of a permanent member of the Commission shall be ——— in each annual period. The maximum number of inspections which may be directed in territory under the jurisdiction or control of a party not a permanent member of the Commission shall be three in each annual period, or such higher number as the Commission, after consultation with the Party, may determine by a two-thirds majority of those present and voting.

9. For territory under the jurisdiction or control of permanent members of the Commission, not more than ——— percent of the annual number of inspections provided for in paragraph 8 of this article shall be carried out each year in the aseismic area of that territory described in the annex on verification.

10. The on-site inspections, when requested or directed in accordance with paragraph 6 of this article, shall be carried out by teams organized by the executive officer. In forming the teams, the executive officer shall insure the adequate representation of scientific and technical skills and shall avoid composition which would result in inspection of territory under the jurisdiction or control of a state by any nationals of that state. The leader of a team shall be appointed by the executive officer from among its members.

11. Each of the parties undertakes to give inspection teams, dispatched pursuant to this article, immediate and undisputed access to the area in which an on-site inspection is to be conducted, to refrain from interference with any operation of an inspection team and to give such teams the assistance they may require in the performance of their mission.

ARTICLE IX—EXPLOSIONS FOR PEACEFUL PURPOSES

The explosion of any nuclear device for peaceful purposes may be conducted only:

(1) If unanimously agreed to by the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America; or

(2) If carried out in accordance with an annex hereto.

ARTICLE X—RELATIONSHIPS WITH OTHER INTERNATIONAL ORGANIZATIONS

1. The Commission is authorized to enter into agreements establishing appropriate relationships between the Commission and the United Nations or any of its specialized agencies.

2. The Commission may make appropriate arrangements for the Commission, staff, and system to become a part of, or to enter into an appropriate relationship with, an international disarmament organization, or any international organization which may in the future be established among any of the parties to this treaty to supervise disarmament or related measures.

ARTICLE XI—PERIODIC REVIEW

1. One year after the coming into force of this treaty, and annually thereafter, the Commission shall review the treaty and the operations of the staff and system in order to:

(a) Evaluate their effectiveness for verifying compliance with the obligations undertaken in articles I and IX;

(b) Recommend any improvements in the system which the Commission deems desirable, particularly with respect to the identification of nuclear explosions;

(c) Recommend any changes in the quotas of on-site inspections which the Commission deems desirable.

2. The Commission shall:

(a) Communicate the results of such review to all parties to this treaty;

(b) Consider any improvements proposed by any party to this treaty and decide upon the adoption of those which do not require amendments to this treaty; and

(c) Vote upon any amendments to this treaty proposed by any party as a result of such review in accordance with the provisions of article XVI.

ARTICLE XII—FINANCE

1. The annual budget shall be drawn up by the executive officer of the staff and approved by the Commission in accordance with paragraph 4 of article III.

2. Parties to this treaty shall contribute to the expenses of the annual budget in accordance with the following scale:

(a) —— percent contributed by the permanent members as follows:

(i) —— percent of the annual budget by the Union of Soviet Socialist Republics;

(ii) —— percent of the annual budget by the United Kingdom of Great Britain and Northern Ireland;

(iii) —— percent of the annual budget by the United States of America.

(b) —— percent contributed by the remaining members of the Commission in equal shares.

ARTICLE XIII—WITHDRAWAL

1. If any party to this treaty determines:

(a) that the obligations contained in articles I or IX of this treaty have not been fulfilled,

(b) that any other obligations under the treaty, including those relating to arrangements for on-site inspections, have not been fulfilled and that such nonfulfillment might jeopardize the determining party's national security,

(c) that nuclear explosions have been conducted by a state not a party to this treaty under circumstances which might jeopardize the determining party's national security, or

(d) that nuclear explosions have occurred under circumstances in which it is not possible to identify the state conducting the explosions and that such explosions, if conducted by a party to this treaty, would violate the treaty or, if not conducted by a party, might jeopardize the determining party's national security, it may submit to the depositary government a request for the convening of a conference to which all the parties to this treaty shall be invited, and the depositary government shall convene such a conference as soon after its receipt of the request as may be practicable. The request from the determining party to the depositary government shall be accompanied by a statement of the evidence on which the determination was based.

2. The conference shall, taking into account the statement of evidence provided by the determining party and any other relevant information, examine the facts and assess the significance of the situation.

3. After the conclusion of the conference or after the expiration of a period of 60 days from the date of the receipt of the request for the conference by the depositary government, whichever is the earlier, any party to this treaty, may, if it deems withdrawal to the depositary government. Such withdrawal shall take effect on the date specified in the notice, which shall in no event be earlier than 60 days from receipt of the notice by the depositary government. The notice shall be accompanied by a detailed statement of the reasons for the withdrawal.

ARTICLE XIV—PRIVILEGES AND IMMUNITIES

The privileges and immunities which the Commission, the staff, and the representatives of parties shall be granted by the parties, and the legal capacity which the Commission shall enjoy in the territory of each of the parties, shall be set forth in annex —— of this treaty.

ARTICLE XV—SIGNATURE, RATIFICATION, ACCESSION, ENTRY INTO FORCE AND REGISTRATION

1. This treaty shall be open until ——— to all states for signature. Any state which does not sign this treaty may accede to it anytime.

2. This treaty shall be subject to ratification by signatory states. Instruments of ratification and instruments of accession shall be deposited with the Government of ———, which is hereby designated the depositary government.

3. This treaty shall enter into force on ——— for states which have deposited instruments of ratification or accession on or before that date, provided that the ratifications deposited include those of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America. If ratifications by all three of the states specified in the preceding sentence are not deposited on or before ———, this treaty shall enter into force on the date on which ratifications by all of them have been deposited.

4. Instruments of ratification or accession deposited subsequent to the entry into force of this treaty shall become binding on the date of deposit.

5. The depositary government shall promptly inform all signatory and acceding states of the date of each signature, the date of deposit of each ratification of and accession to this treaty, the date of its entry into force, and the date of receipt of any requests for conferences, or any notices of withdrawal pursuant to article XIII.

6. This treaty shall be registered by the depositary government pursuant to article 102 of the Charter of the United Nations.

ARTICLE XVI—AMENDMENTS

Any amendment to this treaty must be approved by a vote of two-thirds of the Commission including the concurring votes of the permanent members, and shall enter into force for all parties upon the deposit for ratifications by two-thirds of the parties, including ratification by the permanent members of the Commission.

ARTICLE XVII—ANNEXES

The annexes to the present treaty constitute an integral part thereof, any signature, ratification of, or accession to this treaty shall apply to both the treaty and the annexes. The phrase "this treaty" shall include all annexes hereto.

ARTICLE XVIII—AUTHENTIC TEXTS

This treaty, done in the English and Russian languages, each version being equally authentic, shall be deposited in the archives of the depositary government, which shall transmit certified copies thereof to the Governments of the signatory and acceding states.

In witness whereof the undersigned, duly authorized, have signed this treaty,

Done at ———, this ——— day of ———, 1962.

APPENDIX IV

United Kingdom and United States of America—Draft Treaty Banning Nuclear Weapon Tests in the Atmosphere, Outer Space, and Underwater

PREAMBLE

The Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, hereinafter referred to as the "original parties,"

Desirous of bringing about the permanent discontinuance of all nuclear weapon test explosions, and determined to continue negotiations to this end,

Confident that immediate discontinuance of nuclear weapon test explosions in the atmosphere, in outer space, and in the oceans will facilitate progress toward the early agreement providing for the permanent and verified discontinuance of nuclear weapon test explosions in all environments,

Have agreed as follows:

ARTICLE I—OBLIGATIONS

1. Each of the parties to this treaty undertakes to prohibit and prevent the carrying out of any nuclear weapon test explosion at any place under its jurisdiction or con-

trol (a) in the atmosphere, above the atmosphere, or in territorial or high seas; or (b) in any other environment if such explosion causes radioactive debris to be present outside the territorial limits of the state under whose jurisdiction or control such explosion is conducted.

2. Each of the parties to this treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion anywhere which would take place in any of the environments described, or have the effect proscribed, in paragraph 1 of this article.

ARTLCLE II—EXPLOSIONS FOR PEACEFUL PURPOSES

The explosion of any nuclear device for peaceful purposes which would take place in any of the environments described, or would have the effect proscribed, in paragraph I of article I may be conducted only (1) if unanimously agreed to by the original parties; or (2) if carried out in accordance with an annex hereto, which annex shall constitute an integral part of this treaty.

ARTICLE III—WITHDRAWAL

1. If any party to this treaty determines:

(a) that any other party has not fulfilled its obligations under this treaty,

(b) that nuclear explosions have been conducted by a state not a party to this treaty under circumstances which might jeopardize the determining party's national security, or

(c) that nuclear explosions have occurred under circumstances in which it is not possible to identify the state conducting the explosions and that such explosions, if conducted by a party to this treaty, would violate the treaty or, if not conducted by a party, might jeopardize the determining party's national security,

it may submit to the depositary government a request for the convening of a conference to which all the parties to this Treaty shall be invited, and the depositary government shall convene such a conference as soon after its receipt of the request as may be practicable. The request from the determining party to the depositary government shall be accompanied by a statement of the evidence on which the determination was based.

2. The conference shall, taking into account the statement of evidence provided by the determining party, and any other relevant information, examine the facts and assess the significance of the situation.

3. After the conclusion of the conference or after the expiration of a period of 60 days from the date of the receipt of the request for the conference by the depositary government, whichever is the earlier, any party to this treaty may, if it deems withdrawal from the treaty necessary for its national security, give notice of such withdrawal to the depositary government. Such withdrawal shall take effect on the date specified in the notice, which shall in no event be earlier than 60 days from receipt of the notice by the depositary government. The notice shall be accompanied by a detailed statement of the reasons for the withdrawal.

ARTICLE IV—AMENDMENTS

1. Any party may propose amendments to this treaty. The text of any proposed amendment shall be submitted to the depositary government which shall circulate it to all parties. Thereafter, if requested to do so by one-third or more of the parties, the depositary government shall convene a conference, to which it shall invite all the parties, to consider such amendment.

2. Any amendment to this treaty or its annex must be approved by a vote of two-thirds of the parties, including all of the original parties to this treaty. It shall enter into force for all parties upon the deposit of ratifications by two-thirds of the parties, including ratification by the original parties.

ARTICLE V—SIGNATURE, RATIFICATION, ACCESSION, ENTRY INTO FORCE AND REGISTRATION

1. This treaty shall be open until ——— to all states for signature. Any state which does not sign this treaty may accede to it at any time.

2. This treaty shall be subject to ratification by signatory states. Instruments of ratification and instruments of accession shall be deposited with the government of ———, which is hereby designated the depositary government.

3. This treaty shall enter into force on ——— for states which have deposited instruments of ratification or accession on or before that date, provided that the ratifications deposited include those of the original parties. If ratifications by all three original parties are not deposited on or before ———, this treaty shall enter into force on the date on which ratifications by all of them have been deposited.

4. Instruments of ratification or accession deposited subsequent to the entry into force of this treaty shall become binding on the date of deposit.

5. The depositary government shall promptly inform all signatory and acceding states of the date of each signature, the date of deposit of each ratification of and accession to this treaty, the date of its entry into force, and the date of receipt of any requests for conferences or notices of withdrawals.

6. This treaty shall be registered by the depositary government pursuant to article 102 of the Charter of the United Nations.

ARTICLE VI—AUTHENTIC TEXTS

This treaty, of which the English and Russian texts are equally authentic, shall be deposited in the archives of the depositary government. Duly certified copies of this treaty shall be transmitted by the depositary government to the governments of the signatory and acceding states.

In witness whereof the undersigned, duly authorized, have signed this treaty.

Done at ———, this ——— day of ———, 1962.

APPENDIX V—OFFICIALS OF THE AGENCY

Director: William C. Foster.

Deputy Director: Adrian S. Fisher.

General Counsel: George Bunn.

Chairman, Disarmament Advisory Staff: Henry A. Byroade.

Public Affairs Adviser: Nedville E. Nordness.

Executive Director: Idar Rimestad.

Chief, Secretariat: Philip J. Halla.

Chief, Reference Research Staff: Charles R. Gellner.

Assistant Director, International Relations Bureau: Jacob D. Beam.

Assistant Director, Science and Technology Bureau: Franklin A. Long.

Assistant Director, Weapons Evaluation and Control Bureau: Vice Adm. Edward N. Parker.

Assistant Director, Economic Bureau: Alexander F. Kiefer, Acting.

APPENDIX VI—THE GENERAL ADVISORY COMMITTEE

Chairman: John J. McCloy of New York, former adviser on disarmament to President Kennedy, was named chairman of the committee. Mr. McCloy is a member of the law firm of Milbank, Tweed, Hope & Hadley; chairman of the board, Chase Manhattan Bank; and former High Commissioner for Germany.

Members:

Roger M. Blough, of Hawley, Pa., chairman of the board of directors of the United States Steel Co.

The Reverend Edward A. Conway, of Omaha, Nebr., professor of political science at Creighton University.

John Cowles, of Minneapolis, Minn., newspaper publisher, editor, and president of the Minneapolis Star & Tribune Co.

Trevor Gardner, of Pasadena, Calif., chairman and president of Hycon Manufacturing Co., and former Assistant Secretary of the Air Force.

George Bogdan Kistiakowsky, of Cambridge, Mass., professor of chemistry at Harvard University and former special assistant to the President for science and technology.

Robert A. Lovett, of Long Island, N.Y., a partner of the firm of Brown Bros., Harriman & Co., former Under Secretary of State, and former Secretary of Defense.

Dean Anderson McGee, of Oklahoma City, Okla., president of Kerr-McGee Oil Industries.

Ralph E. McGill, of Atlanta, Ga., editor of the Atlanta Constitution and recipient of the Pulitzer Prize for editorial writing.

George Meany, of Bethesda, Md., president of the AFL–CIO.

James A. Perkins, of Princeton, N.J., vice president of the Carnegie Corp.

Herman Phleger of Redwood City, Calif., a partner in the San Francisco law firm of Brobeck, Phleger & Harrison, and former legal adviser in the State Department.

Isador Isaac Rabi, of New York, N.Y., professor of physics at Columbia University, noted scientist, former Chairman of the Scientific Advisory Committee, Office of Defense Mobilization; and former Chairman of the President's Science Advisory Committee.

Gen. Thomas Dresser White, of Washington, former Air Force Chief of Staff until his recent retirement.

Herbert Frank York, of La Jolla, Calif., chancellor of the University of California; former chief scientist of the Advanced Research Project Agency, Department of Defense; former member of the President's Science Advisory Committee; and director of defense research and engineering.

STATEMENT BY THE JOINT SENATE-HOUSE REPUBLICAN LEADERSHIP

Mr. MANSFIELD. Mr. President, there has just come to my attention a statement issued by the joint Senate-House Republican leadership in which that leadership finds a number of faults with American foreign policy and with the President of the United States. It is a statement in which Cuba is mentioned merely incidentally. The joint Senate-House Republican leadership refers to the fact that one of the basic concepts of American foreign policy for scores of years has been a lasting friendship with Great Britain, France, and Canada.

The statement continues:

> The British, French, and Canadians have been more than our allies in war; they have deep ethnic and historical ties with us.

I agree with that part of the statement.

The statement continues:

> In recent weeks we have witnessed anti-American sentiment sweeping each of these three great nations because of the inept conduct of our foreign affairs by the Kennedy administration.

I disagree with that statement entirely because down through the years there has been a certain amount of anti-Americanism in France, the United

Kingdom, and Canada. That is something which we have to expect between neighbors and friends, and while there have been difficulties arising because of situations recently, they have been difficulties which have not, in my opinion, been caused by the United States nor have they caused a sweeping sentiment of anti-Americanism in any of those three countries.

I continue to read from the statement:

> The French, claiming that Europe can't count on the United States to use nuclear force in the event of attack on the continent, are attempting to reshape the European community to diminish America's leadership.

In answer to that statement I say that both the Eisenhower administration and the Kennedy administration have made it very clear to our allies in Europe and to the Soviet Union what our commitments are there and what we would do under certain circumstances.

I do not like the implication in the statement supporting a French view, to the effect that we cannot be trusted to keep our word. I point out that we have in excess of 400,000 men in Europe at the present time and have had them there for a decade and a half. We are the only one of the NATO allies which has fulfilled its requirements to implement the NATO forces. In addition, we have the Sixth Fleet in the Mediterranean. We also have missile and airbases around the European Continent under the so-called containment policy.

Continuing, the statement sets forth, as follows:

> The Kennedy administration's renewed emphasis on conventional forces, the 1962 Cuban showdown and the Skybolt incident have all been employed by the French as arguments to move her sister European states into a "third force."

There has been an increase in conventional forces in Europe and elsewhere. On the advice of the Joint Chiefs of Staff and the Department of Defense, it was thought necessary at this time to implement—not to supplant, but to implement—our nuclear striking forces.

As far as the 1962 Cuban showdown is concerned, I do not know how that would have affected the argument insofar as France is concerned, because those of us who attended the leadership meetings at the White House on October 22 and October 24 were well aware of the possibility—and it was a strong possibility—that if the Soviet Union replied to the Kennedy ultimatum, the reaction might be against West Berlin, and in that event our country was prepared to use nuclear force.

As I stated earlier today, the leadership of both Houses knew that and understood it at the time. The American people knew it. Mr. Khrushchev knew it.

So far as the Skybolt incident is concerned, a good explanation of that was made by Secretary of Defense McNamara, who felt that in our own defense it would be better to depend upon other weapons rather than the Skybolt.

I suppose the only way in which the French would be considered in that instance is that at the time of the Nassau agreement President Kennedy proffered to Prime Minister Macmillan of Great Britain a substitution of Polaris missiles in place of the Skybolt missiles, or, if the British wanted to go on with the Skybolt missiles, that they would do so with an increased cost to themselves as a result.

It is my understanding—and this would have to be checked—that the agreement at Nassau on the use of Polaris missiles was also forwarded to President de Gaulle of France and that he turned it down, whereas the British accepted the use of the Polaris missiles as a substitute for Skybolt missiles.

The statement further says:

> The Canadian Government has fallen because of a needless public statement by the Kennedy administration on an issue—acceptance of U.S. nuclear weapons for Canada's armed forces—on which the United States was probably right but was so unwisely represented that the heads of all four Canadian political parties denounced us.

I shall make no statement on this issue at this time because I do not believe it is the responsibility of any American political figure to in any way interfere in Canadian politics and, since there is a campaign in progress in Canada at the moment—a campaign which will continue for the next 2 months—I think the best thing to do is simply to say nothing.

I continue to read from the statement:

> The British Government was for a time similarly threatened, again on an American issue—the cancellation of the Skybolt missile program—which was abruptly brought to a climax by our Government without proper regard for the repercussions that might follow.

There was no threat implied in the substitution of the Polaris for the Skybolt. That is something to which both countries agreed. It is my belief, on the basis of the facts, that it was in the interest of Great Britain that the substitution be made.

I continue to read:

> The standing of the United States with our three historic allies is far below the plateau of prestige promised by Mr. Kennedy in the 1960 campaign.

There are ups and downs. There always have been ups and downs in our relations with our friends, but certainly the fact that we disagree does not mean that there is a loss in prestige. I would say instead that there is a possibility in the long run for a better degree of cooperation with these individual nations each taking a full share of the responsibility.

I continue to read from the statement:

> The NATO nations, their unity already shaken by French efforts to realine free Europe, are wondering how much longer U.S. bases on the Continent will be maintained now that our missiles are being withdrawn from the soil of Turkey, Italy, and Great Britain.

In answer I would say that it is my understanding that these missiles are being withdrawn with the full approval of the three countries mentioned. So far as the Thor bases in England are concerned, it is my further understanding that members of the Senate Committee on Armed Services as long as 2 years ago recommended that the Thor missiles be withdrawn from England.

Furthermore, in covering Turkey and Italy I presume there is a reference to the withdrawal of the Jupiter missiles. There have been substituted for them the Polaris missiles, which have as long a range, which are more accurate, and which are of greater value. The removal of these missiles from Turkey and Italy is not something which occurred since last November or even last October, but it has been in the works for many, many months.

Continuing, the statement says:

> Even Spain, which is not a member of NATO, is exhibiting evasiveness in opening negotiations for renewal of its pact which grants the United States bases in Spain in return for aid.

I believe the Senator from Georgia [Mr. RUSSELL], the chairman of the Committee on Armed Services, and the Senator from Massachusetts [Mr. SALTONSTALL], the ranking minority member of the Committee on Armed Services, had something to say about that last week.

Continuing the statement:

> Portugal remembers our inaction on the Indian-Goa issue and our United Nations votes against her on Angola.

That is correct. [Continuing:]

> The Netherlands has not forgotten our part in the delivery of Netherlands New Guinea to Indonesia.

I believe the answer to that is that the Netherlands agreed to a mediation commission being set up, and also agreed to the findings of that commission when the hearings were completed.

I continue to read from the statement:

> Obviously the kind of leadership so vital to keeping free peoples united has not been in evidence so far in this administration.

I disagree with that statement, because I think that the President is showing the kind of leadership which this country should have shown a long time ago. What he is endeavoring to do, in effect, is to get our allies to assume more of the burden, both in the field of military affairs and in the field of economic affairs. In other words, our allies should furnish to the North Atlantic Treaty Organizations the allocations to which they have committed themselves, and they ought to assume more of the burden of extending aid to the underdeveloped countries of the world, instead of leaving the main burden upon our own country. After all, they are prosperous today. We had something to do with their rehabilitation, and we think that they ought to assume their responsibility in that field as well.

Toward the end of the statement it is said:

> We, the members of the joint Senate-House Republican leadership, feel it imperative for the President to reassess our policies toward our allies and particularly to reexamine the machinery which helps formulate policy and place it in operation.

I am sure that we are reassessing and reevaluating our policies all the time. I would hope that under any administration that would be done at all times. We do not wish to remain static. Changes occur. We must change with those changes. When changes occur, our allies must undertake their share of the responsibility.

It is further stated:

> In these days of Communist thrusts in Asia, Africa and our own hemisphere—witness Cuba—we feel it vital that American relations within the free nations be maintained on the most effective level for our joint security. As the leader of the free world this Nation cannot afford to do less.

I think, as the leader of the free world, this Nation is doing everything it possibly can. Certainly we are doing what is possible in trying to bring about a degree of peace and stability in Asia, in Africa, and in our own hemisphere; but in all those areas it appears to me that our country is carrying an undue share of the burden.

I would hope that the joint Senate-House Republican leadership would, once in a while, come up with a statement about what is right in the United States of America, about what good we are doing, about what difficulties we are encountering; and take the side of our own country, rather than try to set an American administration against the leaders of other countries or even against other countries themselves.

There is a time for responsibility in this body, and there is a time when we ought to recognize the fact that the welfare and unity of the country come ahead of any faults which may be found in our relations with other nations.

We have made mistakes in this administration. We will make mistakes in any administration. But the thing to remember now is that the time for politics in foreign affairs is long past gone and the time for unity and backing up our own Government is at hand.

ADJOURNMENT TO THURSDAY NEXT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 3 o'clock and 30 minutes p.m.) the Senate adjourned until Thursday, February 14, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 11, 1963:

DEPARTMENT OF COMMERCE

Franklin D. Roosevelt, Jr., of New York, to be Under Secretary of Commerce.

REGULAR AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law:

FIRST LIEUTENANT TO CAPTAIN

Line of the Air Force

Abbott, Raymond L., 48241A.
Abbott, Richard G., 57744A.
Abel, Richard F., 57539A.
Ackerman, Don E., 28984A.
Adamek, Eugene A., 57831A.
Adams, Francis R., Jr., 57755A.
Adams, Paul P., 58107A.
Adams, Ralph E., 54630A.
Adams, Robert S., 65493A.
Adams, Winfred P., 60793A.
Aden, John K., 57767A.
Adolph, Calvin B., 32266A.
Ahlborn, John F., 29589A.
Aiken, James R., 57548A.
Albers, Bernard F., 57014A.
Album, Hyman H., 61373A.
Alderson, Clifford J., 65275A.
Aldrich, Richard B., 57785A.
Alexander, Dean E., 65180A.
Alexander, Douglas M., 65262A.
Alexander, Michael H., 28985A.
Alexander, Robert M., 3d., 57766A.
Alexander, Ronald S., 65391A.
Alexander, William D., 65484A.
Allee, Robert S., 57555A.
Alleman, Donald L., 54434A.
Alleman, Fred L., 57963A.
Allen, Charles F., 2d, 32265A.
Allen, Edgar D., 54559A.
Allen, Ira F., 65168A.
Allen, McVerlin, 54549A.
Allen, Melvin L., 65147A.
Allfrey, William D., 31910A.
Allison, Paul J., 57534A.
Allison, Thayer W., 58061A.
Allred, Byron H., 65447A.
Allred, Ralph L., 65410A.
Almeter, Francis J., 58181A.
Alser, Donald J., 28986A.
Amesbury, Harry A., Jr., 57606A.
Amundson, John D., 57646A.
Amundson, Vernon H., 57781A.
Anastasio, Emil R., 54472A.
Anderson, Allen L., Jr., 65226A.
Anderson, B. Conn, Jr., 28987A.
Anderson, Billy W., 57995A.
Anderson, Darrell L., 28988A.
Anderson, George M., 48364A.
Anderson, Jerry B., 54415A.
Anderson, John M., 57816A.
Anderson, John M., 65307A.
Anderson, Melvin F., 65604A.
Ando, Joe K., 65313A.
Andrew, James R., 57878A.
Andrijeski, Francis J., 29725A.
Anessi, Thomas J., 29793A.
Angel, Harvey D., 57997A.
Ankenbrandt, Gerald D., 28989A.
Anthony, Alexander E., Jr., 61088A.
Appel, Bernard, 57475A.
Apple, Stephen F., 65689A.
Applebaugh, Robert G., 29696A.
Archer, James B., 58191A.
Archer, Stuart H., 57751A.
Armstrong, Dwight A., 65339A.
Armstrong, Spence M., 28990A.
Arnold, Albert G., 57482A.
Arnold, Edwin A., 54444A.
Arnold, James R., 65255A.
Arnold, Steven W. N., 28992A.
Ashley, Paul D., 57788A.
Ashnault, Paul O., 65196A.
Attebury, John C., 58025A.
Auch, Donald J., 32272A.
Augur, Robert C., 54381A.
Ausdenmore, William C., 65697A.
Austin, Larry M., 29610A.
Avey, Donald B., 54657A.
Avila, Miguel A., 60963A.
Bachli, Willard C., 54528A.
Bachman, Kenneth J., 57665A.
Bacik, James J., 60979A.
Backhaus, Murray D., 61008A.
Bagwell, William L., 58190A.
Bailey, James W., 65374A.
Bailey, William L., Jr., 57784A.
Baird, William F., Jr., 54527A.
Baker, Thomas P., Jr., 58066A.
Baker, Willard K., 65207A.
Baldasari, Paul, 57824A.
Baldinger, James E., 57847A.
Baldwin, Charles C., 65706A.
Baldwin, Robert L., 57704A.
Balish, Donald G., 57690A.
Balko, Curtis P., 61249A.
Ballentine, William G., 65572A.
Ballif, Bruce B., 65214A.
Baltzell, Robert E., 54409A.
Bankard, Thomas H., 57748A.
Banks, George G., 65229A.
Bannon, John P., 58199A.
Barbolla, Michael R., 58086A.
Barger, Philip J., 61409A.
Barker, Ronald L., 48349A.
Barlow, Allen E., 28994A.
Barnes, Gordon L., 57976A.
Barnes, Robert C., 61100A.
Barnett, Robert R., 54383A.
Barney, Robert L., 65573A.
Barnum, Dale C., 57862A.
Barrett, Robert F., 54579A.
Barrett, Robert T., 28995A.
Barron, Larry L., 65220A.
Barron, Richard A., 57762A.
Bartek, Adelbert P., 57815A.
Bartek, Albert C., 54547A.
Bartholomew, Owen, 65414A.
Barton, Larry K., 61093A.
Bass, Gordon, 58114A.
Bass, John R., 54638A.
Bass, Thomas D., 65558A.
Batson, Billy W., 54526A.
Batson, Clinton E., 65585A.
Bauduit, Harold S., 28996A.
Baugh, William J., 65597A.
Baumler, Dale R., 65468A.
Beadle, Marion D., 65172A.
Beall, George S., 65518A.
Beardall, James H., 65651A.
Beberstein, Robert G., 65582A.
Beck, Paul H., 65608A.
Beckley, Jerry S., 61344A.
Beery, Raymond E., 48525A.
Beezley, Marvin H., 57553A.
Belden, David L., 29701A.
Belinne, Francis, 48223A.
Belli, Robert E., 65425A.
Bendell, Donald D., 29695A.
Benedict, Donald F., 65290A.
Benet, Lorenzo P., Jr., 57473A.
Bengston, Don S., 61031A.
Benson, Albert E., Jr., 57965A.
Benson, Lonnie D., 54387A.
Berger, Lawrence W., 28998A.
Berger, Maynard F., 54580A.
Bernal, Albert M., Jr., 57937A.
Berrigan, Robert B., 32288A.
Berry, Bobby L., 32275A.
Berry, Richard C., 29799A.
Berry, Richard L., 65474A.
Bertrand, Clarence J., 65166A.
Best, Duane E., 65318A.
Beyer, Robert C., Jr., 28999A.
Bianco, Frank A., 57728A.
Bibb, Kenneth C., 57967A.
Bickham, Halbert A., Jr., 65483A.
Bieberstein, John R., 57706A.
Biggs, Gerald L., 29575A.
Billington, George R., 54429A.
Billman, Charles M., Jr., 48477A.
Bills, Alfred E., 61317A.
Billy, George J., 61013A.
Bilott, Raymond L., 48409A.
Binford, Robert G., Jr., 60989A.
Binkley, Tommy R., 61327A.
Biolley, Walter, 65206A.
Birchman, Clifton A., 65385A.
Bird, John R., 61007A.
Bird, Lewis L., Jr., 54577A.
Bischoff, Keith M., 61032A.
Bissell, Nolan A., Jr., 57987A.
Bittrolff, Eugene E., 58080A.
Bjerke, Gerald C., 61057A.
Black, William H., 54431A.
Black, William H., 29000A.
Blackwell, Pat L., 32246A.
Blackwell, Virgil L., 61245A.
Blackwell, William B., 60919A.
Blair, Richard L., 57982A.
Blake, Donald P., 58141A.
Blake, Jule J., 57714A.
Blakely, Norman D., 57489A.
Blaker, William A., 57642A.
Blandin, Richard O., 61028A.
Blasl, Duane B., 54370A.
Bliss, Alonzo O., 3d, 29766A.
Bliss, Theodore E., 57929A.

Blocher, Robert M., 29001A.
Block, Emil N., Jr., 29002A.
Blocker, Hugh G., 54500A.
Blossman, Eugene S., Jr., 65292A.
Blue, Donald M., 58096A.
Blum, Joseph J., 61362A.
Boado, Emil E., 57797A.
Bobbitt, Jack W., 57775A.
Bock, Lowren A., 61371A.
Bockelman, Harold L., 29661A.
Bockius, Ronald P., 65400A.
Bocock, Robert D., 57716A.
Boe, Harold T., 61323A.
Boggess, Lawrence L., 65423A.
Bohn, Warren R., 53870A.
Boivin, Richard H., 61000A.
Boland, Joseph F., 62064A.
Bonderer, Lawrence F., 57877A.
Bonser, Thomas G., 54513A.
Boockholdt, John C., 57741A.
Boone, Joe, 29576A.
Boone, Roland T., 58084A.
Boos, Albert G., 3d, 65676A.
Booth, Roderick D., 58150A.
Borkholm, Christian A., Jr., 60961A.
Borne, Louis F., Jr., 65328A.
Bors, Joseph C., 57754A.
Boshoven, Bernard W., 29003A.
Bott, Ernest G., 54413A.
Boucher, Myron S., Jr., 29822A.
Bouldin, Ronnie O., 58103A.
Bowden, John W., 58164A.
Bowen, Stuart W., 29004A.
Bower, Hobart R., 65565A.
Bowers, Robert N., 65644A.
Bowles, John E., 61050A.
Bowman, Alfred C., Jr., 29005A.
Bowman, Harold M., 54357A.
Bowman, Robert M., 29668A.
Bowman, Robert U., 32222A.
Boyd, Harry V., 65556A.
Boyland, John S., 54603A.
Boyle, Thomas E., 29848A.
Bozich, William F., 29595A.
Bozzetti, Teodoro, 57505A.
Brabson, George D., 58125A.
Bradley, Bruce V., 58168A.
Bradley, James P., Jr., 65407A.
Bradshaw, Claude J., Jr., 57825A.
Braeden, Cecil H., 57521A.
Bramlett, John C., Jr., 65184A.
Brandt, Thomas C., 29006A.
Branson, Duane C., 48468A.
Brashear, William J., 48480A.
Brattkus, Arthur L., 48213A.
Braud, Samuel P., 3d, 61098A.
Bregman, Morton, 48246A.
Brenn, Harry M., 54160A.
Breslin, Leo H., 65316A.
Breunich, Thomas H., 65222A.
Brewer, Allen J., 54550A.
Brian, Donald R., 57988A.
Briggs, Roger M., 61308A.
Brigman, David A., 65397A.
Brindley, Gary W., 58157A.
Brinkman, George W., 58147A.
Britt, Benjamin W., 65412A.
Britt, Henry M., 54687A.
Brittain, Charles C., Jr., 57960A.
Brockman, Lawrence E., Jr., 54461A.
Brodie, Richard N., 29697A.
Brooks, Donald L., 57947A.
Brooks, Kenneth L., 61015A.
Brooks, Robert E., 57622A.
Broussard, William F., 60958A.
Brown, Bevan H., 29608A.
Brown, Charles J., 57807A.
Brown, Charles R., 58152A.
Brown, David M., 58185A.
Brown, David R., 48285A.
Brown, Donald N., 65347A.
Brown, John H., 65205A.
Brown, Melvin F., 50119A.
Brown, Richard C., 29673A.
Brown, Robert A. W., 54303A.
Brown, Robert E., 29007A.
Brown, Robert E., 65698A.
Brown, Tommy M., 57509A.
Broxterman, David C., 57909A.
Broyles, George D., 62499A.
Bruckner, Donald G., 48224A.
Brug, Walter J., Jr., 29740A.
Bruno, Nicholas J., 29009A.
Bryan, Kenneth D., 65457A.
Bryan, Leslie A., Jr., 54377A.
Bryant, Richard G., 29010A.
Buchanan, Joseph W., 54358A.
Buchert, Ronald V., 65599A.
Buck, Irving L., 65677A.
Buckelew, Jesse W., 29011A.
Bucko, Edward P., 57962A.
Budig, Otto M., Jr., 58049A.
Bull, Ernest R., Jr., 48286A.
Bumgardner, Mark L., 58186A.
Bunn, Eustace M., Jr., 61029A.
Buntschuh, Robert F., 54634A.
Burch, John T., 54372A.
Burcham, Roy D., 65341A.
Burchard, John C., 57722A.
Burger, Arthur F., 57643A.
Burger, Donald W., 29670A.
Burhans, Edmund D., 2d, 29015A.
Burington, Jesse H., 57558A.
Burke, David P., 29765A.
Burke, Dennis M., 58055A.
Burke, Donald M., 29759A.
Burke, Franklin A., 65429A.
Burkett, Robert V., Jr., 48523A.
Burns, Charles D., 65445A.
Burns, James T., 57437A.
Burns, Ralph W., Jr., 29665A.
Burns, Theodore A., Jr., 57891A.
Burr, Myron W., 57881A.
Burrows, Bryce R., 61228A.
Burton, Richard W., 29851A.
Busch, Robert H., 54584A.
Butler, Billy R., 65167A.
Butler, Dennis L., 29016A.
Butt, Robert A., 48242A.
Butterfield, Robert L., 65334A.
Butz, Bobby R., 57632A.
Buxton, Harrison H., 2d, 65390A.
Buyher, Loren L., 57806A.
Buys, Earl M., Jr., 57669A.
Byarlay, Starr A., 58167A.
Byrum, Paul B., Jr., 64204A.
Calbi, Vincent D., 57478A.
Caldwell, Charles C., 57559A.
Caldwell, Robert W., Jr., 62914A.
Calhoun, Cecil O., Jr., 57946A.
Calkins, Ronald R., 61094A.
Callahan, Hiram J., 29672A.
Callahan, Joseph T., Jr., 57446A.
Callahan, William J., 57481A.
Cammalleri, Joseph A., 65617A.
Campbell, Richard C., 58223A.
Campis, Joel R., 29017A.
Canady, Robert M., 54622A.
Cannon, Floyd L., 61080A.
Cannon, Howard R., 29018A.
Canterbury, George A., Jr., 61277A.
Cappel, Richard J., 61322A.
Carbaugh, Carol C., 48333A.
Carew, Gene A., 57502A.
Carey, William C., 29019A.
Carino, James P., Jr., 57448A.
Carlino, Victor J., 60994A.
Carlson, Eugene R., 65916A.
Carlson, Herbert A., 54384A.
Carlson, Philip D., 48323A.
Carpenter, Rolland T., 57457A.
Carroll, Malcolm H., Jr., 57999A.
Carson, David P., 57513A.
Carter, James A., 54640A.
Cartwright, James W., 57791A.
Carwile, Elford L., 48343A.
Cassada, Don A., 57863A.
Cassell, Jack R., 61267A.
Cassiday, Donald M., Jr., 58144A.
Castleman, William D., 61235A.
Castner, William R., 57443A.
Cavanaugh, Donald E., 61355A.
Caylor, Ronald N., 65421A.
Cearley, Jack R., 65464A.
Cederdahl, James M., 65326A.
Cervantes, Manuel, Jr., 54540A.
Chadwick, Peter D., 65737A.
Chaffee, Philip, 48221A.
Chaikin, Howard M., 61035A.
Chain, John T., Jr., 57940A.
Chambers, John L., 29840A.
Chambers, Robert J., 65199A.
Chambers, Wilbur L., 65482A.
Chamblee, Thurman, Jr., 57689A.
Chandler, Charles S., 54435A.
Chauvin, Eddie J., Jr., 57495A.
Cheney, Everett A., 57761A.
Cherry, Billy O., 65554A.
Cherry, Don T., 58112A.
Cherry, Donald N., 54367A.
Cherry, James L., 61022A.
Christensen, John J., 54516A.
Christensen, Lowell H., 61336A.
Christopher, Archie D., 61276A.
Chumard, Robert L., 65560A.
Ciemniecki, Leonard F., 61226A.
Ciriello, Basil L., 61068A.
Clark, Clifford D., 60980A.
Clark, Henry F., 60974A.
Clark, James C., 54551A.
Clark, Richard H., 61230A.
Clark, Richard R., 57414A.
Clark, Robert M., 32255A.
Clark, Zack C., 65540A.
Clarke, Robert N., 65179A.
Clarno, John T., 48479A.
Clayton, Harold I., 2d, 65154A.
Clayton, Robert B., 54535A.
Clemens, Ralph O., Jr., 60920A.
Clemens, Roger O., 54390A.
Clements, Ronald M., 54425A.
Clemons, Leroy S., 65241A.
Cleveland, Edward Y., 58101A.
Cleveland, Raymond H., 57904A.
Cleveland, Stuart E., 29833A.
Clifford, Lawrence E., 65260A.
Clinger, Harold C., 58137A.
Clinton, James W., 65489A.
Clogston, David B., Jr., 57989A.
Clonts, Darold W., 29023A.
Close, Richard B., 61393A.
Clutter, Roderick W., 65245A.
Cobb, Jerry D., 58198A.
Cody, Thomas J., Jr., 29024A.
Coffee, Richard, 57945A.
Coffman, Gayle A., 29730A.
Cole, Donald W., Jr., 48320A.
Cole, James L., 57470A.
Coleman, Charles D., 65324A.
Coleman, Gary L., 65530A.
Coleman, Jack C., 61346A.
Colford, James W., 65249A.
Collins, Charles W., 54320A.
Collins, Jesse E., Jr., 54599A.
Collins, John B., 29026A.
Collins, Michael J., 48263A.
Colman, Thomas M., 29027A.
Coltman, William C., 54456A.
Conant, Richard D., 65335A.
Condit, William H., Jr 65500A.
Conger, Douglas J., 65242A.
Conkling, Davis B., 65157A.
Conley, Edwin J., Jr., 65192A.
Conley, John L., 2d, 57827A.
Connally, Glen R., 65158A.
Conry, James M., 61425A.
Constantine, William M., 57864A.
Conway, John E., 61005A.
Coody, Leslie H., Jr., 61281A.
Coogan, Charles O., 57923A.
Cook, James, 57592A.
Cook, James A., 29029A.
Cooke, James D., 57656A.
Cooke, William M., 62488A.
Coon, John E., 57575A.
Coons, Ezra D., 57842A.
Copeman, Donald E., 61408A.
Corbell, Robert R., 2d, 65435A.
Corbin, Richard B., Jr., 32276A.
Cornelison, Walter C., Jr., 54480A.
Cornett, Paul, 65607A.
Corrigan, William J., 48495A.
Coryell, Kendrick S., 48359A.
Corzilius, David S., 65252A.
Cosentino, Henry J., 65602A.
Costner, John P., 57773A.
Cotter, John P., 65654A.
Cotter, Lawrence R., 29854A.
Couch, Willard A., Jr., 65233A.
Coulter, Richard P., 65655A.
Coutlakis, Gus J., 65690A.
Cover, Jerry S., 60991A.
Coville, David W., 61285A.
Covington, Homer R., 65513A.
Cox, Eldon W., 57520A.

Cox, Idys W., 65164A.
Cox, Roy L., 61083A.
Cox, Stanley G., 65509A.
Crafton, William T., 3d, 61092A.
Craig, John E., 2d, 29714A.
Crain, Ervin T., 60918A.
Crandall, Edmund H., 58172A.
Crane, William M., 58088A.
Crase, Roland B., 29030A.
Craton, Karl L., 29731A.
Crawford, Michael B., 54596A.
Crego, Harrison P., 65295A.
Creighton, Terry W., 29031A.
Crew, Jerald L., 58146A.
Crews, Marvin A., 61006A.
Crider, Manley W., Jr., 57871A.
Crihfield, Bobby L., 65296A.
Crim, James A., 58127A.
Cronk, Donald R., 54631A.
Crooker, Clifford R., 29847A.
Crosman, Roland G., 48318A.
Crotty, Patrick B., 57772A.
Croyle, Benny D., 60922A.
Crum, Arthur F., Jr., 57803A.
Crum, William P., 29032A.
Cruson, James E., 32250A.
Cucci, Steven G., 65547A.
Culberson, Henry F., Jr., 29033A.
Culbreth, Arnold A., Jr., 58089A.
Cummings, James T., 58193A.
Cummings, Richard L., 58047A.
Cummings, William F., 57567A.
Cummins, Dennis L., 65712A.
Cunningham, Lawrence R., 58153A.
Cupka, Albert G., Jr., 65398A.
Curney, John M., 65336A.
Curtis, Charles G., 29034A.
Curtis, Thomas H., 60934A.
Curzon, Daniel J., 60965A.
Cusick, Paul B., 29035A.
Cutler, John W., 60953A.
Czech, Donald R., 57977A.
Dabrock, William M., 57707A.
Dailey, Robert R., 60990A.
Dailey, William R., 57776A.
Daily, James H., 29738A.
Daisley, Roger W., 32267A.
Dale, Howard C., 54620A.
Dale, Jack N. M., 58110A.
Daleski, Richard J., 29036A.
Dalrymple, Ronald K., 57867A.
Daly, Gerald J., 61081A.
Daly, Joseph M., 57611A.
Dander, Vernon A., 29037A.
D'Angelo, John J., 54406A.
Dannenbring, Robert E., 58177A.
Darcy, Gerald P., 57855A.
Darrom, Lyle E., 58016A.
Dater, Walton F., Jr., 57717A.
Dauten, Frederick W., Jr., 65589A.
Davenport, George W., 60959A.
David, Frank C., 54661A.
Davis, Douglas E., 58098A.
Davis, Douglas R., 57996A.
Davis, Frank R., 29698A.
Davis, James C., Jr., 57822A.
Davis, James W., 54403A.
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Reeves, John H., 60931.
Reeves, Richard P., 65471A.
Regan, James C., 58079A.
Reid, Joseph N., 57730A.
Reiner, David H., 58117A.
Reinhardt, Thomas E., 29197A.
Renehan, Patrick L., 48321A.
Renshaw, Alan B., 29198A.
Rensvold, Rand E., 29199A.
Retherford, Thomas, 58207A.
Revill, Lawrence A., 54669A.
Reynard, Nathan H., 60939A.
Reynolds, James D., 61278A.
Reynolds, John O., 58017A.
Rice, George P., 61265A.
Rice, Harry E., Jr., 29841A.
Rice, Raymond D., 29561A.
Rich, Carroll J., 57859A.
Richards, Henry C. C., 65348A.
Richards, Thomas C., 57893A.
Richardson, David A., 58189A.
Richardson, Floyd D., 57725A.
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Richmond, Kenneth W., 65542A.
Riddle, John D., 65370A.
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Rider, James G., 57428A.
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Riecke, Richard N., 57813A.
Riegel, Robert W., 57938A.
Rierson, Charles M., Jr., 65183A.
Riggs, Claude E., Jr., 65453A.
Riggs, Douglas C., 61039A.

Riggs, Warren Y., 29838A.
Riley, Richard A., 54626A.
Riojas, Ralph O., 61236A.
Risinger, James E., 58032A.
Ritter, Jack L., 65563A.
Rix, James H., Jr., 65396A.
Robbins, Richard D., 61350A.
Roberds, Richard M., 61386A.
Roberson, Daniel P., 29671A.
Robertello, Gerald J., 60985A.
Roberts, Fred L., 65594A.
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Robertson, Charles W., 29200A.
Robertson, Glenn L., 57953A.
Robertson, James E., 61096A.
Robertson, Malcolm B., 57678A.
Robinson, Joe C., 32254A.
Rodden, Bernard J., Jr., 61290A.
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Rodriguez, Robert M., 61231A.
Rodriguez, Salvador O., 58077A.
Roell, Ronald C., 48204A.
Roelle, Dean D., 54517A.
Rogers, Charles M., 48308A.
Rogers, Emsley E., 54304A.
Rogers, Sidney D., 57936A.
Rohr, Donald J., 58010A.
Romero, Richard S., 29201A.
Roscoe, Arthur J., Jr., 58023A.
Roscoe, Edward P., 60983A.
Rose, George R., 57894A.
Rosenberg, Lewis H., 54619A.
Rosenhauer, George L., 29202A.
Ross, Eugene H., 58134A.
Ross, Lyndell E., 57872A.
Ross, Robert E., 29757A.
Ross, Thomas E., Jr., 29203A.
Rovitti, George, 65609A.
Rowe, Lloyd J., 57900A.
Rowley, Richard W., 65661A.
Roy, Vincent P., 61059A.
Rube, Dennis W., 57749A.
Rudolph, Harry G., Jr., 57794A.
Rudy, Glen H., 61421A.
Ruhm, Kenneth B., 61061A.
Rund, Matthew H., 63674A.
Rush, John E., 61072A.
Rush, Thomas A., 65402A.
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Russell, James L., 54489A.
Russell, Richard L., 48233A.
Rutland, George L., Jr., 58028A.
Ryan, Charles J., 48504A.
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Sadler, Dergl L., 65277A.
Saffel, Robert T., 61010A.
Sager, Walter C., 29204A.
Saint, Hugh M., 54605A.
Sakry, John F., 48355A.
Salmi, George L., Jr., 57616A.
Saltamachia, Jake A., Jr., 65337A.
Salvador, Renalds D., 29784A.
Sams, Warren N., Jr., 54476A.
Samuelsen, Einar J., 61356A.
Sanchez, John P., 54369A.
Sanchez, Luis F., 65456A.
Sandell, Norman R., 57950A.
Sandercox, Gordon M., 58033A.
Sanders, Carl R., 57430A.
Sanders, Joe E., 29205A.
Sanders, Steven R., 65239A.
Sandler, Donald T., 65213A.
Satterfield, Donald W., 29206A.
Sauer, Thomas B., 57959A.
Sauerbrei, Merrill A., Jr., 65395A.
Saunders, Thomas H., 57746A.
Savage, Hugh A., 65174A.
Savage, Walter E., 57756A.
Sawyer, Gary L., 54598A.
Scamardo, Sam J., 57991A.
Scamardo, Tony H., 57990A.
Scannel, William E., 65387A.
Scarboro, Gary L., 61273A.
Schaefier, Donald T., 58072A.
Schaeffer, Gordon B., 57670A.
Schafer, Glayden L., 58218A.
Schaffer, Teddy C., 57667A.
Schaffner, Daniel C., 54477A.
Schaller, Daniel A., 54455A.
Schalow, Russell A., 60914A.
Schapley, Ramon F., 57889A.
Schaumberg, G. Richard, 29209A.
Schell, Lawrence A., 61043A.
Schermerhorn, Donald F., 48439A.
Schmid, John, Jr., 57556A.
Schmid, Wilbert A., 57493A.
Schmidheiser, Clarence A., 48202A.
Schmidt, Evert A., 54585A.
Schminke, Conrad H., 57447A.
Schneekloth, Merle R., 57819A.
Schnucker, Paul H., 48374A.
Schob, Walter J., Jr., 58213A.
Schoep, John C., 29210A.
Schofield, John N., Jr., 57840A.
Schoonmaker, Richard W., 50070A.
Schuler, Wendell L., 32273A.
Schumann, Albert W., 60984A.
Schuster, Charles E., 54482A.
Schutza, Gilbert C., 61374A.
Schwab, John R., 60926A.
Schwartz, Marvin F., Jr., 29211A.
Schwartz, Thomas, 29212A.
Schwenzfeier, Karl K., 57591A.
Sclater, Arthur L., Jr., 57668A.
Scott, Donald L., 29803A.
Scott, Hugh E., 54666A.
Scott, Hugh L., 54414A.
Scott, Walter G., Jr., 48492A.
Seaman, Raymond A., 29836A.
Searle, Robert A., 54556A.
Seavers, John K., 32248A.
Sellers, David K., 2d, 54674A.
Semple, Richard G., 57829A.
Seymour, Paul A., 58038A.
Sharkey, Jack J., 29214A.
Shatford, Sidney S., 3d, 58012A.
Shattuck, Alan H., 60937A.
Shaud, John A., 29215A.
Shaw, Roger W., 32269A.
Shaw, Thomas D., 57774A.
Shaw, William M., Jr., 57696A.
Sheehan, Donald E., 29216A.
Sheehan, Leo J., 29217A.
Sheehy, Leo J., Jr., 54355A.
Sheffer, Jackie L., 58143A.
Sheldon, Edward B., 54321A.
Shelton, James H., Jr., 32279A.
Shepherd, Charles E., 60999A.
Sheridan, Robert B., 29218A.
Sherrill, Thomas M., 61416A.
Shields, Gerald W., 58192A.
Shirley, Norman R., 61413A.
Shockey, Gary L., 54683A.
Shockley, Jerry M., 54636A.
Shockley, Paul L., 61351A.
Shortridge, Wayne L., 54335A.
Shotts, Donald L., 60433A.
Shreve, Larry W., 64288A.
Shrove, Richard R., 57545A.
Sibson, Donald A., 29744A.
Siciliano, Joseph, 57431A.
Sidwell, Edward N., 48381A.
Sikes, Jackie E., 54594A.
Silva, Willibrord T., 57419A.
Simmons, Albert P., 29830A.
Simmons, Carl L., 58162A.
Simpson, George W., 61304A.
Simpson, Howard B., 29709A.
Simpson, Philip Y., Jr., 61085A.
Sims, John D., 57845A.
Sims, John W., Jr., 57682A.
Sink, James R., 58056A.
Skillen, Marvin L., 58027A.
Slater, David A., 29736A.
Slawson, Thomas M., 57593A.
Smiley, Francis E., 57796A.
Smith, Billy R., 29844A.
Smith, Clarence T., 29821A.
Smith, Dean G., 57808A.
Smith, Donald E., 57868A.
Smith, Douglas D., 57906A.
Smith, Gary G., 61414A.
Smith, Gordon C., 57984A.
Smith, Hall, 2d, 57907A.
Smith, Howard K., 62486A.
Smith, James M., 58138A.
Smith, Jay W., 61299A.
Smith, John E., 48314A.
Smith, John L., 61425A.
Smith, Kenneth S., 54595A.
Smith, Mark E., 3d, 29222A.
Smith, Perry M., 29223A.
Smith, Richard E., 29224A.
Smith, Richard E., Jr., 57992A.
Smith, Robert D., 54326A.
Smith, Robert J., 48311A.
Smith, Robert L., 29909A.
Smith, Ronald C., 29754A.
Smith, Thomas J., 3d, 48331A.
Smith, Thomas W., 57671A.
Smith, Wilbur H., 48324A.
Smith, Willard E., 48470A.
Smith, Wylie E., 57702A.
Smothermon, James P., 48313A.
Snider, Rex K., 61395A.
Snook, Richard A., 57439A.
Snow, Jackie K., 29785A.
Sobolik, Karl D., 54356A.
Socolofsky, Lowell E., 54544A.
Sokol, Leonard F., 48289A.
Sollod, Ronald L., 48217A.
Soltesz, Stephen A., 29225A.
Soltys, Thomas V., 54506A.
Solvold, Ralph, 54400A.
Soule, Covert A., Jr., 57496A.
Spackman, Asa R., 48424A.
Spanbauer, Robert N., 32271A.
Spangler, Warren E., 57506A.
Spangrud, Casper T., 48469A.
Sparks, Gerald D., 54147A.
Sparks, Kenneth D., 58142A.
Spears, Thomas R., 57854A.
Speedy, Robert P., 29687A.
Speidel, Gerald C., Jr., 48420A.
Spellman, Charles A., 3d, 61422A.
Spence, James B., 61070A.
Spraker, Ralph E., 57536A.
Springs, James P., Jr., 61333A.
Squires, Robert W., 57833A.
Stahl, Daniel B., 54352A.
Stallard, Donald E., 61018A.
Stallings, Joe B., 48356A.
Stamler, William R., Jr., 57810A.
Stamp, Donald G., 57453A.
Stankowski, Anton J., Jr., 61367A.
Stanley, William T., 61295A.
Stannard, Warren E., 48251A.
Staples, Thomas L., 58188A.
Starbranch, Harry N., 66008A.
Starner, Richard A., 57580A.
Staton, William D., 61385A.
Steadman, Milton A., 54421A.
Steadman, William L., Jr., 60913A.
Stebleton, Lawrence A., 29227A.
Steed, David L., 54391A.
Steed, Don L., 57640A.
Steele, John P., 57885A.
Steele, Thomas J., 48219A.
Steere, Richard E., 48253A.
Steerman, Jefferson C., Jr., 60941A.
Steever, William, Jr., 60972A.
Steeves, Thomas W., 54652A.
Stein, Robert A., 54467A.
Stein, Robert K., Jr., 29229A.
Steinberger, Robert W., 48236A.
Stephens, Charles P., 29753A.
Stetson, John R., 60970A.
Stevens, Larry M., 57798A.
Stevens, Max L., 57626A.
Stevens, William L., 48214A.
Stewart, Clarence A., 54545A.
Stewart, Robert A., 29230A.
Stewart, William H., 29231A.
Stewart, William M., 3d, 48332A.
Stinson, Thomas W., 48400A.
Stirnitzke, Robert E., 57602A.
Stockard, Kenneth E., 61369A.
Stockbridge, David L., 29826A.
Stockham, Leo W., 29232A.
Stockstill, Charles J., 61261A.
Stockton, Herald W., 57492A.
Stockton, James A., 29901A.
Stockwell, Willard E., 57928A.
Stone, Charles H., 29601A.
Stone, George T., 54475A.
Stotts, Franklin D., 57921A.
Stout, Alan R., 57604A.
Stover, Jack W., 57514A.
Stowers, Benny T., 57546A.
Stracener, John R., 48307A.
Strack, Ronald G., 29669A.
Strasser, Jack C., 57850A.
Stratton, Ray E., 29660A.
Strode, Bryan E., Jr., 57462A.

Stroface, Joseph F., 29233A.
Stroh, Jerry D., 29769A.
Stroup, David M., Jr., 57709A.
Stuart, Ridley M., 57834A.
Studdard, Otis P., 29234A.
Sukut, Arlyn A., 61086A.
Sullivan, Neil J., 61380A.
Sullivan, Philip L., 29235A.
Sutherland, Donald E., 60768A.
Sutherland, John S., 29236A.
Sutton, Lawrence L., 57726A.
Swain, Donald W., 57930A.
Swanenburg, Richard, 29237A.
Swann, William A., Jr., 61330A.
Swanson, Stanley O., 61034A.
Swanson, Thomas I., 48393A.
Sweeney, David F., 61283A.
Sweeney, James E., 29743A.
Sweet, Gerald E., 61051A.
Swortzel, Frank R., 48489A.
Tackett, Wendell L., 61324A.
Tagliareni, Russell J., 61382A.
Talbott, Alfred E., 57440A.
Tarleton, Bobby L., 48305A.
Taylor, George R., 61251A.
Teagarden, C. Claude, 64286A.
Teague, Reily R., 48327A.
Tedrick, Thomas D., 29898A.
Teed, Charles M., 60773A.
Terman, Douglas J., 29574A.
Terrell, James E., 48358A.
Terry, Glenn T., 60995A.
Teuscher, Duane G., 54380A.
Textor, George P., 29238A.
Thelin, Alan L., 29239A.
Thomas, Anthony J., 61262A.
Thomas, Edgar A., 61343A.
Thomas, James R., 60945A.
Thomas, Jeremy C., 54490A.
Thomas, William E., 54532A.
Thomas, William H., 54411A.
Thompson, Benjamin K., 58021A.
Thompson, Donald D., 29782A.
Thompson, Edward J., 57450A.
Thompson, George C., 57981A.
Thompson, Gerald F., 29845A.
Thompson, John D., 57920A.
Thompson, William M., 58102A.
Thomson, Kenneth W., 61410A.
Thorley, Milon, 54681A.
Thorpe, Norman R., 64284A.
Thurman, Jack W., 48431A.
Thursby, Donald E., 48488A.
Thurston, Richard E., 57608A.
Tibitts, James F., 57765A.
Tiger, Paul M., Jr., 60986A.
Tigner, Lee M., 48275A.
Tillotson, David, Jr., 48387A.
Tincher, Lloyd W., 57860A.
Tindall, John B., 29240A.
Tobiason, Kenneth F., 48334A.
Tobin, Thomas G., 54334A.
Todt, William E., 48329A.
Toljanic, Anthony J., 48373A.
Tollefson, James L., 29584A.
Toneck, Jerry L., 57599A.
Tonge, James M., 48467A.
Tonini, Gervasio, 48499A.
Tonkin, John J., 57444A.
Tooke, Richard E., 61109A.
Torbert, Donald N., 61312A.
Torgersen, Thomas A., 61019A.
Torrey, Charles C., 29241A.
Towne, Richard W., 61335A.
Traficante, Daniel D., 29592A.
Trainer, Jerry D., 57508A.
Treherne, Richard L., 48412A.
Tresler, Willard T., 57653A.
Trew, Glendon G., 29783A.
Trippe, William R., 3d, 57792A.
Trout, Clifford E., 54423A.
Trupp, Eric F., 29839A.
Tsivourakis, James C., 54452A.
Turner, Marvin L., 58212A.
Turoski, Richard F., 29599A.
Tuttle, Leon E., 57699A.
Tuxill, Robert D., 48426A.
Tuzzolo, Frank G., 57787A.
Twark, John M., 29598A.
Tyler, Charles R., 58050A.
Tylka, John, Jr., 58209A.
Uhrich, Edward W., 58034A.
Ulbinsky, Raymond J., 57925A.
Underhill, James C., 29842A.
Unruh, Eugene H., 54346A.
Urevich, Ralph J., 61363A.
Usui, Edwin S., 61301A.
Uus, Henno, 32514A.
Vale, Lewis G., 48438A.
Vallance, Donald R., 54495A.
Vallentiny, Edward, 29243A.
Valor, Norman H., 61020A.
Valori, Dante A., 57476A.
Vanderziel, Gerrit J., Jr., 57884A.
Van Hook, James R., 60942A.
Van Meter, Thomas R., 54538A.
Vanry, Charles D., 29244A.
Van Slambrook, Richard T., 61345A.
Van Vonderen, Vernon R., 29245A.
Van Zandt, Richard D., 48360A.
Vargo, Ronald L., 61341A.
Vaselenko, Robert F., 29246A.
Vasilevich, Lawrence, Jr., 57801A.
Vaughn, William P., Jr., 29581A.
Verble, David E. L., 48518A.
Verfurth, Jan E., 29247A.
Verrelli, David M., 48505A.
Villafranco, Ronald V., 54310A.
Vining, Paul E., 61221A.
Violette, Joseph L. N., 48455A.
Vizzone, Joseph R., 54441A.
Vodicka, Ronald J., 58227A.
Voehl, Richard K., 48528A.
Volz, Donald H., 483517A.
Wachter, Paul G., Jr., 60975A.
Waddell, Franklin D., 54562A.
Wade, Conrad L., 61303A.
Wadsworth, Donald L., 54541A.
Wagner, Richard A., 57844A.
Wagner, Richard N., 61366A.
Wagner, Robert B., 48372A.
Wagner, Robert L., 57823A.
Waikem, Frederick U., 54607A.
Wakefield, Thomas E., 58105A.
Waldbillig, Robert M., 57449A.
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Walker, Donald E., 48371A.
Walker, Lorenz J., 48444A.
Walker, Phillip N., 29590A.
Wallace, Bruce M., Jr., 29249A.
Wallace, Matthew B., 54327A.
Wallace, Thomas L., 57623A.
Wallin, Bertil W., 54318A.
Walter, Charles W., 57685A.
Walters, Alan B., 29834A.
Walters, Merrill B., 58060A.
Walters, Robert E., 29594A.
Walthall, Harold R., 47806A.
Ward, Charles W., Jr., 60886A.
Ward, David M., 60824A.
Warne, Evans E., 54430A.
Warner, Glenn A., 29250A.
Warnock, James L., 54412A.
Warren, Richard H., 29251A.
Waters, Joseph P., 29252A.
Watkins, Frederick L., 57896A.
Watson, Robert H., 57790A.
Watts, Keith P., 48312A.
Waunch, Robert L., 60956A.
Weaver, Kenneth L., 57429A.
Weaver, Robert W., 54520A.
Weber, Lee E., 54389A.
Wedemeyer, Henry C., Jr., 57861A.
Weibel, Donald L., 29745A.
Weigold, George W., Jr., 29253A.
Weiss, Bernard L., 57317A.
Welles, Harrison D., 29758A.
Wells, Edwin V., 57483A.
Weltman, Bernard I., 29255A.
Wendland, Wayne M., 54600A.
Werbel, Jerome H., 29256A.
Weseman, Henry E., 29607A.
Wesselman, Donald W., 57970A.
West, Charles W., 54568A.
Wetzel, William T., 29259A.
Wheeler, Robert E., 48209A.
Whetstone, Jerry E., 60978A.
Whitaker, William E., 29260A.
White, Alford M., Jr., 54329A.
White, George T., 29262A.
White, James W., Jr., 48456A.
White, Joseph T., 61314A.
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Whitman, John F., 29684A.
Whitman, Paul F., 54612A.
Whitney, Richard K., 54368A.
Widner, Ronald L., 29264A.
Wildt, Joseph E., 54322A.
Wiley, Raymond W., 32270A.
Williams, Billie J., 58022A.
Williams, Bob F., 29662A.
Williams, David M., 54450A.
Williams, Frederick R., 61429A.
Williams, Herbert E., 3d, 54397A.
Williams, Hugh P., 61252A.
Williams, Leroy S., 61293A.
Williams, Oscar E., Jr., 29265A.
Williams, Stanley P., 58135A.
Williams, Tony G., 29605A.
Williamson, Alan R., 61291A.
Willingham, James F., Jr., 32263A.
Willis, Arthur R. D., 48369A.
Willmot, Charles L., Jr., 54492A.
Wilson, Charles A., 58046A.
Wilson, Donald G., 57519A.
Wilson, Jack L., 57853A.
Wilson, Powell J., Jr., 29266A.
Wilson, William C., 58407A.
Wiltse, George A., 29746A.
Winborn, Sam R., Jr., 61302A.
Wing, Richard L., 29764A.
Wink, Frank R., 48514A.
Winkler, Roy N., 61067A.
Wise, Robert J., 61274A.
Wissert, James L., 48306A.
Witherspoon, Gayland B., 61418A.
Witte, Robert E., 32281A.
Woelfel, Joseph F., 61030A.
Wojahn, John R., 54340A.
Wolfe, Ernest E., 29827A.
Wolfe, John W., 61298A.
Wolfe, William F., 57897A.
Wolverton, James R., 29267A.
Womack, Vernon L., 57641A.
Wood, Gordon R., 58151A.
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Woods, Thomas W., 48443A.
Woodson, Sidney B., 57955A.
Woolwine, David F., 57731A.
Worrick, Mark J., 58014A.
Wyatt, James G., 54542A.
Wyman, Robert C., 61054A.
Yamamoto, Toru, 60923A.
Yankey, John S., 3d, 61361A.
Yankowski, Nicholas, 54468A.
Yates, Mannifred, 31909A.
Yelton, William V., 58015A.
Yingst, H. Sheldon, 57578A.
Young, James G., 48464A.
Young, Vincent N., 48210A.
Zahhos, Danny, 61041A.
Zajkowski, Bernard J., 54347A.
Zakovich, John P., 57452A.
Zambiasi, Raymond J., 60649A.
Zampino, Robert J., 57677A.
Zeller, Eldon W., 48500A.
Ziel, George R., 60928A.
Zielezienski, Joseph A., 61065A.
Zielinski, Chester A., Jr., 57683A.
Ziker, Allan A., 61044A.
Zinnecker, Bennett B., 57460A.
Zopf, William D., Jr., 61040A.

Line of the Air Force (WAF)

Avery, Beatrice B., 48397W.
Bloom, Janet T., 60705W.
Kay, Mary H., 58225W.
Mancha, Juanita, 57724W.

Chaplain

Bizer, Waldemar A., 60017A.
Black, Bobby C., 60023A.
Browne, Vincent T., 60020A.
Chilton, Donald O., 60010A.
Condon, Thomas W., Jr., 60014A.
Doonan, John A., 60018A.
Elliott, Francis L., 60015A.
Fairless, Mark W., 64351A.
Fox, Winston P., 64353A.
Haley, Thomas J., 64361A.
Halloran, Jerome D., 64372A.

Hardin, Newton R. N., 64354A.
Hayes, Harold E., 60021A.
Hines, Dale A., 60013A.
Johnson, David R., 64370A.
Kingsley, Earl J., 2d, 64356A.
Landers, Allen G., 64358A.
Leonard, John F., 64363A.
McDonald, Paul F., 64368A.
Moreau, Ernest P., 60016A.
Mundinger, Carl S., Jr., 64371A.
Murtagh, George O., 64352A.
Nasson, Howard E., 64360A.
Nebiolo, Emilio, 64366A.
Rice, Frank A., 64359A.
Schneider, Edward L., 60012A.
Smith, Eldon R., Jr., 60022A.
Smith, Malcom E., 60011A.
Utrup, Robert J., 64369A.
Vaughn, Earl F., 64357A.
Wiederholt, Clarence E., 64365A.
Wyzykowski, John M., 64367A.

Dental Corps

Burrows, Bradley H., 64236A.
Eberly, David S., 63023A.
Finn, Raymond J., Jr., 64241A.
Gerhardt, Donald E., 63024A.
Grace, Charles B., 64242A.
Irons, Willis B., 63410A.
Killoy, William J., 64235A.
Lee, Lawrence M. H., 64239A.
Myers, John W., 63025A.
Nill, Christian W., 63409A.
Picone, James V., 63411A.
Swayne, Paul R., 64237A.
Welch, James M., 64240A.

Medical Corps

Chapman, Robert M., 66026A.
Dibbell, David G., 66025A.
Ellison, Richard B., 64224A.
Holder, David L., 64225A.
Jones, Otis W., 66027A.
Ragsdale, Richard M., 66028A.
Ramirez, Arcadio V., 66029A.
Sheiffer, Jerome E., 61150A.
Zuck, Walter N., 64226A.

Nurse Corps

Bailey, Mary J., 59975W.
Betts, Leila F., 61219W.
Bielefeldt, Arlene M., 64261W.
Boggess, Helen A., 62932W.
Borden, Mary B., 59613W.
Buckley, Ethel M., 59977W.
Byron, Lois J., 63030W.
Conroy, Sara J., 64258W.
Coppin, Idalia M., 64256W.
Corkhill, Patricia A., 61218W.
Costabile, Helen C., 64255W.
Credle, Lucy P., 63415W.
Dean, Charlene R., 61216W.
Ellis, Pauline V., 59503W.
Farrell, Patricia A., 59614W.
Florence, Susie A., 56406W.
Furfure, Joseph A., 66035A.
Gilbertson, Joan C., 55397W.
Hause, Helen E., 51395W.
Heath, Lois M., 49736W.
Hennessey, Therese A., 55224W.
Huffman, Marcia C., 63033W.
Jaeger, Joy L., 55398W.
Krause, Patricia L., 63414W.
Lynch, Mary C., 64259W.
Matheson, Billie G., 61217W.
McEwen, Richard O., Sr., 66037A.
McLaughlin, Mary L., 55929W.
Mitchell, Mary A., 63416W.
Miyagawa, Cora H., 59615W.
Moran, Barbara M., 55882W.
Moyer, Donald S., 66036A.
Mumper, Monna L., 62931W.
Nakatani, Lilly A., 55394W.
Obarr, Joyce E., 64257W.
Ohrt, Valerie A., 59974W.
Parcells, Phyllis P., 55222W.
Richardson, Evelyn G., 59565W.
Ruha, Marcine E., 51394W.
Spirek, June J., 55880W.
Steiner, Marion H., 55223W.
Walsh, Cathleen M., 59502W.
Watson, Herbert T., 66034A.
Welsh, Dorothy M., 56571W.
White, Betty J., 59976W.

Medical Service Corps

Bauer, Robert A., 56469A.
Casimiro, Paul S., 49126A.
Cobb, James B., 55365A.
Corley, Horace A., 56466A.
Dunn, Norwood C., 49121A.
Edwards, Jesse C., 49111A.
Gallagher, James T., 49122A.
Grady, Eddie L., Jr., 49116A.
Greaser, Robert C., 49118A.
Gunter, James J., 65918A.
Hegele, Jack D., 49117A.
Hill, Sherwood S., 55366A.
Huffman, Elmer E., 49114A.
Johnson, Jordan D., Jr., 65917A.
Kelsey, Donn R., 49127A.
Kelley, Ronald L., 55368A.
Kennebeck, Marvin E., Jr., 56464A.
Kratzsch, Paul F., 56463A.
Kuykendall, Edward A., 49112A.
Lensch, John P., 49125A.
McKinney, Vernor L., 49119A.
Meade, John P., 50457A.
Pence, James M., 61161A.
Penner, Norman R., 61162A.
Pomeroy, Gary J., 49123A.
Reevesman, Sanford L., 49115A.
Rubin, Martin G., 49124A.
Schenkel, Edward F., 61160A.
Schussele, Jerry H., 56468A.
Snyder, Richard A., 49109A.
Strathern, Arthur D., Jr., 55367A.
Taber, Robert M., 49113A.

Veterinary Corps

Britz, William E., Jr., 65989A.
Carter, Vernon L., Jr., 65987A.
Lacroix, John T., 65986A.
MacKenzie, William F., 65988A.
Murray, James L., 65985A.
Olson, Roland C., 61211A.
Pryor, William H., Jr., 65990A.
Sturges, Dewey V., 65991A.

Medical Specialist Corps

Keleske, Dolores P., 63417W.
Page, Carolyn T., 56407W.

(NOTE.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.)

CAPTAIN TO MAJOR

Line of the Air Force

Abbey, Charles E., 23917A.
Abbott, John K., 41009A.
Abbott, John R., 41770A.
Able, Robert L., 23756A.
Abrams, Arthur S., 64555A.
Abrams, Carl R., 28167A.
Abrams, Harold R., 41500A.
Acker, Jack E., 41960A.
Acock, Benny E., 42216A.
Adam, Donald A., 41881A.
Adams, John F., 40736A.
Adams, Richard E., 41940A.
Adcock, Thomas D., 42161A.
Aden, Glenn E., 40577A.
Aderholt, Warren F., 41231A.
Agenbroad, Clifford J., 41817A.
Agins, Barnett R., 41285A.
Agnew, Malcolm J., 18313A.
Ahern, Edward J., Jr., 41119A.
Ahlf, Burkhardt C., 41350A.
Ahlstedt, Harry P., 42083A.
Ainslie, Robert E., 18635A.
Akard, Charles E., 42076A.
Akehurst, Louis W., Jr., 19853A.
Akerberg, Robert C., 52667A.
Albers, Edgar H., Jr., 40990A.
Albert, John G., 18314A.
Alderson, Jerry D., Jr., 19945A.
Aldrich, Charles S., 26453A.
Alexander, Ellis J., 40509A.
Allard, Edward T., Jr., 41777A.
Allard, Thomas L., 41946A.
Allen, Frederick J., 41069A.
Allen, Jack K., 41767A.
Allen, James J., 41048A.
Allen, John L., 40531A.
Allen, Joseph B., 40994A.
Allen, Joseph W., 23772A.
Allshouse, Herman D., 19712A.
Allsop, Lloyd A., 42290A.
Alm, Ross C., 42141A.
Almquist, Adolph S., 27688A.
Altemose, Lawrence J., 41031A.
Alter, James R., 42174A.
Altman, Donald M., 28182A.
Altman, Robert D., 41007A.
Amaral, James P., 42016A.
Ambrose, David E., 40570A.
Ambrosia, Harry C., 41178A.
Amerine, Ernest M., 41827A.
Ames, Melvin S., 40708A.
Amesbury, Kenneth B., 42128A.
Amidon, John W., 41420A.
Amos, James H., 18661A.
Andersen, Arne, 42287A.
Anderson, Byron W., 42046A.
Anderson, Charles F., 18643A.
Anderson, Charles R., 42217A.
Anderson, Charles W., Jr., 18315A.
Anderson, Clarence R., 60044A.
Anderson, Donald F., 41059A.
Anderson, Duane S., 42271A.
Anderson, Earl W., 40481A.
Anderson, James C., 25709A.
Anderson, Lawrence A., Jr., 40906A.
Anderson, Marion R., 40816A.
Anderson, Roy, 41693A.
Anderson, William C., 40973A.
Anderson, Willis S., 40827A.
Andrews, Jack G., 41268A.
Andrews, William R., 40582A.
Andrus, John S., 18316A.
Andrus, Robert E., 41616A.
Angelus, Ellis W., 42198A.
Angus, John C., 41485A.
Ansbro, Mathew J., 41142A.
Antflink, Gerald B., 41094A.
Anthony, Shelton J., Jr., 64576A.
Apgar, William C., 40795A.
Arantz, Carl F., Jr., 18318A.
Archer, Earl J., Jr., 28272A.
Archibald, Rennie, 3d, 42160A.
Ard, James H., 42048A.
Armstrong, Ben L., 41234A.
Armstrong, Charles L., 23939A.
Armstrong, Harry L., 40905A.
Armstrong, John W., 18320A.
Armstrong, Richard C., 40597A.
Armstrong, Richard K., 40737A.
Arnberg, George C., Jr., 42028A.
Arneson, Milton A., 41866A.
Arno, David H., 40783A.
Arnold, David L., 18321A.
Arnold, Harry C., 41269A.
Arnold, Lacy H., 40733A.
Arnold, Tom M., Jr., 26799A.
Arnstein, Walter H., 40620A.
Arquilla, Oliver P., 26804A.
Arrington, Curtis H., Jr., 24384A.
Asay, Chester H., 42123A.
Asire, Donald H., 41525A.
Atkinson, James W., 40975A.
Atkinson, Marion H., 40487A.
Atkinson, Richard H., 41030A.
Auld, David H., Jr., 41421A.
Austin, William F., 42170A.
Auth, William J., 41216A.
Axelson, Max M., 40663A.
Axt, Richard C., 41346A.
Ayotte, Austin C., 40523A.
Babcock, Dan E., 26524A.
Babyak, George F., 41297A.
Bacha, Theodore, 18674A.
Bachelder, Donald R., 25857A.
Back, Doyle R., 41882A.
Backes, Ralph G., 25858A.
Badgett, John N., Jr., 40497A.
Bagnard, Donald, 41972A.
Bahr, Lester M., 40886A.
Baier, Joseph F., Jr., 40607A.
Bailey, Bruce E., 41482A.
Bailey, Frank D., 42146A.
Bailey, Kenneth F., 41198A.
Bailey, William M., Jr., 41828A.
Baird, Ora J., Jr., 28273A.
Baker, Alfred C., Jr., 41028A.
Baker, Charles M., 42134A.

Baker, Forest E., 41556A.
Baker, Gerald C., 40571A.
Baker, Lovell E., Jr., 42208A.
Bale, Warren J., 42000A.
Balides, Theodore, 52726A.
Ball, Derrell M., 40804A.
Ball, Francis W., 41702A.
Ball, William E., 2d, 40660A.
Ballard, Wallace B., 41549A.
Banister, Arthur W., 18324A.
Bank, Raymond M., 41081A.
Banks, Parley F., 40974A.
Banks, Robert K., 41330A.
Bannan, Richard J., 41553A.
Barbee, Bud, 41559A.
Barber, Donald C., 41085A.
Barbera, Charles C., 41217A.
Barker, George F., 19720A.
Barkley, Richard M., 40598A.
Barlow, John W. B., 18634A.
Barmettler, Robert S., 18613A.
Barnard, Hage N., 52660A.
Barnard, Vanness H., 42089A.
Barnes, Frank G., 18326A.
Barnes, Merrill E., 41612A.
Barnes, Richard B., 41340A.
Barnes, Robert A., 40711A.
Barnes, Rufus E., Jr., 41080A.
Barnes, Willard A., 48846A.
Barnett, Charles W., 41706A.
Barney, Russell D., 40683A.
Barnhill, Loy J., 42099A.
Baron, Robert L., 42218A.
Barrett, Francis E., 41923A.
Barrett, Franklin, 40670A.
Barrow, Sterling E., 40919A.
Barrows, Malcolm C., 41010A.
Barry, Henry A., 41829A.
Bartalsky, Steven L., 24536A.
Bartholomew, Robert R., 40895A.
Barto, Raphael H., 40946A.
Bartolomei, Frank, 41164A.
Barton, William B., 40992A.
Bash, John W., 40691A.
Batcheldor, Robert E., 41351A.
Bates, Paul J., 42167A.
Bates, Randolph C., Jr., 23874A.
Batorski, Joseph H., 41926A.
Battelle, Ivan M., 40658A.
Bauer, George M., 41053A.
Baumann, Theodore E., 42070A.
Baumgarten, Harry E., Jr., 18329A.
Baxter, Walter L., Jr., 41345A.
Beach, Fred O., 41161A.
Beard, Vernon C., 40945A.
Beattie, James B., 41704A.
Beaucond, Maurice J., 60059A.
Beaulieu, Norman H., 64546A.
Beck, Thomas A., 41867A.
Becker, Marion C., 19798A.
Becker, Richard S., 25534A.
Bedford, James R., Jr., 34549A.
Beebe, Fredrick A., 41406A.
Beebe, Robert H., 26474A.
Beeley, John C., 19704A.
Beeman, Robert A., 41391A.
Beez, William J., 41192A.
Beggerly, Douglas J., 41691A.
Belcher, Fred R., 40554A.
Bell, Eldridge T., 41560A.
Bell, Lloyd E., 41396A.
Bellemare, Edmond R., 41149A.
Benagh, Thomas M., 27689A.
Bench, Eugene D., Jr., 41687A.
Benke, William J., Jr., 26471A.
Bennet, Mortimer F., 28326A.
Bennett, George E., 41111A.
Bennett, George F., 19854A.
Bennett, Roy C., Jr., 41958A.
Benson, Clyde M., 41699A.
Benson, Otis O., 24750A.
Bentley, Wilbur C., 32411A.
Bentschner, Raphael, 40443A.
Berg, Robert L., 24527A.
Berg, Robert S., 18332A.
Berger, Loyd D., 40949A.
Bergerot, Paul A., 28274A.
Bergquist, Carl G., 40698A.
Bergstrom, Airus E., 23866A.
Berner, Benjamin P., 42155A.
Berrier, Raymond S., 64528A.
Besaw, William J., 18605A.
Besett, Bob, 41103A.
Beyers, Robert L., 28181A.
Bigge, Louis G., 41470A.
Billar, William L., 40855A.
Billington, Robert J., 52653A.
Bills, Gene, 422884.
Billups, Rufus L., 19722A.
Binder, Edwin M., 40873A.
Bird, John A., 41824A.
Bird, Robert F., 41868A.
Bissett, George L., 40493A.
Black, Eugene E., 41352A.
Black, Lloyd H., Jr., 28307A.
Black, Reece B., 41040A.
Blackwell, Ralph C., 40761A.
Bladergroen, Herman, 40572A.
Blair, James H., 40538A.
Blake, Thomas F., Jr., 18333A.
Blakely, Sylvester F., 19685A.
Blakeslee, Richard F., 60064A.
Blankenbecler, Raymond M., 40930A.
Blankinship, William J., 40465A.
Blanton, Auty O., Jr., 41661A.
Blauw, Robert E., 40585A.
Blilie, James L., 27702A.
Blodgett, Dolphus E., 21698A.
Blomberg, Richard T., Jr., 42001A.
Blood, Gordon L., 41543A.
Blow, James M., 41771A.
Boag, John R., Jr., 18334A.
Bocquin, Victor E., 41065A.
Bodager, Bill W., 18335A.
Boden, Dale P., 41731A.
Boeman, John S., 64551A.
Bohn, Frank L., 40456A.
Bohnhoff, Edward S., 42219A.
Bolt, Thomas B., 23847A.
Bonin, Bernard O., 40793A.
Bonner, M. Michael, 18337A.
Bonney, Charles A., Jr., 41830A.
Borden, Thomas G., 55739A.
Borgert, Robert O., 40635A.
Borovilos, James, 41751A.
Boswell, Sherwin W., 41090A.
Bottom, Richard D., 52727A.
Boughton, William S., 41144A.
Bounds, Lee E., 41015A.
Bowen, Myron A., 41694A.
Bowers, Charles L., Jr., 42158A.
Bowman, Richard C., 18338A.
Box, Norman L., 41218A.
Box, Tommy, 26454A.
Boyd, George M., 52707A.
Boyd, Harold K., 17999A.
Boyne, John J., 23944A.
Bracewell, O. C., 41831A.
Braddy, John P., 41832A.
Bradshaw, Robert D., 40448A.
Brady, Eugene L., 22855A.
Branam, William C., 23820A.
Branch, Louis E., 18339A.
Brannan, Charles E., 40876A.
Brantley, Marvin E., Jr., 40744A.
Braun, Joseph M., 40807A.
Braun, Louis D., 40506A.
Braun, Robert R., 40828A.
Breighner, Jesse V., 41745A.
Brenckman, Emil K., 40484A.
Brewer, George W., 48852A.
Brewer, William C., 41933A.
Brewis, Randa M., 41279A.
Brewton, Nicholas B., 40700A.
Bricka, Hays, 52754A.
Bricker, Jerome G., 19699A.
Bridges, Albert C., 64607A.
Briggs, Charles C., Jr., 18602A.
Briggs, Earl F., 42023A.
Brock, Francis J., 41179A.
Brockett, David H., 41293A.
Brockway, Fred A., 41392A.
Brooke, John E., 18622A.
Brooks, Albert L., 42042A.
Brooks, Eugene F., 41714A.
Brooksher, Dan A., 19549A.
Brower, James M., 41991A.
Brown, Bill, 41237A.
Brown, Charles H., Jr., 18343A.
Brown, Conrad M., 40576A.
Brown, Earl C., 18099A.
Brown, Everett C., 41308A.
Brown, Jack E., 41764A.
Brown, Jack F., 24544A.
Brown, James H., 41423A.
Brown, John D., 18030A.
Brown, John J., 41394A.
Brown, Kenneth, 41711A.
Brown, Leonard H., 41717A.
Brown, Marvin L., 18676A.
Brown, Ralph O., 42151A.
Brown, Richard F., 40801A.
Brown, Richard L., 41762A.
Brown, Robert S., Jr., 24379A
Brown, William, 41810A.
Browne, Charles H., 60070A.
Browne, Lewis C. L., 18344A.
Browning, George E., 60067A.
Bruce, Walter S., 41407A.
Bruflat, Leroy A., 42004O.
Brundage, Lew D., 48850A.
Brunette, William T., 42220A.
Brunhart, Roy C., 18345A.
Brunner, Leroy P., 60037A.
Bruns, Wayne H., 24862A.
Bryant, Earl L., 40713A.
Bryder, Paul W., 40724A.
Bubb, Frank J., Jr., 41316A.
Bubb, James E., 41495A.
Buchanan, John E., 25856A.
Buck, Vincent K., Jr., 25540A.
Buesking, Albert W., 22827A.
Buice, William R., 28230A.
Bullock, Herbert H., 41339A.
Bullock, Thomas F., 18346A.
Bundy, Haskell L., 52764A.
Burden, George R., 41468A.
Burger, Earl W., 40574A.
Burke, Emerson F., 40488A.
Burke, Walter H., 23825A.
Burkhardt, Francis J., 41334A.
Burnett, Albert F., 41228A.
Burnett, Kenneth K., 41012A.
Burnham, Ruel D., 40931A.
Burns, Richard F., 41397A.
Burns, Robert, 25627A.
Burris, Wiley E., 42066A.
Burton, Emmett B., 41787A.
Bush, William J., 40727A.
Bushong, Richard B., 41938A.
Butcher, James T., 43002A.
Butler, Barry R., 52706A.
Butler, Dee J., 41665A.
Butler, Heber M., 40503A.
Butler, Robert K., 64508A.
Butterfield, Alexander P., 24747A.
Button, Richard F., 41558A.
Bynum, Harold L., 42010A.
Byrne, Charles A., 18349A.
Byrns, Glen A., 39831A.
Cahill, Jack A., 64535A.
Calafato, Eugene F., 19923A.
Caldwell, Gordon T., 52740A.
Caldwell, James O., 40544A.
Cale, Myron E., 23787A.
Calkins, Harold C., 41690A.
Call, Lowell E., 40659A.
Cameron, William G., 17992A.
Campany, Richard N., 41825A.
Campbell, Billy B., 52658A.
Campbell, Edward J., 18351A.
Campbell, John K., 41709A.
Campbell, Lawrence G., 41176A.
Campbell, Thomas J., 42147A.
Canfield, Robert D., 21556A.
Canham, Harry G., 40475A.
Cannava, Robert P., 40640A.
Cantin, Roger A., 41480A.
Capers, Jack H., 41049A.
Capps, Robert S., 41236A.
Carelock, James M., 25828A.
Carle, Melvin A., 41619A.
Carlson, John M., 24746A.
Carlson, Kenneth R., 40940A.
Carlyle, Charles G., 41492A.
Carmel, William E., 64564A.
Carmell, Leonard, 52752A.
Carnell, Ben H., 42124A.
Carpenter, Thomas J., 18656A.
Carper, Walter E., 41682A.
Carrillo, John C., 41534A.
Carringer, Robert M., 40686A.
Carroll, Ellison E., 23755A.
Carson, Leonard K., 41763A.

Carter, Virgil W., 40934A.
Carter, Wallace H., 41424A.
Caselton, Paul N., 41195A.
Casey, Guy, Jr., 41676A.
Casey, John C., 24395A.
Casey, Joseph T., 27690A.
Casey, Thomas B., Jr., 41511A.
Cash, Melvin G., 40846A.
Casselman, Don L., 18652A.
Castanedo, Wesley J., Jr., 41928A.
Caste, Nick J., 41494A.
Caswell, Roger W., 37538A.
Catlin, Howard R., 40555A.
Caudel, Everett C., 41599A.
Caulfield, James E., 28028A.
Cecil, Charles P., Jr., 18356A.
Celick, Arnold J., 41670A.
Chadeayne, Robert F., 18677A.
Chamberlin, George B., Jr., 18357A.
Chambers, William H., Jr., 23759A.
Chambless, Rubyen M., 25876A.
Chandler, Farish C., Jr., 40891A.
Chandler, Reuben V., 42063A.
Chaney, Newton C., Jr., 42187A.
Chaney, Rondal L., 25829A.
Chapin, William R., 18049A.
Chapman, Harold E., 40808A.
Chapman, Leonard L., 42265A.
Charlton, Homer R., Jr., 41353A.
Chealander, Jerry L., 41185A.
Chenault, William I., 18014A.
Cheney, LaVerne L., 41061A.
Childre, Robert D., 41438A.
Chorak, Jacob N., 42145A.
Chrietzberg, Keith D., 41398A.
Chrisinger, John E., 18811A.
Christensen, Nevin G., 52743A.
Christiansen, Harold M., 41883A.
Christie, William J., 41615A.
Cimino, Anthony P., 40667A.
Clark, Clarence B., 42038A.
Clark, Fred A., Jr., 41658A.
Clark, James B., 42175A.
Clark, James H., 42080A.
Clark, James M., 41990A.
Clark, John R., 18359A.
Clark, Norman H., 40643A.
Clark, Victor E., Jr., 39784A.
Clark, William J., 41723A.
Clarke, Howard D., 41833A.
Clarke, William K., 41530A.
Claypool, Gilvin L., 18037A.
Claytor, David L., 60063A.
Clendenin, Carl C., 41733A.
Cler, Bernard J., 41756A.
Cleveland, Charles G., 18360A.
Clift, Charles D., Jr., 42279A.
Cline, Wilmer F., 24412A.
Clyburn, Robert E., 18611A.
Coates, Charles O., Jr., 41622A.
Cobb, Tommy, 23912A.
Cobbs, Robert H., 42215A.
Coddington, Walter E., 40958A.
Coffee, Harold B., 41564A.
Coffey, Stephen J., 52677A.
Cohen, Marx, Jr., 42144A.
Cole, Alton B., 40539A.
Cole, William Y., 60042A.
Coleman, David B., Jr., 28310A.
Coleman, Mitchell E., 19731A.
Coleman, Thomas R., 41223A.
Coleman, William T., Jr., 41341A.
Colgan, David J., 19538A.
Collens, John W., 3d, 28200A.
Colley, James R., 41046A.
Collins, Cornelius J., 64542A.
Collins, Guy F., 26448A.
Collins, James M., Jr., 41884A.
Collins, John R., Jr., 37942A.
Columbro, Joseph J., 40586A.
Colvin, Wilton L., 21523A.
Coman, James B., Jr., 40898A.
Comerford, Charles V., 40486A.
Compton, Henry W., 24751A.
Comstock, Lonnell T., 40791A.
Conley, Eugene O., 19872A.
Connelly, Daniel W., 41603A.
Conner, Jerry E., 48854A.
Connor, Bryce C., 24383A.
Contestable, Frank W., 41425A.
Conway, Robert C., 41439A.
Cook, Charles T., 41311A.
Cook, James L., Jr., 40745A.
Cook, Robert A., Jr., 41221A.
Cook, Robert J., 64595A.
Cook, William L., 41113A.
Cooke, Charles T., 40817A.
Cooper, Bueford C., 42017A.
Cooper, John D., Jr., 41241A.
Cooper, Leroy G., Jr., 25837A.
Cooper, Philip L., 41033A.
Coose, Richard M., 41327A.
Copeland, Gordon E., 40529A.
Cordingly, William E., 26756A.
Corgill, James N., Jr., 41087A.
Corley, Henry P. T., 18361A.
Corley, John G., 2d, 40917A.
Corley, John W., 42119A.
Cornett, Jack D., 41220A.
Cornette, Earl M., 40864A.
Corning, Frederick, Jr., 60075A.
Corson, Donald M., Jr., 40984A.
Cosco, John P., 41499A.
Cotter, John A., 24520A.
Cotters, John F., 42002A.
Cottle, Joe I., 24495A.
Cotton, Ben W., Jr., 52705A.
Coudert, Philippe, Jr., 41759A.
Courtney, David H., 41104A.
Cousins, Theodore A., 19850A.
Couture, Albert R., 41950A.
Covert, Robert B., 41203A.
Covington, William R., 52656A.
Cowart, Allan B., 41326A.
Cowart, Claude A., 40534A.
Cowles, Gene G., 42079A.
Cox, Frank E., 21489A.
Cox, George R., 21744A.
Cox, Joseph O., 52769A.
Craigwell, Ernest, Jr., 40746A.
Craik, Richard J., 40794A.
Cramer, George E., 23788A.
Crane, George A., Jr., 17893.
Crane, Jean M., 40613A.
Craven, Donald E., 41147A.
Crawford, Gale E., 41045A.
Crawford, Robert E., 42190A.
Crawford, Thomas M., Jr., 18362A.
Creech, Wilbur L., 19867A.
Creel, John P., Jr., 40057A.
Crepeau, Daniel J., 41591A.
Crespy, Harry J., 24749A.
Cristiani, Augustine B., 41336A.
Criswell, James M., 41793A.
Cronin, John B., 23845A.
Cronin, John H., Jr., 18364A.
Cronin, Timothy J., 52688A.
Cross, Carl S., 41721A.
Crossland, Robert F., 24585A.
Croswell, John S., Jr., 18678A.
Crouch, Ben F., 41426A.
Crouch, Robert K., 40815A.
Crowe, John M., 41202A.
Crowley, Donald J., 40644A.
Crowley, Edward J., 40545A.
Crumley, James R., 38376A.
Csorosz, Felix R., 41834A.
Cubbins, William R., 41754A.
Cude, Richard V., 40511A.
Culbertson, Alexander B., 18366A.
Culen, Frank A., 40552A.
Cullen, Robert I., 40614A.
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Wheeler, Herbert K., 52729A.
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Wofford, James D., 48843A.
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Woldt, Robert C., 24541A.
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Zimmer, Arnold E., 42157A.
Zimmer, Charles E., 41962A.
Zimmerman, Elsworth J., 18595A.

Chaplain

Ansted, Harry B., 27662A.
Bean, Curtis M., 26752A.
Beckley, Robert H., 27663A.
Brewer, Charles D., 55147A.
Campbell, Thomas M., Jr., 32424A.
Davis, James W., 64296A.
Deming, Robert T., 64294A.
Eardley, Edward L., 55137A.
Eastland, James H., 55139A.
Ellis, Frederick J., Jr., 48629A.
Engstrom, Leonard M., 55128A.
Esch, George L., 55144A.
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Haney, Paul S., 28156A.
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Holland, Harvey C., 55140A.
Holler, Adlai C., Jr., 27665A.
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Walters, Benjamin H., 55122A.
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Combs, Russell W., 31947A.
Cooley, Frank H., 29655A.
Cullen, Jack M., 32357A.
Dickman, Wilbur J., 56158A.
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Hanson, Harold O., 29773A.
Johnson, Carl E., 29293A.
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Amdall, Robert O., 49666A.
Anderson, Robert W., 26644A.
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Batson, Andrew P., 29863A.
Cherry, John K., 29864A.
Clay, James R., 26715A.
Cobb, Leonard C., 27606A.
Craine, Don R., 32315A.
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Dean, Robert M., 29625A.
Dominy, Dale E., 26706A.
Earle, Jack L., 27991A.
Earley, Charles M., Jr., 26703A.
Edwards, Robert H., 29281A.
Ensenat, Jose R., 32564A.
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Lang, Robert H., 26371A.
Lee, Thomas C., 29410A.
Lindall, Dale R., 27992A.
Lumpkin, Lee R., 32314A.
Mahan, Frank L., 26367A.
Malette, William G., 26366A.
Marx, Frank G., 27609A.
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Michels, Max I., 29478A.
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Taylor, Ellis R., 27630A.
Teagle, Ernest H., 26382A.
Thorpe, James H., 28134A.
Vandenbos, Kermit Q., 26698A.
Vanhoek, Robert, 26746A.
Whitehurst, Walter R., Jr., 27622A.
Wilhite, Glenn E., 26640A.
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Wing, Morgan E., 29280A.
Wolff, Richard C., 27508A.

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Combes, Mary A., 25748W.
Elser, Florence F., 21887W.
Garrecht, Claire M., 51368W.
Gerlack, Rachel M., 54947W.
Goddard, Mary A., 29514W.
King, Wanda M., 23244W.
Krachenfels, Catherine M., 51369W.
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Marchitelli, Florence T., 51367W.
Masten, Billye, 62923W.
Miedwig, Ruth C., 27544W.
Nowikowski, Elizabeth A., 51366W.
Pelchat, Doris M. J., 27543W.
Tonne, Mary A., 51365W.
Wilson, Dorothy J., 64234W.

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Massie, Erby L., 27528A.
Verplank, Maurice S., 51121A.

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Fesenmyer, Mary K., 49738W.
Potts, Pauline, 32472W.

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Abby, Darwin G., 69190A.
Adams, Charles D., 68022A.
Adams, John R., 68209A.
Adamson, Derry A., 59120A.
Adee, Donald P., 59469A.
Aglio, Carl J., 59121A.
Aho, Wallace E., 67657A.
Ahrens, Steven M., 67733A.
Akeyson, Edward W., 69399A.
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Aldrich, Fred E., 67967A.
Alewine, Walter M., 68630A.
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Alexander, Norman C., 59124A.
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Allen, Lacy A., 69042A.
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Allred, Leron H., 68361A.
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Anderson, Claude R., 68319A.
Anderson, Frank E., 67833A.
Anderson, James W., 3d, 59129A.
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Biggins, Robert B., 67713A.
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Bilello, James A., 59139A.
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Bookwalter, Edwin B., 67924A.
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Ward, John P., 63552A.
Ward, Richard E., 68336A.
Wardsworth, Robert E., 67813A.
Ware, Bruce K., 69356A.
Ware, Donald F., 59425A.
Ware, George E., 69156A.
Warner, Donald D., 68131A.
Warner, Robert L., 68024A.
Warnock, Edward R., 59884A.
Warren, James B., 68818A.
Washburn, Bruce S., 68948A.
Washburn, William T., 59539A.
Washington, Donald L., 68905A.
Wasser, Russell S., 68422A.
Waterman, Charles R., Jr., 59426A.
Waters, Samuel E., Jr., 59427A.
Watson, Jack O., 68311A.
Watson, Patrick J., 68690A.
Watson, Ted M., 68845A.
Watts, Holbrook M., 67954A.
Watts, Laurence E., 59654A.
Waugh, Grant R., 59428A.
Waylett, Dan K., 59768A.
Weatherbee, James C., 69098A.
Weaver, Floyd W., 68389A.
Weaver, Jack R., 68243A.
Weaver, Viven T., 68178A.
Weber, Arling R., 67610A.
Weed, Bobby P., 68121A.
Wehman, Benjamin P., 67697A.
Weiler, Richard J., 69036A.
Weinaug Robert P., 59429A.
Weintraub, Richard S., 68478A.
Welde, Anthony C., 68889A.
Wellman, David C., 68587A.
Wells, Don E., 68971A.
Wells, James N., 69477A.
Wenker, David J., 68281A.
Weppner, William G., 67818A.
Werne, Thomas, 69030A.
Werrell, Kenneth P., 59430A.
Wesner, Thomas D., 67770A.
Wessell, David L., 68552A.
West, John W., Jr., 68098A.
West, Paul T., 69410A.
West, Philip W., 67878A.
Westmoreland, Michael T., 68601A.
Whaley, Ernest D., Jr., 59431A.
Wheat, Rollin T., 68827A.
Wheeler, James E., 69057A.
Wheeler, Kenneth H., 68010A.
Whitaker, Gary L., 68192A.
White, James H., Jr., 68689A.

White, Richard W., 69259A.
White, Robert J., 68775A.
White, Robert R., 69352A.
White, William K., 68684A.
White, William O., Jr., 69313A.
Whiteman, Leonard J., Jr., 68073A.
Whitman, Edwin L., 59432A.
Whittington, William A., 68932A.
Whittington, William R., 68402A.
Whyman, Larry L., 67658A.
Wied, Stanley F., 59837A.
Wiemer, Robert E., 68987A.
Wiest, David L., 59433A.
Wilcox, Jimmy G., 59110A.
Wilcox, Roger C., 69201A.
Wilkerson, Bruce W., 68039A.
Wilkes, Quenten L., 67869A.
Wilkinson, Philip A., 68806A.
Willett, James G., 63220A.
Williams, Brian R., 69496A.
Williams, Britt G., Jr., 69198A.
Williams, David C., 59434A.
Williams, Douglas A., 68167A.
Williams, Edward, 68532A.
Williams, Emmett E., Jr., 68557A.
Williams, Everett C., Jr., 68796A.
Williams, Freddie J., 69245A.
Williams, Harold C., 69244A.
Williams, James C., 68090A.
Williams, James W., 69006A.
Williams, John L., 68604A.
Williams, Monte P., 68686A.
Williams, Philip T., Jr., 67623A.
Williams, Richard M., 67760A.
Williams, Robert L., 69104A.
Williams, Thomas O., 3D, 67712A.
Williamson, George E., Jr., 68357A.
Williamson, James B., 67674A.
Willigrod, William E., 68491A.
Wills, Victor D., 69170A.
Wilmore, Duncan, 59435A.
Wilson, Edwin B., 69618A.
Wilson, Patricia A., 67926W.
Wilson, Paul W., 59788A.
Wimbrow, Peter D., Jr., 68890A.
Winch, Wayne S., 68957A.
Wingerter, James H., 59535A.
Winkelmann, Edgar W., 68115A.
Winkler, Larry D., 62459A.
Winslow, John M., Jr., 68410A.
Wissinger, Kenneth L., 67820A.
Witt, Prentice G., 69307A.
Wittrock, Ralph J., 67616A.
Woelfel, Edward A., 68574A.
Wofford, Kern B., 68184A.
Wolf, Richard L., 59437A.
Wolfe, John M., Jr., 67825A.
Wolff, James F., 68783A.
Wolfswinkel, Donald L., 59438A.
Wood, Charles T., 68576A.
Wood, Francis E., 59577A.
Wood, George E., 68561A.
Wood, James H., 68051A.
Woodman, Lloyd, Jr., 69074A.
Woods, William W., Jr., 69272A.
Woodson, Richard E., 69429A.
Worrell, Malcolm L., Jr., 69395A.
Worst, Karl E., 69094A.
Wozniak, David D., 68734A.
Wright, Robert E., 68891A.
Wright, Roger W., 69362A.
Wroblewski, David L., 68757A.
Wyatt, James L., Jr., 69332A.
Wynne, Thomas O., 68076A.
Wyrick, Andrew G., Jr., 67891A.
Yantis, Albert L., Jr., 68129A.
Yates, Charles L., 67821A.
Yates, Ronald W., 59439A.
Yeaman, Robert R., 69089A.
Yee, Edmund C. H., 68730A.
Yeokum, Charles M., 68382A.
Ylen, Joan O., 67599W.
Yoakum, Victor E., 59440A.
Yon, Thomas P., 68110A.
Yoshinaga, Gene N., 67948A.
Young, David J., 59441A.
Young, Douglas R., 59750A.
Young, John E., 59442A.
Young, William M., 68193A.
Youngson, James, Jr., 67904A.

Zabel, Richard A., 69279A.
Zaccagnino, Salvatore A., 59443A.
Zachem, Jon N., 69031A.
Zeitler, Fraine C., 69355A.
Zenuk, Stanley T., 68416A.
Zersen, William F. H., 59444A.
Zimmerman, Alex D., 59445A.
Zimmerman, Richard P., 68171A.
Zimmerman, Robert T., 67618A.
Zlotnicki, Bogdan M., 67690A.
Zumwalt, Grover C., 68562A.

Medical Service Corps

Ayars, Richard W., 61201A.
Baker, Frank C., 59569A.
Belfiglio, Valentine J., 65961A.
Bingham, Thomas W., 65964A.
Boehm, Paul E., 65972A.
English, Robert A., 65969A.
Gemma, William R., 65970A.
Hartman, Richard K., 65965A.
Heyart, Richard T., 65957A.
Houston, Robert G., 65951A.
Kidd, Charles C., 65966A.
Leopold, Gerald R., 65973A.
McDougald, Donald H., 65963A.
Montague, Francis, 65960A.
Moore, Jerry L., 59801A.
Nickerson, Howard W., 65952A.
Park, Clinton R., 65955A.
Rider, George, 65968A.
Rothman, Torsten, 65953A.
Strentzsch, Alfred I., Jr., 65971A.
Tatera, Bernard S., 65954A.
Tillery, Dean, 65959A.
Vanrysselberge, John P., 65967A.
Veenhuizen, Edward L., 67917A.
White, Joe B., 65958A.
Woodward, Robert L., 65962A.

(Note.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.)

HOUSE OF REPRESENTATIVES

Monday, February 11, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Romans 13: 7: *Render therefore to all men their dues; tribute to whom tribute is due and honor to whom honor is due.*

Most merciful and gracious God, we thank Thee for days in the calendar of our national history when we are privileged to call to mind the life and character of those who sought to serve our beloved country in accordance with Thy holy will.

During this week we are paying tribute and honor to the memory of Abraham Lincoln, that great American patriot, who stood like a giant among his contemporaries and whose sacrificial devotion and service have made an indelible impression upon all succeeding generations.

Grant that his passion to safeguard our Union may inspire us with longings to promote and preserve the union of God-fearing and God-loving men and nations in their search and struggle for amity and peace.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 7 1963, was read and approved.

TO HELP CONGRESSMEN HELP CONSTITUENTS: AN AMERICAN VERSION OF THE SCANDINAVIAN OMBUDSMAN

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, I have been impressed by the job that is being done in behalf of the average citizen in his relations with the bureaucracy by the Scandinavian Ombudsman. This political innovation acts as an administrative Robin Goodfellow to see that the citizen obtains the individual rights from his government to which he is entitled.

I have recently asked some experts in Government to put their minds to the question whether some variant of the ombudsman may be relevant to this country.

Two distinguished political scientists, Thomas J. Bennett and Quentin L. Quade, of the Department of Political Science at Marquette University, Milwaukee, Wis., have set out the results of their careful consideration of the matter in a constructive paper:

Congressional Commissioner for Civil Liberties

The modern state is characterized by a heavy involvement in social activity, ranging from basic regulation of the economy, to roadbuilding, to social security, and a vast number of other functions. While serious questions continue to be raised about particular elements of this state involvement in social welfare, the general notion of state responsibility is widely accepted and will undoubtedly persevere.

The natural corollary of the growth of state functions is the modern administrative apparatus, which has the overall task of implementing the broad dictates of the responsible political officials. The expansion of the administrative group in the United States has resulted from the adoption of basic policies which require administrative implementation. Thus, the growth of bureaucracy is fundamentally necessary as a device for confronting genuine problems. Parkinson's Law to the contrary notwithstanding, the great preponderance of bureaucratic development has not been self-justifying and self-initiating.

But if bureaucracy as a general phenomenon is recognized as natural and necessary, the fact remains that the great administrative systems of our day present real problems. As the systems have grown larger, they have also been withdrawn from the public, and have become significantly depersonalized. The very ease with which we speak abstractly of the "bureaucracy" seems to testify to this. And, most, important, the enhancing of administrative power and influence over day-to-day existence has significantly increased the possibility of administrative injustice.

Thus, the administrative problem for the United States and other democracies is how to grant sufficient powers to their bureaucracies to enable them to act effectively, and at the same time maintain regular channels of political control over and public appeal from bureaucratic activity. The specific concern of this paper is with the second part of the problem: methods for protecting the rights of the citizen in his relations with the administrative system.

U.S. TECHNIQUES

American Government could not have existed as long as it has without developing some mechanisms for accomplishing the ends described above. American responses to the problem may be classified as, first, congressional; second, judicial; and third, private.

Congressional

The need for new machinery to permit the decisionmaking branch of the U.S. Government to oversee the activities of the administrative branch has long been recognized; indeed, the job has already been started. In 1940 Representative Luther Patrick remarked that: "A Congressman has become an expanded messenger boy, an employment agency, getter-out of the Navy, Army, Marines, ward heeler, wound healer, troubleshooter, law explainer, bill finder, issue translator, resolution interpreter, controversy oil pourer, glad hand extender, business promoter, conventional goer, civic ills skirmisher, veterans' affairs adjuster, ex-serviceman's champion, watchdog of the underdog * * *" and so on and on and on.

Faced with an administrative organization whose activities are increasing almost daily, Congress sought to protect its primary job of setting national policy by relieving itself of the retail business of making decisions in individual cases of maladministration. The Legislative Reorganization Act of 1946 forbade the introduction of several classes of private bills, which until then had consumed thousands of man- and committee-hours. Some of these activities formerly handled by Congress itself were delegated to administrative organizations: for instance the correction of military records was assigned to boards within the Defense Department, and veterans' pension claims actions were allocated to the Veterans' Administration. By other congressional acts the Bureau of the Budget has been assigned extensive preaudit duties, the Civil Service Commission was granted quasi-judicial powers over civil servants, and Presidential commissions have been permitted to exercise overall criticism of administrative organization.

Permitting administrative agencies to police their own activities, however, has an inherent limitation. In a system which requires each branch of Government to check and balance each of the others, Congress requires tools of its own if it is to be the watchdog of administration. An effective beginning was made with the passage of the General Accounting Act of 1921, aimed at lightening the load of the basic congressional units while retaining independent congressional oversight of the administrative arm of Government. The act assigned the primary job of budget drafting to the Bureau of the Budget, but at the same time the General Accounting Office was created as an agency of Congress, and charged, among other duties, with the postauditing of nearly all Federal Government expenditures.

The GAO was a valuable beginning, but of course it does only part of the job of overseeing the multiple activities of big government. It uncovers, and prevents, financial mismanagement, misuse of appropriated funds, and even individual misconduct in the use of Federal moneys. But it does not attempt to supervise Government operations that do not involve the spending of money, nor does it act as an investigator of private claims of maladministration.

Judicial

The Federal courts are probably the most effective checking mechanism available to the average citizen who has been injured by his Government. Government agencies themselves may be sued in the Court of Claims, and individual officers of Government may be sued in the regular court system. Even within their jurisdiction, of course, the courts have certain disadvantages for the injured citizen. For one thing, court calendars are crowded. In the 86 district courts, for example, the average time between the filing of a complaint and the beginning of the trial was, in 1958, just under 12 months. And in the busiest jurisdictions, for instance in New York City, the elapsed time averaged between 2 and 4 years.

Not only that, but not every citizen is able to risk the expense of an extended court case, and only a very small number of cases are able to attract the support of private litigating organizations such as the NAACP or the ACLU. It is true that every citizen has the right to take his case to court, and that the courts have been effective guarantors of the rights of Americans, but too aften the time and expense of adjudication cause prospective plaintiffs, faced with a full-time, Government-paid battery of lawyers, to accept injustice with the observation that "You can't fight city hall."

If these criticisms of the courts are peripheral and subject to quarrel, there is another criticism that is fundamental to the problem posed by this paper. The courts of necessity concern themselves with outright violations of law. In the big time modern state, however, it is possible for citizens to suffer at the hands of government without being able to point to the infraction of any statute, and without even being able to invoke the authority of equity. Congress had found it increasingly necessary to delegate extensive discretionary powers to administrative agencies. While it would be difficult to suggest the withdrawal of such discretionary power, it is quite proper for Congress, in the insurance of the rights of citizens, to check upon individuals' complaints that the discretion is being used in a way that Congress might not approve.

It should be pointed out in addition that the United States, noted since the days of De Toqueville as a nation of legalists, has lagged far behind most other democracies in the establishment of administrative tribunals. As will be described below, the typical European pattern has seen the establishment, as the corollary of administrative agencies, of tribunals devoted to hearing appeals from agency actions. In our country the practice has been to permit independent agencies, which as their name implies are largely free of both executive and legislative control, to exercise adjudicative authority. We have established a minimum of special courts, such as the Court of Customs and Patents Appeals and the Tax Court. These latter, of course, are subject to the same limitations ascribed to the regular court system.

Private

Our Government has been rightly described as one characterized by multiple access points; that is, a government in which the citizen may attempt to influence policy at several points. The result has been the proliferation of interest groups that lobby continuously, not only in the legislature, but at every level of government excepting only the courts. The importance of such groups for this paper is that many of them serve as fulcrums with which the individual citizen may move the vast bulk of government. A veteran, for example, who can interest the American Legion in his quarrel with the Veterans' Administration, can certainly speak with a louder voice, at less cost to himself, than the hardy soul who attempts the job alone.

The most important of the private organizations that go to bat for aggrieved citizens is the mass communications industry, especially the newspapers. There is no doubt that a cleverly written human interest story or an incisive exposé can produce redress of grievances in most dramatic fashion. Private bills in Congress that set aside the rules of the Immigration and Naturalization Service are perhaps the best example.

Without belittling the good works of the private organizations, it should be pointed out that their work, too, is subject to limitation. First of all, their coverage is spotty. Not every citizen has access to an interest group that will fight his case. There is, for example, no National Association for the Protection of Taxpayers. The individuals who have the least means for utilizing the existent grievance channels are often the ones least well equipped to organize themselves into an effective interest group—one thinks of migrant workers. The newspapers, for reasons of self-preservation, can concern themselves only with cases that have reader appeal—and many citizen grievances make dull reading.

A second criticism of the private organizations is that they often are less interested in justice than in satisfaction of their clients. The Congressman under pressure to exert his influence on behalf of a dissatisfied constituent has no disinterested investigator available whose loyalty is to neither of the contestants, but to Congress itself.

In summary, it seems evident that while the traditional American techniques for the protection of citizens from abuses and from inadequacies of administrative power were satisfactory before the recent growth of the administrative state, and still work fairly well today, there is room for improvement. The grand plan of American government need not be altered, but consideration of new devices for checking upon the administration is in order.

APPROACHES OF OTHER COUNTRIES

The phenomenon of the burgeoning bureaucracy is not peculiar to the United States, but approaches universality in modern democracies. Accordingly, it may be worthwhile to examine briefly the methods of administrative control employed by certain other nations.

Britain

The fundamental avenue of control in Great Britain is the tradition of ministerial responsibility, which holds the relevant Government Minister immediately accountable before Parliament for the acts of civil servants operating within his Department. The tendency in this relationship is for the Ministers to be acutely concerned with the acts of the administrative officials, because these actions, if they are abusive to civil rights or amenities, will have unhappy political repercussions for the Government and party responsible.

But in addition to this primary condition, the British have two other general techniques for maintaining the responsibility of bureaucratic action. In some areas of actual dispute, the offended party can appeal administrative decisions to the regular courts. This is the case when questions of legality are raised. But of more constant utility is the system of administrative tribunals. These tribunals are organized within each administrative department, their chairmen are selected by the Lord Chancellor, and the other members of the tribunals are selected by a Council appointed by the Lord Chancellor. The tribunals are to guarantee that the methods by which decisions are made within administrative departments are not arbitrary and lacking in circumspection. Particularly, they are to provide opportunity for interested parties to challenge the bases of administrative methods. Overseeing the actions of the tribunals is the Council on Tribunals, established in 1958. The Council is charged with the protection of civil rights as they are influenced by the decisions of administrative tribunals.

Hinged around the system of ministerial responsibility, the British techniques for insuring public control over the administrative apparatus seem to operate quite effectively. However, British practice has little apparent applicability to the United States where Presidential lines of authority over and responsibility for the civil service tend to be blurred and incomplete.

France

For different reasons, French practice in this area is similarly not overly useful for U.S. purposes. In France, there are two distinct court systems. The first, the so-called regular law courts, are devoted to ordinary civil and criminal cases. This corresponds to one aspect of the British-American judicial tradition. But in the French tradition, the common-law courts have no jurisdiction over actions by the executive element of government, including the administrative system. To overcome this deficiency, the French, beginning shortly after the Revolution of 1789, created a separate, integral system of administrative courts, capped by the Conseil d'Etat, to adjudicate all cases involving conflicts between different public authorities, or between public authorities and citizens. The French Conseil d'Etat, with its subordinate courts organized regionally throughout the country, has done a generally excellent job of protecting and preserving the rights of the individual citizen in his relation to the bureaucratic structure. But it is even more foreign to American tradition than is the British practice and even less likely to have utility for this country. The classical American notion of all men—including officials—before the law—the same law—is so deeply entrenched that any attempt to alter it by establishing a separate court system devoted to administrative law would undoubtedly be futile.

Ombudsman

An essentially different approach to the problem of controlling the administrative machinery is practiced in Scandinavia, and the Swedish and Danish experiences seem particularly relevant to an appraisal of U.S. methods. The primary device used in these two countries is an institution known as ombudsman, officially described in Sweden as the special parliamentary commissioner for the judiciary and the civil administration and in Denmark as the parliamentary commissioner for civil and military government administration.

The Swedish ombudsman, as his official title indicates, is appointed by the legislature, for a period of 4 years. He is given a general charge of supervising the courts and civil service to guarantee that they observe the law, the constitution, and their specific letters of instruction. He is expected to investigate any charges of wrongdoing brought against such officials, and if he finds the charges justified, he may institute court proceedings against the errant official, or, more often, simply order corrective action. The supervision of courts in addition to the civil service is really a hangover from past conditions. When the Swedish ombudsman was initially instituted in 1810, there was more incidence of corruption and arbitrariness in the judicial system than in the civil service, which at that time was rather minute. At the present time, however, the court system is not so prone to such problems, and the bulk of ombudsman activity has shifted toward one or another area of civil service. As we shall see, Denmark was cognizant of this when it initiated its ombudsman system in 1954.

The Swedish ombudsman appoints a small staff to assist him in his functions. His activities fall into two areas: first, his office receives complaints from citizens who contend that their rights have been abused by some segment of the judicial or administrative machinery, and he undertakes an investigation of the charges; second, he is empowered to undertake inspection visits of the various administrative units, during which visits he can examine random cases of administrative action. The ombudsman may take action in specific cases of administrative injustice, and, further, he is expected to offer general recommendations for administrative reform to the legislature when he deems them necessary.

It should be noted that in 1915 Sweden established a separate ombudsman to handle cases of alleged military injustice. As the more recent Danish experience seems to indicate, this area of appeal could be handled as well by delegation within a central ombudsman office as by the creation of two distinct offices.

The Danish ombudsman was styled after the Swedish model, with certain signficant modifications: the same office handles civil and military affairs, and judicial activities are outside the realm of ombudsman action. He must investigate any charges against public officials for abuse of power or trust, or negligence in office. He has the right to inspect all administrative units of the Central Government, and he has access to all files and documents. If the ombudsman determines that an actual abuse exists, he may proceed with prosecution, or direct that corrective actions be taken within the administration, depending upon the degree of the abuse and the culpability involved.

In the cases of both Sweden and Denmark, the public has ready access to ombudsman. All that is required is a written complaint, preferably but not necessarily with supporting documents.

Scandinavian experience with the ombudsman device has been highly satisfactory. In Sweden, of course, that experience stretches back a century and a half, and the Swedish institution is generally very highly respected in that country. Denmark has had its ombudsman only 8 years, and yet the office in that country has proven to be extremely successful. Some appreciation of the Scandinavian success may be gleaned from the fact that New Zealand adopted a similar system during 1962.

RECOMMENDATION: CREATION OF AN OFFICE OF CONGRESSIONAL COMMISSIONER FOR CIVIL LIBERTIES

Unlike the British and French methods for controlling the bureaucracy, the Scandinavian examples appear to have considerable relevance to the conditions of the United States. Indeed, by drawing liberally upon them it is possible to suggest a new method by which the United States could help guarantee the responsibility of its civil administration.

Congress should consider the establishment of an Office of Congressional Commissioner for Civil Liberties. Such an office in the United States should be centered in Washington and have regional subdivisions, perhaps paralleling the 11 civil service regions. As it noted below, such an office need have only a small staff, despite the high significance of its work.

The jurisdiction of the Congressional Commissioner would extend only to the Federal civil service, and need not be involved with the court system or with the State and local bureaucracies. As was seen above, recent Scandinavian experience indicates that the bulk of problems today comes from administrative action, and this will probably be the trend in the future.

The Congressional Commissioner's office should have two kinds of functions: First, to receive, appraise, and investigate citizens' complaints about alleged administrative injustices; and second, to carry on periodic, but not announced, field inspections of administrative bureaus around the country. Connected to these tasks, the Congressional Commissioner would prepare for Congress an annual report of actions taken in the administrative field, and recommendations of a general character for reform in the administrative apparatus.

In responding to citizens' charges, the Congressional Commissioner would not himself have the power to overthrow administrative action, but would have several alternative techniques: First, recommend to the bureau in question that it reconsider and amend its decision—if European experience is pertinent, the great preponderance of cases would be handled in this fashion; second, institute proceedings in the regular courts on behalf of the citizen; third, finally, in extreme cases, appeal directly to Congress for redress. This multiplicity of methods would give the Commissioner the flexibility such an office would demand, to avoid turning relatively small matters into mountains.

Before closing the argument, three obvious criticisms ought to be dealt with. The first of these, and the most basic, is that the creation of a new office to oversee the activities of the administrative branch of government would be a violation of the checks and balances system of American Government. The foregoing argument should make it plain that such is not the case. The Congressional Commissioner would be, as his title implies, an additional legislative check upon the executive branch, and would be a part of the balance that has endured since 1789. The Commissioner would be an agent of Congress, with no independent power. He would, as a matter of fact, be considerably more in the spirit of the American system than are the independent agencies, which are almost wholly outside the traditional threefold balance, and which now perform a part of the duties that he would undertake.

The second criticism is that the creation of a new bureaucracy is a poor solution for the problems of an already vast government. It seems reasonable to suppose that the Commissioner's staff, to be effective in a nation of 180 million population would need to be considerably larger than the staffs which serve small countries such as Sweden and Denmark. But the experience of each of these countries, and of New Zealand, would seem to indicate that even a tenfold increase in personnel would still result in a very small bureaucracy. The Danish ombudsman, for example, employs a staff of eight, including clerks. To place the problem in perspective, it should be noted that the General Accounting Office employs some 6,500 persons. It is inconceivable, if the experience of the other nations is to be taken as a guide, that the total staff of an American Congressional Commissioner should exceed 200.

Finally, a word should be said about the Congressman-constituent relationship. While admittedly a burden for the busy Congressman, the ability to act as errand boy for constituents has traditionally been both a source of political strength for him, and a way of maintaining contact with the needs of the people he serves.

There is no reason to suppose that the Commissioner would impair that relationship. One of the difficulties of the present situation is that the requirements of time frequently force Congressmen to deal with constituents' requests upon the basis of inadequate information. It would serve constituents better if Congressmen could guarantee them impartial, complete investigations of complaints by an agency of Congress. Not only would Congressmen then be spared the embarrassment of proceeding with inadequate information, but the constituent would be happy in the knowledge that his case was receiving complete investigation.

Furthermore, the existence of the Congressional Commissioner would in no way limit the ability of the Congressman to concern himself personally in those cases which strike him as important, and within his sphere of competence. Indeed, the opportunity to lighten his workload by referring most cases to the Congressional Commissioner would increase the Congressman's ability to concentrate his time and energy upon the cases which interest him most.

Mr. Speaker, I also recently asked for a report on the ombudsmen from the Library of Congress Legislative Reference Service. Miss Mary Louise Ramsey of the American Law Division prepared this excellent study:

NOVEMBER 30, 1962.

To: Hon. HENRY S. REUSS.
From: American Law Division.
Subject: Experience of other countries with ombudsman; suggestions for legislation creating this office in the United States.

Sweden has had a constitutional officer known as the Justitieombudsman, or civil ombudsman, since 1809. Its military ombudsman was created in 1915. Finland has had a civil ombudsman since 1919; Denmark since 1955. New Zealand and Norway have established similar offices this year.

Although the chief interest in the Scandinavian ombudsmen is now centered on their responsibility to prevent errors or abuse of power by administrative agencies, this is a comparatively recent development. In both Sweden and Finland this officer has jurisdiction over courts as well as other officials, and for many years Sweden's civil ombudsman was primarily concerned with the functioning of the courts.

Article 96 of the Swedish Constitution provides for the appointment by the Riksdag (legislature) of two persons of known legal ability and conspicuous integrity to act, one as civil, the other as military, ombudsman in the capacity of representatives of the Riksdag according to instructions issued by it. The military ombudsman supervises military affairs. The civil ombudsman is responsible for the observance of laws as applied in all other matters by the courts and public officials. 3 Peaslee, Constitutions of Nations 318 (2d ed. 1956).

The jurisdiction of the civil ombudsman does not extend to government corporations, which are not considered organs of the government, or to ministers of the government. However, ministers do not supervise administrative departments in Sweden. The bureaucracy is subject to control by the whole government, but without supervision by particular ministers. Consequently, with a few exceptions the civil ombudsman has jurisdiction over the highest officials who may decide a matter.

Under Swedish law, both the civil administration and the courts are manned by career officials who hold office until they reach pensionable age. They enjoy a security of tenure which can be ended only by a legal finding of dereliction of duty. As a corollary of this security of tenure, they are personally liable for damages suffered by private interests from their dereliction of duty. Citizens have a constitutional right of access to all public documents with certain statutory exceptions designed to protect information in areas where secrecy is essential. The ombudsmen exist to make effective the restraints on public officials, and to protect the rights of citizens. Jagerskiold, "The Swedish Ombudsman," 109 University of Pennsylvania Law Review 1077, 1079–1080 (1961).

The ombudsmen may make inspections and investigations on any matter within their jurisdiction on their own initiative or on complaints from members of the public. In making investigations they generally have power to obtain access to all information in the possession of the government. Article 97 of the constitution gives them the right to "attend the deliberations and conclusions of the supreme court, the supreme administrative court, the secretariat of the supreme court, the courts of appeal; the administrative boards or the institutions established in their place, and all lower courts, but [they] shall have no rights to express their views thereat; they shall also have access to the minutes and records of all courts, administrative boards, and public officials."

The ombudsmen exercise the powers of a prosecutor. Article 96 authorizes them to institute proceedings before competent courts against those who, in the execution of their official duties, have, through partiality, respect of person or other causes, committed any unlawful act or neglected to perform their official duty.

The ombudsman has an unfettered discretion to prosecute or not to prosecute an official found to be at fault. Out of this has grown two practices, which though long continued, are still the subject of debate. One is to reprimand an erring official publicly or privately, without prosecution. The second is to advise an official that certain actions are illegal but that prosecution will be withheld if certain steps are taken to correct the error. For example, in one case, the civil ombudsman stated that he would abstain from prosecuting the judges of a court of appeals for a decision he deemed erroneous if they would pay compensation to the party injured by their decision. The judges voluntarily paid the damages demanded to avoid the inconvenience of a prosecution, although affirming their adherence to their earlier opinion. In another case, the civil ombudsman criticized a court officer for having attached certain property illegally. Thereupon, the officer released the property. By an oversight, the ombudsman's interpretion of the law had been clearly erroneous. He accordingly paid compensation out of his own pocket. Jagerskiold, supra at 1087–1092.

The scope of the ombudsman's activities in the field of administration in recent years is indicated by the following excerpts from Jagerskiold, supra at 1095–1099:

"* * * [he] has devoted great attention to deprivation of liberty in the social sphere, particularly as to the care of alcoholics and the administration of hospitals, especially mental hospitals. He has also developed an increasing interest in tax assessments, and has hired special assistants for this work.

"He has also instituted proceedings in cases where officials have acted beyond their jurisdiction in such fields as the administration of export regulations and rent control, and he has investigated matters concerning the legal position of civil servants, their mode of appointment, the rules for granting them leave, and the disciplinary measures which may properly be taken against them.

"The contributions of the ombudsman as a protector of speech, belief, and assembly have been particularly noteworthy in periods of political unrest. * * * Nevertheless, in his latest annual report [1960] the ombudsman tells of prosecuting a parish clergyman who took it upon himself to rip down a poster about a nonconformist meeting.

"The free access to public documents where there is no rule of law making them secret is an ancient legal right in Sweden which the ombudsman has struggled to make effective. * * * Both ombudsmen have continued to defend the right, * * * for example, to persons who have been dismissed from office and want to inspect the relevant documents. * * *

"The ombudsman has kept up a constant defense of the rules guaranteeing personal security from abuse of the police power. Thus an illegal arrest is likely to lead to prosecution of the policeman. This concern for the individual extends to prisoners as well as to citizens at large. * * * The ombudsman makes periodic inspections of the prisons and in the course of the years he has been responsible for great improvements in the treatment and health of prisoners. * * *

"The ombudsman has worked continually to defend the integrity of the administration against abuses of official position for political ends—against, for example, political propaganda by clergymen and military officers, corruption, abuse of power for personal favors and gain, and the setting aside of rules of evidence.

"A final note might be made of the special contributions of the military ombudsman in exercising strict control over military punishments and the treatment of subordinates and conscripts with respect to their human rights."

The Finnish ombudsman performs functions very similar to those of his Swedish counterpart. Article 49 of the Constitution of Finland provides for the appointment by the Diet (legislature) of "a person distinguished in the law" who shall be Solicitor of the Diet for a 3-year period. That officer is charged with the duty of supervising "the observance of the laws in the proceedings of courts and other authorities" in conformity with instructions given him by the Diet. He is given "the same right as the Chancellor of Justice to be present at the sessions of the Council of State and of tribunals and public departments, to have access to the minutes of the Council of State, of ministerial departments, tribunals, and other authorities, and, under the responsibility imposed by law upon prosecutors, the right to prosecute or cause to be prosecuted complaints for malfeasance or nonfeasance in office." Each year he is required to report to the Diet the manner in which he has performed his functions, the state of the administration of the law and the defects which he has noticed in legislation—1 Peaslee, Constitutions of Nations 871 (2d ed. 1956).

Finnish experience with this office has received less attention in the literature than has that of Sweden and Denmark. According to the Solicitor's Annual Report for 1955, his office handled 977 cases—825 complaints and applications of individuals were disposed of, 64 cases were considered on the Solicitor's own initiative, and 88 cases were postponed. Of the 825 cases initiated by individuals, 264 related to courts, 173 to agencies for executing punishments, 145 to prison agencies, 60 to police agencies, 20 to military agencies, 102 to other Government agencies, and 56 to various other agencies. Prosecution was initiated in 12 cases, disciplinary punishment was suggested in 2 cases, reminders were given to agencies in 22 cases, and directives issued to agencies in 12 cases. In 35 cases the errors were corrected by the agencies. In the remainder no action was taken for various reasons (report on "The Ombudsman and Related Systems of Governmental Supervision in Scandinavian and Other Countries," Johannes Klesment, European Law Division, Law Library, Library of Congress, June 19, 1961).

The new constitution adopted by Denmark in 1953 directed, in section 55, that the Folketing (legislature) should provide for the appointment of one or two persons, who should not be members of the Folketing, to control the civil and military administration of the state—1 Peaslee, Constitutions of Nations 740 (2 ed. 1956). A law passed on June 11, 1954 provided for a single ombudsmand (Danish spelling) having jurisdiction over both civil and military administration. The first ombudsmand took office on April 1, 1955. He is elected by the Folketing, is eligible to reelection, and can be dismissed at any time, but the legislature cannot interfere with his handling of individual cases. He is directed to "keep himself informed as to whether any person within his jurisdiction pursues unlawful ends, makes arbitrary or unreasonable decisions, or otherwise commits mistakes or acts of negligence in the discharge of his duty." Hurwitz, "The Danish Parliamentary Commissioner for Civil and Military Government Administration," 1 Journal of the International Commission of Jurists 224 (1958).

The Danish ombudsmand's jurisdiction and powers are in some respects broader, and in others more limited, than those of the Swedish ombudsmen. His authority extends to ministers but not to the courts, whereas, in Sweden, the reverse is true. In both countries all officers and employees in the administrative service are subject to this form of supervision. If the Danish ombudsmand finds that a minister should be called to account for misconduct in office, he reports the matter to the Folketing. If he finds that other persons within his jurisdiction have committed criminal offenses in their official capacity he may instruct the prosecuting authorities to bring a charge before the courts, but he does not himself act as prosecutor, as the Swedish ombudsman is empowered to do. He may also direct the appropriate administrative authority to institute a disciplinary investigation of an erring civil servant. Christensen, "The Danish Ombudsman," 109 University of Pennsylvania Law Review 1100, 1105–1108, 1114–1115 (1961).

His most important power is to investigate any civil or military activity of public officers, upon receipt of a complaint, or on his own initiative, and to state his views on the matter to the person concerned, to the officer or agency investigated, to the Folketing, and to the public, as he thinks proper. He may inspect any government office, and public officers and employees are required to furnish him with information and produce relevant documents or records, subject to limitations concerning state secrets and the exclusion and exemption of witnesses. If he finds that an individual has been wronged, he may recommend that free legal aid be granted to enable the injured person to bring an action against a state authority or a public officer or employee for alleged error or negligence.

The ombudsmand has no authority to change an administrative decision. He may make recommendations and negotiate with the appropriate authority for correction of what he believes to be error. By an amendment adopted in 1959, complaints may not be brought before the ombudsmand concerning decisions which may be altered by higher authority. This does not prevent investigation on the ombudsmand's own initiative, nor does it apply to the method of handling the case, as distinguished from the substance of the decision.

During the years 1955–59, more than 4,400 cases were brought to the ombudsmand's attention, of which over 1,600 required further investigation. In 10 to 15 percent of the cases investigated, ground for criticism or need for improved methods of handling public business was found to exist. About half the complaints investigated related to the ministries, especially the Ministries of Justice and Finance, the police and prosecuting authorities. The subject matter ranged from complaints of discriminatory tax assessments, the conditions for restoration of a driver's license after revocation and the participation by a university professor in the faculty's consideration of a doctoral thesis by his son-in-law, to the laxity of the Ministry of Foreign Affairs in granting security clearance to an officer who had a long record of unreliability in financial matters and who was subsequently convicted of espionage. Hurwitz, "Denmark's Ombudsmand: The Parliamentary Commissioner for Civil and Military Government Administration," 1961 University of Wisconsin Law Review 169.

New Zealand appointed its first Parliamentary Commissioner for Investigations in September 1962. New York Times, September 8, 1962, page 5. We do not yet have a copy of this measure. The New York Times for August 12, 1962, page 3, reported that the bill then pending before Parliament provided for the appointment of such a parliamentary commissioner. Citizens with a grievance would have the opportunity to submit complaints in writing to him upon payment of a small fee. If he believed the complaint well founded, he could call for Government records relating to it, and the Government could not withhold them. Where the commissioner determined that wrong rulings had been given, he could make recommendations to the minister of the department concerned. He could not change any decision himself, but if the minister refused to modify an action, the case could be carried to the Prime Minister, and eventually, to Parliament. The commissioner would not be authorized to investigate judicial decisions or cases where a right of appeal exists.

We are advised by Dr. Johannes Klesment of the European Law Division of the Law Library that Norway enacted a law on June 22, 1962, calling for the election of an ombudsman in January 1963. We do not have specific information as to what his powers and duties will be.

The creation of a similar office in the United States would not affect the traditional relationship between a Congressman and his constituents unless Congress saw fit to stipulate that it should do so. If the office were successful, and won the confidence of Congress and the public, it might reduce the workload of a Member of Congress and his staff, but this is a matter of speculation.

Under the constitutional doctrine of separation of powers, the functions of a prosecutor could not be vested in such an office, if it were established as part of the legislative branch. If it were made part of the executive branch, there would be no constitutional obstacle to vesting prosecuting functions in it. In neither case could judges be prosecuted or their work supervised in any way. The power of an ombudsman, as a representative of Congress, to obtain access to files and records of the executive branch would be limited by whatever constitutional privilege the Executive has to withhold them.

The drafting of legislation to create such an office in this country would require numerous policy decisions, on which we are not in a position to express an opinion. The following are some of the matters which you might want to consider for inclusion in such a bill:

1. Provision for creation of the office, the appointment, qualification, tenure, and compensation of the officer; his eligibility or ineligibility for reappointment, if his term of office is limited; the employment of a staff and the appointment, qualifications, tenure, and compensation of employees.

The present law concerning the appointment of the Comptroller General might be consulted as a guide to whatever extent you think proper in determining what provisions should be made for these matters.

2. Definition of the judisdiction of the ombudsman. This definition might cover everything done by officers and employees of the executive department in their official capacity, or it might apply selectively to certain matters designated either by an enumeration of officers and agencies included or excluded, or by description of activities included or excluded. Certain matters might be excluded at particular stages in their handling, e.g., decisions subject to administrative appeal.

3. Procedural rules to govern the functioning of the office. Such rules might cover the manner in which the jurisdiction of the ombudsman could be invoked by complaint of a member of the public, by reference from individual Members of Congress, or by committees of either House, or on his own initiative, or by any of these methods. It might also be desirable to indicate what, if any, discretion he should be permitted to exercise to decline to investigate complaints.

Also to be considered is whether there should be any statutory requirements concerning notice to agencies and officials who are under investigation, and what opportunity should be afforded them to present their side of the case.

These matters could either be determined by the law itself or the ombudsmen could be authorized to decide them.

4. The extent of the ombudsman's right to demand information from, and access to the records of departments and agencies and the duties of Government officers and employees to supply information.

5. The action to be taken by the ombudsman upon completion of his investigation. He might be authorized or required to make a report to the complainant, to the agency concerned, to Congress, to the public, or to any or all of these in his discretion. He might be permitted to recommend specific corrective action to officers or agencies found to be at fault, to negotiate for correction of errors, and to agree to withhold or modify his action if correction is made. He might be directed to make reports to Congress pointing out defects in legislation and recommendations for improvements.

6. Establishment of legislative machinery for maintaining liason with, or perhaps supervision of, the ombudsman. Such responsibility might be lodged in existing committees of the House and Senate, or a joint committee might be created for this purpose.

7. Authorization for appropriate funds to carry out the act.

MARY LOUISE RAMSEY,
Legislative Attorney.

Mr. Speaker, Prof. Kenneth Culp Davis, of the University of Chicago Law School, in a recent undated memorandum for the President's Administrative Conference, has this to say on the subject of the ombudsman and a possible U.S. adaptation:

The idea of a Government office to criticize Government action is an old one, and it is currently exploited in many governments throughout the world. Peter the Great established such a system in Russia during the 18th century, and the system has been in full force ever since, having survived the Russian revolution. The Swedish Ombudsman has been operating since 1809. The Finns like the idea so much that they have two officers with overlapping jurisdiction to criticize official action—the Chancellor of Justice and the Ombudsman. Various Chinese governments have used the system of official criticism; during at least one period such a system became a tool for corruption. Germany has long had an official to criticize its military, and the American system of the inspector general embraces the same fundamental idea. In Japan, an office created by the Administrative Management Act of 1948 (during the American occupation) considered 15,000 complaints during 1961, including such objections as "inadequate guidance, unsuitable handling, unkindness by officials, carelessness, indistinct dealing, neglect, and others." Even a larger number of complaints were handled during 1961 by a newly established office in Indonesia. In England, a semiofficial report recommending a parliamentary commissioner to criticize administrative action has been the subject of widespread public discussion during 1961 and 1962. And this year, 1962, has brought legislative adoption of new systems of official critics in two countries, Norway and New Zealand. The spectacular success of the Danish Ombudsman, who began to function in 1955, has heightened the interest in the system all over the world.

Americans know less about the potentialities of an official critic than do the people of many other countries. The literature on the subject is rich and extensive, and a selected list of titles is appended at the end of this memorandum. Significantly, almost all of the literature is non-American.

Yet quite independently of the thinking and the action in the rest of the world, American imagination has originated a good many ideas about the promise of a system of official critics of governmental action. The majority of the Attorney General's Committee on Administrative Procedure, for instance, proposed in 1941 that a Director of Administrative Procedure should "Receive complaints regarding the procedure of particular agencies, investigate those which appear to be made in good faith, and report thereon to the complainants and to the agency concerned recommending to the agency any measures which seem to the Director desirable to correct deficiencies." The minority of the same Committee made a similar recommendation, and so did the Benjamin report of 1942. In 1956 a House resolution was introduced, sponsored by the American Bar Association, calling for creation of a congressional Committee on Administrative Procedure for receiving "complaints concerning abuses of administrative authority and the exercise of unusual and unexpected powers and the need for legislative standards to limit the exercise of administrative discretion in areas of delegated power." More recently, the American Bar Association has been advocating the creation of an Office which would "receive complaints regarding matters of practice and procedure and make investigations or recommendations as deemed appropriate."

The essential idea is that governmental processes can be improved significantly through continuing criticism by an Office which focuses on problems of administrative action but which is not involved in making the substantive decisions and which is not limited to one field of administration. The idea rests heavily upon the cardinal principle of check which has played such an important role in the historical development of protections against unfair governmental action, both in the United States and elsewhere. The principle is that whoever wields governmental power should be checked by someone who lacks power to substitute judgment. The official critic himself need not be checked in the same way because he is limited to the power to recommend; he can take no substantive action.

A few words about the Danish system as an outstanding example may be helpful. Any person who is displeased with action or inaction of any administrator or civil servant may complain to the ombudsman, usually by means of an informal letter. The Danish ombudsman receives about a thousand such complaints each year. About half are dismissed because they plainly lack merit. The other half are investigated; that is, they are sent to the administrative authority with a request for explanation and pertinent documents. In addition, the ombudsman may interview the complainant, the civil servant or administrator, and others. The statute requires government officers to make full disclosure to the ombudsman. In 10 to 15 percent of the cases investigated, the Danish ombudsman has made a criticism of administration or a recommendation for change.

The ombudsman can act on his own motion without a complaint, and he has no duty to any action with respect to any complaint. He may refuse to criticize the administrator or civil servant, but at the same time, he may make suggestions for the future. Sometimes, as a result of investigating a complaint, the ombudsman decides to make a major study of a whole area or of a large problem involving many cases. Much of his most important work is developed in this way.

The ombudsman may inquire into substance, procedure, legality, delay, convenience, and even politeness. His criticisms go to all questions of good administration. What is good administration depends not merely upon statutes, regulations, precedents, and customs, but also upon the ombudsman's opinion. Indeed, one of the most vital elements of the system may lie in the ombudsman's creativeness. He studies problems of administration imaginatively. Just as courts build bodies of judge-made law, the accumulated criticisms and recommendations made by the ombudsman become an authoritative body of ombudsman-made law. A criticism of one administrator is likely to be known by and heeded by another administrator.

The ombudsman has no power to change any administrative action. His only powers are to investigate, criticize, recommend, and publicize. His power rests heavily on his individual prestige. Widespread public knowledge of his function is probably essential.

Prestige plus publicity may provide a powerful sanction. The Danish press seems eager for any statement the ombudsman cares to release and the public seems interested in what he says. Of course, he does not publicize all he does; some of his most important recommendations are made without publicity. He reports annually to Parliament and he often recommends legislation.

In the Scandinavian countries much attention has been given to the problem of whether an ombudsman should deal not only with procedure but also with matters of substance and matters of discretion, and the general opinion has been that he should. Although the Danish ombudsman estimates that fewer than one-half of 1 percent of the recommendations he makes have to do with abuse of substantive discretion, the belief is that the threat of the possibility of criticism of substance in any case has a pervasive and desirable effect upon administrators and civil servants. The Norwegian Parliament, after long controversy, decided in 1962 to empower the ombudsman to criticize administrative action which is clearly unreasonable. And the powers of the Danish ombudsman were expanded by 1961 legislation to include local government as well as the national government—a further expression of confidence in the system.

Yet the Danish system clearly cannot be and should not be transplanted to Washington. We rely more than the Danes do on judicial review to keep administrators within their statutory jurisdiction. We also rely more than they do on procedural safeguards to assure fairness, and we use the judiciary to enforce the safeguards. The idea is an attractive one that an official critic of administrative action might deal with substance as well as procedure in those large areas of governmental action which are protected by neither procedural safeguards nor judicial review. But another major difference is that political pressures are greater in Washington than in Copenhagen, and the pressures seep further into issues involving individual interests; individual Congressmen often help constituents in a way that is unknown to members of the Danish Parliament. For instance, the Danish ombudsman is unaware of a single instance of an effort by a Member of Parliament to influence the result of an investigation by the ombudsman.

What is needed, instead of an effort to transplant a foreign system to America, is the development of an indigenous American animal that will thrive in the unique political and governmental climate of Washington. The Office of Administrative Procedure should not deal with substantive complaints, even if abuse of discretion or unreasonableness is asserted, because such complaints are better handled by the courts; if areas of unreviewability are too large—as they may well be—the proper cure is to make judicial review available. Similarly, the Office should not deal with issues about legality; the proper forum for that within our system is a court. And the Office should not be designed to help particular parties win particular cases; an Office that would be designed to do that would surely be caught up in political pressures, and whether it could maintain its integrity against such pressures would be at least questionable. The purpose of the Office should be to improve procedure, not to help parties win their cases. Therefore, the recommendations should always relate to future procedure.

To say that each recommendation should look to the future and that the purpose of the system should be to improve procedure and not to help particular parties win their cases is not the same as saying that particular parties will never be helped. Obviously, parties with continuing business before an agency may be helped in that they prefer the new procedure to the old procedure. Even a party who has only one case before an agency may in some circumstances inevitably be helped, because a procedural change which looks only to the future may still in some way be beneficial to his case. For instance, a party about to make an application to an agency asks the agency how a vague statutory term has been interpreted in other cases, for he must plan his application accordingly, and is told that the agency has not published the results of its interpretations, does not intend to do so, and sees no reason to disclose the results of other cases. (This is an actual case.) If the Office of Administrative Procedure were to recommend that in the future any applicant should be told what the agency has done in other cases, the particular applicant would be helped even though the procedural change would relate only to the future. Similarly, a party complaining about undue delay (which definitely should be considered a procedural deficiency) may get the benefit of recommendations for curing the delay. That recommendations about future procedure will thus sometimes help particular parties may cause occasional problems about pressures from representatives of parties who stand to gain, but if the focus is limited to problems of future procedure, the pressures are unlikely to be too great to withstand, for in the great bulk of the cases complainants will not be helped with respect to their particular cases. And, happily, operations of complete integrity are quite common in Washington, even when great interests are directly at stake.

The Office of Administrative Procedure clearly should not be bound to investigate all the complaints it receives. The statutory provision proposed by the Attorney General's Committee on Administrative Procedure in 1941 that the Director "shall" investigate complaints "which appear to be made in good faith" seems impracticable, no matter how well staffed the Office may be. The Director should have a discretionary power to pick and choose even among the complaints that seem to have merit.

The power to publicize adverse criticisms of particular administrative action is a drastic power which must be used sparingly and cautiously. It probably should be limited to cases in which the facts the Director asserts are undisputed or beyond doubt and to judgments about procedure that admit of no reasonable difference of opinion. An unwise use of this power can quickly destroy confidence in the Director and can even destroy the Office of Administrative Procedure. Yet a proper use of this power can be highly beneficial. Experience in other countries shows that the greatest benefits do not stem from administrators' adoption of the recommendations; the good that is done flows from the knowledge of all bureaucrats, not merely the particular one who is criticized, that their behavior may be publicly criticized by an officer whose word the public respects.

> The function of receiving and investigating complaints should interact with and supplement the function of the Office in making sustained studies of problems of administrative procedure and organization, but the standards in the performance of the two functions should normally be decidedly different. The Director's goal in making major studies, designed for recommending legislation or for recommending voluntary administrative changes-in-procedure patterns, may often be to replace the good with the excellent. And that may occasionally be the purpose of quiet recommendations that grow out of the investigation of complaints. But in making public criticisms of administrators, the Director should usually refrain from disapproving the good or even the barely tolerable. Adverse public criticisms of administrative action in particular cases should generally be limited to the poor, the very poor, and the intolerable.
>
> The question for decision in the establishment of an Office of Administrative Procedure is not whether the Office may receive and investigate complaints. It would be unthinkable to have an Office whose concern is administrative procedure and to try to prevent that Office from receiving suggestions from the outside. Obviously, the Office must explore trouble spots irrespective of the source of information about them.
>
> The question for decision is whether in establishing such an office, specific provision should be made for receiving and investigating complaints, and whether specific provision should be made as to what the office should not do concerning such complaints. The British Council on Tribunals is suffering from lack of explicit statutory answer to the question whether or not it may hold itself out as an authority to whom parties may complain.
>
> I recommend that the Administrative Conference should propose legislation authorizing an Office of Administrative Procedure to receive and investigate complaints concerning administrative procedure, that the legislation should explicitly provide that the office has no power to investigate complaints relating to substance or legality, that the office should have discretionary power to refuse to investigate any particular complaint, and that the purpose of recommendations by the office should relate to future procedure and should not be primarily designed to help a particular party to prevail on any issue in any particular case.

Mr. Speaker, obviously, much more thought must be given to the ombudsman question before we can say with certainty that an adaptation of it to our American institutions makes sense. But surely the subject is one that should be considered now by people both in and out of government.

Among the tentative criteria for an American ombudsman, the following occur to me:

First. The ombudsman's duty should be to help Congressmen and their constituents in a variety of cases which are now the traditional subjects of congressional-constituent relations. Social security cases, Veterans' Administration cases, treatment and discharges in the military services, claims of discrimination in defense contracts, immigration disputes, come readily to mind as examples.

Second. Legislation setting up an ombudsman should make him the agent of Congress, in much the same manner as the Comptroller General.

Third. The ombudsman's jurisdiction should not extend to matters now covered by the Comptroller General's jurisdiction—generally involving the legality of governmental expenditures.

Fourth. The ombudsman should in no way impair present congressional-constituent relationships. A constituent should probably deal with the ombudsman only through his Congressman or Senator, not directly. The legislator should in each instance determine whether to refer the matter to the ombudsman or to handle it himself. If he does refer the matter to the ombudsman, and is not satisfied with the result, he may pursue the matter further on his own.

Fifth. The ombudsman could not only assist the private citizen, but might represent a net saving to the taxpayer. An office of the ombudsman near Capitol Hill could centralize and professionalize the handling of much casework now done in 535 congressional offices, at least for a great bulk of the present work. This could make unnecessary increases in congressional staffs which are otherwise clearly going to be necessary in the years to come.

The question of an American ombudsman is surely one that needs to be considered in connection with any proposals now in the wind for a new look at the organization and function of the Congress.

QUALITY STABILIZATION LEGISLATION

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, today the gentleman from Arkansas, Congressman Oren Harris and I, together with other Members, are reintroducing the quality stabilization legislation.

There is today a chaotic condition in the marketing of brand name products that has resulted in consumer confusion, loss of public confidence, closing of businesses, and substantial damage to makers of leading trademarked products.

For these reasons I have joined with the gentleman from Arkansas, Representative Harris in introducing the quality stabilization bill. Joining in this introduction of identical bills will be many Members of Congress from both parties and from every section of the country.

This bipartisan bill made remarkable progress in the last session of Congress. It was given a favorable report by the House Commerce Committee and only days before adjournment of Congress it cleared the Rules Committee. It surely will go all the way this session of Congress.

The Quality Stabilization Act will give needed protection to the consumer, to the small retailer, to labor, and to honored brand name manufacturers. It will do this without adding a single penny or person to the cost of government, because no governmental agency is involved in the administration or enforcement of it.

This act will be 100 percent optional. It will enable the trademark owner to deny use of his brand name when it is used deceptively or destructively. There is no compulsion upon the trademark owner to use the act, but if he elects to do so, his product must be in free and open competition with other products usable for the same general purpose.

No wholesaler or retailer will be obliged to buy or sell any goods marketed under the act. They will be free as always to pick and choose just which product they will handle.

The consumer also will enjoy full freedom of choice, accepting or rejecting all merchandise, choosing freely between all products whether branded or unbranded, stabilized or unstabilized under the act.

The assault upon our brand name system of distribution has resulted in the employment of cheaper and less-skilled labor. This legislation with its practical correction of a destructive and growing economic disorder will give manufacturers the incentive to build better products instead of cheaper products with poor labor.

From all segments of our economy and from all sections of the Nation, Members of Congress are being requested, in ever-increasing numbers to enact this antimonopoly bill. More than 70 national trade associations have endorsed it and label it as essential legislation. Both the gentleman from Arkansas, Chairman Harris and I predict that Congress will agree and will speedily enact it.

QUALITY STABILIZATION BILL

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, this country needs the incentives toward excellence provided in the quality stabilization bill which I have introduced today. We need to counter the self-satisfaction of cheapness. We need a law that will encourage a manufacturer to build toward superiority of product.

A major reason for my support of the quality stabilization bill also stems from experience which I had in my own State of Washington while serving as a prosecuting attorney in my home county. I saw at firsthand the bad effects of loss-leader and cut-rate-sales methods. Such methods in the long run are harmful to the public.

This bill recognizes the property right of the manufacturer in his brand name. It affords protection to the ethical retailer from the unfair merchant. It safeguards the interest of the consumer.

RESIDUAL FUEL OIL

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, this Nation has attained the highest economic development in the world during the past century while the basic source of power has been coal. This source of fuel has always been available in adequate supply regardless of the problems created by three great wars. The industry has been able to expand to meet the increased wartime needs, enabling our industrial plants to keep our country at peak strength. Our basic fuels have been coal and oil—with domestic and imported oil replacing coal in a number of fields and in the railroad industry in particular.

During the past 25 years, the importers of residual fuel oil, principally from Venezuela where American firms have used obsolescent equipment for refineries, thus creating an oversupply of residual fuel oil.

The increased importation of residual oil has become a major problem for the coal industry. Mandatory import quotas were based on the levels of 1957 which was 358,000 barrels per day. This import quota has been increased steadily until it has now reached a level of 507,000 barrels a day which is equivalent to some 40 million tons of coal annually.

This represents a decrease in the demand for coal of almost 10 percent of the annual production. The result has been disastrous for our coal producers and as a lifetime resident of a coal-producing area, I realize how serious this has become.

Recently the Select House Committee on Small Business through its Subcommittee No. 4 under the chairmanship of my good friend and colleague, TOM STEED, of Oklahoma, has made a detailed study of this problem. I hope every Member of this body can find time to study this report.

I recognize the fact that Venezuela is a friendly nation that deserves whatever assistance we can afford to offer but this assistance should not result in the destruction of our basic fuel industry—coal. The crippling of the coal industry has already damaged our defense potential and continued weakening of this basic source of fuel actually endangers our future defense effort.

I am always ready and anxious to help our friends but first we must consider ourselves and our future.

TRADE WITH CUBA

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, surprising as it may seem, reports in the news this morning state that President Goulart of Brazil has told of his support for U.S. efforts to obtain the withdrawal of communism from this hemisphere. In the past Brazil has taken a recalcitrant attitude when faced with U.S. policy objectives. However, his support for the United States gives added weight to the statement made recently by President Facio of the Organization of American States in a speech delivered to the Pan American Union in Washington in which he stated that the United States must take the lead in championing freedom in this hemisphere; that the nations of Latin America are ready to follow the leadership of this Nation.

As this body knows, only this week the President announced a partial objective of closing ports in the United States so that U.S. goods would not be shipped in any vessel that trades with Cuba. However, the American Maritime Association has just stated that the shipping orders that the Government issued to date are weak and inadequate and that they will not stop non-Soviet vessels from trading with Cuba. I want to urge that our Government take a firm policy in closing our ports to any ship sailing under the flag of any nation which allows its ships to trade with Cuba, that we urge strong action by the Organization of American States to close all ports in this hemisphere to the ships of any nation trading with Cuba. Less talk of conflicting arms reports and more action of a positive nature is what the American people want.

DR. STEFAN T. POSSONY'S VIEWS ON NUCLEAR TESTING

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, Dr. Stefan T. Possony is director of the international political studies program of the Hoover Institution on War, Revolution, and Peace. He has devoted a lifetime to study of international power relationships with particular reference to U.S. strategy and tactics in relation to the threats of communism. His views on nuclear testing, submitted to the Republican conference committee on that subject are the following:

The Urgency of Serious Testing

(By Dr. Stefan T. Possony)

In 1961, N. S. Khrushchev, Premier of the Soviet Union, announced that the Soviet military forces would be equipped with nuclear arms possessing a firepower of 100 megatons. Since the Soviets place highest reliance on missiles, this announcement is to be interpreted to mean that, in addition to superbombs, the Soviets are working on missile warheads which could develop 50 to 100 megaton yields.

Accordingly, the Soviets must make enormous improvements in their nuclear efficiency. They have, in fact, conducted a substantial number of high yield tests during 1961 and 1962. Whether or not their objective will be reached, they have demonstrated a strong intent to center their military power squarely on superyield weapons.

After the completion of their 1962 series, the Soviets need time to digest the new information. It is to their interest if during such a period of apparent standstill, the United States were prevented from testing. Hence the Soviets went through the motions of offering a few ostensible "concessions" in the test ban negotiation. Yet after showing his friendly face, in two letters to President Kennedy, the dialectic Khrushchev addressed the world Communist movement and showed his real face. He told the comrades in Berlin, on January 16, 1963, that the strategy of peaceful coexistence would lead to the emergence of revolutionary situations and that suitable opportunities must be utilized by the Communists to seize power. He intimated that the Communists would resort to armed struggle and not shy away from using the "most decisive weapons" if this were necessary "in the interest of the victory of socialism."

In spite of this confirmation that the Soviet intention to destroy the United States and to conquer the world has not changed by one iota, and in spite of the fact that Khrushchev "conceded" only the shadow of an unworkable inspection system, President Kennedy suspended American testing. Thereupon the Soviets committed the tactical error of reverting to their customary delaying tactics. President Kennedy, to his credit, reversed himself and within a week ordered the resumption of testing.

Clearly, to risk a second unpoliced test moratorium, be it only for a few weeks, was a mistake which, after about 5 years of experiences with the test ban negotiation, should have been avoided. Although the mistake was repaired speedily, the fundamental policy assumptions and objectives which caused this dangerous action to be taken in the first place, are continuing to operate and to influence governmental decisions.

These assumptions include the notion that a test ban would be in the strategic interests of the United States and its allies; that a mutually supervised and controlled test ban is technically feasible; and that the Soviet Union is seriously interested in obtaining a genuine test ban treaty instead of using test ban propaganda for the purpose of slowing down American nuclear progress. These assumptions specifically do not include a realization that through the test ban negotiation, the Soviets are setting a trap and by means of stratagems and deceptions are attempting to disarm the United States unilaterally.

During the past few years, American nuclear programs have not been pushed with the vigor required to keep ahead of the threat of nuclear aggression, nor even to keep pace with rapidly advancing technology. We have failed to test in such a manner that the United States could reap the maximum security and industrial benefits from the revolutionary technology it pioneered. We do not need now the resumption of a desultory, slightly shadowy test program.

The time is long overdue when we must initiate a most serious and far-reaching test program in all environments, using all useful magnitudes of yield. We must test not only to make up for lost time but above all, to gain time in our race against aggression.

We cannot afford to be beaten in the contest for higher nuclear efficiencies. We cannot afford to allow the Soviets to pull ahead in the yield of their major weapon systems. We cannot afford, for example, to announce in 1962 a counterforce strategy and to admit in 1963 that our yields are inadequate to destroy hardened Soviet missile sites. We certainly cannot afford not to push most vigorously potential new technologies like neutron devices. And we had better get serious about Plowshare.

Our confused nuclear policy which is vainly trying to put the clock of history back, has been a key factor in bringing the NATO alliance to the brink of breakdown. The United States needs most urgently a new, forward looking and progressive nuclear policy which would put an end to three evils: technological slowdown within the United States, nuclear isolationism toward our allies, and vulnerability to being deceived and trapped by our enemies. Our Nation and our institutions will survive only as long as we possess a nuclear arsenal second to none.

CHESTER C. WARD'S VIEWS ON NUCLEAR TESTING

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, Chester C. Ward is a widely respected authority on international law and geopolitics. For a number of years he was a professor of law at Georgetown University. As rear admiral, U.S. Navy, he served a tour of duty as Judge Advocate General of the Navy. In submitting his paper to the GOP conference committee on nuclear testing, he stressed that yield-to-weight figures, megatonnage of nuclear stockpiles, and similar data in the paper are order of magnitude assumptions for comparative purposes which are to be regarded as unofficially estimated ratios and in no way as assertions of fact. It is to be noted that Premier Khrushchev recently publicized Soviet estimates of U.S. nuclear potentials.

The Ward paper reads as follows:

THE CONCEALED RESULT OF TEST BAN I—THE CONCEALED PURPOSE OF TEST BAN II—SOVIETS' SUPREMACY IN STRATEGIC SUPERWEAPONS

(By Chester C. Ward)

"We would be slobbering idiots if we did not carry out nuclear tests."—Nikita S. Khrushchev, Time, December 15, 1961.

"The time has come now to put an end once and for all to nuclear tests."—Nikita S. Khrushchev, letter to President Kennedy, dated December 19, 1962.

What changed Khrushchev from the arrogant and contemptuous destroyer of test ban I, in 1961, to the ardent apostle of test ban II in 1962?

What really happened between 1961 and 1963 to the balance of nuclear power between the Soviet Union and the United States? Why are the results of the Soviet first test-ban-breaking test series being suppressed? Why are the results of the Soviet second series being ignored? Why are deals being made, concessions offered, secret sessions held, U.S. underground tests halted? What is the relationship of the Cuban crisis to highest level pressures to rush into test ban II before the public and Congress discover the gains made by the Soviets by test ban I?

Are test ban II negotiations serving to cover the unilateral de facto disarmament of the United States?

The press does not ask these questions—let alone answer them. Military experts—who know the answers—are muzzled. Nuclear scientists—who are largely responsible for the answers—are silent.

The public simply doesn't give a damn. They continue to wallow in what Gen. Thomas D. White, former Chief of Staff of the Air Force, characterizes in extreme litotes as the "great national orgy of self-congratulation"—inspired by distorted interpretation of the meaning of the Cuban crisis.

It's too bad the American people aren't interested in these nuclear test-ban answers. For just this one time, individuals would not be helpless to do something to avert the most imminent Communist trap. All they would have to do is insist on answers to these questions.

At the least, these answers would reveal—if we end up cinders or slaves, dead or Red—how Khrushchev got the overwhelming supremacy of strategic military power necessary to do it to us. If, at the time of Khrushchev's next Cuban-type missile threat, his weapons turn out to be so fantastically more powerful than ours, that our choice is narrowed to surrender or suicide—here in these answers is how his weapons—and ours—got that way.

These answers aren't easy to get, of course. Nor are they easy to understand. If they were, you would have had them long before now. This is no coincidence—but it does result from the coincidence that both Khrushchev and the U.S. administration want test ban II to go through.

Triple curtains of classification, complexity, and credibility shroud the real answers. Everything the American people need to know, somehow becomes too secret to trust you with, too complex for you to understand, or too shocking for you to believe.

As an additional coverup for Khrushchev's motivation in his sudden shifts from test-ban killing to test-ban willing, sources close to the U.S. administration attempt to credit our great Cuban victory for his dramatic change. He is pictured as made "more cautious" by the "bold action" of U.S. leadership—as overawed by our "overwhelming nuclear superiority." Newsweek confides that "lessons learned from the Cuban crisis built up pressures within each nation's leadership for a test-ban agreement." Presidential Press Secretary Pierre Salinger officially informed the press that the Cuban crisis tensions had made a test ban "even more urgent."

Responding to this cue, Khrushchev hams it up in suspiciously sudden servile speeches: "The 'paper tiger' has nuclear teeth." "The United States has 40,000 atomic or nuclear warheads * * * if one let all those bombs come down on humanity, 700 to 800 million people would perish. Countries would be wiped out."

In strange similarity to the U.S. administration's endorsement of the Communist big lie that they were introducing only defensive weapons into Cuba, Khrushchev now supports the massive myths inspired by sources close to the U.S. administration, purporting to give the answers to Khrushchev's dramatic about-face on nuclear test bans I and II.

According to privately expressed views of military experts and nuclear scientists, however, here are the real reasons for Khrushchev's change from contemptuous destroyer of test ban I in 1961 to ingratiating pitchman promotor of test ban II in 1962. Here are the suppressed facts and the significance of the undisclosed Soviet gains in nuclear technology which make the climatic difference between the strategic power balance in 1961 and in 1962:

In 1961, the U.S. stockpile of nuclear weapons' material was twice as big as Russia's. We had twice the number of nuclear warheads they did. Our warheads were more sophisticated than theirs across the entire spectrum of nuclear weaponry.

Most important of all, from the strategic viewpoint, our nuclear technology was far more advanced than theirs. From each pound of nuclear material in warheads, we could get twice the explosive power. That is, their yield-to-weight ratio was only half as good as ours.

Thus, in 1961, if Khrushchev had not carried out a massive and magnificently researched program of large-scale nuclear tests in the atmosphere, he would have frozen Soviet nuclear technology—and hence Soviet military power—in a position of vast inferiority.

Khrushchev, a dedicated Communist, would not do that to the Soviet Union. To him, any leaders who would fail to order nuclear tests to break their country out of a position of nuclear inferiority, would be "slobbering idiots."

From the beginning of text ban I, in October 1958, therefore, the Soviets conducted what President Kennedy has described as "prolonged secret preparations for a sudden series of major tests." In September 1961, Khrushchev—with more than 2 years of cynical premeditation—betrayed his triple-pledged promises of test ban I.

Those of our scientists who were not so naive as to believe that he would not cheat at all, expected only that he would attempt clandestine underground tests. These would equal at most the explosive force of a few thousand tons of TNT. Instead, he went straight to atmospheric tests of the force of scores of millions of tons. His biggest shot—amounting to 58 million tons of TNT equivalent—made headlines around the world for weeks.

The most momentous news growing out of the Soviet test ban I violation, however, still has made no headlines whatever. On the basis of the influence it will have on the lives and liberty of nearly 190 million Americans, this news should have headlined every newspaper in the Nation: "Soviet Test Ban Breaking Steals U.S. Strategic Superiority; Communists Now Far Ahead in Technology of Nuclear Superweapons."

Thus, in 1963, if Khrushchev traps us into test ban II, he will have completely reversed the 1961 situation. U.S. nuclear technology will be frozen in a position vastly inferior to that of the Soviets.

The specific basis for the headline above is that the Soviet test ban breaking series of September 1961, enabled them to improve their nuclear explosive yield-to-weight ratio up to 1,000 percent, in the strategic and superweapon categories.

From being able to get only half as much power as the United States did from each pound of nuclear material, they leapfrogged over us to obtain up to five times more yield per pound than we had in 1961.

The military significance of such a sensational gain in explosive efficiency is staggering. It's like acquiring—virtually without cost in potential nuclear explosive power priced, at U.S. standards, at some $90 billion. It's like being able to add to a national arsenal of conventional explosives, additional tons of TNT sufficient to fill a string of boxcars stretching to the moon and back some 80 times.

Such figures are not, of course, necessarily meaningful—especially to us. That they have a deep meaning to Khrushchev was demonstrated by his Cuban missile adventure. He obviously is convinced this unprecedented bonanza of additional nuclear power will provide him with the overwhelming military might to conquer the world without undue risk of massive nuclear retaliation. His test-ban cheating gains have enabled him to adopt the grimmest of all nuclear strategies: The strategy of the "calculated win."

How can a tenfold increase in nuclear explosive efficiency so quickly revolutionize the military power which controls the world? The answer lies in the fact that nuclear materials in weapons stockpiles can be reworked in accordance with new techniques. The Soviets acquired, therefore, the immediate potential of multiplying the megatonnage of their stockpile by a factor of up to 10.

The most reliable nonofficial estimates of the Soviet stockpile put it at about 20 kilomegatons (20,000 million tons of TNT equivalent) in 1961. It is theoretically possible, therefore, that—without adding any new nuclear material other than to offset normal deterioration—they could rework the totality of their explosive power toward 200 kilomegatons.

The 1961 U.S. stockpile was unofficially estimated at 40 kilomegatons. It had taken us some 20 years and $20 billion to build it up to that.

The Soviet's spectacular increase in explosive power per pound has some additional military effects even more significant than the capability of multiplying the totality of the explosive power of their nuclear stockpile. The second military asset derived from their test-ban cheating is in the multiplication they can now secure in the "numbers effect" or the "nuclear destructiveness" of their nuclear weaponry. A simplified formula for this is stated as follows: "A threefold increase in the explosive power per pound is the same as doubling the number of weapons."

Thus the Soviet's estimated number of weapons in 1961—some 10,000—would, with the tenfold increase in explosive power per pound of nuclear material in the warheads, become the equivalent in "nuclear destructiveness" of 133,000 weapons of the low-power-per-pound warhead type they had before they trapped us in test ban I.

The republication of this formula, in this connection, should raise some shrill voices in elite circles in Washington. It can expose many deceptive half-truths being fed the public. For an outstanding example the "missile gap in reverse" myth is based entirely on numbers of missiles, and ignores completely the destructive power of missile warheads. Thus it is said, "We have 200 ICBM's. The Soviets have only 100 ICBM's. We have a 2 to 1 lead." The implication is that our missile force is also twice as powerful. But what about the warheads?

Our newest and soon to be most numerous missile, Minuteman, has a warhead of about one-half of 1 megaton now. Assume we can double it to 1 megaton. The Soviets—with their test ban gained greater yield-to-weight ratio, and much more powerful rocket thrust, undoubtedly have operational missiles of 30 megatons. Applying the destructiveness formula, the 100 Soviet missiles could equal not merely 200 U.S. Minuteman missiles—but 2,000 of them. So, the "missile gap in reverse" can be reversed again.

The Soviets most probably do not have 100 30-megaton missiles—yet. They now have, however, the capability of producing that many very fast. This is because of the third great military advantage they secured from their nuclear test series which destroyed test ban I. They can now package a 30-megaton warhead in a smaller casing, having less weight, than that of their old 5 megaton warheads. Warheads of the same power as carried by their pre-1961 rockets can be packaged in incredibly smaller and lighter casings.

This simplifies and reduces the cost of the rocket vehicles necessary to carry them. The missiles can be much smaller, need less rocket thrust and fuel, and less complex guidance systems. As the missiles get lighter and smaller, it is increasingly easier to move them about and conceal them, and less expensive to protect them with concrete and steel silos. This raises the possibility of Soviet development of the so-called bantam missiles—small in size, easy to hide, but powerful of warhead. Persistent reports place numbers of these bantams in Cuba now—along with the known presence of leading Soviet missile experts.

The Soviets undoubtedly secured additional gains out of making and breaking test ban I. The above outline is derived from nonclassified sources, and is, of course incomplete. The specific gains described, however, are more than enough to demonstrate that the result of test ban I was a major military disaster for the United States.

Precisely because trusting the Soviets in test ban I did result in such a major military disaster to the United States, should not the first question concerning test ban II be this: "Is there any reasonable safeguard provided to protect the United States against the Soviets doing exactly the same thing they did in betraying our trust in test ban I?"

By a slick diversion, however, the entire attention of the American people and the Congress has been focused on the much publicized negotiations concerning safeguards against the type of cheating the Soviets did not engage in during test ban I. All of the many genuine concessions made openly by the United States and all the magnanimous phoneys made by the Soviets, relate to inspection to detect minor cheating—low-powered clandestine underground shots.

What we should have learned from test ban I, is that when Khrushchev cheats, he cheats big; big and boldly. Underground tests aren't big enough or fast enough for him. He is a dedicated Communist in a hurry.

All the talk by U.S. negotiators apparently insisting on safeguards against even minor cheating—cheating that experience has proved unlikely to be practiced—has had its expected effect. The public is reassured by implication that if we are all that concerned over even minor, unlikely cheating, we must have insisted on at least reasonable safeguards against major cheating.

The answer to just one question could settle the fate of test ban II—and the destiny of the United States. It could be asked, perhaps, in a Presidential press conference:

"Mr. President, in January 1961, you stated that any future nuclear test-ban agreement with the Soviets would have to include methods of inspection and control which could protect us against a repetition of prolonged secret preparation for a sudden series of major tests.

"Could you tell us, Mr. President, whether the U.S.-approved draft of the presently proposed test ban agreement contains any such provision to protect against the Soviets betraying test ban II exactly the same way they betrayed test ban I?"

REPUBLICAN CONFERENCE NUCLEAR TESTING COMMITTEE MAKES FIRST REPORT

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, a committee of the House Republican Conference was appointed so that not only Republican Members of the House, but all Members and the public might be more fully informed on the vital subject of nuclear testing. The committee has issued its first report which calls on the Government to declassify and disseminate all data necessary for informed and widespread public discussion of this question and urges Members of Congress of both parties to assume responsibility to encourage such discussion. Other comments and recommendations are contained in the report, the text of which follows:

FIRST REPORT TO THE REPUBLICAN CONFERENCE BY ITS COMMITTEE ON NUCLEAR TESTING

Your committee makes this unanimous report based on the experts' papers heretofore furnished you, available unclassified data and, we hope, a deserving degree of commonsense:

"I

"The prime objective of the United States at this moment of history is the survival of the Nation and its free world allies without, if possible, involvement in nuclear war. This objective is in direct conflict with communism's announced objective of worldwide domination. To deter Communist leaders from risking nuclear war to quickly gain their objective the United States maintains a superior nuclear weapons arsenal capable of instant and deadly nuclear retaliation.

"This all adds up to making today's world a risky one. It is in the U.S. interest to reduce those risks and means to do it are being actively sought. One such means proposed for this purpose is the idea of a treaty banning nuclear tests in all environments—in the air, underwater, in space and underground.

"Prudence requires this idea be examined to judge whether, and under what terms, it might either (a) reduce present risks, or (b) create new and different ones leaving matters in a state worse than before. This examination is complicated by the Soviet Union's consistent record of treaty breaking which caused former President Eisenhower to warn: '* * * we can have no confidence in any treaty to which the Communists are a party except where such a treaty provides within itself for self-enforcing mechanisms * * *'

"In this context your committee dealt with two specific questions:

"1. What are the minimum safeguards for a nuclear test-ban treaty?

"2. At this time is any test-ban treaty at all in the U.S. national interest?

"Underlying these questions is a basic assumption that U.S. survival would be imperiled should we permit circumstances to place us in a second-best nuclear weapons posture. The fact that test-ban treaty negotiations have been underway off and on for almost 5 years should not preclude continuing examination of the wisdom of such a treaty. On the contrary, it should stimulate it. During the passage of time numerous circumstances have been altered, technological advances have been made, and attitudes revealed which deserve the most thoughtful consideration.

"II

"What are the minimum safeguards for a nuclear test-ban treaty?

"Nothing can be made foolproof. Therefore, it follows that no test-ban treaty can be made foolproof. But it can and must contain mechanisms which impose upon potential cheaters sufficient risk of getting caught to deter them from attempting any form of deception. These minimum safeguards are the following:

"1. A reasonable probability of detecting possible violations.

"2. A reasonable opportunity to inspect in order to verify whether cheating has occurred.

"3. If the treaty is abrogated, or if cheating occurs, the victim must be protected from fatally perilous consequences.

"Each of these safeguards is interrelated and all must be taken together in judging whether the basis for any particular treaty is safe or unsafe. That is to say, whether it would decrease or increase the risks our country faces.

"Although present test-ban negotiations have been carried on in secret, sufficient information has been disclosed to determine the apparent range of the current basis for negotiations as follows:

"Detection mechanisms

"The scheme contemplates each nation operating its own seismic detection stations manned by its own nationals and within its own borders, thus placing the questionable responsibility on a cheater to furnish evidence of his own crimes. As a check on this, so-called unmanned black box seismic detection stations have been suggested. The number for the Soviet Union must be presumed as some compromise between the U.S.S.R.'s minimum of three and an unspecified U.S. maximum number.

"Comment: (1) The committee is informed there is no such thing as a tamperproof unmanned seismic detection station. (2) The Soviet Union spreads across two continents, comprises 8½ million square miles and occupies one-sixth of the world's land surface. Reliance on the capability of seismic devices outside that country to detect suspicious events therein is based on studies by the Defense Department's Advance Research Projects Agency. Careful examination of the Agency's reported progress reveals: (a) accuracy of long-range detection by instruments not yet invented depends on a thorough knowledge of Soviet geology which is not available to the West; and (b) despite a lower than previously assumed frequently of seismic events in the Soviet Union producing the same outward motion wave as nuclear explosions, only the problem of sorting suspicious from nonsuspicious events is eased. It does nothing to ease the problem of picking up, classifying, locating the origin of suspicious seismic readings and thereafter inspecting them.

"Conclusion: The present basis for negotiations on detection machinery fails to offer realistic probability of detecting violations.

"Inspection procedures

"Allowable annual inspections to be a compromise between Premier Khrushchev's low of 2 and President Kennedy's high of 10. These would be hampered by dependence upon Soviet transportation and logistics as well as restrictions on grounds of 'damage to the security interests' [1] of the U.S.S.R.

"Comment: (1) The basis for confidence in any test ban treaty is unhampered inspection to verify occurrence or nonoccurrence of cheating. Omission of this safeguard is likely to foster greater international instability, uncertainty, and tension than would no treaty at all. (2) Acquiescence to a token number of restricted inspections for test ban purposes would not commence to "open up" the closed Soviet society, but on the contrary, would ratify and approve the Soviet seal of secrecy as a precedent for all future negotiations.

"Conclusion: The present basis for negotiations regarding inspections procedures fails to offer a reasonable opportunity to verify whether cheating has occurred.

"Inasmuch as your committee determined that the 1st and 2d above-mentioned safeguards apparently are not a part of the basis for present negotiations, it saw no point in evaluating the matter of safeguards against the consequences of cheating or surprise abrogation.

"III

"At this time is any test ban treaty at all in the U.S. national interest?

"Your committee believes this basic question involves considerations of national and individual survival which are wholly outside the proper realm of partisan controversy at this time.

"If the answer to this vital question is 'yes,' knowing it, will greatly assist in carrying forward the negotiations. If the answer is 'no,' it will constitute sufficient reason for breaking them off. This vital matter is too important any longer to be left in limbo. It concerns America's destiny and the American people have a right to be informed on all its aspects and to make their voices heard.

"The intricacies of nuclear weapons, which are secret, need not be known in order to arrive at rational policies respecting their testing or nontesting. Such policies can and should be formulated from a base of informed discussion amongst the self-governing citizens of our Republic. We find that withholding from the public seismic and related data needed for such informed public discussion cannot be supported by resort to secrecy on the basis of national security. Indeed, much of this data must be the subject of discussion between U.S. and Soviet negotiators who know it while American citizens do not.

"Recommendation: The Government of United States declassify and disseminate all data necessary for informed and widespread public discussion of this question and Members of Congress of both parties assume responsibility to encourage such discussion.

"As a guide for discussing the question you committee's next report will list the most common arguments made on both sides of the question.

"IV

"The strength of our self-governing Republic rests on a wide base of discussion and decision by the entire citizenry of matters of basic and fundamental national consequence. Such decisions cannot be made wisely, or, indeed, at all if our Government withholds from the people the factual information on which their judgment must rest.

"A triple curtain of classification, complexity and credibility shrouds the real answers to test ban questions. The present administration appears to proceed on the premise that many things the American people need to know are too secret to trust them with, too complex for them to understand, or too shocking for them to believe.

"We hold this to be a false premise and urge the administration to abandon it forthwith.

"Moreover, at this moment there is a widespread and wholly fictional belief that the Soviets have made meaningful concessions during the course of the test-ban negotiations.

"The administration should forthwith dispel this illusion.

"Your committee believes the U.S. positions at the test-ban negotiations resuming February 12, 1963, immediately should be revised upward to meet the minimum specifications enumerated in section II of this report.

"It also urges the President to state that no further moratoriums on U.S. testing will be declared during the process of negotiations. It must be remembered that the United States inescapably lost some measure of its nuclear advantage when the Soviet Union suddenly and without warning broke off negotiations and resumed atmospheric testing in 1961—preparations for which were made for months or years in secret duplicity behind the Iron Curtain while talks were going on.

"Craig Hosmer,
"*Chairman.*
"Leslie C. Arends,
"William E. Miller,
"Melvin R. Laird,
"Charles E. Goodell,
"Ex officio:
"Charles A. Halleck,
"John W. Byrnes,
"Gerald R. Ford."

EQUAL BROADCASTING TIME FOR CERTAIN CANDIDATES—COMMUNITY MENTAL HEALTH CENTERS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, today I am reintroducing a House joint resolution to provide for the suspension for the 1964 campaign of the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the office of President and Vice President.

It will be recalled that this action was taken permitting this authority for the 1960 campaign. It received wide approval. The experience we had during the 1960 campaign is well known by everyone. It is my expectation to program this proposal for consideration in the near future.

Mr. Speaker, I am today introducing a bill that provides for the construction and initial operation of community mental health centers and for other purposes as requested by the President through the Department of Health, Education, and Welfare.

Mr. Speaker, I ask unanimous consent that the letter to the Speaker which has just been received from the Secretary of Health, Education, and Welfare be included in the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The letter referred to follows:

Department of Health,
Education, and Welfare,
February 11, 1963.

Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: I am enclosing for your consideration a draft of a bill to provide for assistance in the construction and initial operation of community mental health centers, and for other purposes. This legislative proposal is designed to carry out the President's recommendations for the development of comprehensive community mental health programs contained in his message to the Congress on mental illness and mental retardation.

The draft bill would authorize inauguration of Federal grant programs aimed at stimulating and assisting States and communities in developing community-centered mental health programs. Title I authorizes construction grants to provide the basic facilities required for such programs. Title II authorizes short-term operating grants to help ease the financial impact on communities which undertake the initiation of comprehensive community health programs.

TITLE I. CONSTRUCTION OF COMMUNITY MENTAL HEALTH CENTERS

Title I would establish a 5-year grant program to assist in the construction of public and other nonprofit community mental health centers—i.e., facilities for the prevention, diagnosis, or treatment of mental illness or for the rehabilitation of persons recovering from mental illness.

Appropriations of such sums as Congress may determine would be authorized during the period July 1, 1964, through June 30, 1969. Funds would be allotted among the several States on the basis of population, extent of need for community health centers, and the financial need of the respective States, with a minimum of $100,000 for any State. States would be given the alternative of varying the Federal share of the costs of construction of projects, on the basis of standards set by the State, between 45 percent and 75 percent or of choosing a uniform Federal share—which would not be less than 45 percent and could go as high as 75 percent for some States—for all projects in the State.

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[1] Premier Khrushchev letter to President Kennedy of Jan. 7, 1963.

Applications would be submitted to the Secretary of Health, Education, and Welfare after approval by the State agency designated to administer the State plan for purposes of this title of the bill.

A State advisory council, composed of representatives of State agencies, and of nongovernment organizations or groups, concerned with planning, operation, or utilization of community mental health centers or other mental health facilities, as well as representatives of consumers of services provided by such centers or facilities, would consult with the State agency in carrying out the State plan. The plan would have to set forth a construction program based on a survey of need for the centers and provide for construction in accordance with relative need for the centers insofar as permitted by available financial resources. The State plan would also have to meet several other requirements set forth in the bill, such as requirements for proper and efficient methods of administration, hearings for unsuccessful applicants, and standards for maintenance and operation of facilities.

Eligibility for grants would be limited to projects which alone, or in conjunction with other facilities owned or operated by the applicant, or affiliated or associated with the applicant, will provide, principally for persons residing in or near the particular community or communities in which such center is situated those essential elements of comprehensive mental health services which the Secretary prescribes in accordance with regulations. The priority of projects to be approved would be based on the relative need of the different areas in the State, and special consideration would be given to those projects which will be part of or closely associated with a general hospital and projects which alone, or in conjunction with other facilities owned or operated by the applicant or affiliated or associated with the applicant, will provide comprehensive mental health services for a particular community or communities.

TITLE II. INITIAL STAFFING OF COMPREHENSIVE COMMUNITY MENTAL HEALTH CENTERS

The provisions of title II have a dual objective. First, they recognize that the shifting of focus in the prevention and treatment of mental illness to community-centered programs will require the development of new or revised methods of financing such services, and that during this transitional period some temporary operating aid to communities will be required. Second, these provisions are designed to stimulate and encourage the establishment of comprehensive, coordinated mental health services. One of the primary reasons for focusing on community-centered programs is that it is only in such programs that services for persons at different stages in a progressive care program can be effectively provided and coordinated. Since the initiation of such a comprehensive community program will place the greatest financial burden on the community—for the operation as well as the construction of mental health centers—special project grants to meet part of the initial staffing costs of such centers are authorized by this title.

Eligibility for project grants for this purpose would be limited to facilities for which a grant has been made under title I, operated by public or nonprofit agencies which will provide—as a minimum—diagnostic services, inpatient care, outpatient care, and day care for the mentally ill persons.

The provisions relating to duration and amount of grants underscore the concept of temporary Federal aid, with no continuation of Federal operating assistance after the center has been fully established as a going concern in the community. For the first 15 months of the center's operation the Federal grant may not exceed 75 percent of the staffing costs of the center, and for the following 3 years the Federal participation in such costs may not exceed 60 percent, 45 percent, and 30 percent, respectively.

To assure coordination between this grant program and certain mental health project grants authorized under the Public Health Service Act, provision is made in this title for consultation by the Secretary with the National Advisory Mental Health Council in the development of regulations concerning eligibility of institutions and the terms and conditions for approving applications.

OTHER PROVISIONS

The third title of the draft bill consists of definitions and conforming amendments. Among these provisions is an amendment to the Public Health Service Act which would increase the number of appointed members of the Federal Hospital Council from 8 to 12 so as to assure the inclusion of persons familiar with mental health facility needs and administration.

The provisions of this proposed legislation are essential to the launching of a major national effort to replace our traditional method of isolating the mentally ill in large custodial institutions with community programs which can prevent or arrest mental illness in its early stages, reduce the time and cost of inpatient treatment, and facilitate the early rehabilitation of mental patients. The enactment of these proposed new authorities—which will supplement and reinforce the research, training, and other provisions of existing law relating to mental health—will provide the statutory foundation for one of the most dramatic and satisfying victories in our conquest of the major diseases and impairments of man.

I shall appreciate it if you would refer the enclosed draft bill to the appropriate committee for consideration.

The Bureau of the Budget advises that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely,
ANTHONY J. CELEBREZZE,
Secretary.

Mr. HARRIS. Mr. Speaker, I am also introducing today a bill proposed by the President to combat mental retardation through the construction of research centers and facilities for the mentally retarded.

Mr. Speaker. the President sent up a message on this subject last week and I ask unanimous consent to include in the RECORD at this point the letter which has just been sent up, addressed to the Speaker, from the Secretary of the Department of Health, Education, and Welfare.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

(The letter referred to follows:)

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE.
February 11, 1963.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I am enclosing for your consideration a draft of a bill to assist the States in combating mental retardation through construction of research centers and facilities for the mentally retarded.

The bill carries out the President's recommendations on these subjects contained in his message to the Congress on mental illness and mental retardation. It is also specifically responsive to proposals contained in the Report of the President's Panel on Mental Retardation.

The draft bill would provide authority for two new grant programs. Title I would authorize grants by the surgeon general for the construction of centers for research on mental retardation and related aspects of human development. Title II would authorize grants by the Secretary of Health, Education, and Welfare for construction of facilities for the care and treatment of the mentally retarded.

TITLE I. GRANTS FOR CONSTRUCTION OF CENTERS FOR RESEARCH ON MENTAL RETARDATION AND RELATED ASPECTS OF HUMAN DEVELOPMENT

The draft bill would add a new part B to the Health Research Facilities title (title VII) of the Public Health Service Act. It would establish a 5-year program of grants to public or other nonprofit institutions to assist in the construction of centers for research on mental retardation and related aspects of human development. Appropriations of $6 million would be authorized for the fiscal year ending June 30, 1964; $8 million for the fiscal year ending June 30, 1965; $6 million each for the fiscal years ending June 30, 1966, and June 30, 1967; and $4 million for the fiscal year ending June 30, 1968.

Up to 75 percent Federal matching would be available for costs of construction of facilities for research, or research and related purposes, relating to human development, whether biological, medical, social or behavioral, which may assist in finding the causes, and means of prevention of mental retardation, or in finding means of ameliorating the effects of mental retardation. Provision is made for the development of program policies by the Surgeon General with the assistance of appropriate national advisory councils.

This program is designed to meet the needs identified by the President's Panel on Mental Retardation for an intensive, integrated research effort into problems of mental retardation and related aspects of human development, through the creation of a coordinated series of selected centers engaged in broadly based multidisciplinary programs. The development of an intensive, programed research effort is an essential step in providing increasingly effective treatment of the mentally retarded and in the eventual prevention of mental retardation.

TITLE II. GRANTS FOR CONSTRUCTION OF FACILITIES FOR THE MENTALLY RETARDED

Title II of the draft bill would authorize the Secretary of Health, Education, and Welfare to make project grants for the construction of public and other nonprofit facilities specially designed for the diagnosis, treatment, education, training, or custodial care of the mentally retarded, including facilities for training specialists.

Appropriations of such sums as Congress may determine would be authorized during the period July 1, 1964, through June 30, 1969. Five million dollars of the sums appropriated for the fiscal year ending June 30, 1965, and $10 million of the sums appropriated for each of the next 4 fiscal years would be available only for facilities associated with college or university hospitals or other appropriate parts of a college or university. The funds appropriated would be allotted among the States on the basis of population, extent of need for facilities for the mentally retarded, and the financial need of the States, with a minimum of $100,000 for any State. States would be given the alternative of varying the Federal share of the cost of construction of projects, on the basis of standards set by the State, between 45 percent and 75 percent or of choosing a uniform Federal share—which would not be less than 45 percent and could go as high as 75 percent for some States—for all projects in the State.

Applications would be submitted to the Secretary after approval by the State agency designated by the State to administer the State plan.

A State advisory council, composed of representatives of State agencies concerned with planning, operation, or utilization of facilities for the mentally retarded and of nongovernment organizations or groups concerned with education, employment, rehabilitation, welfare, and health, as well as representatives of consumers of the services involved, would consult with the State agency in carrying out the State plan. The plan would have to set forth a construction program based on a survey of need for facilities and provide for construction in accordance with relative need for facilities insofar as permitted by available financial resources. The plan would also have to meet several other requirements set forth in the bill, including provision for methods of administration necessary for proper and efficient operation of the plan, hearings for unsuccessful applicants, and standards of maintenance and operation of facilities constructed.

Priority of projects to be approved under the State plan would be based on relative need of the different areas in the State, with special consideration for those facilities which will provide comprehensive services for a particular community or communities.

Facilities for the care of the mentally retarded are not only in short supply but many are seriously inadequate and of an improvised nature. No other segment of our handicapped population is subjected to care, treatment, and custody in facilities which are so obsolete from the functional and structural point of view. Moreover, the segmentalized approach to care of the mentally retarded, in which essential services must be obtained from separate and scattered institutions, frequently means that essential services are, in fact, not available. The President's Panel on Mental Retardation made a thorough study of this problem. The provisions of this title of the draft will carry out the recommendations made in its report.

I shall appreciate it if you would refer the enclosed draft bill to the appropriate committee for consideration.

The Bureau of the Budget advises that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely,

ANTHONY J. CELEBREZZE,
Secretary.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I shall be glad to yield to the gentleman from Iowa if I have the time to yield to the gentleman.

Mr. GROSS. The last bill to which the gentleman from Arkansas referred will not entail or mean a substantial increase in the number of psychiatrists that are being hired on a consulting basis throughout the Government, will it?

Mr. HARRIS. I hope not.

THE PROBLEM OF THE UNEMPLOYED BEING UNEMPLOYABLE

Mr. LANDRUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a speech.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANDRUM. Mr. Speaker, we are faced today with the problem of a great many of our unemployed people being unemployable.

I think it is now obvious to many of us who have been Members of the House of Representatives for a long time and particularly those who have been privileged to be a member of the Committee on Education and Labor and who have studied the educational problems in detail, that we must do a serious job of rethinking our positions on vocational education. Not only is it necessary for us to retrain a great many people from jobs that they have lost, but it is also necessary for us to offer training required for the new people coming into the labor market.

Mr. Speaker, the field of vocational education offers in my judgment the greatest opportunity for the solution of this problem.

Mr. Speaker, one of the great leaders in America in the field of vocational education is Dr. M. D. Mobley, a native Georgian, who is presently executive secretary of the American Vocational Association. Last week, on February 7, Dr. Mobley addressed a meeting in Indianapolis, Ind., consisting of the Governor and members of the General Assembly of the State of Indiana, and there he made a very profound speech about these problems that I have mentioned only in a general way.

Mr. Speaker, the address by Dr. Mobley follows:

MANPOWER—A SERIOUS NATIONAL PROBLEM

(By Dr. M. D. Mobley)

Governor Welsh, members of the Indiana Legislature, Mr. Toastmaster, vocational education officials, and fellow Americans, I consider it a great honor indeed to have the privilege to be in your midst and to speak to this distinguished group on this occasion which, I understand, is a part of your celebration of the 50th anniversary of vocational education in Indiana. Your vocational education program through the years—though handicapped for lack of adequate funds—has had a glorious history. The program—though limited in scope—has served well the people of this great State. It is my hope and my belief that you are on the threshold of great developments in the field of vocational and technical education—developments that must come if the State of Indiana is to continue to keep pace with the march of progress.

If I were to dignify my remarks with a subject, I would call it: "Manpower—A Serious National Problem."

To understand some of our manpower problems, we should take a look at certain existing facts and things that are expected to take place during the 1960's. We are all aware of the fact that our Nation is presently experiencing a population explosion and that we are going through an industrial and agricultural revolution.

By 1970 our population will reach 208 million—an increase of 28 million during the 1960's.

Advancing technology will continue at an accelerated rate which in the future will make many occupations of today obsolete. Never in the history of our Nation has there been a greater need for making training available to prepare people for available jobs and may I hasten to add, there are jobs available.

The 1960's will record an unprecedented growth in the American labor force. The 26 million new young workers entering the labor market during this decade represent a 46-percent increase over the 1950's. This is not a time for regret, but rather a time for hope and planning. Those States that plan well and execute their plans will move forward in economic growth. Those States that fail to make and execute adequate plans will stagnate and cease to develop economically.

The great increase in young workers under 25 years of age has tremendous implications for occupational guidance and vocational education. If they are to find appropriate and satisfactory employment—and thus help maintain the high standard of living we enjoy today, they must have effective occupational guidance—and a large percent of them must receive vocational training of less than baccalaureate degree. This poses a serious challenge to Indiana and to all other States in our Nation.

By 1970 we will have each year approximately 3 million additional young workers entering the labor market. This is one-third more than the 2 million who started their work careers in 1960.

In the years ahead employers will require at least high school diplomas for more and more jobs. In addition, they will also require specialized vocational training for a higher percentage than was true in the past. As technology continues to advance, there will be fewer and fewer jobs available for unskilled and semiskilled workers and more and more jobs for highly skilled workers and technicians.

Today in the United States we have more than 4½ million unemployed people. This constitutes almost 6 percent—5.8 percent to be exact—of our work force of almost 68 million people—67.9 million to be exact.

At the present time we have in the United States a million youth out of school and out of work. The tragedy of this situation is that a large percentage of these youth are not only unemployed but are unemployable because they do not possess marketable skills. In other words, they don't know how to do anything efficiently.

Dr. James B. Conant, former president of Harvard University, in his book "Slums and Suburbs," refers to these unemployed youth as "social dynamite."

Of the 26 million new young jobseekers who will enter the labor market during the 1960's, 7½ million will not have graduated from high school, and 2½ million will not have completed the 8th grade. This means almost 40 percent of the 26 million new jobseekers will not have completed high school.

Approximately 30 percent of the school dropouts are destined for unemployment. Unemployment among young people, under 21 years of age, constitutes one of the most disturbing aspects of our entire unemployment picture.

Another disturbing feature of our manpower problem is the fact that though we have serious unemployment, especially among youth, there are thousands—in fact, hundreds of thousands of jobs going begging because people are not trained to hold and perform efficiently in these jobs.

This paradox of jobs going begging in a period of high unemployment was splendidly portrayed in an article that appeared in the January 1963 issue of the Reader's Digest under the title, "Why Johnny Can't Get a Job." In this article the writer points out, and I quote, "Furniture manufacturers, short of cabinetmakers, are importing them from Europe. New York employment service executives report that jobs go unfilled in 61 skilled trades." The article ends with this very striking statement, "The lopsided picture of jobs begging for men while men beg for jobs suggests that something must be done to bring the two together. That something must be a new kind of schooling for today's needs."

The article further pointed out, "that only 4 percent of all public school funds are spent on vocational training, less than 1 percent in some big cities."

The problem has become so serious that in late 1961 President Kennedy had appointed a Panel of Consultants on Vocational Education to study and make recommendations for improving and expanding vocational and technical education. The panel was composed of 25 outstanding Americans. With the assistance of a very capable staff, the panel carried on a nationwide study of vocational and technical education of less than baccalaureate degree. Dr. J. Chester Swanson, director of the panel staff, described the problem as "the greatest problem facing American education today."

I shall not attempt in this brief speech to give you all the findings of this panel. We have arranged to distribute to the members of the legislature and to other State officials copies of the summary report of the panel which tells the story in brief detail. We hope you will study it and become acquainted with one of our Nation's serious problems—about which something must be done.

Not too long ago, Dr. Kenneth E. Carl stated to a congressional committee, while explaining a survey on unemployment he had made in Pennsylvania, the following, and I quote:

"I found that in Pennsylvania, with one-tenth of the unemployment in the United States, we had jobs available. I composed a list of 228 occupations for which there were jobs open, and 197 of these occupations were seeking people with less than college training but with very definite skills. All of these occupations were listed with the Pennsylvania State Employment Service. Jobs are going begging in the midst of serious unemployment. But, I emphasize—they are skilled jobs—jobs for which prior training is a must."

The January 1963 issue of the Kiplinger magazine, Changing Times, carried a very informative article under the heading, "More Jobs Through Better Training." This article points out that automation wipes out around 35,000 jobs a week—that's 1,800,000 workers displaced each year by machines and new techniques.

The Kiplinger magazine article raises the question, "Will you be affected?" and answers the question by saying, "Yes," if you fall into one of the following groups:

1. If you are over 45 and have not kept up with technological changes.
2. If you are under 20 and dropped out of school before graduating.
3. If you don't have a modern skill.
4. If you live in a depressed area.

The article points out some of the things workers of today can do to prevent being among the unemployed. In general, it means more vocational-technical training to keep abreast of changing times.

Then, we should not overlook the implications of our manpower problems as they relate to our economic growth and our efforts to continue to lead the world in the production and distribution of goods and services.

Russia's Khrushchev has already made known in no uncertain terms Soviet economic plans. Not so long ago he said to an American newspaperman, and I quote:

"We declare a war we will win over the United States. The threat to the United States is not the intercontinental ballistic missile, but in the field of peaceful production. We are relentless in this, and it will prove the superiority of our system."

In his speech to the Economic Club in New York during his visit to this country in 1959, Khrushchev said:

"All of you are well aware of the fact that we are offering you economic competition. Some describe this as our challenge to the United States of America. But, it was the United States that first challenged the world; it is the United States that developed its economy above that of all countries. For a long time no one dared to challenge your supremacy. But now the time has come when there is such a state which accepts your challenge, which takes into account the level of development of the United States of America and, in turn, is challenging you. Do not doubt that the Soviet Union will stand on its own and in the economic competition, will overtake and outstrip you."

I do not believe Khrushchev's statements are true—that Russia will overtake and surpass us—but they do reveal Soviet goals—and we should not take them lightly.

While in Karachi, Pakistan, in late 1957, I saw positive evidence of Russia's attempt to battle us and other free nations for the markets of the world. While there I visited the exhibit of Soviet manufactured goods being offered for sale in that foreign country. The exhibit included tractors, grain drills, pumps for irrigation, automobiles, motorcycles, machine tools, sewing machines, bicycles, scales, meat grinders, microscopes, electric percolators, cameras, watches, porcelain, and many other items. Placed on each exhibit was the name of the local concern where it could be purchased, and in some cases the prices were displayed.

The products I saw were well made. In fact, many of them appeared to be carbon copies of American manufactured products and goods produced in other countries.

For example, the cameras were almost identical with the German Leica camera. The tractor for sale looked very much like the American made John Deere.

The thing that alarmed me was the fact that the prices were much lower than the prices of similar goods manufactured in this country. For example, the tractor on display was being offered for 5,000 rupees which at the rate of exchange was a little more than $1,000. The same tractor in the United States was then selling for well over $2,000.

As a part of Soviet economic plans, Russia is now in the process of reorganizing its entire system of education which is scheduled to be completed soon. The new reorganization law calls for a greatly expanded program of vocational and technical education—patterned somewhat after the programs we, in the United States, have been developing in vocational and technical education during the past 40 years. Soviet leaders are acting on the theory that success in winning an economic war is dependent in large measure upon the skill and productivity of their people—which must come through specialized training.

The President's Panel of Consultants on Vocational Education has recommended a great expansion in all phases of vocational education. The panel report points out that 8 out of 10 Americans will never finish college—that the greatest educational need of our Nation is to provide adequate and effective programs of vocational and technical education for the 8 out of 10 Americans.

Last year National Congress approved, by an overwhelming majority, the Manpower Development and Training Act of 1962 which calls for the development of specialized vocational training to meet the needs of at least some of our unemployed. The most optimistic supporters of this measure were frank in stating that this measure is not a panacea for solving our Nation's unemployment problem; nor is it a panacea for meeting our vocational training needs. It will—we hope—result in helping many unemployed youth and adults acquire skills and knowledge they must have in order to find employment.

It is presently my privilege to serve as a member of the National Advisory Committee on Manpower which is composed of 10 people. So far I have been greatly impressed with the progress that has been made in the manpower development and training program. Of those who have thus far been trained under provisions of this program, approximately 90 percent have found satisfactory employment in occupations for which they were trained.

From knowledge I have gained from my experience on this National Advisory Committee, I am convinced that we will be faced for many years with unemployment problems. Advancing technology and new techniques combined with automation and other laborsaving devices will result in the dislocation of workers for many years to come. We must either be prepared to take care of these workers through doles or through training them for jobs where they can become self-supporting taxpaying citizens rather than living on funds provided from the public till.

In an effort to deal with our manpower problems—the great American giant is beginning to stir. Throughout the Nation—in State after States—great strides are being made to develop new vocational facilities and to improve old ones—facilities that will help provide our present and oncoming generations with a more adequate and effective program of vocational and technical education.

I wish that time would permit me to tell you about what is taking place in all the States. Permit me to mention only a few.

The State of Connecticut in the last few years has spent more than $40 million to expand and improve its physical facilities for vocational and technical education. The State of Georgia is in the process of building more than 20 area vocational-technical schools—at a cost of nearly $30 million—that will serve the entire population of that State. These are new facilities.

California is making great strides in expanding and improving its program of vocational and technical education. Louisiana has 27 State owned and operated area vocational-technical schools. Many other States are on the move to provide adequate vocational training opportunities for their people. Canada—to the north of our Nation is in the process of spending more than $400 million for vocational and technical education facilities.

In closing, may I call to your attention something that is almost certain to occur. The States that do the most to develop and improve vocational and technical education programs in the 1960's will be the States that will lead the Nation in economic growth and in providing work opportunities for their people in the 1970's. If you want to determine the status of any State in the Nation during the 1970's, look at their activities in the field of vocational and technical education during the 1960's. The States that lag behind in vocational education in the 1960's will lag behind in economic growth in the 1970's.

Vocational and technical education will be emphasized more in the next 5 years than it has been for the last 30 years. The movement is already underway in many of the States of our Nation. It will be interesting to watch the economic growth of these States.

It has been good to have opportunity to speak to you.

ADJOURNMENT TO THURSDAY, FEBRUARY 14, 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TWENTIETH ANNIVERSARY OF THE WOMEN MARINE CORPS RESERVE

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. THOMPSON] is recognized for 30 minutes.

Mr. THOMPSON of Texas. Mr. Speaker, during the first year of World War II, I had a Marine Corps duty station far off down in the Pacific, thoroughly isolated from everything except an occasional ship which brought mail and supplies. As the months went by we heard of the organization of the WAC's and then the WAVES. It was a source of a good deal of pride among the old hard-bitten marines that we in our service were not pestered with any blankety-blankety women. We could run our own war without any petticoat interference whatsoever.

Just 20 years ago I had returned to the States. I was on the way to duty in Marine Corps Headquarters when I read a brief news item announcing the formation of the Marine Corps Women Reserve. In common with many other marines I muttered some remarks which I cannot repeat here. In due time, I took over as director of Marine Corps Reserve, which included the responsibility for all Reserve officer training and for an entirely new departure—the college training program. It was a complicated and largely a new job, not only for me, but for every other marine.

There was a great deal of paperwork and I was appalled to find the division far behind in this essential phase of handling many thousands of students in colleges all over the country. This situation was not peculiar to our division. It applied to a distressing degree throughout headquarters. The civilian employees were simply not coping with the situation.

It was into this confused atmosphere that the first women marines I ever saw moved and took over. They tore into the job with a spirit and a dedication that is now expected of every marine, man or woman. We were accustomed to selling that idea of excellent performance to our men, but this was the first time we had realized that the same esprit de corps could be sold to women—I hasten to add that most of us had never seen the Marinettes in World War I, who, history tells us, did a superb job of their own.

Within a very few weeks, thanks to these first Marine Corps women, we had caught up with our paperwork and were running an efficient and a very tight ship. It is noteworthy that with the example set by the marines the civilians stepped up the tempo of their performance.

The general officer whom I relieved and who had done an exceptionally fine job in the establishment of the first phase of the women marines sent me to Canada to observe the work of the Canadian Army in their college training program. It had been in operation for some little time and was quite successful. The General thought we might get some good pointers, which, in fact, we did. Just as I was leaving he said:

> Stop off on the way at Mount Holyoke College. We have our first women officer classes up there, and I would like to know what the hell we've got. Talk to them and give them some inspiration.

A day or so later I found myself looking at and talking to my first uniformed women marine officer candidates. I did not inspire them. I did not need to. They inspired me. I suddenly realized that in these splendid women we had acquired a group of marines—period. They were not women marines, they were just marines. They proved it as the war ground on to an ultimate successful conclusion. They have proved it ever since and they are proving it in these trying days, 20 years later when our national defense is as important as it was during World War II.

Among other things our women were supposed to free male marines to take the field and fight. I heard General Vandegrift say one day that he was able to put the 6th Marine Division in the field because of the performance in the corps of the women marines.

Now, these women of whom the marines are so justly proud have come to their 20th anniversary. It is my privilege to salute them here in the House of Representatives and to invite the attention of my colleagues and of the people of the country to some interesting and pertinent facts concerning their illustrious history. First, I quote the official greeting of Gen. David M. Shoup, Commandant of the Marine Corps, which he sends to the women on behalf of all male marines.

> On behalf of all male marines, it is a distinct pleasure to extend heartiest congratulations and best wishes to you, the women of our corps, on your 20th anniversary.
>
> The marking of two decades of distinguished and dedicated service is a special occasion. It is a time to recall the Marinettes of World War I and the Women Reserves of World War II, who fostered your heritage of unswerving loyalty and steadfast devotion to duty. You may well take pride in this legacy and in the way that you daily uphold and enrich it, through your continued high sense of dedication and loyalty.
>
> Your past and present accomplishments are in keeping with the finest Marine Corps traditions. I am sure that the future will find the women marines, continuing to add to their record of service, to country and to our beloved corps.
>
> Happy 20th anniversary.
>
> David M. Shoup,
> *General, U.S. Marine Corps,*
> *Commandant of the Marine Corps.*

The women have also received greetings from their director, Col. Margaret M. Henderson, a Texan, by the way. She said:

> It is with pride and satisfaction that I send women marines and former women marines everywhere greetings and best wishes on this particularly important milestone—our 20th anniversary.
>
> From the time when a few women were enlisted during World War I through the establishment of women marines on February 13, 1943, to the present, we have become truly a part of what we uphold as the finest military organization in the world.
>
> We can reflect with pride on the attainment of the past 20 years. Let us guard our attainment of the past 20 years. Let us guard our attainments gratefully, zealously, but at the same time keep moving forward. What may lie before us no one can foretell, but I know that the patriotic desire to serve our country and our corps is uppermost in every women marine's heart and binds us as closely together now as it did 20 years ago.
>
> Margaret M. Henderson,
> *Colonel, U.S. Marine Corps,*
> *Director of Women Marines.*

Here is a brief history of the lady leathernecks—past and present. Since 1943 a total of 35,000 women have been trained as women marines, both enlisted and officer, for service during and since World War II.

In October 1942, the Secretary of the Navy authorized the Marine Corps to accept women applicants for commissions and enlistments to create a Women's Reserve. This was the beginning of today's women marines; but it marked the second time in Marine Corps history that women would be wearing marine green and sharing the pride and traditions of their male counterparts.

During World War I, women had been accepted for duty at Headqarters, Marine Corps in clerical capacities to release male Marines qualified for active field service to fight in France.

Although these first lady leathernecks served in the corps a little less than a year, from 1918 until 1919, many of them rose to the rank of sergeant.

During their brief career, the Marinettes, as they were called, received the same privileges and benefits as the enlisted male marines.

Regular marine noncommissioned officers taught the Marinettes simple drill movements, military courtesy and other military subjects needed to make a good marine.

Marinettes not only filled billets at headquarters, but were sent for duty to recruiting stations throughout the United States. Those stationed in Washington, D.C., participated in various bond drives, parades and other ceremonies. A detachment of Marinettes in the Nation's Capital won praise for its appearance in the parade honoring the return of U.S. forces from overseas at the close of the war.

At the cessation of World War I, 305 women were listed on Marine Corps rolls. On July 30, 1919, these women were separated.

Twenty-five years later, women were back in the Marine Corps.

The formation of the Marine Corps Women's Reserve was approved by Lt. Gen. Thomas A. Holcomb, then Commandant of the Marine Corps, on November 7, 1942, and the announcement was made to the public on February 13, 1943. Enlistment of women in the Marine Corps began the same day.

Lacking facilities for training women, the Marine Corps at first availed itself of Navy Women Reserves' Schools until enough Women Marine Reserves were trained to staff their own schools.

The first class of enlisted Women Reserves, numbering 722, entered Hunter College in New York on March 26, 1943, and completed their training 1 month later.

Although they were a part of the Navy organization, Women Marine Reserve recruits were organized into separate companies and were under the immediate command of a male officer of the Regular Marine Corps.

A senior woman officer was a member of his staff from the beginning and other women officers were added after the commissioning of the first woman officer's candidate class.

The early officer candidates of the Marine Corps Women's Reserves trained with WAVES at Mount Holyoke College. The first class of 74 entered on March 13, 1943, and was commissioned May 4, 1943.

If it had been necessary for the Marine Corps Women's Reserve to train its own staff for independent eschools before they could begin to operate, the whole program of putting the women reservists to work for the Marine Corps would have been delayed by several months.

In July 1943, all training of the Marine Corps Women's Reserve was transferred to Camp Lejeune, N.C.

Between 1943 and 1945 a total of 23,145 women answered the corps' call to "free a man to fight" by joining the Marine Corps Women's Reserve.

As these women reported in for duty to take over noncombatant jobs, more and more male marines who had been teletype operators, cashiers, stenographers, file clerks, and so forth, threw on battle packs and shoved off for the war.

These women performed a number of clerical jobs including those of stenographers, clerk-typists, general clerks, communications clerks, supply clerks, and office machine operators. Women were also utilized in mechanical trades and skilled jobs.

More than 8,000 of the Women Reserves were assigned to aviation duty where they performed duty as aviation mechanics, weather observers and forecasters, control tower operators, parachute riggers, synthetic gunnery instructors, link-trainer instructors, draftsmen, photographers, radio operators, aircraft painters, and in other jobs.

In the nonaviation billets, there were the officeworkers and the nonofficeworkers. These women marines performed a wide variety of jobs as artists, draftsmen, chaplains assistants, telephone operators, mapmakers, motor transport personnel, motion picture projectionists, recreation directors, ordnance repairmen, and welders.

In the early part of 1945, the participation of the women marines in the great push to victory was made even more complete when the first sizable contingent of them to serve overseas landed on the Territory of Hawaii.

This group of 5 officers and 160 enlisted was to form the nucleus of a detachment which eventually numbered over 1,000 women to be assigned oversea duty at Pearl Harbor and the air station at Ewa.

Shorty after V–J Day, plans were made for the return of the women to the United States and the move was completed in January 1946.

Following the surrender of Japan, demobilization of the Women's Reserve proceeded rapidly. By July 1946 all women Reserves became eligible for discharge.

From the latter months of 1946 until October 1948, less than 100 volunteer Marine Women Reserves remained on active duty.

An act of Congress on June 12, 1948, authorized the enlistment of women into the regular Marine Corps for the first time and thereby established women marines as a component part of the corps.

To train enlisted women marines, the 3d Recruit Training Battalion at Parris Island, S.C., was activated. Women officer candidates were sent to Quantico, Va., during the summer months to receive their training.

Today's women marines are eligible to serve in 26 occupational fields containing 125 job specialties.

Some of the occupational fields to which they are assigned are: Personnel and administration, operational communications, supply, intelligence, logistics, drafting and surveying, disbursing, electronics, training devices, data processing, flight operations, photography, air control, aerology, and public information.

Women marines serve at every major post and station along the east coast and in California. They also man stateside recruiting billets and perform oversea duty in Hawaii, London, Naples, and Paris.

Among the "firsts" recorded by the "lady leathernecks" last year are the following:

First. Lance Cpl. Betty L. Field became the first woman marine recruit to receive the American Spirit Honor Medal since 1955. Traditionally this is awarded to the outstanding Marine Corps recruit who best embodies during basic training the qualities of leadership and all-round excellence.

Second. Pfc. Chariss Corbett attained the highest average ever compiled in the operations clerical course of the Aviation Storekeeper School, NATTC, Memphis, Tenn., with a 91.5 average.

Third. Nancy M. Ash, a 1960 graduate of women officers candidate course and a Mount Holyoke alumna, was commissioned a second lieutenant in London, England. Lieutenant Ash completed a year's postgraduate work at Oxford and has now reported to Marine Corps schools, Quantico, for further training.

Fourth. First Lt. Wilma Athy, a flight clearance operations officer at El Toro, Calif., became the first woman marine to break the sound barrier while a passenger in a Marine jet trainer TF–9–J.

Although the number of women in the Marine Corps is relatively small—its legal limit is 2 percent of the overall strength of the corps—their selection and training provides the Marine Corps with a growing and continuing nucleus of well-trained, professionally minded women ready to meet mobilization needs.

Today a total of approximately 150 women marine officers serve on active duty, in all ranks from warrant officer through the 1 full colonel who is always the Director. A total of 1,700 enlisted women are also on active duty.

As they celebrate their 20th anniversary, women marines, Regular and reservists, continue to contribute to their own chapter of the history of the Marine Corps.

THE KERR-MILLS ACT

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. KARSTEN] is recognized for 10 minutes.

Mr. KARSTEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a newspaper editorial.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. KARSTEN. Mr. Speaker, much has been said in recent weeks about the success of the Kerr-Mills Act in meeting the problem of paying for medical care for our senior citizens. Oddly enough, some of these claims have been put forward by people from my own State of Missouri. Some of the claims have even found their way into the columns of the CONGRESSIONAL RECORD. I say this is odd because the State of Missouri has no medical assistance for the aged program authorized by the Kerr-Mills Act passed by the Congress in 1960 as a substitute for the medical care for the aged program under social security and railroad retirement which I, along with many of my distinguished colleagues, supported at that time, and still support.

I can understand how my good friends from New York find cause for rejoicing in the accomplishments of the Kerr-Mills Act, since, according to the latest report issued by the Department of Health, Education, and Welfare covering expenditures under the program in November 1962, 29.9 percent of all the $11.5 million of Federal funds granted that month went into that one State. But not a cent of this Federal grant money for MAA has gone to help the elderly ill in my State. I am not proud of this fact. I am only offering the observation that it is strange some appear to find in Kerr-Mills the panacea for all the health problems of the aging in my State and in the Nation.

In the St. Louis Post-Dispatch an editorial appeared on January 29, entitled, "Kerr-Mills as a Flimflam." I should like, at this point in my remarks, for that editorial to be reproduced:

KERR-MILLS AS A FLIMFLAM

With the debate on social security hospitalization warming up, opponents again are presenting the Kerr-Mills Act, already in force, as the better alternative. They also imply that those who support President Kennedy's so-called medicare plan would undermine Kerr-Mills. Republican Representative BYRNES of Wisconsin, for example, is accusing the Department of Health, Education and Welfare of "dragging its feet" on Kerr-Mills. This is a debater's flimflam which should no longer obscure discussion.

Kerr-Mills is fine—for its purpose. Under this law, the Government offers substantial help to cooperating States for the care of the needy sick. The cost has made the States rather slow to sign up. Yet in 1962 the Government's contribution rose from $9,300,000 to $24,200,000, and the number benefited rose from 46,247 in the previous year to 114,657. Even greater progress is necessary if most of the sickness among the poor is to be treated. And, who can be against that?

Yet except insofar as Kerr-Mills is being used as camouflage, it has no very real bear-

> ing on the administration proposal. Kerr-Mills is for medical paupers. Social security hospital insurance would help people in their working years to avoid this pauperism in their old age. Inadequate as its provisions may be, they are meant to enable people over 65 to maintain their dignity and self-respect. Kerr-Mills is a giveaway, a laudable one, while hospital insurance would help people to pay their own bills with their own money.

Mr. Speaker, I agree with the opinion the editorial expresses that, "Kerr-Mills is fine—for its purposes." Its rightful purpose, however, is not to constitute the first line of defense against the ravaging cost of illness for our older citizens, but, like all of our public assistance programs since the enactment of the basic social security program nearly 28 years ago—it is a last resort.

Perhaps it is their sound judgment of this rightful role of Kerr-Mills that has thus far kept the good citizens of Missouri from acceptance of this program. I have no doubt that once the Congress has adopted a basic system of protection against the high costs of health care through social security which President Kennedy advocates, the great State of Missouri will adopt an implementation of Kerr-Mills as an appropriate supplement.

A PRACTICE INSTITUTE FOR PUBLIC DEFENDERS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. SICKLES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SICKLES. Mr. Speaker, the junior bar section of the District of Columbia Bar Association in cooperation with the Georgetown University legal internship program is offering an unique practice institute to aid volunteer attorneys in defending the poor in criminal cases. Hundreds of indigent defendants are represented each year by volunteer lawyers who are experts in their own field of law, but who have little day-to-day experience in the defense of criminal cases. To insure that every person accused of crime gets expert representation, on February 16 and 17, 1963, a criminal practice institute will be held at Georgetown University's Gaston Hall, dealing with the law and tactics of Federal criminal trials. It is expected that this program will go a long way toward insuring equal justice for all regardless of their financial status. The bar association in the Georgetown legal internship program deserves to be commended for their fine effort in this regard. It is hoped that this unique project will be taken up by other bar associations and law schools throughout the country.

ADMINISTRATION MANAGEMENT OF NEWS CAUSES PROBLEMS

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. LAIRD] is recognized for 30 minutes.

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, it is clear that one of the major problems of the Kennedy administration in winning public support for its policy toward Cuba is the widespread skepticism with which administration pronouncements are received. That the administration recognizes this problem is evidenced by the extraordinary measures taken last week to acquaint the public with the methods used to determine the extent of the military base which the Soviet Union maintains in Cuba. I think that the Department of Defense took a step that was long overdue when it staged its 2-hour telethon on February 6.

I do not intend to comment today on this presentation of the Department of Defense nor on the complex problems of determining accurately the extent of the military buildup in Cuba. Nor do I intend to discuss the question of the adequacy of present administration policy in dealing with a continuing situation that clearly violates the Monroe Doctrine.

Rather, I want to point out some of the reasons why this administration has lost the trust and the confidence of a large part of the people of the United States. The credibility which a government enjoys is determined largely by the accuracy of its statements in the past. It is unfortunately true that many of the assurances given by responsible administration spokesmen about conditions in Cuba in the past have proven to be inaccurate.

In evidence of this statement I am inserting in the CONGRESSIONAL RECORD, immediately following remarks, the full text of an article by George W. Ball, Under Secretary of State, entitled "Does Cuba Comprise a Military Threat to the United States?" This article appeared in the issue of the Washington World dated October 19, 1962—5 days after the first photographs of medium-range missile sites were taken in Cuba. This article follows Secretary Ball's public testimony of October 3, 1962, published by the House Select Committee on Export Control.

I want to insert in full the transcript of a television interview of Roswell L. Gilpatric, Deputy Secretary of Defense, on the program "Issues and Answers," carried on the American Broadcasting Co. on November 11, 1962.

And finally, I wish to make reference to a televised interview of McGeorge Bundy on the program "Issues and Answers" on October 14, 1962. The text of this interview will follow my remarks.

The inaccuracies in these documents are so patent that they need little comment. The inconsistencies between statements which they contain and statements of other leaders of the administration are so glaring as to make understandable the skepticism of the general public when the administration talks about Cuba. In fact, this skepticism can be justified on the strength of a statement of a responsible official of the administration. Arthur Sylvester, Assistant Secretary of Defense for Public Affairs, speaking at a Sigma Delta Chi dinner in New York City on December 6, 1962, said that when the administration is "on the defensive under our political system I would always be suspicious of what it said—I do not expect virtue to come out of men—complete virtue—or even maybe 75 percent virtue. If any of us are virtuous 51 percent of the time, that I see, it is a good record and in politics an amazing record. So I would start out on that premise."

Let me point out briefly some of the major inaccuracies in the documents which I am inserting in the RECORD. McGeorge Bundy, speaking on October 14, 1962, 6 or 8 hours after photographs that revealed the presence of missiles in Cuba had been taken, said:

> I know there is no present evidence, and I think there is no present likelihood that the Cubans and the Cuban Government and the Soviet Government would in combination attempt to install a major offensive capability. So far, everything that has been delivered in Cuba falls within the categories of aid which the Soviet Union has provided, for example, to neutral states like Egypt, or Indonesia, and I should not be surprised to see additional military assistance of that sort. That is not going to turn an island of 6 million people with 5,000 or 6,000 Soviet technicians and specialists into a major threat to the United States, and I believe most of the American people do not share the views of the few who have acted as if suddenly this kind of military support created a mortal threat to us. It does not.

Mr. Gilpatric's statement contains two passages that are worthy of notice. Mr. Gilpatric, unlike Secretary McNamara, did not say that he was sure beyond reasonable doubt that all missiles placed in Cuba had been removed. Mr. Gilpatric responded in a more cautious way to the question: How can we be sure the Soviets have not left any missiles behind?—saying:

> We never knew how many missiles were brought into Cuba. The Soviets said there were 42. We have counted 42 going out. We saw fewer than 42. Until we have so-called on-site inspection of the island of Cuba we could never be sure that 42 was the maximum number that the Soviets brought into Cuba.

Mr. Gilpatric further said:

> They [the Russians] have simply removed what they say were the missiles that were brought in.

Secondly, Mr. Gilpatric on November 11, 1962, denied that this Government was even considering closing down American missile bases in Turkey or in Italy, and he repudiated the suggestion that missile bases in Turkey were no longer important. In spite of Mr. Gilpatric's protests that "all the bases we have today are important to us" and that "we have no thought of giving up any of our oversea bases," less than 2 months later the word was out in the press that an official decision to remove missiles from both Turkey and Italy had been made.

Mr. Ball's article published October 19, 1962, said:

> In the last few weeks we have read much in the newspapers of the military buildup of Cuba by the Soviet Union. Quite clearly it does not constitute a threat to the United States.

At the time this went to print the photographs of missile sites had been taken and a decision had been made that the situation in Cuba constituted a serious threat to the security of this country. On October 3 Mr. Ball testified that we had "no evidence" of Russian missiles in Cuba. Testimony of top officials now shows that we had evidence in September.

Mr. Ball also reported "about 4,500 Soviet military specialists" were in Cuba, "including construction men and technicians." We are now told that there were about five times that number in Cuba at the time Mr. Ball's article appeared.

The Defense Department on October 19 and again on October 20 issued denials that there were either offensive missiles or bombers in Cuba.

The foregoing record indicates with abundant clarity why a large part of the American people question the word of this administration. The new policy of news management has in fact become a policy of mismanagement.

The article and television interviews follow:

[From the Washington World, Oct. 19, 1962]

DOES CUBA COMPRISE A MILITARY THREAT?—NO

(By George W. Ball, Under Secretary of State)

Our policy toward Cuba is based upon the assessment that Cuba does not today constitute a military threat to the United States. Without doubt it is an economic burden for the Sino-Soviet bloc. It has value to the bloc primarily as a base for the subversive activities of international communism in the Western Hemisphere.

The policy of the U.S. Government is directed toward nullifying Cuba's usefulness as a source of infection for international communism, while at the same time rendering it more costly for the Sino-Soviet bloc to maintain it for that purpose.

Cuba today is almost totally dependent upon the Soviet Union for its economic livelihood. Three-fourths of Cuba's trade is with the Communist bloc, and this percentage is increasing as other channels of the trade dry up.

In the last few weeks we have read much in the newspapers of the military buildup of Cuba by the Soviet Union. Quite clearly it does not constitute a threat to the United States.

Since July, when the volume of Soviet military shipments to Cuba suddenly vaulted upward, 85 shiploads arrived in Cuban ports. Many of them carried military items, supplies, and personnel.

These shipments have consisted, in part, of types of weapons previously delivered to the Cuban armed forces, including more tanks, self-propelled guns, and other ground force equipment.

The major tonnage in recent shipments, however, has been devoted to SA–2's, surface-to-air missiles (SAM's), together with all the related gear and equipment necessary for their installation and operation.

To date 15 SAM sites have been established in the island. We estimate the total may eventually reach 25. These are antiaircraft missiles having a slant range of 20 to 25 miles.

In addition, three and possibly four missile sites of a different type have been identified. These sites are similar to known Soviet coastal defense missile sites that are believed to accommodate antishipping missiles with a range of 20 to 25 miles. Quite likely several more such sites will be installed.

CUBA HAS MIGS

Cuba is now estimated to have 60 older type Mig jet aircraft. In addition at least one advanced jet-interceptor has recently been received, and probably several more are in the process of assembly.

This type of advanced jet-interceptor is usually equipped with infrared air-to-air missiles. We estimate that the total of these advanced interceptors in Cuba may eventually reach 25 to 30.

In addition, 16 *Komar* class guided missile patrol boats, which carry two short-range missiles (11 to 17 miles), were included in recent shipments.

About 4,500 Soviet military specialists have arrived, including construction men and technicians. Unpleasant as may be the spectacle of a Communist-dominated island just off our shores, we should not overlook the fact that Cuba is, at the moment, a small enfeebled country with an incompetent government, a limping economy, and a deteriorating standard of living.

The crash efforts of the Soviet Union to provide the Castro regime with economic technicians and to build up its military defenses is a demonstration of Cuban weakness.

DEPENDS ON MOSCOW

Because of the desperate plight of the Cuban economy, Cuba's isolation from the other nations of the hemisphere, and the fear which that isolation has engendered, the Cuban Government has turned itself into a dependency of Moscow.

We may take the events of the past month—regrettable as they may be in many ways—as evidence of the essential soundness of the strategy of isolation that we have pursued toward Cuba over the past 2 years. The additional measures now under consideration with respect to Cuban shipping are part and parcel of that same strategy.

We propose to continue along these lines, taking new measures as the developing situation may require.

But in pursuing this policy—as in pursuing any policy—the United States must never forget that it is engaged in a worldwide struggle and that no policy can be regarded as an end in itself or as existing apart from the whole complex of relationships which give the free world its strength.

ISSUES AND ANSWERS—MCGEORGE BUNDY, SPECIAL ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY, INTERVIEWED BY EDWARD P. MORGAN, ABC COMMENTATOR, AND JOHN SCALI, ABC STATE DEPARTMENT CORRESPONDENT

The Announcer. McGeorge Bundy, Special Assistant to President Kennedy for National Security, here are the issues:

Is there a way to head off a new Berlin crisis?

Have we convinced Khrushchev that we will meet force with force?

What does the United States do if the so-called defensive military buildup becomes offensive?

From Washington, D.C., the American Broadcasting Co. brings you "Issues and Answers." You have heard the issues. Now for the answers from President Kennedy's adviser on military and policy planning. To interview McGeorge Bundy, here are ABC Commentator Edward P. Morgan, and with the first question, ABC's State Department Correspondent, John Scali.

Mr. Scali. Welcome to "Issues and Answers," sir.

Radio Moscow and Soviet publications generally have accused Secretary Rusk, Defense Secretary McNamara, and Attorney General Kennedy and you of creating a war psychosis over Berlin by your speeches, saying that if necessary, Berlin will be defended with nuclear weapons.

What do you have to say in reply to that?

Mr. Bundy. It has always been clear that Berlin would be defended by the Western Powers and in particular by the United States, by all necessary means. We have been saying that to the Soviet Union at intervals since the Second World War and at closer and sharper intervals since Mr. Khrushchev precipitated the new Berlin crisis nearly 4 years ago, and so it doesn't seem to me there is any call for the Soviet to be surprised when at a moment of possibly renewed tension we remind the world and that Government that pressure against our clear and well-defined rights in Berlin is very dangerous.

Mr. Morgan. Mr. Bundy, do you see any merit at all to the suggestion that Foreign Minister Gromyko made at his rather long and rambling news conference in New York yesterday to the effect that the Western Powers ought to patrol the wall?

Mr. Bundy. It seems to me that Mr. Gromyko's proposal implies a failure on the part of—or is the recognition, really, of the failure both of the whole policy of the Soviet Government in East Berlin and East Germany, and of their failure to observe even minimum standards of human decency along the inhuman wall which they have put up.

We have appealed, along with Mayor Brandt, for restraint and for control in the population of West Berlin and that kind of restraint in the face of the most serious kind of provocation has been demonstrated. It seems to me it is not Mr. Gromyko's business to tell us how to order the affairs of West Berlin.

Mr. Scali. Do we have any intention whatever of taking these additional steps on the Western side of the wall?

Mr. Bundy. We will take and have taken appropriate steps to maintain peace and order in West Berlin. The incidents which have in fact caused Mr. Gromyko such pain have occurred in fact in East Berlin.

Mr. Morgan. One thing that seems to be preoccupying many people including people in the Government and people among our allies: Where do these notorious, salami tactics by Mr. Khrushchev end; do they end by our being completely deprived of the sausage or are we able to salvage part of it?

I would like to ask you as a background to that; this question: The administration has made it clear that it will fight for Berlin and fight for Western representation and position in Berlin.

At what point does this showdown come? Is it not possible that he slices the salami right out from under us?

Mr. Bundy. We don't believe so. We believe that the basic rights and interests of the people of West Berlin and of the Western Powers and of the Federal Republic can be sustained, are being sustained, and will be sustained. It is very important here to understand there is a distinction between the existing and operating rights of access, presence, and of life in West Berlin, and the legal rights which apply to the whole city, but which have not been exercised in the main in East Berlin for nearly 15 years.

Mr. Morgan. Do we see the slightest indication of any Soviet give on the situation at all at this point?

Mr. Bundy. I don't think we can say that there has been any significant shift in the substance of the Soviet position. I think there are some indications that the Soviet Government is more interested in continuing discussion than it is in an immediate precipitation of a still more dangerous crisis but it is always dangerous to predict on this point and on the substantive point there is no shift. The Soviet Government still urges upon us all the unacceptable solutions which is essentially that the West should get out of West Berlin.

Mr. SCALI. Mr. Bundy, how does that fit in with the view of many administration officials that after the elections there will be a new and more dangerous phase to the Berlin crisis?

Mr. BUNDY. Well, there may well be—there will certainly be a new phase of some sort and it may well be more dangerous. I think myself that there is at some point in the future likely to be a sharper confrontation. This, of course, is a very difficult thing for any of us in Washington to predict. This crisis was created by the Soviet Government. It is the Soviet Government and not the West which will intensify it if it is intensified.

Mr. SCALI. Many administration officials have taken to speaking very bluntly about our determination to fight if necessary. Why is it judged wise to repeat this at this particular time? Do you see any sign of perhaps Mr. Khrushchev's maybe misjudging this determination at this time?

Mr. BUNDY. There is always the possibility and it is one of the great and continuing dangers of living in the nuclear age, that a government may make a miscalculation which would be tragic for all and not just for that government. There is some evidence that the Soviet Government has been talking—I won't say acting or believing, but talking as if it thought the West might not mean what it has said in Berlin and for that reason and because of the possibility that there may be an intensification of the Berlin issue it has seemed to us important to leave no doubt that we are in Berlin and we propose to stay there.

Mr. MORGAN. Is there another possibility, Mr. Bundy: Is this in part—these warnings that Mr. Scali mentioned—an administration reaction to the election campaign itself in which some Republicans obliquely and/or directly are making foreign policy an issue and accusing the administration of being soft on communism?

Mr. BUNDY. Well we don't believe that a Berlin issue is in the election or should be in the election. There have been hints from the other side that the best time to settle this would be after the election. We don't believe that. We believe that Americans without regard to party know where they stand on Berlin, are quite willing to discuss it at any time and quite unwilling to be forced out of their basic rights at any time.

Mr. MORGAN. What can you tell us of what the public might expect from the visit of two important Germans? As you know, Foreign Minister Schroeder is already here from the West German Government and it was announced yesterday that Chancellor Adenauer would come again on November 7. What do these meetings mean?

Mr. BUNDY. Well, I think these are both very important visits and I quite disagree with an interpretation which was in one of the papers this morning that somehow the Chancellor's coming in November makes Foreign Minister Schroeder's visit less important. I think the reverse is the case.

There are very important interests in common between us and the Federal Republic. In each new season of the problem of the confrontation in Berlin and larger problems of the future organization and management of NATO, it is of great importance to us to have continued clear and close understanding between Washington and Bonn. In order to do this we have to sort out and work on the issues, first at the level of the so-called experts and then at the level of Foreign Ministers, which is what will be going on during Mr. Schroeder's visit and then because heads of government are so deeply engaged in these great issues, at the level of the Chancellor and the President. So I think these two visits are complementary to each other. Neither one clouds the other and I think they are both of very great importance.

Mr. SCALI. Mr. Bundy, what do you think of Foreign Minister Schoeder's idea that the Western allies ask Russia to join in a permanent conference on the Berlin and German issues and that this be at a deputy foreign ministers level?

Mr. BUNDY. Well this is an idea in which there has been a good deal of interest, both in Bonn and in other parts of the Federal Republic and here in the United States. We believe that it is useful to maintain contact and to maintain communication and to keep a serious discussion going in the constant effort to see if we can't make a settlement that meets the legitimate interests of all, and therefore I would think that is a sensible proposal and one which deserves consideration and which we hope would be received with attention and respect on the other side.

Mr. SCALI. Mayor Willy Brandt on this program last week also strongly endorsed the idea of a referendum in West Berlin, to put the West Berliners on record as wanting to keep Allied troops in West Berlin. How does that idea strike you?

Mr. BUNDY. Well, we believe that the interest and the rights of the West in Berlin, while they rest legally and by historic right upon the occupation status, rest also in an important sense upon the will and purpose of the people of West Berlin. We think that both of these kinds of rights are of great significance and if it should turn out in the view of the Mayor and Senate of West Berlin and other authorities concerned with this problem that a plebiscite was a good way at a certain point of registering the feeling of the people of West Berlin, their honest feeling about what they want, I myself think that this might be a very constructive step.

Mr. MORGAN. Mr. Bundy, it would be astonishing, I suppose, to expect allies, particularly in what we refer to as peacetime, to be completely in accord on how you approach a given problem, even one as big as Berlin.

The fact is, I gather, though, that there is a great deal of difference between us on the one side, London, Paris, and Bonn.

Do you think that this administration would, if it felt it necessary, step out ahead to honor our commitment militarily in Berlin if it felt it necessary?

Mr. BUNDY. Well, I think you perhaps a little exaggerate the degree of difference there is on the essentials of the problem of Berlin and the wider problem of Germany. It is certainly true that there have been historically over a 15-year period, tactical differences and differences in emphasis and it is always important and it becomes more important when there are times of higher tension to work together closely to try to limit those differences or eliminate them and to try to present a common front.

We would be very reluctant, and we don't believe there is any call for a prediction that we are going to find ourselves in a situation in which at a moment of decisive test we would not all be together. But I would have to add that, if it should come to such a point, which we do not anticipate, the United States does intend to honor its own obligations.

Mr. MORGAN. This I suppose is—in the public mind this crisis or this possible crisis in Berlin is overshadowed by Cuba. Do you think there is a possibility that the Russians are deliberately screwing up the lines of tension on Berlin in an effort to make a diversion or the other way around, that Cuba is a diversion preoccupying the American people away from the main bull's-eye of attention?

Mr. BUNDY. We believe that it is important to deal with both of these problems seriously and as far as we can effectively. We do not believe either one should be regarded as a lever against the other. I myself would not on the whole be of the view that the Soviet moves in Cuba are motivated in the way that you suggest. I certainly do not believe that we are going to be dissuaded from meeting our responsibilities as defined by the President, both in Berlin and in Cuba, by any hypothetical connection between the two.

Mr. SCALI. Mr. Bundy, it is obvious that Cuba is not being eliminated from the election campaign in the United States. How much damage, if any, does continued harping on this in an election year cause to the administration's conduct of foreign policy?

Mr. BUNDY. Well, I don't think one should put all discussion of Cuba in the same box. There are serious and responsible commentators and observers in and out of politics who have said important things, and it is quite proper that they should, whether or not there is an election campaign going on.

As to other kinds of things to which the President referred yesterday in describing the views of one Republican Senator on Cuba, which he thought were inappropriate and excessive and undesirable, it seems to me best to leave the President's comments to speak for themselves.

Mr. SCALI. Much attention has been centered lately, sir, on the activities of Cuban exile groups in attacking or claiming to attack shipping and Cuban coastal areas. Can the administration argue effectively, do you think, that it has no control over these exile groups, many of whom are based in and around Florida, and isn't there the danger that one of the forays by one of these outfits may involve us in a serious international incident?

Mr. BUNDY. You have raised a difficult and a serious question. Under the terms of the joint resolution of the Congress and also I think in terms of the natural sympathies of all Americans it is very difficult to withhold understanding and a feeling of a certain sympathy for people who are trying in their own way, or appear to be trying in their own way, to restore the liberties of Cuba. At the same time there is a responsibility on us and the balance between these considerations is a difficult one.

I don't think you should assume that every mile of the U.S. coastline even at best is really very easily patrolled or controlled. It is not as simple as that. But this is a different problem and while we do not—there is no way in which the United States can maintain control over the many scores of thousands of Cuban refugees and the many scores of groups of organized Cubans or partly organized Cubans. It is true that this problem of relationship is a difficult one.

Mr. MORGAN. I want to bind two of the points that Scali made into one question, if I may.

That is this: He mentioned the fact that, unfortunately or not, inevitably, the Cuban situation is occupying time in the congressional campaign.

Secondly, these refugee raids so to speak are very difficult, if not impossible to, as you point out, to control at least totally. But aren't those two facts taken together, politics goaded if you please by opposition in this case, in criticizing the Kennedy administration; politics goaded by the campaign and the unpredictability of refugee activity—don't those things combine to almost force more direct action by the administration on Cuba?

Mr. BUNDY. I certainly don't believe that the President intends to be forced by anybody or by any period of time or by any moment of debate into decisions different from those which he regards as in the national interest in a matter of this kind.

I think there just is no doubt that the responsibility for decision, as the joint resolution of Congress makes clear, rests with him and equally in my experience of the way he goes about this kind of problem, there is no doubt that he will make decisions of this sort in the light of much wider and larger considerations than the, I agree, difficult, complex and wearing temporary issues which you have mentioned.

Mr. SCALI. Mr. Bundy, in that connection. Vice President LYNDON JOHNSON has given two speeches in which he says flatly, if I remember his exact words, that the policy of the Kennedy administration is to "get rid of Castro."

This seems to be a little further than President Kennedy and Secretary Rusk have gone. Is this the policy of the Administration at this time?

Mr. BUNDY. Well, I think the policy of the administration—I wouldn't agree with you that there is any wedge between the Vice President, the President and the Secretary of State.

Mr. SCALI. It is just that they haven't used those words.

Mr. BUNDY. I certainly don't intend to join with you in trying to drive one, Mr. Scali, but I will say this, that I think the Vice President is using clear, short, terse language to describe a general position of the U.S. Government which is that Fidel Castro, who came to power on a wave of popular support in an expectation, and even among most of his own supporters, that there would be reform and freedom and liberty in Cuba, has betrayed that expectation. He has betrayed it in two ways: by imposing a totalitarian tyranny in his own country and by accepting an increasing measure of control and influence by the Soviet power within Cuba. These two acts of betrayal constitute in our view a course of policy with which we cannot sympathize and against which we must range ourselves.

Mr. MORGAN. Mr. Bundy, given that situation as you interpret it and given what I take to be our general policy without any wedge being involved of trying to isolate Castro's Cuba and eventually get it to collapse internally, how are we doing really, candidly, with our Latin American allies, in persuading them that we need to have them join with us more forceably and more outwardly in supporting such a policy?

Mr. BUNDY. Well, I think we have made very considerable progress, in stages, since 1960, in ranging, or in succeeding in getting a wide range of countries with quite different interests in a sense, because of the distance at which they find themselves, because of their own size, because of their own particular internal political situations, we have made very considerable progress in sustaining unity in the Western Hemisphere and in developing a constantly stronger view within that hemisphere toward Fidel Castro, and Castro-type communism in Cuba. But it is also clear that in the view of many of these countries the problem is not a problem of overwhelming urgency. They don't see it in quite the same light that we do.

Other countries close to Cuba may feel even more urgently about it than we do. We after all are in no serious danger of internal subversion from Cuba. Other countries are.

Mr. MORGAN. That brings up a point which seems to be worrying a lot of people, and if that, as you say, is true, it hasn't gotten completely across, and that is this interpretation of the military installations in Cuba which the administration emphasizes consistently are defensive in nature and not offensive.

Isn't it possible, isn't it really possible that these could be converted into offensive weapons virtualy overnight, and if so, what would we do?

Mr. BUNDY. Well, I don't myself think that there is any present—I know there is no present evidence, and I think there is no present likelihood that the Cubans and the Cuban Government and the Soviet Government would in combination attempt to install a major offensive capability.

Now it is true that these words "offensive" and "defensive," if you try to apply them precisely to every single item, mislead you. Whether a gun is offensive or defensive depends a little bit on which end you are on. It is also true that the Mig fighters which have been put in Cuba for more than a year now, and any possible additions in the form of aircraft might have a certain marginal capability for moving against the United States, but I think we have to bear in mind the relative magnitudes here. The United States is not going to be placed in any position of major danger to its own security by Cuba, and we are not going to permit that situation to develop. That, I think, is what the administration has been trying to make clear.

So far, everything that has been delivered in Cuba falls within the categories of aid which the Soviet Union has provided, for example, to neutral states like Egypt, or Indonesia, and I should not be surprised to see additional military assistance of that sort. That is not going to turn an island of 6 million people with 5,000 or 6,000 Soviet technicians and specialists into a major threat to the United States, and I believe most of the American people do not share the views of the few who have acted as if suddenly this kind of military support created a mortal threat to us. It does not.

Mr. SCALI. Mr. Bundy, how about Senator KEATING's claim that these antiaircraft missiles which are being provided to the Cubans right now could be converted with some little adjustment into ground-to-ground missiles with a range of up to 1,400 miles?

Mr. BUNDY. Well, if that is what Senator KEATING said—and I am not in a position of having seen exactly what he said, but anyone who said that is saying something which just does not correspond with the situation. That is just wrong.

Mr. SCALI. These missiles cannot be converted?

Mr. BUNDY. The missiles of the kind which we have identified up to this point are certainly not susceptible to this kind of conversion or translation. It is as if you were to try to turn a destroyer into an antiaircraft carrier by waving a wand.

Mr. SCALI. In that connection, sir, there has been a good deal of attention and some excitement in this past week about the negotiations that Mr. Donovan is conducting to free the Cuban prisoners. There have been all sort of whispers that the U.S. Government is secretly financing whatever supplies are to be given Castro. Could you comment at all on that?

Mr. BUNDY. Well, I think it is important to understand that Mr. Donovan is acting, in the first instance, for Cuban refugees and for the families of the Cuban prisoners. It is true obviously that the United States has an interest and a concern in what may come of his negotiations. It is equally true that those negotiations are, as far as I understand it, not at a stage at which it would be appropriate for me to try to give any clear answer to the kind of question you have stated.

Mr. MORGAN. Mr. Bundy, in the little more than a minute that we have left, let's try to broaden the horizon briefly beyond Berlin and Cuba. I get repeatedly the argument from the administration—and I must say that it sounds like an impressive one—that the Communists are discovering that communism as an article, or vehicle upon which to ride to world domination, is failing and that if we can exploit those failures with some forthright strategy of our own, barring some accidental push of a button, we will look at the future confidently. Would you like, in a few seconds, now that I have taken this time, to try to develop that briefly?

Mr. BUNDY. Well, we do believe that Communist power is in trouble in a variety of ways all around the world. There is this sharp confrontation and difference of view and purpose between the two great centers in Moscow and Peiping. There is the continuing and persistent and spreading failure of nearly all Communist societies in the agricultural field. There is the obvious fact that the West intends to sustain and maintain its essential positions in Berlin and elsewhere. There is the increasing awareness among neutral states—Guinea is an example—of the problem of getting along with communism. They have problems of their own and it is comforting as we work on ours.

Mr. MORGAN. On that note, Mr. Bundy, thank you for being with us on "Issues and Answers."

The ANNOUNCER. This has been another in ABC's newsmaking series which brings you the answers to the issues of today.

Next week at this same time our guest will be the West German Foreign Minister, the Honorable Gerhard Schroeder. We hope you will be with us.

ISSUES AND ANSWERS—THE HONORABLE ROSWELL L. GILPATRIC, DEPUTY SECRETARY OF DEFENSE, INTERVIEWED BY BOB CLARK, ABC CORRESPONDENT, AND JOHN SCALI, ABC CORRESPONDENT

The ANNOUNCER. Deputy Secretary of Defense, Roswell L. Gilpatric, here are the issues: How can we be sure all the Soviet missiles are out of Cuba?

Have we guaranteed the Communists an invasion-free santuary in the Caribbean?

What does the Cuban crisis reveal about Russia's military might?

You have heard the issues. Now for the answers from the Deputy Secretary of Defense, Roswell L. Gilpatric, who is a member of the President's three-man Committee currently negotiating the conclusion of the Cuban crisis. To interview Secretary Gilpatric, here are ABC Correspondent Bob Clark and with the first question, ABC Correspondent John Scali.

Mr. SCALI. Mr. Secretary, welcome to "Issues and Answers."

It seems to me that our inspection of the Soviet missiles at sea, as the missiles leave Cuba, really constitutes no more than a peek. How can we be sure that the Soviets haven't left any missiles behind?

Mr. GILPATRIC. Mr. Scali, we never knew how many missiles were brought into Cuba. The Soviets said there were 42. We have counted 42 going out. We saw fewer than 42. Until we have so-called onsite inspection of the island of Cuba we could never be sure that 42 was the maximum number that the Soviets brought into Cuba.

Mr. SCALI. Well, Mr. Secretary, were all these missiles medium-range and intermediate-range or just one kind?

Mr. GILPATRIC. The missiles that we saw and the missiles which have been removed are the medium-range. That is about 1,020 miles range. We never saw any IRBM's for which sites were being prepared, but for which no missiles apparently were put into place.

Mr. CLARK. How about the Soviet jet bombers in Cuba, are we going to insist that they go too?

Mr. GILPATRIC. We regard them as offensive weapons.

They have strategic capabilities similar to our own B-47's. They are no older. They can carry 6,000 or 7,000 pounds of high explosives a range of 700 or 800 miles which would reach portions of the United States and other Latin American countries, and we think they clearly fall within the weapons we regard as offensive which was what we aim to remove from Cuba.

Mr. Clark. How serious are we about their removal at this stage? Would we really fire up the Cuban crisis again to be sure that these bombers are taken out of Cuba?

Mr. Gilpatric. Our objective remains to remove that kind of a threat from Cuba.

Mr. Scali. Well, Mr. Secretary, if there is no on-site inspection, plus a look for example into caves to see whether there are any hidden offensive weapons, will we stand by our pledge not to invade Cuba?

Mr. Gilpatric. Our pledge in the President's statement to Premier Khrushchev is twofold. It is that once the Soviet commitments have been fulfilled or arrangements satisfactory to that end have been made, we will lift the blockade and we will offer assurances against the invasion of Cuba.

Our obligations do not come into play, however, until the Soviets have fully carried out their commitments and as of the present time there has only been a partial fulfillment. They have simply removed what they say were the missiles that were brought in. Beyond that their performance has not yet gone.

Mr. Scali. Well, what can we say to them when the Soviet come back to us and say "Well, we have tried to talk Castro into giving up these bombers and he won't"?

Mr. Gilpatric. We hold the Soviets responsible for the types of military equipment which it has furnished to Castro and as of the present time we regard the removal of those bombers as within the capacity of the Soviets to bring about. What future developments may tell, I am not in a position to judge.

Mr. Clark. Mr. Secretary, aerial reconnaissance has been our most valuable way, first of detecting the presence of the Soviet missile bases and then of assuring that the bases had been dismantled and that the missiles were being moved out. How long do we plan to keep up this aerial survey?

Mr. Gilpatric. We regard aerial surveillance as a part of our inherent self-defense, a means of protecting our country as we would through any form of intelligence collection. The extent to which we will need to rely on continued air surveillance over Cuba will depend again on what the nature of the threat is that remains in Cuba after the Soviets have completed, if they do complete, the undertakings made by Premier Khrushchev to President Kennedy.

Mr. Clark. Do you mean we might continue aerial inspection even though we were totally assured that the missiles will be removed.

Mr. Gilpatric. As I say, the conduct of aerial surveillance is part of our overall intelligence collection system and we never are going to bargain away any part of our right of self-defense, which includes the conduct of aerial surveillance. I do not know as of today what the need would be in the future for a particular type or a particular frequency of aerial surveillance over Cuba or any other foreign country.

Mr. Scali. Mr. Secretary, nothing much has been said lately about those 5,000 or so Soviet military technicians that went to Cuba with many of these weapons. If I recall the Pentagon did say that it saw several hundred young Soviets aboard one of the freighters leaving Cuba. What has happened to them? Are they leaving? Have they left?

Mr. Gilpatric. We have seen a number—several hundred in fact, Mr. Scali, boarding ships, or on board ships and we believe that the technicians who are associated with the weapons that are being removed, the MRBM's are probably en route back to Russia along with those weapons. Now how many "technicians" remain in Cuba in connection with the IL-28 bombers or with the surface-to-air missiles or with the other equipment which has been furnished for the military in Cuba by the Soviets, it is impossible for us to tell as of now.

Mr. Clark. How about those 70 Soviet Mig fighters that are still in Cuba, are we worried about those?

Mr. Gilpatric. The Mig fighters are primarily interceptors. That is they are used in the defensive role. They have a range, of course, that could carry them across the Florida straits and over the mainland of the United States. Indeed they could reach other parts of the Caribbean area, but they are designed primarily as our fighters are of similar nature, as air defense fighters so we have not classified them as weapons which we regard as offensive.

Mr. Scali. They could be used, couldn't they, though, to deliver nuclear bombs if they were converted to longer range, fuel tanks and so on?

Mr. Gilpatric. I haven't examined the characteristics of the Mig's. Only a few of them, only a portion of the total number of Mig's are the high performance. There are Mig-17's and 19's as well as Mig-21's. It might be that these Mig's could be used for nuclear weapons delivery although that has not happened before to my knowledge.

Mr. Scali. Well, Mr. Secretary, how about the antiaircraft missiles and the missile sites, do we continue to classify them as defensive weapons and thereby conclude that the Soviets don't have to remove these at the present time?

Mr. Gilpatric. The characteristics of the surface-to-air missiles which have been installed in Cuba by the Soviets is such that their cone of fire, their range, their general utilization is such that we don't consider them a threat to the United States or to other Latin American countries. Obviously they facilitate the use of offensive weapons, so it would depend on what weapons Cuba was left with to know how valuable those surface-to-air missiles are to the Cubans or how much danger they pose for us.

Mr. Scali. Some Republican critics claim that the President's agreement with Mr. Khrushchev guarantees a sanctuary for communism in the Western Hemisphere which will not be invaded. What do you say to criticism of that kind?

Mr. Gilpatric. Well, as I said earlier, our covenants, the U.S. Government's pledges regarding invasion of Cuba do not come into play until the commitments on the Soviet's part have been fulfilled so as of now we don't have any obligation that is extant, because the Soviet performance has only been partial.

Assuming for the moment that the Soviet performance is complete, which may be a very large assumption and therefore that our pledge about invasion does come into play, it may not fundamentally change the status quo ante because under the Rio Pact and under our own national policy we have never had an objective of invading Cuba. We have an objective of maintaining peace in the Caribbean, of protecting the United States and honoring our treaty obligations under both the U.N. Charter and the Rio Pact.

Mr. Clark. I think you would agree, though, that we were pretty close to a decision on possible invasion of Cuba at one point, weren't we?

Mr. Gilpatric. It was one of the courses of action that obviously came up for consideration if the Soviets had not backed down and removed at least the most threatening of the offensive weapons that we found there had been introduced surreptitiously and by deceitful means prior to the 14th of October.

Mr. Clark. And it is a course of action which will now be closed to us if the Soviets do carry out their pledge to remove all offensive weapons?

Mr. Gilpatric. The Castro problem we had before the Soviets decided to establish a major military base in Cuba and we will have the problem after the Soviets' base is removed.

Mr. Scali. Mr. Secretary, some persons have said that the administration was just late in waking up to the fact that these missiles were there, that actually they were there far longer than our intelligence had reason to believe. Do you accept this?

Mr. Gilpatric. No, because I feel we have had access to the most effective intelligence means that have yet been developed, to my knowledge at least. We acted immediately upon the receipt of intelligence that the missile bases were installed. There was a great deal of concealment, a great deal of secrecy about the introduction of these weapons. The actual preparing of the sites and the placement on them of these weapons took place very quickly and I believe that we acted as quickly as we could.

Now as bearing on that it is most important to remember that for our allies to stand with us as they did so effectively in the OAS, as well as the support which we have since received from our other allies in NATO and elsewhere throughout the world, we had to have a hard case. We had to have good evidence of this threat and without the kind of photography which our surveillance planes came through with, beginning with the 14th of October, I doubt that we would have had this support and that we could have been as effective in our policies.

Mr. Scali. How long do you think, Mr. Secretary, these medium-range missiles were in Cuba before we spotted them?

Mr. Gilpatric. Well, all I know is our photography at the end of August, as the President has pointed out, did not disclose any of these missiles and therefore our assumption is that sometime between the end of August and the 14th of October they were brought in or at least they were brought out into the open in the erection process and the placement of the missiles on the sites where we first observed them.

Mr. Clark. Of course those first pictures which were made public by the Pentagon which were taken, I believe, on October 14 showed that these bases were almost completed. Now doesn't this indicate there was a lag in our aerial survey, that there was a period of perhaps a couple of weeks where our aerial inspection was inadequate?

Mr. Gilpatric. The first pictures, as I recall, at San Cristóbal were of only one or two sites, one of which was only partly completed, and only had part of the equipment on it.

Now we subsequently through the extension of our surveillance during the week after the 14th did pick up additional sites. How fast those were brought in, how much before construction was underway and during a period I might say when our surveillance was hampered by bad weather, I don't think we will ever know exactly the exact sequence of events during those 6 weeks from the end of August until the middle of October.

Mr. Scali. Mr. Secretary, is it possible that the rapidity with which we did spot these medium range missiles stopped the Soviets in midsea from bringing their longer range missiles into Cuba?

Mr. Gilpatric. That is another enigma we may never have the answer to. We do know that after our limited quarantine was imposed beginning following the President's statement on the 22d of October, a number of Russian ships turned back, including at least two ships that had large hatches and holds sufficient to accommodate missiles, so we assume—in fact I believe there were further missiles on there way over when we announced our decision to apply the quarantine measure.

Mr. Clark. Mr. Secretary, much has been said about the threat of nuclear war that hung over the world during this period. Do you think we were ever at the brink of war with the Soviets?

Mr. Gilpatric. Here was a situation where the two great thermonuclear powers of the world were in direct confrontation over a major issue, something that, as the President pointed out in his statement of October 22, was a new departure from any move the Soviets had made before. They had never attempted to bring as close to the shores of the United States the existence of their strategic weapons. Obviously under those circumstances, very grave consequences could have ensued had not the Soviets backed down.

Mr. Clark. What do you think Khrushchev's real motive was in trying to establish these missile bases in Cuba?

Mr. Gilpatric. I can't read his mind and I have never heard any single explanation which would answer all the questions that might occur to any of us in analyzing his motives. Obviously he was, I think, trying to present us with a heightened threat for some purpose, whether to enhance his bargaining position over Berlin or in some other of the numerous confrontations we have with the Sino-Soviet bloc throughout the world. We have to view the threat of communism in its totality. We have to regard it as an indivisible affair. We have to make all our policy decisions in the light of reactions and counterreactions and how the Soviet moves in this particular instance related to other plans they had I couldn't say and may never know.

Mr. Scali. Do you think that perhaps Mr. Khrushchev might have decided on this very chancey maneuver because he realized that compared to the United States the Soviet Union is weak in its ability to deliver nuclear warheads, on target?

Mr. Gilpatric. I do not regard the Soviets as considering themselves weak. We do feel we have, as we have stated several times during the past 12 to 18 months, a measurable margin of superiority in strategic weapons. Khrushchev, we think, knows that and while our intelligence is not precise enough to put a pair of calipers on the margin of the superiority we enjoy, it may be such as to lead him to think that he had to improve his strategic posture but in my own mind the military equation was not altered, the military equation between the Soviets and the United States, by the bringing closer to our shores of these missiles that previously had been ranged against us, or longer range missiles of the same weapon-carrying capacity at longer range. After all, the Soviets have missile-bearing submarines. Those submarines can reach our shores and warheads comparable to those that would have been borne by these missiles could be struck from submarines off our shore. So that I don't believe there was any major change in the overall military equation as a result of this particular deployment.

Mr. Clark. Do you think then that we have overemphasized the danger of these medium range missile bases in Cuba?

Mr. Gilpatric. Not at all. I think the presence of the missiles there, in this context of this being the first time the Soviets had ever put any such weapons outside their own immediate territory and in a situation where they might not always be able to control them, where you had a much shorter warning period and where the effect on the Latin American countries as well as on ourselves in the Western Hemisphere was very destabilizing—it changed the juxtaposition of these arrays of power, so I think it was of major importance, of great danger to us but I don't believe that we were under any greater threat from the Soviet Union's power taken in its totality after this than we were before. It was simply an element of flexibility introduced into the power equation that Soviets had not heretofore possessed.

Mr. Clark. Mr. Secretary, a private British study this week estimated that the United States has six times as many intercontinental missiles as the Soviet has. Does that sound about right to you?

Mr. Gilpatric. I couldn't comment on the arithmetic. As I said before, we have a margin of superiority which we think is ample to allow for the fact that we do not posture our strategy on the surprise attack and therefore we have to always have, in my judgment at least, always should have to have, a real margin of strength in the strategic delivery area.

Mr. Scali. Mr. Gilpatric, you were the first administration spokesman to lay down the thesis that even if the Soviets were to try a sneak nuclear attack against us, we would not only survive it, but would have enough to virtually wipe out the Soviet Union in a retaliatory blow.

Is this still true, and do you think that this could have been a factor in Premier Khrushchev's decision to pull out the missiles from Cuba?

Mr. Gilpatric. It seems to me from the Soviet actions that they accept, as we should, that either one of these great powers can deliver upon the other a thermonuclear blow of such proportions as to make that possibility unacceptable to any rational national leader. I think he realizes that. I think his statements both publicly and some of those which perhaps have not been published indicate a realization on his part of the dangers of setting in train any sort of a series of military actions which could scale up to a point where one side or the other would feel it necessary to use the full measure of its nuclear power. But I think our margin is sufficient and I think our national policy will continue to be as it has been now in our long-range planning, of Mr. McNamara's 5-year force program, it is founded on the basic cardinal premise that we must keep that margin at all times no matter what the Soviets do.

Mr. Scali. Mr. Secretary, we are about to close down the American missile base in England. Is it possible that we might consider or might close down the American missile base in Turkey and/or in Italy—not because the Soviets demand it as part of any deal, but because the missiles there might be getting obsolescent?

Mr. Gilpatric. We don't contemplate closing down any of our foreign bases or oversea bases. The removal of the Thors in the case of the United Kingdom bases is a matter of substituting one type of weapon for another. The British, the United Kingdom Valiant bomber force will be able to cover the targets that are assigned to the United Kingdom forces—they and other externally applied strategic weapons—to a point where the removal of the Thors, the phasing out of the Thors will not again affect the total military equation.

But I don't believe that we are going to change our present strategy of having many points from which we can defend ourselves if need be with nuclear weapons.

Mr. Clark. You are saying our missile bases in Turkey are still a valuable part of our missile defenses, even though we have adequate Polaris and ICBM's?

Mr. Gilpatric. I consider all the bases we have today as important to us. Now that doesn't mean that there will not come times when we won't modernize our weapons in different areas, where we won't substitute, have different combinations of forces, but as of now, our whole NATO base structure is the foundation of our planning both as a—as our national forces and the NATO forces and therefore we have no thought of giving up any of our oversea bases.

Mr. Clark. Do you anticipate that the Jupiter missiles in Turkey might be replaced by a more modern type of missile?

Mr. Gilpatric. I am not in a position to say what will be done with the Jupiters. The Jupiters today are assigned targets which are part of the responsibility of the military to take out in the case of a strike. If there are other means at some stage of taking care of those same targets, we may make some different distribution or deployment, but as of now, we need all the weapons we have deployed.

Mr. Scali. Mr. Secretary, both President Kennedy and Premier Khrushchev in their exchange of letters said that the Cuban crisis demonstrates anew the urgent need for some kind of trustworthy disarmament. Do we have any new proposals in this connection which we might offer?

Mr. Gilpatric. I do not know of any new proposals which have geen generated out of this particular experience. After all we are not even out of this one yet. However, our Arms Control and Disarmament Agency and the other elements in government which work on this whole question of arms control are constantly considering how we can move on toward the goal that we have as a national objective, which at some stage—it may not seem very realizable in the immediate future—of general disarmament. And doubtless in connection with forthcoming disarmament sessions, we will be reviewing our proposals and there may be some variations in what we have heretofore put on the table with the Soviets.

Mr. Scali. What have we learned about our ability to deploy forces and weapons as a result of the Cuban crisis?

Mr. Gilpatric. We have relearned a lesson that we must never forget in this time in history and that is the importance of quick reaction, the ability of moving fast and not having the kind of delays for example that took place when we moved forces into Lebanon a number of years ago, or that the British and the French encountered in the Suez experience. We are in a far better position today than we ever were, and I think this Cuban experience shows it, to organize and dispose of our forces in very fast fashion.

Mr. Scali. Were you generally satisfied with the speed of our buildup and our movement of forces?

Mr. Gilpatric. We are never satisfied, because we never do it completely right. We learned a number of lessons from which we will profit. You try to look at the bright side of these things as well as the somber side and I think the military command would agree with me that we have learned a lot from this exercise that we will now grind into our procedures, and I feel that our forces did a splendid job, all of them. Of course the principal burden fell upon the Navy, plus the technical command of the Air Force, but the preparations that were laid are general worldwide alert. The movement of our forces to be in a position if need be to take stronger military action was done in a way that gave us all a good deal of satisfaction.

Mr. Clark. Mr. Secretary, we want to get your views on the seriousness of the fighting between India and Red China. Do you think we might eventually have to supply troops as well as arms to India?

Mr. Gilpatric. I am not qualified to discuss that issue as fully as others might be. I have been pretty well preoccupied this past week with what is happening down in the Caribbean. But you must remember in the context of your question that the Indians have a very large and well-trained army with strong traditions from the earlier days of their association with the British and I believe they will be able to render a pretty good account of themselves if they are pressed further by the Chinese Communists.

Mr. Scali. For example, sir, do you think perhaps we might need more jet transports to help transport weapons faster to places like India?

Mr. Gilpatric. We have a major buildup going on in our airlift program as a part of the budget last year and our forthcoming budget which will be presented to Congress the first of the year. We will continue to provide increasing numbers of long-range aircraft for carriage both of soldiers, forces, and people, as well as of equipment. It is a very important factor in this quick reaction that I spoke of.

Mr. Clark. One quick final question: How about that defense budget that is going to Congress next year, is it going to be bigger than this year?

Mr. Gilpatric. It will not be any less, but I don't think the Cuban crisis as such has changed the requirements upwards. I think we've got a long time ahead when we are going to have to maintain a large military establishment for the protection of this country.

Mr. Clark. Mr. Secretary, our time is just about up.

Thank you very much, Secretary Gilpatric, for being with us today on "Issues and Answers."

The Announcer. This has been another in ABC's newsmaking series which brings you the answers to the issues of today.

Next week at this same time our guest will be Congressman-elect Robert Taft, Jr., Republican from Ohio. We hope that you will be with us.

THE NEED FOR LEGISLATION TO PREVENT WATER POLLUTION BY SYNTHETIC DETERGENTS

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, every passing day provides added evidence of the need for passage of H.R. 2105, which I introduced last January 17. The bill will bar from interstate commerce, after June 30, 1965, all surface-active detergents which do not meet standards of decomposability to be set by the Surgeon General of the United States.

Since the introduction of the bill I have received countless letters from municipal officials, sanitary and hydraulic engineers, conservationists, sportsmen and citizens aggrieved by the growing detergent pollution of our rivers and streams and of ground water. These letters have come from every part of the Nation and have been virtually unanimous in their plea for action in the direction I have proposed to protect our vital water supply. Only last week it was reported in the Washington Evening Star that detergent pollution had occurred in two deep water wells at the Beltsville, Md., Agricultural Research Center of the Department of Agriculture.

LOCALITIES FAVOR ANTIDETERGENT ACTION

In a letter to me, Mayor Philip J. Bailey, of Ottawa, Ill., has described detergent pollution as "an extremely serious matter to the municipalities."

> I compliment you for your action and I offer any assistance that I may render to your cause—

He wrote.

George P. Smith, a member of the Cuyahoga River Reclamation Commission in Ohio, declared that the "crusade against water pollution must continue. It could mean our civilization." The city of Wisconsin Rapids has reported passage of a resolution favoring legislation to regulate and curb the use of synthetic detergents. Many other localities are considering what steps they may take to deal with the problem.

But the problem is nationwide and a national solution is appropriate, especially since it will be less costly and more effective than local regulatory attempts.

The use of synthetic detergents—popularly called simply detergents even though technically soap is also a detergent—has come into its own since World War II. Since then, the amounts of detergent used have increased with the increases in self-service laundries and in the number of home washing machines. Last year, some 3.5 billion pounds of detergents valued at $832 million were sold in this country, and the volume used is increasing at a rate of about 5 percent a year.

Unfortunately, the bulk of the detergents now being sold have as their main ingredient a chemical known as ABS, alkyl benzine sulphonate. ABS is a cheap, plentiful byproduct of petroleum refining. It was first produced during World War I by the Germans who had been cut off from the supplies of animal and vegetable fats needed for soap production by the Allied naval blockade. Detergents made with ABS have superior cleaning powers and can be produced in any of the multitudinous forms required for household and commercial uses. They match the performance of soap in soft water and far surpass the old natural cleansers in hard water. They are no more irritating than soap to sensitive skin. They are so good in fact that they largely sold themselves to the American consumers.

But when they have done their job of cleaning and are discharged into bodies of water or into septic tanks, they become a real and growing problem. Detergents with ABS are highly resistant to the natural decomposition and to man's sewage treatment processes. Although some detergent pollution is removed by secondary sewage treatment plants, much remains in the water.

"USED" WATER USED MORE

Thus the level of detergent pollution is building up in the water that we use. Research on how to remove ABS has so far failed to discover any way of removing it economically. At the same time the reuse of water is increasing. As population becomes more concentrated in great metropolitan centers, water frequently is purified, used, discharged as waste water, repurified, reused and discharged again. At present 40 percent of the population drinks "used" water.

Well, what is the harm of this? No one, it is said, has died of detergent pollution. In fact rather large doses given to test animals over periods of 2 years or less have shown no evidence of poisoning. But other scientists believe that the continued intake of even small amounts of ABS cannot help but be harmful to health. Moreover, West German scientists have reported finding signs that detergents may be linked to cancer.

> My husband, who is a physician, and I are very much concerned over the possible harmful effects of the prodigious use of detergents in our country—

Mrs. Albert H. Aldridge, of 14 East 19th Street, New York City, wrote.

> You are doing all of us and all of our children a wonderful kindness introducing a bill to ban the use of detergents. This should take effect as soon as possible—sooner than 1965—because by then we will have all our fresh, clean water so polluted that we will be ill from the effect—

Writes Mrs. Herbert Rieskol, of 11380 Glennon Drive, Denver.

No one knows surely the degree of risk that we may run. But we dare not ignore the danger, particularly when reasonable action can avoid it.

Furthermore, there are many other reasons which support discontinuation of the use of synthetic detergents which do not decompose readily after use. Detergent concentrations at certain levels cause foaming and the creation of suds. When these bubbles turn up in drinking water, people are rightly distressed. Water should be appetizing in appearance and should not be laced with brand X detergent.

FOAM IN THE DRINKING WATER

> In homes using detergents and served by a septic tank and well, we have experienced water so foamy and bad tasting that it is impossible to drink it. In cities where thousands are using detergents, it is only a question of time before the city reservoirs become polluted by these suds—

Said Mr. and Mrs. J. M. Norton, of Post Office Box 241, Utica, N.Y.

Although it would not be necessary, numerous housewives have expressed their willingness to do without detergents to protect the water supply.

> As a housewife, I enjoy using detergents but would gladly give them up, and urge my neighbors to do likewise if it will help prevent this contamination of our water supplies—

Catherine Bujold, of 4925 54th Avenue, Minneapolis, wrote.

> Although the underground water supplies at the far end of Long Island do not yet give evidence of pollution from detergents, that is only because the area is not yet thickly enough settled. Farther west on the island serious trouble is already being experienced—

Said Paul W. McQuillen, of Montauk Point, Long Island. As he said, there has been trouble elsewhere on the island. In fact, residents last year were forced to use bottled water to avoid drinking a half-and-half mixture of water and suds.

The foaming of detergent-laden water also detracts from the nation's scenery by marring beautiful rivers and streams.

> What a horrible disgrace to allow these chemicals to ruin this water for downstream irrigation. More power to you—

Said a letter from 12 engineers living in Denver.

> In my work as a sanitary engineer—

Edwin E. Crawford, of 6012 Tahoe Way, Sacramento, Calif., wrote—

> I have seen rafts of suds floating down rivers and a head of suds appearing on the surface of ground water samples. What toxic effect, if any, this petroleum derivative has on wildlife, man and his environs is presently a

> moot question. However, I am certain that the ingestion of detergent does not produce any benefit upon the recipient.

Detergents interfere with sewage disposal by causing difficulties in coagulation and sedimentation of the sewage and by keeping oxygen from reaching the contaminants. Billows of suds have even prevented plant employees from seeing what they were doing.

DETERGENT POLLUTION HARMS FISH

In addition there is clear evidence that not uncommon levels of detergent pollution are harmful to fish. A report by a member of the Robert A. Taft Sanitary Engineer Center of the Public Health Service states that synthetic detergents are 40 times more toxic to fish in hard water than soap. And most surface waters are moderately hard, the report notes. Other studies indicate that fish flee toxic substances when they accumulate gradually. One of the first signs of high detergent pollution is likely to be the relative absence of fish in their usual areas.

> This letter is just to wish you luck in your upcoming detergent bill. Here in Williamsville, a suburb of Buffalo, N.Y., the detergent situation is getting very troublesome. The fishing in Lake Erie has declined to a very sad state and the lake in general is in sadder shape. The water in other waterways like the barge canal is made the worse because of the detergents—

Reported John R. Lutgen, of 9150 Ayer Road, Williamsville, N.Y.

> In the Great Lakes area, especially, where water is one of our greatest assets, we can't afford to let this type of pollution go unchecked much longer. As a fisherman, I, and probably a lot of others, are wondering what next? The consequences to man and wildlife could be pretty grim—

Jim Carter, of 325 Fuller Avenue SE., Grand Rapids, Mich., wrote to me.

SWITCH TO DECOMPOSABLE DETERGENT

Mr. Speaker, I want again to emphasize that my bill would not require a reversion to soap as the principal cleansing agent used in American households. This could not be justified economically or in terms of the inconvenience to housewives it would cause. My bill would only require manufacturers to market a type of detergent that does decompose after use which has already been developed in Western Germany. This type of detergent is somewhat more expensive than the type now in use and this, naturally, has deterred producers from switching to it. Obviously, the first to do so would be placed at a price disadvantage. Under my bill, all would be required to convert by the same time. Futhermore, the setting of a deadline for conversion to the new type of detergent would spur research to lower its price. Detergent that decomposes after use cleans just as well as the perpetually foaming variety.

This plan is patterned after one adopted in Western Germany where the problems from synthetic detergents containing ABS became even more severe than in this country. The German legislation requires that the detergent be capable of 80 percent decomposition. The law I propose would require that the Surgeon General set standards for decomposability which I would expect would initially be similar to those established in Germany. There is no question that these can be met. The same standards would apply to foreign products, which would be barred from this country if they did not conform to the Surgeon General's standards.

As everyone concerned with pollution problems recognizes, the elimination of detergent pollution will meet only part of the total water pollution problem. Yet the detergent pollution presents a significant challenge because it presents us with the opportunity to deal with a specific source of pollution by specific measures that are wholly within our grasp. Therefore, we should not hesitate. We should take this step not for itself alone but also as a harbinger of other actions to assure our vital supply of pure water.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Thompson of Texas, for 30 minutes, today, and to revise and extend his remarks and to include extraneous matter.

Mr. Karsten, for 10 minutes, today.

Mr. Laird (at the request of Mr. Ellsworth), for 30 minutes, today.

Mr. Patman, for 30 minutes, on Thursday, February 14, to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Reuss.
Mr. Staebler.
Mr. Toll.
Mr. Short.

(The following Members (at the request of Mr. Ellsworth) and to include extraneous matter:)

Mr. Tollefson.
Mr. Jensen.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. King of California.
Mr. Thompson of New Jersey.
Mr. Rogers of Florida.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until Thursday, February 14, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

375. A communication from the President of the United States, transmitting proposed new obligational authority in the amount of $277,670,280 for various agencies and $3,054,300 for the District of Columbia for fiscal year 1963 (H. Doc. No. 63); to the Committee on Appropriations and ordered to be printed.

376. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1963 in the amount of $508,172,000, and an amendment to the budget for the fiscal year 1964 involving a decrease in the amount of $508,172,000 for the Department of Agriculture (H. Doc. No. 64); to the Committee on Appropriations and ordered to be printed.

377. A communication from the President of the United States, transmitting a draft of a proposed bill entitled "A bill to provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City and to authorize Federal loans to the District of Columbia for capital improvement programs"; to the Committee on the District of Columbia.

378. A communication from the President of the United States, transmitting a draft of a proposed bill entitled "A bill to provide for the establishment of the National Academy of Foreign Affairs"; to the Committee on Foreign Affairs.

379. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriations listed in his report have been apportioned on a basis which indicates a necessity for supplemental estimates of appropriation, pursuant to 31 U.S.C. 665; to the Committee on Appropriations.

380. A letter from the Secretary of the Army, transmitting a draft of a proposed bill entitled "A bill to amend title 10, United States Code, to permit the Secretary of each military department to determine minimum training requirements prior to rating aviators, pilots, and observers"; to the Committee on Armed Services.

381. A letter from the Secretary of the Treasury, transmitting a report covering the progress made in liquidating the assets of the former Reconstruction Finance Corporation for the period ending December 31, 1962, pursuant to 67 Stat. 230, and Reorganization Plan No. 1 of 1957 (22 F.R. 4633); to the Committee on Banking and Currency.

382. A letter from the Secretary of Health, Education, and Welfare, transmitting the 12th Annual Report of the Commissioner of Education on the administration of Public Laws 815 and 874, 81st Congress, as amended, for the fiscal year ended June 30, 1962, pursuant to the above laws; to the Committee on Education and Labor.

383. A letter from the Comptroller General of the United States, transmitting a report on an audit of the Federal National Mortgage Association for the fiscal year ended June 30, 1962, pursuant to 31 U.S.C. 841 (H. Doc. No. 65); to the Committee on Government Operations and ordered to be printed.

384. A letter from the Comptroller General of the United States, transmitting a report on the review of the determination of needs for major spare components placed at supply depots and on vessels for short-range guided missiles, Department of the Navy; to the Committee on Government Operations.

385. A letter from the Comptroller General of the United States, transmitting a report on the review of selected design and construction activities of the Federal-aid highway program in the State of Virginia, Bureau of Public Roads, Department of Commerce; to the Committee on Government Operations.

386. A letter from the Secretary of Health, Education, and Welfare, transmitting a report covering personal property received by State surplus property agencies for distribution to public health and educational institutions and civil defense organizations, for the period October 1 through December

31, 1962, pursuant to the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

387. A letter from the Director, Office of Administrative Operations, Department of Commerce, transmitting a report of foreign excess property disposed of during calendar year 1962 by the U.S. Department of Commerce, pursuant to Public Law 152, 81st Congress; to the Committee on Government Operations.

388. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of a proposed bill entitled "A bill to authorize mortgage insurance and loans to help finance the cost of constructing and equipping facilities for the group practice of medicine or dentistry"; to the Committee on Interstate and Foreign Commerce.

389. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of a proposed bill entitled "A bill to assist States in combating mental retardation through construction of research centers and facilities for the mentally retarded"; to the Committee on Interstate and Foreign Commerce.

390. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of a proposed bill entitled "A bill to provide for assistance in the construction and initial operation of community mental health centers, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

391. A letter from the Secretary of Labor, transmitting a draft of a proposed bill entitled "A bill to amend section 64(a)(2) of the Bankruptcy Act"; to the Committee on the Judiciary.

392. A letter from the Secretary of Commerce, transmitting the quarterly report of the Maritime Administration of the Department under the Merchant Ship Sales Act of 1946, for the period October 1 through December 31, 1962, pursuant to section 13 of the above act; to the Committee on Merchant Marine and Fisheries.

393. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 382, 383); to the Committee on Science and Astronautics.

394. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 382, 383); to the Committee on Science and Astronautics.

395. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the House of Representatives pursuant to 10 U.S.C. 2304(e), listing certain required information with respect to certain contracts under 10 U.S.C. 2304(a) (11) and (16); to the Committee on Science and Astronautics.

396. A letter from the Secretary of Health, Education, and Welfare, transmitting a report relating to the advisory committees which have assisted the Secretary in carrying out any of his functions during the calendar year 1962, pursuant to Public Law 87-543; to the Committee on Ways and Means.

397. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which this Service has approved according the beneficiaries of such petitions first preference classification, pursuant to the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for prining and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 2513. A bill to amend the Tariff Act of 1930 to require certain new packages of imported articles to be marked to indicate the country of origin, and for other purposes; with amendment (Rept. No. 33). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HAYS (by request):

H.R. 3668. A bill to provide for the establishment of the National Academy of Foreign Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HARRIS:

H.R. 3669. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MADDEN:

H.R. 3670. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ASPINALL:

H.R. 3671. A bill to provide that judgments against the United States under the Indian Claims Commission Act shall run only in favor of a tribe, band, or group of Indians or a successor organization; to the Committee on Interior and Insular Affairs.

H.R. 3672. A bill to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act; to the Committee on Interior and Insular Affairs.

By Mr. BALDWIN:

H.R. 3673. A bill to provide for the advancement of Federal funds to non-Federal entities desiring to undertake projects for flood control and related purposes; to the Committee on Public Works.

By Mr. BURKE:

H.R. 3674. A bill to amend the Tariff Act of 1930 to provide that polished sheets and plates of iron or steel shall be subject to the same duty as unpolished sheets and plates; to the Committee on Ways and Means.

H.R. 3675. A bill to amend the Tariff Act of 1930; to the Committee on Ways and Means.

By Mr. EVERETT:

H.R. 3676. A bill to provide for the conveyance to the city of Milan, Tenn., of certain interests reserved by the United States in and to certain property heretofore conveyed to such city; to the Committee on Armed Services.

H.R. 3677. A bill to amend section 1072 of title 10, United States Code, to provide medical care for individuals who have completed 20 years of Federal service and at least 8 years of active duty; to the Committee on Armed Services.

H.R. 3678. A bill to amend section 5 of the Armed Forces Leave Act of 1946 to extend until June 30, 1963, the period within which applications for payments thereunder may be made by former enlisted members of the Armed Forces; to the Committee on Armed Services.

H.R. 3679. A bill providing for construction of a highway, and appurtenances thereto, traversing the Mississippi Valley; to the Committee on Public Works.

H.R. 3680. A bill authorizing a survey to determine the feasibility of constructing a canal and waterway connecting the Mississippi River and the Tennessee River, via the Middle Fork of the Obion River and the Big Sandy River, or its tributaries, Tennessee; to the Committee on Public Works.

H.R. 3681. A bill to amend section 4107 of title 38, United States Code, to provide for payment of an additional allowance to certain physicians assigned to duty at Veterans' Administration facilities where it is difficult to recruit or retain physicians; to the Committee on Veterans' Affairs.

By Mr. FINDLEY:

H.R. 3682. A bill to make the birthday of Abraham Lincoln a legal holiday; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3683. A bill to amend title II of the Social Security Act to eliminate the provisions which reduce the old-age or wife's insurance benefits of a woman becoming entitled to such benefits before she attains age 65; to the Committee on Ways and Means.

By Mr. GREEN of Pennsylvania:

H.R. 3684. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. HALEY:

H.R. 3685. A bill to provide that judgments against the United States under the Indian Claims Commission Act shall run only in favor of a tribe, band or group of Indians or a successor organization; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 3686. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

H.R. 3687. A bill to authorize a 2-year program of Federal financial assistance for all elementary and secondary school children in all of the States; to the Committee on Education and Labor.

By Mr. HARRIS:

H.R. 3688. A bill to provide for assistance in the construction and initial operation of community mental health centers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3689. A bill to assist States in combating mental retardation through construction of research centers and facilities for the mentally retarded; to the Committee on Interstate and Foreign Commerce.

By Mr. HORAN:

H.R. 3690. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3691. A bill to exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act, 1916; to the Committee on Merchant Marine and Fisheries.

By Mr. JENSEN:

H.R. 3692. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. LINDSAY:

H.R. 3693. A bill to establish the Fire Island National Seashore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MARSH:

H.R. 3694. A bill to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3695. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. McCULLOCH:

H.R. 3696. A bill to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 3697. A bill to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States; to the Committee on Merchant Marine and Fisheries.

By Mr. McINTIRE:

H.R. 3698. A bill to amend section 316 of the Social Security Amendments of 1958 to extend the time within which teachers and other employees covered by the same retirement system in the State of Maine may be treated as being covered by separate retirement systems for purposes of the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. MATTHEWS:

H.R. 3699. A bill to amend section 3964 and 8964 of title 10 of the United States Code to permit individuals to be advanced on the retired list of the Army or the Air Force to the highest permanent grade in which they served satisfactorily; to the Committee on Armed Services.

By Mr. MORGAN:

H.R. 3700. A bill to amend the Tariff Act of 1930 to provide that polished sheets and plates of iron or steel shall be subject to the same duty as unpolished sheets and plates; to the Committee on Ways and Means.

By Mr. NELSEN:

H.R. 3701. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. O'KONSKI:

H.R. 3702. A bill to provide for donation to farmers and stockmen of feed for livestock in areas in which the effects of radiation denies them their usual sources of feed; to the Committee on Agriculture.

H.R. 3703. A bill to amend chapter 55 of title 10, United States Code, to provide maternity benefits for spouses of persons called to active duty on or after August 1, 1961, after the termination of their active duty, and for other purposes; to the Committee on Armed Services.

H.R. 3704. A bill to amend section 303(c) of the Career Compensation Act of 1949 to provide for payment in full for the costs of commercial transportation of certain trailers or mobile dwellings owned by members of the Armed Forces; to the Committee on Armed Services.

H.R. 3705. A bill to require the expenditure of 75 percent of the funds expended for the conversion, alteration, and repair of naval vessels to be expended with private ship-repair yards; to the Committee on Armed Services.

H.R. 3706. A bill to declare a policy as to the existence of public domain in Wisconsin in lands erroneously meandered and lying between the original meander line and the lakeshore, and to protect the rights of landowners whose title to water-fronting property has been brought into question by reason of errors in the original survey; to the Committee on Interior and Insular Affairs.

H.R. 3707. A bill to provide that members of the Bad River Band and the Lac du Flambeau Band of Lake Superior Chippewa Indians of Wisconsin shall not be subject within their reservation to the fish and game laws of the State of Wisconsin; to the Committee on Interior and Insular Affairs.

H.R. 3708. A bill to amend the Railroad Retirement Act of 1937 with respect to the prohibition against payment of annuities to employees who render compensated service to the last person (other than an employer, as defined) by whom they were employed before their annuities began to accrue; to the Committee on Interstate and Foreign Commerce.

H.R. 3709. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 3710. A bill to amend the Merchant Marine Act, 1936, to permit operating and construction differential subsidies to be paid with respect to vessels operating in the domestic commerce of the United States on the Great Lakes; to the Committee on Merchant Marine and Fisheries.

H.R. 3711. A bill to amend chapter 15 of title 38, United States Code, to provide pension for the widows and children of veterans disabled 30 percent or more while engaged in armed conflict or in extrahazardous service, including such service under conditions simulating war; to the Committee on Veterans' Affairs.

H.R. 3712. A bill to amend section 314(s) of title 38, United States Code, to provide that the compensation payable under that subsection may be payable to veterans who are entitled to compensation at total disability rates and who are permanently housebound; to the Committee on Veterans' Affairs.

H.R. 3713. A bill to amend section 521 of title 38, United States Code, to provide that the rates of pension payable under such section shall be not less than those payable before the effective date of the Veterans' Pension Act of 1959; to the Committee on Veterans' Affairs.

H.R. 3714. A bill to amend title 38, United States Code, to provide for the payment of pensions to widows and children of World War I veterans; to the Committee on Veterans' Affairs.

H.R. 3715. A bill to provide readjustment assistance to veterans who serve in the Armed Forces between January 31, 1955, and July 1, 1963; to the Committee on Veterans' Affairs.

H.R. 3716. A bill to amend subchapter I of chapter 17 of title 38, United States Code, to provide that certain service shall be considered active service for purpose of qualifying individuals for hospital and medical care from the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 3717. A bill to amend section 333 of title 38, United States Code, to provide that veterans who serve 2 or more years in peacetime shall be entitled to a presumption that chronic diseases, becoming manifest within 1 year from the date of separation from service are service-connected; to the Committee on Veterans' Affairs.

H.R. 3718. A bill to provide that where the entitlement of a veteran, widow, or child to a pension from the Veterans' Administration is based upon the veteran's having served in World War I, the beneficiary shall if otherwise eligible have the right to elect payment of pension under either the provisions of title 38 as in effect on June 30, 1960, or as amended by the Veterans' Pension Act of 1959, whichever provides the greater benefit; to the Committee on Veterans' Affairs.

H.R. 3719. A bill to provide a basis for payment of death pension by the Veterans' Administration to a widow or child of a person who served in World War I, World War II, or the Korean conflict, and who died while on active duty under circumstances which are held not to be a basis for an award of death compensation or dependency and indemnity compensation; to the Committee on Veterans' Affairs.

H.R. 3720. A bill to amend section 709 of title 38, United States Code, with respect to the effective date of national service life insurance applied for by members of the Armed Forces on active duty; to the Committee on Veterans' Affairs.

H.R. 3721. A bill to amend title 38 of the United States Code to provide that in determining eligibility of a veteran to disability pension the income of a spouse shall not be counted in computing the veteran's annual income; to the Committee on Veterans' Affairs.

H.R. 3722. A bill to extend wartime rates of compensation to veterans and their dependents for service-connected disabilities incurred during periods when individuals may be inducted for service in the military or naval service outside the continental limits of the United States of America; to the Committee on Veterans' Affairs.

H.R. 3723. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of hardwood plywood; to the Committee on Ways and Means.

H.R. 3724. A bill to amend the Tariff Act of 1930 to impose a duty on iron ore; to the Committee on Ways and Means.

H.R. 3725. A bill to amend the Internal Revenue Code of 1954 to increase the percentage depletion rate for iron ore from deposits in the United States to 27½ percent; to the Committee on Ways and Means.

H.R. 3726. A bill to amend the Internal Revenue Code of 1954 to withhold the tax credit provided under section 3302 from maritime employers in States that do not meet the conditions required by section 3305(f); to the Committee on Ways and Means.

H.R. 3727. A bill to amend title II of the Social Security Act to provide for the payment of child's insurance benefits to disabled children of an insured individual even though such individual has not himself become entitled to benefits or died; to the Committee on Ways and Means.

H.R. 3728. A bill to amend title II of the Social Security Act to eliminate the requirement that a husband or widower have been dependent upon his wife in order to qualify for husband's or widower's insurance benefits on the basis of her wage record; to the Committee on Ways and Means.

H.R. 3729. A bill to amend title II of the Social Security Act to provide a more liberal definition of the term "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

H.R. 3730. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the highway use tax for certain vehicles which are used during only part of the year; to the Committee on Ways and Means.

H.R. 3731. A bill to amend title II of the Social Security Act to provide that illegitimate children may in certain circumstances become entitled to benefits thereunder notwithstanding State laws which would otherwise prevent such entitlement; to the Committee on Ways and Means.

H.R. 3732. A bill to amend title II of the Social Security Act and chapter 2 of the Internal Revenue Code of 1954 to provide a more liberal formula for use by farmers in determining their net earnings from self-employment for social security purposes; to the Committee on Ways and Means.

H.R. 3733. A bill to amend title II of the Social Security Act to provide that the waiting period for disability insurance benefits may be waived in cases of terminal illness or other disability which can be expected to result in death; to the Committee on Ways and Means.

By Mr. OLSEN of Montana:

H.R. 3734. A bill to amend the Home Owners' Loan Act of 1933 to provide that Federal savings and loan associations may establish and operate new branches in States only if State savings and loan associations, or State banks and trust companies, are permitted by State law or practice to establish and operate new branches in such States, and for other purposes; to the Committee on Banking and Currency.

H.R. 3735. A bill to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.; to the Committee on Interior and Insular Affairs.

By Mr. POOL:

H.R. 3736. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer increased personal exemptions for his children while they are attending school; to the Committee on Ways and Means.

By Mr. RIEHLMAN:

H. R. 3737. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted from $1,200 to $2,400 yearly without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. RIVERS of Alaska:

H.R. 3738. A bill to promote State commercial fishery research and development projects, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 3739. A bill relating to the income tax treatment of cost-of-living allowances received by certain caretakers and clerks employed by the National Guard outside the continental United States, or in Alaska; to the Committee on Ways and Means.

By Mr. ROSENTHAL:

H.R. 3740. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. SLACK:

H.R. 3741. A bill to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of Texas:

H.R. 3742. A bill to amend the provisions of the Agricultural Adjustment Act of 1938, as amended, relating to the transfer of producer rice acreage allotments; to the Committee on Agriculture.

By Mr. TOLLEFSON:

H.R. 3743. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WALTER:

H.R. 3744. A bill to provide for the disclosure of any payments or contributions by persons registered with the Attorney General pursuant to the Foreign Agents Registration Act of 1938; and for other purposes; to the Committee on the Judiciary.

By Mrs. MAY:

H.R. 3745. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRIS:

H.J. Res. 247. Joint resolution to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President; to the Committee on Interstate and Foreign Commerce.

By Mr. LIPSCOMB:

H.J. Res. 248. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.J. Res. 249. Joint resolution proposing an amendment to the Constitution so as to admit former Presidents of the United States to a seat in the Senate with certain privileges; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H. J. Res. 250. Joint resolution expressing the determination of the United States with respect to the situation in Cuba; to the Committee on Foreign Affairs.

By Mr. O'KONSKI:

H. Con. Res. 89. Concurrent resolution expressing the sense of Congress on representation of China in the United Nations; to the Committee on Foreign Affairs.

By Mr. REIFEL:

H. Con. Res. 90. Concurrent resolution to express the sense of Congress in respect to the Lewis and Clark trail from St. Louis, Mo., to the Pacific Northwest; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS:

H. Con. Res. 91. Concurrent resolution expressing the determination of the United States with respect to the problem of general disarmament and arms control; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States relative to the construction by the Federal Government of the proposed Snettisham and Bradley Lake hydroelectric power projects; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States to consider enacting such legislation as is necessary to authorize and direct the Secretary of the Interior to amend certificates of title to indemnity lands so as to vest in the State of Idaho all title to said lands, including phosphate underlying the same, so as to confrom to the spirit and intent of the Congress in the admission act; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States relative to ratifying the proposed amendment of the Constitution of the United States relating to the qualifications of electors; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Oregon, memorializing the President and the Congress of the United States relative to ratifying the proposed amendment of the Constitution of the United States relating to the qualifications of electors; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE:

H.R. 3746. A bill for the relief of Sauley Peter Mahanna; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3747. A bill for the relief of Mrs. Pavica Labetic; to the Committee on the Judiciary.

By Mr. FOGARTY:

H.R. 3748. A bill for the relief of Zofia Miecielica; to the Committee on the Judiciary.

By Mr. HORAN (by request):

H.R. 3749. A bill to provide for the conveyance of certain real property of the United States to Mr. and Mrs. William Roberts; to the Committee on Interior and Insular Affairs.

By Mr. KILGORE:

H.R. 3750. A bill for relief of Mrs. John C. Chamberlain; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 3751. A bill for the relief of Mrs. Oei Koei Giok Ho; to the Committee on the Judiciary.

By Mr. McINTIRE:

H.R. 3752. A bill for the relief of Jong Dae Kim; to the Committee on the Judiciary.

By Mr. MORGAN:

H.R. 3753. A bill for the relief of Dr. Gorgonio B. Policar, Jr.; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 3754. A bill for the relief of Koji Kojima; to the Committee on the Judiciary.

H.R. 3755. A bill for the relief of Glendal W. Hancock; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 3756. A bill for the relief of Mehmet and Ayten Ilkin; to the Committee on the Judiciary.

By Mr. O'KONSKI:

H.R. 3757. A bill for the relief of Witold A. Lanowski; to the Committee on the Judiciary.

H.R. 3758. A bill to provide for the conveyance of certain real property of the United States to Mrs. Harriet La Pointe Vanderventer; to the Committee on Interior and Insular Affairs.

By Mr. OLSEN of Montana:

H.R. 3759. A bill for the relief of W. R. Wade; to the Committee on the Judiciary.

By Mr. SENNER:

H.R. 3760. A bill for the relief of the estate of Notah Tayah; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 3761. A bill for the relief of Michael Fahim Elias; to the Committee on the Judiciary.

H.R. 3762. A bill for the relief of Anna Krystyna Chmielewska; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H. Res. 250. Resolution providing for sending the bill H.R. 3640, for the relief of the O'Brien Dieselectric Corp., to the Court of Claims; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Additional Tax Exemption for Taxpayer Supporting a Blind Dependent

EXTENSION OF REMARKS
OF

HON. CECIL R. KING

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 11, 1963

Mr. KING of California. Mr. Speaker, on January 10, 1963, I introduced a bill, H.R. 1659, which would grant an additional tax exemption to a taxpayer supporting a dependent who is blind.

Enactment of this measure, I believe, would represent little in lost revenue to the Federal Treasury, but its enactment would serve to lessen, in some small degree, the tax burdens of those who provide a home and pay for the special needs of blind persons who are dependent upon them for support.

The blind schoolchild has a need for the various tools and devices which have been developed to aid them in efforts to obtain an education—which will assist immeasurably to offset the handicapping consequences of blindness. For example, a sightless child attending school has a need for a typewriter and a braille writer, for a tape recorder and a supply of tapes.

The blind child must have these special appliances, these special tools and devices if the opportunity to obtain an education is to be more nearly equal to that available to the child with sight.

Until the blind schoolchild has learned to travel alone, he must be escorted to and from school by an adult, or special transportation arrangements must be made for him—and paid for by a taxpaying adult.

The blind schoolchild's need for sighted readers is insatiable—a continuing and ever-increasing cost as they advance through the grades—as, perhaps, he or she attends a college or a university.

Ordinarily, these special needs—the cost of these special requirements—are met by a child's parents. They are met and paid for out of family income.

The married son, already supporting a wife and children, already overburdened and perhaps overwhelmed by mounting family expenses, yet providing financial assistance to a parent who is blind, soon discovers that his parent's needs are not only the usual basic needs—for food, clothing, and shelter—but, the dependent parent by reason of lack of sight, has other equally important requirements which must be met.

Unable to travel alone—to the store or to church, to visit friends, to move at all outside of the familiar surroundings of home—the sightless parent must be accompanied by a sighted guide.

The blind parent may need help in preparing meals and in the performance of other household tasks.

The devoted son or daughter, already burdened with immediate family responsibilities, must somehow manage to meet these special needs of blind parents.

Mr. Speaker, the special needs of which I speak are not limited to the blind schoolchild or to the elderly person who is without sight, they are not attributable to educational activities nor old age; but they are needs peculiar to the circumstances of blindness. They may vary as the age, aspirations, and conditions of individual blind persons vary, but, whatever the situation of the individual blind person may be, they are needs that must be met if those who are blind are to live and function independently, though without sight, in a sight-oriented society.

The legislation which I introduced does not embody a principle foreign to Federal law. For the Congress has already given statutory recognition to the burdensome costs attributable to blindness by providing an additional tax exemption to the person who is blind.

The measure which I am offering would extend this recognition to include those who support dependents who are blind.

In conclusion, Mr. Speaker, although we may honor those who expend their resources that blind children and blind persons who are dependent upon them may live better lives and commend these people for their generosity and unselfishness, honor is not enough. Commendation is not enough. These people need and merit our help, they need and merit financial help, the kind of financial help that would be provided by enactment of my bill into law.

The Bank Holiday of 1933

EXTENSION OF REMARKS
OF

HON. NEIL STAEBLER

OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, February 11, 1963

Mr. STAEBLER. Mr. Speaker, 30 years ago today marked one of the moments of greatest economic distress in the history of our great country.

In an era of growth and stability of our financial institutions, it is hard for us to recall or imagine the virtually complete paralysis of our banking system and the economic chaos of those days three decades ago. Bank failures were occurring all over the Nation at such an alarming rate, that one Governor after another declared bank holidays of varying lengths. On February 4, 1933, Louisiana declared a 1-day holiday. In Michigan, 30 years ago today, Gov. W. A. Comstock issued the first of three proclamations, closing Michigan's banking institutions. By March 2d, 21 other States had suspended or drastically restricted banking operations. In New York, at 4:20 a.m. on March 4, Governor Lehman, of New York, proclaimed a bank holiday which spread like wildfire across the Nation. This was Inauguration Day for President Roosevelt. Thus, at the time F. D. Roosevelt was being sworn into office there was not a single State in the Union that had not either closed or otherwise restricted its banks. The next day a proclamation by the President of the United States made the holiday universal. Invoking powers granted by the Trading With the Enemy Acts, Roosevelt declared a 4-day national banking holiday, effective March 6, 1933, later extended to March 13. This holiday suspended all transactions in the Federal Reserve and other banks, trust companies, credit unions, and building and loan associations. It also placed an embargo for a like period on the export of gold, silver, and currency, and ordered that gold and silver could be exported or withdrawn only on a license from the Treasury Department.

Nine hours after Congress convened on March 9, 1933, it passed the Emergency Banking Act to validate the banking holiday and the gold embargo and to formulate the procedure for reopening the banks. Added stability was given to many banks by empowering the Reconstruction Finance Corporation to buy preferred stock in distressed banks. To meet the danger of depositors' runs when the holiday ended, this law also permitted the Federal Reserve banks to lend money even to nonmember State banks.

During the first 3 days after the banking holiday, 4,509 national banks and 567 State member banks opened, representing about 75 percent of all the member banks of the Federal Reserve System. Others were permitted to open according to their state of solvency on a more restricted basis. About 1,000 banks, 5 percent of the Nation's total, remained closed. This drastic experience was, of course, a major factor in the creation of the Federal Deposit Insurance Corporation in June 1933, whose history has been such that nothing remotely similar to the bank failures of the early 1930's has occurred or threatened since.

The lessons we learned during those depressing days produced bold new concepts in the field of banking. These new concepts, which were put into action by National and State legislation, laid the foundation for the stability and public confidence which banking institutions across the country today enjoy. The banking structure of today is a monument to the heroic actions taken 30 years ago.

Many of us believe that without legislation establishing three important Federal agencies we would have had chaos.

These agencies were the Reconstruction Finance Corporation, for providing preferred capital and loans where needed; the Federal Deposit Insurance Corporation, to restore confidence among bank depositors, and the Home Owners Loan Corporation for taking over slow loans of individuals, primarily mortgages.

But equally important were the many individuals, in both State and National

Government, who gave untiringly—and often thanklessly—of their talents in meeting and resolving this emergency.

Most of us are well aware of the contributions made by men such as Jesse Jones, head of the Reconstruction Finance Corporation; Walter Cummings, the first Chairman of the Federal Deposit Insurance Corporation, and Leo Crowley, who carried the agency through its real development.

Today, however, I should like to talk about another man who played an equally important role in Michigan's noteworthy recovery.

He is Rudolph E. Reichert, former banking commissioner of Michigan from 1927 until February 1936; former president of the Ann Arbor Bank, and now a director of the Ann Arbor Bank.

Mr. Reichert served Michigan and the country well during the years of recovery.

He is generally acknowledged as the first man in the United States to conceive the idea of the Federal Deposit Insurance Corporation as a means of restoring faith in banks.

He sold this concept to the late Senator Arthur H. Vandenberg, of Michigan, who piloted the Federal Deposit Insurance Corporation law through Congress.

Mr. Reichert also originated the Michigan plan which enabled State-chartered banks to reopen as going concerns rather than suffer through long-drawn-out receiverships.

The emergency banking law of 1933 put Mr. Reichert in control of the State's financial institutions whose assets totaled nearly $2 billion.

It is to his credit that his 2-year stewardship over these institutions was a model in the judicious exercise of power given him under the law.

When Mr. Reichert resigned as Banking Commissioner on February 15, 1936, 214 Michigan banks had been reorganized.

And the records further show that at that time every State bank then operating in Michigan was a No. 1 bank—No. 1 among the four classifications used by Federal agencies.

I am happy to call public attention to this date, and to the service Mr. Reichert and others like him rendered Michigan and the country.

Quality Stabilization Bill

EXTENSION OF REMARKS

OF

HON. HERMAN TOLL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 11, 1963

Mr. TOLL. Mr. Speaker, I am glad to hear my distinguished colleague, the gentleman from Indiana, Congressman Madden, state that he and Chairman Harris are introducing the quality stabilization bill in the 88th Congress. I will also sponsor the bill in support of the effort to pass the same as early as possible in the first session. This bill follows the principle of protecting resellers and the public by empowering the manufacturer to safeguard, against defamation, his property rights in his brand name or trademark. A prime purpose of the bill is to protect the public against deterioration of product quality. Such deterioration can be forced by relentless demands for cheapening of labor and materials so as to permit lower and lower retail prices. The consumer little suspects that quality disappears much faster than production costs can be reduced.

The quality stabilization bill is not directed toward any specific class of reseller. It is directed instead toward the protection of property rights in the trademark against destructive, deceptive, unfair practices, regardless of who commits them or where they are committed.

The introduction of the new bill by my distinguished colleagues, who are leaders in this legislation, is a good sign and indicates favorable prospects for passage.

A Deserved Tribute

EXTENSION OF REMARKS

OF

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 11, 1963

Mr. THOMPSON of New Jersey. Mr. Speaker, it was with satisfaction and agreement with its praise that I read of the tribute paid by my colleague, the gentleman from Alabama, Representative Robert E. Jones, to Senator John J. Sparkman at the recent testimonial to the Senator here in Washington by the Alabama Credit Union League. In an effort to have Congressman Jones' tribute to a splendid champion of the credit union movement, I ask inclusion of this telegraphic message in the Record. It reads:

> My Dear Friends: I deeply regret that a speaking engagement in Alabama prevents me from attending your testimonial dinner in honor of my old friend and colleague Senator Sparkman.
>
> I am a faithful reader of the attractive little magazine your league sends to me regularly. From it alone, I know of the high regard you hold for Senator Sparkman. However, I honestly feel that I could enhance your esteem for him, high as it is, by recalling for you in person, the innumerable anecdotes and instances in which he revealed his sincere interest in the credit union movement in general and our own Alabama league in particular.
>
> John Sparkman and I have often spoken of what a blessing credit unions would have been to us and our people in the so-called good old days, when the word "credit," was only a word in a dictionary, or did not extend beyond the neighborhood grocery store. His pioneering, early championship of the credit union idea sprung from a genuine compassion for everyday people and their problems, which often are due to the simple lack of money and credit.
>
> John Sparkman is one of those good legislators who has never looked at people through the bars of the dollar sign.
>
> Again, I regret that I am unable to be with you and recall many of the battles he has fought for you and credit unionism everywhere. Their resounding success is, I know, a source of personal satisfaction to him.
>
> It is highly fitting and proper that you honor him. He has proven himself to be one of the stanchest friends your league has ever had.
>
> Bob Jones.

Democratic Ideals and Institutions Taught by Milwaukee Professor Golightly

EXTENSION OF REMARKS

OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 11, 1963

Mr. REUSS. Mr. Speaker, truly fantastic increases in scientific knowledge, in world population, and in the power of weapons of mass destruction are changing radically the old framework of our thinking. The philosophic assumptions underlying our democratic ideals and institutions are being challenged by great events as well as by men. It is, therefore, especially necessary for us to think deeply about democracy and particularly about our democracy.

Just such profound consideration is being fostered in Milwaukee by means of a televised course in philosophy, centered on the understanding of our democratic ideals and institutions. This excellent program, which is coming into the homes of many citizens hitherto unconcerned with philosophy, is being conducted by Dr. Cornelius L. Golightly, professor of philosophy at the University of Wisconsin at Milwaukee.

Professor Golightly has a remarkable breadth of experience as an educator, writer, and political and social leader. This wide experience and his erudition make this course an attractive opportunity for a large number of people to deepen their understanding of democracy.

The course consists of eight half-hour informal television commentaries by Professor Golightly and two television panel discussions with other members of the University of Wisconsin faculty. The student's study guide, which was prepared by Professor Golightly, is a handbook with background notes, commentaries, and pertinent questions for Americans to think about and talk about with their friends.

Works to read include the writings of Ralph Waldo Emerson, Thoreau, and Thomas Jefferson, who are primarily literary or political figures, of Thorstein Veblen, because his economic writings illustrate the influence of his philosophical studies, of Walter Lippmann, and of academic philosophers such as T. V. Smith and John Dewey.

Dr. Golightly's course is one that commends itself to the attention of educational programers throughout the country.

A House Divided

EXTENSION OF REMARKS

OF

HON. THOR C. TOLLEFSON

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 11, 1963

Mr. TOLLEFSON. Mr. Speaker, over 100 years ago the great emancipator, Abraham Lincoln, said: "A house divided against itself cannot stand." This philosophy applies to our two great political parties as well as our Nation itself.

In the overall interest of perpetuating and protecting the two-party system of our body politic, my distinguished colleague from the First Congressional District of the State of Washington [Mr. PELLY], is delivering a Lincoln Day speech in my congressional district; embodying a plea for political unity, without which no party can long survive. We all know that from time to time both the Democratic and Republican Parties are beset with factional problems and sectional infighting, such as conservative versus liberal and rightist versus leftist.

In this connection, I believe the content of Congressman PELLY's remarks, which I am including in the RECORD, will interest our colleagues from both sides of the aisle.

The text of the speech is as follows:

LINCOLN DAY ADDRESS—1963

(By Representative THOMAS M. PELLY, First Congressional District, State of Washington)

Mr. Chairman and my fellow Republicans, Abraham Lincoln truly belongs to the ages and to Democrats and Republicans alike, but his political philosophy which in life he had lived and practiced especially belongs to the Republican Party.

His statesmanship and principles are ours and certainly are in strong contrast with the New Frontier.

It is only fitting therefore, that we, the members of the Republican Party which he loved and of which he, in 1860, became the first great leader, should pause at this season of his birth, and pay tribute to his memory.

When we Republicans commemorate this birthday of Abraham Lincoln, it is supremely important, it seems to me, to remember that Lincoln's greatness and the reason our Republican Party came into power, was due to courage, courage in meeting the great social, political, and economic issues of that critical period in history.

The same willingness to meet squarely the problems of our time could well dictate today the destiny and success of our party.

I do not imply that stubbornly Republicans should stand for ancient solutions or 100-year-old issues. Nor do I mean we should give blind adherence to views which can be labeled either liberal or conservative. "The dogmas of the quiet past are inadequate to the stormy present," Lincoln said.

Rather, I refer to fundamental principles. I mean the basic philosophy which was born and associated with Lincoln and which has been cherished and promulgated by our party every since.

The basic belief of Republicans is that the Federal Government should act only when the people are not adequately served by State or local government and the individual's right and capacity to govern himself without the restraints of dictatorship or paternalism. We believe in a system of separation of government powers and checks and balances to protect the equilibrium of power. The government should only do for the people what they cannot do for themselves.

Also we draw a clear line of demarcation in that our party remains undeviatingly the party of Lincoln, the party of ideals, the party of integrity, the party of courage, and may I add, too that we must remain the party of political wisdom. What good are our ideals and principles unless we have the confidence of the people and are able to win elections so our policies can prosper?

And here, speaking of political wisdom, the one most important single and significant lesson to be learned from Lincoln, from that astute and canny master of reconciling differences of opinion and healing of the wounds and bruises of dissent, is that to win elections and for our philosophy to prevail, we Republicans must have unity. To win the White House in 1964, there must be unity among us. And the same formula is true with regard to winning our own State house and legislature.

As a minority party, we Republicans cannot afford disunity in our ranks. Unfortunately, the Democrats being numerically stronger can afford disunity in their ranks.

So I emphasize at the start it is a tremendous mistake to indulge in splinter-group thinking and inflexible individual ideas which can only defeat the very convictions which compose our overall common Republican heritage.

In my republicanism it is not heresy to support a Republican candidate even though what he believes does not happen to coincide exactly with each shade and shadow of what I believe; nor do I insist that views of prominent leaders of the party must be the same as mine on all issues, provided, of course, agreement on fundamental objectives is possible.

Let me cite a hypothetical case. Suppose there is disagreement within our party say as between a Republican Senator who is a presidential candidate, for example, and a Republican Governor who is a candidate: call these Republicans either Goldwater or Romney or Rockefeller or any name you want; of course, I am assuming any such presidential hopefuls would fully support our Republican platform and would meticulously carry out the program of a Republican Congress. What if our favorite loses? I say do as Taft did when he gave his full support for General Eisenhower.

The important thing, it seems to me, is for the Republican Party and our legislative representatives in Congress to possess the wisdom to establish a record and write a platform and calling for policies and programs that contain the basic principles on which the majority of Republicans agree. A president, be he liberal or conservative or middle of the road under the Constitution, must follow the laws and will of the duly constituted legislative branch. The Congress is where policy should be properly initiated. As a matter of fact Congress is the place where the issue of socialism will be decided in America.

So, as I say, I hope Republicans will have the political wisdom in 1964, to elect legislators who will indeed preserve and protect our Republic and its free way of life and courageously so, as with Lincoln and meet the issues of 1963 as he met those of his time. With its power of the purse Congress can kill any program or control any executive actions.

Why do I say all this? For one thing, because extreme rightists at a Republican County Convention in Los Angeles the other day threatened to splinter, Senator MORTON has warned of a possible third party movement in the South.

At a conservative conference in Washington, D.C., recently, a Republican said, "Once we nominate a candidate, for President, we must close ranks behind him. We have seen the tragedy of division." Yet, according to the press this call for united support drew boos. As for me, I think, provided there were no major differences involved, Lincoln, under such circumstances, would have said, "Let us bind up our wounds and vote Republican." He probably would have told his story about the lost backwoods rider who was caught in a storm. The thunder was terrifying and when a bolt seemed to strike at his very feet he fell on his knees. "Oh Lord," he prayed, "let there be light and not so much noise." We must avoid contention as to which personality or which bandwagon is on the make. Instead, let us work within our political party, as Senator GOLDWATER called on his Republican friends to do in the 1960 Chicago Republican Convention.

Washington State as a matter of record rarely has played an influential part in selecting the Republican candidate for President. That is, our delegations' convention votes, because of the alphabetical situation, are too little and too late.

On the other hand, Washington State Republicans have contributed to party policy. Our most effective influence, of course, has been in electing 6 out of 7 Congressmen. In this respect, we can do better, especially in obtaining representation in the Senate.

Meanwhile, reelection of my colleague, 2 years from now will do more for the promulgation of our principles than maneuvering to influence the State's position in the selection of our Republican candidate for President.

Your Congressman is a Lincoln Republican. Work for him and discourage those who would contribute toward his defeat by intraparty war over who will head the ticket in 1964. That is my advice.

The Santa Ana (Calif.) Register recently published a letter written by a former administrative assistant to Congressman UTT. The writer started by saying he believed in the conservative principles espoused by the proposed conservative party in California. Then he proceeded to show that the splinter movement would be harmful to the very cause for which he was fighting. He pointed out if conservatives join a third party, liberals were sure to be nominated on both major tickets and thus a liberal was sure to be elected.

Here is what he wrote about our Republican Party:

"Democrats, when they controlled Congress, ran up 93.4 percent of the national debt. Democrat Congresses approved deficit spending budgets or deficiency appropriations which resulted in deficits during 20 of the last 27 years.

"There were of course some Republicans who voted for some of these spending sprees, just as there were some Democrats who voted against them. But the majority of Democrats voted for them and the great majority of Republicans voted against them.

"The rating given by the Americans for constitutional action proves without any doubt that Republicans in Congress are much more conservative than the Democrats.

"To me this proves that there is a chance of conservatives taking over the Republican Party but only if we use our heads and quit fighting among ourselves."

Let me stress however, that today under a Democratic administration Republicans have a real responsibility, and constructively so, as a minority; we Republicans can write a record during the Kennedy regime which could well help to win the election.

Consider, for example, the part Republicans have played to date in the Cuba episode.

Foreign policy is bipartisan. That is true. What is meant by bipartisanship?

According to the original grandfather of bipartisanship, Senator Vandenberg, it means foreign policy issues should be debated fully, as he said, down to the water's edge.

I take it he meant, to use a slang phrase, a minority should not get into deep water or go overboard out of partisanship.

Republicans properly were critical of the Kennedy policy of "do nothing" in Cuba. The administration was ignoring a military buildup in Cuba. Deliberately and falsely, the American people were told there was no threat. The press, the Congress, and the people were misinformed—deliberately.

Responsible Republican criticism finally brought action by the administration and it may well be this action, belated as it was, averted a subsequent all-out nuclear holocaust between the Soviets and the free world.

And may I hasten to add, our responsibility to point up the situation in Cuba, that still exists in Cuba, is not over.

Republicans can take pride and you can take pride in your Congressman's part in this, in the restrained and responsible foreign policy role of the Republican congressional minority.

Let me now talk about Republican philosophy and the fundamentals wherein there can be no compromise. "In all that the people can individually do as well for themselves," as Lincoln put it, "Government ought not to interfere."

Take free enterprise: Therein lies our basic Republican philosophy. We steadfastly advocate under all possible circumstances letting the people do the job themselves and spend their own money themselves. We oppose the practice of taking people's money and providing benefits for them that the people could as well provide themselves.

We oppose increased Federal intervention and responsibility for local problems. In contrast the majority of Democrats believe in big government.

President Kennedy's New Frontier request for a Department of Urban Affairs is just such a case at issue.

Lincoln said: "The people of these United States are the rightful masters of both Congress and the courts, not to overthrow the Constitution, but to overthrow the men who pervert the Constitution."

We Lincoln Republicans are the party of the Constitution.

"If there is anything which it is the duty of the whole people to never intrust to any hands, but their own, that thing is the preservation and perpetuity of their own liberties and institutions." Those are Lincoln's words. And when he was a Member of the House of Representatives in 1848, Lincoln made a speech in which he said: "We hold the true Republican position. In leaving the people's business in their hands, we cannot be wrong."

What our Constitution does, as you know, is place all sovereign power of Government in the people themselves. This power is then in turn vested temporarily, from election to election, in Representatives such as your Congressman and myself.

Under Lincoln's philosophy, under our Republican philosophy, this power under the Constitution must remain in the legislative branch, and not be, as it so often has been yielded, to the executive branch. During the last 30 years, the legislative branch has often yielded this power, especially when a Franklin Roosevelt and now, more than ever, a John F. Kennedy has sought this power. This has been in complete contrast to an earlier President of the United States, who said he would, "Keep steadily in view the limitation as well as the extent of the Executive power—trusting thereby to discharge the functions of my office without transcending its authority."

Under the Constitution sole taxing power is vested in Congress, yet last year President Kennedy asked for standby power to lower taxes. Thank God that power was not granted. Your protection in the Constitution against tyranny is in control over taxes and remaining with Representatives from whom each 2 years you get it back. Yet of late the erosion of legislative powers and the corresponding increase in the powers of the Executive over the years has caused some of us to wonder if Congress is not becoming a rubberstamp.

The Constitution provides no money shall be drawn from the Treasury but in consequence of an appropriation made by law. In the spending of your tax money, the principle is the same—that control must remain with the people and in turn all Government spending lawfully must be appropriated by Congress.

Yet Mr. Kennedy has sought billions—more than $30 billion of borrowing authority—back-door spending authority, which bypasses the legislative appropriations process with annual review and approval by Congress.

My great interest has been in organizing congressional resistance to this back-door spending, and with increasing success.

Also, as you will recall, Mr. Kennedy sought standby authority to embark on a massive public works program in the event, so he said, of an impending recession. He asked Congress to forego its regular scrutiny as to the merit of these projects. The President, under this proposal, would have been empowered to decide what and where and when to establish these projects.

Of course, what the President envisaged was an impending political recession and what he sought was power to decide without congressional investigation and approval where and when to construct public works. All this in disregard of the Constitution. That standby spending power represented boondoggling—the power to help elect friends and influence elections.

Happily, Congress rejected this request. And reverting again to taxing power being exclusively under the jurisdiction of the legislative branch, take the Trade Expansion Act. Tariffs, of course, are taxes and the President has obtained, contrary to the Constitution, the power to lower tariffs without the approval of Congress.

Republicans did succeed in amending this bill so that Congress, if the President fails to do so, can implement any recommendations of the Tariff Commission to protect an industry injured by cheap foreign imports.

In almost every piece of legislation requested, the Kennedy administration has sought new and unprecedented power to be transfered to it from the legislative branch. Unfortunately, many such requests have been granted.

Power not only has been transferred by language written into legislation. As Government programs expand and multiply, as agencies have grown in size and number, as appropriations swell until now our budget is bigger than any in history, even in wartime, so the executive branch increases in power and the legislative branch, calling for coequal branches, is weakened. Thus the sovereign power of the people has been lost. Thus the Constitution has been violated.

With the spending of each taxpayers' dollar goes the power to control the conditions under which that dollar can be spent. Increased dollars mean more employees to meddle and administer in the lives of citizens. It means more power of a government over its citizens.

In this connection, some idea of the growth of centralized Federal bureaucracy and executive power can be obtained from budget figures and just plain statistics.

Lincoln said: "If we could first know where we are, and whither we are tending, we could better judge what to do and how to do it."

Republicans know whither we are tending.

In the first 3 years of the Kennedy administration the deficit will exceed $27 billion.

As the chairman of the House Appropriations Committee, Mr. CANNON, Democrat, of Missouri, said following President's Kennedy's budget message the other day:

"All protestations, all rationalizations, all plausible economic and fiscal theories aside, deficits are by historical fact becoming our way of life * * *."

First let me clear up one point. Are these deficits a matter of national defense costs?

The answer is "No." As Mr. CANNON put it: "We are spending money we don't have, for things we don't need."

The fiscal 1964 budget proposes spending $2 billion more than 1963 for other than national defense programs.

This is a $9 billion increase over 1961 for other than national defense.

The Kennedy deficits are not due to essential programs, but rather for such unnecessary projects such as landing on the moon.

If President Kennedy's budget is adopted, the public debt will reach an alltime high of $315 billion. The present legal debt limit is $308 billion.

Whither are we tending?

Well, one thing is certain, we are tending closer to national insolvency, to economic chaos, and to wage, profit, and price controls, and to the devaluation of the dollar.

The fiscal 1964 estimated budget deficit of $11.9 is completely phony. It predicts far more tax revenue than will come in. Remember, we were going to have a surplus this year? Remember, Mr. Kennedy said so. Now he estimates a red figure of $8.8 billion next June 30. It will exceed $8.8 billion, wait and see.

But the point I set out to make is that every increased taxpayer's dollar given to the executive branch represents that much more growth and power.

In this connection, as a yardstick, following is a 6-year tabulation, year by year, showing a comparison of net budget expenditures:

	Billion
1959	$80
1960	76
1961	81
1962	87
1963	94
1964	98

These are the total expenditures of the Eisenhower administration and were high due to the Democratic "budget busting" Congress.

Compare them with the spending under the Kennedy New Frontier. An average of of $93 billion as against an average of $79 billion.

The Kennedy fiscal 1964 budget calls for 37,000 more Federal employees.

That is an increase, on top of the previous increase in Federal employees since the Kennedy administration came into power which was 147,000. The total increase is 184,000 more Federal employees since the Eisenhower administration.

When Lincoln was President, there were 36,672 Federal employees, which based on the population at that time was 1 employee for each 905 citizens.

Today the ratio is 1 Federal employee for each 73 citizens.

With all the scientific progress, with all the modern machinery and automation, with all this pushbutton age, we have far more Government workers per citizen meddling and snooping and regulating our lives than we did then.

The Government takes more than 30 percent of all money earned by the people and spends it for a lot of programs the Government thinks best for us. With that 30 percent goes 30 percent of our individual liberties under the Constitution. When the

Government takes 52 percent of the profit of a small business, that business is more than 50 percent socialized.

But big taxes and big government is not Republican philosophy.

As a matter of fact, during the Eisenhower administration, the number of Government employees was reduced a total of 254,374 employees.

The other day I made the statement, "Khrushchev will never bury us. We will beat him to it ourselves."

Lincoln said about the same thing when he said, "If the United States is ever destroyed, it will be destroyed from within and not from without." He must have had in mind that the power to tax is the power to destroy. And likewise the power to spend is the power to destroy.

How long can the American worker, the American farmer, and the American merchant stand the strain? How long can our Nation and its Treasury and our finances be sustained under the stress of massive deficit spending?

Inflation already has robbed the widow and orphan of more than half the value of social security and insurance once provided by the labor and sweat of a loving father.

The buying power of the so often meager pensions of the elderly retired persons have been cut in half.

The patriotic citizen who purchased a $75 savings bond, at the end of 10 years gets back his $75, plus $25 interest; but the $100 now only buys $50 in goods.

So it has been with the provident and thrifty—who have sought security for their families—their savings have been cut in two by shrinkage in buying power.

This is what the New Deal did. This was what the Fair Deal did. This is what the New Frontier is doing.

But it is not the way under the Constitution bequeathed to us by our Founding Fathers.

Republicanism is the right answer. Fiscal responsibility is the answer.

The principles and philosophy of Abraham Lincoln as they apply to Federal Government administration and programs are the right answer.

Once it was a nation half-slave, half-free. Now it is an entire world that is divided.

If Abraham Lincoln were alive today, courageously he would meet, as we must meet, the issue that our heritage is in grave danger.

He would say again, as he said once before: "We must leave to the future an America that is whole, intact, strong, united—and still the land of freedom."

Fellow Republicans, to that task, hard and tortuous though its achievement may be, you and I for our children's children sake, must dedicate our lives and sacred honor.

To that end we must, and I am sure will, find unity.

Evidence Mounts for Action To Isolate Cuba

EXTENSION OF REMARKS

OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 11, 1963

Mr. ROGERS of Florida. Mr. Speaker, Communist Cuba has just received a partial shipment of Japanese-made fishing trawlers. The order was placed earlier in Japan by the Cuban Government, and additional trawlers are due to arrive in March. The Japanese merchant fleet continued during the month of January its usual practice of transporting goods to Cuba.

The fishing trawler is one of Fidel Castro's most useful weapons in his campaign to subvert Latin America. He has learned the Soviet trick of using the term "fishing trawler" to describe any vessel whose purpose it is to engage in espionage, the transport of subversive agents, and contraband arms.

The Japanese merchant fleet is also free at any time to continue its usual practice of putting into any U.S. port for cargo, and Japan is only one example of how our allies all over the world trade with us and the Communists in Cuba as well. The most glaring examples of this trade are seen when the ships of nations allied with the United States continue to put into Cuba, their hulls bulging with Communist goods.

The United States does not allow its own vessels to call at Cuban ports. Why should it open its harbors and lucrative commerce to the ships of Cuban traders?

I again urge as I have been doing almost each day the House has been in session that the United States stiffen its recent timid shipping order and crack down on those nations continuing to engage in shipping to Cuba. The only way to accomplish this purpose is to close U.S. ports to the nations who will not cooperate with us.

Death for Two on Skimpy Pies

EXTENSION OF REMARKS

OF

HON. BEN F. JENSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 11, 1963

Mr. JENSEN. Mr. Speaker, we are forever being admonished that we accept our heritage too lightly in this great land.

In other words, we take our traditions and blessings almost for granted, so goes the complaint.

This charge may or may not be true, but I would like to take this occasion to illustrate dramatically what can happen to a large population subject to the rule of men rather than to the rule of law. I offer for reproduction at this point an Associated Press news clipping, datelined Moscow, printed in the Des Moines (Iowa) Register for February 6, 1963.

> DEATH FOR TWO ON SKIMPY PIES
>
> Moscow—Two Soviet restaurant officials have been ordered shot for serving skimpy pies and charging normal prices, Moscow Radio reported Tuesday.
>
> The radio said the two men operated the railway station restaurant at Sverdlovsk.
>
> They were accused of using an automatic pie frying machine which enabled them to reduce the specified lard content. The difference was allegedly pocketed by the two and more than 50 accomplices. The director alone made about 400 rubles ($444) a month, Moscow said. Accomplices got prison terms of up to 15 years.

This should snap anyone out of complacency and remind all citizens that our advantages are indeed tremendous in the United States. Furthermore, that any loss of these freedoms will be directly traceable to our own fault.

We are never coming to this inhuman situation, where property rights are more important than personal liberties, but I did not want this startling news item to go unnoticed. The story proves that ordinary life in the Soviet Union must be so bleak and unattractive that the civilized world's traditional deterrent to theft, imprisonment, is not sufficient. Prison itself does not represent a much crueller fate than everyday existence. Thus, death by firing squad to two men who stole shortening from pies.

Part 9: Let's Keep the Record Straight—A Selected Chronology on Cuba and Castro, December 15–27, 1962

EXTENSION OF REMARKS

OF

HON. DON L. SHORT

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 11, 1963

Mr. SHORT. Mr. Speaker, part 9 of my chronology on Cuba and Castro begins with the announcement to the public of Soviet troops remaining in Cuba after our quarantine was officially ended—which announcement became a matter of vital concern to the Nation.

About the middle of December, we were told four "topnotch Soviet combat battalions, complete with armor—and including up to 8,000 crack troops"—were still in Cuba. Some estimates placed the figure as high as 20,000. This recalled to mind that Secretary of State Rusk had informed the 15-nation NATO Council that about 10,000 to 20,000 Soviet troops—definitely military units—plus ground-to-air missiles—were still in Cuba—and all added up to quite a disturbed atmosphere in this country.

And this, in turn, recalled to mind the English divine, Matthew Henry, who said:

> Peace is such a precious jewel that I would give anything for it but truth.

The tentative plans for a summit meeting of Khrushchev and Kennedy had to be laid aside—for it was clear there could be no sensible discussion of serious matters when one party to the discussion knew the other party's word was worth less than nothing. Few people were left, of course, who still believed the Soviets words were to be trusted—but conjecturing is quite different from having an unmistakable fact thrust into your face in the sight of the whole world, and this had clearly taken place between Russian diplomats and our President.

Our President was quoted as stating:

> Looking back on Cuba, what is of concern is the fact that both governments were so far out of contact, really.

This comment had a pretty hollow ring to the ears of the public. All along most of them had been sure that if there was anyone in this country who had a good contact with the Soviets, and an understanding of what they were doing or capable of doing—and likewise was in a position to make clear to the Soviets how we felt and what we would or would not do—it should have been our President and his foreign policy advisers. Besides, had they not been assured many times that our President had "a sense of history"? And it is not too difficult for any true student of history to learn a great deal about the Soviet's ability to deceive and their complicated maneuverings and zig-zag methods in order to get what they wanted.

While one Republican Senator urged the administration to fully inform the Congress of any commitments made during the Cuban crisis that could affect future actions against the Castro regime—one Democrat senatorial leader agreed that while this should be done for congressional committees directly concerned, he felt hashing over details would not be helpful. Still another Democrat Senator suggested the time was ripe for a nuclear arms ban embracing all of Latin America to be negotiated through the Organization of American States—while many qualified observers felt the time was riper perhaps for our OAS allies to be more completely armed in order to help meet any further crisis in the Western Hemisphere.

So dissension still reigned supreme—in the midst of an atmosphere of thankfulness that the crisis had not turned into something worse—and in the midst of the season of peace and good will to all men.

That this dissension was not confined to the United States soon became clear, however, for we found the Soviet bloc in the midst of some very serious in-fighting. And a grimly comical note was sounded when the Soviets accused Red China and Albania of—of all things—subversive activities.

A giant-size Christmas present—from our capitalistic American citizens and business community—was given to brave Cubans who had risked their lives in an attempt to liberate their homeland from the pitiless grasp of a Communist dictatorship—in the form of a ransom payment to Premier Castro of $52 million worth of food, medicine, and medical supplies. But the Cuban relatives of the ransomed prisoners—who also had been promised their freedom found this would require a sizable ransom on their part—their homes and automobiles. Apparently Premier Castro was astounded and angered that so many seemed anxious to leave their Communist paradise for imperialism's stronghold.

Adlai Stevenson predicted another Cuban crisis in 1963—a verbal uproar by Castro delegates in the United Nations against our American inspection flights over the island of Cuba. But no one in this country could seem to get too upset over this prospect since the U.N. had already weathered many worse crises in its day.

And the Communist talent for twisting facts became even more apparent when Red China launched a 10-day nationwide support-Cuba campaign because of what they termed "Castro's heroic spirit of daring to struggle and daring to win the race of aggressive designs by the United States."

Across the ocean, Chancellor Konrad Adenauer was accused by Khrushchev—to everyone's astonishment—of trying to start a world war over the Cuban crisis. But since Khrushchev had shortly before accused the Red Chinese of this very same thing—this was more or less in the nature of an anticlimax on the newsfronts of the world—and had the effect only of reminding people of the bully husband who was afraid to beat his wife—instead kicked the cat.

The material follows:

Part 9: A Selected Chronology on Cuba and Castro, December 15–27, 1962

December 15, 1962: Four topnotch Soviet combat battalions, with armor and up to 8,000 crack troops, are among the swarm of Russian soldiery still in Cuba, information available yesterday indicates.

The units are part of the overall contingent of Russian infantry, artillery and aviation experts which some estimates place as high as 20,000.

As the buildup in Cuba got underway, the battalions were sent in for the initial mission of defending the ballistic missiles and IL–28 medium jet bombers which Russia shipped to Cuba.

December 16, 1962: Secretary of State Dean Rusk said today there was no magical formula for international accords but expressed hope the Cuban crisis had strengthened prospects for global peace.

"When great powers and lesser powers have lived through a moment of crisis such as the Cuban affair, I believe there is a tendency toward caution," Rusk said. "At least that is what we hope for. But there is no magical formula for world peace."

December 17, 1962: President Kennedy said last night that the Cuban crisis has made it more difficult for the United States to carry out any successful negotiations with the Soviet Union.

Rejecting the thought of a summit conference now, the President said "it is going to be some time before it is possible for us to come to any real understandings with Mr. Khrushchev."

Mr. Kennedy said the Cuban episode made negotiations between the two great powers more difficult because of the Soviet attempt to deceive this country and to change the balance of power in a secret maneuver.

Nevertheless, the President spoke in a reasonably optimistic mood in an unprecedented radio-television interview and said that "we could have a long period of peace" if the Communist leaders devoted their efforts to building their own societies.

He suggested that the misjudgments of the intentions of others, which he said were responsible for World Wars I and II and the Korean war, may have been reduced as a result of the strong U.S. stand on Cuba.

"Looking back on Cuba, what is of concern is the fact that both Governments were so far out of contact, really," the President said.

"I don't think that we expected that he would put the missiles in Cuba, because it would have seemed such an imprudent action for him to take, as it was later proved.

"Now, he obviously must have thought that he could do it in secret and that the United States would accept it. So that he did not judge our intentions accurately."

December 19, 1962: Russia and Cuba have agreed to an increase in trade in 1963 which will enable Cuba to "overcome the imperialist economic blockade," it was announced here today.

The announcement said full agreement had been reached on main problems of Russian-Cuban trade in 1963 and on questions relating to credits and transports of goods to and from Cuba.

December 20, 1962: Former U.S. Surg. Gen. Leonard Scheele accompanied Negotiator James B. Donovan to Havana today from Miami in an effort to speed liberation of 1,113 Cuba invasion prisoners.

December 20, 1962: Senator Bourke B. Hickenlooper, Republican, of Iowa, said yesterday the Kennedy administration should fully inform Congress of any commitments made during the Cuban crisis that could affect future action against the Castro regime.

December 20, 1962: Senate Democratic Leader Mike Mansfield, of Montana, indicated in a separate interview that he expects the Kennedy administration to review its actions for the congressional committees directly concerned. But he said he sees little to gain in hashing over all the details of a critical period.

"I think the American people are fairly well satisfied with the results obtained in Cuba," he said: "They are aware of the implication of the policy pursued."

The Kennedy administration said yesterday that if the negotiations are successful for the release of the Bay of Pigs prisoners it will be due to the private efforts of men and organizations such as James B. Donovan and the American Red Cross.

Senator Hubert H. Humphrey, Democrat, of Minnesota, today suggested the Organization of American States negotiate a nuclear arms ban embracing all of Latin America.

"The overwhelming majority of the governments and people of Latin America do not want nuclear warheads and delivery vehicles stored on their soil or readied for use in any other part of Latin America," the Senator said in the closing address of the International Arms Control Symposium at the University of Michigan.

Latin America "is ripe for a regional arms control agreement which would prevent the spread of the nuclear arms race to the Western Hemisphere."

December 21, 1962. The release of 1,113 Cuban prisoners held by Premier Fidel Castro for almost 2 years will begin early Sunday morning, December 23. A formal agreement under which the prisoners were ransomed for $53 million in food, medicine, and medical supplies was signed in Havana late yesterday.

December 21, 1962: The President and the Prime Minister met in Nassau from December 18 to December 21. They were accompanied by the Secretary of Defense, Mr. [Robert S.] McNamara, Foreign Secretary Lord Home, the Minister of Defense, Mr. [Peter] Thorneycroft and the Secretary of State for Commonwealth Relations and Colonies, Mr. [Duncan] Sandys.

The President and the Prime Minister discussed a wide range of topics. They reviewed the state of East-West relations in the aftermath of the October crisis in Cuba, and joined in the hope that a satisfactory resolution of this crisis might open the way to the settlement of other problems outstanding between the West and the Soviet Union.

December 21, 1962: The Soviet Communist Party newspaper Pravda, in one of the bluntest Moscow attacks on the Peking regime, accused Red China and its ally, Albania, of "subversive activities" that seriously endanger world communism.

Pravda cited recent party congresses in Bulgaria, Hungary, Czechoslovakia, and Italy where both Red China and Albania came under open attack for opposing Soviet policy in the Cuban crisis.

Pravda said peaceful coexistence has become the "general line" of foreign policy for Russia and its Communist allies because "socialism and communism do not need wars to demonstrate their superiority over capitalism."

December 22, 1962: A U.S. official source said today the first planeload of Cuba invasion prisoners would be flown to Florida about 8:30 eastern standard time, December 23.

Former President Eisenhower believes truth is a far better weapon in the cold war against communism than managed news.

Mr. Eisenhower said he has no reason to think the American people have not been told the truth on the Cuban situation, but he noted that he doesn't know all the facts.

He said he sees no reason why the administration should not now release a full and official version of what happened in the disastrous attempt to invade Cuba in April 1961. The Bay of Pigs invasion is now history, he said, and the official story should have been told long ago.

December 23, 1962: Prime Minister Fidel Castro, in expansive mood, greeted members of the ransom ship *African Pilot* today and jestingly declared a 24-hour state of peace with the United States in observance of the goods-for-prisoners exchange.

The 10,000-ton freighter tied up in Havana Harbor at 2:05 p.m. with $11 million worth of food and drugs as downpayment for the freedom of 1,113 Cuban Bay of Pigs invasion captives.

About 3 hours later, the first flights left a military airbase near Havana carrying liberated prisoners to the United States.

December 23, 1962: United States and Soviet negotiators conferred in an unusual Sunday meeting today but failed to make any progress in their effort to wind up the Cuban crisis by Christmas.

Informed sources said the positions of the two sides remained virtually unchanged following the 2½-hour session held at the Soviet mission headquarters in New York.

The United States was represented by Ambassador Charles W. Yost and Special Representative John J. McCloy. The Soviet delegation was headed by Deputy Foreign Ministers Vasily Kuznetsov and Valerian A. Zorin.

December 24, 1962: Adlai Stevenson, chief U.S. delegate to the United Nations, predicted today there would be another Cuban crisis in 1963—this one a verbal uproar by Castro delegates in the U.N. against continuing American inspection flights over the island dictatorship.

Stevenson said in an interview at his country home near Libertyville, Ill., that he expected the Cubans to attempt to retaliate in the U.N. for the continuing American overflights "which we claim we are entitled to make because of Castro's refusal to give us the right to ground inspection, to which the Russians had acquiesced when they agreed to withdraw their missiles and bombers."

Stevenson said he is convinced that the Soviets have withdrawn all missiles and bombers, but he said "the big problem in the future is to guard against their reintroduction into Cuba."

December 24, 1962: The last of 1,113 Cuban invasion prisoners ransomed from Cuban Premier Fidel Castro in a Christmas Eve wrapup of a $53-million airlift to freedom, landed here tonight.

President Kennedy tonight said he was "extremely pleased" that the Cuban prisoners had been released.

In a statement issued here, the President said it was "in the interest of our national principles" that these men had been saved "from a slow death."

December 25, 1962: Agrarian Reform Chief Carlos Rafael Rodriguez has affirmed that Soviet and Czechoslovak aid will enable the Cuban economy to develop at the rate set for next year, the Havana newspaper Hoy reported today.

Rodriguez, president of the Cuban national Agrarian Reform Institute, returned to Havana yesterday from a trip to Moscow and Prague at the head of a Cuban trade delegation.

He told newsmen on his return "this trip has strengthened even more the friendship and cooperation between our respective peoples."

"The results (of the trip) could not be more satisfactory for Cuba since all trade matters for 1963 have been covered," he said.

Premier Fidel Castro switched signals today and told relatives of ransomed invasion prisoners that if they want to go to the United States they must buy their way out of Cuba with their homes and automobiles.

Castro first announced that relatives could obtain an exit permit from Cuba if they presented proof that they were part of the immediate families of invasion prisoners.

Then the offer was changed to exclude all but parents, brothers, wives, and sons when the number of people jamming government offices skyrocketed.

December 26, 1962: The freighter *African Pilot*, packed with 923 Cuban emigrants sailed tonight for Florida. Released by a "Christmas bonus" deal with Fidel Castro, they will rejoin their close relatives, the Bay of Pigs prisoners ransomed earlier this week.

December 26, 1962: Communist China launched a 10-day nationwide support-Cuba campaign today with high praise for Premier Fidel Castro's firmness in the face of what were described as aggressive designs by the United States.

The commentary said the United States "resorted to every means" during the past year to crush the Castro regime. But it failed because of Castro's heroic spirit of daring to struggle and daring to win."

"When the U.S. gunboats bombarded Havana and imposed a military blockage on Cuba, the 7 million Cubans mobilized again and again and armed themselves as one man, preparing resolutely to repulse any aggression from the enemy," the broadcast said.

December 27, 1962: President Kennedy today accepted an invitation from Cuban freedom fighters to inspect their brigade in Miami Saturday and told them he hoped someday to visit a free Cuba.

Manuel Artime, civil head of the brigade, said the President expressed his appreciation "for our heroic efforts which were not only made in behalf of freeing our country but were also in behalf of the free world."

U.S. officials were increasingly optimistic yesterday that 23 Americans long held in Cuban jails may be released.

The optimism was based on reports from lawyer James B. Donovan, who arranged for the return of the Cuban invasion prisoners. Premier Fidel Castro has promised to discuss early release of the Americans, too.

Washington informants said the U.S. Government is also pressing for release of Americans through the Swiss Embassy in Havana. The Swiss represent U.S. interests in the absence of diplomatic relations between Washington and Havana.

December 27, 1962: Tass reported today that Soviet geologists are looking for oil in Cuba. The dispatch from the official Soviet news agency said they also are prospecting in Cuba for iron, nickel, manganese, copper, and peat.

The dispatch gave this information about other Soviet aid to Fidel Castro's regime:

"The Soviet Union is helping build 16 industrial establishments in the Republic. Three metallurgical works are being reconstructed and enlarged. Two thermal power stations with an aggregate capacity of 300,000 kilowatts are being built. They will start generating in 1964.

"A plant for the manufacture of spares for the machine-building, mining, and sugar industries is scheduled to be commissioned in January 1963."

Tass also said Soviet specialists are helping develop Cuba's fishing industry and agriculture.

December 27, 1962: Premier Nikita S. Khrushchev accused West German Chancellor Konrad Adenauer today of trying to start a world war over the Cuban crisis and warned him that West Germany would be snuffed out like a candle in the first few hours of a conflict.

He said Adenauer had tried to torpedo every attempt by the United States and Russia to reach cold war settlements, including Berlin, and said Adenauer was disappointed when the crisis over Cuba was resolved peaceably by both sides making concessions.

Khrushchev leveled the charges in a letter to Adenauer in which the Soviet Premier blamed the West for incidents along the Communist-built wall dividing Berlin.

Khrushchev said that at the time of the Cuban crisis West Germany tried to drive the United States into a corner out of which there was no way but an armed clash.

"All mankind heaved a sigh of relief when both sides, through mutual concessions, blunted the dangerous sharpness of the crisis and prevented the worst," Khrushchev wrote.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 14, 1963

The House met at 12 o'clock noon.

Rev. J. Walter Stanievich, Saint Anthony Parish, Detroit, Mich., offered the following prayer:

Almighty and Eternal God, through whose grace Thy faithful are able to serve Thee with dignity and joy, bless this august body of Representatives who serve this Nation and its people. Lord, Thou hast given these United States a superabundance of blessings which, too often, we have ignored. Humbly we realize that we surpass all other nations of the world in material possessions; grant that we may continue to share our bounty with the less fortunate.

Although in Thy divine providence Thou hast deemed it wise to make us the mightiest of nations, Thou hast also taught us to extend a hand of friendship to those who are weak and downtrodden. Teach us, we beseech Thee, to always remember that might is not always right. Grant that by the keeping of Thy commandments, Thy justice and the love of our fellow man may persevere.

Today, as we commemorate the anniversary of Lithuania's brief independence, may we be reminded that she too, once was a mighty Nation and that her heroes were great. But now, in Thy inscrutable wisdom, Thou hast laid her low and are now testing her brave people under the yoke of a terrible oppressor. May this lesson of history teach us to rely upon Thee with greater zeal and constancy.

We pray Thee, most merciful Lord, to hasten the hour of deliverance and liberation to Lithuania and all other enslaved nations. And that having been purified through this frightful ordeal, Lithuania and her valiant children may once again freely serve Thee in the community of free nations. Finally, we implore Thee to bless and preserve this great Nation of the United States, of whom we are all so proud to be citizens. May it not only remain as a symbol of liberty, but also a bulwark against oppression and godlessness.

These things we ask of Thee through the merits and in the name of Jesus Christ, our Lord and Saviour. Amen.

THE JOURNAL

The Journal of the proceedings of Monday, February 11, 1963, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Vice President has appointed Mr. JOHNSTON and Mr. CARLSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States No. 63-7.

The message also announced that the Vice President, pursuant to Public Law 585, 79th Congress, had appointed Mr. CURTIS to be a member of the Joint Committee on Atomic Energy, vice Mr. DIRKSEN, resigned.

The message also announced that the Vice President, pursuant to section 5(a) of Public Law 304, 79th Congress, had appointed Mr. MILLER and Mr. JORDAN of Idaho to be members of the Joint Economic Committee, vice Mr. Bush and Mr. Butler, retired from the Senate.

COMMITTEE ON EDUCATION AND LABOR

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Education of the Committee on Education and Labor be permitted to sit next week during general debate to hear evidence on the youth opportunities bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

Mr. GROSS. Reserving the right to object, Mr. Speaker, what committee is this?

Mr. PERKINS. It is the Subcommittee on Education considering the youth opportunities bill. We have four Cabinet members scheduled to appear, and we thought we would hear them while you were in general debate here in the House.

Mr. GROSS. Would the gentleman take the microphone if he is going to transact committee business, so we may all know what is being proposed?

Mr. PERKINS. I am glad to accommodate the gentleman. My request is that the Subcommittee on Education be permitted to sit during general debate next week to take evidence on the Youth Opportunity Act.

Mr. GROSS. Is this the so-called Domestic Peace Corps?

Mr. PERKINS. This is not the so-called Domestic Peace Corps. This is with reference to the Youth Opportunities Act, which is patterned after the old Conservation Corps.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

There was no objection.

SPECIAL ORDER TRANSFERRED

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the special order granted to the gentleman from Illinois [Mr. O'HARA] for tomorrow may be transferred until Monday next.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT OVER TO MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

Mr. GROSS. Mr. Speaker, reserving the right to object, before this unanimous-consent request is granted, could we have some information as to the program for next week?

Mr. ALBERT. I am glad to give the gentleman such information as is available at this time.

Monday is Consent Calendar Day. There are only two bills on the Consent Calendar as of this time. It is expected that we will have business later in the week, but I am not in a position to advise the gentleman in detail with respect to that yet, but we plan to do so on Monday if possible.

Mr. GROSS. But there will be some business next week?

Mr. ALBERT. Committees are meeting and we expect some business from at least one of the committees next week.

Mr. GROSS. The gentleman from Iowa would like to think that the House of Representatives will eventually get down to work.

Mr. ALBERT. It always does, eventually.

Mr. GROSS. Yes, but unfortunately it is usually in September or October.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

WHO ARE THE U.S. ALLIES IN THE CUBAN STRUGGLE?

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, it was Thomas Jefferson who warned the United States against entangling alliances. However, this Nation's policy goals are beginning to resemble a plate of spaghetti. While the United States, through its membership in the Organization of American States, continues to press for measures to tear communism down in Cuba, it also pays a large share of a special fund in the United Nations which only yesterday announced its intentions to build Cuba up.

Such vague reasoning is difficult for the American mind to understand. It was clear thinking, commonsense which made this country great, yet U.S. alliance with two international organizations which are diametrically opposed on the policy of one nation, namely Cuba, is absurd.

At this very moment, the OAS is engaged in a comprehensive study of the Cuban attempt to totally subvert the entire continent of South America. There is an abundance of evidence to attest that Castro's Cuba is a fountainhead for a Communist conspiracy of hemispheric proportions. Next week beginning February 18, the distinguished chairman of the Subcommittee on Latin America, Congressman SELDEN of Alabama, begins hearings on the extent of Castro's subversive activities.

Apologists for the U.N. decision argue that special fund projects must be free of political considerations. However, aside from the obvious fact that Castro's regime is of the blackest order, the Cuban Government is not entitled to this project on economic grounds. The project is supposedly to diversify Cuban agriculture and provide technical assistance but the recklessness of the Castro regime has destroyed Cuba's rich agricultural economy and forced its agricultural technicians to flee Cuba and join the army of Cuban political exiles.

If it is technicians that Cuba needs, we have been told in recent months that Soviet technicians are plentiful in Cuba. If there are so many Soviet technicians, why must the United Nations now supply $1.1 million worth of technical help to Communist Cuba?

If the U.N. aid programs are free of political ties, why then would the United Nations suspend its assistance program in Iran because of revolutionary upheaval in that country?

I urge that the U.S. Government make a careful review of its entangled spaghetti alliances.

In addition, the Congress of the United States acting in the name of the American people should refuse to appropriate any American dollars which might be used to finance the U.N. project in Cuba.

THE SOVIET OIL THREAT AND NEED FOR EFFECTIVE AMERICAN COUNTERMEASURES

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, the economic war with the Soviet Union is getting hotter every day. The Soviets by long tradition have regarded trade as a legitimate tool in spreading the Communist doctrine. They are willing to undercut world prices of products if there is political advantage to the Soviet Union. As Russian Communist Party Chairman Nikita Khrushchev has said of his nation's trade policies:

> We value trade least for economic reasons and most for political reasons.

More than a year ago it became apparent that the Russians were making significant inroads into the markets of free world countries by the use of oil. Oil is sold at bargain rates for political reasons. Oil represents the most marketable export that the Soviet Union possesses and, further, they have a surplus of it. Russia is using oil to obtain and hold on to trade lines with free nations. With oil the Soviets are hoping to gain more and more trade with the free nations.

Mr. Speaker, it is alarming to report that in the last 6 years Russia has expanded her production of oil to 3 million barrels a day, second only to the U.S. oil production of about 7 million barrels per day. More alarming than that fact is the rising Red export of this oil. For instance, in 1953 the Soviets shipped 35,000 barrels a day to free world countries. In 1961 the Soviet Union was sending about 600,000 barrels of oil per day to free world markets. All indicators point to a continuation of this trend.

The Soviets have vast oil reserves and are developing them. In the Urals-Volga region there are new fields and in the older developed areas like Baku they are maintaining production. Offshore drilling in the Caspian Sea has uncovered significant new fields. While new oil reserves are being found in Russia, the Soviet demand for oil has not kept pace. This is principally because the Russians have few automobiles, only about 4 million, as compared to the United States' 76 million vehicles. The worldwide demand for oil is rising, especially in the new nations that are pushing crash programs of industrialization. Ghana and Pakistan are important Soviet oil markets in this category. Yet the older industrialized nations like Japan, Italy, and Germany are ideal customers and the Soviets are pushing into these markets whenever possible. They are using every method available.

Oil in the Soviet Union is a state-controlled monopoly. Prices are set by the state and in the export market these prices are set to accomplish short and long-term political goals of the Red slavemasters. It is reliably reported that the Soviets have actually sold oil at prices below the cost of production in the oil rich Middle East. Losses incurred in this trade are often passed on to Soviet oil markets in the captive satellite nations in the form of higher prices. In 1960 the free world price of Russian crude oil was 52 percent less than the price paid by captive markets in the Red satellite nations. By using facilities purchased by private companies the Soviets are able to save transportation costs. They will accept local money, whether or not it is convertible into reliable currencies, and extend long-range credit terms at attractive rates of interest. Additionally the Russians make barter arrangements—oil is traded for the staples of the country buying Soviet oil. With industrial nations the Soviets bargain for machine tools and needed production items.

Soviet gains in influence with free nations by using oil are indeed impressive. More than half the oil produced by the Russians this year will be sold to Western nations. Italy, Japan, Sweden, Iceland, Finland, Spain, India, and Cuba will buy most of the oil and are growing increasingly dependent on Russia for their supplies. Italy is acting as a re-exporter of Russian crude oil into the European Common Market area. All of this tends to endanger our alliances and normal trade.

That the Soviet Government is intent on increasing this highly successful oil export activity is attested to by the Soviet's 7-year plan for the years 1959–65. The program calls for the continued emphasis on all phases of oil development in Russia from oil production to distribution. Oil production is calculated to rise from 3 million barrels daily to 5 million barrels daily by 1965.

What are the dangers to nations that rely on supplies of Soviet oil? They are many and should be duly noted.

A nation that imports Soviet oil will more readily import Soviet ideas and Communist political influence.

A country that is reliant on Soviet export trade is more vulnerable to Communist pressure and threatened loss of markets. The Soviets have demonstrated how they use economic dependence as a political tool.

Once a nation is dependent upon Soviet oil sources, there is the real possibility of their raising the prices. With a state-controlled monopoly this can be done at will.

In the event of international emergency, how secure will Western nations, reliant on Soviet oil, react, since oil is necessary as a tool of modern warfare.

Soviet economic penetration of the Western alliance is an all too serious matter to be taken lightly. Mr. Speaker, what can be done to stem this Soviet trade offensive before it becomes a danger to world economic and political balance?

Certainly some of the steps that the United States can take are:

First. Development of national fuels policy by the United States. This matter is already under study by the Congress.

Second. Impress upon Western alliance nations, such as Italy, the dangers of dependence on Russian oil; and point out the true nature of the Soviet oil offensive.

Third. Greater use of the provisions of section 647 of Public Law 87–195 in getting U.S. foreign-aid countries to use free world supplies in their industrial development programs.

Fourth. Encourage free world nations to set restrictions quotas on the amount of Soviet oil imported.

Fifth. Suggest to consumer countries that in trading with the Russians only consumer goods be bartered—rather than strategic materials that increase the Communist potential for war.

These are just suggestions that have been made by competent observers who are concerned over the Soviet oil export policy. It is important for the United States to be alert to all shifts in the Soviet economic offensive, to determine the kinds of effective countermeasures which must be taken against them.

The Russians have issued the challenge to the free world to compete economically. With their surplus oil they are attempting to penetrate the Western alliance economically to bring about disunity and to use the resulting disunity for their devious political machinations. By diligently pursuing the countermeasures the United States can minimize the threat of Soviet economic and political penetration. The Soviets are depending on oil to gain for them further access to Western markets and subsequently opportunities for political activity. Additionally they need Western machine tools and manufactured products. Effective application of methods to negate the Soviet oil offensive will mean a resounding defeat for Russian hopes of expansion of their godless political system.

UNITED NATIONS AND CUBA

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Speaker, the decision of the Food and Agricultural Organization of the United Nations to grant an amount of economic assistance to the Government of Cuba is profoundly shocking to me, as I know it must be to most of the Members of Congress.

I fully realize, of course, that irresponsible attacks on the United Nations itself perform a grave disservice to the United States because in a truly vast majority of instances the decisions reached by the membership of that world body have been exactly in keeping with the official position of the United States on all major policy matters wherein our position has come in conflict with that of the Communist bloc.

Since the substantial majority of the members of the United Nations have almost invariably stood with us and against our competitors in the world ideological struggle, we should, of course, be at some pains to restrain ourselves from demagogery and to bridle our tongues against harsh, hasty, and intemperate statements.

It is difficult, however, to conceive of a more unfortunate or more ill-timed action than this decision of a United Nations committee which has just been reported. The fact that the dollar volume of aid involved is relatively small when compared with that involved with such programs in other nations, does not in any way diminish the symbolism of this unfortunate decision nor in any way alter the basic principle involved.

To grant any amount of economic aid whatever to Cuba seems utterly unthinkable. It is wholly inconsistent with everything for which we stand as a nation and totally inconsistent with the fundamental purposes embodied in the Charter of the United Nations.

It is ironic indeed that such a decision to grant even this modicum of assistance to the Government of Cuba should come at this time when today we celebrate the national independence of Lithuania, another small nation which, like Cuba, has seen its lights of freedom snuffed out by the coarse hand of Communist tyranny and the flower of its liberty crushed under the iron boot of Communist imperialism.

It is ironic that such a decision should come at this time when just today we have had revealed to us an official report by a special security committee of the Organization of American States which concludes that a deliberate plot exists to overthrow free governments in Latin America, and that this plot is being directed from Cuba.

Our State Department has opposed the granting of any aid by the United Nations to the present Government of Cuba. Our official representatives in the United Nations have opposed it. It seems incumbent upon the Congress at this point to strengthen their hand by a clear and forceful demonstration of our profound shock and of our strong and active opposition to the granting of any such recognition or assistance to the outlaw government of Cuba, which seeks to subvert the security of the hemisphere and to menace the freedom of our good neighbors and which stands diametrically opposed to the interests of the United States.

Today I have written to our Secretary of State expressing the strength of my own conviction as one Member of Congress in this regard. May I suggest that other Members of Congress might well join in doing likewise in order that those who represent us in the councils of the world might be armed and abetted in their dealings with other nations by having such incontrovertible proof of the overwhelming sentiment of the lawmaking body of this Government in forceful opposition to any such encouragement or assistance whatever to a government of the type that exists in Cuba.

UNITED NATIONS ACTION ON CUBA

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the decision of the United Nations to engage in a 6-month trial run on a Cuban aid project adds a jarring note to the already pronounced discord over Cuba. The cost of the project intended to diversify Cuban agriculture will cost the United Nations $1,157,600. The statement has been made that no U.S. funds are involved. But the fact remains that the United States is paying 40 percent of the cost of the U.N. Special Fund from which the Cuban project would be financed. The United States has fought the project since it was first proposed in 1961.

There is no way to differentiate between U.S. funds and other funds in U.N. projects. If this one is allowed to proceed, the United States will be in the position of contributing to the perpetuation of its own foes. General disintegration of Cuba's agriculture is in process. There should be firm resolve on the part of the United States to make no contribution to any U.N. fund which is used to thwart foreign policies of the United States.

INCREASE OF CRIME IN THE NATION'S CAPITAL

Mr. WINSTEAD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a newsletter by the Honorable THOMAS G. ABERNETHY of Mississippi.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WINSTEAD. Mr. Speaker, much has been said in recent weeks about lawlessness and crime in our Nation's Capital. In this connection, I am inserting into the CONGRESSIONAL RECORD a newsletter by my very able friend and distinguished colleague, Congressman THOMAS G. ABERNETHY, Democrat, of Mississippi. I am sure you will find it most interesting and enlightening.

In addition, I am including a brief statistical report which appeared in the February 18, 1963, issue of U.S. News & World Report, entitled "Crime and Immorality — Some Hard Facts About Washington, D.C."

IN THE NEWS

(By Congressman ABERNETHY)

Washington, your Capital, capital of the free world, city beautiful, and said to be the citadel of democracy, is now more often referred to as a jungle. Gripped in a reign of lawlessness, Washingtonians dare not frequent most sections after dark. Even behind barred windows and bolted doors a restful night is difficult.

Among its 22,675 crimes last year—increase of almost 7,000 in 5 years—were the stabbing of a Congressman's secretary as she knelt alone and prayed in a Capitol Hill church. In the same neighborhood another secretary was mugged, thrown to earth, beaten and robbed; a Congresswoman escaped a hoodlum's attack but was robbed; and a marauder broke into and entered a former Congressman's home, abused his wife, left her with a broken arm and robbed. Two years ago one of my own page boys was attacked and robbed within 4 blocks of the Capitol. Offenses are high, convictions few and executions for murder or rape are negligible—only two in 10 years. Police are hindered by local court decisions which make it quite easy for criminals to beat the rap. This situation has been compounded by a recent order of the city Commissioners, denying police the right to hold a suspect for investigation which makes it much easier for the guilty to escape.

Local papers at long last are reporting a lack of discipline in the public schools, a situation existent for years but which school administrators, city fathers, and local press have either denied or refused to admit. The big race riot of last fall, which caused them to emerge from stoic silence, broke out following the city championship game when an all Negro football team lost to an all white team. Future championship contests were promptly canceled, leaving the Nation's Capital, the exemplary city, to be the only city in America which cannot with safety risk the staging of a championship high school football game.

One Washington newspaper has just referred to the crime situation as a "tawdry story." These are nothing more than just nice words but at least they portend a bit of progress on the part of a few to speak out and face up. The Reverend Frederick Brown Harris, Senate Chaplain and prominent Protestant minister, has just said, "Terrorism grips all sections of the most prominent city in the world." He said, "Cringing fear has invaded the streets * * * no woman dare walk alone after dark * * * the time has come to bear down." A high State Department official said he had "lived in foreign cities" but none "as lawless as Washington." He said he would respond to a knock at night only after "looking through a crack." He pleaded for another 1,000 policemen. Good for him.

Washington is not only a leader in crime. From its 400 liquor store outlets and several thousand taverns and cocktail bars the city leads the Nation in per capita consumption of alcohol. On the Holy Sabbath many sections bear evidence of a rowdy Saturday night—streets littered with trash, bottles and broken glass; jails filled with punks and drunks; and hospital waiting rooms filled with victims of the switchblade. Yes, all of this as the elite and would-be elite parade through the National Gallery of Art for a cultural view of Leonardo da Vinci's Mona Lisa.

In the midst of this state of high crime, race riots and littered mess, whites are fleeing to the environs of nearby Maryland and Virginia, fast restoring this city to a segregated status. The Department of Justice has not yet resorted to a means of forcing these white folks to stay put and live in this integrated mess. No civil rights suits have been filed, no citations for contempt, there is no military occupation, no helicopters checking from above, no aerial mapping, and not much law enforcement. They are as quiet as can be down in the Department of Justice. In fact, most of the higher-ups down there have fled to Virginia, too.

There is, however, a move on foot to enlarge the Police Department, to shore up its Canine Squad, to tighten antiloitering laws, curb gun totin', impose a curfew on juveniles, loosen court decisions which "hogtie" the Police Department and some other curative steps. At long last there is some genuine recognition of the lawless cesspool which exists in this Capital City. Of course, there are still many who refuse to face up, who contend the situation is only a social problem. And, they lay it all on the Congress for not having given the city more money.

Oh yes, there are a few streets which have not yet been enveloped into the jungle, but given time at the present pace it won't be long.

One need not wear an armor of steel on visiting Washington; but if he ventures an after dark stroll this mode of dress is recommended.

[From U.S. News & World Report, Feb. 18, 1963]

CRIME AND IMMORALITY—SOME HARD FACTS ABOUT WASHINGTON, D.C.

CRIME: ON THE RISE

Among the 16 U.S. cities with 500,000 to 1 million population, Washington last year ranked: First in aggravated assaults; second in robberies; fourth in murders; and sixth in housebreaking.

In terms of the increase in crime—1961 over the 1958–60 average, the record shows this: United States as a whole up 14 percent, Washington, D.C., up 41 percent.

Of all persons arrested in Washington for serious crimes last year, 84.6 percent were Negroes.

In the total population of Washington, 54.8 percent are Negroes.

BABIES: 1 OUT OF 5 ILLEGITIMATE

Washington leads all other big cities in the rate of illegitimate births. The Washington rate: 210 out of every 1,000 live births in 1961.

Few other cities show a rate even half that high. Of 4,251 illegitimate children born in Washington in 1961, 3,893 were nonwhite, 358 white.

Girls in Washington public schools, ages 12 to 15, gave birth to 265 illegitimate babies during the last school year—250 nonwhite, 15 white. The count, by ages of the mothers: 12-year-olds, 5 babies; 13-year-olds, 35 babies; 14-year-olds, 112 babies; 15-year-olds, 113 babies.

VENEREAL DISEASE: A MAJOR PROBLEM

Even among schoolchildren, venereal disease has become widespread in Washington. In the age group 15 to 19, the venereal rate is 5,728 per 100,000 population. National average: 416 per 100,000 in this age group.

AGRICULTURAL AID GRANTED TO CUBA

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, the announcement that the United Nations decided yesterday to grant agricultural aid to Cuba is an extremely unwelcome and discordant action. It puts the United Nations and the United States at odds over policy toward Cuba.

The U.S. official position is that it has been and is opposed to the granting of the funds for this particular project even though it was originally approved in May, 1961. I support fully the U.S. position. The United States must continue to oppose this and similar projects and use its influence within the United Nations to achieve our objectives.

The United States did not push for a vote on this issue with the Governing Council because obviously it did not have the votes to stop the allocation of funds based on earlier approval of the project.

The U.S. position in opposition to the project is understandable. What is difficult to understand, however, is the position of the other nations who favor the granting of the funds for this project to Cuba. The Communist Government of Cuba refused to cooperate with the United Nations in the recent crisis concerning the on-site inspection for the determination that all offensive missiles have been removed. In view of this fact, and since the unresolved issue of determination can only be solved by on-site inspection, a big question mark on the threat to peace and security remains; the possibility of this threat is in direct conflict with the efforts of the United States and the United Nations and, accordingly, while this condition persists, there does not seem to be much logic to the positions of the other nations who seek to improve Cuban economic conditions by providing the funds on a 6-month test basis for a Cuban crop diversification program.

I fully support the investigation of this and related issues which has been undertaken in the other body and announced by Senator CHURCH. This is a matter in which all of us—the Foreign Affairs Committee which has jurisdiction and the Members of this House—will continue to be vitally interested. It would appear timely to have a complete reassessment of the U.S. positions in the specialized programs of the United Nations.

This recent act by the Governing Council of the 18-nation United Nations Special Fund is symbolical of the difficulty of the U.S. position in the world of today. We cannot control the direction or the destiny of all sovereign nations; while we exercise tremendous influence in the United Nations, and should do so, we certainly by no means positively control the direction and the decisions of the United Nations. This control issue is symbolical of the daily and continual paradox of the necessity to exist with other nations on one hand and win the obvious struggle in which we are engaged on the other.

The difficulty will not be resolved, nor the paradox removed, however, if the United States, as some people suggest, were to withdraw into complete isolation or to withdraw from the United Nations. Walking out or walking away is no way to win this struggle or any other. So, while we do not like what has happened and have every right to be angered, disgusted, and frustrated, we must resolve not to let this cloud our judgment as to what is best in the eventual long-range interest for the United States and the free world.

It could very well be that we should withdraw, or limit, or make conditional our participation in the special funds or specialized agencies in the United Nations. It may be that we should propose and undertake definite new policy positions. There may be other alternatives. All our participation is on a continuing, flowing, moving, day-to-day basis, requiring constant reexamination and reassessment. We must do this if our ultimate objective is worthy and is ever to be reached.

Therefore, this particular issue and the general problem must always be placed in the perspective and in the context of the achievement of the U.S. ultimate objective—the settlement of disputes among nations without war, but with honor; the victory of freedom over slavery in a peaceful world composed of sovereign and independent countries, politically stable and economically viable.

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. SELDEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SELDEN. Mr. Speaker, United Nations plans to provide economic project aid to the Castro regime constitute flagrant contempt for the inter-American policy laid down at Punta del Este.

The United States and other nations of the Western Hemisphere are committed to a policy of economic sanction against Castro. The United Nations, by its proposed Food and Agriculture Organization project, will undermine and nullify the policies of the Organization of American States.

There has been much talk in recent months concerning the United Nations venturing into policy areas where it does not belong. This is just such an instance. I feel that we should now seriously reappraise our financial role in supporting U.N. policies which run counter to our own solemn hemispheric commitments.

THE JOINT COMMITTEE ON THE BUDGET

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, at the beginning of this session of Congress I introduced H.R. 1120, a bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States.

Basically, this bill provides for the creation of a Joint Committee on the Budget, to be composed of 16 members as follows: 9 members of the Committee on Appropriations of the House of Representatives and 7 members of the Committee on Appropriations of the Senate.

This joint committee would have authority to inform itself on all matters relating to the annual budget of the agencies of the Federal Government. Its functions would include study and analysis of the details of individual program operations and of the actual administration of these programs to insure that current practice conforms with legislative authorization. The committee would make its findings available to the Appropriations Committees and other committees of both Houses as well as to individual Members of Congress. Along with this, it would recommend such changes in existing laws which might be instituted to bring about greater efficiency and economy in Government. Furthermore, it would report to the Appropriations Committees its findings relative to total budget requirements which would meet our defense and civilian needs and yet be consistent with sound fiscal policy. It could also recommend that joint hearings be held by the two Appropriations Committees without affecting the independence of committee deliberations and decision.

This measure is not a new one. Repeated unsuccessful attempts have been made during the past 12 years to secure legislation setting up a Joint Committee on the Budget. Provision for the creation of such a committee was embodied in section 138 of the Legislative Reorganization Act of 1946. This act authorized the Committee on Ways and Means of the House, the Senate Committee on Finance, and the Appropriations Committees of both Houses "to meet jointly at the beginning of each regular session of Congress and after study and consultation, giving due consideration to the budget recommendations of the President, report to their respective Houses a legislative budget for the ensuing fiscal year." This provision has never been carried out, due primarily to the impracticality of having such a large number of persons from these four committees serve on this committee. Since the passage of this act attempts have been made to amend it by providing for a Joint Committee on the Budget which would be composed of a limited number of members from the appropriations committees of the two Houses. The Senate has on a number of occasions given its sanction to such proposals, but the House has withheld its support in every instance.

The objective of my bill is to bring about an improvement in appropriations procedures which will produce real savings and economies in Federal spending programs.

The need for such economies is imperative in these days of rising Federal costs when deficits are mounting and our national debt has reached an unprecedented height. The most recent budget presented by President Kennedy for the fiscal year 1964 calls for programs which will cost $98.8 billion—exceeding expenditures made in any previous year, even the peak years of World War II. By far the largest area of expenditure—$55.4 billion—of course, will go to maintain a strong national defense. Defense needs, however, which are so urgent in these days of world crises must be met, and we cannot afford to risk our priceless freedom for the sake of a balanced budget. Similarly, there are many essential domestic programs which are expanding to meet growing needs of our citizens for housing, education, and health services.

The necessity of finding ways and means of economizing is all the more urgent in view of the President's recent proposals for tax reduction and revision which are aimed at providing additional stimulus to our sluggish economy. If such proposals are enacted into law they will cost the Government some $10 billion in revenues annually and will thus widen the growing gap between revenues and expenditures and will add to the burden of our national debt which today stands at $304 billion. Enactment of my bill will constitute an important step toward bringing spending more in line with revenues and eliminating annually recurring deficits.

The vastness and complexity of budgetary operations make it impossible for the two appropriations committees adequately to study and scrutinize individual programs. With a mere handful of employees as contrasted with the staff of nearly 500 employed by the Bureau of the Budget and thousands more of fiscal and technical specialists employed by the executive agencies, these two committees are severely handicapped in analyzing the thousands of programs for which funds must be approved each year. They are forced to rely for the most part on reports and testimony presented by the executive agencies whose primary objective is commonly obtaining larger sums each year to promote their own particular programs. The creation of a Joint Committee on the Budget would provide a permanent nonpolitical corps of technical and professional experts who could impartially evaluate the various programs as they come up for consideration. The overburdened appropriations committees would thus be better informed and would be in a better position to make recommendations for the elimination of wasteful practices and for the cutting back of those programs where such may be possible without endangering our national security and domestic welfare.

In studying and evaluating all phases of the budget process, such a committee would be in a better position to consider the budget as a whole rather than in piecemeal fashion as is now the current practice. It could develop a fiscal program aimed at keeping expenditures within the bounds of anticipated revenues.

Congress already has benefited from services provided by joint committees in the fields of atomic energy, taxation, economic policy, and so forth. Just as there is now a joint tax committee to study revenue questions under consideration, the creation of a similar joint committee to study the programs for which billions of dollars must be appropriated annually would bring about greater efficiency and economies in this area and would render an invaluable service to our Nation's taxpayers.

I am persuaded also that such a committee will accomplish much in bringing about more harmonious working relationships between the appropriations committees of both Houses.

Enactment of H.R. 1120 is now long overdue. I am convinced that its passage will contribute much toward better management of our taxpayer's money. It will enable the Congress to find many areas where waste and extravagance can be eliminated and will return to this body a measure of the control over the national purse strings which it has lost. I, therefore, urge your early consideration and affirmative action on this bill.

INVESTIGATION OF TV PROGRAMS

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, I have received complaints from many citizens with regard to the "Today" show, which was presented on February 8 by the National Broadcasting Co. Although I did not see this television program myself, detailed descriptions have been forwarded to me.

According to those who contacted me, this program was not merely in poor taste but reflected upon the character and integrity of the Governors of two States and a former Member of this body, now deceased, who saved the Un-American Activities Committee from oblivion and who rendered outstanding services not only in the development of our Nation but in pointing out the dangers which were building up, many of which have come to pass.

Further, it is my information this program ridiculed the Lord's Prayer and was an affront to the religious beliefs of God-fearing Americans.

Certainly, the privilege of going into the homes of the American people through the medium of television is one which should carry with it full responsibility for decency, which this program did not have. The right and privilege of television broadcasts should be extended or permitted to continue only upon acceptance of responsibility to see that such programs are educational, wholesome, and not destructive.

I have joined with others of my colleagues in a request for a full investigation and appropriate action by the Federal Communications Commission at the earliest possible moment.

PROTECTION OF LABOR UNION MEMBERS

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, the growth of our national economy and the welfare of our citizens depend on the continued strength of American productivity.

During the past few years we have seen our economy weakened, our defense effort hobbled, and our access to a free press denied, by repeated and lengthy strikes, many of them contrary to the wishes of a majority of the members of the striking union.

The right of labor union members to arbitrate, and, if necessary, to strike, for better working conditions or benefits, is an essential and important part of American freedom. I will always defend that basic right.

But it is time that the individual rights of union members be strengthened. They must be guaranteed a voice in determining whether or not to strike.

It is time to protect employers from needless production losses arising out of strikes called without majority vote by union workers.

It is time to minimize industrial strife interfering with the flow of commerce.

It is time—past time—to guarantee every American labor union member the right to an impartial secret strike ballot.

Toward that end I am today introducing a bill to protect all labor union members, as well as all other Americans, from economic penalties imposed by strikes called without the majority consent of the union workers involved.

A majority vote by secret ballot is all that my bill provides.

THE 45TH ANNIVERSARY OF LITHUANIA'S INDEPENDENCE

Mr. OSTERTAG. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OSTERTAG. Mr. Speaker, it is highly fitting and appropriate that today's opening prayer was given by a Lithuanian priest in observance of the 45th anniversary of Lithuania's independence this coming Saturday.

When the Lithuanian nation declared its independence on February 16, 1918, the people of that little nation reached a goal they had been seeking for many years. For 120 years, from 1795 to 1915, they had been under Russian domination; then during World War I, they finally gained freedom. But this freedom lasted only to World War II, when the nation was overrun by the Red army and again fell under Russian domination.

The United States recognized independent Lithuania on July 27, 1922, and has never given any recognition to the incorporation of this brave nation into the Soviet Union. We continue to maintain diplomatic relations with the former independent Government which has a legation in Washington, D.C. Lithuania and all the Baltic States have had their sovereignty violated and their freedom suppressed by the Soviet Union. The aggression and tyranny which the Baltic States have suffered is a sharp contrast to the freedom of the United States and the Western nations.

On Saturday, the free world will observe this anniversary of Lithuanian independence, and Lithuanians all over the world will join in prayerful observance of this commemorative date. Though the Lithuanians have again been living under the bondage and tyranny of the Soviet Union for more than 20 years, they have never lost hope of freedom. This 45th anniversary of Lithuanian independence should be honored by every American who holds sacred the ideals of liberty and independence. We of the free world remain steadfast in our dedication to extend freedom to all the enslaved peoples now under the yoke of Soviet oppression.

LUMBER STANDARDS

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, several weeks ago a number of Members of the House participated in an excellent meeting with lumbermen from all over the United States with regard to the serious problems confronting the domestic lumber industry. Even those of us who are not directly involved in the problems of this industry have become aware over the last 12 months of the seriousness of these problems.

One of the major efforts of this great industry has been to improve its products to make the industry more competitive with other materials used in the construction of housing. This has not been an easy job since it is variously estimated that there exists between 25,000 and 65,000 individual sawmills throughout the United States, each producing lumber for use in construction. Getting a consensus from such a large group of individual producers on a market improvement program is obviously a herculean task.

It has been called to my attention a development in recent weeks that I find most alarming, and indeed unfortunate. It appears that political considerations have entered into a decision, or I should say lack of decision, on the part of an agency which heretofore has been completely devoid of any involvement, to my knowledge, in politics. I am referring to the Federal Housing Administration.

A decision which has traditionally been handled on a purely technical basis has now been deferred because of political pressure brought to bear by competitive forces within the lumber industry.

Over the past 3 years producers of lumber have been engaged in discussions designed to achieve an improvement in the designation, grades, and sizes for lumber, which would make lumber easier and more economical to specify, purchase, and use. The aim of these discussions has also been to effect a general improvement in overall lumber quality and conformance to standards. Participating in these discussions have been representatives of lumber manufacturers in all parts of the country—in the South, the Northeast, the Midwest, and in the Far West.

There have been competitive differences over many years as between manufacturers of so-called green lumber, which is unseasoned, and manufacturers of so-called dry lumber, which is kiln dried or air dried before finishing.

It is this competition which apparently has now made itself felt within the offices of the FHA, to an extent that I find incompatible with past FHA handling of similar matters. I have made it a point to obtain, on rather short notice, as many of the details of this controversy as I could, and much of it will appear to be highly technical. However, I believe each Member, upon reading these remarks, will benefit from having them recorded.

Of particular interest to home buyers and home builders is one phase of the program which has been under review now for 3 years, and that is the development of a new engineered dimension for for studs, joists, rafters, and other light framing lumber, which would be applied at an average moisture content of 15 percent. While the thickness of the new lumber would be reduced slightly from 1⅝ inches to the easier fraction of 1½ inches, the width of the piece would be maintained at the present sizes of 3⅝ inches, 5½ inches, 7½ inches, 9½ inches, and 11½ inches.

This would mean, according to the U.S. Forest Products Laboratory data, that lumber produced to the new size at 15 percent moisture content—a commonly accepted moisture content for seasoned lumber—is equal to or superior to the substantial volume of lumber which is presently surfaced in the unseasoned condition, or green, to 1⅝ inches in thickness. The reason for this is that lumber which is surfaced green subsequently shrinks in size.

The more efficient 1½-inch dry lumber size and a new more economical five-eighths-inch board thickness were proposed to the American Lumber Standards Committee, the group which is assigned the responsibility of approving standards for lumber in the United States, at its meeting in May of 1962.

In proposing the new dimension, a major portion of the lumber industry pointed out that the new dry size would also remove a disparity in green and dry lumber sizes which has existed for a number of years.

At the January 25, 1963, meeting of the special subcommittee of the American Lumber Standards Committee to discuss proposed new sizes for green and dry surfaced lumber, the subcommittee recommended that the 15-percent average moisture condition be used to equate green and dry lumber sizes and designated the U.S. Forest Products Laboratory as the official source for shrinkage information, upon which the new sizes were to be based.

Although there was strong opposition from a group of green lumber producers and from the Southern Pine Inspection Bureau, the largest grading agency for southern pine lumber, the American Lumber Standards Subcommittee which includes consumer representatives, specifiers of products, and engineer members, displayed a significant majority preference for the 1½-inch dry lumber thickness as the basis for developing new sizes for lumber surfaced at the green condition.

In order to make the new dry lumber sizes available to the designer and builder as quickly as a substantial portion of lumber industry production could be converted to this size, a formal request was made to the Federal Housing Administration on October 5, 1962, for acceptance of the new 1½-inch dry lumber as a nonstandard size stamped in accordance with the present ALS procedures.

I emphasize that the request was not for approval of the 1½-inch dry lumber as a new standard size, rather, the request was for its acceptance as a nonstandard item. The request for FHA acceptance for a nonstandard lumber size is not unusual. FHA presently accepts 1 9/16-inch, ¾-inch, and 11/16-inch lumber, all of which are nonstandard sizes manufactured by both dry and green producers.

However, I am advised that FHA has declined to accept the new nonstandard 1½-inch size lumber and has told the representatives of the lumber industry who are interested that it is not likely that they will accept the new size very soon.

By way of background, it is important to note that those who requested the new nonstandard size approval by FHA wrote on November 29, 1962, a second letter to FHA explaining the adequacy of the new dry lumber size and asking for FHA acceptance to permit production of lumber to the new dry size to begin by January 1, 1963.

FHA had already received technical data to substantiate the adequacy of new dimensions over presently consisting FHA spans for joists and rafters. A letter of approval of the new lumber size was drafted by FHA and acceptance of the new size, as a nonstandard item, was promised, provided that the adequacy of the new lumber size over present FHA spans would be verified by the U.S. Forest Products Laboratory in accordance with FHA procedures.

The Director of the U.S. Forest Products Laboratory reported to FHA in writing that the new 1½-inch dry size was equal to or superior to the 1⅝-inch green lumber which has been accepted over present spans by FHA for many years. The Director of the U.S. Forest Products Laboratory also stated that the Laboratory would have no objection to the use of the new 1½-inch lumber over present FHA spans.

At this point in the Record I would like to have the full text of that letter inserted. Upon receipt of the letter from the Director of the Forest Products Laboratory, FHA technical personnel raised certain questions relative to lumber shrinkage which required additional clarification. These questions were answered in a second letter from the Forest Products Laboratory, reaffirming the Forest Products Laboratory's shrinkage data used in the original lumber industry calculations.

The second letter also reiterated the adequacy of the 1½-inch dry lumber over present FHA spans and its strength and stiffness superiority over green lumber. More than 4 months have now elapsed since the initial negotiations with FHA of acceptance of the new lumber sizes as nonstandard sizes. Hundreds of dry lumber producers have been standing ready to provide the new 1½-inch lumber, and are still awaiting FHA acceptance.

Discussions with officials at FHA apparently have revealed that the continued delay in granting acceptance has been due not to technical considerations, but, rather, has resulted from objections raised by certain producers who see in this progressive move of the lumber industry a competitive disadvantage. These objections, I am told, are not technically substantiated and are at variance with the technical information presented by the U.S. Forest Products Laboratory.

Therefore, they must be attributed solely to competitive interests. It is most unusual that FHA would give any recognition to such opposition from those who either cannot or choose not to produce a nonstandard lumber size. Those who do desire to make the new size desire to produce it in accordance with high standards of quality and in the best interests of the builder, specifier, and the home buying public.

Leaders in the home building industry have indicated that they would welcome the more efficient new dry size and would specify such material, as soon as FHA acceptance was granted.

If FHA minimum property standards—designed to protect the mortgage guarantee made by the FHA which translates decisions into an assurance of quality to the home buyer—are to be of greatest benefit to the home buyer, they must be based upon sound technical data and not be influenced by competitive producer interests.

If it is possible for producers of one type of lumber to prevent the acceptance by FHA of another lumber product, then it seems also logical that political pressure applied by competing materials, such as aluminum, steel, and brick, might also have an effect upon FHA acceptance of lumber, or plastics, or any other competitive building product.

The FHA minimum property standards have come to be regarded as model regulations for good construction, despite minor objections from builders, specifiers, and producers.

It is incomprehensible, therefore, that future acceptability of new materials and methods designed to provide for better and more economical home construction could be influenced by objections from manufacturers of competitive products. Yet the unwarranted delay in gaining approval of a slightly modified lumber size, over a 4-month period, should serve as a warning to all groups who recognize the importance of sound, unbiased construction requirements by FHA guaranteed homes.

Mr. Speaker, this is the matter that I call to the attention of all Members of the House, and I am certain many will wish to investigate this matter for themselves:

U.S. Department of Agriculture,
Forest Service, Forest Products
Laboratory,
Madison, Wis., December 6, 1692.

Mr. Neil A. Connor,
Federal Housing Administrator.

Dear Mr. Connor: I have gone over the attachment to your letter of November 30 with some of the technical people here at the Laboratory.

We have no objection to your acceptance of the new 1½-inch dry dimension lumber over present FHA spans on an interim basis, pending the reanalysis of the stress data and design criteria which apply to FHA joist and rafter span tables. I would like to add that the performance of the new 1½-inch dry dimension lumber is equivalent to or slightly greater than the green lumber now being surfaced to present American Lumber Standards sizes.

Furthermore, I would like to offer our assistance to you and others in the above reanalysis. I would suggest that some such statement as follows be added to the end of the second paragraph of your letter to Gerry Prange of NLMA: "* * * for acceptance over present FHA spans on an interim basis, pending the reanalysis of the stress data and design criteria which apply to FHA joist and rafter span tables."

With best wishes for the holiday season.

Sincerely,

Edward G. Locke,
Director.

U.S. Department of Agriculture,
Forest Service, Forest Products
Laboratory,
Madison, Wis., December 28, 1962.

Mr. Richard J. Canavan,
Assistant Commissioner for Technical Standards, Federal Housing Administration, Washington, D.C.

Dear Mr. Canavan: In reply to your conference telephone call with Neil Connor, I want to say that the shrinkage values of wood which the Forest Products Laboratory uses and recommends are those printed in table 39 of the Wood Handbook (1955 edition), rather than the curves shown on page 319.

On December 18 and 19, a meeting was held here at the Forest Products Laboratory and attended by representatives of the western and southern lumber producers, including two representatives of green producers, and the National Lumber Manufacturers Association. The purpose of this meeting was to discuss the relation between the size of green lumber and the equivalent dry size at an average moisture content of 15 percent. This naturally led into a thorough discussion of the shrinkage values for the major lumber species. Because of variations in shrinkage, moisture content, and grain orientation in lumber, average values must be used. Our calculations indicate that the proposed new dry sizes, 1½ inch in thickness and present ALS widths, are equal or slightly greater in strength and stiffness than the present standard ALS sizes dressed green. Therefore, I see no reason why the present span tables should not apply to the new dry size on an interim basis, pending the reanalysis of the stress data and design criteria which apply to FHA joist and rafter span tables.

My best wishes for the new year.

Sincerely yours,

Edward G. Locke,
Director.

ACCEPTANCE BY FEDERAL HOUSING ADMINISTRATION OF NONSTANDARD LUMBER

Mr. BERRY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Dowdy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota.

There was no objection.

Mr. DOWDY. Mr. Speaker, I would like to add a few observations of my own to those that have been made with regard to the Federal Housing Administration's acceptance of nonstandard lumber in housing insured by the FHA. Present FHA minimum property standards require that the "moisture content of framing lumber shall not exceed 19 percent at the time of installation," and that "the minimum dressed dimensions shall comply with the American lumber standards." Of the many sound reasons for standard lumber sizes, perhaps the most important is to establish a basis for the preparation of minimum span tables for joists and rafters. To prepare span tables, it is essential to know that the lumber used in the structure is the same as that used in the calculations. In recent years, a practice of dressing lumber in the green condition has become commonplace in certain lumber-producing regions. Those familiar with the performance of lumber know that it must be dressed in a seasoned condition at the time the lumber is manufactured at the mill to be able to qualify for use on present FHA spans.

Therefore, in order to comply with present FHA requirements, all unseasoned lumber used in FHA-insured homes should have span reductions of 5 percent. If FHA were enforcing its present requirements, unseasoned lumber would not be allowed to be used on FHA spans, which are predicated on full ALS sizes. Since a major portion of the lumber now going into FHA projects is unseasoned, it must be assumed that FHA is not enforcing its present standards.

While I cannot vouch for the technical adequacy of 1½-inch dry lumber, I certainly concur in the gentleman's judgment that the FHA should limit its acceptance of new products to a technical decision of the adequacy of such products and not become enmeshed in the question of competitive advantages or disadvantages for other products.

CONGRESSIONAL SNOW JOB

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, because some of us have been demanding the same sort of justification for the expenditure of taxpayers' funds abroad that Congress has always required in the expenditure of funds at home, officials in the State Department have seen fit to do a "snow job" on some of the new members of the House Foreign Affairs Committee.

I have here, Mr. Speaker, an official publication of the U.S. Department of State and ask that it be placed in the Record at this point for the benefit of all Members, as some may wish to visit with the Secretary about it:

House GOP Names Five Conservatives To Fill Foreign Affairs Posts—Move Seen Increasing Opposition to Kennedy Foreign Aid Plans—Lone Internationalist Named

Washington.—House Republicans elected five conservatives to fill vacancies on the Foreign Affairs Committee, a move that promises increased committee opposition to foreign aid and other Kennedy administration proposals.

Only one so-called internationalist, Representative Morse, of Massachusetts, was named with the conservative group. Several other easterners, including Representatives Lindsay and Reid, of New York; Sibal, of Connecticut; and Tupper, of Maine, were rejected. All new committee assignments were recommended by the conservative-dominated Republican committee on committees, headed by House Republican leader Halleck, of Indiana.

YOUNG REPUBLICAN MOVE FAILS

Young Republicans in the House, who 2 weeks ago engineered the surprising replacement of Representative Hoeven, of Iowa, by Representative Ford, of Michigan, as chairman of the Republican conference, had hoped to exert their influence on the committee assignments. However, none of the young Members is on the committee on committees and their efforts had little success. Vacancies on the Appropriations and Ways and Means Committees also went to conservatives.

All the committee vacancies were the result of either retirements or November election defeats. Democrats generally expressed surprise and dismay at the Republican choices.

The five conservatives elected to the Foreign Affairs Committee are Representatives Gross of Iowa, Berry of South Dakota, Derwinski of Illinois, Battin of Montana, and Thomson of Wisconsin. Last year, all five voted against the foreign aid authorization and appropriations bills and the United Nations bond bill. The other new committee member, Representative Morse, supported these measures. Of the six Republicans who formerly held these committee spots, only one, Representative Church of Illinois opposed the foreign aid bills last year.

HALLECK'S VIEWS REFLECTED

The new committee assignments reflect Republican leader Halleck's general unfriendliness toward foreign aid.

The five conservatives also are expected to oppose aid for Communist nations. Mr. Derwinski last year led the fight to cut off foreign aid to Yugoslavia and Poland. The administration's dealings with the Republican committee members may be especially difficult this year because of the November defeat of Representative Judd of Minnesota, the leading House Republican spokesman on foreign affairs and a moderate who often sided with the administration.

The three Republican conservatives named to fill vacancies on the Appropriations Committee are Representatives Harrison of Wyoming, Reifel of South Dakota and Wyman of New Hampshire. However, their election does not significantly affect the complexion of the committee because they replace three other conservative Republicans. Similarly, the election of Representative Collier of Illinois to replace Representative Mason of Illinois on the Ways and Means Committee represents the substitution of one conservative for another.

Ronald Brooks Cameron

A Democrat from the 25th District—eastern Los Angeles—of California, a certified public accountant by profession. He defeated freshman Representative John Rousselot, one of the two avowed members of the John Birch Society in the Congress. Representative Cameron ran as an outspoken supporter of the Kennedy administration. "Mine is strictly a New Frontier effort," he said. He favored medical care for the aged under social security, Federal aid to education, liberalized foreign trade, and the Alliance for Progress.

Donald M. Fraser

The other new Democrat on the committee. He represents the Fifth District—Minneapolis—of Minnesota. He received his LL.B. from the University of Minnesota and is a lawyer by profession. He defeated nineterm Representative Walter H. Judd, the strongest advocate of foreign aid on the Republican side of the committee. Speaking during the campaign, Fraser said the foreign aid cut adopted by the House in 1962 demonstrates impatience on the part of many Americans; an impatience which may prove costly to American security. On foreign policy in general, he said, "We should move in several ways in a peace offensive. We should explore with renewed vigor the possibility of nuclear test bans, and possible limited disarmament proposals. We should act to give the United Nations new strength through better financing and a permanent Military Establishment. We should seek a Berlin solution which will move the Iron Curtain away—instead of toward—the West."

H. R. Gross

A Republican who has represented the Third District of Iowa (western half) since 1949. He called for a "thorough shake up of the State Department," because "not only has the State Department failed time after time to properly assess foreign developments and thereby failed to make immediate and proper decisions, but it has repeatedly dictated to all other departments and agencies of the Government."

During the United Nations loan debate in 1962, he asked, "Why should the taxpayers be required to pay for the derelictions of the Soviet bloc and certain other nations?" On the Trade Expansion Act of 1962, he wondered if the President was talking about the fundamental American economics studied by every schoolboy when the President requested broad powers to lower tariffs.

E. Y. Berry

A Republican who has represented the Second District of South Dakota (western half) since 1950. He is a lawyer and has been a newspaper editor and publisher. On foreign aid in 1961 he said, "The program to date has not been a success. No one denies the wanton waste, mismanagement, and failures occasioned by bureaucrats who many times are more interested in making a record than in making a friend."

Edward J. Derwinski

A Republican from Chicago, representing the Fourth District since 1959. He is a businessman, past president of the West Pullman Savings and Loan Association, and was selected by the Chicago Junior Association of Commerce and Industry as one of Chicago's Ten Outstanding Young Men for 1959 and 1961. He is one of the sponsors of a Special Committee on Captive Nations and has taken the Department to task on its adverse position. Speaking about the United Nations loan last year he said, "It would be only another tragic chapter in the vacillating, fumbling, confused, and misdirected foreign policy which the Kennedy administration seems so intent on practicing."

Vernon W. Thomson

A Republican of Richland Center, Wis., representing the Third District since 1961. He is a former Governor (1957–59), defeated by Gaylord Nelson (now Senator) in 1958. He has served in various elected public offices since 1933, having been an assistant district attorney, mayor of Richland Center, and speaker of the State assembly. He is domestically oriented in particular to the needs of the farmers in his district, as illustrated by his opposition to the lowering of tariffs in 1962. "My district is made up of small communities and farms. The loss of even a few jobs would be a tragedy. The United States is not a high tariff Nation even now. The tariffs in the last 20 years have been slashed unmercifully."

James F. Battin

A Republican from Billings, Mont., representing the Second District (eastern half) since 1961. He is a lawyer, receiving his LL.B. in 1951 from George Washington University. Speaking to Representative Halleck, minority leader, he said: "I will be with you on most issues. But on others I won't be, because I am just not that liberal."

F. Bradford Morse

A Republican from Lowell, Mass., representing the Fifth District since 1961. A lawyer, he served as attorney for the Senate Committee on Armed Services, 1953–54; executive assistant to Senator Saltonstall, 1955–58; and deputy administrator of Veterans' Affairs, U.S. Government, 1958–60. He has called for a reorganization of this country's foreign policy machinery and personnel to include more emphasis on executive ability in recruiting new members for the

Foreign Service. He concurs with the Perkins and Herter reports, including the recommendation for an academy.

NOT ONE PENNY TO CUBA

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, it is absolutely incredible that the United Nations should give a single penny to Cuba under the circumstances as presently exist. And it is the worst kind of sophistry for anyone connected with the United Nations to try to say that this is not money, at least in part, produced by the taxpayers of the United States. We all know that 40 percent of the money that goes into the U.N. special fund is contributed by American taxpayers.

Mr. Speaker, this ought to put the Members of Congress on notice. If this sort of thing is to be persisted in, the United Nations should get not another stinking penny from the Congress of the United States for the support of any part of that outfit.

MIGRATORY LABOR PROBLEM

Mr. BENNETT of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT of Florida. Mr. Speaker, for a number of years last past, I have introduced at the various sessions of Congress legislation dealing with the migratory labor problem. It is my opinion that this problem should be primarily faced by the enactment of a moderate and conservative type of minimum wage law, because this puts the burden where it should be, upon those who produce the products and sell them and upon the consumer, rather than upon the general taxpayers of the United States. This is just as we do in other things in our economy. Several weeks ago I reintroduced such legislation.

Mr. Speaker, I have today introduced other legislation, this being along the lines of legislation which we passed last year which contained the idea of using general taxation to meet some of the problems of the migratory labor problem.

The first measure I have introduced today would benefit both growers and migrant laborers by assisting the States in establishing day-care services for children of these workers. It is my understanding that grower groups support this legislation and it is my hope it can be enacted this session. The bill authorizes $750,000 for matching grants to States to provide and operate these centers, which would not only provide supervision for the children whose parents work in the fields but relieve growers of a safety and efficiency problem presented by the presence of these young nonworking children.

The next bill would provide $2 million annually for 4 years to help improve sanitation facilities for migrant workers. Many growers have tried to remedy this very serious health problem but have often been prevented from doing so by lack of adequate financing. This measure would give assistance in the construction or renovation of sanitation facilities and provide funds for surveys by States lacking adequate data concerning the need for these facilities.

The third bill would deal with what all have recognized as abuses by the so-called crew leader or middleman recruiter between the workers and the farm employer. It would require a license for these contractors which would be revoked if they committed such acts in connection with their work as, first, lying to workers about wages, hours, or working conditions; second, breaching agreements with farm employers; third, breaching agreements with migrant workers; and, fourth, being convicted under a State or Federal law relating to gambling, prostitution, alcoholic liquors, or narcotics.

The fourth bill would insure that in all future legislation, problems, and projects in this field—the voice of all interested groups, farm employer, labor and others—would be heard and contribute to possible solutions. I have been impressed by the concern already shown not only by the public, but growers and representatives of migrants alike for improvement. I hope that my colleagues on both sides of the aisle will join in this effort.

This legislative package is a moderate and comprehensive approach to the extremely difficult problems of growers and their employees.

Mr. Speaker, I sincerely hope that this Congress can come to grips with this very important subject matter, and do something in this field, whether through the legislation which I have introduced, or whether through some other legislation which may be brought forth by others at this session of Congress.

OUR NATION'S YOUTH—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 66)

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee of the Whole House on the State of the Union, and ordered to be printed:

To the Congress of the United States:

"The youth of a nation," said Disraeli, "are the trustees of posterity." The future promise of any nation can be directly measured by the present prospects of its youth. This Nation—facing increasingly complex economic, social, and international challenges—is increasingly dependent on the opportunities, capabilities, and vitality of those who are soon to bear its chief responsibilities. Such attributes as energy, a readiness to question, imagination, and creativity are all attributes of youth that are also essential to our total national character. To the extent that the Nation is called upon to promote and protect the interests of our younger citizens, it is an investment certain to bring a high return, not only in basic human values but in social and economic terms. A few basic statistics will indicate the nature and proportion of our need to make this investment.

I

This is still the greatest nation in the world in which a child can be born and raised. His freedom, his security, his opportunity, his prospects for a full and happy life are greater here than any place on earth. We do not conceal the problems and imperfections which still confront our youth—but they are in large part a reflection of the growing number of youth in this country today.

The annual birth rate since 1947 has been 30 percent higher than it was in the 1930's. As a result, the number of youth under 20 rose from 46 million in 1945 to 70 million in 1961, increasing from 33 percent to 39 percent of the total population in that period. At present birth rates, they will number 86 million by 1970. We are a young nation, in every sense of the word.

This onrushing tide of young persons has overcrowded our education system, from the grade schools to the high schools, and is now beginning to overflow our colleges, our graduate schools, and the labor market. This year the number of persons 16 years of age will be more than a million greater than last year, for an increase of 39 percent. And in terms of the number of youths in the potential labor market bracket, ages 14 to 24, the amount of the increase in this decade over the previous decade—some 6 million youths—is nearly 15 times as high as the increase which occurred in the 1950's. Overcrowded educational facilities are a familiar problem. Youth unemployment is an increasingly serious one.

Unemployment among young workers today is 2½ times the national average, and even higher among minority groups and those unable to complete their high school education. During the 1960's 7½ million students will drop out of school without a high school education, at present rates, thereby entering the labor market unprepared for anything except the diminishing number of unskilled labor openings. In total, some 26 million young persons will enter the job market for the first time during this period, 40 percent more than in the previous decade. Already out-of-school youths age 16 to 21, comprise only 7 percent of the labor force but 18 percent of the unemployed. During the school months of 1962 there were on the average 700,000 young persons in this age category out of school and out of work.

Other new or growing problems demand our attention. Our young people are raised in a more complex society than that experienced by their parents and grandparents. Nearly two-thirds are now reared in metropolitan or suburban settings, unlike the rural and smalltown societies of an earlier era. One family in five moves each year.

One-third of the labor force now consists of women, 36 percent of whom are mothers with children under 18.

In the last decade, juvenile delinquency cases brought before the courts have more than doubled, and arrests of youths increased 86 percent until they numbered almost 1 million arrests a year in 1960, 15 percent of all arrests.

While new problems arise, old problems remain. Young people are particularly hard hit by the incidence of poverty in this country—where, despite a rapid average increase in disposable income and living standards, the 20 percent of the population at the bottom of the economic ladder still receives only 5 percent of personal income, the same as in 1944.

Rich or poor, too many American children—while taller and heavier than their parents—are still not achieving the physical fitness necessary for maximum performance. Data from the National Health Survey in 1958 show that 4 million children and youth under age 24 had one or more chronic health defects. In a recent survey of 200,000 school children in grades 4 through 12, nearly one-third failed minimum physical achievement tests and over 75 percent failed to reach satisfactory levels in a more comprehensive physical performance test. Although infant mortality has decreased 75 percent since 1900, the decline has leveled off in the last 10 years, and our rate is still higher than that, for example, of Sweden. Some States have an infant mortality rate double that of others. Ten other countries have a higher average life expectancy span than our own. The lack of adequate medical, educational and cultural opportunity is reflected in the grim statistics on 5 million mentally retarded, discussed in an earlier message, and in the 43 percent rejection rate among selective service inductees. Even during the Second World War, when physical and mental standards were not as high, 30 percent, or over 5 million young men, in the 18-37 age group failed their induction examinations.

These figures relate, of course, only to the problems that remain, without stressing the gains we have made. These gains have been very great indeed. As a nation we can be proud of all that we have done for our youth—in improving their opportunities for education, health, employment, recreation and useful activity. All Americans recognize that our children and youth are our most important asset and resource. But there are few resources in this country with a potential so largely undeveloped.

We cannot be complacent about the impediments to their development which still remain—about the opportunities they are denied—about those segments of our youth population not enjoying the opportunities enjoyed by others. If, for the sake of our Nation as well as their own families, our children and young people are to grow into productive adult members of society and bear the responsibility of the legacy we leave them—that of the world's most powerful and economically advanced nation—then all of them must have the fullest opportunity for moral, intellectual, and physical development to prepare adequately for this challenge.

Although the resources and the leadership of the Federal Government are essential to this effort, it is States and local communities that have the primary responsibility of supplementing the family effort in protecting and promoting the interests of children and youth. The Federal Government's challenge is to aid the States and local communities in this role. The purpose of this message, and the proposals it contains, is to make clear the role of the Federal Government—to focus and coordinate existing and proposed efforts which are appropriately within its area of responsibility. The statistics cited above make it clear that our youth deserve and require a better chance. We must afford them every opportunity to develop and use their talents. If we serve them better now, they will serve their Nation better when the burdens are theirs alone.

II. YOUTH EMPLOYMENT

The employment prospects of youth depend on the general level of economic activity in the Nation, as well as on specific efforts to increase opportunities for young persons. The high level of unemployment which the Nation has experienced for the past 5 years has had sharply aggravated effects in this age group, as shown by the statistics earlier cited.

I have already proposed tax and other measures designed to quicken the pace of economic activity, to increase the prospects for full employment, and thereby to diminish the incidence of youth unemployment. But the rate of youth unemployment will still remain disproportionately high for some time unless other, more direct measures are adopted. Our young persons are caught in crosscurrents of population growth and technological change which hold great danger as well as great promise.

While the number of young persons entering the labor force will increase sharply in this decade, augmented by an excessive number of school dropouts, many of the traditional occupational opportunities for young and relatively unskilled workers are declining. For example, as a result of the technological economic changes of the last decade and more, it is not likely that more than 1 out of every 10 boys now living on farms will find full-time work in agriculture.

New programs recently begun by the Federal Government and by public and private organizations throughout the Nation are devoted to stimulating employment of youth. Under the Manpower Development and Training Act of last year, the Federal Government is assisting State and local officials to provide additional training for out-of-school youth at the community level. The 1,900 local public employment offices provide counseling, testing, and placement services for young workers, including the use of demonstration projects to assist school dropouts to obtain employment.

My Committee on Youth Employment, consisting of Cabinet officers and distinguished public members, having studied these efforts and problems, has reported to me that the immediate need for additional youth employment opportunities is critical. The administration's youth employment bill, which received wide endorsement when introduced in the Congress, is designed to meet this need.

Early enactment of this measure would spur Federal leadership and support to programs which would provide useful jobs and training for young persons who need them. The 1964 budget recommendations include $100 million in authorizations for the first year of this program, consisting of two distinct activities. First, a Youth Conservation Corps would be established, putting young men to work improving our forests and recreation areas. This would initially provide useful training and work for 15,000 youth. Second, the Federal Government will provide half the wages and related costs for young persons employed on local projects that offer useful work experience in nonprofit community services—such as hospitals, schools, parks and settlement houses. Forty thousand youths can be employed in the first year in this part of the program.

This bill is a measure of the first priority. The effects of unemployment are nowhere more depressing and disheartening than among the young. Commonsense and justice compel establishment of this program, which will give many thousands of currently unemployed young persons a chance to find employment, to be paid for their services, and to acquire skills and work experience that will give them a solid start in their working lives.

I urge the Congress to enact at the earliest opportunity the Youth Employment Act which is so vital to the welfare of our young people and our Nation.

III. THE NATIONAL SERVICE CORPS

The youth employment bill should not be confused with a second important proposal—the National Service Corps. The youth employment program is designed for those young people who are in need of help—the unemployed, the unskilled, the unwanted. It is intended to boost the economy, to reduce unemployment, to train more young workers who would otherwise be idle. The National Service Corps, on the other hand, is designed for those citizens of every age, young and old, who wish to be of help—whose present skills, jobs or aptitudes enable them to serve their community in meeting its most critical needs, and whose idealism and situation in life enable them to undertake such an assignment on a volunteer basis. While it is conceivable that the type of projects assisted under these two programs could at times coincide, it is clear that their emphasis is wholly distinct. The youth employment bill will advance this Nation's material wealth and strengthen its economy. The National Service Corps, which will not be limited to young people, will add to and make use of this Nation's wealth of idealism and strengthen its spirit.

The logic and value of a National Service Corps has been demonstrated by the work and success of our Peace Corps overseas, as further mentioned below.

While admiring the work of these volunteers in carrying their skills and ideals to assist the needy in other lands, it is equally clear that the opportunities for service are also large here at home. Although the United States is the wealthiest Nation the world has ever known, the poverty of millions of our people, and the need for training, assistance, and encouragement in numerous corners of our country, from teeming slum areas to those depressed rural areas virtually bypassed by technological and economic progress, provide fertile fields for those citizens with the desire and the ability to be of assistance.

Last November, I appointed a special committee to investigate the feasibility of applying the Peace Corps principle to the domestic scene. The committee consulted State, county and local officials and hundreds of organizations around the country, as well as the professional fields that would be most concerned with the use of volunteer workers. Its report, submitted last month, observing the cruel paradox that, within the richest and most powerful nation in the world, one-sixth of our population lives on a submarginal level, recommended the creation of a voluntary service corps to help meet the problems of our own communities and citizens in distress. This is not only a constructive channel for youthful energy and idealism. Many of our senior citizens indicated their willingness to participate in this endeavor. The thousands of mature and able persons who stand ready to volunteer their services to improve community activities should be afforded the opportunity to do so.

Through the years millions of Americans have served their communities through the willing donation of their time and skill to voluntary private service organizations. But in a population growing in numbers, urbanization and the recognition of social problems, we need not only more professional personnel—more doctors, nurses, teachers and social workers—but an even greater number of dedicated volunteers to support the professional in every area of service.

I, therefore, recommend legislation to establish a National Service Corps—a small, carefully selected volunteer corps of men and women of all ages working under local direction with professional personnel and part-time local volunteers to help provide urgently needed services in mental health centers and hospitals, on Indian reservations, to the families of migrant workers, and in the educational and social institutions of hard-hit slum or rural poverty areas.

This small task force of men and women will work in locally planned and initiated projects, at the invitation of community institutions, and under local supervision. The community's chief goal should properly be the development of the project to the point where local volunteers or paid staff workers could take over permanently the tasks initially undertaken by the corpsmen; and it is to be hoped that the example of men and women rendering this kind of full-time voluntary service would motivate many more Americans to participate on a part-time basis. This is not, I repeat, a constructive channel for youthful energy and idealism only. Many of our senior citizens indicated their willingness to participate in this endeavor.

IV. YOUTH AND THE PEACE CORPS

Nowhere is the profile of the best of American youth better drawn than in our Peace Corps volunteers. In the 2 years of the Peace Corps' growth from idea to rewarding reality, almost 45,000 American men and women, the majority of them young in years, all of them young in spirit, have volunteered their services. In January 1963, alone, the Peace Corps received 4,345 applications, almost five times the number received during the same period last year. This response reveals much that is reassuring about the generation which is heir to this country's traditions.

For these young Americans clearly recognize their obligation to their country and to mankind. They are willing to devote 2 years of their lives to serve the cause of a better, more peaceful world, no matter how distant, inconvenient or even hazardous that task may prove to be. Both capable and adaptable, they have demonstrated throughout the world a sense of purpose which has brought increased respect and admiration to their country as well as to themselves.

The Peace Corps has permitted more Americans from more walks of life to exhibit more of these qualities on a more generous scale than ever before in the history of this country. Whether they work as teachers, farmers, health workers, surveyors, construction workers, or in a wide variety of other fields, they are making meaningful contributions to international understanding. The most objective and effective appraisal of their contributions can best be found in the fact that every single country where Peace Corps volunteers are at work has requested more of them.

At the beginning of 1962, there were 750 volunteers at work or in training for service in 12 countries. By the same date in 1963 there were 4,350 volunteers, almost 4,000 of them 30 years old or younger, in training or in service in 44 countries. By the end of the summer, their number is expected to increase to 9,000. And requests for more volunteers continue to be received more rapidly than they can be met. I recommend, therefore, that the existing Peace Corps authority be renewed and expanded to permit a corps of 13,000 volunteers by September of 1964.

V. JUVENILE DELINQUENCY

The Peace Corps and the proposed National Service Corps provide ideal opportunities for service to those young people—as well as many older citizens—whose background, training, aptitude and idealism motivate them to seek an enriching experience before taking up or resuming their chosen careers. But we do not delude ourselves into thinking that all young Americans are blessed with these qualities. There is another side of the picture—the school dropouts, the untrained and the unemployed and the underprivileged, the nearly 1 million young Americans arrested for infractions of the law, the growing number sent to correctional institutions.

A common subject of discussion in midcentury America is assigning the blame for our mounting juvenile delinquency—to parents, schools, courts, communities and others, including the children themselves. There is no single answer—and no single cause or cure. But surely the place to begin is the malady which underlies so much of youthful frustration, rebellion and idleness; and that malady is a lack of opportunity.

This lack cannot be cured without a more perfect educational and vocational training system, a more prosperous full employment economy, the removal of racial barriers, and the elimination of slum housing and dilapidated neighborhoods. In other messages, I have spelled out the Federal Government's role in helping each community to meet these needs.

In addition, the 87th Congress recognized that juvenile delinquency is of direct national concern, and that the Federal Government should mobilize its resources to provide leadership and direction in a national effort (a) to strengthen and correlate, at all levels of government, existing juvenile and youth services, (b) to train more personnel for juvenile and youth programs, and (c) to encourage research and planning for more effective measures for the prevention, treatment, and control of juvenile delinquency. Under the Juvenile Delinquency and Youth Offenses Control Act of 1961, a program of grants for demonstration projects, training programs, and technical assistance to local communities is administered by the Department of Health, Education, and Welfare, in close cooperation with the President's Committee on Juvenile Delinquency and Youth Crime which I established in May 1961.

Over 50 demonstration, training, and action projects in as many communities around the country seek to integrate the resources of the family and the community with the worlds of education and employment in the effort to make a fuller life available to all our youth. They seek a more effective coordination of community resources and services, as well as Federal aid, to increase the capacity of each local community to provide all young citizens with a maximum of opportunity.

These programs are barely underway—their results cannot be measured for some time—but it is imperative that those measures already started be completed while the local communities carry on and improve their own programs for the prevention, control, and treatment of juvenile delinquency. The Juvenile Delinquency Act of 1961 authorized a 3-year program. I therefore recommend that the act be continued for 3 more years and necessary appropriations be authorized.

VI. FAMILY WELFARE

A child's opportunity and development are shaped first and most by the strength or weakness of his home and family situation. At least one out of eight children is affected by divorce, desertion, or mental illness in the family. Some 16 million children live in families with incomes so low that Federal income tax reduction is of no direct benefit because they are not required to pay taxes now.

State and local governments and private agencies, representing a broad range of educational, economic, legal, religious, and other interests, have a vital role to play in strengthening the family. The Federal Government, in addition to broad policies aimed at increasing employment and improving the general health and welfare, finds its most direct and substantial contribution through the benefit programs for family units whose breadwinner is listed as dead, disabled, deserted, or unemployed.

The major changes in the public welfare programs which I recommended last year and which the Congress enacted represent a major Federal contribution to family welfare. To help reduce dependency and rehabilitate families, the new law authorizes increased Federal assistance and encouragement to the States to improve their programs for children, including families where the father is looking for work and living at home. In addition to financial aid to these families, increased emphasis is placed on professional social and child welfare services directed at the roots of dependency. Federal assistance for training and research in these professional fields, as well as for aid and professional services to children and their families, will help the States cope with the tremendous challenge of dependency. To this end my budget request for fiscal year 1964 includes substantial increases in funds for aid to children through the public assistance and child welfare grant programs and for improved services to reduce dependency. Supplemental funds have been requested for 1963 to provide day care services for the children of working mothers, as well as other services authorized by the 1962 welfare amendments. The needs of children should not be made to wait. I urge the Congress to appropriate adequate funds to support these humane and vital programs.

The new Welfare Administration recently established within the Department of Health, Education, and Welfare has also taken administrative action to enable needy families to reserve a portion of their income for the future needs of their children. Thus, a youth may accept employment and save his earnings for future education or training without the family's welfare payment being reduced by the amount of his earnings. These and other steps are designed to break the depressing and disheartening cycle of transmission of dependency from generation to generation. But unless the States take the necessary steps to put the new Federal law and policies into effect, we shall not achieve our objectives. I urge the States and the District of Columbia to take prompt action to implement fully the 1962 amendments.

I have already indicated my concern over the urgent need to provide improved services for children and youth in the District of Columbia. The Nation's Capital should be a leader and example in giving young people full opportunity for the full development of their capacities, whether they are living in their own homes or must be provided for in other settings. I hope that Congress and the District government can cooperate to make a wide range of high quality services to children and youth available in the District of Columbia.

VII. YOUTH EDUCATION

The most direct, rewarding, and important investment in our children and youth is education. A high rate of investment in education is essential for our national economic growth, our scientific advancement, and our national security. Maintaining the broadest possible opportunities in education is essential to the maintenance of democratic government and to the attainment of our social, cultural, and economic aspirations.

Yet millions of our young men and women do not have proper educational opportunities. As a result, they do not fully develop their intellectual capacities and take their proper place as productive, adult members of society. To strengthen our educational system, we must increase both the quantity and the quality of our educational facilities and services, providing an opportunity for every young American to achieve the highest level of his capacity. It is to these problems that the program outlined in my recent message on education was addressed. I again urge action on a comprehensive Federal program to meet critical education needs.

VIII. YOUTH HEALTH AND PHYSICAL FITNESS

Most American children enjoy excellent health. The devastating, infectious diseases that were once the scourge of childhood—diphtheria, scarlet fever, measles, and whooping cough—have declined by 98 percent as causes of fatal illnesses since the turn of this century. Yet we have come only part of the way.

Many of our children are handicapped at birth because of inadequate health care for the mother and infant. Although we have made progress in reducing infant deaths, the infant mortality rate in 1961 in this country was higher than that of nine other nations. In fact, our relative standing has declined in the last 10 years due in large part to inadequate prenatal and postnatal care among our economically disadvantaged groups.

In my recent message on mental illness and mental retardation, I recommended legislation enabling the Federal Government to stimulate our communities to meet this problem. I again urge that the Congress enact legislation (1) for new project grants rising from $5 million the first year to $30 million in the third year to help develop comprehensive maternal and child health care services for those who are unable to pay, (2) to increase the authorization for maternal and child health grants by $25 million, and (3) to increase the authorization for grants for the crippled children's program by a similar amount.

Disturbing figures on child health and Selective Service rejection rates have already been cited. About one-fifth of American youth currently examined by Selective Service were rejected for conditions which might have been remedied had timely attention been provided. School health programs can play an effective role in identifying and correcting these problems. I am, therefore, asking the Secretary of Health, Education, and Welfare to put a high priority on the Department's studies of school health programs and to make recommendations regarding any action which may be required.

We must also continue to battle infectious and communicable diseases which strike at our youth. The last Congress enacted legislation, at my request, authorizing a major campaign to control or eradicate diphtheria, tetanus, whooping cough and polio through a comprehensive nationwide program of immunization. Medical research also stands on the brink of success in developing an immunizing agent against measles. I urge prompt approval of the supplemental appropriation request submitted to the Congress last week to initiate this immunization program.

The incidence of venereal disease is again on the rapid rise, particularly among teenagers. Acting on the recommendations of a panel of eminent medical advisers, I recommended last year and the Congress endorsed the initiation of a major 10-year program of Federal grants and direct action aimed at the total eradication in this country of this age-old scourge of mankind. This program will continue with intensive effort.

Finally, good physical fitness is essential to good physical and mental health. If our young men and women are to attain the social, scientific and economic goals of which they are capable, they must all possess the strength, the energy and the good health to pursue them vigorously. My Council on Physical Fitness has given leadership and direction to programs aimed at achieving this goal, and with a heartening response.

During the 1961–62 school year, 56 percent of the 108,000 public schools strengthened their physical education programs. Some 2,000 of the 16,500 private and church-related schools offered physical education for the first time. With the help of the medical profession, health appraisals have been provided for additional thousands of pupils.

Once again, I strongly urge those schools which do not provide adequate time and facilities for physical activity programs to do so. We will continue to provide advice, guidance, and assistance to further this effort. All who can participate in the active life should do so—for their individual benefit and for the Nation's.

IX. CONCLUSION

Chronic world tensions have tended to distract our attention from those problems which have long-range rather than immediate consequences. But each passing month makes it clearer that our past failures to identify, understand and meet the many problems relating to our Nation's youth cannot be countenanced any longer. Awareness is a large part of the battle. But it is action that will spell the difference. I am convinced that the various proposals contained in this message provide an appropriate and hopeful means of translating our common concern into an action program—one that will insure that the young people of this country will truly have the opportunity to secure for themselves and their posterity the full "blessings of liberty."

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 14, 1963.*

REPORT OF COMMODITY CREDIT CORPORATION FOR THE YEAR 1962—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk and, together with the accompanying papers, referred to the Committee on Banking and Currency:

To the Congress of the United States:

In accordance with the provisions of section 13, Public Law 806, 80th Congress, I transmit herewith for the information of the Congress the report of the Commodity Credit Corporation for the fiscal year ended June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 14, 1963.*

YOUTH EMPLOYMENT ACT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the distressing situation of many of our Nation's youth, as spelled out in the President's message today, is like the rumble of far-off thunder. A storm approaches. It may not pass us by.

Our civilization—indeed, any civilization—restores its powers through continued injections of its youth into its culture, life and activity. As the President so wisely said:

> The future promise of any nation can be directly measured by the present prospects of its youth.

Too many of our youth face prospects which are bleak at best, nonexistent at worst.

Mr. Speaker, the President has announced a clarion call to action. The number of our youth is increasing at a crescendo rate. They are dropping out of school at an alarming rate, unequipped with skills for an age which favors the trained and the specialist. Even those who complete high school are poor competitors in our troublesome labor market, as evidenced by the appalling statistic that 700,000 of the unemployed work force, during the school months of 1962, were youths aged 16 to 21 years. In addition, the health of our youth is largely poor, like their declining prospects.

The Federal Government cannot afford to overlook our Nation's most important asset and resource. It must play its part, within the proper constitutional framework, in unpolluting and freshening the mainstream of American youth.

The President has proposed several sound and proper measures. The early enactment of a Youth Employment Act is urgently needed in our Nation. This measure is a direct assault on the ills of those American youth who are not only "out of school and out of work" but down on health and down on luck. For this great Nation to provide work and opportunity in the forests and parks, schools and hospitals for 55,000 of our youth in 1964, the cost will be only a fraction of that required to launch one of our medium-sized missiles.

The President's other proposals are also urgently needed. The establishment of a National Service Corps, while not designed for youth alone, will go a long way toward strengthening those fundamentals of our society which are presently a drag on our youth. At the same time, the Peace Corps, which has done so much already, should be continued and expanded.

Mr. Speaker, I urge this House, this Congress, this Nation to consider fairly and seriously all of the proposals concerning our youth which the President has made today. We cannot afford to allow our future strength to be sapped before it develops.

We cannot ignore the distant thunder. We must seed the gathering storm before it can strike. I consider the youth proposals received today as matters of highest priority. I hope all Members will do the same.

LITHUANIAN INDEPENDENCE DAY

The SPEAKER. Under the previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 days within which to extend their remarks on this subject, and to include with their remarks extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, I would like to announce that reprints will be made of today's program by the Lithuanian American Information Center with offices in New York City. If there are any Members who do not wish to have their statements reprinted, they should so advise the CONGRESSIONAL RECORD clerk, Mr. Noyes, in the Capitol Building. Otherwise, all statements and remarks made in connection with this year's Lithuanian Independence Day will be reproduced in pamphlet form.

Mr. Speaker, we interrupt the ordinary affairs of the House at this time to pay tribute to the 45th anniversary of the independence of Lithuania. We are all conscious of the terrible circumstances under which Lithuanians, like other captive peoples, are today forced to survive behind the Iron Curtain. But we may not all be familiar with the history of this ancient and sturdy people, and I would like to take this time this afternoon to outline briefly how the present suffering of the Lithuanian people contrasts with the earlier glorious role of Lithuania.

In 1009, when Lithuania was divided into many principalities, threats from abroad taught the citizens of this Baltic State that their future was dependent on the acquisition of national unity. The principalities joined together into a united state, and by the 14th century the boundaries of Lithuania extended eastward into what is now the Soviet Union and westward into what is now Poland. The union with Poland started as a result of a marriage linking the two royal houses, and was later transformed into a legal union by parliamentary action. During the Middle Ages the Lithuanians protected their powerful and independent state from attacks from both east and west; they enjoyed a degree of peace and safety unknown to their neighbors. They encouraged education and aided in the development of European civilization.

While the Communist domination of Lithuania goes back only to the Second World War, Lithuanians were familiar with Russian tyrants from earlier years.

In 1795, after the third partition of Poland, Lithuania was annexed by Russia, and numerous attempts to throw off the alien yoke proved unsuccessful. After the third revolt, the czarist government reacted by trying to replace Lithuanian language and traditions with Russian, but the Lithuanian people remained faithful to their ancient culture, even when the policy of repression was intensified after another revolt in 1863. The policy of forced "russification" was abandoned in 1905, and we may better understand Lithuanians' success today in retaining their national consciousness in the light of this long experience with foreign oppression.

In the First World War, as in the Second, Lithuania was overrun by both German and Russian Armies. The foreign invaders took a terrible toll in life and property, seizing or destroying everything that might be of use. But the defeat of Germany, coupled with the revolution in Russia, rendered conditions favorable for Lithuanian independence. In 1917 the German Government, responding to the pressure of Lithuanian nationalists, authorized the gathering of a Lithuanian national congress, which soon proposed an independent Lithuania based on ethnographic frontiers, its capital to be located at Vilnius. On February 16, 1918, 45 years ago this week, the council proclaimed an independent Lithuanian state based on democratic principles.

No sooner had the German troops evacuated Vilnius, however, when the Red army entered the city and installed a Communist government. But in 1920 Polish and Lithuanian troops drove the Red army out of the country, and Russia signed a peace treaty with Lithuania recognizing it as an independent nation and pledging itself to "all sovereign rights possessed by Russia over the Lithuanian people and territory." "The fact that Lithuania was ever under Russian sovereignty," the Soviet Union proclaimed, "does not place the Lithuanian people and their territory under any obligation to Russia." A peace settlement was negotiated with the Soviet Union, Lithuania's borders with Germany and Poland were fixed, and in 1921 the tiny nation was admitted to the League of Nations.

At home the Lithuanian people enjoyed the freedoms of speech, assembly, religion, and communication which were guaranteed by their new constitution. Great emphasis was placed on improving agriculture, the primary occupation, and a land reform program was instituted which gradually broke up the large estates and turned the Lithuanian people into a nation of small farmers. Literature flourished, improvements were made in social legislation, and the predominantly Catholic population was free to practice their religion.

All this came to an end when Lithuania was engulfed by the opposing powers in the Second World War. Having yielded their neutrality to German arms, Lithuania was forced to set up a government friendly to the Soviets, grant the U.S.S.R. airbases, and admit Soviet troops to Lithuanian soil, in contravention of a Soviet-Lithuanian nonaggression treaty which had been signed in 1926. On August 3, 1940, after a rigged election, Lithuania was declared a constituent republic of the U.S.S.R. by the Supreme Soviet in Moscow.

Under the ruthless occupation of the Soviet Union, thousands of Lithuanian lives have been lost and further thousands of Lithuanian leaders have been deported to Siberia. For much of the postwar period, the country has been closed to Western observers. While the Communists have claimed great gains in the fields of industry, agriculture, education, and culture, the few Lithuanians who have been able to escape report a lack of freedom and the imposition of Communist methods consistent with the most evil tyranny of Stalinist Russia.

The United States has never recognized the Soviet-sponsored puppet government of Lithuania, keeping faith instead with the Lithuanian people at home and abroad—including about 1 million Americans of Lithuanian descent who will never give up their national struggle for freedom. Mr. Speaker, on this 45th anniversary of Lithuanian independence, we salute the Lithuanian people everywhere and rededicate ourselves to the cause of the free world.

Hon. DANIEL J. FLOOD,
The House of Representatives,
Washington, D.C.

SIR: Your noble humanitarianism and steadfast loyalty to all the nations and countries yearning for freedom are well known and often set forth by you. Undoubtedly you will again express these views this year, on the occasion of the Independence Day of Lithuania—February 16.

These sentiments are sincerely appreciated by every patriotic Lithuanian and by me personally. Out of a feeling of gratitude and loyalty to the United States, I take the liberty of sharing with you one of my recent experiences.

During the period of the Cuban crisis I found myself in a situation where I was able to meet a number of people from the other side of the Iron Curtain. Even though these people varied in their degree of loyalty to Moscow, they were among those that are trusted by Moscow.

When the President of the United States presented his ultimatum in the matter of Cuba's arming with offensive weapons, the people I mentioned above, from the very first day, expressed the unanimous opinion that Khrushchev would have to back down because the U.S.S.R. cannot enter into any disputes which would demand wholehearted loyalty to the government by all the citizens. The reason for this—total disloyalty to the regime by the people living under Moscow's rule. All of the people in the occupied countries silently but relentlessly oppose the occupation, colonization, russification, dechristianization, and also the economic system. All of them wait for the opportunity to be rid of the Soviet occupant and his regime.

It is a well known fact that all the people of Russia—particularly in the occupied countries—are isolated from the free world. They cannot obtain or even see the press of the free world. Numerous jamming facilities interfere with listening to radio broadcasts from the free world. The Voice of America programs are especially jammed. It was interesting to hear of the great lengths to which the Lithuanian people, especially the youth, go to great personal risk just to hear radio broadcasts from the free world. Because of this we know that at heart the Lithuanians are completely with the West. Moscow realizes this and cannot, therefore, afford to risk any complications which would require total public loyalty. Moscow can risk only that which in no way influences the police regime at home.

The people in the enslaved lands live in the hope that Moscow's tyranny will not be able to stand up against the firm stand of the free world and the spirit of freedom it radiates. The confidence of the subjugated people in America's just stand for the restoration of independence is so great that they sincerely believe that they will soon be able to publicly thank America for their restored liberty. As I have learned from many sources, be assured that these are the feelings of the enslaved Lithuanian nation.

Sincerely yours,
Most Rev. VINCENT BRIZGYS,
Bishop Coadjutor of Kannas.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I desire to commend the gentleman from Pennsylvania [Mr. FLOOD] on taking this time on this occasion and particularly to commend the gentleman for the inspiring and informative address which he has made.

Mr. Speaker, as long as the eloquent voice of the gentleman from Pennsylvania is heard in this Chamber captive peoples everywhere in the world will have a stalwart champion.

Mr. FLOOD. Mr. Speaker, I thank the distinguished gentleman from Oklahoma, and to have those words of encouragement from the distinguished majority leader will be a great boon and a great encouragement to the cause of these very good people.

Mr. Speaker, I yield back the balance of my time.

Mr. McCORMACK. Mr. Speaker, in recent and contemporary history many small nations have not been allowed to be masters of their destiny. In this respect, fate has been unkind and even cruel to some of these nations. Being physically almost powerless against their mighty foes, and thus unable to take their future into their own hands, not infrequently they have been victims of some untoward events, and have suffered under their more powerful adversaries. Such has been the recent history of the Lithuanian people, except for the two joyful decades of national independence during the interwar years.

Unhappy and unfortunate Lithuanians have had their glories in the distant past, but since the late 18th century their destiny was in the hands of Russia's autocratic czars. In 1917, as the result of the Russian revolution, when that wretched regime was overthrown, Lithuanians had the chance of realizing their centuries-old national dream. They seized upon that chance, proclaimed their independence on February 16, 1918, and established their own democratic form of government. Then, in the midst of innumerable handicaps and under untold hardships, they worked their way out of misery and chaos. They improved their economic and political status, and they registered tremendous advances on the social, cultural, and intellectual fronts. Lithuania became a democratic and progressive state, it was admitted into the League of Nations, becoming once again a full-fledged member of the community of free and independent nations. For about two decades these hard-working and stouthearted Lithuanians lived and worked freely in their historic homeland, and enjoyed their freedom to the full. And then the Nazi-Soviet pact in 1939 threatened their freedom and their very existence as an independent nation. By mid-1940 their worst apprehensions were justified. After being forced to sign a nonaggression pact with the Soviet Union, and after permitting Soviet armed forces to be stationed in the country, Lithuania was occupied by the Red army and made part of the Soviet Union in August of 1940.

That treacherous act put an end to independent Lithuania, and since then the freedom-seeking spirit of Lithuania has had to live in the hearts and minds of patriotic Lithuanians. During the last war Lithuanians changed their unwanted masters more than once. For almost 3 years the country was held by the Nazis. Then toward the end of the war the Nazis were evicted and their place was taken once more by Communist Russians. They have been there ever since. Today they rule over Lithuania with an iron hand. Gone are the days of freedom and democracy. There is no vestige of freedom of any description. The work, life and behavior of the Lithuanian people there are planned and ordered and dictated by the evilminded masters of the Kremlin. As the result of Communist totalitarian rule, today Lithuania is a large prison camp for its 3 million freedom-seeking inhabitants.

On this 45th anniversary of their independence day our wholehearted sympathy goes to these Lithuanians. We express our abhorrence of the regime under which they are suffering, and pray for their deliverance. On this 45th anniversary celebration of Lithuanian Independence Day we restate our belief that an independent Lithuania will someday be restored to her long-suffering people.

Mr. BROWN of California. Mr. Speaker, 45 years ago the Lithuanians freed themselves from Russian domination and launched a period of growth and achievement as an independent nation. But 20 years later this great experiment was stamped out by the Germans and Russians. Since World War II, Lithuania has been a constituent republic of the U.S.S.R.

In 1960 Lithuania's Communist bosses celebrated the 20th anniversary of the Soviet Union's ruthless annexation of the country. On that occasion they hailed the "Socialist victories" which had transformed the Baltic republic into a "workers' paradise." It is difficult to penetrate the propaganda facade and learn what life is really like in Lithuania, for news from this Republic is tightly controlled by the Kremlin. As is often the case with news from the Soviet Union, however, reports of government activities often provide revealing insights into the real situation of the country.

A stepped-up campaign of russification is indicated by a new law introducing Russian as the official language of the Lithuanian courts—an innovation which required a change in the Republic's Constitution. In the field of education, atheistic instruction is to begin in the early grades in order to counteract what the Lithuanian party monthly calls the influence of religious parents and grandparents who begin at a very early age to take children to church services, to inculcate the religious worldview, to mutilate their consciousness. In the struggle to eliminate Lithuanian nationalism, the regime recently dismissed 15 instructors from the University of Vilnius and 19 from the Teachers Institute for "ideological distortions and harmful tendencies"—Communist jargon for failure to teach the party line.

In the religious sphere the regime's repressive activities are particularly intense, for the influence of the Roman Catholic Church remains strong among the people. The failure of Communist efforts in this area is suggested by renewed appeals for more antireligious propaganda in the Lithuanian press and by an increased output of atheistic publications. A number of direct steps have been taken to suppress church activities. Two Catholic priests were jailed recently for "infringing Soviet currency regulations" because they had arranged for the construction of a church in Memel. They were sentenced despite the fact that official permission had been granted to build the church. After it was finished, the authorities declared that it had been nationalized, removed the altars and towers, and converted the building into a music school.

These developments in Soviet Lithuania reveal the failure of the Communists to root out the centuries-old Lithuanian national character, just as other foreign rulers have failed in the past. It is encouraging to note this fact on the occasion of the 45th anniversary of Lithuanian Independence Day, for it offers hope for a future in which Lithuanians will again be masters of their own fate.

Mr. MILLER OF New York. Mr. Speaker, this month we pay tribute to a small nation numbering only 2,800,000 souls. But this is a very special nation in the hearts and minds of freemen everywhere. It is a nation big in courage and ideals, big in devotion to liberty, and strong in the hope that the independence it once enjoyed will be restored.

I am speaking of Lithuania, which marks the 45th anniversary of its declaration of independence at a time when there is no relief from the harsh realities of ruthless conquest and subjugation by the Communist Soviet Union.

But our salute to these wonderful people will be no more than empty words unless we free Americans realize that, as long as there are Lithuanians behind the Iron Curtain, the fight to shape a peaceful world where justice can prevail is only beginning.

As we struggle to defuse the nuclear age, as we seek to make atomic energy a partner in the advance of civilization rather than a threat to its survival, the issue of colonialism by force nevertheless deserves no less than equal attention on the agenda of decent people. Unless this problem is solved, unless the great weight of free world opinion is applied constantly to its solution, there can be no meaningful victory in a humanitarian sense.

As we speak freely and unafraid, secure in our freedoms and in the pursuit of fruitful lives, the terrible plight of Lithuania looms in bitter contrast. But nowhere in this story is there any sense of defeatism. The world is heartened by the miracle of unbroken Lithuanian resistance for more than 20 years. It is moved to conclude that righteousness will triumph when people in the tightest chains vow to reject slavery as their ultimate destiny.

So to Lithuanians in their homeland on the Baltic coast, and to their countrymen in America and other nations, Americans say again that you are not forgotten. You will rise again as others have risen through history to strike down tyranny in the name of justice.

Mr. FARBSTEIN. Mr. Speaker, it is unfortunate that the plight of the oppressed peoples in Eastern Europe generally comes to public attention only during such dramatic, headline-making events as the Hungarian revolution in 1956. The 45th anniversary of Lithuanian Independence Day provides an opportunity to recall the quiet but no less important struggle for freedom of this small Baltic country.

Annexed by Russia in 1795, Lithuania tried vainly to regain its independence during the 19th century. Along with other small eastern and central European nationalities, Lithuania emerged from the First World War as an independent state. During the 20 years between the wars Lithuania made great strides toward becoming a viable member of the international community, developing its industry, agriculture, social legislation, and culture.

These gains were swept away in the Second World War as first German and then Russian Armies invaded and occupied the Baltic area. Since the war, Lithuania has been one of the union republics of the Soviet Union, without even the nominal independence of the satellite countries. But the force of Soviet tyranny cannot suppress the Lithuanians' longing for freedom, which is symbolized each year by the celebration of Lithuanian Independence Day.

Mr. MURPHY of Illinois. Mr. Speaker, the Lithuanians were among the first of numerous nationality groups to do away with imperial Russia's czarist regime toward the end of the First World War and regain their long-lost independence. By the same token, they were among the first to be robbed of their independence early in the last war by their former oppressors.

The unwieldy and inefficient Russian regime could not stamp out the courageous Lithuanian national spirit; the terrorists were totally incapable of eradicating the spirit of freedom and independence among the Lithuanian people. They were ready to sacrifice all their worldly possessions, and if necessary, submit to imprisonment and exile, but were unwilling to give up their beliefs and their long-cherished national ideals. They clung to these prized possessions tenaciously and steadfastly, and when the time came to assert their independence, they seized upon the occasion and proclaimed the birth of the Lithuanian Republic on February 16, 45 years ago.

In the course of a few years, many difficulties were overcome and many problems solved. Independent Lithuania steadily progressed. She became a member of the League of Nations, and played her part in the world community of nations honorably and well. In the course of the two decades when Lithuanians enjoyed freedom and independence, their country was regarded as a prosperous and progressive democracy. Unfortunately, this happy situation did not last long; Lithuania's envious and aggressive adversaries did not allow it to last long. The deadliest of Lithuania's enemies was the Soviet Union, and the masters of the Kremlin saw to it that democratic and progressive Lithuania did not remain free and independent. The outbreak of the Second World War ushered in a sad and tragic era for many small independent states in Europe, and Lithuania could not escape her fate. Late in 1939, the Lithuanians were forced to sign a mutual assistance pact with the Soviet Union; then early in the following year they had to allow the stationing of Soviet forces in many strategic places in their country; and finally by the forced union of their country to the Soviet Union, they were robbed of their freedom and independent Lithuania ceased to exist.

During the last war Lithuanians suffered more than we can realize. Many thousands of them were exiled to various parts of the Soviet Union, and those who were allowed to remain in their homeland were forced to work as slave laborers for their Communist overlords. Then toward the end of the war the Communists returned once more, this time with more ferocity. Since then, for more than 17 years, the fate and destiny of Lithuania has been wedded to the frauds and trickeries of the evilminded men in the Kremlin.

Since the end of the last war, Lithuania has become a vast prison camp for its 3 million innocent and helpless people. All their worldly possessions are confiscated, owned, and controlled by the Soviet state. They are the slaves of one of the worst totalitarian dictatorships known to man. The men operating that dictatorial regime have no concern for the freedom and independence of their unfortunate subjects. These people are completely sealed off from the free world, and we know very little of their actual status, except that they are not free in any sense of the word. They are not even allowed to observe the anniversary of their national holiday, their independence day. In this free Republic, in this habitat of true democracy, I gladly and proudly join all loyal Americans of Lithuanian descent in the celebration of that memorable anniversary, the 45th anniversary of Lithuanian Independence Day.

It is a privilege for me to have the opportunity to express my admiration for the Lithuanian people in their continued struggle for the freedom of their homeland.

Mrs. GRIFFITHS. Mr. Speaker, on February 16, 1918, 45 years ago, the people of Lithuania proclaimed their national independence and instituted their own democratic republic. On that day they embarked on a new course in their history.

Two decades later, in July of 1940, Lithuania was annexed to the Soviet Union, bringing to an end the Lithuanian Republic. The United States has led the free world in condemning the Soviet action in the Baltic States and has refused to recognize the incorporation of Lithuania into the Soviet Union.

On Saturday, February 16, 1963, the Lithuanian tricolor will fly from the main flagpole in the civic center at the city-county building in Detroit, Mich. On Sunday, Lithuanian-Americans of the greater metropolitan Detroit area will mark the 45th anniversary of Lithuania's Declaration of Independence with a rally. This rally will call the attention of the world to the fact that during its 22 years of freedom, 1918–40, Lithuania proved itself as a free and independent member of the modern family of nations. The free world will join with them in celebrating this day and applauding the valor and unconquerable spirit of a people who have and will continue to strive for complete freedom, liberty, and independence.

Mr. BARRETT. Mr. Speaker, Lithuanians are known for many of their fine qualities as hard-working and loyal citizens, as gifted artisans and good businessmen, but on the observance of their independence day we do well to extol their courage and bravery, their tenacity to cling to certain noble ideals and their readiness to sacrifice their lives for freedom and independence. Throughout their long and turbulent history they have shown all these fine qualities in abundance, though in times of grave national adversity even such distinctive qualities did not save them from misery and misfortune.

In the past when they had lost their independence and were subjected to alien regimes in their homeland, they carried on their struggle for freedom. Finally, in 1918 they were freed from Russia's oppressive yoke and proclaimed their national independence on February 16, 1918, 45 years ago. Then, while they were enjoying their newly regained freedom, their country was overrun and occupied by the Red army in 1940 and then made part of the Soviet Union.

Since then, for 22 years, these people have not known freedom. They are imprisoned behind the Iron Curtain, and are not even free to celebrate their national holiday, their independence day. We in this great Republic observe the 45th anniversary of Lithuanian Independence Day, and pray that soon the Lithuanians will also be allowed to celebrate it in their homeland.

Mr. DELANEY. Mr. Speaker, on Saturday, February 16, we will commemorate the 45th anniversary of Lithuania's Declaration of Independence. On that day in 1918, after more than a century of Russian oppression, the Lithuanian people once more joined the ranks of freemen. They declared their national will to advance the dignity and freedom of individual man and set about to build a government in the finest Western democratic tradition.

From 1918 to 1940 Lithuania was a model of social and economic progress in a free democratic society. Then came World War II, occupation, chaos, and, finally, the yoke of Communist oppression. For 22 years Lithuania has not known freedom, but for 22 years Lithuanians have fought and hoped and prayed that the bright promise of 1918 might be realized once more.

On this anniversary of Lithuanian Independence Day, I would like to join with the thousands of Lithuanian-Americans and their friends in paying tribute to this valiant little country, to her patriots, and to her love of freedom. I join them also in their hopes and prayers that a free Lithuania will once more, in the words of the Lithuanian national anthem, "stand peaceful and united."

Mr. HEALEY. Mr. Speaker, when we consider the fate of many millions of people behind the Iron Curtain, it seems almost intolerable that so many have been deprived of the freedom to govern themselves. Today as we celebrate Lithuanian Independence Day, we are again reminded of the struggles of the Lithuanian people to assert themselves as an independent state. They are a courageous and spirited people, who deserve better than domination and tyrannical government at the hands of the Russians.

As Americans opposed to all forms of such flagrant enslavement, we will never approve the present Lithuanian Government. We will always believe that the righful government must be formed at the will of the Lithuanian people.

Mr. Speaker, it is appropriate that freedom-loving people should pause and pay homage to Lithuanians on this anniversary of their independence. This independence was enjoyed from 1918 until 1940, and in that short period of time, Lithuania held a notable and respected place among the world of free nations. Lithuanian-Americans are especially concerned over the tragic plight of their brethren in Lithuania. During two Soviet occupations, Lithuanians in the old country have been subjected to harsh Soviet rule, and they still look to America for hope. Freedom exists only in their hearts.

I am glad today to join our Americans of Lithuanian descent in echoing their patriot sentiments and renewing their faith and hope that Lithuania again will be a free and independent country.

Mr. MADDEN. Mr. Speaker, Lithuanian-Americans today are commemorating the 45th anniversary of the declaration of Lithuanian independence which event will live forever in the minds and hearts of Lithuanian people everywhere. America is made up of a cosmopolitan cross section of all nationalities which during recent centuries have come to our shores to live and enjoy freedom of religion and conscience, and human liberty in its truest sense. For centuries the people of Lithuania have at different periods enjoyed freedom and independent government, and it is unfortunate that because of its geographic location, it has been the victim of aggression from powerful neighboring nations who have inflicted their tyranny upon liberty-loving people.

During the 18th century, this nation came under the tyrannical yoke of Russian tyranny, which lasted over 120 years. But during this time, against terrific odds, the Lithuanian people launched five major revolts against their conqueror. At each interval during its history when Lithuania enjoyed free government, its leaders demonstrated outstanding leadership to rule and legislate for the freedom of all its people.

World War I brought about an international situation which gave Lithuania a long-awaited opportunity to proclaim to the world that it was a free and independent nation. For more than 20 years as a free country, no nation has ever demonstrated its capacity and ability for self-government more than Lithuania. Its civic leaders brought about long-needed land reformation, created and expanded industry, established an adequate transportation system, enacted social legislation, and an educational policy which could well be copied by other nations throughout the world. This great progress by a free nation continued up until World War II when Lithuania again became the victim of a powerful aggressor nation who succeeded in enslaving its people.

I have on former occasions spoken on the floor of this House outlining the infiltration duplicity and force used by the Communists to submerge Lithuania and I shall not repeat these sordid facts today. I can only say that the people of Lithuania will not be alone in their fight for freedom against the Soviet tyrants. Millions of others are today temporarily held under the yoke of Communist tyranny. They, along with the free nations of the world, including the United States, must keep up the fight not only to curtail the expanse of communism but to wipe its tyranny from the face of the earth and restore liberty and independence to the valiant and heroic people of Lithuania.

Back in the 83d Congress, I was a member of the special committee on investigating Communist aggression and particularly as it pertained to the Baltic States. That committee took the testimony of over 200 witnesses and recorded hundreds of exhibits at hearings held in the United States and Europe. This committee did major service over the period that it was holding hearings to expose to the world the unlawful and barbarous methods used by Stalin, Khrushchev, and other Soviet leaders in enslaving Lithuania and other small nations surrounding its borders.

Our colleague, the gentleman from Pennsylvania, Congressman **Dan Flood**, who has reserved this time today to honor the Lithuanian people was also a member of that committee and contributed major service to the successful findings exposing Communist aggression.

As a member of the House Rules Committee during the last two sessions of Congress, I have fought within the committee to report favorably on the floor of the House the pending resolutions to create another special committee for the purpose of further exposing to the people of the world true facts, methods, purposes, and international crimes committed by the Communist leaders in their long-range program to enslave the world under Communist tyranny. I do hope that we can get favorable action in this session of Congress on the creation of a special committee for captive nations.

It is my earnest hope that the free nations of the world will continue their sacrifice and defense preparation so that when the time comes for Lithuania and other enslaved nations to strike for freedom and self-government, we will be prepared to aid these enslaved people on to victory.

Mr. RYAN of New York. Mr. Speaker, today we are observing the 45th anniversary of the attainment of independence by the small Baltic country of Lithuania. Forty-five years ago Lithuanians were enjoying the realization of national independence, the emergence and recognition as one of the society of states free from foreign domination.

Lithuanian independence was born after the untiring and persistent struggle of the Lithuanian people against various forms of foreign domination. More than 700 years ago Lithuania was a leading power in Eastern Europe, and for more than two centuries the Lithuanian kingdom extended from the Baltic almost to the Black Sea. However, by the end of the 18th century Lithuania had been absorbed by the Russian czarist empire and had lost its status as an independent entity. Taking advantage of the crumbling of the German Empire and of the chaos created by the Russian revolution, a council of Lithuanian delegates, on February 16, 1918, proclaimed an independent Lithuanian state based on democratic principles. Even in its first few days of existence this new nation had to contend with the problem of Soviet interference. It was only after the Red army was driven out of Lithuania by a combined Polish-Lithuanian army that the Soviet Union, on July 12, 1920, signed a peace treaty with Lithuania, recognizing it as an independent nation and pledging itself to renounce forever all rights of sovereignty.

This, however, proved to be short lived, for on July 21, 1940, the Soviet Union reannexed Lithuania. Thus the hopes of Lithuanians to remain free of foreign oppression were shattered. They were to suffer from German Nazi occupation, only to return to Soviet subjugation when the tides of war were turning.

In spite of all the odds against them, these hearty and valiant people, mindful of the hardships their ancestors went through to achieve independence, have not given up hope that their country will again be free. We admire this persevering spirit on this anniversary, and we express our hope for their liberation.

Mr. GREEN of Pennsylvania. Mr. Speaker, while the Lithuanian people are among the most stouthearted fighters for freedom and independence in the world, these precious possessions of all freemen have been denied to them for centuries in their own homeland. Except for the short but memorable interlude of the interwar years, these 3 million Lithuanians have had the misfortune to suffer under an oppressive and at times almost unbearable alien yoke for centuries. During the first World War it seemed that their woes and miseries had come to an end with the overthrow of the czarist regime in Russia. They proclaimed their national independence on February 16, 1918. From that historic day on for a little more than two decades, they worked, lived, and enjoyed life happily in their independent country. Late in the 1930's, however, as the clouds of war began to thicken over Eastern Europe, their position became extremely precarious. The Soviet Government's deceitful and treacherous policy put an end to independent Lithuania in mid-1940, thus cruelly robbing its people of their freedom.

Since then the unhappy people of Lithuania have been enslaved in their homeland under a series of tyrannies. First it was the Russian Communist tyranny; then in mid-1941 the Nazis overran and occupied the country; and then in 1944 the Russian Communists returned once more, and have been there for more than 18 years. These ruthless minions of the Kremlin have turned once free and independent Lithuania into a large prison camp, and 3 million Lithuanians are prisoners in their homeland, completely isolated from the non-Communist world. Unbearable as their life is under these circumstances, they are hoping and praying for their deliverance from Communist totalitarian tyranny.

On this 45th anniversary of their independence day we wish them more power in their struggle for their freedom.

Mr. MINISH. Mr. Speaker, it is an honor to join in paying tribute to the gallant people of Lithuania on the 45th anniversary of their country's independence. It is fitting that on this solemn occasion we affirm our friendship and support for the liberty-loving Lithuanians and join in their prayers for liberation from Soviet bondage.

Lithuania has endured two cruel Soviet occupations, but the mind and spirit of its citizens have not been subjugated. They remember with pride the glorious years of independence and they look forward to the founding of a new Lithuanian democracy. It is the duty of freemen everywhere to maintain an unflagging interest in the fate of Lithuania and the other enslaved nations and to persevere in the long struggle to achieve a world in which free people can live together in peace. May that day be not too distant. Freedom springs from the deepest aspirations of men, and Lithuania and the other captive nations know that liberation must come ultimately. On this anniversary we salute their brave resolve and look forward with hope and confidence to the day when Lithuania will again enjoy freedom as a nation.

Mr. RODINO. Mr. Speaker, once again across this land of freedom—and wherever the torch of freedom still burns—people are commemorating the anniversary of Lithuania's independence. It is an event which to the people of Lithuania and to all of us is remembered with mixed emotions—joy, in recalling the freedom and progress of the independent Lithuanian Republic during the 20-year interwar period; sadness, in thinking of the Lithuanians' fate since they fell under the Soviet yoke more than 20 years ago. There are the painful memories of the Soviet oppression—mass arrests and deportations, confiscation of property, suppression of religious freedom. Others know of tragedies friends in the homeland.
which have beset their relatives and

We naturally conceive of these events in terms of their personal, human consequences, because these are immediate and deeply felt. But the turbulent events of this century have shown a pitiless disregard of human values, of the rights of the weak as well as the strong. The impersonal forces of strategy and power politics have weighed heavier in the scales of world events as first the Nazi, then the Russian giants strode over the prostrate bodies of small European countries.

It was a great American—Woodrow Wilson—who early in this century sought vainly to transform a world based on power and war into one where justice would govern the relations of peoples.

His grand scheme failed, but he left a lasting heritage as a champion of the rights of all nationalities to an independent existence. Lithuania rode the wave of this movement for national self-determination to independence in 1918, climaxing more than 100 years of struggle against the despotic rule of the Russian czars and the wartime occupation of the Germans. During the two decades that followed Lithuanians rebuilt their war-torn homeland and made great advances in all spheres of national endeavor. They rapidly gained stature in the world community, and for a time it seemed as if the hard-working Lithuanians might overcome the obstacles of small size and strategic geographic location which had placed them at the mercy of neighboring great powers for centuries. But the implacable forces of aggression and war were unleashed again in 1939, and Lithuania was once more caught up in events over which it had no control. The pattern of the First World War was repeated as first the Soviets, then the Germans, and again the Russians invaded and occupied the Baltic countries.

The end of hostilities did not bring the restoration of Lithuanian independence, for Lithuania was destined to become a pawn in another type of war—the cold war between East and West. The Soviet Union lost no time in brutally staking out its claim in the Baltic. We have now lived through nearly two decades of this cold war, and repeated violations of national integrity and human rights have marked the struggle. But there are hopeful signs. The ideal of national self-determination has taken on new life as many peoples in the developing areas of the world are gaining independence from the former colonial powers. The Iron Curtain cannot forever prevent these "winds of change" from giving fresh impetus to the Lithuanians' brave struggle for freedom and independence. This Saturday, as we observe the 45th anniversary of Lithuanian Independence Day, the future is one not of despair but of hope, rooted in the faith of man's ultimate triumph over the forces of tyranny and injustice.

Mr. ROOSEVELT. Mr. Speaker, 45 years ago the world body of nations was joined by a small Baltic country, Lithuania. This day marked the realization of these valiant peoples' dream of their being able to conduct their own course in both internal and international policies.

The time that these people were able to realize this goal is significant. The opportunity came at a time when the German Empire was crumbling and when Russia was torn by revolution. Before this the Lithuanians had been dominated by Russian czarist imperialism for over 100 years. This long-awaited status of independence was lost when the new form of Russian imperialism brought about the annexation of Lithuania by the Soviet Union.

The United States has never recognized this violation of the right for self-determination of these people. Neither have the Lithuanians ever given up their determination to see this country free from outside domination. We support this determination and hope that it will soon become a reality.

Mr. FOGARTY. Mr. Speaker, this Saturday, February 16, marks the 45th anniversary of the proclamation of independence by the people of Lithuania. I join my colleagues, here in the House of Representatives, again this year, to commemorate the occasion.

The contribution of the Lithuanians in America gives us some idea of the national vitality of that country. It is an indication that confidence and faith in Lithuania's future is well placed. The distinctive culture, the deeprooted traditions, and the rich folklore of the Lithuanian people have greatly enriched our own country. Their contribution has been magnificent and I am proud that so many of them are citizens of my State of Rhode Island.

Any attempt to recite in detail the many highlights of Lithuania's great history would certainly be beyond my capabilities. The valiant deeds of Lithuanian men and women of the past have been repeated over and over again. Particularly those deeds of fathers and mothers who have kept alive the fire of freedom which was Lithuania's first love. So also the deeds of children who refused to let Lithuania die in spite of the most concentrated efforts in history to destroy all trace of a nation and a people.

On this day, of so much significance to all Lithuanians, I join my hopes with theirs that their mother country may soon be delivered from its present domination and become again a free and independent nation.

Mr. FALLON. Mr. Speaker, it is fitting that we turn our thoughts to the countries under the domination of the Soviet Union on the anniversaries of their national holidays. Without minimizing the unsolved problems of the United States with which we are ordinarily concerned in this House, I would like to suggest that appreciation of the plight of the captive nations helps us to place our own problems in the proper perspective. The Communist dictatorships in Eastern Europe are as brutal as any police states existing in the world today. It is indeed appropriate that we consider the human suffering which marks day-to-day life behind the Iron Curtain, where freedom is unknown and the full force of Communist totalitarianism reigns supreme.

Today we commemorate the 45th anniversary of the restoration of independence in Lithuania, a once powerful nation which suffered for over a century under the ruthless domination of czarist Russia. On February 16, 1918, a group of 200 Lithuanian leaders assembled to consider the future of their country, which at the time was occupied by Germany. Like our own Founding Fathers, the Lithuanian leaders proclaimed their national independence fully conscious that the pledge might be redeemed with their own blood.

When German troops evacuated the capital city of Vilnius on January 15, 1919, the Red army entered the city and installed a Communist government. However, the Russian forces were soon driven out by Polish and Lithuanian troops, and the Soviet Union signed a peace treaty solemnly renouncing all future rights to Lithuania. Thus the hardy Lithuanian people embarked on a regime of freedom and independence.

But the era of independence which we recall today was not destined to survive. In a world ruled by force of arms rather than peace treaties, Lithuania's skill in retaining her national independence between the First and Second World Wars, despite the presence of larger and more powerful neighbors to the east and west, constituted a remarkable achievement. At the start of the Second World War, this long-suffering people was once again invaded by a stronger neighbor. After Nazi Germany caused immeasurable human and material damage, its forces were driven out by the equally ruthless dictatorship of the Soviet Union. The Russians, characteristically ignoring their treaty obligations, forcefully incorporated the Lithuanian state into the U.S.S.R., an act which the United States, I am proud to say, has never recognized.

Mr. Speaker, on this 45th anniversary of Lithuanian independence we are united in hoping that the future will bring a better life to the Lithuanian people and fulfill their ancient desires for freedom and independence in their historic national home.

Mr. ST. ONGE. Mr. Speaker, Americans of Lithuanian extraction and their kinsmen residing in other free countries are observing the 45th anniversary of Lithuania's independence on February 16. The tragic part of this observance is that the people of Lithuania itself cannot participate in this event because their land is now under Communist domination and they are one of the captive nations of Communist imperialism.

Nearly 23 years ago the Soviet Union tore up its treaty obligations with its small neighbor on the Baltic Sea, invaded Lithuania and the other two small Baltic States of Latvia and Estonia, suppressed their freedom and independence, and has subjected them to ruthless Communist exploitation ever since. Many citizens of these three countries were exiled to Siberian slave-labor camps. Churches were closed down. The culture of Lithuania, which is one of the oldest in Europe, is being gradually destroyed.

The people of Lithuania and the other Baltic States are today a silenced people, unable to speak their mind, practice their religion or celebrate their national anniversary. But their kinsmen in the free world and all freedom-loving Americans can commemorate the anniversary of their freedom and past glory and can speak for these subjugated people. Despite their long enslavement, we know that their desire for freedom has not been crushed. They may be waiting silently and grimly, but also hopefully for the future.

It is in this connection that we, the people of the free world, can render a great service to them by keeping their hopes high and their indomitable spirit alive. If hope is lost, all will be lost. This the free world cannot afford because Lithuania and its struggle for freedom has become a symbol of mankind's struggle against the most ruthless enemy of modern civilization. We must encourage this nation, and others suffering under the yoke of communism, to continue their gallant fight.

The U.S. Government has never recognized the forcible seizure of Lithuania and its two Baltic neighbors Latvia and Estonia. In 1959 the U.S. Congress unanimously adopted the Captive Nations Resolution. That resolution proved to be a thorn in the side of Khrushchev and the other Communist leaders because it brought to the attention of the whole world the ruthlessness of Communist imperialism. It is important that we continue to focus the spotlight of world attention on the oppressed and captive nations of Europe struggling for their freedom and survival. In so doing, we shall subject the rulers of the Kremlin more and more to world criticism and derision—and that means putting communism on the defensive and the free world on the offensive in the so-called cold war struggle.

It is for this reason that I introduce today a concurrent resolution requesting the President to instruct the U.S. mission to the United Nations to bring up the question of the Baltic States before the United Nations in an effort to obtain the early liberation of Lithuania, Latvia, and Estonia. Specifically, my resolution proposes that the United Nations make four requests of the Soviet Union:

First. Withdraw all Soviet troops from the three Baltic States.

Second. Return all Baltic exiles from Siberian and other slave-labor camps.

Third. Permit the United Nations to conduct free elections in Lithuania, Latvia, and Estonia.

Fourth. Punish those guilty of crimes against the Baltic peoples.

Mr. Speaker, at a time when the Western nations have granted freedom and independence to many nations in Africa, Asia, and other parts of the world, we must insist that the Communist colonial empire likewise extend freedom and independence to peoples whose lands have been unjustly occupied and whose rightful place among the nations of the world is being denied.

On this day of Lithuania's anniversary of independence we join with our fellow Americans of Lithuanian descent in hope and in prayer for the early liberation of their ancestral homeland.

The text of my resolution reads as follows:

Whereas the greatness of the United States is in large part attributable to its having been able, through democratic processes, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere; and

Whereas so many countries under colonial domination have been or are being given the opportunity to establish their own independent states, the Baltic nations, having a great historical past and having enjoyed the blessings of freedom for centuries are now subjugated to the most brutal colonial oppression; and

Whereas the Communist regime did not come to power to Lithuania, Latvia, and Estonia by legal or democratic processes; and

Whereas the Soviet Union took over Lithuania, Latvia, and Estonia by force of arms; and

Whereas Lithuanians, Latvians, and Estonians desire, fight, and die for their national independence; and

Whereas the Government of the United States of America maintains diplomatic relations with the free Republics of Lithuania, Latvia, and Estonia and consistently has refused to recognize their seizure and forced "incorporation" into the Soviet Union; and

Whereas no real peace and security can be achieved in the world while Lithuania, Latvia, and Estonia remain enslaved by the Soviet Union: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the President is requested to instruct the United States Mission to the United Nations to bring up the Baltic States question before that body and ask that the United Nations request the Soviets—

(1) to withdraw all Soviet troops, agents, colonists, and controls from Lithuania, Latvia, and Estonia; and

(2) to return all Baltic exiles from Siberia, prisons, and slave-labor camps.

SEC. 2. The President is further requested to instruct the United States Mission to the United Nations to request the United Nations to conduct free elections in Lithuania, Latvia, and Estonia under its supervision and seek the punishment of Soviet Communists who are guilty of crimes against the peoples of Lithuania, Latvia, and Estonia.

Mr. BYRNE of Pennsylvania. Mr. Speaker, all peoples have their ups and downs, but some have more than their share of misfortune and misery than others. The recent history of the Lithuanians places them among the most unfortunate. They have had far more misfortunes since 1940 than even their bitterest enemies could have wished for them.

These 3 million sturdy and stouthearted Lithuanians had suffered under the oppressive yoke of the czarist regime for 120 years, but toward the end of the First World War they gained their freedom. When the autocratic regime which was holding them in chains was shattered in 1917, they proclaimed their independence on February 16, 1918, 45 years ago. Their friends throughout the world hoped that they could continue to enjoy their freedom. But fate was not kind to them. After about two decades, they were robbed of their freedom by the Soviet Government. Thus while Lithuania's friends in the West were involved in the war, Lithuania was overrun by the Red army and then annexed to the Soviet Union.

Through the course of that war and since then, Lithuanians have not known freedom in their homeland. Since 1945 the country has become a vast prison house, sealed off from the free West. The one encouraging aspect of this sad situation is that even under the most discouraging and disheartening conditions Lithuanians have not given up their love for freedom and their right to independence. While they are not allowed to celebrate the 45th anniversary of their independence day in their homeland, we in the free world do this in due solemnity. I am indeed glad to join in this 45th anniversary celebration of Lithuanian independence day.

Mr. HALPERN. Mr. Speaker, the occasion we mark today—the 45th anniversary of the proclamation establishing a free Republic of Lithuania, celebrates a glorious step in mankind's march toward full liberty and independence.

It was on February 16, 1918, that the people of Lithuania, with a traditional devotion to freedom that goes back through hundreds of years of history, announced to the world the emergence of a new republic. In the years that followed, Lithuania held an honored place in the company of nations.

In 1940, the Russian oppresser seized by force this heroic nation and placed Lithuania behind the Iron Curtain. Many thousands of Lithuania's brave people have been deported to serve as slave laborers for the Soviet empire, yet nothing the Communists have done can quench the burning love of freedom that glows in the hearts of the indomitable Lithuanians.

Today, as we in Congress note this anniversary, the prayers of millions of sons and daughters of Lithuania—behind the Iron Curtain and in every corner of the globe—will be rising heavenward to ask for the early return of freedom to the land which cherishes it so highly.

Mr. Speaker, the plight of Lithuania underscores again the need for adoption of the captive nations resolution, to demonstrate to the world our deep concern for the peoples of all oppressed nations.

Mr. MONAGAN. Mr. Speaker, although the Lithuanian people have not known freedom for 23 years, their spirit of resistance to Communist tyranny remains strong and undiluted.

On Saturday, February 16, we commemorate the 45th anniversary of Lithuania's Declaration of Independence. As we give our attention to this great day in Lithuanian history, we are aware that the 3 million Lithuanian people who obtained freedom at the end of World War I, are far from that objective. But we can express hope, and faith, that these brave and resourceful people will in the foreseeable future be freed of Soviet bondage.

This 45th anniversary of Lithuanian independence will not be a day of joyous celebration, for the independence which was proclaimed for Lithuania on February 16, 1918, has been denied by the Soviet Union since 1940. Instead, Lithuanian Independence Day is one of solemn commemoration of that nation's achievement of independence and a day of rededication to the cause of freedom on the Baltic and everywhere in the world.

Lithuania's achievement of independence in 1918 followed more than a century of domination by czarist Russia, a domination which began in 1795. Prior to this, the history of the Baltic State is a long and proud one, dating back to the 11th century. During the Middle Ages, Lithuania was a powerful state which helped protect Europe against invasions from the East.

It is their long history as a nation, together with their distinctive language and culture, which provides assurance that the love of independence of the Lithuanian people can never be eradicated. Just as these sturdy individualists in the past steadfastly rejected all the attempts of the czars to superimpose the Russian language and culture upon them, so today we can be confident that they continue to revere the free institutions which have been replaced by the totalitarianism which has been imposed upon them from Moscow.

In our recent hearings on the captive nations, which I was privileged to chair, we found an abundance of evidence that the flame of freedom still burns brightly in the hearts of Lithuanians in their homeland. This despite the cruel tyranny imposed upon them by the domination of Nazis and Communists.

During most of the most unbearable periods of oppression, waves of Lithuanians have fled their fatherland and migrated to the free nations of the Western World. They and their descendants have become responsible, productive citizens in the countries which they now call home. I will personally vouch for the industry and integrity of the many fine Americans of Lithuanian blood who live in my home district, the Fifth District of Connecticut.

While the people in Lithuania cannot formally observe their independence day, blood brothers in the United States and elsewhere, and we friends in the free world can and do commemorate and speak for these subjugated people. Above all, we assure them of our support and our sympathy and our national resolve to keep their case before the bar of international public opinion. This 45th anniversary of Lithuanian independence is a reminder of the determination of the free world that the millions of Lithuanian people will once more enjoy the fullest measure of freedom.

Mr. TOLL. Mr. Speaker, for 122 years the Lithuanian people had suffered, worked, and prayed for the day of their deliverance from Russia's czarist autocracy. From 1795 until the overthrow of the czarist regime by the Russian revolution in 1917 they endured the oppressive yoke of their overlords. Then, when that regime was no more, they proclaimed their national independence on February 16, 1918, and established the Lithuanian Republic. That day ushered in liberty for these freedom-loving people.

For more than two decades, during the interwar years, Lithuanians enjoyed their newly won independence. They organized a democratic form of government, rebuilt their war-ravaged country, revived their national institutions, and enacted many progressive social and economic legislative measures into law. In a short time Lithuania became a respected member of the community of sovereign nations. Unfortunately, however, the new Republic was not to have a long life. In the catastrophic world turmoil of the late 1930's its independence was endangered and in the fall of 1939, it was forced into a nonaggression pact with the Soviet Union. In the summer of the following year the country was overrun and occupied by the Red army, and soon after that made part of the Soviet Union.

Since those days the Lithuanians have not known freedom. For more than two decades these stouthearted and gallant people have been suffering under tyrannies—first under the Russians, then for a few war years under the Nazis, and for the last 17 years again under the detested Communist tyrants. Their sad lot is no better today than it was at any time since 1940. On the 45th anniversary of their independence day we ardently hope and pray for their freedom from Communist totalitarian tyranny.

Mr. MULTER. Mr. Speaker, since 1795, the Lithuanian people have enjoyed independence only during the 20 years between the two World Wars of this century, but long periods of foreign domination have not dimmed their desire and struggle for national liberation and self-fulfillment.

Today we commemorate another anniversary—the 45th—of Lithuanian Independence Day in a spirit of deep sympathy with the aspirations and hopes of this oppressed people.

During the First World War, 120 years of Russian czarist rule came to an end when German armies overran Lithuania. The defeat of Germany and the Russian Revolution provided an opportunity for the Baltic country to gain its independence. On February 16, 1918, the Lithuanian National Council proclaimed an independent Lithuanian State based on democratic principles, and 2 years later the occupying Red army was driven from the capital city of Vilnius. In a peace treaty signed with the new nation, Russia recognized its independence and pledged to respect its sovereignty, proclaiming solemnly that "all peoples have the right to free self-determination."

Born in the aftermath of World War I, the young nation was destined to be engulfed 20 years later in the second global conflict. In 1940 the Soviet Union absorbed Lithuania in a clear violation of its international commitments and obligations. Lithuania was again invaded and occupied by German troops, and when the Germans gave way the Russians returned to dominate the Baltic area. Since then the Lithuanians have remained under the Soviet yoke.

This tragedy, however cruel and unjust, did not discourage the captive Lithuanian people from longing for freedom, and their struggle for the rights of self-determination goes on, regardless of sacrifices and obstacles.

Lithuanians are convinced that as long as this right is denied the world can establish neither lasting peace nor security.

On the 45th anniversary of Lithuanian Independence Day we join this gallant people in affirming our own belief in this inalienable human right.

Mr. DAGUE. Mr. Speaker, it is again our great privilege to join with our compatriots of Lithuanian lineage in celebrating the 45th anniversary of that unhappy nation's independence.

Little Lithuania, along with the other Baltic States, was an early target of Communist ruthlessness and overnight a free people were reduced to virtual serfdom. Indeed, Lithuania stands today as a striking example of what happens when a comparatively defenseless country finds itself in the pathway of the totalitarian juggernaut. And Lithuania also stands today as a stark reminder of how the West has failed in its responsibility to the persecuted, impoverished, and enslaved peoples behind the Iron Curtain.

Let us—all of us who enjoy security in our own homes and by our own firesides, we who are free to worship the Almighty according to the dictates of our own conscience—let us resolve that we will never rest until all men are free and tyranny and despotism are rooted from the earth. And to our Lithuanian friends, who are in our midst, let us extend to them every courtesy and kindness in this their land of adoption.

Mr. KLUCZYNSKI. Mr. Speaker, the year 1918 ushered in a new era to numerous nationality groups in many parts of Europe. To these nationalities it was the year of liberation and freedom, for by the end of that year tens of millions of people who had been suffering under alien regimes in their homelands regained their long-lost freedom and attained political independence. The people of Lithuania were among these nationalities.

Since 1795 Lithuania had been part of the Russian empire, and its people were subjected to the autocratic and oppressive rule of the czars. They endured an unwanted and detested government for more than 120 years. During all that time they worked and prayed for their freedom, but their real chance did not come until that decrepit regime was shattered in the Russian Revolution in 1917. Soon after that all non-Russian subjects of the czarist regime became independent and all proclaimed their freedom. The Lithuanians did this on February 16, 1918, and in the course of a relatively short time they turned their war-torn country into a safe haven for its people.

Unfortunately their powerful and greedy neighbors were not content to leave them alone for long. The Soviet Government, fully determined to put an end of the Lithuanian Republic, annexed the country early in the last war. The country, overrun by the Red army, was made an integral part of the Soviet Union in mid-1940. Since then Lithuanians have been unable to free themselves from totalitarian tyrants. They suffered under both Nazi dictatorship and Communist totalitarianism, but they have suffered much longer under the latter, as they still do, in their historic homeland. On the 45th anniversary of their independence day we all wish them freedom and independence, peace and prosperity, in their native land.

Mr. WEAVER. Mr. Speaker, this Nation of ours has continuously welcomed with open arms those seeking refuge from tyranny and oppression. We have in our midst peoples of various nationalities and national backgrounds.

Today we are observing the 45th anniversary of the achievement of independence by a small Baltic country, Lithuania. There are in these United States about 1 million individuals with a Lithuanian background, many of whom reside in the Mercer-Crawford-Erie district.

Instead of being a day of joyful festivities, this day serves as a reminder of the tyrannical enslavement of peoples seeking to maintain their freedom from foreign domination and maintain their national identity.

Among the many still suffering from Soviet oppression are the Lithuanians. They have had a long and glorious history. For centuries they had a powerful kingdom in eastern Europe, playing a role of a bulwark of defense against the barbarian invaders from the East, while championing the advance of Christianity. For two centuries Lithuania was united with Poland in a dual monarchy, this unity being dissolved by the advance of the czarist empire toward the end of the 18th century.

However, the Lithuanians' persevering hope to regain their independence was not realized until February 16, 1918, the date we now remember. For 20 years Lithuania was able to enjoy the free life she had longed for, but now, the czarist imperialist threat of the 18th century had been replaced by a more savage threat, and in July of 1940 Lithuania was annexed to the Soviet Union.

The United States does not recognize this act of subjugation. We still recognize the Lithuanian separate national identity, and the right of these valorous people to exercise self-determination. Let us join our Lithuanian friends throughout the country in observing this day as a reaffirmation of a determination to break the bonds of enslavement of the courageous Lithuanian nation.

Mr. SHORT. Mr. Speaker, I join with Congressman Dan Flood and other colleagues to again bring to the attention of the American public, and to the people of the world, the observance of Lithuanian Independence Day, February 16. This day is a red letter day—a day to pause and reflect; to thank God for the blessings of liberty endowed upon all of us by our Creator, which we, as free peoples of a free Nation, along with other nations of the free Western World possess and enjoy. But, lest we forget the peoples behind the Iron Curtain—the satellite nations—those nations taken over by the thirst for colonialistic power of the Soviet Union in its ruthless pursuit of world domination, let us commemorate these subjugated countries' independence days.

So that we do not forget, a number of us have introduced resolutions urging the establishment of a Special Committee on the Captive Nations, with the purpose of conducting an inquiry into and a study of all the captive non-Russian nations, which include those in the Soviet Union and Asia, and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in the nations, and means by which the United States can assist them by peaceful processes in their present plight and their aspiration to regain their national and individual freedoms. I hope more of my colleagues will see fit to support this move. Let us tear the veil of illusion which Soviet imperialism and Russian hypocrisy and tyranny has attempted to throw over their never-ending quest for more and more power, their masquerade as a friend of the oppressed and the poor. The cold war is but a smoke screen which the Soviet Union never hesitates to use and behind which Russian colonialism, with all its many ugly crimes, hides itself.

In cold truth, we face this very danger on our own doorstep—in Cuba. That we could have been so blind, or so stupid, or so naive as to let a danger like this materialize this close to our shores seems almost inconceivable. Shades of the Monroe Doctrine.

We have never recognized Russia's domination over Lithuania and we should pay tribute at this time to the Lithuanian people who once held the basic freedoms of speech, assembly, religion and communication—but no more. These freedoms were trod under when the heavy heel of the Russian boots marched into Lithuania. The Lithuanian people are a proud race, a hardy and courageous people, with an unquenchable will for freedom and liberty. We should do all we can to give moral encouragement to these people in their fight to retain their right to self-determination. Let us reassure these people that America is joining in their fervent hope and prayer for freedom from Russian subjugation. May I, at this time, insert in the Record the letter which I received from the Lithuanian Information Center, calling my attention to their independence day celebration:

I appreciate Congressman Flood's offer to have me join with him and others in addressing the Members of the House on this day. Let us all join in the fervent hope that the day will come when freedom and democracy will again prevail in the country of Lithuania. Courage, devotion to ideals, respect for one's fellow man, the pursuit of liberty for a country dating its history back to the Middle Ages, is to be admired. We salute the Lithuanians' indomitable courage and willpower.

January 30, 1963.

Hon. Don Short,
U.S. Representative from North Dakota,
Washington, D.C.

Dear Mr. Short: The nationally representative Lithuanian American Council which has carried on the fight for Lithuania's liberation since 1940, wishes to call your attention to the 45th anniversary of Lithuania's independence day.

However, Congressman Flood has reserved time in the House for Thursday, February 14th, for tribute to Lithuania. A Lithuanian priest will say the prayer in the House that day.

Lithuanian-Americans are especially concerned over the tragic plight of their brethren in Lithuania. During both Soviet occupations, Lithuanians in the old country have been subjected to harsh Soviet rule, and they still look to us with hope. It is to keep this hope alive that we remember Lithuania's independence day. It cannot be observed in the homeland.

To the everlasting credit of the United States it never recognized the illegal incorporation of the Baltic States into the Soviet Union.

We sincerely hope you can be present in the House February 14, Congressman Short.

Sincerely,

Mary M. Kizis,
Director.

Mr. JOELSON. Mr. Speaker, Lithuanians form one of the oldest and smallest nationality groups in Europe with a long and glorious past history. From the late Middle Ages on, for several centuries, they built up the Lithuanian kingdom, which at one time extended from the Baltic to the Black Sea, and they were a decisive force in east European history. Then, towards the end of the 18th century, when the rising Russian empire grew strong and powerful, Lithuanian's power vanished and it became part of that massive Slavic empire. Thus for some 120 years, from 1795 until 1918 Lithuanians lived under the autocratic regime of Russia. In 1918 they regained their freedom and on February 16 of that year they proclaimed their national independence.

Thenceforth for a little more than two decades, during the interwar years, they lived in peace and happiness in their liberated and rebuilt country. This rather brief period forms the happiest part of their national history in modern times. Having recreated their war-torn country, and having put their house in order, they had evolved a truly democratic way of life. But this happy period seemed too much like a dream; because of the changing world situation and the approaching war in the late 1930's, it could not have lasted long. Unfortunately such turned out to be the case. Soon after the outbreak of the last war Lithuania was left alone to deal with its giant neighbor in the East, the greedy and aggressive Soviet Union. Russia imposed harsh terms of alliance upon Lithuania, then stationed Red troops in all strategic parts of the country, and finally annexed it. The Soviet Government did these treacherous acts while Lithuania's friends in the West were in the death throes of the war.

Since those sad days Lithuanian independence has vanished; it lives only in the hearts and minds of liberty-loving and patriotic Lithuanians. Today some 3 million Lithuanians suffer under the stern and unbending regime of the Kremlin, and for the present, there appears to be no effective force in sight to restrain the oppressive rule of the Soviet Government in Lithuania. But these stouthearted people have not given up their hopes, and they still cling to their ideals of freedom and independence. On this 45th anniversary of their independence day they may be assured of our wholehearted sympathy and best wishes in their struggle for their freedom.

Mr. DANIELS. Mr. Speaker, again on the occasion of the 45th anniversary of Lithuania's independence, which will take place on February 16, 1963, I desire to join those who will commemorate this anniversary of the restoration of Lithuania's independence.

While the actual condition of Lithuania has not improved, we in the free world can expose to the rest of the world the fact that the Soviet Union has ruthlessly welded those captive nations, Lithuania, Estonia, and Latvia, into the Soviet colonial empire and is despotically keeping their peoples oppressed, while at the same time falsely and hypocritically posing as the international champion of those seeking liberty and independence.

It is a well-known fact that all the people in the occupied countries are isolated from the free world. They cannot obtain or even see the press of the free world. Radio broadcasts are jammed and the Voice of America programs receive special attention in this jamming process.

The Lithuanian people take great personal risks just to hear radio broadcasts from the free world.

The confidence of these subjugated people in America's just stand for the restoration of independence is so great that they sincerely believe that they will soon be able to publicly thank America for their restored liberty and we must never let them down.

Mr. AUCHINCLOSS. Mr. Speaker, all nations and peoples are great in their own ways, but gallant and stouthearted Lithuanians have been great as fighters and warriors for their freedom and independence. Having lost these precious possessions late in the 18th century, for more than 100 years they fought valiantly and courageously to regain them. At the end of the First World War they had the chance, seized upon it, and proclaimed their national political independence on February 16, 45 years ago. Then for two decades, until the eve of the outbreak of the last war, they lived and labored happily in their homeland. In that relatively short time they rebuilt their wartorn country, instituted their own democratic form of government, and reestablished many of the age-old Lithuanian traditional institutions. They also made great advances on the social, economic and cultural fronts, thus making their new state a model democracy. Then the gathering of storms in 1939 cast a black shadow over Lithuania, and it was not long before the Lithuanians became prisoners under the Soviet regime. Late in 1939 they were forced to sign a mutual assistance pact with the Soviet Union; in June of 1940 the country was occupied by the Red army, and in August it became part of the Soviet Union, thus putting an end for the time being to a free and independent Lithuania.

Since those fateful years and except for the few years when Lithuania was under Nazi occupation, for almost four decades these hardy decendants of daring and dauntless fighters have been suffering under the tyranny imposed upon them by the Kremlin. There in their homeland they are prisoners behind the Iron Curtain. Although this is truly a discouraging situation and although the future appears to be dark and grave, it cannot be said that such brave people are altogether without hope. Their love for freedom which is an integral part of their nature cannot be stifled and one can readily visualize that sometime in the future the will to live as free men and women will conquer and they will again take their place among the nations of the world. This renewed determination and revival of the spirit is recognized at this time on the 45th anniversary of Lithuania's Independence Day and America joins with its hopes and prayers that their day of deliverance may not be far distant.

Mr. WIDNALL. Mr. Speaker, it is a privilege to join in commemorating the 45th anniversary of Lithuanian Independence Day, February 16. From that date in 1918 to its subjugation by the Soviet Union in 1940, the Lithuanian nation remained a free and independent state.

In the early days of the Second World War, however, the Soviet Union saw a chance to doublecross its own treaty partner, Nazi Germany, while Hitler was preoccupied with war on the West. Soviet troops were "invited" into the country and a short time later a rigged election brought the heroic Lithuanian people under the full and complete control of their Red masters. Lithuania, as well as Latvia and Estonia, were incorporated outright into the monolithic Communist empire.

Russia reasserted its claims to the Baltic States as part of her own national territory after the war, in a gesture made all the more cynical by way of the fact that when these countries were incorporated against their will into the Soviet Union, the latter country was a partner of the Axis Powers the West had just defeated. Considering this apathetic acquiescence, it is all the more important for those of us who enjoy the blessings of freedom to reaffirm our dedication to the goal of seeking such freedom for those bending beneath the weight of totalitarian regimes.

Despite purges, arrests, and mass deportations, the Communists have been unable to quell the hope of liberty in the hearts of a proud people whose traditions date back nearly a thousand years. I join my colleagues, Mr. Speaker, in saluting the Lithuanian people, in captivity and exile, on the 45th anniversary of their independence.

Mr. HOLLAND. Mr. Speaker, the Lithuanians were among the various European nationality groups which regained their independence during the last days of World War I. Lithuania had been part of the Russian czarist empire for over 100 years. Taking advantage of the defeat of Germany and of the chaos created throughout the Russian empire by the revolution, a council of 200 delegates, on February 16, 1918, proclaimed an independent Lithuanian state based on democratic principles. This newly revived nation suffered a great deal in its first days of existence. It was not until July 12, 1920, that Russia signed a peace treaty with Lithuania, recognizing it as an independent nation and pledging to respect Lithuanian sovereignty. However, the Soviet Union, following the examples of other totalitarian states in violating their treaty obligations, failed to adhere to the terms set in the 1920 treaty, and in 1940 annexed Lithuania. Thus ended the freedom of the Lithuanian people, and since then they have been living and suffering under totalitarian dictatorship.

Today we are observing the 45th anniversary of the declaration of Lithuanian independence. For the past 23 years Lithuanians have been living under the oppression of a foreign ideology. However, their ideals of freedom and independence have not been suppressed. These ideals still live in their hearts and minds, waiting for the chance to be openly expressed in a free society. Their friends join them in the observance of this anniversary and hope that soon they will attain their cherished goal, that of freedom and independence.

Mr. O'HARA of Illinois. Mr. Speaker, I wish to commend the distinguished gentleman from Pennsylvania [Mr. Flood] for having set aside this hour during which the Members of this body may pay the tribute of their hearts to the brave people of Lithuania and pledge anew their determination to stand by as unfailing friends until again Lithuania is free. No man has been a more devoted fighter for the cause of the captive nations than the gentleman from Pennsylvania [Mr. Flood] and no one is held in higher esteem and in warmer affection. Day and night, week after week, month after month, year after year, he has carried on with a dedication and with the brilliance of his genius in this historic Chamber the battle of the captive nations. Today I am privileged and happy to join with him on this great occasion.

It is not only significant, it is thought provoking, to realize that Lithuanian Independence Day falls between the natal days of two heroes of American independence and freedom, George Washington and Abraham Lincoln.

Ours is a nation dedicated to the cause of national independence and freedom all over the world. Therefore the cause of Lithuania is closely identified with our own. In commemorating the 45th anniversary of Lithuanian independence we remind ourselves as well as the people of the free world of certain events: lest we, and they, forget.

Forty-five years ago on February 16, 1918, the independence of Lithuania was declared by the Council of Lithuania at Vilnius.

By the Treaty of Moscow of 1920 Russia recognized without any reserve the sovereignty and independence of the State of Lithuania and voluntarily and forever renounced all sovereign rights possessed by Russia over the Lithuanian people and territory.

In this treaty Russia proclaimed its high convictions with regard to sovereignty and independence: the same principles that Communist officials mouth again and again before the United Nations.

Again by a nonaggression pact of September 28, 1926, the Soviet Union bound itself to respect the sovereignty, territorial integrity, and inviolability of Lithuania under all circumstances.

In total disregard of these treaties of peace and nonaggression the Red army overran Lithuania early in 1940, robbed the people of their freedom and incorporated Lithuania into the empire of the Soviet Union. Thus, a country which in the 15th century long before the rule of the czars, had been an independent and powerful nation became a captive of Soviet Russia.

Prior to the 15th century Lithuania had protected Europe against the Mongols and the Tartars. At the beginning of the 15th century Lithuanian territory stretched from the Baltic to the Black Sea, and embraced a large stretch of what is now Russia.

Recognition of human freedom, education, and toleration marked the Lithuanian Government during its period of power. It played an important part in the development of European civilization during this time.

The rising power of the czars in the 18th century marked the decline of Lithuania. Despite the ruthless invasion and domination of the czarist hordes Lithuania refused to bow her head to the Russian yoke and in revolt after revolt struck for freedom.

In 1831 the University of Vilnius was closed by the Russians who suppressed all schools and monasteries. The Czar Nicholas I set out on a program of suppression of Lithuanian culture. The language was forbidden, the Roman Catholic faith was proscribed. Suppression, exile to Siberia, hangings failed to still love of freedom and independence in Lithuanian hearts.

Although Lithuania was devastated by World War I its leaders sought and found the opportunity which its freedom fighters had sought for centuries. They proclaimed independence in 1918, and secured recognition of Lithuania as an independent state at the treaty of peace, July 12, 1920.

Under an independent government domestic economy grew and was diversified; foreign trade expanded; social services never before dreamed of were instituted. Education which had been impeded during the period of Russian repression was made compulsory. Besides 2,500 elementary schools attended by 292,000 children, the Government of the Republic of Lithuania opened special schools for the study of agriculture, the chief industry of the country.

World War II marked the end of Lithuania, a country dedicated to the general welfare. Soviet armies overran it and despite treaties of peace and nonaggression, Lithuania was coldbloodedly incorporated into the Soviet Union.

July 23, 1940, the Acting Secretary of State, Summer Welles, put the United States on record in the following statement:

> During the past few days the devious processes whereunder the political independence and territorial integrity of the three small Baltic Republics—Estonia, Latvia, and Lithuania—were to be deliberately annihilated by one of their more powerful neighbors, has been rapidly drawing to conclusion.
>
> From the day when the people of these republics first gained their independence and democratic form of government, the people of the United States have watched their admirable progress in self-government with deep and sympathetic interest.
>
> The people of the United States are opposed to predatory activities no matter whether they are carried on by the use of force or the threat of force. They are likewise opposed to any form of intervention on the part of one state, however powerful, in the domestic affairs of any other state, however weak.

The self-styled liberation of oppressed peoples has followed a policy of extermination against Lithuania through mass deportation, slave labor, biological extermination and complete destruction of cultural values.

Despite ruthless oppression neither czarist Russia nor its successor Soviet Russia has succeeded in killing the spirit of independence and the determination to win freedom which is part of the character of the people of Lithuania both in their homeland and the lands where they have sought asylum.

In saluting our fellow citizens of Lithuanian blood as well as those who grimly carry the torch of freedom, despite their struggle under the Russian yoke, we must remind the world and the United Nations in particular that the plight of Lithuania today is not only a violation of solemn treaties signed by Soviet Russia but a violation of international law, the Atlantic Charter and the Declaration and Charter of the United Nations. Let us remind the nations of the free world that these documents have been signed not only by the United States and the U.S.S.R. but by all the other member nations of the world.

Mr. ROYBAL. Mr. Speaker, today, we commemorate the 45th anniversary of the Lithuanian Declaration of Independence; for on February 16, 1918, the people of Lithuania proclaimed their freedom. Bound to Russia since the 18th century, the Lithuanians had recalled the past when their country was great. The strategic position of the nation enabled their rulers to be empire builders, to be strong enough to check the hordes of invading Mongols and Tartars from overrunning northern Europe. They remembered their history and when the czarist government fell to the Bolsheviks, the Lithuanians took the initiative and proclaimed their freedom.

For one generation, democracy flourished and the nation was respected as an independent state in the world community. During World War II, though, the forces of tyranny overran the small country and Lithuania once more became a part of the Soviet Union. A ruthless plan was effected whereby thousands of Lithuanians were deported and thousands more executed. It was the plan of the Soviet authorities to stamp out Lithuanian nationality; but those who escaped to the West carried with them the hope and desire for liberty.

We in America recognize this hope. We recall the valiant struggle of the people, their hardships, their courage. We remember, too, their symbol of freedom, the declaration of February 16, and we extend to them the hope that independence may once more prevail in the Lithuanian homeland.

Mr. RHODES of Pennsylvania. Mr. Speaker, it gives me pleasure to join my colleagues in paying tribute to the Lithuanian people on the 45th anniversary of the restoration of independence to the Baltic nation of Lithuania.

These brave and courageous people have been engaged in a long and enduring struggle for freedom. They have been subjected to great oppression. The faith and confidence that still exist in their hearts that someday freedom will again be restored to their homeland and liberty and justice will prevail is evidence of the strong character of these people.

I should like to commend them on their enduring faith and to join them in their hopes and prayers that in the not too distant future they will again enjoy their God-given rights and move forward into a world of peace and friendship.

Mr. Speaker, I wish to include with my remarks the following resolution which was adopted by the Liths Club of Shenandoah, Pa., at their meeting on January 27, 1963:

> Whereas on the 16th day of February 1918, Lithuania proclaimed her independence and instituted her own democratic republic, which in a short 22 years made great progress in all fields of endeavor; and
>
> Whereas by the Treaty of Moscow of 1920 Soviet Russia recognized the sovereignty and independence of Lithuania and voluntarily and forever renounced all sovereign rights possessed by Russia over the Lithuania people and their territory; and
>
> Whereas on June 15, 1940, Soviet Russia forcibly suppressed and violated the liberty and independence of Lithuania, notwithstanding the treaties and agreements of nonaggression; and
>
> Whereas the U.S. Government on July 23, 1940, condemned such aggression and refused to recognize the Soviet occupation of Lithuania: Now, therefore, be it
>
> *Resolved*, That we the members of Lith's Club of Shenandoah, Pa., reaffirm our adherence to the American democratic principles of government and pledge our support to our President and our Congress to achieve lasting peace, freedom and justice in the world; and be it
>
> *Resolved*, That we petition our Government and ask it to use its influence and power to the utmost, so that Lithuania and her people may be free and independent again; and be it further
>
> *Resolved*, That copies of these resolutions be forwarded to the President of the United States, His Excellency, the Honorable John F. Kennedy; the Secretary of State Hon. Dean Rusk; our Ambassador to the United Nations the Honorable Adlai Stevenson; our U.S. Senators, the Honorable Joseph S. Clark, and the Honorable Hugh Scott; our Congressman the Honorable George M. Rhodes; Governor of Pennsylvania William W. Scranton, and also to the press.

Mr. CAHILL. Mr. Speaker, it is indeed an honor and a privilege to join with my many colleagues in the House of Representatives in celebrating the 45th anniversary of Lithuanian independence. The Lithuanian struggle for liberty has a long and splendid history. It is the tragic fate of the Lithuanians to have known freedom for 20 years only to lose it during World War II. A nation's independence, like many valued possessions, seems to increase its value when it has been lost. This taste of independence, however brief, explains the Lithuanians' bitter resentment of the reestablishment of Russian rule over their land. The Lithuanians and the other Baltic peoples are the most unwilling members of the multinational Soviet state. They shared fully in the northern European culture, had developed contacts with Finland, Scandinavia, and Germany and had reached a high level of literacy and education. The Soviet regime has found it difficult to force these independent-minded people into the mold of the monolithic Soviet system. Lithuanians are deeply resentful of the Russians, who have come into their country in great numbers and hold key posts in party and government. Lithuania did not deserve the cruel fate imposed upon her. She is perfectly justified in continuing to resist Soviet Russian oppression and in demanding that the principles of the Atlantic Charter be honored. The Lithuanian people have earned liberation—and liberation must ultimately come. However brutal the methods, the Kremlin cannot root out centuries of Lithuanian traditions and culture. Nor can they erase the memory of Lithuanians who once tasted freedom and who rekindle their hopes each year by observing the anniversary of Lithuanian Independence Day.

Mr. McINTIRE. Mr. Speaker, once again it is time to commemorate the birth of a free nation, but it is a commemoration which has a sobering effect on the peoples of the free world. February 16 marks the time of the restoration of Lithuanian independence which was launched with great hope and enthusiasm in 1918 and went crashing to the depths of oppression in 1940 under Russian dominance.

For centuries, Lithuania and her Baltic neighbors have undergone a buffeting by greater powers to the south and east. But the spirit of the people has remained free and unconquered, invincible to the enemies' major objective—ethnical extinction.

Today, under Communist rule, the endurance of Lithuania is meeting its greatest challenge—and it is not found wanting. The hearts and minds of her children are united as those still behind the Iron Curtain have their hopes bolstered by the work of their brothers in the free world.

In a world filled with daily reminders of the threat to our freedom, the continuing fight carried out by the Lithuanian-Americans for the liberation of their homeland serves to remind us how precious freedom is and how difficult it is to regain, once lost. Let their efforts be a guide to us to repel the slowly expanding cover of communism. Let them make us persevere in our demands for the restitution of the Baltic countries to their once held positions of freedom and sovereignty.

Mr. CUNNINGHAM. Mr. Speaker, I rise to join in the salutes to the people of the country of Lithuania on the occasion of the 45th anniversary celebration of Lithuanian independence. This is a happy occasion, because it brings to mind the years when this Baltic nation, along with its neighboring States of Latvia and Estonia, was a free nation.

Each year we in the Congress and Americans of Baltic origin also mark another date, June 14. On that date in 1941, mass deportations began by the Communists. Since then, untold numbers of Lithuanians, Latvians and Estonians have been shipped like so many cattle to serve a foreign master.

But today we are able to recall better times; the years when Lithuania and its neighboring states were free nations. We all hope that this occupation will end. We are pledged to that goal.

I have had the honor to introduce and sponsor legislation which would put this Nation firmly on record as to our desires for these captive nations. These are spelled out in House Concurrent Resolution 59, introduced a few days ago. In this resolution, the history of the Communist invasion and occupation of the Baltic States is spelled out.

Then there is a call for action by this Congress; a request that the President bring up the Baltic States question in the United Nations with the following actions as our goal:

First. Withdrawal of Soviet troops, agents, colonists and controls.

Second. Return of all Baltic exiles from Siberian prisons, labor camps or elsewhere.

Third. Free elections under U.N. supervision.

I think these are minimum and reasonable objectives. Certainly they are ones that we as the leader of the free world should support.

I join my colleagues in the Congress in marking the anniversary of freedom for Lithuania with a renewed plea for action on the matter of Russia's captive nations.

Mr. McDADE. Mr. Speaker, on February 16, 1918, a small group of men gathered together to issue a proclamation that was memorable. It was a proclamation such as we here in America can understand and even love. It was the same proclamation that we celebrate each 4th of July in these United States. It was the Declaration of Independence of the sovereign nation of Lithuania.

For nearly 700 years this tiny nation of about 23,000 square miles and 2 million people had struggled to save its identity in the complex and ofttimes vast shiftings of power in the northern reaches of central Europe. In 1918 its independence was declared solemnly; its future as a nation was secure.

The great tides of history had moved across this tiny nation. Under Mindaugas, the first and only king in Lithuanian history, all of the tiny Lithuanian tribes along the Baltic had united in the year 1253. She had become united with Poland a century later by the marriage of Jagiello, Grand Duke of Lithuania, and Queen Jadwiga of Poland. Two centuries later Poland and Lithuania sat in one common Parliament as a strong and powerful nation. Two centuries after this, history dealt her a great blow when Lithuania was occupied by Russia in the third petition of Poland.

But independence did not die among its people, and even the horrors of the First World War brought some good to her when, after being overrun by German troops, she was finally given permission in 1917 to gather 200 delegates to elect a 20-member Lithuanian State Council. In 1918, on this memorable day, the Lithuanian State Council proclaimed an independent Lithuanian state and in 1919 Antanas Smetona was elected the first President of Lithuania.

But even as the light of freedom shone for Lithuania, a new force of darkness was rising in the East where the evil philosophy of Marx was struggling to destroy the truly independent Russian Republic, to deliver the lives of hundreds of millions into the hands of Lenin, then Stalin.

For 20 years the Red state brooded over Lithuania like an evil genius until in 1940 the troops of Stalin marched through the streets of Kaunas, Alitus, Panevezhis, and Shaulyai, and Lithuania was forced into the Soviet Union as a reluctant republic. It is now 22 years later and the cold hand of Marx still lies heavily upon this people. But if we here today let the people of this nation know that we have not forgotten them, then even these 22 years will not have been in vain.

In our lifetime we have seen the rise and fall of Hitler. We have seen Stalin standing like some colossus over the Communist world. He, too, has gone and even the Communist world could not wait until the body was cold to spit upon him. They have desecrated his tomb and have relegated him to their limbo of contempt, where all free men had long ago placed him. We can wait for Khrushchev to pass as well and his successor, whomever he may be. Even now the sands of time are running swiftly, and history is ready to write "finis" to the career of the man who was known as the Butcher of Bucharest.

Freedom is not dead in Lithuania. Any nation that can save its own identity for 700 years will long outlive the tyranny of communism and the work of its evil masters.

The tyranny of Sparta was great enough to conquer the civilization of Athens and to hold that civilization in captivity for hundreds of years, but who today can name one Spartan king who ruled even more absolutely than Khrushchev rules, and who today cannot name the great names of Athens from Plato to Aristophanes?

There is one man of Lithuanian extraction in my district, the Reverend William J. Patkutka, who teaches philosophy, who brings the wisdom of the great Greek philosophers and of those who followed them, to his students. This is what the sons of Lithuania are doing all over the world today. From this great hall of freedom we call across the vast wasteland of communistic tyranny to our Lithuanian brothers and say, "We have not forgotten you." And we say also, "Time is on your side, truth is on your side. If you are not free today, your children will be free, or your children's children, and long after the tyranny of communism has been buried with the tyranny of Sparta, and the tyranny of Hitler, your children will sit in freedom's hall in Lithuania and may read the short stories and plays of Vincas Kreve or may sing the music of Mikas Petrauskas."

Mr. WALLHAUSER. Mr. Speaker, on February 16, 1918, the people of Lithuania proclaimed their independence, and took their rightful place among the nations of the world. These gallant people had finally thrown off the yoke of tsarist tyranny after 123 years of enslavement and horrendous abuse.

Their independence, however, was to be short lived. On June 15, 1940, the Soviet Russian Army marched into Lithuania, bringing a new Russian imperialist in the form of communism. Once more these freedom-loving people were placed at the mercy of Russian masters, as dialectic materialism replaced free thought and oppression replaced liberty.

Yet, despite the abuse which these people suffer daily, their love for liberty has not died. They wait quietly for the day when the light of freedom will dawn once more on their native land.

As Americans and Members of the Congress of the United States, as human beings, it is our duty to aid these courageous people in their struggle for freedom. We can and must do something to expose to the world the tragic plight of the Lithuanians, and the millions of other people of all nationalities enslaved by communism throughout the world.

This January, in conjunction with others, I introduced a resolution which would create a special 10-member Committee on the Captive Nations. The purpose of this committee would be to study all the captive non-Russian nations with particular reference to the moral and legal status of Red totalitarian control, and means by which the United States can assist them by peaceful processes in their present plight. It is our moral obligation to do something. This resolution should be approved and the committee directed to begin its studies at once.

Mr. COLLIER. Mr. Speaker, today, Lithuanians throughout the world are celebrating their declaration of independence. Forty-five years ago, on February 16, 1918, the people of Lithuania overthrew their Russian masters and proclaimed themselves free. It is this deed which they commemorate, one which we as Americans must recognize; for these courageous people established independence from a despotic empire just as we did in 1776.

The Lithuanian homeland exists today only as a province of the Soviet Union. The short-lived Republic has championed the small nations of the world community and had been recognized as a progressive state. Strategically situated between the East and West, trade flourished and ships from many nations docked at its ports. This strategic position was to prove Lithuania's downfall. Coveted by the Soviet Government, it was unable to withstand the overpowering pressures from the Kremlin. World War II gave Russia the excuse to annex once more the Lithuanian homeland. This time the Soviet Union directed a plan to destroy, as much as possible, Lithuanian nationality. By executing several thousand nationals and deporting many more thousands and by settling Russians in this conquered territory, the hegemony of the Lithuanians was broken. The spirit of the people lived on, though, carried throughout the free world by those who fled to freedom.

Those Lithuanians who settled in the United States were soon integrated as a part of the American community. Here in the United States they have been permitted to enjoy their rights as free men, to exercise those rights of which they were deprived. They keep alive the spirit of freedom through the celebration of their declaration of independence. Let us, too, help them celebrate by recognizing their hopes and extend to them our wishes for a new independent Lithuania, free from Russian tyranny and enslavement.

Mr. SCHADEBERG. Mr. Speaker, 1963 marks the 23d year since the once-independent but always courageous Republic of Lithuania and the entire Baltic area was overrun, ravaged, and morally degraded by the Communists of Soviet Russia.

Recorded history of an independent Lithuanian state dates back to the 11th century. She finally was conquered in 1795 and divided between Russia and Prussia. After a struggle of 120 years for independence, marked by armed uprising of each succeeding generation in 1794–95, 1812, 1831, 1863–64, and 1905, Lithuania regained her independence on February 16, 1918, a date and an event we commemorate here today.

Tragically, history repeated itself, and, as the world is well aware, the Communist army on June 15, 1940, invaded and enslaved the people of Lithuania, and soon completed Communist occupation of the Baltic nations.

But history will repeat itself again—in the liberation of those now under the ruthless domination of sadistic communism.

Mr. Speaker, it is in the nature of a rededication to the cause of liberation and freedom of the Lithuanians and all others in bondage to atheistic communism that I place in and on the Record an outline of the history of Lithuania since just before the outbreak of World War II. Among the finest and most noble of my constituents of the First Wisconsin District are Americans of Lithuanian heritage and background, and I am proud to represent them in the Congress of the United States. One of these is Jonas Milisauskas of Kenosha, who, at my request, has prepared the following historical outline. It is a sad chronicle of the extremes to which the animal in man will go in his cruelty toward man as a child of God. It is a testimonial, however, to the bravery and determination of people who are on the side of God, and will win. It is our duty as well as our privilege to remain firm in our resolve and in our deeds that these people and all others in shackles shall be free.

Mr. Milisauskas is chairman of Lithuanian-American Community of the U.S.A., Inc., Kenosha chapter. His article follows:

Lithuania in World War II

On the eve of World War II the Red army by connivance and use of force occupied Lithuania on June 15, 1940. On the following day—June 16—Moscow sent Stalin's emissary, W. G. Dekanozov to complete the occupation and forcible incorporation of Lithuania into the Soviet Union. Arbitrarily and in collusion with a common enemy, Soviet Russia violated all of the treaties it had with Lithuania.

The secret agreement between Stalin and Hitler to divide Poland and the Baltic States among themselves was discovered in Berlin after the end of the war. This agreement of common aggression is now recorded in history as the Secret Molotov-Ribbentrop Protocol.

Soviet Russia's highhandedness and treachery began immediately after its occupation of Lithuania. Political party leaders, organization workers, editors and public leaders were arrested in the beginning of July. Most of them were sentenced to 18 years at hard labor by closed Soviet kangaroo courts. The condemned were taken away to prisons deep in Soviet Russia. They were not permitted to present any defense in their own behalf or hire a defense attorney. Many of those sentenced perished soon after in the Soviet prisons.

The mass arrests of Lithuanians became routine. Torture chambers were set up in the basements of buildings taken over by the Soviet secret police for their headquarters.

In their second major plan, the Soviets confiscated private property held by Lithuanians—banks, industrial plants, commercial enterprises, printing plants, and homes. Everything was expropriated without even a mention of possible compensation. In the course of only 1 month, all of Lithuania was converted into a huge prison, and its inhabitants into serfs of the Soviet masters.

In accordance with the secret master plan worked out in Moscow, in the night from June 13–14, 1941, some 40,000 Lithuanians were deported from Lithuania to slave labor camps in Siberia. Among those taken away were women, children, aged, even the sick and infirm. Wives and children were ruthlessly separated from husbands and fathers. The deportees were crammed into cattle cars, the doors were boarded up and nailed shut. Quite a few of these unfortunate Lithuanians died en route. The Lithuanian nation will never be able to forget this frightful day.

With the outbreak of the war between Nazi Germany and Soviet Russia on June 21, 1941, all of Lithuania revolted. The uprisings flared up throughout Lithuania and more than 100,000 Lithuanians, including all the Lithuanian soldiers still left in Lithuania took to arms. Some 4,000 of these freedom fighters were slain in bettle.

The restoration of Lithuania's independence, the annulment of the Soviet acts, and the formation of a provisional Lithuanian Government were proclaimed on June 23.

Fleeing from Lithuania, the Red army and the secret police units massacred countless innocent Lithuanians in Praveniskiai, Rainiai Forest, Petrasiunai, Panevezys, and other places. This slaughter of innocent people was carried out by using the most horrible forms of torture.

Aiming to convert Lithuania to a German colony, Hitler's Germany began interfering with functions of the provisional government and 6 weeks later, on August 5, 1941, disbanded the provisional Lithuanian Government. Thus began the Nazi occupation which lasted 3 years.

As the finally defeated German Army retreated back to Germany in July 1944, the Red army again marched into Lithuania's territory. The second Soviet occupation began with the usual Communist terrorism and oppression. The Soviets immediately confiscated any and all privately held property. A few years later the land was taken away from the farmers-owners and the farmers were forced into collective farms without any right as to the choice or place of employment. To this day, they are forbidden from moving into the towns to live and work.

The results of this collectivization became soon apparent. Prewar Lithuania had exported surplus farm products abroad. Under the present Soviet order, there isn't even enough food produced to supply the demand at home. Enslaved Lithuania is being methodically robbed by budgetary means—more than 60 percent of Lithuania's annual budgetary receipts are appropriated by Moscow.

The consequences of the second Soviet Russian occupation of Lithuania was dreadful. In the bitter struggle from 1944 to 1953, more than 30,000 Lithuanian underground fighters perished. They knew that they were fighting a losing battle. They knew that if captured, a horrible death awaited them. But they had hopes that by sacrificing their own lives, they would draw attention of the rest of the free world to the menace of communism. Let us hope that they and countless others did not die in vain.

About 350,000 Lithuanians were deported from Lithuania to slave labor camps in Siberia. Several years after the death of Stalin, some of these deportees were returned to their country, others were left there. The majority had already died of starvation, exposure, and inhuman labor and living conditions. Running from the Communist terror, approximately 70,000 Lithuanians fled to the West. Half of these refugees have settled in the United States.

As in all Communist-seized countries, religion and freedom of worship are severely persecuted. Out of 10 archbishops and bishops in prewar Lithuania, 3 had to flee to Germany. Four of those remaining were taken to Soviet prisons where two were tortured to death. One died soon after his return to Lithuania. The fourth, an old man over 90, is still living but is prohibited from carrying out the duties of his office. Under the occupation, three priests were consecrated as bishops but only one of them is allowed to partially perform his duties.

Hundreds of Lithuanian priests were deported to Siberia, where most of them met martyrs' deaths. Many churches in Lithuania are either closed, converted into warehouses, museums, or dance halls. The faithful are persecuted for attending church or for marrying in church. The souls of Lithuanian youths are crippled by atheistic communism and by severely punishing their parents, priests, and laymen teachers who instruct youngsters in religion. The Communists are going to extremes in their effort to destroy belief in God just to make it easier to enslave the minds as well as the bodies of the Lithuanian people.

The Western World must know by now that communism is an atheistic ideology as well as a monopolistic economic system. By misleading propaganda, insincere promises, and a distorted interpretation of democracy, the Communists are infiltrating all other countries with the actual purpose to enslave all nations, to annihilate freedom and convert all nations into Soviet Russia's slaves working only for the Communist state.

All mankind would benefit if the free world really understood the designs of communism and learned from the suffering of occupied Lithuania, so that it too would not meet the same fate—loss of freedom, agonizing enslavement, persecution, and death.

This year will mark the 23d year since Lithuania and the entire Baltic area are being ravaged, morally degraded, and slowly annihilated. The peaceful and industrious Lithuanian nation has never before experienced such an exploitation and genocide. For this reason alone the entire free world, which wishes to preserve liberty and democracy, should learn the history of Lithuania's suffering, so that it might protect itself against the Communist peril and a similar fate.

Mr. CONTE. Mr. Speaker, as you know, Saturday, February 16, marks the 45th anniversary of the Republic of Lithuania.

It is fitting, Mr. Speaker, that we pause in commemoration of these great people who are engaged in the never-ceasing battle to shake off the oppressive chains that are tightened daily by the Communists.

And yet free Lithuanians everywhere know the fight for freedom is just beginning and that a noble history of courage and confidence will repeat itself in eventual liberation.

Since the 13th century, various regimes have attempted to subjugate and destroy the Lithuanians. Few people have had as sad a history. In 1795 Lithuania lost her freedom to autocratic Russia, but by 1918, liberty was reestablished. It was not an easy accomplishment, and the courage that precipitated independence was historic.

For 22 years, the Lithuanian people demonstrated how effectively they could advance economically, socially, and politically. Then the terrible scourge of tyranny struck again on June 15, 1940, when the Soviets devastated the country.

Mr. Speaker, I can attest to you today, that as others have failed to discourage the Lithuanians, the Soviets will also fail.

I am hoping that with the passage of a bill I introduced to set up a Special Committee on the Captive Nations precise information will be given on the intolerable methods of Communists. In the meantime, Mr. Speaker, I want to join with the freedom-loving people of the world who hope and pray that the Lithuanian homeland will be soon free and look with confidence to the glorious day when an independent Lithuania will once again join the community of the free world.

Mr. CELLER. Mr. Speaker, we cannot permit the 45th anniversary of Lithuania's independence to slip by unmarked lest, unjustifiably, the free world, as well as oppressed mankind, believe that we have lost hope in freedom itself.

Lithuania today is under the domination of a tyrannical power, held in a viselike grip, while that colonial power, the Soviet Union, attempts to ingest it whole into its body politic. But the Lithuanians know their history far better than do the Soviets, for the hunger for freedom is an insatiable hunger and no grip, however tight, can, ultimately, keep it from blooming.

Thus all men, blessed with liberty, join with the good people of Lithuania on this occasion in sending to them their understanding, their hopes and their unshakeable belief that these good people will and must be free.

Mr. ZABLOCKI. Mr. Speaker, Saturday, February 16, will mark the 45th anniversary of the declaration of independence by the Republic of Lithuania. I should like to join with my colleagues in calling attention to that important anniversary.

It is truly proper that we pause in our legislative deliberations to pay tribute to the indomitable spirit of the people of Lithuania, whose courageous deeds give ample testimony of their devotion to freedom.

The people of Lithuania have bravely resisted all Soviet attempts to force upon them the Communist outlook and way of life. They continue to hope for the day when liberty and independence will be restored to them.

This year the sad plight of the Lithuanians has even more forceably come to our attention. An article on the front page of this morning's Washington Post pointed up Soviet attempts to whitewash their aggression against Lithuania and the other Baltic States.

Through the medium of a UNESCO publication on racial discrimination, a Soviet educator and a Soviet lawyer have asserted that the Soviet Union in 1940 reestablished its control over Latvia, Lithuania, and Estonia when those countries "voluntarily" chose to join the U.S.S.R.

It should be evident to the world that this assertion is a barefaced lie. Anyone who has studied history knows of the enmity between the Baltic States and Russia, and of the armed force employed to overthrow these peoples and annex them to the Soviet Union.

Commendation is in order to George M. Dimitrov, President of the Assembly of Captive European Nations, for his vigorous protests against the historical distortions contained in this publication. We can agree wholeheartedly when he calls it "cheap Soviet propaganda, falling short of UNESCO objectivity," and "harmful to the rights of Estonia, Latvia, and Lithuania."

It is only fitting that on this significant anniversary we raise our voices with the Assembly of Captive European Nations to demand that distribution of this UNESCO publication be stopped. Let us pledge, moreover, that our Nation will never recognize the incorporation of Lithuania and the other Baltic Republics into the Soviet Union.

For some day freedom will again dawn over the Baltic for these oppressed peoples. Then Lithuanian will once more take its rightful place in the ranks of the free nations of the world. This is our earnest hope and unceasing goal.

Mr. PUCINSKI. Mr. Speaker, I rise and join my colleagues in calling attention to the fact that February the 16th marks the 45th anniversary of the Declaration of Independence of Lithuania. On that day in 1918 Lithuania proclaimed itself an independent Republic, freed of the heel of the Russian conqueror which had dominated her since 1795. May we all join with the 1 million Americans of Lithuanian descent in commemorating this day. Around the world many others in the free world will stand and join such a commemoration; but many of them will be refugees. For within the brave little country of Lithuania itself, there will be no open celebration of this day.

Friends of liberty, and refugees, and relatives of those left behind must celebrate for those Lithuanians now in darkness, once again beneath the boot of Russian aggression. In 1940, the Soviet Union crushed the light of liberty within the Republic of Lithuania, and went on in the coming years to crush it again and again, in Poland, in Rumania, in Bulgaria, in Hungary, in Czechoslovakia, and in eastern Germany. Swallowed along with Lithuania were her little neighbors, Latvia and Estonia.

The United States has never recognized this illegal, immoral action to the Republic of Lithuania. The United States can never sanction this cruel act without losing some measure of its own freedom and self-respect. We can carry on, however, as we have done in Congress over the years, the tradition of marking this day of Lithuanian independence.

This traditional commemoration recognizes the bitter anguish of the brave people of Lithuania, and of our helplessness to relieve their burdens. It is a covenant between the people of Lithuania and America that the Republic of Lithuania shall not be forgotten; that for our part, we shall mark this day for renewed dedication to the tasks before us. For our object is to restore the freedom of Lithuania, as well as the freedom of her sister Baltic Republics, and of all the other nations of Eastern Europe held in bondage by Soviet imperialism. Let us so conduct ourselves in the days to come that next year, on this occasion, we can mark some tangible progress to this end.

Mr. FEIGHAN. Mr. Speaker, February 16 of each year is a day of special meaning to Lithuanians the world over. It is a day of special observances throughout the free world and it is a day remembered by loyal Lithuanians in the homeland even though formal observance of it is denied by the Russian occupier. February 16 is Lithuanian National Independence Day.

The annual observance of this day over the years by so many Members of Congress has served well to underscore U.S. commitment to a free and independent Lithuania. Our Government has refused to recognize the illegal and forced incorporation of Lithuania into the Soviet Union and that political position is reinforced by the continuing recognition of the Lithuanian Legation in Washington as the only official representative of the interests of the people in captive Lithuania. And all this corresponds with our Nation's responsibilities as the birthplace of the national independence movement and the beacon of hope for hundreds of millions of non-Russian peoples held in colonial bondage behind the Russian Iron Curtain.

While we stand on principle in defense of the right of all nations, large and small, to self-government, to human freedom and to national independence it is proper that we take account of the rewards which have come back to us because of our stand in support of those principles. The Cuban crisis provoked by imperial Russia during 1962 provides a unique opportunity for analytical review of Russian imperial power and its limitations.

Public Law 86-90, the Captive Nations Week law, expressed the will of the American people toward all the captive nations, including Lithuania. The resolution introduced in the House by Speaker McCormack to establish Captive Nations Week, at which time I introduced an identical resolution, made a finding which was confirmed by the Cuban crisis. That finding was "the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace." That finding was based upon two pillars of international political reality. The first is based upon long-accumulated and verified evidence of resistance by the common man in all the captive nations to Russian Communist occupation and exploitation of their homelands. Included was the collapse of the multinational Red army during the early months following German invasion of the U.S.S.R. in June of 1941, when over 2 million non-Russians laid down their arms and refused to fight in defense of the Russian empire. The second pillar is based upon an old lesson of history which holds that—no king, emperor or tyrant can wage war successfully without the loyal support of the people over which they rule.

That congressional finding was put to the test in the Cuban crisis. President Kennedy served notice on the Russian tyrants that the United States would not tolerate their military buildup in Cuba, including their intermediate range missiles which were then being pointed at the continental United States, and followed up with a naval and air quarantine of Cuba and a deployment of our military power to meet the Russian threat from Cuba. Khrushchev was warned that any use of those missiles against the United States or any nation of the Western Hemisphere would be answered by a full retaliatory response on the U.S.S.R. The Khrushchev admission of guilt and a promise of repentence followed immediately, and the Russian acted like a thoroughly frightened tyrant who was forced to face up to the prospect of war. President Kennedy cleared up the Khrushchev doubts about the courage of our people to face up to Russian nuclear blackmail and our willingness to assume any risks in meeting the Russian challenge in the Western Hemisphere.

In examining the motives for the Khrushchev backdown, the most readily apparent one is that he feared the tremendous superiority of the United States in all phases of nuclear warfare. But the case is not that simple. Other factors entered into the Khrushchev backoff. In my considered judgment another major factor entered into the Khrushchev decision. That factor was the old fear which haunts the Kremlin, fear of the captive non-Russian peoples of their empire. Two World Wars have taught the Russians that armed conflict creates conditions among the captive peoples which take their empire to the brink of total disaster. One more war is certain to finish them and their empire. They know they cannot win a war and fear equally any international crisis which will set in motion the pent up spirit of revolt throughout the captive nations.

A few days ago I received a letter from a revered Lithuanian in the United States, which bears on this factor of decision. I quote from his letter:

> During the period of the Cuban crisis I found myself in a situation where I was able to meet a number of people from the other side of the Iron Curtain. Even though these people varied in their degree of loyalty to Moscow, they were among those that are trusted by Moscow.
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> When the President of the United States presented his ultimatum in the matter of Cuba's arming with offensive weapons, the people I mentioned above, from the very first day, expressed the unanimous opinion that Khrushchev would have to back down because the U.S.S.R. cannot enter into any disputes which would demand wholehearted loyalty to the government by all the citizens. The reason for this—total disloyalty to the regime by the people living under Moscow's rule. All of the people in the occupied countries silently but relentlessly oppose the occupation, colonization, russification, de-Christianization, and also the economic system. All of them wait for the opportunity to be rid of the Soviet occupant and his regime.

As we observe this Lithuanian National Independence Day it is well that we reflect upon the politics and people issues fermenting behind the Russian Iron Curtain. In the end it will be the people of the world who remove the threats of war and the inhumanities of the tyrants. We have not really tested the power of people on the other side of the Iron Curtain in promoting the cause of peace with freedom and justice. Their power to prevent wars of aggression against the free world is enormous. Their power is no less in promoting and winning a just peace. Lithuania will once again be free and independent when we learn to harness the total power of freedom's cause in all the captive nations.

Mr. GALLAGHER. Few peoples have withstood more sustained efforts to eradicate their national identity than the Lithuanians. Their homeland is a small Baltic country surrounded by great powers, and Lithuania's history has been one of invasion and occupation by foreign powers with only a 20-year interlude of national independence between the two World Wars. Yet none of Lithuania's conquerors has been able to extinguish Lithuanian culture, language, and traditions—the essence of nationhood.

The most intensive efforts to liquidate the Lithuanian national spirit have been made by the Russians. In the 19th century the Lithuanians made repeated attempts to throw off Russian domination, and the czars retaliated with brutal russification campaigns. After a third unsuccessful rebellion in 1831, the czarist regime attempted to replace the Lithuanian language and culture with Russian. This repressive policy was intensified after another revolt in 1863, but the Lithuanians resisted and remained faithful to their religion, language, and traditions.

In the 20th century the Soviet regime has dealt no less harshly with the Lithuanians than its czarist predecessor. Stalin attempted to eliminate the Baltic national minorities by massive deportations. When the Russians reoccupied the country in 1944, some 80,000 Lithuanians fled to Western Germany. Another 60,000 were found in East Germany and deported to Siberia. During 1945 and 1946 an additional 145,000 Lithuanians were deported, and some 60,000 were deported in March 1949 in answer to passive resistance of the farming population to the collectivization of agriculture.

Although the post-Stalin regime has permitted about a third of these deportees to return to Lithuania, it has resorted to more indirect tactics to repress freedom and the spirit of nationhood in this captive Baltic republic of the U.S.S.R. Thousands of Russians have moved into Lithuania, where they man army garrisons and hold the key government posts. Religious and cultural freedoms are severely restricted.

The repressive measures taken by the present occupants of the Kremlin represent the latest of many attempts to extinguish the Lithuanian nationality. On the 45th anniversary of Lithuanian Independence Day we join Lithuanians everywhere in the belief that this proud heritage will withstand this latest threat and will emerge triumphant.

We join them in a prayer that they will in a day not too distant enjoy the blessings of freedom that they so richly deserve.

Mr. DONOHUE. Mr. Speaker, I am very happy, indeed, to join with my distinguished colleague from Pennsylvania, and my fellow Representatives here, in paying tribute to the great people of Lithuania and our own Lithuanian-Americans who are celebrating the 45th anniversary of Lithuania's independence.

Today we extend a further message of hope that the valiant people of Lithuania will soon be freed again from the cruel persecution they are now suffering under Communist subjugation.

But we, who are free, have the obligation to do more than that. It is our duty to repeatedly publicize to the world the tragic truth of Lithuanian oppression under Russian tyranny.

It is not enough to just offer hope to the Lithuanian people. We must show them that we are as resolute as they are in our common fight against the Communist enemy.

The subjugated people of Lithuania can take heart in observances such as these and in our national policy of refusing to recognize the Soviet Union's annexation of Lithuania.

As long as we keep alive the shameful truth about Communist treatment of Lithuania we keep alive the hopes of the Lithuanian people for eventual freedom and independence.

Let us remember that a tyrannical regime, founded on falsehoods and terror, cannot last because it sows the seeds of its own destruction.

In the same sense, let us remember that a nation of Christian traditions, such as Lithuania, has inherent in it the qualities to guarantee its perseverance and preservation.

There can be no question in our minds or in our hearts that the brave Lithuanian people will one day be free and independent again. May divine providence speed that happy day for Lithuania and the restoration of world peace and good will for all of us.

Mr. PHILBIN. Mr. Speaker, it is always a source of great pride and satisfaction for me to join in celebrating Lithuanian Independence Day in the House.

It is my great privilege to represent many constituents of Lithuanian descent and blood. A great many of these fine people are my friends and warm supporters. I have had the exceptional opportunity of knowing and observing them and may state that, in my opinion, the Lithuanian people of my district, State, and country are in the highest rank of those citizens of our Nation who have distinguished themselves by their loyalty, their devotion, and their untiring work for this great Nation and the cause of freedom.

As I have stated before, the Lithuanian people have a superb and very inspiring background. Their history is truly replete with glorious exploits and with real sacrifices for liberty and humanity. They are a people of zeal and great accomplishment with a heritage of high morality, noble political ideals and demonstrated principles of industry, reliability and fidelity to all good causes.

The Lithuanian people have known defeat and persecution, but they have borne these setbacks and disappointments and afflictions with remarkable fortitude and courage, and stand undaunted in the face of Soviet oppression.

No force has shaken them from their strong determination to resist tyranny and work for the day of liberation and peace when they may again resume their rightful place in the family of free nations.

It is appropriate that the Congress should once again, on the day of Lithuanian independence, pay tribute to this great nation and truly great people and reaffirm our high regard, our respect, confidence and affection for a national group that has served our own country so well and brilliantly illumines the cause of freedom in the world.

"Whether in chains or in laurels, liberty knows nothing but victories," said the great Wendell Phillips, friend of the slave and prophet of liberty.

His words are just as true today as when first spoken many years ago.

The day of liberty for Lithuania and her oppressed people may be nearer than dictators may think. Let us hope and pray, God willing, that the day will soon come when all nations may again know the blessings of ordered freedom and just peace.

Mr. ROSTENKOWSKI. Mr. Speaker, February 16 marks the 45th anniversary of Lithuanian independence. Under normal circumstances, this should be a day of great rejoicing and thanksgiving, for freedom is a blessing that should be cherished. However, the poor people of Lithuania are denied the opportunity to openly demonstrate their gratefulness as a free people. Their precious independence was ruthlessly taken from them by a giant slavemaster, the big bear of Russia.

The big steal was perpetrated through deceitful means. The ambition of the Soviet Union, to rule the world, has been their dream for many years. They were cunningly formulating plans to achieve this end, when they were suddenly faced by a more ambitious dictator, Hitler, who sought the same objective and was willing to use force to achieve his goal. The Soviet Union was faced with annihilation, so they joined with the free nations to defeat the monster facing them. They simulated actions for the cause of independence, but secretly their desires for world rule remained the same. Under the guise of defeating the Hitler war machine, they swallowed up the small independent countries such as Lithuania. When they were asked to remove their troops from Lithuanian soil following the end of World War II, the Russian answer was an Iron Curtain to blanket the land and rule with an iron fist. Since that day Lithuania has been deprived of the fruits of freedom.

Historic days have passed since this brutal crime was committed. The "big bear" has renourished its vitality so the grip on Lithuania has strengthened and tightened. From outward indications it would seem that the grip will never be released. However, self-determination in the minds and hearts of Lithuanians, who have tasted the nectar of independence, will never cause them to lose faith in regaining their lost treasure.

As long as this spirit remains, hope also remains. And where there is hope, there is an eventual solution to the problem of regaining stature as a free nation—self-governing and self-sustaining.

We, in the United States, must strengthen the hope of these people. We must continue to champion their cause. For once they have rid their land of the Communist mongrels, we will envision a world of everlasting peace, dedicated to helping mankind instead of destroying him.

Let us renew our dedication to the cause of Lithuanian people by continuing to inspire them to carry on in their desire and struggle for freedom. The examples we set in the fight against tyranny are the vitality boosters needed by the oppressed peoples of the world. Let us never forget their plight and let us never cease to extend them every assistance possible so they may rid themselves of the scourge they are presently experiencing.

Mr. GILBERT. Mr. Speaker, the 45th anniversary of the Lithuanian Declaration of Independence is being observed today. I am happy to have the opportunity to join with my colleagues and the many friends of Lithuania in commemorating this day, for the peoples of Lithuania, now subjected to the tyrannical rule of Soviet Russia, are prevented from observing it.

We extend our sympathy to the many Lithuanian Americans who are saddened by the enslavement under which their people in Lithuania must exist and whose hearts are heavy with anxiety for those suffering under the oppressor's heel in the homeland.

We greatly admire the people of Lithuania, who fought so long for their independence, and who finally achieved it in 1918. During the short period of their independence, their progress in all fields of endeavor and their remarkable achievements earned for them the respect of democratic peoples everywhere. Their ideals, industry, and high resolve all brought them our esteem. After the short period of 22 years, their independence was cruelly wrested from them and the people were again brought under Russian rule.

I have introduced a resolution providing for the formation of a special House Committee on Captive Nations, so that we may symbolize to all our determination never to forget the captive nations, their untold sacrifices, their undying hopes for liberation and independence, and freedom from the Soviet yoke of oppression.

We salute the brave people of Lithuania and extend the hand of friendship to them. The cause of Lithuania is just and righteous; we hope and pray for the time when her independence will be restored to her and when her people will be released from bondage.

Mr. LIPSCOMB. Mr. Speaker, to most Americans, February 16 may be just another day. February 16 has a special connotation, though, for those naturalized Americans from Lithuania or those of Lithuanian descent who settled in the United States. They remember this day with hope—the hope that their native land may once more be free from Communist tyranny and subjugation.

In 1918, the Lithuanian people, recalling their glorious past when their state had been a great and enlightened empire, had sought to sever the chains of slavery binding them to czarist Russia. World War I was the impetus which gave the Lithuanians the opportunity to strike for liberty and their declaration of independence on February 16, 1918, ended several centuries of Russian domination.

By establishing a government based on the democratic principles which we in America hold in sacred trust, the Lithuanians were able to enjoy, for 22½ years, their new rights and privileges.

In 1940, however, their freedom came to an abrupt halt when Lithuania by force became a province of the Soviet Union. Thousands of Lithuanians were exiled permanently to Siberia; other thousands were massacred. Those fortunate enough to escape to the West brought with them tales of horror, brutality and enslavement. They also brought with them the memory of their famous declaration.

The hundreds of thousands who settled here have become a part of America. Many learned professors, skillful doctors, and famous artists and musicians as well as steel workers, farmers, or bricklayers trace their origins to Lithuania. These people, although assimilated into the American community, will never forget their homeland.

They will always remember February 16, not as any other day, but as one which has attached to it the meaning of freedom. Let us join them in their wish for freedom and democracy for their native land, that those remaining in Lithuania may soon be able to repeat the deed which their fathers entrusted to them in 1918, the independence of Lithuania.

Mr. BOLAND. Mr. Speaker:

> The people of the United States are opposed to predatory activities no matter whether they are carried on by the use of force or by the threat of force.

This statement was issued by the U.S. Government on July 23, 1940, when referring to the forced incorporation of Lithuania into the Soviet Union. Russian troops, in agreement with Nazi Germany, had occupied the Lithuanian homeland and had denied to the people their democratic principles and rights. The U.S. Government refused to recognize this land seizure and, by continuing to recognize a free and independent Lithuania as opposed to the subservient Communist regime, remained faithful to the principles to which our Nation has been dedicated.

Lithuania became a free and sovereign nation of the world community on February 16, 1918, when it severed the chains of Russian tyranny and bondage by proclaiming its independence. For the next 22½ years, the people enjoyed liberty, the right to govern themselves, and the right to debate as an equal in the League of Nations. In 1940 communism and nazism quickly destroyed those privileges and rights of mankind with the use of troops. Resistance forces which had attempted to stem the hordes of aggression were soon overwhelmed and Lithuania became only the name of a province on a Russian map.

But to us in the free world, Lithuania is more than just a name. It has become a symbol of a valiant and persevering struggle for freedom. Today refugees bring word of a continued fight against the tremendous forces of despotism. They also bring pleas for help. We in the United States, as leaders of the free world, must listen to their plaintive cries and use every means available to keep alive the flame of freedom for those enslaved people. We broadcast over the Voice of America words of encouragement. We issue annually here in Congress statements supporting an independent Lithuania which commemorate their declaration of independence. Every American should be made to realize that February 16 is not just another day, but one to remember with hope and prayer. We therefore extend to those brave and courageous people of Lithuania the wish that their nation soon will be free again to take its place among the states of the free world.

Mrs. KELLY. Mr. Speaker, recent and current international troubles have caused misery and misfortune to many peoples. Tens of millions of peoples have been victimized and robbed of their freedom. The Lithuanian people are a prime example of such victimization.

These brave and courageous people had regained their independence at the end of the First World War, and had rebuilt their country as a safe and happy haven for themselves, but they were not allowed to enjoy their richly deserved freedom very long. After proclaiming their independence on February 16, 1918, they lived in their reconstituted Republic for about two decades. Then the outbreak of the last war ushered in sad and tragic days for them. The Government of the Soviet Union robbed the Lithuanians of their freedom, put an end to independent Lithuania, and annexed the country to the Soviet Union in August of 1940.

At the end of the last war the Lithuanians had hoped for their delivery from Communist totalitarian tyranny, but their hopes were shattered when instead of regaining their freedom, the Soviet Union's tyranny became more firmly established than ever. Since then these innocent and helpless souls have been prisoners in their homeland behind the Soviet-imposed Iron Curtain. There they are suffering under the oppressive and almost unbearable Communist totalitarian regime and praying for their freedom. On this 45th anniversary of their independence day we echo their genuine sentiments and hope for their deliverance from the Soviet tyranny.

Mr. ST GERMAIN. Mr. Speaker, today the attainment of national freedom is being realized by more and more peoples. But, in this day when the Western European empires are being dissolved, the Soviet empire is continuously attempting to extend itself. It has engulfed within its confines millions of individuals who at one time had the right to govern themselves. While the West has been decolonizing, the Soviet Union has been colonizing.

Today is the 45th anniversary of the emergence of Lithuania as an independent nation. The fact that this nation today is not able to celebrate this occasion as a free nation is an indicator of the harshness of Soviet imperialism. Lithuanians, just like the Africans and the Asians, have an inalienable right to be free of foreign oppression, to be able to steer their own course along with the other members of the society of nations.

In this age of nationalism, the United States, being among the first modern nation-states to rid itself of colonial submission, is vitally concerned with the emergence as nation-states of former colonies. Hence, not only have we given spiritual and financial support to these newly emerging nations, but we also support movements for independence of areas still under colonial rule.

These past few years we have seen the number of independent countries grow, increasing the membership of the United Nations from 60 in 1950 to 110 at the end of 1962.

On this day Americans and free Lithuanians everywhere renew their pledge of determination to see a free and unified Lithuania once again among the independent members of international society, with its seat in the councils of the world.

Mr. KEOGH. Mr. Speaker, Lithuania, whose independence we commemorate this week, is an ancient nation, known to history since the 11th century. Its boundaries have extended at various times into what is now the Soviet Union; for several centuries it was also united with Poland. During the Middle Ages this powerful independent European state successfully turned back foreign invaders, when necessary, but its people also lived in peace with neighboring countries. Lithuanians enjoyed far more freedom than residents of Moscow, and, conscious of the blessings of liberty, developed their ancient cultural heritage in peace.

Russian domination of Lithuania goes back to 1795, when Poland was divided for the third time. Repeated attempts to throw out the alien tyrants were of no avail. The Russians sought to replace Lithuanian culture and language with their own, but these efforts were eventually abandoned, for the Lithuanians remained loyal to their traditional religion, language, and culture. During the 20th century the fate of Lithuania has also been determined largely by foreign conquerors; she was at the mercy of invading German and Russian armies in both the First and Second World Wars. However, the Russian revolution and the defeat of Germany in World War I provided Lithuanian patriots with their long-awaited opportunity to regain their long-lost independence. In 1917, 200 Lithuanians were allowed to hold a congress on the future of their nation and on February 16, 1918, 45 years ago this week, this convention proposed an independent and domestic Lithuania. In 1920 the Soviet Union recognized Lithuania as an independent nation, pledging:

> Russia forever renounces all sovereign rights possessed by Russia over the Lithuanian territory.

Lithuanians elected their first President and adopted a constitution guaranteeing civil liberties and freedom for all its citizens. In 1921 the country was admitted to the League of Nations, where it served with many other small states as a force for peace. But in 1939 the Soviet Union ignored its pledge to Lithuania and annexed the entire country into the U.S.S.R. Lithuania was overrun by successive waves of Soviet, German, and in 1944 once again Soviet armies.

On the 45th anniversary of their independence, Lithuanians in all parts of the world pay tribute to their fellow countrymen who have been deported to Russia to build up Soviet industries. They reiterate their opposition to the policy of Sovietization, by which the conquerors would erase all memories of the ancient Lithuanian heritage. In this dedication Lithuanians enjoy the support of the entire American people and the whole free world. The worldwide struggle for freedom is indivisible and the plight of the Lithuanian people is not forgotten.

Mr. DADDARIO. Mr. Speaker, the alien domination of Eastern Europe by Soviet communism constitutes a heavy and continuing burden on the consciences of all men who believe in free government. The United States as the leader of the free world and a nation founded by freedom-loving men can never forget the aspirations of the captive peoples.

We commemorate today the 45th anniversary of the establishment of an independent state in Lithuania. The fulfillment in 1918 of the historic aspirations of the Lithuanian people was followed by a period of two decades between the two World Wars during which Lithuania assumed its proper place among the nations of the world. Lithuanians recalled the long years of independence during the Middle Ages, and the subsequent period of Russian domination. But the small Lithuanian nation had hardly recovered its independence when it once again was overrun by foreign armies and fell victim to its more powerful neighbor. Today the Soviet rulers of Lithuania imitate the policies of czarist Russia and seek anew to stamp out her ancient language, culture, and religion. But the spirit of Lithuanian independence lives on in the hearts of their people, and this spirit is shared by their friends and relatives in the free world. I am happy to salute the Lithuanian people on the 45th anniversary of their independence.

Mr. FRIEDEL. Mr. Speaker, on February 16, 1963, peoples everywhere who cherish freedom and liberty will pause to commemorate the occasion of the 45th anniversary of Lithuanian independence.

If ever a people deserved the tributes of mankind it is the Lithuanian people. They are martyrs for the cause of liberty. They have lost the most cherished of all gifts—freedom and national independence. Lithuania stands as a reminder of Soviet Russia's ruthless brutality and enslavement of countless millions.

The United States condemned Soviet aggression in 1940 and refused to recognize Russian occupation of the country. The sympathies of all Americans are with the enslaved people of Lithuania, many of whom have friends and relatives living in the United States.

America, being the melting pot of the world, must give recognition to the many worthwhile citizens who have come from Lithuania and contributed so much to make America the great Nation it is. Our ties with the people of that part of Europe under enslavement by the Soviets are bonds of sympathy and understanding.

As a Member of the Congress of the United States, I deeply sympathize with the more than 42 million people who, unfortunately, are virtual captives of their cruel and atheistic Soviet Russian overlords. I sincerely trust that the day will soon come when the historic claim of Lithuania for independence will be recognized and that it will join the other free and independent nations of the world.

Mr. STRATTON. Mr. Speaker, I want to take this opportunity to join with freedom-loving men and women everywhere today in saluting the people of Lithuania on the anniversary of their independence and in expressing my deep conviction that the day shall not be far away when Lithuania will once again be free.

This celebration today is a most important and significant event, for it serves to underline in a dramatic way our obligation as Americans to carry out the objective to which we have long been committed of seeing to it that all the captive nations of the world, all those who still remain in tyranny to the Soviet Union, shall again join the family of free nations.

The other day in referring to the need to get Soviet troops out of Cuba President Kennedy told his news conference, this is "unfinished business."

Mr. Speaker, I believe that the freedom of the people of Lithuania, and all the other captive nations of the world is also "unfinished business" for our country and our people. This anniversary day today will have served a profound purpose if it does nothing more than to remind ourselves, and to remind the world of this solemn pledge and of our determination to see it carried out.

The other day, in an effort to underline my own feelings on this matter, Mr. Speaker, I reintroduced my bill to establish a Captive Nations Committee of this House. I think creation of a separate select committee of the House to study ways and means for accomplishing this goal of freedom for Lithuania and all other nations under the heel of the Communist boot would be a great step forward in the realization of our ideal. I trust and hope that the House will approve the creation of this committee in this present session. Surely, there could be no finer anniversary gift for the people of Lithuania, as well as for all Americans of Lithuanian descent.

Mr. DERWINSKI. Mr. Speaker, I wish to join my colleagues this afternoon in paying tribute to the brave people of Lithuania on the occasion of the 45th anniversary of the restoration of Lithuanian independence. Lithuania shares much in common with other peoples of Eastern Europe who are oppressed by the tyrannical atheistic Soviet regime.

It is most fitting, therefore, that we pay tribute to the courageous spirit of the Lithuanian people and to reemphasize their aspirations for freedom. It is especially interesting to note also that the Lithuanian people and their leaders have been particularly vigorous in their spirit of independence as evidenced by the existence in Washington of a Lithuanian legation.

In addition to commemorating Lithuanian Independence Day, it is important that we discuss the future of Lithuania, and certainly one of the most effective ways to bring about freedom for these heroic peoples, as well as for the peoples of all the captive nations, is in the establishment of a special House Committee on Captive Nations. The work of such a committee would be a major step in thoroughly exposing Soviet colonialism to the world and in maintaining the spirit of independence that marks these brave peoples. Through such a committee, it would be our hope that all the captive nations now suffering under Communist domination will be free once more and resume their proud and rightful position among the free nations of the world.

Mr. DENT. Mr. Speaker, the observance of an anniversary of the declaration of independence is an occasion for festivities and celebrations in most countries throughout the world. Today we are observing the 45th anniversary of the gaining of independence by the small Baltic country of Lithuania. Unfortunately we cannot join in a celebration of this occasion with all of our Lithuanian friends. The observance of this day serves more as a reaffirmation of the hope that Americans, and free Lithuanians everywhere, have of seeing the reemergence of a free, independent Lithuania. It will be only then that we would join our Lithuanian friends in joyful and glorious celebration.

The Lithuanians have had a long history of suffering. However, they have continuously emerged from this suffering with pride and victory. The emergence of Lithuania as a nation-state dates back to 1253 when a delegate of Pope Innocent IV crowned King Mindaugas ruler of the unified principalities. The Lithuanian kingdom extended its domain over territories beyond its borders, including parts of present Byelorussia and of the present Russia S.S.R. Later, when the Lithuanian-Polish union was formed, the dual monarchy's domain was extended to the south and west, establishing a powerful state in the heart of north central Europe. This union, first established as a personal union through the marriage in 1386 of Queen Jadwiga of Poland and Grand Duke Jagiello of Lithuania, was further cemented by the act of Lublin in 1572.

The dissolution of this union came in 1795, when Poland was partitioned and ceased to be an independent state, and Lithuania was annexed by Russia. From this point on Lithuania's fate was to be in the hands of Russian imperialism. The cruel, oppressive policies of the czarists of the 18th century would only be replaced by the refined, but not less cruel, methods of the Soviets of the 20th century.

Taking advantage of the defeat of Germany and of the chaos created by the Russian revolution, a council of 200 Lithuanian delegates, on February 16, 1918, proclaimed an independent Lithuanian state based on democratic principles. This new Lithuanian nation suffered many birth pains in its early days of existence. It was not until July 12, 1920, that Russia signed a peace treaty with Lithuania, recognizing it as an independent nation and pledging to respect Lithuanian sovereignty. This, however, was only a delaying tactic. For when the opportunity came in 1940, the Soviet Union, in violation of its 1920 treaty obligations, annexed Lithuania.

This day, the 45th anniversary of the emergence of an independent Lithuania, serves not only as an indicator of Soviet disregard for the right of national self-determination, but also as a reminder to the free world that freedom is constantly being threatened. Let us today join our Lithuanian friends in a reaffirmation of the persevering hope that Lithuania will soon be free.

Mr. HORTON. Mr. Speaker, this Sunday marks the 45th anniversary of the proclamation of independence by the people of Lithuania. However, this freedom was short lived. For in 1940, the Russians forcibly took over the country and unjustly deprived the people of their rights.

In its 22 years of independence, Lithuania showed the world what a proud and industrious people can do. Among the products of these golden years when Lithuanians were free from foreign tyranny were improvements in transportation and education, great strides in land reform and social legislation and remarkable gains in material and spiritual well-being.

The yoke of Soviet imperialism has enslaved Lithuania. Her people have been deported and mass murdered. Religion has been ruthlessly suppressed and freedom obliterated.

But the light of freedom still burns in the hearts of Lithuanians. They have known and gloried in its experience. We Americans must share the struggles of Lithuania for a free future, a future where Lithuania will take its proud place once more among the free nations of the world.

In my home community of Rochester, N.Y., our Lithuanian-Americans have made splendid contributions to the wealth and culture of their adopted land. We are richer for their industry and talent, for their pride and love of freedom.

This Sunday in Rochester, the Lithuanian-American Council, Rochester chapter, will commemorate this anniversary of independence. Their speaker will be Eng. Juozas Miklovas, who last summer escaped from Russian oppression while visiting Paris with a U.S.S.R. excursion. He has been granted permission to live in this country where he is a noble example of the yearning of his people to walk once more in the sunlight of freedom.

To Peter Norkelunas, chapter president, and the members of the Lithuanian-American community in Rochester, we send our greetings on this important occasion. And, we send our heartfelt sympathy to their compatriots in Lithuania. We look forward to the day when we can celebrate their second liberation from Russian misrule.

Mr. BROTZMAN. Mr. Speaker, the wars of the 20th century have played a major role in the lives of the world's nations, but for the Lithuanians they have been drastic turning points. After 120 years of subjugation by the Russian czars, this Baltic country emerged from the First World War as an independent nation. The 45th anniversary of this happy event is being celebrated this month. Unfortunately, the Lithuanian Republic did not outlive the peace. For the second time it became a battleground in the struggle between Germans and Russians. After World War I the Lithuanians had been able to free themselves from a Russia torn internally by revolution and weakened by the war effort, but the Russians of 1945 were much more powerful and held Eastern Europe in an iron grip.

Lithuania thus remained under the Russian yoke as a constituent republic of the U.S.S.R. The story of the postwar period has been one of increasing regimentation imposed by the Central Soviet Government, infiltration by Russians, and suppressions of religious and cultural freedoms. If the First World War meant national liberation for the Lithuanians, the Second World War meant enslavement. This is a lesson which we must all keep in mind as we work toward the establishment of a lasting peace.

Mr. PILLION. Mr. Speaker, a recent refugee from present-day Lithuania brought word that the hope for freedom lives on and that the majority of his fellow countrymen continue to strive for the liberation of their nation. Even after 22 years of brutal subjugation, the spirit of freedom remains in the hearts of a conquered people. That is why we in the United States participate in the celebration of Lithuanian Independence Day so that the spark will not be extinguished.

After living under Russian tyranny for many centuries, the Lithuanians took the opportunity to proclaim themselves independent when the Bolsheviks, during World War I, seized control of the Russian Government and the Russian Army was forced to withdraw from Lithuanian territory. The German occupying force was sympathetic to the overtures of the people to hold a national congress; and it was this congress which had the courage to proclaim, on February 16, 1918, independence for their country.

Shortly after this declaration was announced, a now-defeated Germany withdrew from the eastern frontiers of Lithuania but still held sway over the western provinces. No sooner had one occupying force withdrawn when another took possession—the Bolsheviks from Russia seized the eastern provinces and withdrew only after a joint Polish-Lithuanian army appeared to free all Lithuanian lands. By 1920 Lithuania was recognized as a sovereign state and was admitted into the League of Nations the following year.

Free Lithuania existed until the outbreak of World War II when German and Russian forces fought once more for possession of its territory. Although resistance was organized against the invading armies, it was soon overwhelmed. Lithuania ceased to be a state when it was forcefully incorporated into the Soviet Union, although the United States has steadfastly refused to recognize this Communist land grab.

Those patriots who fought and died for their country have been eulogized by those who escaped to freedom. Neither have those Lithuanians who remained in their homeland or were exiled to Siberian wastelands been forgotten. The hope for their independence lives on in the hearts of all freedom-loving people of the world. On this day, February 16, we salute these Lithuanians throughout the world and extend to them the wish that their homeland may soon be free.

Mr. BURKE. Mr. Speaker, February 16 will mark a very special anniversary in Lithuanian history. On that day 45 years ago an independent Lithuania again joined the family of nations. One-hundred and twenty years before, in 1795, this once mighty state was greedily partitioned by its powerful neighbors, Prussia, Austria, and Russia. But these years of foreign domination did not stamp out the Lithuanian love for liberty. Revolts during this period against the Russian overlords attested to the failure of the czarist Russification program which sought to stamp out the distinct Lithuanian language, culture and customs.

World War I offered the Lithuanians the opportunity for the realization of their long held dream of independence. In the midst of destruction and impoverishment the freedom loving Lithuanians proclaimed a democratic Republic which they soon defended successfully against foreign encroachment. But their long-awaited and hard-won freedom did not last long. Lithuania's powerful neighbors, Nazi Germany and Soviet Russia, had no intention of allowing Lithuania to remain independent. In 1939 they again partitioned the land between them and Lithuania once more found itself under Russian domination. Today, the Soviets are again attempting to force the brave Lithuanians into a Russian mold.

We join with the many fine Americans of Lithuanian descent in celebrating Lithuanian Independence Day and in honoring the many Lithuanian patriots who have given their lives that the spirit of a free Lithuania might live and find expression in an independent state. Some day a Republic of Lithuania will surely emerge in which the Lithuanians can again exercise the right of every nation to determine its own destiny.

Mr. BRADEMAS. Mr. Speaker, on February 16, 1918, the Lithuanian people proclaimed their independence and established a democratic republic. Thus the Lithuanians, who had suffered under Russian autocracy since 1795, became masters of their own destiny and enjoyed freedom in their homeland for the next 20 years. These fruitful decades were followed by events which once again placed Lithuania at the mercy of ruthless conquerors. Since 1944 the Baltic country has been forcibly incorporated into the Soviet Union as a constituent republic. Although deprived of their freedom, the Lithuanians are resisting Soviet attempts to stamp out their national integrity. That the Lithuanians will again be free to develop their national heritage is our fervent hope on the occasion of the 45th anniversary of Lithuanian Independence Day.

Mr. DEROUNIAN. Mr. Speaker, on February 16 Lithuanians all over the world celebrate the 45th anniversary of their independence, but their homeland remains under the alien yoke of Soviet communism. Whether in exile or residing in their native land, Lithuanians have set apart this day to reaffirm their devotion to the historic tradition of Lithuanian national independence. Like the Russian czars who tried to impose their way of life on this sturdy little nation before World War I, the Soviet rulers have been unable to erase the memories of Lithuanian language, culture, and religion. Lithuanians recall the congress of 200 citizens which declared a free, independent, and democratic Lithuania in 1918; they recall the civil liberties which that government guaranteed, and the peaceful and constructive role which Lithuania played in international affairs between the two world wars. The independence Lithuania achieved in 1918 marked the fulfillment of ancient aspirations, for during the Middle Ages Lithuania was a great Central European nation. We share the hope of courageous Lithuanians that the renewal of their freedom is not far off. I am proud to join my fellow Americans of Lithuanian descent who yearn for national independence with political and social justice.

Mr. BARRY. Mr. Speaker, Lithuania, as an independent nation, no longer exists. Incorporated into the Soviet Union in 1940, the territory has been subjected to brutal treatment. Thousands of its inhabitants have been exiled to Siberia. Massacres instigated by Communist authorities have annihilated entire villages, with the death toll for the entire nation running into the thousands. Much of the land has been allotted to Russians who have been settled on Lithuanian territory. The situation is grim and appears hopeless. But recent refugees bring word that the people continue to strive for democratic privileges and, above all, for independence.

Lithuania has existed as a modern nation in this century. Czarist Russia had claimed the land as part of its empire since the 18th century, but the Lithuanian nationals established their own government and declared themselves free and sovereign from Russian rule on February 16, 1918. It is this act on that day which we commemorate as the 45th anniversary of the declaration of independence.

Lithuanian nationals scattered throughout the world keep alive the spirit of freedom for their homeland. They remember that those who remained under the oppressive Communist rule once enjoyed rights as freemen. The U.S. Government has refused to recognize the Communist takeover; it has continued to bolster the morale of the people through Voice of America broadcasts.

All of us, then, must do our part to keep alive the spirit of freedom. We call attention to their declaration of independence, their symbol of liberty, and extend to the Lithuanian people the hope that their nation may once more become a part of the world community, free and sovereign. Therefore, I salute the indomitable spirit displayed by these courageous people and their unyielding refusal to submit to the oppression of totalitarianism. Lithuania will always exist as a nation in the minds and hearts of people who recognize the dignity and inherent rights of man.

Mr. BUCKLEY. Mr. Speaker, February 16th of each year is celebrated by the people of Lithuania, wherever they may be, as the date of their national independence. It is the Lithuanian Fourth of July. This February 16 as for many years past is a joyous one because it reminds them of their heritage and the fact that they are freedom-loving people. It is a sad one because since 1920 that date has been celebrated in absentia insofar as Lithuania's freedom is concerned. Since 1921 Lithuania has been subject to the tyranny of Soviet Russia. Their independence has vanished. It lives in the feelings and the desires of the liberty-loving Lithuanians.

At the present time, as I speak, some 3 million Lithuanians are held in bondage by their stern masters from the Kremlin. At the present time there seems to be little hope for Lithuanian freedom. This is an illusion. Some day, and I hope in the not too distant future, Lithuania will be governed by Lithuanians who will determine the destiny of their nation in accordance with the true wishes and desires of all free men. Until that day arrives I salute the Lithuanian people for their never-ending desire to be free.

Mr. CLARK. Mr. Speaker, if it had not been for Russian aggression in 1940 Lithuania would be celebrating this week the 45th anniversary of her independence. Instead, only those Lithuanians no longer living in their homeland can freely celebrate this national holiday.

It was on February 16, 1918, that the little Republic declared herself free of the ancient Russian tyranny. Twenty-two years later this freedom was brutally betrayed by a new tyrant, Joseph Stalin.

Yet the memory of liberty survives in Lithuania and the other Baltic States.

Soviet propaganda asserting that these captive peoples rejoice in their

These nations cannot be rescued from their serfdom at the cost of a third global war, for the price would be too great for humanity to pay. But they will not be forgotten in the free world. Some day, when the Communist empire has crumbled, they will be free again. In the meantime, we take every opportunity to confirm our friendship with Lithuanians everywhere and salute them for their past and future victories.

Mr. ROONEY. Mr. Speaker, for more than 120 years, from 1795 until 1917, the Lithuanian people longed for their deliverance from czarist oppression. Then they saw their long-cherished dream come true in 1918. When the czarist regime in Russia was overthrown, they were free. Lithuania proclaimed its national independence on February 16, 45 years ago.

Thenceforth for more than two decades these proud Baltic people enjoyed their well-earned independence. They organized a democratic form of government, rebuilt their war-ravaged country, revived their national institutions, and made distinct advances on the social, economic, political, and cultural fronts. Their country grew prosperous and strong. Lithuania thus once more became an honored member of the free community of nations.

Unfortunately, however, the hopeful Republic thus born and reared under the care of patriotic Lithuanians was not to have a long life. In the world turmoil of the late 1930's Lithuania's independence was put in jeopardy. In the fall of 1939, she was forced into a nonaggression pact with the Soviet Union, and in the summer of 1940 she was incorporated into the Soviet Empire. An independent Lithuanian Republic then ceased to exist.

Ever since the Lithuanian people have been denied freedom in their homeland. During the last war the country was under Nazi occupation for 3 years; in 1944 the equally dreaded Red Army returned, with its commissars and secret police, and there it remains to this day. The hapless Lithuanian people have been cut off from the outside and the country has been forcibly and pitifully estranged from the free world. Such is the unhappy lot of these gallant and gifted Lithuanians. On this 45th anniversary of their Independence Day I know free people everywhere hope and pray for their deliverance from Communist totalitarian tyranny at the earliest possible moment.

Mr. WYMAN. Mr. Speaker, as we near the celebration of the birthday of the Father of Our Country, it is fitting and proper that we pause to salute the anniversary of a determined people.

For it was in 1918 that Lithuania shook off 120 years of czarist rule and became free. Hers has been a history of struggle. The light of freedom has temporarily dimmed for Lithuania under the grinding heel of Communist Russia.

We who enjoy freedom join Lithuania in her fight for freedom. We hold resolute the faith that the joys of freedom will again return to that land.

I bring to the attention of the House a booklet issued by UNESCO, an internationally operated organization which continually attacks the United States while drawing 30 percent of its financial lifeline from our Treasury.

This organization has distributed a booklet prepared by two Communists. The booklet claims that Estonia, Latvia, and Lithuania joined the Communist world of their own free will. Anyone who knows these people, their fierce pride of homeland, their respect and longing for liberty knows that this is a heartless travesty. Our United Nations delegation undermines the cause of free Lithuania by its inaction in not stopping UNESCO from publishing and distributing this vicious untruth about these Baltic nations.

Through years of Russian and German occupancy, Lithuania has risen from the ashes of oppression with renewed vigor. Let us take a moment as we cherish the memory of a man who did much to bring freedom to us, to express our sympathy and offer our moral and spiritual assistance to these brave people who want simply to live their lives in freedom.

Mr. PIRNIE. Mr. Speaker, on February 16, friends of freedom throughout the world commemorate the 45th anniversary of Lithuania's independence as a nation. This tiny but proud country fell under the yoke of Communist oppression on the 15th of June 1940. Unfortunately, Lithuania was one of the first sovereign states to fall prey to Russian imperialism. Its bondage is a vivid example of Red colonialism.

By remembering Lithuania's day of national independence, we not only strike a blow for freedom but keep the flame of hope alive for those living behind the Iron Curtain. I wish to commend the Lithuanian American Information Center of New York City and, in my own congressional district, the American Lithuanian Citizens Club and the United American-Lithuanian Relief Fund for their energetic efforts to advance the cause of freedom for their friends and relatives now in Communist captivity.

Mr. DINGELL. Mr. Speaker, one of the ironies of postwar international developments is the contrast between the progressive liberation of colonial peoples by their European metropoles and the increasing subjection of the peoples in the Soviet empire. It is somewhat misleading to apply the label of "colonialism" to the Soviet form of expansion. Within the Soviet orbit there is a wide range from the fairly liberal and independent-minded Poland to the completely subjugated national minorities within the U.S.S.R. The case of Lithuania and the two other Baltic countries certainly fits into the latter category. Their situation is all the more painful because of the brutal manner in which they were taken over by the Russians.

There can be no denying that the methods of colonization during the 19th century and the early years of this century were often less than civilized. Nor can one refute that the motives of the European powers were frequently selfish ones of power rivalries. Yet in many cases there was a higher purpose—one of bringing the benefits of Western civilization to backward people, of the "white man's burden." The process of decolonization has been marked by the realization that this partronizing attitude is not the best way to promote the development of these areas, however much they can profitably learn from the more advanced Western countries. But the essential fact to recall is that the colonizing powers did not consider the peoples and territories which they took over as independent entities with recognized status and rights in the family of nations. These peoples and territories are now gradually earning this recognition as they free themselves and become nations. Against this background the perfidious Soviet takeover of Lithuania and the other Baltic republics during World War II is all the more distasteful. For the Soviets had signed a peace treaty with Lithuania in 1920, recognizing it as an independent nation and renouncing forever all rights of sovereignty. Yet in the early days of World War II the Kremlin imposed its will on the little republic and absorbed it into the U.S.S.R. The Soviets' ruthless disregard of the rights of an independent nation is the lesson of the Lithuanian case. It is a bitter lesson for the Lithuanians, who on February 16 observe the 45th anniversary of their national independence day.

THE PRESIDENT'S PLEA FOR THE RETARDED AND MENTALLY ILL

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, today I want to pay a tribute, speaking less on an impulse of my own, and much more, I like to think, as an echo of gratitude deep from the heart of the American people. This tribute is directed to John F. Kennedy, the President of the United States. And the reasons for my commendation bear no relationship to the realms of controversy. I am firm in my belief that from the very beginning of our country something in the nature of the democratic process, something in the quality of our choice of an incumbent for the Presidential office, has almost invariably put into the White House men who, in the character of their leadership, possessed great goodness of heart.

Our study of the Presidential inaugurals, of the messages of the Presidents to the Congress, even our Presidential war messages—most notably in the case of President Lincoln whom we especially honor this month—reveals strong and ennobling characteristics of compassion. I find this particularly striking and dramatic in the case of President Kennedy and markedly so as evidenced in his message to this body on February 5, when he asked for help, on a broad and sweeping basis, for the retarded and the mentally ill. He asked for the degree of help, not as one might seem to have a favorite charity, but to meet and match and conquer the problem in its full dimension. And to do it effectively, simply, practically, with professional and scientific certitude, and rid us as much as possible of a condition too long neglected.

The message wept no tears and yet what mattered so much to me was the fact that it was furthest from being a routine document. It contained in its relatively cool, yet sympathetic, but commonsense terms, a warmth of feeling, that brings to bear the full force of the Presidential influence on a health and social tragedy of the first magnitude in our country. We see a President of the United States going out of his way so that his words and the great majesty of his office may be used to help Americans of whatever condition, but especially the poor and near poor, to a normal state of mental health. In this case, he spoke for the neglected men, women and children, in an area of medicine that, sometimes it seems to me, more than any other, should touch and arouse the human heart.

It is this, Mr. Speaker, that calls forth from me these words of commendation.

A WHOLLY NEW NATIONAL APPROACH IS NEEDED

Here the President was speaking for an overlooked and discarded fragment of mankind, that has no lobbyist, no voice, no power, no votes even. The President asked not for some little gesture of relief but, meeting the issue broadside, he asked that we seek to conquer it completely with "a wholly new national approach." He spoke for the two classes of the neglected—the mentally ill and the mentally retarded. The institutionalized number something like 800,000. Of these, there are 600,000 mentally ill and over 200,000 who are mentally retarded. These people are generally without means, inarticulate, unrepresented, and generally ignored. They are without influence, without any capacity for what is known in politics and international negotiations as the quid pro quo. The President spoke for those who can never hope, during their illness, to speak for themselves, if, indeed, ever.

What it seems to me, Mr. Speaker, that the President has done is to throw a shaft of blinding light down the souls and the consciences of every American and to present us with an eminent example we can all seek to emulate for the good of our people and our country.

And, if I may say so, for our own personal and spiritual uplift.

There were no pickets at the President's door urging him. There were no special interest groups confronting him with some kind of nuisance values that needed to be dealt with. He could have dealt with the matter as a minor item in a special budget.

Instead he seized upon it, with both fists, and without mitigating his interest and attention to the vast issues that threaten domestic tranquillity and world peace, gave it the fullness of his strength, his drive and his specific concern. There were no delegations, no committees with flags, no special ambassadors to persuade him to this additional task—only the voiceless, distorted, empty-eyed mass of the institutionalized and the anonymous, the mentally ill and the mentally retarded. The President spoke for the nearly 1,500,000 all told of our fellow countrymen who every year, he said, receive treatment in hospitals and asylums throughout the land. They are the wholly and absolutely innocent victims of the indiscriminate cruelty of the wild forces of nature that man has not been able to bring under his total and positive control. It is to the good of our record as a people that in recent years through such agencies as the Joint Commission on Mental Illness and Health, which professionally treats this subject as a national emergency, and through many other groups, a public awareness has come about that holds great promise.

The Commission issued its final and very illuminating report as recently as 1961. This Commission is the fruit of Public Law No. 182, approved in 1955, a forward looking action on the part of the Congress and the administration. The report of which I speak is a study by experts from 36 organizations that constituted the Commission. By way of indicating the depth of feeling that already invests the people's involvement in this harrowing problem, I like to add that the official distribution of the Commission's final report in book form was made possible through a grant from the American Legion. The current, full-force participation and leadership of President Kennedy with such forthright determination means that a new and major vitality has entered the combat zone and that at long last the victims of mental retardation and mental illness have a champion speaking and acting from the most powerful podium in the world.

The President pleaded out of a sympathy that I am sure will move the House to action.

> This situation—

He said—

> has been tolerated far too long. It has troubled our national conscience, but only as a problem unpleasant to mention, easy to postpone and despairing of solution. The Federal Government despite the nationwide impact of the problem, has largely left the solutions up to the States. The States have depended on custodial hospitals and homes. Many such hospitals and homes have been shamefully understaffed, overcrowded, unpleasant institutions from which death too often provided the only firm hope of release.
>
> The time has come for a firm new approach.

My purpose is not to discuss now the nature of the problem itself, nor the design for its solution that the President's message set so clearly before us. What I am discussing here is the President himself and his humanitarian quality of leadership where acute human need stands out in such stark and compelling relief.

PRESIDENT'S PROGRAM HOLDS OUT REAL PROMISE

I pause here only to make the point—if it needs to be made—that neither the President, nor his advisers in this field, are seeking in any sense to project the Federal Government into another phase of the public welfare. Suffice it to say that a simple reading of his message proves how much in error this concept is of the President's plan. He is aware of the limitations of our knowledge of mental health. And he tells us this:

> The only feasible program with a hope for success must not only aim at the specific causes and the control of mental retardation but seek solutions to the broader problems of our society with which mental retardation is so intimately related.

And at another point he warns us that the idea that money alone can resolve the problem is hardly the adequate answer:

> Merely pouring Federal funds into a continuation of the outmoded type of institutional care which now prevails would make little difference.

He adds:

> We need a new type of health facility, one which will return mental health care to the main stream of American medicine, and at the same time upgrade mental health services.

The President's plan, in addition to grants to the States, covers the problem not partially but in the full and holds out real promise for the tens of thousands of sufferers. Some of these already are feeling the advantages of treatment and have been cured. Indeed, the President points out that—I quote "community general hospitals in 1961 treated and discharged as cured more than 200,000 psychiatric patients."

What helped to do this, what already has done so much to attack the problem where the most good can be done—in public awareness—is precisely what the President has done with this message. For now the Presidential voice and the Presidential action, in the past as in this instance, help to give a wholly new and more wholesome image to the question of mental retardation and mental illness. The generality of mankind is now in a better position to deal with it more rationally and with less of the effort at concealment and the superstition that formerly prevailed. This, of course, is of immeasurable value and provides us with the information that, as a base, enables us to do the best we can freely, openly, with wisdom and with results. It is for this sort of personal involvement that the President, it seems to me, has earned the gratitude of all generations to the end of time. For mental illness, as we know, has been a curse on the human race since the dawn of history.

Finally, I am enormously pleased to be able to say that President Kennedy, at this early stage of his Presidential career, stands—on the human side—already, in the direct line of the great tradition of the noblest of our Presidents. For over three decades I have been in and out of this historic Chamber and for over four decades I have been a participant in public life. I offer this tribute, Mr. Speaker, in the spirit of one who feels that rarely has a commendation been so well deserved as this one.

The President's personal concern with this problem, his insistent determination not to let it drift, and his constant involvement, will result in an immense benefit for the whole country, for psychiatric medicine generally, and, of course, for the unfortunate sufferers who have this great and good friend.

But, maybe also, in the mysterious ways that Almighty God moves His wonders to perform, the President's interest in his helpless fellow man, will give some kind of spiritual strength and satisfaction to the President which, in the end, will enable him the better to carry his burdens.

My conviction is strong that in work like this God is certainly with him.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, I have listened with great interest and attention to the very fine address of the gentleman from Texas. The gentleman is a man of great courage and strength of character and will. He has always devoted those fine talents to the underdog—to the man who could not help himself. The gentleman has illustrated again his concern for those who are helpless. I congratulate the gentleman on the fine tribute he has paid to the President of the United States. I know the President will appreciate this tribute and the gentleman's strong statement in support of the President's message. In my judgment, this will go a long way toward bringing this effort on the part of the President to a successful culmination.

Mr. PATMAN. I thank the gentleman.

THE TIME HAS COME WHEN THE THEATER AND MOTION-PICTURE INDUSTRIES MUST ESTABLISH AND ENFORCE A CODE OF TASTE AND DECENCY OR GOVERNMENT AGENCIES WILL DO IT FOR THEM

The SPEAKER pro tempore (Mr. RIVERS of Alaska). Under previous order of the House, the gentleman from Iowa [Mr. KYL] is recognized for 60 minutes.

Mr. KYL. Mr. Speaker, the time has come when the theater and motion-picture industries must take positive steps to establish and enforce a code of taste and decency or Government agencies, State and Federal, will do it for them.

In the closing days of the 2d session of the 87th Congress, legislation was adopted by the Senate and House of Representatives to enable the police to clean up the theater, books and periodicals, motion pictures, television, clubs, and so on in the Nation's Capital.

President Kennedy vetoed this measure, but in doing so said he was in complete accord with the purposes of the legislation. The President said in his veto message that his attention had been called to a 1961 Supreme Court decision "which seems to make the search and seizure provisions of this bill unconstitutional" and then he made this significant point:

> The people of the District should be adequately protected against the dissemination of indecent and obscene publications and articles.

The President said the Congress should reconsider this legislation when it convened in January 1963, and added:

> Such a brief delay in the enactment of this legislation seems a small price to pay in order to obtain an enforceable law which will achieve the worthy objectives which prompted the bill.

The increased use of objectionable materials by the theater, motion pictures, books and periodicals, and so on has been denounced by religious leaders, civic and cultural leaders, national parent-teacher groups, schools and is, in fact, immense in its overall proportions.

At the dedication of the Eisenhower Library at Abilene, Kans., May 1, 1962, former President Eisenhower said that today the movies, books and periodicals, and the stage are "using vulgarity, sensuality, indeed, downright filth, to sell their wares" and he asked:

> What has happened to our concept of beauty and decency and morality?

General Eisenhower spoke movingly of the American pioneers who fought droughts and floods, isolation and Indians in the great Western migration and settlement of this continent.

Then he said this:

> America is the strongest nation in the world, and she will never be defeated or damaged seriously by anyone from the outside. Only Americans can ever hurt us.

Recently the New York State Council of Churches—Protestant—in a statement of legislative principles for 1963, included the following comment on mass communications:

> We are concerned with the influence of mass media where it used to excite prurient interest, to offend decency and is obscene or portrays brutality and crime as desirable and acceptable. We are also concerned with an overuse of mass media to entertain rather than to enhance knowledge of significant public issues and problems. We support legislation which encourages the use of mass media in a responsible and reasonable manner and which improves the content, both morally and intellectually, of the information disseminated.

The United Press International reported on December 7, 1962, that Roman Catholic leaders issued a strong new appeal to the movie industry to classify its products so parents can tell which films are fit for their children to see.

They warned that if the industry as a whole persists in its refusal to provide advisory film classifications voluntarily, they would support legislation authorizing public agencies to publish lists of movies suitable for children.

The appeal and the warning emanated from a committee of five bishops appointed by the U.S. Catholic hierarchy to keep a moral watch on the movies. The committee is headed by Archbishop John J. Krol of Philadelphia.

According to UPI the bishops commended public-spirited theater owners who have already adopted the practice of advising parents, through their advertising, that certain films are for adults only. But they said that the Motion Picture Association of America: "has not only refused to accept or support a policy of voluntary classification, but has time and again registered effective opposition" to the whole idea.

These Catholic bishops sharply challenged the association's argument that ample guidance is already available to parents through reviews and ratings of such organizations as the Legion of Decency. In their formal statement the bishops said:

> This seemingly reasonable argument ignores the vital fact that no rating service covers all films currently released in the United States. Even the most reliable sources of information are frequently so poorly timed in their release as to be of no real service to parents.

The bishops went on to point to films which they found objectionable and they declared:

> This was a year in which prostitution received sympathetic attention in several major films such as "Butterfield 8," "Go Naked in the World," "The World of Suzie Wong" and "Never on Sunday." Seduction of the young was the theme of "A Cold Wind in August." There were six instances of films which presented improper and dangerous standards for teenagers: for example, sexual promiscuity of the young in "Where the Boys Are" and "Parrish." "Splendor in the Grass," Freudian in its preoccupation with sexual adjustments in the lives of adolescents, laid on the purple of eroticism with some new bold strokes.

A play which was presented in the Nation's Capital about 3 weeks ago—where almost anything can be sold in the form of books and periodicals, or plays, or motion pictures—was reviewed this way by Newsweek magazine in its issue of February 11, 1963:

> "NATURAL AFFLICTION"
>
> Whose bare foot is that protruding from the bedclothes which cover a tangle of male (Harry Guardino) and female (Kim Stanley)? Shortly, Miss Stanley—spilling out of her black nightgown—arises, gazes out at the audience through an imaginary window, and remarks that it's an ugly world. The foot is still in bed, which settles that question. Miss Stanley's judgment on the audience in this opening scene of William Inge's "Natural Affection" is pretty conclusive, too. The drooling ardor with which a houseful of Broadway playgoers lets itself be turned into a collective super-id by this psychiatric skin show constitutes one of the uglier spectacles of the day.
>
> All that excuses this mass seduction is the fancy panoply of skills employed to do it. As the wretched heroine who must choose between the lug she is living with and an illegitimate son home from reform school, Kim Stanley is an actress whose face can say in 3 seconds what three pages of script couldn't render as well. As the thickheaded lover who is also obliging a married woman across the hall, Harry Guardino is as solid as the proscenium. As the mixed-up husband of the neighbor—himself homosexually attracted to the man who is sharing his wife—Tom Bosley is so real that his abasement is embarrassing to look at. Maneuvering these morally mephitic specimens about the stage, Director Tony Richardson is as painstaking as though he believed the play had something to say.
>
> In a way, it does. It says that Tennessee Williams had a legitimate worry when he confessed that jealousy of Inge helped land him on a psychoanalyst's couch. There is by now almost nothing that Inge doesn't know about manipulating an audience with measured doses of shock—except how to disguise what he is up to. Often admirable in its sheer carpentry, Inge's play is so opportunistically stuffed with little dainties of depravity that it even bypasses the logical curtain speech to tack on a necrophiliac rape. Under the many layers of professional lacquer, this is a drama which forces a stage full of fine actors to do everything that is cheap except proposition the people in the front row.

Mr. Speaker, the House and Senate District Committees are the only city council which the Nation's Capital has, and it seems perfectly clear that the Congress cannot wholly escape its responsibility for the kind of books and periodicals, plays, and motion pictures which any teenager can buy or see or attend in the Nation's Capital. The Capital City reflects the Nation.

The Washington, D.C., Post published an article in its issue of October 21, 1962, entitled "Classification or Censorship—What's It To Be?" This article, by Philip K. Scheuer, gave considerable space to the writings of Richard Dyer MacCann, former Hollywood correspondent for the Christian Science Monitor. Mr. MacCann is documentary film instructor at the University of Southern California, and he makes the following telling argument for classification:

> Even the most responsible family finds it a losing proposition to stand against the local exhibitor and his vested interest in young people. Obviously the folks are not going to all the movies themselves, and then recommend certain ones to the children afterward. How can mother know what's really in that picture at the Grand? How can father know that the parents' groups recommended the last six pictures only for adults and mature young people? Mother knows you can't tell anything by the advertising. Father hasn't time to call up the PTA. And there is no really accepted community process, no familiar label, by which movies can be sorted out.
>
> Classification of films is the most talked about solution to this mounting problem. It is also the most sensible solution.
>
> Most of the other countries of the world have some form of labeling. French are perpetually astonished that Americans permit motion-picture theaters to sell tickets indiscriminately to children. In England, American film distributors must submit to classification like everybody else, and sometimes the limiting X label in the advertisements is actually profitable, because it brings in more of the adult audience.
>
> Classification has already begun, in a small way, in this country. Adult tags have been applied to a number of foreign films. Hollywood distributing companies have used adult labels occasionally. But these have been more or less voluntary decisions, indifferently enforced by theaters, and never uniform throughout the country or throughout the period of release.
>
> There is increasing public pressure for official action.
>
> The production code office is as qualified as anybody to undertake the service of classification. Hollywood producers will object at first. They will worry about the box office. They will protest, in the proud new legal language which permits them to wrap themselves in the first amendment and claim freedom of speech for the screen.
>
> But they will finally accept classification, because it is better than censorship. In fact, classification can prevent excesses of censorship, because a strong system of censorship without classification tends to prohibit everything except what is suitable for children.
>
> American exhibitors are against classification, and the Motion Picture Association

has so far accepted their position. In their eyes, no doubt, every child turned away from the box office is being denied a fundamental right Americans have always enjoyed. But times have changed, and so have the movies. Now it is clear that there is another conflicting duty to be considered: The duty of society to lay down the broad outlines of the education of children.

There is nothing in the first amendment, MacCann adds, which gives every 10-year-old the constitutional right to see "Suddenly, Last Summer."

Mr. Speaker, I am introducing today a House resolution calling on the theater and motion-picture industries to establish industry codes of taste, decency, and morality at least as high as those established by the motion picture industry in the Motion Picture Code of 1930.

That code, and the point of view it so ably epitomized, was formulated by Will H. Hays, who summed it up this way:

> This industry must have, toward that sacred thing, the mind of a child, toward that clean virgin thing, that unmarked slate, the same responsibility, the same care about their impressions made upon it, that the best clergyman or the most inspired teacher would have.

The House resolution I have introduced today states in part:

> The House of Representatives urges all persons engaged in producing, importing, presenting, or exhibiting plays and motion pictures to join together in establishing and enforcing a code of taste, decency, and morality in order to avoid the establishment and enforcement of such a code by governmental agencies.

All individuals in the theater and motion picture industries should take note of the practice in a number of European countries such as England, France, Switzerland, and Italy, where industry-appointed boards classify movies as suitable or unsuitable for children and motion picture operators are required to enforce the decisions of such industry-appointed boards.

The sentiment for classification of movies is growing rapidly throughout the country, and is supported by powerful religious bodies, as well as leading educational and civic groups. Support for classification ranges from the Protestant Motion Picture Council to the National Legion of Decency, the National Congress of Parents and Teachers, the Film Estimate Board of National Organizations, the Schools Motion Picture Committee, the American Jewish Committee and other groups.

Mr. Speaker, the arts of the theater throughout history have made a tremendous contribution to society. They add a visual, interpretative impact to literature. At their best, they portray visions of the idea and inspire the patron; they enable the individual to broaden his personal vistas through vicarious experiences; they can present beauty for beauty's sake; in short, they can do almost everything worthwhile which good literature can do—and present many of these values better than can the printed word.

The theater can, and must, involve subjects and situations which are mature. It must portray life—and life can be beautiful or ugly. There can be little objection to what we call good theater when the job is done with taste and judgment. We must not infringe on creativity.

But, always, we must be cognizant of responsibilities—aware of the fact that freedoms carry obligations and that, therefore, even freedoms must be protected by regulation. We prefer that such guidance be self-designed and self-imposed. The alternative lies in varying degrees of externally imposed censorship which we dislike—which we fear—which we seek to avoid.

I include as part of my remarks the text of my House resolution, and articles from such publications as Variety, Washington, D.C., Post; Newsweek; Saturday Evening Post; Life; This Week; and America:

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Resolved, That it is the sense of the House of Representatives that the theater and motion picture industries must take positive steps voluntarily at this time to establish and enforce a code of taste, decency, and morality or face the strong probability that governmental agencies, State and Federal, will establish and enforce such a code. All persons engaged in producing, importing, presenting, and exhibiting plays and motion pictures are urged to join in establishing a code of taste, decency, and morality at least as high as was established voluntarily by the motion picture industry in the Motion Picture Code of 1930, the viewpoint of which was summed up by former Postmaster General Will H. Hays as follows: "This industry must have, toward that sacred thing, the mind of a child, toward that clean virgin thing, that unmarked slate, the same responsibility, the same care about their impressions made upon it, that the best clergyman or the most inspired teacher would have." The obvious constructive effects of voluntary action by the motion picture and theater industries in establishing and enforcing such a code of taste, decency, and morality today would avoid, and make unnecessary, the establishment and enforcement of such a code by governmental agencies. The individuals engaged in producing, importing, presenting, and exhibiting plays and motion pictures should, in establishing such a code of taste, decency, and morality take due consideration of practices in such countries as France, Switzerland, Italy, as well as in England where industry-appointed boards classify movies as suitable or unsuitable for children and motion picture theater operators and exhibitors are required to enforce the decisions of such industry boards.

[From the Washington (D.C.) Post, Oct. 20, 1962]

BILL TO CURB OBSCENITY IS VETOED—PRESIDENT DOUBTS LEGALITY OF ACT TO PROTECT PUBLIC

(By Elsie Carper)

President Kennedy yesterday vetoed a bill tightening laws in the District on obscene literature because of grave constitutional and other considerations.

The bill approved by Congress earlier this month had raised protests from the Civil Liberties Union and other groups that the bill would in effect give police the power to suspend newspapers and other publications if objections were raised to their content.

In the veto message, the President said he is in complete accord with the purposes of the bill that the people of the District should adequately be protected against the dissemination of indecent and obscene publications and articles.

But the President said his attention had been called to a 1961 Supreme Court decision which seems clearly to make the search and seizure provision of this bill unconstitutional.

Congress should reconsider the legislation when it convenes in January, Mr. Kennedy said.

"Such a brief delay in the enactment of this legislation seems a small price to pay in order to obtain an enforceable law which will achieve the worthy objectives which prompted the bill," the President said.

The Civil Liberties Union praised the President's action and said it was regrettable that the President must be concerned with what is a local police measure.

[From Variety magazine, Feb. 6, 1963]

PROTESTANT ANXIETIES AS TO ENTERTAINMENT

ALBANY, FEBRUARY 5.—New York State Council of Churches (Protestant), in a statement of legislative principles for 1963, included the following commentary on "mass communications":

"We are concerned with the influence of mass media where it is used to excite prurient interest, to offend decency and is obscene or portrays brutality and crime as desirable and acceptable. We are also concerned with an over-use of mass media to entertain rather than to enhance knowledge of significant public issues and problems. We support legislation which encourages the use of mass media in a responsible and reasonable manner and which improves the content, both morally and intellectually, of the information disseminated."

However, "we believe that legislation to control mass media, though well intentioned, may violate or impair civil rights; may inhibit or restrict the free flow of ideas; or may tend to superimpose the values of a particular segment of the community upon the entire community, including its judgment concerning that to which the public shall have free access. Consequently, we oppose legislation which tends toward indiscriminate censorship."

The State council of churches was among the organizations supporting the joint committee on offensive and obscene material's bill of last year, providing classification by the State education department's motion picture division of films determined by it to be acceptable for exhibition to children attending elementary or secondary schools under the jurisdiction of the State education Department. A similar measure was reintroduced by Chairman Luigi R. Marano, recently.

Rev. Leon M. Adkins, pastor of a Methodist church in suburban Newtonville, is chairman of the State council's legislative committee.

[From the Washington (D.C.) Post, Dec. 7, 1962]

CHURCH ISSUES NEW PLEA FOR FILM RATINGS

Roman Catholic leaders issued a strong new appeal to the movie industry to classify its products so parents can tell which films are fit for their children to see.

They warned that if the industry as a whole persists in its refusal to provide advisory film classifications voluntarily, they will support legislation authorizing public agencies to publish lists of movies suitable for children.

The appeal and warning emanated from a committee of five bishops appointed by the U.S. Catholic hierarchy to keep a moral watch on the movies. The committee is headed by Archbishop John J. Krol of Philadelphia.

The bishops commended public-spirited theatre owners who have already adopted the practice of advising parents, through their advertising, that certain films are for adults only. But they said that the Motion Picture Association of America has not only refused to accept or support a policy of voluntary classification, but has time and again registered effective opposition to the whole idea.

The bishops sharply challenged the association's argument that ample guidance is already available to parents through reviews and ratings of such organizations as the Legion of Decency.

"This seemingly reasonable argument ignores the vital fact that no rating service covers all films currently released in the United States," they said in a formal statement. "Even the most reliable sources of information are frequently so poorly timed in their release as to be of no real service to parents."

[From Newsweek magazine, Dec. 11, 1961]

SEX AND CELLULOID

Dismayed by the hard sell of salaciousness in recent movies, the U.S. Roman Catholic hierarchy called on the film industry last week to mend its morals. By no coincidence the list of films singled out for censure sounded like a movie hit parade.

This was a year, said a hard-hitting report, "in which prostitution received sympathetic attention in several major films such as 'Butterfield 8,' 'Go Naked in the World,' 'The World of Suzie Wong,' and 'Never on Sunday.' Seduction of the young was the theme of 'A Cold Wind in August.' There were six instances of films which presented improper and dangerous standards for teenagers; for example, sexual promiscuity of the young in 'Where the Boys Are' and 'Parrish.' 'Splendor in the Grass,' Freudian in its preoccupation with sexual adjustments in the lives of adolescents, laid on the purple of eroticism with some new bold strokes."

Signed by the five bishops constituting the church's Episcopal Committee for Motion Pictures, Radio, and Television, the report, released in Washington, D.C., asked the movie industry at least to classify films on the basis of suitability for national audiences of various ages—as, for example, the National Legion of Decency now does for Catholic audiences. If the industry fails to do this, said the bishops, "We clearly envision * * * an understandable popular demand for mandatory classification."

In a more ominous threat to the moviemakers, the bishops added that "it may not be out of place to remind bankers that the lending of the people's savings for film enterprises carries with it an obligation to insure that the projects supported by these moneys are not detrimental to the public interest." Perhaps the most important responsibility of all, they concluded, rests with the public: "The moral and artistic quality of films offered to us is in direct proportion to our patronage."

[From Variety magazine, Feb. 6, 1963]

A TREASURY OF FILM SELL QUOTES

(Compiled by Dick Averson)

(NOTE.—Following selling copy for feature films of recent release were extracted from the daily press by a communications pundit at Syracuse University. These samples comprise a representation of current prose style in and out of the distributors' press books.)

"Stripping of a man's past to lead to emotional and social awareness, not eschewing a symbolical strip-tease * * *"—"The Denunciation."

"A war, a truck, 3 soldiers, 12 prostitutes, its objection is to entertain you."—"The Campfollowers."

"The big difference between people is not between the rich an' the poor. The big difference is between those who have ecstasy in love an' those who haven't"—"Sweet Bird of Youth."

"Banned in France, banned in Italy, only in free thinking countries can this story be told."—"Thou Shalt Not Kill."

"A trilogy of shock and horror. * * * A new concept in motion pictures."—"Tales of Terror."

"Bodyguard to a beauty * * * who wanted passion not protection."—"Swordsman of Siena."

"A man—a girl—a weekend—two generations meet"—"That Certain Urge."

"A normal white woman wouldn't get involved." "Only our shadows are equal." "She dared love a man whose color was on the outside." "It sears the screen."—"Anna's Sin."

"They used to whisper about what went on in Sodom and Gomorrah. Soon they will be shouting about it."—"Sodom and Gomorrah."

"It's your wife, Joe. In another motel. Come and pick her up * * *. This, in its own terrifying way, is a love story."—"Days of Wine and Roses."

"The screams, the tantrums, the tears, the fantasies, the falsehoods. This is what haunts the mind and numbs the heart in the strange world of the schizo. Schizophrenia—split personality. A psycho who can live and love * * * hurt and hate."—"I Thank a Fool."

"That agonizingly hilarious pause between honeymoon and marriage. The bridegroom with the shivers, the bride with the shakes!"—"Period of Adjustment."

"It sounded like fun. It began like a game. The very proper ladies of Briarwood were going to be interviewed by Dr. Chapman and his staff of researchers. They would merely reveal the most intimate details of their lives."—"The Chapman Report."

"Are the men and women in Washington really like this? * * * what happened in Hawaii?"—"Advise and Consent."

"Alexis crossed her path. From that moment, destiny uprooted her world * * *. For this man she sacrifled everything * * * religion, honor, home, friendship, affection, respect, even her child. Nothing else mattered * * * nothing else existed * * * but a terrible, devastating, tragic, profane love * * * a love unforgettable and unforgotten * * * timeless. The passion of Phaedra * * * who in the same moment embraced her love and her destruction."—"Phaedra."

"Just ring for room service."—"Horror Hotel."

"The rollicking comedy of what comes off in an all-girls college."—"Where the Girls Are."

"Playboy magazine says: 'The best nudie movie to date.' "

"Playboy magazine says: 'The best cutie movie to date.' "

"Everything pops out of the screen. Broadminded adults only."—"Paradisio."

"Sister, sister, oh so fair, why is there blood all over your hair?"—"What Ever Happened to Baby Jane?"

"What did they do to you, baby, what did they do?"—"Panic in Year Zero."

"It just didn't figure * * * that they would * * * they they could * * * that they did."—"Two for the See-Saw."

"If you come in 5 minutes after this picture begins, you won't know what it's all about."—"The Manchurian Candidate."

"Mama says: Be Boston in the parlor and continental in the boudoir, but never mix them up."

"Mama says: It's all right to be Boston in public and French in private but never mix them up."—"If a Man Answers."

"No longer a child, not yet a woman, what is she?"—"Lolita."

"What can a girl expect of a war lover?"—"The War Lover."

"This is no party for poop-outs."—"Two Tickets to Paris."

"Only a brave man goes after the lion * * * only a fool goes after the lion's mate."—"The Lion."

"There are many kinds of love, but is there any without guilt? Perhaps the strangest, most dangerous of all is the love that's a dare—a mature woman tempting a youth who is deeply, desperately lonely. Superb together."—"Five-Finger Exercise."

"The man who made his home a nest of strange desires * * * who made his wife * * * his daughter * * * his doctor * * * pawns of an odd obsession."

"I did my best to get it first prize at the Cannes Film Festival."—Henry Miller—"Odd Obsession."

"Surely the greatest spectacle ever produced. Certainly the greatest duel ever staged."—"Seven Revenges."

"Young man—19 * * * in a hungry hurry * * * your blood on fire * * * and you want to write about it * * * tell the world about it—so you light out * * * and try to learn all there is about love and war and fear and courage * * *."—"Adventures of a Young Man."

"They crossed the boundary between black and white to reach each other's arms—"I just can't believe our daughter would marry a Negro."—"Flame in the Streets."

"He was half Oriental * * * but he used the women of two continents without shame or guilt."

"I not nice girl, Ivan-san * * * you only man for love."

"Have you ever had anything to do with a white girl?" "All the beauty of Japan photographed in Technicolor."—"A Girl Named Tamiko."

"There were so many men * * * she had forgotten some of the names."—"A Private Affair."

"Women were his stock in trade * * * he played the market of love."—"Maxime."

"How would you like to tussle with Russell?"—"The Outlaw."

"You'll flip your bikini. When you see nature take its course between an American playboy and a French nature queen in spectacolor."—"Her Bikini Never Got Wet."

"This is Jim, color him black and white. This is Jules, color him black and white, also. This is Jim, color him all the colors of the rainbow. This is Jules, color him all the colors of the rainbow."—"Jules and Jim."

"He passed for white * * * and they loved it."—"I Spit on Your Grave."

"The most riotous bedtime story in years. A hilarious yarn of vice and versa."—"Who's Got the Action?"

"It's scandalous. It's spicy. And it has the year's sauciest cast."—"The Pigeon that Took Rome."

"Tahiti, of the isles beneath the wind, is among the most beautiful places on earth. Its people are handsome. The language they speak is the language of love."—"Mutiny on the Bounty."

"From a villa in Rome he took her to a chalet sky-high in the snow-crusted Alps and let the magic of Italy go to work for him * * * (It sure did)."—"Rome Adventure."

"Only she knew how to heal the scars of battle."—"El Cid."

"Man is still the most dangerous animal of all. Don't be frightened, Evvie."—"Island of Shame."

"Due to the abnormal subject matter of this motion picture, absolutely no children will be allowed with or without their parents * * * special uniformed police will supervise admissions."—"Poor White Trash."

"He took by force what he could have had for love."—"Pirate and the Slave Girl."

"Intellectuals, take note: God created woman but the Devil invented Brigitte Bardot!"—"And God Created Woman."

"The film from France they all were afraid to buy—too far out, too intellectual. Out l'Avventura's l'Avventura. What they really meant was that it wouldn't make any money. How could it, when you have to see it twice to understand it?"—"Paris Belongs to Us."

"Astor is proud to present this film. In the realization that its content may be misinterpreted by the immature, Astor does not solicit such patronage. We make this recommendation voluntarily."—"Les Laisons Dangereuses."

"Corpus-delectable—the gay-slay of the year."—"No Place Like Homicide."

"Inez, who preferred women; Estelle, who preferred men; Garcin, who was afraid."—"No Exit."

"Where love is a way of life."—"Nude Odyssey."

"He ordered marriage on the rocks * * * with a twist. She had to be ex-ed * * * so she could be next."—"Divorce Italian Style."

"Hide your women * * * seize your swords * * * the Tartars are coming. Not a woman was left unmolested—not a stick left standing."—"The Tartars."

"Come into my guestroom, said the victim to the wolf."—"Lover Come Back."

"Sophia, so female, from battlefield to boudoir, from prison camp to palace, from maid to madam."—"Madam."

"Soft sell: Seven men of courage * * * take a prodigious leap from the jet to the stone age * * * they discover a land of lush, primitive beauty, a pagan paradise of strange practices.

"Hard sell: They lived with cannibals. Filmed fertility rites never before photographed! Forced into intimacies with the wives of their savage captors. Two of them made it."—"The Sky Above, the Mud Below."

[From the Saturday Evening Post, Nov. 30, 1962]

Movies Are Too Dirty—Most Adult Pictures Aren't Fit for Grownups, Let Alone Children

(By John Crosby)

I can't pinpoint the precise moment in history when I became aware that I was tired of dirty movies, but I rather suspect it came somewhere in the middle of "Walk on the Wild Side." I fell asleep is what I did. It was at some point after the pimp had beaten up his prostitute in the bordello and some point before the lesbian madam tried to pin the Mann Act on the fellow who loved her girl friend. I was bored was what I was.

When I woke up, I thought to myself that my titillation level had risen to a dangerous point if I couldn't even stay awake during such a lurid display of sexuality. What has happened to me? What has happened to all of us?

I can remember when Otto Preminger defied the National Legion of Decency and the Production Code, which had ruled motion pictures with an iron hand, by exhibiting, without the seal of approval, "The Moon Is Blue" back in 1953. Those of us of liberal persuasion cheered a mighty cheer at this victory over censorship. I felt then and I feel now that organized attempts to censor anything—books, plays, movies—always fail because the wrong things get censored for the wrong reasons by the wrong people.

For instance, "Walk on the Wild Side," a perfectly dreadful, rampantly sexual, really dirty movie (practically the whole thing took place in a brothel) got the seal of approval (adult only) from the Legion of Decency because the prostitute is redeemed in keeping with Christian morality. On the other hand, "Never on Sunday," a far better, far cleaner, far more wholesome movie about a prostitute, was completely condemned by the Legion of Decency because the prostitute, magnificently played by Melina Mercouri, is not only not redeemed but she seems to love her work and actually contributes to the welfare of the community by it—a point the church could hardly tolerate.

THE TROUBLE WITH CENSORSHIP

Throughout history the church has been very bad at censorship—but no worse than everyone else. Eventually all censorship gets down to a decision on what is right and what is wrong, and you simply can't impose your ideas of right and wrong on the artists and writers. History has shown again and again that the artists were right and the bluenoses were wrong. If you stifle the artists or suppress them, civilization itself suffers.

But simply because we are opposed on principle to censorship doesn't mean we can't complain about the number of dirty movies. I habitually take my 13-year-old daughter, Maggie, to the movies on Friday night; yet, in the enormous city of New York, with scores of movies to choose from, there is often hardly a single one fit to show a girl of that age. In fact, I'm afraid Maggie has seen a lot of movies that I don't approve her seeing because—well, how do you know in advance?

I remember one summer vetoing "The Apartment" (I considered it fine for me, but not for my kids) and then taking them to a far worse movie, "The Rat Race," in which Debbie Reynolds did a striptease in a dance-hall proprietor's office. I knew what "The Apartment" was about; I didn't know what "The Rat Race" was about. How is one to find out? The reviews don't always tell you. Besides, who reads them all? That is why I am very much in favor of the British system of classification of motion pictures. In Britain, movies are classified for adults only or for general consumption. Some movies have an A classification, which means parents can take kids to the movie if they choose, but are forewarned that it is in some way objectionable for children. Some movies are flatly forbidden to children. I feel most urgently that we should have classification of movies in the United States, and I'll tell you why.

I think that we who defend freedom of speech, freedom of expression and all that, have been boobytrapped in the case of movies by labeling almost everything that deals with sexual freedom "adult," when most of the American movies which are lascivious are the exact opposite of adult. They are childishly prurient, adolescent quiverings—peeping-Tom-type movies, if I make myself clear, and it's not going to be easy. This is why a censor's work is difficult—in fact, impossible—to do intelligently. Because in one picture seduction is high art, great theater, great literature. In another it's just dirty. The difference lies in intent, in honesty, in craftsmanship, in art.

Many movies have been sexually very mature, very daring, and I think genuinely moral in the highest sense. A superb example was "La Dolce Vita," which was surely a story of depravity. The last of many orgies in that picture—when they poured champagne all over a girl and covered her with feathers—got awfully long and, in the end, dull, dull, dull. And that's exactly what its author and director, Federico Fellini, intended to make you feel. His point, so magnificently and subtly made, is that this kind of life is not fun, fun, fun. It's dull, dull, dull. Fellini speaks true.

A THOROUGHLY PRURIENT ORGY

Contrast that kind of orgy with, let's say, "Solomon and Sheba," which was nothing but one long orgy of gargantuan proportions: extras doing the most carnal things to one another on rocks, carrying half-naked girls into the bushes; and Gina Lollobrigida lolling about on beds in an attempt to seduce Yul Brynner. This one is prurient in the worst sense, appealing to our most adolescent instincts. This is the sort of movie that helps perpetuate adolescence in America. That's the criticism many Europeans level at us—that we don't mature, we don't ripen, we just become aging adolescents.

Still, if we are going to have genuine artistic freedom, we can't forbid orgies. So what should we do? I think we should classify pictures. I think "La Dolce Vita" is a great picture, but not for children. I think "Solomon and Sheba" is a stinker for old and young alike. But whereas "La Dolce Vita" could (and did) go fine at the box office with adult trade, muck like "Solomon and Sheba" needs the smirking teen-age trade to help pay the bills. Most intelligent adults wouldn't be caught dead at it. If we keep the kids out of these juvenile, smutty pictures, that leaves only the perpetual adolescents. There aren't (I hope) enough of them to make this kind of picture worthwhile.

There's another aspect of this matter that needs explanation. Sexuality has been on the rise in the movies and, as each producer tries to outdo the other, it has taken a deplorable turn toward viciousness. I can remember back in 1932 when just about the last word in sexuality was Miriam Hopkins as the trollop in "Dr. Jekyll and Mr. Hyde," waving a naked leg back and forth before Fredric March's agonized eyes. Today that's kid stuff.

SEX AS AN ELEMENT OF HORROR

Take "Cape Fear," which may be the most sordid, vicious and utterly depraved movie I have ever seen. This was a tale about a vicious sex criminal, played by Robert Mitchum with what I can only describe as appalling authority, who gets out of jail and returns to torment Gregory Peck, the fine, upstanding lawyer (and nobody can upstand like Gregory Peck) who caused his imprisonment. Peck has a lovely wife (Polly Bergen) and a lovely young daughter (Lori Martin) who, I gather, is about 13. Mitchum says, all by implication because he doesn't want to go back to jail, that he intends to rape Peck's wife and daughter.

Mitchum leers at Polly Bergen. He fairly slavers over Lori Martin. "She's getting to be as juicy as your wife, ain't she?" he says, chuckling evilly. He pauses in pursuit of these two only long enough to pick up a floozy and almost kill her.

"You're a shocking degenerate," Peck tells Mitchum at one point. "I've seen the worst, but you're the lowest. It makes me sick to breathe the same air." And this dreadfully trite snatch of dialogue sums up the picture itself with stunning accuracy. It literally makes you sick.

This is the nub of my complaint about the deplorable direction that sexuality is taking in pictures. Sex is no longer designed to be enticing, as was that shot of Miriam Hopkins' bare leg inviting you to go to bed; it's designed instead to be frightening and repellent. I violently object to children or young teens being exposed to this sort of thing, because it plants in them the idea that sexuality is essentially a degenerate, shameful, rather frightening thing instead of the joyful, natural, God-given urge that it is.

I am one of the most devoted fans of Ingmar Bergman, the Swedish writer, director, and producer, but I must confess the rape scene in "The Virgin Spring" made me physically sick. In fact, I think it was intended to. In this movie the girl (Birgitta Valberg) is of such dazzling purity and innocence that her desecration and murder are almost the outermost limit of evil. In "The Virgin Spring," if I understand him correctly, Bergman was showing the loss and rebirth of faith in God. Pretty strong and splendid stuff, that, and he needed an extremity of evil.

Well, he got it all right: the rape scene was horrifyingly explicit; the murder was sickeningly gruesome. It had such an impact on me that I couldn't get with the picture again. Bergman lost me there; he overreached himself dramatically and fell over the other side. He's not the only good writer who's done that, either. Shakespeare had a character's tongue torn out and her hands cut off, on stage, in one of his early plays, "Titus Andronicus." And he had Gloucester's eyes plucked out in "King Lear." I think these plays were severely damaged by these excesses—and it's interesting to note that they are not among Shakespeare's successful plays.

Sophia Loren got an academy award for her performance in "Two Women" and it, too, had a rape scene—in this case the rape of mother and daughter by a whole crowd of screaming African troops. In one shot the young girl is screaming one moment; suddenly the eyes widen and the face goes rigid, as if she had suddenly and irrevocably discovered that life is evil rather than a fundamentally good thing, that sex is essentially a horrifying rather than an ennobling experience.

Of course, any good director will tell you that a shot which could express all that in a flash on a screen is a great shot. But I'm not so sure. Because right there "Two Women"—which is a pretty good and very honest picture—lost me. That shot is so powerful it blots out everything else.

HONEST DRAMA VERSUS TRIPE

However, from honest movies like "Two Women" or "The Virgin Spring," it's just a step to tripe like "Experiment in Terror," in which a man (Ross Martin) attempts to terrorize a girl (Lee Remick) into stealing $100,000 from the bank where she's a teller by threatening to kill her and intimating that he'll rape and kill her younger sister. This film is not drama, as the word is commonly understood. Its intent is to shock rather than to stir one's deepest feelings. It contributes to a form of narcotic addiction.

In that connection I'd like to tell you the story of a small American boy who lived with his parents for 2 years in Italy. For lack of television, his chief entertainments were puppet shows and an occasional movie. And, since the Italians don't believe in exposing kids to violence, these were very gentle movies. He was about 8 years old when he came home. On shipboard one day his mother took him to a movie—something with Burt Lancaster in a circus. There were some brutal fistfights in it. Shortly after I left the theater I came upon the little boy crying uncontrollably in a passageway of the ship. "I don't like that, I don't like that," he was saying over and over again. And he made a punching motion with his fist. "I don't like that." He'd never seen two adults hit each other in the face before, and it made him sick.

Well, a year passed, and I saw the same little boy in his apartment in New York. He was sitting in front of a television set, watching the good cowboy belt the bad one with the butt of his pistol and, insofar as I could see, he was thoroughly enjoying it. He'd got used to it. But I don't think he's a better little boy for it.

COMING SOON: MULTIPLE RAPE

I suppose eventually we'll all get acclimated to rape. But I don't want to get acclimated to rape either on the screen or off it. And I certainly don't want my children to get acclimated to it. Ahead of us lies—as they say in Washington about the atom bomb—escalation. Just after the war, for example, the movie people discovered that if one movie star earned $2 million at the box office, four movie stars would earn $8 million. Then it was discovered that the same ratio applied to adultery; so we got movies like "From the Terrace" with its multiple adulteries. Well, next we'll get multiple rape—four, five, six of them. Already we've had mother-and-daughter rape. Next, I expect, grandmother and maybe a 4-year-old girl. Then 3-year-old girls. Perversion is coming in very strongly, too—Lesbianism in "The Children's Hour," male homosexuality in "Victim," child molestation in "The Mark," nymphomania in "The Chapman Report," cannibalism in "Suddenly Last Summer."

These films are advertised as sensationally as possible without coming right out and yelling, "Red-hot pornography! Come and get it!" Consider the ad for a little stinker called "Satan in High Heels": "About a commercial tramp who cheats, steals, and bed-bounces her way to New York." Or the ad for "Satan Never Sleeps" (Satan is very big in the titles this year): "Tortured! Ravished! Shamed!" Or the ad for "Lisa": "In the middle of the night he heard her cry: "They used me * * * like an animal"

I say: Enough! Enough! For God's sake, let's quit it. But let's not leave these matters to some censor.

Think what a censor would do with a film like "Lolita." The very word is almost synonymous with salaciousness, yet it is one of the finest movies I've ever seen. The passion of an older man, superbly played by James Mason, for the nymphet, superbly played by Sue Lyon, is purest tragedy. You come away deeply moved, washed with pity—honorable, decent emotions quite different from the revulsion caused by so many sex-obsessed pictures.

We must never again have the kind of censorship which would prevent a "Lolita" from being made. So what are we to do about the likes of "Cape Fear" and "Walk on the Wild Side"? A sensible classification system, modeled on Britain's would go a long way toward solving the problem. But even now there's something that we can do: complain, for heaven's sake. The artist should have the right to express himself, but we, the bedeviled public, certainly have the right to express ourselves, too. So yell a little. Or write indignant articles. Like this one.

[From Life magazine, Feb. 23, 1962]

FORBIDDEN FILMS—A FAMILY DILEMMA—SHOCKING CANDOR OF THE SCREEN, A DILEMMA FOR THE FAMILY

(By Peter Bunzel)

The child is whispering a malicious lie about a relationship which, until now, was unmentionable in U.S. movies. The film is a new version of Lillian Hellman's distinguished drama, "The Children's Hour." In it Audrey Hepburn and Shirley MacLaine play a pair of upstanding schoolteachers whom foul gossip brands as lesbian lovers—and this is brought out clearly in the film. Such startling frankness is raising a clamor for more stringent movie censorship, a clamor that will be intensified by other films, shown on the following pages, which tackle bold, shocking themes.

"A View From the Bridge" deals with incest. "The Mark" is about a disturbed youth who is tempted to molest little girls. "Victim" tells of hapless homosexuals. These are not films made for art theater audiences. They are produced for the mass market and they will be seen at neighborhood movie houses where children usually go as a matter of course.

None of these films, when viewed by adult audiences, is even faintly salacious. They are done with good taste and are absorbing entertainment. So are most of the others in a wave of controversial movies which will flood U.S. theaters. Homosexuality, once a taboo subject, is dealt with in four major films—"Advise and Consent," "Taste of Honey," "The Devil's Advocate," and "The Best Man." In "Walk on the Wild Side," Barbara Stanwyck portrays a lesbian who runs a bawdy house. "All Fall Down" casts Warren Beatty as a young misogynist who expresses his hatred for women by brutally attacking them. A crazed rapist spreads terror in "Cape Fear." In "Lolita," a middle-aged professor has a transcontinental affair with a 12-year-old bobby soxer. "The Chapman Report" depicts the adventures of a nymphomaniac.

This trend toward outspoken films has revived the accusation that movies are more unpalatable than ever. The Roman Catholic bishops of the United States have protested sternly. Congressmen, women's clubs, clergymen all voice the same fear: movies that deal candidly with sex pose a moral threat to U.S. youth.

The fact is that these movies are not intended for children. They are, by and large, thoughtful films for grownups—all made with the box office in mind, but rarely crassly commercial. Most are adapted from distinguished books and plays. They deal with major, serious sociological problems. Yet children will see some of them. They will hear discussions of them and read about them—as many are undoubtedly doing with this Life story. The films present a dilemma to be solved within the family and unless the problems are openly discussed at an adult level they cannot be intelligently and honestly met.

These motion pictures reflect a preoccupation with sex—and particularly its aberrations—that is unprecedented in the United States. Frankly sexual stories have always been available in this country in one form or another—the medieval authors Chaucer and Bocaccio wrote classics of ribaldry that are required reading in colleges. But in general, erotica has been kept behind closed doors, barred from the mails and forbidden to the public. Bawdy novels like "Fanny Hill" had to be smuggled in from Europe.

Now far racier novels can be bought anywhere. Henry Miller's "Tropic of Cancer," banned here for 27 years, was published in the United States in 1961 and became a runaway bestseller. The unexpurgated "Lady Chatterley's Lover," outlawed since 1928, was issued in 1959. Today its gamiest passages seem tame beside those in many new novels.

On Broadway the most successful playwright is Tennessee Williams, whose dramas are rooted in flamboyant sex (and sometimes in sexual deviation). There are large circulation magazines whose chief stock in trade is nude photos; the Post Office Department, which was once a morals watchdog, has been forced by court order to permit them to be mailed.

DANGERS OF TIGHT CENSORSHIP

Amid this unprecedented freedom, movies present a special problem. Unlike books and plays, they are available to everyone, regardless of age. Many adults fear that children may be jolted by films which come to grips with stark adult problems. But some experts believe the harmful effects of such motion pictures are greatly exaggerated. Says Paul W. Tappan, professor of sociology at New York University: "There is no evidence that children form basic attitudes to authority or morality from exposure to motion pictures. At least as strong a case can be made that maladjustments are intensified through tight and prudish censorship."

Historically, movie censorship has been both tight and prudish. For years it kept Hollywood in a straitjacket, woven by local vigilantes who believed that movies were corrupting morals. In the early days there may have been some ground for this belief. There was a time when the Hollywood product abounded in half-clad dancers and bathtub scenes obviously thrown in for shock values.

As early as 1913, Ohio enacted a statewide law censoring movies. Nine States quickly followed, and dozens of cities passed their own ordinances. The result was chaos—and absurdity. In Manhattan, Mary Pickford, who was still in her teens, was barred from seeing one of her own movies because no adult accompanied her. Spokane's mayor banned a two-reeler called "Tango Dancing Lesson" on the ground that "I won't let my daughter do those dances."

Hurt financially by these restrictions on showing its films and worried by scandals, Hollywood imposed a rigid self-censorship. The industry in 1922 hired former Postmaster General Will H. Hays as its morals czar. Hays had a solicitude for children which he expressed in grandiloquent language: "This industry must have, toward that sacred thing, the mind of a child, toward that clean virgin thing, that unmarked slate, the same responsibility, the same care about their impressions made upon it, that the best clergyman or the most inspired teacher would have."

This viewpoint was embodied in the motion picture code, drawn up in 1930 to provide guidelines for morally acceptable conduct in movies. The code demanded defeat for all transgressors. It held that divorce was intolerable, miscegenation abominable, swearing unpardonable. Love conquered all—yet married couples never shared a double bed.

The code did not stop at morality. It also sought to prevent Hollywood from angering pressure groups. In 1939 the script for Hal Roach's comedy, "The Housekeeper's Daughter," had to be revised because it showed a newspaper reporter cadging drinks from his cronies. "Such characterization," went the solemn, farfetched explanation, "might give offense to newspaper publishers, editors, and writers."

HARD NEW LOOK AT THE CODE

The code was Hollywood's Bible and its precepts were commands. Only two major films were ever released without a seal of approval. They were "The Moon Is Blue" in 1953, which was rejected for treating adultery lightly, and "The Man With the Golden Arm" in 1955, which was the first U.S. movie about dope addiction. But times were changing. Both productions became such big commercial hits that they induced the industry to reexamine its whole code.

It was clear that movies would no longer make money by pandering to a teenage mentality. TV was doing that sort of thing better and for free. Between 1948 and 1958 movie box office grosses fell by nearly 50 percent—but only for theaters showing the Hollywood product. Art theaters, showing European films ranging from Brigitte Bardot sex farces to Ingmar Bergman's medieval morality plays, were thriving.

Hollywood took the cue and began dramatizing themes which were too outspoken for TV.

Two precedent setting court decisions gave them a go-ahead. The first involved the Italian-made religious parable, "The Miracle," which had been banned in New York State. In 1952 the U.S. Supreme Court lifted the ban. "We conclude," the Court unanimously ruled, "that expression by means of motion pictures is included within the free speech guarantee of the first and fourth amendments." The decision expressly precluded banning a movie on grounds of "sacrilege." The U.S. film industry had taken no part in the case whatever but it was paying close attention. In 1958 the court ruled further that a film version of "Lady Chatterley's Lover" could not be outlawed for being "immoral." The two decisions leave only one legal justification for censoring a movie: gross obscenity.

The Hollywood Code was now revised to permit portrayals of dope addiction and badinage about adultery. Last year came the most radical change of all. Sex perversion, once forbidden, was declared permissible if handled "with care, discretion and restraint." The code remains a highly capricious instrument. Two recent U.S. films about perversion passed without difficulty, but the code authority flunked the British import, "Victim." A single word made the difference. "The Children's Hour" and "Advise and Consent" use synonyms for sexual deviates; "Victim" comes right out with "homosexual."

Four States—New York, Virginia, Maryland, and Kansas—still force films to obtain licenses before release. So do more than a dozen cities. Scores of others enforce censorship after movies are publicly shown.

Few of the censors have any qualifications for the job. Chicago's censorship board is dominated by policemen's widows. In Boston the censor is the mayor's press secretary. The chief censor in Atlanta is a housewife, while in Evanston, Ill., a policewoman inspects movies in her spare time for $180 a year.

This year's big censorship wrangle is brewing in New York. The State's board of censors has banned the movie version of the hit off-Broadway drama, "The Connection." Like the play, it portrays dope addiction. The dispute, however, is not over subject matter but language, the like of which has never been spoken on the screen. Attorney Ephraim London is fighting the case, as he did the "Miracle" and "Chatterley" cases. "To prove obscenity," London argues, "the State has to show that using this language arouses lustful desire in normal adults. That's absurd."

Whenever censorship prevails, standards vary. Sophia Loren's "Two Women" was deemed perfectly all right in Manhattan but was blackmailed in Detroit. In Austin, Tex., Brigitte Bardot's "And God Created Woman" was approved for a theater that catered to white audiences, but Negroes were not allowed to see it. Providence's three censors also banned "And God Created Woman." The ruling was taken to court, and one of the censors admitted that, before "Woman," he had attended only a single movie in 13 years—and then only because the police commissioner told him to.

England, in regulating movies, comes down stringently on violence. The U.S. melodrama "Homicidal," a blockbuster here, was banned in Britain as too brutal even for adults. Yet sex in movies is accepted there casually and, as in most of Europe, nudity is allowed.

In England, all movies are classified by an industry appointed Board of Censors whose members include experts in child psychology. The board gives a U certificate for movies that may be attended by all. Children under 16 may view A films only with adults. X films are for adults only. Few films are banned outright. Most communities require theater operators to enforce the board's decision.

The system has drawn many U.S. supporters. However, legalized classification has been ruled unlawful in the United States by at least one State court. In 1959 Pennsylvania passed a classification bill, but the State supreme court held it unconstitutional under the free speech provisions of the "Miracle" decision.

The ebb of legalized censorship since the "Miracle" decision has given a much louder voice to private groups which police the movies for their membership. Foremost among these is the Roman Catholic Legion of Decency. The legion's ratings, circulated among all U.S. parishioners, are based on church precepts. They specify the moral suitability of films for children and adults. Occasionally a movie is condemned for all. Once a year Catholics are asked to pledge to follow these directives, so few producers dare risk condemnation by the legion.

The legion has increasingly given a separate classification to films which it does not want to condemn outright but which require caution and some analysis and explanation as a protection to the uninformed against wrong interpretations and false conclusions. Among such films are "Victim" and "Walk on the Wild Side." "La Dolce Vita" received the same rating but with an additional stipulation which the legion apparently feels will restrict its audience to more sophisticated groups: it must never be viewed in a dubbed English version—only in the original Italian.

Voluntary, as opposed to legalized, classification has been pioneered by the Legion of Decency. Frequently it has approved films so long as the ads specify they are for adults only. Now many responsible producers impose their own classification. Among them are Elia Kazan, whose "Splendor in the Grass" deals with premarital sex relations, and Richard Brooks, whose "Elmer Gantry" is about a depraved preacher. The ads for both movies stipulate that patrons under 16 must have an adult with them. William Wyler advocates the same restrictions for his "Children's Hour."

"But," adds Wyler, "sex isn't the only reason that I'm careful. I also directed 'Ben-Hur.' That was a deeply religious film, but it had a lot of violence which might upset kids. My son was 7 when the movie came out. I waited 2 years before letting him see it."

There is a drawback to standardized classification. As children grow up, they differ enormously within each age group. Some are emotionally and physically mature at 16, others still have a long way to go. Proscribing a film for all 16-year-olds tends to protect backward children by penalizing the mature. Classification works best when voluntarily imposed within the family.

This principle was ringingly affirmed by Superior Court Judge Luther Alverson of Georgia when he upset Atlanta's ban on "Never on Sunday." He wrote: "The defendant's concern with the welfare of our city and its children is highly commendable. It is obvious, however, that parents are more competent to rear children than the State, and this responsibility should rest with them. Censorship is not a desirable substitute for responsible parents."

Parents can inform themselves about current films from a variety of sources. Movie ads often contain plenty of clues. Some say specifically that a film is not recommended for youngsters. Others use words like "shocking" and "wild orgies," which should give fair warning. In addition, newspapers and magazines review most new releases. So do film bulletins issued by dozens of private groups.

The most comprehensive of the private bulletins is the Green Sheet. Published by the Film Estate Board of National Organizations, it commands a monthly audience of 9 million. The Green Sheet reflects the composite judgment of 10 member groups, including the General Federation of Women's Clubs, the PTA, the American Jewish Committee and the Protestant Motion Picture Council. Its reviews summarize the plots, evaluate artistry and specify which films are suitable for children, young people, mature young people or adults.

Subscribers may enroll free of charge by writing the Green Sheet, 522 Fifth Avenue, New York 36, N.Y. The Green Sheet is not infallible or comprehensive, but it is a help.

Informed parents make the best censors. They alone are equipped to judge a film's suitability for their children. Often the loudest drumbeaters for outside censorship are parents who seek to shirk this duty. They are like the distraught mother who petitioned Abraham Ribicoff, Secretary of Health, Education, and Welfare. Her son, she wrote, wore a beard, called himself a beatnik and treated her like dirt. "Mr. Secretary," she demanded, "when are you going to solve my problem?"

[From This Week magazine, Feb. 26, 1961]

What Should We Do About the Crisis in Movie Morals?—Parents Everywhere Are Protesting Hollywood's Increasing Emphasis on Sex and Brutality—Is Censorship the Only Answer?—Here Is a Sane and Practical Proposal

(By Joe Hyams)

(Question: Mrs. Harold D. Eastman, of Portland, Oreg., writes: "Today I read the article by Dr. Margaret Mead entitled 'I'm

Sick of Being Shocked.' I agree, but what can we do about the problem of movies that are not fit for our teenagers to see?"

(For an answer the editors turned to Joe Hyams, This Week's Hollywood correspondent.)

HOLLYWOOD.—Answer: Mrs. Eastman echoes a cry of alarm being heard around the land. Last year a Protestant leader deplored Hollywood's emphasis on "sex for sex's sake," and the Roman Catholic Legion of Decency chided the film industry for its "alarming departure from previously accepted and respected standards" of decency. Citizens all over the United States barraged the movie capital with irate letters.

The Secondary School Teachers Association of New York presented a petition to Mayor Wagner and Governor Rockefeller claiming that violence, brutality and sadism shown in movies are a contributing force to juvenile delinquency in New York. They asked that something be done.

The reaction takes no simple organized form. It consists instead of a general awareness that movies have ceased to be family entertainment, that the public morality may be in danger and that children should be protected.

Furthermore, the film industry was jarred last month by an important Supreme Court decision on movie censorship. By a 5 to 4 majority, the Court upheld a Chicago ordinance requiring approval of a movie by city censors before it can be shown publicly. At present four States—New York, Kansas, Maryland, and Virginia—and all cities have movie-licensing systems. The Supreme Court's decision sustains these systems.

But it's very evident that the Court's decision is the beginning rather than the end of the censorship fights. Eric Johnston, president of the Motion Picture Association of America, announced that Hollywood will continue to resist: "Wherever pressures shall be applied to censor motion pictures, we shall fight them." This could mean that every time a film is turned down by local censors the case may be taken as far as the Supreme Court. Pretty clearly, censorship is not itself going to solve this problem.

Meantime, the public is aroused. The California Parent-Teachers Association has appointed a committee to study the effects of films on children and young people. "I work for a major studio," said one parent, "but I am disgusted with some of the pictures we are making in Hollywood."

The Hollywood production schedule for the months ahead promises the most adulterous and libidinous films ever—movies such as "Return to Peyton Place" (sequel to Grace Metalious' novel about love and incest in a Vermont town), and "Lolita" (Vladimir Nabokov's novel about an affair between an older man and a 12-year-old girl).

The question facing parents is: What can we do?

To find a workable solution to this urgent problem, I interviewed parents, community and church leaders, film producers and theater exhibitors. I also talked with members of the Motion Picture Association of America, the people who administer the movies' self-imposed code of censorship.

All the people I interviewed—except for officials of the movie organization—were in favor of graded movies following the pattern established in England, France, Italy and other European countries. The British Board of Film Censors, for example, divides all movies into three categories: "U," suitable for universal showing; "X" forbidden to children under 16 years of age; "A," more suitable for adults than children.

The European system is similar to one adopted by the U.S. Army-Air Force Motion Picture Service, which screens all pictures that are shown to servicemen and their families. Films selected are categorized: mature, mature young people, family. This information is included in all program notices.

HOLLYWOOD'S ARGUMENTS

The American movie industry, however, is against classification. It supports this position with several arguments which don't impress me greatly.

One of them is economic. A 1957 survey showed that half of all moviegoers are under 20 and to turn them away from a number of films would be to turn away millions of dollars. In England, a picture with an "X" (adults only) certificate does 20 percent less business than a "U" (for everyone) picture.

The answer: Well, what's more important, children or profits? Also, it seems to me that there's a good chance that classification would increase the total audience, as parents found they could rely on movies not to shock them or their children.

Another argument against grading movies was given by a spokesman for the Motion Picture Association of America. He claimed movies have become more "adult" along with plays and books.

The answer: If plays and books and movies had the same audience, limited largely to adults, this argument might have some force. But the movie audience contains many adolescents and children.

Eric Johnston, president of the Motion Picture Association of America, rejects "the adults only" label for certain pictures, contending it would be impossible to agree on which pictures to include and also what minimum age to set. "It is not and never has been the function of the code to say that every film it grants a seal is suitable for children," Mr. Johnston said.

Classify all pictures shown in the United States as "recommended for adults" or "recommended for family."

Such a system will serve the purposes of protection without infringing on constitutional freedom. We will be able to avoid shocking unprepared spectators without lowering the content of all movies to a level suitable for children.

The next problem is to decide who is going to administer the plan. In my opinion the Motion Picture Association of America, which now decides whether a movie gets the code seal, could at the same time classify it as "adult" or "family." The exhibitor would put the seal in his ads and on his marquee.

You might wonder if the industry can be trusted to police itself, but I think the answer is "Yes." Once public demand has created a classification system, the Motion Picture Association of America can be trusted to apply it sensibly and firmly, as it has enforced the code for the past 30 years.

It will be up to the parent to decide whether to follow or ignore the recommendation—but he will have readily available the information needed to decide which of the hundreds of pictures available each year are suitable for his child.

CAN CLASSIFICATION WORK?

Will this system of classification work in America despite the opposition of the movie industry? Most concerned adults think it is the only system. Many creative men in Hollywood like the idea.

"I'm all in favor of voluntary classification," producer-director Otto Preminger says. "It would show we don't want freedom of the screen just for the sake of sensationalism. In fact, I'd be proud if all my pictures were recommended for adults."

WHAT ABOUT CURRENT FILMS?

Champions of graded movies say it is bound to come. They feel that there is no other way to let Hollywood make the adult films it feels the times demand and still protect the morals of minors. With pressure from parents it may come, and soon. Until then there are some sources where, with a little effort, concerned parents can get film information:

Read the movie ads in your newspaper. A picture such as "Happy Anniversary" advertised as being filmed in "Sin-a-rama" or "Butterfield 8" advertised as the story of a girl who "has no name, just a telephone number" is obviously not meant for youngsters.

Read the motion-picture reviews in your local paper. Most reviewers report on pictures with an eye to the likes and dislikes of their readers, telling you, in advance, whether they think you will like the picture.

Subscribe to one of the dozens of guidance lists sent out by groups such as the National Congress of Parents and Teachers, The Protestant Motion Picture Council and the National Legion of Decency.

There is also a free monthly publication of the Film Estimate Board of National Organizations (28 West 44th Street, New York 36) which is available on request and which presents the composite opinion of 11 social and religious groups including the Schools Motion Picture Committee, American Jewish Committee, and the National Congress of Parents and Teachers.

One last note for Mrs. Eastman and others who are worried about the trend of movies. The most sensible and democratic censorship of movies is individual discrimination. Stay away from pictures you disapprove, and speak up for a sensible system of movie classification every chance you get.

Things happen when enough people want them to happen. If enough people feel as you do and follow your example, you will force a change in motion pictures.

[From America magazine, June 1, 1957]

MUST WE BE HELPLESS AGAINST INDECENCY?—NATIONAL OFFICE FOR DECENT LITERATURE STATES ITS CASE

(By Msgr. Thomas J. Fitzgerald)

(AUTHOR'S NOTE.—During the past year the National Office for Decent Literature has been subjected to varied criticism, the most recent being that made public May 5 by the American Civil Liberties Union. Some of it, which stemmed from honest differences of opinion, received respectful consideration. Much, however, was based on false premises—or misinformation. Policies were attributed to National Office for Decent Literature which were and are foreign to its standards and procedures. This article is written to clarify National Office for Decent Literature's position.)

The Catholic bishops of the United States established a National Organization for Decent Literature in December 1938. Its purpose, as enunciated by the Episcopal Committee for National Office for Decent Literature, was "to set in motion the moral forces of the entire country * * * against the lascivious type of literature which threatens moral, social, and national life."

Subsequent events have proved that the concern of the bishops was well founded. Many authorities have since voiced their apprehension at the dangers in modern objectionable literature. For example, when a Select Committee of the House of Representatives conducted an investigation of this literature in 1952, the majority report declared: "Pornography is big business. The extent to which the profit motive has brushed aside all generally accepted standards of decency and good taste and substituted inferior moral standards, has become not only a national disgrace but a menace to our civic welfare as well. Parents who would not tolerate salacious conversations in their homes apparently do not object to, or are unaware of, the presence of degrading types of books and magazines devoted to the same topics, whose principal appeal is to the salacious-minded."

The National Council of Juvenile Court Judges considered the problem so serious that at its 1954 national convention it adopted a resolution which not only called for legislation at all levels of government to curtail publication of such literature but also recommended that "civic consciousness be aroused in all communities through church, fraternal, civic, and business organizations to secure the voluntary cooperation of merchants, magazine distributors, and associations to place the value of youth above financial gain." The reason for this drastic action, according to the judges, was as follows: "The character of juvenile delinquency has changed as a consequence of the stimulation of these publications, being no longer the thoughtless, mischievous actions of children, but is reflected in acts of violence, armed robbery, rape, torture, and even homicide to which the vicious and vile publications conditioned the minds of our children."

FREEDOM AND PUBLIC MORALITY

It will be clear from the foregoing that National Office for Decent Literature is operating in the field of public morals. Public morals are not just a private affair, nor are they wholly a matter of religious opinion. Our American society, as its inheritance from Western culture, has definite moral standards and principles which we all respect, notwithstanding our religious differences. For these moral principles men have always been willing to fight and even to die.

The welfare of man and of society rests on these principles. It would be foolish therefore to maintain that liberty must be equated with unrestrained license. Human freedoms are essentially subordinated to good morals and are safeguarded by them. A campaign for good morals is not an infringement upon freedom, but a preparation for the enjoyment of true freedom. Freedom, then, connotes not merely a right, but a duty: a duty to good morals. Just as the individual must be concerned about the public exercise of freedom, so must he be concerned about public morality.

The Christian citizen in the exercise of his freedom feels an even greater responsibility to public morals. "The Christian cannot ignore this vice which exists on our newsstands," says Dr. A. C. Miller, secretary of the Christian Life Commission of the Southern Baptist Convention. "Even though he may not be personally attracted to it, he has a Christian stewardship toward society."

That National Office for Decent Literature might better fulfill its purposes a national office was set up in Chicago, in April 1955. And to correct a misapprehension that often arose out of its former title, the National Organization for Decent Literature, a new name, the National Office for Decent Literature, was adopted. This new name describes more exactly the function of National Office for Decent Literature.

NATIONAL OFFICE FOR DECENT LITERATURE IN ACTION

This office serves all organizations—civic, educational, social and religious—that voluntarily request its aid. It does not, however, attempt to direct or dictate the policies of such organizations. Each determines its own program.

National Office for Decent Literature supplies these groups with practical information gathered from the aggregate experience of many organizations which have been actively working on a literature program. It also issues a quarterly bulletin containing current information on activities, programs and procedures throughout the country. Finally, it prints each month a list of comic books, magazines and pocket-size books which it has judged objectionable for youth. (It has never reviewed a clothbound book.) National Office for Decent Literature concentrates upon these publications because of their availability to youth at a nominal price.

National Office for Decent Literature does not enter the field of adult reading. Catholics already have the law of the church, clear and binding in conscience, which forbids the reading ex professo obscene publications. National Office for Decent Literature's appeal to adults outside the church is to their sense of decency and their individual responsibility to the common good. Both of these should deter them from buying and reading publications which would undermine ideals of public morality, patriotism, respect for law, and the sanctity of family life.

The purpose of National Office for Decent Literature's listing of objectionable reading is clearly indicated in the title of the list: "Publications Disapproved for Youth." (This list, as well as a list of "Acceptable Pocket-Size Books for Youth," may be obtained by writing National Office for Decent Literature, 33 East Congress Parkway, Chicago, Ill. Single copies are 10 cents.) Publications are evaluated according to a code for youthful reading. The code deems objectionable publications which: (1) Glorify crime or the criminal; (2) describe in detail ways to commit criminal acts; (3) hold lawful authority in disrespect, (4) exploit horror, cruelty, or violence; (5) portray sex facts offensively; (6) feature indecent, lewd or suggestive photographs or illustrations; (7) carry advertising which is offensive in content or advertise products which may lead to physical or moral harm; (8) use blasphemous, profane, or obscene speech indiscriminately and repeatedly; (9) hold up to ridicule any national, religious, or radical group.

National Office for Decent Literature believes that this code does not embody standards peculiar to Catholics, but rather that it reflects the thinking of all people interested in the ideals of youth.

Judgment on a publication is never left to one individual. Five competent reviewers (the majority of them members of the honor sorority Kappa Gamma Pi) must agree that a magazine or pocket-size book violates the code before the publication is listed as unsuitable for youth. Five mothers of grammar-school or teenage children must pass judgment on a comic book before it is so listed.

While the majority of reviewers are Catholic, National Office for Decent Literature does have currently a Protestant and a Jewish reviewer. It invites all Protestants and Jews who are sincerely interested in the welfare of youth to join its reviewing board.

The National Office for Decent Literature list also carries many mature literary works, a few of them award winners, which have appeared in paperback form. These may be suitable for adult reading but have been evaluated by National Office for Decent Literature reviewers as too advanced for the youthful mind. Ideally and practically, National Office for Decent Literature considers that these books should be made available for adults but kept out of the hands of youth through a program of self-regulation on the part of the publishing and distributing industries.

National Office for Decent Literature grants permission to any organization to reprint all or part of its listing. Certainly both individuals and organizations have the privilege of disagreeing with the judgment of National Office for Decent Literature reviewers respecting specific publications. However, if a group alters the list by additions or deletions, National Office for Decent Literature requests that its name be not connected with the revised listing.

National Office for Decent Literature does believe that some list, compiled by competent reviewers and based on an objective code, is necessary to help parents and interested groups. Otherwise they may be guilty of snap judgments.

National Office for Decent Literature recognizes that one of its responsibilities is to promote good reading for youth. It already had a list of acceptable comics and recently added the list of acceptable pocket-size books mentioned above. It will strive to keep both lists current. As other methods of fostering acceptable literature for youth are explored, the results will be made available.

National Office for Decent Literature believes, however, that the fostering of good reading habits is only a partial solution to the problem of objectionable literature. Such a program can effectively cultivate a taste for good literature in but a portion of our youth. Furthermore, this program presupposes good home and school training.

COMMUNITY RESPONSIBILITIES

The community has a responsibility also to unwanted, rejected, retarded, and abnormal children and to the youth who have no taste for good literature. Placing in the hands of such youngsters publications emphasizing the lurid, the sensational, the violent adds to the burden they already have in striving to live a normal life.

These children should be protected from such publications by every legitimate and democratic means right-thinking and intelligent citizens can muster. These means certainly include recourse to law and the right of public protest within constitutional limits.

A misunderstanding of National Office for Decent Literature's attitude toward police action demands correction. The National Office for Decent Literature office denies that it has ever recommended or encouraged any arbitrary coercive police action. Such is not the purpose or procedure of National Office for Decent Literature. Under existing laws in most communities, duly constituted public officials have the obligation of taking action against vendors of obscene publications. In the initial action the police power must be employed only to arrest the vendor and must be limited to a specific publication (or publications) considered obscene under the law. The final decision as to whether the law has in fact been violated lies with the courts. If the courts rule the vendor guilty, the police power may be used when necessary to enforce this judicial decision.

National Office for Decent Literature hopes, then, that legislators throughout the country will acquaint themselves with the type of publications available to youth at neighborhood newsstands everywhere, and also with the existing laws regarding such publications. From such a study, laws may be framed which will give public officials the means necessary to restrict the worst of the objectionable publications without placing undue hardship upon the adult reader.

While advocating the enactment of adequate and constitutional legislation to remove the worst of the offensive material from the neighborhood racks, National Office for Decent Literature at the same time reaffirms the democratic right of any citizen to protest in a legal manner against the sale of publications he considers objectionable for youth. Further, National Office for Decent Literature defends the right of parents, teachers, pastors of souls, and others charged with the welfare of youth to counsel and direct their families, their students and their flocks in these matters.

As has been noted above, in carrying out its program National Office for Decent Literature is working in the field of public morality. This morality can be seriously damaged by the continuous reading of objectionable literature. Such reading has the power to destroy democratic ideas and ideals in young people who may never be judged delinquents but who will be the future citizens and public officials of our country.

Our democratic way of life is based upon ideals of patriotism, family integrity, justice, honesty, respect for law and for the rights of others. These ideals must be inculcated in youth if they are to be practiced in manhood. If they are destroyed in our youth during the formative years and replaced by motives of perversion, violence, brutality, disregard for law, property and country and contempt for family responsibilities, then future generations of America face an unhappy and chaotic life.

All these vile and repulsive traits of character are glorified in certain publications on neighborhood racks today. Were one to read many passages from those publications on radio or to show some of their pictures and cartoons on TV, he would be immediately cut off the air. Yet these same passages and pictures are sold to youth with impunity. National Office for Decent Literature urges its critics to be realistic about this danger, which is a serious threat to the future security of our country.

Legislation cannot solve the problem in its entirety. It can only rid the stands of the worst of the material. A good reading program and good recreational facilities for youth will answer part of the problem, but again not all. National Office for Decent Literature is endeavoring to fill a void.

EVILS OF PULP-LITERATURE

The sham literature of our age is designed for the commercial cultivation, propagation and exploitation of the most degraded forms of behavior. * * * The world of this popular literature is a sort of human zoo, inhabited by raped, mutilated and murdered females, and he-males outmatching in bestiality any caveman and outlusting the lustiest animals. * * * And what is especially symptomatic is that many of these human animals are made to seem to luxuriate in this way of life. * * * Instead of exhibiting its filth and rottenness, the pulp-sexualists daze the reader with the glamour of smartness, orgasmic curves, dynamic lines, violent passions and freedom unlimited to do everything one wants to do.—Pitirim A. Sorokin, "The American Sex Revolution" (Sargent, Boston, 1957).

RECENT EVENTS

Two significant announcements appeared in the daily press during the last week in April. The first was that 20 Protestant denominations, meeting at a conference in Washington, D.C., have formed the Churchmen's Council for Decent Literature. The conference appointed a 15-man national advisory committee to set up a permanent organization to coordinate Protestant efforts in this field.

The other announcement was made by the Bureau of Independent Publishers and Distributors, who stated that they are launching a self-policing campaign against obscene publications. This organization represents 16 publishers, 850 wholesalers and 110,000 retailers. A. H. Oschay, chairman of the organization's regulating committee, conceded "a worsening situation within the last year" and declared that his committee had decided to "explore ways and means of securing the cooperation of publishers for self-policing regarding obscene publications."

Mr. KYL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain press material.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

UNBEARABLE AIRCRAFT NOISE

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, last month in this House I introduced three bills aimed at reducing, in metropolitan residential areas, unbearable aircraft noise—as much as is legally feasible and scientifically possible.

I feel this legislation would provide the long-overdue, sorely needed tools which are necessary to get results in resolving this problem.

An all-out Federal attack on plane noise is needed. The bills I have offered call for just such a campaign to curb the hideous din which has for too long plagued our communities.

The first measure would place jurisdiction over aircraft noise—both on the ground and in the air—with the Federal Aviation Agency, where it belongs.

The second bill would require that Federal agency to establish antinoise standards, to issue rules and regulations pertaining to noise abatement, to enforce compliance with these regulations, and to set up stiff civil and criminal penalties for violations.

The third bill calls for an extensive program of noise abatement research to get right to the core of the problem.

At the present time the FAA contends that it lacks adequate statutory authority over plane noise, especially that generated in warmups, takeoffs, and landings.

This is ridiculous and tragic because it is the warm ups, take offs and landings that constitute the main source of noise at airports and in areas miles around airports. Yet this noise is allowed to go unabated.

This legislation grants to the FAA full and unqualified authority and jurisdiction over all aircraft noise. It spells out, once and for all, the FAA's responsibility for controlling noise caused by landings, take offs, and warm ups—as well as noise in the air. It mandates the establishment of standards and regulations, which are a requisite for effective control. Further, it affirms the determination of Congress that there be an accelerated and expanded program of noise abatement, and directs that the FAA Administrator set out immediately to meet this problem.

For years, the tortured victims of aircraft noise at airports and in nearby communities have been calling for action to end this horrible situation. And for just as many years the FAA has insisted that it lacks adequate regulatory power over engine noise—particularly that on the ground—jurisdiction over which has gone back and forth like a ping pong ball between the FAA and the port authority.

The bills I have introduced would end this incredible paradox. They would place responsibility squarely and directly with the FAA. The bills would end the buck passing; they would end the excuses. They would require the establishment of reasonable standards and mandate a major research program.

They would overcome, too, the FAA's contention—at hearings in recent years—that engine development has not progressed sufficiently to make noise regulation truly effective. These bills give the FAA both the authority and a congressional mandate to move forward with all speed on the problem of air noise, without in any way compromising any principle of air safety. In this way, research on improved engine design and other methods of cutting down on noise would be speeded up. Such research could be conducted either by the FAA independently or in cooperation with other public and private agencies.

Surely the most scientifically and technologically advanced nation on earth can, through concerted effort, design aircraft which will not shatter windows and cause a nerve-racking and ear-splitting din in our residential areas. It is high time that real consideration was given to those persons whose very lives have been unmercifully plagued by the scream and roar of jets and propeller-driven aircraft.

Further, millions on millions of dollars are being spent to improve airports to accommodate more air traffic. Why cannot some attention be given to the development of new types of airport design, and scientific noise-buffering landscaping to safeguard the health, comfort, and welfare of our citizens?

The program I have offered would make possible the relief that has been needed for so long. With authority firmly placed, the FAA can move for effective noise abatement by stringent regulations, tough penalties and strict enforcement—plus extensive research.

I urge the Committee on Interstate and Foreign Commerce to take early affirmative action on this legislation. Those who are the victims of this raucous din are not concerned about how the noise is stopped. They just want it stopped—and now.

I say it is time to fix the responsibility and, once and for all, to get rid of unbearable aircraft noise.

DR. JAMES E. DOUGHERTY'S VIEWS ON NUCLEAR TESTING

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hosmer] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. HOSMER. Mr. Speaker, Dr. James E. Dougherty, of the Foreign Policy Research Institute, University of Pennsylvania, has an outstanding reputation in the field of international relations as researcher, writer, and educator. He was associated with former Atomic Energy Commissioner Thomas E. Murray for 2 years before the latter's death when both were special consultants to the Joint Committee on Atomic Energy. At the request of the Republican conference committee on nuclear

testing, Dr. Dougherty submitted the following thoughtful paper on the subject for the benefit of all Members of Congress and the American public:

NUCLEAR TEST BAN

(By Dr. James E. Dougherty, Foreign Policy Research Institute, University of Pennsylvania)

More times than one can count since the summer of 1958, Western leaders have waxed optimistic over the progress made in the test-ban negotiations and the Western press has intimated that a treaty was imminent. Each time, the apparent diplomatic convergence was followed by sharp diplomatic divergence. This pattern might be repeated again. It is a rather futile exercise to try to predict whether a treaty between the Soviet Union and the United States will actually be signed, or if so, precisely what its terms will be. It may be more useful to examine the idea of a test ban within a larger political and strategic context, leaving the technical aspects of the problem to those who are qualified to deal with them.

EMOTIONAL ROADBLOCKS

The question of the test ban, like virtually all issues in the protracted conflict, has by now taken on an ideological hue. Once an issue has become ideological, it no longer lends itself to calm rational inquiry. It should be frankly recognized that objective scientific judgments, on either side of this question (if such an expression is not self-contradictory), are difficult to come by. We now know, for example, that the technical experts at Geneva were unable to fulfill the hopes that had once been placed in them—i.e., that they might circumvent or rise above political disputes and arrive at agreement on purely technical matters. If one scientist holds that a test ban is both desirable and feasible, he is expressing a political judgment, just as much as another scientist who contends that a test ban is desirable but infeasible, or both undesirable and infeasible. To recognize this basic fact is to make some slight progress toward clarifying the issue.

SHIFTS IN POSITION

The 5-year debate over the test ban has been fraught with contradictions and shifts of position. Up to 1958, the United States contended that a test ban was not separable from the broader questions of an adequately controlled nuclear production cutoff and other related international security developments. The Soviets insisted that the problem of testing could be treated separately. Finally the United States, in an effort to meet the Soviet propaganda challenge at a time of widespread fears of fallout, yielded on this point and consented to treat the test ban problem by itself. In 1962, after nearly 4 years of negotiations, the United States was ardently advocating a test ban, while the Soviets were arguing that it was senseless to try to control testing in the absence of agreement on the more comprehensive questions of disarmament.

During the lengthy Geneva negotiations, the Soviets have fluctuated rather widely on a number of detailed problems associated with a test ban: (a) the number of stations needed on the soil of each nuclear power; (b) the relationship between manned and unmanned stations; (c) the question of whether the host nation should have a decisive voice in the location of control stations; (d) the size and nationality of the staffs needed to man the control stations; (e) the technical problems of detecting underground explosions and the significance of the strength of various seismic signals; (f) the number of "on-site" inspections to investigate seismic signals of a doubtful character; (g) the precise methods whereby on-site inspections could be conducted; (h) the membership of the international control commission and the scope of its powers; (i) the extent to which the activities of the international control commission or of the local control stations would be subject to national veto; (j) the question of whether the effective date of the treaty should be before or after the network of control stations has become operational; (k) the need for any system of international control, in view of certain national detection capabilities which already exist. In January 1963, the Soviet Premier was reported ready to abandon his adamant opposition to on-site inspections and to permit a very small number (2 or 3, compared to the 20 long advocated by the United States, or the 12 which a year ago were considered the irreducible number to which the United States could safely agree).[1] We should not forget that, after raising American hopes for the nth time, Premier Khrushchev can instruct the Soviet negotiators to adopt an inflexible stand on any of the other controverted points mentioned above and thereby delay agreement indefinitely. What is most interesting about all this is the fact that when Prime Minister Macmillan, back in the spring of 1959, suggested a politically agreed quota of on-site inspections and Premier Khrushchev indicated interest in the idea provided that the number be kept very small (i.e., two or three), this was deemed unacceptable by the United States. But by retreating to a position of zero inspections, and then returning to the number which he had earlier proposed, Premier Khrushchev has made his original position look much more attractive.

TEST BAN ADVOCATES' INCONSISTENCIES

Advocates of a test ban within the United States have proved highly inconsistent in the positions which they have espoused. At times they have contended that a test ban treaty was essential for the purpose of slowing down the arms race; at other times (including the present period), they have argued that no further gains of military significance could be made from additional weapons tests. If this latter proposition be true, then it is difficult to see just why a test ban treaty is so urgently sought. If there are no further gains to be made from testing, then it would seem that neither side would continue to incur the heavy expenses which testing programs involve and both sides could, without an agreement, tacitly and reciprocally agree to dampen the rate of their competitive development in the realm of advanced military technology with nuclear components.

The current theory that further testing is of only marginal utility bears careful examination in view of the fact that this same theory was quite popular for more than a year before the Soviets resumed testing on a massive scale in late summer in 1961. There is no need at this point to settle the dispute between those who thought that the Soviets, by resuming tests, were setting out to make a decisive technological breakthrough which would upset a supposed strategic balance and those who thought that the Soviets (following the U-2 exposures of vulnerabilities in their position) were merely trying to correct what they considered a disadvantageous imbalance. The main point is that the Soviets did find it necessary or profitable or both to plan an intricate series of tests. There is no reason to suppose that they will not find it to their advantage to do likewise in the future, regardless of whether or not a treaty is in existence. Hence, a treaty even though adequately policed in terms of the Western ability to detect a Soviet violation as soon as it occurs, could forfeit to them a substantial lead-time advantage when it comes to preparing in detail a lengthy series of tests, unless the treaty itself should make it clear that no stigma whatsoever would attach to test preparations by the signatories, and unless the treaty would terminate or be subject to renegotiation after a specified period (say, 2 years), at which time the United States could reassess its security position and regain complete freedom of action without violating a treaty obligation. Those who look upon a test ban as a harbinger of international detente and of eventual disarmament will, of course, object that if the treaty is to be so restrictive then there may as well be no treaty. This is not necessarily an unwise observation. Indeed, it has never been made clear just why there ought to be a test ban treaty, or what purposes is it supposed to serve.

FALLACIES IN TEST BAN ASSUMPTIONS

Apart from the technical problems of monitoring a test ban agreement, which are beyond the scope of this brief memorandum, there are five assumptions implicit in the idea of the test ban which warrants serious probing:

1. That the rate of development in dynamic military technology can be regulated by the conclusion of traditional diplomatic agreements. If there is any single lesson to be drawn from the 4 years of test ban negotiations, it is precisely the opposite. It may be highly desirable for the Soviet Union and the United States to practice mutual restraint in the formulation of their military policies. But it does not follow from this that an effort should be made to freeze nuclear technology and to prohibit all forms of nuclear experimentation on land, underground, over and under the seas, and in outer space through the legal device of a treaty. The negotiators of formal, written agreements cannot possibly take into account the direction of potential technological advance over a 5-year period. Hence there is a substantial danger that any treaty negotiated in 1963 will have been rendered technologically obsolete by 1968, if not long before. It was quite fashionable, a few years ago, to say that nuclear technology had reached the point of diminishing returns. We now know that nuclear technology wedded to delivery systems and to defense systems still stands at a relatively early point on the development curve. Unless the United States is fully prepared to accept the contingency in which, for reasons of maintaining an adequate security posture, it may unilaterally have to abrogate a test ban treaty, it should not sign one.

2. That a test ban treaty will help solve the problem of nuclear proliferation. Although the proponents of a test ban have relied rather heavily upon this particular justification for trying to obtain a treaty, they have not satisfactorily demonstrated how such a purpose is to be accomplished. Within the last 2 years, several analysts have raised doubts on this score, but the argument keeps on being repeated without elaboration. Originally, it was presumed that the United State would handle France and the Soviet Union would similarly handle China. The United States, however, did not handle France—a fact which has recently prompted the Soviets to express some concern and to make the adherence of the French to the treaty a condition for agreement. There is reason to doubt that the Soviets will be able permanently to handle the Chinese on the question of nuclear weapons capabilities. In fact, it is difficult to envision the Chinese Communists accepting any international arms agreement in the writing of which they have not participated, or participating in any serious negotiations

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[1] Many U.S. planners had accepted the number 20 only with reluctance, when they saw that it would be impossible to obtain Soviet acquiescence to a formula by which the number of inspections would be determined by "scientific criteria"—such as, e.g., the actual number of unidentified events per year.

before they have acquired the nuclear symbols of great power status. Whether or not the Chinese now possess a few crude atomic devices is irrelevant to the discussion at hand. What matters greatly is that the China problem, both for the Soviets and for the United States, is of such magnitude and complexity that it is not likely to be resolved for a very long time. Yet, while nearly everyone admits that a test ban treaty which omitted effective inspection of China would be meaningless, there hovers another worldly optimism about those who think that a test ban treaty is near.

3. That a test ban treaty will help to open up Soviet society and set an invaluable precedent for the principle of international inspection in future disarmament planning. It is idle to think that a small number of stations and inspections on Soviet territory will have any significant impact upon the structure or attitudes of Soviet society. Certainly what the Soviet Premier now seems to have in mind is considerably less than the United States originally had envisaged. What is more, if the United States, in the interest of promoting a nebulous spirit of international good will, now accepts a diluted version of international inspection—a mere token offered by the U.S.S.R. to allow the United States to save face as it enters upon a treaty—the precedent which it will set will not be at all valuable, but highly dangerous and prejudicial to free world security in the future.

4. That if the Soviets should violate the treaty the United States will be able to react quickly to safeguard its security. This assumption raises a number of questions about the ability of a democratic state to abrogate its international legal obligations, once signed and sealed, without an exhausting internal debate—especially in situations in which there are conflicting reports about whether a violation has occurred, the kind of evidence or intelligence that we possess, the seriousness of the violation, its significance for the international strategic balance, and so on. In this connection, the debate which raged for 7 months in the United States (and in the absence of any binding treaty) on the advisability of resuming atmospheric tests after it was known, not merely suspected, that the Soviets had done so should prove instructive.

5. That a test ban treaty would usher in a new spirit of international good feeling and thereby erase the tensions aroused during the Cuban crisis. This is frequently what the advocates of a treaty now mean when they say that, on balance, more is to be gained than lost by a formal renunciation of tests. Assuming that a test ban could be adequately policed, that military technology could be frozen, that the ban would help solve the *n*th country problem, that it would help to open up Soviet society and establish an invaluable precedent for future disarmament schemes, then the object of promoting international good feeling would be a commendable one. It is highly doubtful, however, that a test ban can accomplish any of the purposes usually ascribed to it. Hence it may be imprudent for the United States to enter a test ban treaty under the political, ideological, and strategic circumstances now prevailing in the world. It is almost certain that the conclusion of a treaty in the near future would lead to a popular overestimation of its political benefits and an underestimation of the strategic-military dangers which might lurk within it. It would likely generate euphoric pressures for speedy progress toward more comprehensive disarmament agreements involving control arrangements which fall below the threshold of reliability required by national and international security interests. More than once since 1955, the Western nations have learned to their regret that in a world divided by profound political-ideological differences, deliberate and dramatic efforts to manufacture an artificial good will can be productive of the most unwholesome consequences.

CHARITABLE CONTRIBUTION CARRYOVER

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the body of the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CURTIS. Mr. Speaker, under our internal revenue laws, there is a limitation on the amount which an individual may deduct each year for his charitable contributions. This limitation, in turn, limits the effectiveness of the charitable contribution deduction in providing an incentive for private initiative in charitable activities. Perhaps the clearest example of this is the case in which an individual does not, in the normal course of his annual charitable giving, exceed the present limitations but has the desire to make one especially large contribution in one specific year. This might be for the building fund of his church or college, for a new wing in his community hospital or for expense of beginning a new charitable undertaking. Our tax laws discourage this kind of giving, to the detriment of those charitable institutions which might be able to make better use of a single large contribution than a series of smaller contributions spread over a number of years.

To offer relief in this situation, I have today introduced a bill which would provide for the carryover of charitable contributions for income tax purposes. This proposal would offer a 2-year carryover, allowing deduction of amounts above the normal limitations to be carried forward no more than 2 years. Thus, in the case of an individual making one big contribution, this would provide relief. It would not, however, take the step against which the limitation was primarily directed, the permission of annual high percentage charitable giving.

The charitable contribution deduction has played an important part in encouraging our people to help with the societal tasks which must be accomplished to strengthen our country and help carry it forward. I believe we should be ever alert to ways in which we can improve this forward-looking aspect of our tax laws and give greater impetus to private initiative in the area of charitable activities.

EQUALIZATION OF TAX TREATMENT IN LIFE INSURANCE TRANSFERS

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the body of the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CURTIS. Mr. Speaker, under the present Internal Revenue Code, section 101(a)(2), the proceeds of life insurance contracts transferred for value are taxable as to the amount over the value given and premiums paid by the transferee. Certain exceptions have been created to this general rule. The first of these deals with the situation in which the transferor's basis is passed to the transferee for gain and loss purposes. The second deals with the status of the transferee, and I have today introduced legislation to broaden the scope of the second exception to include such transferees as the spouse, former spouse, parent, lineal descendent, or adopted child of the insured or the shareholder of a corporation when the policy is transferred as part of a buy and sell agreement for corporate stock.

All of these additional transferees which are included in my proposal would have an insurable interest in the insured in any situation. They could take out a policy such as the one transferred to them without having the proceeds taxable. This bill would equalize treatment for a new policy and a transferred policy.

Because of the present state of the tax laws, transfers covered by this extension rarely occur, the tax detriment being what it is. Thus, enactment of this bill, which is supported by the three major life insurance trade associations, would cause little or no revenue loss to the Government.

UPDATING OUR PUBLIC ASSISTANCE

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the body of the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CURTIS. Mr. Speaker, an unfortunate remnant of the days when illness was viewed as an invasion of the human body by evil spirits remains in our public assistance laws. This is the provision in the Social Security Act which calls for different treatment under the law for those suffering from tuberculosis and mental illness than is given those afflicted by other ills. I have today introduced legislation which would help bring this aspect of our public assistance programs up to date and provide for equality of treatment for all of those who are ill and eligible for public welfare aid.

I was very disappointed, in this connection, with the President's message of February 5 on mental illness and retardation. The problem which I have noted was ignored and nothing was mentioned to achieve the goals toward which my proposal is guided. This would be a constructive step forward, not only in helping the mentally ill but those with tuberculosis as well. The failure of mention of this facet of existing law brings into question the depth to which the research on the President's proposals was carried.

As our understanding of disease has progressed, we have gone further toward realizing certain basic similarities in illness. The specific exception of tuberculosis and mental illness from the general provisions of our Social Security Act is a reflection of the days when these illnesses still partook in the public mind of evil spirits.

PROPOSED CHANGES OF U.S. DEFENSE OPERATIONS

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Mathias] may extend his remarks at this point in the body of the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MATHIAS. Mr. Speaker, I rise to bring to the attention of this body what I believe must be an innocent misrepresentation on the part of the Secretary of Defense in his recent statement before the House Armed Services Committee. In that statement Mr. McNamara told the committee that proposed changes in U.S. Army operational concepts, including the employment of helicopters, were "revolutionary," that they will call for "radical changes in equipment and doctrine" and that they may lead to a "totally different" kind of units.

It is an unhappy circumstance that Mr. McNamara, who is usually so punctilious in his presentations, was inadequately briefed on the facts. Facts such as these: the Marine Corps first used rotary wing aircraft in Nicaragua in 1932; the Marine Corps proposed the doctrine of "vertical assault"—including the use of helicopters for combat landing—as early as 1946; Marine Corps helicopter combat techniques were the foremost tactical innovation of the ground conflict in Korea; all Fleet Marine Force units were reorganized in 1958 to conduct modern operations including vertical assault by helicopter; and, a Marine helicopter squadron has been in tactical support of South Vietnamese combat forces since April of 1962.

How can the proposed air-assault concepts be considered radical, revolutionary, or different?

I believe Mr. McNamara's statement is unfortunate in some respects. We should encourage all the services in their necessary search for modern and improved tactics and techniques. If it is in the interest of our Nation's defense, I believe they should borrow from the Marine Corps, as I believe all of the armed services should pool their ideas and share the benefit of their experiences.

I do submit, however, that it is misleading to represent such proposals as revolutionary and novel when, in fact, these concepts were first experimented with some 30 years ago; refined almost 20 years ago; and have been well proven for over 10 years.

To present them as original at this date is to fail to recognize the true pioneers in this field—the forward-thinking Marine officers who proposed the concept of vertical envelopment many years ago. Actually the doctrine of vertical assault represents no departure from well-established sound military precepts. It is fundamentally a matter of dispersal coupled with the ability to concentrate rapidly to fight.

An article by Jim Lucas in the February 5, 1963, issue of the Washington Daily News, succinctly and accurately describes the situation when it describes the Secretary's air-assault concepts as "old hat."

I include this article as a portion of my remarks.

ARMY AIR-ASSAULT PLAN IS "OLD HAT"

(By Jim G. Lucas)

The revolutionary new air-assault division for the Army which Defense Secretary Robert S. McNamara unveiled to Congress last week is old hat to the Marines.

Mr. McNamara told the House Armed Services Committee he had approved a 15,000-man Army increase to test a totally different kind of assault unit at Ft. Benning, Ga. This, he said will call for "radical changes in equipment and (battle) doctrine."

He foresaw future wars in which GI's would descend on their objectives from hundreds, perhaps thousands, of swirling helicopters, backed by rocket-firing planes. The new assault division, he said, would have 460 helicopters. Older Army divisions now have about 100.

TEN YEARS

The Marines have been in the air-assault business on a big scale for the last 10 years and say they've planned for it even longer. They call it "vertical envelopment."

If, for instance, the Marines were landing on Saipan or Iwo Jima today—they went ashore in boats during World War II—at least half of the men (and all of the assault waves) would go by helicopter. So would their equipment.

Assault waves would land behind enemy lines and fight their way to join other Marines landing on the beaches with surface craft. Hence the term "vertical envelopment."

ENVIOUS

The Marines have controlled their own aviation for years. The Army makes no secret it is envious of this arrangement. But it long ago despaired of getting one with the Air Force, which controls tactical aviation and grants—or refuses—use of its aircraft on Army request.

For this reason, the Army is fighting for a setup similar to the Marines in its special (guerrilla) forces. It says experience in Vietnam shows there is no other solution to the problem.

The Air Force is resisting. The argument has not been settled.

RURAL ELECTRIFICATION ADMINISTRATION

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Collier] may extend his remarks at this point in the body of the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. COLLIER. Mr. Speaker, some of the Scripps-Howard newspapers recently carried a thought-provoking editorial about the Rural Electrification Administration and its tendency to be self-perpetuating. I have seen the statement in the Washington Daily News and the Knoxville News-Sentinel.

The editorial says REA is a losing proposition—to the taxpayers—and does not tend to bear out the President's statement that he is proposing in his budget "only those expenditures which meet strict criteria of fulfilling important national needs."

Since some of our colleagues may not have seen the editorial in the Washington Daily News, I would like to take this opportunity to call it to their particular attention. Therefore, Mr. Speaker, I wish to include this editorial as part of my remarks:

THE SELF-PERPETUATORS

Recently we were looking at the Rural Electrification Administration. What strikes us most about REA is that it lends huge sums of money to electric and phone cooperatives for 2 percent a year. It gets this money from the U.S. Treasury—which pays upward of 3 to 4 percent for the same money.

REA is a losing proposition—to the taxpayers.

Now we hear from Representative Robert H. Michel, who represents an agricultural district in Illinois.

He says one trouble is that REA has gone far out from its original purpose. It started out merely to help farmers get electric power. Now it has become a power agency, with firm control over the associations in its debt, and it is financing industrial machinery, "not to help the farmer but merely to expand its own bureaucratic activities."

Although 98 percent of U.S. farms now are electrified, REA still is lending money as fast as ever—its budgeted program for next year is $81 million over this year. Mr. Michel has the explanation:

"The major share of REA's money is now being loaned to put REA permanently and completely in the power business—by constructing generating plants and transmission systems to serve customers and areas that are already receiving central-station electric service in adequate amounts at reasonable prices."

This is the story of nearly all Government agencies. The longer they last, the bigger they get; and the bigger they get, the longer they last.

This, of course, is one item in what President Kennedy calls his minimum necessary budget. It hardly tends to bear out his statement that he is proposing only those expenditures which meet strict criteria of fulfilling important national needs.

UNITED NATIONS AND AGRICULTURAL AID FOR CUBA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Monagan] may extend his remarks at this point in the body of the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONAGAN. Mr. Speaker, the United Nations decision to go forward with the agricultural aid project for Cuba is a very unfortunate one. It comes at a time when the U.N. is under increasing attack in the United States and it will undoubtedly increase the strength of this attack and make support much more difficult.

On June 1, 1961, and again in January of this year, I called this matter to the attention of the Congress and also communicated my objections to U.N. Ambassador Adlai E. Stevenson. Only last week I made known to the House the contents of a letter I received from Ambassador Stevenson in which he asserted his opposition to the project and thanked me for my efforts in this connection.

Naturally, one must expect some give and take in any organization which purports to represent conflicting interests of nations throughout the world, but to compel the United States and other friendly nations to contribute to the strength of a regime which plans to export Communist imperialism to Latin America just does not make sense.

The statement of Paul G. Hoffman, American Managing Director for the U.N. Special Fund, that not one single American dollar will be used in this project is not wholly candid. So long as the United States is paying the major portion of the support of the United Nations, this country will be making an indirect contribution to this project.

I have supported the United Nations in the past and I voted to authorize the purchase of U.N. bonds in the last session of Congress, but I must admit that this recent action does not strengthen my support of the organization.

GENERAL KOSCIUSZKO'S BIRTHDAY OBSERVED BY POLISH ORGANIZATIONS AT WREATH LAYING CEREMONY BEFORE POLISH-AMERICAN REVOLUTIONARY HERO'S STATUE IN LAFAYETTE SQUARE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the body of the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BOLAND. Mr. Speaker, on Tuesday, February 12, we observed not only the birthday of Abraham Lincoln, but also the birthday of the great Polish patriot and Revolutionary War hero, Gen. Tadeusz Kosciuszko.

I had the distinguished pleasure, along with my colleague, the gentleman from Indiana, Congressman JOHN BRADEMAS, of speaking at the wreath laying ceremony at the Kosciuszko statue in Lafayette Square, near the White House. This fitting tribute on the 217th anniversary of General Kosciuszko's birth was sponsored by the Polish-American Congress, the Polish Falcons of America and the Polish Combatants Association. Participating with Congressman Brademas and myself were Casimir Baginski, a leader of the Polish underground movement inside Poland during World War II, Stanley Mikolajczyk, Joseph Chmielewski, and Eugene Danielewicz of the Polish-American Congress; and Charles Burke, Washington representative of the Polish-American Congress, Inc.

Mr. Speaker, Tadeusz Kosciuszko was a leader of Poland's fight for freedom and liberty and served as a brigadier general in the American Revolution. Most of us remember Kosciuszko as General Washington's adjutant and as a gallant soldier in the battles at New York, Yorktown, and elsewhere.

This great son of Poland was marked for a military career early in life. Born into an impoverished family, Kosciuszko attended the Royal School of Warsaw, graduating with the rank of captain. He received a state scholarship to study engineering and artillery in France. After completing his studies abroad, Kosciuszko returned to Poland in 1774 with the rank of captain of artillery.

In Poland there were few opportunities for the military talents of young Kosciuszko. He went to Paris, and there he learned of the American Revolution in 1776. That historic event on this side of the Atlantic stirred his imagination and restless spirit. He saw an opportunity to fight for a good cause. Kosciuszko's sympathy with the American Revolution was strengthened by his democratic political views in the Jeffersonian tradition.

With borrowed money, he sailed for America and arrived in Philadelphia in August. He applied at once for military service and was admitted. His first task was to draw up plans for fortifying the Delaware River, and his successful completion of this assignment earned him a commission as a colonel of engineers in the Continental Army. It was from his fortifications that Washington crossed the Delaware that Christmas night in 1776.

In the spring of the following year he joined the Northern Army at Ticonderoga. It was at Saratoga later that he made one of his most important contributions to the revolutionary cause. His choice of battlefields and the fortifications constructed under his direction enabled the American forces to win the victory which has since been termed the decisive battle of the Revolutionary War.

Shortly after the battle of Saratoga, Washington told the Congress:

> I would take the liberty to mention that I have been well informed that the engineer in the Northern Army, Kosciuszko I think his name is, is a gentleman of science and merit.

From 1778 to 1780 Kosciuszko was placed in charge of erecting fortifications at West Point. In the southern campaign that brought about the defeat of Cornwallis at Yorktown, he participated actively as an engineer and cavalry officer. In 1783 Kosciuszko was rewarded for his service and devotion to the cause of American independence; he was awarded the privilege of American citizenship, a large annual pension with landed estates, and the rank of brigadier general.

The next year he returned to his native land, hoping to fight for the freedom of his countrymen. For 20 years he continued his brave but vain efforts to free Poland from Russian domination. He died in exile in Switzerland in 1817.

His life exemplified his belief in "the incontestable right of defending ourselves against tyranny and oppression." Today on the 217th anniversary of his birth we honor the memory of this noble son of Poland who fought for freedom on two continents with bravery and distinction.

AIR POLLUTION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BURKHALTER] may extend his remarks at this point in the body of the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BURKHALTER. Mr. Speaker, air pollution and its effects on our Nation are so great that the Federal, State, and local governments, along with private industry have spent many years and thousands of dollars researching and investigating the causes of this problem.

With our fast-growing population, ever-increasing growth in big cities, and our country becoming more urbanized, the automobile has become one leading factor in air pollution.

The number of road vehicles, the miles traveled per vehicle, the number of automobiles per family, and the use of motor vehicle fuel have all increased enormously in the last three decades. There were 32.4 million road vehicles in 1940, 75 million in 1960, and 120 million are expected in 1980. Vehicle-miles traveled—728 billion per year in 1960—is expected to soar to 1,277 billion in 1980. In 1936 almost 20 billion gallons of fuel were consumed each year; today approximately 60 billion gallons are burned annually by our automobiles, trucks, and buses. Much of the motor vehicle use occurs in urban area—47.6 percent in 1960—and such use is expected to reach nearly 61 percent in 1980. The combustion products of motor vehicle fuels and the vapors that escape in the handling of these fuels are significant factors in many community air pollution problems.

Many of the distinctive aspects of the motor vehicle pollution problem are immediately apparent. Vehicles are present in very large numbers, they are widely distributed, they are mobile, and they freely cross political boundaries. They are not subject to continuous or frequent inspection as is the case for smoke from a stack. It is worth noting that motor vehicle emissions are highly variable. Also, pollutants are discharged from more than one point in each vehicle and different methods of control may be needed for each point. It therefore follows that the control of pollution from motor vehicles requires the development of new methods, legislation, and emission standards.

As a matter of fact, I have seen a smog-suppressing device demonstrated sucessfully, one that could be put on a car at the factory and the cost would be in the neighborhood of $7. Another feature of this device is that after approximately 12,000 miles a removable core can be replaced similar to an oil filter at about half the price of the original installation. These devices have been tested and proven in laboratory tests and are available today; so why must we keep postponing and postponing action on this 20th-century monster. Our fast space and jet age is a product of our time—so also in our time should we be able to make advancements toward the eradication of smog. We must now emerge from the experimental lab and start controlling smog at one of its main sources, the exhaust from the internal combustion engines.

Mr. Speaker, I feel that the bill I have introduced today to prohibit the manufacture, sale or use in commerce of any motor vehicle which discharges substances into the air in amounts found by the Surgeon General to be dangerous to public health will help to effectively control this problem of air pollution which is a national problem, and a national responsibility.

SOFTWOOD LUMBER INDUSTRY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. WHITE] may extend his remarks at this point in the body of the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WHITE. Mr. Speaker, at 11 o'clock this morning the Tariff Commission made public its report to the President concerning an investigation of the softwood lumber industry. Manufacturers of softwood products had petitioned for relief under the provisions of the Trade Expansion Act of 1962, and for a determination that trade concessions given to Canada have caused serious injury to the domestic lumber industry. The conclusion of the Commission was that trade concessions granted to Canada, which amount in some cases to nearly 5 percent of the finished product's value, are not a major factor in causing the increased imports of softwoods from Canada.

Mr. Speaker, I do not wish to criticize the conclusion of the Tariff Commission, but on behalf of the many lumber producers in my congressional district who are suffering very adverse business conditions because of the import problem, I must dissent to some of the reasons given by the Commission. Although tariff concessions may not be the major factor causing the increasing imports and the critical condition of this traditionally prosperous and essential industry, they certainly contribute to the problem. The list of major causes cited by the Commission are not entirely accurate. I know full well that the Canadian dollar devaluation, the freight-rate differentials, and the difference in governmental attitudes all contribute to the disastrous trend of the logging and lumber industry. However, I cannot accept the statement of the Commission that underlying the most important cause of the cost-price squeeze is the limited availability of softwood timber in the United States. More serious error is found in the Commission's implication that the timber produced in Canada is of better quality than that produced by our domestic mills. I simply note these mistakes without comment, for their error is patent.

What can be done to soften the impact of this adverse decision? It is clear that the Congress must give more than passing consideration to the various proposed legislative solutions. A more sympathetic attitude must be adopted by the administration. We must have the cooperation of the concerned Government and industry officials. Extremely complex problems are involved, but in order to revitalize this industry, which is one of the few remaining unsubsidized producers of raw materials in the United States, we must act wisely and soon. I am grateful to the Tariff Commission for acknowledging the enormity of this problem and for indicating the necessity for governmental solution.

UNITED NATIONS AND FARM AID TO CUBA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. MORRIS] may extend his remarks at this point in the body of the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MORRIS. Mr. Speaker, yesterday the United Nations decided to go ahead and grant agricultural aid to Cuba. We learn that the 18-nation United Nations Special Fund will contribute some $100,000 to a Cuban crop diversification test program. This is a fund the United States has supported and participated in since its inception. During 1963, we will contribute some $28 million to the Fund, or nearly 45 percent of the total budget they operate under.

When this project was originally considered by the Fund in May of 1961, preliminary approval was given for a $3,035,600 agricultural research project, with the Fund furnishing over $1,157,000 on a matching basis. At that time the U.S. representative in the governing Council, objected on practical economic, technical, and administrative grounds. He pointed out that the Castro government had harassed and evicted a technical mission from the Inter-American Institute of Agricultural Sciences; that some 700 Cuban agronomists had been displaced by the Castro regime; that the number of Cuban cattle had dropped from nearly 6 million to less than 3½ million head; that equipment had been misused and ruined; and that Cuba had brought in agricultural technicians from the Soviet Union. These were sound technical objections, and now we find that the Fund, under the direction of its American managing director, Paul G. Hoffman, has approved this so-called "test project." The managing director says no American money would be used on the project. I hope he explains this in view of the fact that we supply nearly half of the Fund's finances. Mr. Hoffman has said that the United States will be able to assure that no dollars will be used on the project by banning the use of American equipment and experts from participating in the Fund. I do not think this is the point of issue. It boils down to the fact that we are involved in a fund that is going to help a government who is hostile to the United States.

Mr. Speaker, this is wrong, and I hope my colleagues join me in demanding a retraction of the proposed project, and if no retraction is forthcoming, then withdrawal from the Fund. I believe in assisting those countries who are underdeveloped, but supporting our announced enemy is ridiculous.

PUBLICATION POLICY REVIEW FORCED—UNESCO BOOKLET PROTESTS RISE

(By A. I. Goldberg)

UNITED NATIONS, N.Y.—Protests over a year-old UNESCO publication containing profuse claims about guarantees for racial and political equality in the Soviet Union have forced UNESCO to review its publication policy.

UNESCO is the U.N. Educational, Scientific and Cultural Organization, based in Paris. It has the status of a specialized agency of the United Nations. Some conservative organizations in the United States have criticized it for its views on social and cultural problems.

The United States contributes nearly one-third of UNESCO's $39 million annual budget. The Soviet Union pays about 15 percent.

The publication, written by a Soviet educator and a Soviet lawyer, asserted in one passage that "in 1940 the Soviet regime was restored in Latvia, Lithuania and Estonia, which voluntarily joined the Soviet Union."

A U.S. source said the United States protested vigorously last April, shortly after the book was issued, and was told that a lack of firm policy directives rendered UNESCO powerless to deal with such cases.

A review committee, set up as a result of United States and other protests, is expected to report in April, the source said. The U.S. National Committee for UNESCO has submitted recommendations and criteria for stricter standards.

The new complaint, one of many, an informant said, came from the Assembly of Captive European Nations in New York. It is a group comprising political exiles from Eastern European countries, including the Baltic Republics (Latvia, Lithuania, Estonia), whose incorporation into the Soviet Union early in World War II has never been recognized by the United States, Britain, and many other nations.

A letter from the Assembly's President, George M. Dimitrov, appealed to Vittorino Veronese, UNESCO Director General, to halt distribution of the 106-page booklet. He called it "cheap Soviet propaganda, falling short of UNESCO objectivity, and termed it "harmful to the rights of Estonia, Latvia, and Lithuania."

The booklet was the third of a series of six planned by UNESCO in 1951 to study race discrimination. Now UNESCO officials are examining whether to continue with the series, an informant said.

The booklet was written by I. P. Tsamerian, described as a Soviet doctor of philosophy, and S. L. Ronin, a Soviet doctor of law. Titled "Equality of Rights Between Races and Nationalities in the U.S.S.R." it reiterated Soviet arguments frequently heard in U.N. debates that guarantees against race discrimination were written into the Soviet constitution.

At one place it said "the Soviet Union has solved the problem of nationalities," but acknowledged "this does not mean, of course, that a peak of perfection has been reached. The U.S.S.R. still contains backward elements among whom nationalist prejudices exist."

The booklet contended that the Bolshevik revolution for the first time gave Jews equal rights in the Soviet Union, said racial problems were solved because of Communist Party policy, and quoted Soviet Premier Nikita S. Khrushchev's assertion that Jews "hold a worthy place" among those responsible for Soviet lunar rocket launchings.

In Washington, Republican National Chairman William E. Miller termed the booklet "a gratuitous insult to Americans and the free world" and said in a statement that the Kennedy administration should demand that the United Nations repudiate the publication and order its withdrawal from circulation.

ADDRESS BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SMITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, Secretary of Agriculture Orville L. Freeman, in making a speech to the Farm Institute in Des Moines, said today that employment in the Department's agency most directly concerned with farm programs is declining. His speech helps to give us a better picture of activities and trends in the Department and show how consumer interests are being expanded.

He told the Des Moines, Iowa, Farm Institute, meeting in its 25th session, that full-time Federal employment in the Agricultural Stabilization and Conservation Service has been reduced by nearly 600 persons in the past 2 years. He indicated the downward trend would continue.

ASCS is the Department agency which administers farm commodity programs in the field and supervises storage and disposal programs of Government-owned farm commodities. Total employment in the agency at the beginning of this year was 7,071 as compared to 7,646 at the beginning of 1961.

> This reduction in personnel as of January has come about not because there is less to do, but because we are finding more efficient ways to do more work with fewer people in the administration of farm programs and in the handling of commodity stocks.

The Secretary noted that in the past 2 years a substantial reorganization of ASCS has been carried out in the field to consolidate regional offices which supervise storage and handling of Government-owned commodities and also in the Washington office to streamline the administrative staffs.

> We have sought in these reorganizations to prevent personal hardship on individual employees, and the reduction has come through retirement, vacancies created by normal turnover and other personnel shifts. In those cases where commodity offices have been closed or transferred, employees are given first choice of jobs in new locations. For those who do not want to move, we are assisting them in finding new jobs.

The Secretary said he was citing the ASCS example to correct a growing public misconception that Department employment grows while the number of persons employed in agriculture continues to decline.

> I want to make it clear that the number of USDA personnel is increasing, but the increase is coming in those areas and programs where increased demands are being made for services which benefit all 186 million American citizens.
>
> The Department of Agriculture today provides more consumer services than any other agency or Department—it provides the bulk of research not only to help the farmer become more efficient, but also to provide the new food and clothing products which the consumer demands, the advances in transportation and packaging efficiency, and the design of modern retail stores—it watches continually to insure competitive conditions in the meat industry, and it guards the commodity exchanges to prevent unscrupulous practices, it protects the vast soil, water, and forest resources of the people, it carries on extensive programs to improve the diet of all Americans, and makes food available for those who do not have enough, and it gathers valuable commercial information at home and abroad which can be obtained from no other source.

In those areas, a comparable record of efficiency with that of ASCS can be found. A population that grows by some 8,000 persons a day brings new and increasing demands for services which the USDA provides. These demands are being met by fewer new employees than the expansion in services would have required if we were using systems and procedures in effect even 2 years ago.

The Secretary cited these specific examples:

> In the last 2 years employment under the packers and stockyards program increased by about 34 persons, while at the same time the number of market dealers and agencies registered under the P. & S. Act increased by 5,700. In the same period, the number of packers supervised by the agency increased by nearly 700. And during fiscal 1962, some 95 criminal and civil cases were referred to the Department of Justice for action, as compared to 26 in 1960.
>
> Employment in poultry inspection increased 20 percent between 1960 and 1962, while the volume of poultry products inspected increased by 38 percent.
>
> By mid-1962, the number of needy persons receiving food under the direct distribution program had nearly doubled from 2 years earlier. The increased workload is being handled by about 40 percent increase in employment.
>
> In the past 2 years, the USDA has opened nine new research laboratories, including four soil and water conservation research facilities, and three new insect laboratories dedicated to finding safer, more effective ways of controlling pests. The need for these facilities was determined and construction authorized in the late 1950's, and they are now being staffed.
>
> To bring this closer to home, let me cite the new Animal Disease Research Laboratory opened last year in Ames. It brings together in one place research facilities which were scattered over several locations, and it has increased USDA research employment in Iowa to 947 persons, up about 450 from 1960. We consider the lab and its staff essential because every advance in the conquest of a major animal disease represents progress for the farmer and the consumer. The new facility, in addition, provides an enormous boost for the economy of the community. We estimate that it brings several million dollars annually into the community—

Secretary Freeman said.

> Employment in the Meat Inspection Service has increased about 3 percent since 1960, while the number of plants requiring this service has increased about 11 percent.
>
> Let me also bring this situation closer to home—

The Secretary said—

> Last year, a packing plant in Sioux City wanted to get additional meat inspection service so that a second shift could be added. With some difficulty, we were able to meet this new demand—and 30 additional people from or near Sioux City found new jobs. The same story can be told in Dennison, Iowa.
>
> At Fort Dodge, we were able to suggest design changes in a new packing plant being built which would reduce the number of meat inspectors from six to four without affecting the rate of production.
>
> Since 1957, the number of recreation visitors to the national forests has nearly doubled. Last year the total reached more than 112 million visits. To cope with the increased load, Forest Service built in 1962 over 3,000 additional camp and picnic units and rehabilitated almost 10,000 others. The Service developed 35 new major recreation sites last year, including ski areas, swimming sites and scenic overlooks. Hunting and fishing visits in national forests are increasing eight times faster than the nationwide sale of hunting and fishing licenses. Last year 4,300 miles of forest development road, 180 miles of trails, and 300 bridges were built in the national forests. In 1962, over 175,000 acres of rangeland were revegetated and over 1,000 stockponds were developed.
>
> While the uses, and users, of national forests have been multiplying at an increased rate, the number of acres of timber lost through forest fires dropped in 1962 to the lowest level on record.
>
> Each activity, whether it provides better recreation opportunity, more timber to supply the mills, better rangeland or better protection to water and timber resources can be met but it requires more USDA personnel. Forest Service employment in midyear 1962 was 26 percent higher than in 1960, and 46 percent higher than in 1957.
>
> In 2 years, the number of small watershed programs authorized for construction has more than doubled and those authorized for planning have increased about 70 percent. In those areas where these projects are being completed, new industries are developing, recreation opportunities are expanding and water supplies are becoming stabilized. During the same period, total paid USDA employment in Soil Conservation Service has increased less than 3 percent.
>
> Since 1960, the Farmers Home Administration has expanded its volume of dollars loaned by more than 160 percent, and is now providing housing credit services to the aged and to nonfarm rural residents where adequate private capital is not available. Rural community water systems are also being financed by the agency. They are handling the increased load with a 4-percent increase in manpower.
>
> I am proud that the Department has been able to expand essential public services up and down the line with as small an increase in personnel as has taken place. In FHA, the personnel actually did the equivalent work of 260 extra employees through overtime without compensation.
>
> We do not expect, or ask, employees to do this, but we are grateful that they are willing to put this kind of extra effort into serving the farmer, the businessman, the consumer—the people.
>
> These improvements which are providing more effective service are the result of departmentwide cooperation combined with the application of modern administrative

techniques. We are continually searching for more efficient ways of serving the public through incentive awards to USDA personnel, through employee-staffed self-survey teams and through our Office of Management Appraisal and Systems Development.

The results which are evident thus far should make the people of this country proud of their public servants in the Department of Agriculture.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. O'HARA of Illinois (at the request of Mr. ALBERT), for 60 minutes, on Monday, February 18, 1963.

Mr. KYL, for 60 minutes, today.

Mr. HALPERN (at the request of Mr. ELLSWORTH) was granted permission to address the House today for 10 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. NATCHER in two instances, in each to include extraneous material.

Mr. BERRY.

Mr. SHORT.

(The following Members (at the request of Mr. ELLSWORTH) to extend their remarks in the CONGRESSIONAL RECORD and to include extraneous matter:)

Mr. SCHADEBERG.

Mr. CURTIS.

Mr. HORAN.

Mr. HORTON.

Mr. COLLIER.

Mr. WESTLAND.

(The following Members (at the request of Mr. ALBERT) to extend their remarks in the CONGRESSIONAL RECORD and to include extraneous matter:)

Mr. BLATNIK.

Mr. ALBERT.

Mr. LEGGETT.

Mr. ROOSEVELT.

Mr. RYAN of Michigan.

Mr. MILLER of California.

Mr. ZABLOCKI.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 11 minutes p.m.), under its previous order, the House adjourned until Monday, February 18, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

398. A communication from the President of the United States, transmitting a draft of proposed legislation entitled "A bill to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes"; to the Committee on Interior and Insular Affairs.

399. A letter from the Chief Justice, Supreme Court of the United States, transmitting a copy of the Judicial Conference Report to the Supreme Court containing the amendments and the notes of the Advisory Committee (H. Doc. No. 67); to the Committee on the Judiciary and ordered to be printed.

400. A letter from the adjutant general, Veterans of Foreign Wars of the United States, transmitting the proceedings of the 63d National Convention of the Veterans of Foreign Wars of the United States, held in Minneapolis, Minn., August 12–17, 1962 (H. Doc. No. 68); to the Committee on Armed Services and ordered to be printed with illustrations.

401. A letter from the Secretary of the Treasury, transmitting the report of the National Advisory Council on International Monetary and Financial Problems for the period July 1 to December 31, 1962, pursuant to section 4(b)(5) of the Bretton Woods Agreements Act (H. Doc. No. 69); to the Committee on Banking and Currency and ordered to be printed.

402. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to reporting that the appropriation to the Department of Agriculture for "Forest protection and utilization, Forest Service," for the fiscal year 1963, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriations; to the Committee on Appropriations.

403. A letter from the Assistant Secretary of Defense, transmitting the report of Federal contributions for the quarter ending September 30, 1962, pursuant to subsection 201 (i) and 205 of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

404. A letter from the President of the Board of Commissioners of the District of Columbia, relative to presenting a report on the legislative program of the Commissioners of the District of Columbia, 1963, 88th Congress; to the Committee on the District of Columbia.

405. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill entitled "A bill to provide revenue for the District of Columbia, and for other purposes;" to the Committee on the District of Columbia.

406. A letter from the Secretary of State, transmitting a draft of a proposed bill entitled "A bill to amend the United Nations Participation Act, as amended (63 Stat. 734–736)"; to the Committee on Foreign Affairs.

407. A letter from the Comptroller General of the United States, transmitting a report on the review of the reenlistment of undesirable military personnel; to the Committee on Government Operations.

408. A letter from the Comptroller General of the United States, transmitting a report on the review of air travel performed during fiscal year 1962 by headquarters and field office personnel of the Federal Housing Administration, Housing and Home Finance Agency; to the Committee on Government Operations.

409. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and for other purposes"; to the Committee on Government Operations.

410. A letter from the Under Secretary of Commerce, transmitting a draft of proposed bill entitled "A bill to authorize the Secretary of Commerce to utilize funds received from State and local governments for special meteorological services"; to the Committee on Interstate and Foreign Commerce.

411. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to provide for the satisfaction of claims arising out of scrip, lieu selection, and similar rights"; to the Committee on Interior and Insular Affairs.

412. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to amend the Mineral Leasing Act for Acquired Lands (61 Stat. 913) with respect to the leasing of mineral deposits in which the United States owns a partial or future interest"; to the Committee on Interior and Insular Affairs.

413. A letter from the Under Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to amend title 35 of the United States Code to permit a written declaration to be accepted in lieu of an oath, and for other purposes"; to the Committee on the Judiciary.

414. A letter from the Director, U.S. Information Agency, transmitting a draft of a proposed bill entitled "A bill to give effect to the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character, approved at Beirut in 1948"; to the Committee on Ways and Means.

415. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order rescinding suspension of deportation in the case of Joseph Bilenco also known as Joseph Addison Blake, A-10191198, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 3763. A bill to join families in the United States by granting nonquota status to certain aliens entitled to a preference under the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.R. 3764. A bill to amend the Public Health Service Act so as to establish a program to assist farmers in providing adequate sanitation facilities for migratory farm laborers; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKHALTER:

H.R. 3765. A bill to prohibit the manufacture, sale, or use in commerce of any motor vehicle which discharges substances into the air in amounts found by the Surgeon General to be dangerous to public health; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK:

H.R. 3766. A bill to exempt from compulsory coverage under the old-age, survivors, and disability insurance program self-employed individuals who hold certain religious beliefs; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H.R. 3767. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 3768. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 3769. A bill to amend the Clayton Act to prohibit restraints of trade carried into effect through the use of unfair and deceptive methods of packaging or labeling certain consumer commodities distributed in commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 3770. A bill to amend section 203(b) (5) and 402(c) of the Interstate Commerce Act to provide for the issuance of certificates of exemption upon application and proof of eligibility, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRISON:

H.R. 3771. A bill to provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act; to the Committee on Interior and Insular Affairs.

H.R. 3772. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. HOLLAND:

H.R. 3773. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs; to the Committee on Education and Labor.

By Mr. HOSMER:

H.R. 3774. A bill to repeal price support subsidies and direct the sale of Commodity Credit Corporation inventory; to the Committee on Agriculture.

By Mr. JENSEN:

H.R. 3775. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. JOHNSON of California:

H.R. 3776. A bill to amend paragraph 757 of the Tariff Act of 1930 with respect to Brazil nuts; to the Committee on Ways and Means.

By Mr. LIPSCOMB:

H.R. 3777. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the sale of his principal residence by a taxpayer who has attained the age of 65 years; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 3778. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

By Mr. MILLER of California:

H.R. 3779. A bill to authorize the Secretary of the Interior to initiate a program for the conservation, development, and enhancement of the Nation's anadromous fish in cooperation with the several States; to the Committee on Merchant Marine and Fisheries.

By Mr. MILLS:

H.R. 3780. A bill to permit the exchange between farms of cotton acreage allotments for rice acreage allotments; to the Committee on Agriculture.

H.R. 3781. A bill to amend the Tariff Act of 1930 to provide a uniform rate of duty for certain headwear; to the Committee on Ways and Means.

By Mr. MINSHALL:

H.R. 3782. A bill to strengthen democratic processes within labor organizations respecting the calling of strikes, to protect union members against unjustifiable pay losses from strikes, to protect employers from needless production interruptions arising out of strikes contrary to the wishes of union members, to minimize industrial strife interfering with the flow of commerce, and to promote the growth of the Nation's economy through reducing economic waste by providing for an impartial secret strike vote; to the Committee on Education and Labor.

By Mr. PATMAN:

H.R. 3783. A bill to provide for the retirement of Federal Reserve Bank stock, and for other purposes; to the Committee on Banking and Currency.

H.R. 3784. A bill to amend the Government Corporation Control Act, as amended, to provide that the Federal Deposit Insurance Corporation shall be subject to annual budget review by the Congress; to the Committee on Government Operations.

H.R. 3785. A bill to amend the Federal Property and Administrative Services Act of 1949 to provide for public information and publicity concerning instances where competitors submit identical bids to public agencies for the sale or purchase of supplies, equipment, or services, and for other purposes; to the Committee on Government Operations.

H.R. 3786. A bill to amend the Clayton Act as amended, to strengthen our competitive enterprise system by providing for competitive acts, practices, and methods of competition and for other purposes; to the Committee on the Judiciary.

H.R. 3787. A bill to amend the Clayton Act to declare private antitrust suits to be impressed with a substantial public interest; to the Committee on the Judiciary.

H.R. 3788. A bill to provide for jury trials in condemnation proceedings in U.S. district courts; to the Committee on the Judiciary.

H.R. 3789. A bill to amend the Subversive Activities Control Act of 1950 to authorize the payment of rewards to persons who furnish information leading to convictions of organizations or individuals of failure to register as required by such act; to the Committee on Un-American Activities.

By Mr. PELLY:

H.R. 3790. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. POFF:

H.R. 3791. A bill to provide for the disclosure of any payments or contributions by persons registered with the Attorney General pursuant to the Foreign Agents Registration Act of 1936, as amended, and for other purposes; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 3792. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

H.R. 3793. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

By Mr. ROOSEVELT:

H.R. 3794. A bill to provide for the striking of a medal in connection with the commemoration of the 250th anniversary of the birth of Padre Junipero Serra; to the Committee on Banking and Currency.

By Mr. TALCOTT:

H.R. 3795. A bill to provide benefits for members and survivors of members of the Philippine Scouts on the same basis as such benefits are provided for other members of the Armed Forces and their survivors, and for other purposes; to the Committee on Armed Services.

By Mr. THOMPSON of New Jersey:

H.R. 3796. A bill to amend section 311 of the Tariff Act of 1930 to permit the manufacture in bonded manufacturing warehouses of cigars made of tobacco imported from more than one foreign country; to the Committee on Ways and Means.

By Mr. TOLL:

H.R. 3797. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution, and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3798. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. WESTLAND:

H.R. 3799. A bill to acquire lands to construct an approach road into the Ozette Lake region in the Olympic National Park in the State of Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASHMORE:

H.R. 3800. A bill to authorize the waiver of collection of certain erroneous payments made by the Federal Government to certain civilian and military personnel; to the Committee on the Judiciary.

By Mr. BENNETT of Florida:

H.R. 3801. A bill to provide for the establishment of a Council to be known as the "National Advisory Council on Migratory Labor"; to the Committee on Education and Labor.

H.R. 3802. A bill to provide for the registration of contractors of migrant agricultural workers, and for other purposes; to the Committee on Education and Labor.

H.R. 3803. A bill to amend the Social Security Act so as to assist States in providing for day-care services for children of migrant agricultural workers; to the Committee on Ways and Means.

By Mr. BUCKLEY (by request):

H.R. 3804. A bill to repeal a portion of the Second Supplemental National Defense Appropriation Act, 1943, approved October 26, 1942 (56 Stat. 990, 999), as amended, and for other purposes; to the Committee on Public Works.

By Mr. CELLER:

H.R. 3805. A bill to implement the enforcement of the internal revenue laws relating to alcoholic beverages by allocating 1 percent of the alcoholic taxes collected for enforcement purposes; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 3806. A bill relating to certain facilities and improvements of the United States and the city of Oakland and the rights of the United States in and to certain real property situated in Oakland, Calif.; to the Committee on Armed Services.

By Mr. CURTIS:

H.R. 3807. A bill to amend the Internal Revenue Code of 1954 to provide that the proceeds of life insurance contracts transferred for a valuable consideration to certain persons shall not be subject to income taxation; to the Committee on Ways and Means.

H.R. 3808. A bill to amend the Internal Revenue Code of 1954 to allow individual taxpayers the same 2-year carryover with respect to the deduction for charitable contributions as is presently provided for corporate taxpayers; to the Committee on Ways and Means.

H.R. 3809. A bill to amend titles I, X, and XIV of the Social Security Act to make individuals suffering from tuberculosis or mental illness eligible thereunder for public assistance payments (and medical assistance) on the same basis as individuals suffering from other types of illness; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 3810. A bill to amend the National Labor Relations Act to make it an unfair labor practice for an employer or a labor organization to discriminate unjustifiably on account of age; to the Committee on Education and Labor.

By Mr. DOWDY:

H.R. 3811. A bill to establish rules of interpretation governing questions of the effect of Congress on State laws; to the Committee on the Judiciary.

By Mr. ELLSWORTH:

H.R. 3812. A bill to amend title 39, United States Code, to provide for the indemnification of mail contractors in connection with the cancellation by the Postmaster General of certain contracts for the transportation of mail; to the Committee on Post Office and Civil Service.

By Mr. GRAY:

H.R. 3813. A bill to authorize the Secretary of the Interior to adjust the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge, Ill.; to the Committee on Merchant Marine and Fisheries.

By Mrs. HANSEN:

H.R. 3814. A bill to amend the National Housing Act to provide that only lumber and other wood products which have been produced in the United States may be used in construction or rehabilitation covered by Federal Housing Administration insured mortgages; to the Committee on Banking and Currency.

By Mr. HOLLAND:

H.R. 3815. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. HOSMER:

H.R. 3816. A bill to repeal the dual employment statute and amend the dual compensation statute, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California:

H.R. 3817. A bill to promote the conservation of the Nation's migratory wartefowl within the Pacific flyway and to provide for the cooperative management of the land, water and wildlife resources in the Tule Lake, Lower Klamath, Upper Klamath and Clear Lake National Wildlife Refuges and the Klamath Reclamation project in Oregon and California, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3818. A bill to provide for increased wheat acreage allotments in the Tule Lake area of California; to the Committee on Agriculture.

By Mr. JOHNSON of Wisconsin:

H.R. 3819. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate or navigable waters, and for other purposes; to the Committee on Public Works.

By Mr. LEGGETT:

H.R. 3820. A bill to amend the act of September 26, 1950, to enlarge the service area of the Sacramento canals unit of the Central Valley project to include Yolo and Solano Counties, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. McDOWELL:

H.R. 3821. A bill to provide for the establishment of the National Academy of Foreign Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. McFALL:

H.R. 3822. A bill to amend the definition of a small business corporation for purposes of subchapter S of chapter 1 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. MATHIAS:

H.R. 3823. A bill to provide that compensation for services performed as an officer or employee of the United States in a State in which such officer or employee is not domiciled shall be subject to an income tax imposed by such State only if the domiciliary State of such officer or employee imposes such a tax on compensation for such services performed in that State by an officer or employee of the United States not domiciled therein; to the Committee on Ways and Means.

By Mr. MILLER of California:

H.R. 3824. A bill relating to certain facilities and improvements of the United States and the city of Oakland and the rights of the United States in and to certain real property situated in Oakland, Calif.; to the Committee on Armed Services.

By Mr. MILLS:

H.R. 3825. A bill to amend section 175 of the Internal Revenue Code of 1954 to provide that land used for the production of fish shall be treated as land used in farming; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 3826. A bill relating to certain discriminatory pricing practices affecting commerce; to the Committee on the Judiciary.

By Mr. REIFEL:

H.R. 3827. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. ROBERTS of Alabama:

H.R. 3828. A bill to make cotton available to domestic users at prices more competitive with prices foreign users pay for cotton, to authorize the Secretary to permit cotton growers to plant additional acreage for the 1963 and succeeding crops of upland cotton, and for other purposes; to the Committee on Agriculture.

By Mr. TAFT:

H.R. 3829. A bill to further secure and protect the rights of citizens in Federal elections; to the Committee on the Judiciary.

By Mr. FINO:

H.J. Res. 251. Joint resolution declaring the first Tuesday after the first Monday of November in each even-numbered year to be a legal public holiday; to the Committee on the Judiciary.

By Mr. KYL:

H.J. Res. 252. Joint resolution to provide that Members of Congress shall be limited to per diem allowances and necessary transportation costs in connection with travel outside the United States, and for other purposes; to the Committee on House Administration.

By Mr. BERRY:

H. Con. Res. 92. Concurrent resolution authorizing to be placed temporarily in the rotunda of the Capitol a statue of the late Joseph Ward, of South Dakota; to the Committee on House Administration.

H. Con. Res. 93. Concurrent resolution to tender thanks of Congress to South Dakota for the statue of Joseph Ward, to be placed in Statuary Hall; to the Committee on House Administration.

H. Con. Res. 94. Concurrent resolution to print as a House document the proceedings at the acceptance of the statue of Joseph Ward, to be placed in Statuary Hall; to the Committee on House Administration.

By Mr. NORBLAD:

H. Con. Res. 95. Concurrent resolution to express the sense of Congress in respect to the Lewis and Clark Trail from St. Louis, Mo., to the Pacific Northwest; to the Committee on Interior and Insular Affairs.

By Mr. RODINO:

H. Con. Res. 96. Concurrent resolution expressing the sense of the Congress with respect to the incorporation of Latvia, Lithuania, and Estonia into the Union of Soviet Socialist Republics; to the Committee on Foreign Affairs.

By Mr. ST. ONGE:

H. Con. Res. 97. Concurrent resolution requesting the President to instruct the U.S. Mission to the United Nations to bring the Baltic States question before the United Nations with a view to the liberation of Lithuania, Latvia, and Estonia from Soviet occupation; to the Committee on Foreign Affairs.

By Mr. BARRETT:

H. Res. 251. Resolution to provide for the printing as a House document of the eulogies and other pertinent matter presented in honor of the late Honorable James Patrick McGranery; to the Committee on House Administration.

By Mr. LATTA:

H. Res. 252. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

By Mr. PATMAN:

H. Res. 253. Resolution providing for a committee to consider removal of the U.S. Capital or providing a supplemental Capital; to the Committee on Rules.

By Mr. POWELL:

H. Res. 254. Resolution providing for the expenses incurred pursuant to House Resolution 103; to the Committee on House Administration.

By Mr. KYL:

H. Res. 255. Resolution calling on the theater and motion picture industries to establish and enforce a code of taste, decency, and morality similar to that established voluntarily by the motion picture industry in the Motion Picture Code of 1930; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE:

H. Res. 256. Resolution creating a standing Committee on Small Business in the House of Representatives; to the Committee on Rules.

By Mr. WIDNALL:

H. Res. 257. Resolution creating a standing Committee on Small Business in the House of Representatives, and to grant it full authority in legislative matters; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States relative to requesting Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States creating a Court of the Union; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States providing that no constitutional provision shall restrict or limit any State in the apportionment of representation in its legislature, and that the judicial powers of the United States shall not extend to litigation relating to apportionment of representation in a State legislature; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Oklahoma, memorializing the President and the Congress of the United States relative to proposing an amendment to the Constitution regarding apportionment of representation in State legislatures; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under caluse 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JONAS:

H.R. 3830. A bill for the relief of Carmela D'Addario; to the Committee on the Judiciary.

By Mr. ELLSWORTH:

H.R. 3831. A bill for the relief of Lourdes S. (Delotavo) Matzke; to the Committee on the Judiciary.

By Mr. HARRISON:

H.R. 3832. A bill for the relief of Jadwiga Zuzanna Kobielusz; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 3833. A bill for the relief of Mrs. Serise Dimitra Stephenson; to the Committee on the Judiciary.

H.R. 3834. A bill for the relief of Dr. Francesco Crocenzi; to the Committee on the Judiciary.

By Mr. JONAS:

H.R. 3835. A bill for the relief of Nicholas Anastasiadis; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 3836. A bill for the relief of Marcel Weissman; to the Committee on the Judiciary.

H.R. 3837. A bill for the relief of Clyde Cumberbatch; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 3838. A bill for the relief of Dr. Felipe Lavapies; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 3839. A bill for the relief of Miss Georgette Ysrael; to the Committee on the Judiciary.

By Mr. ROBERTS of Alabama:

H.R. 3840. A bill to direct the Secretary of the Interior to adjudicate a claim to certain land in Marengo County, Ala.; to the Committee on Interior and Insular Affairs.

By Mr. RHODES of Pennsylvania:

H.R. 3841. A bill for the relief of Joseph Monaco and his wife, Josephine Monaco; to the Committee on the Judiciary.

By Mr. RYAN of Michigan:

H.R. 3842. A bill for the relief of Antonino Randazzo; to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 3843. A bill for the relief of Wallace J. Knerr; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

41. By Mr. HOSMER presented a petition of certain residents of the 32d Congressional District of California, who request and call on the Congress to give full and public consideration to any Presidential guarantee which might in effect abrogate the Monroe Doctrine by permitting Soviet Communist influence and control to continue in Cuba; and who call on the Congress to resolve that the Monroe Doctrine continues to be a basic plan of American foreign policy, which was referred to the Committee on Foreign Affairs.

SENATE

THURSDAY, FEBRUARY 14, 1963

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Reverend Algirdas Jurenas, pastor, China Baptist Church, China, Maine, offered the following prayer:

Most gracious God: Once more we remember Lithuania, along with other victims of Communist imperialism. As children of true freedom, we feel obliged to share the chains our brothers wear.

We admire the invincible love of freedom of the Lithuanian people, especially of those who chose death rather than be Reds. May the supreme sacrifice of their lives stir the conscience of those in the free world who make light of their liberties and take them for granted.

Let the light that shines from the cross of Christ illumine their Calvaries, while we join hands across the borders and wide seas, to enlist our common hopes against our common fears, and to pray and work with one accord toward a new and better world in which all nations, great and small, can live together in love and peace.

Long may our land be bright with freedom's holy light, O Lord, and, with our land, all other lands, including Lithuania. May we never be satisfied with anything less than freedom for all the enslaved and oppressed.

Bless and guide, Almighty God, the great public servants who, at this great center of power, make decisions shaping the destiny of our Nation, and even the history of many peoples. Let mighty, prophetic voices be raised here by those with great hearts, vigilant minds, farsighted visions, and strong faith, who possess opinions and wisdom, who make no peace with oppression, who have the courage to stand for the right, without a compromise, and to meet the challenge of this crucial hour.

This we ask in Christ's name. Amen.

THE JOURNAL

On request of Mr. METCALF, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 11, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT OF COMMODITY CREDIT CORPORATION—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry:

To the Congress of the United States:

In accordance with the provisions of section 13, Public Law 806, 80th Congress, I transmit herewith for the information of the Congress the report of the Commodity Credit Corporation for the fiscal year ended June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 14, 1963.*

THE NATION'S YOUTH—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 66)

Mr. MANSFIELD. Mr. President, the President has sent to the Congress today a message relating to the youth of the Nation which has been read in the House. I ask unanimous consent that its reading in the Senate be waived and that it be referred to the Committee on Labor and Public Welfare.

The VICE PRESIDENT. Without objection, it is so ordered.

(For President's message, see House proceedings of today, pp. 2235–2239.)

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Internal Security Subcommittee of the Senate Committee on the Judiciary was authorized to meet during the session of the Senate today.

LIMITATION OF STATEMENTS DURING MORNING HOUR

Mr. METCALF. Mr. President, under the rule, there will be a morning hour for the introduction of bills and the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communications and letters, which were referred as indicated:

INCREASED FEDERAL GOVERNMENT PARTICIPATION IN MEETING COSTS OF MAINTAINING THE NATION'S CAPITAL CITY

A communication from the President of the United States, transmitting a draft of proposed legislation to provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City and to authorize Federal loans to the District of Columbia for capital improvement programs (with an accompanying paper); to the Committee on the District of Columbia.

NATIONAL ACADEMY OF FOREIGN AFFAIRS ACT OF 1963

A communication from the President of the United States, transmitting a draft of proposed legislation to provide for the establishment of the National Academy of Foreign Affairs, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

LAND AND WATER CONSERVATION FUND ACT OF 1963

A communication from the President of the United States, transmitting a draft of proposed legislation to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Modification of Facilities at Lewis Research Center's Plum Brook Station, Sandusky, Ohio

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the construction of facilities for the modification of the E stand at the Lewis Research Center's Plum Brook Station, Sandusky, Ohio; to the Committee on Aeronautical and Space Sciences.

Report on Modification of Space Power Chamber at Lewis Research Center, Cleveland, Ohio

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the modification of space power chamber tank No. 1, at the Lewis Research Center, Cleveland, Ohio; to the Committee on Aeronautical and Space Sciences.

Report on Contracts Negotiated for Experimental or Research Work

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on contracts negotiated for experimental or research work, for the 6-month period ended June 30, 1962 (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

Report on Reapportionment of an Appropriation

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Agriculture for "Forest protection and utilization," Forest Service, for the fiscal year 1963, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriations; to the Committee on Appropriations.

Amendment of Title 10, United States Code, Relating to Minimum Training Requirements of Certain Flight Personnel

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend title 10, United States Code, to permit the Secretary of each military department to determine minimum training requirements prior to rating aviators, pilots, and observers (with an accompanying paper); to the Committee on Armed Services.

Report on Liquidation of Assets of Former Reconstruction Finance Corporation

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report on the progress made in liquidating the assets of the former Reconstruction Finance Corporation, covering the quarterly period ended December 31, 1962 (with an accompanying report); to the Committee on Banking and Currency.

Report on Transactions Under Merchant Ship Sales Act of 1946

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the activities and transactions under the Merchant Ship Sales Act of 1946, for the quarterly period ended December 31, 1962 (with an accompanying report); to the Committee on Commerce.

Utilization of Funds Received From State and Local Governments for Special Meteorological Services

A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation to authorize the Secretary of Commerce to utilize funds received from State and local governments for special meteorological services (with accompanying papers); to the Committee on Commerce.

Legislative Program of the Commissioners of the District of Columbia, 1963

A letter from the President, Board of Commissioners, District of Columbia, transmitting a legislative program of the Commissioners of the District of Columbia, 1963 (with an accompanying document); to the Committee on the District of Columbia.

Reports of Advisory Committees, Department of Health, Education, and Welfare

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, reports of advisory committees of that Department, covering the calendar year 1962 (with accompanying reports); to the Committee on Finance.

Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting a draft of proposed legislation to give effect to the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character, approved at Beirut in 1948 (with accompanying papers); to the Committee on Finance.

Amendment of the United Nations Participation Act

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the United Nations Participation Act, as amended (63 Stat. 734–736) (with an accompanying paper); to the Committee on Foreign Relations.

Report of National Advisory Council on International Monetary and Financial Problems

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a report of the National Advisory Council on International Monetary and Financial Problems, covering the 6-month period ended December 31, 1961 (with an accompanying report); to the Committee on Foreign Relations.

Jurisdiction Over Land in the Several States Used for Federal Purposes

A letter from the Attorney General, transmitting a draft of proposed legislation to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

Report on Personal and Real Property Received by and Disposed of to Public Health and Educational Institutions

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on personal and real property received by and disposed of to public health and educational institutions, for the quarter ended December 31, 1962 (with an accompanying report); to the Committee on Government Operations.

Report on Review of the Reenlistment of Undesirable Military Personnel

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of the reenlistment of undesirable military personnel, dated February 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Review of Air Travel by Personnel of Federal Housing Administration

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of air travel by personnel of the Federal Housing Administration, Housing and Home Finance Agency, dated February 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Review of Determination of Needs for Major Spare Components Placed at Supply Depots and on Vessels for Short-Range Guided Missiles, Department of the Navy

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of determination of needs for major spare components placed at supply depots and on vessels for short-range guided missiles, Department of the Navy, dated February 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Examination of Financial Statements of Federal National Mortgage Association

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of financial statements of the Federal National Mortgage Association, Housing and Home Finance Agency, fiscal year 1962 (with an accompanying report); to the Committee on Government Operations.

Satisfaction of Claims Arising Out of Scrip, Lieu Selection, and Similar Rights

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the satisfaction of claims arising out of scrip, lieu selection, and similar rights (with accompanying papers); to the Committee on Interior and Insular Affairs.

Leasing of Mineral Deposits in Which the United States Owns a Partial or Future Interest

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Mineral Leasing Act for acquired lands (61 Stat. 913) with respect to the leasing of mineral deposits in which the United States owns a partial or future interest (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Amendment of Title 35, United States Code, To Permit a Written Declaration To Be Accepted in Lieu of an Oath

A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation to amend title 35 of the United States Code to permit a written declaration to be accepted in lieu of an oath, and for other purposes (with accompanying papers); to the Committee on the Judiciary.

Judicial Conference Report to the Supreme Court, Recommending Amendments to the Rules of Civil Procedure for the U.S. District Courts

A letter from the Chief Justice of the United States, transmitting, for the information of the Senate, a copy of the judicial conference report to the Supreme Court, containing the amendments and the notes of the advisory committee, recommending amendments to the rules of civil procedure for the U.S. district courts (with an accompanying document); to the Committee on the Judiciary.

Amendment of Section 64(a)(2) of Bankruptcy Act

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend section 64(a)(2) of the Bankruptcy Act (with accompanying papers); to the Committee on the Judiciary.

Classification of Status of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, petitions to classify the status of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT OF COMMISSIONER OF EDUCATION ON ADMINISTRATION OF PUBLIC LAWS 874 AND 815

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of the Commissioner of Education on the administration of Public Laws 874 and 815, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the State of Alaska; to the Committee on Appropriations:

"SENATE RESOLUTION 4

"Resolution relating to the construction by the Federal Government of the proposed Snettisham and Bradley Lake hydroelectric power projects

"Be it resolved by the Legislature of the State of Alaska:

"Whereas the economy of southeastern and south central Alaska is in great need of new industries capable of utilizing the abundant natural resources of this area and providing stable, nonseasonal employment; and

"Whereas present and potential developments in the exploitation of natural resources, establishment of industries, and expansion of the population indicate the need for the immediate construction of additional sources of electrical energy; and

"Whereas private power companies have indicated that they cannot or will not undertake the construction necessary to guarantee the comfort or well-being of an enlarged population or the demands of industrial expansion; and

"Whereas the Federal Power Commission has estimated that the electrical power needs of the city of Juneau alone will more than double by 1970 and more than triple by 1980; and

"Whereas the present cost of power is much higher in Alaska than in most areas of the United States due to the lack of modern power facilities; and

"Whereas feasibility studies have shown that these hydroelectric power projects can be economically constructed and are a necessity to the continued progress of southeastern and south central Alaska: be it

"Resolved, That the Congress of the United States is respectfully urged to appropriate the necessary funds for, and to expedite in every possible way, the construction of the Crater-Long Lakes division of the Snettisham hydroelectric power project and the Bradley Lake hydroelectric power project; and be it further

"Resolved, That copies of this resolution be sent to the Honorable John F. Kennedy, President of the United States; the Honorable Stewart L. Udall, Secretary of the Interior; the Honorable Kenneth Holum, Assistant Secretary (Water and Power) Department of the Interior; the Honorable Floyd E. Dominy, Commissioner of Reclamation, Department of the Interior; the Honorable Cyrus R. Vance, Secretary of the Army; Lt. Gen. W. K. Wilson, Jr., Chief of Engineers, U.S. Army; the Honorable Joseph C. Swidler, chairman, Federal Power Commission; the Honorable Harry J. Trainor, Executive Director, Federal Power Commission; the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Harry F. Byrd, chairman, Senate Finance Committee; the Honorable Clinton P. Anderson, chairman, Senate Interior and Insular Affairs Committee; the Honorable Pat McNamara, chairman, Senate Public Works Committee; the Honorable Wayne N. Aspinall, chairman, House Interior and Insular Affairs Committee; the Honorable Charles A. Buckley, chairman, House Public Works Committee; the Honorable Wilbur D. Mills, chairman, House Ways and Means Committee; and the members of the Alaska delegation in Congress."

A joint resolution of the Legislature of the State of Idaho; to the Committee on Interior and Insular Affairs:

"HOUSE JOINT MEMORIAL 6

"To the honorable Senate and House of Representatives of the United States in Congress Assembled:

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

"Whereas the act of Congress on July 3, 1890, entitled "An Act to provide for the admission of the State of Idaho into the Union" (26 Stat. L. 215, ch. 656), in section 4, of said act, grants to the State of Idaho sections numbered 16 and 36 in every township of said State, for the support of the common schools; and

"Whereas since the enactment of the aforesaid admission act, the Federal Government and its agencies has preempted much of the lands in sections 16 and 36, aforesaid, in establishing national forests, national monuments, and for other purposes, and has offered to the State of Idaho other lieu lands commonly known as indemnity lands; and

"Whereas in granting to the State of Idaho the said indemnity lands, the United States of America has reserved to itself the minerals, including phosphate deposits, underlying said indemnity lands; and

"Whereas these phosphate lands lie, generally, in the southeastern part of the State of Idaho, in which area are more than one hundred twenty thousand acres granted to the State of Idaho as indemnity lands but in which grants, the United States of America reserved to itself the underlying phosphate, so that the ownership of the surface of said lands is worthless to the State of Idaho and little or no aid for the support of the common schools of this State. Now, therefore, be it

"Resolved by the 37th session of the Legislature of the State of Idaho, now in session (the Senate and House of Representatives concurring), That we most respectfully urge the Congress of the United States of America to authorize and direct, or to enact such legislation as is necessary to authorize and direct, the Secretary of the Interior to amend any certificate or certificates of title to any indemnity lands so as to vest in the State of Idaho all title to said lands, including the phosphate underlying the same, so as to conform to the spirit and intent of the Congress, in the admission act, in granting sections numbered 16 and 36, in each township, to the State of Idaho; be it further

"Resolved, That the secretary of state of the State of Idaho be, and he hereby is, authorized and directed to forward certified copies of this memorial to the President and the Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this State in the Congress of the United States."

A joint resolution of the Legislature of the State of Idaho; to the Committee on the Judiciary:

"SENATE JOINT MEMORIAL 4

"To the honorable Senate and House of Representatives of the United States in Congress assembled:

"Be it resolved by the 37th session of the Legislature of the State of Idaho, now in session (the Senate and House of Representatives concurring), That we most respectfully urge the Congress of the United States of America to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE —

" 'SECTION 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature.

" 'SEC. 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy, relating to apportionment of representation in a State legislature.

" 'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission'; be it further

"Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; be it further

"Resolved, That the secretary of state of the State of Idaho be, and he hereby is, authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this State in the Congress of the United States."

A joint resolution of the Legislature of the State of Montana; to the Committee on the Judiciary:

"JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA, RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO THE QUALIFICATIONS OF ELECTORS

"Whereas the 87th Congress of the United States of America, at its 2d session, in both Houses, by a constitutional majority of two-thirds thereof, has made the following proposition to amend the Constitution of the United States of America in the following words, to wit:

" 'JOINT RESOLUTION —

" 'Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within 7 years from the date of its submission by the Congress:

" ' "ARTICLE —

" ' "SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

" ' "SEC. 2. The Congress shall have power to enforce this article by appropriate legislation": Be it

" 'Resolved by the House of Representatives of the State of Montana (the Senate concurring), That the said proposed amendment to the Constitution of the United States of America, be and the same is hereby ratified; and be it further

" 'Resolved, That certified copies of this resolution shall be forwarded by the secretary of state to the Administrator of General Services, Washington, D.C., to the President of the Senate, and to the Speaker of the

House of Representatives of the Congress of the United States.' "

A joint resolution of the Legislature of the State of Oregon; to the Committee on the Judiciary:

"SENATE JOINT RESOLUTION 1

"Whereas Senate Joint Resolution 29 of the 87th Congress (2d session) proposes an amendment to the Constitution of the United States, as follows:

" 'ARTICLE —

" 'SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

" 'SEC. 2. The Congress shall have power to enforce this article by appropriate legislation'; and

"Whereas such amendment shall be valid as part of the Constitution of the United States if ratified by the legislatures of three-fourths of the several States within 7 years after its submission; Now, therefore, be it

"Resolved by the Legislative Assembly of the State of Oregon:

"(1) The proposed amendment to the Constitution of the United States, as set forth herein, hereby is ratified.

"(2) The Governor shall send certified copies of this resolution to the Administrator of General Services of the United States, to the Presiding Officer of the U.S. Senate and to the Speaker of the House of Representatives of the United States."

As in executive session,

The VICE PRESIDENT laid before the Senate a telegram in the nature of a memorial, signed by Wayne Polla, and sundry other citizens of the State of Minnesota, remonstrating against confirmation of the nomination of John Green, to be collector of customs, which was referred to the Committee on Finance.

CONCURRENT RESOLUTION OF SOUTH CAROLINA LEGISLATURE

Mr. JOHNSTON. Mr. President, on behalf of myself, and my colleague the junior Senator from South Carolina [Mr. THURMOND], I submit a concurrent resolution adopted by the Legislature of South Carolina, opposing the establishment of a wildlife refuge on the Combahee River in South Carolina, which I ask to have printed in the RECORD.

There being no objection, the concurrent resolution was ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION MEMORIALIZING THE UNITED STATES TO OPPOSE THE ESTABLISHMENT OF A WILDLIFE REFUGE ON THE COMBAHEE RIVER IN SOUTH CAROLINA

Whereas, it has come to the attention of the General Assembly of the State of South Carolina that there is a proposal to establish a wildlife refuge on the Combahee River; and

Whereas there presently is a Federal refuge consisting of 18,000 acres on the Savannah River, some 40 miles away, and a State refuge consisting of 6,000 acres on the Edisto River, some 20 miles away; and

Whereas the addition of the proposed refuge on the Combahee River would for all practical purposes eliminate the feasibility of private hunting preserves in the area; and

Whereas numerous individuals have invested great sums for the protection, propagation, and hunting of duck in the area and the establishment of the new refuge would do them irreparable harm: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), that the Members of the Congress from South Carolina are hereby requested to oppose the establishment of the wildlife refuge on the Combahee River; be it further

Resolved, That a copy of this resolution be forwarded to each Member of the Congress from the State of South Carolina, and to the Director of the Fish and Wildlife Service of the United States.

RESOLUTION OF BOARD OF COMMISSIONERS, ARKANSAS CITY, KANS.

Mr. CARLSON. Mr. President, the board of commissioners of the city of Arkansas City, Kans., recently adopted a resolution commending the late Senator Robert S. Kerr for his devotion to public office and for his untiring efforts in behalf of the people and recommended that the lake to be created on the Arkansas River east of Ponca City, Okla., be called Lake Robert S. Kerr.

I ask unanimous consent that the resolution be made a part of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 14

Resolution commending Robert S. Kerr for his devotion to public office and for his untiring efforts on behalf of the people, and recommending that the lake to be created on the Arkansas River east of Ponca City, Okla., should be called Lake Robert S. Kerr

Whereas the Honorable Robert S. Kerr, as Senator of the State of Oklahoma, devoted his life to the people of this State: Therefore be it

Resolved by the Board of Commissioners of the City of Arkansas City, Kans.,

SECTION 1. That we take this opportunity of commending the great public services of Senator Robert S. Kerr and attempt to express in part the loss suffered by people in all walks of life in the death of Robert S. Kerr.

SEC. 2. That this commission recommends to the proper authorities that the lake to be created on the Arkansas River east of Ponca City, Okla., should be called Lake Robert S. Kerr in partial recognition of the contribution of the late Robert S. Kerr to the State of Oklahoma.

Passed and approved this 4th day of February 1963.

RICHARD C. YOUNG, Jr.,
Mayor.

Attest:

JAMES F. CLOUGH,
[SEAL] *City Clerk.*

RESOLUTION OF COUNCIL OF DELEGATES OF THE NATIONAL ASSOCIATION OF WOMEN LAWYERS

Mr. FULBRIGHT. Mr. President, at its midyear meeting in New Orleans on February 3, the council of delegates of the National Association of Women Lawyers passed a resolution concerning Cuba. The president of the association is Miss Dorothy M. Orsini, of Little Rock, a distinguished member of the Arkansas bar. I ask unanimous consent that the resolution referred to may be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas recent negotiations concerning offensive armaments in Cuba have shown that the Soviet Union completely dominates Cuba, even to the basic element of control of its military forces, as admitted by Fidel Castro in his statement that strategic weapons "remain under the direction of Soviet personnel and also remain as the property of the Soviet Union"; and

Whereas such Soviet domination has resulted in deprivation of rights of labor, property, and of all political rights of the Cuban people, and complete disregard of all rules of international law, in violation of foreign embassies, subversive activities directed against governments in this hemisphere, and the mounting of armed expeditions sent to invade other countries in this hemisphere; and

Whereas these known developments establish the fact that Cuba has become a colonial dependency of the Soviet Union, in direct contravention of the Monroe Doctrine, which states: "The American continents, by the free and independent condition that they have assumed and maintain, are henceforth not to be considered as subject for future colonization by any of the European powers": Now, therefore, be it

Resolved, That we, the members of the National Association of Women Lawyers, go on record as supporting the President and the Congress of the United States toward enforcement of the Monroe Doctrine and the elimination of extension of an alien system to this hemisphere through colonization by a foreign power, and that a copy of this resolution be sent to the President of the United States and the Members of the Congress of the United States.

Attest:

COULA P. BUTLER,
Recording Secretary.

TAX CUT AND GOVERNMENT EXPENDITURES—RESOLUTION OF DELAWARE STATE GRANGE

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Delaware State Grange. The resolution advises the U.S. Senators and Representatives from Delaware that the Grange does not support a tax cut unless Government expenditures and the national debt are also curbed.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION NO. 5 ADOPTED

Whereas a cut in Federal taxes sounds like welcome news to anyone's pocketbook; but

Whereas we realize that a successful business cannot reduce income without reducing outgo at the same time, and that this basic principle applies to government as well as business: Be it

Resolved, That this Delaware State Grange session advise our U.S. Senators and Representatives that we do not support a tax cut unless Government expenditures and national debt are also curbed. Economies in Government and elimination of overlapping and unnecessary agencies could save money for the taxpayers without cutting vital Government functions, if both legislative and executive branches of the Government would diligently apply themselves to the task of spending the tax dollar wisely.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CARLSON:

S. 778. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes; and

S. 779. A bill to amend title 39, United States Code, to provide for the indemnification of mail contractors in connection with the cancellation by the Postmaster General of certain contracts for the transportation of mail; to the Committee on Post Office and Civil Service.

S. 780. A bill for the relief of Anton August Meyer; and

S. 781. A bill for the relief of Mrs. David Ishmael, Manhattan, Kans.; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 782. A bill to amend the National Housing Act to prohibit the use of foreign lumber or other wood products in any construction or rehabilitation covered by Federal Housing Administration-insured mortgages; to the Committee on Banking and Currency.

By Mr. MONRONEY:

S. 783. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the condemnation of certain property by the United States or a State, or from the sale of such property to the United States or a State under threat or imminence of condemnation; to the Committee on Finance.

(See the remarks of Mr. Monroney when he introduced the above bill, which appear under a separate heading.)

By Mr. ENGLE:

S. 784. A bill to promote the conservation of the Nation's migratory waterfowl within the Pacific flyway and to provide for the cooperative management of the land, water and wildlife resources in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges and the Klamath reclamation project in Oregon and California, and for other purposes; and

S. 785. A bill to amend the act of September 26, 1950, to enlarge the service area of the Sacramento canals unit of the Central Valley project to include Yolo and Solano Counties, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. BURDICK:

S. 786. A bill to provide for a scenic parkway connection between units of the Theodore Roosevelt National Memorial Park, N. Dak., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PASTORE:

S. 787. A bill for the relief of Zofia Miecielica; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S. 788. A bill for the relief of Antonios Giannopoulos; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 789. A bill for the relief of Sister Maria Clotilde Costa; to the Committee on the Judiciary.

By Mr. KUCHEL (for Mr. Tower):

S. 790. A bill for the relief of Lolita G. Soriano; and

S. 791. A bill for the relief of Yao Peng; to the Committee on the Judiciary.

(See the remarks of Mr. Kuchel when he introduced the above bills for Mr. Tower, which appear under a separate heading.)

By Mr. HART (for himself and Mr. McNamara):

S. 792. A bill to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. KUCHEL (for himself and Mr. Robertson):

S. 793. A bill to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA:

S. 794. A bill to amend Public Law 85–752 to give the Federal courts discretion to sentence thereunder certain narcotics addicts convicted of violating a law of the United States relating to narcotics drugs or marihuana, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 795. A bill to amend the Federal Seed Act, as amended, with respect to screenings of seed; and

S. 796. A bill to eliminate the category of the "wheat unfit for human consumption" for the purposes of section 22 of the Agricultural Adjustment Act of 1933, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. METCALF (for Mr. Anderson):

S. 797. A bill for the relief of Manuel Auad; to the Committee on the Judiciary.

By Mr. McCARTHY:

S. 798. A bill to authorize the sale, without regard to the 6-month waiting period prescribed, of cadmium proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act; and

S. 799. A bill to authorize the Secretary of the Army to convey to the city of St. Paul, Minn., all right, title, and interest of the United States in and to certain lands heretofore conveyed to such city; to the Committee on Armed Services.

S. 800. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education;

S. 801. A bill to amend the Internal Revenue Code of 1954 to allow an additional exemption to a taxpayer whose spouse is a full-time student and is receiving over half his support from the taxpayer; and

S. 802. A bill to amend the Internal Revenue Code of 1954 so as to allow an exemption for certain dependents whose gross income exceeds $600; to the Committee on Finance.

By Mr. BIBLE:

S. 803. A bill for the relief of Siua Vakauta (Siosiua Vaka'uta); to the Committee on the Judiciary.

By Mr. BIBLE (by request):

S. 804. A bill to authorize the Commissioners of the District of Columbia to construct service roadways for public parking of motor vehicles on Connecticut Avenue NW.; to the Committee on the District of Columbia.

By Mr. DODD:

S. 805. A bill for the relief of Jesus Miguez Miguez and Camilo Sotelino Miguez; to the Committee on the Judiciary.

By Mr. CARLSON (for Mr. Mechem):

S. 806. A bill for the relief of Manuel Lopez-Perez; to the Committee on the Judiciary.

By Mr. LAUSCHE (for himself and Mr. Hickenlooper):

S. 807. A bill to encourage local and State initiative in urban transit development and to preserve the status of privately owned local carriers, and for other purposes; to the Committees on Commerce and Finance.

(See the remarks of Mr. Lausche when he introduced the above bill, which appear under a separate heading.)

By Mr. THURMOND:

S.J. Res. 42. Joint resolution proposing an amendment to the Constitution of the United States providing for the establishment of a Court of the Union; and

S.J. Res. 43. Joint resolution proposing an amendment to the Constitution of the United States relating to the process of amending the Constitution; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

TO REQUEST THE PRESIDENT OF THE UNITED STATES TO URGE CERTAIN ACTIONS IN BEHALF OF LITHUANIA, ESTONIA, AND LATVIA

Mr. KUCHEL submitted a concurrent resolution (S. Con. Res. 15) to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Kuchel, which appears under a separate heading.)

STUDIES CONCERNING REMAINING SHORELINE RECREATION SITES AND AREAS ALONG RIVERS OF THE UNITED STATES

Mr. METCALF (for himself and Mr. Miller) submitted a concurrent resolution (S. Con. Res. 16) favoring studies concerning remaining shoreline recreation sites and areas along rivers of the United States, which was referred to the Committee on Interior and Insular Affairs.

(See the above concurrent resolution printed in full when submitted by Mr. Metcalf, which appears under a separate heading.)

MAINTENANCE OF DIPLOMATIC RELATIONS WITH LATVIA, LITHUANIA, AND ESTONIA

Mr. WILLIAMS of New Jersey submitted a concurrent resolution (S. Con. Res. 17) maintaining diplomatic relations with Latvia, Lithuania, and Estonia, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Williams of New Jersey, which appears under a separate heading.)

EXCLUSION FROM GROSS INCOME OF THE GAIN REALIZED FROM CONDEMNATION OF CERTAIN PROPERTY

Mr. MONRONEY. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954, so as to exclude from gross income the gain realized from the condemnation of certain property by the United States or a State, or from the sale of such property to the United States or a State under threat or imminence of condemnation.

This bill seeks to ease some unnecessary hardships involved when a State or the Federal Government condemns property for public use and forces the property owner to sell. Section 1033(g) of the Internal Revenue Code currently provides that the property owner whose land is condemned must reinvest the process of the sale in property of "like kind," or else face the possibility of tax consequences.

The establishment of the "like kind" test is a recognition that special tax treatment is warranted in cases of condemned property, but it is not enough. Severe hardships can be caused by this requirement, particularly for elderly people who have held their property for a long period of time.

In my own State of Oklahoma, many instances of hardship resulting from the inadequacy of section 1033(g) can be found. Oklahoma is engaged in an extensive water resource development program, and is constructing many new roads and highways. In many instances, this requires the condemnation of private property. Ours is a young State. A great many of our property owners came to Oklahoma as homesteaders, and purchased their land at very low prices. They have worked their land ever since, and have seen its value increase many times. These people are now elderly. When their land is condemned, they find it very difficult to pull up stakes and start anew. They are nearly always unwilling sellers; but when they must sell, many of them would prefer to keep the proceeds or invest them in securities, and then enter a deserved retirement. Yet, because of the great increase on their original investment, our current tax law has the effect of forcing them to plow back into property of "like kind" the money representing their entire estate.

No matter what high-sounding arguments are made by tax specialists, the hard truth of the matter is that it can prove well-nigh impossible to duplicate satisfactorily a piece of income-producing property which is condemned by the public authorities.

The case of the elderly property owner is just one of the more obvious types of hardship caused by the existing law. A strong case for remedial legislation can be based on principle alone. In a condemnation sale, the State or the Federal Government is the moving force. At the present time, the Government takes the property for a public purpose—in the vast majority of cases, against the wishes of the property owner—and then, through economic pressures in the Federal tax law, restrictions are placed on what the property owner can do with the proceeds. The "like kind" requirement appears to be aimed at the speculator who purchases a piece of land solely in order to make a profit when it is condemned; but I assert that this is like using a hatchet when a scalpel is needed for the job.

It is true that the Treasury and the courts have tended toward a liberal construction of what constitutes property of "like kind." We can be thankful for this tendency, but it cannot correct the basic fault of the statute. While the "like kind" test may be effective against pure speculation, it is artificial and unwarranted when applied to the usual type of condemnation sale.

The bill I now introduce expressly excludes "property held by an individual who is engaged in the trade or business of selling the property condemned or sold under threat or imminence of condemnation." It also imposes a requirement that the property must have been held by the taxpayer for more than 3 years. Section 1033(g) and its "like kind" test would still be applicable to property not held for more than 3 years. These two provisions adequately cover cases of speculation.

Mr. President, this is a needed piece of legislation. It deserves prompt attention by the Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 783) to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the condemnation of certain property by the United States or a State, or from the sale of such property to the United States or a State under threat or imminence of condemnation, introduced by Mr. MONRONEY, was received, read twice by its title, and referred to the Committee on Finance.

INTRODUCTION OF PRIVATE BILLS BY REQUEST

Mr. KUCHEL. Mr. President, the junior Senator from Texas [Mr. TOWER] is absent today. He desires to have introduced two private bills. I ask unanimous consent that the two private bills of the junior Senator from Texas [Mr. TOWER] may be received and appropriately referred.

The VICE PRESIDENT. Without objection, it is so ordered.

The bills, introduced by Mr. KUCHEL (for Mr. TOWER), were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 790. A bill for the relief of Lolita G. Soriano; and

S. 791. A bill for the relief of Yao Peng.

THE SLEEPING BEAR DUNES NATIONAL LAKESHORE, MICHIGAN

Mr. HART. Mr. President, I introduce, for appropriate reference, on behalf of myself and my colleague, the senior Senator from Michigan [Mr. McNAMARA], a bill to establish the Sleeping Bear Dunes National Lakeshore in Michigan.

This is the third Sleeping Bear bill we have introduced. Considerable progress has been made in finding areas of agreement and resolving the difficult questions that arose when this proposal was first put into legislative form in 1961. Prior to the introduction of the first bill, intensive survey and study of the area was made by the National Park Service, and the Michigan Parks Association had testified before the Congress on the importance of Federal action to preserve the Sleeping Bear Dunes area.

The Sleeping Bear Dunes area was 1 of 12 remaining portions of our Nation's shorelines designated in national surveys as deserving of national preservation. Three of these areas are now protected under acts of Congress—Cape Cod National Seashore, Point Reyes National Seashore in California, and Padre Island National Seashore in Texas. The Sleeping Bear Dunes on the Great Lakes should be the next national area along our shorelines stabilized and protected for present and future generations.

We intend to press the bill with all possible vigor and are hopeful that it will pass the Congress this session.

There are many features in the Sleeping Bear Dunes area that add to the desirability of Federal action. These include long stretches of undeveloped Lake Michigan shoreline, beautiful dunes, picturesque offshore islands, geological and scientific examples of ice age actions unequaled anywhere in the Great Lakes area, and vistas across inland lakes where the setting has been undisturbed by careful development. The opportunities for overlooks, scenic drives, campsites, bathing beaches, trails, boat rides, and scientific study are all found in this area.

Within the 77,000 acres set forth as suggested boundaries in this bill, there are some 50,000 privately owned undeveloped acres of land. It is primarily to these that the bill is directed, and that would be authorized for acquisition by Federal funds.

There are also, within these boundaries, areas of private home and cottage developments, which as presently maintained, in no way detract from the enjoyment of the area or the beauty of the vistas. These areas are primarily around the inland lakes. The bill seeks to stabilize the development in these areas, so that cottage and homeowners could continue to own their homes in perpetuity, and visitor facilities be developed in a manner that would protect the privacy of these homeowners.

Building on the experience gained from the enactment of the Cape Cod Seashore Act, many conferences and meetings with interested groups in the region and throughout the State, and hearings held in the area, we have evolved a formula which we believe to be sound and fair in treating both the public and private interests.

Now that the idea of a national park development in the region is gaining support, and will likely come into being, it is our belief that many of the homeowners will want to review the advantages to them of private homeownership within the Lakeshore boundaries as suggested in this new bill, as against ownership in immediately adjacent areas where commercial and residential development will properly increase.

In our continuing efforts to improve the proposal, several changes have been made in the new bill. Some of these were suggested by the West Michigan Tourist Association, the Michigan Parks Association, and the Michigan Department of Conservation as well as residents within the area.

Significant changes include:

First. Minimum zoning requirements for private property within the park are spelled out in detail. These requirements would be incorporated into local ordinances, as is being done today at the Cape Cod National Seashore. The zoning requirements would not be retroactive. The Secretary of Interior is specifically prohibited from acquiring by condemnation homes and businesses covered by such zoning or used in conformity with the minimum zoning standards in the bill.

Second. The hardship clause in the previous bill has been strengthened. This clause requires the Interior Department to purchase within 1 year the property of any owner who desires to make a voluntary sale to the Government and proves hardship.

Third. The reason for inclusion of inland lake areas back from the Michigan shoreline is more clearly spelled out as a policy statement in the bill. The objective is not to acquire or disturb homes and developed areas, but to stabilize the development of the shorelines of the inland lakes as they are today. Such an objective should provide for permanent protection and enjoyment of vistas and scenery unequaled in the Great Lakes while providing for continued private ownership of homes.

Other changes are set forth in the bill and in the section-by-section summary.

There will be remaining questions, of course. Basic, as I said, is the question of appropriate boundaries, both the overall boundaries and those of the inland lakeshore residential areas. A number of suggestions have been offered to us, many of which make good sense. Although in this bill we are not proposing any changes, we will want to be flexible and in due course such adjustments will be made as the full hearing record dictates. The objective should remain that of preserving the beautiful features of the area to the public for years to come. The questions will be resolved through the legislative process, including committee hearings.

There is little doubt that Michigan and the populous Midwest need this park. A really adequate park is vital to Michigan's tourist economy, especially as we look at the programs for park and tourist development in neighboring Canada. It will generate hundreds of jobs and attract tourists not only from the Midwest but from all over the Nation.

It is with these thoughts in mind that the senior Senator from Michigan [Mr. McNamara] and I introduce this new Sleeping Bear Dunes bill.

I ask unanimous consent that the summary of the bill, together with the text, be printed at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the Record.

The bill (S. 792) to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore, and for other purposes, introduced by Mr. Hart (for himself and Mr. McNamara), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to stabilize and preserve for the benefit, inspiration, education, recreational use, and enjoyment of the public a significant portion of the diminishing shoreline of the United States and its related geographic and scientific features, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to take appropriate action, as herein provided, to establish in the State of Michigan the Sleeping Bear Dunes National Lakeshore.

(b) In preserving the lakeshore and stabilizing its development, substantial reliance shall be placed on cooperation between Federal, State, and local governments to apply sound principles of land use planning and zoning. In developing the lakeshore full recognition shall be given to protecting the private properties for the enjoyment of the owners.

Sec. 2. The area comprising that particular land and water depicted on the map identified as numbered NS-SBD-7000, "Proposed Sleeping Bear Dunes National Seashore", dated June 15, 1961, which is on file and available for public inspection in the office of the National Park Service of the Department of the Interior, is hereby designated for establishment as the Sleeping Bear Dunes National Lakeshore. An exact copy of such map shall be filed for publication in the Federal Register within thirty days following the date of enactment of this Act.

Sec. 3. As soon as practicable after the date of enactment of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area designated for inclusion in the lakeshore which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Sleeping Bear Dunes National Lakeshore by publication of notice thereof in the Federal Register.

Sec. 4. (a) There is hereby established a Sleeping Bear Dunes National Lakeshore Advisory Commission.

(b) The Commission shall be composed of ten members, each appointed for a term of two years by the Secretary, as follows:

(1) Four members to be appointed from recommendations made by the counties in which the lakeshore is situated, two members to represent each such county;

(2) Four members to be appointed from recommendations made by the Governor of the State of Michigan; and

(3) Two members to be designated by the Secretary.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(e) The Secretary or his designee shall consult with the Commission with respect to matters relating to the development of the lakeshore and with respect to the provisions of sections 9, 12, and 13 of this Act.

(f) Any member of the Commission appointed under this Act shall be exempted, with respect to such appointment, from the operation of sections 281, 283, 284, and 1914 of title 18 of the United States Code and section 190 of the Revised Statutes (5 U.S.C. 99), except as otherwise specified in subsection (g) of this section.

(g) The exemption granted by subsection (f) of this section shall not extend—

(1) to the receipt or payment of salary in connection with the appointee's Government service from any source other than the private employer of the appointee at the time of his appointment; or

(2) during the period of such appointment, and the further period of two years after the termination thereof, to the prosecution or participation in the prosecution, by any person so appointed, of any claim against the Government involving any matter concerning which the appointee had any responsibility arising out of his appointment during the period of such appointment.

Sec. 5. In administering the lakeshore the Secretary shall permit hunting and fishing on lands and waters under his jurisdiction in accordance with the laws of Michigan. The Secretary, with the approval of the Michigan Department of Conservation, may designate zones and establish periods where and when no hunting shall be permitted for reasons of public safety, administration, or public use and enjoyment. The Secretary shall, after consultation with such department, issue regulations, consistent with this section, as he may determine necessary to carry out the purposes of this section. The Secretary shall enter into agreement with the Michigan Department of Conservation providing for concurrent jurisdiction over the enforcement of the applicable hunting and fishing laws of Michigan.

Sec. 6. (a) The administration, protection, and development of the lakeshore shall be exercised by the Secretary, subject to the provisions of this Act and of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.), as amended and supplemented, relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

(b) In the administration, protection, and development of the area, the Secretary shall prepare and implement a land and water use management plan, which shall include specific provision for—

(1) development of facilities to provide the benefits of public recreation;

(2) protection of scenic, scientific, and historic features contributing to public enjoyment; and

(3) such protection, management, and utilization of renewable natural resources as in the judgment of the Secretary is consistent with, and will further the purpose of, public recreation and protection of scenic, scientific, and historic features contributing to public enjoyment.

(c) In developing the lakeshore the Secretary shall provide public use areas in such places and manner as he determines will not diminish the value or enjoyment for the owner or occupant of any improved property located thereon.

Sec. 7. Nothing in this Act shall be construed as prohibiting any governmental jurisdiction in the State of Michigan from assessing taxes upon any interest in real estate retained under the provisions of section 10 of this Act to the owner of such interest.

Sec. 8. (a) The Secretary is authorized, subject to the limitations, conditions, and restrictions, imposed by this Act, to acquire the land, water, and other property, and improvements thereon, and any interests therein (including easements) comprising the area depicted on the map referred to in section 2 of this Act by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or condemnation; except that such authority to acquire by condemnation shall be exercised only in the manner and to the extent specifically authorized in this Act.

(b) In exercising his authority to acquire property under this Act, the Secretary shall give immediate and careful consideration to any offer made by an individual owning property within the lakeshore to sell such property to the Secretary. In any case in which an individual owning property within the lakeshore submits evidence to the Secretary that the continued ownership by such individual of that property would result in hardship to him, the Secretary shall immediately consider such evidence and, if he determines on the basis of that evidence that a hardship would so result, he shall, within the one year following the submission of such evidence, purchase such property if offered for a price which does not exceed its fair market value. In the event the owner and the Secretary cannot agree as to the fair market value, then, if the owner so requests, the United States district court, within whose jurisdiction such property is located, shall appoint three qualified persons who shall make an independent appraisal to determine the fair market value of such property and report such amount to the parties concerned and to the court. All costs of such appraisal shall be borne by the property owner.

(c) Any property or interests therein, owned by the State of Michigan, or any political subdivisions thereof, may be acquired only with the concurrence of such owner. Notwithstanding any other provision of law, any property owned by the United States on the date of enactment of this Act located within such area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for use by him in carrying out the provisions of this Act.

(d) With respect to that property which the Secretary is authorized to acquire by condemnation under the terms of this Act, the Secretary shall initiate no condemnation proceedings until after he has made every reasonable effort to acquire such property by negotiation and purchase. In the event the owner of such property and the Secretary cannot agree as to the fair market value of such property, then, if the owner so requests, the United States district court, within whose jurisdiction such property is situated, shall appoint three qualified persons who shall make an independent appraisal to determine the fair market value of such property and report such amount to the parties concerned and to the court. All costs of such appraisal shall be borne by the United States. In any case in which condemnation proceedings (where authorized under this Act) are initiated by the Secretary, no condemnation shall be ordered by the court in connection with such proceedings, if the Secretary fails to demonstrate to the court by substantial evidence that (1) he has specific authority under this Act to initiate such condemnation proceedings, and (2) he has complied with the provisions of this subsection and all other applicable provisions of this Act. If condemnation is thereafter ordered by the court, the owner of such property so condemned shall be paid the fair market value thereof as determined by the court entering such order.

(e) In any case where the owner and the United States agree, the power of condemnation may, notwithstanding any other provisions of this Act, be used as a means of acquiring a clear and marketable title, free of any and all encumbrances.

(f) In exercising his authority to acquire property by exchange, the Secretary may accept title to non-Federal property located within the area designated for inclusion and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary within such area. Properties so exchanged shall be approximately equal in value: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged. The Secretary shall report to the Congress on every exchange carried out under the authority of this Act within thirty days from its consummation, and each such report shall include a statement of the value of the properties involved and of any case in which equalization payments are made or received.

SEC. 9. (a) The Secretary shall, at the request of any township or county in or adjacent to the lakeshore affected by this Act, assist and consult with the appropriate officers and employees of such township or county in establishing zoning bylaws for the purpose of this Act. Such assistance may include payments to the county or township for technical aid.

(b) No property situated within an inland lakeshore residential area or improved property located within an area designated for inclusion in the lakeshore shall be acquired by the Secretary by condemnation during the one year period following the date of enactment of this Act. Thereafter the Secretary shall be prohibited from acquiring by condemnation any such property so long as the affected county or township has in force and applicable thereto a duly adopted, valid zoning bylaw approved by the Secretary in accordance with the provisions of subsection (d) of this section and the use of such property is in compliance therewith. In the event that the affected county or township does not have in effect and applicable to any such property a duly adopted, valid zoning bylaw so approved, the Secretary shall be prohibited from acquiring such property by condemnation, if the owner thereof notifies the Secretary in writing of such owner's agreement to use his property in a manner consistent with the applicable standard set forth in subsection (d) of this section, and such prohibition against condemnation shall remain in effect for so long as such property is so used.

(c) If the Secretary determines that any such property referred to in subsection (b) of this section covered by any such bylaw is being used in a way which is not in substantial compliance with such bylaw, or that any such property referred to in subsection (b) with respect to which an agreement has been made is being used in a manner which is not substantially consistent with such applicable standards, he shall so notify the owner of any such property in writing. Such notice shall contain a detailed statement as to why the Secretary believes that such use is not in substantial compliance with such zoning bylaw or why such use is not substantially consistent with such applicable standards, as the case may be. Any such owner shall have sixty days following the receipt by him of that written notification within which to discontinue the use referred to in such notification. Discontinuance of such use within such sixty-day period shall have the effect of prohibiting the Secretary from acquiring such property by condemnation by reason of such use. In any case in which such use is not discontinued within such sixty-day period and condemnation proceedings are thereafter initiated by the Secretary, no condemnation shall be ordered in any such proceedings if the Secretary fails to demonstrate to the court by substantial evidence that such a use was not in substantial compliance with such bylaw or was not substantially consistent with such applicable standards.

(d) Any zoning bylaw or amendment thereto submitted to the Secretary for approval for the purposes of this Act shall be approved by him if such bylaw or amendment contains provisions which:

(1) contribute to the effect of prohibiting the commercial and industrial use (other than a use for a commercial purpose as authorized under section 13 of this Act) of all property within the boundaries of such area which is situated within the county or township adopting such bylaw or amendment;

(2) are consistent with the objectives and purposes of this Act so that, to the extent possible under Michigan law, the scenic and scientific values of the lakeshore area will be protected;

(3) are designed to preserve the lakeshore character of the area by appropriate restrictions upon the burning of cover, cutting of timber (except tracts managed for sustained yield), removal of sand or gravel, and dumping, storage, or piling of refuse and other unsightly objects or other uses which would detract from the natural or traditional lakeshore scene;

(4) provide that no construction, reconstruction, moving, alteration, or enlargement of any property within any inland lakeshore residential area shall be permitted, if such construction, reconstruction, moving, alteration, or enlargement would afford less than a 50-foot setback from all streets measured at a right angle with the street line, and a 25-foot distance from the abutters' property lines;

(5) provide that no moving, alteration, reconstruction, or enlargement of any improved property within the lakeshore area shall be permitted, if such moving, alteration, reconstruction or enlargement would afford less than a 50-foot setback from all streets measured at a right angle with the street line, and a 25-foot distance from the abutters' property lines. Any owner or zoning authority may request the Secretary of the Interior to determine whether a proposed move, alteration, construction, reconstruction, or enlargement of any such property would subject such property to acquisition by condemnation, and the Secretary, within sixty days of the receipt of such request, shall advise the owner or zoning authority in writing whether the intended use will subject the property to acquisition by condemnation; and

(6) have the effect of providing that the Secretary shall receive notice of any variance granted under and of exception made to the application of such bylaw or amendment.

(e) The approval of any bylaw or amendment pursuant to subsection (d) shall not be withdrawn or revoked by the Secretary for so long as such bylaw or amendment remains in effect as approved. Any such bylaw or amendment so approved shall not be retroactive in its application.

SEC. 10. (a) Any owner or owners of property situated within an inland lakeshore residential area or of improved property located within the area designated for inclusion in the lakeshore on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain, for a term of not to exceed twenty-five years, or for a term ending at the death of such owner or owners, the right of use and occupancy of such property for any residential purpose which is not incompatible with the purposes of this Act or which does not impair the usefulness and attractiveness of the area designated for inclusion. The Secretary shall pay to the owner the value of the property on the date of such acquisition, less the value on such date of the right retained by the owner. Where any such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased for noncommercial residential purposes in accordance with the provisions of this section.

(b) Any deed or other instrument used to transfer title to property, with respect to which a right of use and occupancy is retained under this section, shall provide that such property shall not be used for any purpose which is incompatible with purposes of this Act, or which impairs the usefulness and attractiveness of such area and if it should be so used, the Secretary shall have authority to terminate such right. In the event the Secretary exercises his power of termination under this subsection he shall pay to the owner of the right terminated an amount equal to the value of that portion of such right which remained unexpired on the date of such termination.

SEC. 11. As used in this Act, the term "improved property" means a detached, one-family dwelling, construction of which was begun before July 1, 1961, together with so much of the land on which the dwelling is situated, such land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the lands so designated. The amount of the land so designated shall in every case be at least three acres in area, or all of such lesser acreage as may be held in the same ownership as the dwelling, and in making such designation the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided, however*, That the Secretary may exclude from the land so designated any beach or waters on Lake Michigan, together with so much of the land adjoining any such beach or waters, as the Secretary may deem necessary for public access thereto. If the Secretary makes such exclusion, an appropriate buffer zone shall be provided between any residence and the public access or beach.

SEC. 12. (a) Inland lakeshore residential areas are established under this Act to stabilize and protect the existing character and uses of the properties within these areas in order to preserve the scenic vistas and shorelines around the inland lakes. Except as provided in section 9, the Secretary is prohibited from acquiring any property within the inland lakeshore residential areas by condemnation.

(b) In addition to the areas described in subsection (d), additional acreage may be designated for inclusion in inland lakeshore residential areas, except that the total combined acreage of all inland lakeshore residential areas shall not exceed, in the aggregate, 3,500 acres. This additional acreage shall be in close proximity to the shorelines of the inland lakes, or the areas described in subsection (d), but in no event shall any additional acreage be added under this subsection if the effect of such addition would be to include substantially the entire shoreline of an inland lake within an inland lake residential area. This designation shall be made by the Secretary only upon recommendation and after consultation with the Lakeshore Advisory Commission.

(c) No new public use or access areas shall be opened or developed in the inland lakeshore residential areas by the Secretary for a period of twenty-five years from the establishment of the lakeshore.

(d) As used in this Act, the term "inland lakeshore residential area" means in part the following described areas together with adjacent waters:

PLATTE LAKE INLAND LAKESHORE RESIDENTIAL AREA NUMBERED 1

Beginning at the point of intersection of the east line of section 36, township 27 north, range 15 west with the south shore of Little Platte Lake, thence south to the northeast corner of section 1, township 26 north, range 15 west thence west along the north line of section 1 to the point of intersection with the east one-sixteenth longitudinal line of section 1, thence south along the east one-sixteenth longitudinal line to its point of intersection with the east right-of-way of Deadstream Road, thence southeasterly along the east right-of-way of Deadstream Road a distance of one-quarter mile, then due west to the shore of Platte Lake, thence northwesterly along the shore of Platte Lake to its point of intersection with the east one-sixteenth longitudinal line of section 27, township 27 north, range 15 west, thence continuing westerly along the shore of Platte Lake a distance of 300 feet, thence north to the south right-of-way of Michigan Highway 22, thence easterly along the south right-of-way of Michigan Highway 22 to a point of intersection with the east right-of-way with Deadstream Road, thence continuing easterly along the south right-of-way of Michigan Highway 22 for 250 feet, thence continuing south and southeasterly along a line 250 feet distant from and parallel to the east right-of-way of Deadstream Road until said line intersects the west line of section 27, township 27 north, range 15 west, thence south to the east right-of-way of Deadstream Road, thence continuing southeasterly along the east right-of-way of Deadstream Road to a point on the east right-of-way of Deadstream Road which point is northwesterly 1,600 feet along the east right-of-way of Deadstream Road from the point of intersection of the east right-of-way of Deadstream Road and the east line of section 35, township 27 north, range 15 west, thence north 25 degrees east to the south shore of Little Platte Lake, thence southeasterly along the south shore of Little Platte Lake to point of beginning.

PLATTE LAKE INLAND LAKESHORE RESIDENTIAL AREA NUMBERED 2

Beginning at a point on the south line of section 34, township 27 north, range 15 west, which point is 660 feet east of the southwest corner of section 34, thence east 1,056 feet, thence north to shore of Platte Lake, thence southeasterly along the shore of Platte Lake to its point of intersection with the north line of section 12, township 27 north, range 15 west, thence west along the north line of section 12 to the northeast corner of the northwest quarter, northwest quarter, section 12, thence south a distance of 1,320 feet more or less to south right-of-way of a public highway, thence westerly along the south right-of-way of said public highway to the east line of section 11, township 26 north, range 15 west, thence south on east line of section 11 to the northeast corner, southeast quarter southeast quarter northeast quarter, section 11, thence west 660 feet, thence north 660 feet, thence west 660 feet, thence north to a point 300 feet south of north line of section 11, thence west to the west line of section 11, thence north 300 feet more or less to the south right-of-way of a public highway, thence northwesterly along the south right-of-way of said public highway to its point of intersection with the east-west quarter line of section 3, township 26 north, range 15 west, thence west along the east-west quarter line to a point 660 feet east of the northwest corner northwest quarter southwest quarter, section 3, thence north to point of beginning.

PLATTE LAKE INLAND LAKESHORE RESIDENTIAL AREA NUMBERED 3

Beginning at a point on the east line of section 33, township 27 north, range 15 west, which point is 1,056 feet north of the southeast corner of section 33, thence west 330 feet more or less to the north right-of-way of a public highway, thence west along the north right-of-way of said public highway to its point of intersection with the east sixteenth longitudinal line of section 33, thence north to the northeast corner of the northwest quarter southeast quarter of section 33, thence east to the shore of Platte Lake, thence southeasterly along the shore of Platte Lake to its point of intersection with the east line of section 33, thence south along the east line of section 33 to point of beginning.

PLATTE LAKE INLAND LAKESHORE RESIDENTIAL AREA NUMBERED 4

Beginning at the point of intersection of the west line of section 27, township 27 north, range 15 west with the south right-of-way of Michigan Highway 22, thence northeasterly along the south right-of-way of Michigan Highway 22 to its point of intersection with the west sixteenth longitudinal line of section 27, thence south along the west sixteenth longitudinal line to the southwest corner, northeast quarter southwest quarter of section 27, thence east 500 feet, thence south to the north shore of Platte Lake, thence southwesterly along the shore of Platte Lake to its point of intersection with the north sixteenth latitudinal line of section 33, township 27 north, range 15 west, thence west 200 feet along the north sixteenth latitudinal line of section 33, thence north to the north line of section 33, thence east to the southwest corner of section 27, township 27 north, range 15 west, thence north along the west line of section 27 to point of beginning.

LITTLE TRAVERSE LAKE INLAND LAKESHORE RESIDENTIAL AREA NUMBERED 1

Beginning at the point of intersection of the north shore of Little Traverse Lake with the north-south quarter section line of section 10, township 29, north, range 13 west, thence north along the north-south quarter section line a distance of 280 feet, more or less, to the north right-of-way of a public road encircling the north shore of Little Traverse Lake, thence easterly along the north right-of-way of said public road to point where it intersects the north-south quarter section line of section 12, township 29 north, range 13 west, thence west to the shore of Little Traverse Lake, thence westerly along the north shore of Little Traverse Lake to point of beginning.

LITTLE TRAVERSE LAKE INLAND LAKESHORE RESIDENTIAL AREA NUMBERED 2

Beginning at the point of intersection of the south shore of Little Traverse Lake with the east line of section 14, township 29 north, range 13 west, thence south along the east line of section 14 to its intersection with the south right-of-way of Michigan Highway 22, thence westerly along the south right-of-way of Michigan Highway 22 to its point of intersection with the north-south quarter section line of section 14, thence south on the north-south quarter section line to its intersection with the east-west quarter section line, thence west on the east-west quarter section line to the west line of section 14, thence north on the west line of section 14 to the south shore of Little Traverse Lake, thence easterly along the shore of Little Traverse Lake to point of beginning.

GLEN LAKE INLAND LAKESHORE RESIDENTIAL AREA

Section 31, Township 29 North, Range 13 West

Beginning at the intersection of the south line of section 31 with the east right-of-way of County Highway 675, thence northerly along east right-of-way of County Highway 675 to the point of intersection with the west line of the southeast quarter of fractional northwest quarter, thence due north 880 feet more or less along the west sixteenth longitudinal line to the south right-of-way of a road running north-easterly across the northeast quarter of fractional northwest quarter, thence along south right-of-way to a point 100 feet west of the north-south quarter section line, thence north to the north line of section 31, thence west along the north section line, section 31 to point of intersection with the east right-of-way of County Highway 675.

Section 30, Township 29 North, Range 13 West

Thence along the east right-of-way of County Highway 675, across the extreme southwest corner of section 30, township 29 north, range 13 west.

Section 36, Township 29 North, Range 14 West

Thence continuing along east right-of-way of County Highway 675 across the extreme northeast corner of fractional section 36.

Section 25, Township 29 North, Range 14 West

Thence northerly along the east right-of-way of County Highway 675 to the north line of section 25.

Section 24, Township 29 North, Range 14 West

Thence continuing northwesterly along the east right-of-way of County Highway 675 to the projected intersection of the west right-of-way of a north-south county road in the northwest quarter southwest quarter of section 25, thence southerly along the north-south county road to the south line of section 24.

Section 25, Township 29 North, Range 14 West

Thence south along the east right-of-way of said county road, 1,100 feet more or less to intersection with an east-west county road, thence westerly along the north right-of-way of the east-west county road to the west line of section 25, township 29 north, range 14 west.

Section 26, Township 29 North, Range 14 West

Thence continuing westerly along the north right-of-way of said county road from the east line of section 26 to a point where the north right-of-way intersects the north line Government lot 3 to section 26, township 29 north, range 14 west, thence west along north line of Government lot 3 to the west line of section 26, township 29 north, range 14 west.

Section 27, Township 29 North, Range 14 West

Thence west along the north line of Government lot 1 to the northwest corner of Government lot 1, thence south on the west line of lot 1 to the south right-of-way of Lake Street, thence south along the south right-of-way of Lake Street to the intersection of a north-south county road, thence southwesterly along the west right-of-way of said county road to its intersection with Michigan Highway 22, thence across M22 to the west right-of-way, thence southwesterly along the west right-of-way of M22 to the south line of section 27, township 29 north, range 14 west.

Section 34, Township 29 North, Range 14 West

Thence west along the north line of section 34 to a point which is 400 feet west of the northeast corner of Government lot 1, section 34, township 29 north, range 14 west, thence south 200 feet, thence west 430 feet, thence south 805 feet, thence west 485 feet more or less to the west line of Government lot 1, thence south on the west line of Government lot 1 to the southwest corner Government lot 1, thence east 144 feet more or less to a point 661.49 west of the northeast corner of Government lot 2, section 55, township 29 north, range 14 west.

Thence south 8 degrees 45 minutes west 131.9 feet, thence north 81 degrees 02 minutes west 335.0 feet, thence south 8 degrees 45 minutes west 100 feet, thence south 30 degrees 37 minutes west 149 feet, thence south 89 degrees 38 minutes west 225.0 feet, thence south 18 degrees 13 minutes west 235 feet, thence north 71 degrees 30 minutes west 45 feet, thence south 18 degrees 30 minutes west 450 feet, thence south 71 degrees 30 minutes east 400 feet, thence south to the south line Government lot 2, thence east on the south line of Government lot 2 to a point 418.35 feet east of Glen Lake on the south line of Government lot 2.

Thence south 15 degrees 43 minutes west 100 feet, thence west 50 feet, thence south 2 degrees 59 minutes west 1,100.12 feet, thence west 43.1 feet, thence south 200 feet, thence west 50 feet, thence south 775 feet, thence west 225 feet, thence south 434 feet to the south line of section 34, township 29 north, range 14 west, thence east along the south line of section 34 to the west right-of-way of Michigan Highway 22.

Section 3, Township 28 North, Range 14 West

Thence south 24 degrees 36 minutes west to a point on the west right-of-way of M22 directly opposite a point on the centerline of M22 which is south 24 degrees 36 minutes west 387.4 feet from the north line of section 3, thence north 65 degrees west to a point which is 228.27 feet from the centerline of M22, thence south 25 degrees west 100 feet, thence south 65 degrees east 46.17 feet, thence south 25 degrees west 225 feet, thence north 65 degrees west 400 feet, thence south 27 degrees 15 minutes west 130 feet more or less to the north right-of-way of a public road listed as Forest Glen Road. Thence northwesterly along the north right-of-way of public road to the west line of section 3, township 28 north, range 14 west, thence south along west line of section 3 to the south right-of-way of said public road.

Section 4, Township 28 North, Range 14 West, and Section 33, Township 29 North, Range 14 West

Thence north 61 degrees 39 minutes west 186 feet along south right-of-way of said public road, thence south 16 degrees 28 minutes west 351.77 feet to the shore of Glen Lake, thence north 67 degrees 41 minutes west 200 feet, thence north 63 degrees 10 minutes west 160.48 feet, thence north 50 degrees 39 minutes west 39.52 feet, thence north 38 degrees 00 minute east 367.16 feet to south right-of-way of public road, thence northwesterly along the south right-of-way of public road, thence northwesterly along the south right-of-way of said public road to the west line of section 32.

Section 32, Township 29 North, Range 14 West

Thence continuing northwesterly along the south right-of-way of said public road to the north line of section 32, thence west along the north line of section 32 to the shore of Glen Lake.

Section 29, Township 29 North, Range 14 West

Thence continuing northwesterly along the shore of Glen Lake from the intersection of the shore of Glen Lake with the south line of section 29, township 29 north, range 14 west, to a point of intersection of the shore of Glen Lake with the east line of Government lot 2, thence north along the east line of Government lot 2 to the south sixteenth latitudinal line, thence west along the south sixteenth latitudinal line to its intersection with the west line of Government lot 2, section 29, township 29 north, range 14 west, thence south on the west line of Government lot 2 to the shore of Glen Lake.

Thence westerly and southerly along the shore of Glen Lake to a point 664.77 feet east and 1,308.75 feet north of the southwest corner of Government lot 1, section 29, township 29 north, range 14 west, thence north 89 degrees 39 minutes west 236.33 feet to the east right-of-way of Michigan Highway 109, thence southerly along the east right-of-way to a stake on the east right-of-way of M109 located north 345.5 feet and north 89 degrees 12 minutes east 1,190 feet from the northwest corner of Government lot 1, section 31, township 29 north, range 14 west.

Thence from stake on east right-of-way of M109 north 89 degrees 12 minutes east 229.5 feet, thence south 18 degrees 03 minutes west 400.0 feet.

Section 31, Township 29 North, Range 14 West

Thence south 89 degrees 12 minutes west 1,242.0 feet to the west line of Government lot 1, section 31, township 29 north, range 14 west, thence south along the west lines of Government lots 1, 2, and 3, section 31, to the southwest corner of Government lot 3, thence east on south line of Government lot 3 to the west right-of-way of M109 thence southeasterly along the west right-of-way to its intersection with the east line of section 31, township 29 north, range 14 west, thence north along east line of section 31 to the shore of Glen Lake.

Section 32, Township 29 North, Range 14 West

Thence from the intersection of the south shore of Glen Lake with the west line of section 32, township 29 north, range 14 west, southeasterly along the shore of Glen Lake to intersection with the south line of section 32.

Section 5, Township 28 North, Range 14 West

Thence from the intersection of the north line of section 5, township 28 north, range 14 west, and the south shore of Glen Lake southeasterly along the shore of Glen Lake to its intersection with the east line of section 5, township 28 north, range 14 west.

Section 4, Township 28 North, Range 14 West

Thence from the point of intersection of the shore of Glen Lake with the west line of section 4, township 28 north, range 14 west, south on the west line of section 4 to the south right-of-way of a public road lying on the south line of Government lot 5, thence east along south right-of-way of said public road to its intersection with Michigan Highway 22, thence east across M22 to the south right-of-way, thence northeasterly along M22 to a point 476.5 feet west and 1,519.0 feet north of the southeast corner of the southeast quarter of the southwest quarter of section 4, thence south 400 feet, thence east 476.5 feet, thence north on the east line of the southeast quarter southwest quarter, section 4, to a point of intersection with the south sixteenth latitudinal line, thence east on the south sixteenth latitudinal line to a point on the west boundary of a cemetery which point is north 89 degrees west 222.75 feet from the intersection of the south sixteenth latitudinal line with the east line of section 4, thence south to the southwest corner of said cemetery, thence south 89 degrees east 222.75 feet to the west line of section 4, thence continuing east on the same bearing 33 feet more or less to east right-of-way of a public highway.

Section 3, Township 28 North, Range 14 West

Thence north to a point 554.2 feet south and 33 feet east of the meander corner at the north end of the west line of section 3, township 28 north, range 14 west, thence east 233.0 feet, thence north 374.14 feet to centerline of a public highway, thence south 69 degrees 55 minutes east 49.01 feet, thence north 0 degree 47 minutes west 11.3 feet, thence east to north right-of-way of said public highway, thence southeasterly along north right-of-way of said highway to its intersection with the south right-of-way of a private road listed on the plot of McFarlane Woods numbered 2 as Beech Tree Road, thence southeasterly along the south right-of-way of Beech Tree Road to the northeast corner of lot numbered 14 of McFarlane Woods numbered 2, thence north 37 degrees 24 minutes east to the shore of Glen Lake, thence southeasterly along the shore of Glen Lake the intersection of the shore of Glen Lake with the south line of section 3, township 28 north, range 14 west.

Section 10, Township 28 North, Range 14 West

Thence from the intersection of the shore of Glen Lake with the north line of section 10, township 28 north, range 14 west, and continuing southeasterly along the shore of Glen Lake to the east line of section 10.

Section 11, Township 28 North, Range 14 West

Thence continuing from the intersection of the shore of Glen Lake with the west line of section 11, township 28 north, range 14 west, southeasterly along the shore of Glen Lake south 54 degrees 28 minutes east 525.6 feet, thence south 66 degrees 33 minutes east 900 feet, thence south to the north line of the southeast quarter southwest quarter, thence east to the northeast corner of the southeast quarter southwest quarter, thence north along the west line of the northwest quarter southeast quarter 726.0 feet, thence east 538.56 feet to centerline of highway, thence east to a point 626.0 feet west of the east line of section 11, township 28 north, range 14 west, thence north 544.5 feet more or less to south right-of-way of County Road 616, thence east along highway to the east line of section 11.

Section 12, Township 28 North, Range 14 West

Thence continuing east from the west line of section 12, township 28 north, range 14 west along the south right-of-way of County Road 616 to a point where the south right-of-way intersects the east-west quarter section line, thence continuing east to a point 2,090.0 feet east of northwest corner of the northwest quarter southwest quarter, thence north 5 degrees 02 minutes west to the south right-of-way of County Road 616, thence northeasterly along the south right-of-way of County Road 616 to a point where the south right-of-way bears north 11 degrees 22 minutes west, thence northerly along the east right-of-way of County Road 616 to the southwest corner of the village of Burdickville, thence north 52 degrees east along the south boundary of the village of Burdickville to the west right-of-way of Division Street, thence south 51 degrees east 22.0 feet, thence south 9 degrees west 244 feet, thence south 81 degrees east 165 feet, thence south 9 degrees west 20 feet, thence south 81 degrees east 148.5 feet, thence north 9 degrees east 264.0 feet to the south right-of-way of a public road, thence north 81 degrees west 148.5 feet along south right-of-way of said public road, thence northerly to a point on the north right-of-way directly opposite the point on the south right-of-way, thence north 112 feet to a point which is 257.7 feet east of the east right-of-way of Division Street on the north line of section 12, township 28 north, range 14 west.

Section 1, Township 28 North, Range 14 West

Thence beginning at a point 380.08 feet west of the southeast corner of Government lot 2, section 1, township 28 north, range 14 west, thence north 13.13 feet, thence north 42 degrees 35 minutes west to the south right-of-way of County Road 675, thence northeasterly along the south right-of-way of County Road 675 to its intersection with lot numbered 18 of "Billmans Pioneer Park", thence south 117.5 feet, thence continuing northeasterly along the south lines of lots numbered 18 to numbered 1 of "Billmans Pioneer Park" to a point of intersection with the east line of Government lot 2, section 1, township 28 north, range 14 west.

Section 6, Township 28 North, Range 13 West

Thence north 48 degrees east 110 feet, thence north 42 degrees west 115 feet, to west line of section 6, thence north along west section line to the east right-of-way of County Highway 675, thence northeasterly along County Highway 675 to the north line of section 6, township 28 north, range 13 west, and point of beginning.

SEC. 13. In any case, not otherwise provided for in this Act, the Secretary shall be prohibited from condemning any commercial property used for commercial purposes in existence on July 1, 1961, so long as the use thereof would further the purposes of this Act, and such use does not impair the usefulness and attractiveness of the area designated for inclusion in the lakeshore. The following uses, among others, shall be considered to be uses compatible with the purposes of this Act: Commercial farms, orchards, motels, rental cottages, camps, craft and art studios, marinas, medical, legal, architectural, and other such professional offices, and tree farms.

SEC. 14. The Secretary shall furnish to any interested person requesting the same, a certificate indicating, with respect to any property which the Secretary has been prohibited from acquiring by condemnation in accordance with provisions of this Act, that such authority is prohibited and the reasons therefor.

SEC. 15. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The summary presented by Mr. HART is as follows:

SUMMARY OF THE PROVISIONS OF THE HART-MCNAMARA SLEEPING BEAR DUNES BILL

PREAMBLE

The purpose of this bill is to preserve portions of the Michigan shoreline and related areas for the benefit and enjoyment of present and future generations through the establishment of a Sleeping Bear Dunes National Lakeshore.

Provision is made in the bill for continued private ownership of residential (improved and inland lakeshore) property in perpetuity. Provision is also made for continuation under private ownership of the many commercial uses compatible with the development of the Lakeshore.

Federal, State, and local governments all are to be involved in the planning and management of the land and water resources within the boundaries.

SECTION 2

Seventy-seven thousand acres of land and water on the Lake Michigan shore, including South Manitou Island, are designated as the area within which the Sleeping Bear Dunes National Lakeshore is to be developed.

SECTION 3

Within the boundaries established by section 2, the Secretary of the Interior is directed to establish the Sleeping Bear Dunes National Lakeshore when he determines that sufficient acreage has been acquired for efficient administration as a national lakeshore.

SECTION 4

This section provides for a Lakeshore Advisory Commission to serve and consult with the Secretary of the Interior. Four members would be appointed from nominations made by Benzie and Leelanau Counties, four from recommendations by the Governor of the State of Michigan, and two would be appointed by the Secretary of the Interior. The Secretary of the Interior is directed to consult with the Commission in developing the plans for the lakeshore. He is to consult with the Commission particularly on the problems of local zoning ordinances, the delineation of the inland lakeshore residential areas, and commercial activities permitted within the lakeshore.

SECTION 5

This section makes possible the continuation of hunting and fishing on the lands and waters within the lakeshore under the laws of the State of Michigan. The Secretary would obtain the approval of the Michigan Department of Conservation in designating zones and times when no hunting would be permitted because of public safety or intensive recreation use of an area. This section assures the continuing reliance upon the State conservation department to set overall policies protecting hunting and fishing activities.

SECTION 6

This section sets out in general terms the manner in which the Sleeping Bear Dunes National Lakeshore would be developed and administered. It provides for the same high standards maintained in other national parks and shore areas, but at the same time making allowances for the unique character of this particular area. In addition, the Secretary would be directed to develop a land and water use management plan which would recognize the importance of protecting and managing the renewable natural resources within the area. This is especially important in terms of management of the timber for wildlife purposes. Numerous conservation groups and the State conservation commission have underlined the importance of this language.

In developing the recreation and public use areas, the Secretary is directed to protect the property values and the privacy of private home and cottage owners located within the lakeshore. This is a key feature in the bill's policy, recognizing and establishing that private ownership within the lakeshore is compatible with the purposes of the lakeshore.

SECTION 7

Under this bill residential property may be retained in private ownership in perpetuity. Where this occurs, the property remains on the tax rolls. Under this section, if the owner prefers to take advantage of the provision for 25-year estate (sec. 10), section 7 authorizes the property to be taxed for local purposes.

This provision has been included because of the expressed desire of local school and county officials to minimize the tax loss in the period when undeveloped land would be acquired and before new development, brought into the counties as a result of the lakeshore, would increase the sources of revenue.

SECTION 8

This section gives the Secretary of the Interior authority to acquire property for this lakeshore and spells out the limitations which Congress would set on the Secretary's authority to acquire property.

Lands owned by the State of Michigan or by the counties could be acquired only with the consent of the State or counties. Authority to acquire by condemnation would be expressly limited as provided in sections 9 and 13. The Secretary is directed to make every reasonable effort to acquire property (which in almost every instance would be undeveloped property) through negotiation and voluntary sale. In the event that agreement over price is not reached voluntarily and the Secretary should move (where authorized) to acquire the property through condemnation proceedings, the bill makes it explicitly clear that the fair market value would in the final analysis be determined only pursuant to a court proceeding.

In hardship cases, where the owner desires to sell, a new provision has been written into this bill directing the Secretary, if he determines that hardship exists, to acquire the property within 1 year following the submission of the evidence.

SECTION 9

This section specifies that the Secretary is prohibited from acquiring by condemnation any improved property within the lakeshore and any property within an inland lakeshore residential area so long as approved zoning bylaws are in effect and the use of such property is in compliance therewith; or (in the absence of zoning) so long as the owner agrees to use his property in a manner consistent with certain standards which are set forth in the bill. This prohibition against condemnation is to remain in effect as long as the property is so used.

The Secretary is required to approve zoning bylaws if they conform to the standards specified in the bill. If the Secretary believes the zoning regulations or the agreement to conform to the standards, as the case may be, are not being complied with, he must give 60 days' notice in writing to the property owner. The owner may suspend further action on the part of the Secretary by discontinuing the use in question within such period. In any event, the Secretary must prove in court that such use was improper before condemnation can be ordered.

Thus, with guarantees against unsightly uses or undesirable commercial uses, private ownership of improved property can continue in perpetuity within the lakeshore. The zoning bylaws would not be retroactive.

SECTION 10

This section is of importance to those homeowners interested in voluntary sale of their property to the Government but desiring to retain the use of their home for their lifetime or a period of up to 25 years. The Secretary would pay cash to the owner based upon an agreed-upon price, less an amount representing the value of the years of use which the property owner would retain.

SECTION 11

This section defines the term "improved property." It means a one-family dwelling on which construction was begun prior to July 1, 1961, and land owned by the same owner up to 3 acres adjacent to his home.

The only exception involves homes fronting on Lake Michigan. In these instances, land which the Secretary might require for public access to Lake Michigan, adjacent to the home, could be acquired. Proper buffer zones would be maintained. This exception does not apply to lakeshore frontage on the inland lakes.

SECTION 12

The primary purpose of the inland lakeshore residential zones is to stabilize and protect the essential character of the residential resorts and homes presently in these areas. Their present continued private ownership and use in no way detract from the impressive vistas and settings around these beautiful lakes. The bill provides for continued development and use of these properties under private ownership in a manner that will protect the beauty of the region. It is to insure the stabilization of these areas, where over 60 percent of the homes within the boundaries are located, that they are suggested for inclusion within the Lakeshore boundaries. The most satisfactory proposal to date has been the creation of inland lakeshore residential zones where primary reliance on local zoning ordinances would insure continued private home ownership in perpetuity and preservation of scenic vistas across these inland lakes—vistas unequaled anywhere else on all of the Great Lakes.

Here is set forth the description of the various inland lakeshore residential areas on Platte Lake, Little Traverse Lake, and Glen Lake. In addition to these described areas, which amount to approximately 2,700 acres of land, provision is made whereby the Lakeshore Advisory Commission may recommend additions to these inland lakeshore residential areas to increase them so that their total acreage would be not more than 3,500 acres. This flexibility is designed to provide room for adjustment of boundaries and hardship cases.

Within the inland lakeshore residential areas the Secretary would be prohibited from acquiring any property by condemnation so long as the property use is in compliance with zoning; or, in the absence of zoning, so long as the owner complies with the zoning standards.

New construction could proceed on the undeveloped property within the inland lakeshore residential areas in conformity with the local zoning standards.

The Secretary of the Interior would be prohibited from developing any additional public use or public access areas within the inland lakeshore residential areas for a period of 25 years after the establishment of the lakeshore. The Secretary could acquire land offered voluntarily for sale but could not develop such land for public use during the first 25 years.

SECTIONS 13 AND 14

Commercial uses not incompatible with the overall purpose of the lakeshore could continue. The Secretary is prohibited by section 13 from condemning such properties in existence prior to July 1, 1961.

Under section 14 the Secretary is directed to issue a certificate indicating that his authority to acquire specific property by condemnation has been prohibited.

The uses recognized by the act as compatible include commercial farms, orchards, motels, rental cottages, camps, craft and art studios, marinas, medical, legal, architectural, and other such professional offices, and tree farms. Other uses might also be considered compatible.

It is expected that orderly expansion and repair and development of these compatible commercial uses would be permitted both within the inland lakeshore residential areas under the zoning ordinances and in the remaining parts of the lakeshore.

SECTION 15

This section authorizes the appropriation of funds to carry out the provisions of this act.

URGENT NECESSITY FOR CONGRESSIONAL ACTION PROTECTING VAST WILDLIFE REFUGES IN PACIFIC FLYWAY

Mr. KUCHEL. Mr. President, I am honored to introduce today what I sincerely believe to be one of the major pieces of conservation legislation which will come before this Congress. In a word, this bill gives congressional recognition and protection to several wildlife refuges located in both California and Oregon, which have been established or expanded by various Executive orders of several Presidents during the first four decades of this century.

This proposed legislation is practically identical with S. 1988, 87th Congress, which passed the Senate without opposition a year ago. I regret that time did not permit the House of Representatives to conclude the consideration of this measure during the last session of the Congress. It is my hope that hearings by the Senate Committee on Interior and Insular Affairs can be held shortly and that the Senate will favorably pass upon the matter at an early date so that it might be sent to the House where similar legislation has been introduced by two Members of the California delegation.

I am honored that the distinguished junior Senator from Virginia [Mr. ROBERTSON] has placed his name on this measure as a coauthor.

Mr. President, by this measure the Congress would dedicate for the major purpose of waterfowl management, but with full consideration to optimum agricultural use that is consistent therewith, the public lands presently designated as the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges, the latter being in addition to the others earlier included in Senate bill 1988 of last year. Our hearings last year revealed there was no reason to exclude Clear Lake from the congressional protection being afforded its neighboring refuges and conservation and wildlife groups support the inclusion of the Clear Lake Refuge in this bill.

This bill will also, as did the predecessor, S. 1988, afford similar protection to an additional public lands area of some 6,891 acres not presently within the Executive order designation but similarly best suited for wildlife refuge use.

It is thrilling to contemplate that by this legislation Congress can preserve, for the highest and best use of the many, for all time, this total of some 133,000 acres so that this area may continue to serve as nature ordained long before man's shadow fell upon it.

Though significant, even this is a minimum reservation. When one considers that around the year 1900 there were about 400,000 acres of marsh and water in the Upper Klamath Basin, it is apparent that what we propose is neither too much nor too soon.

Approximately 80 percent of all the waterfowl in the Pacific flyway use these refuges. As many as 7 million birds utilize this refuge complex in their semiannual migrations and it also serves annually as the nursery for the hatching of some 3,000 Canada geese and almost 112,000 ducks, many of the latter being the now dwindling redheads. Wildlife, other than waterfowl, also inhabit this complex as in the case of Clear Lake where sage grouse and pronghorn antelope occupy the rocky sagebrush uplands.

Lest one concludes that this legislation is of interest for wildlife benefits only, even though such conservation and much-used recreation aspects would alone indicate the wisdom of the action, I point out the importance of these refuges to the economy of the immediate locality and of more southerly parts of California. This refuge complex permits the holding of these millions of fowl until the crucial harvest of crops, such as rice and lettuce, to the south, has been accomplished. Furthermore, in this feeding itself, the agricultural development of the area has been especially important. And the public hunting opportunities which are available in these refuges bring many people from all over the Pacific coast—from which the local economy is assisted.

This bill, which I introduce today, carries a provision for payment for local government services to the counties within the area. The contractual obligations of the United States with the Tulelake Irrigation District and the Klamath Drainage District are recognized. The Secretary of the Interior shall retain full authority to lease for agricultural purposes the reserved public lands lying within the Lower Klamath and the Tule Lake National Wildlife Refuges.

Under the provisions of the bill, sumps 1(a) and 1(b) in the Tule Lake Refuge could not be reduced by diking or other construction to less than the existing 13,000 acres. The bill further provides that the Secretary of the Interior shall regulate water under his control in accord with applicable migratory bird treaties and our domestic Migratory Bird Conservation Act and subject to valid existing rights, so as to maintain sump levels in the Tule Lake Refuge at levels established by contract and regulation pursuant thereto and so that such levels are adequate and practicable for waterfowl management purposes.

The Department of the Interior and the Department of Agriculture and the Bureau of the Budget all reported favorably on my bill last year and I feel assured that the present bill will again receive their favorable response.

I am also proud to have had support in this matter by such as: the Izaak Walton League of America; the National Wildlife Federation; the Audubon Society; the Sierra Club; the North American Wildlife Foundation; the Sport Fishing Institute; the Western Association of State Game and Fish Commissioners; the Wilderness Society; the Wildlife Management Institute; the Governor of California; the California Department of Fish and Game; and the California Fish and Game Commission; to mention only a few.

I am particularly pleased that several groups aware of my intention to introduce this legislation in this Congress have already written me of their support and I ask unanimous consent to have several of these communications, or pertinent parts thereof, and the bill which I have today introduced printed at this point in the RECORD.

I might add, Mr. President, that for further reprints of supporting letters, articles, editorials, statements, and so forth, I refer any interested persons to the CONGRESSIONAL RECORD of August 3, 1961, and to the printed transcript of the hearings on former S. 1988 before the Subcommittee on Irrigation and Reclamation, under date of February 23, 1962.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the communications and bill will be printed in the RECORD, as requested.

The bill (S. 793) to promote the conservation of the Nation's wildlife resources on the Pacific flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project, introduced by Mr. KUCHEL (for himself and Mr. ROBERTSON), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of the Congress to stabilize the ownership of the land in the Klamath Federal Reclamation project, Oregon and California, as well as the administration and management of the Klamath Federal Reclamation project and the Tule Lake National Wildlife Refuge, Lower Klamath National Wildlife Refuge, Upper Klamath National Wildlife Refuge, and Clear Lake National Wildlife Refuge, to preserve intact the necessary existing habitat for migratory waterfowl in this vital area of the Pacific Flyway, and to prevent depredations of migratory waterfowl on agricultural crops in the Pacific Coast States.

SEC. 2. Notwithstanding any other provisions of law, all lands owned by the United States lying within the Executive order boundaries of the Tule Lake National Wildlife Refuge, the Lower Klamath National Wildlife Refuge, the Upper Klamath National Wildlife Refuge, the Clear Lake Wildlife Refuge are hereby dedicated to wildlife conservation. Such lands shall be administered by the Secretary of the Interior for the major purpose of waterfowl management, but with full consideration to optimum agricultural use that is consistent therewith. Such lands shall not be opened to homestead entry. The following public lands shall also be included within the boundaries of the area dedicated to wildlife conservation and they also shall be administered by the Secretary of the Interior for the major purpose of waterfowl management, but with full consideration to optimum agricultural use that is consistent therewith. Such lands shall not be opened to homestead entry: Hanks Marsh, and first form withdrawal lands (approximately one thousand four hundred and forty acres) in Klamath County, Oregon, lying adjacent to Upper Klamath National Wildlife Refuge; White Lake in Klamath County, Oregon, and Siskiyou County, California, and thirteen tracts of land in Siskiyou County, California, lettered as tracts "A," "B," "C," "D," "E," "F," "G," "H," "I," "J," "K," "L," and "N," totaling approximately three thousand two hundred and ninety-two acres, and tract "P" in Modoc County, California, containing about ten acres, all as shown on plate 4 of the report entitled "Plan for Wildlife Use of Federal Lands in the Upper Klamath Basin, Oregon-California," dated April 1956, prepared by the U.S. Fish and Wildlife Service. All the above lands shall remain permanently the property of the United States.

SEC. 3. Subject to conditions hereafter prescribed, and pursuant to such regulations as may be issued by the Secretary, 25 per centum of the net revenues collected during each fiscal year from the leasing of Klamath project reserved Federal lands within the Executive order boundaries of the lower Klamath National Wildlife Refuge and the Tule Lake National Wildlife Refuge shall be paid annually by the Secretary, without further authorization, for each full fiscal year after the date of this Act to the counties in which such refuges are located, such payments to be made on a pro-rata basis to each county based upon the refuge acreage in each county: *Provided*, That the total annual payment per acre to each county shall not exceed 50 per centum of the average per acre tax levied on similar lands in private ownership in each county, as determined by the Secretary: *Provided further*, That no such payments shall be made which will reduce the credits or the payments to be made pursuant to contractual obligations of the United States with the Tulelake Irrigation District or the Klamath Drainage District, and the priority for the use of the net revenues shall be (1) to pay or credit to the Tulelake Irrigation District the amounts already committed to such payment or credit, and (2) to pay to the Klamath Drainage District the balance thereof until the sum of $197,315 shall have been paid as full reimbursement for the construction of irrigation facilities to the lands involved.

SEC. 4. In carrying out the policy of this Act, the Secretary of the Interior shall retain full authority to lease for agricultural purposes the reserved public lands lying within the Executive order boundaries of the Lower Klamath and the Tule Lake National Wildlife Refuges. Leases for agricultural purposes shall provide for the growing of grains, forage, and soil-building crops, except that not more than 25 per centum of the leased lands may be planted to row crops.

SEC. 5. The areas of sumps 1(a) and 1(b) in the Klamath project lying within the Executive order boundaries of the Tule Lake National Wildlife Refuge shall not be reduced by diking or by any other construction to less than the existing thirteen thousand acres.

SEC. 6. In carrying out the obligations of the United States under any migratory bird treaty, the Migratory Bird Treaty Act (40 Stat. 755), as amended, or the Migratory Bird Conservation Act (45 Stat. 1222), as amended, waters under the control of the Secretary of the Interior shall be regulated, subject to valid existing rights, to maintain sump levels in the Tule Lake National Wildlife Refuge at levels established by contract and regulations pursuant thereto, which shall be levels that in the judgment of the Secretary are adequate and practicable for waterfowl management purposes.

SEC. 7. The Secretary is hereby directed to complete studies that have been undertaken relating to the development of the water resources and waterfowl management potential of the Clear Lake National Wildlife Refuge. The results of such studies, when completed, and the recommendations of the Secretary shall be submitted to the Congress.

The communications presented by Mr. KUCHEL are as follows:

WILDLIFE MANAGEMENT INSTITUTE,
Washington, D.C., February 6, 1963.

Hon. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KUCHEL: Thank you for sending me a draft copy of your bill to promote the conservation of the Nation's wildlife resources on the Pacific Flyway in the Tule Lake, Lower Klamath, Upper Klamath, and Clear Lake National Wildlife Refuges in Oregon and California and to aid in the administration of the Klamath reclamation project.

This bill will be warmly received and vigorously supported by all the national, regional, State, and local conservation agencies and organizations that endorsed your earlier bill in the 87th Congress. I also expect that the Department of the Interior again will recommend its enactment. You clearly stated the urgent need for this bill in your floor statements last year and in your testimony before the Interior and Insular Affairs Committee.

Fully 80 percent of the waterfowl of the Pacific Flyway use the Tule-Klamath refuges during the spring and fall migrations. For that reason alone, their permanent dedication for waterfowl restoration purposes should be supported by all Members of Congress from the Pacific Flyway States.

Approval of this proposed bill would be a significant conservation action of the 88th Congress.

Sincerely,

IRA N. GABRIELSON,
President.

NATIONAL WILDLIFE FEDERATION,
Washington, D.C., February 14, 1963.
Hon. THOMAS H. KUCHEL,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KUCHEL: Thank you for the invitation to comment upon your proposed draft of a bill to promote the conservation of wildlife resources in the Tule Lake-Klamath area of California and Oregon.

I have read your draft and note this proposal essentially is the same as your S. 1988 of the 87th Congress, with some few amendments recommended by the Irrigation and Reclamation Subcommittee in the House last year. These amendments have improved the original version which was endorsed by the Interior Department and conservation organizations before passage by the Senate last year.

The National Wildlife Federation believes it is absolutely essential for the welfare of the entire Pacific flyway and our international migratory bird obligations that existing habitat at wildlife refuges in the Tule Lake-Klamath area be preserved and managed for the maximum numbers of waterfowl. This basic objective can be achieved only if the Tule Lake-Klamath area is dedicated for the major purpose of wildlife management. In short, the present refuge areas must be maintained without further loss of lands and water levels must be managed for maximum waterfowl benefits yet encouraging optimum agricultural production not in conflict therewith.

Your proposed bill accomplishes these objectives while continuing present agricultural arrangements, and we predict it will receive wide approval in States along the Pacific coast.

Sincerely,
THOMAS L. KIMBALL,
Executive Director.

CITIZENS COMMITTEE ON NATURAL RESOURCES,
Washington, D.C., February 1, 1963.
Senator THOMAS H. KUCHEL,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR: I have your draft of the Tule Lake bill, and the measure is one that will have our full support.

We hope the bill will be introduced quickly in order that hearings can be arranged at the earliest possible date.

Cordially,
SPENCER M. SMITH, Jr.,
Secretary.

IZAAK WALTON LEAGUE OF AMERICA, INC.,
Whittier, Calif.
Senator THOMAS H. KUCHEL.

DEAR SIR: The Whittier chapter is very much concerned with the possible loss of the nesting and flyaway area of the Klamath and Tule wildfowl refuge. Each of our members is writing their support for your bill for this protection.

If there is anyone else we can contact for support of this bill, we would like to write them, also.

Thank you.
WALLACE G. THOMPSON,
Secretary.

SOUTHERN PACIFIC ROD & GUN CLUB,
San Francisco, Calif., January 12, 1963.
Hon. THOMAS H. KUCHEL,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KUCHEL: This statewide organization composed of railroad workers is pleased to hear that you intend to reintroduce S. 1988, the Tule-Klamath legislation, which bill provisions proposes to preserve the Tule Lake Klamath Waterfowl Area.

It is indeed gratifying to the many sportsmen of our organization to have you again supporting this bill which is so important to the sportsmen of our State.

You may rest assured that your action will be given full publicity to the entire membership.

We are certainly pleased that you were reelected to fill the post that you have so capably filled during the years.

Sincerely,
CHARLES E. VISALIA,
President.

CALIFORNIA WILDLIFE FEDERATION,
Carmichael Calif., February 7, 1963.
Senator KUCHEL,
Senate Office Building,
Washington, D.C.

DEAR TOM: Thanks for your letter of January 29 referring to former S. 1988 and enclosing your new draft of this proposal.

Our federation met in Sacramento on February 2–3 in an executive session on State legislation and the arrival of your new proposal on Tule-Klamath came just in time to be reviewed and enthusiastically endorsed. I have passed the draft on to our fish and game department for their information and you may hear from them direct.

We are happy in knowing you will be in Washington looking after our interests for another term. Please continue to keep us informed on outdoor recreation and wildlife legislation.

Best of personal regards.

Sincerely,
GEORGE D. DIFANI,
Legislative Advocate.

Mr. KUCHEL subsequently said: Mr. President, I ask unanimous consent that the bill which I introduced a few moments ago, relating to the Tule Lake Wildlife Refuge, which last year was referred to the Committee on Interior and Insular Affairs, be referred to the Committee on Interior and Insular Affairs in this session.

The VICE PRESIDENT. Without objection, it is so ordered.

URBAN TRANSIT DEVELOPMENT ACT OF 1963

Mr. LAUSCHE. Mr. President, I introduce, for appropriate reference, a bill entitled the "Urban Transit Development Act of 1963." This bill proposes no new Federal subsidy program. On the contrary, what it would do if enacted, is to help provide the necessary atmosphere in which State and local government and business leaders throughout the Nation will be able to develop their urban transit systems on their own initiative with their own financial resources and by use of their own talents and capabilities.

I would ask at the outset, that this bill be sent to two committees: to the Senate Commerce Committee for consideration of titles I and IV particularly, and to the Senate Finance Committee for consideration of titles II and III.

Mr. President, the United States is indeed a gifted Nation. Its greatest gift is its people and their talents—people who as individuals and by the sweat of their brow developed this Nation into what it is today, people who created with their own minds and hands those things becoming their dignity as individual human beings and collectively as a society. We all know that America's achievements can be attributed in great measure to its political system—developed at great sacrifice by our forefathers—which provides, or should provide, the proper atmosphere in which individuals, families, communities, and States are permitted to do for themselves those things they are better able to do. When we talk about the "American way of life," in essence this is what we mean. It is a good concept and although not perfect in every respect the world is fully aware of the formidable power such a system can generate in a crisis period especially.

But, Mr. President, the strength of our people will gradually but surely drain away if the Federal Government is made responsible for carrying out activities not within the thinking of this concept—let alone not within the dictates of the Constitution. Specifically, I am referring to the area of urban transit development—a matter which until now was the responsibility primarily of the local and State government and transit leaders throughout the Nation. I say until now, Mr. President, because as the Members of this body know, there is a proposal before the Congress, the same as that introduced in the last session by the distinguished Senator from New Jersey [Mr. WILLIAMS] which would initiate a permanent program of Federal grants; that is, initially $500 million in grants—to assist in the development of mass transportation facilities and systems. My thinking on this proposal has been adequately expressed on other occasions—but I would like to make a few brief comments about this grant program, a program which I and other colleagues believe would ultimately and inextricably make the Federal Government directly responsible for urban transit development throughout the country. On what basis is such a grant program being advocated? As I understand, its passage is being urged on the basis of two main contentions: First, that there is a crisis in urban transportation of national proportions; and, second, that local and State financial resources alone or together are unable to solve this crisis.

I shall comment on these two arguments briefly. On the first point—the so-called crisis—supporting testimony submitted in both the Senate and House Banking and Currency Committees on the Williams proposal came mostly from the big metropolitan areas in or around Los Angeles, San Francisco, Chicago, Boston, Philadelphia, and New York. Relatively few representatives from areas of lesser size voiced support of the grant program. There were, of course, numerous organizations from the national level down lending their support to the proposal. Most of these would be expected to support additional Federal spending programs regardless of the purported objectives. Others had a vested interest in the outcome. In analyzing what was said and submitted in support of such a program—and especially in what is being done by many of the urban areas around the country where there was and is no desire for wanting a proposed Federal grant program—it is obvious there is no national crisis as such—but more important that local financial resources are available—if direct financial support is needed—for developing local transit systems.

Furthermore, in later hearings on this subject held by the Senate Commerce Committee at my request, I found certain significant doubts raised by prominent and authoritative sources relative to the value of available facts and information as to what types of transit systems should be developed, whether the public will use them, or for that matter whether or not they should even be built. In word, it appears that sufficient evidence exists to prove that local resources are available to meet the transit needs of the areas and furthermore that there are too many unknowns in urban transit development which suggest the need for further research on many aspects of the subject before the Congress should even consider giving its approval to a permanent multi-million-dollar grant program.

For these and other reasons, I am proposing legislation designed to stimulate greater local and business interest and support in the development of urban transit systems and at the same time not involve the Federal Government in a costly and permanent subsidy program. In a sense, Mr. President, it is not only the Nation's youth that are getting soft and flabby as a result of living in a society that denies them many body building challenges, but also certain of our State and local governments are developing the awkward look of fiscal softness as they more and more call on the Federal Government to carry out fiscal responsibilities which they could shoulder if the problem were squarely met.

With an almost $100 billion proposed new Federal budget program presently before us, I heartedly suggest that the Congress immediately initiate a "fiscal fitness program" aimed at restoring some of the muscle and backbone that made our State and local governments the towers of strength they used to be in carrying out their responsibilities—among which is the development of better urban transit service for their respective areas. Obviously this approach will not get rid of the $308 billion Federal debt overnight—but hopefully it is a start in the right direction.

The substance of the bill I introduce today is briefly described as follows:

Section 100: This act would be known as the "Urban Transit Development Act of 1963."

TITLE I

Section 101 would establish a Division of Urban Transportation in the Office of the Under Secretary of Commerce for Transportation. This new Division would, first, help develop overall urban transport policy recommendations; second, achieve greater coordination of Federal urban transportation activities; third, undertake a program of urban transportation research and planning; and fourth, perform other related functions.

Section 102 provides for the transferring of the existing mass demonstration grant and loan programs from the Housing and Home Finance Agency—authorized in the Housing Act of 1961—to the Department of Commerce—for administration by the Division of Urban Transportation.

Section 103 requires the Secretary of Commerce to evaluate the urban transportation programs transferred to the Department of Commerce from the HHFA to determine the need, if any, for expanding or discontinuing such programs, and to make recommendations thereon to Congress as soon as possible.

TITLE II

Section 201 would designate title II as the "Transit Revenue Bond Guarantee Act."

Sections 202 to 212: Sections 202 through 212 would provide Federal guarantees of revenue bonds sold to private investors so as to make private money available, at a low rate of interest, for the construction of needed rapid transit projects. The U.S. Government would guarantee payment or repayment of the interest and principal on qualified bonds issued by public transit agencies to construct new rapid transit systems. This bond guarantee program would be administered by the Secretary of Commerce—acting through the Division of Urban Transportation.

The Secretary would be responsible for paying the trustee of the trust indenture or supplemental trust indenture under which the guarantee revenue bonds of the local public transit agency were issued. Transit agencies or authorities taking advantage of this program would submit reports to the Secretary of Commerce in accordance with the Secretary's instruction. A Federal Transit Revenue Bond Guarantee Fund would be created as a revolving fund for carrying out the provisions of this act and for the administrative expenses in connection therewith. For this purpose, the Secretary of the Treasury would make available to the Secretary the sum of $50 million which the bill authorizes to be appropriated. All earnings on the assets of the fund would be credited to the fund. Also, the act would authorize an annual appropriation of such sum as may be necessary to restore the amount in the fund to the full amount authorized if necessary.

TITLE III

Section 301 would amend the Internal Revenue Code of 1954 so that, first, local transit carriers could fully benefit from State and local government tax concessions by exempting such tax concessions from Federal income tax when so granted; and, second, urban transit carriers would be allowed to establish a special reserve fund—to be exempt from Federal taxation—and to be distinct and separate from the equipment depreciation allowance provisions permitted by existing tax law—to be used only for transit equipment replacement and improvement programs. The annual amount transferred to such fund could not exceed an amount equal to the total taxable income of the urban transit carrier for the taxable year. The aggregate limitation permitted to be set aside in this reserve fund could not exceed the amount required to replace all of the carrier's transit equipment at a given time. Funds set aside under this provision would be subject to tax if not used for the specific purpose intended by the act.

TITLE IV

Section 401 would grant the consent of Congress in advance to two or more States to enter into compacts or other agreements for cooperative efforts and mutual assistance specifically for the development and carrying out of urban transit programs.

Now let me explain in more detail what each section is intended to do and why.

Section 101 proposes the establishment of a Division of Urban Transportation in the Office of the Under Secretary of Commerce for Transportation. Such a division acting under the instructions of the Secretary of Commerce, would assist in the development of overall policy recommendations with respect to urban transportation programs and activities; it would strive for greater coordination of such programs and activities as well as undertake a program of continuing research and planning for the development of urban transportation equipment and systems. It is only logical that the Federal Government houseclean its own structure before it attempts to tell the State and local jurisdictions how to develop and run their transit systems. In a word, such a division would be the focal point in the Federal Government for all urban transportation activities and programs.

Why such a division? First, because there is a need to better coordinate such Federal activities in order to eliminate duplication and overlapping of related activities and programs. For instance, at the moment the Housing and Home Finance Agency is involved in urban transportation activities which the Bureau of Public Roads has been concerned with for some time. However, in spite of the reassurances on the part of respective Administrators that the utmost of cooperation will exist between these agencies—it is hard to conceive of such an idealistic situation when as a matter of fact both agencies engage in similar functions—such as in the planning field—which can only result in unnecessary Federal expenditures. It is especially difficult to visualize a harmonious relationship when one realizes also that the newly initiated temporary mass transportation loan and demonstration grant programs were made the responsibility of the HHFA in order to be free from the prohighway influence in the Bureau of Public Roads which, it has been said, would have swayed the decisions of the Secretary of Commerce if placed in his Department. This very motive for giving HHFA the responsibility for mass transportation programs precludes a lasting and genuine cooperative effort. But more important, as the situation presently exists, Federal urban transit activities are being fragmentized at a time when they should be coordinated and centralized in one place. Even the Federal Aviation Agency, with its airport construction assistance program, has an interest in urban transportation. So does the Civil Aeronautics Board when it gets involved in regional airport decisions. And of course, the ICC definitely has an interest in commuter rail operations.

The U.S. Bureau of Public Roads is already an arm of the Department of

Commerce—and it is involved in urban transportation activities among which are planning and research. As a result of the Highway Act of 1962, the Bureau will actively be concerned with a nationwide program of continuing comprehensive urban transportation planning involving all modes of local transit. Specifically, I am referring to section 7 of the 1962 Highway Act which reads:

> It is declared to be in the national interest to encourage and promote the development of transportation systems, embracing various modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized in this title, in the development of long-range highway plans and programs which are properly coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than 50,000 population. After July 1, 1965, the Secretary shall not approve under section 105 of this title any program for projects in any urban area of more than 50,000 population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section.

So there are several Federal agencies dealing with urban transit programs which if not properly coordinated and well thought out could very well create confusion, excessive Federal expenditures and in general an altogether unfavorable atmosphere for good transit development.

Let me quote from a report prepared for the Senate Commerce Committee in 1961 on the subject of a national transportation policy—the Doyle report as it is known—which said in part:

> Lack of coordination in the Federal Government in regard to policy, promotional and regulatory actions affecting transportation is unquestionably the most serious criticism directed toward our present system.

This deficiency was also recognized by President Kennedy when he said in his transportation message of April 5, 1962:

> To understand the increasingly complex transportation problems of the future, to identify the relationships of social, economic, administrative, and technical factors involved to translate scientific knowledge into transportation engineering practice, to weigh the merits of alternative systems, and to formulate new, improved; and consistent policies—we need information that can evolve only from a vigorous, continuous, and coordinated program of research.

To help rectify this problem, President Kennedy requested that certain transportation programs be transferred to the office of the Under Secretary of Commerce for Transportation. Thus far the aviation loan guarantee program and the Office of Emergency Transportation have been relocated to that office. In addition, the President has recommended that the railroad loan guarantee program be transferred there also. Just recently President Kennedy announced he would seek congressional support for a program "aimed at developing methods of improving transportation facilities and services in the densely populated area between Washington, D.C., and Boston"—designated as the northeastern megalopolitan corridor. It was also announced at that time that the President instructed the Commerce Department to seek the services of a program director and limited staff as quickly as possible in order to start operations in carrying out the $1 million research project early in 1963. So even the administration realizes the need to better coordinate urban transit programs and that the logical place for doing this is in the office of the Under Secretary of Commerce for Transportation.

All this proves, Mr. President, is that plain, old-fashioned common horsesense dictates that Federal urban transportation activities and programs be coordinated and administered in an agency of the Government commanding the best trained personnel, experience, and I hasten to add—appropriate field of activity, which will achieve the desired objectives at the least expense to the taxpayer. This is the reason for proposing the establishment of a Division of Urban Transportation. I trust this does not appear to be too radical a suggestion.

The action asked by sections 102 and 103 are natural steps in the establishment of a Division of Urban Transportation in the Department of Commerce. At present, the Housing and Home Finance Agency administers two mass transportation programs as authorized by the Housing Act of 1961. These are a temporary loan program which is due to terminate on June 30, 1963, for which $30 million was appropriated, and a mass transportation demonstration grant program for which $12.5 million was appropriated. As of January 15, 1963, two loans have been made and six grants approved by the HHFA in carrying out these programs.

Both of these programs, along with personnel and related program records, would be transferred to the Division of Urban Transportation. Likewise, administrative funds would be transferred.

The Secretary of Commerce would then evaluate the results and effects of both programs to determine the need, if any, for expanding or discontinuing such programs and report his findings to the Congress at the earliest practicable date.

The transfer of these programs to the Division of Urban Transportation would be in keeping with the need for achieving greater coordination of Federal urban transit activities, as well as provide the Secretary and the Congress the opportunity to evaluate the full effects of the loan and demonstration programs to determine what followup action might be necessary.

One important point should be stressed—because of the transfer of personnel and related administrative funds from the HHFA to the Department of Commerce which would probably involve the transfer also of about $200,000—additional Federal expenditures needed for setting up a Division of Urban Transportation would be kept to a minimum if necessary at all.

Sections 201 through 212 of the bill which comprises all of title II would authorize the Secretary of Commerce to guarantee, upon application of a local transit agency, so much of the interest and principal on the revenue bonds of such transit agency as would, but for the guarantee, be unpaid when due. This title would be known as the Transit Revenue Bond Guarantee Act which is substantially the same proposal as that submitted by Senator ENGLE in the last session of Congress—S. 2390—but it incorporates certain changes with respect to sound financing procedures as reflected in a similar bill introduced by Representative McDonough—H.R. 12005—in the last session of Congress. Without going into all of the specifics of this portion of the bill I would like to say that the bond guarantee approach would offer that degree of Federal assistance that communities having a municipally owned or transit authority type operation especially would need for developing their transit systems. However, it would also be available to privately owned transit operations if there be a need. It does not involve a permanent subsidy program and the finances used would come from private capital. I am impressed with the fact that responsible leaders in the Los Angeles area were convinced, last year at least, that the bond guarantee financing approach would make it possible for them to build and pay for a transit system costing over $600 million without a Federal loan or grant. I am especially impressed because the Los Angeles area is often held up to the Nation as the best example of how not to develop an urban transit system—that is, by building an extensive system of highways only—and I am impressed because the Los Angeles transit officials are sufficiently satisfied that the fare box would pay for the proposed system.

It is only logical to believe therefore that if Los Angeles, the most auto-oriented city in the world, can support a complex system of the kind contemplated for that area out of the fare box, then cities having a less auto-oriented population should be able to support their own transit improvements. This argument was more than supported in November by the San Francisco Bay area vote approving a $792 million bond issue to finance the building of an entirely new transit system, although in this case real property taxes are included in the financing arrangements. The San Francisco situation does prove the case however that local resources can do the job and I intend to elaborate a little more on this later on.

Title II contains provisions embodied in what I consider to be the very heart of the entire bill. This title would amend the Internal Revenue Act so as to permit privately owned transit carriers to fully benefit from local and State tax concessions granted to them. This portion of the bill can do a great deal to help revitalize most of the transit systems confronted with financial problems. It is said by authorities in the transit field that both city and State governments are reluctant to grant tax concessions because the Federal Government takes 52 percent as income tax of whatever dollar relief is accorded the carrier.

It is my understanding that there are about 1,150 privately owned bus companies providing transit service in the Nation's urban areas. There are also around 70 municipally owned systems around the country. Several of the Nation's larger cities—those in a category over the million or more—have a combination of modes such as rail, commuter, subway, and elevated service which are generally treated as a system. Now the tax relief afforded by this section of the bill would not, for the most part, benefit the municipally owned carriers in the larger cities. It is not intended to do that. But this provision of the bill would materially assist the overwhelming majority of the Nation's urban areas, which do not have nor need, a complex two or three mode and fixed-facility type of system. More than half of the States in the Union—about 30 States—do not have urban areas large enough to support more than one good bus operation. And in the remainder of the States, the overwhelming majority of urban areas likewise can support but a single flexible, bus-type transit operation. I am not saying that one form of transit operation is better than another, but it is a fact that only a dozen or so urban areas need a system of the kind to be built in the San Francisco area for example. In any event, whether fixed facility or not, this provision of the bill would help the carrier improve his equipment if it is a privately owned operation.

The "Municipal Year Book of 1962" tells us that during the past 10 years State and local legislative action providing tax relief to transit carriers took place in 365 instances with cash subsidies to the carriers having been granted in about 30 cities. There is no question that if the Federal income tax law had been amended years ago in the fashion proposed by this section of the bill, considerably more action on the part of the States and localities to assist their transit systems would have resulted. It is not possible to say precisely at this time how much in dollars and cents the change in the law would mean to the transit carriers. But we are hopeful that the hearings on this bill will help bring this point into focus.

Title III would also amend the Internal Revenue Act so as to allow transit operators to maintain a special tax-free reserve fund into which company profits would be set aside for the specific purpose of buying new or improved passenger equipment. The transit carrier would be allowed to put into this fund as much—but not more—of the carriers' total earnings for a given tax year. The aggregate amount allowed in this fund could not exceed an amount necessary to replace all of the equipment of the system; or, in the case of unusually large expansion plans, which of course, should be related to the comprehensive planning provisions of the 1962 Highway Act, the amount permitted to be set aside should not exceed the estimated financial needs for this expansion project.

At first blush these proposed changes in the income tax laws would appear to be indirect Federal subsidies. Let me point out a few interesting facts. In the transit field—unlike most competitive enterprises, and transit is competitive in that it must be at least comparable to today's automobile for the great majority of urban residents—the present trend is toward more municipally owned transit systems. Although undoubtedly good for certain urban areas of the country so long as the residents of the respective areas themselves so choose this approach, this trend is, unfortunately, being accelerated at the cost of many efficiently operated and privately owned transit systems by the lure and glitter of possible Federal handouts. Municipal ownership is not a bad thing so long as the urban residents are not swayed by the prospects of Federal money. Otherwise the need for a new municipally owned project or system will undoubtedly acquire overzealous proportions. This is a human fact timetested by all of recorded history. In any event, the greater the increase in municipally owned systems the less taxable income for the Federal Treasury. As I indicated before, there are around 70 municipally owned systems servicing mostly the larger metropolitan areas. But the overwhelming majority of transit systems—around 1,150—are privately owned and for the most part are required to make their own way without outside financial assistance.

These provisions are intended to preserve the privately owned systems where they are wanted and are providing good economical service. In a word—these changes would equal the opportunities for the privately owned carriers and also they would serve as positive and decisive tests in determining the merits of a privately owned transit system—or for that matter the need for a system at all. Unlike the grant proposal approach this approach would not con the Federal Government—and the Nation's taxpayers if you please—into perpetuating a bad and unnecessary transit system. Under my proposal the tax loss to the Federal Treasury would be nominal and in comparison to the proposed grant program approach for which an initial $500 million authorization is asked—it is infinitesimally small. Furthermore, my approach does not directly inject the Federal Government in a purely local problem. And I might add parenthetically that this approach is free of the stress and strain of political in-fighting.

It is a known fact, Mr. President, that one of the most important elements for a successful transit operation is patronage by the general public—it is one having comfortable, efficient and up-to-date equipment to the extent possible. The condition of the passenger equipment must be attractive enough to reasonably compete with the comforts offered by the private automobile. Permitting the transit carrier to set aside funds for updating his equipment will go a long way toward helping the Nation's privately owned carriers regain their stability.

Title IV of the bill provides for the consent of Congress in advance for any two or more States to enter into compacts or other agreements for the purposes of developing and carrying out regional urban transit programs. It is intended to stimulate development of urban transit plans and programs in urban areas located in more than one State jurisdiction. This provision would eliminate the need to seek the consent of Congress for working out a joint compact or agreement. In a word, it would make it easier for local and State bodies to cooperate with their counterparts in other States more efficiently and freely in the development of urban transit systems.

Mr. President, let me highlight some of the more important reasons for introducing this bill.

Granted that there is a need to spur further development of modern, balanced and regionalwide transit systems in the Nation's larger urban areas—possibly a dozen or so as I indicated—many of these areas and most of the Nation's lesser sized urban areas are not in the throes of a transit crisis. Is it true also that certain State and local governments—as well as transit management and community business leaders—have, up until recently, neglected to develop their transit service to suit newly emerging patterns of urban living and development. To a certain extent this is understandable since a goodly number of the post World War II years were devoted to catching up with the community needs set aside during the war years. Also, the full impact of the tremendous growth in the use of the automobile in urban areas—or "automobility" as it is sometimes called—was not fully appreciated nor well understood by the Nation's urban leaders, nor for that matter transit management itself, until around the mid-fifties. But in spite of this delay, a sizable cross section of the Nation's urban areas have taken action to update their transit systems according to the needs of their respective areas. On one end of the spectrum this updating has probably meant the retrenchment of transit service because of the obvious lack of public support—and no matter how much we try, we cannot make people use such service if they do not care to—to the outright development of entirely new systems on the other end of the spectrum. No matter what action is taken or proposed, however, of necessity the common denominator is the amount of public interest and public support expressed by the citizenry, local and State governmental bodies and transit management itself that will determine how successful the project is—regardless of whether or not the system is privately or municipally owned, or transit authority controlled.

The most recent example of an all-out citizenry effort for developing an entirely new transit system is of course in the San Francisco Bay rapid transit district which culminated in a referendum vote November last wherein a $792 million bond issue was approved to finance the system's construction. As I understand the situation, the residents of that district will pay a property tax to help pay the interest and principal on the bond issue.

By 1971, or thereabouts, the average homeowner will be paying a maximum of about $27 a year for this purpose. As the financing plan is conceived, therefore, the bay area residents will be paying for this system through the fare box and by property tax assessments without outside help. We are told however, that if the Federal grant program proposed by Senator WILLIAMS of New Jersey is approved, efforts would be made to give the bay area system about $20 million a year for 10 years—or $200 million over a 10-year period—to help speed the construction schedule and reduce the bay area's property tax assessment.

Well my first reaction to that is, How come? One of the major arguments used in seeking passage of the proposed mass transportation grant program introduced by my colleague, the Senator from New Jersey [Mr. WILLIAMS], is that his bill is intended to help those urban areas which do not have the resources to build a needed system. Obviously San Francisco does. The passage of the grant program may very well result in the granting of $200 million over a 10-year period with a resultant slight lowering of property tax for the bay area property owner. But it will mean—and must mean—a corresponding increase in overall Federal taxes for the bay area residents because somebody will have to supply the Federal Treasury with the funds needed to finance the multimillion—indeed, multibillion—dollar program of the kind contemplated by the Williams' bill which would make Federal funds available to San Francisco in the first place. Most of the revenues going into the Federal Treasury come from the wealthy urban areas. Therefore—what a $200 million grant program would mean to the bay area residents is a comparatively slight lowering of their real property taxes over a relatively short span of years while at the same time an increase in Federal taxes—or an increase in the Federal debt—to finance a nationwide grant program for many years to come. By accepting Federal grants for this purpose, San Francisco residents would be buying a few years time for completing construction of their system—but in addition to paying for their own system they will have to help shoulder the financial burden for the construction of systems in other urban areas which the Federal Government would contribute to. Do the bay area residents want a double tax burden? I do not believe so. I would think that the bay area residents would prefer to shoulder their own responsibilities in the manner they indicated with as little Federal intervention as possible and at the least cost to them.

Los Angeles is also moving ahead with plans to finance their proposed transit system from local resources only. Philadelphia has already done a great deal in developing a suitable transit system for their area. Chicago has likewise taken great strides. At the moment St. Louis, Pittsburgh, and the Minneapolis-St. Paul areas, to name a few, are working out transit improvement projects.

But the big metropolitan areas—such as San Francisco—are not the only ones forging ahead in the development of their urban transportation systems. It is clear from the San Francisco situation and other areas of the country that American know-how, resourcefulness, determination, and commonsense thinking still prevails in many grassroot areas of the country. It is my hope—and that of my cosponsoring colleagues—that other urban areas be given an opportunity to show the same forward thinking and initiative, and that for the sake of the country as a whole, the Federal Government approach this matter on a practicable and fiscally sound basis as intended by the bill I have submitted.

I would like to close my statement by quoting from an editorial in a magazine entitled "Metropolitan Transportation" of February 1962 which in turn quotes Mr. Paul Ditmar, chairman of the board, South Suburban Safe Way Transit Co., who was, incidentally, past president of the American Transit Association, who is quoted as having said:

> In my opinion, there is no reason for transit to operate at less than some profit; no reason for it to ask the city for subsidy; many reasons for not asking the State for funds; and many more reasons for not asking Uncle Sam for money.
>
> I know of no city of over 500,000 in which a sensible and satisfactory transit service could not be reasonably profitable. The fault is usually with the city and its traffic and parking handling, the operator and his inefficiency, or both. But, so many in our industry think mostly of operating vehicles (the more the better), of going into the display advertising business (to make their vehicles hideous, even to make their newly designed vehicles look like circus wagons), of getting easy subsidy money (to cover their own failures or to make life easy)—all instead of thinking and working to serve satisfactorily, economically and efficiently, their passengers. The passenger has almost been forgotten. Certainly, the taxpayer has.
>
> And, I can't swallow the excuse that we are running to Uncle Sam because the alderman, the commissioners, the legislators, the mayor or the governor won't give us what we want. If they won't, it may be because we don't deserve it. If we do deserve it, we should fight for it and sell the public on our right to it. And if we still don't get it and can do no more, we have failed and should quit. We have no right to go to Uncle Sam to support our failures.

To that, Mr. President, I would add a solemn "Amen."

Mr. President, the bill contemplates no subsidy. It will give tax relief. It will provide for a guarantee fund under which local systems will be able to finance their own operations.

Mr. President, I ask unanimous consent that the bill may lie on the table through Friday, February 22, so that any Senators who so desire may join in giving cosponsorship to it.

The Senator from Iowa [Mr. HICKENLOOPER] should be listed as an original sponsor, together with myself, advocating the adoption of this measure.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table, as requested.

The bill (S. 807) to encourage local and State initiative in urban transit development and to preserve the status of privately owned local carriers, and for other purposes, introduced by Mr. LAUSCHE (for himself and Mr. HICKENLOOPER), was received, read twice by its title, and referred to the Committees on Commerce and Finance.

BRAVE LITHUANIA—A SEVEN-CENTURY QUEST FOR FREEDOM

Mr. KUCHEL. Mr. President, I submit, for appropriate reference, a concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia.

Mr. President, on February 16, 1963, the Lithuanian-Americans will commemorate the 710th anniversary of the founding of the Lithuanian kingdom in 1253 and the 45th anniversary of the declaration of independence by the Republic of Lithuania in 1918 following the First World War.

The Communist exploitation of this great people and her neighbors in Estonia and Latvia is so shocking that it warrants the concern of freemen everywhere.

The quest for freedom of Lithuania and her Baltic neighbors goes back many centuries.

In the 13th century, Mindaugas united the Lithuanian tribes to meet expanding German pressure, and in 1253, by the authority of Pope Innocent IV, he was crowned the first and only king in Lithuanian history. His assassination in 1263 brought a return to paganism.

Torn between alliance with Russia and Poland and family rivalries, by 1413 Lithuania had moved into union with Poland—they had a common parliament by 1569—as both countries sought to rid their lands of the German Teutonic order.

Late in the 18th century, however, Russian rule arrived and, as a result of the carving up of Europe by the Congress of Vienna in 1815, the Russian czar became not only the King of Poland but the Grand Duke of Lithuania. Russian oppression grew tighter in the late 19th century as Lithuanian newspapers, journals, and books were prohibited in the native tongue. Russian was the only language taught in the schools. However, the spirit of freedom could not be subdued and Lithuanian newspapers were smuggled across the border and into homes throughout the little land.

A growing quest for freedom and a penchant for independence resulted in a congress of 200 Lithuanian delegates meeting at Vilnius in September 1917. The council of 20 which resulted from these sessions proclaimed an independent Lithuania on February 16, 1918. As the German troops retreated westward and the Red army followed in its wake, the inevitable Communist regime proceeded to entrench itself. Soon the Polish army under Pilsudski pushed back the Communists and, by 1921, after a period of wavering control by outside power, and with part of her boundary still uncertain, Lithuania was admitted to the League of Nations.

The uncertain status of the Lithuanians is well illustrated by the ease with which first the Germans and then the Russians included her in their sphere of influence by secret protocols to the German-Soviet nonaggression pact of 1939.

On June 15, 1940, an ultimatum to form a friendly government and immediate occupation by the Soviet army decided the issue. Within a month, a phony election with handpicked candidates resulted in a unanimous request to incorporate Lithuania in the U.S.S.R. It is estimated that on the night of the occupation over 30,000 Lithuanians—mostly the educated ones and the leaders—were deported to Siberia. Others were executed on the spot.

Then with the attack on Russia came the German invasion and its purges and exterminations. Following their retreat, a second Soviet occupation occurred in 1944. In the next 4 years, almost 300,000 Lithuanians were uprooted and deported—many with the agricultural collectivization of 1949.

In their rise and fall, Estonia and Latvia have followed a similar course: Exploitation by both native and foreign oppressors; cabinet instability and a multiplicity of political parties; and eventual incorporation into the Soviet Union as the fall of the Iron Curtain clanked shut because of an army of occupation, rigged elections, and the mass deportation of political prisoners. Such has been the sad and trying history of these gallant and spirited peoples.

This attempted suppression of human freedom justly deserves the attention of the President and the Senate of the United States and all the free peoples who participate in the United Nations. Soviet troops should be withdrawn; political prisoners and others who have been exiled and imprisoned should be returned to their homes; and free elections should be held under United Nations supervision.

Mr. President, on February 6, 1961, I introduced Senate Concurrent Resolution 12, which, if adopted, would have requested the President to take these questions to the United Nations. No action was taken by the Senate Committee on Foreign Relations. I renew this effort today.

Mr. President, I send to the desk a concurrent resolution, to which I alluded and ask that it be printed in full at this point in the RECORD.

I ask that it lie on the desk for 1 week. I invite cosponsors among my colleagues.

I also ask unanimous consent that a letter addressed to me from the Lithuanian American Council, Southern California Division, dated February 10, 1963, together with a resolution which that council adopted on the subject be printed in the RECORD as a part of my remarks.

The VICE PRESIDENT. The concurrent resolution will be received and lie on the desk as requested; and, without objection, the letter and resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 15) to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia, submitted by Mr. KUCHEL, was received, referred to the Committee on Foreign Relations, and under the rule, ordered to be printed in the RECORD, as follows:

Whereas the Communist regime did not come to power in Lithuania and the other two Baltic States, Estonia and Latvia, by legal or democratic processes; and

Whereas the Soviet Union took over Lithuania, Estonia, and Latvia by force of arms; and

Whereas the Baltic people, Lithuanians, Estonians, and Latvians, under Communist control were and still are overwhelmingly anti-Communist; and

Whereas Lithuanians, Estonians, and Latvians desire, fight, and die for their national independence; and

Whereas the Government of the United States of America maintains diplomatic relations with the Governments of the Baltic nations of Lithuania, Estonia, and Latvia and consistently has refused to recognize their seizure and forced "incorporation" into the Union of the Soviet Socialist Republics: Now, therefore, be it

Resolved, That the Senate and House of Representatives of the United States of America request the President of the United States to bring up the Baltic States question before the United Nations and ask that the United Nations request the Soviets (a) to withdraw all Soviet troops, agents, colonists, and controls from Lithuania, Estonia, and Latvia, (b) to return all Baltic exiles from Siberia, prisons, and slave-labor camps; and be it finally

Resolved, That the United Nations conduct free elections in Lithuania, Estonia, and Latvia under its supervision.

The letter and resolution presented by Mr. KUCHEL are as follows:

LITHUANIAN AMERICAN COUNCIL,
SOUTHERN CALIFORNIA DIVISION,
Los Angeles, Calif., February 10, 1963.
The Honorable THOMAS H. KUCHEL,
U.S. Senate, Washington, D.C.

DEAR SENATOR KUCHEL: On February 16, 1963, Americans of Lithuanian descent in California and throughout the United States will observe the Lithuanian Independence Day. This occasion will also be commemorated in the U.S. Congress, and we believe it will take place on February 15. We hope you will participate in this program and make some comments regarding the Lithuanian independence cause.

As you know, the Lithuanian state was established in 1253 by Mindaugas the Great, when he unified all the Lithuanian principalities, embraced Christianity, and was crowned as the first King of Lithuania. The Republic of Lithuania was proclaimed on February 16, 1918. This year, therefore, marks the 10th anniversary since the establishment of the Lithuanian state, and the 45th anniversary of the Republic of Lithuania. On June 15, 1940, Lithuania was forcibly occupied by Communist Russia and is still suffering the most brutal enslavement.

We in California observed these two anniversaries at a mass meeting in Los Angeles this afternoon and were proud to have the Honorable Juozas Kajeckas, Chargé d'Affaires of the Lithuanian Legation in Washington, D.C., as principal speaker. I hasten to enclose a copy of the resolution which was adopted at this meeting.

We are very grateful for the resolution which you have introduced into the U.S. Congress and hope that you will continue to do all you can to assure its passage. We stand ready to work toward this goal in any way you may wish to suggest.

Under separate cover we are mailing you a copy of the recently published book entitled "Lithuania, Land of Heroes." We hope you will find it to be interesting and informative.

We would very much appreciate receiving a copy of the CONGRESSIONAL RECORD containing your remarks during the commemoration of Lithuanian Independence Day in the U.S. Congress.

Thank you again for your support.

Very truly yours,
JULIUS JODELE,
President.

RESOLUTION OF LITHUANIAN AMERICAN COUNCIL, SOUTHERN CALIFORNIA DIVISION, LOS ANGELES, CALIF.

Resolution unanimously adopted at the meeting of Americans of Lithuanian descent, sponsored by the Lithuanian American Council, Southern California Division, held on Sunday, February 10, 1963, at 12 noon at 4315 Melrose Avenue, Los Angeles, Calif., commemorating the 710th anniversary of the founding of the Lithuanian Kingdom, when Mindaugas the Great was crowned as the first king of Lithuania, and 45th anniversary of the establishment of the Republic of Lithuania:

"Whereas Lithuania was forcibly incorporated into the Soviet Union in June 1940 and since that time Lithuanian people have fought and died for their national independence; and

"Whereas the Government of the United States of America condemned on July 23, 1940, this Russian aggression and still maintains diplomatic relations with the free Republic of Lithuania; and

"Whereas no real peace or security can be achieved in the world while Lithuania and other nations remain enslaved by Communist Russia: Now, therefore, be it

"*Resolved*, That we Americans of Lithuanian descent reaffirm our adherence to American democratic principles of government and that we call upon our Government to utilize all available means for the liberation of Lithuania and other nations from Soviet enslavement; and be it further

"*Resolved*, That we urge the U.S. Congress to pass Senate Concurrent Resolution 4, House Concurrent Resolution 15, House Concurrent Resolution 38, House Concurrent Resolution 43, House Concurrent Resolution 54, and House Concurrent Resolution 63 and other similar resolutions requesting the President of the United States to bring up the Baltic States question before the United Nations; and be it finally

"*Resolved*, That this resolution be forwarded to the President of the United States, the Vice President of the United States, the Speaker of the House, the chairman and all members of the Senate Foreign Relations Committee, the chairman and all members of the House Foreign Affairs Committee, Senator THOMAS H. KUCHEL, Senator CLAIR ENGLE, and all Members of the Congress from California."

JULIUS JODELE,
President.

SHORELINE RECREATIONAL SITES

Mr. METCALF. Mr. President, in the 87th Congress the distinguished junior Senator from Iowa [Mr. MILLER] and I cosponsored Senate Concurrent Resolution 48, under which the Secretary of Interior would undertake studies and investigations to identify the remaining shoreline recreation sites and areas along the rivers of the United States that are chiefly valuable for the public park and recreational area program of the United States.

The desirability of such studies became evident during consideration, in the Senate Committee on Interior and Insular Affairs, of legislation which led to three new national seashore parks, at Cape Cod, Point Reyes, and Padre Island.

Millions of residents of inland States seldom have opportunity to use seashore recreation areas. River shorelines and reservoirs present their only opportunity for water-based recreation. The thousands of miles of river shoreline in America have not been adequately considered for their recreational benefits. The legislation which I am today resubmitting for appropriate reference—again in collaboration with the junior Senator from Iowa—is a resolution which would permit such a survey.

In its report last year on Senate Concurrent Resolution 48, the Department of Interior estimated that the study would require about 2 years and cost about $650,000.

The concurrent resolution as submitted today incorporates the amendments suggested by the Interior Department and accepted by the Senate Interior Subcommittee on Public Lands last year when it approved Senate Concurrent Resolution 48.

I ask unanimous consent to have the resolution printed in the Record immediately following my remarks, and an excellent and comprehensive article entitled "River Systems—Recreational Classification, Inventory, and Evaluation." It was written by Frank C. Craighead, Jr., Ph. D., president of the Outdoor Recreation Institute, and John J. Craighead, Ph. D., leader, Montana Cooperative Wildlife Research Unit. The article appeared in the summer, 1962, issue of Naturalist.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution and the article will be printed in the Record, as requested.

The concurrent resolution (S. Con. Res. 16) favoring studies concerning remaining shoreline recreation sites and areas along rivers of the United States, submitted by Mr. Metcalf (for himself and Mr. Miller), was referred to the Committee on Interior and Insular Affairs, as follows:

Whereas the acquisition and preservation for public recreation purposes of shoreline areas and including areas along free-flowing streams or sections of streams are important to this Nation to provide adequate facilities and to maintain a desirable variety in outdoor recreation; and

Whereas demand on water-based recreational resources is increasing more rapidly than on any other type and such areas along streams that have special significance or value for public recreation or as natural attractions should be promptly identified; and

Whereas the Congress, in connection with the development of adequate natural resource preservation policies, should have available the necessary data and related recommendations: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the Secretary of the Interior, in accordance with the provisions and purposes of the Act of June 23, 1936 (49 Stat. 1894), the Fish and Wildlife Coordination Act (48 Stat. 401, as amended), and the Fish and Wildlife Act of 1956, should undertake studies and investigations to identify the remaining shoreline recreation sites and areas along the rivers of the United States that are chiefly valuable for the public park and recreational area programs of the United States and of the several States; and

That the Secretary of the Interior, on the basis of such studies and investigations, should classify the areas appropriate for preservation by the Federal Government and by the States and formulate recommendations for the appropriate preservation by the Federal Government and by the States of the significant recreation sites and areas so identified; and

That the Secretary of the Interior should submit interim reports to the Senate and the House of Representatives, at intervals of six months from the date of approval of this resolution, on the results of his investigations, together with his recommendations for preservation of the recreationally significant stream sites and areas identified, and that he should submit a final report on his findings and recommendations, including recommendations for such legislation as may be needed, not later than two years after funds are made available for the conduct of such studies.

The article presented by Mr. Metcalf is as follows:

River Systems—Recreational Classification, Inventory, and Evaluation

(By Frank C. Craighead, Jr., Ph. D., and John J. Craighead, Ph. D.)

Water is probably the greatest of all outdoor recreational attractions. River systems and their shore environments are major recreational resources, yet at the present time they are uninventoried and unclassified. Brooks, streams, and rivers, together with their lake impoundments, offer millions of stream miles and millions of acres of water or water-influenced recreation. The skyrocketing and often-quoted statistics on fishing, boating, swimming, and reservoir and park or forest visits, are well-known indicators of the growing importance of the Nation's water-oriented outdoor recreation activities.

The Nation is rapidly developing and utilizing its tremendous outdoor recreational resource, especially that portion of the resource that is water-oriented, without knowing the total scope of the resource, the rate at which it is being developed, the characteristics of the resource and how it can be classified, rated and evaluated, preserved and improved. Public acquisition of key lands is important, but even more essential is the wise and efficient management of both private and public recreational resources already available.

Rivers and their watersheds extend from the high interior mountains to the coastal plains, bisecting major ecological areas. A river channel and its watershed are inseparable ecological entities transcending the boundaries of national parks and forests, private and public land, municipality, county, and State. The ecological unity of the channel and its shore environment must be considered in recreation use, planning, and development. Misuse of the watersheds or drainage areas adversely affects the channel water as well as the many environmental factors that contribute to the quality of recreation activities. The same applies to the water itself and its reciprocating influence on purely shore forms of recreation activity. This becomes readily apparent when the criteria presented in the evaluation forms are studied. Because of this, river system recreational resources must be considered as a complex rather than singly. For example, it is not enough to consider fishing alone. Other activities such as boating, swimming, hunting, picnicking, and camping, with their corresponding resources must be simultaneously considered as they represent an appreciable proportion of the overall river system recreation resource.

Recreation use in turn must be coordinated with other water uses such as municipal, industrial, waste, transportation, power production, flood control, and irrigation. From a recreation standpoint, however, the prime and urgent need is to classify, inventory, and evaluate our rivers and streams on a basis of their present condition and use so that resource managers can plan for their optimum use and can compare recreation with other uses. This will provide a foundation of fact for the preservation and management of these undocumented and already deteriorating resources and it is essential for discriminate acquisition of additional recreational land and water in the future. In this paper we have proposed a recreation classification and a systematic method of inventorying and evaluating river system recreational resources. Our purpose is to indicate some necessary steps and to present methodology for getting the job done. The system proposed is only a start and must be explored, altered, and perfected in the process of applying it to the task.

The field of outdoor recreation has received great stimulus in the past few years from the establishment of the President's Committee on Outdoor Recreation in June 1958, from the report of this Committee to President Kennedy, and finally from the creation of the new Outdoor Recreation Bureau under the Department of the Interior.

I. A RECREATIONAL CLASSIFICATION

In order to inventory and evaluate water bodies available or potentially available for recreation it is necessary to provide a classification. Rivers and streams can be classified according to size and according to condition and use. They can be evaluated for quality on a basis of specific criteria or characteristics of the resource. The terms "excellent," "good," "fair," and "poor" quality, as used on the evaluation forms, designate these attributes. The term "quality," when used in a general sense, refers to excellence.

Size

R. H. Horton[1] proposed what he termed the stream order. A first-order stream is one so small it receives no tributary channels. A stream of second order is one which receives only first-order tributaries. Where a second-order stream meets another of comparable size or order it becomes a third-order stream. Leopold and Kinnison[2] proposed 10 orders and classified under these orders most of the streams of the United States. From such a list (table 1) an estimate can be made of channel lengths or river segments of various sizes available for recreational purposes.

Table 1.—*Relation of stream order to the number of streams in the United States, their average length and drainage area*

Order	Number	Average length (miles)	Mean drainage area (square miles)	Total length (miles)
1	1,572,000	1.0	1	1,572,000
2	352,000	2.3	4.75	809,000
3	80,000	5.3	23	424,000
4	18,250	12.0	109	219,000
5	4,170	28.0	518	116,000
6	948	64.0	2,460	61,000
7	206	147.0	11,700	30,000
8	41	338.0	55,600	14,000
9	8	777.0	264,000	6,200
10	1	1,790.0	1,250,000	1,800
Total				3,253,000

(1) Definition used is that of Strahler; e.g., order 2 defines the length segment between junction upstream of order 1 channels and junction downstream with an order 2 channel.

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[1] Horton, R. A., 1945. Bulletin of the Geological Society of America, vol. 56, pp. 275-370.

[2] Leopold, L. B., and Kinnison, H. B., 1962. Water for Recreation: Values and Opportunities.

The Susquehanna in Pennsylvania and the Brazos in Texas would be streams of the 8th order while the Mississippi is considered a 10th-order stream.

Under this type of classification a channel of the fourth order averages about 100 feet in width and drains about 100 square miles of land. This might be considered the smallest channel size having substantial recreation value. Table 1 indicates that there are 219,000 miles of order four river channels in the United States. The total mileage of 4th to 10th order channels is 448,000 miles. It is apparent that streams and rivers provide an enormous potential for water-oriented recreation.

Condition and use

Not all waterways have the same recreational potential since the kind of recreation depends upon a variety of factors such as the purity of the water, the type of stream or river, uses of the water and watershed, and the character of the shore environment.[3] Some entire river systems have high recreation potential while only portions of others can be utilized. In general, rivers and streams with channels of the fourth order and larger can be grouped into four major classes with regard to the degree to which the main channel and watershed have been manipulated by man. These are:

1. Wild rivers: Those that are free of impoundments and inaccessible except by trail. These streams and their watersheds are essentially primitive. They furnish a dispersed wilderness-type recreation. Few such rivers exist today.

2. Semiwild rivers: Those accessible in places by roads but with watersheds still largely in primitive condition and shorelines undeveloped. They furnish semiwilderness-type recreation for small groups.

3. Semiharnessed; developed rivers: Those readily accessible by road, impounded or diverted in their lower stretches with developed shorelines including urban development and characterized by heavy land use on the watersheds. Extensive parts of the upper reaches are still unimpounded and undeveloped.

4. Harnessed; developed rivers: Those rivers that are either largely harnessed through impoundments and/or with highly developed watersheds and shorelines. They are characterized by impoundments, structures, artifical channeling, dyking, and varying degrees of pollution. Though developed, they may have extensive stretches of water and shoreline highly valuable or potentially valuable for recreation.

The primary function of wild rivers is the protection of watersheds and scientific, educational, and particularly recreational use. Recreation is wilderness type and unique. Travel by hiking, horseback riding, or boating is necessary to reach and enjoy these waters. In the West they are important if not essential to dude ranching. The water resource can be utilized in many ways further down the major river system.

The recreation function of semiwild rivers is similar to wild rivers. They are, however, more accessible, and recreation, though of unusual quality, is not of the wilderness type. With proper planning there can be more use of these rivers and their scenic watersheds for hunting, fishing, boating, and camping without abusing the resource. Impoundments should be small or perhaps altogether avoided except in cases where the natural watershed is not stable.

The semiharnessed, developed river has potential for dispersed recreation, and for mass recreation including recreation development sites. The realization of the recreation potential depends upon managing the water and watersheds in such a way that the condition of the water, its biota, and the immediate shore environment are not adversely affected for recreation.

The harnessed, developed rivers offer tremendous potential opportunities for mass outdoor recreation. These are generally the lower portions of a river system located close to the users. The present recreation use is usually of poor or mediocre quality. These rivers and their shorelines, if managed for their recreational resources could provide large and varied recreational opportunities for expanding urban populations. Pollution, littering, inadequate access, and inadequate public ownership are major drawbacks that must be remedied.

Ecological subclasses

These four major classes can be further subdivided to meet a wide range of ecological conditions. A wild river meandering through a brackish water swamp would have entirely different recreation potential than a white water stream spilling through mountain country. The same applies to the other three classes. In a nationwide inventory it would be necessary to develop subclasses based on ecological criteria. These in general would reflect the quality of the land and water for recreational purposes. Thus the first step in a national inventory would involve cataloging stream and river channels first by size, second by condition and use, and third by a combination of both. In general the larger channels with the least misuse would possess the greatest water-based recreation potential.

The waterways placed in these classes and subclasses must be rated, evaluated, and assigned a quality designation. Many factors, both objective and subjective, determine this quality.

II. INVENTORYING RESOURCES AND EVALUATING QUALITY

We can evaluate an entire stream or any desired unit of a stream or watershed using the detailed rating procedures we have developed (see inventory and evaluation forms). Both the inventory and the evaluation are conducted on an acreage basis. The area evaluated can range in size from an entire stream and watershed to a stream and shore section of only a mile or less. The first step is to delimit the area or unit to be evaluated. Where a recreational resource, for example hunting, has been subdivided into big game, small game, and waterfowl habitat (see hunting evaluation form), the inventory can be expressed in actual land or water acres as well as in resource acres. Where big game, small game, and waterfowl acreages overlap and their totals exceed the actual land acreage, they are referred to as resource acres. This constitutes only part of the task as neither acre-feet of water or resource acres can alone express the quality relation.

Quality evaluation

An evaluation of quality for any desired area, such as a 10-mile stretch of stream and the surrounding shore drainage, can be obtained by rating the area with a set of selected criteria considered essential to, or characteristic of, a specific recreational activity and resource such as fishing, boating, and hunting. Thus, if the hunting resource is to be evaluated, the hunting evaluation form is used. If fishing and boating are significant the proper forms are used to evaluate these resources for the designated area as well. In this system of evaluation, quality is determined by a combination of characteristics and the values used to rate quality are both objective and subjective. Thus some criteria pertain largely to tangible components of the environment, while others relate to intangible values associated with recreational activity in the environment. The result is an evaluation of a particular recreational resource in its broadest sense—a physical and biotic entity as well as a human activity.

Rating criteria

All recreational activities are an interaction between people and a suitable environment.[4] The term "recreational resource" refers to this interaction of people and environment which creates fishing, hunting, boating, and other recreation activities. For this reason we will refer interchangeably to hunting, fishing, and boating as well as to the actual physical environment to mean the recreational resource. A perusal of the three evaluation forms reveal that certain characteristics are common to all the resources being rated and that these characteristics can be designated as rating criteria. These criteria are: environmental effect, populations, success or satisfaction, accessibility, crowding, research and management, seasons, conflicts, size, habitat, pollution or littering, hazards and barriers. Each of these criteria has a somewhat different relationship to the particular resource—fishing, boating, or hunting, and this is clarified by the descriptive choices offered in the evaluating forms.

In order to provide uniformity, differentiate between degrees of quality, and to permit comparison of rated units of a given resource it is essential that the rating be expressed using a common denominator. This is achieved by assigning each criterion maximium numerical values. For example, the population criterion on the fishing resource form is given a maximum value of 5 and accessibility 3. Thus the evaluator scores the various criteria separately and the sum of these numerical scores is a measure or indication of the quality of the particular recreation resource. The maximum score that could possibly be attained for a fishing resource on this basis is 44.

Quality designation

This total score is then expressed by a quality designation of "Excellent," "Good," "Fair," or "Poor." Two different units or areas can be given different combinations of numerical ratings, yet both receive the same quality designation.

The fixed numerical values of the criteria reflect the relative importance of each criterion as parts or characteristics of the resource. The established minimum ratings that designate "Excellent," "Good," "Fair," or "Poor" are only approximate ratings and leeway in their use is reserved to the evaluator.

The total scores for any resource for the same unit of water and shore environment can be averaged to give a recreational resource rating. Ratings of separate units can also be averaged to rate an entire river system.

As stated earlier, both an objective and a subjective approach is deemed essential to proper evaluation but wherever possible the criteria have been made objective. The evaluator must utilize data and information gathered through research, administrative studies, management inventories, and through direct observation and investigation. The quality designations, therefore, provide more than a quality rating. They are a record of the condition of the resource, its assets, its limitations, its trend, and its changes. The data, if carefully gathered and interpreted, will indicate proper recreational use and the management programs needed. Present evaluations when compared with future ones will reveal the effectiveness of past or existing management practices. Thus the evaluation provides the basis and the starting point for effective, comprehensive, and enlightened management of our streams and watersheds for multipurpose recreational use.

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[3] Craighead, J. J., and Craighead, F. C., Jr. Water and Outdoor Recreation. Testimony before the Senate Select Committee on National Water Resources, Missoula, Mont.

[4] Craighead, F. C., Jr., Outdoor Recreation Research. The Naturalist magazine, vol. 9, No. 2, Glacier, Land of Shining Mountains, pp. 23 to 27, 3 illustrations.

III. DISCUSSION OF RATING CRITERIA FOR DETERMINING QUALITY

On the evaluation forms a number of choices are provided for the use of the evaluator. In some instances he must make mental comparisons between the area under consideration and others with which he is familiar. For this reason evaluators should preferably have a wide background of experience. On the other hand the method tends to keep to a minimum the need for past experience and technical competence in all fields involved.

Environmental effect

The general scenic or esthetic tone or mood of an area and its effect on the evaluator is rated. Often this effect is the result of experiencing certain kinds of value or beauty whose physical components are combinations of water, sky, rock and soil formation, vegetation, light patterns, and effects of the elements. Wildlife variety and abundance are considered a part of the environmental effect. The opportunity to observe and enjoy wildlife adds pleasure to recreation activities. The inclusion of environmental effect as a rating criterion presupposes that the esthetic effect of the environment or surroundings contribute measurability in providing fishing, hunting, and boating satisfaction and thus must be considered in determining the quality of the resource. Natural beauty is a part of the mold that has shaped man down through the ages. It may well be necessary to his continued progress and welfare. It is most certainly an important consideration in outdoor recreation.

Populations

High, moderate, and low population densities are used as an index to rate fish and game populations. Wherever possible ratings should be based on censuses, relative abundance counts, hunter kill statistics, creel census data, and other indexes of abundance. Where population data are available from State or Federal agencies, research bulletins, or management reports, the figures used in the evaluation should be recorded as well as the references. Populations can change relatively quickly and drastically. Specific and accurate figures or estimates are valuable for future comparisons.

Success or satisfaction

A choice of success or satisfaction is given here because hunter or fisherman success figures will not be available for all areas evaluated. Success ratios should be used when available. They are often expressed as an average number of fish taken per hour, per trip or per acre; as a success ratio of so many ducks per hunter day or a deer hunter success of a certain percent. Hunting, boating or fishing satisfaction when used may have to be estimated or obtained through interview or field observation. Generally speaking, the satisfaction is high when the catch or kill is high but there are times of high fishing and hunting satisfaction when the kill or catch is low.

Accessibility

This criterion is intended to evaluate the degree to which accessibility is appropriate rather than the relative ease with which the areas may be reached. Recreation quality may be decreased if entire shorelines, watersheds, or water areas are too accessible by road. The suitability of access has been considered in constructing the river system classification but should be evaluated here in greater detail. Adequate access may consist of roads in one area and only trails in another.

Crowding

Crowded conditions are those where too many people tend to decrease the enjoyment for all, where safety of participants becomes a problem and where actual conflict may exist. The practice of good technique is often impaired. Crowding is, of course, a relative condition but the extremes are readily recognized.

Research and management

This reflects the value of scientific data and its effective application toward the goal of optimum management of the recreation resources. The quality of fishing, boating, and hunting activities and resources are becoming increasingly dependent upon research and management. This will become a more important factor as recreation use and pressures increase, thus in general the resource is rated higher if it is wisely managed than if it is not. Specific information relative to this criterion can be obtained through State fish and game departments, the U.S. Fish and Wildlife Service, and other public agencies.

Season

Legally established seasons affect recreation activities and resources. Hunting seasons for any given area are not always favorable to hunters nor do they always insure proper management. Often political rather than technical considerations predominate. Some seasons may not provide for an adequate harvest of fish or game. Other seasons may coincide with unpleasant weather conditions. The natural length of the season as in boating is also a factor to be considered. Long seasons should normally rate higher than short ones.

Conflicts

Other recreation activities as well as other land and water uses often conflict with hunting, fishing, or boating activities; or adversely affect a particular recreation resource. Such conflicts should be recognized and evaluated. Their effect may become more pronounced in the future.

Size

The units of water and watershed to be evaluated may vary greatly in size. Generally speaking, the larger units provide greater opportunities and should receive higher ratings. Small areas are more subject to exploitations and disturbances.

Habitat

Optimum fish and game populations are dependent upon good habitat. The abundance or dearth of habitat requirements—food, cover, water, and space can be observed or measured. Factors such as the population itself, plant successional changes, overgrazing, soil erosion, and other natural manmade disturbances will alter the favorableness of habitat for different species. Limiting factors, habitat condition, and trend should be noted or measured and then evaluated.

Pollution and littering

Littering and pollution detract from the quality of the recreation activity. Where industrial or domestic pollution occurs to the extent that fish life cannot survive or fishing and boating is made unpleasant or unsafe, such waters would be rated low. The extent of pollution can be determined through observations, interviews, checking of private and public records, and through tests such as dissolved oxygen content. Public Health authorities often are familiar with pollution conditions, have established pollution criteria for certain streams and operate pollution sampling stations. Data on dissolved oxygen, coliform bacteria count, turbidity, pH, and other conditions can be obtained through this service. The U.S. Geological Survey in cooperation with the States publishes and can provide information on stream flow, chemical character of water, silting and other conditions.

Hazards and barriers

Hazards, barriers and obstacles may either detract or add to the quality of a particular recreation activity. Rocks and rapids may add zest to canoeing but interfere with motorboating. Logjams may present serious hazards to boats, but provide excellent cover for fish. Extensive windfall may detract from big game hunting but provide necessary sanctuary for the game. Hazards and obstacles should be rated accordingly.

IV. DETERMINING PERMISSIBLE USE

After the Nation's river system recreational resources have been classified, inventoried and evaluated, then the task remains of determining permissible use or the recreational carrying capacity of the various river system resources evaluated. At the present time there are no carrying capacity figures available for any of our streams or rivers. There is a limit to the outdoor recreation use any given area or resource can provide without destroying or impairing the physical resources or adversely affecting the quality of the benefits or values received. Recreational capacity figures, when obtained, will show the degree of utilization of a resource, provide a basis for comparison of use, and are necessary to compute the recreational resource needed to satisfy a known or projected demand.

V. COMPARING RECREATIONAL USE WITH OTHER USES

There is a very real and a growing need to express certain recreational values or resources of river systems in dollar terms. This applies particularly to the semiharnessed, developed rivers and to the harnessed, developed rivers where there are sharply competing claims on the use of the resources. We have not yet developed an adequate method or methods for doing this. Once recreation carrying capacities have been determined it will be feasible to use these figures to assign or compute a dollar value for any particular resource unit. If recreational capacities are expressed in units of time (man-days) and related units of resources are expressed in units of area (acres) then we can express a relation between time and recreational resource acres or the interaction between man and a suitable recreational environment.

The next logical step in assigning values to the recreational resource then would be to assume that the benefits or satisfactions that accrue to the individual during a recreational day are to a large extent inherent in the environment, since he seeks a particular environment for the recreational value it offers. This would mean that the average dollar value of a recreationist's time can be used to measure the dollar value of the resource and on an acreage basis if necessary.

Lowell Sumner[5] applied a straight-time wage rate computation to all Alaska vacationists irrespective of occupation, sex, age, or color to determine the monetary value of a recreation day. The straight wage approach results in a high value per recreation day but it has merit in that many people consciously and willingly forgo the money they could make had they not used this time in seeking recreation. Also, because the individual makes this choice he is considering all the values involved—both tangible and intangible.

An important purpose of this paper is to emphasize in outdoor water-oriented recreation the need to recognize, measure, and manage for quality. In assigning dollar values we must recognize the dilemma of using man-days or visitor-days as related to acreage in evaluating areas such as a wilderness stream and watershed or a unique or outstanding canyon where actual use statistics may be low but quality of recreation high. Increased economic value tends to go hand in hand with greater intensity of use;

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[5] Sumner, Lowell, 1956. Your Stake in Alaska's Wildlife and Wilderness. Reprinted from the Sierra Club Bulletin, Dec. 17.

yet the quality of recreational activities such as fishing, hunting, or canoeing diminish with rising use intensity.

In respect to our wild and semiwild rivers, we should probably not attempt to assign a dollar evaluation but let the quality speak for itself. There is a great unmeasured value in an uncrowded minority-type recreation that embodies the very principles of our democratic free enterprise society. It should be emphasized here that minority use is not special interest use. The opportunity is available to all. The present-day trend is to minimize this type of recreation, putting emphasis on use statistics as an indicator of successful and proper administration of outdoor recreation resources. The classification, evaluation and rating system we have proposed emphasizes the qualitative aspect of the water resource and its esthetic role, yet properly recognizes that use statistics and total quantity of the resource are also important considerations in a nation where mass recreation is well established and provides stimulation to the national economy, and important financial returns to regional and local economies.

River system recreational evaluation—Inventory and evaluation

BOATING RESOURCE

INVENTORY

Name of stream or watershed .... Date...............
Number of unit .... Map reference .... Evaluator (name) ....
Location and description of river system unit ....
....
....
Recreational classification of stream or watershed ....
Length of stream (miles) .... Average stream width (chains) ....
Stream acres:[1] Fast water .... Still water .... Total ....
Reservoir acres: Still water ....
Total acres of boating waters in unit .... Total boating resource acres ....
....
....

EVALUATION

Instructions: Rate the following (12) criteria but do not score higher than maximum of assigned ratings—the higher the quality the higher the score. All the numerical values from maximum to (0) may be used in order to correctly express the true situation. Each unit of water suitable for boating should be evaluated separately for canoeing, fold-boating, and rafting (c), or for motorboating, sailing, rowing, and water skiing (m). If a stretch or unit of stream is evaluated for both, the total scores can be treated separately or averaged. In either case the total score or final score is a measurement of the quality of the recreational boating resource of a designated unit of water.

	Final scor.		Quality designation
	(c)	(m)	
Fast or running water			
Still water			
Fast and still			

Established ratings (minimum):

Excellent	38
Good	27
Fair	17
Poor	Below 17

DEFINITIONS

Fast water includes rivers and streams with a noticeable current, rapids, and white water. Still water includes reservoirs, lakes, and large stretches or expanses of sluggish or slow-moving streams and rivers.

[1] Miles × average width (chains) × 8=stream acres.

Rate the following criteria:

	Assigned ratings	Score	
		(c)	(m)
POLLUTION			
1. a. The water is clear and clean with no pollution	5		
b. The water is somewhat contaminated and sometimes muddy or turbid	4		
c. The water is lightly polluted and often muddy or turbid	3		
d. The water is highly polluted	0–1		
ENVIRONMENT			
2. a. The environment (including water, land, and wildlife) is spectacular, inspirational, unique, highly scenic, or challenging	5		
b. The environment is either pleasing, stimulating, scenic, interesting, and/or relaxing	3		
c. The environment is not as above but either drab, ordinary, uninteresting, spoiled, or quite artificial in appearance	0–1		
SUCCESS OR SATISFACTION			
3. a. The water is "white water" or rapids that provide unusual boating adventure, challenge, isolation, an experiencing of numerous intangible values or satisfactions. (Example: Hells Canyon of Snake or Salmon River)	4		
b. The water is "still," expansive, isolated, unusual, providing for extensive journeys and the experiencing of numerous intangible values or satisfactions	4		
c. The water is not as above or only partially so	0–3		
SIZE			
4. a. The boating water is large enough in area, or length, width, and volume of water to accommodate considerable use	4		
b. The boating water is intermediate in size	3		
c. The boating water is small for the activity checked	0–1		

River system recreational evaluation, etc.—Continued

Rate the following criteria:

	Assigned ratings	Score	
		(c)	(m)
HABITAT			
5. a. Shoreline habitat providing good undeveloped or developed camp and picnic sites and opportunities for varied recreation activities is plentiful	4		
b. Such shoreline habitat with accompanying recreation opportunities is rather limited or of only fair quality	3		
c. Shoreline habitat with recreational opportunities are scarce or lacking, poor or spoiled	0–1		
ACCESSIBILITY			
6. a. The water is appropriately accessible for the type of boating being rated	3		
b. The water is not sufficiently accessible for the boating use being rated	2		
c. The water is too accessible	0–1		
HAZARDS AND/OR BARRIERS			
7. a. During season of use there are few, if any, obstacles and hazards (rocks, mudflats, sandbars, floating and submerged logs or vegetation, strong winds, etc.) interfering with the activities checked	3		
b. There are hazards and obstacles such as rapids, currents, rocks, or cold water that enhance the activity checked	3		
c. There are obstacles and hazards that detract from the pleasure and/or safety of boating	2		
d. Obstacles and hazards very definitely interfere with boating	0–1		
SEASONS			
8. a. The boating season is long and favorable throughout	3		
b. The boating season is moderately long and favorable	2		
c. The boating season is short and/or erratic and unfavorable due to early winters, adverse climate or water temperatures, seasonal winds, low water or water drawdown, floods, etc	0–1		
CROWDING			
9. a. Boating is not crowded	3		
b. Boating is crowded in some areas and/or at times of peak use	2		
c. General crowded boating conditions exist	0–1		
CONFLICTS			
10. a. There are few, if any, recreation or other uses that conflict with the boating activity checked	3		
b. Swimming, fishing, water skiing, other forms of boating or other uses conflict somewhat with the boating activity checked	2		
c. Other recreation activities and other uses definitely conflict with the boating activity checked	0–1		
MANAGEMENT			
11. a. Water and watershed management favors boating by preserving runoff, reducing or preventing low-water periods, turbidity, and manmade drawdowns	3		
b. Management of water and watersheds does not provide for or result in optimum boating conditions	2		
c. Rapid runoff, turbidity, drawdowns, and very low water levels greatly detract from boating pleasure and opportunities	0–1		
POPULATIONS			
12. a. Fish populations are high	3		
b. Fish populations are moderate	2		
c. Fish populations are low	0–1		
Highest possible rating	43		
Total			

Comments..
References...
List of photographs..

River system recreational evaluation, etc.—Continued

FISHING RESOURCE

INVENTORY

Name of stream or watershed .... Date ....
Number of unit .... Map reference .... Evaluator (name) ....
Location and description of river system unit ....
....
....
Recreational classification of stream or watershed ....
Length of stream (miles) .... Average stream width (chains) ....
Stream acres:[1] Cold water .... Warm water .... Total ....
Reservoir acres: Cold water .... Warm water .... Total ....
Total acres of fishing waters in unit ....

EVALUATION

Instructions: Rate the following criteria but do not score higher than maximum of assigned ratings—the higher the quality the higher the score. All the numerical values from maximum to (0) may be used in order to correctly express the true situation. The total score is a measurement of the quality of the recreational fishing resource (not the fishery resource). Average the stream and reservoir scores when rating both in the same river system unit.

	Final score	Quality designation
Stream fishing waters		
Reservoir fishing waters		
Fishing waters		

Established ratings (minimum):

Excellent	36
Good	26
Fair	18
Poor	Below 18

DEFINITIONS

Cold waters are those where temperatures range below 70° F. They support such fish species as trout, salmon, steelhead, whitefish, grayling. Warm waters are those where temperatures range above 70° F. They support such fish species as bass, crappie, bluegills, perch, pike, catfish, etc.

[1] Miles × average width (chains) × 8 = stream acres.

Rate the following criteria:

	Assigned ratings	Score	
		Stream	Reservoir
POPULATIONS			
1. a. Supports high fish populations in good condition of 1 or more species of the better warm water or cold water game fish; or a moderate population of an unusual and sporting fish such as the steelhead	5		
b. Supports a moderate fish population of 1 or more better game species or a high population of fish generally considered as less desirable game species	4		
c. Supports low populations of game species or high to moderate populations of less desirable species	2		
d. Supports low fish populations of all kinds	0		
ENVIRONMENT			
2. a. The environment (including both water and land) is spectacular, inspirational, unique, highly scenic	5		
b. The environment is either pleasing, stimulating, scenic, interesting, relaxing; and not obviously artificial	2		
c. The environment is not as above, but either drab, uninteresting, or quite artificial	0-1		
POLLUTION			
3. a. The water is clean with no pollution or siltation	5		
b. There is no industrial pollution, little or no domestic pollution, but water may at times be turbid or muddy	3		
c. There is silting or excessive organic decomposition and/or some domestic or industrial pollution	1		
d. There is considerable pollution	0		
SIZE			
4. a. The fishing water is large enough to accommodate considerable use and can withstand fishing pressure (river, large stream, or good sized lake)	4		
b. The fishing waters are small (small creek, brook, pond, small lake) and/or cannot withstand much fishing pressure due to lack of cover, short growing season, shallow waters, etc	0-2		
MANAGEMENT			
5. a. The water and watershed reflect good land and fish-water management so that there is little or no manmade or natural drawdown, flooding, or turbidity during the main season of use. Included here are power surges and power and irrigation fluctuations	3		
MANAGEMENT—continued			
5. b. The water and watersheds are not managed to favor fishing—the stream or reservoir environment being subject to both natural and manmade flooding, drawdown, turbidity, much of which occurs during the season of least use	2		
c. The adverse stream conditions in (b) occur during the season of heaviest use	0-1		
CONFLICTS			
6. a. There are few if any recreation uses that conflict with fishing	3		
b. Use of motorboats and water skiing conflict with fishing but are regulated	2		
c. Excessive and unregulated use of motorboats and water skiing conflict with fishing	0-1		
SEASONS			
7. a. Seasons for waters being evaluated are long and favorable. Fishing is year round or near year round by virtue of a combination of seasons (for example, trout in warm weather, whitefish continuing through winter) or due to no need for a closed season (for example, bass and bluegills in warm-water lakes)	3		
b. The open season is fitting and moderately long	2		
c. Seasons are short and/or unfavorable in that they do not reflect up-to-date management practices	0-1		
SUCCESS OR SATISFACTION			
8. a. The waters provide high fisherman success per visit as indicated by creel counts, fish taken per unit of time, pounds of fish, etc., or excellent expectation of success	3		
b. Waters provide good fishing success or good expectation of success	2		
c. Waters provide fair fishing success or reasonable expectation of success	0-1		
ACCESSIBILITY			
9. a. Accessibility to fishing waters by road, trail, or afoot is fitting or appropriate	3		
b. Accessibility is inadequate, as for example, lack of boat ramps or access roads and parking areas at large reservoirs	2		
c. Accessibility is excessive such as a highway or road along both sides of a stream, a road completely around and close to the edge of a lake	2		
d. Accessibility along a river or big lake is at places both inadequate and excessive	0-1		
CROWDING			
10. a. The existing use is such that crowded fishing conditions do not exist and there is opportunity to get off by oneself	3		
b. Fishing is crowded at certain times or places	2		
c. Crowded fishing conditions and conflict between fishermen exist	0-1		
RESEARCH AND/OR MANAGEMENT			
11. a. Information is scientifically and periodically gathered for management purposes. Such information includes data on water conditions, fish reproduction and survival, growth rates, results of creel censuses, and percent of harvesting	3		
b. Some fish management information is gathered but not regularly or systematically	2		
c. Fish management information is not gathered	0-1		
HABITAT			
12. a. The water habitat is such that natural propagation can maintain the fish population, but some hatchery stocking may be required, or has been required. Habitat requirements are well filled	2		
b. Habitat requirements are inadequate, natural propagation slight or nonexistent, largely hatchery stocked. (Where possible chemical, physical, and biotic water analyses should be run or results of such tests considered)	0-1		
SIZE AND CREEL LIMITS			
13. a. Size limits and creel limits conform to good fish management practices	2		
b. Size limits and creel limits do not conform to good fish management practices	0-1		
Highest possible rating	44		
Total			

Comments and notes ....
References ....
List of photographs ....

River system recreational evaluation, etc.—Continued

HUNTING RESOURCE

INVENTORY

Name of stream or watershed ________ Date ________
Number of unit ________ Map ref. ________ Evaluator (name) ________
Location and description of river system unit ________
____
____
Recreational classification of stream or watershed ________
Acres of hunting area:
Land ________ Water ________ Total acres ________
(General) ________ Big game hunting habitat ________
Small game ________ Waterfowl ________
Total hunting resource acres ________

EVALUATION

Instructions: Rate the following criteria for hunting area (general) or for one or more types of hunting habitat but do not score higher than maximum assigned ratings—the higher the quality the higher the score. All numerical values from maximum to (0) may be used in order to correctly express the true situation. Each total score is a measurement of the quality of the particular hunting habitat (HA), big game (BG), small game (SG), waterfowl (WF). The total score for hunting area (general) or an average of the habitat scores is a measurement and expression of the quality of the hunting resource. Resource acres may be overlapping and include the combined acreages of one or more habitats.

	Final score	Quality designation
Hunting area (general)		
Big game hunting habitat		
Small game hunting habitat		
Waterfowl hunting habitat		

Established ratings (minimum):

Excellent	35
Good	26
Fair	18
Poor	Below 16

DEFINITIONS

Hunting areas (general) are shore or water areas supporting sufficient populations of one or more game species so that an incentive exists for hunters to hunt. Game may be either big game, small game, waterfowl, or a combination. A big game hunting habitat supports such game species as elk, mule deer, white tail deer, moose, mountain sheep, mountain goats, antelope, bear, caribou, javelina, mountain lion.

A small game hunting habitat supports species such as rabbits, squirrels, grouse, quail, pheasants, doves, woodcocks, raccoons, foxes, groundhogs, coyotes, etc.

A waterfowl hunting habitat supports or harbors such species as ducks, geese, coot, rails, snipe.

Rate the following criteria:

	Assigned ratings	Score			
		HA	BG	SG	WF
POPULATIONS					
1. a. Supports high game population of 1 or more species, and moderate to low populations of a number of other species	5				
b. Supports a high to moderate game population of at least 1 species; or moderate population densities of a varied number of species	4				
c. Supports moderate to low game populations of 1 or more species	2				
d. Game is scarce	0-1				
SUCCESS OR SATISFACTION					
2. a. Provides either high hunter success or satisfaction per hunt or season	5				
b. Provides good hunter success or satisfaction or good expectations of success	4				
c. Provides fair hunter success or satisfaction or reasonable expectation of success	3				
d. Provides poor hunter satisfaction or success	0-2				
ENVIRONMENT					
3. a. The environment is spectacular, stimulating, challenging, or unusual	5				
b. The environment is pleasing, interesting, scenic	3				
c. The environment is not as above but either drab, ordinary, uninteresting or quite artificial	0-2				
HABITAT					
4. a. Habitat requirements of food, water, cover, space, etc., for the game species considered are near optimum with no indicators of a depletion trend	4				
b. The habitat is in good condition but there are indicators of depletion trend in some requirements	3				
c. Some habitat requirements are inadequate and/or the trend is definitely downward. The limiting factors for different species can be altered through management practices	0-2				
HABITAT—Continued					
d. The habitat is poor, the trend not downward but factors that limit populations are not readily altered by management	0-2				
SIZE					
5. a. The area is large enough to accommodate considerable use—comparable in size to State hunting district, unit, county, large waterfowl concentration	4				
b. The area is intermediate in size between (a) and (c)	3				
c. The hunting area is small—locales such as wooded butte, stream bottom, marsh, etc	0-2				
ACCESSIBILITY					
6. a. Accessibility to the hunting area or areas by road, trail, or afoot is fitting or appropriate to the activity	3				
b. Accessibility is inadequate	2				
c. Accessibility is excessive	0-1				
CROWDING					
7. a. With present use crowded hunting conditions and hunter conflict do not exist	3				
b. Crowded hunting conditions and hunter conflict exist in some parts of the area (close to roads and trails)	2				
c. Crowding and conflict are general throughout the area	0-1				
RESEARCH AND/OR MANAGEMENT					
8. a. Information is scientifically and periodically gathered and used for management purposes. Such information includes data on game populations and trends, hunter harvest, hunter success, weights, and general condition of game, condition and trend of habitat or range	3				
b. Some game management information is gathered, but not regularly or systematically	2				
c. Game management information is not gathered	0-1				
d. Game management information is gathered but not applied	0-1				
CONFLICTS					
9. a. There are few, if any, major uses that conflict with hunting	3				
b. Urban encroachment, posting of private lands, waste disposal and other conflicting uses, including recreational ones, detract from hunting	0-2				
HAZARDS AND BARRIERS					
10. a. The terrain, vegetative cover and other barriers to unmechanized travel are not formidable or forbidding. (Extensive thickets, windfall, thorny vegetation, swamps, deserts, unfordable streams)	3				
b. Some parts present formidable obstacles to travel (rimrock, box canyons, extensive thickets, windfall, thorny vegetation, deserts, bogs, unfordable streams, numerous lakes and ponds)	2				
c. Most of the area presents formidable obstacles to travel	0-1				
SEASONS					
11. a. Seasons are favorable, being well timed and sufficiently long as to provide reasonable choices of hunting days or weekends and to provide adequate harvest	2				
b. Seasons could be more favorable	0-1				
LITTERING					
12. a. There is little or no littering	2				
b. Some littering occurs on peripheries and at access points but not throughout	1				
c. Littering is excessive and/or found throughout area	0-1				
Highest possible rating	41				
Total					

River system recreational evaluation, etc.—Continued

Rate the following criteria:

Comments and notes ________
References ________
List of photographs ________

LITHUANIAN INDEPENDENCE DAY—CONCURRENT RESOLUTION

Mr. WILLIAMS of New Jersey. Mr. President, this week we commemorate the 45th anniversary of Lithuanian independence, and I take this opportunity to pay tribute to the brave people of an ancient nation which has suffered great hardships. When we express our support for the captive peoples of Eastern Europe, we reaffirm the American people's faith in the cause of freedom throughout the world. America was founded on the principle that all peoples have a right to live in freedom in accordance with their own traditions, and many of our ancestors came to the United States to escape autocratic European governments. In keeping with the American tradition of providing a haven for all peoples, we express our deep concern over present conditions behind the Iron Curtain.

Although Lithuanians have enjoyed only a few years of independence during this century, their history as a nation dates back to the beginning of the 11th century, when several Baltic principalities which faced threats of foreign invasion united in a single state. In 1253, a delegate of Pope Innocent IV crowned Mindaugas as the king of a united Lithuania. During the next two centuries the Lithuanian nation extended its boundaries into what is now Byelorussia and even into Great Russia. Lithuanian influence was further extended by a union with Poland, which was initiated through a marriage between the rulers of the two countries in the 14th century and then, consolidated as a legal union, survived almost until the end of the 18th century. During the Middle Ages Lithuania flourished as a powerful European nation, and proved capable of preserving its independence despite the invasions of foreign armies.

In the 18th and 19th centuries, however, Lithuania shared the fate of other central European peoples, caught between the conflicting pressures of two powerful neighbors. The growth of Russian power in the East and Prussian power in the West proved the greatest stumbling block to the national aspirations of the central European peoples. In 1795, when Poland was divided for the third time, Russia assumed control of Lithuania, and repeated attempts to bring an end to Russian domination proved unsuccessful. Then, in the 20th century, Lithuania became a battlefield, overrun by invading armies in both the First and Second World Wars. The country was ravished by conquerors on each side of the war.

The long period of Russian domination, however, had not extinguished the desires for freedom of the Lithuanian people, despite Russian efforts to erase all traces of Lithuanian religion, language, and culture. When the Russian Revolution and the defeat of Germany in World War I created a sudden opportunity for Lithuanian political action, 200 Lithuanians convened to determine the future of their country. On February 16, 1918, 45 years ago, the Founding Fathers of the Lithuanian Republic proposed an independent, free, and democratic Lithuania. During the next two decades the Lithuanian people were able to fulfill the aspirations which had been suppressed for years. The Soviet Union solemnly guaranteed the independence of the tiny nation. But with the coming of the Second World War and the division of Poland between Germany and the Soviet Union, Lithuania was once again overrun by successive waves of foreign invaders, finally being incorporated into the Soviet Union.

The story is much the same for Lithuania's Baltic neighbors, Estonia and Latvia. Occupying the northernmost part of the Baltic area, the Estonian people make up one of the smallest nations in Europe with a distinctive and homogeneous culture. Numbering roughly 1 million, they have withstood successive waves of German, Danish, Swedish, Polish, and Russian occupation since the 13th century without being absorbed by these alien cultures. During the First World War the Estonians shook off two centuries of Russian domination and became an independent republic in 1918. They had to fight for their freedom, however, and their war of independence against the Russian army and German volunteers lasted 14 months. During their brief period of national independence the Estonians made progress in modernizing the country's economy and in establishing a democratic form of government. These gains were swept away during the turbulent events of World War II, which saw Estonia again victimized by Russian imperialism.

The Latvians have largely shared the fate of their Estonian and Lithuanian neighbors during the modern period of history. Theirs is also an inspiring story of resistance to Russian oppression during the 19th century, a war of national independence in the aftermath of World War I, 20 years of independence, and betrayal by the Soviets during the early years of World War II.

These three countries were the first victims of Stalin's infamous pact with Hitler that touched off World War II and led to the subjection of all Eastern Europe as part of Russia's growing empire. Yet the strong national traditions of these peoples have survived the tortures, massacres, and mass deportations. This Soviet failure to root out bourgeois nationalism should encourage the United States and the other Western powers to continue their policy of rejecting Soviet annexation of the Baltic States and recognizing their independence. We are convinced that the people of Lithuania, Estonia, and Latvia are entitled to governments of their own choosing and we must continue to exert pressure for the establishment of free elections in those countries. However dim the prospects for liberation may be, we in the free world must take heart from the valiant efforts of these peoples who have resisted foreign domination for centuries, for theirs has been a struggle nourished by hope.

Mr. President, the plight of these captive nations must not be forgotten and the time is fitting, I think, that we renew our challenge to the Soviet Union to liberate these Baltic republics.

On the occasion of the 45th anniversary of Lithuanian independence, I submit a concurrent resolution which urges continued official recognition of the Baltic States as independent nations, and calls for free elections in these countries under United Nations supervision. I ask unanimous consent that the concurrent resolution be printed at this point in the RECORD.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 17) maintaining diplomatic relations with Latvia, Lithuania, and Estonia, submitted by Mr. WILLIAMS of New Jersey, was referred to the Committee on Foreign Relations, as follows:

Whereas the Government and the people of the United States of America have maintained and enjoyed excellent and friendly relations with the Governments and peoples of the Baltic State Republics of Latvia, Lithuania, and Estonia, during the years of independence of these Republics; and

Whereas the Soviet Union has occupied these three countries by force of arms and deprived the peoples thereof of their independence; and

Whereas the people of this Nation have consistently shown great sympathy for the peoples of these three Republics, especially as a result of their enslavement by the Soviet Union and the deportation and exile of great numbers of their native populations into the Soviet Union: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the President is hereby requested to continue to maintain the diplomatic recognition given by the United States to the diplomatic and consular officers of the former free governments of the Baltic State Republics of Latvia, Lithuania, and Estonia, as the lawful representatives of these three countries in the United States, and to continue the American policy of nonrecognition of the unlawful absorption of these three countries into the Soviet Union.

SEC. 2. The President is further requested, through the United States delegation to the United Nations, to take such action as may be necessary to bring before the United Nations for its consideration, the question of the forceful incorporation of Latvia, Lithuania, and Estonia into the Soviet Union, and a resolution declaring that the United Nations should conduct free elections in Lithuania, Latvia, and Estonia under the direct supervision of the United Nations in order to permit the peoples of these countries to make their own choice of government.

CHANGE OF REFERENCE

Mr. METCALF. Mr. President, I ask unanimous consent that the Committee on Government Operations be discharged from further consideration of this bill (S. 408) to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont., and that the bill be re-referred to the Committee on Interior and Insular Affairs. This motion has the approval of the chairman of the Committee on Government Operations.

Mr. President, this bill would restore to the Confederated Salish and Kootenai Indian Tribes in Montana more than 500 acres of reservation land, taken over by the Federal Government in 1904 as part of an area to be used for Indian Bureau administration and now no longer needed for this purpose.

The measure was considered in Indian Affairs Subcommittee of the Senate Committee on Interior and Insular Affairs of the last Congress. That same committee has jurisdiction over the bill in this Congress.

The VICE PRESIDENT. Without objection, it is so ordered.

ADMINISTRATION OF LITERACY TEST—ADDITIONAL TIME FOR BILL TO LIE ON DESK

Mr. DODD. Mr. President, I ask unanimous consent that S. 666, to protect voting rights by outlawing discriminatory practices in the administration of literacy tests, introduced by myself and the senior Senator from Kentucky [Mr. Cooper] be allowed to lie on the desk an additional 14 days, to insure that all Senators who may wish to do so can sign on as cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of February 5, 1963:

S. 703. A bill to provide for the flying of the American flag over the remains of the U.S.S. *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941: Mr. Allott, Mr. Bayh, Mr. Bennett, Mr. Bible, Mr. Byrd of Virginia, Mr. Byrd of West Virginia, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Curtis, Mr. Dodd, Mr. Dominick, Mr. Douglas, Mr. Eastland, Mr. Goldwater, Mr. Gruening, Mr. Hart, Mr. Hill, Mr. Humphrey, Mr. Inouye, Mr. Jordan of Idaho, Mr. Long of Missouri, Mr. McGee, Mr. Pell, Mr. Randolph, Mr. Scott, Mr. Simpson, Mr. Smathers, Mrs. Smith, Mr. Sparkman, Mr. Tower, and Mr. Young of North Dakota.

Authority of February 7, 1963:

S. 734. A bill to establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes: Mr. Engle.

S. 742. A bill to amend title 18 of the United States Code to prescribe criminal penalties for bringing certain dangerous drugs into the United States for illegal sale or use: Mr. Yarborough.

S. 747. A bill to amend the Immigration and Nationality Act: Mr. Kennedy, Mr. Bayh, and Mr. Nelson.

EULOGY FOR EARL VENABLE, FORMER SENATOR BORAH AID

Mr. JORDAN of Idaho. Mr. President, yesterday a former Idahoan who worked with the late Senator William E. Borah was buried. Earl Venable left Payette, Idaho, in 1908, to be the secretary to Senator Borah, and was at his right hand from 1908 to 1921, when the Senator was building the foundation of one of the most illustrious careers of any Senator who has ever served in this distinguished body. Idaho's Senator Borah served from January, 1907, to January 19, 1940, when he was called by death.

In 1921 Mr. Venable became executive secretary of the Republican congressional committee. He was a dedicated public servant, and maintained the image of a scholarly, trustworthy, hardworking citizen who was dedicated to the high ideals on which this great country was founded. Although his work kept him from returning to Idaho to live, his heart was in the development and progress of our State. He worked closely with the Idaho congressional delegation Members; and one of his particular friends was the late Addison T. Smith, who for 20 years served the Second District in the House of Representatives. Mr. Venable was one of the more astute political analysts ever to serve on a national congressional campaign committee.

He died as he had lived—quietly; but his record and his works will live on in the memories of those with whom he worked.

On my own behalf and for the people of the State of Idaho, I extend sympathy to the members of his family, and particularly to his daughter, Mrs. Robert T. Mickey.

Mr. President, I ask unanimous consent to have printed in the Congressional Record the eulogy paid to Earl Venable in an article published in the Washington Evening Star on Tuesday, February 12, 1963.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Evening Star, Washington, D.C., Feb. 12, 1963]

Earl Venable, 81, Dies; GOP Executive Aid

Earl Venable, a politician's politician who made his job more a quiet science than a clamorous art, died of a stroke Sunday in Montgomery, Ala., where he was living with his daughter. He was 81.

For 30 years, until 1951, he served as executive secretary of the Republican congressional committee.

"He knew more about individual congressional races than any other man in the country," said William Warner, executive director of the Republican National Committee. "But he was very scholarly looking—more like a college professor and not at all like a cigar-waving, cartoon politician."

As the key staff man on the congressional committee, Mr. Venable helped put many a GOP man into Congress.

From his office in the National Press Building, he managed a complement of field travelers, got a bird's-eye picture of political sentiment, and called the campaign shots.

Although he spent three decades in that spot, he figured small in political anecdotes. He was known as possessing a quiet demeanor and an uncanny knack for predicting election results. His most notable prognostication was in 1938, when he said the Republican Party would gain 80 congressional seats. They gained 81.

Representative Martin, Republican, of Massachusetts, and former chairman of the Republican congressional committee, called him "one of the most astute political observers on the Washington scene. His advice was of tremendous importance in all campaigns."

Known in later years as "the Venerable Venable," he came into politics through his association with the late crusading, anti-Old Guard Senator Borah, of Idaho.

Mr. Venable was a young newspaperman in Payette, Idaho, when he first helped Senator Borah win in local politics. In 1908 he came to Washington as the Senator's secretary, quitting in 1921 to take the committee position.

His habits on the morning newspaper never left him, however, and as the committeeman he did most of his work during late hours.

His habits as a politician never left him, either, and in his retirement he asked to receive copies of all releases made by the Republican committee.

He reportedly had attended all Republican National Conventions since 1908.

"This was a politician," Mr. Warner said.

Mr. Venable leaves his daughter, Mrs. Robert L. Mickey, of Montgomery.

Graveside services will be at 3 p.m. tomorrow at the Fort Lincoln Cemetery.

ANNIVERSARY OF LITHUANIAN INDEPENDENCE

Mr. PASTORE. Mr. President, this is February, a month of historic pride for us. We celebrate the birthdays of two immortal Americans—Washington of our liberty, Lincoln of our unity.

Between these 2 proud days, it seems appropriate to pause to mark the birthday of the independence of an entire people. February 16 is such an anniversary for Lithuania. Although her liberty seems lost for a time, the will to be free lives on. It flourishes in the lusty longing and in the pride in the hidden powers of a splendid people.

The traditional courage of Lithuania and the character of her sons and daughters we know as our neighbors in America, all give us confidence in ultimate independence, and all make us partners in her present despairs. Lithuania is an ancient land. Her recorded history is four centuries older than discovered America. The people of Lithuania are a devout people who did not approach Christianity from an idolatry of graven gods.

So love of their land is akin to their love of God; and their love of God has been the very fabric of Lithuanian courage and perseverance—their constancy and their conviction that their freedoms have not forever forsaken them. "Let Us Kneel," was a favored hymn of the people, a hymn that was both a prayer and a pledge of fidelity in the dark hours of the persecution of Lithuania.

Lithuanian independence was originally lost as we were gaining our freedom in the American revolution. Russian domination endured for almost a century and a quarter. But Lithuania never accepted it. Each generation rose in revolt. Although each was savagely suppressed, the next generation boldly took up the challenge of liberty or death.

There were alternate hopes and fears. In 1812, Napoleon crossed Lithuania, on his way to Russia. Lithuanian hopes were high; but Napoleon's defeat brought despair again. Lithuania saw her language and her literature banished; but they went underground, and stayed alive.

The First World War brought German occupation, and it brought desolation and destruction from all sides.

But February 16, 1918, saw Lithuanian independence proclaimed; and it is that birthday of the independent, democratic republic that we honor today.

In the score of years of her liberty, there was a cultural and economic rebirth of Lithuania. Kaunas University had over 4,000 students, and 2,500 elementary schools welcomed 300,000 pupils.

The Second World War brought a return of her woes; yet it brought Lithuania her finest hour. She offered refuge to persecuted Jews; and she offered asylum to her ancient adversaries, the Poles.

But Lithuania's own tragedy was at hand, as Germany and Russia bargained over her dismemberment. In 1940, Lithuania was forcibly incorporated into the Soviet Union. In this time of her subjugation, Lithuania's plight is the shame of all who truly subscribe to the freedom and dignity of nations. However small her territory may be, the principles of decency are mighty, and the sanctity of human rights and elementary justice reaches to the heavens for security.

Life, liberty, and the pursuit of happiness are written into the American dream and destiny as man's endowments from his God. There can be no security for us when anywhere they are denied. There can be no permanent peace, where the Prince of Peace is denied.

May this time of crisis awaken man to his responsibility man to man, nation to nation. Let man realize that his power to destroy all civilization is the power to lift the least of us to man's highest hopes. Man can do it if man's will is good; and men of good will have the divine promise of a lasting peace on earth.

Beyond the darkness of this hour may there shine the light of liberty for Lithuania, as the plight of Lithuania commands our sympathy, and as love of freedom inspires every American heart.

Mr. LAUSCHE. Mr. President, the recent tragic history of the Lithuanian people has been a serious concern for free world leadership since the end of the last war. Of course the Government of this Republic and its responsible officials are keenly conscious of their responsibility in this matter. When we became involved in the last war we fought to the bitter end for our safety and also for the freedom of enslaved peoples suffering under totalitarian tyrannies. Our gallant warriors, by their glorious victory over the forces of darkness and destruction and tyranny, assured us of our safety. Unfortunately, however, our victorious forces could not secure freedom for all the enslaved peoples. We could not then, nor are we in any position today, to assure the Lithuanian people of their freedom from Communist totalitarian tyranny in their homeland.

These sturdy and stouthearted Lithuanians had, after suffering under the oppressive czarist regime of Russia for more than 120 years, freed themselves and proclaimed their independence on February 16, 1918. They set up their own democratic government, and began to rebuild their ravaged country. During the relatively short time of two decades, during the interwar years, they worked and lived happily, rightly proud of their accomplishments on the political, economic, social and cultural fronts. They made Lithuania a model democracy with progressive and liberal institutions. Then the sudden and catastrophic change in the international scene seemed to seal the fate of the Lithuanian Republic. The outbreak of World War II put the fate of the Lithuanian people into the hands of Soviet Russian tyrants. And these heartless masters of Communist Russia treacherously robbed the Lithuanians of their freedom, put an end to their independence, and in mid-1940 made Lithuania part of the Soviet Union.

Since then Lithuanians have known no freedom in their homeland. Except for the few war years when they suffered under the Nazi tyranny, they have been held down for almost two decades by the ruthless might of the Kremlin. Two years ago, on the 43d anniversary of the Lithuanian Independence Day, I argued their righteous cause in this Chamber. A year ago, on March 8, I introduced the Senate Concurrent Resolution 63, urging that the President take such action as may be necessary to bring before the United Nations the sad fate of the Baltic peoples, in the hope of establishing as quickly as possible legal democratic governments in the three Baltic countries.

Today, as the 45th anniversary of the Lithuanian Independence Day nears, I again raise my voice in behalf of the Lithuanian people, plead their sacred cause with all the force I command, urge the President to carry out the intent of Senate Concurrent Resolution 63, and pray for the freedom of the unhappy Lithuanian people.

Mr. President, Lithuanians especially, and citizens throughout the world, will be observing, on the 16th of February, the independence day of Lithuania. It is quite significant that, on this subject, there appears in the papers the story of a booklet issued by UNESCO, a subsidiary of the United Nations. That booklet, issued by UNESCO, was written and prepared by two Communist Russians. In the book it is stated that Lithuania, Estonia, and Latvia, on their own, willingly became parts of the Soviet Union.

I cannot overemphasize the travesty of that statement and the injustice perpetrated on the brave Lithuanian people.

These two Communists, under the aegis of the United Nations, make the statement that the Lithuanian people, of their own will, embraced the Communist doctrine and became members of the Communist bloc. No one who knows of the sacrifices made by the Lithuanians in their efforts to preserve for themselves sovereignty and independence can fail to weep when he thinks of this unjust declaration.

No people, including the Jewish people, suffered the destruction of human life, the genocide, that was perpetrated upon the Lithuanians. Small in number, they were practically decimated by the Communists.

I join with them and join with the nations belonging to the captive countries in protesting this act of the United Nations.

That booklet should be recalled. Further issuance of it should be forbidden. Our delegate to the United Nations ought to speak up and declare the falsehood that is the underlying theme of this unworthy publication.

Mr. INOUYE. Mr. President, Saturday, February 16, is the 45th anniversary of Lithuanian independence. The people of Lithuania, which came under Russian domination more than two decades ago, have been members of the European Christian community since early in the 13th century.

A brave and proud people, they won their freedom in 1918 and were a model democracy for 21 years. They became a part of the Soviet Union in 1940, another victim of Soviet aggression.

The Lithuanian people are prisoners within their historic homeland, but I am certain many of my colleagues will agree that the spark of liberty and hope still burns within this great people. Let us all pay tribute to them on this day and hope that the sun of freedom will shine upon them one day soon.

Mr. KUCHEL. Mr. President, 45 years ago Lithuania established her independence. So, too, did Latvia and Estonia. Three gallant nations came into existence—an existence which, tragically, was short lived.

I rise on this occasion to join with my colleagues in extending congratulations to the people of Lithuania as we approach once again the anniversary of the independence of their country.

I intend to introduce an appropriate resolution, which will be referred to the Committee on Foreign Relations, by which the U.S. Senate may indicate its desire that the United Nations inquire specifically into the problems surrounding the three late independent Baltic nations.

In that connection, Mr. President, I ask unanimous consent that a short statement prepared by the distinguished junior Senator from Pennsylvania [Mr. SCOTT] on this subject may be printed in the RECORD. I have no need, I am sure, to recall to Senators that the distinguished junior Senator from Pennsylvania is one of the most articulate spokesmen in the cause of American liberty and freedom for peoples around the globe.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUGH SCOTT

I join with my colleagues in expressing congratulations to the Lithuanian people on the 45th anniversary of Lithuanian independence. It is one of the great tragedies of history that the only Lithuanians who can freely celebrate this occasion are those no longer living in their native land. The present Communist dictatorship in control of this small Baltic nation will prevent with threats and use of force the proper celebration there of this memorable holiday.

Lithuania proclaimed its independence on February 16, 1918, during the same year when the other two Baltic nations—Latvia and Estonia—proclaimed theirs. But the freedom of these nations was short lived. The Lithuanians enjoyed their independence for only two decades. In the beginning of World War II, the Baltic nations were overrun by the Communist armies and brutally incorporated into the Soviet Union.

My State of Pennsylvania is fortunate to be the home of many citizens of Lithuanian birth or descent. It has been my privilege to work closely with these people, to observe their dedication to freedom and their aspirations, based on the faith that Lithuania shall some day again be free. I take great pleasure in saying that I share with them these aspirations.

Mr. SALTONSTALL. Mr. President, at a period in history when many people throughout the world are engaged in the struggle to shake off the yoke of tyranny and enslavement imposed by continuous Communist aggression, it is fitting that we pause to commemorate the 45th anniversary of the independence of the Republic of Lithuania which will be celebrated by free Lithuanians everywhere on February 16.

The strategic geographical location of Lithuania has made her one of the prime targets for Soviet conquest in our own age, and the dedication of her people to the principles of freedom continues to undergo great stress. Since the 13th century the Lithuanians have been subjected to frequent conquest by ruthless and tyrannical rulers. That tyranny has assumed a variety of forms, but has been consistent in its aim to extinguish the spirit of hope of Lithuanian liberty. The history of these valiant people, however, bears witness to the fact that the spirit of freedom cannot be crushed.

In 1795 Lithuania lost her freedom to an autocratic Russia. But in 1918, after a century of sporadic revolts followed by severe repression, that long-smoldering spirit of liberty burst forth once more and the Republic was reestablished. For 22 years, taking full advantage of their hard-won independence, the Lithuanian people made extraordinary advances in their economic, social, and political development. But the forces of tyranny struck once again on June 15, 1940, when the Soviet Union destroyed the young Republic. Not content merely to invade the Republic, the Soviets have used every imaginable form of terror in their attempt to shatter the spirit of Lithuania. As others have failed before them, the Soviets will also fail; for the spirit to resist tyranny lives on in the hearts of these valiant people and indeed, in the hearts of all people who have known freedom.

Americans of Lithuanian descent have kept intact the love of liberty and belief in the dignity of man which was the hallmark of their homeland. And in so doing they have made great contributions to the cultural and political heritage of our country and to American democracy.

Today, I join with them and with all freedom-loving peoples in the hope and prayer that the day will not be far distant when the Lithuanian homeland will once again be free of the Communist invader and an independent Lithuania will again join the ranks of the free world.

Mr. DODD. Mr. President, on February 16, the Lithuanian people celebrate the 45th anniversary of their own declaration of independence.

On this day in 1918, toward the close of World War I, the Lithuanian people, after centuries of czarist subjugation, established their own Government and proclaimed their independence.

No people in the world has fought more heroically for freedom, or suffered more cruelly under tyranny, or clung more tenaciously to their national identity, their cultural and spiritual heritage, their faith in the ultimate triumph of freedom.

This great nation, this nation of heroes and martyrs, has, in its suffering, become a symbol for freemen everywhere.

On the one hand, the agony of the people serves as a constant reminder to us of the ignorance and cynicism and lack of foresight and courage that resulted in the abandonment of the captive peoples of Europe at the close of World War II.

On the other hand, by their obstinate refusal to reconcile themselves to tyranny, either under the czars or under the Bolsheviks, the Lithuanian people have inspired all of us to fight harder and work harder for the eternal cause of freedom.

If I have sometimes spoken up on behalf of the Lithuanian people and the other captive peoples of Europe, if I have sometimes urged that we seek after more effective ways of promoting their liberation, it has been a simple matter of conscience. I would have been delinquent had I done less.

The history of the Lithuanian people, as I have read it, is an epic story of heroism and suffering and man's unquenchable will to assert his God-given human rights. It is a story to be told again and again, for freemen everywhere have much to learn from it.

I believe the story of Lithuania should be told for another reason. Better than any story I know, it illustrates the nature of the enemy we now confront. It teaches us how much trust can be placed in treaties with the Kremlin, in its pledges of coexistence, in its off-and-on pretenses of friendship. It teaches us how inhuman international bolshevism is, how utterly without morality or restraint.

When the Lithuanian people, at the close of World War I, established their own Government and proclaimed their independence, the Bolsheviks invaded the newly established state. There were many bitter battles but finally the Lithuanian people emerged triumphant. On July 19, 1920, the Soviet Government signed a treaty of peace. It declared in this treaty—mark these words well—that it "voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and their territory."

For 20 years Lithuania knew peace and independence. During this period, there was a great renaissance of national literature and culture.

But then came the Hitler-Stalin Pact and the partition of Poland between Germany and the Soviet Union. Almost immediately, the Kremlin demanded permission to place 20,000 troops in Lithuania for the duration of the war. These troops, it was emphasized, would be removed at the end of the war. Prime Minister Stalin himself stated—and again mark these words well—"we respect the independence of the Lithuanian state. We are disposed to defend its territorial integrity."

History records no blacker or more perfidious lie by the head of a great state.

On October 10, 1939, only 2 weeks after the original demand was served on Lithuania, the Soviet Union concentrated its armed forces on the Lithuanian frontier. The Government of this brave little nation had no alternative but to sign the pact of mutual assistance which the Kremlin placed before it. But at the point of signing, they discovered that the clause stipulating that Soviet bases would be maintained in Lithuania only for the duration of the war had been stricken from the agreement, on the personal instruction of Stalin.

This was only the beginning of the perfidy. Eight months later, on June 14, 1940, the Soviet Government demanded that the Lithuanian Minister of the Interior and Director of Security be brought to trial, that a government friendly to the Soviet Union be installed and that the Red army be granted free entry in force into the territory of Lithuania. There was not even time to reply to this ultimatum. The very next day, on June 15, the Red army occupied Lithuania and the Government was compelled to flee abroad.

The Communists had made their plans carefully, as they always do, and they moved rapidly. They had a quisling regime ready to install. They had their lists of names of Lithuanian patriots who were slated for arrest and execution. They had their plan of action.

On July 7, 3 weeks after the occupation, the quisling regime ordered the liquidation of all non-Communist parties and the arrest of their leaders. On July 14 and 15, the people were compelled to vote in national elections with only the Communist party represented. The Lithuanian people resisted heroically, desperately. But they were fighting against hopeless odds. On July 17, the regime announced that 95.1 percent of the people had voted and that 99.19 percent of these had cast their ballot for the Communist party.

Two days later, on July 21, the so-called Peoples Diet convened for its first session. In less than 1 hour, without any debate, it voted unanimously to ask the Supreme Soviet of the U.S.S.R. to admit Lithuania into the Soviet state as one of its federated Soviet Socialist Republics.

What an object lesson this should be to all those who insist that we must be trustful, who wish to believe that the world's difficulties can be resolved by signing another treaty of nonaggression and coexistence with the Kremlin, who think that we somehow improve relations by signing treaties on Antarctica or on outer space or on Berlin.

I know there are those who will say, "But the events you relate took place in Stalin's day. Today we have a new regime, a regime that is less brutal, less immoral." How they can argue this in the face of everything that has happened in the captive nations, in the face of the brutal suppression of the Hungarian revolution, in the face of Khrushchev's ultimatums and threats of nuclear war—how they can still pretend that there has been some basic change for the good in Soviet policy, I cannot understand.

Let me point to one simple fact. The man directly responsible for the occupation of Lithuania under Stalin was Gen. Ivan Serov. It was he who installed the quisling government, who directed the mass arrests of Lithuanian patriots, who was responsible for the brutal deportations of scores and hundreds of thousands of Lithuanians to the oblivion of the Soviet slave-labor camps.

It was the same Gen. Ivan Serov who was responsible for the inhuman suppression of the Hungarian Revolution, the perfidious arrest of General Maleter while he was negotiating under flag of truce, the mass deportations of Hungarians which took place after the Soviet occupation. General Serov has been promoted. He is now the head of the Soviet secret police. In short, the only thing that has changed in the Soviet slave empire is that Khrushchev has succeeded Stalin. There is the same total inhumanity, the same total perfidy, even the same General Serov.

The despots of the Kremlin may be efficient, but, like all tyrants, they have a blind spot. They believe that, with enough oppression, they can ultimately destroy the human will to freedom. How wrong they are. The Hungarian Revolution and the continuing resistance of the Lithuanian people and of the other peoples of the captive nations prove once again that neither one generation nor two generations nor ten generations of brainwashing can produce a breed of men that is willing to accept the denial of the God-given human rights as natural and proper.

The word "liberation" has been somewhat compromised because in the 1952 campaign it was used as a crude election slogan. It is however a good word, a word for which there is no substitute. Instead of abandoning the word as some have proposed, we must redeem it and give it meaning.

To use it again as an electioneering slogan or simply to pay lip service to it would be the height of irresponsibility. If we use the word again we must do so as a serious act of self-dedication, and we must spell out precisely what we mean. "Liberation" does not mean that we confront the Soviets with an ultimatum and launch a war if they object to it. Basically, liberation will have to come from within. But what we say and what we do can encourage or discourage the spirit of liberation—while our behavior at critical moments like the Hungarian Revolution can be of decisive importance.

How should we go about encouraging the liberation movement? The first step, in my opinion, would be to demonstrate the earnestness of our concern by raising the issue of the captive nations at every diplomatic conference and at every U.N. session.

In enslaving the captive nations, the Soviets were guilty of violating a whole series of international agreements that guaranteed free election. In imposing their regimes and maintaining them in power, they have used the Soviet Army in the most flagrant manner as an instrument of political intimidations; and when intimidations failed in Germany and in Hungary in recent years, they resorted to open military intervention and repression. They have violated the U.N. Charter repeatedly and at almost every point.

Let us spread the facts about Soviet imperialism on the record at every available opportunity. Let us continue to demand that the Soviets respect all their obligations.

Above all let us make liberation a cardinal goal of our diplomacy. I do not underestimate the difficulty of persuading the Kremlin to liberate its satellite empire. But, after Hungary, I find it easy to conceive of a situation where a combination of division within the Kremlin, unrest in the satellites and hard bargaining on the part of the West will induce the Soviets—in their own interest—to grant freedom to the unyielding, troublesome captive peoples of Europe.

Liberation is not a pipedream. It is the only conceivable way in which we can recapture the political offensive. And, as every schoolboy knows, a side which defends itself when attacked but never takes the offensive, is bound to lose. The same is true in politics.

A point in history has been reached where men who are free must come to the aid of those who seek to be free—because if they do not, the chances are that they will lose their own freedom.

And I venture to prophesy that, before I am too old to travel, I will some day have the great pleasure of visiting a free Lithuania—of visiting the ancient capital of Vilnius, which I have so often wanted to see, and of renewing there our pledge of freedom and to enduring friendship between the Lithuanian and American nations.

Mr. CASE. Mr. President, were it not for its forcible incorporation into the Soviet Union in 1940, the brave little nation of Lithuania would on February 16 doubtless be celebrating the 45th anniversary of its independence. Unfortunately, circumstances of geography and international politics placed the Lithuanian people in an area where they have been subjected, through the centuries, to the almost uninterrupted encroachment of other larger countries. Today, people in Lithuania are not in a position to observe this anniversary of the beginning of a bright but all-too-brief period of freedom and independence. Once again this year, however, many Members of the U.S. Congress will join Americans of Lithuanian descent in observing this anniversary.

Lithuania enjoyed but 22 years of independence in modern times, from 1918 to 1940, when it was temporarily occupied in part by Poland and Nazi Germany and then was taken over by the Soviet Union. During this period of independence, Lithuania proudly occupied a place of honor among the free nations of the world. Her political, social, economic, and cultural institutions were permitted to flower without interference or subjection. Lithuania's land reform law of 1922 was the first in all Europe. Universal compulsory education reduced illiteracy, the ally of all oppressors, from 64 to 15 percent.

Her standards of commerce, agriculture, and industry rose. The arts flourished in an atmosphere of peace and liberty.

The illegal seizure of the Baltic States and their incorporation into the Soviet Union has never been recognized by this country. The passionate hope for a restoration of Lithuanian independence continues to burn brightly in the hearts of Americans of Lithuanian descent. Their hopes and sorrows are shared by people everywhere who cherish freedom.

Mr. BREWSTER. Mr. President, I rise today to pay tribute to the great people of Lithuania and to the contributions of the Lithuanian community to cities and towns throughout our own Nation.

Saturday marks the 45th anniversary of the declaration of Lithuanian independence, an act by which the great people of Lithuania demonstrated their dedication to liberty and freedom under democratic government and in accordance with Western political tradition. Independence meant the same thing to this great people that American independence meant to us. They were motivated by the same concerns for the dignity and freedom of the individual as were our Founding Fathers.

Since Patrick Henry delivered those memorable words, "Give me liberty or give me death," thousands of Lithuanians, like thousands of Americans, have given their lives to this cause. The difference lies only in the fact that we have been more fortunate. We have succeeded in maintaining our freedom and independence; Lithuania has lost hers, through no lack of determination or courage on the part of her people, but through forceable occupation by a foreign power.

At the time of her independence, Lithuania was recognized as a sovereign nation. Soviet Russia was a party to this recognition. But solemn agreements and treaties which are binding on all nations are as scraps of paper to totalitarian powers seeking to expand their boundaries and their power. So it was that in 1940 the Russian Army occupied Lithuania. It is my sad duty to report that this occupation has continued to the present day.

Though the Soviets do not recognize their solemn pledge to respect Lithuania's independence forever, the Lithuanian people have neither surrendered not capitulated to tyranny. Those at home, and the thousands of Lithuanians in this country and throughout the world, continue to resist the oppression of their homeland.

Two years ago, in a similar tribute to the Lithuanian people, my distinguished colleague from Ohio, Senator YOUNG, spoke in words which bear repeating here:

> Neither the tyranny of Hitler nor the oppression of the Soviet Union has dimmed the bright hope of freedom nurtured by the Lithuanian people. All tyrants ultimately learn that physical and political suppression of a people cannot accomplish suppression

> of an idea, cannot erase the faith or hope that freedom someday will return. It has been the history of tyrants that the freedom which they brutally suppress rises again to topple them, for its spirit never dies. This spirit is rooted firmly in the minds and hearts of the Lithuanian people. No Iron Curtain will smother their hopes and prayers for a return to liberty.

Mr. President, the oppression of the Lithuanian nation is a symbol of the evil which besets the world. World peace and the dignity of every human being is threatened so long as such oppression survives. There could be no better occasion than this one to rededicate ourselves, no matter who we are or from what country we have come, to the unfinished battle for the unalienable rights of all men everywhere. It is only fitting that, "for the support of this declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor."

Mr. PELL. Mr. President, we in this great forum of free people have an opportunity and an obligation today to fan the inextinguishable spark of liberty in a distant land where the cold grip of tyranny bears hard on man's spirit.

I refer to the 45th anniversary of independence for Lithuania which we celebrate this week. One of the smallest and one of the earliest nations to fall prey to Soviet imperialism, Lithuania nonetheless harbors the spirit of her freedom in the hearts of her brave people. I hope our words today may in some small measure help to keep that spirit alive.

It seems to me, Mr. President, that we have a real message of hope for the beleaguered Lithuanians today. It is a hope engendered by the passage of events within the Communist empire in recent weeks and by the evidence of fundamental tensions and disagreements between the members of that empire. Our message is simply this—that there is no compelling spiritual force to Communist imperialism, any more than there is to any other kind of imperialism, and that the Communist empire, like all other unnatural unions of free peoples is doomed to ultimate dissolution. It is, in short, without logic and without moral cohesiveness because its existence flies in the face of the deep-seated aspirations of its people. For this reason, Mr. President, our message to the Lithuanians today can be one of hope. And hope is the fuel of the future.

Mr. BAYH. Mr. President, I am both proud and gratified to take part in the 45th anniversary of Lithuanian Independence Day, for the struggle of independence of the Lithuanians embodies the noblest motives of mankind—courage, devotion to ideals, and the pursuit of liberty.

The present state of political dominance of Lithuania by the Soviet Union is deplorable, but by no means a hopeless situation. The history of Lithuania has proven that the Lithuanians emerge repeatedly as a proud, unconquered, undivided people.

I am privileged to join the nearly 10,000 Hoosiers of Lithuanian extraction, as well as friends of freedom everywhere, in expressing the hope that the land of their forefathers may once again be freed of its bondage.

WASTE CAUSED BY TRADING OF GOVERNMENT-OWNED TIMBERLAND FOR LESS VALUABLE PRIVATE LAND

Mr. WILLIAMS of Delaware. Mr. President, the Federal Government, under the Department of the Interior and the Department of Agriculture, is wasting millions of dollars in the northwestern area through a program of trading Government land with valuable timber for less valuable privately owned land.

These lands are mostly a part of our national forests. The Government has a program of exchanging what it describes as selected land under the control of the Forest Service program for privately owned lands. In making these exchanges, appraisals are made of both the Government land and the privately owned land; and, based on these appraisals, the exchanges are made.

The Government agencies in their annual reports are boasting of the money they are making for the taxpayers, but their reports are not accurate. For example, as of June 30, 1961, the Forest Service records show 827 exchanges as having been consummated in the Pacific Northwest region. The selected land and timber—Government land—given in these exchanges was valued by the Forest Service at $19,741,860, while the offered land which was received by the Government was valued by the Service at $21,112,208. On the surface, this would sound like a profitable operation; however, when the individual deals are examined we find quite the contrary. The Comptroller General in a recent report cites two particular land exchanges that were made in the Rogue River National Forest region, near Portland, Oreg.

In one of these exchanges the Government received land with an approved valuation of $76,060. The land which the Government gave to the private owner, in exchange for this property was valued at $65,105. However, the timberland received from the Government was promptly sold for $225,000, or $148,940 more than its valuation. The Government admitted that it failed to take into consideration the true value of the timber when valuing this property.

In the second transaction examined, the tract of land received by the Federal Government was valued at $25,260. The land the Government gave in exchange for this $25,260 property was valued at only $20,837. Again, the timber was promptly sold for $83,500, or $58,240 more than the total valuation of the entire property.

There was no evidence that the property acquired by the Government in exchange was similarly undervalued. Quite the contrary, the timber had either been cut or was exempted from the sale.

The Comptroller General cited as a major factor contributing to the wide difference between the sale price of this timber land and the appraised value placed upon it by the Government a "significant underestimate by the Forest Service of the volume and value of merchantable timber on the selected lands."

Again in his report he said:

> The tract valuation reports and related records on the two land exchanges that we reviewed at the Siuslaw National Forest, Oreg., contained erroneous and unsupported data.

In some instances the Comptroller General pointed out that the volume of timber actually cut on some of this Government land which was traded was 61 percent greater than that estimated by the Forest Service, and in one instance the volume of timber was 98 percent greater than its estimate.

I quote further:

> The Rogue River National Forest supervisor informed us that he believed the major part of the volume differences on both exchanges was due to the use of improper volume tables by forest office personnel in estimating timber volumes on the selected lands.
>
> A cruise intensity of 20 percent was shown on the appraisal report for the timber on the offered land in one of the exchanges whereas the available cruise records indicated that a cruise intensity of only 7.35 percent was actually made.
>
> Individual timber cruise cards for some lands in both exchanges were missing or incomplete, and work sheets used to convert cruise data to estimated timber volumes could not be located by forest office employees.
>
> In one of the exchange cases, 15 acres of national forest land were not assigned any value.
>
> In the tract valuation report for one of the exchanges, a subtraction error of $1 in computing timber stumpage rates caused a $1,198 undervaluation of selected land.
>
> Tract valuation reports and related documents on the four land exchanges that we reviewed contained undocumented, incomplete, and erroneous data on a number of factors affecting the appraised value of the exchange lands and timber thereon.

There is no excuse for such a discrepancy in the valuation of our valuable timber reserves; and while the Comptroller General does not specifically charge fraud, the kindest thing that can be done to the officials responsible is to charge them with gross incompetence or negligence of duty. In any event, someone should be fired.

I compliment the Comptroller General upon his report of December 28, 1962, and suggest that the Agriculture Committees of both the House and the Senate take notice of these transactions.

Mr. President, I ask unanimous consent that the December 28 letter of the Comptroller General be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> WASHINGTON, *December 28, 1962.*
>
> TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:
>
> Herewith is our report on the review of certain land exchanges in the Pacific Northwest region (region 6), Portland, Oreg., of the Forest Service, Department of Agriculture.
>
> The act of March 20, 1922, as amended (16 U.S.C. 485), the legal authority for the exchanges, requires that the value of Federal land or timber given in an exchange may

not exceed the value of the private land received by the Government.

The report deals primarily with two land exchanges in which Federal lands and timber conveyed to proponents (private parties) were sold by the proponents shortly after the exchanges for amounts that totaled about $207,000 more than the appraised values, as established by the Forest Service, of the lands and timber received by the Government. Furthermore, the amounts received by the proponents from the sales of the selected lands (Federal tracts given in the exchanges) totaled about $222,000 more than the values at which the Forest Service appraised these same lands. A major factor contributing to the differences between sale and appraised values of the selected lands was a significant underestimate by the Forest Service of the volume and value of merchandise timber on the selected lands.

To provide more assurance that appraisals of lands and timber in proposed exchanges will reasonably express the values of the resources involved so as to meet criteria of legislation on exchanges of equal values, we are recommending to the Chief, Forest Service, that agency procedures be reexamined with a view toward obtaining improved appraisals of selected and offered lands. Our report contains specific suggestions to help achieve such improvement.

A summary of our findings is presented in the forepart of the report. The views of Forest Service officials on these matters are considered in the report.

Copies of this report are being sent to the President of the United States and to the Secretary of Agriculture.

JOSEPH CAMPBELL,
Comptroller General of the United States.

SUBCOMMITTEE ON INTERNATIONAL ORGANIZATION AFFAIRS INVESTIGATION OF ACTIONS BY U.N.

Mr. CHURCH. Mr. President, I am extremely disturbed by the current impact and future implications of two stories concerning the United Nations which appeared on the front page of the Washington Post this morning. The one deals with the decision of the U.N. Special Fund to contribute financial assistance to a Cuban agricultural project on a 6-month test basis. The other describes rising protests against a Soviet-prepared publication of last year, issued by the U.N. Educational, Scientific, and Cultural Organization, on the subject of supposed racial and political equality in the U.S.S.R.

My most immediate concern, of course, is with the Special Fund action which, on its face, seems to give aid and comfort to a Cuban regime condemned by all countries of the Western Hemisphere. It is very difficult for me to perceive any justification for that action, and I believe the Senate is entitled to a full accounting. I also find it very difficult to understand how UNESCO can permit itself to be used by any one nation as an outlet for that country's political propaganda about its pretended domestic virtues.

In order to get all the facts straight on these two developments, I am taking immediate action to convene, as chairman, the Subcommittee on International Organization Affairs of the Senate Foreign Relations Committee. We shall be meeting as early as possible—probably on Monday morning—to receive a full explanation from high-level officials of the Department of State in executive session.

I know that many of my colleagues in this body are also upset about these circumstances involving the United Nations. I want to give them this early assurance that both matters will be fully looked into by the appropriate committee of the Senate. Thereafter, we shall make available to the public as much information as we possibly can.

Mr. President, I ask unanimous consent that the two articles published in the Washington Post to which I referred be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

U.N. TO GIVE FARM AID TO CUBA—6-MONTH TEST PLAN WILL HELP CROP DIVERSIFICATION

(By Dan Kurzman)

The United Nations decided yesterday to grant agricultural aid to Cuba in a move that the administration fears may add fuel to the attacks by some Congressmen on its Cuban policies.

The governing council of the 18-nation United Nations special fund will contribute on a 6-month test basis to a Cuban crop diversification program after having stalled on the decision since the project received initial approval in May 1961. The political dynamite lies in the fact that the United States furnishes about 40 percent of the fund.

Washington expressed regrets over the decision, though Paul G. Hoffman, American managing director of the fund, said that no American money would be used on the project.

He has argued that this project would not injure the United States nor help Fidel Castro. Although Hoffman's role is that of an international civil servant, he has intimated that if the special fund ever approved a project that he thought would injure the United States he would resign from his job.

Administration officials may think similarly, but they are concerned that some Congressman might not. Perhaps indicative of things to come, Representative ROBERT L. F. SIKES, Democrat, of Florida, called the U.N. action a "jarring note to the already pronounced discord over Cuba. There should be firm resolve on the part of the United States to make no contribution to any United Nations fund which is used to thwart the foreign policies of the United States."

The fund's action is based on a policy that has been stanchly supported by the United States since the fund was born 4 years ago. Dispensing of aid money under this policy is determined strictly by the technical feasibility of proposed projects, never by political considerations.

As a result, the United States has been hamstrung in putting forth effective objections to the Cuban project. It has maintained that the aid cannot be efficiently applied in view of the emigration of qualified Cuban farm technicians, the slaughter of livestock, the plundering of other physical resources, and the general disorganization of Cuban agriculture resulting from the replacement of Cubans with Soviet technicians.

Such arguments, however, have made little impression on most members of the fund council, which consists of nine developed and nine underdeveloped nations.

But the council did agree to approve the project on a 6-month test basis, which would involve the expenditure of only about $100,000 in U.N. funds. If at the end of that period the project proves feasible it will be extended for about 5 years with the U.N. share of the cost totaling about $1.2 million. American officials would not state whether the United States would approve the program if the 6-month test proves successful.

The aid is contingent on the expenditure by Cuba itself of about $2 million over the 5 years.

U.S. officials point out that although Washington contributes some 40 percent of the money in the special fund, it is actually paying only 17 percent of the total funds, including that part spent by the recipient countries themselves, devoted to U.N.-supported projects. U.N. contributions to 289 projects in about 70 underdeveloped nations amounts to $257 million. Recipients are investing $332 million.

U.S. EXPERTS BARRED

Hoffman said that the United States will be able to assure that no dollars will be used on the Cuban project by simply banning the use of American equipment and experts from participating in the program. Expenses will be met with the currencies of countries contributing to the scheme.

In any event, Hoffman pointed out, 5 to 10 years will be required before Cuba stands to benefit from the project. He added that if political considerations determined whether a nation was deserving of aid, few countries would receive assistance. Despite the objections of some nations, he stated, South Korea, the Republic of China, and South Vietnam are obtaining aid under the fund.

The United States did not ask for a vote on the question of aid to Cuba because it was evident that such a vote would have favored Cuba.

The project, which will get underway in 3 or 4 months, will provide technicians in animal husbandry, grasslands management, and plant pathology.

PUBLICATION POLICY REVIEW FORCED—UNESCO BOOKLET PROTESTS RISE

(By A. I. Goldberg)

UNITED NATIONS, N.Y., February 13.—Protests over a year-old UNESCO publication containing profuse claims about guarantees for racial and political equality in the Soviet Union have forced UNESCO to review its publication policy.

UNESCO is the U.N. Educational, Scientific, and Cultural Organization, based in Paris. It has the status of a specialized agency of the United Nations. Some conservative organizations in the United States have criticized it for its views on social and cultural problems.

The United States contributes nearly one-third of UNESCO's $39 million annual budget. The Soviet Union pays about 15 percent.

The publication, written by a Soviet educator and a Soviet lawyer, asserted in one passage that "in 1940 the Soviet regime was restored in Latvia, Lithuania, and Estonia, which voluntarily joined the Soviet Union."

A U.S. source said the United States protested vigorously last April, shortly after the book was issued, and was told that a lack of firm policy directives rendered UNESCO powerless to deal with such cases.

A review committee, set up as a result of U.S. and other protests, is expected to report in April, the source said. The U.S. National Committee for UNESCO has submitted recommendations and criteria for stricter standards.

The new complaint—one of many, an informant said—came from the Assembly of Captive European Nations in New York. It it a group comprising political exiles from Eastern European countries, including the Baltic republics (Latvia, Lithuania, Estonia), whose incorporation into the Soviet Union early in World War II has never been recognized by the United States, Britain and many other nations.

A letter from the assembly's president, George M. Dimitrov, appealed to Vittorino Veronese, UNESCO Director General, to halt distribution of the 106-page booklet. He called it "cheap Soviet propaganda, falling short of UNESCO objectivity," and termed it "harmful to the rights of Estonia, Latvia and Lithuania."

The booklet was the third of a series of six planned by UNESCO in 1951 to study race discrimination. Now UNESCO officials are examining whether to continue with the series, an informant said.

The booklet was written by I. P. Tsamerian, described as a Soviet doctor of philosophy, and S. L. Ronin, a Soviet doctor of law. Titled "Equality of Rights Between Races and Nationalities in the U.S.S.R.," it reiterated Soviet arguments frequently heard in U.N. debates that guarantees against race discrimination were written into the Soviet constitution.

At one place it said "the Soviet Union has solved the problem of nationalities," but acknowledged "this does not mean, of course, that a peak of perfection has been reached. The U.S.S.R. still contains backward elements among whom nationalist prejudices exist."

The booklet contended that the Bolshevik revolution for the first time gave Jews equal rights in the Soviet Union, said racial problems were solved because of Communist Party policy, and quoted Soviet Premier Nikita S. Khrushchev's assertion that Jews "hold a worthy place" among those responsible for Soviet lunar rocket launchings.

In Washington, Republican National Chairman William E. Miller termed the booklet "a gratuitous insult to Americans and the free world," and said in a statement that the Kennedy administration should demand that the United Nations repudiate the publication and order its withdrawal from circulation.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. CHURCH. I am happy to yield.

Mr. SPARKMAN. I commend the Senator, the chairman of the Subcommittee on International Organization Affairs of the Committee on Foreign Relations, for taking the prompt action which he has taken. I share with him the misgivings he has expressed, and I certainly hope that his subcommittee will go into the question quite fully. There are some points that I cannot understand. I cannot conceive of the action having been taken.

Mr. CHURCH. I thank the Senator very much. In reply I should like to say that the committee will be most interested in determining whether any American money—as much as a single nickel of American money—shall go to the support of such a project in Cuba.

Mr. SPARKMAN. Mr. President, will the Senator yield further?

Mr. CHURCH. I yield.

Mr. SPARKMAN. How can use of American money be avoided when 40 percent of the U.N. Special Fund is made up of American money?

Mr. CHURCH. That is precisely the question we shall ask. We shall also want to know what the American delegation at the U.N. has done to avoid this decision, and what proposed action the administration intends to take to deal with it.

CUBAN POLICY

Mr. JORDAN of Idaho. Mr. President, the distinguished Senator from Wyoming [Mr. SIMPSON] is confined to the hospital with a severe attack of influenza. He has asked me to request unanimous consent to have printed in the RECORD today a speech which he would have delivered had he been able to be present.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SIMPSON

Developments in Cuba and last week's massive attempt by the administration to overwhelm and discredit critics of the administration's Cuban policy compel me to raise questions and make observations that I hope will help shed some light on the confused situation regarding communism in Cuba.

In the first place, let me point out that the semantics of offensive and defensive missiles, and exactly how many Soviet troops are in Cuba, are largely irrelevant to the more important basic issue of whether any Communist presence is to be allowed in the Western Hemisphere.

For nearly 150 years American foreign policy has rested on a bedrock of strength; a bedrock that, until the present administration came into power, had been a clear directive to all foreign powers to keep out of the Western Hemisphere. That bedrock is the Monroe Doctrine which is just as important to our foreign posture now as it was in 1823, or in 1940, or in the Guatemalan incident of 1954. The State Department admitted as late as October 29, 1962, that the principle of the Monroe Doctrine remains valid even though the "old imperialism of Western Europe has been replaced by the new and far stronger political and ideological imperialism of international communism." Despite this support for the doctrine and its long history of effectiveness, the administration has attempted to supplant it with something called the Kennedy doctrine which has come to typify uncertainty, indecision and vacillation.

Our failure to revitalize and employ the Monroe Doctrine in Cuba precipitated the tragedy which has uprooted hundreds of thousands of Cubans and placed communism on our very doorstep. This has led to the development of an insidious philosophy which many minds of this continent regard as the Khrushchev doctrine: That any leftist or Communist movement that manages to murder or bludgeon its way into power in the Western Hemisphere will be sustained in power by the force of Soviet arms. This is the credo of Castro as he spews his venom toward the other nations of the Americas. This is the fear in the hearts of Latin leaders who see the protectionist image of the United States fading away and feel they must look elsewhere for protection and support.

BRIEFING

Last week's unprecedented television briefing by the Secretary of Defense was an excellent attempt to prove a negative proposition. It purported to establish the latitudes of Mr. McNamara's knowledge of Cuban affairs. When viewed in the context of the Department's previous admissions of news manipulation, it is questionable how much credibility can be placed on the performance. The briefing might have given us an insight into the amount of information we do have concerning weapons in Cuba, but it only hinted at some of the intelligence gaps which remain.

Even Secretary McNamara and Mr. McCone of the CIA could not find concurrence in their statements of almost the same day on the effectiveness of aerial surveillance. While Mr. McNamara stated: "I am satisfied that there are no offensive weapons systems in Cuba, and I am satisfied of this beyond any reasonable doubt." Mr. McCone was admitting that: "Absolute assurance on these matters, however, could only come from continuing penetrating on-site inspections." I agree with Mr. McCone although it points up a substantial difference of opinion from two high administration officials on whose judgment rests much of the decisionmaking for our national security.

Aerial surveillance, as clearly implied by Mr. McCone, is effective only to the extent that objects are visible to a photographic eye. Obviously, missiles stored underground or in cleverly disguised shelters could not be identified or their nature interpreted solely through aerial photography. It can be stated with certainty that offensive weapons unloaded at night, stored in caves, and not set up in outside launching areas, would remain undetected. The extent of the military threat they pose would be commensurate with the speed with which they could be readied for firing.

SOURCES

Underground sources of unimpeachable honesty and integrity—the same sources which alerted the West to Russian troops in Cuba in mid-1962—now warn of such missiles stored in caves and tunnels at several points in Cuba. These reports, like those of last year, are made available to intelligence officials, but for unexplained reasons, they are regularly discounted. The sources have warned of missile concealment in the gigantic cavern of Santo Tomas, very near the San Cristobal missile base in Pinar del Rio Province.

The Remedios missile base site is conspicuously close to the cave of La Puntilla in La Cantera farm, in Las Villas Province. It seems an odd coincidence that many of the acknowledged missile sites that figured in the October crisis were near caves of sufficient size to store missiles and other equipment. The Santo Tomas Cavern has over 8 miles of high ceilinged tunnel area, and the entire island is honeycombed with over 900 separate caverns.

Reliable Cuban underground sources have also pointed to the construction of at least three, and possibly five, submarine bases. The sources are sufficiently convinced of their facts to pinpoint two of the bases, one of which is only 80 miles northwest of the U.S. naval base at Guantanamo. I noticed in Sunday's paper that my colleague, Senator AIKEN, has also warned of these bases.

There is only one manner of ascertaining whether missile or submarine bases remain in Cuba. That method is, as the President admitted in last week's news conference, onsite inspection which was a key issue of our blockade last October.

Another report, discounted by the administration, comes from the reputable military specialist, Rear Adm. Edward J. O'Donnell, who said that "Cuba is stronger now than it was before the missile crisis."

THREAT

Great emphasis has been placed on the question of Cuba as a military threat to the hemisphere. I would like to broaden the definition of a military threat to correlate it in some manner with guerrilla warfare and covert military action. Secretary McNamara says there is no evidence of Castro's attempt to export his Marxist revolution, but perhaps no great effort is being expended to seek such patent evidence.

Early in January President Ricardo Perez Godoy's military junta in Peru announced that it had smashed a plot masterminded by Moscow and Havana. Informed Government sources said, last week, that Castro has begun shipping arms to his Communist admirer, Cheddi Jagan, of British Guiana. The same Government sources admitted that this was the first confirmed case of what the United States has long suspected—that Castro intends to use his heavily fortified island as a transmission point for arms and propaganda.

Early this month Guatemala President Miguel Ydigoras Fuentes stated that Russian submarines are transplanting men and arms in Latin America. The Guatemalan President said this clandestine operation has been underway since 1959. I strongly urge Mr. McNamara to study these and other incidents, and perhaps he will find the evidence of which he now seems bereft.

Aside from direct subversion, Communist agents in Cuba have a convenient first floor observation post from which to keep tabs on the U.S. space program at Cape Canaveral. Underground reports say that unusually large quantities of unorthodox electronic transmission equipment has been unloaded in Cuba. It is said to be of a type uncommon in normal communications use.

On this same subject, between the towns of Wejay and Rincon in the eastern portion of Havana Province, the Soviets have constructed a powerful radio transmitter which allows them to maintain a liaison with Moscow and Peking.

Another factor in the "threat" controversy that is ignored by the administration is Castro's effect on the Alliance for Progress. We have pumped $2 billion in Latin America under the program, but the crux of the alliance—the investment of American companies in Central and South America—has failed to meet even half of the earlier predictions. Less than $150 million of a hoped for $300 million of American investment capital has gone into the Alliance countries. The uncertainty of governmental stability, the political question mark symbolized by Castro, and the dictator's previous seizures of American industries are said to be the biggest factors in the reluctance of investors to take risks in Latin America.

QUESTIONS

In a letter I dispatched this morning to Secretary of Defense McNamara, I propounded a number of questions which have not been answered by the administration. They are:

1. If the air surveillance is so effective, why were the missiles of the October crisis not detected when they reached the ports of Cuba and when they were transported to their respective sites?

2. If the United States did not detect the arrival of the missiles, how do we know that the 42 missiles, reportedly withdrawn, were the total amount of medium and intermediate range rockets shipped to Cuba? Can we rely on Khrushchev's word?

3. If the U.S. Government is unable to assure that medium and intermediate range missiles are not camouflaged or hidden in caves or underground installations in Cuba, why did the President lift the blockade without obtaining the onsite inspection which he had considered essential in his speech of October 22? How can onsite inspection at this crucial time be considered a dead issue?

4. How does the U.S. Government account for the admitted presence in Cuba of at least 17,000 Russian soldiers and military experts if during the October crisis the official estimates never exceeded 12,000? Did the air surveillance fail to determine the real number of troops or has there been a considerable military buildup in Cuba since the October crisis?

5. Have we conceded Russia a charter of impunity to stockpile in Cuba tons of arms which could make the strategic island an impregnable fortress from which to subvert and conquer Latin America?

6. Are we going to tolerate the Soviet military intervention in Cuba as long as we do not have an aerial photograph of a so-called offensive missile pointed at us? Is this the new interpretation of the Monroe Doctrine, the 1947 Treaty of Rio de Janeiro, and the 1962 joint resolution on Cuba?

7. Are we going to continue with the same policy which led to the missile crisis last October and which has not stopped Russia nor has stemmed Castro communist subversion throughout the hemisphere? Is it enough to say we are concerned as we contemplate the progressive undermining of democracy in Latin America and the enslavement and destruction of Cuba?

8. Why have we chosen to play down the threat of the exportation of Castro's revolution while at the same time ordering the establishment of a new group of anti-guerrilla military experts that will be based in the Panama Canal Zone to help Latin American countries cope with any Communist fomented uprisings? Is there in reality a great threat of the spread of Castro's Marxist line to other countries?

9. Why has the President failed to grasp the temper of American public opinion which he recognized in the October crisis and which is now strongly opposed to our ineffective Cuban policy?

10. If the abandonment of our Jupiter missile bases in Turkey and elsewhere was contemplated long before the Cuban crisis as the administration has said, and if this abandonment is not in anyway contingent on Khrushchev's withdrawal of some missiles from Cuba, why were our oversea bases so lavishly praised and verbally defended by the Defense Department as late as October 29, 1962? When Khrushchev eased international tensions prior to November 7, was it with the understanding that we would give up our oversea Jupiter bases?

11. Did the Soviet ship *Atkarsk* dock at the port of Cienfuegos last December 5? Was a highly secret cargo, quarantined from regular stevedores, unloaded by security police under command of a Soviet colonel, and was that cargo moved under cover of darkness in trucks driven by Soviet soldiers to caves on the island?

12. Why has the U.S. Government failed to recognize a Cuban government-in-exile, and why is there talk of disbanding the heroic brigade 2506 which fought so gallantly at the Bay of Pigs and which is the rallying point, the symbol of freedom to be regained, for Cuban refugees in the United States?

13. Despite the absence of onsite inspection, does there now exist a pledge, commitment, or understanding between the United States and Russia, or the United States and Cuba, which is a de facto promise not to invade Cuba?

14. What is the reason for the intelligence gap which apparently existed between early September and mid-October, before Senator Keating's statement regarding missiles in Cuba and before the Government's statement in support of the Senator's observations? Were no aerial photographs taken during that period, or was there evidence of the missile buildup in September and early October which was withheld from the public?

15. If we do not stop the onslaught of communism 90 miles off our own shores, how can we expect to maintain world leadership and even survive as a free nation?

16. If we accept the precedent of a Sovietized Cuba, how can we assure the other Latin American Republics that if they fall under Communist domination they will not be abandoned by the United States?

SUMMATION

I noticed in the President's health message that a "bold new approach" is needed in solving the Nation's health needs and that we can procrastinate no more for there is a medical crisis in our midst. Indeed, much of the New Frontier lexicon is wrapped in the crisis superlative—but not so the Cuban issue.

I maintain that it is time for a "bold new approach" to the Communist menace in Cuba—that it is time to halt our procrastination and take the steps necessary to eject Castro and communism from our neighboring island to the south.

It is unconscionable to me that we could allow the Soviet Union to colonize Cuba, 90 miles from the United States; that we could allow them to do this in direct controvention of the Monroe Doctrine; and that we could perpetuate this absurdity as we argue the semantics of defensive or offensive weapons. Our conduct—our so-called Cuban policy—has been preposterous. From a semblance of firmness and cognizance last October, we have regressed to the point of adopting coexistence with and containment of Castro rather than freeing the Cuban people.

The administration has attempted to delude the American public with talk of an imminent settlement of the Cuban crisis. This is manipulation of news and truth in the worst fashion, because the Soviets are in Cuba to stay.

There are at least 17,000 Russian soldiers in Cuba to make sure no uprising topples Castro. In the meantime Khrushchev is building factories and establishing trade ties to bind Cuba's economy with that of the Soviet bloc. They are building permanent barracks to house military units. They are constructing and managing schools, importing Russian teachers, and completely subverting the minds of Cuban children.

Youngsters in their formative years are being taught the glories of a Communist society, of Marx and Lenin, and of a Socialist state. As they enter adulthood, it will be with a firm background of Communist dogmas, which will have molded their character and their allegiances irrevocably to communism.

We must understand that the Soviets consider themselves to be in permanent possession of Cuba. They are communizing the economy, the education, and the very nature of life itself in Cuba. Khrushchev is building a Communist state from the basement up. He thinks he is there for the long haul.

Communism in Cuba is the greatest threat affecting the security of the Western Hemisphere and the world. We have been lulled into a false sense of security by an administration which has proven itself unable to cope with the crisis—an administration which alludes to nonexistent claims that the Cuban crisis will be over by March.

It will not be settled by March, or by July, or this year, or next, unless we learn the lesson of history that no nation has ever thrown off communism from within. Castro and communism will not fall until and unless they are pushed. And the United States must supply that push.

FORTHCOMING VISIT TO THE UNITED STATES BY PRESIDENT ROMULO BETANCOURT, OF VENEZUELA

Mr. FULBRIGHT. Mr. President, next week Washington will welcome as an official visitor one of the most distinguished statesmen of the free world—President Romulo Betancourt, of Venezuela.

President Betancourt was elected to a 5-year term in December 1958 in one of the few really free and honest elections which Venezuela has had. He came to power in a country which had been looted by the corrupt and brutal dictatorship of Col. Marcos Perez Jimenez.

President Betancourt launched a program of social reform and economic development which anticipated the Alliance for Progress by 2 years. His government has tripled expenditures on education while elementary school enrollments have doubled. Low-cost, self-help housing programs have been undertaken in both urban and rural areas. Health services have been improved and expanded and pushed into the countryside. Land reform has made real progress. All of this has been done within the context of orthodox fiscal policies and inflation has been avoided.

It has been done, also, despite the determined, relentless efforts of the Communists and their extreme left-wing allies to topple the Betancourt government by violence and subversion. This Communist campaign of terror takes the form of indiscriminate bombings and shootings in Caracas and of guerrilla activities in some rural areas. The Venezuelan Communists receive nightly encouragement from Radio Havana.

We all saw photographs in the newspapers in the last few days of the Sears, Roebuck warehouse burning.

Castro had made Betancourt his No. 1 target in Latin America, and with good reason. In the success of Betancourt's moderate, enlightened program of reform, the Communists rightly see the greatest threat to their own evil designs on this hemisphere.

So, Mr. President, as a Senator and as chairman of the Committee on Foreign Relations, I want to add my word of welcome to President Betancourt. I am delighted that he is able to visit our country at this time, and I am sure that the talks he will have with President Kennedy and other officials will be fruitful.

U.S. FOREIGN POLICY, ARTICLE BY JAMES RESTON

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "How To Turn Victory Into Defeat," by James Reston, which appeared recently in the New York Times, western edition.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW TO TURN VICTORY INTO DEFEAT

(By James Reston)

WASHINGTON, February 12.—The criticism of President Kennedy's foreign policy is now getting a little out of hand.

No doubt mistakes of tactics and even of taste have been made recently over the handling of Cuba, Canada, Britain, and France, but in the broadest sense, the President is in trouble now, not because his major foreign policies have failed but because they are succeeding.

France and Canada are not refusing to accept U.S. nuclear weapons because they feel that Kennedy has weakened the West, but precisely because they think the West is relatively so strong that they can now follow a more independent policy and risk division within the alliance.

The unity that existed behind the President when he risked war to get the Soviet offensive missiles out of Cuba has vanished, not because he failed to get the missiles and bombers out, but precisely because he got them out and it is now safe to turn around and argue about the secondary issue of the Soviet troops.

Britain did not refuse to accept De Gaulle's terms for entrance into the Common Market because of any weakness in Washington, but precisely because it preferred to go along with the United States and the Atlantic community rather than with De Gaulle and an inward-looking Europe.

The paradox of the present situation is that everything in the cold war remains about the same as it was at the beginning of the year, yet everything seems different.

STAND NOT NEW

De Gaulle was refusing to cooperate with Washington and London on the defense and organization of Europe long before his famous press conference.

Much the same can be said about Canada. Prime Minister Diefenbaker was refusing to accept the U.S. nuclear warheads long before the State Department stumbled clumsily into an internal Canadian squabble; the only new thing is that he has now made an election issue out of Washington's awkward efforts to clarify the facts.

The question now is whether the Kennedy administration could have done anything to avoid the split with De Gaulle, the fight with Canada, and the present situation in Cuba. Much can be said on both sides of all three questions, and the President is certainly not blameless.

He first stumbled into Cuba and then misjudged Moscow's offensive policy there. It may be that he should now be considering a blockade of that island to get the Soviet troops out; that is a matter of opinion. But the critics are going beyond or behind all this to imply what they have not proved, namely, that the President made a deal with Khrushchev to scrap the missile bases in Turkey and Italy; and beyond this, that the Soviets now have offensive missiles hidden in Cuba.

PROOF OR WITHDRAWAL

These last are charges of stupidity, bad faith or worse, and should either be proved or withdrawn. There is plenty of material on the Cuban issue for hard, fair criticism, and Kennedy's handling of the offensive buildup in Cuba justifies plenty of skepticism, but implications of secret deals and concealed weapons confuse and weaken the country unless they are supported with evidence.

The psychology of the opposition to President Kennedy here is clear enough. First, it is the duty of the opposition to oppose. Also, Kennedy clobbered the Republicans in the last Presidential campaign with charges that they had debased the Nation's prestige overseas. Thereupon, when he achieved power, he found, not the missile gap he had moaned so much about, but enough missile power to scare the Russians.

In this situation, the Republicans are naturally eager to pounce on him when he roughs up our Canadian neighbors or misjudges De Gaulle's intentions, and all this is fair enough.

But the thing has to be kept in perspective. For the conflict with a nation's enemies is more important than the quarrels with its allies, and on balance, the conflict with the Communists is not going too badly.

Meanwhile, fear in the Western Alliance has abated, and without fear a whole new set of problems has arisen, requiring new policies and new criticism.

"We have to learn to live with these problems in Cuba and elsewhere," the President has said. And this of course, is precisely the difficulty. For the American people don't want to learn to live with their problems or with the Russians, especially in Cuba. They want them to go away, all of them, and immediately, if not sooner.

THE ART OF POLITICS—ARTICLE BY SENATOR McGEE, OF WYOMING

Mr. McCARTHY. Mr. President, the February issue of the NEA Journal contains an article entitled "The Art of Politics," written by the senior Senator from Wyoming [Mr. McGEE]. As a former member of the teaching profession, the Senator from Wyoming directs his remarks to teachers, and reviews for them the nature and importance of politics. I believe other Senators and citizens generally will find his observations about politics of interest, and I ask unanimous consent that his article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A REVIEW FOR THE TEACHER ON THE ART OF POLITICS

(By GALE McGEE, U.S. Senator from Wyoming)

During my years as a college professor, I frequently would ask my students for their definition of a politician. Their answers followed the general stereotype—a hypocritical creature with one hand in somebody else's pocket, a deep freeze in the basement, and a vicuna coat in the closet. In brief, a politician was sort of a confidence man in the public realm. He was the type you would deal with of necessity but would never invite home for dinner. And politics was the craft of outsmarting or outmaneuvering a cumbersome system of government to cheat the taxpayer.

After two decades as a professor, I made the jump from the halls of ivy to the Halls of Congress—I became a politician. Quickly I learned two things that had not been readily apparent in the classroom.

First, the solutions to the world's problems, which seem relatively easy from an academic viewpoint, are not quite so simple from the viewpoint of someone in a position to affect policy. In the classroom, I had a lot more pat solutions to the problems of mankind than I have now in the U.S. Senate. As a teacher, I had often approached questions as either black or white, when in truth most are a shade of gray.

Secondly, I learned that I needed to revise my estimates on the art of politics and the responsibility of politicians. My intimate contacts with politicians, especially the 99 other Members of the Senate, have convinced me that they are a truly remarkable group, honestly dedicated to the public good.

Von Hindenburg has said that politics is not an exact science. This, of course, is true. Since I am by training a historian, not a political scientist, I look upon political science as a study of the history of politics with the view to learning enough to build on the past rather than merely repeat it.

A long time will pass before it will be possible for anyone at the controls of an IBM machine to predict the exact vote on a controversial Senate bill or a close gubernatorial election. But it is more than possible, through a study of politics and politicians, to achieve a real understanding of our political system, its strengths and weaknesses and its mode of operation. And with this understanding it is possible to achieve a higher standard of political performance and to be able to judge and anticipate, in general terms, the contemporary political realities and future trends.

It is important, especially in a political system based on judgments by the electorate, that the general public have a general knowledge of how its Government works. Unfortunately, too many of our citizens do not have this knowledge. Their misconceptions have had the negative effect of generating a disdain for politics as something unclean and dishonest, a point of view which discourages young men and women of ability from entering what I believe is a very stimulating and rewarding profession. To a great statesman and politician, Thomas Jefferson, politics was a most honored following because it is "the lifeblood of democracy."

However unpredictably he may do so, the politician operates in the framework of our country's political system. The Constitution of the United States is quite specific about how the Government shall be run, but it does not even mention one of the foundation stones of our system, political parties. Indeed, many of the Founding Fathers, including George Washington, regarded factions as reprehensible and immoral meddlers. But Washington, nonetheless, quickly became the leader of one of our first political parties, the Federalist.

One great strength of our political system is that, albeit unintentionally, it allows for but two effective political parties. In this country, third parties usually are formed during presidential election years. They have seldom succeeded, however, in sending more than a few representatives to Congress, and, once there, these few have found little political sustenance in a committee system designed along majority-minority lines. Without nourishment, the third party is dead of starvation long before the next presidential election. America has thus been saved from the unstable coalitions of hostile parties which have plagued many European governments in recent years.

The two-party system in itself is not the only stabilizing force in our national political makeup. The fact that both parties tend to overlap philosophically—that each contains elements of both left and right—helps to keep the Ship of State on an even course.

Not many years ago, I was a vigorous advocate of a national party realinement which would put all the conservatives in with the Republicans and the liberals with the Democrats. But no longer. I am now convinced that, given the great weight of responsibility which history has placed upon America's shoulders, we can ill afford the luxury of violent electrical convulsions, or a sudden 180° about-face in the direction our national policies may be moving.

Furthermore, enough basic difference still exists between the two parties to enable a person of any persuasion or geographical location to find his place in either party. A Spessard Holland or a John McClellan exercises a useful restraint on a rapidly changing Democratic Party, just as a Jacob Javits and a Tom Kuchel give a timely shove forward to those Republicans reluctant to change.

Studying the growth of our political system is fascinating, but to practice constructive citizenship, the nonpolitician needs an understanding of the system as it exists today. Winston Churchill once said that "Democracy is the worst form of government until you consider the alternatives." Similarly the congressional system seems to be a candidate for the junk pile until you consider the alternatives. It appears to be full of archaic tradition and cumbersome rules.

The seniority system of choosing committee chairmen is an excellent example. Critics say that to choose a man solely because he has the ability to retain his seat in Congress is to deny men of possibly greater ability a chance to lead. But consider the alternatives. Election by the committee could lead to wholesale currying of favors or continual wrangling between men seeking the post. Appointment by the majority and minority leaders would probably lead to political subservience and to the loss of the independence that is a hallmark of the Senate.

Although the present system has been criticized because it has led to a preponderance of southerners as committee heads, it has put some extremely capable men in the center chair. Despite its faults, the system works as well as or better than any other suggested. Whereas the press focuses on the occasional fuddy-duddy chairman, it rarely mentions that by the same token a liberal, brilliantly trained person is guaranteed his chance at the top even if the leadership should take a dim view of him.

A more valid suggestion for modernizing the proceedings of Congress is that in nonelection years, Congress should hold year-round sessions except for a brief summer recess. In this age, international and national tensions have more than kept pace with technology and science, and the role of government has increased accordingly. The Congress of the United States can no longer finish its business in a few months and adjourn until the following year.

Congress has the awesome task of providing substance and direction for the most powerful nation on earth in one of the most troubled periods in history. This responsibility makes it imperative that we Senators and Representatives devote our full energies to the job.

It is also time to consider seriously the possibility of a constitutional amendment to begin sessions of a new Congress within a few days after the November elections instead of relying on a lame duck Congress to handle any emergencies that arise in the more than 2-month interval.

Still another target for reform, in addition to the Congress, is the electoral college, which chooses our Presidents. Here I believe there is also some room for accommodation to modern times.

The practice of electing electors to choose a President was devised for two purposes: to overcome tremendous handicaps in travel, communication, and public literacy in the late 18th century; and to narrow the gap in power between the large States and the more numerous small ones. I would suggest eliminating the electoral college but retaining the electoral vote formula which allows each State the same number of votes as it has Senators and Representatives.

I am opposed to the present system because the power of the electors to vote for a man of their choice regardless of the outcome of the general election could conceivably be used to thwart the will of the people in the respective States. On the other hand, I favor the electoral vote formula because it tends to even the power between small and large States, thus strengthening our Federal system of government.

The democratic form of government, by its very insistence on a regard for the wishes of the people, appears extremely inefficient. However, there is no means of overcoming that inefficiency short of a dictatorship, either of the left or the right. Some citizens today are impatient with the frustrations in solving the complex problems of the cold war. They regard debates on these problems as treasonous delay and suggest that some liberties must be sacrificed to preserve the Nation.

This attitude is, of course, a contradiction in terms, for we as Americans cannot become totalitarian to combat other totalitarians without losing the ideals we strive to protect. As Arthur Koestler wrote in "Darkness at Noon," totalitarian means tend to become ends. The willingness of some Americans to abandon the political liberties so dearly won by our forefathers is further indication that too many of us do not fully understand our political system and the philosophy of human dignity upon which it is founded.

Since "politics is the art of compromise," we must combine that from the past which is durable with that from the present which is progress. We must protect the basic rights and philosophy of our Constitution and form of government while at the same time adopting such changes in procedure as are necessary to keep pace with modern life.

I have already mentioned several political institutions that could be made more efficient. I think we need to continue to explore new ideas that will help this Nation operate more efficiently. For example, the Members of the House of Representatives face a reelection campaign every 2 years. Running for election is a costly, time-consuming process. Perhaps the term of House membership should be lengthened so that more time can be spent legislating and less campaigning.

Campaigning for a seat in Congress, either as a Senator or Representative, has become an extremely costly business. As a result, some politicians of necessity accept campaign contributions from individuals or groups which expect favors in return.

The plan to give Federal campaign support to candidates should be more thoroughly investigated. Indeed, once elected, it is difficult for a conscientious Senator or Representative to do his job with the funds allowed him. This may seem hard for the layman to comprehend, particularly if he is a constituent living happily on much less than a Congressman makes. But he forgets that a Congressman must maintain two residences, that he must commute frequently between his home State and Washington, that he must make heavy use of long-distance phone calls and telegrams, and that frequently he must hire additional staff out of his own pocket to keep up with constituent requests and congressional business.

A Congressman cannot lose touch with his constituents and do his job properly. In the first place, he must know what they are thinking if he is to represent them properly. In the second place, he must keep his fences mended. As it now stands, a politician is running for the next election the minute the last one is finished. To some this is shocking, but every politician knows that no matter how dedicated, intelligent, and perceptive he may be, he will not be able to accomplish much if he is out of office.

I have tried to go over some of the problems, the obvious and the obscure, that surround politics. Whatever else it is, political science is a living art, something that changes from day to day. The American public has a great responsibility to understand its political system and to help preserve in it the dignity of the past while catching the vitality of the future.

How then can you as a citizen better understand your Government? The best and most obvious method is for you to take part in it. Politics is fascinating at any level, and precinct politics is the foundation of success even in today's world of television and jet airplanes. All too many people cannot explain why they are Republicans or Democrats. Some will say that family tradition or business necessity is the determining factor, or, worse still, they can give no reason.

In addition to participating in politics, you should keep up with at least some of the tremendous amount of material written each year on local, State and National politics. Read the newspaper editorial page as well as the news columns; read some of the small circulation journals and opinion magazines as well as the nationally known news magazines.

And above all, try to understand that politics, like any other human endeavor, is based upon the give-and-take of human relationships. It is easy to criticize a politician who has yielded a little as being craven and spineless until you, as an informed citizen, realize that his opponent was also forced to yield an equal amount and that between them progress was made.

I started this article by citing the opinions of many of my students about politicians. But my own concept of a politician is heavily influenced by an American who was first and foremost a politician. This man had an instinctive feeling for anticipating the will of the people by an interval that helped him provide leadership and yet did not isolate him from the broad support needed for success. He used the existing system when he could, but he was not afraid to try new ideas or new approaches. His consummate political genius guided this Nation through the worst crisis in its history. I refer, of course, to Abraham Lincoln. Lincoln's life and work demonstrated the truth of former Chief Justice Charles Evans Hughes' statement that "politics is the highest undertaking of all * * * it is the heartbeat of a free society."

THE WORLD WE WANT—ARTICLE BY CURTISS ANDERSON

Mr. McCARTHY. Mr. President, the 1963 winter issue of the Ladies' Home Journal contains an important announcement by the editor of that magazine, Mr. Curtiss Anderson.

At the beginning of each year following 1963, the Ladies' Home Journal will give an award to a woman whom they consider to have made a significant contribution toward making the world a better place in which to live. The award, according to the editor, will go to a woman who has brought us "a measurable step closer to the world we want."

Mr. Anderson was appointed as editor in chief in 1962. He is a native of the State of Minnesota. At 33, he is the youngest editor of a major national magazine in this country. Mr. Anderson brings to the office which he now holds a record which is one of practical achievement and also of concern for ideas.

I ask unanimous consent to insert in the RECORD the editorial by Mr. Anderson which appears in the January-February 1963 issue of the Ladies' Home Journal.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Ladies' Home Journal, January-February 1963]

THE WORLD WE WANT

(By Curtiss Anderson)

The wish to live, not only well, but better—what a distinguished human passion it is. It is the source of our cities, our arts, our exaltation of love. It is also the source of our joy in reading.

A good magazine can and does present reality. A lesser magazine presents cheap dreams. A great magazine presents the possible: Reality with the extra dimension of what might be; the wonderful vision of what the world could be like if men and women acted with the humanity they were born with, the compassion stored in every human heart.

Every woman has this vision. It is what makes the world so beautiful and, when the world falls short of the vision, so terrible. She has the vision in mind when she uses her lipstick, considers what to cook for dinner, or teaches her children "Do Unto Others" in a dozen daily ways. It is never out of her mind.

The world we want has long been part of the Journal editorial vision. In hundreds of stories and articles in the past we have set values—ideal values—for maternal and infant health, the education of children, social and political responsibility, domestic happiness. Many human-affairs articles that have recently appeared in the Journal directly reflect this high editorial purpose. In December, Secretary of State Dean Rusk spoke candidly and realistically in answer to "The Questions of Peace on Earth." Earlier, Glenn White's "Why Did They Steal?" examined the disturbing problem of juvenile delinquency among nice boys. "Sometimes Life Just Happens," by Margaret Parton, probed deeply into the motivations of unwed mothers receiving public assistance.

Such articles—and we have been publishing such articles for nearly 80 years—strive to define and shape the world we want. Because emotions are moved by the power of what might be, practical results have followed. They have followed in the fields of health, education and public affairs in dozen of ways that we could point to. But the consequences in millions of human lives are immeasurable. We honestly believe that every Journal reader has come a bit closer to this world she wants because she reads the Journal.

But the world is moving fast, in ways both exciting and threatening. We believe that the times are more frightening, human beings more complex, and the desire for a better world is greater, more insistent than ever before. Because of this conviction, we plan to present the human vision even more forcefully in the future.

Next month the Journal will begin a new sequence of articles on great issues, under the general title, "The World We Want." These articles will show our readers a vision of the world as it can be—and how, through personal participation, they can begin to achieve it.

Direct participation is firmly in the tradition of American life. By individual actions we have helped this country grow in power, wealth, and honor. Our economic system, based on highly competitive free enterprise, has produced more for more people than any other system in the history of the world. This was not imposed upon anybody; it was accomplished by individual enterprise and the personal, private will to work for human betterment as well as for economic reward.

We must continue to work for that betterment. We believe that we get what we ask for, what each of us individually and personally cares about, what each of us works to achieve in this world—or we accept the defeat of our highest ideals by default. The difficulties, failures and tragedies of human society and the human condition can never be completely eliminated. But many of the troubles of our proud and angry dust can benefit from total reappraisal, as the President pointed out last June.

There are times when one's conscience demands taking an unpopular stand. Many times the Journal has dealt with topics called bold for a popular woman's magazine.

We were the first woman's magazine to publish articles on such taboo subjects as venereal disease, cancer, sex education (for adults as well as for children), mental disease, retarded children, and racial prejudice. We have led and urged the constructive criticism of public education for decades.

The Journal has a record to be proud of. But we are even more deeply committed to the future, and to today's reader—the responsible American woman who is no longer isolated or insulated from any human concern, who is eager to participate in creating a better world for herself, her family, and families everywhere. For she knows that every human being has the inborn wish to live his life decently, that she cannot cruelly dismiss the delinquent, the deprived, and the helpless.

Less-fortunate parts of the world are on her conscience. She knows their children go hungry and their progress into a new age is handicapped by teeming, illiterate populations. She wants terribly to help—yet how much of our American sustenance should we give? The Journal's study of the population explosion, to appear soon, suggests the one compassionate answer that would help most.

Education will be our continuing concern. Need our growing population of the elderly be a burden to themselves and their children? Our pages will suggest some practical answers. How can disturbed children be found and helped, and delinquency prevented? A new series, "Can This Child Be Saved?" will discuss this important question.

The world we want has more facets than a diamond, but we hope to touch on most of them. The concept expresses so many of man's aspirations that we believe it should reach beyond our pages and play a part in the community of man.

Therefore, each year beginning 12 months from now, the Journal will give an annual award to a woman who has contributed significantly to making the world a better place—to celebrate the greatest work a woman can do, work for the betterment of others. Our award will go to a woman who has brought us a measurable step closer to the world we want.

Every woman wants this world. She wants it when her world goes wrong, and she welcomes it joyfully when her world goes right. We know. Our knowledge of what women want has been our strength in the past, our resolve to help women become better persons, better parents, and the world a bit more beautiful and better will be our strength in the future.

CRITICISMS OF VICE PRESIDENT

Mr. FULBRIGHT. Mr. President, there appeared in the February 14 issue of the Washington Post a letter to the editor from Clarence Mitchell, director of the Washington bureau of the NAACP, which is, I think, absolutely untrue, and unfair to the Presiding Officer of this body. I, along with many other Members of the Senate, was present when the majority leader moved to adjourn last Thursday. Just as has been related here, I saw a number of Senators on their feet addressing the Chair, as I think the RECORD properly shows.

Comment was made a moment ago by the Senator from Ohio about the falsity of certain statements in the UNESCO report. I say that what was stated in relation to this matter is just as false as the statement by the UNESCO report. I resent the continued snipings that have been presented in the press with regard to this body, and especially with regard to the Presiding Officer of the Senate, the Vice President. He has presided with absolute fairness on every occasion. He has never indulged in the kind of partisan activity alleged.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MORSE. I wish to join the Senator from Arkansas in the observation as to what actually occurred on the floor of the Senate at the time the Presiding Officer recognized the majority leader, the Senator from Montana [Mr. MANSFIELD]. I was here.

Mr. FULBRIGHT. I was here, too.

Mr. MORSE. I was watching the Senate.

Mr. FULBRIGHT. So was I.

Mr. MORSE. There is no question about the fact that the Senator from New York [Mr. JAVITS], the Senator from New Mexico [Mr. ANDERSON], and several other Senators addressed the Chair at the same time the majority leader addressed the Chair.

Mr. FULBRIGHT. The Senator is correct.

Mr. MORSE. They were all on their feet at the same second, and they were all saying, "Mr. President," and calling for recognition. We have a well-established procedure in the Senate, which we all know, that when the majority leader is addressing the Chair and several other Senators are asking for recognition at the same time, the majority leader always gets recognized, and he should be recognized.

Mr. FULBRIGHT. The Senator is correct.

Mr. MORSE. He is the leader of the Senate. It is his responsibility to direct the procedure of the Senate from the majority leader's chair. In my judgment it would be an act of discourtesy on the part of any Presiding Officer of the Senate, if, when the majority leader is asking to be recognized at the same time that another Senator is asking to be recognized, the majority leader was not in fact recognized. That happens to be the factual situation which occurred in the Senate. Those of us who were watching the situation know that the Senator from Arkansas has pointed out the fact. The Presiding Officer recognized the majority leader as he should have recognized the majority leader at the time.

I join the Senator from Arkansas in complete defense of the recognition that was accorded by the Presiding Officer to the majority leader at the time.

Mr. FULBRIGHT. I appreciate very much the comments of the Senator from Oregon. I am getting extremely tired of the utter irresponsibility of this kind of attack. I can understand an attack on the merits of any situation. However, this is an outright misrepresentation of what happened on the floor of the Senate.

LINCOLN DAY ADDRESS BY SENATOR SMITH

Mrs. SMITH. Mr. President, on February 9, 1963, on the occasion of observances honoring Abraham Lincoln, I made an address to the Palm Beach County Republicans at Riviera, Fla. I have had so many requests for copies of that address that I ask unanimous consent that it be placed in the body of the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I am delighted to be here with you all—I appreciate the warm welcome extended to me last evening on arrival, the beautiful day in Palm Beach County, and an opportunity to visit with my very dear friend, FRANCES BOLTON, in her charming home between Lake Worth and the ocean. It is like a second home to me. Mrs. BOLTON has been so good to me through the years. I treasure the friendship of this great lady, a Representative in Congress for many years, the ranking Republican on the powerful Foreign Affairs Committee of the House of Representatives, a statesman whose record in Congress and contribution to a better world will be impressively written in history. She is a great woman.

One hundred years ago, the man that we honor tonight was the President of the United States. I think most Republicans—and most Democrats and Independents as well—recognize him as the greatest Republican of them all. I think Republicans generally recognize him as the greatest President in the history of the United States, for he made it a united country. And I think that Americans, regardless of political party, would rate him along with George Washington as the two foremost Presidents of our country.

It was just a year ago this week that I received one of the highest tributes and compliments ever paid to me. That tribute came from that noted authority and expert on Abraham Lincoln, Ralph G. Newman, editor of "Lincoln for the Ages." His tribute was published in the February 4, 1962, issue of This Week magazine, the Sunday paper magazine.

The title of the article was "If Lincoln Were Alive Today" and it was composed of interviews of five Lincoln experts who stated how this great President of a century ago would have felt and acted if confronted with the problems of our time. The article reported that "Ralph Newman thought that Lincoln would be a Republican of the type of Senator MARGARET CHASE SMITH."

With such an accolade I could take great advantage—and a cue for my speech tonight of presuming to tell you what I think Lincoln would do today were he alive. I could presume to discuss what I think he would do on the problems and issues that confront our Nation now.

In such a presumption I could engage in that political delight of Republicans during the period of Lincoln observance speeches this time every year—the delight of tearing the Democrats apart—of saying what I thought was wrong with the Democratic administration.

With this Democratic administration, there is almost unlimited material for Republican speakers. But there are certain courtesies that I would observe in the winter home county of the present President of the United States. I have no desire to speak critically of him in his own area—and I trust that you understand and approve my restraint.

For I would want to acknowledge at the outset that it is so much easier to criticize and attack politically from the outside against the person holding the position. I am sure that no one knows this better than President Kennedy himself during the past 2 years when the American people have called upon him to deliver upon his 1960 campaign promises when he was fully indulging in the luxury of attacking the Eisenhower administration and stating what he would do differently if he were elected President.

I am sure that no one more keenly appreciates the vast difference between the luxury of an "out" attacking an "in" and the responsibility of the "in" for restraint in his own expressions while "in"—that no one more keenly appreciates this vast difference than President Kennedy when the American public matches his performance with his promises.

Instead of making a personal expression, I will merely quote what a couple of newsmen, known to be fair to President Kennedy, have observed in the press and on television about the record and performance of the Kennedy administration and where it has put the United States in world position in the past month.

For example, that distinguished columnist and writer, William S. White, recently wrote in his column:

"It is time for the plain politicians to take over the job of restoring the Western alliance or, alternatively, of getting about the business of raising up another in its place. It is past time for the professional economists to bow out of a job which they have so profoundly botched."

A distinguished newscaster and TV commentator on the Washington scene, Mr. Joseph McCaffrey, made this observation in a TV editorial just a week ago tonight:

"Few nations have been able to compound so many weighty problems in such a short time as the United States. Before the first month of the new year was over, this country had parlayed two serious international situations. It not only found itself on the brink of being out of Europe, but it pushed itself into an irritating dispute with its most friendly neighbor, Canada.

"What other nation could pile up so many problems so high in such a short time?

"But in the very same first month of the year another, perhaps even graver problem surfaced again, only to be overlooked because of the stiff competition.

"Overshadowed by the increasing conflicts with our allies, was the story out of the Labor Department yesterday that employment rose again for January, back to 5.8 percent of the labor force. And as Harold Goldstein of the Bureau of Labor Statistics said, 'The significant development was that there was no improvement over the year in unemployment.'"

So much for the comment on President Kennedy's handling of the foremost international and domestic problems facing our Nation—comments that are not mine but comments of others.

Now while I have stated that I would not presume to say what I thought would be the position of Abraham Lincoln on issues and problems today—or what might be his comments on the Democratic administration that is now in power—I will presume to say what I think he would feel about the Republican Party and what it should do with respect to the very practical objective of the 1964 presidential election.

Some of you may recall that last year in a Lincoln Day speech in Bangor, Maine, I expressed regrets about too many of the Republican presidential nominee possibilities being reluctant to accept the nomination in 1964—because at that time the prospect of defeating Jack Kennedy appeared to be very dim.

After all there were certain political realities to be faced. One was that usually the American voters give a President a second term unless he has become very unpopular or domestic conditions have taken a disastrous turn in his first term.

Between that February speech and the latter part of October of last year, I think most of the Republican presidential possibilities became more receptive to accepting the 1964 nomination. The popularity of President Kennedy started to decline sharply. But then along came the Cuban crisis—and for the time being the seemingly tremendous victory of President Kennedy with a seeming backdown by Khrushchev.

And, in turn, the seeming ardor of the Republican possibilities to do battle with Jack in 1964 seemingly cooled down. They restrained themselves from pushing forward with vigor—and they pleaded with their ardent supporters to refrain from pushing forward with vigor—as they desired to have all of 1963 within which to make up their minds.

Really you can't blame them when they are faced with such brilliant political timing as the sudden brace stand on Cuba just before the November 1962 election when it had become so apparent that the American people were fed up with the way that the Cuban threat was being handled. After all, who knows but that there may be a repetition of such brilliant timing just before the November 1964 election.

With such a powerful political tactic used in the past and its potential use in the future—together with the admitted use of the so-called "managed news" policy of the Kennedy administration—the prospects are pretty bleak for a really fair 1964 campaign.

Let's all face it—and admit along with the Republican presidential possibilities—that it is going to be an uphill battle to defeat Jack Kennedy in 1964, regardless of whether LYNDON JOHNSON or Bobby Kennedy is his running mate.

On this very point, I think Abraham Lincoln today would counsel the Republican party to nominate the best possible ticket that it could in 1964. I think he would say to us that we should forget about the so-called traditional concept of balance—such as regional balance. I think he would counsel us to nominate the two best Republican vote getters that we could for President and Vice President.

I think that he would say to us, "Don't nominate on the basis of race, religion, or region—don't try to balance your ticket on the basis of region, religion or race. Instead nominate the best qualified persons you have who are the best votegetters.

And I think he would say to the Republican presidential possibilities, "You owe it to your party to accept the nomination whether you think you will win or not. Yes, you owe it to your party to swallow your pride and accept the vice-presidential nomination even if you fail to get the presidential nomination."

Then I think he would turn to the Republican party and say, "When a person is willing to accept the presidential nomination in the face of prospects of defeat in the election, you owe it to him to give him first consideration for the 1968 nomination if he loses—and to give second consideration to the person who accepts the vice-presidential nomination."

You may recall that in early 1960, I made a personal appeal to both Vice President Nixon and Governor Rockefeller to agree to either a Nixon-Rockefeller ticket or a Rockefeller-Nixon ticket. I think most all of us know now that Governor Rockefeller as the vice-presidential nominee would have attracted enough votes to the ticket for the Republicans to have won that close election—and that most of us will agree that had Governor Rockefeller been the presidential nominee we would have won the election with a sweeping majority.

That is why it is discouraging for me to hear some Republicans say that neither Governor Rockefeller nor Senator Goldwater would agree to taking the vice-presidential nomination if the other received the presidential nomination.

Of course, some say that they are too far apart ideologically to be on the same ticket—and that while such a ticket would certainly offer a balanced ticket in ideology, it would not be accepted by the American electorate.

I can't buy that argument myself. I can't because they have some very basic attributes in which they find something in common. They are both fighters. They both believe strongly in what they say. They may disagree on some things—but they do it openly. And more important, they agree on more issues than they disagree on. For one matter, they agree on the necessity to firm up the backbone of the United States—and right now there is nothing more vital to the people of America than this.

I am not proposing at this time a Goldwater-Rockefeller ticket or a Rockefeller-Goldwater ticket—but I do say that they would be among the best votegetters the Republicans could have in 1964. In political ideology there are others, whom I consider to more nearly express my political ideology which is less liberal than that of Nelson Rockefeller and less conservative than that of Barry Goldwater.

The main point is that they are fighters—that they would wage a fighting campaign in 1964 instead of keeping themselves under wraps. And it will take a fighting campaign in 1964 to defeat Jack and Bobby Kennedy or Jack Kennedy and Lyndon Johnson.

In closing, I would like to make some observations that I think that Abraham Lincoln would agree with if he were alive today. First, the observation that the loyal opposition should offer positive substitutes for anything which it criticizes.

You will recall that I have refrained in this speech from criticizing President Kennedy. So not having criticized him, I will also refrain in this speech from offering substitutes on his foreign and domestic policies.

However, I will offer substitutes I feel Lincoln would propose to some of the Kennedy appointees—and substitutes I would hope a Republican President would appoint. These substitutes offer a variety of qualities from youth to age, from the west to the east, from the south to the north, from liberal to conservative—and even from Democratic ranks—but all with the quality of outstanding ability.

The first nominee I would offer would be Senator KENNETH KEATING to be the Director of the Central Intelligence Agency, because maybe then our CIA would begin to come up with more accurate intelligence and more accurate analysis and evaluation of intelligence than it has on Cuba. Practically everyone now knows how KEN KEATING was so right and the Kennedy CIA so wrong last summer and early fall on the information, analysis, and evaluation of the Cuban threat and of the missiles in Cuba.

Next I would offer his New York colleague in the Senate, JACOB K. JAVITS, to be our Ambassador to the United Nations not only because Senator JAVITS has an amazing breadth and depth of knowledge and a razor sharp mind, but also because he can be tough mentally as well as effective diplomatically.

Next I would offer Senator GEORGE D. AIKEN for Secretary of State because not only does he have his feet on the ground and a wonderful way of getting along with people, but he would know how to keep from offending our closest neighbor and international brother, Canada.

For Secretary of Commerce I would offer Charles Percy, of Illinois, who would provide dynamic youth with his tremendous business experience, who is a forward-looking Republican moderate, and who moves forward with vigor.

For Secretary of the Interior I would offer Governor Mark Hatfield, of Oregon, another young Republican moderate who not only moves forward with vigor but does it in a manner that is not offensive.

For Secretary of the Treasury, to match the present bipartisanship of President Kennedy in having a Republican as Secretary of the Treasury, I would offer the same bipartisanship spirit for Secretary of the Treasury under a Republican President, Democratic Senator HARRY F. BYRD, of Virginia, the foremost champion of sound fiscal policy.

Similarly in the bipartisan spirit, I would offer for Secretary of Defense the man who knows more about our national defense—the man who has worked on it longer than any other man in the history of our country—and a man who differs drastically with President Kennedy on what should be the makeup of our national defense, Democratic Representative CARL VINSON, of Georgia, the chairman of the House Armed Services Committee.

For Secretary of Health, Education, and Welfare, I would offer America's 1962 national heroine, Dr. Frances Kelsey, of the Public Health Service. I don't know what her politics are, but I do know that she was fighting against thalidomide when others were not.

For Secretary of Labor, I would offer James Suffridge, the president of the Retail Clerks Union. I don't know what his politics are, but I do know that he is so broad-gaged that he and his union judge Members of Congress on their actual voting records and on their public performance rather than so narrowly on their political affiliation, instead of having the policy of just supporting Democrats and opposing practically all Republicans like many other unions do in their political blindspots.

For Secretary of Agriculture, I would offer Senator MILTON YOUNG, of North Dakota, a Republican noted for his strong political independence, and a Republican in whom farmers have confidence not only because of that independence but also because of his great ability.

For Postmaster General, I would offer the greatly respected senior U.S. Senator of Kansas, FRANK CARLSON, a man of unimpeachable integrity and a man who would run the Post Office Department on an efficient, businesslike basis and who would take politics out of the Office of Postmaster General.

For Attorney General, I would offer one of the most highly respected and regarded practicing attorneys in the United States—Bernard Segal, of Philadelphia, Pa.—who has served for many years as the chairman of the Judiciary Committee of the American Bar Association—yes, a man who, when he went before the Supreme Court as Attorney General to argue a case would not be arguing his first case before a court, but instead a trial and appellate lawyer of many years, a real veteran instead of a novice.

I would hope that a Republican President's first nominee to the U.S. Supreme Court would be an outstanding statesman from Mississippi—to bring to the highest tribunal an understanding of the racial problem in the South that has too long been missing from the Supreme Court—but a Mississippian who is not an extremist but instead is a former judge and who is deeply respected by every Member of the U.S. Senate, liberal and conservative alike—and respected by all elements of the press—the junior Senator from Mississippi, JOHN STENNIS, the kind of man that Abraham Lincoln, the emancipator of the Negroes, would have the greatest confidence in.

I would hope that a Republican President's second nominee for the Supreme Court would be either Circuit Court Judge William H. Hastie or Circuit Court Judge Thurgood Marshall—to give the court a balance of understanding on the other side of the racial problem—preferably Judge Hastie because of his longer service on the circuit court.

Such is the kind of team that I think Abraham Lincoln would put on the field today in place of the existing team. It is a team that I feel the American public would have full confidence in.

THE 53D ANNIVERSARY OF BOY SCOUTS OF AMERICA

Mr. SALTONSTALL. Mr. President, for the past week we have been celebrating the 53d anniversary of the founding of the Boy Scouts of America.

Over the years this worthy movement has been responsible for the guidance and leadership of more than 31,500,000 boys between the ages of 8 and 18. At the time when many boys are easily confused as to what is right and what is wrong, the Boy Scouts have stood for the traditional values of American society as expressed in the Scout law: trustworthiness, loyalty, helpfulness, friendliness, courteousness, kindness, obedience, cheerfulness, thrift, bravery, cleanliness, and reverence.

The Boy Scout program is one which appeals to the imagination of youth. It helps to teach them the skills necessary for maturity, both in developing a knowledge of outdoor life and in cultivating a sense of self-reliance and individual responsibility. With its interesting and unique projects, scouting offers boys the opportunity to learn and the incentive to achieve. In so doing, it has become a significant factor in the prevention and reduction of juvenile delinquency.

Boys need to belong to organizations in which they can participate in cooperation and in competition with others of their own age. The value derived from scouting experiences ranging from community newspaper drives to international jamborees is immeasurable in the character and personality development of our youthful citizens.

Neither must we forget the hours of guidance and direction given to the scouting program by the millions of adult leaders and counselors since its inception in 1910. Without community interest and parental assistance, the Boy Scouts could not carry out their many worthwhile activities.

Today I am indeed proud to salute the Boy Scouts for their 53 years of service to the youth of America.

FILMS DEMOLISH A PANIC BUILDUP IN CUBA

Mr. ENGLE. Mr. President, I invite the attention of my colleagues to an editorial entitled "Films Demolish a Panic Buildup" that appeared in the February 8 edition of the San Francisco Chronicle. The editorial reflects my views regarding the controversy on Cuba. It makes two things very clear:

First. Any information received by a Member of Congress affecting the security of the United States ought to be turned over to Defense Secretary McNamara and to Mr. McCone, the Director of the Central Intelligence Agency, because this information should be evaluated. We cannot run the foreign policy or the military policy of this country on the basis of rumors or gossip. Mr. McNamara and Mr. McCone are both patriotic, able, and intelligent men. I believe their judgment should be trusted with reference to security matters. Incidentally, they are both Republicans.

Second. We should not tell our enemies everything we know; we should leave to the discretion of Mr. McNamara and Mr. McCone the question of what ought to be revealed. For instance, the remarkable television program referred to in the editorial disclosed our capability in the field of aerial reconnaissance to a degree which I feel was not in the national interest.

These two points stand out clearly in the editorial. I am glad that the San Francisco Chronicle has stated the case as eloquently as it has, and I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Films Demolish a Panic Buildup

The briefing on Cuba presented to the American public by the Defense Department on television Wednesday gave remarkable and convincing photographic evidence of the dismantling of Soviet missile bases and bomber units after the October showdown with Russia.

It is to be hoped that this proof has successfully aborted and left stillborn one of the most irresponsible campaigns of fright and panic ever waged against the minds and emotions of the American people for partisan political and venal press purposes.

No reasonable viewer could fail to accept the photographic proof that the offensive missiles and bomber aircraft which had been observed going into Cuba on Soviet ships last fall had been dismantled and removed and carried home beyond any reasonable doubt. This is the President's and Defense Secretary McNamara's conclusion, supported by the judgment of Director John A. McCone of the CIA. On the basis of the evidence, now shared with the thinking public, they are attempting to proceed with their responsibilities for the security of the Nation and the Western Hemisphere.

To see the photographic reconnaissance record and to hear the careful interpretation of its meaning was to realize that the Soviet buildup in Cuba early last fall had been swift, logistically brilliant, and terribly menacing, but that the disassembly and removal of the long- and medium-range missiles and bomber aircraft had been equally swift, complete, and fully verified.

The TV presentation of the story told by Air Force and Navy air reconnaissance over Cuba was the best rejoinder which could be made in the name of sanity and objectivity to the fright campaign lately organized in Washington and across the country to confuse and unsettle American public opinion.

We have watched this campaign develop in the San Francisco wadi of the Hearstland desert with a growing sense of contempt. Headlines intended to stagger the public have presented a preposterous series of reports from—of all fertile places—Mexico City about an "alarming buildup in Castroland" and "caves full of missiles."

These cave tales are calculated to leave the public forever in a panic of doubt about the disappearance of the missiles. This sort of newspaper scare campaign is just as empty of journalistic integrity as the Cuban caves are empty of offensive missiles.

It seems appallingly irresponsible of Senators Keating, Thurmond, and Dirksen to join this coterie of inventive journalists who consult reliable but unnameable sources to conjure up the illusion of a buildup in Cuba threatening an invasion of the United States. It is a mythology which is preposterous and dangerous, and we should like to believe that President Kennedy, his advisers, and the military recognize that it does not represent the true tenor of American thinking.

COLORADO RIVER DISPUTE

Mr. ENGLE. Mr. President, I ask unanimous consent to include in the Record the fourth and final article in a series of reports in the San Diego (Calif.) Union on the dispute between the United States and Mexico over salt in the Colorado River.

There being no objection, the article was ordered to be printed in the Record, as follows:

Part 4

Washington.—There are those who believe the water of the Colorado River can get salty enough to pickle the fish and, under terms of the 1944 treaty, that will just be Mexico's tough luck.

The official position of the United States is that Mexico is guaranteed 1.5 million acre-feet of water a year from all sources in the river but that there is absolutely no guarantee of water quality. There have been widespread expressions of sympathy over Mexico's plight. But all governmental offers of help have been carefully worded so there is no acknowledgement of responsibility for good water.

What the United States is doing is sticking to its understanding of the treaty signed by the two countries in 1944 and ratified by the United States and Mexican Senates in 1945. Senator Carl Hayden, Democrat, of Arizona, is one of the few men left in Congress who participated in the U.S. hearings.

"There was no guarantee of quality of water to Mexico," Hayden remembers. "It was only upon this understanding that the Senate ratified the treaty. Without this understanding the treaty would not have been ratified."

Hayden expresses a popular southwestern view when he says, "The present situation is, in large part, the result of improper irrigation practices and lack of proper drainage in Mexico, dating back for more than 20 years."

The Senator is convinced that farmers in the Mexicali Valley made the present problem inevitable by trying to put too many acres under irrigation and then applying too little water to the land to keep salts from accumulating in the soil.

Hayden notes that Mexico blames her current problem solely on the operation of Arizona's Wellton Mohawk project which admittedly is returning water with a high salt content to the river.

But the Senator argues: "Return flow from other projects located upstream have an opportunity to mix with the regular flow of the river and in that way be diluted. Therefore, although Mexico is currently objecting to only one project, the principle involved affects all existing projects * * * and would extend to projects not yet constructed."

Senator Hayden said the water being delivered to Mexico in the winter of 1961–62 "was equal to or better than the supply available for many irrigated areas that are successfully irrigated in Arizona, California, New Mexico, and Texas."

Hayden was asked about the risks if Mexico takes the dispute, as has been threatened, to the International Court of Justice at the Hague.

"Mexico certainly could not be confident of a favorable decision," the Senator said. This is certainly in accord with the present public position of the United States. But recently there has been some evidence that the rockfast stand of 1944 may be softening. California Attorney General Stanley Mosk has said flatly that "equity is on the side of Mexico."

Water lawyers have expressed the opinion that if the United States-Mexican dispute goes into the International Court, or even a U.S. court, the judges may apply the test of "reasonableness" to the treaty and conclude that a guarantee to supply water means usable water.

The attorneys admit the question is an open one. The right of an upstream irrigator to dump unlimited quantities of salt into a stream as return flow has never been tested in the courts. (The courts have ruled, however, against smelters and oil wells in similar situations.)

And even at the State Department, where our spokesmen contend that Mexico must put up with whatever increases in salinity that are caused by the normal development of the river, there seems to be fear of what might happen if Mexico pressed her specific charges against the Wellton-Mohawk project. Mexico, of course, contends that the very salty water being pumped into the river from Wellton-Mohawk's subterranean pool is not really return flow as contemplated by the treaty.

Mexico has talked of an $80 million project to improve irrigation and drainage in the Mexicali Valley. There would seem to be little point in this expenditure, however, if the water reaching Mexico in the Colorado River continues to be unusable. It has been suggested that part of Wellton-Mohawk's discharge be dumped, via a special canal, directly into the Gulf of Mexico. Presumably this water could not be charged to Mexico, but would be charged to the U.S. share of the river. The lower basin States, already scrapping over every acre-foot, are not likely to take this kindly.

Senator HAYDEN has suggested that if Mexico goes to court it loses the hope that the United States will act voluntarily to correct the situation on this side of the border. Conversely, the United States also would lose the chance to reap any good will from whatever remedial measures are taken.

Then, too, the lower basin States of the Colorado will soon have to decide whether they want to make their stand on the basis of the Wellton-Mohawk operation which puts about four times the amount of salt into the river as the average project. As a matter of pure self-interest, would they want to see a precedent established to the effect that an upstream water user is completely unrestricted as to the amount of salt he can pour into the river?

It is being argued, here and in the Southwest, that the basin States and the Bureau of Reclamation would be far ahead in the long run to move in and do the drainage work needed to clean up the return flow from Wellton-Mohawk. This would keep the 1944 treaty out of the courts and avoid the possibility of an outside authority trying to impose new regulations or even new apportionment on the waters of the Colorado.

A bonus benefit could be the avoidance of a nasty international situation along the border that could only please the enemies of the United States.

HIGHWAY SAFETY

Mr. BEALL. Mr. President, the toll of deaths by accidents continue inexorably year by year despite the best efforts of all our safety experts and our authorities. Because I am always interested in doing whatever I can to spotlight safety and to help everyone to realize that safety, in this society, is a very personal project, I was interested in an article entitled "Safety Is a Personal Thing," written by a Marylander, Mildred Hall, and carried in the December 1962 issue of the National Surveyor, published here in Washington by a man who is known to many of us, Larston D. Farrar.

I am proud to notice, too, that the article quotes Paul Burke, director of Maryland traffic safety in our department of motor vehicles, and that it reveals what strides are being taken, and what steps must be taken, to insure the safety of an intrepid and hard-working group—our land surveyors.

I might say, Mr. President, that during this month of February, the Nation again will pay tribute to surveyors who became our most illustrious Presidents. George Washington, as is well known, was a surveyor for 6 years after winning his right to chart land from William and Mary. It is not so well known that Abraham Lincoln, too, while a postmaster, served also as a part-time surveyor in the Sangamon country from which he sprang into national prominence. I could list others in our Nation's storied past, including Mason and Dixon, who surveyed the famous Mason-Dixon line.

I ask unanimous consent that Miss Hall's article from the National Surveyor be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SAFETY IS A PERSONAL THING

(By Mildred Hall)

(The surveyor is the last of the true pioneers—he must map the new and uncharted, the heights and the depths. He faces danger daily, with a special courage; but like the pioneers of old, he is too often scornful of the risks, careless of his safety.)

In the gathering dusk of a winter afternoon, two young surveyors stood at the edge of the Washington-Baltimore Parkway. Their dark-toned clothing made them almost invisible in the fading light. Cars capitulated past them at breakneck speed. no warning signs slowed the passing motorists, or signaled that surveyors were working.

In one passing car, a man commented grimly: "I wouldn't work in a spot like that for all the money in the world. It's a wonder they're alive." The man knew whereof he spoke—he was Paul Burke, director of Maryland traffic safety in the department of motor vehicles.

Not too far from this scene, on a fast-paced urban highway, another young surveyor worked several feet off the shoulder of the road. Fifty feet behind him, at the edge of the paving, a work truck flashed yellow lights, warning passing motorists.

A car leaped down the road, the driver the worse for a few drinks, police reported later. Apparently startled by the blinking lights, the driver swerved, lost control of the car and slammed up the shoulder of the road—killing the 25-year-old surveyor instantly.

Could the tragedy have been avoided? The chances are, it could have been. There was some measure of precaution in this case—but not enough. Not nearly enough, according to the standards now set by Federal, State, and county rules for protecting their own surveying and engineering employees on public highways.

The warning signs that should have been placed a good 500 feet (more or less, depending on the road speeds allowed) on either side of the surveyor were not there. Perhaps their bright-orange warning squares would have given the driver pause, eased his foot on the accelerator, and prepared him for the flashing truck lights at the edge of the road.

Getting back to our first pair of surveyors—they were lucky. But will they shoulder the tripod and go home safe to their families if they continue playing Russian roulette with their lives? Even if no safety devices had been provided for them, they could have worn bright colored shirts and put reflector tape on the tripod—and if necessary, made themselves a couple of road flags.

"If I had my way," says Paul Burke, "they would all wear bright-colored and identifying clothing, just like jockeys at the track. I'd like to see a whole succession of warning signs, at intervals, like the Burma Shave signs, warning motorists in larger and larger letters: "Danger, surveyors ahead. Surveyors at work.' And if the work jeopardized lives—on a road curve, or a center lane—I'd have the section of the road blocked off."

The Traffic Safety Commission of Maryland has no jurisdiction over private surveyors, other than standard traffic regulations. Burke believes that the State or county or municipality should provide identifying clothing and safety equipment for all surveyors—not just for those employed by the civic units. "For the comparatively small amount it would cost, it would be worthwhile if just one single surveyor's life were saved."

Surveyor associations and groups are urged to do more along these lines. They could put their case before State assemblies when they convene, to get some legislation to provide safety for surveyors on roads and streets.

"If just one State were to pass laws setting up safety requirements for surveyors, the thing would spread. The surveyors and their associations should band together and act in unison to get protective legislation. It is long overdue." The Maryland safety commissioner also urges surveyors to use the practical, commercial advantages to safety in their argument. Surveyor injuries and deaths mean substantial loss of money, time, and valuable skills.

There are any number of sound safety programs for surveyors to use as models to protect themselves and their fellows in the field. There is also much that can be done to orient the public toward traffic safety rules to protect themselves and men working on or near the Nation's fast-paced roads.

A third aspect of the safety triangulation is to make the highways themselves as safe as possible for the swarms of motorists and the highway engineers revising, repairing and constructing them.

Safety programs not only are available but are offered eagerly by privately financed groups such as the American Congress for Mapping and Surveying and the National Safety Council. The Federal Government has safety offices in the Commerce Department's Bureau of Public Roads; in the Bureau of Labor Standards, and the Defense Department, to name a few. The Coast and Geodetic Survey has perhaps the most farflung single surveying operation in the world, and the most finely honed program of safety precautions in or out of the Government. Additionally, of course, each State has its safety regulations for surveying personnel, as have most counties, and many municipalities. The list could go on.

There is a general consensus among experts on the minimum safety measures needed for surveyors and their crews working on America's highways. It is possible to see the rules in action, and in color—in a safety film put out by the Bureau of Public Roads, in Washington, D.C. Homer Clark, safety office of the Bureau, says the film, "Safety in Highway Surveying," is available at State highway division offices for loan-out and group showings.

The film manages, in a comparatively short space of time, to show almost all aspects of the Bureau's 25-page, detailed manual of safety rules for a party of surveyors mapping a new road section in a mountainous, brush-choked area.

First, the party chief must have passed Red Cross first-aid training tests, since crews often work in wild areas miles from doctor or hospital. He instructs the group, sees that each man has an individual Red Cross kit, and leads off with warnings on how to handle the razor-sharp, single or double-blade ax, and the dangerous machete, for those untrained in the fine points of accident prevention. In the further interests of safety, incidentally, the machete has been discarded as a brush-cutting tool in some areas because of injuries—and may be dropped altogether. The search for safety is a continuing one.

Surveyors in the filmed party are taught protection from everything from falling boulders to poison ivy. They are shown the right clothes, cleated or waterproof boots, long sleeves for protection from poison oak, scratches, sunburn; hard hats. Safety also requires a knowledge of the right way to tie knots; how to walk along a steep slope, cross slippery or rotted logs, fell a tree, have a fire extinguisher handy when a chain saw is used in a dry stretch of timber.

Safety means care in driving equipment on gravelly, muddy or icy roads. Protection must go both ways when a surveying party works on or near a highway or mountain road in use. The film shows the right positioning for warning signs and flags on either side of the working party; flag men to slow or halt traffic when necessary, or direct it around a working section. Colors are vivid—there can't be too much color on clothes, flags, the tripod itself. This goes double in game areas during the hunting season.

Safety Officer Clark points out that in the old days, surveyors were so hardheaded and devil-may-care about the hazards of their work that it was no easy task to get a good safety program going.

The present safety program in the Bureau did not get into high gear until 1957. Now it is taking hold, and the newer crop of surveyors are becoming hardheaded about survival, and avoiding unnecessary risks, injuries. "Both the rate and the number of injuries is going down."

Federal Highway Administrator Rex M. Whitton, who directs the operation of the Bureau of Public Roads, has more reason than ever to need a strong safety program—miles and miles of reasons.

The vast program of Federal highway aid to the States is under the direction of the Federal Highway Administrator. Involved are 266,000 miles of main routes and 613,000 miles of secondary roads, including 41,000 miles of urban road construction (the ABC program). The ratio is 90 percent Federal funds to 10 percent State money, with a 50–50 basis for the urban roads. Congress authorized $3.55 billion for fiscal 1964 (which begins July 1, 1963) to continue the highway program.

The surveyor never had a bigger stake in a Federal venture than in this one. The surveyor has a stake, incidentally, not only in the safety factors of the program, but in the financial and career opportunities in this and other Federal programs.

The Federal highway program ties in with another new Federal-aid plan to make uniform the mishmash of signs and traffic controls that can befuddle drivers when they have gone only a few miles from their own homes.

A uniform set of traffic directions and signs throughout the country would eliminate many accidents. Those extra seconds it takes a driver to decipher a type of sign new to him, when he takes his eyes off the road—these can be killer seconds. "Who knows," said Administrator Whitton, "how many accidents are caused by an obscure or misleading or illegible sign—or one that should be there but isn't."

A new manual on uniform traffic control devices for highways and streets has been readied, and 13 regional conferences held. Daddy of them all was the Washington National Conference called jointly by the President's Committee for Traffic Safety and the National Joint Committee on Uniform Traffic Control Devices, held in the Nation's Capital in November.

Forty-four of the fifty States have reported that they have begun to use the new standard signs in maintenance replacement. Forty-seven States have adopted the national manual as standard. The entire program is voluntary on the part of the States, with the Federal Government shouldering half the cost—not only of the actual materials, but also for engineering studies to determine the needs of each State.

The target date is 1966—and none too soon for surveyors and the public at large. By 1970 a spine-chilling estimate puts four cars on the road for every three on the crowded highways of today.

Surveyors can and should take active part in the three-pronger spadework urged by Highway Administrator Whitton: Study the needs of your locality; set up committees to work on them, and to educate the public; and, finally, urge local high officials to propose legislation where it's needed.

Perhaps the broadest, most complex, and varied safety program in all U.S. surveying is the one carried on by the famed Coast and Geodetic Survey, in the Department of Commerce.

Coast and Geodetic has the monumental task of throwing a basic survey network over the entire country, Alaska, Hawaii, and all of U.S. island possessions. It must map all of the land from Arctic icecap to the Everglades swamp, chart the waters and their depths; measure the earth's magnetism, and study even the air surrounding the earth—and the relationships of all these to each other.

It is actually, as Safety Officer James M. McAndrew points out, one huge safety operation. It provides guidance for travel on land, or sea, or in the air. Its basic network and fanned-out operations sooner or later tie in with everything from the safety of a family outing on a scenic highway or in a pleasure boat, to the missile and moonshot programs. If it is measurable, Coast and Geodetic surveyors and engineers will measure and map it—mountain razorback, tidal wave, or a storm-chewed resort coastline.

And if it is dangerous—Coast and Geodetic will chart the danger and warn of its existence.

Behind this ever-spreading exploration, Coast and Geodetic Survey must have an alert, up-to-the-second safety program for every one of its personnel: surveyor, engineer, map printer, truckdriver, ship's cook, or anyone else who has a role, large or small, in the work.

What is the most vital factor in safety? Says McAndrew: "Safety begins with people. We feel a man must be oriented to be a safe operator as well as a qualified engineer or surveyor before he can be hired. Safety begins with a preview of every factor. For instance—on our siting towers, which are erected to a height of 140 feet, we know that to erect these safely a man must be at least 5 feet 10 inches to handle bolts at arms' length.

"We've had instances when a road survey party made up of married men and their crew, is joined by a bachelor who likes to drink beer and keep late hours in the local taverns. They will ask to have him removed from their party. They have been trained to want to be in good shape on the job, and they don't want anyone who may involve them in a careless accident."

Much of the work of the Coast and Geodetic Survey is and must always be dangerous. Nothing is left to chance. No injury is ever chalked up as an unavoidable accident—every nut and bolt in the equipment is studied, all the circumstances, the time of day or night, the weather condition, the clothes worn by the man injured.

In the publications office of the Coast and Geodetic Survey in the huge Commerce Department building in the Nation's Capital is a gold mine of surveyor safety lore—and again, the personal note is sounded in the informal "Survey With Safety" bulletin put out by the office.

Elwood E. Bear, Jr., publications information officer, says of the surveyors: "They love their work. They are an adventurous lot—but they know the need for safety precautions. In surveying highways, for example, crews travel in trailers and go into new communities every few weeks. The life is nomadic, adventurous—and very interdependent."

These crews go into new and strange environments continually. They must watch out for everything from the condition of the drinking water to the kind of snakes likely to be found in the area.

The story of the Coast and Geodetic Survey will be told further in the pages of the National Surveyor—but at this point, a quote from one of their safety leaflets seems appropriate to the topic and the season:

"NEW YEAR'S RESOLUTION FOR SAFETY

"Show a brother concern for others—especially on the highway.

"Know your safety rules and regulations and obey them.

"Appreciate the hazards that confront others through your carelessness.

"Be patient with others—but especially with yourself.

"This short list will increase your chances of being around for next years' holidays—and make you a safe person as well as a better person."

MINE SAFETY IN METALLIC AND UNMETALLIC MINES

Mr. METCALF. Mr. President, in mid-1956 the chairman of the House Committee on Education and Labor, Mr. Barden, appointed a special subcommittee to consider and hold hearings on seven bills, among them one I introduced relating to mine safety in metallic and nonmetallic mines.

I was appointed chairman. The gentleman from Alabama, Mr. ELLIOTT, and the gentleman from Georgia, Mr. LANDRUM, were the other two members of the majority. The minority members were the gentleman from Arizona, Mr. RHODES, and the gentleman from Montana, Mr. Fjare.

We held hearings throughout the West on behalf of the same kind of Federal safety code for metallic and nonmetallic mines that is already in effect for coal mines. We held field hearings in Minnesota, Montana, and Colorado and wound up with a 3-day hearing in Washington, D.C., in December 1956.

Our unanimous report, under date of December 11, 1956, as printed in the mine safety hearings, recommended that "the overall subject of safety in the Nation's metallic and nonmetallic mines should be given further study."

During the course of these hearings we became aware of an acute problem in the mine safety field. That was the almost complete absence of up-to-date information on mine accidents and the prevalence of occupational diseases, such as silicosis.

From evidence presented to this subcommittee, silicosis was of the most immediate importance—in the number of persons with the disease, its effects, and the staggering cost of disability.

Management and labor witnesses before the subcommittee disagreed on many things. They agreed on one—on the need for the Public Health Service and the Bureau of Mines to expand their staffs and activities for research in mine health and safety.

By direction of the subcommittee I appeared before House Appropriations Subcommittees early in 1957 to urge appropriation of additional funds for the Public Health Service and the Bureau of Mines, to permit an expansion of staffs and activities for research and health and safety education to improve techniques in mine-accident prevention and mine-safety education.

Congress appropriated the money and the two agencies set out to revaluate the silicosis problem.

Recently I received a copy of a pamphlet entitled "Summary of Findings in the Revaluation of Silicosis in the Metal Mining Industry—A Joint Study by the Division of Occupational Health, Public Health Service, and the U.S. Bureau of Mines."

Mr. President, I ask unanimous consent that this summary, released in Denver, Colo., on January 30, 1963, at a meeting sponsored by the two Federal agencies, be printed at this point in the Record.

I also ask unanimous consent that an article in the March 1962 issue of the Archives of Environmental Health, entitled "Silicosis in the Metal Mining Industry, a Revaluation," by Mr. Henry N. Doyle, Chief, State Services Branch, Division of Occupational Health, Public Health Service, and Mr. James Westfield, Assistant Director, Health and Safety, Bureau of Mines, agency coordinators for the joint study, be printed following the summary.

There being no objection, the material was ordered to be printed in the Record, as follows:

Summary of Findings in the Revaluation of Silicosis in the Metal Mining Industry—A Joint Study by the Division of Occupational Health, Public Health Service, and the U.S. Bureau of Mines

A revaluation of silicosis in the metal mining industry was carried out by the Division of Occupational Health, Public Health Service, and the U.S. Bureau of Mines, between November 1958 and September 1961. The study was the outgrowth of hearings on mine safety before the Committee on Education and Labor, Washington, D.C., December 1956.

The study covered 67 mines employing approximately 20,000 persons. The medical phase, which included examinations of approximately 15,000 miners, was carried out by the Public Health Service.

The percentage of participation in the medical study, in each of the mines studied, ranged from a minimum of 50 percent to a maximum of 99 percent, with an average of 77 percent. Satisfactory chest roentgenograms were obtained on 14,076 of mineworker persons. Of those, 476 were classified as consistent with a diagnosis of silicosis. Of this total, 305, or 2.3 percent, were classified as simple silicosis and 171, or 1.2 percent, as complicated silicosis. The crude silicosis rate, therefore, for all metal mine employees examined was 3.5 percent. This rate held true for mines irrespective of their size, the only exception being that mines with less than 100 employees had a crude silicosis rate of 4.2 percent.

The study revealed that silicosis was, for the most part, confined primarily to older miners with more than 25 years of experience in the metal mines. Silicosis was not observed in chest films of miners under 35 years of age and only seven cases, or four-tenths of 1 percent, were found in the 35–39-year age group. In the 40–44-year age group, the prevalence rate was 2.4 percent. There was a moderate increase in the rate of positive cases in the succeeding age groups until it leveled off at about 12 percent in the 55–59 and 60–64 age groups. Among the 65 men examined who were 65 years or over, there were 20 cases of silicosis, or 31.7 percent. Of these 20 cases, 13 were classified as complicated silicosis.

In order to determine the effect of dust control measures on the prevalence of silicosis, metal mine employees were divided into three groups according to the period of their work experience. The first group consisted of persons who had worked in the metal mines at some time before 1935, and have had experience in some or all of the intervening years since that time. The second group covered persons with experience at some time during the period 1935–44, but no experience before 1935, and the third group included persons whose work experience was subsequent to 1944. Persons in all three groups had worked in the last period since only employed miners were examined. The year 1935 was used because this represents the approximate date when the metal mining industry began to apply extensive dust control measures. The second breakpoint was 1944 since it is known that, during the war years, it was necessary for the mines to relax extensive control measures in view of production demands and equipment shortages. For those who worked at some time prior to 1935, as well as later, the crude silicosis rate was 16.41. For those who had worked sometime during the period 1935–1944, as well as later, the crude rate was 4 percent. For miners who have only been employed since 1944, the crude rate was 0.5 percent.

The age distribution of the 23 percent nonparticipating group was determined to be practically identical to that of the participation group. It is, therefore, unlikely that the results would have been significantly different had the entire population eligible for examination participated in the study.

Since the prevalence of silicosis is directly related to the dust concentration in the mine, as well as the percentage of free silica in the dust, environmental factors were studied by the U.S. Bureau of Mines as part of the overall revaluation. In general, it was found that dust concentration in the mines are below the recommended maximum allowable levels. Only a few of the mines had average dust concentrations in excess of the recommended standards.

Review of all available evidence suggests that the medical and engineering controls adopted by the mining industry have proved to be effective in the control of silicosis. Indeed, it is possible that in another decade, with continued vigilance, this disease may have little significance as a health problem in the metal mining industry.

The final report is in preparation and we are hoping that it will be ready for release about July 1963. Copies of this report will be deposited with the Committee on Education and Labor.

Silicosis in the Metal Mining Industry—A Revaluation

(By Henry N. Doyle and James Westfield)

(Presented at the 26th annual meeting of Industrial Hygiene Foundation, Pittsburgh, October 25–26, 1961. Chief, State Services Branch, Division of Occupational Health, Public Health Service, U.S. Department of Health, Education, and Welfare (Mr. Doyle). Assistant Director, Health and Safety, Bureau of Mines, U.S. Department of the Interior (Mr. Westfield).)

The classic studies of the Public Health Service relating to dust diseases conducted between 1913 and 1940 made several important contributions to our knowledge of silicosis. They served to confirm the findings of many independent investigators and assisted in determining the etiology and pathology of the disease. The studies helped immeasurably in the assay of dust exposure and in defining the role of such factors as particle size, composition of the dust, and duration of exposure and led, ultimately, to the adoption of 5 million particles per cubic foot of air as a maximal allowable concentration of silica dust. The year 1935, or thereabouts, saw recognition and acceptance of the five cardinal factors in the etiology of silicosis: composition of the dust, concentration of the dust, size of the dust particle, duration of exposure, and individual susceptibility.

Because of the need to concentrate on other disease entities, the late 1930's saw a diminishing emphasis by the Public Health Service on the epidemiology of dust diseases. This decision was undoubtedly influenced by the assumptions that the silicosis problem was largely solved and that prevention was simply a matter of applying the necessary environmental controls. This feeling apparently was shared by others, for at the fourth Saranac symposium, Philip Drinker stated, "To be sure, the clinical and biological aspects of silicosis leave many problems unsolved, but the preventive aspects are now in fair order."[1] The middle 1930's also marked the introduction of extensive dust control programs by the larger metal mining and industrial companies. The 20 years' lapse since the introduction of dust control methods was regarded as a period of observation for determining whether these preventive techniques were in reality adequate.

In the middle 1950's, the Public Health Service began to think of revaluating the silicosis problem. The precipitating factor was an invitation to the Division of Occupational Health, Public Health Service, to present a paper on "The Accomplishments in the Epidemiologic Study of Silicosis in the United States"[2] at the 1955 McIntryre Saranac symposium. To prepare the paper it was necessary to conduct a brief study of the prevalence of silicosis in the major industries. Three general conclusions were drawn from this preliminary study: (1) Silicosis remains the major occupational disease in the United States; (2) tuberculosis is not so prevalent as it once was among silicotics, and (3) because of present-day compensation laws and enlightened employment practices, the disease no longer has extreme and unique social consequences.

However, the continuing occurrence of a relatively large number of cases of silicosis raised some rather significant questions. These included: (1) Do the initial exposures in the presently occurring cases date back to precontrol days? If so, do those cases represent progression of the disease due to continued exposure to low concentrations of silica dust? (2) How extensive and efficient is dust control in relation to recommended standards? (3) Do our standards need revision? (4) Are there other factors to which proper attention is not given, such as particle size? (5) What is the actual toxicity of silica? In addition, our study pointed up the need to devise a practical means of assessing disability, as well as a need for the development of a satisfactory X-ray classification system.

Following the Saranac conference, two additional steps were taken. The first was to conduct a more extensive study of the prevalence of silicosis. By 1956 we had completed a study of compensation and other records of official agencies covering the period 1950–54, which showed that 10,362 cases of silicosis had been compensated or reported in one form or another in 22 States.[3] If cases processed by compensation agencies but for various reasons denied benefits were added, the total would exceed 13,000. We found, too, that this sizable silicotic population was primarily an elderly group. Only 2.5 percent of patients were under 35 years of age; 21 percent, between 35 and 49; and the remaining 76.5 percent, 50 years and older. Another revealing fact was the number of new cases entering dusty trades for the first time since 1935. Of 3,455 persons in 10 States, for whom reasonably adequate employment histories were obtained, only 10 percent allegedly received their entire dust exposure after 1935. Table 1 gives information on the silicosis cases by type of industry. The mining industry contributed three-fifths of the cases, with over 40 percent coming from the coal mining industry and 16 percent from the metal mining industry. In the manufacturing group, which accounted for 27.6 percent, the foundry industry was the largest contributor.

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[1] Kuechle, B. E., editor: Fourth Saranac Laboratory symposium on silicosis held in connection with the Trudeau School of Tuberculosis at Saranac Lake, N.Y., June 19–23, 1939, Wausau, Wis., Employers Mutual Liability Insurance Co., 1939.

[2] Doyle, H. N., et al.: "Accomplishments in the Epidemiologic Study of Silicosis in the United States," A.M.A. Arch. Industr. Health 12:48–55 (June) 1955.

[3] Trasko, V. M.: "Some Facts on the Prevalence of Silicosis in the United States," A.M.A. Arch. Industr. Health 14:379–386 (October) 1956.

TABLE 1.—*Silicosis cases by type of industry based on 10,152 cases in 20 States*

Industry	Number of cases	Percent of cases
Mining:		
Coal mining	4,079	40.2
Metal mining	1,637	16.1
Mixed and unspecified	854	8.4
Nonmetallic mining and quarrying	185	1.8
Total	6,755	66.6
Manufacturing:		
Tile and clay	150	1.5
Potteries	257	2.5
Glass	13	0.1
Stone cutting and finishing	485	4.8
Nonmetallic mineral industries	165	1.6
Foundries	1,645	16.2
Silica-brick-furnace work	89	0.9
Total	2,804	27.6
All other and not known	593	5.8
Total, all industries	10,152	100.0

Of significance is the trend in deaths from pneumoconiosis in the United States, as portrayed in the figure. The broken vertical line in the center of the figure indicates revisions in the international list of causes of death. Prior to 1949 a fixed system of priorities was used in selecting the cause of death to be tabulated. After 1949 the cause of death tabulated was generally that designated by the certifying physician as the underlying cause of death. This change in coding rules has, therefore, increased the number of deaths attributed to pneumoconiosis since 1949. The graphs [not printed in RECORD] suggest that the number of deaths from respiratory tuberculosis with mention of occupational disease of the lung has been gradually declining. The trend for pneumoconiosis without tuberculosis shows a rise for the first coding period and a relatively steady plateau for the second period, suggesting the probable magnitude of the problem in the past and today.

Our second step was to revaluate the silicosis problem in the granite-cutting industry. This industry had been the subject of a detailed study by the Public Health Service in the middle 1920's and again in the early 1930's.[4] [5] The most striking finding of these early studies was the almost universal occurrence of silicosis among the workers exposed over 10 years to concentrations above 40 million particles per cubic foot of air with a 35 percent free-silica content.

Out of the granite study grew an extensive silicosis control program, instituted by the industrial hygiene division of the Vermont Department of Health in 1937. Briefly, this program was based on an agreement between the granite manufacturers and the local unions to initiate dust-control measures which would be periodically checked by the Vermont Department of Health. Provision was also made for annual X-ray examinations of workers by the department.

Our revaluation of the granite industry in 1956 revealed that the dust concentrations were well below the recommended standard of 5 million particles per cubic foot. Insofar as records indicate and within the limitations of the X-ray equipment available, not a single case of silicosis had developed in a granite-shed worker whose initial exposure followed the installation of dust controls.[6] It was demonstrated that with adequate environmental controls, silicosis might be prevented or its development delayed considerably beyond the 20-year exposure period.

A third unexpected opportunity in the revaluation process presented itself in December 1956. At that time the Committee on Education and Labor, House of Representatives, held hearings on certain bills introduced in the 84th Congress relating to inspections and investigations in metallic and nonmetallic mines and quarries for the purpose of obtaining information relating to health, safety conditions, accidents, and occupational diseases therein. After field hearings, the committee had its major hearing in Washington in December 1956. Dr. Robert H. Flinn, who was then Chief, Division of Health, U.S. Bureau of Mines, and I were requested to appear before the committee at its Washington hearing. Dr. Flinn and I had had the opportunity of reading the testimony presented in the field, and we concluded that we would make a joint presentation and attempt to correct misinformation regarding silicosis which had been introduced into the record. We also felt that the record would be improved if the results of the prevalence study were reported.[7] Although the committee did not recommend a favorable action on the bills, as an outgrowth of the hearing the Congress appropriated funds to the Public Health Service and the U.S. Bureau of Mines to revaluate the silicosis problem in the metal mining industry. I might add, parenthetically, that after additional hearings in 1961 the Congress passed H.R. 8341, which authorizes the Secretary of the Interior to conduct a study covering the causes and prevention of injuries, health hazards, and other health and safety conditions in metal and nonmetallic mines. The President signed the legislation on September 26, 1961, and the bill is now Public Law 87–300.

Following the appropriation of funds in July 1958, a technical advisory committee composed of three representatives from the U.S. Bureau of Mines and three from the Public Health Service was appointed to organize and direct a joint study of silicosis in the metal mining industry.[8] Mr. James Westfield, Assistant Director for Health and Safety, U.S. Bureau of Mines, acted as a coordinator for that agency, and I assumed comparable responsibility for the Public Health Service.

The first mission of this committee was to define an objective. It was agreed that the study would be designed to determine the prevalence of silicosis and to assess the present-day environmental conditions in the mining industry. The study was to be designed to answer three important questions. These were: (1) Are the cases presently occurring the results of precontrolled exposure, in view of the long latent period for the development of silicosis? (2) Are they accounted for by the failure to apply controls universally? (3) Are the silicosis cases occurring because of the inadequacy of present controls? It was agreed that the study would be limited to active, underground mines employing more than 20 persons underground, and that it should be broad enough to include all major commodities in the various mining areas of the United States. The medical examination was to consist of a 14- by 17-inch chest roentgenogram, an occupational and medical history, and three simple pulmonary function tests. The inclusion of the pulmonary function test was a research measure to determine if a correlation was apparent between pulmonary function and the extent of lung changes as evidenced by a chest roentgenogram.

The purpose of the engineering studies was to evaluate the environmental conditions by determining dust concentrations, existing dust control measures, and the investigation of other environmental factors, such as free silica in the airborne dust and particle size. Other information was also to be obtained on safety and health services, type of mining operations, and the extent of exposure to other hazards. Ventilation rates were to be measured to determine the adequacy of air movement and its effect on dust and fume concentrations. Mine air samples were to be collected in sufficient numbers to permit the evaluation of exposures to carbon monoxide, carbon dioxide, and oxides of nitrogen. Dust evaluations were to include the determination of the concentration, particle size, and composition of the dust. Airborne dust and dust-source material were to be analyzed by X-ray diffraction for free silica and by spectrographic methods for chemical composition. Selected mines would be sampled for radioactivity. Average dust exposures were to be determined for each occupation and operation, and these data were to be correlated with the medical findings.

The committee spent many hours deliberating the types of samples which should be taken and the proper instruments for dust collection. It was agreed that since the previous studies had utilized the impinger and our reference standard was based on this instrument, dust studies would have to be done with the midget impinger. However, we felt that it would be well to supplement the impinger with the thermal precipitator, the electrostatic precipitator, and a filter paper sampler. Because there was no apparent correlation between the thermal precipitator and the impinger and because of operating difficulties, the use of the thermal precipitator was discontinued. The electrostatic precipitator, as you would suspect, was impracticable to carry about in the mines and, for this reason, it also was never used. The filter paper technique was continued throughout the study, but the sample was only used for particle sizing. For particle size determination, both the optical and the electron microscope were used.

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[4] Russell, A E., et al.: "The Health of Workers in Dusty Trades: II. Exposures to Siliceous Dust (Granite Industry)," Public Health Bull. No. 187, U.S. Public Health Service, 1929.

[5] Russell, A. E.: "Health of Workers in Dusty Trades: VII. Restudy of Group of Granite Workers," Public Health Bull. No. 269, U.S. Public Health Service, Government Printing Office, 1941.

[6] Hosey, A. D., et al.: "Control of Silicosis in Vermont Granite Industry: Progress Report," Public Health Science Publication No. 557, Government Printing Office, 1957.

[7] Mine Safety (Metallic and Nonmetallic Mines): Hearings (and report) before the Committee on Education and Labor, House of Representatives, 84th Cong., Government Printing Office, 1956.

[8] The committee consisted of the following persons: Mr. Henry N. Doyle, Dr. Robert H. Flinn, and Dr. Lewis J. Cralley, Public Health Service; Dr. W. Clark Cooper, alternate, Public Health Service; Mr. Robert A. Harris, secretary to the committee, Public Health Service; Mr. James Westfield, Mr. L. B. Berger, and Mr. Howard Bird, Bureau of Mines; and Mr. John A. Johnson, alternate, Bureau of Mines.

Very early in its deliberations the committee concluded that the success of the study depended upon our being able to keep and present the data in such a manner that the identity of the mines and individuals would not be disclosed. It was, therefore, decided that neither engineering nor medical data would be revealed to State officials, management, labor, or others outside the Public Health Service or Bureau of Mines.

For medical data, an exception was to be made only when the X-ray film revealed a condition that needed immediate medical attention, such as suspected cancer, tuberculosis, or heart disease. In such cases, the employee's personal physician was to be notified by the Public Health Service, if so authorized by the employee.

Following each mine survey, the Bureau of Mines was to have a conference with mine management to report the general findings. It is interesting to note that as an outgrowth of these conferences the Bureau of Mines has received a number of requests for special dust studies and training of mine personnel in dust evaluation and control techniques.

To assure high diagnostic standards, the roentgenologic films were to be first read by physicians of the Division of Occupational Health, Public Health Service, and then the final diagnostic reading would be made by a panel of outstanding radiologists who would read the films in accordance with the International Labor Office classification of pneumoconiosis. The selected panel consisted of Dr. Benjamin Felson, University of Cincinnati; Dr. George Jacobson, University of Southern California; and Dr. Eugene Pendergrass, University of Pennsylvania.

After agreeing on objectives and techniques, we felt that our next task was informing the industry, labor unions, and official agencies of our plans. To assure acceptance at the national level, Mr. Westfield and I met in mid-1958 with officials of the American Mining Congress and the labor unions involved. Although the American Mining Congress did not endorse the study, they agreed to announce it in the mining journal and to provide us with certain other basic information. Needless to say, the labor unions were enthusiastic about the proposal and readily agreed to the limitations which we had placed on the dissemination of information. Through their communication channels, the labor unions advised their locals of the proposed investigation. Staff members of the Public Health Service and Bureau of Mines discussed the status of the investigation at the 1958 and 1960 mining congresses.

Following these discussions, Mr. Westfield and I visited most of the States in which the studies were to be conducted to discuss the proposal with safety and health officials as well as representatives of the State mining associations. We were apprehensive that the official agencies would be hesitant to cooperate on our terms of not providing either medical or environmental data. However, such was not the case. Only one State expressed disappointment at not being able to obtain the names of all individuals with suspected or actual silicosis. Although the logic for their receiving this information was quite sound, the State agreed that such a procedure might jeopardize the success of the study. We were received enthusiastically by most of the State mining associations, and each indicated its willingness to cooperate. Individual contacts were then made with mining companies by either a representative of the Public Health Service or Bureau of Mines, or in many cases by a joint approach.

The cooperation of the operating companies was generally quite good, although it varied to some extent among the various mining districts. For instance, in the Western States, the survey was welcomed by most of the companies, and the sample included every contacted mine. Eastern mines, however, were more reluctant to participate. In fact, a few companies would permit only the environmental investigation. Many were apprehensive that the medical study might cause some concern among their employees and reopen the question of compensation. However, because of our objectives, environmental data would be of limited value unless accompanied by the corresponding medical information. These mines, therefore, were eliminated from the sample. Another small group of mines objected to our conducting either the medical or the environmental examinations. Throughout the study, mine management expressed some apprehension about our informing miners of medical conditions which needed immediate medical attention. However, this practice caused no problem, for relatively few cases were found which met our reporting criteria. In fact, evidence of possibly active tuberculosis, as diagnosable by X-ray, was observed infrequently.

As an outgrowth of the study, a group of Lake Superior district mines volunteered to make available to the Public Health Service and the Bureau of Mines the medical and engineering data obtained in their silicosis control program, which began in 1934. Through the Saranac Laboratory, which conducted the medical program, we will have available for study serial films on about 5,000 miners, some covering a period of almost 30 years. These data will permit us to make a detailed analysis of present-day and past conditions and should be invaluable in relating the development and progression of silicosis to dust conditions. Other companies have volunteered their mines for more detailed environmental studies on particle size, effectiveness of various engineering control methods, the relationship of air-borne silica to the silica content of the rock, and other data which may be needed to support the study.

By the close of the medical study on August 28, 1961, a total of 13,181 persons had been examined. This number represents about an 85-percent participation by the miners included in the sampled companies. In addition, 40 uranium mines with 1,778 miners were included in this study. The uranium mines were not a part of the silicosis investigation but are being studied by the Public Health Service and the Bureau of Mines for another purpose. Because of the comparability of the silicosis information being obtained, however, this portion of the data from the two studies could be combined.

Table 2 is a summary of the mines and miners, with the exception of uranium, covered by the study according to commodity group, together with the number of impinger samples taken. Open-pit mining was deliberately excluded from the study.

Table 3 summarizes the number of underground metal mines and workers for the year 1959 with the number of mines and workers participating in the survey. Although only a small percentage of the mines were surveyed, in view of our criteria of 20 underground employees, a large fraction, over 50 percent of the workers, received the medical evaluation.

TABLE 2.—*Number of mines and miners (except uranium) covered by the environmental study*

Commodity group	Mines	Underground employees	Impinger samples
Total	59	13, 685	17, 280
Iron	14	3, 267	4, 364
Copper	11	5, 072	4, 531
Lead-zinc-silver	22	3, 260	5, 091
Miscellaneous	12	2, 086	3, 294

TABLE 3.—*Underground mines and workers for 1959*

Underground metal mines	1, 580
No. men working underground in these mines	28, 939
Number of mines participating	59
Number of workers examined	14, 959

I regret that this will have to be a paper without scientific conclusions, since I am sure all of you are cognizant of the troubles one gets into when data are reported prematurely and without proper analysis. Analysis of the data and the preparation of the joint report are presently under way, and we are hopeful that the report can be released by January 1963.

Even so, there are other facts which are evident: (1) The study has been a demonstration of a harmonious working relationship between management, labor, and Government; (2) management, in general, is sincerely interested in appraising the silicosis situation and in knowing what additional steps are necessary to prevent the disease; and (3) dust control programs, ranging from minimal to extensive, are almost universal in the metal mining industry.

Finally, we have no doubts that the study will again demonstrate that occupational health problems can be fruitfully solved cooperatively when the proposed methodology of the investigation is scientifically sound and is carefully interpreted to the cooperating organizations. We are hopeful that this study will lay the groundwork for comparable future studies in other segments of the so-called dusty trades.

Mr. METCALF. Mr. President, this study is defective, its conclusion may be incorrect. The major defect of the study as reported in the summary is the fact that only employed miners were examined. Limitation of the examinations to the men working does not provide for adequate evaluation of any control measures. The current working population does not include all those men who have been exposed to the dust hazard and are no longer able to work.

The category of men thus excluded would include those who have retired—including OASI disability recipients—and miners receiving workmen's compensation for any form of silicosis, silicotuberculosis, et cetera, miners suffering from chronic respiratory disability produced by the later states of silicosis, and miners who, in the opinion of the foreman, might be developing overt symptoms of silicosis.

Employed miners are a select group who were able to pass preemployment examinations, including initial and subsequent X-rays. The employment policies of most metal mines include a requirement that a man must be able to pass a preemployment examination and have a negative chest X-ray. It is not unlikely that, with such an employment policy, subsequent X-rays are taken routinely at regular intervals, or when respiratory difficulty becomes apparent—and that they, too, must be negative for continued employment. It also is probable that a miner, sick and off the job for any considerable period, particularly with a respiratory infection, must have a negative chest X-ray before he can return to work.

In this connection, it would be interesting to know the results of the chest X-rays by State, or regions within a

State. Both figures should be correlated with the date the examinations were conducted by the Public Health Service. It is conceivable that, with current employment policies in the metal mines, miners examined last had little or no silicosis.

It also would be essential to compare the distribution of age groups, among the miners examined, with the total population. Obviously a young group of working miners would not have as much silicosis as older miners because of insufficient length of time for total exposure.

The summary states that "the prevalence of silicosis is directly related to the dust concentration in the mine, as well as the percentage of free silica in the dust." There is another essential factor which has been omitted from the summary, although Mr. Doyle and Mr. Westfield mentioned it in their article prepared for the Archives of Environmental Health. It is the length of time of exposure of the worker to the dust. If this were my report I would want to know the length of time the men have been exposed—and I would want this information as part of their occupational history. It is conceivable that the men with work histories dating back to 1944 have not yet had a sufficient total exposure to the dust to have developed silicosis.

Experts in the field tell me that, as stated in the Archives article, the dust collection was limited to those samples collected by the midget impinger. Recent developments in dust studies in Britain indicate the inadequacy of this method. Restriction of the dust determinations to the impinger samples, because previous studies utilize the same method, was unfortunate.

I also am interested in that reference in the summary to dust concentration being "below the recommended maximum allowable levels." I would like to know what these levels are. Recent work on silicosis and other dust diseases indicated that what are referred to as "maximum allowable levels" may be too high. In fact, there are authorities who feel that there are no known methods for currently ascertaining safe levels of dust concentration. They base their opinion on the inaccuracies of earlier methods of collecting dust samples and improved techniques of taking and reading chest films. Here again, it seems to me, the time factor may be important. Even if there is a safe level of dust concentration, is it for a day, a week, or the working life of the average miner?

In view of these questions, it is obvious to me that the summary conclusion is incomplete in stating that—

> Review of all available evidence suggests that the medical and engineering controls adopted by the mining industry have proved to be effective in the control of silicosis.

When a study is so constructed that the true prevalence of silicosis cannot be ascertained, no one can say that "controls have proved effective." It would seem erroneous to reach such a conclusion when it is possible, and perhaps probable, that there actually are many more cases of silicosis than are reported in the survey.

It also is apparent that it is a questionable extrapolation to state that "in another decade, with continuing vigilance, this disease may have little significance as a health problem in the metal mining industry." To the contrary, there are many reasons to believe that silicosis is and will continue for some time to be an occupational hazard, which like all manmade diseases could be eliminated, but probably will not be in a single generation.

DOMESTIC PEACE CORPS

Mr. WILLIAMS of New Jersey. Mr. President, the proposal to create a National Service Corps, patterned after the oversea Peace Corps, has been greeted with enthusiasm by the young people of this country. I was particularly pleased to read in the Newark News that a poll had shown overwhelming support for this measure among New Jersey college students, and the great majority of those polled expressed a willingness to serve in a National Service Corps. Today's college students will be the main source of volunteers for this Corps, and their willingness to serve shows its good prospects for success. I am sure that my colleagues will find this report of New Jersey youth's splendid response useful and informative.

I ask unanimous consent that the article from the Newark News be placed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOMESTIC PEACE CORPS—SURVEY SHOWS NEW JERSEY COLLEGIANS FAVOR NEW PROPOSAL

(By William May)

WASHINGTON.—Students at seven New Jersey colleges and universities are strongly in favor of the idea of a domestic version of the Peace Corps and many of them are interested in serving in such an organization.

The study group which prepared the outline of the national service corps, suggested by President Kennedy in his state of the Union message, said statistics show that sentiment on college campuses in New Jersey is in accord with overwhelming support for a service corps expressed by students at more than 70 other schools in this country and Puerto Rico.

On the basis of some 900 questionnaires returned to the Peace Corps study group from the New Jersey students, the response from individual colleges was:

STATISTICAL SUPPORT

Trenton State College: 95 percent of those answering favored the idea of a national service corps; 86 percent said they would join or consider joining such a corps.

Princeton: 94 percent favored the idea; 73 percent might join.

Paterson State College: 93 percent favored the idea; 72 percent might join.

Rutgers (New Brunswick campus): 88 percent favored idea. 60 percent might join.

Newark College of Engineering: 76 percent favored idea; 54 percent might join.

Newark State College: 96 percent favored idea; 73 percent might join.

Jersey City State College: 96 percent favored idea; 80 percent might join.

The Peace Corps study group is analyzing other questions asked the New Jersey students and their colleagues. The questions included whether the training period should be 1 or 2 years and whether applicants would prefer assignments in their own hometowns or States or in other areas of the country.

OLDSTERS INTERESTED

"From the first run through on responses the indications are the college people want assignments away from their home States; older people who are interested in serving prefer to work in their own hometowns," a study group official said.

The study group has no State breakdown on responses from the 38,000 older people who were sent questionnaires through 24 organizations representing older and retired persons.

"The first 716 replies from this group brought the following response: 82 percent felt a national service corps is desirable; 56 percent would join or consider joining," the study group report said.

Meanwhile, Dr. Leonard Duhl, a member of the small group of experts from the Peace Corps and other agencies which prepared the report of the Cabinet-level study group on the domestic Peace Corps, praised the memorandum from the urban studies center at Rutgers as one of the "more interesting" reports received by his group.

NEWARK EXPERIMENT

In addition to making recommendations in general terms as to how national service corpsmen could be used in urban areas, the memorandum points on how the domestic Peace Corps could be used in a social renewal demonstration project being planned for a "disadvantaged area" of Newark.

On an experimental basis it is suggested that in perhaps a 10-block area in Newark one corps member would be assigned, after training by the local university, to each block.

His task would be, under the general direction of a supervisor, to get to know intimately all the families on his block and help them to engage in educational and recreational projects.

In each of several 10-block areas urban information and aid centers would be established as headquarters for corps members. They could be used, the Rutgers memorandum suggests, as "anything from a place to read or play cards, through help in filling out forms, advice, escorts to bureaucratic appointments, 'friends in court' and so on.

"Some national service corps members might be assigned to community organizations, hospitals, clinics, social work agencies, schools, and so on as regular assistants," the suggestion for Newark says.

THE DEFENDANT NEEDS TO KNOW

Mr. HRUSKA. Mr. President, the December 1962 issue of Federal Probation contains an article by the Honorable Richard E. Robinson, chief judge, U.S. District Court, District of Nebraska, on the importance of the judge's explaining the sentence being imposed in criminal cases. Entitled "The Defendant Needs To Know," it offers cogent reasons why the sentence may be self-defeating if the defendant is left in the dark.

Quoting from the article:

> Without an interpretation, the sentence may not produce the socially constructive result intended by the court. The public may believe that justice was betrayed. The prosecution may feel that its efforts went for naught. And, on the other hand, the defendant may go to prison embittered by the thought of a term of imprisonment pulled out of midair.

The Congress as well has shown increasing interest in the problem of fair and effective sentences. A major step was the authorization of sentencing institutes which afford the Federal judges an opportunity to review the aims and actualities of present-day sentencing procedures. The article by Judge Robinson will be of major interest to my colleagues who are concerned with the importance of effective sentences. I ask unanimous consent to insert at this point in the Record the article referred to.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Defendant Needs To Know

(By Richard E. Robinson, chief judge, U.S. District Court, District of Nebraska)

For the defendant in a criminal case it is an agonizing moment when the judge on the bench straightens his papers, looks down at him, and quietly says, "The defendant will rise." It certainly is a soul-searching moment for the conscientious judge. This is the moment when justice finally must be done. The facts about the crime and the criminal somehow must be compressed into a simple mathematical formula normally expressed in terms of years in prison or probation.

EXPLAINING THE SENTENCE

How can this critical moment be made meaningful to the defendant, the lawyers, the press, and the public? Surely something more than the stark words "5 years" or "25 years" or "natural life" or "probation" or "suspended sentence" or a similarly cryptic statement is needed.

Without an interpretation, the sentence may not produce the socially constructive result intended by the court. The public may believe that justice was betrayed. The prosecution may feel that its efforts went for naught. And, on the other hand, the defendant may go to prison embittered by the thought of a term of imprisonment pulled out of midair

A judge can overcome these misunderstandings by being explicit in pronouncing sentence. His explanation of the considerations which led to his decision will also help those who are trying to reduce disparities in sentencing. A dual purpose is thus served. In addition, and perhaps of more importance, a few words will stimulate a desired consistency on the part of the court itself. Equally important, it will promote the understanding of other judges and, in influencing their views, possibly bring about a measure of agreement in sentencing similar offenders.

The basic objective underlying the establishment of the sentencing institutes recently authorized by the Congress was to minimize sentencing disparity through an exchange of views on penalties for crime. By this time the judges in each of the Federal circuits have held at least one institute. The judges gather for day-long sessions and diligently apply themselves to the task of reaching some agreement upon the purpose of the sentence and how it might best be carried out. The views of the enforcement agencies whose representatives have attended the institutes are sought. Sizable accumulations of material on the subject are assimilated. But in all this ferment, little thought thus far has been given toward making the sentence more comprehensible to the defendant himself.

More attention must be given to this problem. For valid and compelling reasons, one defendant may receive 2 years for a given offense, another defendant 5 years for the same offense, and still another term of probation. But none of the three defendants may ever know why his sentence was different from the other two with the result that he may chalk it up to judicial unfairness, the dyspeptic state of the judge at the time of sentencing, or some other perverse quirk of fate.

The sentence imposed upon the defendant has a profound effect upon the later rehabilitative efforts of the probation officer or the staff of a correctional institution. It is true that much of what they can do with him depends on the flexibility and the length of the sentence. But the care with which the judgment is communicated also may affect the defendant's attitude toward the efforts of the probation officer or the institutional staff to rehabilitate him. If the defendant feels that his case has been summarily disposed of by the court, he may regard his later probation or institutional experience as meaningless. The judge had little to say to him, and society, too, does not really care. Why should he?

There are judges, however, who do explain the sentence to the defendant. Typical of these is Judge George H. Boldt, of Tacoma, Wash. At the pilot sentencing institute at Boulder, Colo., in 1959, he observed:

"In every case the judge should comment on the basis of the sentence for the benefit of the poor devil who is getting the word. It is a big day in his life and the judge should say something to indicate that careful thought has been given to the problem of the defendant as an individual."

The defendant needs to understand the reasons lying behind the sentence imposed. The court's care to interpret the sentence to the defendant serves to impress upon him the fact that his existence as an individual is the concern of society. The court is interested in what happens to him and how he will conduct himself in the future. Once he is given the opportunity to know that the judge gave a great deal of thought to his case and did weigh what, in the judge's considered opinion, at least, is best for both him and for society, the defendant then may regard more seriously, and more introspectively, all that the professional correctional workers may later try to do for him.

COURT'S REMARKS AN AID TO APPELLATE REVIEW

The remarks of the court at the time of sentencing may also have other desirable benefits. In planning his statement the court is forced to clarify his own thinking on the implications of the case and the essential problems of the defendant. The trial court's explanation of the sentence at the time it is imposed may also be helpful to the appellate court in the event the case is appealed. With this record before them the possibility of misunderstanding and disagreement with the sentence imposed may be avoided and the number of reversals for that reason reduced. In any event, it spares the appellate court the unpleasant duties of second guessing—do with the sentence what they may.

The usefulness of sentencing remarks to the appellate courts is reflected in a bill now pending in the Senate Judiciary Committee.[1] One provision of the bill would require the trial court to set forth his reasons for the sentence at the time it is imposed upon the defendant, for the possible later use of the appellate court. The practice, however, should become commonplace without the necessity of a provision of law specifically requiring it.

OTHER PURPOSES OF COURT'S SENTENCING REMARKS

The court is the primary agency through which society expresses its disapproval of given acts of misconduct. The function of the sentence in symbolizing that disapproval should be fully underscored by the court for both the benefit of the defendant and other potential offenders in the community. In some cases, the sentence has an entirely deterrent purpose, and the judge should clearly label it as such. Many judges agree, for example, that deterrence is the major factor to be considered in sentencing those engaged in elaborate schemes to defraud the public through the use of the mails. Similarly, the judge has a responsibility to protect society by incapacitating major and repeated offenders for extended periods of imprisonment. His announced intention to do so may also have some incidental effect on others who may look with some envy on the riches of organized criminals and seek the same route to financial success.

The court's sentencing remarks will help prison staffs to understand the reasons why the defendant was committed. What problems of the defendant are they expected to treat and resolve? Has the defendant been committed to prison solely for incapacitative or deterrent purposes? What opinion did the court have as to the rehabilitative potential of the defendant? The transcript of the court's remarks may contain the answers to these questions.

These remarks may also set certain goals for both correctional institution and the prisoner. The judge may, for instance, wish to suggest to the prisoner that he would be a good parole prospect if he learned a trade, undertook to benefit himself through joining an Alcoholics Anonymous group, or accepted some other specific type of treatment. In order to do this knowledgeably the court, of course, must be personally acquainted with the facilities and programs of the correctional institutions or must undertake to get the needed background information through the observation and diagnostic procedures now available to the Federal courts. When the defendant comes up for parole the parole board may study the transcript to ascertain whether the court's wishes have been carried out and whether the court intended that the defendant be given an early opportunity to assume the responsibilities of a citizen in the free community.

EXPLAINING WHAT IS EXPECTED ON PROBATION

If the defendant is to be placed on probation, the court should not only explain the reasons for the sentence, but it should also carefully outline what will be expected of the defendant while he is on probation. These conditions, in my judgment, are not to be presented to the defendant in the form of an ultimatum—either the defendant lives up to them or he will be committed to prison. They should be presented as a carefully developed set of conditions which are intended to help him conform to the ordinary standards of conduct prevailing in the community.

The conditions should be realistic, and the court should explain to the defendant that it expects neither more nor less of him than is expected of any other responsible citizen. It is sheer folly for the courts and probation officers to base conditions of probation upon Puritan ideals of behavior. Not only is it futile, but it also practically invites violation to require the probationer to be any more perfect than the rest of us.

MANNER IN WHICH COURT DELIVERS SENTENCE IS ALSO IMPORTANT

The fashion in which the court delivers its sentencing remarks is as equally important as their content. I spoke earlier of the time of sentence as a moment of agony for the defendant. The average defendant standing before the court is deeply apprehensive. If the court speaks to the defendant in an objective manner, the defendant's reaction will be more receptive. Objectivity can be achieved by explaining the considerations that went into the formulation of the sentence. Concern for the defendant will be expressed by outlining what the court expects a term of probation or institutional treatment to accomplish for him. The court's disposition does not banish the defendant from society for the rest of his life in all but the rare case, and inherent in its remarks should be society's readiness to accept the defendant as a full-fledged citizen as soon as he proves he can measure up.

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[1] S. 2879.

"The courts can help to minimize our prison problems by the very manner in which they impose sentence," James V. Bennett, Director of the Bureau of Prisons, once wrote. "It is, of course, the court's duty to define for the defendant the community's attitude toward his act, and that is partly the function of the sentence. But this can be done in an objective, constructive way, and it may actually put the defendant in a frame of mind where he might be more inclined to cooperate with the corrective efforts of those to whom the court has delegated this duty. On the other hand the manner in which the court passes sentence can have the opposite effect. If the court creates unnecessary antagonisms in the defendant by heaping invective upon him, ridiculing and humiliating him, it may impose very formidable handicaps to the probation officer or the prison personnel who must thereafter try to instill within the defendant an attitude that he really has within himself the capacity to become a worthy citizen. I have seen some prisoners who have gone through such an excoriating experience in court that they remained hostile and intransigent problems for many months, sometimes indefinitely."

From past experience I am persuaded that the judge's effort to interpret the sentence has a constructive effect in reconciling the defendant to it. Perhaps it has also motivated the defendant toward rehabilitation. But if only it serves to preserve in the public, the prosecution, and the defense the feeling that persons charged with crime are being dealt with fairly and justly, it has fulfilled a valuable purpose.

(EDITOR'S NOTE.—The following remarks in sentencing a defendant convicted in Judge Robinson's court are reproduced here as an illustration of "sentence interpretation" by him. The defendant was placed on probation:)

"I think it might be said in this case that you have pretty well imposed your own punishment. You stand before the court as a convicted felon. Many of the rights that you have previously enjoyed are now lost to you unless they are restored by pardon. You have thrown away 15 years of service which apparently was entirely satisfactory to the Government and your superiors with the exception of the incident of stealing this money from the mails.

"I don't know, and I don't particularly care what prompted you to commit this offense. I am sure you realize now it was a very foolish thing for you to do.

"I am not going to incarcerate you. I am going to place you on probation for the period of 1 year.

"However, there are a few things I should like to say to you now that might help you during this period of probation and beyond that year. I am not a man of the cloth, and it is not my purpose to sermonize or to lecture. What I am saying to you is said in the hope that it might open a new vista of thought and action for you.

"You stand before the court this morning, I am sure, thinking that you are the only one who has ever been in this kind of trouble or any other kind of trouble. If you have that conviction, I can assure you that you are wrong. There are many others who have had to face up to the very thing you are facing up to now. The thing that you must do is to recognize that you have made a mistake, accept it, and then do something about it. You are a fine-looking gentleman, apparently intelligent, and there is no reason why this might not even be a steppingstone to you to perhaps greater happiness than you have ever had in your life if you recognize and accept the fact that you have made a mistake. Don't indulge in self-incrimination. Don't feel sorry for yourself. Be resolved that you are going to do something about it.

"I had occasion recently to talk with two men very confidentially, who came to mind immediately, one of whom 6 years ago was virtually a bum. He was on 'skid row' so to speak. He didn't have 5 cents to buy anything, if 5 cents will buy anything today. Fortunately, he did not run afoul of the law except to end up in jail a few times for vagrancy or something else. It might be of interest to you to know that today that man is executive vice president of one of the largest companies in the United States. That is why I say this, and take the time to say it to you.

"The other man of whom I spoke, 6 or 7 years ago was virtually in the same boat. Today he is president of one of the largest companies in this country.

"But they had a different problem than you have. They had to virtually pick themselves up by the bootstraps and had to overcome a greater disease than yours.

"Why did they succeed?

"Because they knew they had a problem. They accepted it, and they did something about it.

"You have a problem, and I know how you must feel inside. You must feel that the whole world is pointing the finger at you.

"Well, the truth of the matter is you would probably be surprised to find out how few people are particularly interested or care. But if you want to do something for the love of these children that you refer to, start anew. Resolve to live each day as it comes because tomorrow will be today, and today will be yesterday. Keep your head up. Look everybody in the face. Sure, you made a mistake. Lots of people have made mistakes. If you do that, I am sure you will have no difficulty. If you need help, go to those who can give you help and counsel with you. You have a long life ahead of you. Make the most of it."

JAYCEES' 10 OUTSTANDING YOUNG MEN

Mr. HRUSKA. Mr. President, recently it was my good fortune to address the silver anniversary congress of the U.S. Junior Chamber of Commerce's 10-outstanding-young-men program in Little Rock, Ark.

This was one of the most stimulating events of my experience. This year's group of 10 outstanding young men range geographically from Connecticut to Hong Kong and professionally from medicine to civil rights.

They were selected by a distinguished panel of judges guided by that part of the Jaycee creed which asserts "Service to humanity is the best work of life."

Each of the winners received a silver statuette bearing the motto, "The Hope of Mankind Lies in the Hands of Youth and Action." The Reverend Bob Richards, who was host at the silver anniversary awards, said of the trophy:

> You can call it the divine hand of God reaching down to touch humanity. In the horizontal sense, the hands might be the outreach of man for his fellow man or race for another race, or labor and management working together.

Mr. President, I ask unanimous consent to have printed in the RECORD, brief biographies of the 1962 10 outstanding young men, the 25th anniversary class.

There being no objection, the biographies were ordered to be printed in the RECORD, as follows:

TEN OUTSTANDING YOUNG MEN

CURTISS M. ANDERSON

At 33 years of age, in one of the fastest rises in journalism, Curtiss Anderson became editor-in-chief of the Ladies' Home Journal. His job hike from associate editor of the magazine to editor-in-chief took less than 2 years.

His promotion to the helm of one of the Nation's most widely read woman's magazines came in April 1962. In addition to his management responsibilities, one of his first tasks was to move his entire staff from the old Curtis headquarters in Philadelphia to New York City, while at the same time putting out a magazine and restyling a publication.

The first Anderson-guided issue was the summer, 1962, magazine, a combined July-August edition. The magazine hardly hit the stands before rocketing sales showed an increase of 300,000 copies over the June issue.

Born in Minneapolis, he was graduated from Columbia Heights High School. After serving a 2-year hitch in the Navy, he attended the University of Minnesota and received his B.A. degree in 1951.

Author of many magazine articles particularly on personalities, travel and humor, he collaborated with Carl Sandberg on a story of the first cross-country jet passenger flight. He has also written a number of short stories and plays.

Before joining the Journal, Anderson was special features editor of Better Homes & Gardens. He joined that magazine in 1951 as an editorial trainee and worked his way through the posts of editorial assistant, assistant editor, associate editor, and special features editor.

JAMES T. BEATTY

In 1962, Beatty, 27, established himself as the finest distance runner in U.S. track history and the first man in the world to break the 4-minute mile indoors.

For him, 1962 was his crowning year. His performance in 1 year of winning seven American records and two world records is unequalled in track history. He did not lose a single race all year.

He was twice elected to be captain of the U.S. men's teams for international matches against Poland and the U.S.S.R. The president of the AAU selected him as one of two track representatives to the National AAU track and field committee.

During his August tour of Europe with four other members of the Los Angeles Track Club, he ran the 2 fastest miles yet run by an American. His mile time in London was 3:56.5 which he bettered in Helsinki with 3:56.3. In addition he set new American records in all recognized distances between 1,500 and 5,000 meters.

A University of North Carolina graduate of 1957 with a B.A. in English, Beatty never won a national college championship. Then in 1960 after a 2-year retirement, he decided on a comeback under famed European coach, Mihaly Igloi. When Coach Igloi formed the Los Angeles Track Club, Beatty moved to Los Angeles to join the club.

He trains twice a day—before and after work in the public relations department of Allstate Insurance Co.'s Pasadena office. He finds time to work with youngsters and stresses sportsmanship, dedication and goal-setting as well as the techniques of track.

JULES BERGMAN

For ABC's Science Editor Jules Bergman, 33, the space race has proved more than a fascinating assignment—it's almost become a way of life.

Believing he can communicate something better after experiencing it himself, Bergman took the actual Project Mercury qualification tests for astronauts. Among the tests were weightlessness, centrifuge rides pulling up to 5 G's, and burning temperatures in a heat room. Newsweek recently called him the most knowledgeable of all network space reporters.

His coverage of the seven Mercury astronauts included the orbital journeys of Alan Shepard, "Gus" Grissom, John Glenn and Scott Carpenter. He's spent nearly as much time at Cape Canaveral as he has at his Suffern, N.Y., home.

First full-time science editor of the three networks, he was named to the post in 1961 by News VP James Hagerty. In addition to space, he concentrates on informing the public about advancements in medicine and aviation (he took up flying after researching a story on aviation problems and has now logged over 1,200 hours).

Bergman was the first American newsman to have his picture bounced off the Telstar satellite in the first program beamed to Europe.

Author of numerous scientific articles, he'll have a new book out this winter on flying, "Two for the Sky." His first book appeared in 1960, "Ninety Seconds to Space—the Story of the X–15."

Much of his average working day is devoted to digesting technical journals in his fields. Winner of the Sloan-Rockefeller advance science writers fellowship, he spent 1960 on advanced study at Columbia University.

His undergraduate work was at New York City College, Indiana and Columbia Universities before joining ABC in 1952 as a news writer.

BERL I. BERNHARD

As Staff Director of the U.S. Commission on Civil Rights at 33, Berl I. Bernhard is the youngest Presidential appointee serving as operational head of a Federal agency.

Nominated Staff Director of the Commission by President Kennedy and confirmed by the Senate in 1961, Bernhard heads an independent, bipartisan agency to investigate constitutional deprivations and report its findings and recommendations to the President and Congress. It has confined its investigations to denials of rights due to race, color, religion, or national origin.

He directs a staff of 80 with a budget of over $900,000 a year. In addition to administrative duties, he directs the investigative and legal proceedings of the agency and acts as trial counsel during hearings. He also prepares reports to the President and Congress.

Bernhard's undergraduate work was at Dartmouth College where he received his B.A. degree in 1951, magna cum laude with highest distinction in government. He was awarded his law degree from Yale Law School in 1954. A Phi Beta Kappa, he is a member of the bars of the District of Columbia, the Supreme Court of the United States, and the American Bar Association.

Following private law practice in Washington, D.C., 1956–58, he joined the Commission on Civil Rights as General Staff Attorney and was appointed Deputy Staff Director a year later. President Eisenhower appointed him Acting Staff Director, January 1961.

He serves as an adviser to the State Department and to U.S. representatives in the United Nations on human rights problems and on how best to combat Soviet criticism of discrimination in America. At the President's request he and State Department officials worked to bring a voluntary end to racial discrimination on Route 40, the main artery between the Nation's Capital and New York, the seat of the United Nations, where nonwhite diplomats had been refused service.

U.S. REPRESENTATIVE JOHN BRADEMAS

November's reelection of JOHN BRADEMAS, 35, to a third term in the Congress of the United States signaled another emphatic endorsement of the 35-year-old U.S. Representative from Indiana.

A Democrat on the House Education and Labor Committee, BRADEMAS prepared for a career in lawmaking by earning Phi Beta Kappa at Harvard and a Ph. D. on a Rhodes scholarship at Oxford University. In 1958, he made his third race for Congress and won. The new Congressman left a political science teaching post at St. Mary's College, Notre Dame, Ind. But Washington was not new to him, having worked for U.S. Senator Pat McNamara, of Michigan, U.S. Representative Thomas L. Ashley, of Ohio, and Gov. Adlai Stevenson.

In his 4 years in Congress, BRADEMAS has become recognized as one of the best informed and influential men on the problems of American education. This year Congressman BRADEMAS headed the special House advisory group on higher education.

Recommendations of the Brademas group have won much bipartisan support and are expected to influence educational legislation in the 88th Congress. His committee report on higher education in Latin America was hailed as "the best thing of its kind produced by one in Government that I have yet read" by Chancellor Franklin Murphy, of UCLA, one of 1949's outstanding young men.

Congressman BRADEMAS was a sponsor of the Peace Corps bill and was author of the Juvenile Delinquency Control Act. The space program and industry are benefiting from the Congressman's personal campaign to alert Congress and the American public to the developing shortage of semiprofessional technicians. And for his constituents in Indiana's Third District, he helped bring the pioneer project in the Nation—under the new Manpower Retraining Act to retrain unemployed workers in needed skills.

GUIDO CALABRESI

When Guido Calabresi was promoted to professor of law at Yale University at 29, he became one of the youngest men in Yale's 261-year history to reach the rank of full professor.

Just 4 years before his attaining the full professorship, Yale had awarded his bachelor of laws degree. His promotion came in July 1962.

Born in Milan, Italy, Calabresi came to the United States at the age of 7. After attending the Foote School and Hopkins Grammar School in New Haven, he enrolled at Yale in 1949.

During his undergraduate years at Yale he maintained a 93 average and was the top ranking student in his class. While most Phi Beta Kappa members are selected their senior year, he was elected to the honor group his junior year.

A Rhodes Scholar at Magdalen College, Oxford University, he won his bachelor and master's degrees from Oxford with first class honors in politics, philosophy and economics—the highest honor bestowed on an Oxford student.

A Yale Law School graduate in 1958, he was the highest ranking student in his class. He served as law clerk for U.S. Supreme Court Justice Hugo Black in 1958 and before returning to teach, practiced law a short time with a New York City law firm.

His first brush with teaching came while still a law student. At 23, he was assistant instructor in Yale's Department of Economics. Returning to Yale in 1959, his training both in economics and law posed a dilemma of which to teach—but law won out and he has been a law teacher and scholar ever since.

THE REVEREND ROBERT W. CASTLE, JR.

When Father Castle, 33, assumed the pastorship of St. John's Episcopal Church in Jersey City attendance was at such a low point there was talk of closing the church. Seldom did attendance reach 100 at the single Sunday service. St. John's which had once been the most fashionable parish in town had gone downhill as the well-to-do families moved to the suburbs.

In 1960, Father Castle became rector and set about to transform St. John's into a unified church for all—the Italians, Negroes, Puerto Ricans, and others. His first step was the opening of church doors all day, which had previously been locked 6 days out of 7 to keep out intruders. He became a familiar sight on the street inviting everyone he saw to St. Johns'. To get to know the neighborhood youngsters, he joined the boys tossing a baseball or girls skipping rope.

Today attendance at the three Sunday services he conducts is seldom less than 400. The church school enrollment is up from 20 to 200. He has encouraged parishioners to form neighborhood associations to help fight the encroaching slums. He's led several peaceful protests on behalf of his neighbors for decent housing.

When one boy was stabbed to death, Father Castle spent the night hunting for gang members to talk the other boys out of a retaliatory killing. When a second boy was killed, the two gangs met for a showdown. It was Father Castle who stepped between the two groups and helped quiet the uprising.

His B.A. degree is from St. Lawrence University in 1952; his S.T.B. from Berkeley Divinity School in 1955. He was ordained an Episcopal priest in 1955.

HUGH S. HAYNIE

The editorial cartoons of the Louisville Courier-Journal's Hugh Haynie, 35, often have a distinctive, out-of-the-ordinary look about them—mostly because he feels most editorial cartoons are deadly dull.

Among the unusual cartoons is a parody on "Aristotle Contemplating the Bust of Homer" entitled "Kennedy Contemplating the Bust of McCormack." The Metropolitan Museum, which paid $2.3 million for the Rembrandt painting, asked for the Haynie original, but found President Kennedy got there first. The White House gave up the cartoon to the Metropolitan, and it was included in a recent show.

A Time magazine story on Bill Mauldin commented that only four other editorial cartoonists were worthy of mention and named Haynie as one of them. Newsweek in a March 1962 story rated him as among the country's top cartoonists.

Haynie bases most of his cartoons on his own politics which he calls "liberal independent Democratic." He attributes his national recognition to the complete editorial freedom the Courier-Journal gives him, commenting that because he's free to express himself he sometimes does something out of the ordinary.

A graduate of the College of William and Mary (B.A., 1950), his newspaper career began on the Richmond, Va., Times-Dispatch. Then he moved to the Greensboro Daily News, Greensboro, N.C. (1953–55 and 1956–58). In 1955–56, he worked for the Atlanta Journal. He joined the Courier-Journal in 1958.

JAMES R. JUDE, M.D.

A revolutionary process to revive a stopped heart without surgery—external heart massage—is but one of several contributions to medicine of Dr. James R. Jude, 34, surgeon at the Johns Hopkins Hospital and assistant professor of surgery at the Johns Hopkins University.

Dr. Jude was the medical member of a three-man team who developed the external massage method of cardiac resuscitation. Codevelopers were two engineers: Dr. William B. Kouwenhovan and G. Guy Knickerbocker. The method is used to restart the heart by compressing the heart between the breast bone and spine. Because no surgery is necessary, it can be employed more quickly and safely—even by trained rescue and first aid workers. He is coauthor of a booklet and film on the training of resuscitation techniques. Likewise, he has traveled extensively, lecturing on the subject to medical and nursing groups.

The University of Minnesota awarded his B.S. in 1951 and his M.D. degree in 1953. His internship was at Johns Hopkins where he spent 6 years in formal training for specialization in surgery. His military service was spent with Public Health Service at the National Cancer Institute, Bethesda, Md. His research work there included the effects of lowering the body temperature during surgery to decrease the need for oxygen and surgical procedures in the treatment of cancer.

Currently, Dr. Jude is engaged in research, training of medical students, and clinical thoracic and heart surgery. Research activities include replacement of leaking heart valves, studies on the origin of arteriosclerosis and further studies on heart resuscitation.

JAMES WESLEY TURPIN, M.D.

The year 1962 was the one Dr. Turpin, 34, gave up a good medical practice in California and took his medical skill and family to Hong Kong where teeming masses of refugees from Communist China need medical care.

To set up a clinic, Dr. Turpin founded an independent and nonprofit medical relief organization—Project Concern. It has a threefold aim of providing medical care, food and clothing, and Dr. Turpin serves as president. He opened his clinic in the notorious walled city of Kowloon in Hong Kong, where more than 250,000 men, women, and children crowd into 10 square blocks.

Long active in church work, Dr. Turpin is an ordained Methodist minister having studied theology at Emory University. It was through his concern for his fellow man that he discovered charity medical work. While practicing in southern California, he began giving an afternoon a week to a small Mexican medical and surgical clinic in Tijuana. From this work came the idea for Project Concern and his own clinic in Hong Kong.

A second clinic aboard a modified junk is now under construction and will soon be completed. This floating medical facility will serve the 200,000 Chinese who live aboard sampans and junks. Some of them, for superstitious reasons, will not set foot on shore.

Dr. Turpin's family is with him in Hong Kong. His wife, Martha, assists him at the clinic and cares for their four children.

Dr. Turpin was awarded his M.D. degree from Emory Medical School and his internship was at Crawford W. Long Memorial Hospital, Atlanta. He also attended Berea College (Kentucky), Bucknell University, Ashland Junior College (Kentucky), and Cornell University. His residency in general practice was at Sonoma County Hospital, Santa Rosa, Calif.

LUMBER OUTLOOK FOR 1963

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed at the close of my remarks the yearend forecast and review statement on lumber by Mortimer B. Doyle, executive vice president of the National Lumber Manufacturers Association.

I am pleased at the progress that is being made, but in my judgment, much more could be done through research on product development in the lumber industry.

Over the last decade there have been substantial changes in home, office, and industrial construction. The Washington Post of February 2, cites two examples of change in homebuilding which affect the use of lumber. A series of homes in the $14,000 to $22,000 bracket are declared to contain "wall panels with steel framing members," while in another article an architect recommends the use of folding doors in homes, most of which are made of plastic, as giving better space utilization.

Certainly we cannot oppose changes which bring improvement in the quality of homes and in the effective use of space.

Many changes have occurred in design and construction and in the main, I have the impression that lumber has been displaced in the process.

There exists, in my judgment, a need for cooperative lumber industry-governmental review to establish those areas where wood use has changed, the amount of change, and the effect and the reasons why.

Such a review could then lead to an evaluation of the steps needed to promote the most effective and efficient use of wood.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LUMBER OUTLOOK FOR 1963 DEPENDS ON MANY FACTORS

(By Mortimer B. Doyle)

The approaching year will test the solidarity, resourcefulness and ingenuity of lumbermen as have few years in the history of our industry.

At this writing, there appears to be little prospect of a significant increase in new home starts, lumber's most important single market, during 1963. The most frequently offered estimate is that total starts will amount to about the same as in 1962—approximately 1.4 million.

Moreover, a recent survey by the National Association of Home Builders indicates that, within the total housing framework next year, rental units may rise 4 percent while for-sale construction may suffer a 1-percent decline. This could have an inhibiting effect on the production of our industry, since single-family, for-sale dwellings use more lumber per unit than multifamily, rental construction.

Even the currently projected level of new residential construction next year could be knocked into a cocked hat by such factors as uncertain economic and political conditions, international tensions, and the recently published Executive order on discrimination in housing.

To help ameliorate current and prospective problems in the lumber industry, there is clearly a need for:

1. Prompt Tariff Commission action to grant U.S. lumbermen and lumber workers relief from the mounting volume of softwood imports from Canada.

2. Adoption of more realistic job-producing and job-maintenance policies on the part of Federal timber selling agencies.

3. Continued demonstrations of unity and mutual helpfulness between those in the manufacturing and distribution ends of the lumber industry.

4. Final approval by the American Lumber Standards Committee of our industry's grade simplification and standardization proposals relating to lumber sizes.

Given favorable action on these important fronts, our industry would have sufficient reason to view the year ahead with cautious optimism.

Without such assistance, our prospects must be considered less encouraging.

LUMBER SPOKESMAN PREDICTS GREATER VALUES FOR WOOD CONSUMERS IN 1963

Lumber consumers—especially homebuilders and home buyers—can expect greater value for their lumber dollars during 1963, according to Mortimer B. Doyle, executive vice president of the National Lumber Manufacturers Association.

In a yearend forecast and review statement, Doyle said the greater values will result from the lumber industry's "continued efforts to improve its products and their application, raise standards of manufacture, and pass on to the consumer the benefits of this advanced technology."

Doyle explained that "significant gains were made in these important areas" during the past 12 months. "And we can expect this trend to be accelerated in the year ahead," he added.

The lumber spokesman cited his association's introduction in 1962 of a standardized system of component construction for homebuilding—a system identified as "unicom" (for universal components)—as "perhaps the year's outstanding development looking toward the more efficient and more economical use of lumber in the construction field."

Doyle noted that unicom has been recommended to builders by the National Association of Home Builders and applauded by Better Homes & Gardens magazine as "a highly flexible new system" that "could cut the structural costs in houses by as much as 20 percent—and probably considerably more in the long run."

A manual describing the unicom system received an exceptional merit award in a contest sponsored by the producers' council and the National Association of Home Builders for literature and advertisements related to building products.

Doyle listed the following as being among other top developments of the year of present or potential—direct or indirect—benefit to wood consumers:

1. A more definitive system of lumber size standards was approved "in principle" by the American Lumber Standards Committee representing principal lumber users. The new system will form the basis for more detailed development of lumber sizes by that body.

2. A simplified system of lumber grades, grade names and use data was developed by a special lumber industry committee composed of technical personnel, production and marketing experts. Purpose of this new system is to make lumber easier and more economical to specify, purchase and use in residential and other light construction.

3. Work is nearing completion on an industry-sponsored project at Washington State University to develop a "low-profile" wood floor system competitive in cost with concrete slab construction while retaining the "inherent advantages of wood."

4. The National Lumber Manufacturers Association and the National Paint, Varnish and Lacquer Association contributed a total of $50,000 to finance joint Government-private research aimed at improving the performance of painted wood.

5. NLMA-sponsored wood school clinics and other technical promotion projects continued to bring a new awareness of both the practical and esthetic values of lumber and wood products to architects, engineers, builders, building code officials, fire insurance specialists, school boards, and other key groups which influence the specification and use of building materials.

6. The industry contributed nearly $2 million toward a national wood promotion program designed to create a climate in which regional and species associations and individual companies can expand the domestic market for lumber and wood products.

7. The lumber industry began a study of the opportunities for broadening American lumber markets overseas, in a project labeled "Operation Expolum."

8. A combination sub and finish flooring system was introduced by Potlatch Forests, Inc., Lewiston, Idaho. Laminated planks

eliminate subflooring as the system is applied directly to floor joists by means of nails and mastic-type adhesive.

9. Unveiled at the annual exposition of the National Lumber and Building Materials Dealers Association was a mechanical bathroom core, dubbed "Little John," and a similar unit for kitchens, offering builders prepackaged plumbing, wiring, fixtures, etc., completely framed and paneled at the lumber yard for trucking to the construction site.

10. A method for machine-grading of structural lumber won for Potlatch Forests, Inc., the first American Lumber Industry Award for superior accomplishment in applied research. A similar device developed on a different principle by the Western Pine Association, Portland, Oreg., also will contribute to greater accuracy in the stress grading of structural lumber.

The result of a 3-year, $250,000 research program to meet the building industry's request for a simple, standard component system, unicom provides for complete house construction through coordinated modular dimensions based on 16-inch increments for walls and window panels, 24-inch modular spacing for roof trusses, and a 48-inch module for roof span, overall house length and width, roof and floor sheathing.

"This means a greatly simplified system of building," Doyle explained, "under which all of the diverse parts and pieces in a house are standardized and can be fitted together to form larger components in much the same manner as with a set of Tinker Toys, the classic example of structural standardization in that literally thousands of different designs can be built from a few basic components.

"With unicom, for example, 15 door sizes would replace the hundreds of door variations that suppliers and lumber yards must now stock. Similar reductions ultimately can be expected in the number and sizes of a variety of other components, from floor to roof, including interior partitions, stairways, closets and other assemblies.

"Moreover, unicom offers the builder a freedom of design never before possible in component house construction. Because the wall, floor, and roof systems are not tied to a fixed panel size, the builder is afforded a maximum of design possibilities for any style or size of house selected.

"To sum up the advantages of unicom, this system cuts the time involved in planning and construction; reduces the number of elements needed, thereby lowering inventory costs; and makes possible a soundly built structure without limitations on design at a cost lower than ever before."

FINANCING PURCHASE OF SCHOOLBUSES

Mr. MORSE. Mr. President, I recently received from one of my constituents who is enrolled in the sixth grade of St. Michael's School at Grand Ronde, Oreg., a very earnest plea which I should like to share with the Senate.

I hasten to state that I take no position for or against the use of trading stamps. I also wish to disassociate myself from the proposal that types of stamps other than the one indicated would be welcome for trading purposes, since I have no knowledge of whether this is permissible under the various laws of the various States. I do, however, wish to compliment my constituent and those who are operating the Indian mission upon the ingenuity in devising this method of financing the acquisition of a schoolbus. I can but hope that the generosity of individuals who receive Anna's plea will allow the project to succeed.

I am reminded of the days when my own girls were in school here in Washington and of the many times when, as a member in good standing of the parent-teachers' association I was assigned the job of auctioning off cakes and pies to buy school equipment for the cafeteria. Having participated personally in such a process I cannot help but have a deep sympathy for the efforts being made by St. Michael's Indian Mission School.

Mr. President, I ask unanimous consent that the letter from Miss Anna Eisele to which I have referred be printed at this point in my remarks, together with the accompanying correspondence from Anna's mother, Mrs. Anthony J. Eisele.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

GRAND RONDE, OREG.,
January 29, 1963.

DEAR SIR: We at St. Michael's Indian Mission are gravely in need of a new schoolbus. Mechanics have given us the verdict that our present bus has only a year's lease on life. Each day our bus makes a 35-mile trip to bring the children to school.

Upon inquiry we have found that it is possible to obtain a bus with S. & H. Green Stamps. We seek your help in making the goal of 3,500 books before our bus gives out.

Any other brand of stamps is acceptable in the possibility that we can trade them. The stamps need not be complete books or even pasted in.

You may be assured that our prayers go forth to anyone who, realizing our need, send their stamps or donations to us.

Thank you for your generosity and courtesy.

Sincerely yours,

ANNA EISELE.

SHERIDAN, OREG.,
February 1, 1963.

DEAR WAYNE MORSE: I was reading in the Oregon Capital Press about your reply to Mrs. James L. Mitchell of Melolius, Oreg. You say that you try to help the people of Oregon.

I would like to know if you would help our school, St. Michael's Indian Mission School. Both white and Indian children go to this school. There is about 80 students. We are trying to buy us a schoolbus with stamps and donations, or we will have to close our school. The children of this school have written all over the United States for help. (With what address they have) I was hoping that you would put our typed letter in some of the newspapers back there.

Do you know of any places they could write too, for help?

The girl who signed the typed letter is my daughter. She is in the sixth grade. All letters, stamps, and donations are to be sent to St. Michael's School, Grand Ronde, Oreg.

Thank you.

MRS. ANTHONY F. EISELE.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed. The Senator from Oregon is recognized.

NATO, FRANCE, EUROPE, AND THE UNITED STATES

Mr. MORSE. Mr. President, on January 16 I spoke here about some of the original purposes of the North Atlantic Treaty Organization, and why I believe those original purposes have largely been achieved. It was, and is, my contention that if NATO is to continue to be worthwhile to the United States, it must be forged into a new alliance with new purposes. Yet, at this turning point, a loud and very important objection to the Atlantic alliance is being heard from France, one of its principal members.

Since my earlier remarks were prepared and delivered before President de Gaulle's press conference was available for study, I would like to add some further reflections on what I think our situation is, judged from the attitudes expressed by President de Gaulle.

CONTENTION THAT UNITED STATES MAY NOT DEFEND EUROPE

One of his major contentions is that Western Europe cannot depend upon the United States to come to her aid with nuclear weapons, and that, therefore, Europe must need her own nuclear arsenal, and France, in particular, needs a nuclear arsenal under her exclusive control.

Yet, in the history of the 20th century, France has not been able to defend herself, much less anyone else. The United States and Britain have twice in my lifetime gone to France to defend her against an invader; the last time, France was liberated by these British and Americans whom she now claims cannot be relied on.

Mr. President, I say most respectfully that does not sit well with Americans to hear this anti-American propaganda emanating from the lips of the President of France, General de Gaulle. Too many American boys are buried in France who died in defense of American and French freedom, and freedom of the world, to have this kind of anti-American utterance coming from the President of France.

The time has come, in the opinion of the senior Senator from Oregon, when the State Department had better take note of the wishes of the American people. As I have so often said, the foreign policy of the United States does not belong to the State Department; it does not belong to the President of the United States. They are but the trustees of the foreign policy that belongs to the American people.

If the leadership of this Government will take note of the wishes of the American people today, they will recognize without any question that the time has come to make very clear to France that if she does not join us in strengthening NATO and the European Alliance France be told to go it alone. If De Gaulle thinks he can defend France alone, give him the opportunity to do so.

The American people, who have paid more to France than to any other nation in the world, $9.4 billion, have a right to be protected by their Government from any further giving away of their largess to France, when the head of the French Government is saying to the world that he will welcome a "go it alone" policy for France, and that his design is to build up an independent French nuclear power.

Under present circumstances, the senior Senator from Oregon will not vote a single dollar for foreign aid this year. For 5 years, I have asked for a modification of our foreign aid program. I have seen for 5 years that this day of accounting was ahead, unless our European allies changed their course of action. They not only have not changed their course of action, but they now seek, apparently, to enter into an alliance which, I say most respectfully, must be labeled as an "exclude America" alliance under the leadership of De Gaulle.

It is because of that danger that I rise to expand on the major speech on foreign policy that I made in this body on January 16.

I am perfectly aware that those who are willing to have peace at any price within our alliance—that is, diplomatic peace at any price—will not approve of the position taken by the senior Senator from Oregon.

However, I wish to say to the diplomats in the State Department, some of whom belong to this "peace at any price" philosophy in American diplomacy, "The country is not with you. The country justifiably is against you."

As a stanch supporter of the Secretary of State, for whom I have great respect, I give him this advice from the floor of the Senate today: "You had better take a long look at some of the policies of your diplomats in the State Department in regard to this matter of negotiations with respect to NATO." In my judgment, the Kennedy administration can experience a boomerang if it does not place a check upon the diplomats in the State Department who apparently are willing to sell out to De Gaulle, at any price, in the interest of diplomatic peace.

Another fact of the history of Europe in the 20th century to keep in mind has been that if any one nation is going to dominate Western Europe, it is probably going to be Germany, and not France at all. Had France been left to her own devices in the last 20 years, or 50 years, she would very likely be a province of Germany, along with the rest of Europe.

It is my personal opinion that De Gaulle and France are kidding themselves if they think the hegemony of a Western European entity would remain very long in France.

And what of current history? It is a fact that there are more than twice as many U.S. ground troops under the common defense command of NATO right now than there are French forces.

The sad, ugly fact is that France is not supporting NATO with French ground troops. It is an ugly fact; but I say to my administration in Washington that once the American people understands that France is not supporting NATO with French troops, the American people will demand a change in American policy toward NATO.

Mr. President, there are more American troops in NATO, in Europe, today than there are French, British, and Canadian troops combined. Do Senators think the American people will accept that vital statistics and countenance a continual pouring of dollars into NATO? If any Senator thinks so, let me tell him that he has another thought coming. The American people will not take it and should not take it, once they understand these facts. The time has come for a thoroughgoing revision of NATO and of American relations with NATO. If West Germany, France, Great Britain, Portugal, and the other NATO partners do not start now to bear their full share of the burden, which is something they have never done, and only recently have been in a position to do, the time will have come for the United States to withdraw from NATO. I mean exactly what I have just said. If our NATO Allies are not willing to pay their share based upon their ability to pay, which they are not now doing, the United States should withdraw from NATO.

Once the American people receive these vital statistics, they will turn this country into a platform of historic debate from now through 1964; for the American people, on the political front, will make this an issue of American foreign policy. It is about time for our diplomats in the State Department, who are apparently willing to negotiate any kind of agreement for diplomatic peace with France, West Germany, Portugal, Spain, or Great Britain, to be told that the time has come for them to stop selling American interests short in Europe. American interests are being sold short by our diplomats.

We have been reading accounts of Mr. Gilpatrick going to Spain to negotiate with a spokesman for the Spanish Government concerning U.S. bases in Spain, only to be rebuffed and insulted by that Spanish spokesman with an announcement to the press that he had gone hunting and would not be available to see the representative of the United States. So far as the senior Senator from Oregon is concerned, the Spanish spokesman can continue to hunt permanently, for those bases already are largely obsolete. Of course, they should never have been built in the first place; and the senior Senator from Oregon always will be proud of the fact that he opposed them in the first place. It was a historic mistake for the United States to aid the Fascist countries of Spain and Portugal. So far as I am concerned, I serve notice now that I will not vote, in the Committee on Foreign Relations, for a single dollar for either one of those countries, because we now have an obligation to protect our own economy, which is our greatest defense weapon. We have an obligation to protect the interests of our own people. I, for one, am fed up with the kind of cooperation we have been getting from Spain and Portugal.

"But," say the diplomats, "we must yield, apparently, to the policy of diplomacy at any price in order to keep peace with members of NATO; therefore, we shall have to come to terms over the Azores." Once the American people get the facts, I think I know what their answer will be. Their answer will be heard at the voting booths of America in the intervening time from now through 1964, if we do not respond by flying over the Azores, and by removing our forces from Spain as quickly as possible.

In my judgment, we have overpaid Spain; we have overpaid Portugal; we have overpaid France. As one of the floor leaders appointed by the late Senator Vandenberg to help take the NATO Treaty through the Senate, I supported the NATO Treaty, and I will support it now if it is readjusted to the changed economic condition of the members of NATO. We had a strong moral obligation under NATO for the military defense of Europe against the threatened Russian tide which could have swept over Europe to the Atlantic Ocean. NATO and the Marshall plan prevented Europe from becoming a Communist province or a satellite of Russia today. I would have the French remember that. I would have the West Germans remember it. I would have all Europe remember it. I do not know how a nation could make a more glorious record in the protection of freedom through World War II and since World War II than the record which was made by our own beloved Republic.

But there has to be an end to the pouring out of the largess of this Republic for the assistance of allies which are now as capable as we are of bearing their share of the burden, for there is not a NATO country which is not in a better economic condition now than it was at any time in modern history. Yet so long as Uncle Sam is willing to pay it out, apparently the European nations are willing to take it.

That is why I indicate today that at this session of Congress, both within the Committee on Foreign Relations, of which I am a member, and on the floor of the Senate, there will be a historic debate on the question of foreign policy, reviewing our foreign aid program and our alliances, including our south Asian alliances.

What has happened to the south Asian alliances? I doubt whether they were ever any more than tissue paper. Nevertheless, in southeast Asia it is the United States, with money and blood, which is protecting freedom; it is not our allies. In fact, Mr. de Gaulle's attention ought to be called to the fact that France withdrew from southeast Asia because she was unable to stay there. She was being thrown out. I am not so sure that the United States is wise, unilaterally, in picking up the burdens of France, Great Britain, Australia, New Zealand, Canada, Italy, and Norway—the burdens, responsibilities, and obligations of our alleged allies.

There are those who say, "You should not talk that way about our allies." In my judgment, the time has passed when these problems can be settled by the gobbledygook of diplomatic language. The time has come when the American people are entitled to have their elected representatives use language that can be understood. Our allies need to be told, in language they can understand, that we do not look with favor upon their failure to do their share; and that neither do we look with favor upon the anti-American programs which they seem willing to sponsor.

But the truth is that France is today the chief delinquent in the common defense of Western Europe. As I have already pointed out, the $9.4 billion in American aid which she has received since the end of World War II is the largest sum we have furnished any country and is in large part responsible for the economic and military strength which now enables President de Gaulle to flex his muscles.

It is France, not the United States, that has yet to make good on its existing pledges to participate in the common defense of Europe. I see nothing in the recent past, the present, or the future which supports any contention that the United States is unreliable, compared to France, in its willingness to use its financial and military strength to defend and protect the freedom of others.

CONTENTION THAT AMERICANIZATION OF EUROPE IS UNDESIRABLE

A second contention widely attributed to De Gaulle as a reason for his feeling that Europe should exclude the United States from its political, military, and economic organization is a dread of the Americanization of Europe. To him, this is said to imply mass production, mass marketing, and perhaps a loss of a sense of individuality and a loss of a sense of history.

But the United States became the richest and most powerful nation in the world by virtue of its vast unified market and the use of mass techniques in the production and distribution of goods.

The Common Market of Europe was itself created to bring the same advantages to Europe. That is what the Common Market is for. It will have a vast and even more populous market than exists in the United States. If it serves the purpose for which it was created, it, too, will expand its mass production and mass marketing techniques.

President de Gaulle and those who share his view cannot avoid this trend by keeping either Britain or the United States out of Europe. They can avoid it only by breaking up the Common Market and retaining their small, family-sized business operations serving a small local market.

REAL OBJECTIVE IS POLITICAL LEADERSHIP

To my mind, at least, these allegations offered in explanation of De Gaulle's policy are excuses, not reasons. They do not withstand the light of reason. They are excuses De Gaulle is offering, in the hope of convincing others to accept his real objective, which is to achieve for France the political leadership of Western Europe.

Perhaps some nations which would reject so bald a statement of the French objective are gullible enough to accept one of the other arguments put forward by France and by individuals in other nations who support her position.

WHERE WE GO FROM HERE IS PRIMARILY UP TO EUROPE

The future degree of closeness in relations between the United States and Western Europe now turns, not upon a U.S. decision, but upon a European decision. Our intentions and our objectives are clear. They have been supported by American blood and by the more than $41 billion which the American taxpayers have poured into Europe since World War II to rebuild Europe. But today we are collecting dividends from De Gaulle, in terms of abuse, anti-American propaganda, and an expressed intention to follow a course of action which will seek to squeeze the United States out of Europe, save and except when they expect us once again to come to the defense of France if the new Maginot Line which De Gaulle seeks to build by his proposal for an independent nuclear force of his own proves to be as worthless as it undoubtedly will be if he "goes it alone."

Our disinclination to dominate Europe is evidenced by the fact that we could easily have done so in 1945, but we did not.

Instead, it was our policy to make Europe strong, free, and independent. To carry out that policy, we instituted the Marshall plan, and later participated to the hilt in the North Atlantic Treaty Organization. Thanks in no small part to these instruments, Western Europe is now in a position to select her own future course of action.

It does not seem to me that there is anything we can offer Europe that we have not already delivered or offered in good faith. Europe has the choice of welding itself into a new community, either with the United States and Britain, or without them. If it is without them, such a community will presumably be under French-German leadership.

Either way, the United States will be able to take care of itself. I shall not repeat the many advantages that would flow to us from a loosening of our ties with Europe, if that is Europe's choice. The financial advantage alone would be substantial.

Why, Mr. President, in this country we have reached a point where the false economizers say we cannot provide adequate medical protection for the aged, because of the supposed drain that would cause on the U.S. Treasury. We are told that we cannot provide our people with the social and resource developments to which they are entitled, in order to keep our economy expanding, because—so we are told—that would cost too much. But we are told that we can continue to pour our dollars into the coffers and the defenses of so-called allies who month by month are demonstrating that apparently they do not fully appreciate the sacrifices made by the American taxpayers to strengthen the defenses of our Allied countries.

That is why I say, and will continue to say, during this session of Congress, Mr. President, that an accounting is called for. I am in this fight to the finish. No matter what administration may be in power, I propose to make perfectly clear that a continuation of our foreign aid program without drastic revisions will not only receive my vote in opposition. It will also continue to receive my opposition from my desk in the Senate and from countless platforms from coast to coast during the next 2 years. That is my patriotic duty. I have never placed partisanship above what I consider to be my obligations to my country; and I do not intend to start now—either at my age or after 18 years of service in the Senate.

Mr. President, this issue must be discussed in a great foreign policy debate for the next 2 years, preliminary to a great political campaign in November 1964, for in a sense it is a political issue; our foreign policy must be, because it belongs to the American people. So, Mr. President, they are entitled to have it discussed openly, objectively, and frankly on the floor of the Senate and from the platforms of America.

Furthermore, Mr. President, my voice will not be the only one, because increasing numbers of the Members of this body are uttering warnings in regard to the position they will take in connection with the matter of foreign policy.

Mr. CARLSON. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. CARLSON. I wish to commend the distinguished Senator from Oregon for what I say is an exceedingly timely and refreshingly frank discussion of our international situation.

The Senator from Oregon is a valued member of the Senate Foreign Relations Committee. I am also a member of that committee; and I wish to assure him of my support in regard to a thorough restudy of our international situation, our foreign aid programs, and the NATO programs in which we are presently engaged.

I believe the time has arrived to do that; and I fully agree with the Senator from Oregon that our people expect it to be done. I do not believe we serve them properly if we continue to carry on the programs in which we have engaged in the past.

As I have stated to the Senator from Oregon, the Foreign Relations Committee has already discussed this matter, but has not yet acted in a way the people can know about.

I commend the Senator from Oregon, and I expect to assist him.

Let me say that I much regretted reading in one of the newspapers, this morning, that a United Nations agency expects to engage in a research program in Cuba—a program to which our country would contribute 40 percent of the cost. To me that was an unfortunate situation. We are spending our money in an effort to contain Mr. Castro in every way we can, with the hope that in some way we can eliminate his Communist base in Latin America.

As far as I am personally concerned, when the authorization for the United Nations appropriation comes before our committee, I assure the Senator from Oregon that I shall keep in mind the decision that has just been made by an agency of the United Nations in Cuba. I wonder if it is not probable that the commitment might have been made when the Secretary of the United Nations, Mr. U Thant, was in Cuba representing, so to speak, our Nation in the interest of removing the Communist threat. I thank the Senator.

Mr. MORSE. I appreciate very much the comments of the Senator from Kansas [Mr. CARLSON]. We have been allies in the Foreign Relations Committee, as, in the recent past, we have worked together in an effort to bring about some needed adjustments in the foreign aid program.

I deeply appreciate the partnership that he and I formed in the Foreign Relations Committee on certain of these issues. I look forward to the continuation of that relationship, and I am satisfied he will be pleased, along with me, to take note that there will be more on our side of that argument this year.

As to the Cuban issue which the Senator has raised, I am as disappointed as he is in the newspaper account. But as chairman of the Subcommittee on Latin American Affairs, I have called for a full memorandum in regard to what transpired, and next week, or as soon as I have all my facts, I shall discuss that subject on the floor of the Senate. The Senator knows that the subcommittee of which I have the honor to be chairman will proceed, as soon as the Senate is organized, under the measure of late last fall, for which the Senator from Kansas and others voted unanimously to conduct a study of the Alliance for Progress program and all allied problems connected with it. Certainly the Cuban matter is one.

The United Nations has been dilatory, in that it has not used its good offices and influence to seek to bring about an adjudicated or peaceful settlement of disputes that exist with respect to Cuba. In my judgment, it had better first find out from Cuba what her policy is to be in the Western Hemisphere vis-a-vis peace or war before millions of dollars are poured into the economy of Cuba.

Of one thing I am certain. If what we have heard is to be the policy of the United Nations, we shall have to take a long hard look at what checks are available to us under the rules, regulations, and procedures of the United Nations to see to it that those are not American dollars.

To return to my remarks, I stress the point that we are not asking to get out of Europe, but there is much evidence that apparently De Gaulle intends to try to push us out of Europe. If that is the desire of France and those in Europe who wish to stand with De Gaulle, let them make that decision and say so to the world. We will oblige them. If they are eager to adopt a program of isolationism for Europe, if they wish to throw overboard the alliance relationship of NATO and follow a nationalistic course of action, let them do so. But our spokesmen in foreign affairs have an obligation to make clear to Europe that they will have to go it alone financially, too.

I know the arguments that will be made. We will be asked, "Would such action not weaken us vis-a-vis Russia?" The answer is, "Not at all," for Europe vis-a-vis Russia needs the United States much more than the United States needs Europe. I am for strengthening the NATO alliance, not destroying it. But if it is destroyed, it will be because of the policies De Gaulle is following in France today. If it is continued, France must support it with her manpower. France must support it with her money. That applies to every other member of the alliance.

That means that they are not going to withdraw any more economic blood transfusions from the American economy. We will pay only our just share, but not theirs. We have been paying theirs, and it must stop.

But I say to my administration, "You had better get that clearly through the heads of your diplomats."

It was very interesting to note that one of the diplomats, the new assistant to Mr. Herter, recently appeared before the Senate Committee on Finance. The Senator from Virginia [Mr. BYRD] had called in approximately 200 representatives of American agriculture particularly connected with the poultry industry to hear the story of the discrimination against the United States on the part of France, West Germany, Belgium, Holland, Norway, Portugal, and on down the line, including Great Britain. I listened to that diplomat hand out the same old line which, as I said to the group upon adjournment, added up to nothing.

I said to that group, "If you are looking to the State Department for the protection of American economic interests, you will be bankrupt before you get any specific action on the part of the State Department."

That has been the sorry story of the State Department throughout the Republican and Democratic administrations. One of the reasons is that the Congress has delegated to administrative bodies precious power which the American people have the right to expect us to retain unto ourselves. The time has come to recoup it. The time has come for us to take away from the State Department the authority already given it under certain trade and economic treaties. In my judgment, the State Department administration of them has been distorted, to the detriment of American farmers from coast to coast. I say to American farmers, "Watch out for the State Department because the administrators of our foreign trade program are about to sell you down the river again."

West Germany contemplated an import policy which would require that every broiler shipped from the United States to West Germany be flown by air within 70 hours of its killing. If West Germany were honest with us it would simply say, "We are going to block out your broilers" and be done with it.

Why do we need this diplomatic double talk? Why do we not begin exercising our clear rights to self-protection under GATT and under the Trade Agreements Act of 1962? But that would not produce diplomatic peace.

The senior Senator from Oregon is not a "peace at any price" advocate. The time has come to protect the economy of this country. We cannot separate economic action of allies from military alliances; and our allies had better be told so.

I listened to Senators and Representatives at the meeting before the Finance Committee of the Senate the other day. I have no doubt, from the expressions I heard from Senators and Representatives in Congress, that the State Department is headed for a great deal of trouble. It is asking for it. It has it coming. It will get it. Many of us do not sit in the Congress to liquidate the economies of our States because of the shortsightedness of State Department diplomats.

NO REASON TO TRY TO OUTBID FRANCE

Mr. President, returning to the general NATO problem again, above all, I am not interested in any American policy of trying to outbid France for the leadership of Europe. If the other countries of Europe want French leadership, they are welcome to it. That should be American policy. I am not interested in paying more American tax dollars in Europe in order to maintain what time is proving to be, after all, a shibboleth of American leadership in Europe. Our only interest in that continent is that it be free from Communist domination. That is our interest in nations elsewhere in the world. We are asking for help in proportion to the ability of our allies to share, which they have not been providing. If Europe can now do that for herself without further help from us, so much the better for the United States.

A third force in Europe would suit this policy adequately, even though we might prefer a closer relationship in which our partners would carry a full share of the financial and military load.

The main point of American interest, in my opinion, is simply that European cooperation is not so important to us that we must go on paying for it forever. If Portugal and Spain, for example, now want to raise the price on American bases in their lands, we are better off to withdraw and let those countries submit their demands to De Gaulle, instead, and see what he is willing to pay—and I refer to both their financial and their political demands.

A future for America free from further special obligations to Europe does not frighten me at all. The prospect of a military withdrawal on our part, and the withdrawal of our military privileges in Europe on its part, does not frighten me at all. Our defenses there are for the protection of Europe, not of the United States. If she no longer wants or needs that protection, I see no reason whatever for us to stay to be preyed upon by erstwhile allies.

It is said that another cause of the rankling of De Gaulle is that the great Prime Minister of Great Britain, Winston Churchill, and the incomparable President of the United States, Franklin Delano Roosevelt, did not seem to agree with him on what his role should be during World War II. Be that as it may, let the administration understand that the American people have no intention of being blackmailed or shaken down by De Gaulle. If he wants to join with us as a cooperative ally in the defense of freedom, paying his share of the load, the American people will support such a program.

But there is a discrepancy. The existing structure is out of balance. That is what I am protesting on the floor of the Senate today; and in my judgment the American people will vigorously protest it once they get the facts.

I have been a Member of the Senate for 18 years, and have spoken many times in those 18 years. I have never made a speech in my 18 years in the Senate which received more grassroots support than did my speech of January 16, 1963.

The people of the United States are far ahead of the diplomats in the State Department. In my judgment, the people of the United States have judgments which will better protect the foreign policy of this country than the judgments of many of our diplomats in the State Department. Through their diplomacy and diplomatic relations they have joined what appears to be an international fraternity in which, apparently, one violates the protocol of the lodge if he suggests to a fellow diplomat that the United States cannot support pouring out more money into France, West Germany, or other allies. But it is time for more straightforward talk, presenting the point of view of the American people, with respect to whom the diplomats happen to be servants and not lords. The notion of lordship in diplomacy should have died two centuries ago in our country with the birth of the Republic, but apparently there are some who for a good many years in this country have served us diplomatically with some very interesting cartel ties. If I were asked to lay down one rule which should be invariably followed in the selection of American diplomats, including, in the past, some Secretaries of State under both Democratic and Republican administrations, I would name the rule that if Mr. X has had the slightest connection as a representative of an international cartel he is disqualified to serve the American people in the field of foreign policy.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CHURCH. I want to say to the senior Senator from Oregon that I read, with great interest, the outstanding address he delivered to the Senate on January 16. It happens that I penned a note to the Senator from Oregon only this morning to commend him on that address.

As the Senator knows, 2 years ago I offered an amendment to the mutual security bill, the purpose of which was to prohibit further grants of military assistance to those prosperous countries of Western Europe that have long since been self-supporting and have no further need of American subsidies. At that time, we were in the midst of the Berlin crisis. There was a strong disposition in the Senate not to rock the boat, and the amendment was voted down.

Last year I succeeded in having the Mutual Security Act amended with a less stringent provision which declared it to be the sense of the Congress that these continuing subsidies ought to be reduced and eventually terminated.

In calling the attention of the American people to this unwarranted continuation of military subsidies to prosperous European countries, the senior Senator from Oregon is rendering a great service, and I hope it will result in gathering greater support in the Senate itself for an effort I intend to make later in the session, when the mutual security bill again comes before this body, to write into the bill language that will terminate further subsidies to countries fully capable of supporting their own military establishments without any kind of external help.

Unless we do that, unless we begin to make more sense out of the foreign aid program, there will come a time when the American people will rebel against it. When that happens, the ax is going to fall on the deserving as well as the undeserving parts of the program, and the national interest is going to suffer.

I commend the senior Senator from Oregon for the great service he is rendering on the floor of the Senate today. I again compliment him on the outstanding address he made on January 16.

Mr. MORSE. Not only do I appreciate what the Senator from Idaho has said, but I am deeply moved by his remarks. The Senator from Idaho knows of the great influence his brilliant mind has on me in the Foreign Relations Committee. When the Senator from Idaho offered his amendment, I gave active support to it. I supported his amendment last year, because it was the best we could get. I expressed the view then that it was not good enough, but that it was better than nothing at all. At least it would be a focal point around which we could call attention to the military problems we are having with NATO.

On January 16 I referred to the amendment of the Senator from Idaho and expressed my high regard for his statesmanship and leadership. I am glad he has referred to the subject, because on January 16 I expressed the hope that the Senator from Idaho would renew offer of the amendment this year. If he does, I shall support it.

I judge, from what the Senator from Idaho has said, he contemplates offering a proposal on the same subject. Whether it is the same amendment I suppose will depend on future developments. Anyway, I pledge to him my support in an amendment along that line, because it is an amendment which must be affixed to any foreign aid bill up for consideration this year.

Mr. CHURCH. I thank the Senator for his remarks. I do intend to offer an amendment later in the year, and it is a source of reassurance to me that I shall have the support of the Senator from Oregon.

Mr. MORSE. I hope the Senator from Kansas [Mr. CARLSON] will take note of that statement, because it is along the same line the Senator from Kansas expressed in the debate a few moments ago. It is further proof—which could be multiplied many times if more Senators were present—of what is "acookin'" in the Foreign Relations Committee. Our State Department and our diplomats had better take note of it. I have not said anything about the Pentagon Building, but something should be said about their position. The Pentagon Building had better awake to the fact that they are not going to sell us any further on the scarecrow argument that, unless we continue to pour this aid into foreign countries, the Communists are going to take over. The Pentagon Building had better get wise to the fact that we are not going to buy any unjustified argument for bases which may be convenient but which are not vital. It is about time that the Pentagon Building, along with diplomats in the State Department, realize that the hour of accounting is upon them.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Kansas.

Mr. CARLSON. In view of the fact that the Senator from Oregon has mentioned my previous interest in this matter, I wish to assure him of my continued support in this kind of program. As the Senator well knows, we have discussed it in executive session. The Senator from Idaho mentioned a while ago that we have not been able to reach agreement on some of the things we would have liked to have done in committee, but we hope we have made some progress. This session I assure the Senator from Oregon we will work harder on it and try to arrive at something that will be in the interest of the American people.

Mr. MORSE. I am so glad the Senator from Kansas had made these observations. It is important that we not have lone votes, or lone speeches on this matter, but that the administration understand that what the Senator from Oregon is talking about today reflects a strong undercurrent in the Halls of Congress, and a strong undercurrent in public opinion. It would be wise for some of our allies to take heed, as well.

Returning to my thesis, which direction Europe takes is primarily a European decision, too, because the major confrontation with the Soviet Union is in Europe. If Europeans have more confidence in leaders of their own nations in the reaching of political decisions with Russia to the extent of excluding American leaders, then I have no objection to that, either. Berlin and the two Germanys, which are the main points of conflict, are, after all, in Europe and not in the United States. If Europeans want to handle that problem themselves, I see no reason for the United States to object to letting them handle it.

There are already being heard the voices of timidity which counsel a policy of staying on in Europe by ignoring the French challenge and trying to work around De Gaulle.

That is typical of the diplomats. It is called diplomatic finesse. But, Mr. President, one has to pay a terrible price for it, and it cannot be justified on principle. When a great principle is destroyed by way of finesse, which means a compromise of the principle, what is left?

Let us have the reputation around the world that American diplomacy is open, frank, direct, meaningful. There is no place in American diplomacy for doubletalk.

These voices of timidity, so characteristic of so many diplomats, warn against any hint that U.S. aid, U.S. trade, and U.S. forces in Europe, are in any way affected by the talk of a third force, apparently on the assumption that if we ignore it and offer enough to the other nations of Europe, they will choose us rather than France.

To the diplomats in the State Department I say, "You have never been able to sustain friends for the United States, and you will not be able to do it this time, if you are allowed to undertake this buying course, because it is not a buy-America course. It is, instead, a selling short of this country."

One of the greatest needs in American diplomacy is new faces. We have many of them who ought to be pensioned off. On the basis of their record through Democratic and Republican administrations, they have not produced.

I reject such an approach entirely. For my part, I am emphatically opposed to keeping American forces in Europe if they are not wanted, not needed, and not matched. Those are coordinate, coequal criteria. Our allies are not matching them. In the meantime, the balance of payments is against us.

Yesterday in the press there appeared articles with respect to bringing home some American boys. Mr. President, do not be misled by that. Those soldiers do not belong to the Regular contingent assigned to NATO; they represent the Reserve group which was sent over a few months ago when Berlin began to look ominous. I am talking about reducing American forces of the so-called Regular assignment to NATO. Those forces are not being matched by France. They are not being matched by Great Britain. Canada is not fulfilling her share, because her one brigade still rejects the weapons assigned to them. In fact, what I have just said, applies to every NATO ally. I am emphatically opposed to further financial aid to nations which seek to exclude the United States from the economic, military, and political life of Western nations.

As I said earlier in my speech, we cannot separate the economic facets from the military facets of this problem. Unless those nations want us to be economic allies, we should be through with them.

I listened to a Cabinet officer at the meeting conducted by the Senator from Virginia [Mr. BYRD] the other day. He gave us the same talk that we hear from the diplomats: "Well, the difficulty is, the delicacy of this situation is, and the hard fact that confronts us is, that Europe still buys more from us than we sell to Europe."

My answer is, "But the balance of payments is against us because of our heavy military and economic contributions to Europe. And they do not intend to let the trade balance remain favorable to us, either." The fact is that they are planning an economic discriminatory policy against the United States, to change that balance of trade.

I welcome their developing an economic self-sufficiency so that the balance of trade will be in their favor, or more in their favor. What I am objecting to is an economic discriminatory policy that does injustice to an ally. We can compete with them. We welcome an opportunity to compete with them, if they will give us freedom from their discriminatory protectionist policies.

That is why Senators have heard me frequently being critical of the reciprocal trade program, for there is little reciprocity in it. Too much it has been a one-way street, to the disadvantage of the United States.

These are only a few of the nuances which are involved in this problem. What I have said is basic in this great contest that will take place in this country in the months ahead and in the next 2 years with respect to this whole matter of American foreign policy, namely, that I am emphatically opposed to further financial aid to nations which seek to exclude the United States from the economic, military, and political life of Western Europe.

It is nonsense to say that a discussion of the U.S. withdrawal would be a threat on our part, or that it would tend to prove that De Gaulle is right and that we cannot be depended upon. We have already proved that we can be depended upon. American graves in France by the thousands have proved that. It is no threat to say that if De Gaulle's concept is accepted, then the United States will have no further business in Europe. Our withdrawal in such a case is not a threat; it is more of a fact. It is a fact necessary for us to respect and follow in our best national self-interest.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LONG of Louisiana. I commend the Senator for the very thoughtful speech he is making on this subject. As a member of the Foreign Relations Committee it has seemed to me for some time that we will have to start thinking directly about this Nation's interest, and that the time has come when we must demand at least a minimum of cooperation from others, and insist upon it as a condition for the tremendous commitments that this Nation makes. I can only say "Amen" to what the Senator has said.

Mr. MORSE. I appreciate what the Senator has said. The Senator is a very modest man. I wish the RECORD to show, as the Senator from Louisiana will not tell it, that, as a member of the Foreign Relations Committee I have stood shoulder to shoulder with the Senator from Louisiana [Mr. LONG], as in the past several years it has been the Senator from Louisiana who has made proposals in the Foreign Relations Committee to bring about the objective he has just stated.

His interrupting me is appreciated, because it will show again to the administration and to the country that what I have said earlier in my speech is true. There is a great concern in the Foreign Relations Committee of the Senate that there must be a complete reevaluation of our whole foreign aid program. An increasing number of members of our committee recognize that we must put a stop to the American taxpayers being taken for a ride by our NATO Allies.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. MORSE. I yield.

Mr. LONG of Louisiana. The Senator knows so well that we have had a great number of successive Federal aid programs—Federal aid for highways, Federal aid for welfare, and for a number of other State activities—and that invariably in every one of those programs in dealing with the 50 States, with some of them for almost a hundred years, the Federal Government always insists that certain conditions be complied with in order to assure the successful attainment of the objectives that are sought to be achieved.

We never get to the first point in our foreign aid program; namely, of insisting that certain essential conditions be recognized.

The Senator is correct in saying that the failure of some of these foreign aid programs to achieve anything compared to the success of the Federal programs in dealing with the sovereign States of our own Union demonstrates the necessity for insisting upon requirements that will make it possible for a program to succeed.

Mr. MORSE. The Senator is correct. The point he has raised refreshes my memory with respect to the assignment that the Senator from Louisiana and I had in 1952, when, as members of a subcommittee of the Armed Services Committee of the Senate we made an inspection trip for the Armed Services Committee. We went from one American base to another across Europe and into North Africa and Turkey and Greece. The Senator knows that we filed a report with the Senate at that time. We could not tell all that we knew, because our lips were sealed by top secret requirements, but we told all we could tell under the mandate under which we had functioned. The Senator will recall that at base after base in France—as I may say to Mr. de Gaulle from my desk this morning—we saw millions of American taxpayers' dollars wasted. We saw one arsenal after another torn up, following French construction in France, resulting in unconscionable waste.

When the Senator from Louisiana and the senior Senator from Oregon walked on one airbase in France, we kicked out with the toes of our shoes gravel as large as hen's eggs. We kicked it right out of the cement, so defective was the building of those bases by French contractors. The French insisted upon complete control of the building of the bases. We were told that the base would have to be rebuilt because not a single fighter plane could be landed on it; that not one fighter plane had ever landed on it. But that base cost the American taxpayers many millions of dollars.

It is incidents like that which we must make clear to our allies in Europe. We have a duty to the American taxpayers to specify the conditions of construction. We have a duty to establish the conditions of engineering proficiency. We have a duty to require the same proof which we require for the building of public works in the United States for the public works for which we supply money for construction abroad.

I am so glad that the Senator from Louisiana interrupted me. He knows that what I speak is the truth. He knows that the waste about which I am speaking today ought to have been stopped by American diplomats years ago. That is why I say that if we hope to be relieved of such waste, we should not look to the diplomats, for they do not want to offend anybody. They belong to the international diplomatic fraternity. The rule of that brotherhood is to speak softly and always to say "Yes."

Mr. LONG of Louisiana. As the Senator from Oregon well knows, in a number of the places we visited we found there had been too great haste to construct the bases. There had never been any agreement about our base rights. If our representatives had insisted on negotiating the agreement first, they would have been in a position to assure a much better arrangement for the United States than was accomplished through the undue haste to rush out and build something before there were any arrangements to protect our rights.

In many cases our national interest was actually prejudiced because no one was acting in our behalf who had an understanding of the requirements of the military services so as to insist upon our rights. The State Department was negotiating in behalf of the armed services, and oftentimes those services virtually found themselves crying when they saw how poorly their rights to the bases were protected.

Mr. MORSE. The Senator from Louisiana is entirely correct. I thank him for his contribution to this discussion.

SAME FACTORS APPLY TO CANADA

Mr. President, in many ways, we find ourselves in the same situation with regard to Canada. I ask unanimous consent to have printed at this point in the Record the radio report I made to Oregon last week on that subject.

There being no objection, the radio report was ordered to be printed in the Record, as follows:

Senator Wayne Morse, Radio Broadcast to Oregon, February 10, 1963

Fellow Oregonians, the current turmoil in American relations with Canada which has led to the downfall of the Diefenbaker government, pending new elections in Canada, is but one more symptom of the changing relationship of the United States with all of its Western allies.

In the days that follow I would have you keep in mind these facts about the Canadian episode. The public nature of the controversy over our joint air defenses did not begin with the statement by the U.S. State Department, but with the debates on defense policy in the Canadian House of Commons itself. It originated in Canada. It was in 1958 that Canada began the purchase from us of missiles and jet aircraft. These were designed to carry nuclear warheads, and they were placed in Canada in accord with joint military arrangements to protect the North American Continent from air attack by supersonic Russian bombers carrying nuclear bombs.

Since 1958, Canada has invested over $700 million in these missiles and jet interceptors. But she has never accepted or installed their nuclear warheads. Neither has she made any arrangements for installing them, and without them, her $700 million investment is virtually useless both to Canada and to the United States.

It is stating the obvious to say that Canada has been sweeping the nuclear issue under the rug because of a considerable body of opinion in Canada which shuns nuclear war and nuclear weapons. It is true that it is Canada's business. But in the Cuban crisis last fall, we were made painfully aware that the failure of Canada to make good on her joint defense obligations left a gaping hole in the air defenses of the United States—yes, of Oregon, of Portland, and of every citizen of our State.

So that makes her policy our business, too. I think the public statement by our State Department, far from being impolitic, was long overdue. If the Canadians are complaining that they are not equal partners with the United States, that is our complaint, too, that Canada is not fulfilling the role of an equal partner.

It is only reasonable that we should ask when—and if—they intend to do so. We have the right and the obligation to our citizens to find out without further delay whether Canada intends to finish the joint defense arrangements she began with us in 1958. Canada must be advised, along with many others of our Western allies, that the United States can no longer afford to furnish them the protection of our military strength, while they decline, for domestic political reasons or any other, to fulfill their obligations to us.

I welcome the declaration by the State Department. I would have the Department go further, and ask Canada what her future intentions are. I would have us explain that we are prepared to go ahead with revised air defense plans for the United States that will not require any dependence on Canada at all, if it is the decision of the Canadians to keep nuclear weapons off her soil.

This is a message I would have go out to Spain, too, and to our partners in the North Atlantic Treaty Organization—especially De Gaulle, of France. Far from trying to dominate them and impose our policies on them, we are only asking that they carry a full share of the military and financial load, if they wish a continued partnership with the United States. If they are not ready to make a larger contribution to the common defense, then the United States will have no choice but to reduce our commitments to them, consolidate our military forces, and look to defensive arrangements for the United States that will not depend upon the actions or responses of any ally—Canada, France, or any other.

This is Wayne Morse reporting from Washington, D.C.

Mr. MORSE. Mr. President, here again, we hear counsels of timidity, and warnings that our relations with Canada must be left to the diplomats. I could not disagree more. That advice is an insult to the free people of Canada and to the free people of the United States.

As the political campaign in Canada proceeds, I very much hope there will be a great deal of discussion of her past, present, and future relations with this country. In both countries, our Governments are but servants of our people. An alliance between diplomats only, is worse than no alliance at all, where democratic nations are concerned.

American politicians and American voters have a deep interest in our relations with Canada and we should talk about them. The same goes for Canadian voters and Canadian politicians and even more so, now that they are embarked on an election campaign.

To pass judgment on the future of their country, Canadians have to know what Americans think, just as we have to know what they think. I do not fear any Canadian election result that follows a full discussion of our relations on both sides of the border. I do fear a decision that may flow from ignorance on the part of Canadians of U.S. views.

NEED FOR WIDE PUBLIC DISCUSSION

The same is true of all the Atlantic allies.

Let us face up to the fact that we are all at a turning point. Our NATO alliance has, in my opinion, served its original purposes and served them well. The Atlantic countries have more than recovered from World War II; in the material sense, we are all better off than we were before the war, despite its horrors and its terrible destruction.

We have done very well working together for one common purpose. But none of us is quite sure whether we want to continue the partnership in pursuit of new purposes.

This is a time for wide public discussion of foreign policy within every nation of the Atlantic alliance. I would like to see a lot more of it here. I hope it will be a key issue in the Canadian election. I would like to hear more opinions from West Germany, from Britain, and from France, as well as from the other members of NATO.

This is not a matter that can be left to diplomats, nor to a few insiders. This is a time for each of us to air our complaints, to explain our changing interests, and our hopes for the future. It is a time for getting grievances off our chests, and for exploring each other's interests to see whether—and how—they can be accommodated.

I think we need to do that, and to do it in public, if we are to know whether there is still a community of interest among the Atlantic nations that can form the basis for a new alliance.

Just as war is too important to leave to the generals, so is a major alliance too important to leave to the diplomats. Let neither the generals nor the diplomats ever forget that they are dealing with self-governing people in these nations. In Norway, in Italy, in Belgium, in Canada, in the United States, and in each other member nation the people must understand and support the general objectives of an alliance.

The American people have the right to know whether any further investment in the defense of Europe, and further reliance on joint defenses with Canada, are going to be matched and shared by Europeans and Canadians. If not, then we must get busy revamping our military and economic policies accordingly.

It is regrettable that we are hearing partisan political voices here in the United States, who see in President de Gaulle nothing more than a political ally against President Kennedy. It is already being implied that President Kennedy is in some way responsible for De Gaulle's attitude and for the opinion in Europe which De Gaulle represents.

To these political partisans, the fault does not lie with the failure of others to live up to their commitments, but with President Kennedy for expecting our allies to fulfill their commitments, and asking them to start carrying a full share of the load.

How much more do they want the American taxpayers to shell out to

France in addition to the $9½ billion we have already given her?

How much more of a drain on our gold reserves are they willing to undergo so that France may continue to keep under national command, forces which are supposed to be under NATO command?

How much more do these partisans expect American taxpayers to contribute to the defense of Europe, while Europeans decline to match our effort?

I regret that it was left largely to Kennedy administration to make known to our prosperous NATO partners our reluctance to continue carrying an undue share of the defense burden. But it certainly should not be criticized for doing so. It is to the credit of the Kennedy administration that it has at long last made clear that the United States expects more cooperation from our allies than we have been getting.

If President Kennedy's domestic political rivals have no more to offer to this discussion than an attempt to encourage President de Gaulle to frustrate American policy as a means of frustrating President Kennedy, then we are sorely lacking in responsible political opposition in the United States.

Such small minds and such limited vision will add nothing useful to the debate I am asking for. As a piece of political advice to my colleagues who are now on the circuit of Lincoln Day speeches, I would also say that I do not think there is much political mileage for them in egging on De Gaulle. In my opinion, Americans of most political persuasions have had about enough of turning the other cheek to prosperous allies. In my State, for example, our fruit and poultry growers are seeing the barriers of the Common Market countries go up against their products. Our wheat farmers have not yet felt the pinch from Common Market restrictions against American wheat and feed grains; but when they do, Senators are going to hear a whole new chorus of protests go up against the policy De Gaulle is promoting in Europe.

Any American politician who thinks that by attempting to justify De Gaulle's attitude he can damage President Kennedy's standing with American voters is completely ignorant of the temper of American taxpayers. Such a politician has little understanding of the American willingness to help those who help themselves, and also little understanding of the equal distaste for helping freeloaders. Mr. President, if any member of the press gallery has any doubt about the one to whom I am alluding, I state that I am alluding to the Governor of New York.

What we do need is discussion of just where American interests now lie in Europe. Constructive contributions to that kind of discussion are needed from both our political parties.

In concluding, I want to place in the CONGRESSIONAL RECORD two items. The first is an article by Walter Lippmann, which appeared today in the Washington Post. I ask unanimous consent to have it printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITY AT THE BRINK

(By Walter Lippmann)

There would be less puzzlement about General de Gaulle, I believe, if we began by recognizing that the difference between us is over the cold war. The general writes down to a degree which President Kennedy would not dare to do the military and political threat of the Soviet Union. That is why the general dares, as Mr. Macmillan said on Monday, "to bring the whole Western Alliance into great jeopardy." In the general's view the balance of power has turned decisively against the Soviet Union and, consequently, the Western Alliance is obsolescent and of diminishing importance.

Once again, as is usual in human affairs, a wartime coalition begins to break up as peace begins to break out.

The general, it seems to me, is acting today on what is likely to happen, but to happen only in the future. Surely it would be more prudent if in our dealings with Mr. Khrushchev, which are still very difficult and dangerous, the Western Alliance were being consolidated rather than disrupted. But the general has, of course, heard this argument. He is unimpressed by it. However much we may think that Western unity is paramount and imperative, he does not in fact believe that Western unity is paramount and imperative. We shall not move him by crying out that the Western Alliance is in danger and that American troops may be withdrawn from Europe.

We may be sure that General de Gaulle, who certainly is not wanting in foresight, has foreseen this possibility. I would suppose he has satisfied himself that what counts most in the Western alliance, the American military commitment in Europe, is bound to remain until Gaullist Europe is strong enough to deal on equal terms with the Soviet Union. He does not have to woo us. For we are already indissolubly married to Europe and, until the West and the East arrive at an eventual peace, we cannot dissolve this marriage. In the meantime there is no need to reward us for doing what we have to do.

This is the right context, I would say, in which to study the question of "how," as Life magazine puts it, "we shift our Western nuclear monopoly * * * into [an] alliance of genuine equals * * *."

The inner core of our nuclear monopoly is the fact that only the President of the United States has the authority to use our nuclear weapons. Because our nuclear weapons are something like 98 percent of the nuclear strength of the whole Western alliance, no other nuclear power, neither Britain nor France, can in fact fire a nuclear weapon without the consent of the President of the United States. Neither General de Gaulle nor Prime Minister Macmillan could conceivably use their nuclear weapons unless they knew for certain that they were covered by the United States against Soviet reprisals.

This is the American nuclear monopoly, and to live under its protection is, says the general, "intolerable for a great state." How are we to arrive at a tolerable relationship? For there will have to be a relationship between European and American nuclear power—at least until that very distant day when Europe has a nuclear power of its own capable of coping with the Soviet Union.

The crucial problem of the relationship turns on the ultimate command decision to use nuclear weapons. The more closely we examine this problem, the clearer it becomes, I submit, that at the final point of decision in war there must be unity of command. Coalitions cannot be conducted by committees in time of war. In the whole process of preparing and planning there is not only room but need for committees representing the members of the coalition. But when there is war they must choose a Foch, an Eisenhower, a MacArthur, a Kennedy.

The further we get from the brink, the less do we have to think about unity of command (i.e., monopoly), and the more we can think of a committees of equals. For this reason, it is most unlikely that we shall find now a theoretical solution of the problem posed by our nuclear monopoly. The problem is most acute when war is not imminent. One can say that monopoly, or unity of command, may be intolerable in peacetime. But it is indispensible in wartime. The great controversy today about the monopoly is due primarily to the relaxation of the tension of the cold war. The controversy would evaporate if we were on the brink of a great war.

Mr. MORSE. Mr. President, ordinarily I find myself in agreement with Mr. Lippmann on vital international and domestic matters about which he writes so ably. But I cannot go along with what he concludes in his article entitled "Unity at the Brink." In fact, one might almost think he had been given honorary membership in the brotherhood of diplomats, for in his article published this morning he engaged in the same kind of chain of non sequiturs which is so characteristic of the statements by our diplomats which come from the State Department.

He states quite accurately that:

> Neither General de Gaulle nor Prime Minister Macmillan could conceivably use their nuclear weapons unless they knew for certain that they were covered by the United States against Soviet reprisals.

What I disagree with is his conclusion that we have no alternative but to offer them that coverage, no matter how difficult they try to make life for us or how expensive they try to make it.

We are not—Mr. Lippmann to the contrary notwithstanding—indissolubly married to Europe. Too much has been said to encourage Europe to think we are. It has led to exactly the assumption which Mr. Lippmann attributes to De Gaulle—namely, that we will stay in Europe indefinitely with our nuclear and conventional forces, even while they take advantage of us. Let me advise Mr. Lippmann and those who follow the same line that they have not yet heard from the American people. But when they learn the point of view of the American people, they will find that the American people discredit and reject that line.

This brings me to the second item which I wish to bring to the attention of the Senate: It is an inquiry, which I am sending today to Treasury Secretary Douglas Dillon, relative to reports that France is secretly acquiring American assets for which it can demand payment in gold. I ask unanimous consent to have the letter which today I have sent to Mr. Dillon, printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 14, 1963.

Hon. C. DOUGLAS DILLON,
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: There have been in the news recently reports that the French Government is acquiring American obligations for which it could demand payment in gold. One report fixed the amount already in the hands of the French Government at more than $1 billion.

Another related report has been to the effect that the French are seeking to encourage European banking houses and others holding U.S. assets to demand payment for them in gold.

I would appreciate your assessment of these reports. To what extent do you think they are true, and to what extent could they threaten our financial stability?

I would also like to know what consideration has been given to forestalling or offsetting any sudden demand by Europeans for gold.

Any comments you can make on this situation will be welcome.

Sincerely yours,

WAYNE MORSE.

Mr. MORSE. Mr. President, in a radio news report it has been said that French officials claim to have no thought of actually demanding gold, but that they consider the fact that they could demand gold to be their economic deterrent against American action unfavorable to France. Our Government must ascertain the degree of accuracy in this report.

I have called upon the Secretary of the Treasury to give me a memorandum in regard to the accuracy or the inaccuracy of this report. If there is any truth in it, we must make clear to France that we do not intend to submit to any such pressures.

Mr. President, before I close, I wish to describe and characterize those pressures. There is no doubt that in Europe there has been a great deal of talk to the effect that they can bring the United States to heel because the balance of payments is against us.

Why is the balance of payments against us? It is because since World War II we have been maintaining in Europe a huge military force, along with thousands of dependents of those military men, to the economic advantage of Europe, but to the economic disadvantage of the United States. The balance of payments deficit is due to the fact that the United States fulfilled its great moral obligation to Europe, and thus saved Europe from going down under the crushing heel of Russian communism. So the balance of payments is against us because we fulfilled our obligations to Europe; and I repeat that not only was that in the self-interest of Europe; of course it was also in the self-interest of the United States.

But if there is to be any talk or threat — either concealed or unconcealed—to the effect that if we do not watch out, our European allies will make a run on the gold reserves of the United States, now—not later—is the time to handle that issue with them.

If they engage in such international blackmail, Mr. President, they will find among the American people the kind of unity which always results when the American people are threatened with any kind of oppression. The people of the United States will rally around the President of the United States in making whatever sacrifices are necessary in order to meet that threat of a run on American gold.

So our answer to De Gaulle or to anyone else in Europe, including West Germany, and, Mr. President, I repeat, including West Germany—is: "Make your demand. We call your bluff. Make your demand, and assume all the responsibility which goes along with a demand or a threat to make a run on the gold reserves of the United States because of a balance of payments deficit."

Mr. President, there is the test, and now is the time to have it out with them.

Let me also warn them that if they carry out any such blackmail threat, that run will not bring the economy of the United States to its knees; but in the long run our European allies—and I hope the word "allies" does not have to be put in quotation marks—will discover that they perform a Samson-like act against their own economic temples. They, like individuals, will find that the use of blackmail never pays.

As I close, I know my speech has been a harsh one, but the time has come for the use of language that can be understood. Our arms are open to welcome partners that want to encourage a new alliance in Europe. But that alliance will have to follow the criteria I have laid down in my speech, in my judgment, if it is to have the support of the American people. Without the support of the American people, no administration of the U.S. Government can last beyond the next election day.

So, as has been indicated by some of my colleagues on the Committee on Foreign Relations who interrupted me today during the course of my remarks, we are starting on a great historic debate. It is a debate that will last for the next 2 years. It will involve those on both floors of Congress. It will involve hundreds of political platforms across our Republic. Well that it should. The hour has come when the American people are entitled to an accounting. They are demanding an accounting. In my opinion, they are going to get that accounting.

NATIONAL FOREST ACCESS POLICY

Mr. MORSE. Mr. President, on March 1 and again on July 6 of last year I discussed the Attorney General's excellent decision on national forest access and certain events which had flowed from it.

Today I intend to outline events which have transpired.

This decision was opposed by the National Lumber Manufacturers Association then and it is still objectionable to that organization.

Last March I pointed out in detail how this decision would promote the interest of the lumber industry and the public interest. My views are unchanged.

On August 3, 1962, the Secretary of Agriculture circulated a discussion draft of proposed regulations to implement the Attorney General's decision. I ask unanimous consent that these be printed as exhibit 1 at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. On August 15, at the request of the National Lumber Manufacturers Association I wrote to the Secretary of Agriculture asking certain questions. The response was received on September 20. I ask unanimous consent that it be printed at the conclusion of my remarks as exhibits 2 and 3.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibits 2 and 3.)

Mr. MORSE. On October 12, the National Lumber Manufacturers Association sent a letter to Forest Service Chief Cliff, setting forth a set of principles they sought in the proposed regulations. I ask unanimous consent that this be printed at the conclusion of my remarks on exhibit 4, along with two other pertinent letter labeled exhibits 5 and 6.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibits 5 and 6.)

Mr. MORSE. I ask that a letter to me dated October 25, 1962, from the National Lumber Manufacturers Association, exhibit 7, my letter of October 29, 1962, exhibit 8, and a response from the Secretary of Agriculture of December 7, exhibit 9, as well as my letters of November 2 to the Assistant Secretary of the Interior and Assistant Secretary of Agriculture, exhibits 10 and 11, and responses of January 25, 1962, exhibit 12, be printed at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibits 7, 8, 9, 10, 11, and 12.)

Mr. MORSE. Finally, I ask unanimous consent that there be printed exhibit 13, the position of the National Lumber Manufacturers Association expressed on January 22, 1962, in a brochure given to Members of Congress.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 13.)

Mr. MORSE. Mr. President, turning to the Secretary of the Interior's letter of January 25, I want to remind the Secretary of Agriculture and the lumber industry of what I said last March 1:

> The test that I intend to put to the actions by the Secretary is whether the regulations he puts forth are consistent with the policy which has been successfully carried out by the Department of the Interior on its Oregon and California lands since spring of 1950.
>
> In my judgment, the Secretary should immediately set up a task force within his General Counsel's office. Working in cooperation with the Secretary of the Interior, this task force should expeditiously formulate a policy. I point out that it is not necessary for the Department of Agriculture to use

the terms of Gifford Pinchot, in this instance, to break new ground. This has already been done by the Department of the Interior * * *.

I want to give full assurance to the industry that I shall act as their legislative counsel, so to speak, in making certain that any views they wish to present to the Secretary of Agriculture, as he proceeds, are given a full and fair consideration. If the industry is concerned that some portion of the proposed regulations will place unreasonable requirements on them, if they can so convince me, I will champion their case; and even if they cannot convince me, I shall make certain that their views receive most careful consideration.

I, therefore, urge the timber industry and its spokesmen to work cooperatively with the Secretary of Agriculture to achieve the real goal of the policy issue in question—the operation of all of our national forests with the highest regard for the public interest and the achievement on commercial timberlands in public ownership of the best type of management, so as to produce an abundant and reasonable priced supply of forest products to meet the continuous needs of the American people.

Mr. President, this is my position today. It is my hope that the Secretary of Agriculture will shortly publish proposed rules on forest access in their finished from. In my judgment the Secretary widely circulated the first draft last August and he has given all groups an opportunity to respond.

I make some further requests now. When the finished draft of the regulation is ready for publication, I think the Secretary of Agriculture has an obligation to advise me on the extent to which the regulations will be consistent with the policies of the Department of the Interior on the Oregon and California forest lands, and if there are differences the reasons therefor. I also think the Secretary of Agriculture has an obligation to advise me as to the principles expressed by the National Lumber Manufacturers Association of the extent to which these have been recognized.

I also wish to say I think he has the same duty to advise every other Senator and every other Representative who has a particular interest in public lands located in his or her State.

I want to emphasize my intention to follow developments on these regulations closely.

Should the publication of these regulations find lumbermen and conservationists objecting to their form and content, and if it becomes necessary to reconcile conflicting views, the senior Senator from Oregon, if requested, would be willing to assist in arbitrating the issue.

It does seem to me, however, that the experience that the Forest Service has had in developing access over the past few years, along with the Department of the Interior's 13 years experience under its regulations, should make it possible to judge the results which will likely occur under the proposed regulations. Finally, I want to express my personal appreciation to Assistant Secretary of the Interior Carver, and his staff, for the comprehensive and cogent analysis of the relation between the National Lumber Manufacturers Association statement of principles and the Oregon and California forest road regulations.

This material will be helpful to both the industry and the Department of Agriculture.

I close by pointing out that the need for access through public and private timberlands is probably greater today than it has ever been. The windstorm of last October 12 has laid down a great volume of timber which must be salvaged. Sound public policy requires that the forest road network be expanded.

In the continuing effort to improve the competitive position of our domestic lumber industry, forest roads will help to keep costs down. Thus, I consider access the keystone of sound resource management and of the economic wellbeing of all dependent upon the forests' green bounty.

EXHIBIT 1

DISCUSSION DRAFT OF NEW REGULATIONS PROPOSED TO AGRICULTURE CODE OF FEDERAL REGULATIONS

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

Part 212—Administration of the Forest Development Transportation System

Part 212 is amended by adding the following sections:

"Section 212.7 Road system management

"(a) Traffic Rules—

"1. General: Traffic on roads other than 'Special service roads' shall be controlled by State traffic laws and rules where applicable: Provided that use of such roads shall be subject to rules prescribed by the Chief, Forest Service, notice of which has been given by publication in a newspaper having general circulation in the locality and posting at the entrances to the roads, covering uses of or operations on the road as to which the State laws and rules are not applicable or are not deemed adequate for the safety and protection of users of the roads and the national forests.

"2. Special service roads: The Chief, Forest Service, shall issue traffic rules governing the use of 'Special service roads' or adopt in lieu thereof traffic rules promulgated for comparable roads of the State in which the road or segment of road is located, provided that where local traffic rules are adopted they shall be supplemented by him to the extent necessary to adequately govern special traffic conditions, including but not limited to load weights and widths, size of vehicles, cost recovery, maintenance requirements, and the safety and protection of users and of the national forests. Notice of such rules shall be given in the manner prescribed in section 212.7(a) 1.

"(b) Special service roads: The Chief, Forest Service, may designate a forest development road or a segment thereof a 'Special service road' and control or regulate the use of the road as necessary in the public interest and safety: *Provided,* That the road is not a part of the highway system of a State, county, or other public road authority: *Provided further,* That the United States controls the right-of-way.

"(c) Cost recovery on special service roads: Where the Chief, Forest Service, determines that a share of the cost of acquisition, construction, reconstruction, improvement, or maintenance of a 'Special service road,' or a segment thereof, used or to be used for commercial hauling of non-Federal forest products and other non-Federal products, commodities and materials should be borne by the owners or haulers thereof and where such owners or haulers have not shared in the cost of the acquisition, construction, reconstruction or improvement and have not made contributions to pay their proportionate cost shares, the Chief, Forest Service, may condition the permission to use the particular 'Special service road' or segment thereof upon payment to the United States of the proportionate share of such cost and bearing proportionate maintenance as has been determined by him to be attributable to such owner's or hauler's use.

"Section 212.8 Ingress and egress—

"(a) Actual settlers: Actual settlers residing within the boundaries of national forests reserved from the public domain shall not be denied ingress and egress over such national forests and use of existing roads or trails thereon in order to reach their homes and to utilize their property: *Provided,* Such ingress and egress or use shall conform to rules and regulations governing the protection and administration of the national forests.

"(b) Persons who are not actual settlers: Persons residing within the boundaries of national forests who are not actual settlers shall be permitted ingress and egress over the national forests and use of existing roads and trails for access to their homes and property: *Provided,* Such ingress and egress or use shall conform to rules and regulations governing the protection and administration of the national forests: *Provided further,* That hauling on designated 'Special service roads' shall be subject to the rules and regulations applicable to such roads.

"(c) Public: Entering upon the national forests and use of existing roads and trails will be permitted for all proper and lawful purposes, subject to compliance with rules and regulations governing the national forests and the roads or trails to be used.

"Section 212.9 Access procurement by the United States—

"(a) Policy: The Chief, Forest Service, shall obtain as promptly as is feasible needed road and trial access to national forest land to assure effective protection, management and utilization of such land and its resources. Such access shall include procurement of interests in existing non-Federal roads and road systems, as well as easements for roads and trails over non-Federal land, giving due regard in each case to the needs of the owners to use the roads in the protection, management and utilization of their lands and industries.

"(b) Existing or proposed forest development roads which are or will be parts of a system of a State, county, or other local subdivision: Forest development roads which are or will be parts of a system of a State, county, or other local subdivision road system and are on rights-of-way held in the name of the State, county, or other local subdivision may be constructed, reconstructed, improved or maintained by the Forest Service when there is an appropriate agreement with the State, county, or other local subdivision under authority of 23 U.S.C. 205: *Provided,* such construction, reconstruction, improvement or maintenance is essential to provide safe and economic access to national forest land.

"(c) Acquisition of raw-land easements: Except as otherwise provided, easements for road construction across non-Federal lands will be acquired by conveyance to the United States of America. Where compensation is paid, it will be limited to the fair market value of the easement and any timber or improvements thereon the title to which is conveyed. Fair market value shall include damages that will be caused to the landowner by the construction of the road, including damages to timber or improvements the title to which is not conveyed, less special and direct benefits that will accrue to the owner's property.

"(d) Acquisition of existing roads: Except as otherwise provided, rights of use, interests, or easements needed by the United States in or over existing non-Federal roads will be acquired by the United States by purchase, donation, or by cooperative arrangement as a reciprocal benefit for permits or easements for roads over national forest land, or for easements over or permits to use existing roads.

"(e) Compensation for raw-land easements and existing roads acquired by the United States: Compensation in negotiated acquisitions may be (1) by payment from appropriated funds; (2) pursuant to reservation in the grant of easement to the United States whereby the grantor reserves the right to require haulers of national forest timber (or other products) over the road conveyed or thereafter constructed by him, to make payments to the grantor in accordance with the terms of the reservation; (3) by offsetting rights transferred; (4) by road construction or improvement performed of substantially similar values; or (5) by a combination of these methods.

"(f) Cooperative construction and use agreements: Where working circles or other management units, partly national forest and partly private or other ownership, are undeveloped or inadequately developed by roads, the Chief, Forest Service, will, to the extent feasible and advantageous to the United States, join in planning, constructing, reconstructing, improving, maintaining, and using an adequate road system on the basis of each party bearing the proportion of the cost attributable to the anticipated benefits.

"(g) Condemnation: Where access across non-Federal land or over a non-Federal road is necessary and advantageous to the United States, every reasonable effort will be made to obtain a satisfactory interest or easement on equitable terms through negotiations. If such interest or easement cannot be so obtained with reasonable promptness condemnation will be undertaken upon a finding that: (1) such action is necessary and advantageous to the United States, considering the elements of time, need for access to national forest land, probable cost (award for value and damage), alternative means of access, and other pertinent factors; and (2) that funds are available for payment of the anticipated award.

"(h) Access over non-Federal land and use of non-Federal roads on a temporary basis: The Chief, Forest Service, may negotiate a temporary agreement for access over non-Federal land and for use of an existing non-Federal road where there is immediate need for temporary access for limited purposes that can be economically met by such procedure, or where the foreseeable need does not justify the expenditures necessary to maintain a permanent road or trail.

"(i) Use and control of interests in roads and easements acquired by the United States: Interests in roads and easements acquired by the United States shall be under the control of the United States, subject to approved reservations, limitations, and other provisions set forth in the deed, permit or other indenture. This control by the United States may include restricting the use of the interest owned by the United States in the road or trail to certain uses or certain users from time to time where necessary.

"Section 212.10 Permission to cross national forest land—

"(a) Permission to construct roads across national forest land: If a reciprocal benefit is needed by the United States, permission to construct a road across national forest land will be conditioned for any applicant, including an actual settler, who seeks a permit to construct a road across the national forests, upon the grant to the United States of a reciprocal benefit, such benefit to bear (1) a reasonable relation to the management of the national forests and (2) a value substantially similar to the value of the permission to cross national forest land applied for. In those instances where the values of the interests needed by the United States exceed those applied for by the applicant, the additional interests will be acquired as provided in sections 212.9 (c), (d), and (e). Where values needed by the applicant exceed those needed by the United States, the difference in values will be determined under principles set forth below and in sections 212.7(c) and 212.11. If a reciprocal benefit is not needed by the United States, or the applicant shows good cause why the reciprocal benefit needed by the United States cannot or should not be granted by him, or if a bona fide emergency exists, permission to construct a road will be conditioned for any applicant upon reasonable charges and all other terms and conditions required by the Chief, Forest Service, to protect the interest of the United States. Permits for road construction and use will be nonexclusive and retain in the United States all rights in the right-of-way and in the road except the privilege granted the permittee to use the road for the specific purposes stated in the permit. Permits will be conditioned upon compliance with their terms and conditions and to the rules and regulations governing the protection and administration of the national forests and those applicable to such roads.

"(b) Permits for commercial hauling on special service roads crossing national forest land: Except for minor or occasional use, and use by actual settlers as provided in section 212.8, permits will be required for commercial hauling on 'Special service roads' of non-Federal forest products, and other non-Federal products, commodities, and materials when the Chief, Forest Service, determines that such owners or haulers should provide proportionate maintenance and do any combination of the following: Provide an equitable and reasonable needed reciprocal benefit to the United States, bear a share of the cost of acquisition, construction, reconstruction, or improvement of such road or segment thereof. When such owners or haulers have not provided to the United States the needed reciprocal benefit, or borne their share of the cost, permission to use a road will be conditioned for any applicant upon the terms and requirements and subject to the like conditions and charges as prescribed in section 212.7(c) and 212.10(a) above for permission to construct roads across national forest land.

"(c) Easements and stipulations for roads crossing national forest land having public domain status: Applications for easements over national forest land having public domain status, and over roads thereon, with appropriate stipulations will be approved by the Chief, Forest Service, for those who have conveyed or provided permanent multiple-use easements over roads and lands owned or controlled, directly or indirectly, by them to the United States of America and its assigns and who have already constructed, or will, as scheduled by the agreements, construct their proportionate share of the road or road system concerned. Such applications for easements shall be approved by the Chief, Forest Service, only when they are for nonexclusive easements which retain in the United States all rights in the road or road system except the rights of the applicant to use and maintain the road or road system in the administration, protection, and utilization of lands and the resources thereof owned or controlled by the applicant, and when the rights applied for are limited to the share of use commensurate with the applicant's contribution to, or performance of, a share of construction or other improvement as set forth in the cooperative agreement or cooperative understanding covering the road or road system. Applications for easements in appropriate form, together with required plats showing the national forest land having the status of land reserved from the public domain to be crossed, shall be forwarded to the Forest Service. When the Chief, Forest Service, has determined that the applicant has satisfactorily constructed his determined share of the related road or road system, or is committed by appropriate agreement to deposit funds or construct his share of the road or road system, and has granted or provided the easements or other interest required by the United States under such agreement, the Chief, Forest Service, after approval of the application, will attach thereto the stipulations agreed to by the applicant and the Chief, Forest Service, covering the use of the easement applied for, and forward the same to the designated officer of the Department of the Interior for the purpose of obtaining the required easement under the authority of the Secretary of the Interior. When the easement is approved and returned by the officer of the Department of the Interior to the Forest Service for entry in its records, it will be entered and thereafter delivered to the applicant pursuant to agreement.

"Section 212.11 Principles for sharing use of roads—

"(1) The use of roads under arrangements for sharing costs or performance shall be in accordance with the following:

"(a) Road improvement: Use for commercial hauling, except occasional or minor amounts, will be conditioned upon improvement or supplemental construction of the road to safely and economically serve the contemplated use, unless the Chief, Forest Service, determines that the safety and economy of the established and foreseeable use by the United States, its users and cooperators will not be impaired by the use for which application is being made. With the consent of the Chief, Forest Service, the applicant may deposit funds in the estimated amount required for the improvements or supplemental construction in lieu of performance. Such funds will be used by the Forest Service to do the planned work. The cost of the improvements or supplemental construction will be taken into account in determining any otherwise required contribution to cover the proportionate share of the cost of road acquisition, construction, reconstruction or improvement attributable to the use.

"(b) Corresponding benefits: Corresponding benefits which may be accepted by the Chief, Forest Service, for sharing in road use will be those which bear a reasonable relation to the management of the national forests. They may be in the form of: (1) deposit of funds with the Forest Service for use in paying the cost of road construction, reconstruction or improvement to be borne by the user; (2) the grant of a valuable access right; (3) the grant of a reciprocal right of substantially similar value to the road use sought; (4) construction over applicant's property of a new road needed for access to and use of national forest land and the conveyance to the United States of America and its assigns of the needed rights in such road; (5) construction of a road needed by the applicant and the Forest Service over federally owned lands or easements; or (6) any combination of these.

"(c) Cost determinations for roads cooperatively constructed under agreement: When roads are constructed under cooperative agreements to meet mutual needs of the United States and others for access, determinations of the shares of costs to be borne by the United States and the cooperating parties will include consideration of: (1) the standard of road required for the planned hauling; (2) the share of planner use; (3) the location and volume of tributary timber owned by each party and expected to be hauled over the road or roads; (4) the tributary areas owned or controlled by each party; (5) expected use by the public; and (6) other appropriate considerations.

"(d) Cost recovery by the United States from others: When existing roads designated as 'Special service roads' are used under permit for commercial hauling instead of under cooperative agreement any cost to be recovered by the United States will be calculated in proportion to the planned use of the road. The road cost used in such calculation will be the amount or estimated amount expended in the acquisition, construction, reconstruction and improvement of that capacity of the road required to serve the use needs of all parties that are or reasonably can be expected to use the road. Such road share cost payments will be through deposits in advance of use unless the user provides a payment bond satisfactory to the Chief, Forest Service, guaranteeing that payments will be made promptly upon billing by the Forest Service.

"(e) Cost sharing with cooperators: The costs to achieve the agreed upon road or road system may be met by: (1) use of appropriated funds; (2) construction, reconstruction or improvement of roads or segments of roads by timber purchasers or other users; (3) agreement with cooperator pursuant to which cooperator does more than his agreed share of constructing, reconstructing or improving a road and recovers costs incurred in excess of his agreed share by charging national forest timber purchasers and other commercial haulers using the road an equitable amount within the limits and to the total amount specified in the argeement; or (4) a combination of the aforementioned methods.

"(f) Road maintenance and resurfacing: Cooperators, and permittee using such designated 'Special service roads' will share the road maintenance and resurfacing costs under suitable agreements to perform or by making deposits with the Forest Service which will be used to pay the costs of work performed for efficient use and for the preservation and protection of such roads from all elements, and to prevent erosion to adjacent lands: *Provided*, That purchasers of national forest timber shall perform an agreed upon amount of maintenance work representing their proportionate share of necessary maintenance, or at their election in lieu of actual performance thereof, make payments to a specified maintainer of the agreed amounts for maintenance.

"(g) Interests to be acquired by the United States in roads or easements therefor: Where the United States is to bear or share the cost of acquiring a road system, a road, or a segment thereof, or acquires an easement therefor, the interest acquired will: (1) be for permanent use unless the road use falls within the limited classes where temporary roads are acceptable; (2) provide adequately for foreseeable national forest management, protection, and utilization needs; and (3) not include conditions, reservations, or covenants unrelated to the road use, or which seek to direct or limit national forest management policies and procedures."

EXHIBIT 2

AUGUST 15, 1962.

HON. ORVILLE L. FREEMAN,
Secretary of Agriculture,
U.S. Department of Agriculture,
Washington, D.C.

MY DEAR MR. SECRETARY: I have received Mr. Cliff's letter of August 3, enclosing copies of a discussion draft of right-of-way regulations embodying the Attorney General's opinion of February 1, 1962, and the Comptroller General's decisions regarding charges for the use of Forest Service roads. These draft regulations raise several points upon which I seek clarification:

1. Provisions for immediate access to timber: The proposed regulations do not appear to contain a clear provision for immediate access for either party while negotiations are in process. The regulations indicate that the Forest Service will respond to requests for rights-of-way by entering into negotiations to acquire needed access across the applicant's land. Such access may be in the form of bare land rights-of-way or roads owned or controlled by the applicant. The end purpose of the negotiations is to reach agreement for the joint construction and use of road systems.

I have previously expressed my concern about delays encountered in getting access to public and private timber located in the State of Oregon. It would be most helpful if you would clarify for me whether it is intended that there should be immediate access pending reaching a final agreement on the values of rights applied for by the applicant and those requested by the Forest Service in exchange.

In particular, in those instances where the Forest Service deems it necessary to acquire reciprocal rights, does the Forest Service intend to commence negotiations for a joint road system immediately upon receipt of an application for a right-of-way or for the use of a road located on national forest lands? Also, if agreement cannot be reached within, for example, 90 days from the date the application is received, when the application relates to a bare land right-of-way or to the use of an existing road for a short distance (not more than one-half mile) for crossing, does the Service intend to grant access rights to the applicants for the period requested?

When the application relates to the use of an existing Forest Service road, does the Service intend to grant a permit to the applicant who will allow access to his private road during the course of the joint road negotiations?

Of course, it would be with the understanding that neither grant just mentioned would affect the joint road negotiations by implying certain concessions. If such negotiations were not concluded within 3 years, would the Forest Service terminate the negotiations or institute condemnation proceedings as provided in title 40, U.S.C. 256, et seq.?

Does the Forest Service intend to secure access to its own lands during the course of negotiations, by requiring the applicant, say within 90 days after commencement of the negotiations, to grant rights to the Forest Service for the period requested, if such rights relate to bare-land rights-of-way or to the use of an existing road for a short distance (not more than one-half mile)? Also, does the Forest Service intend to require that the applicant grant the right to use his existing road during the course of the joint road negotiations?

2. Interim payments: I am interested in plans for interim payments, in the form of reasonable fees, where either the Forest Service or the applicant permits the other to use an existing road during a period of negotiations. If this were the plan would the fees be applied in partial satisfaction of (a) the aggregate payment obligation as established by the joint road agreement if one were consummated, or (b) the court award of compensation to a private owner in case of condemnation?

If negotiations were terminated, either party's right to use roads then being used under a temporary permit, would cease. What would be the disposition planned for the fees? Would either termination of negotiations or institution of condemnation deprive the applicant of his right to use Forest Service roads upon the same terms and conditions of use applicable to other authorized users?

3. Determination of values by the Forest Service: The proposed regulations do not appear to contain a clear provision for resolving differences of opinion concerning valuations to be used in the negotiations. The Attorney General's opinion seems to make it clear that whatever rights the Forest Service requests in exchange must not exceed the fair market value of the rights being requested by the applicant. The proposed regulations seem to intend that the final determination of fair value will be made by the Forest Service.

Does this mean that these proposed regulations would provide that the applicant's sole remedy lies within the Forest Service appeals procedure?

As I indicated earlier, the applicant should be protected by assurance that if the agreement cannot be reached, the Forest Service will institute condemnation proceedings under title 40. In the joint road negotiations as I understand the Forest Service's present proposal, there must be a road agreement in order for the applicant to secure access to this timber. If, however, the applicant and the Forest Service cannot agree on value, a court should decide the question of fair value. However, this problem might be overcome by the proposal which requires that immediate access be granted during negotiations.

4. Geographical limits on joint road agreement areas: The proposed regulations do not appear to contain geographical limits on the area in which the Forest Service may request roads or rights-of-way from the applicant in exchange for the applicant's request for access across national forest lands. Is it your view that because of the complexity of the road negotiations, a geographic limitation is appropriate? The Bureau of Land Management in administering the O. & C. regulations has applied limits.

As you well know, I would like to have the Forest Service develop, as quickly as possible, an access policy which will implement the Attorney General's opinion.

If you think it desirable, I am willing to meet with you, either alone or together with representatives of the Forest Service and the several natural resource industries concerned to discuss these comments and any further thoughts which there may be upon them. Perhaps it would be best if such a meeting were to take place after I receive your reply.

Sincerely yours,

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EXHIBIT 3

DEPARTMENT OF AGRICULTURE,
Washington, D.C., September 20, 1962.
HON. WAYNE L. MORSE,
U.S. Senate.

DEAR SENATOR MORSE: We are glad to respond to your letter of August 15, 1962, concerning the discussion draft of the right-of-way regulations which accompanied Mr. Cliff's letter of August 3.

The following relate to the numbered points in your letter on which you ask for clarification:

1. Provisions for immediate access to timber: It is the intent to provide timely access to timber. Where the circumstances require it, this could be immediate. However, no access can be immediately obtained without agreement of the parties.

In the event the United States needs immediate access and it is denied, the intent will be to condemn the needed right-of-way. Condemnation is unlikely to be accomplished in less than 90 days. Usually considerable more time is required. Thus, there is no way to guarantee immediate access to national forest land. We believe, however, that timely access can usually be obtained.

Where both parties need early access and where agreement is not reached and the United States has acquired the right-of-way it needs by condemnation, it is intended to issue a permit to the applicant for the right-of-way he needs. The permit would normally be issued immediately after the United States has been given possession of the related right-of-way it needs.

In the event the threat of destruction of the related forest resources is imminent, at the time of the application for a right-of-way, the permit would be granted immediately for the purpose of salvaging the affected timber. Typically this would be timber infested with insects or dead timber which is threatened by rapid deterioration.

The Forest Service intends to commence negotiations immediately upon determination that there is need for joint development or use of a road or road system. When agreement is not reached within a reasonable time for joint development in a case where only the applicant needs immediate access, the Forest Service intends to promptly issue the permit to the applicant to accomplish the purpose creating the immediate need. In such cases the Forest Service will rely upon continuing negotiations to reach agreement. If the negotiations fail the United States will bring a timely condemnation action so that it too will obtain the access it needs. This could be more or less than 3 years depending upon the circumstances in the case.

When the application relates to the use of an existing Forest Service road, the Forest Service will, if the need exists, grant a permit for the use to the applicant who will allow use of his private road during the course of negotiations. This would require interim agreement between the parties. The procedure has been used successfully in a number of cases in the past and is a useful method of providing timely access during negotiations on frequently complex issues. It could become necessary to terminate negotiations. In this event a condemnation action would normally be brought by the United States. The circumstances would determine the duration of negotiations. The Forest Service intends to negotiate for satisfactory agreements so long as there appears to be a reasonable chance of success, unless the additional needs of the United States require acquisition to a time schedule precluding further negotiation effort.

With the comparatively rare exceptions contemplated by section 212.9h permanent rights-of-way for multiple-use purposes are needed for the National Forest road system. Where temporary rights will meet the needs of the United States, the Forest Service intends to require an applicant to grant such rights either for use of a road, a needed bare-land right-of-way, or a combination of the two as a condition of the permit applied for. When circumstances require it, the permit may require the grant to the United States within a reasonable period of time. When land descriptions are to be determined at a later date the delivery would be impractical until a reasonable but stated time after the descriptions are completed. How much time will be reasonable will depend upon the circumstances. While most such temporary arrangements may involve short segments of a road, they could under some circumstances be applied to longer roads.

2. Interim payments: As indicated under 1 above, interim agreements for road use are intended to be used where circumstances make them desirable. It would be the objective to have interim use taken into account in determining value at the time of acquisition. We propose to value the roads as of the date of acquisition, whether by deed or condemnation, which would take into account depreciation by prior use.

If negotiations were terminated for a joint road system, it does not necessarily follow that agreements for road use would also be terminated. However, each party would retain the payments that were due them and that had been made. Those made to the United States would have been deposited in the Treasury of the United States.

Your next question is as follows: "Would either termination of negotiations or institution of condemnation deprive the applicant of his right to use Forest Service roads upon the same terms and conditions of use applicable to other authorized users?"

A categorical answer to this question cannot be made. Generally the condemnation of a road theretofore sought to be acquired by agreement would leave the condemnee who is an applicant for the use of a Forest Service road in the same situation as other authorized users. He would not be denied use by reason of the fact that it had been necessary to acquire his road by condemnation. However, this assumes road capacity is sufficient and that the condemnation was for all the road or right-of-way sought from the applicant. The Forest Service would make every effort to renew negotiations under the new conditions so long as there were prospects of solving any remaining problems. Again interim arrangements would be sought, if the need for them existed.

Part of the problem in answering the above question is that the Forest Service may not be able for various reasons, including shortage of funds, to condemn for all it needs in a single action. Thus circumstances could widely vary. The purpose of the Government's efforts would be to obtain the access it needs, not to deny access to others.

3. Determination of values by the Forest Service: The proposed regulations do intend that the determination of fair value in cases planned for negotiation will be made by the Forest Service. We plan to use competent appraisers. In cases in which real differences of opinion occur, it is intended that additional independent appraisals will generally be obtained, so that we will have the benefit of the best available valuation advice. If the parties cannot agree, there would generally be no alternative other than condemnation by the Government to obtain the interests it needs. Just compensation would then be a matter for court determination.

The provisions for access for salvage, for interim road use and prompt use of condemnation herein discussed will provide remedies for many situations which might otherwise develop into appeals. The appeal procedure is available, and it will undoubtedly be used. It should be noted, however, that condemnation is not subject to administrative appeal procedures.

4. Geographical limits on joint road agreement areas: Geographic limits are set for joint road agreement areas. Your question is understood to be directed to the limits to which reciprocity conditions will apply. It is intended to develop guidelines for geographical limits on the area in which the Forest Service may request roads or right-of-way from the applicant in exchange for the applicant's request for access across national forest lands.

The authority to accept a right-of-way in exchange for one needed by the applicant could be an advantage to both parties, and it appeared desirable to avoid arbitrarily setting geographic limits. Those who wish to develop access cooperatively will likely want no geographic limits. Those who fear having access conditioned upon a reciprocal requirement may want the narrowest possible geographic limits. It was anticipated that review comments on this point would be helpful in development of final regulation language and administrative instructions thereunder. As we understand the O. & C. regulations, no limits are defined in the regulations themselves. Rather, the limits are set by the administrators of the regulations.

The discussion draft of the proposed regulations has been distributed to many interested individuals, organizations, and Members of Congress. It is planned to review the comments received from circulating the discussion draft. Following such review decisions will be reached regarding further discussion or meetings on the proposed regulations. Your offer to meet with us is appreciated. We will write you further after we have considered the replies to the discussion draft.

Sincerely yours,

JOHN A. BAKER,
Assistant Secretary.

EXHIBIT 4

OCTOBER 12, 1962.

MR. EDWARD P. CLIFF
Chief, Forest Service,
U.S. Department of Agriculture,
Washington, D.C.

DEAR MR. CLIFF: We have given detailed study to your August 3 proposed discussion draft of road regulations. We appreciate your efforts to organize the procedures for granting access across national forest land.

We have considered replying with our suggestions for revising the proposed regulations as written; however, after careful review and discussion we believe a better procedure would be to first consider a statement of basic principles and then proceed to propose revisions of the draft regulations.

In the past several weeks many groups have devoted considerable time to the development of such a statement of basic principles. In its development we have examined certain share-cost agreements with the Forest Service and also the right-of-way policies developed by the Bureau of Land Management and by the State of Washington. We have had the benefit of the thinking of the industry group that has worked with the Forest Service on right-of-way policies and legislation for several years. Senator MORSE's letter to Secretary Freeman, dated August 15, 1962, has also been helpful. The attached statement of principles is the result of our intensive group effort to develop a reasonable and practical approach to the problem.

You will note that we have given particular attention to the continuing need for access across intermingled ownerships. We have also been impressed by the need to protect existing property rights, public or private. We strongly urge that any Department of Agriculture road regulations be based upon these principles in order that continuous and unnecessary controversy may be avoided.

Review of the proposed regulations shows that in many respects they do not measure up to these principles. We believe some of the ideas in the proposed regulations are not well founded and the organization makes them difficult to understand.

National forest boundaries as now drawn embrace large areas of private forest lands and in some cases there is more private land than Federal. Many people own this private land, which is in all size tracts and has a widely varying ownership and access history. Most commercial forest owners are trying to make their land yield maximum values over the long term. Tremendous long-term investments have been made both on the private lands and on the intermingled Government lands.

We are in the forefront among those insisting that it is absolutely necessary to secure access to Federal lands. However, doing so by imposing conditions on access to private lands amounts to confiscation of property. We are convinced the proposed regulations would bring about such a result because they approach the matter of access to Federal land with complete one-sidedness. Private property rights would receive recognition only where advantageous to the Forest Service. This is not a sound Government attitude toward the economy.

If the Attorney General's opinion dated February 1, 1962, is to be a basis of agreements for assuring access to intermingled lands, then the Forest Service must negotiate within a framework that recognizes legitimate property interests and needs. As presently drafted, the proposed regulations are not supported by the requirements for reciprocity contained in the February 1, 1962, Attorney General's opinion.

We believe the proposed regulations leave to much to the discretion of the Forest Service. They fail to establish standards delineating the exercise of that discretion. Such standards must be clearly established through regulations in order that the exercise of vast bargaining power held by the Government may be kept within the bounds of fair dealing.

Following are a few examples of failure of reciprocity:

The regulations under 121.7 would give to the Forest Service unilateral control of the traffic on any road system in which the Forest Service had an interest. There's no assurance, for instance, that this right of control would be exercised with any consideration of the need to operate off-highway type vehicles on private roads especially designed for that purpose.

Section 212.7(c) similarly indicates that it is the Chief of the Forest Service alone who will grant use of a cooperative road to others upon whatever terms he deems appropriate.

In section 212.9(a) no mention is made of any standards which the Chief of the Forest Service must consider in "giving due regard * * * to the needs of the owners" over whose roads he is acquiring rights of use.

In the same way, section 212.10(a) provides virtually no standards indicating the nature, term or duration of requirements for access across private lands which the Forest Service will require in exchange for the right to cross national forest lands.

Nor is there the slightest indication in section 212.9(c) or 212.9(i) of the nature of reservations and limitations which the landowner may impose.

Perhaps the best illustration of the unlimited discretion given to the Chief of the Forest Service is in section 212.8(c) which requires subjection of any right to enter on national forest lands to "rules and regulations governing the national forests and governing the road or trails to be used." By this means the Forest Service can take away by some future regulation rights conferred under present grants. Present grants to the Forest Service are not subject to subsequent change by private owners.

These regulations should impose on the Forest Service a duty of exercising its right of condemnation where agreement on values cannot be reached within a reasonable time as suggested by Senator Moss for Senators MAGNUSON and HAYDEN in the Senate Committee on Public Works hearings on H.R. 10495, June 9, 1960. Instead, however, section 212.9(c) suggests use of a unique rule of valuation without sanction or support in the law of eminent domain and which would conflict with condemnation procedures when used.

Moreover, the industry is vigorously seeking procedure within the Department of Agriculture designed to afford prompt and fair resolution of disputes to which the Forest Service is a party. Experience with the existing appeals procedure in which the Forest Service resolves disputes between itself and others has been so unsatisfactory that owners of land within national forest boundaries would be discouraged from even entering an appeal where use of their private land hangs in the balance. We believe the proposed regulations should set forth a procedure for resolving road-use disputes.

In many respects reciprocity between the Department of Agriculture and a private landowner will be a fiction as long as the Forest Service interprets existing law so as to preclude granting easements across land it controls and to preclude entering into binding long-term agreements. We hope the Department will press for early enactment of legislation to solve this problem.

We are appreciative that you have been so thoughtful as to forward the proposed regulations to us. We apologize for the delay in giving you these comments but the time has been spent in careful review and analysis by the many groups that represent both those owning and managing the private lands affected and those dependent on the national forest lands for their timber supply. Speaking on behalf of the forest industry and those with the most direct interest we respectfully urge that our attached statement of principles be used as a basis for the development of new, fair, and comprehensive road-use regulations. We suggest that as soon as you have analyzed our views a meeting be arranged to see if agreement can be reached on these basic principles prior to redrafting the proposed regulations.

Kindest personal regards.

Sincerely,

MORTIMER B. DOYLE.

STATEMENT OF PRINCIPLES FOR REGULATIONS GOVERNING ACCESS TO PRIVATE LANDS WITHIN THE NATIONAL FORESTS

1. Every landowner or possessor of interests in realty whose property is so located as to require access across national forest lands to reach and manage such property should be given access.

2. Existing access rights evidenced by such documents as "Stipulations Governing Exercise of Rights of Ingress and Egress and by Special Use Permits" should be protected.

3. Grants of access across national forest lands should be given promptly, for the purpose and duration requested, and should be appurtenant to the lands served.

4. If the Forest Service has authority to issue rules and regulations governing access, such rules and regulations, including charges, if any, should be certain, definite, and uniformly applicable to all users. Maintenance and road use fees collected should be expended on or credited to the roads for which collected.

5. In those instances where the Forest Service has authority to place certain access roads in restricted use categories, it should announce a policy for so doing. National forest roads, not restricted to special uses, should be available without charge to all users.

6. Each road use should bear only its proportionate share of road costs.

7. Disagreement over operating problems should be settled by an appeals procedure such as that requested in the August 9, 1962, letter to the Secretary of Agriculture on the lumber industry four-point program.

8. Where the Forest Service seeks to condition access to private land on the grant of a reciprocal right from an applicant for access, such right shall be limited to the same road system for which the applicant seeks rights, to substantially similar values, to like property interests, and to a like term.

9. In the event of disagreement as to whether value of the right being sought by the Forest Service is reciprocal, the Forest Service should within a reasonable time exercise its right of eminent domain to determine the true value.

10. Where requested, temporary access should be granted during negotiations for a joint road system. Investments made under such temporary rights should be protected, and the road owner should be compensated for temporary use of the road.

11. The Forest Service should acquire only temporary or periodic use access rights where adequate to meet national forest management objectives.

12. The Forest Service should recognize that there are instances when negotiated road agreements between itself and other parties will better satisfy all parties' access requirements. The Forest Service should also recognize the need to provide a fair, sound, and mutually beneficial basis for any such agreement. Accordingly, the Forest Service should be guided by the following principles in addition to those listed above when it seeks to consummate joint use, construction, control and maintenance agreements governing access across its lands and lands of others served by a single road system:

(a) The Forest Service should recognize the right of the party having the principal investment in a road to control it. Control should include the right to prescribe reasonable operating rules and regulations, including the creation of adequate indemnity by bond or otherwise, and requiring general liability insurance in amount and scope consistent with industry practice.

(b) The parties' respective investments in existing roads should be recognized.

(c) All road users should be required to obtain a permit from the road owner prior to commencement of use. Such permit should contain terms and conditions of use which should be detailed at the time the joint road agreement is negotiated.

(d) Grants of right-of-way should be mutual with respect to their terms and conditions, including reservations, and with respect to their duration.

(e) The agreement should be certain, definite, and specific as to:

(i) The road or road system of all parties which each will have the right to use.

(ii) The lands of all parties from which forest products or other materials may be taken out over the roads subject to the agreement.

(iii) The extent to which overhead costs are to be recognized in both construction and maintenance.

(iv) The procedure to be followed for reversion upon abandonment.

(f) Where a change in private road status causes economic loss by limiting the uses of the road, the road owner should be compensated.

(g) Existing reserved rights of use should be protected. Moreover, conditions agreed upon at the time a right-of-way agreement is entered should not be subject to change by future regulations.

(h) In appropriate instances, a road owner should be entitled to an amount equivalent to interest on an unamortized investment remaining in a road system.

(i) Traffic rules shall be determined by mutual agreement subject to the party having the greater investment making the final decision.

(j) Maintenance and road-use fees collected from purchasers of national forest timber should be applied to the roads for which collected.

(k) Easements and other road-use rights should be appurtenant to the lands served.

(l) Road replacement cost for each user should be determined at the time such user first removes logs.

(m) The amortization share allocated to timber volume should be based upon the total merchantable timber tributary to a particular road, including the volume merchantable at the time the road was constructed and the volume which will become merchantable during the payout period.

(n) A party should be required to share in the cost of a joint road only to the extent it is constructed to a standard adequate to serve his particular needs.

EXHIBIT 5

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
October 2, 1962.

Mr. MORTIMER B. DOYLE,
Executive Vice President, National Lumber Manufacturers Association, Washington, D.C.

DEAR MR. DOYLE: I am forwarding to you a copy of a letter from Assistant Secretary of Agriculture Baker, responding to my request of August 15 for clarification of the Department's discussion draft of the right-of-way regulations circulated on August 3 by Chief Forester Cliff.

I regret the delay in making this available, but I trust that the Secretary's answer will be useful.

Please feel free to contact my office when you have had an opportunity to review this material.

Sincerely yours,

WAYNE MORSE.

EXHIBIT 6

NATIONAL LUMBER
MANUFACTURERS ASSOCIATION,
Washington, D.C., October 16, 1962.

To: Forest Management Committee, Forest Advisory Committee, right-of-way participants, federated associations.

Subject: Industry response to Forest Service proposed regulations covering access to private lands within national forests and covering fees to be charged for use of Federal roads.

On August 3, the Forest Service released proposed road use and access regulations for comment. After numerous industry groups and landowners analyzed the draft it was decided that the basic premise for the proposed regulation was in error in not recognizing landowners' access rights. The attached letter to the U.S. Forest Service explains the detailed objections. Also attached is a statement of principles prepared by industry groups on which regulations should be based. The letter suggests a meeting between the industry and the Forest Service following analyses of the principles prior to redrafting the proposed regulations.

Also attached is a Department of Agriculture response to Senator MORSE's letter to the Secretary asking for clarification of the proposed regulations. This letter means that access could be denied a landowner until he accepts Forest Service determination of the value of his property that the Forest Service seeks to acquire.

RALPH D. HODGES, Jr.,
Chief Forester.

EXHIBIT 7

NATIONAL LUMBER
MANUFACTURERS ASSOCIATION,
Washington, D.C., October 25, 1962.

Hon. WAYNE L. MORSE,
U.S. Courthouse,
Portland, Oreg.

DEAR SENAROR MORSE: I have delayed responding to your October 2, 1962, letter and the attached Department of Agriculture answer to your request for clarification of the discussion draft of right-of-way regulations until we could better determine what was going to be done on regulations under the Attorney General's opinion.

Your letter was most helpful to the industry in preparing comments on the proposed regulations.

While I had hoped my interpretation was not correct, it has now been confirmed that under item 1 of your answer, a landowner would have to accept Forest Service determination of the value of his property sought by the Government in order to get access to his land across the Government land. It seems to us that if the Forest Service has the power to delay access until an owner in desperation is willing to surrender his property at Forest Service valuations, property confiscation will be stayed only by Forest Service benevolence. The adoption of such a "comply or die" policy is inimical to either economic growth or sound resource management.

Actually I'm at a loss to know why the Forest Service seeks this unnecessary power which will certainly lead to widespread irritation, fear, and distrust.

Now, at this crucial time when we most need to work together for the good of timber-based economies, we have another disturbing development on this issue.

On October 23, the Assistant Secretary of Agriculture issued a regulation, a copy of which is attached, that appears to me to be highly irregular for the following reasons:

(a) The replies from the discussion draft of the proposed regulations were due by October 15, and many groups worked to give the Forest Service sincere and valuable help. This much different regulation was published in the Register on October 23, and breaks faith with all those asked to assist in drawing up fair regulations.

(b) A large part of your State and Washington and California now have an emergency access problem due to the recent disastrous blowdown. A power grab at this time to force acquiescence to Forest Service evaluations will not only deter salvage efforts but will also create a bitterness that will be difficult to overcome.

(c) The local forester on the ground will not know what he should or shouldn't do. He won't have rules for determining how much he should extract from each landowner in exchange for granting access. The absence of definitive guidelines is apparent in this new regulation.

(d) This seems to me to be an improper method of rulemaking. Especially when fundamental property values are in jeopardy.

I hesitate to write you during your campaign, but knowing of your keen interest in this issue, I felt you would want to know of this. Perhaps we can discuss this after the election. In the meantime, if you have a suggestion as to what we might do, I would appreciate having it.

Sincerely,

MORTIMER B. DOYLE.

TITLE 36—PARKS, FORESTS, AND MEMORIALS

CHAPTER II—FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Part 212—Administration of the forest development transportation system

Cooperative Road Programs

Part 212 is amended by adding the following section:

"Section 212.7. Cooperative road programs: The Chief, Forest Service, is authorized to continue cooperative road programs dealing with rights to cross intermingled private and National Forest lands and arrangements under such programs to the fullest extent consistent with the Attorney General's opinion of February 1, 1962 (42 Op. No. 7), and where:

"(a) A cooperative agreement with implementing arrangements has been or is entered into under such a program, pursuant to which there is provision for the granting of an easement, easements or permits for construction, reconstruction, improvement, maintenance or use of a road or road system over lands in intermingled private and Federal ownership;

"(b) The cooperator has granted or tendered to the United States an easement, easements or permits in acceptable form and other reciprocal benefits in furtherance of and required to implement the agreement;

"(c) Stipulations have been or are entered into between the cooperator and this Department through the Forest Service designed to meet the specific needs of the road or road system, and any special stipulations if there are other affected Federal agencies, to cover the management responsibilities of the United States and to implement the Attorney General's opinion of February 1, 1962;

"(d) The cooperator has submitted or submits an application in approved form for the approval or granting of a right-of-way by permit or in the nature of a nonexclusive easement pursuant to the act of March 3, 1899 (30 Stat. 1233; 16 U.S.C. 525), and the applicable regulations of the Department of the Interior (43 C.F.R. subparts A and F of part 244, except secs. 244.9 and 244.16); and

"(e) It is determined by the Chief, Forest Service that the granting of such a right-of-way over National Forest land and payment, when found appropriate, of a supplemental monetary consideration is necessary in order to secure appropriate reciprocal rights over the private land of the applicant."

The Chief, Forest Service, may accept the easement or permit, approve the application and payment of any supplemental consideration, and authorize the granting of the permit or transmit the application to the officer of the Department of the Interior authorized to approve and grant such a right-of-way.

The Chief, Forest Service, shall issue appropriate directives and instructions to supplement and implement this regulation.

Regulation U-14 (36 C.F.R. 251.5) is superseded insofar as it conflicts with the above.

Done at Washington, D.C., this 18th day of October 1962.

[SEAL] J. A. BAKER,
Assistant Secretary.

(F.R. Doc. 62-10592; Filed, Oct. 22, 1962; 8:52 a.m.)

EXHIBIT 8

OCTOBER 29, 1962.

Mr. JOHN A. BAKER,
Assistant Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.,

DEAR MR. BAKER: I am transmitting for your comment a copy of a letter dated October 25 from the National Lumber Manufacturers Association, along with a copy of my letter of October 2 to that Association and an internal memorandum of October 16.

I am not including in the transmittal a copy of your letter to me of September 20, nor am I including the NLMA's letter of October 12 to Mr. Cliff, since you already have it.

Mr. Doyle, in his October 28 letter, raises four objections to your action of October 23 issuing regulations published in Federal Register in the administration of the forest development transportation system.

I would like your analysis and response to the four points raised by Mr. Doyle at your earliest convenience.

Sincerely,

WAYNE MORSE.

EXHIBIT 9

DEPARTMENT OF AGRICULTURE,
Washington, D.C.

Hon. WAYNE L. MORSE,
U.S. Senate.

DEAR SENATOR MORSE: In your letter of October 29 you ask for my comments on a letter of October 25 from the National Lumber Manufacturers Association to you. The letter questions a regulation published in the Federal Register on October 23 dealing with cooperative road aspects of access to the national forests.

Representatives of the National Lumber Manufacturers Association, at the request of the association, met with the Forest Service on November 9 to discuss the same subject. Simultaneously the association sent the Department a telegram, copy attached.

Mr. Robert Wolf attended the November 9 meeting. His participation was helpful and is appreciated. He may report to you on that meeting. In view of the several concurrent or related actions involved I think it is desirable to attach hereto our reply to the November 9 wire.

The purpose of the October 23 regulation is to facilitate the continuance of efforts to arrive at and carry out cooperative road agreements. Prior to the issuance of the

Attorney General's opinion, the Forest Service and a number of private road owners were entering into cooperative road agreements based upon the principles of reciprocity and despite the fact that they were not in any way required to do so. When the Attorney General's opinion was issued and we embarked upon the preparation of regulations, it was necessary for a short time to hold off action in situations where the Forest Service and private landowners were actually in agreement as to how to proceed. However, as soon as tentative agreement with the Department of the Interior on procedure was reached negotiations were resumed with the objective of making progress in developing access in a number of areas where action was urgent. I felt that it would be unfair to delay actions required to carry out the road agreements these people had entered into or desired to enter into and it was for this reason, and this alone, that the regulation issued on October 23 was promulgated.

In answer to the four points raised by the National Lumber Manufacturers Association, I would then point out the following:

(a) The Department appreciates the many comments that have been received on the discussion draft of the proposed regulations. These regulations have not yet reached a final draft state. The comments will be given full consideration in the development of the final road and right-of-way regulations implementing the Attorney General's opinion. I have tried to make clear to all concerned that the regulations published October 23 deals with a noncontroversial aspect of the access program, i.e., voluntary cooperative agreements.

(b) To the question that there is an emergency access problem created by the recent blowdown of timber in the northwest, the October 23 regulation probably will facilitate working out cooperative salvage efforts between the industry and the Forest Service in some situations. However, other provisions have been made for access for blowdown removal.

(c) The new regulation deals only with voluntary cooperative arrangements to meet mutual access needs. These are under principles and policies previously followed in working out such agreements and generally understood by the cooperators.

(d) The procedure adopted is a proper method of rulemaking. It does not in any way, as the National Lumber Manufacturers Association letter implies, jeopardize fundamental property values.

In my letter of September 20 to you, in the first section dealing with provisions for immediate access to timber, I pointed out at some length the policy that the Department intends to follow. I can only repeat again what was said then, i.e., "In the event the threat of destruction of the related forest resources is imminent, at the time of the application of a right-of-way, the permit would be granted immediately for the purpose of salvaging the affected timber. Typically, this would be timber infested with insects or dead timber which is threatened with rapid deterioriation." In light of these circumstances and in view of the fact that the National Lumber Manufacturers Association is quite well informed as to the intent and purposes of the regulation issued on October 23, 1962, I cannot agree that the action taken produces either the effect or the result set forth by the National Lumber Manufacturers Association.

I can assure you that in the process of developing the broader regulations I intend to adhere to the procedure I outlined to you in the last paragraph of my letter of September 20.

Sincerely yours,

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EXHIBIT 10

NOVEMBER 2, 1962.

HON JOHN A. CARVER, JR.,
Assistant Secretary of the Interior,
Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: I am sure you are aware of my long and active interest in access to public forest lands. On October 25, the National Lumber Manufacturers Association transmitted to me the attached material. I am particularly interested in an evaluation of the 12 points in the statement of principles for regulations governing access to private lands within the national forests which is attached to the NLMA's letter to Mr. Edward Cliff, Chief of the Forest Service, dated October 12.

Would you prepare for me a concise and detailed summary which describes how each of these principles is treated in the regulations of the Department of the Interior for access to the Oregon and California lands? On each point, I would like to have attached, or appropriately shown, the text of the Bureau of Land Management regulations which treats each point and subpoint, as well as your statement, on the manner in which the Department of the Interior has handled these principles.

If the principle is not embodied in the Department's regulations, it would be most helpful to me if I could have a statement indicating why it is not included.

In view of the importance of this matter, I would appreciate it if I could have your reply as soon as convenient. Also, would you kindly send a copy of your reply to Assistant Secretary of Agriculture Baker?

With appreciation and thanks for your fine work in Portland this week.

Sincerely,

WAYNE MORSE.

EXHIBIT 11

NOVEMBER 2, 1962.

Mr. JOHN A. BAKER,
Assistant Secretary of Agriculture,
Department of Agriculture,
Washington, D.C.

DEAR MR. BAKER: With reference to the material submitted to me on access to national forests by the National Lumber Manufacturers Association which I have transmitted to you under date of October 29, dealing with another facet of the matter, I am forwarding a copy of my letter to Assistant Secretary of the Interior Carver. I am asking the Secretary of Interior to furnish you with a copy of his reply to me.

Sincerely,

WAYNE MORSE.

EXHIBIT 12

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 25, 1963.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: This is in reply to your letter of November 2, 1962 in which you request a summary as to how the Oregon and California right-of-way regulations treat the 12 points in the Statement of Principles for Regulations Governing Access to Private Lands Within the National Forests which was attached to a letter dated October 12, 1962, from the National Lumber Manufacturer's Association to Mr. Edward Cliff, Chief of the Forest Service. You ask that we attach or appropriately show the text of the Oregon and California right-of-way regulation which treats with each of the points or subpoints as well as our statement as to how this Department handles these principles.

It is appropriate to observe that the Oregon and California right-of-way regulations have been developed over a period of years to deal with the management of a particular portion of the lands administered by this Department. It would not be proper for us to suggest that these regulations would be adequate to meet circumstances involved in the management of all national forest lands. The scope of the right-of-way problems confronting the Forest Service may be far different. However, to the extent our experience can be helpful in evaluating the statement of principles, we are pleased to record it.

For convenience and ready reference we are enclosing a copy of the Oregon and California right-of-way regulations as they appeared in the Federal Register on December 23, 1954. This copy includes all of the amendments to the regulations that were made prior to December 23, 1954. Also attached are circulars 1954, 2038, and 2049 which show all of the amendments that have been made to the regulations since December 23, 1954. We will quote each principle in the order listed in the Statement of Principles and then describe how the principles is treated in the Oregon and California right-of-way regulations or is otherwise handled by this Department.

"1. Every landowner or possessor of interests in realty whose property is so located as to require access across national forest lands to reach and manage such property should be given access."

Prior to the adoption of the Oregon and California right-of-way regulations it was the practice of this Department to grant a right-of-way across Oregon and California lands upon request of the owner of the intermingled land. This practice was changed upon the promulgation of the Oregon and California right-of-way regulations on April 5, 1950. Since that time it has been the practice of this Department to require a reciprocal grant from the owner of intermingled land if such a reciprocal grant is necessary for the management of Oregon and California lands. Section 115.155(d) and section 115.162 of the Oregon and California right-of-way regulations set forth the rules which govern this requirement. Although access across Oregon and California land may be conditioned upon a reciprocal grant, no intermingled landowner is denied access to his own land.

"2. Existing access rights evidenced by such documents as stipulations governing exercise of rights of ingress and egress and by special use permits should be protected."

This Department has not granted access rights across Oregon and California lands by such documents as stipulations governing exercise of rights of ingress and egrees or by special use permits and, therefore, this principle was not treated in the Oregon and California right-of-way regulations.

"3. Grants of access across national forest lands should be given promptly, for the purpose and duration requested, and should be appurtenant to the lands served."

This principle is partially treated in section 115.164 of the Oregon and California right-of-way regulations where it is provided that the term of the right-of-way permit "will normally be coincident with the probable period of use for the removal of forest products by the permittee and any successor in interest of the various portions of the right-of-way requested."

There is no requirement in the Oregon and California right-of-way regulations which provides that the right-of-way permit should be granted promptly or that the right-of-way should be appurtenant to the land served. It is the practice of this Department to grant a right-of-way across Oregon and California lands as promptly as circumstances will permit. There have been instances where the area under negotiation has covered several townships and it is obviously a time-consuming job to perform the necessary fieldwork concerning the value and ownership of existing roads and to agree on the many terms and conditions with respect to the location, specifications, maintenance and use of roads to be constructed in the future. Excessive delay, however, can be avoided by granting a short-term permit under section 115.155(h). This makes it possible for the operator to have access while the details of the reciprocal agreement are being negotiated.

If it is intended that a grant of an easement amounting to a title interest in land shall be appurtenant to the land served by such easement in a way that title to the land served shall always carry with it title to the easement, this situation does not arise in Oregon and California land. Section 115.157 of the Oregon and California regulations provides that a right-of-way permit across Oregon and California lands is a nonexclusive license, even though in perpetuity, and not a title interest in land.

"4. If the Forest Service has authority to issue rules and regulations governing access, such rules and regulations, including charges, if any, should be certain, definite, and uniformly applicable to all users. Maintenance and road use fees collected should be expended on or credited to the roads for which collected."

The Oregon and California right-of-way regulations do not authorize the Bureau of Land Management to issue rules and regulations governing access to Oregon and California lands. This authority is retained by the Secretary of the Interior.

Section 115.171 specifies the charges that must be collected for the use of Oregon and California roads and rights-of-way. Section 115.174 sets forth the requirements with respect to maintenance and other similar matters. These sections are uniformly applicable to all private timber haulers. Section 115.171 and section 115.174 were amended in 1956 and 1960 as indicated by the enclosed circulars Nos. 1954, 2038, and 2049.

The Oregon and California right-of-way regulations do not require that maintenance and road use fees be expended or credited to the roads for which the fees were collected. It is our practice, however, to credit road use fees to the road or road system for which they are collected. This is not always true with respect to maintenance fees. Maintenance of the major Oregon and California road systems is carried on by crews of the Bureau of Public Roads. Each crew has a series of roads within a maintenance unit to keep in repair. The expenses of these crews, together with the material purchased for necessary maintenance, are charged to that particular series of roads within the maintenance unit and are collected from the users of such roads on a rate per thousand per mile which is adequate to recover the maintenance expenses. An arrangement whereby the maintenance fees must be collected and expended on precisely the same road would be difficult to administer and greatly increase overhead expenses in that it would require a separate accounting arrangement for each road or segment of road that is being used by each log hauler within the maintenance unit.

"5. In those instances where the Forest Service has authority to place certain access roads in restricted use categories, it should announce a policy for so doing. National forest roads, not restricted to special uses, should be available without charge to all users."

The Oregon and California right-of-way regulations do not authorize the classification of roads for special uses. There are no special use roads or special service roads administered by this Department in the Oregon and California area. Charges for use of roads by a private timber operator in the Oregon and California area administered by this Department are governed by section 115.171.

"6. Each road use should bear only its proportionate share of road costs."

The present section 115.171(b) contemplates that the road costs will be amortized on the basis that each timber owner who uses the road will pay his proportionate share of the road costs. For example, if company A owns 25 percent of the timber tributary to a road and the road costs amount to $1 million, company A's proportionate share of the road costs would be $250,000. We are presently considering amending section 115.171(b) to take into account other uses when we determine a timber owner's proportionate share of the road costs. This amendment will be published in the Federal Register under proposed rulemaking in the near future.

"7. Disagreement over operating problems should be settled by an appeals procedure such as that requested in the August 9, 1962, letter to the Secretary of Agriculture on the lumber industry four-point program."

Section 115.179 of the Oregon and California right-of-way regulations authorizes an appeal to the Director of the Bureau of Land Management and to the Secretary of the Interior. Since the regulations were promulgated in 1950 there have been 12 appeals to the Director and 3 appeals from the Director to the Secretary. There are no appeals pending at the present time. Because of the concentrated geographical area covered, our experience thus far would indicate that the operating problems resulting from the Oregon and California right-of-way regulations can be resolved fairly and promptly without the establishment of the appeals procedure that was suggested in the August 9, 1962, letter to the Secretary of Agriculture. This appeals procedure contemplated the establishment of a trial board within each Forest Service region to hear disputes between the Forest Service and the operators, and the establishment of a review board in Washington, D.C., to hear appeals from the trial boards.

"8. Where the Forest Service seeks to condition access to private land on the grant of a reciprocal right from an applicant for access, such right shall be limited to the same road system for which the applicant seeks rights, to substantially similar values, to like property interests, and to a like term."

This principle is partially treated in sections 115.162 and 115.164 of the Oregon and California right-of-way regulations. Section 115.162(b) authorizes the obtaining of reciprocal rights in any Oregon and California area where access is being unreasonably denied by the applicant for a right-of-way across Oregon and California lands. In other words, the Bureau of Land Management may require reciprocal rights in a drainage other than the drainage of which the applicant has requested a right-of-way across Oregon and California lands. This authority, however, has never been exercised by the Bureau. The negotiation of a reciprocal right-of-way and road use agreement for only one drainage is ordinarily very complex and time-consuming and it would only compound the problems to tie an agreement in one drainage to an agreement in a different drainage. Moreover, the Bureau may initiate condemnation proceedings in those instances where a landowner unreasonably denies access to Oregon and California lands.

There is nothing in the Oregon and California right-of-way regulations which restricts the obtaining of reciprocal rights "to substantially similar values, to like property interests, and to a like term." It has been our practice to exchange bare rights-of-way without regard to value or length. Road use rights, however, are exchanged on the basis of equal use value in accordance with the last proviso of section 115.171(b). (Circular 1954.) In most instances the road use values in a particular drainage will not be equal and, therefore, one of the parties must agree to pay the other party a specified amount of money to take care of the balance.

The type of property interest that is granted across Oregon and California lands is treated in section 115.157. This section provides that a right-of-way permit across Oregon and California lands is a nonexclusive license and not an easement. However, the permit is for a specified period of time and can only be terminated for the reasons set forth in section 115.176.

The permit therefore creates certain contractual rights which are similar to the rights which the Bureau obtains from the applicant.

The term of the reciprocal rights is treated in section 115.164 of the regulations. It specifies that the term "will normally be coincident with the probable period of use for the removal of forest products." It has been our practice in recent years, however, to enter into reciprocal right-of-way and road use agreements on a perpetual basis since the Oregon and California lands are managed under a perpetual sustained yield program.

"9. In the event of disagreement as to whether value of the right being sought by the Forest Service is reciprocal, the Forest Service should within a reasonable time exercise its right of eminent domain to determine the true value."

The Oregon and California right-of-way regulations do not incorporate this principle. Our experience indicates that this principle is not necessary in order to resolve any disagreement as to value. Since the promulgation of the regulations in 1950 there have been 202 reciprocal agreements entered into which involved the determination of road values. Thus far no appeals have been taken to the Director of the Bureau of Land Management or to the Secretary of the Interior concerning values that have been placed on roads over which the Bureau was seeking to obtain reciprocal rights. One of the methods that the Bureau has used to avoid disagreements of this type is to request the Bureau of Public Roads to make the value determination on the more expensive private roads.

"10. Where requested, temporary access should be granted during negotiations for a joint road system. Investments made under such temporary rights should be protected, and the road owner should be compensated for temporary use of the road."

This principle is treated in section 115.155(h) of the Oregon and California right-of-way regulations. Short-term access is sometimes requested by the owner of the intermingled lands where the terms and conditions of the reciprocal right-of-way and road use agreement cannot be readily negotiated. Such requests are granted under the authority contained in section 115.155(h). When the terms and conditions of the reciprocal right-of-way and road use agreement are finally agreed upon, the investments that were made under the short-term grant are recognized. A road owner is entitled to compensation for any use of his road, including temporary use, under sections 115.166 and 115.167, unless, of course, the parties have agreed on an exchange of road use under the last proviso of section 115.171(b), (circular 1954).

"11. The Forest Service should acquire only temporary or periodic use access rights where adequate to meet national forest management objectives."

This principle is partially treated in section 115.164 of the Oregon and California right-of-way regulations where it is stated that "* * * the duration of such rights received by the United States will normally be coincident with the probable period of use for the removal of forest products, by the United States and its existing and prospective licensees, of such roads, rights-of-way, and lands."

It has been our practice in recent years to enter into reciprocal right-of-way or road use agreements on a perpetual basis because the Oregon and California lands are being managed under a perpetual sustained yield program.

Principle numbered 12 is divided into 14 points which are identified by the letters (a) through (n). We will first quote and discuss principle 12 and point (a) and later quote and discuss the remaining points in the order listed.

"12. The Forest Service should recognize that there are instances when negotiated road agreements between itself and other parties will better satisfy all parties' access requirements. The Forest Service should also recognize the need to provide a fair, sound, and mutually beneficial basis for any such agreement. Accordingly, the Forest Service should be guided by the following principles in addition to those listed above when it seeks to consummate joint use, construction, control and maintenance agreements governing access across its lands and lands of others served by a single road system:

"(a) The Forest Service should recognize the right of the party having the principal investment in a road to control it. Control should include the right to prescribe reasonable operating rules and regulations, including the creation of adequate indemnity by bond or otherwise, and requiring general liability insurance in amount and scope consistent with industry practice."

This principle is treated in section 115.155(b) where it is recognized that joint use of timber access roads is to the mutual benefit of the Federal Government and the owners of the intermingled lands. Point (a) is partially treated in section 115.155(e) and section 115.166 where it is provided that the owner of a road may prescribe reasonable road operating rules and may require other users to furnish adequate security and to carry liability insurance. There is no provision in the Oregon and California right-of-way regulations which requires this Department to recognize the right of the party having the principal investment in a road to control it. It has been our practice, however, to allow the party that owns a road to prescribe the road rules and regulations. In order to preclude such rules and regulations from being unreasonable, the reciprocal agreement usually includes a provision requiring that the road rules and regulations be made applicable to all users, including the owner of the road. The reciprocal agreement also includes a provision which specifies the exact amount and scope of the general liability insurance and performance bond which must be carried by each user of the roads. The amount and scope of the insurance and bond is mutually agreed upon and is consistent with the industry practice.

"(b) The parties' respective investments in existing roads should be recognized."

This point is treated in sections 115.165, 115.166, and 115.171(b). These sections contemplate that the replacement cost of an existing road will be agreed upon and that each party will pay for his proportionate share of the costs according to his proportionate share of timber that has been removed over the road or will probably be removed over the road. If one of the parties has made all the investment in the road, he, of course, will be entitled to collect road use fees from the other party until such party's proportionate share of the road costs are paid.

"(c) All road users should be required to obtain a permit from the road owner prior to commencement of use. Such permit should contain terms and conditions of use which should be detailed at the time the joint road agreement is negotiated."

There is no provision in the Oregon and California right-of-way regulations which requires all road users to obtain a permit from the road owner prior to commencement of use. It has been the practice in recent years, however, to require our timber sale purchasers to enter into a license agreement with the owner of a road prior to using the road. The terms and conditions of such license agreement are negotiated at the same time that the reciprocal right-of-way and road use agreement is negotiated. The terms and conditions of the license agreement cannot be changed without the approval of the Bureau of Land Management. This arrangement has worked very satisfactorily and provides adequate protection for all the parties involved.

"(d) Grants of right-of-way should be mutual with respect to their terms and conditions, including reservations, and with respect to their duration."

There is no Oregon and California right-of-way regulation which incorporates this principle. However, the reciprocal right-of-way and road use agreements which are negotiated under the authority of 115.165 are generally mutual with respect to their terms and conditions, reservations and duration.

"(e) The agreement should be certain, definite and specific as to: (i) The road or road system of all parties which each will have the right to use; (ii) the lands of all parties from which forest products or other materials may be taken out over the roads subject to the agreement; (iii) the extent to which overhead costs are to be recognized in both construction and maintenance; and (iv) the procedure to be followed for reversion upon abandonment."

This principle is partially treated in sections 115.165 and 115.166. Prior to 1957, most of the reciprocal right-of-way and road use agreements were arbitration type agreements as contemplated under section 115.166. This type of agreement was not definite and specific as to the proportionate share of the road costs to be paid for by each party, road use fees, liability insurance, security bonds and other similar matters. The agreements merely exchanged rights-of-way and road use in a particular area and if a purchaser of Oregon and California timber desired to use a privately owned road in the area, he was required to negotiate the terms and conditions of the road use with the owner.

If the purchaser and the owner could not agree on the terms and conditions the dispute would be submitted to a board of arbitration for settlement.

The arbitration type agreements did not prove to be entirely satisfactory. Prospective purchasers of government timber were unable to find out what the road costs would be prior to bidding on Oregon and California timber and, therefore, had a tendency to assume the most unfavorable conditions in determining the amounts they could bid. In addition there were instances where private road owners would continue to charge Oregon and California timber purchasers for road use even after the government's proportionate share had been paid for in full. For these reasons no arbitration type agreements have been entered into since 1957. Since that time the terms and conditions of the reciprocal right-of-way and road use agreements have been more detailed as contemplated by section 115.165. These agreements are definite and specific as to the roads which each party has the right to use, as well as the proportionate shares of the road costs, road use fees, maintenance fees, liability insurance, performance bonds, operating rules and other similar matters.

The agreements are not definite and specific as to "the lands of all parties from which forest products or other material may be taken out over the road subject to the agreement." The lands of each party to the agreement over which rights-of-way are exchanged are listed and, of course, the agreement provides that the forest products from such lands of either party must be taken out over the roads within the agreement area. It is impossible to be definite and specific with respect to the lands that are owned by third parties within the agreement area because such third parties may or may not at some future date enter into an agreement with the owner of the road for the removal of forest products from such lands.

It has been our practice in recent years to include a provision in the agreement which recognizes the extent to which overhead costs are to be added to construction costs. We have not included a provision concerning the extent that overhead costs are to be included in maintenance expenses because such costs are usually quite nominal.

There is no provision in the Oregon and California right-of-way regulations relating to reversion of the right-of-way upon abandonment and no provision concerning this point has been included in the reciprocal right-of-way and road use agreements. Abandonment involves an intention to relinquish ownership and it is doubtful that any officer of this Department has the authority to relinquish the ownership of Government property without specific statutory authority. See 22 Comp. Gen. 563, where it is stated as follows at page 564: "Article IV, section 3, clause 2 of the Constitution of the United States provides that: The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States * * *. The courts uniformly have held that such provision confers on Congress exclusive jurisdiction to dispose of the land or other property of the United States and that there is no power in the head of an executive department of the Government to take such action without specific legislative authority therefor. *United States* v. *Nicoll*, 1 Paine (U.S.) 646 (Fed. Case 15879); *Irvine* v. *Marshall*, 20 Howard 558; *Wisconsin R. Co.* v. *Price County*, 133 U.S. 496; *Light* v. *United States*, 220 U.S. 523; *United States* v. *Forbes*, 259 F. 385. To the same effect are the decisions of this office, see 14 Comp. Gen. 169; 15 *id.* 96."

"(f) Where a change in private road status causes economic loss by limiting the uses of the road, the road owner should be compensated."

This point is partially treated in section 115.162(a)(2) where it is provided that a private road owner shall be paid "fair compensation" for the use of his road. In the agreements that have been executed under the authority of sections 115.165 and 115.166, fair compensation has been construed to mean the payment of the Government's proportionate share of the road costs.

"(g) Existing reserved rights of use should be protected. Moreover, conditions agreed upon at the time a right-of-way agreement is entered should not be subject to change by future regulations."

There is no Oregon and California right-of-way regulation which incorporates this point. Generally, our practice has been that we would enter into an agreement where there are existing reserved rights so long as such rights did not interfere with the access rights to be granted to the Government and the Government's timber purchasers.

Right-of-way agreements are not subject to change by future regulations except as provided in section 115.174(a)(1) and section 115.175. In section 115.174(a)(1) the grantee of a permit must agree to comply with future regulations relating to the use of roads by properly licensed hunters and fishermen and other recreationists who desire access to Government lands. In section 115.175 it is provided that when a permit is assigned, the assignee must agree to comply with the regulations which are in effect on the date of the approval of the assignment.

"(h) In appropriate instances, a road owner should be entitled to an amount equivalent to interest on any unamortized investment remaining in a road system."

Section 115.166(b) contemplates that when a private road is used the owner may collect "a reasonable interest allowance" on any unamortized portion of the Government's proportionate share of the road costs, and section 115.171(b) contemplates that when a Government road is used the Government may collect "a reasonable interest allowance" or any unamortized portion of the private party's proportionate share of the road costs. Our practice in recent years is to add 3 percent to the amortization rate regardless of whether the road is a private road or a Government road.

"(i) Traffic rules shall be determined by mutual agreement subject to the party having the greater investment making the final decision."

Our practice with regard to this point was described under 12(a) above.

"(j) Maintenance and road use fees collected from purchasers of national forest timber should be applied to the roads for which collected."

This point was discussed under principle No. 4 above.

"(k) Easements and other road use rights should be appurtenant to the lands served."

This point was discussed under principle No. 3 above.

"(l) Road replacement cost for each user should be determined at the time such user first removes logs."

This point is not included in the Oregon and California right-of-way regulations. Generally our practice has been to agree on the replacement costs of existing roads at the time the agreement is executed. With respect to roads to be constructed in the future, the agreement generally includes a provision to the effect that the replacement costs of the road shall be determined in accordance with a specified formula at the time the user first removes logs.

"(m) The amortization share allocated to timber volume should be based upon the total merchantable timber tributary to a particular road, including the volume merchantable at the time the road was constructed and the volume which will become merchantable during the payout period."

This point is treated in section 115.166(b) and section 115.171(b). These sections state that the amortization rate shall be determined by taking into account "the probable period of time, past and present, during which such road may be in existence and the volume of timber which has been moved and the volume of timber, currently merchantable, which probably will be moved from all sources over such road." In negotiating agreements it has been our practice to determine the volume of timber that has moved over a road and add it to the volume of timber that is currently merchantable which probably will move over the road. This total volume makes up the timber tributary to the road. By dividing this total volume into the replacement costs of the road, an amortization rate is determined. As the timber is moved out over the road, the road owner is entitled to collect this amortization rate plus a 3-percent interest allowance until the road user's proportionate share is paid.

The road user's proportionate share of the road costs is the same as his proportionate share of the tributary timber. In determining each user's proportionate share of an existing road, we do not take into account "the volume which will become merchantable during the payout period." Instead, we use the volume that is "currently merchantable" at the time the agreement is entered into, plus the volume that has been moved over the road in the past. These items can be ascertained with reasonable accuracy but it would be difficult to determine what volume may become merchantable during the payout period. The payout period may be long or short depending upon the rate of removal. This is controlled by market conditions and other factors that cannot be predicted.

"(n) A party should be required to share in the cost of a joint road only to the extent it is constructed to a standard adequate to serve his particular needs."

This point is not included in the Oregon and California right-of-way regulations. However, the regulations contemplate that a party will not be required to pay for a road unless he actually uses it (sec. 115.155(e), sec. 115.166, and sec. 115.171(b)). The agreements we enter into frequently contain a provision relating to the road standards in order to avoid the building of the road that is not adequate to serve the needs of one of the parties.

We hope the foregoing is the information you desire. We shall be glad to be of any further assistance that you might desire.

Sincerely yours,

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

EXHIBIT 13

[From the Federal Register, Dec. 23, 1954]

PERMITS FOR RIGHTS-OF-WAY FOR LOGGING ROADS

AUTHORITY: §§115.154 to 115.170 issued under 28 Stat. 635, as amended, sec. 11, 39 Stat. 223, sec. 6, 40 Stat. 1181, sec. 5, 50 Stat. 875; 43 U.S.C. 956, 1181c.

§ 115.154 *Statutory authority.* (a) The act of January 21, 1895 (28 Stat. 635, 43 U.S.C. 956) authorizes the Secretary of the Interior under such regulations as may be fixed by him to permit the use of rights-of-way over the public lands of the United States, for tramroads to the extent of 50 feet on each side of the center line of the tramroad, by any citizen or association of citizens of the United States, engaged in the business of mining, or quarrying or of cutting timber and manufacturing timber. The act of January 21, 1895, is made applicable to the Revested Oregon and California Railroad and the Reconveyed Coos Bay Wagon Road Grant Lands by the acts of June 9, 1916 (39 Stat. 218) and February 26, 1919 (40 Stat. 1179), respectively.

(b) The act of August 28, 1937 (50 Stat. 874) provides for the conservation and management of the O. and C. lands and authorizes the Secretary of the Interior to make rules and regulations in furtherance of such purposes.

§ 115.155 *Statement of policy.* (a) The intermingled character of the O. and C. lands presents peculiar problems of management which require for their solution the cooperation between the Federal Government and the owners of the intermingled lands, particularly with respect to timber roads.

(b) It is well established that the value of standing timber is determined in significant part by the cost of transporting the logs to the mill. Where there is an existing road which is adequate or can readily be made adequate for the removal of timber in the area, the failure to make such road available for access to all the mature and overmature timber it could tap leads to economic waste. Blocks of timber which are insufficient in volume or value to support the construction of a duplicating road may be left in the woods for lack of access over the existing road. Moreover, the duplication of an existing road reduces the value of the federal and other timber which is tapped by the existing road.

(c) It is also clear that the Department of the Interior, which is responsible for the conservation of the resources of the O. and C. lands and is charged specifically with operating the timber lands on a sustained-yield basis, must have access to these lands for the purpose of managing them and their resources. In addition, where the public interest requires the disposition of federal timber by competitive bidding, prospective bidders must have an opportunity to reach the timber to be sold. Likewise, where other timber is committed by cooperative agreement to coordinated administration with timber of the United States, there must be access to both.

(d) Accordingly, to the extent that in the judgment of the authorized officer it appears necessary to accomplish these purposes, when the United States, acting through the Bureau of Land Management, grants a right-of-way across O. and C. lands to a private operator, the private operator will be required to grant to the United States for use by it and its licensees (1) rights-of-way across lands controlled directly or indirectly by him; (2) the right to use, to the extent indicated in §§ 115.163 and 115.164, any portions of the road system or rights-of-way controlled directly or indirectly by the private operator which is adequate or can economically be made adequate to accommodate the probable normal requirements of both the operator and of the United States and its licensees, and which form an integral part of or may be added to the road system with which the requested right-of-way will connect; (3) the right to extend such road system across the operator's lands to reach federal roads or timber; and (4) in addition, in the limited circumstances set forth in § 115.162(b), the right to use certain other roads and rights-of-way. The permit will describe by legal subdivisions the lands of the operator as to which the United States receives rights. In addition, the extent and duration of the rights received by the United States will be specifically stated in the permit and ordinarily will embrace only those portions of such road system, rights-of-way and lands as may be actually needed for the management and removal of federal timber, or other timber committed by a cooperative agreement to coordinated administration with timber of the United States.

(e) When the United States or a licensee of the United States uses any portion of a permittee's road system for the removal of forest products, the permittee will be entitled to receive just compensation, including a fair share of the maintenance and amortization charges attributable to such road, and to prescribe reasonable road operating rules, in accordance with §§ 115.165 to 115.169.

(f) As some examples of how this policy would be applied in particular instances, the United States may issue a permit under §§ 115.154 to 115.179 without requesting any rights with respect to roads, rights-of-way or lands which the authorized officer finds will not be required for management of or access to federal timber, or timber included in a cooperative agreement. Where, however, the authorized officer finds that there is a road controlled directly or indirectly by the applicant, which will be needed for such purposes and which he finds either has capacity to accommodate the probable normal requirements both of the applicant and of the Government and its licensees, or such additional capacity can be most economically provided by an investment in such road system by the Government rather than by the construction of a duplicate road, he may require, for the period of time during which the United States and its licensees will have need for the road, the rights to use the road for the marketing and management of its timber and of timber included in a cooperative agreement in return for the granting of rights-of-way across O. and C. lands, and an agreement that the road builder will be paid a fair share of the cost of the road and its maintenance. Where it appears to the authorized officer that such a road will not be adequate or cannot economically be enlarged to handle the probable normal requirements both of the private operator and of the United

States and its licensees, or even where the authorized officer has reasonable doubt as to such capacity, he will not request rights over such a road. Instead, the Bureau will make provision for its own road system either by providing in its timber sale contracts that in return for the road cost allowance made in fixing the appraised value of the timber, timber purchasers will construct or extend a different road system, or by expending for such construction or by extension monies appropriated for such purposes by the Congress, or, where feasible, by using an existing duplicating road over which the Government has obtained road rights. In such circumstances, however, road cost and maintenance allowances made in the stumpage price of O. and C. timber will be required to be applied to the road which the Bureau has the right to use, and thereafter will not in any circumstances be available for amortization or maintenance costs of the applicant's road.

(g) When a right-of-way permit is issued for a road or road system over which the United States obtains rights of use for itself and its licensees, the authorized officer will seek to agree with the applicant respecting such matters as the time, route, and specifications for the future development of the road system involved; the portion of the capital and maintenance costs of the road system to be borne by the timber to be transported over the road system by the United States and its licensees; a formula for determining the proportion of the capacity of the road system which is to be available to the United States and its licensees for the transportation of forest products; and other similar matters respecting the use of the road by the United States and its licensees and the compensation payable therefor. To the extent that any such matter is not embraced in such an agreement, it will be settled by negotiation between the permittee and the individual licensees of the United States who use the road, and, in the event of their disagreement, by private arbitration between them in accordance with the laws of the State of Oregon.

(h) The authorized officer may, in his discretion, issue short term, right-of-way permits for periods not exceeding three years, subject to one-year extensions in his discretion. Such permits shall specify the volume of timber which may be carried over the right-of-way and the area from which such timber may be logged. The permits shall be revocable by the district forester, the State supervisor, the area administrator, the Director, or the Secretary for violation of their terms and conditions or of these regulations or if hazardous conditions result from the construction, maintenance or use of the rights-of-way by the permittees or those acting under their authority. As a condition for the granting of such permits the applicant must comply with § 115.162 (a) and (d) to the extent that rights-of-way and road use rights are needed to remove government timber offered for sale in the same general area during the period for which the short term rights-of-way is granted.

(i) The authorized officer may, in his discretion, issue to private operators rights-of-way across O. and C. lands, needed for the conduct of salvage operations, for a period not to exceed 5 years. A salvage operation as used in this paragraph means the removal of trees injured or killed by windstorms, insect infestation, disease, or fire, together with any adjacent green timber needed to make an economic logging show. As a condition of the granting of such rights-of-way, the operator will be required, when the authorized officer deems it necessary, to grant to the United States and its licensees for the conduct of salvage operations on O. and C. lands for a period not to exceed 5 years, rights-of-way across lands controlled directly or indirectly by him and to grant the right to use to the extent indicated in §§ 115.163 and 115.164 any portions of the road system controlled directly or indirectly by the private operator which is adequate or can economically be made adequate to accommodate the requirements of both the operator and of the United States and its licensees.

§ 115.156 *Definitions.* Except as the context may otherwise indicate, as the terms are used in §§ 115.154 to 115.179:

(a) "Bureau" means Bureau of Land Management.

(b) "Timber of the United States" or "Federal timber" means timber owned by the United States or managed by any agency thereof, including timber on allotted and tribal Indian lands in the O. and C. area.

(c) "Area Administrator" means the Area Administrator, Area 1, Bureau of Land Management, or his authorized representative.

(d) "State Supervisor" means the State Supervisor, Oregon, Bureau of Land Management, or his authorized representative.

(e) "Authorized Officer" means an employee of the Bureau of Land Management to whom has been delegated the authority to take action.

(f) "O. and C. lands" means the Revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant Lands, other lands administered by the Bureau under the provisions of the act approved August 28, 1937, and the public lands administered by the Bureau of Land Management which are in Oregon and in and west of Range 8 E., Willamette Meridian, Oregon.

(g) "District Forester" means a District Forester of the Bureau who is stationed in the O. and C. area.

(h) "Tramroads" include tramways, and wagon or motor-truck roads to be used in connection with logging, and the manufacturing of lumber; it also includes railroads to be used principally for the transportation, in connection with such activities, of the property of the owner of such railroad.

(i) "Managament" means police protection, fire presuppression and suppression, inspection, cruising, reforesting, thinning, stand improvement, inventorying, surveying, construction and maintance of improvements, disposal of land, the eradication of forest insects, pests and disease, and other activities of a similar nature.

(j) "Licensee" of the United States is, with respect to any road or right-of-way, any person who is authorized to remove timber or forest products from lands of the United States, or to remove timber or forest products from other lands controlled by a cooperative agreement to coordinated administration with the timber of the United States over such land or right-of-way while it is covered by an outstanding permit, or while a former permittee is entitled to receive compensation for such use under the provisions of these regulations. A licensee is not an agent of the United States.

(k) "Direct control" of a road, right-of-way, or land, by an applicant for a permit hereunder means that such applicant has authority to permit the United States and its licensees to use such road, right-of-way or land in accordance with §§ 115.154 to 115.179.

(l) "Indirect control" of a road, right-of-way, or land, by an applicant hereunder means that such road, right-of-way, or land, is not directly controlled by him but is subject to use by him or by:

(1) A principal disclosed or undisclosed, of the applicant; or

(2) A beneficiary of any trust or estate administered or established by the applicant; or

(3) Any person having or exercising the right to designate the immediate destination of the timber to be transported over the right-of-way for which application is made; or

(4) Any person who at any time has owned, or controlled the disposition of the timber to be transported over the right-of-way applied for, and during the 24 months preceding the filing of the application has disposed of such ownership or control to the applicant or his predecessor, under an agreement reserving or conferring upon the grantor the right to share directly or indirectly in the proceeds realized upon the grantee's disposal to third persons of the timber or products derived therefrom or the right to require ownership of control of all or any part of the timber prior to the time when it undergoes its first mechanical alteration from the form of logs; or

(5) Any person who stands in such relation with applicant that there is liability observance of arm's length bargaining in transactions between them relating to such road, rights-of-way, or lands.

§ 115.157 *Nature of permit.* (a) Permits for rights-of-way for tramroads, do not constitute easements, and do not confer any rights on the permittee to any material for construction or other purposes except, in accordance with the provisions of § § 115.174 and 115.178, such materials as may have been placed on such lands by a permittee. The permits are merely nonexclusive licenses to transport forest products owned by the permittee. Such permits may be canceled pursuant to § 115.176.

(b) A permittee may not authorize other persons to use the right-of-way for the transportation of forest products which are not owned by the permittee. Any person, other than the permittee or a licensee of the United States who desires to use the right-of-way for such purposes, is required to make application therefor and to comply with all the provisions of these regulations relating to applications and applicants: *Provided, however,* That upon the request of a permittee the authorized officer may, with respect to an independent contractor who desires to use such right-of-way for the transportation of forest products owned by such independent contractor and derived from timber or logs acquired by him from such permittee, waive the requirements of this sentence. Where the right-of-way involved has been substantially improved by the holder of an outstanding permit, any subsequent permit issued for the same right-of-way will be conditioned upon the subsequent permittee's agreement while the prior permit is outstanding, to be bound by the road rules of, and to pay fair compensation to, the prior permittee, such rules and compensation to be agreed upon by the prior and subsequent permittee in accordance with the procedures and standards established by the regulations in §§ 115.166, 115.168, and 115.169.

§ 115.158 *Filing of application.* (a) An application for a permit for a right-of-way over the O. and C. lands must be submitted in duplicate on Form 4–410 and filed in the office of the appropriate district forester. Application forms will be furnished upon request.

(b) Any application filed hereunder, including each agreement submitted by the applicant as a part thereof or as a condition precedent to the issuance of a permit, may be withdrawn by the applicant by written notice delivered to the appropriate district forester prior to the time the permit applied for has been issued to, and accepted by, the applicant.

§ 115.159 *Construction in advance of permit.* The authorized officer may grant an applicant authority to construct improvements on a proposed right-of-way prior to a determination whether the permit should issue. Such advance authority shall not be construed as any representation or commitment that a permit will issue. Upon demand by the authorized officer, the applicant will fully and promptly comply with all the requirements imposed under and by §§ 115.154 to 115.179. Advance construction will not be authorized unless and until applicant has complied with §§ 115.153, 115.161, 115.162, and 115.170.

§ 115.160 *Trespass.* The mere filing of an application under §§ 115.154 to 115.179 does not authorize the applicant to use the right-of-way in any manner or for any purpose until written permission therefor has been duly executed by the authorized officer and delivered to the applicant. Any unauthorized use of O. and C. land constitutes a trespass for which the trespasser is liable in damages to the United States. Where there has been such a trespass, no permit shall be issued to the alleged trespasser unless (a) the trespass claim is fully satisfied; or (b) the alleged trespasser files a bond conditioned upon payment of the amount of damages found by the State supervisor, or upon appeal by the Secretary of the Interior or his delegatee, to be due the United States; or (c) the State supervisor finds in writing that there is a legitimate dispute as to the fact of the alleged trespasser's liability or as to the extent of his liability and the trespasser files a bond guaranteeing payment of the amount found by a court of competent jurisdiction to be due the United States.

(CROSS REFERENCE: For disposal of timber or material to a trespasser, see § 288.11 of this chapter.)

§ 115.161 *Contents of application.* (a) An individual applicant and each member of any unincorporated association which is an applicant must state in the application whether he is a native born or a naturalized citizen of the United States. Naturalized citizens will be required to furnish evidence of naturalization pursuant to the provisions of Part 137 of this chapter.

(b) An application by a private corporation must be accompanied by two copies of its articles of incorporation, one of which must be certified by the proper official of the company under its corporate seal, or by the Secretary of the State where organized. A corporation organized in a State other than Oregon must submit a certificate issued by the State of Oregon attesting that the corporation is authorized to transact business within that State. The requirements of this paragraph shall be deemed satisfied if the corporation, having once filed the required documents, makes specific reference to the date and case number of such previous applications, states what changes, if any, have been made since the prior filings, and includes a statement that the right of the company to do business in the State of Oregon has not lapsed or terminated.

(c) Where the application is for a right-of-way on any portion of which the applicant proposes to construct a road, it must be accompanied by two copies of a map prepared on a scale of 4 inches or 8 inches to the mile, showing the survey of the right-of-way so that it may be accurately located on the ground. The map should comply with the following requirements, except as the authorized officer may waive in any particular instance all or any of such requirements:

"Courses and distances of the center line of the right-of-way should be given: the courses referred to the true meridian and the distance in feet and decimals thereof. The initial and terminal points of the survey must be accurately connected by course and distance to the nearest readily identifiable corner of the public land surveys, or, if there be no such corner within two miles, then connected to two permanent and prominent monuments or natural objects. All subdivisions of the public lands surveys, any part of which is within the limits of the survey, should be shown in their entirety, based upon the official subsisting plat with subdivisions, section, township, and range clearly marked. The width of the right-of-way should be given; and if not of uniform width, the locations and amount of change must be definitely shown. There shall also be a statement on the face of or appended to the map indicating the grade and usable width of the road to be constructed, the type of material which will be used for the surface, the type and extent of the drainage facilities, and the type of construction and estimated capacity of any bridges. The map should bear upon its face the statement of the person who made the survey, if any, and the certificate of the applicant; such statement and certificate should be as set out in Forms Nos. 4-411 and 4-412 respectively."

(d) Where the application is for the use of an existing road, a map adequate to show the location thereof will be required, together with a statement of the specific nature and location of any proposed improvements to such road. A blank map suitable for most cases may be procured from the appropriate district forester.

(e) Every application for a right-of-way must also be accompanied by a diagram indicating the roads and rights-of-way which form an integral part of the road system with which the requested right-of-way will connect, the portions of such road system which the applicant directly controls within the meaning of § 115.156(i), the portions thereof which the applicant indirectly controls within the meaning of § 115.156(j), and the portions thereof as to which the applicant has no control within the meaning of such sections. As to the portions over which the applicant has no control, he must furnish a statement showing, for the two years preceding the date of the filing of the application, all periods of time that he had direct or indirect control thereof, and the date and nature of any changes in such control. The diagram shall also contain the name of the person whom the applicant believes directly controls any portion of such road system which the applicant does not directly control. Where a right-of-way for a railroad is involved, the applicant must indicate which portions of the right-of-way will be available for use as truck roads upon the removal of the rails and ties and the probable date of such removal. Blank diagram forms, suitable for most cases, may be obtained from the appropriate district forester.

§ 115.162 *Right-of-way and road use agreement; recordation.* (a) Where, in the judgment of the authorized officer, it appears necessary in order to carry out the policy set forth in § 115.155, he may require the applicant, as a condition precedent to the issuance of the permit:

(1) To grant to the United States, for use by it and its licensees and permittees, rights-of-way across lands in the O. and C. area directly controlled by the applicant; and as to lands in such area which are indirectly controlled by him, either to obtain such rights for the United States or to make a showing satisfactory to the authorized officer that he has negotiated therefor in good faith and to waive as to the United States, its licensees and permittees any exclusive or restricted right he may have to such lands as are indirectly controlled by him.

(2) In addition, to agree to permit the United States and its licensees, upon the payment of fair compensation as hereinafter provided, to use under the terms and conditions of §§ 115.154 to 115.179, such portion as the applicant directly controls of the road system and rights-of-way which are an integral part of or may be added to the road system with which the right-of-way applied for will connect, and as to the portions of such road system or rights-of-way as the applicant indirectly controls, either to obtain such rights for the United States and its licensees or to make a showing satisfactory to the authorized officer that he has negotiated therefor in good faith and, in such latter circumstance, to waive as to the United States and its licensees any exclusive or restricted right he may have in such portion of the road system and rights-of-way.

(b) In addition to the private road systems and rights-of-way described in paragraph (a) of this section, in the event the applicant controls directly or indirectly other roads or rights-of-way in any O. and C. area where the authorized officer of the Bureau finds that, as of the time of filing or during the pendency of the application, the United States is unreasonably denied access to its timber for management purposes or where, as of such time, competitive bidding by all prospective purchasers of timber managed by the Bureau in the O. and C. area, or of other Federal timber intermingled with or adjacent to such timber, is substantially precluded by reason of the applicant's control, direct or indirect, of such roads or rights-of-way, the authorized officer may require the applicant to negotiate an agreement granting to the United States and its licensees the right to use, in accordance with the terms and conditions of §§ 115.154 to 115.179, such portion of such roads or rights-of-way as may be necessary to accommodate such management or competive bidding.

(c) Where, in the judgment of the authorized officer, it is consistent with the policy set forth in § 115.155, he may issue a permit without requesting the applicant to grant any rights to the United States under this section.

(d) Any grant of rights to the United States under this section shall be executed on Form 4-413, which shall constitute and form a part of any permit issued upon the application involved. The applicant shall record such agreement in the office of land records of the county or counties in which the roads, rights-of-way, or lands, subject to the agreement are located, and submit evidence of such recordation to the appropriate district forester.

§ 115.163. *Use by the United States and its licensees of rights received from a permittee.* The use by the United States and its licensees of any of the rights received from a permittee hereunder shall be limited to that which is necessary for management purposes, or to reach, by the most reasonably direct route, involving the shortest practicable use of the permittee's road system, a road or highway which is suitable for the transportation of forest products in the type and size of vehicle customarily used for such purposes and which is legally available for public use for ingress to and the removal of forest products from Government lands or from other lands during such priods of time as the timber thereon may be committed by a cooperative agreement to coordinated administration with timber of the United States. However, the type and size of vehicle which may be used by the licensee on the permittee's road shall be governed by § 115.165 or § 115.163.

§ 115.164. *Duration and location of rights granted or received by the United States.* The rights-of-way granted by the United States under any permit issued under § 115.173, subject to the provisions of § 115.176, will be for a stated term or terms which may vary for each portion of the right-of-way granted; such term or terms will normally be coincident with the probable period of use for the removal of forest products by the permittee and any successor in interest of the various portions of the right-of-way requested. In the same manner the permit will also state the duration of the rights of the United States to use and to permit its licensees to use and the location by legal subdivisions of, each of the various portions, if any, of the roads, rights-of-way, and lands which a permittee hereunder authorizes the United States and its licensees to use; and, similarly, the duration of such rights received by the United States will normally be coincident with the probable period of use for the removal of forest products, by the United States and its existing and prospective licensees, of such roads, rights-of-way, and lands.

§ 115.165 *Permittee's agreement with United States respecting compensation and adjustment of road use.* (a) Where the United States receives rights over any road, right-of-way, or lands, controlled directly or indirectly by a permittee, the authorized officer will seek to arrive at an advance agreement with the permittee respecting any or all of such matters as the time, route, and specifications for the development of the road system in the area; the total volume of timber to be moved over such road system, and the proportion of such timber which belongs to the United States or is embraced in a cooperative agreement for coordinated management with timber of the United States managed by the Bureau; the consequent proportion of the capital costs of the road system to be borne by such timber of the United States or embraced in such cooperative agreement; the period of time over, or rate at which, the United States or its licensees shall be required to amortize such capital costs; provisions for road maintenance; the use, in addition to the uses set forth in § 115.163, which the United States and its licensees may make at the road system involved; a formula for determining the proportionate capacity of the road system or portion thereof which shall be available to the United States and its licensees for the transportation of forest products; the amount and type of insurance to be carried and the type of security to be furnished by licensees of the United States who use such road; and such other similar matters as the authorized order may deem appropriate. To the extent necessary to fulfill the obligations of the United States under any such advance agreement, subsequent contracts for the sale of timber managed by the Bureau and tapped by such road system, and subsequent cooperative agreements for the coordinated management of such timber with other timber, will contain such provisions as may be necessary or appropriate to require such licensees to comply with the terms of the advance agreement. Where such an advance agreement between the United States and the permittee includes provisions relating to the route and specifications for extensions of the road system involved, the authorized officer may agree that upon the filing of proper applications in the future the applicant or his successor in interest shall receive the necessary permits for such road extensions as may cross lands managed by the Bureau: *Provided, however,* That the applicant shall have substantially complied with the terms of such advance agreement and of the outstanding permits theretofore issued to him.

(b) The provisions of §§ 115.166 to 115.169 shall not be applicable to any matters embraced in an agreement made pursuant to this section.

§ 115.166 *Agreements and arbitration between permittee and licensee respecting compensation payable by licensee to permittee for use of road.* (a) In the event the United States exercises the rights received from a permittee hereunder to license a person to remove forest products over any road, right-of-way, or lands, of the permittee or of his successor in interest, to the extent that such matters are not covered by an agreement under § 115.165, such licensee will be required to pay the permittee or his successor in interest such compensation and to furnish him such security, and to carry such liability insurance as the permittee or his successor in interest and the licensee may agree upon. If the parties do not agree, then upon the written request of either party delivered to the other party, the matter shall be referred to and finally determined by arbitration in accordance with the procedures established by § 115.169.

(b) The arbitrators shall base their award as to the compensation to be paid by the licensee to the permittee or his successor in interest upon the amortization of the replacement costs for a road of the type involved, including in such replacement costs an extraordinary cost peculiar to the construction of the particular road involved and subtracting therefrom any capital investment made by the United States or its licensees in the particular road involved or in improvements thereto used by and useful to the permittee or his successor in interest plus a reasonable interest allowance on the resulting cost figure, taking into account the risk involved, plus costs of maintenance if furnished by the permittee or his successor, including costs of gates and gateman. In arriving at the amortization item, the arbitrators shall take into account the probable period of time, past and present, during which such road may be in existence, and the volume of timber which has been moved and the volume of timber, currently merchantable, which probably will be moved from all sources over such road. The arbitrators shall also take into account the extent to which the use which the licensee might otherwise economically make of the road system is limited by § 115.163. In addition, the arbitrators may fix the rate at which payments shall be made by the licensee during his use of the road. The arbitrators shall require the licensee to provide adequate bond, cash deposit, or other security to indemnify the permittee or his successor in interest against failure of the licensee to comply with the terms of the award and against damage to the road not incident to normal usage, and for any other reasonable purpose, and also to carry appropriate liability insurance covering any additional hazard and risks which may accrue by reason of the licensee's use of the road.

(c) Where improvements or additions are required to enable a licensee to use a road or right-of-way to remove timber or forest products, the cost of such improvements will be allowable to the licensee.

(d) The full value at current stumpage prices will be allowable against a licensee for all timber to be cut, removed, or destroyed by the licensee on a permittee's land in the construction or improvement of the road involved.

§ 115.167 *Compensation payable by United States to permittee for use of road.* In the event the United States itself removes forest products over any road or right-of-way of the permittee or his successor in interest, the United States, if there has been no agreement under § 115.165 covering the matter, shall pay to the permittee or his successor in interest reasonable compensation as determined by the State supervisor, who shall base his determination upon the same standards established by §§ 115.154 to 115.179 for arbitrators in the determination of the compensation to be paid by a licensee to a permittee: *Provided, however,* That no bond or other security or liability insurance is to be required of the United States. When the United States constructs or improves a road on a permittee's land or right-of-way it shall pay to the permittee the full value at current stumpage prices of all timber of the permittee cut, removed, or destroyed in the construction or maintenance of such road or road improvements. Current stumpage prices shall be determined by the application of the standard appraisal formula, used in appraising O. and C. timber for sale, to the volume and grade of timber. Such volume and grade shall be determined by a cruise made by the permittee, or, at his request, by the authorized officer. If either the permittee or the authorized officer does not accept the cruise made by the other, the volume and grade shall be determined by a person or persons acceptable both to the permittee and the State supervisor.

§ 115.168 *Agreements and arbitration between permittee and licensee respecting adjustment of road use.* (a) When the United States exercises the right received under §§ 115.154 to 115.179 to use or to license any person to use a road of a permittee, the permittee or his successor in interest shall not unreasonably obstruct the United States or such licensee in such use. If there has been no agreement under § 115.165 covering such matters, the permittee shall have the right to prescribe reasonable operating regulations, to apply uniformly as between the permittee and such licensee, covering the use of such road for such matters as speed and load limits, scheduling of hauls during period of use by more than one timber operator, coordination of peak periods of use, and such other matters as are reasonably related to safe operations and protection of the road; if the capacity of such road should be inadequate to accommodate the use thereof which such licensee and permittee desire to make concurrently, they shall endeavor to adjust their respective uses by agreement.

(b) If the permittee and such licensee are unable to agree as to the reasonableness of such operating regulations or on the adjustment of their respective uses where the capacity of the road is inadequate to accommodate their concurrent use, then upon the written request of either party delivered to the other party, the matter shall be referred to and finally determined by arbitration in accordance with the procedures established by § 115.169.

(c) The arbritrators may make such disposition of a dispute involving the reasonableness of such operating regulations as appears equitable to them, taking into account the capacity and the construction of the road and the volume of use to which it will be subjected. In the determination of a dispute arising out of the inadequacy of the capacity of a road to accommodate the concurrent use by a permittee and a licensee, the arbitrators may make such disposition thereof as appears equitable to them, taking into account, among other pertinent facts, the commitments of the permittee and the licensee with respect to the cutting and removal of the timber involved and the disposition of the products derived therefrom; the extent to which each of the parties may practicably satisfy any of the aforesaid commitments from other timber currently controlled by him; the past normal use of such road by the permittee; the extent to which federal timber has contributed to the amortization of the capital costs of such road; and the extent to which the United States or its licensees have enlarged the road capacity.

§ 115.169 *Arbitration procedure.* (a) Within ten days after the delivery of a written request for arbitration under § 115.166 or § 115.168, each of the parties to the disagreement shall appoint an arbitrator and the two arbitrators thus appointed shall select a third arbitrator. If either party fails to appoint an arbitrator as provided herein, the other party may apply to a court of record of the State of Oregon for the appointment of such an arbitrator, as provided by the laws of such State. If within ten days of the appointment of the second of them, the original two arbitrators are unable to agree upon a third arbitrator who will accept the appointment, either party may petition such a court of record of the State of Oregon for the appointment of a third arbitrator. Should any vacancy occur by reason of the resignation, death or inability of one or more of the arbitrators to serve, the vacancy shall be filled according to the procedures applicable to the appointment of the arbitrator whose death, disability, or other inability to serve, created the vacancy.

(b) By mutual agreement, the parties may submit to a single arbitration proceeding controversies arising under both §§ 115.166 and 115.168.

(c) The arbitrators shall hear and determine the controversy and make, file, and serve their award in accordance with the substantive standards prescribed in §§ 115.166 and 115.168 for the type of controversy involved and in accordance with the procedures established by the laws of the State of Oregon pertaining to arbitration proceedings. A copy of the awards shall also be served at the same time upon the appropriate district forester or the State supervisor, either personally or by registered mail.

(d) Costs of the arbitration proceedings shall be assessed by the arbitrators against either or both of the parties, as may appear equitable to the arbitrators, taking into account the original contentions of the parties, the ultimate decision of the arbitrators and such other matters as may appear relevant to the arbitrators.

§ 115.170 *Payment required for O. and C. timber.* An applicant will be required to pay to the Bureau of Land Management, in advance of the issuance of the permit, the full stumpage value as determined by the authorized officer of the estimated volume of all timber to be cut, removed, or destroyed, on O. and C. lands in the construction or operation of the road.

§ 115.171 *Payment to the United States for road use.* (a) A permittee shall pay a basic fee of five dollars per year per mile or fraction thereof for the use of any existing road or of any road constructed by the permittee upon the right-of-way except that in those cases where the permittee has executed under § 115.162 an agreement respecting the use of roads, rights-of-way or lands, no such basic fee shall be paid. If the term of the permit is for five years or less, the entire basic fee must be paid in advance of the issuance of the permit. If the term of the permit is longer than five years, the basic fee for each five-year period or for the remainder of the last period, if less than five years, must be paid in advance at five-year intervals.

(b) In addition, where the permittee receives a right to use a road constructed or acquired by the United States, which is under the administrative jurisdiction of the Bureau of Land Management, he will be required to pay to the United States for the use thereof, except where he transports forest products purchased from the United States through the Bureau, a fee to be determined by the authorized officer who shall base his determination upon the amortization of the replacement costs for a road of the type involved, together with a reasonable interest allowance on such costs, plus costs of maintenance if furnished by the United States and any extraordinary costs peculiar to the construction or acquisition of the particular road. In arriving at the amortization item, the authorized officer shall take into account the probable period of time, past and present, during which such road may be in existence and the volume of timber which has been moved and the volume of timber, currently merchantable, which probably will be moved from all sources over such road. The authorized officer may fix the rate at which payments shall be made by the permittee during his use of the road: *Provided, however,* That this paragraph shall not apply where payment for such road use to another permittee is required under §§ 115.154 to 115.179.

§ 115.172 *Bond in connection with existing roads.* An applicant for a permit to use an existing Government road which is under the administrative jurisdiction of the Bureau for timber hauling purposes other than for federal timber acquired under a free-use permit, will be required, for the protection of such existing road, to execute a bond on Form 4-414 in an amount to be determined by the authorized officer but in no event less than five hundred dollars ($500) per mile or fraction thereof, conditioned on compliance with §§ 115.154 to 115.179 and the terms and conditions of the permit.

§ 115.173 *Approval of permit.* (a) Upon the applicant's compliance with the appropriate provisions of §§ 115.154 to 115.179 and if it is determined that the approval of the application will be in the public interest, the authorized officer may, in his discretion, issue an appropriate permit, upon Form 4-415.

(b) The authorized officer may waive the requirements of §§ 115.161 (c) and (e) and 115.172, in the case of a natural person who applies for a right-of-way for not to exceed a period of twelve weeks. Not more than one such waiver shall be allowed in each consecutive twelve calendar months on behalf of or for the benefit of the same person.

§ 115.174 *Terms and conditions of permit.* (a) As to all permits: Every permittee shall agree:

(1) To comply with the applicable regulations in effect as of the time when the permit is issued and, as to the permittee's roads as to which the United States has received rights under § 115.162, with such additional regulations as my be issued from time to time relating to the use of roads for the purpose of access by properly licensed hunters and fishermen and by other recreationalists to lands of the United States in the O. and C. area which are suitable for such recreational purposes, where such use will not unreasonably interfere with the use of the road by the permittee for the transportation of forest products or unduly enhance the risk of fire, collision, or other hazards on such road and on lands in the vicinity thereof. If, notwithstanding the request of the authorized officer that the permittee allow use of a road in conformity with such additional regulations, the permittee shall unreasonably withhold his assent, the authorized officer shall refer the disagreement through the proper channels to the Director of the Bureau for his consideration, and, if the Director concurs in the conclusion of the authorized officer and if the matter is still in dispute, he shall refer the matter to the Secretary of the Interior for his consideration. In the event of the Secretary's concurrence in the conclusions of the authorized officer and, if the permittee nevertheless unreasonably withholds such assent, the United States may institute such judicial proceedings as may be appropriate to enforce said regulations.

(2) Not to cut, remove, or destroy any timber not previously purchased on the right-of-way without having first obtained specific authority from the district forester and making payment therefor.

(3) To take adequate precaution to prevent and suppress forest, brush, and grass fires; to endeavor with all available personnel to suppress any fire originating on or threatening the right-of-way; to do no burning on or near the right-of-way without State permit during the seasons that permits are required but in any event to set no fire on or near the right-of-way that will result in damage to any natural resource or improvement.

(4) To submit to arbitration proceedings and to be bound by the resulting arbitral awards, pursuant to §§ 115.166, 115.168, and 115.169.

(5) In the event that the United States acquires by purchase or eminent domain the land or any interest therein, over which there passes a road which the United States has acquired the right to use under § 115.162, to waive compensation for the value of the road, equivalent to the proportion that the amount the United States has contributed bears to the total actual cost of construction of the road. Such contribution shall include any investment in or amortization of the cost of such road, or both, as the case may be, made by the United States or a licensee either by way of direct expenditures upon such road, or by way of payment by the United States or a licensee to the permittee, or by way of allowance made by the United States to the permittee in any timber sales contract for such amortization or capital investment.

(6) To construct all roads and other improvements as described in the application for the permit, except as the authorized officer may authorize modification or abandonment of any such proposed construction.

(7) To use the permit and right-of-way afforded subject to all valid existing rights, to such additional rights-of-way as may be granted under §§ 115.154 to 115.179, to a reservation of rights-of-way for ditches and canals constructed under authority of the United States.

(8) Not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin, and to require an identical provision to be included in all subcontracts.

(9) Except as the authorized officer may otherwise permit or direct to clean up and remove from the road and right-of-way within six months after the expiration or other termination of the permit, all debris, refuse, and waste material which may have resulted from his operations and use of said road; to repair all damage to said road resulting directly or indirectly from his use thereof; and to remove therefrom all structures, timbers, and other objects that may have been installed or placed thereon by him in connection with said operations or use: *Provided, however,* That the road and all usable road improvements shall be left in place.

(b) As to permits for the use of an existing road: In addition, every permittee to whom a permit is issued for the use of an existing road is required to agree:

(1) To maintain such a road in an adequate and satisfactory condition or to arrange therefor with the other users of the road. In the absence of satisfactory performance, the authorized officer may have such maintenance work performed as may be necessary in his judgment, determine the proportionate share allocable to each user, and collect the cost thereof from the parties or the sureties on the bonds furnished by said parties.

(2) Upon the expiration or other termination of his right to its use, to leave said road and right-of-way in at least as good a condition as existed prior to the commencement of his use.

§ 115.175 *Assignment of permit.* Any proposed assignment of a permit must be submitted in duplicate, within 90 days after the date of its execution, to the appropriate district forester for approval, accompanied by the same showing and undertaking by the assignee as is required of an applicant by §§ 115.161 and 115.162; and must be supported by a stipulation that the assignee agrees to comply with and be bound by the terms and conditions of the permit and the applicable regulations of the Department of the Interior in force as of the date of such approval of the assignment.

§ 115.176 *Causes for termination of permittee's rights.* (a) The authorized officer in his discretion may elect upon 30 days' notice to terminate any permit or right-of-way issued under §§ 115.154 to 115.179 if:

(1) In connection with the application made therefor, the applicant represented any material fact knowing the same to be false, or made such representation in reckless disregard of the truth; or

(2) A permittee, subsequent to the issuance of a permit of right-of-way to him, represents any material fact to the Bureau,

in accordance with any requirement of such permit or §§ 115.154 to 115.179, knowing such representation to be false, or makes such representation in reckless disregard of the truth.

(b) The authorized officer, in his discretion may elect to terminate any permit or right-of-way issued under §§ 115.154 to 115.179, if the permittee shall fail to comply with any of the provisions of such regulations or make default in the performance or observation of any of the conditions of the permit, and such failure or default shall continue for 60 days after service of written notice thereof by the authorized officer.

(c) Notice of such termination shall be served personally or by registered mail upon the permittee, shall specify the misrepresentation, failure or default involved, and shall be final, subject, however, to the permittee's right of appeal.

(d) Termination of the permit and of the right-of-way under this section shall not operate to terminate any right granted to the United States pursuant to §§ 115.154 to 115.179, nor shall it affect the right of the permittee, after the termination of his permit and right-of-way to receive compensation and to establish road operating rules with respect to roads controlled by him which the United States has the right to use and to permit its licensees to use; nor shall it relieve the permittee of his duty under §§115.154 to 115.179, to submit to and be bound by arbitration pursuant to §§ 115.166, 115.168, and 115.169.

§ 115.177 *Remedies for violations by licensee.* (a) No licensee of the United States will be authorized to use the roads of a permittee except under the terms of a timber sale contract or a cooperative agreement with the United States which will require the licensee to comply with all the applicable provisions of §§ 115.154 to 115.179, and any agreements or awards made pursuant thereto. If a licensee fails to comply with the regulations, agreements, or awards, the authorized officer will take such action as may be appropriate under the provisions of the timber sale contract or cooperative agreement.

(b) A permittee who believes that a licensee is violating the provisions of such a timber sale contract or cooperative agreement pertaining to use of the permittee's roads, rights-of-way, or lands, may petition the authorized officer, setting forth the grounds for his belief, to take such action against the licensee as may be appropriate under the contract or the cooperative agreement. In such event the permittee shall be bound by the decision of the authorized officer, subject, however, to a right of appeal pursuant to § 115.179 and subject, further, to the general provisions of law respecting review of administrative determinations. In the alternative, a permittee who believes that a licensee has violated the terms of the timber sale contract or cooperative agreement respecting the use of the permittee's roads may proceed against the licensee in any court of competent jurisdiction to obtain such relief as may be appropriate in the premises.

§ 115.178 *Disposition of property on termination of permit.* Upon the expiration or other termination of the permittee's rights, in the absence of an agreement to the contrary, the permittee will be allowed six months in which to remove or otherwise dispose of all property or improvements, other than the road and usable improvements to the road, placed by him on the right-of-way, but if not removed within this period, all such property and improvements shall become the property of the United States.

§ 115.179 *Appeals.* An appeal pursuant to the Rules of Practice, Part 221 of this chapter, may be taken from any final decision of the authorized officer, to the Director, Bureau of Land Management, and, from the latter's decision to the Secretary of the Interior.

[From the Federal Register, May 4, 1956]

TITLE 43—PUBLIC LANDS: INTERIOR

CHAPTER I—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

Subchapter C—Areas subject to special laws

[Circular 1954]

Part 115—Revised Oregon and California and Reconveyed Coos Bay Wagon Road Grant Lands in Oregon

Permits for rights-of-way for logging roads

1. Section 115.166(a) is amended to read as follows:

§ 115.166. *Agreements and arbitration between permittee and licensee respecting compensation payable by licensee to permittee for use of road.* (a) In the event the United States exercises the rights received from a permittee hereunder to license a person to remove forest products over any road, right-of-way, or lands of the permittee or of his successor in interest, to the extent that such matters are not covered by an agreement under § 115.165, such licensee will be required to pay the permittee or his successor in interest such compensation and to furnish him such security, and to carry such liability insurance as the permittee or his successor in interest and the licensee may agree upon. If the parties do not agree, then upon the written request of either party delivered to the other party, the matter shall be referred to and finally determined by arbitration in accordance with the procedures established by § 115.169. During the pendency of such arbitration proceedings, the licensee shall be entitled to use the road, right-of-way, or lands involved upon payment, or tender thereof validly maintained, to the permittee of an amount to be determined by the authorized officer and upon the furnishing to the permittee of a corporate surety bond in an amount equal to the difference between the amount fixed by the authorized officer and the amount sought by the permittee. The licensee shall also, as a condition of use in such circumstances, maintain such liability insurance in such amounts covering any additional hazard and risk which might accrue by reason of the licensee's use of the road, as the authorized officer may prescribe.

2. Section 115.171(b) is amended to read as follows:

§115.171 *Payment to the United States for road use.* * * *

(b) In addition, where the permittee receives a right to use a road constructed or acquired by the United States, which is under the administrative jurisdiction of the Bureau of Land Management, he will be required to pay to the United States for the use thereof, except where he transports forest products purchased from the United States through the Bureau, a fee to be determined by the authorized officer who shall base his determination upon the amortization of the replacement costs for a road of the type involved, together with a reasonable interest allowance on such costs, plus costs of maintenance if furnished by the United States and any extraordinary costs peculiar to the construction or acquisition of the particular road. In arriving at the amortization item, the authorized officer shall take into account the probable period of time, past and present, during which such road may be in existence and the volume of timber which has been moved and the volume of timber, currently merchantable, which probably will be moved from all sources over such road. The authorized officer may fix the rate at which payments shall be made by the permittee during his use of the road: *Provided, however,* That this paragraph shall not apply where payment for such road use to another permittee is required under §§ 115.154 to 115.179: *Provided further,* That where the United States is entitled to charge a fee for the use of a road, the authorized officer may waive such fee if the permittee grants to the United States and its licenses the right to use, without charge, permittee's roads of approximately equal value as determined under the methods provided in this paragraph and paragraph (b) of § 115.166, as may be applicable.

3. Section 115.174(a) is amended by adding at the end thereof two new subparagraphs (10) and (11) as follows:

§ 115.174 *Terms and conditions of permit.* (a) * * *

(10) Upon request of an authorized officer, to submit to the Bureau within 30 days with permission to publish, the detailed terms and conditions, including the fee which the permittee will ask as a condition of such licensee's use for the removal of forest products over any road or right-of-way which the United States and its licensees have acquired a right to use under § 115.162.

(11) To grant to the United States, upon request of an authorized officer, in lieu of the rights-of-way across legal subdivisions granted pursuant to § 115.162, such permanent easements on specifically described locations as may be necessary to permit the Bureau to construct roads on such legal subdivisions with appropriated funds: *Provided,* That at the time of the grant of such permanent easements the Bureau shall release, except for necessary connecting spur roads, the rights-of-way across such legal subdivisions previously granted: *Provided further,* That if the United States builds a road on such permanent easements it shall pay for any timber of the permittee which is cut, removed, or destroyed in accordance with § 115.167. The authorized officer shall waive the requirement under this paragraph, however, if the permittee makes a satisfactory showing to the authorized officer that he does not own a sufficient interest in the land to grant a permanent easement, and that he has negotiated therefor in good faith without success.

(Sec. 5, 50 Stat. 875; 43 U.S.C. 1181e)

CLARENCE A. DAVIS,
Acting Secretary of the Interior.

APRIL 30, 1956.

[F.R. Doc. 56-3502; Filed, May 3, 1956; 8:47 a.m.]

[From the Federal Register, Feb. 9, 1960]

TITLE 43—PUBLIC LANDS: INTERIOR

CHAPTER I—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

Subchapter C—Areas subject to special laws

[Circular 2038]

Part 115—Revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant Lands in Oregon

Payment to U.S. for road use

Part 115 is amended by adding a new paragraph (c) to § 115.171, reading as follows:

§ 115.171 Payment to the United States for road use.

* * * * *

(c) If an application is filed to use a road built on O. and C. lands by the applicant or his predecessor in interest under a permit which has expired, the authorized officer may issue a new permit which provides that as to such road the applicant's road use payments shall be determined in accordance with paragraph (b) of this section except that he shall be required to pay a road use fee which is adequate to amortize only his proportionate share of any capital improvements which have been or may be placed on the road by the United States or its licensees together with a reasonable interest allowance thereon plus cost of maintenance if furnished by the United States: *Provided, however,* That if the application is for use of a road which has been built by a predecessor in interest the permit shall provide that the applicant may use the road only for the purpose of reaching the lands of the predecessor in interest that were served by the road. As a condition for the granting of such a permit, the applicant must comply with § 115.162 to the extent that rights-of-way and road use rights are needed to manage lands of the United States or to remove timber therefrom.

ELMER F. BENNETT,
Acting Secretary of the Interior.

FEBRUARY 3, 1960.

[F.R. Doc. 60-1247; Filed, Feb. 8, 1960; 8:49 a.m.]

[From the Federal Register, Aug. 11, 1960]

TITLE 43—PUBLIC LANDS: INTERIOR

CHAPTER I—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

Subchapter C—Areas subject to special laws

[Circular No. 2049]

Part 115—Revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant Lands in Oregon

Sale of timber

1. Paragraph (a) of § 115.21 is amended to read as follows:

§ 115.21 Negotiated sales.

(a) When it is determined by the authorized officer to be in the public interest, he may sell at not less than the appraised value, without advertising or calling for bids, timber not exceeding an estimated volume of 100 M board feet, or if the timber is not measured in board feet, a quantity not exceeding $2,000 in appraised value, to or for the benefit of any one person, partnership, association or corporation in any period of twelve consecutive months.

2. Subparagraph (1) of paragraph (b) of § 115.28 is amended to read as follows:

§ 115.28 Payments.

* * * * *

(b) * * *

(1) Installment payments shall be determined by the authorized officer. For sales up to $100,000 installment payments shall be not less than 10 percent. For sales over $100,000 installment payments shall be not less than $10,000. For cruise sales the first installment shall be paid prior to or at the time the authorized officer signs the contract. The second installment shall be paid prior to the commencement of cutting operations: *Provided, however,* That prior to paying the second installment the authorized officer may permit the purchaser to cut and remove timber on the location over which a road must be constructed under this contract if the purchaser pays for such timber in advance. Each subsequent installment shall be due and payable without notice when the value of the timber cut, equals the sum of all the payments minus the first installment. The total amount of the purchase price must be paid prior to 60 days before the expiration of the contract. The purchaser shall not be entitled to a refund on a cruise sale even though the amount of timber cut, removed or designated for cutting may be less than the estimated total volume shown in the contract.

Permits for rights-of-way for logging roads

3. Subparagraph (3) of paragraph (a) of § 115.174 is amended to read as follows:

§ 115.174 Terms and conditions of permit.

(a) * * *

(3) To take adequate precaution to prevent forest, brush, and grass fires; to endeavor with all available personnel to suppress any fire originating on or threatening the right-of-way on which a road is being used or constructed by the permittee or any fire caused by the permittee; to do no burning on or near the right-of-way without State permit during the seasons that permits are required and in no event to set fire on or near the right-of-way that will result in damage to any natural resource or improvement.

FRED G. AANDAHL,
Acting Secretary of the Interior.

AUGUST 5, 1960.

[F.R. Doc. 60-7478; Filed, Aug. 10, 1960; 8:47 a.m.]

EXHIBIT 13

[From lumber industry legislative policy review conference, National Lumber Manufacturers Association, Jan. 22, 1963]

INGRESS-EGRESS RIGHT-OF-WAY

The property rights of persons owning millions of acres of private land within national forest boundaries was seriously and unnecessarily impaired during 1962 and will become an even more serious problem in 1963 if present Forest Service policies stand unchallenged and untested.

Congress: During the 87th Congress numerous legislative proposals affecting the property owners' rights of ingress and egress over national forest lands were held in abeyance pending the outcome of negotiations between the Forest Service and the forest landowning industries. Some of the proposals would have established an equitable Forest Service policy in accordance with previous Forest Service-industry understandings. Other proposals would have virtually vested complete authority over private road systems in the Forest Service.

Attorney General's opinion: On February 20, 1962, the Attorney General of the United States issued an opinion which interpreted the basic act establishing the national forests in 1897 to provide that as a condition to crossing national forest lands the Government could require that applicants allow full Government use of private road systems. This decision overturned 65 years of practice under the 1897 act.

Regulations: On August 15, 1962, regulations proposed by the U.S. Forest Service implementing the Attorney General's opinion were circulated throughout the lumber industry for comments.

In summary, the regulations proposed by the Forest Service did not provide an adequate appeal from administrative decision, did not provide for prompt access when needed, and did not require that unequal exchanges be accompanied by cash payments either to or from Government.

Following industry comments, the Forest Service on October 23, issued interim regulations without prior notice implementing the Attorney General's opinion. Under the new regulations, now in force, landowners will be required to grant easements to the Federal Government over their lands in return for access to their own lands across Government land.

Rights and values of these rights-of-way—private landowners' property—will be determined unilaterally by the Forest Service. Apparently access will be withheld until a landowner gives the Forest Service whatever property rights and values it seeks.

The regulation is disappointing in that it appears to disregard (1) all efforts by industry with Government to work out fair regulations; (2) the emergency access needs for salvage of the west coast blowdown; (3) the need for rules to get fair administration by forest officers, and (4) the normal procedures of notice and hearings in Government rule-making especially needed where property rights are jeopardized.

Possible action: Present expressions of Forest Service officials give no hope that administrative action will resolve the right-of-way issues, and it appears as of now that legislation or judicial determination will be required. Because of the length of time involved in litigation, legislation to protect landowners' property rights is probably the most practical course. At the same time, if public understanding can be secured in a substantial degree, improved regulations might be obtainable.

What is required is that Government agree not to demand a right-of-way of greater value than an applicant for a right-of-way across Federal land requests. Also, provision for immediate access to inholdings, where needed, must be included.

YOUTH EMPLOYMENT ACT—ANNOUNCEMENT OF COMMITTEE HEARINGS

Mr. CLARK. Mr. President, the Senate has this day received a message from the President urging the early enactment of S. 1, the Youth Employment Act. As chairman of the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare, I am pleased that I am in a position to announce that the subcommittee will begin hearings on the bill on Monday, February 25, at 10 o'clock, in the committee's hearing room.

Hearings will begin at a time when the figures on the unemployment of young men and women are climbing to an all-time high. A recent sharp increase in the number of teenagers who are both out of school and out of work has increased the number of unemployed in the ranks of those who are covered by this bill to more than 800,000 young men and women between the ages of 16 and 22. Few if any have sufficient education and sufficient skills to supply them with any promise of continued stable employment in their mature years, should this condition be allowed to continue. The great baby boom of the postwar year of 1947 is reaching its 16th year at this time, and this factor alone creates heavy additional pressures on a problem that is already too long untreated and unsolved.

The youth employment bill is a continuation of an effort which began a number of years ago to take this step in meeting this economic problem confronting all of us. The bill, like its counterpart last session, would establish a Youth Conservation Corps to provide constructive and educational work experience to the young men in this group in our national and State forests and recreational areas. It is a well-known fact that there is a tremendous backlog of conservation work which must be done during the next 10 years at a cost of billions of dollars. These men will supply their share of the muscle and effort to do a part of this job.

The bill also would provide for a system by which the State and local governments would develop local area youth employment programs to provide a wide range of employment experience opportunities to young men and women within this group.

More than one-third of the Senate join me in sponsoring this bill, and I know that there are a great many more who favor its early enactment. I would welcome the appearance of any Senator before the subcommittee when it opens its hearings on Monday to offer testimony on this vital bill. Arrangements can be made with me or with Edward Friedman, counsel to the subcommittee.

Mr. HUMPHREY. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. HUMPHREY. First, I wish to tell the distinguished Senator from Pennsylvania how pleased I am by his announcement that hearings will shortly begin on S. 1, the youth employment bill.

I welcome the President's statement that he is placing first priority on approval for my Youth Employment Act.

This bill—to establish a Youth Conservation Corps and a program of training and work for young men and women in local public projects—offers a big, first step toward the elimination of unemployment of our young people.

I have introduced this measure in previous Congresses. With full support from the administration this year, I am confident that the efforts of the bill's sponsors in Congress will succeed.

Mr. President, I ask unanimous consent to have printed at this point in the Record the statement of the President of the United States in his message to Congress relating to the Youth Employment Act.

There being no objection, the statement was ordered to be printed in the Record, as follows:

> My Committee on Youth Employment, consisting of Cabinet officers and distinguished public members, having studied these efforts and problems, has reported to me that the immediate need for additional youth employment opportunities is critical. The administration's youth employment bill, which received wide endorsement when introduced in the Congress, is designed to meet this need.
>
> Early enactment of this measure would spur Federal leadership and support to programs which would provide useful jobs and training for young persons who need them. The 1964 budget recommendations include $100 million in authorizations for the first year of this program, consisting of two different activities. First, a Youth Conservation Corps would be established, putting young men to work improving our forests and recreation areas. This would initially provide useful training and work for 15,000 youths. Second, the Federal Government will provide half the wages and related costs for young persons employed on local projects that offer useful work experience in nonprofit community services—such as hospitals, schools, parks, and settlement houses. Forty thousand youths can be employed in the first year in this part of the program.
>
> This bill is a measure of the first priority. The effects of unemployment are nowhere more depressing and disheartening than among the young. Commonsense and justice compel establishment of this program, which will give many thousands of currently unemployed young persons a chance to find employment, to be paid for their services, and to acquire skills and work experience that will give them a solid start in their working lives.
>
> I urge the Congress to enact at the earliest opportunity the Youth Employment Act which is so vital to the welfare of our young people and our Nation.

Mr. HUMPHREY. Mr. President, I was deeply gratified to receive a telegram from the Right Reverend Arthur Lichtenberger, presiding bishop of the Protestant Episcopal Church in the United States, announcing his endorsement of S. 1, the Youth Employment Act.

I quote the relevant portions of Bishop Lichtenberger's statement:

> "I welcome the introduction in Congress of measures to provide new opportunities for the training and employment of the young people of the United States. Such measures are in keeping with the church's belief in human welfare as a priority for our whole Nation, deserving nonpartisan support. The alarming rise in the school dropout rate, the present inability to provide jobs for young high school graduates, and the perennial pressure of juvenile delinquency, all demand quick and energetic national action. It is not too strong to say that the mounting problem of idle youth constitutes a moral demand upon the financial resources of the Nation. The proposal for the employment and training of youth through a Conservation Corps and Urban Service Corps is a hopeful step in this direction.

Bishop Lichtenberger also goes on to endorse the suggestion of a National Service Corps, the so-called Domestic Peace Corps, that will be introduced in the Congress in the near future.

Bishop Lichtenberger's statement closes with this call to action:

> I would hope that many members of our U.S. churches will welcome the necessary legislative actions to improve the situation for young persons.

I know I speak for the many cosponsors of S. 1 and its many supporters throughout the United States when I say that Bishop Lichtenberger's statement is a most welcome development. While not a member of the Episcopal Church, I do know of the strong leadership demonstrated by this Protestant denomination in working with underprivileged members of society found in large urban areas. When Bishop Lichtenberger speaks on this subject, he speaks from the direct involvement of his church in precisely the problems dealt with by the Youth Employment Act.

I wish to draw particular attention to Bishop Lichtenberger's call for nonpartisan support of this measure. I am indeed hopeful that S. 1 and H.R. 1 will receive strong and enthusiastic support of Members of Congress of both parties and from all sections of the country. This measure attacks the problem of youth unemployment and underdevelopment of our natural resources; these are problems that know no sectional boundary or interest.

Again, I wish to thank and congratulate Bishop Lichtenberger on his forthright announcement of support for S. 1. As I have noted before on many occasions, our objective is to make the Youth Employment Act the first major accomplishment of the 88th Congress. "Make S. 1 No. 1" is our call to action. Bishop Lichtenberger's endorsement is a big step toward this goal.

AMENDMENT OF RULE XXII—CLOTURE

Mr. MANSFIELD. Mr. President, on Monday the Senator from New York [Mr. Javits] asked consent to amend the Record of the preceding Thursday, the day on which the rules controversy came to an end. The Senator from New York desired the Record to show that he was on his feet, seeking to raise a point of order at the time the Senator from Montana was recognized to move adjournment.

I granted my consent to this correction for two reasons—first, as a matter of courtesy to the Senator from New York; and second, in order that the Record might show that other Senators besides the Senator from Montana were addressing the Chair following the announcement of the cloture vote.

In examining the Record for Monday, and in light of several statements made outside this Chamber since then, however, I feel that an additional statement should be made today. I do not intend to reopen a prolonged controversy over a matter that most Senators would prefer to see put firmly behind us. But I think it is important that the Record show what, in my opinion, occurred last Thursday.

As that Record now stands, corrected by the Senator from New York, it appears that the Senator from New York first addressed the Chair with a point of order; that the Senator from Montana then addressed the Chair with a motion to adjourn; and that the Chair then recognized the Senator from Montana and asked whether there were sufficient seconds for the yeas and nays.

Mr. President, I have never contended, nor will I ever contend, that the majority leader is entitled to recognition by the Chair if he seeks that recognition after another Senator has done so. The Vice President of the United States, who formerly served the Senate as majority leader, knows this to be true. It is the custom of the Senate that the majority leader be recognized if he seeks such recognition before any other Senator, or simultaneously with other Senators. It has never been the custom of the Senate to confer special status on the majority leader if he does not seek recognition at least simultaneously with other Senators.

On last Thursday, following the announcement of the cloture vote, I sought recognition. The Senator from New York sought recognition. The Senator from Pennsylvania [Mr. Scott], the Senator from Illinois [Mr. Douglas], the Senator from New Jersey [Mr. Case], and the Senator from New Mexico [Mr. Anderson], perhaps other Senators, were simultaneously seeking recognition. The Chair recognized the majority leader under the customary practice.

It is ridiculous for anyone to talk about the Vice President's gaveling down anyone. At least six Senators, including myself, simultaneously sought recognition. When the Chair, following the precedents, recognized me, I made my motion to adjourn as I had indicated I would on several occasions during the preceding 2 days. Every Senator was on notice that I would do so. The Senator from New York advised his colleagues on the day before the cloture vote that insufficient votes on cloture—fewer than 60—would mean that the Senator from Montana would move to adjourn.

I said on Monday that I was not aware that the Senator from New York planned to bring up again, by any means, the constitutional procedure that had been tabled the week before. While I was away from the Chamber on Monday, the

Senator from New York confirmed this when he said:

> I am absolutely certain that neither the majority leader nor the Vice President was conscious of what I desired to do with respect to the question on a point of order before I was on my feet.

That conforms to my understanding. I should say that even if I had been aware that some Senator would raise the same constitutional procedure that had been decisively tabled by the Senate during the week before, I would have carried out my announced intention of moving to adjourn. And, judging by the overwhelming vote for the adjournment motion when it was made, I think it is safe to say that a heavy majority of the Senate would have backed the motion.

To sum up, the requests for recognition by the Chair made last Thursday came simultaneously. The Chair recognized the majority leader in accordance with the precedents of the Senate. And I say again that the majority leader accepts total responsibility for moving the Senate on to the substantive business the country expects us to transact.

Before concluding, Mr. President, I wish to say that a member of my staff notified the office of the Senator from New York [Mr. Javits] that I was to make this statement this afternoon. I believe the Senator from New York [Mr. Javits] in turn was notified; but, since he is out of the city on official business, he was not able to return for this particular occasion. I wish to have the Record clear in that regard.

Mr. HUMPHREY rose.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. If I may, first I yield to the Senator from Minnesota, and then I will yield to the Senator from California.

Mr. HUMPHREY. Mr. President, I thank the Senator for yielding to me.

I sat in the Senate on Monday last when there was considerable discussion about what had transpired on the date that the majority leader moved that the Senate stand in adjournment following the vote on the cloture motion. I said nothing at that time.

It seemed to me that the procedure which had been followed was in order and was proper. Therefore, no comment was necessary from one who sits alongside of the majority leader; and, by the way, one who actively participated in the debate and the struggle over the change of the rules.

I witnessed the entire proceeding on the occasion of the vote on the cloture motion. I want the Record to note that the majority leader was standing, as he is now standing, when the final tabulation on the vote on the cloture motion was announced. In fact, he was standing prior to that announcement. He did address the Presiding Officer as soon as the Vice President announced the totals for and against cloture.

There were several Senators who were seeking recognition at the same time. In fact, several of those Senators came to me after the motion to adjourn had been adopted and said that they, too, had been seeking recognition.

The Senator from Minnesota merely says that there were a number of Senators—I cannot recall them all by name—who were standing seeking recognition by the Presiding Officer. But the Senator from Minnesota knows, on his honor as a U.S. Senator, that the majority leader was standing prior to the announcement of the vote on the cloture petition, that he addressed the Presiding Officer not once but several times, and addressed the Presiding Officer in a loud tone. The majority leader had announced to the Senator from Minnesota and to all Senators in this Chamber that if the vote on the cloture motion did not carry, he would move to adjourn. He had indicated earlier that if there were nearly 60 votes in favor of cloture he would give consideration to the filing of a second cloture motion.

The Senator from Minnesota said to the majority leader that he would support a motion to adjourn if fewer than 60 votes were cast in favor of cloture. I want to make that quite clear.

I felt that if we could not succeed in our effort to close the debate, the Senate ought to go on to other business. In short, the majority leader ought to exercise his role as leader and move to adjourn. I announced I would support him, which I did.

The truth of the matter is that the Vice President had no other choice but to recognize the majority leader. I want the Senate to know that, if the Vice President had not done so, this Senator would have been very resentful. About 3 weeks ago, when I was acting majority leader, I found myself in a situation where I thought the rights and prerogative of the majority leader were not respected.

I am not talking about the rights of Hubert Humphrey, as such, but the prerogatives and rights of the majority leader. The Senate cannot be run unless such rights and prerogatives are granted to the majority leader. If any Senator does not think so, let him try for 1 day, let alone 1 year or 2 years, to be majority leader.

The Vice President was informed earlier by the majority leader—I know, because I was there—that the majority leader would move to adjourn. The Vice President was asked by the majority leader to be recognized. This is not unusual. It is exactly the way we operate. Had the Vice President not recognized the majority leader, I would have considered the Vice President grossly unfair and would have censured him for it. The Vice President did exactly what he was supposed to do.

Mr. President, what is this tempest in a teapot? We had a struggle over the rules. I do not like rule XXII. I am for changing it. I am for majority rule in the Senate. I had offered, along with the Senator from California [Mr. Kuchel], a motion or resolution which would have changed the rule. We did not win. We obtained many votes. We received 54 votes to close off debate. I think that was a creditable showing.

I say to brand anybody in this effort, particularly the majority leader and the Vice President, as being against civil rights, because of what happened on the motion to adjourn, is unfair, uncalled for, and irresponsible. And I will take second place to no one when it comes to defending civil rights or proclaiming them.

I say to the Vice President, you have ruled fairly. Let the Record be clear. I say to the majority leader, you have been fair. Let the Record be clear.

I have talked to the majority leader time after time during the debate on the rules change. The majority leader told me, "If you need me, if there is anything I can do in this effort, call on me." He did not try to prejudice our case one way or the other.

He did say that, on the proposals to change the cloture rule, rule XXII, he would vote for a change from a requirement of two-thirds of those present and voting to a requirement of three-fifths of those present and voting. He so cast his vote on every single motion to indicate that kind of action.

The real test on civil rights should come when we get a civil rights bill here. I know the administration will have civil rights legislation this session. If such a bill does not come from the committee, this Senator will move to discharge the committee. Of course one should not move to discharge a committee without giving the members adequate time to work their judgment. We will count the votes and have an opportunity in which to determine where we stand on this question of civil rights.

Mr. President, I did not read the Record of last Monday very carefully, but if something in the Record indicates that someone was discriminated against by the Presiding Officer, then the Record should be amended. King Solomon in all of his wisdom could not have decided who was first on his feet in the confusion that was prevailing after the vote on cloture. The only thing the Vice President could positively ascertain was that the majority leader was standing, as he is standing now, and was addressing the Chair, not once, but several times, and loudly. Had the Vice President not recognized the majority leader, the Vice President would not have done honor to his office or to the position of Vice President of the United States.

Mr. MANSFIELD. Mr. President, I wish to thank the distinguished Senator from Minnesota, the assistant majority leader, for what he has said. So far as the Record is concerned, there was nothing derogatory in it. The Senator from New York, I thought, was quite fair in what he had to say, as he always is.

My purpose in rising today was to try to set the record straight, not revive the issue and all the details, as fully as I possibly could, on the situation as it existed on Thursday last. I think the Record is clear. At least, I hope so.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. I want the Record clear that my remarks were not at all intended to be any reflection on the distinguished Senator from New York. To the contrary, I think the Senator from New York made his position manifestly clear, and on an honorable basis, in this Record. There is no reflection upon him, a man of great integrity. I am referring to the Record as printed, and, in addition, to some of the outside comments in which apparently the Presiding Officer of the Senate was being criticized in columns and letters to the editor.

Mr. MANSFIELD. The Senator was not referring to any Senator, because he never does, but I thought I would make it plain that the Record was clear that the Senator from New York was most circumspect and fair in that matter. I can see his point of view.

I now yield to the acting minority leader.

Mr. KUCHEL. I thank the distinguished majority leader.

Mr. President, the senior Senator from New York is an outstanding leader in the field of civil rights. No one here, or in the Nation, gainsays that. Today he is necessarily absent from Washington. The senior Senator from New York would have been false to his trust if, at every stage in the long debate we had here, he did not with his characteristic vigor, pursue whatever point he thought might be honorably made in our effort to change the Senate rule, so that we might abolish filibusters. In discharging his responsibility the senior Senator from New York, last week, arose and raised a point of order.

I do not rise to point my finger at anybody. I do not rise to make any accusations. All of us, in the heat of what was a somewhat emotional undertaking here, were attempting to press home our point of view. I made comments the other day when my very dear friend and very excellent Senator, the Senator from Montana, commented on this subject.

I do not believe that I need prolong this discussion now, in going over some of the comments that were made the other day. I made my position clear. So did the Senator from New York. According as one sees the light and what he hears, every Senator and the Vice President makes his decision. There has never been one indication, in this record, in my judgment, of bad faith or incompetence by anyone. I regret that my able friend from New York is not here. At any rate, like the excellent lawyer he is, he put into the Record what the court reporter at that time of the point of order wrote, as the Senator had a right to do, and what from his point of view he had a duty to do.

It is equally true that what the majority leader did and what the Vice President of the United States did was as they saw the light, what they saw and heard.

I rather believe, if this chapter may now close, that it demonstrates that in the heat of debate, with people contending with respect to divergent points of view, at the culmination of 3 weeks of rather enervating debate, the senior Senator from New York was proceeding in entirely good faith and attempted to demonstrate that very fact in the Record, as did my able friend from Montana and the Vice President of the United States.

I suggest that the Record has been adequately embellished, and protestations have been sufficiently made. I hope that in good comradeship and amity we may now go forward through this session and perhaps look forward to a little rest period this summer.

My leader on this side of the aisle, the Senator from Illinois [Mr. Dirksen], uses a rather descriptive expression when he refers to "ventilation." Surely now this matter has been ventilated adequately, if I may use the expression of the able Republican leader, and I hope that with this comment, this record, on this point, may now be closed.

Mr. MANSFIELD. Amen.

FREEDOM FOR LITHUANIA

Mr. HUMPHREY. Mr. President, many Senators will undoubtedly speak in this Chamber concerning the denial of national freedom to some 3 million Lithuanians now living under Soviet rule. I feel it appropriate, therefore, to make part of the public record a statement which I prepared for the American Lithuanian Society of Washington, D.C., commemorating the 45th anniversary of Lithuania's Declaration of Independence, which falls on February 16. I ask unanimous consent that the statement be placed in the Record at this point in my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Hubert H. Humphrey, of Minnesota, on the Occasion of the 45th Anniversary of the Independence of Lithuania

The some 1 million Americans of Lithuanian descent have two countries—the United States and their native European homeland. The contrast between the freedom which they enjoy here and the tyranny which oppresses Lithuania heightens their sense of loss. The Lithuanians who remain under Soviet rule have only their memories of 20 years of independence and their national culture and traditions to nourish their continuing struggle for freedom against great odds.

We all share this sense of loss on the occasion of the 45th anniversary of Lithuanian Independence Day. We welcome this opportunity to reaffirm our strong and enduring friendship with the Lithuanian people. The cause of freedom, which is of such immediate importance for Lithuanians, is no less vital to all Americans. We hold that the Lithuanian people are entitled to a government of their own choice, and we look forward to the day when they can again enjoy national independence. It is our firm intention to further the cause of freedom in Lithuania and in all Baltic nations by working ceaselessly to establish a peaceful world order based on the rule of law. This aim will be achieved when and only when the Soviet colonial empire melts under the warming monsoon of freedom—under winds which have brought liberty and national restoration to countless other peoples since World War II but which until now have been contemptuously ignored by the Soviet imperialists.

Mr. HUMPHREY. Mr. President, in this same connection, I express the disgust of my colleagues and of responsible officials of this administration at the recent publication of a UNESCO pamphlet entitled "Equality of Rights Between Races and Nationalities in the U.S.S.R." This booklet was written by two Soviet citizens, Messrs. I. P. Tsamerian and S. L. Ronin. This travesty of scholarship, according to press reports, asserts:

> In 1940 the Soviet regime was restored in Latvia, Lithuania, and Estonia, which voluntarily joined the Soviet Union.

Mr. President, it is bad enough to hear this arrant nonsense from the official organs of Soviet propaganda. It is intolerable to hear it from an international organization established to disseminate truth and knowledge, and to encourage a respect for objective scientific and social fact. The U.S.S.R.'s crude ultimata to the Governments of Latvia, Lithuania, Estonia, and Finland in 1940 were anything but conducive to voluntary union with the Soviet Union. If they led to a restoration of anything, it was a restoration of the arbitrary tsarist regime which the Soviet rulers professed to repudiate but which in actual fact they have merely perfected and refined.

Please do not misunderstand me. I protest in the strongest possible terms against the publication of this document. But I do not use this pamphlet as a lever with which to criticise UNESCO or the U.N. as a whole. In view of this Soviet document which bears the imprimatur of UNESCO, it would be an excellent idea to reconsider the advisability of going ahead with the planned series on racial discrimination. Why pour soot and ashes on some countries while whitewashing others? The main thing, in my view, is to give UNESCO the independence and the strength which alone will enable it to speak for and with the voice of humanity.

I believe that our representation in UNESCO needs to be strengthened, and I believe that our position in UNESCO needs to be so crystal clear that there can be no doubt whatsoever as to the attitude of this Government. UNESCO, however, cannot be strengthened so long as one of its publications advertises the "voluntary" union of the Baltic States with the Soviet Union.

This is pure, patent nonsense. An organization dedicated to truth and scientific knowledge should not be engaged in such utter misrepresentation and distortion of the facts of history.

Mr. President, I ask unanimous consent that an article from the Washington Post and Times Herald of February 14, which discusses the UNESCO booklet, be placed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

UNESCO Booklet Protests Rise

(By A. I. Goldberg)

United Nations, N.Y., February 13.—Protests over a year-old UNESCO publication containing profuse claims about guarantees for racial and political equality in the Soviet Union have forced UNESCO to review its publication policy.

UNESCO is the U.N. Educational, Scientific and Cultural Organization, based in Paris. It has the status of a specialized agency of the United Nations. Some conservative organizations in the United States have criticized it for its views on social and cultural problems.

The United States contributes nearly one-third of UNESCO's $39 million annual budget. The Soviet Union pays about 15 percent.

The publication, written by a Soviet educator and a Soviet lawyer, asserted in one passage that "in 1940 the Soviet regime was restored in Latvia, Lithuania and Estonia, which voluntarily joined the Soviet Union."

A U.S. source said the United States protested vigorously last April, shortly after the book was issued, and was told that a lack of firm policy directives rendered UNESCO powerless to deal with such cases.

A review committee, set up as a result of United States and other protests, is expected to report in April, the source said. The U.S. National Committee for UNESCO has submitted recommendations and criteria for stricter standards.

The new complaint—one of many, an informant said—came from the Assembly of Captive European Nations in New York. It is a group comprising political exiles from Eastern European countries, including the Baltic republics (Latvia, Lithuania, Estonia), whose incorporation into the Soviet Union early in World War II has never been recognized by the United States, Britain and many other nations.

A letter from the Assembly's president, George M. Dimitrov, appealed to Vittorino Veronese, UNESCO director general, to halt distribution of the 106-page booklet. He called it "cheap Soviet propaganda, falling short of UNESCO objectivity," and termed it "harmful to the rights of Estonia, Latvia, and Lithuania."

The booklet was the third of a series of six planned by UNESCO in 1951 to study race discrimination. Now UNESCO officials are examining whether to continue with the series, an informant said.

The booklet was written by I. P. Tsamerian, described as a Soviet doctor of philosophy, and S. L. Ronin, a Soviet doctor of law. Titled "Equality of Rights Between Races and Nationalities in the U.S.S.R.," it reiterated Soviet arguments frequently heard in U.N. debates that guarantees against race discrimination were written into the Soviet constitution.

At one place it said "the Soviet Union has solved the problem of nationalities," but acknowledged "this does not mean, of course, that a peak of perfection has been reached. The U.S.S.R. still contains backward elements among whom nationalist prejudices exist."

The booklet contended that the Bolshevik revolution for the first time gave Jews equal rights in the Soviet Union, said racial problems were solved because of Communist Party policy, and quoted Soviet Premier Nikita S. Khrushchev's assertion that Jews "hold a worthy place" among those responsible for Soviet lunar rocket launchings.

In Washington, Republican National Chairman William E. Miller termed the booklet "a gratuitous insult to Americans and the free world," and said in a statement that the Kennedy administration should demand that the United Nations repudiate the publication and order its withdrawal from circulation.

Mr. HUMPHREY. I might suggest to all persons who are interested in having UNESCO maintain the respect of people throughout the world, that it should continue in a manner which justifies that respect, and that manner is to have some regard for truth and historical fact.

AFRICAN STUDENTS IN BULGARIA

Mr. HUMPHREY. Mr. President, as a revealing example of what the Communists mean by their concern for "national liberation movements" and the rights of the "oppressed peoples of Africa and Asia," I draw the attention of Senators to reports of the recent clash between Bulgarian militia and African students in the streets of Sofia. I ask unanimous consent that an article describing this event be placed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. The situation is one of almost exaggerated irony. For years, especially under the policies of Khrushchev, the Soviets and their satellites have been wooing the ambitious, education-hungry youth of Africa and Asia. Moscow even set up its much advertised Friendship University on the Lenin Hills, later christening it with the name of Patrice Lumumba. According to African students who have experienced something less than friendship and understanding at the hands of the Russians in Moscow, the institution should better be known as "Apartheid U." The fact is, Mr. President, that the Russians have discriminated against African and Asian students in an infinite variety of ways: politically, socially, professionally, and economically. Many reports to this effect have reached the West. As the Washington Post article notes, "more than 100 African students in Moscow have applied at the U.S. Embassy for help in transferring to American schools."

I digress to say that I hope very much that the Embassy has been of some help, because in the United States, as in countries in Latin America and in any other country where freedom prevails, these students will be welcome.

Now comes the worst eruption of violence to date: a clash between significant numbers of African students—the numbers depending upon the sources you believe—and the peoples militia of the democratic, peaceloving, Socialist Republic of Bulgaria. Bulgaria is so situated that violence of this magnitude cannot be disguised as it could perhaps be disguised—and has been disguised—in Moscow. The Bulgarian news agency had to publish its own version of the facts. Whether you accept them or not, the conclusion is inescapable that the African students involved were victims of gross, incredibly stupid, discrimination. All these students were trying to do was to express a point of view.

They were attempting to express some of their grievances over the treatment they were receiving. Instead, they received a little extra-heavy-handed treatment from the militia.

Of what were the students guilty? Reportedly, of wishing to establish an organization to represent them in improving their living conditions and altering the stifling intellectual and educational atmosphere in which the foreign students are forced to exist. In Bulgaria, as in the Communist empire as a whole, there are no organizations other than Communist Party organizations or organizations formed explicitly under the party aegis. Surely the African students who protested 200 strong at the doorstep of the Bulgarian premier realized that they were violating one of the most firmly entrenched articles in the Communist "bill of rights"—the absolute supremacy of the Communist Party. Apparently they did not. Apparently they expected that a union representing their desires and standing up for their cause need not come into conflict with the state policy of the Bulgarian regime. When they learned the true facts of the case, these courageous youths marched into the streets, thus exposing themselves to danger while exploding the myth of Communist "friendship" for the underprivileged and the underdeveloped peoples of this world.

Mr. President, my question is, What are we, the Government of the United States going to do to give these African students and all others like them an alternative to Communist intellectual bondage? I realize the difficulties, the redtape, the backlog of applications, the problem of discriminating against those students who refused to go to the Communist countries in the first place and who now would seem to have a legitimate claim to be first in line for vacancies in the United States. The problems are legion, but events do not wait for endless official consultations and the agonizing process of decisionmaking. I submit that we have no choice but to help those students who are disillusioned with their experience under communism.

In fact, it seems to me we ought to act with rapidity; we ought to act with definite judgment and open our gates to permit those students who long for an experience in freedom to have it in this freest of the countries of the world.

I warn the appropriate officials with all due respect that this is one subject which directly affects our standing in the world. I shall not drop it until a satisfactory answer—an answer satisfactory to the Senator from Minnesota and, I feel certain, to all other Senators—is received.

I call upon the State Department to bestir itself to determine what it will do to admit to our country those students who seek to study in the United States. It would be a mighty good example for the United States to set. We should open our gates and our universities to the students who have been the victims of Communist violence. We should let the world know that in the United States it is possible to organize, if one wishes to protest, and that the Government will not bear down upon him with the militia.

One of the great things today is the dramatic example of the difference between a free nation and a nation which lives under some form of dictatorship.

So I respectfully suggest that the officials in the State Department and elsewhere in our Government give this subject very serious concern.

EXHIBIT 1

AFRICAN STUDENTS AND RED POLICE CLASH IN SOFIA

VIENNA, February 13.—African students disillusioned with life under communism clashed with Communist police on the main street of Sofia, Bulgaria, informed sources reported today.

The Bulgarian Government confirmed yesterday's outbreak through its official news agency BTA. Reports from reliable sources said 200 African students were involved and scores of them were injured. BTA said only 40 or 50 students were involved, adding:

"A number of demonstrators were arrested, but released later."

BTA, which said all other reports were "in contrast with the truth," gave this account:

> Africans protesting a government ban on African students' organizations in Bulgaria gathered on Sofia's Lenin Boulevard. The students did not heed warnings from the milita that their demonstration would be illegal and a violation of public order.
>
> Some students started an argument with the militiamen. This made it necessary for a number of them to be arrested, but they were released on the same day.

BTA also reported that several Africans were ordered out of Bulgaria for "gross violation of public order and for abuse of the hospitality rendered to them."

The agency said students were told that "when forming a new organization, the established law in this country ought to be observed." But BTA did not say how an African students' union would have violated the law.

The clash yesteday was symptomatic of discontent among students from newly independent African nations studying in Communist lands.

It is known, for example, that more than 100 African students in Moscow have applied at the U.S. Embassy for help in transferring to American schools.

They give the same reason—disillusion with the life under communism as compared with the promises made to them before they left Africa.

This appeared to be the basic cause of yesterday's riot.

The students had been trying to establish a union for the past year to assist them in their complaints, which include poor housing, poor food, crowded facilities, political indoctrination at the expense of their studies and difficulties with the Russian language.

The Bulgarian Government refused permission to establish the union but the African students set it up anyway, on Jan. 18.

The Government ordered the union to disband. Last Saturday police summoned Chairman Tatah Taviah of Ghana and an unidentified Ethiopian union leader and ordered them to leave the country immediately.

According to reliable sources, the two then gathered 200 of their fellow Africans and marched to Government headquarters demanding to see Premier Todor Zhivkov. He refused to see them but a Communist youth leader said the Premier would meet them Monday and meanwhile the expulsion order would be stayed.

Zhivkov did not keep the engagement. The union's executive committee went to protest and was arrested. This touched off the demonstration.

Many of the thousand or so African students behind the Iron Curtain have been quietly leaving during the past year and are now enrolled at schools in Western Europe.

In Moscow, the Soviet Government has prevented the formation of a similar African students union. Most African students there are segregated in what the Russians call Friendship University. The Africans call it "Apartheid U."

THE INTERNATIONAL ARMS CONTROL SYMPOSIUM

Mr. HUMPHREY. Mr. President, last December I was privileged to take part in one of the most noteworthy public conferences that has yet been held to discuss the problems of ending the arms race or at least turning it downward. I am speaking of the International Arms Control Symposium, sponsored jointly by the University of Michigan and the Bendix Systems Division of the Bendix Corp. The symposium was held at Ann Arbor, Mich., between the dates of December 17 and 20.

Public discussion of disarmament, as we all know, is not a new thing. There have been official disarmament conferences at the governmental level since the latter part of the 19th century. Many public figures have lent their prestige and support to the goals of disarmament. Indeed, between World Wars I and II we had an example of a multilateral agreement on a specific arms control measure, namely, limitations on the size and power of naval forces. It was not very successful or even very realistic in concept. Indeed, not until comparatively recently, in my opinion, has the subject of arms control and disarmament received the detailed, serious, concrete study that it deserves in view of the complex problems that the subject entails.

That is why I was so favorably impressed by the scope of the International Arms Control Symposium at the University of Michigan. Eminent speakers discussed the arms control problem from the vantage points of their particular areas of competence. Let me name just a few: William Foster, Director of the Arms Control and Disarmament Agency; John T. McNaughton, General Counsel of the Department of Defense; Harold Taylor, Chairman of the National Research Council on Peace Strategy; Walter Reuther, president of the United Auto Workers; Russell D. O'Neal, vice president for engineering, of the Bendix Corp.; Kenneth Boulding, director of the center for conflict resolution at the University of Michigan; and many, many other outstanding individuals representing organizations with a vital stake in arms reduction or disarmament. These men represented industry, labor, government, and the academic community.

In addition to the keynote speeches, there were technical sessions in which panelists explored the arms control problem from every conceivable point of view. There were technical sessions dealing with inspection and verification, with sanctions and enforcement of arms control measures, with unilateral versus multilateral arms control measures, with the contributions that industry could make to arms control research, with the problems of testing, peaceful settlement of disputes, advanced planning for conversion to peace, and so forth. The whole problem was examined exhaustively. It would have been a liberal education for any Member of this body to have sat in on only one or two of these sessions. I am confident that the symposium added immeasurably to our awareness both of the complexities and of the opportunities that lie in any serious attempt to implement the concept of arms control and disarmament.

Mr. President, my own remarks at the symposium were an attempt to tie together two problems which weigh heavily on my mind and which are regarded as matters of grave concern by many fellow Senators. First, I discussed the advantages of limited arms control agreements in various parts of the world—principally in Latin America—and, secondly, I went into the problem of our own future conversion from military to overwhelmingly peacetime production. These two problems have a definite relationship. I hope that my remarks point up the urgency of finding a solution.

Mr. President, I ask unanimous consent that my speech to the International Arms Control Symposium be printed at this point in the Record.

There being no objection, the symposium was ordered to be printed in the Record, as follows:

REGIONAL ARMS CONTROL AGREEMENTS AND THE ECONOMICS OF DISARMAMENT

(Speech by Senator Hubert H. Humphrey to the International Arms Control Symposium, Ann Arbor, Mich., December 20, 1962; introduction by Vice President Roger W. Heyns, University of Michigan)

Ladies and gentlemen, this is the last general session of the symposium. The committee in charge of the plans and preparations were eager, at the last session, to provide an opportunity for the members and participants to hear someone with a broad acquaintanceship with the problems of arms control and disarmament. We were delighted when we received from Senator Humphrey a reply to our request that he come to speak at this session. Senator Humphrey has been since 1955 the chairman of the Senate Subcommittee on Disarmament. He was the chief sponsor of the bill creating the Arms Control and Disarmament Agency. Long before they were established, he continually urged the convening of the Geneva Test Ban Conference. He has, as chairman of the Disarmament Subcommittee, been responsible for the initiation of studies on various aspects of disarmament, the latest of which is entitled "The Economic Impact of Arms Control Agreements." It is particularly with respect to the economic consequences and implications of disarmament that Senator Humphrey has decided to speak today. He has indicated his willingness to answer questions after his remarks. It is with great pleasure and honor that I introduce to you Senator Humphrey.

Senator Humphrey. Thank you very much, Dr. Heyns. I am most pleased to be invited to participate in this outstanding symposium. I must say that I recognize that I am speaking to a very distinguished audience and one that commands an exceptionally high order of knowledge in the field of arms control and disarmament.

My only regret in speaking to this audience is the fact that my talk unavoidably pulls down the curtain on the final act of what I gather has been an outstanding performance. I was not privileged to hear many of the fine addresses by my predecessors on this platform. Neither did I have the benefit of taking part in the stimulating discussions that have marked the technical sessions of the past 3 days. But from a second-hand acquaintance with this conference and the work of the symposium to date I can state categorically that this conference is a milestone in the history of the public discussion of disarmament and arms control. The initiators and the organizers of the symposium, the Bendix Systems Division and the University of Michigan, deserve our thanks, our commendation, and our praise for bringing together in this unique fashion men and the women from the universities, from industry, from labor, and from government for a wide-ranging discussion of the most serious issues before the world today. And I suggest we give our sponsors of this symposium a good hand of thankful applause.

Whether we like it or not, our society for decades to come will be shaped by the actions and the interactions of the academic, industrial, and government communities. It is well, therefore, that the members of these communities begin to think of themselves as a team pulling together in the same direction instead of, so to speak, as an unharnessed troika. I might add that it would be very helpful if this conference would speak to the Congress of the United States about the subject of disarmament and arms control. They may be a little tired of listening to me and a few others. If you really think the Congress ought to interest itself in this matter, why don't you speak to them? You represent the citizenry, and nowhere is this matter of teamwork which I spoke about more evident than in the case of disarmament and arms control.

As one of your speakers, Mr. Kenneth Boulding, so incisively put it at your banquet Tuesday night, the major problem before our society today is a grievous misallocation of our intellectual resources. I want to thank him for that forthright statement. And may I say to those of the business community, and I hope to develop this point in the course of my remarks, that unless something is done in this country about the research dollar, about the money that your Government is allocating and spending for the direct and indirect benefit of the private peacetime sector of our economy, the American industrial system is going to be priced out of the market. It is going to find itself second-rate in another decade; it will find itself losing foreign trade and foreign opportunities. Result: the balance of payment problems for this Government will be far beyond anything we've witnessed today.

You could concentrate this entire symposium on the subject of what are we doing with the research dollar in America today. Then go and ask yourself what other people are doing about their research dollars. Now this isn't all on the paper before me. I had to get this material together rather quickly and after double-checking with staff members. I have the habit of wandering away from what was once a well-prepared script to give a rather poorly prepared speech. This coming year I am going to hold some hearings and publish a report on the matter of research, industrial research, basic research, applied research, military and nonmilitary, on the part of several countries. My preliminary investigations show me that the major threat to American exports today is not in the Common Market as an institution, but rather in what countries are spending to improve products. Our friends in West Germany, for example, are spending four-fifths of their research dollar on improving peacetime products. We are spending three-fifths of our entire research dollar on the military, and the Russians are spending about the same amount or a little bit more.

So the two super powers are apt to be chased right smack bang out of the market in another decade. The Japanese are spending four-fifths of their research dollar, in broad figures, on peacetime production. Maybe this is one of the reasons why they can outsell us around the world and produce a good and, at times, a superior product. Take a look at what the Belgians and the Dutch and a few others are doing and ask yourself what we ought to be doing. It is not just the end product that is important, it is the research product. It goes right back to what we were talking about a moment ago, and Mr. Kenneth Boulding put it so well, that the major problem before our society today is the grievous misallocation of our intellectual resources.

Now coming from an important agricultural State, I have to take exception to one of the statements of Mr. Boulding. I cannot agree with him unreservedly, of course, that we know too much about agriculture. As a matter of fact, may I say most respectfully to the distinguished speaker of Tuesday's banquet that the greatest achievement of the United States today is not in its missiles or in its atomic energy, but in its agriculture. That is the No. 1 productive miracle of the world. We certainly could use some careful research, however, into better ways of utilization of agricultural products, and also in consumption of agricultural production, or better still, into the ways of bringing our modern farming techniques to peoples who still use the wooden plows of their ancestors. The point is well taken, however, that we have an embarassment of riches in certain fields, while our perception of social realities often seems to lag far behind.

I had a press conference in Washington yesterday having just returned from a 36-week tour in Latin America, visiting some seven countries. I have been hard at work. I have been in the back country and in the mountains and in the most underprivileged poverty-stricken areas of the world.

Two-thirds of the world's population, in fact four-fifths of the world's population, is rural. All the problems of the world are not in the big industrial cities—most are in the back country. And regrettably, most of our foreign aid has been spent on industry rather than on rural rehabilitation. And the Alliance for Progress, as I said yesterday, will succeed or fail not on the making of a steel plant, but on what you do in terms of agricultural rehabilitation. What can you do to make life a little better for the campesino, for the peasant, for the farmer. If you cannot do something about that, just fold up your tent and get ready for the worst, for the end of our kind of civilization. But that is another speech. I just thought I would touch on that in case you ever want to invite me back for a second round.

Well, now I am going to stay with my topic as much as I can. I think it would be rather futile to try to articulate a consensus of the diverse points of view which have found expression in these deliberations thus far. The subject of arms control is essentially hypothetical at this stage, and to the extent that the problem is hypothetical, there is every reason to avoid dogmatism and an artificial synthesis of opposing points of view. Rather, what I should like to do is to place before you my thoughts on certain of the economic aspects of arms control and disarmament. Now one aspect of these economic considerations is external to the United States. The other is internal, and neither in my view is given sufficient weight either among policymakers in Washington, or among the many public groups directly concerned with arms control and disarmament.

Now let me start with the external aspects of the economic impact of disarmament. We have so accustomed ourselves to the arms race (we have been at it now since 1940, some 20 years), and have so passively accepted its costs in terms of resources and personnel, that we run the danger of assuming that other countries can also reconcile these costly arms burdens with their own limited economies.

Remember, my fellow citizens, that no Congress has ever voted a reduction in the arms budget. Remember that the Congress, which is the representative legislative institution of the American people, finds it possible to add to the requests of the President and the Bureau of the Budget under any administration, Republican or Democrat. I think this proves my point—that we have become so accustomed to the arms race that Members of Congress find it politically desirable, politically expedient, in fact, to add to the arms budget almost automatically. The fact remains that we in this country have a conditioned reflex when it comes to arms costs and arms budgets.

We have very little realization of what this means to others.

Now leaving aside for a moment the extent of the burden of the arms race on the United States, and we will come to that, there is an undeniable burden on many, many other countries. For evidence on this subject we need to look no further than the plight of democratic India, which finds itself today in the toils of a military build-up just at the moment when every spare rupee should go toward the fulfillment of its economic plans. The current Indian 5-year plan which was never a sure thing even under the best of circumstances, looks increasingly like the main victim of Chinese aggression, and that may very well have been the purpose of the aggression.

I believe Kenneth Boulding mentioned the fact that $120 billion is spent annually on war industry throughout the world, and that is a rough estimate, and that this is greater than the total annual income of the poorer half of the world. Now this is unquestionably a shocking waste of human resources and material resources. The more so as none of the smaller undeveloped countries can buy with its military dollar more than passing security against a small neighboring power. It certainly cannot buy security against any medium-size or large-scale aggression in the nuclear age.

What alternative is there, then, for the underdeveloped country which wishes to avoid being drawn into this arms race, which wishes to devote its resources to the benefit of its people? I submit that part of our answer lies in the encouragement of arms control agreements in specific parts of the world. I believe this ought to become a part of our total concept of what we call mutual assistance.

Ladies and gentlemen, I have traveled a great deal as a Member of the Congress, and I work at these travels, and I have found cases where our economic assistance has been more than offset in country after country by expenditures for arms which are obsolete, ineffective, and are, at best, only symbols of armed security.

Arms control arrangements may be pursued among two different, but related paths. The major powers may, and I think should, try negotiating first among themselves, and then encourage other powers to participate in whatever other agreements are reached. Now this is the rationale behind the test ban negotiations which have been going on for many years and are continuing at the present time.

I want to say we are going to continue those negotiations, and I am hopeful that we will continue to press for at least some degree of acceptance.

The United States, Britain, and the Soviet Union are attempting to agree first among themselves. If they finally resolve their remaining differences, the resulting agreement will then be submitted to other countries for their signature and observance. Now the drawback to this approach, as we have seen repeatedly since 1958, is the amount of time consumed in arriving at agreement among the great powers. Valuable time is spent in attempting to bridge the small, but vital, differences over issues such as inspection and verification. This has clearly diminished the chances for ready acceptance of a nuclear test ban by third and fourth countries.

I do not want my remarks to be misinterpreted. I think we must pursue this course, but it is a difficult one, and we ought to appreciate that fact.

A second, virtually untested, way of controlling armaments and approaching disarmament, is one of special agreements among countries in a particular region. I have advocated this for years. Such regional agreements would conceivably be backed up by commitments on the part of the major powers to observe them. The major powers would either formally adhere to these pacts, or perhaps would sign separate protocols to the same effect.

We should have been pursuing this course, particularly in the Middle East, with vigor, with purpose, with continuity. We should have been pursuing it for years in Africa. Indeed, I am going to discuss with you what I believe is an area in which we can most profitably pursue the regional approach to disarmament and arms control. I am talking of Latin America.

Now there's no point in my arguing that either of these approaches, that it, the big-power approach or the regional approach, is inherently superior to the other. My position is that we should try both—simultaneously, independently, jointly, or by whatever means seems most likely to be successful. Let us be pragmatic. To date, at least one attempt has been made to carry out the first half—that of initial great-power agreement, whereas the path of regional arms control agreements remains untried and untrodden. I think it is time to take a look at some possible new course of action.

Indeed, I am disturbed and concerned that the regional arms control approach has received so little attention from our Government and from other governments, or from students of arms control and the public at large. It is high time to study the feasibility of regional arms control agreements which, among other things, means sounding out the governments in the areas under consideration and following up on those lines of approach which seem most promising. Now I do not want to be misunderstood here. I do not say that regional disarmament, or regional arms control, will prevent World War III, or will prevent the confrontation of the superpowers. I merely say that it will bring some benefits to humanity. And it might very well bring some benefits to the countries that are attempting to help humanity. It might even bring some benefits to countries which are not attempting to help humanity.

With all due respect to the contention that the policy of this administration should be disarmament, and not arms control, we would be guilty of gross neglect if we were to pursue the objective of worldwide disarmament to such a degree and with such tenacity that we ignored the potential of arms control in a smaller spectrum. Now ladies and gentlemen, I see no reason to get into a big argument as to whether or not we should be talking about disarmament—worldwide, universal, and general—or whether we ought to be talking exclusively about arms control. Most people talk too much anyhow, and there is plenty of room to talk about both subjects at the same time. One of the real problems about this whole subject of disarmament and arms control is that we know so little about it. We tend to become very dogmatic about our own point of view. We become experts in a new kind of theology.

I suggest that we loosen up a bit and accommodate ourselves to one another. If you are ever going to be able to get disarmament, you ought to be able to disarm each other's intellectual stubbornness enough to talk sensibly about two subjects—disarmament and arms control—which are clearly related.

Now we were not deterred from creating regional defense pacts in all areas of the world only a few years ago. We did this despite the impossibility of creating a defense pact covering the whole world. First we joined the Rio Pact of Latin America; then came NATO; this was followed by SEATO, in Eastern and southeastern Asia, and finally the Middle Eastern defense pact called CENTO was formed with our active interest, if not with our direct participation. The United States therefore, understands the concept of regional defense. So do other nations. It appears to me that national defense and disarmament are the opposite sides of the same coin of national security. A nation that understands regional defense should also understand regional disarmament or arms control. The United States was so pact-happy during this past decade that any country which did not want to join a defense pact with us was often looked down upon as being positively unfriendly, or at least unwidely neutral. Now with each new pact the United States shipped out more and more arms to its growing list of allies. Most of these arms, of course, went to Europe, but we were also supplying arms to many countries in Asia and to a growing extent countries in Latin America and the Middle East. In the Middle East we have witnessed the frustration accompanying our efforts to hold down the local arms race with one hand while helping to feed it with the other.

Now fairness compels me to say, and I am pleased to say it, that these arms were never supplied indiscriminately. They were always intended to bolster the ability of the recipient country to defend itself against external aggression, to maintain its threatened independence. The arms were not supposed to be used against other friendly powers—we had this all written out in the arms agreements—nor to surpress internal freedom, nor to give the recipient nation any special privilege or special prestige which it might otherwise lack. But it is no secret that sometimes these unwanted results sprang from our military assistance programs all around the world, and once arms have been supplied to a country it is never easy to stop the demand if the need is no longer present, or if there are other ways to meet it.

I shall never forget a personal conversation that I had with the late Secretary of State, John Foster Dulles. We were discussing a certain area of the world to which we were sending arms. I had visited this area only shortly before. He was kind enough to ask me to come over and sit down with him to discuss some of my observations. I went to his home for this visit, and I shall long remember his face, and the sadness in his voice, when he said, "You know, Hubert, once you have extended military aid to one country, the other country demands it from you, and once you have sent tanks to one country, another country wants tanks, whether they know how to use them or not, and then it becomes one of the most costly enterprises we have ever experienced."

What I am trying to say here is that it is not too difficult to start an arms program or a military assistance program, but it is very difficult to terminate it, even when it is no longer needed.

Now my remarks should not be interpreted as an attack against military assistance, because I vote for military assistance in light of the kind of world in which we live. But I do not consider it an end unto itself, nor do I consider it something that we ought not to reexamine in light of new considerations. I merely point out how difficult it is to turn off the spigot. Just look at our budget for military assistance, and you will see what I mean.

In my view there is only one readily apparent alternative to all of this: The concept of regional security maintained by means of arms control in place of, or in addition to, heavy armaments programs. By encouraging the concept of regional security we would be saying to other countries something that we have been saying at home over the past few years, namely, that arms control and arms production are two sides of the coin of national security policy. We have derived all that we can from armaments in the absence of arms control. Now what remains to be seen is whether arms control might in fact lessen the need for arms. I think it will, and I believe we ought to make a serious effort at this particular approach.

As I said a moment ago, in the past 3½ weeks I have visited some seven Latin American and Central American nations bordering on the Caribbean. I saw the Presidents, the Foreign Ministers, and the Finance Ministers of each of these nations. I have been in the congress of three of them, and I met with the Committees of Foreign Relations of each of these congresses. I believe that I have explored in depth, as far as one can in such a limited period of time, the thinking of the people and of the leaders of these Caribbean and Central American Republics, including Venezuela and Mexico.

Now a primary topic of conversation with the leaders and the people of these countries was the problem of the physical security of the regions south of the Rio Grande. In fact, this concern was so close to their lives, to their thinking, that I am sure it was distracting them from the urgent job of economic rehabilitation and economic progress and social improvement—a job that permits of no delay for any reason whatsoever. In other words, the fear of attack, the fear of subversion, the fear of revolution, of disorder, all of which has been augmented by the flow of arms into this area, primarily into Cuba, but into other countries as well—all this has weakened the programs of economic progress, or weakened the possibility of fulfillment of the Alliance for Progress.

I am convinced that the leaders of these countries do not want nuclear warheads and delivery systems, or delivery vehicles stored on their soil or ready for use in any other part of Latin America. The conclusion is inescapable that the United States, in concert with its sister republics in the Western Hemisphere, has a solemn obligation and a great opportunity to encourage a multilateral agreement banning the manufacture, the storage, the testing, and the combat use of nuclear arms and delivery systems in Latin America. The area is ripe for this type of pact—a pact embodying these principles. This is a pact that gets right at the problem of staged disarmament, better termed "arms control."

Now only recently the entire security of the Western Hemisphere was threatened by the deployment of long-range Soviet missiles and bombers in Cuba. Through firmness and a credible demonstration of our willingness, if need be, to use force, and through skillful diplomacy on the part of the President of the United States and his officers, our Government secured the removal of offensive, hostile weapons. We do not want them back, and I am willing to bet that no one anywhere in this half of the world wants them back, either.

A denuclearized Latin America should thus be high on the priority list of Latin American diplomatic goals in 1963. Agreement on the establishment of a denuclearized zone should be worked out by the Latin American countries themselves—just as the formal proposal of such a zone was usefully made by Brazil in recent weeks. The United States is just as concerned as any of the Latin American nations as to whether nuclear weapons are to be introduced in the Latin American area of this hemisphere. We acted firmly in Cuba because there was no alternative. But an agreement to keep nuclear weapons out of the Latin American area and to subject this agreement to adequate verification offers a hopeful way of preventing further incidents like the recent Cuban crisis.

I insist that we give some leadership to this project and not merely tacit approval by means of a statement from some official spokesman. We ought to embrace it; we ought to make it our primary objective. It would be good to notch up a few successes on our scorecard in the field of disarmament and arms control.

A denuclearized zone in Latin America could be negotiated through the Organization of American States. This is a functioning organization which has been surprisingly effective in handling hemispheric problems. The OAS, if it wished, might call upon the United Nations, or the United States in particular, for special services or assistance in connection with the implementation of such a denuclearized zone. The United Nations, for instance, might suggest some of the personnel for the zonal control commission in the event that the OAS decided some nonregional personnel should be involved in implementing that agreement. The OAS could give regular progress reports through the U.N. on the operation of the verification system so that other U.N. members could profit by the experience in Latin America.

I think, by the way, that we need some experience in verification and inspection rather than just arguing about it. The United States could assist the OAS by helping to train inspectors in verification techniques. This would present few, if any problems, since the United States is already a leading member of the Organization of American States. To be effective, however, any agreement of a denuclearized zone in Latin America has to be subject to adequate verification.

I regret to say that of the many proposals for verification of arms control or disarmament measures, none has yet advanced to the stage of adoption, not to speak of implementation. In the case of Cuba, the United States and the Soviet Union have successfully disengaged themselves from the mortal danger of nuclear war, at least for the present.

But this restraint on the part of the two greatest powers may provide little more than a breathing spell unless an essential step is taken toward a permanent settlement of the Cuban crisis, namely, unambiguous verification of the removal of Soviet missiles and bombers as provided for in the historic understanding between President Kennedy and Chairman Khrushchev. If Fidel Castro is allowed to frustrate the will of powerful world leaders, if onsite inspection remains a dead letter in the case of Cuba, then how can we be sure it will succeed anywhere else? To me this is one of the reasons why verification and inspection in Cuba is so vital. Not merely because somebody may have sneaked a missile back into the mountains, or hidden away a plane, but more importantly because if you cannot gain inspection here, so as to lend some degree of credibility to a program of arms control and disarmament, then I submit that the whole subject of disarmament and arms control has suffered a serious defeat from which it may never recover.

Now again do not misunderstand me. I agree that aerial inspection offers a considerable amount of certification, but I also know that it is not a substitute for genuine inspection. In the great power struggle—as opposed to the specific problem of Cuba—aerial inspection is not adequate because the world is too big. The geography and the topography are too complicated.

A denuclearized zone in Latin America should, if possible, lead to the creation of a zone emptied of conventional weapons as well. Any curbing of the amount of arms going to Latin American nations under effective and balanced safeguards would have a healthy impact on the economies of that area. There is not a single country in Latin America that can afford to buy a Colt 45, much less a cannon or a plane. Not one. There is not a single country in Latin America that can even afford a military exercise. Not one. Yet each of them, with the possible exception of Costa Rica, is busily engaged in buying arms, and we have yet failed to place the matter of regional disarmament and a denuclearized zone at the top of the agenda.

I am giving this speech today primarily because I feel that if I shout loud enough and create enough commotion it may be a subject of discussion when President Kennedy goes to Costa Rica in the month of March. I think something needs to be done about it—unless you want to continue buying all the arms they want.

I repeat that our Government should encourage the Latin American nations to make any arms control agreement as broad as possible so as to limit the large amount of funds which are so often wastefully devoted to armaments. The current situation in which the small countries compete for military forces which are too large for their immediate needs, and far too expensive to be maintained without outside assistance, is deplorable.

My fellow Americans, every time you give five or six destroyers, or submarines, or whatever it is, to these particular countries, they have a budgetary deficit, and you have to make that up. Now if you give them to one country, you have to give them to another or you are playing favorites. Now there is at least one area in the world to which we can guarantee protection through alinement, and that is in this hemisphere. That is, if they are primarily concerned about military security. And there is one area in the world that can hardly afford the expense of an adequate sewage system, much less a military system. And there is one area in the world in which we are going to invest in the next 10 years some $20 billion according to the commitments of our Government and our people. That area is Latin America. I think it is about time the American taxpayer asked the question: Are these old-fashioned, conventional, obsolete armaments necessary? That is what they are getting, you know, but they still kill, and they still cost money. The whole matter of arms assistance to Latin America requires immediate executive and congressional scrutiny. And it is not enough for the United States alone to take this initiative. This is why I said it must be done in the OAS, because if we were to deny certain countries military assistance, they could get it some place else. We must arrive at some kind of a hemispheric agreement on this matter, and quickly, for I am here to say that we will weaken and possibly cause the failure of the Alliance for Progress and all that the Alliance means unless something is done to implement an effective arms control agreement in this area.

All of these countries in Latin America must make greater effort over the next several years in building sound and expanding economies. Their population is growing at the rate of 3½ or 4 percent a year. Even if we do what we are doing now, we will hardly hold even—we will just standardize the poverty that is there. We have to redouble our efforts, my fellow Americans, and our friends have to more than redouble theirs. Agricultural production alone must increase sevenfold to take care of the needs of the present population and the population that is growing at an unprecedented rate.

Most Latin American countries depend on the sale of one or two commodities for their foreign exchange. The entire foreign exchange savings of any one of these countries can be eliminated overnight by a sudden drop in the prices of certain raw materials, such as tin, coffee, copper, bananas. Industry in these countries has to be diversified and expanded, and that requires capital. There is no extra money for arms research or production.

These and other needs are priority items on the agenda for the Alliance for Progress. The longer the list of problems, the more this observer is convinced that every penny spent for armaments in this particular area detracts from the solution of critical economic and social ills. Now this area needs the United States and we need them. Other areas are not so sure that they need us or want us. I suggest that we start doing something to improve the household of the Western Hemisphere and we can do it. These problems will not respond to a hasty piecemeal approach which combines emergency economic aid with inadequate long-term development.

What we are prone to do I call checkbook diplomacy. It comes with a rich society; it is the way some people take care of their families. Just write out another check, she will be all right. Just give your son another $500, he will be all right. Buy her a new car, instead of spending a little time on love and attention and family relations.

What I am suggesting is that we will have to approach this matter methodically, carefully, and by plans. What I am advocating is a total approach which will strike at the multiple ills afflicting Latin America and similar underdeveloped regions. I have selected this area because it is still possible to do something. I think 10 years ago we offered much the same thing in the Middle East. Instead of that, however, we decided to have a pact. Today there is a first-class arms race on in the Middle East, and these impoverished countries are destroying themselves. The whole world stands on the precipice of disaster because mankind thought it was more important to concentrate on getting arms into the hands of people who did not know how to take care of them, but knew how to fight and how to kill.

I digress for a moment to tell you I will never forget a hearing in the Foreign Relations Committee about 10 years ago when we found out that we were conducting a tremendous education program in a particular country. I thought that was great. I was heartened. I thought, at long last we are really doing something. Then I found out that the only reason we were doing it was because everybody was so ignorant that they could not use the weapons we had sent them. I found out that we were conducting a terrific nutrition program, a marvelous nutrition program, a great health program in this particular country.

I found out that the reason we were doing so was that everybody was too sick to be able to man the machinery. Then I found out that after it was all over, the people we helped had started using our guns against our own best friends. That is a fact. Arms control, therefore, is a basic ingredient of the best medicine that is now available for a very sick patient. If the patient takes it and lives, then we may look forward to conquering the most brutal brace of diseases in the history of mankind: The twin diseases of war and poverty. I want to touch briefly on some of the arguments that are being advanced against the formation of a Latin American denuclearized zone. They need not detain us too long, however. First, there are those in Latin America who believe that Cuba must be a part of any denuclearized agreement, but at the same time they do not wish to dignify the Cuban Government by sitting down at the same table with them. Now these people cannot have it both ways. The Cuban Government ought to be a party to any such treaty.

I prefer a Cuban Government that is free, and I have some ideas on how to organize a freedom campaign for Cuba, too, rather than just prophylactic action. But the threat of armed aggression from or by Cuba is the chief reason why Havana should be included and not excluded from participation.

The United States does not seek arms control agreements with the Soviet Union because we like or trust its Government. It is for exactly the opposite reason that we seek arms control agreements with the U.S.S.R. It is for this same reason that despite my distaste for the government of Communist China, I have always advocated

Communist China's early accession to a nuclear test ban and to a comprehensive disarmament agreement. I cannot imagine anything more suicidal than agreeing to a disarmament program which excludes Communist China. Yet we have people who hate the Communists and China so much that they are perfectly willing to sign a disarmament agreement and keep China out because we do not want to sit down and talk with them. I have never been able to figure that one out unless they want to hand the world over to Peiping. The people who need to be brought into an arms control and disarmament agreement are the people who are the potential aggressors. Put it in terms that everybody understands.

A second argument against a denuclearized zone in Latin America is that it should not be negotiated only within the framework of the Organization of American States rather than the U.N. Now that is one of those legalistic arguments that get you nowhere. Frankly, I see no conflict here between the parent organization and a regional organization explicitly permitted under the U.N. Charter.

Now one frequently hears a third argument to the effect that the rivalries among certain Latin American countries would wreck any denuclearized zone agreement from the outset. Well, I am here to report to you that there are some pretty serious rivalries in the Senate—as anyone would know who sat through the debate on the communications satellite bill last summer. But in the Senate we often find that the best tactic is to start with broad sponsorship of the bill or resolution after quiet exploration of all points of view beforehand. I suggest that this is a method which might yield some results in the context of the present discussion.

Now our fourth opposition argument is that some Latin American countries would not want to relinquish their right to receive nuclear weapons if the opportunity to acquire them ever presented itself. Now of course, some countries look upon the possession of nuclear weapons as an indispensable attribute of their prestige. But let us not be taken in by this. There are other ways for a nation to acquire prestige and we ought to start listing them. I submit that two of these lie in promoting free and democratic political institutions and stable and expanding economies. That is the prestige that Latin America needs, and that is the prestige that the world needs.

Perhaps the most cogent of all arguments against the Latin American denuclearized zone is that either it cannot be verified adequately or that the Latin American countries will refuse to accept verification.

From the experience of the Arms Control and Disarmament Agency to date, however, it is well known that verification of any conceivable arms control agreement presents no insuperable technical obstacles. Political acceptability is a horse of another color. Technically we can verify. Politically, we have our problems, but I will fall back again on the proposition that aerial inspection at least is possible. Now I see no reason why Latin America should not be encouraged to be the leader in developing techniques and procedures for verification of arms control agreements. The continent has already taken the lead in developing methods of solving disputes among its member nations. A regional arms agreement would be in keeping with the Latin American tradition of promoting peace, international cooperation, and observance of international law.

A final argument is heard more often outside of the hemisphere than inside it. This is the contention that a denuclearized zone in Latin America may inspire similar proposals for similar zones in other areas where it would not be in our national interest or in the interest of someone else to create such zones. Now this is a poor argument that ought to be dismissed out of hand. We have never treated all regions alike in terms of national or regional security. Even in the days of pactomania we were careful to design each defense pact with the special problems of the region in mind. There is no reason to treat the question of arms control any differently. Nuclear weapons are placed in the heart of Europe to counter the superior conventional strength of the Soviet Union. Nuclear weapons are close at hand in southeast Asia to counteract the large manpower reserves of the Chinese Communists. However, we should examine what kind of arms control measures might best serve the legitimate security interests of all countries in any region as well as the countries outside the region which have commitments to help defend countries in the region against aggression.

I for one am not afraid that an effective Latin American denuclearized zone would adversely affect the security of Europe or Asia. I hope that the opposite would be true. Indeed, in the case of Africa I can readily imagine an enthusiastic response to an appropriate arms control initiative by Latin America with the help and encouragement of the United States, and I repeat that our foreign policy, our diplomacy, should emphasize these matters. We do not take this initiative, and I speak now not as a Democrat. I speak as an American citizen. I submit that the State Department, the Government of this country, whether Democrat or Republican, has failed to take the initiative to slow down this wasteful expenditure of arms. We have to solve this problem by international agreement.

Now before leaving this problem, and I will be just a moment on it, it is only fair to note that the creation of such a denuclearized zone will present certain problems to the United States. There might be the problem of armaments in the Panama Canal Zone, of armaments en route through the Panama Canal Zone to the east or west coast of the United States or elsewhere, or armaments stationed at strategic points in the Caribbean. I would be greatly surprised, however, if these questions of particular interest to the United States should ever frustrate the will of the Latin American governments as expressed in the OAS.

If the Latin American governments take the advanced step of agreeing on a denuclearized zone, I am confident that the United States would make every reasonable adjustment in its policies so as to bring this agreement to fruition.

Now I have dealt at particular length on the prospects for a denuclearized zone in Latin America. I tried to make clear that I advocate this step from two overriding points of view. First, from the point of view of other countries and regions which might wish to follow suit, and second, from the point of view of a region which desperately needs to devote a maximum amount of its resources for developing free, productive, diversified economies. Here the arguments in favor of a rational, adequately verified arms control agreement are compelling, and the same arguments pertain to Africa, to parts of Asia, and to the Middle East. We can approach this problem of regional or zonal arms control methodically, scientifically, carefully, in terms of the security interests of ourselves and others. Instead of that, we keep spinning our wheels in trying to get some grandiose program where the sky is the limit.

Now HUBERT HUMPHREY has been an advocate of general disarmament under proper security protections, verification, and inspection—verification and inspection not as a way to delay it, but as a way to insure it. But I say it is not a question of one or the other, of total disarmament or regional arms control. I repeat, you can pursue both courses at the same time, and if you ever had a precedent in any part of the world where human beings live, where there are natives aside from just penguins, where you could have a disarmament or arms control agreement in a regional or zonal area, I think this would have a decidedly good effect upon the whole subject of general and complete disarmament. That is my view.

Now, if you will bear with me, I would like to talk a little bit about ourselves, on the economic impact of disarmament. This may be slightly theoretical, but not necessarily so. In the United States, as everyone here would probably agree, disarmament and arms control are advocated for different reasons, and they raise different problems of implementation and adjustment from those I spoke of earlier.

For many years we have had ample resources to continue a heavy armaments program, in fact we could continue a much heavier one and also produce an abundance of products the economy could use. In every study of the question thus far there is convincing evidence that with proper planning and timely adjustments, arms control and disarmament would present no insuperable difficulties.

You are aware of the fact that the Senate Subcommittee on Disarmament conducted a very substantial and comprehensive study of this entire field. You are also aware of the fact that it could not be published except as a confidential document. Now I was rather surprised, and I might add pleased, that the First Secretary of the Soviet Embassy, who was with you, and who I understand has been talking with a number of you, noted in his speech on Monday that recent studies published in the United States "prove that general and complete disarmament is feasible from the point of view of the American economy." Well, this ought to remove the classification restriction on that document of ours. The cat is out of the bag. Now I am highly gratified that the Soviet and the American negotiators have the beginning of a common language when they approach the broader problems of disarmament.

Unfortunately, the fact remains that whenever the United States undertook large-scale reductions of military hardware and personnel, which we have done twice in our lifetime, it was quickly presented with the threat of new aggression. But let this be clear. We have disarmed, and we have done it twice within a period of 40 years, and we have been able to do it without serious dislocation of the economy.

The only nations that have ever disarmed and proven that it could be done with benefit to their economy and to their people, were free nations, democratic nations. We have had experience in disarmament. Now rearmament immediately ensued after these experiences, not because of economic expediency, not because of joblessness, not because of depression, but because of the threat of aggression. I want to repeat that we have proven that you can disarm, and we have done it so quickly that the plans now being made at Geneva look like plans for eternity. We get it in a few months, not over a period of years. The resiliency in this economy of ours is incredible and unbelievable.

The trouble with American capitalism is that the capitalists do not believe in it enough. Good grief, they have the best product in the world, and they go around making apologies for it. The totalitarians have a product that has been proven to be a failure, and they go around bragging about it. The highly centralized totalitarian regimes have never experienced voluntary disarmament. Maybe this is why they are so worried about it. They have never produced solely for peacetime consumption. Never. Hitler never produced for it; Mussolini never produced for it; Tojo never produced for it.

Stalin never produced for it. No totalitarian regime in the history of mankind has ever produced for peacetime consumption, despite whole libraries full of promises to their people. The Soviet Union, regrettably, has pursued a tragic course through its 45 years of existence. Intent upon building up its armed forces against either real or imagined foes, it has chosen as the lesser evil a depressed standard of living for its people.

Ladies and gentlemen, this may now be a point in human history where some real thinking is going on in the Soviet Union. I hope so. I know there is some form of intellectual ferment there. I believe there are people in the Soviet Union today who, on the one hand, feel that they ought to have an all-out arms race. If they have it, they cannot win it. Be sure of that. We have the resources to outproduce them at any stage in the foreseeable future. If it is an arms race they want, we ought to assure them that it is one for keeps, so that the diehards, the hardheads, among them will understand it unequivocally. We did not do that for a long time. We just gave them an arms race in the fifties that was cheap enough for us to enjoy, and just low enough so that they could not win. Now, I am not advocating that course.

The other possibility is that at this very moment there may well be men in positions of responsibility in the Soviet Union who are wondering whether or not they ought to try for a higher standard of living, if necessary, at the expense of all-out military production. If so, this will require the most delicate type of probing and exploration.

I am not prepared to say unequivocally just what is the situation, because I am not that wise, but I am prepared to make the study; prepared to try and find out. I repeat that no totalitarian society to date has tried to produce for peacetime consumption. Possibly Mr. Khrushchev and some of the people around him are beginning to ask some questions as to whether or not an arms race is the manner in which they should pursue their objectives. And if that is the case, then we ought to be prepared by intellectual exercise, by plan, by program, by science and technology, by every available means; by study of human behavior, to see whether or not there is any possibility in reducing the thrust of this arms race and cutting it back.

This is why I supported the Arms Control and Disarmament Agency—not because I thought it would bring about arms control and disarmament, now or next week, or next year, or 2 or 3 years, but because I thought it was time that we mobilized the intellectual resources of this country for peace and for a peace that is meaningful.

Therefore, in both countries, in both economic systems, there may well be an ingrained inertia or just an ingrained bad habit which has to be overcome. Possibly there are groups in both societies which are afraid of the dislocation of shipping priorities which will be the hallmarks of the immediate postarms race era. I, myself, have never subscribed to the notion either that our economy depends on defense spending or that powerful groups in the American economy oppose disarmament because it would bring financial loss and unemployment. I do not buy that idea. Nevertheless, I detected some uneasiness in some groups and people representing some economic areas whenever these subjects are mentioned.

With automation proceeding at a fast pace and causing dislocations among the unskilled and untrained, every lagging element of the economy has a harmful effect in the absence of prompt and effective corrective measures. Moreover, the U.S. Defense Establishment has now become so concentrated that some individuals, communities, areas, and companies are all too dependent on a continuation of defense contracts. I remain convinced that with proper planning by Government, industry, labor, and the communities involved, these adjustment problems can be met and solved. They have been met—even without planning. We are a lucky people. The time has come to remove whatever economic uneasiness remains.

I have said a number of times that one of the great shortcomings in this country is the unwillingness of people to permit planning or even the statement of goals. I think it is time that the Government of the United States, in consultation with industry and labor and the communities affected, start to make some plans—not only war plans, but peace plans as well. Both the executive and legislative branches of our Government have been derelict in not sitting down to study these problems in detail. The hopeful studies that Mr. Karpov mentioned are extremely useful, but they are no substitutes for the exhaustive work that is required. With detailed studies and plans, I am confident that any doubts about our ability to adjust favorably to a disarmament or arms control program, if one could be negotiated with safety, can be shown as groundless.

We must overcome our reluctance to plan ahead. At the same time, I fully agree with Mr. Arthur Barber, Deputy Assistant Secretary of Defense for Arms Control, if I understand his message, that planning is a joint venture and not merely a matter for Government alone. Now one of the main reasons why studies of the economic adjustments to arms control are needed now is that some of these adjustments will require substantial innovations. I mentioned, for example, the matter of research. And I want to repeat that this is our major economic threat in the next decade—the failure to properly allocate the research dollar. I think we are going to pay for it; I think we are going to lose business; I think we are going to have unemployment; I think we are going to lose markets because we have not properly allocated the defense dollar. We will become a Sparta without recognizing that the real strength of the American security system lies in its economy and in the broad diversification of that economy.

Now let me illustrate. Many defense companies are basically commercially oriented, even with large defense contracts. They grew up serving a market where the customer was king, and they are familiar with competition; these companies will do all right. Under an arms control situation these companies can be counted on to renew their concentration on the commercial market. They will undoubtedly develop new lines of products, expand abroad, increase production of regular commercial items to meet demands. In the event of a loss of military contracts their main problem of adjustment would be in making a smooth transition from defense to commercial projects, and surely, Government could aid in this. Their experience would be essentially a repetition of the adjustment which many companies underwent following the Korean war.

Many other defense companies, however, have little or no experience with commercial sales. Created almost solely to fill defense contracts, they are not commercially oriented and their genius has lain in amassing impressive intellectual talent and resourcefulness to solve major technical and developmental problems associated with the missile or the nuclear age. Such companies could not easily be left to sink or swim in the free marketplace. In fact, the entire management of these companies is geared to serving only one or, in the best of circumstances, only a few customers. Therefore, there are not many of these companies, but individually their size is tremendous, and I submit that about the 15 largest of them account for some 45 percent of the entire defense procurement.

Research and development allocations of the Government, I might add, are not very well distributed, either. This does not make much sense from a defense point of view, not to mention an economic point of view. I do not happen to believe that one or the other seacoast has a monopoly upon either weather or brains. What is more, in my part of the country it is cold, and I gather that the Russians have a rather cold climate, too.

I am using as my general source of information some data selected from a recent study conducted by my Senate Subcommittee on Disarmament. About 15 companies did over $10 billion worth of defense work in 1959 and it is substantially more now. Moreover, they did little or no commercial business on the side, so what are you going to do about these companies if and when you get any form of arms control or disarmament?

If these companies are geared to serving only a few customers, then a large part of the answer is to create some new customers, to substitute for the loss of defense work. Where might such customers come from—from what fields of endeavor other than the commercial market? Where might these companies find a welcome need for their talents?

I think a few possibilities could be mentioned. First, there is space. The space effort will expand greatly in the coming years. I do not believe many of us appreciate how greatly it will expand. You can expect within 5 years a space effort of not less than $25 to $30 billion, if not more. That is a minimum estimate. Planets such as Venus and Mars will enjoy far less privacy in the years ahead than they enjoy today.

Already there is keen competition between the civilian requirements for space exploration and the military demands for better and more reliable vehicles of destruction. Might I add to my civilian and military friends that we are not kidding anybody; this competition exists. I had a prominent civilian space scientist come to see me 3 months ago, and he tipped me off. He said, you can expect, Senator, a considerable amount of publicity in the next months ahead about the space operation being taken over by the Air Force. How right he was. Now do not misunderstand me. I think the Air Force has a vital role in space, but I do not think the military ought to own it. I believe that basically the National Aeronautics and Space Administration ought to be fortified. The military ought to have its role; but, like the Atomic Energy Commission, the space program ought to be essentially a civilian program with the military taking on the special aspects that are required for the defense of the Nation.

Time will tell whether the unsatisfied demands of NASA Telstar, and the like will ever take precedence over the legitimate necessity for improved military space technology. I have expressed my point of view on that, but in any event, there are too many unmet needs on earth to have all of these resources directed outside our atmosphere.

Our second area is atomic energy. Today, over 17 years after the first nuclear explosions in World War II, the then heralded peaceful applications of nuclear energy have still not proven economically feasible. Why has there been only one NS *Savannah?* One of the reasons I would suggest is that a concentrated effort to develop widespread peaceful uses of atomic energy has been of comparatively low priority. With the elimination of overriding defense needs, the peaceful application of nuclear energy should rank high among the tasks to be assigned our defense-oriented industry.

And finally, there is the area of water. I might say to my scientist friends that it just seems to me that instead of trying to find out how dry it is on the moon, we should try to find out how to put some water on the soil, or do both. Every place I have gone there is nothing but rocks and dust and we are pouring in billions of dollars of American capital, and they have no water.

It seems to me that a concentrated program on the study of water supply or on converting sea water into potable water—not just a little half-baked effort, but a tremendous effort—will produce this result. I predict that the first nation that can convert sea water into sweet water first will be the most powerful nation on the face of the earth in the next century or half century.

This is even more important than getting to the moon. I gather that is going to be interesting, and I would like to see us get there first, but I will tell you, if you could get into the Sahara Desert first with water, you would beat everybody.

You have just witnessed the danger of having a layman talk to you on scientific matters. One of the needs, in this society, I think, is that we tell the scientist what to do and not let them tell us what to do. I will never forget what Paul Henri Spaak had to say about the Common Market. He listened to all the lawyers for 5 years and they told him what you could not do. It just could not be done; international law would not permit it, sovereignty would not permit it, etc. He and the Dutch Foreign Minister got together one day and they called in the experts and said, "Now look, old chums, we have decided on a Common Market.

You figure out how to do it. That is how they got the Common Market. A year ago just last month Henry Spaak told me this very story. I think it is about time we called in some of the scientists and said, look, we have decided we want to do something. That is what they did in World War II about the atomic bomb. I think that if we decided we wanted some water we would find a lot of it around. Three-fifths of the surface of the globe is made up of it, and of the other two-fifths, one-fifth is arid.

Now, not only is there a problem of water in other parts of the world, but also in the United States. Floods wreak their destruction in some areas; there are water shortages in others. Disputes over water have created grave political problems between nations. There is one right now between Mexico and the United States.

All of this suggests to me that one of the current needs in the world is the creation of an international water development authority. I do not care particularly whether this is one institution, or whether it consists of regional institutions, but if the major regions decided to make a massive assault on all our water problems and could utilize the genius of some of our best scientists we could be solving two big problems in a most satisfactory way—the adjustment of the problems of big defense contractors and the water problems of many scattered regions of the world.

I shall not outline this in any more detail. I merely add this. I attended the World's Fair in Seattle. I saw what they called the Century 21 exhibits. I saw what we could do with our scientific talents if we ever had a chance: how we could remake our cities; how we could literally remake our educational systems; what we could do in terms of communication, roads, ports, rivers development, telecommunications; what we could do in terms of our libraries and automation, and retrieval of information, automatic translations.

Ladies and gentlemen, if we had but the will, if ever we could get a program of arms control under verification or of disarmament under inspection and verification, there are unlimited possibilities.

One of the great tragedies is that we have never been able to fully dramatize those possibilities except in the most general terms. This is a limitation upon us. We have never been able to dramatize, it seems to me, what we are trying to do with a limited program like the Alliance for Progress. We have bankers who announce loans, but we never have anybody who announces what the loans will buy. We read that we loan $100 million to country X, and most everybody feels that half of it will be wasted, a quarter of it will be stolen, and nobody knows what will really happen with the money. It seems to me that what we ought to do is announce that we have arrived at an agreement with country X to build X number of thousands of homes, to rehabilitate 1 million acres, to build schools for 2 million children, to provide so many job opportunities. Let somebody else announce how big the loan was.

It seems to me that even as we discuss the economic aspects of disarmament we ought to face up to the fact that all of this is impossible unless there is a political decision backed up by science and technology. A political agreement. But what if there were a political agreement?

What would be the end result, or better yet, how do you get a political agreement unless you start to outline what could be the end result—the advantages to all sides? If only we could convince the mass of humanity, through its political leaders, or directly, of the possibilities of a world without an arms race, I have a feeling that it would have some effect, even in the most restricted countries. Do not misunderstand me. I am a political realist. I know that a totalitarian regime has a very limited public opinion, but even the totalitarian regime is not immune to public pressure. At least an effort is worthwhile. This is why I have often believed that the behavioral aspects of arms control and disarmament ought to be stressed. I believe this, and I believe that more than just the scientific and technological aspects need to be emphasized. I happen to believe that when you seek out things like this there is a basis for progress. Now some people may say that it is untimely to advertise the economic and social benefits of a world firmly at peace when this is far from being the case. This is not the same as counting chickens before they hatch. I like to think of it rather as the adventuresome spirit of foresight which has distinguished our Nation throughout its history. We have the dream, the tangible possibility of a world at peace or of a world that is at least in balance, that possibility ought to be something that we bring to the world and not leave for others.

WALTER HELLER ON "MEET THE PRESS"

Mr. HUMPHREY. Mr. President, a national debate on the wisdom of the President's proposal for tax reduction and reform has begun. I only hope this will be a debate where both proponents and opponents demonstrate a willingness to consider on their merits the urgent steps that are needed to bring our actual economic performance in line with our economic potentiality.

Both Houses of Congress have the definite responsibility to examine the President's proposals with the greatest scrutiny. Even though I am not a member of the Finance Committee or the Joint Economic Committee, I believe it is my responsibility to spend considerable time and effort analyzing the various proposals of the President and other interested parties. Undoubtedly, the question of tax policy will constitute the great issue of the 88th Congress.

Last Sunday the President's principal adviser on economic matters, Dr. Walter Heller, Chairman, Council of Economic Advisers, appeared on the NBC television network program, "Meet the Press." Dr. Heller was questioned by four perceptive and knowledgeable newsmen: Vermont Royster, of the Wall Street Journal; Hobart Rowen, of Newsweek magazine; Richard Wilson, of the Cowles Publications; and Richard Harkness, of NBC News. I found their exchange raised a number of important points.

In particular, Dr. Heller had the opportunity to clarify some earlier remarks he made relating to the puritan ethic of the American people and its impact on the President's tax proposals. Dr. Heller emphasized that his earlier remarks were entirely complimentary in tone. The basic puritan ethic of the American people simply meant that they would deny themselves tax cuts unless and until they were convinced that tax reductions were truly in the national interest.

Dr. Heller said, and I say, that a tax cut was never more in the national interest. The facts of 5.8 percent unemployment, undercapacity operations of our industrial plant, sluggish economic growth rate, and lost Government revenues clearly demonstrate to me and, I believe, to the American people, the need for prompt, and substantial tax reductions. Moreover, these reductions should be achieved in a manner that creates a Federal tax structure that serves to stimulate, to accelerate, and to invigorate our national economy.

Mr. President, the able reporters on "Meet the Press" asked Dr. Heller many difficult questions. They fully exercised their reportorial talents and privileges. But I think Dr. Heller provided complete, frank, and persuasive replies to their questions.

In order that every Member of Congress will have the opportunity to assess the information developed in this forthright exchange of views, I ask unanimous consent that the full text of Dr. Heller's appearance on "Meet the Press" be printed in the Record.

There being no objection, the text of the program was ordered to be printed in the Record, as follows:

MEET THE PRESS

(Produced by Lawrence E. Spivak, Sunday, February 10, 1963)

Moderator: Ned Brooks.

Guest: Dr. Walter W. Heller, Chairman, Council of Economic Advisers.

Panel: Vermont Royster, Wall Street Journal; Hobart Rowen, Newsweek magazine; Richard Wilson, Cowles Publications; Richard Harkness, NBC News.

Mr. Brooks. This is Ned Brooks, inviting you to "Meet the Press."

(Announcement.)

Mr. Brooks. Our guest on "Meet the Press" today is President Kennedy's chief economic adviser, Dr. Walter Heller. He is the Chairman of the Council of Economic Advisers.

We will start the questions now with Richard Harkness, of NBC News.

Mr. Harkness. Doctor, I suppose that most of us translate Government budgets and economic policies in terms of our own or our own families or own business. For instance, I am quite sure the Harkness family could not reduce its income, as you would by reducing taxes, and spend more.

I am sure that we'd end right up in the poorhouse, and I think a lot of people in this country think that the Government is headed the same way. What is your comment on that?

Dr. Heller. My comment on that is that many a business has headed into riches precisely that way. How did Henry Ford, for example, accomplish what he did? Namely by lowering the price of his product and by increasing the volume, and by cutting taxes now and invigorating the economy and increasing incentives, the President is convinced, and his advisers are convinced that we will stimulate additional activity, and we will get more revenue in the long run and get the balanced budget sooner that way.

Mr. Harkness. Well, certainly Henry Ford did that. I suppose A.T. & T. does it some too.

Dr. Heller. Indeed.

Mr. Harkness. But you have basically a deficit financing policy here, and this Government of ours has had 28 deficits in the last 34 years, and I am sure that no business could do that.

Dr. Heller. No; but at the same time it is perfectly true that both business and private individuals have been increasing their debts a lot faster than the Federal Government. The Federal Government has had an increase of about 15 percent in its debt since the end of the war; State and local governments about 330 percent; private business, about 200 percent. Per capita debt of individuals, Mr. Harkness, has increased fourfold since the end of the war. It has been part and parcel of the expansion of this great economy of ours.

Mr. Harkness. Doctor, will the President accept tax reduction this year without tax reform? I ask that especially because on NBC this afternoon Senator Long, the second ranking member of the Finance Committee, is for a tax cut—he has his doubts about tax reform. Congressman Byrnes, Republican, of Wisconsin, I think No. 1 Republican on the House Tax Committee, wants to put tax reform in the deepfreeze and that seems to be rather general sentiment in Congress.

Dr. Heller. Let's put it this way: The President's program for tax reduction and tax reform has those two parts. It has the urgent need for tax reduction to stimulate the economy and the abiding need to reform or adjust the tax system so that we can have a fairer tax system, a better balanced tax system, and a more efficient flow of resources.

Now as the President has pointed out, these are closely interrelated. Nevertheless there is no question but that Congress has its own sense of priorities, its own sense of what is the proper sequence and will seek its own formula and a judgment will then have to be made after Congress has taken its action.

Mr. Brooks. We will be back with "Meet the Press" and more questions for our guest, Dr. Walter Heller, but first, this message.

(Announcement.)

Mr. Brooks. And now resuming our interview, our guest today is Dr. Walter Heller, the Chairman of President Kennedy's Council of Economic Advisers.

You have just met Richard Harkness, of NBC News. Our other reporters today are Vermont Royster, of the Wall Street Journal; Hobart Rowen, of Newsweek magazine; and Richard Wilson, of the Cowles Publications.

Lawrence E. Spivak, permanent member of the "Meet the Press" panel, will be back with us soon.

We will continue the questions now with Mr. Royster.

Mr. Royster. Dr. Heller, I'd like to return to this question that seems to be bothering the Harkness family so much. Now you have proposed that we cure a long succession of Government deficits by deliberately planning the biggest planned deficit that has ever been incurred in peacetime by this or any other country, and I believe you have complained that the American people have difficulty in understanding this because they are imprisoned in a puritan ethic. That is, people aren't smart enough to understand why big deficits financed by inflation aren't good economics.

In your opinion, Dr. Heller, what is wrong with the puritan ethic?

Dr. Heller. Well, I am delighted that you raise that question, Mr. Royster, because it gives me a chance to correct the record, and it also gives me a chance to correct your question, because first of all this is not the largest peacetime deficit in history.

Mr. Royster. I said the largest planned one, Dr. Heller.

Dr. Heller. Oh, all right, just so that we are clear, there was the $12½ billion deficit——

Mr. Royster. That was an accident. It wasn't deliberately planned that way.

Dr. Heller. And we should also, I think, point out that out of the $12 billion roughly of deficit that is planned, if you will, that is forecast for next year, $3 billion roughly is a result of the tax cut. The other $9 billion is a result of the economy not operating at full tilt.

Now, as to the puritan ethic, let me say first of all that I was citing it in an admiring tone, not as a slur, not suggesting for a moment that the American people don't have the capacity for understanding. What I was saying was this, that because essentially of the puritan ethic they are willing to deny themselves tax cuts unless and until they are convinced that they are in the national interest. And our job, it seems to me and the administration, is to show that they definitely are in the national interest, that the stimulus, to jobs, to incentives, to profits, to production, will more than make up the lost revenues. And as I said to Mr. Harkness, the best outlook for a balanced budget is to get up to a prosperous level, cut down unemployment, cut down unused capacity and get the revenues that go with a fully prospering economy.

Mr. Royster. Well, Doctor, it may be one reason why some people have difficulty in being persuaded is that they remember that F.D.R. once said, "Today's deficit is the seed of tomorrow's surplus," and that was a quarter of a century ago and very few of those seeds have sprouted into surpluses.

In your opinion what is different about today that this idea should be any more true today than it was 25 years ago.

Dr. Heller. Well, the situation 25 years ago in the great depression was utterly different, Mr. Royster. We were then dealing with 18- to 25-percent unemployment, not 5- to 6- or 7-percent unemployment. We were dealing with a situation, by the way, in which there were two sharp tax increases in 1933 and 1937.

One can't say that it is on all fours at all, either in the size of the problem or in the medicine that is to be applied. Therefore, I don't accept that as a comparable situation at all.

Mr. Rowen. Mr. Heller, you have said, and the President has said that we have had a slack in the economy for 5 years and this is why we need a rather substantial tax reduction program. But just a minute ago in answer to Mr. Royster you pointed out that only $3 billion of the deficit this year would be attributable to tax cuts. Now that leads naturally to the question, hasn't the administration rather oversold the extent of the tax cut it is proposing and the possible impact on the economy?

Dr. Heller. Mr. Rowan, not at all. After all, it is a $10.2 billion tax cut. It is spread over a period of 3 fiscal years. But remember under the President's proposal, $6 billion of that tax cut would be in effect by July 1, 1963, and another $2 or $3 billion net by July 1, 1964.

In other words, within 12 months or less of the time that Congress has completed its action, $8 to $9 billion of tax cuts would be in effect.

Mr. Rowen. Well, Mr. Heller, $6 billion at an annual rate would be only $3 billion in this calendar year. Then we offset against that the $2 billion increase in social security taxes. And I believe your own economic report makes the point very well that very little impetus can be gained for the economy out of the tax cut during this year and only a modest amount in 1964. And you have been quoted that full employment might not be reached—the 4-percent level—to perhaps mid-calendar 1965. Isn't that putting the administration's goals pretty far in the future?

Dr. Heller. Well, there is a matter of speed limits, the matter of having a proper staging of the cut so that it will on one hand meet the objections that we have heard implicitly from the other two questioners so far, concerning the size of the deficit, and on the other hand, meet the needs of the economy. And a $6 billion reduction in the level of taxes and increase in people's after-tax income at an annual rate starting July 1, is a pretty substantial increase.

Now it is true that others have questioned the speed of this. The other day as you know the labor-management advisory committee, including Henry Ford and Thomas Watson, the president of IBM and several others, Joe Block, the head of Inland Steel, also pressed for decisive tax reduction action during the current year. But I don't think that it can be faulted as too small a program.

Mr. Rowen. Judging by the President's comment at his press conference on January 24 when the tax message was sent up, isn't he and aren't you basically interested more in tax cuts than tax reform this year?

Dr. Heller. Well, I think he himself has said that the top priority is tax reduction. But tax reform is an important part of a balanced program, and if you take the tax reform out of it, of course the overall reduction of $13.6 billion would have to be reduced correspondingly. But as I said, a final judgment on this can't be made until Congress has gotten a good deal further along in its action.

Mr. Wilson. Dr. Heller, on the basis of the plans you have projected to Congress for a $10 billion deficit, brought about in some part by tax reductions, do you think there ever will be a balanced budget in the Kennedy administration?

Dr. Heller. Yes, I do, Mr. Wilson.

Mr. Wilson. What makes you think that?

Dr. Heller. Well, past experience with tax reduction, for example. There have been three tax reductions since the war, one right after or at the end of the war in 1945, another one in 1948, another one in 1954. The experience with all of those suggests that not only do the revenues restore themselves as the result of the stimulating effect of the tax cut, and, of course, other surrounding circumstances, they not only restore themselves but they result in higher levels of revenue to the Government. Our best bet for a balanced budget—and I guess I am repeating myself—is to get this economy up to the 4-percent level of unemployment—that is our interim goal for full employment—and to get the factory capacity of this country being used at 90, 91, or 92 percent and not lagging along at 85, 84, 83 percent.

Mr. Wilson. I think in this connection, Dr. Heller, the thing that bothers a great many Congressmen is that you cannot and perhaps others cannot accurately foresee what the result your actions will be over a period as long as 4 or 5 years.

Now it has been called to my attention that you said on August 7, 1961, I think, that if the Federal deficit got into the range of $4 to $7 billion, then tax increases would be needed to offset the impact of government spending, but now you say with a $10 billion deficit in prospect, tax decreases are necessary. And some Congressmen raise the point that they think there is a contradiction there, that conditions have not changed that much since 1961, but that somehow or other your method of rationalizing measures you wish to take may have changed.

Dr. HELLER. Well again I am glad to have an opportunity to address myself precisely to that question. You are right. A Congressman asked Secretary Dillon that question on Thursday and he thanked him for asking him such an easy question. He said obviously conditions have changed since that time. At that time we were in the midst of an upswing in the economy that was running about $12 or $13 billion per quarter. That is, each quarter we were producing about that much more on an annual basis than in the preceding quarter and it looked as if the possibilities for moving on up very close to full employment were very good indeed. The slowdown which again reflected the gap that opened up in 1957—the slack that we have had since 1957—that slowdown didn't come until 1962, and the President, the Secretary of the Treasury, the Council of Economic Advisers, are responding to a distinct change in experience and trying to reflect that change. I don't think that inflexibility on these matters would do credit to us at all. The situation is different. The program as a result has been adjusted to this difference.

Mr. WILSON. About two-tenths of a percent difference in the rate of unemployment, is that right?

Dr. HELLER. I don't quite see where you derive that figure, frankly.

Mr. WILSON. Well, the difficulty, however, that they point out is that you cannot always forecast these results, that they were not forecast with respect to the 1962 fiscal year, that a forecast surplus turned into an $8 billion deficit, based upon anticipated revenue from a business revival that did not come. And they say, "Why take this risk of jeopardizing the national credit, so to speak, when you cannot really foresee what the results of your actions are likely to be?"

Dr. HELLER. Well, let me say first of all that I see no jeopardy to the national credit. As a matter of fact, our national debt, as a proportion of our gross national product, which is after all the way in which we can sensibly measure it, has dropped from about 115 percent of the gross national product in 1947 to 58 percent at the beginning of this administration and is now moving on down to about 53 percent.

We do not see a jeopardy to national credit.

Secondly, we in common with about 90 percent of the private forecasters in the economy do not see enough zip, enough expansion in the economy in 1963 to bring us within striking distance of the 4-percent unemployment rate, and of full utilization. Consequently inaction it seems to me would be more risky than action.

Mr. HARKNESS. With this income tax cut, "zip" as you put it so well, you believe that the gross national product will increase from what to what?

Dr. HELLER. Well, we feel on the basis of past experience and on the basis of relationships that have been very stable within the American economy, that a cut of $10 billion when fully effective will multiply itself into two, three, four times that amount of gross national product. I would say, to take a conservative estimate, three times, within a couple of years. In other words, this won't be instantaneous because the program isn't instantaneous.

Mr. HARKNESS. You are talking in terms of what, $578 billion gross national product, roughly?

Dr. HELLER. Our forecast for the current year is $578 billion as a midpoint of a $10 billion range.

Mr. HARKNESS. And then what next year, as the zip becomes zippier?

Dr. HELLER. Well, that is looking pretty far in the future, but we would look to the tax program to cause the gross national product to be perhaps $15 or $20 billion above what it otherwise would be, toward the end of next year, toward the end of 1964.

Mr. HARKNESS. Doctor, a little change of subject here. Under the present tax law I may deduct interest I pay on the mortgage on my house, my charitable contributions, and local taxes. If I understand Mr. Kennedy's tax reform program properly, he is saying that I can deduct—assuming it is passed—deduct only that amount over 5 percent.

Now the Republicans on the Hill especially, and not a few Democrats, believe that you are really soaking the middle-income brackets with this tax reform program.

Dr. HELLER. Let's first of all make clear that there are $13½ billion of tax cuts in this program and only $3½ billion of tax recapture, so it is clear that the vast majority, 99 percent of the taxpayers, are going to have a reduction. Ninety-nine percent. Though I must say that sometimes when one hears the complaints it sounds as though 50 percent of the people are within the remaining 1 percent.

Mr. HARKNESS. Forty-five to forty-seven percent are in the fix that I was talking about.

Dr. HELLER. Not in terms of actually paying higher taxes as a result of the combined sharp reductions in rates and, in this case, you are mentioning, the 5-percent floor on deductions. Except for a very small band of taxpayers—you know this won't take away from anyone their additional deductions for mortgage interest, medical deductions and so forth. They will still be deductible.

You might think of it a little bit like a $50 deductible collision insurance policy. Most collisions are going to run over that amount, but by having the $50 deductible you pay a lower rate.

In other words, the 5 percent enables us to have lower rates of taxation.

Mr. ROYSTER. Dr. Heller, in talking to Dick Harkness here you made reference to some of your projections for the economy for the rest of the year and that reminded me that last year just about this time you made some predictions on growth, what the gross national product would be in 1962, and they turned out to be dead wrong.

Now you are predicting a GNP this year that is going to zoom up from $553 billion to $578 billion, I believe the figure is. Why do you think you are right now when you were wrong last year?

Dr. HELLER. Well, that is a fair question. Last year we forecast a 9.2-percent growth in the gross national product, and it turned out to be 7 percent. I don't know whether that is dead wrong, but it is off by a couple of percent, and we don't pretend to be omniscient in these matters. Nevertheless, on the basis of consistent experience, on the basis of the persistent slack since 1957, and I might say on the basis of the private appraisal too, that we have seen, we feel that this is a very reasonable estimate for 1963.

Mr. ROYSTER. Well, now you have at least said you are not omniscient. Now let's just imagine for a moment that the magic of this tax cut doesn't work. Now you estimate in your economic report here, this large voluminous document, that a $563 billion GNP, which is $15 billion below your estimate but still $10 billion more than the present GNP, and we'd end up with another $5 billion in the deficit. If you add $5 to $12 billion, that gives you a $17 billion deficit, even if the Government doesn't spend any more money.

Are you at all concerned about the possibility of a $17 billion deficit?

Dr. HELLER. Well, the suggestion here was if we don't have a tax reduction we greatly increase the chances of a recession. In other words, that the $9 billion deficit without the tax cut might be raised by as much as $5 billion. I think your question really illustrates the most important point that one can make, namely, that a recession is far more costly in the Federal deficit than the tax cut, and indeed it is a very good investment to have the tax reduction and avoid that larger deficit of a recession.

Mr. BROOKS. Gentlemen, we have about 2 minutes. Mr. Rowen——

Mr. ROWEN. Dr. Heller, let's bring up the question of the wage-price guidelines. Has the administration thrown those guidelines out the window?

Dr. HELLER. No indeed. The document you have in front of you, namely the President's Economic Report, reaffirms them.

Mr. ROWEN. Then how about the settlement in the Longshoremen's strike, that 38 cents divided over 2 years—I know there is a difference of opinion as to exactly how much it is, but it appears to be something between four and a half and five percent annually as an increase. The wage-price guidelines suggested three to three and a half. Now isn't that clearly more than the guidelines set out?

Dr. HELLER. Well, the guidelines don't suggest a flat 3 or any other percentage figure. Nevertheless this was a very special situation. It is not one that we would like to see followed as a precedent. It of course is not a pace-setting industry like steel or rubber or plastics, but it certainly is a situation in which there are special factors, particularly work rules. I might say that on the average the wage increases in the past year have been the most moderate of any year since the war.

I would hope that this [dock] precedent would not be followed.

Mr. WILSON. Dr. Heller, what will happen if the Congress fails to enact the President's program for tax reduction and increased spending?

Dr. HELLER. If it increases spending instead?

Mr. WILSON. No; if the Congress fails to pass the President's program for tax reduction and increased spending.

Dr. HELLER. Well, it seems to me that we are then taking a very great risk of recession, as I said a moment ago, and a very great risk of not absorbing our unemployed resources, our unemployed manpower and our unemployed industrial capacity.

Mr. WILSON. Well, how much will unemployment rise?

Dr. HELLER. I think within the next couple of years—Secretary Wirtz has estimated it might rise to 7 or 8 percent.

Mr. BROOKS. Gentlemen, I am sorry. As they say at the Capitol, our time has expired.

Thank you very much, Dr. Heller, for being with us. I will tell you about next week's guest on "Meet the Press" after this message.

(Announcement.)

Mr. BROOKS. Next week our guest on "Meet the Press" will be the chairman of the Senate subcommittee now investigating the Russian military buildup in Cuba, Senator JOHN STENNIS, of Mississippi. Now this is Ned Brooks saying goodby for Dr. Walter Heller and "Meet the Press."

APPOINTMENT OF SENATOR PROUTY TO READ WASHINGTON'S FAREWELL ADDRESS

The VICE PRESIDENT. The Chair appoints the Senator from Vermont [Mr. PROUTY] to read Washington's Farewell Address on Friday, February 22.

ORDER FOR ADJOURNMENT UNTIL MONDAY NEXT

Mr. HUMPHREY. Mr. President, I ask unanimous consent that when the business for today has been completed, the Senate adjourn until 12 o'clock noon on Monday next.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HUMPHREY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

THE UNFINISHED REVOLUTION

Mr. HUMPHREY. Mr. President, last month I was privileged to deliver the annual Sidney Hillman lecture at the University of Minnesota.

My remarks concerned an area of the world which today hangs in the balance between freedom and totalitarianism—Latin America. I discussed some of the problems, opportunities, and challenges of the nations in the central and southern part of this hemisphere.

The University of Minnesota arranged to record my Sidney Hillman lecture of January 3, and sent to me a written transcript. I ask that it be printed at this point in the RECORD.

There being no objection, the lecture was ordered to be printed in the RECORD, as follows:

THE UNFINISHED REVOLUTION

(Address by Senator HUBERT H. HUMPHREY)

INTRODUCTION OF SENATOR HUMPHREY

This evening's event brings together two important things—the interests and the wishes of the Sidney Hillman Foundation, which does honor to the memory of one of America's great labor leaders, the founder of the Amalgamated Clothing Workers of America, and one of the founders of the CIO, and one of the close friends of President Roosevelt and one of the distinguished servants of its people and the interests of the University of Minnesota in commemorating the 100th anniversary of the signing of the Emancipation Proclamation.

On January 1, 1863, President Lincoln expressed the wish and will of the Government, of the wish and will of the then not United States that all of its citizens should be free and that they should all have a right to anticipate the opportunities and the dignities that are implicit in democracy. The event which we commemorate is an event which was not born with the fixing of a signature, and indeed the achievement of the liberties has gone through a long gestation period. Our shortcomings do not, however, disqualify us from expressing both gratitude and happiness that the proclamation was signed and that we have worked continuously for an improvement in our common respect for all mankind since that date. I do not want to intrude on the time of our distinguished speaker, but I think it appropriate to call attention to one of Abraham Lincoln's more remarkable statement at the Baltimore Fair during the period immediately before his inauguration, in which he made the observation to the people, which is an observation that would be important to us again now and I am afraid to our children in the next generation as well. His observation, which I will now attempt to quote only in paraphrase, was roughly as follows: The world is much in need of a definition of freedom, and few people understand its meaning. The shepherd sees a wolf seize the neck of his sheep, and he jumps to its defense, driving the wolf away, and the sheep bleats thanksgiving because he is liberated, while the wolf cries tyrant, especially since the sheep was a black one. This typical parable in the menconian style is an expression of the problems that a free society has, and struggling in a free environment toward a common definition that will respect all mankind, and it is important that we have distinguished servants aware of both the difficulties and the importance of freedom who can from time to time come and express for us our ideals, or to call attention to the things we as a people are trying to effect at home or in the world that are important to the freedoms of man. HUBERT HUMPHREY is a distinguished alumnus of this institution, has received the highest awards that we can give him as an alumnus, and has received the most distinguished award a Congressman can receive from the American Political Science Association.

But for us he is most important as an active, practicing member of government who is inquisitive and wants to know why, who has the courage to ask questions of Khrushchev in Moscow in 1958 or to press for a Peace Corps for the world in the new administration, to walk hundreds of miles through the poverty-stricken sections of Latin America to try and know the truth, both about needs and activities under the Alliance for Progress. I think we are very fortunate to have a man come recently from looking at the problem to tell us what we have done and what we may hope. I take great pleasure in presenting to you Senator HUBERT H. HUMPHREY.

ADDRESS BY SENATOR HUMPHREY

Thank you, Dr. Wilson. Ladies and gentlemen, my fellow Minnesotans, and friends, I am sure that if you were in my position tonight you would feel challenged by this gracious, generous, and kind introduction. I can think of no finer honor than to be introduced by the president of one of the world's great universities, and be able to speak on the platform of the university that was kind enough and generous enough to give me the opportunity of a college education.

We had a pleasant dinner prior to this gathering, and I want to express my thanks to Mr. Sander Genis, Mrs. Genis, and to the others of the Amalgamated Clothing Workers, to my friends in the trade union movement who were there present, and to the regent of the university who was with us, Mr. Robert Hess, of the Minnesota State Federation of Labor.

I can think of no more fitting forum to discuss a topic that I have selected—"The Unfinished Revolution"—than this university campus—one that is dedicated to political freedom and to intellectual and academic freedom and inquiry.

Sidney Hillman

It is a challenging opportunity to participate in the Sidney Hillman lecture series. I knew Sidney Hillman, and I knew him well. I knew him as a respected and gifted leader of men, a labor leader, as a good citizen, as a dedicated patriot. His life was the fulfillment of the unfinished business of democracy. He sought to give people greater opportunity. He sought the realization of true equality for all people under freedom.

I address myself tonight to "The Unfinished Revolution"—the American Revolution that began in the 18th century, that has become contagious, a revolution that spreads throughout the world. I do not speak of the counterrevolution—the revolution of reaction of Communist totalitarianism—but rather of our revolution, the democratic revolution that seeks greater freedom and greater opoprtunity for all mankind. I was forewarned by one of my associates that possibly the word "revolution" is out of place in the comfortable surroundings of mid-America, but I truly believe that we of the United States—and particularly we of this generation—ought to sing forth the great melody and the lyrics of the American Revolution. Too few people know about it, here or abroad, and it is our responsibility to know it and to speak of it.

America's revolution

A hundred years ago the great President Lincoln unleased a second great American revolution—a revolution of political and social equality. It was documented in his Emancipation Proclamation—the charter of freedom for a whole people. It was the mighty whip that struck down the inhuman institution of slavery. Yet though that proclamation was ratified by fire and sword, a century later there are those that still resist it, and repudiate even in our times the true meaning of that great document. The exploitation of man by fellow man, the denial of constitutional rights of American citizens, will not be ended by a public statement by one as great as Lincoln's—nor even by the ordeal of a terrible civil war. Only through several generations of constant, persistent effort, and daring leadership have we been able even to approach the promise of the proclamation. That effort continues to this very hour, and it will continue until the last vestige of discrimination based upon race, creed, or color has vanished from the face of America.

There are, in fact, three great revolutions which have dominated our history. The first, a revolution against foreign domination, the Revolution of Independence, 1776. The second, to which I have aluded, was the revolution against the inhumanity of the slavery system in the Civil War, and the third more contemporary, was the peaceful revolution of the 20th century, the economic and social revolution that we have witnessed under the administrations of men like Theodore Roosevelt and his Square Deal, Woodrow Wilson and his New Freedom, and Franklin Roosevelt and his New Deal. In this revolution the American people, particularly the workers and the farmers, were successful through the democratic process in achieving a government more responsive to their needs and their wants. These revolutions have succeeded in creating a system which has made the greatest advances in man's history toward freedom from the tyranny of autocratic government, from the lash of poverty, from the fear and the prejudice of ignorance, and the savagery of the exploitation of man by man. We have, at least in this century, popularized our politics and humanized our economy.

In recent years we have come to understand and to realize that the competition between the totalitarian forces and those of the free world cannot be measured solely in terms of military strength or gross national product. It is also a conflict of ideology and philosophy, a combat between two radically indifferent revolutions.

Two years ago the 35th President of the United States, John F. Kennedy, in cooperation with many leaders in this hemisphere, charted a vast new program for the extension of this democratic revolution. There is, in fact, a new emancipation proclamation calling for the freedom of millions of impoverished, illiterate, and oppressed peoples throughout Latin America.

Latin America

Let me pause to comment that the phrase "Latin America" is all too often used, and will tonight be used, in a somewhat inappropriate manner. There is no Latin America as such, except geographically. There are the republics of what we call Latin America, each different, each with its own culture, its own history, its own ethnical characteristics and differing economies. Now if the Alliance for Progress is to have any historical significance, it will be not only because it succeeds in breaking with the past, but also succeeds in achieving a peaceful revolution directed, inspired, and supported by those who believe that inequality, poverty, and backwardness can be eliminated, can be overcome by the rational processes of political decision and economic development. It is well to remember that this continuing revolution grows as much out of the leadership of a Simon Bolivar or a Juarez, as out of a Washington or a Jefferson, as much from a San Martin as from a Lincoln.

The Alliance for Progress is a bold challenge to those who cry, with the Communists and other extremists, that mankind cannot be freed from his bonds of ignorance and poverty without the violent and bloody destruction of the existing system and the imposition of a dictatorship.

The Alianza para Progreso is a cooperative venture undertaken in the belief that the processes of constitutional democracy can move sufficiently swiftly and decisively to accomplish vital, urgent, social, and economic changes. I am committed to the proposition, and this Nation is committed to the proposition, that change—radical change, revolutionary change—can come through orderly, peaceful processes.

The Alliance is more than a proclamation, and it is far more than a declaration of intent. It is, and must be, a program of action. Its success requires the allegiance not only of those who are motivated by democratic ideals; it demands men and women of decision—people who can make decisions, people who are committed to action. If it is to succeed its leaders must have a sense of urgency. They must be adventurous. They must be daring. They must be willing to risk making mistakes. President Wilson and I were visiting earlier this evening about our observations of the Latin American scene, and we agreed that the greatest problem in the Latin American area is the delay in action, the failure to act. Action must be the byword, the watchword. We must not hesitate to act, even when we are not absolutely sure of all the data because to delay is to invite defeat. The problems the Alliance has is designed to overcome will not yield to any ordinary timid or conventional effort.

We must understand that there would be trouble, violence, and disorder in Latin America, even if there were no Communists and Castroites. The truth is that Castro's communism is the effect rather than the cause of the deep discontent that has overwhelmed vast areas of the hemisphere to the south. As one observer puts it, most Latin Americans were born on dead-end streets, and feel that they are doomed to live there until the day they die. Lives of grinding poverty and voiceless desperation are commonplace; I have seen it. Latin America is dynamite, and some of it has already exploded right on our doorstep. Castro and his Communists are exploiting the tensions and the troubles of a corrupt and dying order. The destruction of Castro and his regime in Cuba will not alone cure Latin America's illness, for Latin America is very sick. And it has been sick for many, many years. Sick because of its own failures, sick in part because of our neglect.

Aid to Latin America

Just a few figures underscore the depth of the problems of Latin America. Just prior to the time of the Alliance for Progress, Latin America could be measured in terms of over 200 million people in an area two and a half times as large as the United States of America. This continent had received less than 3 percent of the total economic aid of the United States from 1945 to 1960. Compare this with Europe, which had received 41 percent of our aid, to the Far East with 17½ percent, to the Near East with almost 12 percent. Two percent of the people in Latin American countries, if you put them in an aggregate, own more than 50 percent of the total wealth. Two-thirds to three-fourths of the people live in unbelievable, abject poverty. Furthermore, the Latin American population is exploding—it doubled from 1920 to 1956. It is increasing at an overall rate of more than 2½ percent a year, and in some of the Central American Republics that I recently visited it runs as high as 3½ to 4 percent. The life span is being extended, but life expectancy throughout South and Central America remains less than 45 years, while here in the United States it is 70.

The problems illustrated by these statistics are not surface problems. The are not peripheral. They are deep, and they are enduring. They are caked in the centuries-old hard crust of tradition and privilege. They demand a coordinated attack by the most daring and ingenious men of our times, and with a commitment of human and material resources far beyond anything that we have contemplated thus far. The commitment of resources, human and material, we have made thus far can only be judged as a beginning. I fear that unless we do far more we shall lose all that we have done up to now.

Such a commitment cannot and should not be undertaken by the United States alone. We all need to be reminded again and again that the Alliance for Progress is an Alliance. It is a partnership. We are only a part of it, and if that Alliance is to succeed, we—and by we I mean all of us in this hemisphere must mobilize and commit the resources of all of the nations of this hemisphere on a heroic scale. And we can well ask our prosperous friends and compatriots of Western Europe to make their contribution too, because the battle for freedom is fought on a worldwide front.

What Latin America really needs is a Sidney Hillman. It needs a Franklin Roosevelt. It needs, and it cries out for whatever you wish to call it—"Square Deal," a "New Freedom," a "New Deal," a "Fair Deal," or a "New Frontier."

Personal report

Now let me report to you on what I saw this past month. I am pleased to be able to say that the Alliance for Progress, which I observed last year and upon which I commented rather critically, has now started to move. It has begun rather well. It is now more than a document, more than a Presidential pronouncement, more than publicity. It is more than a plan. It is now taking shape in political and economic reform, and in projects. It can be seen in new housing. I have seen thousands of new homes for lower middle income people, for the poor, and for the poorest of the poor. Progress can be measured in new schools, in new health facilities, in new textbooks, new roads, new industries. There is progress, and there is an Alliance. The Alliance for Progress is no longer just a phrase. It is beginning to live.

But apathy and inertia remain very strong in many parts of Latin America. The very immensity, the overwhelming, the almost staggering scale of the social and economic problems discourages many. The forces of privilege, the entrenched oligarchies, and they have them as well as the Communists, fight every forward movement. We have, indeed, come to grips with a monster—almost a prehistoric monster—the corroded and ugly product of the accumulated oppression and evil habits of centuries.

But, my fellow Americans, we have joined the fight. We have joined the battle with this monster, and I return from my second visit to Latin America in the past 2 years more encouraged and ever more determined. Our recent travels took us into Venezuela, Panama, Costa Rica, to El Salvador, Honduras, Guatemala, and Mexico. I sense a growing recognition this year, among the key leadership with whom I met in Latin America, that the Alliance for Progress is indeed a cooperative operation. There is increasing understanding that local capital, local initiative, local planning, local sacrifice, and hard work are required, and that the United States should not be expected to, nor does it have any intention to either dominate the Alliance or to pay all the bills. I made this crystal clear to every head of state that I was privileged to meet. I addressed the Members of the Congress in Venezuela, the Congress in El Salvador, and the Senate in the Republic of Mexico.

I sat down by the hours with their leaders, with their planners, with their economists, stressing always that we are a partner, but we have no intention of paying all the bills. We are demanding reform. We insist upon a degree of integrity in administration. We are not going to permit our capital or our manpower to be frittered away in useless or ill-planned efforts. We are taking an active role in promoting fiscal and political and economic reform. We are offering the best of our technical assistance, and we are loaning important amounts of capital. When I hear people talk about "giveaways," I say that this talk is a disservice to our country and to those who are recipients of the aid. These are loans. Many times they are what we call long-term, low-interest loans, but they are repayable, and our Latin American friends are repaying on previous loans, just as our European friends have.

New partnership

There is a healthy relationship as a result of such frank talk. A genuine feeling of partnership is growing between our representatives and the Latin American leadership. I might point out that North Americans, as we are called, are generally respected and liked. We are not, of course, enlisted in a popularity contest. We are a member of the Alliance because we believe that this is essential to our national security and to our allies. But it is a fact that President Kennedy is a very popular man in Latin America. Of course, it is still fashionable for demagogs to profess a distrust and an animosity towards the United States. In my opinion, however, such professions fall into the category of political cliches which have outrun political reality. I found nothing but the warmest and most enthusiastic welcome. In the drawing rooms of presidents and in the dust of the slums, the people pressed to tell me how deeply they appreciated the initiative that our country has taken, and the action of President Kennedy. People came up to me almost in an emotional frenzy explaining in their way how grateful they ware for the Alliance for Progress. These were often people who could neither read nor write, but they understand. At long last somebody cared.

They demonstrated their affection and respect for the tough-minded men and women that we have representing us today in the day-in and day-out contacts in these countries—our ambassadors, the embassy staffs, our aid missions and our Peace Corps; yes, and our business, professional, and labor representatives. Our businessmen do a good job in these countries. Sometimes I feel that American business fails to tell its own good story. We are not exploiters. In the main our people are considerate, fair, pay well, and establish high standards. I was very proud of the Peace Corps. The men and women of the Peace Corps are not all young, but they are youthful in spirit and conviction. They are doing an amazing job.

I wish you could have seen the group of nurses whom we met in Honduras, one of the countries in Central America in the greatest need of help. I met a dear lady who was in her sixties, from the State of Washington, working up in the hills. She was working like a corpsman, running a health institute. A little mountain health center. Such men and women in the Peace Corps, in the AID, and diplomatic missions, are doing great things for other people and our country. We can be mighty proud of these Americans. They are wiping out the stereotype of the ugly American. They are fine, first-class, trained, alert, and hard working. I speak of all of these people, with few exceptions. There are few second-raters. And the Latin Americans understand, by the high caliber of our present representation in their countries, that we do respect them, that we are in earnest, that we do mean business, and that we are serious about this Alliance.

A few years ago I could not have made this statement, because it was a regrettable fact that in all too many instances the Foreign Service of the State Department of the United States did not send its top people to Latin American countries. One singular accomplishment of President Kennedy and Secretary of State Rusk, is that top-grade people, with few exceptions, are being selected for these important posts. This word gets around.

I was pleased also to see the caliber of the men who are coming to leadership in the countries that I visited. There is a kind of new spirit, a "new frontier" spirit, if you will, about many of these new leaders. They are young, most of them. They are educated, they are trained, they are committed, and they are vigorous. I met young men trained at this university, in the fields of education, in the fields of agriculture, and health—proud to be graduates of the University of Minnesota. They were in key cabinet positions in government, men in their thirties who are prepared to do battle with man's ancient enemies of disease and poverty. There is no spirit of manana in these governments. These men had some good experiences here in our universities and they have carried those experiences back home. For the most part they have come to have a respect and an admiration for our political and economic institutions. We need to back such men, and we need to encourage them.

Progress for people

Our vital interests lie not in the simple accomplishment of higher living standards in Latin America, but in the political stability which can be based only on economic and social progress for the masses of the people, and in their acceptance of the principle of orderly change in government. We must do more to encourage the growth of nongovernmental, democratic institutions—not only through our Government, but through the intensified efforts of U.S. business management, educators, doctors, and other professional groups, our trade unions, our farm cooperatives. Voluntarism, as we know it, the complex of voluntary agencies that we have, the many organizations to which we belong—is not a tradition in the Spanish culture. But it can be a healthy addition to that culture. We can do much more than we are doing to encourage private initiative, private investment. We ought to be proud of our private investment system, not apologize for it.

I have traveled many areas of the world, and I have yet to see a system that works better, or that provides greater social justice than this pluralistic economy of ours, which combines government, private and cooperative investment, and management. We need to encourage respect, not only for human rights, which is primary, but also for property rights. We need to encourage and we are encouraging sensible fiscal planning, stable monetary systems, the income tax and property tax reforms that are so vital to any kind of stable government.

There are many hopeful signs that I can report to you in Latin America. The movement for economic and eventually political integration of Central America is one. It is gathering momentum. Yes, there is a powerful Common Market in Western Europe, but there is a Common Market also in Central America. At the Central American Bank headquarters at Tegucigalpa, Honduras, are men like Enrique Delgado, men who have, many of them, been trained and educated here—men who are devoted to the ideal of an economic and political transformation of Central America. There is every reason to believe that the 11 million Central Americans can succeed in interconnecting their highways and their communication systems, their electrical power systems, in sharing their industrial and agricultural planning, in lowering their barriers to trade.

Would you believe it that in these little republics roads will run out from the capital city to a national boundary and quit? ECLA, the Economic Commission for Latin America, has made a proposal—a modest proposal running into a few million dollars—to connect the roads among the six Central American Republics. I think it will cost $10 million, and by that one effort alone, which can be accomplished in 1 year, you will have created a network of highways that will permit commerce between the nations. Imagine a network of highways that will permit commerce between the nations. Imagine if the roads in Minnesota stopped short of the Iowa border, and the Iowa roads stopped short of the Minnesota border.

There are countries in Central America which have not 1 railroad system, but 36, all separate, all different. Five and six different gages of railroad track can be found in one little country. No telecommunications connect the capitols. When you call from San Salvador to San Jose, which is less than 45 minutes by plane, you go through Miami or New York. No decent telephonic communications connect the capitols. There are huge regional hydroelectric power possibilities. One country now may have a shortage of power and the next may have an excess of power, and there are no interconnections. What a waste.

Now the leaders of Central America understand that this is a waste, and they are moving to interconnect roads, railroads, power, telecommunications.

All I say to my Government is "Hurry up!" These people want action. I sometimes have a feeling that while we are aware that they have great needs, in our own comfortable surroundings, we cannot really feel that they are urgent.

Central American Common Market

Fortunately, we in the United States are supporting this Central American initiative for a Central American Common Market. Minnesotans should be proud that Professor Marguet of the department of economics of this great university was the godfather, the inspiration for the Common Market of Central America. His widow is there in Guatemala City. He died speaking for it, working for it. So I felt a very personal involvement as I met with Pedro Delgado and his staff of the Central American Secretariat. Both we and they now have functioning regional institutions, manned by able people, working together effectively, and I trust rapidly, toward what promises to be an impressive achievement in the next several years. Our programs of economic and technical assistance must continue to emphasize economic and political integration in Central America. I intend to make it my business this year to see to it that priority is put upon regional integration, and that loans and projects that are designed for a country without any direct reference to what it will contribute to regional integration will take a lower priority. That message has already been conveyed to the high places of this Government.

The Central Americans know that economic integration is their basic hope for a higher standard of living. However, in South America, as contrasted with Central America, the development of a common market, or what they call a free trade area, and regional planning have faltered badly. The Latin American nations now face not only the united strength of the Soviet bloc, but also of Western Europe and its African partners. Individually, the countries of Latin America are weak, and they are in no position to either compete or bargain with the stronger more prosperous, Western Europe, United States, or Japan. We can perform no greater service for our neighbors in the south than to insist that in their political and economic planning they now place a high priority on economic integration and joint planning. Cooperating together, joining together in some form of common market supported by international trade agreements, Latin America can become an economic power that can command respect in international market places.

Throughout Latin America the economic situation will continue to depend largely upon the price of raw materials. Therefore, commodity agreements, on an international basis, are vital to the welfare and prosperity of these countries. A drop of a few cents a pound in coffee can wipe out in 1 year the effect of several years of the Alliance for Progress. Raw materials prices in recent years have dropped sharply, and these prices are directly reflected in the budget deficits of country after country, in inflation and in lower standards of living. The recent international coffee agreement signed at the United Nations, was well received in Latin America, and it is recognized that our country, the United States, played an important role in obtaining this agreement. We need to do more of this. We need to fight for these people, because they can be victimized in the international market places. We must help our economically weak neighbors to the south to build their economies, not merely by our loans and grants, and technical assistance, but also by helping them to receive a fair price for what they produce. Ultimately the success of the Alliance for Progress may be well determined by the price structure of important commodities produced in the Latin American areas. A nation in the final analysis, must earn its own way by its own effort, by their own production, based on fair prices, fair wages.

We are also strongly encouraging a cooperative Central American effort in higher education. A strong beginning has been made. There is regional specialization, with universities opened now to students from the entire region for special disciplines. We have encouraged the spectacularly successful effort to put textbooks this year in the hands of every Central American first and second grader—the first new textbooks in some of these countries in 50 years. This is another beginning. The plan calls for low-cost, nonpropaganda-ridden textbooks, paperbacks, costing around 9, 10, or 11 cents apiece, for every schoolchild in Central America through the elementary grades. This is an Alianza project. We are identified with it. What a blessing. It is no use to build schools if you have no teachers or books. At long last we are beginning to understand that it is the books and the teachers that are even more important than the structures.

As for the university student bodies, just a quick comment. Student bodies in the countries in which I traveled, at least on this trip, appear to be growing somewhat more sophisticated as to Communist Party organization and techniques. Can you imagine students bringing down governments? Well, they do in these countries. They go on strike. They cause a whole university to close. They fire and hire professors at will. But slowly, subtly, but surely, changes are being made. I talked with Dr. Ignasio Chavez, the rector of the University of Mexico, which is a tremendous institution, some 55,000 or 56,000 regular students, another 20,000 preparatory students, a magnificent campus, and superb facilities. Dr. Chavez is one of the leading heart specialists of the world. He knows of our own university, and our own great heart hospital and medical school. He had many friends here on this campus. The professional student who never attends a class, but who can always be found in the leading ranks of the student riots and demonstrations, will either go to school and produce and get his grades, or get out. What a happy day that will be in Latin America. I shall summarize by saying that there appears to be a slow but steady rollback of Communist influence among the students and faculty of members of Latin America.

Communist efforts

Now this is not to say that the Communist Party is inactive or that it is not working in Latin America. It is, particularly through Fidel Castro's Cuba. Venezuela is its principal target in the Caribbean area. The Communists are working particularly hard in the rural areas throughout all of Latin America, where poverty is the deepest, where illiteracy and ignorance are the most prevalent, and where we have done the least. I cannot understand what is wrong with us. We have not been an industrialized nation so long; have we forgotten our rural background? Why are we so dedicated to building steel plants, and so unwilling to do a job in agriculture, where we excel? We have some competition in steel, but we have none in agriculture any place in the world. Poverty in the rural areas: this is the hunting ground for Mr. Castro's boys. While Castro himself has lost a great deal of prestige in recent months, the Communists have not relaxed their drive of subversion, propaganda and infiltration. I saw it in Venezuela. I wondered why a man who was with us all the time was carrying a briefcase which he never opened.

I found later that he was carrying a submachinegun. Our Ambassador is carefully guarded. It is a unique experience to wake up and find gunmen protecting your hotel room. When you ask that it not be done, you are told that it is necessary. Terrorism, my fellow Americans, is the order of the day in parts of Latin America. But the governments of Latin America are much more aware today of the real Communist threat than a year or two ago, and more effective steps are being taken by democratically elected governments to curtail Cuban infiltration. Embassies have been closed to reduce Cuban propaganda and terrorism. It is now well recognized that the threat of communism is not its economic and social doctrine. The problem is that of combating a well-organized, disciplined, conspiratorial apparatus which does not hesitate at open and wholesale assassination. This requires effective policing, it requires courageous leadership and the loyalty of the security forces. This conspiratorial activity must be met head on.

But communism can finally be defeated only by producing obvious, constructive results through democratic processes—results that are so obvious that they need no interpretation and no publicity to be understood. Yes, results like new schools, broader land ownership, clean water, hospitals, roads, factories, and jobs. These are the building blocks of such an effort. Communism is strong in certain parts of Latin America principally because freedom and all that it represents is weak. Communism gains where the economy falters, and where leaders fail to lead. Now to be sure, economic progress must be planned across the board. But there must be more than just big plans. We need dramatic demonstrations of what can be accomplished under progressive democracy, and particularly where a dictator has been removed and a free democratic government has been established. For example, there is in the Dominican Republic a new President, President-elect Bosch, elected in a free election. Here is the opportunity to demonstrate, within but a few miles of Cuba, what a progressive democracy can mean for the people. We need a showcase of democratic achievement, and then we need to actively spread the good news. We can have people come and see it, as well as shout the bad news of Communist failures in Cuba. In other words, I submit we need to join the fight on every front—political, economic, propaganda, educational. Above all, we need to produce some demonstrations within the environment and culture of Latin America, that are dramatic and meaningful.

Challenge in Venezuela

Perhaps such a demonstration can be made in the Dominican Republic. Another can be made in Venezuela. It is quite obvious that the Communists have made Venezuela their next major objective in Latin America, and I call upon my Government and the American people to meet this Communist offensive head on and destroy it. The government of President Betancourt in Venezuela is a progressive government. It is open and friendly to the United States, vigorously supports us in all international councils.

It respects private property, private capital and investment. It encourages capital investment. And at the same time it sponsors the broadest social reforms and developments for its people. It has strong trade unions, rural cooperatives—all the things we know about in this great State of Minnesota. It is a government that is acting boldly, after years of corrupt government, in the fields of housing, health and education, and in rural development. The Communists are determined to destroy this government because they know that if constitutional democracy can succeed in its program of social and economic development, communism in Latin America will have suffered a disastrous defeat. The stakes are high here. The Communists know it, and they are out to win. They have money and zealous people ready to fight. They have unwitting, yet equally zealous, partners in the extreme right wing who fight Betancourt as viciously as the Communists.

The question is, do we in the United States fully appreciate the significance of this battle? Where are our zealous people? Are we really using our strength and resources to win? Because mark it down now, this is a battle. A Communist government in Venezuela would control tremendous resources. Venezuela is potentially rich in oil, iron ore, timber, and in agricultural production. It was bled white by corruption and dictatorship in the past, but there is great natural wealth. Venezuela is a land of contrasts, but it is also a land of hope and opportunity for freedom. Venezuela represents a bastion of strength in the Caribbean for the democracies. Cuba is the Communist spearhead. It is the base for political penetration—Communist penetration in this hemisphere—and if Venezuela can be overwhelmed by Communist subversion from Cuba, the Caribbean could become a Communist sea. Every Central American Republic would be endangered. The Alliance for Progress would be literally destroyed. The energies of the people and the resources of the entire area would be dissipated in efforts to meet subversion or attack in fear and in political chaos, rather than in building a progressive and equitable society. Fear and uncertainty could paralyze leadership of all the Caribbean should Venezuela fall to the Communists. We cannot afford to lose any more battles in Latin America. And we must make it crystal clear that we do not intend to lose, that we are prepared to put all of our resources in this struggle, if need be.

We should make it clear and precise, too, that those who are friendly partners of the United States and fulfill the commitments of the Alliance for Progress, the commitments of Puenta del Esta, will receive our fullest assistance and support. Our Latin American neighbors must also understand that we are determined, in fact, to help only those nations and peoples who are willing to chart a course of progressive social and economic change. It is one thing to carry on normal diplomatic relations with governments that may not meet the standards of the Alliance for Progress. I can understand the requirements, the needs of our Government in that respect. But we have no obligation—indeed, we have no right—to use American taxpayers' money to support governments financially that refuse to cooperate under the terms of the Alliance.

There is a tendency in government to adjust to any given set of circumstances, and in recent months we have accommodated ourselves, regrettably, to military juntas which violate the standards of the Alliance and suppress democratic institutions. A case in point is Peru. I submit that we weaken the Alliance for Progress when we cooperate with a military junta that has overthrown a constitutional government, and has repudiated a free election. I say this as a friend of this administration. And I say nothing here that I have not said in the highest councils of our own Government. The Peruvian junta has yet to make the political and the economic reforms required by the Alliance. The Alliance for Progress will be a mockery to the Peruvian people until political freedom and free elections are restored.

Progress in Mexico

Now in sharp contrast to the developments in Peru and regrettably in the Argentine, is the program of our sister republic to the south across the Rio Grande. In Mexico a proud and vigorous leadership has been for two generations carrying through its own social and economic revolution, of significant proportions. Yet this revolution has been impeded, has been slowed down by misunderstandings and suspicion and distrust between our two peoples. It was shocking to discover how little a citizen of the United States really knows about the character and achievements of the modern Mexican people. And it was equally shocking and distressing to learn how little is understood in Mexico, in high and low places, about the growth and the change in American institutions in the 20th century. Sometimes it seems that we in the United States have been living in a kind of a dream world, and bad dreams, too, in which the only Mexicans we have known were the ignorant and slovenly villains of the old Hollywood movie. And perhaps in Mexico they have been living with another bad dream in which 19th century U.S. robber barons flaunt their wealth in the faces of the poor—as they are pictured in one of the colorful, propaganda-saturated Diego Rivera murals in Mexico City. We have not fully understood and appreciated the intelligence and maturity of the present Mexican leadership, and I fear that they in turn have not fully understood the extent to which the 19th century capitalist economy of the United States has evolved into the pluralistic, humanitarian and progressive society of the 1960's—that we have humanized the economy. Nor do they fully understand, I think, the role which private investment must play in their own continued progress.

While we in the United States may not have realized the grave problems which a relatively limited amount of arable land forces upon the Mexicans, I am constrained to say that I feel the Mexicans have not fully grasped the significance of our highly productive system of privately owned family farms, backed up by voluntary associations and cooperatives. There is room for some more intensive and broader exchange of ideas among the agriculturalists and the economists of our two countries. And it is so important.

But the Alliance for Progress is being accepted in Mexico as a serious statement of cooperative intention by the United States. In fact, this week the Mexican labor movement will sponsor a 3-day conference of over 2,000 representatives of organized labor in Mexico to discuss, to better understand, and to implement the Alliance for Progress. I went to the people, not just to the governments, but to the campesinos—the farmers—and to the workers, and asked them to try to understand a little more of what we are attempting to do, to study it, to come to their own conclusions, to join it. Without exception there was a favorable response. As I said to them, if it is not working in your behalf, then make it do so, because it is for you, and the only way you can make it perform is to understand it and have something to say about it. I understand that after this 3-day conference, the free labor movement in Mexico will sponsor an international conference of all of the Latin American countries designed to improve and strengthen the Alliance for Progress.

The Mexicans are accepting this Alliance as a serious effort and they recognize in the programs we are supporting in their country, and the personnel we are sending there to work with them, that we mean business. There is nothing quite so conducive to friendship and understanding, to overcoming inherited prejudices, as the opportunity for two peoples and two nations to work together for their common good. And the Alliance for Progress, fortunately, permits us an ever closer interchange of ideas and cooperative effort with this mature and growing democracy on our southern borders.

The Alliance for Progress cannot succeed unless it receives the cooperation of Mexico and Venezuela, in this area called the Caribbean. I know there are times that we are disgruntled with Mexico. Sometimes she does not do everything that we want her to do. But this is a proud country, with pride in its history—a country that smarts yet over the Mexican War and other U.S. affronts of the past. We need to let the Mexicans know that we are not proud of all our past actions. But, above all, we need to understand that Mexico represents a modern political democracy in this hemisphere if not always to our fashion and design. Without Mexico's help and cooperation, our efforts can only be partially successful.

Finally, in Mexico as in Venezuela, and throughout Latin America, the rural areas will be the decisive battlefield of democracy versus totalitarianism. The war will be fought out on the plateaus, in the mountains, in the back country. We have tended to assume it would be fought out in the cities. But the main battlefield is in the rural areas. The announced objective of the international Communist Party apparatus—announced in 1952 and forgotten by practically every America, is to win the struggle in the rural areas and they've been hard at work in these areas. In the capitals of Latin America, excellent work is commencing in housing, in education, in tax, and fiscal reforms. But out in the country the campesinos—the peasants, the country people, the farmers—are often being neglected. We must put a higher priority on rural development in the Alliance. We are just now beginning. We have too many people that do not even know what a farm looks like running many of these projects. We have become a sophisticated, industrialized, urbanized society, and we have a difficult time relating our experience to their current problems. Remember that over half of the Latin Americans live in the rural areas. Remember that these people can barely scratch out an existence. In the United States of America 9 percent of the people feed the rest of us—the greatest productivity of agriculture the world has ever known. In Latin America the problem of adequate food is a major day-by-day problem for millions and millions of people. But we are having trouble finding people that know how to teach the campesinos the kind of farming that they need. We are too mechanized, too modern. We must find such men and put them to work in raising the standard of living of those farm families, to increase the available food supply, and to help build private democratic institutions, which can become the underpinning of a broader, more representative democracy. The Alliance must see to it that agricultural credit on reasonable terms is provided, instead of the present system of 30, 40, and 50 percent interest, which is commonplace, where you have to pay back in 3 to 6 months. Our own farmers could not survive under those terms. We have to help—to see that there is good seed, fertilizer, and necessary machinery. We must provide supervised credit, working in cooperation with them, so that the loans are made to encourage profitable farming. I mean that we must encourage the proven institutions, of purchasing and marketing farm cooperatives on a scale that we have not yet achieved.

Farm cooperatives

Up until 2 years ago your Government did not have a single person working on farm cooperatives overseas. I dragged this fact out of a witness from the State Department, and I asked, "Why?" The answer was quite simple, and is a matter of public record. It was then the policy of our Government not to encourage the development of farm cooperatives in the United States, and if we encouraged them abroad the word might get back; therefore, our people had orders not to encourage their development abroad. I strongly believe that there can be no adequate rural development in Latin America without purchasing and production and marketing cooperatives. Land and capital are simply too fragmented among the campesinos. Either collectivism or cooperation will have to be utilized in agriculture. And only within the last 18 months have we launched any effort to stimulate cooperative activity throughout the world. But now we are beginning.

We must also see to it that farm-to-market roads are constructed. We do not always have to build four-lane concrete highways. What we need are plain, gravel, farm-to-market roads. There are no big cars to drive on them in these rural areas. We need roads for carts and donkeys, oxen, horses, and pickup trucks. The farmers' produce has to get to market.

Our Ambassador to Panama, Joseph Farland, for example, understood this clearly. He knew that if you are going to improve the economy, you have to be able to cut back into the forest and get the food out and down where they could buy it. Today, thanks to his persistence, the little Indian farmer in the mountains of Panama is supplying fruits and vegetables and other products to the Panama Canal Zone. He has a market. They whacked the road out of the woods—a plain old country road, the kind my granddaddy used to work on when he worked out his taxes in South Dakota, with one of those scoops and one horse. At this stage such a road is a great advance for the campesinos. It has tripled the income—that one road—of every farm vegetable producer along the road—at a cost of only a few thousand dollars.

Attack on illiteracy

We need also to launch a massive attack on rural illiteracy in Latin America—not only upon the illiteracy of being unable to read or write, but the illiteracy of being unable to understand the machine. We need to attack rural illiteracy. We do not need to build steel mills all over the world. If the Russians want to build steel mills, let them build them. If they work, the local political leaders will claim that they built them. If they do not work, they can blame the Russians. What is more, most of these countries cannot pay for steel mills, and we do not have the money to finance a steel mill for everyone. We do have the capacity to train people to be teachers. Illiteracy is now so deep and pervasive that it is extraordinarily difficult even to spread the technical knowledge that we already have on improved agricultural production.

Until we break the back of this huge problem of rural poverty and backwardness in the Latin American countries, city slums will continue to fill up with the refugees from that poverty. Why did 400,000 people come from the mountains of Peru to Lima, to live in filth? (I saw them; I was there.) Because it is worse in the mountains. At least they thought if they got within sight of the capitol, somebody would have to take care of them. And somebody did, because the Communists were down there to organize them. Why did 350,000 people come out of the mountains in Chile and live in the slums of Santiago? When I was there I was told that it might be dangerous to go there. It was not dangerous; it was a challenge to see these people, to get into their hovels to extend them the hand of friendship, to let them know that this country of ours cares about them. Until you can break the back of rural poverty these cities in Latin America will continue to be inundated with human beings who are sick, illiterate, unhappy, and ultimately, a danger to the political structure. Throughout vast areas this situation exists.

Latin America—Rural

Latin America, despite a score of great cities, remains in great part rural. It remains essentially Indian in country. Indeed, in huge blocks of rural territory the character of the life is closer to the 17th century than the 20th. Throughout vast areas there is no credit whatsoever, no roads, no electricity, no machinery, no sanitation, and little or no water. Men working with the ox and a wooden plow can be seen in fields 20 or 30 minutes drive out of the many large and thoroughly modern capitals. Rural poverty is everywhere. Now these are the people whom President Rivera of El Salvador, described to me as "the forgotten ones"—families that science and government have passed by, people left in grinding toil, often in hunger, constantly in danger of death from a score of diseases that modern medicine has conquered in the more advanced nations. These are the families who typically lose their children to dysentery, to cholera, to smallpox and pneumonia. These are the people who can be truly described as enslaved by their poverty. The Alianza, as they call it, can be and should be their emancipation proclamation. It should be their charter of hope. These teeming millions of rural people must be brought to understand its full meaning. We shall lose their support if we permit the Alianza to become a device to make the rich richer and let the poor be poorer, or to make the cities become more affluent and the countryside more poverty stricken. The Alianza must be a program in which they, the campesinos, recognize that they have a great stake, and can see the hope of their future.

We of the United States can and should bring a message which strikes home to these people, by telling them about our economic and social revolution, including our determined attack on racial discrimination. Let me assure you, racial bigotry is intolerable in these areas. The United States of America bears a handicap that is extraordinarily difficult, so long as we carry the stain of racial discrimination and prejudice. No matter how much money we loan, no matter how much technical assistance we give, until we can clear up our own house, and treat people as equals regardless of national origin, race, color, or creed—until we can do that we are dragging along a millstone around our necks in our foreign policy. We are making an effort, and we are making progress. We need to tell our Latin American friends about our efforts to improve ourselves—about our continuing attack on racial discrimination, about what we are doing in public health and housing, and about our historic achievement in popular education, in the development of free trade unions, our voluntary associations, our rural cooperatives. What I am really saying is, let's not be afraid to be ourselves. We do not need to boast; we just need to know what we are, and convey it.

The country people of Latin America do not ask for much. They know that they cannot be catapulted into the atomic age overnight. But they will be ever grateful, and they will have made gigantic progress, if they are able to lift themselves with our help, from the 17th century, to the level of the United States in the first part of the 20th century. They are living much as Columbus and the conquistadores found them in vast areas of Guatemala, Honduras, Panama, El Salvador, and Nicaragua. If we can in a few years help these neighbors of ours to reach the general level of health, diet, and education that our midwestern rural families were able to achieve 50, 60, 75 years ago, we shall have carried through one of the historic achievements of all mankind. And we shall have done the maximum possible to insure the eventual triumph of constitutional government throughout Latin America. Only from this plateau of a basically healthy and progressive economy, complemented by a strong free-trade union movement, can the superstructure of a 20th century democratic state be raised.

Free trade unions

The encouraging growth and development of free trade unions in Latin America deserves a comment. Much remains to be done to strengthen these unions, to help them rid their ranks of Communist agents. But important progress is being made. For better than 20 years the Communists had free run of the labor unions, as they had free run of the campuses of the Latin American universities. In all too many instances they have had free run of the pages of the press, and the radio airwaves. I have seen newspapers in Latin America which are out and out Communist newspapers in which American industry continued to carry ads—financing them in the name of profit—for a long time. Only in the last 2 or 3 years have we made any systematic attempt to help the friends of freedom in Latin America fight back. I was in Ecuador a year ago when the free trade unions were fighting for their very life—when most of the opposition unions were Communist dominated. Do you know that not a single newspaper in Quito, Ecuador—the capital city—would carry the report of the free trade union conference. The editors you see all of whom were capitalists—were afraid of Communist reprisals and I saw our Ambassador, representing the richest country on the face of the earth, tied up in such bureaucratic redtape, that we could not even offer them the money to buy an ad to put the resolutions of their convention of free trade unions in the press so that the people could be told. Our British friends have a little more flexibility. They had the means available for their Ambassador. Ours had to get four clearances from Washington before anything could be done.

I am happy to say that things are changing. Hundreds of Latin American workers have been trained in collective bargaining, in parliamentary law, in union organizing activity by American trade unionists. The American people should know that the AFL–CIO and its affiliated unions have contributed manpower, much money, organizers, and technicians in the struggle against Communist infiltration in the trade union movements in Latin America—yes, and elsewhere. The Latin America free trade unions are gaining because of this, but they need more help, and frankly, they need more friendly attention from all walks of American life. There is a need for a greater understanding on the part of government and industry as to the importance of a free labor sector in these developing countries. Of course, free trade unions are more difficult to bargain with than Communist-dominated unions, and therefore sometimes free trade unions are not given the help that they ought to have. The Communist-dominated union is a political instrument, sometimes difficult, sometimes cooperative, depending on what the party line is. I would only admonish our American business friends to remember that in the long run you are better off to bargain with a tough free trade union.

The real Latin America

May I conclude with this thought. Most of the news in the United States about Latin America is the news of violence, disorder, deficits, assassinations, inflation, and revolution. This is what we print. This is what we read. This is why we are so unbelievably ignorant of what is really going on, and why we know so little of what they are doing. But we need to know the Latin American of today, not the character out of the fiction book of yesterday. We need to understand that there is a growing middle class in these countries. We need to know of their passionate devotion to constitutional government. We need to know that the Indian in the back country is a good farmer if he is given a chance, and a good worker in the factories if he is trained. And we need to know that great cities are being erected and tremendous industrial development is underway. Health centers are being built. Whole new universities are coming up. In other words, we need to know some of the good news. Why not occasionally look with pride and respectful attention to the achievements of these sister republics? I had many a man and woman in Latin American countries say to me, "Senator, all you Norteamericanos hear about us is our weaknesses, our trouble. You don't ever hear what we are trying to do." Now maybe it is not true, but this is what they think. I remember when I was in Ecuador right after the little revolution that took place there. The paper in Miami said Arasmeena, the new President of Ecuador, had Communist leanings. I read in the press on the east coast only a few days ago about the election in the Dominican Republic, "Leftist Bosch elected." Well, now, let us understand this: If a political leader is not a little bit left of center in Latin America, he cannot be elected. And "leftist" to us means one thing, and to the Latin Americans something quite different. All too often we brand people before we even know what they are. That is a good way to drive them to the radical left—and the Communists.

More than our money, these peoples in the areas of Latin America, want our respect. They want our understanding. They are proud and sensitive people. They are idealistic. Often the intangibles—the noneconomic, the friendly smile, or the appreciative word—can mean more than a big loan in winning cooperation. Isn't it interesting that neither the American League nor the National League has ever found it within its means to send one single baseball team to Latin America, where baseball is king? Isn't it interesting that our own Government, up until recent days, never sent a first-class athletic team to Latin America? These people want the best. When the Russians send them, they send the best. We ought to do the same, and we ought to send our finest students, our best artists, our finest teachers. Give them the best that we have, because we are already 100 years late in the struggle. The people need to know that we, the people of the United States, care about them and their families, respect them and want to work side by side with them. It is in the people that we have our strength.

Governments come and go. Our contact more directly with the people through spiritual, cultural, business, labor, agricultural, professional, and educational organizations—and I underscore educational—will establish a continuing friendship and communication. The people know that there is no quick, magic answer to their problem. What they need is hope—the assurance that things will be better. There is really nothing that we can do in a year or two that can raise the standard of living in Latin America enough to give them what they really deserve, but we can give them the assurance that the United States, as a good neighbor, is not here just for today, or for a year or two, but is with them "for the duration." A year ago I heard some responsible people say that the only reason we are interested in Latin America is because we are worried about Castro.

Continuing challenge

There is some truth in that. But when Castro is gone there will still be the problems and the challenges of Latin America before us. We do have, as free men and women, a proper concern that the areas of freedom should be expanded to encompass more people. Our other concern is that of natural self-interest. It is a fact that if communism should take over vast areas of Latin America our security would be directly threatened. Our problems would be more difficult. We could not tolerate such a mortal threat to the existence of our Nation. We have therefore an enlightened self-interest in seeking to establish and maintain a favorable environment in which our ideals of freedom—the common ideals of the peoples of this hemisphere—can grow and flourish. Whatever may have been the cause of our renewed interest in Latin America, that interest must not be permitted to wane. It must be activated, encouraged, and sustained. I cannot believe that America's international efforts can hope to be very successful in Africa and Asia if we fail in the Western Hemisphere.

The American revolution continues here and elsewhere—in South America, in Central America and Mexico, and it is the good news of our time. We have revolted against foreign domination. We have revolted against the exploitation of race by race, and man by man. We have revolted against the exploitation of the poor by the wealthy. The goals which we have achieved for ourselves in these revolutions we now seek to help our Latin American friends reach. In the Alliance for Progress we are exporting our own revolution. Like all of our successful revolutions, the revolution against the old order in Latin America will take many years of anguish and pain and effort. The American Negro has not been fully emancipated, even in a century, he continues to be the victim of discrimination and prejudice. In a 5- or a 10-year period the old order in Latin America cannot be fully replaced by functioning, liberal, and solvent democracies. But the great initial thrust—the beginning—is being given through the Alianza, just as the first great breakthrough of Lincoln gave the initial impetus in this great Nation to the movement toward true equality and true equality of opportunity for all Americans.

The fires have been lighted in Latin America, and no one is going to put them out. The campesinos and the slum dwellers of Latin America form a force that is irresistably moving toward an overthrow of the institutions which have failed them. There is great power in this movement. It is not ironical that a government of the people, by the people, and for the people can fail at times to understand the power of the plain people. We tend to think too much in terms of the power of the atom, the power of our nuclear deterrent. What about the power of our pronouncement of freedom? What about the power of free people working together? We are powerful; the only question is whether the powerful forces of democracy in North and Latin America are sufficiently wise, prudent, intelligent, and determined to lead in the paths of constructive change. I am an optimist. But I am, I trust, a careful observer. The Communists are working hard to capture the Latin American revolution, just as they captured the Cuban revolution. But we have aroused ourselves. We have seen in the struggles of the forgotten ones that President Rivira spoke of a reflection of our own great struggles for freedom, and at long last we have remembered our heritage. We have decided that our revolution will remain unfinished just as long as the Western Hemisphere remains in a real sense half slave and half free. There is no turning back. We are committed in a partnership, in an alliance. We are in the battle, and we are in to stay. I believe we will win—because I am confident the Alliance for Progress will succeed.

THE THREAT FROM CUBA

Mr. STENNIS. Mr. President, at this time I wish to address myself to the Cuban situation. I do this, not for the purpose of adding fuel to the existing controversy but in a sincere effort to put the problem in its proper perspective. At the outset, I want to make it clear that I am speaking today only as an individual U.S. Senator and as a U.S. citizen who is honestly disturbed and worried about the present situation.

During the past several weeks, Mr. President, we have witnessed a continuing wave of debate over Cuba. Most of this debate has concerned itself with the question of whether our Soviet adversaries still maintain offensive weapons in Cuba, and with charges and countercharges as to the nature and number of Soviet forces and weapons which are now based in the captive island. While I do not for a moment minimize the importance of these issues, I cannot escape the question of whether the prominence which has been given to them has tended to obscure and bury the basic problem which Communist domination of Cuba presents to us and to the Western Hemisphere. In short, I fear that our concentration on and preoccupation with the more spectacular attraction of the individual trees is preventing the American public from seeing the sinister threat which the forest itself presents.

The undeniable fact of the situation, Mr. President, is that, regardless of the details as to weaponry, we know that the Communists are exerting every effort to increase their power and influence in the Western Hemisphere. That is the basic reason why they are in Cuba. There should be no doubt that they will use the base which they have established, and now control, to advance to the greatest extent possible the aims of international communism. We can be sure that they intend to keep a Communist government in Cuba and to insure that this government wears the "Made in Moscow" label and remains under the direct control of the international Communist movement.

We do not have to be reminded that communism is an implacable, aggressive, resourceful, powerful, and ruthless foe. Never in their history have the Communists voluntarily surrendered any foothold or advantage which they have once gained. They will not do so in Cuba. They are never moved by humanitarian motives or appeals to morality. When they are forced to take one step backward, we may be sure that they are simultaneously preparing to take two steps forward—perhaps on a seemingly unrelated front. They have lied to us before; and they will do so again, whenever it serves their sinister purposes.

It is essential, then, Mr. President, that we face up to the fact that the Communists are now here in the Western Hemisphere, and that they are here to stay—if we permit them to do so. The success which they will achieve in expanding their power and influence in Latin America will depend upon two things: first, the force and weight of their effort; second, the amount of opposition which they meet. If they mount just a small effort, and meet no opposition, the results will be just as inevitable as if they mount a tremendous effort and meet opposition which, while strong, is not quite enough to halt them.

What is worrisome and troublesome to me, Mr. President, is that we seem to have become almost entirely preoccupied by the debate as to whether Moscow has or has not increased or decreased the numbers of specific types of forces and weapons in Cuba and as to what should be done to determine the exact number and types of these forces and weapons. These things are of major importance, certainly, but, in the long run, they may make very little difference—except perhaps to the Soviets' own timetable. An ordinary man without any special knowledge whatsoever can see and understand that.

It is entirely understandable that the reports and charges about the possible presence of Soviet strategic weapons and other forces should attract the greatest public attention. In my judgment, however, these things are but the outward and tangible manifestation of the more basic problem. What concerns me, and, I think, a great majority of my fellow Americans, is whether we, the United States of America, intend to permit a Communist government to exist in Cuba or other Latin American countries. If we do, then we should reconcile ourselves to the fact that these countries will be used as bases to subvert other Latin American nations and that, sooner or later the entire Western Hemisphere may be lost to us. If we do not, then it is time that we take positive action to make it clear that we have the national will and purpose to eradicate all Communist governments in this hemisphere.

I am concerned, Mr. President, because I am uncertain as to what our intentions are, and I think that the ordinary American is concerned for the same reason. Perhaps this concern is coupled with an uneasy sense of national guilt and shame that we have allowed the Cuban situation to develop as it has.

Mr. President, on February 6, 1963, Secretary of Defense McNamara, a man for whom I have great respect and admiration, stood before this Nation in defense of the administration's position on Cuba. He gave one of his typically able and capable performances and I was once again impressed with his ability, knowledge, and tremendous storehouse of information.

However, at the same time I was somewhat concerned and disturbed by the overall tone and thrust of his presentation. I could not suppress a feeling of dismay that Mr. McNamara—the civilian head of our vast military organization—felt compelled to devote his effort almost entirely to the "numbers game"—the question of how many and what types of forces and weapons are now in Cuba—and this in almost overwhelming detail. The roots of the problem were almost entirely ignored.

We must face the hard facts. The Russians may or may not have missiles and other strategic and offensive weapons in Cuba. They may or may not have 35,000 or 40,000 troops there. None of us can be certain about this. However, I refuse to believe that the presence of 10, 20, or 100 missiles in Cuba, or 40, 50, or 100 light bombers, or 17,000, 35,000, or 50,000 troops, would of themselves turn the military balance against us. They have infinitely more powerful forces in Europe—forces which include intercontinental missiles capable of spanning the ocean with death, destruction and devastation—and we do not quail before them.

No, I cannot believe that the existence of such forces in Cuba would of themselves tip the military balance against us. If they would, then we are not as powerful and strong as I have been told. At the same time, we must be realistic and recognize the immediate devastation which such forces could visit upon us.

Thus, while the facts and figures with respect to the military buildup in Cuba are undeniably pertinent and important, I cannot escape the feeling that Secretary McNamara devoted his not inconsiderable talents to one-half of the problem only. Perhaps this was not of his own choosing. It does no good to issue statements and stress facts which, while technically correct, contain entirely erroneous implications from which our people might very well conclude that there is no danger from a Communist government in Cuba or that there has been some basic change in Communist goals.

With respect to Cuba, I believe that we commit a serious and perhaps fatal error if we allow our attention to be monopolized wholly by one spectacular or dramatic act such as the introduction or withdrawal of strategic weapons. If we are hypnotized by this, and by overly meticulous attention to the question of whether or not the military menace to us is increased or decreased fractionally by the presence or absence of certain types or quantities of military forces, it may very well be that we will fail to face up to the basic problem—the fact that international communism has been established and is being maintained in the Western Hemisphere.

The American people, I believe, look for a very simple and fundamental thing with respect to this problem. They want to be assured that our responsible officials recognize this problem and also recognize that it will not just disappear with the passage of time. They want to be convinced that it is the purpose of our Government to do everything within our power to wipe out all Communist governments in this hemisphere and they want to be told that we have a policy and a plan which will accomplish this, even though risk be involved.

With all deference then I would suggest that the American people be brought a message which will convince them and all the world that our Nation is virile, strong, resolute, vigorous, determined and, above all, unafraid. They want to be assured that the United States will not countenance the existence of a Moscow dominated government in this hemisphere regardless of how few or how many weapons and troops support it, that our opposition to this evil is based on its existence and not merely upon the strength or weakness of its external manifestations. They want to know that it is our national will and purpose to destroy all such governments and that we have a firm and hard plan and policy to effectuate this.

When and if all this is done, and when and if the vital issue is met squarely and directly, I am convinced that petty and partisan voices will be stilled, and that the patriotic people of this Nation will again unite four square behind the Government as they have always done in our times of national crisis.

It is up to us who now occupy office in the legislative and executive branches of the Government, and all who have official responsibilities, earnestly to search for an answer to the problem, and earnestly and honestly apply ourselves in our respective ways and in keeping with our obligations to apply policies that will meet the problem and bring about a remedy. I know that we can do it. I believe that we shall do it. I also believe that there is no time to be lost.

Mr. President, in closing, I would like again to stress that, even though I am chairman of the Preparedness Investigating Subcommittee, our hearings have not progressed very far, and today I speak as an individual Senator and one who is concerned with our great Nation's welfare.

Mr. President, I yield the floor.

ADJOURNMENT UNTIL MONDAY, FEBRUARY 18, 1963

The PRESIDING OFFICER (Mr. HUMPHREY in the chair). If there is no further business, pursuant to the previous order the Senate will now stand in adjournment until 12 o'clock next Monday.

Accordingly (at 3 o'clock and 18 minutes p.m.) the Senate adjourned, under the order previously entered, until Monday, February 18, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 14, 1963:

IN THE REGULAR ARMY

The following-named officers for appointment in the Regular Army of the United States to the grades indicated, under the provisions of title 10, United States Code, sections 3284, 3072, 3306, and 3307:

To be major generals

Maj. Gen. George Robinson Mather, O18696, Army of the United States (brigadier general, U.S. Army).

Lt. Gen. Alfred Dodd Starbird, O18961, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Jonas Ely, O18974, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Harold Keith Johnson, O19187, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Ben Harrell, O19276, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Alden Kingsland Sibley, O18964, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Alvin Charles Welling, O18983, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. David Warren Gray, O18988, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Hilliard Polk, O19028, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Frederick Robert Zierath, O19211, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Beehler Bunker, O19402, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Berton Everett Spivy, Jr., O19479, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Robert George MacDonnell, O19361, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Austin Wortham Betts, O19373, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Hutcheson Craig, O19526, Army of the United States (brigadier general, U.S. Army).

To be major general, Medical Corps

Maj. Gen. Howard William Doan, O20057, Army of the United States (brigadier general, Medical Corps, U.S. Army).

To be brigadier general, Judge Advocate General's Corps

Col. Harry Jarvis Engel, O39840, Judge Advocate General's Corps, U.S. Army.

To be brigadier generals, Medical Corps

Brig. Gen. Henry Schuldt Murphey, O19338, Army of the United States (colonel, Medical Corps, U.S. Army).

Maj. Gen. Floyd Lawrence Wergeland, O19599, Army of the United States (colonel, Medical Corps, U.S. Army).

EXTENSIONS OF REMARKS

A Salute to the Future Farmers of America

EXTENSION OF REMARKS
OF

HON. WILLIAM H. NATCHER

OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 14, 1963

Mr. NATCHER. Mr. Speaker, it is once again my pleasure and privilege to pay tribute, on the eve of Future Farmers of America Week, to this fine organization which is dedicated to the development of those young adults who will one day be responsible for the expansion and prosperity of American agriculture. In no other single industry in our great country are there more people engaged, and because it does employ more than one-third of America's working force, its effective perpetuation is basic to our continued economic and social stability.

Without a prosperous agricultural industry or the productivity of the American farm, our great urban areas, our other mighty industries, even our business and professional accomplishments, our educational institutions, and our many cultural advantages would perish. Indeed, our entire socioeconomic structure would be altered. Likewise, the prosperity of the farm is contingent upon the health and prosperity of the working men and women, and the solidarity of the industries in our towns and cities, for no one element of our Nation can exist independently of the others. The Future Farmers of America is an organization worthy of our keen interest, continued support, and deepest respect and gratitude, for it provides a proper program of vocational education in agriculture so necessary to the perpetuation of our agricultural industry.

The Future Farmers of America was organized in November 1928 in Kansas City, Mo., as an outgrowth of the ever increasing number of vocational agriculture student organizations all over the country. On August 30, 1950, through enactment of Public Law 740, the 81st Congress granted to the organization a public charter. Under a plan of cooperation between various State boards for vocational education, local high school departments of vocational agriculture, and the Office of Education, Department of Health, Education, and Welfare, there was initiated a federally aided program of systematic instruction in agriculture and farm mechanics for youths over 14 years of age enrolled in public schools. This organization is an intracurricular activity for young men studying vocational agriculture in public and secondary schools.

Vocational agriculture students—the Future Farmers—learn the rudiments of successful farm production together with the newer, more complex and efficient means that modern science has developed. To this end, soil conservation, marketing, many phases of farm management, the selection, care, maintenance, and operation of modern farm machinery are all covered either in the programs of instruction or dealt with through the activities of the organization itself. Frequently, the boy visits agricultural experiment stations and model farms where he may see the results of new methods and gain knowledge through direct observation and experience.

While the Future Farmers of America provides the technical training that is so necessary to successful farming, it also instills in the young person the ideal of public service. It teaches cooperation with fellow students for individual and community betterment. The youth becomes a good citizen as he becomes a good farmer.

I am proud to be the Representative in Congress of a district which supports many flourishing chapters of the Future Farmers of America. As I travel through the rural communities of my district, I see the many benefits this organization is affording Kentucky's new generation of Future Farmers. To these young men and thousands like them throughout our country belong the "heritage of the past and the strength of the future."

Susan B. Anthony

EXTENSION OF REMARKS
OF

HON. FRANK J. HORTON

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 14, 1963

Mr. HORTON. Mr. Speaker, tomorrow the Nation celebrates the 143d anniversary of the birth of one of our greatest women, Susan B. Anthony.

Since her birth the status of women in American life, and especially in the political life of the country, has been revolutionized. No man or woman in the land played a more vital role in bringing about a national women's movement than did Susan B. Anthony.

Those of us from Rochester, N.Y., where Susan B. Anthony spent many of her active years and where her onetime home has been preserved as an historical landmark, are particularly proud of her and her accomplishments.

She chose the cause of woman suffrage, believed in it and fought resolutely for it. Even when Susan B. Anthony was beyond the age of 80 she continued her campaign across the land to bring women the right to vote. She held steadfastly to the conviction that woman's enfranchisement should be written into the Constitution of the United States. To that end she worked until her death, never to realize in this life that her work had not been in vain.

It was not until 1920, the 100th anniversary of Susan B. Anthony's birth and 14 years following her death, that the 19th amendment to the Federal Constitution was declared in effect, thereby gaining for all American women the right to cast their ballots in all subsequent elections.

In the crypt of our Capitol Building is a statue of Susan B. Anthony, a gift from American women. The 19th amendment is popularly known as the Susan B. Anthony amendment. Every year brings new recognition of what she did to elevate the position of the women in our country.

We in Rochester recognize that the life of Susan B. Anthony was dedicated to the cause of women throughout America and that her work has borne fruits in every corner of the globe. We are glad to share her memory with all the world.

As we reflect on Susan B. Anthony's life of accomplishment, let us pledge that these accomplishments never are rendered ineffective. The right to vote in free elections is our most precious American heritage. Its strength lies in every citizen's responsibility to exercise this right.

Income Tax Withholdings

EXTENSION OF REMARKS
OF

HON. E. Y. BERRY

OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 14, 1963

Mr. BERRY. Mr. Speaker, judging from the caliber of a so-called public service announcement being distributed by the Internal Revenue Service, the average taxpayer is assumed to be pretty stupid and unaware of the heavy tax burden he is carrying to pay for his share of the tremendous cost of our Federal spending programs.

This announcement is similar to the animated cartoon used in a popular toothpaste TV commercial with the familiar line, "Look, Ma, no cavities."

In our federally produced commercial, the narrator is shown in the film interviewing Joe Doaks who tells how the boys down at the factory have been separated into two groups, A and B, for the past year. Group A has had "increased withholdings" all year. The scene then changes to Joe Doaks' home and shows him coming in the door holding up his form 1040A card exclaiming, "Look, Ma, no taxes." He then goes on to explain how much happier everyone in group A is because they do not have to pay any taxes and many receive refunds, whereas group B individuals frequently have to pay taxes.

The implication is clear that Joe Doaks and his fortunate friends in group A are paying no Federal income tax. Nothing could be farther from the truth. Joe and his friends in group A have paid more each week through the painless method of additional witholdings, permitting the Government to claim their substantial share of his earnings a little sooner than they might otherwise.

This clearly is another example of misleading advertising, and since the Federal Trade Commission is charged with the responsibility of protecting the American public from fraudulent and misleading advertising, I am referring this matter to that agency for investigation.

To me, this is just another insidious device of the welfare state planners to lull the people into further apathy as to the true cost of government. I hope such false advertising can be kept off the television screens of this Nation.

Cuba

EXTENSION OF REMARKS
OF

HON. HENRY C. SCHADEBERG

OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 14, 1963

Mr. SCHADEBERG. Mr. Speaker, in a radio broadcast this week I asked some questions that are of grave concern to the residents of the First Wisconsin District and, indeed, to all Americans. Under unanimous consent, I raise those questions here because of the interest of our colleagues in the Congress in this subject and with the hope that someone occupying a position of trust in the White House, or someone with an unclogged pipeline to the White House, will come through with the answers.

Text of the broadcast follows:

Something new has been added to the normally heavy mail load coming into my Washington office. People back home are not only stating their views, they are asking questions. The subject is Cuba. And they're asking questions they should never have had to ask, for information to which they are entitled. They're confused, and small wonder. So are the Members of the Congress.

There are two general areas of confusion and uncertainty. One is of the extent of the continuing Soviet Communist threat in Cuba, centered around what has—or what has not—taken place in Cuba since the President, last October 22, announced the quarantine of Cuba. It has to do with a documented clarification of the military and missile situation in Cuba as it is today. The other has to do with the "deal" to ransom the Bay of Pigs prisoners.

In the next few minutes I want to direct my remarks to the latter category, the payment of blackmail to the Cuban Communist dictator, Castro. Citizens in the First Wisconsin District have written me for information. A survey of their letters indicates that they want to know whether or not our Government is involved, along with private firms and individuals, in this ransom deal, and if so, to what extent?

If the Government is involved, it should not be classified information. Why isn't the public told outright all the facts?

If the Government is not involved, what right do private citizens have to deal with foreign governments?

What is or will be the effect of this action on foreign policy and foreign relations, not alone with Cuba but with other nations?

Did the Central Intelligence Agency underwrite the ransom payment? If it did, by how much?

Has any portion of the payment gone to the Soviet Union?

What concessions, if any, did the Internal Revenue Service make to the contributors?

What concessions, if any, did the Justice Department make in connection with the ransom contributions?

What concessions, if any, did other Federal agencies make in connection with the ransom contributions? Such as the Agriculture Department; the State Department; the Department of Health, Education, and Welfare.

Is it true that the drug firms involved not only obtained tax concessions but actually sold their products at wholesale?

If the drug firms made a profit, how much?

Did the first payment of ransom by the United States in its history damage U.S. prestige in other countries?

Did not the United States admit to Communist Fidel Castro's continued authority in Cuba by paying a ransom to him just after he had helped the Kremlin try to get an atomic "drop" on us?

Did not payment of this U.S. ransom fasten the fetters of slavery tighter on the helpless Cuban people?

It's reprehensible that citizens of this free and open society are not given—without asking for it—all the information to which they are entitled.

It is my conviction that an appropriate committee on the House call in American officials involved—Attorney General Robert Kennedy, for one—as well as the U.S. firms and other key figures so that the public can be properly informed, for, after all, what we are doing or failing to do in our relationship with Cuba affects each and every one of us personally.

One of the great dangers confronting any people is secrecy on the part of governments where nonclassified matters are concerned. Secrecy creates suspicions, which do much to destroy the faith of the people in even good governments.

This particular action—the Cuban ransom deal—is shrouded in a heavy mist of secrecy. Knowledge is withheld from even those who are elected to represent the people. The people have a right to know the facts, and I call on the proper officials of the executive branch of the Government to provide them.

"Horizon": Story of California Agriculture

EXTENSION OF REMARKS

OF

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 1963

Mr. LEGGETT. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to commend to the general public, service clubs, schools, and all other interested organizations and audiences, the showing of the motion picture entitled "Horizon."

This film was produced by the Council of California Growers, whose organization was founded by the farmers of California for the purpose of creating a better understanding between farming and nonfarming people.

This nonpartisan 28-minute color film portrays a vivid and revealing story of California agriculture and its importance, particularly in the national economy.

It is noteworthy of the growers council that they have taken the time to provide this media to enlighten new generations of our citizens with factual information about California agriculture, and help these young people to better understand the interdependence between urban and rural areas.

Produced as a public service, narrated by Joel McCrea, and praised by the director of agriculture and the California State Board of Agriculture, "Horizon" is considered educational and leaves the viewer with a new concept of the role California agriculture plays in the areas of farming.

The Estes Case: A Symptom of Deep Ills in Government Agriculture

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 1963

Mr. CURTIS. Mr. Speaker, shortly after the close of the last session of the 87th Congress, the gentleman from Illinois [Mr. FINDLEY], himself a newspaper publisher, prepared and had published in the St. Louis Globe-Democrat an analysis of the Billie Sol Estes case and the underlying meaning of this matter read in the context of Government control of agriculture. PAUL FINDLEY has done an excellent job of putting the Estes case into perspective, of showing how our present agricultural programs make such abuses inevitable. More important, however, the gentleman has suggested a path which will lead American agriculture out of the morass into which the proliferation of Government programs and controls in agriculture has forced it. It is a classic example of how unwise Federal programs, built upon false premises, can damage, perhaps fatally, a basically healthy aspect of our private economy. I am placing Congressman FINDLEY's article in the RECORD with my sincerest commendation to him for bringing the facts of the Estes case, and the weaknesses of our farm program, into so clear a focus:

THE REAL MEANING OF THE BILLIE SOL ESTES CASE

(NOTE.—Representative PAUL FINDLEY, Republican, of Illinois, is a member of the House Agriculture Committee and was credited with devising the strategy which defeated the Kennedy administration's plan to impose tighter controls on the production of feed grains. He is publisher of two Illinois weekly newspapers, the Pike County Republican of Pittsfield and the Independent Press of Griggsville.)

(By Hon. PAUL FINDLEY, of Illinois)

The Billie Sol Estes scandal with its disclosures of bribery of Government officials and the callous exploitation of our mismanaged farm programs goes far beyond the plundering by one man. It reaches deep into the very vitals of the Agriculture Department's colossal bureaucracy and our misguided attempts to fix prices and control farmers. For now out of the complexities and confusion, the charges and countercharges, and the tens of thousands of words heard in testimony by at least 14 county, State, and Federal investigating groups, emerges this alarming truth:

The sordid case of Billie Sol Estes is merely the boil on the diseased body of Government-controlled agriculture.

As a Congressman from one of America's large corn-producing areas, I say urgent action must be taken by Congress itself—the very branch whose legislation has invited this terrible abuse to the health of our farm economy.

Even Agriculture Secretary Orville Freeman, once he had retreated from his early soft pedaling of the case, grimly told Senator JOHN MCCLELLAN's investigating committee: "The Billie Sol Estes case is but an exterior symptom of an underlying sickness of the farm program in this country."

The germs of this sickness were planted during the depression. But they got their present grip on American agriculture in 1948 when Congress, rather than let the farmer expand his opportunity in the marketplace, clung to the outdated, depression-born system of unrealistically high price supports, whereby the Government tries to guarantee the farmer a price above the market value. Its worthy but misguided aim was basically to insure farmers an adequate income and to protect the small farmer.

Instead, it has done just the opposite. And like a spreading cancer, it has hurt other sections of our economy. Look at the facts. Farm per capita income, according to the Agriculture Department's own figures, averages only $1,373 a year, while nonfarm is $2,345. The most recent figures of the Federal census show that in 9 years a staggering 1,671,659 farms have had to fold up. Hardest hit were those of less than 200 acres.

Added to this record of the failure of Government intervention is the encouragement of unsound farming practices. Farmers live by the Government rulebook rather than their own commonsense. Like businessmen who find their time more profitably spent hunting for tax loopholes instead of new business, many farmers find it more profitable to hunt for ways to beat farm programs, rather than utilizing their land and agricultural know-how to the fullest.

Out in my State of Illinois, for example, farmers for several years planted a class of wheat that was so ill adapted to the Illinois climate it was fit only for Government storage, cheap export or blending. The reason: They could get better yields per acre, and with the Government guaranteeing a profit, this was more important than producing the superior classes of wheat which did not grow as abundantly in Illinois.

In addition, the high cost of surplus stockpiles created by our farm programs has drained off fantastic sums of tax money which could have been better used for more important and pressing national needs. Each year the American taxpayer (farmers are taxpayers too), must fork up nearly $1 billion in storage and handling costs alone on the $7 billion worth of commodities in storage. These yearly storage costs are close to 10 times more than all public and private funds spent on cancer research last year.

During the past decade, this mess in agriculture has become so overwhelming and persistent that the public was becoming hopelessly immune. But now I believe the enormity of the Billie Sol Estes swindle will alert and arouse the public. It proves, as never before, the colossal disgrace of Washington's attempts to manage agriculture, for Estes' whole shoddy career was able to skyrocket only because of Federal price fixing and controls.

Many of my friends and constituents, confused by conflicting interpretations with which they are bombarded almost daily, have asked me, "What is the real meaning of the Billie Sol Estes case?" Is it merely a case of petty corruption, minor bribery, and system beating which can be stopped by tighter controls, as the Kennedy administration claims? Or is it another warning that Government price fixing and controls are nothing more than an open invitation to corruption which will increase as the controls get tighter? I believe it is a warning, which we must heed before it is too late. And to understand it, we must examine the two main fields in which Estes operated: cotton and grains. For these programs have been in effect for years and well illustrate the stupidity of our multibillion-dollar farm program.

The cotton situation: Like other Government price support programs which underwrite the production of wheat, rice, peanuts, and most types of tobacco, the cotton support program guarantees the farmer an artificially fixed price for his crops. During the last 5 years, these subsidies have totaled over $2,500 million—an average of $500 million per year. This looks like a good deal for the farmer, but is it? In accepting Government price guarantees, the farmer must also accept Government control, for without acreage controls farmers would flock to plant all their land in guaranteed crops. Controls—in the form of allotments—are assigned to individual farmers according to formulas based on the amount of their precontrol production. Moreover, these allotments belong to the land; they generally may never be sold separately and they may never be transferred, with one major exception. A 1958 congressional amendment permits farmers to transfer allotments if the Government takes their land for such public uses as parks, highways, military bases, or flood control projects.

What Estes did: He noted that three out of every four farmers displaced by Government land acquisition either retire or go into some other occupation, and they never again use their allotments. The Estes plan was simple: sell these displaced farmers some of his own land in Reeves County, Tex. The farmer then would transfer his cotton allotment to the Estes land and agree that if he did not make his first mortgage payment, the property would revert to Estes, cotton allotment and all. Then the allotment owner, by prearrangement, defaulted on the sales contract and the land and its allotment went to Estes. For his trouble, Estes paid the farmer from $50 to $100, which he called an advance payment on leasing the land. But it was really a boldfaced payment for the cotton allotment.

Estes got a great deal for his money. One of the byproducts of the Government's crop control programs is the creation of a new land value. To illustrate: In west Texas, irrigated land without a cotton allotment is worth only about $50 an acre. But if the land has an allotment, its value jumps as high as $300 an acre. Estes, then, was making a big net profit—as high as $250—on the increased value of each acre.

Significance: The Billie Sol manipulations show that even in the oldest, most tightly controlled farm programs, sharp operators will discover loopholes or even bribe bureaucrats to overlook their violations. For example, after the Estes case broke, the Agriculture Department itself discovered that at least three of its employees in Texas had been authorizing illegal transfer of rice allotments. And during the past decade, the Government's General Accounting Office has discovered dozens of other abuses, ranging from misuse of the soil bank to improper sales of surplus cotton. For each time the Government fixes prices and clamps tighter controls on production, farmers have a harder time making a living, and more and more are tempted to beat the system.

The grain situation: The Government's price support programs have created a tremendous hoard of Government-owned surplus commodities. Last July 1, when the Government closed its books for fiscal 1962, there were more than 1 billion bushels of surplus wheat—a 2-year domestic supply—stashed away in grain elevators throughout the United States. The Government also had stored 1,700 million bushels of corn, 5,100,000 bales of cotton, 341 million pounds of butter, 622 million pounds of dried milk, and tons of such other commodities as tobacco, soybeans, oats, honey, and peanuts.

Here's how price support programs have created this monstrosity. The farmer borrows from the Government in anticipation of future harvests. But the loan is made at an inflated support price. For example, last year Uncle Sam made loans on corn at the rate of $1.20 a bushel. But if the farmer sold his corn on the open market, he would have received an average of only 99 cents a bushel. The Government, however, took the grain at $1.20 a bushel as full payment. And not only did the Government lose part of the money it had loaned, it ended up with multimillion-dollar storage costs. For most of the corn was kept in storage, usually in the same elevators to which the farmer had shipped it at harvesttime.

What Estes did: He exploited the Federal practice of leaving the grain where the farmer put it at harvesttime. He lured farmers into using his elevators by offering them free storage or cutrate fertilizer prices while awaiting Government takeover. And so confident was he that the U.S. Treasury would make up his losses and guarantee him profits in storage payments, that he assigned the earnings from his elevators to his creditors.

So correct was Estes' reasoning that the storage business would pay off that he was able to expand rapidly his storage facilities. Within 3 years, he had six grain elevators, Government grain in them had jumped from 2.3 to 54 million bushels, and he had become the ninth largest warehouseman for Government grain in the entire United States. During that 3-year period, Government payments for Estes' grain storage totaled $11 million.

Significance: Surplus storage has become a big business, for $1 billion a year goes to handle and store the surplus stocks. Competition for these storage contracts is increasing, and so are opportunities for privilege, influence, and corruption, for Agriculture Department regulations provide no competitive basis for awarding storage contracts.

Billie Sol Estes operated in two major fields of the Agriculture Department's complicated programs. Other programs are equally contradictory and open to abuse. Part of the problem is the sheer size of the Agriculture Department. It has grown to such unbelievable proportions it defies the imagination. And herein is perhaps the most fundamental, overlooked reason why Billie Sol got as far as he did.

Just look at our tax-supported Agriculture Department, which spends over $7 billion a year. From a nine-man staff in the basement of the Patent Office Building 100 years ago, it has burgeoned into the largest nondefense bureaucracy the free world has ever known. From its sprawling headquarters near the Washington Monument, more than 12,000 employees direct the work of another 82,000 spread out in more than 10,000 State and county field offices.

This setup is ready made for the swindler or shady operator. Henry B. Arthur, professor of agriculture and business at the Harvard Business School, summed it up powerfully when he asked recently: "Are the temptations to exploit the system so numerous and is the bureaucratic underbrush so dense as to undermine effective enforcement?

Billie Sol Estes proved the answer is yes. For here are some of the most flagrant weaknesses of the bureaucracy which provide open invitation to disastrous mistakes and wrongdoing:

Inability to watchdog its own personnel: Only 1 week after Secretary Freeman told the McClellan subcommittee that "no official or employee now in the employ of the Department is known or can reasonably be believed to have improperly accepted gifts or other favors from Estes," his assurance was exploded. Two Department employees in Oklahoma admitted they had illegally accepted $1,640.80 in "finder's fees" for helping Estes locate cotton allotments.

Moreover, the Department's administrative controls over lower level decisions were so ineffectual that Estes was able to get his cotton allotment transfers approved even after the Agriculture Department had ruled at least three times that such transfers were illegal. In fact, the bulk of the transfers were approved after February 17, 1961, when the regulation was printed in the Federal Register, which goes to all Department field offices.

Bureaucratic lethargy: Two weeks before the Estes case broke into the headlines, a Department official called the Department's internal audit division to check on whether Estes' financial condition was so shaky that his grain storage bond would have to be raised. The audit division 6 months earlier had been assigned to investigate Estes. But the Department said that "an investigation had been started but they had been so snowed under that they hadn't gotten out a report. But they had found no cause for alarm." Had this investigation been properly and swiftly run, it might have turned up the Estes scandal months before it finally broke. Not only was the Agriculture Department slow in probing Estes' financial condition, it also failed to set a deadline for a final check on the disputed cotton deals.

Mismanagement: But worst of all is the fact that the Department was so badly run that Estes was appointed on December 22, 1961, to the influential Cotton Advisory Council, despite an adverse personnel report and only a few hours after the Department decided to cancel his cotton allotment transfers as fraudulent.

Why is all this so serious? Not just because one man or a dozen men took advantage of the system. It is important because the system itself becomes vulnerable when a bureaucracy is handed the power to ration what was once a basic freedom: the right to grow food. And no matter how many reforms the bureaucracy institutes as each new crisis arises, it will still be inherently vulnerable.

The solution: The Government must stop fixing prices and controlling farmers. If we do it gradually to cushion the shock, all American agriculture can be restored to health, and, contrary to fears of control-happy bureaucrats, there will be no farm depression.

1. Get rid of our present surplus grain stocks. It can be done in a sensible, orderly, and direct manner—so the patient can have a happy and speedy convalescence. How? Sell surplus grain back to the farmer at an attractive price—just low enough to get the desired signup—in exchange for the farmers short-term agreement not to plant any of that crop that year and to idle the land he usually planted to it. This would keep market supplies in balance during the sellback period. The farmer would use the Government grain he bought on his own farm or sell it—for enough profit to compensate for idling his land—on the open market.

This plan would get rid of our entire surplus feed grain stocks within 2 years—4 years for some classes of wheat—convert these stocks to cash, end Government storage costs, and return agriculture to the marketplace system.

2. Avoid future surplus buildup by keeping crop loans just enough below the realistic average market price for the preceding 3 years to cushion the farmer against severe price drops, but not give him a guaranteed Government market in normal times.

3. Stop mandatory acreage controls and restore to all Americans the basic right to plant what they want and compete for markets.

Unwise programs to fix prices and control farmers obscure the splendid services rendered for years by the Department of Agriculture, activities like education, conservation, marketing, and health protection, which benefit all Americans.

They also obscure the truly magnificient accomplishments of American farmers. The achievements of free agriculture—and fortunately most U.S. farmers are still unfettered—are the envy of the world. One American farmer produces enough food and fiber for 26 other people and this ratio is steadily rising. In Russia and Red China—where price fixing and controls are universal—one farmer provides for only three others and food shortages are severe.

Besides hobbling fast-buck medicine men like Billie Sol Estes, free agriculture offers many rewards. A program of returning farming to farmers would eventually save you and other taxpayers about $4 billion a year. It would assure a continued supply of food for the housewife, and at a fair price. It would be an incentive to farmers to become even more efficient, to develop foreign markets that pay in dollars, and to help provide abundance in a world of want.

The Union County Advocate: 77 Years of Service

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 14, 1963

Mr. NATCHER. Mr. Speaker, the Union County Advocate, of Morganfield, Ky., one of the top ranking weekly newspapers in the State of Kentucky, last week entered its 78th year of publication. This long period of service to the citizens of Union County represents a great deal more than mere factual reporting of news, but is proof of the paper's worthiness in the highest traditions of the press.

Mr. Tyler Munford, publisher of the Union County Advocate, is an outstanding newspaperman, fully cognizant that the weekly newspaper is the backbone of the American press and accepting that challenge with integrity, intelligence, and enthusiasm. He believes that a newspaper's basic function is the dissemination of information, that it has a responsibility to the community it serves, and that it also renders service by arousing the interest of the citizens in broader national issues. In meeting these responsibilities, Mr. Munford's paper provides facts presented without bias, so that the average citizen can exercise his privilege of forming his own opinion.

Tyler Munford is assisted by an exceedingly competent staff, headed by his editor, J. Earle Bell. In addition, he has in the pressroom a group of efficient and dedicated people who know how to put out a good newspaper.

The people of Union County are most fortunate in being served by so capable and conscientious a group as that comprising the staff of the Union County Advocate. The influence which this newspaper has wielded in the past 77 years shall not cease, but shall continue to have its impact upon public life in Union County and throughout the adjoining sections of Kentucky.

I am justifiably proud to be able to place in the Record a brief tribute to this fine paper, its publisher, editor, and entire staff.

The Dilemma of the Shrinking Gold Reserve

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 14, 1963

Mr. COLLIER. Mr. Speaker, for the past several years, the United States has been perched uncomfortably upon the horns of the dilemma of its shrinking gold reserves. Because it is a politically distasteful matter with no apparent solution it is treated as an ugly stepchild in the Nation's family of fiscal problems.

On the justified premise that many folks do not understand—and, therefore, are little concerned with the seriousness of our imbalance of payments, it has been vaguely discussed in most of this administration's messages on economic policy. Neither Secretary of the Treasury Dillon nor Secretary of Commerce Hodges would agree in my interrogation of them before the House Ways and Means Committee that there is any direct correlation at present between our domestic budget deficits and our gold reserve woes. It seems to me that everyone is just too anxious to oversimplify the ultimate solution to a problem which has been getting progressively worse during the past 16 years. In his tax revision message, the President did say that the series of chain reactions which would be resultant in our economy with the adoption of our structural and rate changes would improve our balance and payments. This is, in my considered opinion, wishful thinking which has no basis of fact from our past experience. In fact, recent history would indicate that the effect of a bloated budget combined with shrinking revenues would accelerate rather than slow up the U.S. flow of gold.

Today U.S. gold reserves have tailspinned to a figure of $15.9 billion. The statutory requirement that we maintain $11.6 billion to support our domestic requirements at home leaves us faced with the stark reality that we actually have in reserve beyond this requirement less than $4½ billion in gold reserves against which there are outstanding foreign obligations of more than $22 billion. Economic and fiscal theorists notwithstanding, the U.S. balance of payments will continue to shrink as long as large budget deficits continue. It is an established fact that the confidence or lack of confidence of foreign investors is directly influenced by this Nation's domestic fiscal conduct. We can talk about the gross national product and rate of economic growth—those terms which the economists are tossing about so fashionably these days—but the fact remains that U.S. gold reserves have continued to flow abroad to the tune of more than $10 billion since 1946, during which time we have poured approximately $130 billion into foreign aid.

As some of us predicted a year ago when there was loud clamor for a revision of our trade and tariff policies, we now find ourselves pretty much in the same position as Great Britain. The most ardent proponents of the so-called Trade Expansion Act of 1962 were very critical of the position taken by me and other less gullible Members of Congress with regard to the program and the glowing harvest predicted. Instead, though we predicated the need for this bill for the entrance of Great Britain in the Common Market, we find that we were simply getting all dressed up to go to a party to which we had not been invited—and President de Gaulle made it quite clear recently that there would be no engraved invitations issued, either. Thus, those who predicted that the trade expansion bill would be the economic cure-all and the one thing that would improve our critical gold reserve situation, must now face the stark reality that it is not always good judgment to theorize or indulge in economic wishful thinking when experience and reality provide the best basis for conclusion.

In the light of recent events associated with the Common Market, we find the same folks theorizing that a tax cut, accompanied by increased Federal expenditures, will ultimately improve our imbalance of payments. Let the record show that there are many of us who do not share the optimism of this theory, for 1, 2, and 3 years from now will undoubtedly prove the need for dealing with the gold reserve problem in a sound fiscal and economical manner.

Abraham Lincoln—Tadeusz Kosciuszko

EXTENSION OF REMARKS
OF
HON. CLEMENT J. ZABLOCKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 14, 1963

Mr. ZABLOCKI. Mr. Speaker, on February 12 we observe the birthdays of two great men who have played important roles in the history of our Nation—Abraham Lincoln, our 16th President, and Gen. Tadeusz Kosciuszko, a famous adopted son of our country and a hero of the Revolutionary War.

These two great men, living in different periods, with different backgrounds, shared the same respect for the dignity of man and abiding love for our Nation. Each in his own way helped to make the United States what it is today.

General Kosciuszko was an outstanding military leader, and his gallant participation in our Revolutionary War is impressive because of the fact that in assisting our Nation's struggle for independence he did not hesitate to come to our shores and fight for the principles in which he believed. His devotion to the cause of freedom and liberty should be an inspiration to all of us.

President Lincoln's courageous stand for freedom and union is forever inscribed in the annals of our national history. He led our Nation through a critical and tragic period, preserving the Union and opening the doors to a great future for the United States.

Today we are involved in a great and terrible conflict—the conflict between the free world and communism. As we recall the achievements of these two men, we must reaffirm our determination to strive for freedom and justice for all. Let us express hope that the day will soon come when the people of Poland will regain their full independence. It is our responsibility to take a firm stand and be willing to sacrifice in order that we may preserve our heritage and, inspired by the example of Lincoln and Kosciuszko, we pray that, with God's help, we may have the strength today and in the days to come to live up to that responsibility.

Dual Distribution: A Growing Threat to Small Business

EXTENSION OF REMARKS

OF

HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 1963

Mr. ROOSEVELT. Mr. Speaker, one of the greatest threats to the small business sector of the American economy is the increasing incidence of dual distribution—manufacturers acting both as supplier and competitor to independent retailers, wholesalers, and secondary manufacturers.

The usual designation for this practice is "dual distribution." However, we must not allow ourselves to be misled by this innocuous sounding phrase. Actually, this is vertical integration—vertical integration which enables large firms by virtue of their size and position to take business from small businesses throughout the Nation.

All levels of our economy are affected by this practice.

Retailers find themselves competing with factory outlets carrying the same products at a price below the cost of acquisition for the independent retailer. The independent merchant has only his own operation from which he may make a profit. The manufacturer turned retailer, however, has several levels at which a profit can be produced.

Wholesalers who have spent a lifetime building up trade acceptance for a manufacturer's product find their supplier selling the same product at a lower price to the clientele laboriously built up over a period of years by the independent wholesaler.

Manufacturers and fabricators are encountering this same problem. The firm supplying the raw product or component parts used by the independent in manufacturing or fabricating all too often appears as a direct rival—marketing a similar or identical product.

This is a particularly vexing problem, because it is extremely difficult to eliminate these objectionable practices without doing violence to our traditional economic freedoms. It is a problem which the Subcommittee on Distribution of the Select Committee on Small Business is planning to study once the subcommittee is fully reconstituted.

During the 87th Congress, two bills dealing with this difficult subject were introduced by Senator RUSSELL B. LONG. I am informed that they will be reintroduced during the current session of the 88th Congress.

I share with Senator LONG the conviction that this problem must be dealt with. I also share with the Senator his position of not being wedded to any specific proposals.

I have recently introduced two bills identical to those introduced by Senator LONG during the 87th Congress.

The first is H.R. 3562. This bill applies the principles of the Robinson-Patman Act in requiring that the vertical integrator treat all his customers in the same manner as his own captive manufacturers, wholesalers, and retailers.

The second bill, H.R. 3559, recognizes the extreme difficulty, in many instances, of attempting to force the various units of an integrated operation to deal with each other at arm's length. The provisions of the bill require that companies engaged in dual distribution make public operating data on each product and each establishment that is involved in the dual distribution process.

This reporting requirement will allow independent competitors, consumers, and Government antitrust agencies to determine whether a particular product or establishment is actually being operated for legitimate profitmaking purpose or merely as a device to establish a monopoly.

Our tax laws also reflect the inequitable aspects of dual distribution. For example, under the present law, independent tire dealers must pay the excise tax on tires and tubes at the time they acquire them. In the case of the average dealer, this ties up large amounts of capital, often over a considerable period of time. Retail outlets owned by tire and tube manufacturers, however, are not subject to this requirement. The excise tax on their stock becomes due only at the time of sale. This is clearly inequitable. I have introduced H.R. 3563 to remedy this situation. It would make the tax payable upon delivery to a retail outlet owned by the tire or tube manufacturer in the same manner as is presently required upon sales to independent retailers.

Likewise, in the case of automobile parts and accessories, independent wholesalers are required to pay the Federal excise tax upon their entire stock at the time of acquisition. Integrated wholesale outlets need not pay the tax until a sale is made.

I have introduced H.R. 3564 to extend the same privilege to independent distributors as is presently enjoyed by integrated distributors. Under the terms of this bill, the excise tax on their stock would also be due only upon actual sale. Appropriate measures for the posting of bonds giving full insurance of payment of the tax is included in the bill's provisions.

The Lincoln Legacy

EXTENSION OF REMARKS

OF

HON. JACK WESTLAND

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 1963

Mr. WESTLAND. Mr. Speaker, Lincoln Week commemoration provides a pause in the pace of legislative activities. It is a time when many Members return to their respective districts, sound out local sentiments, and assess the strengths and weaknesses of party organizational machinery.

Especially noteworthy during this Lincoln Day recess have been the comments of my colleague to the south in the State of California, ALPHONZO BELL. Congressman BELL's Lincoln speech, "The Lincoln Legacy," comes directly to grip with the serious problems facing the Republican Party not only in California but in many sections of the United States. Congressman BELL's comments signal the need for a minority party to heed common organizational shortcomings. His speech sets out in the frankest manner the present status and the future prospects of California's Republican Party with particular emphasis on needed organizational reforms.

Without a strong organizational framework, party responsibility factionalizes, deteriorates, and withers. Without strong organizational machinery through which political parties may channel their expression, the viability of a successful two-party system can be seriously jeopardized.

I commend Congressman BELL's address to the attention of my fellow colleagues:

THE LINCOLN LEGACY

My friends and fellow Republicans, for the Nation and for the Republican Party annual ceremonies honoring Abraham Lincoln provide valuable opportunities for reflection.

In 1963, recollection of the tragic divisions and discords which Lincoln surmounted can be especially meaningful to Republicans. In the adversity of Abraham Lincoln there is a lesson for us. In the triumph of Abraham Lincoln there is inspiration for us.

With this lesson and this inspiration in mind I come before you today to speak about Republican victory in California. I know that optimism about victory must make me a suspicious figure in certain circles at this time. Some people are likely to say that in my talk of return to past glory I have become the kind of reactionary Republican that is supposed to give our party a bad name. Others may examine such a radical outlook and say I am not really a Republican at all: I am a Democrat.

Nevertheless, as an advocate of optimism, I am hopeful that you will be tolerant in hearing what I fear is currently a minority point of view in our party. We far-out types, we extremists, have a right to be represented. We must not be eliminated from the organization. In the year 1963 there must be a place in Republican ranks for men and women willing to declare that we are still capable of working together to win in 1964.

So it is to the quality of optimism and to the proposition of victory that I address myself in the moments that I have before you. To do this with any degree of validity I must begin by subjecting you to a very unpleasant review of our present situation.

What I have to say will be painful and this is unfortunate because the reserve of morphine available to Republicans in this State has been sharply depleted in recent years. This Lincoln Week finds us not only the minority party in California but the bearers of burdens far greater than minority status ordinarily implies:

We are confronted with the hardship which always plagues the less glamorous minority party in financing continuing internal operations and candidates.

Because success breeds success and failure tends to breed failure, we find difficulty in recruiting new precinct workers and club members and campaign volunteers.

Lacking the discipline that normally comes from dominating elected figures, we are almost helpless in avoiding roiling, public manifestations of factionalism and disunity.

Manifestations of disunity and division inevitably take the form of public attacks on party leaders and so we face the problem of securing and holding vigorous, competent leadership.

Public bickering, inadequate financing, and a recent reputation for losing elections makes it harder for us to attract strong candidates who generate public enthusiasm.

Finally, apart from all of the previously mentioned, we Republicans have lacked and still lack the beneficial rallying call of a consistently clear and forceful national voice leading the opposition to the Kennedy administration.

Each of these challenges is beyond our control except as it relates to our responsibility to the Republican organizational apparatus which I would like now to discuss.

Let us for a moment think of this party of ours as the one indispensable mechanism through which Republican action can be channeled and results obtained. I do not minimize the philosophical differences within our organization, nor do I suggest that interest in philosophy should be subordinated to interest in party structure. I do remind you, however, that all of us are also the caretakers of this extremely complex and absolutely invaluable mechanism by which great things can be done or fail to be done by our Government.

We want to encourage men and women who have strong convictions about party philosophy. We want men and women who have both the ability and the opportunity to express, within our party's framework, the broadest spectrum of responsible opinion. But we also want men and women who recognize that political philosophy must be supported by well integrated, working organization. We need men and women who understand the real nature of the party apparatus in which they work. I don't believe we have as many of these men and women as we should today.

It is my opinion that a serious factional stalemate exists in the California Republican Party. I suggest that this stalemate is undermining that single part of us which must never be undermined: the organizational mechanism which alone can bring us victory.

Among the factors contributing to this stalemate I would list the following:

1. A splintering of forces which has made some groups vulnerable to the age-old fallacy of being unwilling to work unless they are also in control. This seems to have triggered a chain reaction of dissidence everywhere in California.

2. A blood lust which is keeping some party officials so busy fending off attacks on themselves that they cannot apply their full-time talents to the work of preparing to defeat our real opponents next year.

3. An archaic system of laws which makes it possible for certain members of our central committees to run for and be elected to their official positions each year, yet contribute virtually nothing to the strengthening of the party. I know some areas of this State where district committees do not even meet for 6 months at a time.

4. A regrettably longstanding precedent which seems to work to withhold adequate recognition of Republican Women's Clubs, the Young Republicans, and other volunteer groups, in the important inner policy-making circles of the party. When important groups do not feel they have access to the decisionmaking councils, their method of expression is understandably more public and less temperate.

5. An inherited tradition by which, between the time of Hiram Johnson and 1958, the victories of our party were in fact the victories of personalities who simply allowed us to share in their triumphs. Because of this, some of us retain even today a dangerous taste for personality building as a substitute for strength in the precincts.

6. A distressing lack of compassion by which our defeated standard bearers are often treated as pariahs in our midst. We cannot continue to close our minds to the tremendous contributions which many of these men might still make to our party and our Nation.

My friends, out of the disappointment of defeat inevitably comes the dialog of reconstruction. That dialog is taking place today. Its goal is the finding of the new Republican middle: the area of grace which attracts and holds party workers and donors at one level, while attracting and electing candidates for public office at the other.

Finding this effective new Republican middle in California is not a task for children. If it is going to be accomplished successfully, it is going to have to be done by putting aside childish things. Both in philosophy and organization our assignment of responsibility and trust must go to those enlightened men and women of both liberal and conservative persuasions in our party who recognize that the seed of political success in a democratic society is mature conciliation.

One hundred years ago today, still reeling from the disastrous battle of Stone River and yet to face the debacle at Chancellorsville, Abraham Lincoln must surely have contemplated the problems of creating victory strategy in the midst of discord, defeat and disunity. The triumphs at Gettysburg and Vicksburg which came in the second half of the year, exactly a century ago, were the fruit of organizational and military conciliation. The speech at Gettysburg in July 1863 is an everlasting monument to the gentleness of man, to the strength of gentleness, to the enduring power of the conciliating human spirit.

In a cosmic way Abraham Lincoln, 100 years ago, left his legacy to the Republican Party and to the world.

In 1963 California Republicans must find direction in an environment where there is disagreement, discord, and defeat. We must create a victory strategy. We must here dedicate ourselves to a great task.

That task is not to overwhelm our political allies. It is to out-campaign our political opponents. Our job is not to reduce the size of the Republican platform but to broaden it so that its structure will be large enough to hold and echo the voices of all thoughtful men and women, now and in the future.

Turbulence and strife are in the natural order of things within a political structure. We must recognize discord as an ever present quality which makes the political party system in the United States a unique and indispensable safety valve in our society. We must see the political party as an arena in which men and women are given their first significant opportunity to express themselves on issues and ideas. We must understand that at the level of party politics the great collision of men and law begins.

But we must also think of political organization as a function of human beings which requires a fundamental sense of unity, a bond of good will and trust. We must understand that only when the gentle side of politics prevails can the rough and tumble of issue discussion have any real meaning.

There is far more to hold Republicans together today than to tear us apart. There is far greater need to build a party organization, an action apparatus which we can all use, than to fight about the control of that apparatus either at the philosophical or organizational levels. We are united in our concern about the direction that the U.S. Government is taking today. We must be united in our belief that we have got to work together if we are to maintain an effective opposition voice in the land. We have to stay together if the Republican Party mechanism is going to produce the majority voice of which we all dream.

So let us here highly resolve that our attention during the years ahead will be on those aspects of party policy which all of us hold in common. Let us focus on the great and longstanding bonds of interest, agreement, and affection which we have for one another.

Henceforward we will discourage rather than encourage division in our ranks. We will not tolerate comment that there is something essentially unwholesome about our so-called conservative wing. And by the same token we will stop bruising and abusing those Republicans who represent with integrity and ability the liberal and moderate viewpoint of our party.

Rather, we will concentrate on the Democrats. We will have much to say about the strange, muddled crisscrossing of events by which historic blunder in Cuba is called historic success.

We will press home the question which leading Democrats are already asking each other in California: Just what implication does the presence of the quarter million dollar election day Democratic slush fund have for the future of free and clean government in our State?

We are going to talk more about the manipulation of national news, and about the circumstances which led our opponents after so many years suddenly to advocate the classic Republican position that confiscatory taxation is a drain on the economy and must be stopped.

My friends, with all that has happened to us and all of the obstacles still in our path, there is hope for the Republican Party. That hope is the truth of our message.

From the time of the first Republican Presidency we have offered to this Nation a restraining voice in the midst of confusion, a courageous voice in the face of challenge.

The need for this voice still exists. The truth of our convictions has been validated across a century of historical experience.

There is a magic in the truth we speak. It will bring us together. Because it is bigger and more important than all of the internal problems which cause us anguish now, it will bring us together.

We can have that great mechanism through which our concerns about the future of the Nation and the world will be projected and acted upon. In a throbbing scientific epoch we can be again that effective, articulate body of Americans which leads in the search for balance between progress and tradition, between the needs of the free human spirit and the requirements of burgeoning society.

A Republican Party which gave the Nation an Abraham Lincoln and a monument to gentleness in an age of war now prepares for its role in a major new chapter in the life of man. Whatever we may accomplish in the years ahead we will accomplish because, during a time of trial, we worked together. We recognized that the real rewards in human life go to those who unite, not divide. This, my friends, our Lincoln legacy.

Goddard Space Flight Center Celebration

EXTENSION OF REMARKS
OF
HON. GEORGE P. MILLER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 14, 1963

Mr. MILLER of California. Mr. Speaker, on January 31, 1963, a celebration was held at the Goddard Space Flight Center, on the occasion of the fifth anniversary of the establishment of this Nation's worldwide tracking and data acquisition network. Among the distinguished people present were Vice President LYNDON JOHNSON, Secretary of State Dean Rusk, and the Administrator of NASA, James E. Webb. In addition, diplomatic representatives of 16 foreign nations were present as guests of honor. I was particularly pleased to be in attendance at that celebration because of the importance of the network to our total space effort.

A successful national space program is dependent upon a reliable and adequate system of ground instrumentation capable of electronically tracking space vehicles, transmitting command signals, and receiving the telemetered information which is sought. Project Mercury demonstrated the effectiveness of our system to the entire world; everyone will recall that the results of the network's operation were brought into our homes by radio and television during the actual space flights by our astronauts.

Every space flight mission is undertaken in order to gather information. This country's worldwide network of tracking and data acquisition stations is the key to acquiring such information. These facilities are placed all around the globe, and the network provides support to all of NASA's important programs, as well as satisfying the requirements of the Department of Defense. The entire system is an excellent example of effective interagency cooperation.

Twenty-seven oversea facilities which help to make up the system are located in many foreign countries; about two-thirds of those facilities operate with the assistance of foreign nations. Thus, our worldwide tracking system has provided the United States with a great opportunity for international cooperation, and has given friendly countries around the world an important part to play in America's space program.

The following countries that has so generously participated in this great undertaking were represented on this occasion: The Argentine Republic, Australia, the United States of Brazil, Canada, the Republic of Chile, the Republic of Ecuador, the United Kingdom of Great Britain and Northern Ireland, India, Iran, Japan, the United Mexican States, the Netherlands, the Federation of Nigeria, the Republic of Peru, the Republic of South Africa, and Spain.

During the celebration last week at the Goddard Space Flight Center, the following addresses were made by the Secretary of State, the Honorable Dean Rusk, and by the Administrator of NASA, James E. Webb. I am submitting copies for inclusion in the RECORD because I believe their remarks will be of interest to all Members of Congress:

ADDRESS BY THE SECRETARY OF STATE, THE HONORABLE DEAN RUSK

Your Excellencies, Congressmen Miller and Fulton, Mr. Webb, Dr. Goett, Commander Schirra, ladies and gentlemen, on touring the Goddard Space Flight Center, many of us may share the reaction of the legendary frontiersman, Daniel Boone, when he was asked if he had ever been lost. He replied: "No, I can't rightly say that I've ever been lost, but I was bewildered once for 3 days."

Man is by nature inquisitive. The challenge of the unknown stimulates him to explore. And of all man's experiences none is more gratifying than discovery. To explore the frontiers of science, medicine, the universe, to uncover the secrets of nature and to harness them for man's betterment—these can be life's most exciting and rewarding achievements.

History is filled with the chronicles of men whose quest for knowledge has led to results that are deeply imprinted on the daily lives of all of us. The early voyages of Vasco da Gama, of Columbus, of Magellan, opened a new epoch in human affairs. Explorations in the world of medicine by Pasteur, Fleming, Banting, and many others have vastly improved the well-being of men. New discoveries along the whole range of scientific frontiers are continually transforming our lives. Each new discovery opens further vistas for exploration, and each seems to accelerate the pace of advance.

I reflect that Peary reached the North Pole as recently as 1909—the same year in which Bleriot made the first flight across the English Channel—and that Amundsen reached the South Pole as recently as 1911, the year after Glenn Curtiss won a prize of $10,000 for flying nonstop all the way from Albany, N.Y., to New York City, a distance of 137 miles.

And now—already—we are seriously engaged in exploring the moon, the planets, and the universe.

Most of the exploration of the surface of the earth was accomplished by small groups of men using relatively simple apparatus. Explorers in times past were often out of sight and even out of mind for long periods of time. And the record of what they saw and learned was often subject to the errors of human impression and recall. Today we have the means of keeping in constant and almost instant touch with our explorers, whether human or mechanical. We can register an astronaut's every physical action and reaction and in some instances advise and assist him in adjusting to circumstances. We can record accurately and instantly his observations, as multiplied by the instrumentation at his command. And, of course, we can do the same for our unmanned explorers. We can correct the course of a satellite millions of miles away. While men were needed to man the tiny *Santa Maria* of Christopher Columbus, we today can send mechanical "Santa Marias" before man himself essays the journey.

We do not wish to dispatch manned or unmanned space missions without doing everything possible to insure their success. To insure both the safety and the fruitful exploitation of the voyage, we must remain in communication with the space traveler. Today we pause to pay tribute to those who have helped us to fulfill the canons of humanity and the obligations of science. We express our gratitude to the 16 nations whose representatives have joined us today—16 nations in which are located the 27 tracking facilities of our peaceful space program. We are proud of the association. This program is a partnership in peace. We think we are creating a heritage for those who follow us in the coming generations in a great exploration for peaceful purposes.

Science has never recognized manmade boundaries. The continued development of science must always rest on an international base, for nature does not play favorites. We 17 nations have embarked on a cooperative effort to expand the knowledge of man to an unprecedented extent. We are doing it in the full glare of light. The world watches us in our successes and our failures. And the whole world will benefit from our discoveries. We seek to publish all the knowledge we uncover. We are making it available to the world scientific community. In this effort, we 17 regard ourselves as agents and trustees for all the inhabitants of this little speck of dust in the universe.

In the 5 years since we began our cooperative tracking program, the pace of discovery has been breathtaking. We are developing a better understanding of the atmospheric and space phenomena which may affect our lives. No one can doubt the benefits of such knowledge to the international community, nor the benefits of many of its byproducts: miniature batteries; ceramics resistant to shock and extreme heat; electronic devices to measure body temperature, and to overcome skipped heartbeats or heart failure; infrared cameras, drills; and the innumerable inventions to come.

And what a future lies ahead for communications by satellites and weather prediction by satellites.

We hope to send spacecraft to many parts of our universe. We wish to pursue our goals in an atmosphere of international cooperation. We wish outer space reserved for peaceful activities.

The United States has on other occasions enunciated its aims in outer space. I should like to repeat them.

We believe outer space should be free for use by all nations consistent with the principles of the United Nations Charter and international law generally.

We must improve and extend the regime of law on earth as it applies to man's activities in space.

We must provide for the identification of rights and the peaceful settlement of disputes concerning space activities.

The useful application of space technology, such as communication and meteorological satellites, should be available to all nations needing it and able to make use of it.

Opportunities to participate in space activities should be open to all countries able and willing to cooperate constructively.

The placing in orbit of weapons of mass destruction should be prohibited.

United Nations Resolution No. 1721 of December 1961 embodies many of these principles. The United States will continue to be guided by these principles in our relations with the international community.

Today, the community for tracking embraces 17 nations. Tomorrow, it probably will be joined by additional nations. The United States will welcome broadened participation in its peaceful space efforts. Together we have molded an example in international cooperation dedicated to the pursuit of knowledge which we hope will be emulated in other fields.

As we progress in pursuit of universal knowledge, we shall probably have to consider modifications to our present tracking network in order to meet the ever-changing demands of technology.

But wherever and whenever we cooperate in scientific satellite tracking arrangements, we shall seek to adhere to our practice that the knowledge obtained shall belong to the world scientific community.

We express our pride in what has been achieved together. We look forward to further cooperation. The rewards already reaped are immense. The promise of the future is boundless.

ADDRESS BY THE HONORABLE JAMES E. WEBB AT THE FIFTH ANNIVERSARY OF TRACKING, GODDARD SPACE FLIGHT CENTER, JANUARY 31, 1963

On this occasion we gather here at the Goddard Space Flight Center to celebrate the fifth anniversary of our worldwide tracking and data acquisition network, consisting of more than 2 dozen stations in 16 countries overseas, which has contributed so effectively to the success of our space science programs and the Mercury flights.

We are deeply honored to have with us the ambassadors and scientific attachés from many of these nations. The importance of this occasion is indicated by the presence here of the Secretary of State, the Honorable Dean Rusk; the Executive Secretary of the National Aeronautics and Space Council, Dr. Edward C. Welsh; the Director of the Goddard Space Flight Center, Dr. Harry Goett; and our most recent space traveler, Astronaut Wally Schirra. Vice President JOHNSON, represented by Dr. Welsh, has played a major and creative role in our national space program, first as chairman of the Senate Space Committee and, since 1961, as Chairman of the National Aeronautics and Space Council. Mr. JOHNSON had planned to be with us, but the pressure of Senate business forced him to change his plans at the last minute.

The basic legislative foundation for our space activities, the National Aeronautics and Space Act of 1958, stipulated that this country's space activities "should be devoted to peaceful purposes for the benefit of all mankind."

This aim was further spelled out to include "cooperation by the United States with other nations and groups of nations in work done pursuant to this act and in peaceful applications of the results thereof." The act also specified the widest practicable dissemination of information on civilian space activities and their results.

That concept—wide dissemination of information—is basic to our system of government. It is perhaps even more characteristic of science itself, which in its very essence is international. The sources and reach of science and technology are as widespread as human intelligence and the human need for their benefits.

In space, international cooperation had been growing at a rapidly accelerating rate. I know that many of you here today are already quite familiar with the accomplishments of the year just past, but even so I would like to mention a few of them briefly.

Two international satellites were launched—Ariel, built here at Goddard and carrying six experiments prepared by the United Kingdom, and Alouette, a joint project with Canada, in which the satellite was wholly developed by Canadians. Ariel was designed chiefly to contribute to man's knowledge of the ionosphere by measuring densities and temperatures of electrons and the characteristics, quantity and distribution of ions. It also monitored solar X-rays and ultraviolet light, and studied the relationship between disturbances on the sun and cosmic rays in the earth's vicinity.

Alouette, a so-called topside sounder, also was designed to study the ionosphere, but from above. By "sweeping" radio frequencies across the ionosphere, Alouette measures electron density at various altitudes over almost the entire globe. Of particular interest to Canadian scientists in designing the satellite was the possibility of learning more about the severe and prolonged disturbances that plague radio communications in that nation's northern areas. In other cooperative projects, eight sounding rockets were launched, three in this country and five abroad, in areas of special consequence to the scientific world.

Two active communications satellites, Telstar and Relay, were launched. With these satellites, which demonstrated television, radio and telephone transmissions to Europe and South America, we have begun to lay the basis for a new system of international communications.

In the field of weather satellites, 35 countries are cooperating in weather observations synchronized with the passes of our Tiros weather satellites over their territory. A new system, called the automatic picture transmission subsystem (APT), which we will soon test experimentally will, if successful, ultimately permit local readout of photographs of their own cloud cover by nations over which it passes.

Other international satellites are being prepared. The United States and Italy are working together on the San Marco project which will lead to the launching of an Italian satellite by an Italian launch crew using an American Scout rocket from a platform in the Indian Ocean off the east coast of Africa.

Also, in 1962, arrangements were completed between this country and the Soviet Union which may eventually lead to cooperation in international magnetic survey programs and in the use of weather and communications satellites.

As so many of you know, development of the tracking network involved much more than mere permission from the various countries to establish ground stations on their soil. Many countries are actively participating in the maintenance and operation of the stations. Some of them, indeed, have assumed full responsibility, both technical and financial, for station operations.

We have continued to develop the carefully constructed bilateral program which has broadened the base of international space activity. As a direct result, a number of European countries are developing plans for cooperation in space science. Steps have been taken to form an organization called the European Scientific Research Organization (ESRO), and plans are moving ahead to prepare satellites and space probes for use in astronomical and planetary research.

Another organization, called the European Launch Development Organization (ELDO) is working to develop a European launch capability. The countries participating in ELDO are dividing the engineering tasks among themselves, and will share the financial burden.

Several groups in South America are looking into the possibility of cooperative sounding rocket endeavors.

These cooperative endeavors may very well turn out to be one of the most important results of man's efforts to explore space. Working together with this common purpose, it may be that nations will be less concerned with worldly differences.

International space cooperation offers a splendid opportunity for bringing some of the best minds of many countries to bear upon the difficult problems that confront mankind beyond the earth's atmosphere and on the way to the moon and the planets.

Perhaps you will permit me to say that the great progress made by the United States with manned and unmanned satellites in recent years is of great importance to the whole free world. However, I must say that without the degree of international cooperation that we have received, the knowledge gained would have been much less. Those of you who are actively connected with tracking and data acquisition can indeed be proud of your part in this.

All of us in the National Aeronautics and Space Administration look forward to a continued close association with other nations of the world as man proceeds in his conquest of space.

Part 10: Let's Keep the Record Straight—A Selected Chronology on Castro and Cuba (December 28, 1962–January 1, 1963)

EXTENSION OF REMARKS

OF

HON. DON L. SHORT

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 1963

Mr. SHORT. Mr. Speaker, H. L. Mencken once said:

> I believe that it is better to tell the truth than a lie. I believe it is better to be free than to be a slave. And I believe it is better to know than to be ignorant.

So much confusion has arisen over the Cuban crisis in this country that it has been easy for people to forget what they read, or the order in which they read it. I felt originally that a chronology on Castro and Cuba would be helpful to the public in evaluating this problem, and the response I have received from various people and organizations, as well as Members of Congress, has reinforced this opinion. Part 10 will close this portion of the chronology for the time being. After the end of February, however, I intend to resume the chronology because the events since the first of the year should also be listed in their order, even if the crisis has been completely solved and peace becomes the order of the day. This, we hope, will become true, but in any case, we should view events as they take place and not confuse their sequence because that sequence can be of utmost importance.

I plan to present a sort of sequal within a few days, which will take our memory back to a much earlier period in American history—which at that time was also concerned with Cuba. This small island, 90 miles off our Florida coast, has managed to assume a most important spot in our national life, and I am fairly sure it will remain important for a long time to come. God speed the day when it will be possible to resume friendly ties with the Cuban people and the Cuban Government, and confidence and trust between our countries will be the normal way of life. This is the prayer and dream of all thinking American men and women.

Part 10 of my chronology begins with an attack on the President and our national foreign policy—in verbal form—by Fidel Castro. When President Kennedy met with Cuban invasion leaders on December 27, Castro accused the President of violating all the principles set forth in the United Nations Charter by "his arrogant gesture" in meeting with these leaders of the Cuban exiles. Perhaps this was "sour grapes" on Castro's part. He may well have remembered his 11-day unofficial visit to the United States on April 19, 1959—when he was invited to come to our country, visit, and tell his story—not by President Eisenhower—but by the American Society of Newspaper Editors. In any event, Castro took his spite out on the remaining relatives of the Cuban prisoners by halting their release from the island, even though he had promised them they could join the Cuban prisoners in the United States by paying a ransom of their homes and automobiles.

President Kennedy also found himself and his foreign policy attacked violently by the Communist newspaper Hoy on December 28, which asserted "by receiving his invasion agents, Kennedy is proclaiming a so-called right of U.S. imperialists to promote, finance, and arm the counterrevolution."

The following day, President Kennedy spoke to a crowd of Cuban exiles and promised that the flag of the Bay of Pigs Brigade "will be returned" to a "free Havana"—although carefully avoiding stating that the United States would take part in this effort.

Nevertheless, Cuba and Moscow—and even one of the Canadian conservative newspapers—castigated the President for his speech to the Cuban exiles, reminding the public and the world that President Kennedy had promised that the United States would not attack Cuba and would prevent other Latin American countries from attacking her during settlement of the Caribbean crisis.

The Havana radio took this occasion to state that the President "admitted his participation and contribution in all steps related to the indemnification demanded by Cuban revolutionary justice to free the mercenaries"—in spite of official denials that the Government had had any connection with the ransom paid for the Cuban prisoners.

The American public was also informed by Khrushchev about that time—during the course of his interview by the London Daily Express—that mankind was indebted to the policy of reason which triumphed when the Cuban crisis was at its height because—

> Here the danger was removed by way of compromise, according to the principle of "concession for concession" and not, as suggested by certain people in the West, by the "sword against sword" principle.

Khrushchev, being well versed in the art of propaganda—undoubtedly meant to leave the impression with the American people that many secret concessions, about which they had not been informed, had been made to the Soviets by President Kennedy, along with his self-defense against charges of being frightened by the United States into moving his missiles out. That he succeeded in sowing his seeds of doubt is well known—and not mitigated to any great extent by later events.

Guatemala's President Miguel Ydigoras indicated his displeasure and disillusionment with post-Cuban-United States-Soviet policy by announcing that his country would retire from the "front line of the fight against Castro communism." He further explained this action thus:

> We cannot push Guatemala into remaining in the front line, with our rifles besides us ready for the onslaught, when others in the rearguard are engaged in profitable business, such as those who are now dealing commercially with Cuba.

From events which began piling up—it now appeared—falsely or not—that our OAS camaraderie was beginning to come unstuck. It also began to be clear that the propaganda value of our Cuban-Soviet-United States victory was losing its appeal and we were fast reverting to our former status of unpopularity around the world. It reminded us somewhat of the song which goes—"King's horses, King's men, marched up the street and then marched back again."

The American people began wondering out loud just who was handling our foreign policy. It just did not seem possible that one single man could be making so many mistakes—or at least they seemed on the surface to be mistakes—and the surface was just about all they had to go by. Their curiosity was partially satisfied even though their fears were not completely allayed—when it became known that Secretary of State Dean Rusk had many, many unofficial helpers in handling foreign policy, although not appointed by him. The public had previously learned, through a December 8 Saturday Evening Post article by Stewart Alsop and Joseph Bartlett that even our National Security Council had been reinforced by what Washington reporters had dubbed the "ExComm"—meaning executive committee. This also was called the Crisis Cabinet and numbered among its nine members the Special White House Aid, McGeorge Bundy (also designated by the Washington grapevine as future successor to Secretary Rusk), the President's brother Bobby Kennedy, and his speechwriter, "alter ego" and General Counsel, Theodore Sorensen. To a degree, this explained some of the confusion in foreign policy perhaps, but not quite the confusion in announcements from Government agencies.

The public, for instance, was informed on October 16, 1962 that almost 5,000 Soviets were stationed in Cuba.

October 28, the U.S. intelligence authorities reported the Russians had achieved full combat readiness for all their medium-range missiles—which had a capability of reaching Washington, D.C., St. Louis, Dallas, and the Panama Canal. This was 6 days after our "quarantine" had been thrown around Cuba, and the day Khrushchev agreed to dismantle and pull out the rockets.

November 7, however, found the number of Soviet troops raised to 8,000 to 13,000. November 20 found the quarantine lifted by President Kennedy.

November 29 found the number of Soviet troops in Cuba reverting a bit, from 8,000 to 10,000.

And December 20 found the number of Soviet troops announced as 9,000 to 15,000.

To jump a bit ahead in my chronology, I must add that January 24 found a figure of 16,000 or 17,000 publicly announced as Soviet military personnel still remaining in Cuba.

This "numbers game"—as it has been called—culminated finally on February 6 when a responsible Member of the Senate stated in a radio-TV appearance that 35,000 Soviet military, commanded by four of the Soviet's top generals, were still in Cuba.

On that same day, Defense Secretary McNamara stated in an unprecedented appearance that there had been 22,000 Russian military personnel in Cuba at the peak of the crisis in November—but that 5,000 had since left—and 17,000 remained. He was backed up in this statement by CIA Director John McCone.

Small wonder that all this, along with other events, left most American citizens feeling as Maurice Maeterlinck, the Belgian author, must have felt when he said:

> The truth that disheartens because it is true is of far more value than the most stimulating of falsehoods.

Part 10 of the chronology follows:

> December 28, 1962: Fidel Castro abruptly halted the release of relatives of Cuban invasion prisoners today. At the same time, the Government-controlled radio and press loosed a bitter attack on President Kennedy for honoring the invaders and their leaders.
>
> Cuba gave no official reason for halting the release of relatives. It previously had announced that any who wished to do so were free to leave so long as they turned over their property to the state.
>
> Cuban radio commentators today charged that Mr. Kennedy had violated all the principles set forth in the United Nations Charter by his "arrogant gesture" in meeting with invasion leaders yesterday.
>
> The President was accused of a new act of aggression against Cuba and of showing "imperialist contempt" for the United Nations.
>
> December 28, 1962: The Communist newspaper Hoy said, "By receiving his invasion agents, Kennedy is proclaiming a so-called right of U.S. imperialists to promote, finance, and arm the counterrevolution."
>
> December 29, 1962: Havana radio charged today that anti-Castro Cuban elements are being transplanted from U.S. soil to Guantanamo Naval Base, for aggression against Cuba.
>
> The news agency said the anti-Castro scheme called for a "direct Yankee attack on Cuba on the pretense of defending the base," the radio related.
>
> The newscast said such thundering assaults would force Cuban soldiers to repel the aggression.

December 29, 1962: In Washington, the Defense Department said the charge was "completely baseless and without foundation."

December 29, 1962: President Kennedy promised a highly emotional crowd of Cuban exiles today that the flag of the Bay of Pigs Brigade "will be returned" to "a free Havana."

Speaking under a hot sun in Miami's Orange Bowl, the President said "it is the strongest wish of the people of this country, as well as the people of this hemisphere, that Cuba shall one day be free again."

When it is, the President declared, the brigade which failed in the Bay of Pigs attack of April 1961 and which was ransomed from Cuban prisons, "will deserve to march at the head of the free columns."

Taking note of the divisions that have plagued the exiles, Mr. Kennedy appealed to them to submerge momentary differences in a united front to keep alive the spirit of the brigade.

Mr. Kennedy thanked the Americans who helped make possible the exchange of prisoners for medicines and foodstuffs.

"Their efforts had a significance beyond the important desire to salvage individual human beings," he said. "For your small brigade is a tangible reaffirmation that the human desire for freedom and independence is essentially unconquerable."

December 29, 1962: The official Soviet news agency Tass said in Moscow last night that President Kennedy's promise of a free Cuba causes "perplexity and concern."

A Tass report of Mr. Kennedy's meeting with the free Bay of Pigs captives quoted the President's promise to return their battle flag to them in a free Havana.

"President Kennedy's bellicose statements at the rally of Cuban counterrevolutionaries cannot but cause perplexity and concern," Tass said.

"It is well known that during the settlement of the Caribbean crisis, President Kennedy promised that the United States would not attack Cuba and would prevent other Latin American countries from attacking her."

December 29, 1962: President Kennedy has expressed the appreciation of the United States for Argentina's cooperation during the recent Cuban crisis.

Kennedy referred to a letter sent by Secretary of State Dean Rusk to Foreign Minister Carlos Muniz expressing "admiration and appreciation for the prompt and resolute manner in which Argentina supported the Organization of American States in carrying out its decisions on the Cuban crisis."

"I want to reemphasize the pride which our forces felt in joining with your destroyers and air units in defense of the Western Hemisphere," Kennedy's letter said.

December 30, 1962: Castro ties new string on prisoner of war kin.

The Cuban Government said today it would permit "all those wanting to leave" to do so only if Pan American Airways resumes flights between Havana and Miami, Fla.

A Pan American spokesman in New York said the airline had little desire to resume normal service to Cuba. He said restrictions and limited travel had resulted in heavy losses on Cuban flights in the past several years.

In commenting on Mr. Kennedy's visit to Miami to greet the returning prisoners, Havana radio said, The President "admitted his participation and contribution in all steps related to the indemnification demanded by Cuban revolutionary justice to free the mercenaries."

December 31, 1962: In an interview with the London Daily Express released by the Tass news agency, Khrushchev said he was convinced that last October's Cuban crisis will "leave a very deep imprint on international relations."

"This was a moment when the sinister shadow of nuclear war raced over the world," he said. "People started looking at questions of war and peace in a new way. If mankind is ushering in 1963 in a peaceful atmosphere, and not amid ruins covered with radioactive dust, it is indebted to the policy of reason, which triumphed when the Cuban crisis was at its height.

"Here the danger was removed by way of compromise, according to the principle of 'concession for concession' and not, as suggested by certain people in the West, by the 'sword against sword' principle," he added.

January 1, 1963: President Miguel Ydigoras said today that his country will retire from what he called "the front line of the fight against Castro communism."

"Of course, we find we are in the whirlpool of international politics," he said. "But we cannot push Guatemala into remaining in the front line, with our rifles beside us ready for the onslaught, when others in the rearguard are engaged in profitable business, such as those who are now dealing commercially with Cuba."

Woman's New Role in Rural America

EXTENSION OF REMARKS

OF

HON. WALT HORAN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 1963

Mr. HORAN. Mr. Speaker, under leave to extend my own remarks in the Congressional Record I am pleased to include a speech delivered by my colleague the Honorable Catherine May to the recent National convention of the NRECA at Las Vegas, Nev. The speech follows:

WOMAN'S NEW ROLE IN RURAL AMERICA

(Address of Representative Catherine May of Washington State at the National Rural Electric Cooperative Association annual meeting, Las Vegas, Nev., January 14, 1963)

I certainly do appreciate the invitation to participate in your 21st annual meeting. I express this appreciation as a Member of Congress who serves on the House Agriculture Committee which concerns itself, as your organization does, with the problems, the programs, and the potential of the American farmer. An exchange of ideas on a subject of mutual interest is always of mutual benefit. I express this also as one who has the good fortune to have been born and raised in a congressional district which has seen the passage of many milestones in natural resources development which have contributed to the economic welfare of the State of Washington, the Pacific Northwest, and the Nation. In addition to being one of the Nation's richest agricultural areas, my eastern half of the State of Washington provides part of the winding home of two great rivers—the Columbia and the Snake. Many magnificent dams, including the Grand Coulee, and great reclamation and irrigation projects are the familiar status symbols to which we point proudly in our part of the State of Washington. It is in this area where you find the huge atomic installation known as the Hanford plant which soon will house a reactor that really will be dual purpose, thanks to a successful battle waged in the last Congress. As one who represents this District in Congress, I feel I am justified in pointing with pride to its wonders, but you in this room can do even more. You not only can point with pride but, on behalf of your organization, claim some of the credit for these developments. The rural electrification program has played a most significant role in this progress in my part of the State, as well as all parts of the State of Washington.

Thus far, I have presented to you my credentials as a wife, mother, homemaker, and Member of Congress from a rural area of our Nation. I make a point of these qualifications because your organization has asked me to participate in this conference by talking about "Woman's New Role in Rural America." I feel it is only fair to warn you that under this title my basic message concerns itself with how desperately participation is needed in helping to solve the problems that are peculiar to those of us who live on the farmlands of America. In an editorial aside, may I say I am well aware that this is a mixed audience today. I not only invite the men to feel perfectly free to listen, but express a wistful hope that some of the message might rub off on them too. Wherever I can find a captive audience, I invariably stress the theme, "Get out of the house and get busy."

In looking back over this series of speeches, I find that about the only thing that has changed about the kind of speech I give on this subject is the urgency, the ever-increasing urgency, which I feel as I present this message to women like yourselves.

So many Americans today seem to be forgetting that they are the Government. In America, you are the Government. Government officials and politicians just work in Washington, D.C., hired by you. You and I are America, and we have got to act like it. We have got to act like it because we are at the greatest worldwide crossroad crisis of all, and that means that active participation in every way possible to help our Nation progress and grow strong and follow the wise road is the moral as well as the citizenship duty of every American. America isn't just any nation. It isn't just one of a family of nations. America is a Nation that has a great mission for the benefit of liberty-loving people everywhere. If America does not stand as a burning beacon of hope for freedom to all the peoples of the world, who are today under tyranny, then it is nothing. And, there you have as briefly as I can express it, my own personal inspiration for constantly urging participation on my fellow Americans.

I suppose that actually the title of my speech today should be "Woman's New Role in the New Rural America," because if participation is to be your role then you must know how to participate effectively. I learned long ago that inspiration is one thing but oftentimes translating it into practical action is another.

Naturally, to participate effectively we must first know what problems need to be solved, come up with some sound ideas for solving them, and then try to get other people to join the cause. And, it is just as important that we pick our cause. By that I mean select an area where we think our own experience and interest and special talents qualify us to help solve the problem most effectively. Most of us in this room, by virtue of the place we live and the work we do, owe our allegiance to the cause of helping to solve the problems of the new rural America so that American agriculture can remain strong. And, make no mistake about it, this is a great and important participation project. Because unless American agriculture remains a balanced force of strength in our economy, as it adjusts to the changes of the modern world, then our Nation cannot remain strong. In just the next 50 years the farmers of this Nation are going to have to find ways to produce food for twice as many mouths as they are feeding today. Yet, in that same period of time, land that is now being used for farming is going to decrease by 50 million acres. We have to solve this problem. What will happen if we don't solve it is written in words of doom on the wall of history. Mr. Khrushchev and Mao tse-Tung are reading those words right now. No civilization no matter what its form of government or what heights it has attained, scientifically and culturally, can survive hunger.

And, what is the look of this new rural America? Well, first of all, it is a paradox of shrinking and expansion. For several decades the farmers have been moving to town and the city folk have been moving to the country. This has resulted in what I call the twilight zone of ruburbia. It is a neither fish or fowl area, bounded on one side by the ever more crowded metropolis and on the other side by the ever less populous farmland. The problems of rural America are no longer confined within the fences around pasture and field. They extend through ruburbia to the city limit sign at the metropolis.

There are others here this week who will talk more in detail and more knowledgeably on what has brought about this new look to the rural area. But, very briefly, I am sure you know it is because in recent years machinery, new scientific methods of planting, fertilizing, harvesting, modern marketing programs and several other factors have made it possible for less farmers to produce more food and fiber. In 1900, 1 out of every 3 workers was engaged in agriculture—today, that proportion has become about 1 in 18. Agriculture has shown a greater increase in productivity than any other sector of our Nation's economy. We have produced two-third's more food and fiber on our farms and, at the same time, have used 25 percent less farm employment and 20 percent less hired farmworkers to do it. The Subcommittee on Family Farms of the Committee on Agriculture, of which I am a member, has been studying this trend for many years. It is reassuring to note that present statistics show that the family farm is still the backbone of American agriculture and bids fair to remain so. But the plain fact is that today it takes less of the family to operate the farm. Larger farm units with less people operating them because this is the efficient way to do it and, I must pause here to confer on REA and the rural electrification program the mixed blessing of credit for this trend because of the major contribution they make to supplanting the plug we used to hitch to the wagon with the plug we shove in the wall. I say mixed blessing because this new look in rural America has brought many new problems that I will touch on in a moment.

As for ruburbia, this is peopled by those who make their living at jobs in the city but make their home on a farm or in a rural area. You know this picture well because almost half of the consumers you now serve are nonfarm, which includes many in those urban areas who live there because they like the joy of country life away from the disadvantages of pavement lawns and concrete gardens. And here again, we find the mixed blessing of change and progress which brings us participation responsibilities brought about by needed adjustment to a population shift.

The problems? You know them well. Rural America is suffering from unemployment, underemployment and low income. Those who have studied this problem are far from in agreement on methods of solution but there is quite general agreement among them on objectives. We must develop better income opportunities for those who have the desire and ability to stay on the farm. We must also develop off-farm rural area opportunities for employment. To do this we must encourage full cooperation from existing private and governmental programs. And, it follows that the job opportunities can be created only if we provide more educational skills to fit our young people in jobs where they are needed. It also follows that we must encourage the development of additional industries, services and trades in rural areas and we can only do this if we make rural communities livable.

I think there is something special about the American who has his roots on the farm. I want to keep his citizenship influence on this Nation in balance with the other types of population. I don't want to keep him on the farm if it is against his will or if it makes him a dependent, but I surely don't want to hurry him off the farm, either.

We are now embarked on three interrelated Federal programs that have great potential for helping us reach the objectives I have listed above. I am speaking of the area development and redevelopment programs and the manpower development and training program. The area development programs are directed to assist in the economic development of those areas plagued by high unemployment and/or low rural income. This assistance is offered in the form of loans and grants, technical assistance and training. The Manpower Development and Training Act is the first direct attempt made by Congress to find a longer range solution to the unemployment problem. It is based on the premise that unemployed workers can and will find jobs when they are qualified to hold them. It applies specifically to the subject I am discussing today because it is designed to train individuals in rural areas for both farm jobs and nonfarm employment. There is not time for me to go into detail on any of these Government programs today. I am sure you will be discussing them in other sessions of your annual meeting. I know that NRECA is already working with Government representatives on these programs. But I do want to say that if these programs are to be successful, they must be based primarily on local leadership and action. Without local cooperation, guidance and action, they won't be worth a plug nickel. And this is where I am going to get into the specifics on the ways that I know you women of rural electrification can help most effectively.

Education: We must see that the schools in our local areas—grade schools, high schools, junior colleges where they exist, vocational schools—are offering a curriculum and a training designed to provide our young people with the skills most needed in their own community or elsewhere in their urban centers. Here is where women can back up their school boards and school organizations in demanding an enriched curriculum or a reemphasized curriculum. Here is where we can bend every influence in persuading our young people not to drop out of high school, or to go to college, or to special vocational training in place of college. Here is where women can work individually and in groups on financial aid through loans or scholarships to help the young people in their rural area train for the jobs where they are so desperately needed.

Area redevelopment: The opportunities in these programs are almost endless. While your husbands are working in public or private organizations, on ways to attract new payroll into a rural area, whether it be a small industry or a process plant or a business agency, you can make a tremendous contribution in helping him sell your community as a good place to live. You know, those management executive boards who make the final decisions on locating a business or a plant or an industry look at a lot of important factors in making this decision. They look at the availability of power, and water, and labor, and land, and they take a good sharp look at the tax situation of this State, but they look at something else, too. They call their top personnel men in and they explain that they are considering a move to a certain area. Those men go home and tell their wives about this proposed move—and what do the wives ask? You know as well as I do. What kind of a town is it? What about the schools? And the churches? What recreational and social and cultural facilities are there? Is it a pretty town? Will the people be warm and friendly? How about the health facilities? Well, have you taken a good look at your community lately? Would you want to move there? I have talked to many a business executive who said that a decision to choose one location over another many times rested in balance on a nice city park or a swimming pool and a good sewage system.

The rural electric wife: As you can see, I have just touched on a few of the possibilities for participation on your part in your new role in rural America. There are hundreds of other possibilities. And I am very sure that many of you are already engaged in one or more of the community improvement activities that help to improve your area. In this respect, about all I can hope to do is inspire in you a new urgency for getting on with the job and some new reasons for so doing.

Up to now, I have been talking about women fulfilling their responsibilities to the community in many traditional and familiar ways. But I would like to close by speaking on the very special and unique contributions you have to make to rural America because you are the member-owners of the rural electrics. If we are to create job opportunities by attracting new plants and industry into new areas, availability of electric power must keep up with demand. All available sources of power must be encouraged and fostered to grow with this demand. The rural electrification program must keep pace and must stay strong and productive so it can offer its special and unique service of power to rural areas development. To do this it must maintain public support and that can be gained only if there is public understanding. In this respect I think one of our biggest problems is being taken for granted. We have a whole generation of new consumers who just flip the switch. You and I flip that switch, too, but we have the knowledge and the remembrance of what a comparatively recent blessing it is and how hard we fought for this simple privilege. How long has it been since you have seized the opportunity to tell some newcomer or young wife in your area the simple but thrilling story of how electricity came to the farm? How long has it been since you read some of your husband's trade magazines or publications so that you could tell an interesting story using an easy-to-understand example of what keeps a consumer rate low? This is your very special role as a member of the NRECA family. Nobody else can play the part as well as you.

You in this room today represent a very important segment of those electrical utility groups who have developed rural America to its present strength. For this the Nation owes you much—and asks still more. Asks still more in its need for the special skills, knowledge, understanding, and faith you have to give if we are to keep American agriculture strong and growing. God grant you the strength, the wisdom, and the inspiration to make your participation complete and effective.

The Olympic Games of 1968

EXTENSION OF REMARKS

OF

HON. HAROLD M. RYAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 1963

Mr. RYAN of Michigan. Mr. Speaker, the past 2 days have been very hectic in the city of Detroit. Charges and countercharges have been flying about as heavily as debris in a tornado. The words "unfit" and "doublecross" have been thrown about as part of the everyday conversation.

This all stems from the fact that the executive board of the U.S. Olympic Committee, in a sudden and drastic move, stripped the city of Detroit of the status given to it last October 15 when Detroit was officially authorized to be the only U.S. city to seek the Olympic games for 1968.

Last Tuesday the Governor of the State of California contacted the executive board of the Olympic Committee, indicating that Detroit was not yet ready for the job of handling the 1968 Olympics, and that Los Angeles would be in a position to do so. In withdrawing its approval of Detroit, the U.S. Olympic Committee opened a back door to have Los Angeles again come into the picture as a bidder for this international sports festival.

In presenting their arguments, the Los Angeles group indicated that their bid should be heard by the full committee which, in essence, would compare to a congressional subcommittee hearing testimony on legislation; and, before action could be taken on the recommendation of a subcommittee, hearings again would have to be held by the full committee in order to approve such legislation.

We, in Detroit, are angered over the tactics taken by the city of Los Angeles and the State of California. These two jurisdictions are not showing good sportsmanship. It is with great disappointment to me to learn that Detroit's designation as the only American entry in the Olympic program will have to be fought all over again. It is my belief that in the long run, Detroit will be awarded the 1968 Olympic games, but only after a hard and uphill struggle.

Detroit is a dynamic city—it is a sports-minded city. Its citizens have the ambition and the initiative to finance and put on this great spectacle in the world of sports. It is my belief that Detroit will stand up to all of the requirements necessary to put on a good show.

Detroit is centrally located within the confines of the United States. Ten domestic airlines provide direct service between the city of Detroit and the major cities in every section of the country. These lines use Detroit-Wayne Major Metropolitan Airport and Willow Run Airport, both of which are within a half-hour ride of the civic center in downtown Detroit. The Detroit City Airport, 10 minutes from downtown Detroit can be used by special charter flights. Six major railways provide passenger service to Detroit's three terminals, all located in the downtown area. Three interstate and six major U.S. highways connect directly to Detroit's freeway system. It is, therefore, apparent that no matter where you are in the United States, it is only a matter of hours—short hours at that—and you are in the city of Detroit.

The citizens of Detroit have been working over a number of years to lead a Detroit movement for the Olympic games. I am sure that if given the opportunity to proceed with the development of its facilities to host the 1968 games, they will be able to fulfill the requirements of putting on a splendid exhibition.

I believe that the committee, when they meet March 18, will fully consider the merits of the proposal made by the city of Detroit, and will recommend that the original decision remain in effect.

In the past, Detroit has been the unsuccessful bidder before the International Olympic group six times, but the campaign to bring these games to Detroit has continued throughout the ensuing years. I believe that in the name of justice and equity, the international committee reaffirm its position that was won in fair competition with other States.

The final selection for the site for the 1968 Olympic games will be made by the International Olympic Committee at a meeting at Nairobi, Kenya, on October 13, 1963. It is my hope that the argument between two cities of the great United States will not be a detriment to us with the final result being the awarding of the games to a European city, which is very possible. We, in Detroit, intend to press our demands for recognition as the only city recommended for the 1968 Olympic games, and shall take every possible means to have the U.S. Olympic Committee approve Detroit as the site. However, we will do it with good sportsmanship and fair play. Los Angeles, in its action of a few days ago, indicated that they are still a long way from making friends and influencing people, with their unwarranted and unsportsmanlike conduct.

America's Opportunities in Natural Resources Development

EXTENSION OF REMARKS

OF

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 14, 1963

Mr. BLATNIK. Mr. Speaker, under unanimous consent I want to bring the attention of all Members of the Congress to the remarks of our distinguished colleague Harold T. Johnson of California, at the annual meeting of the National Rural Electric Cooperative Association on January 15, 1963:

Remarks of Representative Harold T. Johnson of California at the National Rural Electric Cooperative Association Annual Meeting, Las Vegas, Nev., January 15, 1963

Ladies and gentlemen, it is a great privilege to be here and discuss with you a subject of great interest to me, "America's Opportunities in Natural Resources Development."

America's opportunities for resource development depend largely on how wisely and how well we use our land, our minerals, and our water.

Man's life on earth, regardless of industrial refinements, continues to depend upon the basic raw materials of all life—the sun, soil, water, and minerals.

The utilization we make of our natural resources is vitally important to our economic growth.

In my experiences as a Member of Congress I have seen many foreign nations come to this country in search of assistance. These nations invariably place great dependence upon natural resources, indicating an awareness of the importance of their development something some of us here at home sometimes forget.

Just a few days ago the National Academy of Sciences and the National Research Council told President Kennedy that this Nation is challenged to help provide for greater demands for products of water, soil, forests, and minerals, not only for emerging nations, but also for our own low-income areas.

The committee told the President that failure to meet this challenge could result in increased costs and lowered living levels.

The report called for establishment of a central natural resources group to coordinate expanded research programs conducted by the individual U.S. Federal agencies.

Of specific interest to you, as representatives of electrical power agencies, is the recommendation for additional development of low-cost sources of industrial energy. A preliminary look at this report indicates the merit of coordination of research.

In development of our natural resources, long-range planning is important. The two agencies which administer most public lands, the Bureau of Land Management and the Forest Service, have initiated long-range development programs calling for intensified resource management to meet the demands of this and future generations for water, timber, livestock grazing, wildlife, and outdoor recreation.

A similar comprehensive program for private lands is the rural areas development program of the Department of Agriculture.

President Kennedy has revitalized this program to develop, through local leadership, all human, economic, and natural resources in economically underdeveloped rural areas.

The Rural Electrification Administration has a major role in seeing that the rural areas have the necessary electrical energy.

Whether we recognize the fact or not, the highly developed economies such as ours continue to consume basic resources at a tremendous rate. We cannot be complacent about this.

Nor can we assume that our treasure chest of natural resources always will be there.

The United States has made great technical advances in utilization of raw materials, but this country is consuming its natural resources 20 percent faster than the rate of our population growth.

Wise utilization of our natural resources is, of course, an important part of the overall picture. Therefore, I would like to touch on some recent developments in this field.

At one time only the primary value of our resources was used. Now many byproducts are recovered and, at the same time, better use is being made of the basic raw material.

One pound of coal, for example, today produces 1.4 kilowatt-hours of electricity in modern generating plants. In 1920 the corresponding output of coal was only about three-tenths of a kilowatt-hour. The energy yield of a pound of fuel consumed today is almost five times what it was 40 years ago.

About one-fourth of the wood fiber now being consumed in the manufacture of woodpulp comes to the mills in the form of woodchip residue from sawmills and veneer mills. Twenty years ago virtually none came from that source, even though we are getting far more from each unit of crude material than ever before.

What is the importance of natural resources to our national economy? I cite this example:

Recent studies measured the total value of raw timber to the consumer. The 1958 harvest of timber, before it was cut from the forests, had a value of $1 billion. Value added to that timber in the course of harvesting, processing, fabrication and secondary manufacture, transportation, and distribution to the consumer amounts to $23 billion.

Concurrently, the growing and protection of the trees cut in that harvest involved 80,000 man-years of employment. The various operations which added value to that raw material, between the forests and the ultimate users, involved more than 3 million man-years of employment.

This single industry represents about 5 percent of our gross national product. The same pattern may be found in other natural resource industries.

Therefore, it must be stressed that whether you are from Connecticut or Alabama, from Michigan or Arizona, the natural resources produced in Washington or in Georgia, in Maine or in Colorado are vitally important to you as an individual.

These are not provincial things, important only to the individual actually on the land producing the raw commodity. Every American home, farm, business, and industry still is dependent upon a constant flow of natural resources. This will always be so.

This brings us to the resources themselves.

Soil and water are the two basic resources and they are closely intertwined. Everything depends upon our fertile soil, and water is the agent which brings the soil to life and permits the development of all our other resources.

Therefore, it is fundamental to all our Nation that the watersheds be protected so that their resources may be developed.

For too long we have assumed that water will be available to meet our every demand.

You turn on the faucet and assume the water will be there, but more and more we are finding instances when the well has run dry. Every part of our Nation has experienced this, whether it be a California farmer whose crops have suffered from lack of mountain water or the New York city dweller whose car is dirty because the faucet ran dry.

Our expanding population and an ever-increasing demand for water for domestic, agricultural, and industrial purposes are placing constantly growing demands on our water supply.

Just since the turn of the century, the estimated daily use for all purposes has risen from 530 gallons per capita to 1,600 gallons per capita daily. The forecast is that it will reach 2,200 gallons by 1975.

In total figures, the daily use of water in the United States has increased from 40 billion gallons at the turn of the century in 1900 to some 265 billion gallons today. The total could reach 600 billion gallons consumed daily by the year 1980. Just how much is 600 billion gallons which this Nation will consume daily in less than 20 years?

Most of you have visited Lake Mead. At that rate it would take only 12 days to drain this tremendous reservoir.

An inseparable partner in the development of water resources is hydroelectric power. This is the cash register of many water projects. To ignore hydroelectric power would be to throw away one of our most valuable assets and also the asset which is the principal means of paying for the vast investment we must make in resource development.

Again, the benefits of this power are not restricted to the immediate area in the vicinity of the powerhouse.

Recent advances in transmission of electrical energy have shown this technically. The distance which direct current energy may be transmitted now is almost unlimited. Economically, it is feasible to deliver power a thousand or more miles from the powerhouse.

I personally think it was a grave mistake to limit the TVA service area to a 150 miles or so. I visualize the day when a transmission grid connects every corner of our Nation and even possibly connects our power network with that of Canada.

When that day comes, there should be adequate power so that every person in this Nation may enjoy the full advantages of electricity in his home, his farm, his business.

I would like to say at this point that the rural electric power cooperatives have done a magnificent job in providing electrical energy to the householders and the farmers of our great Nation.

Sometimes the advantages have come in strange and roundabout ways.

Take, for instance, the case of the Amargosa cooperative here in Nevada. I became interested in this cooperative when it was formed and came to the REA for assistance. It appeared that the cooperative could serve some of the people in California whom I represent.

These people in the Death Valley area never have had electrical service. As the Amargosa cooperative moved ahead, the private power companies suddenly became interested in my people for the first time, I might add.

They applied to serve the area. The California Public Utilities Commission granted the license to the private utilty.

Even though Amargosa did not receive the license to serve the area, I am convinced that if it had not been for the interest of this fine REA cooperative the private utilities would never have served these people.

The area still would be without electrical energy.

The rural electric cooperative have done great things for this country since Franklin D. Roosevelt created the REA on May 11, 1935.

I might say that President Roosevelt was following in the footsteps of another great President, the conservation-minded Teddy Roosevelt, who brought to the people of the United States the realization of the urgent necessity of husbanding and utilizing wisely our God-given natural resources.

The cooperative movement came into being shortly thereafter, when the private power utilities failed to respond to the challenge of the times and continued to neglect the rural people of our Nation.

Their policy was stated publicly that there were very few farms requiring electricity for major farm purposes that were not already served.

That was a quarter century ago—when 89 percent of the U.S. farms were without electricity.

As a result of the strong cooperative movement the situation has been reversed.

Today, 97.6 percent of the 3,700,000 farms in our country are enjoying the benefits of electrical energy.

You can be proud of this record.

Rural Electrification Administration loans have totaled nearly $4,800 million since REA was first conceived.

One and a half million miles of lines are serving 5 million REA consumers.

You, the leaders of the rural electric cooperative movement, have done a magnificent job in bringing electrical energy to the people of this Nation.

Nine out of every ten agencies participating in the REA program are rural electric cooperatives.

This Nation has a continuing challenge to meet its responsibilities in the development, conservation, and intelligent, balanced utilization of our natural resources.

Through your farsighted efforts on behalf of electrical development you have proven your leadership in the conservation and utilization of one of our most important resources—electrical energy.

You recognize the national importance of this resource.

And, in closing, may I stress that the same holds true for all resources—soil, water, power, grazing lands, timber, minerals, and all the rest.

These are national, not local, resources.

With the help of leaders such as you this Nation can meet the challenge set before its President just last Thursday.

We can provide for greater demands for the products of our water, our soil, our forests, and minerals, and in so doing we can eliminate poverty and want and we can increase employment.

We can help our neighbors and ourselves to raise our standards of living.

This, to my way of thinking, is the only sure way which we can solve our domestic and international economic and social problems, so important to a stable and peaceful free world.

Thank you.

SENATE

Monday, February 18, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rabbi Theodore Lewis, Touro Synagogue, of Newport, R.I., offered the following prayer:

We beseech Thee, O God, to give of Thy blessings to the Members of this distinguished assembly, the U.S. Senate. They have need of Thy divine guidance and inspiration as they deliberate on complex matters that affect not only every citizen of this land, but also the whole human race.

Imbue them, O God, with wisdom of heart and mind, that they may arrive at just, equitable, and lasting solutions to the perplexing problems that confront them.

Keep them alert and vigilant, that they may vigorously resist any encroachment on the liberties that we now enjoy.

Grant them inflexibility of courage and fortitude of spirit, that they be not deflected from the noble ideals to which they have dedicated themselves.

May their actions ever be a reflection of the immortal words that George Washington addressed to the Hebrew Congregation in Newport, R.I., "To bigotry, no sanction; to persecution, no assistance," for it is only when prejudice and bias give way to harmony and brotherhood can there be hope for peace, stability, and survival for mankind.

May it be Thy will, O God, that the concept of the brotherhood of man, as expressed in such vital terms in these United States of America, shall extend beyond these shores, so that there will be ushered in an era of amity and fellowship between all races, an era in which nation shall not lift up sword against nation, neither shall they learn war any more. Amen.

THE JOURNAL

On request of Mr. **Mansfield**, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 14, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

CALL OF LEGISLATIVE CALENDAR DISPENSED WITH

On request of Mr. **Mansfield**, and by unanimous consent, the call of the Legislative Calendar was dispensed with.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. **Mansfield**, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report of Federal Contributions

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report of Federal contributions, for the quarter ended September 30, 1962 (with an accompanying report); to the Committee on Armed Services.

Report on Research and Development Procurement Actions, Department of the Navy

A letter from the Acting Assistant Chief of Naval Material (Procurement), transmitting, pursuant to law, a report on research and development procurement actions of $50,000 and over, covering the 6-month period ended December 31, 1962 (with an accompanying report); to the Committee on Armed Services.

Report on Liquidation Activities of Reconstruction Finance Corporation

A letter from the Administrator, General Services Administration, Washington, D.C., reporting, pursuant to law, on the progress of the liquidation activities of the Reconstruction Finance Corporation for the quarter ended December 31, 1962; to the Committee on Banking and Currency.

Report of Secretary of Commerce

A letter from the Secretary of Commerce, transmitting, pursuant to law, his report for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Commerce.

Report of Federal Trade Commission

A letter from the Chairman, Federal Trade Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1962 (with an accompanying report); to the Committee on Commerce.

Marketing of Power Generated at Amistad Dam on the Rio Grande

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande, to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Reservation of Certain Public Lands at Chocolate Mountain Aerial Gunnery Range, Imperial County, Calif.

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to provide for the withdrawal and reservation for the Department of the Navy of certain public lands of the United States at Chocolate Mountain Aerial Gunnery Range, Imperial County, Calif., for defense purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Reservation of Certain Public Lands at Mojave "B" Aerial Gunnery Range, San Bernardino County, Calif.

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to provide for the withdrawal and reservation for the Department of the Navy of certain public lands of the United States at Mojave "B" Aerial Gunnery Range, San Bernardino County, Calif., for defense purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

Reports on Refugee-Escapees Paroled Into the United States

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, individual reports on refugee-escapees paroled into the United States, for the 6-month period ended December 31, 1962 (with accompanying reports); to the Committee on the Judiciary.

Rescission of Suspension of Deportation of a Certain Alien

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of the order rescinding suspension of deportation in the case of Joseph Bilenco, also known as Joseph Addison Blake, together with a complete and detailed statement of the facts and pertinent provisions of law as to the alien, and the reasons for ordering the rescission of suspension of deportation (with an accompanying paper); to the Committee on the Judiciary.

Equal Pay Act of 1963

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to prohibit discrimination on account of sex in the payment of wages by employers having employees engaged in commerce or in the production of goods for commerce, and to provide for the restitution of wages lost by employees by reason of any such discrimination, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the General Assembly of the State of Georgia; to the Committee on Appropriations:

"House Resolution 62

"Resolution requesting Congress to continue assistance to the junior ROTC programs; and for other purposes.

"Whereas the U.S. Congress has evidenced its intention to discontinue Federal assistance to educational institutions which provide a junior ROTC program for its students; and

"Whereas, in both World War II and the Korean conflict, it has been graphically demonstrated that a strong reserve officer training program is vital to the national defense; and

"Whereas in this time of continuing national emergency, precipitated by rash acts of the Communist bloc countries, which create crises in which a strong national defense posture must be maintained; and

"Whereas the junior ROTC program has demonstrated that it is a vital and integral part of our national defense preparations: Now, therefore, be it

"*Resolved by the General Assembly of Georgia*, That this body urgently requests that the U.S. Congress continue to provide appropriations to assist local educational institutions in continuing to provide a junior ROTC program; and be it further

"*Resolved*, That the clerk of the house of representatives is hereby authorized and instructed to transmit to the Clerk of the U.S. House of Representatives and the Secretary of the U.S. Senate a sufficient number of copies of this resolution to be distributed among the membership thereof.

"Read and adopted in the house January 25, 1963.

"Read and adopted in the senate February 11, 1963."

A resolution of the Legislature of the State of Nebraska; to the Committee on the Judiciary:

"Legislative Resolution 12

"Whereas Sir Winston Churchill has, by his courage, tenacity, wisdom, and leadership both in war and in peace, assured for himself a place of eminence among the great men of history; and

"Whereas it is proper that the highest honor and acclaim be accorded Sir Winston Churchill during his lifetime; and

"Whereas the greatest honor that this legislature can confer is the grant of citizenship in the great State of Nebraska: Now, therefore, be it

"*Resolved by the members of the Nebraska Legislature in 37th session assembled:*

"1. That full citizenship in the great State of Nebraska, with all rights and privileges appertaining thereto, is hereby granted Sir Winston Churchill.

"2. That a copy of this resolution, suitably engrossed and signed by the president of the legislature be transmitted by the clerk of the legislature to Sir Winston Churchill, Vice President Johnson, Senator Young, Senator Javits, Senator Magnuson, Senator Roman Hruska, Senator Curtis, Congressmen Cunningham, Martin and Beermann.

"Dwight W. Burney,
President of the Legislature.

"Attest:

"Hugo F. Srb,
"Clerk of the Legislature."

A joint resolution of the Legislature of the State of Idaho; to the Committee on Public Works:

"SENATE JOINT MEMORIAL 7

"Joint memorial to the honorable Senate and House of Representatives of the United States, in Congress assembled

"We, your memorialists, the members of the Senate and House of Representatives of the Legislature of the State of Idaho, assembled in the 37th session thereof, do respectfully represent that:

"Whereas the late Senator Henry Dworshak was a champion of full development of our Nation's water resources and a man of boundless energy and a tireless worker for Idaho during his 23 years he served the Gem State in Congress; and

"Whereas he constantly sought cooperation among all levels of government and private enterprise in water resource development to achieve the greatest benefit for the greatest number of persons with the least amount of bureaucratic control and interference; and

"Whereas the Bruces Eddy project on the North Fork of the Clearwater River, which project was authorized shortly after his death, was a project which he sought and worked for in cooperation with local, State, regional, and national water resource development interests: Now, therefore, be it

"*Resolved by the 37th session of the Legislature of the State of Idaho, now in session (the Senate and the House of Representatives concurring)*, That the Congress and President of the United States be respectfully petitioned, as a fitting memorial to our distinguished late Senator Henry Dworshak for his many years of tireless and productive work in resource development and for his patience and perseverance in promoting this project, that early action be taken to implement a change of name from Bruces Eddy to Henry Dworshak Dam: and be it further

"*Resolved*, that the Secretary of State of the State of Idaho be, and he hereby is, authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this State in the Congress of the United States.

"This senate joint memorial was adopted by the senate on the 5th day of February 1963.

"W. E. DREVLOW,
"President of the Senate.

"This senate joint memorial was adopted by the house of representatives on the 6th day of February 1963.

"PETE T. CENARRUSA,
*"Speaker of the House
of Representatives.*

"Attest:

"ARTHUR WILSON,
"Secretary of the Senate."

A resolution of the Senate of the State of Washington; to the Committee on Public Works:

"SENATE JOINT MEMORIAL 9

"*To the Honorable John F. Kennedy, President of the United States, and to the Senate and House of Representatives of the United States of America, in Congress assembled:*

"We, your memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

"Whereas Grays Harbor in peace and war is a vital port on the Pacific coast of the United States; and

"Whereas Grays Harbor does possess modern facilities for the handling of deep ship cargoes; and

"Whereas Grays Harbor in times of national emergency has demonstrated its worth as a military port; and

"Whereas Grays Harbor is an outstanding commercial fishing port; and

"Whereas Grays Harbor has found favor with the citizens of our Nation as one of the finest recreational fishing areas and Westport has become known as the salmon fishing capital of the world; and

"Whereas navigation of the Grays Harbor entrance by both large and small vessels is becoming increasingly hazardous due to the deteriorated condition of the Grays Harbor south jetty; and

"Whereas many lives and much property have been lost due to conditions at the Grays Harbor entrance; and

"Whereas the national administration is extending aid to depressed areas; and

"Whereas this area has been determined to be a depressed area; and

"Whereas this requested project would materially aid the economy of this area;

"Now, therefore, your memorialists respectfully pray that the Congress of the United States will enact legislation to authorize and make appropriations to: Reconstruct the Grays Harbor south jetty at this time to breakwater standards; and be it

"*Resolved*, That copies of this memorial be immediately transmitted to the Honorable John F. Kennedy, President of the United States, to the President of the United States Senate, to the Speaker of the House of Representatives and to each Senator and Representative of the State of Washington.

"Attest:

"WARD BOWDEN,
"Secretary of the Senate."

A resolution of the Senate of the State of Kentucky; to the Committee on Agriculture and Forestry:

"RESOLUTION URGING CONGRESS TO CONTINUE SUPPORT OF THE TOBACCO RESEARCH PROGRAM AT THE AGRICULTURAL SCIENCE CENTER OF THE UNIVERSITY OF KENTUCKY

"Whereas during 1960 and 1961 there was appropriated and allocated by the general assembly for an Agricultural Science Center at the University of Kentucky and for tobacco research at such center, more than $1 million; and

"Whereas the Governor of this Commonwealth subsequently made available an additional $1 million for construction and research at such center; and

"Whereas in 1962 there was appropriated and allocated by the general assembly more than $2 million for construction and research at such center; and

"Whereas the Congress of the United States has appropriated since 1960 more than $200,000 each year to the Agricultural Research Service for tobacco research, a large portion of which has been allocated to the Agricultural Research Center of the University of Kentucky for this project; and

"Whereas tobacco ranks fifth as a crop in terms of income to farm families, and provides the raw material for one of the major industries in the United States; and

"Whereas tobacco taxes contribute approximately $2.5 billion annually to the support of Federal, State, and local governments; and

"Whereas scientific and technical changes have greatly affected American agriculture as a whole, but tobacco has been heretofore neglected in terms of an adequate scientific research program; and

"Whereas extensive construction has already been accomplished at the Agricultural Science Center of the University of Kentucky; new tobacco research is already underway at such center; and such center is now provided and equipped for that purpose with expensive scientific equipment specifically developed for tobacco research, including environmental control units, spectrophotometers, strain gage controls, time lapse cameras, dynamic test machines and precision strain gage load controls; and

"Whereas continuance of the tobacco research program at the Agricultural Science Center of the University of Kentucky would be to the advantage of this Commonwealth and the nation generally, by avoiding uneconomical duplication of research efforts and expenses incident thereto: Now, therefore, be it

"*Resolved by the Senate of the General Assembly of the Commonwealth of Kentucky:*

"SECTION 1. The Congress of the United States and the Department of Agriculture of the United States are urged to continue their support, through adequate appropriations and allocations, of tobacco research on all kinds of tobacco at the Agricultural Science Center of the University of Kentucky, supplementing appropriations and allocations heretofore made and hereafter to be made by this Commonwealth.

"SEC. 2. The clerk of the senate shall send a copy of this resolution to the Presiding Officer and Chief Clerk of each Chamber of the Congress of the United States, to the Secretary of Agriculture of the United States and to each member of the Kentucky congressional delegation.

"Attest:

"JOHN N. WILLIS,
"Clerk of Senate."

RESOLUTION OF BREWERY WORKERS LOCAL NO. 16, BUFFALO, N.Y., ON EXCISE TAXES

Mr. KEATING. Mr. President, I present, for appropriate reference, a resolution adopted on January 22, 1963, by the Brewery Workers Local No. 16 of Buffalo, N.Y., urging the Congress to permit the expiration of wartime excise taxes on their scheduled expiration date of June 30, 1963. I ask unanimous consent that this resolution be printed at this point in the RECORD.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

RESOLUTION REQUESTING THE U.S. CONGRESS TO ALLOW THE AUTOMATIC RATE REDUCTION ON CERTAIN EXCISE TAX RATES

Whereas Federal excise taxes were substantially increased to the "war tax rate" on many manufactured items by the Revenue Acts of 1943, 1945, and 1947; and

Whereas these rates were even further increased by the Revenue Act of 1951 for the purpose of a temporary Korean wartime emergency; and

Whereas all excise rates were reduced to prewar tax rates by the Excise Reduction Act of 1954, with the exception of alcoholic beverages, gasoline, diesel fuel, cigarettes, and motor vehicle chassis, which products continued to be taxed at the highest rate, but were scheduled for automatic reduction on March 31, 1955; and

Whereas the Revenue Acts of 1955, 1956, 1957, 1958, 1959, 1960, and 1961 continued to postpone the automatic reduction on these items; and

Whereas the Revenue Act of 1962 once more postponed the rate reduction date on these selected items from July 1, 1962, through June 30, 1963; and

Whereas the wartime emergency which occasioned the imposition of the additional excise on these selected items now no longer exists; and

Whereas war tax rates are so high as to substantially reduce sales in a peacetime market; and

Whereas the excessive taxation of these selected products has restricted wages and job opportunities for organized labor in the particular industries manufacturing these goods, and has prevented business expansion in these businesses because they could not keep pace with less highly taxed items: Now, therefore, be it

Resolved, That Brewery Workers Local No. 16, of 821 Washington Street, Buffalo, N.Y., representing 500 workers and members, hereby goes on record as favoring the reduction of these oppressive excises and respectfully petitions the Congress of the United States to permit these war tax rates to expire on the scheduled date of June 30, 1963.

Adopted at meeting on 22d day of January 1963.

Joseph L. Douflin,
Secretary.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SALTONSTALL (for himself, Mr. Anderson, and Mr. Fulbright):

S. 808. A bill to amend the act entitled "An act to authorize the setting aside of an area within the Canal Zone to preserve and conserve its natural features for scientific study, for providing and maintaining facilities for such study, and for other purposes", approved July 2, 1940; to the Committee on Armed Services.

S. 809. A bill to amend the act of October 24, 1951 (65 Stat. 634), as amended (40 U.S.C. 193 (n) - (w)), relating to the Smithsonian Institution and its constituent bureaus; to the Committee on Rules and Administration.

(See the remarks of Mr. Saltonstall when he introduced the above bills, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 810. A bill to authorize the chartering of organizations to insure conventional mortgage loans, to authorize the creation of secondary market organizations for conventional and other mortgage loans, to authorize the issuance of debentures upon the security of insured or guaranteed mortgages and to create a joint supervisory board to charter and examine such organizations, and for other purposes; and

S. 811. A bill to enable Federal Home Loan Banks to implement their services to their member institutions by establishing a secondary marketing facility for participations in conventional home mortgage loans; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bills, which appear under separate headings.)

By Mr. McCLELLAN:

S. 812. A bill to provide for the release of restrictions and reservations on certain real property heretofore conveyed to the State of Arkansas by the United States of America; to the Committee on Government Operations.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr McCLELLAN (by request):

S. 813. A bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1965;

S. 814. A bill to amend Section 7 of the Administrative Expenses Act of 1946, as amended; and

S. 815. A bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. McClellan when he introduced the above bills, which appear under separate headings.)

By Mr. McCLELLAN (for himself, Mr. Humphrey, Mr. Mundt, Mr. Gruening, Mr. Javits, Mr. Cotton, and Mr. Yarborough):

S. 816. A bill for the establishment of a Commission on Science and Technology; to the Committee on Government Operations.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of Ohio:

S. 817. A bill for the relief of Sonja Kirsten Høj; and

S. 818. A bill for the relief of Ruth Ahlmann Jensen; to the Committee on the Judiciary.

By Mr. BENNETT (for himself and Mr. Moss):

S. 819. A bill to confirm in the State of Utah title to all lands lying below the high water line of Great Salt Lake in such State; to the Committee on Interior and Insular Affairs.

By Mr. INOUYE:

S. 820. A bill for the relief of Faustino G. Dumaplin, Jr.; and

S. 821. A bill for the relief of John Puli, Mrs. Salote Puli, Sharon Puli, Anna Puli, and Benjamin Puli; to the Committee on the Judiciary.

By Mr. AIKEN:

S. 822. A bill for the relief of Elvira Ciccotelli; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 823. A bill to amend chapter 235 of title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT (for himself and Mr. McGovern):

S. 824. A bill to amend the Internal Revenue Code of 1954 to increase the percentage depletion allowance for gold produced in the United States; to the Committee on Finance.

(See the remarks of Mr. Mundt when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING:

S. 825. A bill to amend the Federal Aviation Act of 1958 in order to provide for research to determine criteria and means for abating objectionable aircraft noise; to the Committee on Commerce.

(See the remarks of Mr. Keating when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 826. A bill to suspend for a temporary period the import duty on ethylene imine (monomer), polyethylene imine, and beta-amino ethyl sulfuric acid ester, or its inner salt, as well as such substituted beta-amino ethyl sulfuric acid esters, or their inner salts, in which one or more of the hydrogens have been replaced with simple alkyl radicals of no more than seven carbons per radical; to the Committee on Finance.

S. 827. A bill for the relief of certain persons who were employed by the L. L. Constantin Electronics Corp.; to the Committee on the Judiciary.

By Mr. CLARK (for himself, Mr. Humphrey, Mr. Kefauver, Mr. Lausche, and Mr. Morse):

S. 828. A bill to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE:

S. 829. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for marketing quotas on Irish potatoes through establishment of acreage allotments; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. 830. A bill for the relief of Dr. Murat A. Avadikoglu; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for himself, Mr. Anderson, and Mr. Fulbright):

S.J. Res. 44. Joint resolution to provide for the reappointment of John Nicholas Brown as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

(See the remarks of Mr. Saltonstall when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. McGEE (for himself, Mr. Bayh, Mr. Beall, Mr. Bible, Mr. Boggs, Mr. Brewster, Mr. Burdick, Mr. Cooper, Mr. Dodd, Mr. Eastland, Mr. Engle, Mr. Fong, Mr. Fulbright, Mr. Gruening, Mr. Hartke, Mr. Hickenlooper, Mr. Humphrey, Mr. Inouye, Mr. Kuchel, Mr. Long of Missouri, Mr. McCarthy, Mr. Miller, Mr. Morse, Mr. Moss, Mr. Mundt, Mr. Nelson, Mr. Randolph, Mr. Ribicoff, Mr. Simpson, Mr. Smathers, Mrs. Smith, Mr. Talmadge, Mr. Tower, Mr. Williams of Delaware, Mr. Young of North Dakota, and Mr. Stennis):

S.J. Res. 45. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

(See the remarks of Mr. McGee when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. CASE:

S.J. Res. 46. Joint resolution designating the 8-day period beginning on the 12th day of October of each year as Patriotic Education Week; to the Committee on the Judiciary.

(See the remarks of Mr. Case when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. SMATHERS (for himself and Mr. Keating):

S.J. Res. 47. Joint resolution authorizing the expression of appreciation and the issuance of a gold medal to Eddie Cantor; to the Committee on Banking and Currency.

(See the remarks of Mr. Smathers when he introduced the above joint resolution, which appear under a separate heading.)

CONCURRENT RESOLUTIONS

CONSIDERATION OF BALTIC STATES QUESTION BY UNITED NATIONS

Mr. KEATING submitted a concurrent resolution (S. Con. Res. 18) favoring consideration of the Baltic States question by the United Nations, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Keating, which appears under a separate heading.)

DESIGNATION OF "BOURBON WHISKEY" AS A DISTINCTIVE PRODUCT OF THE UNITED STATES

Mr. MORTON submitted the following concurrent resolution (S. Con. Res. 19); which was referred to the Committee on Finance:

Whereas it has been the commercial policy of the United States to recognize marks of origin applicable to alcoholic beverages imported into the United States; and

Whereas such commercial policy has been implemented by the promulgation of appropriate regulations which, among other things, establish standards of identity for such imported alcoholic beverages; and

Whereas among the standards of identity which have been established are those for "Scotch whisky" as a distinctive product of Scotland, manufactured in Scotland in compliance with the laws of Great Britain regulating the manufacture of Scotch whisky for consumption in Great Britain and for "Canadian whisky" as a distinctive product of Canada, manufactured in Canada in compliance with the laws of the Dominion of Canada regulating the manufacture of whisky for consumption in Canada and for "cognac" as grape brandy distilled in the Cognac region of France, which is entitled to be so designated by the laws and regulations of the French Government; and

Whereas bourbon whiskey is a distinctive product of the United States and is unlike other types of alcoholic beverages, whether imported or domestic; and

Whereas to be entitled to the designation "bourbon whiskey" the product must conform to the highest standards and must be manufactured in accordance with the laws and regulations of the United States which prescribe a standard of identity for "bourbon whiskey"; and

Whereas bourbon whiskey has achieved recognition and acceptance throughout the world as a distinctive product of the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the recognition of bourbon whiskey as a distinctive product of the United States be brought to the attention of the appropriate agencies of the United States Government toward the end that such agencies will take appropriate action to prohibit the importation into the United States of whisky designated as "bourbon whiskey", unless it is clearly labeled to show the country of origin as an integral part of the name.

DENIAL OF SELF-DETERMINATION TO THE PEOPLES OF VARIOUS COUNTRIES

Mr. HRUSKA submitted a concurrent resolution (S. Con. Res. 20) to express the sense of Congress on bringing before the United Nations the issue of denial of self-determination to the peoples of various countries, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. HRUSKA, which appears under a separate heading.)

PROPOSED LEGISLATION RELATING TO THE SMITHSONIAN INSTITUTION

Mr. SALTONSTALL. Mr. President, in behalf of the Senator from New Mexico [Mr. ANDERSON], the Senator from Arkansas [Mr. FULBRIGHT], and myself, I introduce, for appropriate reference, a joint resolution relative to the appointment of a citizen to the Smithsonian Institution, and two bills relating to that Institution; one which would permit it to police the new building being built, and the other which would enlarge its authority in the Canal Zone.

The PRESIDING OFFICER (Mr. EDMONDSON in the chair). The bills and joint resolution will be received and appropriately referred.

The bills and joint resolution, introduced by Mr. SALTONSTALL (for himself and Senators ANDERSON and FULBRIGHT), were received, read twice by their titles, and referred, as indicated:

To the Committee on Armed Services:

S. 808. A bill to amend the act entitled "An act to authorize the setting aside of an area within the Canal Zone to preserve and conserve its natural features for scientific study, for providing and maintaining facilities for such study, and for other purposes," approved July 2, 1940.

To the Committee on Rules and Administration:

S. 809. A bill to amend the act of October 24, 1951 (65 Stat. 634), as amended (40 U.S.C. 193(n)-(w), relating to the Smithsonian Institution and its constituent bureaus; and

S.J. Res. 44. Joint resolution to provide for the reappointment of John Nicholas Brown as Citizen Regent of the Board of Regents of the Smithsonian Institution.

MORTGAGE MARKET FACILITIES ACT OF 1963

Mr. SPARKMAN. Mr. President, today I introduce, for appropriate reference, two bills relating to the establishment of new secondary market facilities for home mortgages. For many years now, I have had a special interest in housing and housing legislation, particularly those measures which enable private enterprise to do the job with a minimum of reliance on Federal aids and subsidies. I hope that careful consideration will be given to these new proposals.

Although the Federal National Mortgage Association has offered a secondary market program for FHA and VA loans, there never has been any organized market for conventional mortgages even though, by far, the largest part of our home financing is through the conventional loan.

At the present time, a financial institution which wishes to sell a conventional mortgage must find its own buyer. Some State and national organizations publish informal lists of offerings, but such listings obviously have no official status.

The first bill I introduce is the Mortgage Market Facilities Act of 1963. I introduced a similar proposal during the 2d session of the 87th Congress.

MORTGAGE MARKET FACILITIES ACT OF 1963

The objective of the Mortgage Market Facilities Act of 1963 is to enable every lender, large or small, to originate mortgage loans without fear that such loans may subsequently prove unmarketable. If this is accomplished within the framework of private enterprise and without financial assistance from the Government, the benefits derived will be highly significant in meeting the challenges of the housing boom anticipated to commence in the last years of this decade.

Today's mortgage market is inadequately organized to meet the needs of a growing population, and this inadequacy has frequently led to Government intervention. Mortgages traded on a secondary market rarely exceed 2 percent of total outstanding mortgages annually and this includes the operations of the Federal National Mortgage Association. As a result of this lack of marketability on the part of the conventional mortgage, unduly wide spreads in interest rates have existed between capital surplus and capital scarce areas. In addition, a very uneven flow of funds resulted in the mortgage market between such areas. When mortgage funds are in greatest demand lenders in capital scarce areas frequently hesitate to invest heavily in an instrument of credit which they regard relatively unmarketable.

As a result of these inadequacies in mortgage financing, potential homeowners in many areas at a time when the housing demand is greatest, find their demands unsatisfied, and this was further reflected in fluctuations in employment and output in the housing supply industry.

The Mortgage Market Facilities Act of 1963 would create within the framework of private enterprise an instrument of credit that would be fully as marketable as any other in our capital structure. This would first of all eliminate the uneven flow of mortgage funds which has plagued the housing industry. It would furthermore reduce the cost of financing by making mortgage credit more efficient. It would add funds to the housing market when demands for these are greatest by eliminating the bias which now exists in the allocation of credit as a result of a poorly organized mortgage market.

As a nation we have always encouraged private initiative, and although we have found that in many instances large firms naturally develop, the Mortgage Market Facilities Act of 1963 would enable small lenders to participate as effectively in mortgage originations and investments as the larger firms. Today's secondary mortgage market is highly sophisticated and complex and relies heavily on personal contacts. This either discourages or disqualifies the small lenders from participating in the secondary market.

The present proposal would create an organization or several organizations which would make it so simple to buy and sell mortgages within the framework of market conditions, that all lenders, large, medium sized, or small, would have an equal opportunity to satisfy their community's housing requirements.

In summary, the Mortgage Market Facilities Act of 1963 would strengthen private enterprise in housing, would reduce financing costs, even the flow of mortgage funds, and give all lenders, large or small, the same opportunity to participate.

Mr. President, I ask unanimous consent to have a section-by-section summary of the Mortgage Market Facilities

Act of 1963 inserted in the RECORD at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the summary will be printed in the RECORD as requested.

The bill (S. 810) to authorize the chartering of organizations to insure conventional mortgage loans, to authorize the creation of secondary market organizations for conventional and other mortgage loans, to authorize the issuance of debentures upon the security of insured or guaranteed mortgages and to create a joint supervisory board to charter and examine such organizations, and for other purposes, introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The summary presented by Mr. SPARKMAN is as follows:

SUMMARY OF MORTGAGE MARKET FACILITIES ACT OF 1963

TITLE I: SHORT TITLE, STATEMENT OF PURPOSE, AND DEFINITIONS

Section 101. Short title: Contains a table of contents and provides that the act may be cited as the "Mortgage Market Facilities Act of 1963."

Section 102. Statement of policy: Provides that "the Congress desires to make additional facilities available to increase the market for conventional and insured mortgages as a means of improving the housing conditions of the American people."

Section 103. Definitions: Provides definitions of the following terms used throughout the act: "Joint Board," "Chairman," "mortgage," "first mortgage," "mortgage insurance corporation," "mortgage marketing corporation," and "United States."

TITLE II: JOINT SUPERVISORY BOARD FOR MORTGAGE INSURANCE AND MARKETING CORPORATIONS

Section 201. Establishment: Provides for the creation of a Joint Supervisory Board for Mortgage Insurance and Marketing Corporations (Joint Board) to consist of five members, with its principal office in the District of Columbia.

Section 202. Chairman and Directors: Subsection (a) provides for the appointment of the Chairman of the Joint Board by the President, by and with the advice and consent of the Senate. The Chairman is to serve a 6-year term at a salary of $------ per annum. Subsection (b) provides that in addition to the Chairman, the Directors of the Joint Board shall be the Comptroller of the Currency, the Chairman of the Federal Home Loan Bank Board, and the Chairman of the Federal Deposit Insurance Corporation, all ex officio; and a person appointed by the President from among persons recommended by the supervisors of banking in the various States who shall serve for a term of 6 years at a stated salary. All decisions of the Board to be effective shall require the affirmative vote of at least three Directors, at least one of whom shall be other than an ex officio Director. Each ex officio Director may delegate his duties and responsibilities under the act to an assistant.

Section 203. General Powers: Subsection (a) provides the Joint Board with power to charter, audit, inspect, and examine corporations organized under the act, to require such corporations to prepare and file reports, to subpena witnesses, to hold hearings, and to issue rules and regulations. The Joint Board is to send an annual report to Congress. Subsection (b) pertains to employees of the Joint Board. Subsection (c) allows the Joint Board to avail itself of the use of information, services, etc., of other Government agencies on a reimbursable basis.

Section 204. Taxation provisions: Provides that corporations organized under this act shall be subject to taxation to the same extent as State-chartered corporations.

Section 205. Expenses: Authorizes appropriations as may be necessary for salaries and other necessary expenses of the Joint Board. Beginning with the third full year after enactment of the act, the Joint Board will assess corporations organized under this act in amounts sufficient to cover expenses of the Joint Board. Amounts thus assessed will be paid into the Treasury.

Section 206. Forfeiture of charter: Establishes a procedure for involuntary forfeiture of the charter of a corporation established under this act and liquidation of the corporation.

Section 207. Injunction: Provides that the Joint Board may bring an action to enjoin a violation of the act and to enforce compliance with the act.

Section 208. Removal of Director, officer, etc.: Provides for a procedure whereby the Joint Board may remove a Director, officer, attorney, employee, or agent of a corporation organized under the act for cause.

Section 209. Review of order; rehearing: Provides for judicial review and rehearing of an order of the Joint Board removing an individual from office.

TITLE III: MORTGAGE INSURANCE CORPORATIONS

Section 301. Establishment: Provides for the chartering by the Joint Board of mortgage insurance corporations upon the approval of an application submitted by not less than five natural persons of good repute.

Section 302. Insurance authorization: Subsection (a) authorizes a mortgage insurance corporation organized under this act to (1) insure not less than 100 percent of the unpaid principal and interest on loans in the form of obligations secured by mortgages; and (2) establish, through action by the Board of Directors, an adequate insurance premium for such insurance which shall be set, and the initial capital be allocated, so that there shall be maintained at all times unimpaired capital, surplus, and undivided profits in an aggregate amount, upon the basis of market value, of not less than 5 percent of the unpaid principal amounts of all outstanding contracts of mortgage insurance. At least 50 percent of the capital shall be invested in obligations of or guaranteed by the United States and the remainder in other obligations or securities approved by the Joint Board. All other funds shall be safely invested with due regard to the purpose of the corporation. Subsection (b) provides that a loan insured by a mortgage insurance corporation shall have a maximum term not exceeding 30 years; shall be secured by an amortized mortgage, deed of trust, or other such instrument under the terms of which payments shall be made in equal amounts from month to month and are sufficient to (1) amortize the entire principal of the loan within the period ending on the date of its maturity; (2) cover interest applicable to each payment period; and (3) cover the premium applicable to each payment period; shall have a loan-to-value ratio not exceeding 90 percent of appraised value as approved by the corporation or sales price, whichever is less; shall be in an amount not exceeding $30,000; shall be on a one- to four-family residential property or condominium which is or will be occupied in whole or in part by the mortgagor; and shall be originated and serviced by an organization approved by the mortgage insurance corporation.

Section 303. Payment: Provides that a mortgage insurance corporation organized under this title shall pay in cash without delay the insurance claims of any applicant submitting appropriate evidence of ownership of a defaulted loan insured under authority conferred by this act, but such payment shall not be made until (1) there is a default in any payment of principal or interest on the loan or the insurance premium and such default is not cured by subsequent payment in not less than 91 days; and (2) the mortgagee conveys to the mortgage insurance corporation clear title to the property; and (3) the mortgagee assigns to the mortgage insurance corporation all claims of the mortgagee against the mortgagor or others, arising out of the mortgage transaction, except such claims as may have been released with the consent of the Joint Board. Such payment shall include interest and allowances (including foreclosure costs) from time of default as approved under regulations of the Joint Board in effect at the time the mortgage was insured.

Section 304. Succession: Provides that "each mortgage insurance corporation organized under this title shall have succession from the date of its organization unless it is dissolved by act of its shareholders or its franchise becomes forfeited by order of the Joint Board."

Section 305. General powers: Empowers mortgage insurance corporations to adopt and use a corporate seal, to adopt bylaws, to make contracts, etc.

Section 306. Citizenship: Provides that a mortgage insurance corporation shall be deemed a citizen of the State in which its principal office is located.

Section 307. Capital requirements: Provides that the minimum subscribed initial capital shall be $25 million and shall be represented by shares of stock each with a par value of $100. No authorization to commence business shall be granted by the the Joint Board to any mortgage insurance corporation until the Joint Board is satisfied that initial capital in the amount of not less than $5 million par value has been subscribed for at not less than par and paid in full in cash.

Section 308. Directors and officers: Provides for a Board of Directors of at least 9 but no more than 15 to be elected by the shareholders. The Board of Directors is to elect the officers.

TITLE IV: MORTAGE MARKETING CORPORATIONS

Section 401. Establishment: Provides for establishment of mortgage marketing corporations in the same manner as is provided for mortgage insurance corporations in section 301 above.

Section 402. Trading and debenture-insuring authorization: Authorizes mortgage marketing corporations to (1) purchase, sell and service mortgages on 1- to 4-family residential property and which are insured by a mortgage insurance corporation or insured or guaranteed by an agency of the United States; (2) publish data with respect to mortgages; (3) issue, with the approval of the Joint Board, and to have outstanding bonds, notes, or other obligations up to a maximum of 20 times the sum of its capital, surplus reserves, and undistributed earnings; (4) set underwriting fees, maturities, interest rates, etc., within the limits of standards prescribed by Joint Board regulations; and (5) purchase its outstanding obligations in the open market.

Section 403. Succession; section 404. General powers; section 405. Citizenship: Provisions identical to those pertaining to mortgage insurance corporations in sections 304, 305, and 306 above.

Section 404. General powers: Empowers mortgages marketing corporations to adopt and use a corporate seal, to adopt bylaws, to make contracts, etc.

Section 405. Citizenship: Provides that a mortgage marketing corporation shall be deemed a citizen of the State in which its principal office is located.

Section 406. Capital requirements: Provides that "no authorization to commence business shall be granted by the Joint Board to any mortgage marketing corporation until the Joint Board is satisfied that initial capital in the amount of not less than $5 million par value has been subscribed for at not less than par and paid in full in cash. Such capital shall be represented by shares of stock each with a par value of $100."

Section 407. Directors and officers: This provision is identical with section 308 above, which pertains to mortgage insurance corporations.

TITLE V: CHANGES IN RELATED STATUTES

Section 501. National Bank Act: Subsection (a) amends paragraph 7 of section 5136, United States Revised Statutes (12 U.S.C. 24), so as to permit a national bank to purchase for its own account shares in mortgage insurance corporations and/or mortgage marketing corporations in an amount not exceeding 5 percent of the capital and surplus of the bank in either type of corporation.

Subsection (b) amends the same statute so as to permit a national bank to deal in, underwrite, and purchase for its own account, obligations of mortgage marketing corporations.

Section 502. Federal Reserve Act: Amends section 24 of the Federal Reserve Act (12 U.S.C. 371) so as to exempt corporations organized under the act from the maturity and loan-value percentage limitations of that section.

Section 503. Federal Home Loan Bank Act: Amends section 11 of the Federal Home Loan Bank Act (12 U.S.C. 1464(c)) so as to permit a Federal Home Loan Bank to invest assets in obligations of mortgage marketing corporations to the same extent as it may invest in obligations of the United States, in obligations of the FNMA, and in other securities under present law.

Section 504. Home Owners Loan Act: Amends section 5(c) of the Home Owners Loan Act so as to permit a Federal savings and loan association, within certain limits, to invest in stock of mortgage insurance corporations, and mortgage marketing corporations, and in obligations of the latter.

Section 505. Securities Act of 1933: Exempts securities issued by mortgage insurance corporations and by mortgage marketing corporations from the requirements of the Securities Act of 1933.

Section 506. Investment Company Act of 1940: Exempts mortgage insurance corporations and mortgage marketing corporations from the Investment Company Act of 1940.

HOME MORTGAGE CORPORATION ACT

Mr. SPARKMAN. Mr. President, the second bill I introduce is the Home Mortgage Corporation Act. The purpose of this bill is to enable Federal home loan banks to implement their services to member institutions by establishing a secondary marketing facility for participations in conventional home mortgages.

HOME MORTGAGE CORPORATION ACT

In the savings and loan field, the principal device for shifting of surplus funds to areas of scarcity is in the sale and purchase of participations in loans rather than the entire loans. A savings and loan in California will originate $1 million worth of mortgages and sell a participating interest in them to eastern institutions. To date, nearly $2 billion worth of participation loans have been sold, even though the program is only 6 years old. But the sales and purchases are on an individual basis arranged largely by individual managers who contact their friends or who get together at various savings and loan conventions.

The secondary market proposal developed by the savings and loan industry will establish a new corporation within the Federal Home Loan Bank System which would buy and sell participations, thus providing an immediate and highly respected marketplace for the entire industry. No Government funds would be involved, because the corporation would obtain its capital from the savings and loan owned Federal home loan banks and from the institutions who sell participations to the corporation. The corporation could also issue obligations up to 10 times the amount of its capital, surplus, and reserves. No provision is made for the buying and selling of entire mortgage loans, because the Revenue Act of 1962 raises a question as to the extent which savings and loans can buy and sell mortgages and still qualify as a domestic savings and loan association. There is no such question in connection with the buying and selling of participations in loans.

Mr. President, I ask unanimous consent to have a brief summary of the Home Mortgage Corporation Act inserted in the RECORD at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the summary will be printed in the RECORD, as requested.

The bill (S. 811) to enable Federal home loan banks to implement their services to their member institutions by establishing a secondary marketing facility for participations in conventional home mortgage loans introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The summary presented by Mr. SPARKMAN is as follows:

SUMMARY OF PROPOSED HOME MORTGAGE CORPORATION ACT

The purpose of this bill is to enable Federal home loan banks to implement their services to their member institutions by establishing a secondary marketing facility for participations in conventional home mortgage loans.

The major provisions of the proposed bill are as follows:

1. A new corporation, titled the "Home Mortgage Corporation," would be created under a board of directors consisting of the members of the Federal Home Loan Bank Board and the presidents of the Federal home loan banks, one of which presidents the Chairman of the Federal Home Loan Bank Board shall name as chairman of the board of directors. Such board of directors is given full power to organize, operate and regulate the activities of the corporation.

2. Initial capital of the corporation would come from a $50 million pro rata stock subscription by the Federal home loan banks, at the call of the board from time to time; each bank to take in proportion to its relative asset worth at the time of the call.

3. Each bank-member seller would be required to buy stock in the corporation in an amount equal to 1 percent of the purchase price of the home mortgage participations which it sells to the corporation, and would be required to retain such stock in an amount equal to 1 percent of the current balances on the participations such member has sold to the corporation which the corporation still holds.

4. Stock may be retired on a seniority basis in the discretion of the board from time to time so long as it is not reduced below $50 million or 10 percent of outstanding obligations of the corporation, whichever is greater.

5. The corporation could borrow money and issue obligations up to 10 times the amount of its capital, surplus, and reserves. Its obligations would be legal investments for Federal savings and loan associations.

6. In addition to the usual corporate powers, the corporation could buy and sell participations in home mortgages made by members of the Federal home loan banks on residential property, and secured by a first lien on such property.

7. Ten percent of net earnings of the corporation must go to reserves for losses until such reserves equal 50 percent of capital, and then 5 percent of net earnings must be added to such reserves until the reserves reach 100 percent of capital. The board may pay stock dividends from any remaining net earnings.

8. Federal home loan banks and Federal associations are expressly authorized to purchase stock of the corporation. Pending the enactment of enabling laws, other participating bank members may deposit the required 1 percent of participations sold to the corporation in cash in lieu of purchasing the required stock.

9. The corporation will be subject to taxation on the same basis as any other corporation.

RELEASE OF RESTRICTIONS AND RESERVATIONS ON CERTAIN REAL PROPERTY IN STATE OF ARKANSAS

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill to provide for the release of restrictions and reservations on certain real property heretofore conveyed to the State of Arkansas by the Secretary of the Army on behalf of the United States of America.

On February 10, 1959, the Arkansas National Guard entered into a lease-purchase agreement with the Arkansas State Board of Education whereby 9.8 acres of Camp Joseph T. Robinson was transferred to the State board of education. The State board then proceeded to construct a warehouse at the cost of some $250,000 to be used exclusively by the board in their administration of the surplus property program under Public Law 152 of the 81st Congress, as amended.

Approximately 2½ years after the lease-purchase agreement was entered into and after the completion of the warehouse, the parties to the agreement were informed that the agreement breached the original conveyance of Camp Robinson to the State of Arkansas which provided that the property would immediately revert to the United States if said property should be used for purposes other than the training of the National Guard or for other military purposes.

Therefore, this bill is intended to grant relief to the Arkansas State Board of Education by correcting this inequity. It authorizes the Secretary of the Army to convey and release all of the rights and reservations of the Federal Government in these 9.8 acres upon payment of the fair market value of the property by the State of Arkansas to the Secretary of the Army.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 812) to provide for the release of restrictions and reservations on certain real property heretofore conveyed to the State of Arkansas by the United States of America, introduced by Mr. McClellan, was received, read twice by its title, and referred to the Committee on Government Operations.

AMENDMENT OF REORGANIZATION ACT OF 1949

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill to further amend the Reorganization Act of 1949, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1965.

This bill is being introduced at the request of the Director of the Bureau of the Budget, pursuant to a recommendation contained in the President's budget message for fiscal year 1964. Mr. President, I ask that the letter from the Director of the Bureau of the Budget, requesting this legislation, be inserted in the Record at this point as part of my remarks.

Mr. President, the Reorganization Act of 1949 was approved by the Congress with the primary objective of implementing recommendations of the first Hoover Commission. It was a delegation of legislative authority by the Congress to the President in order that action on certain of the Hoover Commission's recommendations contained in its report might be expeditiously considered and acted upon promptly.

In the first 5 years following its enactment, there was a total of 51 reorganization plans transmitted to the Congress under authority of the act, of which 3 were duplications with certain changes. Of the remaining 48 plans, 40 were permitted to become law by the Congress, or were incorporated in other acts. In the last 9 years, however, although the act was extended three times for periods of 2 years as is again proposed by the bill I am introducing by request today, only 15 such plans were submitted, of which 7 were rejected. In some instances the plans were disapproved because the House of Representatives or the Senate held that they were not in accord with the basic purposes of the act, going beyond reorganizations into areas of policy, which was in conflict with the intent of the Congress in approving the act in 1949.

The Congress, therefore, in view of the use to which it had been diverted, and the decreasing need for such authority being vested in the President, did not again extend the act when it expired in 1959. At the request of the President, however, the act was reactivated in 1961. A total of nine plans were submitted to the Congress under this extension, in 1961 and 1962. Seven of these, relating to functions, operations, and reorganization of the regulatory agencies were submitted in 1961. Four of the seven were rejected, one by the Senate and three by the House.

In 1962, two plans were submitted under authority of the act. Plan No. 1 of 1962 proposed the creation of a Department of Urban Affairs and Housing, although the Committee on Government Operations had previously held hearings on a bill which would have created such a department, S. 1633, on June 21–22, and had reported the bill to the Senate on September 6, 1961. When the reorganization plan was submitted on January 30, 1962, S. 1633 was pending on the Senate Calendar. The committee nevertheless proceeded to hold hearings on a resolution of disapproval of the plan—Senate Resolution 288—on February 14, 15, and 16, 1962.

Before the committee was able to obtain a corrected or complete transcript of the hearings, or had had an opportunity to draft a report to the Senate on the disapproving resolution, a motion was made on February 20, to discharge the committee, on the premise that it had been dilatory in taking action on the resolution which had been filed in the Senate only 21 days before. This motion was made without regard to the provision in the Reorganization Act, which permits the Congress to act on such plans within a period of 60 days. An analysis made by the staff of the committee relative to action on the 65 plans previously submitted showed that an average of 59 days had elapsed before final approval or rejection was voted on the 43 plans on which resolutions of disapproval were introduced. This tabulation included 10 plans on which more than 60 days elapsed due to the fact that the House was in recess for more than 3 days.

The motion to discharge the committee from consideration of plan No. 1 of 1962 was rejected by the Senate, and the House of Representatives adopted a resolution disapproving the plan on the following day.

Mr. President, although I am complying with the request of the Director of the Bureau of the Budget, in introducing this measure, I wish to make it clear that I have serious reservations as to the need for any further extension of the Reorganization Act of 1949 as proposed by the bill. As I have outlined, its utilization has decreased substantially during recent years, and I believe the time has come for the Congress to give this proposal careful consideration before again delegating its legislative authority to the President. Before acting on the bill, it is essential that a careful analysis be made as to how this authority has been used in the past, whether or not there is any real need for extending the act, and whether the Congress wishes to again delegate its constitutional authority over legislation to the President.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 813) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1965, introduced by Mr. McClellan, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The letter presented by Mr. McClellan is as follows:

Executive Office of the President, Bureau of the Budget,
Washington, D.C., January 31, 1963.

Hon. Lyndon B. Johnson,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is forwarded herewith a draft of legislation to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1965.

This draft bill is submitted pursuant to the statement in the budget of the U.S. Government 1964 that "legislation will also be requested to extend the President's authority to transmit reorganization plans to the Congress, which under existing law expires June 1, 1963" (pt. IV, p. 111).

The Reorganization Act provides a useful, expeditious, and successful procedure by which the President may present, and the Congress may review, proposals for the reorganization of agencies and activities of the executive branch of the Government.

Under the original Reorganization Act of 1949 and its successive extensions, 47 reorganization plans have become effective. This act has permitted the achievement of timely reorganization, many of which have made possible signficant improvements in the organization and administration of executive agencies and functions. It thus constitutes a proven tool for a continuing need.

The Bureau of the Budget urges early and favorable consideration of the proposed legislation.

Sincerely yours,

Kemit Gordon,
Director.

PAYMENT OF TRANSPORTATION EXPENSES TO CERTAIN STUDENT TRAINEES

Mr. McCLELLAN. Mr. President, by request, I introduce for appropriate reference a bill to amend section 7(b) of the Administrative Expenses Act of 1946, as amended, so as to authorize the payment of travel and transportation expenses to student trainees when promoted upon completion of college work to shortage category positions.

An identical bill was introduced, reported, and approved by the House of Representatives during the 87th Congress, but was not received by this body until late in the session; therefore action was not completed on that measure during the last session of Congress.

I ask unanimous consent that a letter from the Chairman of the Civil Service Commission dated January 30, 1963, and a statement of justification which was attached to the letter be printed in the Record at this point as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the Record.

The bill (S. 814) to amend section 7 of the Administrative Expenses Act of 1946, as amended, introduced by Mr. McClellan, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The letter and statement presented by Mr. McClellan are as follows:

U.S. Civil Service Commission,
Washington, D.C., January 30, 1963.

Hon. John L. McClellan,
Chairman, Committee on Government Operations, New Senate Office Building, Washington, D.C.

Dear Mr. Chairman: The Civil Service Commission on January 28, 1963, transmitted to the President of the Senate the attached legislative proposal "to amend section 7(b) of the Administrative Expenses Act of 1946, as amended." The Congressional Record shows that this proposal is now before your committee.

The proposal is a perfecting amendment that would authorize travel expenses for student trainees who are assigned to manpower shortage positions upon completion of college work.

Last year the Commission transmitted to Congress a similar proposal which was passed by the House and referred to your committee. (H.R. 8798.) A companion measure, S. 2592, was introduced by Senator Johnston and was pending before the Post Office and Civil Service Committee at adjournment of the 87th Congress.

I appreciate your past support and I would like to enlist your future support of the proposal.

Sincerely yours,

John W. Macy, Jr.
Chairman.

Statement of Justification

Section 7(b) of the Administrative Expenses Act of 1946 provides that appropriations for the departments shall be available for travel and transportation expenses of student trainees when promoted upon completion of college work to position for which there is determined by the Civil Service Commission to be a manpower shortage.

Ostensibly, this subsection provides authority for all student trainees who, upon graduation, are placed in shortage category positions. Actually, a small group of trainees are excluded from coverage. Although assuming full professional status upon graduation, a small number of trainees do not, at that time, receive a promotion to a higher grade. These are the trainees covered by special training agreements between their employing agencies and the Civil Service Commission. These agreements are desirable, because of critical shortages in some occupations, to provide for more rapid advancements as trainees. This small group has, prior to graduation, already reached the grade level to which the majority of the trainees are promoted at time of graduation.

This amendment to section 7(b) of the Administrative Expenses Act is intended to provide the same authority for payment to all student trainees, whether or not a promotion to a higher grade level at time of graduation is involved. Enactment will affect very few employees, but will remove a potential source of irritation over unequal treatment of two groups of employees.

Cost estimates furnished by the Civil Service Commission in connection with enactment of Public Law 86–587 were based on the assumption that all student trainees moving into shortage category positions upon graduation would be eligible to receive these payments. Enactment of this legislation will not, therefore, result in Federal expenditures in excess of earlier cost estimates for this purpose. In connection with enactment of Public Law 86–587, the Civil Service Commission had estimated an annual cost of about $1 million. Only a very small fraction of this amount is to be paid to student trainees upon graduation from college. Most of the payments are to be made to persons appointed from outside the Federal service to shortage category positions.

ADJUSTMENT OF LEGISLATIVE JURISDICTION EXERCISED BY THE UNITED STATES OVER LAND USED FOR FEDERAL PURPOSES

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and for other purposes.

This bill is identical to proposed legislation developed after careful study by the Committee on Government Operations which was first introduced on July 11, 1956, to comply with recommendations of the Interdepartmental Committee for the Study of Jurisdiction Over Federal Areas Within the States. In past Congresses the Senators from Utah [Mr. Bennett and Mr. Moss] have joined with me in cosponsoring this proposed legislation, which is now being introduced as an administration bill at the request of the Attorney General of the United States.

Mr. President, I ask that the letter addressed to the President of the Senate by the Attorney General, setting forth the background and need for the proposed legislation, be incorporated in the Record at this point as a part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 815) to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and for other purposes, introduced by Mr. McClellan, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The letter presented by Mr. McClellan is as follows:

Office of the Attorney General,
Washington, D.C., February 12, 1963.

The Vice President,
U.S. Senate,
Washington, D.C.

Dear Mr. Vice President: I enclose for your consideration and appropriate reference a legislative proposal "To provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and for other purposes." Similar legislation was introduced in both Houses of the 87th Congress but failed of enactment.

The general purpose of the legislation is to permit Federal agencies, in appropriate cases and with the consent of the States involved, to restore to the States certain legislative jurisdiction now vested in the United States over federally owned or operated lands and to assure that in the future the United States will receive only so much legislative jurisdiction as is essential to the proper performance of Federal functions. This would mean that persons residing on such properties would no longer, by virtue of the accident of the place of their abode, suffer disabilities with respect to voting, education, public health and safety, marriage and divorce, adoption, descent and distribution of property, and numerous other matters which are ordinarily provided for by State law.

This proposed legislation would carry out recommendations for revision of the Federal law made by the Interdepartmental Committee for the Study of Jurisdiction over Federal Areas within the States. It is the result of several years of drafting, study, and refinement based on the Interdepartmental Committee's recommendations. Such legislation has received affirmative endorsement from 31 individual State Governors and 29 attorneys general, from the Governors Conference, from the Association of State Attorneys General, from the Council of State Governments and its committee on legislative jurisdiction, from the National Association of County Officials, from all interested Federal agencies, from the Joint Federal-State Action Committee and the Advisory Commission on Intergovernmental Relations, and from numerous other sources. The Legislatures of the States of California and Utah have memorialized the Congress to enact similar bills.

Enactment into law of a bill such as that proposed will be a long step toward the elimination of problems arising out of Federal exercise of legislative jurisdiction. Their elimination will bring numerous benefits to residents of Federal areas and will be inestimably helpful to the Federal Government and to State and local governments.

Identical legislation, S. 1617, passed the Senate on May 27, 1960, too late for House action during the 86th Congress. S. 154 and H.R. 8540 were introduced in the 87th Congress in the same form, but were not reported out of committee. I urge prompt and favorable consideration of this legislation during the current Congress.

The Bureau of the Budget has advised that there is no objection to the submission of this recommendation from the standpoint of the administration's program.

Sincerely,

Robert F. Kennedy,
Attorney General.

THE ESTABLISHMENT OF A COMMISSION ON SCIENCE AND TECHNOLOGY

Mr. McCLELLAN. Mr. President, on behalf of myself as chairman of the Committee on Government Operations and of Senators Humphrey, Mundt, Gruening, Javits, Cotton, and Yarborough, I introduce, for appropriate reference, a bill proposing the establishment of a Commission on Science and Technology.

This proposed legislation was perfected after 6 years of study by the committee and its subcommittees in an effort to strengthen Federal programs in the fields of science and technology, and to eliminate unnecessary duplication and overlapping between Government departments and agencies engaged in scientific and technological research.

The bill is the result of three separate hearings before the committee, beginning in 1958. In 1959 a somewhat similar bill was reported to the Senate. Further hearings were held on a revised bill, S. 2771, in the 87th Congress, on May 10 and July 24, 1962. These hearings reflected that there is a steady and relentless increase in the cost of research and development programs of the Federal departments and agencies, amounting to $10 billion in fiscal year 1962, exceeded $12 billion in fiscal year 1963, or more than the entire expenditures of the Federal Government prior to World War II, and is estimated in the President's budget to total $15 billion for fiscal year 1964.

Mr. President, this bill provides for the establishment of a Hoover-type Commission composed of representatives from the legislative and executive branches of the Government and of persons from private life who are eminent in one or more fields of science or engineering, or who are qualified and experienced in policy determination and administration of industrial scientific research and technological activities.

The objectives of the proposed Commission, which are set forth in detail in the report filed in the 87th Congress, Senate Report No. 1828, provide for a study of all of the programs, methods and procedures of the Federal departments and agencies which are operating, conducting, and financing scientific programs, with the objective of bringing about more economy and efficiency in the performance of these essential activities and functions. Deficiencies in some of these programs and the problems relating thereto have been outlined on numerous occasions before various committees of the Congress by informed authorities. They have stressed the urgent need for improvements in effecting necessary reorganizations and better coordination of existing programs. Emphasis has also been directed toward the need for developing a program for the elimination of duplication in science efforts, where one agency of Government works on programs which are underway in other agencies, or where research is being done on problems which have already been solved by other scientists. There is reason to believe that this occurs extensively, due primarily to serious deficiencies in the science information retrieval programs of the Federal Government.

The Commission, if established, would be specifically directed to study and recommend ways and means of meeting our scientific manpower needs, which President Kennedy described as one of the most critical problems facing our Nation. There are probably many other critical needs which require study and exploration, even beyond those included in the objectives of the proposed legislation.

In undertaking its studies the Commission would be vested with authority to set up a Science Advisory Panel of outstanding science, engineering, and technological authorities from all sections of the Nation to assist it in the performance of the functions outlined in the bill. The Commission is further directed to conduct a study of Federal scientific and technical activities, such as the deficiencies in scientific, engineering and technical information programs, including acquisition, processing, documentation, storage, retrieval, and distribution of scientific information; the urgency for accelerating scientific, engineering, and technical progress in a number of Federal agencies which perform some functions in these areas; and to recommend necessary reorganizations of scientific and technological activities of the Federal Government to improve their operations and to better coordinate their activities.

Witnesses at the hearings held last year suggested that a panel of experts in the fields of science and technology should be set up to serve the committees of Congress which deal with those problems. The enactment of the pending bill, and the establishment of the Science Advisory Panel provided for therein would enable the Congress to continue to call upon the experts named to such a panel after the proposed Commission has completed its work and submitted its reports and recommendations.

One of the basic objectives of the bill is to provide a medium through which individual Members and committees of the Congress can obtain information which is not now available to enable them to take appropriate legislative action to establish definite Federal policies in the field of science and technology. The reports and recommendations of the Commission will also provide a basis for an evaluation of programs which are presently in operation as well as those which are being proposed.

Evidence was also submitted at the hearings on S. 2771 in the 87th Congress which indicated that the Bureau of the Budget has reported that a detailed evaluation of existing science and technological operations of the numerous agencies operating in these fields has been found to be too difficult. The result has been that the agencies interested in procuring appropriated funds are not required to submit an evaluation of achievement under existing programs, but merely attempt to justify further appropriations of funds. Under this procedure, it was pointed out that Congress is required to appropriate funds on faith alone, since the appropriate committees and individual Members of Congress have no information which would permit them to evaluate the programs or to take the necessary action to eliminate excessive duplication and waste.

Should the Congress enact this measure, it will be provided with a means of obtaining information and facts that will better enable it to perform its appropriate constitutional function. The Committee on Government Operations is firmly convinced that there is a real need for a bipartisan commission to study all of the science and technological programs of the Federal Government as proposed by this bill. It is further convinced that its enactment will insure maximum utilization of the resources of private industry and nonprofit research organizations, including universities and other educational or technological institutions, in the formulation of a properly coordinated program with the maximum utilization of the resources of private industry, nonprofit, and other technological institutions at a reduced cost.

The committee in recommending this legislation in past Congresses considered it to be an essential first step in achieving these objectives so that the Congress and the President may have the benefit of the recommendation of qualified experts in the fields of science, engineering and technology upon which appropriate legislative action may be taken to promote more efficiency in the operation of these programs and to effect economies that are essential in conserving Federal funds and technological manpower.

Dr. Jerome B. Weisner, Director, Office of Science and Technology, appeared before the Military Operations Subcommittee of the House Committee on Government Operations on July 31, 1962, approximately 7 weeks after Reorganization Plan No. 2 of 1962, creating that Office became effective, in connection with the subcommittee's inquiry into Government contracting for research and development. The following are extracts from Dr. Weisner's testimony:

> There has been concern, first as to whether a Department of Science was needed to centralize science programs and operations that are now integrated in various departments and agencies, perhaps by combining National Science Foundation, Atomic Energy Commission, National Aeronautics and Space Administrtion, National Bureau of Standards, and so forth; and second, concern expressed in these studies as to whether staff resources in the Office of the President were adequate to meet his needs. * * *
>
> As I have said many people believe that the present system is inevitably evolving toward a Department of Science. However, I don't believe that a single Department of Science with the responsibility for all of the scientific activities of the Federal Government would be a workable arrangement because most of the scientific activities of the individual agencies are carried out in support of their specific missions. If, as has been proposed, a less comprehensive Department of Science were created—by consolidation of the Atomic Energy Commission, National Science Foundation, National Bureau of Standards, and other agencies I talked about earlier—their operations might be made more effective. There would still be need, however, to coordinate and integrate their activities with that of the mission-oriented agencies having related scientific and technical programs. In other words, the OST is neither a substitute for nor in competition with a Federal Department of Science.

This statement by Dr. Weisner is in accord with the views expressed repeatedly by this committee, and conforms to the objectives set forth in the bill we are introducing today. The committee has always taken the view that a comprehensive study must be made by a commission composed of qualified persons who are familiar with the problems relating to the operation and support of science and technological programs by the Federal Government. The committee has also repeatedly pointed out that such a study is vital in order to determine whether there is a need for a Department of Science and Technology. Also, that if such a department is necessary, to recommend what Federal activities should be incorporated therein, and a determination made as to those which would better perform their allocated tasks as independent agencies or as components identified as an important function related to the mission of existing departments. These are among the major objectives of the proposal which I am submitting to the Senate today.

In view of our current fiscal difficulties, I am sure all of my colleagues are sympathetic to any measures which seek a balanced budget. Nevertheless, our science and technological programs must not be hampered or neglected. I submit that this measure should result in material savings through a freer exchange of ideas and a better coordination between the various Federal agencies dealing with science and technology.

It should eliminate much of the current duplicity of effort. I, therefore, urge enactment of this measure during the 88th Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 816) for the establishment of a Commission on Science and Technology, introduced by Mr. McClellan (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations.

EASING EXCESSIVE SENTENCES

Mr. HRUSKA. Mr. President, on January 31, 1963, the Washington Post published a thoughtful editorial on the problem of excessive sentences. It called attention to the historical pardoning power of the President to cure manifest injustices but appropriately questioned whether this is sufficient to cope with the chronic problem of sentence disparity.

I want to commend the editorial staff of the newspaper for pointing out the wisdom of examining alternative procedures, including appellate review of sentences, for the judicial system, in the words of the editorial, is "the best place to correct errors of judgment in the judicial system."

Mr. President, I introduce for appropriate reference a bill to provide for an appellate review of sentences imposed in criminal cases in the district courts of the United States. It is identical to S. 2879 introduced by me in the 87th Congress and has already been the subject of intensive study by the Committee on the Administration of Criminal Laws of the Judicial Conference of the United States.

The public encouragement to adopt such a measure offers additional hope that the Congress may soon take appropriate action. I ask unanimous consent that the editorial referred to be inserted at this point in my remarks, together with the text of the bill introduced today.

The PRESIDING OFFICER. The bill will be received and appropriately referred and, without objection, the bill and editorial will be printed in the Record.

The bill (S. 823) to amend chapter 235 of title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States, introduced by Mr. Hruska, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 235 of title 18, United States Code, is amended by inserting, immediately after section 3741 thereof, the following new section:

"§ 3742. Appeal from sentence

"(a) In every case arising in a district court of the United States in which a defendant has been convicted of a criminal offense and sentenced to imprisonment for a term of five years or more, the defendant may, upon application to the United States court of appeals for the appropriate circuit made by the defendant within ten days after the date of entry of the judgment imposing sentence upon him, appeal from the sentence so imposed upon the ground that the sentence, although within lawful limits, is excessive. Upon the making of such application, the clerk of the district court and the appropriate United States attorney shall certify to the court of appeals such transcripts of proceedings, records, and other information relating to the offense of the defendant and the sentence imposed upon him as the court of appeals by rule or order may require, including any presentence reports or other evaluations made pursuant to statute relating to the defendant. The court of appeals shall take such appropriate measures as may be necessary to safeguard the secrecy of any such presentence reports and other evaluations. Any district judge imposing a sentence subject to review under this section shall state as part of the record his reason for imposing that particular sentence.

"(b) Any such appeal may be determined by the court of appeals with or without hearing thereon. On any such appeal, the appellate court may reduce the sentence imposed by the district court to any lawful sentence which it deems appropriate, if it determines that the conviction was proper, but that the sentence imposed was more severe than warranted by the circumstances of the case. By taking an appeal from the sentence under this section, the defendant shall waive any right to plead that as a result of any revision of the sentence by the appellate court he has been twice put in jeopardy for the same offense."

(b) The analysis of chapter 235 of title 18, United States Code, is amended by adding at the end thereof the following new item:

"3742. Appeal from sentence."

The editorial presented by Mr. Hruska is as follows:

[From the Washington Post, Jan. 31, 1963]

Easing Excessive Sentences

President Kennedy has made good use of his pardoning power to reduce excessive sentences imposed on persons convicted of crime. Increased vigilance on the part of the Department of Justice has made it possible to rescue a larger number of prisoners from the consequences of injustice. Yet it is apparent that the pardoning power of the President is not an effective means of systematically screening sentences with the object of modifying those found to be excessive.

Prison authorities and others have long been worried about the extreme variations in sentences imposed by different judges for similar crimes. Some improvements have been made by the sentencing institutes held for judges in recent years, but these touch only one aspect of the problem. In a recent case here in Washington the U.S. court of appeals took the unusual course of recommending a reduction of sentence to a district court judge. The appellate court has no authority to override the judgment of the lower court as to the severity of the sentence.

Legislation is being discussed to give the courts of appeals authority to review sentences as they now review the legality of trials. This seems to us wholly desirable as a means of providing a check against overly severe punishment. The best place to correct errors of judgment in the judicial system is in the judicial system itself before sentences actually begin.

One other reform is worthy of thoughtful consideration. The Armed Services now have a Military Board of Review, which each year systematically reexamines every sentence that is being served by military personnel. The result is drastic reduction of some excessive sentences as well as shortening of punishment for men who show evidence of rehabilitation. The possibility of having a sentence curtailed is said to give a powerful incentive to military prisoners to correct their conduct and to demonstrate a responsible attitude.

A board of review for the civilian prison system would seem to be in order. Perhaps the parole boards could perform this function. In any event, it is evident that the country needs to look beyond the increased use of the pardon power to guard against excessive sentences and to offer maximum incentives for prisoner rehabilitation.

ASSISTANCE FOR AMERICA'S VITAL GOLD MINING INDUSTRY

Mr. MUNDT. Mr. President, on behalf of my junior colleague from South Dakota [Mr. McGovern] and myself, I introduce, for appropriate reference, a bill which seeks to do something constructive for the most seriously handicapped industry in America, the gold mining industry. No other industry in this country is compelled by law to sell its product at the price which prevailed in 1933, while at the same time it endeavors to conduct its activities and to pay its costs in terms of the steadily increasing inflationary prices which have prevailed in this country since 1933.

For all practical purposes, the commercial gold mining of any consequence still done in the United States is conducted in the Black Hills of South Dakota, although a few struggling mines are still trying to produce gold in Alaska, California, and elsewhere. Because of the disparity which has occurred from being compelled to sell the product at the 1933 price level of $35 an ounce, at a time when the costs of production have risen so sharply and steadily after 30 years, most of the other gold mining ventures in the country have closed down. Fair treatment of the gold mining industry would, however, open many commercial gold mines in additional States where the gold deposits are neither as rich nor as available as in South Dakota's fabulous Black Hills.

We read constantly about the financial challenge which this country confronts by virtue of the drainage of gold from the storage deposits at Fort Knox, Ky. Instead of being replenished by the process of mining gold from the rich veins of the Black Hills of South Dakota and from other areas and transporting it to safekeeping by the Government in the mountain fastnesses of Fort Knox, Ky., the process is in reverse, in that foreign demands upon our gold are steadily decreasing the amount which is stored by the Government at Fort Knox.

I submit that no greater economic challenge, no greater challenge in the fiscal field, confronts the Kennedy administration than to do something constructive toward reopening gold mines as a profitable venture in the United States. We have many potential gold mines in our country but after three decades the time has come when private capital can no longer continue to produce gold for the American public and for this Republic at a loss. Even from South Dakota's rich gold mines our source of supply is being curtailed and our continued supply seriously jeopardized by prevailing unfair discrimination against gold mining.

Since the need for gold is urgent today, and the means are at hand to do something useful and constructive to stimulate gold production, I direct the attention of Congress and the administration to the proposed legislation which the junior Senator from South Dakota and I are introducing today. Because the bill is only about 120 words in length, I ask unanimous consent that its text be printed as part of my remarks. I sincerely hope constructive action will be forthcoming.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 824) to amend the Internal Revenue Code of 1954 to increase the percentage depletion allowance for gold produced in the United States, introduced by Mr. MUNDT (for himself and Mr. MCGOVERN), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 613(a) of the Internal Revenue Code of 1954 (relating to percentage depletion) is amended by inserting before the period at the end thereof the following: ", except that in the case of gold mines, such allowance shall not exceed 65 percent of the taxpayer's taxable income from the property (computed without allowance for depletion)".

SEC. 2. Section 613(b)(2)(B) of the Internal Revenue Code of 1954 (relating to mines and other natural deposits entitled to 23 percent rate of percentage depletion) is amended by inserting "gold," after "columbium,".

SEC. 3. The amendments made by this Act shall apply to taxable years ending after the date of the enactment of this Act.

RESEARCH ON AIRCRAFT NOISE ABATEMENT

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a bill which would require the Federal Aviation Agency to conduct a program of research in aircraft noise abatement techniques. The need for this legislation is self-evident to the millions of Americans who live anywhere in the neighborhood of any of our larger airports. Last year, the Senate Commerce Committee held hearings on my bill. It won the endorsement of the U.S. Conference of Mayors and the Airport Operators Council. It was favorably reported by the Senate Commerce Committee, and was passed by the Senate late in the last session. Unfortunately, the House Committee on Interstate and Foreign Commerce did not take action on the bill during that session. But in the meantime there have been significant developments.

Mr. President, the Federal Aviation Agency has at last clearly indicated that in the long run the only solution to the aircraft problem is a program of more research. Whereas last year, the Federal Aviation Agency had opposed my bill, on the ground that it did not need authority to undertake such research. In December the Deputy General Counsel of the Agency made clear that the bill "wouldn't hurt," and might be helpful in emphasizing the importance of Federal activities in this field.

Certainly there is an increasing public demand for full recognition by the Federal Government, by the airport operators, and by the airlines of the tremendous extent of the aircraft noise problem particularly in areas where jet planes are coming into use. When the bill was introduced last year, it was the first attempt to give the Federal Aviation Agency legal responsibility and impetus to accelerate research in this field. Representative SEYMOUR HALPERN sponsored the bill in the House of Representatives. This year, many bills similar in language and purpose have been introduced in the House of Representatives.

Mr. President, I sincerely hope the Senate will act promptly on this bill. It is also my hope that, spurred by the wide public response, the House of Representatives will act promptly on this measure.

I ask unanimous consent to have printed in the RECORD the text of the bill and an article written by Robert Hochstein, and published in the Long Island Daily Press.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and article will be printed in the RECORD.

The bill (S. 825) to amend the Federal Aviation Act of 1958 in order to provide for research to determine criteria and means for abating objectionable aircraft noise, introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 312 of the Federal Aviation Act of 1958 is amended by inserting at the end thereof the following:

"NOISE ABATEMENT RESEARCH

"(d) The Administrator shall conduct, and encourage, cooperate with, and render assistance to, other appropriate public or private agencies or organizations in the conduct of research to determine means for establishing practical aircraft noise criteria and for abating objectionable aircraft noise.

"For the purpose of carrying out the provisions of this subsection the Administrator may make grants, contracts, or other arrangements without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529 and 41 U.S.C. 5)."

The article presented by Mr. KEATING is as follows:

[From the Long Island Daily Press, Dec. 7, 1962]

RESEARCH NEEDED TO QUIET PLANES, PANEL AGREES

(By Robert Hochstein)

Three days of hearings on the problem of aircraft noise abatement ended here yesterday with Congressmen, local government, and Federal aviation officials all asserting the need for additional research to find a solution.

Democratic Congressmen JOSEPH P. ADDABBO, of Ozone Park, and BENJAMIN S. ROSENTHAL, of Elmhurst, said the sessions have shown a clear-cut need for more concentrated Federal research into the noise problem.

James Hill, Deputy General Counsel of the Federal Aviation Agency, told the House Commerce Committee conducting the panel hearings that, in the long run, the only solution to aircraft noise is more research work.

The FAA official, reversing an earlier Agency stand, said passage of legislation sponsored by Senator KENNETH KEATING, Republican, of New York, authorizing FAA to undertake research, "wouldn't hurt." The FAA earlier had been on record against the measure, contending it already had necessary authority to conduct studies.

Hill also suggested the Federal Airport Act be amended to require zoning around airports. Presently, FAA can only recommend zoning.

Sidney Goldstein, general counsel of the New York Port Authority, told the committee that the Federal Government should participate in finding a solution to the noise problem, "especially by directing and conducting research."

He also urged more vigorous FAA enforcement of noise abatement procedures.

Another Goldstein recommendation was that Federal airport aid funds be employed for partial reimbursement of local authorities for payments resulting from damage claims brought by residents near airports.

"The FAA does not intend to assist in payment of damage claims," Hill flatly retorted.

It was noted during the session that 808 plaintiffs have filed a $5 million suit against 39 airlines and the New York Port Authority, claiming damages as a result of proximity to Idlewild Airport.

Goldstein said property owners have the "inherent right to compel an airport operator to conduct his operations so as not to constitute a nuisance."

ADDABBO and ROSENTHAL, who have been sitting in on the discussions, said after yesterday's session they plan to introduce an amendment to the FAA Act requiring the Agency to certify an engine as to its noise standard, as well as safety.

Hill said earlier he did not think the Agency has a right to refuse to certificate an engine because it made too much noise.

The two Long Island lawmakers said the drive to find quieter engines started many years ago, "and even today work is barely limping along with minimum Federal funds."

The FAA, according to testimony Tuesday by its Director, Najeeb Halaby, is currently spending $1.5 million annually on research in this field.

Another approach to the noise problem was offered by Leander I. Shelley, general counsel for the Airport Operator's Council.

"We feel," he said, "that the Federal Government should recognize its responsibility to provide rights-of-way to and from airports."

Shelley noted that in highway construction, and rivers and harbors operations, the Federal Government has taken this position.

However, Maj. Gen. Albert Kuhfeld, Judge Advocate General of the Air Force, said the military had conducted a study showing a $7 billion cost to acquire easements around its fields.

Hill of FAA said another survey showed it would cost $240 million to require the necessary easements for extending one La Guardia Airport runway. The property to be acquired was 400 feet by 1 mile.

Frederick G. Stickel, an attorney representing municipalities on zoning problems, said it was generally accepted that local municipalities cannot zone against a public body.

"But in a situation where airports are not established, or land around them is still unused, municipalities can zone uses compatible with the airports," he said.

In cases where the areas surrounding airports are built up, a number of panelists at the hearing suggested an urban renewal program as a possible solution.

COMPETITION IN STATE AND MUNICIPAL BOND MARKETS

Mr. CLARK. Mr. President, on behalf of myself, and Senators HUMPHREY, LAUSCHE, MORSE, and KEFAUVER, I introduce, for appropriate reference, a bill designed to introduce more competition into the State and municipal bond markets in order to reduce the interest rates States and municipalities must pay to finance capital improvements. It is substantially the same bill which I introduced last year, but with some improvements.

As of June 30, 1962, State and local indebtedness in the United States stood at $77.8 billion. This was an increase in total State and local indebtedness of over $5 billion since the same date in 1961.

Since 1946 mounting shortages in public services at State and local levels have pressed local financial resources to the limit, doubling the State and local percentage of the national public and private debt.

As a matter of interest, during the same period the Federal Government's share of the country's public and private debt declined by more than half. Clearly, in the face of dramatically increasing local government costs, any measure which tends to lighten the financial burden for governors and mayors is welcome.

This bill attempts to do exactly that.

The bill which I have introduced would authorize commercial banks to underwrite and deal in State and municipal revenue bonds.

At the present time, commercial banks may underwrite and deal in general obligation bonds—that is, the bonds which are secured by general revenue resources of the issuing State or local government—but they are barred from dealing in bonds which are backed only by earnings from governmental enterprises.

In consequence, a limited number of investment dealers have a private monopoly on the underwriting of revenue bond issues—which account for more than a third of all State and municipal bond financing—and a large part of the capital market goes untapped.

This exclusion, I submit, is based on conditions which existed in the bond market at the time of the passage of the Glass-Steagall National Banking Act of 1933—conditions which no longer exist today. During the intervening years the whole nature of revenue bond financing has changed radically.

Until the end of World War II, the volume of revenue bonds was relatively small and tended to be concentrated on certain unusual types of projects, such as toll bridges. Thus, with a number of exceptions, revenue bonds were considered greater risk investments than so-called general obligation bonds.

For a variety of reasons, there has been a major shift in municipal financing. More and more, new types of revenue bonds are being used in place of what once would have been general obligations. However, these revenue obligations are quite different from the former high-risk bonds. Basically they are general obligations in different form, and in previous years would have been called general obligations.

Today, for instance, many States have set up authorities which float bonds to build schools, office buildings, highways, bridges, water and electric plants, and so forth. The legislature then appropriates sufficient money to the authority out of general tax receipts to amortize the bonds. This type of revenue bond financing has increased sharply in recent years.

It is obvious from the legislative history of the Glass-Steagall Act of 1933 that the intent was to get the commercial banks out of promotional, speculative, developmental projects, and more specifically out of the corporate and foreign bond business. It was not until 1939 that the intent was to get the commercial banks out of promotional, speculative, developmental projects, and more specifically out of the corporate and foreign bond business. It was not until 1939 that "revenue bonds" were defined and a ruling made that the banks could not participate in such financing. As I have pointed out, the nature of revenue bond financing has altered sharply since then.

Subsequent developments have demonstrated that Congress has drawn the distinction in commercial bank bond participation between private and sound public financing. It has approved commercial bank activities in such high grade public bonds as those of local housing authorities and those issued by the International Bank for Reconstruction and Development, the World Bank, Federal land banks, Federal intermediate credit banks, the Federal National Mortgage Association, home loan banks, and the bonds of the Tennessee Valley Authority.

The proposed legislation permits commercial banks to underwrite, trade, and deal in municipal bonds only to the extent national banks can invest in such bonds under the National Banking Act. It provides the following safeguards:

First. The bonds must be of high quality with a proven record of earnings.

Second. They must be publicly offered, have satisfactory trustee arrangements and all other factors that make an issue qualify as a sound investment.

Third. The amount of bonds of one issue which a bank may own or be obligated to buy is limited to 10 percent of the bank's capital and surplus. The risk to the depositor is thus eliminated, since only a fractional percentage of the bank's capital funds, and not the depositor's funds, are involved.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table showing the rising tide of State and local expenditures and the share of the load borne by general obligation and revenue bonds.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Year	Total new issues of State and municipal bonds	General obligation bonds	Revenue bonds
1945	$818, 781, 000	$615, 381, 750	$203, 399, 250
1950	3, 693, 604, 000	3, 093, 681, 000	599, 923, 200
1955	5, 973, 503, 000	4, 244, 089, 000	1, 732, 414, 000
1960	7, 229, 500, 000	5, 034, 680, 000	2, 194, 820, 000
1961	8, 344, 512, 000	5, 761, 505, 000	2, 583, 007, 000

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 828) to assist cities and States by amending section 5136 of the Revised Statutes, as amended, with respect to the authority of national banks to underwrite and deal in securities issued by State and local governments, and for other purposes, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

POTATO MARKETING BILL

Mr. MUSKIE. Mr. President, I introduce, for appropriate reference, a bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for supply management of Irish potatoes through establishment of acreage allotments.

I ask unanimous consent that the bill remain at the desk through February 28, to allow other Senators the opportunity to join in cosponsoring this legislation.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, will remain at the desk as requested.

The bill (S. 829) to amend the Agricultural Adjustment Act of 1938, as amended, to provide for marketing quotas on Irish potatoes through establishment of acreage allotments, introduced by Mr. MUSKIE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. MUSKIE. Mr. President, the bill which I am introducing today is the result of recommendations by the National Potato Advisory Committee, a 29-member group drawn from all segments of the potato industry in all areas of the country. Last year this committee recommended similar legislation, which I introduced as S. 3050. Today's bill is a revision of S. 3050. I want to take this opportunity to commend Secretary of Agriculture Freeman for continuing the committee and the potato industry for its cooperation in working out a proposal for the potato economy. I am proud of the role my State's representatives have played in its deliberations.

Since S. 3050 was introduced last year conditions in the potato industry have not improved. The Department of Agriculture has undertaken a diversion program for the 1962–63 marketing year, and there is ample evidence that a substantial surplus of potatoes exists nationwide. The Potato Advisory Committee's action indicates its continuing concern with the problem of surplus production, and its recognition of the fact that individual areas cannot cope with the problem by themselves. The revisions in the present bill represent their best judgment on improvements in the management of the program.

The advisory committee proposal involves supply management through acreage allotments, if approved by farmers in a referendum.

Two points should be stressed in connection with this program: First, it involves industry self-help; and, second, it does not include price supports.

My concern for the potato industry is quite natural. Potatoes represent a major factor in Maine's agricultural economy, and they are the dominant commodity in Aroostook County, Maine. But the potato industry is a boom-and-bust economy, marked by wide variations in prices paid to farmers from year to year and within a marketing year. The last 2 years have been particularly difficult for Maine farmers and for farmers in other parts of the country.

Two years ago I asked the Department of Agriculture to undertake an economic study of the potato industry. I had been concerned to find that there was no general analysis available of the industry and its problems.

In response to my request, Secretary Freeman directed Agricultural Economics Director Willard W. Cochrane to make such a study. That study has been published. It is most instructive.

During the past 50 years there have been massive changes in the potato industry involving—as the USDA study points out—"sharply declining per capita consumption, rapidly increasing specialization and concentration of production, greatly improved breeding and cultural methods, and significant changes in utilization and marketing practices."

In the period between 1920 and 1961 yield per acre almost tripled; at the same time acreage declined almost 60 percent. The result was an almost stable trend in total production. Production increased from 223 million to 274 million hundredweight, or less than one fourth. We might have assumed that with our rapidly expanding population there would have been a corresponding increase in the consumption of potatoes. There was no such increase. In 1910, per capita consumption of potatoes was 198 pounds. By 1950, per capita consumption had dropped to 105 pounds. Total consumption for food dropped from 180 million hundredweight for a population of 92 million in 1910 to 165 million hundredweight for a population of 150 million in 1950.

In the past decade the downward trend in per capita consumption has been halted, and there has been a modest increase in total consumption. But the inelasticity of demand for potatoes has resulted in wide fluctuations in prices.

The Department's economic report pointed out that:

> During the last decade a 1-percent change in production of potatoes resulted on the average, in a 4 to 5 percent change in prices to growers. Because of this highly inelastic demand for potatoes, year-to-year variations in production, although usually moderate, exert tremendous influences on prices and income. These variations in production during the last decade average about 8 percent. About 60 percent of the year-to-year variation in production was due to changes in acreage, and 40 percent was due to variation in yield.

When we compare the price variations in potatoes with other commodities, we can see how serious the problem is. Again I quote from the departmental study:

> During the last decade, year-to-year variations in prices received for potatoes around the general farm price level averaged 47 percent. This was 5 to 8 times the price variation for most field crops, and compared with 16 percent for hogs, and 11 percent for beef cattle. The problem of sharply fluctuating and frequently low prices and income has been more serious as farms have become larger and more highly capitalized.

The large capital investment and operating capital requirements of today's larger farms have greatly increased the risks for individual farmers in years of low prices.

It should be noted that low farm prices do not mean substantially lower consumer prices. The Agriculture Department study indicates that a 10-percent drop in retail prices will result in a 30-percent drop in the price to the grower.

Obviously it is to the advantage of the grower, the processor, the marketer, and the consumer of potatoes to stabilize prices.

One means of price stabilization involves increased demand through quality improvement, processing a variety of potato products, and aggressive marketing techniques. This is being done by the industry, with some success.

The second technique involves the use of marketing agreements to control the quality of table-use potatoes and to introduce a measure of supply management. This is being done by a large segment of the industry. An effort is being made to extend marketing agreements to cover the entire country.

The third approach is the potato acreage allotment bill. This is the legislation I have introduced today.

The bill provides for the appointment by the Secretary of Agriculture of a National Potato Advisory Board, representing commercial potato growers. In addition, the Secretary may appoint State or area advisory committees of commercial potato growers.

Under the terms of the proposal, the Secretary of Agriculture, when he determines that the total supply of potatoes is likely to exceed in the next marketing year the normal supply of potatoes, shall proclaim, prior to January 1, a national marketing quota for the purpose of computing the national acreage allotment. Prior to February 1, the proposed national quota would be submitted to farmers for a secret ballot referendum.

In order for the acreage allotment to take effect, at least two-thirds of the farmers voting, or 50 percent of the farmers voting and representing two-thirds or more of the acreage planted by the farmers voting, must approve the national quota.

The national acreage allotment under this legislation would be determined by dividing the quota by the national average yield per acre in the 2 highest yield years of the 3 crop years preceding the year in which the quota is proclaimed. State and farm acreage allotments would be established on the basis of the 2 highest production years of the 3 preceding crop years. A one-half of 1 percent acreage reserve would be established for new producers. Minimum acreage allotments would be set at 2 acres.

Farmers would be permitted to market all potatoes produced on their acreage allotment, but would be assessed at $2 per hundredweight or 75 percent of the June 1 parity, whichever is higher, penalty on the farm marketing excess. The farm marketing excess would be computed as the average yield per acre for the farm multiplied by the acres planted in excess of the acreage allotment.

Mr. President, this legislation would establish a supply management program based on farmer approval, and geared to the needs and marketing opportunities of the industry. I want to stress the fact that the central feature of this bill is the acreage allotment. The marketing quota referred to in the bill is simply a statistical device designed to set the basis for acreage allotments. Farmers would not be told how much they could market.

I believe this proposal represents a reasonable approach to the potato problem which deserves thoughtful consideration. I hope that we will be able to hold hearings on the legislation in the near future. I shall welcome the support and assistance of my colleagues who wish to cosponsor the bill with me.

Mr. President, I ask unanimous consent that the bill and a section-by-section analysis be printed in the RECORD at this point.

There being no objection, the bill and the analysis were ordered to be printed in the RECORD, as follows:

S. 829

A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for marketing quotas on Irish potatoes through establishment of acreage allotments

Title III of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting after part VII of subtitle B thereof the following new part:

"PART VIII—MARKETING QUOTAS—IRISH POTATOES

"Legislative findings

"SEC. 360m. Potatoes are a basic source of food for the Nation and are produced throughout the United States by nearly seven hundred thousand producers. Potatoes are marketed on a nationwide market and owing to causes beyond their control, farmers producing the commodity and persons engaged in the marketing thereof are unable to regulate effectively the orderly marketing of the commodity.

"Potatoes are produced and marketed in six distinct seasonal groups. Of these, the winter, early spring, late spring, and early summer crops are highly perishable and must be marketed upon harvest. The fall crop can be stored for eight to ten months and to some extent the late summer crop can be stored for several months. Demand for potatoes is relatively inelastic so that a small change in supply has a large effect on producers. Thus, even a moderate oversupply in a particular season seriously depresses prices to growers in that season, and often in the succeeding season or seasons. Under such conditions, prices received by producers often are below the cost of production.

"The marketing of abnormally excessive and abnormally deficient supplies of potatoes acutely and directly affects, burdens, and obstructs interstate and foreign commerce. Abnormally excessive supplies overtax the facilities of interstate and foreign transportation, congest terminal markets, depress the price of potatoes in interstate and foreign commerce, and otherwise disrupt the orderly marketing of such commodity in such commerce. Such surpluses also result in disastrously low prices of potatoes to producers, destroy the purchasing power of such producers for industrial products, and reduce the value of the agricultural assets supporting the national credit structure. Abnormally deficient supplies result in an inadequate flow of potatoes and potato products in interstate and foreign commerce with accompanying injurious effects to the instrumentalities of such commerce and with excessive increases in the price of potatoes and potato products in interstate and foreign commerce. Such shortages also result in unreasonably high prices for potatoes and potato products to consumers and the loss of market outlets for potato producers.

"It is in the interest of the general welfare and the purpose of this part to protect interstate and foreign commerce in potatoes and potato products from such burdensome surpluses and distressing shortages, and to make potatoes available in adequate volume to meet domestic consumption and export requirements without impairing or wasting the soil resources of the country.

"The entire production of potatoes is available for marketing in interstate and foreign commerce. All marketing of potatoes is either in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce. The marketing of that portion of such commodity which enters directly into the current of interstate and foreign commerce cannot be effectively regulated without extending the regulation, in the manner provided in this part, also to that portion which is consumed within the State of production.

"Advisory boards

"SEC. 360n. (a) The Secretary shall appoint a national advisory board to be designated as the 'National Potato Advisory Board', the membership of which shall consist of commercial potato growers or their representatives.

"The Secretary shall prescribe such regulations as are necessary relating to the nomination of candidates for appointment, the functions of the Board, and the terms of office of the members. If a national potato administrative board is appointed for use in connection with a national potato marketing order, such board, or a part of the members thereof as determined by the Secretary, may be utilized as the National Potato Advisory Board. The National Potato Advisory Board shall meet at the call of the Secretary no less than twice a year, and shall advise with and make recommendations to the Secretary with respect to the administration of this part.

"(b) The Secretary shall appoint an advisory committee of commercial potato growers in each commercial potato producing State and he may appoint a similar advisory committee in each of the other States or separate production areas within each State if requested to do so by commercial potato producers within that State. For the purpose of this section a commercial potato producing State shall be any State which (1) had a production exceeding 2.5 million hundredweight in any of the three years immediately preceding the calendar year in which marketing quotas are proclaimed, or (2) had one or more counties producing one-half million hundredweight or more as shown in the last census of agriculture.

"(c) The Secretary is authorized to pay members of the National Potato Advisory Board and of State advisory committees for each day's attendance at meetings and while traveling to and from such meetings, transportation expenses, and, in lieu of subsistence, a per diem in the amount authorized under the Travel Expense Act of 1949 for Federal employees. No salary or other compensation shall be paid.

"National marketing quota

"SEC. 360o. (a) Whenever prior to January 1 of any marketing year the Secretary determines that the total supply of potatoes for the next marketing year will, in the absence of a national marketing quota, be likely to exceed the normal supply of potatoes for such marketing year by such amount as will make a marketing quota necessary to effectuate the purpose of this part, the Secretary shall proclaim a national marketing quota for such year. Such quota shall be applicable to the crop of potatoes produced for marketing in such marketing year. The crop of potatoes produced for marketing in any marketing year shall be deemed to be the crop of potatoes produced in the crop year beginning immediately prior to the beginning of such marketing year from the six seasonal groups of potatoes known as late summer, fall, winter, early spring, late spring, and early summer. Potatoes of a crop to which a national marketing quota for any marketing year is applicable shall be subject to the quota notwithstanding that they may be marketed prior to the beginning of or subsequent to the close of such marketing year.

"(b) If the Secretary proclaims a national marketing quota for any marketing year, he shall also determine and specify in such proclamation the amount of such quota. The amount of the national marketing quota for any marketing year shall be an amount of potatoes, which when added to the estimated imports and the estimated production by producers producing not in excess of two acres of potatoes will make available a supply of potatoes of the crop to which the quota applies equal to the normal supply of potatoes for such marketing year.

"(c) Notwithstanding any other provision of this Act, the Secretary may, at the time of the proclamation, under this part, of a national marketing quota for potatoes produced in the 1964–1965 crop year in addition proclaim a marketing quota to be applicable to one or more seasonable groups of potatoes which will be produced in the 1963–1964 crop year, excluding the late summer and fall groups, to which he determines it will be administratively feasible to apply the provisions of this part: *Provided,* That the marketing quota proclaimed in such additional proclamation shall not be applicable to any seasonal group listed below unless such proclamation is issued on or before the date indicated below for such group and unless the referendum under section 360p is held not later than one month following such date:

"(a) Winter—May 1, 1963;

"(b) Early spring—September 1, 1963;

"(c) Late spring—September 1, 1963; and

"(d) Early summer—October 1, 1963.

"If such an additional proclamation is issued, State marketing quotas and acreage allotments shall not be determined for the seasonal group or groups to which the marketing quota proclaimed in such additional proclamation is applicable, but for the purposes of such quota the acreage allotment for any producer who produced one or more of such seasonal groups during the base period used for establishing allotments for the purpose of the marketing quota for potatoes produced in the 1964–1965 crop year shall be the same as the acreage allotment established for the producer under section 360r of this Act for the purpose of such marketing quota: *Provided,* That if more than one seasonal group was produced by any such producer during such base period, the acreage allotment for such producer for potatoes produced in the 1963–1964 crop year shall be such proportion of the producer acreage allotment for potatoes produced in the 1964–1965 crop year as the average acreage planted by the producer to the seasonal group or groups covered by the marketing quota proclaimed in the additional proclamation bears to the average acreage planted on the farm to all seasonal groups during the two years of highest acreage of the three base years used to establish acreage allotments under section 360r for potatoes produced in the 1964–1965 crop year. The referendum held under section 360p for the national marketing quota proclaimed for potatoes produced in the 1964–1965 crop year shall be limited to the question whether the farmers favor such quota and also the national marketing quota proclaimed in such additional proclamation.

"Referendum

"SEC. 360p. Not later than February 1 following the issuance of a proclamation under 360o, the Secretary shall conduct a referendum, by secret ballot, of farmers who were engaged in the production of more than two acres of potatoes during at least one of the two crop years (excluding the 1961–1962 and 1962–1963 crop years in the case of early spring, late spring, and early summer seasonal groups and the 1962–1963 and 1963–1964 crop years in the case of late summer, fall, and winter seasonal groups) immediately preceding the crop year in which the referendum is held to determine whether such farmers approve or disapprove the national marketing quota so proclaimed. In addition, the Secretary may also submit in the referendum the question of whether such farmers approve or disapprove a national marketing quota for the three marketing years beginning with the marketing year for which the quota was proclaimed. A national marketing quota shall be in effect for the marketing year or years for which a quota has been or later is proclaimed under section 360o if the Secretary determines that such quota was approved by two-thirds or more of the farmers voting in the referendum or at least 50 per centum of the farmers voting and two-thirds or more of the total acreage represented by the farmers voting in the referendum based upon the acreage planted in the immediately preceding crop year (excluding the 1961–1962 and 1962–1963 crop years in the case of early spring, late spring, and early summer seasonal groups, and the 1962–1963 and 1963–1964 crop years in the case of late summer, fall, and winter seasonal groups). If a national marketing quota for three marketing years is so approved by farmers no referendum shall be held for the second or third year for which a marketing quota is proclaimed by the Secretary under section 360o(a). The Secretary shall proclaim the results of any referendum held hereunder within thirty days after the date of such referendum.

"State marketing quotas and State acreage allotments

"SEC. 360q. (a) The national marketing quota for any marketing year, less the amount reserved under subsections (c) and (d) of section 360r, shall be apportioned by the Secretary among the several States on the basis of the total production of potatoes in each State during the two years of highest production of the three crop years (excluding the 1961–62 and 1962–63 crop years in the case of early spring, late spring, and early summer seasonal groups, and the 1962–63 and 1963–64 crop years in the case of late summer, fall, and winter seasonal groups) immediately preceding the crop year in which the national marketing quota is proclaimed, exclusive of the production in any such year by producers having two acres or less of potatoes, with such adjustments as are determined to be necessary to make correction for abnormal conditions affecting production.

"(b) The State marketing quota for any marketing year shall be converted to a State acreage allotment for the crop of potatoes produced for market in such year by dividing such quota by the average yield per acre of potatoes in the State during the two years of highest yields of the three crop years immediately preceding the crop year in which the national marketing quota is proclaimed, with such adjustments in such yield as the Secretary determines necessary to correct for current trends in yields and for abnormal conditions affecting yields in such period.

"Apportionment of State acreage allotment

"SEC. 360r. (a) The State acreage allotment for any crop of potatoes, less the reserve established under subsection (d) hereof, shall be apportioned by the Secretary through the State and county committees to farms in the State on which there will be person or persons engaged in the production of potatoes who have produced potatoes in the State in any one of the three crop years (excluding the 1961–62 and 1962–63 crop years in the case of early spring, late spring, and early summer seasonal groups, and the 1962–63 and 1963–64 crop years in the case of other seasonal groups) immediately preceding the year for which such apportionment is made on the basis of the average acreage of potatoes planted in the State by such producer(s) in the two highest of the three crop years (excluding the 1961–62 and 1962–63 crop years in the case of early spring, late spring, and early summer seasonal groups, and the 1962–63 and 1963–64 crop years in the case of other seasonal groups) immediately preceding the crop year in which the national marketing quota is proclaimed, with such adjustments as he determines necessary for land, labor, and equipment available for the production of potatoes, crop-rotation practices, and such other factors as the Secretary determines should be considered in order to provide fair and equitable allotments. In States where potatoes of more than one seasonal group are produced, separate farm acreage allotments (and marketing quotas) may be established as provided above for each such seasonal group.

"(b) If the Secretary determines that the establishment of separate production areas in any State will facilitate the effective administration of the Act and if separate data are available for such purpose, he may establish separate production areas in such State, and the word "State" as used in this part shall, be deemed to mean "production area," wherever applicable.

"(c) The Secretary shall establish a reserve of not in excess of one-half of one per centum of the national marketing quota, which shall be converted to acreage on the basis of the national average yield per acre of potatoes during the two years of highest yields of the three crop years immediately preceding the crop year in which the national marketing quota is proclaimed, with such adjustments in such yield as the Secretary determines necessary to correct for current trends in yields and for abnormal conditions affecting yields in such period. Such reserve shall be available (1) to provide acreage allotments for persons who did not produce potatoes in any of the three crop years (excluding the 1961–62 and 1962–63 crop years in the case of early spring, late spring, and early summer seasonal groups and the 1962–63 and 1963–64 crop years in the case of other seasonal groups) immediately preceding the crop year in which the national marketing quota is proclaimed; and (2) to provide additional allotment for producers whose allotments are inequitable because (i) they produced potatoes in only one year of the three-year base period or (ii) their acreages during such period were abnormally low for some cause beyond their control or (iii) they need additional allotment to utilize equipment acquired prior to 1962. Such allotments for producers under (1) above shall be based on such factors as the Secretary determines should be considered in order to establish fair and equitable allotments including but not limited to one or more of the following factors: The availability of land, labor, and equipment for the production of potatoes, the past experience and investment prior to 1962 of the producer in the production of potatoes, and the dependency of the producer on income from farming for his livelihood.

"(d) For the first full crop year for which acreage allotments are in effect under this part, the Secretary shall establish an additional reserve of not to exceed one-half of 1 per centum of the national marketing quota, converted to acreage as provided in subsection (c) plus a reserve of not to exceed 1½ per centum of the State acreage allotment which shall be used for the purpose of providing additional acreage for use as provided in item (2) of subsection (c) of this section. That part of such additional reserve as is deducted from the State allotment of any State shall be used only within such State.

"(e) Notwithstanding any other provision of this part—

"(1) No noncommercial producer shall be considered to have produced potatoes for the purpose of determining the eligibility for an acreage allotment under subsection (a) of this section;

"(2) a noncommercial producer shall be a producer whose average acreage planted to potatoes during the two crop years in which the highest acreages were planted of the three crop years used in determining producer allotments is two acres or less;

"(3) no allotment shall be established for any producer under this section which, if established, would be two acres or less;

"(4) the acreage of potatoes produced by any noncommercial producer on any farm for which an acreage allotment is established shall be considered as acreage of potatoes for the purpose of determining the farm marketing quota and farm marketing excess for such farm;

"(5) any acreage planted to potatoes on any farm in excess of the farm acreage allotment shall not be considered in establishing future producer allotments.

"(f) The provisions of section 377 of this Act shall not be applicable to this part but any farm on which an acreage of potatoes equal to 90 per centum or more of the farm acreage allotment was planted (or was regarded as planted under the provisions of the Soil Bank Act or the Great Plains program) shall be deemed to have an acreage of potatoes equal to the farm acreage allotment for the purpose of establishing future State and producer allotments.

"Amount of farm marketing quota

"SEC. 360s. The farm marketing quota for any crop of potatoes shall be the actual production of the acreage planted to such crop on the farm less the farm marketing excess. The farm marketing excess shall be an amount equal to the normal yield of potatoes per acre established for the farm multiplied by the number of acres of potatoes of such crop on the farm in excess of the farm acreage allotment for such crop. For the purpose only of determining the farm marketing quota and farm marketing excess, a farm for which no allotment is established shall be deemed to have an allotment of two acres. If separate farm acreage allotments are established for any seasonal group of potatoes such seasonal group shall be considered as a separate crop for the purposes of determining the farm marketing quota and farm marketing excess under this part.

"Compliance

"SEC. 360t. (a) Whenever farm marketing quotas are in effect for any crop of potatoes, the producers on the farm shall be subject to a penalty on the farm marketing excess at a rate equal to $2 per hundredweight of potatoes: *Provided,* That beginning with the crop of potatoes produced in the 1964–1965 crop year, if 75 per centum of the parity price of potatoes as of June 1 of the crop year preceding the crop year in which such crop of potatoes was produced exceeds $2, such rate of penalty shall be increased to 75 per centum of such parity price.

"(b) The farm marketing excess shall be regarded as available for marketing, and the penalty shall be computed upon the normal production of the excess acreage.

"(c) Each person entitled to share in the crop of potatoes on which the penalty was incurred or in the proceeds thereof shall be jointly and severally liable for the entire amount of the penalty on the farm marketing excess.

"(d) Until the producers on any farm pay the penalty on the farm marketing excess of any crop of potatoes, any crop of potatoes subject to marketing quotas in which the producer liable for payment of the penalty has an interest shall be subject to a lien in favor of the United States for the amount of the penalty.

"(e) Until the penalty on the farm marketing excess is paid, each hundredweight of potatoes produced on the farm shall be subject to the penalty specified in subsection (a) of this section, and such penalty on each hundredweight of potatoes which is sold by the producer to any person within the United States shall be paid by the buyer, who may deduct an amount equivalent to the penalty from the price paid to the producer. If the buyer fails to collect such penalty, such buyer and all persons entitled to share in the potatoes marketed from the farm or the proceeds thereof shall be jointly and severally liable for such penalty.

"(f) The persons liable for the payment or collection of the penalty on any amount of potatoes shall be liable also for interest thereon at the rate of 6 per centum per annum from the date the penalty becomes due until the date of payment of such penalty.

"(g) The Secretary, upon application made pursuant to regulations prescribed by him, shall exempt producers from any obligation to pay the penalty on the farm marketing excess for any crop of potatoes on the following conditions:

"(1) That none of the potatoes of such crop produced on the farm for which such farm marketing excess is determined is sold or exchanged for goods and services or otherwise marketed from such farm or removed from the farm except for use as human food by the producers or members of their families or households;

"(2) That the entire production on such farm of such crop of potatoes is used by the producers or members of their families or households for human food or used for seed or feed for livestock owned by any of the producers of such crop or a subsequent owner or operator of the farm; and

"(3) That such producers and their successors comply with all regulations prescribed by the Secretary for the purpose of determining compliance with the foregoing conditions.

Failure to comply with any of the foregoing conditions shall cause the exemption to become immediately null and void unless such failure is due to circumstances beyond the control of the producer as determined by the

Secretary. In the event an exemption becomes null and void the provisions of this Act shall become applicable to the same extent as if the exemption had not been granted. No producer exempted under this subsection shall be eligible to vote in the referendum held under section 360p with respect to a marketing quota applicable to potatoes produced in the next subsequent crop year.

"Transfer of allotments and acreage history

"SEC. 360u. (a) Allotments made to producers under the provisions of section 360r of this Act may be transferred in whole or in part by sale, lease or gift, subject to such terms and conditions as the Secretary shall prescribe, which shall include the following:

"(1) No producer shall be permitted to transfer all his allotment hereunder unless he agrees to withdraw from the production of potatoes for the crop year in which the transfer is effective, and for one crop year after such transfer;

"(2) The production of potatoes on a leased allotment shall be deemed to be the production of the lessor for the purpose of potato acreage history; and

"(3) A transfer by sale or gift of an allotment shall be accompanied by a transfer of the potato acreage history upon which such allotment is based, and a transfer by any of the foregoing means may be made only to a person with experience in producing potatoes.

"(b) If a producer dies, his potato acreage history shall be apportioned in whole or in part as provided by will or, in the absence thereof, among his heirs according to the extent to which they may continue, or have continued, his farming operations, if satisfactory proof of such succession of farming operations is furnished the Secretary.

"(c) Upon the dissolution of a partnership, the partnership's potato acreage history shall be divided among the partners in such proportion as agreed upon in writing by the partners, or in the absence of such an agreement, among the partners in such proportion as determined to be fair and equitable by the Secretary taking into consideration the contribution, if any, of potato acreage history to the partnership by each partner and the share of each partner in the partnership.

"(d) Application for transfer of allotments and acreage history hereunder shall be made at such time and in such manner, and shall be supported by such information and data, as may be required under regulations issued by the Secretary."

"Adjustment and termination

"SEC. 360v. Notwithstanding any other provision of this part, if after the proclamation of a national marketing quota for potatoes for any marketing year, the Secretary has reason to believe that farm marketing quotas in effect for potatoes will cause the amount of potatoes which is free of marketing restrictions to be less than the normal supply for the marketing year then current, he shall cause an immediate investigation to be made with respect thereto. If on the basis of such investigation the Secretary finds the existence of such fact, he may proclaim the same forthwith and may specify such increase in, or termination of, existing quotas on a seasonal group basis or for the entire crop to which the quota applies as he finds necessary to make the amount of potatoes which is free of marketing restrictions equal to normal supply. In case of any increase under this section, the Secretary shall provide for such increase by increasing acreage allotments by a uniform percentage.

"Applicability of part

"SEC. 360w. This part VIII shall apply only to the forty-eight contiguous States of the United States and the District of Columbia."

SEC. 2. Section 2 of the Agricultural Adjustment Act of 1938, as amended, is hereby amended by striking out the word "corn" and inserting in lieu thereof "potatoes".

SEC. 3. Subsection (b) of section 301 of the Agricultural Adjustment Act of 1938, as amended, is amended as follows:

(1) Paragraph (6)(A) is amended to read as follows:

"(6)(A) 'Market', in the case of cotton, rice, tobacco, wheat, and potatoes, means to dispose of, in raw or processed form, by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos, and in the case of wheat, by feeding (in any form) to poultry or livestock which, or the products of which, are sold, bartered, or exchanged, or to be so disposed of."

(2) Paragraph (7) is amended by adding thereto the following: "Potatoes—August 15–August 14."

(3) Paragraph (9) is amended to read as follows:

"(9) 'Normal production' as applied to any number of acres of cotton, rice, wheat, or potatoes means the normal yield for the farm times such number of acres."

(4) Paragraph (10) is amended by adding a new subparagraph (D) as follows:

"(D) 'Normal supply' of potatoes for any marketing year shall be (i) the estimated domestic consumption for the marketing year for which such normal supply is being determined, plus (ii) the estimated exports of the commodity for such marketing year, adjusted for surplus or deficiencies caused by changes in marketing conditions or carryover of potatoes and potato products. In determining normal supply the Secretary shall make such adjustments for current trends in consumption and for unusual conditions as he deems necessary. The Secretary shall make such further adjustments as he deems necessary to provide a supply of potatoes which will be needed and utilized in commercial channels during the marketing year at prices not in excess of the parity price but as near such maximum level as the Secretary determines to be appropriate, taking into consideration (i) the supply of potatoes in relation to the demand therefor, (ii) the importance of potatoes to agriculture and the national economy, (iii) the ability and willingness of producers to keep supplies in line with demand, and (iv) the need of potato producers for a fair return on their labor and investment."

(5) Paragraph (13) is amended by adding a new subparagraph (H) as follows:

"(H) 'Normal yield' for any farm in the case of potatoes shall be the average yield per acre for the farm during the two crop years immediately preceding the year in which such normal yield is determined, adjusted for abnormal weather conditions, for current trends in yields, and for changes in cultural practices. If for any such year the data are not available or there is no actual yield, then the normal yield for the farm shall be appraised in accordance with regulations of the Secretary, taking into consideration abnormal weather conditions, the normal yield for the county, and the yield in years for which data are available."

(6) Paragraph (16) is amended by adding a new subparagraph (D) as follows:

"(D) 'Total supply' of potatoes for any marketing year shall be the estimated production of potatoes in the United States during the crop year in which such marketing year begins, plus the estimated imports of potatoes into the United States during such marketing year, plus the carryover of potatoes including potatoes carried over in the form of potato products at the beginning of such marketing year."

(7) New paragraphs are added as follows:

"(17) 'Potatoes' means all varieties of Irish potatoes.

"(18) 'Normal yield' for any county in the case of potatoes shall be the average yield per acre for such county during the two crop years immediately preceding the crop year in which such normal yield is determined, adjusted for abnormal weather conditions, for current trends in yields, and for changes in cultural practices.

"(19) 'Seasonal groups', in the case of potatoes, are:

"(A) 'Late summer'—the crop the bulk of which is usually harvested in the period August 16 through September 30.

"(B) 'Fall'—the crop the bulk of which is usually harvested in October, November, and December.

"(C) 'Winter'—the crop bulk of which is usually harvested in January, February, and March.

"(D) 'Early spring'—the crop the bulk of which is usually harvested in the period April 1 through May 15.

"(E) 'Late spring'—the crop the bulk of which is usually harvested in the period May 16 through June 30.

"(F) 'Early summer'—the crop the bulk of which is usually harvested in the period July 1 through August 15.

"(20) 'Crop year', in the case of potatoes, means the period, beginning with the planting of late summer potatoes, in which the six seasonal groups are produced and shall be designated by the two calendar years in which the potatoes planted in the crop year are harvested."

SEC. 4. Section 361 of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"SEC. 361. This part shall apply to the publication and review of farm marketing quotas established for tobacco, wheat, cotton, peanuts, rice, and potatoes, established under subtitle B."

SEC. 5. Subsection (b) of section 371 of the Agricultural Adjustment Act of 1938, as amended, is hereby amended by striking out the words "or tobacco" and inserting in lieu thereof the language "tobacco, or potatoes".

SEC. 6. Subsection (a) of section 372 of the Agricultural Adjustment Act of 1938, as amended, is hereby amended by adding "potatoes," after "cotton,".

SEC. 7. Sections 373, 374, and 375 of the Agricultural Adjustment Act of 1938, as amended, are hereby amended by deleting "corn" wherever it appears and by inserting in lieu thereof "potatoes"; and subsection (c) of section 374 of the Agricultural Adjustment Act of 1938, as amended, is further amended by striking out the words "to any basic agricultural commodity on the farm" and inserting in lieu thereof the words "on the farm to any agricultural commodity for which acreage allotments or marketing quotas are established under subtitle B of this title."

SECTION-BY-SECTION ANALYSIS OF POTATO MARKETING QUOTA BILL

Section 1 of the bill provides a new part to the Agricultural Adjustment Act of 1938, as amended, to authorize marketing quotas on Irish potatoes.

LEGISLATIVE FINDINGS

Section 360m of such new part contains legislative findings, showing need for the legislation and providing a constitutional basis therefor under the commerce clause.

ADVISORY BOARDS

Section 360n provides for the nomination and appointment by the Secretary of a National Potato Advisory Board consisting of commercial potato growers or their representatives, to advise with and make recommendations to the Secretary with respect to the administration of the potato marketing quota program. If a national advisory board is appointed for use in connection with a national potato marketing order, all or part of the members of such board could be utilized as the National Potato Advisory Board. The Secretary is to also appoint State advisory committees. Such State advisory committees would be mandatory in commercial potato-producing States (i.e., States producing more than 2.5 million hundredweight of potatoes or having one or more counties producing one-half million hundredweight or more of potatoes), permissive in all other States. Board and committee members are not to be paid but are to be reimbursed for travel and subsistence expenses.

NATIONAL MARKETING QUOTA

Subsection (a) of section 360o provides that the Secretary shall, whenever, prior to January 1 of any marketing year, he determines that the total supply of potatoes for the next marketing year will, in the absence of a marketing quota program, be likely to be excessive, proclaim a national marketing quota for potatoes to be applicable to the crop of potatoes produced for market in such next marketing year. Such crop consists of potatoes produced from the six seasonal groups of potatoes known as late summer, fall, winter, early spring, late spring, and early summer.

Subsection (b) of section 360o provides for proclaiming the amount of the national marketing quota as the amount of potatoes which, when added to estimated imports and the estimated production by producers producing 2 acres or less, will make available a supply of potatoes equal to the normal supply.

Subsection (c) of section 360o authorizes the Secretary at the time he proclaims quotas on the 1964–65 crop of potatoes, if he determines it administratively feasible, to proclaim in addition a marketing quota to be applicable to one or more of the seasonal groups, excluding the late summer and fall crops, of the 1963–64 crop. The bill states the dates by which the proclamation for the 1964–65 crop would have to be made and the referendum under section 360p with respect thereto held in order for the Secretary to be able to include a seasonal group in the additional proclamation. In the event such an additional proclamation should be issued, the farm acreage allotments established for the 1964–65 crop would be used for the purposes of the quotas on the 1963–64 crop, modified as required to allot to farms the share of the full year's allotment attributable to plantings of the seasonal groups included in the additional proclamation. Subsection (c) also provides that the referendum to determine whether farmers favor marketing quotas in the 1964–65 crop of potatoes shall be limited to the one question of whether farmers favor quotas for both the 1964–65 crop and such of the seasonal groups of the 1963–64 crop as are included in the additional proclamation.

REFERENDUM

Section 360p provides for the holding of a referendum, by secret ballot, not later than the February 1 following the proclamation of a marketing quota on potatoes for the next marketing year to determine whether farmers favor or oppose the quota. The Secretary could also submit in any referendum (except the 1964–65 referendum, as stated in section 360o(c)) the question of whether farmers also approve or disapprove quotas for the 3 marketing years beginning with the year for which a marketing quota had been announced. A favorable vote of two-thirds or more of those voting or 50 percent of those voting and two-thirds or more of the acreage represented by those voting is required for the quota to become effective. Any farmer would be eligible to vote in a referendum if he was engaged in the production of more than 2 acres of potatoes during at least 1 of the 2 crop years immediately preceding the crop year in which the referendum is held. However, the 1961–62 and 1962–63 crop years in the case of early spring, late spring, and early summer seasonal groups and the 1962–63 and 1963–64 crop years in the case of the other seasonal groups would be excluded from the 2-year period in determining eligibility to vote.

The Secretary would be required to announce the results of any referendum within 30 days after the date of the referendum.

STATE MARKETING QUOTAS AND STATE ACREAGE ALLOTMENTS

Section 360q(a) provides for the apportionment of the national marketing quota, less the national reserve provided for in subsections 360r (c) and (d), among the several States on the basis of the total production in the States during the 2 years of highest production of the immediately preceding 3 crop years (excluding the production of producers having 2 acres or less and excluding the 1961–62 and 1962–63 crop years in the case of early spring, late spring, and early summer seasonal groups and the 1962–63 and 1963–64 crop years in the case of other seasonal groups), with adjustments for abnormal conditions affecting production.

Section 360q(b) provides for the conversion of the State marketing quota into a State acreage allotment by dividing such quota by the average yield per acre of potatoes in the State during the 2 years of highest yields of the 3 crop years immediately preceding the crop year in which the national quota is proclaimed, with necessary adjustments for trends in yields and abnormal conditions affecting yields.

APPORTIONMENT OF STATE ACREAGE ALLOTMENT

Section 360r(a) provides for the apportionment of the State acreage allotment, less a reserve of not to exceed 1½ percent of the State allotment in the first year quotas are in effect, among farms in the State on the basis of the acreages of potatoes planted in the State by producers on the farm during the 2 years of the 3 crop years immediately preceding the crop year in which the national quota is proclaimed in which the highest acreages were planted by them. In order that farmers may not, by increasing their plantings of potatoes before the bill goes into effect, obtain increased acreage allotments for future years, the planted acreages during the 1961–62 and 1962–63 crop years in the case of early spring, late spring, and early summer seasonal groups, and during the 1962–63 and 1963–64 crop years in the case of late summer, fall, and winter seasonal groups are excluded from the 3-year period. Appropriate adjustments in allotments are authorized for such factors as land, labor, and equipment available for the production of potatoes, crop-rotation practices, and other factors determined necessary to assure fair and equitable allotments. In States where potatoes are produced in more than one seasonal group, separate allotments for each seasonal group are authorized.

Subsection (b) of section 360r provides for the establishment of separate production areas in any State if separate statistical data are available and if the Secretary determines such establishment will facilitate effective administration of the act. If so established, each such production area would be deemed to be a State for purposes of the program.

Subsection (c) of section 360r provides that a reserve of not to exceed one-half of 1 percent of the national marketing quota, converted to acreage on the basis of the national average yield of potatoes, shall be made available (1) for allotments to "new" producers, i.e., producers who did not produce potatoes in any of the immediately preceding 3 years (excluding the 1961–62 and 1962–63 crop years in the case of early spring, late spring, and early summer seasonal groups and the 1962–63 and 1963–64 crop years in the case of other seasonal groups from such 3-year period); and (2) to provide additional allotments to producers who receive inequitable allotments because (i) of short history of production, or (ii) of low planted acreages from some cause beyond the control of the producer, or (iii) of the purchase of machinery prior to 1962 which cannot be utilized. Such "new" allotments would be based on one or more factors such as availability of land, labor, and equipment for the production of potatoes, past experience, investment of the producer in equipment prior to 1962, on income derived from farming for his livelihood, and such other factors considered necessary to establish fair and equitable allotments.

Subsection (d) provides that for the first crop year acreage allotments are in effect, an additional reserve of not to exceed one-half of 1 percent of the national marketing quota plus, for use in the State, not to exceed 1½ percent of each State's acreage allotment shall be made available for the same purpose as provided in clause (2), subsection (c), above.

Subsection (e) contains several paragraphs which apply to the establishment of potato allotments which in some particulars are in addition to, or differ from, provisions applicable to other commodities. These are:

Paragraph (1) provides that no noncommercial producer (defined in par. (2) below) shall be considered to have produced potatoes for the purpose of determining eligibility for an allotment under subsection (a) above.

Paragraph (2) defines a noncommercial producer as a producer whose average acreage planted to potatoes during the 2 crop years in which the highest acreages were planted of the 3 crop years used in determining allotments is 2 acres or less.

Paragraph (3) provides that no allotment shall be established for a producer which, if established, would be 2 acres or less.

Paragraph (4) provides that the acreage of potatoes produced by any noncommercial producer on a farm for which an acreage allotment is established shall be counted as potato acreage in determining compliance with the farm acreage allotment.

Paragraph (5) provides that any acreage planted to potatoes on any farm in excess of the farm acreage allotment shall not be considered in establishing future allotments to producers.

Subsection (f) provides that the provisions of section 377 of the Agricultural Adjustment Act of 1938, which provides for automatic preservation of acreage history for any commodity subject to marketing quotas if 75 percent or more of the farm acreage allotment is planted during the current year or either of the 2 preceding years, shall not be applicable to potatoes; and that the potato farm acreage allotment shall be deemed to have been fully planted for the purposes of determining future State and producer acreage allotments if 90 percent or more of the farm acreage allotment for the current year is planted to potatoes.

AMOUNT OF THE FARM MARKETING QUOTA

Section 360s defines the farm marketing quota of potatoes as the actual production of potatoes planted on the farm less the farm marketing excess; and the farm marketing excess as an amount of potatoes equal to the normal yield per acre of potatoes times the number of acres planted in excess of the farm acreage allotment. In computing the farm marketing quota and farm marketing excess, a farm having no allotment shall be considered to have an allotment equal to 2 acres. It is also provided that if separate farm acreage allotments are determined for any seasonal group of potatoes, as authorized under section 360r(a), such seasonal group shall be considered as a separate crop for the purposes of determining the farm marketing quota.

COMPLIANCE

Subsection (a) of section 360t sets the rate of the marketing penalty on the farm marketing excess at $2 per hundredweight, and for an increase, beginning with the 1964–65 crop, to 78 percent of the parity price for potatoes if 75 percent of such parity price as of June 1 of the crop year exceeds $2.

Subsection (b) provides that penalty shall be computed upon the normal production of the excess acreage.

Subsection (c) provides that each person entitled to share in the crop of potatoes or proceeds thereof shall be jointly and severally liable for the entire amount of penalty incurred on such crop of potatoes.

Subsection (d) provides that until the penalty has been paid, any crop of potatoes subject to marketing quotas in which the producer liable for payment of the penalty has an interest shall be subject to a lien in favor of the United States for the amount of the penalty.

Subsection (e) provides that until the penalty on the farm marketing excess is paid each hundredweight of potatoes sold to any person in the United States shall be subject to penalty and the penalty collected by the buyer, who may deduct the amount of penalty from the price paid the producer. If the buyer fails to collect the penalty, he and all persons entitled to share in the potatoes produced on the farm or proceeds thereof shall be jointly and severally liable for the penalty.

Subsection (f) provides for interest at 6 percent per annum on unpaid penalties.

Subsection (g) provides that the producers on any farm may obtain an exemption from marketing quotas if they make application therefor, market no potatoes from the farm, and use the entire production of potatoes for food for the producers, their families, and households, or for seed or feed for livestock owned by any producer on the farm or by a subsequent owner or operator of the farm. Failure to comply with the conditions governing the exemption will cause the exemption to become null and void unless the failure is due to circumstances beyond the producer's control. Any producer obtaining such an exemption will not be eligible to vote in the referendum held on the next crop of potatoes.

TRANSFER OF ALLOTMENTS AND ACREAGE HISTORY

Subsection (a) of section 360u makes provision for the transfer of allotments from one producer to another. (Section 353(f) of the 1938 Act (Public Law 87–412) permits transfer of rice allotments under certain conditions.)

Paragraph (1) of the subsection provides that a producer cannot transfer all his allotment unless he withdraws from the production of potatoes for the crop year in which the transfer becomes effective, and for one crop year after such transfer.

Paragraph (2) specifies that the production of potatoes on a leased allotment shall be deemed to be the production of the lessor for the purpose of potato acreage history.

Paragraph (3) provides that a transfer by sale or gift shall be accompanied by a transfer of the potato acreage history, and that, with respect to any transfer made under subsection (a), the transferee must be a person with experience in producing potatoes.

Subsection (b) of section 360u provides for a decedent's potato acreage history being apportioned as provided by will or, in the absence of a will, among those heirs who continue the decendent's farming operations.

Subsection (c) of section 360u contains a procedure for the transfer of history acreage upon the dissolution of a partnership.

Subsection (d) of section 360u provides that transfers of allotments and acreage history shall be made at such time and be supported by such information as may be required under regulations issued by the Secretary.

ADJUSTMENT AND TERMINATION

Section 360v authorizes the Secretary, after the proclamation of a national marketing quota, to increase or terminate the quota, if he finds on the basis of an investigation that the amount of potatoes free of marketing restrictions will be less than a normal supply of potatoes. If increased he shall specify the amount of increase in existing quotas on a seasonal group basis or on the entire crop as he finds necessary to make the amount of potatoes free of marketing restrictions equal the normal supply. If an increase is proclaimed, acreage allotments (on a seasonal group or for the entire crop) shall be increased by a uniform percentage.

APPLICABILITY OF THE PART

Section 360w provides that the potato marketing quota program shall apply only to the 48 contiguous States and the District of Columbia.

APPLICABILITY OF DECLARATION OF POLICY TO POTATOES

Section 2 of the bill substitutes the word "potatoes" for "corn" in the declaration of policy provisions of section 2 of the Agricultural Adjustment Act of 1938, as amended, relating to the regulation of interstate and foreign commerce in the agricultural commodities to which the marketing quota provisions of the 1938 act were made applicable. Originally, corn was one of the commodities for which marketing quotas were authorized. The corn provisions of the 1938 act were repealed in 1954, but the reference in section 2 of the act to corn was never specifically repealed. The substitution of "potatoes" for "corn" as provided in section 2 of the bill is a convenient way to make the declaration of policy applicable to potatoes and inapplicable to corn.

DEFINITIONS

Section 3 of the bill amends section 301 (b) of the Agricultural Adjustment Act of 1938, as amended, to define for potatoes the terms "market," "marketing year," "normal production," "normal supply," "normal yield" for farm and county, "total supply," "potatoes," "crop year," and the six "seasonal groups" of potatoes. These definitions are similar to the definitions of these terms applicable to other commodities. It should be noted, however, that the definition of "normal supply" includes provision for adjustment of the normal supply to provide a supply calculated to bring prices not in excess of 100 percent of the parity price but as near to such price level as the Secretary determines to be appropriate.

REVIEW PROCEEDINGS

Section 4 amends section 361 of the Agricultural Adjustment Act of 1938, as amended, in order to make the review proceedings which are presently applicable to marketing quotas on the commodities now covered by the act applicable to potatoes.

ADJUSTMENT OF QUOTAS

Section 5 of the bill amends section 371(b) of the Agricultural Adjustment Act of 1938, as amended, to include potatoes among the other commodities subject to marketing quotas with respect to which the Secretary is authorized to increase or terminate any marketing quota or acreage allotment on account of a material increase in export demand or national emergency or to effect the declared policy of the act. This authority is in addition to that provided in section 360v which is designed to insure the production of a normal supply of potatoes.

PAYMENT AND COLLECTION OF PENALTIES

Section 6 of the bill amends section 372(a) of the Agricultural Adjustment Act of 1938, as amended, in order to make the provisions of that section, which deal with the payment and collection of penalties, applicable to potatoes.

REPORTS AND RECORDS; MEASUREMENT OF FARMS; REGULATIONS

Section 7 of the bill amends sections 373, 374, and 375 of the Agricultural Adjustment Act of 1938, as amended, in order to make the provisions of those sections, which deal with reports and records, measurements of farms, and authority to issue regulations, applicable to potatoes.

EQUAL RIGHTS AMENDMENT TO THE CONSTITUTION

Mr. McGEE. Mr. President, I introduce for appropriate reference a joint resolution to provide for a constitutional amendment relative to equal rights for men and women. This bill would simply provide that equality of rights under law shall not be denied or abridged by the United States or by any State on account of sex.

The State of Wyoming, Mr. President, has a singular interest in this legislation because it is a State that has led the Nation in providing its citizens who are members of the fair sex with rights equal to those enjoyed by men. Even before Wyoming became a State it had provided that women should be franchised and should have the right to sit upon juries. In fact, the State of Wyoming is rightfully known as the Equality State.

One of our great women, Esther Morris, is commemorated by a statue in Statuary Hall in this building.

The history of this Nation has seen a continuing struggle waged by American women who refuse to accept second-class status either by tradition or by law. It is well known that both the English commonlaw and French and Spanish civil law were based on the then prevalent theories that women were of lesser status than men. I believe there are few people living today who still hold that theory, but, nevertheless, it is still reflected in many of our laws. Through their constant efforts to obtain equal rights the women of America have obtained the right to vote and many of the other rights previously denied them. My bill would bring to a conclusion the efforts started by Abigail Adams in 1789 and wipe out from our legal code the last vestiges of the ancient concept of women as a chattel.

This joint resolution has been introduced today for a peculiarly appropriate reason, the anniversary of the birth of the foremost of the women who waged continued battle for their rights—Susan B. Anthony. Her birthday was celebrated on Friday; unfortunately, the Congress was not in session that day, so I am introducing it on the next legislative day, today.

Mr. President, there is a regrettable tendency for many people to consider the battle for equal rights already won. This is not the case and there are many of us who hope that this bill will provide a suitable climax to that battle. I am happy to say that sentiment in favor of this bill has increased tremendously in recent years. When first introduced, this proposed amendment had the support of exactly one Senator. Today we have a long list of sponsors and an equally long list of supporters outside the Congress. I am pleased to report that when this bill is introduced today it carries with it the names of 35 Members of this body as cosponsors.

Not only have this sizable number of Senators given their support, but the President of this Nation has said:

> You have my assurance that I will interpret the Democratic platform, as I know it is intended, to bring about, through concrete action including the adoption of the equal rights for women amendment, the full equality for women which advocates of the equal rights amendment have always sought.

During the last presidential campaign Vice President JOHNSON said:

> I have consistently supported the resolution in the Senate for equal rights for men and women and I intend to continue with this support.

Mr. President, in the year 1648 Margaret Brent presented a suffrage petition, the first in this Nation, to the Maryland House of Delegates. She asked for a voice and a vote for the women of this country. Her petition was not granted anywhere in the Nation until the year 1870 in which year the State of Wyoming voted for women's suffrage. And it took 50 more years to extend this right throughout the Nation. In all, 272 years were spent in obtaining what is now regarded as an elemental right for women. Since that time, 40 years have been spent to obtain equal rights under law for women and I sincerely hope that this year will see the conclusion of that effort.

Mr. President, I ask unanimous consent that this resolution lie on the table for 1 week for additional cosponsors.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the desk, as requested by the Senator from Wyoming.

The joint resolution (S.J. Res. 45) proposing an amendment to the Constitution of the United States relative to equal rights for men and women, introduced by Mr. MCGEE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. KEATING. Mr. President, on behalf of the junior Senator from Wyoming [Mr. SIMPSON], who is a cosponsor of the joint resolution just introduced, I ask unanimous consent to have printed in the RECORD a statement, prepared by him, relating to the joint resolution.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SIMPSON ON INTRODUCTION OF AMENDMENT GRANTING EQUAL RIGHTS TO WOMEN

As a Senator from the first State in the Union to grant women the great constitutional privilege of voting, I take great pleasure in cosponsoring this bill to further broaden the base of equal rights for women.

It is especially appropriate that this constitutional amendment be introduced so close to the birthday of Susan B. Anthony, one of the great early leaders of the long campaign for equal rights for women.

Another Wyoming pioneer, whose name symbolizes equality for women, is the Nation's first justice of the peace, Esther Morris, of South Pass City. Mrs. Morris' dignity and her profound grasp of the intricacies of the law and of the humanities has etched her name forever in the annals of women's struggle for equality.

It was through her tireless efforts that Wyoming—the Equality State—became the first State in the Nation or the world to pass a women suffrage law.

Esther Morris now enjoys the distinction of constituting Wyoming's sole representation in the Capitol's Statuary Hall through the efforts of a commission which I was pleased to head as Governor of Wyoming.

It was the 16th day of September 1870, that Louisa Ann Swain, of Laramie, Wyo., placed her mark on a ballot to become Wyoming's first woman to assume the dual role of homemaker and elector—a role now enjoyed by women throughout the world.

Women across the Nation, acting in the profile of such courageous leaders as Mrs. Swain, Mrs. Anthony, and Mrs. Morris, now play a vital and often decisive role in all phases of American life.

This proposed constitutional amendment will be another step in the long struggle for equality in leadership, employment, and education that has been waged by the American woman.

DESIGNATION OF 8-DAY PERIOD BEGINNING OCTOBER 12 OF EACH YEAR AS "PATRIOTIC EDUCATION WEEK"

Mr. CASE. Mr. President, I introduce, for appropriate reference a joint resolution to designate the 8-day period beginning on the 12th day of October of each year as "Patriotic Education Week."

In both the 86th and 87th Congresses, Congressman FRELINGHUYSEN, of New Jersey's Fifth District, and I have introduced companion resolutions on this subject, and I am glad to say that Congressman FRELINGHUYSEN is again introducing a companion resolution in the House.

This resolution would authorize and request the President to issue annually a proclamation inviting the people of the United States to observe Patriotic Education Week in schools and other suitable places with appropriate ceremonies and activities.

This observance has already been proclaimed by Governors of a majority of our States and mayors in more than 100 cities. Patriotic Education Week would begin each year on October 12, Columbus Day, and end 7 days later with the anniversary of the British surrender to our Revolutionary forces at Yorktown.

There is no doubt of the importance of a fuller understanding of the great heritage with which this country is endowed. I believe that October 12 through 19 would be a most appropriate period in which to emphasize our rich historical heritage.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 46) designating the 8-day period beginning on the 12th day of October of each year as "Patriotic Education Week," introduced by Mr. CASE, was received, read twice by its title, and referred to the Committee on the Judiciary.

THE 25TH ANNIVERSARY OF THE MARCH OF DIMES—EDDIE CANTOR

Mr. SMATHERS. Mr. President, this year celebrates the 25th anniversary of the March of Dimes, an undertaking which has contributed greatly toward raising funds for research, resulting in the almost total eradication of the dreaded disease of polio.

A great milestone has been achieved in combating infantile paralysis, which is the other name for polio. The American people can feel justly proud of their accomplishments in that field.

Twenty-five years ago President Franklin D. Roosevelt requested the help and assistance of an outstanding entertainer in getting a million people to contribute $1 each for the National Foundation of Infantile Paralysis. Of course, this great entertainer, who has always given unselfishly of his time and energy for humanitarian causes, consented. But then the thought came to him that perhaps the entire country would want to participate by sending 10 cents to the White House. President Franklin D. Roosevelt agreed with this thought, and thus started the March of Dimes campaign, the purpose of which was to stamp out polio. This it has achieved with a great measure of success.

The individual to whom I refer is well known to all of us in this body. His name is Eddie Cantor. He is a symbol of the unselfish and untiring efforts contributed by thousands of other men and women throughout the United States who themselves have dedicated time and energy in making the March of Dimes a success each year.

I might point out that at this very moment Mr. Cantor is not in the best of health himself. I know all of us wish him well and a speedy recovery, for he yet has much to give to his fellow man. He is in every sense of the word a great American.

Mr. President, at this time and on this occasion of the 25th anniversary of the March of Dimes I think it appropriate, and I, therefore, introduce for appropriate reference, a joint resolution which would authorize the President of the United States to express the high esteem and appreciation of the American people by the issuance of a gold medal to Eddie Cantor in recognition of the outstanding contribution he has made, not only to his country, but to mankind throughout the world in their efforts to stamp out that dread disease—polio.

In my opinion, it would be a fitting tribute for the Congress to act promptly and favorably on the resolution.

Mr. President, I ask unanimous consent that the joint resolution remain at the desk for a period of 3 days so that Senators who may wish to become cosponsors may do so.

Mr. KEATING. Mr. President, will the Senator yield at that point?

Mr. SMATHERS. I am happy to yield to my distinguished friend from New York.

Mr. KEATING. Mr. President, I would appreciate it if my name were added as a cosponsor of this joint resolution to express the American peoples' deep appreciation to Eddie Cantor for his service and devotion to a great cause—the combating of that dread disease, infantile paralysis. His talent and worth were recognized by President Roosevelt 25 years ago when he asked Eddie to assist him in a drive to raise funds. Eddie Cantor's suggestion that all Americans participate by sending a dime to 1600 Pennsylvania Avenue gave birth to a nationwide effort which brought about the eradication of this crippling, killing disease. At this time it is fitting and proper to recognize this great American. Because Eddie Cantor has brought to the world of entertainment the dimension of his own deep and abiding love of his fellow man, he is not merely a national figure. He is a national asset, making each of us the richer for the gift of heart and of humor that he has left along the path of his great career.

Mr. SMATHERS. I should be honored and happy to have the able Senator from New York join as a cosponsor of the joint resolution.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the desk, as requested, by the Senator from Florida.

The joint resolution (S.J. Res. 47) authorizing the expression of appreciation and the issuance of a gold medal to Eddie Cantor, introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on Banking and Currency.

ANNIVERSARY OF LITHUANIAN INDEPENDENCE

Mr. KEATING. Mr. President, February 16 was the 45th anniversary of Lithuanian independence. It is an appropriate moment and a reminder for us to pause and consider the meaning of national independence and personal freedom. Our own struggle for independence was a comparatively easy one. Once fought for, once achieved, our sovereignty as a nation was universally recognized, and our country began its swift ascendance to the rank of world power. Our constitution guaranteed to citizens the basic freedoms which many nations are still fighting for and which some nations, Lithuania among them, have attained and then lost again.

Yes, Lithuanian independence day is not an occasion of joyful celebration and boisterous patriotism like our Fourth of July. It is a somber and meditative time, a time to recall the Lithuanian struggles for freedom and the unhappy periods of foreign domination.

Lithuania is an old country; it has been known to history since 1009. Lithuania was a powerful and independent state in the Middle Ages, but it was annexed by Russia during the third partition of Poland in 1795. Under the cruel hand of the czarist agents many of the individual freedoms of the Lithuanian peoples were lost. The Lithuanians struggled courageously but unsuccessfully to throw off the yoke of foreign oppression. Finally, in 1915 Russian domination was ended when the German armies overran Lithuania, but not until the close of World War I when Germany was defeated and Russia was in the throes of a revolution could the Lithuanians regain their longed for freedom. On February 16, 1918, an independent Lithuanian nation was proclaimed.

On February 16, 1918, began two glorious decades of splendid achievement. The new constitution accorded freedom of speech, assembly, religion, and communication. The 1920 peace treaty with the Soviet Union guaranteed the independence of Lithuania. But the Second World War brought with it a new era of national tragedy for the Lithuanian people.

Soviet demands in June 1940 for the immediate formation of a friendly government and Soviet military occupation marked the end of a sovereign democratic Lithuania and the beginning of its tragic enslavement by the Communists. The new flood of Russian tyranny resulted in the deportation of thousands of Lithuanian citizens. Since 1945 Lithuania has become a vast Soviet prison camp. Land which had been individually farmed for centuries has been collectivized. Everything has been nationalized. Political freedom no longer exists. Independence and personal liberties are but a dream of the past and a hope for the future.

The one inalienable right which the Lithuanians still possess is the right to hope for their freedom. On the 45th anniversary of independence we encourage them to cherish and hold on to this right. We express our heartfelt sympathy for their tragedy and our ardent faith that one day they will regain their sovereignty and personal freedoms.

Mr. President, I submit, for appropriate reference, a Senate concurrent resolution urging United Nations support for free elections and an end to Soviet domination in the Baltic States and to ask that it be printed following my remarks.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD as requested by the Senator from New York.

The concurrent resolution (S. Con. Res. 18) favoring consideration of the Baltic States' question by the United Nations, submitted by Mr. KEATING, was referred to the Committee on Foreign Relations, as follows:

Whereas so many countries under colonial domination have been or are being given the opportunity to establish their own independent states, on the other hand, the Baltic nations having a great historical past and having enjoyed the blessings of freedom for centuries are now subjugated to the most brutal colonial Russian oppression; and

Whereas the Communist regime did not come to power in Lithuania, Latvia, and Estonia by legal or democratic processes; but the Soviet Union took over Lithuania, Latvia, and Estonia by force of arms; and

Whereas the Government of the United States of America consistently has refused to recognize their seizure and forced "incorporation" in the Soviet Union; Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President is hereby requested to take all necessary steps to bring the Baltic States' question before the United Nations and urge that the United Nations request the Soviets—

(1) to withdraw all Soviet troops, agents, colonists, and controls from Lithuania, Latvia, and Estonia; and

(2) to return all Baltic exiles from Siberia, prisons, and slave labor camps in the Soviet Union; and be it further

Resolved, That it is the sense of Congress that the United Nations conduct free elections in Lithuania, Latvia, and Estonia under its supervision and punish Soviet Communists who are guilty of crimes of extermination of the peoples of the Baltic States.

STUDY OF DENIAL OF SELF-DETERMINATION OF PEOPLES OF VARIOUS COUNTRIES BY UNITED NATIONS

Mr. HRUSKA. Mr. President, 4 years ago Congress adopted the Captive Nations Week resolution. By its terms, 1 week each year is designated and devoted to giving special attention to the subjugation of 22 nations by the colonialistic policies of Communist Russia.

In the relatively short period of 40 years, the Soviet Union has compiled the most infamous record of imperialism in history. Nine hundred million people have been placed under the yoke of communistic tyranny. Yet we have unmistakable evidence that the yearning for freedom persists in the hearts and minds of these people. The wall of shame crudely constructed around East Berlin is one sign that the Russians have not destroyed the fervent hope of these oppressed peoples that their lives will once again be their own.

This is the abiding hope of the Congress, too. We publicly declared this in the captive nations resolution of 1959. The resolution specifically named the nations under Communist control and it marked the Soviet Union as the imperialist and aggressor. That the people behind the Iron Curtain heard these words and were encouraged by them cannot be doubted.

Even greater was their encouragement from the Presidential proclamation of 1959 and 1960. President Eisenhower participated wholeheartedly in this effort. His statements proclaiming Captive Nations Week were specific and hard hitting. People throughout the world were inspired by his endorsement of the captive nations cause.

The Kremlin's reaction to those proclamations was immediate. It revealed a great fear of the publicity which accompanied the proclamations. Communism cannot afford the truth and seeks to destroy it. Blistering verbal attacks were forthcoming from Premier Khrushchev and his minions but they could not obfuscate the issue nor miss its meaning.

But Soviet reaction was not the same in 1961 and 1962. What was lacking in our effort which produced such mild response from the Kremlin? Simply this: the statements proclaiming Captive Nations Week in 1961 and 1962 failed to mention the Communists. They failed to specify the nations we considered captive. In 1962 the proclamation was virtually lost amidst the bustle of midsummer White House activity. Thus, the Nation's attention was called more to White House plans for a vacation than to the plight of the captive nations.

The recent rumors of a secret deal between Washington and Budapest to drop the Hungary issue from the U.N. agenda in return for the release of leaders of the 1956 uprising are most disturbing. We can be certain that such an agreement would be a setback to the freedom-loving people of Hungary, too.

Instead of passing the customary resolution requesting Special U.N. Representative Sir Leslie Munro, of New Zealand, to continue his work of calling world attention to the Hungarian situation last fall, the General Assembly, on the motion of the United States, relieved Sir Leslie from his job and turned it over to Secretary General U Thant with instructions to "take any initiative he deems helpful in relation to the Hungarian question."

Sir Leslie, in his final report, protested that it was essential to keep the facts of the Hungarian situation before the world. We can be certain the Communists want nothing better than to divert the world's attention in the hope of at least hiding that sorry spectacle of its history, later—presumably—to bury it.

Today we find a tragic situation in Cuba, the newest of the captive nations. After fighting bravely for freedom, the Cuban people are oppressed more severely than ever in their history. The Bay of Pigs invasion was a fiasco; and the terms of settling the missile crisis last fall leave Castro in control. Though Cuba has fallen victim to Communist control, we must not accept her present status as permanent.

One of the most important psychological weapons in this cold war struggle, Captive Nations Week, has been blunted by the administration's reluctance to use it boldly and effectively. We must remember that brave people behind the Iron Curtain, in southeast Asia, and now in Cuba are looking to the free world for leadership in their unquenchable determination once again to become free and independent nations. They should not have to strain their eyes to see that leadership emanates from this land of ours, the citadel of freedom. The world should have a strong, forceful statement from the President of the United States this year as the time for Captive Nations Week approaches.

Mr. President, the occasion calls for renewed support of Captive Nations Week. We have no less reason now to endorse the captive nations resolution than existed in 1959. In fact, to its numbers we must add the people of Cuba.

It is for us to take the issue before the United Nations. The world needs to be forcefully reminded of the tyranny and oppression fixed upon the captive peoples by Communist Russia. Those who would compromise the issue of liberty and independence for these people for a so-called stabilization of peaceful conditions are sadly deluded. There is no peace without freedom. That body which the Soviet Union has found to be such a convenient sounding board for their propaganda should hear this issue.

Mr. President, I submit for appropriate reference a concurrent resolution which calls upon the President to take the steps necessary to bring before the General Assembly of the United Nations the issue of the denial of self-determination to the peoples of Estonia, Latvia, Lithuania, Poland, Hungary, Ukraine, Czechoslovakia, White Ruthenia, Rumania, East Germany, Bulgaria, Yugoslavia, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others, with a view toward the removal of all Communist controls, the return of exiles, and the holding of free elections in these countries. I ask unanimous consent that the concurrent resolution be printed at this point in the RECORD.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 20) was referred to the Committee on Foreign Relations, and, under the rule, the concurrent resolution was ordered to be printed in the RECORD, as follows:

> Whereas Estonia, Latvia, Lithuania, Poland, Hungary, Ukraine, Czechoslovakia, White Ruthenia, Rumania, East Germany, Bulgaria, Yugoslavia, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others have been deprived of their national independence by the imperialistic and aggressive policies of the Soviet Union; and
>
> Whereas the tyranny and oppression of the Communist regime have enslaved the peoples of these captive nations and suppressed their individual liberties and freedom; and
>
> Whereas the subjugation and domination of these peoples by an alien power constitutes a denial of their fundamental human rights and is contrary to the Charter of the United Nations; and
>
> Whereas the captive peoples have never ceased to strive for freedom and the right of self-determination; and
>
> Whereas it is vital to the security of the United States and the free world that the desire for freedom on the part of the peoples of the captive nations be steadfastly preserved; and
>
> Whereas the people and the Government of the United States share the aspirations of the captive peoples to be free and independent: Therefore be it
>
> *Resolved by the Senate (the House of Representatives concurring)*, That the President is hereby requested to take such action as may be necessary to bring before the General Assembly of the United Nations the issue of the denial of self-determination to the peoples of Estonia, Latvia, Lithuania, Poland, Hungary, Ukraine, Czechoslovakia, White Ruthenia, Rumania, East Germany, Bulgaria, Yugoslavia, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, Cuba, and others, with a view toward assuring—
>
> (1) that all Communist troops, agents, colonists, and controls are withdrawn from these countries;
>
> (2) that all exiles from these countries are returned from Siberia and released from prisons and slave-labor camps; and
>
> (3) that free elections are held in these countries under United Nations supervision.

USE OF FOREIGN LUMBER IN ANY CONSTRUCTION COVERED BY FEDERAL HOUSING ADMINISTRATION-INSURED MORTGAGES—ADDITIONAL COSPONSOR OF BILL

Mr. SPARKMAN. Mr. President, on February 14, 1963, I introduced a bill, S. 782, which would prohibit the use of foreign lumber or other wood products in any construction or rehabilitation covered by Federal Housing Administration insured mortgages.

My colleague, the senior Senator from Idaho [Mr. CHURCH] has indicated his desire to cosponsor this measure.

I ask unanimous consent that the RECORD show that Senator CHURCH is a cosponsor of this bill, and I further ask unanimous consent that his name be added as a cosponsor when the bill is again printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of February 6, 1963:

S. 719. A bill to amend the Tariff Act of 1930 to provide that polished sheets and plates of iron or steel shall be subject to the same duty as unpolished sheets and plates: Mr. CLARK.

Authority of February 11, 1963:

S. 772. A bill to provide for the desegregation of public schools, with all deliberate speed, including immediate nationwide first-step compliance, and for other purposes: Mr. CASE.

S. 773. A bill to prohibit discrimination in employment because of race, color, religion, or national origin: Mr. CASE.

QUOT HOMINES—TOT SENTENTIA

Mr. ROBERTSON. Mr. President, it is not surprising that the debate over the President's tax bill has evidenced a wide difference of opinion, which of course, is nothing new in a legislative body. In the Roman Senate, that fell under the general category of quot homines—tot sententia—so many men, so many opinions.

On the 17th day of last month, I expressed my opinion on the Senate floor that a tax cut without a substantial reduction in domestic spending would be an unsound economic policy, and I also challenged the efficacy of increased consumer spending as an infallible antidote for the current chronic unemployment.

During the past week, interesting viewpoints have been expressed—by an outstanding labor leader, Walter Reuther; by the President's chief economic adviser, Dr. Heller; and by the able editor of the Wall Street Journal. Mr. Reuther supports an immediate $10 billion tax cut, for the benefit of those in the low-income brackets, which he would superimpose on a spending program far above any that has been proposed by the President. Anyone who objects to this program or to the resulting deficit of $20 billion or more has, according to Mr. Reuther, an "18th century McKinley mind." The NAM, on the contrary, feels that what is needed is an incentive to the formation and effective use of capital, which would not be remedied by reducing taxes on those in the lower income tax brackets. Dr. Heller says that those who oppose continuous spending beyond one's income are suffering from the Puritan ethic. The Wall Street Journal has pointed out in an editorial, which I shall ask permission to have printed in the RECORD at the end of my remarks, that Dr. Heller's efforts to improve the economic bloodstream by bleeding it through deficit financing follow the medical thinking of the Dark Ages, when leeches were prescribed to cure anemia.

When this administration took office, it took the position that the budget should be balanced over the business cycle; while deficits might be permitted during economic slumps, these should be counterbalanced by surpluses during periods of prosperity. This policy was recommended both because it was desirable from a domestic point of view and also because it was the only policy which would prevent a disastrous run on the dollar as a result of the unfavorable international balance-of-payments situation.

But it seems that the time for a balanced budget is, like prosperity, always just around the corner. As was said in Alice in Wonderland, "Jam yesterday and jam tomorrow, but never jam today." We have had 24 months of economic expansion. Output, employment, income, and savings are at record levels. Unemployment in the fourth quarter of 1962 stood at 5.6 percent of the labor force. Of the total unemployed at that time—3,600,000 persons—713,000 were married women, and 380,000 were teenage boys. All the teenage boys in school and many of the married women were looking for only part-time jobs, and cannot be considered as unemployed in the ordinary sense of the word.

It seems to me that this is the kind of economic situation which provides an opportunity to balance the budget.

I am in favor of reducing taxes. It seems to me entirely clear that Federal, State, and local taxes are entirely too high. Too many business and personal decisions must be made on the basis of tax considerations, instead of being made on the merits. I think this is unfortunate, and I wish we did not have to have such high taxes. But I do not think we can possibly afford to reduce taxes at the cost of an unbalanced budget.

The Employment Act of 1946 imposes on the Government the responsibility to promote maximum employment, production, and purchasing power. In my judgment, we would do more to accomplish these objectives if we were to rely on free, competitive enterprise—if we were to give up most of the costly Government programs which seek to get Government agencies to do things which free, competitive enterprise can do itself more effectively and more cheaply. During this session of Congress I shall try to encourage and assist those who seek to reduce the role played by the Federal Government in the economic system and to strengthen and emphasize the role played by free, competitive enterprise. But I have my doubts as to how far we can go in reducing unnecessary programs and thereby giving an opportunity for a justified tax cut.

It seems to me clear that any tax cut at the present time—whether the one proposed by Mr. Reuther, or the one proposed by Dr. Heller, or any other—will be paid for only by an increased budgetary deficit at a time of record output, employment, income, and savings. I cannot agree with this. In my judgment, we would be wiser to rely on the Puritan ethic, not on medieval doctors prescribing leeches to cure anemia.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD editorials from the Wall Street Journal for January 30 and the Washington Evening Star for February 14.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Jan. 30, 1963]

LEECHES TO CURE ANEMIA

It was not long ago, as time runs in history, that physicians recommended curing every human ill from gout to pernicious anemia by bleeding the patient. The few who questioned the practice of leeching met the crushing retort that they were challenging the mainstream of informed medical opinion. And so they were.

Today the same retort is often hurled at anyone who questions the current doctrine that chronic Government deficits are good—nay, even miraculous—economic hygiene. Recently Dr. Walter Heller, Chairman of the Council of Economic Advisers, used it quite effectively in response to some criticisms of the administration's budget, tax and monetary policies.

"I think what you are challenging," said Dr. Heller to his critic, "is really the mainstream of economics. I don't think you are challenging merely the policy of one administration."

If by the phrase "mainstream" Dr. Heller means the economic views which dominate our times, then Dr. Heller is right. At least the voices heard most loudly, in the academy or in public life, are those of economists who tell us we need never worry about big Government deficits.

Certainly he is right that anyone who questions all this is not challenging merely the policy of the administration now in power.

There have been, of course, other voices, and not all of them eccentric editors or simple-minded people mindful of what Dr. Heller calls the Puritan Ethic or quoting maxims of McGuffey's Reader. Indeed, more and more theoretical economists with inpeccable credentials have lately spoken out against the new economics, so that it is no longer wholly disreputable to do so. There are even signs that the mainstream of economic thinking is already changing.

But be the alinement of opinion as it may, it is all beside the point. Policy, which is thought put into political action, may be determined by the number of people who endorse it; a division by the numbers has nothing to do with the truth or falsity of an idea.

What the public has now somehow to determine for itself is the truth or falsity of an idea. This idea, as wrapped up by Dr. Heller and put forward by the President, is that the way to cure a professed anemia of the economy is to prescribe for it the biggest peacetime Government deficit ever deliberately planned by any administration.

This idea is presented with much plausible reasoning. A modern economy is more active when there is more spending within it than when there is less. Therefore, so the reasoning goes, the right prescription is for the Government to spend more money. Since there would be little gain if the Government took away from the people the same money it is going to spend, the Government must pump into the economy money that was not there before.

In practice this means that the Government must run a deficit, and a big one, and finance that deficit by having the banking system create more dollars out of the Government's paper. That is why the President proposes both a tax cut and bigger spending in the same breath.

This is a heart-appealing doctrine. How wonderful it would be if all that was required for prosperity and growth was for the Government just to increase our money supply and spend it. For then the thing would be simplicity itself. Then we could have still more tax cuts and still more spending to make still bigger deficits and we'd have the world by the tail.

But is it true?

Is it true that chronic deficits are harmless? Or that the cure for years of deficits is the greatest peacetime deficit ever planned? Does a nation burdened with an imbalance of international payments, a steady loss of its gold reserve, a heavy burden of defense costs, a public debt larger than the world has ever seen—does it solve all these problems by printing more money to spend abroad as well as at home, making its public debt even larger and giving our creditors more reason to trust the value of our gold than the value of our dollars?

Is it true that the United States has somehow found the magic way to avoid forever the day of retribution which has come at last to every nation before us that has followed such a policy?

Now perhaps all of these things are true, as Dr. Heller and many others tell us. But the point of the public discussion is the question of their truth or falsity, not how many men preach them. Bad medicine remains bad medicine though leeches be prescribed by every doctor in the land.

[From the Evening Star, Feb. 14, 1963]

THE BASIC PURITAN ETHIC

Chairman Walter Heller, of the President's Council of Economic Advisers, is both surprised and disturbed over what he calls the basic Puritan ethic of the American people as reflected in their wariness about supporting a tax cut for themselves. He told the House-Senate Economic Committee that there would have to be a greater public education in economics to make clear to these cautious folk the wisdom of a tax cut while the Federal budget is deep in red ink. Mr. Heller is not frightened, of course, by budget deficits and he is confident that the administration's plans to cut taxes—for some of the people, if not all of the people—will lead to higher consumer spending, faster economic growth and more employment.

Without disputing this latter thesis at the moment, we still have a feeling of some respect for a basic Puritan ethic that prompts some Americans to believe that there is virtue in living within one's income. It is a comfortable state of affairs when it can be achieved, and we just hope that the day (or the fiscal year) will come when the Federal Government can accomplish the same.

CRITICISM OF U.S. FOREIGN POLICY

Mr. GOLDWATER. Mr. President, notwithstanding the order that statements made during the morning hour be limited to 3 minutes, I ask unanimous consent that at this time, in the morning hour, I may proceed for 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GOLDWATER. Mr. President, over the weekend my esteemed colleague, the Senator from Arkansas [Mr. FULBRIGHT] issued a statement in which he took exception to remarks made by myself, by Governor Rockefeller of New York, and by the Senator from Pennsylvania [Mr. SCOTT]. The Senator from Arkansas coupled some intemperate observations about "divisive partisanship" and "irresponsibility" with a curious plea for nonpartisanship in the conduct of American foreign policy.

The statement by the Senator from Arkansas was in the form of a press release issued to the Sunday newspapers. It had all the earmarks of an action hastily ordered by the White House, in line with the current campaign to shut up all critics of the New Frontier's shortsighted and disruptive foreign policy, and, in particular, to silence all Republican opposition. It is interesting to me that the erudite chairman of the Senate Foreign Relations Committee should want to argue this point in the press rather than on the Senate floor. With his long-held interest in the gentle art of diplomacy, it must have occurred to the Foreign Relations Committee chairman that selective charges of the kind he aired in the Sunday newspapers are the last way to effect any degree of nonpartisanship in the area of foreign relations. This merely bears out what Republicans have been contending all along: that the Kennedy administration wants no part of a bipartisan approach to foreign policy—except when the administration gets into trouble.

Mr. President, Republicans are never consulted on New Frontier foreign-policy decisions before they are made; and I see no indication that the New Frontier's leaders in the Congress are doing anything to further nonpartisanship. The Senator from Arkansas [Mr. FULBRIGHT], who all of a sudden has remembered the bipartisan tradition of Senator Vandenberg, has not seen fit to bring about a better balance between Republican members and Democratic members of the Senate Foreign Relations Committee; and I am sure the staffing of the committee does not reflect any excessive spirit of bipartisanship.

It is only when something goes wrong that the Democrats remember what they call the Vandenberg tradition. Then they would like everyone to close ranks and outface the world with the solid assertion that "the Kennedy administration can do no wrong, because the Kennedy administration represents America." At such times, according to the Fulbright argument, the so-called loyal opposition is expected to withhold criticism, in the name of nonpartisanship; or, if we are to listen to Senator FULBRIGHT's partner in this administration attempt—Undersecretary of State George W. Ball—we are supposed to shut up completely.

But this applies only when the Democrats are running the Nation's foreign policy. Certainly there was no moratorium on criticism from the Democrats during the Eisenhower administration. As the distinguished columnist for the Washington Star, Mr. Gould Lincoln, wrote only last Saturday:

> What was the attitude of President Kennedy and Adlai Stevenson, U.S. Ambassador to the U.N., of the Democratic Advisory Council (was included many of the most prominent figures in the Democratic Party) regarding the Eisenhower administration and its dealings with friend or foe? What did they have to say about failures of the United States? They heaped criticism for years on the Republican President for, as they said, loss of friends and loss of U.S. prestige abroad. Where was the rush to the defense of the country? Or did these spokesmen lay the blame on President Eisenhower and his Secretaries of State John Foster Dulles and Christian Herter?

Mr. President, it comes with ill grace for the Senator from Arkansas [Mr. FULBRIGHT] to argue for the Vandenberg tradition to those of us who remember President Kennedy's election campaign, who remember the U-2 incident and the planned breakup of the Paris summit conference, who remember Stevenson's castigation of the U.S. Government for what he termed "a series of blunders."

Mr. President, I am sure Senators remember that when Republicans were calling attention to the original Soviet missile buildup in Cuba—that is, before President Kennedy finally acknowledged the emergency—at that time, everyone who criticized the indecision and timidity of the Kennedy administration was automatically labeled "a Republican extremist." Now today everyone who criticizes the Kennedy administration is merely Republican. The base is broadening, but apparently it is too much to expect administration spokesmen to include among the so-called irresponsible members of the President's own political party or that great segment of the American people who share the Republican belief that we are on the wrong track.

The Senator from Arkansas [Mr. FULBRIGHT] appears greatly upset over Republican attacks on the administration's foreign policy. But I can hardly believe that he is so poorly informed on foreign policy matters that he has not heard how the Democratic Senator from Connecticut [Mr. DODD] feels about our policy in the Congo, or how the Democrats, the Senator from Mississippi [Mr. STENNIS] and the Senator from South Carolina [Mr. THURMOND] feel about Cuba. I cannot believe that the Senator from Arkansas [Mr. FULBRIGHT] has overlooked the fact that criticism of the administration's handling of the Cuban problem and other foreign relations matters is completely bipartisan—primarily because that criticism stems directly from the feelings of the American people. By singling out Republicans in his ill-advised press release on Sunday, the Foreign Relations chairman did more to try and make this whole thing a strictly partisan question than any Republican critic of administration policies.

In this morning's paper, the Senator from Arkansas [Mr. FULBRIGHT] is quoted as stating that Republican badgering could push the Government into taking unwise action in Cuba. This is an amazing statement. Not only does it suggest that every bit of criticism over the administration's policy in Cuba is Republican, but it holds out the prospect of the New Frontier's taking unwise action for political reasons. I say that if the Kennedy administration can be badgered into taking unwise action, that is, action that runs counter to the best interests of the American people, for any reason at all, then it has no business holding office. I am amazed that the Senator from Arkansas has so little faith in the administration of which he is a part.

And at the very moment when the Senator from Arkansas was worrying about Republican badgering over Cuba, a prominent Democrat—the Senator from Mississippi [Mr. STENNIS], chairman of the Senate Preparedness Subcommittee, was on a nationwide television demanding that the administration make the elimination of Soviet troops from Cuba its No. 1 foreign policy project.

I believe it is reasonable to ask, in this connection, why the administration never takes any kind of stand with regard to Communist Cuba until the Republicans begin translating the will of the American people. It can be recalled that long before the President acted last October, Republicans repeatedly had called for a blockade to halt the Soviet arms buildup in the Western Hemisphere. I suggest that if the administration had listened to Republican advice immediately following the Bay of Pigs fiasco, there never would have been a missile crisis, an East-West confrontation and the danger of nuclear war. If Cuba had been blockaded in 1961, we would not today be worried about the presence of 17,000 Russian troops, 102 Mig fighters, armored divisions, and all the rest—because they would not be there.

But the problem is with us now—and it is going to remain with us until the Kennedy administration dredges up enough gumption to do something to end it once and for all. It will not be easy—not nearly as easy as it would have been 2 years ago, or even last October, for that matter. But I believe a new and different kind of blockade—a blockade of all shipments of any kind to Castro's Cuba—would be the way to start. And I say this fully realizing that the timid souls along the New Frontier will raise their arms in horror and insist that GOLDWATER wants to get us into war.

Mr. President, let me say that Republicans collect a lot of abuse from the administration and its apologists because of their consistent stand against a Soviet bastion in the Western Hemisphere. But this is a small price to pay for the privilege of representing the heartfelt wishes of the American people in a way that may prod the national administration into a realization of our danger.

But this hardly qualifies us for charges such as those contained in Senator FULBRIGHT's statement.

Let me quote one of these passages verbatim:

> It would be a tragedy of incalculable proportions if, despite the failures of their own efforts, the Communists were to realize their

aims as a result of the excesses and shortsightedness of partisan politics in our own country.

Now, Mr. President, this is a mealymouthed way of saying that Republicans who criticize policies of the Kennedy administration are more dangerous to the country than the dangers of communism itself. This is not only completely ridiculous, but it is a tactic which I suggest is unworthy of the chairman of the Senate Foreign Relations Committee. It is a tactic which has, in the past, been severly condemned on the floor of the Senate and which should be condemned again. Any suggestion that Republicans who sincerely and deeply oppose certain foreign policy approaches of the administration are siding, wittingly or unwittingly, with the enemy is as disgraceful as it is irresponsible. Republican opponents of the New Frontier's foreign policies have only one thing in mind—the good of the American people and the safety of the Nation. And no collection of strictly partisan charges leveled by the Foreign Relations chairman to silence criticism of the administration will change the situation.

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Montana.

Mr. MANSFIELD. Mr. President, I listened with much interest to the statement made by the distinguished Senator from Arizona and his attack on the statements made by the distinguished chairman of the Foreign Relations Committee during the past weekend.

I am sorry the Senator from Arkansas [Mr. FULBRIGHT] is not present at the moment. But I would call to the attention of my friend, the Senator from Arizona, that one of the things which the Senator from Arkansas [Mr. FULBRIGHT] wanted to do was to keep the Senate Committee on Foreign Relations this year at exactly the same membership ratio that obtained last year. In other words, the Senator was interested in keeping the committee bipartisan. He was interested in seeing to it that Republicans, despite the difference in ratio, were given the same proportion of representation this year that they had last year. I bring that point to the attention of the Senator from Arizona because he indicated at the beginning of his remarks that the chairman of the Foreign Relations Committee, the Senator from Arkansas, did not believe in bipartisanship, that he had sounded the death knell to the Vandenberg tradition, and had in some way sought to bring about a change in the ratio of the membership of the Foreign Relations Committee.

In the opinion of the Senator from Montana—and I am sure also in the opinion of the Senator from Arkansas—the matter of criticism is an important one. Criticism should not be withheld, but criticism should not be made merely for the sake of criticism. It should be made with the idea in mind that it would be constructive and that alternatives would be offered. I noted that the Senator from Arizona indicated he believes there is an alternative. He has advocated a total blockade of Cuba at this time.

As far as criticism by Republicans is concerned, I wish to say that they are not supposed to remain silent. They are not supposed to shut up. But they are supposed, I would assume, to speak when they have definite information, to talk in a vein toward making our country more solid and more secure, and to do so in a manner which would not in any way bring about a divisiveness in the Nation.

I am glad that the Senator from Arizona stated that the Republicans believe in what is good for the American people and what is in the best interest of the security of our Nation.

The Senator made reference to criticism of the Eisenhower administration by Democrats. I believe I can say without contradiction that, as far as criticism on the floor of the Senate during the two Eisenhower administrations was concerned, it was conducted at a high level. To my knowledge, there was no criticism, except perhaps in minor instances, for the sake of criticism. When criticism was offered, it was made in an attempt to be constructive and to offer possible alternatives.

The Senator from Arizona mentioned the fact that the Democratic Advisory Council on occasion issued statements criticizing the Eisenhower administration quite severely. I point out that at that time the Democratic Advisory Council had no connection whatsoever with either the House of Representatives or the Senate, and what the members of that council did, they did on their own responsibility, just as what we did in the Senate we did on our own responsibility.

The Senator from Arizona also referred to the fact that Democrats stated during the Eisenhower administration that during that administration there was a great loss of friends and a great loss of prestige. But I would point out to him that some days ago Republicans likewise issued a number of statements which I think could be considered in somewhat the same category.

For example, if I recall correctly, the present administration was accused of being responsible for a sweeping wave of anti-Americanism in England, in France, and in Canada. I disagree with that statement. While there is a certain amount of anti-Americanism in all those countries, I think that it is not something new.

A question was also brought up about the Democratic position on the Indian acquisition of Goa and the loss of west Irian or west New Guinea to Indonesia. I heard no criticism on the floor of the Senate at that time.

I would say that what we have seen here this morning is a case of the pot calling the kettle black. I would call to the attention of the Senator from Arizona the fact that the Republican leadership of both Houses, to my knowledge, has been called to the White House, in the little more than 2 years of this administration, in excess of 40 times, to be briefed on what were the foreign policy difficulties at the moment. They were asked for their advice and counsel, and at times it was forthcoming and at other times it was not.

But this is not a case of the Republicans—using the words of the former minority leader and majority leader, former Senator Knowland—being in on the crash landing and not being in on the takeoff. They have been very well informed by this administration.

I, for one, have no apologies whatsoever to offer for what the administration has done in its little more than 2 years in office. I make these statements because I think the Senator from Arizona should be answered. I hope these statements will be given the consideration which I think both statements deserve.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GOLDWATER. I am very happy to hear the majority leader acknowledge that the opposition not only has a right but also a duty to perform in calling the attention of the public to the mistakes which they feel are made by the party in power.

Mr. MANSFIELD. If the Senator will yield at that point——

Mr. GOLDWATER. I can assure the Senator that we intend to continue this.

The Senator made some reference to the fact that we should make these criticisms only when we have some alternatives to offer. I might suggest to the distinguished majority leader that during last summer and early last fall, through September, we were asking for a blockade of Cuba. Finally the President of the United States saw fit to follow our suggestions. I think he was very wise. We backed him to a man. I do not think any President in the history of this country has ever enjoyed a more thorough or stronger backing than the President received from Democrats and Republicans alike in that particular period.

I call the attention of the distinguished majority leader to the fact that in the last week, after constant prodding by the distinguished Senator from New York [Mr. KEATING] and others, including members of his own party, the administration did what should have been done a long time ago—it told the truth about Cuba, as to the number of Soviet troops.

So I think that the loyal opposition, if we are to call ourselves that, has been extremely loyal. I think we have followed the line of decency in our comments. I think we have not "gone off halfcocked." I think we have reported the truth.

I am very happy that the administration last week was finally put in the position of having to tell the American people about the number of Soviet troops in Cuba, and the equipment they have.

Mr. MANSFIELD. Will the Senator yield there?

Mr. GOLDWATER. I do not care to comment further on the Senator's answer. I am glad he gave me the opportunity to defend further the Republican Party.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I should call to the attention of the distinguished Senator from Arizona the fact that when I referred to criticism by the opposition I was not talking about criticism for criticism's sake, but criticism of a constructive nature which would help the administration, exactly as criticism by Democrats during the Eisenhower administration was made by and large with the purpose in mind of helping that administration.

After all, this is only one problem of many which confront the President, who is supposed to look after the foreign policy interests of this country—and who does. He has to consider not only Cuba, Latin-America, Africa, and Western Europe, but also the Middle East, Southeast Asia, Taiwan, Korea, and other places as well. His responsibilities are both onerous and tremendous.

The comment about the backing given by the Republicans and by all Americans in reference to the situation last October is true. There was a wholehearted backing on the part of the American people of the stand taken by the President at that time. But before the President took that stand he had been absolutely assured and reassured by the intelligence chiefs in the Nation's Capital that the initial information brought to his attention was correct. Once he was satisfied in his mind that the photographs indicated what he was told they meant—when he was sure of it—then he called in the leadership, told them what his policy would be, and got their unanimous support.

The Senator from Arizona has indicated that he is glad that the administration made the television appearance to the people a week or so ago. Frankly, I am a little sorry that it was forced, in a manner of speaking, to show all this detail which has to do with intelligence, because I do not think that it is good for the country, nor do I think it is bad for our enemies, because they could tell from the photographs which were shown to the American people exactly what the situation is, and it is possible they did not have all this information before.

I think one can go too far in dispersing confidential intelligence information, and I think information of that type has to be guarded in a secret manner—as a matter of fact, in a supersecret manner.

I did not see the McNamara TV show, but I would assume that much of that which was shown at that time was shown to both the Democratic and Republican leadership at the meetings held at the White House at the instance of the President of the United States.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GOLDWATER. I might make one other observation; that this whole matter of Cuba was not brought up by the Republicans. I suggest that the matter of Cuba—the Bay of Pigs, et cetera—was pretty much a closed book in this country until the Attorney General took it on himself, for his own reasons, which we do not know, to try to change history. The Republicans could not let that ride. So I put the blame for this whole thing on the Attorney General, for ever having opened up that which was to all of us a closed book.

I wish to remind the distinguished majority leader that the President of the United States is my President as well as his. I wish for him nothing but the best, because when he has the best we shall have the best operation of the country. The country belongs to the Republicans as well as to the Democrats. We are as anxious as the Democrats to see this country happily going down the road to prosperity and peace.

I am glad today to see the majority leader recognize that it is not only a duty but also an obligation of the Republican Party to stand in opposition when we feel it is right, exactly as the distinguished majority leader felt that it was the duty of his party to stand in opposition when his party was the minority party.

I believe that this kind of two-party system in our country, operating throughout the country and through our National Legislature, can bring information to the people that they should have.

I might say that I agree in some essence with the comment made by the Senator from Montana about not making some of this type of material available, but I must suggest that this information has been pouring into this country from foreign countries and from sources other than our CIA. The revelations of the CIA and Secretary McNamara were no secret. We did not learn anything from them.

But I am very glad that the air has been cleared. I can assure the Senator from Montana that, so far as the junior Senator from Arizona is concerned—and I am sure I speak for other Republicans—we do not intend to indulge in baseless charges or in the use of rumor. If we did, we could be at it 24 hours a day, for the rumors and information are that plentiful.

In closing, let me again thank the majority leader for recognizing the role of the Republican Party in this whole scheme of things.

LONGSHOREMEN'S SELFLESS BATTLE AGAINST RED SHIPPING TO CUBA

Mr. PROXMIRE. Mr. President, an American trade union's opposition to trade by Communist countries with Cuba has developed in an extremely interesting way. The fact is that in 1962, 92 Yugoslav ships and 55 Polish ships called at U.S. ports. In protest against the heavy traffic to Cuba by Yugoslav and Polish ships, the International Longshoremen's Association has refused to load the ships of these countries. This has been a selfless act because it cost the jobs of ILA union members. Seventy-five ships have not been loaded. It means union members have suffered for having taken this action in pursuit of American foreign policy goals as the ILA sees them.

This morning's Wall Street Journal has an excellent article discussing the union ban on Yugoslav and Polish ships.

I ask unanimous consent to have the article printed. It is particularly pertinent because the Wall Street Journal indicates that White House pressure has persuaded the dock union to lift the ban for the coming week. It will be interesting to hear from the State Department why the pressure was put on the ILA to ease off on this Communist trade with Cuba.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOCK UNION'S BAN ON YUGOSLAV, POLISH SHIPS IS DELAYED—WHITE HOUSE PRESSURE IS CITED

(By Richard R. Leger)

NEW YORK.—Citing pressure from the White House, the head of the International Longshoremen's Association temporarily halted the union's plans to put into effect this week a sweeping boycott of all Yugoslavian and Polish ships.

Capt. William V. Bradley, president of the ILA, said he agreed, after receiving a phone call from George Meany, president of the AFL–CIO, to postpone the boycott until ILA leaders discuss the boycott with Mr. Meany and the State Department in Washington. The meeting will possibly be held tomorrow.

Captain Bradley said Mr. Meany told him the White House was disturbed at the action the ILA had planned.

The boycott by the ILA, planned because the dock workers' union learned Yugoslavian and Polish ships had been calling at Cuban ports, would mean that 150 Yugoslavian and 139 Polish vessels would be unable to load or discharge cargo at U.S. ports from Searsport, Maine, to Brownsville, Tex.

The two Communist countries were fairly active in calling at U.S. ports last year. Yugoslavian vessels called 92 times and Polish ships stopped 55 times at the Port of New York in 1962.

Captain Bradley said the ILA had received a phone call from the State Department last Thursday. "They said it would be as bad as our strike because so many ships would be involved," Captain Bradley said.

The 100,000-member union paralyzed Atlantic and gulf ports with a strike from December 23 to January 26. The strike ended when both sides accepted a settlement proposal by Senator MORSE, Democrat, of Oregon.

At least one ILA official was still optimistic the boycott would still be put into effect. John Condon, legislative director of the ILA and organizer of the ILA's boycott program, said, "Our executive board would have trouble answering to the rank and file if they stopped the boycott now."

SQUEEZING CUBA HARDER

The union started its boycott program October 8, shortly before President Kennedy ordered a naval blockade of Cuba following the discovery of Russian missile bases there. But while the Government long since has called off the blockade, the ILA is squeezing Cuba harder than ever.

The ILA's first step was to try to bar from the gulf and Atlantic ports, where its members work, all ships of any shipping line participating in Cuban traffic. This was effective in reducing travel to Cuba by free world ships, but vessels from Communist countries kept up shipments. The ILA was hindered in using its boycott against Red ships because it often didn't know which of the state-owned shipping lines were calling on Cuba.

But last week the union announced it would boycott all vessels of any Communist country known to be sendings ships to Cuba. The first results of this policy were to be the bans against Yugoslavia and Poland. The Yugoslav Embassy in Washington already has told the ILA that the movements of Yugoslav ships are controlled by "various Yugoslav enterprises," not the Government. But the ILA insists that President Tito's government really owns the ships.

The ILA's boycott is far tougher than the new policy on Cuban traffic announced by Mr. Kennedy earlier this month. The President merely barred the shipment of U.S. Government-financed goods aboard any foreign vessel that had been to Cuba since January 1, unless the shipowners involved promise not to send their vessels to Cuba again.

Aside from publicity, the ILA doesn't stand to gain from the boycott. It cuts work for longshoremen. Mr. Condon says the boycott has directly stopped 75 ships from being loaded or unloaded so far. But despite its apparent lack of self-interest, the ILA has come under heavy criticism for the boycotts.

"I think it's a grave situation when an American union takes the country's foreign policy into its own hands," says one shipping industry official. "There's no telling where this may stop."

PROBLEMS FOR SHIPOWNERS

The State Department, which until this weekend had been silent on the ILA boycotts, now has called them "not helpful." But the union has interpreted the Government's long silence as approval of its action: "We feel that their not telling us to stop this is, in effect, cooperation," comments Mr. Condon. "But if the Government asked us to stop what we're doing, I doubt that we would. And in America there's no way that they could make us stop."

The ILA boycott causes serious problems for shipowners, many of whom are foreigners, and the brokers who arrange cargoes for vessels. "All commercial charterers or shippers now require guarantees in all contracts to preclude ships not being loaded by the ILA once they charter it," explains Mack Klosty, president of the Association of Ship Brokers and Agents.

The protective clause demanded by a leading grain exporter requires the shipowner to guarantee that neither the vessel being hired, nor any other vessel of "the same ownership, operation or control," has "entered any Cuban on Communist-bloc port or place after September 1, 1962," or "will enter any such port or place prior to completion of loading under this charter party."

"A considerable number of opportunities to complete a charter have been missed because of the past history of some vessels," says Mr. Klosty. A simple check with the ILA to see if a ship is on its blacklist isn't enough, since the list is always changing. Thus, brokers such as Mr. Klosty must run their own investigations and ask assurances from owners that their ships haven't touched Cuban ports.

At one time last fall the ILA's blacklist contained the names of some 300 ships. The list dwindled to 30 as one shipowner firm after another promised the union its ships would steer clear of Cuba and was rewarded by having its vessels stricken from the blacklist.

But the number of banned ships will shoot up again soon. The union is preparing a new blacklist based on a list of free world shipping to Cuba recently released by the U.S. Maritime Administration. The new blacklist will add the ships of some 25 firms—including Swedish, Italian, Dutch, British, and West German shipping concerns—to the group subject to ILA boycotts.

The ILA is now pressing the Government for a list of all ships going to Cuba, so it can enforce its new blanket ban on shipping of Communist nations which send vessels to the island. "Once the lists are released we could do a more thorough job stopping the loading of ships that called on Cuba and have a 100-percent boycott," says Mr. Condon.

STATE'S 7 FATEFUL DAYS

Mr. PROXMIRE. Mr. President, I also ask unanimous consent to have printed in the RECORD an article entitled, "The Department and the Cuban Crisis," written by Frank A. Sieverts, who was my legislative assistant until recently, but who is now special assistant to the Assistant Secretary for Public Affairs in the State Department. He writes an article telling what happened in the crucial 7 days from the time the State Department discovered for certain that there were offensive Russian missiles in Cuba until the President's speech. It is an excellent article written by an extraordinarily able young man. The article appeared in the December 1962 issue of the Department of State News Letter.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE DEPARTMENT AND THE CUBAN CRISIS

(By Frank A. Sieverts, Special Assistant to the Assistant Secretary for Public Affairs)

The initial moves of the Cuban crisis—and the means chosen by the United States to respond—are in the public record. Less well known is the part played by the Department of State in the early phase of the drama.

It is a story of preparations for major diplomatic initiatives closely coordinated with military efforts on the high seas, of worldwide communications conducted at high speed under drumtight security.

The preparations involved several branches of the Government, each of which became a focal point for part of what happened. To some extent each viewed the course of events from the perspective of its responsibilities. Each has an important story to tell.

Little is known about what went on during the week leading up to the President's televised speech because, as the President stated at his November 20 press conference, "Until we made the announcement on the quarantine on Monday afternoon (October 22)—this matter was kept in the highest levels of Government."

At first only half a dozen people in the State Department, and equivalent numbers in other branches of the Government, knew the full details of the Cuban situation. The reasons for the security precautions were stated by the President on the same occasion: "It would have been a great mistake, and possibly a disaster, if this news had dribbled out when we were unsure of the extent of the Soviet buildup in Cuba and when we were unsure of our response and when we had not consulted with any of our allies."

Much of the chronicle can now be told, and to do so may provide useful knowledge about the interior functioning of the State Department in a period of high stress.

The story begins Monday evening October 15—7 days almost to the hour before the President addressed the Nation. The "readout" on aerial reconnaissance photographs taken the previous day revealed that medium-range ballistic missiles of the mobile type paraded at May Day celebrations in Moscow were in place in Cuba.

During the evening the information was relayed to principal officers of the White House, the Department of Defense, and the Department of State. Secretary Rusk took the call during a formal dinner for German Foreign Minister Schroeder. Assistant Secretary for Inter-American Affairs Edwin M. Martin was reached at the National Press Club, just as he finished an address on the Cuban situation to the Washington, D.C., Chapter of Sigma Delta Chi—the journalism fraternity. A number of key persons got the message during an informal party at the Fort McNair residence of Gen. Maxwell Taylor, Chairman of the Joint Chiefs of Staff.

At 9 a.m. Tuesday morning October 16, the President was briefed on the intelligence gleaned from the photographs. He convened a meeting at the White House, the first of many with the interdepartmental policy group set up to deal with the crisis that the pictures implied, and decided to sharply increase reconnaissance of Cuba.

The meeting was attended by the Vice President, the Secretaries of State, Defense, and Treasury, the Attorney General, and top officials from the State and Defense Departments and the intelligence community. The main participants from the State Department in the policy deliberations that day and on subsequent days, besides the Secretary, were: Under Secretary George W. Ball, Deputy Under Secretary for Political Affairs U. Alexis Johnson, Assistant Secretary Martin, Ambassador at Large Llewellyn E. Thompson, and U.N. Ambassador Adlai E. Stevenson.

The next 3 days were a "blur of meetings," according to one participant, partly at the White House and partly, when the President did not attend himself, at the State Department in Under Secretary Ball's conference room. It was a period of full and free discussion that Secretary Rusk has since described as "boxing the compass of possibilities."

To limit the possible spread of information during this period senior officers did their own typing; some of the Secretary's basic papers were done in his own handwriting. Under Secretary Ball and Deputy Under Secretary Johnson took turns staying at the Department through the night so that a senior officer who was taking part in the policy deliberations would be on duty at all times.

At 5 p.m. Thursday the President met with Soviet Foreign Minister Gromyko at the White House, with Secretary Rusk and Ambassador Thompson present. A dinner was given that evening for Mr. Gromyko at the State Department. While the dinner was in progress, the policy group of principals continued to meet in Under Secretary Ball's conference room. Defense Secretary Robert S. McNamara and his Deputy, Roswell Gilpatric, seen arriving at the Department, were assumed by reporters to be en route to the dinner. At 10 p.m. the President called the group into conference with him. To avoid attracting attention to their cars, nine of them rode to the White House in one automobile. At this meeting the final consensus began to develop.

Thursday and Friday key aids were brought in to advise on the legal implications of a quarantine and other subjects. As the outlines of the probable course of policy became clear, working groups were established within the planning group. Friday afternoon our ambassadors to Latin American countries who were in the United States were ordered back to their posts. Late that night the first draft of the President's speech was written.

The 4 days of discussion, planning, and preparations came to focus Saturday afternoon, when the President convened his policy group in the Oval Room at the White House. A detailed intelligence briefing was given and aerial photographs were exhibited. The President decided to institute a defensive quarantine to halt introduction of offensive weapons into Cuba as quickly as possible, but taking into account the need to notify our allies, to make the necessary military preparations, and to secure the legal authority stemming from a resolution of the Organization of American States. The President's television address was set tentatively for 7 p.m. Monday, designated "P" hour. There remained the possibility of acting sooner if security was breached. The final decision was to be made by the President at 10 a.m. Sunday.

That evening began 48 hours of round-the-clock work at the State Department. Senior officers took direct charge of operations temporarily, making less use than is normal of subordinate officers. A detailed scenario was drawn up by Deputy Under Secretary Johnson, scripting the anticipated sequence of events hour by hour. Instructions to Latin American posts were written by Assistant Secretary Martin and transmitted late Saturday night, subject to a "go" signal Sunday or Monday

In a city brimming with curiosity Sunday, the executive secretariat staff and key Bureau personnel were summoned to the Department, fashioning explanations or excuses as best they could under the rigid security conditions. Messages explaining the proposed course of action had to be prepared for transmission to all posts. The quarantine proclamation and the proposed Security Council and OAS resolutions had to be drafted. Former Secretary of State Dean Acheson who had participated in the policy discussions earlier in the week, was briefed for his mission to France and NATO. Close liaison was established between the Operations Center in the State Department, the War Room at the Pentagon, and the Situation Room at the White House. Steps were taken to secure and speed message traffic relating to the crisis.

Sunday night detailed instructions were cabled to all Ambassadors. The text of the President's speech with a covering letter to Premier Khrushchev was sent to our Moscow Embassy for delivery to the Soviet Foreign Office 1 hour before the President was to speak.

The President's letters to Prime Minister Macmillan, President de Gaulle, Chancellor Adenauer, Prime Minister Nehru, Prime Minister Diefenbaker, Prime Minister Fanfani, Berlin Mayor Brandt, and others were transmitted. In total Presidential letters were sent to 43 heads of government.

During the weekend the State Department transmitted messages, letters, and documents to 441 recipients. All messages had to be sent in code, nearly all top secret, straining the Department's communications facilities to the limit.

The cable traffic was so heavy that there was some uncertainty as to whether all messages had gotten through to the designated recipients. To verify that the telegrams had been received, telephone calls were made to some posts on Monday to check that scheduled actions and precautions would be taken.

On Monday, October 22, the President formally established the Executive Committee of the National Security Council and asked it to meet with him daily at 10 a.m.

When the "go" signal was transmitted our Ambassadors notified the Government to which each was accredited that they would have a message to convey 1 hour before "P" hour.

At noon, the White House requested air time from the radio and television networks and announced that the President would make an important statement at 7 p.m. Nine radio stations agreed to broadcast the speech in Spanish to Latin America. During the day revisions in the speech text were transmitted, as were proposed changes in messages to heads of government. Preparations continued for our initiatives in the Security Council and the OAS.

The Cabinet met at 4 p.m., and at 5 p.m. congressional leaders were briefed at the White House. At 6 p.m. Secretary Rusk called in Soviet Ambassador Dobrynin. At 6:15 p.m. Under Secretary Ball and Director of Intelligence and Research Roger Hilsman briefed 46 allied Ambassadors in the State Department International Conference room.

Briefings were also held for Ambassadors of nonalined nations and the press, and Assistant Secretary Martin had a separate meeting with OAS Ambassadors. Aerial photographs showing the missiles and other offensive weapons in Cuba were shown at each briefing.

At 7 p.m. the crisis became visible as the President began to speak.

SENATOR NELSON'S GREAT CONSERVATION RECORD

Mr. PROXMIRE. Mr. President, the former Governor of Wisconsin, now my junior colleague, GAYLORD NELSON, is one of the outstanding former Governors of the country. He has a truly great record on conservation, a record which has not been given adequate national consideration.

The Wisconsin AFL–CIO Convention carried an extraordinary article about GAYLORD NELSON and his conservation record in its recent report. I ask unanimous consent that the report be printed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

CONSERVATION COMMITTEE PRELIMINARY REPORT, WISCONSIN AFL–CIO CONVENTION, 1962

For too long the working people of Wisconsin have allowed the conservation of our natural resources to be the sole concern of fishing and hunting clubs, often dominated by wealthy employers.

Yet many of our members are dedicated conservationists who delight in the pleasures of camping, boating, fishing, hunting, hiking, and other outdoor recreational pursuits.

Today everyone with a 2-week vacation knows that outdoor life in Wisconsin is at the crossroads. The stork with its bountiful crop of babies each year and the union contract with its 2- and 3-week paid vacations, have each in their own way added to the problem.

Gov. GAYLORD NELSON has provided enlightened and vigorous leadership in conservation.

"Each of us," Governor NELSON told the legislature last year, "can recall a favorite picnic spot that is now a housing development, a wonderful duck marsh that has been drained for farming, a scenic highway stretch that is now cluttered with billboards and roadside stands, a once-secret trout stream that is no more, or a peaceful lake that has been encircled and closed off by private landowners, or overrun and heavily pressured by powerboats."

The Wisconsin labor movement has a long and distinguished record in public service. Our support for conservation flows from this long and good tradition.

Our members have jobs which depend on the sale of outboard motors and camping equipment. Our members build the resorts. Our members serve the tourists in motels, hotels and restaurants. Countless thousands of our people directly depend on the outdoor recreational business which accounts for millions of dollars in yearly income for the State today.

But our strongest argument for conservation comes from our duty as citizens who seek the good life for ourselves and our children. We rebel at asphalt jungles far from the wilds of the little frontier regions still left in Wisconsin.

Labor's fight for public education is well-documented. We still fight for schools because our children need the opportunity to grow mentally and develop their talents to the fullest. Likewise, we fight for parks, beaches, lakes, and streams because our families seek that bit of nature which makes us whole people.

Governor NELSON's 10-year $50 million program to acquire more parks, save more beauty spots along our highways, create more lakes, save our streams and forests for fish and wildlife—is a program Wisconsin labor heartily endorses. Wisconsin's conservation program is a landmark for other states—but even the Wisconsin program is but a start to provide outdoor recreation for the estimated 6 million population (a gain of 54 percent from today) we will have in 1980. In addition, the Chicago area will grow to over 12 million in 25 years, adding to the pressure on Wisconsin parks and outdoor areas.

We need Federal money to double what Wisconsin is doing today. With more cars, more money, more time, and more people the public outcry for a place to wet a trout line, fire at a duck, swim in a lake, pitch a tent, or just relax and enjoy the autumn leaves will reach the point of no return.

Wisconsin under Governor NELSON's leadership has done better than any other State, but even with a good State program there is much more which needs doing to save the beauties and unspoiled areas of Wisconsin for ourselves and future generations.

A good illustration of State-Federal cooperation is seen in the fight for an Ice Age National Scientific Reserve, better known as the Kettle Moraine Park, promoted by Congressman HENRY REUSS, of Milwaukee. In his conservation message to Congress this year, President Kennedy called for approval of 32,000 more acres in the Ice Age Park, paid for by Federal and State matching funds. Such a park or scientific reserve would provide recreational facilities within easy driving distance for 5 million people, plus millions more in future years.

Long ago, Wisconsin labor understood that spending money for schools and parks is the best investment we can make as citizens.

We challenge the critics of spending for schools and parks.

America, the beautiful, is in danger. The land of forests with deer, and lakes with muskies, parks for family picnics and hiking trails—this part of America may die or radically decay during the next 10 years unless we spend money and spend it now: Therefore be it

Resolved, That the Wisconsin State AFL–CIO convention go on record in support of:

1. Federal-State financing to expand the acquisition of parks and the development of other conservation programs contained in the Nelson $50 million, 10-year program.

2. Youth Opportunities Act, now pending in Congress, to provide youth conservation camps for constructive outdoor work for millions of unemployed young men.

3. Ice Age Scientific Reserve developed jointly by State-Federal funds and encouragement of the 500-mile Ice Age Trail through Wisconsin for hiking and scenic enjoyment.

4. User fees for parks and other outdoor recreational facilities, plus direct outlays from State, local, and Federal funds. We recognize that large sums of money at all levels of government must be spent now to save and develop Wisconsin's great outdoor resources. A combination of many tax sources (excise, licensee fees, park stickers, and other taxes) are needed to finance these worthwhile programs.

5. Plans now to save Lake Michigan's shoreline from private exploitation. Again the need for Federal-State cooperation is urgent. Working people who seek weekend recreation will be the gainers.

6. Regulation of boats and billboards to protect Wisconsin's beauty. Like the modern auto, guns, the right to fish and hunt—

the boat and billboard must bow to some form of regulation, too. More jobs, not less, will result from sound conservation programs which provide space for all who seek the outdoors.

7. More parks in congested cities. While we seek more parks for remote, wilderness parts of northern Wisconsin, we also need trees, green grass, wading ponds, and open space within walking distance of city homes, especially in the sprawling suburbs of our major industrial areas.

URGENT NEED FOR IMPROVED VOCATIONAL EDUCATION

Mr. PROXMIRE. Mr. President, the Milwaukee Journal has recently opined on vocational education and the very great role vocational education can play, but is not now playing, in providing jobs for our young people. I ask unanimous consent that the editorial be printed at this point in the RECORD, and I yield the floor.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EDUCATION, JOB TRAINING VITAL

A few figures quickly gave the dimensions of one of America's critical problems.

In the decade of the 1960's automation and related forms of technical change are expected to eliminate 2.5 million jobs. In the same decade, 26 million young people will reach working age, twice as many as in the 1950's. To give them employment, the Nation will have to create 25,000 new jobs every week. The Nation will also have to see to it that the young people are trained to handle the jobs.

How inadequately job creation and job preparation are now being accomplished is suggested by the January employment report of the U.S. Department of Labor. It shows that 13 percent of the teenagers seeking employment and 9 percent of those 20 to 25 could not find jobs in 1962. For nonwhites the problem is particularly serious. The unemployment rate runs in excess of 50 percent for urban Negro boys.

Approximately one young jobseeker out of every three enters the labor market as a high school dropout. He lacks not only job skills but the scholastic background to acquire them. A Department of Labor official who visited Milwaukee recently pointed out that apprenticeship programs were closed to dropouts and that the armed services were rejecting virtually all youngsters who "can't show a high school diploma." He said further that only 5 percent of present unskilled jobs would still exist by 1970.

Retraining is looked to as the hopeful means of preparing workers displaced by automation for new and more demanding jobs. For youths who haven't become workers in any real sense of the word, the hope lies in vocational training—training that will excite young people and hold them until they acquire skills to get and hold good jobs.

How effective is our present vocational training program? Not very, according to many studies. The St. Louis Post-Dispatch calls for reformation of vocational schools. A survey by the Taconic Foundation reports: "It is extremely questionable whether the training absorbed by vocational high school graduates is useful to them in getting employment and advancing on the job."

The Post-Dispatch makes a further point: Last year 44.5 percent of Federal vocational education funds went for agricultural training although barely 1 young person in 15 can look forward to farm labor. At a time when emphasis should be on orderly transfer of people from the land to the city, this allocation of funds makes little sense.

ORDER FOR ADJOURNMENT TO NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn to meet at 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM FOR TUESDAY

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is anticipated that tomorrow the Senate will consider nominations on the Executive Calendar; committee assignments and selection of chairmen of committees; and also a continuing resolution for the special committees whose authority has expired.

FIFTY-MILE HIKES

Mr. McGEE. Mr. President, this Nation is periodically swept by various activities known as the latest craze. Currently, as we are all well aware, 50-mile hikes are the thing to do. Mr. President, I am not against 50-mile hikes, for those young enough and well enough conditioned they are probably a worthwhile form of exercise. And certainly anything that calls attention to the need for physical fitness should not be deprecated.

However much some of these hikes may be only publicity gimmicks, not all of them are that alone. I was particularly pleased to learn that when certain young people of my State took up this activity, for example, they added a different twist that gave an entirely new meaning to hiking.

Mr. President, the students at Northwest Center, a junior college in Powell, Wyo., realized that the first 50-mile hikers in that State would receive considerable publicity, and they decided this publicity should be put to good use. So, instead of marching for the glory of the school or club, they marched to publicize the need for clothing for the children of Teraco, Peru, a community high in the Andes Mountains. These students were well aware of the lack of adequate clothing in that remote village because a former student leader, Walter VandeVeegaete, is now serving there in the Peace Corps.

I am most happy to report that this combination of youthful spirits and humanitarian purpose found a sympathetic and enthusiastic reception in the hearts of Wyoming's citizens. These students set out yesterday to walk—in 1 day—from Powell to Cody, Wyo., and return, a distance in excess of 50 miles. And when the eight survivors, including two young women, struggled across the finish line they were met by the news that more than 1 ton of clothing had already been collected and much more was on the way. One of the marchers, incidentally, was Walter VandeVeegaete's sister, Ramona.

Mr. President, we have heard much in recent years about the sad state of our youth. They grow up in luxury, critics say, and are soft and selfish, neither understanding or caring about the traditions that made this country great. The activities of the Peace Corps and the tremendous job done by our youth, in less than normal American living conditions, was the first large-scale event to give the lie to this criticism of our youth.

I would that our adults could match our youth, not only in education, but in ingenuity in ideas.

The activities of the college students in Powell, Wyo., have served as further evidence that our national ideals are still strong in the hearts and souls of our youth, and that they have displayed typical American ingenuity to further a worthwhile cause. They have demonstrated this in preserving the national ideals which we associate with the history of our country. This is the spirit of cooperation which has helped to build the frontier, whether it be old or new. It is very much alive today.

DEATH OF OTTO D. SCHMIDT, RECIPIENT OF CONGRESSIONAL MEDAL OF HONOR

Mr. HRUSKA. Mr. President, in 1906, while in the service of the U.S. Navy, Otto D. Schmidt reacted heroically to the explosion of a boiler aboard the U.S.S. *Bennington*. For his actions in saving the lives of a number of the crew, he was awarded the Congressional Medal of Honor, this Nation's highest military honor.

From 1922 until his retirement in 1948, Mr. Schmidt was an employee of the post office in Norfolk, Nebr. He walked some 69,000 miles carrying the mail to his neighbors in Norfolk.

Mr. Schmidt served his country honorably both as a seaman and a civilian. On Sunday, February 10, 1963, he passed away. His death reduced the number of those awarded the Congressional Medal of Honor now living to 290, only 14 of whom are peacetime recipients. Mr. Schmidt was the last living Nebraskan to be given this medal.

Mr. President, I ask unanimous consent to have printed in the RECORD the article about Mr. Otto D. Schmidt, of Blair, Nebr., published in the Norfolk, Nebr., Daily News.

There being no objection, the article was ordered to be published in the RECORD, as follows:

EX-NORFOLK MEDAL OF HONOR HERO IS DEAD

Otto D. Schmidt, 78, Blair, the only Norfolk resident ever to wear the Congressional Medal of Honor, died Sunday at Blair after a lingering illness.

Funeral arrangements are pending.

Mr. Schmidt, a retired Norfolk mail carrier, was awarded the Congressional Medal of Honor along with nine other Navy men for heroism in the explosion of a boiler in the U.S.S *Bennington* off the coast of San Diego in 1906.

After the explosion, which killed 113 of the 136 men aboard, Mr. Schmidt ran to the deck and helped rescue some of the wounded. He also went into the blast-wrecked boiler-room and pulled out injured men.

For a few years before World War II, Mr. Schmidt had the distinction of being the only resident of Nebraska to wear the Congressional Medal of Honor.

He came to Norfolk in 1917 and started working for the post office in 1922. He retired August 31, 1948, after having walked about 69,000 miles.

After his retirement at Norfolk Mr. Schmidt went to Blair to live.

He is survived by one son, Dale, of Santa Monica. He was preceded in death by his wife.

COMMENT ON PRAYER OFFERED TODAY BY RABBI THEODORE LEWIS, OF TOURO SYNAGOGUE, NEWPORT, R.I.

Mr. PELL. Mr. President, it is most appropriate that our opening prayer this morning was offered by Rabbi Theodore Lewis, of Touro Synagogue, in my home city of Newport, R.I. Touro Synagogue is the oldest synagogue in the United States, and it is this year marking the 200th anniversary of its founding. It stands today as a symbol of an often-forgotten right in American society—the right to be different.

It is most fitting that we note this American right and this anniversary today because this week has also been designated as Brotherhood Week, a time when we pause to extend the hand of friendship and understanding to all Americans whatever their differences of race, color, or creed. Rabbi Lewis comes to us today as the living embodiment of all these traditions, handed down now through two centuries of Touro Synagogue's proud history of service to her congregation, to our city, and to the Nation.

I am happy indeed to welcome him to the Senate today.

RATIFICATION OF ANTI-POLL-TAX AMENDMENT BY MONTANA AND CALIFORNIA

Mr. HOLLAND. Mr. President, on February 7 I announced that the legislatures of six States had approved the anti-poll-tax amendment which the 87th Congress submitted for ratification last year.

Today, Mr. President, I am happy to announce that the legislatures of two more States have ratified the amendment, making eight States in all which have acted favorably. They are the State of Montana, which approved its ratifying resolution by a vote of 51 to 4, the Montana Assembly having approved its resolution 6 days earlier, on January 22, by a vote of 56 to 37; and the State of California, whose legislature, I have been informed, has approved the amendment, the California Senate by a vote of 34 to 0 and the California House by a vote of 70 to 3, final ratification becoming effective on February 7, 1963.

Mr. President, I especially wish to express my appreciation to our distinguished majority leader, the senior Senator from Montana [Mr. Mansfield], who directed much time and effort in the last few weeks to working with the leaders of the Montana Legislature in obtaining favorable action on the amendment. His assistance last year in obtaining Senate action here was indispensable.

I also wish, Mr. President, to extend my appreciation to my distinguished friend, the junior Senator from Montana [Mr. Metcalf], who cosponsored, vigorously supported, and has worked equally hard for ratification of the amendment by the legislature of his State.

Also, Mr. President, I wish to express my equally warm appreciation to the two distinguished Senators from California [Mr. Kuchel and Mr. Engle], who also have worked valiantly from the very beginning in truly bipartisan spirit to obtain the gratifying results which have occurred in their great State.

SUBSIDIZATION OF BOHEMIA LIBRE

Mr. MORSE. Mr. President, on February 8, 1963, the Washington Daily News published an article entitled "Has CIA Killed Anti-Castro Mag?"

The article describes the publication Bohemia Libre and the extent of its subsidization by the U.S. Central Intelligence Agency. The article reports that the subsidy apparently has been withdrawn.

At one point the article states:

> According to this magazine's staffer, Bohemia Libre furnished a U.S. Senator with photos of the Russian buildup in Cuba and that didn't help the administration either. The Senator he named is currently a Democrat.

I do not know why my name was not used directly by the newspaper, when it was the senior Senator from Oregon who obviously was involved.

To set the record straight, I wish to say that these photographs were not furnished to me; they were offered to me. I responded by suggesting that the pictures be taken to the appropriate intelligence agencies of the U.S. Government. As a member of the Committee on Foreign Relations, that was the only appropriate response that I could make, or should have made, to the offerer of the photographs.

Mr. President, I ask unanimous consent to have printed at this point in the Record the text of the newspaper article, the telegram I received on January 24 from the publisher of Bohemia Libre, and my reply to him dated January 30.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Washington Daily News, Feb. 8, 1963]

Death of a Bohemian—Has CIA Killed Anti-Castro Mag?

Bohemia Libre, sensational anti-Castro weekly magazine, has quit publishing and some say the CIA blew the whistle on it. At any rate, publication has been suspended. For how long, nobody knows; it may be forever.

Reports from Miami's Cuban colony are that the Central Intelligence Agency had been subsidizing it, and a couple of weeks ago, got tired. CIA itself doesn't care to discuss rumors.

Bohemia, one of the most spectacular and successful Spanish language periodicals in the Western Hemisphere when it was published in its palatial plant in Havana, idolized Castro both before and after he took over Cuba.

FERVID SUPPORT

During Bohemia's Havana days, its oddball publisher, Don Miguel Angel Quevedo, from his exotic modern office paneled in rare woods, complete with lavish washroom with lavender bidet, directed uncritical and fervid support for whatever Fidel said or did.

Bohemia gave U.S. newsmen covering Cuba—such as the famous Latin America Reporter Jules duBois of the Chicago Tribune—the hero treatment as long as they sympathized with Castro's revolution. When they became disillusioned, Bohemia exposed the same U.S. reporters as spies, agents, and colonels in the CIA.

Finally Castro's Red-glared eyes covetously focused on Bohemia's expensive printing plant and Publisher Quevedo packed his bags and barely made the plane.

So he joined the exiles.

Bohemia thus became Bohemia Libre in exile and in sheer vitriol outdid all other Castro critics (no mean feat, these days).

IRONY

It is an irony, say Cuban exiles, that Bohemia now is portrayed in the very role it accused U.S. newsmen of playing: agent of the CIA.

There's no doubt that Bohemia Libre's spectacular format and content—it's a sort of hot-licks, Police Gazette version of Life magazine—made effective propaganda in several Caribbean areas, as well as among Cuban exiles in the United States, at least until the Bay of Pigs disaster in April, 1961.

There is also no doubt that since then, it has been not so sharp a tool. But, there is also no doubt that the Red propagandists in Havana would crow over its final demise.

Here are several versions of why Bohemia hasn't been going to press recently:

1. A cartoon of the Kennedy family scheduled for page 1 on January 1, was so insulting that the CIA lowered the boom.

2. That knowledge of CIA support had leaked so that it had ruined the magazine's effectiveness.

3. That the magazine has simply lost its effectiveness anyway, since the groups it supported lost the Bay of Pigs battle.

4. That if the actual size of the CIA's subsidy of Bohemia Libre got into the hands of Congress, it would embarrass the Kennedy administration—and the CIA—just about as thoroughly as the Bay of Pigs disaster itself.

5. White House adviser Arthur Schlesinger found Bohemia Libre "too conservative," according to one of the magazine's editorial workers, who also said there were financial problems.

According to this magazine's staffer, Bohemia Libre furnished a U.S. Senator with photos of the Russian buildup in Cuba and that didn't help with the administration, either. The Senator he named is currently a Democrat.

A MILLION

As to the size of the alleged subsidy; depending on who's talking, CIA spent more than a million dollars on Bohemia Libre, or spent $2,500 a week on it for a couple of years, or paid just the office rent—$2,400 a month.

Bohemia Libre may not be as dead as its recent failures to publish indicate. Bohemia's boss and staff are well known as lively and resourceful people among such interests as sugar, rum and various export firms, and recently Publisher Quevedo was in Puerto Rico reportedly trying to interest the "statehood-for-Puerto-Rico" group. Mr. Quevedo also has his eye on certain interests in the Dominican Republic and in Venezuela as possible angels.

So far, reports have it, no angels are flying.

January 30, 1963.

Mr. Miguel Angel Quevedo,
Editor and Publisher,
New York, N.Y.

Dear Mr. Angel Quevedo: I have your telegram of January 24 offering me a collection of photographs on Cuba's military strength.

Although I appreciate your support of my course of action in regard to Cuba and the spirit in which your telegram was sent, I suggest that it would be more useful to make these photographs available to the agencies of the Government who are responsible for collecting intelligence concerning Cuba.

Sincerely yours,

WAYNE MORSE.

NEW YORK, N.Y., *January 24, 1963.*

Senator WAYNE MORSE,
Capitol Building,
Washington, D.C.:

Bohemia Libre magazine congratulates and supports you on Cuban military buildup offering you a sensational collection of photographs received yesterday from underground sources on Fidel Castro's military strength.

MIGUEL ANGEL QUEVEDO.

Mr. MORSE. Mr. President, to my mind, this episode emphasizes the whole question of the extent of the subsidization of Cuban exiled groups and publication outlets. It raises in my mind a question of how much it is costing the American taxpayers to keep publications and political organizations of this kind operating among the Cuban refugees.

A still more serious question is, For what purposes does the CIA subsidize them? These Cuban refugees are well known in Congress as a source of allegations about both the ill-fated Bay of Pigs invasion and, now, the state of Soviet military forces in Cuba. Bohemia Libre modestly calls its own pictures "sensational." With the current spate of congressional reports, as opposed to administration reports, the Russian buildup, which cite alleged missile installations and alleged numbers of Russian troops in Cuba, one must assume that other Members of Congress have been offered not only pictures but countless allegations, as well, by the Cuban refugees, their political organs, and their publicity organs.

I am very much concerned about the practice of the CIA of giving financial subsidies to these organizations and publications. It raises the suspicion that they can be used by the Agency to whip up and inflame American opinion and, in effect, to influence the making of policy on Cuba in a way that the CIA is not permitted to do directly. It raises the suspicion that the taxpayers' money is being used to promote a particular policy favored by the Agency, one which may not be in keeping with or may even be contrary to that of the administration.

The CIA's relationship with the exiled groups points again, in my opinion, to the need for congressional supervision of the Agency.

Therefore, Mr. President, today I serve notice that I plan to answer to Mr. Allen Dulles magazine article of recent date in which he seeks to support the thesis that the CIA should not be subject to a watchdog congressional committee. Again I state—as I have stated for years in the Senate—that the CIA should be brought under congressional control, for the simple reason that in democratic America no agency should be given police-state powers. In effect, the CIA exercises police-state powers. They should be taken away from it, and the Democratic administration should take them away from it.

Later this week or next week I shall support that thesis by a rather detailed presentation of some CIA policies which I do not believe are in the interest of maintaining peace in the world. The CIA seeks to justify them on the ground that if one is going to beat Russia, Russian methods must be used. Mr. President, we hear this argument—"The end justifies the means"—used by too many Government agencies, State and national. In my judgment, such an argument endangers very precious principles of freedom. I cannot reconcile some of the activities of the CIA with the maintenance of precious rights of freedom to the American people. Such secrecy should be stopped.

The little experience I have recently had in connection with the pictures which were offered to me bears out my point. Apparently when a magazine or a newspaper such as Bohemia Libre offers to a Senator information which deals with the foreign policy of the United States, one cannot be sure but what it is being offered with the approval of CIA.

AMERICAN-ISRAEL RELATIONS

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a speech on American-Israel relations, delivered in New York City on February 10 by one of the great living Americans, Ambassador Philip M. Klutznick. For the past 2 years Mr. Klutznick has very effectively served our Government as U.S. representative on the Economic and Social Council of the United Nations. Recently he resigned. I am satisfied that he resigned for two compelling reasons: One, health; the other, to take care of his personal business affairs.

In making this request, I wish to say that in the wonderful speech on American-Israel relations which he made in New York City on February 10, he has left with us an account of his views on that subject which I think every Member of Congress should read. His speech is an excellent one; and I, therefore, ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

AMERICAN-ISRAEL RELATIONS

(By Philip M. Klutznick to B'nai Zion, New York City, February 10, 1963)

At your annual dinner a few years ago, you honored a Senator who later became President of the United States. He discussed American-Israel relationships in positive and candid terms. He amplified these views during the campaign for the presidency in a brilliant and constructive address in August 1960. In it he set some difficult and challenging goals for himself. In my 2 years of intimate concern with events inside the administration affecting American-Israel relationships, I found no gap between President Kennedy's views as he stated them earlier and his earnest and dedicated performance as our Nation's Chief Executive.

As a consequence, I am saddened by rumors attending my recent resignation. In the English Jewish press in Canada, the United Kingdom, and Israel, and through some editorial comment in the United States, it was suggested that the real cause of my resignation was my alleged dissatisfaction with the administration's attitude toward Israel. Such rumors are complete and unfounded nonsense. In a matter so vital, I would not play fast and loose with either the administration or the Jewish community. In spite of problems that have arisen and may again arise, I am proud to have been associated officially with the administration. I am convinced that President Kennedy is performing in the best interests of the United States and in keeping with a positive, progressive, and constructive policy in American-Israel relationships.

I appreciate fully your desire to do me honor. The devotion of B'nai Zion to the Jewish National Fund I have shared since boyhood. My mind goes back to the days when in countless Jewish homes the only positive symbol of hope for the realization of the dream of centuries was the little blue box—the pushka of the JNF. It is for this and reasons of long friendship that I am honored to be here tonight. I knew when your committee called on me that I would be leaving the Government service at the end of 1962. I felt that I would want to make public expression on American-Israel relationships. This was the platform from which our President chose, while he was a Senator, to clarify his views on the subject. It certainly is an appropriate place for an American, who is a Jew, to do likewise. This is especially true after 2 years in which diplomatic propriety demanded a high measure of public silence.

Let there be no illusions about my official role. My duties as a U.S. Ambassador in the United Nations concerned economic, social, and financial matters. The politically surcharged item of American-Israel relations was never assigned to me either at the Permanent Mission or during General Assembly sessions. Whatever I did in that regard was informal either at the request of my superiors or at my own suggestion. But, I was always guided by the proprieties of relationship within a government.

It has been an edifying experience for me to watch the American-Jewish community for the first time in years from a relatively detached vantage point. No less interesting has been the opportunity to observe the performance of Israel and its diplomatic corps at close quarters and in its natural habitat where we met as fellow diplomats each with unalloyed commitment to serve different though friendly countries.

It is my conclusion that the State of Israel and its personnel have matured and grown rapidly both in their understanding and in their performance in the international arena. On the other hand, the American-Jewish community seems to be floundering. We are still trying to understand our own role within this our own country and in our relationship to Israel and other Jewish communities of the world. This is not a criticism. It is a sincere observation made in good faith out of the hope that we can do something about it.

There is an enormous reaction in our Jewish community when incidents involved in American-Israel relationships arise. Therefore, trying to anticipate and to understand this relationship may be the very key to an accelerated maturity as well as a more effective role for the American-Jewish community. For all problems are by no means solved.

By now, we know that regional tensions like those in the Middle East are more difficult, if not impossible, of solution, so long as the struggle between the West and the East is unresolved or unstabilized. There is just too much room for competition for temporary favors sought and granted by competing sides to permit solid and lasting solutions.

We are living in an unusual epoch. Big powers possess the greatest and most destructive military strength in history. But it remains virtually immobilized while big powers compete for the friendship of small, weak, and poor nations. The meek have truly inherited the earth. Any sane and reasonable attitude toward American-Israel relationships must reflect intelligently on this reality. Whether we approve of certain relationships or not, it must be expected that our Nation, in its own national interest, will maintain friendly and helpful contacts with many nations, including not only Israel but Arab, African, Latin American and Asian states which appear to merit such consideration. The peace of the world requires it.

Another aspect is self-evident but bears repetition. On many issues, Israel alines herself with the West (she has one of the best, if not the best, records of voting on the same side as the United States in the United Nations among nontreaty states). Yet Israel is sovereign and as such acts as she should in what she considers her own best interest. It is no less true of our own Nation. Israel is not a satellite of the United States or of the West; nor is the United States a satellite of Israel. Both Nations are blessed with able, intelligent and energetic leadership. Where energy, intelligence and movement are present, possibilities for occasional differences arise even while the fundamental relationship is sound and friendly.

Then again, the United States maintains relationships with many friendly nations, some of which are unfriendly to one another. The Israel-Arab situation is not unique. The United States is friendly to both Pakistan and India. Has this solved the Kashmir bitterness? The United States did its best to help set at rest the West Iria conflict between the Netherlands and Indonesia. During the process, Indonesia moved closer to the Soviet and the Dutch publicly berated us at home. Or one might ponder on the discomfort of trying to be a constructive friend to Portugal and to South Africa while trying to maintain the United States' historic belief in the self-determination of peoples. This has not made life with either Portugal or South Africa or, for that matter, with some of the new African nations, a bed of roses. Need one make the point more effectively than to note the occasions when the United States found itself at odds with its oldest ally, France, including the startling events of recent days, and with its close and old ally, the United Kingdom. In an overwrought, exceedingly tense and fluid world, we must expect momentary incongruities. These are usually passing phases with little impact on long-term interests and more profound mutualities.

The closest of friends among the nations of the world go through periods of disagreement, and foes find moments of agreement. Consequently there is always the possibility that differences can arise between the Governments of the United States and Israel. When in the judgment of the governments of states that are friendly, national interests conflict, it is not tragic so long as basic and fundamental relationships remain sound.

It is dangerous to elect the role of a prophet but our people have a tradition that encourages the Jew to try prophecy. There are several areas that in the future could bring about momentary or ephermeral differences between the United States and the State of Israel even with as friendly and understanding an administration as that headed by President Kennedy. I would hope that this will not happen but in today's world, anything can happen. Let us examine a few possibilities for a moment.

1. This administration believes deeply in the right and the duty of a state to defend itself from actual or threatened aggression. The recent most classic example is Cuba. At times in the past, and possibly in the future, there have been different approaches to this question by the United States and by Israel. Our Government has held that a member of the United Nations should exhaust the opportunities which that organization affords for peaceful settlement before actually shooting at the other side or shooting back in retaliation. Even in the case of Cuba, the United States took steps short of gunfire when its whole existence was threatened until the Organization of American States and the Security Council of the United Nations examined the problem.

Israel has openly expressed doubt that it can rely on the Security Council to protect it against Arab States. She has felt, not without some cause, that the Soviet veto is always available so long as the Soviet-Arab flirtation continues. Our country has felt that anticipating a veto does not justify refusing to present a case before retaliation.

It is my estimate that currently there is a better understanding on this question between the United States and Israel. Hopefully, this, with all of its implied risks, might avoid the kind of misunderstanding in the Jewish community that arose in the spring of 1962 when the Security Council censured Israel. But if Israel honestly fears its chances in the Security Council and therefore avoids initiating Security Council's processes when attacked, there is the danger of a repetition of the unhappy events of last year. If this should happen, the important thing will be to determine whether it actually affects the long-term friendly relations between the two countries or is it only an unfortunate, but nevertheless passing phase.

2. Let us take a calm but brief look at the Arab refugee problem. The United States and Israel would both like to see this problem solved. Both countries are generally moved by humanitarianism. But sovereign states cannot afford generosity if other vital interests are seriously and adversely affected. Israel properly fears for its security in the event of large scale repatriation. The sine qua non of sovereignty is the security of a nation's people. I am completely sanguine that the Kennedy administration would never deliberately and consciously encourage a plan which would endanger the security of Israel, no matter how urgent it regards the desirability of an Arab refugee solution. Yet, it is inconceivable that the Congress will continue to make substantial appropriations for UNWRA much longer without evidence that a solution is being actively sought or is on the horizon. It seems patent that both countries agree completely on three things:

(a) it is politically desirable that the problem be solved;

(b) a solution must not adversely affect the security of Israel; and

(c) that simple humanitarianism demands that the problem be solved.

But there can be differences dictated by differing exposures and accountabilities of the governments involved. These differences, if they arise, can only yield to patient and painstaking negotiation between the governments involved. The substitute of polemics will only complicate, not clarify.

Recent events tend to negate the prospect of a serious split on this issue. On a particular amendment in the General Assembly, the United States and Israel stood alone in voting against it. The reasons differed, but the fact created much comment in the halls of the United Nations. The debate in the 17th General Assembly and the voting pattern suggest that maybe basic and overt differences can be avoided. Nevertheless, I am convinced that, in keeping with his public pledges, the President and this administration will try for achievable solutions but with sincere and intelligent regard for Israel's security as well as the welfare of the refugees.

3. In another area of potential static—assistance to states not friendly to Israel—I feel more at home as a result of my recent work. One of the oldest foreign aid debates is whether a donor state should dispense aid to states unless they are allied with it formally and informally. This question loses some of its steam if foreign aid is approached from a moral point of view. The United States is the richest and most powerful Nation in the world. Like a rich and powerful individual, it has some responsibility to those less fortunate. How and to what extent it discharges this is within its own control. But, if it acts for selfish reasons alone, the decisions may be self-defeating. Just like philanthropy distributed for self-aggrandisement loses its flavor, so foreign aid used to buy friendships rarely succeeds.

On the other hand, one must candidly recognize that if foreign aid strengthens a country, such added strength can be used for better or for worse. A nation sincerely trying to develop economically has little time and less resource for military adventure. Self-defense is all it can afford at best. Some states have not yet learned this truth.

I believe that the hope for peace in the world depends on the elevation of the economic and social standards of many peoples. This is a fundamental objective of the United Nations Charter. It has symbolized the policy of the United States in this post-war era. It can be honestly argued whether aid extended to certain Arab States will blunt the edge of their antagonisms toward Israel or feed the flame of their hostility. But it cannot be disputed that the presence of a constructive U.S. influence should tend to lessen potential troubles.

This is a disturbing problem. When a state that proclaims belligerence and threatens hostilities against a neighbor is provided food and credits, it is reasonable to assume that it is strengthened to commit war even though the aid itself is directed to other channels. A historic analysis of such situations will demonstrate that there are risks in either aiding or withholding aid in a dangerous world. On the balance, the odds should favor establishing a constructive U.S. influence if possible and in elevating the economic and social level of the people themselves. It is foolhardy to do so recklessly without careful and rational examination accompanied by constant review.

So long as the United States is in the position of making choices and decisions that could affect the cause of peace and the interests of the free world, questions will continue to arise as to whether our policy at a given moment promotes the easing or heightening of tensions in the Middle East. We must be careful to relate what happens to policy objectives, to the degree of caution that is exercised and to the frequency of the review of potentialities. Perhaps, under such circumstances, any open split involving friends of Israel will be averted.

But actually, it is not these dramatic and isolated issues that provide the basic tests of American-Israel relations any more than they do of U.S. relations with many friends. The real tests rest on far more fundamental matters than votes in the United Nations or whether a little more or a little less aid should or should not have been given to a country not friendly to Israel or whether solutions for the Arab refugee problem should be sought in one way or another openly or clandestinely. The real question is will a great power help a relatively new and struggling small state to maintain its independence and its sovereignty if its security is endangered and will it help that state overcome an adverse economic balance so it can escape national poverty.

In these matters of real life or death I speak with complete conviction. The independence and security of Israel are an element of the U.S. foreign policy. This is not a new policy. But in recent months it passed the acid test. The United States has never provided major arms assistance to the State of Israel. Other countries have done so. There has been occasional provision of small facilities but, essentially, it has been the position of the United States that while it supports the independence and security of Israel should it be in danger, others must provide the hardware with which to do it. When the President of the United States openly and frankly conceded that there was a prospect of a perilous change in the delicate balance of military power in the Middle East, he ordered that Israel receive the Hawk, the prize Western defense missile.

I was among those privileged to be in Washington to listen to President Kennedy explain what he proposed. As usual, it was an extraordinarily busy day for him. He excused himself from a major international meeting long enough to see a small group of Jewish leaders. It is regrettable that his statement was extemporaneous and no recording was made. Briefly, in excellent prose and with perfect logic, he traced the history of the U.S. policy and commitments in the Middle East. He then announced his determination to provide the Hawk to redress what might appear to be a developing and dangerous lack of military balance.

Other than President Truman's prompt recognition of Israel on its birth, this is the highlight in the relationships between the United States and Israel. In something more than words it expressed the United States vital concern with Israel's security. This is a severe and meaningful test of genuine friendship.

Now let us look at another phase. The United States has demonstrated a firm and unaltering commitment to help Israel overcome its natural handicaps and to attain a self-sustaining economic growth. It can be said to the everlasting credit of Israel's people that the confidence which the United States has placed in them has been fully justified. The economic achievements of Israel, with virtually no natural resources, stand out among all developing states. It has a great asset—the love of the people for the land—an indefinable, nevertheless, precious resource. It has another—a people that had seen the entrance to the gate of eternity and has returned from death, as it were, to reclaim an eternal land. But even with this, it has taken energy, intelligence and devotion beyond any recorded in the postwar era to achieve the measure of economic statuts which is Israel's today. If it had not secured the loans, grants, and other assistance of the United States and of other friendly states, Israel could not have reached this point in so short a time. It now faces the new challenge of the European Common Market.

Recent shocking events, not unexpected by some of us, seem to momentarily close the door of the Common Market to the United Kingdom. It may have opened the door to a bitter struggle between large economic units. In a crushing competition small nations, like Israel, dependant on a growing trade, could receive damaging blows to their economic strength. We who believe in Israel's economic future should be aware of the implications of this era of economic revolution. I am proud of our country's outgoing and forward looking attitude which solidly embraces concern with the trade problems of developing countries like Israel. In this critical and difficult period when the lifeline of such small states may be exposed to traumatic blows the protection and support of the United States may be the one great hope against economic disaster. Applying the hard core test of economic aid, it can be said that under this administration, American-Israel relationships are on a very solid footing.

Yet, the problems of Israel, no more than those of the United States, are not going to be solved in a few years. There will continue to arise challenges that will occupy the time and energy of American Jewry. It is for this reason that I am concerned with the need to clarify the role of the American Jewish community in American-Israel matters. Confusion about this can be more serious than the problems of the friendship between our two sovereign states, the United States and Israel.

As Israel matures, there should be less occasion to worry about American Jewish attitudes and problems of relationship. I begin to believe that for a period the reverse will be true unless we step back and look at ourselves deliberately and calmly. Out of the welter of recent personal experience, let me express a few brief thoughts.

The progress and security of a state like Israel committed to freedom and democracy, small though she is, is in the interest of the United States and the free world even as is the progress and security of India, large though she is. This is not an American Jewish rationalization nor an emotional catharsis. I believed this before I returned to government service; from what I have learned I believe this as much today.

Next, most American Jews have a profound emotional as well as practical attachment to the hope for a safe, secure and free Israel. This is natural and normal. It is understood by right thinking non-Jews of America, even when they do not agree with details. In this situation it is not only proper for American Jews to make appropriate representations to their government when they feel the need to do so, but it is their bounden duty in a free and democratic America where its citizens are the masters—not the servants of our government.

Whether it is with respect to American-Israel relations or any other public issue, our country can only be as strong as the interest of its people in public affairs. All but a few government officials understand this, even when they are overburdened by their own responsibilities, or even when they must disagree with representations. I counted myself a better representative of the United States when I listened and learned even things I did not agree with, than when I spent my time talking without listening.

But, there is a reciprocal obligation on citizenship. It must recognize that the Government while it should listen must ultimately do what its responsible officials deem best. Therefore, every special interest group, and there are many—our community is only one—should fight hard for what it believes, this should be within the framework of decency and respect for our Government and its personnel no matter what party is in power. Personal vendettas are unfair and improper and profitless. Today's opponent can turn up as tomorrow's best friend.

Permit me to discuss a personal experience which I believe illustrates an important general idea. In April 1962, I delivered a speech at the NJWB convention dinner on the subject that they asked me to talk about—Internal American Jewish life in the decade ahead. Afterwards, a very competent commentator criticized me for discussing what he termed "trivial considerations while I occupied a new and more august capacity," at a time when the Security Council had censured Israel in response to the Syrian complaint. Assuming that I was free to discuss classified and confidential matters of state publicity while I was serving my country, the idea that a discussion of the organization or reorganization of the American Jewish community in the decade ahead was a trivial consideration caused me to make a mental note that the first chance I had I could challenge this thoughtless, if not fatal concept.

Since I resigned my Government post some commentators have flatteringly suggested that I undertake the task of bringing greater unity to American Jewish life. Without conceding the propriety of this nomination it is interesting to observe that this was precisely the subject to which I addressed myself last April. It was the first of what I hope will be at least one or two more speeches on that topic in which I hope to delineate some of my ideas in greater detail. Let me say only briefly—that we here face a new situation in Jewish life for which history affords no apt parallel. Talk of congresses and kehillahs are a sure-fire way of destroying any constructive approach to this problem.

If we mean to create greater orderliness and produce more efficiency in our huge voluntary community we must discover a new form of art of attaining common consent without the need or force of compulsion. Instead of chewing over old and defeated ideas we need new thought and ingenuity. More of this at a later time.

No matter how serious other matters may be, it is neither trivial nor inappropriate nor untimely to consider the most fundamental issues of Jewish life in America itself. We must not permit ourselves to become a second-rate community because external problems exist that require our help for solution. I yield to no one in my hope to see Israel secure, progressive, and self-sustaining but it would be an irreparable tragedy if, in the process of achieving that end, this enormously successful and exceedingly resourceful American Jewish community lost its sense of purpose. This would be a disservice to the people of Israel and to posterity.

Irrespective of any post I ever occupy in the Jewish community, or in any other public service, I shall never consider the examination of our Jewish community and its potential a trivial consideration to be subordinated to other matters, no matter how important. If there is any criticism I could level at some of my Jewish colleagues who have gone into government or general service, it is that too many have severed themselves from active Jewish life, its hopes, and aspirations. No matter how much we believe in other causes, we have a desperate need to keep constantly concerned with whether or not this extraordinary and unique Jewish community is doing the best job that it can. Jewry wherever it is can only benefit by such an approach.

CONCLUSION

I have spoken at length. There is an accumulation of unsaid things still on my mind. These will be said at appropriate times and places—elsewhere. Doubtless, some will question the need for all this. It would have been easier and safer to have made a polite brief response. But, I consider the honor you do me would have been tarnished if I had treated it so lightly.

My friends—

1. I believe with all my being that our United States is destined (even with moments of pain) to lead this world to a peace with greater justice for all. For this I shall labor.

2. I believe in such a world that security, hopes and ambitions of small states with small numbers of people, among which is the blessed re-creation of Israel, will be more fully realized.

3. I believe that we Americans of the Jewish faith with a proud history and a splendid record of deeds have a challenge

and yes, the opportunity, to reach yet unforeseen heights in deepening our culture and in the effectiveness of our performance.

Believing all this I felt I owed it to you as well as myself to give you a glimpse at what is inside of me. How else could I thank you for the honor you bestow. Whether I deserve it or not, others decided—that I cherish it I hope you now understand. Thank you from the bottom of a grateful heart.

OREGON SENATE RESOLUTION ON SALVAGE AND SALE OF STORM-DOWNED TIMBER

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a memorial recently passed by the Senate of the Oregon State Legislature. The memorial deals with the whole problem of blown-down timber in Oregon.

As the Senate knows, last fall Oregon suffered the most severe storm in its history. The storm came in, in typhoon proportions, from the Pacific, and blew down more timber than the amount which the lumber interests of Oregon would have been allowed to cut in a year. If that blown-down timber is not harvested quickly, it will be destroyed or ruined by insects. This great wealth belongs to the American people; and sound economy calls for quick utilization and harvest of the blown-down timber.

The memorial passed by the Oregon State Senate calls this matter to the attention of the U.S. Department of Agriculture and the U.S. Department of the Interior. It requests expeditious action in connection with the salvage and sale of the timber, and also the construction of the necessary access roads. If the timber is harvested in time, it will be just like money in the bank; and the cost of building roads and trails to provide access to the timber will be repaid many times over by its sale, if it is harvested now.

So I hope the Department of Agriculture and the Department of the Interior will take note of this memorial; and I hope the appropriate congressional committees will also take note of it, for it represents sound Government economy.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

SENATE JOINT MEMORIAL 1

To His Excellency, John F. Kennedy, President of the United States, and to the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the 52d Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent that:

Whereas the standing timber which was blown down in the severe storm of October 12, 1962, is an economic loss to the State; and

Whereas the loss will become greater as a result of infestation if the timber is not salvaged; and

Whereas the downed timber constitutes a severe fire hazard; and

Whereas much of this salvageable timber is located in an economically depressed area of this State; and

Whereas the salvage operation is one well suited to the small operator; now, therefore, be it

Resolved by the Legislative Assembly of the State of Oregon (1) The U.S. Department of Agriculture and Interior are urged to expedite the salvage and sale of the downed timber by:

(a) Authorizing sale of small tracts, particularly those located adjacent to existing access roads.

(b) Establishing scaling stations at central points to determine the quantity of timber removed and thus avoiding the time and cost of recruising.

(c) Authorizing local supervisors to make sales of timber up to $10,000 estimated value without lengthy public advertisement.

(2) The Congress of the United States is urged to enact any necessary enabling legislation which may be required.

(3) The Oregon Members of the U.S. Senate and House of Representatives are urged to encourage action on the part of the Departments of Agriculture and Interior and to promote and support any needed legislation.

(4) Copies of this memorial shall be sent to the President of the United States, the Secretaries of the Departments of Agriculture and Interior, and to all Members of the Oregon congressional delegation.

ADDRESS BY SECRETARY OF LABOR BEFORE NATIONAL ACADEMY OF ARBITRATORS

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a very able address delivered in Chicago on February 10 by the Secretary of Labor, Willard Wirtz, before the National Academy of Arbitrators. In the speech, the Secretary of Labor set forth some of his views on the subject of arbitration in the field of labor disputes, and also commented on a number of other labor problems. His speech is a fine one, and I congratulate the Secretary of Labor on it.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF LABOR W. WILLARD WIRTZ

A letter last week from one of the Nation's most respected citizens, Bernard M. Baruch, expresses a concern which is today much in people's minds, and very close to the center of this Academy's interests.

Referring to what he identified—with the pleasantry of understatement—as a recent "succession of labor-management quarrels," Mr. Baruch observes that "while the rights and interests of labor and of business must be respected, the rights and interests of the public deserve at least equal consideration. Both labor and business have sufficient power * * * to pursue courses which too often are at variance with the public interest. Too many of the struggles between these two are not only waged at the public's expense but are settled at it."

Recalling his recommendation after World War I that there be established a High Court of Commerce, which would "have jurisdiction over labor-management issues which the parties themselves could not resolve," Mr. Baruch concludes: "I think such a body—a Court of Labor-Management Relations—is even more necessary today."

In speaking to this proposal, I want first to set it entirely aside from that body of current reaction to what is typically identified—in a phrase which signals its predilection and prejudice—as "the labor problem."

That reaction fixes on the image of one notorious union official—despite the evidence from 3½ years now of active administration of the Labor-Management Reporting and Disclosure Act of 1959 that a high level of integrity and democracy obtains in organized labor as a whole.

That general reaction typically expresses a fear of excessive labor pressures in terms of alarm about inflation—despite the fact that this is the 4th year now of almost unprecedented price stability and that the rate of advance in wages has been steadily diminishing.

Or there is professed outrage about labor's broad combinations—ignoring the implications of the illustrative fact that New York City's being virtually without newspapers today results from five publications being shut down by the publishers when four others were struck by the printers.

Even the concern about economy-crippling strikes—which underlies the current alarm—must be set in context.

Lost time—and production—from strikes has, during the past 3 years, represented a smaller percentage (about one-seventh of 1 percent) of total man hours worked than during any other years since the end of the last war.

It is an illuminating, if only partially valid, comparison, that more potential man hours of production were lost in 1962 as the result of involuntary unemployment than have been lost from all strikes in the past 35 years. The public reacts more vehemently to a kick in the shins than to an attack of economic arthritis.

A separately identifiable issue was nevertheless precipitated—not for the first time, but under new circumstances—when the steel industry, basic to the entire economy, was shut down for 116 days in 1959. That same issue arose again when seven airlines were closed down suddenly, if only briefly, in 1961; when all shipping was stopped on the east coast for 18 days that same year; when all west coast ports were closed three times during 1961 and 1962; when most building construction was stopped for substantial periods last year in New York City, northern California, and the Pacific Northwest; and when a railroad here in the Midwest didn't run for 30 days last fall.

This issue has emerged even more clearly in recent weeks, with the 38-day shutdown of all east coast and gulf ports because of the longshoremen's strike, 2-month newspaper blackouts in two major cities, and the putting of production of the Polaris and Minuteman missiles under the last ditch protection of 80-day injunctions.

There have been comparable periods of crisis before—right after World War I, for example, during the sitdown strikes of the late thirties, and with the coincidence of coal, railroad and steel strikes in the late forties. To be sensitive, however, to the dynamics of labor-management relations and to the relevance in this area of broader economic and political developments is to recognize significantly new elements in the present situation.

One such element is that most of these recent controversies have involved basic issues of manpower utilization and job security. This has been true in the 1959 steel case, the 1961–62 airlines cases, the maritime cases, the longshore case, the New York newspaper case, and to a lesser degree in most of the others. In some instances this has been the result of technological developments. In others, the situation is that new competitive forces have pushed employers to manpower economies not previously considered necessary.

These developments have placed severe new strains on collective bargaining. It is one thing to bargain about terms and conditions of employment; and quite another to bargain about the terms of unemployment, about the conditions on which men are to yield their jobs to machines. To the extent, furthermore, that these problems of employee displacement can be met at all in private bargaining, it can be only by a process of accommodation and arrangement which is almost impossible in the countdown atmosphere of the 30 days before a strike deadline.

A second element in the present situation is that the public tolerance for strikes is diminishing rapidly.

This is partly a matter of economics. With the increasing specialization of functions in the economy, and with the increasing interdependence of its units, more nonparticipants are hurt harder and faster by a shutdown than used to be the case. We have always insisted that competition—which includes competition between employers and employees—is worth what it costs the rest of us; but the cost has been going up.

It is more frequently true now than it used to be that a shutdown will hurt the public badly before it hurts one party to it or the other enough that someone has to cry uncle. Strike benefit programs for striking employees and strike insurance programs for employers are intensifying this factor. It has been a significant fact in the New York newspaper case that during most of its first month the printers were receiving up to $90 a week in strike benefits and the publishers were sharing in a substantial strike insurance program.

This is also a matter of a changing national psychology. Strikes, regardless of who is responsible for them, are waste; and it is part of the cold war psychology that the Nation's tolerance for waste is lowered. This is particularly relevant today in its relationship to strikes in the defense industries, at the missile sites and the aerospace plants; but the feeling is different only in degree when it comes to stoppages in the maritime industry, on the docks, on the airlines and railroads, and in other basic industries.

What is developing here—with the hurt of major shutdowns increasing and the national tolerance for waste decreasing—is like the change which is going on in the attitude toward war: that what has historically been the ultimate motive force of agreement has become so destructive that it can no longer be risked, or least relied on.

I conclude, even applying the necessary discount rate to trials and tribulations of the moment, that we stand today at what history will probably mark as a fairly clear fork in the development of labor-management relations in this country. Neither the traditional collective bargaining procedures nor the present labor dispute laws are working to the public's satisfaction, at least so far as major labor controversies are concerned. It doesn't matter any more, really, how much the hurt has been real, or has been exaggerated. A decision has been made, and that decision is that if collective bargaining can't produce peaceable settlements of these controversies, the public will.

I agree with that decision. I assert, however, along with the public interest in avoiding crippling shutdowns in critical industries, the at least equal public interest in preserving to the ultimate practicable extent the private decisionmaking process. And I am convinced that free, private collective bargaining can be made to work so that it will meet this demand upon it.

I see the present period as a holding period, during which this possibility is being given, in the lawyer's phrase, its last clear chance.

This is the real significance, as I see it, of the record of the Federal Government's unusual participation recently in a number of the major disputes which have developed. This is a record with which I profess some familiarity—the familiarity, roughly, an egg has with an eggbeater.

It is a record, essentially, of improvisation.

Settlement of the last round of contract disputes in the airline industry (not yet quite completed) took over 2 years, and involved the President of the United States, the Secretary of Labor, the Under Secretary of Labor, the National Mediation Board, a Special Presidential Commission, nine Presidential Emergency Boards, and three Boards of Arbitration—a total of 39 public representatives. That this meant part-time employment to 24 members of this academy will not, I think, commend it to many of you as a wholly satisfactory, or efficient government procedure.

In the recent longshore case, the public participants, during its 12-month course, were the President, the Secretary of Labor, an Assistant Secretary of Labor, the Director of the Federal Mediation and Conciliation Service, his deputy, 15 FMCS mediators, a Taft-Hartley Board of Inquiry, the Attorney General, the Federal district court, the mayors of numerous port cities, a Special Presidential Board which was appointed but never convened, and another special board under the chairmanship of a U.S. Senator.

There were times, in the course of these marathons of maneuver, when the only promise for parties and public participants alike seemed to be the reminder, from the Garden of Proserpine, of Swinburne's consoling thought:

> "We thank with brief thanksgiving
> Whatever gods may be * * *
> That even the weariest river
> Winds somewhere safe to sea."

Such a program of improvisation clearly offers nothing for the long run future. As each new device or expedient is used, its utility diminishes; what may work in one case because it is specatcular loses its effectiveness when it becomes commonplace. Immunities are built up to procedures and pressures which depend in large measure on the evanescent virtue of novelty.

These measures have been resorted to both because of a public demand of much greater intensity than can be generally realized, and to prevent collective bargaining from committing suicide.

There has been a good deal of discussion of this experience in terms of the enervating influence upon collective bargaining, and upon more traditional forms of legislatively prescribed procedures, of any special form of "intervention." This question is properly raised. So is the question of whether, had these steps not been taken, collective bargaining would by this time have been replaced, to a significant extent, by some form of statutory decisionmaking.

Neither question can ever be definitively answered. It is clear that in most of these cases collective bargaining, as well as the issue in the particular controversy, was on trial. The "public interest" involved was both the public interest in avoiding or ending a serious interruption of the economy and the public interest—as most of us here would see it—in preserving collective bargaining as an essentially free, private process.

I suggest, in all deference, that many of those closest to collective bargaining today—labor, management, and public representatives alike—seriously underestimate the strength of the public feeling about national emergency strikes, and the brinkmanship we have been playing in this field.

What then of the future?

There are, I think, two possibilities.

One is that another major crisis will develop, and that no sufficiently new and effective improvisation on the theme of Taft-Hartley can be devised. In that event, the very real likelihood is that there will be developments along the line of the Baruch proposal.

This suggestion is set out in somewhat more detail.

"What is needed is a court of labor-management relations which would have jurisdiction to settle strikes when, in the President's judgment, the national interest is jeopardized by their continuation and after the collective bargaining processes and the provisions of the Taft-Hartley Act have been exhausted. This court, composed of representatives from labor, business, and the public should have the power after hearing evidence from the contesting parties to hand down decisions binding upon both."

It is implicit in what has already been said that such a development would seem to me exceedingly unfortunate.

Such arbitration is thought of, and recommended, as a substitute for strikes. The trouble is that it would become, if provided for by statute, a substitute for bargaining.

Experience—particularly the War Labor Board experience during the 1940's—shows that a statutory requirement that labor disputes be submitted to arbitration has a narcotic effect on private bargainers, that they turn to it as an easy—and habit forming—release from the obligation of hard, responsible bargaining.

The difficulty is that in virtually every dispute one bargainer or the other feels that his chances are better, or that he can evade responsibility for a hard decision, if he lets the issue go to arbitration. No effective way has yet been devised or suggested of limiting the availability of such procedures to cases in which "the collective bargaining processes * * * have been exhausted." The record is that if arbitration is assured, the collective bargaining processes are never really used at all.

It is easy to agree that the public interest will be most fully served in a particular case by prohibiting a strike and requiring the parties to submit their dispute to a third party. But there is also the public interest in leaving as many decisions as possible to private processes.

To believe strongly and deeply, however, in the validity of free collective bargaining as an application of the basic principles of democracy and free enterprise, is to realize that it can no longer depend on the defense of a maginot-line argument that compulsory arbitration is evil. Nor does its protection lie in endless new administrative resourcefulness and maneuver.

The preservation of free collective bargaining depends on two necessary developments.

One of these, extraneous to collective bargaining as such, has to do with the health of the economy as a whole.

This involves, again, the fact that most of these recent emergency dispute cases have involved serious and difficult issues arising from the displacement, or threatened displacement, of men by machines or by new work methods. There is reason to question seriously whether large-scale problems of this kind can be satisfactorily dealt with in major industries by free collective bargaining unless the economy is developing at a rate which will give displaced employees reasonable assurance of an opportunity to find other jobs. If there is not that assurance they will probably deny their bargaining representatives the authority to negotiate for their discard.

The future of collective bargaining, free of additional legislative control, is probably linked closely to the future unemployment—or employment rate. I suspect that the future of free collective bargaining may very well depend, right now and in this connection, on the adoption of the new tax program which President Kennedy has recommended to the Congress as essential to the invigoration and strengthening of the economy.

Beyond this, the future of collective bargaining—free of the weakening effects of statutory arbitration procedures—depends upon the development of private procedures which will permit and virtually assure the settlement of major disputes in critical industries without crippling shutdowns.

There is significant evidence that this development is taking place today in a highly meaningful degree and at a rapidly accelerating pace.

There has been one feature common to most of these recent emergency dispute cases which has received all too little notice. This is that the settlements in virtually all of them have included significant arrangements for meeting, and hopefully avoiding, another crisis. This was true of the 1959–60 steel settlement, of the settlement last year in the airlines cases, and of last week's settlement in the longshore case. Substantial agreement has already been reached in the New York newspaper case regarding a new procedure, involving the participation of all papers and unions, for the bargaining 2 years from now.

Active discussion is presently going on among responsible men on both sides of the bargaining tables in most of these industries, looking for a better way to meet their problems. In a number of cases, "public" representatives have been brought into these discussions. The recent announcement of the new incentive program adopted by Kaiser Steel Co. and the United Steelworkers is only one illustration of the specific results which are already flowing from these programs. And the joint Human Relations Committee for the steel industry is meeting currently in Pittsburgh, working with an agenda of five or six issues that have emerged as potential trouble areas.

There have been similar developments in parts of the construction industry, in the meatpacking, coal, and plate glass industries, at the missile sites, between management and union (IBEW) representatives at U.S. Industries, and at numerous other companies.

What is developing here is much more than collective bargaining in the old sense of the term. This is constructive bargaining, or perhaps, even better, creative bargaining.

Although these programs vary in detail, most of them include three elements:

First, arrangements are being worked out to deal during the contract period with those problems—such as adjustment to automation—which are so involved that they cannot be dealt with during the countdown period at the end of the contract. This will provide the forums and the time to develop the new ideas which are so badly needed to meet the problems of a work force which is today in flux—ideas which will be the counterpart of such innovations, for example, as the cost-of-living and productivity increase which General Motors and the automobile workers developed a decade ago.

Second, most of these programs involve the use, in one form or another, of neutral or third parties—as advisers or consultants or factfinders. It is, in part, an illusion that there exists a public interest which is separate and distinct from the interests involved in the honest interplay within most private employer-employee relationships. The participation in these private negotiations of third persons who are "independent" in the full sense of the term offers a considerable measure of protection of the public interest and more than the actually effective public interest; in most cases—which is only in wanting a settlement, any settlement, to be reached peacefully.

The third element in most of these programs is one form or another of special arrangement for approaching as constructively as possible the crucial bargaining which will move the parties from one contract period to the next. Some of these arrangements provide for arbitration—voluntary arbitration, adjusted to the particular circumstances. Others meet the pressing need for more orderly and responsible arrangements between the several employer units which are involved, or within the union group.

Part of our problem is that we have been moving into unity bargaining of one kind or another without working out the stresses and strains within one group or the other, or both.

In addition to these significant indications of private interest in new and healthier forms of bargaining, there are encouraging signs of the responsive adjustment of government programs to facilitate this development.

Both the Federal Mediation and Conciliation Service and the National Mediation Board are working with the parties in many instances, now, long before the contract expiration crisis arises.

We are exploring in the Department of Labor, in the Bureau of Labor Statistics and in the Office of Manpower, Automation, and Training, possible ways of applying more directly to particular industry and company situations what has previously been for the most part general research. Perhaps there should be developed an extension service in this area, supplying assistance comparable to that which the Department of Agriculture gives to farmers. Charged now by agreement of the longshoring companies and the ILA with making a study of their manpower utilization and job security problems—to facilitate their working these problems out before the next contract showdown—we realize that if this had been done 2 years ago, last month's debacle might have been avoided.

Perhaps it should be considered whether Government procurement contracts should require that suppliers have taken maximum steps to assure against interruptions of production—just as the equal employment opportunities program establishes norms in these procurement contracts for nondiscriminatory hiring practices.

The Missile Sites Labor Commission illustrates another kind of Government assistance in what is essentially a private program of no-strike, no-lockout bargaining.

It would be impossible to exaggerate the significance of this constructive bargaining or creative bargaining development. It has to come—if free collective bargaining is to meet its obligations, if it is to survive. I am convinced that we are at a point in the development of collective bargaining perhaps even more significant than that period in the middle or later 1940's when the submission of grievances to final and binding determination was accepted, almost suddenly, as the dictate not only of good sense but of practical necessity.

If this is true it thrusts a dual responsibility upon the members of this academy.

These emerging programs demand, if they are to be successful, the services of experienced third parties with resourcefulness, expertness, patience, and independence surpassing even what is required of an arbitrator. Interpreting a contract is an artisan's job compared with the demand in new contract development for architects. The difference is between taking things as you find them, and building something new; between being called upon for answers, and for ideas.

Finally, and beyond this:

I have meant no pretense here that whatever this is that can be called constructive or creative bargaining is something clearly identifiable. It is not. The suggestion may derive as much from the realization of new and critical need as from the recognition of actual experience. It may well be an entirely different formulation or suggestion which will eventually meet this need. There is an infinite responsibility on the members of this academy, leaders in this field, to provide that formulation or suggestion.

The established institution of free collective bargaining faces a challenge today which arises in significant part from the advances of science, the new discoveries of the technologists. It is time to wonder once again why it is that there is an apparent, in some ways ominous, preponderance today of scientific over institutional invention.

It is not, surely, that the physical scientist is wiser than his political counterpart. Is it that he is freer, less afraid to question, to probe, to propound ideas that are different? Is it that the centuries have reversed the roles, since that time when scientists were condemned as hertics for their innovations while politicians—in the higher sense—were saluted for working out democracy's beginnings? May this be democracy's ultimate testing against an alien society where the dictator's decree has no constraint upon it?

Ten days ago, Ambassador Adlai Stevenson said in New York: "We have learned that modern technology can strengthen the despot's hand and the dictator's grasp—and for that reason, if no other, we know that democracy is more necessary now than it ever was. But democracy is not self-executing. We have to make it work."

Collective bargaining is industrial democracy. We have to make it work.

SENATOR MILLER'S ROLE IN THE DEBATE ON TAXES

Mr. DIRKSEN. Mr. President, on February 3 there was published in the Chicago Tribune a very excellent article entitled "Iowan To Play Leading Role in Debate on Taxes." This article about the Senator from Iowa [Mr. MILLER] was written by Willard Edwards, and is a highly complimentary one, and, in my judgment, is richly deserved. I ask unanimous consent that it be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IOWAN TO PLAY LEADING ROLE IN DEBATE ON TAXES—SENATOR MILLER HAS QUALIFICATIONS OF EXPERT

(By Willard Edwards)

WASHINGTON, February 2.—From the back row of desks in the Senate Chamber, the junior Senator from Iowa voiced a few quiet words.

In the press gallery, a veteran correspondent remarked: "We've been sort of neglecting him during his first 2 years in the Senate. But we're going to have to pay him a lot of attention when our statesmen get themselves tangled up in the tax bill this year."

With tax cutting and reform the paramount issue of the 1963 session, Senator JACK MILLER, Republican, of Iowa, is destined to play a leading role in floor debate on the measure although he has barely emerged from freshman status.

He's tied with four others for a position near the bottom of the seniority ladder, which largely determines the status of the 100 Senators. But he'll be close to the No. 1 spot when the Senate starts arguing the complexities of tax legislation.

TAX LAW MASTERED

MILLER has, unquestionably, a sounder background as a tax expert than any other Senator. He has mastered the practical details of tax law through service in the Internal Revenue Service, taught it in universities, argued hundreds of tax cases in court, lectured on tax law before legal audiences, written countless articles about it. He drafted an Iowa income-tax law which has been used as a model by many States.

It is not always true that the most knowledgeable Senator commands the widest audience on legislation put before the Senate. Issues fraught with politics and passion are often debated at a level where little attention is paid to facts and information.

But a tax bill, when it finally emerges from committee and is scheduled for consideration, is invariably a mystery to 9 out of 10 Members in either House. They know its broad objectives, as outlined by advocates, but its intricate language, its inordinate length, baffle popular comprehension.

The Kennedy tax bill, which gives to the taxpayers in one section and takes away in another, promises to addle the legislative mind more than any similar proposal in many years. Skilled interpreters will be scarce. Most Members rely upon the assurances of committee members who draft the measure but a deep division of opinion has already developed in this group, which numbers only 8 percent of the entire membership, in both Houses. Confusion will thus be compounded.

RUSHED THROUGH HOUSE

The House usually speeds tax bills to passage under a gag rule which forbids floor amendments. The pace in the Senate is more leisurely, permitting extended debate and revision of the measure.

Into this situation, Miller will move with the authority of one who has demonstrated that he can translate technical verbiage into laymen's terms.

It is an irony, born of the seniority tradition, that the Senator best equipped to cope with the complexities of tax legislation, will not be a member of the Senate Finance Committee which will draft it. Miller may have to wait years before he can win a place on this 17-man group.

But the Senate will spend weeks exploring the tax bill as it is presented by the Finance Committee. Its course will be shaped by the few who have committed its every phrase to heart, who can answer all questions about its implications, defend its virtues or bare its defects. Few types of legislation lend themselves so well to influence based on expert knowledge.

AWAITS HIS OPPORTUNITY

Miller awaits his opportunity with quiet confidence. Unlike some other Senate freshmen, he has not engaged in a frantic pursuit of publicity although his sudden appearance on the national political scene had some extraordinary features.

Eight years ago, he was a highly successful Sioux City, Iowa, tax lawyer who had never held public office. He entered politics on a modest level in 1955, won a seat in the Iowa House, moved on to the State senate for 3 years.

In 1959, he was not even considering higher office. Eighteen months later, on January 3, 1961, he became the youngest (44) U.S. Senator from Iowa in this century.

WINS IN UPSET

It was an enormous leap upward, by political standards, and it involved the seemingly hopeless task of defeating Herschel Loveless who had proved his vote-getting prowess as Iowa's first two-term Democratic Governor. Many political experts predicted an overwhelming victory for Loveless over his young Republican opponent. Miller won by 47,000 votes out of a total of 1,238,000.

Upset victories of this nature conjure up visions of a spectacular campaigner, a swashbuckling, colorful personality, a man of overpowering exuberance who sweeps crowds to enthusiastic uproars.

There isn't a flourish in Miller. He is forthright and vigorous in delivering a speech, punches home his points, but doesn't shout, wave his arms or rumple his hair to demonstrate passionate conviction. He has a strange theory that American voters appreciate plain talk and simple logic rather than oratorical frenzy. The Iowa variety, at least, seemed to respond.

LIKENED TO TAFT

He has in him something of the late Senator Robert A. Taft's ability to absorb an issue in its entirety, examining all the angles before coming to a conclusion. Like Taft, he is impatient with indirectness and generalities. He also has the Ohioan's capacity for hard work over long, sustained periods. He sounds something like Taft as he voices his political philosophy:

"I don't class myself as a middle of the roader. I believe in driving down the right side of the street on taxes and spending, passing to the left on human rights and education.

"Iowa is a State of contrasts, very conservative about going into debt but very progressive on such matters as higher education and mental health. Its great need is industrialization to keep younger people at home."

FIELD WIDE OPEN

The resemblance to Taft ends at this point. Taft suffered from a stiffness of attitude which made it hard for him to unbend in public. Miller is warm and friendly, has no difficulty in mixing. In the Senate, which is slow to accept a new Member, he is gaining stature and marked as "a comer" by both Republicans and Democrats. Only 46, young by Senate standards, the field is wide open to him in the years to come. He could be the "Mr. Republican" of the future.

What precipitated him into politics? His answer was a familiar one—he got to thinking about it during the war.

The same response has been volunteered by many of the younger Members of Congress, ex-servicemen in their thirties and forties who are changing the face of the National Legislature, particularly in the minority party. The senseless destruction of World War II obviously provoked many young men in uniform to serious reflections about the nature of government and the men who ran it.

They betray a common concern—the future of their children in a society which will be paying heavily for the spendthrift policies of this generation. Miller and his wife, the former Isabelle (Jerry) Browning, have 4 children ranging in age from 8 to 18.

SERVED IN AIR FORCE

He served 4 years with the Air Force, winding up in the China-Burma-India theater of operations. He was a specialist in Air Force logistics and, at 27, one of the youngest instructors in the history of the U.S. Army Command and General Staff School. He is now a colonel in the Air Force Reserve.

When he left China in 1946, a Chinese lawyer friend, C. K. (Gus) Lieu, saluted him as the Senator from Iowa at formal luncheon. This incident would seem to indicate the trend of Miller's thinking at the time but he insists it was just a friendly joke. Fourteen years were to elapse before he was suddenly to announce his candidacy for the Senate.

Then, he had to wage three campaigns to win. In the Republican primary election in June 1960, he led a field of six candidates but failed to attain 35 percent of the total vote, required for nomination.

The campaign shifted to the Republican State convention in July, Miller and his followers here displayed their political talents in lining up delegates to insure his nomination on the first ballot. In assessing his future capabilities as a leader, veteran politicians note Miller's organizational skill as an important factor.

BEATS LOVELESS DECISIVELY

He put on a 80,000-mile campaign, driving his own car 60,000 miles, beat Loveless, the Democratic Governor, decisively. The GOP did not fare well elsewhere in that 1960 campaign. Only one other Republican freshman joined Miller in the Senate the following January.

He is a Roman Catholic, the first Republican of that faith to be elected to high office in predominantly Protestant Iowa. Baptist and Methodist ministers supported his candidacy.

Miller was born near Wilson and Ashland Avenues on Chicago's north side. When he was 6, his father, a Cudahy Packing Co. plant manager, moved the family to Wilmette, Ill., where young Miller spent his boyhood.

The delights of free enterprise (marking him for life as a fiscal conservative) were made evident to the future Senator as a boy of 10. For an investment of 50 cents, entitling him to play on the Evanston community golf course, he was able to circumvent legally the regulations against hunting for lost golf balls in the canal lining the course. Armed with fish pole and can, he was able to net and sell golf balls at a profit up to $5 per day.

SHOOTS IN MIDSEVENTIES

He has been against unbalanced budgets and deficit spending ever since. An incidental benefit was a golfing skill which enables him to shoot in the midseventies at Congressional Country Club. The only golfer in the Senate who could beat him on a good day is Senator Frank Lausche, Democrat, of Ohio.

When Miller was 15, the family moved to Sioux City, a community in a State for which he conceived a passionate attachment. When he was a tax lawyer for big law firms in New York City he received inducements to become law professor at big city universities. He turned them down because he doesn't like large cities.

His first reaction to the administration's tax cut proposal was a prediction that most of its provisions would not receive congressional approval.

"It may look like something for nothing but not when you examine it," he said. "It would appear to offer the American people 4 billions more to spend in the first year because of tax cuts. But the President's budget will put us almost 12 billions further into debt and shrink the purchasing power of our money by at least 8 billions.

"An inflation tax of 8 billions and a tax cut of only 4 billions doesn't look like something for nothing to me."

CALLS SOME UNFAIR

Some of the President's tax reform proposals are unfair, Miller said.

"He would reduce the amount of the deduction for medical expenses," Miller noted. "If anything, this should be increased. Many individuals would have the amount of their interest deductions on home mortgages reduced. This would discourage home ownership which should be encouraged."

Miller has his own ideas about major tax cuts which he will sponsor. One of them, involving a 50-percent reduction in tax rates on increased income, is so simple and plausible that it has confounded New Frontier economists. It seems to avoid the danger of inflation which automatically makes it suspect in their eyes.

POLITICS AND FOREIGN RELATIONS

Mr. DIRKSEN. Mr. President, on February 16 there was published in the Washington Star an article entitled "Politics and Foreign Relations." The article was written by Gould Lincoln. I ask unanimous consent that it be printed at this point in the Record, in connection with my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Politics and Foreign Relations

(By Gould Lincoln)

The outrage expressed by Democratic spokesmen over Republican criticisms of the handling of our foreign affairs by the Kennedy administration and over Republican suggestions that the United States is losing both friends and prestige abroad has a hollow sound. Hollow, indeed, when the remarks of these same Democrats over the conduct of our foreign policy by the Eisenhower administration are recalled. President Kennedy, replying to a reporter's question at his Thursday press conference regarding Governor Rockefeller's charges that the administration recently has aroused antagonism among three of our allies—Britain, France, and Canada—said: "Whenever the United States has a disagreement with a foreign country it is a mistake always to assume the United States is wrong." The President couldn't be more right, either, when it comes to disagreements with nations which are our friends or with nations which are our enemies.

What was the attitude, however, of President Kennedy, of Adlai Stevenson, U.S. Ambassador to the United Nations, of the Democratic Advisory Council (which included many of the most prominent figures in the Democratic Party) regarding the Eisenhower administration and its dealings with friend or foe? What did they have to say about the failures of the United States? They heaped criticism for years on the Republican President for, as they said, loss of friends and loss of U.S. prestige abroad. Where was the rush to the defense of this country? Or did these spokesmen lay the blame on General Eisenhower, his Secretaries of State—the late John Foster Dulles and Christian Herter? What was President Kennedy saying about the conduct of foreign affairs during the 1960 election campaign, and where did he place the blame? Who was accused of "brushing things under the rug" in those days?

STEVENSON CRITICISM

What happened in May 1960, when the U-2 incident occurred and Nikita Khrushchev broke up the planned summit meeting, where the East and West leaders were to discuss important issues? After Mr. Khrushchev made two demands on the United States—that it apologize for the U-2 flight over Russia—and that we try "those responsible for the flight"—the then Senator Kennedy and later Democratic candidate for President was quoted as saying that "we might have apologized" in an effort to save the summit meeting. This Senator Kennedy denied, and explained what he really meant was that we might have "expressed regret."

Mr. Stevenson, former Democratic candidate for President and at the time again a possibility for a third nomination, spoke up in much more critical terms. In a speech in Chicago he said: "Premier Khrushchev wrecked this conference. Let there be no mistake about that. But we handed Khrushchev the crowbar and the sledge hammer to wreck the meeting. Without our series of blunders, Mr. Khrushchev would not have had a pretext for making his impossible demands and wild charges. The hard and inescapable facts are that this administion (Mr. Eisenhower's) played into Khrushchev's hands."

Speaking in Cincinnati, Ohio, in October 1960, after he had been nominated for President, Senator Kennedy implied that if he had been President during the preceding 4 years, Fidel Castro would not have been ruling the roost in Havana. He said that in 1958 trouble might have been averted in Cuba if we had supplied substantial economic aid. He was attacking at the time his Republican opponent, Vice President Richard M. Nixon, because on visits to Cuba in 1955 and 1958 he failed to understand what was about to happen in the island Republic.

REPUBLICAN QUESTIONS

The Republicans today are asking Mr. Kennedy why he failed to do anything about Mr. Castro and his Communist government in April 1961 after he had become President and permitted the disastrous invasion attempt by the Cuban Freedom Fighters at the Bay of Pigs. They are suggesting that Cuba continues to remain a Communist bastion in the Western Hemisphere, able to help spread subversion and revolution in other Latin American countries. They point out that parts of the Russian Red army continue on the island. And they charge that the military buildup in Cuba with Russian aid has gone ahead notwithstanding President Kennedy's strong stand in October 1962 when he threw a naval blockade about Cuba. Democratic spokesmen object strenuously to the Republican comments.

A recent joint statement by the Republican congressional leaders that the Kennedy administration has been inept in its treatment of Britain, France and Canada charges that "The standing of the United States with our three historic allies is far below the plateau of prestige promised by Mr. Kennedy in the 1960 campaign." Anti-American sentiment, they said, has been sweeping these three countries. In France, President de Gaulle claims that Europe cannot count on the United States to use nuclear force in the event of attack on the Continent by the Soviet Union. In England the people were angered by our canceling of the Skybolt missile program, on which they had counted for defense, without proper warning. And more recently, the Canadian Government has fallen because of a needless public statement by the Kennedy administration. Again Democratic spokesmen are charging the Republicans with playing politics.

THE PROPOSED TAX CUT

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "A Tax Cut—Yes, but How?" The editorial was written by Charles B. Shuman, president of the American Farm Bureau Federation, and was published in the February 1963 issue of Nation's Agriculture, a publication of the American Farm Bureau Federation. Certainly the editorial is most relevant at this time.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A TAX CUT—YES, BUT HOW?

(By Charles B. Shuman)

"You can't eat your cake and have it too."

Apparently the administration, most labor leaders and many business organizations think they have found a way to eat cake as a steady diet—cut taxes but continue Government spending at the same breakneck pace. That is the formula, so we are told, for economic growth and a reduction in unemployment. The theory—consumers will use their tax savings to spend the Nation into prosperity. The higher income thus generated would result in more income tax revenue, even at the lower rate, so they say.

The only thing wrong with this fancy scheme is that it won't work. The moment that corporation income tax rates are cut the labor union bosses will start a campaign to capture the windfall through higher wages and increased fringe benefits. Consumer buying is already on a pay later basis, thus much of the tax saving would be applied to debts. Very little would trickle back into the Federal Treasury and the present $300 billion national debt would skyrocket upward. Per capita income is at a high level. There is no justification for us to pass our debts on to our children but that is exactly what happens when the Federal Government persists in spending more than it takes in.

Taxes are too high and they should be reduced. But we must earn our tax cut by less spending and this can be accomplished. The excuse is often made that most of our big expenditures are for national defense, yet nondefense appropriations were increased $2.5 billion for last year. Who is there to say that we might not have better results from the foreign aid program with $1 billion less money? Much of the billions now being handed out disappears down various ratholes, either within the U.S. bureaucracy or that of foreign nations. How much of the billions being spent on pork-barrel rivers, harbors, and dams is really essential? At least a million could be shaved from farm program expenses with little or no effect on farm family income. Who knows, it may be possible to cut a few billions from the $50 billion defense budget and at the same time be stronger.

Hundreds of millions of people throughout the world have looked to the United States as the leader of the free world in their desire for a better way of life—for freedom and opportunity. Millions of our own citizens have looked with confidence to Government bonds and the U.S. dollar as standards of value. This trust and confidence is in peril. How much longer can we expect foreign nations to accept I O U's to offset an unfavorable balance of trade. Foreign governments and their banks hold $24 billion of short-term claims payable in gold against us and we have only $16 billion in gold. The Federal budget has been in balance only 6 times in the last 32 years. A tax cut without a corresponding reduction in spending would be fiscal irresponsibility at its worst.

Yes; we should cut taxes, but only as we reduce Government expenditures.

ABRAHAM LINCOLN

Mr. DIRKSEN. Mr. President, on May 29, 1860, Mr. E. B. Washburne, a member of the House of Representatives from Illinois, and a close personal friend of Abraham Lincoln, spoke in the House of Representatives on the occasion of Mr. Lincoln's name being placed in nomination by the Republican Party for President of the United States.

Representative Washburne's remarks in the 1st session of the 36th Congress were printed in the Appendix to the Congressional Globe. Because of the close personal association which he enjoyed with President Lincoln and with Lincoln before he became President—in fact, beginning with the year 1840—I ask unanimous consent that the statement by Representative Washburne be reprinted at this point in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ABRAHAM LINCOLN: HIS PERSONAL HISTORY AND PUBLIC RECORD

(Speech of Hon. E. B. Washburne, of Illinois, in the House of Representatives, May 29, 1860)

The House being in the Committee of the Whole on the state of the Union—

Mr. Washburne, of Illinois, said:

Mr. Chairman, the Republican Party, through its proper organization, has placed in nomination for President of the United States Abraham Lincoln, of Illinois. The people, who will be called upon to pass upon that nomination, have a right to inquire into the life, the character, and the political opinions of the man who is commended to their suffrages for the highest office in their gift. The States which I in part represent on this floor having been honored by this nomination, I come here to-day to speak of the personal and political history of the candidate. I have known Mr. Lincoln well for twenty years. I have known him in private life; I have known him at the bar; and have been associated with him in every political contest in our State since the advent of "Tippecanoe and Tyler too," in 1840. While I may speak with the accents of a strong personal friendship, I shall speak with the frankness of conscious truth and, I trust, without exaggeration.

Springing from the humblest ranks in life, and unaided by the adventitious supports of family or wealth, Mr. Lincoln has reached his present exalted position by the strength of his will, the power of his intellect, and the honesty of his heart. He was born in Hardin county, Kentucky, February 12, 1808; his family removed to Spencer county, Indiana, in 1816, where he passed his boyhood amid the roughest hardships and the most trying experiences of a frontier life. Without schools, and almost without books, he spent his time amid the wild and romantic scenes of the border, alleviating the hard labors of the farm by the sport of the huntsman. Of fine physical development, with a vigorous intellect, quick intelligence, ready wit, and genial character, he gave early evidences of the superiority he has since attained. His first advent into the great world, from the comparative seclusion of his frontier home, was down the Wabash and Ohio rivers in charge of a flat-boat, of a class known to all the old river men of the West as "broad-horns." These boats, laden with the productions of the farmers, floated down stream until a market was found for the cargo; and when that was disposed of, the boat itself was sold, and those in charge made their way back, in the best manner they could, to their homes. A great many persons have heard Mr. Lincoln relate, with inimitable effort, the anecdotes of his experience of that portion of his life.

In 1830, Mr. Lincoln emigrated to that State with which his great name has now become historically connected. He passed the first year in Macon County, and actively labored on a farm, where he and a fellow-laborer, by the name of John Hanks, split three thousand rails. This portion of the history of Mr. Lincoln's life gave rise to the incident in the late Republican State convention at Decatur, in Macon county, which awakened the intensest enthusiasm of that vast concourse of citizens from all parts of the State. Mr. Lincoln was present as a spectator in that convention, and was invited to take a seat upon the platform. When he had taken his seat, it was announced to the convention that John Hanks, an old Democrat, who had grown gray in the service of that party, desired to make a contribution to the convention; and the offer being accepted, forthwith two old-time fence rails, decorated with flags and streamers, were borne through the crowd into the convention, bearing the inscription: Abraham Lincoln, the rail candidate for President in 1860. Two rails from a lot of three thousand made in 1830 by John Hanks and Abe Lincoln.

The effect was electrical. One spontaneous burst of applause went up from all parts of the "wigwam." Of course, Mr. Lincoln was called out and made an explanation of the matter. He stated that, some thirty years ago, then just emigrating to the State, he stopped with his mother's family, for one season, in what is now Macon county; that he built a cabin, split rails, and cultivated a small farm down on the Sangamon river, some six or eight miles from Decatur. These, he was informed, were taken from that fence; but, whether they were or not, he had mauled many, and better ones, since he had grown to manhood.

From Macon county he removed to a settlement called New Salem, which was then in Sangamon, but now in Menard county. It was at New Salem that Judge Douglas says he first knew Lincoln; and I cannot do better than to read here an extract from one of his speeches, made in the Illinois campaign in 1858, at Ottawa:

"In the remarks I have made on this platform, and the position of Mr. Lincoln upon it, I mean nothing personally disrespectful or unkind to that gentleman. I have known him for nearly twenty-five years. There were many points of sympathy between us when we first got acquainted. We were both comparatively boys, and both struggling with poverty in a strange land. I was a school-teacher in the town of Winchester, and he a flourishing grocery-keeper in the town of Salem. He was more successful in his occupation than I was in mine, and hence more fortunate in this world's goods. Lincoln is one of those peculiar men who perform with admirable skill everything which they undertake."—Lincoln and Douglas Debates, p. 69.

The last sentence in the above extract is worthy of especial note. Such a compliment extorted from his bitterest adversary has a greatly enhanced value. When Mr. Lincoln shall have undertaken the administration of the Government of this great country, the people will agree with Mr. Douglas that—

"Lincoln is one of those peculiar men who perform with admirable skill everything which they undertake."

Again: Mr. Douglas, in a speech in the Senate of the United States, January 23, 1860, refers to Mr. Lincoln as one of "the ablest and most clear-headed men" of the Republican party.

It may be proper, however, here, to let the following reply of Mr. Lincoln be heard in regard to his being a "flourishing grocery-keeper."

"The Judge is woefully at fault about his early friend Lincoln being a 'grocery-keeper.' I don't know as it would be a great sin, if I had been; but he is mistaken. Lincoln never kept a grocery anywhere in the world. It is true that Lincoln did work the latter part of one winter in a little still-house, up at the head of a hollow."

Now it is proposed, that as Lincoln spent a "part of one winter in a little still-house, up at the head of a hollow," he shall spend the whole of four winters, at least, in a large white house at the head of Pennsylvania Avenue.

The Black Hawk war having broken out, Mr. Lincoln was among the first to raise a company of volunteers for that service, and he acquitted himself with credit. Returning from that campaign, he began in earnest to devote the energies of his great intellect and superior will to the acquisition of knowledge. He first acquired a knowledge of the art of surveying, but the demand for his services in that line of business was not sufficient to support him, and he was compelled to surrender up his mathematical and surveying instruments to the sheriff, to be sold on execution.

Nothing daunted by his misfortune, then it was he commenced the study of that profession upon which he has conferred so much honor, and in which he has attained so great a distinction. Borrowing a few elementary law books, he learned the rudiments of the profession by the dim light thrown out from the fire-place of a log cabin.

In 1836 he was placed in nomination by the Whigs of Sangamon County, for a seat in the lower branch of the Legislature, which then met at Vandalia. He was elected, and gave early evidence of the superior qualities of his mind, and his skill and power as a debator. He was elected, and served two subsequent sessions. Wider avenues were now opened to him in the acquisition of general knowledge, and of the knowledge of the law, which he improved to the utmost. Changing his residence from a precinct in the county to Springfield, which had then become the capital of the State, and where he has ever since resided, he was admitted to the bar, and embarked in his profession. His success was immediate. He displayed a knowledge of the principles of the law almost intuitive, and his arguments were marked by strength of reasoning, keenness of logic, a rough eloquence, and a flow of wit and humor. His fairness to his adversary, his disdain of all the little tricks which sometimes disgrace the profession, his entire candor and truthfulness, his original and easy mode of illustration, made him all-powerful before a jury. He now ranks as the ablest and most successful lawyer in the State.

My first knowledge of Mr. Lincoln was in the great campaign of 1840. He was then an elector on the Harrison electoral ticket. He stumped all the middle and lower part of the State with great effect, traveling from the Wabash to the Mississippi in the hot months of July and August, shaking with the ague one day, and addressing the people the next, and establishing a reputation as one of the most effective and popular speakers in the State, a reputation which he has ever since maintained.

From 1840 to 1844 Mr. Lincoln devoted himself entirely to the active pursuit of his profession. The Clay campaign of 1844 brought him again into the political arena, and he headed the Whig electoral ticket in that canvass. He stumped the State, speaking to immense audiences everywhere he went, winning the applause of his friends, and extorting the admiration of his enemies, for his eloquent and masterly expositions of the principles of his party. After the defeat of Mr. Clay, and up to 1846, he was found devoted to his profession. In August of 1846 he was elected to Congress, by the Whigs of the Springfield district, to succeed Colonel E. D. Baker.

In December, 1847, Mr. Lincoln took his seat in Congress. It is but proper that his recorded opinions, while a member of Congress, upon the questions then agitating the country, should be known, and I now propose to briefly review the record made by him in the Thirtieth Congress.

In the House of Representatives, on the 3d of January, 1848, Mr. Evans, of Maryland, offered the following resolution:

"*Resolved*, That the capitulation of Monterey meets with the entire sanction and approbation of this Congress, and that the terms of that capitulation were as creditable to the humanity and skill of the gallant Taylor, as the achievement of the victory of Monterey was glorious to our arms."

Mr. Ashmun, of Massachusetts, moved to amend by adding the words: "in a war unnecessarily and unconstitutionally begun by the President of the United States." The yeas and nays were ordered upon this amendment, and it was agreed to—yeas 85, nays 81. (Congressional Globe, volume 18, page 95.) It was strict party vote, every Whig member of the House voting in the affirmative. Among the distinguished names of those who voted for this amendment I find that of Abraham Lincoln. I find also that he voted in what would now be called good Democratic company, and with men who are at the present time bright and shining lights in the Democratic party, and who have never been denounced as traitors, taking sides with the enemy in time of war. Hon. Thomas L. Clingman, at present a Democratic Senator from North Carolina; Hon. Alexander H. Stephens, of Georgia, a leader of the Democratic party in the House of Representatives for several Congresses prior to the present one; Hon. Thomas Butler King, of Georgia, now a Democratic member of the Senate of that State; Hon. Daniel M. Barringer, of North Carolina, late Minister to Spain, now a Democrat; and Hon. Robert Toombs, the present able and distinguished Senator from Georgia, all of whom served with Mr. Lincoln in the Thirtieth Congress—with whom Mr. Toombs says, in a late speech, he had an "agreeable acquaintance," and all of whom voted precisely as Mr. Lincoln did, for this amendment of Mr. Ashmun.

In regard to this vote, I prefer to let Mr. Lincoln speak for himself. In replying to a speech of Judge Douglas, in the celebrated campaign in our State in 1858, Mr. Lincoln said:

"And so I think my friend, the Judge, is equally at fault, when he charges me, at the time when I was in Congress, with having opposed our soldiers who were fighting in the Mexican war. The Judge did not make his charge very distinctly; but I can tell you what he can prove by referring to the record. You remember I was an old Whig, and whenever the Democratic party tried to get me to vote that the war had been righteously begun by the President, I would not do it. But whenever they asked for any money, or land warrants, or anything to pay the soldiers there, during all that time, I gave the same vote that Judge Douglas did. You can think as you please as to whether that was consistent. Such is the truth; and the Judge has the right to make all he can out of it. But when he, by a general charge, conveys the idea that I withheld supplies from the soldiers who were fighting in the Mexican war, or did anything else to hinder the soldiers, he is, to say the least, grossly and altogether mistaken, as a consultation of the records will prove to him."—Lincoln and Douglas Debates, page 75.

In a speech in this House, on the 27th day of July, 1848, Mr. Lincoln, referring to the same matter, spoke in the following language of truth, eloquence, and patriotism:

"If, when the war had begun, and had become the cause of the country, the giving of our money and our blood, in common with yours, was support of the war, then it is not true that we have always opposed the war. With few individual exceptions, you have constantly had our votes here for all the necessary supplies. And, more than this, you have had the services, the blood, and the lives, of our political brethren, in every trial, and on every field. The beardless boy and the mature man, the humble and the distinguished—you have had them. Through suffering and death, by disease and in battle, they have endured and fought and fell with you. Clay and Webster each gave a son never to be returned. From the State of my own residence, besides other worthy but less known Whig names, we sent Marshall, Morrison, Baker, and Hardin; they all fought, and one fell, and in the fall of that one we lost our best Whig man.

"Nor were the Whigs few in number, or laggard in the day of danger. In that fearful, bloody, breathless struggle at Buena Vista, where each man's hard task was to beat back five foes or die himself, of the five high officers who perished, four were Whigs.

"In speaking of this, I mean no odious comparison between the lion-hearted Whigs and Democrats who fought there. On other occasions, and among the lower officers and privates on that occasion, I doubt not the proportion was different. I wish to do justice to all. I think of all those brave men as Americans, in whose proud fame, as an American, I too have a share. Many of them, Whigs and Democrats, are my constituents and personal friends; and I thank them—more than thank them—one and all, for the high, imperishable honor they have conferred on our common State."—Congressional Globe, volume 19, page 1042.

Such being the patriotic and consistent position of Mr. Lincoln on the war, when the bill for supplies for our army in Mexico came up on the 8th day of March, 1848, his vote is, of course, found recorded in favor of the bill. (Congressional Globe, vol. 18, p. 445.)

Following this up, we find Mr. Lincoln ever watchful of the interests of the soldier, proposing to extend the bounty land act, not only so far as regarded the volunteers to Mexico, but to the war-worn veterans of 1812; thus putting in motion that great measure of public justice which was finally meted out to those brave and patriotic men. On the proposition to amend the bounty land law of February 11, 1847, which was passed before Mr. Lincoln became a member of Congress, Mr. Lincoln spoke as follows:

"If there was a general desire on the part of the House to pass the bill now, he should be glad to have it done—concurring as he did generally with the gentleman from Arkansas, [Mr. JOHNSON,] that the postponement might jeopard the safety of the proposition. If, however, a reference was to be made, he wished to make a very few remarks in relation to the several subjects desired by gentlemen to be embraced in amendments to the ninth section of the act of the last session of Congress. The first amendment desired by members of this House had for its only object to give bounty lands to such persons as had served for a time as privates, but had never been discharged as such, because promoted to office. That subject, and no other, was embraced in this bill. There were some others who desired, while they were legislating on this subject, that they should also give bounty lands to the volunteers of the war of 1812. His friend from Maryland [Mr. Evans] said there were no such men. He (Mr. L.) did not say there were many, but he was very confident there were some. His friend from Kentucky near him [Mr. Gaines] told him he himself was one.

"There was still another proposition touching this matter; that was, that persons entitled to bounty land should by law be entitled to locate these lands in parcels, and not be required to locate them in one body, as was provided by the existing law.

"Now, he had carefully drawn up a bill embracing these separate propositions, which he intended to propose as a substitute for all these bills in the House, or in Committee of the Whole on the state of the Union, at some suitable time. If there was a disposition on the part of the House to act at once on this separate proposition, he repeated that, with the gentleman from Arkansas, he should prefer it, lest they should lose all. But if there was to be a reference, he desired to introduce his bill embracing the three propositions—thus enabling the committee and the House to act at the same time, whether favorably or unfavorably, upon all."—Congressional Globe, volume 18, page 550.

Thus it will be seen that Mr. Lincoln not only favored the bill before the House, but he proposed embracing the soldiers of the war of 1812, and also to authorize the soldier to locate his land in parcels, and not be obliged to locate it in one body; a most just and liberal proposition.

On the great question of rivers and harbors Mr. Lincoln is eminently sound and practical, and his views must meet with the approbation of the country. On the 22d of June, 1848, he made a speech in the House of Representatives, on the message of President Polk vetoing the river and harbor bill. In reply to that part of the message of Mr. Polk touching the suggestion of a change of the Constitution, he made the following observations, which should sink deep into the hearts of the American people:

"As a general rule, I think we would do much better to let it alone. No slight occasion should tempt us to touch it. Better not take the first step, which may lead to a habit of altering it. Better rather habituate ourselves to think of it as unalterable. It can scarcely be made better than it is. New provisions would introduce new difficulties, and thus create and increase appetite for still further change. No, sir; let it stand as it is. New hands have never touched it. The men who made it have done their work, and have passed away. Who shall improve on what they did?"

After conclusively replying to the arguments of the message, Mr. Lincoln proceeds with the following eminently practical suggestions:

"Determine that the thing can and shall be done, and then we shall find the way. The tendency to undue expansion is unquestionably the chief difficulty. How to do something, and still not do too much, is the desideratum. Let each contribute his mite in the way of suggestion. The late Silas Wright, in a letter to the Chicago convention, contributed his, which was worth something; and I now contribute mine, which may be worth nothing. At all events, it will mislead nobody, and, therefore, will do no harm. I would not borrow money. I am against an overwhelming, crushing system. Suppose that, at each session, Congress shall first determine how much money can, for that year, be spared for improvements; then apportion that sum to the most important objects. So far, all is easy; but how shall we determine which are the most important? On this question comes the collision of interests. I shall be slow to acknowledge that your harbor or your river is more important than mine, and vice versa. To clear this difficulty, let us have that same statistical information which the gentleman from Ohio [Mr. Vinton] suggested at the beginning of this session. In that information we shall have a stern, unbending basis of facts—a basis in no wise subject to whim, caprice, or local interest. The prelimited amount of means will save us from doing too much, and the statistics will save us from doing what we do in wrong places. Adopt and adhere to this course, and, it seems to me, the difficulty is cleared."—Congressional Globe, volume 19, page 709.

On the passage of the river and harbor bill by the House, August 11, 1848, Mr. Lincoln's name is found in the affirmative. (Congressional Globe, vol. 18, p. 1062.)

The tariff question was not up in Congress during Mr. Lincoln's term of service, but he nevertheless had an opportunity of putting himself upon the record in favor of protecting the great interests of American labor.

Hon. Andrew Stewart, of Pennsylvania, called "Tariff Andy," on the 19th of June, 1848, asked leave to introduce the following resolution:

"*Resolved*, That the Committee of Ways and Means be instructed to inquire into the expediency of reporting a bill increasing the duties on foreign luxuries of all kinds, and on such foreign manufactures as are now coming into ruinous competition with American labor."

Upon the question being taken, Mr. Lincoln voted in the affirmative. (Congressional Globe, vol. 18, p. 852.)

Mr. Lincoln was an early and consistent advocate of the doctrine of slavery prohibition in the Territories, and of the power of Congress over them. He voted for the amendment to the Oregon bill, which extended the ordinance of 1787 over Oregon Territory, and for the bill thus amended. (Congressional Globe, vol. 18, p. 1027.)

Such is the record made by Mr. Lincoln on all the important matters before Congress while he was a member. Though serving his constituents with ability and fidelity, and to the entire satisfaction of his friends, he declined a renomination, preferring the quiet pursuit of his profession, and the enjoyments of private life, to the blandishments of office and the turmoil of political strife. Yet, such was his interest in political matters, and so deeply did he feel the importance to the country of the success of the principles he upheld, that he actively participated in the presidential contest of 1852.

The repeal of the Missouri compromise, in 1854, called Mr. Lincoln again into the field of politics, and he threw himself into the great contest of that year with all the energy of his character and the power of his will. Stumping the State in all directions, and speaking to immense audiences, he awakened the people to the aggressive character of that legislation, and called on them to rebuke that "ruthless hand" which dared to break down that sacred compromise, and which, in the words of Senator Douglas, "was akin to the Constitution, and cannonized in the hearts of the American people."

Upon the Legislature elected that year developed the duty of electing a United States Senator, in the place of General Shields, who had voted for the Kansas-Nebraska bill. The Whigs and Anti-Nebraska Democrats constituted a majority of both branches of that Legislature, but five-sixths of this majority had been Whigs, and Mr. Lincoln was their first choice for Senator. The anti-Nebraska Democrats presented Judge Trumbull as a candidate, and Mr. Lincoln, finding after the balloting commenced that the continuance of his name before the joint convention might result in the election of the Nebraska Democratic candidate, magnanimously withdrew from the contest, and earnestly entreated his friends to elect Judge Trumbull, an anti-Nebraska Democrat, whose subsequent career in the Senate has been marked by great ability, and by strict fidelity to the conviction of those who elected him.

In 1856 the Republican party in Illinois was fully inaugurated as a State organization at the Bloomington convention, held in May of that year. Mr. Lincoln was present at that convention, and gave the weight and influence of his great name to the establishment of that party, and to a bold and emphatic declaration of principles. His speech upon that occasion was one of the most masterly efforts of his life, and carried conviction to all minds, stirring up the convention to the highest pitch of enthusiasm, and nerving every man with resolute determination. He was placed on the Republican electoral ticket as an elector at large, associated with Frederic Hecker, the German patriot and orator, who had fought for liberty in his native land, and whose eloquence awakened in the hearts of his countrymen the highest emotions of patriotism.

In that campaign Mr. Lincoln again canvassed the State, laboring with great earnestness and zeal; and it could truly be said of him, "No dangers daunted, and no labors tired."

Though Mr. Buchanan carried the State, yet the entire Republican State ticket was elected.

Great interest centered in the election of 1858—the legislature to be elected was to name a successor to Judge Douglas in the Senate of the United States. The Republican State convention for that year, to nominate candidates for State officers, with entire unanimity, and amid unbounded enthusiasm, designated Mr. Lincoln as the choice of the Republicans of the State for United States Senator, to succeed Judge Douglas. Of all the able and distinguished Republicans in the State, such was the hold of Mr. Lincoln on the party, such was the devotion of the masses to his interests, that no other name was suggested or thought of in connection with the candidacy for Senator.

I will now allude to some of the incidents of the great campaign of 1858, between Lincoln and Douglas, which assumed national proportions, and attracted the attention of all parts of the country, by the ability and vigor of the discussions, and the intense excitement which attended the canvass. All the great questions that now agitate the country were fully and elaborately discussed in their debates; and Mr. Lincoln's position on those questions can be most fully and satisfactorily understood by a reference thereto.

In a discussion at Freeport, in my own district, at which I was present, Mr. Douglas submitted to Mr. Lincoln a series of interrogatories, embracing all the various propositions involved in the question of slavery. I cannot do better here than to extract the questions and answers from a recent speech of the distinguished Senator from Louisiana, [Mr. Benjamin,] in the United States Senate, together with his comment thereon. Speaking of that canvass, Mr. Benjamin says:

"In that contest, the two candidates for the Senate of the United States, in the State of Illinois, went before their people. They agreed to discuss the issues; they put questions to each other for answer; and I must say here, for I must be just to all, that I have been surprised, in the examination that I made again within the last few days of this discussion between Mr. Lincoln and Mr. Douglas, to find that Mr. Lincoln is a far more conservative man, unless he has since changed his opinions, than I had supposed him to be. There was no dodging on his part. Mr. Douglas started with his questions. Here they are, with Mr. Lincoln's answers:

"Question 1. I desire to know whether Lincoln to-day stands, as he did in 1854, in favor of the unconditional repeal of the fugitive slave law?

"Answer. I do not now, nor ever did, stand in favor of the unconditional repeal of the fugitive slave law.

"Question 2. I desire him to answer whether he stands pledged to-day, as he did in 1854, against the admission of any more slave States into the Union, even if the people want them?

"Answer. I do not now, nor ever did, stand pledged against the admission of any more slave States into the Union.

"Question 3. I want to know whether he stands pledged against the admission of a new State into the Union with such a constitution as the people of that State may see fit to make?

"Answer. I do not stand pledged against the admission of a new State into the Union with such a constitution as the people of that State may see fit to make.

"Question 4. I want to know whether he stands to-day pledged to the abolition of slavery in the District of Columbia?

"Answer. I do not stand to-day pledged to the abolition of slavery in the District of Columbia.

"Question 5. I desire him to answer whether he stands pledged to the prohibition of the slave trade between the different States?

"Answer. I do not stand pledged to the prohibition of the slave trade between the different States.

"Question 6. I desire to know whether he stands pledged to prohibit slavery in all the Territories of the United States, north as well as south of the Missouri compromise line?

"Answer. I am impliedly, if not expressly, pledged to a belief in the right and duty of Congress to prohibit slavery in all the United States Territories.

"Question 7. I desire him to answer whether he is opposed to the acquisition of any new territory unless slavery is first prohibited therein?

"Answer. I am not generally opposed to honest acquisition of territory; and, in any given case, I would or would not oppose such acquisition, accordingly as I might think such acquisition would or would not aggravate the slavery question among ourselves."—Debates of Lincoln and Douglas, p. 88.

"It is impossible, Mr. President, however we may differ in opinion with the man, not to admire the perfect candor and frankness with which these answers were given; no equivocation—no evasion."

Nothing can be more just than the compliments paid by the distinguished Louisiana Senator to the candor and frankness of Mr. Lincoln. It is not an unusual thing for him to extort expressions of admiration from his opponents for the fairness and candor of his arguments, both in political discussion and at the bar. It was said of him by one of the judges of our supreme court, that he stated the propositions and arguments of his adversary so fully and fairly, that but little further was necessary to be said.

It is but just, however, that Mr. Lincoln should be heard further on these questions and answers, and in explanation of them; and in the same discussion he says:

"Now, my friends, it will be perceived, upon an examination of these questions and answers, that so far I have only answered that I was not pledged to this, that, or the other. The judge has not framed his interrogatories to ask me anything more than this, and I have answered in strict accordance with the interrogatories, and have answered truly that I am not pledged at all upon any of the points to which I have answered. But I am not disposed to hang upon the exact form of his interrogatory. I am rather disposed to take up at least some of these questions, and state what I really think upon them.

"As to the first one, in regard to the fugitive slave law, I have never hesitated to say, and I do not now hesitate to say, that I think, under the Constitution of the United States, the people of the southern States are entitled to a congressional fugitive slave law. Having said that, I have had nothing to say in regard to the existing fugitive slave law, further than that I think it should have been framed so as to be free from some of the objections that pertain to it, without lessening its efficiency. And inasmuch as we are not now in an agitation in regard to an alteration or modification of that law, I would not be the man to introduce it as a new subject of agitation upon the general question of slavery.

"In regard to the other question, of whether I am pledged to the admission of any more slave States into the Union, I state to you very frankly that I would be exceedingly sorry ever to be put in a position of having to pass upon that question. I should be exceedingly glad to know that there would never be another slave State admitted into the Union; but I must add that, if slavery shall be kept out of the Territories during the territorial existence of any one given Territory, and then the people shall, having a fair chance and a clear field when they come to adopt the constitution, do such an extraordinary thing as to adopt a slave constitution, uninfluenced by the actual presence of the institution among them, I see no alternative, if we own the country, but to admit them into the Union.

"The third interrogatory is answered by the answer to the second; it being, as I conceive, the same as the second.

"The fourth one is in regard to the abolition of slavery in the District of Columbia. In relation to that, I have my mind very distinctly made up. I should be exceedingly glad to see slavery abolished in the District of Columbia. I believe that Congress possesses the constitutional power to abolish it. Yet, as a member of Congress, I should not, with my present views, be in favor of endeavoring to abolish slavery in the District of Columbia, unless it would be upon these conditions: First, that the abolition should be gradual. Second, that it should be on a vote of the majority of qualified voters in the District. And third, that compensation should be made to unwilling owners. With these three conditions, I confess I would be exceedingly glad to see Congress abolish slavery in the District of Columbia, and, in the language of Henry Clay, 'sweep from our capital that foul blot upon our nation.'

"In regard to the fifth interrogatory, I must say here, that as to the question of the abolition of the slave trade between the different States, I can truly answer, as I have, that I am pledged to nothing about it. It is a subject to which I have not given that mature consideration that would make me feel authorized to state a position so as to hold myself entirely bound by it. In other words, that question has never been prominently enough before me to induce me to investigate whether we really have the constitutional power to do it. I could investigate it if I had sufficient time to bring myself to a conclusion upon that subject; but I have not done so, and I say so frankly to you here, and to Judge Douglas. I must say, however, that if I should be of opinion that Congress does possess the constitutional power to abolish the slave trade among the different States, I should still not be in favor of the exercise of that power, unless upon some conservative principle, as I conceive it, akin to what I have said in relation to the abolition of slavery in the District of Columbia.

"My answer as to whether I desire that slavery should be prohibited in all the Territories of the United States is full and explicit within itself, and cannot be made clearer by any comments of mine. So I suppose, in regard to the question whether I am opposed to the acquisition of any more territory unless slavery is first prohibited therein, my answer is such that I could add nothing by way of illustration, or making myself better understood, than the answer which I have placed in writing.

"Now, in all this, the Judge has me, and he has me on the record. I suppose he had flattered himself that I was really entertaining one set of opinions for one place and another set for another place—that I was afraid to say at one place what I uttered at another. What I am saying here I suppose I say to a vast audience as strongly tending to Abolitionism as any audience in the State of Illinois, and I believe I am saying that which, if it would be offensive to any persons, and render them enemies to myself, would be offensive to persons in this audience."—Lincoln and Douglas Debates, pages 88, 89.

As a Republican, Mr. Lincoln thus further speaks the sentiments of his party in regard to the slavery question:

"They look upon it as a vast moral evil; they can prove it as such by the writings of those who gave us the blessings of liberty which we enjoy; and that they so looked upon it, and not as an evil merely confining itself to the States where it is situated; and while we agree that, by the Constitution we assented to, in the States where it exists we have no right to interfere with it, because it is in the Constitution; and we are by both duty and inclination to stick by that Constitution, in all its letter and spirit, from beginning to end." * * * * "The Republican party is made up of those who, as far as they can peaceably, will oppose the extension of slavery, and who will hope for its ultimate extinction."—Lincoln and Douglas Debates, page 19.

Now, Mr. Chairman, one word as to the Dred Scott decision, and Mr. Lincoln's position in regard to it. He says:

"I have expressed heretofore, and I now repeat, my opposition to the Dred Scott decision, but I should be allowed to state the nature of that opposition; and I ask your indulgence while I do so. What is fairly implied by the term Judge Douglas has used, 'resistance to the decision?' I do not resist it. If I wanted to take Dred Scott from his master, I would be interfering with property, and that terrible difficulty that Judge Douglas speaks of, of interfering with property, would arise. But I am doing no such thing as that; but all that I am doing is refusing to obey it as a political rule. If I were in Congress, and a vote should come up on the question whether slavery should be prohibited in a new Territory, in spite of the Dred Scott decision, I would vote that it should. That is what I would do. Judge Douglas said last night, that before the decision he might advance his opinion, and it might be contrary to the decision when it was made; but after it was made, he would abide by it until it was reversed. Just so. We let this property abide by the decision, but we will try to reverse that decision. We will try to put it where Judge Douglas would not object, for he says he will obey it until it is reversed. Somebody has to reverse that decision, since it is made, and we mean to reverse it, and we mean to do it peaceably.

"What are the uses of decisions of courts? They have two uses. As rules of property, they have two uses. First, they decide upon the question before the court. They decide in this case that Dred Scott is a slave. Nobody resists that. Not only that, but they say to everybody else, that persons standing just as Dred Scott stands, are as he is. That is, they say that when a question comes up upon another person, it will be so decided again, unless the court decides in another way, unless the court overrules its decision. Well, we mean to do what we can to have the court decide the other way. That is one thing we mean to try to do."—Lincoln and Douglas Debates, page 20.

In regard to what would be the course of the Republican party towards our southern brethren in the event of its accession to power, Mr. Lincoln, addressing himself to Kentuckians, said in his Cincinnati speech:

"We mean to treat you, as near as we possibly can, as Washington, Jefferson, and Madison, treated you. We mean to leave you alone, and in no way to interfere with your institution; to abide by all and every compromise of the Constitution; and, in a word, coming back to the original proposition, to treat you, so far as degenerated men (if we have degenerated) may, according to the examples of those noble fathers—Washington, Jefferson, and Madison. We mean to remember that you are as good as we; that there is no difference between us, other than the difference of circumstances. We mean to recognize and bear in mind always that you have as good hearts in your bosoms as other people, or as we claim to have, and treat you accordingly."—Lincoln and Douglas Debates, page 263.

In his speech at Ottawa, Mr. Lincoln further says:

"I will say here, while upon the subject, that I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so. I have no purpose to introduce political and social equality between the white and the black races. There is a physical difference between the two, which, in my judgment, will probably forever forbid their living together upon the footing of perfect equality; and inasmuch as it becomes a necessity that there must be a difference, I, as well as Judge Douglas, am in favor of the race to which I belong having the superior position. I have never said anything to the contrary; but I hold that, notwithstanding all this, there is no reason in the world why the negro is not entitled to all the natural rights enumerated in the Declaration of Independence—the right to life, liberty, and the pursuit of happiness."—Lincoln and Douglas Debates, page 75.

The result of that contest is known. The Republican State ticket was triumphantly elected. Mr. Lincoln triumphed by the popular voice. The candidates for the Legislature friendly to Mr. Lincoln received more votes than the candidates friendly to Judge Douglas, and Lincoln was only defeated for Senator by an iniquitous and unjust apportionment, which stifled the voice of the majority.

The entire vote for the Lincoln candidates for the Legislature was	125,375
The entire vote for the Douglas candidates for the Legislature was	121,190
Lincoln leading Douglas in the popular vote	4,185

I have thus, Mr. Chairman, briefly adverted to the private history and public life of Mr. Lincoln, and both commend him to the country as a worthy candidate of a great and patriotic party, for President of the United States. His nomination has touched the popular heart, and has been received with approbation everywhere. The masses of the people are rallying under the flag of the man of their choice, and they will bear him to the presidential chair by an overwhelming majority. Dissatisfaction at the results of the Chicago convention now only exists among our Democratic brethren. They profess to think we did not nominate the proper man, and shed "crockodile tears" over the defeat of the nomination of a candidate whom they have hunted through his whole political career by a persistent malignity, without parallel in the history of the country. Such sympathy, under such circumstances, is no new thing. It was exhibited in the case of Mr. Clay, when General Taylor was nominated over him in 1848. The Democrats were then very much troubled at the great mistake the Whigs made in throwing overboard their great leader, Mr. Clay, and nominating the hero of Buena Vista. I know of no better reply to all this, than Mr. Lincoln made in a speech in this House on the 27th day of July, 1848:

"Mr. Speaker, let our Democratic friends be comforted with the assurance that we are content with our position, content with our company, and content with our candidate; and that, although they in their generous sympathy think we ought to be miserable, we really are not, and that they may dismiss the great anxiety they have on our account."—Congressional Globe, volume 19, page 1043.

The Republican party prefers to make its own nominations, as it is able to manage its own concerns in its own way. This party is the most imposing reunion of men for a patriotic object which this country has ever known. All good men, of all parties, who desire to see the Government rescued from its present degradation, and who would stay the further spread of slavery, can unite upon the candidates and the platform of the Chicago convention. The hope which Mr. Lincoln expressed, in the Illinois campaign of 1858, should be realized in the great contest upon which we have now entered. In his speech at Freeport, Mr. Lincoln said:

"For my part, I do hope that all of us, entertaining a common sentiment in opposition to what appears to us a design to nationalize and perpetuate slavery, will waive minor differences on questions which either belong to the dead past or the distant future, and all pull together in this struggle."—Lincoln and Douglas Debates, page 107.

The success of the Republican party, which has been inaugurated by the nomination of Mr. Lincoln, will bring with it great duties and grave responsibilities. A strict observance of the Constitution and an inflexible administration of the law must be its rule. It must practice the most rigid economy in every department of the Government; repress with a vigorous hand all abuses that have crept into its administration; bring about fraternal feeling; reanimate industry; clear out the pathways, and spread the sails of commerce. It must save the common Territories of the United States from the curse of slavery; reestablish the public credit, and restore confidence between man and man. The immediate reestablishment of the public good must be its first great object, and the peace and prosperity of the country will be assured.

Mr. Lincoln has been but little in public life, and he will come into the presidential chair "fresh from the people," with "no friends to reward, and no enemies to punish." He has no complications with politicians, cliques, or factions, and no outstanding promises requiring redemption. One of the people, taken up by the people, he will be the President of the people. In him there are united the elements which challenged the confidence of the convention which nominated him, and of the people who will elect him. He is emphatically a representative man; and, by the simplicity of his manners, and the purity of his private life, he is the type of the virtues which belong to a great Republic. There is an inflexible patriotism in his heart, and he has the incorruptibility of Republican principles in his soul. He has doctrines, not hatreds, and is without ambition, except to do good, and serve his country.

In these days, when corruption, prodigality, and venality have reached the very vitals of the Government, the people have at last found an honest man to administer the affairs of the nation in the spirit in which our institutions were founded; a man whose name has ever been the synonym of probity and honor; whose reputation, in all the relations of private life, is without blemish, as his public career is without reproach. No man ever has, and no man ever can, place his finger upon a single dishonorable or improper act of his life. He stands to-day, as a private citizen and public man, unassailed and unassailable—

"An honest man, the noblest work of God."
Of no man can it more truly be said:
"His life is gentle; and the elements
So mixed in him, that Nature might stand up
And say to all the world, this is a man."

SCHOOL AID MONEY NEEDED FOR STATE

Mr. BYRD of West Virginia. Mr. President, the need for congressional action on President Kennedy's omnibus education bill, particularly insofar as West Virginia is concerned, is cogently argued by Mr. Phil Hirsch in his column, "Washington Watch," which appeared in the February 14, 1963, edition of the Charleston, W. Va., Gazette.

Stating that West Virginia would greatly benefit if the administration's education bill receives congressional approval in its present form, Mr. Hirsch tells of the significance of such aid to my State:

> This would be nearly four times more than the Mountain State is receiving now—

Mr. Hirsch declares, adding that—

> Thousands of poor teenagers could obtain the education they need to keep off the breadline; long-deferred plans to build new elementary, secondary, and college classrooms could be launched, and there might even be a chance of reducing the vast number of youngsters throughout the State now receiving instructions from teachers who never finished college.

While Mr. Hirsch goes on to discuss the many aspects of the omnibus education bill, and what each of these could mean for the advancement of education in West Virginia, I want to especially draw attention to his concluding remarks, because they highlight an erosion in the American destiny which we, in the Congress, have the power to change:

> The pending bill—

Mr. Hirsch states—

> authorizes $400 million in grants to local school districts in fiscal 1964. West Virginia's share would be about $5.5 million.
>
> In fiscal 1962, about $22 million was spent on public school construction throughout the State—

He continues, adding:

> Just imagine how many double shifts and leaky, drafty, decrepit schoolhouses could have been eliminated if this figure had been $5.5 million higher.

Mr. President, I believe that the plight of education in West Virginia is the same as that which faces many other States in the Nation. But I can only speak for the Mountain State, and in so doing I can only call attention to the patriotic purposes in the national effort to develop the mental powers and abilities of every child and of every teenager in this country. In strengthening our educational system, we are giving new firmness to the greatest bulwark against the loss of our freedom to Communist tyranny.

What we do about our educational system today—to catch up with the lag in school construction, in the development and training of required numbers of teachers, and in better pay for our teachers—will shape the growth and power of our country tomorrow. If this requires a new marshalling of our resources, then let us get on with the task, for time is no longer on our side. The Russians are already graduating more engineers, technicians, and scientists each year than we are.

I would commend to the Congress, as a slogan to bear in mind during the course of debates on the President's omnibus education bill, so that the purposes of the bill are not lost in partisan ire: "A good American is an educated American."

Mr. President, I ask unanimous consent to have Mr. Hirsch's column printed in the RECORD at this time.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

WASHINGTON WATCH

(By Phil Hirsch)

SCHOOL AID MONEY NEEDED FOR STATE

West Virginia will get roughly $13 million worth of Federal aid during the year beginning next July 1 if the administration's omnibus education bill passes Congress in its present form.

This would be nearly four times more than the Mountain State is receiving now. Thousands of poor teenagers could obtain the education they need to keep off the breadline; long-deferred plans to build new elementary, secondary, and college classrooms could be launched, and there might even be a chance of reducing the vast number of youngsters throughout the State now receiving instructions from teachers who never finished college.

The bill won't pass in its present form because southern, Catholic, and conservative Members of both Houses have enough votes to block several key provisions. But there is a better than even chance that a number of other provisions, almost as beneficial, will get through the congressional meat-grinder relatively intact.

The college student loan program is one of the least controversial parts of the new bill. For the past 5 years, needy graduate and undergraduate students attending private and public colleges and universities have been able to borrow up to $1,000 a year to finance their educations; most of this money has been supplied by the Federal Government. The administration wants to increase the fund in fiscal 1964 from the present $90 million to $135 million annually, and allow most students to borrow up to $2,500 a year.

The pending bill also provides Federal loan insurance. Students could borrow up to $50 million from banks and other commercial lending institutions at lower-than-market interest rates. Under a related provision of the National Education Improvement Act of 1963, the Federal Government would help other students work their way through college or university; the bill sets aside $22.5 million in 1964 to cover half their pay. The rest would come from school or State funds. Undergrads could earn as much as $1,000 a year, graduate students $2,000 a year.

In 1962, West Virginia college and university students received educational loans totaling $963,203. The proposed program would increase this figure to more than $1.5 million.

There is a crying need throughout West Virginia for more 2-year colleges. The new bill makes $50 million in Federal funds available to all the States on a 50–50 matching basis; this money could be used to build junior college classrooms or pay their teachers. West Virginia's share would be approximately $750,000. The bill limits Federal aid to public junior colleges, but this provision isn't likely to stir up the church-State education feud because virtually all parochial colleges are 4-year institutions.

Another part of the bill likely to pass largely in its present form is the vocational education program. Approximately $73 million in Federal grants would be provided on a matching basis (versus $50 million this year) to finance classes for high school students, dropouts, unemployed youth, those with jobs who are interested in upgrading themselves, and handicapped workers. The money could also be spent on area vocational schools. The most significant difference between the new vocational-education program and the old one is that in future, a student could be trained for a skill needed elsewhere in his State. At present, each vocational training program must be related directly to the occupational needs of the local labor market.

The new bill increases Federal aid to public libraries sixfold, from $7½ million annually to $45 million. It also removes an existing restriction which limits aid to rural areas and to communities which have 10,000 population or less. If that ban is kept out of the final bill, Charleston's public library system could receive Federal aid for the first time. West Virginia received $152,796 in library aid during fiscal 1962. The new bill would raise that figure to more than half a million dollars in the coming fiscal year.

The most controversial parts of the President's educational package are: a basic education program for adults who haven't finished grade school; Federal loans for the construction of higher education facilities; and Federal grants to elementary and secondary school systems which could be used either for bricks and mortar or for salaries.

The basic education program, would be worth about $55,000 to West Virginia during the next fiscal year. It is opposed by southerners; they fear it would encourage Negroes to vote and seek better jobs, thus destroying the semifeudal society that still exists in many areas below the Mason-Dixon line.

The bill commits a billion dollars for construction of college and university academic facilities. One of the beneficiaries would be West Virginia University, which recently announced plans for a $30 million expansion program, but is almost certainly going to have trouble digging up the cash. If this Federal aid program was approved, it would entitle West Virginia to as much as $125 million in long-term, low-interest loans.

But construction loans are caught in a crossfire between public and private school advocates. Each group, basically, wants grants instead because they don't have to be repaid. However, both the administration and those against Federal aid to private schools say general grants to nonpublic educational institutions are unconstitutional.

This is also the argument underlying the debate over Federal aid to elementary and secondary schools. The pending bill authorizes $400 million in grants to local school districts in fiscal 1964. West Virginia's share would be about $5.5 million.

In fiscal 1962, about $22 million was spent on public school construction throughout the State. Just imagine how many double shifts and leaky, drafty, decrepit schoolhouses could have been eliminated if this figure had been $5.5 million higher.

SOVIET MILITARY ACTIVITIES IN CUBA

Mrs. SMITH. Mr. President, on February 10, 1963, I made a report on station WGAN, of Portland, Maine, to the listeners of that area. I ask unanimous consent that that broadcast of mine be placed in the body of the RECORD at this point.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

SENATOR MARGARET CHASE SMITH, CONGRESSIONAL REPORT, WGAN, PORTLAND, MAINE, FEBRUARY 10, 1963

Since reporting to you on this program 4 weeks ago there has been a great change in the atmosphere here in Washington. Four weeks ago Congress had just started its session—and that start had been in an atmosphere of great national confidence stemming from the Cuban stand that President Kennedy had taken in the latter part of October just before the November congressional elections.

I shall never forget how Americans held their heads high the morning of October 23, 1962, after the President had made his speech the night before announcing that we would fight if Khrushchev did not remove the Russian missiles in Cuba aimed at the United States. At long last, we had decided to stop Khrushchev from pushing us around. And Americans, Republicans as well as Democrats, were very proud of their Democratic President.

Much of that feeling of pride still existed 4 weeks ago when I spoke to you on this program at the beginning of the congressional session. But that is not true today. For most of that feeling has now gone from Washington—and from back in Maine and throughout the Nation, if the letters I receive are any indication of how the public now feels.

That former feeling of pride and confidence has now been replaced with a feeling of suspicion, distrust, lack of confidence, and some resentment—a feeling of resentment of the possibility of having been misled with reports that were to rosy and too sugarcoated and did not give the more disturbing facts.

Growing numbers of Americans are beginning to wonder just what is the situation in Cuba—just what did we accomplish or not accomplish back in October 1962 on the Cuban crisis—was the threat removed or not?

Now several Members of Congress are reporting that there is a heavy Russian military buildup in Cuba—some charging that all the missiles were not removed. The Kennedy administration denies the charges made by the Congressmen. The usually impeccably cool Secretary of Defense in his denial makes attacks on Members of Congress—and finds the lack of confidence so bad that he had to have a 2-hour national TV program.

The result is that again the American people are confused—they don't know who is telling them the truth—whether the Kennedy administration is telling them the truth—or whether Senators and Representatives, both Democrats and Republicans, are telling them the truth in their charges of a threatening Russian buildup in Cuba.

But this much they do know. First, they know that during the Cuban crisis, Khrushchev offered a deal to President Kennedy—a deal that Khrushchev would remove the Russian missiles in Cuba if Kennedy would remove the American missiles in Turkey. Americans were proud when President Kennedy turned that deal down. But now they wondered when they read within the past few days the announcement of President Kennedy that American missiles were being taken out of Turkey. While the reason given is obsolescence, Americans still wonder if a deal wasn't actually made during the crisis—with an agreement that the American missiles would be removed from Turkey after the crisis blew over. For the American public is more intelligent than perhaps some people realize—and the American public recognizes that the American missiles in Turkey now are hardly any more obsolete than they were during the October crisis just a little more than 3 months ago. They see that whatever the reason may be—that Khrushchev has achieved his objective with our missiles being removed from Turkey as he had demanded.

They remember the Kennedy ultimatum of on-site inspection—but now they see that there was no follow through on this—and now the Kennedy administration defensively admits it can't be really sure of what is in Cuba because it hasn't made on-the-ground inspections.

There is another fact that stands out in the mind of the American public—that fact is that Senator KENNETH KEATING was so right so far in advance last year on the Russian military buildup in Cuba and the missile threat. They remember how the Kennedy administration denied his charges—how the Kennedy administration castigated Senator KEATING—how he was pilloried on the Senate floor by spokesmen for the Kennedy administration.

But they remember how subsequently the Kennedy administration had to admit how right Senator KEATING was and how wrong the Kennedy administration was at the very times the Kennedy administration was issuing heated denials and castigating Senator KEATING.

And now they see and hear Senator KEATING speaking up again and warning about a heavy Russian military buildup in Cuba—and again they see the Kennedy administration issuing heated denials and castigating Senator KEATING calling his warnings irresponsible and disgraceful.

But the memory of the American public is not so short as some would like it to be—and the feeling of the American public is that with Senator KEATING having been so right before, the American public is not quickly going to accept the claims of the Kennedy administration that Senator KEATING is wrong now—and is irresponsible and disgraceful. I think the American public is going to be inclined to believe that it is Senator KEATING who is telling them the truth and sounding a needed warning until the Kennedy administration can prove otherwise.

In fact, the American public can say now, "Why this is where we came in last year. It looks like a replay of the Keating-Kennedy match of 1962 in which KEATING scored a knockout and a victory for the American people getting the truth."

A further fact that stands out in the confusion of the charges, countercharges and denials that dominate the air in Washington now on the Cuban controversy is that the Democratic chairman of the Senate Preparedness Investigating Subcommittee ordered an investigation into determining just how great was the reported Russian military buildup in Cuba. And in that investigation the CIA Director admits that there is a threat in Cuba.

To the American public, this action of investigation drowns out the heated denials of the Kennedy administration—for the American public recognizes that the Cuban situation has gotten so bad that a member of President Kennedy's own Democratic Party has ordered a congressional investigation of the matter.

Added to this controversy which is causing the American public to have doubts about what agreements really were made on Cuba, about how much we actually did stand up—or did not stand up to—Khrushchev in October 1963—of what happened behind the scenes as compared to what was told the American people at the time—of what is the danger now—what is the military situation—what is the actual truth in the matter—and how much is actually being given of the truth to the people by the Kennedy administration.

Added to this controversy is the recent declaration of the Attorney General, brother of President Kennedy, that no air cover had even been assured for the Bay of Pigs invasion. Some Congressmen have accused the Attorney General of attempting to rewrite history in such a statement. I make no such accusation against him. But I don't see what good purpose his declaration can accomplish. Despite his denial, millions of Americans will believe otherwise.

This much we do know. First, that the Bay of Pigs invasion ended in a fiasco—that it constituted one of the most humiliating defeats our country has ever suffered. Second, we know that President Kennedy accepted full responsibility for that tragic result and acknowledged that he made all the crucial decisions that contributed to that humiliating defeat.

For such a confession and acceptance of responsibility, President Kennedy literally became a national hero. In an amazing and almost unbelievable psychological phenomenon, he thus converted a tragic blot on his record—a disastrous failure for which he is admittedly responsible—into a national badge of honor merely because he admitted his responsibility. It was almost like a general being given the Congressional Medal of Honor by the American public because he had admitted that he made grave errors that he shouldn't have and which resulted in his troops being wiped out. Quickly forgotten was the disastrous failure—it was wiped out by the mere confession of guilt.

Thus, I cannot understand why the Attorney General would raise the issue again with his denial—for what he did merely served to remind the American people of the very tragic blunder and defeat that his brother had responsibility for regardless of whether any air support had been promised and regardless of whether the lack of air support contributed heavily to that tragic defeat.

What the Attorney General did has raised serious doubts in the minds of many people as to the judgment and wisdom of the Kennedy administration—and more specifically with respect to the Attorney General himself, a question as to whether he possesses the desired wisdom and judgment of a man who aspires to succeed his brother as President.

And speaking on this subject of the American public getting the full facts and truth, since I last reported to you on this program I have had a small and minor problem on this myself. On January 24, 1963, there appeared in the Portland Press-Herald by its Washington correspondent an item about a reception given by Representative and Mrs. McIntire. That item caused some constituents to inquire of me if there was any hard feeling between Representative MCINTIRE and me.

Their inquiry was prompted by what the item stated and I quote from the item:

"Senator MUSKIE and Representative and Mrs. Tupper attended the reception with a host of other congressional colleagues."

They got the impression that either Representative MCINTIRE didn't invite me or I didn't accept the invitation since the item indicated that I was the only member of the Maine congressional delegation not attending the reception.

I want to take this opportunity to assure you that no hard feeling exists and that any indication that the quoted item may indicate otherwise is very inaccurate. For what is the truth—and what the item did not reveal—is that I did attend the reception. In fact, I was one of the very first persons to arrive at the reception at 7 p.m. on the dot—and the next morning Representative MCINTIRE called me on the telephone to express his warm thanks for my attending the reception.

What is very mystifying about the item indicating that I did not attend the reception is the fact that I shook hands with the Washington correspondent of the Portland Press-Herald as she arrived and came up to the reception line and in the presence of Mrs. McIntire. It is puzzling that she would omit my name from her story for I am sure that she recognized me when we shook hands because she called me "Senator SMITH."

VICE PRESIDENT ADDRESSES ANNUAL MEETING OF RURAL ELECTRIC COOPERATIVES

Mr. MANSFIELD. Mr. President, last month Vice President LYNDON B. JOHNSON addressed the annual meeting of the Rural Electric Cooperatives Association in Las Vegas, Nev. The Vice President pointed to the historic importance of the REA movement in this country and the tremendous effect it has had on the development of rural Amercia. A most significant part of the message was the role that the rural electric cooperative will play in the next several decades of space exploration. This is an area in which the Vice President is deeply interested and informed. He has alerted the association to a new area of development, a new role for the electric cooperative.

The Vice President's speech was a highlight of the convention and according to all reports was very well received. Mr. President, I, therefore, ask unanimous consent to have the text of this speech printed at the conclusion of my remarks in the CONGRESSIONAL RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY VICE PRESIDENT LYNDON B. JOHNSON, RURAL ELECTRIC COOPERATIVES ASSOCIATION, ANNUAL MEETING, LAS VEGAS, NEV., WEDNESDAY, JANUARY 16, 1963

In the early years of our country, Americans then—as now—were concerned with the costs of the Federal Government. When the Capital was moved from Philadelphia to Washington, some were greatly alarmed because it required a total of seven boxes to ship the files of the U.S. Government.

That started the search for places to cut back and economize. Among others, it was decided that an ideal place to reduce expenditures was the U.S. Patent Office. The solemn recommendation was made that the Patent Office should be closed—because it was certain that the Patent Office had outlived its usefulness since everything that was worth inventing had already been invented.

That episode has been repeated many times. I do not recall it now in any spirit of ridiculing economizing on the cost of government. A compelling fact of our times is that all our people—liberals as well as conservatives—farmers as well as city residents, laborers as well as management executives—have a great and growing responsibility to join together to keep our public expenditures prudent at every level—Federal, State, and local.

Fiscal prudence is not a partisan dividing line. Neither is Government efficiency. We must continually examine and reexamine our public programs to keep them realistic and responsive to genuine needs. We must terminate those of the past which are no longer needed to make room for those which the future requires.

But too often too many are too quick to conclude that foundation programs—those programs which build a stronger base for national growth and expansion—are the expendable programs when in fact these are the indispensable activities of our Government. This is today—as it has been for a quarter century—true of the rural electrification program.

In the 1930's this Nation embarked upon a great effort to strengthen itself—and strengthen its capacity to support the cause of freedom—by building the foundation of new strength in the agricultural and rural sectors of America. In the 1950's, when we began to achieve a degree of success with those efforts, many were quick to demand that we abolish the programs responsible for that success and, while we were at it, abolish the farmers, too.

The rural electrification program has been—and continues to be—the favorite target of the wrecking crews. As one who has worked as Congressman, as Senator, and as Vice President for 25 years in support of REA, it gives me a great sense of satisfaction to come before you today as a member of an administration which has said—and will continue to say—"No" to those wrecking crews.

Coming here to the great vastness of our American West, it would be impossible for any man to agree with those who argue that the job of building rural America is a job which Americans can consider to be finished.

We are what we are in this land—as a people, as a nation, and as a political system—because we have had present throughout our history the great reserve of unused land, unused resources, and unoccupied space. The presence of these assets has meant much to the freedom of the society in which we live—and to the dignity of the individual under our society. At this point in history, we can see more clearly than ever we have seen before just how important is the development of the underdeveloped regions of our own country to the future strength and success of our country and our cause.

We are moving at a rapid rate into a new era of human adventure and exploration in the realms of outer space. It is my privilege to be associated with this national effort as Chairman of the National Aeronautics and Space Council which advises with the President of the United States on the space programs of our Nation.

In less than 5 years, our country has assumed a solid and secure place of leadership in developing the peaceful and practical uses of outer space. Where once we were, in the judgment of some, lagging behind, today we are, on the basis of clear evidence, forging ahead. Our efforts in space are in no way dictated by a policy of duplicating the activities of the Soviet. We are not engaged in a race with Communist scientists—we are engaged in a race to extend the horizons of man's knowledge and to increase the benefits which will better the lives of all men who live on this earth.

In 1962 the United States enjoyed a year of great successes. Young Americans orbited the earth for the first time. We began to communicate through space to other continents. As the year ended American rockets were flying past far-away planets and transmitting to earth our first knowledge of these other planets in our universe.

While our successes were both substantial and conspicuous, the most important works of space continue to be the steady progress we are making toward peaceful and practical uses of space technology in our own times. We are concentrating our efforts at present in three fields: weather, communications and navigation.

On weather, in the not distant future we shall have achieved technical capability of great benefit to all the nations on earth. Satellites above us will have all portions of the earth under their steady gaze 24 hours a day. We will be able to know far more than we know now about the weather of the world—and our uses of this knowledge will mean great savings of lives, property, and economic costs.

Our weather satellites will be able to give us information about the snow cover on our own continent, to make the spring runoff predictable. The same satellites will give us knowledge we do not have now about the ice fields on the Great Lakes and our inland waterways. It is estimated that such information about the St. Lawrence Waterway alone will save shippers more than $2 million each season. We will be able to prevent the loss of our timber resources through costly forest fires which now smoulder on the forest floor for many days before the presence of the fire is known. We will be able to work with the 60 nations of the world which spend more than $15 million annually trying to control the age-old plague of locusts.

The weather information from our satellites will be one of the great advances forward for agriculture throughout the world—as well as in our own country.

The prospects for our communications satellites in space also defy the imagination. We will be able to have telephone communication between all parts of all continents. We will be able to have joint television conferences between the leaders of many nations simultaneously. We will be able to transmit the written word at phenomenal rates of speed—a book the size of the Bible can be transmitted in a matter of seconds.

The advances which will come in that field of communications are innumerable.

In 1963, we expect to have operational the Transit system of navigational satellites. These satellites will permit navigators on the seas to determine their position within 0.1 mile, a degree of accuracy never before even approached. Again, the savings will be great and far reaching.

These are only a few selected examples of what the technology of the space age will mean when applied for peaceful and practical purposes of the future. More important to all of us, however, is the necessity of realizing how great will be the changes this age of space will bring to our lives, to our occupations, and to our whole society and economy in America.

The age of space which we are now entering will dwarf man's memory of the impact of the industrial revolution. Every sector and every facet of our economy and our daily lives will be altered by the impact of these next years to come. The impact will be felt by us all in terms of the demands this new age will make upon us for greater productivity, for greater capability among our people, and for the greater rewards that will come to us all.

If America is to continue to hold the leadership we have now achieved—and follow in the tradition of leadership we have known since the beginning of our country—the next 25 years will make it necessary for us to marshal our resources to the fullest. We as a nation shall not be able to tolerate the idleness of either our natural resources or our human resources. We shall need the full total of the national strength we can command to realize the promise and fulfill the opportunities of the age of space.

In this context, as each of you here know, the day will come when a grateful America will be made glad that it has in its rural sections the rural electric cooperatives of today.

At the time the REA program was conceived and implemented in the 1930's, our objective was to light the homes of our rural sectors. That objective has in large measure been accomplished. But in strengthening the rural life of America, the REA program has built a foundation of strength on which now the structure of industrial expansion can and must be put into place. In the next 25 years, the rural electric cooperatives of the United States will be lighting the lamp of our Nation's progress.

We can see the beginnings and the implications of this here in the region where we meet.

I am thinking of the Hoover Dam and the Parker Davis project built by the generation that preceded us. The dam and project are indispensable to the continued growth of this region. Without the water provided for irrigation and hydroelectric power, this land might still be a desert, this oasis might still be without its thousands of lights.

But I am thinking too of how the intelligent development of our water resources through the dam and project is helping some of your friends and neighbors to start a new rural electric cooperative. This new cooperative will serve nearly 600 families who will receive central station electric service for the first time. One of the members of that cooperative—and probably its largest consumer—is the Atomic Energy Commission station at Jackass Flats.

The demand for electric power for the New Horizon enterprises at Jackass Flats made it possible for the cooperative to prove its feasibility and build its system. This project, where nuclear engines for spacecraft are being tested, is an example of the kind of use and development America will be making of these regions of the West.

The part which rural electric cooperatives play in these projects here is symbolic of the part that rural electric cooperatives will play in the future of these next decades of space exploration.

America is about to contemplate what is contemplated now in the exploration of outer space because a generation ago Americans wisely directed their energies and resources to development of space here on earth—the space of rural America. In this great effort the rural electrification program was from the beginning the foundation program for success of our national effort to strengthen the whole economy by strengthening the agricultural economy. Putting first things first, proceeding on a course of prudence and vision, we have through REA made our Nation stronger and made the horizons of today's generation broader.

When men seek places and means of economizing on government costs, let them turn their efforts constructively to examining the problems which keep us from realizing our full potential. Most of the costs of government domestically, and even internationally, arise not from the programs but from the failure to deal with the problems which necessitate the programs. In the world today, despite the progress of this century, poverty still abounds, disease still afflicts part of this earth's population, illiteracy still restricts the development of human minds. These are problems we can overcome. These are the problems we must overcome if we are to pay the price of freedom's survival in our own lives and in our own times.

If governments are to be prudent, they must follow their hearts without losing their heads. We living today must recognize that it is our special responsibility in the history of America and in the history of the human race to be privileged to put in place the foundations on which man's enjoyment of freedom and hope for peace will stand for centuries to come. A part of that foundation is and will always be the stability, the success, and the prosperity of agriculture and of life in the rural areas. We shall need to continue in this country to concern ourselves with that foundation of stability, success, and prosperity for rural America, and that means we must continue our support of the rural electrification program as a vital part of the foundations of our Nation's future.

TRIBUTE TO MRS. FRANKLIN D. ROOSEVELT

Mr. MANSFIELD. Mr. President, when Mrs. Franklin Roosevelt died, countless persons throughout the world vied in paying tribute to the memory of that great lady. No tribute was more moving, nor more eloquent, nor more from the heart than that delivered by her lifelong friend, the Honorable Frances P. Perkins, former Secretary of Labor. Miss Perkins, addressing a meeting of the Democratic National Committee, spoke extemporaneously. Fortunately her remarks were recorded and printed for the benefit of those who could not be present.

Mr. President, I ask that the transcript of this statement be printed at this time in the Congressional Record so that all may read this remarkable eulogy from one great lady to another.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

TRIBUTE TO THE MEMORY OF MRS. FRANKLIN D. ROOSEVELT BY THE HONORABLE FRANCES PERKINS, FORMER SECRETARY OF LABOR, DEMOCRATIC NATIONAL COMMITTEE MEETING, SHERATON PARK HOTEL, WASHINGTON, D.C., JANUARY 19, 1963

Mr. Chairman, when Eleanor Roosevelt died, millions of her fellow countrymen stopped short in their tracks, and as they wrestled with a catch in their throats, they found the words to say very briefly and very simply, "she was a good woman," and that is just about what they meant when they thought it over. The most they could say, the greatest thing they could say about her was, she was a good woman. And some of the simpler among them added, "Thank God for Mrs. Roosevelt."

The simple people always thought that she was the one who had brought them the necessities of life which they were without when she walked into Washington, beside her husband to be sure, but they, understanding so little of where the relief came from, and who it was among the Senators and the Congressmen who had voted that immediate relief in a time of depression, thought that Mrs. Roosevelt had given it to them.

We lost a familiar friend. This was one thing we all knew.

Never again should we see a familiar figure climbing down a ladder into a coal mine, no longer would we see a lady looking as though she might trip on her skirts peering over into the pit of some great industrial enterprise where the flames were rising.

These were the pictures that every American had in his mind and in his heart about her. But the words never came which were what we really meant. We learned from the press that the whole world had a kind of mourning for this woman who although ill, and we all knew she was ill, had gone to her great reward. We all knew this, but we hadn't realized it. Eleanor Roosevelt was a person who primarily was effective; important because of what she was rather than what she did, and this I think, as I have thought about her afterwards, is what her great contribution was. She was—she became these things, she was the kind of person she was, and that was more important than any of the manifold and multiple things which she did and which she said.

Just think what her life was. Think how like she was to all the poor and the struggling of this country; a life begun in a very unpromising way, an orphan child, lonely, unhappy at times; kindly, but impersonally treated, shy, timid, afraid of things, striving only to be of no trouble and to be good, because otherwise she was a nuisance to her relatives.

This was a sad and self-conscious child who grew up with an inadequate education, passed around from one relative to another, finally sent to England to go to school, out of her own country, when she was only 15, a little girl.

She never went to any dancing parties in the evening. She didn't know any young people at home. She knew only some of the young girls she went to school with in England. She knew no other young people, she once said to me. She didn't know what they were like in America, and yet she came home at 18 and prepared to do her duty. Her duty was her first word in those days.

But gradually she grew, she grew, she grew. Something had happened to her. I think it was her own nature developing within her. She began to be expressive of the common ideas of human beings, of the century. The times pressed on her and she adopted, had for herself the simple ideas of American life. She became a symbol, and this was the great thing about her.

When she came to Washington she came, as you know, rather dreading the ordeal, feeling that she wasn't going to find anything to do herself, that she would spend her time, you know, being polite and entertaining people, and so forth, but nothing in particular to do, and she sent down a couple of riding horses, I remember, thinking that she would have time to ride a great deal.

Franklin Roosevelt ruined all that when he turned to her one day and said, "I wish you would go down to Arthurdale," and if you remember Arthurdale—"I wish you would go down to Arthurdale and see what it is like. I get such queer reports from it, contradictory. Will you go down and see what it is like?"

So she put on her hat and went to Arthurdale and reported upon this project of rural resettlement, and life was never the same again.

From that moment on she was constantly on the go, constantly going here, there, everywhere to see and to report on what she had seen. And this made a great difference in her life.

She was introduced to the American people at that time, who although we had known back in New York that she was a growingly important person, the American people had not known her. Yet she became a symbol, I think, to all Americans out of the work she did then and what she has done since.

She became a symbol to all Americans, and certainly to most Americans she became a symbol of those items which we regard as the right items.

She became a symbol of the rightness of the American principles which we feel, as she used to say, are somehow or other written into our Constitution, although they are not really there in words, but we feel that these things are written into our Constitution, into our Declaration of Independence, even into our religion sometimes.

She came to be the symbol of the rightness of the American ideals of democracy, and this I think is what made her important. It was what she was, not what she did or what she said.

And the principles of democracy as she saw them and as we all see them, as we all feel them, came to her with a force that she ought to live according to those principles.

A child, a young girl, she once sat in a little company that was questioning around a round table as to whether they believed in some aspect of the creed. When asked if she believed it, a very complicated point, by the way, she said, "Oh, yes," and asked if she knew what she meant, "What do you mean by that," she answered, "Well, I believe because I live as though it were true."

And this is what Mrs. Roosevelt did with regard to democracy, with regard to equality, with regard to freedom, the freedom of individuals to be themselves, to do what they think is right, to choose their own path. This is what Mrs. Roosevelt did. She lived as though it were true.

And you can see her living it. You can see her living the life of democracy as though it were true, as though it were a real thing, as though it had to be sustained, in her attitudes and her friendliness to all kinds of people, in her respect for the great diversities that exist between us, both of our backgrounds and of our education and of our lives.

We see her living as though those diversities did not exist, and as though even though they do exist, they make no difference in our relationship one to another. We live as though we were believers in democracy, if we follow her pattern.

And she believed in equality, in equality between people, which is so indivisible. It cannot be measured. It is something which has to be recognized as an opportunity for each man, however feeble he may be or however great he may be to realize himself.

Democracy and equality and freedom, these were very important items, and she lived as though they were true. Faith in the human race, faith in the capacity of people to organize themselves, to develop themselves, to find the right thing to do was another, is another basic element in our sense of rightness of American principles, is it not? And Mrs. Roosevelt illustrated it by her daily, her regular recognition of her faith in human beings.

Her greatest single piece of work, perhaps, was the development and the writing of the Declaration of Human Rights which she did for the United Nations, and this, of course, has become not only a declaration of rights for the underprivileged people of the world but for the privileged people of the United States of America as well, and the declaration of human rights which we shall long cling to.

But it was in her living of the principles of human rights that one realized what they really are, faith in the capacity of people to develop and to rule and to become great people themselves, and hope.

Hope always she had, hope in a better world, hope in a more comfortable world, hope for a greater opportunity for people. Hope was the second, I think, layer in her set of beliefs which accompanied her concepts of democracy. And the charity, charity in judgment, charity in action, charity in thought, and charity in leadership.

All these things she had, and the great Bible tells us that faith, hope, and charity, these three are necessary to the development of a human life and of a human society. And Eleanor Roosevelt, hardly knowing how she did it or why she did it, had the capacity to illustrate in her daily life, in her regular life, in her routines, this same sense of responsibility and reliability for living a kind of life and living the basic elements of these principles.

And yet how did this girl learn all these things? How did she come from being the somewhat awkward, gawky girl to being the smiling, openhearted, easy-moving woman whom we all knew in her adult life? How did this come about?

I think it came about only by the pressures of life upon her and by her hope and capacity to do her duty. These things all grew with her as she lived and as she attempted to accept not a position of leadership but a position of following in a great ideal.

It was her reality of her life in these respects that always has impressed me. So as we look at it now and realize that the familiar friend is gone, that the notable woman, noted throughout the world, has gone, that the great, the humane and kindly soul who, everybody knew, was willing to do the smallest little chore, such as, you know, running an errand for you if you wanted a bottle of aspirin; who said, "I will get it for you," running to the drugstore to get it, these little homely things that she always did when others were too busy or too preoccupied to see the opportunity to do this sort of thing; these were the things that made here every man's friend, every woman's counselor, and every woman's clear leader in American life.

And so, as we think of her now, I remember and realize so deeply the prayer which was read at her funeral, a prayer I had long known. It is one of the ancient historic prayers, composed originally, so it is said, by St. Francis of Assisi, the man who loved the human race, also, and this is what the prayer said. It was found, by the way, in the drawer of her bedside table. That is why they read it at her funeral, interrupting the ritual to do so. It begins:

"Lord, make me an instrument of Thy peace. Where there is hatred let me sow love, where there is doubt, let me sow security."

This type of prayer was definitely within her heart and mind as she thought of the world and of the people of the world and of her relationship to them. And so it was as a great woman, a woman who had achieved greatness, who was not born great, who had made herself great by opening herself to all the elements and all the ideas of her own generation, that we said goodby to her.

And I realize that as she thought about democracy, and she thought about the carrying on of the life of this country, she, too, recognized and had always experienced in political life, ever since she had married Franklin Roosevelt, she had been in political life in one way or another, and taking the humblest kind of jobs.

I remember her sitting at a desk in the headquarters in the 1928 campaign, doing the hard, dirty work of keeping track of people and their expenditures and speakers. This was Mrs. Roosevelt. Nobody in those days gave her a thought. She was just a hard worker at campaigns.

She learned politics the way you have learned politics—by doing the work of politics. And this had given her great strength not only as a person but great strength as a political leader, because she knew from the roots what would work and wouldn't work, and she was good natured and amiable about it.

And as we sit here today and think of this notable woman who made herself into a great woman by obeying her responses of a humble person to the great ideas of the period, as we think of her, I find myself saying to myself, some of the words are a paraphrase really of the words of the last chapter of the Book of Proverbs: "She maketh glad—her husband trusteth her in his heart, she will do him good and not evil all the days of her life."

And if we paraphrase this to say the world trusteth her in its heart and she will do them good and not evil all the days of her life.

And is it not our part at this time to resolve highly again that this woman shall not have lived in vain, that what she symbolized shall become the reality of American life, that we will keep her image alive and that we will hand it down to our successors, that they, too, may experience the joy of knowing a woman who both lives as well as preaches democracy, freedom, liberty, equality, and all those things which we Americans hold dear. I thank you.

LITHUANIAN INDEPENDENCE DAY

Mr. BEALL. Mr. President, last Saturday, a day the Senate was not in session, was the 45th anniversary of Lithuanian independence.

It may seem strange for us to observe Lithuanian Independence Day, when Lithuania is not now independent. However, Lithuanians hold on to this idea of freedom which was first realized for them February 16, 1918, and they look forward to the day when they will again have their independence.

Lithuanians saw their chance for freedom from czarist oppression, back in 1918, and declared their independence. That became a great day with all Lithuanians. For about two decades they enjoyed their independence. They formed a democratic government, and began making progress socially and economically. But the small new state could not weather a major international crisis. In the fall of 1939, Lithuania was forced into a nonaggression pact with Soviet Russia, and in the summer of 1940 it was incorporated into the Soviet Union.

Today, Lithuanians remain imprisoned in their homeland, behind the Iron Curtain. They have no contact with the free world. They are forced to work for their taskmasters, agents of Russia.

Their relatives in America are greatly concerned over the tragic plight of their brethren in Lithuania, and they loyally observe Lithuanian Independence Day, looking with hope to the future.

The United States never recognized the incorporation of the Baltic States into the Soviet Union, and this fact has given Lithuanians courage.

Like other prisoners of the Communists of Russia, they are looking to us for their ultimate freedom, and I feel sure we will not let them down.

Mr. KENNEDY. Mr. President, February 16, 1963, marked the 45th anniversary of Lithuanian independence. This day in 1918 was a joyous one in the history of the Lithuanian people. For as all Americans know, the birthday of a free nation, after over a century of foreign rule, is a most joyous occasion.

The tragedy of Lithuania today is that the promise of independence has been betrayed. The Russians in 1940 violated their pledge to honor Lithuanian freedom for all time and have made her a symbol of Communist oppression in our time. The United States condemned the Soviet aggression and has never formally recognized the Russian occupation of that country.

The continued observance of this occasion will serve to keep alive the determination for liberty in Lithuania so that at a later time, this day will not be an anniversary of agony, but rather a celebration of a great date in man's historic struggle for freedom.

REFORM OF THE ELECTORAL COLLEGE

Mr. DODD. Mr. President, there have been increasing indications of wide public interest in the subject of reform of the electoral college. The U.S. Chamber of Commerce has selected this as one of its primary educational projects during the next few years, for instance, and many newspaper editorials recently advocated reform of the present system.

This public interest has been reflected in the Senate in the form of six proposed constitutional amendments on this subject, which have been introduced so far this year.

Last spring an article on this subject was published by Senator ESTES KEFAUVER in "Law and Contemporary Problems," the law review of Duke University School of Law. The title of this learned and thoughtful article is "The Electoral College: Old Reforms Take on a New Look," and at this point I ask unanimous consent to have printed into the body of the RECORD the text of this excellent article.

THE ELECTORAL COLLEGE: OLD REFORMS TAKE ON A NEW LOOK

(By Hon. ESTES KEFAUVER, U.S. Senator from Tennessee, chairman, Senate Subcommittee on Constitutional Amendments)

INTRODUCTION

Past efforts at electoral college reform have produced little more than sympathetic amusement among hard-nosed realists of politics and government. It was bad enough to advocate a remedy which required a two-thirds vote of the Congress and ratification by three-fourths of the States. But, in addition, we so-called reformers were divided among three or four different remedies. Some who supported one form of change preferred the status quo to all others. The existing system was imperfect to enough people but for too many different reasons.

Nineteen hundred and sixty-two may be the year of the big breakthrough. *Baker* v. *Carr*[1] may be the most significant development for electoral college reform in many years because it eliminates the chief current defense of our present system. Opponents of reform have generally admitted the unfairness of awarding a State's entire electoral vote to the winner of a bare plurality of its popular vote. They concede that the State unit-rule disfranchises minority party voters in each State, risks a minority President, and inflates the power of large States and urban interests within those States. But then they pointed to the beam in the reformer's eye—the makeup of State legislatures and the House of Representatives to the prejudice of urban interests. If this was a valid argument before *Baker* v. *Carr*, the same considerations should now lead to the opposite conclusion. As urban interests gain their proportionate voice in State legislatures, they should be more willing to give up their favored position in presidential elections.

Establishing the need for change is now the easiest part of the reformer's task, but *Baker* v. *Carr* does not help choose the form which change should take. It is now more important than ever to take a close hard look at the proposed reforms and to consider carefully what the effects of each would be.

THE PRESENT SYSTEM

The 1960 Kennedy-Nixon election dramatically demonstrated some of the defects of our constitutional method of electing the President. As the electoral college lumbered like an oxcart through the selection of America's President for the space age, its machinations sounded several alarms. I do not refer to the razor-thin margin. The possibility of close elections will always be with us and in a federation of 185 million people spread from Maine to Hawaii, uncertainty and suspense will attend the final determination of a close contest under any system.

A collection of happenings throughout this crazy quilt system should have aroused us all to the need for change.[2] In Oklahoma, Mr. Henry D. Irwin, a regular Republican elector who was expected to vote for Nixon, voted instead in the electoral college for Senator HARRY F. BYRD, who, despite his merits otherwise, was not a candidate for the Presidency. Fourteen electors in Mississippi and Alabama also recorded votes for Senator BYRD. Unlike their Oklahoma counterpart, they had campaigned as unpledged electors and at least had some sort of mandate to exercise their own judgment. Louisiana's school segregation crisis produced an unsuccessful movement in its legislature to suspend the State's election laws after Kennedy had won on November 6 so that unpledged electors could then be appointed. In Illinois, charges of election irregularities were accompanied by a threat that the State's Republican election board might refuse to certify the 27 electoral votes cast by Democratic electors. An opposite result materialized in Hawaii where votes of both Democratic and Republican electors were certified to Congress.

A divided ticket of Democratic electors in Alabama baffled election statisticians and demonstrated the myth of our so-called popular vote. Voters who pulled the party lever for the Democratic ticket elected six unpledged electors who voted in December for Senator BYRD and five regular Democratic electors who voted for President Kennedy. Attempts to translate this into popular vote totals deserve passing mention because they expose the inherent fiction of the popular vote concept.

Customarily, a candidate is awarded the popular vote figure received by the highest elector on his ticket. The 6 unpledged Alabama electors each received from 322,000 to 324,000 popular votes and the Kennedy electors received about 317,000 to 318,000 votes. The 11 Republican electors each drew 237,981 votes. Obviously, the latter group intended to register their preference for Mr. Nixon. But what of the 324,050 Alabamans who voted in varying combinations for Democratic electors? Most of them voted for the entire slate and thus were voting at the same time both for and against Mr. Kennedy. The Clerk of the House of Representatives in compiling his official statistics ignored the ticket split and merely listed the Democratic popular vote at 324,050. If the votes for BYRD were similarly treated, Alabama Democrats obviously would be recorded twice and the total Alabama vote would be correspondingly inflated. The Congressional Quarterly distributed 5/11 of the total Democratic vote to Kennedy and 6/11 to unpledged. This avoids duplication but it determines the popular vote from the electoral vote which is at odds with our basic assumption. Also, it leads to a hypothetical popular vote victory in Alabama (and the Nation) for Mr. Nixon, a fact never claimed by the most zealous of his supporters.

The only conclusion which can be drawn is that there is a great gulf between our presidential election system as it is popularly viewed and as it actually exists. Gymnastics with the Alabama vote serve no purpose in attempting to measure the popularity of either candidate. Other features of the system prevent it from being accurate in this respect. But a realistic look at this and other peculiarities of our system would be useful if it drives home to the American people the myths under which they enthusiastically flock to the polls and exercise their democratic birthright every fourth November.

A renewed demand for electoral reform followed the 1960 election in at least one sense. Those of us in Congress who have worked for reform for years hopefully renewed our efforts. There was an increase in the number of proposed constitutional amendments to the Constitution introduced in the 87th Congress, but after presiding over extensive hearings last year as Chairman of the Subcommittee on Constitutional Amendments, I am still waiting for evidence of substantially increased support for reform at the grassroots level.

Analysis of constitutional reforms should proceed from a realistic restatement of the constitutional foundation upon which presidential elections now rest. Unfortunately, much public discussion of the subject proceeds upon assumptions without basis in the Constitution.

The present system is embodied in article II, section 1, and the 12th amendment to the Constitution, which provide simply that the President and Vice President shall be chosen by electors appointed by each State in the manner directed by its legislature. Each State has a number of electors equal to the total of its Senators and Representatives.[3] The electors are to meet in their respective States and ballot separately for the President and Vice President, at least one of whom shall not be an inhabitant of their State. A signed list showing their votes is certified and transmitted to the seat of the U.S. Government directed to the President of the Senate.

The votes are counted in the presence of the Senate and House of Representatives. A majority of the votes of the whole number of electors appointed is necessary for election. Absent a majority, the House of Representatives elects the President from the three candidates receiving the largest number of votes. In such an election, each State casts but a single vote, with a majority of the State's congressional delegation thus controlling the vote of the State. A majority of votes is necessary to elect, and in the absence of such majority the Vice President acts as President. In the absence of a majority of vice-presidential electoral votes, the Senate elects the Vice President from the two highest candidates by simple majority vote.

The two-party system has produced an extraconstitutional elective process which is virtually uniform throughout the States, with the result that few Americans are aware of the meager nature of this constitutional scheme and the limited extent of their constitutional rights in the election of their President. Several popular misconceptions are apparent to the most casual student.

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[1] 369 U.S. 186 (1962). This, of course, is the famous Tennessee apportionment decision of Mar. 26, 1962.

[2] The incidents set forth in the next few paragraphs of the text are discussed and documented in a Library of Congress study, "Operation of the Electoral System in Selected States in 1960," which is printed in hearings before the Subcommittee on Constitutional Amendments of the Senate Committee on the Judiciary on Nomination and Election of the President and Vice President, 87th Cong., 1st sess., 412 (1961).

[3] The 23d amendment now gives the District of Columbia the number of electors to which it would be entitled if it were a State, but in no event more than the least populous State.

First, the people of the United States do not elect the President in the November election.[4] He is elected by 538 individual electors[5] meeting in 50 States and the District of Columbia on the first Monday after the second Wednesday in December.[6] For the past 85 years, each State has appointed its electors by popular vote but this continues only at the sufferance of State legislatures and not as a matter of right.[7]

Most people view the elector merely as a quaint procedural device for registering the will of the people. The fidelity of electors over the years has largely justified this faith but this assumption is also without legal basis.

Alexander Hamilton wrote that the electoral college system was intended to insure that the election of the Chief Executive "should be made by men most capable of analyzing the qualities adapted to the station, and acting under circumstances favorable to deliberation, and to a judicious combination of all the reasons and inducements which were proper to govern their choice." With characteristic distrust of the popular will, he added: "A small number of persons selected by their fellow citizens from the general mass will be most likely to possess the information and discernment requisite to such complicated investigation."[8]

Hamilton's aspirations for the electors as a deliberative body were soon frustrated by the advent of the two-party system and the rise of popular democracy. Extraconstitutional devices such as pledges, statutory instructions, and the short ballot have largely guaranteed elector fidelity but there is little doubt that each elector is still constitutionally free to vote for whomever he chooses in December, regardless of the manner in which he was appointed in November.[9]

The most controversial feature of our present system is, of course, the so-called unit-rule or general-ticket method by which all of a State's electoral votes are cast en bloc for the candidate receiving a plurality of its popular votes. Like popular voting for electors and binding by pledge, this, too, is extraconstitutional. It results from our two-party system but is solely the product of State legislation. The plenary power of State legislatures resulted in a variety of methods other than election by statewide general ticket in our early history. In addition to direct legislative appointment, electors were also chosen by the people voting in districts fixed by the legislature or by a combination of electors chosen by districts and electors chosen at large. In 1796 and 1800, the Tennessee Legislature divided the State into three districts and designated three named individuals in each district to appoint electors.

We do not have to go back far to find a State legislature manipulating its system for partisan advantage in a particular election. In 1892, the Michigan Legislature adopted a district system for the purpose of splitting the State's electoral votes in the coming presidential election. The Supreme Court of the United States upheld the legislature's power and quoted with approval the following statement which had been made in 1874 by a Senate committee: [10]

"The appointment of these electors is thus placed absolutely and wholly with the legislatures of the several States. They may be chosen by the legislature, or the legislature may provide that they shall be elected by the people of the State at large, or in districts, as are Members of Congress, which was the case formerly in many States; and it is, no doubt, competent for the legislature to authorize the Governor, or the supreme court of the State, or any other agent of its will, to appoint these electors. This power is conferred upon the legislatures of the States by the Constitution of the United States, and cannot be taken from them or modified by their State constitutions any more than can their power to elect Senators of the United States. Whatever provision may be made by statute, or by the State constitution, to choose electors by the people, there is no doubt of the right of the legislature to resume the power at any time, for it can neither be taken away nor abdicated."

The system produces two sorts of objections—pragmatic and philosophical. Pragmatic objections are concerned with the mechanics of the system's operation and are addressed primarily to the retention of the office of presidential elector, the method of resolving the election when no candidate obtains a majority of electoral votes, and the potential for manipulation of the system from State to State and from election to election. Philosophical objections are addressed to the fact that our system does not insure that the President is the candidate preferred by the largest number of Americans and to the distribution of political power under the present system, as between large and small States or as between rural and urban citizens.

It is safe to say that the pragmatic objections are a concern of all proponents of change. The uncertainties and dangers inherent in the present system have no vocal defenders although there is disagreement as to whether these defects alone merit correction by constitutional amendment.

The philosophical and political aspects of the problem result from two elements of the present system: the weighted electoral votes of the States and the operation of the State unit-rule method of casting those votes. At this point we reach the principal points of division among those who advocate substantial reform. Shall the States electoral votes be retained at all? If so, what is to be substituted for the unit-rule method?

This may be somewhat of an oversimplification but it is a worthwhile basis for approaching the three principal proposals—direct national election, the district system, and the proportional system. Direct election eliminates the weighted electoral votes of the States. The district and proportional plans retain the electoral votes but differ significantly in their method and extent of eliminating the unit rule.

DIRECT NATIONAL ELECTION

When this method was proposed in the original Constitutional Convention, it was defeated by a vote of 9 States to 2. It has fared little better in Congress in the intervening years, although as early as 1826 a constitutional amendment for direct national election was introduced by Representative McManus, of New York. In 1950, when the Senate approved the proportional system, Senator Langer, of North Dakota, offered as a substitute direct popular election along with national nominating primaries. The Langer substitute was rejected by a vote of 60 to 31. Senator HUMPHREY, of Minnesota, then offered as a substitute an amendment which provided only for election by direct national vote and it was defeated by a vote of 63 to 28. In 1956, when the Senate considered the proportional-district system compromise, Senator Langer again offered an amendment for nomination and election by national popular vote. This time it was defeated 69 to 13. Senator Lehman, of New York, then offered an amendment providing only for election by national popular vote and this was rejected by 66 to 17.

The chief advantage of this proposal is obvious; it would completely eliminate the possibility of a so-called minority President, which cannot honestly be claimed for any other proposal. This term sometimes refers to a President who is elected without a majority of the popular vote although with more popular votes than any opponent. This has happened in 14 elections. It is used more frequently to refer to a President who is elected with fewer popular votes than his leading opponent. This has happened three times. In 1824, although Andrew Jackson received more popular and electoral votes than did John Quincy Adams, the latter was elected by the House of Representatives. In 1876, although Samuel J. Tilden polled 247,448 votes more than Rutherford B. Hayes, the resolution of contested slates of electors by the Electoral Commission created by the Congress resulted in Hayes being elected by one electoral vote. In 1888, although Benjamin Harrison received 90,728 fewer popular votes than did Grover Cleveland, Harrison was elected by 233 electoral votes to Cleveland's 168. We have had several "near-misses" where shifts of handfuls of popular votes in a few States would have produced a minority President.[11]

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[4] The Tuesday next after the first Monday in November is set by Congress as the date when "* * * electors * * * shall be appointed." 3 U.S.C. sec. 1 (1958). Sec. 1 of art. II of the Constitution authorizes Congress to determine "* * * the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States."

[5] This will be the electoral vote total in 1964. In 1960 there were 537 electoral votes because of two temporary members of the House of Representatives added upon the admission of Alaska and Hawaii to statehood. In 1964, three new electoral votes will be cast by the District of Columbia as a result of the 23d amendment, but the House membership will revert to 435, unless it is increased by Congress, which appears unlikely.

[6] The date set by Congress when electors shall meet "at such place in each State as the legislature of such State shall direct." 3 U.S.C. sec. 7 (1958).

[7] No State legislature has exercised its right to appoint electors itself since South Carolina abandoned the practice in 1860, except for the newly admitted State of Colorado in 1868 and the reconstructed State of Florida in 1876. Prior to 1828, most States did so at one time or another. Hearings, supra note 2, at 785.

[8] The Federalist No. 68, at 424 (Lodge ed. 1888) (Hamilton).

[9] Wilkinson, "The Electoral Process and the Power of the States," 47 A.B.A.J. 251 (1961). In holding that Alabama could require a pledge of a candidate for elector as a condition of his being placed on the ballot in a primary election, the Supreme Court expressly left unanswered an argument that such pledges would be enforceable if violated because of the elector's constitutional freedom to vote as he chooses in the electoral college. *Ray* v. *Blair*, 343 U.S. 213 (1951). A lower court in New York indicated by dictum that an elector could be compelled by mandamus to vote in accordance with his pledge. *Thomas* v. *Cohen*, 146 Misc. 836, 262 N.Y. Supp. 320 (Sup. Ct. 1933), but the courts of Alabama and Ohio have indicated to the contrary. Opinion of the Justices No. 87, 250 Ala. 399, 34 So. 2d 598 (1948); *State* v. *Hummel*, 150 Ohio St. 127, 80 N.E. 2d 899 (1948). In the latter case, the Ohio court stated:

"Ohio is entitled to 25 presidential electors to be elected at the 1948 general election. Each one of the 25 elected may vote as he pleases for any person eligible for the Office of President or Vice President of the United States. It is only by force of a moral obligation, not a legal one, that the presidential electors pledged to certain candidacies fulfill their pledges after election." 150 Ohio St. at 146, 80 N.E. 2d at 909.

[10] *McPherson* v. *Blacker*, 146 U.S. 1, 34 (1892).

This feature of the present system probably draws the most fire and arouses the most emotional objections. Yet a poll which I conducted last year of heads of the Nation's political science departments showed only 34.2 percent in favor of direct election. How do we account for the relative unattractiveness to political scientists of this simple straightforward reform which would place presidential elections under the purest democratic principle? By eliminating the State as an electoral counting unit every vote would be equally reflected in the national totals. The minority party in a State would not see its votes counted out at the State level as is now done by the unit rule's operation. The swing votes of minority blocs in pivotal States would lose the special importance they now enjoy by virtue of their power to tip the electoral vote into one column or another in a close vote. The votes of any given group of Americans would look to a candidate like those of any other group.

Despite the objections to a minority President, there apparently is still a strong feeling that the Federal principle should not yet be abandoned in presidential elections. State and regional interests are still sufficiently important that sheer numbers of votes on a national level should not determine the Presidency. Disproportionate weighing of the votes of citizens of less populated States may become increasingly distasteful as the Supreme Court's decision on representation in State legislatures is implemented;[12] but for the time being the consensus is against a system which would ignore State lines and interests and cause campaigns to be directed to masses of voters.

A related objection is that direct election would necessarily nationalize our election machinery. Every voter would have an immediate interest in the fairness and accuracy of the election machinery in every State. Voters in Maine, for instance, could see their votes nullified by opposing votes in Alaska as readily as by votes cast in the same precinct in Maine. That this would require national election laws and Federal administration of elections is not denied by most advocates of direct national election.

A weaker argument is that direct election would result in a race among the States to lower voting qualifications as each State sought the greatest possible voice in selecting the President. Some suggest that ridiculous voting ages might result and that all States would be driven to the lowest common denominator of voting qualifications. This could be avoided by providing in any amendment that voting qualifications in each State shall be those requisite for electing the most numerous branch of the State legislature, as is the case now for congressional elections. In order to generate a larger popular vote in presidential elections, a State would then have to adopt the same broadened suffrage requirement for electing its State legislators, senators, and representatives.

The most frequent argument made against direct national election in the Congress is that it would be futile for Congress to submit such an amendment to the States; that it would have no chance of ratification by three-fourths of the States because 36 of them have added weight in the election of the President by reason of the electoral college system. This theoretical advantage of voters in smaller States is shown by the following table:

Ratio of electoral votes to population for 1964 and 1968 presidential elections (*based on 1960 census*)

Rank and State:	*Ratio*
1. Alaska	75,389
2. Nevada	95,093
3. Wyoming	110,022
4. Vermont	129,960
5. Delaware	148,764
6. New Hampshire	151,730
7. North Dakota	158,112
8. Hawaii	158,193
9. Idaho	166,798
10. Montana	168,692
11. South Dakota	170,129
12. Rhode Island	214,872
13. Utah	222,657
14. New Mexico	237,756
15. Maine	242,316
16. District of Columbia	254,652
17. Arizona	260,452
18. West Virginia	265,774
19. Nebraska	282,266
20. Oklahoma	291,036
21. Colorado	292,325
22. Oregon	294,781
23. Arkansas	297,712
24. South Carolina	297,824
25. Iowa	306,369
26. Maryland	310,069
27. Mississippi	311,163
28. Kansas	311,230
29. Connecticut	316,904
30. Washington	317,024
31. Tennessee	324,281
32. Louisiana	325,702
33. Alabama	326,674
34. Georgia	328,593
35. Wisconsin	329,315
36. Virginia	330,579
37. Kentucky	337,573
38. Minnesota	341,386
39. North Carolina	350,473
40. Florida	353,682
41. New Jersey	356,870
42. Indiana	358,654
43. Missouri	359,984
44. Massachusetts	359,984
45. Michigan	372,533
46. Ohio	373,325
47. Texas	383,187
48. Illinois	387,736
49. New York	390,286
50. Pennsylvania	390,323
51. California	392,930
National average	333,314

Yet can it truthfully be said that a voter in Alaska has five times the voice in electing the President as that of the voter in California or that a Nevadan has four times the voice of a New Yorker? The opposite is nearer the truth because New York equals 15 Nevadas where it really counts—in the electoral vote column as State units.

There were instances in our hearings where a witness would dismiss the practical chances of direct national election proposals as depriving the small States of their electoral vote advantage and then attack the present system as favoring the large States over the smaller ones.

The truth is that we have swung full circle and a system originally designed to favor the small States is now achieving the opposite result. This fact led former Presidents Truman and Hoover to sound similar notes in statements made for our hearings. President Truman described our problem as "the emergence of the big cities into political overbalance, with the threat of imposing their choices on the rest of the country." Mr. Hoover noted that our inquiry "confronts the same difficulties as were met by the Founding Fathers—that is, to prevent domination by a few large States."

If hope is ever abandoned for other reforms and we are faced with a choice between direct national election and the present system, this proposal might take on a different light. But for the present and the foreseeable future, I do not feel that direct national election is a serious possibility as a practical matter. It conflicts too greatly with our Federal principles and some deep-seated facts of political life.

THE DISTRICT SYSTEM

Both the district and proportional plans are aimed principally at the unit rule, the former by dividing electoral votes among districts within each State and the latter by proportioning electoral votes in each State in accordance with its popular vote.

Some form of the district system of choosing presidential electors was employed by a number of States in the early history of the Nation. It was favored in some form by such early statesmen as James Madison, Thomas Jefferson, John Quincy Adams, Thomas Hart Benton, Andrew Jackson, Martin Van Buren, and Daniel Webster. Madison wrote in 1823 that it "was mostly, if not exclusively, in view when the Constitution was framed and adopted." Four times between 1813 and 1824, constitutional amendments containing some form of the district system were approved by the Senate. In 1820, the House approved a district plan by a vote of 92 to 54. None has since been brought to a vote in either House.

Until the 87th Congress, recent proposals of the district system provided that two electors corresponding to Senators from each State would be elected at large and the balance (those corresponding to Representatives) would be chosen by congressional districts. This form of the district system became known as the Mundt-Coudert plan. The current version sponsored by Senator Mundt differs in that it calls for independent presidential elector districts instead of using congressional districts.

Since the principal objective of the district system is to alleviate the consequences of the unit-rule or general-ticket system, it is relevant to consider the extent to which it will split State units of electoral votes. Historically, the district system had limited results in breaking up State unit votes. From 1789 to 1892, there were 52 instances of States using some form of district system. In 36 instances, the State's vote were still cast as a unit.[13] Analysis of how the district system would have operated in 1960 indicates that a surprisingly high number of States' votes would have still been cast in bloc. If congressional districts had been used for a district plan in 1960, electoral votes would still have been cast in a bloc by these 21 States: Alaska, Arizona, Delaware, Georgia, Hawaii, Iowa, Kansas, Louisiana, Maine, Massachusetts, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Vermont, and Wyoming. These States had a total of 119 electoral votes. In an additional 7 States with a total of 51 electoral votes, only 1 vote in each would have been split from the State unit. They are Arkansas (1 of 8), Colorado (1 of 6), Connecticut (1 of 8), Idaho (1 of 4), Indiana (1 of 13), Montana (1 of 4), and Oklahoma (1 of 8). In 6 more States having a total of 75 electoral votes, the minority party would have captured no more than 25 percent of the electoral vote. They are Kentucky (2 of 10), Ohio (5 of 25), South Carolina (2 of 8), Virginia (3 of 12), West Virginia (2 of 8), and Wisconsin (3 of 12).[14]

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[11] In 1916 Woodrow Wilson won reelection with a nationwide popular plurality of more than 590,000 votes over Charles Evans Hughes. Yet Hughes would have been elected if he had carried California, a State which he lost by only 3,806 votes. In the election of 1884, Grover Cleveland had a 23,000 vote plurality over James G. Blaine. The election turned on the outcome in the State of New York, which Cleveland won by only 1,148 votes. In 1844, Polk defeated Clay by 170 electoral votes to 105 and by a popular vote margin of 38,000 votes. A switch of 3,000 votes in the State of New York would have changed the result and elected Clay. In 1948, a shift of 17,000 votes in Illinois, 3,500 votes in Ohio, and 9,000 votes in California would have transferred 78 electoral votes from Mr. Truman to Mr. Dewey, and the latter would have been elected despite the fact that his opponent had polled 2 million more popular votes.

[12] A hint to possible new sources of electoral college dissatisfaction is in the opinion of the three-judge Federal court which has held the Georgia county unit system unconstitutional. The New York Times quotes the court's opinion as going on to say that no new county unit system would be unconstitutionally discriminatory "* * * if the disparity against any county is not in excess of the disparity that exists against any State in the most recent electoral college allocation. * * *" New York Times, Apr. 29, 1962, sec. 1, p. 1, col. 6, at p. 54, col. 5. The table on p. 195 infra shows this disparity to be more than 5 to 1—1 electoral vote for 75,389 persons in Alaska against 1 vote for 392,930 persons in California.

[13] Hearings, supra note 2, at 508.

This suggests that in many States, the division of political sentiment is sufficiently uniform throughout the States that voting by districts will produce the same result as voting by States. For the minority party to capture electoral votes, its strength must be localized in pockets large enough to carry districts. In many States (and all districts), minority party voters would still be "disfranchised" in the sense that their popular votes would not be reflected in the national vote totals.

In populous States with distinctive rural and urban areas, the district system very effectively splits State unit votes. Using the same analysis, in 1960 New York's vote would have split 25–20, California 19–13, Illinois 15–12, Pennsylvania 17–15, and Michigan 10–10.[15] The large States would be drastically affected while most small States and essential one-party States would see little change in the course of their electoral votes. One can see the truth to Thomas Hart Benton's 1834 prediction that "the district system would break the force of the large States."[16]

In still another way, the district system's impact would vary between large and small States. This is in weight of individual votes where the district system is claimed to correct disparities favoring large States. Under the unit-rule system each citizen has as many votes in presidential elections as his State has electors. A New Yorker voted in 1960 for all of his State's 45 electors, but the Nevadan only voted for 3. The district system is said to be an equalizer, limiting every person to voting for only three electors.

At first glance, this may appear valid but it ignores another vitally important factor—the number of voters sharing the choice in each instance. There is no equality if one set of three electors is elected by a group of 100,000 voters and three other electors are chosen by 1 million voters. When the citizen of New York voted for his 45 electors in 1960, he shared his choice with more than 7,200,000 other voters. In 1960, each electoral vote of New York corresponded to 162,018 popular votes, but in Nevada to only 35,756 voters. The district system would aggravate these State-to-State disparities. The one elector chosen corresponding to each voter's Representative in Congress will roughly represent the same number of persons in every State. But the disparity in voters per elector is widened greatly for the two at-large senatorial electors who represent two-thirds of each voter's participation. In 1960, more than 7,200,000 New York voters would have shared in selecting the at-large electors under a district system, as against approximately 60,000 voters in Alaska—a ratio of 120 to 1, worse than the extremes of Georgia's much publicized county unit system.

Instead of equalizing voter representation, the district system therefore introduces a new inequality of voting weight in favor of smaller States' citizens far greater than that now operating against them. This demonstrates the fallacy of attempting to apply concepts of voter equality while retaining the system of electorial votes which flows from Federal principles of State representation in our bicameral National Legislature.

Another problem raised by the district system is the vast decentralization which it would introduce into presidential elections. Assuming the membership of the House is not increased, there will be 435 separate and independent single-elector districts and each State continues to be a district for choosing two at-large electors. In the District of Columbia and five States having only one representative, there will be no districting because the single-elector district corresponds with the two-elector district. Each will be a three-elector district. Within the 45 States having more than one Representative there will be created 430 single-elector districts corresponding to the Representatives from these States. Thus, viewing a "district" as a distinct geographical area to which electoral votes are assigned as a unit, there will be 6 three-elector districts, 45 two-elector districts, and 430 single-elector districts, or a total of 481 separate presidential election districts. The 538 electoral votes which would otherwise be cast in 51 State units of from 3 to 43 votes will be scattered among 481 units of from 1 to 3 votes each. This fragmentation of a Federal election carries obvious implications in terms of targeting campaign appeals, reporting election returns, contesting State and district results, and speedy ascertainment of the national results.

More troublesome than the plethora of 481 electoral districts is the possibility of manipulation and political abuses of the 430 districts which will be established by State legislatures. Prior to the 87th Congress, proposals of the district system provided that electoral districts would be identical with congressional districts. If a State elected its Congressmen at large, it would also choose its presidential electors at large. If congressional districts were gerrymandered or malapportioned for the benefit of a particular party in power, their effects would have been carried over into the election of the President.[17]

In reintroducing this proposal in the 87th Congress, its principal sponsors admitted that the past proposal (the Mundt-Coudert plan) was vulnerable on this point. It was therefore modified to require that electoral districts be of "contiguous and compact territory" and contain "as nearly as practicable the number of persons entitling the State to one Representative in the Congress."[18]

This envisions either two State systems of Federal electoral districts, one for Congressmen and one for presidential electors, or that congressional districts will be reconstituted to meet these standards. There seems to be general agreement that although two sets of electoral districts are possible, they would not be desirable. Voters at the same polling place could be voting for the same Congressmen but for different district presidential electors, or vice versa. (Elimination of the elector could cure this but still the district presidential vote could be included in a different district's returns.)

Instead of either reforming congressional districts or establishing separate presidential districts, State legislatures would be tempted to adopt existing congressional districts as their presidential elector districts. Many of the same political pressures and chances for partisan advantage would operate in both instances. In fact, it is possible for either type of district to meet the tests of compactness, contiguity, and equality of population and still be drawn for political advantage. A common sort of example is the Kansas congressional redistricting after the 1960 census. The Republican State legislature split Democratic Kansas City between two rural strongly Republican districts. Neither party has a monopoly on this sort of thing but densely populated metropolitan areas are obviously more vulnerable to this divide-and-conquer partitioning.

The next question is whether the constitutional standards for presidential elector districts can be enforced as a practical matter. The Supreme Court's decision in the Tennessee apportionment case indicates that Federal courts will no longer avoid the "political thicket" of districting and apportionment. In any event, the constitutional amendment could include a clause requiring the courts to take jurisdiction and enforce districting standards. Nonetheless, the suitability and practicality of judicial action in this area still raises many questions. What would be the allowable deviation of norms of population? Would the courts establish proper districts or merely enjoin certification of election results from improper districts? Would the State's two at-large electoral votes be validly cast in all events? Presumably, a court could not order an at-large election because the Constitution would specifically require that electors be chosen by districts. How would the cumbersomeness and delay of appeals affect elections?

An alternative method for enforcing district standard might be the power of Congress in counting the electoral votes to reject votes certified from States whose districts did not conform to constitutional standards. If this happened, the State would have lost its voice in the particular presidential election. The political implications obviously would cause a hesitancy in Congress to exercise such power. The strict party lines upon which the 1876 Hayes-Tilden election was resolved in Congress is indicative of the extreme reluctance which a party in power would hold toward rejecting electoral votes cast for its candidate. Another historical lesson may lie in the fact that Congress never refused to seat Members elected from congressional districts which did not conform to Federal statutory requirements during the period from 1842 to 1929 when there was pertinent Federal legislation on the books. Some point also to the fact that Congress has never exercised its power under the 14th amendment to reduce a State's representation in Congress because of denial of voting rights.

Another possibility is simply to allow Congress to establish the districts or to give it a corrective power to modify districts established initially by the States. Once again is reared the ugly head of party politics. If our present system has any particular advantage, it is the certainty and inflexibility of 50 electoral districts. It is known from one election to the next just exactly what the system will be throughout the entire country. The complexities and uncertainties of the district system would be a considerable departure from this.

The conceptual basis of the district system raises an interesting question of political theory. It is called the "counterpart system" by some because it would put the Presidency and the Congress on the same political base. People would vote in the same combinations and with the same relative weight for the Presidency as they do for their share of the total representation in Congress where each voter is represented by his State's two Senators and the Representative from his congressional district.

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[14] Id. at 411. (The first list obviously includes six States having only three electoral votes which would not be districted.)

[15] Ibid.

[16] Id. at 813.

[17] Disparities in population of congressional districts may account for how the 1960 election results would have been changed by this system. According to an analysis by the Congressional Quarterly, Feb. 13, 1961, a district system using congressional districts would have caused Nixon to defeat Kennedy by 33 electoral votes, 278 to 245. Hearings, supra note 2, at 411.

[18] S.J. Res. 12, 87th Cong., 1st sess. (1961).

Many feel that this is desirable and that it would produce a President whose program and political beliefs are more likely to be in harmony with those of the Congress. After 23 years in Congress, I am inclined to doubt that there is any such "consensus" among 535 legislators which could or should be a yardstick for measuring the Presidency. A President who had to appeal separately to the myriad of conflicting State and district interests represented in Congress would be less likely to have the positive and dynamic program for action which is needed for that high office under the demands of the cold war and space age.

A strong argument can be made, too, that the Presidency and the Congress should not necessarily be responsive to exactly the same electorates. The separation of powers doctrine may require not only a division of powers between the separate branches, but also having them responsive to different electorates—that is, the people voting in different combinations. Having the President elected upon a different political base helps to insure that conflicting interests are all represented in the Federal Government and the interplay of the executive and legislative branches helps toward ultimate accommodation of the legitimate interests of all segments of our society. Along these general lines, James Madison wrote: [19]

"It is of great importance in a republic not only to guard the society against the oppression of its rulers, but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecured. There are but two methods of providing against this evil: The one, by creating a will in the community independent of the majority—that is, of the society itself; the other, by comprehending in the society so many separate descriptions of citizens as will render an unjust combination of a majority of the whole very improbable, if not impracticable. The second method will be exemplified in the Federal Republic of the United States. Whilst all authority in it will be derived from and dependent on the society, the society itself will be broken into so many parts, interests, and classes of citizens, that the right of individuals, or of the minority, will be in little danger from interested combinations of the majority."

Also, the concept underlying the election and functioning of Congress breaks down when one attempts to transfer it to the Presidency. Unlike electoral votes, Senators and Representatives cannot be equated to each other. The 435 Members of the House are coordinate with only 100 Senators. Yet no one suggests that the 100 electors corresponding to Senators should have a weight in the presidential election equal to that of the 435 electors corresponding to Representatives.

In another sense, the district system would not be a counterpart of congressional elections in the constitutional sense. The Constitution left the States free, subject to ultimate congressional regulation, to elect their Representatives either at large or by districts. The framers did not specify how either electors or Representatives would be chosen. The district system would make presidential elections a constitutional counterpart of an extra-constitutional method of electing Representatives. That the framers did not contemplate true counterparts is suggested by the fact that the Constitution protects each State from having its representation in the Senate taken away without its consent but makes no similar provision for the two presidential electors corresponding to Senators.

The truth is of course that the constitutional schemes for both presidential elections and congressional representation were necessary compromises between large and small States to secure ratification. They were hammered out as matters of necessity along similar lines by giving equal representation to States in the Senate and two bonus electors to each State in the poorly conceived electoral college, but here the similarity ceases. I think the demands upon and duties of the Presidency are so vastly different from those of Senators and Representatives that it serves no purpose to seek further common constitutional bases in their election. If the district system were a true counterpart, it would be more cause for criticism than for support.

THE PROPORTIONAL SYSTEM

Like the district system, this plan retains the States' electoral votes and seeks to eliminate the unit rule. Instead of using districts within States to split State units, it would divide every State's electoral votes among the candidates in proportion to their shares of its popular vote. Unlike the district system, it insures that the electoral votes of every State will be apportioned among the principal candidates, and it accomplishes this while still retaining the 50 States (and the District of Columbia) as the only separate electoral districts. This proposal is commonly called the Lodge-Gossett plan, for Senator Henry Cabot Lodge, of Massachusetts, and Representative Ed Gossett, of Texas, who were its principal sponsors when it was approved by the Senate in 1950 by a vote of 65 to 27. Electors are eliminated and each State's electoral votes are divided to the nearest one-thousandth in the same proportion as the total popular vote of the State. Forty percent of the total number of electoral votes is necessary for election. In the event no candidate receives 40 percent, election is by the House and Senate in joint assembly with each Member having one vote and a majority of the votes being necessary for election.

If I appear to have some slight prejudice in favor of this approach, it is because I have supported it for a number of years, both in the House and Senate. It seems to me to be the reform which best meets the principal evils of the present system while introducing a minimum of new complications or inequities. The idea is not of recent vintage, although not so old as the district system, having first been proposed as a constitutional amendment by Representative Lawrence, of New York, in 1848. In the 1870's Representative Ashley, of Ohio, even advanced a proportional plan which retained the individual presidential electors.[20]

In 1896, the classic essay of Dr. Herman V. Ames analyzed all proposed amendments to the Constitution of the United States during the first century of its history. Of those concerning presidential elections, he concluded that [21] "the proposition for the distribution of the electoral vote of each State among the candidates in the proportion the electoral ratio shall bear to the popular vote of each candidate seems the fairest and most desirable of all the plans presented, as it retains the relative importance of each State, and at the same time secures to the minority its due proportion of the vote."

When the Senate approved the Lodge-Gossett plan by the lopsided 65 to 27 vote in 1950, it was the first breakthrough for electoral reform in either house in 125 years. But the groundwork in the House had been poorly done. It was only considered under a motion to suspend the rules for its consideration and this was soundly defeated by a vote of 210 to 134.

The proportional plan bounced back in 1955 when the Senate Judiciary Committee again reported it favorably. Before it was considered on the floor of the Senate, a compromise was reached to secure the support of those who favored the district plan and a substitute amendment was offered by the principal sponsors under which each State would be given the option of using the proportional system or the district system. The substitute amendment was only agreed to by a vote of 48 to 37. This made it apparent that the requisite two-thirds approval could not be obtained and the principal sponsors moved to recommit the resolution to the Committee on the Judiciary. (This "neither fish nor fowl" hybrid proved more vulnerable in debate than either plan separately and it has not been seriously considered since. It has not even been reintroduced as an original resolution in the Senate.)

The proportional plan proved to be the most popular in the poll of political scientists which I mentioned earlier, drawing approval from 46.9 percent as against only 16.2 percent for the district system. Unless it has lost its steam from past reversals, it would still seem to be the most likely possibility for substantial reform. What are the objections to it?

The criticism most often made of the proportional system is that it would encourage splinter parties and endanger our two-party system. A splinter party could reflect its popular votes in the electoral college by polling small percentages of the popular vote within a State and could obtain roughly the same proportion of the national electoral votes as it obtains of the total popular vote.

Neither the assertion nor denial of this charge is susceptible of much proof or documentation. But the American voter characteristically wants a chance of voting with the winner. Whether his vote is counted out at the State or district level by a unit rule, or at the national level where it is insufficient by virtue of its total, he is not likely to waste his vote on a third-party candidate who has no chance of winning.

The requirement of only a 40 percent plurality of the electoral votes for election is also a deterrent to third-party movements. A third party could not expect to throw the election into Congress with less than 20 percent of the total electoral vote. If an election is ever thrown into the Congress, the choice there is limited to the top two candidates (as against three under present constitutional provisions), which will prevent a third-party candidate from being considered or holding the balance of power there.

Some criticize the 40-percent provision and call it a departure from traditional majority rule concepts and an implicit admission that candidates would be less likely to capture electoral majorities under the proportional system. But any elective system must provide in some way for an ultimate final choice, and any provision of this sort is at best a compromise. Election by the 535 individual Members of Congress is generally regarded as the best contingent method but this is to be avoided if reasonable alternatives are available. I believe I speak for many Members when I say that it is a function we would not relish. The 40-percent provision should cause elections in Congress to be very, very rare. Election of a candidate who has such a plurality is preferable to election by the Congress. This provision has much to commend it for any proposal.

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[19] The Federalist No. 51, at 325–326 (Lodge ed. 1888) (Madison).

[20] The voters were to vote directly for President and Vice President and the legislature was then to appoint the electors, taking care to secure to each candidate voted for in the State an equitable representation in the electoral college, as indicated by the number of votes returned for each candidate. Hearings, supra note 2, at 816.

[21] Id. at 804. This prize essay, "Proposed Amendments to the Constitution of the United States During the First Century of Its History," was first published in 2 American Historical Association, Annual Report for the year 1896 (1897); see id. at 113.

The proportional system is often met by critics' cries of "proportional representation," or "P.R.," a system of representation which allows minority parties to elect delegates to parliamentary bodies. This term would certainly apply to the proportional plan if the electoral college were a deliberative body and individual electors were divided proportionally among al parties which polled popular votes. Any representation concept becomes irrelevant when the college of individual electors is eliminated. Electoral votes are retained only as a counting device for the Federal purpose of weighting voting strengths among the various States. The object is to choose one Chief Executive for the Nation, and as Senator Lodge stated in 1950: "Even the cleverest surgeon cannot divide one man up—proportionally or otherwise—and expect him to live." If this system involves proportional representation, then so do 99 percent of our elections in America because it only provides for counting all votes cast. Direct national election would do the same thing. Once it is recognized that "representation" is not involved and that "proportioning" is done so that our electoral counting device accurately projects the popular will of each State, then the proportional representation argument vanishes.

Indeed, dividing electoral votes to reflect the popular votes could minimize, rather than encourage, the influence of multiple parties and pressure factions. Small groups in large pivotal States now hold positions of great importance because they may add or withhold enough votes from either party to swing the State's entire block of electoral votes. Examples include the Liberal party in New York and the candidacy of Henry Wallace in 1948, which is considered to have thrown two States to Mr. Dewey.

The district system may be equally or more vulnerable in this respect by its localizing effects. For instance, a Farm Party in agricultural sections, or a Labor party in industrialized areas might capture enough single-elector districts to gain a balance of power position in the electoral vote.

In the 1956 Senate debates and again in our 1961 hearings, it was argued that the proportional system would penalize two-party States and favor the so-called one-party States. One witness cited as an example that under the unit rule system, Mr. Kennedy won the States of Connecticut, New York, New Jersey, and Pennsylvania in 1960 by a combined margin of 613,000 votes. He won Georgia and Louisiana by a combined margin of 360,000 votes. If the proportional plan had been in effect, he would have gained a margin of 3.835 electoral votes in the larger group of States and a margin of 5.196 in the latter two States. In other words, a popular margin of 613,000 in closely contested States would have netted less than three-quarters as much electoral vote advantage as a popular margin of only 360,000 in one-party States.[22]

This analysis is directed only to the net advantage in each group of States. Under the porportional system, Kennedy would have captured a total of 52,267 electoral votes from the first group of States but only 12.546 electoral votes from the latter.[23] Under any system, a candidate must obtain a majority (or at least 40 percent) of the entire electoral vote of the Nation and will seek an aggregate of electoral votes as well as aggregates of advantages. Kennedy's votes in the first four States would still have contributed four times as much to his election as the votes of the latter two States.

Let us look at how important New York would still continue to be as a State. Under the proportional plan, Mr. Kennedy would have received 23.638 of New York's 45 electoral votes in 1960, more than his combined share of the total electoral votes of Arkansas, Georgia, North Carolina, and South Carolina, where he would have won 22.911 of 42 electoral votes. Under the porportional plan, one-half of New York's electoral votes is still greater than the combined electoral votes of seven States and would be 11 percent of the total necessary for election.[24]

Where the district system fragments New York's electoral vote into 45 pieces, the proportional system still allows each New Yorker's ballot to count toward the State's entire block of electoral votes—but only in proportion to relative party strengths within the State. By contrast to the unit-rule system, each party's weight in the national totals would only be in accordance with the relative weights in the State popular vote. Since this same principle would apply to all States, New York would have the relative voice to which its electoral vote entitles it, but no more.

A similar argument has caused many Republicans to look upon the proportional plan with disfavor. It has been shown that in most past elections Democratic candidates would have profited from the proportional system because of the so-called Solid South.[25] Democratic candidates would have given up fewer electoral votes by proportional division in Southern States then they would have gained by proportioning the more closely contested Northern and Western States.[26]

This objection is fast losing its validity. In the last four elections, there are only six States which have not gone Republican at least once [27] and nine States have gone Republican every time.[28] Having seen Tennessee go Republican in 1952, 1956, and 1960, I am painfully aware that in presidential elections the two-party system seems to have arrived in the South. The Midwest is beginning to appear more solidly Republican than the South is Democratic. In any event, an argument based upon shifting patterns of sectional party strength should not control in evaluating the soundness of a constitutional system to be used over a long period.[29]

Another objection often raised is that this plan would encourage disputed elections. In one sense, this is true. Any contest in any State which appreciably varied its popular vote totals would also vary the State and national electoral vote totals. Those seeking to change the apparent results of a close election would look anywhere in the country for a potential election contest. This would also be true under direct national election and shows that the proportional plan is a substantial movement in this direction. The district system's proliferation of election jurisdictions correspondingly increases the potential for contests but, like the proportional system, it reduces the effects of local irregularities.

The temptation to cry or commit fraud and to challenge election results will be much less when the shift of a handful of votes in a State can no longer tip inordinately great blocks of electoral votes from one column to another. Under the proportional system, the effect of accident or fraud in the electoral vote column would be only in proportion to its effect on the popular vote. Only in an extremely close election on the national scale would it be worth the trouble to contest local results. As 1960 demonstrated, such an election will always bring uncertainty in determining the final results.

The mathematics involved in computing each State's electoral vote to the nearest one-thousandth also troubles some observers. But when it is considered that 100 popular votes may be represented by one-thousandth of an electoral vote, this becomes a positive advantage. Again it illustrates that, except for retaining the electoral vote weighing of States votes, the proportional system amounts to direct election.

Both the district and proportional systems would alleviate the great emphasis now placed upon the large pivotal States and relatively small organized groups of "swing voters" who may hold the balance of power in such States. The district system largely isolates voters' influence to the districts where they live and the proportional system limits their voice to its proportionate numerical weight. Under either system, campaigns would be directed more to the country as a whole. Citizens of smaller States are now less apt to see the candidates in person and they understandably may feel that their interests are of lesser importance to their President. Except for Alf Landon, of Kansas, in 1936 and the incumbent President Truman, of Missouri, in 1948, both major parties have limited their presidential nominations in the last half century to men from the eight largest States. Able men from small States now have little chance to secure nominations from either major party and are seldom even regarded as presidential timber.

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[22] Statement submitted by Gus Tyler, director, political department, International Ladies' Garment Workers' Union, in hearings, supra note 2, at 672.

[23] Id., at 411.

[24] Ibid.

[25] See speech by Senator PAUL H. DOUGLAS on Senate floor, Mar. 26, 1956, in hearings, supra, note 2, at 744–776, and statement of Prof. Ruth C. Silva, in hearings before a subcommittee of the Senate Judiciary Committee on Nomination and Election of President and Vice President, 84th Cong., 1st sess., 334 (1955).

[26] The most frequently cited example is the election of 1900, when William McKinley had a total popular vote of 7,219,000 or 52.8 percent, and William Jennings Bryan had a popular vote of 6,358,000 or 47.2 percent. McKinley won with 292 electoral votes to Bryan's 155. If the proportional system had been used, with the same popular vote figures, Bryan would have had 218 electoral votes and McKinley 214. Yet Bryan had carried only 17 States, 11 of them in the South, 2 border States, and 4 Western States, while McKinley had carried 28 States, including all the Eastern, Middle Western, and Pacific Coast States, 3 border States, and 2 Western States. In other words, under the proportional system, McKinley would have lost many more electoral votes outside the South because of Democratic minority votes than he would have gained by virtue of Republican minority votes in solid Democratic States.

[27] Alabama, Arkansas, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina. (Four of these went to the States' Rights candidates rather than Democratic in 1948.)

[28] Indiana, Kansas, Maine, Nebraska, New Hampshire, North Dakota, Oregon, South Dakota, and Vermont.

[29] Although I think it can be highly misleading to rely upon hypothetical studies of past elections, the 1960 figures should be considered against those which have been used to argue that the proportional plan favors Democrats. The Congressional Quarterly's compilation of the 1960 results shows that Nixon would have won by less than one-half of one electoral vote under the proportional system. Hearings, supra note 2, at 411. (This requires a division of the Alabama Democratic vote 5–11 to Kennedy and 6–11 to unpledged, which gives Nixon a 1.750 electoral vote margin in Alabama.)

Elimination of the unit rule by either the district or proportional system would thus go far toward truly nationalizing our presidential elections by restoring some balance to the roles of citizens in different sections of the country. The proportional system, however, would be less apt to swing the pendulum too far. The electoral votes of a large State would still be sought as a unit even they they are to be apportioned later in the counting process. The district system would partition large States voters into small units and leave only two electors as the target of statewide efforts. Considering the small fraction which the two at-large electors account for in most States electoral votes, it is safe to say that the State as such would become insignificant as an election unit. Real damage to our Federal principles could result if parties and candidates become unconcerned with State interests. Continuing the State unit system to the extent the proportional system does is not only a fair price to pay for keeping the electoral vote advantage of small States, but is also good insurance that presidential elections will retain a sound balance between local, State, and National interests.

ELIMINATION OF ELECTORS

Doing away with the troublesome institution of individual presidential electors is a procedural reform which could be accomplished with or without other substantial reform and without touching the balance of political power in the country. One may well wonder why this was not done long ago apart from other controversies about the system.

This idea is almost as old as the electoral college itself. As soon as the rise of the two-party system and popular democracy caused electors to become mere "dummies," proposed amendments in the Congress began to include or center upon provisions for abolition of the office of elector. A Senate committee headed by Senator Thomas Hart Benton in 1826 recommended a form of the district system under which people would vote directly for President without the intervention of electors. Its report stated: [30]

"In the first election held under the Constitution, the people looked beyond these agents, fixed upon their candidates for President and Vice President, and took pledges from the electoral candidates to obey their will. In every subsequent election the same thing has been done. Electors, therefore, have not answered the design of their institution. They are not the independent body and superior characters which they were intended to be. They are not left to the exercise of their own judgment; on the contrary, they give their vote, or bind themselves to give it, according to the will of their constituents. They have degenerated into mere agents, in a case which requires no agency, and where the agents must be useless, if he is faithful, and dangerous if he is not."

Also in 1826, Representatives Haynes, of Georgia, was introducing the first proposed amendment to abolish electors and automatically award a State's entire electoral vote to the winner of its popular vote. At the same time, the legislators of Georgia, Alabama, and Missouri concurred in resolutions proposing amendments along the same line.

President Andrew Jackson, in his first annual message to Congress, urged that the people within the States should vote directly for the President, warning that "in proportion as agents to execute the will of the people are multiplied, there is danger of their wishes being frustrated. Some may be unfaithful, all are liable to err.[31] Andrew Johnson, as Representative, Senator, and President, advocated direct election by districts without electors, as did Senator Oliver P. Morton, of Indiana, the leading advocate of electoral reform in the 1870's. In 1934 an amendment abolishing electors sponsored by Senator Norris, of Nebraska, passed the Senate 52 to 29, just short of the required two-thirds approval.

Concern with the constitutional independence of electors is considered trivial by some. From 1789 to 1960, in no more than 8 instances of a possible 14,000 can it be said that individual electors departed from their mandates, and none of these affected the result of an election. However, three of these eight instances have occurred since 1948, and there is current evidence of substantial efforts to control election results by exploiting the elector's constitutional independence.

A 1948 Tennessee elector who was on both the Democratic and States' Rights tickets was elected as a result of popular votes cast for the Democratic ticket. Nevertheless, he voted in the electoral college for the States' Rights candidate. Although he had indicated his intentions before he was elected, his presence on the Democratic ticket of electors made it impossible for the voters of Tennessee to register the State's entire vote for the Democratic nominee. In 1956, one Alabama Democratic elector voted for a person other than the Democratic nominee. In 1960, Mr. Henry D. Irwin, a Republican elector from the State of Oklahoma, cast his vote for Senator HARRY F. BYRD instead of Mr. Richard Nixon.

On July 13, 1961, Mr. Irwin testified before our Subcommittee on Constitutional Amendments concerning his actions.[32] Without opposition in the Republican primary, he had been 1 of 11 electors nominated by the Oklahoma Republican Party. In order to qualify for the primary, he had been required to file a sworn written statement that he believed in the principles of the Republican Party and intended to vote for its nominees at the coming general election. (Since the electors, and not Nixon and Lodge, were the nominees of the Republican Party in the general election, Mr. Irwin technically carried out this pledge by voting for himself and the other Republican nominees for elector.) Mr. Irwin testified that he never intended to vote for Nixon if he were the nominee.[33]

When the Republican ticket carried Oklahoma by over 160,000 votes, Mr. Irwin was elected to the exalted constitutional office of "elector of the President and Vice President." Irwin then helped spearhead an almost unbelievable coalition movement between the general election and the meeting of the college of electors on December 19. It sought to combine Republican electors who would otherwise have cast useless votes for the defeated Mr. Nixon with enough unpledged and defecting Southern Democratic electors to elect some third candidate in the electoral college.

Mr. R. Lea Harris, an attorney of Montgomery, Ala., conceived the idea and wrote to all presidential electors on November 9 of plans for such a coalition. Irwin was attracted to Harris' idea and agreed to solicit all Republican electors for the plan. Irwin wired every elected Republican elector in the country urging them to join the coalition and vote for a third ticket. He received approximately 40 responses from Republican electors. The great majority indicated a feeling of legal or moral obligation to vote for Nixon. About 13 indicated interest in the coalition plan and a desire to participate if it had any chance of success. Three were interested if they were released from pledges by official party organizations.

Irwin then decided that the principal obstacle to the coalition was the false assumption by electors that they were obligated to vote for Nixon. He then wired each Republican national committeeman and each State Republican chairman and urged them to release the Republican electors from any feeling of moral obligation to vote for Nixon so they could join the coalition. He received six responses, three of which were sympathetic but none offering assistance. The high point of Irwin's effort was the New Mexico committeeman's response that he had taken up the matter with party leaders at the Republican National Committee level, and that although they favored the move, they felt is should not be sponsored by the party organization.[34]

Irwin and Harris bombarded electors with literature urging them to cast "free votes" as their constitutional right and duty, but on December 19, all Republican electors except Irwin himself stood firm and voted for Nixon. Along with the 14 unpledged electors of Alabama and Mississippi, Irwin voted for Senator BYRD.

Harris and Irwin concluded that his vote had served to educate people to the freedom of electors and immediately started working toward 1964. In a post-mortem form letter of December 30, 1960, Harris laid out plans for a similar effort for 1964 and urged friends of the movement to begin now to arrange to become presidential electors.[35]

As a result of Irwin's actions, Oklahoma election laws were amended in 1961 to provide that electors shall be chosen by State party conventions, that each must sign an affidavit that he will vote for the party nominees, and that violation of the oath is a misdemeanor punishable by $1,000 fine.[36] The fine is the only means of enforcing the oath. If an elector is willing to incur the fine or wishes to contest the constitutionality of the law, he could still vote for someone else and his vote would be so recorded. Mr. Irwin testified that the prospect of such a fine would not have deterred him if there had been such a law in Oklahoma in 1960.

In the emotionally charged climate of Presidential elections, circumstances are not at all inconceivable where enough electors might follow Irwin's example to change the result of an election. Considering the excess-baggage nature of the elector, why should any risk be taken that a few individuals could someday miscarry an election when they have long since ceased to serve their intended purpose and are at best an imperfect conduit?

It is too bad the elector cannot be eliminated by a constitutional amendment which said nothing more, but this is not possible. Any amendment which eliminates the elector but retains the States' electoral votes must include some means for translating popular vote pluralities into electoral votes.

The minimal amendment would seem to be one which provides that the State's electoral vote will be automatically awarded to the winner of its popular vote as has been the virtually uniform practice for 135 years. In much the same manner as electors' votes are now certified to the Congress, the vote of the people for the candidates could be certified directly. Ample time could still be allowed for resolving election contests at the State level before certification of results. In fact, more time could be allowed and the possibility of resolving disputes in the Congress could be reduced because of the elimination of the intermediate step of electors meeting and voting.

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[30] Senate select committee, resolutions proposing amendments to the Constitution of the United States, S. Rept. No. 22, 19th Cong., 1st sess. 4 (1826).

[31] Message to Congress, Dec. 8, 1829, in "Andrew Jackson, Annual Messages," 10 (Coale & Co., 2d ed. 1835).

[32] Hearings, supra note 2, at 562–655

[33] Id., at 598–599.

[34] Id. at 617.

[35] Id. at 607.

[36] Oklahoma Statute, ch. 28, secs. 519–522 (1961).

This straightforward proposal meets opposition from two sources. One school of thought resists incorporating the unit-rule system in the Constitution. They feel that this might freeze this system for a number of years and harm the chances for more substantial reform. I doubt this. The public's view of such an amendment would be that it was directed simply at the office of presidential elector and not at any broader problem. In any event, this improvement is sufficiently worthwhile of itself to justify the slight risk of hampering further reform.

A second source of opposition is the few who believe the presidential elector to be a worthwhile office which ought to be retained. These are not merely the tiny number of extremists who want the elector to exercise his independent judgment and choose the President. Some few believe the elector is essential to preserving State control of decentralization of presidential elections.[37]

I have considered this argument carefully but cannot agree. Just as State law and the two-party system are now trusted to produce elections of presidential electors, they can also be trusted to produce elections of presidential candidates. A corrective amendment of the type I have mentioned would simply guarantee to the people of each State the right to vote directly for the President, just as they now do for Congressmen and Senators. Voting qualifications for presidential elections could also be left expressly to State control as could regulation of the times, places, and manner of elections. The nominating process is now extra-constitutional and would continue to be so. Just as State law now determines how electors get on the ballot, State law could as easily prescribe how the names of presidential candidates get on the ballot. In 33 States which have so-called short ballots, it is the names of presidential candidates, not the electors, that now appear on the ballot.

If he functions as expected, the elector is only a conduit through which the popular will is conducted and a more reliable conduit is readily available. The popular vote of each State can be transformed directly into the electoral vote counting process. We now have four steps: (1) The people elect electors in November; (2) the electors meet and elect the President in December; (3) the States certify the electors' votes to Congress; and (4) the Congress counts and certifies the final result in January. This proposal simply eliminates the second step and requires the States to certify their popular vote totals to Congress where it is simple arithmetic to count the electoral votes accordingly. Legally and constitutionally, we do not have a President-elect until December. If the electors were eliminated, we would have a President-elect in November.

Should the elector be retained for the possible exercise of his constitutional discretion in this interim? There is no conceivable situation where the elector might exercise his discretion which could not be handled better in some other way. If the successful candidate dies between the November election and December electoral college meeting, party regulations and State law now provide methods which direct the elector how to vote. Once the electors meet and vote, we now have the same situation until Congress convenes as we would have without electors from the popular election until Congress meets. No new problem or vacuum would be created.

Elimination of electors would also eliminate the use of unpledged electors as occurred in two States in 1960. In a sense, this was a return to the system contemplated by Hamilton and the Founding Fathers; but almost everyone today believes that the American people should elect their President. More important, unpledged electors should be precluded because of their potential for manipulation and balance-of-power bargaining in a close election.

An amendment which abolished electors could also improve the present provision for contingent elections in the House of Representatives. If the electoral vote fails to produce a majority for any candidate, the Constitution now places the election in the House of Representatives with the delegation of each State having one vote. In 1800 and 1824 our Presidents were elected in this manner. Since each State's vote is determined by the majority of its delegation, if a delegation is evenly split, the State would lose its vote. It is also unfair to give a one-member State delegation[38] the same voice as the 41 member delegation of New York. The opportunity for deadlock and third party balance of power is also apparent. Most proposed amendments would correct this inequity by substituting election by a joint session of the House and Senate with each Member having one vote. This would give each State the same relative weight that it has in the electoral vote.

Indications are that the House would not object to sharing this responsibility with the Senate. In fact, after the Adams-Jackson-Crawford deadlock of 1824,[39] the House adopted a resolution urging that some provision be made so that election of the President could never again devolve upon the Congress.

An amendment aimed at electors and contingent elections which accepted the unit rule would at least perfect the present system as it is generally expected to function. It would provide a certain and uniform system which could not be manipulated from State to State or from election to election. In urging such an amendment, one scholar calls it a "housekeeping amendment."[40] This approach was supported by President Kennedy as a Senator[41] and by the Department of Justice in our 1961 hearings.[42] It has also been endorsed by an influential bar association.[43] This amendment would at least put our present electoral house in order while we continue the debate of whether to rebuild its basic structure.

CONCLUSION

I would not attempt to predict which of the possible reforms may become law or when this may occur. It has been 158 years since the constitutional method of electing the President was touched in any respect and it would be most presumptuous to make specific claims for the future. However, I do believe the climate for electoral reform is improving perceptively and that some of the most serious past obstacles are being removed.

Division among proponents of reform should lessen as a result of the current consideration of the subject by the public and in the Congress.[44] There will probably be lessened efforts for proposals which are shown to have no chance of success and their supporters will then be faced with a choice between the status quo and some other proposal. Through a process of narrowing the alternatives one of the basic proposed reforms should emerge as the only realistic alternative to the present system. What are now four or five opposing camps will become but two. When this occurs, but not before, I believe we can expect something substantial to be done.

PERSECUTION OF BAHAI

Mr. KEATING. Mr. President, I wish to express my deep concern about the sentences of death and life imprisonment passed by a regional court in Morocco upon members of the Bahai faith because of their religious beliefs. On December 14, in the little Mediterranean town of Nadar, a tribunal sentenced 3 Bahais to death and 11 to long prison terms on charges of rebellion, disorders, threat to public security, formation of criminal association, and endangering religious faith. However, from all reports, the verdict is based on the fact that although nationals of an Islamic state, the accused are members of another faith.

Bahaism is a religion founded in the 19th century in Persia where its followers suffered persecution and martyrdom for many years. Gradually small communities with nearly 10,000 local centers have been set up in 257 countries, islands, and dependencies including the United States. Proclaiming the oneness of all of the great world religions, the Bahai faith accepts all their major prophets as equally inspired. It believes in the unity of all mankind and uses parts of the liturgy and ceremonies of Christianity, Islam, Buddhism, and other religions. According to Bahai law, followers must be loyal to the governments of the countries where they live.

Mr. President, the harshness of these sentences passed on the members of this faith has aroused heated controversy in Morocco and attracted the attention of the international press. This widespread reaction to the trial has forced the Secretary of Information to issue a statement assuring the public that the verdict is "not definitive" and that the condemned men have the right to appeal. The Supreme Court of Appeal in Rabat is to reexamine the case.

Mr. President, it is most ironic that during the same month in which this trial of Nadar was held, the General Assembly of the United Nations unanimously adopted two resolutions, one calling for an international convention on the elimination of all forms of religious intolerance and the other reiterates the Assembly's "condemnation of all manifestations of racial prejudice and of national and religious intolerance." In addition, this resolution calls upon all governments to take steps to eradicate such intolerance. The Moroccan delegate voted for these resolutions. Furthermore, it is most significant that the new Constitution of Morocco guarantees religious freedom. How far religious freedom under the Moroccan Constitution really applies, will be revealed in the coming weeks when the appeal before the supreme court is decided.

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[37] American Good Government Society, "How Should the President Be Elected?" 12 (1961).

[38] Alaska, Delaware, Nevada, Vermont, and Wyoming each have one representative.

[39] Henry Clay was third in the popular vote but had fewer electoral votes than Crawford. Since the choice in the House was limited to the top three, Clay was not included.

[40] Burns, "A New Course for the Electoral College," New York Times, Dec. 18, 1960 (magazine), p. 10, cols. 1–4.

[41] S.J. Res. 132, 85th Cong., 1st sess. (1957).

[42] See testimony of Nicholas deB. Katzenbach, Assistant Attorney General, in hearings, supra note 2, at 371.

[43] Resolution of the Bar Association of the City of New York, Jan. 16, 1962.

[44] After this article was written, the Senate Judiciary Subcommittee on Constitutional Amendments, by a 4 to 2 vote, favorably reported S.J. Res. 12 (the district system) with amendments to the full Judiciary Committee on May 21, 1962. The subcommittee amendments would require pledges of electors and invalidate electoral votes cast in violation of such pledges.

Mr. President, I have already been in touch with the State Department about this matter. In my judgment, the U.S. Government should make its views known, whether American citizens are involved or not, as to the importance of religious tolerance and self-restraint throughout the world. I am hopeful that private representations will be made by our Government and that a public discussion of the problem will take place in the United Nations. An enlightened world opinion can play an important role in encouraging fair treatment and respect for individual rights whenever and wherever instances of this kind arise.

CHIEF JUSTICE WARREN A WISE AND COURAGEOUS JURIST

Mr. ENGLE. Mr. President, on February 12, Chief Justice Earl Warren addressed the Georgia Institute of Technology. An excellent editorial reviewing the occasion appeared in the Washington Post on February 15, and I invite the attention of my colleagues to it.

In a forthright and brilliant address, the Chief Justice contended that the law has lagged behind science. In support of his thesis that the law must grow, he said:

> Fortunately for us, the Founding Fathers painted with a broad brush. They wrote what they intended to be a living document, not one committed merely to the conditions of that day but one that could function under constantly changing conditions.

The Chief Justice's remarks are those of a man of great courage, wisdom, and depth. I congratulate him.

I ask unanimous consent that the Washington Post editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Diplomatic Chief Justice

Chief Justice Warren proved himself a shrewd diplomat as well as a courageous jurist when he addressed the Georgia Institute of Technology the other day. Because of the general hostility of the South to his opinions in the school desegregation cases, his Atlanta speech was scanned with special care to see whether he would touch upon controversial civil rights.

Although the Chief Justice himself was given an ovation, "Impeach Earl Warren" signs were posted around the city and the delicacy of the occasion was generally recognized. In these circumstances the Chief Justice merits a high mark for his avoidance of any offense and at the same time his adroit refutation of the basic premise on which the southern extremists have built their case.

The Chief Justice talked largely about science. It was Georgia Tech's 75th anniversary. His emphasis on the achievements of science and technology won the sympathy and approval of his listeners. Scientists were given credit for leading the advance of civilization. "It would be foolhardy and impossible," the Chief Justice said, "to declare a moratorium on science as was proposed in the 1930's to cure the problems we then faced. Man must go on to ever-increasing knowledge and action in all fields. He wants to know more about the universe, about himself, and about life. He wants scientific knowledge to be used for the advancement of civilization rather than for its destruction."

Having made an unassailable case for the continued growth of science, the Chief Justice lamented that his own profession—law—has not kept pace. Further progress in science demands a "peaceful setting in both domestic and world law. A world without law is hell-bent for destruction with or without scientific discoveries." By 'his logical route the Chief Justice arrived at the conclusion that the law too must grow:

"It would be equally foolhardy and likewise impossible to declare a moratorium on emerging jurisprudence, as it struggles to meet the challenges of our time, which are so different from those of even our immediate ancestors, and even of our youth. Fortunately for us, the Founding Fathers painted with a broad brush. They wrote what they intended to be a living document, not one committed merely to the conditions of that day but one that could function under constantly changing conditions—even those we have today and those we will have in the generations to come."

In thus asserting that change in the law of life and that it must apply to government as well as science and that the Constitution makes allowance for growth of the law, the Chief Justice was undercutting the basic premise of his most extreme critics—that the Constitution means only what the Founding Fathers intended it to mean at the time it was written. But he did it so adroitly and so persuasively that none could have taken offense, many applauded and some extremists within and without his audience may have been shaken in their blind adherence to an untenable view.

INVESTIGATION OF SOVIET MILITARY BUILDUP IN CUBA

Mr. ROBERTSON. Mr. President, the Senate Preparedness Investigating Subcommittee, an arm of the Senate Armed Services Committee, has announced a much needed investigation into the Soviet military buildup in Cuba. This investigation, I am glad to say, will be under the direction of the able Senator from Mississippi, Senator John Stennis.

Under his leadership and direction, the country is assured that the hearings will develop all the available facts and will contribute greatly toward the formation of a firm national policy which will protect our national security.

Senator Stennis has had many difficult assignments in the Senate and he has handled them with thoroughness, diligence, success, and great and lasting benefit to the Nation. It is fortunate that we have a man of his caliber to serve as chairman of such an important and far-reaching inquiry.

Several days ago, I had the pleasure of reading the article "The Passing Scene," by William S. White, which appeared in the Washington Evening Star of February 4, 1963. I commend its reading to every Senator and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Passing Scene

(By William S. White)

INDEPENDENT AUDIT OF CUBA THREAT

An inquiry of enormous implications into the exact present military position in Castro Cuba is about to be opened by the Senate through one of its elite bodies. This is the Preparedness Subcommittee headed by Senator John C. Stennis, of Mississippi.

There are Senate investigations and there are Senate investigations. Some are disruptive headline safaris, inflaming public feeling and smearing honest people on the basis of "verdict first—evidence later." Some are of the finest quality: careful, fair, searching, pitiless but not petty, vigorous but not virulent.

Almost certainly, on the group's record, the investigation into Cuba to be made shortly by Stennis' Preparedness Subcommittee will be one of these latter, a service to the highest interests of the United States and of this hemisphere.

What Senator Stennis is interested in is to determine in behalf of the Senate, from our own military and intelligence sources and from responsible Cubans, precisely what Soviet armament remains in Cuba and precisely what capacity it may have to endanger this country or any other in the hemisphere.

No second guess

There is no purpose either to haze President Kennedy or to protect President Kennedy. There is also no purpose to second guess either the President's lack of support for the doomed patriots' invasion of Castro Cuba in the spring of 1961 or the President's strong action against the Soviet missile lodgment in Cuba in the fall of 1962.

What Stennis and his colleagues—one of the best sets of men in the Senate and the most unpartisan when it comes to national security—most want to know is where we go from here. They are not too interested in who did what to whom in the lost yesterdays.

If they can sustain this Spartan course of sheer factfinding they will have given the whole Nation—not excluding President Kennedy himself—fresh reason to be glad that a Senate Preparedness Subcommittee exists.

For the problem as to Cuba is two sided. It is vital to have a public audit independent of that of the administration as to Castro's present offensive capabilities. But it is no less vital not to let some partisan motivated and incompetent Senate group rush into this sensitive area and trample all over the constitutional right of any President to run the foreign policy of the United States, right or wrong though his decisions may be thought to be.

Given inaction by Stennis, just such a result probably would have followed. Given the readiness of the Stennis group to act, however, the strong probability is that because of its demonstrated competence and responsibility and restraint all hands will be satisfied to leave the matter in its hands.

A fateful verdict

And at the end, the country will have reason to rely on the findings of these good and able men—plus one woman: Senators Stennis, Stuart Symington, of Missouri, Henry Jackson, of Washington, and E. L. Bartlett, of Alaska, all Democrats, and Leverett Saltonstall, of Massachusetts, Margaret Smith, of Maine, and Barry Goldwater, of Arizona, all Republicans.

If they find that Cuba in fact still poses an offensive threat to this country or hemisphere, they will simply say so. If they find that Cuba in fact is no such offensive menace they will simply say so.

Thus, the verdict may be nothing less than fateful. If the verdict is that Cuba is still a seat of mortal peril to this hemisphere it will surely follow that Cuba in due time will be invaded and sanitized—not necessarily by the United States itself, but invaded and sanitized all the same. If the verdict is that Cuba is only a defensive lodgment of communism, the present slow course of trying to isolate and cut down Cuba by measures short of war will continue.

PLIGHT OF SEASONAL FARMWORKERS

Mr. WILLIAMS of New Jersey. Mr. President, one of the most courageous leaders in the fight for a better life for one of America's most underprivileged groups, our seasonal farmworkers, has been the archbishop of San Antonio, the Most Reverend Robert E. Lucey. As executive chairman of the Bishops' Committee for the Spanish Speaking, he has long shown a deep concern for the migrant farmworkers, so many of whom are Spanish-speaking Americans. Recently his efforts and achievements received the recognition they most certainly deserve when the Houston chapter of the American Jewish Committee bestowed on Archbishop Lucey the first annual Max Nathan Award. On that occasion, the archbishop gave a most forceful and inspiring speech on the life of the migrant laborer. I was most impressed with the archbishop's remarks and am sure that will be of interest to my colleagues in the Senate.

I ask unanimous consent that it be printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF HIS EXCELLENCY, THE MOST REVEREND ROBERT E. LUCEY

To be the first recipient of the Max Nathan Award of the Houston chapter of the American Jewish Committee is indeed a distinct honor. I am deeply grateful to the Houston chapter for this favor and to all of you for your presence here this evening. The conferring of this award gives citizens of Texas an opportunity to break bread together in a friendly, cordial atmosphere of good will even though our religious loyalties are not identical; we are Jews and Protestants and Catholics. But we are all Americans and we are dedicated under God to the principle that all men are equal and every citizen has a right to justice and freedom.

For too long we Americans have been quarreling about religion. It seems to me that there is no legitimate place in America for that sort of controversy. This does not mean that religion should be ignored or that discussion of human destiny and eternal truth is out of place. It does mean that as intelligent citizens we ought to be able to conduct religious dialog on a high level of friendship, commonsense and consideration for the rights of others. The bestowal of this award is therefore an occasion of unity, solidarity and good will among citizens of south Texas.

In this period of history we Americans should be united. These are serious times; unnecessary controversy among ourselves is a luxury we can ill afford. Our beloved country is the last bulwark of civilization, of justice, of freedom. In the world community there are two powerful nations which deny the dignity of man and human rights. They are bent on world conquest; they despise the American way of life; they will crush us if they can because we block their path to total, ruthless tyranny. Since these Communist governments do not believe in God they cannot believe in man because the creature has dignity only when he stands in the reflected grandeur of his Creator.

These two countries of the East have placed in jeopardy our survival as a nation. They plan to preside at our funeral; they have in mind to bury us. Our job today is to prove to ourselves and to the family of nations that we are worthy of survival. Lipservice to human rights no longer has value. The 20th century has caught up with those unworthy stewards who publicly proclaim liberty and justice for all; but privately try to massacre both liberty and justice for minority groups.

The Max Nathan Award dramatizes the problem of migrant labor in American agriculture. It points an accusing finger at the iniquities of that program; at the injustices which are a blot on our escutcheon; at a situation which I have described publicly as our badge of infamy, a ghastly international racket.

Migrants may be nationals of Mexico and they are known as braceros or they may be Texans and they are known as citizen migrants. In either case the exploitation of the migrant is almost inevitable. In the first place his position is weak. He stands before his employer defenseless and alone. He needs food and the necessities of life. He has little or no bargaining power. He must work to eat. His children need food. Until this year the employer could hire this man for 50 cents an hour and make him work 12 hours a day, 7 days a week, picking cotton. When payday came, the grower could reduce the wage to 30 cents an hour and if the worker didn't like it that was too bad for him. If he happened to be a Mexican national he could be sent home as a troublemaker. Prudence dictated that he be docile, silent, and robbed.

Another reason why the exploitation of migrant workers is almost inevitable is the absence of protective legislation. Much helpful social legislation has been enacted in our country but farm labor has been specifically exempted from most of it. Agriculture is a sacred cow. Certain farm organizations have made it so. Most of the attempts to better the condition of farm labor have been beaten down. Even child labor has been encouraged.

I think it's about time for reactionary growers to join the human race, shows signs of being civilized, and begin to behave like decent Americans. There is nothing particularly sacred about agriculture. The growers are not spacemen from another planet exempt from all laws of honesty and decency; they are not little Caesars possessed of special exemptions and immunities; their business is not a segment of our economy separate and distinct from the stream of American life. American agriculture is not a sick industry; it is very strong.

It is only certain growers who are overstuffed with pride and power. They can pay good wages and make a fair profit if they want to.

By the same token farmworkers are not second-class citizens nor are they less than human. We owe it to them to give them a chance to lead their lives in decent and frugal comfort. There is no reason in logic or morality why the good name of our country should be dragged in the gutter of disrepute to satisfy the greed and rapacity of evil men. We ought to protect the migrant by legislation until he is strong enough to protect himself.

The U.S. Senate has passed several pieces of legislation favorable to migrants; now it is time for the House to do something about an intolerable situation.

Let me express one more thought. The exploitation of migrant labor in American agriculture may seem utterly foreign to us. Most of us are not farmworkers; we live in cities; we know that American industry is powerful. Both labor and management are organized; we are a mighty Nation. Wandering farmworkers seem far away.

But, we must not forget that freedom is indivisible; human rights belong to all. If one large segment of our economy practices tyranny, America is weakened. If we permit human rights to be denied anywhere, they are in jeopardy everywhere. When the rights of minorities are violated, the very idea of freedom and justice is damaged. The atrocities perpetrated against migrants have been the responsibility and the tragedy of all of us.

Our treatment of the migrants in recent years has been unworthy of us as a free people; it has been a national disgrace. Not all farmers are to be blamed; not all growers are dishonest; but the system itself has been wrong. All too often braceros and citizen migrants have been treated shamefully. Now, at long last, public opinion rises up to condemn these iniquities which have hurt our good name around the world, particularly in Latin America.

ORDER OF BUSINESS

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

Mr. **HRUSKA** obtained the floor.

Mr. **CLARK** rose.

Mr. **HRUSKA.** Mr. President, I yield to the Senator from Pennsylvania.

Mr. **CLARK.** Mr. President, I thank the Senator from Nebraska for his courtesy.

ADDRESS BY SENATOR HUBERT H. HUMPHREY, OF MINNESOTA

Mr. **CLARK.** Mr. President, the senior Senator from Minnesota [Mr. HUMPHREY] is presently in Geneva, Switzerland, attending as a congressional observer the proceedings at the Disarmament Conference. I commend him for his interest in this subject and in the negotiation of a test ban treaty, and hope that as a result of his visit there he will be able to report progress when he returns to the Senate next week.

The Senator from Minnesota has been much interested, as many of us have been, in the impending visit of President Romulo Betancourt, of Venezuela, to our country. At the request of the Senator from Minnesota, I ask unanimous consent that a statement he would have made to the Senate with respect to the visit by President Betancourt, to which are attached a number of exhibits, may be printed in the RECORD at this point, with the attachments to the statement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUBERT H. HUMPHREY

Today we welcome to Washington one of the great statesmen of this hemisphere, President Romulo Betancourt, of Venezuela.

The government of President Betancourt has become the No. 1 target of Communist attack in Latin America. Operating from Castro's Cuba, the Communists have unleashed a continual torrent on intimidation, violence, and terror against Venezuela. The recent burning of the Sears, Roebuck warehouse, the sabotage of the Maracay oil refineries, and the pirating of the ship are all a part of this pattern of violence and subversion.

Venezuela is the No. 1 target because the Alliance for Progress is succeeding there. It is the No. 1 target because the subversion of Venezuela with its huge resource of oil and iron would provide a springboard for the penetration of the entire South American Continent. It would convert the Caribbean into a Communist sea.

The U.S. Government must make it clear to all that an attack on Venezuela will not be permitted to succeed. It will be repelled, regardless of cost. The Betancourt government has made progress despite continuing political attacks from the extreme left and the economic harassment from the extreme right. With the help of the United States it will survive the current external Communist attack and continue to represent a beacon of democracy in a troubled Caribbean.

The government of President Betancourt in Venezuela is a progressive government. It is open and friendly to the United States and vigorously supports us in all international councils. It respects private property, private capital, and investment. It encourages capital investment. And at the same time it sponsors the broadest social reforms and developments for its people. It has strong trade unions, rural cooperatives, and all the things we know about in this country. It is a government that is acting boldly in the fields of housing, health, education, and rural development. The Communists are determined to destroy the Betancourt government because they know that if constitutional democracy succeeds in Venezuela, communism in Latin America will have suffered a disastrous defeat. President Betancourt is one of the great leaders of our hemisphere, and no man has done more to insure the success of the Alliance for Progress.

I recently had the great pleasure of visiting Venezuela and of discussing, meeting with President Betancourt and leaders of his government, and of viewing the Alliance for Progress in action. President Betancourt started his own Alliance for Progress type program of economic development and social reform when his government was inaugurated in February of 1959. The political harassments have been largely overcome thanks to President Betancourt's courage and astuteness. Though the economic harassments have been more unyielding, progress has been made in recent months in improving the pace of business activity.

The government expenditures for education have tripled, reaching the level in 1962 of $231 million. This is 15 percent of the total national budget, the level which the Punta del Este Conference recommended be achieved by 1970. The number of students in elementary schools has almost doubled, increasing from 600,000 to 1,100,000. Under the Venezuelan agrarian reform program, 55,000 campesinos have received their own plots of land. Rural housing and a community development program are underway, and an attack has been started on the problems of eradicating Caracas' enormous slums.

During my visit to Caracas I was privileged to be present for the signing of the $30 million AID loan agreement which will be used for housing and community development facilities in Venezuela. The Betancourt government has developed one of the continent's best health programs. The ministry of health now has a budget of over $100 million a year. It has 19,000 employees, many of whom serve in the network of rural health centers. The magnitude of this program is appreciated when we recall that Venezuela has only 7 million inhabitants. The health program of the Betancourt government has been so successful that accidents are now the greatest cause of death in the 5 to 45 age group.

Although the U.S. Government has given substantial assistance to Venezuela during the past 2 years, most of the above has been accomplished by Venezuelans using Venezuela resources.

A further reason for the cordial relations currently maintained between the United States and Venezuela is the caliber of our representation there. We have in Ambassador C. Allen Stewart one of the top ambassadors in all Latin America. He is a man of courage, resourcefulness, integrity, and strength. He is highly regarded by Venezuelans, by his fellow diplomats, the American community in Venezuela, and by officials of the U.S. Government who know of the job he is doing there.

Recently Ambassador Stewart discussed one of the thorniest problems facing the Alliance for Progress, that of the role of private enterprise in the Alliance. In an address to the Rotary Club of Tachira in the State of San Cristobal in January of this year he stated, "free enterprise is an essential element to the Alliance for Progress just as it is basic to the democratic system. Judiciously regulated where necessary, and complemented by government efforts where it lacks the incentive to perform, free enterprise has provided the mechanism for economic progress of the free world." In this address, entitled "Capital and Confidence: Keys to the Alliance," Ambassador Stewart then spells out the various problems affronting the American businessman in Venezeula in particular and Latin America in general. It is an excellent statement and should be read by all those interested in the partnership of free enterprise and economic progress in Latin America. I attach a copy of the address at this point in these remarks:

"CAPITAL AND CONFIDENCE: KEYS TO THE ALLIANCE

"(Address by U.S. Ambassador C. Allan Stewart before the Rotary Club of Táchira, San Cristóbal, January 22, 1963)

"My last visit to the Andes was nearly 20 years ago as a news correspondent negotiating what was then a rather challenging road from Bogotá to Caracas on reassignment. Needless to say, I am delighted to be back.

"I find on returning as a diplomat, but still with, I hope, a newspaperman's instinct for observation, that the mountains and clouds haven't changed but almost everything else has. There is a modern city where once a large town stood, a refreshing liberal attitude, and a vibrant spirit of progress that has grown with the years. There are new roads, schools, hospitals, industries. Your people are the sturdy Andinos of before, but somehow they seem to move faster and with a more purposeful gait. Táchira, I can say from personal observation, is moving ahead.

"Indeed, all Venezuela is moving ahead, under its new democracy. I seriously doubt that, now that Venezuela has experienced 4 years of progress under a free system, it will ever again tolerate the enslavements of either rightist or leftist dictatorships.

"But I have come not to compliment you but to give you my views on the most dramatic program for social and economic progress ever devised in modern times. I refer, of course, to the Alliance for Progress, an imaginative, comprehensive program involving governments as well as private enterprise, both local and foreign, in a vast cooperative effort to raise economic and social levels throughout Latin America.

"To those prophets of doom who, for reasons best known to themselves, say the Alliance for Progress cannot succeed, let me say just this: Although the Alliance is very young, it already is nurturing hope where there was despair. The challenges have been recognized, and the nations of this hemisphere have committed themselves to an all-out cooperative effort to meet them.

"And further, the cause is right. The nations of Latin America, with basic programs of planning and financing, are capable of providing their people economic satisfaction without denying political liberty. It is a job that has to be done if Latin America's masses are to share freely in the progress of the 20th century. It has been done in the United States and Western Europe, and we are confident it can be done also in Latin America once the needed resources and ingenuity of each of us are committed to the task.

"A new year's letter I received the other day from former Ambassador Teodoro Moscoso, now U.S. Coordinator for the Alliance for Progress, states the case eloquently. Let me share with you a pertinent paragraph:

" 'I think the evidence is clear that the Alliance is moving. The schools and homes, the water systems and roads that are being built, the intense arguments among Latin Americans and between them and us about how best to carry out our charter principles, the mounting defamation of the program by those who see it as a threat to their interests—all this means that we are moving. The rate of Alliance progress depends primarily on the degree of political support of the local leaders and the sense of personal involvement of the people in each Latin American nation.'

"I put great stock in Ambassador Moscoso's evaluation that the Alliance for Progress is on the move.

"But success is not automatic. The challenge is formidable. Success will require patient understanding, imagination, discipline, and a willingness by nations and individuals to study and change outmoded social structures. The first, and greatest, task is rapidly to increase and rationalize economic production in order that more wealth will be available to satisfy the just needs of every Latin American. Any necessary reforms in land distribution, taxes, housing, education, food production, and all other social and economic areas must be investigated and any necessary reforms put into effect if the Alliance is to move ahead with the speed necessary to drastically lessen, in our time, the miseria which has plagued not only Latin America but most of the world since time immemorial.

"The only certainty of the alternative courses of the extreme left or right is that those systems will deny liberty to both individuals and nations. Whether they can even offer sustained economic advance is in serious question. Nowhere, for instance, have they solved the problem of providing adequate agricultural production.

"There still remain certain misconceptions about the Alliance. It must be made clear, for example, that the Alliance is not a U.S. program. True, it was proposed by President Kennedy in his inaugural address. But it was put into motion by the free vote of hemispheric nations gathered together at Punta del Este. The hemisphere accepted it as a 10-year self-help effort requiring the full participation of nations and individuals, private enterprise as well as public. Senator HUBERT HUMPHREY, in fact, on his recent visit to Venezuela, estimated that the United States cannot be expected to contribute more than 7 percent or so of the total funds needed in Venezuela.

"These funds are and will be in the form of low interest long-term loans which will be repaid. Thus Venezuela will finance, ultimately, its own development.

"The United States is ready and willing to do its full share, but it cannot be expected to finance more than a fraction of what of necessity must in many cases be a vast increase in economic productivity as well as a major overhaul of parts of each country's economic and social structure. The success or failure of the Alliance for Progress depends on Latin America itself.

"Free enterprise is an essential element to the Alliance for Progress, just as it is basic to the democratic system. Judiciously regulated where necessary, and complemented by government efforts where it lacks the incentive to perform, free enterprise has provided the dynamism for the economic progress of the free world.

"There is much fuzzy thinking about capitalism and free enterprise. Not long ago in an Asian university students were asked what ideas, good or bad, they associated with various countries. When it came to the United States, a number of them commented admiringly on U.S. industrial and agricultural production and technological progress. At the same time, a good number of the same students said they did not approve of capitalism—the economic system that produced the very things they admired. Perhaps they were not even aware of the contradiction. These students admired the fruits of capitalism and free enterprise, but, for a vague and obscure reason they could not explain clearly, were opposed to the system that made these products available at a price within the reach of the consumer.

"Marx once said capitalism could only lead to the enslavement of the workers. But the workers in capitalist countries know greater liberty and economic and social welfare than ever existed in the world before, while the workers under the system spawned by Marx have become enslaved.

"Let us turn for a moment to foreign investment, a key factor in the Venezuelan economy; about 60 percent of all Venezuelan Government income is derived from industries developed with foreign capital.

"Most of you appreciate, I am sure, that the fantastically successful U.S. industrial complex could not have begun in the early 1800's without foreign investment—from England, France, Switzerland, Germany, and elsewhere—which went abroad seeking a fair profit. The incentive was profit, true, but the economic world moves on a pivot of profit. To those who decry excessive profits, I point out that the tax structure of a great many countries not only is an important leveler but also a valuable means of financing the spectacular social programs which mark the progress of those nations which from these corporation taxes to which I refer, personal income taxes graduated on a sliding scale, in countries using the system, tend to eliminate the extremes of wealth and poverty which are at the root of social and economic unrest.

"On the whole, I would say that American business operating in Latin America has established an excellent record, especially since the end of World War II. This has been enlightened private enterprise, fully in sympathy with the worldwide revolution against the status quo and concerned with much more than profits. It is a truly revolutionary force which has concerned itself with economic improvement and social growth in Latin America, the basic aims of the Alliance for Progress. There is no doubt that private enterprise must play a central role in insuring the success of the program.

"U.S. investment in Latin America has easily tripled since World War II. Around $10 billion is now staked in Latin America. This investment has increased the national product and incomes of the countries where it has located. It has created jobs, brought social advancement, and has proved a large source of revenue for host governments.

"For example, nearly 20 percent of all revenues collected by Latin American governments come from taxes on U.S. private companies operating in these countries. Such tax payments amount to twice the profits remitted by these companies.

"The U.S. businessman has brought to Latin America the risk capital essential for the development of much of the area's great natural resources and basic industries. He has entered into hundreds of joint ventures with local capital. He has helped train unskilled workers into an efficient industrial force. He has sent Latin Americans to the United States for management training, and he has gradually filled an increasing number of key positions in his industrial and business organizations with nationals of the host country. For example, of the eight local directors of Creole four are Venezuelans. Furthermore, U.S. firms has established excellent records with respect to improvement of salaries, social benefits, safety precautions, and working conditions in general.

"Using the tools, technology, and modern work methods provided directly by U.S. private capital and free enterprise, millions of Latin Americans have had their lives dramatically changed for the better. This is a big part of the Alliance for Progress.

"When you think of U.S. foreign investment in Venezuela you immediately think of petroleum. But U.S. private industry has come into Venezuela in many other fields of endeavor, and most times in partnership with Venezuelan capital. It has gone into automobile assembly plants, food processing and packaging, textiles, banking, insurance, paper, tires, cosmetics, tobacco, and many others. And furthermore, a good many U.S. investors went into business here at the trough of an economic slump, a factor which in itself reflects confidence.

"It has been alleged that the wealthy class in many countries of Latin America tends to hold a great deal of their capital abroad rather than invest it in their own country. No doubt there is a degree of truth in this, more in some countries than in others. By its very nature private investment gravitates toward where it is offered the most attractive returns and greatest security. The amount of capital held abroad will vary according to what the people of the country themselves consider to be the political and economic prospects for their country, as well as with their dedication and loyalty. During the early days of the present Venezuelan administration there were many who lacked confidence. Confidence increases with progress, however, and certainly in the case of Venezuela so-called flight capital has been returning, thus stimulating further progress.

"Part of the capital which left Venezuela during 1959 and 1960 were the deposits which many foreign companies operating in Venezuela had in Venezuelan banks. These companies not only removed their deposits but began using local credit for operating expenses that had previously been financed from their own funds. Now that Venezuelan capital is beginning to return, it is hoped that foreign companies will reassert their confidence by making more funds available to their Venezuelan branches for plant expansion and increased activity.

"I might add in this connection that private U.S. investment cannot be expected to plunge in to fill a void created by the flight of local capital. It is only realistic to state that Venezuelan private capital must continue to return and prove its own confidence. As local confidence is increased, I see no real limit to the amount of private U.S. capital that might come to work with Venezuelan capital, in the light of every prospect for political and economic stability.

"Our two Governments already have a number of cooperative programs underway as part of the Alliance. These are in housing, water supply, agriculture, industrial development, education, public administration, and other important fields. I would like to mention just a few.

"The Alliance is helping both private and public construction organizations to solve Venezuela's housing problem. Some Bs54 million have been lent from the Inter-American Development Bank's social progress trust fund to the rural housing program of the Ministry of Health and Social Assistance. The social progress trust fund is a contribution of $394 million (Bs1,785 million) by the U.S. Government, which is handled and distributed by the Inter-American Development Bank. Here in Táchira, some 786 units have been built under this program, of which approximately 60 were put up with U.S. funds. Over Bs3,260,400 has been invested by the Ministry of Health and Social Assistance in rural housing for Táchira, of which Bs350,000 has come from the trust fund.

"Agency for International Development (AID) loans in the amount of Bs204 million have gone to the Mendoza foundation for housing, the foundation for community development and municipal improvement for slum clearance, and the national savings and loan association to encourage the establishment of a savings and loan system. Both rural and urban housing activities are being complemented by two loans of Bs45 million each from the trust fund for aqueduct construction. At La Fria, INOS will construct an aqueduct system serving more than 4,000 persons with a trust fund loan.

"Venezuela's agrarian reform program is receiving financial assistance in the amount of Bs57.5 million from the Inter-American Development Bank, and Bs45 million from the Agency for International Development to provide agricultural credit to those who could not obtain loans through ordinary commercial channels.

"Another Alliance goal is to help a growing national industry build at an even more rapid rate. Even now, a team of experts from Ebasco Services, Inc., of New York is carrying out Venezuela's first industrial resources survey which is being financed jointly by the United States and Venezuelan Governments. The United States has provided experts who conducted seminars for top management personnel, as well as executive secretaries, simultaneous interpreters, and supervisers in foundry and welding shops. Altogether 748 people have participated in these programs. An additional 30 persons received training in the United States.

"Strong emphasis has been placed on education and training activities with the view of diminishing illiteracy and providing the skills needed for better jobs in industry.

"In education, the United States has equipped an educational materials production shop at the teacher training center, El Mácara, near Maracay. Soon six textbooks prepared there by Venezuelan authors will be in use in Venezuelan elementary schools. These authors were trained by specialists brought to El Mácaro from the United States. And El Mácaro's staff has access to some 18,000 books donated by the people of the United States under the Alliance for Progress program.

"The U.S. Agency for International Development, cooperating fully with your government, is training Venezuelans to conduct courses in elementary and secondary as well as vocational education, business and plant management, and school supervision. Others have received direct training in Puerto Rico, Panama, and the continental United States in many technical fields such as public administration, metalworking, marketing, agriculture, and many more. Some 350 Venezuelans have received such training abroad during the Alliance's first 18 months.

"Although under the Alliance for Progress the United States contemplates putting more than Bs910 million into Venezuela in the form of long-term, low-interest loans advanced for projects which will improve the living standards of the Venezuelan people.

Disbursements of this amount will be made over a period of 3 or 4 years. This figure includes a loan from the Export-Import Bank of Bs450 million and Bs235 million from the Inter-American Development Bank Trust Fund. This is the U.S. Government's direct financial participation as indicated so far, and, as I have said, must be supplemented manifold by local capital to meet the overall need in this country. I might say, in this context, that the United States is one of two countries in the world which more than fulfills the target of devoting 1 percent of its national income to foreign aid.

"Still in the framework of the Alliance, I want to make a special brief reference to the Peace Corps volunteers—90 now in Venezuela—who are helping the Venezuelans see, through their people-to-people activities in many fields of endeavor, the way a little know-how and experience has helped us solve many problems at the community level. I have been impressed by the work they are doing shoulder to shoulder with their Venezuelan counterparts in agriculture, the teaching of English, sports and playground activities, and other fields. A good number are here in the Andes—35 in 21 towns and villages—engaged in 5-V activities in cooperation with the Ministry of Agriculture. The privately sponsored group called ACCION also is engaged in work along these lines. In both these programs, if their numbers are far short of what is needed, their spirit is certainly one of helpful assistance. A good number of these young people are away from home for the first time. They are trying to learn what the problems are and offer their technical skills to meet those problems. I know they will receive the support and understanding they need.

"I have said on other occasions that Venezuela has been in the forefront of the Alliance for Progress. This is attributable in part to programs which took root here long before Punta del Este, and to the farsighted leadership which carried on that initial momentum through judicious use of Venezuelan and foreign financing under the Alliance. Venezuela has shown the way to the hemisphere in three important respects: first, conscientious economic and social planning to develop and mobilize the country's resources and direct them toward the goal of genuine self-sustained growth; second, the emphasis on self-help measures and internal changes needed to achieve that goal; and, third, the conscious effort to involve as broad a cross section of the Venezuelan people as possible in the process of development.

"Under a free system Venezuela has been able to plan progress and execute the measures that bring it about. Your Government is now in the process of further refining and extending its plans. As you know, a few weeks ago the plan de la nacion was announced—a blueprint for progress to be made in all sectors and in all sections of the country in the 4-year period 1963–67. This plan now is being reviewed by a special committee of the OAS and by private organizations in Venezuela. As it stands, its goal is to increase the gross national product by some 36 percent over today's figure. Taking into consideration a population increase of almost 1 million, the per capita gross national product is expected to go up almost 5 percent. To reach this goal it is anticipated that an investment of Bs28 billion will be available, almost 90 percent from internal sources—two-thirds of it from the private sector. The plan amply reflects the spirit of self-help and involvement of the people.

"Thus, with the elements of planning, self-help and popular involvement, Venezuela is establishing the conditions necessary for balanced economic growth and social betterment within the framework of constitutional democracy. Venezuela has moved ahead with great flexibility toward its goal of ploughing back petroleum revenues to diversify its economy and social base.

"Few Latin Americans can match Venezuela in the self-help measures undertaken to establish a solid base for the Alliance. These include the creation or improvement of social and economic institutions to meet the needs of the people for new industries, housing, agricultural credit, education and training, better health, and a variety of other public and private services. Although a great deal remains to be done, there have been spectacular gains in education, public administration, land reform, irrigation, resettlement, low-cost housing, water supply, malaria eradication, and medical facilities. Venezuela's national planning is far in advance of many countries in this hemisphere, and I would guess that no other country in the world can cite a 93-percent rise in primary school attendance in 3 years through the construction of 4,481 new schools.

"All these actions tend to create greater opportunities for private as well as public investment, and there has developed the beginnings of an upsurge in industrial activity accompanied by the first drop in unemployment since 1958.

"These indeed are impressive signs of progress. Small wonder, then, that the United States has full confidence in the future of Venezuela under its new found banner of constitutional democracy."

On this occasion of the visit of the President of Venezuela to the United States, I am happy to note in the Senate that new attention is now being given in the American scholarly and journalistic communities to making available to the American public basic information on the American Republics in Central and South America. For too long both scholars from the universities and journalists and commentators left the North American public wholly uninformed about Latin America except occasionally to report some bad news—an assassination, an expropriation, an earthquake, or a coup d'etat.

One of the most worthwhile efforts to provide basic information on countries of Latin America is now being conducted by the Institute for Comparative Study of Political Systems, which is a division of Operations and Policy Research, Inc. Both of these institutions are based here in Washington. During the past 6 months the Institute for the Comparative Study of Political Systems has published two election factbooks on two of the major countries in South America, Brazil, and Venezuela. These factbooks aim to provide the basic data on a country prior to an important national election. The book on Brazil appeared earlier this fall, and in January of this year the excellent factbook on Venezuela appeared. This book contains the basic data on the political history of Venezuela, it summarizes the basic issues which are likely to be of significance in the national election which will be held in December of 1963 and it gives a capsule summary of the major political parties. For anyone interested in following the forthcoming national election at the end of this year, this factbook is invaluable. It should be used by professors and high school teachers, journalists, and radio and TV commentators, by public officials in both the executive and legislative branches of the Government, and by all American citizens who are interested in the fate of an important American Republic in South America. I congratulate the principal author of these two election factbooks, the man who is the principal driving force behind the Institute for Comparative Study of Political Systems, Mr. George Demetriou. I congratulate the officers of the Operations and Policy Research Corp., which have already done so much to inform the American public and public officials in Washington on the important issues in the field of international affairs. Here once again, the executive secretary of the American Political Science Association, Mr. Evon Kirkpatrick, has performed an invaluable service. I attach an excerpt from this excellent publication on Venezuela for printing in the CONGRESSIONAL RECORD at this time:

"VENEZUELA: AN OVERVIEW

"Before examining the political materials in this booklet, the reader will probably wish to refresh his memory of Venezuela. To help him, the following information is offered first about the country as a whole and then about each of the five regions into which it has been divided for the purposes of anaylsis.

"Venezuela as a whole

"Size: 352,000 square miles. About 1½ times the size of Texas. Sixth largest country in South America. Population: 7,523,999. Annual population increase over 3 percent—one of highest in Latin America. More than half of population under 20 years. Average life expectancy 52 years. 62.5 percent urban—one of most urban countries in Latin America. Ethnic composition: About two-thirds mestizo; 20 percent white; 9 percent black; less than 2 percent Indian; 8 percent of total population foreign—Italians largest single group. Climate: In Torrid Zone. Temperature varies considerably depending on altitude. Geography: Northernmost country in South America, bordering the Caribbean Sea for 1,754 miles and the Atlantic Ocean for 435 miles. More than 1,000 rivers—Orinoco River eighth largest in world. Beginning at the Carribean coast and moving southward, mainland is characterized by a lowland, narrow at center and broadening at both ends to form the Maracaibo Basin in the west and the Orinoco Delta in the east. This lowland slopes into Venezuelan Andes in the west and the coastal range, which parallels the central and eastern coast. Just south of these mountains lies a large, low, nearly treeless plain which ends in rocky highlands and thick jungles. Economy: Urban and industrial. Oil is axis of economy—provides 90 percent of foreign exchange, 56 percent of government's income, 22 percent of gross national product annual growth, yet employs only 2 percent of the labor force. Standard of living: Annual per capita income $850 in 1961—highest in Latin America. Income very unevenly distributed both regionally and among sectors of economy; heavy concentration in Caracas and other metropolitan areas and in petroleum industry. Cost of living one of highest in world. Exports: World's leading exporter of oil. Chief customers; Western Hemisphere (67 percent) and Western Europe (29 percent); United States alone takes over half the petroleum. Coffee is chief agricultural export. Other exports: iron ore, cacao, sisal, gold, diamonds. Oil 91.9 percent of total value of exports in 1957; iron ore 4.8 percent; coffee 1.5 percent; other 1.8 percent. Imports: Machinery, construction materials, raw materials, nondurable consumer goods, vehicles, food products. U.S. supplied 64 percent of total imports in 1957. Political geography: Divided into 20 States, two Federal territories, and the Federal District. Some 72 island dependencies governed by the Federal District.

"By regions

"Maracaibo Basin

"State: Zulia. Principal cities: Maracaibo (432,902), second largest city in Venezuela; growth due to discovery of nearby oil. Climate and geography: Narrow strip of lowland between Andes and the sea in northwest section of Venezuela. Hot, humid; seldom a day when temperature fails to reach 90° F. Site of Lake Maracaibo, containing largest known deposits of petroleum in South America; lake is shallow and studded with oil derricks. Population: 908,733—12 percent of total Venezuelan population in 6.9 percent of the national land area; 45 percent of region's population concentrated in city of Maracaibo; 23 percent rural. Economy: Produces nearly three-fourths of national output of petroleum. Good agricultural area. Western portion a center of dairying and cattle fattening. Political characteristics: 12 percent of electorate; 40 percent of population voted in 1958 election.

"Andean States

"States: Táchira, Mérida, Trujillo. Principal cities: San Cristóbal (96,102), sixth largest city in Venezuela; Mérida (40,404). Climate and geography: Cool and moist; spectacular landscapes. Very healthful region. Population: 996,465—13.2 percent of total Venezuelan population in 3.3 percent of the national land area. About 64 percent rural. Economy: Important agricultural region. Chief products: coffee, cacao, sugarcane, rice, wheat, corn, and vegetable fibers. Industrial activity: flour and sugar milling, tanning, and manufacture of shoes, ceramics, and furniture. Mérida reputed to produce best quality coffee in Venezuela. Quaint colonial cities are popular tourist attractions. Political characteristics: 12.9 percent of electorate; 38 percent of nationwide COPEI vote comes from this region. Supplied Presidents from 1899–1958 with the exception of the 1945–48 period.

"Coastal Range

"States: Falcón, Lara, Yaracuy, Carabobo, Aragua, Federal District, Miranda, Nueva Esparta, Sucre. A very heterogeneous region for which generalizations are difficult. Caracas and surrounding area is heart of political and economic activity. Most of Venezuela's largest cities lie in this region. Principal cities: Caracas (739,255), Barquisimento (196,557), Valencia (161,413), Maracay (134,123), Cumaná (71,563). Climate and geography: Mostly mild climate but some parts very hot and humid. Narrow, mountainous strip with fertile mountain valleys. Andes Mountains spur extends west to east for 310 miles and north to south for 43 miles. Population: 3,941,139—53 percent of total Venezuelan population in 8.7 percent of the national land area. Averages 38 percent rural with extremes of no rural in the Federal District and 59 percent in Sucre. Economy: Most important industrial and manufacturing area. Rich agricultural areas. Cattle raising. Caracas is tourist attraction. Pearl fishing in islands off northeast coast. Political characteristics: 53 percent of electorate. Extremist parties strong in big cities of this area compared with strength elsewhere in country.

"Llanos

"States: Guárico, Apure, Barinas, Portuguesa, Cojedes, Anzoátegui, Monages, Delta Amacuro (territory). Principal cities: Puerto La Cruz (59,099), Maturín (54,250), Barcelona (42,267), El Tigre (42,028). Climate and geography: Flat, wide expanses; partly cleared savannahs and partly dense jungles. Torrential rains from April to October; very dry during rest of year. Population: 1,440,-371—18 percent of total Venezuelan population in 35.5 percent of national land area. More than 60 percent rural. Economy: Traditional cattle country. Transition taking place—former pastures have been converted into rice, corn, and sesame fields. Very little industrial development. Political characteristics: 19.1 percent of the electorate. Stronghold of the Acción Democrática Party.

"Guayana Highlands

"States: Bolivar, Amazonas (territory). Principal city: Cuidad Bolivar (64,133). Climate and geography: Lies east and south of the Orinoco River. Rocky masses, with high iron content and some petroleum, lead into lowlands and thick jungles ending in spectacular mountains with flat tops and sheer sides. Site of Angel Falls, highest free fall in the world. Large forested areas, largely unexplored. Population: 225,300—3 percent of total Venezuelan population in 45.1 percent of the national land area. About four-fifths of the small Indian population of Venezuela lives here. Economy: Extensive recent industrial development. Iron ore in El Pal Mountain. Gold, diamonds. Largely untapped supply of lumber and minerals. Political characteristics: 2.9 percent of the electorate.

"SOME FACTS OF POLITICAL HISTORY

"The discontinuity of political institutions has been a major characteristic of the history of Venezuela, which has had 26 constitutions since 1830. The highest law of the land has been changes so frequently—sometimes casually, often violently—that it has been little respected by either rulers or ruled. Fifty major rebellions and thirteen violent overthrows of the Central Government occurred between 1830 and 1900. From 1900 to 1935 and from 1948 to 1958 the country lived under brutal dictatorships. Today in Venezuela a legitimately elected President is constantly threatened by militant Communist, leftist, and rightist conspirators, and most of his constitutional term of office has been spent in a state of emergency which grants him extraordinary powers to deal with attempts to overthrow the Government.

"The violent adjudication of political differences is a central aspect of the Venezuelan tradition, and in the 20th century the armed forces have become the dominant institution of Venezuelan politics. Historically the armed forces have supported military dictators; but in 1945 and 1958 the groups within the Venezuelan Army made possible the establishment of civilian governments. In 1963 the duly elected Government, menaced as it is by attempts at violent subversion, could not exist without the firm support of the armed forces. If the military officers who believe that the armed forces should support constitutional government remain in control, it is possible that the present military support will continue and be extended to all future duly elected civilian governments.

"Seven periods

"War of Independence, 1810–30

"Led by Simón Bolívar, its immortal native son, Venezuela won independence in 1821 after 11 years of war that caused heavy loss of life. Venezuela separated from Gran Colombia in 1830.

"Rule of Conservative Oligarchy, 1830–48

"Period of free elections and stable political institutions, honestly administered. Great stabilizing figure was General José Antonio Paez.

"Divisions in Conservative Oligarchy; Rise of the Liberal Opposition, 1848–99

"Period of revolutions and constitutions. "Federalism" and "centralism" were partisan rallying cries, but there were no attempts to create specific structures of government. Developing liberal movement articulated for Venezuela the ideals of 19th century liberalism, but culminated in disillusion engendered by dictatorship of liberal Antonio Guzmán Blanco. Guzmán Blanco did much to modernize Venezuela.

"The Andean Dictators, 1899–1945

"Country ruled by Gen. Cipriano Castro from 1899 until 1908 and by his lieutenant, Gen. Juan Vicente Gómez, from 1908 until 1935. Under Gómez, country opened to carefully restricted petroleum development and army modernized. Period of brutality, terror, and total absence of civil rights. Death of Gómez in 1935 followed by tumultuous riots, destruction, looting, and killing. From 1935 through 1945 country governed by Gens. Eleazar López Contreras and Isaias Medina Angarita, both officers of Gómez; wide range of civil and political liberties granted intermittently.

"Revolt of the Young Officers and Brief Democratic Interval, 1945–48

"In alliance with Acción Democrátia (AD), a group of young army officers led revolution successfully deposing Gen. Medina Angarita. Revolution marked end of dominance of army and landed aristocracy coalition. Mixed civilian-military junta took control. In 1946 open and honest elections held for constituent assembly. Creation of very liberal constitution was followed in 1947 by presidential and congressional elections won by AD party. Shortly after assuming office in 1948 President Rómulo Gallegos suspended constitutional guarantees. AD party opposed by groups on both left and right, and by army officers who, aware that AD was strongly antimilitary, feared army would become inferior group. New military coup ousted elected government in November 1948.

"Counterrevolution of Col. Marcos Pérez Jiménez, 1948–58

"Three-man military junta took over government. Col. Carlos Delgado Chalbaud, head of junta, assassinated in 1950. Pérez Jiménez became dictator. Dictator held elections in 1952. All parties except AD allowed to participate. Election returns honestly counted and reported until it became obvious that government party was losing. News blackout put into effect, followed by announcement that government had won elections. Pérez Jiménez proclaimed President for constitutional 5-year term. At end of term Pérez Jiménez held plebiscitary elections in which people could vote yes or no to his continuance in office. Victory for yes was reported and touched spark to widespread antidictatorial sentiment fostered by clandestine political groups and by elements within the church. In 1958 civilians and parts of army revolted successfully, and new military junta, headed by Adm. Wolfgang Larrazabal, made election plans.

"The Presidency of Rómulo Betancourt, 1958–62

"All political parties legal participants in elections of December 7, 1958. Elections regarded as free and honest, won by Betancourt and AD party.

"In office Betancourt administration has instituted programs for agrarian reform, building of schools and low-cost housing, reduction of illiteracy, encouragement of private investment, diversification of economy. There is disagreement about extent of success of these programs.

"Constitutional guarantees of civil liberties legally suspended by President Betancourt during most of term of office. How repressive the exercise of presidential power has been is another matter about which there is disagreement

"Betancourt has until now successfully faced constant armed challenge from Communist Party. AD has had two splits since taking power; in 1960 a group separated from AD to become MIR party, and in 1962, another group split to become ARS group. Voting strength taken from AD by dissident groups not known.

"Elective offices to be filled

"President of the Republic.
"Entire National Chamber of Deputies.
"Entire National Senate.
"Legislatures in all 20 States.
"All municipal councils.

"Venezuela is a Federal republic of 20 States, the Federal District, two Federal territories, and a number of minor island dependencies. Since the constitutional 5-year terms of the President and the Members of Congress expire on March 3, 1964, elections have been scheduled for December 1963.

"If they are held, the elections will be for national, State, and municipal offices.

"National offices to be filled are the Presidency, the entire Federal Senate, and the entire Federal Chamber of Deputies. Senators, elected indirectly in 1958, are now to be elected directly.

"All State legislatures and municipal councils will also be elected at this time. Under the constitution elections for State and municipal offices may not be held more often than once every 2 years or less often than once every 5 years. On January 1, 1964, the term of office for all State and local officials throughout the country will expire. State governors are still appointed and removed by the President "

EQUAL OPPORTUNITY IN HOUSING

Mr. CLARK. Mr. President, the former Governor of my Commonwealth, David Leo Lawrence, has come to Washington, D.C., as Chairman of the President's Committee on Equal Opportunity in Housing. He has taken up his office in the Executive Office of the President, at the White House, and has gone to work hard to fulfill the purpose for which he was appointed; which, in effect, is to render effective the Executive order issued by the President dealing with integrated housing.

Last week, in connection with the celebration of Lincoln's Birthday anniversary, former Governor Lawrence made an extremely striking and able speech at Springfield, Ill., on the subject of his new official duties. I commend this speech to all Members of the Senate and to the readers of the CONGRESSIONAL RECORD; and I ask unanimous consent that it may be printed in the body of the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS BY DAVID L. LAWRENCE

I cannot think of any more appropriate place or symbolic time for this conference than here in Springfield—the land of Lincoln—during this week when we observe the anniversary of the birth of Lincoln.

Last Tuesday, on Lincoln's birthday, I was pleased to be among those invited to the White House reception where the 35th President of the United States paid honor to the memory of the 16th president. And I was delighted to see there many of those who have been in forefront of the work to extend the principles and the philosophies which were first set forth in the Declaration of Independence and then put into specific meaning, a hundred years ago, in the Emancipation Proclamation.

Equally impressive at the reception was the publication of a remarkable report by the U.S. Commission on Civil Rights dealing with the progress the Nation has made in this field during the past hundred years. Entitled "Freedom to the Free" is a volume for all Americans to read, particularly those of us who have helped lead the continuing effort to make certain that we truly achieve freedom for all of the free.

In reading the report, I was struck by a perceptive statement made in 1835 by the young French nobleman, Alexis de Tocqueville, comparing the United States and Russia. "These two great nations," de Tocqueville commented, "started from different points, but seem to tend toward the same end. The conquests of the Americans are gained by the plowshare; those of the Russian by the sword. The Anglo-American relies upon personal interest to accomplish his ends and gives free scope to the unguided strength and the commonsense of the people; the Russian centers all the authority of society in a single arm. The principal instrument of the former is freedom; of the latter, servitude."

Not only does the analysis remain appropriate in today's troubled world, but it points up, with equal aptness, the vital importance of citizen action such as that being mobilized here today.

The effectiveness of any government action—whether local, State, or Federal—depends directly upon the support of private citizens and upon groups such as those represented at this conference.

You undoubtedly know that there are approximately 200 fair housing committees active in communities from one end of this country to the other.

These are committees, like those represented here, organized specifically for this purpose by citizens who believe their community would be healthier if it is open to persons of all races, colors, and creeds.

The work of local fair housing committees is vital in obtaining local and State legislation to support the objectives of equal opportunity in housing. Their work is no less important in achieving the objective of the Executive order on equal opportunity in housing which President Kennedy signed last November 20.

That action by the President was a historic one, marking the culmination of an evolving process of active forces which caused a shift in Federal housing policy. Not many years ago, that policy was one of supporting residential segregation and unequal housing opportunity. Today, under the Executive order, the policy calls for an active role in preventing discriminatory barriers and requiring equal opportunity in federally assisted and federally-owned housing.

The President, as you know, directed the various Federal executive departments and agencies to take action to prevent discrimination in the housing programs they administer. These departments and agencies have now issued regulations to implement the order in their programs, and the President has appointed me his Special Assistant to head the Committee that will work to see that the purposes of the order are carried out with fairness and integrity. I firmly believe this can be done, and I pledge my best efforts to make certain that it actually is done.

I should like to note, with what I hope is pardonable pride, that my native city of Pittsburgh, when I was mayor, was the second city to enact comprehensive fair housing legislation covering private housing, and my home State of Pennsylvania did the same in 1961, when I was its Governor.

The mounting trend toward equal opportunity in housing is reflected in the passage of State and city measures dealing with equality of housing opportunities by 17 other States, the Virgin Islands, and more than 50 cities.

Such legislation has emerged largely during the decade from 1954, when New York City enacted the first law prohibiting discrimination and segregation in publicly assisted housing, including housing made possible by FHA-insured and VA-guaranteed loans.

Within the next 3 years, six States (New York, New Jersey, Massachusetts, Connecticut, Washington, and Oregon) enacted similar statutes. The pace accelerated after December 1957, when New York City again became the first to extend its fair housing law to cover private housing without Government assistance. Thereafter through September 1962, 11 States, 3 cities, and the Virgin Islands enacted fair housing laws covering some portion of private housing. These 11 States have a population of over 65 million or over 36 percent of our total national population. Also they have more than 4½ million or 22 percent of our total nonwhite population of 20,492,000.

These actions reflect the conviction, which I share, that discrimination in housing is a fundamental evil, underlying and supporting the evils of discrimination in public schools, parks, recreation, employment, and most of the other aspects of urban life. Breaking through the barriers of discrimination in housing will release, at the most dangerous point, the mounting racial pressures in our cities resulting from artificial restriction on local housing markets.

Upon signing the Executive order, President Kennedy cogently states his position thus:

"It is neither proper nor equitable that Americans should be denied the benefits of housing owned by the Federal Government or financed through Federal assistance on the basis of their race, color, creed, or national origin. Our national policy is equal opportunity for all and the Federal Government will continue to take such legal and proper steps as it may to achieve the realization of that goal."

The President's order calls for an end to discrimination in the rental or sale or use of Government owned and operated housing and of housing provided, after November 20, with the aid of Federal loans, advances, grants or contributions, or with the assistance of loans insured, guaranteed or otherwise secured by the credit of the Federal Government.

The amount of housing subject to the order is sizable.

For example, the Federal Housing Administration has acquired ownership, through default, of 38,000 homes and 20,000 apartments in developments all across the country that are subject to the provisions of the order. Also, since the order, FHA has insured mortgage loans on more than 12,000 new homes and 50 developments with nearly 6,000 apartments.

The Public Housing Administration has now signed annual contribution contracts for 37 projects of 2,771 units which are subject to the order. It has also asked local housing authorities to amend contracts already in the pipeline to provide assurance of nondiscrimination, and of the 194 such contracts in the South and Southwest only 13 have been canceled because of the order.

The Urban Renewal Agency has signed contracts for 20 Urban Renewal projects that will be subject to the order, and it has taken additional action to prohibit discrimination in the related nonhousing facilities to be built under these projects.

The Community Facilities Administration has signed contracts for 57 Federal loans to build housing and related facilities at colleges and universities, and 10 such loans to build housing for the elderly, all of which are subject to the order.

This is the housing administered by just one Federal agency, the Housing and Home Finance Agency. In addition, as you know, VA-guaranteed loans made after November 20 also come under the order, as does housing under the jurisdiction of various other Federal departments and agencies.

In all this housing, every American is now assured, by the President's order, of an equal opportunity to buy a home or rent an apartment of his choice if he can afford it.

In addition, the President has called upon all units of the Federal Government to use their good offices to help achieve the equal opportunities we are seeking.

Needless to say, there are many other segments of our society who can and should use their own good offices to help make freedom for the free more meaningful.

Your work at this conference, in seeking appropriate legislation, both local and State, which will help reach this objective, is, as I have said before, vital to our overall success.

But it is clear to all who know the history of human progress that the passing of a law or the issuing of an order will not, in itself, accomplish the desired end result.

It requires the work and dedication of each of us, of government, of private citizens, of civic and fraternal organizations, of churches and of every other segment of our society to make certain that the goal is not illusionary and that it is achieved through understanding and active support, not through grudging acceptance.

I think the events of the past hundred years—the progress we have made in civil rights—point to several conclusions. The first, and most hopeful, is that we have indeed come a long way since emancipation was first proclaimed. The second, and most challenging, is a realization of the distance we have yet to go to give true meaning and universal practice of the civil rights for all Americans.

This is something we must do because it is part of the foundation upon which this Nation was founded.

Realizing that, we cannot overlook the impact which our failure to assure equal opportunities has on the rest of the world—on the newly emerging nations, on our European allies, and, of course, on those who seek to defeat us and to achieve world mastery.

Recently the Colorado Supreme Court ruled on the validity of the Colorado fair housing law. Some parts of that ruling were a setback, in that certain key enforcement provisions the law included were struck down. But the court did uphold the constitutionality of the law itself, and it used some ringing language in asserting this position. It is appropriate perhaps to quote some of that language:

"When, as at present," the court proclaimed, "the entire world is engulfed in a struggle whether the American concept of freedom with equality of opportunity shall survive; when tyrannical dictators arrayed against this Nation in the struggle proclaim throughout the world, with some justification, that we do not practice what we preach, and that 'equality of opportunity' is a sham and a pretense, a hollow shell without substance in this Nation; we would be blind to stark realities if we should hold that the public safety and the welfare of this Nation were not protected by the act in question. Indeed, whether the struggle is won or lost might well depend upon the ability of our people to attain the objectives which the act in question is designed to serve."

Those words point up, better than I could, the world challenge of fair housing.

Now it is our responsibility to rise to that challenge—through enactment of laws and through the day-to-day working with others to make certain equality of opportunity is not a hollow shell but an accepted, agreed-upon practice in the land of the free.

In its report on the past hundred years of progress, the Civil Rights Commission also discussed the task ahead and concluded with these words:

"We have come a far journey from a distant area in the 100 years since the Emancipation Proclamation. At the beginning of it, there was slavery. At the end, there is citizenship. Citizenship, however, is a fragile word, with an ambivalent meaning. The condition of citizenship is not yet full-blown or fully realized for the American Negro. There is still ground to cover. The final chapter in the struggle for equality has yet to be written."

The whole purpose of this conference and of your participation in its discussions is clear and abiding evidence that you are aware of the task ahead and willing and eager to undertake it. This is the surest indication that there is the spirit and the will to cover the ground yet uncovered and to bring about full citizenship for all Americans.

That is why we are here today—to help write the final chapter in human chronicle of civil rights in this Nation. May we write wisely and well, with the help of Almighty God, knowing full well that it is in His image we were all created.

Mr. CLARK. Mr. President, I thank the Senator from Nebraska for his courtesy in yielding to me.

ESTABLISHMENT OF WATER RESOURCES RESEARCH CENTERS

Mr. HRUSKA. Mr. President, the senior Senator from New Mexico [Mr. ANDERSON] introduced earlier in this session S. 2, a bill to establish water resources research institutes or centers at land grant colleges and universities, to stimulate water resources research at other institutions of higher education, and to promote a more adequate national program in this field.

The Senator from Nebraska gladly responded to the invitation to cosponsor this bill. It is a desirable and urgently needed measure. It should be accorded early hearings and prompt enactment. I shall do what I can to support and advance it.

PROVISIONS OF BILL IN GENERAL

S. 2 proposes Federal financial assistance to land-grant colleges and universities or other competent institutions of higher education in each State, as the State determines, to establish a universitywide water resources research institute or center, in the general pattern of the Hatch Act of 1887 which authorized the agricultural experiment stations. Each State center will be entitled to as much as $100,000 annually on a continuing basis, plus matching funds for specific research or experimental projects. The Secretary of the Interior is also authorized to make grants, matching agreements and contracts with other colleges and universities, States and other governmental agencies, private foundations and other institutions, firms and individuals, to conduct water research projects within the scope of the Department of Interior's mission in the water field. An appropriation of $5 million in the first fiscal year, increasing to $10 million over the next 5 years, would be authorized.

The purpose of the bill is to implement recommendation No. 3 of the Senate Select Committee on National Water Resources. Specifically this select committee recommended that a coordinated research program on water be undertaken to include both research into ways to increase available supplies and ways to increase efficiency in the use of water required to produce manufactured goods and crops. In greater detail, the committee recommended that existing programs be strengthened by taking the following action—page 18 select committee's report No. 29, 87th Congress, 1st session:

(a) Expanding the programs of basic research dealing with atmospheric physics, solar activity, hydrology of groundwater movement and recharge, the physical chemistry and molecular structure of water, photosynthesis, climatic cycles, and other natural phenomena associated with water in all its forms. Such research is essential to a major breakthrough in such fields as short- and long-range weather forecasting, weather modification, efficient management of underground reservoirs, evaporation reduction, desalinization, and pollution abatement, as well as to major improvements in works for the storage and control of water.

(b) Providing for a more balanced and better constructed program of applied research for increasing water supplies through desalinization, weather modification, and evaporation and evapotranspiration reduction.

(c) Providing for an expanded program of applied research for water conservation. Special emphasis should be given to research on improved waste treatment methods, on ways of increasing efficiency in the agricultural use of water, on fish and wildlife needs, and on methods of system planning for the optimum development of water resources of river basins.

(d) Evaluating completed projects with a view to determining modifications to enable them more effectively to meet changing needs, to provide better guidelines for future projects, and to better determine their effect on the local, regional, and national economy.

The committee made four other recommendations. They will be discussed later.

NEED FOR ACTION

The future water needs of the Nation were thoroughly inquired into, studied, and reported by the Senate Select Committee on National Water Resources organized in 1959. Extensive hearings were held. A report was made to the Senate in January 1961—Report No. 29, 87th Congress, 1st session.

The findings of the committee show how rapidly America is approaching the point at which shortages of available water supplies will constitute a significant barrier to our economic and social progress. It identified major portions of the United States, equal to more than one-fourth of the land area of the mainland States except Alaska, which by 1980 will have very little water to meet the requirements of expanding industry and a growing population. The committee further found that by the year 2000 this condition of water scarcity would extend to an area comprising virtually one-half of the land area of the 48 contiguous States. Maintenance of water quality will be a critical problem everywhere in the United States. Indications of this appear in our newspapers almost daily.

The demands on the Nation's water resources have increased tremendously in recent years. The present 300 billion gallons of daily withdrawal will double by 1980. These demands will triple by the year 2000. These computations are based on medium projections of population increase and on assumptions which include such factors as, first, that there will be continued growth of the Nation's economy at the same rate as in the past; second, that adequate water supplies will be made available under the present general pricing policies; third, that there will be relatively little change in presently known technical methods of water use; and fourth, that with the exception of increased application of techniques for improving the efficiency of irrigation, present methods of using water will continue.

In the course of the testimony on "Supply of and Demand for Water in the United States as Estimated for 1980 and 2000"—see page 123 of report—there is found an outline and summary of three potential programs for meeting water demands. Each is designed for meeting demands under different assumptions, but all are for assumed medium levels of population and economic growth; a maximum storage-minimum treatment program; a minimum storage-maximum treatment program; and a minimum cost program which would provide for meeting needs at the least cost.

Capital costs of these three programs range from $54.2 to $74.3 billion by 1980. The range by the year 2000 is from $99.6 to $118.3 billion.

The report then makes this very challenging statement:

> Regardless of which of the programs is adopted, five regions, the upper Missouri, upper Rio Grande and Pecos, Colorado, Great Basin and South Pacific, will be short of water under the assumptions made, and will require maximum regulation by 1980.

Mr. President, this brings the problem very close to home for all people of my State because "upper Missouri River region" contains the entire State of Nebraska, among other neighboring States. In fact, Nebraska is the only State which lies entirely within the boundaries of the Missouri River Basin.

In other words, the States in the five water regions referred to will be required to develop fully all available water resources by 1980 or earlier if the projected increase in population is experienced and economic activity is to be achieved.

The year 1980 is only 17 years away.

The foregoing information is just an indication of the startling statistics and other disclosures contained in the select committee series of 32 committee prints issuing its studies. They cause thoughtful individuals to pause; to wonder at the benefactions of nature which has so generously provided for our wants until now; and to consider seriously the methods we must adopt and means we must provide in order to conserve, develop, and wisely use water upon which all human endeavor so heavily depends.

Later in my remarks, I shall discuss the Nebraska situation in greater particular.

WHAT CAN BE DONE

The select committee made five principal recommendations, each of which is supported by voluminous material. Briefly stated, these recommendations are:

First. The Federal Government, in cooperation with the States, should prepare and keep up to date plans for comprehensive water development and management for all major river basins of the United States.

Second. The Federal Government should stimulate more active participation by the States in planning and undertaking water development and management activities by setting up a 10-year program of grants to the States for water resources planning.

Third. The Federal Government should undertake a coordinated scientific research program on water.

Fourth. The Federal Government should prepare biennially an assessment of the water supply demand outlook for each of the water resource regions of the United States.

Fifth. The Federal Government in cooperation with the States should take steps to encourage efficiency in water development and use.

The recommendations are based on the committee's belief that future water demands can be met best by a proper combination of the following efforts: (a) construction program; (b) scientific research; (c) development of known technical methods; and (d) strengthening of government policies affecting water development and use. However, the Select Committee Report wisely observes:

> Such a combination of efforts cannot be achieved overnight, and will require the combined efforts of the legislative and executive branches of the Federal Government, as well as a continuation and strengthening of work in these fields by State and local governments and private enterprise.

FEDERAL LEGISLATION TO ACHIEVE RECOMMENDATIONS

However desirable and well considered any recommendation may be, a proposal to implement it legislatively must also be politically acceptable.

This became very clear two summers ago when the Senate Interior and Insular Affairs Committee sat with the Senate Public Works Committee in hearings on S. 2246, the President's water resources planning bill. This measure was designed to implement the select committee's recommendations 1 and 2 by providing machinery for development of major river basin plans by 1970 and to provide the recommended aid to the States for participation in planning work.

It encountered stern resistance from those who vigorously contend that State water rights are paramount to Federal rights in that field; that they have been for a long time as a matter of national policy; and that they should remain so. This position has been asserted often in the past 50 years since there was first boldly proposed a comprehensive Federal planning program. The concept of national planning was directly opposed to the position maintained for a century and a half and more that the citizens of the individual States have had the powers and responsibilities for the control, use, and development of the water resources within their State boundaries in accordance with local needs and conditions. At any rate, the result of this fundamental, sharp, and irreconcilable conflict of philosophies with regard to the President's bill in the 87th Congress was a complete stalemate.

Since that time, determined effort has been made to agree upon and develop a common ground which opponents on this point can occupy. Senator ANDERSON optimistically noted that some progress has been made, and that the President's proposal to implement legislatively the select committee's recommendations 1 and 2 is being so modified as to prompt him to hope that there will be broader acceptance of the modified 1963 version than there was of the 1961 bill.

Parenthetically, the Senator from Nebraska joins in the hope that sufficiently common ground can be found. I am in full agreement with the statement that there will be water planning the Nation over, because of the growing pressures for water. Planning of some kind will be undertaken whether Congress provides an orderly method or not. It behooves every interested person to exert utmost good faith and diligence to the end that a workable and acceptable method be found as expeditiously as possible.

However, not any price can be paid for such a result. As important as the objectives of the 1963 administration bill for recommendations 1 and 2 are, the fact remains that they are not the sole considerations. The convictions held by so many that citizens of individual States have recognized powers and responsibilities as to control, use, and development of water are deeply held as being vital to continued survival of social and economic progress over the Nation. This is especially true in the semiarid States. The idea of surrendering long-held State preferences in this field leaves them very cold indeed. They will not compromise unduly; nor will they capitulate easily. And they should not.

PHILOSOPHIC BASIS OF S. 2

One direct result of the State-Federal conflict over water supremacy encountered in the last Congress is that S. 2 resorts to the time honored and very successful Hatch Act concept. This approach avoids the bitter struggle and probably hopeless strife as to paramount water rights.

The Hatch Act, originally enacted in 1887—a revision and codification was enacted in 1955—created an agricultural experiment station system at the land-grant colleges and States universities. The pattern of State-Federal cooperation established some 75 years ago has been very successful.

Under the Hatch Act splendid teaching and scientific talent has been made available for the study and teaching of basic scientific endeavors, as well as coping with practical problems of agriculture. Education and research have been combined. Highly trained personnel serve State and individual needs for new and useful information. How well this concept has worked is widely known. American agricultural production and experimentation are the wonders and envies of the world.

Because of its general acceptance, the Hatch Act concept was applied in the drafting of S. 2.

Senator ANDERSON frankly and proudly states that S. 2 is "an effort to copy and expand the agricultural experiment station system and the pattern on which it was built." In his remarks on introducing S. 2, he pointed out that the bill proposes Federal financial assistance to land-grant colleges and universities or other competent higher educational institutions in each State, as the State determines, to establish a university-wide water resources research institute or center in the general pattern of the act authorizing the agricultural experiment station. He specifically pointed out—page 204, CONGRESSIONAL RECORD for January 14, 1963:

> The program does not meet the need for expansion of direct Federal research work on important water problems like pollution con-

> trol, weather modification and saline water conversion, nor the need for the Departments of the Federal Government, other than Interior, to use the colleges and universities on research projects in their fields of responsibility. Just as the agricultural experiment stations supplement Federal agricultural research at Beltsville and many other direct Federal agricultural laboratories and research centers, the water research program proposed in this bill would supplement present programs of Federal agencies, not supplant them.

The Senator from Nebraska fully concurs with these declarations.

COST OF PROGRAM

Cost of the program will be of deep concern and great interest to all, and properly so.

Question 1. Can we at this juncture of high taxes and Government spending and the highest Federal Government deficits afford to embark on a research program which authorizes expenditure of approximately $50 million in the next 5 years for this limited water development program?

Question 2. Can the Nation afford a program which the select committee estimates at a gross of some $54 billion to the year 1980 for storage, waste collection, and treatment over all levels of Government?

These sums are astronomical. Perhaps they can be scaled down. But if we extended the period by 10 years to 1990 and would reduce the expenditures by $10 billion, they still sound pretty much out in the realm of the stars.

In an effort to answer these questions, let us reconsider the report of the select committee:

> Regardless of which of the (three potential) programs is adopted, five regions, the Upper Missouri, Upper Rio Grande and Pecos, Colorado, Great Basin, and South Pacific, will be short of water under the assumptions made, and will require maximum regulation by 1980 (p. 124).

Mr. President, this is the answer to questions 1 and 2. In the light of the quotation from the report, we can readily paraphrase both of the questions as follows: "Can the economy of the United States continue to grow and prosper—or even to exist—with inadequate supplies of water for our population, our agriculture, and our industry?"

To ask the question is to answer it.

NEEDS WILL BE SUPPLIED

In one way or another, these water needs will be supplied. They must be. As an intelligent, energetic people with some eye to the future, we should go about it sensibly—not haphazardly or tardily. S. 2 is a sound first step. Solidly worked out in concept and in operational methods, the bill will be successful if we give it a chance. It will implement recommendation 3 of the select committee report relating to research.

Mr. President, as for recommendations 1 and 2, the Senator from Nebraska would rather await the introduction of a bill stating in precise and specific language what will be undertaken before making comment. It is my earnest hope that the measure in process of preparation will be sufficiently possessed of "broader acceptance" than the 1961 version. If it does not, it will be opposed. It should be.

Meantime, the task at hand as to S. 2 is one upon which we will find wide agreement. We should proceed in advancing it with such dispatch as we can command.

NEBRASKA'S INTEREST

My home State has been conscious of and highly concerned with water from the time it entered the Union. As a reclamation State, this is understandable.

Our long-time, keen interest, and participation in the Pick-Sloan plan typifies the interest expressed in water resources. All of the State's eastern boundary and a part of its northern line are formed by the Missouri River.

It is with gratification that we witness the substantial completion of the main-stem system of reservoir projects. After years of study, planning, and construction, the vision of farsighted men is materializing in the 90 percent completion of reservoir construction. Eighty percent of ultimate water storage is now available, and 60 percent of the ultimate power capacity is now on the line. Over and above these advantages we have the very vital assurance of water for navigation, industrial, and domestic purposes, fish and wildlife, and recreation.

In this connection we are aware of two factors: First, all of these attainments were pursuant to a plan conceived and authorized by law nearly 20 years ago. Many changes have occurred since then in technology and objectives. Second, the main-stem development is only a part of the development of water resources. There remain the vast demands of geographical and population areas away from the Missouri River main stem for available supplies of water. Likewise, short-term as well as long-term needs must be provided for and planned.

Many water storage and supply structures and works have been completed within our State. Others are under construction, while still others are in the planning or study stages.

We have reached, and maybe gone well into the stage where specific water problems claim immediate attention. In approaching them it would be extremely helpful to have the advantage of scientific studies made by our university addressed to our specific needs, in addition to the general value such analysis would have.

This is particularly apparent when we consider the legislation pending before the current session of the Nebraska State Legislature.

ADVANTAGES TO NEBRASKA

The advantages in having these studies prepared can also been seen by considering the following general propositions:

First, there are several irrigation projects either under construction or in planning in the Lower Loup Valley. It is important to know their ultimate effect upon the streamflow in lower river reaches after these projects are completed.

Second, the effect these and other projects will have on domestic water supplies and their priority under the constitution.

Third, comprehensive studies should be conducted on the subject of the supply of underground water in Nebraska.

We are disposed to think that it is an inexhaustible supply and earnestly hope it will always prove to be. But if future studies will show some indication in years ahead of depletion, it is essential to have technical advice on what system of appropriation to apply to prevent overpumping and what system of priorities to apply with reference to the various 24,000 wells now in existence. In this connection it would be important to know whether these priorities should be on a statewide basis or on a river valley basis and where the boundaries of such valleys are if that will be the area unit.

Hand in hand with this will be discovery and early adoption on a wide basis of more efficient uses and storage practices of this precious natural resource.

All of these and many other subjects of inquiry will fall within the purview of recommendation No. 3 of the report on national water resources, as implemented by S. 2.

All of these subjects will be embraced within the activities of the basic research, studying ways to increase available supplies and methods to increase the efficiency in the use of water required to produce manufactured goods and crops.

Hence, it is readily seen that for the State of Nebraska, in common with all of the reclamation States, and indeed all the States without regard to their geographic location, S. 2 is of highest importance.

It is to be hoped that all of these approaches will be thoroughly canvassed so that the best possible legislation for the purpose at hand can be achieved by this bill.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVATE ENTERPRISE HELPS DEVELOPING NATIONS

Mr. MILLER. Mr. President, with all of the attention that has been given to the Alliance for Progress and our foreign aid program, there has been an unfortunate tendency to regard assistance to the developing nations as a prerogative of the Federal Government or the United Nations. So it is refreshing and encouraging when one learns that a nongovernmental, privately financed program is rapidly moving into a substantial undertaking of helping a substantial number of people in the developing nations to help themselves, and particularly to help themselves develop within the framework of the capitalistic economic system.

I refer to an organization known as Self Help, Inc., an Iowa-born private

foundation established 12 years ago by one of Iowa's leading citizens, Mr. Vern Schield, an industrialist and farmer from Waverly, Iowa. This organization has a program of collecting used and idle farm equipment which is unsuited for the competitive demands of modern, large-scale agricultural production, reconditioning the equipment, and putting it into the hands of farmers in developing nations where it will aid and advance their farming methods. The equipment has been sent to oversea missions as well as to individuals or organized groups of farmers at a fraction of the cost of new, more modern machines. Rather than using the "handout" approach, the machinery is sold on a pay-as-you-work basis, with no interest on the unpaid balance. Shipping costs are held to a minimum by combining Self Help loads with other shipments. Collection of the used machinery has been assisted by various Iowa and Minnesota Future Farmers of America chapters, and the job of reconditioning is being assisted in the vocational agriculture shops in those States.

The foundation is financed through private contributions from individuals and organizations, and it is rapidly receiving the attention which it deserves to bring it into nationwide operation.

Mr. President, I ask unanimous consent that articles from the Des Moines Sunday Register, the Minneapolis Sunday Tribune, and the Farmer magazine, giving additional accounts of Self Help, Inc., be inserted in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Des Moines Register, Oct. 8, 1961]

MACHINERY FROM IOWANS AIDS PEOPLE IN 23 NATIONS

(By George Mills)

WAVERLY, IOWA.—Vern Schield believes in sending farm tractors to do the Lord's work overseas.

Schield, devout Waverly industrialist, is the guiding spirit and major financial angel of Self Help, Inc.

That organization is sending from Iowa in 1961 an estimated $50,000 in reconditioned farm machinery and other equipment to lands of hungry peoples. Real value of the equipment would be nearer $150,000, he said.

TWENTY-THREE COUNTRIES

Over the years, he has sent machinery to inhabitants of 23 countries through missionary stations of various faiths in Asia, Africa, and Latin America.

Schield, 58, works on these two principles:

Peoples of less-developed nations must be encouraged and helped to increase their own production of food.

They should buy the needed equipment (on a low-cost basis) rather than accept handouts, which have a pauperizing effect.

"Helping others to help themselves is Christianity in action," he said. "It also is basically American. Helping others to rise to a higher standard of living also is important if world peace is to be achieved."

DEFICIT AHEAD

Schield has a major growing problem. He cannot, and does not want to, charge as much for the machinery as he has invested in it. As a result, Self Help is headed for a deficit of perhaps $25,000 this year and seeking contributions.

He has been contributing approximately $10,000 of his own money to the program each year (plus a lot of time). In addition, he has lent the setup $20,000 this year to pay the bills. It is said that he donated and lent nearly $50,000 to the movement in recent years.

"One man can't do this whole thing," he said. "I've got to have help."

He was particularly pleased when the Waverly Lions Club voted 41 to 4 by secret ballot to cash in a $500 Government bond and donate the money to Self Help.

Self Help was incorporated by Schield 2 years ago and now has an executive director, Ernest E. O'Neal, a onetime Methodist mission worker.

Schield, 5 feet 5 inches and 155 pounds, is founder and chairman of the board of the Schield Bantam Co., which employs 300 persons in this Bremer County-seat town of 6,357 population. The company makes power cranes, excavators, and similar equipment.

Schield became particularly interested in the plight of the less-developed countries in travels around the world in behalf of the Bantam Co.

He visited mission stations of all faiths.

"The church schools are wonderful," he said. "The soil is excellent. There is plenty of rainfall. But nothing much was being produced in the way of food. They didn't have the know-how."

Schield embarked on a course of action based on this biblical verse (James 2: 14–17):

"What does it profit * * * if a man says he has faith but has not works? If a brother or sister is ill-clad and in lack of daily food, and one of you says to them, 'Go in peace, be warmed and filled,' without giving them the things needed for the body, what does it profit? So faith by itself, if it has no works, is dead."

Over the last 10 years, Schield has been the principal force in the shipment of 23 carloads of machinery overseas. (Eight carloads have gone out so far this year.) He reports that spectacular crops have resulted in many instances.

IN BRAZIL

Land 600 miles in the interior of Brazil is producing corn averaging 50 bushels to the acre, he says, on land "all cleared with Self Help machinery."

A grinder sent to Nigeria turned out as much fine flour in 20 minutes as a native woman could grind in 2 weeks.

In Kenya Colony, Africa, land worked with a tractor and other equipment produced 60 bushels of corn to the acre, five times as much as the output with the old hand-hoe agriculture.

Machinery has gone to missions of Presbyterian, Catholic, Baptist, and other faiths as well as to Methodist outposts, Schield says.

ORDERS ON HAND

On the Self Help order books now are requests for:

A crawler tractor, bush cutter, disc harrow, and other equipment for an Adventist college in west Nigeria, Africa (total order $2,603); a big diesel tractor, a subsoiler, and a combine made into a thresher unit, for a leprosy colony at Assam, India (total $2,508); a rebuilt 2,900-egg incubator for a rural training institute at Asaba, west Nigeria ($75); a completely rebuilt tractor and farm wagon for a Mennonite experimental farm in Chaco, Paraguay ($1,200), and a washing machine with gasoline motor for the Congo ($107.50).

The mission stations pay the freight.

The reconditioning work is done by two mechanics working full-time in a machine shop located on Bantam Co. property. Schield said the equipment is brought up to as near-new condition as possible. Bearings, crankcases, and other items are frequently replaced and tires are always replaced.

"We do not rebuild this equipment with a paintbrush," Schield commented. "This is not a church rummage sale."

He explained that the tractors and other machinery must do heavy duty far from supplies of parts. It thus is highly important that the equipment be kept in running order. The individual pieces of equipment are kept as simple as possible. Many of the gadgets common on American-used machinery are omitted from the Self Help items.

SHIP PARTS

A major share of Self Help's business is the shipment of parts all over the globe.

Schield hopes some farmers will donate to the cause fairly good machinery that is going unused.

"We've got a surplus of machinery as well as a surplus of corn and wheat," he said.

Gifts of such machinery are deductible for income tax purposes, he added.

Schield declared that many Iowans possess equipment they don't know they have. He told of a north Iowa quarry operator who firmly declared he had no rock crusher. He was taken to the location of the crusher. He was rather embarrassed but he accepted a $40 payment on the item. Self Help spent $200 or more fixing up the crusher and shipped it to India.

"The crusher is crushing bones in India right now for fertilizer and poultry feed," Schield said.

[From the Minneapolis Tribune, Oct. 28, 1962]

FFA TO AID FARMERS OVERSEAS—YOUTHS WILL COLLECT USED MACHINERY FOR NEEDY NATIONS

(By Russell Asleson)

Minnesota Future Farmers chapters this week will join in a unique people-to-people project to collect used farm machinery for needy farmers overseas.

The farm youths will recondition the machinery if possible and ship it to Self Help, Inc., a philanthropic organization at Waverly, Iowa, that has been making dependable used farm equipment available to underdeveloped countries since 1950.

Coordinating the program in Minnesota will be Glenn Anderson, public relations director of Group Health Mutual, Inc., St. Paul, and chairman of the Minnesota FFA Foundation Finance Committee; W. J. Kortesmaki, executive secretary of the State FFA, and J. W. Baccarini, executive director of Self Help.

The committee will meet with FFA leaders, cooperative representatives, and truckline operators at 9 p.m. Monday in Leamington Hotel to develop methods of transporting the machinery from schools to a central collection depot in the Twin Cities.

Chapter members this week also will begin a survey of farms and dealers in their areas to see what machinery is available. The machinery, obsolete by American standards, will be taken to school shops where FFA youths will work on reconditioning as part of their school projects.

Machines that need more work will be sent to Self Help headquarters at Waverly.

In Minnesota, the FFA members will concentrate on trying to find feed grinders, cream separators, and incubators which are heated by kerosene.

"The project not only will aid FFA boys in their shop training but also in leadership and citizenship," explained Kortesmaki.

FFA chapters in northeast Iowa have aided Self Help for the past year and the project now is being extended on a statewide basis to the remainder of Iowa and Minnesota.

Vern Schield, industrialist and farmer at Waverly who founded Self Help as a private, nonprofit foreign aid program, said the "fine spirit of cooperation received from these FFA chapters has been an important source of help and support to the whole Self Help program."

Self Help secures the used equipment, handles the reconditioning, and contacts foreign church missions and cooperatives that can get the equipment to farmers.

The machinery is not given away but is sold at about one-fifth its regular price. Schield's theory is that if a farmer pays even a small sum for the machinery, it instills in him a pride of ownership not evident if he received it as a handout.

The price charged overseas covers only the rebuilding expenses and cost of the used equipment to Self Help. Money from these sales, plus contributions, goes into a revolving fund used to buy more equipment.

[From the Farmer, Nov. 17, 1962]

WORLD NEIGHBOR MACHINERY TURN-IN PROGRAM

(By Tom Doughty)

Want to be of direct help to some farm family struggling for existence in India, the Congo or Ecuador? You can. Easily. Take a look around your farm. Turn in, for use in an underdeveloped country, a discarded drag, disk, plow, cream separator, electric motor, feed grinder, generator, pump jack, incubator or even a treadle sewing machine.

Such equipment, reconditioned and put into the hands of farmers in backward countries can advance their farming methods a thousand years—from hand tools to mechanized farming. And, you'll be helping promote democracy, American style.

Such a direct-aid program is already underway. A nonprofit organization called "Self Help, Inc.," started by a Waverly, Iowa farmer and industrialist 12 years ago, is hard at work repairing usable farm equipment and moving it to needy farmers abroad at a cost they can afford.

Last year, several Iowa FFA chapters joined the program on a pilot basis. Now, a Minnesota FFA Self Help program is being launched. Members in Minnesota chapters are this month starting to locate and collect discarded machines and equipment from farms and dealers' lots, do repair work in school shops, then get the machines to Self Help headquarters at Waverly, Iowa. For the FFA'ers it's a new community service project on a worldwide basis. For you, it can be a way of spreading democracy.

W. J. Kortesmaki, Minnesota FFA executive secretary, Glenn Anderson, finance chairman for the State FFA Foundation, J. Wm. Baccarini, executive director of Self Help, Inc., Paul Day, Faribault, president of Minnesota's vocational agricultural instructors, and Ron Gernandt, Lonsdale, State FFA president, are currently helping FFA chapters get the program started on the local level. Target date for movement of reconditioned machinery in large quantities is next March 1.

Self Help owes its inception and rapid expansion to Vern L. Schield, Waverly farmer-industrialist who initiated the idea and founded the organization in 1950 as a people-to-people means of helping farmers in underprivileged areas improve their food productive capabilities.

Travels through the backlands of nearly every country in the world had planted a mental picture of poor farming in Mr. Schield's mind, even in areas of high potential productivity. The prime need, he felt, was machinery for power farming.

"Work in most backward countries is done by hand. And crops are poorly tended," says Mr. Schield. "Such farmers need power equipment to increase their productivity. That, in turn, reduces the number of people required to grow needed food. But it doesn't mean fewer people working. On the contrary, greater productivity means more jobs.

"Backward areas need all kinds of equipment—tractors, combines, plows, feed grinders, ensilage cutters, planters, to name a few. Units that are obsolete by U.S. standards can serve oversea needs very well. Lights, starters, live power takeoff and hydraulics usually are not needed. Best of all, such equipment can be purchased at very low prices in this country. In fact, most of the equipment Self Help needs is found rusting on farms and dealers' lots.

"By sending surplus food to the hungry, we help solve a present problem—that of filling empty stomachs. But until we help them help themselves, we haven't made any real progress."

Movement of reconditioned machinery was a new idea, never before tried by a nongovernment organization. Yet it was simple to carry out—collect idle machinery, repair it to good-as-new condition, send it to oversea missions, individuals or organized groups of farmers, and do it at a fraction of the cost of new machines. Nothing would be given away. Rather than handouts, the pride of the people would be preserved by placing the machinery on a pay-as-you-work basis, with no interest on unpaid balance.

Mr. Schield's first collection of used machinery, from in and around the Waverly area, was "made ready" at the Schield Bantam Co.—a power crane and excavating machine manufacturing company he founded 15 years ago. The first shipment to oversea mission stations included tractors, plows, cultivators, and smaller equipment. It was overwhelmingly successful. So much so, in fact, that demand for Self Help quickly mushroomed. Today, more than 27 carloads of rebuilt equipment have been shipped from the Waverly headquarters to some 23 nations—at one-fifth to one-third the cost of new equipment.

An entire package of equipment can now be readied and sold to an oversea agricultural mission (any denomination), farmer, or group of farmers for as little as $650. This includes a small, one-plow tractor (8 to 10 years old), rebuilt and re-tired, plow, harrow, cultivator, and a rebuilt stationary hammer mill. In contrast, a team of oxen plus their feed for 20 years, would cost a farmer in India at least $600.

Shipping costs are paid by mission stations or other recipients of the equipment. These costs are kept at a minimum, however, by combining Self Help loads with other oversea shipments.

Because of small farms (4.2-acre average in India), small tractors and equipment are preferred. And, some equipment needs alteration to fit native farming conditions. A combine, for instance, usually is converted for use as a stationary thresher.

Self Help operates only in areas where people are too poor to buy new American-made machinery. It does not compete with manufacturers or dealers selling new equipment abroad. In fact, most of them like and agree with the idea. Self Help, they say, by selling used machinery at prices farmers can afford to pay, will give them a start toward developing an economy, become more self-sufficient and eventually allow them to buy newer American-made products.

It is doing just that. Where corn yields were 9 to 12 bushels per acre, they now are 60 bushels. A small grinder does in 10 minutes what it formerly took a native woman 2 weeks to do. Where a number of native women "farmed" small, garden-sized plots, a cooperative farm field of several acres now is operated by native men.

On this end, cooperation from farmers, machinery dealers and manufacturers has been excellent. Tractors and other equipment have been donated or sold at below-cost or even junk-price levels. Such parts as bearings, piston rods and tires have been contributed free or at below-cost levels. (Donations of equipment, parts or money are tax deductible, point out Self Help officials.)

Day by day, Self Help is growing under its own momentum, says Executive Director J. Wm. Baccarini. Requests are pouring in from all parts of the world, for not only field equipment but for such things as generators, welders, sewing machines, washing machines, powersaws, grinders, and even kerosene-operated egg incubators. Most shipments, so far, have gone to agricultural missions and Peace Corps areas, where experienced operators can give instruction in proper use.

The job of reconditioning the equipment has outgrown facilities of Self Help headquarters at Waverly. This is why Iowa and Minnesota FFA chapters have been invited to help by collecting equipment and rebuilding it in school vo-ag shops. Once the program is underway in these two States, invitation will be extended to FFA chapters in other States.

Money, of course, is another major concern. Mr. Schield has contributed $10,000 or more per year, plus loaning $20,000 to the organization last year. (Self Help, Inc., is a legal, nonprofit corporation entirely separate from the Schield Bantam Co.) This money goes toward paying for equipment not donated, cost of rebuilding it, and for financing office operations of Self Help, Inc.

Money returned from oversea sales goes into a revolving fund—used to buy and rebuild more equipment. Contributions from individuals and civic, commercial and church organizations also are coming into the revolving fund. As yet, however, Self Help still is operating on a deficit basis (that's why Mr. Schield loaned $20,000 last year).

Part of the revolving Self Help fund will be used to reimburse participating FFA chapters—for parts, paint and such that they must buy. But the time, labor and skill FFA'ers put into collecting and rebuilding will amount to a very great contribution, points out Mr. Baccarini.

He adds: "Self Help hopes more people will ask about the many possibilities open to them—to help people in underdeveloped nations help themselves."

ADJOURNMENT

Mr. SMATHERS. Mr. President, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 56 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Tuesday, February 19, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 18, 1963:

TRUSTEESHIP COUNCIL OF THE UNITED NATIONS

Sidney R. Yates, of Illinois, to be the representative of the United States of America on the Trusteeship Council of the United Nations.

U.S. ATTORNEY

Louis M. Janelle, of New Hampshire, to be U.S. attorney for the district of New Hampshire for the term of 4 years, vice William H. Craig, Jr., resigned.

U.S. DISTRICT JUDGE

H. Vearle Payne, of New Mexico, to be U.S. district judge for the district of New Mexico, vice Carl A. Hatch, retiring.

U.S. COAST GUARD ACADEMY

The following-named person to be a member of the permanent commissioned teaching staff of the Academy as an instructor with the permanent grade of lieutenant:

Frank S. Kapral

Coast and Geodetic Survey

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

To be lieutenants

James H. Blumer
Charles W. Mathisson
Bruce I. Williams
Archibald J. Patrick
R. Lawrence Swanson
James Collins
George A. Maul
Robert A. Trauschke
Ralph J. Land

To be lieutenants (junior grade)

Archibald J. Patrick
R. Lawrence Swanson
James Collins
George A. Maul
Robert A. Trauschke
Ralph J. Land
Francis D. Moran
Robert E. Lushene
John W. Bricker
Donald J. Florwick
Charles K. Paul
Dee E. Kimbell
Dewaine Seets
Andrew Tczap
Sigmund R. Petersen

To be ensigns

Kenneth V. Marovich
Edward P. Cline
Jeffrey G. Carlen
David L. Des Jardins, Jr.
Norment A. Barnes, Jr.

Federal Coal Mine Safety Board of Review

George C. Trevorrow, of Maryland, to be a member of the Federal Coal Mine Safety Board of Review for the remainder of the term expiring July 15, 1965, vice Edwin R. Price, deceased.

U.S. Public Health Service

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

1. FOR APPOINTMENT

To be senior surgeon

Joseph C. Robinson

To be surgeon

Jerry C. Rosenberg

To be senior assistant surgeons

N. Burton Attico
John P. Blake
Ormond V. Brody
Rawser P. Crank, Jr.
Anthony N. Damato
Raymond A. Dieter, Jr.
Rodney G. Elliott
Frank P. Greene
Wallace H. Holthaus
James E. Maynard
Leslie G. Nelson
Thomas B. Stucker
Christfried J. Urner

To be senior assistant dental surgeons

Paul L. Beckley
Douglas G. Bell
William F. Bird
Clinton C. Cox
Stanford E. Hamburger
John S. Huling, Jr.
Val D. Jensen
Orlen N. Johnson
Sanford Krotenberg
Winslow B. Lee
Gene P. Lewis
Rollie W. Lyman
Glenn W. Smith
John J. Timmermans

To be senior assistant sanitary engineers

Francis G. Mattern
Donald G. Remark

To be assistant sanitary engineers

Francis M. McGowan
Donald W. Mantay
Lowell A. Van Den Berg

To be junior assistant sanitary engineers

B. David Clark
Walter W. Liberick, Jr.
Edgar D. Preissner

To be assistant pharmacist

Henry W. Winship III

To be junior assistant pharmacist

James C. Yatsco

To be scientist

Samuel L. Buker

To be senior assistant sanitarians

John R. Bagby, Jr.
Harry Haverland
Wendell C. McElwee
Gene W. McElyea

To be assistant sanitarian

Gerald J. Lauer

To be veterinary officer

James R. Ganaway

To be senior assistant veterinary officers

Carl E. Miller
Robert D. Phemister

To be senior assistant dietitians

Lois R. Seidler
Betty J. Shuler

To be senior assistant therapists

John B. Allis
Thelma L. Reeder

To be assistant therapist

Gary L. Smidt

To be health services officer

David D. Haworth

To be senior assistant health services officer

Robert H. Bradford

In the Air Force

The following person for reappointment to the active list of the Regular Air Force, in the grade indicated, from the temporary disability retired list, under the provisions of section 1211, title 10, United States Code:

To be major

Gene W. Oehlman, 10321A.

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be majors, USAF (Chaplain)

Bernard M. Delos, AO970218.
John T. Donnelly, AO414955.
Arthur T. Engell, AO488181.
Luther C. Goebel, AO496220.
George M. Hickey, AO508480.
Spencer D. McQueen, AO555648.
George E. Mennen, AO512580.
Ralph R. Pace, AO529718.
Hoyt H. Wood, AO513621.

To be major, USAF (Medical)

Kenneth S. Shepard, AO1907069.

To be captains, USAF (Chaplain)

Earl W. Barcome, AO3060906.
Donald E. Bartone, AO3060363.
George H. Bause, Jr., AO3060837.
Preston C. Brown, Jr., AO2205980.
William J. Haley, AO3059847.
Edward B. Hemkens, AO3060354.
Thomas D. Holland, AO3060885.
William H. Jacobs, AO3059476.
Raymond J. LeVay, AO3061397.
Lloyd W. Lyngdal, AO3074807.
William F. Mattimore, AO3059958.
James G. O'Malley, AO3060712.
William J. Wozny, AO3059768.

To be captains, USAF (Judge Advocate)

Duane C. Feichtinger, AO3102817.
Richard C. Hayward, AO3060527.
Michael F. Noone, Jr., AO3029659.
Buford E. Phillips, Jr., AO2246185.
Charles M. Stewart, AO3052279.
Rose L. Volino, AL2234123.

To be captains, USAF (Medical)

Henry V. A. Bielstein, AO3091111.
John F. Brix, Jr., AO3089370.
William O. Crawford, Jr., AO3110342.
George A. Farber, AO3027560.
Donald G. Fisher, AO3091238.
Norman L. Gamse, AO3089070.
Herbert F. Gretz, Jr., AO3044104.
John K. Legan, AO3114623.
Willard L. Meader, AO3091261.
Joseph A. Neal, AO3091460.
Constantine J. Nonas, AO3112645.
Joseph J. Pollock, AO3075247.
James T. Shallow, AO3075129.
Robert V. Tompson, AO3122933.

To be captains, USAF (Dental)

Rolando Bernul, AO3091767.
Melvin G. Fitch, AO3089789.
William J. Frome, AO3000618.
James A. Hardeman, AO3089254.
Conrad E. McFee, AO3043758.
Lawrence J. Myers.
N. Joseph Nassif, AO3074942.
Ralph M. Ohta, AO3048044.
William L. Swartz, AO3090631.

To be captains, USAF (Nurse)

Shirley J. Delaney, AN2242849.
Evelyn C. Doerty, AN2242655.
Brooks V. Frederick, Jr., AN2243499.
Alberta P. Nelson, AN2244188.
Theda Schneiter, AN2242126.
Betty J. Sones, AN2244476.

To be first lieutenants, USAF (Chaplain)

Robert A. Brucato, AO3061299.
Wilbur W. Bubb, AO3061114.
Richard L. DePriter, AO3061439.
Emilio Falcone, AO3061696.
Melvin H. Garritson, AO3061216.
Harland R. Getts, AO3061513.
Benjamin F. Kelley, AO3061291.
George C. Kramer, AO3061267.
Richard J. Kucharski, AO3061136.
Marvin L. Labinger, AO3061369.
Robert B. Lantz,AO3061287.
John J. Lehman, AO3061097.
Stuart H. Lengel, Jr., AO3059636.
Joseph E. McCausland, AO3061303.
Thomas McManus, AO3061503.
Sigurd J. Nelson, AO3060748.
Stephen J. Olivier, AO3061306.
George H. Quarterman, Jr., AO3069679.
John G. Truitt, Jr., AO3061493.
Paul H. Wragg, Jr., AO3059843.

To be first lieutenants, USAF (Judge Advocate)

Willian D. Arrowood, AO3115902.
Thomas V. Ball, AO3003639.
William W. Brooks, AO3102490.
Elvir A. Fay, AO3102318.
Willis L. Mog, AO3084178.
Robert H. Perkins, AO3118116.
Thomas E. Playle, AO3116339.
James W. Riner, AO3104470.
Ramutis R. Semeta, AO3116146.
Harold A. Teeter, AO3116355.
Harland G. Woody, AO3102906.

To be first lieutenants, USAF (Medical)

Eldon E. Bell, AO3091891.
Robert A. Hummel, AO3114732.
Edward H. Wood, AO3112567.

To be first lieutenants, USAF (Dental)

Lawrence L. Clark, AO3113877.
Robert J. Douglas, AO3111196.
John R. Kelley, Jr., AO3110484.
James E. McCormick, AO2225385.
Paul R. Park, AO3114210.
Charles J. Rekow, AO3113851.
Arthur H. Streeter, AO3112973.

To be first lieutenants, USAF (Medical Service)

David C. Beatty, AO3086421.
Bob L. Carpenter, AO3071178.
Raymond J. Collins, AO3093544.
Eugene L. Elliott, AO3089524.
Frontis W. Ergle, Jr., AO3092092.
Donald S. Good, AO3089525.
Gerald R. Heckman, AO3091950.
Robert R. Riedle, AO3094636.
John F. Riley, AO3095029.
Richard G. Schmitt, AO3074602.
Robert D. Smith, AO3049552.
Foye O. Stacey, AO3089547.
Donald R. Tuleja, AO3091195.
Wendell O. Ussery, AO3078623.
Robert A. Williams, AO3125730.

To be first lieutenants, USAF (Veterinary)

Bobby L. Caraway, AO3112536.
Duane A. Gray, AO3113964.
Sidney R. Jones, AO3113899.

Gale D. Taylor, AO3123847.
Thomas L. Wolfie, AO3114058.

To be first lieutenants, USAF (Nurse)

Carol J. Bennett, AN3110392.
William M. Cooper, AN3113008.
Mildred J. Cox, AN3088476.
Philip DiBlasi, AN3075900.
Darlene M. Dodd, AN3090185.
Betty J. Harper, AN3078156.
Marlene J. Henson, AN3111629.
Dorothy M. Knight, AN3112097.
Barbara R. Lynch, AN3078259.
Dolores A. Malota, AN902288.
Sarah J. McCann, AN3110384.
Pete Navarro, AN3044557.
Clarideth J. Plott, AN3091919.
Paul C. Shalenko, AN902866.
William D. Sharadin, AN3112147.
Katherine C. Snuggs, AN3089079.
Joseph D. Witmer, AN3076820.
Faye Woodruff, AN2244290.
Dorothy N. Zablocki, AN3045792.

To be second lieutenants, USAF (Medical Service)

Charles J. Archibald, AO3112103.
Conrad L. Bush, AO3113038.
Raymond D. Christian, AO3118995.
John E. Dexter, AO3123611.
James D. Edwards, AO3111977.
James V. Gordon, AO3112836.
Karl L. Kilpatrick, AO3114765.
Richard G. Micka, AO3104784.
Robert J. Perlstein, AO3112468.
Clarence J. Schumaker, Jr., AO3111871.
Harry J. Simpson, AO3112185.

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be major

Wilfred V. Gabel, AO2074202.

To be captain

Frank C. Knaack, AO3036116.

To be first lieutenant

Lynn R. Wolfe, AO3070007.

To be second lieutenants

Distinguished Aviation Cadet Graduates

Gerald Serina, AO3122835.
Richard E. Young, AO3122819.

Distinguished Officer Candidate Graduates

Peter S. Coe, AO3121663.
William E. Phillips, Jr., AO3121560.
Klaus H. Stuecklen, AO3118366.

Distinguished Officer Training School Graduates

Leroy P. Ache, AO3128520.
William E. Adams, AO3129432.
Charles H. Bailey, AO3128923.
Joseph P. Bigelow, AO3128368.
Frank J. Blattner, Jr., AO3129858.
Robert A. Bleau, AO3128853.
David C. Bray, AO3128297.
Michael H. Catherall, AO3129866.
Ford F. Challis, AO3122236.
Herman E. Chelette, Jr., AO3129642.
Wilbur R. Clopton, AO3129451.
James M. Connolly, AO3128243.
Dale D. Conrad, AO3129365.
Richard C. Corbin, AO3129115.
Fred E. Croshaw, AO3128130.
James A. Curtis, Jr., AO3129591.
Jerome B. Dague, AO3128857.
Robert V. Daigle, AO3129458.
Marshall E. Daniel, Jr., AO3128246.
Ronald L. DeCosmo, AO3128301.
Richard A. Deinhammer, AO3129595.
Theodore M. Duigon, Jr., AO3128163.
Richard R. Eiles, AO3128861.
Robert J. Elliott, AO3129598.
Warren G. Elliott, AO3129887.
Francis L. Eubank, Jr., AO3129373.
Lawrence J. Faessler, AO3128309.
William C. Fahey, AO3128466.
Edmund H. Fording, Jr., AO3129657.
James A. Gabel, AO3129758.
Robert J. Goldman, AO3128254.
Charles E. Gordon II, AO3122069.
Gerald D. Gordon, AO3129662.
Peter A. Gouette, AO3128939.
Larry J. Graham, AO3134478.
Howard W. Green, AO3128548.
Thomas M. Hammons, AO3128943.
James H. Handy, AO3128474.
David C. Harvey, AO3134532.
Andrew L. Higgins, AO3128747.
Ronald H. Hilbert, AO3128478.
Robert C. Hogrefe, AO3129774.
Jo Ann Holmes, AL3128731.
Robert L. Hosler, AO3128317.
Richard H. Houtary, AO3129292.
Gary R. Jackson, AO3128629.
Robert M. Jacobs, AO3128133.
Robert B. Jones, AO3129496.
Robert F. Kieser, AO3134534.
George S. King, AO3129501.
James A. Kirsch, AO3129311.
Edward E. Klehr, AO3128800.
Elwood N. Laugen, AO3129789.
James A. Lee, AO3129393.
Samuel R. Lehman, AO3129790.
David E. Loberg, AO3128488.
Albert W. Long, Jr., AO3129794.
Peter R. H. Luckenbach, AO3128188.
John G. Magee, Jr., AO3129318.
Dean L. Mather, AO3129800.
Robert C. McClain, AO3129696.
Jack E. McCormick, AO3129513.
Nancy J. McDearman, AL3128227.
Patrick H. McHargue, AO3128700.
Hugh McPheeters, Jr., AO3129801.
Michael Monaco, AO3129255.
Donald D. Monkres, AO3129803.
James R. Murphy, AO3129808.
Ronald J. Nelson, AO3128410.
Raymond P. O'Brien, AO3129332.
Richard W. Ogden, AO3134421.
Norman R. Otters, AO3128897.
Galen M. Ozawa, AO3128123.
John K. Paige, AO3128125.
Donald S. Palmer, AO3128962.
Ronald D. Parham, AO3128577.
Richard V. Parish, AO3128272.
Robert E. Patterson, AO3128338.
Richard A. Peacock, AO3129147.
Robert D. Penman, AO3129149.
Otto W. Peucker, AO3129150.
Richard L. Picard, AO3134505.
Louis A. Platterborze, AO3129479.
Thomas J. Pollard, AO3129336.
Charles F. Power, AO3128416.
George E. Powers, AO3128582.
Donald F. Prince, AO3128705.
Jeannette C. Pulver, AL3134399.
Tom V. Purser, AO3129811.
Byron G. Quann, AO3128271.
David P. Reimuller, AO3128822.
John B. Rich II, AO3129154.
Lewis M. Roome, AO3129815.
John P. Rooney, Jr., AO3129816.
Thomas E. Rowley, AO3129527.
Alan S. Rutherford, AO3129819.
Edward J. Ryan, Jr., AO3128424.
Robert J. Sanders, AO3129842.
Charles A. Savage, Jr., AO3129087.
Jack S. Scheiffler, AO3129088.
Arnold L. Schwalb, AO3128346.
Edward M. Seghers, Jr., AO3129822.
Douglas E. Shamberger, AO3128506.
Raymond A. Shapek, AO3129157.
Walter R. Sharpe, Jr., AO318205.
Howard F. Shenk, AO3128665.
Bruce N. Smith, AO3129340.
Robert M. Smith, AO3128970.
James Souhrada, AO3129342.
Parker D. Sproul, AO3129735.
Warren L. Steininger, Jr., AO3128972.
William H. Strehle, Jr., AO3128586.
Edward L. Sutter, AO3129739.
Harold K. Switzer II, AO3134515.
Anthony J. Terlep, Jr., AO3128717.
Donald L. Thompson, AO3129832.
Robert T. Thompson, Jr., AO3128437.
Victor R. Trouy, AO3129348.
William M. Turner, AO3128350.
Ralph M. Tyson, AO3128286.
Richard S. Ueland, Jr., AO3128917.
Rene M. Vicknair, Jr., AO3128287.
Joseph L. Vojir, AO3128218.
Fredrick A. Wagner, AO3129293.
William J. Weiland, AO3129284.
David R. Welsh, AO3128837.
Bruce M. Westbrook, AO3128515.
Harold E. Wigginton, AO3129608.
J. Leon Wilson, AO3128217.
Thomas W. Wing, AO3134436,
Warren W. Wolff, AO3129039.
Thomas W. Young, AO3129165.

Distinguished Graduates, Air Force Reserve Officers' Training Corps

Todd Bolen, AO3130478.
Robert E. Gallo, AO3131054.
Gary K. Pritchard, AO3133131.
Darrel D. Thomssen, AO3131193.

HOUSE OF REPRESENTATIVES

Monday, February 18, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I John 4: 21: *This commandment have we from Him, that he who loveth God must love his brother also.*

Almighty and ever-blessed God, grant that in this Brotherhood Week we may have a clear vision of the high and helpful things which we may do together for the health and happiness of all mankind.

Make us humbly grateful for the many opportunities that are continually coming to us to speak a word of good cheer and to extend a hand of helpfulness to the needy members of the human family.

May we realize more fully that the question "Am I my brother's keeper?", must be answered conclusively in the affirmative.

Enable us to go in and out among our fellow men as the heralds of a new day when men and nations shall live as brothers on the high levels of peace and good will.

Help us to practice the Golden Rule and inspire us with those finer thoughts and feelings that are the progenitors of achievement in the building of a nobler civilization.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 14, 1963, was read and approved.

READING OF WASHINGTON'S FAREWELL ADDRESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that on Thursday, February 21, 1963, Washington's Farewell Address may be read by a Member to be designated by the Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER. Pursuant to the special order agreed to today, the Chair designates the gentleman from Utah [Mr. Burton] to read Washington's Farewell Address immediately following the approval of the Journal on February 21, 1963.

COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may be permitted to sit during general debate today and also on February 19, 25, and 26.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

LITHUANIAN INDEPENDENCE DAY

Mr. PRICE. Mr. Speaker, one of the somber monuments of the Hitler-Stalin era is the continued occupation of ancient free nations by foreign systems. The Lithuanian Republic is still occupied and controlled by the Soviet Union. It is the victim of a period in human history when small nations were exchanged like pawns in the savage confrontation between the Nazi and Soviet warlords.

The Soviet army marched into Lithuania in 1939 after the Hitler-Stalin Pact had given the Nazi war machine a free hand in Western Europe and Hitler paid the price by agreeing that Stalin could occupy the Baltic Republics.

The fighting of the war that followed is long since ended, but the Soviet occupation of Lithuania continues. The people of Lithuania deserve something better. They deserve the moral support that we can give them by recognizing their contributions to freedom and their honorable history.

In this country, tens of thousands of Americans of Lithuanian descent celebrated this month the anniversary of a better day—the day in 1918, February 16, when the people of their fatherland proclaimed their independence of both old imperial Germany and revolutionary Russia.

They set up a republic. They organized their society as a free people. They asserted their right to live free of foreign aggression from whatever source.

In the brief decade Lithuania had, it established its place in the forefront of progressive democratic societies. It pushed an educational program that cut the rate of illiteracy from two-thirds of the people to less than 15 percent. The Lithuanian Republic adopted the first land-reform law of modern Europe.

All of this was built upon a cultural and national tradition that goes back to the 13th century. It was created by people who welcomed the chance to spend their energies in proving their right to an independent place in the world.

The land of the Lithuanians is occupied by the Soviets, but we have a right to doubt that the spirit of the people is conquered.

The U.S. Government has quite properly declined to recognize the legality of the Soviet seizure of power in Lithuania. It has never accepted the attempted liquidation of the Republic. At the time when in their hearts there is a silent celebration of their 1918 Independence Day, it is proper for us to wish the people of Lithuania well, to assure them that they are not forgotten.

UNITED NATIONS FUNDS TO CUBA

Mr. FUQUA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FUQUA. Mr. Speaker, one of the continuing international problems which faces the Congress and all of the American people is that of Cuba. Here we find a Communist government only 90 miles off the coast of Florida, actively supported by troops of the Soviet Union.

It seems to me that this Nation cannot rest as long as Castro and his kind remain in power in our hemisphere. The subversive activities of his government to the other Latin American nations poses more of a threat than that of the weapons and Soviet troops that remain in Cuba.

I supported the President's firm action in having the missiles and missile bases removed from Cuba, and I believe this Nation must have just as firm a policy in dealing with this Communist dictatorship to insure its eventual overthrow.

As a Member of the Congress, an action by the United Nations last week shocked me. We find that the United Nations Special Fund has approved a 6-month test plan for Cuban crop diversification. I wrote U.N. Ambassador Stevenson a vigorous denunciation of this act which I consider an insult to the United States.

The program calls for a reported $100,000 to be spent by the U.N. in this test program, and if successful, to be extended for 5 years with the U.N. share of the eventual cost to be $1.2 million.

The remarks of Paul G. Hoffman, American manager director of the Fund, that no American funds would be used in this project is ridiculous on the face of it. We have, in this Nation, attempted to keep the United Nations a forum for world discussion, paying a far heavier than proportionable share of the United Nations operating expenses, and then find this organization giving aid to the Communist menace only 90 miles off our shore.

I called on Ambassador Stevenson for an explanation, pointing out that we find our country in the position of giving funds on one hand, to be used by our sworn and mortal enemy on the other.

I regard this action of the U.N. an insult to the United States and have vigorously expressed my indignation.

To my mind the problem of Cuba is the No. 1 foreign policy problem which faces this Nation. It cannot be swept under a rug. It cannot be hidden. Only strong and forceful leadership will enable us to blot out this menace to our Nation and the free world's security, and for my part, I pledge my every effort to hasten the day when Castro will be defeated and a truly free Cuba restored.

COMMUNIST THREATS TO THE SECURITY OF THIS HEMISPHERE

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, today the House Subcommittee on Inter-American Affairs opens its hearings into the vital matter of Communist threats to the security of this hemisphere.

In this regard, I wish to call the attention of the House to an article by Mr. James Free, of the Washington Bureau of the Birmingham, Ala., News.

Mr. Free points out the qualifications and extensive experience of the House Subcommittee on Inter-American Affairs to conduct these investigations in the interests of our Nation and our hemisphere.

Mr. Free's article follows:

SELDEN AND STENNIS CALLED GOOD BETS TO GET FACTS ON CUBA

(By James Free)

WASHINGTON, February 12.—Strictly down-the-middle probes of the Russian buildup in Cuba can be expected from both subcommittees of Congress that will buckle down to the task after the lull this week for Lincoln's birthday.

The two chairmen, Senator JOHN C. STENNIS, Democrat of Mississippi, and Representative ARMISTEAD SELDEN, Democrat of Alabama, are conservative Southerners with no close administration ties.

While they will not hesitate to bring out facts embarrassing to the Kennedy administration, neither will they have any compunction about making a report that might pull the rug out from under Republican charges against the administration.

Moreover, between the two investigating groups, the American people should be able to get a comprehenisve picture of Russian strength in Cuba and the extent of the threat to this hemisphere.

STENNIS' Preparedness Subcommittee will center its attention on military aspects, with subversion and related dangers being secondary but significant matters of concern.

SELDEN's Inter-American Affairs Subcommittee will stress the extent of the Communist subversion threat from Cuba to Latin America on a country-by-country basis. Comparative military power will be considered only as it pertains to the ability of various countries to resist subversion.

Both STENNIS and SELDEN will inquire into present long-range U.S. policy regarding Soviet military bases and forces in Cuba or elsewhere in the Americas. Here, again, emphasis of the Senate subcommittee will be on defense policy, while concern of the House foreign affairs group will be on diplomatic policy.

Beyond question, there will be some duplication in the information brought out by the two investigating subcommittees. But this should help assure a balanced perspective and provide more varied sources of information.

STENNIS' handling of hot past probes—the muzzling-the-military hearings last year, for example—has won him a reputation as a steady, impartial, and cool man with a gavel. His early years as a circuit judge show through clearly.

SELDEN has yet to prove his mettle in highly publicized hearings. But House colleagues point to his early and largely ignored warnings on Cuba, first to the Eisenhower administration and later to the Kennedy administration. They note his leadership in prodding the Organization of American States into taking action against Castroism.

Neither chairman is given to sensationalism. Both have been dissatisfied with the Kennedy administration tendency to rate the Soviet buildup mainly in terms of "offensive" or "defensive" weapons.

SELDEN and STENNIS, as well, have had fully as much information about Russian troops and weapons in Cuba as have had the Republicans who publicly charged the administration with sugar-coating the story.

Neither chairman has remained silent on Cuba, but any comment has been restrained. Back on December 18, for example, SELDEN told this reporter there were "at least 15,000" Soviet troops in Cuba. This was some time before the administration admitted this officially.

SELDEN's subcommittee will conduct 3 days of hearings starting February 18. Two comparable periods of testimony will be scheduled later.

STENNIS' subcommittee so far has heard only one witness: John A McCone, Director of the Central Intelligence Agency, in closed session. But other witnesses will testify starting probably week after next. And several weeks of additional hearings are in prospect.

THE FALLACY OF TOO MUCH PLANNING

Mr. SHORT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. SHORT. Mr. Speaker, some time back a large audience heard an acknowledged eloquent speaker say:

> I do not believe that Washington should do for the people what they can do for themselves through local and private effort. There is no magic attached to tax dollars that have been to Washington and back.

These words have a ring of truth. They are a simple statement of fact, and are quoted from a speech made before the Associated Business Publications Conference, held at the Biltmore Hotel in New York City, on October 12, 1960.

They were made in connection with a discussion of American economic policy, and underscored a plea for a strong economy in our country, thus "not only to sustain our defenses, but also to demonstrate to other nations, particularly those wavering between our system and the Communists—that the way of freedom is the way to strength and security—that their future lies with us and not with the Soviet Union."

That portion of the speech I have just quoted ends with this statement:

> That is the basic issue of 1960—and that is why each candidate must make clear his views on economic policy.

Now, lest some who read this immediately assume the speaker was one of those labeled as "reactionary"—of whom it has been said "he has one eye ahead and one eye on the rearview mirror"—let me identify the eloquent speaker whose words opened and have been quoted in this statement of mine. It was Senator John Fitzgerald Kennedy, running for the highest office in the land, the Presidency.

Since Senator Kennedy succeeded in his ardent desire to become President, the Congress has received well over 60 messages—not one of which failed to request, or was accompanied by, proposed legislation which would result in Washington doing for the people what they should do for themselves, through local and private effort, with the exception, of course, of provision for our national defense.

It would be easy—and the temptation is great—to protect some of the illusions cherished by a portion of the American people, and lay at the door of the much-berated Presidential advisers, or even brother Bobby, the blame for many of these requests for legislation. However, the facts are that these messages to the Congress came directly from the President, were signed by him with his full knowledge of their content and implication, and he further has aggressively and consistently pressed for enactment of a major portion of these proposals.

All these legislative proposals were presumably geared to the President's repeatedly expressed wish to "move America ahead." And we all know now that without the Congress enacting even a smidgin of these proposals, we have indeed moved ahead—rapidly and inexorably—to the fantastic planned budget expenditures of $98,802 million for 1964—to the increase by 135,510 in Federal personnel since the change in administration in 1961—to the planned deficit of $11,902 million for 1964—and thence to an estimated national debt of $315,604 million which will extend much further than 1964. And all this without a determination and inclusion of the actual total cost of additional Federal aid to education, additional Federal medical care for the aged, additional Federal assistance to urban areas, or even a successful trip to the moon.

We have also moved ahead—rapidly and inexorably—to the final culmination and humiliation of a Communist regime only 90 miles from our southeastern Atlantic coast. Not only is this Communist government completely equipped by the Soviet Union with arms and troops, supposedly for self-defense, but it likewise possesses the additional bonus of our diplomatic guarantee against invasion. This is now crowned by the promise of United Nations aid to agriculture for this Communist nation—indirectly financed by our own funds.

Mr. Speaker, I would like permission to revise and extend my remarks and include with them an article written by Henry Hazlitt, entitled "The Fallacy of Too Much Planning," which appeared in the Reader's Digest of February 1963 as a condensed version of the original article in Newsweek of September 24, 1962. This article expresses some well-known truths, which we as a Nation should be willing to face, lest we find ourselves—God forbid—at the point of no return:

THE FALLACY OF TOO MUCH PLANNING

(By Henry Hazlitt)

"The welfare state is the great fiction where everybody tries to live at the expense of everybody else."

The idea of Government economic planning appeals to many intellectuals and politicians today. What they forget is that each of us, in his private capacity, is constantly planning ahead—regarding his job, his business, his leisure, his spending, his saving for a home or a car or the education of his children. These millions of individual plans are coordinated through the marvelous mechanism of competition and the free market.

The question then is never whether there should be planning or not, but who should plan for whom? To put it another way, the question is whether each of us should be free to make his own plans, or whether all of us should be forced to work or consume according to some master plan drawn up for us by some supposed group of supermen.

While most plans being proposed today are plans for accelerating economic growth, there are also, under the influence of J. K. Galbraith, plans to control our spending. According to the Galbraith thesis, most consumers do not know how to spend the incomes they have earned. They have atrocious taste, and they waste their money on trivialities and junk.

The natural conclusion is that the consumers should be supplied not with what they themselves want, but with what Government bureaucrats, full of wisdom, think is good for them. And the way to do this is to tax away from people all the income they have been earning over that required to meet their bare necessities and turn it over to the bureaucrats to be spent in ways they think would really do people the most good.

The goods and services for which people voluntarily spend their own money make up, in the Galbraithian vocabularly, the "private sector" of the economy, while the goods and services supplied to them by the Government, out of the income seized from them in taxes, make up the "public sector." This is a neat semantic triumph, for the word "private" is meant to suggest the selfish and exclusive, while the word "public" is meant to suggest the democratic, the shared, the public spirited.

Actually, what Galbraith calls the "private sector" of the economy is in fact the voluntary sector; and what he calls the "public sector" is in fact the coercive sector. And as this sector grows at the expense of the voluntary sector, we come to the essence of the welfare state.

In this state nobody pays for the education of his own children, but everybody pays for the education of everybody else's children. Nobody pays his own medical bills, but everybody pays everybody else's medical bills. Nobody helps his own old parents, but everybody helps everybody else's old parents. Nobody provides for the contingency of his own unemployment, his own sickness, his own old age, but everybody provides for the contingency of the unemployment, sickness or old age of everybody else. The welfare state, as the French political economist Claude Frédéric Bastiat put it with uncanny clairvoyance more than a century ago, is the great fiction by which everybody tries to live at the expense of everybody else.

This is not only a fiction; it is bound to be a failure. This is sure to be the outcome whenever effort is separated from reward. When people who can earn more than the average have the "surplus" seized from them in taxes, and when people who earn less than the average have the deficiency turned over to them in handouts, the production of everybody must decline; for the energetic and able lose their incentive to produce more than the average, and the slothful and unskilled lose their incentive to improve their condition.

THERE'S NO STOPPING REA—OR IS THERE?

Mr. **TEAGUE** of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **TEAGUE** of California. Mr. Speaker, last year the Agriculture Committee held extensive hearings on several aspects of the farm program—including rural electrification. The resulting committee report on the farm bill—House Report No. 1691—pointed out that:

> Testimony revealed a growing public concern over the failure of the REA to disclose information on various phases of its operations.

The report went on to say:

> The public is entitled to know how public funds are being used.

All of us here in this Chamber were reminded also that:

> Congress, of course, is charged with the responsibility of assuring that public funds are handled in accordance with the original intent of the Rural Electrification Act.

Mr. Speaker, the public concern about the extent to which REA has gone beyond that original intent of Congress is apparently continuing unabated. As a case in point, I call attention to a very interesting and revealing article in the current issue of Fortune magazine entitled, "There's No Stopping REA—Or Is There?" This article documents the fact that despite assurances to the contrary given by one of the fathers of the REA Act—the late Sam Rayburn—REA-financed cooperatives are now increasingly engaged in aggressive competition with investor-owned electric power companies and are on "an empire-building kick that is invading urban territories, wooing industrial customers, and threatening to consolidate into a gigantic national electric system, federally subsidized and tax free."

The writer of this article asks a rhetorical question which I think each of us should ask ourselves. He asks, "Is there a way that REA co-ops can cut the silver cord of dependence on governmental paternalism and become in truth the 'independent business enterprises' that REA now calls them?" The author suggests one possible method of accomplishing this worthwhile goal, but I am sure there are many others that deserve our attention.

However, because Congress is charged with the responsibility of assuring that public funds are handled in accordance with the original intent of the Rural Electrification Act, I believe every one of us should read and study this Fortune article. It seems to me to be an honest and fair appraisal of a serious problem which sorely needs congressional attention.

For this reason, Mr. Speaker, I ask unanimous consent to insert the Fortune article in the RECORD at this point and commend it to the reading of every Member of Congress:

THERE'S NO STOPPING THE REA—OR IS THERE?

(By Hubert Kay)

There had never been anything like it on the lonely ranch in the red sandhill country of southeastern New Mexico, and almost certainly there would never be anything like it again. For all the 21 years of their married life, John and Margaret McGuffin had lived unnoticed and cut off from the world without electricity or telephone, 3½ miles from their nearest neighbor and more than 30 miles from the nearest town, Tatum, in Lea County. Then, on the morning of last July 2, strange and wonderful things began to happen.

A car drove up and out stepped the head of the U.S. Department of Agriculture's Rural Electrification Administration, Norman Clapp, a big man with several hundred million dollars a year to lend, come all the way from Washington. Up from Lovington, N. Mex., drove the manager of Lea County's rural electric and rural telephone cooperatives, which with money borrowed from REA had just built 3½ miles of poles and lines to the McGuffin ranchhouse. A new dial telephone rang for the first time, and Mr. McGuffin was summoned to talk with Secretary of Agriculture Orville Freeman, calling from Washington. After a little speech by Administrator Clapp and a ceremony of turning out the kerosene lamps, electric current came surging over the new line to lighten the lives of the McGuffins and make their ranch the 5 millionth consumer to receive REA-financed electric service.

In this carefully staged but still heartwarming little drama, REA once again presented itself in its long-admired role as the great light bringer to rural America. But behind this image a new reality has developed, troubling the agency's congressional friends and alarming the U.S. electric-utility industry. The co-ops, financed by REA, have grown into a nationwide, $4 billion electric group increasingly engaged in aggressive, Government-subsidized competition with investor-owned electric companies. Five out of six of the co-ops' new member customers in recent years have been industrial, commercial, and nonfarm residential consumers.

The co-ops are not about to take over the industry. On their 1½ million miles of REA-financed lines they still average only about 3.3 consumers per mile, one-tenth the number for major power companies. The trend from farm to city has left the co-ops with some 500,000 abandoned services (i.e., lines built to serve individual residences) representing an investment of many millions on which they receive no return. But these predictable handicaps are more than offset by recent co-op developments, based on longstanding advantages. Once almost wholly dependent on purchased power, the co-ops are surging toward independence with more and more power plants of their own. They are exempt from Federal taxation and from much State and local taxation. They are financed at 2 percent interest with funds for which the Government pays about 4 percent. They share first call on the cheap hydroelectric power generated at Federal dams. They are now selling more than half their power to nonfarm buyers. Having clearly outrun the intentions of REA's congressional founders, they constitute a growing threat both to American principles of private enterprise and to the gigantic private investment in the U.S. electric-utility industry.

New Jersey's Senator CLIFFORD CASE, whose State has only one small REA co-op, got a jolting introduction to what all this means in practical terms when a New York City industrial consultant named David T. Kleinman called at his Washington office one day last spring. Dr. Kleinman represented a client who had been planning to build a tape factory in Paterson, N.J. With him he had a letter received from an REA co-op in Pennsylvania. Said the letter: If the Kleinman client would agree to build his factory in the co-op's territory, contract to buy its power, and put up $50,000 of its own, the co-op would lend him $450,000 for the purchase of his factory's electrical machinery and equipment. To the Senator from New Jersey, a liberal Republican not easily unnerved by governmental forays into business areas, this attempt to lure a prospective new industry from his State seemed a most curious diversion of the subsidized rural light.

THIRTY-FIVE-YEAR LOANS

Senator CASE promptly joined a growing group of congressional members who have decided to do battle with the image of the "light bringer" in order to come to grips with the realities. It is a powerful image. When REA was founded in 1935, nearly 9 out of 10 American farms still lacked the electricity that had become commonplace in the Nation's towns and cities. Thanks largely to REA—to the systems it financed and to the stimulus they gave to rural expansion by investor-owned electric companies—some 98 percent of the Nation's farms are now electrified. Even power company executives concede that in fulfilling its original purpose REA performed a national service. Countless rural people remember gratefully the coming of REA lines to their farms, not merely bringing them electric current but bringing them into the main current of American life. Millions of Americans have a vested interest in the continued existence of the 991 independent, locally run cooperatives, and the scattering of other electric systems, that REA has financed with more than $4 billion of Federal funds and is continuing to finance at a rate of $400 million a year.

The political momentum developed by all this has long kept REA a congressional sacred cow. Yet House and Senate agricultural committees and agricultural appropriations subcommittees, where legislative limitations on REA's powers and purse must begin, were openly critical of some of the Agency's practices last year and seem ready to take some action in this session.

One choice is beyond the power of Congress to make. It cannot, by inaction, maintain the status quo. REA partisans stress that its program is self-liquidating. The excellent REA repayment record indicates that this is true—as far as it goes. But co-op loads (i.e., consumer demands) are doubling every 5 to 10 years. Heavier loads require a costly process of physical "heavying up"—the installation of heavier lines and poles—and a far costlier increase in generating capacity. Few co-ops can finance such capital investment out of earnings. Hence a co-op that gets a $20 million generating loan today will almost certainly be back within 10 years for another $20 million loan, and in 20 years for a loan of $40 million. Since the co-ops have 35 years to repay their loans, they will—except as they pay for expansion with their own money—be borrowing from the Government three to four times faster than they repay. Until Congress takes some action, the co-ops' Government-subsidized competition with private enterprise, and the cost of their subsidies to taxpayers, will continue to mount in near arithmetic progression.

The harsh battle between partisans of REA and of the electric utility industry is marked by flat contradictions of fact, passionate charges, and countercharges. In the main, both sides have simply reacted in predictable ways to an unpredicted change in American life since World War II: the revolution of exploding cities and industries and shrinking farmland.

Thanks to a technological revolution in which electrification has been a major element, the Nation's farmers each year produce bigger and bigger crops on fewer and fewer acres. In the past decade U.S. farmland has been withdrawn from crop production at an average rate of 4 million acres a year. Meanwhile, riding technological and population booms of their own, cities and industries have burst out into the countryside, covering former farmlands with suburbs, housing developments, factories. Inevitably, and on an ever-increasing scale, electric co-ops and companies have met and clashed in border warfare unforeseen by REA's founders in the depression world of the mid-1930's.

WE ARE NOT INTENDING TO COMPETE WITH ANYBODY

The Rural Electrification Administration was created by Franklin D. Roosevelt's Executive order on May 11, 1935, and allotted $100 million of work relief funds. As a quick jobmaker, the new agency could not compete with leaf raking; too much of its funds had to go for heavy equipment. But friends of the farmer and of public power saw their opportunity. The greatest of them, Senator George Norris, of Nebraska, moved to seize it. Another hardscrabble farm boy, Sam Rayburn, of Texas, then chairman of the House Interstate and Foreign Commerce Committee, joined him in introducing a bill to authorize a 10-year REA program openly designed both to fight the depression and to raise rural living standards.

It would have been ridiculous to build electric distribution lines in rural areas and deny service to villagers or to stores, machine shops, feed mills, grain elevators, and other rural businesses. Hence the Norris-Rayburn bill did not specify farms or farmers. Instead it authorized REA to make loans "for the furnishing of electric energy to persons in rural areas who are not receiving central station service." A rural area was defined as one "not included within the boundaries of any city, village, or borough having a population in excess of 1,500 inhabitants." The bill specifically authorized the agency to make loans for generating plants and also, in its now much discussed section 5, to lend money to REA borrowers, which they in turn could lend to their customers for the purchase of electrical and plumbing equipment. The U.S. farm depression had been going on since the collapse of the World War I boom in 1920; it was reasonable to assume that the rural electrification program would never get off the ground unless farmers were helped to both electricity and equipment.

Members of Congress concerned about possible competition with existing private enterprise were reassured by the bill's distinguished sponsors. "May I say to the gentleman," said Sam Rayburn in response to a question, "that we are not, in this bill, intending to go out and compete with anybody." Senator Norris inserted in the CONGRESSIONAL RECORD a memorandum from the first REA Administrator, Morris L. Cooke:

"REA can make loans for generating plants but we must be shown conclusively (1) that energy is not available from any existing source, (2) that the proposed generating plant can produce energy at a lower cost than it could be obtained from any other source, (3) that the output of such plants will be used mainly for supplying energy for use in rural areas."

With these assurances the Norris-Rayburn bill became the Rural Electrification Act of 1936.

As Administrator Cooke had indicated, REA co-ops at first devoted themselves almost wholly to building low-voltage distribution lines; over these anyone who paid a membership fee of $5 or $10 could get power, bought mainly from private companies. In the first 5 years only about 2.5 percent of REA loans were for the building of generating plants and their accompanying high-voltage transmission lines. Expansion slowed during World War II. But when the wartime scarcity of materials ended, a new world began to open up for ambitious men in REA and the co-ops. In the postwar boom, farm consumption of electricity soared with the accelerated trend toward consolidation of small family units into big mechanized factory farms. The rapid expansion of cities and industries further encouraged co-op dreams of growth and independence. A responsive Congress jumped its annual REA appropriation from $25 million in 1945 to $300 million in 1946. In 1950, after Congress had assigned REA the additional and noncontroversial task of making loans for rural telephone expansion, the annual appropriation reached $495 million. Also, by 1950, of all REA loans 16.4 percent had gone for generating and transmission facilities.

Three months after taking office, President Kennedy's REA Administrator, Norman Clapp, announced a new "third criterion" for G. & T. loans. Hereafter, he decreed, they would no longer be limited to co-ops that had no other adequate and dependable source of power, or that could generate power more cheaply than they could buy it. Instead, they would also be granted wherever "necessary to protect the security and effectiveness of REA-financed systems." REA's nervous critics suspected that their worst fears had come to be personified in the new management, for the new third criterion seemed broad enough to cover almost any G. & T. loan that Clapp and his colleagues might care to make.

AN ELECTRIFIED WORLD OF BLACK AND WHITE

A stocky, articulate man who suggests a crewcut William Jennings Bryan, Norman Clapp arrived at his present post by way of experience as a Wisconsin weekly newspaper publisher, and as a three-time loser in campaigns for Congress. He is also a brother of Gordon Clapp, onetime TVA Chairman. On the evidence of his own words, Administrator Clapp, 48, appears—like Bryan—to live in a world of black and white. When a co-op last year finally brought electric service to John McGuffin's New Mexico ranch, 11 years after McGuffin had applied for it, Clapp hailed the event as one more triumph of "individual initiative to which are added the qualities of good neighborliness and basic Christianity wrapped up in good, practical, operating American democracy." But when the Nevada Power Co. last year finally brought electric service to a desert valley where a new co-op was in the planning stage, Clapp denounced the event as one more example of "the selfishness, cynicism, and greed that have characterized the opposition of the power companies to the rural electrification program all these years—and that still do." (Power companies, which had electrified 750,000 farms by 1936, now serve 43 percent of U.S. farms.) At the National Rural Electric Cooperative Association's regional meetings last fall, Clapp squared off against his (and Bryan's) personal devil: "The power companies are not alone in their opposition to the REA programs. If the battle for rural electrification is to be won, we must recognize our opposition for what it is. It is perfectly plain that this opposition springs from big business and its political allies. These are the culprits who are trying to hang the Socialist smear tag on you."

The adviser, ally, and goad of REA Administrators since 1943—and the gadfly of power companies and Members of Congress who dare to oppose his wishes—is a redoubtable former Congressman from Arkansas named Clyde Ellis, 54, general manager of National Rural Electric Cooperative Association since its founding and sometimes called the man who runs REA from outside. Starting from scratch, Ellis has built National Rural Electric Cooperative Association into a co-op service organization (purchasing, insurance, managerial training) with a $1 million Washington building of its own. But he is still best known as a formidable lobbyist and arm-pumping speechmaker. At a Western States water and power consumers conference in Portland, Oreg., last October, according to the Portland Oregonian, he declared of the Nation's power companies: "Their object is to take over the Government. They are public enemy No. 1—more dangerous than Communists because Communists are not a threat, but dictatorship is a threat."

Ellis promptly wrote to the Oregonian to correct its "inadvertent misquote" of his extemporaneous remarks, explaining: "I feel that the commercial electric utilities are the No. 1 threat from within to our free enterprise system. They are more dangerous even than Communists who no longer are considered a substantial threat from within." Short, bald, tightlipped, and intense, Ellis started his career as an Arkansas State legislator feuding with the State's political boss who was also president of its largest power company. His associates scoff at the frequent charge that his ultimate goal is nationalization of the U.S. electric-utility industry. "Actually," says one, "Mr. Ellis is a very conservative man who just hates the power companies."

Two or three steps behind Clapp and Ellis, somewhat less in the limelight, stands Kenneth Holum, 47, a tall, rugged, farmer-politician from Aberdeen, S. Dak. Holum, a veteran of the public power expansion wars in the Missouri River Basin, is President Kennedy's Assistant Secretary of the Interior for Water and Power—and as such the man in charge of the power produced by the giant Federal dams. To understand Holum's connection with REA ambitions we must first understand the full potential of REA's own plans.

THE BATTLE FOR TERRITORIAL INTEGRITY

The Clapp-Ellis REA war cry is "territorial integrity." Since duplication of costly electric facilities is clearly wasteful, regulatory commissions and neighboring U.S. power companies long ago arrived at a system of exclusive company territories with firm no-trespassing agreements. Private power companies map their territorial boundaries as sharply as counties, reserving territory not only for each company's existing service but also for its future development. REA partisans have convinced themselves and are trying hard to convince State legislatures that, without paying the price in taxes, interest, and—usually—in State regulation, co-ops nonetheless deserve all of the territorial and other privileges of ordinary utility companies.

Administrator Clapp frankly concedes that many co-op territories are now more or less urbanized. But despite the provisions of the 1936 act limiting REA to "rural areas," he insists that any territory a co-op "developed in good faith" when it was rural still belongs to that co-op, no matter how urban the area may have become.

When a co-op service area has been legally annexed by a city in which a power company holds a franchise, the co-op has sometimes sold its facilities to the company or exchanged them for some of the company's rural lines. Some co-ops and companies have reached territorial or nonduplication agreements, and some even pool their power for mutual benefit. But border warfare is widespread; the two fight it out customer by customer, often duplicating each other's lines. Any co-op battling for more nonfarm business in its service area may be certain that Messrs. Clapp and Ellis will back it to the limit.

Though company rates are in general slightly lower than those of the co-ops, the co-ops have some distinct advantages in such competition. Among them:

As a legal monopoly strictly regulated by State and Federal commissions, a power company can neither raise its rates at will to increase profit nor arbitrarily lower them for a particular customer to underbid a competitor. Its Commission-set rates allow it a fixed percentage of profit, based on its gross income, capital investment, and allowable operating costs. Discrimination among customers of the same class normally is forbidden; if a company voluntarily lowers its rates for one customer it must give the same reduction to all others in the class.[1] Co-ops, however, are partially or wholly exempt from Commission regulation in most States. Most co-ops, therefore, are legally free to set any rates they please.

Capital investment in the electric utility industry is heavy: an average of nearly $4.50 of total plant per dollar of annual revenue as compared with an average of about $2.15 for manufacturing industries. Hence power companies are heavy borrowers, currently at 4 to 5 percent interest. Co-ops get their Federal funds at 2 percent and may defer principal payments during the first 5 years of the loan's 35-year term.

Taxes and capital charges take about 40 percent of the power companies' gross revenues. Of every dollar received from their customers, about 24 cents goes out in taxes, including 13 cents in Federal income taxes. Like other U.S. industries, power companies get the benefit of tax deferrals for accelerated amortization and depreciation, giving them temporary interest-free use of substantial amounts collected for taxes. But as nonprofit organizations, the co-ops pay no direct Federal taxes whatever, and less than normal State and local taxes.

Co-ops get many services from REA, but pay nothing toward the $10-million-a-year cost of administering the agency.

As preferred customers, many co-ops buy power from the hydroelectric installations at Federal multipurpose dams. Because these dams share the co-ops' freedom from taxes and because they can charge off much of their operating expense to navigation, irrigation, flood control, recreation, and other purposes, these Federal business enterprises can and do sell electricity for little more than half the price of commercial power. The Edison Electric Institute has calculated that if TVA were to pay a power company's rates of taxes and interest, it would have to raise its selling rates by 56 percent.

A COLD EYE FOR SNOW MAKING

The Government gives the co-ops one small additional competitive advantage: the lure of the section 5 loan. These loans are fiscal peanuts ($2 to $5 million a year) but political hot potatoes. Washington provides funds at the usual 2 percent interest and the co-op relends them at its own rates. As long as the loans were made for the purchase of home wiring and appliances, and electrical farm equipment, they were not challenged. But now section 5 money is being used increasingly to build up co-op business with industrial customers. Recent section 5 loans have gone to a gravel-crushing plant in North Dakota, lumber companies in Minnesota and Idaho, a textile mill in North Carolina. To its critics in and out of Congress, REA seemed to have got about as far as possible from its original purposes when it announced early last year that it had provided an Illinois co-op with $30,000 to lend to a ski resort for the purchase of snow-making equipment and outdoor lights.

Concerning this and other section 5 loans, Administrator Clapp got a sharp warning from the chairman of the House Agriculture Committee, Harold D. Cooley, of North Carolina, during hearings on last year's farm bill: "I think you should be very careful not to make loans that are going to go so far afield, because the first thing you know we will have to rewrite that section and make it perfectly clear that we did not intend that. And if you continue to industrialize, we will certainly do that."

THE SPECTER OF NATIONALIZATION

If the various inequities of competition were all that mattered to the executives of investor-owned power companies, they might secretly enjoy the fight with REA just for providing some excitement in an industry from which competition and risk have largely vanished. But the power industry is haunted by something far more somber—the specter of nationalization. The specter is taking shape and substance as co-op generating plants increasingly become key links in what could ultimately form a gigantic national electric system, partly Government owned, partly Government subsidized, and all largely tax exempt. Against such a system, a private industry that pays out almost 40 percent of its revenues in taxes and capital charges could not compete.

Hydroelectric generators at Federal dams could not alone power such a system. Their supply of falling water and hence their electric output vary with rainfall and the seasons, and also with the needs of navigation, irrigation, flood control, municipal water supply, and recreation, which have been the ostensible primary purposes of this huge, still growing Federal investment (over $5 billion for power facilities alone). To become a dependable source of electricity in season and out, the output of hydrogenerators must be supplemented or firmed up by the fuel-burning generators, generally called thermal or steamplants, that produce most U.S. commercial electricity.

Except in the special case of TVA, Congress had steadfastly refused to let Federal dam authorities build steamplants. Electricity has in principle been merely a byproduct that helps pay for the dams' other services.

Congress does not, however, set any limit to the percentage of REA funds that may be loaned for co-op generating plants. An amendment to limit G. & T. loans, introduced by Representative Robert H. Michel, of Illinois, a Republican, was voted down by the House last year, 133 to 94. And the rise in G. & T. loans has been accompanied by an increasing trend toward firm up tie-ins between REA steamplants and Federal hydrogenerators.

Such tie-ins or pooling are normally beneficial to both parties. Power consumption varies not only from hour to hour but also with the weather and seasons. A producer's average demand may be only half of its peak demand. By exchanging power, producers with differing peaks can dispense with much of their costly reserve capacity. But because of the REA drive for nonfarm business, every tie-in between a G. & T. co-op and a Federal dam puts the U.S. Government more directly and openly into competition with private enterprise.

The specter assumes special proportions because REA loans for the construction of co-op generating systems are shrouded in secrecy. G. & T. loans are normally made to federations of distribution co-ops, formed to build or expand a G. & T. supercooperative. In the early years, when co-ops thought they were being overcharged by a private power supplier, they would make engineering studies of the cost of generating their own power, and submit their figures to the supplier. The result was often a substantial reduction in the supplier's rates. Employed thus, the threat of a G. & T. loan was an effective and legitimate bargaining weapon.

But as REA and the co-ops grew in ambition and political power, the public and Congress learned less and less about G. & T. loan applications. Every G. & T. loan means a loss of tax revenues and interest to the Government and its taxpayers, and a loss of business to the power supplier who will be supplanted by it. Co-ops are still supposed to get their supplier's best offer before applying for a G. & T. loan. But, unless the co-op permits, neither power companies nor Members of Congress are allowed to examine the engineering studies that support G. & T. application claims. The REA Administrator can thus be the sole judge and jury of whether the applicants actually have no other adequate and dependable source of power, of whether they can really generate power for less than it would cost them to buy it, and—under the new third criterion—of whether their security and effectiveness are being impaired by a hostile supplier.

President Kennedy has called repeatedly for increased public power development, and urged more G. & T. loans. Near Pierre, S. Dak., last August, at the dedication of the sixth (Oahe) of seven great Federal dams on the upper Missouri River, the President called REA co-ops "a happy middle ground between private enterprise and public cooperation" and declared that "the role of REA isn't finished." And in this same Upper Missouri Basin last year the alliance between REA and Federal power came fully into the open.

MISSOURI ALLIANCE

In the northwestern tier of States ranging from western Minnesota and Iowa to Montana, co-ops buying much of their power from Federal dams on the Missouri were notified not long ago that after 1965 this Federal system—run by the Interior Department's Bureau of Reclamation—could no longer supply enough power for their growing needs. How and by whom should the additional power be produced? The Federal Government was shortly confronted by a basic choice. One way pointed toward the possible nationalization threatened by the tie-in of Federal hydro and co-op steamplant generation. The other way pointed toward what Secretary of the Interior Udall calls "cooperative competition" between private and public power.

The first alternative would require REA to make a big G. & T. loan to a group on co-ops. Power companies thought they saw a blueprint for the kind of creeping nationalization they fear when a detailed plan for a joint REA-Bureau of Reclamation development in the region appeared in July 1960. It was prepared and published by an organization called the Midwest Electric Consumers' Association. As the first step in the plan, it proposed that a 200,000-kilowatt co-op generating plant "should be built and on the line by 1965" and that it "should be installed on a site near Garrison Dam [North Dakota] * * * within approximately 13 miles of the Garrison [Bureau of Reclamation] substation." Two rival groups of the region's co-ops, calling themselves respectively Basin and Lignite, formed to seek the G & T loan.

The second alternative was presented to the Interior Department early last year by a group of 14 of the region's power producers. The group offered to firm up the Federal hydro system's power, and thereby increase it by half, without requiring the Government to spend or lend a single dollar for new generating plants and transmission lines.

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[1] Commissions have long permitted the companies to sell power to co-ops at special low rates or discounts off their standard wholesale rates. But the Southwestern Public Service Co., operating in Texas, Oklahoma, and New Mexico, was challenged by the Federal Power Commission last year for possible discrimination against its other wholesale customers by granting too low a rate to a group of co-ops.

This seemed an ideal solution. Power consumption in this area—down in summer, up in winter—is the seasonal opposite of hydroelectric production. The 14-producer group offered to make up the Federal system's winter deficit in exchange for its summer surplus, with money changing hands only in exceptional circumstances. Between them, the group members already had 42 interconnections with the Federal lines. In addition to 12 power companies, the group included the Omaha Public Power District (no private power companies are left in George Norris' Nebraska) and the biggest G. & T. co-op, Wisconsin's Dairyland Power Cooperative. In this connection it should be firmly noted that many midwestern and western municipal power companies and REA co-ops find Washington control just as repugnant as private power companies do, and are, in fact, as fiercely individualistic as any Wall Street banking house.

On May 3, 1962, Secretary of the Interior Stewart Udall rejected the 14-producer offer. He announced that he had decided to deal instead with the Basin Electric Power Cooperative of Bismarck, N. Dak. Seven days later REA announced a $36,600,000 G. & T. loan to the Basin Co-op.

The bitterness of the rejected 14-producer group was easily matched by that of the rejected Lignite Co-op group. Both groups interpreted the decision as a move toward greater federalization of electric power. Evidence of Administrator Clapp's open alliance with the Bureau of Reclamation appeared in the five special stipulations that he had laid down for the G. & T. loan. One was that the group receiving it must agree in advance to use the Bureau's transmission system. The Bureau, in turn, would not permit use of its lines unless the Co-op group agreed to sell it power on its own terms, which the Lignite group considered unfair.

"The Basin people have sincere convictions," says a Lignite spokesman, "but we don't see things their way. We want to run our own business, not have it run by the Federal Government. Of course, if you want to argue about the way we borrow our money, that's all right. But we do borrow it and we pay it back and we do a job, and the Bureau of Reclamation doesn't tell us how to do it. That's why we feel we're more a private-enterprise-type business than a public-power type, and we want to keep it that way."

The Basin manager, James L. Grahl, former assistaant general manager of the American Public Power Association, makes no secret of the fact that Basin's is only the first of many generating plants that will be needed to supply the region's Co-op customers and firm up the Federal hydropower. And just as the blueprint of the Midwest Electric Consumers' Association predicted, the first 200,000-kilowatt Basin generating plant will be "on the line" precisely by late 1965 and, sure enough, it will be located on a site near Garrison Dam, within approximately 13 miles of the U.S.' Bureau of Reclamation's Garrison substation.

The skeptics add one more funny coincidence to this pattern. In its original publication, the Midwest association's executive director was listed as none other than Ken Holum, the same who is now Assistant Secretary of the Interior for Water and Power. "Ken Holum," says an acquaintance, "is a man who had a dream and then got in a position to make it come true."

If Holum and Clapp retain their present positions and Congress does not intervene, it seems highly probable that, sometime in 1963 or 1964, REA will announce something similar to the second step in the Midwest association's blueprint for the Missouri Basin. That calls for another 200,000-kilowatt plant to be located "at Vermillion, S. Dak., or some location near the head of navigation so that coal can be delivered by barge. If nuclear-plant design is far enough advanced at this time, this could be a nuclear plant."

BANKS FOR ELECTRIC COOPERATIVES?

Clearly, the REA crisis must be resolved—but with fairness to both sides and to the Nation. It is inconceivable that Congress would today, at one stroke, deliberately create what the REA complex has in fact become; certainly the Congress of 1936 had no such intention. Nevertheless, REA co-ops exist and, like scrambled eggs, cannot summarily be returned to the state of nature. Created by the U.S. Government, they grew with government encouragement and assistance. They are not just poles and wire and generators. They are tens of thousands of dedicated people who over the years have put an enormous amount of work, much of it unpaid, into what they sincerely believe is a public service not only to their neighbors but to the Nation. They are by no means unanimous in their support of the policies of Norman Clapp, Clyde Ellis, and Kenneth Holum. But they take pride in their achievement, and feel strongly that they have earned its rewards.

Is there a way that REA co-ops can cut the silver cord of dependence on Government paternalism and become in truth the "independent business enterprises" that REA now calls them?

A model for REA co-op independence has been operating successfully for nearly 30 years. In June 1933, Congress authorized the Farm Credit Administration to organize 13 banks for cooperatives—12 district banks plus a central bank in Washington—to make loans to farm purchasing, marketing, and service co-ops. Until 1956 most of the banks' capital stock came from a Government revolving fund. Then it was decided that cooperatives should gradually acquire a larger amount of stock in the banks and eventually own them. As a result, Government capital has been reduced, from $150 million on January 1, 1956, to $94,800,000 on June 30, 1962.

In fiscal 1962 the co-op banks marketed six short-term issues, mostly to commercial banks, insurance companies, and other institutional investors, which brought $887 million at interest ranging from 2.95 to 3.2 percent. The co-op banks in turn loaned cooperatives $860 million, at interest ranging from 4 to 5 percent for commodity loans and from 4¼ to 5½ percent for operating capital and facility loans. Cooperatives now own $67 million of the banks' stock. Patronage refunds distributed to the cooperatives in the form of stock in the banks has reduced their average effective interest to 3.06 percent. They also have a $17,500,000 share in the co-op banks' earned net worth of $105 million. Since 1933 cooperatives have borrowed a total of $11.6 billion from the co-op banks—nearly triple the total of REA loans.

Could REA be converted into a similar system of banks for electric cooperatives? Fortune put the question to a famous old firm of securities underwriters, with the following figures. In 1960, REA borrowers earned net margins (i.e., profits) totaling $87 million. The borrowers own general funds or reserves totaling $539 million. Deducting a generous 9 percent of total plant for operating reserves, this leaves $180 million in genuine surplus funds. If REA borrowers were to pool these funds, they could begin with more than the stock of the FCA banks for cooperatives. By 1962 repayments had brought REA borrowers an average 21 percent equity, worth about $800 million, in their systems.

It is the underwriters' opinion that such a system of banks for electric cooperatives would have no trouble in marketing long-term bonds. Like other untried issues, its first would probably have to pay an above-normal return, of perhaps 5 percent. Later issues should rank with the best utility bonds, currently paying interest of 4.2 to 4.4 percent, and the interest might well go lower. The REA banks could easily borrow all that the co-ops might need, beginning at $500 million a year and rising substantially. Present Government loans would be repaid at the agreed 2 percent, but REA's present first mortgages on its borrowers' facilities should be replaced by bonds holding equal rank with others to be issued.

To smooth the transition to independence, Congress might well lower the interest rate on the new banks' bonds by giving them a Government guarantee. If the need were demonstrated, it might also—as President Eisenhower suggested in his 1961 proposal for REA co-op financial independence—help start the new banks with a Federal loan. Other concessions would merit consideration. If, for example, Congress really does want to achieve the REA goal of "area coverage" by subsidizing electric service to every last country dweller in the land, it might create a special fund on which co-ops could draw for the purpose.

It would be left to each State to decide whether its independent electric co-ops should be subject to full commission regulation. But even without that, power companies might well grant the co-ops the same territorial recognition they now give each other—on one condition.

That condition would be that Congress eliminate the threat of nationalization by enacting the recommendations painstakingly made by its own advisory commission, the second Commission on Organization of the Executive Branch of the Government (Hoover Commission) in 1953–55. Charged with recommending ways of eliminating from the Government "nonessential services, functions, and activities which are competitive with private enterprise," the Commission put its expert task forces to work, concluded that REA should be transformed into "a self-supporting institution securing its own finance from private sources."

Concerning Federal electric power, the report continued: "The task force insists that if the Federal Government does engage in business activities normally conducted by private individuals, it should charge rates which recover at least the actual costs of conducting them.

"It also states that there is neither economic nor social reason, nor reason in equity, why all customers of Federal power should not pay in their rates their fair share of the costs of Federal, State, and local governments."

The Commission therefore recommended that Congress equalize private and public power rates—and competition—by requiring that Federal power be sold at rates which would amortize and pay interest on the Federal investment involved, and would include amounts equivalent to the Federal, State, and local taxes paid by private power companies.

A statute to that effect would banish the specter of nationalization.

OFF UNCLE SAM'S SORE BACK

The power needs of the United States, with its growing population and advancing technology, are boundless. There is plenty of room for both REA public power and private power systems, and for what Secretary Udall calls cooperative competition between them, if that competition is thus made fair.

With this position granted (and it does not sit well with either private or Government power purists), the next move, in spirit, must come from those independent-minded among the co-ops. Their very independent-mindedness might lead them to resist a pooling of their funds to free up the whole system; on the other hand, there are heartening

> signs of a growing co-op determination to get free of Washington.
>
> One notable challenger is a rugged individualist named Les Dumond, manager of the Northern Rio Arriba Electric Co-op, Inc., called NORA for short. Having refused to attend the National Rural Electric Cooperative Association national convention in Atlantic City last year, Manager Dumond let fly in his NORA Co-op News to explain his reasons. After detailing the impassioned demands and denunciations to be made at the convention, he continued:
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> "The governing board of this cooperative has gone on record repeatedly over the years to this effect:
>
> " 'We believe wholeheartedly in the original concept of the rural electrification program. We are grateful for the fact that through it we have been able to bring good electric service to NORA country. It could not have been done any other way.
>
> " 'We believe, just as wholeheartedly, that, as soon as possible, co-ops should start getting off Uncle Sam's sore back. With 90 percent of the co-ops, that was 5 years ago.' "
>
> Manager Dumond's co-op headquarters are in Chama, N. Mex. about 300 miles as the crow flies, and immeasurably distant in spirit, from the "5,000,000th consumer" festivities at John and Margaret McGuffin's lonely ranch.

Mr. Speaker, we here in Congress must face up to this so-called REA problem. We cannot just close our eyes and hope it will go away, because it seems to be getting worse rather than better. During the hearings last year before the Agriculture Committee, the REA Administrator was cautioned about some of his current excesses, as in the case of section 5 loans for snow-making machinery—but he has continued to make such loans for commercial or industrial purposes. Congress created this program and Congress has the responsibility for establishing the policies to guide its future activities.

The President in his budget message this year again called for the establishment of an REA loan account, but as yet no legislation has been introduced to carry out this suggestion. If and when hearings are held on this subject in the 88th Congress, we may have the opportunity to clarify some of these other aspects of the program.

I have no desire to hurt the rural electric cooperatives, but I agree with the manager of the NORA cooperative in New Mexico who was quoted in the Fortune article as having said recently:

> We believe that * * * co-ops should start getting off Uncle Sam's sore back.

NUMBER OF EMPLOYEES IN USDA SKYROCKETS — ASCS EMPLOYMENT GOING UP IN FISCAL YEAR 1964

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, on February 14, 1963, Secretary of Agriculture Freeman spoke at the National Farm Institute in Des Moines, Iowa, about the number of employees in his Department.

This is a subject about which the Secretary should be most adept since he is adding employees at a faster rate than any of his predecessors. Yet, the press release issued by the Department of Agriculture last week covering the Secretary's Des Moines speech leaves the definite impression that the number of people working on farm programs is declining. This is not true. USDA press release 499–63 which the gentleman from Iowa [Mr. SMITH] inserted at page 2275 of the RECORD for February 14, 1963, reads as follows:

> Secretary of Agriculture Orville L. Freeman said today that employment in the Department's agency most directly concerned with farm programs is declining.
>
> He told the Des Moines, Iowa, Farm Institute, meeting in its 25th session, that full-time Federal employment in the Agricultural Stabilization and Conservation Service has been reduced by nearly 600 persons in the past 2 years. He indicated the downward trend would continue.
>
> ASCS is the Department agency which administers farm commodity programs in the field and supervises storage and disposal programs of Government-owned farm commodities. Total employment in the agency at the beginning of this year was 7,071 as compared to 7,646 at the beginning of 1961.
>
> This reduction in personnel as of January has come about not because there is less to do, but because we are finding more efficient ways to do more work with fewer people in the administration of farm programs and in the handling of commodity stocks.
>
> The Secretary said he was citing the ASCS example to correct a growing public misconception that Department employment grows while the number of persons employed in agriculture continue to decline.
>
> I want to make it clear that the number of USDA personnel is increasing, but the increase is coming in those areas and programs where increased demands are being made for services which benefit all 186 million American citizens.

It is interesting that the Secretary should base his whole case on USDA employment on the ASCS situation. Using the Secretary's own figures and using the dates he cites, there may well be a decline of 575 jobs on paper from early 1961 to early 1963. But what about the situation now and what about the request for jobs for the forthcoming fiscal year—1964?

In this regard, I draw the attention of the House to the personnel summary for the Agricultural Stabilization and Conservation Service—ASCS—which appears at page 124 of the appendix to the budget for fiscal year 1964. In the category of "average number of all employees" for fiscal year 1964, you will find the figure 7,912. Their average grade will be a GS-7, and their average annual salary will be $6,767.

Thus, it can be seen from the official budget figures furnished by the Department of Agriculture itself that the number of employees in ASCS will not be 575 less than at the beginning of 1961. There will, in fact, be 266 more people there than at the beginning of 1961 and 841 more people than at the beginning of 1963.

The Secretary's juggling act with employment numbers falls completely flat when we see that there was a decline in total USDA employment in 1959 and again in 1960 which was followed by increases in 1961, 1962, 1963, and 1964. By adding 19,026 people in the 3-year period from June 30, 1961, to June 30, 1964, Mr. Freeman could man a full U.S. Army division.

To document my statement, I refer to the figures which Dr. Walter Wilcox, senior agricultural specialist at the Library of Congress, obtained from the Department of Agriculture and which I inserted into the RECORD at page 1860 on February 4, 1963. I ask unanimous consent to include this data on USDA employment for fiscal years 1933 to 1964 at this point in the RECORD.

Number of employees in the Department of Agriculture, fiscal years 1933 to 1964 (estimated)[1]

Fiscal year:	
1933	[2] 33,233
1934	[2] 54,208
1935	[2] 85,114
1936	[2] 82,302
1937	[2] 80,125
1938	[2] 84,031
1939	[2] 86,250
1940	[2] 81,886
1941	[2] 90,169
1942	[2] 91,141
1943	[2] 104,510
1944	77,720
1945	81,984
1946	96,590
1947	87,483
1948	82,134
1949	86,247
1950	84,097
1951	81,350
1952	78,559
1953	78,404
1954	76,276
1955	85,503
1956	89,398
1957	95,998
1958	101,139
1959	97,220
1960	98,694
1961	102,557
1962	[4] 110,511
1963	[4] 116,268
1964	[4] 121,583

[1] U.S. Bureau of the Census. "Statistical Abstracts of the United States, 1938–62."

[2] Employment figures for December.

[3] U.S. Department of Agriculture.

[4] U.S. Budget, 1964. Washington, 1963, p. 422.

Mr. Speaker, everybody recognizes that the Department of Agriculture performs a variety of services for our whole population, but as a member of the legislative committee, I cannot recall considering legislation which would add 19,026 people to the Federal payroll. Let us just remember one thing—our farm population is declining. It has been for some time, and it is continuing to do so under Mr. Freeman. In the past 10 years—from 1950 to 1960—it declined 41.3 percent. In the same period, it has declined 27.3 percent in my home State of Iowa. We have lost another congressional seat because of this decline. Mr. Freeman certainly cannot convince me that he needs 5,215 more people next year, and I doubt very much that he will be able to convince the Committee on Appropriations and the Congress either.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day.

The Clerk will call the first bill on the Consent Calendar.

PROVIDING ADDITIONAL COMPENSATION FOR VETERANS HAVING SERVICE-INCURRED DISABILITY OF DEAFNESS OF BOTH EARS

The Clerk called the first bill (H.R. 199) to amend title 38 of the United States Code to provide additional compensation for veterans having the service-connected disability of deafness of both ears.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

STATUTORY AWARD FOR APHONIA

The Clerk called the bill (H.R. 214) to amend title 38 of the United States Code to provide additional compensation for veterans suffering the loss or loss of use of both vocal cords, with resulting complete aphonia.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AUTHORIZING COMMITTEE ON AGRICULTURE TO CONDUCT STUDIES AND INVESTIGATIONS

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 38 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That effective from January 3, 1963, the Committee on Agriculture, acting as a whole or by subcommittee, is authorized to make studies and investigations into the following matters:

(1) The restoration and development of foreign markets for American agricultural products and of international trade in agricultural products; the disposal of agricultural surpluses pursuant to Public Law 480, Eighty-third Congress, as amended, and the use of the foreign currencies accruing therefrom; and the effect of the European Common Market and other regional economic agreements upon United States agriculture;

(2) All matters relating to the establishment and development of an effective Foreign Agricultural Service pursuant to title VI of the Agricultural Act of 1954;

(3) All matters relating to the development, use, and administration of the national forests, including but not limited to development of a sound program for general public use of the national forests consistent with watershed protection and sustained yield timber management, and study of the forest fire prevention and control policies and activities of the Forest Service and their relation to coordinated activities of other Federal, State, and private agencies;

(4) Price spreads between producers and consumers;

(5) The formulation and development of improved price support and regulatory programs for agricultural commodities; matters relating to the inspection, grading, and marketing of such commodities; and the effect of trading in futures contracts for such commodities;

(6) The administration and operation of agricultural programs through State and county agricultural stabilization and conservation committees and the administrative policies and procedures relating to the selection, election, and operation of such committees;

(7) The development of upstream watershed projects authorized by Public Law 156, Eighty-third Congress, and the administration and development of watershed programs pursuant to Public Law 566, Eighty-third Congress, as amended; and the development of land use programs pursuant to titles I and IV of the Food and Agriculture Act of 1962: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purposes of such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States, or outside the United States by subcommittee of not to exceed five members, whether the House has recessed, or has adjourned, to hold such hearings, to make such inspections or investigations, and to require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee, or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths or affirmations to witnesses.

The committee may report to the House (or to the Clerk of the House if the House is not in session) at any time during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read the committee amendments, as follows:

On page 3, beginning on line 11, delete the words "or outside the United States by subcommittees of not to exceed five members,".

On page 4, after line 4, add the following paragraph:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Agriculture for expenses of its members or other Members or employees traveling abroad."

Mr. SMITH of Virginia. Mr. Speaker, this resolution provides for investigatory authority for the Committee on Agriculture. I was prepared to call it up when we had the large number of resolutions here earlier in the session. However, the chairman of the Committee on Agriculture, the gentleman from North Carolina [Mr. COOLEY], asked me to hold it off. I am now informed by the clerk of the committee that the gentleman from North Carolina would now like to proceed with it.

Mr. Speaker, this resolution is in the same form as the resolutions for other committees of the House; that is, it has an amendment with a restriction on the use of foreign currencies and does not give the committee authority to travel abroad.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT TO THURSDAY, FEBRUARY 21, 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE OVERALL BUDGET PICTURE

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, the subcommittees of our Appropriations Committee are meeting daily poring over the volumes of justifications, listening to and interrogating departmental witnesses.

From time to time I shall be expressing myself on this critical issue of Federal spending in more specifics, but at this time I should like to make some general observations on the overall budget picture.

The President has submitted a budget for fiscal year 1964 which anticipates that expenditures can be held below $100 billion and the deficit below $12 billion. Despite the monumental nature of these figures, there is still room for serious doubt that either expenditures or the deficit can be held down to the estimates.

EXPENDITURES

Uncertainties as to the validity of the expenditure estimates arise in at least three areas:

First. Whether certain anticipated reductions in expenditures will actually occur. The budget estimates are premised on the assumption that substantial expenditure reductions can be made within the categories of agricultural and international affairs and lesser reductions in housing and veterans' affairs.

Agriculture: The fiscal year 1964 budget assumes that expenditures for agricultural programs can be cut a billion dollars below fiscal year 1963 expenditures. One basic reason for skepticism lies in the fact that last year's budget also estimated that fiscal year 1963 expenditures for agriculture could be cut—by $500 million below fiscal year 1962. Instead, they are now expected to be nearly 1 billion higher than in fiscal year 1962. There seems little assurance that this year's program will fare any better.

International: The new budget assumes that the activities of the Export-Import Bank will result in a net inflow of funds to the Treasury of approximately $650 million on top of a comparable inflow of $225 million in the current year. Whether disinvestment of this magnitude will be achieved at a time when such studies attention is being paid to increasing U.S. exports seems unlikely.

Housing: Expenditures for housing programs are projected to fall by $250 million, largely on the premise that the category "aids to private housing" will provide net receipts for the Government of $437 million, a figure substantially larger than comparable receipts in any year in the preceding decade.

Veterans: For the second year in a row expenditures on veterans' programs are projected to decrease. However, revised fiscal year 1963 figures for the Veterans' Administration now indicate that expenditures for fiscal year 1963 will be more rather than less than those for fiscal year 1962. Additional basis for skepticism as to the possibility of a reduction in fiscal year 1964 veterans' expenditures derives from the fact that expenditures for veterans' programs have fallen in only 2 years in the past decade and never by more than a third of the drop predicted for fiscal year 1964.

Of particular significance is the fact that in three of the above four areas, the projected expenditure cuts are based primarily on the assumption of positive actions by the business community, that is, net purchase from the Government of well over $1 billion worth of CCC cotton, HHFA mortgages, and Exim Bank paper. If expenditures fail to fall as indicated, the business community can be blamed for lack of cooperation, just as it failed this year to live up to its potential and to help produce the gross national product and the corporate profits on which the initial estimates of the fiscal year 1963 budget surplus were premised.

Second. Whether certain supplemental expenditures can be made in fiscal year 1963. In the 2-month period between November 1962 and January 1963 estimates as to required fiscal year 1963 supplemental appropriations jumped $1.1 billion and anticipated fiscal year 1963 expenditures $624 million. For example, it is now proposed to ask Congress for an additional $500 million in appropriations for the accelerated public works program and to expend more than $100 million of these moneys before June 30, 1963. It is entirely possible that certain of these new expenditures are shown for fiscal year 1963 in order to provide a better picture in fiscal year 1964; to the extent, of course, that accelerated programs of this nature do not result in actual spending before the end fiscal year 1963. Fiscal year 1964 expenditures will rise commensurately.

Third. Whether the fiscal year 1964 budget makes adequate allowance for the cost of existing and proposed civilian programs. The new budget rests on a promise that, taken together, expenditures for programs other than for defense, space, and interest will be held "to this year's level, and even reduced somewhat." Keeping this promise has, of course, been simplified by revising the estimate of the current year's expenditures upward by $624 million, of which a substantial amount is for civilian programs. Otherwise, somewhat over $1.5 billion in expenditures increases for civilian programs are presumed to be offset by the purported expenditure reductions noted above. Whether the budget adequately allows for the costs of certain programs thus depends on whether these and other proopsed expenditure reductions can actually be made and whether the other existing civilian programs and the new programs—such as the new education program, the National Service Corps, and urban mass transportation—proposed in the state of the Union message and elsewhere can be held to stated levels. The allowances for these latter appear arbitrarily small, particularly when it is noted that the allowance for contingencies is only $200 million, or only two-tenths of 1 percent of the budget.

When the above areas of probable spending increases are coupled with the experience of the past 2 years—the fiscal year 1962 budget ran $3.5 billion more than President Kennedy's initial spending estimate and the fiscal year 1963 budget is now running $1.8 billion more than his original estimate—it appears reasonable to assume that fiscal year 1964 spending is not likely to be held at $98.8 billion, as projected, but will more likely run in the magnitude of $101 billion.

REVENUES

So many imponderables are involved, as the result of the proposed new tax legislation, that it is almost impossible to reach a valid judgment as to whether fiscal year 1964 receipts are likely to reach the $86.9 billion total estimated in the budget message. A reasonable guess might be that if no tax legislation is passed in the current session revenues might reach $90 billion whereas if legislation of the nature recommended by the President should pass that revenues might be in the magnitude of $85 billion or approximately the figure now estimated for the current fiscal year—fiscal year 1963.

A basic reason for doubting that fiscal year 1964 receipts would reach $86.9 billion if the tax cuts and reforms recommended by the administration were to be passed without change by the Congress derives from the reliance placed in the budget estimates on a presumed $2.6 billion increase in corporate income taxes. This is the second consecutive year an assumption of this nature has been made. The fiscal year 1963 budget estimates predicted a $5.3 billion increase in corporate taxes over fiscal year 1962—from $21.3 to $26.6 billion—but this figure has now been revised downward by $5.4 to $21.2 billion. The point here is that corporate tax receipts have held to a plateau of approximately $21 billion for the past decade and the President has estimated that last year's depreciation reform and investment credit will reduce taxes on business by over $2 billion. In consequence, even with the initial acceleration of corporate tax payments proposed in the budget, there seems little to suggest that taxable profits will rise sufficiently to provide the added corporate tax receipts projected in the budget.

DEFICIT

In view of the imponderables regarding prospective revenues it is difficult to project the likely deficit for fiscal year 1964. However, on the assumption that expenditures will probably run to $101 billion and that Congress will enact some form of tax cut, it seems reasonable to anticipate that the deficit will be at least $13 to $14 billion. This would result in both the highest spending of any year in American history and the largest deficit of any year in peacetime history.

PUBLIC DEBT

The public debt at the end of President Eisenhower's last full fiscal year in office was $286 billion. As the result of the $3.9 billion deficit in fiscal year 1961, the $6.4 billion deficit in fiscal year 1962, and the projected deficits of $8.8 billion in fiscal year 1963 and $11.9 billion in fiscal year 1964, the total debt is officially projected to increase to $316 billion at the end of fiscal year 1964 or by over 10 percent since 1960. Even this estimate is probably low and along with all the other changes in permanent and temporary debt ceilings which will have to be sought the next few months will require Congress to establish a temporary debt ceiling during fiscal year 1964 of approximately $325 billion to accommodate fluctuations in revenue collections.

ECONOMIC PHILOSOPHY

Budgets are merely plans; what is more important in the scheme of things is the philosophy they reflect. Here lies reason for even greater concern than in the budget figures themselves.

With respect to taxes, for example, it is difficult to believe that the basis for the tax program has been thoroughly thought through. The opening paragraphs of the budget message note that the checkrein of taxes—estimated at over $150 billion a year at the Federal, State, and local levels—must be loosened. Yet the fact of the matter is that the Nation's tax bill will probably rise more than $6 billion this year. Federal income and excise taxes are estimated to rise about $1.5 billion in fiscal year 1964 despite the proposed tax cuts. Social security taxes will rise $2 billion this year and it has been estimated that State and local tax collections will rise about $3 billion. Proposed reductions in Federal taxes will reduce the total burden somewhat from what it might have been, but since total tax collections would apparently still run 4 percent or so more than last year, it is difficult to see how the tax program can provide the projected fillip to economic activity.

In the same vein, one must wonder whether the anticipated results could be achieved even if the total tax burden were to be reduced in the specified ways. It is one thing blithely to assert that the proposals for tax reduction and reform will step up the growth of the economy, improve productivity, and increase job and investment opportunities. It is another thing for this to happen. On the one hand there has been no showing that the reductions and reforms proposed are precisely those which will stimulate sound growth and investment so that they are directed at areas where additional incentives are likely to be most effective. And on the other hand, there can be no certainty that even if these were the right types of reforms and reductions that individuals and corporations would spend the money in amounts or ways they were expected to, rather than save it or apply it to debts. This is not to question the desirability or beneficial effects of tax cuts as such; rather it is to question whether the proposed tax cuts would accomplish the specific ends which are projected.

The extreme fragility of the economic model can be illustrated in other ways. For example, it is suggested that the budget will be back in balance by fiscal year 1966 or 1967. There has been no explanation of how this is to be accomplished and at what level other than by reference to the fact that revenues rose rapidly after the tax cuts in 1954, thus permitting achievements of balanced budgets in fiscal years 1956 and 1957. What is conveniently overlooked, however, is that this equilibrium was in part brought about by 2 successive years of expenditure reductions which pulled the expenditure level down by nearly $10 billion below the fiscal year 1953 figure. Obviously, nothing like this is planned at the present. Indeed, the experience of the first 4 years of the present decade and the increasing amounts of spending authority which are being built up in excess of actual expenditures—unexpended balances at the end of fiscal year 1964 are estimated at $95 billion—suggest that under present planning the Federal budget will tend to rise at a rate of some $5 billion a year throughout the 1960's. If this occurs, there is certainly no evidence as yet that it can be balanced before the latter part of the decade or even that deficits in the magnitude of $10–$15 billion a year can be avoided over the next 2 or 3 years, unless substantial changes are made in the administration's tax and spending programs. The grim implications for our balance-of-payments position, or gold stock, and for confidence in the dollar of failure of the administration's fiscal gamble are plain to see. What is not plain to see is any allowance whatsoever for possible failure.

Almost as disturbing is the extent to which the concept of gross Government expenditures as a spur to the economy permeates the budget. The Budget Director has formally testified that:

> Reduced Federal purchases of goods and services in fiscal 1964 would, of course, reduce private production, employment, profits, and wages.

On this basis, increased Federal expenditures are presumably desirable and spending becomes an end in itself, freed from the normal constraints of program needs and priorities and of available revenues.

In the light of such concerns, one is hard pressed to accept the administration's assurances that the fiscal year 1964 budget is "frugal," and "prudent" and that its "tight discipline" limits expenditure program "severely." Indeed, even the use of such words suggests almost a rewriting of the English language. When coupled with assurances that deficits are really assets and surpluses a liability, we seem to be dealing no longer with "1964" but rather with "1984"—a la George Orwell.

CONCLUSION

Intrinsic to the entire picture is the matter of confidence. If the architects of the new fiscal program had demonstrated by performance during the past 2 years that their predictions could be expected to have validity there might be less reason for uneasiness as to the likelihood of success of this U.S. version of "The Great Leap Forward." The same would be true if there were evidence that the prescribed remedies had worked in the past.

Certainly there is little basis for confidence in the administration's economic and fiscal predictions. In fiscal 1962 the deficit turned out to be twice the original estimate. For fiscal 1963 the gross national product and anticipated revenues were hopelessly overstated, with the result that the initially projected $500 million surplus is now anticipated to turn into $9 billion deficit. The administration's 1963 targets for "full employment" and "reasonable equilibrium" in the balance of payments have now been quietly relegated to the indefinite future. Similarly, despite all the reliance which is to be placed on compensatory spending, there has been no evidence produced to demonstrate that it has ever worked in a comparable situation. In the light of the past, therefore, one is led to wonder if we are not again being asked to set sail on a troubled sea, bound for an unknown destination, with no certainty as to the adequacy of the fuel supply, and knowing only that on their last trip the pilots—though favored by a fair wind and a following sea—made landfall far from their stated destination.

FEDERAL EMPLOYMENT

Mr. MICHEL. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. SHORT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SHORT. Mr. Speaker, I was delighted to learn the other day from the chairman of the Joint Committee on Reduction of Nonessential Federal Expenditure's that the Federal employee count—which, as of November 1963, was shown to have increased by 145,380 over the figure of 2,352,799 when President Kennedy took office in 1961—has now dropped by 9,870 as of the first half of fiscal 1963, ending December 31.

This is good news to all interested in economy and efficiency in our Federal Government. Even the added explanation that 3,837 of this decrease actually was a "paper change" instead of an actual reduction in force of live Federal employees did not dampen too much my feeling that perhaps we were at last headed in the right direction. Apparently the Veterans' Administration patient employees will no longer be included in the totals of Federal employment.

This, according to figures I have been keeping in mind, means that instead of the 145,380 increase under the Kennedy administration, we now have only a 135,510 increase—also taking into account the "paper switch" of employees.

In any event, my thoughts turned once more to a speech made by Senator Kennedy, while running for the Presidency, at an airport rally in Roanoke, Va., November 4, 1960. In the speech, among other things he was criticizing the Eisenhower administration for, he stated:

> This administration * * * they have added 106,000 new—nondefense—Federal employees. I think it is about time the American people knew.

I too think the American people should know and I hope the President will approve of my pointing out that during the first 2 years of his administration Federal employment increased by 135,510.

Just so the people will know, I will call attention to the President's 1964 budget message, sent to Congress on January 17, wherein he stated:

> This budget has been prepared with special attention to employment trends in the Federal Government. Requests for additional jobs have been reduced or denied whereever possible.

Apparently it was not possible to hold Federal employment down since the 1964 budget provides for 39,000 new Federal jobs.

Feeling that successful efforts should always be given attention, and in line with the President's desire—while a candidate—that the American people should be kept informed, I hope this information will be of interest and value.

ROMULO BETANCOURT, PRESIDENT OF VENEZUELA

Mr. MICHEL. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, this week the President will throw out the Washington red carpet for Romulo Betancourt, President of Venezuela. We may expect a great deal of fulsome talk in the press, over the airwaves, and in all uninformed circles about Mr. Betancourt's stern anticommunism, and his great love of the United States.

I do not like to be a discordant voice at this love feast, but there are some questions which the American people would like to have answered before we go all out for this dubious visitor.

The high-priority question is, What is Betancourt after? His former Finance Minister, Dr. Andres German Otero, according to the New York Times, has stated that Betancourt's regime expects to obtain at least $1 billion in foreign loans, most of it from the United States—naturally. Since the statement was made, the Betancourt government has tapped practically every available lending agency in Washington, and the closest total I can obtain is that it has pulled down already between $300 and $400 million.

Is President Kennedy going to be asked this week to pay up the rest, as the price of continued Betancourt "friendship"? And is he going to pay it?

The grim reflection for American taxpayers is that the Venezuela Government which Mr. Betancourt and his leftist friends overthrew in 1958—the government of President Marcos Perez Jimenez, handed down to Mr. Betancourt the legacy of a prosperous, advancing Venezuela which, so far from begging handouts, actually offered, at the Panama conference of 1956, to take the lead in launching an organization similar to the present Alliance for Progress, and to start it off with an initial Venezuela contribution of $30 million. As a matter of fact, former President Perez Jimenez and former President Kubitschev of Brazil were the fathers of the concept of the Alliance for Progress.

The First National City Bank, in its report of June 1957, 18 months before Betancourt came to power, described the financial shape of Venezuela under Perez Jimenez in the following words:

> External debt, other than the small Export-Import Bank loans, was liquidated a long time ago. Internal debt, consisting chiefly of Government-guaranteed obligations of various autonomous organizations is relatively modest.

Before we hand out any more U.S. money to prop up the tottery Betancourt regime, I believe we should pointedly ask Mr. Betancourt what he has done to the Venezuela economy that he is now going around, hat in hand, begging for loans. Venezuela is one of the most richly endowed nations in South America. Under the regime of his predecessor, Perez Jimenez, it was a have nation in a surrounding continent of have nots. What has Mr. Betancourt done to this once-prosperous country that it has fallen to its present low estate?

It is not that Mr. Betancourt has suffered any loss of government revenues. As a matter of fact, when he went into office, he sweetened the pot by requiring the oil companies to pay their taxes a year in advance. Professor Carlos Pietri Martinez, the distinguished Venezuelan economist, wrote, at the end of 1961:

> The revenues of the last 4 years are the highest of our history: they reach the incredible figure of Bs34 billion.

And he went on to state that these revenues which Betancourt and the preceding junta collected were more than half the amount pledged by the United States to underwrite the Alliance for Progress for the whole hemisphere.

> We, in only 4 years—

He wrote—

> have squandered more than half that amount.

Where has all this money gone? How much of it has been used, openly and covertly, to pad the government payrolls with Betancourt-supporting "don't works," or to finance Betancourt's farflung schemes for leftist seizure of power throughout Latin America?

Let Mr. Kennedy's visitor answer these questions before we pour any more taxpayers' money down the rathole which is present-day Venezuela.

It is true that Betancourt is engaged in a contest for power today with the official Communist Party, led by the Machado brothers and Jesus Faria. But we would be naive indeed to leap to the conclusion that this means that Betancourt is on our side in the overall struggle with world communism. Many informed observers in Venezuela are convinced that Betancourt, who for 5 years was a functionary of the Communist international, has never ceased to be a Communist even though, today, he woos American help by calling himself anti-Communist. Years ago he announced, when dropping out of the Communist Party, that he proposed to make Venezuela a Communist country by "vaseline"—by putting over Marx-Leninism in Venezuela without the use of the Communist name. The letters are still extant, in an official document of the Venezuela Government, which contain this statement.

If he was unqualified in his anticommunism, does it not stand to reason that he would outlaw the Machado-led Communist Party and drive it out of Venezuela's political life, just as half the other nations of Latin America have already done? Instead, after temporizing with the official Communists for 4 years, he took the half measure last March of issuing an edict limiting their political activities but not outlawing them. The top leaders of the official Communist Party have never even been imprisoned.

But even this weak measure apparently was not sincere. On January 13, 1963, the Caracas press reported that Raul Leoni, Betancourt's top lieutenant and comrade from his Communist Party days—the man whom Betancourt is now supporting for the Presidency of Venezuela as his successor, gave a press conference. In this conference, Leoni held out the olive branch to the official Communists. He declared, as reported in the Caracas daily Ultima Noticias, that the Accion Democratica—Betancourt's party—would be willing to help rehabilitate the Communist Party if it would discontinue its insurrectional activities. This is a tacit admission that the whole fight of Betancourt against the official Communists is not a fight for principle but merely a sordid contest for power between two leftist factions.

There is a vast coverup of the sick record of misrule of Venezuela under its present leftist government. Those who try to get the facts before the people are quickly silenced. The American press receives nothing but the rosy-hued canned propaganda which drips out from the government offices.

One of the myths about Betancourt which has been zealously spread by his liberal backers in this country is that he has brought democracy and civil liberties to Venezuela. Actually, he rules Venezuela today almost as a police state. Since November 1960, when he persuaded the Venezuela Congress to grant the power to him, he has ruled Venezuela by executive decree.

We must not be deceived by every foreign politician who comes here, seeking our money, and calling himself anti-Communist. Remember Fidel Castro when he came to Washington in early 1959 made the public declaration that he was "going back to Cuba to fight the Communists." He fought them all right.

If Mr. Betancourt has been weak and pliant in his pretended fight against the official Communist Party, he has been merciless and stern in his fight against the true anti-Communists in Venezuela. Some 3,000 of them are in exile—the largest number of political exiles in Venezuela's history. Hundreds more, including the great anti-Communist leader, Gen. Castro Leon, are in Betancourt's notorious political prisons. Since he came to power, he has hounded former President Perez Jimenez, whom President Eisenhower praised in 1954 as an outstanding anti-Communist leader. He has gone to extremes to get Perez Jimenez extradited to Venezuela, for his probable death. So gullible are some people in this administration that Gen. Perez Jimenez, on December 12, 1962, was placed in the Dade County jail in Miami, and refused a continuance of his bail on the extradition charge, apparently on the request of Betancourt and as a condition of his visit.

This is the way a genuine Venezuela anti-Communist is treated, while chameleon Betancourt is lionized. No wonder we do not get anywhere in our fight against communism in Latin America.

Let us be courteous to Mr. Betancourt this week because he represents Venezuela, a country which we admire. But let us not be taken in by the claptrap that we are entertaining a great Venezuela President. Betancourt's rule in Venezuela has been a failure. He goes out of office execrated by great numbers of the conservative, decent Venezuelan people. On the eve of his visit, Venezuela was luridly lighted by the flames of the mob-made conflagration that burned the Sears, Roebuck warehouse to the ground, that destroyed the plant of the United States Rubber Co., that blew up the installations of the Shell Oil Co., that wrecked the powerlines to the Maracaibo oilfields. He comes from a country where law and order has completely broken down under his weak mob-tolerating rule.

Betancourt is not America's man in Venezuela. Let us risk no more American dollars propping up his incompetent and Communist-pampering rule.

WITHOUT VISION THE PEOPLE PERISH

Mr. MICHEL. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. St. George] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, the following editorial is sobering, to say the least. It appears in this morning's Wall Street Journal.

The title of the editorial is arresting and makes us realize that vision is what we lack.

Unfortunately, vision cannot be improved by automation or any other gimmick. It can only be supplied by the Almighty, and without it we cannot survive.

Yes, it is still true that "Without vision the people perish."

The editorial follows:

Taxation Without Vision

Sometimes the trouble with asking seemingly unanswerable questions is that answers lie readily at hand. This misfortune, we fear, befell President Kennedy in his latest discussion of his tax program.

"What alternative," he asked his critics, "does anyone have for increasing and maintaining economic growth? * * *" In his view, the only alternative to this specific set of tax recommendations is restricted growth and higher unemployment.

Such categorical positions are characteristic of Government pronouncements. Take it or leave it, Congress and the people are told, or if you change this, then you must pay such and such a penalty.

The facts are quite different. Before getting to alternatives, it must be noted that this Government deliberately ignores a large element of any sound tax program. That is the matter of Federal spending and deficits. Our officials seem unable to discover any connection between high spending and high taxes. As for red ink, they take the Orwellian view that today's deficits equal tomorrow's surpluses.

Now if taxes could be considered in this vacuum, the case for substantial rate reductions would be overpowering. Mr. Kennedy puts it well when he says that the U.S. tax system was written during wartime (and the preceding depression) to restrain growth. Unfortunately for his argument, it does not follow at all that "the most effective thing that can be done at this time is our tax program."

For this particular program violates many of the principles of reasonable taxation. These criteria are well summarized in a new study by the Tax Foundation, and they are worth noting even though they will scarcely find favor in Washington today.

A tax program, for example, should generally provide enough revenues to cover spending—an elementary rule persistently flouted by this and every other administration for the past 30 years. Granted that no tax system can, strictly speaking, be equitable, at least an attempt at fairness should be made.

Taxation of income from additional effort at rates ranging from 0 to 91 percent, as the Tax Foundation puts it, does not qualify as fairness, but in trying to weed out inequities the designers of the new proposals have only compounded them.

Furthermore, a sensible structure would minimize the tax penalties on business. Not because business is something sacrosanct—it certainly isn't that in the eyes of officialdom—but because it is the specific human activity which alone can make an economy prosper. In the words of the foundation study, "business is the major agency for organizing to produce—for allocating productive capacity and its use today and for undertaking economic growth."

The administration's program, with its grudging and slow-moving business rate reductions coupled with new restrictions, retains the punitive antienterprise bias of the thirties. It thus not only contradicts principle but flies in the face of the Government's own professed desire for economic growth.

In addition, a tax system should be simple. Instead we have a tax code of over 900 pages of confusion, a monstrosity hardly equaled in the world, and that's only the beginning of it. The new program would not diminish the complexity but add to it.

In basic tax principles is embedded the basis for a sound alternative to the current proposals. The administration, to its credit, has perceived that the present tax structure is an economic depressant, but it has largely failed to pursue the logic of that perception.

Why? Because a sound program would be politically impossible? To most observers the program as it stands looks pretty close to impossible. Real tax improvement doesn't have to be bad politics.

The alternatives to this unimaginative program exist. What is lacking is the vision to see them.

THE UNEMPLOYMENT PROBLEM

Mr. MICHEL. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. St. George] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, the following excellent editorial appeared in the Evening News, in Newburgh, N.Y., on the 13th of February.

Here once again we see that what is sauce for the goose is definitely not sauce for the gander, in this case the taxpaying public.

In other words, Mr. Speaker, the Government can pay a young man $75 a month, but if I do so I will land in jail, or at the very least have a lawsuit on my hands.

The editorial follows:

Minimum Employment

While unemployment grows and many of our young people look for out-of-school jobs, it wouldn't hurt to wonder how long it will be before a strange legal situation forces them into the Peace Corps and the Youth Conservation Corps, for which a pay standard of $75 a month has been proposed.

The Knoxville (Tenn.) News-Sentinel figures that this works out to about 43 cents an hour for a 40-hour week. It also notes that sponsors of such legislation are asking for the Government a privilege denied to private industry.

We might add that politicians and various economists and union leaders hold up their hands in horror at the thought of such a pay standard for stores, hotels and light industry.

The Knoxville newspaper goes on to state, "Under legislation passed 2 years ago the minimum legal wage for private employers is $1 to $1.15, soon to go up to $1.25. This is little enough for heads of families but it undoubtedly operates to deny jobs to thousands of youngsters who are without experience and aren't considered worth those wages.

"Even with concessions made for students, minimum permissible wages still are about twice what would be offered by these two new Government Corps."

Experience indicates that many poorly paid jobs like packing food sacks and loading cars at market or washing automobiles just disappear when wages get too high. Yet these are jobs which may give a youngster part-time work, on a chance to earn date money. And they may lead to better jobs for those who are observant and keen.

The News-Sentinel says, "Minimum wage legislation in this area, including the recordkeeping which is required, is immeasurably responsible for the alarming rise in unemployment among the young.

"The question: If $75 a month is enough for the Government to pay, then why isn't it permitted to private business? Or, to put it another way, if $75 isn't enough in private employment, why should the Government pay less?"

As we see young people idled by lack of odd jobs and out-of-school employment, summer or otherwise, we might ponder the effect of legislation which seems to favor Government while discriminating against private industry. Surely, the youngster who gets only $75 a month from the Government is no better off than the one who gets $75 a month from the butcher, the baker or the candlestick maker.

U.N. AGRICULTURAL AID TO COMMUNIST CUBA

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, with the announcement several days ago that the United Nations had granted agricultural aid to Cuba, considerable protest was voiced in this body. I was among those who protested.

In a statement for the Record on February 14, page 2230, I voiced my opposition to the action by the United Nations in granting aid to Communist Cuba. This act by the United Nations is an extremely unwelcome and discordant action. It puts the U.N. and the United States at odds over policy toward Cuba.

I stated at that time that I fully supported the investigation of this and related issues which has been undertaken in the other body and announced by Senator Church. Because of the continuing protest of my constituents, I repeat that which I previously said:

> This is a matter in which all of us—the Foreign Affairs Committee which has jurisdiction and the Members of this House—will continue to be vitally interested. It would appear timely to have a complete reassessment of the U.S. positions in the specialized programs of the United Nations.

Mr. Speaker, I am sure that all will agree with me that this body should not undertake an investigation similar in nature and scope to that being conducted by the other body. The facts are that the official U.S. position, with which I am in agreement was opposed to the granting of the aid, but we obviously did not have the votes in the Governing Council of the Special Fund to prevent the action. I am confident that the investigation in the other body will be sufficient on this matter. However, if it is not, then our committee which has jurisdiction will certainly undertake to fill in any gaps.

THE 65TH ANNIVERSARY OF THE BLOWING UP OF THE BATTLESHIP "MAINE" AND OF THE WAR WITH SPAIN

The SPEAKER. Under previous order of the House, the gentleman from

Illinois [Mr. O'HARA] is recognized for 60 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, this is the annual occasion on which I reach out with the hope, and somehow the faith, that I am talking to history.

No greater disservice ever has been done the image of our country in our own eyes, as well as the eyes of the world, as that rendered by some modern writers in their treatment of the war with Spain, which was triggered by the blowing up of the battleship *Maine* in the harbor of Savana 65 years ago on Friday last.

They misinterpret the motivations and the events of an earlier period of old-fashioned American patriotism and a war of pure idealism. I have no personal quarrel with them, any more than I have with fine and beautiful ladies who conform to changing dress vogues even when the current styles in their individual cases might not enhance their own type of beauty.

In 1898 most American women were their own dressmakers. They had neither the money nor the desire to buy store clothes. In most cases they had a feminine pride in designing and sewing together their own gowns, and most mothers made the dresses of their children and with the sons down to their first short trousers on their graduation from kilts.

No one in his right mind would look to a well-dressed American woman of 1963, and most American women do have taste, to pass judgment on the styles and dress of 1898. How, then, can one accept the interpretation of the spirit of 1898, when America moved forward in a war of unselfish idealism to meet its rendezvous with destiny, by historians born years after the event?

SETTING THE RECORD STRAIGHT

Mr. Speaker, I have said that in my remarks today, as well as the remarks I have made every year in this historic Chamber since first I was elected to the Congress, I have the hope, and somehow the faith, that I am speaking to history. I am thinking of the researchers who will come, long after all of us have played our parts and are gone, to the Library of Congress and will browse over the printed volumes of the CONGRESSIONAL RECORD. I am thinking of the time, far away perhaps, when in the perspective and evaluation of history the 50-year period beginning with the war with Spain, then a period of peace and muscle flexing, and World War I, then another period of peace and preparation, and World War II, all this as the 50-year war that ushered in the golden centuries of American world leadership.

WAR OF PURE IDEALISM

I want to set the record straight for these researchers. The commencement of this cycle of half a century that changed the world more drastically than any material cycle of events in history was the war with Spain. It was a war of pure idealism. It was the only war in history fought entirely, as far as the United States was concerned, by volunteers. It was fought on land and sea in the Pacific and the Atlantic. On land it was fought by green troops, inadequately equipped, with food unfit for human consumption and practically no medicine. Against these staggering odds, the war on land and sea in the Pacific and the Atlantic was fought and won in 7½ months.

No war in the history of the world in comparable time accomplished so much for freedom and mankind. It started a chain of dynamic events that changed the political face of the universe and carried every human being in the world forward in his eternal quest for a higher plateau of human contentment and dignity.

It was a war of idealism. The "Spirit of 1898" was an expression of old-fashioned American patriotism, of faith in God and country. It was a rededication of all the American people, in cities and hamlets and on the farms, to the pledge of the signers of the Declaration of Independence of their "lives and fortunes and sacred honor." It was proclaimed and waged and terminated in the finest spirit of self-abnegation ever shown in all recorded history.

VANQUISHED SPAIN HELPED TO ITS FEET

What nation in all history has accorded to a crushed and beaten foe, stripped forever of its once-proud world power, its day of glory ended and poverty at home eating at its vitals, the compassion that the United States showed to Spain? Instead of demanding war indemnity to cover the cost of the war that we had won, the United States actually helped the vanquished Spain to get back on its feet to care for its own impoverished people.

To the peoples of Puerto Rico, liberated from the enslavement of colonialism, the United States gave vast sums of money, by the standards of that period, to tide them over a devastating famine.

To the brave soldiers of Cuba, who long had waged a war for liberation against overwhelming odds until American soldiers joined them as comrades in freedom's fight, the United States gave liberal payments in money with which to buy the tools of agriculture to rebuild the shattered economy of their beloved country. The United States gave to Cuba, freely, unconditionally, and with our blessing and good wishes, the independence as a sovereign nation that long had been the dream of every Cuban heart.

To the Philippines we sent the cream of our youth to serve in all the remote corners of the island as schoolteachers laying the stout foundations in education of popular government as they had been laid in our own country. No other nation in all the recorded history of mankind, left by a war that it had won in possession of such rich territories, wrested from the enemy, abstained as did the United States from taking one acre for itself or one cent of tribute and instead poured out its wealth in money, sweat, toil, and sacrifice for human betterment in a spirit of pure idealism.

LAW OF POLITICAL GRAVITATION

The women of 1898 were not ashamed of the homemade dresses they wore. The men of 1898 were not ashamed of their simple honest faith in their country, their idealism, and their indoctrination with good old-fashioned patriotism.

No generation can be reconstructed on the customs, the conditions and the mores of a later generation. The historians who find permanent place in the world's literature first have reached maturity in a realization of this eternal truth.

The law of gravitation has a political as well as physical impact. It is manifest in the rise and fall of empires, of dynasties, of world powers if we read the histories of those departed eras with the guiding thought to our interpretation that all life is change and the flower of spring has the destiny ahead of development into the fruit or vegetable of the late summer or the autumn. In no lesser measurement young nations, the products of ever-changing conditions, are drawn on to their destinies by the pull of the law of a political gravitation that as yet we have not charted and recognize only in its dim outlines.

On my study missions to Africa I sense in the faces and the voices, not only of those of education and training in leadership, but of the unlettered masses as well, clear evidence of a pull of political gravitation somewhat comparable, I fancy, to that experienced by our early Americans.

In 1898 the term "manifest destiny" was still in popular usage. In this generation it is a term in disfavor. In 1963, when we have become the most powerful nation of the free world, we speak properly of "world responsibility." We are what we are, and ours is a position of grave responsibility. Our use of words and phraseology must be realistic and exact.

IN 1898 WE WERE WHAT WE WERE TO BE

In 1898 we were, in the minds of our people, what we were to be. We were as the blossoming buds of spring that were to be the fruit and the vegetables of late summer and autum.

A new era was opening. There was to be a half century of alternate war and peace from which the United States was to emerge with the awesome challenge of leading in the task of rebuilding a world of freedom, and understanding and human dignity.

To say that the Americans of 1898 were conscious of events to happen, and that their thinking and their actions were charted by the blueprints of the future would be sheer recklessness. I mean no such implication.

I do respectfully maintain, however, that among them was a strong compelling sense of what our country was to be, that they gave expression to this innate sense when they used such terms as "manifest destiny," and when they went to war with Spain, still at the time of declaration of war regarded as one of the great world powers.

It was the pull of the law of gravitation, as potent, as eternal, in its political as in physical manifestations.

In an humble effort to recapture for our Nation the spirit of 1898 and to quiet the confusion that has come from the attempt to reconstruct the era on the manners, customs, and mores of 1963, I shall now address myself to what are the most commonly circulated libels on the war with Spain.

LIBEL NO. 1

It was the unwanted war. That is libel No. 1. The fact is that war was declared by the Congress, without a dissenting vote, and not a single Member of the Congress was defeated at the next election because of that vote.

On April 25, 1898, the House of Representatives passed H.R. 10086 by voice and the Senate passed the resolution by unanimity. H.R. 10086 declared that "war exists between the United States of America and the Kingdom of Spain, and the same is hereby declared to exist, and that war has existed since the 21st day of April A.D. 1898, including said day, between the United States of America and the Kingdom of Spain." It directed and empowered the President of the United States "to use the entire land and naval forces of the United States, and to call into active service of the United States the militia of the several States to such extent as may be necessary to carry this action into effect."

I would be the first to admit that all wars have been unwanted, in the sense that mothers and fathers in all generations, I am sure, would have preferred the paths of peace for their children. With the benefit of hindsight, possibly many wars could have been avoided. There are so many "ifs" in history.

But, to single out the Spanish-American War, the most idealistic and unselfish armed conflict in our national history, as the unwanted war, as though all others were the legitimate and welcomed children of our national historical family and it alone was the unnatural and unwanted child, is the most unjustifiable of libels.

MCKINLEY AND LINCOLN

Many wars might have been averted if there had been the advantage of hindsight, and in our eternal quest for a permanent peace, a goal I have the faith some day will be reached, I think a useful purpose is served in reviewing the circumstances that preceeded the reaching of the point of no return in the armed conflicts of the past. What I object to is the singling out of our war with Spain.

President McKinley was a man of peace, more interested and better versed in the tariffs governing the trade of the world than in the international tensions that menace international amity. It is, however, unfair to his memory to suggest that he was pulled into the war with Spain against his own judgment and convictions by a tide of emotions and of pressures.

President Abraham Lincoln was a man of peace, and until the last moment before the point of no return, he had hoped that the terrible years of civil war to follow would be averted.

National judgments that lead a representative democracy to the grim tragedy of war come from an interpretation by the executive and the Congress of the will of the people. They represent in the final analysis the meeting of many minds of varying approaches and tests of evaluation.

Much is made in a recent scholarly work on the war with Spain of the belief in the mind of our minister to Spain at the time that Spain was on the verge of departing from Cuba, was even willing to give the island over to annexation by the United States.

Chamberlain, when he returned to England, was filled with the peaceful intentions of Hitler. Human nature, frail and imperfect as it is, can fail both in excessive caution and excessive lack of caution.

ON AUGUST 1, 1898, THE WAR WAS OVER

What should be noted in the recital of Spain's reported willingness to quit its colonial hold on Cuba, without a fight or a murmur, is that the alleged date of the turnover was set at August 1, 1898. I was at Santiago de Cuba on July 17, 1898. I had been there since shortly after mid-June of 1898. On July 17, 1898—the date of the armistice—the fighting was over, the war had been won, and Cuba indeed was free. This was 2 weeks earlier than August 1, 1898. It is quite possible, even probable, that as early as July 1, 1898, when the Spanish fleet at Santiago was sunk and the Spanish army crushed, that Spain was willing to release its hold on Cuba. The war already had been won by the United States.

LIBEL NO. 2

It was Hearst's war. That is libel No. 2. It is pure nonsense. Hearst was a colorful young newspaper publisher of the period, and his newspapers did print dramatic and colorful reports of conditions in Cuba and, after the sinking of the *Maine*, of the angry indignation of the American people in the cities, the hamlets, on the farms, everywhere. American newspapers, including the highly respected New York Times, gave full coverage to the events leading up to World War I and World War II. I have never heard anyone say that World War I and World War II were brought on by the newspapers.

I was 15 when war was declared, still 15 when I left the sophomore class in high school to enlist. I became 16 a few days thereafter. Young as I was, I was in a much better spot to know the temper of the American people at that time than those who were born years later.

Seven of my high school classmates joined with me in volunteering as soldiers, and we landed in Cuba together after only a few weeks training to fight for what we, our parents at home and the American people as a whole, thought was a noble war of liberation.

When our company entrained at Benton Harbor in Michigan as we left for the fighting front it seemed to me that everybody had turned out to see us off. There were the same crowds at all the stops. When we returned from Cuba after the campaign the crowds were even larger, if that were possible.

I do not think that a boy of 16 is likely to misjudge the emotion and the sentiment that are unveiled in his presence. When I read that someone, attempting to reconstruct the spirit of 1898 half a century later, charges that the War with Spain was brought on by a newspaper I think back to those faces, those cheers, and those prayers of American men and women, in towns and in country places.

Most of them had never seen a New York newspaper. In 1898 no newspaper had a circulation of any considerable size. The Benton Harbor News-Palladium covered the community where I was attending high school. Perhaps 30 or 40 copies of the Tribune and other Chicago newspapers came in; none from New York. Newspapers with circulations reaching a million and more came many years later. There were one or two periodicals, with subscription rates as low as 10 cents a year, with great national circulations, but they did not go in for news.

To charge that the generation of 1898 was duped by journalistic warmongers is an indictment of that generation of which I and my parents were parts. That I resent.

LIBEL NO. 3—CLOSE TO TREASON

It was a war of imperialism. This is libel No. 3 and one that comes close to treason. It is based upon the thin reasoning that at a later period the disposition of the Philippines figured in an American political campaign and the cry of imperialism was raised against a relatively small minority of the American people who favored hanging onto the Philippines.

But to say that at the time of the sinking of the *Maine* 65 years ago last Friday, or at the time of the declaration of war on April 25, 1898, lust for power or territory or any selfish gain of any nature whatsoever was a factor, even of the most minor sort, in the making of our national judgment is to participate in a totally unjustified downgrading of our country that merits the condemnation of all thoughtful and patriotic Americans.

HONORING THE MEMORY OF THE "MAINE'S" HEROIC DEAD

A war that brought so much to the world, that ushered in events that changed the life of every human being, that cost the United States so much in money and in men, and for the waging and winning of which the United States neither asked nor received one cent or one acre, was one of the great epochal adventures in pure unselfish idealism in the long story of mankind. It reflects the true image of Uncle Sam.

Future generations can honor the memory of the 266 American heroes who died with the *Maine* 65 years ago in no better way than by protecting and preserving that image.

Mr. Speaker, I have spoken in defense of the generation of my boyhood. It was a generation of good and noble people. It was a generation of simple living and honest thinking men and women. It was a generation of idealists, in the finest expression of that idealism that gives purpose and direction to human ends.

I am grateful to the younger Members of this historic body; most of them veterans of World War I or of World War II, many with outstanding combat records of which they never speak. From the bottom of my heart I thank them for their gracious understanding and even kindly treatment of the last veteran of the war with Spain in the Congress of the United States.

As long as Providence and the support of my constituents permit me to remain in the Congress I shall continue annually on the anniversary of the sinking of the *Maine* to do all within my humble power to set the record straight on the war with Spain for succeeding generations.

"KING COAL" DYING FAST

The SPEAKER pro tempore (Mr. WAGGONNER). Under previous order of the House the Chair recognizes the gentleman from Pennsylvania [Mr. DENT] for 30 minutes.

Mr. DENT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, just before I left my office I received the attached correspondence from the White House.

At this time I would like to make it a part of the RECORD with a few comments:

FEBRUARY 13, 1963.

Hon. JOHN H. DENT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: The President has asked me to acknowledge your letter of February 7 expressing your concern over reports that changes were being contemplated in the residual fuel oil import control program that would weaken it.

Prior to April 1 the Department of the Interior must announce new quotas. They will probably base their allocations on the report of the Office of Emergency Planning. I was pleased to note that that report called for a continuation of the residual oil import control program.

I do not know to what extent existing quotas will be modified, but I will see that your letter is called to the attention of the Department of the Interior.

Thank you for writing.

Sincerely,

MYER FELDMAN,
Deputy Special Counsel
to the President.

Mr. Speaker, I want to state for the record that somewhere along the line the White House Deputy Counsel got his lines crossed.

The contrary is true. The Office of Emergency Planning has recommended the opposite to what Mr. Feldman states in that if the President follows its recommendations there will be complete abandonment of the residual oil control program.

Further, once the program falls by the wayside it will only be a matter of a few years or even months before the whole oil control program is abandoned.

This follows as night follows day, simply because to produce residual, an oil country must sell its crude.

One wonders how long the patriotic impulses of coal users in America can withstand the powerful inducement of fuel oil dumped into the United States at any price that undercuts the b.t.u. cost of coal.

"King Coal" may not be dead but his children are awful sick.

Mr. Speaker, my purpose in addressing the House today is to call to your attention the seriousness of the recommendation of the Office of Emergency Planning in the matter of imported residual oil.

I find no cause for joy in this recommendation nor do I find any shred of hope for the struggling communities of our coal producing areas in the United States. If any joy is expressed it must must be by the Venezuelans and the self-serving profiteers in the oil import and distribution system of the New England States.

For many years the domestic fuels industries have tried to work out the national fuels problems with cooperative studies and planning. Every time their efforts start to bring order out of chaos and the various industries and their dependents begin to level off into a reasonably productive era along comes the import lobby, and some nonelected political bureaucrat issues a come and get it order to the ever hungry international oil companies and their domestic bird dogs.

Director Edward McDermott's recommendation will make this Nation dependent upon outside sources for our national fuel needs and eventually our petroleum industries will join the coal fields in their chronic depression and unemployment.

This Congress passed a coal research bill a few years ago. The people in this industry are being taxed millions of dollars for this purpose, to search out and find uses for coal in order to save the economy of our coal areas.

The greatest amount of research money has so far been allocated by Secretary Udall to the development of a process for turning coal into oil.

In the same breath the Secretary ordered more millions of barrels of oil from foreign countries to use in place of coal for fuel.

Now, Mr. Speaker, a joke is a joke but it is no joke to the thousands of destitute miners, their families and their communities.

We have deposits of coal to last for a period of 1,000 years at a 400 million ton-year production. During this thousand years there is no doubt that nuclear development will supplant coal as a basic fuel. The transition from mineral fuels to nuclear fuels will take time, time which will allow for the development of coal uses other than fuel, will give our mining industry a gradual phasing out and will allow our communities to adjust.

The open door policy of destroying the industry by the importation of foreign fuels does not allow the domestic industry or the domestic worker to participate in the employment or the profits of the substitute fuel.

It is a matter of record that there need be no residual oil left from the refinery process and actually under the label of residual waste we are being sold oil that rightfully belongs in the petroleum products industry and not in the fuel industry.

Some oil countries are producing residual at a rate 45 percent of the crude oil while here in the United States of America we are refining the crude in some cases without a single drop of residual waste.

Are we then buying waste or are we in fact buying a competitive fuel produced expressly for the U.S. market?

It is my humble opinion that the history of the decline of the coal industry and it is impending demise is just a pattern that will be followed in the elimination of many of our domestic industries by the combined forces and greed of the internationalist importers, exporters, and exploiters.

These groups have little or no allegiance to any nation. They jiggle their incomes and profit taxwise to pay as little as possible, they deal in dollar economics and completely ignore human economies.

I studied the tax picture of a large international American-based oil company and I have come up with some rather enlightening figures. Incidentally, if coal producers and their employees enjoyed the same consideration as oil companies, subsidized and tariff protected wheat and cotton growers, they would not worry about the profiting internationalists.

For too many years oil has enjoyed a position that has been described as "sacred and profitable."

Our administration is now trying to crack the sanctuary wall which has sheltered the profits of our international oil corporations. Middle East oil companies have long been protected by admirals, diplomats, and tax accountants. At the moment, our fleet and Air Force are making symbolic visits to Saudi Arabian ports and air fields to impress, warn, or reassure the various parties involved in the Yemen conflict—Nasser, Sallal, Faisal, and Hussein. But the Arabian American Oil Co.—Aramco—does not pay as much as the cost of an oil change for these maneuvers because, to the best of our knowledge, it has not been paying Federal income taxes to the United States.

All this is bewildering to most taxpayers—but it can be explained. Aramco's latest financial records are not public property, but a summary of 1955 and 1956 earnings, entered into a Senate debate in 1958, will suffice to offer tabular illustration—bearing in mind that the figures probably have risen in ensuing years by about 25 percent.

Aramco pays Saudi Arabia royalties, which are deducted from income. In addition, Aramco pays taxes to Saudi

Arabia. These, like all foreign taxes, are treated as tax credits against U.S. taxes.

Here is the condensed Aramco financial statement:

[In millions]

	1955	1956
Total earnings	$724.3	$748.8
Deduct royalties of	78.4	80.3
Deduct costs and expenses of	181.0	188.3
Leaving an income of	464.9	480.2
From which deduct 27½ percent depletion allowance, based on income from crude	121.6	127.5
Leaving a U.S. taxable income of	343.2	352.7
U.S. taxes to Saudi Arabia total	178.4	183.4
	192.7	199.4
Therefore, Aramco paid no U.S. income taxes. Instead, it had an unused tax credit, which, under existing law could be applied as a credit against other income earned abroad, of	(14.2)	(16.0)

That excess tax credit is one of the targets of the new Kennedy tax reform. The President is seeking to prevent our oil companies from using excess tax credits arising from crude oil operations as in the Middle East to offset U.S. tax liabilities on other forms or sources of foreign income, such as refining or distribution operations by affiliates in Europe or other parts of the world.

In another reform, the President proposes that deduction of foreign development costs should apply only to the income from these operations and should not be permitted to reduce the U.S. tax on domestic income.

The administration has not requested any reduction in the highly controversial 27½-percent depletion allowance. Past efforts by Senate liberals, like Senators DOUGLAS, PROXMIRE, and MORSE, to cut the allowance have been defeated in Congress. But the administration calculates that its reforms will save $300 million—most of it from domestic oil operations. It proposes to cut the depletion allowance, indirectly, by strict enforcement of the ceiling—the existing statutory limitation of 50 percent of net income. This is to be accomplished by requiring corporations to charge drilling and development* costs in computing their net income—a requirement that would not affect our oversea oil companies because their production costs are so low.

Would reduction of the depletion allowance affect the fortunes of our Middle East oil companies?

During past Senate debates, experts estimated that elimination of the Aramco depletion allowance in 1955 and 1956 would have gained as much as $99 million for the U.S. Treasury. But spokesmen for the oil industry insist that any reduction in the depletion allowance for oversea operations would not have benefited the Treasury because the Arab governments would have merely increased taxes, thereby preempting the $99 million for themselves.

But that argument presupposes that the amounts paid to Saudi Arabia are ordinary taxes, that they can be raised by unilateral action of the Saudi Arabian Government. In fact, the taxes are a component of total royalties which are negotiated—not enacted. It is true, of course, that Arab oil experts claim that the companies have made inordinate profits in the past and that the Arab governments are entitled to a larger share—the above table shows that Saudi Arabia's combined income from royalties and taxes totaled $280 million in 1956. In 1961, the total was estimated at $350 million.

What about the impact on prices? In the past, the oil companies have posted high prices for crude oil because the size of their depletion allowance depended on their gross receipts from crude oil sales. In consequence, the companies' own refineries, and those of their customers, have shown very little profit. This may also have boosted the bills of consumers, our friends and allies in Europe, as well as the U.S. Navy and Air Force.

In recent years, however, the price structure has been cracking for other reasons; Soviet competition and spectacular oil strikes in Africa have ended monopoly. And the administration proposals may hasten this process.

We do not know how much the new Treasury proposals will cost Middle East companies. One guess puts it at between $25 and $50 million. But large oil companies may come out ahead in any event because of the proposed reduction in the U.S. corporation tax.

Domestic oil companies will surely fight the President's proposals on the hill. It will be interesting to observe the extent to which foreign policy considerations will influence the debate.

If the past is any criteria in all probability considerations for the foreign potentates and ruling cliques will supersede the economic consideration in this area of State-Commerce Department activities.

Fellow Members, in these trying days of continuing, and in many industries, expanding unemployment, one wonders if we have a true concept of the basic requirements for a healthy and growing economy in an industrial complex.

For too many years we have placed in first consideration the welfare of certain industries and in some cases certain countries and have given second or no consideration to other industries and our own economic well-being.

There has grown up in this country, either by design or by accident, a feeling that ours is an unlimited and boundless horn of plenty, with no bottom, no ceiling, and the sides stretching beyond the horizons.

This is not true in the balance of human endeavors, desires, ambitions, wants, and needs. It is especially untrue in the field of trade economics.

It is only true in the minds of those whose well-being is not dependent upon the daily struggle to keep "their bellys full."

No reasonable person objects to helping a neighbor, be he next door or at the far corners of the earth. Any reasonable person can object however, when we lose sight of the simple economic fact that one must always maintain the ability to provide help in order to give help.

The coal industry is a case in point. No industry has performed so well in updating its production facilities in its relationship with mine labor and finally in its efforts to introduce new needs and uses for their product.

All this, however, has failed to keep the job opportunities in this industry at a rate required for a healthy economic climate, industrywide or in keeping with our national need.

Why is this so? Simply because of action by our own Government in the area of trade wherein imports of competitive fuels have destroyed the gains made by this industry. We have completely forgotten the basic principle so needed in a healthy economy.

We have forgotten job protection. It is unpopular today to talk protectionism and yet without job protection all else fades and soon we will be a Nation of workers half producing and half not producing.

I say this knowing full well, the implications of my remarks. When we consider industrial and agricultural producers as against those whose incomes in whole or in part are dependent upon the services rendered to the production workers or upon public taxes, the load carried by the production dollar becomes very heavy.

No nation can survive in an atmosphere of unrealistic theory and public policy. The Nation's oftentimes repeated policy is to make all other nations self-dependent and yet at the same time we follow a course destroying our own self-dependency.

Even today unless we can keep the trade lines open it will be next to impossible to gear up, tool up, and produce for a major war of any duration.

We have lost supremacy in so many fields of production that it is becoming a serious problem just to hold on as an industrial complex in a world fast becoming a massive automated machine shop.

Sooner or later the nations whose economies are based upon selling to the U.S. market will find the well has gone dry and eventually will have to turn to their own markets for a sustaining economy.

We cannot buy all the world's production but we are trying like heck to do it.

We not only offer to go into the trade ring with the Common Market but in the same breath—Trade Expansion Act—we take on all comers.

When you consider our domestic costs of production, based upon mandated, fixed costs for power and services, labor and taxes, plus raw materials, it is like a free-for-all with the United States represented by a blindfolded lightweight with one hand strapped behind his back in a ring with each GATT nation and every underdeveloped nation represented by heavyweights two hands free and no blindfolds.

If you think this is far fetched read the reports of the hearing on the impact of imports, count the industries affected, evaluate the man-hours and wages lost by imports as against gains from exports and then tell me if you still think I am wrong.

No nation can survive in a free-for-all trade war unless it can produce with slave or near slave labor, low or no taxes, subsidy or tax credits.

In the end it will wind up in international bankruptcy, and whether we like it or not, De Gaulle's position is giving many U.S. workers a reprieve from the unemployment lines.

The trouble is that while all our front runners are screaming about De Gaulle's grand design they forget that we have a grand design of our own which includes such catchy words as "EurAmerica," "Atlantic Union," "GATT," "oil imports," and so forth.

One wonders whether we are not in about the same fix as the kid caught with his hand in the cookie jar.

I refuse to believe as of today that the President of the United States will ignore or set aside without consideration this plea of 102 Members of the House in this serious matter posed by the McDermott division.

I received the following correspondence which I believe to be of interest to all Members of the House:

WASHINGTON, D.C.,
February 14, 1963.

Hon. JOHN H. DENT,
House Office Building,
Washington, D.C.:

Your concern, along with that of 101 of your colleagues, regarding excessive importation of foreign residual oil, and the need to maintain reasonable import controls on such oil, was clearly shown by your signing the letter to the President of February 7, 1963.

In spite of your recommendation, the Office of Emergency Planning recommended to the President on February 13, 1963, the further relaxing of all controls on foreign residual oil. The report also declared that the Nation did not need to depend on natural resources within its own borders for its security, thus implying that import limits on crude oil also are unnecessary.

We have sent you a copy of our statement expressing consternation over this action.

A statement by you on this matter is urgent to give the President your opinion on these recommendations. We are also hopeful you will feel it proper to express your views on the floor of the House when it reconvenes Monday. This is a critical emergency for all domestic fuels.

JOSEPH E. MOODY,
President.

WASHINGTON, D.C., February 13.—President Joseph E. Moody, of National Coal Policy Conference today issued the following statement:

"The recommendations of the Office of Emergency Planning Director Edward McDermott, if accepted by the President, will constitute the most serious blow that this administration has so far dealt the men and their families of the coal and related industries. The interest of hundreds of thousands of American citizens were brushed callously aside for purposes of political expediency.

"It is difficult to reconcile this report with the repeated statements of the President expressing his concern for the domestic fuel industries, especially coal. If these recommendations are carried out it can mean disaster in the economies of West Virginia, Virginia, Kentucky, Pennsylvania, Indiana, Illinois and other States.

"It is our understanding that the report is the same except for some word changes as it was in September 1962. It recommends that the import program on residual oil be gradually abandoned and further serves notice the same is in store for the rest of the import program on crude oil and other products.

"In that the report has been in the making since May 1961 and the present form reportedly has been available since last September, the coincidence of the visit next week of Mr. Betancourt, President of Venezuela, can hardly be ignored.

"The threat of 'Castroism' hanging over one Latin American country, and the recurrent riots by the Communist elements there seem able to panic the U.S. Government while it remains unconcerned about the critical plight of its own citizens.

"The report reaches the strange conclusion that 'The adequacy of resources is not strictly a national problem—is not one for which one looks for an answer within the geographical limits of the United States.'

"This means that, in the opinion of the OEP Director, America need no longer be concerned with developing and strengthening its own resources, and can only be interpreted as meaning that import restrictions on crude oil are also considered unnecessary.

"If this revolutionary thinking is accepted by the President, the ultimate end can only mean far greater damage to both the American coal and petroleum industries. Dependence of our economy, as well as our national security, on the tenuous availability of fuel from foreign countries, in view of the current situation in the Caribbean, with Russia tightening its military hold on Cuba and Venezuela constantly threatened by Communist riots and unrest, could be disastrous.

"The domestic fuels industries have kept the Congress advised over the years and there have been many of the members of Congress who have expressed deep concern that the welfare of the domestic fuels industries was important to the strength of the economy of this Nation. As has been so often true in the history of this Nation, matters of this nature of such vital concern to so great a part of the American people, may have to be finally settled by the Congress.

"The conclusions of the OEP Director are completely contrary to findings by the Select Committee on Small Business of the House of Representatives which held extensive hearings on the question of oil imports and recommended just last month that 'the import quotas of residual fuel oil to be used solely as fuel should be fixed at a level no higher than the total of such imports in 1961, so as to reduce the threat to national security which residual oil imports now create.'

"It should be recalled that this conclusion was reached by the Small Business Committee following extensive hearings by a subcommittee headed by Representative TOM STEED, of Oklahoma."

Mr. Speaker, the recommendation of the OEC Director on top of the unwarranted increase in residual oil import quotas for the remainder of this quarter announced recently represents another severe blow to the already seriously damaged coal industry.

The total increase—17,000 barrels per day, for the full year to be available in the next 2 months—is more than 6.5 million barrels, or the equivalent of 1.5 million additional tons of coal to be displaced in the next 2 months.

"This lost coal production would have provided jobs for more than 600 U.S. coal miners for a full year, or 3,600 miners during the next 2 months," Mr. Moody said. These destroyed miners' jobs can now be added to the 17,000 full-time jobs already lost each year to imported residual oil, which now displaces more than 45 million tons of U.S. coal annually.

Today's action was taken at the same time that a spokesman for the administration acknowledged to us that there has been an increase in imports in the first 8 months of the quota year of over 17 million barrels and that consumption on the east coast has been 5.6 million barrels less than was anticipated by the Bureau of Mines in their demand forecast on which quotas were established last April.

The Department of Interior press release announcing the new increase stated that there was a reduction of 4 million barrels in stocks as of December 31, and that the supply of domestic residual for the east coast this year had proved to be approximately 10 million barrels less than was anticipated by the Bureau of Mines.

However, the Geological Survey, which compiles such figures for the Department of Interior, reports that shipments of domestic residual from the gulf coast for the period April through November declined 4,442,000 barrels and the Bureau of Mines reports that refinery output of domestic residual on the eastern seaboard amounted to 31.7 million barrels April through October for 1962, the latest period available, as compared with 32 million in the same period of 1961. Thus, there was an actual decline of only about 4.5 million barrels in domestic supply in the first 8 months, compared to a year ago. This means that there was a net increase in residual available to the east coast of about 12.5 million barrels during the first 8 months of this quota year.

Even in the face of these facts, the Department of Interior is now adding an additional 6.5 million barrels during the next 60 days. Under the already existing import levels, quotas for this quarter were 37½ percent of the year's total, or 770,830 barrels per day. This enormous increase, when added to existing quotas, means that import levels for the next 2 months will reach the astronomical figure of 878,000 barrels per day.

This is by far the highest level of imports ever recorded under the oil import control program. The previous record was 819,000 barrels daily reached for 1 month in January of 1962.

This further severe blow to the domestic coal industry came despite the fact that the Department of Interior officials admit no shortage of residual oil now exists on the east coast. A survey made this week by NCPC among trade sources in New York-New England area revealed that residual imports are selling well below posted prices and that oil is in plentiful supply.

Yet, in face of adequate supplies and a stable price, the import quota for residual oil was again increased—the third such increase since this administration assumed office 2 years ago and raising imports to 190 million barrels for the year as compared to 154 million barrels of allowable imports in 1960.

There would seem to be no other conclusion to draw than that under this administration the domestic coal industry is considered expendable.

Frankly, I campaigned with confidence and so stated publicly that if elected, President Kennedy would help the coal regions. I still believe he is sincerely trying to do so.

I disagree with those Members of the administration who believe that relief, retraining, area development, public works or any other substitutes for a job can ever displace the need for the dignity that comes from a job that earns an honest living for an honest day's work.

The children of a working father, the wife of a working husband are entirely different people in the eyes of their loved ones, the eyes of their neighbors and in the community in which they live, than the unemployed, regardless of how worthy a cause his job was sacrificed to or for.

WELCOME PRESIDENT ROMULO BETANCOURT OF VENEZUELA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Ryan] is recognized for 5 minutes.

Mr. RYAN of New York. Mr. Speaker, last week President Kennedy told the Nation at his press conference:

> I regard Latin America as the most critical area in the world today.

Certainly the presence of Soviet troops in Cuba is cause for grave concern. But the President, undoubtedly, also is preoccupied with the vast Latin American continent beyond the island of Cuba. Seething with social unrest and political instability, many of the Latin American Republics are prey to Communist subversion. Meanwhile, the Alliance for Progress has been disappointingly slow to alleviate those conditions which bar the great masses of Latin Americans from participation in the fruits of Western civilization.

Tomorrow Washington welcomes a gallant man from Venezuela, President Romulo Betancourt. President Betancourt has been fighting to bring to his nation the goals of the Alliance for Progress—social justice in a framework of political democracy.

In his struggle against tyranny Betancourt has known the terrors of the hunted man, separation from his loved ones, the bitterness of exile. As President of Venezuela, he has continued to endure great trials and personal sacrifice. All of us remember Trujillo's heinous attempt to assassinate him. Hardly a week goes by without a report of some effort to destroy confidence in Venezuela's democratic government. Sabotage of the oil wells, bombings of United States and Venezuelan business establishments, the theft of five art masterpieces, and that latest idiocy—the hijacking of a Venezuelan oil tanker on the high seas—all attest to the Castro-Communist determination to wreck democratic progress in Venezuela.

To Communist subversive activities are added constant efforts to discredit Betancourt on the part of the despots who formerly ran Venezuela as their personal fief. Unhappily, we have heard some of their propaganda repeated in this Chamber.

Fortunately, the free press in the United States reports the real state of affairs. I was particularly impressed by an editorial in this week's Life magazine, the issue of Ferbuary 22. As Life says, Romulo Betancourt "is a most welcome guest." I include Life's perceptive editorial at this point in the Record:

> This week Kennedy welcomes to Washington quite a different sort of Latin American from Fidel Castro. In fact he is Castro's number one target, the President of Venezuela, Romulo Betancourt. Five years ago in Venezuela the Vice President of the United States and his wife were spat on by an angry mob. The Communists who led that mob found plenty of readymade tinder, compounded of jealousy, neglect and hatred of the recent 10-year Pérez Jiménez dictatorship. Last week Venezuelan Communists were still trying to mobilize a following with acts of terrorism. But the masses no longer respond. Of many reasons for this important change, not the least is Betancourt.
>
> Betancourt spent most of his early adult years in jail, exile or the underground while Venezuela was run by military dictators. He nevertheless helped to found the first big modern political party in Venezuela, the Accion Democratica, whose peasants and workers made Betancourt president in the free election of 1958. Since then he has given Venezuela the longest and most successful constitutional government in its 142-year-old history. A year hence he has a good chance to fulfilll his great ambition of turning over his office to a freely elected successor who can consolidate Venezuela's fledgling democracy.
>
> Like other Latin American countries, Venezuela still has problems of poverty and ignorance. Unlike most, being the world's No. 1 oil exporter, Venezuela has the money to tackle them. But only since Betancourt has it shown the political guts and imagination to try. His government has approximately doubled the number of schools and students in 5 years, and raised the literacy rate around 50 to over 70 percent.. It has tried seriously to improve the lot of the campesinos with free land, better housing, loans and instructions. And it has helped the underprivileged without alienating the rapidly expanding business class or the still-potent army. Betancourt's stand against Castroism has been so courageous that the danger of a military coup, despite Communist provocation, grows smaller by the day. One of South America's most volatile countries has proved that democracy, given a chance, can be made to work.
>
> That, of course, is the whole aim of the Alliance for Progress. The reason it is in trouble, according to one expert group, is that it has "lapsed into a unilateral U.S. checkwriting program." But Venezuelan leaders take its two-way nature seriously. They get some $100 million in Alliance loans for housing and rural improvement, but their own much larger contribution and initiative are what gives these programs life. Once considered the backwash of Spanish America, Venezuela is discovering it has many assets that can enable it to outgrow its dependence on oil, not least a mixed and lively population relatively unencumbered by feudal tradition. It also has Romulo Betancourt. As representative of a continent in which hope, progress and U.S. policy are very much in doubt, he is a most welcome guest.

Mr. Speaker, I want to join in the welcome to President Betancourt, a courageous leader in the struggle for democracy. I am confident that even in his brief visit with us he will detect the great admiration of the American people for his contribution to the cause of freedom and democracy.

U.N. AGRICULTURAL AID TO CUBA

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rumsfeld] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, the recent announcement that the United Nations has decided to grant agricultural aid to the Castro regime is unbelievable. Equally shocking is the statement of Paul G. Hoffman, Managing Director for the United Nations Special Fund which will supply the $1,500,000 of aid, where he says that not one American dollar will be used in this project. It is simply not correct to suggest that U.S. dollars will not be used when it is common knowledge that the United States provides 40 percent of the Special Fund's expenses. The American people will not and should not accept this double talk. The United States is paying for a major portion of the support of the United Nations. The United States will be making a contribution to this project whether direct or indirect, and this is intolerable.

To grant any amount of aid to the Communist nation that has confiscated more than $1 billion worth of American property and has not paid a cent in compensation is utterly unthinkable.

Mr. Speaker, while the subject of Cuba is under discussion, I wish to go on record as being in complete disagreement with the theory now apparently in vogue in administration circles that no one but the administration should discuss Cuba. In these days of managed news, I sincerely believe that it is the responsibility and duty of each citizen, and, particularly, each Member of Congress, to constructively discuss and, if necessary, as in this case, dare to criticize the decisions being made and carried out in our State Department by the administration. These men are not omniscient; their decisions are not sacrosanct.

This Nation is one of representative government, and as one Representative, I object to our financing anti-American policies. If this means that the Congress must cut off support for the Special Fund, then this must be done.

I have voiced my support of the United Nations in the past, as have the vast majority of Americans. However, this U.N. action demands a serious reappraisal of our role in the U.N. My deep concern has been voiced to the administration, and I sincerely hope that other Members of Congress will join in expressing their disapproval. Cuba today is a center for Communist subversive activities throughout the Western Hemisphere. Our every action must be to weaken communism in Cuba, not strengthen it.

A REAPPRAISAL OF THE ALLIANCE FOR PROGRESS

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I am deeply concerned over the future of the Alliance for Progress. So far there has been very little progress, and too little leadership from the United States. The program cannot be allowed to continue to flounder. The future of the Western Hemisphere is at stake.

I am pleased to bring to the attention of my colleagues a memorandum prepared by three members of the Commerce Committee for the Alliance for Progress—COMAP: Emilio G. Collado, vice president and director, Standard Oil Co. of New Jersey; David Rockefeller, president, the Chase Manhattan Bank; and Walter B. Wriston, executive vice president, First National City Bank.

The authors call for a comprehensive reappraisal of the policies and actions that will help the Alliance for Progress to achieve its basic objectives. They urge that increased emphasis be placed on the "encouragement of private initiative and investment, both local and foreign." It is their further belief that:

> The United States should concentrate its economic aid program in countries that show the greatest inclination to adopt measures to improve the investment climate and withhold aid from others until satisfactory performance has been demonstrated.

This is an important study and I hope that it receives the widest possible attention.

The text of the statement follows:

A REAPPRAISAL OF THE ALLIANCE FOR PROGRESS

Last spring, the Commerce Committee for the Alliance for Progress (COMAP) was launched with a view to seeking ways in which American business could further the Alliance. A few days ago, the Chairman of the Committee—J. Peter Grace—submitted a report to the Commerce Department and to other agencies, recommending certain legislative proposals relating to the Alliance. The following memorandum sets out the observations and conclusions of three members of COMAP who, while agreeing with many of the points made in the Grace report feel that there are certain aspects of the problem which need a somewhat different emphasis. For this reason we feel justified in submitting a separate commentary.

"We have become increasingly concerned lest the Alliance for Progress fail to achieve its objectives for lack of a proper focus for its activities.

"As one illustration, the initial concept of COMAP's role appears to have been directed at finding ways to meet the Punta del Este program of $300 million a year of net new U.S. private investment in Latin America by devising short-range measures on the part of the United States to encourage such investment. If such measures would really get the Alliance off the ground, they might be justified. But we are disturbed by the feeling that even if such measures were taken, and were successful in inducing an expanded flow of U.S. investments into Latin America, the basic problem of making the area attractive to local savers and investors would remain. Indeed, such a program could do positive harm by making local governments feel even less urgency than they do now for achieving a proper investment climate.

"What is needed is a comprehensive reappraisal, not of the broad objectives of the Alliance for Progress, but of the policies and actions which will best achieve these objectives. The first year's operation of the Alliance saw heavy emphasis placed on government planning, government-to-government loans and grants, income redistribution through tax and land reform, public housing, and other social welfare measures. Many of these steps were commendable. Yet they were not in most cases accompanied by efforts to push through economic reforms which would encourage private initiative and enterprise. The continued outflow of private funds from Latin America is sufficient proof of the critical character of the current situation.

"Many countries in Latin America need social reforms as well as measures to provide greater equality of opportunity. However, these broad objectives cannot be achieved without a more rapid rate of economic advance than now is in prospect. And rapid economic growth cannot be achieved without greater emphasis on the private sector. The fact is that some 80 percent of Latin America's national income is today generated by private activities. Consequently, the Alliance for Progress can succeed if—and only if—it builds upon this base and places far greater emphasis on the encouragement of private initiative and investment, both local and foreign.

"To reorient the Alliance for Progress in a direction which offers promise of achieving its objections involves difficult and sweeping economic reforms. Currencies need to be stabilized through measures to bring government budgets under control and to avoid inflationary increases in the supply of money and credit. Efforts along these lines could lead to the removal of the many exchange controls which still remain and which inhibit economic growth in many nations. At the same time, governments should act to remove the network of other controls which restrict enterprise and sustain local, high-cost monopolies. Economic growth, and the real benefits to all participants in the community which can accrue from growth, are maximized in an atmosphere of political and economic stability under which competitive private enterprise can thrive.

"In a very real sense, the Alliance for Progress is concerned with the age-old problem of trying to bake a bigger pie and divide the slices more evenly at the same time. The emphasis to date has been mostly on the side of slicing the pie. While such efforts may be desirable in the long run, the immediate effect has been to shrink the potential size of the pie. Experience around the world shows clearly that the national welfare is better served by far through policies which enlarge the entire pie.

"To accelerate economic advance in Latin America, efforts on many fronts will be required. Governments have important roles to play—in such areas as schools, health, farm extension services and roads. However, the overriding needs are for an increased flow of private capital from both local and foreign sources and for a significant and continuing improvement in the efficiency with which all resources, including most importantly human resources, are used.

"For these reasons, we urge that U.S. policies be reoriented to place far greater emphasis on the encouragement of private enterprise and investment. What has been done to date along these lines is simply not enough. The encouragement of private enterprise, local and foreign, must become the main thrust of the Alliance. This would involve two major changes in U.S. policy.

"The first requirement is that the governments—and, as far as possible, the people—of Latin America know that the United States has changed its policy so as to put primary stress on improvement in the general business climate as a prerequisite for social development and reform. It must be made clear that U.S. policy in this hemisphere is based on the need for rapid economic growth and on the belief, confirmed by all available evidence, that this can be achieved within a reasonably free political framework only if private capital is given the opportunity to work in a favorable environment. This means that our policies should be consistent throughout the area and should discourage tendencies toward nationalization of industries and encourage setting up explicit rules which provide for truly reasonable indemnification where nationalization has taken place.

"In addition we should discourage policies which tend to distort normal economic relationships—policies leading to overvalued, and multivalued exchange systems, complex import controls with high and highly variable tariffs, quotas and other forms of trade restriction, price controls and highly unpredictable budgetary practice. In short, emphasis should be placed on creating an atmosphere in which private business planning can go on without undue concern about possible changes in the rules of the game. Countries following these policies should be given tangible and active support.

"To make this position clear and unambiguous, it would be necessary for the President to proclaim it in a major address in which he not only spells out the rationale behind the new policy, but also indicates the tools available to the United States to help make it effective. The most important of these tools would be the U.S. foreign aid program.

"A second requirement concerns a change in the criteria for granting aid. U.S. foreign aid policy is a branch of U.S. foreign policy, which should be directed toward achieving specific foreign policy goals. By and large it has not been effectively used for this purpose in Latin America. In its simplest terms, our goal in Latin America should be to help nations of the area grow economically while they retain internal political freedom, and thus remain part of the Western community of nations. Without economic growth the other goals will be much more difficult—if not impossible—to achieve. In order to get growth—which comes first both in time and in relation to goals involving redistribution of income—capital is needed. Most of this must come from internal sources. Thus, foreign aid should be used as an inducement to nations to adopt policies which will improve the business climate and thereby increase domestic savings and investments. The United States should concentrate its economic aid program in countries that show the greatest inclination to adopt measures to improve the investment climate, and withhold aid from others until satisfactory performance has been demonstrated.

"The extent to which this policy would differ from the present one in Latin America can be seen by indicating what it would not involve:

"1. Unless there are overpowering political considerations, the United States would not lend money or make grants in countries which persist in policies which discourage private investment.

"2. The United States would not grant balance-of-payments loans of the bail-out variety though it should cooperate with the IMF on constructive balance-of-payments loans and stabilization programs.

"3. The United States would not provide foreign aid in such a way as to finance the expropriation of privately owned companies in any field of endeavor.

"On the positive side, the United States would seek opportunities to get individual countries started toward rapid growth. Assistance on a relatively large scale would be focused in a few countries that appeared most likely to carry out measures needed to encourage investments and establish the widest area of economic freedom.

"Nowhere in the whole broad range of current economic problems is there one more compellingly significant for the United States than that of supporting the economic and social advance of our neighbors to the south.

"We are persuaded that the most important way in which the United States can help is by exporting the ideas implicit in a free economy. Certainly, money or goods alone will not do the job. Free enterprise is the basis of our own growth, and it provided the framework on which our social and political institutions, imperfect as they still are, have evolved. We feel certain that free enterprise can be the basis of growth in Latin America—indeed, that there is no known alternative that still permits a substantial measure of individual freedom.

"We also believe, however, that to encourage such an evolution in Latin America the United States must change its role—from one that emphasizes short run economic palliatives combined with recommendations for sweeping social and economic reforms to one that places the greatest emphasis on the longer-run goals of creating an environment in which freedom of the marketplace is recognized for what it is, a major pillar of free and prosperous societies.

"Emilio G. Collado,
"Vice President and Director,
"Standard Oil Co. of New Jersey.
"David Rockefeller,
"President,
"The Chase Manhattan Bank.
"Walter B. Wriston,
"Executive Vice President,
"First National City Bank."

THE CUBAN QUESTION

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Lindsay] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LINDSAY. Mr. Speaker, because of its importance I am today placing in the Record a column by Walter Lippmann entitled "On the Cuban Question Today." In the column Mr. Lippmann puts down his reasons for believing that our distinguished colleague, the junior Senator from New York, Senator Keating, has won the right to be listened to. Mr. Lippmann states in his article that after too long a delay the administration finally did what it should have done in the beginning, which was to arrange for consultation and an exchange of information between Senator Keating and the CIA. Mr. Lippmann goes on and states that no matter what the consultation and exchange lead to he is not sure it will repair altogether the damage done to public confidence by the misleading information given out—by the administration—in September and October.

> The administration may well have also to make a full explanation of what went wrong in September and early October—

States Mr. Lippmann.

Mr. Lippmann's article is timely and I commend it to the attention of the Members of the House and Senate:

On the Cuban Question Today

(By Walter Lippmann)

In the past week the administration has gone to extraordinary lengths to win the country's confidence in the reliability of its information about the military situation in Cuba. Since the October confrontation there can, of course, be no lack of confidence in the President's courage and determination to protect American interests once the facts of a threat are established.

The crisis of confidence originates in what happened in the 6 weeks before the October confrontation. During the month of September and into October the administration was insisting that the Soviet Union had not brought offensive weapons into Cuba. Senator Keating was insisting that they had. When he was found to have been right, there occurred a loss of confidence in the administration's intelligence services which it is still struggling to repair.

With others, I have had firsthand experience which enables me to understand how difficult it is to restore confidence once it has been shaken. On two occasions it was explained to me by high officials how reliable was our photographic surveillance of the island, and how certainly we could detect the exact nature of the weapons being installed in Cuba. These private explanations came after the President had said categorically in his press conference of September 13 that "these new shipments do not constitute a serious threat to any other part of the hemisphere." Some 2 weeks later, on October 3, the Under Secretary of State, Mr. Ball, gave to a congressional committee a summary of the intelligence information which came from the CIA. The point of the summary was that there were no offensive weapons in Cuba.

But in fact there were. A week later, on October 10, Senator Keating insisted that there were intermediate range missiles in Cuba, and 5 days later the President received the photographs which confirmed the charge.

This is how Senator Keating won the right to be listened to, and this is why the administration has now, belatedly, made the right move, which is to arrange for consultation and an exchange of information between Senator Keating and the CIA.

This should put an end to the unseemly controversy about who is telling the truth between a Senator of the United States and the President of the United States. But I am not sure it will repair altogether the damage done to public confidence by the misleading information given out in September and October. The administration may well have also to make a full explanation of what went wrong in September and early October.

Examining the remarkable intelligence briefing by Mr. John Hughes of the Defense Department, I find myself quite convinced that our photographic intelligence is now reliable. But I am struck by the fact that there was a blank space in Mr. Hughes' testimony for the period from September 5 to October 14.

Photographs taken on August 29 of the San Cristobal area and on September 5 at Sagua la Grande show positively that no missile sites had been built. The next photograph referred to by Mr. Hughes is that of October 14. It shows intermediate range missile sites being erected. This is the photograph which precipitated the international crisis.

Where, we are bound to ask, was our photographic intelligence between September 5 and October 14? That was when the administration was telling the country that there were no offensive weapons in Cuba. This is the source of the infection which will have to be removed if full confidence is to be restored.

Having said this, I would say that there is no reason to doubt the thoroughness or the reliability of our photographic surveillance of Cuba and of the sea around it. The situation is extraordinary. We are depending on being able to fly daily photographic reconnaissance planes at high and low altitude. In Cuba there are a large number of the latest antiaircraft weapons manned by Soviet soldiers.

We may say, how come? Up to the present—knock on wood—the Soviet antiaircraft gunners are not attacking our reconnaissance planes. They must be under orders from Moscow where it is well known that if the planes were attacked there would be an immediate reprisal.

But where does this leave us? It leaves us with a fragile revised version of the original Khrushchev-Kennedy agreement. In the key letter of October 27, President Kennedy accepted the following terms of settlement: The U.S.S.R. would remove offensive weapon systems under United Nations observation and supervision. When this was done, the United States would end the quarantine and would give assurances against an invasion of Cuba. The U.S.S.R. removed the missiles, and the United States of America ended the quarantine. But Castro would not permit United Nations observers to come to Cuba, and consequently the United States would give no assurances against invasion.

What we have now is a substitute for the original agreement. We are able to carry on photographic reconnaissance without interference from the Soviet antiaircraft weapons. And Cuba is getting, in lieu of a U.S. guarantee against invasion, a buildup of its defensive capabilities. Both Moscow and Washington know that this strange working arrangement cannot be upset deliberately without bringing on a much mightier confrontation than that of last October.

CLOSE RELATIONSHIP BETWEEN REPRESENTATIVES AND PUBLISHERS OF WEEKLY PAPERS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. Harding] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HARDING. Mr. Speaker, one of the privileges of serving a congressional district in the Nation's Capital is the close relationship that a Congressman has with the publishers of weekly papers in his district.

During the past couple of years I have come to know and to admire the publisher of a small newspaper in Shoshone, Idaho—Herb Love.

This man can best be described by the inscription on a plaque recently presented to him by the Idaho Press Association which bestowed upon him the Master Editor-Publisher Award which is the highest honor the weekly press can bestow upon one of its members.

The inscription reads:

> He has worked hard, lived honestly, thought soundly, influenced unselfishly, and is entitled to the highest honor in his profession.

Mr. Speaker, I would like to include at this point in the RECORD the account of the awarding of this honor to Herb Love as it is reported in the Lincoln County Journal of January 17, 1963.

This excellent county paper is now being published by a young and energetic newspaperman, John George, who gives every indication of also becoming one of Idaho's outstanding weekly publishers.

The above-mentioned follows:

IDAHO'S HIGHEST JOURNALISM HONOR AWARDED TO EDITOR FROM SHOSHONE

The highest honor that the Idaho Press Association can bestow on one of its members, the Master Editor-Publisher Award, was presented to Herb. H. Love, Saturday night. The award crowns a journalistic career of 23 years.

Editors and publishers throughout Idaho, assembled at Hotel Boise for a banquet at the conclusion of their annual meeting, vigorously applauded their approval when the name of the winner was announced.

The honor is one that is not lightly given. Winners are determined by a selection committee of Idaho editors and publishers.

The inscription on the plaque presented Mr. Love sums up the devotion and talent he has given to journalism in these words:

"He has worked hard, lived honorably, thought soundly, influenced unselfishly, and is entitled to the highest honor in his profession."

Lincoln County may well be proud of the man who has served them so well for the past 19 years.

Mr. Love was born in South Dakota and reared in Iowa. He attended Iowa State Teachers College and Iowa State College, earning his bachelor of arts degree from the teachers college in 1924. During World War I he served in the U.S. Navy.

The new master editor-publisher came to Idaho in 1925 to serve as superintendent of schools at Fairfield, a post he held for 2 years. He coached athletics at Hailey for a year, and was an instructor in the Wendell school for 2 years before leaving the teaching profession because of physical disability.

He married Helen Shuey of Wendell at Richfield in 1929. The couple have two children, a son, John, employed by Ball Products Co. of Boulder, Colo., and a daughter, Mrs. Judith Abraham, a student at Kansas City Art Institute.

From 1933 to 1944 Mr. Love was assessor of Gooding County, resigning in his sixth term to assume ownership of the Lincoln County Journal.

He founded the Gooding Independent in 1936 and owned the paper until 1940, at which time it was sold and merged with the Gooding Leader. He is a charter member of the Gooding Lions Club and served as its president just before coming to Shoshone.

Mr. Love was commander of the Shoshone American Legion Post in 1949, and was elected district commander in 1950. He is also a past president of the Shoshone Chamber of Commerce and the Shoshone Rotary Club. From 1955 to 1959 he served on the Shoshone City Council.

Mr. Love purchased the Journal from Glen Maxwell in May of 1944 and operated the paper for almost 19 years.

He was president of the Idaho Press Association in 1948, and was a director of the Idaho Newspaper Advertising Service for two terms before being elected president of that organization.

Mr. and Mrs. Love will remain in Shoshone, but plan an extended trip through Colorado, Texas, and Florida this winter.

GENERAL EXCELLENCE

The Lincoln County Journal was awarded first place for general excellence in its circulation bracket at the press association's annual convention in Boise last weekend. The Journal has now won the top award for 4 years in succession.

Contest judges were publishers and press association managers in Arizona, Montana, Nevada, and Washington.

A BILL TO ESTABLISH A LAND AND WATER CONSERVATION FUND

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the measure I am introducing today, a bill to establish a land and water conservation fund, embodies the administration's program to further provide for the outdoor recreation needs of the Nation.

In his conservation message last year, President Kennedy warned that our present sources of recreation are not adequate to meet current demands. It is his view and mine that we must take positive action now, for as he wisely points out, "actions deferred are all too often opportunities lost, particularly in safeguarding our natural resources."

The legislation I am presenting today is a far-reaching proposal which provides for today's recreation needs while anticipating those of the near future. While the bill is fundamentally the same as the one submitted last year, the new version authorizes a program for 50 percent matching grants to the States for planning, and 30-percent grants for acquisition and development of needed outdoor recreation resources. The States will share the funds available in the following manner: one-fifth divided equally, three-fifths apportioned on the basis of population, and one-fifth allocated according to need.

In order for a State to qualify for assistance, it must have a comprehensive statewide outdoor recreation plan, and the States are eligible to receive assistance in the preparation of such a plan and for the training of necessary personnel. Also, in anticipation of escalating prices for the future acquisition of land for recreational purposes, the bill limits expenditures for State development work for the next 10 years to 10 percent of the funds available for State assistance. The funds provided by this bill will also be available for acquisition of land and water which is authorized for areas of the national park system and areas administered by the Secretary of the Interior for outdoor recreation purposes; the national forest system; purposes of national areas for the preservation of species of fish or wildlife threatened with extinction; and incidental recreation purposes in connection with national fish and wildlife conservation areas as authorized by law.

Revenue sources provided by the bill include proceeds from entrance, admission, and other recreation user fees or charges established by the President for Federal land and water areas; proceeds from the sale of Federal surplus real property; and the proceeds of the 4-cent-per-gallon tax on gasoline and special motor fuels used in motorboats. While the Treasury will hold a portion of these revenues for acquisition of additional lands at Federal and federally assisted projects, the greater portion would be used to help finance State and Federal programs.

For the purpose of assuring the financing of the program when the States are prepared for full participation, advance appropriations of $60 million a year for 8 years are authorized beginning with the third year, with provision for repayment from one-half of the revenues available to the fund. The fund will be used in the proportion of 60 percent for State purposes and 40 percent either way depending on need.

This measure is in complete accord with the recommendations of the Outdoor Recreation Resources Review Commission. It is fiscally sound and forward looking. I am hopeful, Mr. Speaker, that it will receive favorable action at this session of Congress and that the country will be able to realize its benefits in the near future.

THE LATE HONORABLE ROBERT RICE REYNOLDS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. TAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. TAYLOR. Mr. Speaker, citizens of North Carolina and people across the Nation were saddened last Wednesday by the death of former U.S. Senator Robert Rice Reynolds at his home in Asheville, N.C.

Mr. Reynolds represented North Carolina in the U.S. Senate from 1933 until his retirement from the Senate in 1945. He ranks among the most colorful and controversial figures in American political history. He stormed Washington with a grandeur perhaps never to be duplicated. He was different and glamorous and those about him quickly realized it.

Perhaps no other U.S. Senator brought to Washington such a wide variety of experience as did Robert R. Reynolds. He had been a professional wrestler, a football coach, a war correspondent, an author, an actor, a motion-picture producer, and a criminal lawyer. He loved outdoor life and his earliest political campaigns were conducted traveling by horse in the North Carolina mountains.

His appearance in the Nation's Capital followed his famous campaign of 1932 which he launched with $20 and a T-model Ford purchased on the installment plan. His majority in the election was one of the largest in North Carolina's history. He arrived in Washington in his "rusty and trusty" Ford and showed no hesitation in driving it to White House teas and other black tie occasions.

When he returned to North Carolina he stated that he had taken his faithful Ford to the Capital and parked it between two Cadillacs in a million-dollar garage which Mr. Hoover had built and that it rolled its mud-splattered eyes around and looked up at him and said: "Bob, ain't we in society now."

Bob Reynolds' stories, similar to the one above, are told all over North Carolina. They are told here in Washington. He will be remembered as a legendary son of the Blue Ridge Mountains.

Affectionately known as "Our Bob" by friends back home and sometimes referred to as "Buncombe Bob," Senator Reynolds was the founder of the American Nationalist Party in 1941 and rose to the chairmanship of the Senate Military Affairs Committee.

A great deal more could be said about the accomplishments and activities and controversies of Senator Reynolds as a Member of Congress, but I wish to touch briefly on the human qualities of this foremost American citizen.

He was sincerely concerned for the people he represented. His personality was magnetic; his charm, warm and abiding. Perhaps his greatest attribute, however, was that he never forgot his friends.

His rich personality, keen sense of humor, and loyalty to his friends endeared him to the people of North Carolina.

Bob Reynolds loved life and he lived it fully.

PANAMA CANAL PROCRASTINATION PERILOUS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FLOOD. Mr. Speaker, it has been aptly stated that the history of the Panama Canal is one of continuing crises. Those of key character concern the best site and the best type, known as the battle of routes and battle of the levels. Moreover, this pattern of struggle reappears periodically, and since 1947 the question of the proper modernization of the Panama Canal has been beset with repetitions of these old controversies in slightly modified forms.

Over a period of years, a number of Members of the Congress, several in the House but only one in the Senate, who have made serious studies of the canal question and recognized its magnitude, have introduced bills to create the Interoceanic Canals Commission. In so doing, it was their purpose to provide an effective agency to develop a timely, definite, and wisely reasoned Isthmian Canal policy, which the Congress and the Nation can accept and which time and usage will justify.

Unfortunately, this task has been complicated immeasurably by the ratification in 1955 of a secretly contrived canal treaty between the United States and Panama and by the nationalization in 1956 of the Suez Canal by Egypt. Despite the inherent differences between the juridical foundations of the two interoceanic canals, this action by Egypt served to evoke a chain of aggressive nationalistic and communistic revolutionary inspired agitations in Panama, some of them marked by mob violence led by well-trained leaders. The long-range objectives of this revolutionary movement is the wresting of the sovereign control of the Panama Canal from the United States and the extortion of greater benefits from the toll revenues. The only basis for such aims is that inherent in Panama's geographical location, which is adjacent to the Canal Zone territory. The difficulties of securing increased transit capacity have now become severely aggravated by the necessity for safeguarding the sovereignty and jurisdiction of the United States over the Panama Canal and the Canal Zone.

As a start in this direction, I made a series of major addresses in the House beginning in 1957 and continuing up to the present Congress. These included, in comprehensive detail, the diplomatic and legislative history of the acquisition by the United States in 1904 of our territorial possession known as the Panama Canal Zone.

Though these efforts were generally ignored in the mass news media of the United States or, when presented, had their meaning distorted, they were prominently featured in the press of Panama, especially in the Spanish language papers, which I follow closely. Through the latter, they have produced echoes from various countries of Latin America.

The failure on the part of elements in our Department of State to stop the depredations of isthmian agitators by means of forthright declarations of U.S. policy, in the course of time, has led to a chain of diplomatic victories by Panama, making the United States a laughing stock in the Western Hemisphere. So confident did anti-U.S. extremists become that the Panamanian National Assembly even attempted to encircle the Canal Zone by enacting legislation extending the 3-mile limit to 12 miles, with Panama controlling the water at each end of the zone's 3-mile limit, which could have made that waterway another Berlin. This attempt, our Government very promptly and properly refused to recognize, but friction resulted.

The radical leadership in the Panama National Assembly, which includes some Marxist-Leninists, obviously understood the significance of my researches in the exposure of their schemes and did not stop with the attempted encirclement of the Canal Zone. It followed up by giving me the unique distinction of being formally declared as public enemy No. 1 of Panama.

The situation on the isthmus was worsened on September 17, 1960, when the President of the United States, in a mistaken gesture of friendship, by an Executive order soon after the adjournment of the Congress, directed the formal display of the Panamanian flag outside the flag of the United States at one place in the Canal Zone as evidence of a so-called titular sovereignty of Panama over the zone. This unfortunate precedent of striking the American flag in the Canal Zone, as predicted by me on the floor of the House, merely served to open the door, for in Panama and elsewhere, the action was interpreted as a belated United States recognition of Panamanian sovereignty.

In this connection, Mr. Speaker, I would invite attention to the fact that on February 2, 1960, after full debate, the House of Representatives approved House Concurrent Resolution 459, 86th Congress, against such display by the overwhelming vote of 381 to 12, which was transmitted to the Senate but, for reasons not published, was never acted upon by that body. In addition, the Congress passed the Gross amendment to the Department of Commerce Appropriations Act prohibiting the expenditure of funds embraced in the act for such purpose. No wonder isthmian extremists became emboldened and arrogant.

Under these circumstances, the necessity for an effective counterpoise to Panama became clearly evident. This compensating force developed in the form of growing demands for a second canal at Nicaragua, the ancient rival of the Panamanian site, and elsewhere. In an address to the House on June 30, 1960, I undertook to give a comprehensive description of the Nicaraguan project, which was largely based on a 1931 report—House Document No. 139, 72d Congress—and to advocate its consideration. The second canal idea, thus stimulated, served as an antidote for Castroism in Panama and to still some of the violent anti-American agitations among its radical elements. This address, moreover, supplies significant background information on the interoceanic canal picture, in which the Nicaraguan idea has a history of over four centuries.

Now, Mr. Speaker, for more than 30 years our country has witnessed a frustrating succession of administratively dominated, ex parte investigations and reports concerning increased interoceanic canal transit facilities, often directed by those who, directly or indirectly, would benefit from their own recommendations. The prime illustration of such procedure was the ill-fated 1939 project for a third set of larger locks at Panama. This construction effort, launched under congressional authorization on administrative recommendations, was suspended in 1942 after an expenditure of some $75 million of the taxpayers' money, mainly on lock site excavations at Gatun and Miraflores. It is fortunate that no excavation was started at Pedro Miguel. Had such an engineering fiasco been brought about by civilian engineers they would have been crucified.

After suspension of construction on this project, a number of independent engineers and others studied its planning and learned that no adequate investigation of it had been made prior to submission to the Congress. Such failure is difficult to comprehend.

At this point, Mr. Speaker, may I suggest that Members of the Congress, when visiting the Canal Zone, inquire into significant phases of the third locks project history and inspect the channel layout as then planned by personal observations around the Miraflores Lake area, as other Members of the Congress and myself have done. But, unless the project is studied in advance of such inspection and understood, there will be no point in making a field exploration of it.

It is interesting to note also that an undisclosed objective of the third locks program was conversion of the Panama Canal to sea level, according to a plan which had likewise not been adequately studied, and that completion of the third locks project would not only have resulted in creation of a navigational monstrosity at the Pacific end of the canal, but as well would have committed our country to a serpentine sea-level undertaking that would have been a navigational nightmare. Moreover, all of this resulted from a formal inquiry by routine administrators pursuant to Public Resolution No. 85, 74th Congress, approved May 1, 1936, and without adequate hearings or debate by the Congress—House Document No. 210, 76th Congress, and Public Law 391, 76th Congress.

The great questions in the canal problem are:

First. Safeguarding the untrammeled sovereignty and jurisdiction of the United States over the Panama Canal and the Canal Zone territory, without which the canal cannot be operated.

Second. The major operational improvement and increase of capacity of the Panama Canal by the elimination of the bottleneck locks at Pedro Miguel, the consolidation of all Pacific locks in new three-lift structures near Aguadulce to correspond with the lock arrangement at Gatun, and raising the Miraflores Lake level to that of Gatun Lake to form a summit anchorage at the Pacific end of the canal to match that at the Atlantic end. This program would also include one set of larger parallel locks for larger vessels and raise the summit lake level from its present height of 85 to 92 feet.

Third. The question of a second canal, at Panama, Nicaragua, Colombia, or elsewhere, in an area that extends from Tehuantepec to the region of the Atrato, of whatever type that supplies the best conditions for transit at least cost.

In these connections, Mr. Speaker, I would invite attention to the fact that in 1944, when the initial recommendation for the elimination of the Pedro Miguel locks was submitted to the Secretary of War, the then Governor of the Canal Zone warned that advocates of a so-called sea level canal at Panama would oppose "unjustifiably" any major change in the existing waterway on the ground that such improvement would delay its conversion to one at sea level—CONGRESSIONAL RECORD, June 21, 1956, statement of Senator Thomas E. Martin. This, Mr. Speaker, is no real reason at all. Nevertheless, the then Governor's warning has been more than justified by sea level advocates who have not only opposed any major improvement of the existing canal, but also have prevented an adequate study of it and have failed to present any information concerning the inevitable indemnity and increased annuities involved, or even to mention the subject. Furthermore, it is indeed remarkable that these insistent advocates, some of whom have been in positions of authority, have unfailingly endeavored to conceal important facts and consequences to arise, and have striven to commit our Government to an unnecessary venture that would overnight plunge us into a measureless sea of extravagance and diplomatic turmoil. All of this could be, and would be, obviated by the major improvement of the existing canal by means of a third locks project, modified to include the reconstruction of the Pacific end of the canal. Moreover, such major improvement would not require a new treaty with Panama, or a new indemnity, which is a matter of paramount importance and has been, and still is, consistently ignored by sea level advocates.

More than two decades have passed since suspension of the Third Locks project. Traffic has continued to grow, making action more urgent. Certainly, the time for permitting further procrastination on the part of administrative officials in coming to a wise decision is now over.

In determining our country's attitude on this vital question, all the pertinent facts must be considered and met—not concealed as has been done on more than one occasion. To decide upon matters of such magnitude in a purely routine, administrative manner is absolutely shocking and has been repeatedly shown to have been counter to the best interests of the United States and the world at large.

Transcendent among the many considerations that enter into the Panama Canal picture is that of the Pandora's Box of diplomatic difficulty that would be involved in the adoption of the so-called sea-level project for that waterway. This plan would open up the entire treaty situation and make the United States a target for political blackmail in the way of vast indemnity and annuity costs as well as risk of the final liquidation of our sovereign rights, power, and authority over the canal enterprise. No wonder Panamanian politicians and others who would benefit have overtly and covertly sought its adoption.

Mr. Speaker, I consider it a dastardly outrage that attempts should be made to settle these grave questions as casual routine matters, withholding significant facts from the people of our Nation, and bypassing the Congress and the President. Every consideration demands action by the Congress.

To this end, I have introduced H.R. 3858 to create a competent, objective, and independent Interoceanic Canals Commission, charged with broad authorities for making the necessary studies and reports touching on this matter of increased interoceanic transit facilities, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Interoceanic Canals Commission Act of 1961".

SEC. 2. (a) A commission is hereby created, to be known as the "Interoceanic Canals Commission" (hereinafter referred to as the "Commission"), and to be composed of eleven members to be appointed by the President, by and with the advice and consent of the Senate, as follows: One member shall be a commissioned officer of the line (active or retired) of the United States Army; one member shall be a commissioned officer of the line (active or retired) of the United States Navy; one member shall be a commissioned officer of the line (active or retired) of the United States Air Force; and eight members from civil life, four of whom shall be persons learned and skilled in the science of engineering. The President shall designate one of the members from civil life as Chairman, and shall fill all vacancies on the Commission in the same manner as are made the original appointments. The Commission shall cease to exist upon the completion of its work hereunder.

(b) The Chairman of the Commission shall receive compensation at the rate of $25,000 per annum, and the other members shall receive compensation at the rate of $22,500 per annum, each; but the members appointed from the Army, Navy, and Air Force shall receive only such compensation, in addition to their pay and allowances, as will make their total compensation from the United States $22,500 each.

SEC. 3. The Commission is authorized and directed to make and conduct a comprehensive investigation and study of all problems involved or arising in connection with plans or proposals for—

(a) an increase in the capacity and operational efficiency of the present Panama Canal through the adaptation of the Third Locks Project (53 Stat. 1409) to provide a summit-level terminal lake anchorage in the Pacific end of the canal to correspond with that in the Atlantic end, or by other modification or design of the existing facilities;

(b) the construction of a new Panama Canal of sea-level design, or any modification thereof;

(c) the construction and ownership, by the United States, of another canal or canals connecting the Atlantic and Pacific Oceans;

(d) the operation, maintenance, and protection of the Panama Canal, and of any other canal or canals which may be recommended by the Commission;

(e) treaty and territorial rights which may be deemed essential hereunder; and

(f) estimates of the respective costs of the undertakings herein enumerated.

SEC. 4. For the purpose of conducting all inquiries and investigations deemed necessary by the Commission in carrying out the provisions of this Act, the Commission is authorized to utilize any official reports, documents, data, and papers in the possession of the United States Government and its officials; and the Commission is given power to designate and authorize any member, or other officer, of the Commission, to administer oaths and affirmations, subpena witnesses, take evidence, procure information and data, and require the production of any books, papers, or other documents and records which the Commission may deem relevant or material for the purposes herein named. Such attendance of witnesses, and the production of documentary evidence, may be required from any place in the United States, or any territory, or any other area under the control or jurisdiction of the United States, including the Canal Zone.

SEC. 5. The Commission shall submit to the President and the Congress, not later than two years after the date of the enactment hereof, a final report containing the results and conclusions of its investigations and studies hereunder, with recommendations; and may, in its discretion, submit interim reports to the President and the Congress concerning the progress of its work. Such final report shall contain—

(a) the recommendations of the Commission with respect to the Panama Canal, and to any new interoceanic canal or canals which the Commission may consider feasible or desirable for the United States to construct, own, maintain, and operate;

(b) the estimates of the Commission as regards the approximate cost of carrying out its recommendations; and like estimates of cost as to the respective proposals and plans considered by the Commission and embraced in its final reports; and

(c) such information as the Commission may have been able to obtain with respect to the necessity for the acquisition, by the United States, of new, or additional, rights, privileges, and concessions, by means of treaties or agreements with foreign nations, before there may be made the execution of any plans or projects recommended by the Commission.

SEC. 6. The Commission shall appoint a secretary, who shall receive compensation fixed in accordance with the Classification Act of 1949, as amended, and shall serve at the pleasure of the Commission.

SEC. 7. The Commission is hereby authorized to appoint and fix the compensation of such engineers, surveyors, experts or advisers deemed by the Commission necessary hereunder, as limited by the provisions in title 5, United States Code, section 55a (1946 edition); and may make such expenditures—including those for actual travel and subsistence of members of the Commission and its employees—not exceeding $13 for subsistence expense for any one person for any calendar day; for rent of quarters at the seat of Government, or elsewhere; for personal services at the seat of government, or elsewhere; and for printing and binding necessary for the efficient and adequate functions of the Commission hereunder. All expenses of the Commission shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the Chairman of the Commission, or such other official of the Commission as the Commission may designate.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions and purposes of this Act.

LITHUANIAN INDEPENDENCE

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DULSKI. Mr. Speaker, in northeastern Europe some 3 million Lithuanians constitute one of the smallest national groups. In the course of their turbulent history they had generally managed to safeguard their freedom. But in the late 18th century the powerful Russian advance had overwhelmed them; their country became part of the Russian empire and they lived under the czarist regime until the Russian Revolution in 1917. Then, when that autocratic regime was toppled, they proclaimed their independence on February 16, 1918, and established the Lithuanian Republic. This small but vigorous and progressive Republic was doing well, and the Lithuanians were among Europe's most enlightened people but in 1940 the Soviet Government treacherously put an end to the Lithuanian Republic and annexed the country.

Since then these unhappy Lithuanians have been suffering under Soviet totalitarian tyranny. Today their lot under the Kremlin is tragic. They are deprived of their freedoms and are deliberately cut off from the free world. But they have not weakened in their fight for freedom, and on the 45th anniversary of their independence day we wish more power to them.

IMMIGRATION AND NATIONALITY ACT OF 1952

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. MINISH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MINISH. Mr. Speaker, I would like to make a brief statement in favor of legislation to amend and improve the operation of the Immigration and Nationality Act of 1952 which I am today introducing in the House.

At the risk of uttering a very bad pun, I would say that this bill is designed to put a little more heart into the immigration law. I think this law can use it.

The purpose of the bill is limited to changing the immigration quota provisions of the McCarran-Walter Act. It proposes a substitute quota system for the present system based on national origins.

Mr. Speaker, the national origins quota system has been criticized for its features of racial discrimination for many years. These criticisms, in my opinion, have had substance and I feel that if a workable substitute can be found—one that will fulfill our own national goals without giving offense to other countries of the world—then such a substitute should be adopted.

The national origins quota system is based upon a belief that the people of one nationality or race are superior to those of another. Most Americans would agree, I am sure, that such a belief, however popular it once might have been, has no place in the laws of our Nation today.

It is no secret that when the first permanent immigration quota law was adopted in 1924 it was purposely designed to curtail the "new immigration" from southern and eastern Europe while not interfering with the "old immigration" from northern and western Europe. This is apparent when one merely examines what the quotas are.

Great Britain, for example, has an annual quota of over 65,000—more than one-third of the total quotas of all the countries of the world, most of which goes unused every year. Germany and Ireland also have liberal quotas, reflecting the many early settlers in the American colonies and in the United States from those countries. At the same time, a country like Greece whose immigration quota is oversubscribed by some 105,000 visa applications, has a quota of 308.

Thus we have a situation in which the immigration quotas allotted to certain countries are larger than they can use, while other countries are given quotas which are paltry in relation to their needs. And all of this is determined by the accidents of history—which countries had contributed the most stock to the U.S. population as it existed in the year 1920. Surely, some more equitable means of allocating our immigration quotas can be found than this.

I think that my bill offers a reasonable alternative to the present system and is certainly to be preferred to it.

My bill provides a new means of allocating the immigration quotas based in part on comparative populations of foreign countries and in part upon the proportion of immigration into the United States from the various countries during recent years.

Under the bill the total worldwide immigration quota would be set at 250,000 immigrants a year. Under the present law it is around 157,000 and varies from time to time with changes in the number of individual quota areas that are recognized. Of the 250,000 total, 50,000 would be set aside for use by refugees and escapees without regard to the quota areas from which they come. In the light of recent experience I would not expect to see anything close to the full amount of these refugee visas utilized very often.

The remaining 200,000 visas would be allocated under a two-part formula. Eighty thousand of these would be apportioned in accordance with the proportionate populations of the countries of the world, no one country to receive more than 3,000 visas under this provision. The other 120,000 quota visas would be allocated in accordance with the proportionate immigration from the various countries of the world during the past 15 years.

Under the revised allocation, Italy's quota would be increased from the present 5,666 to 15,648. Greece, whose current quota is only 308, would receive 3,458.

Quotas would be revised every 5 years. The maximum quota for any country would be 25,000 and the minimum raised from 100 to 200. Within these limits there is a guarantee that no country would receive a smaller quota than it receives under the present law.

These provisions then furnish the basis for dividing the quota among the quota areas of the world. There are other changes affecting the distribution of quota visas within the quota areas. Persons of special skills and parents of U.S. citizens, both of whom are in preference categories under present quotas, would be made nonquota immigrants under the bill.

The extent to which the United States has benefited from the admission of trained and educated immigrants is not generally recognized. More than a quarter of a million of the immigrants who reported their occupation during the 1947-61 period were in the professional and technical categories for which we have a critical need. As pointed out in a most useful report by Mr. Frank L. Mott, Division of Manpower, Requirements and Resources, Department of Labor, November 20, 1962:

> The training of professional and technical workers represents a heavy economic investment for the people of a country. As indicated earlier, many immigrants are fully trained when they arrive. The receiving country benefits from the education and training which were acquired in the country of the immigrant's origin. Thus, the United States received immigrants who brought with them not only a willingness to work but a diversified knowledge, education, and training which were needed throughout the economy.

The United States has reaped manifold gains from the admission of immigrants whose skills and experience enable them to make a vital contribution to our Nation's growth.

Surely, there is no need to justify elimination of the inequities in our immigration law that prevent the unification of families. The grief and hardship incurred under the present harsh restrictions would be eradicated under the provisions of my bill. Simple humanity dictates the need for this change.

The bill also eliminates the extremely discriminatory provisions relating to the Asia-Pacific triangle which require a person, one of whose parents is of a race attributable to an area within the Asia-Pacific triangle, to come under an Asia-Pacific quota rather than the quota of his native country.

Mr. Speaker, there has been a great deal of pious talk about changing our immigration quota system. The time has long since passed when we should have had some legislative action on these proposals. I was encouraged by the President's remarks at his January 24 press conference that the administration is planning to offer recommendations for legislation in this area. With the added support of the administration, prospects for action have brightened considerably. I urge that Congress give priority to the long-overdue enactment of an immigration policy that will be fair to all.

PROPOSED MILITARY PAY LEGISLATION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LEGGETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. LEGGETT. Mr. Speaker, in the opinion of many, one of the most significant pieces of legislation with which we will be called upon to deal in the 1st session of the 88th Congress is the military pay raise bill, endorsed by President Kennedy and Secretary of Defense McNamara. I would like to place myself on record as among those who will firmly support this legislation.

Four and one-half years have gone by since the last adjustment of military pay.

Our military men wear their uniforms with pride. They serve their country with valor and devotion during both peace and war—such is their role in the national defense. As Members of Congress, one of our roles in the national defense is to provide just, adequate compensation and career incentives for our Armed Forces.

Ladies and gentlemen, I believe that provision for increased military pay is a matter of economic justice. As Secretary of Defense McNamara recently stated:

> In the interim [i.e., since the 1958 Military Pay Act], some erosion has taken place in the real value of compensation of the military and there has been a substantial loss relative to the wage and salary gains of wage earners in the civilian economy.

The value of military pay has been eroded by the steady increase in the cost of living. From 1958 to date the Consumer Price Index of the U.S. Department of Labor rose 5 percent.

Similarly, during the same period, average weekly wages in manufacturing industries registered gains of almost 18.5 percent, and average salaries of Federal civil servants advanced by slightly more than 13 percent.

To make the comparison between military and civilian pay scales even more graphic, let me cite the following statistics.

A police patrolman or a fireman in New York City receives a beginning salary of $5,600 a year.

A civilian machinist in a naval shipyard receives $6,700 annually after 5 years in his trade.

A chief petty officer in the Navy with 20 years of experience is paid a basic salary of $4,200 a year. If he is married, has two children, and is ashore, his income is $5,670, or less than the lowest paid truckdriver in a large city.

And a master sergeant, with 30 years' service and quartered in the barracks, earns approximately $4,300 a year.

It is true, of course, that all military personnel receive retirement and medical benefits. So do the policemen, the firemen, and most industrial employees.

It is high time that such economic injustices are corrected.

Furtherfore, the proposed boost in military pay would inject more than $1.7 billion into the economy. Such a potential increase in consumer spending power would do much toward creating an additional demand for goods and services which, in turn, would help to reduce current unemployment of almost 4 million—at an annual rate.

I believe that the military pay legislation introduced into both Houses during this 1st session of the 88th Congress, and now under consideration by the House and Senate Armed Services Committee is a step in the right direction. By raising salaries of the military forces to reflect at least in part the advances of the civil economy over the past 4½ years, by improving certain categories of compensation in terms of service uniformity and need, by providing incentives designed to overcome service manning and retention problems, and by adjustments in the pay of retired personnel, this proposed measure would correct certain existing inequities in the pay scale sales of our Armed Forces.

It is my hope and conviction that the Congress will act promptly and favorably upon this proposed Military Pay Act of 1963.

OUR ARTICLES OF FAITH

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ROGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROGERS of Texas. Mr. Speaker, as we all know, a free and responsible press is vital to the continued well-being of our democratic institutions. That great sculptor of our Bill of Rights, Thomas Jefferson, declared in 1787:

> The way to prevent these irregular interpositions of the people is to give them full information of their affairs through the channel of the public papers, and to contrive that those papers should penetrate the whole mass of the people. The basis of our governments being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.

Later, Jefferson was to become an articulate critic of the press and its abdication of responsibility. But he remained a steadfast defender of press freedom. He said:

> Our liberty depends on the freedom of the press, and that cannot be limited without being lost.

In these days when our people are besieged by a mass of information from the public media, it is reassuring to us all that most segments of the press respect the obligation to responsibility with which they exercise the constitutional right of freedom. I am always gratified to see an expression by a newspaper editor of his faith in the American system and a declaration of the sense of duty with which he serves his readers.

One of the best expressions of this sort I have seen recently appeared in the editorial columns of a newspaper in my district, the Canadian Record of Canadian, Tex. The editor of that fine weekly newspaper, Mr. Ben R. Ezzell, has the following words to say in an editorial entitled "Our Articles of Faith":

> OUR ARTICLES OF FAITH
>
> At this, the beginning of a new year, we want to reaffirm our statement of policy, our pledge of service to our community and our country and our faith in them—an affirmation which appeared in these columns when the Record first came under its present management more than a decade ago, and one which has been restated at intervals since that time.
>
> These are the principles on which this newspaper is operated:
>
> We believe in the freedom of the press. We are grateful for it. We will defend it to the limit of our ability.

We believe, too, that in return for that freedom, we owe an obligation of service to our community. We believe that it is our duty to provide you with complete and unbiased reporting of the news of our community.

We will strive always for accuracy—and being human, we will not always achieve it. But we pledge to you that we will never knowingly mislead you—and we will never refuse to make correction if any error in fact is called to our attention.

We will do our best to keep you informed regarding the public affairs of our community, because we believe that an informed public is our best guarantee of freedom.

We will strive always to base our reporting of the news on fact, and to confine our own opinions and comments on it to our editorial columns. We will continue to present our own views on public questions, editorially, as clearly and concisely as possible because we believe that you have a right to know where your newspaper stands on any public question.

At the same time, we will not deny you, as individuals, the right to public expression of your own views whether your ideas agree with ours or not. As always, the columns of the Record will be open to you for publication, over your signature, of your own views on questions of public interest subject only to the restrictions of libel and the standards of common decency.

But we will neither publish nor acknowledge unsigned and anonymous communications, regardless of their content.

The Record is a private company, operated for private profit. But it is a public news medium and as such, we hope that it merits, and will continue to merit, your confidence and your trust.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. WYMAN (at the request of Mr. HALLECK), for an indefinite period, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. DENT (at the request of Mr. ALBERT), for 30 minutes, today, to revise and extend his remarks and to include extraneous matter.

Mr. RYAN of New York, for 5 minutes, today, to revise and extend his remarks and to include extraneous matter.

Mr. JOHNSON of California, for 1 hour, on Thursday, February 21, 1963.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ROUSH and to include extraneous matter.

Mr. EVINS and to include extraneous matter.

Mr. HAGAN of Georgia.

Mrs. GREEN of Oregon.

Mr. LINDSAY.

Mr. HORTON.

(The following Member (at the request of Mr. MICHEL) and to include extraneous matter:)

Mr. SAYLOR.

Mr. ALGER and to include extraneous matter.

(The following Member (at the request of Mr. BRUCE) and to include extraneous matter:)

Mr. BRAY.

(The following Members (at the request of Mr. EDMONDSON) and to include extraneous matter:)

Mr. DENT.

Mr. MORRIS.

Mr. HAYS.

Mr. BURKE.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; according (at 12 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until Thursday, February 21, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

416. A communication from the President of the United States, transmitting proposed amendments to the budget for the fiscal year 1964 involving decreases in the amount of $70 million for the Small Business Administration and $4,625,000 for the Department of the Interior (H. Doc. 70); to the Committee on Appropriations and ordered to be printed.

417. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 1, 1962, submitting a report, together with accompanying papers and illustrations, on a review of the reports on the Sanders, Big Pine, and Collier Creeks, Tex., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 21, 1957 (H. Doc. No. 71); to the Committee on Public Works and ordered to be printed with three illustrations.

418. A communication from the President of the United States, transmitting a draft of a proposed bill entitled "A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes"; to the Committee on Banking and Currency.

419. A letter from the Secretary of the Army, transmitting reports of the number of officers on duty with Headquarters, Department of the Army and the Army General Staff on December 31, 1962, pursuant to section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

420. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting a copy of the Executive Stockpile Committee's report to the President on disposing of excess stockpile materials; to the Committee on Armed Services.

421. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting the report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes for the quarter ending December 31, 1962, pursuant to the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

422. A letter from the Acting Assistant Chief of Naval Material (Procurement), Department of the Navy, transmitting the Department of the Navy's semiannual report of research and development procurement actions of $50,000 and over for the period July 1 to December 31, 1962, pursuant to title 10, United States Code, second 2357; to the Committee on Armed Services.

423. A letter from the Administrator, General Services Administration, transmitting a report on the progress of the liquidation activities of the national defense, war, and reconversion activities of Reconstruction Finance Corporation, pursuant to Public Law 163, 83d Congress, and with Reorganization Plan No. 1 of 1957; to the Committee on Banking and Currency.

424. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill entitled "A bill to amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes"; to the Committee on the District of Columbia.

425. A letter from the Secretary of Labor, transmitting a draft of a proposed bill entitled "A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination"; to the Committee on Education and Labor.

426. A letter from the Secretary of State, transmitting a draft of a proposed bill entitled "A bill providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization"; to the Committee on Foreign Affairs.

427. A letter from the Comptroller General of the United States, transmitting a report on the review of license fees being charged the U.S. Government for the right to produce the SS-11 antitank guided missile mutually developed by France and the United States under the mutual weapons development program; to the Committee on Government Operations.

428. A letter from the Comptroller General of the United States, transmitting a report on the failure of the Department of the Navy to use its excess spare parts and assemblies in the production of Navy aircraft; to the Committee on Government Operations.

429. A letter from the Secretary of Commerce, transmitting the 50th Annual Report of the Secretary of Commerce for the fiscal year ending June 30, 1962, pursuant to 5 U.S.C. 604; to the Committee on Interstate and Foreign Commerce.

430. A letter from the Chairman, Federal Trade Commission, transmitting the 48th Annual Report of the Federal Trade Commission for the fiscal year ending June 30, 1962; to the Committee on Interstate and Foreign Commerce.

431. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the report on blacklog of pending applications and hearing cases in the Federal Communications Commission as of December 31, 1962, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

432. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill entitled "A bill to provide for the withdrawal and reservation for the Department of the Navy of certain public lands of the United States at Chocolate Mountain Aerial Gunnery Range, Imperial County, Calif., for defense purposes"; to the Committee on Interior and Insular Affairs.

433. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill entitled "A bill to provide for the withdrawal and reservation for the Department of the Navy of certain public lands of the United States at Mojave 'B' Aerial Gunnery Range, San Bernardino, Calif., for defense purposes"; to the Committee on Interior and Insular Affairs.

434. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande"; to the Committee on Interior and Insular Affairs.

435. A letter from the Under Secretary of Commerce, transmitting a draft of a proposed bill entitled "A bill to amend section 104(b)(3) of title 23, United States Code, relating to the apportionment of funds for extensions of the Federal-aid primary and Federal-aid secondary systems within urban areas"; to the Committee on Public Works.

436. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 27, 1962, submitting a report, together with accompanying papers and an illustration, on a letter report on Bass Harbor, Maine, authorized by the River and Harbor Act, approved May 17, 1950; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 3844. A bill for the relief of Licking Valley Local School District, Licking County, Ohio; to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 3845. A bill to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766); to the Committee on Interior and Insular Affairs.

H.R. 3846. A bill to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreational demands and needs of the American people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT of Florida:

H.R. 3847. A bill to provide that U.S. payments to the United Nations shall not be used for programs contrary to the policies of the United States; to the Committee on Foreign Affairs.

By Mr. BERRY:

H.R. 3848. A bill to amend the Internal Revenue Code of 1954 to increase the percentage depletion allowance for gold produced in the United States; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 3849. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. COOLEY:

H.R. 3850. A bill to establish an additional office of Assistant Secretary of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. DANIELS:

H.R. 3851. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs; to the Committee on Education and Labor.

By Mr. DINGELL:

H.R. 3852. A bill to provide certain mileage allowances for Members of the House of Representatives, and for other purposes; to the Committee on House Administration.

H.R. 3853. A bill to provide for the conservation of anadromous fish and spawning area in the Salmon River, Idaho; to the Committee on Interstate and Foreign Commerce.

H.R. 3854. A bill to amend the Hospital Survey and Construction Act to prohibit discrimination in any respect whatsoever on account of race, creed, or color in hospital facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.R. 3855. A bill to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766); to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS:

H.R. 3856. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. FINO:

H.R. 3857. A bill to amend title II of the Social Security Act to provide monthly insurance benefits in certain cases for brothers, sisters, and other relatives, of individuals who die fully insured under such title; to the Committee on Ways and Means.

By Mr. FLOOD:

H.R. 3858. A bill to create the Interoceanic Canals Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FULTON of Pennsylvania:

H.R. 3859. A bill to provide for the establishment of a Permanent Commission on Governmental Operations; to the Committee on Government Operations.

H.R. 3860. A bill to provide for the observance of the 19th day of November 1963, the 100th anniversary of Lincoln's Gettysburg Address, as a legal public holiday; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 3861. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

By Mr. HECHLER:

H.R. 3862. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. HOLIFIELD:

H.R. 3863. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of California:

H.R. 3864. A bill to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and the needs of the American people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LANDRUM:

H.R. 3865. A bill to amend title II of the Social Security Act to provide a more realistic definition of the term "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

By Mr. LANKFORD:

H.R. 3866. A bill to amend section 205 of the Flood Control Act of 1962 to clarify the projects to be subject to certain amendments made by that section to the Flood Control Act of 1948; to the Committee on Public Works.

By Mr. McFALL:

H.R. 3867. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate or navigable waters, and for other purposes; to the Committee on Public Works.

H.R. 3868. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from the retailers excise tax on jewelry in the case of identification tags designed primarily to indicate emergency medical data concerning the wearer; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 3869. A bill to establish Federal agricultural services to Guam, and for other purposes; to the Committee on Agriculture.

By Mr. MINISH:

H.R. 3870. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. MORRIS:

H.R. 3871. A bill to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreational demands and needs of the American people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PATMAN (by request):

H.R. 3872. A bill to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes; to the Committee on Banking and Currency.

By Mr. PIKE:

H.R. 3873. A bill to amend section 322 of the Public Health Service Act to permit certain owners of fishing boats to receive medical care and hospitalization without charge at hospitals of the Public Health Service; to the Committee on Interstate and Foreign Commerce.

By Mr. POAGE:

H.R. 3874. A bill to extend the feed grain program; to the Committee on Agriculture.

By Mr. PUCINSKI:

H.R. 3875. A bill to amend section 501(b) of the Federal Aviation Act of 1958 to require evidence of financial responsibility in connection with the registration of certain aircraft; to the Committee on Interstate and Foreign Commerce.

H.R. 3876. A bill to amend section 307(c) of the Federal Aviation Act of 1958 to require the Administrator of the Federal Aviation Agency to prescribe air traffic rules governing the use of landing areas by certain aircraft; to the Committee on Interstate and Foreign Commerce.

H.R. 3877. A bill to amend title XI of the Federal Aviation Act of 1958 to establish liability on the part of the United States for the taking of easements in the navigable airspace of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. QUIE:

H.R. 3878. A bill to establish a National Wilderness Preservation System for the permanent good of the whole people, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3879. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

H.R. 3880. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. RAINS:

H.R. 3881. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. ST GERMAIN:

H.R. 3882. A bill to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreational demands and needs of the American people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 3883. A bill to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreational demands and needs of the American people, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3884. A bill to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766); to the Committee on Interior and Insular Affairs.

By Mr. SICKLES:

H.R. 3885. A bill to amend section 205 of the Flood Control Act of 1962 to clarify the projects to be subject to certain amendments made by that section to the Flood Control Act of 1948; to the Committee on Public Works.

By Mr. SISK:

H.R. 3886. A bill to amend title 39 of the United States Code to establish a 35-hour workweek for postal field service employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TAYLOR:

H.R. 3887. A bill to authorize the acceptance of donations of land in the State of North Carolina for the construction of an entrance road at Great Smoky Mountains National Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of Texas:

H.R. 3888. A bill to amend section 312 of title 38, United States Code, to provide a presumption of service connection in the case of veterans suffering from amyotrophic lateral sclerosis developing a 10 percent degree of disability within 7 years from the date of discharge or release; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 3889. A bill to amend title 38, United States Code, with respect to benefits available to certain paralyzed veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. UTT:

H.R. 3890. A bill to amend Public Laws 815 and 874, 81st Congress, to extend for 2 years the provisions thereof which would otherwise expire; to the Committee on Education and Labor.

By Mr. WHARTON:

H.R. 3891. A bill to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766); to the Committee on Interior and Insular Affairs.

By Mr. ZABLOCKI:

H.R. 3892. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the sale of his principal residence by a taxpayer who has attained the age of 65 years; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:

H.J. Res. 253. Joint resolution to provide a credit against the individual income tax for individuals who make contributions or gifts to the United Nations or its specialized agencies; to the Committee on Ways and Means.

By Mr. RYAN of New York:

H.J. Res 254. Joint resolution designating the week of May 20–26, 1963, as National Actors' Equity Week; to the Committee on the Judiciary.

By Mr. WATSON:

H.J. Res. 255. Joint resolution to provide that if the United Nations furnishes any further assistance to Cuba, the United States shall not thereafter make any contributions or payments to the United Nations; to the Committee on Foreign Affairs.

By Mr. HAYS:

H. Con. Res. 98. Concurrent resolution to authorize the printing of a wall map of the United States; to the Committee on House Administration.

By Mr. UTT:

H. Res. 258. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. WAGGONNER:

H. Res. 259. Resolution to amend the rules of the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Idaho, memorializing the President and the Congress of the United States relative to requesting early action be taken to implement the change of name from Bruces Eddy to Henry Dworshak Dam, as a fitting memorial to the distinguished late Senator Henry Dworshak; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States relative to urging Congress to continue support of the tobacco research program at the Agricultural Science Center of the University of Kentucky; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States relative to enacting legislation to authorize and make appropriations to reconstruct the Grays Harbor South Jetty, which has increasingly deteriorated, to breakwater standards; to the Committee on Public Works.

Also, memorial of the Legislature of the territory of Guam, memorializing the President and the Congress of the United States relative to enacting legislation pertaining to urban renewal and low rent housing, school construction appropriation, power facilities appropriation, and authorization for loans to the government of Guam and loan revolving fund; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELCHER:

H.R. 3893. A bill for the relief of Capt. Lloyd N. Campbell; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 3894. A bill for the relief of Constantinos Kioumourtzoglou; to the Committee on the Judiciary.

By Mr. HAGAN of Georgia:

H.R. 3895. A bill for the relief of Antonios Giannopoulos; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 3896. A bill for the relief of Pablo T. Rinonos and Tomasa A. Rinonos; to the Committee on the Judiciary.

H.R. 3897. A bill for the relief of Giovanni Antonio Ferrante; to the Committee on the Judiciary.

H.R. 3898. A bill for the relief of Samuel Ellis Beckles and Vida Bernese Beckles; to the Committee on the Judiciary.

Mr. JOHNSON of California:

H.R. 3899. A bill to provide for the conveyance of certain portions of railroad rights-of-way and station sites on public lands to the lessees thereof; to the Committee on Interior and Insular Affairs.

By Mr. McFALL:

H.R. 3900. A bill to validate the conveyance of certain land in the State of California by the Central Pacific Railway Co. and the Southern Pacific Co.; to the Committee on Interior and Insular Affairs.

H.R. 3901. A bill to validate the conveyance of certain land in the State of California by the Southern Pacific Co.; to the Committee on Interior and Insular Affairs.

By Mr. MOORE:

H.R. 3902. A bill for the relief of Nermin Demirbag Lavapies; to the Committee on the Judiciary.

H.R. 3903. A bill for the relief of Dr. Josefina Quintos Marcelo; to the Committee on the Judiciary.

H.R. 3904. A bill for the relief of Dr. Bernardino D. Marcelo; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 3905. A bill for the relief of Dr. Catalina Lee Huang; to the Committee on the Judiciary.

By Mr. PIKE:

H.R. 3906. A bill for the relief of Law For Wing, Law Wan Koon Dai, Law Yee Lan, and Law Yee Ping; to the Committee on the Judiciary.

By Mr. PRICE:

H.R. 3907. A bill for the relief of Maj. Lawrence W. Hunt; to the Committee on the Armed Services.

By Mr. ROGERS of Colorado:

H.R. 3908. A bill for the relief of Chang Sheng also known as Rafael Chang Sing; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 3909. A bill for the relief of Morice E. Ovadia; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 3910. A bill for the relief of Mrs. Liu Chung Hao, her daughter, Tien Yee (Christina) Hao, and her son, Tien Shou (Terence) Hao; to the Committee on the Judiciary.

By Mr. SHIPLEY:

H.R. 3911. A bill for the relief of William Lusk; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 3912. A bill for the relief of George A. Simmons; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

42. By Mr. HOEVEN: Petition of residents of Sioux County, Iowa, calling upon the Congress to give full and public consideration to any Presidential guarantee which might, in effect, abrogate the Monroe Doctrine by permitting Soviet Communist influence and control to continue in Cuba; to the Committee on Foreign Affairs.

43. By Mrs. ST. GEORGE: Petition of 49 students of Ladycliff College, Highland Falls, N.Y., to preserve the Monroe Doctrine; to the Committee on Foreign Affairs.

44. Also, petition of Mr. and Mrs. Walter F. Glace and 32 others to preserve the Monroe Doctrine; to the Committee on Foreign Affairs.

45. Also, petition of Walter D. Van Etten and 30 others to preserve the Monroe Doctrine; to the Committee on Foreign Affairs.

46. By Mr. TEAGUE of California: Petition of certain citizens of the 13th Congressional District of California to preserve the Monroe Doctrine; to the Committee on Foreign Affairs.

47. By the SPEAKER: Petition of the Board of County Commissioners, Phillips County, Malta, Mont., petitioning consideration of their resolution relative to opposing a game refuge area in the southern part of Phillips County, Mont., to be known as the Fort Hawley project, and requesting support for public hearings thereon; to the Committee on Merchant Marine and Fisheries.

48. Also, petition of the Women's International League for Peace and Freedom, Washington, D.C., petitioning consideration of their resolution with reference to requesting the abolishment of the House Committee on Un-American Activities, and transfer the functions of the committee to a subcommittee of the House Committee on the Judiciary; to the Committee on Rules.

EXTENSIONS OF REMARKS

President Kennedy, Secretary of State Rusk, and Secretary of Defense McNamara Speak on the Cuban Situation

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1963

Mr. EVANS. Mr. Speaker, the Cuban situation continues to be of concern to Members of Congress and to the Nation as a whole. In this conection, in my weekly newsletter to the people of the Fourth District of Tennessee, I have discussed the Cuban situation and recent developments.

Mr. Speaker, I ask unanimous consent that my newsletter be reprinted in the RECORD.

The newsletter follows:

THE CUBAN SITUATION

Cuba and its Communist government continue to be the subject of great public interest and concern as the President, the Secretary of State, and the Secretary of Defense this week made statements on our Cuban policy.

The President has taken a firm stand on Cuba. Last October when it became known that Russian weapons designed primarily for offensive purposes had been landed in Cuba and were being deployed, the President ordered a naval blockade of Cuba and demanded that they be withdrawn. These missiles and bombers were dismantled and removed from Cuba.

Since this time the United States has continued our air surveillance of the island with both low-flying aircraft and with high-altitude planes of the U-2 design.

Recently, Secretary of Defense McNamara, in a lengthy report, told the American people that since July 1 of last year more than 400 reconnaissance flights have been flown over Cuba by our U.S. military aircraft and that the photographs taken on these flights, plus other intelligence sources, indicate clearly that the offensive weapons have been removed from Cuba.

In addition to Secretary of Defense McNamara, President Kennedy, Secretary of State Rusk, and Mr. John McCone, Director of our Central Intelligence Agency, have all stated quite positively that, while we are concerned, they are satisfied that Cuba no longer poses a real military threat to the United States or to other countries in this hemisphere.

In a further action directed against Cuba, President Kennedy has ordered recently a further crackdown on Cuban shipping which will further shrink the already substantially reduced trade with Cuba from the free world.

While partisan attacks are continually being made on the administration because of our Cuban policy, the President has taken a firm stand and is working to strengthen our position while also working toward the removal of all Soviet troops from Cuba—this short of war. In international affairs we generally tend to close ranks at the water's edge, and follow a bipartisan policy of cooperation, however some would use the Cuban situation for partisan attacks and political gain.

Secretary Rusk in a major speech this week in California called for an early withdrawal of the remaining Soviet troops in Cuba and said that the administration is working toward having these troops removed.

"The authorities in Moscow and Havana must recognize that Soviet military elements in Cuba do not insure the peace of Cuba, but poison the atmosphere and increase the dangers," Rusk said. "The sooner this source of potential trouble is eliminated, the better for everyone concerned."

"We in the Western Hemisphere cannot accept as normal any Soviet military presence in this hemisphere," the Secretary said. He asserted that Cuba will not become a base for offensive military operations against the United States or other countries and pledged "the Armed Forces of the United States" to maintain this position.

Wall Map of the United States

EXTENSION OF REMARKS

OF

HON. WAYNE L. HAYS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1963

Mr. HAYS. Mr. Speaker, I have introduced a concurrent resolution today which, if approved by both Houses, will authorize the printing of 59,350 copies of a wall map of the United States. These maps would be prepared cooperatively by the Bureau of Land Management and Geological Survey of the Department of the Interior. Its information would also include historical data, concerning public surveys, reservations, and other appropriate dedications of land of the United States. There will be made available 43,900 copies for distribution by Members of the House of Representatives, and 15,450 for Members of the Senate. The primary purpose of this resolution is to effect the congressional-type distribution on a single-sheet map. In a similar resolution approved in the 87th Congress, the dimensions of the map were larger than requested in this proposal and necessitated the use of two sheets which had to be pasted together to effect a complete map. Because of the desire of many Members to have the single-sheet type, with the information I have described, I am requesting that the provisions of House Concurrent Resolution 574—87th Congress—be suspended. I have written to Secretary Udall about our desires in this matter, and if and when the Congress approves this resolution, I am advised that the Department can begin processing and printing of this important, informative map to satisfy requests of all Members for its need.

Tides of Tyranny

EXTENSION OF REMARKS

OF

HON. JOHN V. LINDSAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1963

Mr. LINDSAY. Mr. Speaker, on Sunday, February 17, I had the privilege of speaking before the Lithuanian American Council of Greater New York, on the occasion of the 45th anniversary of Lithuanian independence.

Lithuanian Independence Day falls between Lincoln's and Washington's Birthdays, and should be remembered by all Americans as an occasion when people in another land proclaimed their independence from oppression and tyranny.

In my remarks, I tried to outline some aspects of Lithuanian history and to describe their long struggle for independence. This history will be interesting to my colleagues:

TIDES OF TYRANNY

(By Representative JOHN V. LINDSAY)

For those of us gathered here today and for the more than 2 million Americans of Lithuanian descent, February 16 is indeed a historic occasion, a date which celebrates heroism in the past, and which symbolizes hope for the future. For 45 years Lithuanians, wherever they might be, have together recalled with patriotic pride that day in 1918 when individual valor brought national victory to a small but ancient land long dominated by despicable despotism. In view of the significance of that day and the solemnity of this occasion, it is indeed a distinct honor for me to join with you in commemorating the 45th anniversary of the restoration of Lithuania's independence.

The tyranny which enslaves Lithuania today completely overshadows the tyranny which oppressed that country in the past. But we should not forget that the heroic history of Lithuania is at the same time a tragic epic of foreign aggressions repeated so often that, when we consider this history, we might well speak of the incessant "tides of tyranny." February 16, 1918, marks the greatest chapter in this saga, a chapter in which those evil tides emerged from beneath the oppressive waters of tyranny. Today I propose to review briefly this epic struggle of Lithuania to maintain her identity and to defend her independence against centuries of aggression and oppression. Only when we recall these centuries of struggle which produced the victory of 1918, only then do we recognize the full significance of February 16. And only then can we realize the magnitude of the tremendous task which is ours today, the task of turning back and stemming forever these "tides of tyranny."

Lithuania is endowed with two fatal attractions: strategic location and natural wealth. Situated on the shores of the Baltic midway between Berlin and Moscow, Lithuania is a rich land of farms, forests, and lakes—more than 2,000 of them I understand. The very first mention of Lithuania in recorded history—made by Tacitus, the famous Roman historian—was in praise of Lithuanian farming. The fertile soil, the timber, the outlet on the Baltic—each was by itself treasure enough to motivate foreign aggression against Lithuania.

The primary perpetrator of such aggression has always been and remains today just one country: Russia. Long before the Lithuanian tribes were forged into one nation the country was struggling against domination by its Russian neighbors from the east. Finally in the 14th century the people of Lithuania began to turn back these early waves of aggression, waves which were but an ominous warning of later tides to come.

By the end of the 14th century, Lithuania had driven the Russians back to Moscow and had secured for itself the power necessary to protect its territories and traditions. Following the dynastic union with Poland, the Grand Duchy of Lithuania was a marvelous and mighty state stretching from the Baltic Sea in the north to the Black Sea in the south. Within these boundaries the old and rich culture of the Lithuanian people attained brilliant heights, heights which it would attain again only after similar suffering and struggle. This comparative calm, this peaceful prosperity lasted little more than a century.

By 1500 the Russian tide had ebbed and was now again sweeping back across the northern and central plains of Europe. For 40 of the 90 years between 1492 and 1582 Lithuania found itself at war with the Muscovite aggressors. The czars alleged that Russia desired only an outlet on the Baltic Sea; however, after Peter the Great had taken Riga from Sweden and had built his own window on the Baltic at St. Petersburg, the Russian rulers showed that their appetite for aggression was far from satisfied.

In 1795 this aggression came quickly and brutally to the surface: the shameful third partition of Poland also became the fateful third of our many tides of tyranny, tyranny which was to now completely engulf Lithuania and enslave its people for 123 years.

Not that the people of Lithuania willingly or weakly succumbed to such oppression. Throughout the course of their long history they have fought fiercely to overthrow the repressive rule of the ruthless Russian czars. In 1812 Lithuania experienced a mere moment of relative freedom as Napoleon advanced against Moscow. The fate of that historic campaign has been recorded with stark simplicity upon a monument which still stands in Vilnius. On one side the inscription reads "Napoleon Bonaparte passed this way in 1812 with 400,000 men"; on the other side it continues "Napoleon Bonaparte passed his way in 1812 with 9,000 men." But within 20 years of that setback the winds of freedom were again attempting to sweep back the tides of oppression. In that year of 1831 Lithuanians lent active aid to Poland in a revolution against the heavy hand of Russian reaction and only the brute force of 150,000 Russian troops was capable of quelling their spirited struggle. Thereafter oppression was increased and intensified: Lithuanian lands were confiscated and then delivered into the hands of Russian nobles, the University of Vilnius closed, and finally Russians were everywhere designated to control the government, the army and the church.

When revolution erupted for a third time in 1863–64, the czar finally realized that military might had failed to conquer Lithuania's resistance. Suppressions, hangings, exiles to Siberia, czarist brutality failed to quell the indomitable love of freedom and self-determination of the gallant Lithuanian peoples.

World War I and the Russian revolution furnished the long-sought opportunity for which generations had been striving with such courage and fortitude. With the proclamation of Independence at Vilnius on February 16, 1918, and the treaty of peace of July 12, 1920, which accorded full recognition as an independent state, Lithuania reemerged to take her rightful place among the free nations of the world.

During her short-lived independence the country grew, prospered, and left an indelible influence for good upon the onrushing course of world events. Her domestic economy and foreign trade expanded mightily. Long-needed social services were instituted, her cultural life thrived under peaceful surroundings. Education once again became a reality for her people and agriculture, her principal industry, greatly benefited.

But Lithuanian freedom was tragically short lived. For in June of 1940 the armies of Soviet Russia and Nazi Germany flagrantly violated the canons of international law and the rights of man and brutally subjected the Lithuanian people to a tyranny as coldblooded and remorseless as any act of aggression committed in this century of total war. The tragic events that followed are too well known ever to be forgotten.

The soul of a proud and great nation lives on beneath the brutal yoke of Soviet tyranny. It lives in the hearts of Lithuanian countrymen who cling to the motherland in the face of Communist enslavement. It lives in our own country where the brave liberty-loving peoples of Lithuanian ancestry have contributed so much to our own national experience and have given so tirelessly of themselves to the communities in which they live. It lives on in the richness and variety of the oldest living European language. It continues to live through the darkness of Soviet oppression keeping a prayerful vigil at the ramparts of national destiny sustaining the light of liberty which must never be extinguished and which will once again burn brightly to herald the arrival of a new dawn of freedom for Lithuania. Only then, will the oppressive "tides of tyranny" be turned back forever.

The Great Bay State

EXTENSION OF REMARKS
OF
HON. JAMES A. BURKE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, February 18, 1963

Mr. BURKE. Mr. Speaker, both on the National and the State level we hear repeatedly that the proper amount of promotion in the field of tourism can be a tremendous boost to our economy. We in the Federal Government are extremely happy at the emphasis this administration is placing in the U.S. Travel Service's drive to bring visitors to this country. For a long time there was a tendency at all levels of government to treat tourism as sort of a stepchild.

I was happy recently, along with other Members of Congress, to visit the "Travel America" Auto Show at the District of Columbia Armory and to see there the exhibits of a number of States promoting the attractions of their particular areas. I was especially proud to see the outstanding exhibit of my own Commonwealth of Massachusetts. This exhibit arranged by the Massachusetts Department of Commerce, and staffed by a talented group, including a very lovely young lady, Miss Gayle Pope, who is "Miss Massachusetts." I commend the members of the Bay State delegation and both the House and the Senate for the cooperation they gave to the Commonwealth in connection with this show. I was also happy to note that the Governor of Massachusetts, Endicott Peabody, took time from a busy schedule in Washington to appear at the show.

More promotions of this nature will mean more visitors for the various States with the end result that the entire economy will benefit. As a son of Massachusetts, I want to state I was very proud of all the participants in this exhibit.

Annual Observance of Brotherhood Week

EXTENSION OF REMARKS
OF
HON. FRANK J. HORTON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, February 18, 1963

Mr. HORTON. Mr. Speaker, the Jewish Ledger, an outstanding weekly newspaper circulated in my district, has extended me the privilege of publishing a message to the community on the observance of Brotherhood Week, which was begun yesterday.

I welcomed this opportunity to express my thoughts on this observance and the special meaning it has for all of us:

> Brotherhood Week is a fitting occasion to make a searching examination of how all of us are living up to the American way of life and its ideals. This great Nation has taken its strength from the ability of our citizens to live and work together in the interests of all people, regardless of religious or political faiths.
>
> This special week is dedicated to the purpose of bringing together Christians and Jews in a bond of brotherhood and good fellowship. It also reminds us that prejudice and hate can destroy us and everything we hold dear.
>
> The liberty of freemen and their right to worship God as they see fit is threatened today by godless communism. All of us who believe are called to show by our example of brotherly love that the ugly philosophy of communism is doomed. We must unite in brotherhood. So strong can such brotherhood become that we can defeat the evils of communism, and preserve our religion and our belief in the dignity of man.
>
> Although the actual observance of Brotherhood Week lasts only 7 days, its real meaning should be practiced every day of the year.
>
> FRANK HORTON,
> *Congressman.*

Mr. Speaker, in this same issue of the Jewish Ledger, Donald Wolin, the editor and publisher, has written a very timely editorial. Employing the "coloring book" satire which is so popular today, Mr. Wolin has described in very fundamental terms the divisive influences at work in our society, the unfortunate influences Brotherhood Week seeks to defeat.

I take pleasure in offering this editorial for publication so that my colleagues may also have the privilege of reading this appropriate message:

Brotherhood Week Coloring Book

This week we are offering you free our nondisposable Brotherhood Week coloring book, complete with a crayon kit containing a generous assortment of colors—white, dark, black, brown, tan, yellow, and other various hues.

Spread out your crayons and turn to page 1.

Sunday: Notice the mother and father and their two children. They are dressed neat and clean. They are going to church. They appreciate the privilege of worshiping in the church of their choice. Color them appreciative. Use any crayon for their hands and face.

Monday: Father is at work. He works in a large office and wears a tie and white shirt. He has a very responsible and important job. There are many other workers in the office. How many different colors can you use in this picture?

Tuesday: Note that this page is divided into two sections. The first panel shows a crowded, dingy classroom in a shabby neighborhood. The second panel is a light, airy classroom in a different neighborhood. The first school is old and dilapidated, while the second is modern and expensive. It should not be difficult to color the students.

Wednesday: Father is home reading the evening newspaper. He is angry, bitter and frustrated. He is reading about ignorant racial outbursts from liberal arts students, Rockwell's Nazis, subtle discrimination in the North. The newspaper is not pleasant to read. Color it everyday. Make father any color. Make him continuously angry, bitter and frustrated.

Thursday: You must use your imagination for this page. Draw a Negro, Jew, Catholic, rabbi, priest, and cleaning woman. Ask your friends to do the same without revealing your drawing. Do you find striking similarities? Are you really surprised? You can have a lot of laughs with this page. You can also learn something about yourself. And your friends.

Friday: This family is Jewish. They are going to Friday evening services at their temple or synagogue. This page looks familiar because it is the same one we used on Sunday. Do you find it strange; they do not look strange? Color them similar.

Saturday: This is our puzzle page. Mother, father, and children are dressed to go dining. Color them dark. They want to eat in a nice restaurant where they will be genuinely welcome by the owner or headwaiter. They can't seem to find the restaurant. Can you? Do not waste too much time on this page. Color it hopeless.

Notice there are more pages in your book. One for each day of the year. It is impossible to erase or destroy those you tarnish. Be careful how you use your crayons.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1963

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the Record, I include the following newsletter of February 16, 1963:

Washington Report

(By Congressman Bruce Alger, Fifth District, Texas)

THE LINCOLN PHILOSOPHY

This week, as we observe the birthday of Abraham Lincoln, perhaps it is a good time to rededicate ourselves to the philosophy he gave us, the belief in our freedoms and in the private enterprise system. It is well that we remember his words that "as free men, we must live through all time or die by suicide." Unless we reverse the trend dictated by the policies and programs discussed in this newsletter, we may well be close to national suicide. Only by a return to the philosophy of constitutional-limited government can we return to the kind of nation envisioned by Lincoln when he said: "We see it, and to us it appears like principle, and the best sort of principle at that—the principle of allowing the people to do as they please with their own business."

UNITED NATIONS AID TO CUBA

The United Nations is going to give $1.2 million of your money to help strengthen communism in Cuba. And the only concern the Kennedy administration has, according to the press, is that this action "may add fuel to the attacks by some Congressmen on its Cuban policies." They are so right. This Congressman, for one, is going to continue to attack policies which are not in the self-interest of the United States and which, in fact, strengthen the sworn enemies of the United States. The latest move by the United Nations to approve a Cuban crop diversification project which will strengthen the agricultural economy of Cuba and make the Communist dictatorship more secure, it is a continuance of a policy which has seen the United States contributing to its own suicide by financing the United Nations so it could in turn finance Communist countries; and by our foolhardy foreign aid contributions to Yugoslavia, Poland and other Communist-dominated nations. The action of the United Nations Special Fund in approving the financing of the agricultural project in Cuba should call for this immediate reaction by the United States: (1) An immediate stop to all payments to the United Nations; (2) our withdrawal from the United Nations; (3) eliminate all foreign aid to Yugoslavia, Poland, and other Communist-dominated or neutral countries supporting our enemies.

THE FEDERAL BUILDING

The record will show that I have done everything reasonably, humanly, and ethically possible to get approval for the Dallas Federal Building. I have never, to my knowledge, made a statement that the Federal Building is not needed. My position has always been and still is that approval for the project should be based on merit—the yardsticks being (1) efficiency, (2) convenience, (3) economy. All Federal agencies and congressional committees which have investigated the project to date have recommended the building. I have now asked for an updated report from both General Services Administration and the General Accounting Office so that we may have at hand the latest figures on actual savings contemplated and a report on how Federal money already invested in site and planning is being protected. As a responsible representative it is my duty to continually check on how the peoples' money is being spent. It is up to the administration and the General Services Administration to either reject the Federal Building as not measuring up to the above-stated yardsticks, or to include it in the budget as first priority of any public works anywhere in the country. I would hope that all of us who have the best interest of Dallas at heart could get together to promote our community and not seize upon every occasion to discredit the efforts of those with whom we disagree politically. It is beyond understanding how the best interest of Dallas is promoted by the continued efforts to use the Federal Building as a weapon to undermine the Congressman from the Fifth District. I say, let's be done with the nitpicking and get on with the business of dealing with the life and death issues facing this Nation, including Dallas.

ADMINISTRATION TAX PROPOSALS PENALIZE THRIFTY

President Kennedy's proposal for a 5-percent floor on itemized tax deductions penalizes the thrifty and conscientious citizen-taxpaper. Under existing law, a taxpayer has the election either (a) to use the standard deduction or (b) to itemize his deductions. The administration's proposal would limit the itemized deductions (after first applying the limitation on medical deductions and a proposed limitation on the casualty loss deduction) to the amount by which the sum of the allowable itemized deductions exceeded 5 percent of the taxpayers' adjusted gross income. The 5-percent floor will reduce the amount deductible on the average by between 20 and 30 percent. In other words, between 20 and 30 percent of the taxpayer's State and local taxes, interest, charitable contributions, medical expense (after a 4-percent floor), casualty losses (after a 4-percent floor), and the other itemized expenses, will not be treated as a deduction from taxable income. This means that a taxpayer using the standard deduction will get proportionately a greater reduction in his tax liability than a taxpayer itemizing these deductions. In the middle income group, this disparity is as follows:

Percentage tax reduction when program fully effective

Annual income	Standard deduction taxpayer	Average itemized deduction taxpayer
	Percent	*Percent*
$5,000	33. 3	18. 7
$10,000	22. 2	15. 3
$15,000	20. 6	13. 9
$20,000	20. 4	13. 6

The taxpayer with the itemized deductions—the homeowner who pays local taxes and contributes to charity—gets less tax reduction. For example, a married taxpayer having an income of $10,000 from wages and salaries with two dependents, using the standard deduction, would get a tax reduction of almost $304. The same taxpayer, who had itemized deductions of $1,800 would get a tax reduction of only $182.

HOW MANY ARE PENALIZED

It is estimated that 51 million taxable returns will be filed under existing law. Of this 51 million, approximately one-half will use the standard deduction and one-half will itemize their deductions. There are both types of taxpayers in all income groups. In the middle income group, however, between $5,000 and $20,000, about 11½ million taxpayers will use the standard deduction and about 18½ million will itemize deductions. The effect of the 5-percent floor is to give greater relief to the 11½ million at the expense of the 18½ million.

WHO TAKES THE RISK?

The administration will attempt to overcome the argument that there is inequity by showing that all taxpayers will pay less taxes as a result of the package than they would under existing law. Many taxpayers may not object to the disparity within the same income group so long as they are getting a tax reduction. This is a shortsighted view. The administration admittedly proposes tax reduction as a "calculated risk." In other words, it is a gamble. If tax reduction does not produce the miracle of growth that is attributed to it, tax rates will have to be increased. The taxpayer who uses the standard deduction has gambled nothing. He got the benefit of a temporary reduction. However, the taxpayer who itemizes his deductions gambles that tax reduction will result in a balanced budget. He will have given up between one-third and one-fourth of his deductions through the operation of the 5-percent floor. Therefore, if the package fails to produce a miracle, he will be worse off when taxes are increased again. That is why I will continue to fight for effective, equitable tax reform and a corresponding cut in Federal spending to establish fiscal responsibility rather than to depend upon miracles.

Radio and TV reports: Inside Washington—WFAA-TV 1:15 Sunday, regular weekly reports on radio stations KLIF, KSKY, KVIL, and KPCN.

Explanation of Public Law 87-297

EXTENSION OF REMARKS

OF

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1963

Mr. MORRIS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement concerning the U.S. Arms Control and Disarmament Agency:

This statement is issued because various articles and editorial comments in the January 20, 1963, edition of the Amarillo Sunday News-Globe about the U.S. Arms Control and Disarmament Agency and about U.S. arms control and disarmament objectives are inaccurate and would, if left uncorrected, mislead the American people.

In today's world, a strong military establishment is essential. It does not follow, however, that our security can be maintained indefinitely by continuing the present arms race. Our defense budget is so large and the weapons of war are so devastating that safeguarded alternatives to the arms race should be explored.

Congress created the Arms Control and Disarmament Agency to seek alternatives which would be fully consistent with the security of the United States. Congress gave the Agency three principal tasks:

1. To carry out an extensive program of research in the field of arms control and disarmament;
2. To make recommendations on the basis of this research program to the President and to the heads of the agencies concerned with our national security; and
3. To provide direction and support for U.S. representatives engaged in arms control and disarmament negotiations after decisions establishing our Government's policy have been made by the President in consultation with the Secretaries of Defense and State, the Chairmen of the Atomic Energy Commission and of the Joint Chiefs of Staff, and the Director of the Central Intelligence Agency, among others.

Every major arms control proposal which the United States makes during negotiations is considered by all these men in order to assure that it is in the national interest. Any agreement obligating the United States to disarm would have to be approved by two-thirds of the Members of the Senate or a majority of the Members of both Houses of Congress as required by section 33 of the Arms Control and Disarmament Act.

The United States, under both Democratic and Republican leadership, has attempted since the end of World War II to secure adequately safeguarded arms control and disarmament agreements with the Soviet Union. There is nothing in the history of these efforts to indicate that a disarmament accord will come quickly while communism maintains its present goals. There is a possibility, however, that something can be done now to curb the arms race and to reduce the threat of war. Toward these ends, the Arms Control and Disarmament Agency is exploring such measures as a nuclear test ban agreement and possible measures to reduce the risk of war by accident, miscalculation, or failure of communication. At the same time, the Agency is studying broader areas in the hope that Soviet interests in disarmament may, in the future, coincide more closely with ours and be consistent with the security of the United States and the rest of the free world.

Detailed replies to specific statements contained in several articles in the Amarillo Sunday News-Globe are set forth below after the title of the articles:

A. BAN POSSIBLE IN 10 YEARS

1. While the time limitations for the completion of stages I and II of our outline of a proposed disarmament plan are set at 3 years each, there is no time limit set for the completion of stage III. The United States deliberately left open the time for the completion of stage III to assure that the process could be completed only if circumstances guaranteed our continued national security. Moreover, the United States alone would make the determination that it could safely proceed from stage I to stage II and from stage II to stage III if other parties were complying with the agreement and all conditions to protect our security had been met. Thus, while it is theoretically possible that general and complete disarmament might be achieved in 10 years from the ratification of a treaty, the statement in the articles that the United States could be disarmed in less than 10 years is totally unrealistic.

2. The suggestion that an arms control and disarmament treaty could come into effect without approval of the Congress is clearly erroneous. In section 33 of the act, Congress specifically provided that "no action shall be taken under this or any other law that will obligate the United States to disarm or to reduce or to limit the Armed Forces or armaments of the United States, except pursuant to the treaty making power of the President under the Constitution or unless authorized by further affirmative legislation by the Congress of the United States."

3. Section 47(b) of the act, authorizing the President to transfer to the Agency any activities or facilities which relate "primarily to arms control and disarmament," requires that such a transfer be made only after a report has been made to Congress and a period of 60 days has elapsed while Congress is in session. Thus, the statutory provision does not give the President carte blanche to transfer funds to the Agency. The purpose of this section of the act was to facilitate the efficient administration of U.S. arms control and disarmament activities. Such a provision is quite common in legislation that vests existing responsibilities in a new independent agency.

B. LEGION PROBERS FIND JOKERS

This article begins on the fallacious premise that the United States might accommodate the Soviet Union by disarming "completely before the U.S.S.R. had a single reduction in unit strength * * *." Department of State publication No. 7277 is cited as authority for the statement.

Publication No. 7277, entitled, "Freedom From War"; the U.S. program for general and complete disarmament in a peaceful world is an outline of a plan which proposes balanced and verified arms reductions by all nations in steps and under conditions designed to assure the preservation of our freedom and security. It does not provide for unilateral disarmament. As the arms control and disarmament policy of the United States is developed and elaborated in increasing detail by this Agency, the provisions of section 33 of the act have been, and will continue to be, adhered to in every respect. The Director of the Agency recommends to the President and his principal advisers all significant arms control and disarmament policies. These recommendations are considered by all appropriately interested agencies, as well as the President himself, to determine if they are in our national interest. In the event our country agrees with foreign governments on a proposed treaty that will obligate the United States to disarm or to reduce or to limit the Armed Forces or armaments of the United States, the executive branch will then seek the approval of two-thirds of the Members of the Senate or of a majority of the Members of both Houses of Congress. The American people are thus assured that any arms control and disarmament agreement which might be entered into by the United States will be, in the considered opinion of the country's highest officials, to the national interest. I am certain that if such a proposed treaty was not in the national interest it would be overwhelmingly disapproved by the entire Congress if submitted as a proposed statute or by the Senate if submitted under the constitutional treaty-making powers of that body.

The analysis of the Arms Control and Disarmament Act provided by the Amarillo Sunday News-Globe article is largely inaccurate. Many of the sections of the act are drawn from other statutes which have been in force for years, and they do not provide the Director of the Agency with any greater powers than those given other agency heads. Following is a discussion of the sections of the act which were criticized by the article:

Section 35: The power to "assure cooperation" given to the President by the act does not give him the authority to rule by fiat over private individuals. It simply provides authority to "assure cooperation" between the Department of Defense, the Atomic Energy Commission, the National Aeronautics and Space Administration, the Arms Control and Disarmament Agency, and other affected Government agencies. Such a statutory provision is common when there is potential conflict between agencies having overlapping interests. Somewhat similar provisions may be found in the Atomic Energy Act of 1954 (42 U.S.C. § 2037(b)) and the National Aeronautics and Space Act of 1958 (42 U.S.C. § 2471(e)). The President's power under the act to resolve differences of opinion between the Director of the Arms Control and Disarmament Agency and other agencies is, in effect, nothing more than a statutory restatement of the President's existing authority under the Constitution as the head of the executive branch.

Section 41: This subsection authorizes the Director to "enter into agreements with other Government agencies" to secure the services of officers or employees for the Arms Control and Disarmament Agency. This does not, as the article suggests, authorize the Director to "preempt" these agencies. The provision was incorporated into the act in recognition of the fact that these other agencies—particularly the Department of Defense—have personnel who would be of value to the Arms Control and Disarmament Agency in fulfilling its functions. Although the President would presumably have the power to "assure cooperation" in this area under the provisions of section 35, no such problem has arisen, nor is it anticipated. The Arms Control and Disarmament Agency has so far maintained a close and harmonious relationship with the Department of Defense and all other agencies and departments concerned with national security. The President's authority to resolve differences of opinion that might arise under this subsection is only what is necessary and appropriate for the head of the executive branch to conduct an effective and efficient administration.

The article raises the further question whether the Director could, under the provisions of section 31(k), utilize the Army to "maintain peace and security" of the American people if they objected to continued disarmament. Section 31(k) contains no such authority; it deals with research that may be undertaken to assure that peace and security among nations is preserved during disarmament.

Section 41(h): The "rulemaking" power of the Director is circumscribed by the restriction that it must be exercised within the authority conferred by the provisions of the act. This authority is found in most legislation establishing governmental agencies. The Arms Control and Disarmament Agency is, like any other agency, accountable to the Congress if it transcends its rulemaking authority.

Section 41(g): The power of the Director to delegate the authority which he has under the act is identical to that given the directors of many Government agencies. It is given in recognition of the fact that the Director is unable to perform personally all the functions required of him under the act. The Director, of course, delegates this authority to those officers who are qualified to carry out the particular function. It might also be noted that all the officers and other employees of the Agency are subject to stringent security investigation requirements.

Section 43: This provision, allowing the President to exempt the Agency from the provisions of law relating to contracts or expenditures, requires that a prior determination be made by the President that "such action is essential in the interest of U.S. arms control and disarmament and security policy." A similar provision is found in the Atomic Energy Act (42 U.S.C. 2202). The Russians began a series of nuclear tests in the atmosphere on September 1, 1961. Our Government had been negotiating on a nuclear test ban in good faith and had not appropriated funds to immediately begin nuclear testing underground or to begin preparation for testing in the atmosphere. The President rightfully exercised his authority under 42 U.S.C. 2202 of the Atomic Energy Act to protect our national security by authorizing funds to be used to immediately begin nuclear testing. Moreover, legislative history of the Arms Control and Disarmament Act makes it clear that this power is only to be used in "exceptional cases." Such a determination would, of course, be subject to the scrutiny of Congress which could subsequently pass legislation modifying the President's determination. Even if the President should exempt the Agency from a particular provision of law, which he has not done so far, its spending would still be limited to appropriations made by Congress.

Section 45: Subsection (a) of this section provides in part that security requirements for Agency personnel "not be less stringent" than those of the Government agency or agencies having the "highest security restrictions." The security clearance awarded Agency personnel are given only after a most intensive investigation by the Federal Bureau of Investigation or the Civil Service Commission. The provisions of section 45(b) are merely to assure that Agency personnel be cleared by the Atomic Energy Commission before receiving classified atomic energy data needed in the performance of their duties. This section contains an additional safeguard which requires that the Atomic Energy Commission make an independent finding that the Agency's security procedures and standards are adequate before such information may be received.

Section 46: The general rule set forth in this section is that contractors must retain their pertinent books, documents, papers, and records for 3 years after the final payment has been made by the Government to them under a particular contract. This provision is typical of those found in other acts. The sentence in the act which the article refers to is merely a standard exception of the general rule. This sentence only allows the early destruction of records if both the Director of the Agency and the General Accounting Office concur. It is worth noting, in this respect, that the General Accounting Office is an arm of the Congress and is independent of the executive departments.

Section 49: The Congress did not appropriate any hidden funds for the benefit of the Agency; indeed, it has not yet appropriated the full $10 million which is the maximum authorized under section 49. The appropriation actually made to establish the Agency and carry it through fiscal year 1962 was, with funds transferred from an earlier appropriation, a little over $2 million. This fiscal year Congress appropriated $6.5 million. Subsection (b) allows the allocation or transfer of funds actually appropriated by Congress for the Agency to another agency; not the reverse as suggested in the article.

C. CONTROL SYSTEM IS THEME OF RESEARCH

This article does not refer to research carried on by the Arms Control and Disarmament Agency. It does, however, deal with the important problem of inspection of arms control and disarmament agreements. It is Government policy that workable and adequate inspection and control systems are fundamental to the disarmament process, and U.S. negotiators have insisted upon adequate inspection and verification as an integral part of any disarmament plan. The Congress is in the fullest accord with this point of view.

This insistence upon inspection is dictated by an unwillingness to trust this country's security to Communist promises of compliance. To insure that any inspection is adequate, the Agency is, therefore, exploring a great variety of techniques which will be both effective and acceptable. The study by the Institute for International Order referred to in this article, which the Agency did not sponsor or pay for, is only one of a substantial number of studies which have been undertaken. If and when the United States undertakes an inspection, the Agency will draw upon a fund of knowledge gained through study and research to establish a system which is adequate, acceptable, practicable and protects our national security.

D. PROGRAM COVERS ALL ARMS—EVEN YOURS

The U.S. proposals for the elimination of armaments are confined to those armaments used by "national forces" and do not extend to weapons used for sporting and other legitimate purposes. It is my opinion as well as the opinion of every attorney with whom I have discussed Public Law 87–297, that neither this act nor the proposals which the United States has presented in any way transgress the second amendment provisions of the Constitution that "the right of the people to keep and bear arms shall not be infringed." Further, no strained interpretation of the act which violated this amendment would be countenanced by the U.S. courts. If you know of any attorney who interprets this act as described by the article in the Amarillo paper, it would be appreciated if you would send me his name and address.

The article's concern for the proliferation of crime in a disarmed world is misplaced. Even in the event that stage III of the U.S. Treaty Outline for General and Complete Disarmament in a Peaceful World were reached, individual nations would remain responsible for combating crime and other internal security matters. In fact, the United States was practically completely disarmed after World War I as our total manpower in our armed services in 1932 was only 132,069 men. It is my firm belief that had an Arms Control Agency been active following World War I, we would not have allowed our armed services to become so weak at that critical period.

I hope the above explanation will be of use to those individuals who are concerned with the security and protection of our Nation as well as clear the air of the inaccurate and misleading comments that have been attached to Public Law 87-297.

Founding of the 13th Colony

EXTENSION OF REMARKS

OF

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1963

Mr. HAGAN of Georgia. Mr. Speaker, the House very properly Tuesday called attention to the birthday anniversary of that great American, President Abraham Lincoln.

But I am afraid that another very important date in the history of these United States was overlooked. That was the founding of the 13th Colony, 230 years ago.

On February 12, 1733, Gen. James Edward Oglethorpe and a group of the most carefully screened settlers to form any New World colony, climbed the bluff at Savannah and established the colony that was to become the State of Georgia. The original territory extended from the Atlantic Ocean to the Mississippi River, and thus included the area now occupied by Georgia's daughter States, Alabama and Mississippi.

Georgia is the largest State east of the Mississippi River. She was the fourth State to ratify the Constitution, the third to do so unanimously. She was the starting point for the first steamship to cross an ocean, the SS *Savannah*, and the home today of the world's first nuclear-powered ship, the NS *Savannah*.

Spanish expansion in America was ended forever by Georgians at the Battle of Bloody Marsh in 1742.

Georgia was founded for philanthropic as well as military purposes, and honest, able-bodied men, languishing in English prisons for inability to pay debts, were her first settlers. The first orphans home, Bethesda, was located in Georgia, and the first Protestant Sunday school in America was organized in Savannah.

In Georgia is the largest undrained swamp in the United States, Okefenokee Swamp, and the largest exposed body of granite in North America, Stone Mountain.

Georgia pioneered the peach industry by using refrigeration in shipping peaches. Georgia is the largest naval stores producer in the world, and produces more watermelons than any other State in the Union. Georgia also excels in producing peanuts, pecans, and tobacco, and produces more poultry than any State. Georgia has a greater variety of soil products than any other State.

Georgia manufactures paper, aircraft, automobiles, garments, food products, furniture, and other items, and ships them all over the Nation and the world. She has dependable labor, vast hydroelectric power and deep-channel seaports.

The cotton gin was invented in Georgia by Eli Whitney. The first railroad in America was built on a plantation near Savannah. Ether was first used as an anesthetic in Georgia, by Dr. Crawford W. Long. The first ice-manufacturing machine began operation in Georgia in 1844. The Girl Scouts of America was founded in Georgia by Juliette Gordon Low.

As a measure of her progressive nature, Georgia was the first State to require birth registration and the first State to declare that married women have full property rights. Georgia was the first and so far the only State to extend the privilege of voting to 18-year-olds.

The first chartered college in the world for women, Wesleyan College, is in Georgia. The University of Georgia is the first State-chartered university. Also in the field of education, Georgia leads in vocational rehabilitation.

To this Capitol in 1922 came the first woman U.S. Senator, Mrs. Rebecca Felton, of Georgia.

Georgia is a great State. I would like to ask unanimous consent that my remarks be placed in the Record in homage to the State I am proud to call home, and the First District of Georgia where, I am proud to say, it all started 230 years ago, in a wilderness peopled by strange Indians, at the top of a bluff on the Savannah River.

Lincoln in Indiana

EXTENSION OF REMARKS

OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1963

Mr. BRAY. Mr. Speaker, many of the Members of this House have just returned from their home States where they participated in programs and celebrations of the birthday of Abraham Lincoln. I have been in my own home State, Indiana, which was the home of Abraham Lincoln for some 14 years.

This year Lincoln's birthday had a special significance for Indiana, for on that day was published an excellent book on the life of Lincoln in Indiana. This book, "Lincoln's Boyhood—A Chronicle of His Indiana Years," is by Capt. Francis M. Van Natter, a native of the area he wrote and studied about for many years.

I would like to invite the attention of the House to this new study which should appeal to anyone interested in Abraham Lincoln or in the qualities of character which have gone into the building of this Nation by its leaders. Captain Van Natter unfortunately died before his book came off the press; he had spent more than a quarter of a century in research and travel, covering every mile of Lincoln's Indiana years and exploring the sources of information in libraries, private collections, historical archives, local, State, and Federal sources and other places which might have information bearing on the Indiana chronicle. This book was published by Public Affairs Press, 419 New Jersey Avenue, Washington, D.C.

Captain Van Natter was a devoted Lincoln scholar as well as a patriotic and dedicated American. He was a hero in World War I where he won the Silver Star with oak leaf cluster for bravery in action. He was seriously wounded at the second battle of Marne and suffered wounds which were to disable him permanently. He also served on the staff of Gen. John J. Pershing and was chief of the diplomatic courier service in the Balkans during the postwar days of the peace conference.

Captain Van Natter made exhaustive studies of Lincoln. He devoted much time to public service activities, including veterans' organizations, and in Washington to the Indiana State Society and as a member of the Washington Civic Symphony. I mention these facts about the author to give a setting to the devotion of the author who was not only a loyal constituent but a close friend as well.

The book "Lincoln's Boyhood" has been received with warm praise by those who are best equipped to judge its merit—Indiana newspaper editors. While I will not take time to quote extensively, I would like to mention two timely comments.

Lincoln saw his first printing press in the office of the old Western Sun newspaper at Vincennes, Ind. Last week the Vincennes Sun-Commercial praised the Van Natter book, saying:

> It is an intriguing book. It pictures in detail the Indiana of those early days as Lincoln knew it. It emphasizes the miracle of Lincoln who from a lowly birth and a boyhood in primitive land of forest and rivers climbed to immortality, revered as no other American save George Washington.

In another part of the State the Huntington Press-Herald said editorially:

> The years of painstaking research bear fruit in the publication of Captain Van Natter's book * * *. The freshness of the interest-gripping narrative is undoubtedly in the sureness of the author's mastery of his facts. Every chapter reveals he did not go to library shelves to cull the writings of others for the fabric of his book, but bit by bit himself hunted out elusive details wherever they led him. The reader is aware from first page to last that the author has shared his own experience with the Lincoln story in Indiana.
>
> There will be among his readers those who rejoice that in this book there is no concession to present-day supersophistication. Captain Van Natter has written of a youth who trod the wilderness paths of Indiana on his way to becoming a national hero. To the captain, Lincoln is a hero and the years in Indiana helped make him so. There is nothing of apology in his book that he so believes and so writes. It is good in these times to read a book like this.

Many fine comments have been received about the book and I commend this chronicle to anyone interested in Lincoln. Before concluding I would like to invite the attention of the Members to the closing chapter of the book, "Lasting Impressions." This sums up the impact of the Indiana years on the future President and sets forth in a fine way the reasons why we in Indiana feel that we can lay a strong claim to helping build the character of one of our greatest Presidents.

I should like to add that this work has an extraordinary list of sources and a fine bibliography for those interested in further study of Lincoln and the Indiana years.

The Indiana Deepwater Port

EXTENSION OF REMARKS

OF

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1963

Mr. ROUSH. Mr. Speaker, a handful of voices from without Indiana cry loud and long against Indiana's proposal to build a deepwater port on Lake Michigan. These voices criticize what is almost a unanimous feeling on the part of Hoosiers that a port should be built at Burns Ditch on Lake Michigan.

The people and interests who criticize do so with a selfish spirit. They have become so emotionally involved that they are now distorting facts and stooping to innuendo and inference in their fight to undo what Indiana has accomplished over a long period of years and what Indiana is determined to accomplish in the years to come.

The latest incident is the circulation of an article written by the editorial staff of the Louisville Courier Journal and published February 13, 1963. This article is being circulated on Capitol Hill with the inference that it speaks the gospel truth. Reference is made to the statement that two steel firms would never make a payment of any kind for use of the 300-acre, $30 million harbor. This is absolutely not true.

Mr. Speaker, I call attention to paragraph 10 of the agreement between the Indiana Port Commission and Bethlehem Steel Co. which reads as follows:

> Bethlehem-owned vessels and other vessels en route to and from Bethlehem's pier and/or the slip referred to in paragraph 9 shall be permitted access to and across the waters of the outer harbor under the same terms and conditions extended to all other vessels and under the same regulations governing all other vessels making use of the Burns Waterway Harbor.

Paragraph 8 of the agreement between the Indiana Board of Public Harbors and Terminals, which is now the Indiana Port Commission, and Midwest Steel Corp., reads as follows:

> Midwest shall have the exclusive right in perpetuity to moor or tie up vessels for the purpose of loading or unloading along the full length of the western side slip or channel described in (7) above, and along the full length of the bulkhead or wave absorber referred to in (3), (4), and (5) above, subject

only to the payment of a charge for each vessel entering or leaving the port or harbor, which charge shall be reasonable, nondiscriminatory in character, and comparable to charges made for other vessels using the port or harbor.

This same article asks what these same companies will do for Indiana? It fails to point out that, among other things, these companies will build plants and facilities which will represent an investment far in excess of $1 billion. By the terms of the agreements referred to above, Bethlehem Steel is obligated to perform certain work on the port itself which is estimated to cost $2 million and Midwest Steel is obligated to likewise perform certain work which is estimated to cost $3.5 million.

Mr. Speaker, we, the people of Indiana, are shocked, we are insulted, we are downright angry because of these outside attempts not just to influence our destiny, but to direct and rule our destiny. I am especially concerned over attempts to mislead my colleagues on this issue of the Indiana port by "foreigners" who either lack factual information or who are deliberately distorting the facts.

U.S. Department of Labor: The Workers' Agency

EXTENSION OF REMARKS

OF

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 18, 1963

Mrs. GREEN of Oregon. Mr. Speaker, the U.S. Department of Labor is observing its 50th anniversary this year. I think this is a fact worthy of sustained note. The Department has carried on fruitful work in helping to improve the social and economic condition of wage earners in our industrial society. Much more work needs to be done in the forefront of which I am certain the Labor Department, based on its first 50 years, will be stationed.

Mr. Speaker, under unanimous consent, I insert an anniversary article by Secretary of Labor Willard Wirtz which appears in the February 1963 issue of the AFL-CIO Federationist:

U.S. DEPARTMENT OF LABOR: THE WORKER'S AGENCY

(By W. Willard Wirtz)

"The purpose of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions and to advance their opportunities for profitable employment."—Act of Congress signed by President Taft on March 4, 1913.

The 50 years of history since March 4, 1913, have been the most turbulent in man's history, filled with revolution, war, and economic depression, but also with great triumph and achievement. The Department of Labor has had an increasingly important role in our national response to these tides of change. Perhaps the central fact of our anniversary celebration is that despite the impact of two World Wars and profound scientific changes, the basic commitment of our society—and the Department's statutory share of that commitment—remains toward the individual.

Because the Department's concern is people, and its mandate is spelled in terms of human welfare, its history has a deep significance for our time. Originally an orphan agency of Government grown to cabinet rank only after adventures as a subordinate bureau wandering through the organizational charts of other agencies, the Department has remained relatively small—yet today it has assumed a central responsibility for a major decision we face as a people: Can we make our economy a human as well as a technical success?

This is not unlike the questions that through the years have helped shape and form the Department. In its formative period, the overriding issues were immigration, child labor, and producing some accurate system by which to measure the changes in jobs and wages and hours and conditions of work. It was from the first the condition of the individual workingman and his family that gave the Department its meaning. It was an agency that sought to realize the dream of America held by the immigrants with whom it dealt; its purpose has varied little in the years since.

Yet its constitution has changed several times, almost in exact proportion to the changes in American life. During World War I, the concerns were primarily with manning the war effort and insuring needed production. In the peace that followed, the Secretaries of Labor considered the evolving technology of mass production and mass manpower needs and sought ways and means by which the security of individual workers could be vouchsafed. With the depression came a proliferation of departmental activities—the national employment service, wages and hours law enforcement, apprenticeship and training, the development of appropriate labor standards. With these changes, some of the older agencies were removed—Immigration and Naturalization, the Children's Bureau, the Mediation and Conciliation Service; none are today a part of the Department. New ones took their place—Employment Security, Labor Standards, Apprenticeship and Training, Wage and Hour, and the like.

The history of the Department is a record of response to change. For this anniversary year, a publication based upon reports of the Secretaries of Labor to the Congress since 1913 will be issued. Reading these texts, one is struck by the similarity of the problems and issues faced by each generation in turn. And one becomes more than ever convinced that tomorrow belongs to those who face the fact of change, who go forward to meet it, who see it as an essential quality of growth.

The problems that were very large in the past may seem small to us now and those we deal with today may lose much of their dimension in the eventful years ahead. The contribution of this agency of Government will continue to grow, however, so long as its tradition of confronting change continues.

That change today is measured in megatons of technological, demographic, political, social, and economic explosion.

As framers of the manpower policies of this Nation, we are challenged to keep pace with the genius of science. Technology is an inexorable force. Every new device is going to be used. What it is not made to alter for the better, it will alter for the worse and it will not wait. It offers the promise of man's fulfillment. We must bring to the architecture of manpower policy the degrees of invention, the ingenuity, the boldness which characterize today's phenomenal rate of scientific discovery.

Our task is harder than that of the scientist. When he discovers new truth, when the designer completes a new device, his job is done. There is the further responsibility upon us that we must develop those programs which will safeguard the person who may, as an individual, be adversely affected by a technological development which greatly benefits the community as a whole. Our task includes the responsibility to persuade, to obtain consent, to overcome the force of inertia which is represented in men's desire as individuals for even the incomplete security they think the status quo gives them.

Nor is it enough to be willing to adjust to change, for that would inevitably mean falling further and further behind until the forces of scientific and technological change which promise man's deliverance become rather the forces of his destruction.

Today, a man's job is also the uncertain product of unpredictable but almost certain change.

Within the next 30 days, 500,000 people will move to new employers, 600,000 to a different line of work, 400,000 to different areas of the country.

This change will be devastating unless we harness it to our own use. If we would make a firm course for change, we must first erect an economy capable of enlarging itself, an economy that offers to each man a meaningful use of his time and talent.

I subscribe to the old-fashioned belief that the best stimulant in the world to an economy is people coming in the doors of stores with money in their pockets. I think that in terms of our particular interest in achieving a full-employment economy, the largest importance attaches to the stimulation of consumer purchasing power.

We can and must do better in approaching the problems of technology. Attention must be given in the private processes of collective bargaining to the problems presented by automation. We are going to have to review our seniority, our job right systems, our employment security programs, our retirement plans to find ways of assuring that a man's rights are not destroyed when he has to move aside for a machine.

Only part of this job can be done privately. The rest of the answer to it is illustrated by the enactment by Congress last summer of the Manpower Development and Training Act. Under this legislation we will undertake to train some 400,000 people in the next 3 years.

We are going to need in this decade alone 5 million more skilled workers than we have presently available. These are job opportunities. We must inventory them. Retraining is being devised on a basis of working back from those and I am sure we can gear the retraining program to previously identifiable job opportunities.

The real answer to the change that is upon us is that nothing will make sense unless we expand the economy to the point where there are another 4 million jobs. There is only one answer to unemployment and that is more jobs.

We have vast unmet needs in this country. Our real wealth in meeting them is the use of the full potential of every single individual who wants to work. When we accomplish this, then we will meet these problems. Retraining is important in doing that and so are many other factors, but we must move the economy on to a faster employment pace.

The vantage of a 50th anniversary is the best one from which to consider this central challenge of continuing change. We do not face a world war, as we have done twice in the past. We do not face the collapse of an entire economic system, as we once did. We face, rather, the product of success—an economy so forward and aggressive in its technical ability that it has outstripped the skills of millions, deprived itself of that many consumers and come to an impasse of demand. As in the earlier periods, the Department will be able to make a contribution to this problem because its central concern remains the person.

Another Round in the Russian Oil Controversy

EXTENSION OF REMARKS
OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 18, 1963

Mr. SAYLOR. Mr. Speaker, as part of my remarks, I would like to include a letter received from Chairman WAYNE N. ASPINALL, of the House Committee on Interior and Insular Affairs, and my letter which is in reply thereto:

FEBRUARY 13, 1963.

Hon. JOHN P. SAYLOR,
Old House Office Building,
Washington, D.C.

DEAR JOHN: It was with a great deal of interest that I heard of, and later read, your comments at the Mines and Mining Subcommittee meeting, Friday, February 8, 1963, in which you stated "So some of the Russian oil is going down to Venezuela and coming up here."

In view of the statement by Mr. O'Leary, representing the Department of the Interior, that the Department has no knowledge of transshipments out of Venezuela of oil from European and other areas, I would appreciate it if you could furnish me with the details of the information that you have. This is a matter in which we are all interested and I believe it essential for the committee to pursue this aspect of the residual fuel oil imports program and its impact on the domestic coal industry.

In addition to an amplification of your statement concerning Venezuela, I would also like to have details of other information you might have relative to the impact of Russian exports of residual oil, as referred to in your further statement that "one of the things that has come to my attention is that many of the other outlets which the South American countries have for their residual oil in Western Europe, of course, is being taken up by Russian oil."

I will appreciate receiving your reply at an early date so that we may decide whether to hold further committee hearings on this subject.

Sincerely yours,
WAYNE N. ASPINALL.

FEBRUARY 18, 1963.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C.

DEAR WAYNE: Thank you for your letter of February 13, which I have just received. Later, I expect to present to the House another detailed account of the impact of Russian oil exports on the economy and security of the free world, but meanwhile I hasten to thank you for your suggestion that the committee pursue the matter of Red oil's entry into U.S. markets and its impact on the domestic coal industry.

I consider it incumbent upon Congress to undertake a full disclosure of the international oil trade complex which permits the sworn enemy of this Nation to encroach upon our fuel markets and those of our allies. I have been impressed with miscellaneous studies made from time to time by executive department offices and congressional committees (such as the Bureau of Mines' 1961 "The Soviet 7-Year Plan for Oil"; the Library of Congress' 1961 "Soviet Oil in the Cold War"; prepared for a subcommittee of the Senate Committee of the Judiciary; the same committee's own hearings on "Soviet Oil in East-West Trade"; and the voluminous "Impact of Oil Exports from the Soviet bloc" by the National Petroleum Council).

Yet none has considered Soviet oil's threat to the U.S. coal industry, none has painted up the fact that transshipments of Russian oil have entered our fuel markets, and none has prompted action necessary to meet the challenge.

Even if Red oil exports were not reaching the shores of this country, I believe that their encroachment on markets of the free world would justify your proposed pursuit of the matter. Until current oil trade figures are available, the following information should suffice to activate such an inquiry:

In 1961 imports of crude oil into Brazil from the U.S.S.R. amounted to more than 8 percent of the total admitted from neighboring Venezuela. During that same year Brazil exported more than 1¾ million barrels of oil to the United States. Brazil also exported more than 6 million barrels to the Netherlands Antilles, which in turn ships heavy volumes to the United States.

Mr. Chairman, this committee should also look into Italy's oil import and export situation. While I am hopeful that that country's trade philosophy will be revised following the recent death of Enrico Mattei, boss of the Italian State Oil Agency, still it could be the responsibility of this committee to make the determination of our petroleum trade with Italy and all other shippers. In the face of opposition by the North Atlantic Treaty Organization, Mattei negotiated with Russia for the presentation of great quantities of Soviet oil in exchange for steel tubing to be used for completing the Kremlin's network of oil pipelines.

The Pittsburgh Post-Gazette of last August 20 reported that Mattei admitted that almost 40 percent of Italy's fuel comes from the Soviet bloc. Additional quantities of Russian oil are presumed to reach Italy through transshipment from Egypt, according to a Senate Judiciary Committee study published last June. Keeping these facts in mind, Mr. Chairman, will you please refer to these data from the Bureau of Mines' International Petroleum Trade for June 1962?

In 1961 Italy exported more than half a million barrels of gasoline and more than half a million barrels of residual oil direct to the United States.

Yes, Mr. Chairman, the transshipments of oil between Russia and the United States present a problem that must be resolved as soon as possible. For this reason, I urgently request you to pursue this matter promptly.

Included in my statement which I shall prepare for House delivery will be your requested references to my remarks that "one of the things that has come to my attention is that many of the other outlets which the South American countries have for their residual oil in Western Europe, of course, are being taken up by Russian oil."

Mr. Chairman, I am sending this reply to you by special messenger in hopes that you will be able to decide quickly and in the affirmative on the advisability of further hearings. Since President Romulo Betancourt of Venezuela will be in this city this week, perhaps it would be possible to persuade him to visit with the committee on the theory that a discussion will prove beneficial to our Nation and his as well. President Betancourt might very well be able to provide information that would enable the United States to place impenetrable barriers against the admission of Red oil without disturbing hemispheric relationships. It would be enlightening if he would volunteer to answer such questions as:

1. What was the full impact of the meetings between Venezulan Minister of Mines and Hydrocarbons and Russian diplomats in Moscow in September 1961?

At that time, Venezuelan Senator Luis Tovar stated that his country had approached the Soviet Union regarding the dumping of Soviet oil in traditionally Venezuelan markets; hence the negotiations in Moscow. If those discussions had any bearing on the transshipment of Russian oil into the United States, this committee should be so apprised.

2. What volume of exports into the United States must Venezuela achieve to satiate her aspirations in this direction, and to what extent does the Russian oil offensive affect the preferred level?

Mr. Chairman, in view of the statement issued by the Director of the Office of Emergency Planning last week, it is especially important that this level be established. The report quoted a statement by the Under Secretary of State, who opined that doubts about the oil import control program "have caused and continue to cause problems in our relationship with friendly nations."

Mr. Chairman, I need not remind you that doubts about the residual oil import control program have caused and will continue to cause problems—including poverty and deprivation—among coal miners, railroad workers, and employees of allied industries. Under the circumstances, it would appear mutually beneficial if President Betancourt would express his views on this subject before our committee.

I thank you for your interest in my views, and I trust that you will decide to hold further hearings on this subject in the immediate future—this week if possible.

Sincerely,
JOHN P. SAYLOR,
Member of Congress.

Great New Dream for Europe Cause of British Freezeout

EXTENSION OF REMARKS
OF

HON. JOHN H. DENT

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 18, 1963

Mr. DENT. Mr. Speaker, while disagreeing with some of the opinions expressed by Mr. McGeachy in his Financial Post story of February 9 and agreeing with others, I believe he has given all of us some food for thought. The Financial Post story follows at the end of my remarks.

We cannot push out of mind the seriousness of the De Gaulle position, the Canadian governmental crisis, the U.N. decision to give economic aid to Cuba, the continuing floundering in the matter of world trade, America's chronic unemployment, the flight of gold, and the tightening of the noose around American exports and American investments in foreign countries.

Most of the present-day commentators seem to follow a given line as soon as they can distinguish what the line is to be.

All seem afraid of being the Devil's advocate or to appear to be swimming against the current.

One wonders if they are afraid of their own ability to analyze the current events in relationship to the past and the effect upon the future or whether they feel that they are safe "so long as they have the majority to point to as being with them."

Insofar as the Common Market is concerned, not even an 8-year-old would have believed the foolish and unsound propaganda put out for the benefit of the U.S. Congress prior to the passage of the so-called Trade Expansion Act of 1962.

Personally, while favoring responsible trade and fair trade in the trade picture, I never could understand how this Nation swallowed this trade propaganda hook, line, and sinker.

I pointed out time and again that the Common Market had never really accepted the full text of our trade bill and at no time did this group accept our insistence upon keeping the favored-nation clause.

The Common Market group, in spite of the stories showing a unanimous vote against De Gaulle, still will not buy our trade bill unless we discriminate by quota arrangements and other restrictive covenants against other nations in competition with the Common Market, for our American marketplace. In spite of all the propaganda to the contrary, the only lucrative market for consumer goods in the world today is still the United States.

All of our push for the Common Market acceptance of Great Britain is based upon a political consideration, to consider it from the economic base would bring us to exactly the conclusion reached by De Gaulle, "it won't pay."

This is not meant to absolve France from any blame if the market collapses which would be a major catastrophe in our scheme of things, but to point out that De Gaulle has every reason to object to British entry for purely commercial reasons.

If the British joined the Common Market and still maintain their preference status with the Commonwealth, it will give Britain the benefits of the open market of the Common Market while its own marketplace will be preempted by the preference status of the Commonwealth nations.

Further, if Britain follows our urgings and follows our favored-nation policy with underdeveloped nations as well as Japan, Hong Kong, and other consumer goods producers, the Common Market again finds itself in a bind with their market protected for United States and British goods but the United States and British market open to all comers.

For the past 3 years, as a Member of Congress and heading the committee studying the impact of imports on employment, I have pointed to these simple facts and to the serious unbalance of world employment when trade is based upon selling price with no regard to cost of production and individual country economies.

It must be remembered when dealing in trade that first, last, and always, the making, producing and growing of goods for selling is a commercial venture with profit as its first goal and all other considerations such as diplomacy, defense, philosophy and theory as secondary and all too often used as blinds for the plain unvarnished search for greater profits.

No person will argue with those amongst us who sincerely or selfishly promote world peace and brotherhood, but let us get one point clearly imprinted upon our rather confused minds—trade will not promote, nor can it guarantee, peace or good will unless trade is equitable, fair, and profitable.

Profits alone cannot do other than destroy good will and friendship. No better illustration than De Gaulle's position on Great Britain. In spite of the universal clamor for De Gaulle's scalp, the real truth of the matter is that the first consideration in his decision is the plain and simple commercialism of trade, jobs, currency exchanges, and the power that stems from an expanding economy.

This is not the time to check out item by item the competitive problems that would ensue for France if Great Britain and the United States were admitted carte blanche to the Common Market without joining the club all the way.

"Joining the club" means cutting out our favored-nation clause, commonwealth preferences, selling in the world market with subsidies, tax credits, preferred rates, and currency manipulation.

Someday it may happen, but as for the foreseeable future it is my studied opinion that only two things can happen. We keep out of an all-out agreement with the Common Market as prescribed in the present trade expansion bill or we end up with the most serious domestic economic letdown in our history, plus a worldwide trade debacle that will shake many heads of government from their positions of control.

Our problems can best be understood if we learn a little more about our friends and allies, neighbors and ideologies.

You can call your government any name you wish, a democracy, a monarchy, fascism, communism, or any other catch name and you will end up in the ashcan of yesterday's promises unless you keep your own peoples' welfare first in your deliberations, treaties, and agreements.

This does not mean that you have to take advantage of other nations and their peoples, but rather that in protecting your own economy, you are in fact protecting their welfare.

It is no bargain for the Chinese in Hong Kong to work for a net of 47 cents a day, 10 hours under sweatshop conditions, to make products for the use of Americans, French, Germans or anyone else whose incomes are from 10 to 50 times as much per day for the same work.

We can excuse our policy by saying that we are helping these people who otherwise would have nothing. By the same argument, we can excuse taking the land from our Indians, putting the Africans into slavery since we gave them clothes and shelter which was an improvement over nakedness and ignorance.

Sometimes one wonders how anybody can, in good conscience, promote trade as a builder of good will amongst peoples when we buy the products simply because a foreign worker works for less money and we can use foreign trade both as a wedge to sell—give away—our products not produced overseas while at the same time we can pressure both industry and labor in the consumer goods fields.

This Nation is being pushed into a trade pocket by the importer-exporter groups plus the international investor the same as the New England and Mid-Atlantic States were pushed into a production-labor pocket about 30 years ago when the low costs of the South acted as a magnet for our textile, hosiery and garment industries.

It is accepted by all who study the economics of trade that production will flow to the low-cost areas and distribution will flow to the high-income areas.

That is why the children of Hong Kong and Japan cannot afford the toys and togs of their own industry. The markets in Europe and the United States are more profitable. This is true in every item produced in competition between high-cost and low-cost economies.

Perhaps our world planners fail to realize that the market plan is sustained only by production wages.

When Japanese goods produced for 35 cents an hour replace American-made goods at $2.85 an hour in the American marketplace, they take from the marketplace $2.50 of purchase money which means that soon the market money in the United States dries up and both the Japanese and the U.S. worker find themselves walking the streets unemployed.

When we ship $11 worth of products to Japan, we export 2 hours worth of U.S. labor—labor roughly 50 percent of cost of production—but when the Japanese ship $11 worth of goods to the United States the same amount of goods would require seven times as much labor in the United States, since Japanese labor only gets one-seventh of our U.S. wage but because of the U.S. production methods, they produce as much per manhour as we do.

In fact, by my own observation, I can vouch for an even greater production per worker in the electronics industry.

Now if we flood our market with these products at lower prices, we buy more products but we cut out more American jobs, the end result has to be unemployment, depressed areas, and overproduction worldwide.

Lately I received a letter from Ed Wimmer of the Independent Retailers of the United States. He tells of visiting a store selling typewriters and found over a hundred foreign makes, but only two American made—the full truth is that some parts of the American makes came from overseas also.

Personally I went shopping for a portable sewing machine with Mrs. Dent. We could not find an American-made machine in three stores; finally located a Singer store with all foreign-made machines except one made in the United States. The U.S. machine was the most expensive by 200 to 300 percent. The others were made in Canada and Great Britain.

In dollars maybe we can compare favorably, but in man-hours of labor we come out a miserable last.

Until a trade program based upon a compensating factor equalizing costs of production is put into worldwide trade agreements, we will have the De Gaulles, the Castros, and all the rest of the disturbing elements that have kept our world in an uproar since the first man had a surplus and tried to sell it.

I cannot agree with the common belief that those of us who promote protectionism for American jobs are narrow and isolationists. The truth of the matter is that we are doing more to insure economic stability both nationally and internationally than those among us who under the guise of good will and free trade are exploiting the workers in every foreign country for exorbitant profits and some governmental greed.

When we buy cheap in a foreign country we are not always assured of keeping the same product cheap in the United States. The last 2 years ought to convince any observer that trade is commercial and most of those who are in the forefront of the free trade and trade expansion are greedy, selfish, mistaken, or misinformed.

For instance, prior to the so-called rebirth of the free trade movement, under the pressure and urgency of the agents of the registered agents of foreign countries such as the firm of George Ball and his associates, Tom Dewey's group, and hundreds of others who are registered as foreign agents representing manufacturers, exporters, importers and foreign governments, we had some privileges as individuals while traveling abroad. For instance we could bring back to the United States up until 1960, $500 worth of foreign purchases. This was reduced to $100 by Executive order. We could send back gift packages within a limit of $10; this has been reduced to $1.

Who benefits by these orders? Certainly not the foreign merchant since he would earn a more reasonable profit by retail sales than by sales to exporters. Not the U.S. tourist because he would get a more reasonable price at the foreign source rather than being forced to buy from an American importer who can bring in unlimited amounts. Certainly our Government will not benefit since we are shifting the individual purchase to the bulk purchaser who may pay a little customs, but the volume he brings certainly takes as much gold out of the country in the end. Certainly the American worker or producer does not benefit since the individual purchaser would buy much less in volume for the same amount as an importer and in all probability would buy goods not normally produced in the United States as a sustaining consumer product.

The $1 limit of gift packages can be described as an embargo on individual purchases for the benefit of the profiteering importer and nothing else. The whole trade program is oriented for the benefit of the profiteers when considered from the economic angle.

If we say we are worried about our balance of payments—and we should be—then I would recommend three simple but effective deterrents to the disappearing gold pile:

First. Apply a compensating factor at customhouse, removing all other restrictions, quotas, currency manipulating and customs by adding a compensating tax to equalize costs of competitive goods at customhouse with platform costs United States. This must be a two-way street. We cannot expect the right to bar foreign products with quotas and then subsidize our exports to cut prices in foreign markets and vice versa.

Second. All American travelers change U.S. currency into foreign currency before leaving the United States or upon arrival in the foreign country in all nations where we have counterpart funds and/or where any nation limits its nationals' spending while traveling to the United States.

Third. Enforce restrictions on foreign investments by barring products from these investments being returned to the United States in competition with domestic products—sewing machines and typewriters, and so forth. An investment to help a foreign economy is one thing but an investment made to displace American goods on American shelves is another.

The following feature story on De Gaulle shows how most of us are influenced in our thinking on trade by having angles and issues entering into the picture that treats the trade consideration as a minor consideration.

Behind all the talk of France's grand design let us not hide our own grand design—which has been fostered and developed under the guise of free trade and sold to the American people as well as foreign workers as a sincere effort in behalf of a better place for all of us to live. There are, of course, many persons who honestly believe in the grand design. However, the facts of life are to the contrary.

True real trade opportunities based upon equity will make a better place for all of us but trade as we know it today is selfish, greedy and above all—benefits those who most practice exploitation of workers.

De Gaulle may be all wrong, but insofar as we Americans are concerned, it will give us a new lease on our industrial life. Any delay in putting the new trade laws into effect will help the American economy and for this, at least, De Gaulle deserves a few kind words.

When De Gaulle and others inside the market who agree with him are pushed off the scene by the international profiteers and exploiters, many an American worker will lose his job.

Summing up for the moment before introducing the McGeachy article, let me say without reservation that nothing takes the place of a job to a man who must work for a livelihood.

The dignity of a job cannot be compensated for by relief, handouts, doles, or doubletalk. Next to life itself, the honest man wants to provide a living for himself and his family.

The story that follows may give you an insight into the international picture and show why, as some are saying, "De Gaulle must go":

[From the Financial Post, Feb. 9, 1963]

Great New Dream for Europe Cause of British Freezeout

(By J. B. McGeachy)

A free vote by the six members of the European Common Market (ECM), if a free vote had been taken, would evidently have gone 5 to 1 in favor of admitting Britain.

De Gaulle's veto worked like the single blackball cast against election of a man to a club. Whether it makes sense to run great alliances on club rules is open to question. There's a possibility that De Gaulle's one-man decision will be reversed.

Meanwhile, ECM as it stands is quite an achievement. To describe it contemptuously as "little Europe" is exactly as silly as it would be to call the United States "little America."

The present ECM and the United States have about the same population. Steel production in 1961: ECM, 80 million tons; United States, 98 million tons. Foreign trade in 1961: ECM, $64 billion; United States, $39 billion. With all the coal, iron, fast-flowing rivers, and other natural resources it needs (except oil), ECM is a very going concern.

If the British want to join, as evidently many of them do, there's no valid commercial reasons for keeping them out. But De Gaulle's main objection was not commercial. It was political and, above all, military.

To consider the political angle first, it's clear that De Gaulle thinks of the Franco-German alliance as the dominant element in ECM. Since France and Germany together have more than half of ECM's inhabitants and wealth, this is not a wholly unreasonable proposition.

The entry of Britain would clearly transform the ECM political scene. It would rule out domination by De Gaulle and Adenauer, or their successors.

Just for this reason the Italians, Dutch, and Belgians fervently want Britain in. They don't relish the prospect of all ECM decisions being imposed by the Paris-Bonn axis. Also they have a strong faith in Britain as the country, par excellence, able to show others how to run a democracy without going off the rails. There is some merit in that judgment.

Before De Gaulle, who has virtually abolished the French Assembly and possesses more authority than any Frenchman since Napoleon, French parliamentarism was a kind of Gallic farce. As for the Germans, the Hitler period (1933–45) showed how disastrously they could depart from the principle and practice of popular rule through ordinary, decent men.

The smaller powers in ECM don't want to see it gummed up or committed to dangerous courses by French reversion to the political nonsense of 1947–58 or German reversion to rule by a gang of adventurers.

They feel, not without cause, that Britain would be the sober, reliable, experienced partner who could keep the ship on an even keel. So they want Britain in.

But the great debate has a second political angle, about which points of view are far less clearly defined. De Gaulle keeps on referring to Europe as extending "from the Atlantic to the Urals," the mountain range that separates European from Asiatic Russia. What does this mean?

Does De Gaulle seriously envisage the expansion of ECM to include not only the Soviet satellites (East Germany, Poland, Czechoslovakia, and the rest) but the more populous and richer half of the Soviet Union itself? (What happens to Asian Russia is not indicated.)

De Gaulle apparently does foresee this future for the European union. The vision, as some people think, is simply absurd if not mad; "demented" a London paper calls it.

Yet perhaps it is not more demented than the existing actuality, with Europe split by an Iron Curtain, the Moscow-Washington quarrel still unresolved, and the cold war seemingly destined to go on forever. Surely this state of affairs is about as mad as possible.

We have all got so inured to these political facts that we tend to regard them as eternal verities. De Gaulle, a tough realist in war and politics, does not see the future in this static way. He expects change.

In particular he thinks the world may some day be confronted by the spectacle of a Washington-Moscow axis. This arrangement (often advocated here) could be the best guarantee of peace on earth; but it would evidently demote ECM to junior status. For this reason De Gaulle is against it. He wants to get to Moscow before the Americans get there. (To think about world affairs in Gaullist terms, you have to rid your mind of can't and stand-patism, and let your imagination roam freely.)

Would Britain in ECM be an obstacle to De Gaulle's seemingly grandiose political designs? It's hard to say. But certainly Britain as an agent of the United States in ECM (the role De Gaulle thinks she would play) would be quite hostile to any scheme for getting the Russians into a European alliance. This could be another reason why De Gaulle wants to keep Britain out.

We come to the military side of the controversy, probably the most important. Walter Lippmann says the debate inside ECM, on Britain joining, was not about trade and tariffs at all; it was about American nuclear power.

To see this point one must bear in mind Britain's "special relationship" with the United States, in this case not sentimentally based on a common language but severely practical. From the United States, Britain has received special aid, in technical know-how and blueprints, in manufacturing its nuclear deterrent. The American McMahon Act was amended to make this possible but France wasn't named as a beneficiary.

The French have felt aggrieved about this ever since. "Why," asked a prominent Frenchman, "is it safe to let that secret information cross the Atlantic but unsafe to let it cross the Channel?" De Gaulle is huffy about Britain's privileged position. But he adds that France has never asked for U.S. nuclear data. He spurns U.S. aid in this form.

And De Gaulle accurately perceives that, at ECM discussions on strategy, Britain would be in an embarrassed or handicapped position. Possessing technical knowledge they could not divulge, could British delegates be candid or useful? Probably not.

Incidentally, one might speculate on whether Britain was kept out of ECM, because, as in honor bound, she refused to share with De Gaulle the nuclear information supplied confidentially by Washington. This is possible. Whether or not it's true may not be known until certain memoirs are published 20 or 40 years hence.

But quite apart from the question of American secrets, De Gaulle is out of tune with Britain on nuclear policy. He thinks that Britain, by tying herself to the American atomic chariot, has lost all independence.

There's evidence to support this opinion, notably the Skybolt incident publicized around the world after the Kennedy-Macmillan talks in Nassau.

When Kennedy told Macmillan that Britain would get Polaris (submarine) missiles from the United States instead of the promised Skybolts, the President probably thought this was just a routine technical decision, of a kind Washington is used to, that all concerned could accept without turning a hair. He had no inkling, or at least no real appreciation, of the size of the political row he would stir up in London.

Britain is committed to building its own nuclear bombs, both atomic and hydrogen, and has accumulated a modest number. After expensive but futile experiments in making missiles, Britain went out of the missile business for good and decided to rely on the United States for the vehicles to carry its bombs.

Macmillan's opposition, the Labor Party, has taken the line that the British nuclear effort is little better than a joke. Could Macmillan produce, the Socialists kept asking, a single Washington quotation to show that the Kennedy administration took this British contribution seriously?

Alas, poor Macmillan could not. Indeed the available Washington opinions (like Dean Acheson's recent article in Foreign Affairs) tend the other way and rather suggest that a hill of beans would be about as much use in a war as Britain's hand-me-down, poor relation's stockpile. But at least Macmillan could point to the U.S. promise of Skybolts. Wasn't that a proof, he could ask, that Washington thought well of Britain's performance?

Then suddenly, like a bolt from the blue, comes the bad news, a political haymaker, perhaps, for Macmillan: no Skybolts, Polaris missiles instead. To use them Britain must spend on submarines at least $1.3 billion she can ill afford. The change compels Macmillan, without prior consultation, to recast his whole defense system. Henry Kissinger, leading U.S. military writer, complains that this was no way to treat the principal ally of the United States, even if Polaris is a better missile than Skybolt. (And who knows if it is? Skybolt had a successful test the very day after the Nassau meeting.)

The theory is that Britain's Polaris-equipped subs will be part of a multinational force under NATO command (which De Gaulle flatly and no doubt truthfully calls "American command") but that Britain can withdraw them for independent use in case of emergency. But it can readily be shown, as British technical writers have shown, that there are numerous simple ways by which McNamara could inhibit any British action of this kind.

De Gaulle wants neither nuclear know-how nor missiles from the Americans. He was offered Polaris but turned it down. He will build his own missiles (as well as his own bombs). For if, he asks, he went to the enormous expense of building the necessary submarines, and if when they were ready the United States should announce that Polaris must be discarded as obsolete (quite possible), what then? What indeed?

But De Gaulle's questions go deeper. If Western Europe is militarily invaded by the Russians, even with conventional arms, the United States is pledged to attack Russia with nuclear bombs. Is this promise credible? Would the United States, just to defend Western Europe, risk Russian nuclear retaliation on New York, Chicago, Detroit, etc.?

I have searched the literature on this question, raised again by De Gaulle, and found only one answer that looks even plausible. This is the McNamara doctrine that, in the position described, the United States would A-bomb Russian military targets only. It would not attack Russian cities; therefore it would not invite reprisals on American cities.

This doesn't sound reassuring to me. For what about escalation? Once a nuclear war begins, even if limited in the first stage, is it not likely to develop into unlimited bombing and carnage? I'm inclined to believe with General de Gaulle, that the United States would shrink from putting its nuclear arsenal into action if only Western Europe were threatened. And it's impossible not to agree with De Gaulle that Nassau would give the United States the exclusive power to say when and where nuclear weapons should be used.

De Gaulle wants some say for France. He admits that his stock of A-bombs is puny beside the great power accumulations. But France has now the power, through A-bombs carried in bombers, to kill 20 million Russians in a few seconds.

De Gaulle doesn't expect a Soviet invasion of Europe; and he may be right. But, in case it should happen, he believes the capacity to destroy 20 million people (more deaths than Russia suffered in the whole of World War II) would have at least some effect on the aggressor's conduct.

He could be correct in this opinion; but who am I, who is any other civilian, to bandy words on the subject with one of the great military theoreticians of this age, as De Gaulle showed himself to be in his marvelously prescient pre-1939 books.

The purpose of this piece has been elucidation, especially of De Gaulle's point of view which many find baffling or even infuriating. I think he will turn out to be wrong: I think the Atlantic Community will come to pass. Meanwhile, in dealing with De Gaulle on this matter we are not dealing with a madman, fanatic, or French jingo; but with a soldier, strategist, and politician of genius. This should be borne in mind.

SENATE

TUESDAY, FEBRUARY 19, 1963

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou Searcher of Hearts, may those here commissioned by this free Nation to find the balm of peace for this ailing world, as they seek for truth, not evade the truth about themselves.

We confess that with all our surveying of national and world problems, we too often dread to know our own hearts, with their strange deceptions. As for this moment we look away from our mundane tasks to Thee, Thou Judge of all men, strip us of our illusions; create in us clean hearts, O God; and renew a right spirit within us.

In this, our brief working day, if there is any kindness we can show, may we not neglect or defer it. If there is any word we can speak as we strike a blow for righteousness and freedom, unfetter our lips.

Use us, we pray, as Thy channels to turn this hour of tumult into triumph for all mankind. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 18, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, let me state that it is the intention of the leadership to bring up, at the conclusion of the morning hour, a continuing resolution for payment of the salaries of the staff members of certain committees; then to take up the nominations on the Executive Calendar; and then to move that certain changes be made in rule XXV—which I understand will be subject to a certain amount of debate.

The VICE PRESIDENT. Morning business is in order.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair appoints as members of the Special Committee on Aging Mr. Keating, vice Mr. Bush, whose term as Senator has expired, Mr. Fong and Mr. Mechem, respectively, vice Mr. Bennett, resigned, and Mr. Javits, resigned.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communications and letters, which were referred as indicated:

Urban Mass Transportation Act of 1963

A communication from the President of the United States, transmitting a draft of proposed legislation to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes (with accompanying papers); to the Committee on Banking and Currency.

Report of Federal Council for Science and Technology, Relating to Water-Resources Research

A communication from the President of the United States, transmitting a report of the Federal Council for Science and Technology, relating to water-resources research (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report on Reprograming of Funds for Construction at Marshall Space Flight Center, Huntsville, Ala.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the reprograming of funds for the expansion of a blockhouse at the Marshall Space Flight Center, Huntsville, Ala.; to the Committee on Aeronautical and Space Sciences.

Reports on Number of Officers on Duty With Headquarters, Department of the Army and Army General Staff

A letter from the Secretary of the Army, transmitting, pursuant to law, reports on the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff, as of December 31, 1962 (with accompanying reports); to the Committee on Armed Services.

Report on Disposing of Excess Stockpile Materials

A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting, for the information of the Senate, a report to the President on disposing of excess stockpile materials, dated January 16, 1963 (with an accompanying report); to the Committee on Armed Services.

Report of the Attorney General on Review of Voluntary Agreements and Programs

A letter from the Attorney General, transmitting, pursuant to law, his report on review of voluntary agreements and programs, as of February 9, 1963 (with an accompanying report); to the Committee on Banking and Currency.

Report on Backlog of Pending Applications and Hearing Cases in the Federal Communications Commission

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of December 31, 1962 (with an accompanying report); to the Committee on Commerce.

Report on Review of License Fees Being Charged to the U.S. Government for the Right To Produce the SS-11 Antitank Guided Missile

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a confidential report on the review of license fees being charged the U.S. Government for the right to produce the SS-11 antitank guided missile mutually developed by France and the United States (with an accompanying report); to the Committee on Government Operations.

Report on Failure of the Department of the Navy To Use Its Excess Spare Parts and Assemblies in the Production of Navy Aircraft

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the failure of the Department of the Navy to use its excess spare parts and assemblies in the production of Navy aircraft, dated February 1963 (with an accompanying report); to the Committee on Government Operations.

Amendment of the Constitution of the International Labor Organization

A letter from the Secretary of State, transmitting a draft of proposed legislation providing for acceptance by the United States of America of an instrument for the amendment of the constitution of the International Labor Organization (with accompanying papers); to the Committee on Labor and Public Welfare.

Report on Positions Filled in Certain Grades of Classification Act of 1949

A letter from the Director, Office of Legislative Affairs, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on positions filled under the Classification Act of 1949, in grades GS-16, GS-17, and GS-18 (with accompanying papers); to the Committee on Post Office and Civil Service.

Amendment of Section 104(b)(3), Title 23, United States Code, Relating to Apportionment of Certain Highway Funds

A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation to amend section 104(b)(3) of title 23, United States Code, relating to the apportionment of funds for extensions of the Federal-aid primary and Federal-aid secondary systems within urban areas (with an accompanying paper); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Legislature of Guam; to the Committee on Interior and Insular Affairs:

"Resolution 78

"Resolution relative to respectfully requesting and memorializing the U.S. Senate and the House of Representatives to enact legislation pertaining to urban renewal and low-rent housing, school construction appropriation, power facilities appropriation, authorization for loans to the Government of Guam and loan revolving fund

"Whereas a bill will be shortly introduced, if not already done so, in the U.S. Senate and in the House of Representatives which would, generally speaking, provide Federal assistance in the reconstruction of Guam following devastation of the territory by Typhoon Karen in November of 1962; and

"Whereas said proposed legislation, if enacted by the U.S. Congress and signed by the President of the United States, would extend the benefits under the Housing Act of 1949, as amended, to Guam, would appropriate the sum of $3 million for the construction of permanent school plants within Guam, the appropriation of $5,700,000 for the construction of power facilities in Guam, authorizing the Housing and Home Finance Administration to purchase securities of, or make loans to the Government of Guam in the financing and planning of public works projects and last but not least the creation of revolving fund from which the Secretary of Interior may make loans in Guam for the construction of homes, business establishments, and for the general development of the territory; Now, therefore, be it

"*Resolved*, That the Seventh Guam Legislature does hereby on behalf of the people of Guam respectfully request and memorialize the U.S. Senate and the House of Representatives of the United States of America to enact such legislation, as aforesaid, so as to alleviate the hardships and sufferings of the people of Guam caused by the worst natural disaster ever to befall the territory of Guam; and be it further

"*Resolved*, That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Presiding Officer, U.S. Senate, to the Speaker, U.S. House of Representatives, to the Secretary of Interior, and to the Governor of Guam.

"Duly adopted on this 31st day of January 1963.

"A. B. Won Pat,
"*Speaker.*
"V. B. Bamba,
"*Legislative Secretary.*"

A joint resolution of the Legislature of the State of Montana; to the Committee on Banking and Currency:

"HOUSE JOINT MEMORIAL 12

"Joint memorial of the House of Representatives and the Senate of the State of Montana to the Honorable Congress of the United States; to the President of the United States; to the Honorable Douglas Dillon, Secretary of the Treasury of the United States; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable James F. Battin and the Honorable Arnold H. Olsen, Representatives from the State of Montana, requesting legislation authorizing the Department of the Treasury of the United States to design and mint and distribute through the State treasurer of the State of Montana 500,000 silver dollars in commemoration of the Montana Territorial Centennial and Thanksgiving Centennial

"Whereas it is entirely appropriate that created by an act of Congress signed by President Abraham Lincoln on May 26, 1864; and

"Whereas in the same year, 1864, President Lincoln proclaimed that Thanksgiving Day should be a national holiday; and

"Whereas there has been established a Montana Territorial Centennial Commission for the purpose of planning, preparing, and promoting the celebration of the 100th anniversary of the creation of the Montana territory; and

"Whereas it is entirely appropriate that the 100th anniversary of the establishment of the Montana territory by proclamation of President Lincoln and the first Thanksgiving Day proclamation by the same great President in the same year be noted and celebrated throughout the Nation as well as in the State of Montana; and

"Whereas the striking of a memorial silver dollar commemorating these great events is in keeping with the spirit of these momentous occasions; and

"Whereas the circulation of such commemorative silver dollars through the State Treasury of the State of Montana will be of great benefit in promoting and inspiring the people of the State of Montana and of the Nation in entering into the spirit of celebration of the 100th anniversary of these great events: Now, therefore, be it

"Resolved by the House of Representatives and the Senate of the State of Montana, That the Congress of the United States be requested to authorize and direct the Department of the Treasury of the United States to mint 500,000 special silver dollars designed and crafted on one side a likeness of President Lincoln and on the other side a design with the words, 'Montana Centennial,' together with a replica of the great seal of the State of Montana or other appropriate emblem and 'Thanksgiving Centennial' and that said silver dollars as legal tender be delivered to the treasurer of the State of Montana in exchange for a like sum of money for distribution by the State treasurer of the State of Montana through the Montana Territorial Centennial Commission or other appropriate agency of the Montana Territorial Centennial celebration to take place in 1964; and be it further

"Resolved, That copies of this memorial be sent by the secretary of state of the State of Montana, to the President of the United States, the Honorable President of the U.S. Senate, the Honorable Speaker of the House of Representatives of the Congress, the Secretary of the Treasury Douglas Dillon, the Honorable Mike Mansfield and Lee Metcalf, Senators from the State of Montana, and the Honorable James F. Battin and the Honorable Arnold H. Olsen, Congressmen from the State of Montana.

"——— ———,
"Speaker of the House.
"DAVID F. JAMES,
"President of the Senate."

RESOLUTIONS OF GUAM LEGISLATURE

Mr. ANDERSON. Mr. President, I have received from A. B. Won Pat, speaker of the Guam Legislature, four resolutions passed by that body. The resolutions deal with the subject of American vessels carrying goods to and from the territory of Guam; the implementation of an act of the Guam Legislature with respect to a housing and urban renewal authority on the island; commendation of the entire population of Guam for their reactions to the dangers and destruction created by Typhoon Karen; and a suggested amendment to the Department of Defense Appropriation Act of 1955 to permit Guamanians in the Armed Forces who are stationed on Guam to receive oversea pay as do their fellow servicemen not of Guamanian ancestry.

I ask unanimous consent that these resolutions may be printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed at this point in the RECORD and referred to the Committee on Interior and Insular Affairs:

RESOLUTION 32

Resolution relative to memorializing the President, the Congress, and the appropriate executive agencies of the United States to extend to those American vessels carrying goods to and from the territory of Guam the subsidy given such vessels in runs to foreign ports

Whereas as a result of the present Federal legislation affecting Guam as an American port, the legislature is advised that subsidized runs by American ships carrying cargoes to Guam are unauthorized, this not being a foreign port for the purpose; and

Whereas as a result, shipping costs to Guam are exorbitantly high, the tariff having been substantially increased twice in the last 18 months, which higher cost of freight increases not only the cost of living in the territory but makes difficult if not impossible the development of local industry and export trade; and

Whereas for other purposes Guam is considered a foreign port in that no customs are collected on goods imported into Guam from foreign countries, Guam being a free port and outside the U.S. tariff wall, and since Guam is an obvious stopping point on voyages to foreign ports in the Pacific, it would appear not improper to permit a subsidy on this run; Now, therefore, be it

Resolved, That the President of the United States, the Congress of the United States, and the appropriate executive agencies of the United States, particularly the Federal Maritime Board, be and they are hereby respectfully requested and memorialized to study the possibility of permitting a subsidy to American vessels carrying cargoes to and from Guam; and be it further

Resolved, That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States, to the chairmen, Committee on Interior and Insular Affairs, Senate and House, to the Chairman, Federal Maritime Board, to the president, American President Line, to the president, Pacific Far East Line, to the president, Guam Chamber of Commerce, and to the Governor of Guam.

Duly adopted on the 22d day of January 1963.

A. B. WON PAT,
Speaker.
V. B. BAMBA,
Legislative Secretary.

RESOLUTION 43

Resolution relative to requesting the Governor of Guam to implement the operation of Public Law 135, Sixth Guam Legislature, being an act to create a Guam Housing and Urban Renewal Authority

Whereas during the second special session of the Sixth Guam Legislature, the legislature enacted a most comprehensive bill, becoming Public Law 6–135, which in effect provided for the creation of a Guam Housing and Urban Renewal Authority, and authorized this authority to carry out in the territory of Guam urban renewal projects, including slum clearance and redevelopment and the prevention and elimination of slums and blighted areas, rehabilitation and conservation, and provisions for low-income housing and relief to disaster victims and persons engaged in defense activities; and

Whereas this statute is not only extremely comprehensive but is drafted in such a way and enacted in such a way as to permit the authority to begin operations at once, the authority being a local instrumentality, not Federal, and although capable of receiving Federal assistance, not completely dependent thereon; and

Whereas it is the consensus of the legislature that the conditions created by Typhoon Karen require the immediate implementation of said Public Law 6–135 since the desperate need for housing becomes only more aggravated by delaying the start of urban renewal, and since no better way exists of convincing the Federal authorities that the territory of Guam intends to do all within its power to achieve slum clearance and low-cost housing on its own, thereby helping to persuade said Federal authorities of the fiscal responsibility of the territory and the likelihood that all Federal housing funds granted to assist the authority will be well spent and thoroughly accounted for; and

Whereas, although the legislature is advised that the executive branch feels urban renewal should be delayed until the Congress amends certain Federal housing statutes to permit Federal financial assistance to the Guam Housing Authority, it would appear to the legislature that nothing in the act setting up such authority requires a delay in its implementation until said Federal statutes be amended, and since the territory has no way of knowing when, if ever, said Federal statutes will be amended, it seems self-evident that the Government should proceed forthwith with its own resources to implement the intent and purpose of said law; Now, therefore, be it

Resolved, That in view of the foregoing, the Seventh Guam Legislature does hereby respectfully request and memorialize the Governor of Guam to cause and direct the immediate implementation of the Guam Housing and Urban Renewal Authority created by Public Law 135 of the Sixth Guam Legislature; and be it further

Resolved, That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Secretary of Interior, to the chairmen, Committees of Interior and Insular Affairs, Senate and House, to the editor, Guam Daily News, to the manager, Radio Station KUAM, to the Director of Land Management, to the Chairman of the Territorial Planning Commission, and to the Governor of Guam.

Duly adopted on the 24th day of January 1963.

A. B. Won Pat,
Speaker.
V. B. Bamba,
Legislative Secretary.

Resolution 66

Resolution relative to commending the entire population of Guam for their coolheaded and mature reactions not only to the dangers created in the passage of Typhoon Karen itself but also to the discomforts and dislocations caused by its destruction

Whereas although Typhoon Karen hit the territory of Guam on the month of November 11 and 12, 1962, with a force equivalent to that of a nuclear bomb, and created fantastic destruction and devastation, even greater than that caused by the Second World War, literally imperiling the lives of everyone on the island that long and harrowing night, although miraculously, only a very small number of lives were lost and very few were seriously injured, despite physical destruction amounting to the hundreds of millions of dollars; and

Whereas the major credit for this remarkably little loss of life belongs properly to the people of Guam themselves who, in most inadequate shelters and in their own shattered homes, nevertheless remained for the most part cool and courageous in the face of this terrifying force of nature, never succumbing to panic, and all acting together in rendering aid and assistance to each other and in maintaining a mature confidence and superb faith, despite this awesome adversity; and

Whereas in the aftermath of the great storm, when utilities were down, when food supplies were short, when water was unavailable, and when almost all had suffered major damage to their residences and personal possessions, nonetheless, the people of Guam still maintained the heroic fortitude they had exhibited during the storm itself, no looting taking place, no raising of prices by local merchants, and no breakdown in either public morale or good order, all of which reflects great credit on the character and training of the people of this territory: Now, therefore, be it

Resolved, That the Seventh Guam Legislature does hereby take this opportunity to express to the people of Guam this government's admiration and commendation for the heroic and courageous manner in which they faced without fear or trepidation the dangers, hazards, and dislocations caused by Typhoon Karen, never succumbing to panic and never failing to live up to their obligations to themselves, their neighbors and their government; and be it further

Resolved, That the speaker certify to and the legislative secretary attest the adoption hereof and that sufficient copies of the same be given to the Commissioners of the municipalities of Guam for distribution to the people of this territory, and that copies be also sent to the Honorable John F. Kennedy, President of the United States, to the chairmen of the Committee on Interior and Insular Affairs, Senate and House, and to the Governor of Guam.

Duly adopted on the 28th day of January 1963.

A. B. Won Pat,
Speaker.
V. B. Bamba,
Legislative Secretary.

Resolution 80

Resolution relative to respectfully requesting the Congress of the United States to amend section 729 of the Department of Defense Appropriation Act of 1955 to permit Guamanians in the Armed Forces who are stationed on Guam to receive overseas pay as do their fellow servicemen not of Guamanian ancestry

Whereas this legislature has previously petitioned the Department of Defense to permit Guamanians in the Armed Forces who serve on Guam to receive overseas pay as do their fellow servicemen not of Guamanian ancestry, and in response thereto, the Department of Defense has advised the legislature that section 729 of the Department of Defense Appropriation Act of 1955 specifically prohibits such pay to Guamanians, the provision reading as follows:

"Hereafter no part of the funds appropriated to the Department of Defense shall be available for the payment to any person in the military service who is a resident of a U.S. territory or possession, of any foreign duty pay * * * unless such person is serving in an area outside the territory or possession of which he is a resident"; and

Whereas the legislature is informed that although said section refers to residence, and not place of origin, no Guamanian serviceman stationed in Guam who has established residence in the Continental United States, as have many, is granted overseas pay, and thus it appears that the section is being interpreted in such a way as to discriminate against the Guamanian servicemen who have established residence elsewhere, such servicemen being deprived of a privilege granted their fellow servicemen apparently solely because of their place of birth; and

Whereas if these the facts, it would appear that said section should be amended to make clear that a Guamanian serviceman, like any other member of the Armed Forces, is entitled to an overseas pay if he serves outside the continental limits of the United States and in a place other than his actual residence: Now, therefore, be it

Resolved, That the Seventh Guam Legislature does hereby on behalf of the people of Guam respectfully petition and memorialize the Congress of the United States to amend section 729 of the Department of Defense Appropriation Act of 1955 to permit Guamanian servicemen to receive the same overseas pay treatment as do their fellow servicemen, such pay to be based on place of residence, not place of birth; and be it further

Resolved, That the speaker certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the Honorable Clinton P. Anderson, chairman, Senate Committee on Interior and Insular Affairs, to the Honorable Wayne N. Aspinall, chairman, House Committee on Interior and Insular Affairs, to the Honorable Stewart L. Udall, Secretary of the Interior, and to the Honorable Manuel F. L. Guerrero, Governor of Guam.

Duly adopted on the 31st day of January 1963.

A. B. Won Pat,
Speaker.
V. B. Bamba,
Legislative Secretary.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL EMPLOYMENT AND PAY

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal employment and pay for the month of December 1962. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the Record, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the Record, as follows:

Federal Personnel in Executive Branch, December and November 1962, and Pay, November and October 1962

PERSONNEL AND PAY SUMMARY

(See table I)

Information in monthly personnel reports for December 1962 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In December numbered—	In November numbered—	Increase (+) or decrease (−)	In November was—	In October was—	Increase (+) or decrease (−)
Total [1]	2,486,625	2,498,312	−11,687	$1,307,593	$1,317,155	−$9,562
Agencies exclusive of Department of Defense	1,419,737	1,428,215	−8,478	735,254	737,464	−2,210
Department of Defense	1,066,888	1,070,097	−3,209	572,339	579,691	−7,352
Inside the United States	2,318,806	2,330,738	−11,932			
Outside the United States	167,819	167,574	+245			
Industrial employment	565,486	566,878	−1,392			
Foreign nationals	169,666	170,217	−551	28,639	[2] 27,509	+1,130

[1] Exclusive of foreign nationals shown in the last line of this summary.

[2] Revised on basis of later information.

Table I breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside the United States by agencies.

Table III breaks down the above employment figures to show the number outside the United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during December 1962, and comparison with November 1962, and pay for November 1962, and comparison with October 1962*

Department or agency	Personnel				Pay (in thousands)			
	December	November	Increase	Decrease	November	October	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	104,624	108,390	----------	3,766	$50,868	$51,960	----------	$1,101
Commerce	29,701	29,843	----------	142	19,318	19,296	$22	----------
Health, Education, and Welfare	77,750	77,836	----------	86	40,646	39,587	1,059	----------
Interior	61,882	61,953	----------	71	33,860	33,040	820	----------
Justice	31,813	31,953	----------	140	21,393	21,326	67	----------
Labor	8,836	8,799	37	----------	5,006	5,392	----------	386
Post Office	[1] 588,829	589,284	----------	455	279,129	281,297	----------	2,168
State [2] [3]	41,101	[4] 41,123	----------	22	21,468	21,455	13	----------
Treasury	83,648	83,704	----------	56	49,778	50,579	----------	801
Executive Office of the President:								
White House Office	338	334	4	----------	238	244	----------	6
Bureau of the Budget	466	462	4	----------	417	435	----------	18
Council of Economic Advisers	66	49	17	----------	44	43	1	----------
Executive Mansion and Grounds	79	78	1	----------	46	40	6	----------
National Aeronautics and Space Council	28	26	2	----------	24	23	1	----------
National Security Council	39	40	----------	1	34	35	----------	1
Office of Emergency Planning	416	426	----------	10	371	382	----------	11
Office of Science and Technology	63	46	17	----------	30	27	3	----------
President's Commission on Compaign Costs [5]	----------	----------	----------	----------	(6)	(6)	----------	----------
Independent agencies:								
Advisory Commission on Intergovernmental Relations	43	26	17	----------	21	23	----------	2
American Battle Monuments Commission	392	393	----------	1	80	83	----------	3
Atomic Energy Commission	6,953	6,958	----------	5	5,325	5,356	----------	31
Board of Governors of the Federal Reserve System	602	609	----------	7	408	412	----------	4
Civil Aeronautics Board	830	831	----------	1	642	[4] 657	----------	15
Civil Service Commission	4,146	4,156	----------	10	2,451	2,475	----------	24
Civil War Centennial Commission	5	5	----------	----------	4	4	----------	----------
Commission of Fine Arts	7	7	----------	----------	6	6	----------	----------
Commission on Civil Rights	98	87	11	----------	59	52	7	----------
Delaware River Basin Commission	2	2	----------	----------	2	2	----------	----------
Export-Import Bank of Washington	277	270	7	----------	191	192	----------	1
Farm Credit Administration	240	238	2	----------	179	182	----------	3
Federal Aviation Agency	45,273	45,153	120	----------	31,885	31,078	807	----------
Federal Coal Mine Safety Board of Review	6	6	----------	----------	4	4	----------	----------
Federal Communications Commission	1,435	1,430	5	----------	1,014	1,033	----------	19
Federal Deposit Insurance Corporation	1,236	1,242	----------	6	832	840	----------	8
Federal Home Loan Bank Board	1,194	1,201	----------	7	814	847	----------	33
Federal Maritime Commission	198	192	6	----------	146	143	3	----------
Federal Mediation and Conciliation Service	390	390	----------	----------	348	353	----------	5
Federal Power Commission	1,034	1,029	5	----------	731	739	----------	8
Federal Trade Commission	1,134	1,132	2	----------	807	809	----------	2
Foreign Claims Settlement Commission	88	73	15	----------	55	53	2	----------
General Accounting Office	4,614	4,631	----------	17	3,070	3,129	----------	59
General Services Administration	32,004	32,063	----------	59	15,885	15,903	----------	18
Government Printing Office	7,084	7,125	----------	41	4,094	4,310	----------	216
Housing and Home Finance Agency	13,626	13,525	101	----------	8,602	8,663	----------	61
Indian Claims Commission	22	23	----------	1	21	20	1	----------
Interstate Commerce Commission	2,400	2,398	2	----------	1,680	1,710	----------	30
National Aeronautics and Space Administration	25,667	25,389	278	----------	19,881	19,092	789	----------
National Capital Housing Authority	418	418	----------	----------	195	196	----------	1
National Capital Planning Commission	50	48	2	----------	36	37	----------	1
National Capital Transportation Agency	78	79	----------	1	65	84	----------	19
National Gallery of Art	324	319	5	----------	145	140	5	----------
National Labor Relations Board	2,056	2,004	52	----------	1,410	1,418	----------	8
National Mediation Board	138	139	----------	1	128	120	8	----------
National Science Foundation	854	989	----------	135	620	616	4	----------
Panama Canal	14,905	14,914	----------	9	5,188	4,946	242	----------
President's Committee on Equal Employment Opportunity	47	48	----------	1	33	31	2	----------
Railroad Retirement Board	2,028	2,026	2	----------	1,143	1,170	----------	27
Renegotiation Board	206	203	3	----------	181	161	20	----------
St. Lawrence Seaway Development Corporation	155	162	----------	7	114	107	7	----------
Securities and Exchange Commission	1,405	1,408	----------	3	972	972	----------	----------
Selective Service System	6,829	6,797	32	----------	2,219	2,279	----------	60
Small Business Administration	3,180	3,168	12	----------	2,075	2,106	----------	31
Smithsonian Institution	1,320	1,312	8	----------	699	692	7	----------
Soldiers' Home	1,059	1,058	1	----------	379	349	30	----------
South Carolina, Georgia, Alabama, and Florida Water Study Commission	49	55	----------	6	$46	$46	----------	----------
Subversive Activities Control Board	26	26	----------	----------	22	22	----------	----------
Tariff Commission	270	271	----------	1	203	209	----------	6
Tax Court of the United States	154	151	3	----------	120	123	----------	3
Tennessee Valley Authority	18,025	18,357	----------	332	10,823	11,979	----------	1,156
U.S. Arms Control and Disarmament Agency	106	106	----------	----------	112	115	----------	3
U.S. Information Agency	11,444	11,398	46	----------	5,317	5,217	100	----------
Veterans' Administration	[7] 173,411	177,248	----------	3,837	80,968	80,862	106	----------
Virgin Islands Corporation	521	581	----------	60	134	127	7	----------
Total, excluding Department of Defense	1,419,737	1,428,215	819	9,297	735,254	737,464	4,139	6,349
Net decrease, excluding Department of Defense	----------	----------	8,478		----------	----------	2,210	
Department of Defense:								
Office of the Secretary of Defense	2,055	2,036	19	----------	1,516	1,608	----------	92
Department of the Army	387,487	[4] 390,295	----------	2,808	200,017	205,472	----------	5,455
Department of the Navy	345,102	345,248	----------	146	191,851	[4] 195,603	----------	3,752
Department of the Air Force	306,886	307,281	----------	395	165,990	163,837	2,153	----------
Defense Atomic Support Agency	2,074	2,087	----------	13	1,065	1,097	----------	32
Defense Communications Agency	290	278	12	----------	178	164	14	----------
Defense Intelligence Agency	285	284	1	----------	201	194	7	----------
Defense Supply Agency	21,149	21,039	110	----------	10,350	10,565	----------	215
Office of Civil Defense	1,026	1,009	17	----------	864	[4] 832	32	----------
U.S. Court of Military Appeals	40	40	----------	----------	34	34	----------	----------

See footnotes at end of table.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during December 1962, and comparison with November 1962, and pay for November 1962, and comparison with October 1962*—Continued

Department or agency	Personnel				Pay (in thousands)			
	December	November	Increase	Decrease	November	October	Increase	Decrease
Department of Defense—Continued								
Interdepartmental Activities	18	20		2	$15	$17		$2
International Military Activities	57	59		2	38	45		7
Armed Forces Information and Education Activities	419	421		2	220	223		3
Total, Department of Defense	1,066,888	1,070,097	159	3,368	572,339	579,691	$2,206	9,558
Net decrease, Department of Defense			3,209				7,352	
Grand total, including Department of Defense [8] [9]	2,486,625	2,498,312	978	12,665	1,307,593	1,317,155	6,345	15,907
Net decrease, including Department of Defense			11,687				9,562	

[1] Excludes 155,411 temporary Christmas employees.

[2] December figure includes 16,460 employees of the Agency for International Development as compared with 16,347 (revised) in November and their pay. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The December figure includes 4,205 of these trust fund employees and the November figure includes 4,137 (revised).

[3] December figure includes 832 employees of the Peace Corps as compared with 841 in November and their pay.

[4] Revised on basis of later information.

[5] Agency abolished Nov. 1, 1962.

[6] Less than $500.

[7] Excludes 3,399 patient-employees who, under Public Law 87-574, are no longer regarded to be within the definition of Federal employee.

[8] Exclusive of personnel and pay of the Central Intelligence Agency and the National Security Agency.

[9] Includes employment by Federal agencies under the Public Works Acceleration Act (Public Law 87-658), as follows:

	December	November	Change
Agriculture Department	7,854	9,394	−1,540
Interior Department	3,395	2,963	+432
Department of the Army	434	127	+307
Total	11,683	12,484	−801

TABLE II.—*Federal personnel inside the United States employed by the executive agencies during December 1962, and comparison with November 1962*

Department or agency	December	November	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	103,472	107,216		3,744
Commerce	29,067	29,203		136
Health, Education, and Welfare	77,164	77,243		79
Interior	61,363	61,442		79
Justice	31,471	31,614		143
Labor	8,751	8,693	58	
Post Office	[1] 587,369	587,831		462
State [2] [3]	10,277	[4] 10,308		31
Treasury	83,030	83,090		60
Executive Office of the President:				
White House Office	338	334	4	
Bureau of the Budget	466	462	4	
Council of Economic Advisers	66	49	17	
Executive Mansion and Grounds	79	78	1	
National Aeronautics and Space Council	28	26	2	
National Security Council	39	40		1
Office of Emergency Planning	416	426		10
Office of Science and Technology	63	46	17	
Independent agencies:				
Advisory Commission on Intergovernmental Relations	43	26	17	
American Battle Monuments Commission	7	7		
Atomic Energy Commission	6,922	6,924		2
Board of Governors of the Federal Reserve System	602	609		7
Civil Aeronautics Board	829	830		1
Civil Service Commission	4,142	4,152		10
Civil War Centennial Commission	5	5		
Commission of Fine Arts	7	7		
Commission on Civil Rights	98	87	11	
Delaware River Basin Commission	2	2		
Export-Import Bank of Washington	277	270	7	
Farm Credit Administration	240	238	2	
Federal Aviation Agency	44,269	44,170	99	
Federal Coal Mine Safety Board of Review	6	6		
Federal Communications Commission	1,433	1,428	5	
Federal Deposit Insurance Corporation	1,234	1,240		6
Federal Home Loan Bank Board	1,194	1,201		7
Federal Maritime Commission	198	192	6	
Federal Mediation and Conciliation Service	390	390		
Federal Power Commission	1,034	1,029	5	
Federal Trade Commission	1,134	1,132	2	
Foreign Claims Settlement Commission	64	62	2	
General Accounting Office	4,529	4,547		18
General Services Administration	31,992	32,053		61
Government Printing Office	7,084	7,125		41
Housing and Home Finance Agency	13,448	13,346	102	
Indian Claims Commission	22	23		1
Interstate Commerce Commission	2,400	2,398	2	
National Aeronautics and Space Administration	25,654	25,376	278	
National Capital Housing Authority	418	418		
National Capital Planning Commission	50	48	2	
Independent agencies—Continued				
National Capital Transportation Agency	78	79		1
National Gallery of Art	324	319	5	
National Labor Relations Board	2,022	1,970	52	
National Mediation Board	138	139		1
National Science Foundation	841	976		135
Panama Canal	80	167		87
Predident's Commission on Equal Employment Opportunity	47	48		1
Railroad Retirement Board	2,028	2,026	2	
Renegotiation Board	206	203	3	
St. Lawrence Seaway Development Corporation	155	162		7
Securities and Exchange Commission	1,405	1,408		3
Selective Service System	6,677	6,646	31	
Small Business Administration	3,128	3,118	10	
Smithsonian Institution	1,306	1,297	9	
Soldiers' Home	1,059	1,058	1	
South Carolina, Georgia, Alabama, and Florida Water Study Commission	49	55		6
Subversive Activities Control Board	26	26		
Tariff Commission	270	271		1
Tax Court of the United States	154	151	3	
Tennessee Valley Authority	18,023	18,355		332
U.S. Arms Control and Disarmament Agency	106	106		
U.S. Information Agency	3,177	3,180		3
Veterans' Administration	[5] 172,406	176,243		3,837
Total, excluding Department of Defense	1,356,891	1,365,445	759	9,313
Net decrease, excluding Department of Defense			8,554	
Department of Defense:				
Office of the Secretary of Defense	1,994	1,976	18	
Department of the Army	335,256	[4] 338,084		2,828
Department of the Navy	320,903	321,132		229
Department of the Air Force	278,448	278,903		455
Defense Atomic Support Agency	2,074	2,087		13
Defense Communications Agency	267	259	8	
Defense Intelligence Agency	285	284	1	
Defense Supply Agency	21,149	21,039	110	
Office of Civil Defense	1,026	1,009	17	
U.S. Court of Military Appeals	40	40		
Interdepartmental Activities	17	20		3
International Military Activities	37	39		2
Armed Forces Information and Education Activities	419	421		2
Total, Department of Defense	961,915	965,293	154	3,532
Net decrease, Department of Defense			3,378	
Grand total, including Department of Defense	2,318,806	2,330,738	913	12,845
Net decrease, including Department of Defense			11,932	

[1] Excludes 155,370 temporary Christmas employees.

[2] December figure includes 2,732 employees of the Agency for International Development as compared with 2,734 (revised) in November.

[3] December figure includes 575 employees of the Peace Corps as compared with 583 in November.

[4] Revised on basis of later information.

[5] Excludes 3,399 patient-employees who, under Public Law 87-574, are no longer regarded to be within the definition of Federal employee.

TABLE III.—*Federal personnel outside the United States employed by the executive agencies during December 1962, and comparison with November 1962*

Department or agency	December	November	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,152	1,174	--------	22
Commerce	634	640	--------	6
Health, Education, and Welfare	586	593	--------	7
Interior	519	511	8	--------
Justice	342	339	3	--------
Labor	85	106	--------	21
Post Office	[1] 1,460	1,453	7	--------
State [2] [3]	30,824	[4] 30,815	9	--------
Treasury	618	614	4	--------
Independent agencies:				
American Battle Monuments Commission	385	386	--------	1
Atomic Energy Commission	31	34	--------	3
Civil Aeronautics Board	1	1	--------	--------
Civil Service Commission	4	4	--------	--------
Federal Aviation Agency	1,004	983	21	--------
Federal Communications Commission	2	2	--------	--------
Federal Deposit Insurance Corporation	2	2	--------	--------
Foreign Claims Settlement Commission	24	11	13	--------
General Accounting Office	85	84	1	--------
General Services Administration	12	10	2	--------
Housing and Home Finance Agency	178	179	--------	1
National Aeronautics and Space Administration	13	13	--------	--------
National Labor Relations Board	34	34	--------	--------
National Science Foundation	13	13	--------	--------
Panama Canal	14,825	14,747	78	--------
Independent agencies—Continued				
Selective Service System	152	151	1	--------
Small Business Administration	52	50	2	--------
Smithsonian Institution	14	15	--------	1
Tennessee Valley Authority	2	2	--------	--------
U.S. Information Agency	8,267	8,218	49	--------
Veterans' Administration	1,005	1,005	--------	--------
Virgin Islands Corporation	521	581	--------	60
Total, excluding Department of Defense	62,846	62,770	198	122
Net increase, excluding Department of Defense	--------	--------	76	
Department of Defense:				
Office of the Secretary of Defense	61	60	1	--------
Department of the Army	52,231	52,211	20	--------
Department of the Navy	24,199	24,116	83	--------
Department of the Air Force	28,438	28,378	60	--------
Defense Communications Agency	23	19	4	--------
Interdepartmental Activities	1	--------	1	--------
International Military Activities	20	20	--------	--------
Total, Department of Defense	104,973	104,804	169	--------
Net increase, Department of Defense	--------	--------	169	
Grand total, including Department of Defense	167,819	167,574	367	122
Net increase, including Department of Defense	--------	--------	245	

[1] Excludes 41 temporary Christmas employees.

[2] December figure includes 13,728 employees of the Agency for International Development as compared with 13,613 (revised) in November. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The December figure includes 4,205 of these trust fund employees and the November figure includes 4,137 (revised).

[3] December figure includes 257 employees of the Peace Corps as compared with 258 in November.

[4] Revised on basis of later information.

TABLE IV.—*Industrial employees of the Federal Government inside and outside the United States employed by the executive agencies during December 1962, and comparison with November 1962*

Department or agency	December	November	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,794	3,765	29	--------
Commerce	5,581	5,562	19	--------
Interior	8,475	7,584	891	--------
Post Office	248	251	--------	3
Treasury	5,134	5,201	--------	67
Independent agencies:				
Atomic Energy Commission	247	247	--------	--------
Federal Aviation Agency	2,960	2,972	--------	12
General Services Administration	1,780	1,764	16	--------
Government Printing Office	7,084	7,125	--------	41
National Aeronautics and Space Administration	25,667	25,389	278	--------
Panama Canal	7,482	7,512	--------	30
St. Lawrence Seaway Development Corporation	155	162	--------	7
Tennessee Valley Authority	14,977	15,312	--------	335
Virgin Islands Corporation	521	581	--------	60
Total, excluding Department of Defense	84,105	83,427	1,233	555
Net increase, excluding Department of Defense	--------	--------	678	
Department of Defense:				
Department of the Army:				
Inside the United States	[1] 139,430	[2] 140,879	--------	1,449
Outside the United States	[1] 4,870	[2] 4,834	36	--------
Department of the Navy:				
Inside the United States	198,082	198,218	--------	136
Outside the United States	1,279	1,282	--------	3
Department of the Air Force:				
Inside the United States	134,540	135,061	--------	521
Outside the United States	1,200	1,184	16	--------
Defense Supply Agency:				
Inside the United States	1,980	1,993	--------	13
Total, Department of Defense	481,381	483,451	52	2,122
Net decrease, Department of Defense	--------	--------	2,070	
Grand total, including Department of Defense	565,486	566,878	1,285	2,677
Net decrease, including Department of Defense	--------	--------	1,392	

[1] Subject to revision.

[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under U.S. agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of December 1962, and comparison with November 1962*

Country	Total		Army		Navy		Air Force		National Aeronautics and Space Administration	
	December	November	December	November	December	November	December	November	December	November
Australia	--------	(1)	--------	--------	--------	--------	--------	--------	--------	(1)
Canada	35	35	--------	--------	--------	--------	35	35	--------	--------
Crete	62	65	--------	--------	--------	--------	62	65	--------	--------
England	3,315	3,320	--------	--------	100	100	3,215	3,220	--------	--------
France	22,268	22,455	18,344	18,505	11	11	3,913	3,939	--------	--------
Germany	81,457	81,658	68,698	68,838	85	87	12,674	12,733	--------	--------
Greece	267	266	--------	--------	--------	--------	267	266	--------	--------
Greenland	174	163	--------	--------	--------	--------	174	163	--------	--------
Japan	52,878	53,005	18,921	18,986	14,366	[2] 14,400	19,591	19,619	--------	--------
Korea	6,204	6,218	6,204	6,218	--------	--------	--------	--------	--------	--------
Morocco	2,410	2,417	--------	--------	785	783	1,625	1,634	--------	--------
Netherlands	55	52	--------	--------	--------	--------	55	52	--------	--------
Trinidad	541	563	--------	--------	541	563	--------	--------	--------	--------
Total	169,666	170,217	112,167	112,547	15,888	15,944	41,611	41,726	--------	(1)

[1] Revised on basis of later information due to determination that services of employee previously reported were not furnished under arrangements covering this type of employment and should not be reported as such.

[2] Revised on basis of later information.

Statement by Senator Byrd of Virginia

Executive agencies of the Federal Government reported civilian employment in the month of December totaling 2,486,625 as compared with 2,498,312 in November. This was a net decrease of 11,687 including a net reduction of 801 in temporary employment under the public works acceleration program authorized by Public Law 87-658.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1963, which began July 1, 1962, follows:

Month	Employment	Increase	Decrease
July	2,510,950	14,455	
August	2,512,199	1,249	
September	2,485,324		26,875
October	2,482,982		2,342
November	2,498,312	15,330	
December	2,486,625		11,687
Net decrease 1st 6 months, fiscal year 1963			9,870

Total Federal employment in civilian agencies for the month of December was 1,419,737, a decrease of 8,478 as compared with the November total of 1,428,215. Total civilian employment in the military agencies in December was 1,066,888, a decrease of 3,209 as compared with 1,070,097 in November.

Civilian agencies reporting larger decreases were Veterans' Administration with 3,837 and Agriculture Department with 3,766. The decrease in Agriculture Department was largely seasonal. The Veterans' Administration decrease was due primarily to the exclusion of patient-employees who, under Public Law 87-574, are no longer regarded to be within the definition of Federal employee.

In the Department of Defense the largest decrease in civilian employment was reported by the Department of the Army with 2,808.

Inside the United States civilian employment decreased 11,932 and outside the United States civilian employment increased 245. Industrial employment by Federal agencies in December totaled 565,486, a decrease of 1,392.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,486,625 civilian employees certified to the committee by Federal agencies in their regular monthly personnel reports includes some foreign nationals employed in U.S. Government activities abroad, but in addition to these there were 169,666 foreign nationals working for U.S. agencies overseas during December who were not counted in the usual personnel reports. The number in November was 170,217. A breakdown of this employment for December follows:

Country	Total	Army	Navy	Air Force
Canada	35			35
Crete	62			62
England	3,315		100	3,215
France	22,268	18,344	11	3,913
Germany	81,457	68,698	85	12,674
Greece	267			267
Greenland	174			174
Japan	52,878	18,921	14,366	19,591
Korea	6,204	6,204		
Morocco	2,410		785	1,625
Netherlands	55			55
Trinidad	541		541	
Total	169,666	112,167	15,888	41,611

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, were read the second time, and referred as follows:

By Mr. LAUSCHE:

S. 831. A bill for the relief of Panagiotis R. Rakopoulos (Pete Rackas); to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 832. A bill for the relief of Carmel Grech; to the Committee on the Judiciary.

By Mr. JAVITS (for himself and Mr. Keating):

S. 833. A bill to provide for an additional payment of $165,000 to the village of Highland Falls, N.Y., toward the cost of the water filtration plant constructed by such village; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. KUCHEL:

S. 834. A bill for the relief of Zenzaburo Yasuda; to the Committee on the Judiciary.

By Mr. SALTONSTALL (for himself and Mr. Kennedy):

S. 835. A bill to amend the Tariff Act of 1930; to the Committee on Finance.

(See the remarks of Mr. Saltonstall when he introduced the above bill, which appear under a separate heading.)

By Mr. SALTONSTALL (for himself and Mr. Bennett):

S. 836. A bill to authorize wartime benefits under certain circumstances for peacetime veterans and their dependents; to the Committee on Finance.

(See the remarks of Mr. Saltonstall when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 837. A bill for the relief of Susan Targett Sexton; and

S. 838. A bill for the relief of George Crokos; to the Committee on the Judiciary.

By Mr. JOHNSTON:

S. 839. A bill to provide for adjustments in the lands or interests therein acquired for the Clarks Hill Dam and Reservoir project, South Carolina, by the reconveyance of certain lands or interests therein to the former owners thereof; and

S. 840. A bill to provide for adjustments in the lands or interests therein acquired for the Hartwell Dam project, South Carolina and Georgia, by the reconveyance of certain lands or interests therein to the former owners thereof; to the Committee on Public Works.

By Mr. ALLOTT:

S. 841. A bill for the relief of Mrs. Jessie M. Smith; to the Committee on the Judiciary.

By Mr. CANNON (for himself and Mr. Bible):

S. 842. A bill to provide for certain commercial use of land at McCarran Airport, Clark County, Nev., if it is determined that such land is not needed for the operation of such airport; to the Committee on Commerce.

(See the remarks of Mr. Cannon when he introduced the above bill, which appear under a separate heading.)

By Mr. RUSSELL (for himself and Mr. Saltonstall) (by request):

S.843. A bill to authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes;

S. 844. A bill to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes;

S. 845. A bill to amend titles 10, 14 and 38, United States Code, with respect to the award of certain medals and the Medal of Honor Roll;

S. 846. A bill to extend the induction provisions of the Universal Military Training and Service Act, and for other purposes; and

S. 847. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Russell when he introduced the above bills, which appear under a separate heading.)

By Mr. ERVIN:

S. 848. A bill for the relief of Shun Ah Wing; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. Case, Mr. Cooper, Mr. Keating, and Mr. Kuchel):

S. 849. A bill to provide for payment for hospital services, skilled nursing facility services, and home health services furnished to aged beneficiaries under the old-age, survivors, and disability insurance program, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. JORDAN of Idaho (for himself and Mr. Church):

S. 850. A bill to change the name of the Bruces Eddy Dam and Reservoir in the State of Idaho to the Dworshak Dam and Reservoir; to the Committee on Public Works.

(See the remarks of Mr. Jordan of Idaho when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON (by request):

S. 851. A bill to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande; to the Committee on Interior and Insular Affairs.

By Mr. BIBLE (by request):

S. 852. A bill to amend the District of Columbia Alcoholic Beverage Control Act;

S. 853. A bill to amend the District of Columbia Business Corporation Act; and

S. 854. A bill to provide for the creation of horizontal property regimes in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MUSKIE:

S. 855. A bill to provide for more effective utilization of certain Federal grants by encouraging better coordinated local review of State and local applications for such grants; to the Committee on Government Operations.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING (for himself and Mr. Javits):

S. 856. A bill to provide that Fort Montgomery, N.Y., may tap the West Point water supply line, and for other purposes; to the Committee on Armed Services.

By Mrs. SMITH:

S. 857. A bill to prevent the use of stopwatches, work measurement programs, or other performance standards operations as measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. DOUGLAS:

S. 858. A bill for the relief of Miladin Kljajin; to the Committee on the Judiciary.

By Mr. JACKSON (for himself), Mr. Anderson, Mr. Miller, Mr. Metcalf, Mr. McGee, Mr. Long of Missouri, Mr. Moss, Mr. Randolph, Mr. Humphrey, Mr. Morse, and Mr. Nelson):

S. 859. A bill to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE:

S. 860. A bill to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement; to the Committee on the District of Columbia.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

RESOLUTIONS

CONTINUING OF AUTHORIZATIONS TO EMPLOY CERTAIN ADDITIONAL SENATE PERSONNEL

Mr. MANSFIELD (for himself and Mr. Dirksen) submitted a resolution (S. Res. 88) continuing through February 28, 1963, authorizations to employ certain additional Senate personnel, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Mansfield, which appears under a separate heading.)

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS

Mr. PASTORE (for himself, Mr. Fong, Mr. Ribicoff, Mr. Saltonstall, Mr. Pell, Mr. Mansfield, Mr. Morse, Mr. Moss, Mr. Anderson, Mr. Randolph, Mr. Muskie, Mrs. Neuberger, Mr. Cooper, Mr. McGee, Mr. Douglas, Mr. Hart, Mr. Humphrey, Mr. Curtis, Mr. Symington, Mr. Case, Mr. Miller, Mr. Metcalf, Mr. Church, Mr. Engle, Mr. Williams of New Jersey, Mr. Keating, Mr. Nelson, Mr. Gruening, Mr. Allott, Mr. McCarthy, and Mr. Kuchel) submitted a resolution (S. Res. 89) providing for germaneness of debate under certain conditions, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Pastore, which appears under a separate heading.)

AMENDMENT OF RULE XXV OF STANDING RULES OF THE SENATE, RELATING TO STANDING COMMITTEES

Mr. MANSFIELD (for himself and Mr. Dirksen) submitted a resolution (S. Res. 90) amending rule XXV of the Standing Rules of the Senate, relating to standing committees, which was ordered to lie over under the rule.

(See the above resolution printed in full when submitted by Mr. Mansfield, which appears under a separate heading.)

AMENDMENT OF RULE XXV, RELATIVE TO NUMBER OF MEMBERS ON THE COMMITTEE ON APPROPRIATIONS

Mr. CLARK submitted a resolution (S. Res. 91) to amend rule XXV relative to number of members on the Committee on Appropriations, which was ordered to lie on the table and to be printed.

AMENDMENT OF RULE XXV, RELATIVE TO NUMBER OF MEMBERS ON THE COMMITTEE ON FOREIGN RELATIONS

Mr. CLARK submitted a resolution (S. Res. 92) to amend rule XXV relative to number of members on the Committee on Foreign Relations, which was ordered to lie on the table and to be printed.

AMENDMENT OF RULE XXV, RELATIVE TO NUMBER OF MEMBERS ON THE COMMITTEE ON FINANCE

Mr. CLARK submitted a resolution (S. Res. 93) to amend rule XXV relative to number of members on the Committee on Finance, which was ordered to lie on the table and to be printed.

(See the above resolutions printed in full when submitted by Mr. Clark, which appear under a separate heading.)

ADDITIONAL PAYMENT TO VILLAGE OF HIGHLAND FALLS, N.Y.

Mr. JAVITS. Mr. President, on behalf of myself, and my colleague, the junior Senator from New York [Mr. Keating], I introduce for appropriate reference, a bill dealing with a problem at Highland Falls, N.Y., which has defied our previous efforts to arrive at some measure of success in attempting to deal with a problem which confronts this small municipality in connection with its relationships with West Point. I hope very much that now, following our previous attempts on a number of occasions to achieve success in dealing with this subject, we may at long last be successful, inasmuch as a matter of considerable justice is involved.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 833) to provide for an additional payment of $165,000 to the village of Highland Falls, N.Y., toward the cost of the water filtration plant constructed by such village, introduced by Mr. Javits (for himself and Mr. Keating), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF TARIFF ACT OF 1930

Mr. SALTONSTALL. Mr. President, on behalf of myself and my colleague, the junior Senator from Massachusetts [Mr. Kennedy], I introduce for appropriate reference a bill to amend the Tariff Act of 1930.

Recently the U.S. Customs Court ruled that woven wool fabrics which have a three-fourth-inch strip sewn along the length of the fabric are "fabrics in part of braid" dutiable at 42½ percent ad valorem.

The court's decision overturns the ruling of the Commissioner of Customs on May 2, 1962, that such fabrics are dutiable under the classifications normally applicable to woven fabrics. Such fabrics bear a duty of 37½ cents per pound and 60 percent ad valorem.

By adding a strip of braid the fabric comes in under the cheaper rate. The braid is then removed and the bolt of cloth used in the manufacture of woolen goods. This bill is intended to close this loophole. Our domestic textile industry is suffering because of the influx of imports of foreign made fabrics, and this legislation will help by assuring that fabrics coming into the country are charged the proper duty.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 835) to amend the Tariff Act of 1930, introduced by Mr. Saltonstall (for himself and Mr. Kennedy), was received, read twice by its title, and referred to the Committee on Finance.

WARTIME BENEFITS FOR PEACETIME VETERANS UNDER CERTAIN CIRCUMSTANCES

Mr. SALTONSTALL. Mr. President, I introduce, for appropriate reference, a bill designed to provide benefits substantially the same as those provided for veterans of the Korean conflict to veterans of our Armed Forces who serve in "areas of hostilities"—areas of the world in which armed conflict or other warlike conditions exist—during periods when the United States is not engaged in a formally declared war.

The bill makes the President responsible for defining an "area of hostilities" and for determining the period during which such an area is to be so regarded. The United States would not have to be engaged in the hostilities for an area to be so designated. Thus, an American observer or instructor in an action in which the United States is not directly engaged might become eligible for the benefits provided in this bill should the President proclaim the area in which they were serving to be an area of hostilities.

This would not further involve the United States in any such action but merely provides that those brave men who keep the United States and its allies informed on new methods of warfare receive the protection and benefits to which wartime veterans are entitled. If members of our armed services are to be sent to critical areas of the world where armed conflict exists and are to be subjected to the risks involved in service in such areas it seems only just to me that they should be eligible for benefit.

This bill will undoubtedly receive further refinement in committee. The definition of eligibility, for example, creates problems and may need further attention. But I think the principle is an excellent one on which all citizens of the United States would agree. The United States is embarking on a new era of defense, one which will mean that on occasion our military personnel will have to go into situations not provided for under present law. This bill is intended to give the President the flexibility to enable him to provide these men and their families with the rights and privileges accorded wartime veterans.

I ask unanimous consent that a section-by-section analysis of the bill may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the analysis will be printed in the RECORD.

The bill (S. 836) to authorize wartime benefits under certain circumstances for peacetime veterans and their dependents introduced by Mr. SALTONSTALL (for himself and Mr. BENNETT), was received, read twice by its title, and referred to the Committee on Finance.

The analysis presented by Mr. SALTONSTALL is as follows:

EXPLANATION OF THE BILL TO AUTHORIZE WARTIME BENEFITS UNDER CERTAIN CIRCUMSTANCES FOR PEACETIME VETERANS AND THEIR DEPENDENTS

The attached bill makes a series of amendments to title 38 of the United States Code so as to provide increased benefits to veterans of the Armed Forces of the United States who serve in areas of the world in which armed conflict or other warlike conditions exist during periods when the United States is not engaged in a formally declared war. The bill, if enacted, would authorize benefits for such veterans (and their dependents) equal to those benefits authorized for wartime veterans. In most cases the benefits made available by this bill for a veteran of a period of hostilities are substantially the same as those that were and are provided for veterans of the Korean conflict. Where differences between benefits provided for wartime veterans and benefits provided for veterans of a period of hostilities exist, such differences will be noted in the section-by-section analysis.

SECTION-BY-SECTION ANALYSIS

Section 1: Subsection (a) amends the definition of the term "period of war" contained in title 38, United States Code, so as to include in the meaning of such term any period of hostilities, a term defined by this bill.

Subsection (b) adds two new definitions to title 38. One definition defines the term "area of hostilities" and the other defines the term "period of hostilities." It should be noted with respect to the latter definition that whenever the term "period of hostilities" is used throughout the bill it has application only to veterans who served (1) during a period of hostilities, and (2) in an area of hostilities during that period. Thus, a veteran who may have served within the time limits that an area was designated as an area of hostilities is not affected by the term "period of hostilities" unless he served in the area of hostilities covered by a Presidential designation.

Section 2: Subsection (a) amends section 521(a) of title 38, United States Code, in order to make veterans of a period of hostilities eligible for non-service-connected disability pension in the same manner as veterans of World War I, World War II, and the Korean conflict.

Subsection (b) amends section 521(f) of title 38 for the purpose of prescribing the service requirements that veterans of a period of hostilities must meet in order to be eligible for non-service-connected disability pension. The amendment provides that the veteran (1) must have served for a period of 90 consecutive days or more, any part of which was served during a period of hostilities (as indicated before, service during a period of hostilities carries with it the requirement that the service must have been in an area of hostilities also), or (2) must have served for any period of time during a period of hostilities and been discharged or released from service for a service-connected disability. A veteran of a period of hostilities who does not meet the 90 consecutive day service requirement would qualify (as other wartime veterans do) if his aggregate service for two or more separate periods of service during more than one period of war equaled 90 days or more.

Subsection (c) is a technical amendment.

Subsection (d) makes widows of veterans of a period of hostilities eligible for non-service-connected death pension on the same basis that such pension is made available for widows of veterans of World War I, World War II, and the Korean conflict.

Subsection (e) is a technical amendment.

Subsection (f) makes children of veterans of a period of hostilities eligible for non-service-connected benefits on the same basis as children of veterans of World War I, World War II, and the Korean conflict.

Subsections (g), (h), and (i) are technical amendments.

Section 3: This section amends section 602 of the code in order to give to veterans of a period of hostilities the same presumption with regard to the development of a psychosis as is granted to veterans of World War II and the Korean conflict.

Section 4: This section authorizes the issuance of a policy of permanent plan life insurance or a policy of limited convertible 5-year level premium term insurance to veterans of a period of hostilities. This insurance is available only after the veteran is discharged or released from service and is a nonparticipating type of insurance. Veterans of the Korean conflict were eligible at first for straight term insurance only but were subsequently given the right to convert or exchange their policies for the two types of insurance mentioned above which were shown by experience to be better and cheaper forms of insurance.

Subsection (b) of this section would give veterans of a period of hostilities who were discharged or released from service prior to the date of enactment of this bill a period of 120 days after the date of enactment to apply for such insurance. One hundred and twenty days from date of discharge or release from service is the same period given other veterans to apply for such insurance. This provision would only have application if the President proclaimed an area to have in the past been an area of hostilities.

Section 5: This section adds a new section to chapter 19 of the code and provides special indemnity insurance for veterans of a period of hostilities like that in effect during the Korean conflict. A veteran of a period of hostilities would be automatically insured against death in the amount of $10,000 during the time he is en route to an area of hostilities, while serving in such an area, and for a period of 120 days after the date of his first discharge or release from the military after his service in such area. Such coverage would continue in no case for more than 2 years after the last day of a person's service in an area of hostilities. If a member of the Armed Forces returned at any time to such an area he would again be automatically insured.

Section 6: This section, which amends chapter 31 of title 38, United States Code, would make a veteran of a period of hostilities who has a service-connected disability eligible for vocational rehabilitation on the same basis as a veteran of World War II or the Korean conflict. A peacetime veteran is eligible for vocational rehabilitation, but unlike World War II and Korean conflict veterans the peacetime veteran must be rated for compensation purposes to be 30 percent or more disabled, or if less than 30 percent the disability from which he suffers must be clearly shown to have caused a pronounced employment handicap.

Section 7: This section amends chapter 33 of title 38 which provides educational benefits to Korean conflict veterans. The amendments made by this section would make veterans of a period of hostilities eligible for such benefits on the same basis as Korean veterans. The veteran's basic service period for purposes of determining the amount of time to which he is entitled to education and training would begin with the veteran's most recent entry, enlistment or call to active duty prior to his service in an area of hostilities and would end on the date of his first discharge or release from active duty after his service in such area.

Educational benefits would be available to any veteran of a period of hostilities declared by the President to have existed prior to the date of enactment of this bill, but the veteran would not be eligible for any educational and training allowance for any period of training completed prior to the date of enactment of the bill.

The overall termination date for education and training in the case of veterans of the Korean conflict is January 31, 1965. The final termination date prescribed for veterans of a period of hostilities is January 31, 1972. Since it is uncertain how long in the future present world conditions will exist, it may become necessary for the Congress to extend the termination date from time to time for veterans of a period of hostilities.

Section 8: This section amends chapter 37 of title 38, United States Code, which authorizes home, farm, and business loans to veterans of World War II and the Korean conflict. The amendment would make veterans of a period of hostilities eligible for all of the benefits provided under that chapter to the same extent that such benefits were made available to World War II and Korean conflict veterans.

The veteran's benefits would be reduced by an amount equal to any amounts he had previously received under the chapter on account of service during World War II or the Korean conflict. This would avoid duplicate benefits.

The eligibility of a veteran would last for a period of 10 years following the date of his discharge or release from active duty plus 1 year for each 3 months of active duty he performed in an area of hostilities. No veteran of a period of hostilities would receive benefits under the chapter after January 31, 1985. Entitlement would not expire for any such veteran prior to January 31, 1975. The final termination date for all benefits under the chapter for Korean conflict veterans is January 31, 1975, and the phaseout of such benefits for such veterans does not begin until January 31, 1965. As in the case of other programs with final termination dates it may become necessary for the Congress to extend the January 31, 1985, date referred to above if world conditions in the future continue to demand members of the Armed Forces of this country to serve in areas of hostilities.

Section 9: This section authorizes assistance in the purchase of an automobile for veterans of a period of hostilities who suffer from certain disabilities.

Subsection (b) provides that in the case of veterans of a period of hostilities the period (5 years) within which he has to make application for assistance in purchasing an automobile shall not begin to run until the date of enactment of the bill if the veteran were discharged or released from service prior to such date of enactment. This provision would have application only in case the President chose to proclaim a period prior to the date of enactment of this bill as a period of hostilities.

Section 10: This section amends chapter 43 of title 38, relating to mustering-out payment for Korean conflict veterans. The amendment authorizes $300 mustering-out payment to veterans of a period of hostilities regardless of the amount of service they may have. Payment to a Korean conflict veteran was made as follows: (1) $300 to a veteran who performed active duty for 60 days or more and served outside the continental United States or in Alaska, (2) $200 for a veteran who performed active duty for 60 days or more, no part of which was served outside the continental United States or in Alaska, and (3) $100 to a veteran who performed active duty for less than 60 days.

In the case of a period of hostilities declared by the President to have existed prior to the date of enactment of the bill, a veteran who served during such period and was discharged or released prior to the date of enactment of the bill would have 2 years after such date of enactment to make application for mustering-out payment. In all other cases a veteran of a period of hostilities would have 2 years following the date of his discharge or release from service to make application.

Section 11: This section adds a new section to chapter 53 of title 38, United States Code, authorizing the President to designate by Executive order any area outside the United States as an area of hostilities. Before so designating any area he must find (1) that members of the Armed Forces of the United States will serve in such area, and (2) that such members while serving in such area are likely to be subjected to armed conflict or similar warlike conditions. The new section requires the President in designating any area as an area of hostilities to do so in geographic terms and to specify the date on which such area first becomes an area of hostilities for purposes of benefits under title 38, United States Code; such section sets out the conditions under which the President shall specify the date on which an area ceases to be an area of hostilities.

In addition to the foregoing benefits, a veteran of a period of hostilities will be eligible for the following:

1. Wartime disability compensation rates for service-connected disabilities, including the more advantageous presumption for wartime veterans regarding health upon entering service (ch. 11 of title 38, United States Code).

2. Hospital, domiciliary, and medical care on the same basis as veterans of any other war (ch. 17 of title 38, United States Code).

3. Special burial benefits provided for veterans of any war (ch. 23 of title 38, United States Code).

A peacetime veteran is already eligible for the benefits of chapter 21 of title 38, United States Code, which authorizes specially adapted housing for disabled veterans.

The provision of chapter 35 of title 38, United States Code, providing educational assistance to the orphans of certain veterans, is effective with respect to all veterans serving at the present time. The authorization will terminate concurrently with the Universal Military Training and Service Act which expires July 1, 1963. In the event that act is not again extended it would be necessary to amend chapter 35 of title 38 in order to cover veterans who serve during a period of hostilities after July 1, 1963.

Chapter 13 of title 38, United States Code, relating to dependency and indemnity compensation which had always been made between wartime and peacetime death compensation for dependents. Since the provisions of this chapter provide higher rates of compensation for dependents than the rates in effect during the Korean conflict no change has been made with respect to dependents of veterans of a period of hostilities; but as noted earlier, veterans of a period of hostilities are made eligible for indemnity insurance while such insurance has not been provided in the case of any veteran who died after December 31, 1956.

This bill makes no special provision for unemployment benefits since persons now serving in the Armed Forces are covered by a new permanent unemployment compensation program similar to that provided for Federal civilian employees. Benefits are paid in accordance with State unemployment insurance laws and are financed by Federal appropriation. The program is administered through agreements with the individual States under the general supervision of the Department of Labor.

COMMERCIAL USE OF CERTAIN LAND AT McCARRAN AIRPORT, NEV.

Mr. CANNON. Mr. President, on behalf of myself and my colleague, the senior Senator from Nevada [Mr. BIBLE], I introduce, for appropriate reference, a bill. This measure provides for certain commercial use of land adjoining the McCarran Airport in Clark County, Nev., after determination that such land is not needed for the operation of the airport.

The major portion of the lands in question was conveyed to Clark County pursuant to section 16 of the Federal Airports Act (49 U.S.C. 1115). Included in section 16 is a reversionary clause which provides that in the event any of the land is not developed or ceases to be used for airport purposes it automatically reverts to the United States.

The McCarran Airport is located in the vicinity of what is known as the Las Vegas Strip and is thus surrounded by real estate of high value. The county is presently in the process of altering the airport layout and, resultantly, certain portions of the original conveyance are excess to airport requirements. If the reversionary provision of section 16 were to operate, these lands would return to public domain and their excessive value would probably result in a scramble for acquisition by private interests and may eventually result in the erection of structures which were not compatible with the planning or use of the airport itself.

To avert such a problem, the county officials have requested, and this bill would authorize, that where lands were found to be in excess of airport needs they could be leased by the county for commercial and industrial development not inconsistent with the operation of the airport.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 842) to provide for certain commercial use of land at McCarran Airport, Clark County, Nev., if it is determined that such land is not needed for the operation of such airport, introduced by Mr. CANNON (for himself and Mr. BIBLE), was received, read twice by its title, and referred to the Committee on Commerce.

PROPOSED LEGISLATION RELATING TO THE ARMED FORCES

Mr. RUSSELL. Mr. President, by request, on behalf of myself, and the senior Senator from Massachusetts [Mr. SALTONSTALL], I introduce, for appropriate reference, five bills requested by the Department of Defense, accompanied by letters of transmittal explaining the purpose of each bill.

I ask unanimous consent that the letters of transmittal be printed in the RECORD, immediately following the listing of the bills.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the letters of transmittal will be printed in the RECORD.

The bills, introduced by Mr. RUSSELL (for himself and Mr. SALTONSTALL), by request, were received, read twice by their titles, and referred to the Committee on Armed Services, as follows:

S. 843. A bill to authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes.

The letter of transmittal accompanying Senate bill 843 is as follows:

THE SECRETARY OF DEFENSE,
Washington, January 17, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of proposed legislation, "To authorize appropriations during fiscal year 1964 for procurement, research, development, test, and evaluation of aircraft, missiles, and naval vessels for the Armed Forces, and for other purposes." This proposal is a part of the Department of Defense legislative program for the 88th Congress and the Bureau of the Budget has advised that enactment of the proposal would be in accord with the program of the President.

The proposal provides authorization of appropriation for defense programs for fiscal year 1964 in two major areas. It includes authorization of appropriation for the procurement of aircraft, missiles, and naval vessels in form identical to previous enactments of the fund authorizations required pursuant to section 412(b) of Public Law 86–149, as initially approved August 10, 1959. It also includes a similar authorization of appropriations for the research, development, test, and evaluation of aircraft, missiles, and naval vessels as required for the first time by the amendment to section 412(b) contained in Public Law 87–436, approved April 27, 1962.

PROCUREMENT

As in the case of previous legislation, this proposal would provide for the authorization of appropriations for procurement in each of the categories of aircraft, missiles, and naval vessels for each of the military departments in the amount of the new obligational authority being requested for such purposes in the President's budget for fiscal year 1964. The amounts requested for fund authorization have been developed on the same basis as, and are comparable to, the amounts for which fund authorizations for procurement were granted in fiscal year 1963.

For ready reference there is attached hereto a table showing, by category and by service: (1) The amounts authorized for fiscal year 1963; (2) amounts appropriated for fiscal year 1963; and (3) the amounts requested for fund authorization for fiscal year 1964.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

As in the case of procurement, there is general authorization in permanent law for each of the military departments to conduct research, development, test, and evaluation activities. The basic provisions are: 10 U.S.C. 4503 for the Army; 10 U.S.C. 5150–5151 for the Navy; and 10 U.S.C. 9503 for the Air Force. Accordingly, this legislation is responsive only to the requirement of section 412(b) for authorization of funds to conduct these programs after December 31, 1962. The proposal would provide such fund authorization for research, development, test, and evaluation of aircraft, missiles, and naval vessels for each department and in each category in amounts equal to the new obligational authority included in the President's budget for fiscal year 1964 for such purposes. These amounts correspond to the amounts included in the estimates for the major subdivisions (budget activities) of the research, development, test, and evaluation appropriations for each of the categories. The budget activities are uniformly classified for each of the military departments under the headings "Aircraft and Related Equipment"—budget activity 2; "Missiles and Related Equipment"—budget activity 3; and "Ships, Small Craft, and Related Equipment"—budget activity 5, and consist of a uniform grouping of the so-called line item budget subactivities. The "line item" budget subactivities are in turn identical to each of the program elements of the research, development, test, and evalution programs of the military departments and form the basis upon which the programs are executed and related funds are administered.

In the opinion of the Department of Defense, fund authorization in terms of these budget categories will not only permit the continuation of program execution and fund administration on the current basis, but is also in accord with the expressed desires of the Congress to review and exercise its legislative responsibility over research, development, test, and evaluation activity which may ultimately involve the fabrication of prototypes of operational systems.

REPROGRAMING

In originating the amendment requiring fund authorization for research, development, test, and evaluation of aircraft, missiles, and naval vessels, the Senate Armed Services Committee stated in its report (S. Rept. No. 1315, 87th Cong., Apr. 2, 1962, p. 3) in pertinent part, as follows:

"The committee believes that the experience to date under the relatively new procedure requiring authorization of appropriations for procurement of aircraft, missiles, and naval vessels is such that there should be no concern about an extension of this procedure into research and development. When the authorization procedure was instituted doubts were expressed in some quarters about its practicality and there was some alarm that the procedure could result in conflicts and troublesome restrictions. These problems simply have not materialized and the committee believes the procedure has proved constructive."

The most significant factor in the elimination of conflicts and troublesome restrictions under previous authorization legislation of this type was the adoption by the committees of the procedure that had previously been worked out with the appropriations committees known as reprograming. The principles and basic justification for this procedure were well stated by the House Armed Services Committee in its report on fund authorization legislation for fiscal year 1963 (H. Rept. No. 1406, 87th Cong., Mar. 7, 1962, p. 10):

"Prior to last year, the Congress had provided a generalized authorization, on a continuing basis, for the major procurement programs of the Department of Defense. Each annual appropriation act has provided funds in general terms for these major procurement programs on the basis of a detailed justification to the committees covering in detail all of the major items. During the period in which these major defense programs are administered, it is necessary to increase or decrease amounts originally justified to the Congress for application to given line items, and to make changes in programs, in order to accommodate changes in requirements. Under the existing procedures for this reprograming, appropriate notice to, or consultation with, the committees has been provided. This procedure for authorization and appropriation has provided urgently needed responsiveness to swiftly changing requirements from both technological breakthroughs and varying threats."

The Senate Committee on Armed Services has also indicated its adoption and support of the principles and related procedures in Senate Report No. 253, 87th Congress, May 11, 1961, page 3.

Past experience in the application of the procedure to the various areas of defense programs has indicated that, while the principles should be maintained, the procedures, of necessity, must vary with the nature of the programs; for instance, procurement programs are stated generally in terms of physical line items and associated dollars, whereas, research, development, test, and evaluation programs consist primarily of level of effort, measured in dollars, directed at less finite objectives. Such distinctions should be recognized in working out the adaptation of the principle of reprograming to research, development, test, and evaluation.

Another important factor in facilitating the administration of the major defense programs under legislation of this type was the clear recognition by the committees of existing appropriation and fund flexibility available to the Department of Defense under the Defense Appropriation Acts as stated by the House Armed Services Committee in its report (H. Rept. No. 380, 87th Cong., May 10, 1961, p. 10):

"While the amounts authorized to be appropriated will constitute ceilings on appropriations which can be made for the procurement of aircraft, missiles, and naval vessels, the committee wishes to make clear that the programs, which such appropriations finance, can also be financed in part by the application of other available funds, such as reimbursement or unused prior year funds. Similarly, should the necessity arise, funds appropriated under these authorizations may be applied to the completion of prior year programs for the same general purposes.

"The committee does not intend that such reasonable degree of transfer authority as the Committees on Appropriations may wish to recommend be inhibited or precluded by these authorizations. We have in mind, for example, the customary transfer provisions in the language of the emergency fund appropriation and similar provisions in section 535 of the 1961 Appropriation Act. Such provisions are essential to permit the Department promptly to take advantage of technological and other developments."

Likewise, the Senate committee recognized the importance of maintaining such flexibility in its report (S. Rept. No. 253, 87th Cong., May 11, 1961, p. 3), as follows:

"The committee is aware of provisions in the Department of Defense Appropriations Acts that confer transfer authority and flexibility on the Secretary of Defense in expediting certain programs. The committee does not intend that this authorization inhibit the transfer authority contained in the emergency fund appropriation to the Secretary of Defense, or in such provisions as section 535 of the Department of Defense Appropriations Act for 1961. These provisions are essential to permit the Department to take advantage of technological breakthroughs."

In support of the legislation, the Committee on Armed Services will be furnished, as in the past, detailed information with respect to each program for which fund authorization is being requested in a form identical to that being submitted in explanation and justification of the budget request. Additionally, the military departments will be prepared to submit any other data that the committees or their staffs may require.

It is, of course, assumed that the Armed Services Committees, as in the past, will desire that top civilian and military officials of the Department of Defense be prepared to make presentations covering the strategic objectives and plans for the ensuing year, including those necessitating development of these major defense programs and of the request for funds for their support.

Sincerely,

ROBERT S. MCNAMARA.

Fiscal year 1963 amounts authorized versus amounts appropriated for procurement of aircraft, missiles, and naval vessels

[Thousands]

	Authorized, fiscal year 1963	Appropriated, fiscal year 1963	Requested, fiscal year 1964
Aircraft:			
Army	$218,500	$214,900	$522,100
Navy and Marine Corps	2,134,600	2,105,107	1,958,700
Air Force	3,626,000	3,562,400	3,559,000
Missiles:			
Army	558,300	558,100	580,700
Navy	930,400	929,553	1,107,300
Marine Corps	22,300	22,248	14,700
Air Force	2,500,000	2,459,000	2,177,000
Naval vessels:			
Navy	2,979,200	2,919,200	2,310,000
Total	12,969,300	12,770,508	12,229,500

S. 844. A bill to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes.

The letter of transmittal accompanying Senate bill 844 is as follows:

THE SECRETARY OF DEFENSE,
Washington, D.C., January 30, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a bill entitled "To further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes."

This proposal is a part of the Department of Defense legislative program for the 88th Congress and the Bureau of the Budget advises that its enactment would be in accord with the program of the President. The Secretary of Defense urges its early enactment.

PURPOSE OF LEGISLATION

The purpose of this legislation is to authorize and require the incorporation of public shelter in appropriate civilian or military structures of the United States; to authorize the construction of additional Federal regional emergency operating centers; to authorize payments to nonprofit institutions or instrumentalities for shelter purposes; and to otherwise amend the Federal Civil Defense Act of 1950.

The major protection of the Nation against an attack is the deterrent effect of our Armed Forces and our allies. Our military posture is being steadily improved to maintain this deterrent; but we must also be prepared for possible failure of deterrence through an organized, long-range, sensible program of civil defense.

Although there is no practical program that would avoid large scale loss of life during a nuclear attack, we can develop our program of civil defense to provide a system of protection of life to increase very significantly the number of people who would survive and provide the base for recovery after an attack. The key element around which such a program must be built is shelter, immediately available, equipped and provisioned; with the necessary supporting activities, equipment, and training for carrying out civil defense operations.

Since September 1961, the Department of Defense has conducted the national shelter survey to identify mark, and stock existing public shelter space. This program has located in excess of 100 million public shelter spaces in existing structures, over 70 percent of which man be brought into use this year as a nucleus of a program of fallout shelter for all the population, near homes and places of work. These shelter spaces are being marked and provisioned and localities are developing plans for their use in an emergency.

However, many of these shelters are located in downtown areas. There is a need for new shelter space better located in relation to homes. Additional shelter space is, and will be, increasing as State and local governments, industry, hospitals, schools, and other institutions undertake their civil defense responsibilities. However, local efforts to meet the deficiency in shelter requirements appear clearly inadequate in the absence of Federal financial assistance. The necessary legislation to make a moderate start in stimulating more widespread shelter space is needed this year. The stimulation of the necessary additional shelter space will be complemented by the current vigorous program to spread throughout the building trades and professions the new technology of adding low-cost protective features to buildings and with a positive long-term program to include protective features in Federal buildings.

A nationwide effort to create additional shelter space will give a badly needed impetus to the equally important tasks of local organization, planning, and training in special civil defense skills. Under widespread fallout radiation conditions, rescue, relief, mass feeding, and casualty care, and the many other important elements of a civil defense system, must be planned from the base of a system of community shelters. The survivors of the first days of a nuclear attack could not organize work parties and carry out plans for survival without such a shelter base.

The bill would add a new section 206 to the Federal Civil Defense Act to require that public shelter be incorporated in all federally owned or occupied structures, civilian or military, unless an exemption from this requirement is obtained.

Incorporation of shelter in appropriate Federal buildings is a prerequisite to a successful shelter program. The Federal Government must show by its own leadership and example that shelter is the key element in a comprehensive civil defense program. The States, localities, and private organizations and individuals who have been urged by the Government to construct shelter expect no less.

Section 206 would authorize the President to prescribe rules and regulations to carry out the purposes of the section. The regulations would make provision for the establishment of procedures and criteria for incorporation of public shelter. Exemptions from the requirement of shelter would be provided for in appropriate cases, since in some instances the shelter need would be met from other sources in the community, or it would be uneconomical, because of design and construction characteristics, to incorporate shelter in certain types of structures. Detailed procedures and criteria would be issued through the Bureau of the Budget and the Department of Defense. The proposed procedure is generally in accord with the current practice of the Bureau of the Budget and the Department of Defense.

The new section 206 also would authorize the construction of Federal regional emergency operating centers. Such emergency operating centers are essential to assure a capability of postattack civil defense operations at the regional level. One such center is nearing completion, and another has been specifically authorized and construction funds appropriated. The draft bill would authorize construction of six additional structures for the remaining regional centers. The section also specifically authorizes the acquisition of fee title to land as required by section 201(h) of the act, and makes clear that the procedures of the Public Buildings Act do not apply to these facilities.

The new section 207 would authorize payments to nonprofit institutions or instrumentalities which provide public shelter space in their structures. These institutions include schools, hospitals, and welfare institutions, public or private, and State and local government-owned buildings, subways, caves, and other public underground facilities.

It is anticipated that the incentive payment will be based upon the amount of acceptable public shelter space created and made available to the public and that it will be set at $2.50 per square foot or actual cost, whichever is less.

New construction, equipment, or modification, most of which would be for dual purpose space, will be approved if it meets criteria prescribed under the act and regulations. Approved public shelter space will accommodate 50 or more people, and be open for public use in time of emergency under local civil defense direction.

The nonprofit character of the institution will generally be determined by the criteria established under the Internal Revenue Code. The payment will be in addition to, but will not duplicate, any other financial assistance furnished by the Federal Government for construction.

Section 207 would also authorize payments for eligible expenditures made by qualified institutions on or after January 1, 1963, in anticipation of approval of the program.

In order to assure an equitable distribution of shelter payments among the States, section 207 contemplates a procedure for the allocation of funds appropriated for shelter payments. The allocations would be primarily based upon factors of population and amounts of available shelter in existence.

Section 2 of the bill would add to title IV of the Federal Civil Defense Act two new sections (secs. 414 and 415) containing the administrative authority necessary to carry out the new programs.

Section 414 would authorize certain funds appropriated for the program to remain available until expended. To assure the most efficient and economical use of funds, it is essential that funds appropriated for research and development, construction, and shelter payments remain available until expended. This is consistent with the manner of appropriating similar funds to the Department of Defense.

Section 414 would also authorize allocation, to the civilian and military departments or agencies of the Government, of funds appropriated for shelter in Federal structures, and also for construction of emergency operating centers. It is contemplated that appropriation requests for the modification of existing Federal structures to provide shelter will be made by the Department of Defense. Funds would then be made available to the constructing department or agency, subject to the shelter criteria of the Department of Defense.

Section 415 would make clear that the act does not modify or amend, or relieve any department or agency, from any of the requirements of law concerning the acquisition, leasing, or construction of facilities. The proposed amendments would not supersede the provisions of military construction authorization acts, the Public Buildings Act, or similar legislation.

Section 3 of the bill would broaden the definition of civil defense to include natural disaster relief activities. All the States have made disaster relief a part of the civil defense function, based upon recommendations of the Council of State Governments. This amendment was recommended by organizations representing State and local civil defense directors, now required by the definition to distinguish between civil defense and disaster relief activities. Planning and preparations for natural disaster relief contribute directly to preparations for and operations under an enemy attack, and this should be recognized in the law.

H.R. 10262, and a companion bill, S. 2857, to authorize incorporation of shelter in Federal structures and a shelter incentives program, were introduced in the 2d session of the 87th Congress, but were not enacted. These proposals have been revised to reflect the experience in the operation of a shelter program gained over the past year.

COST AND BUDGET DATA

Incorporation of shelter features, by modification to appropriate existing structures of the United States and the construction of Federal regional emergency operating centers, is estimated at $20 million for the first year. Costs for shelter in new Federal construction are expected to be included in budget estimates of individual constructing agencies. The cost of the shelter payment program which would be authorized by section 207 is estimated at $175 million for the first year of operation. It is estimated this would provide up to 10 million shelter spaces in nonprofit institutions.

Sincerely,

ROBERT S. MCNAMARA.

S. 845. A bill to amend titles 10, 14, and 38, United States Code, with respect to the award of certain medals and the Medal of Honor roll.

The letter of transmittal accompanying Senate bill 845 is as follows:

JANUARY 9, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate.

DEAR MR. PRESIDENT: There is inclosed herewith a draft of legislation "To amend titles 10, 14, and 38, United States Code, with respect to the award of certain medals and the Medal of Honor roll."

This proposal is a part of the Department of Defense legislative program for the 88th Congress and the Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Army has been designated the representative of the Department of Defense for this legislation. It is recommended that the proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of the proposed legislation is to amend titles 10 and 14, United States Code, to (a) expand authority for award of the Medal of Honor, the Distinguished Service Cross, the Navy Cross, the Air Force Cross, and the Silver Star by the various military departments, and the Coast Guard with respect to the Medal of Honor, to afford proper recognition for acts of heroism and gallantry which may occur during cold war conditions short of situations when the Armed Forces of this country are at war with an enemy of the United States; and (b) restate criteria for award of these decorations to make them more consistent with the criteria recently announced by the President for award of the Purple Heart, in Executive Order No. 11016, approved April 25, 1962, and for the award of the Bronze Star Medal, in Executive Order No. 11046, approved August 24, 1962. Furthermore, it is proposed that title 38, United States Code, be amended so that Army, Navy, Air Force, Marine Corps, and Coast Guard personnel receiving the Medal of Honor under the first three qualifying provisions of the proposed legislation will have their names placed on the Medal of Honor roll and receive the certificate and special pension provided by sections 561 and 562 of that title, beginning at age 50.

Present laws which authorize award of the Medal of Honor, the Distinguished Service Cross, the Navy Cross, the Air Force Cross, and the Silver Star, prescribe, in general, that these decorations may only be awarded to persons who distinguish themselves while engaged in actual conflict with or military operations against an enemy or armed enemy of the United States. This has been interpreted so as to authorize these awards only for acts which occur during periods of wartime when the United States is actually engaged in armed conflict with an enemy of this country. No provision is made for award of these decorations to persons who distinguish themselves by heroism or gallantry under conditions short of an actual conflict in which the United States is formally engaged. As a result, members of an armed force under the jurisdiction of the Secretary of a military department and members of the Coast Guard (with respect to the Medal of Honor), who perform heroic and gallant acts while serving in an advisory capacity with, or while assisting in the operations of, friendly foreign forces engaged in armed conflict to which the United States is not formally a party, may not be awarded these decorations. Similarly, acts of heroism and gallantry which might result from actions of a hostile foreign force may not be recognized by the award of an appropriate decoration to the individual or his next of kin. To remedy these inequitable situations, it is believed that the pressent criteria for award of these decorations should be expanded to permit prompt and proper recognition of the services and sacrifices of personnel who may be involved in such cold war actions.

COST AND BUDGET DATA

The enactment of this proposal would cause no significant increase in the budgetary requirements for the Department of Defense.

Sincerely,

CYRUS R. VANCE,
Secretary of the Army.

SECTIONAL ANALYSIS

TO AMEND TITLES 10, 14, AND 38, UNITED STATES CODE, WITH RESPECT TO THE AWARD OF CERTAIN MEDALS AND THE MEDAL OF HONOR ROLL

Section 1: This section amends sections 3741, 3742, and 3746 of title 10, United States Code, which relate to the award to Army personnel of the Medal of Honor, the Distinguished Service Cross, and the Silver Star, respectively. The criteria for these decorations have been restated to include the existing authority for presentation of these awards to members of the Army who distinguish themselves by heroism, gallantry, and valor while engaged in conflict with an enemy of the United States under wartime conditions. In addition, the criteria have been expanded to provide consistence with the conditions for award of the Purple Heart expressed in Executive Order No. 11016, approved by the President on April 25, 1962. These expanded criteria provide authorization to award the decorations to members of the Army who distinguish themselves not only while engaged in conflict with an enemy of the United States under formal wartime conditions, but also while engaged in cold war actions against a hostile foreign force, or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in situations when the United States is not a belligerent party.

Section 2: This section amends sections 6241, 6242, and 6244 of title 10, United States Code, which relate to the award to persons in the Navy and Marine Corps of the Medal of Honor, the Navy Cross, and the Silver Star, respectively. The criteria for these decorations have been restated to make them generally more consistent with those that apply to personnel of the Army and Air Force, and include the existing authorization to present the awards to members of the Navy who distinguish themselves by heroism, gallantry, and valor while engaged in conflict with an enemy of the United States under wartime conditions. In addition, the criteria have been expanded to provide consistency with the conditions for award of the Purple Heart expressed in Executive Order No. 11016, approved by the President on April 25, 1962. These expanded criteria provide authorization to award the decorations to members of the Navy who distinguish themselves not only while engaged in conflict with an enemy of the United States under formal wartime conditions, but also while engaged in cold war actions against a hostile foreign force, or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in situations when the United States is not a belligerent party.

Section 3: This section amends sections 8741, 8742, and 8746 of title 10, United States Code, which relate to the award to persons in the Air Force of the Medal of Honor, the Air Force Cross, and the Silver Star, respectively. The criteria for these decorations have been restated to include the existing authorization to present the awards to members of the Air Force who distinguish themselves by heroism, gallantry, and valor while engaged in conflict with an enemy of the United States under wartime conditions. In addition, the criteria have been expanded to provide consistency with the conditions for award of the Purple Heart expressed in Executive Order No. 11016, approved by the President on April 25, 1962. These expanded criteria provide authorization to award the decorations to members of the Air Force who distinguish themselves not only while engaged in conflict with an enemy of the United States under formal wartime conditions, but also while engaged in cold war actions against a hostile foreign force, or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in situations when the United States is not a belligerent party.

Section 4: This section amends section 491 of title 14, United States Code, which governs award of the Medal of Honor to a person who, while in the service of the Coast Guard, distinguishes himself conspicuously in actual combat by gallantry and intrepidity, at the risk of his life above and beyond the call of duty. In addition to this current authority the criteria have been expanded to provide consistency with the conditions for awards of the Purple Heart expressed in Executive Order No. 11016, approved by the President on April 25, 1962. These expanded criteria provide authorization to award the decoration to members of the Coast Guard who so distinguish themselves as to warrant award of this medal not only under formal wartime conditions while engaged in conflict with an enemy of the United States, but also while engaged in cold war actions against a hostile foreign force, or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in situations when the United States is not a belligerent party.

Section 5: This section amends sections 560, 561, and 562 of title 38, United States Code, so that cold war Medal of Honor winners will be eligible for a certificate and the $100 per month pension in the same manner as now provided for recipients of the Medal of Honor who have received their award for service in action involving actual conflict with an enemy.

S. 846. A bill to extend the induction provisions of the Universal Military Training and Service Act, and for other purposes.

The letter of transmittal accompanying Senate bill 846 is as follows:

THE SECRETARY OF DEFENSE,
Washington, January 9, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation "To extend the induction provisions of the Universal Military Training and Service Act, and for other purposes."

This proposal is part of the Department of Defense legislative program for the 88th Congress, and the Bureau of the Budget has advised that it is in accord with the program of the President. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The principal purpose of the proposed legislation is to extend the induction authority of the Universal Military Training and Service Act, as amended (50 App. U.S.C. 451 et seq.), and the authority to make special calls for the induction of persons in the medical, dental, and allied specialist categories, until July 1, 1967. Without such authority, it would not be possible to maintain the military strength levels, Active and Reserve, deemed necessary to insure our national security.

The induction authority continues to be vital for our national security. During fiscal year 1962, a total of 158,000 inductees were delivered by Selective Service, in response to Department of Defense requirements. Substantial numbers will continue to be needed to maintain currently approved military strength levels. The existence of the authority has also been an important factor in stimulating voluntary entries into enlisted and officer programs, both of the Active Forces and Reserve components. In the absence of this authority, maintenance of currently approved military strengths would not be practicable, and critical personnel shortages would develop, particularly in the case of medical and dental officers and other specialized professional and technical categories.

This proposal would extend, until July 1, 1967, the act of August 3, 1950, as amended (73 Stat. 13), which suspends, until July 1, 1963, various provisions of law which impose ceilings on active duty military strengths. These personnel strengths, which were intended to apply in more normal times, provide in part for 837,000 in the Army (10 U.S.C. 3201); 502,000 in the Air Force (10 U.S.C. 8201); 500,000 Navy enlisted members (10 U.S.C. 5401); and 400,000 in the Regular Marine Corps (10 U.S.C. 5402). These ceilings are substantially lower than the currently required and authorized military strengths of all services, other than the Marine Corps.

This proposal would extend, until July 1, 1967, the Dependents Assistance Act of 1950, as amended (50 App. U.S.C. 2201 et seq.), which otherwise would terminate on July 1, 1963. The 4-year extension coincides with the proposed extension of the induction authority. This is necessary to enable enlisted members in pay grades E–1, E–2, E–3, and E–4 (4 years' or less service), with dependents, to continue in receipt of allowances for quarters, thereby assuring adequate financial assistance for members of the Armed Forces, inducted or enlisted in the future as well as those now on active duty, and their dependents. Termination of this legislation would impose undue financial hardship upon members who are ordered into the Armed Forces involuntarily. Additionally, to allow this legislation to expire could act as a deterrent to those who might otherwise volunteer for military service.

This proposal would also amend the provisions of sections 302 and 303 of title 37, United States Code, to authorize special pay for physicians, dentists, and veterinarians who are called to active duty or appointed after July 1, 1963, and before July 1, 1967. The Department of Defense is of the opinion that the future recruitment of career medical officers would be seriously impaired if the current rates of pay are not extended to include physicians, dentists, and veterinarians ordered to active duty or appointed after July 1, 1963. Without special pay, the military services cannot hope to continue to interest these professional men in a military medical career.

COST AND BUDGET DATA

This proposal would cause no increase in budgetary requirements within the Department of Defense.

Sincerely,

ROBERT S. MCNAMARA.

S. 847. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes.

The letter of transmittal accompanying Senate bill 847 is as follows:

THE SECRETARY OF DEFENSE,
Washington, January 25, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of proposed legislation, "To amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes."

This proposal is a part of the Department of Defense legislative program for the 88th Congress, and the Bureau of the Budget advises that the proposal is in accord with the program of the President. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

This proposed legislation implements the President's recommendations concerning needed adjustments in compensation for members of the uniformed services contained in his budget message to the Congress for the fiscal year 1964.

The purposes sought to be achieved by this proposal are to effect needed upward adjustments in pay rates for service members; improve the present compensation system for members of the uniformed services by correcting certain inequities; provide incentives which will help solve service manning problems and thereby increase operational effectiveness; and establish a more equitable basis for adjustment of retired pay for service members after retirement.

The recommended adjustments in compensation for service members are based upon a comprehensive staff study of military compensation undertaken during the past year by the Department of Defense at the direction of the President. In this connection the President in his budget message to the Congress for fiscal year 1963 stated: "* * * Important steps to improve the military pay structure, particularly for higher ranking officers, have been taken in recent years, first in 1955 and, more significantly, in 1958. However, the adjustments now being recommended in civilian compensation require study of the possible need for further changes in military compensation. Consequently, I am directing that a thorough review be made which will permit an up-to-date appraisal of the many elements of military compensation and their relationship to the new proposed levels of civilian compensation."

To achieve the mentioned purposes of this proposed legislation, the proposal contains provisions designed to accomplish the following:

1. Provide increases in rates of basic pay averaging 14.4 percent for officers and enlisted members.

2. Provide an increase in the basic allowance for the subsistence for officers from $47.88 a month to $77 a month, the rate currently in effect for enlisted men when rations in kind are not available.

3. Authorize up to 3 years of constructive credit for both promotion and basic pay purposes for persons appointed as commissioned officers who at the time of initial appointment hold postgraduate degrees in fields specified by the service Secretary concerned.

4. Provide authority for a new system of "remote and isolated duty" pay for both enlisted members and officers in lieu of the present system of "sea and foreign duty" pay.

5. Provide authority for a new system of variable career incentive payments for enlisted members keyed to critical skills. This proposed system would ultimately replace the present reenlistment bonus system.

6. Provide for future adjustments in retirement pay for retired service members based on increases in the cost of living.

With regard to the proposed new rates of basic pay, it should be noted that 4½ years have elapsed since the last pay adjustment for members of the uniformed services. In the interim some erosion has taken place in the real value of their compensation and there has been a substantial loss relative to the wage and salary gains of wage earners in the civilian economy. Although the proposed changes would increase military pay by an average of 14.4 percent, the increases would be on a selective basis.

For example, in both officer and enlisted compensation the largest percentage increases in the pay proposals are at the point where men are normally completing their first term of service. Substantial percentage increases for the grades normally held at that time should materially help to meet retention problems in all the services.

Additionally, this legislative proposal would authorize certain other special pays or allowances for service members under specified conditions. In general, these provisions would:

1. Provide discretionary authority for a special pay of $55 a month for personnel on duty in an area in which they are in imminent danger of being exposed to hostile fire or explosion of hostile mines.

2. Authorize a special allowance for members serving outside the continental United States, without their dependents, and who are not furnished bachelor quarters at their duty station.

3. Increase the presently authorized initial uniform allowance for Reserve officers from $200 to $250 and extend the entitlement for such allowance to persons appointed in the Regular components.

4. Provide authority for a lump-sum readjustment payment to any enlisted member of a Regular component who is involuntarily released from active duty if he has completed at least 5 years of continuous active duty immediately prior to release.

5. Expand the existing entitlement to incentive-hazardous duty pay for service members to include:

(a) Duty as a prospective crewmember of a submarine being constructed, and also to include periods of instruction when such instruction is for the purpose of preparation of a service member for assignment to a submarine of advanced design, or to a position of increased responsibility on a submarine.

(b) Duty inside a high-pressure chamber (presently only duty inside a low-pressure chamber is qualifying).

(c) Authority to pay a service member who performs multiple hazardous duties not more than two payments of incentive pay for a period of time during which he qualifies for more than one payment of such pay. (Under existing law only one payment is authorized irrespective of the contemporaneous performance of multiple hazardous duties.)

The proposed legislation would also effect a change in the provisions of existing law governing the rates of pay for inactive duty training of a member of the National Guard or a member of a reserve component of a uniformed service. Under existing law (sec. 206, title 37, United States Code) such members are entitled to compensation at the rate of one-thirtieth of the basic pay authorized for a member of a corresponding grade on active duty, for each regular period of instruction of at least 2 hours' duration.

Under the proposed legislation, a member of the National Guard or a member of a Reserve component of a uniformed service who has not completed the required period of Reserve component service imposed by law would be paid drill pay at the rate of one-thirtieth of the basic pay presently authorized for a member of a uniformed service or a corresponding grade entitled to basic pay, rather than one-thirtieth of the proposed new rates of basic pay. This proposed change is based upon the concept that a reasonable differential should exist between the rates of drill pay authorized for members who are serving an obligated period of service and the rates authorized for those members who have voluntarily assumed service obligations as a member of the National Guard or as a member of a Reserve component of a uniformed service.

Also under this legislative proposal, the basis for, and general procedure to be followed in effecting future adjustments of retirement pay for retired service members, would be essentially the same as that recently enacted by the Congress in the Federal Salary Reform Act of 1962 for adjustment of annuities of civil service retirees. An immediate increase of 5 percent would be provided by this proposal to all members entitled to retired pay on the day before the effective date of the act.

The proposed legislation also provides that members entitled to retired pay or retainer pay under the Career Compensation Act of 1949, as amended, who are prohibited by Public Law 85–422 (Military Pay Act of 1958) from computing their retired pay or retainer pay on the 1958 pay scales, would be authorized to recompute their retired pay on the 1958 pay scales before the 5-percent increase is applied. This provision is intended to correct inequities which now exist in rates of retired pay among members retired under the same laws.

For example, the situation today as a result of the action prohibiting recomputation of retired pay for members retired before June 1, 1958, is that the average annual difference in retirement pay between a colonel retired on May 1, 1958, after 30 years of service, and a colonel retired on June 1, 1958, is approximately $1,000. Such a difference in retirement pay for members who served the same period of service, reached the same level of responsibility on active duty and who were retired under the same laws is patently unfair, particularly in the absence of any prior notice that the system would be changed. The Department of Defense believes that the change to the proposed new statutory system of adjusting retired pay should not perpetuate the inequities which now exist among members on the retired rolls and whose retired pay is computed under the same laws. The 1958 pay scales are already applicable to the great majority of retired personnel whose retired pay is computed under the Career Compensation Act of 1949. It is considered that this proposal would provide a fair and equitable starting point, using the 1958 pay scales as a base, for transition to the proposed new system of adjustment of retirement pay.

The Department of Defense is convinced that in the future military compensation should be kept abreast of changes in the national economy. It is the intention of the Defense Department to establish an administrative procedure for annual review of such compensation and to seek such changes as may be necessary on a timely and regularized basis.

COST AND BUDGET DATA

Enactment of the proposed legislation would require additional appropriations to the Defense Department as follows, assuming an October 1, 1963, effective date:

Fiscal year 1964	$900,000,000
Fiscal year 1965	1,220,000,000
Fiscal year 1966	1,238,000,000
Fiscal year 1967	1,256,000,000
Fiscal year 1968	1,274,000,000

The estimated amount for fiscal year 1964 has been included in the Department of Defense budget.

Sincerely,

ROBERT S. MCNAMARA.

HEALTH INSURANCE BENEFITS BILL OF 1963

Mr. JAVITS. Mr. President, on behalf of myself and four of my colleagues in the Senate, Senators CASE, COOPER, KEATING, and KUCHEL, I am introducing today the health care insurance for the aging bill in substantially the same form in which it was voted on by the Senate during the last session. It will be remembered that the bill then lost by a vote of 52 to 48.

I have waited today until my very distinguished colleague in the Senate, the Senator from New Mexico [Mr. ANDERSON], was on the floor, because it was a great honor to have last year's bill referred to as the Anderson-Javits bill. I am very glad that the same sponsors who joined me on this side of the aisle last year are joining me again.

As we all know, the Senator from New Mexico will be a critically important architect in the hoped-for success of any plan for health care insurance for the aging.

I also have the feeling that the Senators who joined me on this side of the aisle may well prove to be critically important additions to the strength which will be required to enact this legislation.

We are aware of the fact that the administration will be bringing in its bill later this week, and that the President will send us a message on that subject. It is a fact that there are differences between the administration's plan this year and our plan, which was voted upon in 1962. I do not exclude any expectation of any kind or character of our getting together on a workable conclusion to the administration's views and to our own views in order to get a health-care-for-the-aging bill enacted into law.

It will be remembered that our bill as well as the administration's approach is based upon social security financing.

We are introducing this bill today as evidence of our good faith that we are in favor of the basic principles of the bill we supported in 1962. In offering this bill, we say, in a joint statement, that we are renewing our commitment to work for the enactment of a health care insurance for the aging bill under social security, with proper safeguards.

We are further renewing our determination that any such bill should contain the following four principal provisions, for which we have always contended:

First, to include the estimated 2½ million Americans over 65 who are not covered by the social security system.

Second, to provide for an option under which beneficiaries have a choice of receiving hospital benefit programs through approved private plans rather than through the Federal Government.

Third, to provide for the use of approved private organizations and States in the administration of the program.

Fourth, to provide for the establishment of a separate health insurance trust fund into which all health care funds shall be deposited.

None of us are closing our minds to other provisions, under the social security scheme, of financing or reaching the objectives which I have stated, such as those incorporated in last year's Anderson-Javits bill, or of achieving workable, efficient health-care-for-the-aging law. We will examine carefully all developments in this field and will be ready to cooperate with the Senator from New Mexico [Mr. ANDERSON], as we did last year, in working for the passage of a law which will meet the pressing health needs of our aging citizens.

The provisions in our bill are essential if there is to be recognition that private enterprise is an important partner in the effort to meet the special needs of the aging and can help to limit Federal Government expansion in this field. If we are truly to prevent socialized medicine, the entire burden and responsibility for meeting the health needs of the aging should not fall entirely on the Federal Government.

The establishment of a Federal health insurance trust fund as the depository for all tax funds collected for this program helps to promote fiscal responsibility in meeting the costs of this program and also serves as a check on expenditures. In this respect, too, participation of approved private organizations, such as the Blue Cross, and of the States themselves in the administration of the program, will increase economy and efficiency since it would make use of established and experienced administrative machinery.

The inclusion of all persons over 65 in this program, whether or not they are entitled to social security benefits, is a provision which I and my cosponsors have insisted upon from the very beginning. This is accomplished by a phasing-in process which has been worked out satisfactorily by the Social Security Administration. This is a temporary problem, because by 1965 practically all Americans will be covered under the social security system.

There is increasing recognition of the fact that most persons 65 years of age and over lack adequate protection against the high cost of illness. There are 17 million Americans in this age group, and because of modern spectacular medical advances, their number is increasing each year and they are living longer. Older people need more medical care and make more use of health care facilities than other groups in the population, and they are faced with rising medical costs at a time when their earning powers have declined or ceased altogether. It has been estimated that in the last decade, the consumer price index went up by 12 percent. Medical costs, however, rose by 36 percent while hospital costs soared higher by 65 percent. Group insurance premiums went even higher, in some States going up by 83 percent. Since 80 percent of the aging have incomes of less than $2,000 per person—53 percent have incomes of less than $1,000 a year—they must therefore have assistance to pay for essential health care.

Experience has demonstrated clearly that the existent Kerr-Mills program, with its State welfare basis, needs test, and insistence upon filial responsibility, is inadequate as well as excessively uneven in the allocation of benefits. About 90 percent of its expenditures are made in 3 States—New York, Massachusetts, and Michigan—leaving only 10 percent for the remaining 23 States in the program. Thus Kerr-Mills will not help the millions of aging who need health care and cannot be expected to get it themselves.

The bill we are introducing today is essentially a hospital-centered program and it is intended to provide protection against the high costs of hospital care. Census statistics show that when persons 65 and over go into hospitals they stay more than twice as long on the average as young people, they need more diagnostic services, more drugs and more appliances. This bill provides 90 days of inpatient care in a hospital with a minimum deductible of $20 and a maximum deductible of $90; up to 180 days in a skilled nursing home if it follows treatment in a hospital; outpatient diagnostic care with a $20 deductible; and 240 days a year to provide health care in the individual's home. It does not provide for care by doctors unless they are part of the hospital staff, and therefore does not run the danger of interfering in the traditional doctor-patient relationship.

In addition, the bill gives an individual who is covered by an approved private insurance or service plan the opportunity to continue that protection after he has reached age 65. He also has a choice of hospital benefit programs between the statutory benefit of 90 hospital days after a $90 deductible or 45 hospital days without a deductible.

An approved private health plan, to qualify at the beneficiary's option under this legislation, would have to be a group plan, a nonprofit plan or a plan which returns in benefits at least 85 percent of the premiums. The added premium would be for additional benefits beyond those provided for in the Federal Government program. Thus a private health care plan giving the beneficiary much more than the Government benefits would actually cost much less than a person would otherwise have to pay for such increased protection, because the carrier would not be permitted to charge a premium for that part of the health care benefit which is reimbursable by the Federal Government.

This presents the private insurance industry with an unprecedented opportunity to write an extremely generous program. A premium of only $3.30 a month could pay for out-of-hospital diagnostic services, surgery, and medical care in hospital, when added to the other benefits under this bill. And this is by no means the last word which can be provided at low costs.

Although this bill is in most respects the same as the one before the Senate last year, it differs in one major feature. We have liberalized the home health care provision by making it available on the prescription of a physician. This can become the answer to many of the questions that have plagued proponents of this legislation—questions about how to keep costs down and to avoid hospital overcrowding and long waiting lists. Over 200 agencies in 40 states are now providing a variety of home health and homemaker services, and in some instances these are actually hospital-based programs. Costs for home-care services have been estimated at $6 to $9 per day—approximately one-fourth the cost of a hospital day—and with professional supervision it is becoming an increasingly important way of treating chronic disease and long term disability. It can be used satisfactorily not only when the patient is recuperating from a long illness, but also at times when hospital beds are not available and the patient can be temporarily taken care of in his home. If home-care services are available in a community, experience has shown that hospital use by aging citizens can be materially reduced, the patients themselves are relieved at the thought that they do not have to leave familiar surroundings, and cost for services can be brought down sharply.

The need for Federal action in this field continues to grow more pressing, and I am convinced that the thought and discussion and conclusions based on hard experience, which have been incorporated in the drafting of this bill, have made it the best and most considered legislation to meet the great health needs of our aging.

Before I yield to the distinguished Senator from New Mexico, I wish to say that I have rarely seen such a demonstration of accommodation and friendship as I saw among the four Senators who are sponsoring the bill with me today. When the question came up for determination: Shall we again reiterate our position in support of our basic principle? The general consensus was, What does Senator ANDERSON think about it? If Senator ANDERSON felt any objection or felt that the proposal would interfere with progress and hope for progress in this field, I doubt very much that I or any of my colleagues would have cosponsored the bill. But we have every feeling from our discussions with the Senator from New Mexico that we are making a first step of commitment, as we did before, and that, as it proved to be last year, it will be the basis upon which we may jointly work out the problems which we will have, in view of the fact that the administration has not, as we had perhaps hoped it would, actually supported again the same bill which we voted on last year.

Mr. ANDERSON. Mr. President, I am very much pleased with the statement just made by the able Senator from New York. I assure him that there is nothing in what he has done which in any way impairs the good relations with the Senator from New Mexico. I think there is nothing in what he has done which in any way harms the general cause of hospital care for the aged through Social Security. I again compliment the able Senator from New York upon the fact that he depends, in the main, upon Social Security for the funds to support his program. I think that is a sensible approach, one which past Secretaries of Health, Education, and Welfare have found to be desirable, and one which is supported by the present Secretary of Health, Education, and Welfare.

Second, I am glad that the Senator from New York is continuing to include in the bill persons who are not covered by Social Security. That provision was included in the joint bill of last year at the suggestion of the Senator from New York and his colleagues. The Republicans who joined in cosponsoring it took the finest sort of position men could take. They did not get everything they wanted, but they tried hard to see that a reasonable approach was made to a very difficult problem. I am happy to see that position taken again today.

The administration's bill will probably be introduced on Thursday or Friday. In its great principles, it will not differ very much from the things we considered last year in the bill which the Senator from New York referred to as the Anderson-Javits bill. Most of the provisions of that bill will probably be contained in the administration bill. There will be language changes here and there, but the great fundamental principle is the attempt to provide for the aged care in hospitals under Social Security. That principle will be reestablished, in my opinion, when the administration submits its bill.

I see no reason why we could not discuss this proposal carefully as we did before, among ourselves. I regret that we shall probably not have an opportunity for hearings in the Senate unless a bill comes over from the House; but I have hopes that a bill will come from the House. Then we can have proper Senate hearings and a complete discussion.

As the Senator from New York, the Senator from Kentucky, and other Senators know, last year we had what virtually amounted to a hearing on the Anderson-Javits bill on the Senate floor; but the Senate floor is not the best place for hearings.

I believe that this year we shall have an opportunity to hold first-class, thoroughgoing hearings. I rejoice with the Senators on the Republican side in the principles which they have worked out in their bill.

I hope my attitude today will not be misunderstood. I have not joined with the Senator from New York and his Republican colleagues because the administration's bill will be here in a few days. If that bill was to be drastically different from the bill which we jointly supported last summer, I would have joined with the Senator from New York and his Republican colleagues in introducing the bill which they have introduced today. I think, however, that in sponsoring the administration bill and asking other Senators to join with me in its sponsorship, we may find that we will be closer to common agreement when we have finished than we would have been otherwise.

I say again that I deeply appreciate and certainly will never forget the fine cooperation I had from Senators on the Republican side of the aisle in the matter of an option for private hospital insurance and some other features of the health-care-for-the-aged program through social security. Excellent work has been done, and I am proud of my associates in this endeavor.

Mr. JAVITS. Mr. President, I am grateful to the Senator from New Mexico. The last thing he said is of the most critical importance. Had the administration's bill been introduced, we would have stayed our hand in order to participate in the administration bill. But there are differences we consider important on the option provision, which we put on the generalized coverage for the benefit of those who are not social security beneficiaries. This is a critically important aspect of the package.

I, too, pledge myself, as the Senator from New Mexico has so eloquently done, to work with him again, as we did before. I express my confidence that we shall be able to come out with a satisfactory bill.

Mr. ANDERSON. These problems become matters of degree. We have had many discussions of what ought to be provided in the bill. Should there be a provision of a maximum $90 deductible for a 90-day hospital bill? Should there be nothing at all? What should there be? I think perhaps this time a provision will be worked out to which most of us can subscribe. It may not meet the full approval of the Senator from New York [Mr. JAVITS], the Senator from Kentucky [Mr. COOPER], or the Senator from New Jersey [Mr. CASE]; but I think, in the main, we will find language upon which all of us can agree. My hope has been that there will be some options to the Senators as well as options to the recipients.

I should like to have it felt that Senators can work their will on the floor of the Senate, even though they do not get a chance to do so in committee. That is why I think it would be well to have two bills, even though the fundamental approach is the same in both. I think the great fundamental question is: Shall we work toward our objective of health care for the aged through social security? Once that question has been settled, we can work out the methods by which it shall be done.

Mr. JAVITS. I think the Senator from New Mexico fairly states the position when he says he believes that the big question is, Shall this be done under social security financing? Whereas we believe that that question is pretty well settled. The question now is, Shall the private sector be given a full opportunity to participate; and, indeed, to challenge the Government, to see who can best do the job?

Mr. President, I introduce for appropriate reference the bill and ask unanimous consent that it may remain at the desk for a week to enable other Senators to join as cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from New York.

The bill (S. 849) to provide for payment for hospital services, skilled nursing facility services, and home health services furnished to aged beneficiaries under the old-age, survivors, and disability insurance program, and for other purposes, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD an analysis of the bill, made by the Library of Congress under date of October 15, 1962.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., October 15, 1962.

To: Hon. JACOB JAVITS,
From: American Law Division.
Subject: Medical care for the aged.

This will refer to your inquiry of October 12, 1962, for a section-by-section analysis of S. 3565, 87th Congress, 2d session, known as the Health Insurance Benefits Act of 1962.

Section 2: Declares that it is the purpose of Congress to provide health benefits to individuals entitled to benefits under the old-age, survivors, and disability insurance system or the railroad retirement system primarily through social insurance, without interfering with the patient's free choice of ministration and without Federal supervision or control over medical practice.

Section 101: Would amend the Social Security Act by adding new title XVII (Health Insurance Benefits for the Aged) as follows:

Section 1701: Forbids Federal supervision or control over medical practice. Allows the purchase of any State or private plan for medical care.

Section 1702: Allows patient to choose his own inpatient hospital services, nursing services, home health services, or outpatient hospital services.

Section 1703: Description of services.

Defines terms "inpatient hospital services," "skilled nursing facility services," "home health services," "outpatient hospital diagnostic services," "drugs and biologicals," and "arrangement for certain services."

Section 1704: "Deductible; duration of services."

Provides that certain deductions are to be made in medical payments for inpatient hospital services, outpatient hospital diagnostic services, and sets a time limit for which payments will be made for these services, including nursing. Also defines the term "benefit period."

Section 1705: Describes who is entitled to benefits (those over 65 and who are entitled to monthly insurance benefits under section 202).

Section 1706: Defines the providers of services (hospital, skilled nursing facility, home health agency, physician, utilization review, provider of services, control with hospitals, additional skilled nursing facilities).

Section 1707: Provides that Secretary of Health, Education, and Welfare, in carrying out the program, shall consult with State agencies and other organizations to develop conditions of participation for providers of service.

Section 1708: Provides that the Secretary may make use of State agencies and other organizations to determine compliance by providers of services with conditions of participation.

Section 1709: Sets forth the conditions of and limitations on payment for medical services (requirement of requests and certifications; determination of costs of services; amount of payment where less expensive services furnished; no payments to Federal providers of services; payment for services prior to notification of noneligibility).

Section 1710: Provides that providers of services must file with Secretary an agreement not to charge recipient of services more than amounts allowable under this act. The agreement may be ended by the provider or the Secretary if conditions are not complied with. Providers may form associations with group representation. Provides for review of long-stay hospital cases by Secretary.

Section 1711: Provides for payment to providers of services from Federal Health Insurance Trust Fund.

Section 1712: Creates Health Insurance Benefits Advisory Council to advise Secretary on matters of general policy in administration of program.

Section 1713: Provides, in cases of adverse decision of Secretary, for a hearing by the Secretary and for judicial review of Secretary's final decision under section 205(b) and 205(g) of this bill.

Section 1714: Provides that overpayments shall be deducted from future benefits, except where the recipient is without fault and such deduction would defeat the purposes of the bill.

Section 1715: Provides that private organization designated by providers of services or consisting of such providers may be used to facilitate the payment to providers of service, where such procedure would be consistent with effective and efficient administration of the program. The Secretary may also use such groups as clearinghouses for the effectuation of the program.

Section 1716: Establishes a private health insurance option plan to permit an individual to elect coverage under a private plan if he was covered by an approved plan during either (a) 1964 or the first 3 months of 1965 or (b) if he becomes entitled in April 1965 or later in certain cases. Establishes the qualifications of the private health plans including the requirements that the plan must be an insurance policy or contract, medical or hospital service agreement, membership or subscription contract or similar arrangement and must include certain provisions for inpatient hospital services and limit such services to 45 days. Establishes certain requirements for eligibility of carriers.

Section 102: Federal Health Insurance Trust Fund is established in the Treasury. Sets up a formula to determine the amounts to be deposited in that fund starting with fiscal 1963. Provides that health insurance payments for the aged shall be made only from this fund.

Section 103: Increases the earnings base for social security tax purposes after 1962 to $5,200. Amends the self-employment tax provisions of the income tax law and increases the tax base of self-employment income for social security tax purposes.

Section 104: (Technical amendments)

(a) Suspends payments in case of certain aliens.

(b) Bars payments to persons convicted of subversive activities.

Section 201: Makes certain changes in tax schedules: the rate of tax is changed as to self-employment income tax, tax on employees, and tax on employers; the tax base on self-employment income is increased.

Section 301: Amends the Railroad Retirement Act of 1937 to provide similar health benefits provided by this Act to those covered by the Railroad Act.

Section 302: Amends the Railroad Retirement Tax Act to increase the tax on employees in certain cases, to increase the tax on employee representatives, and to increase the tax on employers.

Section 401: Provides for health insurance benefits for persons presently uninsured under the Social Security Act and the Railroad Retirement Act, with certain exceptions (inapplicable to aliens, subverters, Federal employees, etc.).

Section 403: Authorized payments to the Trust Fund to replace sums paid out due to its operations.

Section 241: Requires the Secretary to carry on studies of the working of this program, and to make recommendations for its improvement.

HUGH C. KEENAN, Jr.,
Legislative Attorney.

Mr. JAVITS. Mr. President, an identical bill will be introduced in the other body by Representative SEYMOUR HALPERN, of New York.

Finally, I am honored to be joined in cosponsoring this measure by my distinguished colleagues.

In his absence, the distinguished senior Senator from California [Mr. KUCHEL] has asked me to submit a statement on his behalf, his statement giving reasons why he supports the measure which is being introduced. I ask unanimous consent that the statement of Senator KUCHEL, as one of the cosponsors, be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KUCHEL

I am delighted to join once again today with my Republican colleagues who helped fashion a constructive medicare proposal in the last Congress. Many of our senior citizens face a serious plight with regard to their basic medical care needs. The Federal Government and all interested citizens bear a heavy responsibility in seeing that this problem is resolved effectively and rapidly. Careful studies show that many of the basic medical care needs of those who are over 65 can be met by financial assistance with regard to hospitalization and the services rendered in the hospital.

The bipartisan proposal which we agreed to in 1962 was a long step forward in meeting this problem on a realistic basis. I believe we made substantial improvements in the original proposal offered by the administration in the 87th Congress.

We secured the inclusion of all citizens who are over 65 years of age. No longer was the bill limited only to those who by accident and law had been under the social security system. The plight of catastrophic illness knows no such simple bounds.

We secured the adoption of an amendment which would encourage private health insurance organizations throughout America to continue to improve their benefits packages for our senior citizens. This freedom-of-choice provision permitted an individual who had held a private health insurance policy to continue with it and the carrier would be reimbursed for expenditures made under those provisions comparable to the public program. Such a provision would mean that, with the great costs of hospitalization removed from the risk which a private company would undertake, the premium for extensive supplemental services—including doctor's care, dental care, and special nursing services—might be met out of an individual's retirement income.

We offered an incentive to group health insurance plans, which have an extremely high record of benefit payments, by providing that under a private group plan an individual could secure 45 days hospitalization with no deductible, rather than the 90 days hospitalization with $90 deductible which were available under the public and private nongroup plans.

We secured language which would provide for the use of approved private health organizations and the States in the administration of this program. This is essential. We have no intention of putting the Social Security Administration in the hospital business. The hospital is the focal point in this program for assuring the high quality of medical care and controlling the costs. Those organizations who have established relationships of trust with the hospitals should be the ones to implement this program. I believe even stronger language should be adopted by Congress if we are to accomplish these goals.

Other improvements which we proposed and which received bipartisan support last year included provisions relating to accreditation standards. Any hospital which meets the standards of the Joint Commission on the Accreditation of Hospitals composed of members of the American Medical Association and the American Hospital Association would be automatically included. Eighty-five percent of the hospital beds of America meet those standards.

A separate Federal health insurance trust fund was established so that the medicare program would stand on an actuarially sound and businesslike basis. No funds could be commingled with the other social security trust funds.

These were important improvements. We hope that the administration will retain all of them. Even more improvements could be made. At the appropriate time, I and several of my colleagues will offer additional proposals which will seek to assure the quality of medical care provided under this program. More thought needs to be given to the outpatient diagnostic services, rehabilitation, and home care features of this legislation.

I repeat, as I stated in the Senate last year: I do not believe in Government control of medicine. I do not believe in Government interference with the doctor-patient relationship. The individual will continue to have free choice as to his doctor. The bill would in no sense interfere with his right. With his doctor, he will choose his own hospital, if, in his doctor's judgment, hospitalization is required.

What we seek to accomplish with this legislation is to assure that our senior citizens who are living on their retirement incomes will no longer have the constant and growing worry as to what may happen if they or a member of their family over 65 were to be faced with serious illness requiring any lengthy hospitalization. Under the social security system, it will be possible for an individual to put away during his working years those funds which are needed for possible health care use in his retirement years when he is no longer an active member of the labor force. The time is long overdue for Congress to act on this matter.

I congratulate the able senior Senators from New Mexico [Mr. ANDERSON] and New York [Mr. JAVITS] for their continued leadership in this vital field. I am hopeful for further cooperation by members of both parties in this regard. The result will be a better America for us all.

Mr. COOPER. Mr. President, today I join, as I did last year, in sponsoring the bill to provide hospital care for persons over 65 years of age, to be financed by contributions through the social security system. I am glad to join in this effort with my fellow Republicans, Senators JAVITS, CASE, KEATING, and KUCHEL.

The bill we are offering is for all practical purposes identical to the one the Senate voted upon last year, and it embraces the amendments we proposed at that time, and which were made part of the bill which had been introduced by the Senator from New Mexico [Mr. ANDERSON].

That bill became known as the Anderson-Javits bill. In this connection, Mr. President, I wish to express my appreciation for the leadership, thorough consideration, and always thoughtful viewpoint of the senior Senator from New Mexico [Mr. ANDERSON].

As yet, Mr. President, the administration's bill has not been introduced. I do not know whether it will contain the amendments which we offered last year, and which were accepted by the Senator from New Mexico [Mr. ANDERSON], the sponsor of the administration's bill.

I support a hospital insurance plan financed through the social security system. But if the administration insists upon a bill which does not provide effective choices to the beneficiaries who contribute to the social security system—choices which will enable them to more fully meet their health care needs through private insurance plans—and if, thereby, the administration denies participation in the private and voluntary health care plans, I will not vote for any administration bill which excludes this free choice by the beneficiaries.

The administration has no right, by insisting on a doctrinaire position of its own, to exclude any plan which will provide better care for persons over 65 years of age.

Some Senators may wish to offer amendments to this bill or the Administration bill—and I can think of some I may wish to offer—which will provide a better hospitalization plan. We have a responsibility to make improvements, and to write a practical, workable bill providing a program which will be accepted, successful, and of the greatest help to retired persons.

The question of how best to provide medical care for the aged is a controversial one. At a later time I shall develop my views on that subject. At this time I will only say that one fact stands out clearly: it is that millions of our people over age 65 are denied the hospital care which their more fortunate fellow citizens can afford. Their care is our prime concern. Proper hospital care for these retired persons is not exclusively the concern of the administration, of the medical profession, or of any particular group in the Congress, important as their interest may be.

My basic reason for supporting the social security method is that it is the most practical, the least expensive, and the one which can provide equal opportunity for hospital care for persons over age 65. Despite all the clamor engendered by this subject, I know from personal experience and observation that anyone who will take a look around his own communities must realize that the mounting costs of hospital care are now denying this equal opportunity.

CHANGE OF NAME OF BRUCES EDDY DAM AND RESERVOIR TO DWORSHAK DAM AND RESERVOIR

Mr. JORDAN of Idaho. Mr. President, last fall I announced that, at the proper time, I would introduce legislation to change the name of the Bruces Eddy Dam and Reservoir, in the State of Idaho, to Dworshak Dam and Reservoir, as a fitting memorial to my distinguished predecessor, the late Henry C. Dworshak. I feel that the proper time has now arrived.

Therefore, Mr. President, on behalf of myself and my colleague, the senior Senator from Idaho [Mr. CHURCH], I introduce for appropriate reference a bill to change the name of the Bruces Eddy Dam and Reservoir to Dworshak Dam and Reservoir.

Mr. President, last fall I also spoke at some length about the services rendered to his State and Nation by Henry Dworshak, so I shall not elaborate on that subject today.

I shall only point out these facts: Senator Dworshak, throughout all his years of service in both Houses of Congress, was a champion of the full development of our Nation's water resources, and he earnestly believed in bringing many benefits, both tangible and intangible, to our great State. He worked long, tirelessly, and with good results, on many diversified projects in the State of Idaho—the Palisades Dam on the upper Snake River; the Lewis and Clark Highway; the AEC reactor at Idaho Falls; the Mountain Home Air Force Base; and the Ririe Dam on Willow Creek.

Most of these projects were completed before his death, and he was able to see in tangible form the fruits of his labors.

This can never be true of the Bruces Eddy Dam and Reservoir, a project for which he worked for over a period of almost 10 years, often fighting alone.

Since 1953 until the day of his death he worked hard and pushed tirelessly ahead to acquaint the Congress and the public with the many advantages of this project. He wrote an untold number of letters over the years to persons seeking information about this project. He appeared at numerous hearings, always asking that both sides of the question concerning water storage on the North Fork of the Clearwater River be given full publicity and that everyone interested in the project be permitted to appear and testify.

At one point, through his influence alone here in the Senate, he accomplished what few people have done before. He was instrumental in securing appropriations for planning and advance design of Bruces Eddy in the amount of $2,571,000—even though this project had not yet been authorized by the Congress.

Mr. President, my distinguished colleague [Mr. Church] and I are not the only two Idahoans who want to see this project named Dworshak Dam and Reservoir. Many people throughout the State began talking and thinking about this last fall. On November 17, 1962, the North Idaho Chamber of Commerce passed a resolution to this effect.

And less than 2 weeks ago, on February 6, 1963, the Legislature of the State of Idaho passed Senate Joint Memorial No. 7 asking that this name change be brought about.

Mr. President, I ask unanimous consent that these two documents be printed in full in the Record at the close of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JORDAN of Idaho. Also, on February 14, the editor of the Clearwater Tribune, of Orofino, Idaho, Robert D. Werner, one of the first men to favor this change in name in honor of Henry Dworshak printed an editorial again urging this action. I also ask unanimous consent that this editorial be printed as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 2.)

Mr. JORDAN of Idaho. I close by urging all Members of this body who will deal with the passage of this proposed legislation, both Democrats and Republicans, to join with Senator Church and me in making this a speedy, bipartisan effort to pay a lasting, tangible tribute to a great Idahoan and a great American—Henry C. Dworshak.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 850) to change the name of the Bruces Eddy Dam and Reservoir in the State of Idaho to the Dworshak Dam and Reservoir, introduced by Mr. Jordan of Idaho (for himself and Mr. Church), was received, read twice by its title, and referred to the Committee on Public Works.

Exhibit 1

Resolution

The North Idaho Chamber of Commerce notes with deep regret the untimely passing of Senator Henry C. Dworshak, and acknowledges his many contributions to the welfare of the State of Idaho and especially of the north Idaho area, and

Whereas it has been proposed that Bruces Eddy Dam on the north fork of the Clearwater River be named Dworshak Dam in recognition of Senator Dworshak's untiring efforts over a period of many years in obtaining approval of the dam: Now, therefore, be it

Resolved, That the North Idaho Chamber of Commerce goes on record as favoring the aforenamed proposal and that copies of this resolution be sent to Idaho's congressional delegation and to the appropriate Government agencies.

Adopted in regular session of the North Idaho Chamber of Commerce this 17th day of November, 1962.

George Amas,
President.

Attest:

Del W. McPherson,
Secretary.

Senate Joint Memorial 7: A Joint Resolution of the Legislature of the State of Idaho

Joint memorial to the honorable Senate and House of Representatives of the United States, in Congress assembled

We, your memorialists, the members of the Senate and House of Representatives of the Legislature of the State of Idaho, assembled in the 37th session thereof, do respectfully represent that:

Whereas the late Senator Henry Dworshak was a champion of full development of our Nation's water resources and a man of boundless energy and a tireless worker for Idaho during his 23 years he served the Gem State in Congress; and

Whereas he constantly sought cooperation among all levels of government and private enterprise in water resource development to achieve the greatest benefit for the greatest number of persons with the least amount of bureaucratic control and interference; and

Whereas the Bruces Eddy project on the North Fork of the Clearwater River, which project was authorized shortly after his death, was a project which he sought and worked for in cooperation with local, State, regional, and national water resource development interests: Now, therefore, be it

Resolved by the 37th session of the Legislature of the State of Idaho, now in session (the Senate and the House of Representatives concurring), That the Congress and President of the United States be respectfully petitioned, as a fitting memorial to our distinguished late Senator Henry Dworshak for his many years of tireless and productive work in resource development and for his patience and perseverance in promoting this project, that early action be taken to implement a change of name from Bruces Eddy to Henry Dworshak Dam; and be it further

Resolved, That the secretary of state of the State of Idaho be, and he hereby is, authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this State in the Congress of the United States.

This senate joint memorial was adopted by the senate on the 5th day of February 1963.

W. E. Drevlow,
President of the Senate.

This senate joint memorial was adopted by the house of representatives on the 6th day of February 1963.

Pete T. Cenarrusa,
Speaker of the House of Representatives.

Attest:

Arthur Wilson,
Secretary of the Senate.

Exhibit 2

[From the Orofino (Idaho) Clearwater Tribune, Feb. 14, 1963]

Dworshak Dam Fitting Memorial to Great Senator

All Idahoans were gratified by action of the legislature last week in unanimously memorializing Congress to name the new Clearwater River flood control project Dworshak Dam.

Senator Len Jordan has taken leadership in honoring his predecessor who did so much for the Bruces Eddy project during his career in the Senate, and with the bipartisan support of Senator Frank Church favorable Senate action seems likely.

Senator Dworshak loved the outdoors of Idaho and yet was one to appreciate the need for wise and full use of its resources. He had made the perilous rapids-shooting trip down the Salmon to Riggins when it was still the "river of no return" and enjoyed a similar trip on the Clearwater from Beaver Creek to the damsite, with the Idaho Land Board. He had been the key man in getting public lands funds, to speed by a decade the completion of the Lewis-Clark Highway and had hunted and fished all over the State. Such names as Island Park, Antelope Creek, Wood River, the Secesh and Middle Fork were part of his stamping grounds.

The fish and game and out-of-doors people know well how Senator Dworshak insisted that lower Columbia River salmon fishery studies be extended to Idaho, which had been slow to take advantage of the program. Today it looks like the whole Northwest will gain from restoration of these stream improvements on the Salmon and Clearwater.

Congress can do much honor to a distinguished statesman and a venerated member naming the Bruces Eddy project Dworshak Dam.

Mr. CHURCH. Mr. President, this bill to change the name of Bruces Eddy Dam and Reservoir to the Dworshak Dam and Reservoir, which I am pleased to cosponsor with my colleague, has my wholehearted support, and I am confident it will meet with the approval of this body.

In the tense and closing days of the last session, it became impossible to set aside the time for a proper memorial to our late colleague, Henry Dworshak. Because of this, it is even more fitting that we honor him by affixing his name enduringly on this wonderful Idaho project.

We all know how he worked for Bruces Eddy down through the years, and it is indeed unfortunate that he could not have been here to see the legislative realization of his dream; or that he could not see this mighty structure rise on the edge of the Idaho wilderness, as an imperishable monument to man's ability to harness nature for the benefit of himself and his posterity.

As the bill states, Senator Dworshak was a champion of full development of our Nation's water resources. In his support for this dam, he acted upon his belief that Idaho—with its major storehouse of water resources—can best realize its greatest economic potential through integrated and comprehensive development. He knew the benefits which have accrued to our great sister States of Oregon and Washington through Federal dams on the mighty Columbia, trapping the surging energy that flowed toward the sea.

The waters of our own State pour into the Columbia, and contribute in great measure to the production of the downstream dams. The Senator knew that Bruces Eddy, on the North Fork of the beautiful Clearwater River, could provide Idaho with a new and important power source, that great flood control and power benefits would also be conferred on downstream areas by virtue of the upstream storage provided—and with this and other river developments Idaho might begin a new period of industrial progress.

I can think of no more appropriate monument to the faithful, dedicated and hard-working Henry C. Dworshak than to place his name on this great dam and reservoir, a lasting reminder that his contributions to his State and Nation were also large and enduring.

Mr. President, I urge early and favorable consideration of this memorial to our late and esteemed colleague, Henry C. Dworshak.

Mr. JORDAN of Idaho. I thank my colleague.

COORDINATED REVIEW OF STATE AND LOCAL APPLICATIONS FOR CERTAIN FEDERAL GRANTS-IN-AID

Mr. MUSKIE. Mr. President, I am pleased to introduce for appropriate referral a bill to encourage better coordinated local review of State and local applications for certain Federal grants-in-aid that are of special significance to the orderly development of our metropolitan areas.

The bill provides that, effective July 1, 1965, applications for Federal grants-in-aid for hospital construction, airport construction, water supply facilities, waste treatment works, urban highways, public housing and urban renewal be accompanied by comments and recommendations of a metropolitan planning agency empowered under State law to perform metropolitan planning for the area within which the assistance is to be used. The State or local jurisdiction applying for the grant would be required to report that it had taken the comments and recommendations of the planning agency into consideration in preparing its final application. This bill is similar to S. 3363 which I introduced late in the last session of Congress. It has been revised slightly to incorporate certain technical suggestions made by various Federal agencies and to take into account the availability of urban water supply facility grants-in-aid authorized by the enactment of the Emergency Public Works Acceleration Act.

In order to avoid any undue delay from the proposed review and coordination procedure, the requirement that State and local government agencies shall submit comments and recommendations by metropolitan planning agencies along with applications for certain Federal grants-in-aid would be waived in those cases where the planning agency has failed to act within a 60-day period.

This legislation was first proposed by the Advisory Commission on Intergovernmental Relations in its report on "Governmental Structure, Organization, and Planning in Metropolitan Areas." As a member of the Advisory Commission on Intergovernmental Relations and as author of the legislation which created the Commission along with Congressman FOUNTAIN, Democrat, of North Carolina, I am proud of the leadership the Commission has taken to promote better government structure, organization, and planning in metropolitan areas. The remaining Commission recommendations in that report regarding Federal action with respect to improving intergovernmental relationships in urban areas, including expanded Federal technical assistance for State and metropolitan planning, congressional consent in advance to interstate compacts creating planning agencies in urban areas crossing State lines and financial support on a continuing basis to metropolitan planning agencies have all been accomplished by the Housing Act of 1961 or by administrative action of the Housing and Home Finance Agency.

The need for this proposed legislation for review of Federal grant-in-aid applications in metropolitan areas is created by: First, the rapid population growth in these areas; second, the many Federal programs available affecting the development of such areas; and third, the number of local units of government in metropolitan areas independently initiating applications. These applications for Federal assistance are often made without reference to other Federal, State, local, or private development programs or to their impact on the overall metropolitan area which they are designed to serve.

The number of Federal programs and amount of funds contributed to metropolitan development are increasing rapidly. Mr. Robert Weaver, Administrator of the Housing and Home Finance Agency and also a member of the Advisory Commission, in testimony before our Subcommittee on Intergovernmental Relations of the Committee on Government Operations, gave us an example of how this impact on Federal programs relates to a single metropolitan area, in this case, the Atlanta, Ga., metropolitan area. They found that more than $117.6 million in public and private expenditures was directly generated during 1962 by some 41 separate programs administered by 12 major Federal agencies.

Given this situation, areawide planning agencies can serve as an effective grass roots mechanism and vehicle for the coordination of Federal grant-in-aid assistance with each other and with State, county, and local development of the area as a whole.

The Commission acknowledged in its report that the practical effect of this recommendation "would be to require the enactment of State enabling legislation providing for the creation of an areawide planning agency in each metropolitan area of the State." The Commission went on to point out:

> Some may argue that such a proposal invades the prerogatives of the State or that it forces cooperation where the desire to cooperate may not exist. The Commission believes that the time has come to insure cooperation among local units of government in metropolitan areas, a task that all levels of government must respond to if we are to make progress in dealing with this most dynamic of intergovernmental activities, metropolitan development.

This legislation which provides for review—but not necessarily approval—by an official metropolitan planning agency appears to be a practical step that the Federal Government can take to assist local governments to cope adequately with current problems faced in metropolitan areas. It is appropriate for the Federal Government to use suitable inducements or requirements for effective planning and exchange of information among local units of government in the interest of getting maximum value for both the Federal and the local funds which are spent in connection with Federal grant-in-aid programs. Equally important is the increased effectiveness which should result in achieving national as well as local program objectives.

There are a number of precedents for such an advisory review or even stronger performance standards providing that federally aided projects be consistent with other State and local development activities and with plans for development of the area. Federal grants-in-aid have traditionally included conditions for insuring local performance standards. The Urban Renewal Administration and the Public Housing Administration both require that Federal assistance be in conformance with comprehensive local development plans for the specific jurisdictions affected. Assistance under the Federal open space and mass transportation programs is contingent upon areawide comprehensive plans, locally prepared. In our own National Capital region each Federal agency proposal for development or construction must be reviewed, on an advisory basis, by the National Capital Planning Commission to insure that it is consistent with comprehensive plans for development of the Washington metropolitan area.

It is important to note that no attempt is made by this legislation to determine how the responsible State or local officials should make use of the comments and recommendations made by the metropolitan planning agency. Similarly, the Federal officials administering the grants-in-aid programs would be expected to review the comments and recommendations of the planning agency and any comments thereon made by the State or local agency applying for the grant. Such review would be helpful in determining whether the grants applied for are in accord with the Federal laws under which they are made.

This moderate proposal has been well received to date. The Advisory Commission, composed of representatives of Congress and the executive branch and State and local officials as well as public members appointed by the President, adopted the recommendation proposing such legislation without dissent. The National Association of Counties at their 1962 convention, formally voted to support enactment of this grant-in-aid legislation, as has the board of directors of the National Housing Conference. The American Institute of Planners is actively supporting the purposes of this legislative proposal. A number of letters from public and private organizations have likewise indicated support. A number of leading urban planners and political scientists, in commenting to the House Government Operations Committee on the Commission's report containing these recommendations generally strongly supported the proposal.

In summary, all the governments affected by these Federal programs should benefit by the improved metropolitan planning machinery and decisionmaking that would stem from enactment of this legislation.

I ask unanimous consent that the bill may remain at the desk through February 28 to allow other Senators an opportunity to join in cosponsoring the proposed legislation.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the text of the bill may be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the bill will be printed as requested.

The bill (S. 855) to provide for more effective utilization of certain Federal grants by encouraging better coordinated local review of State and local applications for such grants, introduced by Mr. Muskie, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to assist Federal, State, and local governments to increase their economy and efficiency of operations in meeting the governmental needs of the increasing concentration of population in metropolitan areas; to facilitate the coordination of intergovernmental relationships and activities on a continuing basis; to provide more effective exchange of information among the governments concerned at the earliest possible stage of planning and throughout the planning and development process; and to encourage State and local governments to establish or improve facilities for coordinating metropolitan development, all applications made after June 30, 1965, for Federal grants to assist in carrying out urban renewal activities or for the construction of hospitals, airports, water supply and distribution facilities, sewerage facilities and waste treatment works, urban highways, and public housing within any metropolitan area defined by the Bureau of the Budget as a standard metropolitan statistical area shall be subject to the provisions of this Act.

Sec. 2. (a) Except as provided in subsection (b) of this section, each application for grants of the types described in section 1 shall be accompanied (i) by the comments and recommendations thereon of an official State, metropolitan, or regional planning agency empowered under State or local laws or interstate compact to perform metropolitan or regional planning for the metropolitan area within which the assistance is to be used, or other agency or instrumentality designated for such purpose by the Governor (or Governors in the case of interstate planning) and (ii) by a statement by the applicant that such comments and recommendations have been considered prior to formal submission of the application. Such comments shall include information concerning the extent to which the proposed urban renewal activity or the construction is consistent with comprehensive planning (as defined in subsection (d) of section 701 of the Housing Act of 1954) developed or in the process of development for the metropolitan area and the extent to which such activity or construction contributes to the fulfillment of such areawide planning. The comments and recommendations and the statement referred to in this section shall, except in the case referred to in subsection (b) of this section, be reviewed by the agency of the Federal Government to which such application is submitted for the sole purpose of assisting it in determining whether the application is in accordance with the provisions of Federal law which govern the making of the grants.

(b) An application for Federal grants need not be accompanied by the comments and recommendations and the statement referred to in subsection (a) of this section if (i) the applicant certifies that the application has lain before an appropriate planning agency or instrumentality for a period of sixty days without comments or recommendations thereon being made by such agency or instrumentality or (ii) the application is consistent with and in furtherance of projects or plans previously reviewed by such agency or instrumentality in connection with prior applications.

Sec. 3. The President is hereby authorized to prescribe such rules and regulations as he deems appropriate for the effective administration of this Act.

LAND AND WATER CONSERVATION BILL (OUTDOOR RECREATION)

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill transmitted to Congress on Thursday, February 14, by the President to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people.

I am introducing this bill for myself, and Senators Anderson, Miller, Metcalf, McGee, Long of Missouri, Moss, Randolph, Humphrey, Morse, and Nelson.

In order that other Senators may join in the sponsorship of the measure, I ask that it lie on the desk for the remainder of this week.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Washington.

The bill (S. 859) to establish a Land and Water Conservation Fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes, introduced by Mr. Jackson (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. JACKSON. The bill, Mr. President, is the second outdoor recreation measure submitted to this Congress by the administration to implement recommendations of the Outdoor Recreation Resources Review Commission. The first of these bills, S. 20, has already been the subject of hearings and will shortly be considered in executive session by the Interior and Insular Affairs Committee. It is my hope that S. 20 and this measure will be considered expeditiously and that a program to meet the Nation's recreation needs will be in full operation before this session of the Congress adjourns.

The background and the need for the legislation, and the contents of this new measure, are well presented in the President's letter submitting it to us, and the Secretary of the Interior's letter transmitting the draft to the White House.

Mr. President, I ask unanimous consent for the two documents to be printed in the Record, together with the text of the bill.

There being no objection, the documents and bill were ordered to be printed in the Record, as follows:

The White House,
Washington, D.C., February 14, 1963.

Hon. Lyndon B. Johnson,
President of the Senate,
Washington, D.C.

Dear Mr. President: In my conservation message last year I pointed out that adequate outdoor recreation facilities are among the basic requirements of a sound conservation program. The need for an aggressive program to provide for our outdoor recreation needs is both real and immediate, as demonstrated by the significant findings and recommendations of the Outdoor Recreation Resources Review Commission. Accordingly, I am transmitting with this letter draft legislation which would help provide for these needs through the establishment of a land and water conservation fund.

The Outdoor Recreation Resources Review Commission, a bipartisan group including eight Members of the Congress, found that the demand for outdoor recreation is growing dramatically. Americans are seeking the out of doors as never before—about 90 percent participate annually in some form of outdoor recreation. Today's resources are inadequate to today's needs and the public demand for outdoor recreation opportunities is expected to triple by the turn of the century.

Last year in my conservation message I noted that our magnificent national parks, monuments, forests, and wildlife refuges were in most cases either donated by States or private citizens or carved out of the public domain, and that these sources can no longer be relied upon. The Nation needs a land acquisition program to preserve both prime Federal and State areas for outdoor recreation purposes. The growth of our cities, the development of our industry, the expansion of our transportation system—all manifestations of our vigorous and expanding society—preempt irreplaceable lands of natural beauty and unique recreation value. In addition to the enhancement of spiritual, cultural, and physical values resulting from the preservation of these resources, the expenditures for their preservation are sound financial investment. Public acquisition costs can become multiplied and even prohibitive with the passage of time.

The Land and Water Conservation Fund measure I am proposing will enable the States to play a greater role in our national effort to improve outdoor recreation opportunities. This proposal grows out of and is generally consistent with the recommendations of the Outdoor Recreation Resources Review Commission.

The Recreation Advisory Council made up of the heads of the departments and the agency principally concerned with recreation, is now functioning and provides a forum for considering national recreation policy and for facilitating joint efforts among the various agencies. A Bureau of Outdoor Recreation has also been established in the Department of the Interior to serve as a focal point for correlation within the Federal Government for Federal activities and to provide assistance to the States.

The Outdoor Recreation Resources Review Commission recommended that the States play the pivotal role in providing for present and future outdoor recreation needs. They face major problems, however, in financing needed outdoor recreation facilities. Accordingly, I am proposing in the Land and Water Conservation Fund a program of grants-in-aid to the States to assist them in their outdoor recreation planning, acquisition and development. The proposed grants-in-aid would be matched by the States and thus serve to stimulate and encourage broad State action.

The Federal portion of the Fund—estimated at 40 percent—would be authorized for acquisition of land and waters in connection with the national park system, the national forest system, or for preservation of fish and wildlife threatened with extinction. No new acquisition authorities are contemplated in the proposal. The Fund would provide a source of funding for existing acquisition authorities or for those subsequently enacted.

It is reasonable and in the public interest that needed improvements and expansion of outdoor recreation opportunities be financed largely on a pay-as-you-go basis from a system of fees collected from the direct beneficiaries—the users of Federal recreation lands and waters. The proposed Land and Water Conservation Fund would therefore be financed in part from Federal entrance, admission, or other recreation user fees. In addition, the Fund would be financed from the sale of Federal surplus real property and from the proceeds of the existing 4 cents tax on marine gasoline and special motor fuels used in pleasure boats.

The enclosed letter from the Secretary of the Interior discusses additional features of the proposal.

Actions deferred are all too often opportunities lost, particularly in safeguarding our natural resources. I urge the enactment of this proposal at the earliest possible date so that a further significant step may be taken to assure the availability and accessibility of land and water-based recreation opportunities for all Americans.

Sincerely,

JOHN F. KENNEDY.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington D.C., January 28, 1963.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: I am enclosing a draft of a bill to establish a Land and Water Conservation Fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

This legislation is an outgrowth of the significant findings and recommendations of the Outdoor Recreation Resources Review Commission. It will advance the program outlined in your conservation message of last year and complement the steps already taken in establishing the Bureau of Outdoor Recreation and the Recreation Advisory Council.

Tremendous public demand has developed in recent years for outdoor recreation areas, facilities, and opportunities. Approximately 90 percent of our people participate in some form of outdoor recreation, and some $20 billion is spent annually for this purpose. Although the available resources are inadequate to meet even today's needs, the demands are expected to triple by the turn of the century. The outdoor experience is a part of our heritage and vital to the American way of life. We would be most unwise if we did not provide intelligently and responsibly for our present and future outdoor recreation needs.

The draft legislation is similar to the land conservation fund bill which you submitted last year. The most significant change is the addition of a new authorization for 50-percent matching grants to the States for planning, and 30-percent grants for acquisition and development, of needed outdoor recreation resources. This program will aid the States in meeting their primary responsibility, as recognized by the Outdoor Recreation Resources Review Commission, to provide adequate and varied outdoor recreation opportunities for their growing populations. Moneys made available for State programs through appropriations from the Land and Water Conservation Fund will be apportioned among the States as follows: one-fifth divided equally, three-fifths apportioned on the basis of population, and one-fifth allocated according to need. Each State's share will remain available to it for obligation through the third fiscal year after notification of its apportionment.

To qualify for financial assistance, the proposed acquisition or development projects must conform to a suitable comprehensive statewide outdoor recreation plan, and the States may receive assistance in the preparation of such a plan and in training needed personnel. The State plan must take into consideration Federal resources and programs and relevant State, regional and local plans. Because the most urgent requirement today is to set aside valuable outdoor recreation resources in public ownership, before escalating land prices and rapid diversion to other purposes put them out of reach, the bill limits expenditures for State development work for the next 10 years to 10 percent of the moneys available for State assistance. In the administration of the program, it is our intention to consult closely with the responsible State agencies, including the formation of advisory bodies where desirable, and to operate under terms of mutual coordination with other Federal agencies.

The Land and Water Conservation Fund also will be available to finance such Federal acquisition of land and water as may be otherwise authorized for (1) areas of the national park system and areas administered by the Secretary of the Interior for outdoor recreation purposes; (2) the national forest system; (3) purposes of national areas for the preservation of species of fish or wildlife threatened with extinction; and (4) incidental recreation purposes in connection with national fish and wildlife conservation areas as authorized by Public Law 87-714 (H.R. 1171, 87th Cong.).

As with the measure submitted last year, revenues from certain sources would be set aside for the purposes of this legislation. These sources are (1) proceeds from entrance, admission, and other recreation user fees or charges at Federal land and water areas, and the bill authorizes the President to establish such fees, including a conservation automobile sticker; (2) proceeds from the sale of Federal surplus real property; and (3) the proceeds of the 4-cent-per-gallon tax on gasoline and special motor fuels used in motorboats. A portion of these revenues will be credited to the miscellaneous receipts of the Treasury to help offset the costs of acquiring additional lands for recreation and fish and wildlife enhancement at Federal and federally assisted water development projects. The major portion of the revenues, however, would be transferred to the Land and Water Conservation Fund to finance the State and Federal programs.

To assure adequate financing of this urgently needed program when the States are prepared to participate fully, advance appropriations averaging $60 million a year for 8 years would be authorized beginning with the third year, with provision for repayment thereafter from 50 percent of the revenues available to the fund. The fund will be used in the proportion of 60 percent for State purposes and 40 percent for Federal purposes, and the proportion may be varied up to 15 percent either way depending on need.

The bill proposes a fiscally responsible means of financing the urgently needed State and Federal programs. I recommend that this legislation be submitted to the Congress for appropriate action.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

S. 859

A bill to establish a Land and Water Conservation Fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(a) CITATION.—This Act may be cited as the "Land and Water Conservation Fund Act of 1963."

(b) PURPOSES.—The purposes of this Act are to strengthen the health and vitality of the Nation by assuring the availability and accessibility of land and water based outdoor recreation opportunities of such quality and quantity as are necessary and desirable for the benefit and enjoyment of the people by (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for Federal acquisition of certain land and water areas.

CERTAIN REVENUES PLACED IN SEPARATE ACCOUNT

SEC. 2. SEPARATE ACCOUNT.—There shall be set aside in a separate account in the Treasury of the United States, for subsequent division as prescribed in section 3 of this Act, the following revenues and collections:

(a) ENTRANCE AND USER FEES; ESTABLISHMENT; REGULATIONS.—All proceeds from entrance, admission, and other recreation user fees or charges collected or received by the National Park Service, the Bureau of Land Management, the Bureau of Sport Fisheries and Wildlife, the Bureau of Reclamation, the Forest Service, the Corps of Engineers, and the United States section of the International Boundary and Water Commission (United States and Mexico), notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury: *Provided,* That nothing in this Act shall affect any rights or authority of the States with respect to fish and wildlife, nor shall this Act repeal any provision of law that permits States or political subdivisions to share in the revenues from Federal lands or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by that provision of law; but the proceeds from fees or charges established by the President pursuant to this subsection for entrance or admission generally to Federal areas shall be used solely for the purposes of this Act.

The President is authorized to provide for the establishment, revision, or amendment of entrance, admission, and other recreation user fees and charges at any land or water area administered by or under the authority of the Federal agencies listed in the preceding paragraph: *Provided,* That this subsection shall not authorize Federal hunting or fishing licenses, nor shall it authorize fees or charges for commercial or other activities not related to recreation. Any fees established shall be fair and equitable taking into consideration direct and indirect cost to the Government, benefits to the recipient, public policy or interest served, and other pertinent factors.

There is hereby repealed the third paragraph from the end of the division entitled "National Park Service" of section 1 of the Act of March 7, 1928 (45 Stat. 238) and the second paragraph from the end of the division entitled "National Park Service" of section 1 of the Act of March 4, 1929 (45 Stat. 1602; 16 U.S.C. 14). Section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved December 24, 1944 (16 U.S.C.

460d), as amended by the Flood Control Act of 1962 (76 Stat. 1195) is further amended by deleting, "without charge," in the third sentence from the end thereof. All other provisions of law that prohibit the collection of entrance, admission or other recreation user fees or charges or that restrict the expenditure of funds if such fees or charges are collected are hereby also repealed.

The heads of departments and agencies are authorized to prescribe rules and regulations for the collection of any entrance, admission, and other recreation user fees or charges established pursuant to this subsection for areas under their administration. Any violation of any rules or regulations promulgated under this Act shall be punishable by imprisonment of not more than six months or a fine of not more than $500 or both. Any violation of such rules and regulations shall be under the jurisdiction of the United States district court for each district in which the violation occurs, and may be considered by a United States commissioner appointed by said court.

(b) SURPLUS PROPERTY SALES.—All proceeds (except so much thereof as may be otherwise obligated, credited or paid under authority of those provisions of law set forth in 40 U.S.C 485(b)-(e) or the Independent Offices Appropriation Act, 1963 [76 Stat. 725] or in any later appropriation Act) hereafter received from any disposal of surplus real property and related personal property under the Federal Property and Administrative Services Act of 1949, as amended, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury.

(c) MOTORBOAT FUELS TAX.—The amounts specified in section 209(f)(5) of the Highway Revenue Act of 1956 (relating to special motor fuels and gasoline used in motorboats).

SEPARATE ACCOUNT DIVIDED BETWEEN LAND AND WATER CONSERVATION FUND AND MISCELLANEOUS RECEIPTS

SEC. 3. The President shall determine from time to time a division of the total amount in the separate account between those amounts to be transferred to a Land and Water Conservation Fund and those amounts to be credited to the miscellaneous receipts of the Treasury, and the necessary transfers and credits shall be made periodically, as follows:

(a) LAND AND WATER CONSERVATION FUND.—There shall be transferred to a Land and Water Conservation Fund (hereinafter referred to as the "fund"), which is hereby established, such moneys in the separate account as the President deems appropriate to assist the States and Federal agencies as hereafter prescribed. Moneys placed in the fund shall be available for expenditure for purposes of this Act only when appropriated, and such appropriations may be made without fiscal year limitation. The Secretary of the Interior shall keep such accounts as are necessary for these purposes.

(b) MISCELLANEOUS RECEIPTS.—There shall be credited to miscellaneous receipts in the Treasury such moneys in the separate account as the President deems appropriate to help offset the cost of additional lands, at Federal and federally assisted water development projects, for public recreation and fish and wildlife enhancement financed through project appropriations to water resource agencies.

ALLOCATION OF LAND AND WATER CONSERVATION FUND FOR STATE AND FEDERAL PURPOSES: AUTHORIZATION FOR ADVANCE APPROPRIATIONS

SEC. 4. ALLOCATION.—

(a) Appropriations from the Land and Water Conservation Fund shall be available for both State and Federal purposes as provided in this Act in percentage of 60 percent for State purposes and 40 percent for Federal purposes, except that the President, on the basis of the respective State and Federal needs, may increase from time to time the proportional amount for either State or Federal purposes by no more than 15 percent of the total.

(b) ADVANCE APPROPRIATIONS; REPAYMENT.—Beginning with the third full fiscal year in which the fund is in operation, and for a total of 8 years, advance appropriations are hereby authorized to be made to the fund from any moneys in the Treasury not otherwise appropriated in such amounts as to average not more than $60,000,000 for each fiscal year. Such advance appropriations shall be available for Federal and State purposes in the same manner and proportions as other moneys appropriated from the fund. Such advance appropriations shall be repaid without interest, beginning at the end of the next fiscal year after the first 10 full fiscal years in which the fund has been in operation, by transferring, annually until fully repaid, to the general fund of the Treasury 50 percent of the revenues received by the Land and Water Conservation Fund each year under section 3 of this Act. The moneys in the fund that are not required for repayment purposes may continue to be appropriated and allocated in accordance with the procedures prescribed by this Act.

FINANCIAL ASSISTANCE TO STATES

SEC. 5. GENERAL AUTHORITY; PURPOSES.—

(a) The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to provide financial assistance to the States from moneys available for State purposes. Payments may be made to the States by the Secretary as hereafter provided, subject to such terms and conditions as he considers appropriate and in the public interest to carry out the purposes of this Act, for outdoor recreation—(1) planning, (2) acquisition of land, waters, or interests in land or waters, or (3) development.

(b) APPORTIONMENT AMONG STATES; NOTIFICATION.—Sums appropriated and available for State purposes for each fiscal year shall be apportioned among the several States by the Secretary, whose determination shall be final, in accordance with the following formula:

(1) one-fifth shall be apportioned equally among the several States;

(2) three-fifths shall be apportioned in the proportion which the population of each States bears to the total population of the United States; and

(3) one-fifth shall be apportioned on the basis of need to individual States by the Secretary in such amounts as in his judgment will best accomplish the purposes of this Act. The determination of need shall include among other things a consideration of the use of outdoor recreation resources of individual States by persons from outside the State as well as a consideration of the Federal resources and programs in the particular States.

The Secretary shall notify each State of its apportionments; and the amounts thereof shall be available threafter for payment to such State for planning, acquisition, or development projects as hereafter prescribed. Any amount of any apportionment that has not been paid or obligated by the Secretary during the fiscal year in which such notification is given and for two fiscal years thereafter shall be reapportioned by the Secretary in accordance with paragraph (3) of this subsection.

The District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa shall be treated as States for the purposes of this Act, except for the purpose of paragraph (1) of this subsection. Their population also shall be included as a part of the total population in computing the apportionment under paragraph (2) of this subsection.

(c) MATCHING REQUIREMENTS.—Payments to any State shall cover not more than 50 per centum of the cost of planning projects, and not more than 30 per centum of the cost of acquisition or development projects, that are undertaken by the State. The remaining share of the cost shall be borne by the State in a manner and with such funds or services as shall be satisfactory to the Secretary.

(d) COMPREHENSIVE STATE PLAN REQUIRED; PLANNING PROJECTS.—A comprehensive statewide outdoor recreation plan shall be required prior to the consideration by the Secretary of financial assistance for acquisition or development projects. The plan shall be adequate if, in the judgment of the Secretary, it encompasses and will promote the purposes of this Act. The plan shall contain—

(1) the name of the State agency that will have authority to represent and act for the State in dealing with the Secretary for the purposes of this Act,

(2) an evaluation of the demand for and supply of outdoor recreation resources and facilities in the State,

(3) a program for the implementation of the plan, and

(4) other necessary information, as may be determined by the Secretary.

The plan shall take into account relevant Federal resources and programs and shall be correlated so far as practicable with other State, regional, and local plans. Where there exists or is in preparation for any particular State a comprehensive plan financed in part with funds supplied by the Housing and Home Finance Agency, any statewide outdoor recreation plan prepared for purposes of this Act shall be based upon the same population, growth, and other pertinent factors as are used in formulating the HHFA financed plans.

The Secretary may provide financial assistance to any State for projects for the preparation of a comprehensive statewide outdoor recreation plan when such plan is not otherwise available, for the maintenance of such plan, or for the training of personnel for outdoor recreation planning and related administrative responsibilities.

(e) PROJECTS FOR LAND AND WATER ACQUISITION; DEVELOPMENT.—In addition to assistance for planning projects, the Secretary may provide financial assistance to any State for the following types of projects or combinations thereof if they are in accordance with the State comprehensive plan:

(1) Acquisition of land and waters. For the acquisition of land, waters, or interests in land or waters, but not including incidental costs relating to acquisition.

(2) Development. For development, including but not limited to site planning and the development of Federal lands under lease to States for terms of 25 years or more: *Provided*, That the total grants to States for development projects shall not, during the first ten full fiscal years in which the fund has been in operation, exceed 10 per centum of amounts appropriated for each of said ten years for State purposes pursuant to section 5.

(f) REQUIREMENTS FOR PROJECT APPROVAL; CONDITION.—Payments may be made to States by the Secretary only for those planning, acquisition, or development projects that are approved by him. The Secretary may make payments from time to time in keeping with the rate of progress toward the satisfactory completion of individual projects: *Provided*, That the approval of all projects and all payments, or any commitments relating thereto, shall be withheld until the Secretary receives appropriate written assurance from the State that the State, political subdivision, or other appropriate public agency has the ability and intention to finance its share of the cost of the particular project, and to operate and maintain by acceptable standards, at State or local expense, the particular properties or facilities acquired or developed for public outdoor recreation use.

Payments for all projects shall be made by the Secretary to the Governor of the State or to a State official or agency designated by the Governor or by State law having authority and responsibility to accept and to administer funds paid hereunder for approved projects. If consistent with an approved project, funds may be transferred by the State to a political subdivision or other appropriate public agency.

No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

No payment shall be made to any State until the State has agreed to (1) provide such reports to the Secretary, in such form and containing such information, as may be reasonably necessary to enable the Secretary to perform his duties under this Act, and (2) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for Federal funds paid to the State under this Act.

(g) Coordination with Federal agencies.—In order to assure consistency in policies and actions under this Act, with other related Federal programs and activities (including those conducted pursuant to title VII of the Housing Act of 1961 and section 701 of the Housing Act of 1954) and to assure coordination of the planning, acquisition, and development assistance to States under this section with other related Federal programs and activities, the President may, prior to the exercise of any authority under this section, issue such regulations with respect thereto as he deems desirable and such assistance may be provided only in accordance with such regulations. The President is authorized to transfer to the Housing and Home Finance Administrator such functions relating to planning assistance of the Secretary under this section as the President may deem desirable, together with any funds available therefor. The President may, at any time, extend, revoke, or otherwise change any regulation, or transfer of authority as he deems consistent with the purposes of this section.

ALLOCATION OF MONEYS FOR FEDERAL PURPOSES

Sec. 6. (a) Moneys appropriated from the fund for Federal purposes shall be allocated by the President, on the basis of a determination of relative needs, for the acquisition of land, waters, or interests in land or waters, as follows:

(1) National park system; recreational areas.—Within the exterior boundaries of areas of the national park system now or hereafter authorized or established and of areas now or hereafter authorized to be administered by the Secretary of the Interior for outdoor recreation purposes.

(2) National forest system.—Within existing or authorized areas of the national forest system, including areas now or hereafter authorized to be administered by the Secretary of Agriculture for outdoor recreation purposes.

(3) Threatened species.—For the purposes of any national area that may be authorized for the preservation of species of fish or wildlife that are threatened with extinction.

(4) Recreation at refuges.—For the incidental recreation purposes of section 2 of the Act of September 28, 1962 (76 Stat. 653).

(b) Water Projects Limitation.—No moneys shall be appropriated from the fund for the acquisition of additional lands, at Federal or federally assisted water development projects, for public recreation and fish and wildlife enhancement financed through project appropriations to water-resource agencies.

(c) Acquisition Restriction.—Appropriations from the fund pursuant to this section shall not be used for acquisition unless such acquisition is otherwise authorized by law.

SPECIAL MOTOR FUELS OR GASOLINE USED IN MOTORBOATS

Sec. 7. (a) Special Motor Fuel Used in Motorboats.—The second and third sentences of section 4041(b) of the Internal Revenue Code of 1954 (relating to special motor fuels) are amended to read as follows: "In the case of a liquid taxable under this subsection sold for use or used otherwise than as a fuel for the propulsion of (A) a motorboat, or (B) a highway vehicle (i) which (at the time of such sale or use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (ii) which, in the case of a highway vehicle owned by the United States, is used on the highway, the tax imposed by paragraph (1) or by paragraph (2) shall be 2 cents a gallon. If a liquid on which tax was imposed by paragraph (1) at the rate of 2 cents a gallon by reason of the preceding sentence is used as a fuel for the propulsion of (A) a motorboat, or (B) a highway vehicle (i) which (at the time of such use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (ii) which, in the case of a highway vehicle owned by the United States, is used on the highway, a tax of 2 cents a gallon shall be imposed under paragraph (2)."

(b) Credits and Refunds in Respect of Special Motor Fuels.—Subparagraph (J) of section 6416(b)(2) of such Code (relating to credits and refunds on certain specified uses and resales) is amended to read as follows:

"(J) in the case of a liquid in respect of which tax was paid under section 4041(b)(1) at the rate of 3 cents or 4 cents a gallon, used or resold for use otherwise than as a fuel for the propulsion of (i) a motorboat, or (ii) a highway vehicle (a) which (at the time of such use or resale) is registered, or required to be registered, for highway use under the laws of any State or foreign country, or (b) which, in the case of a highway vehicle owned by the United States, is used on the highway, except that the amount of any overpayment by reason of this subparagraph shall not exceed an amount computed at the rate of 1 cent a gallon where tax was paid at the 3-cent rate or at the rate of 2 cents a gallon where tax was paid at the 4-cent rate;".

(c) Gasoline Used in Motorboats.— Subsection (a) of section 6421 of such Code (relating to gasoline used for certain nonhighway purposes or by local transit systems) is amended to read as follows:

"(a) Certain nonhighway uses.—If gasoline is used otherwise than as a fuel in (1) a motorboat, or (2) a highway vehicle (A) which (at the time of such use) is registered, or is required to be registered, for highway use under the laws of any State or foreign country, or (B) which, in the case of a highway vehicle owned by the United States, is used on the highway, the Secretary or his delegate shall pay (without interest) to the ultimate purchaser of such gasoline an amount equal to 1 cent for each gallon of gasoline so used on which tax was paid at the rate of 3 cents a gallon and 2 cents for each gallon of gasoline so used on which tax was paid at the rate of 4 cents a gallon."

(d) Highway Trust Fund.—Section 209(f) of the Highway Revenue Act of 1956 (relating to expenditures from Highway Trust Fund) is amended by adding at the end thereof the following new paragraph:

"(5) Transfers from the Trust Fund for special motor fuels and gasoline used in motorboats.—The Secretary of the Treasury shall pay from time to time from the Trust Fund into the separate account from which funds are transferred to the Land and Water Conservation Fund amounts as determined by him in consultation with the Secretary of Commerce equivalent to the taxes received, on or after January 1, 1964, under section 4041(b) of the Internal Revenue Code of 1954 with respect to special motor fuels used as fuel for the propulsion of motorboats and under section 4081 of such Code with respect to gasoline used as fuel in motorboats."

(e) Effective Dates.—

(1) The amendment made by subsection (a) shall apply with respect to liquid sold for use or used on or after the effective date of this section.

(2) The amendment made by subsection (b) shall apply with respect to liquid used or resold for use on or after the effective date of this section.

(3) The amendment made by subsection (c) shall apply with respect to gasoline used on or after the effective date of this section.

(4) For purposes of this subsection, the effective date of this section is January 1, 1964.

PROPOSED AMENDMENT OF RULE XXV

Mr. MANSFIELD. Mr. President, on behalf of the minority leader, the distinguished Senator from Illinois [Mr. Dirksen], and myself, I submit a resolution and ask for its present consideration.

The VICE PRESIDENT. The resolution will be stated.

The legislative clerk read the resolution (S. Res. 90), as follows:

RULE XXV

Standing committees

1. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

(a)(1) Committee on Aeronautical and Space Sciences, to consist of fifteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating primarily to the following subjects:

(A) Aeronautical and space activities, as that term is defined in the National Aeronautics and Space Act of 1958, except those which are peculiar to or primarily associated with the development of weapons systems or military operations.

(B) Matters relating generally to the scientific aspects of such aeronautical and space activities, except those which are peculiar to or primarily associated with the developments of weapons systems or military operations.

(C) National Aeronautics and Space Administration.

(2) Such committee also shall have jurisdiction to survey and review, and to prepare studies and reports upon, aeronautical and space activities of all agencies of the United States, including such activities which are peculiar to or primarily associated with the development of weapons systems or military operations.

(b) Committee on Agriculture and Forestry, to consist of seventeen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Agriculture generally.

2. Inspection of livestock and meat products.

3. Animal industry and diseases of animals.

4. Adulteration of seeds, insect pests, and protection of birds and animals in forest reserves.

5. Agricultural colleges and experiment stations.

6. Forestry in general, and forest reserves other than those created from the public domain.

7. Agricultural economics and research.

8. Agricultural and industrial chemistry.

9. Dairy industry.

10. Entomology and plant quarantine.

11. Human nutrition and home economics.

12. Plant industry, soils, and agricultural engineering.

13. Agricultural educational extension services.

14. Extension of farm credit and farm security.

15. Rural electrification.

16. Agricultural production and marketing and stabilization of prices of agricultural products.

17. Crop insurance and soil conservation.

(c) Committee on Appropriations, to consist of twenty-seven Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and others matters relating to appropriation of the revenue for the support of the Government.

(d) Committee on Armed Services, to consist of seventeen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Common defense generally.

2. The War Department and the Military Establishment generally.

3. The Navy Department and the Naval Establishment generally.

4. Soldiers' and sailors' homes.

5. Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces.

6. Selective service.

7. Size and composition of the Army and Navy.

8. Forts, arsenals, military reservations, and Navy yards.

9. Ammunition depots.

10. Maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone.

11. Conservation, development, and use of naval petroleum and oil shale reserves.

12. Strategic and critical materials necessary for the common defense.

13. Aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.

(e) Committee on Banking and Currency, to consist of fifteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Banking and currency generally.

2. Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.

3. Deposit insurance.

4. Public and private housing.

5. Federal Reserve System.

6. Gold and silver, including the coinage thereof.

7. Issuance of notes and redemption thereof.

8. Valuation and revaluation of the dollar.

9. Control of prices of commodities, rents, or services.

(f) Committee on Commerce, to consist of seventeen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Interstate and foreign commerce generally.

2. Regulations of interstate railroads, buses, trucks, and pipelines.

3. Communication by telephone, telegraph, radio, and television.

4. Civil aeronautics, except aeronautical and space activities of the National Aeronautics and Space Administration.

5. Merchant marine generally.

6. Registering and licensing of vessels and small boats.

7. Navigation and the laws relating thereto, including pilotage.

8. Rules and international arrangements to prevent collisions at sea.

9. Merchant marine officers and seamen.

10. Measures relating to the regulation of common carriers by water and to the inspection of merchant marine vessels, lights and signals, life-saving equipment, and fire protection on such vessels.

11. Coast and Geodetic Survey.

12. The Coast Guard, including life-saving service, lighthouses, lightships, and ocean derelicts.

13. The United States Coast Guard and Merchant Marine Academies.

14. Weather Bureau.

15. Except as provided in paragraph (c), the Panama Canal and interoceanic canals generally.

16. Inland waterways.

17. Fisheries and wildlife, including research, restoration, refuges, and conservation.

18. Bureau of Standards, including standardization of weights and measures and the metric system.

(g) Committee on the District of Columbia, to consist of seven Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. All measures relating to the municipal affairs of the District of Columbia in general, other than appropriations therefor, including—

2. Public health and safety, sanitation, and quarantine regulations.

3. Regulation of sale of intoxicating liquors.

4. Adulteration of food and drugs.

5. Taxes and tax sales.

6. Insurance, executors, administrators, wills, and divorce.

7. Municipal and juvenile courts.

8. Incorporation and organization of societies.

9. Municipal code and amendments to the criminal and corporation laws.

(h) Committee on Finance, to consist of seventeen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Revenue measures generally.

2. The bonded debt of the United States.

3. The deposit of public moneys.

4. Customs, collection districts, and ports of entry and delivery.

5. Reciprocal trade agreements.

6. Transportation of dutiable goods.

7. Revenue measures relating to the insular possessions.

8. Tariffs and import quotas, and matters related thereto.

9. National social security.

10. Veterans' measures generally.

11. Pensions of all the wars of the United States, general and special.

12. Life insurance issued by the Government on account of service in the armed forces.

13. Compensation of veterans.

(i) Committee on Foreign Relations, to consist of seventeen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Relations of the United States with foreign nations generally.

2. Treaties.

3. Establishment of boundary lines between the United States and foreign nations.

4. Protection of American citizens abroad and expatriation.

5. Neutrality.

6. International conferences and congresses.

7. The American National Red Cross.

8. Intervention abroad and declarations of war.

9. Measures relating to the diplomatic service.

10. Acquisition of land and buildings for embassies and legations in foreign countries.

11. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.

12. United Nations Organization and international financial and monetary organizations.

13. Foreign loans.

(j) (1) Committee on Government Operations, to consist of fifteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

(A) Budget and accounting measures, other than appropriations.

(B) Reorganizations in the executive branch of the Government.

(2) Such committee shall have the duty of—

(A) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the Senate as it deems necessary or desirable in connection with the subject matter of such reports;

(B) studying the operation of Government activities at all levels with a view to determining its economy and efficiency;

(C) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government;

(D) studying the intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.

(k) Committee on Interior and Insular Affairs, to consist of seventeen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Public lands generally, including entry, easements, and grazing thereon.

2. Mineral resources of the public lands.

3. Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.

4. Forest reserves and national parks created from the public domain.

5. Military parks and battlefields, and national cemeteries.

6. Preservation of prehistoric ruins and objects of interest on the public domain.

7. Measures relating generally to Hawaii, Alaska, and the insular possessions of the United States, except those affecting their revenue and appropriations.

8. Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects.

9. Interstate compacts relating to apportionment of waters for irrigation purposes.

10. Mining interests generally.

11. Mineral land laws and claims and entries thereunder.

12. Geological survey.

13. Mining schools and experimental stations.

14. Petroleum conservation and conservation of the radium supply in the United States.

15. Relations of the United States with the Indians and the Indian tribes.

16. Measures relating to the care, education, and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.

(l) Committee on the Judiciary, to consist of fifteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Judicial proceedings, civil and criminal, generally.
2. Constitutional amendments.
3. Federal courts and judges.
4. Local courts in the Territories and possessions.
5. Revision and codification of the statutes of the United States.
6. National penitentiaries.
7. Protection of trade and commerce against unlawful restraints and monopolies.
8. Holidays and celebrations.
9. Bankruptcy, mutiny, espionage and counterfeiting.
10. State and Territorial boundary lines.
11. Meetings of Congress, attendance of Members, and their acceptance of incompatible offices.
12. Civil liberties.
13. Patents, copyrights, and trademarks.
14. Patent Office.
15. Immigration and naturalization.
16. Apportionment of Representatives.
17. Measures relating to claims against the United States.
18. Interstate compacts generally.

(m) Committee on Labor and Public Welfare, to consist of fifteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Measures relating to education, labor, or public welfare generally.
2. Mediation and arbitration of labor disputes.
3. Wages and hours of labor.
4. Convict labor and the entry of goods made by convicts into interstate commerce.
5. Regulation or prevention of importation of foreign laborers under contract.
6. Child labor.
7. Labor statistics.
8. Labor standards.
9. School-lunch program.
10. Vocational rehabilitation.
11. Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto.
12. United States Employees' Compensation Commission.
13. Columbia Institution for Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital; and St. Elizabeths Hospital.
14. Public health and quarantine.
15. Welfare of miners.
16. Vocational rehabilitation and education of veterans.
17. Veterans' hospitals, medical care and treatment of veterans.
18. Soldiers' and sailors' civil relief.
19. Readjustment of servicemen to civil life.

(n) Committee on Post Office and Civil Service, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. The Federal civil service generally.
2. The status of officers and employees of the United States, including their compensation, classification, and retirement.
3. The postal service generally, including the railway mail service, and measures relating to ocean mail and pneumatic-tube service; but excluding post roads.
4. Postal-savings banks.
5. Census and the collection of statistics generally.
6. The National Archives.

(o) Committee on Public Works, to consist of seventeen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Flood control and improvement of rivers and harbors.
2. Public works for the benefit of navigation, and bridges and dams (other than international bridges and dams).
3. Water power.
4. Oil and other pollution of navigable waters.
5. Public buildings and occupied or improved grounds of the United States generally.
6. Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.
7. Measures relating to the Capitol Building and the Senate and House Office Buildings.
8. Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution.
9. Public reservations and parks within the District of Columbia, including Rock Creek Park and the Zoological Park.
10. Measures relating to the construction or maintenance of roads and post roads.

(p)(1) Committee on Rules and Administration, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

(A) Matters relating to the payment of money out of the contingent fund of the Senate or creating a charge upon the same; except that any resolution relating to substantive matter within the jurisdiction of any other standing committee on the Senate shall be first referred to such committee.

(B) Except as provided in paragraph (n)8, matters relating to the Library of Congress and the Senate Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts; erection of monuments to the memory of individuals.

(C) Except as provided in paragraph (n)8, matters relating to the Smithsonian Institution and the incorporation of similar institutions.

(D) Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally; Presidential succession.

(E) Matters relating to parliamentary rules; floor and gallery rules; Senate Restaurant; administration of the Senate Office Building and of the Senate wing of the Capitol; assignment of office space; and services to the Senate.

(F) Matters relating to printing and correction of the Congressional Record.

(2) Such committee shall also have the duty of assigning office space in the Senate wing of the Capitol and in the Senate Office Building.

2. The said committees shall continue and have the power to act until their successors are appointed.

3. (a) Except as provided in paragraph (b) of this subsection, each standing committee, and each subcommittee of any such committee, is authorized to fix the number of its members (but not less than one-third of its entire membership) who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee, subject to the provisions of section 133(d) of the Legislative Reorganization Act of 1946.

(b) Each standing committee, and each subcommittee of any such committee, is authorized to fix a lesser number than one-third of its entire membership who shall constitute a quorum thereof for the purpose of taking sworn testimony.

4. Each Senator shall serve on two and no more of the following standing committees: Committee on Aeronautical and Space Sciences; Committee on Agriculture and Forestry; Committee on Appropriations; Committee on Armed Services; Committee on Banking and Currency; Committee on Commerce; Committee on Finance; Committee on Foreign Relations; Committee on Government Operations; Committee on Interior and Insular Affairs; Committee on the Judiciary; Committee on Labor and Public Welfare; and the Committee on Public Works: *Provided, however*, that those Senators who, as of January 9, 1963, were Members of the Committee on Aeronautical and Space Sciences and the Committee on Government Operations shall be entitled to serve on three of the foregoing standing committees. No Senator shall serve on more than one of the following standing committees: Committee on the District of Columbia; Committee on Post Office and Civil Service; and the Committee on Rules and Administration. The foregoing provisions of this paragraph shall not be effective during any period when there are more than 47 Senators of the minority party.

Mr. MANSFIELD. Mr. President, I shall make an explanation. I was informed by the distinguished Senator from Pennsylvania [Mr. CLARK] this morning that he intended, along with other Senators to discuss the changes recommended in the resolution now before the Senate, and that, if my memory serves me correctly, he would object to a unanimous-consent request. I feel that I must state that I did not tell him whether I would submit the resolution on the basis of a unanimous-consent request or a motion. I shall do so on the basis of a motion, which is debatable.

I feel that I have kept faith with the Senator from Pennsylvania, and it is my intention, when the Senator from West Virginia [Mr. RANDOLPH] has concluded remarks which he desires to make and yields to me, to move that the Senate proceed to the consideration of the resolution and to suggest the absence of a quorum, so that the Senator from Pennsylvania [Mr. CLARK] and other Senators may come to the Chamber and be prepared to debate and have their rights fully protected.

Mr. President, I have been informed by the Parliamentarian that my motion in regard to calling up the resolution having to do with the change in rule XXV was not the correct one. Therefore, I now ask unanimous consent that the resolution I have sent to the desk be considered at this time.

The VICE PRESIDENT. Is there objection?

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DOUGLAS. Do I correctly understand that the motion of the Senator from Montana is a formal request that unanimous consent be given for immediate consideration of the resolution which deals with a proposed change in rule XXV?

The VICE PRESIDENT. Yes, immediate consideration.

Mr. DOUGLAS. Let me ask whether the resolution is on the calendar.

The VICE PRESIDENT. It is not.

Mr. DOUGLAS. Then, Mr. President, in accordance with the rule of the Senate, I must object.

Mr. MANSFIELD. I thank the Senator from Illinois.

The VICE PRESIDENT. In view of the objection, the resolution will go over under the rule for 1 day.

EXTENSION OF TIME FOR JUDICIARY COMMITTEE TO FILE CERTAIN REPORTS

Mr. DIRKSEN. Mr. President, I ask unanimous consent, that the time for filing annual reports by the Committee on the Judiciary, pursuant to Senate Resolutions 256, 257, 258, 259, 260, 262, 263, 265, 266, 267, 268, and 293, be extended to April 30, 1963.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. SPARKMAN. Mr. President, on behalf of the chairman of the Committee on Foreign Relations, I desire to announce that yesterday the Senate received the nomination of Sidney R. Yates, of Illinois, to be the representative of the United States on the Trusteeship Council of the United Nations.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. McGOVERN:

Proclamation by the President of the United States dated January 23, 1963, designating the week of March 17 through March 23, 1963, as National Freedom From Hunger Week, together with a statement by the National Citizens Committee for Freedom From Hunger.

ANNIVERSARY OF LITHUANIAN INDEPENDENCE

Mr. JAVITS. Mr. President, the 45th anniversary of the independence of Lithuania was observed on February 16. I am pleased to join in paying tribute to the courageous people of that country. Spirited fighters for their national freedom for many generations, the brave people of Lithuania are now held captive by the Soviet Union and denied the basic right of self-determination.

It is important that their friends and relatives in the United States and other free countries continue to keep alive the demand for free elections and for national independence. The colonial empire which the Soviet Union has created in Eastern Europe by subjugating the native population violates the United Nations charter and presents a constant threat to peace and security. The muted voices of the people of Lithuania find expression in the struggle for national identity in the statements by their brothers in the free world, and I am proud to add my own voice to that heroic struggle.

Mr. DOUGLAS. Mr. President, I regret that commitments in Illinois kept me from participating in the commemoration of Lithuanian Independence Day in the Senate last Thursday, and I would like to take this opportunity to pay tribute to Lithuania and the brave Lithuanian people.

Lithuania has been known to history since 1009 when it was a nation divided into many principalities. Threats from abroad brought the principalities together and in 1253 Mindaugas was crowned King of United Lithuania by a delegate of Pope Innocent IV. During the Middle Ages Lithuania was a powerful and independent state, and from 1386 until her annexation by Russia in 1795 she was united with Poland through a personal and then a legal bond which extended her influence throughout Europe.

The years of Russian domination were followed by German occupation during World War I, and at the close of this war on February 16, 1918, the Lithuanian nation reestablished its independence—a goal for which the Lithuanian people had been striving throughout the years. As an independent nation, Lithuania made great economic and social progress with a democratic constitution which guaranteed the basic freedoms of speech, assembly, religion, and communication.

Although Lithuania attempted to maintain a policy of absolute neutrality she became one of the first countries to experience the aggression of both Hitler and the Soviet Union at the outbreak of the Second World War and she was eventually subjugated once again by Russian tyranny. The United States has never recognized the forceful incorporation of Lithuania and her neighbors by the U.S.S.R. We have denounced this crime of aggression and refused to recognize Communist claims to these people and their territories. The policy of nonrecognition affirmed by President Franklin Delano Roosevelt was reaffirmed by the Senate when it approved the Douglas resolution in 1954 and by the Congress when it passed the Captive Nations Week resolution in 1959.

On the 45th anniversary of Lithuanian Independence Day it is only right that we should pay tribute to the Lithuanian people, who, through their enduring faith in freedom, have kept alive the fight to secure human rights and democratic government. Let us work and pray that the day will soon come when Lithuania will once more be independent and these brave people will regain their rightful place among freemen.

FREEDOM OF SPEECH AND PRESS IN AMERICA

Mrs. SMITH. Mr. President, a most remarkable book on a matter of greatest importance has been written by Dr. Edward G. Hudon, the assistant librarian of the U.S. Supreme Court. The title of the book is "Freedom of Speech and Press in America."

I have been particularly interested in this subject, having made, in 1950 in the Senate, an address called the "Declaration of Conscience," and having written an article entitled "Fair Trial and Free Press," and which was published in the April 1956 issue of the American Bar Association Journal.

The Washington correspondent of the Gannett newspapers in Maine has written a very interesting review of Dr. Hudon's remarkable book. It accurately captures the message of the book and I invite its reading by the Members of this body.

I ask unanimous consent that it be placed in the body of the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

[From the Waterville (Maine) Sentinel, Feb. 15, 1963]

BOOK DEALS WITH FREE SPEECH

(By May Craig)

WASHINGTON.—In the welter of argument here over the President's policy of managed news, congressional investigations of freedom of information for themselves and the press; charges that the administration is not telling us enough about Cuba—Edward G. Hudon's book, "Freedom of Speech in America," has been published. He is a Brunswick, Maine, man, now assistant librarian of the U.S. Supreme Court, since 1942, holds all kinds of law degrees, has been frequent contributor to legal periodicals.

The book has a foreword by Justice William O. Douglas of the Supreme Court and an introduction by distinguished Lawyer Morris Ernst who does not wholly agree with Dr. Hudon's argument in the book and therefore found it stimulating.

The book deals historically, presently, argumentatively, analytically with ideas of the way freedom or suppression of speech and the press has been regarded. How we inherited the old British idea of the sovereignty of royalty over what was said and written, then the sovereignty of Parliament—and the American idea that it is self-evident that people have certain unalienable rights that government cannot take away from them.

The book is based on the first amendment to the Constitution: "Congress shall make no law—abridging the freedom of speech and the press." Reporters, Congress, officials of the Government, legal lights are pouring over this scholarly analysis of where we have got to, since the first amendment was written. There is a congressional investigation going on about freedom of information, mostly about Executive suppression of information to Congress and the press. There is a running battle of reporters with the concept of managed news by the Kennedy administration.

Justice Douglas says: "Dr. Hudon's book is in many respects the best analysis in English of the anatomy of our first amendment rights. He gives us an overall account—historic and contemporary—that is most revealing to those who seek understanding. Among those who on one hand proclaim liberty or on the other urge that it be curtailed, there are few who know the heritage they seek to exploit or curtail.

Rare indeed are those who have the insight which this book provides. There will be in the next decade no more important subject facing Americans."

Ernst said: "The author traces in brief compass the story of the major Supreme Court decisions regarding freedom of speech, press, and movies. He sees a new approach developing in this 1960 decade. I think his volume makes a contribution not only for those who agree with the reasoning and the historical interpretations, but probably to a greater degree for those who, like me, are in substantial disagreement."

Dr. Hudon says: "The objective of this book is to present the American panorama of freedom of speech and press. It is fitting that this should be done now, when this country not only stands as a forerunner for the rights of the individual, but also serves as a model for many of the emerging countries of the world. It is even more fitting that this should be done at this time when freedom of expression is forbidden to countless millions by a totalitarianism that threatens civilization itself."

With present battle going on in Congress to limit debate more easily and the argument that it is important to allow freedom of expression to the minority, the book in the preface says: "The speech and press guarantees of the first amendment were intended as more than instruments of political expediency. Their purpose was to protect the rights of the minority from any whims of the majority." The Senate spent a whole month of this session arguing whether cloture (more severe limitation on extended debate) should be extended in Senate rules. The attempt failed, despite fact that the privilege is abused by useless filibuster thus discrediting useful filibuster to protect minority.

The Washington news corps is more disturbed than ever before by the expressed policy of managed news, the right to lie in the public interest (as the administration conceives it) that characterizes the Kennedy administration. The network of public relations in the Government departments, set up to the link between Government and newspeople, too often functions as a padlock on information.

Congress complains that it cannot get the information it needs to legislate properly. In a nation founded on election of Government officials, legislative and executive, by an informed electorate, this suppression undermines the very roots of our system of government.

One chapter in the book is devoted to "Liberty Versus License," which everybody should read. There is always the questions of decency, truth, national security involved in freedom of speech and press. Right now we are in the midst of controversy over how much freedom Communists shall have, difference in believing that our Government should be overthrown and advocating the overthrow by force and violence; about the ban on books considered immoral; the laws of libel. One eminent lawyer who has written a book about libel was questioned about rights of the press—he said the President could say anything, anywhere and be privileged; Congress could say anything on the floors and in authorized hearings; reporters have no immunity at all.

Dr. Hudon says: "In 1789 freedom of speech and the press in America merely involved the relatively simple interests of a few million persons. Today freedom of speech and press profoundly affects a nation fast approaching 200 million persons living in an era dependent on communication by telephone, radio, television, and even Telstar. Now governmental, economic, and social activity has become so complex that it inevitably impinges upon the freedom of every American citizen. Manifestly, it is more important today than in 1879 'that in a community where men's minds are free, all shades of opinion must be immune from governmental inquiry lest we end with regimentation.'" (Thomas Jefferson.) Lawyers will find the book extensively documented; laymen will find it simply written; reporters find a defender.

AMERICAN BAR FOUNDATION APPLAUDS J. EDGAR HOOVER

Mr. MUNDT. Mr. President, on February 2 of this year, J. Edgar Hoover, Director of the Federal Bureau of Investigation, was awarded a citation and honorary membership by the American Bar Foundation at its seventh annual dinner held in the city of New Orleans, La. This was indeed a proper and appropriate recognition of the great public service and courageous patriotic leadership of one of our country's foremost citizens.

Few men in the history of this Republic have served America better and longer than J. Edgar Hoover, whose foresight and ability have built up under his personal direction the great organization known around the world as the FBI. All Americans are indebted to the FBI for its gallant and consistent work in curbing crime, in stopping subversion, and in alerting our citizens to the insidious conspiracies directed by the Communists both at home and abroad. J. Edgar Hoover has inspired an esprit de corps among the agents and workers serving the FBI which has become a model for all departments and divisions of the Federal Government. It is good to know his service to our country has been so widely and so wisely recognized.

Mr. President, I ask unanimous consent that the citation awarded J. Edgar Hoover by the American Bar Foundation be incorporated at this point in the body of the Record.

There being no objection, the citation was ordered to be printed in the Record, as follows:

Citation and Honorary Membership Certificate Awarded to J. Edgar Hoover, Director, Federal Bureau of Investigation, by American Bar Foundation, on February 2, 1963

On February 2, 1963, J. Edgar Hoover, Director of the Federal Bureau of Investigation, was awarded a citation and honorary membership certificate by the American Bar Foundation at its seventh annual dinner held in New Orleans, La.

Mr. Hoover was cited for protecting individual rights, assisting local law enforcement in the struggle against crime and for creating "the finest and most respected professional police force in the world." The citation further declared that Mr. Hoover's knowledge of the Communist threat "is one of the greatest bulwarks we have against the loss of our cherished institutions." The citation concluded by stating, "You epitomize the highest type of service that we can expect of anyone in Government."

JOURNALISM AWARD MADE TO DAVID LAWRENCE

Mr. MUNDT. Mr. President, at the last national convention of the Sigma Delta Chi Journalism Fraternity, a distinguished American journalist, Mr. David Lawrence, editor of U.S. News & World Report, was elected a fellow to Sigma Delta Chi. On Wednesday, February 13, the award was presented to Mr. Lawrence at a luncheon held by the Washington chapter of Sigma Delta Chi, at the National Press Club, in Washington, D.C.

The introduction of the honored guest was made by Mr. Ben McKelway, editor of the Evening and Sunday Star, Washington, D.C., and former president of the Associated Press. Mr. McKelway, a wise, witty, and well-known newsman himself, made a most fitting introduction for David Lawrence.

Both the introduction and the remarks which David Lawrence made in reply are valuable documents from a historical standpoint. The reflections and observations of these two prominent writers and editors can be appreciated by newsmen, students, and historians. I believe some effort should be made to preserve them, and to give the remarks the wide circulation which they deserve. I ask unanimous consent to include both the introductory speech by Mr. Ben McKelway and the acceptance speech of David Lawrence, on the occasion of the presentation of the Sigma Delta Chi award luncheon, in the body of the Record at this point.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

Award of Sigma Delta Chi Fellowship to David Lawrence, at the Press Club, Wednesday, February 13, 12:30 P.M.

(By B. M. McKelway, editor, Evening and Sunday Star, Washington, D.C.)

Mr. Meyer, Mr. Lawrence, Mr. Koop, fellow members of Sigma Delta Chi, ladies and gentlemen, I value the opportunity to offer a few observations on David Lawrence's selection as a fellow of Sigma Delta Chi, the first being that Sigma Delta Chi honors itself in honoring the recipient of this award.

Other fellows of Sigma Delta Chi have won this pleasant recognition by their contributions in one of the several specialized fields of journalism. And there are numerous fellows of Sigma Delta Chi.

But there is only one David Lawrence.

He has excelled in most of the branches of a profession to which with singular devotion he has directed his unusual talents for more than half a century.

He has distinguished himself as reporter, as Washington correspondent, as the granddaddy of that frightening breed of omniscient oracles, the syndicated columnists, who now constitute the fifth estate. He has been successful as a publisher, as a founder of magazines, as a pathfinder in applying new techniques for rapid distribution of the printed word. He was among the pioneers in radio reporting and comment.

There is some evidence that his restless energy has been sustained by a belief, after observing the activities of his brethren in the world of communications, that "Anything you can do, I can do better."

At any rate, if this journalistic fraternity's highest award were conferred for outstanding achievement in any one branch of journalism, Dave Lawrence would not leave this room today as merely another fellow of Sigma Delta Chi.

He would leave this room as a whole crowd of fellows.

It is not difficult to picture the scene when David Lawrence was born in Philadelphia on Christmas Day, 1888. The attending physician had just congratulated the parents on the fine little boy Santa Claus had brought them.

Overhearing the congratulations, the infant Lawrence, rising from his crib, startled everybody by announcing that there ain't no Santa Claus, and that if the so-called liberals continue to exploit the Santa Claus myth this Nation is headed down the road to socialism, inflation, political irresponsibility, and chaos. Whereupon he declined his bottle, asked for a typewriter, and yelled "Copy" at the top of his voice.

His parents took Dave as a little boy—or vice versa—to Buffalo. At the early age of 14, ignoring less sinister forms of juvenile delinquency, young Lawrence attached himself to the staff of the Buffalo Express as a part-time reporter. The money he earned and saved helped get him into Princeton. He matriculated with the earnest intention of elevating the level of higher education in the United States.

He quickly established himself on the campus as a stringer correspondent for the Associated Press and nearby metropolitan newspapers. He brought himself to the attention of Woodrow Wilson, presumably by telling Mr. Wilson how to run the university. He also came to know an ex-President of the United States, Grover Cleveland, then living in retirement near the campus. I have no doubt that Mr. Cleveland was duly reminded of errors he should have avoided as Chief Executive.

Dave's first important scoop was when he flashed to the world the news of Cleveland's death. In later years, my own personal experience has made me highly sympathetic toward any editor who so much as changed a single word of what the Princeton correspondent wrote on that occasion.

Graduating from Princeton in 1910, Mr. Lawrence notified the Washington bureau of the Associated Press that its staff would join him. He soon assigned himself to a number of important stories, including two Mexican revolutions. As a private emissary of our State Department on temporary leave of absence from the AP, he succeeded either in pacifying or further complicating one of these revolutions. The records are vague on precisely what he did do.

When Woodrow Wilson came to the White House in 1913, he found it already occupied by the bright young newspaperman under whom Mr. Wilson had studied at Princeton for his political career.

David Lawrence left the AP in 1915, and as a Washington correspondent began regularly to inform the New York Evening Post and other elements of domestic journalism, with which the Post shared his dispatches, of what was really going on. His were the first dispatches to be syndicated around the country by telegraph—from Washington, from the Paris Peace Conference, and from other datelines in his travels around Europe, on which he was accompanied by President Woodrow Wilson.

In 1919 Mr. Lawrence left the Post to establish his own news service, the old Consolidated Press, and in 1926 he founded the United States Daily, which by a process of evolution became first the weekly United States News and ultimately the highly successful and respected U.S. News & World Report, of which he is the distinguished editor, circulation manager, promotion manager, advertising director, publisher, and editorial writer.

In all these activities he never stopped being a reporter, never stopped writing, including a number of books. The only person he permits to write his daily column under the byline of David Lawrence is—David Lawrence.

The column he began in 1918 now appears 5 days a week in some 300 newspapers, including the Washington Evening Star, the 17th newspaper to take him on 45 years ago and which has printed him without interruption ever since. His column is read by millions of readers every day.

In this brief and inadequate summation of some of the highlights of an unusual career, I purposely omitted mention, in its chronological sequence, of one of Dave Lawrence's outstanding feats as a Washington correspondent and political writer.

He accurately forecast Mr. Wilson's reelection in 1916 when almost everybody else was predicting, and for a brief interval even announcing, the election of Charles Evans Hughes. This won him great acclaim as a political prognosticator and added new distinction to an already well established reputation.

It is my own opinion that this incident may have been influential in shaping a course that Mr. Lawrence has followed rather consistently throughout his later journalistic life. That course seldom finds him riding with the tide. No matter in what direction the tide may choose to flow, Dave is more inclined to buck it than to float with it.

If Dave were a lemming, one of those mysterious little creatures which periodically join together under some irresistible compulsion and, not unlike human beings, unite in a wild stampede over the brink and into the sea, Lemming Lawrence would be observed rushing all alone in the opposite direction.

This trait is, or at least it ought to be, a distinguishing characteristic of sound and useful journalism—expressed by a readiness to say "I doubt it" when everybody else is saying "It's a sure thing." It is a quality which continues after 45 years to attract interest in what David Lawrence writes.

As one who for 30 years or more has been handling as an editor David Lawrence's column, much of my personal interest in what he is going to write lies in guessing what line he is going to take. I usually guess right, experience having taught that no matter what the majority may be saying, Dave will organize a dissenting minority even if it consists only of himself.

If I ever get around to writing a book on "My Life With David Lawrence" one of its chapters will be devoted to a description of the new heights of futility explored by me on those rare occasions when I have foolishly attempted to persuade Mr. Lawrence that it is not altogether inconceivable for one to believe he might be wrong. In many long years of a friendship I value, I can remember no unpleasant words passing between us. But I distinctly remember that there have been words—and words and words and words. And Mr. Lawrence invariably has had the last word.

In a sketch of David Lawrence, appearing in the 1943 edition of Current Biography, an observer noted that:

"The United States News and Lawrence information services always adhere strictly to the uncolored facts, but his column is his own personal medium and has been found at times to be at rather wide variance with what his other services are saying. This, says Lawrence, is because he deals in interpretation of the facts, while his reference services report official expressions of opinion in rulings, etc."

My occasional dialogs with Dave over the years as to what the facts may be in certain circumstances, usually end in mutual acceptance of the truth—that truth being that while the facts may or may not speak for themselves, there is no doubt whatsoever that when David Lawrence interprets the facts he is speaking for himself.

I remember only one occasion in which I killed a column by Dave Lawrence. I have no recollection of why it was killed. But it was probably due to circumstances which, for purposes of illustration, might be described by the following purely hypothetical series of events:

The night before Dave had written a column on the delightful weather we were enjoying—warm sunshine, the buds bursting, the birds singing in the balmy air, and the voice of the turtle sounding loud and clear throughout the land.

But overnight a devasting blizzard develops. The schools are closed. Traffic is paralyzed. People are freezing in the streets. The President declares an emergency. And on arrival at the office I read the proof of Dave's column.

Dave may be in Spring Lake, N.J.; in Sarasota, Fla.; on an ocean liner crossing the sea, in his automobile en route from Fairfax, or he may be in his office. No matter where he is, his secretary reaches him—if it has anything to do with his column. Between us there ensues the following conversation:

Me. "Dave, in view of the developments, I think we better kill your column."

Dave. "Kill my column. What's wrong with it?"

Me. "Well, after you wrote it, the weather changed."

Dave. "Who changed it? I didn't change it. The forecast was clear and warmer. Who made that forecast? Why doesn't the Associated Press expose him, instead of writing that slanted stuff about the weather? This so-called blizzard is as phony as the 14th amendment. If the Supreme Court would get down to the facts, it would outlaw this alleged blizzard as unconstitutional.

"But if you feel strongly about it, Ben, we might run the column as it is and have an editor's note. I'll write the editor's note. If you want to write it, however, let me see it before you print it. I wouldn't mention the blizzard in the note. It's irrelevant. What is more important is that we have abandoned the Monroe Doctrine."

In closing, I want to pay my respects to one of the most dedicated men I've ever known in newspaper work. Whatever he writes is a reflection of some deeply held conviction that he feels under real obligation to express.

He has devoted his life to journalism—not merely as a means of livelihood, but as a cause in which he passionately believes.

I happen to know that it was Dave Lawrence, as much as any single individual, who did much to keep the American Society of Newspaper Editors alive in its early days, put its house in order, and helped give it meaning and purpose. He believed in it as something worthwhile which might influence the production of better newspapers.

This Press Club owes a great deal to Dave Lawrence because of the wise counsel and sound judgment he has given as a trustee, especially in its financial affairs, in its conduct as an organization of journalists.

David Lawrence is a man who is quietly devout in his religious beliefs. He is a kind man, a thoughtful man, generous to those whom he believes have their hearts in the right place.

As an employer, he is far ahead of his time in his attitudes and actions toward those who work for him—and whose loyalty he has won to an exceptional degree. I never heard anyone who worked for him speak of him except in genuine respect, admiration of his ability, and often in personal gratitude.

I said those who work for him. He would probably prefer to say those who work with him, for themselves, for their aims, and for what he described in a recent column as the great need in a troubled world, "Enlightening public opinion, steadily and persistently."

I suppose there are those who classify David Lawrence as conservative if not reactionary in his political philosophy. As a young man at Princeton he was attracted to the liberalism of Wilson's "New Freedom." I doubt that he has changed. He is a liberal in the original and dignified meaning of the term—one who is himself a freeman, and worthy of freedom.

Speech by David Lawrence on the Occasion of the Award to Him of a Fellowship in the Sigma Delta Chi

Are newspapers better today than they were 50 years ago? Are newspapermen better trained now? Are the writers and news gatherers better than those of yesteryears?

It is no reflection upon those who wrote for or directed the newspapers of a half century ago to say that today's product is ever so much better than it was then. Not only is there a greater variety of news printed now, but the articles and features are much easier to read, and much more attractive in every way to the reader.

Why has this developed? Obviously the objectives were the same then as now—to interest the reader. But I think the demands of recent years have been more stimulating. The competition has been keener from books, magazines, television and radio. Also, the necessity to economize on the use of space has compelled editors to do a better job of selecting the news, and has forced writers to condense their stories.

It might be said that our times are more complex or that there is more going on. But there were a great many things happening in almost every year then, comparable to what we see today. There was no bigger news event in the world than World War I, which broke out in 1914. We had our share of revolutions in Mexico and Central and South America. We had tense situations in many parts of the globe, including the Far East. We frequently sent our Marines to occupy ports in revolution-torn countries in this hemisphere. Between wars, however, somehow the interest of the people in foreign affairs was scant. Unless something sensational was happening, like a war or a revolution or an earthquake, there was very little printed about what was going on in other countries.

I remember that it was not unusual, when I first came to Washington, for a morning paper here to print in a whole week only about a column or a column and a half of news from other parts of the world besides the United States. Yes, to be sure, if the King were opening the British Parliament, this might get a half column or more, but there was no such coverage as we give today to the news developments in other countries.

You may think this was due to our policy of isolation. It was, to be sure, a concentration on our own interests. We exported or imported relatively little goods. But, really, I think our self-centeredness in the press was due to the fact that cable tolls were very high and the means of communication around the world were not as good as they are today. Radio and long-distance telephones were not yet in general service.

The press associations gave the American newspapers about what the editors wanted from all parts of the world, but they did so briefly and succinctly and without much detail.

World War I, however, did open our eyes to the developments abroad. Submarine warfare and the torpedoing of passenger ships in midocean, with a loss of hundreds of lives, gave us a scare analogous to the nuclear scare of today. We had bombing planes and air raids as early as 1918. By the time World War I was over, the whole attitude toward international news had changed. More than 60 of us—newspapermen, feature writers, representatives of individual papers as well as of press associations—went across the ocean on a specially chartered ship to cover the Paris Peace Conference and the big developments in connection with the launching of the League of Nations.

Bear in mind that we had several foreign missions on duty in Washington in those days in connection with the war, and Europeans found out more about the United States than they ever knew prior to that time. It was really the beginning of the international era in which we are living today.

Competition among newspapers was, of course, keen. I remember there were four morning newspapers in Philadelphia and three afternoon newspapers at the time I worked there for the AP back in 1910. Today there is only one morning paper and one afternoon paper in Philadelphia and one tabloid. Most of our cities today have only one newspaper property.

I cannot help but feel that our chief difficulty nowadays in the newspaper business is not on the news side. It is primarily a question of publishing economics. We have not raised the subscription price of American dailies or the price per copy as we should have. It should be normal for newspapers to be charging not just 10 cents a copy, but at least 25 cents a copy. For a quarter or more you can get a ride on the bus, or buy a package of cigarettes or an ice cream soda at the corner drug store, or a special delivery postage stamp. Yet the amount of information—useful information—and interesting reading that we have in our newspapers is sold to the public in many cases for less for less than 10 cents a copy, and in some cases—the New York Times—for only 5 cents.

A substantial increase in the subscription price of the daily newspaper will have to come. For the advertising potential is already divided among several media. The reader will have to pay more. The newspaper performs a function all its own, yet it has suffered from an inferiority complex in the matter of prices, both for subscriptions and for local advertising.

I posed the question a moment ago whether newspapermen were better trained, better writers, better reporters than they were a half century ago. My answer is definitely in the affirmative. To say this is no reflection on the diligence or literary ability of the men of those years. For the demands upon the members of our profession have since become more intensive. The challenges have been more difficult to meet in recent years. Again, competition has been a big factor. Books, magazines and public relations, television and radio have drawn away many newspapermen to other fields.

The requirements of fast production schedules have made changes in the city room. There were times years ago when you could go out on a story, come back to the office and write it, taking all the time necessary, and still get it into the paper the same day. Today, especially on the afternoon side, there are more stories telephoned in, assembled in the office or rewritten, as the case may be, than there used to be.

On the training of newspapermen, I would say there are more opportunities for them now. We have many more schools of journalism than we did a half century ago. I believe that a would-be newspaperman should take all the courses and get all the knowledge he can derive from the liberal arts category and then, after graduation, specialize just as he would in law or medicine or engineering. But what is mostly lacking, I think, is experience on the part of many of our newcomers in journalism. They have not had the training at the grassroots. They have not covered city hall or State legislatures. They have not really come face to face with the people in all walks of life. They do not know the United States as they should.

The Washington correspondents of today are far superior to those we had a half century ago. They are better equipped and they have a bigger job to do. But, in all fairness, let me add that when I first came to Washington, most of the correspondents outside the press associations concentrated on local affairs. They spent most of their time with their own Senators and Representatives covering the news of their respective States and cities. They didn't have time to cover the executive departments and write national stories. Very few of the correspondents wrote stories on international affairs. There were hardly any columnists writing on the news of the day. I remember only one or two newspapers with leased wires to New York City.

There were some columnists, of course, who wrote articles and features that were sent out by mail across the country. In 1916 I believe I was the first to write a daily syndicated column that was telegraphed to several newspapers in different parts of the United States. Today the work of many columnists is carried over leased wires in the syndicate field.

Editorials, of course, have always dealt with national as well as international subjects. Though editors in the main were thorough and well informed, there was a good deal more partisanship than there is now. Possibly this was due to the fact that in many cities one newspaper was Republican and the other was Democrat. The editorial writers were more locally minded than national or international minded. They knew the feeling of the farmer or the small business man in a growing city, or the mood of the workers, and seemed in touch with what might be called the common people.

The biggest single factor in American life, however, has been the growth of population and its economic and sociological effects. We have seen how it has revolutionized our cities and towns and rural areas. In my own lifetime, I've seen the population trebled—from 62 million to 180 million—and it has doubled from 90 million to 180 million since I came to Washington. Population growth is the biggest story of our times. For as population grows, the economic ramifications multiply. Many of our difficulties today are due to the size of our operations in business and industry rather than to the actual changes in the nature of our enterprises or in the manner of operating our economy.

Is there anything really new under the sun? I hold in my hand an article I wrote for the Saturday Evening Post nearly 46 years ago—December 1, 1917. It is entitled "Not for Publication." It reads as if it were written yesterday. It concerns the handling of news related to national security, suppression of information that ought to be published and the general disarray in which Government finds itself when delicate problems in the international field arise.

I hold here also another article which I wrote for the Saturday Evening Post in the issue of April 13, 1918. It was entitled "America Must Advertise." It lays down guidelines for telling our Nation's story abroad.

But what administration reads what happened before it came into power? I have been here during the service of nine Presidents covering 52 years. The past is usually disregarded or downgraded as if nobody before had exactly the same problems. The assumption in each administration is that, while the problems may be somewhat similar, the circumstances are wholly different. But does this affect the basic principles of public policy? There are lessons to be learned from the past, but there is one that has emerged intermittently which I have never been able to accept. It's the doctrine that change is good for change's sake. Often we hear the argument that anyone who wants to keep on being honest and fair and equitable in public administration and in governmental policy is talking an old language. There is one flagrant exception. We are told, for instance, that because politics has been bad in the past, it must remain bad today—no change there.

We are a great nation and the newspapers of the United States have contributed more to the attainment of our national strength today than any other single factor. For they have been our main source of information, and they will continue to be useful in helping to inform the people, not only of what is going on here in Washington, but what is really going on in the hearts and minds of the 100 million persons who are eligible to vote in America.

I've never been discouraged by the weaknesses in representative government, though I've never had the feeling that our system is perfect. In fact, I've written again and again that it could be improved and that we could learn a lot from the representative systems of other democracies.

I would say in conclusion that more than ever I believe that the future of this country is dependent upon the freedom of the institution we call the press—freedom to criticize, freedom to suggest, freedom to speak out for or against the Government or its temporarily elected spokesmen.

With the continuance of this freedom, I think we can feel, come what may in a troubled world, that the free expression of ideas, free communication and free intercourse between peoples will save our civilization, no matter what threats or what handicaps or what wars may come. For a free press is the best guarantee of the effective communication from people to people that could possibly be devised.

Again I thank Sigma Delta Chi for the honor you have bestowed upon me today.

INDIANA DUNES

Mr. DOUGLAS. Mr. President, it is with great disappointment that I must report that Chairman Arthur B. Homer, of Bethlehem Steel Co., is apparently unwilling even to discuss halting the destruction of the key section of the irreplaceable Indiana Dunes.

Reports based on inspections of the dunes 2 days ago reveal that following the appeal made to Bethlehem by four Members of Congress last week, Bethlehem is actually engaged in the drastic destruction of the ages-old dunes. Bethlehem's bulldozers have stripped the vegetation from about 500 acres, and including the lowland areas adjacent to the stripped area Bethlehem is ready for its bulldozers to level a total of about 700 acres or one-third of unit 2 of the proposed Indiana Dunes National Lakeshore.

I have received word from Chairman Homer which indicates that he will not even consider steps which could be taken to save the Indiana Dunes. Chairman Homer has dismissed the appeal of several Members of Congress to discuss alternative sites—for example, in Lake County, Ind., at Michigan City, Ind., or a deepwater channel inland as suggested by the Lake Michigan Region Planning Council. He has dismissed the appeal to discuss ways of preserving this priceless natural resource simply by asserting that "there is no other site in Indiana suitable for our steel plant" and that Bethlehem's views concerning the best use of the key section of the dunes are well known and require the use of our entire site.

Mr. President, Chairman Homer's reply will shock and sorrow the hundreds of thousands of people throughout the Nation who love the dunes and who view them as a national asset. I believe this selfish view of Bethlehem Steel will backfire on them and others who propose to ravish the dunes.

It is notable, Mr. President, that Bethlehem's ruthless disregard of the public and Congress was shown by their response to the appeal which several of us made.

First, it ignored the appeal and although reports forwarded to me show that while their previous operations in the dunes had previously largely been suspended, it is now working its bulldozers night and day to strip the area of trees and is ready to level the hills. They are hoping to carry through the total destruction of the area in question and once having done this will undoubtedly argue that there is nothing left to save. It is clear now that Bethlehem set up a false smokescreen in its attack on me and in order to cover up its refusal even to discuss halting its destruction of the dunes and to take advantage of the resulting confusion to put its bulldozers to work.

Second, it sent up a smokescreen of allegations against me and the other Members who simply had asked for a suspension of destruction pending an immediate meeting to see if some means could be worked out of saving the dunes.

The allegations were that we were telling Bethlehem what to do with the dunes and that we were blackmailing that company. It was also charged that I had "misled" the other Members who joined in the appeal by falsely claiming that the Federal Government had disapproved Burns Ditch Harbor.

The special irony of this, Mr. President, is that what I had said in a letter to several Members of Congress was that Governor Welsh of Indiana, himself, had provided the evidence that the Burns Ditch Harbor is really dead by announcing that there could be no Federal money for such a harbor for 10 years. Governor Welsh said this while asking the Indiana Legislature to approve an additional Indiana 3-cent tax on cigarettes largely to pay for the breakwater for which in his opinion the Federal Government would not now pay. His proposal was met by strong bipartisan opposition in the legislature. This very significant change in the situation affecting the future of the dunes led us to believe that it would be appropriate to seek a meeting to discuss what could be done to save the dunes.

Mr. President, I ask unanimous consent that the following relevant documents be printed at this point in the Record.

First, the following relevant section of my letter of February 7 to several Members of Congress.

Second, an article from the January 29, 1963, Gary Post-Tribune which is typical of the many reports of Governor Welsh's admitting that a Federal Burns Ditch port is dead.

Third, a memorandum issued by Governor Welsh's office, dated December 21, 1962, in which the Governor admitted that he had given up on the hope of getting Federal money.

There being no objection, the material was ordered to be printed in the Record, as follows:

Excerpt From Letter of Senator Douglas of February 7, 1963

All the evidence indicates that the Burns Ditch Harbor proposal—the chief threat to the dunes—is dead. Governor Welsh, of Indiana, virtually admitted this last week in trying to force the State legislature to approve a 3-cent additional cigarette tax to finance the outer breakwater which the Federal Government cannot now be expected to pay for. Since both Republican and Democratic leaders in the legislature have announced their opposition to taxation or appropriation for this purpose, the harbor cannot go forward.

[From the Gary (Ind.) Post-Tribune, Jan. 29, 1963]

Welsh: Port Lost if Not State Financed—Reveals U.S. Funds Won't Be Available for 10 Years

(By Irwin J. Miller)

Indianapolis.—Gov. Matthew E. Welsh said today the State will lose its land for a Lake Michigan port if it doesn't finance the project itself.

This is because Federal funds will not be available for the port for 10 years, he added.

The Governor said at a news conference the Army engineers' report listed the project as feasible only when facilities for basic steel production are under construction in the area.

Steel processing and rolling mills do not meet this requirement, he said, and Bethlehem Steel Co. does not expect to install facilities for pouring hot steel at its Indiana plant for about 10 years.

Welsh pointed out Bethlehem has an option to reclaim the port land it sold to the State if the State port is not under construction by 1968. He added Bethlehem has served notice it will exercise the option.

Therefore, the Governor said the State must provide funds for offshore port work through his proposed "economic development fund" or the steel firm will build a private port and the public will not benefit. Midwest Steel division of National Steel Corp., on the other side of the port site, would participate in building the private port.

The bills to establish a $35.4 million economic fund and finance it by doubling the State cigarette tax will be introduced Thursday, the Governor said. The cigarette tax would be increased to 6 cents.

Welsh added that he would not object to some other means of financing the fund if the general assembly could find another way.

The fund would also be used for Ohio River toll bridges at Cannelton and Mauckport, additional funds for Monroe Reservoir, and rehabilitating State park inns.

Welsh avoided comment on the sweeping net income tax proposal Democrats have presented in the legislature.

"I'm having the matter studied," Welsh said.

The Governor renewed his call for immediate legislative reapportionment under the State constitution, possibly along with a constitutional amendment to solve the problem on a long-range basis.

Welsh said he may send a statement on the subject to the legislature but that he is awaiting development before deciding.

The Governor said again it is an absolute necessity to provide strong financial support for the State universities and colleges.

The Governor accused opponents of the Indiana port project of operating a well-financed, well-organized program of calculated misinformation.

As far as saving the dunes is concerned, he said, "This is behind us." He added that Bethlehem already is leveling the dunes east of the port side for their new plant.

MEMORANDUM ISSUED TO PRESS BY GOVERNOR WELSH, DECEMBER 21, 1962

Subject: Outer breakwater construction and harbor dredging, Burns Waterway Harbor.

In order for the State to take full advantage of recent developments in the port area, construction of the harbor and the port terminal facilities must be accelerated.

Negotiations with prospective users of port terminal facilities have progressed to the point where final agreements could be concluded with operators of grain handling, coal transfer and warehousing facilities. These facilities will be self-liquidating and constructed from funds secured from the sale of revenue bonds and are the basic operations which make the port economically feasible.

To conclude these negotiations a construction timetable for the outer breakwaters and dredging of the harbor must be established. Until Congress takes certain actions, a completion date cannot be determined.

The most optimistic schedule for securing Federal funds for this portion of the work would be as follows:

January 1963: Bureau of Budget approval of project.

July 1963: Inclusion of project in 1963 Rivers and Harbor Act.

October 1963 (or adjournment of Congress): Appropriation of design funds, $500,000.

December 1964: Completion of model study, construction plans and specifications.

January 1965: U.S. Corps of Engineers requests construction funds.

October 1965 (or adjournment of Congress): Appropriation of construction funds, $8 million.

January 1966: U.S. Corps of Engineers requests construction funds.

October 1966 (or adjournment of Congress): Appropriation of construction funds, $8,500,000.

January 1967: U.S. Corps of Engineers requests construction funds.

October 1967 (or adjournment of Congress): Appropriation of construction funds, $8,500,000.

May 1969: Harbor open for spring shipping season.

However, it has now been confirmed by the Corps of Engineers that, in accordance with the provisions of their report, no construction funds would be requested or appropriated until the steelmaking facilities of an integrated steel mill are in the process of being constructed.

Bethlehem Steel Co. has indicated that they do not intend to construct such steelmaking facilities for perhaps 10 years. Midwest Steel Division has not divulged its specific plans but indications are that it will not construct such steelmaking facilities for at least 5 years and possibly 7 to 10 years.

Therefore, the completion date of 1969 developed above would be extended to at least 1974.

By the use of funds from the proposed "Indiana Economic Development Fund," the following realistic timetable could be anticipated:

April 1963: Contract with U.S. Corps of Engineers for model study (9 months required) (use existing funds).

March 1964: Complete construction plans and specifications, and award construction contracts, one-half of project.

March 1965: Award second half of harbor construction contract—for completion in April 1966.

(Concurrent with the above complete design and construction plans and specifications for port terminal facilities and award construction contracts for completion in April 1966.)

May 1966: Harbor and terminal facilities available for spring shipping season.

With the above schedule, Indiana can be assured of a public deepwater port and take full advantage of and assist in the economic development of the port area.

Following are portions of the U.S. Corps of Engineers feasibility report on the Burns Waterway Harbor. A review of this information will bear out the above conclusions:

(a) Paragraphs 76, 77, and 78 (conclusions, recommendations, and local cooperation).

(b) Appendix E: Design and cost estimates.

(c) Information called for by Senate Resolution 148, 85th Congress.

It should be noted that all sums advanced for the purpose of constructing the outer breakwaters and dredging of the harbor could be recovered from earnings from lease of port terminal facilities in excess of that required to retire the revenue bonds or from earnings after the bonds are retired.

All funds designated for this project would be advanced to the Indiana port fund to be expended as provided for in the Port Commission Act of 1961 and will be for use only for the construction of the outer breakwaters and dredging of the harbor. None of these funds will be used for the construction of the port terminal facilities or other self-liquidating projects within the port area.

FEDERAL TIMBER TAXES

Mrs. NEUBERGER. Mr. President, the President's 1963 tax message, as amplified by Secretary of the Treasury Dillon, proposes substantial changes in Federal taxes applicable to timber.

This is a matter of particular importance to the Pacific Northwest; and I take this opportunity to try to inform my people of the details of the President's proposal.

The administration's proposal would—

First. Treat timber income of corporations as ordinary income.

Second. Limit capital gain to individuals owing timber, allowing them up to $5,000 of gain opportunity annually.

Third. Permit individuals and corporations to treat all forest management costs as expenses, rather than as capital costs.

Fourth. Reduce the normal tax on the first $25,000 of corporate income to 22 percent.

Fifth. Permit individuals to average income, and thus reduce the tax impact of sporadic timber income.

The material the Secretary has submitted on timber capital gains is extremely comprehensive; and I intend to study it most carefully before I reach a conclusion in regard to this proposal. In order that the timber owners and growers in my State will have the same opportunity, I ask unanimous consent that the pertinent portions of the statement by Secretary Dillon be printed in the RECORD at the conclusion of my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM STATEMENT BY SECRETARY DILLON TO HOUSE WAYS AND MEANS COMMITTEE, FEBRUARY 6, 1963

TIMBER INCOME

The present capital gain treatment, originally extended to income derived from the cutting of timber during the war, when the extremely high corporate income and excess profits taxes were a serious deterrent to achieving our wartime needs in this industry cannot be justified as a matter of tax policy.

However, in considering the changes that are required as a matter of tax equity, consideration must also be given to the economic situation of the timber industry and individual timber owners.

As a result of such consideration it would appear appropriate to preserve the present capital gains treatment for gains of individuals of up to $5,000 each year; this will continue present treatment, but at the new lower rates for over 95 percent of the individual taxpayers in this activity. As I outlined earlier, the income of small corporations would be taxed at 22 percent, the same rate whether their timber income is classified as capital gains or ordinary income.

In the case of those whose income from timber fluctuates widely from year to year relief would be provided by application of the general averaging rule that has been proposed for enactment.

With these relief provisions for those with small or sporadic income from timber, who will pay lower taxes than they do today, we do not believe that the proposed change, clearly sound from the standpoint of tax policy, will in its impact or operation pose any unsolvable difficulties to the timber industry as a whole. The proposed tax changes would affect only those taxpayers able to derive large and regular income from their timber operations.

This recommendation would apply to timber dispositions irrespective of whether the timber is sold outright, cut and sold by the owner, or sold with retained economic interest. The $5,000 exception would exclude from the proposed treatment the numerous owners of timber tracts, woodlot farmers, or timber cutters who have only sporadic income from this source and receive only modest benefits from the capital gain treatment.

This change should be accompanied by permitting expenses for planting and reforestation, which are now capitalized, to be currently expensed. The current deduction of these outlays, along with regular cultivating expenses, would assist those conducting reforestation and good conservation practices.

* * * * *

TIMBER AND COAL

Another area of special capital gains treatment involves the provisions of section 631 and section 1231(b)(2) relating to timber and coal.

Timber

Under present law, a taxpayer who owns timber (or has a contract right to cut timber) is accorded capital gains treatment upon the sale of the timber whereby an economic interest is retained by such owner whether the taxpayer is making a casual sale or whether the taxpayer is in the trade or business of selling timber. Furthermore, the taxpayer is allowed to elect to treat the cutting of timber which he owns, or with respect to which he has a contract right to cut, as a sale or exchange of such timber subject to capital gains treatment. The gain in such a case is measured by the excess of the fair market value of the timber on the first day of the year in which it is cut over the cost of such timber.

Under the President's recommendation regarding capital gains definitional changes, it is proposed that any sale of timber (or of a contract right to cut timber) whether sold outright (with or without the land) or whether sold with a retained economic interest, be accorded ordinary income treatment. In view of the proposed general averaging provision this will not result in inequitable "bunching" of income in the year of sale. In addition, an annual exception would be made to each individual taxpayer for up to $5,000 of timber income. Accordingly, an individual could receive up to $5,000 annually in income from timber and be accorded present law capital gains treatment; but gains in excess of such $5,000 would be accorded ordinary income treatment. This exception would cover 95 to 99 percent of all individual timber owners. It would not be necessary to accord this treatment to corporations, since corporations would be taxed, under the proposed new rates, at a rate of only 22 percent on the first $25,000 of taxable income and the new corporate capital gains rate would also be only 22 percent.

Under the proposal, it would be necessary to provide that certain dispositions of timber (such as corporate liquidations) would be treated as taxable sales or exchanges in order to prevent avoidance of the proposed rule that timber sales result in ordinary income. Without this rule, it would be possible, for example, in the case of a corporation with a timber stand that has a basis of $10,000, and a fair market value of $100,000, to liquidate the corporation, thus permitting its shareholders to receive a fair market value basis in the timber at a cost of only a capital gains tax on the difference between the shareholder's basis in his stock and the fair market value of the timber.

Expensing of Reforestation Costs

Under the proposal, in order to encourage reforestation, the expenses of forest management (incurred after February 6, 1963), including planting costs, would be currently deductible.

* * * * *

A. TAXATION OF TIMBER SALES AND REFORESTATION EXPENSES

1. Proposals and their background

Several changes are being recommended which would alter the existing situation on capital gains on timber and at the same time liberalize the treatment of reforestation expense to encourage good conservation practices.

Prior to 1944, a farmer or timber grower who owned timber and cut it for use in his own business could not enjoy capital gains treatment on the cutting of the timber. No tax consequences attended such cutting; ordinary income treatment resulted upon the sale of the processed item in which the timber was used. If the timber was sold on a cutting contract with payment measured by the thousand board feet cut, the proceeds also were subject to tax at ordinary rates. However, if the timber was sold outright for a flat sum, or outright with the land, such sales were generally not considered to have been made in the ordinary course of business and hence were eligible for capital gains treatment.

The situation prior to 1944 was held to have certain undesirable elements, particularly for the farmer, in that he had to sell his timber outright to receive capital gains treatment, but if he wished to sell his timber annually or based on a dollar amount per thousand board feet cut he paid an ordinary income tax rate. This situation tended to confer ordinary income treatment on the very transactions which involved the best reforestation practices (sustained-yield forestry) and capital gains treatment on the least desirable conservation practices (outright liquidations of forest land).

Present law provides, in effect, that the sale of timber with a retained economic interest (for example, at so many dollars per thousand board feet cut) is accorded capital gains treatment. In addition, the timber owner (or one who owns a contract right to cut timber) who cuts his own timber is permitted to treat such cutting as a sale or exchange of the timber for an amount equal to the fair market value of the timber. Such sale is made subject to capital gains treatment.

The result has been that the farmer who owns a small tract of timber is generally eligible to receive capital gains treatment whether or not he is in the trade or business of growing or selling timber. The forest products industry, to the extent it owns timber or purchases standing timber for cutting and processing, whether the timber came from State or Federal forests or private lands, is also able to secure capital gains treatment.

The proposals in this area fully recognize the problems which then existed and are designed to avoid a return to the pre-1944 situation.

In brief these proposals would (1) treat timber income of corporations as ordinary gain and limit the amount of capital gain treatment on timber to $5,000 of gain annually in the case of individuals, whether realized on cutting or on sale, with or without a retained economic interest, and (2) permit the current deduction of expenses for tree planting and reforestation which are now required to be capitalized for income tax purposes. The normal tax rate applicable to the first $25,000 of corporate income would be reduced and alined with the corporate capital gains tax at 22 percent, so that small corporations would benefit from general tax reduction and be unaffected by the proposed change in the timber provisions. General averaging provisions being recommended for individuals would prevent hardship due to the impact of graduated rates on the bunching of income from large sporadic sales of timber in a single year.

Basically, timber used for one's own business should not be subject to capital gain treatment. Timber today is grown as a crop by many farmers as well as some of the large corporations in lumber, pulp, and plywood. While it is true that the trees to be used 20–80 years hence must be planned for today, often a regular annual cutting and replanting occurs. In the case of the farmer, cutting is intermittent because his holdings are usually too small to be cut annually.

The proposals for revision are fully cognizant of the need to provide proper incentives for conservation and in fact provide a more than ample recognition of this need.

* * * * *

3. How the proposals will operate

(a) Capital Gain Treatment

Ninety-nine percent of all commercial timber owners own less than 500 acres. Hence the proposal to limit capital gain treatment in the case of individuals to an annual ceiling amount of $5,000 will continue capital gains treatment for the great majority of farmers, woodlot owners, and persons owning timber for sale (or cutting rights) for use in their own business.

Thus, the recommended $5,000 ceiling on capital gains which may be realized in any 1 year for tax purposes covers the overwhelming majority of timber owners and operators, for whom timber gains may be irregular, sporadic, and therefore taxed relatively heavily under regular graduated individual rates.

The proposed treatment will therefore not create the unsatisfactory situation existing prior to 1944 which, in effect, forced the sale of timber outright to secure capital gains treatment. Thus, it will tend to assist in stabilizing land ownership, particularly in the millions of cases where the woodland is an integral part of a family farm unit.

(b) Proposed Current Deduction of Reforestation Expense

Industry sources point out that presently timber growth exceeds timber cut. They further point out that to continue the improved trend we shall require substantial reforestation each year from now on.

Under present law only the cost of soil preparation, fire breaks and timber stand improvement and temporary roads may be treated as an expense against current income. Other forest management costs such as reforestation must be capitalized. The revision suggested in this area is designed to maintain and increase the pace of private reforestation efforts to meet projected demands by inclusion of forest management costs as a deductible annual expense rather than as a capital investment item.

On the larger industrial forest holdings, as well as on the smaller holdings, the incentive to reforest will thus be promoted.

An important feature of the President's recommendations is the reversal of corporate normal and surtax rates, which will reduce the rate on the first $25,000 to 22 percent, and an accompanying reduction in the capital gains alternative rate from 25 to 22 percent. For the both individual and corporate forest owners the new, substantially lower tax rates, will increase investment capabilities. Under this more favorable tax rate structure, the differentiation between capital gains and ordinary income in the case of the small corporate taxpayer will disappear. This will greatly simplify accounting for timber for such taxpayers. At the same time, since the capital gains rate is the same as the proposed rate on ordinary income in the case of corporations with incomes under $25,000, the elimination of the capital gain classification for timber does not change tax liabilities in these cases.

4. What the recommendations will accomplish

The conservation and reproduction of timber will be encouraged. The proposed revision will not induce outright sales and will offer positive forestry aid to the small farm forest owners as well as the large.

By encouraging a proper rate of reforestation the trend toward a good balance between timber growth and harvest will continue without developing a substantial surplus of timber beyond the Nation's needs.

Under present law there is no requirement that there be any positive act for forest conservation in order to receive capital gains treatment on forest income. Thus, it is possible for a forest land owner to receive a substantial tax benefit from the cutting of timber but fail to reinvest any of this income in forest conservation.

In summary, the recommendations provide a number of positive benefits for America's 4,500,000 timberland owners:

1. The cutting of old timber, an aid to conservation, particularly on small ownerships, will be encouraged.

2. The small sawmill operator who purchases timber from farmers and other small owners will be helped. Pay-as-cut contracts between these persons will continue to qualify for capital gains treatment without the small purchaser having to make large lump-sum payments to secure cutting rights. The provision will allow gains on long term cutting contract arrangements under which the annual growth of timber can be harvested on scientific methods to be taxed as capital gains.

3. The 3½ million farmers who have timber on their farms and all other small owners will be better able to grow timber as a

supplement to other income because of the expensing provision for reforestation costs.

4. Communities dependent upon forests will benefit from stable operations in contrast to the "cut out and get out" practice.

5. A sound base of productive forest land ownership will continue to provide timber for economic development while meeting an essential obligation to local, State, and Federal revenue needs.

THE ADMINISTRATION'S TAX PROPOSAL

Mr. COTTON. Mr. President, the Dover (N.H.) Chamber of Commerce has been engaged in a study of President Kennedy's proposed tax program. As a result of this study, the board of directors, at a special meeting held on February 6, 1963, adopted a resolution. I ask unanimous consent that this resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED BY THE BOARD OF DIRECTORS, DOVER, N.H., CHAMBER OF COMMERCE, FEBRUARY 6, 1963

Whereas the board of directors of the Dover, N.H., Chamber of Commerce has carefully studied the administration's recent proposal for reduction of Federal income tax rates; and

Whereas we believe that this proposal would increase incentive for business expansion and development, as well as raise the standard of living for individuals and families through the increase of purchasing power, if properly carried out; and

Whereas this proposed reduction of Federal income tax rates would serve to increase the presently large Federal budget deficit, resulting in further inflation, unless accompanied by equivalent budget cuts; and

Whereas inflation will decrease the purchasing power of wages, social security benefits, pensions, and savings, creating serious hardship on those least able to bear it; and

Whereas we believe that Federal Government expenditures can be reduced and should immediately be reviewed to determine those areas in which reductions can be accomplished: Now, therefore, be it

Resolved, That Federal income tax rates should be promptly reduced, but only if accompanied by equivalent reductions in Federal Government expenditures.

HASTINGS LAW SCHOOL WON'T HIRE ANY TEACHER LESS THAN 65

Mr. ENGLE. Mr. President, I have just read an article in the January 7 edition of the Wall Street Journal that should warm the hearts of the most cynical.

Hastings College of Law in San Francisco—

Reports the Wall Street Journal—

is so content with older workers that it won't hire a teacher under 65.

We often hear employers sound off in public against employment practices that discriminate on grounds of age alone. But rarely do we find this talk backed up by a change in the usual shortsighted hiring policies. The practice followed by Hastings College of Law is unique—and I hope I will be forgiven for indulging in a little personal pride about the school from which I received my law degree.

I ask unanimous consent that the Wall Street Journal article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LAW SCHOOL WON'T HIRE ANY TEACHER LESS THAN 65

Hastings College of Law in San Francisco is so content with older workers that it won't hire a teacher under 65. The school's 17 faculty members average 73 years of age and 42 years experience teaching law.

Hastings, affiliated with the University of California but run by its own directors, was faced with a shortage of professors during World War II. So it began hiring retired scholars. The oldsters worked out so well that in 1948 the school set 65 as a minimum hiring age.

Hastings faculty members all teach full schedules to the school's 861 students and draw handsome salaries. Prof. Everett Fraser, 83-year-old former dean of the law school at the University of Minnesota, is the oldest teacher and draws more than $19,000 a year. Other professors include J. Warren Madden, former chairman of the National Labor Relations Board, and Judson A. Crane, former dean of the law school at the University of Pittsburgh.

"We're quite happy with our older faculty," declares David E. Snodgrass, 68-year-old dean of the school. "Their wives aren't having kids, they have few domestic emergencies, and most bad habits are out of their systems. If they weren't, they'd be dead by now."

A SENATOR PRAYS

Mr. MONRONEY. Mr. President, one of the fine articles by our Senate Chaplain, Rev. Frederick Brown Harris, was printed in the Sunday Washington Star on February 17. It is entitled "A Senator Prays."

In this article, Reverend Harris details the sad occasion of the late Senator Robert S. Kerr funeral services in which Reverend Harris as one of the three participating ministers made a valued contribution.

The deep religious convictions of Senator Kerr were well expressed in the article as well as his great service to his church. It was unique indeed that amid the prayers that were offered that one was written by Senator Kerr himself. And this prayer, characteristically of Senator Kerr, was one asking divine help that he might strengthen the hands of the ministers of the church and for helping the pastor in his church duties.

Mr. President, I ask unanimous consent to print the article "A Senator Prays" in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A SENATOR PRAYS

(By Dr. Frederick Brown Harris)

At the beginning of every day the U.S. Senate convenes, a preacher prays for the Senators and for the Nation whose servants they are. But, recently at his own funeral service a truly great Senator prayed for a preacher—his pastor. It was a prayer that strangely moved the vast throng, mournfully gathered in his own Oklahoma City church, to honor with grateful remembrance the endearing qualities, the dedication to great causes, and the public service of one who was the Governor of his State and for 14 years an outstanding U.S. Senator, attaining national stature—Robert S. Kerr.

In the concourse of people assembled to bring to his memory the evergreens of gratitude and the forget-me-nots of love were leaders of his State and of the Nation, including the President of the United States, the Vice President, Governors of States and many of Washington colleagues of the statesman who so suddenly had come to the close of his earthly career.

In the mosaic of tribute, fashioned by the three ministers who took part in the service, one of the loveliest gems was a prayer composed years ago by the one whose earthly toil is now ended. He little thought when he penned those petitions, mirroring so vividly his understanding of the mission of the ministry, that many years later he would offer it at his own memorial service. That prayer we will leave under this spire, feeling that with its searching and sympathetic insights it will prove a hallowed treasure for both the clergy and the laity. But, even before together we lift up that prayer by one whose lips, once so eloquent are so silent now, let us look at the flaming torch in the hands of a minister—any minister no matter what his name or sign, who as a prophet of God stands framed by Senator Kerr's prayer.

Let us think first of the peculiar temptations of the ministry as suggested by a paragraph from a new book. It is written by a preacher under the title, "Love So Amazing." "The preacher is tempted to conceit by the flattery of the superficial, to bitterness by misinterpretations of the spiteful, to laziness by the absence of a time clock, to folly by the attention of possessive women, to cynicism by the unexpected disloyalty of friends, to compromise by the patronage of the successful, to irritability by the constant drain upon time and energy, and above all to pride by the very nature of his work. Add to these, those temptations he has in common with all men, and wouldn't you agree that he is far from being sheltered?"

For our second speaker under the spire we call on a brilliant and highly successful preacher who from his pulpit in a midwestern cathedral church, speaks every Sunday to a great congregation, including many leaders in all walks of life. It is the annual Sunday devoted to presenting the claims and challenges of the ministry to students, young people and to parents present in inspiring numbers. This is what that one preacher said in seeking those who might think of the ministry as their life work:

"The ministry is a job which will demand all that you are. As a private individual with a private life you will be virtually annihilated, you will be a minister 24 hours a day, 7 days a week. You will know despair and bitter disappointment, frustration and agony of spirit. You will know loneliness and weariness, and you will be called upon to feed the souls of others with the bread of life when your own soul seems starved to death. In the ministry you will need the strength of an ox, the endurance of a machine, the patience of Job, the self control of a saint, the dogged perseverence of a cart horse, and the obstinate determination of a mule. Of course no minister has all these qualities at the beginning but God has a way of meeting one's needs as they arise."

And now in the sanctuary under the spire there arises one of the master preachers of the century, Dr. Harry Emerson Fosdick, who knows as much about preaching as any man alive. Hear ye him: "The minister's business is not merely to discuss repentance but to persuade people to repent, not merely to debate the meaning and possibility of Christian faith but to produce Christian faith in the lives of his listeners, not merely to talk about the available power of God to bring victory over trouble and temptation, but to send people out from their worship with victory in their possession. A minister's task is to create in his hearers the thing he is talking about."

And now as being dead he yet speaketh, we are ready to call on Senator Kerr to pray for his pastor. And as a Senator prays, let us pray that his petitions may find fervent response in the hearts of thousands of laymen who with bowed heads listen. The voice now is that of Senator Kerr:

"Our Father, let me be a pillar of strength to help hold him up and not a thorn in his flesh to sap his strength, nor a burden on his back to pull him down.

"Let me support him without striving to possess him.

"Let me lift his hands without placing shackles around them.

"Let me give him help that he may devote more time in working for the salvation of others and less in gratifying my vanity.

"Let me work for him as the pastor of all the members and not compel him to spend precious time in bragging on me.

"Let me be unselfish in what I do for him and not selfish in demanding that he do more for me.

"Let me strive to serve him and the church much, and he happy, as he serves me less and the church and others more. Amen."

WYOMING MOUNTAIN SCENERY

Mr. McGEE. Mr. President, last night I was privileged to play host to a group of residents from my State residing in Washington plus my honorable colleagues, the senior Senator from Idaho [Mr. Church] and the junior Senator from Utah [Mr. Moss] at a prerelease showing of a magnificent motion picture, "Spencer's Mountain." The picture was filmed last summer in Jackson Hole, Wyo., and shows to great effect the grandeur of the Grand Teton Mountains.

Mr. President, it would be impossible for a picture set in the Grand Tetons to fail, but I am happy to report that "Spencer's Mountain" not only has magnificent scenery, but a heartwarming, earthy plot concerning the struggle of a rugged western family to send their eldest son to college.

This picture, I am sure, will do much to acquaint the Nation with the majestic scenery that the State of Wyoming has to offer. I sincerely hope that many Members will have an opportunity to see it, and I cordially invite them to see firsthand those beautiful mountains. The picture stars Henry Fonda and Maureen O'Hara and is produced by Warner Brothers. I congratulate both these stars and the company on a job well done.

REPORT ON VOTING RIGHTS

Mr. DOUGLAS. Mr. President, a very important conference was recently held at Notre Dame University by skilled and concerned legal experts in the field of civil rights. After 3 days of discussion, the conferees agreed upon the following statement which I believe deserves to be carefully considered by all those who believe that the Federal Government should seek, by affirmative legislation, to give greater substance to the constitutional rights supposedly guaranteed to all citizens by the 14th and 15th amendments. I ask unanimous consent that this report may be printed at this point in the Congressional Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

A Preliminary Report on Voting Rights From the Notre Dame Conference on Civil Rights, February 8–10, 1963

(Participants in the conference were Carl A. Auerbach, University of Minnesota Law School; Wiley A. Branton, voter education project; Thomas F. Broden, Jr., Notre Dame Law School; Leslie W. Dunbar, Southern Regional Council; John G. Feild, President's Committee on Equal Employment Opportunity; Harold C. Fleming, the Potomac Institute; G. W. Foster, Jr., Law School, University of Wisconsin; Eli Ginzberg, Conservation of Human Resources, Columbia University; Vivian W. Henderson, economics, Fisk University; Paul H. Norgren, industrial relations section, Princeton University; Dean Joseph O'Meara, Notre Dame Law School; John de J. Pemberton, American Civil Liberties Union; Daniel H. Pollitt, University of North Carolina Law School; John Silard, attorney, Washington, D.C.; Michael I. Sovern, Columbia University School of Law; William Taylor, U.S. Commission on Civil Rights; John H. Wheeler, attorney, Durham, N.C.)

The conference considered needs for new or improved congressional legislation to strengthen education, employment, and voting rights and opportunities. A full report of the conference's conclusions with recommendations for new legislation in the fields of education and employment will be issued later. This preliminary report sets forth the consensus reached regarding the need for additional voting legislation, because the conferees understood that this was a matter of current legislative interest.

The conclusion of the conference was that discrimination against voting rights is an abuse which can be amply and sufficiently corrected by the authority and powers now possessed by the executive department and by the Federal courts. Further legislation at this time would be, therefore, unnecessary and the inevitable legislative struggle to enact it could well hinder the prompt and thorough enforcement of present law.

Recent examples conclusively demonstrate that a number of southern communities do not yet intend to permit free Negro registration. The obstructions used are many. They include acts of private violence, such as church burnings in two counties of southwest Georgia, and several shocking cases of violence against persons or personal property, in the same area of Georgia and in Amite and Sunflower Counties of Mississippi. There have been, as well, instances where officials have violently treated registration workers, as recognized in the Federal action brought, unsuccessfully, against a police official of Terrell County, Ga. Retaliatory arrests have been common against registration workers, on charges as frivolous and essentially contemptuous as loitering, when in a moving automobile. In counties of the Mississippi Delta, water service and tax exemption of Negro churches used for registration meetings have been discontinued, and distribution of Federal surplus food commodities cut off. There is harassment and intimidation by private persons as well. Negroes asserting their constitutional rights have frequently been discharged from jobs or had their local credit suspended.

These tactics describe a system whereby, standing between the Negro and his constitutional right, there is massive intimidation calculated to induce acute personal insecurity. To the Negro of one of these counties, national authority and power must, even now in 1963, seem far less real than that of his hostile community.

In most of such areas, and particularly in Alabama, Louisiana, and Mississippi there is the added factor of literacy requirements administered unfairly and with deliberate intent to disqualify all or almost all Negroes applying. Cases under the laws of 1957 and 1960 have demonstrated that this problem can be reached by Federal courts. The abuse continues, however, and in Mississippi is aggravated by a statutory requirement of publication of names of applicants for registration, thus advertising every Negro seeking to exercise the responsibilities of citizenship. Louisiana has revised its literacy tests to make them more resistant to Negro success. The suit filed some months ago by the Department of Justice against the State of Mississippi, but not yet brought to trial, may strike at the roots of the literacy test problem; it almost certainly, however, will be long in the courts.

Voting discrimination is a national disaster, and its demise a necessity for national self-respect. The problem must, therefore, be seen clearly and candidly. As of now, voting discrimination occurs, with but few exceptions, only against Negroes and only in some localities of the South. By their defiance of the constitutional order, these places are virtually outlaw communities. New and more refined legislative remedies are not required to reach this blatant defiance of constitutional and statutory rights. Systematic enforcement of present law can provide full relief.

The objective should be that, by the next Federal election, voting discrimination will be everywhere eradicated. Remembering that flagrant discrimination occurs in only a fraction of southern locales, achievement of the objective through the forthright use of executive and judicial authority is not unrealistic.

Throughout Southern States today, an unprecedented and determined effort is being made by Negroes to broaden the electorate. In many parts of the South this is altogether a matter of self-help. But in the areas of discrimination, Negro efforts to register are met by determined resistance from both official and private sources, and Federal help is absolutely required. Given the fact of this uniquely intensive Negro effort, there can be clearly foreseen a multiplication of incidents requiring Federal attention. The Federal executive should enforce strictly the Federal right to register and vote, as these rights are claimed and asserted by large numbers who never before have done so, in communities which never before have tolerated them.

The Federal executive has ample authority to secure voter registration from all manner of obstructions. Lawlessness may be contained and disarmed, if a clear Federal presence is provided at the first sign of obstruction or retaliation. To this end, Federal marshals can forthwith be dispatched to the scene. Federal attorneys can move without delay to secure protective orders from the courts. To contain the spread of unlawful obstruction, the protective authority of Federal courts and law enforcement officials must be clear and present, so as to denote the certainty of the Federal commitment.

Nor can the Federal protection be limited to guarantee of physical security for persons and possessions. Where authorities employ economic threats or sanctions, or conspire with private parties to this purpose, the executive can move swiftly and surely. Where necessary, protective injunctions can reach the entire local officialdom. Economic retaliation can be redressed by Federal supports for the victims. Any Federal privileges cannot be continued for Constitution violators. They must be reminded that the executive authority reaches far and it reaches deep, when fundamental rights are in jeopardy.

A principal means for achieving nationwide enfranchisement inheres in the authority of Federal courts. The Department of Justice has recently filed numerous suits where registration officials continue to bar qualified Negro voters. In these cases the courts have ample power.

But a long road lies between the filing of a suit and the actual enfranchisement. In the brief months until the 1964 elections, numerous pending suits must be tried and resolved. Decrees must be entered and fair registration provided in time to allow thousands of previously disfranchised voters the right of the ballot. Present efforts will not achieve this goal. Also, there has to be candid recognition that some district judges have not been interested in the expeditious settlement of civil rights cases. The Department of Justice must more urgently seek to bring its cases to trial, even over the reluctance of busy or unenthusiastic Federal judges. Decrees can be sought which will provide more meaningful relief to all previously denied their constitutional rights. Where literacy tests have been instruments of abuse, their continued use can be enjoined. Registration powers can be taken from the hands of officials who have flouted the Federal Constitution. The Government must seek not merely to unlock the doors of the voting booth for Negro citizens, but to open the doors as clearly as they were previously closed to Negro applicants.

Finally, the time has come for Federal recognition of power and obligation to assist by affirmative support the enfranchisement of Negro citizens. By encouraging the registration of populations previously barred from the ballot, the Government could to some extent redress past injustices. By posters in Federal buildings and on Federal mail trucks, the President can communicate the message of liberty. Thus can we replace the ingrained image of official discrimination, to announce that Government has opened the polls for our minority citizens.

The means of defiance are varied and potent, but the combined power of Federal courts and executive is greater by far. In these circumstances another effort at congressional voting rights legislation appears misguided. No new law is now required, while two recent enactments and the reservoir of executive authority are yet to be wholly tested. Another legislative debate could only serve to obscure the magnitude of available authority to achieve the necessary objective.

TRIBUTE TO STUDEBAKER CORP. FOR SAFETY FEATURES

Mr. HARTKE. Mr. President, recently I received a telegram from Sherwood H. Egbert, president of the Studebaker Corp., of South Bend, Ind., announcing that beginning March 1, 1963, the Studebaker Corp. will place seat belts in the driver's and passenger's seats of every automobile it builds.

I believe this new policy is significant and that other automobile manufacturers in the United States should follow the excellent example set for them by Studebaker, the smallest company in the American automotive industry.

The National Safety Council estimates that if all cars were equipped with seat belts, we could save 5,000 lives a year and reduce injuries by one-third. Yet, Studebaker is the first American automobile manufacturer to make lifesaving seat belts regular factory equipment.

The American motorist today has at his disposal high-powered luxury cars, thousands of miles of superhighway and, as a result, he has a degree of mobility never before available. Yet, along with convenience, there are hazards and each year thousands of Americans are killed or injured in traffic accidents.

Automobile manufacturers, therefore, have a responsibility to the buying public, not only to provide more power, more comfort, and easier driving cars, but to provide better constructed and safer cars. The Studebaker Corp. has led the industry in initiating the use of important new safety devices in the past, and I believe the corporation should be commended for again demonstrating its leadership and concern for the public welfare by instituting another new and important safety feature.

ADDRESS BY SENATOR BYRD, OF VIRGINIA, BEFORE NATIONAL INDUSTRIAL CONFERENCE BOARD

Mr. BYRD of Virginia. Mr. President, on December 13, 1962, I delivered an address before the National Industrial Conference Board, meeting in New York City.

I ask unanimous consent to have these remarks printed in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

This country is abundantly blessed with elements of national strength. We have geographical location, climate, size, resources, population, and a form of government designed for freedom and initiative in productive free enterprise.

We are leaders in a new era of atomic energy, rockets, and space. Our productive know-how and capacity are unsurpassed. We have the basic requirements for sound progress—economic, and in all other aspects.

I believe hope for the future, founded on confidence, is the stimulating force of good business and sound progress. If our progress—and therefore our business—is not as good as we might reasonably wish, what is the cause?

In my opinion lack of confidence in Federal policies and positions is a real and serious drag on progress and business today. There is deadening lack of confidence arising from Federal attitudes and postures with respect to: Huge deficits in our balance of international payments, integrity of the dollar and our gold reserves, usurpation of power by Federal agencies, lack of a square deal between business and labor, and deficit financing for nonessential expenditures.

The Government's record on these matters does not stimulate confidence; it is depressing. New and enlightened Federal policies, and disciplined positions are needed with respect to each item, and with respect to the combination.

For 17 years, since World War II, the United States has been banker, policeman, and Santa Claus for the free world. We have spent abroad more than we have received from foreign countries in 12 of the last 13 years.

Over this period we have spent abroad $25 billion more than we have received from foreign nations. The serious consequences of this state of affairs is recognized and conceded. Promises to eliminate this deficit have not succeeded to date.

It is continuing. In calendar year 1960 the deficit in foreign accounts was $3.9 billion. Last year it was $2.5 billion. It was running at an annual rate of $2.8 billion in the third quarter this year, and it will exceed $2 billion when the year ends.

These deficits have persisted despite our generally favorable balance in foreign trade. But our trade surplus has been more than wiped out in the total balance of payments by foreign aid, cost of maintaining troops abroad, etc.

We have spent $100 billion in foreign aid since 1945. We spent $3.6 billion in these programs in fiscal year 1961, $3.6 billion last year, and foreign aid expenditures in the current year are estimated at $3.9 billion.

Elimination of these deficits in the balance of payments would be a move for restoration of confidence; and elimination of nonessential foreign aid in a complete reorganization of the program and effective discipline in all Federal expenditures abroad would be places to start.

The law does not require it, but for years we have given foreign governments and their central banks the option of taking payments for these deficits in dollars, or in gold at the statutory rate of $35 an ounce.

They take gold if their confidence in our money is impaired. They are aware of our domestic deficits, our increasing national debt, and the decline in the value of the dollar. They have taken two-thirds of our free gold since 1949.

Gold backs our money, and some $12 billion is required for that purpose. We had more than $24 billion or 75 percent of the free world's supply in 1949. Now we have only about 40 percent—$16 billion.

We are within $4 billion of the amount required to back the dollar, and it is still going on. This I regard as our most serious fiscal problem.

In November 1960 the gold reserve totaled $17.9 billion. A year ago it totaled $17 billion. Now it is $16 billion. Of the $8 billion loss, more than half has occurred since the huge domestic deficits of 1958–59. If this continues, very soon our free gold will be gone.

It would be dangerous to remove gold as the base for the dollar, or to renege on the gold-or-dollar option in foreign settlements while the dollar is under the fire of chronic domestic deficits and declining value. This combination continues to be with us.

Either or both courses would be regarded around the world as a sign of weakness; and other free world currencies tied to the dollar would be jeopardized as well as our own.

Meanwhile the value of the dollar at home has gone on down. It has dropped again this year. On the 1939 index, it was worth 46.7 cents in October 1960; 46.3 cents in October 1961, and in October 1962 it was worth 45.7 cents.

Confidence does not rise with falling gold reserves and purchasing power of the dollar. The decline in both must be stopped in the interest of restoring confidence among our people at home as well as among governments abroad.

This requires removal of the fear of inflation, and foreign fears of inflation in the United States will not be removed so long as the Federal Government continues to embrace huge and nonessential deficit financing.

As the Federal Government has indulged in more and more deficit financing it has usurped more and more power and centralized more and more authority in Washington; and the Federal judiciary has been party to the buildup.

Our confidence suffers when we find ourselves enticed into centralization by Federal paternalism, forced into centralization by Federal usurpation of power, and driven to centralization under the burden of huge Federal debt.

Usurpation of power and centralization of authority, by their nature, chip away the checks and balances in our dual system of

State and Federal Government, and undermine the safeguards against the Federal power to tax and spend.

Efforts to usurp power by the Central Government and centralize power in its own hands have reached new heights within the past 2 years. Both the executive branch and the judicial branch have been brazenly involved.

Two years ago the administration proposed that the President should avoid the discipline of the appropriations process for the use of billions of dollars in foreign aid expenditures and get the money through the back door of the Treasury.

No President in the history of the United States ever asked for such Executive power as was embodied in two proposals by the administration last year. They dealt with both the power to tax and the power to spend.

One proposal would have given the President the power to cut taxes by Executive order, and the other would have empowered him again to bypass the appropriation process, and actually use funds authorized for other purposes.

Both powers would have undermined the Constitution which prohibits expenditures except "in consequence of appropriations made by law," and fixes the taxing power of the Government in the legislative branch.

Congress rejected all of these proposals, but the very fact that they were so openly made disturbs confidence. Concentration of spending and taxing powers in the hands of one man would do violence to our form of democracy.

Increasing dominance of the Federal executive branch, which continues to grasp for more and more authority, is combined with the ever-widening usurpation of power—in a continuing line of decisions—by the "Warren Court."

It is now undertaking to dictate and influence the formation of political districts within States from which members of State legislatures are elected. Nothing could be further outside of Federal jurisdiction.

Gerrymander by the Federal judiciary is something new and dangerous in our form of government. It could be used to destroy the effectiveness of our two-party system, as well as the safeguards of dual governments.

"Warren Court" decisions have invaded homes, State sovereignty, Executive authority, legislative powers, and handicapped police protection.

Power breeds power, and recently unorthodox use of high Federal office in exerting extraofficial pressures has become more common. I quote from the U.S. News & World Report of December 10, 1962, page 88; it says in part: "Union efforts to sign up thousands of new members, with an assist from the White House, have brought a showdown in the aircraft-missile industry."

And I am sure those on whom we must depend for the investments necessary to economic expansion have not forgotten the administration's crackdown on the steel industry last spring. It shocked those who believe in the competitive enterprise system.

In this case the administration made unprecedented use of the Federal Bureau of Investigation, the Federal grand jury, and the threat to withhold contracts from companies which dared not to conform.

Such ruthless use of the Federal whiplash on a great segment of the Nation's industry does not stimulate confidence in anything. It creates strong and lasting doubt which can only impair sound progress indefinitely.

The Nation is desperately in need of assurance that the Federal administration will confine itself to its constitutional authority with respect to business and labor, and, within its sphere, conduct its relations with each without bias.

But nothing contributes more to lack of confidence in public affairs than deliberate irresponsibility in fiscal policy. Times and circumstances change, but principles do not. This is a great country, and we are abusing our heritage.

We have been on a Federal deficit financing basis for 26 of the last 32 years. The $305 billion debt is at a world record. Can the effects of our profligacy finally be showing up in our rate of sound progress in economic expansion?

In the 10 fiscal years since the Korean war—including the current year—there have been seven deficits. The combined net deficit over the period has totaled $36 billion; and the burdensome Federal debt has risen in approximately the same amount.

There was a combined deficit of $15.2 billion in fiscal years 1958–59. The consecutive deficits of the latest 3 years will total at least $18 billion when this fiscal year ends 6 months from now, on next June 30.

On a comparative basis, annual Federal expenditures are now about $30 billion higher than they were in 1954; and of this increase $8 billion has been for military functions, and $22 billion has been for other purposes.

There is waste in military expenditures which should be eliminated by increased efficiency, but there are tremendous nonessential Federal expenditures in domestic civilian and foreign aid programs, and they are increasing.

Federal expenditures including those for highways and Federal National Mortgage Association, but excluding those for military and foreign aid, have been increased by $6.5 billion—to $41.2 billion—within 2 years.

A great step for restoration of confidence could be taken if the administration would cut nonessential Federal programs and expenditures in an amount to balance the budget, reduce the debt, and justify tax reduction.

This can and should be done without impairment of essential Federal functions. The President himself has noted one area, the so-called strategic and critical materials stockpile, which is $3.4 billion in excess of requirements.

This should be disposed of without disrupting the markets. But to the contrary, the stockpile is increasing, principally through the operation of the barter program.

Federal civilian employment has increased 122,000 within 2 years. It totaled 2,483,000 at the end of October. The payroll in the same period has been increased by $1 billion a year, and there will be a much greater increase next year.

If, instead of increasing civilian employment 46,000 this year, as the President said he would, it would serve to restore confidence if the effort were made to cut out deadwood employment as Secretary of Commerce Hodges suggested.

We have been giving away billions in foreign aid programs for some 18 years. It has gone to virtually every country in the free world, and some behind the Iron Curtain. Much of it is not only wasted, but it affects our balance of payments.

It would be a move toward restoring confidence at home and probably among our more reliable allies, if giveaways and useless expenditures of U.S. foreign aid programs around the world were eliminated.

Some 200 actions and proposals involving increased Federal obligation of public money and credit can be documented in Presidential communications to Congress during the first years of the present administration.

Too many of them were put into effect during the past 2 years. Another crop will be submitted to the new Congress which is to be convened next month. It would serve restoration of confidence if most of them were rejected.

The rate of Federal expenditures is approaching $100 billion a year. There is no reason to expect revenue to match that figure in the foreseeable future. The prospect of chronic deficit financing does not stimulate confidence.

I have mentioned only a few broad areas, among many, where constructive reduction in nonessential Federal expenditures should be made. And I intend to submit a Byrd budget pointing up these and other areas. Such reductions can be made and the public should demand them.

Such a demand must be made if we are to recover positive thinking with constructive action for restoration of confidence. In this respect, current administration attitudes are defeatist, and recent public statements prove it.

I quote, for example, from Stanley S. Surrey, Assistant Secretary of the Treasury, who, speaking to business economists in Washington on October 25, made this remarkable statement: "The effectiveness of tax rate reductions will be lost from the short-run point of view if they are accompanied by matching reductions in expenditure even assuming such expenditure reductions were possible—which they are not."

The simple fact is: there is only one reason for high Federal taxes, and that reason is high Federal expenditures. Federal tax collections are at their all-time high, but Federal expenditures are higher by billions.

The question of reducing Federal taxes has been under discussion throughout the country for months. The discussion has been given added emphasis within the past few days. I have taken the position that expenditures should be cut first.

In view of the more recent discussions of the subject—and particularly those of this week—I am more firmly convinced than ever that sharp reductions in Federal expenditures should precede any major reduction in tax rates.

If Federal expenditures were reduced, tax cutting probably would be justifiable; but to reduce taxes in a deficit situation would simply charge the cut into the $300 billion Federal debt to be paid with interest.

In my opinion much confidence in the Nation's fiscal policy would be restored if the President, in his forthcoming messages to Congress, would present a budget in balance with expenditures cut as well as taxes.

Such a balanced budget—with both expenditures and taxes reduced—would stimulate confidence both at home and abroad; and it has been a long time since confidence in Federal fiscal policy was needed as it is now.

All of us could support constructive tax reduction under such circumstances. It is a goal worthy of the best efforts of every citizen. Let each of us ask himself what he can do to help achieve this objective, and do it.

The alternative lies in the answers to other questions: How long can the Federal Government spend, tax, and borrow at the present rate? Are we on a permanent deficit basis? When will the breaking point come?

So long as these questions and the exploitation of power concern us, lack of confidence in Federal policies and positions will remain the deadening drag on sound progress and business expansion as it is today.

SPECIAL STUDY SHOWS WATER SHORTAGE NATIONAL EMERGENCY

Mr. YARBOROUGH. Mr. President, the Washington Post published an article on Tuesday, February 19, 1963, concerning the report by the Presidential seven-man Advisory Committee on Water Resources Research.

This article and the 307-page report on which it is based points up the fact that water shortage has reached the stage of national emergency. More than two-thirds of my State of Texas is shown to be now, or fast approaching, a serious stage in water shortage.

All of Arizona, most of New Mexico, and parts of California, Nevada, Utah, Colorado, Wyoming, South Dakota, North Dakota, Minnesota, Nebraska, Kansas, Oklahoma, Arkansas, Missouri, Wisconsin, Michigan, New York, New Jersey, Vermont, Massachusetts, Rhode Island, and Delaware are shown by this study to be in urgent need of improvements in water supply.

We have in Freeport, Tex., on the gulf coast a Federal experimental project underway for desalting water to make it available for municipal and industrial use.

I am cosponsor of a most important bill introduced by Senator CLINTON ANDERSON this session to set up water research centers at State universities and land-grant colleges in the United States. With the passage of this bill and establishment of the centers, we would gain first and immediate collection of information leading to solutions to the water problems. In the long range, we would be producing new experts in the field.

As pointed out by the article in the Washington Post, the Committee reporting to President Kennedy recommends more coordination of water research efforts throughout the Nation. This article gives further evidence of the urgency of the need for the Anderson bill.

I ask unanimous consent that the article captioned "Nation Faces Water Shortages, Kennedy Advisers Find," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NATION FACES WATER SHORTAGES, KENNEDY ADVISERS FIND

(By Julius Duscha)

A Presidential advisory group warned yesterday that vast areas of the Nation face serious and even critical water shortages.

The advisers said that Americans must stop wasting water and learn to reuse water, perhaps several times.

The report also said that too little is known about the effects on water of detergents and other chemicals that man is adding to his water supplies in ever-increasing amounts.

The advisers were less hopeful about finding a cheap way to desalt water than the Interior Department has been in its water reports.

WATER LOSSES CITED

In a 307-page report submitted to President Kennedy a seven-man task force on water resources research headed by Roger Revelle, scientific adviser to secretary of the Interior Stewart L. Udall, said:

In the Southwest underground water is "being mined at an alarming rate, and new sources must soon be found to supply even the present population."

In several humid areas the amount of water needed to dilute sewage "approaches, and in some places already exceeds, the amount of water in the rivers during times of low flow."

By the year 2000 the use of "controllable" water probably will exceed supplies in the upper Missouri, Rio Grande-Pecos, Colorado, Great Basin, and southern California regions and may exceed supplies in the western gulf areas.

Water required for consumption and for present methods of diluting waste matter may exceed supplies in the Delaware-Hudson, Great Lakes, and upper Arkansas-Red River regions by the year 2000.

Without technological or economic changes in water conservation 75 percent of all the water in rivers and streams will have to be withdrawn to meet the Nation's needs in the year 2000, compared with only 25 percent today.

CAUSES FOR CONCERN SEEN

The report noted that "to a large extent, increasing demand for water can be met by increasing the efficiency of water use."

The advisers went on to point out that in some parts of the Nation new and undeveloped sources of surface water are extremely limited. The report added:

"Several States—for example, Arizona, which draws 60 percent of its water supply from limited ground-water resources—have cause for real concern at this point.

"Some States in the manufacturing belt of the East are beginning to find themselves faced with deterioration of their fresh water sources to the extent that industries needing large supplies of relatively pure water may be forced to locate elsewhere.

"On the other hand, probably half the States could double their water withdrawal at relatively low cost."

LIMITATIONS THREATENED

The advisers also pointed out that water shortages may place severe limitations on population and industrial growth in several areas.

Other areas may have to shift from crops or industrial practices demanding great quantities of water to those needing less.

Per capita consumption of water may have to be reduced and efforts will have to be made to reduce losses in the storage, transportation and use of water.

"Consideration may be given also," the advisers said, "to the conversion of unusable local supplies of water, such as brackish, saline or sewage and other waste waters."

DESALTING EXPENSIVE

In discussing research into cheap methods for desalting water the report noted that fresh water could be moved as far as 1,000 miles for what it would cost to produce the same amount of water from the sea.

The advisers assumed that under the best of conditions it would cost 30 to 35 cents per thousand gallons to desalt water. Present desalting costs range from $1 to $1.50 a thousand gallons.

The report also urged that every effort be made to use and conserve existing local water supplies "before adopting such measures as desalting or large-scale transfers of water between regions."

The advisers were severely critical of cities and industries that have resisted the construction of needed sewage plants, "often regarding them as a benefit only to someone else downstream."

PUBLIC HELD UNAWARE

"The public," the report added, "has held misconceptions as to the cheapness and plentifulness of water and has been inadequately informed as to the value and necessity of pollution control."

The report also said that more water must be stored underground to prevent the flooding of valuable land by huge reservoirs that will be needed to meet future water needs.

The task force, set up by Jerome B. Wiesner, the President's science adviser, recommended more coordination of water research efforts throughout the Nation.

THE FUTURE OF FAIR TRADE LEGISLATION—ADDRESS BY SENATOR MILLER

Mr. PROUTY. Mr. President, on Monday, February 11, the junior Senator from Iowa [Mr. MILLER] made a timely and scholarly address before the 65th annual convention of the Iowa Retail Hardware Dealers Association in Des Moines on the subject of "The Future of Fair Trade Legislation." I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WHAT IS THE FUTURE OF FAIR TRADE LEGISLATION?

(By JACK MILLER, U.S. Senator)

President Petersen, members of the Iowa Retail Hardware Dealers Association, exhibitors, homemakers, and guests, I deeply appreciate the opportunity to be on your splendid program for your 65th annual convention. It is an impressive program which your officers, committees, your able Executive Secretary Phil Jacobson and his staff have put together. Most impressive, perhaps, are the obvious themes of high standards of merchandising and improved customer service which characterize the convention. The future of small businesses in our country is largely in the hands of trade associations such as yours, and it is clear that the Iowa Retail Hardware Dealers Association is continuing to play a leading role in carrying out this responsibility.

To discuss the future of fair trade legislation involves more than evaluation of the changes of passage of the quality stabilization bill, which was introduced as Senate Joint Resolution 159 in the last session of Congress. First of all, I would like to try to define the problem which has given rise to fair trade legislation.

John W. Anderson, president of Quality Brands Associates, Inc., says that the problem is one of preserving and promoting constitutional incentivism, which stimulates the creative, productive and distributive efforts of our people; that the mushrooming of loss-leader practices in selling is destroying the incentive to produce and distribute products of sound value; and that when left to the mercy of greedy retail competition selling nonstabilized merchandise and relying principally upon deceptive pricing to attract trade, the consumer receives less in value than what he pays for.

Congressman CHET HOLIFIELD, of California, says that the problem is the accelerated decline of small businesses merchandising brand name merchandise and the threatened elimination of the producers of such merchandise as a result of what he terms "unfair sabotage of trademarks and brand name merchandise."

Senator HUMPHREY, of Minnesota, one of the sponsors of the quality stabilization bill, says that the problem is one of suppressing unfair methods of competition in the marketplace.

I frequently disagree with my able colleague from Minnesota, but I do believe he has put the problem succinctly. However, I suggest that his very statement of the problem poses another problem—and that is defining the word "unfair." In promoting legislation before Congress, it is somewhat dangerous to use labels which reflect opinion. Let me give you an example. Senator VANCE HARTKE, of Indiana, said this during the course of the hearings on Senate Joint Resolution 159 last year: "The use of strategems to come up with conclusions which are not based on the factual situation really don't impress me. I am not saying that the testimony lacks value as a result, but I would say that it wouldn't be very persuasive with me."

Nevertheless, for our purposes, let us say that the problem which fair trade legislation is directed at is "one of preserving and promoting our free enterprise system by a law or laws that will insure 'fair' competition." Let me briefly trace the history of how this problem has been dealt with—particularly as it relates to our State of Iowa.

Chapter 550 of the Iowa Code relates to the distribution of trademarked articles. It provides that a contract shall be valid even if it provides that the buyer of trademarked or brand merchandise will not resell that merchandise except at the price stipulated by the seller—provided other commodities of the same general class are available; further that it shall be unlawful to advertise or sell such merchandise at less than the price stipulated in the contract, whether the person doing so is a party to the contract or not; that this is unfair competition and actionable in damages by the aggrieved party.

In April of 1961, the Iowa Supreme Court unanimously held that this law was unconstitutional insofar as it applied to nonsigners of a contract in the case of *Bulova Watch Co.* v. *Robinson Wholesale Co.*

It affirmed the holding of Judge Ray Fountain of the Polk County district court. The court recognized that the Supreme Court of the United States had upheld the validity of the nonsigner provisions of other State fair trade acts on the theory that the acquisition of a trademarked article with full knowledge of the contractual price restriction imposed by the producer constitutes the buyer's assent to the protective price restriction even though the buyer was not a party to the contract containing the restriction. It also pointed out that in a great many cases involving the validity of nonsigner provisions under State constitutions, the State courts have also upheld these provisions.

The court called attention to a symposium on the law of unfair competition appearing in the Iowa Law Review, which begins with these words: "There is probably no term in law or economics which is more difficult to define than 'unfair competition.'" The phrase is obviously more of an epithet than a word of art. Its legal usage embodies a conclusion rather than the means of determining the legality of business behavior.

The court pointed out that previous Iowa cases decided under our Fair Trade Act have upheld the act, but that none of them involved the nonsigner provision. It then quoted the Minnesota Supreme Court in its 1960 decision in the Remington Arms case, which said:

"In examining the grant of authority to the trademark owner it must be conceded that he is given the privilege to place the law in effect and to amend or alter it at his will. He may do this without regard to the interest or welfare of nonsigners or the consumer who represents the public. The law does not provide for any standard or condition as to the necessity for the act. It gives to the trademark owner carte blanche authority to make that determination alone. He is not required to consult with anyone. There is no one to review his act. If we realistically appraise the act for what it is, it should be recognized as a selective price control act which leaves to the manufacturers of trademark products the arbitrary right to determine if and when it shall take effect. Since one manufacturer and one retailer may fix prices for all retailers, they have the complete power to fix prices regardless of anyone's interest but their own."

And so the Iowa Supreme Court proceeded to declare the nonsigner provision invalid as an unconstitutional delegation of legislative power to private persons.

The McGuire Act of 1912 passed by Congress, made resale price maintenance contracts on branded products binding on nonsigners in States having fair trade laws with nonsigner provisions. Forty-seven States have these fair trade laws. Missouri, Texas, and Vermont have never enacted them. Of the 47, 21, including Iowa, have declared their fair trade laws either partially or entirely invalid. And so the McGuire Act is of no validity in 24 States, including Iowa.

Since 1952 there have been many fair trade bills introduced in Congress. The main thrust of these bills has been to eliminate the problem of the nonsigner clause in State fair trade laws by, in effect, giving a federally recognized property right to the owners and manufacturers of brand name products with respect to goods shipped in interstate commerce, so that prices could be established and controlled by these owners and manufacturers at the retail level, if they saw fit to do so.

In assessing the future of fair trade legislation, we might begin at the State level:

1. There isn't a member of the Iowa Legislature who isn't interested in seeing to it that we have fair competition in our State. But there are a great many views over the meaning of that word "fair." If the word "fair" means that the owner or manufacturer of brand merchandise should have a property right which would enable him to set the price at which this could be sold by retailers, it is going to require a change in the Iowa constitution. As you know, this is, at best, a long procedure. Moreover, the Iowa Legislature is extremely reluctant to delegate legislative powers. In the face of the Iowa Supreme Court's decision, I would be doubtful that the Iowa Legislature would wish to initiate such a change in our State constitution.

2. However, there are other activities relating to competition which might well prompt legislative action. Proponents of the quality stabilization bill before Congress place a great deal of emphasis on what they call deceptive practices. Advertising by some retailers of merchandise quoting list prices that are artificial, or connived through preticketing by manufacturers, along with a "fantastic bargain price" which this merchandise is being sold for are deliberately calculated to fool the consuming public. The line between ethical and unethical advertising can be quite fine, but practices such as I have referred to are clearly deceptive. Granted that the Federal Trade Commission has the power to issue cease and desist orders in such cases (and has been issuing a good many of them), a great amount of hardship can nevertheless be caused—not only consumers but honest retailers—before FTC acts. Under such circumstances, it would seem entirely proper for the Iowa Legislature to enact a tough law aimed at such deceptive advertising practices, and I would suggest that upon a good presentation by consumer groups and retailers of the abuses or possible abuses, the legislature would move.

3. Proponents of the quality stabilization bill also place considerable emphasis on "bait" merchandising. It is possible that the legislature might take some action in this area. But there is the problem of defining "bait." If it were defined to be less than cost to the advertiser, there could be a question of deprivation of property without due process—especially in the case of old merchandise or liquidation sales. Assuming this problem could be satisfied, there would remain the problems of enforcement—and uniformity, since not all retailers would likely have the same cost. There would have to be a strong foundation of evidence that such action was not only necessary to protect the general consuming public's interest, but that the formula devised was a reasonable and proper means of providing that protection.

On the State level, then, I would conclude that at this time there would be a good chance for legislative action directed at deceptive advertising, some possibility of action on "bait" merchandising, and no likelihood of a constitutional amendment to overcome the Supreme Court's decision in the Bulova Watch Co. case on nonsigner price control.

Moving over to the National Legislature now, what is the future of fair trade legislation?

As a point of departure, let's consider Senate Joint Resolution 159. This bill uses the property right approach—that is, it establishes a federally recognized property right in the owner of a brand, name, or trademark which carries over into the hands of a retailer. It would extend to any merchandise sold under a brand, name, or trademark as long as goods usable for the same general purpose are available to the public from sources other than the owner of such brand, name, or trademark merchandise. The property right would not have to be asserted unless the owner of the brand, name, or trademark merchandise wished to do so. But if he wished to exercise it, he could revoke the right of reselling his merchandise for any of the following reasons:

1. If the retailer used the merchandise in "bait" merchandising practices. However, "bait merchandising practices" are not defined. They would have to be clearly defined or the law would be in danger of invalidity for indefiniteness. At the very least, as presently drafted, it would become the basis for a great amount of controversy and litigation.

2. A second reason which could be used by the owner of the brand, name, or trademark for revoking the retailer's right to resell the merchandise would be if the retailer violated currently established resale prices prescribed by the owner. If this reason were legislated, I would think that the first reason would be unnecessary. In other words, if the owner could establish resale prices, he would naturally establish prices that would be out of the area of "bait merchandising," so it would not be necessary to get into the "bait merchandising" controversy.

3. The third reason for revoking a retailer's right to resell such merchandise would be if the retailer published some misrepresentation concerning such goods, with intent to deceive purchasers. I suggest that this is superfluous. Granted that such misrepresentation would be an unfair trade practice, it would seem unnecessary for Congress to legislate in this area because a consumer already has a remedy against such a retailer; and if the owner of the brand, name, or trademark is damaged, he already has a right of action for damages against such a retailer. Moreover, he could take action to blacklist such a fraudulent retailer.

The remedy provided by the bill for the aggrieved owner of the brand, name, or trademark to revoke the retailer's right of resale, and to have a civil suit for damages and injunctive relief sounds reasonable, but I suggest two difficulties:

(1) The bill provides that it shall be a defense to such a suit for the retailer to establish that the plaintiff did not use due diligence in revoking the right of all other persons in substantial competition with the retailer who are known to the plaintiff to be committing such violations. Put yourself in the shoes of the defendant. You might be able to come up with some examples of violations of other retailers, but how could you prove that the plaintiff knew about them? I would suggest that the mere proof of violations by other retailers would be a sufficient defense without coupling with it a requirement of proof that the plaintiff knew about these violations.

(2) The second difficulty is that there is a great aversion on the part of Congress, and, indeed, on the part of the Department of Justice, to add to the caseload of our Federal district courts. Even with the addition

of around 70 Federal district judges during the past two years, there are many of our Federal district courts with serious backlogs of cases—some of them 3, 4, and 5 years behind. It is not difficult to visualize hundreds—perhaps thousands—of additional suits for damages and injunctive relief arising as a result of enactment of this part of the bill. If relief is to be granted, I would think it much more likely for Congress to move if the remedy took the form of action by the Federal Trade Commission through cease and desist orders. Granted that such relief might not be as satisfactory, it would be the principal form of relief desired and would have a much greater possibility of acceptance by Congress.

It seems to me that the key question raised by the entire bill is whether or not Congress will take action to provide for a federally recognized property right in the owner of a brand, name, or trademark to establish prices to be charged by retailers. What about this?

Several questions must be answered:

1. Is there already a remedy? There is—in part. It is recognized, I believe, that exclusive sales agreements and consignment sales offer a remedy with respect to some types of merchandise. However, it seems also to be recognized that this remedy is not available with respect to most brand, name, or trademark merchandise because most of it is distributed to retailers through wholesalers. And so the question is really reduced to whether or not Congress will take action to provide for a federally recognized property right in the owner of a brand, name, or trademark to establish prices to be charged by retailers who do not have exclusive sales agreements or sell on consignment. There does not appear to be a remedy now in this area.

2. The next question is, Should there be a remedy—at least one provided by the Federal Government? And, assuming there should be one—should it exist with respect to all merchandise, where goods for the same general purpose are available to the public (and, if so, what guidelines are to be used to establish whether goods for the same general purpose are available). Or should the remedy not be available with respect to certain types of merchandise—such as those covered by a patent, for example, or those which relate directly to public health, such as medicines and drugs. I suggest this latter category for possible exclusion—certainly to make the proposal more palatable to Congress—because after the disclosures by Senator Kefauver during the debate on the drug bill last year, there is deep concern on the part of Congress over possibly excessive prices being charged for drugs and medicines—especially those covered by patents—and the idea of price fixing by the owners and manufacturers of these items would cause considerable controversy.

But assuming that we reduce the coverage to all merchandise except drugs and medicines, there still remains the question of whether fair competition requires that a federally recognized property right be established with respect to prices that retailers may charge.

There are some good arguments in favor. In fact, if there were not some good arguments in favor, you would not find some of the leading Members of Congress joined together in cosponsoring this legislation. Basically, these arguments are that if the present situation is permitted to continue, our free enterprise system will be destroyed; because the present situation tends to destroy the incentive of manufacturers of brand, name, or trademark merchandise to turn out quality goods; small retailers are being forced out of business because of competition by private brands (not subject to antitrust laws) on the one hand and price cutting by discount houses on the other hand; and the consumer tends to end up paying higher prices for lower quality merchandise.

Curiously, there are similar arguments against. Indeed, if there were not good arguments against, this legislation would long since have been passed out of committee and become law. Basically, these arguments are that the fixing of resale prices by manufacturers would destroy our free enterprise system. Such a system would prevent savings to customers resulting from lower or more efficient costs of merchandising by retailers in competition with one another. Consumers would end up paying more. And finally, the proposed remedy—a federally recognized property right in the manufacturer to fix retail prices would not be effective, since private brand retailers would undercut the price set by brand, name, or trade manufacturers—at least in some areas—thus causing discrimination in those areas as far as the brand, name, or trade retailers are concerned, because they would be forced to compete using manufacturer-set prices; and finally, retailers could get around the set price by using premiums or trading stamps.

I recognize that opponents of the quality stabilization bill have used the epithet of "price-fixing legislation." Just like the use of the word "unfair," I don't believe this necessarily proves anything. The mere fact that it is price-fixing legislation doesn't necessarily mean that it cannot be justified. If it is necessary, in fact, to protect our free enterprise system, then it is justifiable. And in certain situations, I don't believe that price fixing and fair competition are necessarily incompatible.

The big problem is one of persuading Congress by what we might term "hard evidence" in support of the arguments in favor. When, for example, the Assistant Attorney General of the United States testifies against the quality stabilization bill (as he did) and proceeds to present the results of an extensive price survey showing that consumers in non-fair-trade areas paid substantially less for a long list of items than consumers in fair trade areas, it is going to require a great amount of hard rebuttal evidence on the part of the proponents of the quality stabilization bill, who argue that enactment of the bill will result in savings to consumers. This survey, incidentally, was of 8 widely separated non-fair-trade cities, covering 132 rapid turnover, fair trade type, consumer items—such as drugs and prescriptions, toiletries, housewares and small appliances, camera and photographic supplies, jewelry and silverware, pens, waxers and cleaners. Of the 132 items surveyed, an average of 119 were available in each city. Of the 119 items, some 78 were sold on the average below the fair trade prices. Consumers in these 8 non-fair-trade cities could purchase these 78 items at a savings of 27 percent below their fair trade value. Taking into account all 119 items—the 78 sold below fair trade price and the others sold at fair trade price, consumers could effect a savings of 19 percent below fair trade prices. The Department of Justice suggested, on the basis of this survey, that fair trade prices may afford such wide profit margins as to invite discount house operations. The Department of Justice, incidentally, also stated that large department stores or mail order houses—mass sellers, they were called—could market their own private brands, substantially identical to nationally branded goods, at prices lower than fair trade items, so that fair trade prices would literally provide an umbrella over the market for their own private branded items. It was suggested that Congress make this area the subject of investigation.

Not to be overlooked in evaluating the future of fair trade legislation is the opposition of both the AFL–CIO and the American Farm Bureau Federation to the quality stabilization bill (as presently drafted). When these two large membership groups (ordinarily on opposing sides of legislative questions) join together in opposition to legislation, it does not augur well for the future of that legislation.

From what I have said, I would conclude that there is no immediate likelihood of action by the Commerce Committees of Congress in favorably reporting out the quality stabilization bill—at least in its present form, and probably even if it were reduced to the mere establishment of a property right to set retail prices on merchandise other than drugs and medicines. Hard evidence will be needed to rebut testimony such as that presented by the Department of Justice, and it will take time and expense to develop that evidence.

I would like to close on a hopeful note, however. Hard evidence relating to deceptive practices should not be too difficult to produce, and it will cause Congress to take some type of effective action, even if the State legislatures do not move. During the last session extensive hearings were had with respect to deceptive practices in the area of labeling and packaging. I believe there is a good possibility of some kind of legislation being enacted to stop these practices.

As I stated earlier, the Federal Trade Commission already has authority to move against deceptive advertising practices by issuing cease-and-desist orders. It may well be that more rapid enforcement and more severe penalties can be provided to insure more effective work by FTC. Moreover, I would think that FTC's authority could be broadened to enable it to fight more effectively its battle against the deceptive use of preticketed prices which make the buyer think he has a great bargain. It isn't good when one reads that the Commission suspends part of a cease-and-desist order because the examiner has found that a deceptive practice is so widespread in the watch industry, for example, that if the particular firm under investigation were forced to desist from the practice it might be put out of business. This is an intolerable situation, and I would expect Congress to take appropriate action when FTC makes its recommendations for enlarged authority.

I recognize that some of my observations are not as optimistic as some of you would wish. However, I have reported the situation as honestly as I know how, and I am sure you would not want to be misled by any false optimism on my part. After all, you people deserve to know the facts. Your able executive secretary, Phil Jacobson, in his report last evening on the future of the proposed Sunday closing bill, was clearly pessimistic. It would have been unfair to you for him to have been otherwise.

I hope that this knowledge of the future of fair trade legislation will enable you to know better how to proceed in the partnership which I hold with you in better serving the people of our State.

WHAT GOES ON?

Mr. GOLDWATER. Mr. President, as I read the newspapers these days, I am struck with the realization of how much is going on in the executive branch of the Government about which the Congress is given little, if any, information. Many of these moves, particularly those pertaining to defense and military measures, intimately affect the security of the American people.

What goes on, I am forced to ask, in the Defense Department's planning for Europe? First we hear about the dismantling of missile bases in Turkey and Italy. Next we read that plans are afoot to reduce our troop strength in Europe by some 40,000 men. Then we are told about the gradual deactivation of the 850 B-47 bombers in American combat units.

All of these moves, with the possible exception of the troop reduction about which there seems to be some doubt, are excused on the grounds that Polaris submarines can provide all the military defense needed to replace them. Some writers are speculating that the B-47 and Polaris disclosures are designed to convince Spain that our bases in that country aren't very important. However, the Washington Post, which has a way of discovering almost immediately what the New Frontier is thinking, has this to say:

> Russia long has complained of U.S. strategic bases along its perimeter, and the shift to greater reliance on home-based Minutemen and other ICBM's and sea-based Polaris missiles could ease cold war tensions.

Mr. President, I repeat, what goes on? Are we dismantling our overseas bases because they are no longer needed, or are we dismantling our overseas bases because that is what Khrushchev demanded during the Cuban crisis? Are we deactivating the B-47's which now are on alert in Spain, Britain, Morocco, Alaska, and Guam because they are no longer needed or because they make Mr. Khrushchev nervous? Are these moves part of some kind of a deal involving Cuba and disarmament plans? I do not have to remind you that the administration's latest, fondest hopes for a nuclear test ban breakthrough were dashed by a new Soviet demand for removal of American bases ringing Russia. The question arises of whether the Defense Department's policies and moves are designed to meet Russian objections under the handy guise of easing East-West tensions.

If this is the game we are playing, it amounts to unilateral disarmament for the Russians will never be cajoled in reciprocating in kind by reducing any of its own armaments. The manned bomber is a case in point. Although it has been common knowledge for many months that the United States was going to dump its RS-70 program, there is no evidence that Russia is doing away with its manned bombers. In fact, all the evidence—including that gained from the latest Moscow airshow—shows that the Soviets are pushing ahead at an accelerated rate in the development of the latest type of manned bombers.

If manned bombers are so obsolete in the light of missile developments, why does the United States have a monopoly on this information? Why have not the Russians tumbled to this great fact of military life? Can it be that Russia does not have any "whiz kids" in its defense establishment to show its old military hands how they should run their business?

Mr. President, I should like to call attention to the program for general and complete disarmament which the United States submitted to the Geneva Conference. The first page of that program calls for the reduction of strategic nuclear weapons delivery vehicles by equitable and balanced steps.

This is exactly what we are doing today—without a signed agreement with Russia and other armed powers; without a treaty approved by the Senate; without anything except the considered opinion of the civilian hierarchy in the Defense Department.

Look at the list:

B-58 supersonic medium bombers, production halted; RS-70 bombers, development halted; the Dyna-Soar manned spacecraft bomber system, development funds cut back; B-47 bombers, scheduled for deactivation; B-52 bombers, out of production, no new bombers either scheduled or planned.

Now, Mr. President, when you add these to the administration's refusal to go ahead with full-scale plans for military development in space, with the administration's tendency to halt nuclear testing on the feeblest kind of excuses, with the cancellation of Skybolt development, with the Defense Department's refusal to put component parts of the Nike-Zeus antimissile system into production, you begin to get an idea of where we are heading. You begin to see the outlines of stage one for general and complete disarmament being filled in without the benefit of Soviet reciprocity.

Again I ask, what goes on here? Do we have some high-level reason for believing that if we cut back our first strike capability, put all of our military eggs in the missile basket, forgo the development of military systems in space, the Russians will be shamed into following suit? Is there some kind of a secret deal involving disarmament? I believe the time has come to ask some very pointed questions about these fast-moving developments on the defense front.

Now it is perfectly true that the components of our defense system today are highly complicated; that the factors involved in what constitute adequate defense in today's world are difficult to understand and appraise. But this is no reason why everything the Defense Department says in support of its policies and actions must be accepted without question. We could get so lost in complexities of the situation and so accustomed to leaving the intricacies up to the civilians in the Defense Department that we could lose the cold war without ever having the chance to object.

These are big, important moves that the Defense Department is engaged in. The deactivation of our B-47 force is not something that can be taken lightly. And it should not be taken without a better reason than the fact that they are aging. I suggest that a bomber force in being—even if it is growing old—is better than no bomber force at all.

WHO IS GETTING WHAT IN PROMOTING THE SO-CALLED BURNS DITCH HARBOR?

Mr. DOUGLAS. Mr. President, the key question in the controversy over the proposed Burns Ditch Harbor which would destroy the Indiana Dunes is "Who would gain from the Hoosier port?"

Gordon Englehart of the Louisville Courier-Journal has recently expanded his investigation of this question. In a probing article which appeared in the Courier-Journal for February 10, 1963, entitled "Who Would Gain From Hoosier Port?" he sums up the known facts about the contracts between the port interests and the steel companies which were negotiated in secret and withheld from the public for some time.

And in a succinct editorial which appeared in the Courier-Journal of February 13, this investigation is reviewed and the harbor proposal is justly labeled as a "fantastic giveaway."

Most importantly, it is shown by the article and the editorial that after the two steel companies build their connecting bulkheads, "neither company would ever make any payment of any kind for use of the 300-acre, $30 million harbor." Of course, $30 million is the proposed Federal cost; the total cost of the port would be over $70 million.

Mr. President, these articles speak convincingly for themselves, and I ask unanimous consent that they be printed in the body of the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Louisville (Ky.) Courier-Journal, Feb. 13, 1963]

WHO IN INDIANA PROFITS FROM DUNES GIVEAWAY?

The long fight over whether a public port will be built on Indiana's last unspoiled stretch of lakeshore dunes country was brought up to date on Sunday by the Indianapolis bureau chief of this newspaper, Gordon Englehart. Mr. Englehart's revelations make the Burns Ditch project sound even more dubious than before.

A member of this newspaper's editorial staff, William Peeples, has written for the current issue of the Atlantic Monthly an account of the elaborate land acquisition deals which made Midwest Steel Corp. and Bethlehem Steel landowners in the Burns Ditch area. Mr. Englehart has brought this story up to date with an account of the fantastic giveaway by which Gov. Matthew Welsh, of Indiana, proposes to build, equip, and hand over in perpetuity a public port for the major use of these steel companies.

Indiana taxpayers, most of whom have tended so far to look upon the Burns Ditch controversy as a long debate between conservationists (or "bird watchers," as advocates of the port like to call its critics) and businessmen, may begin to feel differently about it as they analyze the Governor's plan to endow Midwest and Bethlehem at Indiana's expense.

THREE REFUSALS

As Mr. Peeples' article points out, the Army Corps of Engineers refused three times to recommend a public port at Burns Ditch because its benefits would accrue mainly to

Midwest Steel (Bethlehem was not then in the picture). In 1937 Congress ordered a study of the entire Indiana shoreline on Lake Michigan to decide which was the best harbor site. Before this could be made, the Indiana State Planning Board announced that Burns Ditch was "the only desirable and available location." The Army Engineers then reported that a port at Burns Ditch could be justified economically. But they did not say that this was the only suitable site for such a port. Indeed, the district engineer said that the choice of location was based on the fact that this was the only site sponsored by Indiana as suitable and they had inspected no others.

But a crucial point emerges in Mr. Englehart's summary of the issue. The Engineers Corps based its judgment of "economically feasible" on the prospect that both Bethlehem and Midwest would go ahead with the construction of 2 basic steel plants, creating a new industrial complex along the lake front and employing eventually from 60,000 to 100,000 people. Indiana has committed itself to issue $38 million in revenue bonds to build slips and on-shore facilities for lease to coal, grain, and general cargo firms who theoretically would also use the facilities and whose rentals would retire the bonds.

But Midwest Steel Corp., over a 50-year period, would get 99 percent of all materials and items shipped into the harbor. (No estimates were made by the engineers about Bethlehem's share of the port use because Bethlehem still has not got a producing mill on its site.) The two steel firms would spend a total of $4,500,000 to build two connecting bulkheads for the port. Thereafter, says Mr. Englehart, neither company would ever make any payment of any kind for use of the 300-acre, $30 million harbor.

They would pay no dockage or wharfage fees. The State is committed to maintenance of a slip, which it will build alongside Midwest's property, although nobody else can use the slip. The State would also pump in, free, 4,500,000 cubic yards of lake bottom material.

And what, in return for all these favors will Midwest and Bethlehem do for the State of Indiana? They are tentatively and verbally committed to "integrate" their mills, in other words to manufacture steel and then turn it into finished products. Until they do this, most of the estimates on receipts and shipments and increased employment must remain tentative. Midwest says it has no plans to integrate for "at least" 7 years. Bethlehem, now beginning its first plant, says it has no plans to integrate for at least 10 years.

Futhermore, Clinton Green, of the Indiana Port Commission, an organization dedicated to the port project, told worried workers in the Gary-Hammond area, which already has ports and is heavily industrialized, that their fears for rivalry at Burns Ditch were groundless, because Bethlehem's new plant will be just a rolling mill.

If Indiana has secured no commitment from these companies to expand their operations, to increase their employment; if it is anxious to despoil the last natural beauty left along the Lake Michigan-Indiana shoreline in order to make a free (tax-financed) gift of enormous size of two steel mills, surely Indianans and their representatives in Congress should ask just who profits by such a contract. Land speculation in this area of the Dunes has been widespread for years, under Governors of both parties. Just who is benefitting from this giant giveaway which is being pushed in spite of all evidence that it is not needed and in all likelihood will not be used for the purposes claimed?

Indiana has other ports which could be developed, other land available for a port. Which men and what forces are so intent that only this port can be built, and virtually given away, to the irreparable loss of Indiana and the Nation generally?

[From the Louisville (Ky.) Courier-Journal, Feb. 10, 1963]

WHO WOULD GAIN FROM HOOSIER PORT?

(The Army Corps of Engineers has conditionally recommended that the Federal Government spend $25,500,000 to dredge and build the outer breakwaters for a proposed Lake Michigan public port near Burns Ditch in Porter County, Ind.

(Two steel firms flanking the port site would build the two "shore-connecting bulkheads" (sidewalls) of the harbor at a cost estimated by the Engineers at $4,500,000.

(The State of Indiana would issue some $38 million in revenue bonds to build slips and on-shore facilities for lease to coal, grain, and general-cargo firms. Their rentals would retire the bonds.

(Democratic Gov. Matthew E. Welsh says the public port would create 60,000 jobs and benefit the economy of the entire State.

(U.S. Senator PAUL DOUGLAS, Democrat, of Illinois, charges the port would be primarily for the benefit of the two steel companies.

(Which is right? The answers lie in two heretofore unpublicized contracts between the State and the steel companies, and in the Army Engineers report of January 1962.)

(By Gordon Englehart)

INDIANAPOLIS, February 9.—If a public port is built at the Burns Ditch site under the plan outlined in the Engineer's report:

1. Midwestern Steel Corp. over a 50-year period, would save an average of $6,700,000 a year in transporation costs, the Engineers say. All other port users would save an average of $610,000.

2. Because Bethlehem Steel Co. last January had not started its mill, the Engineers' report computed no comparable benefits to it. Presumably they would be at least as big as Midwest's.

3. Midwest, over the 50-year span, would get 99 percent of all materials and items shipped into the harbor.

4. Midwest would account for 63 percent of the total inbound and outbound commerce at the port.

(Again, no comparable figures for Bethlehem commerce are included in the Engineers' report.)

5. Once the steel firms spend the $4,500,000 for the bulkheads, they would never make payment of any kind to the State or Federal Governments for use of the 300-acre, $30 million harbor.

Their boats would pay no dockage or wharfage fees to the State. All other port users would pay such fees.

6. If the steel firms carry out their announced intention of building the shore-connecting bulkheads so they can be used as piers, they will have "exclusive right in perpetuity" to their use.

The steel firm will be responsible for the piers' maintenance.

7. The engineers estimate that it would cost Midwest $12 million to build a private port of its own—almost three times the $4,500,000 Midwest-Bethlehem share of the public port cost.

The two steel firms have threatened to build a private port if no public port is constructed.

8. The State is committed to build and maintain alongside the Midwest property a slip 350 feet wide and 2,750 feet long. The slip must be built so that boats can load or unload along the full length of the western side of the ship (adjoining the Midwest plant).

WOULDN'T PAY A CENT

Midwest would not pay one cent of the cost of the construction or maintenance. But no one except Midwest could ever use the slip's western side.

9. Either the State or Bethlehem can build a slip in a "joint slip area," 360 feet wide and 1,000 feet long, alongside the Bethlehem tract. The two might share the construction cost.

But, says the contract, "regardless of which party constructs the slip, the [Indiana Port] Commission shall, after the commission starts making use of said slip, be solely responsible for the proper dredging and maintenance of the joint slip area."

10. Midwest has paid the State $24,746 for the right to fill in 225 acres of lake outside its bulkhead. Bethlehem has paid $36,504 to fill in 331 acres flanking its bulkhead.

Once filled, these 556 riparian acres will be available for plant expansion and will become extremely valuable. Bethlehem has paid up to $10,000 an acre for the land in the immediate area.

The State of Indiana has agreed to pump into those two areas some 4,500,000 cubic yards of lake-bottom material dredged up when the harbor is built. The two steel firms will get this free.

TAX LAW CITED

How much of their production Bethlehem and Midwest will sell in Indiana, and how much in other States, is unknown. But when completed, the huge facilities are intended to serve the entire Midwest.

Under present Indiana law, the two firms will not pay any State (gross income) taxes at all on receipts from out-of-State sales.

The big condition in the Army engineers recommendation for Federal aid is that a fully integrated mill be built alongside the port. This is a facility that not only manufactures raw steel but finishes it into products. Midwest's now is only a finishing mill.

A look at a chart in the engineers report shows the reason for this condition. It gives the estimated average annual commerce, in tons, over a 50-year period at the harbor:

Commodity	Receipts (inbound)	Shipments (outbound)
Steel plant (Midwest):		
Coal	3,000,000	------------
Iron ore	5,800,000	------------
Limestone	900,000	------------
Residual fuel oil	200,000	------------
Rolled steel bands	100,000	------------
Transshipped (by other firms):		
Coal	------------	5,000,000
General cargo	60,000	180,000
Grain	------------	470,000
Total	10,060,000	5,650,000

Coal, iron ore, and limestone are the basic ingredients of raw steel. Midwest will not ship in any of these until it integrates.

Midwest has told Governor Welsh it has no plans to integrate for at least 7 years. Bethlehem, now starting a finishing mill, says an integrated mill is at least 10 years off.

COMPUTATIONS CITED

The Engineers computed the transportation savings to Midwest by comparing the cost of shipping the same materials to Calumet Harbor, 30 miles west, and bringing them the rest of the way by railroad.

"It is estimated that shipment of the steel-plant commerce to the private harbor proposed by Midwest results in average annual savings of about $6,700,000 as compared to shipping through Calumet Harbor. The savings in transportation cost would apply to either the private harbor or the Federal harbor," the report said.

If a public port, rather than a smaller private port, is built, Midwest would get an additional $270,000-a-year benefit through fewer delays in vessel time, and in elimination of tug service, the report added.

ANNUAL BENEFITS $610,000

The Engineers estimated annual benefits to all other port users—the grain, coal, and general-cargo firms leasing State facilities—at $610,000 a year.

Clinton Green, port commission secretary-treasurer, said none of the harbor users would pay boat-entrance fees if it is built by the Federal Government.

Firms leasing State warehouses and elevators would pay dockage and wharfage fees to the State comparable to those at other harbors. Midwest and Bethlehem, he said, would pay none because their boats would be docking at their own piers.

STATE WOULD ASK FEE

If the State, instead of the Federal Government, builds the harbor, Green said, he would recommend that the port commission charge the steel firms and all other users a nominal entrance fee.

(The Federal aid drive for the port is now stalled in Washington. Welsh is asking the State legislature to put up $25,500,000 in State tax funds for the harbor costs.)

The Midwest contract with the State, signed January 22, 1960, was negotiated by the administration of Republican Gov. Harold Handley. The Bethlehem contract, signed July 25, 1962, was worked out by the Welsh administration.

Green was not happy with the Midwest contract provision requiring the State to pay all costs in building and maintaining a slip for Midwest. No such provision is in the Bethlehem pact, he added.

NO COMPLETION DATE SET

Green noted, however, that no completion date for the Midwest slip is set in the contract. Under present plans it would be one of the last facilities built, he said.

Green defended the State's free gift of harbor dredgings to the steel firms for landfill. Otherwise, he said, the State would have to haul it far out into the lake and dump it at an additional expense of 60 or 70 cents a cubic yard.

Both steel firms say they will reclaim the 320 acres they sold the State for $683,302 for the port site if a public harbor is not under construction by December 31, 1968, according to Green.

However, the Bethlehem contract specifies only that it has the option to do this. There is no such provision in the original Midwest contract, but Green said a similar agreement has been reached with that firm.

THE CREATION OF 100,000 JOBS EXPECTED

GOP Lt. Gov. Richard O. Ristine has said the port and steel mills would create 100,000 new jobs in Indiana.

Asked Friday what he based this on, he said the figure had been used by a good many people for the past few years.

Welsh's office said his 60,000-job estimate is based on statements by the steel mills that they would eventually employ 35,000 persons. And the U.S. Chamber of Commerce has estimated that every 100 new manufacturing jobs produce 65 additional nonmanufacturing jobs.

Present employment at the Midwest finishing mill is 1,100 according to Green.

HAS NO IDEA OF FEE

Green said he supposed that the widely known Indianapolis law firm of Ross McCord Ice & Miller, which handled the Midwest contract, would be hired by the port commission for legal work on any State revenue bond issue.

Green said he had no idea what the firm's fee would be. One Democratic State senator, a lawyer, said one-half of 1 percent might be a fair charge. On a $38 million issue, this would be $190,000.

Republican State Attorney General Edwin Steers is the official attorney for the port commission. For some work, however, it has retained John I. Bradshaw, Jr., Indianapolis, on a daily basis, Green said.

RETAIN SEVERAL FIRMS

Bethlehem and Midwest are represented by several topflight Indiana law firms.

For some months in this administration the only attorney representing both firms was Alexander Campbell, Fort Wayne, Democratic national committeeman and a longtime close associate of Welsh, Green, and James Fleming, Fort Wayne, the commission chairman.

Campbell no longer represents Midwest, according to a Bethlehem attorney.

THE YOUTH EMPLOYMENT ACT OF 1963 MUST RECEIVE PROMPT CONGRESSIONAL ACTION; THE WASHINGTON POST SEES NEED FOR SWIFT, HEARTY ENDORSEMENT

Mr. RANDOLPH. Mr. President, the General Subcommittee on Education of the House Committee on Education and Labor yetserday began hearings on H.R. 1890, a bill to authorize the establishment of a Youth Conservation Corps. Next Monday, February 25, the Subcommittee on Manpower and Education of the Senate Committee on Labor and Public Welfare will begin hearings on S. 1, the Youth Employment Act of 1963.

S. 1 was introduced by my esteemed colleague from Minnesota, Senator HUMPHREY, and cosponsored by 31 other Senators, myself included. Senator HUMPHREY has been an articulate and ardent advocate in attempts to bring about meaningful legislation aimed at eliminating youth unemployment.

It is indeed gratifying to note that both Houses of the legislative branch are making earnest efforts to start their investigations of this legislation as quickly as possible, because, in my judgment, forceful and expeditious action is essential to the welfare of our country. We cannot ignore the fact that youth unemployment is today 2½ times the national average; that school dropouts add to that figure each day; that unemployed, unskilled young people are not contributing positively to the economic stability of the Nation; and that youth unemployment is a strong factor in our current high crime rates.

When enacted into law, the Youth Employment Act will be of immeasurable benefit in providing jobs for the school dropout who has been unable to find regular employment. Additionally, the constructive and educational work envisioned in the bill will be performed in preplanned conservation projects supervised by experienced and qualified personnel of the National Park Service and the National Forest Service. Youth local area employment programs would likewise give qualified young applicants an opportunity to participate in a wide variety of public service activities.

This is not the first time that vigorous efforts have been set forth to achieve enactment of legislation designed to alleviate the problem of youth unemployment. During the 86th Congress, the Senate passed by a vote of 47 to 45, S. 812, a bill which contained many of the constructive provisions found in the pending Youth Employment Act of 1963. As chairman of the Special Subcommittee on the Youth Conservation Corps of the Senate Committee on Labor and Public Welfare, it was my responsibility to conduct hearings on S. 812, and later to act as floor manager during debate. Unfortunately, after receiving Senate approval on August 13, 1960, the bill failed to reach a vote in the House of Representatives.

In the 87th Congress legislation of a similar nature was introduced, but here again the proposal was never considered in the House. My support of the principle of a Youth Conservation Corps program at that time is a matter of record.

As a Member of the House of Representatives in 1933, it was my privilege to endorse and to aid in the passage of S. 598, considered in lieu of H.R. 3905, and providing for Federal action designed to relieve unemployment through the performance of useful public work. The emergency conservation work program established under this act, later expanded and strengthened, led to the establishment of the Civilian Conservation Corps, the forerunner of the proposed Youth Conservation Corps. The pending legislation is modeled in part on that act which was so successful in its application, and which received general approval throughout the country. The meritorious work done by those young workers in all areas of conservation has been of lasting benefit to the Nation, and to the individuals as well. Erosion control, road and dam construction, firefighting, reforestation, and pest control were but a few of the meaningful contributions of CCC programs.

Mr. President, it is heartening that the public response to S. 1 has been so widespread and favorable. Private citizens, civic groups, and the press have joined ranks in support of the Youth Employment Act of 1963, and I am confident that public acceptance will serve to speed congressional approval. Evidence of this high citizen interest is the editorial "Idle Youth," appearing in yesterday's Washington Post. This widely respected newspaper points out that the unemployed young citizen has ceased to be a local problem. Repercussions are now national in scope and imaginative action is required to relieve the strain on our economy.

The Post effectively points out that the administration's answer to this challenge is a double-barreled program—one part patterned after the Civilian Conservation Corps, and "designed to give young people healthful employment at tasks of genuine usefulness to the Nation." The other portion of the plan is to be modeled after the Peace Corps, but would "enlist the latent enthusiasm of young persons for domestic instead of foreign service."

This perceptive editorial comment concludes:

> The need for these projects is now, and it is an extremely pressing need. Congress ought to give these Presidential recommendations priority and a swift, hearty endorsement.

I request that the editorial "Idle Youth," in the February 19 issue of the Washington Post, be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Idle Youth

> "Idle youth on our city streets create a host of problems," said the President the other day. It is not alone that they are adrift and unable to find their way and thus be a problem to themselves; from the point of view of the Nation, the economy is deprived of their potential contribution, and because they cannot find lawful employment, they are all too likely to occupy their time unlawfully.
>
> "Unemployment among young workers today is two and one-half times the national average, and even higher among minority groups and those unable to complete their high school education," the President reported to the Congress. "During the 1960's 7.5 million students will drop out of school without a high school education, at present rates, thereby entering the labor market unprepared for anything except the diminishing number of unskilled labor openings."
>
> This is, in itself, a national scandal, of course, and needs to be countered by a dramatic strengthening of the public school system. In the meantime, however, there is an immediate and urgent need for Federal action to rescue these unhappy castaways. President Kennedy has, therefore, asked Congress to enact a double-barreled program.
>
> One part of it is patterned on the Civilian Conservation Corps which proved such a boon to idle youth during the depression years of the New Deal. It would consist of a Youth Conservation Corps and a Home Town Youth Corps—both proposed in the last Congress by Senator Hubert Humphrey—to give young people healthful employment at tasks of genuine usefulness to the Nation.
>
> The other part is a National Service Corps, patterned on the Peace Corps, save that it would enlist the latent enthusiasm of young persons for domestic instead of foreign service. Like the Peace Corps abroad, it can do immensely important work in underdeveloped urban neighborhoods—and do it to the immense benefit of the Corps members as well as the people they help.
>
> The need for these projects is now, and it is an extremely pressing need. Congress ought to give these Presidential recommendations priority and a swift, hearty endorsement.

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

REASON FOR LOSS OF APPROPRIATIONS COMMITTEE ASSIGNMENT BY SENATOR JAVITS

Mr. RUSSELL. Mr. President, I desire to make a brief reference to some falsehoods, which some person has been assiduously distributing to the press, relative to the meetings last week of the Democratic steering committee. I do not know whether this person is an attaché of the Senate, or a Senator, or one of the strong-armed lobbyists who is working in an attempt to have adopted by the Senate the gag rule which was debated at some length. However, without regard to the source, I point out that the statements which have been distributed are completely false and are unworthy of any person who has any pretense to character.

I refer first to an article published on Friday, February 15, in the Washington Post, on page 1. In referring to the fact that the Senator from New York [Mr. Javits] was eliminated from the Senate Appropriations Committee, because of the change in the ratio of the committee, the article reads, in part, as follows:

> The majority leader, Senator Mansfield, formerly chairman of the Committee on Rules, was assigned to the Committee on Appropriations, at his request. Senator E. L. Bartlett, of Alaska, received the other Democratic plum—on the Appropriations Committee. Senator Jacob K. Javits, Republican, of New York, however, who served on the committee last session, was automatically bumped by the new 18-to-9 ratio. One Senate source identified with the recent unsuccessful month-long fight to change the rules of the Senate privately charged that Javits' loss of the Appropriations Committee seat, as well as lean assignments handed out to some of the Democratic liberals who fought for reform, showed a "pattern" of possible retaliation by the southern coalition.

I also wish to read an excerpt from a long article published on the same date in the Baltimore Sun:

> Because GOP vacancies exist on all but the Appropriations Committee, only Senator Javits, Republican, of New York, faces loss of a committee assignment he now holds. Liberal sources contended that Javits was ousted from the important Appropriations Committee, where he was the lowest ranking Republican member, because he fought for a rules change to make it easier to shut off filibusters.

Mr. President, I saw in other newspapers references of similar import; but I have read enough now to show the trend of the falsehoods which were distributed with respect to the loss by the Senator from New York of his seat on the Committee on Appropriations.

Mr. President, there are some persons who do not overlook any opportunity at any time to spread untruths about any person who happens to be from the Southern part of the United States; and apparently this is a part of that pattern.

I remembered that during my service in the Senate there had been any number of occasions when eminent Senators had lost their seats on the Appropriations Committee, due to the fact that there was a change in the ratio. So I called up a member of the staff of that committee, gave him the names, and asked him to look up the dates.

It so happens that Senator Burnet R. Maybank, of South Carolina, whom I remember very vividly, was appointed to the Appropriations Committee on December 15, 1941, and served until January 6, 1947, when he lost his assignment to the Appropriations Committee.

A certain Senator who served as a member of the committee for [illegible] years lost his seat on that committee by reason of a change in the ratio of the committee.

Senator Chavez of New Mexico, was appointed to the committee on January 10, 1939, and served until January 6, 1947, when he lost his Appropriations Committee assignment. Senator Chavez again came on the committee on May 26, 1948, upon the death of Senator Overton, of Louisiana, and served until his death on November 18, 1962.

Mr. President, the Committee on Appropriations has varied greatly in size. When I first came to the Senate, as I recall, there were 21 members on the committee. The committee was later increased to 23 members. At a later date it was increased to 27, which is entirely too large a number for the committee. I opposed the increase to 27 because I thought it made the committee disproportionate to other committees of this body, but I was defeated in the steering committee. The membership of the committee was increased to 27.

During the 79th Congress, the committee consisted of 25 Senators, 15 Democratic members and 10 Republican members.

When the Legislative Reorganization Act of 1946 was passed, the size of the committee was reduced to 21 Senators.

The 80th Congress convened the following January 1947. Twenty-one Senators were appointed to the committee, 12 Republican members and 9 Democratic members. That meant that six Democratic members went off the committee, including Senator Chavez and Senator Maybank, who later returned to the committee. Six Democrats went off the committee at one time because of a change in the composition of the committee.

A very distinguished Republican Senator, one for whom I had a very deep personal affection, Senator William F. Knowland, of California, was appointed to the Committee on Appropriations on January 6, 1947, and served until January 10, 1949, when he lost his committee assignment. During that time the committee ratio was 12 Republicans and 9 Democrats. The Senator from Virginia [Mr. Robertson] was appointed to the committee on January 10, 1949, when the ratio in the 81st Congress was changed to 13 Democrats and 8 Republicans, and served until July 26, 1949, on which date he lost his committee assignment, and Senator Knowland regained a seat on the committee.

In the meantime the committee ratio had changed; the committee was composed of 12 Democrats and 9 Republicans. The Senator from Virginia [Mr. Robertson] regained his seat on the committee on January 10, 1950, when the committee ratio was changed to 13 Democrats and 8 Republicans. Then he lost it again. The Senator from Virginia was displaced from the committee on two different occasions. He lost the assignment on January 15, 1951, when Senator Joseph R. McCarthy, of Wisconsin, was appointed to the committee, and the committee ratio was changed to 11 Democrats and 10 Republicans. In the ebb and flow of politics in the country, on May 21, 1951, the late Senator McCarthy lost his seat on the committee and the Senator from Virginia [Mr. Robertson] was appointed to the committee for the third time, when the committee ratio changed from 12 Democrats and 9 Republicans.

The Senator from Virginia [Mr. Robertson] still serves on the committee.

Senator McCarthy regained his seat on the committee on January 14, 1952, following the death of Senator Kenneth

S. Wherry, and Senator McCarthy served on the committee until his death on May 2, 1957.

There are innumerable other instances down through the years in which Senators have served on the committee for a time and then have gone off due to a change in the proportion of Republican and Democratic Members of the Senate. In many instances they have come back and resumed service on the committee, although they served in the Senate throughout the period.

So the procedure is not new. There is nothing unusual about it. There was certainly nothing personal directed toward the Senator from New York [Mr. JAVITS], or any view that he has taken. As I stated a few minutes ago, the Committee on Appropriations, in my judgment, is too large at the present time to do effective work. That is nothing unusual. I doubt not that in the near future, as the tide of politics changes or as nature takes its toll of the members of the committee, the Senator from New York [Mr. JAVITS] will reappear on the committee.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. RUSSELL. Yes; I yield.

Mr. JAVITS. In the first place, I hope very much that nature will not take its toll on the members of the committee.

Mr. RUSSELL. I join the Senator in that hope.

Mr. JAVITS. I hope every member of the committee will remain in good and vital health. I would be very unhappy to find a committee place by reason of death or disability.

I appreciate what the Senator has said about the ebb and flow of politics. I am well aware of it. In 1964 there will be another election; and if ratios change, I am sure they will be reflected in the composition of committees. I have been too long in public life to want to believe that any Senator would demean himself so much as to take a sanction against another Senator for a position he has taken on this floor. If we should ever get into that state of mind, I would fear for the Republic; and I believe none of us would wish to serve in this body. I feel that service in the Senate is one of the greatest experiences of anyone's life; and part of that experience is the great and noble tradition of debate difference, even exacerbation of difference in this body. The Senator from Georgia is a vigorous debater. I have often felt the lash of his tongue. On occasion I do not think I am any too mild. I hope we shall be able to cross swords again and again.

Mr. RUSSELL. No one will ever accuse the Senator from New York of not being able to take care of himself in any exchange of lashes of any kind.

Mr. JAVITS. I thank the Senator. That is high praise coming from him. I understand what has occurred. It is in the ebb and flow of politics. The Senator is within his rights as a Senator, in taking note of the stories to which he has referred. I understand the vicissitudes of life. I have my victories and my defeats. Undoubtedly I will have them again. I am quite tranquil. I will do my job on the committees to which I have been assigned. I will try to make my contributions to the consideration of appropriation measures on the floor of the Senate. And if the Lord is good to us all, there may be another opportunity.

Mr. RUSSELL. I am delighted to find that the Senator is so philosophical about the loss of his seat on the committee, and that he recognizes there is nothing unusual in the situation. Certainly nothing was done by any of the so-called infamous southern Democrats that in anywise contributed to the Senator's loss of his seat on the Committee on Appropriations.

Mr. President, I ask that the memorandum to which I have referred be printed at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
February 18, 1963.

Memorandum to: Senator RUSSELL.
From: Thomas J. Scott.

There are many instances in the past of Senators being appointed to the Committee on Appropriations and subsequently being excused from service on the committee because of the change in the ratio of the Senate and the committee. Some of the recent cases are:

Senator Burnet R. Maybank, of South Carolina, was appointed to the Committee on Appropriations on December 15, 1941, and served until January 6, 1947, when he lost his Appropriations Committee assignment. Senator Maybank again came on the committee January 10, 1949, and served until his death on September 1, 1954.

Senator Dennis Chavez, of New Mexico, was appointed to the committee January 10, 1939, and served until January 6, 1947, when he lost his Appropriations Committee assignment. Senator Chavez again came on the committee May 26, 1948, upon the death of Senator Overton, of Louisiana, and served until his death November 18, 1962.

During the 79th Congress in 1945 and 1946, the committee consisted of 25 Senators, 15 Democratic members and 10 Republican members. The Legislative Reorganization Act of 1946, signed August 2, 1946, reduced the size of the committee to 21 Senators. The 80th Congress convened the following January 1947, and 21 Senators were appointed to the committee, 12 Republican members and 9 Democratic members. This meant six Democratic members went off the committee, including Senators Chavez and Maybank, who later returned to the committee. The other four Democratic Senators were: Senators Carter Glass, of Virginia, who passed away in 1946; John Bankhead, of Alabama, who passed away in 1946; Senators James Mead, of New York, who was not a candidate for reelection in 1946, and Abe Murdock, of Utah, who was not reelected.

Senator William F. Knowland, of California, was appointed to the Committee on Appropriations on January 6, 1947, and served until January 10, 1949, when he lost his committee assignment. The committee ratio during the time (80th Cong.) was 12 Republicans and 9 Democrats.

Senator A. WILLIS ROBERTSON, of Virginia, was appointed to the committee on January 10, 1949, when the ratio (81st Cong.) was changed to 13 Democrats and 8 Republicans, and served until July 26, 1949, on which date Senator ROBERTSON lost his committee assignment and Senator Knowland regained his committee assignment the same day, July 26, 1949, when the committee ratio was changed to 12 Democrats and 9 Republicans. Senator Knowland served on the committee until he retired from the Senate January 7, 1959. Senator ROBERTSON regained his seat on the committee on January 12, 1950, when the committee ratio was changed to 13 Democrats and 8 Republicans, and lost it again on January 15, 1951, when Senator Joseph R. McCarthy, of Wisconsin, was appointed to the committee, and the committee ratio was changed to 11 Democrats and 10 Republicans. Senator ROBERTSON was appointed to the committee for the third time on May 21, 1951, and Senator McCarthy lost his seat on the committee the same day, when the committee ratio was changed to 12 Democrats and 9 Republicans. Senator ROBERTSON still serves on the committee. Senator McCarthy regained his seat on the committee on January 14, 1952, following the death of Senator Kenneth S. Wherry on November 29, 1951, and Senator McCarthy served on the committee until his death on May 2, 1957.

There are other instances years ago of Senators serving on the committee for a time, being off the committee for a time, and then resuming service on the committee, although serving in the Senate during all this time.

Mr. RUSSELL. Mr. President, in the dissemination of the falsehoods which accompanied the meeting of the policy committee to which I have referred, another article written by Mr. Rowland Evans, Jr., whom I have generally found to be a very reliable journalist, appeared in the Washington Post on Saturday, February 16, 1963. The headline is, "Senate Conservatives Score on Double Play."

It says, in part:

> A privately arranged political double-play between the conservative Republicans and the southern Democrats in the Senate confounded President Kennedy Thursday and gave the conservatives everything they could have asked in arranging the new Senate committee lineup.
>
> This was the conclusion of politicians who have been watching the power struggle between liberals and conservatives for the past month.

I shall not read it all, Mr. President, but I shall ask to have it all printed in the RECORD when I conclude.

It also says:

> What happened, according to well informed sources, was that last month Senator EVERETT M. DIRKSEN, of Illinois, the Senate Republican leader, obtained the support of the southern Democrats, whose leader is RICHARD B. RUSSELL, of Georgia, to retain the present 11-to-6 ratio on the Finance Committee.
>
> It was Senator DIRKSEN's intention to occupy the one vacant Republican seat, and he so informed both the southern Democrats and Senator MIKE MANSFIELD, Democrat of Montana, the majority leader.
>
> For the conservatives, Senator DIRKSEN's plan to go on the committee himself was welcome news.
>
> An enlargement of the Democratic contingent on the committee, however, would dilute Senator DIRKSEN's weight. Accordingly, it was agreed that the committee would not be enlarged.
>
> The quid pro quo for the southern Democrats, according to these sources—

I wish to say, Mr. President, that Mr. Evans would be well advised in the future to regard these sources as just about as responsible as Ananias was as a witness in the writing of the Holy Writ.

> The quid pro quo for the southern Democrats, according to these sources, was Senator Dirksen's agreement not to join the Senate liberals in the fight to modify rule 22, the filibuster rule. It was Senator Dirksen who announced a few days after the rules struggle started that he would move to table, or kill, the motion by the liberals.
>
> When Senator Dirksen made this announcement, liberal Republicans were furious. They felt that Senator Dirksen was undercutting his own men. * * *
>
> But the result was the same. And on Thursday, when Senator Joseph S. Clark, Democrat, of Pennsylvania, one of the four liberals on the 15-member Democratic steering committee, moved to give the Democrats a ratio on the Finance Committee to reflect their 67-to-33 majority in the Senate, the southern Democrats overwhelmed him. The southerners have seven men on the steering committee.

That is 7 out of 15, Mr. President. It is rather remarkable, I may say in passing, to know by exactly what sort of mathematical computation seven committee members could overcome the other eight.

What I have to say is no reflection on the distinguished Senator from Illinois. If he had come to me I would have wished him well as to getting on the Finance Committee. I have taken the position consistently, since I have been a Member of this body, that the men who undergo all of the harassment and annoyance, the trials and tribulations, that accompany leadership in this body are entitled to serve on any committee in the Senate upon which they may wish to serve.

When the distinguished Senator from Montana sent around his letter stating that he wished to go on the Appropriations Committee, I wrote to him and made the only commitment I have made with respect to committee assignments—a direct and specific commitment. I wrote to him and said, "I think that the majority leader is entitled to have the committee he wants, and I shall therefore be happy to support you, and I know that you will have a unanimous vote in the steering committee."

As a matter of fact, the Senator from Illinois—perhaps thinking that the matter of the Republican vacancy was a Republican matter—did not consult me with respect to the matter. The first intimation I got that the Senator from Illinois wanted to serve on the Finance Committee came from the distinguished Senator from Montana. The Senator from Montana was discussing the general committee situation with me—the changes in the ratios; the desire of the Senator from Illinois to increase the Committee on Appropriations—and I told him that I was unalterably opposed to increasing the Committee on Appropriations, that it was already too large. He brought up the subject of the Finance Committee and he said that the Senator from Illinois [Mr. Dirksen] had expressed an interest in filling the Republican vacancy. I recall that I commented something to this effect: "I cannot understand the Senator from Illinois. He never seems to want to have any seniority. He jumps from committee to committee before he gets any seniority."

The Senator has changed committees on a number of occasions in the past few years, which is most remarkable in the Senate. He went off the Appropriations Committee, as I recall. He went off the Joint Committee on Atomic Energy. I do not recall the other committees involved, but the Senator has changed committees from time to time.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. DIRKSEN. To be sure the record is correct, I may say that I have always followed what I thought was good Christian doctrine—that it is more blessed to give than to receive.

I left the Appropriations Committee only because we had a problem before our committee on committees several years ago, and there was one way to resolve it, namely, for the Senator from Illinois to give up his spot. So that question was then resolved. All that was left for the Senator from Illinois was the Committee on Labor and Public Welfare.

In due course a very distinguished Senator was elected from Texas. When I asked him about a committee preference, he thought he would like to go on the Committee on Labor and Public Welfare. That was easy, because that was all that had been left for me when I went on the Committee on Labor and Public Welfare. I said, "I will be delighted to give you the seat on the Committee on Labor and Public Welfare." And so I did.

Then in due course we had another problem. What should we do? I had given up my position on the Committee on Labor and Public Welfare and, believe it or not, I had taken an assignment on the Committee on Interior and Insular Affairs.

The Committee on Interior and Insular Affairs, in its jurisdiction, reminds me a little of the fellow who wrote answers to an examination with respect to becoming a rural mail carrier. One of the questions was, "How far is the sun from the earth?" Well, he did not know. At long last he wrote, "Far enough to not interfere with me in the duty of carrying mail."

That was a correct answer.

That is about as remote as is the jurisdiction of the Committee on Interior and Insular Affairs from the predominant interests of the Senator from Illinois.

So I have given up committees because I have thought it was conducive to harmony, and I always like to promote harmony.

I went on the Joint Committee on Atomic Energy. It is not a standing committee. An atomic facility after that time was located in a particular State, and the Senator from that State said, "Would you mind if I went on that committee? Are you wedded to it?" I said, "I am not wedded to any committee. I am wedded only to the Republic and to my family and to my church. I will be glad to give the seat to you." And I gave it to him.

Within reason I am willing to give up pretty nearly everything; except, Mr. President, I will not give up the Finance Committee if I can have it.

Mr. RUSSELL. Mr. President, the Senator's statement is very interesting as to all his exchanges of committees. He has evidenced a spirit of magnanimity which is seldom seen in the U.S. Senate. I cannot recall another occasion when any other Senator ever gave up anything voluntarily here; whether it was a room assignment, a committee assignment, or something else.

I congratulate the Senator on his actions, but I must say I am not directly concerned, because that was a matter wholly within the jurisdiction of the Republican caucus or conference, or whatever it is called.

Mr. DIRKSEN That is correct.

Mr. RUSSELL. As a Democrat I have nothing whatever to do with those committee assignments.

Mr. DIRKSEN. Exactly.

Mr. RUSSELL. The point I am making is that I never discussed the assignment on the Finance Committee with the Senator from Illinois in conjunction with this fight over the rules, in the slightest degree.

Mr. DIRKSEN. That is correct.

Mr. RUSSELL. I did not know the Senator was an applicant until I was told so by the majority leader in a discussion we had about committee matters generally. I stated to the majority leader at that time that I was opposed to increasing the size of the committees.

I do not like to go into private conversations, but the Senator from Montana stated that the Senator from Illinois was exceedingly anxious to increase the Appropriations Committee. I said, "I regret very much to have to differ with the Senator from Illinois, but I shall oppose vigorously increasing the committee, because the Appropriations Committee of all committees is too large."

The other standing committees—except those that were made major committees, for, of course, it was necessary to increase the size of them to equalize the number of appointments—I thought were large enough already.

I would respect the wishes of the leaders in the way of committee assignments. I have already taken the position that the majority leader and minority leader should be entitled to select their committees, because, heaven knows, they undergo enough torture. I have heard questions asked them for 30 years. Senators come up to them and say, "What time are we going to vote? What time are we going to vote?" Of course, neither the majority leader nor the minority leader knows any more about the time the Senate is going to vote than does the Senator asking the question, but he is supposed to have some pleasant and reasonable answer. Another day a Senator will say, "Well, I cannot be here Thursday, so you cannot vote on such and such a bill on Thursday." Likely as not, the majority leader or the minority leader had agreed with the author of the bill to have it acted on on Thursday. That is only 1 instance of perhaps 10,000 different commitments that they make. We know that giving them the right to select their committees is little enough compensation to the leaders for what they have to undergo.

For my part, I say, with some modesty, there was a time when I might have occupied the position of leader of my party. I said, "Heaven forbid. Life is short enough without undertaking to answer 2,000 questions a day when I would not have the remotest idea what the answers might be."

I have always marveled at the patience of those who serve as majority or minority leaders.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. DIRKSEN. With respect to understanding wheels within wheels, it reminds me of what Mark Twain said when he saw a copy of his obituary, which was a little premature. He said, "It's news to me." What the Senator has said is news to me.

Mr. RUSSELL. Mr. President, I do not know what prompted the distinguished minority leader to take so vigorously the right and proper position with respect to efforts to impose gag rule on the Senate. I do know that if I had been the leader of a minority party that has 33 Members in the Senate and an effort was being made to change the existing rule so that gag rule could be imposed by 60 Senators or even a less number, if all were present, I would not be in any hurry to change that ratio so a majority of the opposition could stifle our cries against what we regarded as being bad legislation.

I would have been utterly amazed if the minority leader had not been in opposition to making it a simple matter to gag the Republicans in the course of discussion. There was never, because of his position, any understanding or agreement between us. There was no quid pro quo. I must say that I have such a high opinion of the Senator's intelligence that I really expected him to take that position without undertaking to discuss the question with him.

Mr. DIRKSEN. Mr. President, if the Senator will yield, the Senator heard my speech.

Mr. RUSSELL. I did. It was one of the ablest speeches ever made in the Senate. The only thing I regretted was that I did not have more time to yield to the Senator. If I had had more time, I would have been happy to yield it to him. It was a speech that Senators will discuss for years to come when we debate the matter of gagging the Senate and rendering Senators eunuchs so far as concerns their ability to defend the rights of the people who elected them to office. The speech will go down in history with four or five other great speeches dealing with the same subject.

The Senator from Illinois is very able and a fine speaker, but on that day, to use a colloquialism which is used in my part of the country, he simply "outspoke" himself.

Mr. President, we ought to be able to handle these matters, even if we get upset or frustrated—and heaven knows I am, generally speaking, in the minority more than almost any other Member of the Senate—without planting falsehoods in the press that reflect upon the character, integrity, and sense of fairness of Members in this body.

I felt I owed a duty to my colleagues associated with me in this contest on the steering committee to make the statement that the two stories I have alluded to are of the whole cloth and that there is not a scintilla of truth or any basis in fact whatever in them.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. JAVITS. I would not wish to have the Senator take his seat without saying one other thing, however. We are often asked, What is the difference between a Democrat and a Republican? I believe that perhaps this is an important time to say this. It has been said there are ebbs and flows in politics and parties. I think the people of the country should particularly know what it means for the people to elect, not only Senators from their own States, but to elect Senators from other States. This is a very important party function. I go out and try to have people from our own party elected if I want to play a part and be a member of the Appropriations Committee.

We have heard it said that party alinements are sometimes meaningless, but I point out that when it gets down to the hard pan of organizing the Senate, party alinement can count very materially, as we all know. I lay it at no one's door, but at the hard facts of the determinations and findings of the results of the last election, which I will try to have reversed in the next election.

Mr. RUSSELL. I agree with the Senator's statement. I do not claim to be any superman. While I am always for those who are running on the Democratic ticket, I must confess that I have had varying degrees of enthusiasm for various candidates on the ticket. I would be less than honest if I did not say so.

Mr. President, I ask unanimous consent to have printed in the RECORD the article from the Washington Post of February 16 to which I have referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATE CONSERVATIVES SCORE ON DOUBLE PLAY

(By Rowland Evans, Jr.)

A privately arranged political double play between the conservative Republicans and the southern Democrats in the Senate confounded President Kennedy Thursday and gave the conservatives everything they could have asked in arranging the new Senate committee lineup.

This was the conclusion of politicians who have been watching the power struggle between liberals and conservatives for the past month.

The first result of the double play was the successful snuffing out of a liberal move to change the Senate's filibuster rule. That happened last week after a month of debate. The second occurred on Thursday, when the Senate Democratic steering committee refused to change the ratio of the Senate Finance Committee, the vital place of action on President Kennedy's top-priority tax bill, to give the liberal Democrats a stronger voice there.

The steering committee, by a reported 10-to-5 vote, refused to add two Democratic seats to the Finance Committee.

What happened, according to well-informed sources, was that last month Senator EVERETT M. DIRKSEN, of Illinois, the Senate Republican leader, obtained the support of the southern Democrats, whose leader is RICHARD B. RUSSELL, of Georgia, to retain the present 11-to-6 ratio on the Finance Committee.

It was Senator DIRKSEN's intention to occupy the one vacant Republican seat, and he so informed both the southern Democrats and Senator MIKE MANSFIELD, Democrat, of Montana, the majority leader.

For the conservatives, Senator DIRKSEN's plan to go on the committee himself was welcome news.

An enlargement of the Democratic contingent on the committee, however, would dilute Senator DIRKSEN's weight. Accordingly, it was agreed that the committee would not be enlarged.

The quid pro quo for the southern Democrats, according to these sources, was Senator DIRKSEN's agreement not to join the Senate liberals in the fight to modify rule 22, the filibuster rule. It was Senator DIRKSEN who announced a few days after the rules struggle started that he would move to table, or kill, the motion by the liberals.

When Senator DIRKSEN made this announcement, liberal Republicans were furious. They felt that Senator DIRKSEN was undercutting his own men. As a result, the Senator delayed for several weeks, and when the tabling motion finally was made, Senator MANSFIELD sponsored it too.

But the result was the same. And on Thursday, when Senator JOSEPH S. CLARK, Democrat of Pennsylvania, one of the four liberals on the 15-member Democratic steering committee, moved to give the Democrats a ratio on the Finance Committee to reflect their 67-to-33 majority in the Senate, the southern Democrats overwhelmed him. The southerners have seven men on the steering committee.

CONTINUATION OF AUTHORIZATION TO EMPLOY CERTAIN SENATE PERSONNEL

Mr. MANSFIELD. Mr. President, I send to the desk a resolution, on behalf of the distinguished minority leader and myself, and ask for its immediate consideration.

The VICE PRESIDENT. The clerk will state the resolution.

The legislative clerk proceeded to read the resolution (S. Res. 88).

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further reading of the resolution be dispensed with.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana? The Chair hears none.

The resolution is as follows:

Resolved, That the authorizations to employ additional personnel contained in Senate Resolution 235 and Senate Resolution 252, Eighty-seventh Congress, are hereby continued through February 28, 1963, inclusive.

SEC. 2. The investigative and expenditure authorizations provided by resolutions of the Eighty-seventh Congress numbered 233, 234, 236, 238, 242, 243, 244, 246, 249, 250, 251, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 270, 273, 276, 286, 293, 295, 332, 359, and 362 are hereby continued through February 28, 1963, inclusive.

SEC. 3. Senate Resolution 233, Eighty-seventh Congress, is hereby amended by striking out "$80,000" where it appears therein and inserting in lieu thereof "$82,500."

SEC. 4. Senate Resolution 236, Eighty-seventh Congress, is hereby amended by striking out "$75,000" where it appears therein and inserting in lieu thereof "$77,000."

SEC. 5. Senate Resolution 250, Eighty-seventh Congress, as amended, is hereby amended by striking out "$500,000" where it appears therein and inserting in lieu thereof "$515,000."

SEC. 6. Senate Resolution 258, Eighty-seventh Congress, is hereby amended by striking out "$450,000" where it appears therein and inserting in lieu thereof "$473,000."

The VICE PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none.

The Senate proceeded to consider the resolution.

Mr. ELLENDER. Mr. President——

Mr. MANSFIELD. Mr. President, I should like to be heard first. I thought this was cleared with the Senator from Louisiana. At least, I had been so informed.

The purpose of this resolution is to extend the personnel and investigative authorizations of the 87th Congress, which expired on January 31, 1963, for 1 additional month, through February 28, 1963, inclusive. This will authorize the payment of salaries and expenses for February 1963.

Sections 3 through 13 provide the additional funds necessary to meet these obligations for those committees whose unobligated balances are not sufficient to cover the additional month's operating expenses, as follows:

Committee	Resolution	Amount
Banking and Currency	233	$2,500
Government Operations:		
Permanent Investigations	250	15,000
Reorganization and International Organizations	276	5,500
Judiciary:		
Antitrust and Monopoly	258	23,000
Constitutional Amendments	259	2,000
Constitutional Rights	260	2,000
Immigration and Naturalization	263	10,000
Internal Security	264	20,000
Juvenile Delinquency	265	15,000
Labor and Public Welfare, Migratory Labor	273	6,200
Post Office and Civil Service	236	2,000
Total	--------	103,200

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ELLENDER. Will that money come from unexpended funds?

Mr. MANSFIELD. Partially from unexpended funds.

Mr. ELLENDER. At the same rate as under the prevailing resolution?

Mr. MANSFIELD. That is correct.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SPARKMAN. Perhaps I should have recognized the resolution by number, but I do not remember hearing the Small Business Committee mentioned. Is that included?

Mr. MANSFIELD. It is included; yes.

Mr. SPARKMAN. Mention was made of the Banking and Currency Committee. We have two resolutions in that connection. Are they both included?

Mr. MANSFIELD. The answer is yes.

Mr. SPARKMAN. I thank the Senator.

Mr. MANSFIELD. I ask for action on the resolution.

Mr. CURTIS. Mr. President, I should like to ask the majority leader certain questions.

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Nebraska?

Mr. MANSFIELD. I yield.

Mr. CURTIS. Is one of the purposes of the resolution to pay expenses of committees?

Mr. MANSFIELD. Yes; through the month of February. If this action is not taken today, it will mean a payless payday for a number of personnel of committees now serving.

Mr. CURTIS. It happens that the junior Senator from Nebraska serves on the Committee on Rules and Administration, and the Subcommittee on Privileges and Election on which he serves operates under printed rules of the committee, which provide that the ranking minority member has authority to send his chief counsel where he chooses, and that upon certification of the expenses by the ranking minority member, the vouchers shall be paid. One such expense item has had no action taken on it since November. I would strenuously object to taking up February expenses until this item to which I have referred has been taken care of.

Mr. MANSFIELD. If the Senator wishes to object, he has the right to do so, and that is all right with me. I, along with the distinguished minority leader, was trying to take care of a situation which might cause some difficulty beginning tomorrow. Personally I have no interest in it one way or another. If there is objection, I will withdraw the resolution.

The PRESIDING OFFICER (Mr. PASTORE in the chair). Is there objection?

Mr. CURTIS. Reserving the right to object, it will not take more than 3 or 4 minutes to dispose of the point I raise, and perhaps the author of the resolution would like to offer it later today. I do not know whether he would care to do so. However, unless I can have some assurance that the written rules of the committee will be observed, I shall object.

The PRESIDING OFFICER. Does the Senator from Nebraska object?

Mr. MANSFIELD. If the Senator will not object to consideration of the resolution, which means a great deal to a good many members of the various staffs of Senate committees, I will be happy to take up the matter personally with the chairman of the subcommittee which he has in mind. Unfortunately, that chairman is not present in the Chamber at this time.

Mr. CURTIS. Relying upon the fairness of the majority leader—and I mean that sincerely, and this is not a problem he has created—I shall not object at this time. I hope that he will have success in obtaining compliance on the question that I have raised.

Mr. MANSFIELD. I will do my best.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

RATIFICATION OF ANTI-POLL-TAX AMENDMENT BY INDIANA AND RHODE ISLAND

Mr. HOLLAND. Mr. President, I am happy to report to the Senate that the legislatures of two more States have ratified the anti-poll-tax amendment, making 10 States in all which have approved this important proposal. They are the States of Indiana and Rhode Island.

I wish to express my appreciation to the distinguished senior Senator from Indiana [Mr. HARTKE], who I understand wrote to every member of the Indiana Legislature, recommending favorable action, and to the distinguished junior Senator from Indiana [Mr. BAYH], who is now presiding so graciously over the Senate, and who so kindly notified me late yesterday of this most gratifying action by the Legislature of Indiana.

The vote in the Indiana Senate on January 22 was 47 to 0; approval by the house on February 15, 1963, I understand, was unanimous by voice vote.

Both Senators from Indiana have been extremely helpful in moving along this most important amendment, Senator HARTKE having joined with 67 other Members of the Senate in cosponsoring my joint resolution proposing the amendment and having supported it on the floor of the Senate, and Senator BAYH having expressed his interest in its ratification by the legislature of his State since becoming a Member of this body at the beginning of the year.

The Rhode Island Senate approved the joint resolution on February 14, and the Rhode Island General Assembly on February 7. The vote in the Rhode Island Senate was 33 to 0; and in the general assembly, 72 to 0. The secretary of the state of Rhode Island has officially certified the legislature's action to the Administrator of General Services, the Speaker of the House of Representatives, and the President pro tempore of the Senate.

Mr. President, I wish to express my warm appreciation to the distinguished senior Senator from Rhode Island [Mr. PASTORE], who cosponsored the joint resolution proposing the anti-poll-tax amendment and vigorously supported it, and to the distinguished junior Senator from Rhode Island [Mr. PELL], who likewise cosponsored and supported it, and who so kindly notified me today of the action taken by his State.

Mr. PASTORE. Mr. President, will the distinguished Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished Senator from Rhode Island.

Mr. PASTORE. The action of the Rhode Island Legislature in unanimously approving the amendment to the Constitution of the United States is simply abundant proof of the wisdom of the distinguished senior Senator from Florida in introducing the joint resolution in the first place.

Mr. HOLLAND. I appreciate those very gracious words. I can only say that in any wisdom I might possess, I would have to associate the distinguished senior Senator from Rhode Island because of his cordial participation in everything that was done in connection with this matter with which the Senator from Florida had any part.

Mr. HARTKE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the distinguished Senator from Indiana.

Mr. HARTKE. I wish to pay my tribute to the leadership shown by the distinguished senior Senator from Florida upon a proposal which is of vital concern not alone to this body and to the State legislatures, but to all the people of the land.

Many times remarks are made concerning a part of the country from which come persons who are involved in what are called civil rights. I think the leadership shown by the Senator from Florida is one which is to be admired and respected. I have been delighted to be associated with him in this endeavor. I am hopeful that action will be taken by the other State legislatures to give necessary approval to the amendment within a short time.

Mr. HOLLAND. I deeply appreciate those gracious words. I say again, that I do not know of any other Senator, although there may be some—if I learn of any, I shall certainly recognize him—who went to the trouble of writing to every member of his State legislature, as did the distinguished senior Senator from Indiana, urging the approval of the amendment. I again express my deep appreciation to him.

Mr. HARTKE. I should imagine that it was the wisdom of the legislature rather than the letters which had the desired effect.

Mr. HOLLAND. The Senator from Indiana speaks with his accustomed modesty.

Mr. PELL. Mr. President, will the distinguished Senator from Florida yield?

Mr. HOLLAND. I am happy to yield to the distinguished junior Senator from Rhode Island.

Mr. PELL. I, too, wish to add my voice in congratulating the distinguished Senator from Florida for his leadership in this field, and to join with my senior colleague [Mr. Pastore] in expressing hope for the quick approval of the constitutional amendment by all State legislatures.

Mr. HOLLAND. I thank my distinguished friend. He, too, has been most gracious.

Mr. President, it is most unusual for such compliments to be received by me. So, Mr. President, on behalf of my State and on behalf of myself, I express my very deep and profound appreciation.

AMENDMENT OF RULE VIII

Mr. PASTORE. Mr. President, on behalf of myself and Senators Fong, Ribicoff, Saltonstall, Pell, Mansfield, Morse, Moss, Anderson, Randolph, Muskie, Neuberger, Cooper, McGee, Douglas, Hart, Humphrey, Curtis, Symington, Case, Miller, Metcalf, Church, Engle, Williams of New Jersey, Keating, Nelson, Gruening, Allott, McCarthy, and Kuchel, I submit for appropriate reference, a resolution which I ask unanimous consent to have printed in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 89) is as follows:

> *Resolved*, That rule VIII of the Standing Rules of the Senate be amended by adding at the end thereof the following paragraph:
>
> "At the conclusion of the morning hour or after the unfinished business or pending business has been laid before the Senate, and until after the duration of four hours, except as determined to the contrary by unanimous consent or on motion without debate, all debate, motions (but not including amendments offered to the bill or resolution under consideration when reasonably related thereto), and appeals shall be germane."

Mr. PASTORE. Mr. President, on September 28, 1962, I submitted Senate Resolution 409 which would amend rule VIII of the Standing Rules of the Senate. At that time we were nearing the end of the 87th Congress, and I remarked on the floor of the Senate that in all probability the consideration of this resolution would not be reached during that session, but that I fully intended to resubmit it at the beginning of this session.

This resolution, in which I have been joined by numerous cosponsors, would provide that, at the conclusion of the morning hour or after the unfinished business or pending business has been laid before the Senate, and until after a duration of 4 hours, except as determined to the contrary by unanimous consent or on motion without debate, all debate, motions—but not including amendments offered to the bill or resolution under consideration when reasonably related thereto—and appeals shall be germane.

The obvious and only purpose of the resolution is to amend Senate procedure so as to adopt a modified rule of germaneness.

Many Senators have been present on the floor after conclusion of the morning hour with the expressed purpose of discussing the unfinished business or pending business, only to be forestalled by speeches and matter which was not germane. Under my resolution, the Senators would know that for 4 hours after the conclusion of the morning hour, the subject matter under discussion on the floor of the Senate would be germane. Personally, I believe this would result in a larger attendance on the floor and more expeditious handling of the business of the Senate.

At all other times Senators would be free to discuss any and all topics of their hearts' content.

I trust that this resolution will receive prompt consideration by the Senate Committee on Rules and Administration.

Mr. MANSFIELD. Mr. President, will the distinguished senior Senator from Rhode Island yield?

Mr. PASTORE. I yield to the Senator from Montana.

Mr. MANSFIELD. I commend most highly the proposed resolution submitted by the senior Senator from Rhode Island, who discussed the subject briefly last year. It is a matter to which the Committee on Rules and Administration and the Senate as a whole should give most serious consideration, because I believe it is one way by means of which we can get down to business and quit wasting a great deal of the time of the Senate. I congratulate the Senator from Rhode Island.

Mr. PASTORE. The Senator well knows that the Senator in charge of proposed legislation, while engaged in his work, will sometimes sit and sit and sit while some other Senator is making a long speech on an unrelated subject. Nothing in the resolution would gag the Senate or any Member of the Senate. We have freedom of debate. I am only suggesting that a number of hours be devoted to the pending business, and that once the unfinished business was placed before the Senate, the Senate would concentrate on it and get its work done. That is the only purpose of the resolution. It has nothing to do with a filibuster. It has nothing to do with limiting the freedom of debate. All we are trying to do is to resolve that we shall stick to the issue for a certain number of hours so that a Senator will know that if he comes to the Senate Chamber, he can listen to pertinent discussion of the pending business and have it done with. Then we can all go home and have dinner with our families and not have to sit here hour after hour listening to some Senator who has made a news release and has to deliver his address before the newspapers in his part of the country are printed. That is the only thing I am trying to do. It is very simple. It would expedite the work of the Senate and would help us to adjourn sine die by July 31.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. DOUGLAS. I, too, congratulate the Senator from Rhode Island. He has put his finger on one of the grave weaknesses in the procedure of this body. The suggestion which he has made provides that for 4 hours we consider the unfinished or pending business before the Senate, and only at the conclusion of that time take up extraneous subjects. It is really the procedure which the House follows. The House has what is known as the 5 o'clock hour, at which time general subjects can be discussed. But the House does not allow such discussion to interfere with the business before that body. I very much hope that the proposal of the Senator from Rhode Island will receive overwhelming support, and that it will not go as so many efforts at Senate reform have gone—to the places where the grapevine twineth.

Mr. PASTORE. I thank the Senator from Illinois.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Oklahoma.

Mr. MONRONEY. I, too, would like to be a cosponsor of the resolution. A rule of germaneness during the 4-hour period after the morning hour is concluded is one of the best means to expedite the work of the Senate that has been suggested. The subject was carefully examined and studied by the ad hoc committee appointed by the leadership as a means of expediting the business of the Senate. It was the unanimous vote of that ad hoc committee that the proposal would be one of the best means of reaching the adjournment date of July 31 that was specified by the Legislative Reorganization Act.

I compliment the Senator for having submitted the resolution. I hope that the Committee on Rules and Administration will expedite consideration of the proposal and let us get on with our business. If we must talk, we can talk in the later hours. We would save the time of the legislative session for the actual business at hand.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JAVITS. One question has troubled me. For that reason I have kept my name off the resolution thus far. I should like an answer to the question. Then I may be willing to be a cosponsor. On the question of nongermaneness, what would happen to a nongermane amendment to a bill when that bill was the pending business?

Mr. PASTORE. The resolution has to do only with the activity of the Senate with reference to a bill that is pending. A Senator may submit any amendment. The resolution so provides. It would include amendments offered to the bill or resolution under consideration when reasonably related thereto—provided the amendment were directed to the measure that was pending, and provided the discussion were pertinent to the amendment.

Mr. JAVITS. Mr. President, will the Senator add to the resolution, when he gets the opportunity—I do not think he has to do it now—"debates pursuant to that amendment"?

Mr. PASTORE. That is correct.

Mr. JAVITS. The rule of germaneness would then have to extend to debate on that amendment.

Mr. PASTORE. The Senator is correct.

Mr. JAVITS. With such an amendment, I would be happy to support the resolution. The Senator has made a very valuable clarification of his own measure.

Mr. PASTORE. It is so provided in the resolution. There is no question about it. We cannot be too specific, because we would then destroy our purpose. But it is quite clear in the language of the resolution that an amendment that is not germane to the substance of the pending business can be proposed, but the discussion will have to be pertinent to the amendment.

Mr. JAVITS. I see. I agree with that thoroughly.

I thank my colleague.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. MANSFIELD. I most respectfully suggest to the Senator that he ask consent that his resolution may lie at the desk for a week so that other Senators who wish to do so may have an opportunity to cosponsor it.

Mr. PASTORE. Mr. President, I ask unanimous consent that the resolution may lie at the desk for a week to give other Senators an opportunity to cosponsor it. I understand that the senior Senator from Ohio [Mr. LAUSCHE] would like to have his name added as a cosponsor of the resolution.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be on the table as requested by the Senator from Rhode Island.

The resolution (S. Res. 89) was referred to the Committee on Rules and Administration.

Mr. ALLOTT. Mr. President, I join the distinguished Senator from Rhode Island in his resolution. I am very happy to do so. Even though we may wish to make further suggestions, this is one of the courses we must take to speed up the work of the Senate and the work of the entire Congress.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield to the distinguished Senator from Kentucky.

Mr. COOPER. I, too, congratulate the senior Senator from Rhode Island [Mr. PASTORE] for submitting the resolution to amend rule VIII so as to assure germane debate for at least 4 hours following the morning hour, except as determined to the contrary by unanimous consent or on motion without debate. I am glad to join the Senator in sponsoring his resolution.

I spoke to this point in the Senate last fall, on September 24, and at that time urged that the Senate adopt such a rule. I am pleased to support the proposal now, and I want to appear in its support when the resolution is considered by the Rules Committee. I will do so because I believe a rule of germaneness would create greater interest in our debates, and would direct the full attention of the Senate to its pending business.

The volume of legislation has increased greatly since I first came to the Senate 15 years ago, and new issues of critical importance constantly confront us. In the face of this volume of work, and considering the serious issues involved, all of us want to make our work as effective as possible. Adoption of the Pastore resolution would be a welcome step in that direction, and would serve to focus undivided attention on the important questions before the Senate.

If the proposed rule is adopted, there will still be ample opportunity for Senators to speak on any subject they desire during the morning hour, or later in the day after the pending business is concluded or laid aside. But the main business of the Senate should rightfully assume primacy.

All of us know that in recent years many Senators have spoken of the need for rule changes which would keep our procedures abreast of the growing workload and the increasing demands upon our time.

I believe the greatest responsibility of a Member of the Senate is his legislative work—that his first duty lies in the interest and the study he can bring to the issues which come before the Senate. The questions often resolved here affect the progress, the welfare, and the security of our country. Very often they bear upon the course this Nation will follow in the world.

The proposal of the Senator from Rhode Island which I also recommended last year, would help us to meet our serious responsibilities. I believe it imperative that the Senate adopt such a rule this year. I am glad to join the Senator in sponsoring the resolution.

Mr. PASTORE. I thank the Senator.

THE SILT PROJECT, COLORADO

Mr. ALLOTT. Mr. President, on April 11, 1956, the Congress authorized the Silt project as one of the initial participating projects of the Colorado River storage project. It will be located in Garfield County, Colo., between Rifle and Elk Creeks, which are tributaries of the Colorado River. The project would use waters of the Rifle Creek to irrigate 1,900 acres of new land and to relieve a serious water shortage on 5,400 acres of land now being partially irrigated in the vicinity of Rifle, Colo. One of the principal features includes the construction of the Rifle Gap Reservoir with a 10,000 acre-foot capacity on Rifle Creek. Studies of the Silt project were initiated by the Bureau of Reclamation as early as 1936 and have been continued periodically to the present date.

In the fiscal year 1963 budget request from the Bureau of Reclamation there appeared the following language:

> Advanced planning, Colorado River storage project and participating projects, Colorado-Utah-Wyoming, $1,331,809; for right-of-way appraisals and preparation of construction plans and specifications on the Silt project in preparation for the start of construction in fiscal year 1964.

However, upon checking with the Bureau of Reclamation, I understand that while they are prepared to proceed with the initial stages of construction on the project, the administration has made no request in the fiscal year 1964 budget, except a request in the amount of $10,000 to keep things going.

Mr. President, I do not wish to have my remarks here interpreted as a criticism of the Bureau of Reclamation. Quite the contrary, I have it from authoritative sources outside the Government that the Bureau of Reclamation had the Silt project on their list of high priority projects for 1964 and it was disallowed by the Bureau of the Budget for budgetary reasons. Such an attitude on the part of Reclamation is completely in line with their long list of accomplishments in the past and the outstanding job they will, no doubt, continue to do in the future. As a result, Mr. President, I sympathize with the position in which the Bureau finds itself in this particular instance. I have no doubt but what the White House has advised the agency, as it doubtless has other governmental departments, to cut its requests to the bare bones. And, as a result, some projects must suffer. I understand this and, as I said, sympathize with the Bureau's position. It is in the middle and must take the blows from both the executive and legislative branches.

But, here again I believe the administration has missed the point and once more demonstrates its total lack of knowledge of fiscal affairs and priorities. In the first few days of this opening session, the White House has pelted us with urgent messages requesting every type of program imaginable from a domestic Peace Corps to an education message encompassing the very air which we breathe. I have no doubt that we shall continue to receive these messages daily, the total cost of which will doubtless be astronomical and will make the cost of the Silt project look more like a shopkeeper's budget. There are programs dreamed up by fanciful theorists over merely the past 2 years. The Silt project was authorized by Congress over 6 years ago and investigations into its feasibility go back as far as 27 years ago.

Mr. President, I realize that we in Colorado have only six electoral votes, a mere pittance in the eyes of many political strategists, and therefore can largely be discounted. I know, too, that the voters of Colorado bared their teeth in the last election, turning the opposition party almost totally out of office. But, even though I am a political realist, I am shocked at what appears to be the most cynical and calculated motivations continually revealed by the executive branch in its philosophy of "to the victors go the spoils."

I wish to assure the President that, as a member of the Senate Appropriations Committee, I shall do everything in my power to assist him in tightening up the fiscal year 1964 budget. I wish to assure him also that I am maintaining my own list of priorities, close to the top of which is the Silt project. And, in this connection, I ask unanimous consent that a resolution recently adopted by the Silt Water Conservancy District be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolutions of the Board of Directors of the Silt Water Conservancy District, Silt, Colo., January 24, 1963

Whereas the Silt project was one of the participating named and authorized projects by Public Law 485, passed and approved April 11, 1956; and

Whereas all investigations have been completed and, as now planned, an adequate supply of water for said project is assured; and

Whereas the form of contract between the United States and said district has been agreed upon and 95 percent of the water supply, which will be made available by the project works, has been subscribed for by the landowners under said project; and

Whereas all requirements of the reclamation law and the Colorado State law and conditions precedent to the calling of an election to approve the contract with the United States for the construction of said project have been performed and the Bureau of Reclamation is now ready to proceed with the first stages of construction of said project; and

Whereas said project is in line on the priority list assigned by the Colorado Water Conservation Board and it was understood and believed that funds would be made available for the construction work on said project in the 1963–64 budget of the Bureau, and the district is unable to understand why funds for said purpose were omitted in said budget; and

Whereas said project is essential to the economy and the continued prosperity of the community: Therefore be it

Resolved, That our Senators and Representatives be urged to present the facts herein stated to the Bureau of the Budget and to take whatever action may be necessary to include in the appropriation bill for the fiscal year 1964 funds for initiation of the construction of said project; be it further

Resolved, That copies of this resolution be sent to the director of the Colorado Water Conservation Board, to the members of the Colorado congressional delegation, and to the Secretary of the Interior.

Elsa Pyles,
Secretary.

PHILIP M. KLUTZNICK

Mr. ALLOTT. Mr. President, I shall not consume much time, for I am mindful that the Senate desires to proceed to the consideration of nominations on the Executive Calendar.

I am not aware that my colleagues in the Senate—particularly those across the aisle—have as yet said anything about a man who is a member of their party, whom I consider to have rendered distinguished service to this country in the past 2 years. I speak of former Ambassador Philip M. Klutznick, who was with the U.S. mission at the United Nations.

During 3 months in this past fall I had an opportunity to observe Ambassador Klutznick under almost every situation and in almost every kind of circumstance in which a man could serve as a delegate to the United Nations. I must say I was impressed with the fact that he possessed every quality which was needed in the handling of the very complex and delicate matters which were assigned to him as a member of the U.S. mission.

I can understand his own reasons for feeling that he, after service of some 2 years, should return to his own business and to his own family in Chicago, but I wish to say that I view with approbation the work and the zeal with which he attacked the problems of the United States in the United Nations. We are indeed unfortunate that we cannot keep more people of his unusual ability, mental power, and zealousness in our Foreign Service so that we may be more adequately represented by people of that type.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the nominations on the Executive Calendar beginning with the Special Representative for Trade Negotiations.

The PRESIDING OFFICER (Mr. Inouye in the chair). Without objection, the clerk will read the nomination.

SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

The Chief Clerk read the nomination of Christian A. Herter to be Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary, to which office he was appointed during the last recess of the Senate.

Mr. LAUSCHE. Mr. President, when the Herter nomination came before the Foreign Relations Committee I expressed my deep confidence in Mr. Herter. I was happy that the appointment was given to this distinguished American. There is no question in my mind about his ability to fill that post with an efficiency equal to whatever any person that I know could give to it.

During the questioning of Mr. Herter in committee I asked him whether in the development of foreign trade it would become important to keep ourselves in a competitive position with the world markets.

He said that was definitely so; that if we are to sell in the markets of the world, it is necessary for our prices to be of a nature that will permit us to compete with those who are trying to take business away from us.

Mr. Herter appeared before the committee a few days before the longshoremen strike came to an end under the supposed agreement. It was for that reason that I asked him that question. I rise today to express my disapproval of the procedure followed and the results produced by the committee that was appointed supposedly to be a mediation board.

I have implicit confidence in the integrity and veracity of the senior Senator from Oregon. However, he has predispositions and he has ideologies, and in my opinion the predisposition which he had, in spite of his truthfulness, made it impossible for him to be what one might call an impartial arbitrator.

The recommended increase in the wages for the second year was 39 cents, plus. The average for the 2 years was 8.8 percent.

The President of the United States in his message a few years ago made the statement that we should give, rather than take; that when wage increases are granted, they should have correspondence to increased productivity. The figure mentioned was 4 percent.

What bothers me is that if the average increase in the longshoremen agreement is 8.8 percent, will that become the guideline in demands made by the workers in the shipyards, on the docks of the inland lakes, and on the ships sailing under the U.S. flag on the high seas? Will it become the guideline in the steel industry and in the railroad industry? If it does, if 8.8 percent is to be the guideline, what is our ultimate destination?

To me, the answer seems clear: Tax cuts with increased spending; policies of Government which lead to inflation. I think the citizen of the United States had better start pondering where he can place his money. Should he put it in a bank? Should he invest it in bonds? If he keeps it in fixed values, such as the paper dollar, what will eventually become of it? What will become of the annuity and the pension of the schoolteacher, the pastor, the worker, if this trend pointing to an inflationary period continues?

I know it will be argued that we have had no inflation. But the springs are becoming drawn; they are becoming tightened. One of these days there will be put to them an additional force, a force which will cause those springs to break violently apart.

It may appear that my remarks are not pertinent to the nomination of Mr. Herter; but they are, because he will have to negotiate, with other nations, tariff regulations. He will be concerned about what the cost of our products is.

Frankly, I believe that the pattern which was set in the settlement of the longshoremen's strike will create difficulties. Featherbedding continues. One of the principal issues in the dispute was featherbedding. Nothing was done about it, except that a committee is to study the subject. The power of the Longshoremen's Union to paralyze the economy of the country continues. I do not recall for how many days, but the Longshoremen's Union had every ship flying the U.S. flag tied up in the ports of the Atlantic coast and the gulf coast. I suppose that if they had so desired, they could have paralyzed shipping on the Pacific coast. Ohio is in the interior. The manufacturers of Ohio began to feel the pinch.

If there is to be arbitration, let us pass a law which will authorize arbitration. If there is to be arbitration, let the law be so written that there will be at least a semblance of insurance that those who are chosen to arbitrate shall have the objective ability of doing so. I now declare that I contemplate introducing a bill to require the arbitration of disputes between longshoremen and shipowners, the arbitrators to be chosen from among retired Justices of the Supreme Court of the United States and retired judges of U.S. courts of appeals and district courts.

We had better quit pounding business into the ground. Our country has thrived through the joint contributions of labor, farmers, professional men, little merchants, and businessmen. The policy of using the big club to whip into submission, according to the whims of those who issue dictatorial orders without any authorization in law, is, in my opinion, completely foreign to everything I have ever learned about the freedoms provided for the people of my country. My lesson has been that all shall have equal justice before the bar, before Congress, and before the bureaus and departments of the U.S. Government. If that is not accorded, we shall be acting in a manner completely foreign to my understanding of what our conduct ought to be.

Mr. JAVITS. Mr. President, I wish to speak in commendation of former Secretary of State Herter and also in commendation of Bill Gossett, of Michigan, who have been nominated to be, respectively, Special Representative and Deputy Special Representative for Trade Negotiations.

Mr. President, if no other Senator wishes to speak on this subject, perhaps I may defer my remarks until the nomination of Mr. Herter has been confirmed. After it is confirmed, I should like to say a few words about these two nominations.

The PRESIDING OFFICER (Mr. BAYH in the chair). The question is, Will the Senate advise and consent to the nomination of Christian A. Herter, of Massachusetts, to be Special Representative for Trade Negotations, with the rank of Ambassador Extraordinary and Plenipotentiary?

Without objection, the nomination is confirmed.

Mr. JAVITS. Mr. President, Christian Herter is about to undertake an undertaking of enormous magnitude for the country. I wish to state that I know of no one in American public life likely to fill this position so well.

I submit that what our country does in connection with trade negotiations with the entire world—a subject within the compass of the Trade Expansion Act of 1962—will be of much greater importance than even the operations of the Agency for International Development, the Export-Import Bank, or the other Government agencies concerned with the development of underdeveloped areas in every part of the world.

Mr. President, it has been correctly said, for example, that all the aid we give Brazil could be wiped out in one afternoon by a sharp fall in the price of coffee. Similar statements could be made in regard to country after country.

In addition, former Secretary of State Herter will have to give consideration to Latin America, Africa, the Middle East, Asia, the Philippines, and Japan, whenever he negotiates trade relations between the United States and the European Common Market.

In short, the operations of his office will have a determinative effect, and perhaps a decisive effect, upon U.S. foreign policy.

Mr. Herter demonstrated bipartisanship of the most complete kind during his service in Congress and also during his other governmental service—for example, when he served as special representative in connection with development aid by the United States, and subsequently when he served as Secretary of State. It will be recalled that he was vice chairman of the House of Representatives committee which finally developed the Marshall plan. The chairman of the committee was then Dr. Eaton, and Mr. Herter was vice chairman of the House Foreign Affairs Committee, which then was known as the Herter committee.

We have every reason to expect of Mr. Herter complete fairness and thorough understanding of the American economic scene, and also of our country's economic leadership of the world, which I believe is of decisive importance to the cause of world peace, unless we blow ourselves up through some madness in connection with the use of atomic weapons.

So I rise to congratulate the President on his appointment of Mr. Herter, and to voice our deep thanks and appreciation of the patriotism of Mr. Herter which at this stage in his life, after so many honors have been heaped upon him, induces him to accept this most important assignment, in the interest of the Nation.

Mr. President, I shall speak only briefly of Bill Gossett, of Michigan, although he deserves a long chapter. I know him best as general counsel for the Ford Motor Co.; and I have worked with him as a lawyer and also as a public servant. He has rare insight into the operations of U.S. private enterprise. No Senator need fear that the utmost realism in terms of the economic capacity, the economic destiny, and the economic responsibilities of the United States will be overlooked in connection with these negotiations, when Bill Gossett has a hand in them.

In short, Mr. President, this is an exemplary team to undertake this critically important function for our country; and, as a Senator from New York, I express deep satisfaction over the fact that two men of such high caliber, quality, skill, experience, and patriotism are willing to undertake these arduous duties, notwithstanding that each of them has already lived a life full of service to our Nation—Mr. Herter, in public capacities; and Mr. Gossett, in private capacities.

Mr. COOPER. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. COOPER. The President of the United States is certainly to be commended for his wisdom and objectivity in appointing Mr. Herter to be Special Representative for Trade Negotiations.

All of us know of Mr. Herter's distinguished service in many fields. I remember particularly that in 1947 and 1948 he was vice chairman of the House Committee on Foreign Affairs, then called the Herter committee, which laid the foundation for the adoption and the successful prosecution of the Marshall plan.

I know that all Senators, and the people of the country, have great confidence in Mr. Herter's work. Because of the high regard in which he is held, both in this country and in Europe, I anticipate that he will achieve great success in this very difficult field.

I have known Mr. Gossett only a short time. My knowledge of him and my regard for him are based chiefly on what Mr. Herter has told me about him. Mr. Herter said that in interviewing the many persons whom he considered for appointment as his assistants, he found

Mr. Gossett to be one of the ablest men with whom he talked. I may say, Mr. President, that while Mr. Gossett was born in Texas, his family were residents of the county in which I live—Pulaski County, Ky.—and many of them still reside there. However, my remarks are directed to Mr. Gossett's great ability, to which Mr. Herter has attested.

Mr. JAVITS. I thank the Senator from Kentucky.

DEPUTY DIRECTOR OF THE PEACE CORPS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of the nomination of Mr. Bill D. Moyers, of Texas, to be Deputy Director of the Peace Corps.

The PRESIDING OFFICER. The nomination will be stated for the information of the Senate.

The legislative clerk read the nomination of Bill D. Moyers, of Texas, to be Deputy Director of the Peace Corps.

The PRESIDING OFFICER. The question is on agreeing to the motion by the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the nomination.

Mr. LAUSCHE. Mr. President, I desire to voice my opposition to this nomination.

Mr. Moyers is a 28-year-old young man. Before he went to work for the Government he held three jobs. In one he received $8,000 a year. In the next he received $6,000 a year. And in the third—the one which he held before he came to work for the Government—he received $5,500 a year. He suddenly found himself on the payroll of the Federal Government in 1959 at a salary of $10,000. Within 3 months that salary was raised to $15,000. He was then appointed as a member of the Peace Corps in a managerial capacity at a salary of $20,000.

The assignment to which this young man has now been nominated will pay $19,500 a year.

Mr. Moyers has an excellent educational background, but the fact is that the last job he held before he went to work for the Federal Government paid him $5,500 a year. He went on the Federal Government payroll at $10,000, and in 3 months his salary was raised to $15,000.

What causes me to voice my opposition to this nomination is the fact that we constantly hear how incapable is the Federal Government to find employees. A movement is constantly energized to keep raising and raising salaries. As an example, somebody proposed paying the Supreme Court Justices $75,000 a year, and others have spoken about paying Senators $35,000 a year.

It is said, "We have to do it because nobody wants to be a Supreme Court Justice, or a Senator, or to work for the Government. We must lift the salaries."

If I may say so modestly, I was mayor of Cleveland and Governor of Ohio and I know what is paid "back in the hinterlands" for workers. I shall not, by my vote, start giving approval to the policy of fantastic hiring.

I am not going to be a party to telling the youth of the country, "All you have to do is get on the Federal payroll and you will be in gravy the rest of your life."

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. CURTIS. I commend the distinguished Senator from Ohio in what he has said. I concur with him in his position on the nomination. I, too, shall oppose it.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to have printed in the Record the questions which I put to Mr. Moyers, beginning on page 9 of the transcript of the hearing, and going over to page 13.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Excerpt From Hearing on Nomination on Bill D. Moyers

PEACE CORPS COST FACTORS

The Chairman. Senator Lausche, do you wish to ask questions?

Senator Lausche. Yes, I would like to ask questions.

Has the calculated cost of $9,000 a year per worker gone up since the Peace Corps was established?

Mr. Moyers. No, sir. The cost factors have remained consistent.

VOLUNTEERS IN THE PHILIPPINES

Senator Lausche. Now, then, may I ask what these 650 Peace Corps workers are doing in the Philippines?

Mr. Moyers. They are primarily serving as teachers' assistants, Senator Lausche. They are working in remote villages as assistants to the Filipino teachers, and they are doing two things:

One, helping in the teaching of English; and second, helping in the teaching of math and the sciences.

Senator Lausche. Do you know what the salary of the Philippine teacher is?

Mr. Moyers. Yes, sir; it is somewhere around $90 a month.

Senator Lausche. That would be $1,080 a year?

Mr. Moyers. Something like that; yes, sir.

Senator Lausche. We are sending our Peace Corps workers to that country at a cost of $9,000 each?

Mr. Moyers. However, Senator, in the Philippines our people——

Senator Lausche. You can answer that yes or no.

Mr. Moyers. Yes. The cost of each volunteer in the Philippines is $9,000, but he also only gets $70 a month as a living allowance in the Philippines.

PEACE CORPS AND EXCHANGE PROGRAM COSTS COMPARED

Senator Lausche. May I ask the chairman what the cost is per year of our exchange program teachers?

The Chairman. I haven't looked at it recently, Senator Lausche, but my memory of it last year or the year before is that the cost was substantially less than that, but it varies.

You see, a student who goes abroad gets varying amounts according to living standards in the country, and this is in the neighborhood of $3,000. But if a teacher, a professor, is teaching in a school, the cost will vary according to the position. That may run up to as high as $6,000 or $7,000. It is very rare that it goes over that.

I would say the average certainly would not be over $5,000.

Senator Lausche. Well, the chairman asked you this question and I want to repeat it:

If we send teachers with experience and training under the exchange program to these foreign countries at a cost of $5,000 a year, how do you justify sending a Peace Corps worker at $9,000?

Mr. Moyers. Well, one of the justifications, Senator Lausche, is that they are wanted, they are requested by the host country people.

I am not sure whether or not the Philippines, for example, ever requested 650 exchange students to teach in the rural villages of the Phillipines. They requested 650 Peace Corps volunteers to do it and we responded, and have sent the people there to do this particular work.

NOMINATION OF BILL D. MOYERS

I am quite happy to supply for the record a breakdown of the cost factors of volunteers, and would like to see, perhaps, a comparison made between those cost factors and the cost factors of an exchange student.

Senator Lausche. You have not answered my question. How do you justify sending overseas Peace Corps workers who are recent graduates, at a cost of $9,000 a year, when experienced teachers in colleges can be sent under the exchange program at $5,000?

Mr. Moyers. Well, the justification, Senator Lausche, comes in the breakdown of the cost factor.

For example, we provide a 2- to 3-month training program for our people that I do not believe is provided by the exchange program. This is the most expensive part of the domestic cost of Peace Corps.

I would think that that would account for one of the major reasons that the cost, the per year cost, for Peace Corps volunteers is more than the per year cost for an exchange student.

Senator Lausche. That would mean, then, that what our colleges and universities have provided in training teachers without cost to us we provide in the Peace Corps by giving volunteers this preliminary training, and that adds to the costs.

Mr. Moyers. We provide training, Senator Lausche, for the particular assignment that the person is going to. A person who comes out of a teacher training program, for example, at the University of Texas probably has not been prepared to teach English as a second language in the Philippines or Indonesia or any other country. We provide a 2- to 3-month training program which builds upon what the person learned in college and at the university.

Senator Lausche. May I put this question on this thought: Do you say that in the operation of the Peace Corps, it is proper and just and reasonable to send teachers to these foreign countries at a cost of $9,000 a year when under the exchange program we can send experienced professors at a cost of $5,000? You can answer that yes or no.

Mr. Moyers. I cannot answer that yes or no, Senator.

Senator Lausche. That is, can you answer it "yes" or "no" and then give your explanation, after you have given the "yes" or "no" answer?

Mr. Moyers. Would you rephrase the question?

Senator Lausche. Would you please read the question, Mr. Reporter?

(Senator Lausche's question was read by the reporter.)

Mr. Moyers. The answer to that question is, I think, yes, it is justified.

Senator Lausche. You say it is justified?

Mr. Moyers. Yes, I think it is justified.

PEACE CORPS WASHINGTON PERSONNEL

Senator Lausche. Now, how many persons are there in the central office at the Peace Corps?

Mr. MOYERS. About—the last count was 446 permanent positions filled at the Peace Corps and 71 of what we call temporary people.

Senator LAUSCHE. That is in the central office?

Mr. MOYERS. Yes, sir.

Senator LAUSCHE. So of the employees that the Peace Corps now has, there are about 500 in the central office?

Mr. MOYERS. That is correct.

NOMINEE'S EDUCATIONAL AND JOB EXPERIENCE

Senator LAUSCHE. And your salary in your present position is how much?

Mr. MOYERS. $20,000 a year.

Senator LAUSCHE. Under the new position it will be $19,500?

Mr. MOYERS. That is correct.

Senator LAUSCHE. Will you please tell me what your native State is?

Mr. MOYERS. Texas.

Senator LAUSCHE. Texas. How many jobs had you had in private industry before you went to work for the Government?

Mr. MOYERS. I never worked for private industry. I have held a job in communications, one for an institution, and one for a newspaper; that is three.

Senator LAUSCHE. All right.

In communications, was that at college?

Mr. MOYERS. It was while I was in school, Senator, but it was a full-time job. It might as well have been not as a student.

Senator LAUSCHE. And you were a radio announcer?

Mr. MOYERS. No. I was assistant news editor for television and radio.

Senator LAUSCHE. What was your pay in that job?

Mr. MOYERS. $8,000 a year.

Senator LAUSCHE. Yes. When did you hold that job?

Mr. MOYERS. That was in 1954 through 1957.

Senator LAUSCHE. What was the next job that you held?

Mr. MOYERS. The next year, Senator, I spent at the University of Edinburgh studying. I returned to take a job while I was in college studying for another degree at the theological seminary.

Senator LAUSCHE. What was the pay of that?

Mr. MOYERS. It was $6,000, but I was in school.

Senator LAUSCHE. That was in a religious institution?

Mr. MOYERS. Yes.

Senator LAUSCHE. What was the third job you held?

Mr. MOYERS. That was back prior to college when I was sports editor for a newspaper in Houston, Tex.

Senator LAUSCHE. What was the pay of that?

Mr. MOYERS. About $5,500.

NOMINEE'S GOVERNMENT EXPERIENCE

Senator LAUSCHE. When did you first go to work for the Government?

Mr. MOYERS. Well, I spent one brief stint in 1954, but I came in 1959 full time.

Senator LAUSCHE. Was that with the Peace Corps?

Mr. MOYERS. No. That was with the then Senator JOHNSON.

Senator LAUSCHE. You were in his office?

Mr. MOYERS. Yes, sir.

Senator LAUSCHE. What was your pay in that post?

Mr. MOYERS. Well, the first month I came it was $10,000, but within 3 months it was $15,000.

Senator LAUSCHE. Your highest pay in private industry until you came to work for the Federal Government was $8,000?

Mr. MOYERS. That is right.

Senator LAUSCHE. And you went to work for $10,000 and in 3 months your salary was raised to $15,000?

Mr. MOYERS. That is right.

Senator LAUSCHE. And your present salary is $20,000?

Mr. MOYERS. That is right.

Senator LAUSCHE. I have here a document sent to me by Mr. Shriver in which he answers certain questions which I put to him, and he says:

"The Peace Corps is a voluntary program. People who enter the Peace Corps will all be volunteers who know that neither their wages nor their living standards will be as high as what they could expect in the United States or in other oversea Government programs."

Does your status fall within this definition of what Peace Corps work is?

Mr. MOYERS. No. Mr. Shriver was referring to Peace Corps volunteers.

Senator LAUSCHE. I see.

Now then, your experience has been mainly as a scholar and, to a spasmodic degree, in the field of work—I am summarizing now. That is correct, is it not?

Mr. MOYERS. For the last 2 years, Senator LAUSCHE, I have been with the Peace Corps, and I think that my nomination for this position was upon that experience with the Peace Corps, on the fact that there are not too many people in this country who know a great deal about the Peace Corps, and that Mr. Shriver and the President wanted someone in this position who did know something about the Peace Corps.

Senator LAUSCHE. Did you get a degree in journalism?

Mr. MOYERS. Bachelor of journalism with a major in journalism and government, and with a bachelor of divinity, and graduate study at the University of Edinburgh.

Senator LAUSCHE. So you trained yourself in the field of journalism?

Mr. MOYERS. And government.

Senator LAUSCHE. Government?

Mr. MOYERS. And government; yes, sir. I had a double major.

SALARIES OF JOURNALISTS

Senator LAUSCHE. Can you tell me what the average salary in the Nation is—maybe you cannot answer that—of journalists with the experience that you have had?

Mr. MOYERS. No, sir; I do not know.

Senator LAUSCHE. Did you ever try to find out?

Mr. MOYERS. No, sir.

Senator LAUSCHE. Do you think it is up to $20,000 a year?

Mr. MOYERS. I do not know, sir. I would be surprised if it were.

Senator HICKENLOOPER. Will the Senator yield? What was the question? I missed it.

Senator LAUSCHE. I asked what the average salary in the Nation is of men engaged in the journalistic profession.

Mr. MOYERS. Some of them are here, Mr. Senator. You might ask them. [Laughter.]

Senator LAUSCHE. I would like to ask them, and I think it will not tend to strengthen your case if they answer.

How many of you get $20,000 a year? You don't have to answer.

I think that is all.

The CHAIRMAN. Senator HICKENLOOPER.

Senator LAUSCHE. May I ask how many others who are working in the journalism department of the Peace Corps are getting this salary of $20,000?

Mr. MOYERS. There are none.

Senator LAUSCHE. You were doing journalistic work in the Peace Corps because I have releases here with your name on them. You were the press man, weren't you?

Mr. MOYERS. No, I was not, Senator.

Senator LAUSCHE. What are these?

Mr. MOYERS. My name is on those, on that piece of paper there, because I sent—one of my jobs was to send to Members of the Congress news releases that bore upon their constituents.

Senator LAUSCHE. Yes, I see. That is all.

Mr. LAUSCHE. Mr. President, in conclusion, I wish to point out that the nominee was a journalist in private life. That is what he studied for. He studied some theology.

I cannot give my approval to the nomination.

I yield the floor.

Mr. MANSFIELD. Mr. President, has the nomination been confirmed?

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

Mr. MANSFIELD. Mr. President, I agree with the Senator from Ohio that Bill Moyers is a young man. I agree with him that it is unusual for so young a man to occupy such a responsible position as that to which he has been nominated.

I would point out, however, so far as youth is concerned, that to be a Member of the House of Representatives of the United States, the age qualification is only 25 years, and to be a Senator of the United States, the age qualification is only 30 years.

I must add that my experience with him has convinced me that the appointment is no more unusual than the man himself. In less than three decades, Bill Moyers has accomplished more than many men do in a full lifetime. He has not only an unusually rich academic background; not only an unusually broad and thorough Senate background, as assistant to former Senator LYNDON JOHNSON, but an unusual record of service as one of the chief executives of the Peace Corps during the past 2 years.

And I am confident, Mr. President, that Bill Moyers will provide the Peace Corps and the people of the country with additional evidence of his unusual capacities in the future.

Mr. SPARKMAN. Mr. President, I sat through the hearings on the nomination of Bill Moyers. I was highly impressed with him, not only this year but previously when he appeared before our committee, particularly in support of Peace Corps legislation. He has made a fine impression upon our committee.

With reference to the pay which he received prior to coming with the Government, I think, in all fairness, it should be pointed out that one of those jobs was before he went to college. The $5,500 job and the other jobs were held and carried on while he was in college. The $8,000 salary he received while holding a job while he was getting his college education. Likewise, the $6,000 a year job was a job he held while going to school, again in college.

Bill Moyers not only completed his academic training in college in this country, but was the winner of a Rotary scholarship at Edinburgh, where, if I recall correctly, he took a degree in theology, or in some theological field.

He has shown a remarkable grasp and a fine ability in his work with the Peace Corps. I think he is to be credited for being of tremendous assistance to Sargent Shriver and other associates in developing the Peace Corps, which has gained the respect of the people of this country and of the whole world. Much of the credit is due to Bill Moyers. I am very glad the Senate has seen fit to confirm his nomination.

Mr. JOHNSTON. Mr. President, I wish to join in what the Senator from Alabama has said about the appointment of Bill Moyers. I think this young man, because of his youth, energy, and mental capability evidenced throughout his career, will make a very fine public servant.

I think, as Deputy Director of the Peace Corps, he will move forward and do a great job for us in the field of foreign affairs.

I am one who believes in youth. I am not one who believes that simply because one is young, he does not possess the ability to do the job of men many times his senior.

If one will but study history, the record will show some of the greatest accomplishments in life were performed by young men under 30 years of age. From my past associations and knowledge of Bill Moyers I believe he will do an excellent job.

Mr. LONG of Louisiana. Mr. President, as a member of the Foreign Relations Committee, I also had an opportunity to observe Bill Moyers, as have other Senators. In my judgment, he is an exceedingly able and competent young man. All those who have served with him, including the present Vice President of the United States, have been impressed in the same way.

It is true that he is a young man, but the kind of work he would be expected to do is in an area where the emphasis is on youth. Just as in time of war we do not send those in their forties or fifties to be frontline soldiers, except officers who might have relatively high rank, for the most part young people are needed in the Peace Corps activity. In this connection it is best to have a young man who has intelligence, vigor, and a natural flare for leadership to fill the position Bill Moyers will be expected to hold in the Peace Corps.

Having listened to him testify before our committee on a number of occasions, I have been impressed by him. I think the Senate will not be disappointed that it has confirmed this nomination.

Mr. LAUSCHE. Mr. President, may I supplement what I put in the RECORD before by citing this as an example of how the taxpayers' money is spent? I wish to put in the RECORD facts relating to the development of a peace corps in New York.

A private nonprofit corporation was formed to operate a domestic peace corps. They came to the Federal Government and made an application for $250,000. That $250,000 was granted, and here is a list of the salaries:

One overall project director, $14,000.

One peace corps program coordinator, $13,000.

One recruitment coordinator, $10,000.

One chief of training program, $13,000.

One senior research director, $13,000.

One urban service corps program coordinator, $12,000.

There is another example of what is done with the taxpayers' money. It is ladled out. It is spent without any consideration of the taxpayers.

I do not care how intelligent this young man is, and he can be decked out with a great many Phi Beta Kappa keys, the fact is that he was put on the Federal payroll as a plum, and nothing else. In 3 months he revealed the qualities which cried out, "You must raise his salary by $5,000." He was rewarded for no other reason than for his political work.

DEPUTY SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

The legislative clerk read the nomination of William T. Gossett to be Deputy Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

ADMINISTRATOR OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT

The legislative clerk read the nomination of David Elliott Bell, to be Administrator of the Agency for International Development, to which office he was appointed during the last recess of the Senate.

Mr. CURTIS. Mr. President, I rise in opposition to the confirmation of the nomination of Mr. Bell. Mr. Bell served as Budget Director. In that office he injected a philosophy detrimental to the interests of this Government and the people of the United States. He abandoned the old philosophy of a balanced budget for the philosophy of "a balanced budget is a good thing but not now, because we cannot attain it."

He took the additional step of the planners, of the disciples of big government, when he said that a deficit was a good thing.

Mr. Bell appeared before the Committee on Finance, and the distinguished Senator from Delaware [Mr. WILLIAMS] asked him, "Do I understand that the deficit that we are having in the current year"—which was fiscal year 1962—"was planned?"

Mr. Bell replied, "Yes, sir; it was planned as an antirecession measure."

The distinguished chairman of the Committee on Finance, the Senator from Virginia [Mr. BYRD], on the Senate floor pointed out that the Director of the Budget had said that the deficit was planned and, in substance, that it was desirable, and that a lower deficit would have been bad for the country.

I submit that that policy does violence to the concept of honesty in government, maintained by the vast majority of the American people. It does not render someone fit for high office in our Government. Before a wrongful course of action is undertaken, there first is a wrong idea. Mr. Bell certainly embraces one.

I am not assuming that his nomination will be defeated. I am aware of the makeup of the Senate, party-wise, and I say that not in any unkind way. I am aware that many Senators find it necessary to support the President in his selection of people to represent his official family. Therefore I am not hopeful that we can defeat the nomination.

However, I do want the RECORD to show that this man possesses an economic philosophy under which he believes in planned deficits. I ask the question: At what point does a repudiation of the national debt begin? I believe it begins when we decide not to pay the debt. We hear no one charged with budgetary matters who announces any plans or any intention of paying the debt; rather, to renew the bonds when they fall due. This is not in the interest of our Republic. The nomination should be withdrawn.

Mr. LAUSCHE. Mr. President, I should like to have the RECORD show that I vote "No" on the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The legislative clerk read the nomination of John C. Bullitt to be U.S. Executive Director of the International Bank for Reconstruction and Development for a term of 2 years, to which office he was appointed during the last recess of the Senate.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. EXECUTIVE DIRECTOR OF THE INTERNATIONAL MONETARY FUND

The legislative clerk read the nomination of William B. Dale, to be U.S. Executive Director of the International Monetary Fund for a term of 2 years, to which office he was appointed during the last recess of the Senate.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

AMBASSADOR

The legislative clerk read the nomination of J. Wesley Jones, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Peru.

Mr. MILLER. Mr. President, I rise in support of the nomination of J. Wesley Jones of Iowa, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Peru.

Mr. Jones is a longtime career Foreign Service employee of our Government, having spent 32 years in the Foreign Service. I am proud to say that he is not only a native of my State but that he also comes from my hometown of Sioux City, Iowa. He has a distinguished record of service and experience in the Foreign Service.

I ask unanimous consent that a brief list of his various assignments, down through the last 32 years, be inserted in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

J. WESLEY JONES

Present position: Ambassador to the United Kingdom of Libya.

Considered for: Ambassador to Peru.

Born: Iowa, June 4, 1907.

Education: A.B., George Washington University, 1930.

Marital status: Married.

Experience:

Government:

Appointed FSO unclassified, vice consul, secretary, diplomatic service, temporary vice consul, Saltillo, 1930.

Foreign Service school, vice consul, Calcutta, 1931.

Vice consul, Rome, 1935.

Vice consul, Florence, June 9, 1936.

FSO-8, consul, Rome, 1937.

FSO-7, 1939.

Department, 1941.

FSO-6, 1942.

Assistant Chief, Division of South European Affairs, 1944.

Second secretary-consul, Rome, FSO-4; first secretary, Rome, in addition to consul, 1945.

FSO-3, 1946.

FSO-2, counselor of Embassy, Nanking, 1948.

Consul general; consul general, Nanking in addition to counselor; counselor of Embassy, Madrid, 1949.

FSO-1, 1950.

Director, Office of West European Affairs, 1953.

Deputy Assistant Secretary of State for European Affairs; career minister, 1957.

Ambassador to Libya, 1958.

Office: American Embassy, Tripoli, Libya.

Home: In care of the American Embassy, Tripoli, Libya.

Legal residence: Iowa.

Mr. MILLER. This is just another of many fine examples of Iowa's record of giving her share of public servants to the Foreign Service of our Government. I am confident that Mr. Jones in this assignment will continue to produce as effectively as he has in the past. I hope that future assignments in the Foreign Service will be as commendable as this one.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK IN THE DIPLOMATIC AND FOREIGN SERVICE

The PRESIDING OFFICER. Without objection, the nominations beginning with that of G. Edward Clark, of New York, a Foreign Service officer for promotion from class 2 to class 1, and ending with John W. O'Connell, of South Dakota, a Foreign Service officer, to be a secretary in the diplomatic service of the United States of America, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 15, 1963, are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nominations today.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

RESIDUAL OIL FROM VENEZUELA

Mr. RANDOLPH. Mr. President, today the President of the United States and the President of Venezuela are conferring in the Nation's Capital. It is not only timely but also imperative that the Senator from West Virginia call attention to a crisis which is being created in the State of West Virginia and other coal-producing areas of the country by the continued flow into our Nation of residual oil from Venezuela.

I recall that on one occasion in this body, when debate was raging about problems of the Middle East, the Senator from Minnesota [Mr. HUMPHREY] cogently asked, "What about the Middle West?"

Today, as we think of the problems of Venezuela, I ask, What are the problems of West Virginia, Kentucky, Virginia in part, Pennsylvania in part, Ohio in part, and Illinois in part?

For that reason, during the visit of President Betancourt to Washington, D.C., these remarks are made. They are made rather bluntly, but they are made because it is necessary in this forum to point out very carefully but affirmatively that an industry in our Nation is being injured tragically by the continued flow of imported residual oil into the United States. So what I shall say here, I shall say based upon facts.

Mr. President, on February 13, 1963, the Director of the Office of Emergency Planning in the Executive Office of the President forwarded to President Kennedy a memorandum recommending "a careful and meaningful relaxation of controls" on residual fuel oil imports.

This recommendation followed soon after the 20-percent increase in import quotas for the first quarter of this year authorized at the end of January by the Secretary of the Interior. And this latter action, Mr. President, was only the most recent in an unbroken series of increases ordered by this administration.

The great bulk of this residual oil going to our Atlantic seaboard utilities—some 90 percent of it—is from refineries in the Dutch Antilles and Venezuela. It is, therefore, evident that in addition to the interest of the electric utilities and their customers of the eastern seaboard, there are foreign policy considerations involved in relaxing the import quotas.

I am quite aware of the significant role occupied by Venezuela under the leadership of President Betancourt in our effort to achieve hemispheric solidarity against international communism and Castroism. There is no intent on my part to detract from the importance of Venezuela in this regard. But I believe we need more facts. Accordingly, I have had a study initiated to determine specifically to what extent American payments for residual oil from Venezuela contribute to the economic viability of that country.

Notwithstanding, Mr. President, I respectfully suggest that in the present instance the left hand of our administration does not know what the right hand is doing, and further, that the left hand is too far removed from the head. One would hardly expect that in an administration as articulate and well informed as the Kennedy administration, a member of the President's Executive Office would not be conversant with President Kennedy's deep and personal and official concern for the strengthening of our own domestic economy.

Yet it is the only conclusion that one can derive from reading the recent OEP memorandum in the light of President Kennedy's noteworthy leadership in proposing domestic economic legislation—and especially for those areas which would be most severely damaged and inordinately sacrificed by implementation of the recommendations contained in the OEP memorandum.

Not only has the author of this memorandum presumably been immune to President Kennedy's logic and eloquence on the subject of the relation of a healthy national economy to the overall national security, but also he apparently has overlooked or misunderstood that section of the Trade Expansion Act of 1962 which deals specifically with this problem and under the authority of which the Director of OEP is given advisory role in the field of imports.

This may seem a harsh judgment, but it is supported by two specific references in the OEP report to the President regarding the application of the national security section of the Trade Expansion Act to residual oil imports.

On page 30 of the OEP memorandum, the author states with reference to the economic condition of the bituminous coal industry—a condition affected in no small measure by residual oil imports—that:

> I do not believe that the national security section of the Trade Expansion Act can under the showing of this investigation be the medium for Government assistance.

Again, on page 34, in discussing the condition of the railroad industry, the OEP director comments that:

> In any case, in my view, section 232 of the Trade Expansion Act is not the proper vehicle for correcting the railroads' difficulties.

Now, Mr. President, without admitting the validity of the use of the phrase "Government assistance" in this context, I would reiterate that the Director had apparently not read with care the entire section of the Trade Expansion Act under which his authority is conferred. This act is published in "U.S. Code Congressional and Administrative News," No. 17, 1962, pages 4241–4279.

Section 232, subsection (b) of the Trade Expansion Act, which confers advisory authority upon the Director of the Office of Emergency Planning, appears at the botom of page 4247. Had the author of the OEP memorandum turned the page—which apparently he had not done at the time of writing his "memorandum for the President"—he would have discovered in the clear and unmistakable language of subsection (c) the stipulation of those domestic economic factors which must be embraced in any OEP inquiry into the national security implications of any import program.

Mr. President, I draw the attention of Senators to this subsection, which, because of its relative brevity, will be quoted in its entirety. And I pose the question of whether there can be any more clear injunction imposed on an administrator to consider those very factors which are at issue in regard to the impact of residual oil imports upon the economic health of the railroad and coal industries.

Subsection (c) of section 232 of the Trade Expansion Act—that section which the Director of OEP would seem to declare as irrelevant to the national security implications of the residual oil import program—clearly provides:

> (c) For the purposes of this section, the Director and the President shall, in the light of the requirements of national security and without excluding other relevant factors, give consideration to domestic production needed for projected national defense requirements, the capacity of domestic industries to meet such requirements, existing and anticipated availabilities of the human resources, products, raw materials, and other supplies and services essential to the national defense, the requirements of growth of such industries and such supplies and services including the investment, exploration and development necessary to assure such growth, and the importation of goods in terms of their quantities, availabilities, character, and use as those affect such industries and the capacity of the United States to meet national security requirements. In the administration of this section, the Director and the President shall further recognize the close relation of the economic welfare of the Nation to our national security, and shall take into consideration the impact of foreign competition on the economic welfare of individual domestic industries; and any substantial unemployment, decrease in revenues of government, loss of skills or investment, or other serious effects resulting from the displacement of any domestic products by excessive imports shall be considered, without excluding other factors, in determining whether such weakening of our internal economy may impair the national security.

I say to my colleagues, these are not my words—these are the words which have been written into the subsection.

I emphasize again, Mr. President, that section 232, subsection (c) of the Trade Expansion Act specifically enjoins the Director and the President to consider the very factors at issue in this instance, namely, the impact of residual oil imports on the coal and railroad industries. The act uses mandatory, not permissive, language when it states that:

> The Director and the President shall further recognize the close relation of the economic welfare of the Nation to our national security, and shall take into consideration the impact of foreign competition on the economic welfare of individual domestic industries; and any substantial unemployment, decrease in revenues of Government * * * or other serious effects * * * in determining whether such weakening of our internal economy may impair the national security.

My colleagues, I do not know how the administrative intent of subsection (b) of section 232 could be more clearly stated than in the language just quoted from subsection (c). This language was introduced by the distinguished chairman of the Senate Finance Committee [Mr. BYRD] in the Trade Agreements Act of 1958. It was accepted by the House of Representatives and the Eisenhower administration.

In sending the trade expansion program bill to Congress last year, the present administration made no attempt to delete the provisions of section 232, subsection (c), and this section did not even enter the debate in Congress on the Trade Expansion Act of 1962. Thus, the history of this section since 1958 would indicate a remarkable consensus among both the Eisenhower and Kennedy administrations and both bodies of Congress concerning the meaning and intent of the language. President Kennedy, himself, has given further weight to this section by his frequent reiterations of the fundamental importance of a strong domestic economy in relation to our national security. Yet, we now discover an officer of this administration stating in the OEP memorandum that "I do not believe that the national security section of the Trade Expansion Act can, under the showing of this investigation, be the medium for Government assistance" to the bituminous coal industry.

I believe we should analyze that rather artful phrase, "Government assistance." Mr. President, we should not be talking about Government assistance. We are concerned here with Government protection against excessive dumping of a foreign waste product on the domestic fuel market. The action which the coal industry seeks, that is, a meaningful stabilization—not relaxation—of import quotas on residual oil, bears the same relation to the economic ailments of the industry that the enforcement of pure water standards bears to the problem of typhoid in the general community. We are, in effect, seeking means to prevent the spread of an economic ailment, rather than the cure for a condition already afflicting us.

The most recent increase in the residual fuel oil quota brings it to the highest level attained by the importers under this administration—190 million barrels for the year, as compared to 154 million barrels of allowable imports in the quota year of 1960. This increase over the 1960 quota, of some 36 million barrels annually, is equivalent to the displacement of 8.3 million tons of coal. This lost coal production would afford annual work for some 3,300 U.S. miners. Many of them are in the State of Illinois, as well as other States which are not comparable in tonnage to West Virginia, which has the largest bituminous coal production in the United States.

I do not advance the claim that all those additional miners would not be employed were it not for the quota increases mentioned. Nor do I know what proportion of that figure would otherwise be employed. However, I do know that these increases in residual fuel oil imports have added to the serious unemployment within the coal and railroad industries—apart from the remarkable increase in productivity in those industries. Further relaxation of controls will intensify the damage already done. Stabilization of quotas—not relaxation—is clearly warranted under the provisions of section 232 of the Trade Expansion Act.

Mr. President, in my letter to President Kennedy, which will be included in the RECORD at the end of my remarks, I have questioned several of the assumptions and interpretations of the OEP memorandum as it treats the national security question in this issue. I shall address some of these points in more detail at a later time, especially the importance placed by Director McDermott on "hemispheric solidarity" and the role of Venezuela therein.

For the present, I would emphasize only the language of section 232 of the Trade Expansion Act, and particularly that part which refers to "any substantial unemployment, decrease in revenues of government, loss of skills or investment, or other serious effects." Unemployment in the coal industry has been too frequently noted for me to dwell on the subject here—though, in passing, I would note that employment in bituminous coal mining in West Virginia dropped another 6,000 from December 1961 to December 1962. What has perhaps not been brought sufficiently to the attention of the Senate, and certainly of the administration, is the continued dependence of retired miners, and the families and widows of deceased miners, upon the United Mine Workers welfare fund which is supported by royalties on coal production. Nor have we heretofore emphasized the importance of revenues from the coal and railroad industries in the support of county and State governments of the Appalachian region. Thus, Mr. President, entirely apart from the more dramatic and obvious issue of unemployment, many thousands of families and numerous State and local governments are dependent for their support upon the continued vitality of the coal and railroad industries.

These factors should serve to refute the OEP interpretation of the Trade Expansion Act in this instance, and should call for a fundamental reappraisal by the Director and the President of the recommendations set forth in the OEP memorandum of February 13.

I would like to address myself particularly to my friends in this body who represent the States of New England and the Atlantic seaboard. For I desire above all not to have this issue become the cause of sectional wrangling and dispute between the Appalachian region and the east coast States. I do not seek, nor has the coal industry requested, the total exclusion of residual fuel oil imports. Nor do we desire to impose on the generators and consumers of electricity on the Atlantic seaboard an uneconomical fuel.

We are asking for protection against excessive dumping of a foreign waste product. And we are urging an equitable stabilization of the import quota program which will allow for long-range investment planning and development in the coal industry and related industries.

Experts in the industry tell me that their deep-seated problems of the recent period of transition hopefully will be solved within the next 5 years. We are, in effect, seeking a period of stabilization during which time we will not be exposed to insufficiently controlled dumping of residual oil on the fuel market of the eastern seaboard. By making new generating facilities available to the coal market during this so-called grace period, the coal industry will be allied with others in providing electrical consumers with the benefits of new technological developments, which are in being and which are ahead.

To indicate that this is not an idle or irresponsible statement, I point out that since 1947 the productivity of the individual coal miner has more than doubled. And despite increased wages and the cost of modern machinery, much of the benefit of this increased productivity has been properly passed on to the consumer. This is demonstrated in the fact that during that period, while wholesale commodity prices on all items increased approximately 25 percent, commercial coal prices decreased some 15 percent.

Mr. President, in 1960 district I—the Department of Interior classification for the U.S. east coast—had a population of 70.8 million; the population projection for district I in 1970 is 82.6 million, and in 1975 it is 89.9 million. The figures for electricity generation during those years, actual and projected, are 245 billion kilowatt-hours in 1960, 460 billion kilowatt-hours in 1970, and 630 billion kilowatt-hours in 1975. The corresponding figures for coal consumption are 67.6 million tons in 1960, 105.8 million tons in 1970, and 133.5 million tons in 1975. This is the market toward which we are looking, Mr. President. This is the market from which we must not be foreclosed due to a temporary and perhaps expedient interpretation of the Trade Expansion Act by the Office of Emergency Planning. And this is the market that will be served by techniques just as novel in the distribution of coal and coal-generated power as the techniques which have revolutionized the mining of coal.

There has already been introduced the integrated or unit train of some 120 or 130 coal cars originating with a single producer and terminating with a single consumer.

The often discussed coal pipeline is technically feasible, and its broad usage apparently must await only the meeting of minds on the methods and political differences rather than technical or financial ones.

And finally, the most exciting and dramatic development is that of long-line extra-high voltage transmission of electrical power direct from the coalfield in West Virginia and other States. As noted in the Christian Science Monitor of January 25, 1963, plans are current for the construction of 600 miles of 500,000-volt transmission lines connecting huge mine-mouth generating plants in western Pennsylvania and West Virginia with outlets outside Philadelphia and New York.

The program calls for construction of lines leading from West Virginia near Wheeling to terminals near Philadelphia and in northern New Jersey, to link with utility systems in New England and to the south. Two large mine-mouth powerplants with a total capacity in excess of 2,100,000 kilowatts will be constructed near Morgantown, W. Va., and Johnstown, Pa., and both plants and lines are scheduled for completion in 1967.

In addition, Virginia Electric & Power Co. is currently planning a $152 million system—scheduled for completion in 1966—consisting of a 350-mile loop extending from a new 1 million-kilowatt plant in West Virginia to the suburbs of Washington, to Richmond, Va., and on to the Shenandoah Valley. If completed on schedule, this will be the first commercial 500,000-volt transmission system in the United States.

These are but some of the plans which the coal and electrical generating industries have for increasing the distribution and decreasing the cost of electrical power. These creative efforts must not be placed in jeopardy by such a short-sighted expediency as the relaxation of controls on residual fuel oil imports.

I would hope that the President, in establishing the residual oil import quotas for the year beginning April 1, 1963, will order the kind of stabilization program that is called for by the circumstances I have outlined today. If not, I shall—as I have indicated in my letter to President Kennedy—work diligently to achieve by legislative action the relief that is being denied us by administrative action—action in reverse.

I ask unanimous consent that my letter to President Kennedy be printed in the CONGRESSIONAL RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., February 13, 1963.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: I have received from the Director of the Office of Emergency Planning a copy of his memorandum for the President, and a copy of his press release concerning that memorandum on the subject of the residual oil import control program.

The West Virginia delegation in the 88th Congress, in our letter of February 8, 1963, to you, requested a briefing on the OEP residual oil report 48 hours in advance of its release. We are alerted by OEP Director Edward McDermott the evening of February 12 that the memorandum for the President would be released at 4 p.m., February 13, and we were informed that a copy would be delivered to us the morning of February 13. A courier from OEP did deliver both copies of the press release and the memorandum for the President this morning in advance of the 4 p.m. release. I appreciate receipt of the copies prior to release, but I regret the narrow interval between the time of receipt and the hour of release.

Please know that I am in substantial disagreement with numerous of the assumptions which were the basis for the OEP director's recommendation that you approve a relaxation of controls on imports of residual fuel oil. Furthermore, several of the conclusions which are stated in various segments of the memorandum are astounding. I will delineate points of disagreement in speeches I expect to make on the subject.

Mr. President, having been encouraged by White House spokesmen to feel that the residual oil import controls would be stabilized in order to help sustain or even strengthen domestic fuel sources, I cannot believe you will accept the OEP director's recommendation for relaxation of controls. Why is it that all we hear is relaxation, never any stabilization or tightening of quotas?

But, sir, if you do accept the OEP recommendations and order or condone their implementation to supplement the quota increases which already have been awarded to residual oil importers by this administration, you will be taking what I consider to be an ill-advised course of action for the following reasons:

1. In effect, the OEP report and recommendations constitute an invitation to Atlantic seaboard electric utilities from Florida to Maine, as well as other large industrial fuel consumers, to design their present plant expansions and their future new fuel burning facilities to exclude domestic coal and to rely on the residual waste product of foreign refineries.

The OEP report stresses that domestic railroads abandoned coal as their source of engine power. This is only partly true and only insofar as dieselization is concerned. Although this condition is now threatened in the east coast regions by the preferential treatment given to a foreign fuel under the policies of this administration. If enlarged and extended, these policies can only result in the permanent exclusion of domestic coal from its already narrowed market.

American coal cannot hold its own under these conditions. Like the potteries which have vanished from the industrial scene in West Virginia, largely under the impact of import competition, our coal industry faces a bleak future if recommendations as contained in the OEP "Memorandum for the President" are implemented.

The degree to which the OEP document seeks to indict and punish two basic U.S. industries—coal and railroads—in the so-called interest of Western Hemisphere solidarity is in striking contrast to the administration's professed concern for the strengthening of our domestic economy.

2. The OEP report and recommendations create a most unrealistic impression that there is assured and constant availability of foreign residual oil to U.S. utilities and industries. But the "Memorandum to the President" is silent concerning the fact of and the dangers of possible further sabotage and internal changes in the governments and policies of the countries which are the foreign sources of supply. Notwithstanding omission of these vital elements of consideration which should have careful attention in our national security planning, OEP suggests in effect that the highly important east coast region of the United States should place more and more reliance on the residual waste product of foreign refineries for energy fuel and thus move closer and closer toward destruction of the major markets of American coal.

It must be remembered, Mr. President, that a coal mine shut down is one that cannot be placed in moth balls. Let any substantial number of coal mines close because of market losses and the capacity to produce in time of national emergency will not be adequate. Modern coal mines are not opened quickly. The investments to establish new mines are tremendous, even when equipment is readily available—and availability of modern mining machinery in time of emergency cannot be assured if the coal industry suffers further debilitation. The "Memorandum for the President" seems to be silent and not to take these conditions into account.

In fact, underlying all of the OEP report is the apparent rejection of the fundamental fact that residual oil imports do have an adverse effect on a substantial segment of the markets for domestic coal.

OEP and Interior Department efforts to imply that the coal industry is in a healthy condition because of a relatively small increase in 1962 production over that for 1961, and thus can be disregarded in any policy determined for the importation of residual oil, is both an unfair approach and an unsound one from the economic standpoint.

The fact is, Mr. President, that the coal industry and the coal-carrying railroads, and other associated industries, have been carrying on an unending effort and a vigorous attack on costs—including labor costs—in order both to stay in business and to try and make contributions to the national economic growth.

Department of Labor reports indicate that the coal industry labor is employed on a basis of a 36-hour week—although we know that many mines operate only 2 or 3 days a week. And active employment is down to a low figure of 115,000. This means that the industry, in order to keep alive, has had to continue to reduce employed manpower, invest more and more in mining machinery, and then appeal to the railroads for major changes in their rates to the eastern seaboard.

3. The OEP report and recommendations seem to me to call for inordinate sacrifices of domestic stability, national growth contributions, and domestic manpower utilization by important basic domestic industries in the interest of so-called Western Hemisphere solidarity. I emphasize, Mr. President, that inordinately large sacrifices would be visited on the people and the economies of already-too-depressed sections of West Virginia and the Appalachian region if the OEP recommendations for further relaxation of residual oil controls are ordered.

4. And, sir, the OEP report and recommendations, if implemented, could not have a positive effect on our balance-of-payments problem. On the contrary, the net effect of the OEP recommendations would probably be to complicate and make more difficult the task of reaching a favorable balance of payments.

Mr. President, I conclude by informing you that orders placing in effect the OEP control relaxation recommendations, will necessarily require that I be among those who will militantly strive for amendments to the Trade Expanison Act rather than continue, as I have done in the past, to rely on administrative judgments and decisions. Mine will be vigorous and resolute efforts in the Congress to have done by legislation for the domestic oil and coal industries and the domestic coal-carrying railroads that which is not being done—but which we had reason to hope would be done—through administrative action.

Very truly yours,
JENNINGS RANDOLPH,
U.S. Senator.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. RANDOLPH. I am grateful to the Senator from Illinois for indicating his interest in this subject. I yield.

Mr. DOUGLAS. I was very much interested in the proposals which the Senator suggested were underway for technical improvement in the coal industry. I should like to inquire if the large-scale generation of power near the mine mouth would not have the advantage that coal tar byproducts could be extracted and that a chemical industry could grow up alongside the coal industry.

Mr. RANDOLPH. The Senator from Illinois is correct in the assumption that we have reason to believe that such satellite plants which would be established in the area near mine mouth generators. A number of industries have indicated interest in this matter.

Mr. DOUGLAS. Some years ago the Senator from Illinois made a trip through the Ruhr region in Germany. In the Ruhr the chemical industry is joined very closely with both the coal and steel industries. Indeed, the prosperity of the chemical industry of Germany is based largely upon the development of various byproducts from coal tar. About 40 years ago a very eminent power engineer, Walter Polakoff, wrote an article in which he prophesied that this was going to be the next stage in coal mining and power production in this country, and would lead also to the decentralization of industry, because the power could be shipped over an electric line. He said it would also mean decreasing the befoulment of our cities by smoke, because the coal would be burned near the mine mouth, and that the byproducts from the smoke could be made into chemical byproducts. Does the Senator from West Virginia know if those plans are contemplated, too?

Mr. RANDOLPH. They are contemplated, yes, and have been in being for at least 5 years, under research and even project study and experimentation.

Mr. DOUGLAS. It is desirable, is it not, that the big generating plants should be near an abundant water supply for condensing purposes?

Mr. RANDOLPH. That is correct. In the instance of the plants mentioned, that feature certainly is provided. Both the plants which I mentioned, the one near Morgantown, W. Va., and the one near Johnstown, Pa., are adjacent to the Monongahela River.

Mr. DOUGLAS. While we want to do the best for West Virginia, I should like to point out that the coalfields of Illinois are situated in very close proximity to at least four great rivers—the Ohio, the Mississippi, the Missouri, and the Wabash. We hope that an increasing amount of Illinois coal may be mined and transformed into power, so that we may also have a chemical industry associated with the coal and power industries; and in this development, we think that all the coal mining regions may share.

Mr. RANDOLPH. The Senator from Illinois is correct. I recall testimony given in the Committee on Public Works last year in reference to the large deposits of coal which lie adjacent to the Wabash River. There was a discussion of the river being dredged and widened. This was based partially on the need for improved movement of coal.

Mr. DOUGLAS. Not merely the Wabash, but also the Ohio and Mississippi Rivers.

Mr. RANDOLPH. Yes; I recall earlier hearings in 1961 on improving the channel of the Kaskaskia River. Expert witnesses before the committee stated that in the area where the Kaskaskia joins the Mississippi River there are coal deposits of some 2 billion tons, an estimated 30 billion tons of high-grade iron ore, and unlimited limestone. This area has a truly great potential as a coal and industrial region. It must not be stifled by the kind of crippling of the national coal economy which will result from implementing the OEP recommendations.

Mr. LONG of Louisiana. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I am happy to yield.

Mr. LONG of Louisiana. The Senator from West Virginia has brought us some welcome information together with a need for greater understanding in this field. The Senator from Louisiana comes from an area which produces a substantial amount of oil and gas. We are confronted with the problem in a somewhat different respect.

The Senator from West Virginia has pointed out so well in his statement that involved is the security of the United States. Much as we wish to be helpful and friendly to Venezuela and other nations, we must recognize that the United States is the target of Communist infiltration. While we should like to support other countries in their effort to build their economies, maintain their freedom, and grow in prosperity, we must recognize that in the last analysis there is no one upon whom we can depend but ourselves in all emergncies and under all conditions.

The Senator has just observed how in recent months friction has developed between the United States and Canada. That is a development which some of us in this body never anticipated. We had thought we could count upon our Canadian friends in every need. Yet we have seen how divisions and misunderstandings can arise.

Furthermore, it is possible that countries upon which we rely for our imports are always subject to being separated from us, either by some change in the form of government or by Communist infiltration.

The Senator from West Virginia makes a persuasive case when he says that the coal mines of West Virginia comprise much of the real, bedrock strength of the United States and should be regarded in that fashion. I compliment him upon the able speech he has made today.

Mr. RANDOLPH. I thank the Senator from Louisiana. West Virginia also is an important oil- and gas-producing State, in addition to being the largest bituminous-coal-producing area in the country.

The reference by the able Senator from Louisiana to the question of the security of the Nation and our greater independence of countries which we like to think of as allies is a very real consideration in this Nation. Coming as he does from a section of the country which borders upon large expanses of water, the Senator remembers that the shipping lanes during World War II were disrupted at a time when we were relying upon oil being moved into this country. I think the Senator remembers that difficulty, does he not?

Mr. LONG of Louisiana. Yes; that is true. As the Senator from West Virginia well knows, there could be similar disruptions in the future. It does not take a war to cause such an emergency. The Senator from West Virginia is aware of occasions when such a thing as the closure of a Suez Canal or the taking over by an unfriendly government of a country which had exported oil to us created a sudden emergency for this Nation or its allies.

So we must be in a position to provide for our power requirements on short notice, not on the basis of being able to produce it 2, 3, or 5 years after an emergency has occurred.

Mr. RANDOLPH. That is true. If a coal mine is allowed to be closed today, it cannot be reopened tomorrow. That cannot be done. That is an important consideration mentioned by the Senator from Louisiana.

I am grateful for the interest and cogent comment of the Senator from Illinois and the Senator from Louisiana, who have honored me by a discussion of this important problem.

Since I opened my remarks with reference to President Betancourt's visit to the Capital, I will close on this topic. I have nothing but the utmost respect and admiration for President Betancourt's heroic efforts to achieve economic, social, and political stability in Venezuela. And I am thoroughly in accord with this administration's desire to assist in the process.

However, when our assistance takes the form of allowing excessive or possibly uncontrolled dumping at east coast ports of residual fuel oil from Venezuela and other countries, I must strenuously object on two points.

First. As President Kennedy has so eloquently stated, no single segment of our people must be allowed to bear the full burden of programs that are of value to the entire Nation. This is, in fact, what is happening when the coal industry in West Virginia and parts of the other States I have mentioned must bear the impact of the residual oil import program.

Second. As the Trade Expansion Act, section 232, makes abundantly clear, we cannot divorce the health of our national economy from the condition of our national security. This is what the recent OEP memorandum seeks to do, and for this reason I believe the Director's recommendations must be opposed by either administrative or legislative action—whichever is the more effective and expeditious.

Mr. DOUGLAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SENATE ESTABLISHMENT

Mr. CLARK. Mr. President, I desire to address the Senate on the subject of the Senate establishment and how it operates. Perhaps the first thing to do is to state what I mean by "the Senate establishment." Senators may recall that last May, Richard Rovere, the very able reporter who writes for magazines such as the New Yorker and Esquire—since Esquire discarded its pin-up girls as the principal way of selling that magazine, and became a magazine for a little group of serious thinkers—wrote an article on the establishment of the United States; and in the article he compared those who he thought ran America—although I suspect that to some extent he had his tongue in his cheek—with the British establishment, which is headed by the royal family, and includes the peers, whether hereditary or only for life, and most of the aristocracy, if not the plutocracy, of Great Britain and northern Ireland.

Mr. Rovere suggested that there was an ill-defined, but nonetheless clearly discernible, establishment in the United States. He proceeded to state the names of the persons whom he regarded as members of the establishment. His comments in that connection were quite interesting. For example, he stated that one of the two candidates for election to be President of the United States and to be Vice President of the United States would always be a member of the establishment, but the other one would not. He suggested that President Eisenhower was a member of the establishment, but that Vice President Nixon was not. Somewhat to my surprise, he concluded that Henry Luce was not a member of the establishment, but that Martin Luther King was—and so on, down the line.

It was a very entertaining article. Last summer I had occasion to commend it to my colleagues. Several of them told me they had read it, and they thanked me for calling it to their attention.

I believe that the concept of an establishment in America is something which all of us who try to understand the sometimes almost inexplicable ways in which we in this country act would do well to contemplate. Just as Great Britain has its establishment and the United States of America perhaps has its establishment, so, as I pointed out last year, the U.S. Senate has its establishment. I wish to discuss today what that establishment is, how it operates, and why in my opinion the present establishment is not operating in the interests of the future of the United States, or the future of the U.S. Senate, and certainly is not operating to the benefit of the future of the Democratic Party.

The Senate establishment, as I see it, after a relatively brief sojourn here—I am now in my seventh year—is almost the antithesis of democracy. It is not selected by any democratic process. It appears to be quite unresponsive to the caucuses of the two parties, be they Republican or Democratic. It is what might be called a self-perpetuating oligarchy with mild, but only mild, overtones of plutocracy. The way it operates is something like this:

There are a number of States, most of them Democratic, but one or two of them Republican, which inevitably and always return to the U.S. Senate members of one party, and under a custom which has grown up over the years of following the rule of seniority in making committee assignments, and in connection with the distribution of other perquisites of Senate tenure, the result has been that those who have been here longest have become chairmen of committees, and as such chairmen, have exercised virtual control over the distribution of favors, including committee assignments and other perquisites of office in the Senate, and largely—although not always, and not entirely, because there are exceptions—determine who shall be selected to posts of leadership in this body.

So far as individual members of the establishment are concerned, they are all good friends of mine. I hope they will continue to be good friends of mine after the present little misunderstanding between us is recorded on the ageless pages of the CONGRESSIONAL RECORD for the benefit of future historians. I honor those men. They are my friends. They are honest, intelligent, and, from the point of view of representing their States as opposed to the national interest, they are doing a fine job. I wish them long life, continued happiness, material prosperity, and spiritual peace—if not reelection. I do not know a single one whom I would oppose for reelection now if I were a citizen of his State. I prefer to leave that question to the citizenry of those States.

I hope that they would be as eager as I am to assure the reelection of certain Members of my party who desperately needed good committee assignments in order to shore up their campaigns for reelection next year. I regret that in a good many cases this sound principle was honored more in the breach than in the observance.

As I see it, the Senate establishment pretty well controls the assignment of Members to committees. How is that done? I think it is interesting to note that it is not only the present Senate establishment which does that. From time to time, going back at least to the early days of the present century, the same system prevailed. There have always been those who fought against the establishment, who thought that the Democratic caucus and the Republican caucus should determine who would select the members of committees and the other perquisites of office. One of the most eloquent men to speak in that vein was, at the time he spoke, a Republican. It was that very much revered and able Senator from Wisconsin, the elder Robert La Follette.

During the height of what was known as Aldrichism, referring to Nelson Aldrich, the eminent and conservative Senator from Rhode Island who left his mark for many years on the Senate, Senator La Follette said:

> Under the present system of choosing the standing committees of the U.S. Senate a party caucus is called. A chairman is author-

> ized to appoint a committee on committees. The caucus adjourns. The committee on committees is thereafter appointed by the chairman of a caucus. It proceeds to determine the committee assignments of Senators. This places the selection of the membership of the standing committees completely in the hands of a majority of the committee on committees, because in practice the caucus ratifies the action of the committee and the Senate ratifies the action of the caucus. See now what has happened: The people have delegated us to represent them in the Senate. The Senate, in effect, has delegated its authority to party caucuses upon either side. The party caucus delegates its authority to a chairman to select a committee on committees. The committee on committees largely defers to the chairman of the committee on committees in the final decision as to committee assignments. The standing committees of the Senate as selected determine the fate of all bills; they report, shape, or suppress legislation practically at will.

That is what Robert La Follette had to say about the Senate establishment in the days around 1905 to 1910 and thereafter when Nelson Aldrich was the undoubted Republican leader of the Senate establishment of that day.

It was true then, as it is now, that the establishment was bipartisan. The senior ranking members of the minority party are a part of the establishment; and they, in conference—usually informal, always friendly—with their colleagues on the other side of the aisle pretty well decide who is going to do what to whom.

That is what is happening in the Senate today. That is what has happened in the Senate many times before. But it does not always happen in the Senate, and it need not happen in the Senate much longer. Whenever it does happen in the Senate, in a constantly shrinking world, in which change is inevitable, I suggest that the existence of that kind of oligarchical rule is a detriment to the national interest.

There was a very famous occasion when the rank and file of the Senate membership overturned the establishment and in a couple of years passed legislation—which had long been bottled up in previous Senates—as important to the welfare of the country as almost any other program in the long sweep of history.

I shall relate what happened in 1913, after Woodrow Wilson was elected President of the United States on a party platform which pledged to bring into legislative form the New Freedom—the program on which he defeated both William Howard Taft, seeking reelection to the Presidency, and Theodore Roosevelt, running on the Bull Moose ticket.

In 1913 the Democrats captured control of the Senate for the first time in 16 years. A majority of the Democratic Senators were progressive and espoused the progressive principles of the Baltimore platform, but the committee chairmanships and the important committee posts were to go to the conservative Democrats under the old seniority system in the Senate.

Note the striking analogy. A large majority of the Democratic Senators in the 88th Congress are also progressive. A majority of them support the Democratic platform adopted in Los Angeles in 1960. On that platform President Kennedy was swept into office by a very narrow majority.

We now stand at the beginning of the third session of what might be called a Kennedy Congress, but actually it is not a Kennedy Congress, and it seems to me that it is not going to be a Kennedy Congress. The principal reason why it is not going to be a Kennedy Congress, so far as the Senate is concerned, is, in my opinion, that we are operating under archaic, obsolete rules, customs, manners, procedures, and traditions—and because the operation under those obsolete and archaic setups is controlled by this oligarchical Senate establishment, a majority of the Members of which, by and large, are opposed to the program of the President.

I do not wish to overstate the case. There are able and effective Members of the establishment who will support the program of the President in many areas. There are a few Members of the establishment who will support the program of the President in some areas. But, by and large, the two-thirds majority of the Democratic Senators who are Kennedy men, and therefore liberals, and therefore want to get the country moving again, and therefore believe in the inevitability of change, are represented sparsely, if at all, in the Senate establishment.

I return now to a consideration of the situation of 1913. At that time, I point out again, the committee chairmanships and the important committee positions would have gone to conservative Democrats under the old seniority system in the Senate. The progressive Democrats, however united to insure the passage of their progressive legislation and modified the Senate rules to aid in the translation of the Baltimore platform into legislation.

At that time there were 51 Democratic Senators, 44 Republicans, and 1 Progressive. Forty of the Democrats, 10 of the Republicans, and 1 Progressive—a total of 51—could be safely labeled as in sympathy with the important planks of the Baltimore paltform and of the policy of President Woodrow Wilson. I refer to the currency, tariff, civil service reform, pure food, and health planks.

In all, the progressives of the three parties had a very slim majority in the Senate of 1913, but that majority was sufficient, and it enabled the Democratic Senators, with the aid of their Progressive colleague and of their friends in the Republican Party, to set aside the seniority system in the Senate, to displace senior committee chairmen, to replace the senior committee chairmen with young men, some of whom had not served in the Senate for more than 2 years; and, as a result of quiet meetings during different evenings in Washington they took over the Senate, reconstituted the membership of all committees, got rid of all the senior chairmen, and put their own men in.

A conference was held at Senator Luke Lea's home, to decide on a caucus leader, one who would be able to reconcile the differences with the conservative faction of the party and keep it united in the Senate with the progressive faction. Thirty Senators were present at that meeting at Senator Lea's home, and they agreed on John W. Kern, a Senator from Indiana with only 2 years' tenure in the Senate. Positions on certain important committees were given to men who deserved them because of seniority, but the memberships of various committees were packed with progressives, regardless of their seniority, and on several occasions the committee chairmen were themselves replaced. The old Senate procedures were changed to prevent a committee chairman from halting legislation arbitrarily. Instead of only the chairman, a majority of the committee might call the committee together at any time for consideration of a pending bill.

Mr. President, I have had before the Senate for the past 4 years a proposed rule which would do exactly that. It has been bottled up in the Committee on Rules and Administration. It has never seen the light of day.

In 1913 a majority of a majority of a committee was given power to name subcommittees to consider pending measures and to report to the full committee. I have had such a proposed rule pending in the Senate for the past 4 years, and it is still bottled up in the Committee on Rules and Administration.

A majority of a majority was given the power to name Members to confer with the House as to any bill over which the House and the Senate disagreed. I have had pending a proposed rule, bottled up in the Committee on Rules and Administration, which would accomplish the same result, although the text of the proposed rule is somewhat different.

The end results of the revolution of 1913 in the Senate of the United States were: First, emasculation of the old Senate seniority system; second, committee domination by the progressives, which meant the Wilson men; third, the Senate being democratized in terms of its rules and procedures; and fourth, the planks of the Baltimore platform being enacted into legislation.

I plead with my colleagues to do the same thing now—if not now, then next year—if not next year, then the year after—but let us get it done, while President Kennedy is still at the White House, if we want to preserve the Democratic Party for progressive principles, if we want to get the help of a number of our progressive friends on the Republican side—if we want to move this country forward and not be blocked by the hand of the past.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from Illinois.

Mr. DOUGLAS. Is it not likely that, if it had not been for this successful revolution, in all probability the Federal Reserve System would not have been brought into being?

Mr. CLARK. The Senator is quite correct. The establishment in those days had been opposed to the Federal Reserve System.

Mr. DOUGLAS. Is it not likely that the Underwood tariff, which greatly reduced previous tariffs, would not have been put into effect?

Mr. CLARK. I think that is quite correct.

Mr. DOUGLAS. Is it not also likely that the Federal Trade Act would not have been passed?

Mr. CLARK. The Senator is entirely correct.

Mr. DOUGLAS. Is it not also true that, in all probability the other companion measure, dealing with unfair competitive practices, would not have been passed?

Mr. CLARK. I believe that was the Clayton Act, which amended the Sherman Antitrust Act and put teeth into it.

Mr. DOUGLAS. That is correct.

Mr. CLARK. The Senator is correct.

Mr. DOUGLAS. Is it not true that, in all probability, the Agricultural Credit Act would not have been passed?

Mr. CLARK. I am confident the Senator is correct.

Mr. DOUGLAS. In other words, the great domestic achievements of the Wilson administration from 1913 to 1915, before the war diverted the attention of the country from domestic reforms, would not have been possible had it not been for the procedural changes in the designation of committees by the rank and file of the Senators of the Democratic Party?

Mr. CLARK. They were dependent upon modernization of the Senate procedures for committee makeup. I thank the Senator for the interjection.

Mr. President, it is interesting to note how closely analogous the situation in the Senate today is to that immediately following the election of President Wilson. This point I have made before, but I would like to quote from the report made by the Democratic steering committee of March 13, 1912:

> Your committee proposes certain reforms not only in the processes of the procedure in the Senate but in the political methods of our party in its organization. We propose that this great body shall be democratic not only in name but in practical reality, and that charges so often made that it is controlled by a few men through committee organization and otherwise shall never have any basis in fact.

For reasons which have never been disclosed to me, the minutes of the Democratic steering committee are under lock and key in the office of Mr. Robert Baker, the secretary of the majority.

It is true that any Senator is entitled to go there and look at those minutes. They make interesting reading, and I believe they should be made available to historians. No member of any Senator's staff is allowed to look at those minutes; and yet these are the public records of what the Democratic Party does in its conferences.

I am not suggesting that the minutes should be given to the press at the time they are taken. I am not suggesting that the proceedings of the Democratic conferences should not be behind closed doors. I think they should be. But I think, in due course, and after a reasonable time, the minutes should be made available to anybody who wants to see them, and particularly staff members of Senators who want to use those minutes in connection with matters pending before the Senate.

I hope that in the course of the next few years that relatively minor reform will be made. It should be made. I have urged it on both the former majority leader, now Vice President JOHNSON, and on the present majority leader, the Senator from Montana [Mr. MANSFIELD]. I honor and respect them. The present Vice President was a great leader, as is the present majority leader. I respect their decision not to make those minutes more freely available, but I must state in all candor that in my judgment, the decision is wrong. I hope that, in due course, we can persuade the leadership to reverse their position.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MANSFIELD. Because of circumstances over which I had no control, I came into the Chamber during the latter part of the Senator's remarks. May I ask to which minutes the Senator referred?

Mr. CLARK. To the minutes of the Democratic conferences.

Mr. MANSFIELD. The Senator wants those minutes made available even to staff members of a Senator. Is that correct?

Mr. CLARK. I think they ought to be made available to the press.

Mr. MANSFIELD. I would say that we ought to do away with closed party conferences—which I advocate, by the way—and have open hearings and invite the press and the public to them and bring our arguments and differences out into the open.

Mr. CLARK. I suggest to my friend in all candor that there is a middle ground which would be more effective and which I would advocate. I said, before the Senator came into the Chamber—and he did not hear me, of course—that I do not believe the minutes should be made immediately available to the press. I think an appropriate time, perhaps 3 months, 6 months, or a year, should elapse before the minutes are made available, but I think they are a part of the history of our times.

It seems to me perfectly absurd, when I want to ascertain what happened in the steering committee in 1913, that I have to go to Mr. Baker's office and get books unlocked, before I can read what happened at the time Mr. Wilson was in office. It makes no sense.

Mr. MANSFIELD. Of course, the conferences are supposed to be held in secret. It seems that what happens in those caucuses leaks out to the press very soon, within minutes, instead of after a lapse of 6 or 7 months or a year.

So far as concerns allowing a staff member of a Senator to look at confidential matters, based on what I have seen in my service in the Senate, all too often the assistants or members of the staff of a Senator are as important and influential as the Senator himself is. Those people are not elected. They do not go before the people. I think what is open only to a Senator should remain available only to the Senator himself.

Mr. CLARK. The Senator has made that point before in conversations in the past 2 years. I disagreed with him then. I disagree with him now. I see no great difference between allowing the staff members access to the minutes of the Democratic conferences and allowing staff members to have access to meetings of committees even if they are in executive session. After all, our proceedings are published in the CONGRESSIONAL RECORD every day. These are matters of history.

I would not open the conferences to the press. At the end of each session the majority leader briefs the press. Unfortunately, there have been leaks, and certain members have told the press what occurred. I agree with the Senator that there have been leaks, and that there should be none. But this is a part of American history. I am sorry the Senator does not agree with me. We agree on many other matters.

Mr. MANSFIELD. The Senator is frank. He has held to his opinion for a long time, to my personal knowledge, and he is entitled to that opinion. I felt, in all deference to the Senator, that I should reiterate my view on the subject.

So far as the Foreign Relations Committee is concerned—and I believe the Senator from Oregon will bear me out—we do not allow staff members in the executive meetings of the committee, and I do not think we should, because, I repeat, the staff members are not Senators who have been elected. They do not have the responsibilities which Senators have.

Mr. CLARK. I thank my friend for his statement, and reiterate my regret that I cannot agree with him.

To return to my subject, in 1961, and again this year, the Democratic conference approved a statement of the majority leader to the effect that the composition of the Democratic steering committee should reflect both the geographical distribution and the ideological views of Democratic Members of the Senate.

Speaking only for myself, as one of those who urged this position on the majority leader both in 1961 and 1963, I felt that that statement carried with it an implication that the size of the Democratic steering committee would be increased by sufficient numbers to make the committee representative of the whole membership of the Democratic members of the committee, or, in the alternative, of members of the committee from sections which were overrepresented from an ideological standpoint, in order to bring about the balance in geography and ideology which it seemed to me the approved statement indicated to be desired.

Efforts to increase the size of the committee, one sponsored by me, and one sponsored by the Senator from New

Mexico [Mr. ANDERSON], were opposed by the Democratic leadership, and were therefore unsuccessful in a Democratic conference earlier this year.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CLARK. I am glad to yield to my friend from Illinois.

Mr. DOUGLAS. Is it not true that prior to the establishment of the present steering committee, and prior to the death of Senator Chavez, of the 15 members on the steering committee only 1 was from any of the 12 States which lie between the Alleghenies and the Rockies and can be described as the East and West Central States?

Mr. CLARK. The Senator is correct. I intended to develop that point in some detail, if he will permit me to do so.

Mr. DOUGLAS. I am sorry for the interruption.

Mr. CLARK. I hope the Senator will listen carefully to what I have to say, and interject if there is anything that he would like to add to what I have to say.

At the beginning of this year the steering committee consisted of 14 members. There was one vacancy, because for some years, but not always, the committee had consisted of 15 members. As recently as 1946 there were 17 members on the Democratic steering committee. I had been hopeful that the committee would be increased to at least that number this year. I myself sponsored a motion to increase it to 19, feeling it would be better to have a large committee with adequate geographical and ideological representation rather than to attempt to get members from overrepresented areas to resign. As of the early part of January of this year, the steering committee consisted of the following members: Senator MANSFIELD of Montana, chairman; Senator HUMPHREY, of Minnesota, whip; Senator SMATHERS, Florida, secretary; Senator BIBLE, Nevada; Senator CLARK, Pennsylvania; Senator DODD, Connecticut; Senator ELLENDER, Louisiana; Senator HAYDEN, Arizona; Senator HOLLAND, Florida; Senator JOHNSTON, South Carolina; Senator MCCLELLAN, Arkansas; Senator ROBERTSON, Virginia; Senator RUSSELL, Georgia; Senator WILLIAMS, New Jersey.

Senators DODD, WILLIAMS of New Jersey, and CLARK had been added in 1961, which somewhat diluted but did not eliminate the very heavy overrepresentation of certain areas and certain philosophies, or the underrepresentation of others.

As a result of a rather spirited discussion and as a result of the failure of efforts to increase the size of the committee, first to 19, and later on motion of the Senator from New Mexico [Mr. ANDERSON], to 17, the committee was left at 15, and the 1 vacancy was filled by the appointment of the Senator from Illinois [Mr. DOUGLAS]. As a result, there are now on the committee 7 out of 15 members from the South, including both Senators from Florida. These Senators are: SMATHERS, ELLENDER, HOLLAND, JOHNSTON, MCCLELLAN, ROBERTSON, and RUSSELL. There are 23 southern Senators—34 percent of the Democratic membership of the Senate. I include in the South, Oklahoma and Arkansas. Sometimes they are a little difficult to identify, but I put them in the South not only because of geography but also, to some extent, ideology.

Therefore, 47 percent of the total membership of the steering committee comes from those 13 States.

If we were to be guided solely on the basis of geography, this section of the country would be entitled to five seats. I point out that without exception these able, charming, friendly Senators from the South, all of whom are good friends of mine, belong to the conservative wing of the Senate Democratic Party. There are three Senators from the Northeast, CLARK, DODD, and WILLIAMS of New Jersey, out of 13 northeastern Senators, representing 9 of the 12 Northeastern States. To my regret the Democrats have no Senators from the other three Northeastern States. These Senators are all members of the liberal wing of the Democratic Party.

There are three Senators from the Pacific and Mountain States—Senators BIBLE, HAYDEN, and MANSFIELD—out of 17 western Senators representing 12 of the 13 Western States. Two of these three Senators, I believe they would agree, are proud members of the conservative wing of the Democratic Party. The other member, the distinguished and able majority leader, is a follower of the President of the United States and of the liberal wing of our party.

As a result of the succession of the Senator from Illinois [Mr. DOUGLAS] to the committee, there are now two Senators from the Midwest, both of them liberals, Senators who support our President, almost always—Senators HUMPHREY and DOUGLAS—out of 15 Senators representing 9 of the 12 Middle Western States.

Mr. DOUGLAS. Mr. President, will the Senator yield further?

Mr. CLARK. I am happy to yield to my friend from Illinois.

Mr. DOUGLAS. When I first came to the Senate, in 1949, there was only 1 Democrat from those 12 States, Senator Lucas, of Illinois. We have gained 14 seats since then, so there are now, I believe, 15 Democratic Senators from these States. Indeed, the great gains which the Democratic Party has made since the election of 1946 have been largely and almost exclusively from what is roughly known as the Mississippi Valley, from the territory drained by the Mississippi River and its tributaries. And yet up until a few days ago we had but one representative on the steering committee.

Mr. CLARK. If the Senator will permit me to make an interjection at this point, the Senator from Illinois is correct. There are 15 from the Middle West.

Mr. DOUGLAS. I appreciate that comment. Prior to the last selection, which I must admit came as a great surprise to me, there was only one representative on the steering committee from the Middle West, which on a geographical basis within our party was the most underrepresented area in the Nation. It is still underrepresented.

Mr. CLARK. The Senator is correct. Turning from geography to ideology, and to recapitulate, of the 15 members on the committee, there are 9 whom, I am confident, any objective observer would classify as conservative: Senators SMATHERS, BIBLE, ELLENDER, HAYDEN, HOLLAND, JOHNSTON, MCCLELLAN, ROBERTSON, and RUSSELL. They are proud to call themselves conservative. That is a fine name. It has come down through the history of all countries through the ages. There is nothing wrong with being conservative. It just happens to be a fact that these Senators are conservatives.

According to my count—and some may differ one way or the other—there are at most 27 conservative Democrats out of 67 Democrats in the entire Senate; so 9 out of 15 Senators who are members of the vital committee which selects committee members are from the conservative ranks of our party, and only 6 from the liberal wing, the Kennedy wing, the modern wing, which numbers, at a minimum, 40—and I should say more nearly 45—of the 67 Democratic Members of the Senate. Those six are Senators MANSFIELD, HUMPHREY, DODD, DOUGLAS, WILLIAMS of New Jersey, and CLARK.

As I have said, efforts to change this situation in the Democratic conference failed. They failed largely, I think, because the leadership announced against it and spoke against it in conference and threw the full impact of its undoubted moral authority against what, to me at least, seems to be this badly needed reform.

I suggest in all candor that, as a result of this action, the present membership of the steering committee accordingly does not fairly represent either the geography or the ideology of the Democratic Members of the Senate. It does not carry into effect the statement approved by the Democratic conference 2 years ago and again this year to the effect that the composition of the Democratic steering committee should reflect both the geographical distribution and the ideological views of the Democratic Members of the Senate. In point of fact, it does neither.

Whom does the steering committee of the Democratic Party represent? It represents the Democratic side of the establishment. It represents those who hold the positions of committee chairmen. Senator MANSFIELD has recently resigned as chairman of the Committee on Rules and Administration. His resignation was effective a few days ago.

Senator BIBLE is chairman of the Committee on the District of Columbia. Senator ELLENDER is chairman of the Committee on Agriculture and Forestry. Senator HAYDEN is chairman of the Committee on Appropriations. Senator JOHNSTON is chairman of the Committee on Post Office and Civil Service. Senator MCCLELLAN is chairman of the Committee on Government Operations. Senator ROBERTSON is chairman of the

Committee on Banking and Currency. Senator RUSSELL is chairman of the Committee on Armed Services.

I do not make these comments in criticism of those Senators. Far from it. All I say is that they exemplify the same situation, to my way of thinking—the same unsound situation—which confronted Robert La Follette when he made his fight for the democratization of the Senate in the days before the Wilson administration, and Senator John Kern and the other Wilson men when they made their successful fight against the same situation in the Senate in 1913, a successful fight which resulted in the passage of the New Freedom legislation.

Let us see what the Senate establishment in control of the steering committee has done to Members of the Senate who are not on that committee and who, one would think, should be entitled by the rule of seniority to assignments to committees on which they desired to serve. Let us see what the assignments which were made do to the program of the President of the United States.

I am bound by a pledge of secrecy which I shall keep, not to reveal the votes within the steering committee. I have no pledge not to reveal the results; indeed, the results are a matter of public record. I have no pledge not to reveal Senators who desired assignments to committee seats to which one would think they were entitled, or not to point out that seniority was ignored in refusing them those seats.

To my mind, this is important, because several of the Senators who were denied committee seats to which by seniority they were entitled are facing bitter and possibly uphill odds in their efforts to get reelected to the Senate next year. One would think that the steering committee would have been anxious to help those Senators by giving them positions of prestige, on the committees, prestige which they needed, so as to assist them in their campaigns before the people of their States for reelection in the fall of 1964. Yet on nine committees, ignoring seniority, the requests of those Senators were overridden, and Senators having far less seniority, and not required to face the electorate for another 6 years, were given choice committee seats, seats which rarely in the past have gone to freshmen Senators.

Mr. MANSFIELD. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I am happy to yield.

Mr. MANSFIELD. I think that the record ought to show that it is not exactly true that "rarely in the past" have freshman Senators received coveted assignments. As a matter of fact, when I first came to the Senate, in 1952, I was assigned to the Committee on Foreign Relations. The Senator from Missouri [Mr. SYMINGTON] was placed on the Committee on Armed Services. The Senator from Washington [Mr. JACKSON] was assigned to the Committee on Interior and Insular Affairs. The former Senator from Texas, Mr. Daniel, was placed on the Committee on the Judiciary. Senator Kennedy was assigned to the Committee on Labor and Public Welfare. The Senator from Tennessee [Mr. GORE] was assigned to the Committee on Public Works. As I recall, the Senator from Tennessee did not receive one of the assignments which he wished at that time. That situation was corrected later.

So far as new Senators are concerned, I point out—and I have said this many times—that in this body the newest Member is the equal of the oldest Member and is entitled to just as much consideration. I recognize an occasional application of the principle of seniority. On the basis of seniority, I voted for the distinguished senior Senator from Wisconsin [Mr. PROXMIRE] on the first committee assignment which was before us; namely, the Committee on Appropriations. The Senator from Wisconsin received only one vote, and that was my vote. I so voted because the Senator from Wisconsin told me that the Committee on Appropriations was his second choice, and I was taking no chances on his receiving at least one preferred committee. I also voted for his assignment to the Committee on Finance, because I felt he was entitled to that position. I do not care if the record shows it; it is the truth.

I do not believe we ought to downgrade the new Senators. I think they are an excellent group of men. I am delighted that they are on our side.

But I call the attention of the Senate to this fact: The Senator from Indiana [Mr. BAYH] asked to be assigned to the Committee on the Judiciary and the Committee on Public Works. He received both assignments.

The Senator from Maryland [Mr. BREWSTER] asked to be assigned to the Committee on Public Works and the Committee on Post Office and Civil Service. He received both of those assignments, and also an assignment to the Committee on Government Operations.

So far as I know, the Senator from Oklahoma [Mr. EDMONDSON] asked for assignment only to the Committee on Aeronautical and Space Sciences. He was given an assignment to that committee; and also—without his acquiescence or knowledge—we gave him an assignment to the Committee on Agriculture and Forestry.

The Senator from Hawaii [Mr. INOUYE] requested assignment to the Committee on Armed Services and the Committee on Public Works. He got both.

The Senator from Massachusetts [Mr. KENNEDY] requested assignment to the Committee on the Judiciary and the Committee on Commerce. We gave him one of his two choices; namely, assignment to the Committee on the Judiciary; and he was also given an assignment to the Committee on Labor and Public Welfare.

The Senator from South Dakota [Mr. MCGOVERN] requested assignment to the Committee on Agriculture and Forestry and the Committee on Interior and Insular Affairs. We gave him both.

The Senator from New Hampshire [Mr. MCINTYRE] applied for assignment to the Committee on Banking and Currency and the Committee on Government Operations. He was given both assignments, and also was given an assignment to the Committee on the District of Columbia.

The Senator from Wisconsin [Mr. NELSON] asked for assignment to the Committee on Public Works and the Committee on Interior and Insular Affairs. He got both assignments.

The Senator from Connecticut [Mr. RIBICOFF] asked for assignment to the Finance Committee and to the Committee on Government Operations. He received both assignments

I do not think we have any apologies to make for these assignments; and I am delighted that, by and large, we were able to give these new Members the assignments they sought.

I am only sorry that the two Senators who got only one of the two committee assignments they sought were not treated in the way the others were—in other words, were not given both the committee assignments they sought.

Now we come to some other committee assignments, because other committee assignments were made by the steering committee. I was voted an assignment to the Appropriations Committee. Let me say that I wrote to all the members of the steering committee—including the Senator from Pennsylvania, but not including the Senator from Illinois, who at that time was not on the committee—and asked for their support.

Mr. CLARK. Let me say that I voted for assignment of the Senator from Montana to that committee.

Mr. MANSFIELD. I know the Senator from Pennsylvania did; and I am happy to say that the vote was unanimous, because I voted for myself. [Laughter.]

The Senator from Alaska [Mr. BARTLETT] was selected by the steering committee for assignment to the Appropriations Committee; the Senator from Ohio [Mr. YOUNG], for assignment to the Armed Services Committee; the Senator from Nevada [Mr. CANNON], for assignment to the Commerce Committee; the Senator from Michigan [Mr. HART], for assignment to the Commerce Committee; the Senator from Florida [Mr. SMATHERS], for assignment to the Foreign Relations Committee; the Senator from Rhode Island [Mr. PELL], for assignment to the Committee on Government Operations; and the Senator from Arizona [Mr. HAYDEN], the President pro tempore of the Senate, was assigned—at his specific request, and, I think, based on seniority, as well as other things—to the Committee on Interior and Insular Affairs.

The Senator from Wyoming [Mr. MCGEE] was assigned to the Committee on Post Office and Civil Service.

The Senator from North Carolina [Mr. JORDAN] was assigned to the Committee on Public Works; and the Senator from West Virginia [Mr. BYRD] was assigned to the Committee on Rules and Administration.

The Senator from Pennsylvania [Mr. CLARK] received the overwhelming endorsement of the steering committee for assignment to the Committee on Rules and Administration, as well.

Mr. CLARK. Mr. President, if the Senator from Montana will yield, let me say that, as I recall, that vote was rather close, and I just squeaked through—with the help, I have no doubt, of the Senator from Montana, although perhaps he may not wish to state how he voted.

Mr. MANSFIELD. I may say that I voted twice for the Senator from Pennsylvania. [Laughter.]

Mr. CLARK. Mr. President, I have no quarrel with what the majority leader has said. He has recited accurately a part—but not all—of the story about what happened in the steering committee. I have no quarrel with giving freshman Senators fine committee assignments. In fact, I endorse the rule—which I believe was first put into effect by the Vice President, when he was majority leader—that every new Democratic Senator should receive at least one good committee assignment, before any more senior Democratic Senator receives two good committee assignments.

Today there are, by reason of the passage of time and various other things, 14 Democratic Senators who have 3 major committee assignments. Probably that is due to the wisdom of the voters in returning by large majorities Democratic Senators to the Senate. So there are more of us than there used to be. But I would be the last to say that freshman Senators should not receive the best committee assignments which are available to them; and I endorse the principle that seniority should be ignored, in order to give each freshman Senator at least one good major committee assignment. In fact, at that meeting it would have been possible to give almost every freshman Senator two major committee assignments.

At any rate, I propose to call the roll; and I think it will then be very obvious that certain Senators with seniority, and who are faced with hard races for reelection, were not treated with the generosity which I had hoped they would receive from their colleagues.

I now continue to point out what happened in the steering committee—although I shall keep my pledge not to reveal the votes, except to the extent that perhaps I was seduced into doing so, inasmuch as I wished to inform all concerned that I had voted for the majority leader.

When the Democratic steering committee met, it became obvious that in filling committee membership vacancies, the establishment would ignore seniority when to ignore it would strengthen the establishment's control, but would follow it when to do so would have the same result. Thus, in making committee assignments, seniority was ignored—in filling the vacancies on the following eight committees: Aeronautical and Space Sciences, Appropriations, Armed Services, Finance, Interior and Insular Affairs, Judiciary, Public Works, and Rules and Administration.

However, in three cases seniority was followed; namely, in making the assignments to the Committee on Foreign Relations, the Commerce Committee, and the Committee on Public Works. I ask Senators to note that seniority was followed in making assignments to the Committee on Public Works, in order to assure the appointment of a southerner; and seniority was ignored in order to prevent the appointment of a northerner.

I should like to discuss those committee assignments seriatim, and I shall do so alphabeticallly.

There was one vacancy on the Committee on Aeronautical and Space Sciences. The membership ratio for that committee was 10 Democrats to 5 Republicans, and the ratio was not changed. The applicants for assignment to the committee, in their order of seniority, were Senators SPARKMAN, MONRONEY, BYRD of West Virginia, MOSS, INOUYE, BAYH, EDMONDSON, and NELSON. Under the rule adopted by the steering committee prior to the time when it voted to fill the vacancies, Senators SPARKMAN, MONRONEY, and BYRD of West Virginia, were ineligible, because they already had two major committee assignments, and to give them a third one would violate the changed rule that, except to the extent of a grandfather clause, which I shall explain later on—they were not entitled to a third major committee assignment. That meant that the Senator from Utah [Mr. MOSS]—who will go into a reelection campaign in 1964, one which I am sure he expects to be very close, indeed; and I see him on the floor at this time, and I am sure he will agree; however, I state that all of us hope he will succeed—would have been, on a seniority basis, entitled to assignment to the Committee on Aeronautical and Space Sciences. However, by a very substantial vote he was denied that assignment, in favor of my good friend, the Senator from Oklahoma [Mr. EDMONDSON], whose seniority was below not only that of the Senator from Utah [Mr. MOSS], but also that of the Senator from Hawaii [Mr. INOUYE] and the Senator from Indiana [Mr. BAYH]. I suggest that it was not in the interest of the Democratic Party, and certainly it was not in the interest of the Senator from Utah [Mr. MOSS], and it was not in the interest of the rule of seniority which the establishment so rigorously follows on other occasions, to bypass the Senator from Utah [Mr. MOSS], and thus deny him the assignment he sought—namely, to the Committee on Aeronautical and Space Sciences.

The next committee is Agriculture and Forestry. I am telling no tales out of school when I say that there was practically a rush. I dislike to compare it to the rush of the Gadarene swine. Of course, the comparison is inadequate. But there was a rush such as cattle in a stampede to get off the Committee on Agriculture and Forestry. On that committee were four Senators who wanted to get off, and only one Senator—I presume somewhat reluctantly—was willing to go on. So there was no contest in respect to that situation. A junior Senator must be drafted against his will—sort of hog-tied or bulldozed—to get him on the Committee on Agriculture and Forestry in order to let a couple of other Senators off who wished to get off. So no problem of seniority was there.

I see the distinguished Senator from South Dakota [Mr. McGOVERN] in the chair. If I have misstated his position, and if he was zealous, keen, and anxious to go on the Committee on Agriculture and Forestry, I know that he will correct the record when he has an opportunity to leave the chair.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield.

Mr. MANSFIELD. I am delighted that the distinguished junior Senator from South Dakota [Mr. McGOVERN] is the Presiding Officer of the Senate at this moment. I was called from the Chamber in response to a telephone call.

I hope the Senator from Pennsylvania [Mr. CLARK] will make clear to the Senate that the distinguished Senator from South Dakota [Mr. McGOVERN] was an assiduous and determined volunteer for the Committee on Agriculture and Forestry. So far as the Senator from Oklahoma [Mr. EDMONDSON] was concerned, he was not a volunteer, but we thought it best in the interest of all concerned that he be lassoed and put on that committee.

Mr. CLARK. I think I have already stated that.

I turn now to the Committee on Appropriations. The prize committees in the Senate historically are Appropriations, Finance, Armed Services, and Foreign Relations. To be sure, individual Senators may prefer assignments to other committees. But those are the key prize committees on which almost any Senator would like to serve. I think that is proved by the number of applications for those committees as compared to the almost frightening lack of applications for other committees whose work is most important to the appropriate operation of the Senate.

When we come to the Committee on Appropriations, there were 10 applicants for 2 vacancies. There were two vacancies.

I point out that at an earlier stage of the negotiations between the majority and the minority leaders and their able representatives, Mr. Baker and Mr. Trice, it had been thought that the size of the Appropriations Committee might well be increased from 27 to 29, and the ratio changed from 17 Democrats and 10 Republicans to 19 Democrats and 10 Republicans, in order to avoid "bumping," as the expression goes, any Republican Senator off a committee on which he then served.

It is true that historically—many times in the past—Senators, having served, have been so "bumped." Having become available as members of a particular committee, they are nonetheless required to remove themselves from further deliberations of that committee by either resigning or being "kicked off" in order that the ratio of Democrats and Republicans on particular committees could be in total and in general in proportion to the number of Democratic and the number of Republican Senators.

Perhaps I should interject now to say that I am proud to say that, as a result of the elections last November, the Democratic majority in the Senate was increased from 64 to 67 percent by the addition of three more Democrats, and that, in turn, imposed a moral obligation—not under any rule—to see that the ratio of seats as between Democrats and Republicans should be pretty close to 67 percent for Democrats and 33 percent for Republicans.

What I am trying to say—and I suspect that I was not as clear as I thought I was—is that when we add up the total of available committee seats, the percentage of Democratic seats should be 67 percent and the percentage of Republican seats should be 33 percent. The 67 percent is an increase from the 64 percent which prevailed in the preceding Congress.

We can make such changes in any number of ways. We can make them in committees of the Senate like Finance, Armed Services, and Appropriations, or we can make them in other committees as to which no one is very excited, in connection with which there are no controversial matters, and where the program is not keenly affected by the ratio of Republicans to Democrats in the Senate. I for one would have made those changes where the important issues are at stake, and where the program of the President is in jeopardy.

But, no; the decision in key instances was not to do that. I make no charges and attribute no motives to any Senator. I am not one who would say that there is any ulterior motive of any sort in what was done. Let the record speak for itself. The only Senator "bumped off" a committee was the Senator from New York [Mr. JAVITS]. He was "bumped off" the Committee on Appropriations because a recommendation which had been made theretofore became politically unfeasible, and the status of the committee was not changed, as it had been originally hoped it could be, to 29 members, with a 19 to 10 ratio, but was fixed at an 18 to 9 ratio.

I should like to reiterate. I charge no Senator with wrongful motivation. I merely point to the fact that the only Senator "bumped off" any committee this time was the Senator from New York.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield.

Mr. MANSFIELD. What the Senator has said is true. But I assure the Senator from New York [Mr. JAVITS] of something he already knows. There was nothing personal attached to the action of the Steering Committee. While the Senator from Pennsylvania quotes the record, nevertheless there is an implication. I wish to say for the record that I would have been willing to increase the membership of the committee by two members so that the Senator from New York could have remained on it, if at the same time the leadership on the other side had been willing to increase the membership of the Finance Committee by two. But, so far as going all the way is concerned, I would be lax in my duty. I would personally have considered a quid pro quo. But I assure the Senator from New York nothing personal was involved. He knows this. It was a matter of political arithmetic. That was the only thing we could do under the circumstances. So long as the Senator's name has been mentioned, and the Senator from Pennsylvania has been stating a fact, I hope that no inference will be drawn from the fact that the Senator from Pennsylvania, as a member of the steering committee, was present during all the considerations of that committee and is fully aware of the facts.

But so long as such implications are again being made, I wish to say, speaking personally, that it is my hope that from now on all the meetings of the steering committee, the policy committee, and the Democratic caucus will be held in the open and not behind closed doors, because so far as the Democrats are concerned, secrecy is becoming an unknown quantity.

(At this point Mr. EDMONDSON took the chair as Presiding Officer.)

Mr. CLARK. Let me ask my friend from Montana a question.

Mr. MANSFIELD. Yes.

Mr. CLARK. I thought I was maintaining the ground rules in this speech. Is it not correct to say that I came to the Senator from Montana and said to him, at the conclusion of the meeting, "MIKE, to what extent are these matters we have discussed confidential?" And the Senator from Montana said to me, "JOE, you should not tell what any vote was. For the rest, there is no inhibition."

Mr. MANSFIELD. That is correct. I said that, but I had hoped that there would be a certain amount of discretion in any debate or discussion concerning what the steering committee did.

I do not like to bring out how I voted on certain matters. I am sure the Senator from Pennsylvania does not, either. But in view of the fact that this matter is being gone into in some detail, I feel that I am within my rights in telling the Senator from Wisconsin, for example, how I voted insofar as he was concerned on two particular committees, and I feel within my rights in telling the Senator from Pennsylvania [Mr. CLARK] that I voted for him twice when he, in effect, dragged the admission out of me.

Mr. CLARK. I thank the Senator from Montana. I hope he does not accuse me of a lack of discretion. I know he does not mean to.

Mr. JAVITS rose.

Mr. CLARK. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I am deeply interested in what is going on. This is the second time today that this matter has been discussed as it relates to me. However, in view of the fact that the Senator from Pennsylvania, who to me is one of the most respected and useful Members of this body, is discussing an intraparty problem——

Mr. CLARK. If the Senator will yield, I shall come in a few moments to the interparty aspects of it.

Mr. JAVITS. I would not wish to intrude upon his analysis of the facts with some independent statement of my own. I expressed myself earlier today as one who philosophically accepted the situation as he found it, and although I can understand the speculations of others, I chose rather to say merely, "This is political, and there will be another day."

If the Senator will yield to me, I should like to make a brief statement, putting the matter in focus for myself, either when the Senator from Pennsylvania has concluded or now, if it would be possible to print my remarks at the end of his statement, because I would not wish to intrude upon his statement at all and I would rather make my own independently. If it is preferable, I will wait until the Senator has concluded.

Mr. CLARK. If the Senator presses me to yield, I will yield. I hope to be through in about 15 minutes.

Mr. JAVITS. I would rather wait.

Mr. CLARK. Mr. President, I return to a consideration of the Appropriations Committee and the condition having to do with applications from the Democrats for membership on that committee.

I may point out that there was an initial suggestion, which received very favorable consideration, coming from the leadership, that the size of that committee should be increased to 29 and that the ratio should be made 19 to 10. Had that been the case not only would the Senator from New York [Mr. JAVITS] have retained his seat, but also one more Democrat, desperately anxious to get on that committee to help him in his campaign for reelection, would have been selected.

The order of seniority for that committee, in terms of applications, for the 10 Senators applying for seats, was as follows: MANSFIELD, YARBOROUGH, PROXMIRE, ENGLE, BARTLETT, HART, MOSS, LONG of Missouri, BREWSTER, and INOUYE.

As I think was perfectly appropriate, the committee unanimously appointed the majority leader to a seat which he desired and to which he was entitled on the basis of seniority. It then proceeded to elect the Senator from Alaska [Mr. BARTLETT] to the other vacancy, ignoring the prior seniority claims of the Senator from Texas [Mr. YARBOROUGH] and the Senator from Wisconsin [Mr. PROXMIRE], and, with equal seniority, the claim of the Senator from California [Mr. ENGLE].

I yield to no man in my admiration for the Senator from Alaska. He is a marvelous Senator. He represents his State with the greatest of fidelity. He is a good and warm friend, and I respect and honor him, but of all Senators who will come up for reelection next year I do not know of any other who will have less opposition than my good friend the Senator from Alaska.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. CLARK. I am happy to yield.

Mr. LONG of Louisiana. Is the Senator suggesting that Members should be assigned to committees based on their prospects for being reelected?

Mr. CLARK. My point is very clear, I say to the Senator from Louisiana. I think there is an obligation on the part of the Democratic steering committee, other things being equal—and they were in this case—not to ignore the prior seniority claims of Senators who are about to engage in very difficult campaigns for reelection, in order to put on a committee a junior Senator—not a freshman Senator seeking a first assignment to a good committee, but a junior Senator—whose needs are not as great, and, I would say, though perhaps others will disagree, whose competence for the committee on which he wants to serve is no higher, although it is very great, than that of other Senators seeking the same position.

Mr. LONG of Louisiana. Mr. President, if the Senator will pardon me for a personal reference, I came to this body after having been elected by a margin of one-half of 1 percent of the vote, for a 2-year term. When I was assigned my committee seat I did not get any committee in which I had expressed an interest. As a matter of fact, 17 other Senators who came after I came got their committee assignments first.

Mr. CLARK. The Senator has done pretty well by now.

Mr. LONG of Louisiana. Because some die and some are defeated.

Mr. MANSFIELD. And some retire.

Mr. LONG of Louisiana. The practical effect of it all was that no one was concerned about the fact that the other 17 Senators had 6 years to serve before they had to run for reelection.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I have seen other Senators "bumped off" committees because of a change in membership, yet I have never heard them complain or suggest that the committee should be enlarged because of it.

Mr. CLARK. The Senator has not heard them complain yet. I am complaining for them.

Mr. LONG of Louisiana. I see. Generally speaking, after more than 14 years of service in this body, I do not know of any Senator who was any more discriminated against than this Senator when he came to the Senate; but, generally speaking, it seems to me that most of the Senators who have had to be "bumped" from a committee have taken it graciously and said, "Those are the fortunes of politics. We lost some seats on our side of the aisle."

Mr. CLARK. I do not know of any Senator who is not taking it graciously. The Senator has not heard any complaints from the Senators who are involved. The Senator is hearing my complaint on their behalf, and I am not even authorized to complain on their behalf, but I am just doing it.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield.

Mr. DOUGLAS. As the Senator from Louisiana knows, I hold him not only in esteem but also in affection. I am very proud to serve with him on the Committee on Finance. I am extremely pleased that he is up in the driver's seat, at the right hand of the throne, occupying the No. 2 position on the Finance Committee.

As I look down the roster of the Committee on Foreign Relations, I observe that out of a total of 11 Democratic members the Senator from Louisiana ranks sixth. He is No. 6 on that committee, occupying the central position.

I rejoice in the rewards which have been given to him and which he richly deserves, but he should not weep bitter tears over the discrimination which has been practiced against him. It does not exist. He has done extremely well.

Mr. LONG of Louisiana. This Senator is not weeping about any discrimination.

Mr. DOUGLAS. I am glad.

Mr. LONG of Louisiana. He simply makes the point that this Senator has never received anything in this body except on the basis of seniority, and in at least 20 cases I could cite, if the Senator wanted me to do so, another Senator got a committee assignment notwithstanding this Senator's seniority. I am not complaining about it. I feel that if a Senator does his job and is regarded well enough to be reelected, he will eventually obtain a seat on any committee by seniority. I have deliberately stepped aside and agreed to allow other Members of the Senate to go on certain committees, notwithstanding that I had more seniority.

I do not see what the Senator is accomplishing by suggesting this reform to suit his views, because, with 100 Members in the Senate, I suppose each one of them would have his own ideas about how to organize the committees which would justify placing almost any Senator on a committee ahead of another Senator.

Mr. CLARK. Is my friend suggesting that we should have a gag rule and that I should stop before I complete my statement?

Mr. LONG of Louisiana. No. I merely make this point: Dropping a Senator from a committee has happened many times during the 14 years years I have been in the Senate. The Senator is making the first speech I have heard complaining that that should not have happened and inferring that it was unfair and improper. The law provides how the problem should be handled. The Senator from Louisiana has been trying to be guided by the law and by the seniority system.

Mr. CLARK. Mr. President, turning now to the Appropriations Committee, I point out that the seniority system with regard to the Appropriations Committee was ignored by bypassing Senators YARBOROUGH and PROXMIRE and giving the coveted seat to the Senator from Alaska [Mr. BARTLETT], when Senators ENGLE and HART, both of whom have difficult election campaigns coming up, are of equal seniority with the Senator from Alaska.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. McGOVERN. A few moments ago, when the Senator was referring to the assignment to the Committee on Agriculture and Forestry, I think he gave the impression that I was assigned to that committee somewhat against my will.

Mr. CLARK. I did not mean to do so, because the Senator was an applicant and his name was on the list.

Mr. McGOVERN. I think the record should show that, while I appreciate the statement of the Senator from Pennsylvania that the problems of agriculture are frustrating and sometimes painful, nevertheless agriculture is still the most important single industry in the Nation, and certainly of overwhelming importance in my State. I asked for assignment to the Committee on Agriculture and Forestry, as well as the Committee on Interior and Insular Affairs. I am happy that both of those requests were granted, but I appreciate the statement the Senator from Pennsylvania is making.

Mr. CLARK. I am confident that our friend from South Dakota will make a substantial contribution to the solution of the excruciatingly difficult problems which confront the farmers of our country, and I admire his courage for being willing and anxious to undertake the task.

Having noted that seniority was ignored for the second time in connection with the Appropriations Committee, having been ignored for the first time in connection with the Aeronautical and Space Sciences Committee, I now turn to the Committee on Armed Services. In that case the ratio was changed from 11 Democrats and 6 Republicans to 12 Democrats and 5 Republicans. The applicants for assignment to that committee, in order of seniority, were: YOUNG of Ohio, HART, MOSS, MCINTYRE, BREWSTER, and INOUYE; BREWSTER and INOUYE having equal seniority, MCINTYRE having greater seniority by reason of having qualified earlier.

Senator YOUNG of Ohio, who faces a tough election campaign next year, had applied and was pressing the membership on the Finance Committee and had indicated that that was his first choice. He was, however, given his second choice, which was the Armed Services Committee, despite the fact that Senator HART and Senator Moss, who had equal seniority, were also applicants for the position.

This, of course, is the kind of hard choice which faces members of the steering committee when they cannot be guided by seniority and there is not much by way of any other guide to turn to. Senators Moss and HART also face difficult campaigns.

If, as then had become apparent, it was difficult to put Senator YOUNG of Ohio on the Finance Committee, it certainly was entirely appropriate to put him on the Armed Services Committee. But consider what happened to the other vacancy. The other vacancy was filled, not by Senator HART, not by Senator Moss, or by Senator MCINTYRE, but by Senator INOUYE.

I suggest that on the basis of experience and on the basis of the needs of the other two Senators, the claims of Senators HART and Moss were superior to those of Senator INOUYE, who received a fine appointment to the Public Works Committee, a committee of great importance to the State of Hawaii, and who could well have been appointed to another major committee had it been decided to favor the application of either Senator HART or Senator Moss.

So for the third time seniority was ignored in filling committee vacancies.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield.

Mr. MANSFIELD. Does the Senator recall that a couple of years ago when I went to him, after I had first become the leader, and said, "Joe, would you mind getting off one committee and getting on another one." He said, "No. I am fourth in seniority on this committee. I am accumulating seniority. I do not want to get off?"

Mr. CLARK. If the Senator says I said that, I will take his word for it.

Mr. MANSFIELD. It was only 2 years ago.

Mr. CLARK. If the Senator says so, I take his word. The Senator will also recall that I offered, without being asked to do so, to get off a committee in order that other Senators might receive appointment to a certain committee.

Mr. MANSFIELD. The Senator is correct. I could go into further details, but I will not. I will merely say that the Senator is correct.

Mr. CLARK. I thank the Senator.

Now I turn to another "Orphan Annie," the Committee on Banking and Currency. What a shame that it is an "Orphan Annie," because it is one of the most important committees of the Senate. I suppose this is the committee the Senator from Montana was talking about a moment ago.

Mr. MANSFIELD. That is the one.

Mr. CLARK. Apparently my devotion to that committee is not shared by my colleagues, because there was only one applicant for that committee, and that applicant, Senator McIntyre, would have been an appropriate selection for other committees rather than that one. I welcome him as a member of the committee. I note the presence in the Chamber of the Senator from Illinois, the Senator from Wisconsin, and the Senator from New York. I think they will agree with me that that is a fine committee and that we all deplore the fact that other Senators do not want the assignment. So there was no controversy involving the Committee on Banking and Currency. One freshman Senator was willing to apply——

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. LONG of Louisiana. I agree that the Banking and Currency Committee is a very good committee. This Senator gave up two committees to get on it when he was a freshman. He does not regret that action, because he thinks it was a fine opportunity to serve this body.

Mr. CLARK. I thank the Senator.

I turn now to the Commerce Committee, where the ratio was changed from 11 Democrats and 6 Republicans to 12 Democrats and 5 Republicans. I note that there were two vacancies and they eventually were filled on the basis of seniority, and Senator Hart joined Senator Cannon in filling the second vacancy, after the committee had preliminarily made another decision; and I will not go into that.

I point out the fortunate spot in which my friend the Senator from Nevada finds himself. He is now on Commerce, Space, Armed Services, and Rules. I admire—and I really do admire—the ability which he has displayed on the three committees on which he already serves, and it is true that he had seniority over the other applicants on Commerce. I have no criticism of what was done in that connection in the end.

The poor District of Columbia Committee comes next. Having served for 2 years on that committee I deplore the fact that no one wants to serve on it. I wish I could induce some of the younger Senators what a wonderful committee that committee is on which to serve. I am a former mayor of Philadelphia, and, goodness knows, the District of Columbia deserves better consideration from Congress than it gets. However, we had no applicant for the vacancy on that committee. Therefore Senator McIntyre was, to some extent, shanghaied to serve on that committee. I believe he served with distinction as mayor of Laconia, N.H., before he came to the Senate.

Now we come to the piece de resistance, if I may borrow a French phrase, and that is the Finance Committee. Here the battle raged, with bloodshed on all sides. The present ratio on the Finance Committee is, to my way of thinking—and I suppose some of my friends would agree with me—inexcusable. It is 11 Democrats and 6 Republicans. It is less than even 2 to 1, when we have 67 percent of the Members of the Senate. It is not proposed to change that ratio.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CLARK. I shall yield in a moment. Where is the program of the President of the United States going to get stalled? Where is it going to get delayed? Where was medicare bottled up last year? Where is the tax bill and the tax reform bill in jeopardy this year? It is in the Finance Committee.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to the Senator from Illinois.

Mr. DOUGLAS. As a member of the Finance Committee I believe I can testify that when conference committees are set up there usually are, to represent the Senate, three members who say they belong to the Democratic Party and two Republicans, with the result that the conference committee always votes with the Republicans, and we are presented—and I now want to show my knowledge of French—with a fait accompli. The Republican version always wins.

Mr. CLARK. This bilingual debate perhaps impresses the country with the erudition of our Members.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. CLARK. I am glad to yield to the distinguished and able member of the Finance Committee, the ranking Democratic member after the chairman, the Senator from Louisiana.

Mr. LONG of Louisiana. The junior Senator from Louisiana had some doubt that the Democrats should have agreed to a ratio of 11 to 6 on that committee. He expressed some doubts on that subject. However, he was very much opposed to expanding the size of the Finance Committee, feeling that, if need be, it would be better to offer an amendment on the floor than to vote through a favorable committee recommendation by virtue of having expanded the size of the committee.

The Senator says that medicare was killed in committee. It is my impression that the medicare bill lost on the floor of the Senate by a single vote. The Senator from Louisiana, as well as other Senators on that committee, southerners in the main, on whom, the Senator has indicated, the Kennedy administration cannot rely, have undertaken to indicate to the administration and to other Democrats that we would have no intention of having any proposal of the administration bottled up in that committee. We would propose that if a majority of the committee wanted to recommend something contrary to what the President was recommending, we would be happy to see that there would be an opportunity to assure that the matter would be voted upon on the floor. As far as this Senator is concerned—and I believe I speak for a majority of the committee—there are enough votes on the committee to see that a bill will be presented on the floor to which the medicare plan can be offered as an amendment. As a matter of fact, under Senate procedure, it is difficult for anyone to prevent a Senator who believed in a particular proposal from having the opportunity to offer it on the floor.

Mr. CLARK. I have no quarrel with what the Senator has said. I make the point that the representation on the Finance Committee should properly represent the representation of Democrats and Republicans in the Senate, instead of representing, as it does today—and I think this is not an extravagant statement to make—the well-known conservative bipartisan coalition opposed to the President of the United States.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. CLARK. I will yield in a minute. My point is that in connection with the committee a ratio of 14 to 7—with 21 members on the committee—14 Democrats and 7 Republicans would more justly and properly represent the membership in the Senate, because then supporters of the President and liberal Republicans could be placed on the committee, and we would have a situation where that committee would no longer be the principal deterrent to the President's program, where we would have a real chance of democratizing the Senate, where perhaps a new majority would increase the staff, and where on the basis of the new majority subcommittees would be appointed with real power to act, and where the proposed new ratio would make it possible to bring bills out of committee after 2 or 3 months of hearings instead of after 7 or 8 months of hearings.

I see my good friend the majority leader on his feet, and I believe that this is what he wanted to do also. Here is where we get bipartisan. The reason we are not going to increase the size of the Finance Committee is because a fairly careful and accurate nose count revealed that we could not get even one Republican vote to make that committee represent the proper representation in the Senate.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CLARK. We were told it would be necessary to get all of the votes to change the size of that committee. On the Democratic side, we have 67 Senators. We knew there would be 20 Senators who would not vote with us. That leaves 47. We were told there were 33 solid Republican votes against increasing the size of the committee.

Mr. MANSFIELD and Mr. JAVITS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield; and, if so, to whom does he yield?

Mr. CLARK. I yield first to the majority leader; and then to the Senator from New York.

Mr. MANSFIELD. I really dislike to wash our dirty Democratic linen in public, but I suppose it has to be done once in a while.

Mr. CLARK. The Senator will recall that I urged him at the steering committee meeting to allow us to review these matters in the Democratic conference. For reasons I understand and with which I can even sympathize, he said that he would rather have it done on the floor.

Mr. MANSFIELD. That still does not change my mind.

Mr. CLARK. I did not think it would.

Mr. MANSFIELD. I still dislike it. However, I should like to say that there has been some talk in the press that the Senator from Montana, acting as majority leader, was some sort of martyr in assuming the blame for trying to bring about an increase in the Finance Committee. I am no martyr. I never have been. I do not believe I would qualify to be a martyr.

Mr. CLARK. If the Senator will permit an interjection, I would like to say that he is the closest to any martyr that I have ever seen on the floor of the Senate, and I honor him for it.

Mr. MANSFIELD. I thank the Senator. Let me say this, however. A few months ago I received a letter from the Senator from Pennsylvania [Mr. Clark] who now controls the floor, at which time he made the suggestion that because of the increase in the Democratic membership in the Senate, the ratio in the Finance Committee should be changed in proportion.

I thought it was a good idea. I called it to the attention of the President. He said, "That is your business; it is the Senate's business." He indicated that he was interested in the tax bill, but so far as the ratio of membership on the committee was concerned, he showed no interest.

But I wish to give credit where credit is due. The Senator from Pennsylvania [Mr. Clark] originated the idea. I picked it up. I tried to sell it. I did not get much response.

The problem comes down to a matter of political arithmetic. Certain members of the Committee on Finance—not the chairman of the committee—and other Senators came to me and said, "We do not want the membership of the Committee on Finance to be increased." I was told by the other side that there would be 33 solid votes against an increase in the membership of the committee.

Mr. CLARK. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. My understanding is that that information came when the discussed increase was to be in a ratio of 13 to 6, not, as I have suggested, 14 to 7, which would have enabled still another Republican Senator, other than the minority leader, to become a member of the committee.

Mr. MANSFIELD. The Senator is correct. I think it is a part of my job on occasion to take a poll on the Democratic side. I asked the assistant majority leader, the Senator from Minnesota [Mr. Humphrey], and the secretary for the majority to conduct a quiet poll. I say to the Senator from Pennsylvania that on the basis of that poll, we would have got, at the very most, between 40 and 42 votes.

Mr. CLARK. All Democratic.

Mr. MANSFIELD. All Democratic. It was merely a case of simple arithmetic.

From time to time I have heard that the distinguished Senator from Virginia [Mr. Byrd], the chairman of the Committee on Finance, has indicated his opposition to what some refer jokingly as the packing of the Committee on Finance. To the best of my knowledge, the Senator from Virginia, who is a very fairminded man, never took a position, never said a word, although I was quite sure in my own mind that he would be against such a proposal.

I may say also—and I am glad that the Senator from Illinois [Mr. Douglas] is in the Chamber—that, to the best of my knowledge, the Senator from Virginia has not held up proposed legislation in the Committee on Finance, even though he was opposed to it. He has always allowed measures to come to the floor of the Senate. I have tried to get him to speed up matters, as I did 2 years ago, asking if it would not be possible for the chairman of the House Committee on Ways and Means and the chairman of the Committee on Finance to hold hearings simultaneously on tax bills. They both put me in my place in a hurry, saying that they would not do that, but would follow the customary procedure.

All too often in this body a Senator is crucified or pilloried because he is supposed to have indicated his position about this or that subject or his support of this or that measure. As we operate in this Chamber, we may not like the views of our colleagues, but we come to know them and appreciate their honesty. I apply that statement to every Member of this body.

Mr. CLARK. The Senator is correct. I have no quarrel with his statement. I yield now to the Senator from Illinois, so that he may ask a question of the Senator from Montana.

Mr. DOUGLAS. I do not wish to ask a question of the Senator from Montana; but since the Senator from Montana pointed me out as being in the Chamber, I thought I should make it clear that I have never accused the Senator from Virginia of holding up proposed legislation. At times, I think hearings before the Finance Committee are prolonged, but I have never accused the Senator from Virginia of preventing proposed legislation from coming to the floor of the Senate.

If there was unintentionally on the part of the Senator from Montana the imputation that I had made such a charge, I hope the Senator from Montana will withdraw it.

Mr. MANSFIELD. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. MANSFIELD. If there was an imputation of that nature, I, of course, withdraw it. I called the attention of the Senate to the Senator from Illinois because, so far as I could see, he was the only member of the Committee on Finance who was present in the Chamber. Now I observe that the Senator from Louisiana [Mr. Long] also is in the Chamber. I thought the Senator from Illinois would either corroborate or disprove what I said, because I was making a statement which was subject to correction, and I was looking to the Senator from Illinois for guidance one way or the other.

Mr. DOUGLAS. Have I supplied that guidance now?

Mr. MANSFIELD. The Senator has.

Mr. DOUGLAS. I thank the Senator.

Mr. MANSFIELD. If the Senator from Pennsylvania will further yield, I think I have said about all I wanted to say. I wanted the record to show that the baby—the idea of increasing the membership of the Committee on Finance—had as its proud father the Senator from Pennsylvania [Mr. Clark]; that the Senator from Montana took up the idea and tried to sell it, but did not get very far with it; but just before the steering committee met, had a quiet poll taken, and learned that the necessary votes were not available; he then went to the steering committee and recommended that there be no change. I want the record to be clear.

Mr. CLARK. I thank the Senator from Montana, whose statement of the facts, as I understand them, is completely accurate.

While no doubt it is true that the White House did not inject itself in such fashion as to apply pressure concerning the size of the Committee on Finance, I suspect that those who know the President of the United States would not be far off if we felt that he would not have been seriously disappointed if he found that the size of the Committee on Finance had been increased or a more favorable Democratic ratio achieved.

Mr. President, I am about to conclude, and shall therefore willingly yield the floor in a few minutes. It will not be "senatorial" minutes; it will be time minutes.

I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I heard the Senator from Pennsylvania say something about 33 solid Republican votes. I am only one Republican, but I have no commitment with respect to being opposed to an increase in the membership of the Finance Committee.

We heard our Southern friends argue—most sincerely, I am sure—that the number of Senators whose names appear on a bill does not mean that they are going to vote in favor of the bill. We saw an example of that in connection with the so-called Bricker amendment, which had as its sponsors an overwhelming majority of the Senate, yet failed of passage.

So I hope that whatever the Senator from Pennsylvania may have in mind today in terms of his point of view and his principles, and what he believes to be in the interest of the Senate and of the country, he will not be bedazzled by numbers. I knew nothing about the necessity of 33. I am sure those who made the statement made it in complete good faith. But I should like to have the Senator know that I am one Republican Senator who is not in the least committed as to how he will vote on any motion or resolution with respect to the composition of a committee.

Mr. CLARK. I am cheered and heartened by the sentiments of the Senator from New York.

Mr. President, I observe in the Chamber several other Senators who I know wish to speak before the Senate adjourns. I shall complete my speech in a few minutes. I desire to speak a further word about the Committee on Finance. Then I shall yield to Senators who wish me to yield to them. I desire to submit some motions, but first I wish to conclude my remarks about the Committee on Finance.

Having determined not to change the ratio of membership on the Committee on Finance for the reasons stated by the majority leader, we were confronted with one vacancy on the committee. In the order of original seniority, the applicants for that position were: Senator PROXMIRE, Senator YOUNG of Ohio, Senator CANNON, and Senator LONG of Missouri. A last-minute added starter was the senior Senator from Ohio [Mr. LAUSCHE], who was the senior of them all, so far as this list is concerned. But all those Senators—Senator LAUSCHE, Senator PROXMIRE, Senator YOUNG of Ohio, Senator CANNON, and Senator LONG of Missouri—were bypassed. Seniority was ignored again, and my very dear friend the able Senator from Connecticut, the distinguished former Secretary of Health, Education, and Welfare, a man having a brilliant political record, was pushed ahead of all the other Senators and placed on the Committee on Finance.

At this point, I shall discontinue my seriatim discussion of the actions of the steering committee and I shall resume what I have to say about it tomorrow, when the opportunity presents itself. I shall yield in a moment to the Senator from Illinois and the Senator from Wisconsin, who would like to have me yield to them; but before doing so, I send to the desk, in accordance with rule XL, of the Standing Rules of the Senate, three written notices of motions to amend rule XXX and three resolutions to amend rule XXV. I ask that the resolutions be printed and lie at the desk.

The PRESIDING OFFICER. The notices of motions to suspend the rule will be received, printed, printed in the RECORD, and will lie on the desk.

The notices and resolutions are as follows:

NOTICE OF MOTION TO AMEND RULE XXV

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend rule XXV, as follows:

"*Resolved*, That rule XXV of the Standing Rules of the Senate be amended as follows:

"In paragraph (b) (dealing with the Committee on Appropriations) of subsection 1 of rule XXV, strike out the word 'twenty-seven' and insert in lieu thereof 'twenty-nine'."

The purpose of the proposed amendment is to increase the size of the Committee on Appropriations by 2 seats to 29.

NOTICE OF MOTION TO AMEND RULE XXV

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend rule XXV, as follows:

"*Resolved*, That rule XXV of the Standing Rules of the Senate be amended as follows:

"In paragraph (h) (dealing with the Committee on Finance) of subsection 1 of rule XXV, strike out the word 'seventeen' and insert in lieu thereof 'twenty-one'."

The purpose of the proposed amendment is to increase the size of the Committee on Finance by 4 seats to 21.

NOTICE OF MOTION TO AMEND RULE XXV

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to amend rule XXV, as follows:

"*Resolved*, That rule XXV of the Standing Rules of the Senate be amended as follows:

"In paragraph (i) (dealing with the Committee on Foreign Relations) of subsection 1 of rule XXV, strike out the word 'seventeen' and insert in lieu thereof 'twenty-one'."

The purpose of the proposed amendment is to increase the size of the Committee on Foreign Relations by 4 seats to 21.

S. RES. 91

Resolved, That rule XXV of the Standing Rules of the Senate be amended as follows:

In paragraph (b) (dealing with the Committee on Appropriations) of subsection 1 of rule XXV, strike out the word "twenty-seven" and insert in lieu thereof "twenty-nine".

S. RES. 92

Resolved, That rule XXV of the Standing Rules of the Senate be amended as follows:

In paragraph (i) (dealing with the Committee on Foreign Relations) of subsection 1 of rule XXV, strike out the word "seventeen" and insert in lieu thereof "twenty-one".

S. RES. 93

Resolved, That rule XXV of the Standing Rules of the Senate be amended as follows:

In paragraph (h) (dealing with the Committee on Finance) of subsection of the rule XXV, strike out the word "seventeen" and insert in lieu thereof "twenty-one".

Mr. CLARK. Mr. President, the motions and resolutions would increase the size of the Committee on Appropriations by two; would increase the size of the Committee on Finance by four; and would increase the size of the Committee on Foreign Relations by four. I shall speak tomorrow about why it seems to me these proposed changes in rule XXV are in the public interest.

I shall yield first to the distinguished Senator from Illinois and then to the distinguished Senator from Wisconsin.

Mr. DOUGLAS. Mr. President, I have followed with great interest this very detailed analysis by the Senator from Pennsylvania and wish to commend him for it. I think I should make a public explanation as to why I was not present at the meeting of the steering committee.

Mr. CLARK. Mr. President, will the Senator from Illinois permit me to interrupt him?

Mr. DOUGLAS. I yield.

Mr. CLARK. The proxy of the Senator from Illinois was voted on all these matters, as were the proxies of at least two other Senators, distinguished Members of the establishment, who were not at the meeting either.

Mr. DOUGLAS. In December, I wrote to the whip of the Democratic group saying that I assumed that, as usual, the Republicans would "take off" between February 8 and 19 to praise the memory of Abraham Lincoln——

Mr. CLARK. Having just voted by a substantial majority to ignore the 13th and 14th amendments.

Mr. DOUGLAS. Yes; and that the Senate would oblige our Republican friends by closing down and transacting no business. It seemed to me that if that was to be done, I would have the right to go to Illinois in order to prove that Abraham Lincoln was a spiritual Democrat. I asked the whip to inform me whether I would cripple the work of the Senate if I absented myself during this period when our Republican friends were to be absent. I received no such warning from him. I asked him verbally whether the Senate would be in the doldrums during this time. I was informed that it would be. So I made my plans to spend 10 days in Illinois, and to deliver approximately 40 speeches.

I went to the Democratic conference on Thursday, the 7th; and on the secret ballot I voted with the Senator from Pennsylvania [Mr. CLARK] to enlarge the steering committee to 19; but when a secret ballot was objected to, I voted—on the motion of the Senator from New Mexico—to increase the membership to 17.

But then I had to return to my office, to pack my bag, so as to be ready to go back to Illinois. Just as I was about to leave, I found—to my surprise—that I had been designated a member of the steering committee—something which I had not anticipated would happen.

Mr. CLARK. Although the Senator from Illinois was a candidate for it, was he not?

Mr. DOUGLAS. Yes.

Mr. MANSFIELD. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. MANSFIELD. I believe the Senator from Illinois was given a choice—namely, assignment to either the steering committee or the policy committee. Is that correct?

Mr. DOUGLAS. That is correct.

Mr. MANSFIELD. And the assistant majority leader and I thought the Senator from Illinois would be more interested in becoming a member of the policy committee. However, his choice was assignment to the steering committee, and he received that assignment.

Mr. DOUGLAS. That is correct.

Mr. MANSFIELD. Let me say that during the period in which I have been the leader on this side, there have been only four vacancies in the membership of that committee, and those have been filled by the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Connecticut [Mr. DODD].

Mr. DOUGLAS. I could not be present at the time when action was taken in regard to the membership of that committee because of necessary preparations prior to my scheduled departure to Illinois. If I had known in advance that that action would be taken, I would have canceled my other engagements. But having made them, I could not cancel them then. So I gave my proxy to the Senator from Pennsylvania, with certain instructions—except that as to one committee assignment, to which he was an aspirant, I felt that it would not be proper for me to give my proxy to him. So I gave it to another Senator, with instructions to vote for the Senator from Pennsylvania.

I say this only in explanation of why I was absent; and I make this statement only in view of the fact that it has been bruited about that I cared so little about what would happen that I did not attend the committee meeting.

Now, in connection with the detailed explanation which the Senator from Pennsylvania is giving today, and which I understand he will continue tomorrow, let me say that as I examine the committee assignments I am compelled to ask whether a certain pattern seems to emerge—namely, that seniority is disregarded in a significant number of cases of Senators who vote to restrict the filibuster and to apply a more rigid cloture rule, and that such Senators are passed over, in favor of Senators who vote to maintain the filibuster and to oppose more stringent cloture. Am I correct in this?

Mr. MANSFIELD. Mr. President, as to that, let me say that I think——

Mr. CLARK. Mr. President, if I may, I should like to answer the question.

Mr. MANSFIELD. Very well.

Mr. CLARK. I do not make that charge.

Mr. MANSFIELD. And the charge is not true.

Mr. DOUGLAS. I do not make the charge. I simply ask whether this pattern emerges. It seemed to me that it did.

Mr. MANSFIELD. No; it does not.

Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. MANSFIELD. What was the position of the Senator from Indiana [Mr. BAYH] on the filibuster and also the position of Senators BREWSTER, EDMONDSON, INOUYE, KENNEDY, MCGOVERN, MCINTYRE, NELSON, and RIBICOFF? I think they were 7 to 2 against the filibuster. However, all but two of these Senators received both committee assignments they requested; and the other two received one-half of their requested committee assignments.

Mr. DOUGLAS. I do not wish to go into that matter. But, as I recall, the Senator from Hawaii [Mr. INOUYE] voted to maintain the present filibuster rule.

Mr. MANSFIELD. That is correct; the Senator from Hawaii [Mr. INOUYE] and Senator——

Mr. DOUGLAS. And a number of other new Senators were placed on the committees, ahead of Senators who have seniority.

Mr. MANSFIELD. The Senator from Illinois is correct.

However, it was charged that, on the basis of these committee assignments, a "pattern" which "developed" indicated that those who were favored evidently voted for the filibuster, and that those who were not favored voted against the filibuster. But seven of the freshmen Senators voted against the filibuster, and they were not punished in any way, nor were they favored; all of them were given equal consideration.

So far as the other Members are concerned—myself, the Senator from Alaska [Mr. BARTLETT], the Senator from Ohio [Mr. YOUNG], the Senator from Nevada [Mr. CANNON], the Senator from Michigan [Mr. HART], the Senator from Florida [Mr. SMATHERS], the Senator from Rhode Island [Mr. PELL], the Senator from Arizona [Mr. HAYDEN], the Senator from Wyoming [Mr. MCGEE], the Senator from North Carolina [Mr. JORDAN], the Senator from West Virginia [Mr. BYRD], and the Senator from Pennsylvania [Mr. CLARK]—of that number, seven were for filibusters, as I interpret that, and five were against. So I would say that, if anything, the assignments were weighted on the other side.

Therefore, I do not like to have any Senator allege on this floor that a "pattern" was "developing," and that it indicated that the steering committee is favoring or punishing Senators.

Let me say, as one who has been charged with "indecisive leadership," that if Senators want a steering committee to function, they had better give it responsibility. If Senators do not want a steering committee to function, they should vote to abolish it, and to let the majority leader make the recommendations. So Senators should make that choice.

Mr. PROXMIRE. Mr. President——

Mr. CLARK. Mr. President, I yield now to the Senator from Wisconsin, unless the Senator from Illinois desires to have me yield further to him.

Mr. DOUGLAS. Well, Mr. President, it is always ungracious to go into great detail in connection with these matters. I merely think that if an analysis is made of the record which the Senator from Pennsylvania is now establishing, and which he undoubtedly will establish in greater detail tomorrow, it will be found that it presents the very interesting question of whether such a pattern does develop; at least in the case of the "second generation" Senators, and it would be very interesting for the political analysts to go into this matter in some detail.

Mr. MANSFIELD. Mr. President, will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. MANSFIELD. Again the Senator from Illinois is raising the question of "a pattern." Let me say most sincerely and respectfully that I hope the Senator from Pennsylvania, who has gone very thoroughly into the subject—perhaps more thoroughly than any other Senator—will answer that allegation, and will do so now, and will do so on the basis of his knowledge and on the basis of the record to which he has access.

Mr. CLARK. Well, Mr. President, the majority leader makes a request which I find a very difficult one. A moment ago I said I do not charge that there is such a pattern—nor do I charge it now.

Mr. MANSFIELD. Yes.

Mr. CLARK. I think I would rather leave the matter this way: That overnight I will give some thought to the request of the Senator from Montana; and before I yield the floor tomorrow, I will answer his question, after some further analysis of the facts and figures.

Mr. MANSFIELD. I am delighted about that, because it is sufficiently difficult just to be a Democrat, with the divergencies which exist in our party. So I hope that instead of splitting ourselves apart, we shall do all we can to bring ourselves together.

That is something which is not my responsibility. It is not the responsibility of any individual Senator, but is the responsibility of all Senators.

Mr. CLARK. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, the distinguished Senator from Pennsylvania, as is typical of him, has had the courage and conviction to make a very difficult speech. It is a speech that most Senators would not make. It was a speech in which he challenged the power and influence of those who control the U.S. Senate. The Senator from Pennsylvania cannot possibly obtain any personal gain from his speech.

Mr. CLARK. That is very clear.

Mr. PROXMIRE. That is a masterpiece of understatement.

Mr. CLARK. Yes; it is a masterpiece of understatement.

Mr. MANSFIELD. I may say that I get no personal pleasure from it, either.

Mr. PROXMIRE. Mr. President, our distinguished majority leader, the Senator from Montana, has done a marvelous job as majority leader. No one serving as chairman of the steering committee could have done a better job.

However, I shall make a suggestion in a constructive way as to how I hope the kind of serious problem raised by the

Senator from Pennsylvania can be solved.

We invariably follow a seniority principle in selecting the chairmen of Senate committees. That is certainly one of the most important assignments a Senator can get. A chairman of a standing committee is in a powerful position in this body. Invariably we follow the seniority principle in appointing Senators as chairmen of subcommittees; or at least invariably every Senator has an opportunity, if he wishes to become chairman of a subcommittee, to become such in order of seniority.

One recognized exception has been made in making committee appointments under the seniority rule. Everyone I know in the Democratic Party approves. That is that newly elected Senators are appointed to committees regardless of their seniority position. That is the only way in which Senators from two-party States would have an opportunity to serve on powerful committees. That is good.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PROXMIRE. I shall yield in a moment. I should like to finish my thought. While we should place trust in the steering committee—and I want to do so—I can see no reason on earth why we should not provide that, with the exception of the appointment of junior or newly elected Senators——

Mr. CLARK. To one committee.

Mr. PROXMIRE. To one committee, or we can modify it in any way we wish—but the point I wish to make today is that, with the exception of the assignment of new Senators, seniority should be followed religiously in making other appointments to committees. There is a strong case against the seniority principle.

Frankly, if we could eliminate seniority in toto from committee assignments, I would vote to do so. But we cannot do this. We will not do it.

Seniority in committee assignments is a way of life. If we are realistic we accept it. We live with it. But then we should apply it with scrupulous fairness, with no partiality, with no favor.

This is not the case now, and every Senator knows it.

If we do not follow this principle in all cases and without partiality, I submit to my good friend from Illinois [Mr. DOUGLAS] and to my good friend the Senator from Pennsylvania [Mr. CLARK], that whether we like it or not, we shall be at the mercy of the steering committee, and some of us, rightly or wrongly, feel that the steering committee may have bias. I am not saying that individual Senators are not men of highest principle, but all of us have biases. One Senator may feel that the Senator from Alaska who won the appropriations assignment over the Senator from Texas, although the Senator from Texas is senior to the Senator from Alaska, is better qualified, others may feel that the Senator from Texas is better qualified than the Senator from Alaska. But who is better qualified? We can never decide that question. What makes a qualified Senator? Diligence, intelligence, eloquence, force, judgment? These are all largely subjective qualities. I suppose there may be some objective measurement of diligence, but we can never establish it, and no one tries to establish it in making committee assignments.

The fact is that appointments to committees are not based upon seniority. In several cases cited by the Senator from Pennsylvania they violated seniority although new Members were not involved. What were these assignments based on? Ideological favoritism? Favoritism based upon personal friendship? Of course they were. And if we are honest we will admit it. But neither of these considerations should have any bearing.

Therefore, I submit that it would be far easier for the steering committee if it followed seniority principle without favor or discrimination. There would not be this kind of dispute we have had this afternoon which is bound to develop in future years, which is bound to erode our confidence in each other, and which is bound to split our party. If straight seniority, except for newly elected Members, were the rule, I would not have been appointed to the Committee on Appropriations. The Senator from Texas [Mr. YARBOROUGH] would have been appointed. The Senator from Connecticut [Mr. RIBICOFF] would have been appointed to the Committee on Finance. He is a newly elected Senator and, under the rule, entitled to one major committee assignment.

At the same time, I feel that if we Democratic Senators do not insist on some kind of seniority rule, we should accept the action taken by the steering committee. We have no one to blame but ourselves. The steering committee is outnumbered in the caucus. And any time we wish to do so, we Democratic Senators can insist on the seniority rule being applied without favor. I think we ought to do it. The speech of the Senator from Pennsylvania was an excellent speech. It was well documented. It was in excellent taste. No one should have been offended by it. As I said, it is difficult to make a speech of that kind. In this Senator's judgment it was a conclusive argument for the application of straight seniority from now on.

Mr. CLARK. Mr. President, with deep regret I find myself unable to agree in full.

Mr. PROXMIRE. That is the trouble with us liberals. We can never get together.

Mr. CLARK. I will try to develop the question of the seniority rule further tomorrow before this matter is concluded.

Unless some other Senator present in the Chamber desires to ask me a question or to engage in colloquy, I should like to yield the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from Montana.

Mr. MANSFIELD. Much as I disagree with a great deal of what the Senator from Pennsylvania has said this afternoon, I commend him and compliment him for the dignified way in which he has presented his subject. I agree with the Senator from Wisconsin that it was not a pleasant duty. I am sure the Senator looks upon it as a duty. From his point of view, he thinks it should be done. That is all right. But I express the hope that what has taken place will not become an annual ritual. I hope that we shall try, as much as possible, to do away with these differences between Democrats, and look upon ourselves not as liberals, conservatives, or middle-of-the-roaders, but as a part of the Democratic Party and as Democrats. We have our differences, but perhaps we can obviate them. Again I wish to compliment the Senator for the dignified way in which he presented his case today.

Mr. CLARK. I thank my friend for his very kind words. Coming from him at this time of the day, they are doubly appreciated because I know the speech I have just made must have been in many ways disheartening to the majority leader. His reaction to it is typical of the generous and gentlemanly way in which he treats all Senators, regardless of which side of the aisle they may be on.

The best way I can think of to avoid this semiannual ritual is to reorganize the steering committee so that it properly represents the Democratic majority in the U.S. Senate.

Mr. MOSS. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to the distinguished Senator from Utah.

Mr. MOSS. I commend the Senator from Pennsylvania for the very detailed, thoughtful, and restrained speech that he has delivered. It is indeed a difficult subject. I have refrained from taking any part in the discussion because personal involvement on my part is great. But I have listened with the greatest of interest.

I feel that the problem that has been discussed here by the senior Senator from Pennsylvania is one of such great importance that it should have been aired on the floor of the Senate, and it should be in the permanent RECORD of the Senate as a discussion. I, like other Democrats, regret when there is disagreement among Democrats. But the only way I know to straighten it out is to have a full and frank discussion of the problem and some recommended remedies, and then proceed in some democratic way to achieve the desired result. I appreciate very much the Senator's undertaking to do what he has done, because I felt many Senators who were involved as a part of the problem could not discuss it objectively. I think the Senator has undertaken to discuss the problem in an objective and intellectual manner.

Mr. CLARK. I thank my friend from Utah for his kind words. I express the hope that sometime between now and November 1964, the Senator from Utah will obtain one of the committee assignments he so assiduously seeks and to which he is so justly entitled.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MORSE. I shall obtain the floor in my own right later to speak on another subject, but I wish to comment on the debate that has taken place this afternoon. I am not speaking in agreement in the Senate except with seven other Senators. But if the debate has proved anything today, in my judgment it has proved the soundness of the position of those of us in the Democratic caucus who supported my motion that the steering committee should be checked according to the good old Jeffersonian philosophical democratic principle.

Basis in the philosophy of Jefferson was the principle of checks and balances. He knew that power given to mere men would be abused unless checked. He knew that government by law cannot exist unless the mere men who administer government are checked in the exercise of their power.

If the steering committee were subject to the motion I made in the Democratic Party conference it would have been checked by requiring it to submit its decisions on committee appointments to the entire Democratic conference membership for a check. The power of finality to make committee assignments should be checked by the requirement my motion proposed. Eight of us, DOUGLAS, CLARK, NEUBERGER, MCNAMARA, PROXMIRE, NELSON, GRUENING, and MORSE, supported this elementary and fundamental principle of Jeffersonian democracy. It is my hope that this debate this afternoon has proven to a majority of my colleagues that in 1964 the amendment I offered to check the steering committee will be adopted.

I do not know of anything that could have proved the soundness of that motion more than the debate on the floor of the Senate this afternoon. As I just stated, I hope that between now and 1964 that rollcall of eight who supported the Morse motion will increase to a majority, because that is the place to iron out party difficulties. Had we had that conference, in my judgment the report of the steering committee this year would have been modified after debate and conference.

I speak as one who probably bears more battle scars over committee fights in the past 18 years than any other Member of this body. Although I am a Member on this side of the aisle, I shall never forget the 19-to-19 vote tie in 1953 which was cast here in the Senate, which was finally broken by our then majority leader with his own vote, in order to subject the Senator from Oregon to Republican discipline.

At that time my right to continue on the committees on which I had been serving for years was destroyed by partisan politics in the Senate. As I said then the sovereign State of Oregon was wronged by a partisan arrangement which relegated me to the Republicans for discipline on committee assignments because I exercised an honest independence of judgment in resigning from the Republican Party. I have no regrets for my course of action because the sorry record of the Republican Party before and since justified my decision. However the Senate wrote a sorry record in that committee fight because it did irreparable damage not to the Senator from Oregon but to the seniority system in the Senate. Many a Senator since then has told me that he made a great mistake in yielding to the partisanship of the hour.

I felt then that we ought to recognize the importance of improving the procedure of the Senate in connection with the assignments to committees. The debate this afternoon, I think, has proved my case.

I rest my case.

Mr. CLARK. Mr. President, I thank the Senator from Oregon for his kind comments. I point out that I was one of the eight who joined the Senator in the rather hopeless fight to have the Democratic conference approve the selections of the steering committee.

Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, the matter of my place upon the Appropriations Committee has been discussed twice today. One of those discussions related to the views of the Senator from Georgia about certain speculation in the press on the reasons for this action on the part of the majority party. The other analyzed the internal procedures of the Democratic Party. In both discussions I think one thing has not been made clear.

I have already expressed my personal feeling. As the person concerned, I have preferred to regard this whole unfortunate development as one of the vicissitudes of politics in the field in which we are engaged. Those who wish to speculate, of course, have every right to do so on their own; but, the central point which I should like to make before this part of the debate concludes is that clearly some other course could have been taken instead of displacing a Senator who is already a member of the Appropriations Committee.

What is very important is the case of New York. New York has not had sufficient representation on the Appropriations Committee. There have been only five New Yorkers on the committee in the whole history of the Senate.

The position of New York in the Nation as a critically important center of commerce and finance is well recognized. Whatever may be said about the contributions of other States to the central position of New York—and no one is quicker to acknowledge those contributions than I—the fact is that New York is the financial center of the country. It has been so because of the acumen, the skill, the hard work, the diligence and the traditional position of our banks and financial institutions, of our trades, industries—service and otherwise—of our technicians, architects, and engineers, the whole range of magnificent service which is available to this country in New York.

In view of these facts, it is strangely anomalous that when, finally, a Member from New York is placed on the Appropriations Committee, this unfortunate problem of displacement occurs.

So, Mr. President, I must report to the Senate that in New York there is a very strong feeling that the people of the State of New York deserve some explanation. An effort is being made to give it here on the floor. The people of New York deserve to have the questions answered, as to whether this was arbitrary, as to whether it was purposeful, or not.

It is in that sense and only in that sense that I speak, Mr. President. Therefore, I think that, quite apart from the critical importance of reforming whatever processes need reform, and quite apart from the desire of Members to set the record straight so far as they are concerned, the present debate will be illuminating to the people of New York as to how and why this event occurred in quite the fashion that it did.

Mr. President, I repeat what I said this morning. Personally, I take this reverse philosophically. However, I think the people of my State must be informed. I will continue to do my utmost to serve the people of my State on the committees on which I sit, as well as on the floor of the Senate.

Mr. KEATING. Mr. President, will the Senator yield to me?

Mr. JAVITS. I yield.

Mr. KEATING. I shall not mention, Mr. President, any reference to the reasons for the action which was taken. I want my colleague to know that I share with him regret over the action. It is my feeling that New York needs a member on the Appropriations Committee. I have complete confidence in the work of my distinguished colleague. I express to him my personal appreciation, as well as the appreciation of the people of New York, for the service which he has rendered on the committee, which, in my judgment, is deserving of his continuance on the committee.

I regret very deeply, both for myself and for the people of the State of New York, the action which has been taken, which has deprived my colleague of the place on the committee on which he was serving with such outstanding distinction.

SOVIET CHROME ORE OFFENSIVE

Mr. KEATING. Mr. President, while this Nation is focusing attention on the threat of a Soviet Cuba, the Russians are quietly scoring another coup in their ruthless campaign to build up the Soviet economy by undermining the strength of the free world economy.

This time the Russians are using chrome as a cold war weapon. Metallurgical chrome is a necessary ingredient in the manufacture of stainless steel and certain heat-resistant metals for jet engines and atomic energy equipment.

Their newest offensive—this time in the chrome trade—can have devastating repercussions on the defense effort and the security of the United States.

For a number of months now, I have been speaking in this Chamber and elsewhere on the danger to our national security posed by the Soviet oil offensive. This trade weapon, used very effectively by our cold war adversaries, has enabled the Russians to obtain technological data and vitally needed machinery in exchange for cheap oil.

We must constantly examine our own policies to be certain American interests are not cooperating in the aggressive expansion of the Soviet economy. For years, we have been adamant about restricting the trade in strategic materials with the bloc. We have argued for an extension and for vigorous enforcement of COCOM controls, and we have criticized every sale of a British jet plane to Red China, every exchange of German machinery for Russian oil, and each shipment of Japanese pipeline to Siberia. If our exhortations are not to fall on deaf ears, we, ourselves, must be above reproach.

At the present time, no chrome ore is mined in the United States. We have obtained our supply primarily from Rhodesia and Turkey—two of our allies.

Within the last 3 months, however, Russia, a large producer of chrome ore, has been dumping the material on the world market, and even in the United States. Mining experts believe, in fact, that Russia is selling chrome ore in the United States at a price below its production costs. For example, chrome ore mined by American companies in Rhodesia sells here for about $34 a ton. Russian ore has been sold for as little as $16 a ton. It has been estimated that freight costs from Russia alone would exceed this low figure.

Why are the Russians willing to take a loss on chrome sales in order to supply us with ore? Only the most naive American would speculate that their motive was to aid our jet engine production or our ability to manufacture stainless steel. The alternatives, I fear, are not as altruistic:

First. Continued dumping will force the Rhodesian mines out of business. One out of three chrome mines in that country has already closed, and American companies operating the other mines have announced that they will be forced to discontinue operation within the next few weeks.

Second. Once the Rhodesians and Turkish mines are closed—and they cannot easily be made operative in case of an emergency—we will be dependent on the Russians for our supply of this mineral, and our ability to purchase it will be determined by the Kremlin.

Third. The Russians, of course, have been able to obtain millions of U.S. dollars in exchange for chrome.

Fourth. If the Rhodesian mines close, 10,000 Africans will be put out of work. I need not emphasize the cold war implication of such an event. Advertised by Soviet propaganda, it would show that free enterprise and capitalism breed unemployment. Communists thrive where hardship strikes. Ironically, Rhodesia has for years voluntarily prohibited the shipment of its cobalt to the Soviet Union in order to help the free world.

Since we do not produce metallurgical chrome ore, our antidumping laws do not protect purchasers who continue to buy at the regular price from our allies. One by one, American companies are turning to the Russian market for their needs.

If they do not reach a voluntary agreement to boycott the Soviets, it may be necessary to enact legislation in this area. This is no longer a question of commercial rivalry, but has assumed proportions affecting our national security and our defense potential.

This is another striking example of the relation of Soviet economic policies to Communist political and military objectives. Neither the free world as a group nor the United States individually has developed effective governmental machinery for dealing with such tactics.

The Soviets talk of peaceful competition at the same time they threaten to bury us. There is nothing peaceful about the Soviet attempts to disrupt and destroy established oil or chrome markets by ruthless methods which would be outlawed even in the most capitalistic countries. We will never successfully counter such methods unless we recognize the pattern of Soviet economic strategy and mobilize our own resources for an effective counteroffensive.

I believe that a full-scale hearing into this latest example of Communist economic treachery would be very much in the public interest. I am therefore recommending to the Senate Internal Security Subcommittee, which has done an excellent job on the Soviet oil offensive, that they look into this subject at the earliest possible time.

NEW YORK STATE CITIZENS COUNCIL ON TRAFFIC SAFETY

Mr. KEATING. Mr. President, I call attention to a recent meeting of the Finance and Advisory Committee of the New York State Citizens Council on Traffic Safety, of which Mr. William S. Renchard, president of the Chemical Bank New York Trust Co. is president.

They met with one purpose in mind: to promote traffic safety in New York State in order to reduce the calamitous toll of deaths and injuries. Traffic accidents are not only a State but a National problem. More than 2,000 persons are killed annually in auto accidents in New York and nearly 40,000 are killed annually throughout the Nation.

The fact that so many of New York's leading business and industrial leaders are spearheading the attack against the spiraling toll of traffic accidents is a source of pride to me as their Senator from New York. The example these men have set is truly a pattern for civic leaders to follow throughout the country.

This indeed is a reflection of the democratic process in one of its finest manifestations. Furthermore, as Governor Rockefeller said:

> Of most vital importance, the New York State Citizens Council on Traffic Safety has been doing an absolutely magnificent job of arousing the public to the menace of highway accidents and the means to reduce this dreadful toll.

Mr. President, I ask unanimous consent to include in the Record following my remarks a brief report on the meeting and excerpts from Mr. Renchard's excellent statement.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Report on Meeting of Citizens Council on Traffic Safety

Among those present were Gov. Nelson A. Rockefeller; G. Wallace Bates, vice president and general counsel, New York Telephone Co.; W. Milton Batten, president, J. C. Penney Co., Inc.; Joseph M. Bell, Jr., president, New York State Electric & Gas Corp.; Mrs. George M. Billings, vice president and chairman of women's division, New York State Citizens Council on Traffic Safety; Kenneth E. Black, president, Home Insurance Co.; Thomas N. Boate, manager, Accident Prevention Department, Association of Casualty & Surety Cos.

S. Sloan Colt, chairman, Port of New York Authority; Dr. Walter A. Cutter, director, Center for Safety Education, New York University (first vice president, New York State Citizens Council on Traffic Safety); Dewey Dorsett, general manager, Association of Casualty & Surety Cos.; Percy L. Douglas, president, Otis Elevator Co.; Dudley Dowell, president, New York Life Insurance Co.; Charles E. Eble, president, Consolidated Edison Co. of New York Inc.; Frederic W. Ecker, chairman, Metropolitan Life Insurance Co.; Donald M. Elliman, administrative vice president, the Marine Midland Trust Co.; Harold H. Helm, chairman, Chemical Bank New York Trust Co.; Frank J. Keeler, vice president, the Chase Manhattan Bank; Robert C. Kirkwood, president, F. W. Woolworth Co.; Donald W. Kramer, Kramer, Wales & Robinson (second vice president, New York State Citizens Council on Traffic Safety).

Joseph Kusaila, executive director, New York State Citizens Council on Traffic Safety; L. W. Lundell, president, C.I.T. Financial Corp.; Mercer C. Macpherson, vice president, Chemical Bank New York Trust Co.; Percy C. Magnus, president, Magnus, Mabee & Reynard, Inc.; Baldwin Maull, president, Marine Midland Corp.; Robert J. McKim, chairman, Associated Dry Goods Corp.; William H. Moore, chairman, Bankers Trust Co.; John Mosler, president, Mosler Safe Co.; Clarence J. Myers, chairman, Finance and Advisory Committee, New York State Citizens Council on Traffic Safety.

Everett L. Noetzel, vice president and treasurer, the Borden Co.; Arthur Oakes, vice president, Allstate Insurance Co.; Innis O'Rourke, president, Concrete Conduit Corp.; Clifton W. Phalen, president, New York Telephone Co.; Edmund W. Pugh, Jr., vice president, finance, Columbia Broadcasting System, Inc.; Dr. William J. Ronan, secretary to Governor Rockefeller; Dale E. Sharp, vice chairman, Morgan Guaranty Trust Co.; Austin J. Tobin, executive director, Port of New York Authority; Thomas W. Towell, president, General Motors Acceptance Corp.; Warren C. Tucker, senior vice president, Utica Mutual Insurance Co.; Huntington M. Turner, regional vice president, Chemical Bank New York Trust Co.; George R. Vila, president, United States Rubber Co., Inc.; William P. Worthington, chairman, Home Life Insurance Co.

Two of these men were singularly honored by the council and by Governor Rockefeller. They were Clifton W. Phalen, president of the New York Telephone Co. and former council president, and Harold H. Helm, chairman of the board, Chemical Bank New York Trust Co., and former chairman of the council's finance and advisory committee.

The award which they received cited them for "significant contributions to traffic safety, and to acknowledge the inspired leadership and devotion of time and abilities to diminish the human and economic losses resulting from highway traffic accidents.

This dedication is an outstanding example of loyalty and service to the community, New York, and its grateful citizens."

Their successors in this important assignment are doing an equally fine job. They are William S. Renchard, president of the Chemical Bank New York Trust Co., now serving as council president, and Clarence J. Myers, former chairman of the board and president of the New York Life Insurance Co., currently serving as chairman of the finance and advisory committee.

At this meeting Mr. Renchard cited examples of the progress the council is making in various areas of traffic safety.

Excerpts from his address follow:

"Nationally, traffic accidents were responsible for 37,140 deaths in the first 11 months of 1962. This is the highest toll reported for a comparable period since 1941, an increase of 8 percent over 1961.

"In New York we expect the final figures will show a record 2,400 traffic deaths for 1962—over 200 more than in 1961. Injuries due to traffic accidents have been running over 250,000 a year. The cost translated into dollars—over one-half billion annually.

"These figures underscore the importance of our work, not only in terms of statistics, but more importantly in terms of human and economic values. Most of us have suffered production delays, lost time and dollars because of such accidents, on the job and off the job. These deaths and injuries are reaching calamitous proportions affecting us as individuals and in our corporate responsibilities. Because of this, the council has developed programs to strike at basic problems involved in traffic accidents.

"What are they?

"The council has studied police traffic activities in 28 cities throughout the State. One of the most damaging facts we have uncovered is that police traffic training methods are either nonexistent, inferior or 20 years behind the times.

"Accident records are kept and filed haphazardly. In most instances, they are not properly evaluated or even used. Accident spot maps to determine high frequency accident locations are virtually nonexistent. Police enforcement of violations, particularly drunken driving, by national standards, is very low. Police traffic administration is generally lax.

"The police are not entirely to blame. In most instances, their laxity simply reflects public apathy. Police administration, supervision, and enforcement can be jacked up only if the public is informed of the problems and gives police the support they so badly need.

"For example, in Elmira, Detroit, Los Angeles, and Seattle, as traffic enforcement activities were stepped up, accidents decreased. In one large New York city where police enforcement was reduced 30 percent, there was a corresponding increase of 26 percent in accidents.

"Under these circumstances, the work of the council can pretty well be spelled out in terms of what has to be done and, indeed, what we are doing.

"In the last 4 months we provided direct technical assistance to 9 cities and conducted training sessions for police from 26 others. These workshops were held in Buffalo, Rochester, Syracuse, Elmira, and Albany. Next Tuesday, in Garden City, Long Island, we expect 20 to 30 police departments will participate in a workshop conducted jointly with the Greater New York Safety Council.

"We are working with our first vice president, Dr. Walter Cutter, and the Center for Safety Education at New York University, to promote greater police participation in courses offered there in police traffic administration and supervision.

"During the summer, 21 cities and towns took part in our traffic safety improvement program designed to stimulate police to greater activity. We developed this program in cooperation with the State Police Chiefs Association.

"During the fall and winter, we produced and distributed, in cooperation with B.B.D. & O., radio and television spot announcements to 150 radio and television stations. These announcements stressed safe driving, cautioned against drinking while driving, and urged motorists to watch for schoolchildren.

"More than 600 State newspapers supported our campaign against drunken driving, for improved legislation, for stepped-up police enforcement activities and for cautious winter driving.

"We developed and distributed kits of traffic safety materials to more than a thousand secondary schools in New York. With our cooperation, the department of motor vehicles and the State department of education are now distributing safety posters to all high schools on a monthly basis. This is the first such statewide program keyed to teenage drivers developed in the history of our State.

"We are limited in staff and funds. Thus we need to multiply our manpower in the field. We have enlisted the cooperation of the State junior chamber of commerce with 160 chapters and more than 8,000 members.

"Training workshops already have been held in five key cities involving Jaycee safety chairmen from over 50 towns and cities. They are spearheading a drive to support traffic safety legislation, enlisting the aid of their cities and police officials to participate in the annual inventory of their traffic safety activities, and organizing support groups to improve traffic safety in over 100 municipalities in New York.

"Our women's division, under the very able direction of Mrs. George Billings, has organized safety groups in seven principal areas. This division has conducted teenage conferences, established adult driver improvement schools and conducted city and county-wide conferences to arouse the public to a greater awareness of citizen responsibility for traffic safety.

"Our traffic engineering committee has just completed a study to improve traffic engineering at the State and local levels. We discussed this with administration officials who are in agreement with principal recommendations.

"The council is continuing to provide direct technical assistance and guidance to safety organizations.

"In the months ahead the council plans additional workshops for police and officials on improved records systems and traffic engineering. We are also scheduling ten conferences in cooperation with the Driver and Safety Educators Association of New York State, to improve the quality and quantity of driver education in our schools.

"We are working with regional chapters of the American Society of Safety Engineers to promote off-the-job traffic safety. For every employee hurt on the job, as many as 16 are hurt in accidents off the job. There is a need for a more intensive effort here.

"A safety expert recently remarked that if we can apply what we know is needed to our traffic problems, accidents, deaths and injuries could be cut in half. Our council is applying that knowledge at the local and State levels.

"When you consider the scope of our operation balanced against a modest budget and a small staff, you can then better appreciate the progress we have made. I think you'll agree the council has performed remarkably well in the brief span of its existence and will continue to accelerate its activities in the year ahead.

"But few of our achievements would have been possible without the support of business and industry in our State."

RECOGNITION OF SENATORS

Mr. MORSE. Mr. President, 2 hours ago I had an agreement with the leadership of the Senate that when the Senator from Pennsylvania finished his speech the senior Senator from Oregon would be recognized, in accordance with long-established practice.

I want to say to the staff of the Senate, whose inefficiency in this instance is inexcusable, that when a Senator takes the chair as the Presiding Officer, he is entitled to the courtesy of being informed of whatever arrangements have been made, so the Presiding Officer is not put in the position of doing wrong, unknowingly, to another Senator. The staff will either do that or, I want the Senate to know, we will abolish the practice, once and for all as I will insist on a point of order whenever any Senator is recognized in accordance with any list.

The Senator from New York did not have the slightest idea of the arrangement I had with the leadership of the Senate. Neither did any other Senator here. It is the fault of the staff of the Senate.

This is one Senator who is going to insist either that the practice be carried out in every case or——

The PRESIDING OFFICER. If the Senator will permit, the Chair wishes to state that the Senator from New York came to the Presiding Officer and asked if any list had been supplied to him for the purpose of recognition of Senators. The Presiding Officer told the Senator from New York that there was no such list and that the Chair would recognize the Senator who first rose and addressed the Chair. The Senator from New York rose first and he was recognized. I do not believe there is anything that the Senator from New York was aware of with respect to what the Senator from Oregon has referred to, and certainly there is nothing that the Chair was aware of. If there is any apology that should be extended, the Chair would be the first to submit it himself to the Senator from Oregon.

Mr. MORSE. Mr. President, no apology need be made to me or to the Senator from New York. The Presiding Officer, the Senator from Oklahoma (Mr. EDMONDSON in the chair), has proved the point that I have made. The case I have made is sustained by the Presiding Officer in his comments. The arrangement I refer to was made long before the Senator from Oklahoma took the chair as Presiding Officer. It was made when the Senator from Maryland [Mr. BREWSTER] was in the chair.

My point is that the staff of the Senate has an obligation to see to it, when understandings of the type I just mentioned are reached with the leadership, that the understandings are left with the Chair, as each Senator takes the chair as Presiding Officer thereafter.

I serve notice now that we will either follow this custom or the Senator from Oregon will always object to any Senator being recognized in accordance with any list kept by the Chair, and Senators will be recognized in the order in which they address the Chair.

This is not the first time that this has happened in the Senate in recent times. There has been a great deal of discussion this afternoon about what is going to happen by way of procedures within the Democratic Party in the Senate. I am merely notifying the Democratic staff members that there is going to be uniformity of treatment of Democratic Senators, along with Republican Senators, or the senior Senator from Oregon will throw the rule book at the leadership of the Senate, from now on. When the Senator from Oregon starts using the rule book, he means it. No time will be saved by a repetition of what has happened here in the past 2 hours in regard to the understanding that I had with the leadership. When we reach an understanding in the Senate I expect that understanding to be kept. I expect the members of the Senate staff assigned to the Senate floor to carry them out.

DISTRICT OF COLUMBIA MINIMUM WAGE AND HOURS SURVEY AND NEED FOR LEGISLATION

Mr. MORSE. Mr. President, on May 1, 1962, I introduced in the Senate a minimum wage and hours bill that would remedy some of the unconscionable wage and hours conditions existing in the District of Columbia. The bill (S. 3233) was referred to the Subcommittee on Public Health, Education, Welfare, and Safety of the Senate Committee on the District of Columbia of which I have the privilege of being chairman.

As chairman of the subcommittee, I did not hold any hearings on the measure because there were a great many unknown facts and figures concerning the extent of low wage and poor working conditions in the Nation's Capital which needed to be secured before meaningful hearings could be held. There was not a single agency in the Federal or District government which could even offer a reasonably informed guess as to wages being paid uncovered employees and the hours they work.

At an executive meeting of the full District of Columbia Committee I made a motion, which was unanimously adopted, to have the chairman of the Senate District Committee, my very dear and able friend from Nevada [Mr. BIBLE], write to the Secretary of Labor requesting a careful and exhaustive study and survey of wages being paid, hours worked per week, and work practices in the District of Columbia.

The Secretary of Labor agreed to have the Bureau of Labor Statistics undertake such a study which has now been completed. I wish to compliment the Bureau of Labor Statistics for the good work it has done in such a brief period of time.

Since the study has been completed, I have had an opportunity to make a cursory study of the report and am not at all surprised by some of the factual information it reveals.

The U.S. Department of Labor survey of employee earnings in selected industries in the District of Columbia covered nearly 87,000 workers, of whom 45 percent were employed in retail trade, 18 percent in eating and drinking establishments, 12 percent in real estate, from 5 to 10 percent in hotels, hospitals, and laundries, and fewer than 3 percent in automobile repair, parking, and services, building services, and motion picture theaters. These industries were selected because they are generally not covered by Federal minimum wage legislation—except for large retail enterprises—employ men not covered by the present District minimum wage in unskilled occupations, and would be affected by any changes in the District's minimum wage law.

In the summer of 1962, average hourly earnings—exclusive of premium pay for overtime work or tips and other perquisites—ranged from $1.02 in automobile services—primarily establishments engaged in washing automobiles—to $1.82 in automobile repair shops. Substantial proportions of workers were found at the lower pay levels as shown in table 1 of the report, which I ask unanimous consent to be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Cumulative percent distribution of nonsupervisory employees by average straight-time hourly earnings, selected industries, District of Columbia, summer 1962*

Average hourly earnings	Retail trade (except eating and drinking places)	Eating and drinking places	Real estate		Hotels, motels, and rooming and boarding houses	Laundries, laundry services, and cleaning and dyeing plants	Services to dwellings and other buildings
			Total[1]	Real estate operators (except developers)			
Under $0.50	(²)	3	1	1	1	(²)	--------
Under $0.75	1	25	6	7	6	(²)	--------
Under $1.00	2	42	20	22	19	3	--------
Under $1.05	7	53	28	32	26	13	1
Under $1.10	14	57	33	37	28	18	11
Under $1.15	19	61	37	42	32	28	15
Under $1.20	25	65	42	47	50	49	32
Under $1.25	29	67	50	58	60	58	57
Under $1.50	50	87	66	74	72	79	81
Under $1.75	64	93	75	82	82	86	87
Under $2.00	74	96	81	87	90	89	94
Under $2.25	82	98	87	91	94	92	98
Under $2.50	86	98	91	94	97	94	98
Under $2.75	91	99	95	96	98	97	99
Under $3.00	94	99	97	98	99	98	99
Total	100	100	100	100	100	100	100
Number of employees	38,795	[3] 15,333	[4] 10,256	[4] 8,408	7,686	4,780	1,700
Average hourly earnings	$1.72	$1.09	$1.42	$1.32	$1.32	$1.38	$1.34

Average hourly earnings	Automobile repair, automobile services, and garages				Motion picture theaters	Hospitals (except local or Federal Government)
	Total[1]	Automobile parking	Automobile repair shops	Automobile services, except repair		
Under $0.50	--------	--------	--------	--------	4	1
Under $0.75	1	(²)	--------	9	7	1
Under $1.00	13	10	3	64	29	4
Under $1.05	23	30	4	79	34	9
Under $1.10	27	39	4	79	45	17
Under $1.15	33	51	5	84	47	25
Under $1.20	37	58	7	86	51	33
Under $1.25	42	64	13	86	65	40
Under $1.50	60	89	33	89	70	65
Under $1.75	73	96	55	91	72	79
Under $2.00	79	98	67	93	74	87
Under $2.25	85	99	78	98	75	94
Under $2.50	91	99	83	99	77	98
Under $2.75	94	99	91	99	81	98
Under $3.00	96	99	93	99	81	99
Total	100	100	100	100	100	100
Number of employees	2,504	1,043	907	297	693	4,860
Average hourly earnings	$1.51	$1.19	$1.82	$1.02	$1.55	$1.45

[1] Includes industries in addition to those shown separately.

[2] Less than 0.5 percent.

[3] More than half of the employees earning less than $1.25 an hour were reported as generally receiving tips.

[4] Excludes 330 employees for whom hours of work could not be estimated.

NOTE.—Because of rounding, sums of individual items may not equal totals.

Mr. MORSE. Mr. President, more than half of the workers earned less than $1.25 an hour in each of the industries except automobile repair shops, retail stores, and hospitals, and at least a third earned less than $1.15 in most of the industries included in the survey. Earnings of less than $1 an hour were paid to more than two-fifths of the workers in automobile services and eating and drinking establishments, and to a fifth or more of those in motion picture theaters, real estate operations, and hotels.

In fairness, it should be noted that the wages of some of the workers in several of the industries studied, particularly eating and drinking places and hotels, generally are supplemented by tips and other perquisites. For example, more than half of the workers earning less than $1.25 in eating and drinking places were reported as generally receiving tips.

The employment of women in the industries studied accounted for 46 percent of the workers within the scope of the survey. In eating and drinking places, laundries, and hospitals, women constituted the majority of the workers. Except for the automobile industry group, earnings of women are presented in the report separately, along with those of men, in table 2. I ask unanimous consent to have table 2 printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 2.—*Cumulative percent distribution of men and women by average straight-time hourly earnings, selected industries, District of Columbia, summer 1962*

Average hourly earnings	Retail trade (except eating and drinking places)		Eating and drinking places		Real estate				Hotels, motels, and rooming and boarding houses		Laundries, laundry services and cleaning and dyeing plants		Services to dwellings and other buildings	
					Total [1]		Real estate operators (except developers)							
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
Under $0.50	[2]	-----	5	1	1	[2]	1	-----	1	-----	[2]	[2]	-----	-----
Under $0.75	1	[2]	22	27	9	3	9	3	7	6	[2]	[2]	-----	-----
Under $1.00	2	2	37	46	27	9	29	10	21	18	2	3	-----	-----
Under $1.05	8	5	48	58	36	14	40	17	27	25	10	15	1	3
Under $1.10	10	18	51	62	39	22	43	26	28	27	12	21	2	31
Under $1.15	15	25	56	65	44	25	49	30	30	34	15	34	8	33
Under $1.20	19	32	60	70	47	33	52	39	40	62	27	60	28	41
Under $1.25	22	38	63	71	53	45	59	55	51	69	32	71	45	84
Under $1.50	42	61	81	93	69	62	74	74	64	80	52	91	76	94
Under $1.75	55	76	87	98	78	71	84	81	75	90	66	96	83	95
Under $2.00	66	85	92	99	84	76	88	85	84	95	72	98	93	98
Under $2.25	74	92	95	99	89	82	93	89	90	98	79	99	97	99
Under $2.50	79	94	97	99	92	89	95	93	95	99	84	99	98	100
Under $2.75	87	97	98	99	94	95	96	96	97	99	90	99	99	100
Under $3.00	90	99	99	99	97	97	98	98	98	99	94	100	99	100
Total	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Number of employees	22,450	16,345	[3] 7,271	[3] 8,062	[4] 6,505	3,751	[4] 5,435	2,973	3,914	3,772	1,549	3,231	1,258	541
Average hourly earnings	$1.87	$1.49	$1.19	$0.99	$1.36	$1.55	$1.27	$1.42	$1.40	$1.23	$1.68	$1.22	$1.41	$1.19

Average hourly earnings	Automobile repair, automobile services, and garages								Motion-picture theaters		Hospitals (except local or Federal Government)	
	Total [1]		Automobile parking		Automobile repair shops		Automobile services, except repair					
	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
Under $0.50	-----	[5]	-----	[5]	-----	[5]	-----	[5]	5	-----	1	1
Under $0.75	1	[5]	[2]	[5]	-----	[5]	10	[5]	10	-----	1	1
Under $1.00	13	[5]	10	[5]	3	[5]	67	[5]	40	1	5	4
Under $1.05	24	[5]	31	[5]	4	[5]	83	[5]	44	7	12	9
Under $1.10	28	[5]	40	[5]	4	[5]	83	[5]	53	23	15	17
Under $1.15	34	[5]	53	[5]	5	[5]	88	[5]	56	25	23	25
Under $1.20	38	[5]	59	[5]	7	[5]	89	[5]	58	31	30	33
Under $1.25	43	[5]	66	[5]	13	[5]	89	[5]	59	83	39	40
Under $1.50	62	[5]	91	[5]	33	[5]	90	[5]	63	90	59	67
Under $1.75	74	[5]	97	[5]	55	[5]	91	[5]	65	93	69	83
Under $2.00	80	[5]	99	[5]	67	[5]	93	[5]	65	98	77	90
Under $2.25	85	[5]	99	[5]	78	[5]	98	[5]	66	99	88	96
Under $2.50	90	[5]	99	[5]	83	[5]	99	[5]	69	99	93	99
Under $2.75	94	[5]	99	[5]	91	[5]	99	[5]	74	99	95	99
Under $3.00	96	[5]	99	[5]	93	[5]	99	[5]	74	100	97	99
Total	100	-----	100	-----	100	-----	100	-----	100	100	100	100
Number of employees	2,410	-----	1,007	-----	890	-----	282	-----	503	190	1,168	3,692
Average hourly earnings	$1.51	-----	$1.18	-----	$1.81	-----	$1.00	-----	$1.64	$1.24	$1.56	$1.41

[1] Includes industries in addition to those shown separately.
[2] Less than 0.5 percent.
[3] More than half of the employees earning less than $1.25 an hour were reported as generally receiving tips.
[4] Excludes 330 employees for whom hours of work could not be estimated.
[5] Insufficient data to warrant presentation.

NOTE.—Because of rounding, sums of individual items may not equal totals.

Mr. MORSE. Mr. President, the proportions of women earning less than $1.25 an hour ranged from almost two-fifths in retail trade and hospitals to more than four-fifths in building services and motion picture theaters. At least a fourth of the women earned less than $1.15 an hour in each of the industry groups where data were available. Although men's earnings exceeded those of women by as much as 46 cents an hour, on the average, more than half of the men earned less than $1.25 an hour in a majority of the industries studied.

The irregularity in hours worked during the week studied is shown in table 3. I ask unanimous consent to have table 3 included at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD,

TABLE 3.—*Number and average straight-time weekly earnings of nonsupervisory employees by weekly hours of work, selected industries, by sex, District of Columbia, summer 1962*[1]

Weekly hours of work	Retail trade (except eating and drinking places)		Eating and drinking places		Real estate				Hotels, motels, and rooming and boarding houses		Laundries, laundry services, and cleaning and dyeing plants		Services to dwellings and other buildings	
					Total[2]		Real estate operators (except developers)							
	Number of employees	Average weekly earnings	Number of employees	Average weekly earnings	Number of employees[3]	Average weekly earnings	Number of employees[3]	Average weekly earnings	Number of employees	Average weekly earnings	Number of employees	Average weekly earnings	Number of employees	Average weekly earnings
NONSUPERVISORY EMPLOYEES														
1 and under 15	2,150	$14.12	713	$8.52	783	$9.74	677	$9.12	603	$11.48	124	$11.92	152	$9.58
15 and under 35	7,055	36.53	2,979	24.73	1,969	30.92	1,781	30.08	1,043	30.29	714	32.10	881	27.81
35 and under 40	3,802	64.96	1,197	38.17	1,643	70.22	883	65.31	434	46.71	665	47.51	102	47.47
40	13,307	71.16	3,768	46.02	2,650	60.24	2,248	56.25	2,844	53.28	1,601	62.15	416	53.51
Over 40 and under 44	1,590	82.27	464	44.66	758	52.48	714	51.57	165	52.66	253	51.24	22	69.90
44	1,032	90.27	297	47.13	268	71.01	242	68.80	144	55.02	315	57.19	58	68.58
Over 44 and under 48	1,912	84.82	737	51.76	214	61.36	128	58.18	306	58.59	445	58.93	55	64.89
48	3,198	76.18	3,867	51.54	994	54.25	846	51.82	1,680	63.07	402	62.64	18	59.81
Over 48	4,749	89.49	1,311	62.05	977	66.18	889	62.49	467	79.49	261	70.42	95	75.98
Total	38,795	65.39	15,333	42.54	10,256	52.07	8,408	48.07	7,686	50.47	4,780	53.61	1,799	39.16
MEN														
1 and under 15	1,269	15.01	414	7.98	438	9.77	408	9.61	326	11.46	52	15.00	102	10.81
15 and under 35	4,041	37.29	1,301	25.68	1,124	31.35	1,004	30.54	489	30.78	219	36.74	637	27.99
35 and under 40	1,325	81.27	419	38.42	621	64.33	379	60.25	132	48.87	66	55.45	52	50.68
40	5,560	84.99	1,290	51.65	1,752	60.47	1,406	54.69	1,008	60.42	489	89.49	236	59.96
Over 40 and under 44	1,069	92.63	226	51.56	468	55.26	450	54.20	100	51.56	79	56.29	16	69.30
44	721	102.84	128	53.76	229	70.49	211	68.14	80	59.78	61	70 99	55	68.56
Over 44 and under 48	1,509	90.07	377	55.53	179	59.39	107	57.63	191	61.46	133	69.64	52	65.10
48	2,401	79.04	1,856	60.26	827	54.57	683	51.57	1,185	64.39	198	71.56	16	60.39
Over 48	4,555	90.09	1,260	62.56	867	66.36	787	62.43	403	81.68	252	70.63	92	76.63
Total	22,450	73.91	7,271	48.08	6,505	52.38	5,435	48.50	3,914	55.45	1,549	68.60	1,258	41.33
WOMEN														
1 and under 15	881	12.84	299	9.28	345	9.69	269	8.38	277	11.51	72	9.69	50	7.05
15 and under 35	3,014	35.50	1,678	23.99	845	30.34	777	29.50	554	29.85	495	30.05	244	27.36
35 and under 40	2,477	56.24	778	38.03	1,022	73.80	504	69.11	302	45.77	599	46.64	50	44.13
40	7,747	61.24	2,478	43.09	898	59.77	842	58.85	1,836	49.36	1,112	50.13	180	45.06
Over 40 and under 44	521	61.02	238	38.10	290	47.98	264	47.10	65	54.36	174	48.95	6	71.49
44	311	61.14	169	42.10	39	74.03	31	73.26	64	49.08	254	53.87	3	68.93
Over 44 and under 48	403	65.18	360	47.81	35	71.43	21	60.97	115	53.81	312	54.36	3	61.30
48	797	67.55	2,011	43.50	167	52.71	163	52.86	495	59.92	204	53.99	2	55.20
Over 48	194	75.34	51	49.52	110	64.78	102	62.94	64	65.67	9	64.53	3	55.96
Total	16,345	53.69	8,062	37.56	3,751	51.54	2,973	47.28	3,772	45.31	3,231	46.43	541	34.09

Weekly hours of work	Automobile repair, automobile services, and garages								Motion picture theaters		Hospitals (except local or Federal Government)	
	Total[2]		Automobile parking		Automobile repair shops		Automobile services, except repair					
	Number of employees	Average weekly earnings	Number of employees	Average weekly earnings	Number of employees	Average weekly earnings	Number of employees	Average weekly earnings	Number of employees	Average weekly earnings	Number of employees	Average weekly earnings
NONSUPERVISORY EMPLOYEES												
1 and under 15	130	$9.82	60	$10.49	13	$12.92	52	$7.49	109	$16.63	124	$12.83
15 and under 35	385	29.66	228	27.12	68	39.74	72	22.98	288	47.86	345	37.27
35 and under 40	99	50.28	46	40.40	35	68.17	16	38.35	89	60.44	853	52.99
40	343	79.00	58	58.86	187	78.68	14	76.40	64	58.40	2,827	58.96
Over 40 and under 44	149	90.32	36	47.36	27	118.34	14	59.61	23	56.78	138	59.46
44	107	71.44	34	61.00	55	78.55	2	41.80	2	149.60	74	61.35
Over 44 and under 48	278	73.29	77	52.16	162	80.52	14	51.63	19	56.43	282	60.95
48	171	91.59	54	70.10	102	105.80	5	41.28	23	75.33	142	67.42
Over 48	842	73.11	450	69.79	258	83.89	108	52.46	76	62.35	75	74.87
Total	2,504	65.28	1,043	52.80	907	80.45	297	37.84	693	48.86	4,860	55.85
MEN												
1 and under 15	125	9.70	57	10.35	13	12.92	51	7.50	69	20.84	41	15.22
15 and under 35	363	28.77	222	26.93	62	38.26	67	22.18	195	56.93	109	41.16
35 and under 40	93	49.91	45	40.18	33	68.37	13	35.19	72	62.46	92	57.51
40	306	78.97	46	55.32	179	78.35	10	83.20	35	64.00	667	65.67
Over 40 and under 44	144	90.94	35	47.15	26	120.47	13	59.88	17	60.16	37	51.51
44	104	71.46	31	60.08	55	78.55	2	41.80	2	149.60	30	65.04
Over 44 and under 48	272	73.48	75	51.99	162	80.52	13	50.23	14	57.00	51	65.55
48	167	92.32	50	70.82	102	105.80	5	41.28	23	75.33	94	67.90
Over 48	836	73.14	446	69.85	258	83.89	108	52.46	76	62.35	47	72.65
Total	2,410	65.37	1,007	52.	890	80.62	282	37.39	503	55.40	1,168	60.96
WOMEN												
1 and under 15	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	40	9.35	83	11.65
15 and under 35	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	93	28.83	236	35.48
35 and under 40	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	17	51.88	761	52.44
40	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	29	51.64	2,160	56.88
Over 40 and under 44	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	6	47.23	101	62.37
44	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	----------	----------	44	58.83
Over 44 and under 48	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	5	54.83	231	59.93
48	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	----------	----------	48	66.48
Over 48	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	----------	----------	28	78.60
Total	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	190	31.54	3,692	54.24

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[1] Weekly earnings are a function of both hours of work and rates of pay. Within a given industry, rates of pay vary among occupations and among workers within the same occupations. This variation in pay rates explains the fact that weekly earnings do not vary directly with hours of work.

[2] Includes industries in addition to those shown separately.

[3] Excludes 330 workers for whom hours of work could not be estimated.

[4] Insufficient data to warrant presentation.

Mr. MORSE. Mr. President, only in hospitals were a majority of employees working a 35- or 40-hour week. In most of the industries, at least a third of the employees worked more than 40 hours, and from a fifth to almost half worked more than 48 hours during the week. Substantially larger proportions of men than of women worked more than 40 hours in each of the industries; larger proportions of women worked a 35- to 40-hour week; and similar proportions of men and women worked less than 35 hours.

Weekly earnings did not average more than $65 for nonsupervisory workers in the selected industries, except in automobile repair shops. Employees in most of the industries who worked between 15 and 35 hours had weekly earnings which ranged from $25 to $40 a week. Generally, the weekly earnings of those who worked a 40-hour week were roughly twice the earnings of those who worked shorter hours—15 to 35 hours. The relative difference in weekly earnings between those who worked 40 hours during the week and those who worked more than 48 hours varied widely from as little as 7 percent in motion picture theaters and automobile repair shops to as much as 69 percent in automobile services.

Table 4 shows the percentage increases in aggregate weekly wages if there had been a $1.25 minimum at the time of the survey, assuming that all workers earning less than $1.25 would receive that minimum wage. Under that assumption, aggregate weekly wages would have been 1 to 6 percent higher in automobile repair shops, retail trade, building services, hospitals, and laundries; 10 to 15 percent higher in automobile parking, hotels, real estate and motion picture theaters; 25 percent higher in eating and drinking places; and 33 percent higher in automobile services. I ask unanimous consent to have table 4 printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 4.—*Percent distribution of establishments and percent of nonsupervisory employees in these establishments by the weekly wage bill increase required to raise earnings to $1.25 an hour, selected industries, District of Columbia, summer 1962*

Weekly wage bill increase (in percent)	Retail trade (except eating and drinking places)		Eating and drinking places		Real estate				Hotels, motels, and rooming and boarding houses		Laundries, laundry services, and cleaning and dyeing plants		Services to dwellings and other buildings	
					Total [1]		Real estate operators (except developers)							
	Percent of—													
	Establishments	Employees	Establishments	Employees	Establishments	Employees	Establishments	Employees	Establishments	Employees	Establishments	Employees	Establishments	Employees
No increase	37	27	11	2	38	24	31	15	17	1	15	2	56	22
Under 1	10	16	1	1	1	3	1	3	------	------	(2)	1	6	1
1 and under 2	4	6	(2)	12	1	2	1	1	------	------	5	6	8	14
2 and under 3	5	17	1	1	1	2	(2)	2	(2)	(2)	2	20	3	2
3 and under 4	1	4	(2)	(2)	1	4	1	5	------	------	12	16	9	2
4 and under 5	5	13	(2)	1	1	4	1	4	1	2	(2)	1	9	22
5 and under 6	1	2	(2)	(2)	1	3	1	4	(2)	9	8	15	2	12
6 and under 7	3	4	(2)	(2)	1	3	1	4	1	11	5	7	3	7
7 and under 8	3	1	1	2	4	7	4	8	6	11	8	5	------	------
8 and under 9	3	2	------	------	4	2	5	3	2	24	------	------	2	(2)
9 and under 10	6	2	4	2	1	3	1	3	2	20	2	6	------	------
10 and under 11	2	1	1	2	4	9	5	11	7	8	(2)	4	------	------
11 and under 12	2	(2)	(2)	(2)	1	2	2	2	1	5	1	3	------	------
12 and under 13	2	2	1	1	------	------	------	------	1	1	8	2	3	17
13 and under 14	------	------	1	2	------	------	------	------	3	5	5	4	------	------
14 and under 15	------	------	1	(2)	2	2	2	3	------	------	------	------	------	------
15 and under 16	------	------	(2)	(2)	(2)	1	(2)	1	1	2	------	------	------	------
16 and under 17	------	------	3	2	1	3	1	3	1	1	------	------	------	------
17 and under 18	------	------	(2)	1	1	3	1	2	4	(2)	------	------	------	------
18 and under 19	1	(2)	1	(2)	(2)	1	(2)	1	(2)	1	------	------	------	------
19 and under 20	(2)	(2)	3	2	1	2	2	2	2	2	------	------	------	------
20 and under 25	1	1	7	7	5	4	5	5	11	2	12	5	------	------
25 and over	14	2	63	59	31	18	35	20	41	7	16	2	------	------
Total	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Average weekly wage bill increase (in percent)	3		25		11		13		11		6		4	
Number of establishments	3, 129		919		1, 636		1, 424		254		265		66	
Number of employees	38, 795		15, 333		[3] 10, 256		[3] 8, 408		7, 686		4, 780		1, 799	

Weekly wage bill increase (in percent)	Automobile repair, automobile services, and garages								Motion picture theaters		Hospitals (except local or Federal Government)	
	Total [1]		Automobile parking		Automobile repair shops		Automobile services, except repair					
	Percent of—											
	Establishments	Employees	Establishments	Employees	Establishments	Employees	Establish-ployees	Employees	Establishments	Employees	Establishments	Employees
No increase	53	35	25	11	66	51	30	8	5	1	20	1
Under 1	6	14	8	5	6	33	4	3	5	3	7	1
1 and under 2	4	1	------	------	6	2	------	------	2	1	7	2
2 and under 3	2	1	1	1	2	2	------	------	------	------	7	17
3 and under 4	5	5	3	4	7	8	------	------	------	------	27	57
4 and under 5	------	------	------	------	------	------	------	------	5	3	------	------
5 and under 6	(2)	(2)	------	------	------	------	4	3	------	------	7	9
6 and under 7	2	2	9	4	------	------	------	------	5	3	------	------
7 and under 8	1	1	3	3	------	------	------	------	5	2	------	------
8 and under 9	2	(2)	8	1	------	------	------	------	2	2	------	------
9 and under 10	(2)	2	1	6	------	------	------	------	10	16	13	11
10 and under 11	1	12	5	30	------	------	------	------	12	16	------	------
11 and under 12	1	2	3	4	------	------	------	------	2	4	------	------
12 and under 13	1	3	5	7	------	------	------	------	2	1	------	------
13 and under 14	2	(2)	9	1	------	------	------	------	------	------	------	------
14 and under 15	------	------	------	------	------	------	------	------	2	4	------	------
15 and under 16	------	------	------	------	------	------	------	------	------	------	------	------
16 and under 17	1	5	3	11	------	------	------	------	5	19	------	------
17 and under 18	------	------	------	------	------	------	------	------	5	3	------	------

See footnotes at end of table.

TABLE 4.—*Percent distribution of establishments and percent of nonsupervisory employees in these establishments, by the weekly wage bill increase required to raise earnings to $1.25 an hour, selected industries, District of Columbia, summer 1962*—Continued

Weekly wage bill increase (in percent)	Automobile repair, automobile services, and garages								Motion picture theaters		Hospitals (except local or Federal Government)	
	Total [1]		Automobile parking		Automobile repair shops		Automobile services, except repair					
	Percent of—											
	Establishments	Employees	Establishments	Employees	Establishments	Employees	Establishments	Employees	Establishments	Employees	Establishments	Employees
18 and under 19	--------	--------	--------	--------	--------	--------	--------	--------	2	4	--------	--------
19 and under 20	2	(²)	6	1	--------	--------	--------	--------	--------	--------	--------	--------
20 and under 25	6	4	4	3	6	2	9	14	5	3	7	(²)
25 and over	11	12	10	7	6	1	52	72	24	15	7	1
Total	100	100	100	100	100	100	100	100	100	100	100	100
Average weekly wage bill increase (in percent)	6		10		1		33		15		4	
Number of establishments	282		80		167		23		41		15	
Number of employees	2,504		1,043		907		297		693		4,860	

[1] Includes industries in addition to those shown separately.
[2] Less than 0.5 percent.
[3] Excludes 330 workers for whom hours of work could not be estimated.

NOTE.—Because of rounding, sums of individual items may not equal totals.

Mr. MORSE. Mr. President, a $1.25 an hour minimum wage would also have had varying effects within each of the industry groups. For example, a $1.25 minimum would have raised weekly wages by 25 percent or more for 63 percent of the eating and drinking places which employed 59 percent of the industry's workers. Less than a 1-percent increase, on the other hand, would have occurred in 12 percent of the eating and drinking places which employed 3 percent of the workers. Conversely, the same minimum wage in retail trade, which numerically was the most important industry studied, would have raised weekly wages by less than 1 percent in nearly half of the retail establishments which employed 43 percent of the retail employees. A weekly wage increase of 25 percent or more would affect one out of seven of the retail establishments employing 2 percent of the workers.

The combined effect of a $1.25 an hour minimum wage and premium pay at time and one-half for each hour worked over 40 would have further increased weekly wages in each of the industries as illustrated in table 5, which I ask unanimous consent to have printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 5.—*Percent distribution of establishments and percent of nonsupervisory employees in these establishments by the weekly wage bill increase required to raise earnings to $1.25 an hour, and payment of time and a half for hours worked in excess of 40 a week, selected industries, District of Columbia, summer 1962*

Weekly wage bill increase (in percent)	Eating and drinking places		Real estate				Hotels, motels, and rooming and boarding houses		Laundries, laundry services, and cleaning and dyeing plants		Services to dwellings and other buildings	
			Total [1]		Real estate operators (except developers)							
	Percent of—											
	Establishments	Employees	Establishments	Employees	Establishments	Employees	Establishments	Employees	Establishments	Employees	Establishments	Employees
No increase	11	2	35	17	27	11	17	1	15	2	47	18
Under 5	(²)	12	6	13	6	12	--------	--------	14	41	39	45
5 and under 10	3	5	10	19	12	19	5	16	23	26	11	20
10 and under 15	6	4	5	12	6	15	11	58	14	16	--------	--------
15 and under 20	7	5	2	7	3	8	9	11	6	8	3	17
20 and under 25	3	6	10	10	10	11	9	4	11	4	--------	--------
25 and over	70	67	32	22	36	24	49	11	17	3	--------	--------
Total	100	100	100	100	100	100	100	100	100	100	100	100
Average weekly wage bill increase (in percent)	31		14		17		14		8		5	
Number of establishments	919		1,636		1,424		254		265		66	
Number of employees	15,333		³ 10,256		³ 8,408		7,686		4,780		1,799	

Weekly wage bill increase (in percent)	Automobile repair, automobile services, and garages								Motion picture theaters		Hospitals (except local or Federal Government)	
	Total [1]		Automobile parking		Automobile repair shops		Automobile services, except repair					
No increase	22	15	14	3	24	18	4	2	5	1	13	1
Under 5	20	19	3	2	26	39	30	8	10	6	40	55
5 and under 10	21	16	16	[illegible]	28	32	4	3	15	9	20	33
10 and under 15	10	4	15	[illegible]	10	7	--------	--------	24	35	13	11
15 and under 20	3	7	10	17	--------	--------	--------	--------	10	25	--------	--------
20 and under 25	3	7	10	17	--------	--------	--------	--------	7	4	7	(²)
25 and over	21	31	33	46	12	3	61	86	29	20	7	1
Total	100	100	100	100	100	100	100	100	100	100	100	100
Average weekly wage bill increase (in percent)	13		22		6		44		19		5	
Number of establishments	282		80		167		23		41		15	
Number of employees	2,504		1,043		907		297		693		4,860	

[1] Includes industries in addition to those shown separately.
[2] Less than 0.5 percent.
[3] Excludes 330 workers for whom hours of work could not be estimated.

Mr. MORSE. Mr. President, the additional increase would, of course, be dependent on the number of employees who worked more than 40 hours during the payroll week studied, as well as the establishment's policy or labor-management contract provisions for paying an overtime premium.

The industries with the larger proportions of employees who worked more than 40 hours during the survey week—automobile repair, automobile parking, automobile services, and eating and drinking places—would have had greater weekly wage increases—from 5 to 12 percentage points—if both a $1.25 minimum and premium pay for work in excess of 40 hours had been in effect. In those industries where proportionately fewer employees worked long hours, weekly wages would have increased by no more than an additional 4 percentage points with overtime premium pay.

Mr. President, I deplore wages that are substandard and conditions of living that are below standards of decency because I am convinced that there is a cause-to-effect relationship between the wages that employers in a locality pay and such social problems as juvenile delinquency, adult crime, and the many social problems that go along with slums.

In my judgment, the 88th Congress owes a moral obligation to the workers in the Nation's Capital to take legislative steps which are necessary to prevent employers from exploiting workers by paying them less than a decent minimum wage, and thereby, in paying that wage, increase this city's social problems in juvenile delinquency, crime, health, and slum problems which means higher taxes to curb these evils.

I am pleased to learn that the District of Columbia Board of Commissioners have made my minimum wage and hours bill a part of their legislative program for this Congress. However, I do not mean to imply that they agree with my bill in every respect. I welcome the support of the District Commissioners on this very important piece of legislation as well as the support of organizations and individuals who believe as I do that in 1963 there is no valid justification for subjecting employees to substandard wage and hours conditions in the District of Columbia or elsewhere in this country.

As one who has always believed in meaningful minimum wage and hours legislation, I shall conduct early hearings and press for early enactment of the minimum wage and hours bill which I introduce today.

I ask unanimous consent that the bill be printed at this point in my remarks. Along with a brief summary of the principal provisions of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, together with the summary.

The bill (S. 860) to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia minimum-wage law, approved September 19, 1918 (40 Stat. 960), as amended, is amended (except to the extent provided in section 3 of this Act) by striking out sections 1 through 23, inclusive, immediately following the designation "TITLE I—MINIMUM WAGES" and inserting in lieu thereof the following:

"FINDINGS AND DECLARATION OF POLICY

"SECTION 1. (a) The Congress hereby finds that there are persons employed in some occupations in the District of Columbia at wages insufficient to provide adequate maintenance and to protect health. Such employment impairs the health, efficiency, and well-being of the persons so employed, constitutes unfair competition against other employers and their employees, threatens the stability of industry, reduces the purchasing power of employees, and requires, in many instances, that their wages be supplemented by the payment of public moneys for relief or other public and private assistance. Employment of persons at these insufficient rates of pay threatens the health and well-being of the people of the District of Columbia and injures the overall economy.

"(b) It is hereby declared to be the policy of this Act to correct and as rapidly as practicable to eliminate the conditions referred to herein above.

"DEFINITIONS

"SEC. 2. As used in this Act—

"(a) 'Board' means the Minimum Wage and Industrial Safety Broad established by Reorganization Order Numbered 36 promulgated on June 16, 1953, pursuant to Reorganization Plan Numbered 5 of 1952;

"(b) 'Wage' means compensation due to an employee by reason of his employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, including such allowances as may be permitted by any order or regulation issued under section 3, 5, 6, or 7;

"(c) 'Employ' includes to suffer or permit to work;

"(d) 'Employer' includes any individual, partnership, association, corporation, business trust, or any person or group of persons, acting directly or indirectly in the interest of an employer in relation to an employee, but shall not include the United States or the District of Columbia;

"(e) 'Employee' includes any individual employed by an employer but shall not include any (1) individual who, without payment and without expectation of any gain, directly or indirectly volunteers to engage in the activities of an educational, charitable, religious, or nonprofit organization, or (2) lay member elected or appointed to office within the discipline of any religious organization and engaged in religious functions;

"(f) 'Occupation' means any occupation, service, trade, business, industry, or branch or group of occupations or industries, or employment or class of employment, in which employees are gainfully employed;

"(g) 'Gratuities' means voluntary monetary contributions received by an employee from a guest, patron, or customer for services rendered.

"MINIMUM WAGE OVERTIME COMPENSATION

"SEC. 3. (a) Every employer (except as otherwise provided in this Act) shall pay to each of his employees wages at a rate of not less than $1.25 an hour or such higher rate or rates applicable under a wage order issued pursuant to this Act.

"(b) No employer shall employ any of his employees for a workweek longer than forty hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

"(c) The minimum wage orders issued by the Board prior to the effective date of the amendments made by the Minimum Wage Amendments Act of 1963 shall remain in full force and effect, except that they shall, subject to the provisions of section 3 of that Act, be modified, effective on such effective date, as follows:

"(1) any such order which does not provide for minimum wages at a rate of at least $1.25 an hour shall be modified by order of the Board to provide for the payment of wages at a rate of not less than $1.25 an hour (except as otherwise provided in this Act);

"(2) all such orders shall be modified by order of the Board to provide for the payment of overtime compensation as prescribed in subsection (b) of this section; and

"(3) all such orders shall be modified by order of the Board to apply to all employees without regard to the sex of any employee (except as otherwise provided in this Act).

"(d) For those occupations with respect to which, on the date of the enactment of the Minimum Wage Amendments Act of 1963, there is no existing minimum wage order, the Board shall issue an order, effective on the effective date of the amendments made by such Act, providing for minimum wages at a rate of not less than $1.25 an hour and for the payment of overtime compensation as prescribed in subsection (b) of this section.

"(e) The minimum wage orders issued by the Board prior to the date of the enactment of the Minimum Wage Amendments Act of 1963 shall be modified by the Board on or after the effective date of the amendments made by such Act in order to accommodate, as the Board deems necessary, the definitions and regulations of such orders to carry out the purposes of this Act, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates and overtime provisions established therein. The wage orders containing such revisions of definitions and regulations shall take effect upon the expiration of thirty days after the date on which they were made by the Board.

"(f) For those occupations with respect to which on the date of the enactment of the Minimum Wage Amendments Act of 1963 there is no existing minimum wage order, the Board shall, with or without reference to an ad hoc advisory committee as specified in section 5(a), make one or more wage orders which may include unrelated occupations. Such order or orders shall include the minimum wage and overtime provisions as prescribed in subsections (a) and (b) of this section, and include such definitions and regulations as prescribed in section 7 as the Board deems necessary to carry out the purposes of this Act, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rates and overtime provisions established therein. The Board shall publish a notice once a week, for four successive weeks, in a newspaper of general circulation printed in the District of Columbia, stating that it will, on a date and at a place named in the notice, hold a public hearing on such order or orders at which all interested persons will be given a reasonable opportunity to be heard. Such notice shall contain a summary of the major provisions of such order or orders. Within thirty days after such hearing, the Board may make such order or orders as may be proper or necessary to effectuate the purposes of this Act. Notice of such order or orders shall be published in a newspaper of general circulation printed in the District of Columbia and such order or orders shall take effect upon the expiration of sixty days after the date on which such order or orders were made by the Board.

"POWERS AND DUTIES OF BOARD

"SEC. 4. (a) The Minimum Wage and Industrial Safety Board established by Reorganization Order Numbered 36 promulgated on June 16, 1953, pursuant to Reorganization Plan Numbered 5 of 1952 shall continue in existence. The Board shall be subject to all of the provisions set forth in Reorganization Order Numbered 36 and shall have the authority vested in it by such reorganization order and by the provisions of this Act.

"(b) The Board or its authorized representative shall, in addition to the foregoing authority, have authority—

"(1) to investigate and ascertain the wages of persons employed in any occupation in the District of Columbia;

"(2) to enter and inspect the place of business or employment of any employer in the District of Columbia for the purpose of examining and inspecting any or all books, registers, payrolls, and other records of any such employer that in any way relate to or have a bearing upon the wages, hours, and other conditions of employment of any employees; to copy any or all of such books, registers, payrolls, and other records as the Board or its authorized representative may deem necessary or appropriate, and question such employee for the purpose of ascertaining whether the provisions of this Act and the orders and regulations issued thereunder have been and are being complied with; and

"(3) to require from any such employer full and correct statements in writing, including sworn statements, with respect to wages, hours, names, addresses, and such other information pertaining to the employment of his employees as the Board or its authorized representative may deem necessary or appropriate to carry out the purposes of this Act.

"REVISION OF WAGE ORDERS

"SEC. 5. (a) At any time after a wage order has been in effect for one year the Board may on its own motion, or on the petition of fifty or more residents of the District of Columbia, reconsider the wage rates set therein. If, after investigation, the Board is of the opinion that any substantial number of workers in the occupation covered by such wage order are receiving wages insufficient to provide adequate maintenance and to protect health it may convene an ad hoc advisory committee for the purpose of considering and inquiring into and reporting to the Board on the subject investigated by the Board and submitted by it to such committee.

"(b) The committee shall be composed of not more than three persons representing the employers in such occupation, of an equal number representing the employees in such occupation, of not more than three persons representing the public, and one or more members of the Board. The Board shall name and appoint all the members of the committee and designate the chairman thereof. Two-thirds of the members of the committee shall constitute a quorum and the decision or recommendation or report of the committee on such subject submitted to it shall require an affirmative vote of not less than a majority of all its members.

"(c) The Board shall present to the committee the information relating to the subject it submitted to the committee, and may cause to be brought before the committee any witnesses whose testimony the Board considers material.

"(d) Within sixty days after the convening of the committee by the Board, the committee shall make and transmit to the Board a report containing its findings and recommendations on the subject submitted to it by the Board including recommendations as to minimum wages for employees in the occupation which will effectuate the purposes of this Act, taking into consideration the amount of wages sufficient to provide adequate maintenance and to protect health, the fair and reasonable value of the work performed, and the wages paid in the District of Columbia by fair employers for work of like or comparable character: *Provided*, That the wages recommended shall not be less than at the rate of $1.25 an hour or the rate prescribed in the wage order then applicable to such occupation, whichever is higher.

"(e) The committee report may include, but shall not be limited to, recommendations for permissible allowances for board, lodging, apparel, or other facilities or services, customarily furnished by the employer to the employees, or reasonable allowances for gratuities customarily received by employees in any occupation in which gratuities have customarily and usually constituted and have been recognized as a part of the remuneration for hiring purposes. The committee may make a separate inquiry into and report on any branch of any occupation and may recommend different minimum wages for such branch of employment in the same occupation.

"(f) In the event any such committee fails to submit a report to the Board within the period specified in subsection (d), the Board may discharge such committee from further consideration of the subject submitted to it and convene a new committee for the purpose of considering such subject, or the Board itself may undertake to consider the subject and proceed to prepare and publish a revised wage order for the occupation in accordance with the procedure in section 6.

"SEC. 6. (a) Upon receipt of the report from any ad hoc advisory committee, or upon the discharge of such committee, in accordance with section 5(f), the Board may prepare a proposed revised wage order for the occupation, giving due consideration to any recommendations contained in any report of such committee. In such order the Board may provide, among other things, such allowances and classifications as are referred to in section 5(e). The Board shall publish a notice once a week, for four successive weeks, in a newspaper of general circulation printed in the District of Columbia, stating that it will, on a date and at a place named in the notice, hold a public hearing at which all interested persons will be given a reasonable opportunity to be heard. Such notice shall contain a summary of the major provisions of the proposed revised wage order.

"(b) Within thirty days after such hearing, the Board may make such an order as may be proper or necessary to effectuate the purposes of this Act. Notice of such order shall be published in a newspaper of general circulation printed in the District of Columbia and such order shall take effect upon the expiration of sixty days after the date on which such order was made by the Board.

"(c) Orders issued under this section shall define the occupation and classifications therein to which they are to apply, and shall contain such terms and conditions as the Board finds necessary to carry out the purposes of such orders, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage established therein.

"ADMINISTRATIVE REGULATIONS

"SEC. 7. The Board of Commissioners of the District of Columbia shall make and revise such regulations, including definition of terms, as it may deem appropriate to carry out the purposes of this Act or necessary to prevent the circumvention or evasion thereof and to safeguard the minimum wage rates and the overtime provisions thereby established. Such regulations may include regulations, defining and governing learners and apprentices, their number, proportion, length of service and rates of pay (except that such rates shall be not less than 80 per centum of the minimum wage prescribed in section 3(a) of this Act), and regulations defining and governing the employment of handicapped workers and students. Such regulations may also include, but are not limited to, regulations governing piece rates, bonuses, and commissions in relation to time rates; part-time rates; minimum daily wages; wage provisions governing split shift and excessive spread of hours; provisions governing uniforms, tools, travel, and other items of expense incurred by employees as a condition of employment; permitted allowance for board, lodging, or services customarily furnished by employers to employees; allowances for gratuities in any occupation in which gratuities have customarily and usually constituted and have been recognized as a part of the remuneration for hiring purposes; or allowances for such other special conditions or circumstances which may be usual in a particular employer-employee relationship. Regulations or revisions thereof issued by the Board of Commissioners pursuant to this section shall be made only after a public hearing by such Board, subsequent to publication of a notice of the hearing at which interested persons may be heard. Such regulations or revision shall, except as may otherwise be provided by such Board, take effect upon the expiration of thirty days after the date on which such regulations and revisions were made by such Board of Commissioners.

"JUDICIAL REVIEW

"SEC. 8. (a) Any interested person in an occupation for which any wage order or administrative regulation has been issued under the provisions of this Act, who may be aggrieved by any such order or regulation, may obtain a review thereof in the United States District Court for the District of Columbia by filing in such court, within thirty days after the date on which such order or regulation was made, a written petition praying that the order or regulation be modified or set aside. A copy of such petition shall be served upon the Board or the Board of Commissioners issuing such order or regulation. In such an action all findings of fact under the foregoing provisions of this Act shall, if based on evidence, be conclusive upon the court, and there shall be no appeals from the decision of any such Board on any such findings of fact. The court may, however, determine whether the order or regulation is in accordance with law. If the court determines that such order or regulation is not in accordance with law, it shall remand the case to the issuing Board with directions to modify or revoke such order or regulation. If application is made to the court for leave to adduce additional evidence by any aggrieved party, such party shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence before such Board. If the court finds that such evidence is material and that reasonable grounds exist for failure of the aggrieved party to adduce such evidence in prior proceedings, the court may remand the case to that Board with directions that such additional evidence be taken before it, and such Board may modify such order or regulation, in whole or in part, by reason of such additional evidence.

"(b) Hearings in such court on all appeals taken under the provisions of this Act shall be privileged and take precedence over all matters except matters of the same character. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review by the United States Court of Appeals for the District of Columbia. In all such appeals the corporation counsel shall appear for and represent such Board.

"(c) The commencement of proceedings under subsection (a) shall not, unless specifically ordered by the court, operate as a stay of a wage order or of a regulation issued under the provisions of this Act. The court shall not grant any stay of a wage order or of a regulation unlesss the person complaining of such order or regulation shall file in the court an undertaking with a surety or sureties satisfactory to the court for the payment to the employees affected by the order or regulation, in the event such order or regulation is affirmed, of the amount by which the compensation such employees are entitled to receive under the wage order or regulation exceeds the compensation they actually receive while such stay is in effect.

"AUTHORITY TO TAKE TESTIMONY SUBPENAS

"SEC. 9. Any member of the Board shall have power to administer oaths and the Board may require by subpena the attendance and testimony of witnesses, the production of all books, registers, and other evidence relative to any matters under investigation, at any public hearing or at any meeting of any committee or for the use of the Board in securing compliance with this Act. In case of disobedience to a subpena the Board may invoke the aid of the United States District Court for the District of Columbia in requiring the attendance and testimony of witnesses and the production of documentary evidence. In case of contumacy or refusal to obey a subpena the court may issue an order requiring appearance before the Board, the production of documentary evidence, and the giving of evidence, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"EXEMPTIONS

"SEC. 10. (a) The minimum wage and overtime provisions of section 3 shall not apply with respect to—

"(1) any employee employed in a bona fide executive, administrative, or professional capacity, or in the capacity of outside salesman (as such terms are defined and delimited from time to time by regulations of the Board); or

"(2) any employee engaged in the delivery of newspapers to the home of the consumer.

"(b) The overtime provisions of section 3(b) shall not apply with respect to—

"(1) any employee employed as a seaman; or

"(2) any employee employed by a railroad.

"KEEPING OF RECORDS

"SEC. 11. (a) Every employer subject to any provision of this Act or of any regulation or order issued under this Act shall make, keep, and preserve for a period of not less than three years a record of the name, address, and occupation of each of his employees, a record of the date of birth of any employee under nineteen years of age, the rate of pay, and the amount paid each pay period to each such employee, the hours worked each day and each workweek by such employee, and such other records or information as the Board shall prescribe by regulation as necessary or appropriate for the enforcement of the provisions of this Act or of the regulations or orders thereunder. Such records shall be open and made available for inspection or transcription by the Board or its authorized representative at any reasonable time. Every such employer shall furnish to the Board or to its authorized representative on demand a sworn statement of such records and information upon forms prescribed or approved by the Board.

"(b) Every employer shall furnish to each employee at the time of payment of wages an itemized statement showing the date of the wage payment, gross wages paid, deductions from and additions to wages, net wages paid, hours worked during the pay period, and any other information as the Board may prescribe by regulation.

"POSTING OF LAW AND WAGE ORDERS

"SEC. 12. Every employer subject to any provision of this Act or of any regulation or order issued under this Act shall keep a copy or summary of this Act and of any applicable wage order and regulation issued thereunder, in a form prescribed or approved by the Board, posted in a conspicuous and accessible place in or about the premises wherein any employee covered thereby is employed. Employers shall be furnished such copies or summaries by the Board on request without charge.

"PROHIBITED ACTS

"SEC. 13. It shall be unlawful for any employer—

"(1) to violate any of the provisions of section 3, or any of the provisions of any regulation or order issued under this Act;

"(2) to violate any of the provisions of section 12 or 13, or any regulation or order made or continued in effect under the provisions of section 7, or to make any statement, report, or record filed or kept pursuant to the provisions of such section or of any regulation or order thereunder, knowing such statement, report, or record to be false in a material respect;

"(3) to discharge or in any other manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act, or has testified or is about to testify in any such proceeding or has served or is about to serve on any ad hoc advisory committee;

"(4) to hinder or delay the Board or its authorized representative in the performance of its duties in the enforcement of this Act, or to refuse to admit the Board or its authorized representative to any place of employment, or to refuse to make available to the Board or its authorized representative, upon demand, any record required to be made, kept, or preserved under this Act, or to fail to post a summary or copy of this Act or of any applicable regulation or order, as required under section 12.

"PENALTIES

"SEC. 14. Any person who willfully violates any of the provisions of section 13 shall upon conviction thereof be subject to a fine of not more than $10,000, or to imprisonment of not more than six months, or both. No person shall be imprisoned under this section except for an offense committed after the conviction of such person for a prior offense under this section. Prosecutions for violations of this Act shall be conducted by the corporation counsel of the District of Columbia.

"EMPLOYEE REMEDIES

"SEC. 15. (a) Any employer who pays any employee less than the wage to which such employee is entitled under this Act or any order or regulation issued thereunder, shall be liable to such employee in the amount of such unpaid wages, and in an additional equal amount as liquidated damages, except that if, in any action commenced to recover such unpaid wages or liquidated damages, the employer shows to the satisfaction of the court that the act or omission giving rise to such action was in good faith and that he had reasonable grounds for believing that his act or omission was not a violation of this Act, the court may, in its sound discretion, award no liquidated damages, or award any amount thereof not to exceed the amount specified in this section. Action to recover such liability may be maintained in any court of competent jurisdiction in the District of Columbia by any one or more employees for and in behalf of himself or themselves and other employees similarly situated. No employee shall be a party plaintiff to any such action unless he gives his consent in writing to become such a party and such consent is filed in the court in which such action is brought. The court in such action shall allow a reasonable attorney's fee to be paid by the defendant, and costs of the action. Any agreement between an employer and an employee to work for less than the wages to which such employee is entitled under this Act or any order or regulation issued thereunder shall be no defense to any action to recover such unpaid wages or liquidated damages.

"(b) At the written request of any employee paid less than the wage to which such employee is entitled under this Act or any order or regulation issued thereunder, the Board may take an assignment of such wage claim in trust for the assigning employee and may bring any legal action necessary to collect such claim. In such an action, the defendant shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court.

"(c) The Board is authorized to supervise the payment of the unpaid wages owing to any employee under this Act or any order or regulation issued thereunder, and the agreement of any employee to accept such payment shall upon payment in full constitute a waiver by such employee of any right he may have under subsection (a) of this section to such unpaid wages and an additional equal amount as liquidated damages.

"STATUTE OF LIMITATIONS

"SEC. 16. Any action commenced on or after the effective date of the Minimum Wage Amendments Act of 1963 to enforce any cause of action for unpaid wages or liquidated damages, under this Act or any order or regulation issued thereunder may be commenced within three years after the cause of action accrued, and every such action shall be forever barred unless commenced within three years after the cause of action accrued.

"RIGHT OF COLLECTIVE BARGAINING

"SEC. 17. Nothing in this Act shall be deemed to interfere with, impede, or in any way diminish the right of employees to bargain collectively with their employers through representatives of their own choosing in order to establish wages or other conditions of work in excess of the standards applicable under the provisions of this Act.

"SEPARABILITY OF PROVISIONS

"SEC. 18. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act and the application thereof to other persons or circumstances shall not be affected thereby."

SEC. 2. (a) Except as provided in subsection (b), the amendments made by this Act shall take effect upon the expiration of one hundred and eighty days after the date of its enactment.

(b) Notwithstanding the provisions of subsection (a), the authority to promulgate necessary rules, regulations, and orders with regard to amendments made by this Act may be exercised by the Board and the Board of Commissioners on and after the date of enactment of this Act. The modifications of existing wage orders and regulations and the issuance of one or more new wage orders and regulations necessary to comply with the provisions of section 3 of the Act of September 19, 1918 (40 Stat. 960), as amended by this Act, shall be effected in advance of the effective date of the amendments made by this Act and shall become operative on such date.

SEC. 3. No amendments made by this Act shall be deemed to amend, rescind, or otherwise affect any provision of law of the District of Columbia or any regulation or order issued thereunder which, on the date immediately prior to the effective date of the amendments made by this Act, prescribes additional or more favorable standards relating to minimum wages, maximum hours, overtime compensation, or other working conditions than those provided for by the amendments made by this Act or by any regulation or order issued thereunder. Any regulation or order preserved by this section may be revised from time to time under the procedures provided for by the amendments made by this Act. The enforcemen+ procedures and penalties for violations prescribed in the amendments made by this Act shall apply with respect to violations of any regulation or order preserved by this section.

AUTHORITY TO DELEGATE FUNCTIONS

SEC. 4. No amendments made by this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such Plan.

SEC. 5. This Act may be cited as the "Minimum Wage Amendments Act of 1963".

The summary is as follows:

The principal provisions of the Morse minimum wage bill would accomplish the following:

1. Extend to all employees, without regard to sex, a minimum wage of $1.25 an hour, or any higher minimum wage as set by a wage order.

2. Require overtime compensation for all employees at not less than time and one-half the regular rate for hours worked over 40 in a workweek.

3. Keep in full force and effect, with certain modifications, the existing minimum wage orders issued by the Minimum Wage Board prior to the enactment of this act.

4. Authorize and direct the Minimum Wage Board to determine the allowance to be made for tips, in occupations in which gratuities have customarily and usually been recognized as a part of the remuneration for hiring purposes.

5. Keep in effect the existing Minimum Wage Board, a tripartite body appointed by the District Commissioners for a 3-year term.

6. At any time after a wage order has been in effect for 1 year, the Board may, on its own motion, or on petition, reconsider the wage rates set therein. In such case, the Board would do the following: make an investigation of the wages paid in the occupation; convene an ad hoc advisory tripartite committee to consider and report to the Board on the appropriate wage rates to be established; upon receipt of the recommendation from the committee, the Board would publish a notice and hold a public hearing; within 30 days after such hearing, it would promulgate and publish the order, which would become effective 30 days after publication. A streamlined procedure is provided for the modification and initial promulgation of wage orders to include the new statutory standards.

7. A wage order or regulation issued by the Board may be reviewed by the U.S. District Court for the District of Columbia within 30 days after the publication of the order. Unless specifically ordered by the court, the commencement of such a review would not operate as a stay of the wage order or regulation, and the court would not grant a stay unless adequate surety was filed to safeguard the wages that otherwise would be due employees.

8. Any person who willfully violated any provision of the law would be subject to a fine of not more than $10,000, or imprisonment for not more than 6 months, or both.

9. It would permit an employee to collect up to double the amount of back wages illegally withheld, plus attorney's fees and court costs, and would permit the Board to take an assignment of the wage claim and to institute legal action to collect the wages illegally withheld, plus attorney's fees and court costs.

10. It would provide an exemption from the minimum wage and overtime for executive, administrative, and professional employees, as defined by the Board. Also, it would exempt individuals who gratuitously render services to educational, charitable, religious, or nonprofit organizations, as well as newspaper delivery boys who deliver to homes. In addition, the bill would exempt seamen and railroad employees from the overtime provisions, as they are covered under the Fair Labor Standards Act.

In addition, the bill would permit the Board by regulation to lower minimum wages for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury. Lower minimum wages could likewise be provided by the Board for learner and apprentices, to prevent curtailment of opportunities for employment.

11. For any claim for collection of back wages the statute of limitations would be 3 years.

The effective date of the act would be 180 days after enactment.

ADJOURNMENT

Mr. MORSE. Mr. President, in accordance with the previous order, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 45 minutes p.m.) the Senate adjourned, under the previous order, until tomorrow, Wednesday, February 20, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 19, 1963:

IN THE NAVY AND MARINE CORPS

The following-named Naval Reserve Officers Training Corps candidates to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Asher D. Abelon
Steven S. Abrams
Charles L. Actis
Edward R. Ahlborn, Jr.
Chester W. Allen III
Dennis P. Allison
William S. Allison III
Richard A. Anawalt
David C. Anderson
Jess W. Anderson
Sanford C. Anderson
Robert L. Ardizzone
Richard D. Arendt
Arthur J. Armstrong, Jr.
William D. Arndt
William T. Arnold
Albert H. Aston, Jr.
James E. Auer
Donald W. Avery, Jr.
Roger A. Baffer
Richard E. Bafico
Richard H. Ball
Mark S. Barg
Edwin R. Barnes
Stanton J. Barnes
John M. Barron
Edward M. Barrow, Jr.
Willis A. Barstad
Donald A. Barthel
Edmund C. Barton
Charles M. Batchelder
Kenneth P. Battaile
Robert F. Bauer
Charles D. Bean
George W. Bechthold
Fernand P. Beck III
Garnett F. Bedenbaugh
John L. Bedford
Richard W. Behrman
Conrad L. Beland
Corwin A. Bell
James J. Bell
Ivan L. Beltz
Gary P. Bennett
Harry J. Benson
Jeffrey L. Benson
Bernard F. Beranek II
Earl Berry, Jr.
Thomas M. Bettridge
James E. Biersach
James P. Bignell
Jeffrey B. Binckes
James T. Black
Robert S. Bolan, Jr.
David E. Boldt
Robert J. Bond
Paul R. Boone
Carter Booth
William H. Borton
Robert H. Bouton
William C. Bowes
James L. Boydston
Richard E. Boyen
Richard A. Brace
Robert J. Brady
Arliss E. Brash
Charles S. Bratton
Frank J. Breen III
David E. Breithaupt
Edward P. Brickman
Steven R. Briggs
Richard J. Briski
Robert O. Brockmeier
Reid Brodie III
Robert R. Broesamle
William S. Brougher
Charles E. Brown, Jr.
Gene S. Brown
Thomas E. Brown
Thomas H. Brown
William C. Brown III
David L. Browne
John W. Buckingham
Lee W. Buckwalter
Walter M. Bullard, Jr.
Joseph R. Bunch, Jr.
James E. Burke
John L. Burnham
Lawrence D. Burroughs
David G. Busemeyer
David E. Butler
Gary W. Butler
John C. Byers
Martin B. Byster
Allyn B. Cain
Robert B. Callaghan
John A. Cantele
Lester W. Carl
William P. Carter, Jr.
William B. Chenault III
John A. Chernowski
William T. Chidester
Steven R. Christensen
Eugene J. Clancy
Christopher M. Clark
Robert A. Clark
Victor E. Clemons
Frederick F. Cochran
Robert L. Collier
George L. Colnaghi
James R. Connell
Thomas M. Conrad
Eugene E. Cook
James A. Cook
Leslie W. Cooley
William B. Cooper, Jr.
David O. Cornish
William A. Counts
Douglas G. Cowan
Leon H. Craig
Richard W. Crane
Peter H. Cressy
James M. Cribley
William T. Criswell IV
John A. Crusoe
Donald L. Curtis
Vernon A. Dale
John A. Daukshus
Henry H. Davis, Jr.
Robert L. Davis
David R. Dawes
Robert K. Dawson
James K. Deboer
Wiley P. Decarli
Peter W. Deforth
Joseph P. Dellamaria, Jr.
William D. Dermyer
Earle R. Dersham
Walter J. Dielen
William R. Dimeling
Wayne F. Divoky
Robert L. Dixon
Joseph F. Donahue, Jr.
Richard P. Donovan
David H. Dorminey
John S. Dorrenbacher
Bruce E. Douglas
Walter O. Dow
James W. Dowdy
Neil H. Drake
Kurt A. Driscoll
Douglas J. Duskin
William R. Dye
Richard A. Dykes
Kenneth O. Eastman, Jr.
Paul E. Ebel
John Eckert
Charles P. Eddy III
Anton A. Eder
Clyde E. Edgar
George L. Edgar
Donald W. Edwards
Joseph W. Edwards
Richard H. Ellis
Samuel H. Ellis
Thomas J. Ellis
Jay E. Elshoff
John M. Emerson
Roger G. Emrich
John G. Engler
Robert F. Erdman, Jr.
Michael H. Erskine
Edward E. Ettel III
Edward A. Eve III
Bary L. Eversole
Ronald W. Ewing
Perry C. Fairfax
Thomas Fallat
Daniel P. Farkas
Michael J. Farmer
Richard M. Farrell
Anthony J. Felice, Jr.
Edward G. Felsenthal
David L. Fenner
Charles E. Fetterhoff
Cecil M. Fitzgerald
William F. Flatley
William A. Flavell
Richard T. Fleming
Robert W. Fobes, Jr.
Jack C. Ford
James E. Foust III
Allyn R. Franklin
Thomas F. Fratello III
Rufus A. Freeman
Toshio Fujimoto
Ronald M. Furgerson
Peter R. Furniss
John F. A. Gaines
Gerald R. Gallagher, Jr.
Lawrence F. Galm
Richard E. Garabedian
Jan W. Garber
Albert W. Gard III
Peter C. Gardiner
John H. Gardner III
Daniel L. Garrett
William F. Gately
Jonathan H. Gates
Harold M. Gay, Jr.
William T. Generous, Jr.
David R. Georgius
Dean E. Gerber
Michael F. Gibbons, Jr.
Anthony W. Gibbs
Louis S. Gibson III
Michael J. Gigl
James M. Giles
Carroll F. Gleason
Danny E. Glenn
William G. Goff, Jr.
William W. Goodridge
Jimmie Goodson
Edward F. Goodwin, Jr.
Evans G. Gost

John W. Gould
Harry T. Grace, Jr.
Charles N. Graham, Jr.
David S. Graham
Edward N. Graham
John E. Graham, Jr.
Robert W. Gray III
Forrest B. Green
Gary L. Greeson
Paul T. Greiner
Keith H. Griffin
Lloyd W. Griffin
Clyde E. Griffith
Lawrence R. Gross
Stephen G. Gross
Arthur J. Grossman, Jr.
Harry A. Guess
Robert P. Gustafson
Edward M. Hall
Howard R. Hall III
William L. Hall
David M. Hallowes
William W. Hankins
Neal C. Hansen
Donald E. Hanson
Wayne L. Hanson
Edward V. Hardaway II
Floyd D. Hare
James D. Harrell IV
Charles A. Hart
Richard H. Hartman
James N. Hauhart
Warren A. Hauser
James B. Hawkes
Roland S. Hawkins
Desmond J. Heathwood
Herbert M. Heffner
Jack C. Hefter, Jr.
Philip Heidinger
Herbert R. Heilig
David L. Heim
Richard D. Heimovics
Jared N. Heindel
Thomas M. Hendley, Jr.
Kenneth E. Hendrickson
Michael J. Herbert
Joseph F. Hering
Klemme L. Herman
Bruce T. Hermansen
Lee R. Hess
William C. Hetzel
Robert W. Heyer
Earl J. Higgins
Robert W. Higgins
Jeffrey A. Highland
Frederick Hinchliffe III
James F. Hinchman
William B. Hobdy
James H. Hofer
Thomas H. Hoivik
Jan M. Hollis
Jack D. Hollister
Thomas T. Holme, Jr.
David F. Holmes
Jack D. Hooks
Frederick E. Hopper
Ronald L. Hougham
Hugh J. Houghton, Jr.
Donald F. Houser, Jr.
Alfred B. Howard
David B. Howard, Jr.
Roger J. Hudak
Kenneth A. Huffman
Joseph S. Hulings III
James C. Hunt, II
Richard H. Hutchins
Lawrence L. Huxel
William R. Iber
Donald R. Ingalls
Richard I. Itkin
Robert P. Jackson
David R. James
Clarence H. Jameson, Jr.
Bill P. Jamnick
John W. Jeffries
Frank J. Jerabek
Albert B. Jerard III
William P. Johns
Alan F. Johnson
Charles E. Johnson
Charles P. Johnson
Earl P. Johnson
William S. Johnson, Jr.
James G. Jones
Jeffrey B. Jones
Robert C. Jones
Robert E. Jones, Jr.
John F. Jordan, Jr.
Peter G. Juliano
William M. Kahn
Lawrence J. Kajdan
Richard W. Kammann
Thomas M. Kanaley
Kenneth R. Karr
James D. Kaufman
Gary L. Keefe
Donald P. Keel, Jr.
Robert W. Keenan
Russell A. Keene, Jr.
David A. Keitz
Kenneth C. Kelley
John E. Kennedy, Jr.
Marcus G. Keown II
William J. Keppel
David B. King
Dan L. Kinney
Gary L. Kirk
Henno Kiviranna
William F. Klose II
John M. Knight
Kenneth A. Knowles, Jr.
Kenneth M. Knudsen
Donal L. Knutson
Marlin L. Koester
Uldis Kordons
Stephen H. Kovel
Alfred V. Kramer
Leo A. Kreidler
Frederick W. Kremkau
Arthur J. Kriesen
John A. Kriewall
John M. Kuhs
Gary J. Kunkle
John M. Kurtz
Billy G. Lamb
James H. Landgrebe
Randall G. Lanford
James R. Lang
George D. Langham
James E. Langley
Michael G. Langsdorf
Jimmy G. Lankford
Jeffrey R. Lapic
James R. Larson
John C. Larson
Peter L. Lavalle
Robert D. Laws
Clarence M. Lawyer III
Gerald S. Lazarczyk
Howard W. Leeke, Jr.
Karl J. Leemkuil
William T. Lehman
Paul M. Lehner
Burges A. Lemonte
Donal L. Lepsch
Cloyd S. Lerch, Jr.
James G. Lesieur III
George B. Levin
Robert J. Lewis, Jr.
Walter B. Lincoln
Lowell E. Lindsay
Thomas F. Lippiatt
David E. Lippy
Thomas R. Litton
Donald J. Livingston
Hugh E. Long
James E. Long
Norman G. Looper
William J. Lounsbery
George W. Lundy, Jr.
Harold G. Lutz, Jr.
John F. Lynch III
Jeffrey J. Lyon
Stephen C. MacAleer
Frederick D. Mackie
George A. Maddock
Donald F. Madura
Lorrence A. Mahaffy, Jr.
Allen M. Male
Michael H. Malmros
James J. Mangeno
Daniel F. Mangin III
Nicholas R. Manjerovic
Edward F. Manning
Roger A. Marien
Franklin H. Maris
Stephen A. Markowitz
Frank J. Marlow
Judsen R. Marquardt
George T. Martin, Jr.
Owen T. Martin
Thomas T. Martin
Warren A. Marton
Francis J. Martorano
Donald R. Mason
David R. Mather
Robert B. Matheson
Michael M. Matuchek
Walter J. Maurer
Leo D. Maus
John A. Mavis
John B. Mayer
William T. Mayton
Charles R. McCall
Walter E. McCandless
Joseph R. McCleary
William D. McClellan
Francis M. McCoy, Jr.
James B. McCrumb
Michael A. McDevitt
William A. McDowell
Melvin L. McElroy
Thomas M. McGinnis, Jr.
Floyd M. McGraw
Jerry L. McIntyre
Dennis A. McKay
Thomas C. McKee
John C. McKenna
Robert H. McLaughlin
James S. McLeish
Richard W. McManus
John H. McMillan
James M. McMonagle
Richard S. McPherson
John L. McWhinney
Charles E. Meador
John D. Meakin
John O. Meier
David S. Mercer
William C. Michael
Phillip L. Middleton
John M. Miller, Jr.
John C. Miller
Luke H. Miller, Jr.
John S. Mills, Jr.
Richard W. Minnich, Jr.
John F. Mitchell
Mitchell A. Mitchell
Robert M. Mitchell
George P. Moeckel
William C. Moffitt
Eugene M. Molczan
Donald A. Monticello
James P. Moore
Jeffrey E. Moore
Ronald R. Morgan
Edgar M. Morrill, Jr.
Corbin R. Morrow, Jr.
Donald A. Moskowitz
Carl F. Moslener
Dale R. Muehlenbrock
Mark W. Mugar
Carl M. Mullen
John A. Mundis
Gerald B. Mundy
Rodney O. Mundy
George E. Munger
Charles G. Murphy
Robert P. Murphy
Edwin A. Murray, Jr.
Troy Y. Murray
Walter E. Mussell, Jr.
Richard L. Myers
Walter H. Naumann
Lloyd Nearing
Edward M. Nelson
Norman K. Nelson
Richard C. Nelson
John L. Newton
David C. Nicholson
Walter W. Niebuhr II
Charles E. Nightengale
Stephen M. Nolan
Richard W. Norby, Jr.
Dwayne O. Norris
James H. Nuckols
Michael C. O'Brien
James J. O'Donnell
Cornelius F. O'Keefe
Jerry K. O'Keson
Arthur J. O'Leary
Donald M. Olson
Kenneth P. Olson
Evangelos C. Orfanedes
James E. O'Rourke
Ronald D. Osborne
Gary B. Ottinger
David A. Otto
Charles W. Page, Jr.
Myron P. Papadakis
Richard A. Parish
Richard C. Parker
Nigel E. Parkhurst
Donald J. Parmenter
Michael G. Parsons
Jeffrey M. Parsons
Dwight W. Pate
Roger W. Pattison
Philip C. Pauze
John M. Payne
Denton L. Peoples
Thomas D. Perrie
Dennis W. Peterson
Robert A. Peterson
Gerald A. Petro
James R. Pfalzer
Bruce A. Phillips
Paul E. Phillips
William H. Pike, Jr.
Thomas E. Pilcher
Galen R. Plummer
Carroll G. Pope
John D. Porter
John A. Powers, Jr.
Jay L. Press
Alan M. Preszler
Dennis L. Prewitt
William W. Price, Jr.
Thomas O. Pugh
William O. Purcell, Jr.
David B. Pye
Philip D. Quillin
Robert E. Randall
Terry V. Rankin
James L. Rawls
Lynn T. Rayle, Jr.
Joseph J. Redington III
Carter T. Reed
David S. Reed
Dennis F. Reese
James P. Regan
Edward J. Reilly, Jr.
Mark A. Renfro
Joseph L. Renzetti
William A. Retz
Richard W. Rew
Kennett T. Richardson
George E. Rigby, Jr.
Roger E. Ring
James R. Ritchie
Herbert W. Ritzman, Jr.
John H. Rixse III
Thomas A. Roberts
William J. Roberts
James Y. Robinson, Jr.
James D. Robson
Ronald D. Rocheleau
Roger D. Rodgers
Fredric W. Rohm
Thomas H. Rolfe
John D. Rollin
Edward L. Romig
Stephen A. Rosenthal
James A. Rosiak
David H. Ross
John W. Rotter
Donald J. Rowan
William L. Rowe
Rudolph J. Roy, Jr.
James L. Rueff, Jr.
John E. Rummele
David O. Rutherford
William M. Ryan
William P. Sabo, Jr.
Roger H. Salquist
James H. Sanders, Jr.
Charles R. Santa
Robert W. Saul, Jr.
Paul T. Scanlan
Martin N. Schaller
Robert E. Schantz
David M. Schmida
Gary G. Schneck
David R. Schneider
Gerald W. Scholand
Roger G. Schroeder
Christopher C. Schuller
James A. Schwab
Raymond H. Scudder
Gary F. Sebastian
Edward L. Segrist, Jr.
Robert A. Severance
William D. Shafer
Lloyd E. Shaffer
Lawrence R. Sharp
Robert W. Sharp, Jr.
Robert J. Sheldon
Charles B. Shelton III
James C. Shelton III
Jay M. Sheppard
Philip J. Sheridan
Philip K. Sherman, Jr.
John A. Sherrill
Theodore P. Sherwin, Jr.
John W. Shirley
Kenneth G. Shutt
James L. Simmonds
Robert E. Simmons
Samuel F. Simmons, Jr.
William K. Simon
William E. Sinclair
Edward J. Siskin
Luther F. Sitten
Martins Skele
Casimir S. Skrzypczak
Dennis R. Slaughter
Robert S. Slifka
Stephen B. Small
Douglas G. Smith
Kenneth W. Smith
Lewis C. Smith, Jr.
Robert S. Smith
John H. Smittle
John R. Smutko, Jr.
Robert L. Snyder
John E. Sockwell III
Brian Sodergren
Johndale C. Solem
Paul W. Solomon
James D. Solon
Roger L. Sowersby
Gerald L. Spencer
Louis E. Spradlin
Rheuble A. Spring
Joe R. Stafford
Patrick C. Starwich
Howard S. Staten
Robert L. Steele
William S. Steiner
John A. Stemwedel
Ronald B. Stevenson
Donald S. Stewart
Larry A. Stinson
Philip W. Stockton
Roland H. Stonaker, Jr.
John C. Stormer, Jr.
Kenneth H. Storrs
Robert M. Strickland, Jr.
Paul J. Striffler
Pete H. Strow
Robert W. Sturgeon
Walter E. Sudol
Thomas W. Sumner
Stephen L. Susch
Aaron P. Swenningson
Joel K. Swint
Eric R. Tanner
Peter A. Tartikoff
Robert W. Tate
Rosolino J. Territo
Crispin W. Thiessen
John F. Thimes
David B. Thomas
Michael L. Thomas
Raymond M. Thomas
George F. Thompson
William R. Thompson
Kenneth W. Thorson
Curtis F. Thurman
Douglas D. Tidball
Edmond A. Tilley, Jr.
Robert M. Tobey
James N. Todd
Ronald H. Toensing
Wallace S. Tomy
James F. Tonjum
Thomas N. Towne
John J. Tracy
James E. Traver
Kenneth A. Tucker
Richard A. Tudor
Paul E. Tullis II
Edward J. Turk, Jr.
George E. Turner
Clement R. Twardy
Irving L. Tyrone
Michael K. Ungerman
Joseph R. Valenta
Scott A. VanHoften
Constantine Varelas
Wilfred J. Vaudreuil, Jr.
Arthur F. VonDerlinden, Jr.
William A. Vorbau
Haskell T. Waddle
Karl B. Wagner, Jr.
David H. Wall
Thomas G. Walster
Dan S. Ward
Jeter M. Watson III
Charles T. Weaver
David A. Webber
Thomas H. Webber III
Douglas M. Webster
Robert H. Weidman, Jr.
Gordon R. Weihmiller
Douglas R. Wellumson
Gerald F. West
William A. Westhaus
Ronald T. Whaley
Warren O. Wheeler
Payson R. Whitney, Jr.
William T. Wilkens
Frank O. Wille III
David W. Williams
John D. Williams
William H. Williams, Jr.
Ray G. Wilson
Robert M. Wilson
Walter L. Wilson
Stanley R. Winter
Bruce G. Winters
Thomas C. Wisniewski
Charles R. Witt
Norman L. Wold
Dennis W. H. Wong
David B. Wood
Hansel T. Wood
Robert E. Woodman

Jerry R. Woods
Lynn A. Workley
Charles E. Wyatt
George W. Yeend, Jr.
George F. Young
Leonard G. Young
Philip M. Young
Peter Zakis
Pasquale A. Zambreno
Richard A. Zielinski
Ronald J. Zlatoper
John T. Zohlen

The following-named Naval Reserve Officers Training Corps candidates to be permanent ensigns in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law:

James L. Barsness
John R. Bergquist
Gary E. Bremer
James C. Burton
Douglas L. Chisholm
Michael E. Collins
Roger E. Crooks
Russell J. Dionne
Jerry D. Gilbert
Frederic I. Halperin
Donald F. Heenan
Carl L. Hoffsten
Joseph C. Johnson
John C. Jordahl
Dietger E. Jung
John C. Lavery
Hugh B. L. McClung
Larry D. Miller
Richard E. Miller
Alexander M. Newmark
Ralph C. Parrott
Roger G. Schamp
Robert R. Schwerin
Ronald T. Shefman
John R. Sparks
Michael R. Stewart
John H. Summers
William I. Trandum
Donald E. Travers II
Robert C. Ullman
David S. VanPelt
David A. Williford

Carroll F. Gleason II (Naval Reserve Officers' Training Corps candidate), to be a permanent ensign in the Civil Engineer Corps of the Navy, subject to the qualifications therefor as provided by law.

Theron L. Davis (Navy enlisted scientific education program), to be a permanent ensign in the line of the Navy, subject to the qualifications therefor as provided by law.

Eugene M. Demetriou, Jr. (Navy enlisted scientific education program), to be a permanent ensign in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named graduates from Navy enlisted scientific education program to be permanent ensigns in the Civil Engineer Corps of the Navy, subject to the qualifications therefor as provided by law:

James E. Hanks
Michael G. Simpson

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Frank M. Crittenden, Jr.
Frank J. Gareis
Hudson V. Grumbling, Jr.
David L. Kelley
John M. O'Loughlin
John F. Russo
David W. Shea, Jr.
Warren H. Sothoron, Jr.
Jerry C. Worsham

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Richard H. Barrick
Edwin M. Hemness
Earl H. Ninow

Russell R. Moores (civilian college graduate) to be a permanent lieutenant in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named officers to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, upon completion as medical interns, subject to the qualifications therefor as provided by law:

Enos T. Andrews
Charles B. Bobo
Bruce E. Bradley, Jr.
Ronald E. Burmeister
Patrick L. Butler
Calvin R. Cassady
John P. Cloherty
Frederick E. Conrad
James H. Cook, Jr.
Joseph V. Cook
John L. Cowan
Allen W. Delzell
John R. Dooley
Edward A. D'Orazio
John M. Driscoll
William C. Duncan III
Park W. Espenschade, Jr.
Robert E. Farrell
Thomas D. France
James N. Greene
Charles F. Hesse
Walter W. Huurman, Jr.
George R. Jay
Raymond K. Joyner
Terrance P. Judge
Franklin L. Katz
Robert P. Killinger
Arthur J. Leupold
Rodger P. Lewis
Gregory J. Lignelli
Louis A. Ling
Donald J. Maraist
John D. Marriott
Miles H. Martin, Jr.
Maurice F. P. Masar
Allan L. Mattern
William E. McLean
Maurice J. Mueller
Martien A. Mulder
James E. Mullen
John R. Musser, Jr.
Rufus G. Neel
Robert J. Nelms, Jr.
Theodore G. Obenchain
David E. Parsons
Alfred T. Pepino
William B. Pierce
Theodore I. Putnam
Anthony R. Prizzi
Jerry M. Robinson
Sandro R. Sandri
William H. Schmidt
Lee E. Smith
Richard R. Uhl
Philip R. VanPelt
John F. Warner
Robert D. Wasson
Sheridan L. Weinstein
Arthur K. Williams
Thomas A. Woods

The following-named officers to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, upon graduation from medical school and being matched to the Navy for internship, subject to the qualifications therefor as provided by law:

Thomas J. Alston
Seth E. Anderson, Jr.
Philip M. Aronoff
George L. Bass, Jr.
Paul F. Bedell
David B. Beebe
Howard S. Berg
Robert A. Bielinski
Alexander A. Birch, Jr.
Ronald C. Bloodworth
Sydney D. Bogart
Peteris Bormanis
Benjamin C. Bowen
Robert S. Boyle
Frederick M. Brandon
Thomas G. Brault
Philip T. Briska
Charles S. Brown
Edwin G. Brown
Lawrence J. Bruther
Frederick H. Buehl
Ronald E. Bullock
Dennis R. Busby
Harold J. Campbell, Jr.
Robert J. Campbell
Herbert L. Cares
Hillis G. Carlson
Richard C. Carson
Roger S. Case
Harold S. Cavanah
Jesse O. Cavenar
Michael J. Charles
Dale R. Charneco
John W. Chidsey, Jr.
Thomas L. Clark
James E. Clegg, Jr.
James J. Coatsworth
Frank B. Collins
Charles H. Cook
Richard J. Corbett, Sr.
Paul D. Crary, Jr.
Richard L. Dempsey
William H. Dermody III
Daniel M. DeYoung
Johnny A. Dickinson
Melvin C. Doss
Anthony M. Drake
Richard E. DuBois
Gerald W. Dunegan
John R. Dunkelberg
Theodore E. DuPuy
Kenneth W. Eder
Frank E. Ehrilich
Edward A. Ellis
John B. Emery, Jr.
Edwin H. Engert, Jr.
Paul R. Ennis
Jerry J. Evans
Edward B. Feehan
Donald F. Fincher
Stuart S. Fleming, Jr.
William W. Foote
Donald R. Fowler
Edwin B. Fuller
Donald G. Gallup
Thomas A. Gehring
Vincent F. Geremia, Jr
Robert C. Giarratano
Roger L. Gilbertson
William L. Gill
Frank J. Gillen, Jr.
David R. Gillingham
Charles C. Grant
Albert J. Green
John D. Griffiths, Jr.
Lawrence J. Guidry
Howard D. Gunlock
George M. Gura
Jack L. Haling
William R. Hamilton
Thomas M. Hanlon, Jr.
Robert B. Harrison
Charles J. Hoffman
Joseph L. Holik
Edwin G. Horne, Jr.
Michael F. Hughes
Ronald M. Hughes
Lawrence G. Hunsicker
Kenneth R. Hutchins
David H. Jackson
George T. Jamarik, Jr.
Thomas B. Janter
Donald J. Jarzynski
Charles M. Jenkins
Francis C. Johnson
Raymond B. Johnson
Iverson W. Joines
Gaines F. Jones
Preston L. Judson
Dale C. Kaiser
Alfred N. Karickhoff
Wayne M. Kassel
Ralph H. Keill, Jr.
Gary L. Kellett
Thaddeus E. Kelly
John E. Kemp
Charles M. Kerr
Jerome S. King
James E. Kopp
Edgar B. Koschmann
John C. Kruse
Ricci J. Larese
Rodney A. Larson
Hunter C. Leake III
Lloyd L. Leider, Jr.
Daniel B. Lestage
Cary L. Leverett
George R. Looney
Charles F. J. Maas
Kenneth G. Magee
Claude D. Magnant
Frank I. Marlowe
Herbert C. McClung
Thomas L. McConnell
William S. McCurley III
Harold D. McDonald
Kenneth M. McDonald
James R. McMillian
Kenneth H. Messner
Anthony D. Migliore
Alan P. Mintz
Charles R. Mock
Laurie W. Moore, Jr.
Robert H. Moore
James E. Moorman, Jr.
Wilfred T. Morioka
James R. Moyes
Alvin E. Murphy, Jr.
Richard L. Nail
John Nernoff III
William G. Nevel
Bobby G. Nevils
Harlan J. Nickerson
Deane L. Noblett
Michael D. Okerlund
Ralph N. Otto
Terence J. O'Toole
Len M. Ouzts
Stanley E. Permowicz, Jr.
Roger D. Peterson
Gerald S. Petrone
LeGrande J. Phelps
Sam L. Pool
Neal J. Prendergast
Irving P. Ratner
Kenneth L. Raulston, Jr.
Paul R. Reeb, Jr.
Larry D. Reed
Charles S. Reeves
David M. Reeves
James W. Reid, Jr.
John T. Reppart
Donald L. Risinger
Elster D. Roberts
William T. Robinson
David I. Rosen
Kenneth R. Roth
Robert B. Salisbury
Charles D. Saul III
Marvous Saunders
Robert N. Sawyer
John A. Schriver
Alan K. Schultz
Robert V. Schumacher
Joel E. Sherlock
Donald H. Shuller
Rayburn R. Skoglund
Robin L. Smit
Robert L. Smith
Robert W. Smith
Roger M. F. Smith
Walter H. Snider, Jr.
Morris L. Sorrells
James E. Spence
Jerry C. Sutkamp
Glenn F. Sykora
Britton E. Taylor
Charles W. Troup
John P. Tyson
Lawrence E. Valentine
Jon C. Vessely
George J. Vukmer
Dennis H. Wessels
Harold A. Westervelt
Reginald D. Wheat
Joseph R. Wilson
Joel E. Winker
Neal E. Winn
Eugene J. Wolski
William M. Yarbrough

The following-named candidates to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Wallace D. Goodlett
James J. Hinds
John J. St. Dennis
James M. Fones, Jr.
Peter F. Navone
Harold E. Perry
Jay I. Hilton
William C. Moore
Melvin C. Howell
Gaston D. Littlefield
Randolph S. Purdy
James V. Jones
James D. Stults
Eugene N. Cate, Jr.
Robert J. Dankievitch
Perry J. Dunbar
Stanley D. Barber
James H. Morton
David L. Ursprung
Neil R. Dalager
Gary S. Bellamy
John D. Louk
Phyllis E. Smalley
Milledge E. Granger, Jr.
James T. Rubeck
Theodore V. Tillinghast, Jr.
James H. Lunn
William P. Bernstein III
Harold E. Willis, Jr.
Dennis M. McCord
Richard B. Corsette
Renee E. Malboeuf
Clark H. Hunt
Robert L. Murray
Jimmie A. Counts
William H. Mitchell, Jr.
Roger W. Rutland
Dennis A. DesRosiers
Ronald E. Duff
Harold D. Sweeney
Luther G. Ingram, Jr.
William B. Robinson, Jr.

The following-named candidates to be permanent ensigns in the Supply Corps of the Navy, subject to the qualifications therefor as provided by law:

Edmund J. Bednar
James W. Creamer
Gary C. Fisher
John T. Conner
Robert E. Hubbard
Jesse B. Johnson
Bernard J. LaFianza
Paul D. Wells

The following-named candidates to be lieutenants (junior grade) in the Navy, limited duty only, for temporary service, in the classifications indicated, subject to the qualifications therefor as provided by law:

SUPPLY

Esteban U. Torres
Evander L. Jackson
Bernard A. Paquette
Bobby L. Dietrich
James T. Cunningham
Buel Scranton
Albert L. Carter
John W. Borglund
Charles R. Houston
Mars R. Dickerson
Floyd R. Pruitt

CIVIL ENGINEER

Lewis L. Newman

DECK

Jack B. Richards
Neil H. Woodward
John S. Darcy
Dennis J. Knutson
Leslie Long
Francis C. Pogue
Robert N. Ratcliff
Edwin H. Cliburn
John D. Sorensen
Ragnar A. Temte
Carol Paulsen
Leroy R. Durkee
Jacquline Hendrix
Sherman C. Salisbury
Charles L. Yon
Samuel R. McMullen
William C. Connell, Jr.

OPERATIONS

Robert T. Clark
Harold L. Eisloeffel
Charles E. Gibb
Francis E. Pauls
Thomas F. Gleason
Robert E. Hoffman
Christopher S. Dillon, Jr.
Ivan N. Richardson
Emory E. Jarvis

ORDNANCE, SURFACE

Richard J. Parker
Joseph H. McGowan
Eugene O. Drews
Eugene O. Drews

ORDNANCE, CONTROL

Edward W. Lakeman
Howard J. McGreehan, Jr.
Searls C. Hager
William J. McKellar
Robert L. Garrison, Jr.
Rex E. Lantz

ORDNANCE, UNDERWATER

Petral Morich
Joseph J. Ireland
Arthur E. Kneuer
Ray I. Etheridge
Manual M. Lohringel
Barry Mylott

ADMINISTRATION

Victor F. Gowen
Eugene H. Cato
Audley G. St. John, Jr.
Ralph C. Wooton
Frederick E. Gore
Manley S. Webb
Argie L. Hooker
Clarance L. Duffee
Robert B. Worrilow
Ellis C. Woodburn
Paul B. Foster
Carl R. Woods
John J. Kennedy
Richard H. Kerr

BANDMASTER

Weston B. King

ENGINEERING

John R. Kirby
Donald S. MacPherson
William V. Matson
James J. Melissari
Harry R. Erichson
Leon E. Hall
Hugh R. Gildow
Martin L. Lamens
Richard L. Johnson
Franklin H. Williams
Drayton K. Rowe
Ralph H. Lord, Jr.
Dawson L. Elliott
Harris D. Lambert
Robert N. King
Claire R. Johnson
William M. Young

HULL

Elmer E. Penn
Elmer B. Precise, Jr.
Wilner B. Knight
Elza E. Goldsby, Jr.
Stanley J. Wallace
Charles E. Forrest
George J. Payne
Lawrence F. Hobbs, Jr.

ELECTRICIAN

Alfred H. Schroeder, Jr.
Clarence D. Barkley
Bobby L. Hayes
Charles A. Snyder

ELECTRONICS

Richard L. Cronkrite
Willis J. Ford
Louis R. Maher
James B. Sutherland
Valentine R. Fillippini
William E. Dasinger

CRYPTOLOGY

Paul O. Baker
James C. Cox
Weldon E. Boley
James M. Travers

AVIATION OPERATIONS

Cordon M. Merrow
Ward A. Dewitt
John L. Adams, Jr.
Estel E. Kearley
Wesley T. Galloway
George O. Harbison, Jr.
Peter A. Ilao
Earl H. Guthauser
Morris E. Sheppard

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Irvin B. Feinberg

AEROLOGY

James L. Ledbetter.
John D. Weaver.

AVIATION ORDNANCE

Harold F. Bodenhorn
Walter F. Kimberling, Jr.
Robert Bohnstengel
Walter G. Webb

AVIATION ELECTRONICS

Richard H. Peterson
Sheridan L. Dolvin
Sammie L. Bruce
Walter A. Linzy
Cameron W. Paulk
George E. Magee, Jr.
Leslie W. Scott
David C. Hollowell
Hoyt E. Mayo
Walter A. Pietruszka

AVIATION MAINTENANCE

Clifford V. Ring
John F. Riley
Voytle V. Shackelford
Benjamin F. Jennett
Vincent C. Woychowski
Ernest C. Edwards
Jacob D. Thacker
Richard C. Hazard
Thomas N. Douglass
Alwyn E. Eardley
T. V. Khachatourian
Alfred E. Devita
George M. Moose
Benjamin W. Capone
Albert L. Haney

The following-named candidates to be ensigns in the Navy, limited duty only, for temporary service, in the classification indicated, subject to the qualifications thereof as provided by law:

SUPPLY

Gerald L. Oneal
Charles L. Kazenas
Robert H. Middlebrooks, Jr.
Harold R. Casper
James E. Nimmo
Norman D. Bugg
William E. Doran
Tommie S. Mauldin
Mark L. Troutman
Grant Crane
Melvin M. Johnson
Ramon A. Copple
Carl N. Orness
Hugh R. McCabe
Gerald W. Carter
Peter L. Nissen, Jr.
Carlyle E. Stalker
Daniel E. Ogletree
Richard C. Schoppaul
Richard E. Bush
Ernest D. Norwood
James M. Key
Gene A. Frame
Douglas H. Paulson
James C. Williams
James R. Slantis
James W. Britt
Leland D. Coulter
Charles A. O'Keefe
Donald E. Beebe
William J. Van Sickle
Walter J. Whittemore
James L. Mullen
Paul J. Shay, Jr.
Joseph E. Stalvey
Robert P. Earlston
James F. King
Louis E. Rich
Jimmy L. Conner
Teddy Proffer
Franklin D. Kilgore
Franklin Carver, Jr.
William W. Silver
Jack M. Daily
Jack M. Dear
Donald J. Peltier
Thomas J. Deane, Jr.
Ronald C. Goodhall
Ronald J. Beaulieu
Frank Tillman
Willie L. Spradlin
Donald R. Phillips
William C. Mason, Jr.
George R. Swack
Donald L. Jenkins
Edwin C. Glennon
Jerry W. Vick
Ronald H. Thompson
Joe C. Hawkins
Ronal C. Jones
Richard L. Hawthorne
Russell Danley
Leonard R. Hawkins
Isaac W. Bell, Jr.
Burnette S. Harrison

CIVIL ENGINEER

Ronald L. Warren
James C. Bare
Dean E. Fadden
Lawrence T. Goodwin
Kenneth D. Gammon
Eugene R. Reilly
Charles H. Yeatts
Paul A. Slater
William L. Gallatin
John E. Ruff

DECK

Robert N. Beers
James G. Pauley
Wayne R. Farris
Robert D. Ross
Stanley V. Glowinski
Cloyd D. Willison
Johnny E. Whitaker
Richard G. Miller
Eugene E. Schmidt
Billy J. Clements
James H. Keller
William L. House
Daniel J. Gill
Joe D. Wilbanks
Frank J. Mehrtens
Robert J. Gould
Robert H. Toole
Joseph A. Droll
Bartholomew J. Wells, Jr.
Dorsey L. Turpin
Carl A. Hodge
Ralph W. Bowen, Jr.
Richard W. Rosenbach
Dewayne J. Papenbrook
Samuel R. Barber
Richard A. Devinny
Robert E. Myers
Donald R. Morris
Harry D. Moody
Arthur R. Erwin
George M. Morisette, Jr.
Rupert W. McMann
Robert A. Voss
Ronald J. Secord
James A. Mitchell
Norman J. Riggs
Vaughn T. Scott, Jr.

OPERATIONS

William T. Broder
Donald E. Schmidt
Lester M. Darrow
Lee H. Robinson
James W. Martin
Wilburn R. Perry, Jr.
Everett Crews
Raymond Gerber
Charles L. Blomberg
John R. Cameron
Darriell A. Lancaster
Glenn C. Olsen
Stephen B. Davis, Jr.
Gerald W. Muncy
Robert J. Scherrer
Jack E. Timmons
John F. Saxer
Robert D. Kern
Henry A. Bradshaw
Robert Von Allmen
George T. Rodiguez, Jr.
Ernest E. Smith
Edward J. Butler
Duane K. Leach
Verl D. DeSelms
Philip L. Frantz
Billy J. Byrd
Milton T. Sherman
Lyle H. Cusson
John A. King, Jr.
Eugene J. Simoneaux
Floyd Evans
Marion H. Diller II
Lonnie W. Hurt
Larry E. Lybarger

ORDNANCE, SURFACE

Buddy A. Love
Forrest L. Watson
Robert E. Ryan
R. V. Chrane
Gerhard A. Nundahl
Donald V. Henke
Thurman H. Poole
William P. Parker
Robert G. Story
Kermit A. Taylor
Donald D. Johnson
Robert E. Foxwell
Gene G. Heimbach

ORDNANCE, CONTROL

Richard A. Daisley
Elmer L. R. Black
Carl J. Lawrence
Lee A. Davis
Lewis E. Ayer, Jr.
James A. Pittenger
John C. Lederer
Donald F. Smith
Francis I. Rose
Maurice C. Walker
Russell C. Stamper
David B. Coates
William M. Cochran
David D. Reynolds
Homer E. Metcalf
Ernest W. Abel
Gilbert P. Shaddock
Eldon W. Roberson
Kenneth A. Hummell
Tilden M. Gallagher, Jr.
Joseph P. Yeskelevitch
Robert N. James
Paul E. Sigg
Paul H. Pietsch
Max H. Morris
Billy G. Bates

ORDNANCE, UNDERWATER

Guy A. Smith, Jr.
Paul W. Hanks
Patrick E. Thomas
Edwin C. Oyer
Albert O. Goodwin
James E. Morris
Donald G. Bechtel, Sr.
Thomas W. Mudd, Jr.
Maurice D. Horn, Jr.
Richard L. Anderson
Herbert E. McBride

ADMINISTRATION

Bobby G. Warmoth
Keith L. Wilcox
Lewis C. High
Gordon T. Frazier, Jr.
John W. Luksich
Lynn J. Waddoups
Donald Pefferkorn
Edward D. Lyles
Lawrence A. Thorstenson
Howard A. LaRue
Eugene V. Smith
Richard N. Saville
Robert D. Davis
Raymond A. Johnston
John W. Hoover, Jr.
Daniel F. Sheridan
Curtis C. Moser
William D. Medlin
Carson T. Belew
Pat L. Grillo
James R. Halligan
Jack E. Brinson
Daniel E. McDonald
Henry F. Dronzek
Frederick F. Ames
Thomas C. Greaber
Carl J. Winter
Thomas A. Polk
Robert O'Donnell
John C. Brown
Arthur D. Cloninger
Benny C. Bridges
Patrick A. Durnan
William LaPrevotte
Lanty E. Thompson
James B. Vaughan, Jr.
Loren L. Donley
Gerald D. Evans
Carl King
Robert W. Simpson
Earl C. Scott, Jr.
John W. Breslin
Harold R. Williams
Charles A. Barat
Ralph L. Latham
Leroy A. Forgey
George W. Leach
William R. Smith
Herman A. Linzay
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Oliver J. Karnes
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Allan P. Willis, Jr.
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Donald E. Towne
Max E. Smith
William J. Hopkins
Michael N. Keselica
Vance C. McGee, Jr.
Leo M. Swanson
William L. Carter
Richard T. Chatellier
Kenneth R. Mueller
Owen H. Sheppard
George E. Dalton

ENGINEERING

Marshall L. Brookshire
Leroy J. Clemen
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David L. Spell
Jon P. Mills
Harry M. Connor, Jr.
Leonard F. Hemken
Clarence M. Hathaway, Jr.
Bruce F. Aquizap
Paul A. Brooks
Floyd O. Nelson
Jerald C. Beaver
Robert J. Osborne
Richard M. Bell
Richard L. Hicks
Merel W. Conaway
Carlos E. McGlothren
Samuel B. Elmore

Cletis M. Nester
James D. Whiteford
Sam Claybrook
Donnell R. Kidder
Johnnie Jones
Donald R. Ayer
Walter D. Bennett
Robert T. Johnson
Robert G. Maze
Eugene K. Rosendale
Jesse C. Samain
William J. Bracken, Jr.
James W. Eckles
James R. Rider
Richard F. Jerr
Kenneth E. Young
John F. Kellen
Charles H. Lewis
William P. Schultz
John J. Connelly
William M. Schermerhorn
Richard R. Faubion
Robert P. Hughes
Fred E. O'Brien
Raymond D. Dukes
William E. Kessler
Raymond A. Bartle
Louis L. Gilkeson
David A. Waters
William A. Sigler
Vernon E. Whitney, Jr.
William A. Willis
Thomas W. Wyatt
William E. Dutcher
Richard W. Moriarty
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Jacka T. Stites
Larence H. Brown
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Gary A. Norrington
Thomas C. Garrett
Bruce H. Rounds
Forrest R. Nutt
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George W. McCornic
Donald G. Duncan
James H. Rodgers
Floyd D. Shirk
Delbert R. Huggins
William J. B. Bogle
Jesse C. Romo
Michael R. Parker
R. C. Polk

HULL

William Berry
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Arthur D. Devonshire
Ralph D. Wicklund
Charles A. Maultsby
Joseph R. Newton
Billy R. Steele
Robert L. Osborne
Elisha M. Bridges, Jr.
Daniel H. McNerney
Thomas Reagan
Herbert T. Colburn
Douglas A. Green
Homer J. Freels
Charles T. Peat III
John E. Prue

ELECTRICIAN

Richard D. Riter
Herbert E. Miebs
Jay M. Gardner
William M. Flynn
Walter H. Davis
Richard J. Bruce
William N. Ross
Harold R. Lane
Richard E. Dias
Berten J. Huselton
Ronald D. Hines
Judd A. Moss
Thomas K. Howe
Donald E. Welton
Clifton R. Abbey
Billy L. Hall
Charles M. Luce, Jr.
John G. Kirkus
Harold L. Reissig
William L. Lehmbeck
Richard W. Caverly
Robert V. Burnett
James D. Flemming
William R. Prather, Jr.
Robert F. Willan
Joe T. Hitt
Jim D. McClanahan
John F. Wasco
William J. Loring
Robert S. Danza
John E. Pendleton
Daniel A. Zuber
Claud E. Carty
Richard L. Allard
Constantine J. Gramer
Ronald V. Gillette
Ellwood T. Risk, Jr.
Glen E. Tighe
Daniel L. Latondress
Leland R. Lawrence

ELECTRONICS

Edward M. Lovejoy
Lewis A. Wimer, Jr.
Eugene E. Mann
William L. Wylie
Oral N. Sallee
Donald A. Doersch
Walter F. Wisnewski
Lawrence L. Ferguson
Joseph J. Simpson
Albert M. Loggans
Richard T. Moore, Jr.
Allan C. Russell
John F. Manley
Glen N. Wood
William A. Tanner, Jr.
Dennis A. Harrison
Maurice E. Tower
Hartle E. Johnson
Lewis Lashley
Carl R. Berg
Hubert R. Garrett
Walter E. Watson
Robert J. Sunderman
Roger H. Lepage
Vernon C. Hulsey
Larry A. Rich
Frank Nekrasz
Milton B. Gore
Edward W. Morris

CRYPTOLOGY

Richard F. Emery
William F. Tait, Jr.
Keith R. Taylor
Richard E. Sanborn
Cefred K. Hildreth
John A. Hare
John J. Breslin, Jr.
Emanuel J. Novak
Donley A. Roberts
Richard E. Adams
John B. Clark
John P. Arnold
Virgil G. Hulsey
Schirrell R. Newkirk
Robert C. Taylor
Gerald R. Gavin
VanBuren Collie, Jr.
Lynn D. McMullin
William P. Buzhaedt
Charles R. Gough
Howard M. Reese
Ronald E. Driesbach
George H. Stanford, Jr.
Donald E. Bishop
Donald E. Buckius
John T. Korn

Carl Nelson, Jr.
Keith E. Nowlin
Albert Bedard
Donald E. Scherz
William R. Hadley
Gerald L. Higdon

AVIATION OPERATIONS

John M. Smith
Carroll O. Wood
Wilburn C. Smith
Forrest M. Sullivan, Jr.
William H. Russell
Donald F. Waits
Albert C. Blessing, Jr.
George A. Phillips, Jr.
Rodolphe W. Beaudry
Paul R. Wales
James N. Butler, Jr.
Raymond A. Sylvestre
Donald E. Cook, Jr.
Lorin A. Dennis
James A. Greenwood
Ralph S. Feeback
Ivan E. Sawyer
Peter P. Cardinal
Marvin L. McCown
Robert W. Jackson
William F. Kohlrusch
Michael A. Benson
Clark R. Farabaugh
Harry A. Bartz
Charles E. Clarke
Edward J. Sweeney, Jr.
Samuel D. Stilwell
Vern A. DuBois
James C. Earhart
Clifford L. VanDivner
Alcuin J. Schloesser
Welford V. Finch
Richard L. Waline
Joel M. Ritchie
Robert B. Recknor
Richard L. McGrath
William K. Scott
Jerome C. Jones
William T. Derby, Jr.
Hubert R. Leighton, Jr.

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Charles C. Sherwood
Neil S. Milligan
William R. Duke, Jr.

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Brent L. Peterson
Edward J. Rousseau
Ralph E. Wrenn
Alvin J. Richards
Jack K. Pogue
Maurice E. Gibbs
Raymond E. Betancourt

AVIATION ORDNANCE

Thomas R. Allen
James K. Simpson
Harrell L. Widener
John T. Buckly
Charles P. Lentz
Alvin B. Macpherson
Marion K. Nelson
Donald J. McGinty
Milo E. Benson
Daron E. St. Germaine
James P. Vambell
David A. Rogers

AVIATION ELECTRONICS

Ray R. Dickson
Frederick D. Vinson
Meredith R. Miller
Bernard B. Hassler
Robert H. Cheyne, Jr.
Duane E. Barry
Kenneth D. Shoultz
James G. Pruitt
David W. Perkins
Dean H. Harvey
John F. Cordine, Jr.
Donald E. Waltman
Richard R. Robidoux
Charles R. Hackett
Dale V. Clark
Floyd E. Fasking
Gerald C. Smith
Charles Lane
Arthur E. Hoover
Bobby G. Lambert
Farrell J. Braun
Ralph B. Houser, Jr.
Joe R. Brewer
Bruce C. Henderson
Francis G. Judd
Donald P. Brumgard
Gordon E. Thomas
Billy E. Norrell
Norman L. Balliet
Harry D. Welch
Frederick R. Stage
George A. Liedel
James R. Newland
Jimmie L. Lindt
William A. Cross
Charles F. Reier
Daniel B. Mitchell
William L. Beverstock
Albert L. Lockhart
John N. Currier
Donald E. Lemay
John S. Freeman
Jerome B. Neal
Bascomb E. Branson
Joseph J. Patek

AVIATION MAINTENANCE

Charles D. Dick
Robert A. Bourgeois
Ronald W. Kissick
John Senappe
James R. Wright
John P. Connor
Carl J. Coppenger
Richard G. Murkland
Ben Kight
David L. Davidson
Edward P. Denlea
Clarence E. Colvin
Bob D. Sealy
Alfred P. Carrington
James C. Johnson
Richard A. Krick
T. W. Hitchcock
Thomas F. Mumford
Harry F. Holden, Jr.
Jourdan T. Sullivan, Jr.
Ernest G. Odel
Edwin G. Aeberli
Keland L. Drake, Jr.
Thomas W. Grawrock, Jr.
Alton L. Boyd
Jim Campbell
James H. Sims
Phillip R. Legan
Robert S. Hunter
Walter E. Wishart
Robert L. Souders
James D. Hess
Billy J. Ledford
James J. Geddes
Robert L. Ferguson
Charles D. Long
Richard K. Koehler
William C. Shinn
Beauron L. Carnley

The following-named candidates selected as alternates to be ensigns in the Navy, for temporary service, limited duty only, in the classification indicated, subject to the qualifications therefor as provided by law:

SUPPLY

Benjamin F. Bence
George T. Cooper
Clark J. Janssen
Albert E. Harper
Neale W. Evans
Charles R. Lee
Armon G. Grantham

CIVIL ENGINEER

Richard D. Whitmer

DECK

Walter F. B. Yielding
Donald J. Backe
Lawrence J. Zarek
Daniel A. James
Paul F. Brown
Gilbert F. Robinson, Jr.
Gaston L. Crawford

OPERATIONS

Earl A. Monaghan
Michael J. Taylor
Douglas W. Potter
Walter L. Welsh
Richard L. West

ORDNANCE, UNDERWATER

James F. Carlier

ADMINISTRATION

George W. Sacks
Harold R. Waight
Robert H. Strath
Kenneth R. Simkins
Vance J. Mitchell
Harold C. Dolan
Caroll R. Buse

CRYPTOLOGY

Jack Berkebile
Dean O. Brockbank
Aaron J. Claassen

AVIATION OPERATIONS

Melvin D. Beck
Henry Hanno
Forrest C. Day
Colin C. Pemberton
Harold J. Young

PHOTOGRAPHY

Lynn E. Martin

AEROLOGY

Robert E. Buttrick
Joseph E. Phillips
Willard G. Gould
Willie R. Sanders
Roy L. Graczyk
William T. Kent
Edward Wanzor, Jr.

AVIATION ORDNANCE

Ignatius A. Signorelli

The following-named (from the temporary disability retired list) for permanent appointment to the grade of CWO-3 in the Marine Corps, subject to the qualifications therefor as provided by law:

*Willis P. Hall, Jr.

The following-named officers of the Marine Corps for permanent promotion to the grade of first lieutenant, subject to the qualifications therefor as provided by law:

Richard F. Diehl
Larry J. Miner

The following-named officers of the Marine Corps for temporary promotion to the grade of first lieutenant, subject to the qualifications therefor as provided by law:

Thomas R. H. Alton
William W. Alvord
John M. Andrews
Kermit C. Ashley
Enos A. Axtell, Jr.
Thomas B. Bagley, Jr.
James W. Becker
Richard S. Brandt
Joseph T. Burkhardt
John D. Carr
James L. Carroll
Sidney P. Chapin
David L. Chilcote
Charlie J. Clanton
Richard L. Cody
Lee D. Coker
James W. Davis
Andrew D. Debona
Thomas W. De Pretoro
Thomas J. Evans
Robert G. Fowles
Charles D. Frey
Willard F. Galbraith, Jr.
William H. Gibson
David P. Grinstead
Joseph A. Haring
Robert E. Harris
Robert E. Heidbreder
John B. Hendricks
John A. Holman
Richard G. Howe
Robert B. Johnston
William F. Jurney
Gary K. Lambert
Edward O. Le Roy
Ira T. Mallard
James E. Martin
James M. Matthews, Jr.
David F. Miller
William B. Mooney
William W. Moorhead, Jr.
Samuel T. Myers
Sammy L. Owens

Richard F. Parker
Harold D. Pettengill
Michael Raoul-Duval
John J. Read
Denis W. Retoske
Michael E. Rich
Edward F. Riley
Michael B. Riley
Everette S. Roane
Dennis E. Rothgaber
Dennis M. Sams
Carl G. Schwendler
Harry J. Shane
Edward E. Shanklin, Jr.
Harry S. Shoemaker
Walter H. Skierkowski
David A. Springer
Richard L. Stewart
Harry E. Stimson
Walter G. Suttle
Ronald B. Tuttle
Dwight D. Weber
Julian A. Weingarten
David D. Winterle
Francisco J. Yraguen

The following-named (meritorious noncommissioned officers) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Allen F. Goldenson
Walter F. Hudiburg, Jr.

*Indicates ad interim appointment.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 19, 1963:

Deputy Director of the Peace Corps

Bill D. Moyers, of Texas, to be Deputy Director of the Peace Corps.

Special Representative for Trade Negotiations

Christian A. Herter, of Massachusetts, to be Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary, to which office he was appointed during the last recess of the Senate.

Deputy Special Representative for Trade Negotiations

William T. Gossett, of Michigan, to be Deputy Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

Administrator of the Agency for International Development

David Elliott Bell, of Massachusetts, to be Administrator of the Agency for International Development, to which office he was appointed during the last recess of the Senate.

Executive Director of the International Bank for Reconstruction and Development

John C. Bullitt of New Jersey, to be U.S. Executive Director of the International Bank for Reconstruction and Development for a term of 2 years, to which office he was appointed during the last recess of the Senate.

U.S. Executive Director of the International Monetary Fund

William B. Dale, of Maryland, to be U.S. Executive Director of the International Monetary Fund for a term of 2 years, to which office he was appointed during the last recess of the Senate.

Ambassador

The following-named person, who was appointed during the last recess of the Senate, to the office indicated:

J. Wesley Jones, of Iowa, a Foreign Service officer the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Peru.

In the Diplomatic and Foreign Service

The nominations beginning G. Edward Clark, of New York, a Foreign Service officer for promotion from class 2 to class 1, and ending John W. O'Connell, of South Dakota, a Foreign Service officer to be a secretary in the diplomatic service of the United States of America, which nominations were received by the Senate and appeared in the Congressional Record on January 15, 1963.

EXTENSIONS OF REMARKS

National Freedom From Hunger Week

EXTENSION OF REMARKS
OF

HON. GEORGE S. McGOVERN

OF SOUTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Tuesday, February 19, 1963

Mr. McGOVERN. Mr. President, I ask unanimous consent to have printed in the Congressional Record the President's proclamation of January 23d, designating the week of March 17 through March 23, 1963, as National Freedom From Hunger Week. I also ask that a statement by the National Citizens Committee for Freedom From Hunger be included following the Presidential proclamation.

The President has urged American citizens in all walks of life to participate in the observance of National Freedom From Hunger Week. America has no more valuable material asset than our abundance of food and fiber. Unfortunately, we live in a world that has not yet solved the dilemma of too much in the midst of too little.

The freedom-from-hunger campaign of the Food and Agriculture Organization of the United Nations is designed to eliminate chronic food shortages around the globe. This high endeavor deserves the support of us all.

There being no objection, the proclamation and statement were ordered to be printed in the Record, as follows:

A Proclamation by the President of the United States of America on National Freedom From Hunger Week

The White House,
January 23, 1963.

"Whereas the United States, as a member of the Food and Agriculture Organization of the United Nations, is participating with nearly 100 other countries of the world in the FAO international freedom-from-hunger campaign; and

"Whereas the American Freedom From Hunger Foundation has been established to provide citizen leadership for the campaign in the United States; and

"Whereas the Congress of the United States, by Public Law 87–841, approved October 18, 1962, has authorized this Nation, in furtherance of the international freedom-from-hunger campaign, to be host to the World Food Congress from June 4 to 18, 1963; and

"Whereas the farmers of this Nation have produced an abundance of food for our own people and for sharing with others; and

"Whereas the people of the United States, in sharing our national abundance through their generous support of oversea assistance programs of religious organizations, voluntary agencies, and private groups and foundations, and through food for peace and other governmental programs, have demonstrated their concern with the problem of hunger and malnutrition throughout the world; and

"Whereas there is a need for a rededication of men's minds and hearts to the inspiring possibilities of working together to free the world from hunger: Now, therefore, I, John F. Kennedy, President of the United States of America, do hereby designate the week of March 17 through March 23, 1963, as National Freedom From Hunger Week.

"I ask the American Freedom From Hunger Foundation to take national leadership in planning appropriate observance of this week; and I urge American citizens in all walks of life to participate in the observance of National Freedom From Hunger Week.

"I also ask that all Government departments and agencies which have official responsibilities in the field of food, nutrition, and international relations take appropriate steps to observe, and to cooperate with private groups in observing, National Freedom From Hunger Week."

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 22d day of January in the year of our Lord 1963, and of the Independence of the United States of America the 187th.

John F. Kennedy.

By the President:

Dean Rusk,
Secretary of State.

Statement by the National Citizens Committee for Freedom From Hunger

By proclamation, President Kennedy has declared the week of March 17–23 National Freedom From Hunger Week, in which he has invited the participation of all citizens. This week encompasses the date of March 21, which is World Freedom From Hunger Day. It marks the beginning of the sowing season in the Northern Hemisphere and the harvesting season in the Southern. With relation to the church calendar of all great religions, it occurs after Ramadan, before Passover and Easter, and during Lent. Its observance has been promised by world leaders of all religious faiths. The week is a crucial point of the worldwide freedom-from-hunger campaign as a means of evaluating the effectiveness of this program since its inception in 1960 and to call forth greater effort for subsequent phases of the campaign.

The purpose of the week is to rededicate men's minds and hearts to the inspiring possibilities of working together to free the world from hunger. Other purposes include the matter of focusing greater public interest on the problem of world hunger and stimulate more national effort toward the alleviation of that problem through self-help agricultural development in the countries of Latin America, Asia, and Africa, which suffer from hunger; to provide a suitable climate for the World Food Congress which convenes in the United States during June 4–18, 1963; to foster greater understanding of the United Nations Development Decade, and to provide an opportunity for individual participation.

Plans for this participation in the United States include an appeal to all church leaders to deliver a message on the general theme of world hunger in their services of Sundays, March 17 and 24, and possibly by a special observance on March 21. Postage stamps commemorating World Freedom From Hunger Day will be issued in nearly 100 countries on March 21; the United States will issue a similar stamp on the opening day of the World Food Congress, June 4. An ambassador's dinner program is planned for March 21 in Washington, to which will be invited the representatives of more than 100 countries that will participate in the World Food Congress, along with the representatives of nongovernmental organizations that are interested in the objectives of the foundation. The program will be featured by a simple menu, speeches on the subject of hunger by important world figures, and musical entertainment. This dinner program is symbolic of similar luncheon and dinner programs to be held throughout the United States by educational, civic, and religious groups during the week. A part of these programs should include a contribution to be given in the name of the freedom-from-hunger campaign to some charitable organization for agricultural projects in the developing countries. This carries out a primary objective of the campaign to promote greater agricultural development in areas of underdevelopment.

There are a number of things which individuals and their organizations can do to participate in this activity. These include:

(a) Provide the use of organizational media to publicize the event and distribute freedom-for-hunger literature among your associates.

(b) Invite the cooperation of local newspapers, radio, and TV and furnish them with material on the event.

(c) Plan an unseen-guest luncheon or dinner program. Consider the hungry people of Latin America, Asia, and Africa as your unseen guests. Have a simple menu (possibly include a national dish from one of those countries), invite a local speaker on the theme of world hunger, set up an exhibit and send a contribution to a favorite charity for overseas development work in the name of the freedom-from-hunger campaign.

(d) Arrange an exhibit in a place frequented by the public.

(e) Use freedom-from-hunger seals and special postmark cancellations for business mailings.

(f) Invite the participation of church, school, business, and industrial groups. Even at home you can set an extra place for an unseen guest.

Above all, let us hope that all individuals shall share in this program by committing themselves to some personal action on behalf of the long-range objectives of the campaign. Whether this action be symbolic or concrete, the success of Freedom From Hunger Week depends upon large-scale individual participation.

Citizens are urged to write to this committee at the following address: American Freedom from Hunger Foundation, Inc., 700 Jackson Place, NW., Washington, D.C.

HARRY W. EDWARDS,
Executive Director.

SENATE

WEDNESDAY, FEBRUARY 20, 1963

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Almighty God, turning to this altar of Thy grace, from all the divisive forces in the world about us, which tear and separate and push apart, we would that Thou shouldst send us out to our differing, and often our difficult work, hoping all things and enduring all things. Save us from giving to the tasks that await us anything less than our truest and best. Deliver us from any failure of self-control and from unworthy words spoken in haste or in passion.

With clear eyes may we see Thee as our Father, our fellows near and far as our neighbors, and ourselves as our brother's keeper.

In that vision splendid of Divine Fatherhood, and of human brotherhood, may we dream our dreams, fashion our lives, enact our laws, build our Nation, and plan our world until this shadowed earth, which is our home, rolls out of the darkness into the light and it is daybreak everywhere.

We ask it in the name of the One who is the light of the world. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, February 19, 1963, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

SENATE PROCEDURE

Mr. MANSFIELD. Mr. President, for the information of the Senate, let me state that I hope that if I am first on my feet at the conclusion of the morning hour, I shall be recognized. I wish to make a statement relative to procedure in the Senate. I assure each and every Senator that the statement will not be directed at any Senator in particular.

The VICE PRESIDENT. Let the Chair state that if the Senator from Montana is on his feet, and if he addresses the Chair, and if the Chair hears the Senator's voice first, the Chair will recognize him.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

BUILDINGS FOR OPERATIONS OF THE BUREAU OF THE MINT

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize the construction and equipping of buildings required in connection with the operations of the Bureau of the Mint (with an accompanying paper); to the Committee on Banking and Currency.

MEDICAL CARE FOR CERTAIN COAST AND GEODETIC SURVEY RETIRED SHIPS' OFFICERS AND CREW MEMBERS AND THEIR DEPENDENTS

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to provide medical care for certain Coast and Geodetic Survey retired ships' officers and crew members and their dependents, and for other purposes (with accompanying papers); to the Committee on Commerce.

AMENDMENT OF DISTRICT OF COLUMBIA PRACTICAL NURSES' LICENSING ACT

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes (with an accompanying paper); to the Committee on the District of Columbia.

REPORT ON REVIEW OF CERTAIN RELOCATION COSTS INCURRED BY CONTRACTORS WITH THE DEPARTMENT OF DEFENSE AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of relocation costs incurred by contractors with the Department of Defense and the National Aeronautics and Space Administration for the recruiting of salaried personnel who terminated employment shortly after they were hired, dated February 1963 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Washington; to the Committee on Interior and Insular Affairs:

"Whereas our Congresswoman JULIA BUTLER HANSEN has introduced in the 88th Congress a measure designated as H.R. 994 to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in this region and to guarantee consumers of electricity in other regions reciprocal priority; and

"Whereas it is essential that the resources of this State and region be preserved and protected in order to assure the proper economic growth of this section of the Nation and to promote the economic well-being of our citizens; and

"Whereas the abundant hydroelectric power resource of the Pacific Northwest is a major asset to the area and provides assurance for expansion of industrial activity and consequent additional employment opportunity which is vital to needs of our burgeoning population; and

"Whereas proper utilization and development of our resources and economy demands that all possible hydroelectric power be available for such purpose: Now, therefore, be it

"*Resolved by the house of representatives*, That this body respectfully petitions that the 88th Congress of the United States enact the necessary legislation embodied in H.R. 994 and thereby insure to the peoples of the Pacific Northwest that there will be full and adequate opportunity to properly promote our resource wealth in the best interest of all the people of this region of the United States; and be it further

"*Resolved,* That copies of this resolution be transmitted by the chief clerk of the house to the Honorable John F. Kennedy, President of the United States, the President of the U.S. Senate, the Speaker of the House of Representatives, and to each Member of Congress from the State of Washington.

"S. R. HOLCOMB,
"Chief Clerk, House of Representatives."

A resolution of the House of Representatives of the State of Illinois; to the Committee on Finance:

"HOUSE RESOLUTION 32

"Whereas the education of every child in our Nation is an investment in our greatest natural resource, our children; and

"Whereas the schools of our Nation, both public and private, are in great need of financial aid; and

"Whereas direct governmental financial aid to private schools is extremely limited by the Constitution of the United States: Therefore be it

"Resolved by the House of Representatives of the 73d General Assembly of the State of Illinois, That the Congress of the United States of America be hereby memorialized to amend the Internal Revenue Code of 1954 as follows:

"1. Allow each taxpayer an income tax deduction of specified percent of his income for his contributions to educational institutions; except that a deduction shall not be allowed for contributions to any school, or school district or other school boundary which (a) does not meet the minimum management or educational standards set by the State in which the school, or school district or other school boundary is located; or (b) which discriminates in the admission of students on the basis of race or color; or (c) which segregates admitted students on the basis of race or color.

"2. Each taxpayer claiming a deduction for contributions to educational institutions be required (a) to identify each school, or school district or other school boundary, to which contributions were made; (b) to indicate the amount of the contribution to each school, school district or other school boundary; and (c) to enclose a signed receipt from each donee, or a money order receipt identifying the donee as the payee of the order, or a processed check or draft identifying the donee as the payee.

"Resolved further, That copies of this preamble and resolution be forwarded by the Secretary of State to the Speaker of the House of Representatives and the President of the Senate of the present Congress of the United States, and to each Congressman and Senator from the State of Illinois.

"Adopted by the house February 13, 1963.

"JOHN W. LEWIS, JR.,
"Speaker, House of Representatives.
"FREDRIC B. SELIKE,
"Clerk, House of Representatives "

A resolution of the House of Representatives of the State of Kentucky; to the Committee on Appropriations:

"HOUSE RESOLUTION 14

"Resolution urging Congress to continue support of the tobacco research program at the Agricultural Science Center of the University of Kentucky

"Whereas during 1960 and 1961 there was appropriated and allocated by the general assembly for an agricultural science center at the University of Kentucky and for tobacco research at such center more than $1 million; and

"Whereas the Governor of this Commonwealth subsequently made available an additional $1 million for construction and research at such center; and

"Whereas in 1962 there was appropriated and allocated by the general assembly more than $2 million for construction and research at such center; and

"Whereas the Congress of the United States has appropriated since 1960 more than $200,000 each year to the Agricultural Research Service for tobacco research, a large portion of which has been allocated to the Agricultural Research Center of the University of Kentucky for this project; and

"Whereas tobacco ranks fifth as a crop in terms of income to farm families, and provides the raw material for one of the major industries in the United States; and

"Whereas tobacco taxes contribute approximately $2.5 billion annually to the support of Federal, State, and local governments; and

"Whereas scientific and technical changes have greatly affected American agriculture as a whole, but tobacco has been heretofore neglected in terms of an adequate scientific research program; and

"Whereas extensive construction has already been accomplished at the Agricultural Science Center of the University of Kentucky; new tobacco research is already underway at such center; and such center is now provided and equipped for that purpose with expensive scientific equipment specifically developed for tobacco research, including environmental control units, spectrophotometers, strain gage controls, time lapse cameras, dynamic test machines and precision strain gage load controls; and

"Whereas continuance of the tobacco research program at the Agricultural Science Center of the University of Kentucky would be to the advantage of this Commonwealth and the Nation generally, by avoiding uneconomical duplication of research efforts and expenses incident thereto: Now, therefore, be it

"Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

"SECTION 1. The Congress of the United States and the Department of Agriculture of the United States are urged to continue their support, through adequate appropriations and allocations, of tobacco research on all kinds of tobacco at the Agricultural Science Center of the University of Kentucky, supplementing appropriations and allocations heretofore made and hereafter to be made by this Commonwealth.

"SEC. 2. The clerk of the house of representatives shall send a copy of this resolution to the presiding officer and chief clerk of each Chamber of the Congress of the United States, to the Secretary of Agriculture of the United States, and to each member of the Kentucky congressional delegation."

A resolution adopted by the Federation of Lithuanian-American R. C. Societies, of Dayton, Ohio, favoring action by the United States to effect the liberation of Lithuania and the other enslaved nations behind the Iron Curtain; to the Committee on Foreign Relations.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL STOCKPILE INVENTORIES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal stockpile inventories as of December 1962. I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

FEDERAL STOCKPILE INVENTORIES, DECEMBER 1962

INTRODUCTION

This is the 37th in a series of monthly reports on Federal stockpile inventories. It is for the month of December 1962.

The report is compiled from official data on quantities and cost value of commodities in these stockpiles submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures by the Departments of Agriculture, Defense, and Health, Education, and Welfare, and the General Services Administration.

The cost value of materials in inventories covered in this report, as of December 1, 1962, totaled $14,439,051,008, and as of December 31, 1962, they totaled $14,351,084,895, a net decrease of $87,966,113 during the month.

Different units of measure make it impossible to summarize the quantities of commodities and materials which are shown in tables 1, 2, 3, and 4, but the cost value figures are summarized by major category, as follows:

Summary of cost value of stockpile inventories by major category

Major category	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month
Strategic and critical materials:			
National stockpile [1]	$5, 893, 889, 000	$5, 888, 903, 600	−$4, 985, 400
Defense Production Act	1, 502, 185, 400	1, 500, 603, 900	−1, 581, 500
Supplemental—barter	1, 291, 140, 743	1, 298, 441, 167	+7, 300, 424
Total, strategic and critical materials [1]	8, 687, 215, 143	8, 687, 948, 667	+733, 524
Agricultural commodities:			
Price support inventory	5, 321, 248, 551	5, 232, 359, 708	−88, 888, 843
Inventory transferred from national stockpile [1]	128, 255, 426	128, 232, 289	−23, 137
Total, agricultural commodities [1]	5, 449, 503, 977	5, 360, 591, 997	−88, 911, 980
Civil defense supplies and equipment:			
Civil defense stockpile, Department of Defense	29, 561, 190	31, 228, 342	+1, 667, 152
Civil defense medical stockpile, Department of Health, Education, and Welfare	176, 900, 698	176, 922, 589	+21, 891
Total, civil defense supplies and equipment	206, 461, 888	208, 150, 931	+1, 689, 043
Machine tools:			
Defense Production Act	2, 230, 800	2, 230, 800	....
National Industrial Reserve Act	93, 639, 200	92, 162, 500	−1, 476, 700
Total, machine tools	95, 870, 000	94, 393, 300	−1, 476, 700
Total, all inventories	14, 439, 051, 008	14, 351, 084, 895	−87, 966, 113

[1] Cotton inventory valued at $128,409,100 withdrawn from the national stockpile and transferred to Commodity Credit Corporation for disposal, pursuant to Public Law 87-548, during August 1962.

Detailed tables in this report show each commodity, by the major categories summarized above, in terms of quantity and cost value as of the beginning and end of the month. Net change figures reflect acquisitions, disposals, and accounting and other adjustments during the month.

The cost value figures represent generally the original acquisition cost of the commodities delivered to permanent storage locations, together with certain packaging, processing, upgrading, etc., costs as carried in agency inventory accounts. Quantities are stated in the designated stockpile unit of measure.

The appendix to this report includes program descriptions and statutory citations pertinent to each stockpile inventory within the major categories.

The stockpile inventories covered by the report are tabulated in detail as follows:

Table 1: Strategic and critical materials inventories (all grades), December 1962 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month).

Table 2: Agricultural commodities inventories, December 1962 (showing by commodity net changes during the month in terms of cost value and quantity).

Table 3: Civil defense supplies and equipment inventories, December 1962 (showing by item net changes during the month in terms of cost value and quantity).

Table 4: Machine tools inventories, December 1962 (showing by item net changes during the month in terms of cost value and quantity).

TABLE 1.—*Strategic and critical materials inventories (all grades), December 1962 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*

Commodity	Cost value			Quantity					
	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month	Maximum objective [1]	Excess over maximum objective
Aluminum, metal:									
National stockpile	$487,688,100	$487,680,600	−$7,500	Short ton	1,129,007	1,128,989	−18		
Defense Production Act	427,261,200	429,227,500	+1,966,300	do	843,998	848,115	+4,117		
Total	914,949,300	916,908,100	+1,958,800	do	1,973,005	1,977,104	+4,099	1,200,000	777,104
Aluminum oxide, abrasive grain:									
Supplemental—barter	4,769,582	5,733,750	+964,168	do	16,055	19,288	+3,233	(2)	19,288
Aluminum oxide, fused, crude:									
National stockpile	21,735,100	21,735,100		Short dry ton	200,093	200,093			
Supplemental—barter	22,747,400	22,747,400		do	178,266	178,266			
Total	44,482,500	44,482,500		do	378,359	378,359		200,000	178,359
Antimony:									
National stockpile	20,488,000	20,488,000		Short ton	30,301	30,301			
Supplemental—barter	10,284,225	10,517,931	+233,706	do	17,955	18,353	+398		
Total	30,772,225	31,005,931	+233,706	do	48,256	48,654	+398	70,000	(3)
Asbestos, amosite:									
National stockpile	2,637,600	2,637,600		do	11,705	11,705			
Supplemental—barter	5,046,053	5,200,748	+154,695	do	20,350	20,996	+646		
Total	7,683,653	7,838,348	+154,695	do	32,055	32,701	+646	45,000	(3)
Asbestos, chrysotile:									
National stockpile	3,337,700	3,355,700	+18,000	Short dry ton	6,223	6,222	−1		
Defense Production Act	2,102,600	2,102,600		do	2,348	2,348			
Supplemental—barter	3,934,500	3,934,500		do	5,532	5,532			
Total	9,374,800	9,392,800	+18,000	do	14,103	14,102	−1	11,000	3,102
Asbestos, crocidolite:									
National stockpile	702,100	702,100		Short ton	1,567	1,567			
Supplemental—barter	4,940,263	5,643,177	+702,914	do	18,042	20,841	+2,799		
Total	5,642,363	6,345,277	+702,914	do	19,609	22,408	+2,799	(2)	22,408
Bauxite, metal grade, Jamaica type:									
National stockpile	13,925,000	13,925,000		Long dry ton	879,740	879,740			
Defense Production Act	18,168,000	18,168,000		do	1,370,077	1,370,077			
Supplemental—barter	81,944,171	83,510,509	+1,566,338	do	5,307,758	5,417,576	+109,818		
Total	114,037,171	115,603,509	+1,566,338	do	7,557,575	7,667,393	+109,818	2,600,000	5,067,393
Bauxite, metal grade, Surinam type:									
National stockpile	78,590,600	78,583,200	−7,400	do	4,963,651	4,963,468	−183		
Supplemental—barter	44,809,111	45,364,075	+554,964	do	2,865,690	2,897,166	+31,476		
Total	123,399,711	123,947,275	+547,564	do	7,829,341	7,860,634	+31,293	6,400,000	1,460,634
Bauxite, refractory grade:									
National stockpile	11,347,800	11,347,800		Long calcined ton.	299,279	299,279		137,000	162,279
Beryl:									
National stockpile	9,770,200	9,770,200		Short ton	23,233	23,233			
Defense Production Act	1,425,000	1,425,000		do	2,544	2,544			
Supplemental—barter	22,739,500	22,739,500		do	11,321	11,321			
Total	33,934,700	33,934,700		do	37,098	37,098		23,100	13,998
Beryllium metal:									
Supplemental—barter	8,006,106	8,469,095	+$462,989	do	69	73	+4	(2)	73
Bismuth:									
National stockpile	2,674,300	2,674,300		Pound	1,342,402	1,342,402			
Defense Production Act	52,400	52,400		do	22,901	22,801			
Supplemental—barter	5,515,200	5,515,200		do	2,506,493	2,506,493			
Total	8,241,900	8,241,900		do	3,871,796	3,871,796		3,000,000	871,796
Cadmium:									
National stockpile	21,260,000	21,260,000		do	10,829,640	10,829,640			
Supplemental—barter	12,257,125	12,310,663	+53,538	do	7,416,927	7,448,989	+32,062		
Total	33,517,125	33,570,663	+53,538	do	18,246,567	18,278,629	+32,062	6,500,000	11,778,629

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), December 1962 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month*)—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month	Maximum objective [1]	Excess over maximum objective
Castor oil:									
National stockpile	$55,845,500	$55,663,100	−$182,400	Pound	216,552,323	215,755,283	−797,040	68,000,000	147,755,283
Celestite:									
National stockpile	1,412,300	1,412,300		Short dry ton	28,816	28,816		22,000	6,816
Chromite, chemical grade:									
National stockpile	12,286,800	12,286,800		do	559,452	559,452			
Supplemental—barter	19,920,084	20,200,996	+280,912	do	590,626	608,625	+17,999		
Total	32,206,884	32,487,796	+280,912	do	1,150,078	1,168,077	+17,999	475,000	693,077
Chromite, metallurgical grade:									
National stockpile	264,771,600	264,771,600		do	3,799,182	3,799,182			
Defense Production Act	35,879,900	35,879,900		do	985,646	985,646			
Supplemental—barter	224,021,191	224,616,657	+595,466	do	1,527,272	1,543,109	+15,837		
Total	524,672,691	525,268,157	+595,466	do	6,312,100	6,327,937	+15,837	2,700,000	3,627,937
Chromite, refractory grade:									
National stockpile	25,149,300	25,149,300		do	1,047,159	1,047,159			
Supplemental—barter	5,320,800	5,320,800		do	189,623	189,623			
Total	30,470,100	30,470,100			1,236,782	1,236,782		1,300,000	(3)
Cobalt:									
National stockpile	169,622,900	169,507,900	−115,000	Pound	76,874,632	76,847,933	−26,699		
Defense Production Act	52,076,600	52,076,600		do	25,195,172	25,195,172			
Supplemental—barter	2,169,000	2,169,000		do	1,077,018	1,077,018			
Total	223,868,500	223,753,500	−115,000	do	103,146,822	103,120,123	−26,699	19,000,000	84,120,123
Coconut oil:									
National stockpile	17,593,000	17,591,500	−1,500	do	116,088,033	116,088,033		(2)	116,088,033
Colemanite:									
Supplemental—barter	2,636,400	2,636,400		Long dry ton	67,636	67,636		(2)	67,636
Columbium:									
National stockpile	23,859,700	23,860,400	+700	Pound	7,489,422	7,488,972	−450		
Defense Production Act	50,271,900	50,255,500	−16,400	do	8,273,986	8,222,684	−51,302		
Supplemental—barter	798,900	798,900		do	388,877	388,877			
Total	74,930,500	74,914,800	−15,700	do	16,152,285	16,100,533	−51,752	1,900,000	14,200,533
Copper:									
National stockpile	522,127,800	522,204,700	+76,900	Short ton	1,008,351	1,008,351			
Defense Production Act	63,954,200	63,521,500	−432,700	do	114,222	113,430	−792		
Supplemental—barter	8,242,803	8,242,803		do	12,381	12,381			
Total	594,324,803	593,969,003	−355,800	do	1,134,954	1,134,162	−792	1,000,000	134,162
Cordage fibers, abaca:									
National stockpile	38,165,300	38,291,200	+125,900	Pound	151,759,469	151,852,725	+93,256	150,000,000	1,852,725
Cordage fibers, sisal:									
National stockpile	43,954,800	43,582,600	−372.200	do	323,034,946	321,857,014	−1,177,932	320,000,000	1,857,014
Corundum:									
National stockpile	393,100	393,100		Short ton	2,008	2,008		2,000	8
Cryolite:									
Defense Production Act	8,586,300	8,284,900	−301,400	do	31,095	30,003	−1,092	(2)	30,003
Diamond dies:									
National stockpile	462,800	462,800		Piece	14,998	14,998		25,000	(3)
Diamond, industrial, crushing bort:									
National stockpile	61,609,500	61,609,500		Carat	31,113,411	31,113,411			
Supplemental—barter	15,456,700	15,456,700		do	5,523,748	5,523,748			
Total	77,066,200	77,066,200		do	36,637,159	36,637,159		30,000,000	6,637,159
Diamond, industrial, stones:									
National stockpile	100,047,500	100,501,500	+454,000	do	9,270,894	9,315,183	+44,289		
Supplemental—barter	184,989,603	185,966,660	+997,057	do	15,241,034	15,394,744	+153,710		
Total	285,037,103	286,468,160	+1,431,057	do	24,511,928	24,709,927	+197,999	18,000,000	6,709,927
Diamond tools:									
National stockpile	1,015,400	1,015,400		Piece	64,178	64,178		(2)	64,178
Feathers and down:									
National stockpile	38,846,200	38,851,100	+4,900	Pound	9,376,656	9,376,656		8,800,000	576,656
Fluorspar, acid grade:									
National stockpile	26,167,500	26,167,500		Short dry ton	463,049	463,049			
Defense Production Act	1,394,400	1,394,400		do	19,700	19,700			
Supplemental—barter	33,452,400	33,452,400		do	673,232	673,232			
Total	61,014,300	61,014,300		do	1,155,981	1,155,981		280,000	875,981
Fluorspar, metallurgical grade:									
National stockpile	17,332,400	17,332,400		do	369,443	369,443			
Supplemental—barter	1,508,100	1,508,100		do	42,800	42,800			
Total	18,840,500	18,840,500		do	412,243	412,243		375,000	37,243

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), December 1962 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1962	End o. month, Dec. 31, 1962	Net change during month	Maximum objective [1]	Excess over maximum objective
Graphite, natural, Ceylon, amorphous lump:									
National stockpile	$937,900	$937,900		Short dry ton	4,455	4,455			
Supplemental—barter	341,200	341,200		do	1,428	1,428			
Total	1,279,100	1,279,100		do	5,883	5,883		3,600	2,283
Graphite, natural, Madagascar, crystalline:									
National stockpile	7,125,900	7,121,800	−$4,100	do	34,571	34,551	−20		
Supplemental—barter	64,300	90,736	+26,436	do	585	826	+241		
Total	7,190,200	7,212,536	+22,336	do	35,156	35,377	+221	17,200	18,177
Graphite, natural, other, crystalline:									
National stockpile	1,896,400	1,896,400		do	5,487	5,487		2,100	3,387
Hydrochloride of quinine:									
National stockpile	1,400	1,400		Ounce	103	103		(²)	103
Hyoscine:									
National stockpile	30,600	30,600		do	2,100	2,100		2,100	(³)
Iodine:									
National stockpile	4,082,000	4,082,000		Pound	2,977,648	2,977,648			
Supplemental—barter	1,020,048	1,020,048		do	996,984	996,984			
Total	5,102,048	5,102,048		do	3,974,632	3,974,632		4,300,000	(³)
Iridium:									
National stockpile	2,525,800	2,525,800		Troy ounce	13,937	13,937		4,000	9,937
Jewel bearings:									
National stockpile	3,775,100	3,805,800	+30,700	Piece	51,007,767	51,037,267	+29,500	57,500,000	(³)
Kyanite-mullite:									
National stockpile	833,000	828,700	−4,300	Short dry ton	9,635	9,585	−50	4,800	4,785
Lead:									
National stockpile	319,298,100	319,298,100		Short ton	1,050,370	1,050,370			
Defense Production Act	2,751,100	2,751,100		do	7,262	7,262			
Supplemental—barter	78,127,800	78,127,800		do	327,998	327,998			
Total	400,177,000	400,177,000		do	1,385,630	1,385,630		286,000	1,099,630
Magnesium:									
National stockpile	131,520,500	131,434.200	−86,300	do	181,292	181,052	−240	107,000	74,052
Manganese, battery grade, natural ore:									
National stockpile	21,025,500	21,025,500		do	144,485	144,485			
Supplemental—barter	14,109,137	14,109,137		do	137,671	137,671			
Total	35,134,637	35,134,637		do	282,156	282.156		50,000	232,156
Manganese, battery grade, synthetic dioxide:									
National stockpile	3,095,500	3,095,500		Short dry ton	21,272	21,272			
Defense Production Act	2,523,600	2,523,600		do	3,779	3,779			
Total	5,619,100	5,619,100		do	25,051	25,051		20,000	5,051
Manganese, chemical grade, type A:									
National stockpile	2,133,300	2,133.300		do	29,307	29,307			
Supplemental—barter	7,134,700	7,134,700		do	103,731	103,731			
Total	9,268,000	9,268.000		do	133,038	133.038		30,000	103,038
Manganese, chemical grade, type B:									
National stockpile	132,600	132,600		do	1,822	1,822			
Supplemental—barter	6,833,200	6,833,200		do	99,016	99,016			
Total	6,965,800	6,965,800		do	100,838	100,838		53,000	47,838
Manganese, metallurgical grade:									
National stockpile	248,331,000	248,310,000	−21,000	do	5,852,224	5,852,002	−222		
Defense Production Act	179,460,500	176,710,900	−2,749,600	do	3,109,128	3,056,771	−52,357		
Supplemental—barter	225,437,402	225,693,708	+256,306	do	3,238,648	3,238,648			
Total	653,228,902	650,714,608	−2,514,294	do	12,200,000	12,147,421	−52,579	6,800,000	5,347,421
Mercury:									
National stockpile	20,039,500	20,039,500		Flask	129,525	129,525			
Supplemental—barter	3,446,200	3,446,200		do	16,000	16,000			
Total	23,485,700	23,485,700		do	145,525	145,525		110,000	35,525
Mica, muscovite block:									
National stockpile	27,644,200	27,644,200		Pound	11,626,674	11,626,674			
Defense Production Act	40,860,300	40,888,800	+28,500	do	6,455,232	6,458,384	+3,152		
Supplemental—barter	4,190,527	4,271,120	+80,593	do	1,281,640	1,301,300	+19,660		
Total	72,695,027	72,804,120	+109,093	do	19,363,546	19,386,358	+22,812	8,300,000	11,086,358
Mica, muscovite film:									
National stockpile	9,058,100	9,058,100		do	1,733,083	1,733,083			
Defense Production Act	633,400	633,300	−100	do	102,679	102,679			
Supplemental—barter	842,405	847,015	+4,610	do	86,785	87,285	+500		
Total	10,533,905	10,538,415	+4,510	do	1,922,547	1,923,047	+500	1,300,000	623,047

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), December 1962 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month	Maximum objective [1]	Excess over maximum objective
Mica, muscovite splittings:									
National stockpile	$40,598,300	$40,598,300		Pound	40,040,294	40,040,294			
Supplemental—barter	6,225,800	6,225,800		do	4,826,257	4,826,257			
Total	46,824,100	46,824,100		do	44,866,551	44,866,551		21,200,000	23,666,551
Mica, phlogopite block:									
National stockpile	303,600	303,600		do	223,126	223,126		17,000	206,126
Mica, phlogopite splittings:									
National stockpile	2,580,500	2,580,500		do	3,079,062	3,079,062			
Supplemental—barter	1,850,642	1,933,807	+$83,165	do	1,620,989	1,673,878	+52,889		
Total	4,431,142	4,514,307	+83,165	do	4,700,051	4,752,940	+52,889	1,700,000	3,052,940
Molybdenum:									
National stockpile	89,184,400	89,184,400			84,062,802	84,062,802		59,000,000	25,062,802
Nickel:									
National stockpile	182,098,800	182,004,400	−94,400	do	334,513,624	334,354,431	−159,193		
Defense Production Act	105,144,000	105,068,800	−76,100	do	112,224,789	112,080,269	−144,520		
Total	287,243,700	287,073,200	−170,500	do	446,738,413	446,434,700	−303,713	323,000,000	123,434,700
Opium:									
National stockpile	13,661,700	13,661,700		do	195,757	195,757		172,800	22,957
Palladium:									
National stockpile	2,079,000	2,079,000		Troy ounce	89,811	89,811			
Defense Production Act	177,300	177,300		do	7,884	7,884			
Supplemental—barter	12,170,200	12,170,200		do	648,124	648,124			
Total	14,426,500	14,426,500		do	745,819	745,819		340,000	405,819
Palm oil:									
National stockpile	5,148,200	5,148,200		Pound	28,604,089	28,604,089		(2)	28,604,089
Platinum:									
National stockpile	56,879,900	56,879,900		Troy ounce	716,343	716,343			
Supplemental—barter	4,024,500	4,024,500		do	49,999	49,999			
Total	60,904,400	60,904,400		do	766,342	766,342		165,000	601,342
Pyrethrum:									
National stockpile	415,000	415,000		Pound	66,188	66,188		66,000	188
Quartz crystals:									
National stockpile	69,625,500	69,625,500		do	5,647,292	5,647,292			
Supplemental—barter	3,128,684	3,128,684		do	232,252	232,252			
Total	72,754,184	72,754,184		do	5,879,544	5,879,544		650,000	5,229,544
Quinidine:									
National stockpile	2,160,800	2,103,200	−57,600	Ounce	1,873,377	1,823,377	−50,000	1,600,000	223,377
Quinine:									
National stockpile	4,828,400	4,828,400		do	7,633,732	7,633,732		(2)	7,633,732
Rare earths:									
National stockpile	7,134,900	7,134,900		Short dry ton	10,042	10,042			
Supplemental—barter	5,489,859	5,534,532	+44,673	do	5,739	6,042	+303		
Total	12,624,759	12,669,432	+44,673	do	15,781	16,084	+303	5,700	10,384
Rare earths residue:									
Defense Production Act	657,800	657,800		Pound	6,085,570	6,085,570		(2)	6,085,570
Rhodium:									
National stockpile	78,100	78,100		Troy ounce	621	621		(2)	621
Rubber:									
National stockpile	805,534,800	802,216,200	−3,318,600	Long ton	1,041,745	1,037,438	−4,307	750,000	287,438
Ruthenium:									
Supplemental—barter	559,500	559,500		Troy ounce	15,001	15,001		(2)	15,001
Rutile:									
National stockpile	2,070,100	2,070,100		Short dry ton	18,599	18,599			
Defense Production Act	2,725,100	2,725,100		do	17,592	17,592			
Supplemental—barter	1,061,300	1,061,300		do	11,632	11,632			
Total	5,856,500	5,856,500		do	47,823	47,823		65,000	(3)
Sapphire and ruby:									
National stockpile	190,000	190,000		Carat	16,187,500	16,187,500		18,000,000	(3)
Selenium:									
National stockpile	757,100	757,100		Pound	97,100	97,100			
Supplemental—barter	1,070,500	1,070,500		do	156,518	156,518			
Total	1,827,600	1,827,600		do	253,618	253,618		400,000	(3)
Shellac:									
National stockpile	8,940,000	8,898,900	−41,100	do	17,832,134	17,750,722	−81,412	7,400,000	10,350,722
Silicon carbide, crude:									
National stockpile	11,394,500	11,394,500		Short ton	64,697	64,697			
Supplemental—barter	26,789,200	26,792,300	+3,100	do	131,805	131,805			
Total	38,183,700	38,186,800	+3,100	do	196,502	196,502		100,000	96,502

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), December 1962 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

Commodity	Cost value			Quantity					
	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month	Maximum objective [1]	Excess over maximum objective
Silk noils and waste:									
National stockpile	$3,431,900	$3,263,500	−$168,400	Pound	2,378,456	2,271,365	−107,091	970,000	1,301,365
Silk, raw:									
National stockpile	486,600	486,600		do	113,515	113,515		120,000	(3)
Sperm oil:									
National stockpile	4,775,400	4,775,400		do	23,442,158	23,442,158		23,000,000	442,158
Talc, steatite block and lump:									
National stockpile	498,700	498,700		Short ton	1,278	1,279	+1	300	979
Talc, steatite ground:									
National stockpile	231,000	231,000		do	3,901	3,901		(2)	3,901
Tantalum:									
National stockpile	10,906,200	10,905,500	−700	Pound	3,423,404	3,422,879	−525		
Defense Production Act	9,734,400	9,734,400		do	1,531,366	1,531,366			
Supplemental—barter	21,100	21,100		do	8,036	8,036			
Total	20,661,700	20,661,000	−700	do	4,962,806	4,962,281	−525	2,420,000	2,592,281
Thorium:									
Defense Production Act	42,000	42,000		do	848,574	848,574			
Supplemental—barter	14,948,922	15,205,216	+256,294	do	7,002,237	7,163,937	+161,700		
Total	14,990,922	15,247,216	+256,294	do	7,850,811	8,012,511	+161,700	(2)	8,012,511
Tin:									
National stockpile	827,367,600	826,192,300	−1,175,300	Long ton	340,268	339,785	−483		
Supplemental—barter	16,404,000	16,404,000		do	7,505	7,505			
Total	843,771,600	842,596,300	−1,175,300	do	347,773	347,290	−483	185,000	162,290
Titanium:									
Defense Production Act	176,804,000	176,804,000		Short ton	22,456	22,456			
Supplemental—barter	32,121,600	32,122,100	+500	do	9,021	9,021			
Total	208,925,600	208,926,100	+500	do	31,477	31,477		(2)	31,477
Totaquine:									
National stockpile	4,853,800	4,853,800		Ounce	7,654,196	7,654,196		(2)	7,654,196
Tungsten:									
National stockpile	369,129,300	369,129,300		Pound	120,072,509	120,072,509			
Defense Production Act	319,498,500	319,498,500		do	78,367,948	78,367,948			
Supplemental—barter	18,630,900	18,628,900	−2,000	do	5,765,752	5,765,752			
Total	707,258,700	707,256,700	−2,000	do	204,206,209	204,206,209		50,000,000	154,206,209
Vanadium:									
National stockpile	31,604,200	31,604,200		do	15,758,802	15,758,802		2,000,000	13,758,802
Vegetable tannin extract, chestnut:									
National stockpile	11,967,700	11,967,700		Long ton	42,895	42,895		30,000	12,895
Vegetable tannin extract, quebracho:									
National stockpile	49,374,900	49,374,900		do	199,557	199,557		180,000	19,557
Vegetable tannin extract, wattle:									
National stockpile	9,992,400	9,992,400		do	39,618	39,618		39,000	618
Zinc:									
National stockpile	364,131,100	364,131,100		Short ton	1,256,012	1,256,012			
Supplemental—barter	79,587,900	79,587,900		do	323,895	323,895			
Total	443,719,000	443,719,000		do	1,579,907	1,579,907		178,000	1,401,907
Zirconium ore, baddeleyite:									
National stockpile	710,600	710,600		Short dry ton	16,533	16,533		(2)	16,533
Zirconium ore, zircon:									
National stockpile	457,700	419,000	−38,700	do	7,735	7,082	−653	(2)	7,082
Total:									
National stockpile	5,893,889,000	5,888,903,600	−4,985,400						
Defense Production Act	1,502,185,400	1,500,603,900	−1,581,500						
Supplemental—barter	1,291,140,743	1,298,441,167	+7,300,424						
Total, strategic and critical materials.	8,687,215,143	8,687,948,667	+733,524						

[1] Maximum objectives for strategic and critical materials are determined pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98-98h). The present objectives represent quantities of materials estimated to be necessary in the event of a 3-year war in which oversea sources would not be available.

[2] No present objective.

[3] Not in excess of maximum objective.

Source: Compiled from reports submitted by the General Services Administration and the Department of Agriculture.

TABLE 2.—*Agricultural commodities inventories, December 1962 (showing by commodity net changes during the month in terms of cost value and quantity)*

Commodity	Cost value			Quantity			
	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month
Price-support inventory:							
Basic commodities:							
Corn	$1,240,765,701	$1,213,494,128	−$27,271,573	Bushel	1,068,585,536	1,044,325,049	−24,260,487
Cotton, extra-long staple	4,350,336	4,350,336		Bale	15,865	15,865	
Cotton, upland	810,591,207	810,530,191	−61,016	do	4,689,181	4,688,689	−492
Peanuts, farmers' stock	89,003	1,438,503	+1,349,500	Pound	885,063	14,118,584	+13,233,521
Peanuts, shelled	5,474,568	4,903,967	−570,601	do	26,571,788	23,839,014	−2,732,774
Rice, milled	847,218	748,926	−98,292	Hundredweight	85,534	75,581	−9,953
Rice, rough	95,130	95,130		do	18,641	18,641	
Wheat	2,045,888,711	2,034,726,416	−11,162,295	Bushel	1,050,384,574	1,044,992,557	−5,392,017
Wheat flour	27,876	344,767	+316,891	Pound	500,000	6,000,000	+5,500,000
Bulgur	835,671	811,726	−23,945	do	15,054,500	14,721,700	−332,800
Total, basic commodities	4,108,965,421	4,071,444,090	−37,521,331				
Designated nonbasic commodities:							
Barley	24,785,240	24,275,664	−509,576	Bushel	28,789,293	28,208,176	−581,117
Grain sorghum	637,511,554	616,721,967	−20,789,587	do	597,469,078	579,266,082	−18,202,996
Honey	130,438	130,868	+430	Pound	1,041,466	1,045,076	+3,610
Milk and butterfat:							
Butter	238,488,409	207,118,200	−31,370,209	do	402,983,632	350,791,487	−52,192,145
Butter oil	17,456,683	38,957,025	+21,500,342	do	21,594,595	48,339,956	+26,745,361
Cheese	44,031,392	41,788,549	−2,242,843	do	117,609,230	111,587,560	−6,021,670
Ghee		598,857	+598,857	do		737,188	+737,188
Milk, dried	106,145,831	99,111,757	−7,034,074	do	704,021,825	662,458,995	−41,562,830
Oats	9,477,107	9,219,597	−257,510	Bushel	15,789,921	15,352,061	−437,860
Rye	1,125,100	1,001,744	−123,356	do	1,119,095	984,004	−135,091
Total, designated nonbasic commodities	1,079,151,754	1,038,924,228	−40,227,526				
Other nonbasic commodities:							
Beans, dry, edible	9,103,603	5,997,718	−3,105,885	Hundredweight	1,304,493	893,290	−411,203
Cottonseed oil, refined	1,014,923	1,014,923		Pound	8,339,550	8,339,550	
Soybeans	92,688,637	87,433,158	−5,255,479	Bushel	38,911,401	36,710,649	−2,200,752
Turpentine	907,639	907,639		Gallon	1,729,744	1,729,744	
Vegetable oil products	29,416,574	26,637,952	−2,778,622	Pound	160,592,145	145,204,004	−15,388,141
Total, other nonbasic commodities	133,131,376	121,991,390	−11,139,986				
Total, price support inventory	5,321,248,551	5,232,359,708	−88,888,843				
Inventory transferred from national stockpile: [1]							
Cotton, Egyptian	103,890,050	103,890,050		Bale	122,973	122,973	
Cotton, American-Egyptian	24,365,376	24,342,239	−23,137	do	48,443	48,397	−46
Total, inventory transferred from national stockpile	128,255,426	128,232,289	−23,137	do	171,416	171,370	−46
Total, agricultural commodities	5,449,503,977	5,360,591,997	−88,911,980				

[1] Transferred from General Services Administration pursuant to Public Law 85-96 and Public Law 87-548. (See Appendix p. 2592.)

Source: Compiled from reports submitted by the Department of Agriculture.

TABLE 3.—*Civil defense supplies and equipment inventories, December 1962 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month
Civil defense stockpile, Department of Defense:							
Engineering equipment (engine generators, pumps, chlorinators, purifiers, pipe, and fittings).	$10,081,391	$10,072,050	−$9,341	10-mile units	45	45	
Chemical and biological equipment	1,868,978	1,867,884	−1,094	(1)			
Radiological equipment	17,610,821	19,288,408	+1,677,587	(1)			
Total	29,561,190	31,228,342	+1,667,152				
Civil defense medical stockpile, Department of Health, Education, and Welfare:							
Medical bulk stocks, and associated items at civil defense mobilization warehouses.	131,298,403	131,681,633	+383,230	(1)			
Medical bulk stock at manufacturer locations	5,449,502	5,449,502		(1)			
Civil defense emergency hospitals	38,180,119	38,138,459	−41,660	Each	1,930	1,930	
Replenishment units (functional assemblies other than hospitals).	1,972,674	1,652,995	−319,679	(1)			
Total	176,900,698	176,922,589	+21,891				
Total, civil defense supplies and equipment	206,461,888	208,150,931	+1,689,043				

[1] Composite group of many different items.

Source: Compiled from reports submitted by the Department of Defense and the Department of Health, Education, and Welfare.

TABLE 4.—*Machine tools inventories, December 1962 (showing by item net changes during the month in terms of cost value and quantity)*

Item	Cost value			Quantity			
	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month	Unit of measure	Beginning of month, Dec. 1, 1962	End of month, Dec. 31, 1962	Net change during month
Defense Production Act:							
In storage		$43,600	+$43,600	Tool		11	+11
On lease	$2,187,900	2,144,300	−43,600	do	103	103	
On loan	42,900	42,900		do	7	7	
Total	2,230,800	2,230,800		do	110	121	+11
National Industrial Reserve Act:							
In storage	87,467,700	84,244,100	−3,223,600	do	8,125	7,721	−404
On lease	27,500	27,500		do	1	1	
On loan to other agencies	763,800	1,865,300	+1,101,500	do	39	187	+148
On loan to school programs	5,380,200	6,025,600	+645,400	do	1,309	1,420	+111
Total	93,639,200	92,162,500	−1,476,700	do	9,474	9,329	−145
Total, machine tools	95,870,000	94,393,300	−1,476,700	do	9,584	9,450	−134

Source: Compiled from reports submitted by the General Services Administration.

APPENDIX

STRATEGIC AND CRITICAL MATERIALS

National stockpile

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) provides for the establishment and maintenance of a national stockpile of strategic and critical materials. The General Services Administration is responsible for making purchases of strategic and critical materials and providing for their storage, security, and maintenance. These functions are performed in accordance with directives issued by the Director of the Office of Emergency Planning. The act also provides for the transfer from other Government agencies of strategic and critical materials which are excess to the needs of such other agencies and are required to meet the stockpile objectives established by OEP. In addition, the General Services Administration is responsible for disposing of those strategic and critical materials which OEP determines to be no longer needed for stockpile purposes.

General policies for strategic and critical materials stockpiling are contained in DMO V–7, issued by the Director of the Office of Emergency Planning and published in the Federal Register of December 19, 1959 (24 F.R. 10309). Portions of this order relate also to Defense Production Act inventories.

Defense Production Act

Under section 303 of the Defense Production Act (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration is authorized to make purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale, in order to expand productive capacity and supply, and also to store the materials acquired as a result of such purchases or commitments. Such functions are carried out in accordance with programs certified by the Director of the Office of Emergency Planning.

Supplemental—Barter

As a result of a delegation of authority from OEP (32A C.F.R., ch. I, DMO V–4) the General Services Administration is responsible for the maintenance and storage of materials placed in the supplemental stockpile. Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856) provides that strategic and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural products, unless acquired for the national stockpile or for other purposes, shall be transferred to the supplemental stockpile established by section 104 (b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704 (b)). In addition to the materials which have been or may be so acquired, the materials obtained under the programs established pursuant to the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (50 U.S.C App. 2191–2195), which terminated December 31, 1958, have been transferred to the supplemental stockpile, as authorized by the provisions of said Production and Purchase Act.

AGRICULTURAL COMMODITIES

The price-support program

Price-support operations are carried out under the charter powers (15 U.S.C. 714) of the Commodity Credit Corporation, Department of Agriculture, in conformity with the Agricultural Act of 1949 (7 U.S.C. 1421), the Agricultural Act of 1954 (7 U.S.C. 1741), which includes the National Wool Act of 1954, the Agricultural Act of 1956 (7 U.S.C. 1442), the Agricultural Act of 1958 and with respect to certain types of tobacco, in conformity with the act of July 28, 1945, as amended (7 U.S.C. 1312). Under the Agricultural Act of 1949, price support is mandatory for the basic commodities—corn, cotton, wheat, rice, peanuts, and tobacco—and specific nonbasic commodities; namely, tung nuts, honey, milk, butterfat, and the products of milk and butterfat. Under the Agricultural Act of 1958, as producers of corn voted in favor of the new price-support program for corn authorized by that act, price support is mandatory for barley, oats, rye, and grain sorghums. Price support for wool and mohair is mandatory under the National Wool Act of 1954, through the marketing year ending March 31, 1966. Price support for other nonbasic agricultural commodities is discretionary except that, whenever the price of either cottonseed or soybeans is supported, the price of the other must be supported at such level as the Secretary determines will cause them to compete on equal terms on the market. This program may also include operations to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities for the purpose of stabilizing prices at levels not in excess of permissible price-support levels.

Price support is made available through loans, purchase agreements, purchases, and other operations, and, in the case of wool and mohair, through incentive payments based on marketings. The producer's commodities serve as collateral for price-support loans. With limited exceptions, price-support loans are nonrecourse, and the Corporation looks only to the pledged or mortgaged collateral for satisfaction of the loan. Purchase agreements generally are available during the same period that loans are available. By signing a purchase agreement, a producer receives an option to sell to the Corporation any quantity of the commodity which he may elect within the maximum specified in the agreement.

The major effect on budgetary expenditures is represented by the disbursements for price-support loans. The largest part of the commodity acquisitions under the program result from the forfeiting of commodities pledged as loan collateral for which the expenditures occurred at the time of making the loan, rather than at the time of acquiring the commodities.

Dispositions of commodities acquired by the Corporation in its price-support operations are made in compliance with sections 202, 407, and 416 of the Agricultural Act of 1949, and other applicable legislation, particularly the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691), title I of the Agricultural Act of 1954, title II of the Agricultural Act of 1956, the Agricultural Act of 1958, the act of August 19, 1958, in the case of cornmeal and wheat flour, and the act of September 21, 1959, with regard to sales of livestock feed in emergency areas.

Inventory transferred from national stockpile

This inventory, all cotton, was transferred to Commodity Credit Corporation at no cost from the national stockpile pursuant to Public Law 85–96 and Public Law 87–548. The proceeds from sales, less costs incurred by CCC, are covered into the Treasury as miscellaneous receipts; therefore, such proceeds and costs are not recorded in the operating accounts. The cost value as shown for this cotton has been computed on the basis of average per bale cost of each type of cotton when purchased by CCC for the national stockpile.

CIVIL DEFENSE SUPPLIES AND EQUIPMENT

Civil defense stockpile

The Department of Defense conducts this stockpiling program pursuant to section 201(h) of Public Law 920, 81st Congress, as amended. The program is designed to provide some of the most essential materials to minimize the effects upon the civilian population which would be caused by an attack upon the United States. Supplies and equipment normally unavailable, or lacking in quantity needed to cope with such conditions, are stockpiled at strategic locations in a nationwide warehouse system consisting of general storage facilities.

Civil defense medical stockpile

As authorized under Public Law 920, 81st Congress, and following the intent of Reorganization Plan No. 1, 1958, the Director, Office of Emergency Planning, has delegated responsibility to the Department of Health, Education, and Welfare to plan and direct operation of the medical supply portion of the OEP stockpile. The warehousing of the medical stockpile is principally within the OEP warehouse system; in addition, the medical stockpile includes a program designed to preposition emergency hospitals and other treatment units in communities throughout the Nation.

MACHINE TOOLS

Defense Production Act

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration has acquired machine tools in furtherance of expansion of productive capacity, in accordance with programs certified by the Director of the Office of Emergency Planning.

National industrial equipment reserve

Under general policies established and directives issued by the Secretary of Defense, the General Services Administration is responsible for care, maintenance, utilization, transfer, leasing, lending to nonprofit schools, disposal, transportation, repair, restoration, and renovation of national industrial reserve equipment transferred to GSA under the National Industrial Reserve Act of 1948 (50 U.S.C. 451-462).

Statement by Senator Byrd of Virginia

STRATEGIC AND CRITICAL MATERIALS

The cost value of strategic and critical materials stockpiled by the Federal Government was increased by $733,524 during December 1962, from $8,687,215,143 to $8,687,948,667.

So-called strategic and critical materials are stored by the Government in the national stockpile, the Defense Production Act inventory, and the supplemental-barter stockpile.

The President, on January 31, 1962, said excesses in the inventories of strategic and critical materials should be reduced. Net changes in these inventories during the 11-month period, February-December 1962, as officially reported in terms of cost value, are summarized as follows:

Cost value of strategic and critical materials

[In thousands of dollars]

	National stockpile	Federal Facilities Corporation	Defense Production Act	Supplemental barter	Total
Feb. 1	$6,083,482	$1,634	$1,480,120	$1,176,510	$8,741,746
Mar. 1	6,075,719	63	1,478,301	1,189,097	8,743,180
Apr. 1	6,069,095		1,478,640	1,201,299	8,749,034
May 1	6,062,257		1,486,663	1,218,991	8,767,911
June 1	6,058,394		1,491,717	1,234,152	8,784,264
July 1	6,049,619		1,495,847	1,246,547	8,792,012
Aug. 1	6,047,092		1,495,387	1,256,260	8,798,739
Sept. 1	[1] 5,913,739		1,498,966	1,265,035	[1] 8,677,740
Oct. 1	5,909,021		1,501,697	1,271,634	8,682,353
Nov. 1	5,901,018		1,502,591	1,283,684	8,687,294
Dec. 1	5,893,889		1,502,185	1,291,141	8,687,215
Dec. 31	5,888,904		1,500,604	1,298,441	8,687,949
Net change, Feb. 1-Dec. 31	[1] −194,578	−1,634	+20,484	+121,931	[1] −53,797

[1] Reflects transfer of $128,409,100 of cotton to agricultural commodities category.

Under Public Law 87–548 cotton valued at $128 million was withdrawn from the national stockpile of strategic and critical materials and transferred to the Commodity Credit Corporation for disposal. This transfer was made during August 1962, and the cotton is now shown in this report as a separate inventory under agricultural commodities.

Since January 31, 1962, when the President said there should be reduction, the cost value of materials in strategic and critical inventories has been increased by $74.6 million exclusive of a technical decrease resulting from the transfer of the cotton inventory out of the national stockpile in August.

The supplemental-barter program had net increases in every month during the 11-month period, February–December 1962 for a total of $121.9 million. There was a net increase of $20.5 million in the DPA program inventory which showed increases in every month during the period except February, July, November, and December.

Increases in the supplemental-barter inventories have far more than offset net decreases of $66.2 million in the national stockpile (excluding the cotton transfer in August) during the 11-month period, February–December 1962.

MAXIMUM OBJECTIVES

Overall there are now 95 materials stockpiled in the strategic and critical inventories. Maximum objectives—in terms of volume—are presently fixed for 76 of these 95 materials. Of these 76 materials 66 were stockpiled in excess of maximum objectives, as of February 1; 65 were stockpiled in excess of maximum objectives, as of March 1; 65 were stockpiled in excess of maximum objectives, as of April 1; 65 were stockpiled in excess of maximum objectives, as of May 1; 66 were stockpiled in excess of maximum objectives, as of June 1; 66 were stockpiled in excess of maximum objectives, as of July 1; 66 were stockpiled in excess of maximum objectives, as of August 1; 65 were stockpiled in excess of maximum objectives, as of September 1; 65 were stockpiled in excess of maximum objectives, as of October 1; 65 were stockpiled in excess of maximum objectives, as of November 1; 65 were stockpiled in excess of maximum objectives, as of December 1; and 65 were stockpiled in excess of maximum objectives, as of December 31.

From March 1 to May 1 the number of materials in excess of objectives was reduced by only one—cordage fibers (sisal)—which again during May was reported to be over its objective. In August hyoscine was brought within its objective, reducing the number of materials in excess of objectives to 65.

For the 65 materials stockpiled in excess of objectives, excesses have been increased during the 11 month period (February–December) in 24 materials, decreased in 26 materials, and they have remained unchanged in 15 of these materials.

Materials in which excesses over objectives have been increased substantially in volume since February include various forms of bauxite, manganese, chrome and mica, industrial diamonds, lead, nickel, and bismuth. Materials in which excess over objectives have been substantially reduced since February include rubber, castor oil, feathers and down, and silk noils and waste.

OTHER FEDERAL STOCKPILES

In addition to so-called strategic and critical items, the Federal Government stockpiles other materials, including agricultural commodities, machine tools, and civil defense supplies and equipment.

The cost value of materials stockpiled in these inventories on December 31 totaled $5,663,136,228. On December 1, they totaled $5,751,835,965. The increase during December was $88,699,637.

The total cost value of all materials in all of these stockpiles, including the strategic and critical materials inventories, on December 31 was $14,351,084,895 as compared with a total of $14,439,051,008 on December 1. The overall net decrease during December was $87,966,113.

Increases and decreases in the cost value of Federal stockpile inventories during December, as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures from official reports, are summarized as follows:

Major categories	Cost value, December 1962	
	Net change during month	Total, end of month
Strategic and critical materials	+$733,524	$8,687,948,667
Agricultural commodities	−88,911,980	5,360,591,997
Civil defense supplies and equipment (under Departments of Defense and Health, Education, and Welfare)	+1,689,043	208,150,931
Machine tools (under Defense Production Act and National Industrial Reserve Act)	−1,476,700	94,393,300
Total, all inventories	−87,966,113	14,351,084,895

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. BYRD of Virginia, from the Committee on Finance:

James W. Culliton, of Indiana, to be a member of the U.S. Tariff Commission;

Gaspard d'Andelot Belin, of Massachusetts, to be General Counsel for the Department of the Treasury;

John C. Bullitt, of New Jersey, to be an Assistant Secretary of the Treasury;

John G. Green, of Wisconsin, to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn.-Superior, Wis.;

Frank A. Sedita, of New York, to be collector of customs for customs collection district No. 9, with headquarters at Buffalo, N.Y.;

John M. Lynch, of Massachusetts, to be collector of customs for customs collection district No. 4, with headquarters at Boston, Mass.; and

Jack Beaty, of New Mexico, to be a member of the Renegotiation Board.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS (for himself, Mr. KEATING, Mr. CASE, Mr. HART, and Mr. KUCHEL):

S. 861. A bill to provide for the general welfare by assisting the States, through a program of grants-in-aid, to establish and operate special hospital facilities for the treatment and cure of narcotic addicts; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. KEATING, Mr. KEFAUVER, Mr. KUCHEL, Mr. CASE, Mr. SCOTT, and Mr. HART):

S. 862. A bill to provide that, for purposes of certain studies, investigations, and demonstrations authorized with respect to mental illness under the Public Health Service Act, addiction to narcotics be considered as a mental illness; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING (for himself, Mr. JAVITS, Mr. CASE, Mr. KUCHEL, and Mr. SCOTT):

S. 863. A bill to amend chapter 5, section 402 of title 18, United States Code, to make the Federal Youth Corrections Act applicable to certain persons who violate the Federal narcotics statutes; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING (for himself, Mr. JAVITS, Mr. CASE, Mr. KUCHEL, Mr. HART, and Mr. SCOTT):

S. 864. A bill to enable the courts more effectively to deal with the problems of narcotic addiction; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON (for himself and Mr. SALTONSTALL):

S. 865. A bill to provide for the establishment of the National Academy of Foreign Affairs, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. SYMINGTON when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY:

S. 866. A bill for the relief of Enrico Petrucci; to the Committee on the Judiciary.

By Mr. ALLOTT:

S. 867. A bill for the relief of Mike Mizokami, Sam Mizokami, Tom Mizokami, and Hatsuyo Mizokami; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 868. A bill to extend for 1 year the authority to insure mortgages under section 809 of the National Housing Act; to the Committee on Banking and Currency.

By Mrs. NEUBERGER:

S. 869. A bill to authorize the burial of certain news correspondents in national cemeteries; to the Committee on Interior and Insular Affairs.

(See the remarks of Mrs. NEUBERGER when she introduced the above bill, which appear under a separate hearing.)

By Mr. MUNDT:

S. 870. A bill for the relief of Martha Huber Vavra; to the Committee on the Judiciary.

By Mr. BIBLE:

S. 871. A bill to provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City and to authorize Federal loans to the District of Columbia for capital improvement programs; to the Committee on the District of Columbia.

S. 872. A bill to compensate range users for authorized range improvements where land is taken to be devoted to Federal nonmilitary use; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BIBLE when he introduced the above bills, which appear under separate headings.)

By Mr. BIBLE (for himself and Mr. CANNON):

S. 873. A bill to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the County of Lincoln, State of Nevada; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BIBLE when he introduced the above bill, which appear under a separate heading.)

By Mr. ROBERTSON (by request):

S. 874. A bill to authorize the construction and equipping of buildings required in connection with the operations of the Bureau of the Mint; to the Committee on Banking and Currency.

By Mr. BENNETT:

S. 875. A bill for the relief of Joaquin Gil-Carrasco; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

DETERMINATION OF THE UNITED STATES WITH RESPECT TO GENERAL DISARMAMENT AND ARMS CONTROL

Mr. CURTIS submitted a concurrent resolution (S. Con. Res. 21) expressing the determination of the United States with respect to the matter of general disarmament and arms control, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. CURTIS, which appears under a separate heading.)

PROPOSED LEGISLATION RELATING TO MEDICAL AND LEGAL TREATMENT OF NARCOTICS ADDICTS

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, two bills which, along with those introduced by my colleague [Mr. KEATING] and other Senators, constitute our package of proposals to deal at the Federal level with the grave national problem of drug addiction. As attorney general of the State of New York, the seriousness of the problem, especially in the New York City area, where there is the greatest concentration of narcotics addicts, and the need for a concerted attack upon it were strongly impressed upon me. Since that time, the needs have become even more urgent.

Early in the 87th Congress, as the result of studies and recommendations made by leading law-enforcement and public-health officials, my colleague, the Senator from New York [Mr. KEATING] and I and other Senators introduced two of the bills being reintroduced today. The Narcotic Addict Hospital Facilities Act, S. 1693 in the 87th Congress, would establish a new Federal-State program for the construction and operation of narcotic hospital facilities and for the provision of technical assistance to the States. Up to 75 percent of construction costs would be provided, to be distributed among the States in proportion to each State's share of the addicts in the Nation. Operating grants made available under the bill would cover 60 percent of operating costs of such hospitals or similar State facilities meeting the requirements of the act. In order to be eligible for assistance, the States would be required to establish an adequate after-care program, to be financed wholly by the State. This bill is now being reintroduced by me, with Senators KEATING, CASE, HART, and KUCHEL as cosponsors.

The civil commitment bill, S. 1694 in the 87th Congress, being reintroduced by my colleague, the Senator from New York [Mr. KEATING] and myself, along with other Senators, is a companion measure to permit the civil commitment of narcotic addicts to the custody of the Surgeon General so long as the addicts are not charged with an offense involving the sale or other transfer of narcotics and so long as other provisions are met.

Later in the 87th Congress we introduced S. 3098, to provide a research supplement to the large-scale program for treatment and civil commitment of narcotics addicts represented by the first two measures. This measure makes it clear that the already existing federally aided research program in the field of mental health is applicable to research in narcotics addiction. Under this program, grants up to 100 percent may be made to State and local agencies, laboratories, and other such public or nonprofit agencies and institutions and to individuals for investigations, experiments, demonstrations, studies, and research projects. This bill is now being reintroduced by me with Senators KEATING, KEFAUVER, KUCHEL, CASE, SCOTT, and HART as cosponsors.

Finally, the fourth measure, being introduced by my colleague, the Senator from New York [Mr. KEATING], in which I am very happy to join along with other Senators, deals with the subject of treatment of narcotics offenders under the Youth Offenders Act.

The totality of the proposed legislation reflects our concern for the magnitude of this grave national problem of drug addiction. The recent White House Conference on Narcotics Addiction, which my colleague, the Senator from New York [Mr. KEATING], and I long advocated and which was finally held last September, helped to bring this problem to public attention and underscored the need for urgent action.

Existing techniques for dealing with narcotics addiction are grossly inadequate. Research in narcotics addiction is also inadequate. There is growing acceptance of the premise that narcotics addiction—apart from selling or pushing—is the manifestation of a disease more than it is a crime. The States of New York and California have pioneered in establishing enlightened programs of medical and legal treatment of addicts. But the problem is a national one, with tremendous impact on our crime rates and whole social structure and with serious consequences to the youth of the Nation. The excellent efforts of the States cannot be fully effective, as Gov. Nelson Rockefeller stated most emphatically at the White House Conference, unless joined by the Federal Government, which historically has taken the lead in laws regarding narcotics addiction.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. I note that the White House Conference has not published a report as yet but that the President on January 18 issued an Executive order creating an Advisory Commission on Narcotic and Drug Abuse. The Commission is under the order required to submit its final report to the President by November 1, 1963, and the relevant executive departments are required to submit to the Commission their legislative recommendations by February 28, 1963. I welcome the development of the Commission as a constructive outgrowth of the White House Conference, but I very much hope that this will not further delay the consideration by the Congress of the bills now being introduced.

I ask unanimous consent that the bills I am now sending to the desk be printed in the Record at this point in my remarks and that they lie on the desk for 10 days so that other Members who may wish to join in sponsorship may do so.

The VICE PRESIDENT. The bills will be received and appropriately referred; and will lie on the desk as requested by the Senator from New York, and, without objection, the bills will be printed in the Record.

The bills, introduced by Mr. Javits (for himself and other Senators), were received, read twice by their titles, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

By Mr. JAVITS (for himself, Mr. Keating, Mr. Case, Mr. Hart, and Mr. Kuchel):

S. 861. A bill to provide for the general welfare by assisting the States, through a program of grants-in-aid, to establish and operate special hospital facilities for the treatment and cure of narcotic addicts.

"Whereas narcotic addiction not only produces ruinous effects upon those who are its victims, but constitutes a grave menace to the public morals, health, safety, and welfare; and

"Whereas in recent years there has occurred a marked increase in the incidence of narcotic addiction in the United States; and

"Whereas addicted individuals tend to be drawn into traffic in illicit drugs and to induce others to become addicts, thus causing the incidence of narcotics addiction to grow markedly; and

"Whereas hospitalization of narcotic addicts serves as a type of quarantine and thus prevents the spread of narcotic addiction among those whom they might otherwise influence to become addicts; and

"Whereas, with timely and proper hospitalization and treatment and with proper posthospital rehabilitation services, many addicts may be restored to healthful and socially useful lives; and

"Whereas existing hospital facilities for the treatment of narcotic addicts are inadequate in size and number to meet present and future needs; and

"Whereas the Federal Government has a major responsibility with respect to the problem of narcotic addiction in the United States due to the fact that (a) the Federal Government has exclusive jurisdiction over the regulation of imports into the United States, (b) most narcotic addiction in the United States is heroin addiction, and (c) all heroin in the United States is imported from abroad; and

"Whereas the Federal Government, through the establishment and operation of special narcotic hospitals and through the enactment of laws governing the importation, exportation, production, handling, sale, and distribution of narcotic drugs, has long recognized the problem of narcotic addiction as being national in scope and thus a problem with respect to which the Federal Government bears a major responsibility; and

"Whereas, in order to more effectively combat the problem of narcotic addiction in the United States, the States should be encouraged and assisted by the Federal Government in establishing and operating needed hospital facilities for the treatment and cure of narcotic addicts: Now, therefore,

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

"SHORT TITLE

"Section 1. This Act may be cited as the 'Narcotic Addict Hospital Facilities Act'.

"FINDINGS OF FACT AND DECLARATION OF POLICY

"Sec. 2. (a) The Congress finds that, in order to protect the public morals, health, and safety and to promote the general welfare, it is necessary that greater stress be placed on the medical, as distinguished from the penal, approach to solving the problem of narcotic addiction, and that addicts be temporarily removed from the community and placed in special hospitals where they can be cured of their addiction and rehabilitated into useful members of society.

"(b) It is, therefore, the policy of the Federal Government to encourage and assist the States in constructing and operating special hospital facilities for the care, treatment, and rehabilitation of individuals suffering from narcotic addiction.

"Sec. 3. (a) In order to carry out the policy expressed in section 2 of this Act, the Public Health Service Act is amended by adding at the end thereof the following new title:

" 'TITLE VIII—CONSTRUCTION AND OPERATION OF HOSPITAL FACILITIES FOR NARCOTIC ADDICTS

" '*Declaration of purpose*

" 'Sec. 801. The purpose of this title is—

" '(a) to financially assist the several States in the construction of special hospital facilities for the care, treatment, and rehabilitation of narcotic addicts;

" '(b) to financially assist the several States in the operation of such special hospital facilities; and

" '(c) to furnish technical assistance to the several States in designing, locating, constructing, and operating such special hospital facilities.

" '*Authorization of appropriations*

" 'Sec. 802. (a) In order to assist the States in carrying out the purposes of section 801 (a), there is hereby authorized to be appropriated for the fiscal year ending June 30, 1963, the sum of $, for the fiscal year ending June 30, 1964, the sum of $, and for each succeeding fiscal year the sum of $. The sums appropriated pursuant to this section shall be used for making payments to States which have submitted, and had approved by the Surgeon General, State plans for carrying out the purposes of section 801(a).

" '(b) There are hereby authorized to be appropriated each fiscal year such sums as may be necessary to assist the States in carrying out the purposes of subsections (b) and (c) of section 801 for such year.

" 'ADVISORY COMMITTEE ON HOSPITAL FACILITIES FOR NARCOTIC ADDICTS

" 'Sec. 803. (a) There is hereby created in the Public Health Service an Advisory Committee on Hospital Facilities for Narcotic Addicts (hereinafter referred to as the "Advisory Committee"), consisting of the Surgeon General, who shall be Chairman, and the Federal Commissioner of Narcotics and the Director of the Federal Bureau of Prisons, who shall be ex officio members, and eight members appointed by the Surgeon General, with the approval of the Secretary, without regard to the civil service laws. The appointed members shall be selected from outside the Federal Government and shall be eminent in fields relating to treatment for drug addiction, such as psychology, psychiatry, medicine, law enforcement, and hospital administration. Each appointed member of the Advisory Committee shall hold office for a term of four years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of office of the members first taking office shall expire, as designated by the Surgeon General at the time of appointment, two at the end of the first year, two at the end of the second year, two at the end of the third year, and two at the end of the fourth year after the date of appointment.

" '(b) It shall be the duty of the Advisory Committee to advise, consult with, and make recommendations to the Surgeon General on matters relating to the administration of this title, and to conduct studies and investigations, initiate programs, and review proposals submitted to it, with respect to the cause, prevention, and methods of diagnosis and treatment of, drug addiction. The Advisory Committee shall meet as frequently as the Surgeon General deems necessary, but not less than twice each year. Upon request by three or more members, it shall be the duty of the Surgeon General to call a meeting of the Advisory Committee.

" '(c) The Advisory Committee shall make an annual report of its findings, studies, and recommendations to the Secretary and the Surgeon General, and such additional reports, from time to time, as the Surgeon General shall deem necessary.

" '(d) Appointed members of the Advisory Committee, while attending meetings of the Advisory Committee or otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $50 per diem, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence.

" '(e) The Advisory Committee shall be provided by the Secretary with such technical, consultative, clerical, and other assistance as the Advisory Committee shall require, subject to the approval of the Secretary.

" '*General regulations*

" 'Sec. 804. Within six months after the enactment of this title, the Surgeon General, with the approval of the Advisory Committee on Drug Addiction and the Secretary, shall by general regulations prescribe—

" '(a) general standards of construction and equipment for hospital facilities for narcotic addicts,

" '(b) general standards of care and treatment to be provided to patients in hospitals for narcotic addicts, and

" '(c) general standards of posthospital care and rehabilitation services to be provided to narcotic addicts mandatorily committed to State hospitals.

" '*State plans*

" 'Sec. 805. (a) After the regulations referred to in section 804 have been issued, any State desiring to secure financial assistance under this title in the construction of special hospital facilities for the care, treatment, and rehabilitation of narcotic addicts may submit a State plan for carrying out the purposes of section 801(a), and any

State desiring to secure financial assistance under this title to defray the costs of operating of such hospital facilities may submit a State plan for carrying out the purposes of section 801(b). Any such State plan must—

" '(1) designate a single State agency as the sole agency for the administration of the plan, or designate such agency as the sole agency for supervising the administration of the plan;

" '(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) hereof will have authority sufficient to carry out such plan in conformity with this title;

" '(3) provide for financial participation by the State;

" '(4) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Surgeon General to be necessary for the proper and efficient operation of the plan;

" '(5) provide that the State agency will make such reports, in such form and containing such information, as the Surgeon General may from time to time require, and comply with such provisions as the Surgeon General may from time to time find necessary to assure the correctness and verification of such reports;

" '(6) contain evidence satisfactory to the Surgeon General that the laws of such State provide procedures under which narcotic addicts can be mandatorily committed to hospitals for narcotic addicts;

" '(7) provide for the furnishing to narcotic addicts mandatorily committed to State hospitals of posthospital care and rehabilitation services in conformity with standards established by the Surgeon General pursuant to section 804(c);

" '(8) in the case of a State plan to carry out the purposes of section 801(a), set forth a hospital construction program which (A) is based on the need in such State of special hospital facilities for the care, treatment, and rehabilitation of narcotic addicts, and (B) conforms with the regulations prescribed by the Surgeon General under section 804(a);

" '(9) provide minimum standards (to be fixed in the discretion of the State) for the maintenance and operation of hospitals which receive Federal aid under this title; and

" '(10) in the case of a State plan to carry out the purposes of section 801(a), provide that the State will from time to time review its construction program of special hospital facilities for narcotic addicts and submit to the Surgeon General any modifications thereof which it considers necessary.

" '(b) The Surgeon General shall approve any State plan and any modification thereof which complies with the provisions of subsection (a). If any such plan or modification thereof shall have been disapproved by the Surgeon General for failure to comply with subsection (a), the Advisory Committee shall, upon request of the State agency, afford it an opportunity for hearing. If such Committee determines that the plan or modification thereof complies with the provisions of subsection (a), the Surgeon General shall thereupon approve such plan or modification.

" '(c) No changes in a State plan shall be required within two years after initial approval thereof, or within two years after any change thereafter required therein, by reason of any change in the regulations prescribed pursuant to section 804, except with the consent of the State, or in accordance with further action by the Congress.

" 'ALLOTMENTS TO STATES

" 'SEC. 806. Each State for which a State plan to carry out the purposes of section 801(a) has been approved prior to or during a fiscal year shall be entitled for such year to an allotment of a sum which bears the same ratio to the sums authorized to be appropriated pursuant to section 802(a) for such year as the number of narcotic addicts in such State (as determined by the Surgeon General pursuant to section 810) bears to the number of narcotic addicts in the United States (as so determined). The amount of the allotment to a State shall be available, in accordance with the provisions of this title, for payment of the Federal share (as defined in section 811(a)) of the cost of approved projects within such State. The Surgeon General shall calculate the allotments to be made under this section and notify the Secretary of the Treasury of the amounts thereof. Sums allotted to a State for a fiscal year for construction and remaining unobligated at the end of such year shall remain available to such State for such purpose for the next fiscal year (and for such year only), in addition to the sums allotted for such State for such next fiscal year. Any amount of the sum authorized to be appropriated for a fiscal year which is not appropriated for such year, or which is not allotted in such year by reason of the failure of any State or States to have plans approved under this title, and any amount allotted to a State but remaining unobligated at the end of the period for which it is available to such State, is hereby authorized to be appropriated for the next fiscal year in addition to the sum otherwise authorized under section 802.

" '*Approval of projects and payments for construction*

" 'SEC. 807. (a) For each project for construction pursuant to a State plan to carry out the purposes of section 801(a) approved under this title, there shall be submitted to the Surgeon General through the State agency an application by the State or a political subdivision thereof. Such application shall set forth (1) a description of the site for such project; (2) plans and specifications therefor in accordance with the regulations prescribed by the Surgeon General under section 804(a); (3) reasonable assurance that title, as defined in section 811(f), to such site is or will be vested in the State or a political subdivision thereof; (4) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed; and (5) reasonable assurance that the rates of pay for laborers and mechanics engaged in construction of the project will be not less than the prevailing local wage rates for similar work as determined in accordance with Public Law 403 of the Seventy-fourth Congress, approved August 30, 1935, as amended. The Surgeon General shall approve such application if sufficient funds to pay the Federal share of the cost of construction of the project are available from the allotment to the State, and if the Surgeon General finds (A) that the application contains such reasonable assurance as to title, financial support, and payment of prevailing wages; (B) that the plans and specifications are in accordance with the regulations prescribed pursuant to section 804(a); (C) that the application is in conformity with the State plan approved under section 805(b); and (D) that it has been approved and recommended by the State agency. No application shall be disapproved until the Surgeon General has afforded the State agency an opportunity for a hearing.

" '(b) Upon approving an application under this section, the Surgeon General shall certify to the Secretary of the Treasury an amount equal to the Federal share of the estimated cost of construction of the project and designate the appropriation from which it is to be paid. Such certification shall provide for payment to the State. Upon certification by the State agency, based upon inspection by it, that work has been performed upon a project, or purchases have been made, in accordance with the approved plans and specifications, and that payment of an installment is due to the State, the Surgeon General shall certify such installment for payment by the Secretary of the Treasury; except that if the Surgeon General, after investigation or otherwise, has ground to believe that a default has occurred requiring action pursuant to section 809 he may, upon giving notice of hearing pursuant to such section, withhold certification pending action based on such hearing.

" '(c) Amendment of any approved application shall be subject to approval in the same manner as an original application. Certification under subsection (b) may be amended, either upon approval of an amendment of the application or upon revision of the estimated cost of a project. An amended certification may direct that any additional payment be made from the applicable allotment for the fiscal year in which such amended certification is made.

" '(d) The funds paid under this section for the construction of an approved project shall be used solely for carrying out such project as so approved.

" '(e) If any hospital for which funds have been paid under this section (other than a hospital which the Surgeon General has certified as no longer needed for the care, treatment, and rehabilitation of narcotic addicts) shall at any time within ten years after the completion of construction, cease to be operated and maintained by the State or a political subdivision thereof as a hospital for the care, treatment, and rehabilitation of narcotic addicts, the United States shall be entitled to recover from the State an amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the district court of the United States for the district in which such hospital is situated) of so much of the hospital as constituted an approved project or projects, as the amount of the Federal participation bore to the cost of the construction of such project or projects.

" '*Payments with respect to costs of operation*

" 'SEC. 808. (a) From the sums appropriated pursuant to section 802(b) to carry out the purposes of section 801(b) for any fiscal year, the Secretary of the Treasury shall pay in quarterly installments to each State which has a State plan to carry out the purposes of section 801(b) approved pursuant to section 805(b) prior to or during such quarter (1) an amount equal to three-fifths of the cost incurred by the State (or any political subdivision thereof) in the operation of hospitals for narcotic addicts which are operated in compliance with the State plan and in accordance with the regulations prescribed by the Surgeon General under sections 804 (b) and (c); plus (2) an amount equal to one-half of the total of the sums expended during such year as found necessary by the Surgeon General for the proper and efficient administration of the State plan.

" '(b)(1) The Surgeon General shall, prior to the beginning of each quarter of any fiscal year, estimate the amount to be paid to the State for such quarter under the provisions of subsection (a), such estimate to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection, and stating the amount appropriated or made available by the State for such expenditures in such quarter, and if such amount is less than the State's proportionate share of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, and (B) such other investigations as the Surgeon General may find necessary.

"'(2) The Surgeon General shall then certify to the Secretary of the Treasury the amount so estimated by the Surgeon General (A) reduced or increased, as the case may be, by any sum by which the Surgeon General finds that his estimate for any prior quarter was greater or less than the amount which should have been paid to the State under subsection (a) for such quarter.

"'(c) The Secretary of the Treasury shall thereupon pay to the State, at the time or times fixed by the Surgeon General, the amount so certified.

"'(d)(1) In the case the Surgeon General finds that the operation of the hospitals for narcotic addicts by any State is not in compliance with the State plan (as approved by him under this title or is not in accordance with the regulations prescribed by him under sections 804 (b) and (c), he shall notify the State agency that further payments will not be made to the State until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied he shall make no further certification to the Secretary of the Treasury under this section with respect to such State.

"'(2) If the State is dissatisfied with any action of the Surgeon General under this section, it may appeal such action in the manner provided by section 809(b).

"'Withholding of certification

"'SEC. 809. (a) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the State agency designated in accordance with section 805(a)(1), finds (1) that the State agency is not complying substantially with the provisions required by section 805(a), or by regulations prescribed pursuant to section 804(a), to be contained in its plan submitted under section 805(a) to carry out the purposes of section 801(a); or (2) that any funds have been diverted from the purposes for which they have been allotted or paid, or (3) that any assurance given in an application filed under section 807 is not being or cannot be carried out, or (4) that there is a substantial failure to carry out plans and specifications approved by the Surgeon General under section 807, or (5) that adequate State funds are not being provided annually for the direct administration of the State plan, the Surgeon General may forthwith notify the Secretary of the Treasury and the State agency that no further certification will be made for any project or projects designated by the Surgeon General as being affected by the default, as the Surgeon General may determine to be appropriate under the circumstances; and, except with regard to any project for which the application has already been approved and which is not directly affected by such default, he may withhold further certification until there is no longer any failure to comply, or, if compliance is impossible, until the State repays or arranges for the repayment of Federal moneys which have been diverted or improperly expended.

"'(b)(1) If the Surgeon General refuses to approve any application under section 807, the State agency, or if any State is dissatisfied with the Surgeon General's action under subsection (a) of this section, such State may appeal to the United States court of appeals for the circuit in which such State is located by filing with such court a notice of appeal. The jurisdiction of the court shall attach upon the filing of such notice. A copy of the notice of appeal shall be forthwith transmitted by the clerk of the court to the Surgeon General, or any officer designated by him for that purpose. The Surgeon General shall thereupon file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"'(2) The findings of fact by the Surgeon General, unless substantially contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Surgeon General to take further evidence, and the Surgeon General may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive unless substantially contrary to the weight of the evidence.

"'(3) The court shall have jurisdiction to affirm the action of the Surgeon General or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 346 and 347 of title 28, United States Code.

"'Determination of size of addict population

"'SEC. 810. Prior to the expiration of six months after the date of enactment of this title and between July 1 and August 31 of each succeeding odd-numbered year the Surgeon General shall, on the basis of surveys conducted by him and on the basis of other information available to him, determine the number of narcotic addicts residing in each State and the number of narcotic addicts residing in the United States. Any determination made by the Surgeon General pursuant to the preceding sentence shall be conclusive, for purposes of section 806, until the next such determination is made. For the purposes of this section the term "United States" includes Puerto Rico, Guam, the Virgin Islands, and the District of Columbia.

"'Definitions

"'SEC. 811. For purposes of this title—

"'(a) The term "Federal share", with respect to any project, means the portion of the cost of construction of such project to be paid by the Federal Government, and such portion shall be equal to 75 per centum of the cost of construction of such project;

"'(b) The term "State" includes Puerto Rico, Guam, the Virgin Islands, and the District of Columbia;

"'(c) The term "hospital" includes related facilities such as laboratories, hospital equipment, and nurses' home facilities;

"'(d) The term "construction" includes work camps and similar establishments, as well as construction of new buildings, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings (including medical transportation facilities); and includes architect's fees and the cost of acquisition of the land;

"'(e) The term "cost of construction" means the amount found by the Surgeon General to be necessary for the construction of a project; and

"'(f) The term "title", when used with reference to a site for a project, means a fee simple, or such other estate or interest (including a leasehold on which the rental does not exceed 4 per centum of the value of the land) as the Surgeon General finds sufficient to assure for a period of not less than fifty years undisturbed use and possession for the purposes of construction and operation of the project.

"'(g) In case only a portion of a new or existing building is to be used for hospital purposes, the term "project", when used in relation to the construction of hospital facilities pursuant to this title, shall refer only to that portion of the building to be so used.

"'Authorization for compacts between States

"'SEC. 812. (a) The consent and approval of the Congress is hereby granted to any two or more States to enter into agreements for the joint construction, operation, and use of special hospital facilities for the care, treatment, and rehabilitation of narcotic addicts.

"'(b) Funds appropriated pursuant to section 802 and available (upon compliance with the conditions provided by the preceding provisions of this title) to each of the States which are parties to any such agreement shall, if the agreement so provides, be pooled and made available for the construction and operation of joint hospital facilities constructed and operated pursuant to such agreement to the same extent and upon the same conditions as such funds are, or would (upon compliance with such conditions) be made available to each of such States individually, except that—

"'(1) only the State in which such facilities are (or are to be) located shall be required to submit plans required under section 805(a); and

"'(2) the plans submitted by such State shall, for purposes of any conditions, requirements, or limitations with respect to assistance furnished under the preceding provisions of this title, be deemed to constitute the State plans of all the States which are parties to such agreement insofar as assistance to such joint facilities is concerned.'

"SEC. 4. (a) Section 1 of the Public Health Service Act is amended to read as follows:

"'SHORT TITLE

"'SECTION 1. Titles I to VIII, inclusive, of this Act may be cited as the "Public Health Service Act".'"

"(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title VIII (as in effect prior to the enactment of this Act) as title IX, and by renumbering sections 801 through 814 (as in effect prior to the enactment of this Act), and references thereto, as sections 901 through 914, respectively."

By Mr. JAVITS (for himself, Mr. KEATING, Mr. KEFAUVER, Mr. KUCHEL, Mr. CASE, Mr. SCOTT, and Mr. HART):

S. 862. A bill to provide that, for purposes of certain studies, investigations, and demonstrations authorized with respect to mental illness under the Public Health Service Act, addiction to narcotics be considered as a mental illness.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 303 of the Public Health Service Act is amended by adding at the end thereof the following new sentence: 'As used in clause (2) of this subsection, the term "mental illness" includes addiction to narcotics and the terms "mentally ill" and "mentally ill persons" include narcotic addicts'."

Mr. JAVITS. In conclusion, I firmly believe that the medical treatment of narcotics addiction is one of the major reforms we can make in our country. Although I do not believe we can adopt the British scheme of administering narcotics to addicts, we may try that as an experiment in order to see whether it will work. In my view the medical commitment approach, along with hospitalization, aftercare, and expanded research, as dealt with by this group of bills, are the only way in which we can come abreast of this critical problem, which has its main impact in an absolutely alarming and sensational increase in the crime rates of New York, where such addicts are concentrated, Los Angeles, and other cities of the United States.

Mr. KEATING. Mr. President, I am very pleased to join with my distinguished colleague in offering proposed legislation dealing with the serious problem of drug addiction. I send to the desk two bills for appropriate reference introduced by myself and cosponsored by Senators JAVITS, CASE, KUCHEL, and SCOTT, on the first measure, and by Senators JAVITS, CASE, KUCHEL, HART, and SCOTT on the other.

Of the four bills we offer today, three are similar to measures introduced during the last session. One, which would authorize civil commitment of noncriminal addicts under certain conditions, received the unqualified endorsement of the Department of Justice. Unfortunately, however, no reports were submitted on the other two measures.

The fourth bill, which is an addition to the package, was suggested by Chief Judge William F. Smith of the Third Circuit U.S. Court of Appeals, the Chairman of the Judicial Conference Committee on Criminal Law. It deals specifically with youthful narcotics addicts and would give Federal judges more discretion in dealing with such cases.

The State of New York which is reported to be the home of 47 percent of all the addicts in the nation, does have a special concern with this problem. But this is a matter of national as well as local concern since no State alone can prevent the spread of this scourge or can be responsible for preventing the importation and distribution of drugs in the United States. New York has adopted many important measures in this field, but its efforts will be largely nullified unless they are supplemented by dynamic action at the Federal level.

Addiction is both a crime breeder and a health menace, as well as a personal disaster to each individual and family contaminated by it. As is well known, its incidence is particularly acute among the youth of our cities. According to a survey made at the Federal Hospital at Lexington, Ky., for example, 45 percent of their patients began using drugs before their 19th birthday. Its impact is not confined to young people, however. Men and women of all ages and backgrounds have been its victims and the cost to society, both morally and financially, has been enormous.

No one engaged in the drug traffic deserves special consideration. The importers and the pushers must be dealt with severely by fully applying all the criminal penalties at our command, and the civil commitment bill, of which I am the sponsor, in no way changes the present high mandatory penalties for pushers and sellers. Mandatory and inflexible procedures, however, are not effective or appropriate for the person whose sole offense is addiction. Society can best protect itself in these cases by a program of isolation, treatment, and rehabilitation rather than punishment. Experts tell us that a short period of confinement in a hospital, followed by a strictly controlled program of aftercare in the community, affords the best method of rehabilitation. That in essence, is what the civil commitment bill would permit.

At the present time, mere possession of narcotics is punishable by imprisonment for a minimum of 2 years for the first offense, 5 years for the second offense, and 10 years for the third offense. The civil commitment bill would introduce a provision for suspending prosecution of addicts under the Federal act pending the completion of the program of hospitalization and aftercare. If the treatment were unsuccessful, the prosecution would be reinstated. Society has nothing to lose. It can only gain by the rehabilitation of many valuable young people.

It is worthy of consideration that it costs Federal authorities approximately $2,000 to keep one addict in prison for 1 year, while rehabilitation under the program I propose would cost only about $350 per year, per man.

The State of New York recently adopted a civil commitment law which is similar to this one. It applies to persons charged with violations of a State narcotics law. But the Justice Department reports more than 1,600 Federal narcotics prosecutions a year, and I think the Federal Government should not lag behind the State in offering rehabilitative treatment.

The second bill of which I am the sponsor would make applicable to narcotics cases the provisions of the Federal Youth Corrections Act which gives Federal judges broad discretion in the sentencing of youthful offenders. This law, enacted in 1950, has proved so effective, that it was recently extended to include young adults up to the age of 26. At the present time, there is a difference of opinion in the courts of this land over whether all the provisions of the Youth Offender Act can be applied to persons convicted of offenses involving narcotics, since the latter laws contain mandatory penalties. My bill would clarify the intent of Congress in such cases by granting judges the discretion they need in dealing with these young people on an individual basis. I would like to emphasize that this bill in no way removes high penalties which the judge is free to impose if he feels such penalties are warranted but merely affords him additional alternatives and a greater scope in dealing with such cases.

Our third bill, of which my colleague, the Senator from New York [Mr. JAVITS], is the author, provides a grant-in-aid program for the construction and operation of suitable hospital and after-care facilities for addicts under civil commitment. It is obvious that without adequate facilities, any provision for more flexible handling of these cases would be virtually meaningless. These programs must go hand in hand if they are to operate with maximum results.

The fourth bill, which is also offered by my colleague, the Senator from New York [Mr. JAVITS], would grant increased funds to the Public Health Service for research into the cause and cure of addiction. Such a program is essential if we are to succeed in uncovering and attacking the conditions contributing to this problem, as well as meeting its immediate consequences. The legislation we are offering today would permit the application of scientific principles to this problem, and offers much more hope of a successful counterattack against the narcotics menace than has been achieved to date.

Mr. President, because we know many of our colleagues share our concern over the increasing gravity of the drug addiction problem, we are requesting that these bills lie on the table for an additional 10 days—so that others may join in sponsorship. I also ask that these bills be printed in the RECORD immediately following my remarks.

The VICE PRESIDENT. The bills will be received and appropriately referred; and without objection, the bills will lie on the desk for 10 days, and be printed in the RECORD, as requested by the Senator from New York.

The bills, introduced by Mr. KEATING (for himself and other Senators), were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

By Mr. KEATING (for himself, Mr. JAVITS, Mr. CASE, Mr. KUCHEL, and Mr. SCOTT):

S. 863. A bill to amend chapter 5, 402 of title 18, United States Code, to make the Federal Youth Corrections Act applicable to certain persons who violate the Federal narcotics statutes.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That chapter 402 of title 18, United States Code, is amended—

"(1) by adding the following new section at the end thereof:

" 'SEC. 5027. The provisions of this chapter shall be applicable to all persons otherwise eligible, who are convicted of violations of any Federal penal law relating to narcotics notwithstanding the fact that a mandatory penalty is prescribed for any such violation'; and

"(2) by adding the following new item at the end of the analysis:

" '5027. Applicability to certain narcotics violators.' "

By Mr. KEATING (for himself, Mr. JAVITS, Mr. CASE, Mr. KUCHEL, Mr. HART, and Mr. SCOTT):

S. 864. A bill to enable the courts more effectively to deal with the problem of narcotic addiction.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

"DECLARATION OF POLICY

"SECTION 1. It is the policy of the Congress that, in the administration and enforcement of Federal penal laws dealing with narcotics, individuals whose violation of any such law is attributable to the fact that they are victims of narcotic addiction should be afforded an opportunity for treatment and rehabilitation; and individuals whose violation of such laws is not so attributable should be dealt with as criminals deserving of severe punishment.

"DEFINITIONS

"SEC. 2. For purposes of this Act—

"(a) The term 'narcotic drug' or 'narcotics' shall include the substances defined as 'narcotic drugs', 'isonipecaine', and 'opiate' in section 4731 of the Internal Revenue Code of 1954, as amended;

"(b) The term 'drug user' means any person who habitually uses any habit-forming narcotic drugs so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such habit-forming narcotic drugs as to have lost the power of self-control with reference to his addiction;

"(c) The term 'Surgeon General' means the Surgeon General of the Public Health Service.

"PROCEEDINGS BEFORE COURT

"SEC. 3. (a) Any eligible person charged with a violation of a Federal penal law relating to narcotics, other than the sale or other transfer of narcotics, shall, upon being brought before a committing magistrate, be informed that the prosecution of the criminal charge will be held in abeyance if the eligible person chooses to submit to an immediate examination to determine if he is a drug user. He shall be further informed that if he makes such an election and it is found that he is a drug user, and the court so orders, he shall then have to submit to a mandatory civil commitment. At the request of the eligible person, or on the order of the court, he may be permitted a maximum of five days subsequent to his being brought before a committing magistrate in which to make this election and he shall be informed of his right to such a delay. In the absence of such timely election, except upon a showing of substantial reasons why the election could not timely be made, the eligible person will be barred from such an election after the prescribed period, or, if he chooses not to so elect, he will be barred from doing so thereafter. If the eligible person elects consideration for civil commitment, he shall remain under the custody of the United States marshal or be placed under the custody of the Surgeon General, as the court may direct, for the purposes of an appropriate medical examination, for a period not exceeding ten days.

"(b) Within such ten-day period the Surgeon General shall transmit to the court a certified report as to whether the eligible person is a drug user and the eligible person shall be returned to the court for such further proceedings as may be necessary. A copy of the report shall be made available to the eligible person and to the Government attorney. If the eligible person wishes to contest the findings contained in the report, the court shall order a hearing. At such hearing the court may, besides considering the content of the report, consider any other relevant information which may be brought to its attention. If the court, acting on the report and on the hearing if any, holds that the eligible person is not a drug user, he shall be held to answer the criminal charges which were previously held in abeyance. If the court, acting on the report and on the hearing if any, determines that the eligible person is a drug user, the eligible person may be committed to the custody of the Surgeon General.

"(c) No person charged with a violation of a Federal law relating to narcotics shall be eligible for civil commitment if it appeared that—

"(1) the offense involved the sale or other transfer of narcotics;

"(2) there is pending against the person a prior charge of a crime and such charge has not been finally determined or sentence following conviction on such charge, including any time on parole, has not been fully served;

"(3) the person has been convicted on one or more prior occasions of a felony;

"(4) the person has previously been civilly committed because of his narcotics use;

"(5) facilities for the hospital care and treatment of narcotics users, or facilities for their aftercare supervision, are certified by the Surgeon General to be unavailable or inadequate at the time the commitment is sought;

"(6) it is not in the interest of justice to commit the person civilly.

"(d) Whenever a drug user has been civilly committed pursuant to this Act, the criminal charge which led to his arrest shall be continued without final disposition and shall be dismissed only after the drug user has been released from the custody of the Surgeon General and has been duly certified by the aftercare authority as having successfully completed the aftercare period. If the Surgeon General at any time prior to such certification determines that the drug user cannot be further treated as a medical problem because of his apparent incorrigibility or nonresponsiveness to medical treatment, he shall so advise the court and the criminal proceedings against the drug user shall thereupon be resumed. In the event criminal proceedings are resumed, after having been held in abeyance, the drug user shall receive full credit, against any sentence which may be imposed, for the time spent in the custody of the Surgeon General.

"(e) There shall be no adjournments between arrest and civil commitment other than for the five-day period specified in subsection (a) of this section, except for compelling reasons, and a person who requests consideration for civil commitment shall not be admitted to bail or parole or released on his own recognizance during the pendency of the examination and commitment procedures.

"COMMITMENT OF DRUG USER

"SEC. 4 (a) A drug user committed to the custody of the Surgeon General under the provisions of this Act shall be committed for an indeterminate period not to exceed thirty-six months. The drug user shall not be released prior to the expiration of this thirty-six-month period unless it is certified by the Surgeon General that the drug user has been effectively removed from the habitual use of drugs.

"(b) Upon release from such an indeterminate commitment the former drug user may be required to report periodically for a period of not more than two years for such probationary aftercare treatment as the Surgeon General may direct, the purpose of such probation being to insure that the former drug user does not return to the use of drugs. Throughout this period the probationer shall also be subject to home visits and to such reasonable regulation of his conduct as the probationary aftercare authority may establish.

"(c) Throughout the probationary period such probationer shall submit to such reasonable tests to detect the use of narcotics as may be ordered by the probation authorities. If it is established at a hearing held by the probationary aftercare authority, or it is established by the probationer's own written statement, that he has returned to the use of narcotics, the Surgeon General shall so advise the court and the criminal proceedings against the drug user shall thereupon be resumed.

"CIVIL COMMITMENT NOT TO BE A CONVICTION

"SEC. 5. The determination made by the court, on the report of the Surgeon General, that any person is a drug user within the meaning of this Act, shall not be deemed a criminal conviction, nor shall such person be denominated a criminal by reason of such determination. The results of any tests or procedures to determine narcotic addiction by the Surgeon General shall not be used against the examined person in any criminal proceeding. The results may only be used in a further proceeding under this Act, such a proceeding not to include any criminal charge continued without final disposition under this Act. The fact, however, that a person is a drug user may be elicited on his cross-examination as bearing on his credibility.

"USE OF STATE FACILITIES

"SEC. 6. The Surgeon General is authorized to enter into agreements with States (and political subdivisions thereof) under which appropriate facilities of such States, or political subdivisions thereof, as the case may be, will be made available, on a reimbursable basis, for the care of individuals civilly committed pursuant to the foregoing provisions of this Act.

"STATE LAWS NOT AFFECTED

"SEC. 7. This Act shall not be construed as indicating an intent on the part of Congress to occupy the field in which this Act operates to the exclusion of a law of any State, territory, Commonwealth, or possession of the United States, and no law of any State, territory, Commonwealth, or possession of the United States, which would be valid in the absence of this Act shall be declared invalid, and no local authorities shall be deprived of any jurisdiction over any offense over which they would have jurisdiction in the absence of this Act.

"SEPARABILITY PROVISION

"SEC. 8. If any provision of this Act or the application of such provision to any circumstance shall be held invalid, the validity of the remainder of this Act and the applicability of such provision to other circumstances shall not be affected thereby.

"EFFECTIVE DATE

"SEC. 9. This Act shall become effective on July 1, 1964, and shall not apply to any case pending in any court of the United States arising from an arrest made prior to July 1, 1964."

NATIONAL ACADEMY OF FOREIGN AFFAIRS

Mr. SYMINGTON. Mr. President, I know my colleagues are aware, and share with me the conviction, that no U.S. institution is more important to the security of the Nation than the Foreign Service of the United States.

Upon the dedication, the skills, the abilities of those who represent this Nation in its dealings with foreign nations, depend foreign policy successes or failures. Therefore our Foreign Service cannot be third rate, or even second rate. Only a first-rate institution will do.

For a number of years now, I have been concerned about the quality of our tremendously expanded Foreign Service. I do not challenge the dedication of its personnel—they have proven, time and again, that they are conscientiously devoted to serving the best interests of the United States.

It has seemed to me, however, that there has been a failure to provide Foreign Service personnel with the best tools to develop their skills and increase their knowledge of so many additional technical and political developments. And one of the chief shortcomings, in my view, has been the inadequacy of the training programs for our oversea personnel.

In effort toward correcting this deficiency, in both 1959 and 1961, I introduced in the Senate a bill to provide for the establishment of a Foreign Service Academy.

On January 14 of this year, drawing on the recommendations of the Herter Committee on Foreign Service Personnel and the President's Advisory Panel on a National Academy of Foreign Affairs, I introduced a new bill, S. 15.

Since the introduction of S. 15, the President has transmitted to the Congress draft legislation to provide for the establishment of a National Academy of Foreign Affairs; and I think he is to be highly commended for his initiative in this field. I know he has given a great deal of thought to the requirements of the United States in the field of foreign affairs; and also that he believes maximum effectiveness of our oversea personnel deserves priority attention.

In his message transmitting the draft legislation to the Congress, the President called attention to the "new world" in which we live—"a world marked by the continuing threat of communism, by the emergence of new nations seeking political independence and economic growth, and by the obligations we have assumed to help free peoples maintain their freedom."

To meet the new situation the President is asking Congress to establish a National Academy of Foreign Affairs—a "new institution" to "assure vigorous and comprehensive programs of training, education, and research for the personnel of all departments."

A point or two in the administration's draft is at variance with my own thinking, and we will no doubt discuss these and the other provisions in committee, before presenting the bill to the Senate.

Nonetheless, because I believe the President's proposal is worthy of thorough consideration by the Congress, on behalf of Senators Saltonstall, Mansfield, Humphrey, Smathers, Boggs, McGee, Yarborough, Moss, Long of Missouri, Randolph, Clark, Engle, and Ribicoff, I introduce, for appropriate reference, this bill to establish a National Academy of Foreign Affairs, and ask unanimous consent to have it printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 865) to provide for the establishment of the National Academy of Foreign Affairs, and for other purposes, introduced by Mr. Symington (for himself and other Senators), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Academy of Foreign Affairs Act of 1963."

FINDINGS AND DECLARATION OF POLICY

Sec. 2. The Congress hereby finds that the security and welfare of the United States require that our commitment in the struggle for peace and freedom throughout the world continue to be strengthened by the development of better trained and more knowledgeable officers of our Government and others concerned with the increasingly complex problems of foreign affairs. The complexity of such problems is clearly evidenced by the threat of world communism, the rapid emergence of new countries striving to be politically independent and economically viable, and new patterns of thought and action affecting the political, economic, and social intercourse among nations.

The Congress further finds and declares that our responsibilities can be fulfilled more effectively by the establishment of an institution at which training, education, and research in foreign affairs and related fields may be undertaken on an interdepartmental basis which would support integrated United States efforts overseas and at the seat of Government. The United States can assure that its position as a leader among nations shall be maintained and improved through maximum utilization of its potential by pooling the best of American minds and resources to create a great institution that will carry forward our American tradition of academic freedom and will serve as America's complete and total commitment to freedom and peace in the world.

ESTABLISHMENT OF THE NATIONAL ACADEMY OF FOREIGN AFFAIRS

Sec. 3. There is hereby established the National Academy of Foreign Affairs (hereinafter referred to as the "Academy") which shall be an agency of the United States, and shall be located in or near the District of Columbia. The Academy shall be established for the purposes of training, education, and research in foreign affairs and related fields, both in the United States and abroad, and for promoting and fostering related programs and study incident thereto. The Academy shall be maintained for officers and employees of the Government, and others when deemed to be in the national interest.

BOARD OF REGENTS OF THE NATIONAL ACADEMY OF FOREIGN AFFAIRS

Sec. 4. (a) There shall be a Board of Regents of the National Academy of Foreign Affairs (hereinafter referred to as the "Board"). The Board shall determine policy and provide guidance to the Chancellor of the National Academy of Foreign Affairs in the execution of the powers, functions, and duties of the Academy.

(b) The Board shall consist of—

(1) the Secretary of State, who shall be the Chairman;

(2) four members designated by the President, from time to time, from among the officers of the United States who are required to be appointed by the President, by and with the advice and consent of the Senate;

(3) five members appointed from private life by the President, by and with the advice and consent of the Senate; and

(4) the Chancellor of the Academy.

Members appointed from private life shall be United States citizens of outstanding attainment in the field of public and international affairs or education. The first members so appointed shall continue in office for terms of three, four, five, six, and seven years, respectively, from the effective date of this Act, and the term of each shall be designated by the President. Their successors shall be appointed for terms of five years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed.

(c) The Board may—

(1) establish visiting committees from among its membership or otherwise to inquire periodically into matters relating to the Academy which the Board desires to be considered; and

(2) call in advisers for consultation.

(d) Members of the Board appointed from private life and any members of visiting committees or advisers appointed from private life, shall receive compensation at the rate of $100 for each day while engaged in the actual performance of their official duties and in necessary travel.

THE CHANCELLOR OF THE NATIONAL ACADEMY OF FOREIGN AFFAIRS

Sec. 5. (a) The chief executive of the Academy shall be the Chancellor of the National Academy of Foreign Affairs (hereinafter referred to as the "Chancellor"). Except as otherwise specifically provided herein, the Chancellor shall have authority and be responsible for the execution of the powers, functions, and duties of the Academy. In accordance with the policies and guidance established by the Board, he shall take such actions as may be required to carry out the purposes of the Academy; correlate the training, education, and research furnished by the Academy with the activities of other Government agencies and with the programs of private institutions; and encourage and foster such programs outside the Academy as will be complementary to those of the Academy. The Chancellor may from time to time make such provisions as he shall deem appropriate authorizing the performance by any other officer or employee of the Academy of any function of the Chancellor.

(b) The Chancellor shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at a rate established from time to time by the President, based on comparable salaries provided by leading universities. In case of death, resignation, absence, or disability of the Chancellor, a member of the faculty or staff of the Academy designated by the Chancellor shall, unless otherwise directed by the President, perform the duties of the Chancellor until a successor is appointed or such absence or disability shall cease.

SPECIFIC AUTHORITIES AND RESPONSIBILITIES OF THE CHANCELLOR

Sec. 6. Under such policies and guidance as the Board may establish, the Chancellor may—

(a) appoint and compensate, as faculty or staff of the Academy, on a full- or part-time basis, such officers, employees, and attorneys as he may deem necessary to carry out the provisions of this Act, in accordance with the provisions of the civil service laws and regulations and the Classification Act of 1949, as amended, except that in the absence of suitably qualified United States citizens, he may appoint and compensate persons who are not citizens of the United States: *Provided,* that when deemed necessary by the Board for the effective administration of this Act, members of the faculty may be appointed and compensated without regard to such laws and regulations: *Provided further,* such members of the faculty shall receive a salary at a rate based on comparable salaries provided by leading universities, but not to exceed the rate provided for GS–18 of the Classification Act of 1949, as amended;

(b) arrange, with the consent of the head of the Government agency concerned, for the assignment or detail of any officer or employee of the Government, to serve on the faculty or staff of the Academy, or to receive training or education or to perform research at the Academy. To carry out the purposes of this subsection, the head of any Government agency may under such arrangement assign or detail any officer or employee of his agency to serve on the staff or faculty of the Academy, or to receive training or education or to perform research at the Academy. Such assignment or detail shall be deemed to be without prejudice to his status or opportunity for advancement within his own agency;

(c) permit other persons, including individuals who are not citizens of the United States, to receive training or education or to perform research at the Academy when deemed in the national interest; and to provide appropriate orientation and language training to members of family of officers and employees of the Government in anticipation of the assignment abroad of such officers and employees or while abroad; but such persons and members of family shall not be deemed, by virtue of attendance at the Academy, to be Federal employees for any purpose of law;

(d) make arrangements (including contracts, agreements, and grants) for the conduct of such research and other scholarly activities in foreign affairs and related fields by private or public institutions or persons as may implement the functions of the Academy;

(e) pay the necessary tuition and other expenses of officers and employees of the Government who are attending the Academy, for additional special instruction or training at or with public or private nonprofit institutions, trade, labor, agricultural, or scientific associations, or commercial firms;

(f) procure services as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a), at rates not to exceed $100 each day for individuals, and in addition transportation expenses and per diem in lieu of subsistence while away from their homes or regular places of business, as authorized by section 5 of said Act, as amended (5 U.S.C. 73b–2): *Provided*, that individuals may serve singly or as members of committees: *Provided further*, that contracts so authorized may be renewed annually;

(g) pay travel and related expenses of the members of the Board, the Chancellor, faculty, staff, students of the Academy, members of visiting committees, and advisers to the Board as authorized by section 911 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1136), or by the Travel Expense Act of 1949, as amended (5 U.S.C. 835–842), and sections 1 and 7 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b–1 and 3), or by section 303 of the Career Compensation Act of 1949, as amended (37 U.S.C. 404–406), as appropriate;

(h) utilize or employ the services, personnel, equipment, or facilities of any other Government agency, with the consent of the head of the Government agency concerned, to perform such functions on behalf of the Academy as may appear desirable;

(i) acquire in the United States or abroad such real and personal property as may be necessary for the operation and maintenance of the Academy: *Provided*, that the acquisition by lease or otherwise of buildings or parts of buildings in the United States, including the District of Columbia, for use of the Academy, shall be through the Administrator of General Services;

(j) accept, receive, hold, and administer gifts, bequests, or devises of money, securities, or property made for or to the benefit of, or in connection with the Academy, in accordance with section 1021 of the Foreign Service Act of 1946, as amended (22 U.S.C. 809); and

(k) prescribe rules and regulations governing the function and operation of the Academy, consistent with policies and guidance established by the Board.

PROVISION FOR COPYRIGHTS

SEC. 7. Members of the Board from private life, Chancellor, members of the faculty, and persons in attendance at, or serving with, the Academy shall be encouraged to write and speak on subjects within their special competence, and such writings and speeches other than those required in the performance of their official duties shall not be considered publications of the United States Government within the meaning of the Act of March 4, 1909, as amended (17 U.S.C. 8), or the Act of January 12, 1895, as amended (44 U.S.C. 58).

APPROPRIATIONS AND USE OF FUNDS

SEC. 8. (a) There are hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of this Act, and when so provided in an appropriation Act, such funds may remain available until expended.

(b) Funds appropriated for the purposes of this Act or transferred to the Academy by other Government agencies for such purposes shall be available for the exercise of any authority granted by this Act, including, but not limited to: expenses of printing and binding without regard to the provisions of section 11 of the Act of March 1, 1919 (44 U.S.C. 111); entertainment and official courtesies to the extent authorized by appropriations; purchase, rent, or lease of offices, buildings, grounds, and living quarters for the use of the Academy, payments therefor in advance, and maintenance, improvement, and repair of such properties or grounds; expenses of attendance at meetings concerned with furthering the purposes of this Act, including (notwithstanding the provisions of section 9 of Public Law 60–328 (31 U.S.C. 673)) expenses in connection with meetings of persons whose appointment, employment, assignment, detail, or services is authorized by subsections 6 (a), (b), (f), and (h) of this Act.

REPEALS AND SAVING CLAUSES

SEC. 9. (a) Section 701 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1041), is amended to read as follows: "The Secretary of State is authorized to furnish training and instruction in the field of foreign affairs to officers and employees of the Foreign Service and to the Department and to other officers and employees of the Government when such training and instruction are not otherwise provided at the Academy or elsewhere. The Secretary may also provide appropriate orientation and language training to members of family of officers and employees of the Government in anticipation of the assignment abroad of such officers and employees or while abroad."

(b) Sections 702–707 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1042–1047), are hereby repealed.

(c) Section 573(b) of the Foreign Service Act of 1946, as amended (22 U.S.C. 963), is further amended by adding the following: "The Secretary may pay the necessary tuition and other expenses for any such officer or employee."

(d) Section 578 of the Foreign Service Act of 1946, as amended (22 U.S.C. 968), is further amended by deletion of the phrase "at the Foreign Service Institute or elsewhere" from the final clause of the third sentence.

(e) So much of the property, records, unexpended balances of appropriations, allocations, and other funds held, used, available, or to be made available in connection with the Foreign Service Institute, as established by sections 701–707 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1041–1047), that relate to the work of the Academy, as determined by the Director of the Bureau of the Budget, are hereby authorized to be transferred to the Academy and the Chancellor thereof.

(f) Notwithstanding the provisions of this Act, all determinations, authorizations, regulations, orders, contracts, agreements, and other actions taken, issued or entered into under authority of statutes repealed by this Act shall continue in full force and effect until modified by appropriate authority.

Mr. SYMINGTON. Mr. President, I also ask unanimous consent that the bill lie on the Secretary's desk for a week in order that additional Senators wishing to cosponsor may do so.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SYMINGTON. I also ask unanimous consent, Mr. President, to have included at this point in the RECORD the President's letter of transmittal, and also an accompanying memorandum prepared for him by Secretary of State Dean Rusk.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
February 11, 1963.

HON. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I am transmitting herewith for the consideration of the Congress a bill to provide for the establishment of the National Academy of Foreign Affairs, together with a memorandum summarizing and discussing the principal provisions of the proposed legislation.

In the last quarter century, there has been a dramatic change in the role and responsibilities of the United States in world affairs. Before the Second World War, our commitments to the world outside our own hemisphere were limited. Our role was characteristically that of observer, not of participant. Our representatives abroad concentrated on reporting events rather than on working to change their course. We had no major programs of foreign assistance or oversea information or cultural exchange.

Today we live in a new world—a world marked by the continuing threat of communism, by the emergence of new nations seeking political independence and economic growth, and by the obligations we have assumed to help free peoples maintain their freedom. To meet the challenges of this new world, we have enormously expanded and diversified our oversea commitments, operations and activities.

These operations involve virtually every department and agency of our Government. Nearly a million Americans are serving our Nation beyond our national frontiers. And the hopes for progress and freedom in much of the world rest in great part on the American contribution.

This new situation demands men and women capable of informed and forceful action everywhere within the economic, political and social spectrum of our concern. It requires these men and women to apply their specialized skills and experience to many diverse problems and activities, and at the same time to maintain an essential unity of purpose and action so that all these operations can be coordinated into a harmonious whole. It therefore demands a new approach to the training and education of men and women for service overseas. It calls for new proficiency in the analysis of current problems, new skill in the formulation of policy, new effectiveness in the coordination and execution of decision, new understanding of the tactics of communism and the strategy of freedom, and new preparation for the multitude of tasks which await our Government personnel everywhere in the world.

The various Federal departments and agencies have already made extensive efforts to develop programs to equip their personnel for these new challenges. But a piecemeal, department-by-department approach is no longer adequate. A new institution is urgently needed to provide leadership for those efforts—to assure vigorous and comprehensive programs of training, education, and research for the personnel of all departments.

The proposed National Academy of Foreign Affairs is based on recommendations made by two distinguished groups of educators and public servants. Autonomous in nature and interdepartmental in scope, the Academy would be designed to provide our foreign affairs personnel with the fundamental knowledge and understanding which is indispensable to serving our Nation effectively in today's complex world. It is not intended in any way to supersede or to compete with the notable work now carried on in our colleges and universities. The central burden of basic education in foreign affairs must, of course, remain in nongovernmental hands.

Unlike the present Foreign Service Institute, the Academy will not be oriented primarily to the work of the Department of State alone, but will be the nucleus of Government-wide training and research in international matters. Therefore, the proposed legislation calls for the repeal of earlier legislation establishing the Foreign Service Institute and for the transfer of appropriate facilities of the Institute to the Academy.

The Department of State will retain authority to provide specialized inservice training of a routine character on subjects of exclusive interest to its own personnel, as will other Federal agencies.

Nor would the Academy detract from the valuable contribution being made by our senior professional military schools. Finally, it would not propagate any single doctrine or philosophy about the conduct of foreign affairs. Such an institution can serve the cause of freedom only as it embodies the spirit of freedom, and it can fulfill its mission only by meeting the best standards of intellectual excellence and academic freedom.

The Academy is intended to enable faculty and students of the highest quality to focus our collective experience and knowledge on the issues most vital to the advancement of our national purpose. With the full backing of the Government and academic community, it will, it is hoped, attract the essential leadership that will make it a great center of training, education, and research in foreign affairs.

I earnestly hope that the Congress will give early and favorable consideration to this proposed legislation.

Sincerely,

JOHN F. KENNEDY.

MEMORANDUM FOR THE PRESIDENT

DEPARTMENT OF STATE,
Washington, D.C.

Subject: Bill to provide for the establishment of the National Academy of Foreign Affairs.

During recent years, the need for advanced professional training, education, and research in the vast and intricate field of American foreign affairs has become increasingly evident, both to the Federal agencies directly concerned and to outside political and academic leaders. Strenuous efforts have been made to meet this need by the expansion and improvement of existing facilities, but the weight of evidence makes it clear that piecemeal measures will no longer suffice and that a wholly new approach is needed.

The importance of a new approach to foreign affairs training, education, and research was highlighted in the report of the Committee on Foreign Affairs Personnel, chaired by former Secretary of State Christian Herter. It was also the subject of a recent report to you submitted by a special Presidential Advisory Panel of academic leaders, chaired by Dr. James A. Perkins. The legislation now being proposed is based primarily upon the findings and recommendations of the latter report, although it has taken account of ideas and suggestions from many other sources, including various legislative proposals put forward by Members of the Congress in past years.

The most significant features of the proposed legislation are the following:

1. Enactment of the legislation will manifest a clear and firm commitment by the Congress and the executive branch to make training, education, and research in foreign affairs a more effective and integrated instrument of American foreign policy.

2. The program of the proposed Academy will encompass the entire range of foreign affairs and thereby serve the totality of American interests. Thus, while the methods of resisting Communist expansion—direct and indirect—must be given great emphasis, this subject obviously cannot be treated in isolation It must be closely linked with various interrelated purposes and activities of U.S. foreign policy, such as the economic and social advancement of the less-developed countries, the preservation of our regional alliances, and the promotion of American commercial ties with other nations. In other words, the proposed legislation recognizes that American foreign policy has many specialized and interlocking components, and contemplates a training and research program that will embrace all these components and clarify the relationship among them.

3. In the broader sense, the program of the new Academy may be expected to better meet our needs in three major areas: (a) the analysis, compilation, and distribution of the products of the best thinking developed in governmental and private research institutions; (b) the study and evaluation of past and present U.S. operating experience in various fields of foreign affairs (especially in new or expanded program areas); and (c) the training and education of professional staffs responsible for formulating, supervising, and conducting foreign affairs activities.

4. As the Academy's program is designed to cover all significant aspects of foreign affairs, so it must meet the needs of all U.S. departments and agencies actively involved in foreign relations. The Academy, which would replace the Foreign Service Institute, would be the focal point of efforts to provide training, education, and research in subjects affecting the conduct of our international programs on a governmentwide basis. Existing law providing for the Foreign Service Institute would be replaced and the transfer of certain of its facilities to the Academy would be authorized. The Department of State, like other Federal agencies, would continue to possess the authority to provide specialized training needed by its own personnel. When the Academy is in operation, it will be the principal source of professional training and education for personnel of the State Department, the USIA, and AID, as well as a supplemental source of training for more than 20 other Federal agencies.

5. The proposed legislation establishes the Academy as a separate institution, with independent and ample facilities for furnishing advanced training and education to foreign affairs personnel throughout the Government, for initiating and conducting useful research and for performing other tasks assigned to it. For example, the Academy, under the direction of a Chancellor appointed by the President, will choose its own faculty members, develop its own curriculum, collect and organize pertinent materials from governmental agencies and outside sources, design and carry out its research programs, and take the initiative in fostering supplementary research by private institutions. At the same time, the operations of the Academy will be subject to basic policy guidance provided by a board of regents, chaired by the Secretary of State and consisting of four other high Federal officials and five prominent private citizens designated by the President with the advice and consent of the Senate. These arrangements will establish an appropriate linkage between the work of the Academy and that of the operating agencies of the Government and thereby insure that the training and research undertaken by the Academy will not be conducted in an "ivory tower" atmosphere but will be genuinely geared to the concrete needs of the agencies actually engaged in international operations. This linkage will also enable the Academy and the operating agencies to work out mutually satisfactory procedures to permit the faculty, students and research workers of the Academy to gain access to pertinent classified materials while maintaining appropriate security safeguards.

6. The proposed legislation gives the Chancellor administrative authorities and responsibilities similar to those normally possessed by heads of major private educational institutions. If the Academy is to be successful, it must attract personnel of the highest quality, must be able to achieve and maintain rigorous academic standards, must have optimum flexibility to adjust its activities to ever-changing requirements, and must have access to equipment, property, services and other resources comparable to those available in leading universities.

7. While the research, education, and training conducted by the Academy will primarily be for officers of the Federal Government, the proposed legislation will permit private American citizens, and even foreign nationals, to receive training at the Academy where such training is deemed to be in the national interest. The criteria for screening and selecting such trainees, and the security restrictions to be applied to them, will be developed by the Chancellor under the guidance of the Board of Regents.

8. The proposed Academy will not in any sense compete with the activities of established colleges and universities, but rather will serve as a channel through which the knowledge, opinions, experiments, and ideas of the whole academic world may be used more effectively in the Government's foreign affairs programs. Thus, the Academy will not attempt to duplicate the basic courses provided by colleges and universities. Instead it will develop new programs of training and research designed to synthesize these diverse educational resources, plus the knowledge and experience within the Government itself, and focus them upon the concrete problems of foreign affairs. Similarly, the Academy will continue to look to private colleges, universities, and foundations for assistance and cooperation in many phases of advanced research and training and will have authority to contract for such services where necessary.

9. The proposed legislation provides that the National Academy will be physically located in or near the District of Columbia. While there might be certain values in seeking a more distant location, these are clearly outweighed by the advantages of a location close to the headquarters of the various departments and agencies engaged in the actual conduct of foreign affairs. Such a location will permit the faculty, students, and research workers to gain ready access to experienced lecturers and advisers, to consult with appropriate officials in the executive branch and the Congress, to observe actual governmental operations, and to obtain pertinent documents from governmental libraries and files.

10. In view of the ever-changing tides and cross currents of international relations, and the changing plans, programs, and emphasis of the various departments and agencies responsible for the conduct of foreign affairs, a detailed and defined curriculum at this time would be unrealistic. However, it is expected that the Academy will place emphasis upon training, education, and research in such matters as: (a) the methods of formulating the goals of U.S. foreign policy in the light of American institutions and values and the means by which policies to achieve these goals are developed and executed, including coordination of the work of the different U.S. agencies, both at home and abroad; (b) Communist history, theory, strategy, tactics, and resources—military and nonmilitary—and the methods of detecting and counteracting Communist efforts to dominate, penetrate, and subvert free societies and institutions; (c) political, social, economic, and cultural evolutions and conditions in critical areas of the world; (d) the problems of social and economic advancement in the less-developed areas, and the means of coping with such problems; and (e) the structure, activities, relationships and implications of international organizations.

Early enactment of this legislation will be a major step forward in bringing more fully to bear the resources of the Government and the Nation on the challenges and problems of foreign affairs confronting us in these turbulent times.

DEAN RUSK,
Secretary of State.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. I appreciate the courtesy of the Senator from Missouri in permitting me to join in the sponsorship of the bill. It is a subject in which I have been interested for a long time. I originally introduced a bill, in 1949, to permit greater opportunity for study by members of the Foreign Service. Then, with the Senator from Arkansas, in 1959, I inserted in the proposal a language requirement. I think the present majority leader, the Senator from Montana [Mr. Mansfield], was also a member of that group.

This bill proposes a new form of Institute. While in the past there was objection by the State Department to an Academy for Foreign Service similar to the Academies at Annapolis and West Point, this proposed Institute is a different concept from those. Is that correct?

Mr. SYMINGTON. The Senator is correct.

Mr. SALTONSTALL. This is an Institute to permit greater opportunity for study by persons who are already members of the Foreign Service. It is not a specialized institution, as such, similar to the institutions of the Military Establishment.

Mr. SYMINGTON. That is correct.

Mr. SALTONSTALL. Like the Senator from Missouri, I have urged that such a bill be passed. When the opportunity for hearing comes, I shall have some minor suggestions which I think will improve the bill, but I think the substance of the bill is excellent. I am glad the Senator has permitted me to join in its sponsorship with him.

Mr. SYMINGTON. I thank the able Senator from Massachusetts for his comments. There is no Member of the Senate I would more prefer to be a cosponsor of the bill than the Senator from Massachusetts. If he will be kind enough to give me his thoughts with respect to the bill, I shall be glad to present those thoughts to the Foreign Relations Committee.

Mr. SALTONSTALL. I shall be glad to do so, in the form of a letter.

BURIAL OF WAR CORRESPONDENTS IN NATIONAL CEMETERIES

Mrs. NEUBERGER. Mr. President, I introduce, for appropriate reference, a bill to authorize burial of war correspondents in national cemeteries. I am introducing the bill in recognition of the fact that this particular group of American civilians have served with members of the Armed Forces under combat conditions but are accorded virtually no recognition by our Government for a special type of public service performed during wartime. Congress should decide whether some appropriate recognition should be given to the work of men and women who served as war correspondents. I ask unanimous consent for the bill to lie at the desk for 3 days for additional sponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Oregon.

The bill (S. 869) to authorize the burial of certain news correspondents in national cemeteries, introduced by Mrs. Neuberger, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

FEDERAL PAYMENT FORMULA—BORROWING AUTHORITY FOR THE DISTRICT OF COLUMBIA

Mr. BIBLE. Mr. President, it is my pleasure to send to the desk, for introduction and appropriate reference, draft legislation submitted by President Kennedy to provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City and to authorize Federal loans to the District of Columbia for capital improvement programs.

In brief, title I of the bill would establish a formula for computing the annual Federal in-lieu-of-tax payment to the District of Columbia. Title II would authorize additional borrowing authority for capital improvements, tying the maximum general fund debt limit to an assessed valuation percentage.

I believe the President's proposals present a dynamic and realistic approach to the District's perennially difficult fiscal problems confronting the Congress. In my judgment the bill offers a real and challenging hope for Congress to help the District's taxpaying citizens get the Nation's Capital City on a sound, businesslike, and fiscally responsible basis.

As chairman of the Senate District Committee for some years and as an Appropriations Committee member as well, I have advocated a Federal payment formula since 1960 when I proposed before Congress that such a realistic approach be adopted. This method should ease the difficult task of the Appropriations Committee each year in determining an adequate Federal payment when the imponderables of District tax revenue forecasts and borrowing authority totals come into play.

This bill would afford the greatest breakthrough in more than 40 years in meeting the money problems unique to this federally controlled and congressionally operated city. It envisions substantial tax increases for District residents at the same time the Federal Government is asked to boost its share.

This cooperative effort would seem an equitable step toward curing some of the Capital City's known ills which tragically make themselves felt too often such as the growing crime rate and school discipline and juvenile delinquency problems.

Money alone is not the all-purpose remedy for the District's ailments. I, for one, hold high hope that the District Commissioners and the District government's department heads and employees on all levels will also shoulder their fiscal responsibilities with greater diligence in all administrative areas. They, too, share an equal burden with the Congress and the city's taxpaying citizenry.

I shall call hearings on this bill within the next several weeks. It is essential that the legislative authorizations be disposed of in good time in order that the appropriations committees may have those guidelines to aid their work.

Mr. President, I ask unanimous consent that a letter submitted to the Congress by the President accompanying his draft legislation be printed in full at the conclusion of my remarks, providing more detailed information about the Federal payment formula and the borrowing authority proposals.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 871) to provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City and to authorize Federal loans to the District of Columbia for capital improvement programs, introduced by Mr. Bible, was received, read twice by its title, and referred to the Committee on the District of Columbia.

The letter presented by Mr. Bible is as follows:

THE WHITE HOUSE,
Washington, D.C., February 11, 1963.

Hon. Lyndon B. Johnson,
President of the Senate,
Washington, D.C.

Dear Mr. President: I transmit herewith a proposed bill "To provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City and to authorize Federal loans to the District of Columbia for capital improvement programs."

The message which I sent to the Congress on January 18, 1963, transmitting the District of Columbia budget, explained the current crisis in the financial affairs of the District, and set out in some detail my proposal for both an immediate and a longer range solution. The proposed bill would implement two elements of my proposal—the increase in the authorization for the Federal payment to the District, and the authorization of additional borrowing from the Treasury.

The District Commissioners, who have cooperated in the development of this proposal and in the preparation of this draft bill, have moved promptly to implement the third element—the increases in local taxes. A major portion of these increases will also require legislative authorization. A draft bill for this purpose will be submitted to the Congress by the Commissioners.

Title I of the enclosed draft bill, which deals with the Federal payment to the District, would authorize a payment based on a formula reflecting what the Federal Government would pay if it were a taxable entity. Under this plan, the details of which were set out in my budget message, the authorized Federal payment in fiscal year 1964 would be approximately $53 million. It is estimated to increase to $67 million by fiscal year 1969, by reason of the estimated increased ownership and use of property in the District by the Federal Government, the anticipated increased level of local tax rates, and the expected increase in property values.

Title II of the proposed bill which deals with the additional borrowing authority, proposes to authorize the District to borrow for general fund purposes from the Treasury up to 6 percent of the assessed value of real and personal property in the District. Under this proposal, a discussion of which was included in my budget message, the maximum general fund debt limit will be approximately $225 million in fiscal year 1964, and will rise to an estimated $275 million in fiscal year 1969.

Taken together with the increases in local taxes which are being proposed by the Commissioners, the proposed bill will not only resolve the immediate urgent needs of the District, but will also relieve the District's general fund financial problems for some years in the future. For fiscal year 1964, authorization of additional appropriations for both the annual payment and capital loans is an essential prerequisite for meeting even the minimum needs of the District—for education, for welfare and health, for public safety, and for capital improvements.

Activities of the Federal Government make large and increasing demands upon the District for space, facilities, and services. The Government has an obligation to share fairly the District's burden in meeting the demands made upon it. Proper development of the Nation's Capital requires adequate financial resources, and I believe that enactment of this draft legislation is essential to the achievement of this objective. I therefore hope that early hearings will be held, and urge that favorable action be taken by the Congress on this important legislation.

Sincerely,

JOHN F. KENNEDY.

COMPENSATION FOR RANGE IMPROVEMENTS ON CERTAIN LANDS

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to compensate range users for range improvements where land is taken to be devoted to Federal nonmilitary use.

The purpose of this bill is to provide a means of equitable treatment to range users who have made personal investments on public domain in pursuit of developing better acreage for the raising of livestock, and at the same time providing needed land conservation.

At present, those who have invested substantial moneys in the construction and development of range improvements have no protection under the law in the face of Federal requirements of the land for other than military or national defense purposes.

I might point out that lands taken for military use are excluded from the scope of this bill since the act of July 9, 1942—56 Stat. 654, as amended, 43 U.S.C. 315q—provides for compensation to grazing licensees or permittees who are forced to sustain losses by reason of cancellation of or prevention of use of authorized grazing privileges resulting in the usage of lands for war or national defense purposes.

Part of the development of our range lands in the area of improvements—a continuing project since enactment of the Taylor Grazing Act—has been borne in cooperation with the Bureau of Land Management, the cost of such development having been shared by the permittee or licensee and the Federal Government.

But it is a fact conceded by the Bureau of Land Management that in the majority of cases, these necessary improvements have been financed entirely by stockmen under authorization permits granted by the Bureau of Land Management.

These private expenditures, totaling several million dollars, have contributed to the improvement of the management and development of the public lands involved.

Mr. President, early in the administration of the Taylor Grazing Act, regulations were approved by the Secretary of the Interior which provide that in the event public land is appropriated by an individual, the appropriator will be required to compensate the stockman permittee or lessee for his contribution to the cost of the grazing improvement at its current value.

The regulation contemplates that any Federal department or agency applying for the withdrawal of lands will compensate grazing users for the loss of grazing improvements. However, this regulation is not grounded on any statutory authority dealing specifically with the subject, but rather upon general authority and policy. Further, any protection under this regulation is limited to situations where the withdrawal procedure is utilized. In the absence of a withdrawal, the appropriation or acquisition of the use of the land by a Federal department or agency might not afford the grazing user any protection for his improvements.

Also, should the department or agency lack authority to pay for the improvements, it, of course, cannot be required by the Interior Department to do so. This deficiency would be cured by the legislation here proposed. The bill would grant those range users having an interest in noncooperative improvements the choice of removing such improvements or of receiving the compensation provided for in the bill for all authorized range improvements. The amount of compensation would be determined by the Secretary of the Interior at the time the department or agency acquires the use of the land and would be based on the fair and reasonable value being depreciated to the date the department or agency acquires the use of the land.

In the case of the cooperate improvements, range users would receive compensation in proportion to their contribution to the total cost of the improvement based upon the fair and reasonable value thereof depreciated to the date the use of the land was acquired by the department or agency.

Mr. President, the livestock industry is in a critical economic condition, a truth brought home during recent hearings of the Senate Public Lands Subcommittee. It is an industry which does not have many of the protective features which have been legislated for other industries of comparable importance to the public welfare.

Enactment of this bill, Mr. President, will be one way the public can demonstrate, through its Congress, that it has not completely forgotten the merits of protecting the continuity of a valued cornerstone of America.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 872) to compensate range users for authorized range improvements where land is taken to be devoted to Federal nonmilitary use, introduced by Mr. BIBLE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CONVEYANCE OF CERTAIN PUBLIC LANDS TO LINCOLN COUNTY, NEV.

Mr. BIBLE. Mr. President, on behalf of my colleague, the junior Senator from Nevada [Mr. CANNON] and myself, I introduce, for appropriate reference, a bill to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the county of Lincoln, State of Nevada.

Mr. President, in Lincoln County we find a graphic illustration of a condition prevalent throughout the State of Nevada wherein expansion is arrested because communities are landlocked by immense Federal holdings.

At present, about 87 percent of the 110,000 square miles that make up the land area within the boundaries of the State of Nevada is under Federal ownership.

The problem this encirclement of Federal land presents to communities, whose population is growing daily and industrial capacities are continually increasing, is obvious.

But the matter of landlocked Pioche, Caliente, and Panaca—Lincoln County's principal communities—is one that compels even more urgent attention. These three communities have been crippled by the closing of lead-zinc mines which for many years were the foundation of their economy.

Now, Mr. President, the area seeks to break the bonds of its depressed economy by opening new lands upon which some other type of industry could locate. But the citizens of the area have been unable to attract attention to their purpose simply because of a lack of land.

This proposed legislation provides that 2,900 acres of land would be sold to the county after appraisal for its fair market value.

It is my belief, Mr. President, that this bill would be a cornerstone for the rehabilitation of Lincoln County and its citizenry, and I urge Congress to give it prompt and favorable attention.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 873) to direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the county of Lincoln, State of Nevada, introduced by Mr. BIBLE (for himself and Mr. CANNON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ARMS CONTROL AND DISARMAMENT

Mr. CURTIS. Mr. President, I have prepared a concurrent resolution which reads as follows:

S. CON. RES. 21

Whereas the security of the United States and the strength of free world alliances are directly affected in any consideration of arms control and/or disarmament; and

Whereas the Eighteen-Nation Committee on Disarmament, meeting in Geneva, is considering steps toward general and complete disarmament; and

Whereas bilateral negotiations for the removal of intermediate range ballistic missiles are underway between the United States and several of its partners in the Atlantic alliance: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the American negotiating position in arms control or disarmament discussions include these safeguards:

(1) Complete on-the-spot inspection of all areas involved in arms control or disarmament agreements with Members of Congress included as members of the inspection team.

(2) Reporting of the President of the United States to the appropriate committees of Congress, of any and all steps taken by him which would tend to alter existing ratios of weapons and the effectiveness between this Nation and its allies, and the Soviet bloc of nations.

(3) All preliminary and final arms control or disarmament agreements be embodied in treaties subject to the advice and consent of the Senate of the United States.

Mr. President, I send the concurrent resolution to the desk and ask that it may remain on the desk for 10 days. A number of Senators have expressed an interest in cosponsoring the proposed legislation, and I welcome all possible cosponsors.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will lie at the desk, as requested by the Senator from Nebraska.

The concurrent resolution (S. Con. Res. 21) was referred to the Committee on Foreign Relations.

THE WILDERNESS BILL—AMENDMENT

Mr. ALLOTT. Mr. President, I send to the desk an amendment relative to S. 4, the wilderness bill. I ask unanimous consent that it remain at the desk for 4 days to receive such additional cosponsors as may wish to cosponsor the amendment.

The VICE PRESIDENT. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will lie on the desk, as requested by the Senator from Colorado.

The amendment was referred to the Committee on Interior and Insular Affairs.

RECORD OF VERMONT COWS IN BIGGER AND BETTER HIKES

Mr. AIKEN. Mr. President, without meaning to belittle in any way the ambitions of the White House staff or the accomplishments of the Office of the Attorney General, I desire to ask unanimous consent to have printed in the body of the RECORD an article entitled "Brandon Cows Once Walked 1,200 Miles." The article was published yesterday in the Rutland, Vt., Herald.

Mr. President, the article refers to the time when two Vermont cows, named Alice and Tomboy, walked from Brandon, Vt., to St. Louis, Mo., a distance of 1,200 miles, in 90 days. To be sure, that was less than 15 miles a day. They could have walked much faster; but besides walking from Vermont to St. Louis, to show their physical fitness, those two cows gave an average of 40 pounds of milk a day while they were on that 90-day hike.

If it were not for that, I would be tempted to challenge—on behalf of the Vermont cows—the White House staff to a walk of any distance of 2 miles or more. But inasmuch as the production of 40 pounds of milk daily would present an insurmountable obstacle to the White House staff, I shall forgo issuing the challenge at this time, and simply ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BRANDON COWS ONCE WALKED 1,200 MILES

BRANDON.—Some of the older folks in this tiny town have to smile when they read about all the 50-mile walks being taken these days. They remember the feats of a pair of Vermont strollers back in 1929.

Alice and Tomboy were their names, and they walked 1,200 miles in 90 days from Brandon to St. Louis, Mo. They were headed for the National Dairy Show where they became star attractions.

Alice and Tomboy were prize Ayrshire cows. Their walk across seven States, with three men accompanying them, was a stunt to promote the breed at the show. The bossies were equipped with ox shoes for the summertime journey.

Vermont Life magazine reported that right up to the last mile Alice and Tomboy averaged 40 pounds of milk daily.

The three men took turns leading the cows and rested in a truck they used to carry their equipment.

TAX CUT WOULD BE CERTAIN TO INCREASE DEFICIT

Mr. PROXMIRE. Mr. President, it is virtually certain that the administration's proposed tax cut would not in any time period and under any circumstances reduce the deficit or hasten the Nation's achievement of a balanced budget.

Many of the top administration advocates of a tax cut have argued that it would lead to such a stimulation of business and employment that Federal revenues would eventually be higher even at the lower tax rates. This is the prime basis for the astonishing administration claim that the responsible citizen should support a tax cut. This basis is almost certainly wrong.

Calculations based on the whole sweep of witnesses appearing this year before the Joint Economic Committee show that the longrun net loss of revenues flowing from the $10 billion tax cut would probably be about $6⅔ billion. Even under the most favorable assumptions of the tax cut's most vigorous advocates there would be a $1 billion loss.

The effect of the tax cut on Federal revenues depends on two calculations: First, how much would the tax cut stimulate spending and investing, and therefore increase income; second, how much of that newly generated income would the Federal Government gain in revenues at the lower rate?

Most expert witnesses before the Joint Economic Committee contended that the stimulative effect or "multiplier" would be between 2 and 2½—in other words, that a $10 billion tax cut would increase the gross national product by $20 to $25 billion.

The consensus was clear that monetary restraint of the kind the Nation's money managers told the committee they expected to practice would reduce this multiplier. One monetary expert estimated that such a monetary policy would probably result in a multiplier of 1½, or a $15 billion increase in the gross national product from a $10 billion tax cut.

All things considered, a multiplier of 2, or a $20 billion gross national product increase, from a $10 billion tax cut would seem to be as reasonable a guess as any.

What would such an increase in the gross national product, flowing from such a tax cut, mean to ultimate Federal revenues? Here, again, the expert witnesses differed. Dr. Arthur Burns, of Columbia University, and former Chairman of the Council of Economic Advisers, estimated it would be about one-sixth. His estimate is confirmed by relating Federal tax revenues to the size of the gross national product. The relationship is about one-sixth.

On the basis of such an estimate, the net loss from a $10 billion tax cut, allowing for a $3⅓ billion increase in revenues, would be $6⅔ billion.

On the other hand, the Council of Economic Advisers testified that the Federal tax recovery from increased gross national product is 30 percent. Even on this cheery basis, Government revenues would increase only $6 billion as a result of the $10 billion tax cut, and the net loss would be $4 billion.

Even if we take the most optimistic multiplier assumptions of the Council: that the multiplier is 3, and that a $10 billion tax cut will increase the gross national product by $30 billion, and if we apply the optimistic Council 30 percent figure for Federal tax recovery, the total recovery of revenues would still be $9 billion and the net loss would be $1 billion.

Mr. President, I think these calculations are extremely important. Those who say that the responsible attitude toward a balanced budget is to reduce taxes, because that will stimulate business and will eventually increase revenues, simply have not taken the time or trouble to compute what a tax cut could do or would do. If they work it out carefully, I believe they must come to a contrary conclusion; and thus they must recognize that, whatever else a tax cut may do, it will not bring us closer to a balanced budget. It will surely increase the national debt.

ELECTIONS STACKED UNDER NATIONAL MEDIATION BOARD

Mr. CURTIS. Mr. President, the National Mediation Board is currently furnishing a good example of how to stack an election. I am referring to National Mediation Board Case No. R–3590—a union representation case involving the Brotherhood of Railway Clerks, the International Association of Machinists, and, of the utmost importance, the employees of United Air Lines. The issue is the free choice of these employees in a representation election soon to be conducted by the Board.

Here is the situation. The Board intends to conduct an election in the class of clerical and related employees of United Air Lines to determine whether these employees wish to be represented by a union and, if so, by which union. The ballot on which the employees will exercise their vote states that the purpose of the election is to permit the employees to select a union to represent them. On the ballot are the names of the unions and a blank space for the employees to insert the names of some union or individual not listed on the ballot. It is significant that there is no designated space provided on the ballot for an individual to indicate that he does not want any union or any representation of any kind, although, in fact, this is one of the choices available. The Board does not undertake to inform the employees of their choices or how they may indicate on the ballot or otherwise that they want no representation. The employees are thus left with the clear inference that they must choose some union or some individual.

As if this were not enough, consider further how the Board conducts the actual election. Under Board procedures an election is valid only if a majority of the employees in the craft or class cast valid ballots. A union or individual receiving a majority of the valid ballots is designated as the representative. If no organization or individual receives a clear majority of valid ballots, or if less than a majority of eligible employees cast valid ballots, there is no election. But, it is significant, and this is not generally appreciated, that a valid ballot, in the eyes of the Board, can only be one for a recognizable organization or individual. In other words, if an eligible individual votes for no union or no representation, his ballot is invalid. It takes no great imagination to see that under this practice a union may be selected by as few as 26 percent of the employees. To put it another way, the union adherents have a 2 to 1 advantage over those desiring no union.

This type of procedure is shocking to me as it must be to others. It is certainly way out of line with the normal democratic processes of our Nation. The National Labor Relations Board has conducted many thousands of elections, and its election procedures provide for a ballot where employees may choose one or more unions or vote for no union at all. I see nothing in the Railway Labor Act which would prevent the Board from using the same or similar type ballot, and I see no reason why the Board should not change its procedures immediately. Certainly there is nothing wrong with giving employees a free expression of their will.

The Board, in attempting to justify this untenable position, claims that the Railway Labor Act contemplates that collective bargaining between carriers and employees be conducted only through duly designated and authorized representatives, and that the Board take steps to encourage employees to select unions rather than remain unrepresented. The Board feels that its election procedures are designed to bring this about. I doubt that Congress ever intended any such unfair result. If Congress had intended to deny employees a choice in this matter, it would have inserted a specific provision in the act to that effect.

I am calling this situation to the attention of my colleagues in the Senate so that they will understand just how the National Mediation Board conducts elections. In my opinion, it is high time that the Board changed its practices to conform to democratic principles. I believe that this is the least that can be expected of an agency of the United States.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator yield?

Mr. CURTIS. I yield to the distinguished Senator from Ohio.

The VICE PRESIDENT. The Chair recognizes the Senator from Ohio.

Mr. LAUSCHE. To what particular subject does the Senator make reference?

Mr. CURTIS. I am referring to National Mediation Case R–3590, a union representation case involving the Brotherhood of Railway Clerks, the International Association of Machinists, and, of the utmost importance, the employees of United Air Lines.

Mr. LAUSCHE. How would the compulsion of the stacking of governmental power behind one and against the other mainfest itself?

Mr. CURTIS. A ballot is being suggested which would not permit the employees to decide whether they wanted a union as a bargaining agent. A ballot is being suggested which would give them the choice of two unions. It is true there is to be a blank space below, but that blank space is not labeled to such an extent that the employees can indicate they do not want a union.

The VICE PRESIDENT. The time of the Senator from Nebraska has expired.

Mr. LAUSCHE. Mr. President——

The VICE PRESIDENT. The Senator from Ohio is recognized for 3 minutes.

Mr. LAUSCHE. Mr. President, I wish to express my concurrence with what the Senator has said. The ballot issued by this Board would not give the employees the right clearly to indicate their unwillingness to join any union.

Mr. CURTIS. The Senator is correct.

Mr. LAUSCHE. The only printed material on the ballot is, in effect, "You join union A" or "You join union B." If an employee does not wish to join a union he must write that in, in longhand. That, in my opinion, would not give to the workers a clear and equal opportunity to express themselves as to whether they do or do not wish to join a union.

If the employee wishes to join a union, of course, the ballot is adequately clear to enable him to mark it as he wishes.

Mr. CURTIS. I thank the Senator.

THE PRESIDENT'S TAX PROPOSAL

Mr. LAUSCHE. Mr. President, I received a copy of a letter sent out by Capital University, an educational institution of the American Lutheran Church of Columbus, Ohio. The letter was addressed "To the Presidents of Ohio Colleges and Universities Regarding Proposed Revision of Income Tax Structure." It is signed by H. L. Yochum, president of Capital University. Among other things Dr. Yochum expresses his opposition to the President's proposed tax cut in the following way:

> Certain items in the proposed revision which threaten to deter or decrease voluntary contributions are:
>
> Exclusion of the first 5 percent from total itemized deductions, such as contributions, interest, taxes, etc. (hitting those in the middle income brackets).
>
> Reduction of current unlimited deductions for charitable contributions of 30 percent (hitting those in top income brackets but perhaps offset somewhat by raising basic 20-percent limitation to 30 percent.
>
> Repeal of the $50 dividend exclusion and 4-percent credit (hitting many of the giving group).
>
> Replacement of the extra exemption and retirement income credit for those over 65 by proposed blanket $300 tax credit (hitting high-income people over 65).
>
> Changes in provisions regarding capital gains (effect not easy to predict, but viewed with suspicion).
>
> Time schedule of implementation increases costs for individuals and corporations before alleged benefits can become operative.

He further states:

> Am I right in being greatly disturbed about this proposal as it now stands, and that I may expect you to share this concern, for the following reasons?
>
> This is a further invasion of the right of the individual to bestow his money as he sees fit.
>
> This is an acceleration of the trend toward socialization and federalization.
>
> This is bound to diminish voluntary support of educational, religious, and charitable institutions and other worthy causes.
>
> This is bound to increase dependence of these institutions and agencies upon Federal largess.

On that score, I sometimes think that is what the Congress contemplates in the philosophy which is being manifested—to destroy individual initiative and individual purpose to care for one's self and to stimulate dependence upon the Government; not to support institutions of higher learning by gifts, but to make them come to the Federal Government for largess. When they do that the Federal Government will be able to tell them what they should do, by way of teaching and otherwise.

The VICE PRESIDENT. The time of the Senator from Ohio has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Ohio may proceed for an additional minute.

The VICE PRESIDENT. Without objection, it is so ordered.

URBAN TRANSIT DEVELOPMENT ACT OF 1963

Mr. LAUSCHE. Mr. President, on February 14 I introduced a bill entitled "The Urban Transit Development Act of 1963 (S. 807)," which in my opinion offers the soundest and most practical approach to a Federal urban transit program. As I pointed out then, this bill is intended to help the Nation's urban areas develop adequate transit facilities through local initiative and resources without initiating a new and permanent Federal subsidy program.

I wish that Senators who are not familiar with my proposal would listen to a description of what my bill contemplates doing. It does not contemplate giving away Federal money. It is not a gift proposal, as is the proposal made by the Senator from Delaware [Mr. Williams]. The Senator's bill contemplates presently a $500 million program of gifts to all urban communities for the purpose of buying buses, facilities and equipment.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. LAUSCHE. I meant the Senator from New Jersey [Mr. Williams]. I beg the pardon of the Senator from Delaware. A word of this type should never, under any circumstances, be ascribed to the Senator from Delaware. The last thing one could say would be that the Senator from Delaware would be giving away the taxpayers' money.

My bill contemplates putting the subject of urban transportation in the Department of Commerce and taking it out of the Housing and Home Finance Agency. Second, it contemplates a Federal program supported by a $50 million appropriation, which would be used to guarantee the payment of borrowings made by local transportation systems to expand their service. Third, it would authorize the creation of a separate special fund in addition to the normal depreciation fund, that special fund to become tax exempt if it were used to improve and expand local transportation service.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I am heartily in accord with the effort the Senator from Ohio is making to have the railroads help themselves through governmental guarantees rather than through grants. That, as I understand, is the purpose of the Senator's bill.

Mr. LAUSCHE. That is correct. There already is in existence a guarantee loan program for railroads.

I had one further comment with respect to the bill. There are now situations wherein State and local governments have granted tax exemptions to transportation systems, but the full benefit of the tax exemptions has not become available to the transportation systems because the Federal Government comes along and taxes the grants and dispensations that have been made.

Those are the four principal objectives of my bill. If any Senator is against giving away of the taxpayers' money and desires to help local transportation systems, I respectfully submit my approach to the problem will achieve the objective and will be the fairest one to the taxpayers.

The PRESIDING OFFICER (Mr. McGovern in the chair). The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may have 2 more minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, my bill embodies a program of fiscal health. I want Senators to understand that I did not say "physical" health. The bill contemplates fiscal health of the Federal Government. I think the time has come when we had better start thinking of giving strength and stability to the fiscal position of the Government which has been so good to us and which means so much to the free people of the world.

We constantly hear about physical health. We hear suggestions, "Walk 50 miles"; or "Get on the top of a telegraph pole and sit up there as an exhibition. You will get some newspaper publicity out of it." I submit the program I propose is far more fitting to the times than the idle talk we are listening to and reading about in the papers every day.

I ask my fellow Members to join me in the sponsorship of the bill.

In addition, I ask unanimous consent that there be placed in the Record a recitation of the many places in the country that are proceeding to solve their own problems in this area.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Statement of Delmar F. Drumm, Wausau Area Chamber of Commerce, Wausau, Wis.

Mr. Drumm. My official capacity here is representing our board of directors, our national affairs committee, and a special mass urban transportation committee which we have had in existence for some time.

My reason for testifying here is the fact that we have resolved our local mass urban transportation problem. I would like to tell you just how we have done this, what our problems were, and what the current situation is to date.

Our problems were manifold. Basically, however, our company, our local company, which services more than Wausau—it services an area of Schofield, Rothschild, and Wausau Townships—had declining patronage due to many reasons, and as a result they had an operation deficit from 1955, 1956, 1957, and 1958, of upward of $8,000 per year. The employer-employee relationship was poor. This company was a private company acquired from a large public utility in our area. The utility had sold out this portion of their assets, and this local company acquired the franchise rights to service our area.

We had absentee ownership. The ownership and top management of the company resided in the Chicago area. So there was a sort of a feeling of mistrust that existed between business people of the community and the absentee owners.

We had no local municipal understanding of the problems that existed, such as a change of routes, of schedules, or a number of other little factors, including parking facilities on the main discharge.

From 1954 to 1957 a retail council executive committee, a division of our chamber of commerce, met at least twice annually with the company management to try to gain a personal acquaintance with the problems they were faced with. In December 1957, they appointed a special study committee, and this committee obtained information from transit companies in communities across the Nation—jitney service in Atlantic City, coupon service out in Denver, special cut rates in New Orleans.

The study committee examined the company's financial records, with their permission. We analyzed the type of riders they had, the frequency of service, the cost of such service. And in June of 1958, this committee of ours, which consisted of 10 business leaders in the community, put the following plan of action into effect, a plan of action which we think any community in the United States can put into effect.

First, we curtailed service by one-third, and we did so without developing any customer complaints. Less frequent vehicles were placed on each of the routes. The time element was extended. Instead of 12-minute service we went to 30-minute service. Instead of running until 9 o'clock every night, we closed down at 6 o'clock. Instead of running on Sunday morning, when it was unprofitable, we omitted it from the entire schedule.

Second, we held many meetings with the officials of the local school board, and we did convince them that the cost of hauling the students from outside of the 2-mile radius, based on the tickets that were redeemed by these students should be increased from 12½ to 16½ cents per student. We had to obtain the approval of the city council finance committee, which ultimately provides the school board with their funds; or, in this case, the school board is reimbursed to x amount of dollars from the State through the city. The increased school fares were incorporated in the board's budget, with the approval of all committees.

What was most important here is that this fare increase was approved by the Wisconsin Public Service Commission without any public hearing, without the expense of a public hearing; and all parties had indicated this approval in writing.

Third—this was the summer of 1958—the company had no cash reserve funds with which to operate over the summer period, and this is the tough period for our transit company. They lack the school business. They told us they would need a minimum of $7,500 to carry them over the summer months. We agreed, and did raise $2,500 from retail businessmen in denominations of $5, $10, and $15, up to $200, $300, and $400, as a loan to the transit company, to be repaid as soon as possible.

We did convince the school board to purchase tickets for their students who reside out of the 2-mile radius in advance, in a gross amount of $2,500.

We did convince the employees of the company, through their union, to agree to loan the company $2,500. I am very sorry to say that this latter proposal was reneged upon.

At this point we had a transit company that had $22,000 in outstanding obligations, of which a major portion was owed to the Bureau of Internal Revenue. We went to the public and asked them for help.

In July 1958 a strike was threatened by the union. The negotiations were satisfactorily completed by my committee, and a new contract, for 1 year, was signed.

In September of 1958, Internal Revenue informed the company that they were definitely going to foreclose, because of the failure of this company to pay taxes, including funds withheld from employees for social security and withholding. The taxpaying record of this company was very poor. The total past due obligations to Internal Revenue exceeded $7,000. We met almost daily during this period, negotiating with Internal Revenue, convincing them that the only way they would obtain these funds, this money, was to permit this company to operate. But it became very apparent at this stage of the game that we would have to have some more definite concrete information.

So my retail executive committee authorized our subcommittee to prepare an operating projection, by a reputable accountant residing locally. This was completed, and it indicated what we had believed to be true: That the company did stand a chance of breaking even by June 1959. But the 1959 summer would result again in a $12,000 to $15,000 loss due to the lack of the summer patronage.

In October 1958 the company lacked the cash to meet their payroll. We agreed with management that they should issue two checks—one that could be cashed immediately, and one that could be cashed a week later when sufficient income was obtained. A strike was again threatened. The company also owed the union pension fund $1,800. It also owed an $893 payment on the building which had been acquired through the union fund. Our committee sat many times at the bargaining table, along with the Wisconsin labor relations representatives, and we successfully concluded negotiations. We averted the strike.

But in June of 1959 the creditors, the local creditors, became impatient. So each day we had a new crisis occurring, and each day a member of our committee would sit down and work out this crisis.

For example, we needed spare parts, and no spare parts firm would provide these on credit to the company—and logically so. We made arrangements with a Chicago company to give us those parts on a consignment basis. Buses were sold as far away as South Dakota, to provide the necessary cash to meet payrolls, and these were buses that were no longer used because we had curtailed service.

The school board agreed that they would pay semimonthly, based on tickets redeemed, instead of monthly.

By February of 1959 the president of the transit company asked anyone for any proposal by which $15,000 to $18,000 could be raised by the coming summer to cover their expected deficit. I am very happy to say that although we did not raise the money at that moment we were able to work out satisfactory arrangements. But in February 1959, because there was nothing formal in writing that the company could count upon, they petitioned the Wisconsin Public Service Commission to abandon service as of May 29, 1959.

The hearing was held March 12. Another hearing followed that. There was very little public opposition to this hearing; in fact, even my retail executive committee did support the abandonment of the company, indicating they had done all they could along this line.

The projection we prepared was analyzed by the Wisconsin Public Service Commission, and they felt as we did that if this company were given enough time in which to work out its own problems it could do so. So they denied the petition to abandon service, feeling it was premature, but put itself in a position whereby no additional public hearing would be necessary should they have to abandon service because of lack of operating capital for that summer period.

We might say that it pretty much repeats the first summer period. We worked out most of the arrangements for the second time. The commitments made by the company were all paid as agreed.

Their current status is this, and this is the thing I think you would be most interested in: They are expanding their service into the urban areas surrounding our community. They are expanding their service on a competitive basis with the school systems in the suburban area for schoolchildren; and to do this they had to go back through their own employee organization to revise their working rules to permit them to pay a lower rate of pay to the part-time drivers they have. They have been able to find credit to buy new diesel equipment, the newest equipment they could possibly afford. They have a local and open line of credit at local financial institutions which, of course, they use with discretion; but they use it wisely.

And they have been successful. They are operating with a small profit each year.

This is the story of our transit system, and the committee that helped them solve their problems.

We feel very strongly that our problem was a local problem and one that only can be effectively dealt with at the local level. Financing was just a small part of this thing. It is the cooperation between people and the understanding between the various organizations and people that really was the reason for the success.

We think it is extremely unfair to use public funds to support a mass urban transportation system that services few people as compared to the national scope by using, perhaps, tax funds from our company. In our opinion a subsidized transit system is a dead one, one that will continue to look for handouts, one which will merely prolong the problems.

Thank you very much.

Statement of R. W. Pruden, Executive Manager, Zanesville Chamber of Commerce, Zanesville, Ohio

Mr. Pruden. * * * I am appearing here in opposition to the mass transportation bill and to point out what has been done by the citizens of my community when faced with the loss of their local bus transportation system.

To give you a little background on the type of people we have in our community, twice during the past 5 years they have voted to impose upon themselves a 1-percent city income tax for the operation of their city. In the last election they also voted for every school and health bond issue.

In 1954 they voted in favor of bonds to erect a $4 million high school.

In a community of continuing industrial and economic growth this might not seem to be an extraordinary achievement. However, for the past 2 years Zanesville has been classified by the Department of Labor as a "persistent and substantial labor surplus area."

At the present time approximately 3,200 men and women would accept employment, according to the report of the Ohio Bureau of Unemployment Compensation.

In February 1962 the citizens of Zanesville again demonstrated their American heritage by contributing funds to have local bus transportation for their community.

In February 1961 the city administration was notified by the bus company that they would not renew their franchise in February 1962.

The city administration immediately advertised in various publications read by bus operators that the city of Zanesville franchise for a local bus transportation system was available.

Several inquiries were received and negotiations with various individuals continued until late January 1962, in the hope that private enterprise would continue to operate the bus system.

At this time a public meeting was called by the city council at the request of the bus drivers' union to explain the problem. Approximately 1,000 people attended. Free transportation was provided by the bus company and the drivers. The company operating the system had offered to sell the 24 buses for $25,000—$10,000 down and the balance over a period of 3 years. The owner also asked $60,000 for the building used for storage and maintenance of the buses.

After discussing the problem, a steering committee was appointed consisting of the executive manager of the chamber of commerce as chairman, the city manager, the superintendent of schools, and the president of the drivers' union.

Many meetings of this group were held in an attempt to determine where the funds could be obtained.

The committee estimated that $18,000 would be needed in order to begin operations. The committee determined that the city should not be in the bus business and, further, that the school system should not purchase buses to transport students even though the State of Ohio would pay 65 percent of the cost of purchasing and maintaining the buses needed.

A plan was finally worked out whereby the city would purchase the garage which could be used for its own equipment in the event the bus system failed. It was then decided to conduct a public campaign for funds to purchase the buses.

Three trustees were then appointed—an attorney, a certified public accountant, and a store manager. They were assigned the responsibility of determining the price of the stock to be sold to the public, act as recipients of the funds, and, as later developed, they served as proxy holders at the organization meeting.

The trustees came up with the plan of selling $10 shares of stock in a profit corporation and the alternative of donations to the fund. A deadline of 10 days was set to raise the $18,000.

Mass media—newspaper, radio, and television promotions—helped to publicize the project. Radio and television appearances and newspaper editorials and stories carried the campaign to the public.

The newspaper carried a coupon each day which could be returned either with an investment or as a request for someone to call and explain the situation, and the busdrivers handed out similar information to every passenger. Most of the requested calls were made by the busdrivers themselves, on their own time.

The chamber office served as headquarters and two retired businessmen volunteered to be present at all times to accept money and reports.

Solicitors were organized by a retailer who came forward and devoted a great deal of his time to the project.

The president of the Drivers' Union did an outstanding job and the drivers themselves started the campaign with the announcement that 18 of them had purchased $3,600 worth of stock.

On the final day of the campaign it was announced that 856 firms and individuals had purchased $34,255 of stock which permitted the outright purchase of the buses, leaving the balance for operating expenses.

At the subsequent stockholders meeting the board of directors and officers were elected, composed of businessmen and busdrivers, who are now operating the Y-City Transit Co., a citizen-owned bus company.

Thus, the citizens of Zanesville again demonstrated their "ability to do for themselves" and thereby set an example for the other communities in this Nation to follow.

Statement of Heath D. Andrews, Manager, Binghamton Chamber of Commerce, Binghamton, N.Y.

Mr. Andrews. Good morning, Senator. I am Heath D. Andrews, manager of the Binghamton Chamber of Commerce, Binghamton, N.Y., a community of about 78,000 population, the center of a metropolitan area of about 250,000.

Binghamton is located on the southern border of New York State, in what we call the southern tier. I would like to give you an example of something that parallels some of the cases that you have heard previously here, but in a little different manner. In 1954, the operators of our local transportation company came to the chamber of commerce and advised us they were having financial difficulties, and it didn't look good for their operation. At that time we formed a committee of local business people to study their problem, to see if we could give them some assistance.

We came up with a four-point program, which basically involved tax relief, financing, promotion, and cooperation. At the time, 1954, the State of New York imposed a 2-percent gross receipts tax on utilities of this nature. And the cities were given the right to impose a 1-percent gross receipts tax. We felt that the first and quickest method for us to give them some relief—because as you realize these taxes were taken off the top, whether there was any profit or not—we felt that the quickest way to give them relief would be to try to get those taxes removed. Our efforts at the State legislature, in 1954, were not successful, but in 1955 we did help get the law of the State changed to allow local municipalities to remove the tax and for the State also. So in 1955, right in the middle of their low period, they did receive some relief by having the 2-percent tax on the State level, and the 1-percent tax on the local level, removed.

In 1955, the bus operators told us that they still were in trouble and that they might have to go out of business. They were running at deficits, and I won't go into dollars and cents for you, but they were averaging $60,000 to $80,000 a year.

In 1956, they proposed that they would have to go into bankruptcy, or have the municipality take it over as a public operation. The chamber, at that time—and I use that term synonymous with commmunity because the chamber is the community, because the chamber is the community at work, through its committee—felt if the community were to take over the operation, it would be just a question of the city having to subsidize the operation for those deficits. The subsidies probably would continue, from the experience of other communities that we were able to check with, where we found the communities were forced to put up more and more taxpayer's money each year for the operation of their local transit companies. So we did everything in our power to try to assist the local company, to find either a buyer or a better financing.

As it turned out, an experienced operator with capital was interested and did come in our community. He did so because we offered him a $40,000 loan, if he needed it, to start the operation of this company. The $40,000 was in a fund we had already raised for industrial development purposes in our community, and we were willing to devote it, or divert it, to this purpose in the interest of community transportation.

Incidentally, they never called on us for that loan. The year they took over the company, 1957, there was a $60,000 deficit, and in 1958 they were able to break even, and they have been operating in the black ever since. How did they do it?

Well, they did it because, first, they streamlined their operations, and they had the interest of the community and the promotional efforts of the community, and the cooperation of the community behind them. The chamber of commerce financed and paid for over $250,000 free bus rides in a period of 2½ years, which of course was a twofold program to help retailing in the community, as well as the bus company. We promoted prices to bus riders, that brought to the public attention the facilities of the buses. And the municipality and the community in general gave their full cooperation to the bus company in allowing them, with no difficulty whatsoever, to eliminate unprofitable runs, combine runs, and add new schedules wherever they felt they could be profitable. Today the company is expanding its operation, it has put on new equipment, all of the old equipment has been replaced with new modern buses. We feel that this is a perfect example of how, when a community will take a look at its own problem and have a desire to want to do something about it, it can do so on its own. I have tried to shorten my presentation to you, because the others are so parallel. I won't go into dollars and cents, but by the full cooperation of their employees, the union, and the community, they were able to take a company that was in the red and put it into the black. And it appears to be in healthy condition today. I might also add, while it is not my community, the same people took over the defunct bus company in Yonkers, N.Y., and they are operating it today at a profit by using some of these same methods.

Incidentally, Yonkers, N.Y., I believe, was one of the last cities in the United States to raise the old 10-cent rate to 15 cents. Basically, that is the story of Binghamton, N.Y.

STATEMENT OF ARTHUR M. STEPHENS, TRANSPORTATION DIRECTOR, EVANSVILLE CHAMBER OF COMMERCE, EVANSVILLE, IND.

Mr. STEPHENS. Sir, my name is Arthur M. Stephens, transportation director of the Evansville, Ind., Chamber of Commerce, appearing here as a representative of this organization to present a statement of our views concerning this proposed legislation.

I have a prepared statement, but since I might interpolate a few things as I go along, I am going to read the statement just the way I have written it, and interpolate as I find the necessity to do so.

Senator LAUSCHE. Fine.

Mr. STEPHENS. It appears from this proposed legislation that eligible applicants for assistance would be States and local public bodies and agencies thereof, and that no grants or loans shall be made for a project involving acquisition of facilities or property of private motor transit systems unless (1) such assistance is essential to the program for a unified coordinated urban transportation, (2) the program provides for participation of private mass transportation companies to the maximum extent feasible, and (3) just compensation will be paid to such companies for their franchises or property to the extent required by applicable State or local laws.

I might digress here for a minute and say that Evansville is the fourth largest city in Indiana, with a population of approximately 142,000, and nearly 200,000 population in the metropolitan area, which includes Henderson and Jefferson and Vanderburgh Counties, and the city of Evansville. Several urban lines are operated, they are buslines and, of course, you probably know, Senator, that the State of Indiana, so far as the Evansville operations are concerned, extends a certificate of permissive authority under the Motor Carrier Act, or the statutes of Indiana.

For the present it is the intent to provide that this aid shall only be given to those transportation systems which are operated by the Government; therefore, we can foresee no early or future development in Evansville that would influence us to change our free enterprise conviction which is supporting private operations of our local bus system now and for the immediate future. We, thus, have no reason to record any endorsement of the mass transit relief as proposed.

The Evansville city transit story may be repeated here, and I will quote it as I wrote it several months ago for several publications:

"During 1958, and for almost 10 months immediately prior to the initial operation of Evansville's new urban transit system, starting February 23, 1959, and as presently serving the entire populace of the city, local citizens, merchants, businessmen, and others, following the lead of the chamber of commerce, were confronted with many complex problems in their efforts to restore normal city bus service under private management.

"These problems stemmed from the alleged unprofitable operations of the 1958 owner and his oft-repeated threat to increase fares higher than the level of those established in other cities of comparable size, to curtail and limit service, and, finally, the official and definite announcement that all city bus service would be terminated in Evansville as of 5 a.m., Friday, February 13, 1959.

"Such alternate proposals as municipal ownership with or without municipal operation, subsidization of the urban transit system by business interests as a community necessity, and campaigns to encourage bus riding to avoid any possible demand for help from the taxpayers found little favor as either a partial or complete remedy since the community leaders were unalterably opposed to other than private management and operation of the transit properties. Ably helped by the Public Service Commission of Indiana in its consideration and disposition of the several applicants for the Evansville urban transit privilege, the chamber of commerce, the mayor, civic, commercial, and other business agencies concluded that where essential to the continuance of privately operated transit, every device that was practicable should be used to maintain this needed public service without resort to municipal operations.

"The final realization was that Evansville's enterprising group of citizens and businessmen had to make it possible for the local population to have ready access to the central city, and to find ways of stimulating greater transit patronage. Seen in prospect was the assurance of a new and experienced operator, with improved equipment, plenty of courtesy, and hard work that has made for the continued existence these last 4 years of a cooperative segment," and a fairly reasonably profitable segment, on the assumption, of course, that the community was ready to help them out if they had a need for revenue "of the privately owned transit industry, and the preservation of business district values.

"Through the efforts of local groups, a number of applicants who were interested in the bus service were encouraged to submit applications. The chamber of commerce conducted a thorough study which revealed that the present operator appeared to have the best know-how, capital, and operating experience to carry on the bus operation in Evansville and he was given the support of the chamber and other groups.

"The present operator has, during the past several years, increased his schedule, provided for modernization of his operating equipment, and has provided adequate mass transit service for this community under the circumstances. He has, thus, justified the confidence that the community placed in him and confirmed our view that continued existence of a privately operated transit system is essential to our local economy and will be supported if and when there is a revenue increase needed and justified by the present operators."

In our opinion, passage of a program involving Federal aid simply means that the Federal Government will raise the needed revenues through general taxation, or else it will be an added burden on all taxpayers through an increase in the Federal debt. Because everyone is taxed to support the Federal Treasury, the burden will be placed on those urban areas which have already solved their transportation problems, as well as those that have not.

At this point I feel it is opportune to indicate the support that the newspapers, in Evansville in particular, have given to the idea of the free enterprise principle of operating these private systems. On January

16 of this year, in the Evansville Courier, there is this editorial comment:

"Traffic studies reperted at a Detroit engineering congress last week were a reminder that cities' problems are much the same all across the country.

"The experts agreed that automobiles are slowly crowding themselves out of the downtown areas. There are so many that they can hardly move during peak traffic periods.

"The experts also noted that parking lots require a larger and larger share of downtown space each year. Their very existence causes the central section to spread out so far that it can no longer fulfill its main purpose, which is concentration of a wide variety of business and commercial enterprises in a small convenient area.

"The experts were talking about New York, Los Angeles, and a few other tremendously large cities. But the same observations apply in some degree to Evansville and every other metropolitan area.

"Despite a slump that has persisted ever since the end of World War II, the logic of the whole situation points to a revival of mass transportation. Congress appropriated $75 million last year to help communities improve their urban transportation systems.

"This year the American Municipal Association will press for $250 million in Federal grants and $100 million in Federal loans to help relieve urban traffic congestion.

"All of this suggests that Evansville is fortunate in having both city and suburban bus systems. If satisfactory equipment and schedules can be maintained at reasonable rates, the lines may do much during the next few years to alleviate downtown congestion.

"It has to be done on a self-supporting basis. Subsidies are self-defeating because they remove the incentive for improvement.

"Still it would be well for the city, our business firms, and promoters of public events to realize that mass transport is a distinct but perishable asset. Any cooperation that can be given in the way of promotion, scheduling, and regulations will bolster a service that should be considerably more important to the whole community in the future."

In the city of Evansville at the present time there is the highest degree of confidence in the ability of our present operator to meet his obligations both to the public and suburban areas.

[From Highway Highlights, October-November 1962]

The Wonder Worker of Houston and Wichita

(Bernard Calkins, who has revitalized bus operations in both cities, believes strongly in free enterprise.)

On September 6, 1961, there was a long parade up Main Street in Houston, Tex. Under police escort, 100 brandnew blue and silver buses drove up the street, one after another, before the admiring view of about 50,000 Houston residents. The air-conditioned, luxury transit equipment represented a new era in mass transit in the Texas metropolis.

And it was a typical bit of master showmanship by Bernard E. Calkins, a hard-driving, imaginative businessman who is looked on as somewhat of a miracle worker in Houston and Wichita, Kans.

For in both cities Calkins, with his Rapid Transit Lines, Inc., in an amazingly short period of time has pumped new life into deficit-ridden buslines, put their operation in the black, provided many new services—and sold the public on bus transportation.

SORRY CONDITION

By the fall of 1960, the bus transit operations in Houston were in a sorry state. The number of riders was declining steadily, equipment was sadly outdated, the service was poor, and a general attitude of defeatism prevailed.

Now, after less than a year and a half under Calkins' direction a completely different situation exists. Of the 379 active buses, 235 are the new air-conditioned Dreamliners, the latest in equipment. And Calkins promises that by 1963 he will have completely replaced Houston's outdated old fleet of buses with new air-conditioned ones.

Route miles have been extended from 374.3 to 394.1.

Most significant of all, ridership thus far in 1962 has increased more than 12 percent, which represents an additional 9,000 riders a day.

The Houston Chronicle commented editorially:

"It seems that Calkins has proved his case. Aggressive management and the new air-conditioned buses have pulled the mass transit business in Houston out of the doldrums. We can go on from here to enjoy good and improving mass transit facilities if enough people will ride the buses. Certainly the results of the first year are encouraging. When all the old equipment is replaced there should be further improvement in volume of riders and in revenues."

To top it off, while Calkins was revitalizing the bus operations in Houston, he also was making what he terms "a good profit."

STARTED AT BOTTOM

Calkins started in the bus business 30 years ago as a mail clerk with the Southern Kansas Stage Lines in Wichita. He subsequently was promoted to the accounting department, and in 1936 was transferred to Chicago as office manager and auditor of a newly acquired subsidiary company named the Santa Fe Trails of Illinois, Inc. Three years later, when the office was consolidated with the home office in Wichita, he became auditor of disbursements and in charge of storeroom accounting for the consolidated companies, by then known as the Santa Fe Trailways. He left the company in 1945 to become a director and secretary-treasurer of the M.K. & O. Lines, Inc., in Tulsa, Okla.

With M.K. & O., Calkins formed a subsidiary company to take over the operation of the Airport Limousine Service in Tulsa in 1955.

But it was in 1959 that he made his big move. Hearing that the Wichita transit system was in trouble, and that municipal ownership appeared imminent, he formed a new company with some outside financing, named it Rapid Transit Lines, Inc., and secured the transit franchise from the city officials.

The franchise was acquired on November 3, 1959, and became effective on June 4, 1960, at which time Calkins put a complete new fleet of 60 air-conditioned Dreamliners in operation. Wichita thus became the first American city to have an all air-conditioned transit system.

The energetic Calkins was also keeping busy on other fronts in 1959. He acquired the contract for operation of the ground transportation at Oakland International Airport, in Oakland, Calif., and has operated it since. This operation includes buses, limousines, and taxicabs.

HOUSTON SITUATION

In the fall of 1960, Calkins learned of the situation in Houston, which by then was so bad that the city was preparing to take over the bus operations.

He made a trip to Houston and in private conversations with the mayor and other officials convinced them he could do the job. He said he would purchase 100 new Dreamliners as soon as possible and replace the entire outmoded fleet within 3 years. In return he asked for a modern franchise which would give management needed latitude on routing, service, and fares. He demanded elimination of any possible stalling by officials or politicians when changes might be necessary to forestall bankruptcy.

Houston accepted—but only after due deliberation. There was much debate in the newspapers about the desirability of giving him the franchise. Houston residents discussed him pro and con. One skeptical city councilman made a secret trip to Wichita, where he rode Calkins' buses, talked with citizens, and discussed the transit operations with city officials. He returned to Houston as one of Calkins' biggest boosters.

Houston hasn't regretted its decision. In May 1961, Calkins, with good financial backing from Kansas and Oklahoma interests, bought out the old Houston Transit Co. for a figure close to $2.5 million. By June 27, 1961, he announced the first route extensions. In August the first of the new Dreamliners were brought into Houston under cover of darkness and wrapped in black plastic sheets. Getting the maximum promotional value from them, Calkins held a formal sneak preview at the Shamrock Hilton Hotel, and then on September 6, 1961, unveiled them to the public in the mammoth parade through downtown Houston.

He made other changes, too:

The company name was changed to Houston Rapid Transit Co., even though it was an all-bus operation, to encourage a public feeling of speed in public transportation.

A plastic covered schedule was installed at each transit stop so that riders could know immeditaely how long they would have to wait for the next bus.

The drivers were outfitted in brand new, attractive uniforms.

HIS OUTLOOK

"The philosophy I have about running a good transit system," Calkins explained in a Highway Highlights interview, "is to give as good a service possible as the revenue will justify, seek new business, and above all use equipment that will attract riders, and hold the old ones.

"Today, with people living in better homes that are furnished better, and with air conditioning in homes, offices, plants, and cars, I say you must provide modern air-conditioned equipment or you will lose your customers."

The transit systems in Houston and Wichita are operated in a similar manner, the only difference being in their size and scope. Calkins has 60 buses and 107 employees in Wichita; 418 buses and 980 employees in Houston. There is an average of 130,000 daily riders in Houston, 18,000 in Wichita.

Calkins actively manages both the Wichita and Houston operations, with other key personnel in charge of departments. He commutes 650 miles between the two cities by plane each week.

His Oakland operation he runs more by remote control, with key personnel overseeing things there for him.

The rate structures vary somewhat in his two bus operations. In Houston adult fares are 20 cents, with two 5-cent zones; students, 10 cents; children 8 cents, and a downtown shoppers' special 5 cents. In Wichita, adults are 25 cents (or five tokens for $1); students, two tokens for 25 cents, and children 10 cents. During off-peak hours in Wichita, a round trip can be had for 30 cents.

Calkins is a strong advocate of the free enterprise system.

"I favor it due to the fact that municipal ownership invariably leads to the payrolls being padded with political patronage that the executive director finds he must adhere to in order to keep his job, or he is unable to accomplish economies due to political pressure."

A VIEW ON SUBWAYS

What about the growing campaign for subways in some cities, such as Washington, D.C., and San Francisco?

"I feel the same about them as I do about any other fixed rail operation. The passengers simply cannot get from their origin to their destination without transferring to a surface transportation vehicle, which causes loss of time and inconvenience to the passenger. Actual experience in my Houston operation has demonstrated that if you eliminate the necessity of transferring, you increase your number of riders.

"If subways were used at all—or elevated—they should be paved for the use of rubber-tired vehicles in areas where congestion exists and laid out so that the rubber-tired vehicles could leave them after getting out of the congested areas and traverse over the regular streets, thereby discharging or picking up passengers as close to their doors as possible, without the necessity of transfer."

Calkins feels that the best moves he has made in his bus operations have been going to new air-conditioned equipment, maintaining good public and press relationships, and the posting of times buses leave each stop throughout the cities.

And as to the future?

"I feel that the future of all cities rests with the development of adequate transit systems, particularly for the peak-period travelers, thereby leaving streets and parking spaces for those who have to drive their cars.

"I do not believe that people should be forced to ride transit—but that they should be encouraged to do so after it has been made convenient for them."

[From Traffic Quarterly, January 1963]

MUNICIPAL OWNERSHIP OF TRANSIT FACILITIES IN SMALLER CITIES

(By Richard N. Farmer)

(Mr. Farmer is an instructor in economics at the University of California. He earned his B.A., his M.A., and his Ph. D. at that university. His articles have appeared in technical journals, and his experience includes business administration in the Near East and teaching both business administration and economics at graduate and undergraduate levels.)

Before 1954, it was rare to find a local public transit system owned by the municipality in cities with a population of less than 500,000. This economic sector had been developed extensively by private interests; virtually all of the companies were private, profitmaking companies, typically operating as a monopoly in their city under a franchise arrangement with civic authorities. Local transit traffic was usually profitable, and occasionally quite lucrative, until 1930.

The use of private automobiles rose sharply after 1920, causing some economic difficulty for transit lines, and the great depression, coupled with the continuing development of the private automobile, began to cut deeply into private profits in the 1930's. World War II, with its critical shortages of fuel, parts, and rubber, postponed the unfavorable transit developments for almost a decade in the 1940's, giving public transit some of its most profitable years. But as soon as the general public could obtain automobiles again, transit riding again declined, falling to the 1935 level by 1955. Table I indicates the trend. By 1960, transit riding in small- and medium-sized cities was only 82 percent of the 1935 level, or only 43.5 percent of the 1945 peak. By 1960, more than 60 million passenger automobiles were in use, as compared to 27 million in 1945.

Firms facing traffic declines of this magnitude attempted to raise fares to offset patronage declines. Complicating the problem was the steady increase in operating costs brought about by the postwar inflation. As fares rose, traffic tended to decrease, although the fare increases tended almost to offset traffic decreases. For all American transit systems, 18.98 billion riders yielded a revenue of $1.380 billion in 1945; in 1960, only 7.52 billion riders yielded a revenue of $1.407 billion. But the same amount of revenue in 1960 did not go nearly as far as it did in 1945, when cost levels for goods and services purchased by transit companies cost only 40 percent as much as they did in 1960.

TABLE I.—*Total transit rides in selected years*

Year	Billions of rides [1]	Total revenue	Billions of rides: Small cities [2]
		(*Millions*)	
1935	9.78	$681.4	3.48
1940	10.50	737.0	3.91
1945	18.98	1,380.4	9.40
1950	13.85	1,452.1	6.54
1955	9.19	1,426.4	3.97
1960	7.52	1,407.2	2.85

[1] All types of urban transit for all cities.

[2] Cities of less than 500,000 population and suburban lines.

Source: American Transit Association, "Publicly Owned Transit Systems in the United States," 1961, 5 pages (mimeographed).

During this period, streetcars virtually disappeared from smaller cities, as transit companies tried to reduce operating expenses, and buses became the only means of mass transportation. But traffic declines quickly wiped out most efforts to cut operating costs. Between 1945 and 1960, 346 cities lost their mass transportation, for many firms were unable to cover even their direct expenses. In Illinois alone, 117 bus companies abandoned their operations from 1949 to 1960.[1]

These private companies usually abandoned operations only when further effort was clearly hopeless—that is, when their direct operating expenses, not including depreciation, could no longer be met out of revenues. The cities served then faced a choice: either there would be no transit, or the municipality would have to operate the lines as a public service. Most municipalities chose to let the service cease, but an increasing number have elected to operate the lines as a municipal corporation. Table II indicates the trend since 1955, when public ownership of such companies began to become important. Twenty-eight companies have gone public since that year, or more than were public companies in all the years up to that time.

A further reason for cities taking over their transit operations has been the dissatisfaction with the service offered by the private owner. This has been most important in very large cities, but in some cities with a population of more than 100,000 it has been an important factor. The private firm owning the lines has usually been willing, and sometimes even eager, to sell out to the city, as profits in the field fell steadily in the postwar period. Some private companies have considered that more could be gained by liquidating operations through sale than through continued operation. At least some of the capital invested could be recovered by selling the company's physical assets (such as buses) to the new city corporation.

TABLE II.—*Publicly owned transit systems in the United States showing date and number of firms changing from private to public ownership in cities of 500,000 population or less*

Years:	
Before 1919	3
1920–29	4
1930–39	3
1940–49	6
1950–54	5
1955–61	28

At present, about 8 percent of mass transportation systems in the smaller cities are publicly owned (57 out of 713), but the total number of municipally operated systems seems destined to rise as more local private companies succumb to automobile competition.

PHILOSOPHY OF OWNERSHIP

Historically, the question of ownership of the mass transportation monopoly has been a fiercely debated issue. In the first decade of the 20th century, the proponents of socialism typically listed this public utility as one of the first candidates for nationalization. As long as the transit companies were profitable enterprises, such proposals were violently resisted by the owners of the systems. As the transit business steadily became less profitable, this particular problem disappeared. When the cities finally began to take over local transit companies on a large scale in the late 1950's, the chief proponents of public ownership were typically the downtown merchants, who foresaw business losses and serious traffic problems in the downtown areas if public transit were discontinued. The present public ownership trend is more an empirical than an ideological move.

The goals of a publicly owned corporation of the transit type are seldom clearly defined. This issue has been debated by economists for decades, with little agreement as to what the aims of the firm should be.[3] The problem is somewhat more than academic, since if public ownership of transit becomes widespread, there is substantial danger that serious misallocation of resources will take place unless the purpose of the operation is clearly understood. On the operating level, this type of question might be one of allocating gas tax revenues to subsidize a money-losing bus system. If the general purpose of the total transportation system is to minimize congestion and maximize easy and economical movement, it might be preferable to put the money into highway improvements for private automobiles. Or the implicit gains derived from the subsidy, such as reducing automobile traffic in congested areas, might more than offset the extra expenditure. Measurement of such gains and losses is difficult, and errors are easily made. They are more likely if the operators of the transit system themselves are not completely aware of what they are doing.

Some of the more relevant goals of a publicly owned transit system can be reasonably clear-cut. Elimination of some congestion in crowded areas is one major objective. Smaller cities normally have some serious congestion problems, but the magnitude of crowding in such cities is not so serious as in larger metropolises. Indeed, one of the major reasons for the collapse of local systems, particularly in cities of less than 100,000 population, is the adaptability of the downtown area to the automobile. Parking lots, one-way streets, and modern traffic control devices can keep traffic flowing reasonably well during all but the most extreme rush periods, with the result that there is little incentive for persons to travel by bus in the off-peak hours. But downtown merchants, pressed by the rapid postwar development of suburban shopping centers, are usually willing to support a money-losing public transit system in the hope that it will help maintain sales and values in the downtown area.

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[1] John E. Dever, "What's Ahead for the Public Transit Company?" American City, vol. 77, No. 3, March 1962, p. 143.

[3] The basic proposition argued here is how public welfare can be maximized in an economy operating with some socialized enterprise. The fundamental rule is that price should equal marginal cost. For a clear discussion of this point, see M. Einaudi, M. Bye, and E. Rossi, "Nationalization in France and Italy," Cornell University Press, Ithaca, 1955, pp. 122–134. A further question is one of measuring performance of a publicly owned firm. See S. Florence and G. Walker, "Efficiency Under Nationalization and its Measurement," in "Problems of Nationalized Industry" (William A. Robson, ed.), Allen & Unwin Ltd., London, 1952, pp. 195–207. See also I. D. M. Little, "A Critique of Welfare Economics," Oxford University Press, Oxford, 1957 (2d ed.), particularly chapter XI, for a discussion of this problem. This issue is widely discussed mainly because of the implications of resource misallocation, leading potentially to staggering economic inefficiency, if the problem is not successfully solved.

A social reason for continuing to operate public transit is the inability of some members of the public to drive. The bulk of these people are very old or very young: the old find it difficult or impossible to drive in congested areas, while the young need to travel to school. Also, even in an affluent society, there are some persons who cannot afford a car—or, more commonly two cars—leading to some limited demand for public transit. Transit riders tend to be in the lower income brackets generally. Finally, there is a group which for medical, psychological, or police reasons finds it impractical to operate automobiles, and who must somehow find their way around the city. When the transit system becomes directly political, as when it is publicly owned, the pressure of such groups becomes quite hard to resist, even if it costs the city something in terms of transit subsidies. Private firms are certainly not exempt from such pressures, but they have always been able to plead that they must make some money or the company will collapse. The publicly owned company does not have this argument to use.

While there is no particular economic reason for profitable operation of a publicly owned firm, most cities prefer to operate at the break-even level, if possible. Local governments are composed in large part of local professional and business groups who instinctively dislike the notion of subsidies. Public firms which do break even or make money are widely publicized and commended, while subsidized operations are quietly ignored, if possible. This attitude tends to put pressure on managers of municipally owned systems to try to cover at least operating costs. The attitude of the general public supports this notion. Seeing the cash flow of fares in even a small system, the taxpayer is likely to feel that the company must be making lots of money. Losses are attributed vaguely to incompetence of management or even fraud.[3]

ECONOMIC PROBLEMS

All public transit companies are caught in a productivity squeeze which has been going on in the industry for several decades. In 1910, transit employees could be hired for 10 to 15 cents per hour, while fares were typically 5 cents. By 1962, fares have risen to 15 to 25 cents, while wages have risen to $2.50 to $3 per hour. In the 1920's and 1930's, transit companies shifted generally to one-man operation, thus cutting their operating labor force in half; obviously, there has been little possibility of reducing this bill further. Shifting from streetcars to buses sharply reduced overheads and maintenance expenses, but again the process is virtually completed.

A further problem stems from the decline in productivity per employee which follows dwindling business. It costs as much to run a bus half-full as one with standees. As traffic falls off, labor costs cannot be reduced in proportion. Labor costs are about 67 percent of all costs, or about 80 percent of cash cost (not including depreciation) for a typical transit company. The inability to get this cost down in order to maintain employee productivity has created serious cost problems for the entire transit industry.[4] Publicly owned transit systems are no exception. Small city systems may have serious problems, since traffic has fallen off faster there than in larger cities. There is also a danger that the city operation may be somewhat less flexible in employment policies than a private firm operating for profit.

Smaller firms may also face some diseconomies of scale in their maintenance operations. A company operating 10 or 15 buses may not be able to buy supplies and parts or utilize labor as efficiently as a larger firm. One advantage which cities gain from operating their own lines, and which may offset this disadvantage, is that the entire city fleet of vehicles can be maintained in a single transit garage. Previously uneconomic maintenance practices may become more efficient if such consolidation is practiced.

But the one-operator-per-bus requirement cannot easily be avoided. Larger cities with rail transit operations can consider automatic operations in the near future which may again make public transit economically viable. The automatic operation of light route-density buses seems much further in the future. Moreover, wage rates are almost certain to rise, since transit operators, public and private, are forced to pay going wage rates for labor. As productivity rises in analogous jobs, the transit operators will also have to pay more, even though they cannot actually afford it. To attract really good drivers, they may have to pay premium rates. Bus driving in city operation is a demanding job, requiring more than simply routine driving skill. Public relations, consumer psychology, and similar skills are an important part of any company's driver force, and good men are always scarce.

Demand spiraled downward in the postwar era, and transit prices have steadily been raised to gain more revenue. The price increases have always been seriously questioned and have usually become popular political footballs. Economists have debated the elasticity of demand,[5] while the general public has argued that the company should be making money at prevailing rates. In practice, demand elasticity has been about unity; that is, the decline in patronage just offsets the fare increases, so that revenues remain roughly the same. The only gain to the transit companies has been the need to provide less service for the same amount of revenue, thus reducing operating costs to some extent.

It has been argued that the reduction of fares in offpeak hours might stimulate traffic. It is unlikely, however, that such reductions will generate much additional traffic.[6] Given the cost of motor vehicle operation in the United States, it is doubtul that there is any level of fares above zero which would entice the public transit. Even if the service were free, the majority of persons would probably choose to drive. The convenience, flexibility, and time economy of automobile operation is too great to overcome easily. There is a small marginal group which can be attracted to public transit if the service is marketed properly, and this small group may mean the difference between profit and loss, but the majority of the traveling public will drive until traffic congestion and parking difficulties reach impossible levels. While these levels may be reached in larger cities, most smaller cities have enough street and parking space to avoid them indefinitely.

Cost levels for public transit do not seem to be out of line with similar costs for private operations. California buslines have operating costs (less depreciation) of from 27 to 52 cents per bus mile, with the larger cities showing higher costs.[7] This is due to higher wage rates as well as slower average speeds in more congested areas. Larger buses are also used in the larger operations. But only 4 out of 11 companies are able to show operating profits, even when depreciation is neglected. The nature of the demand problem is indicated by these figures: with an average passenger ride of about 4 miles and 15-cent fare level, only 14 passengers per mile are required to cover operating costs at 52 cents per bus mile. With 40-seat buses, the break-even average load factor has to be only 35 percent. The inability of the bus companies to achieve even this figure, on the average, shows how far demand has fallen in the postwar period.

A private automobile can be operated in the United States for about 3.5 cents per mile out-of-pocket cost, or perhaps 5 to 12 cents per mile total cost. The total cost figure depends in large part on depreciation, which is a function of the age and type of car operated. Note that at 5 cents per mile, it may be cheaper to operate an automobile than ride a bus, particularly if two or more persons are riding. At present fare levels, the local bus companies do not have a significant cost advantage for the majority of their potential patrons.

For the California cities, the larger the city the more likely it is that some profit can be made. Two of the profitable companies, Santa Monica City Lines and Sacramento City Lines, serve cities of 83,200 and 191,700 respectively, in addition to large urban populations outside the city proper.[8] Table III gives the results for the publicly owned lines in California in 1960–61.

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[3] Rather curiously, a break-even operation of a busline would closely approximate the theoretical ideal, particularly if the average variable cost curve of the firm was linear and horizontal in the relevant range of output. See Einaudi and Bye, op. cit., pp. 122–134.

[4] George W. Hilton and John F. Due, "The Electric Interurban Railways in America," Stanford University Press, Stanford, 1960, pp. 226–243.

[5] Demand elasticity measures the change in total revenue caused by a price change. Total revenue equals price times total output. As price increases, output sold usually decreases. If total revenue increases as price increases, demand is said to be inelastic; if total revenue decreases as price increases, demand is said to be elastic. Unit elasticity is the situation where price changes do not cause any change in total revenue at all.

[6] Edward Sussna, "Costs, Productivity, and Welfare Problems of the Local Transit Industry," Land Economics, vol. XXXV, No. 3, August 1959, pp. 249–250.

[7] This data is derived from "Annual Report of Financial Transactions Concerning Cities of California, Fiscal Year 1960–61." State controller's office, Sacramento, 1962, table 10.

[8] Sacramento in the central city of a metropolitan district of 502,800 population, while Santa Monica is a part of the Los Angeles metropolitan district.

TABLE III.—*Publicly owned transit systems in California, 1960–61*

Size (number of buses)	City	Population	Number of buses	Bus miles	Miles per bus	Revenue per bus mile	Operating cost per bus mile (depreciation not included)	Surplus (deficit) per bus mile
				Thousands	*Thousands*			
2-10	San Bueneventura	29,100	8	265.9	33.2	$0.303	$0.447	$(0.144)
	Oxnard	40,300	5	185.0	37.0	.256	.375	(.119)
	Ontario	46,600	2	74.4	37.2	.288	.382	(.094)
11-20	Oceanside	25,000	20	1,251.1	62.8	.325	.268	(.057)
	Torrance	101,000	17	611.1	36.0	.292	.463	(.171)
	Montebello	32,100	18	616.7	34.3	.477	.450	.027
	Culver City	32,200	18	659.7	36.6	.415	.448	(.033)
	Bakersfield	56,800	16	813.3	50.7	.370	.452	(.082)
21-110	Santa Monica	83,200	88	3,312.5	37.6	.558	.534	.024
	Sacramento	191,700	103	2,883.3	28.0	.532	.512	.020
	Gardena	35,900	27	726.9	25.9	.442	.516	(.074)

Source: State Controller, Annual Report of Financial Transactions Concerning Cities of California, Fiscal Year 1960-61, table 10, pp. 217-219.

CONCLUSIONS

The inability of public transit systems to reduce cost significantly beyond basic minimums suggests that the present transit financial problem is fundamentally one of demand. It is certain that some improvements can always be made in the cost picture, particularly in terms of reducing uneconomic services to districts unable to support a busline, but the basic restriction of one man per vehicle effectively prevents drastic cost reductions. Given present wage, fuel, and maintenance costs, the cost per bus-line is likely to remain around 25 to 50 cents, depending on the type of service, wage rates, and buses used. To create an economic operation, revenues must be generated to cover at least this operating cost. Since the present fare levels of 15 to 25 cents require load factors of from 20 to 35 percent, there is ample room for improvement along these lines.

The difficulty is in the competition, which is effective indeed. People prefer to drive, if there is any reasonable chance of avoiding complete congestion and/or parking the car at destination, and this type of competition is particularly acute in small and medium-size cities, where such driving opportunities do exist. Added to this problem is the growth of suburban shopping centers, which eliminate in part the need for travel in the congested downtown sections. In California, where automobile ownership in smaller cities is about 1 vehicle to every 2.5 people, there are few individuals and fewer families who do not have the possible alternative of driving. The problem for transit companies is how to lure persons away from their private cars.

Cities have owned and operated enterprises for centuries. The usual pattern of municipal ownership has centered around utilities which are fundamental monopolies whose services are needed by all families. Such activities as sewage disposal, gas supply, water supply, electricity, and garbage disposal have been handled by many cities for long periods of time. In virtually all cases, this type of municipal activity served as a substitute for close regulation and supervision of private monopolies, properly franchised, which might be in a position to exploit urban customers. Even more recent city corporations, such as airports and parking lots, have an element of monopoly in them. As noted earlier, this type of gas and water socialism was historically considered in the vanguard of advanced socialistic thinking,[9] and many a bitter political battle has been fought in the United States over the question of who should own such utilities.

Now, however, the cities find themselves operating transit systems by default, not by ideology. The companies are still franchised monopolies—the difference being that a superior substitute service is available in the form of the private automobile. It may seem logical to have the municipality take over the transit companies, given the historic pattern, but in fact the economic operation of the modern transit system is completely different from almost anything the cities have attempted in their history.[10]

Cities are not particularly suited to market their product effectively. This type of business activity has properly belonged in the private sphere of the economy since the earliest history of the country. Worse, the cities have inherited a job already abandoned as hopeless by private entrepreneurs, and success in the transit field calls for better performance than in most marketing problems. Some cities have, through luck or skill in managerial selection, succeeded in stemming the decline in their transit operations, but the magnitude of the problem cannot be underestimated.

Publicly owned transit companies, like other firms in this business, must consider such problems as traffic peaking, comparative prices of alternatives, the impact of shifts in urban land use, and similar factors, if their service is to be marketed effectively. This type of business skill is not commonly found in municipal government, since few city services require such abilities.[11]

The implications of marketing failure here for city progress in planning, traffic control, congestion, and similar problems, are enormous. Cities will not be helped by large numbers of buses operating one-tenth full. There is a real danger that such an operation will deteriorate into a meaningless function providing jobs for a group of skilled operations personnel. If public transit is to contribute anything at all to city transport performance, the buses will have to carry some people—in sufficient numbers to make a real contribution to the traffic problems. Unlike private companies, publicly owned firms can operate indefinitely at operating cost losses. The ultimate economic restraint of bankruptcy does not apply here. In this statement lies both the challenge and the responsibility of the new form of public ownership.

[From Traffic Quarterly, January 1963]

FINANCING MASS RAPID TRANSIT: THE CALIFORNIA EXPERIENCE

(By Alan K. Browne)

(Mr. Browne is a vice president of the Bank of America in San Francisco and manager of its municipal bond department. He is a graduate of the University of California in Berkeley. He is one of the Board of Governors of the Investment Bankers Association of America. As a member of the Urban Mass Transportation Steering Committee of the American Municipal Association; of the Governor's Commission on Metropolitan Area Problems; chairman of the Advisory Board of Financing of the San Francisco Bay Area Rapid Transit District; and past member of numerous agencies and organizations concerned with trade, traffic, and transportation in San Francisco, he has devoted many years to promoting improvement in these fields.)

What has been the greatest problem facing those seeking solutions to the mass rapid transit problems of their respective areas? Has it been engineering concepts? Has it been conflict over the taking of private property for public purposes? Has it been the desire of the individual to meet his personal transportation needs by the use of the automobile? Has it been the question of assessing those who use public transportation rather than those who are presumed to have collateral benefits? Has it been a conflict between private and public enterprise?

The chances are that all of those questions potentially have an influence on the moulding of public opinions. However, at the base of each and every problem is the fundamental question of cost. In other words, what will the solution cost, who will benefit, how will the cost be assessed and can we afford the solution?

This matter of cost seems to be at the base of every mass rapid transit plan. Engineers can develop almost any conceivable plan to provide mass rapid transit. Industrial manufacturers can manufacture the equipment and implement the planning. By statutory provision, almost any rapid transit plan calling for public participation can be developed through the intricacies of the legislative process. In the last analysis, however, no mass rapid transit plan can come into being without the fundamental question of financing being resolved.

Each State and each political subdivision therein, within its respective constitutional statutory and legislative limitations, faced with a mass rapid transit plan has had to determine how to meet its needs and, more succinctly, how to finance its needs. Within our organization of States, the solution has been essentially a local State problem. However, in some instances it has been a bistate concern, and in the District of Columbia it has been of congressional concern. In recent years the Federal Government has become involved, as legislation has been introduced in Congress to provide some measure of Federal participation.

The year 1962 was a significant year in the mass rapid transit field. Various solutions to local and regional problems have been projected. Yet, despite the prevalent need, Federal urban mass transportation legislation was left at the starting post. Again, the question is raised: with such a nationwide need for mass rapid transit, why has the planning bogged down? And again, it is a question of financing, particularly financing which required legislative action and voter approval.

CALIFORNIA'S NEEDS

I have chosen California as the laboratory to test our financial solution to the mass rapid transit problem. California is a State of considerable area and is soon to be the leading State in population. California contains 10 metropolitan areas, each of sufficient population to merit a mass rapid transit program. Two of these areas, San Francisco-Oakland and Los Angeles-Long Beach, are of sufficient magnitude to require individual attention.

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[9] See, for example, Carl D. Thompson, "Municipal Ownership," B. W. Huebsch, New York, 1917, for a typical Socialist statement of the period. See also R. Kelf-Cohen, "Nationalization in Britain," St. Martin's Press, New York, 1959, pp. 1–12, for a brief history of the thinking of the gas and water Socialists.

[10] The most analogous problem the municipalities have faced in recent years is their attempt to attract new industries. Here the marketing and sales promotion function is extremely important.

[11] The best economic discussion of the problems of urban passenger transportation is contained in Wilfred Owen, "The Metropolitan Transportation Problem," the Brookings Institution, Washington, D.C., 1956.

Each State has its own constitutional and statutory provisions for the creation of public bodies, and their financing. No one State can resolve the problems of other areas. However, from the experiences gained by one State through the governmental process, others can benefit.

In other words, there is very little that is new. Rather, it is a question of recognizing the applicability of any governmental program.

What is so intriguing about California? We have pointed out the large area, the number of metropolitan areas, and the population explosion. In addition, we should not overlook the decline of private transportation, the use of the gas tax to finance roads, highways and freeways, the pedestrian right-of-way, the per capita ownership of automobiles, and the lack of basic main transportation systems as a heritage of the past. All of these points have contributed to the urge for solutions to California's transportation ills.

California, a growing but wealthy State, has had more than its share of public needs to be financed from the property tax, special taxes, Federal subventions and from bond issues. No matter what level of government is involved, the pressure of public finance has been substantial. Only the basic credit of the State, growing wealth, sound laws, and an inherited fiscal responsibility have enabled California to meet its public needs without undue financial stress.

Experience gained from other States and a sophisticated approach to its public improvement needs has prevented California from embarking on expensive and impractical plans to finance public improvements.

CALIFORNIA'S EXPERIENCES

In recent years, California has attempted to meet its mass transit needs by two basic but orthodox methods, either through the fare box supplemented by general property taxation, or through the fare box without subsidizing, relying entirely on revenues. Neither method has been a complete success, as there has been a reluctance of voters to provide property tax support on the one hand, and, on the other hand, investors have been less than enthusiastic about transit bonds secured solely by the fare box.

The hard facts of wage-cost spiraling has chilled investor interest, reduced patronage, and aroused voter opposition to tax subsidies. The necessity of maintaining equipment in top operational condition, providing all necessary safety devices plus adequate insurance protection against accidents and excessive jury awards, has plagued municipal operations. Another factor has been the jurisdictional disputes between unions as an aftermath to private operation.

Despite all of these negative facts, what can be gained from the California experience? Probably the fundamental lesson to be learned is that there is no easy financial solution to the mass rapid transit needs of our growing communities. There must be an awareness of the cost of an adequate system. There must be an understanding of how the costs must be shared by the user and the nonuser and, above all, there must be recognition of what it would cost not to have an adequate mass rapid transit system. This last premise is the real challenge, as there is no exact science which will provide a formula to answer this question. It has economic connotations, as well as health and safety factors. It is a measure of whether areas will grow in terms of property values, remain static, or decline. It concerns itself with the preservation of property for private purposes, or the reduction of private property through condemnation for additional highways, freeways, and parking lots.

Much has been recorded concerning the two basic mass rapid transit systems designed to meet the needs of California's two major metropolitan areas—San Francisco-Oakland and Los Angeles-Long Beach. Each was conceived, statutorily speaking, at about the same time—1951, to be exact. Each, at the inception, was to be financed by means of a taxing district to supplement fare-box revenue. Ultimately, the San Francisco Bay Area Rapid Transit District came into being as a tax-supported district comprising five counties (reduced from the original nine), and ultimately reduced to three. The Los Angeles Metropolitan Transit Authority went in the opposite direction and became an authority with no taxing power and no specific area limitation.

In the case of the San Francisco Bay Area Rapid Transit District, it was recognized that there was no existing operating mass rapid transit facility to absorb, so that financing a completely new system would be a major problem.

FINANCING EARLY PLANNING

The city and county of San Francisco, which had experienced an almost complete breakdown of public transportation during World War II, supported the recommendation of an Army-Navy report completed in the late 1940's by endorsing State legislation creating a transit district. This was followed by the appointment of a citizens' committee and an appropriation of $5,000. This was not much, but it did result in the eventual creation of a commission by act of the State legislature and a State appropriation of $50,000. Most of this money was used for engineering reports, which laid the foundation for an additional State appropriation of $400,000, matched by $350,000 provided by the nine counties of the bay area.

From this, it can be seen that the initial funds were provided by the legislative action of the State of California and the nine counties of the San Francisco Bay area. An additional indirect financial contribution was provided through senate and assembly interim committees of the State of California Legislature, which did much to center legislative attention on the rapid transit needs of the San Francisco Bay area. Funds advanced by the State were to be repaid from the first sale of bonds.

The Los Angeles Metropolitan Transit Authority obtained its initial financing during the period 1951–56 from appropriations by the Board of Supervisors of Los Angeles County, which amounted to approximately $300,000. This was supplemented by an appropriation of $70,000 by the Legislature of the State of California, which amount was to be subsequently repaid.

The authority was able to utilize the funds to provide important studies and to obtain engineering reports that paved the way for the repeal in the State legislature of the 1951 act by passage of a new act in 1957.

A direct result of the new act was the authorization by the authority to issue $40 million of revenue bonds, the proceeds of which were to acquire the privately owned Los Angeles Transit Lines and Metropolitan Coach Lines for an aggregate price of $34,176,000. The balance represented cash working funds, planning, costs of financing, new equipment and capital improvements. Following acquisition and consolidation, the authority has operated out of the fare box, with the purchase of new equipment financed by equipment trust certificates payable from revenues.

It was always the objective of the Los Angeles Metropolitan Transit Authority to treat its acquisition of local transit facilities as an interim step in providing truly regional mass rapid transit. The San Francisco Bay Area Rapid Transit District conceived a mass rapid transit system as distinguished from local transit facilities.

By legislative action, a San Francisco Bay Area Rapid Transit District was created, which was empowered to finalize rapid transit planning for the San Francisco Bay area. A limited tax was provided, levied against the taxable property of the district to enable it to operate and to provide funds for final planning. The final plans, after approval by the district, required unanimous approval of the respective boards of directors of the component counties prior to submission of a general obligation bond issue.

While the two metropolitan areas took different steps, organizationally speaking, in meeting their mass rapid transit needs, both public bodies were created by act of the State legislature. In effect, both were instrumentalities of the State of California. The members of the Los Angeles Metropolitan Transit Authority were to be appointed by the Governor, while board members of the San Francisco Bay Area Rapid Transit District were to be appointed by the boards of supervisors and mayors of the component counties and cities. While both district and authority were empowered to issue revenue bonds the authority had no alternative. The district's principal financing source was general obligation bonds, while both authority and district could finance equipment out of revenue.

In an original report rendered to the San Francisco Bay Area Rapid Transit Commission, predecessor to the district, the Stanford Research Institute suggested several approaches in meeting the financial obligations of the proposed rapid transit system. These included, aside from the fare structure and property tax, subventions from the California Toll Bridge Authority on their San Francisco-Oakland Bay Bridge crossing, retail sales tax within the district, and gas tax allocation. For various reasons, none of these seemed feasible, although unsuccessful efforts were made to move legislation providing for a constitutional amendment to divert gas tax revenue for rapid transit.

As the engineering plan progressed, the district was faced with the realization that its debt limitation (15 percent) was such that it could not indebt itself sufficiently to provide all of the capital funds necessary and that a two-third approving majority vote was an almost physical impossibility in a multicounty district. By amendatory legislation, the district was able to reduce the vote requirement to 60 percent and, by other legislation, empowered the California Toll Bridge Authority to finance and construct a subaqueous rapid transit tube under San Francisco Bay. Subsequently, the district also eliminated the provision that construction costs would be capitalized during the period of construction, which had the effect of increasing the bonding capacity of the district. There was no need to change the district's power to vote bonds in excess of its bonding capacity, as debt could not be incurred until the assessed valuation of the district expanded to permit such additional borrowing capacity.

APPROVAL OF BAY AREA BOND ISSUE

On November 6, 1962, a ballot issue known as proposition A and calling for a general obligation bond issue totaling $792 million was placed before the electorate in the three component counties of San Francisco, Alameda, and Contra Costa. A 60-percent approving vote, required of the total vote cast within the three counties, was met. Following construction, mass rapid transit for the San Francisco Bay area will become a reality after 15 years of planning.

STATE AND FEDERAL AID

The year 1962 was significant for both the San Francisco Bay Area Rapid Transit District and the Los Angeles Metropolitan Transit Authority in their respective efforts to seek Federal aid to assist in the development and financing of their respective rapid transit plans.

Consideration of State of California aid was rejected as not being feasible. The State's financing needs were too demanding of its ability to market its general obligation bonds for school aid, veterans' welfare, State buildings, and harbor development and eventual water development. Even a State guarantee of local transit bonds posed credit problems.

Consequently, the several congressional bills to authorize the Housing and Home Finance Agency to provide additional assistance for the development of mass transportation systems were enthusiastically supported. In the case of the district, the legislation offered an opportunity—either through loans and grants—for the speeding up of the construction program which of necessity had to be geared to the bonding capacity of the district. This was to have reduced debt service costs and to have been a positive factor in securing voter approval.

The Los Angeles Metropolitan Transit Authority had meanwhile developed its first truly mass rapid transit plan, called the backbone route employing conventional transit using a subway system. The cost was estimated to be $288 million, to be financed out of the fare box and through the sale of revenue bonds. To provide Federal aid, Senator ENGLE introduced S. 2390, known as the Transit Revenue Bond Guarantee Act.

Throughout the 1962 congressional sessions, S. 2390 received wide attention but was never consolidated with the administration bill introduced by Senator WILLIAMS as S. 3126, known as the Urban Mass Transportation Act of 1962. Both bills died, as did others on the subject of urban mass transportation. However, revival in their original form or in modified form is expected at the next session of Congress.

The Transit Revenue Bond Guarantee Act took the unique approach to Federal aid—not by conventional loans and grants, which would have meant appropriations and their related effect on Federal financing, but rather by the use of the credit of the Government to guarantee local transit revenue bonds. This would result in lower borrowing costs for the transit authority and no immediate call on the Treasury for funds. As a matter of fact, without the lower interest rate the financing of the backbone route would have been impossible, as the higher rate of interest for local transit revenue bonds would have increased debt service to the point that the bonds could not be marketed because there would be insufficient or inadequate coverage of debt service.

Opposition to the Transit Revenue Bond Guarantee Act was varied, although it was admitted it would not require the outlay of funds embodied in the Urban Mass Transportation Act of 1962. There were many who felt that the Guarantee Act was limited to Los Angeles, and that other metropolitan areas could not benefit—despite the fact that it provided the best vehicle for existing public bodies able to take immediate steps to develop their mass rapid transit planning. Probably most of the opposition came from Treasury, which was not in favor of the Federal Government's guaranteeing a tax-exempt bond. It was felt that such financing would interfere with debt management and might conceivably compete with the Treasury's long-term-bond financing plans. An alternative was suggested, which would have placed a Federal guarantee behind local transit bonds if the interest was taxable. This, of course, would raise the question of tax immunity enjoyed by States and local governments on their debt obligations. Rather than follow the pattern of local housing authority financing, which is tax exempt, the guarantee was patterned after the District of Columbia Stadium bonds and the insured merchant marine bonds. Of course, the Federal guarantee would improve the credit and insure bonds being marketable, but a taxable rate of interest would be greater than a tax-exempt rate, despite the Federal guarantee, and would therefore reduce the borrowing capacity of the authority and increase Treasury exposure.

Inasmuch as the legislation was not approved, revival in 1963 is assured. Meanwhile the Los Angeles Metropolitan Transit Authority cannot proceed with its "backbone route," and its metropolitan mass rapid transit needs are not being met. As other metropolitan areas review proposals for Federal aid, there is every reason to expect that the guarantee approach will gain support. It is interesting to note that the Los Angeles Metropolitan Transit Authority has been presented with a proposal for a monorail system to cost $40 million, connecting downtown Los Angeles with the international airport. The authority must consider the impact of such a proposal on its master planning for the Los Angeles metropolitan area and the conflict between two different types of mass rapid transit as well as the diversion of revenues away from its "backbone route."

FUTURE DEVELOPMENTS

Thus, at this writing, the San Francisco Bay Area Rapid Transit District is poised on the threshold of a new era in transit, as one of the most ambitious and thrilling mass rapid transit plans yet to be conceived takes shape. It will be the signal for all other metropolitan areas to push forward on their respective plans.

The Los Angeles Metropolitan Transit Authority must wait for the next session of Congress, if it is to seek Federal aid in its financing plans. The monorail proposal must be considered. State aid appears doubtful, so that the only alternative to the present planning is to seek legislation to create a district with taxing power and authority to issue general obligation bonds.

Elsewhere in the Golden State, mass rapid transit is still a dream. Urban mass transportation through public corporations has achieved some progress. Probably the most successful to date has been the Alameda-Contra Costa Transit District, which acquired local, privately owned transit lines through the sale of general obligation bonds. These were voted bonds, requiring a 60-percent approving majority vote. The system, in addition to bus services in Alameda County and parts of Contra Costa County, provides commuter service to and from San Francisco.

San Francisco recently celebrated 50 years of its municipal railway system, which provides urban transportation by streetcars, buses, trackless trolleys and cable cars. General obligation bond financing has provided most of the funds for capital improvements. However, with a 15-cent fare, tax subsidy is necessary.

The cities of Fresno, Bakersfield, Culver City, Gardena, Montebello, Santa Monica, Torrance, Sacramento, Ontario, Oceanside, Oxnard, and San Buenaventura have some form of municipal transportation, usually in the nature of buses. Some have issued general obligation bonds, but the total investment is not significant. None of the systems constitutes mass rapid transit.

CONCLUSIONS

To review the California experience on the financing of publicly owned urban mass rapid transit systems, certain conclusions can be made:

1. Local public governing bodies must be aware of the needs for mass rapid transit planning.

2. Appropriation of public funds to conduct necessary preliminary studies is a necessity.

3. Alert citizen groups must spearhead the studying and planning preliminary to activation of any mass rapid transit program.

4. State legislature support is important, as to statutory provisions creating mass rapid transit entities, as well as to appropriations of funds to assist in transit studies.

5. Legal aid in the drafting of enabling legislation is a prerequisite.

6. Professional engineering, financial, and economic studies must be the basis for any mass rapid transit plan.

7. Flexibility in financing plans to meet the varying needs of an operating system is a necessity, always keeping in mind investor requirements.

8. Ease of debt incurrence, and limitations thereon, must be tailored to meet local customs and practices but should not be complicated, so that ready acceptance, with a minimum of obstacles, is insured.

9. Financial feasibility should be proven, and the economic impact of not having a mass transit system should be demonstrated.

10. Alternative methods of financial support, in addition to the fare box, should be explored to lessen the financial impact, spread the burden, and produce the most economic result.

11. Private versus public ownership conflicts should be avoided unless there is no alternative to the realization of the proposed mass rapid transit plan required to serve the broadest public interest.

12. Governmental aid should be held to a minimum unless absolutely necessary to the successful conclusion of the mass rapid transit plan. National defense, if applicable and compatible with the plan, would be a strong basis for Federal aid.

13. Joint exercise of powers should be developed so that highways, freeways, bridges and tunnels owned and operated by other agencies, both public and private, can be used wholly or in part to reduce costs and borrowing needs.

As time is of the essence in today's complex world of transportation, it is strongly urged that if we are to move people in our metropolitan areas, relieve highway congestion and improve the flow of traffic, now is the time to start mass rapid transit planning. It is hoped that the California experience will suggest ways to implement planning in other areas and simplify methods of financing.

Mr. LAUSCHE. Mr. President, I yield the floor——

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. The railroads in New England are in a very difficult position. I think the approach of the Senator from Ohio is a very practical one. I hope he will permit me to be a cosponsor of the bill.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that the name of the Senator from Massachusetts [Mr. SALTONSTALL] may be permitted to be placed on my bill. I am delighted to have him join.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DISTRICT OF COLUMBIA LACKS A PROGRAM FOR MEDICAL ASSISTANCE FOR THE AGED

Mr. PROUTY. Mr. President, on February 11, I introduced a bill, S. 763, to give the District of Columbia the authority to participate in the medical assistance for the aged program. I said at that time that I thought it scandalous that the District did not yet have a program, thus depriving many of our older citizens of help at the time of their greatest need. I have not changed my view on that matter.

My office has discussed the problem with city officials. The Public Health Agency stated its position that legislation is not necessary. The Department of Public Welfare was explicit in its view that no legislation is necessary. They seem almost proud that they have the necessary laws on the books.

On the other hand, a discussion with the office of the Corporation Counsel indicates that perhaps some officials are not so certain that authority does exist.

What a shame, Mr. President. The lack of enabling legislation would provide some justification for inaction by the Commissioners for the benefit of the health of our older people. But, assuming they have such authority, there can be no valid excuse for permitting over 2 years to lapse without a program.

I suspect that there is an excuse, Mr. President, namely, the determination by this administration that it will have its pet project—medicare under social security—or it will have no program at all. There has been a constant campaign by the administration to lobby medicare into existence. I have no doubt at all that its do-nothing attitude with respect to aged medical assistance is just another move in its effort to go to the people to say "Kerr-Mills has done nothing for the people of the District of Columbia."

I cannot stand by, Mr. President, and let that happen. It is wrong to play with the necessities of old age just to foster the chances of the President's pet program when legislation is already on the books—waiting for the District to take advantage of its provisions.

Page 1 of the Washington Post on last Saturday carried under large headlines a story of the President's desire that the Capital City should lead in the war on mental illness. The President said in a letter to Commissioner Tobriner:

> There would appear to be no better place for these forward-looking programs to be started than in the Nation's Capital.

The Commissioner replied that the President's desires in the matter would receive "prompt and vigorous attention."

Mr. President, I have the same concern for the mentally ill as the President of the United States. I only wish that, during the past 2 years, he had expressed the same concern for the neglect of the Commissioners in establishing a program to protect the health of thousands of men and women over 65.

Sour grapes, Mr. President. If the administration cannot have precisely the program it wants, it will sit in its medicare corner and pout and do nothing to effect use of existing law.

It is all right, I suppose, for the administration to lobby for new programs. It probably has a right to do so. But, the administration also has duties and responsibilities in the matter. It has the obligation to administer the laws presently in the code.

Mr. President, last year the Congress enacted the District of Columbia Public Assistance Act. Public Law 87-807 gave the Commissioners substantive legislation for such public assistance programs as: Aid to the blind; old-age assistance; aid to dependent children; aid to the disabled.

That law, however, does not include medical assistance for the aged.

On August 7, 1961, in the hearings on that proposed public assistance bill, Mr. George Shea, then Director of the District of Columbia Department of Welfare, in endorsing discretionary authority in the Commissioners to set up whatever public assistance programs they wished, said the following:

> This is an important provision in view of the possibility of change in our social security structure. This law would enable the District to administratively make adjustments to any changes in Federal legislation affecting the public assistance categories.

That testimony was made almost a year after the enactment of the Kerr-Mills Act. No word was said about progress of the program in the District. But there was included a provision important to the administration which anticipates possible changes in the social security law.

What change would that be, Mr. President? I suspect it means hope for the passage of the social security approach to medical care.

There, Mr. President, lies the answer to this whole shameful story.

The city of Washington should be a showcase of progress to the rest of this country. Care of the health of our older people, when they so sorely need it, should be no exception.

My own State of Vermont entered the program early.

The eminent Governor of New York and a Republican legislature also acted quickly to provide enabling legislation.

In the backyard of Hyannis Port, a Republican Governor together with a Democratic legislature quickly acted to assist the older people of the State of Massachusetts.

These, and many other States very quickly sought to assist and care for the health needs of parents, aunts and uncles and friends—the older generation.

Must the city of Washington be the last to effectuate such a program?

Must the citizens of Washington want and wait and despair until that one magic day in the nebulous future when the administration has its way on the medicare issue?

That question will undoubtedly rise again. But, until it does, let us, forthwith, get at some positive action by the administration and the District Commissioners.

The health needs of our older people are entitled to no less.

VERMONT'S COVERED BRIDGES

Mr. PROUTY. Mr. President, one of the great attractions which Vermont holds for tourists is our covered bridges. Orange County has four of these, and the one at Thetford Center is the only remaining Haupt-truss bridge in the northeastern United States.

Matthew I. Wiencke, president of the Thetford Center Community Association, recently brought to my attention an interesting article about the history of the Thetford Center Bridge and the need for repairing it. The article brings to focus the fact that the bridge was designed by Gen. Herman Haupt who served under the leadership of Abraham Lincoln. It also points out that the Green Mountain State has nearly half of the covered bridges in the Northeastern United States.

With the thought that it may be of interest to all Members of the Senate and the general public, I ask unanimous consent to have printed in the Record at this point an article by Martha H. Wiencke which appeared in the White River Valley Herald, February 7, 1963.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Randolph (Vt.) White River Valley Herald, Feb. 7, 1963]

Thetford Center's Covered Bridge in Need of Repair

(By Martha H. Wiencke)

What do visitors to Vermont first ask to see? According to the Vermont tourist booth in Rutland, they ask, "Where are the covered bridges?" Vermont does, in fact, have nearly half of the covered bridges in the Northeastern United States, 118 out of a total of 241. But, in the whole area from Hartland to Newbury, the interested visitor can see only two, both in Thetford. One, the fine multiple kingpost bridge in Union Village, was restored some years ago. The other, on Mill Road in Thetford Center, is in need of friends who will see to its repair in the immediate future.

The Thetford Center Bridge is well worth repairing. It is a fascinating example of the old wood beam and trunnel construction, and more than that, it is the only remaining bridge in the whole Northeastern United States built on the design patented by Gen. Herman Haupt. Richard Allen, leading authority on covered bridges, says in his book "Covered Bridges of the Northeast" (1957) that a copy of General Haupt's book on bridge construction must have reached Thetford Center. Perhaps the Thetford town fathers were impressed by General Haupt's reputation as engineer of the Hoosac tunnel and as general in charge of military railroads during the Civil War. If so, they were in good company.

In 1863, President Lincoln saw one of Haupt's emergency bridges, built in record time, and remarked that he had "seen the most remarkable structure that human eyes ever rested upon. That man Haupt built a bridge across Potomac Creek, about 400 feet long and nearly 100 feet high, over which loaded trains are running every hour, and, upon my word, gentlemen, there is nothing in it but beanpoles and cornstalks." The Potomac Creek bridge was built in 9 days by soldiers who were not mechanics, but it carried 10 to 20 trains a day and withstood heavy rains as well.

MODEST BUT STRONG

The Thetford Center Bridge is built on a far more modest scale and for permanent use. But its Haupt truss plan, to the credit of its builders, was considerably more complicated to construct than was the very popular town lattice style, according to Mr. Allen. Here in Thetford we can justly feel that we have a real historic monument, both to a distinguished engineer and to the sound craftsmanship of the early builders and town fathers. The bridge has borne years of traffic without major repair, and, when repaired, can be expected to bear traffic for many more generations.

Builders of new steel and concrete bridges have discovered the advantages of the old bridges too late. In Woodstock, Mr. Allen says (Rare Old Covered Bridges of Windsor County, 1962) that the "old covered span on U.S. 4 withstood storms, high water, and heavy traffic for 3 years short of a century—and it took dynamite to demolish it. By way of contrast, its concrete successor erected in 1938 had to have new railings, flooring, and pier repairs to the tune of $31,000 after only 17 years' service. Woodstock's two remaining covered bridges were carefully renovated, and are now considered to be practical, economical, long-term investments."

KEEN INTEREST

Interest in covered bridges is very high these days all over the country. Mr. Allen is now preparing, with the help of a Guggenheim grant, a book on the covered bridges of the Middle West, where new covered bridges are even now being built to attract visitors. Winterset, Iowa, has put out a pamphlet calling attention to the seven old bridges in its county. Pictures of covered bridges appear again and again in the travel pages of the big city papers. Towns all over New England are repairing their few remaining covered bridges and directing tourists to them. And many inquiries have come here from out-of-Staters, urging that the Thetford Center Bridge be kept.

Mrs. O. H. Lincoln, of Greenfield, Mass., writes to friends in Thetford, "These old timbered spans are certainly a part of our early America."

Mrs. Gertrude N. Birchard, of Springfield, Mass., adds "Too often after a bridge has been taken down the surrounding area regrets it. * * * Let's do all we can to save this fine example of the Haupt truss design."

Mrs. Philip N. Cristal, formerly of Milwaukee, Wis., and a long-time summer visitor to this area, heard about the bridge on a trip to Washington, D.C. She urges, "Please, please, don't let them tear down the covered bridge—I know it well. * * * From the standpoint of people loving New England and coming from all over the country to enjoy it—save it. The preservation movement has swept all over the country. New England should be in the vanguard."

Congressman Robert T. Stafford writes, "I am in general sympathy with the efforts of the people of Thetford to preserve this bridge."

Edward J. Conklin, Windsor, chairman of the Board of Historic Sites, writes, "It would seem to me that as a tourist attraction it would be well worth the effort of the town and highway department to do all they can to restore this bridge for traffic."

As the recreation industry grows in Vermont, and Thetford grows with it, we can be sure that many more visitors will stop to share our pride in Thetford's two historic bridges. We have a responsibility to our past to preserve our unique bridge for the generations to come.

If you are interested, write to Ralph Fifield, Thetford Center. Letters are needed at once.

THE PLIGHT OF MIGRANT WORKERS—A NATIONAL DISGRACE

Mr. YOUNG of Ohio. Mr. President, one scandal that we can no longer afford to push aside is the compelling plight of migrant farm laborers in the United States. Their life is poverty in the midst of plenty. They live in a twilight world of hunger, poverty, and lack of opportunity.

After a work year of approximately 150 days, a typical migrant laborer can boast of earning only $1,250 for the support of his wife and children. Compared to the average earning of the American factory worker—who on the average earns close to $90 a week—the migrant worker's pitiful $25 a week is in shabby contrast. Normal needs for medicines, clothing and food consume all of this meager paycheck, and more.

The real crime is what such an existence does to the children of these hapless people. There is no one to care for them. Their parents are toiling in the field. Being constantly on the move, the children cannot stay long enough in one place to receive an adequate education. If they survive their early childhood, they are virtually doomed to repeating the dismal life of their parents.

This situation of the typical migrant family is repeated 500,000 times throughout the Nation. Including women and children, nearly 2 million human beings in America are caught in a dismal web of constant poverty and degradation in the midst of plenty.

In the past, because of the local nature of the migrant labor problem, only local remedies were sought. In response to the local migrant labor problem, State and local governments and other organizations have in many instances acted to aid these people. However, because of the great number of migrant workers and because of their constant movement they are also a national problem of concern to all Americans.

Action must be taken by Congress immediately to bring these people and their children into the 20th century. If we believe in economic and social justice for all Americans, it must include these 2 million people.

Unlike most other laboring groups in our society, agricultural migrants are almost totally lacking in either political or economic power. In contrast to the economic and political weakness of the migrants, stands the economic and political power of the agricultural growers and processors who purchase their labor. The fact that agricultural workers are specifically excluded from coverage under Federal wage and hour legislation, and from much other social legislation, is strongly indicative of their lack of political power. This fact also suggests the need for further legislation by this Congress to attempt to help equalize these two groups.

The President's Committee on Migratory Labor has pointed the way: we must—

> accomplish in agriculture what we, as a nation, have already accomplished in most other sectors of our economy—the restoration of respect and dignity, based on good wages, good working conditions, steady employment, educational opportunities, and the extension of public health and welfare services to the men, women and children who labor for hire in American agriculture.

During the last session of the Congress the Senate approved five bills introduced by the distinguished junior Senator from New Jersey [Mr. Williams], which would have helped to alleviate this national problem. Unfortunately, only one of them was approved by the other body—a bill which authorized grants for improving health services for migratory workers. This was at least a beginning.

In this Congress as in the last, leadership in this task has been undertaken by our colleague from New Jersey, Senator Williams. He has introduced nine bills designed to attack such ills as the general lack of education, the absence of necessary child care, the lack of adequate transportation, housing and sanitation, and the prevalence of a distressingly low wage.

If Congress accomplishes the task set out by the Senator from New Jersey, it will remove a system of virtual peonage in our society. In doing so, America will once again prove that it is a nation where no one is forgotten, where the young have faith and their elders have hope.

MILITARY POSTURE OF THE UNITED STATES

Mrs. SMITH. Mr. President, when the Secretary of Defense testified before the Senate Armed Services Committee today, I asked him certain questions with respect to his advanced and unclassified statement on the military posture of the United States.

I ask unanimous consent that my questions be placed in the body of the Record at this point so that the American people may know the questions that I posed to the Secretary of Defense.

There being no objection, the questions were ordered to be printed in the Record, as follows:

Questions of Senator Margaret Chase Smith to Defense Secretary McNamara, 1963 Defense Posture Hearings, Committee on Armed Services, U.S. Senate

I. INTRODUCTION

B. 1. Latin America

1. On pages 6 and 7 you refer to the Cuban crisis and the diminishing of the military threat as a result of the handling of the crisis. Do you think that the improvements that you have made in the past 2 years in our general purpose forces were the decisive factor in our facing up to Khrushchev's challenge in Cuba?

2. If we had had only the forces which were in the inventory as of January 1961, would we have been able to threaten an invasion of Cuba in October 1962?

3. Do you believe that improvements under your tenure as Secretary of Defense materially affected the outcome of the Cuban crisis? If so, how?

4. Do you believe that the lesson of Cuba was that the tide turned because of superiority in conventional weapons? That we won the eyeball-to-eyeball showdown because we had superior conventional forces?

5. If there were such an eyeball-to-eyeball showdown in some areas not in our own backyard like Cuba but rather nearer Russian soil and to Khrushchev's advantage—like Berlin, Iran, Korea, or Thailand—who would have the conventional force advantage and who would be more likely to win the showdown?

6. How do you assess the role of the Strategic Air Command during the crisis?

7. Was it placed in an advanced state of readiness to preclude being caught by surprise or to impress upon the Russians the seriousness of our determination?

8. Were we close to thermonuclear war during the week of October 22, 1962—did we

contemplate the use of nuclear weapons in Cuba—did we think Khrushchev would initiate such a war when we were in such a state of preparedness?

9. "Escalation" has been a scareword while "controlled response" has had very favorable preference—almost as though it was a touchstone of military magic. I gather from what you have said in the past that we retained the power of controlled response.

Did we retain the power of escalation? In your concept of controlled response, is it desirable that we have the power of escalation?

10. There are those who contend that the lesson of Cuba was that we won that showdown because of our superior conventional forces. Yet, there are those who contend that the lesson of Cuba was that we won that showdown because it turned on being a nuclear confrontation and we had the nuclear superiority and sensing that Khrushchev backed down.

Was there a nuclear confrontation? Did the crisis turn on our nuclear superiority or on our conventional superiority?

11. Had Khrushchev had superior conventional forces in Cuba, what would have been the outcome of the eyeball-to-eyeball showdown?

B. 7. NATO

1. On pages 14–19, you discuss NATO. Up until now our defense of Western Europe has been based on our overwhelming nuclear superiority, both in terms of tactical nuclear weapons in Europe and in terms of our strategic retaliatory power.

Despite great disparities in conventional forces between the Soviet bloc and NATO, the Communists have been deterred from military aggression in Europe.

Now you propose to build the conventional strength of Europe to the point where it could cope with a Communist assault without resorting to nuclear weapons. Do you think that this policy increases the risks to the Russians?

2. If the worst they might suffer would be a repulse back to their initial lines (under a strictly containment policy), would they not find this an attractive risk?

3. Is it realistic to assume that the Europeans will raise the necessary conventional forces to fill the gap between their present strength and that of the Soviet bloc?

4. Do not Europeans see the new policy of raising the threshold at which nuclear weapons would be introduced as a device to protect the United States from possible damage while the European countries take the brunt of a conventional assault?

5. If not, to what do you attribute their lethargy?

6. Your new policy for Europe seems to assume that the Soviets would not introduce the use of tactical nuclear weapons. But are not their units equipped with these weapons?

7. What is the basis for your assumption that they would not use them if it were to their advantage to do so?

8. Do you see the present French position on an independent nuclear deterrent as related to French rejection of the U.S.-sponsored strategy for the defense of Europe?

9. Our old policy for NATO was known as the sword and shield policy, with conventional forces in Europe serving as the shield —and with nuclear forces, principally United States, serving as the sword.

The Nassau communique described the current policy as the old sword and shield in reverse with the new emphasis on Polaris.

In your estimation, what has changed in Europe—what has changed in the way of Allied forces—what has changed in the Communist threat—to justify applying the old sword and shield policy in reverse? In other words, why are 30 NATO divisions, which formerly were regarded as sufficient only as the shield against Communist nonnuclear assault, now considered an adequate sword?

10. You discuss command and control on pages 39 and 40 under "II. Strategic Retaliatory Forces" and this next question perhaps is more properly put at that point—but because it relates to the question I have just asked, I want to propose it to you now.

It seems to me that the multilateral nuclear force proposed at the Nassau meeting poses difficult command and control problems.

If these problems do not have a simple solution, does not the multilateral approach encumber the use of nuclear deterrent force, thus making it less rather than more effective?

11. Do we want to commit U.S. forces to such an arrangement?

12. If there is an assault by the Soviet block against Western Europe and if our conventional forces fail under that assault, at what point would you resort to nuclear force?

13. What would you describe as "overwhelming defeat"—at what point would our conventional forces be facing overwhelming defeat?

E. Arms control and disarmament

1. With respect to that part of your statement on page 27 dealing with "Arms control and disarmament," I have a few questions.

In a speech you made in Chicago a year ago you spoke of the growing destructive power of Soviet nuclear forces.

Do you think that when the Soviets reach the point of being able to wreak unacceptable damage on the United States, we are in a state of "nuclear stalemate"?

2. What would you call "unacceptable damage"?

3. Do the Soviets have that capability now?

4. If a point of nuclear stalemate is reached, would we in any way have a "decisive margin of superiority" and if so, in what form would it be—and of what significance would it be?

5. Are you confident that the Soviets will be satisfied with a nuclear stalemate—or will they constantly strive for a technological breakthrough to upset the balance in their favor?

6. If a nuclear stalemate exists, with the admitted strong conventional force of Russia facing Western Europe—in the event that NATO forces should be faced with overwhelming defeat in Europe by conventional forces, where does that leave NATO and us if we have accepted the doctrine of nuclear stalemate?

7. Never before in the memories of Americans have we considered ourselves less than superior, or at least potentially superior, to any other power in the world. The stalemate concept negates this.

It seems to me that the stalemate doctrine can have serious long-term effects on our national will, our courage and our determination to resist attacks on our way of life. Do you have any concern on this potential aspect and how would you propose to prevent such deteriorating results?

8. Unclassified estimates of U.S. superiority over the U.S.S.R. in nuclear warheads and delivery systems range from 4 to 1 to 10 to 1.

Why doesn't this superiority afford us the widest range of options—or controlled responses—to cope with Communist aggression and why should we not continue to strive for a war-fighting and war-winning nuclear capability?

9. You have spoken at times in terms of "mutual deterrence"—equating it with "nuclear stalemate." Do you really think that mutuality with Khrushchev is possible—especially when just recently he said that he would live to see Russia and Red China throw the last shovel of dirt on our grave?

10. Should we help Russia reach parity with us by scaling down our power—by slowing up our efforts?

11. On the score of "mutuality," how about the Russians showing some good faith by letting us catch up with them on booster power for rockets and missiles?

12. Do you believe that once the Russians have achieved parity with us that they will then stop their drive to push ahead of us?

SMITH-MUNDT ACT ANNIVERSARY

Mr. MUNDT. Mr. President, you may recall that a few days ago, on the occasion of the 15th anniversary of the Smith-Mundt Act, which I was privileged to coauthor with my esteemed colleague, H. Alexander Smith, I introduced two very important bills, which would stimulate and expand our educational and cultural exchange programs. I am sure you are all aware of the fine results the United States has reaped from these programs, but as I stated earlier here in the Senate, I am sure you are all just as equally aware of the fact that these programs could be implemented to a greater extent by stimulating the functions of the existing exchanges and by expanding them to include other types—such as art exhibits, representing many nations, both here in the United States and abroad.

And, then, I think you are cognizant of the problems, insignificant as they may seem, which the visiting exchange participants are faced with while they are guests of the United States, just small particulars, but the kind which create better relationships through warmer and kinder hospitality. This I think, could be done through better coordination and efficiency in the operation of these programs.

Last year, I assisted with an exchange program, the international soil and water conservation seminar, which was held on the campus of South Dakota State College in Brookings, S. Dak., in which approximately 26 countries participated. Once again, I was made aware of the great contribution such exchanges make toward peace and understanding among nations, but again, I was also made aware of the need for better coordination in these programs, and of the fact that more types of exchanges can be successfully achieved with all phases of social and economic life—from farming to the fine arts.

Along these lines, I was indeed gratified to receive a letter from the man who was most instrumental in the planning and coordination of this seminar in Brookings, expressing his interest and strong approval of my proposals. Through his experience in this seminar he realized the importance which lays in the passage of my two proposals. S. 558 seeks the objective of greater coordination among our exchange programs and bringing out the welcome mat where all visitors can see it. Senate Joint Resolution 30 would amend the Mutual Educational and Cultural Exchange Act of 1961 by stimulating and expanding our already invaluable exchanges.

Mr. President, I ask unanimous consent to insert Dean Orville Bentley's letter into the CONGRESSIONAL RECORD, so that all of my colleagues might have the benefit of reading the reactions to my proposals by a man experienced in this area.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DIVISION OF AGRICULTURE,
SOUTH DAKOTA STATE COLLEGE,
Brookings, S. Dak., February 5, 1963.

Hon. KARL E. MUNDT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUNDT: Mr. O'Brien was kind enough to send me a copy of the CONGRESSIONAL RECORD for January 28, 1963, which contained a speech given before the Senate by you on the occasion of the 15th anniversary of the passage of the Smith-Mundt Act.

Your position was well taken, and I found it most enjoyable reading. We, of course, were pleased to note your kind reference to the International Soil and Water Seminar held on our campus last summer. I am sure that everyone concerned with the seminar here would agree that the experience was worthwhile for those who participated and that it had a salutory effect on the faculty in the Division of Agriculture and we hope in broadening our understanding of the problems faced by our neighbors in the developing countries in the area of soil and water resource development.

I especially want to underscore a comment that appears in the third column on page 1193 of the RECORD, wherein reference is made to the importance of having student exchanges, teacher exchanges, and other exchanges related to the academic area. I often say in talking to groups that education is one of the powerful tools for economic and social adjustment. This idea, of course, is not original at all with me, but if this is the belief of a nation such as ours, then we should be sure that education and understanding brought about through it will constitute a tool for the economic and social development of emerging nations. As a nation we all too frequently look to solutions involving material things and minimize the importance of motivation and stimulation of progress through the introduction of ideas and ideals for a free country.

Sincerely yours,
ORVILLE G. BENTLEY,
Dean, Division of Agriculture and Director of Experiment Station.

REMARKABLE PROGRESS OF AMERICAN SLOVAK WOMEN

Mr. SCOTT. Mr. President, Pennsylvania is known as the State with the greatest number of Slovak fraternal organizations. Although their first fraternal group was founded as long ago as February 14, 1890, the Slovaks have continued to be leaders in this field.

Today I would like to pay tribute to the remarkable progress American Slovak women have made in both fraternal life and education. Recently, their largest fraternal organization, the First Catholic Slovak Ladies, which has a large membership in the Keystone State, observed its 70th anniversary. Another large group, the Vincentian Sisters of Charity in Perrysville, Pa., celebrated the 60th anniversary of its arrival in this country. These organizations have contributed much to the progress of the American Slovaks and have enriched our education system with over 421 teachers and nurses, who teach in some 37 schools, mostly in Pennsylvania, and maintain 4 hospitals.

Mr. President, the First Catholic Slovak Ladies will hold their annual meeting beginning Sunday, February 24, 1963. I want to take this opportunity to commend them for their leadership in fraternalism. I would also like to congratulate the Vincentian Sisters of Charity on their outstanding record of six decades.

I ask for unanimous consent that there be placed in the RECORD an article by Mr. John C. Sciranka, well-known American Slovak journalist, a native Pittsburgher and a product of American Slovak fraternalism. The article appeared in the February issue of Dobry Pastier—Good Shepherd—official organ of the Slovak Catholic Federation of America.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SEVEN DECADES OF PROGRESS OF SLOVAK CATHOLIC WOMEN IN AMERICA

(By John C. Sciranka)

Beginning this year, the First Catholic Slovak Ladies Union, the largest Slovak women's organization in the world, started on its eighth decade. The organization was founded in 1892 by Mrs. Anna Hurban with the aid of the Rev. Stephen Furdek, who is also known as the "Father of American Slovaks." Mrs. Hurban is often described by her successor, Mrs. Helen Kocan, who is completing her third decade as supreme president in June 1963, as an organizer "with a lantern," who was going from house to house in Cleveland, Ohio, seeking new members in order to be able to form the first Slovak Catholic women's lodge, from which sprung the most progressive women's organization, with a present membership of close to 94,000, whose supreme officers are determined to reach a membership of 100,000 by 1967 when the union will observe its diamond or 75th anniversary.

The Pennsylvania members are proud that although the organization was founded in Ohio, Mrs. Ilona Ratkovic of Pittsburgh, Pa., was its first president.

During the seven decades the following were its supreme presidents: Ilona Ratkovic, Anna Vojna Strunak, Rozalia Hozeny-Bojtim, Pauline Doerl, Anna Ondrej, Frances C. Jakubcin, and the current president, Mrs. Helen Kocan, who took office 3 months after President Franklin D. Roosevelt was inaugurated in 1933, and upon the death of her predecessor, Mrs. Frances C. Jakubcin, of Reading, Pa., known for her energy and determination, which she applied with full force in order to place the organization on a sound financial basis.

Perusing the pages of history of this organization, we must admire the willpower and natural talents of these pioneer women and their successors, who have made its growth possible and use its accumulated assets of $33 million not only to aid its members, but also for the construction and maintenance of various religious, educational, and charitable institutions, among which the greatest is their own home for the aged, known as Villa Sancta Anna, built at a cost of close to a million and a half dollars at Bechwood Village, the suburb of Cleveland, Ohio, 3 years ago.

The organization observed its 70th anniversary in 1962 with religious, civic and fraternal programs in the following cities: Chicago, Ill., where Most Rev. Bishop Andrew G. Grutka, D.D., its honorary president pontificated. This was followed by a celebration at Reading, Pa., where the late supreme president, Mrs. Frances C. Jakabcin, resided. Then the Pittsburgh, Pa., district, from whence came the first supreme president, held its celebration at Vincentian Sisters Mother House at Perrysville, where they also commemorated the 60th anniversary of the arrival of these Sisters to Braddock, Pa., where they began their work of teaching Slovak children in parochial schools. Their number grew during the period of 6 decades to 421 members, who teach in 37 parochial schools, 8 high schools and give religious instructions to children in Sunday schools, as well as nurse the ill in 4 hospitals.

The ladies of Pittsburgh district of this organization made it a double celebration, observing the 70th anniversary of the union and honoring especially the four pioneer-Sisters of this order: namely, Sister M. Claudia, Sister M. Melitta, Sister M. Martina and Sister M. Agilberta, who have been blessed to observe the 60th anniversary of their order in America, where they came on November 14, 1902, at the invitation of the late Rev. Adalbert Kazincy of Braddock, Pa., where they were first established.

The great work of these Sisters was remembered by the generous Ladies Union, who have also paid tribute to their superiors: namely, General Mothers of the Congregation, starting with the pioneer Rev. Mother M. Emerentiana and followed by Rev. Mother M. Ignatia, Rev. Mother M. Gregory, Rev. Mother M. Raymunda and the present Rev. Mother M. Ildefonsa.

This order also maintains a Mother House at Villa San Bernardo, Bedford, Ohio, where the Cleveland-Lakewood district held its celebration. The New York-New Jersey district met at Perth Amboy, N.J., for the festivities and the 70th anniversary programs was concluded with a celebration at Youngstown, Ohio.

The 70th anniversary will also go into history of this union on account of a merger of the Slovak Catholic Cadet Union of Cleveland, Ohio, being concluded, which enriched the organization with additional new members.

The 70th anniversary will also be remembered by the complete sellout of 100,000 Slovak cookbooks, which the organization published. The 11th edition of 10,000 was ordered to fill the new orders. Slovak women are noted for being wonderful cooks and their daughters and granddaughters are following in their footsteps. They published several hundred of recipes for the present and future generations, which is adding to the happiness of homes and families in this modern age.

The organization is making preparations for its quadrennial convention, which will be held in September 1963 at Milwaukee, Wis., at its annual meeting during the week of February 24 at Cleveland, Ohio, where reports will be given by all supreme officers; namely, the above-mentioned supreme president, Mrs. Helen Kocan; supreme chaplain, Rt. Rev. Msgr. Michael M. Tondra; supreme secretary, Mrs. Susan Matuschak, who completed 30 years as supreme officer; supreme secretary of Junior Order, Mrs. Frances Mizenko, who is constantly on the watch to enroll younger members, and Miss Anna R. Yasso, supreme treasurer, who reported recently the total assets of $33,693,649.46. This was accumulated during the seven decades besides the millions paid in death benefits and contributions to religious, patriotic, and charitable needs, for which the organization is known. However, its supreme officers and members feel that it pays to be generous and charitable, for it brings unlimited returns.

Other officers who will render reports are the following: Mrs. Margaret Kuzma, Mrs. Mary Bayus, and Mrs. Veronica Radocha, vice presidents; Mrs. Mary V. Haydu and Mrs. Anna K. Hruskovich, trustees; Mrs. Ella Vlasaty, Mrs. Mary Osadjan, and Mrs. Anna

Zassick, auditors, and Mrs. Elizabeth Lipovsky, editor.

This year the organization, no doubt, will again prove its generosity towards the Institute of SS. Cyril and Methodius, which is being constructed in Rome for the training of priests for Slovakia, where the apostles, SS. Cyril and Methodius brought Christianity in A.D. 863, which is ably described in the official organ of the union "Zenská Jednota" (Ladies Union), edited by an American-born editor of Slovak descent, Mrs. Elizabeth Lipovsky, of Bethlehem, Pa., who is a product, like most of the supreme officers, of American Slovak fraternalism. Mrs. Lipovsky holds the distinction of being a member of the first graduating class of the St. Cyril's Academy, Danville, Pa., which is the girls' school of higher learning founded and conducted by the Congregation of Slovak Sisters of SS. Cyril and Methodius, who are also the daughters and granddaughters of American Slovak pioneers and fraternalists.

UNITED STATES-CANADIAN RELATIONS

Mr. MORSE. Mr. President, I have been both interested and impressed by the response in Canada to my own interest in the Canadian election and the campaign now in progress there. Some of the correspondence I have received from Canadians expresses the view that Americans know very little, and have little interest, in what goes on north of our border.

But that is not true, at least comparatively speaking. As chairman of the Senate's Latin American Subcommittee, I have been following closely the progress of the border program between the United States and Mexico, and it is my sad conclusion that our U.S. relations with Canada are much closer than our relations with Mexico, despite the fact that the latter nation is about twice as populous as Canada. Our trade, our culture, our history, our current alliances, and the contacts of our people, all bear out a comity and friendship with Canada that considerably exceeds that with Mexico.

The border program is one means of correcting that condition. I hope it will be successful. It is possible, in fact, that some of the devices we have set up with Canada could also be applied to our relations with Mexico.

For example, the Interparliamentary Committee of American and Canadian Legislators has been one of the instruments that has promoted closer ties between our countries. It has brought our National Legislators together for the best kind of frank discussion of mutual problems. It has brought about a better exchange of information, including the delivery in my office, at least, of the record of the debate in the Canadian Parliament along with our own CONGRESSIONAL RECORD. Some of the vigor and mutual activity of our interparliamentary program with Canada deserves to be applied to our interparliamentary program with Mexico.

I have been heard to express the view recently that our relations with Canada are too important to leave to diplomats, and that our differences of opinion cannot and should not be swept under the rug.

Today, there arrived in my office a series of editorials from the Winnipeg Tribune, of Winnipeg, Manitoba, which reflect a similar opinion. The editor, Mr. Eric Wells, was kind enough to forward them to me, and I ask unanimous consent that they be printed at this point in the RECORD, together with Mr. Wells' letter.

There being no objection, the editorials and letter were ordered to be printed in the RECORD, as follows:

THE WINNIPEG TRIBUNE,
February 18, 1963.

Senator WAYNE MORSE,
The Senate,
Washington, D.C.

DEAR SENATOR: Over the years your interest in Canadian affairs, particularly in relation to the United States, has been one of the few constant contacts between the two countries in the public domain.

I was pleased to see in a news report the other day that you intend to continue to express your observations on this subject with candor during the Canadian election.

Apart from the depth of the issues involved in the election, which are indeed complicated, there certainly is the need for improvement of American-Canadian understanding. In my opinion, there are pollyanna elements on both sides of the border, many in high places or in journalistic circles, camouflaging such differences as do exist.

It perhaps is a symptom of the age that most of us prefer simple conclusions. I believe it is possible to establish a degree of rapport on basic purposes, but unfortunately the extension of policies beyond that must inevitably be complicated, distasteful as it may be to the general public.

I am taking the liberty of sending you a few recent editorials from the Winnipeg Tribune on this subject, because, in general, I believe this matter is getting out of focus, and you can do something about it.

Yours sincerely,

ERIC WELLS,
Editor.

[From the Winnipeg Tribune, Feb. 7, 1963]

UNACCUSTOMED AS WE ARE

There is one fundamental issue which must be faced in the election. It is the question of Canadian-American relations. This is a question that in being discussed at all may raise charges of anti-Americanism. Despite this, it must be faced if this country truly is seeking a definition of its identity.

The creation of a national broadcasting policy, carefully balanced to preserve Canadian content, and the sensitivities exposed by attempts to stem the flood of American magazines, are only glimmerings of this problem's true magnitude.

The election was brought about by the statement of one retired American general, followed by a note from the U.S. State Department. Without these two unexpected events, Parliament probably would have continued for some months. At least it would have continued until a domestic issue had emerged to demand a realinement of control.

Instead of the normal procedures of responsible government, this country has been precipitated into an election by actions from outside. There is nothing to be gained in disguising the fact that American opinion of how we conduct our affairs pulled the keystone out of our political edifice. This brought about the defeat of government, forced an election, and in doing so revealed an abyss between two nations. For generations both had camouflaged their differences under the euphemistic admiration of thousands of miles of undefended border.

It is a matter of considerable significance that this abrupt demonstration of American influence on our internal affairs has not resulted in immediate violent Canadian counteraction. It is most unusual for a nation to absorb such an upset to its complacency without giving some evidence of hostility. Only those nations which exist as satrapies who know their masters would be so docile. But Canada prides itself on its independence. And it can only be that our confidence in the American people outweighs our national sensitivities for us to receive this without affront.

Despite this, we still have a problem. In the course of a few weeks, the subject of defense—and more particularly nuclear policy—has brought about an election because the matter was propelled to our attention by American expressions of opinion, some official and some not. It was a vague, undefined subject which didn't demand our attention in the election last June, at least it was not an issue. Suddenly, it has become the most pertinent issue of all, exposing the core of our national misunderstanding of American concepts of being neighborly.

It is a stimulating challenge for both Americans and Canadians now that this subject finally has surfaced. Much too long was it submerged by the afterdinner speakers extolling our friendship as something so precious that to express differences was akin to blasphemy. Whatever differences there may be should take on definite form so that they can be discussed, perhaps resolved, and, at least, respected.

In approaching this North American confrontation, it should be recognized in advance that there are many supersensitive types on both sides of the border who won't like it the least bit. They are the ones who believe that friendship cannot survive differences. In Canada, this group will shout "anti-Americanism" on any Canadian viewpoint expressed.

But in the United States itself there will be a larger group which will appreciate hearing from us after years of silence. In that country where the pronouncements of government are not held to be beyond criticism by the public, many are aware that years of absence of candor, have at last been revealed at official levels. In now discussing policy differences, the matter does not involve anti-Americanism at all.

Of all the voices raised in criticism of American foreign policy, the most penetrating come from within the body of American opinion itself. But all around them, in the ranks of their allies, they are accustomed to pussyfooting platitudes, particularly from Canadians. Now, they would like to know what do we really think, and what is our definition of national purpose.

It should be remembered that we are dealing with Americans, the same people who began a revolution to demand that they, as colonists, should enjoy the same rights as Englishmen which in 1776 were denied them. Canadian rights to opinion on outside policies affecting our future are not denied, and we should not be timid about expressing them. Thoughtful Americans will readily understand.

[From the Winnipeg Tribune, Feb. 15, 1963]

THE COVER TREATMENT

Newsweek, a news-interpretive magazine, has given Canada the cover treatment. Gone are all the platitudes and the cloying tributes which featured its previous rare excursions north of the border. Today we aren't very nice people. At best, it appears that Canadians are a bunch of timid tenants overdue on their rent for half of the continent.

There is no purpose in disputing the conclusions of this magazine. Its version of the events in Canada recalls Dr. Johnson's riposte: "I have found you an argument, but I'm not obliged to find you understanding."

Argument is easy, understanding is difficult. We doubt if Newsweek could grasp that.

Just the same, it is interesting to see how the Canadian confrontation—for that's what our election has become in the United States—is being processed by a mass media circulator on which so many Americans depend for guidance. There is no point in disputing the superficial conclusions.

Newsweek has served a useful purpose for it reveals the gulf separating large bodies of American and Canadian opinion. It is made apparent that even in sharing the same language, we do not automatically achieve understanding.

Both countries have been careless about this matter. The merest whiffs of controversy result in charges of anti-Americanism, anti-anti-Americanism, and anti-Canadianism. It is not a compliment to our common heritage and our vaunted freedom of speech to realize how much misunderstanding exists.

It is more distressing to note the emphasis on such "anti" speculation in view of the mutual trust and respect that is the basis of our friendship. Both nations are to blame for this diversion because of the lack of candor in times past.

In the current Newsweek article Canadians are under the microscope. That's the way some Americans see us. Although we don't agree with Newsweek's assessment, the fact cannot be escaped that Canadians are on the hot seat.

That's Canada they're talking about—not the Congo.

[From the Winnipeg Tribune, Feb. 16, 1963]

TRADE SURPLUS

Yearend figures issued by the Dominion Bureau of Statistics with respect to Canada's 1962 foreign trade give solid ground for optimism. There was a net merchandise trade surplus of approximately $80 million, the second consecutive trade surplus since 1952.

It is encouraging that the increase in dollar value in both imports and exports was not entirely due to the devalued Canadian dollar but represented a significant increase in physical volume.

There are one or two points in the Dominion Bureau of Statistics report which are worthy of special note if only because they ought to be borne in mind when discussing Canada's future trade prospects.

First of all, the overwhelming preponderance of primary and partly processed products in our exports continues. The order of importance is also useful to keep well in mind.

The priorities are: Newsprint, wheat, lumber and wood pulp, nickel, aluminum, crude oil, iron ore, copper and uranium. When considering foreign trade in relation to this country's tariffs and also when assessing the importance of the various sectors of our internal economy in that trade, these facts must not be lost sight of. These products continue to be the bread-and-butter earners which permit us to import more highly processed goods from abroad. Any national trade policy which ignores this situation could get us into serious difficulties.

Another item in the Dominion Bureau of Statistics report that needs to be thought about is the preponderance of our trade both in imports and exports with the United States. While our trade surplus with Britain, our second biggest trading partner, reached almost $360 million, our deficit with the United States was $565 million. It is not difficult to understand where our balance-of-payments difficulties arise. Our total trade with the United States was more than $8 billion while with Britain it was only $1½ billion.

Another check on overexuberance in considering the yearend trade figures is the fact that Canada's sales to Japan, West Germany, France, Belgium, Luxembourg as well as Eastern Europe and Latin America fell by around 5 percent. This falloff in sales was precisely in those markets where it was hoped our big export drive would have the most effect. It means that the hoped-for improvement in our trade with such highly industrialized states as Japan, West Germany, France, and Belgium did not occur. A continuation of this situation could provide ammunition for those who argue that Britain's entry into EEC would not necessarily benefit Canada.

By contrast with the above disappointing growth in export trade to some countries, gains were noted in the Dominion Bureau of Statistics report of exports to China, Australia, the Netherlands, Italy, and Venezuela. Although Australia figured in the improvement there remains little in the 1962 figures to indicate that any substantial future exists for Canada in some sort of Commonwealth trading alliance.

We ought to face soberly the fact that Canada is committed to the United States to a degree that must color all our other relationships. It would be healthier for this country if this were not so, but the facts stare us in the face.

The United States must also be prepared to recognize that our undue reliance on trade with that country imposes on the Canadian Government an imperative need to seek ways and means to modify this situation. The United States has a balance of trade in her favor of astronomical proportions. There is plenty of leeway in this area for Canadians to search for alternative sources of supply, which in turn should logically become alternative markets, without the United States becoming upset about our efforts.

It also should be useful for the United States to remember that in our search for alternative markets, by which means we may hope to balance our international payments, we compete with agricultural and other surpluses which the United States itself is trying to dispose of. Attempts by the United States to do this by price-slashing would only aggravate the difficulties of their largest trade partner.

The figures of our trade during 1962 certainly reinforce the argument that it is only by a total increase in all world trade that we shall find any sure way to continued prosperity. Trade blocs cannot possibly be, for Canada, a long-range solution. What we have to do is get into a position where we can get the maximum benefit from a total increase of all trade. It is more than ever clear that it is on the general agreement on tariffs and trade that our main hope should be pinned.

[From the Winnipeg Tribune, Feb. 18, 1963]

THE IMAGEMAKERS

Canadian-American relations need improvement at policy levels of government. This is particularly desirable on matters of mutual involvement. In the current controversy on nuclear arms neither country, as far as can be ascertained, has achieved understanding of the other's position.

In Canada there are many who attempt to blame this situation on the Canadian Government. In the United States there are many more who attribute the blame to the U.S. State Department. Most of this type of criticism comes from partisan interests which are not necessarily reflective of the best interests of the two countries. There is a similarity among the partisan critics on both sides of the border. Each group accuses its own government of being "ham-handed, grossly misinformed, laggard, and incompetent."

Another similarity in the partisan viewpoint is the mutual emphasis placed on "the image" of one's country abroad. These imagemakers apparently want their countries to present a placid and fatuous expression of tranquility, polished by public-relations techniques.

The blandishments of the imagemakers should be discarded by Americans and Canadians alike. Too long have they influenced attitudes, disguised issues, and misled our countries.

It is this newspaper's opinion that governmental policy differences cannot be interpreted as "the image" of respect that people of one nation hold for another. If it were so, there would scarcely be any understanding left on the globe, little as it may be in some quarters. The imagemakers have written off Canadians in Britain and the United States, have denigrated the Americans in Europe; and have demoted the French everywhere.

Just the same, it is necessary that countries should continue to improve the channels of consultation to assist in defining areas of differing views. Arnold Heeney, chairman of the Canadian section of the International Joint Commission, had this in mind when addressing the Canadian Club of Montreal last month.

Outlining the history of this commission which has been working for 50 years, Mr. Heeney pointed to numerous accomplishments. For the most part they dealt with problems of water resources which overlapped the border. He said the commission has contributed "a desirable sanity and permanence in our relations," and this is beyond dispute.

In looking to the future, Mr. Heeney said he wondered "whether this same principle and similar procedures could be usefully extended beyond problems of the boundary." The idea, he said, "seems worthy of consideration, on both sides, and this especially as Canadian-United States mutual involvement, and our 'dealings with Uncle Sam,' increase daily in volume, complexity and significance."

Obviously, as events of recent weeks have shown, both countries could benefit by improving the contact for "desirable sanity and permanence in our relations" such as Mr. Heeney suggests.

Mr. MORSE. Mr. President, I am especially interested in the reference to the International Joint Commission, and the observations about it made by Mr. Arnold Heeney.

On the question of the substance of the principal difference of opinion which brought this whole matter to the fore in both our countries, I do want to make one or two more observations. Canadian objections to our State Department's note have been long and loud and have been particularly emphasized in the correspondence I have received from individual Canadians on this matter.

Yet the subject matter of that note was and will remain a vital matter to the United States. As a matter of fact, I have been reminded in the past few weeks of the decades of debate that went on in this country over the St. Lawrence Seaway. In that instance, it was the United States which hemmed and hawed, and tried to say yes and no at the same time. I do not know how long we would have kept Canada on the string, so to speak, if the word had not been delivered here, loud and clear, that Canada was tired of American fencesitting, and was going to go ahead and construct the seaway without us if we did not make up our minds in a hurry.

Now, of course, it was our prerogative to decide for ourselves whether or not we wanted to join in making the seaway a joint venture. But that in no way changed the fact that Canada was, if anything, more vitally affected by our decision than we were ourselves. For the United States, the seaway looked like a good thing, but not an essential thing. For Canada, it looked essential, and it was her responsibility to her own future to build it herself if the United States declined to make a decision.

The shock treatment applied by Canada on that occasion got results. I do not remember that anyone said or felt that it was an interference in the affairs of the United States. It was a plain statement of Canadian policy.

That is why I think the defense matter is in very much the same category. No one in the United States is saying that Canada must have nuclear weapons. But she did enter into an agreement calling for them, and if she declines to carry it out, then the United States must make provisions for our own defense.

This is as true of the future as it is of the present. The argument is being made in Canada that manned Soviet bombers will probably not be as much of a threat 10 years from now as they are today, and because the Bomarc missile is an antibomber weapon, it does not matter much whether they are effective or not.

That does not say much for our North American defenses during the period when manned bombers will be a threat.

Worse yet, it says nothing about the time when an antimissile missile will be developed, as it surely will be. That missile will also have to have a nuclear warhead. What will Canada's policy be then? Will she have new reasons why it would be undesirable to have them on Canadian soil?

I quite agree with the Canadian critics of the United States who say that this is a Canadian decision. But it is one that is vital to the security of the United States.

And what Canada does about it must produce an immediate response in the United States. We must either proceed to work out better and more effective joint defenses against nuclear attack, or we must work out an American defense for American cities.

INDUSTRY AND AGRICULTURE IN THE EUROPEAN ECONOMIC COMMUNITY—ADDRESS BY DR. WALTER HALLSTEIN, PRESIDENT, EUROPEAN ECONOMIC COMMUNITY

Mr. CURTIS. Mr. President, on December 6, 1962, Dr. Walter Hallstein, president of the European Economic Community, addressed a special 75th anniversary convocation at Nebraska Wesleyan University in Lincoln. Because the Common Market is of great importance to our economy and to our legislative approach, I ask unanimous consent that the entire program, including the introduction of Dr. Hallstein, be printed at this point in the Record.

There being no objection, the program was ordered to be printed in the Record, as follows:

Industry and Agriculture in the European Economic Community

(By Walter Hallstein)

(Dr. Vance D. Rogers, president of Nebraska Wesleyan, presided at a special 75th anniversary convocation on the campus in Lincoln, December 6, 1962. The convocation featured Dr. Walter Hallstein, president of the European Economic Community. Dr. Rogers presented the Honorable Senator Carl T. Curtis, U.S. Senator of Nebraska, for the introduction of Dr. Hallstein.)

President Rogers, Governor Morrison, distinguished guests, and ladies and gentlemen, we here in the heartland of America are both privileged and honored to have with us today Dr. Walter Hallstein, president of the Commission of the European Economic Community.

It is gratifying to all of us that Dr. Hallstein can meet with us to discuss America's stake in the Common Market.

To identify our honored guest let me point to his accomplishments prior to his presidency of the Common Market. Dr. Hallstein studied law and economics at the Universities of Bonn, Munich, and Berlin. A lawyer by profession, he earned the prized doctoral degree in law from the University of Berlin.

Dr. Hallstein served as rector of the University of Frankfurt from 1946 to 1948 and during that time was president of the Conference of German University Presidents. During the academic year 1948–49, Dr. Hallstein was guest professor at the Foreign Service School of Georgetown University in Washington, D.C.

Prior to his election to the presidency of the Common Market in 1958 Dr. Hallstein served as Under Secretary of State in the German Ministry of Foreign Affairs.

Dr. Hallstein is a native of Germany's Rhineland. There is a bond between Rhinelanders, French and German, a bond which inspired our guest to work for economic unity of a free Europe, a unity which can avoid war, can elevate human existence, and can lead, he hopes, to eventual political unity in Western Europe.

Dr. Hallstein is firmly committed to the principles of free enterprise. He knows they will work, and he knows they are free Europe's most formidable weapon against the Communist conspiracy.

In this audience are leaders of American agriculture and others keenly interested in the fortunes of American agriculture—the best and most efficient producers in the world are represented here today. We meet here to learn. We are devoted to the objective of mutually advantageous trade in agricultural commodities. Rising living standards and increasing prosperity for any segment of the free world benefits all in the free world and will ultimately benefit all mankind.

I give you Dr. Hallstein.

Mr. Walter Hallstein. To have been invited to address this gathering in the agricultural heartland of the United States gives me a great sense of satisfaction. The overwhelming impression of technical progress in America too easily blinds us to the fact that the United States is also the world's foremost agricultural power. I know that a major part of this agricultural strength has its roots in the great region of the Middle West which I am at present visiting.

This is the first time that I have represented the European Economic Community in this part of the United States. It therefore falls to me to begin by giving you a broad outline picture of this organization established by six states of continental Europe—Belgium, France, Germany, Italy, Luxembourg, and the Netherlands—and then I would like to say somehing about our Community's agricultural policy.

I

Economic integration in Europe began with the European Community for Coal and Steel which came into existence in 1952 and in which two important—indeed politically important—key industries were brought under a common system. On January 1, 1958, the Coal and Steel Community was joined by the European Atomic Energy Community and the European Economic Community. The intention in founding these bodies was to replace national isolationism by a European public spirit and to underpin this change by means of common institutions and common rules. A political effect was to be achieved through amalgamation of the national economies to put an end to a centuries-old history of conflicts and wars between Europeans in which the whole world had all too often been involved.

The European Economic Community, which is the most comprehensive of these three undertakings, has rightly been called a three-stage rocket. Its first element is a customs union; its second economic union, and its third political union; in other words the extension of European unity beyond the economic field to embrace defense, diplomacy, and culture.

The customs union is the core of what we are building. What it means is that between member states all customs duties and quantitative restrictions will be gradually dismantled and that in relations with the outside world a uniform external tariff will be introduced. This uniform external tariff is the logical consequence of the abolition of customs duties within the Community. Since everything imported into a member state can circulate freely in the whole Common Market, differing external tariffs would lead to diversion of trade. This customs union is today halfway toward completion. Internal customs duties have been reduced by 50 percent and the first step has been taken to bring into line with the common external tariff the duties which member states charge on imports from third countries. This means that we are already 18 months ahead of the calendar laid down by the treaty establishing our Community, the Treaty of Rome. Further accelerations have in some cases already been decided on and yet others will be proposed by my Commission.

The second element of our Community is the economic union. By this we mean that the Common Market, as our Community is called, is not merely an agreement about trade in goods, but that it aims at nothing less than the gradual merging of six national economies into one European economy—and this means that there must be free movement of capital, free movement of workers, the right of establishment for entrepreneurs and freedom to supply services.

These ends are to be attained by amalgamating the hitherto separate economic and social policies of the member states, either in the form of completely merged common policies instead of the previous national policies—in agriculture, for instance, in transport, in commercial matters—or in the form of a more or less complete common responsibility and common discipline in shaping the policies of the several states.

Whereas the first 4 years of our Community, which coincided with the first phase of the 12-year transition period, were mainly given up to the introduction of the customs union, 1962 can be designated as the year of breakthrough to economic union. This breakthrough is symbolized by the adoption, at the beginning of the year, of fundamental principles for a common agricultural policy and for a common antitrust policy.

Several weeks ago my Commission, which is the executive organ of the European Economic Community, submitted an action program relating to what still needs to be accomplished in the economic field; this program has been thoroughly discussed in the European Parliament, where it was received with unqualified approval. From the organizational angle also, this move to the second stage of the transition period is of great importance, for, under our treaty, the further course of the transition period can no longer be slowed down by the veto of any one state. When the move was made from the first to the second stage this was still possible.

Moreover, the development of economic union did not begin at one stroke on January 1 this year. The first signs of it were apparent before this: in 1960 in the field of capital movements, in 1961 in connection with the free movement of workers and the right of establishment. In the field of transport policy also a beginning was made some time ago with the abolition of discrimination on grounds of nationality and proposals for modernizing and improving communication networks have been adopted.

In various other fields in which the Community is active proposals have been made and decisions taken: labor programs, harmonization of legislation, patent law, indirect taxation, vocational training, coordination and consultation on monetary matters, etc. And then there is a particularly important field of common policy; namely, commercial policy. Only at the end of the transition period, on January 1, 1970, will this become a Community responsibility (unless it is decided to shorten this period). But little by little common action is already beginning to emerge in this field, too. One example of this is the success of the negotiations by which Greece has been associated with our Community. The treaty of association came into force on November 1.

Another example is provided by the "Dillon round" of negotiations in GATT, that worldwide association for tariff and trade policy, at which reductions were made in rates of duty. From the outset the Community helped these negotiations forward by the liberal attitude which it adopted. We are also hoping in the very near future to conclude the negotiations which are in train with the 18 African States associated with us; their purpose is to recast the present convention in the light of the developments which have occurred since it was signed, in particular the accession to sovereignty of our associates.

At the moment, however, the most important example of negotiations between the Community and a nonmember state is provided by the conference on Great Britain's entry as a full member. These negotiations are the most impressive token of the success of our Community and at the same time a turning point in British policy toward Europe. Their importance is matched by the difficulties involved for both sides. The Community finds itself face to face with a country which has exceptionally wide and varied links with other parts of the world. Great Britain will have to break with many habits and traditions and accept commitments of a kind it has so far avoided.

On the other hand these negotiations offer an exceptional chance of tackling problems which can be solved only on a world scale, such as world trade in farm products, help for underdeveloped countries, and currency problems. I cannot go into details here. I can however say that so far these negotiations have on the whole made very real progress. As you know, other countries have joined in the movement. Denmark, Norway, and Ireland also wish to become members, and other European countries want either to be associated or to conclude an organic trade treaty which would give permanent form to their relations with the Community.

No less important is the second event in which recognition of our Community as a successful reality finds expression: President Kennedy's Trade Expansion Act. If good use is made of the chance which this holds for a genuine Atlantic partnership between the United States and the European Community, it might establish in the non-Communist world an economic order which would be decisive for the character of the second half of this century and would make an immense contribution to the prosperity and strength of the free world.

Even the attitude of the Soviet Union towards Europe has been changing during these months. Instead of routine polemics on the lines of the well-known cliche that "the capitalist world will be destroyed by its own internal contradictions" a more realistic judgment is being formed. Interest in us is growing and our existence now and in the future has even, it seems, been accepted.

As I have said, the third stage of the Common Market rocket is political union. This political union too has already begun; indeed it is implicit in the form of the European Economic Community itself for in fact this Community is, as I have already said, political in its motivation. It has political institutions of a Federal or quasi-Federal type: a Community executive—my Commission—which is independent of the member governments; a Council of Ministers of the member governments forms the supreme legislative organ of the Community; there is a Parliament which alone has the constitutional right to dismiss the Commission; and then there is the Supreme Court of the Community. Finally—and this too I have already said—the elements being amalgamated are political: they are essential elements of economic and social policy previously controlled by national governments and parliaments.

Let me now consider the economic results of what is known as economic integration. They are reflected in the following figures:

From our beginning in 1958 through December 31, 1961, the value of our gross Community product rose by 18.5 percent and estimates available now indicated that the figure will be 24 percent for our first 5-year period. Thus we have enjoyed the fastest growth rate of any major economic area in the world.

Industrial production rose 29 percent in the 1958–61 period and our calculations indicated that the result for the 1958–62 period will be 36 percent.

The rapid phased reduction of tariffs and the response of Common Market-thinking businessmen has undoubtedly contributed immensely to an unusual growth in intra-Community trade—73 percent for the period 1958–61. And here we expect the increase to be of the order of 92 percent over the first 5 years.

Contrary to the fears of some, our trade with the world has benefited, not suffered, because of our domestic progress. Our imports from 1958 through 1961 rose 27 percent and our exports 28 percent, a particularly high rate of expansion, with our imports from the United States rising 44 percent. We believe now that 1962 will show something like a 5-year increase of 39 percent in imports and a 30 percent increase in exports, with imports from the United States having risen about 59 percent.

The assessment of future prospects is similar. Our gross Community product, which was slightly more than $181 billion in 1959, may rise to $288 billion by 1970, on the basis of a recent study made by our Commission. This would represent an increase of almost 60 percent in the present decade. Private consumption in our economy totaled $110.6 billion in 1960, but our projections indicated that it may reach $184.4 billion by 1970, an increase of more than 66 percent.

This is the edifice which we have erected, and this is the life which informs it. The common agricultural policy occupies an important place therein.

II

And now I should like to raise a question: Why do we in fact have a common agricultural policy? Is this change from national agricultural policies to a common European agricultural policy more or less a move by the Europeans to insure advantages for themselves?

I will attempt to answer these points. We will all agree that there must be such a thing as an agricultural policy, that the state must endeavor to see that farmers obtain an adequate income. The agricultural market is not such that it could be left to itself and to that free competition which renders us such good service elsewhere. As we all know, agriculture is a special case and if the farmer is left to his own devises, he cannot keep up with the rest of the economy.

Each of the six states which founded the European Economic Community had its individual policy for agriculture, a policy with long traditions, a wide range of instruments for applying its policies. Like all agricultural policies in the world, these policies fulfilled their purpose more or less satisfactorily. For the rest they were fundamentally different from each other: the methods were different, the branches of agricultural production which they covered were different, and the resulting prices were entirely different.

A common market, a large unified economic area, can, however, function only if it covers all goods including agricultural products. It is not possible to exclude agricultural products from a common market and not to allow them to circulate freely among the member countries. Nor was there any intention of excluding them: for the purpose of the European Economic Community is after all the merging of the separate national economies of the six member countries. The frontiers for agricultural products, the customs and levies and also the quantitative restrictions between the member states must therefore be dismantled for farm products as well. But this is possible only if agriculture operates under roughly equal conditions in all the member states. As we know, grain prices in Germany are very high while French prices are lower. Free movement for grain and all products made by processing grain can therefore be achieved only if there is at least gradual introduction of one common price. Another obstacle appears in the subsidies which the various states pay for this or that agricultural product. Here too, it is only possible to establish a free exchange of goods if the same products are subsidized or if the subsidies themselves are abolished.

The inclusion of agriculture, however, is not only a question of the free exchange of goods, it is also a question of economic policy. If a unified European economic territory is to be created, with an economic policy which is a Community responsibility, then agricultural policy cannot remain national. It is such an essential component of overall economic policy that it must be fitted into the large framework along with the rest. Its importance can be measured by the fact that almost 25 percent of the population in the Community is agricultural. The proportion in the United States is only half as high. In the European Economic Community agriculture contributes about 11 percent to the gross product, while in the United States the figure is only 4 percent. In the European Economic Community there are 9 million farms; in the United States with its vastly larger territory on the other hand only something over half that number, some 5 million. The average size of farm in the Community is then 4.5 acres, or only one-eighteenth of the average size in the United States, where the average farm covers more than 80 acres. Correspondingly the area cultivated by one man in the United States is much higher than in the Community: 130 acres as against

11 acres. You see therefore that agriculture has immense importance for the European Economic Community.

At the same time the situation of agriculture in Europe—and this is evident from the figures already given—is greatly in need of improvement, except perhaps in the Netherlands. Things could not go on like that. The need for reforms, for European agriculture to move into the second half of the 20th century, is therefore the second reason why we need a common European agricultural policy.

Now what are the aims of such a policy?

The first aim of all agricultural policy is to insure an adequate income for the farming population. When you reflect that the quarter of the total population represented by the farming population of the European Economic Community amounts to 40 million people, you understand the importance attaching to this. The common agricultural policy bears a responsibility for the well-being of 40 million human beings. That is one side of the question. The other is that, because of our political responsibilities, we must have the support of these 40 million people to build up the European Economic Community. It is impossible for us to do it without them or even against them.

The second aim of the Community's agricultural policy is to increase the productivity of agriculture. For this purpose it is necessary to encourage technical progress, to favor the rationalization of agricultural output and to arrive at optimum use of the factors of production, in particular manpower. This too is an immense task in view of the situation which emerges from the figures quoted. It is not our purpose to keep an out-of-date system alive. The common agricultural policy requires rather that European agriculture shall make a great effort. Each individual enterprise must face the question whether it is profitable or not. We are not certain that every one of these enterprises can answer "Yes" to this question and we wish to help those farmers who realize this to face the consequences. We are therefore convinced that agricultural problems cannot be solved in the framework of agriculture alone. Rather must the other sectors of the economy help to facilitate the adaptation which agriculture must undergo. In other words a necessary part of the common agricultural policy is a regional development policy creating new jobs in farming areas so that all those who wish to cease working in agriculture can earn an adequate income through other activities, whether in industry or in the service sector.

The third great aim of the common agricultural policy is balance between production and consumption. In Europe too we note—as do most advanced industrial countries—I will have a few words to say about this later—that production is overtaking consumption. As we modernize agriculture, increase its productivity and apply rational methods of production (and this we must do if farm incomes are to maintain an adequate level), the problem of latent surpluses in a whole series of farm products becomes increasingly urgent. We are already producing more dairy produce and more pork than we can consume. When allowance is made for yearly fluctuations, our own production of sugar just meets the demand. Surplus production is both an internal and an external problem. An internal problem: no agricultural policy may be applied which artifically stimulates production. An external problem: the degree of self-sufficiency directly determines the amount which can be imported and the quantity which has to be exported.

The fourth aim of the common agricultural policy concerns the consumer. The fact that I mention him at the end of my list does not mean that less importance is attached to his interests than to any others, even if it is already almost a tradition that he is mentioned at the end when speaking of agriculture. But in the last resort it is, after all, for him that the whole of agriculture exists. Agricultural policy must supply him with the necessary foodstuffs at reasonable prices. The level of the cost of living has a decisive influence on wages policy and hence on the economy at large. Particularly for such a highly industrialized area as ours, where foreign trade accounts for more than 30 percent of the gross product, the interests of the consumer are at the same time vital interests of the community as a whole.

What are the characteristics of the common agricultural policy devised to achieve these ends? I think that we can find certain features which it has in common with American farm policy. Basically the range of possibilities open to agricultural policy is pretty limited. Either market prices can be allowed to develop freely and imports made without restrictions or protectionist measures of any importance, in which case farm prices will be very low and direct subsidies will have to be paid to farmers so that they have an adequate income; this is the system applied in Great Britain, and it is only practicable when the agricultural population is not too numerous. Or farm prices must be fixed high enough for the farmer to earn a living from them; protection is provided at the frontier against too heavy and too cheap imports and the state buys from farmers what they cannot place on the market. This system is applied in the United States and under the common agricultural policy.

As far as imports from nonmember countries are concerned, the common agricultural policy provides for a uniform system which consists simply of levies or customs duties. The levies are variable payments which offset the differences between prices outside the Community and the prices which agriculture requires within the Community. The charges made on imports from all nonmember countries are the same. They are therefore—and this is a very important point—nondiscriminatory. This system replaces all other restrictions on imports such as quotas, compulsory mixing, monopolies, and state trading formerly existing under the national policies of the member states. The common agricultural policy thus pins its faith to a nondiscriminatory multilateral world trade system in which the consumer has the last word on what amounts and qualities shall be imported and from what country.

As far as the details of our common agricultural policy are concerned, we have not yet finally agreed on the whole system. What already exists is the framework, the instruments for applying the policy, in other words we have decided that there will be a target price and an intervention price for grain, that there will be levies between member states and at the external frontiers, that there will be certain financial measures. These instruments of policy are, if you permit me the expression, agriculturally neutral, and it is possible to use them in connection with this or that agricultural policy. The decision as to what is to be made of these instruments will come the moment we decide on the common grain price, that is the price which is to obtain for the whole Community and toward which the still widely differing national prices must move. We have already begun thinking about this in Europe and our Council of Ministers must take the first decisions by April 1, 1963.

These are therefore the motives, the aims, and the most important elements of our common agricultural policy, its internal European aspect. What is the external aspect, the world situation of agriculture and agricultural policy, into which this common policy is being fitted? I mean the situation as it is, which exists even without the common agricultural policy and with which our policy must come to grips. This brings us to the problems of agricultural trade.

Here we must begin by distinguishing between the advanced countries with high income, on the one hand countries such as the United States, the Community, Canada, Australia, not to mention Japan and those countries on the other hand, which are in course of development and have a low income—South America, Asia, and Africa. The relationship between production and consumption is very different in these two groups of countries. The advanced countries produce quantities which almost completely cover their own requirements; they even produce surpluses, and so they must export. On the other hand, demand in the developing countries, almost without exception, is enormous. They can, however, import only on a limited scale, for they have not the foreign exchange with which to pay for imports. In fact exports to the developing countries in recent years have hardly increased. Against this there has, in the advanced and industrialized states of late years, been a certain demand for particular products, and this has even led to their being imported on a larger scale. This applies also to the Community, which in 1958 imported from the United States about $265 million worth of grain and livestock products and in 1961 about $490 million worth. It was particularly grain imports from the United States which thus increased from $200 million in 1958 to about $395 million by 1961.

A new branch of American exports to the Community is table poultry, which increased from $2.7 million in 1958 to $36 million in 1961, or more than thirteenfold.

These figures show that in the member states there was still a demand which was met by importing products from overseas. Broadly speaking, however, we must assume that farm output in the developed countries—therefore in the Community—is growing at a rate of some 4 percent per annum. This is a natural outcome of technical progress of agriculture having discovered what chemistry can do for it, and the 4-percent increase of output is occurring without any particular stimulus, such as higher prices. Except for some livestock products consumption is on the whole expanding at the same rate, so that the margin for imports is not very wide. It is mainly in coarse grain, beef, high-grade wheat, and vegetable oils and fats, that the Community still needs to import in order to meet demand. All concerned must realize this, and the Community too will have to bear it in mind when it begins to work out its price policy.

The developed countries, therefore, are only to a limited extent capable of absorbing a constantly rising agricultural output. But, as I have shown, the developing countries cannot take surpluses either. The United Nations Economic Commission for Europe (ECE) has calculated that a mere 3-percent annual increase in the standard of living of these countries will mean that in the 10 years from now their imports will have to mount from their present level of $10 billion to $35 billion. Only a small part of these imports can be paid from development aid. It may be possible to set up special funds to deal with this matter. As you know, the FAO and France are strongly in favor of such a policy. Nevertheless, the developing countries will always have to pay in foreign exchange for a considerable part of their imports, and this in turn they must earn by industrial exports. For these they need markets, especially in the developed countries. In other words, they will only take more agricultural produce if we help them to find these markets. We must therefore keep in mind this further link between our policy for trade in industrial goods and the problem of our agricultural outlets.

At any rate, we find—and this is the reason why I have dealt in such detail with the interdependence of these matters—that the emergence of surpluses in the developed countries has nothing to do with the establishment of the European Economic Community or its common agricultural policy. It is simply the result of technical progress in agriculture and the poverty of those countries which still have a large food deficit. The relationship between demand and output would not be any better if there were no Economic Community.

With the establishment of the European Economic Community the matter has, however, reached a new stage. The change is twofold: First, the principal European consumer countries are for the first time acting as a unit with a uniform agricultural policy, which enables them to arrange their relations with the outside world in uniform manner. This was not possible so long as there were six states, each of which had its own farm policy. Now that agriculturally they are being merged into one unit, an entirely new—and we feel big—chance is being opened up.

Secondly, the problem of world agriculture has entered into a new stage through the prospect of British membership of the Common Market. A single market of more than 250 million consumers, which is what would result from such an extension of the Community, would be the world's largest importer of agricultural produce. It would take almost 70 percent of the world's coarse grain imports, almost 70 percent of all butter imports, nearly 60 percent of all wool imports and over 50 percent of all meat imports, to quote but a few examples. The question of how such a market would regulate its imports will then be the key problem for world trade in agricultural produce. Such an expanded Community would, therefore, bear a great responsibility.

What then are the procedures which, if these opportunities are grasped, will result from the merging of the European agricultural policies? First, we can consider dealing with this issue in the framework of Atlantic partnership. With the Trade Expansion Act, President Kennedy has, as you know, laid the foundation for a partnership between the European Economic Community and the United States, and comprehensive tariff negotiations are planned which should lead to a considerable reduction of customs duties on either side of the Atlantic. The United States has suggested that in the course of these negotiations, these two units, the United States and the European Economic Community, should also discuss agricultural matters. Mr. Freeman, your Secretary of Agriculture, has spoken in favor of such a widening of these talks. The European Economic Community will shortly make its views known.

In the wider context, consideration must be given to the possibility of worldwide arrangements for certain items. It seems paradoxical that there should be a very highly developed market organization for the individual national agricultural markets, while at the world level there are only a few fragmentary beginnings, such as the World Wheat Agreement. Nor has GATT, which is really the large-scale multilateral commercial organization of the Western World, been able in its present form to solve the problems of agriculture. The GATT rules leave so much margin that each government is virtually free to pursue whatever agricultural policy it likes, and for some countries, including the United States, there even exists a formal waiver, so that these rules are not applicable at all.

Such worldwide agreements, covering the main agricultural products, would have to be concluded between all producer and all consumer countries. In the negotiations concerning British membership of the European Economic Community, the Commission has already made proposals for such worldwide agreements. We believe that, if Britain should join the Common Market and the present preferential system between the commonwealth countries and the United Kingdom disappear, the special problems that would face the commonwealth countries could be solved through these agreements; they should, however, bring in the other nonmember countries and thus establish a worldwide multilateral trading system for the products concerned.

We therefore believe that here, too, the European Economic Community can make a major contribution to the future economic system of the free world. In this way we shall convince those who doubt whether the free world can overcome the problems facing it, and prove to those who hope it will come to grief, that Europe and the United States, that free democratic convictions, are not merely a thing of yesterday but will still be there tomorrow and the day after. For the inner meaning and most convincing justification of our European union will stem from the realization that a system based on freedom not only is better, but also works better. This is the contribution we are making to the strength of the free world and to peace.

THE SITUATION IN THE SOUTH PACIFIC

Mr. SCOTT. Mr. President, several times in the past I have addressed myself to what I consider to be a most alarming situation in the South Pacific area. That situation is the increased warlike activity on the part of President Sukarno, of Indonesia, and his arming of the Indonesian armed forces with the help of the Soviet Union. It is reported that the Indonesian armed forces now have within their inventory supersonic jet fighters and long-range Russian submarines. I recall vividly that last year 600 Indonesian naval officers and men were given Soviet training to take over Russian-built naval vessels as a part of the then Russian $280 million aid program to Indonesia. This was at the same time that a mob of students in Indonesia had stormed the U.S. Embassy in protest against Dutch use of American airfields in transporting Dutch troops to New Guinea. The United Press International reported that the mob, approximately 100 strong, had hung on the Embassy fence a sign reading, "America must be rubbed out." The UPI at the time reported that Government officials in Indonesia had imposed limited censorship on local newspapers forbidding them to mention the number of demonstrators or the amount of damage caused. The order when issued also prevented publication of photographs of the riot or the official American Embassy statement referring to the incident.

This buildup in Indonesia is all the more disturbing in that it is possible to read a repetition of the Cuba story in the making. There is no question in my mind that a country such as Indonesia with its strategic location in the Pacific could cause a great deal of difficulty to our military forces in case of an outbreak of hostilities or, for that matter, even a stepping up of the cold war in the Pacific. The Soviet must be cognizant of these facts in that it is now the chief supplier for Indonesia's armed forces to the amount of $400 million credit for arms purchases. A year ago President Sukarno said that the arms buildup was necessary in order to prepare for any conflict with the Dutch over the West New Guinea area. Of course, we all know that under the New Frontier-type of international philosophy that the Netherlands New Guinea area that had been under the jurisdiction of the Netherlands was, in effect, ceded to Indonesia through the vehicle of the United Nations. But the buildup still continues, and indications are that Sukarno has stimulated guerrilla-type activity in British-held Borneo in order to undermine the formation of the new nation of Malaysia. Yet with the lesson of Cuba still vividly before our eyes, there is no indication that the United States through its delegation to the United Nations has asked the U.N. to look into the situation before it is too late. What would be the next move of Sukarno? Toward the Philippines on toward East New Guinea, presently under Australian jurisdiction? Will we be faced with a fait accompli in the South Pacific without raising our hands? With American lives being lost in Vietnam, with the situation in Laos slowly but surely deteriorating as a result of the coalition agreement, with new overtures on the part of Khrushchev to the Chinese, it would be well, Mr. President, for this administration to take some positive steps throughout the world to insure that the future security of our country is not further jeopardized by continuing a policy of "too little and too late."

A most interesting news article appeared in the February 20, 1963, issue of the Wall Street Journal titled "Indonesia Builds Forces With Soviet Arms Aid, Menaces Its Neighbors." I ask unanimous consent, Mr. President, that this article be included at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Indonesia Builds Forces With Soviet Arms Aid, Menaces Its Neighbors—Sukarno Threatens New Nation of Malaysia; Russia Sends Jets, Submarines, Artillery—Repression, Economic Woes

(By Igor Oganesoff)

Tokyo.—The island Republic of Indonesia shows signs of becoming the Cuba of Asia.

No Soviet offensive missile sites—so far as is known—have been built on Indonesian soil. But the Soviet Union has been shipping massive quantities of other armaments to the equatorial land. The Russian aid, ranging from jet fighters to submarines and cruisers, has transformed the Indonesian armed forces into the most potent military organization in southeast Asia, except for the patroling U.S. 7th Fleet.

Flexing his military muscle, Marxist-inclined President Sukarno now is putting new pressure on neighboring lands. Besides serving his expansionist aims, Mr. Sukarno's foreign ventures help divert public attention at home from economic stagnation and the repression of political freedom in the world's fifth most populous country—95 million.

UNDERMINING A NEW NATION

At the moment, the vigorous Indonesian nationalist, perhaps nudged by Moscow and Peiping, is trying to derail the formation of a new country to be known as Malaysia. The plan for the creation of this nation was worked out last year by officials of Britain and those of Malaya and Singapore, both self-governing members of the British Commonwealth. Malaysia is to be formed by merging prosperous Malaya, the overcrowded free port of Singapore and the three British colonies of North Borneo, Sarawak, and oil-rich Brunei into an anti-Communist federation. The union, which will bring together 10 million people, is supposed to take place this August.

The three British colonies lie on the northwest coast of Borneo. The rest of the island is under Indonesia rule, leaving the British possessions highly vulnerable to Mr. Sukarno's maneuvering.

Indonesian officials increasingly are warning their nation about the threat of Malaysia. Yesterday President Sukarno told some army veterans that Indonesia is "encircled by enemies." The country's armed forces chief, Gen. Abdul Haris Nasution, has said that "to the north of us neocolonialism is moving toward what has been described as an encirclement of Indonesia."

There's speculation that Indonesia helped stir up the recent abortive revolt by Brunei nationalists against the British authorities. Moreover, the official Indonesian news agency has confirmed reports that Indonesia has placed two divisions of crack volunteer troops along the border of North Borneo. Last week Indonesian Foreign Minister Subandrio promised his country would assist rebels in British Borneo, and Maj. Gen. Achmad Jani, Indonesian Army Chief of Staff, has publicly given the insurgents similar assurances.

An Indonesian newspaper which echoes official policies has suggested that Indonesian troops might enter the fight of Borneo rebels against British rule in the same way Red Chinese volunteers entered the Korean war. Another alarming development was a recent incursion into Malayan waters by an Indonesian navy gunboat; it set fire to a rubber-laden barge beached on the Malayan coast.

BRITISH BUILD UP FORCES

Britain now has sent heavy reinforcements to the Borneo area, while Malaya ordered a military buildup last week following Mr. Subandrio's promise of aid for the anti-British forces.

The fear in Asia is that President Sukarno may support the embryonic rebel movements in the British colonies on Borneo with the aim of transforming them into weak, independent states responsive to pressure from Jakarta. It's also feared that Indonesian expansionism might threaten Australian-held East New Guinea and Portuguese Timor. These territories are on islands partly ruled by Indonesia.

"There's no telling where it will all lead," says an Asian diplomat here. "President Sukarno is very ambitious."

Two recent episodes demonstrate the Indonesian leader's contempt for world opinion, for democratic practices and even for the sensibilities of his neighbors.

One was Indonesia's campaign to win sovereignty over West New Guinea, the only part of the Netherlands East Indies not released when Indonesia was formed out of the former Dutch territories after World War II. President Sukarno steadfastly rejected the idea of self-determination for the backward Papuan inhabitants, as well as the concept of a United Nations trusteeship, which had considerable backing abroad.

While negotiations with the Netherlands over West New Guinea were in progress last year, Mr. Sukarno decided to apply military pressure. As Western experts debated the relative strengths of an Indonesian invasion fleet and Dutch defenses in New Guinea, Mr. Sukarno began dropping in guerrilla troops by parachute. He decided that an invasion was both unnecessary and perilous, though he continued to threaten the use of all-out force.

The result of these tactics is that West New Guinea officially will pass under Indonesian rule in May. Jakarta officials actually have been in control since a Dutch-Indonesian accord was reached last summer. The agreement called for a plebiscite in 1969 to decide the island's ultimate political future. But some months ago President Sukarno made it clear he will not allow such a vote to upset his control, and no other nation has seriously questioned his position yet.

Less significant, but also a clue to Indonesia's current temper, was the Asian games affair last summer. Officially recognized by the International Amateur Athletic Association, this regular event normally includes Nationalist China and Israel as contenders. But President Sukarno's close ties with Red China resulted in his regime's refusal to admit Nationalist Chinese athletes to Indonesia when the games were held there last year. Israel was barred because Mr. Sukarno is wooing the Moslem Arabs.

When a prominent Indian athletic official openly protested this intrusion of politics into sports, the Indian embassy in Djakarta was sacked by a mob of rioters led by soldiers and government sound trucks. Japanese sports circles started vigorous protests, which subsided after President Sukarno broadly hinted he might choke off Japan's $100 million annual exports to Indonesia.

All these developments took place against a background of tightening Government control over Indonesia's citizens. Over the past 2 years, Mr. Sukarno has outlawed political parties, though the 2-million-member Communist Party of Indonesia retains its organization. Indonesia's press operates under stringent Government controls.

An array of economic regulations, coupled with President Sukarno's deep-seated suspicion of private business, has helped stifle economic activity. This sluggishness in the nation's economy, whose mainstays are oil, rubber, and copra, has resulted in repeated devaluation of the Indonesian rupiah, both officially and on the black market.

ARMS FROM THE UNITED STATES

About the only real progress of late in Indonesia is military. Indonesia has bought quantities of small arms and other equipment from the United States, much of it from private arms exporters, and Washington has brought Indonesian officers to the United States for advanced training. "Equipping and training the military to improve its ability to maintain internal order" is the American Government's stated reason for helping President Sukarno. It's believed, however, that the real explanation for Washington's aid is the feeling that it may strengthen the Indonesian Army as a counterbalance to the local Communists.

But Russia now is the chief supplier for Indonesia's arsenal. Early in 1961 President Sukarno accepted a Soviet offer of a $400 million credit for arms purchases. At the time, the Indonesians argued that the Soviet-assisted buildup was essential for their confrontation with the Netherlands over West New Guinea. But the settlement of this dispute did not diminish the arms flow; on the contrary, the latest reports indicate that it has increased in the last half year.

Indonesia's air force is its most potent military arm. It is equipped with a variety of Mig fighters—some 90 Mig-15's and Mig-17's, plus about a dozen supersonic Mig-19's and about the same number of long-range twin-jet Mig-21's. The air force has about 30 Soviet bombers, some with a range of up to 4,500 miles. Under the air force, too, is a battery of Russian ground-to-air guided missiles, manned by Indonesians.

The Indonesian Navy is said to have 250 ships. These include two Soviet cruisers and some 20 long-range Russian submarines. Some reports suggest that two Russian frigates handed over to Indonesia are armed with ship-to-ship missiles. Enough Russian helicopters to form an antisubmarine squadron are on the way.

The ground forces boast 250,000 men who comprise a fighting force of 130 battalions. They are skilled in guerrilla and paratroop operations. Soviet aid has had least impact on the army though Moscow has shipped some automatic weapons and a battery of 105-millimeter howitzers.

AMENDMENT OF STANDING RULES OF THE SENATE RELATING TO STANDING COMMITTEES

The PRESIDING OFFICER. The Chair lays before the Senate a resolution coming over from the previous day, which will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 90) amending rule XXV of the Standing Rules of the Senate relating to standing committees.

The Senate proceeded to consider the resolution (S. Res. 90) amending rule XXV of the Standing Rules of the Senate relating to standing committees.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is Senate Resolution 90.

Mr. MANSFIELD. Mr. President, I ask that certain modifications be incorporated in Senate Resolution 90, which is now before the Senate.

The PRESIDING OFFICER. The clerk will state the modifications.

The LEGISLATIVE CLERK. On page 16, line 14, after the word "Office", to strike out "Building" and insert "Buildings".

On page 16, line 20, after the word "Office", to strike out "Building" and insert "Buildings".

On page 17, line 24, after the word "standing", to strike "committees", and insert "committees, as well as any Senator who is appointed temporarily to fill any vacancy arising out of this proviso:".

The PRESIDING OFFICER. The Senator has the right to modify the resolution. The resolution is so modified.

Mr. MANSFIELD. Mr. President, with the concurrence of the Senate I should like to suggest the absence of a quorum, and at the same time reserve my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, we began a rules debate on the 15th of January. We ended it on the 7th of February. Extended speeches were made; charges and countercharges flew thick and fast; but at the end of many hours of debate and several votes, the rules remained the same.

During the rules debate, committee vacancies were not filled. The nine new Democrats in the Senate, and the three new Republicans were not given committee assignments and have still not been given their assignments. Along with the rest of us, these new Senators were sent here by constituencies who expected them to begin the performance of their duties at once, with all the appurtenances and powers of their high office.

Because they have not been assigned to committees, and because the attention of the Senate has been on the rules fight, the older Members quite properly have not been authorized to conduct legislative business during the sessions of the Senate. Under the Constitution we are all equal here—one Senator, one voice, one vote—and a new Member's vote, voice, and participation in committee or on the floor are no less important than a carryover's.

It is all very well for Senators to immerse themselves in the problems of household management—for that is all that the rules fight, in the last analysis, adds up to. But I think it is about time someone reminded the Senate of its higher responsibilities under the U.S. Constitution. Article I, section 8, of the Constitution empowers Congress to act in a number of areas: to lay and collect taxes, to regulate commerce, to raise and support armies, to provide for the common defense and general welfare of the United States.

It has always been my understanding that these grants of power, and those contained in subsequent amendments to the Constitution, created obligations and responsibilities on the part of Congress. They are not merely permissive; they are positive obligations and responsibilities.

The States do not single out men and women to come to the Senate solely as a reward for past services rendered, or merely as a measure of respect; the people of the United States do not pay taxes to support a debating society that meets only to pursue arguments about its own composition and rules.

The powers granted by article I of the Constitution are to be exercised. The Members of Congress are to exercise them. The legislative branch of Government is meant to originate and act upon measures that respond to the country's needs. In my opinion it is time that the Senate of the 88th Congress began to carry out these constitutional responsibilities.

Senators who are concerned about modernizing the Senate in order that it may meet the demands of the 1960's—and I am one of those Senators—and those who would give to the rules a sacrosanctity which borders on idolatry, must recognize that in 6 weeks we have not taken one major legislative step toward meeting our higher constitutional responsibilities, either in committee or on the floor.

If we are to do what we have been sent to Washington to do; if we are to fulfill our responsibilities under the Constitution; if we are to operate the legislative branch in a way that will do honor to the institution itself and preserve its vitality we must get to work at once and, particularly, in committee. The President has asked us to act very promptly to reduce taxes, in order that a sluggish economy may be invigorated and the burdens of financing the Government may be more equitably and sensibly distributed. He has asked us to enact a major education program for secondary schools and colleges in order that our young people may have equal educational opportunity and the Nation may profit from the full training of talented young people. He has asked for Federal assistance in meeting mental illness and retardation, which in terms of its toll in human suffering and national loss and cost is now our number one health problem. He has called for a mass transit program for our cities and towns in order that we may not strangle ourselves in the coils of the vast urbanization and suburbanization into which our industrial progress is driving us. He has sent us a large-scale program for helping our youth find useful lives, in order that the transition from generation to generation may continue without the alienation of large segments of the people from the main house of the Nation. He has urged us to consider the medicare question again in order that in our care for the aged sick we may at least begin to approach the consideration and concern which is shown in Canada and in the nations of Western Europe and in most advanced nations throughout the world with far less affluence than ours.

These are major national issues, Mr. President. On their outcome hinges not only our national well-being, but also much of our capacity to safeguard the peace of the people of the United States in a dangerous world. The issues cannot be met by fiat, or by messages from the White House, no matter how convincing and eloquent. They cannot be resolved at the whim of the majority leader of the Senate or the Speaker of the House. Under our system they can become law only through the action of Congress. That takes work and negotiation and accommodation and more work. It takes work in the first instance in committee, by chairmen and members of committees. It takes the willingness of the Members of Congress to do what they are elected to do in committee and on the floor, despite pressures to be elsewhere or to put off the hard decisions.

As a Senator from Montana and as majority leader, my functions and interests are primarily and preponderantly in the Senate. I am a Senate man. But I hope that I have not grown mossbacked in that role. I hope that I have not lost sight of the national forest for the Senate trees. I hope that I have a degree of appreciation of the responsibilities which rest with the President—any President. I hope and would expect that all Senators share that appreciation. Beyond that, it seems to me that the Senate and Congress owe to the Nation a responsibility to give earnest consideration to proposals which the President advances. Of course, we may vote his major proposals up or down or modify them. We have the responsibility for independent judgment in these matters. But it is a discourtesy, to say the least, and a dereliction of responsibility, at worst, to fail to give the President's proposals full and fair consideration. And to fall back on the rules to justify such a course is to evade the higher constitutional responsibility of this body. Furthermore, when the President has singled out measures in his program which are of special urgency and of key importance, then common sense, if nothing else, dictates that these measures should be given urgent and careful treatment through the processes of the Senate and Congress. Again, I say it does not follow that we must approve or disapprove any measure, but it most certainly follows that we should consider measures seriously, and each House as a whole should act one way or another.

The responsibility to provide the President with a modicum of courtesy and cooperation in matters of national importance rests on all Senators, but it rests most heavily on the members of his own party—the Democrats in this body—whether they are from the North, South, East, or West.

I accept my full share of responsibility, Mr. President, for permitting this first 6 weeks to pass without a mark being made on the statute or rules books. It is time to put aside the Senate wrangling and get on with the national business. If the Senate desires to perform its constitutional responsibilities, the way is open to it. It is the way of hard work in mutual cooperation and with individual restraint. We should take it, and I would hope we would take it now.

Mr. SALTONSTALL. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. SALTONSTALL. I commend the majority leader for the statement he has made. Whether we agree with the proposals which are presented to us by the Chief Executive, whether we agree with the reports which come from commitees, certainly it is our function to act. It should be possible for us to act promptly, but we are now being delayed because our committees have not yet been approved.

I should like to say this in addition to what the majority leader has said: Under our Constitution, Congress is one of the three branches of Government, the legislative, the executive, and the judicial. Congress has the responsibility of fulfilling the legislative duty. There is much criticism today that Congress is yielding its power to the executive, or that the judiciary is taking away some of the power of the legislative branch. We must live up to our responsibilities under the Constitution. To do that, we must legislate. To legislate, we must have our committees working and reporting bills to the floor for debate.

I agree with the majority leader. As I have told him a number of times in the last 50 days, I believe the Senate should get down to work. I will do anything I can to help bring that about. I appreciate the majority leader's statement.

Mr. MANSFIELD. I thank the Senator from Massachusetts.

Mr. AIKEN. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. AIKEN. I congratulate the majority leader upon the statement he has just made. It is fully in keeping with the character of the Senator from Montana. I also wish to congratulate the Democrat Party and the country upon having a majority leader of his caliber, because he puts the needs of the country first.

The majority leader has been trying for weeks to get the Senate on the way to accomplishing what it is supposed to do under our Constitution and our form of government. So far he has been blocked from accomplishing much of anything.

I have no sympathy whatsoever with any Member of this body who says, "If I cannot get things done just as I want them, I will render the Senate impotent, and will block its doing anything constructive for the country." I do not think that is a good attitude for any Member of this body to take, if Senators believe at all in the democratic form of government—and I believe all of them do.

The majority leader must have the support of the Members of the Senate, not only because we should support him, but also because the needs of the country, and particularly the needs of the legislative branch of the Government, demand that we do so.

The President has made many requests of the Congress. Some of them will not be granted—I hope. But I do not intend to stand in the way; I do not intend to attempt to prevent the Congress from voting on the requests the President has made, even though I intend to vote against some of them.

If this situation continues as it has for the last 6 weeks, we are bound to see a deterioration in the legislative branch of the Government, and also in our form of government itself. The country is disgusted with us; and I hope the people put the responsibility for our inaction—and for even worse than inaction—where it properly belongs.

Mr. JAVITS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. Mr. President, I thank the Senator from Vermont. I assure him that I appreciate deeply his words.

Before I yield to the Senator from New York, I should like to say, once again, as I have previously said on a number of occasions, that what we have done has been, in effect—and considering the results achieved—to waste 6 weeks of the time of the Senate, 6 weeks of the time of the people. It is not a case of any individual Senator's being gagged. As a matter of fact, it is a case in which the Senate as a whole has been gagged.

I yield now to the Senator from New York.

Mr. JAVITS. Mr. President, I am sure the Senator from Montana will indulge me if I express a somewhat different view.

Mr. MANSFIELD. I would anticipate one.

Mr. JAVITS. After listening to the statements which have been made, I feel that I must rise and make a comment, because I am one of those who participated actively in the fight to change rule XXII. It is one of the struggles—among all those in which I have participated during my service in the Senate; and I have participated before in this fight—of which I am most proud; and I only hope I live to see the day when the Senate recognizes what is occurring in the world, and does change this rule.

It has been stated that the country is disgusted with us because we have not gotten to our work and passed proposed legislation. I should like to point out that, almost without exception, every bill to which the Senator has referred represents debris scattered over the floor of this Chamber, either because the Senate has done nothing at all with the bill or because of the fact that, after the Senate has passed the bill, the other House has refused to pass it. That goes for the bill for higher education.

Mr. MANSFIELD. By the way, that bill was passed overwhelmingly by this body.

Mr. JAVITS. That is correct. I am only referring now to the measures to which the Senator adverted a moment ago.

As I said, that goes for the bill for higher education. As to debris in the last Congress it goes for the mass transportation bill, the youth employment and Civilian Conservation Corps measures, and the medicare bill, which was defeated in this Chamber—partially, I think, because the Finance Committee did not hold hearings on it; that was one of the arguments which was referred to in the debate on the bill.

I also noted with great interest—and I am perfectly willing to face the Senator from Georgia or any other Senator on this score—that the majority leader did not even mention civil-rights legislation. Yet today I have on my desk one of the most horrible reports on injustice in this country—a report from the Advisory Committee appointed by the U.S. Civil Rights Commission in Mississippi; and I will bring it to the floor and discuss it in great detail and put it into the RECORD. It shows that American citizens are being outraged and denied elemental justice—including denial of the right to vote—in one of the sovereign States. I think that situation is very important.

In short, I think one of the reasons why the country may very well be questioning whether we are doing our business is that our hands are tied by the rules of the Senate, which on occasion completely frustrate our efforts.

It seems to me that we have spent a decent amount of time in the effort to do something about these procedures, which in many cases have prevented us from dealing effectively with the very legislation to which the distinguished majority leader has referred.

I think every Senator who has participated in that fight is just as patriotic, just as anxious to get on with the public business, just as devoted to getting things in the country done, as every Senator who has agreed today with the majority leader's statement that we have wasted 6 weeks of time.

I do not think we have wasted a minute, and I do not think we are wasting a minute now. I think this rules fight is critically important to the Nation and to the capability of the Senate to conduct its business. I believe it would be demeaning to those of us who participated with deep devotion in that fight to sit by and, without comment by us, let such statements be made and let them ride. I have not expended my efforts and my time on a struggle which I think was a waste of the time of the Senate; and I cannot remain silent when such statements are made.

Mr. MANSFIELD. Mr. President——

Mr. JAVITS. May I finish?

Mr. MANSFIELD. Very well.

Mr. JAVITS. I understand the feeling of the majority leader.

Mr. MANSFIELD. First, Mr. President, I wish to say that I most emphatically disagree with the Senator from New York. I think that to a degree we have demeaned ourselves. I think we have wasted the time of the people and the time of the country; and I think it is about time that we get down to business.

Mr. JAVITS. I would point out that 54 of the 100 Senators tried to get down to business by closing the debate on the rule XXII change; but the very rule prevented the will of the majority of the Senate from prevailing. The majority felt it was ready to vote on a change in the rule, but was prevented from voting by the minority, under this very rule. That was a constitutional majority, not just a majority of the Senators present and voting.

Mr. MANSFIELD. Mr. President, let me differ again with the Senator from New York. Under the rules of the Senate, that vote was taken. It is true that a constitutional majority voted for the imposition of cloture. But we were operating under the rules of the Senate; and on two occasions it was stated clearly by the majority leader that if 60 "yea" votes on cloture were not achieved, a motion to adjourn would be made. On the day previous to the day when the final vote was taken, the Senator from New York recognized that fact; and I can quote word for word his statement in which he agreed with what the majority leader had said about the course of action to be followed.

However, I would not go back to that now; that situation has now passed, although no doubt it will come up again.

The point now is that there are 12 new Senators who must be assigned to committees. Thus far in the session, no legislative business has been undertaken by any of the committees. We are spending our time on the floor—doing what? Wasting our time. That is what we are doing. But we cannot get down to the business for which this body was created—the business of the Nation.

Mr. JAVITS. Mr. President, will the Senator from Montana yield again to me?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I did not intend to rehash the constitutional point or the imbroglios which surrounded it, and I do not think that by anything I said I did rehash it. I only said 54 Senators voted to close the debate. That fact is irrefutable. They were prevented from closing it by the votes of the other Senators. Those 54 Senators thought the rule fight was worth while. They were ready to vote, and they wanted to get on with the business of the country.

I am inclined to agree with the majority leader that the time has come now—now or Monday or Tuesday, within the proximate present—to end the rule struggle and to do what we can under the rules.

Mr. MANSFIELD. Monday or Tuesday? Another week wasted?

Mr. JAVITS. Mr. President, I do not control a single one of these things. I am not the Senator who is moving this particular thing in any way.

Mr. MANSFIELD. But the Senator from New York did say "Monday or Tuesday."

Mr. JAVITS. I say I have no idea when this will be concluded. I am only giving my idea of the time elements involved.

I feel now that currently—let us not indicate any particular days—we have consummated the action to be taken in struggling about the rule. But I wish to state clearly that I do not think this has been a waste of time. It has been unsuccessful; but it has not been a waste of time, because I feel that eventually the rule will be changed—and this is the important and vital point, in my view—because of the fights which have been made at this session and at other sessions.

I point out that I cannot fail to reply to the statement that we have wasted 6 weeks' time. The Senator from Montana disagrees thoroughly with me. That is all right; but I cannot let his words go out to the country without expressing the contrary point of view—a point of view held by those, including myself, who feel just as sincerely and just as deeply as does the Senator from Montana.

Mr. MANSFIELD. Mr. President, the Senator always has a way of expressing his point of view and a way of getting it across. The Senator always makes known to his fellow Senators where he stands on issues. I honor him for it.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. RUSSELL. For some reason the Senator from New York has brought me into the discussion. I just walked into the Chamber, having come from a meeting of the Armed Services Committee. I am somewhat handicapped in participating in the debate because I am not familiar with the subject and all that has gone before. The Senator from New York [Mr. JAVITS] looked at me when he made reference to some measure in which he was interested. He further said that 54 Senators had voted to close debate, indicating that number were prepared to vote to change the Senate rule on cloture. I challenge that statement. I know of one Senator who voted for cloture—and I think there were four others who were prepared to vote against a change in the rules—but who voted to invoke cloture in order to end the educational campaign on which we had worked so assiduously.

I also noted the statement of the Senator from New York about some shameful condition in some States that had denied American citizens the right to vote. I should like to ask the Senator from New York whether the State of New York has changed the law which debars hundreds of thousands of Puerto Ricans who are citizens of the United States from the right to vote in that State.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Every Puerto Rican in New York can vote if he qualifies in the reading and writing of the English language. To finish my statement, I have actually joined in submitting testimony on the literacy test bill which was before the Senate during the last session. That bill would have opened the door to Puerto Ricans in New York who could not qualify in the English language. If they qualify, they can vote now. I was an ardent advocate of that bill, and, as I recall, the Senator from Georgia was one of its ardent opponents, and, with all respect, I think he was one of the architects who brought about its defeat or frustration here.

Mr. RUSSELL. Mr. President, of course, there is a difference in philosophy between the Senator from New York and the Senator from Georgia. I believe voting qualifications is a question which should be controlled in the several States. It is very easy to dwell on an alleged blot on the escutcheon of some other State when there is one much larger and blacker blot on the shield of the State of the Senator.

I point out that once a Senator from my State resigned from the U.S. Senate and returned to the State of Georgia in order to become a candidate for the general assembly, as we call our legislature, so that he might change a condition which he thought was a reflection on his State.

So action in the Senate is not necessary. The Senator from New York has shown to all the world—beyond peradventure and to the great distress, as I understand, to the Governor of New York—that he is the greatest votegetter who has lived in the State of New York for a long time. I would have thought that he might in some way have contributed to removing that blot from the escutcheon of the great Commonwealth of New York before pointing to other States.

While my own State is condemned roundly by the Senator from New York and others for our voting laws, in my opinion we apply them as justly and fairly as the laws are applied in New York or anywhere else. I would gladly match the honesty with which votes are counted in Georgia with the counting in New York and a number of other States whose Senators are at times highly critical of the State of Georgia. We have our restrictions on voting. The State of New York has certain restrictions. I do not complain of them. Even if I disapproved of them I would defend to the last the right of the State of New York to have any restriction that is not specifically prohibited by some provision of the U.S. Constitution. And it would have to be rather drastic, in my opinion, to violate the express power confirmed to the States to define the qualifications of voters.

It is easy to make statements and charges about people away from one's own home. Of course, there is nothing new about that. In Holy Writ we find mention of a man who pointed out the mote in the eye of his adversary while disregarding the beam in his own eye.

Mr. JAVITS. Mr. President, will the Senator from Montana yield so that I may reply to the Senator from Georgia?

Mr. MANSFIELD. I yield.

Mr. JAVITS. In the first place, the State of Georgia was not the State to which I referred. It was the State of Mississippi.

Mr. RUSSELL. The Senator mentioned my State and looked at me as he did so.

Mr. JAVITS. Let me say to the Senator——

Mr. RUSSELL. I assumed that the Senator was perhaps referring to my State. I will be glad to lay my State and the law-abiding character of the people of Georgia on the line for comparison with New York and more particularly New York City, by any fair jury that is brought from any other section of the country. I would be willing to eliminate from the jury anyone who lives below the Mason and Dixon line.

Mr. JAVITS. The Senator will not cause me to digress into the subject of Georgia at the moment. I shall not. I was only explaining to the Senator that the State I was talking about was the State of Mississippi. I have in my hands a report by a group of Mississippi citizens appointed as an advisory committee in that State by the U.S. Civil Rights Commission. I shall produce that report on the floor of the Senate. I do not hope to be able to convince the Senator from Georgia, but I think I can convince the country.

I did not mention the Senator from Georgia in a disrespectful manner. I would never do so.

Mr. RUSSELL. I had just entered the Chamber, having come from a meeting of the Committee on Armed Services, and I did not know why the Senator from New York had singled me out in connection with his statement.

Mr. JAVITS. The point was made in the process of discussion. The Senator from Georgia does not place too great a store by the need for civil rights legislation, and I do. I tried to underline the fact that I did.

Mr. RUSSELL. I believe the basic difference is that I believe the States have some prerogatives of Government. Others believe in having every problem solved by the Great White Father in Washington, and bringing all problems to the banks of the Potomac for solution by a centralized and all powerful Federal Government. I believe that philosophy is espoused by the Senator from New York.

Mr. JAVITS. The Senator from New York takes exception to that statement. The Senator from New York has fought for the right of States to conduct their own affairs; and I believe we are doing a pretty good job of it in New York.

Mr. RUSSELL. I shall be most happy to sit here and listen to the Senator from New York discourse on the rights of States.

Mr. JAVITS. I have done so.

Mr. RUSSELL. I have never heard such a speech by the Senator.

Mr. JAVITS. I hope the Senator will vote sufficient appropriations to help us do so in connection with Federal laws, too.

Mr. MANSFIELD. Mr. President, I should like to yield the floor. Before I do so, I should like to call to the attention of the Senate the fact that collectively it is master in its own House. I should like to say especially to my Democratic colleagues that we have a numerical majority in this body. We have a President of our party in the White House. In our own best interests, and in the best interests of the country, it would be well for us to try to get a little closer together, rather than to try to push one another farther apart.

Mr. WILLIAMS of Delaware. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Delaware.

Mr. WILLIAMS of Delaware. First, I wish to compliment the Senator from Montana, the majority leader, who in my opinion has been performing an excellent service in trying to get the Senate organized and moving forward.

PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, will the Senator yield so that I may make a point of personal privilege, with the understanding that the interruption will not cause the Senator from Delaware to lose his right to the floor?

Mr. WILLIAMS of Delaware. I yield with that understanding.

Mr. MORSE. I have notified the Senator from Ohio [Mr. LAUSCHE] that I intended to speak on this subject.

Yesterday in my absence from the Chamber the Senator from Ohio [Mr. LAUSCHE] made the following remarks:

> Mr. Herter appeared before the committee a few days before the longshoremen strike came to an end under the supposed agreement. It was for that reason that I asked him that question. I rise today to express my disapproval of the procedure followed and the results produced by the committee that was appointed supposedly to be a mediation board.
>
> I have implicit confidence in the integrity and veracity of the senior Senator from Oregon. However, he has predispositions and he has ideologies, and in my opinion the predisposition which he had, in spite of his truthfulness, made it impossible for him to be what one might call an impartial arbitrator.
>
> The recommended increase in the wages for the second year was 39 cents, plus. The average for the 2 years was 8.8 percent.
>
> The President of the United States in his message a few years ago made the statement that we should give, rather than take; that when wage increases are granted, they should have correspondence to increased productivity. The figure mentioned was 4 percent.
>
> What bothers me is that if the average increase in the longshoremen agreement is 8.8 percent, will that become the guideline in demands made by the workers in the shipyards, on the docks of the inland lakes, and on the ships sailing under the U.S. flag on the high seas?

Later the Senator from Ohio said—and it is pertinent to my raising a point of personal privilege:

> Frankly, I believe that the pattern which was set in the settlement of the longshoremen's strike will create difficulties. Featherbedding continues. One of the principal issues in the dispute was featherbedding. Nothing was done about it, except that a committee is to study the subject. The power of the Longshoremen's Union to paralyze the economy of the country continues. I do not recall for how many days, but the Longshoremen's Union had every ship flying the U.S. flag tied up in the ports of the Atlantic coast and the gulf coast. I suppose that if they had so desired, they could have paralyzed shipping on the Pacific coast. Ohio is in the interior. The manufacturers of Ohio began to feel the pinch.
>
> If there is to be arbitration, let us pass a law which will authorize arbitration. If there is to be arbitration, let the law be so written that there will be at least a semblance of insurance that those who are chosen to arbitrate shall have the objective ability of doing so. I now declare that I contemplate introducing a bill to require the arbitration of disputes between longshoremen and shipowners, the arbitrators to be chosen from among retired Justices of the Supreme Court of the United States and retired judges of U.S. courts of appeals and district courts.

Mr. President, I wish to reply to the Senator from Ohio. I do not have to be hit on the head with a baseball bat to get his meaning. When the Senator from Ohio attacks me he attacks my board. I challenge the Senator from Ohio to go to the party litigants in the dispute to find out whether or not they consider that they had an impartial Mediation Board; for the fact is that the Mediation Board did their bidding, as is shown by our report to the President of the United States, which is being filed today. The Mediation Board did the bidding of the parties to this dispute.

The Senator from Ohio has shown his gross ignorance of the whole mediation process. He talks about arbitration in his comments as though we were an arbitration board. We were not an arbitration board, but the Senator from Ohio apparently does not know the difference between arbitration and mediation for had he known the difference he would not have insulted the impartiality of the senior Senator from Oregon and his board members on the floor of the Senate yesterday.

The Senator from Ohio has been a noted judge in Ohio. When he refers to the "ideologies" of the Senator from Oregon and when he refers to the "predispositions" of the Senator from Oregon I take it for granted that he recognizes what most people know, that the Senator from Oregon is a constitutional liberal. The Senator from Ohio sat on the bench of Ohio as an ultraconservative. I know of no one who would question the fact that the Senator from Ohio is recognized as highly conservative. But he was an able judge; as able as any judge who takes on the robes to decide a case before him on the basis of the evidence before him, applying the preponderance of evidence test to that evidence.

I take pride in having served as an arbitrator, and having presided over arbitration courtrooms, involving several hundred cases.

The Senator from Ohio cannot produce a single litigant who ever appeared before the senior Senator from Oregon, even though that litigant in an individual case might have lost the case, who will not testify that the Senator from Oregon functioned as an impartial arbitrator on the basis of the evidence that was submitted to him.

Therefore, I do not intend to permit this slur by the Senator from Ohio to remain in this RECORD without an answer from the Senator from Oregon not only in his own behalf but also in behalf of his two colleagues on the mediation board, appointed by the President of the United States, whose impartiality I feel is simply beyond question. The parties to the mediation can be the witnesses to so testify.

Of course, as is true in every litigation, the parties do not like every recommendation of the board of mediation—or, if it is arbitration, every decision of a board of arbitration on every issue—but they know that in mediation, the obligation of the board is to lead the parties to a conscionable compromise of their differences.

This was done at the request of the parties to the dispute. The board tried for 4 days to persuade the parties to settle the dispute between themselves, and to negotiate a collective-bargaining agreement between themselves. They simply refused. They explained to the board, "There is no hope. We cannot possibly get together."

It was then that the parties to the dispute agreed that the board of mediation should lead them to a settlement by offering them a final offer. This would not be a settlement on the merits of each issue in accordance with the evidence that could have been presented in arbitration, because we were not in the judicial atmosphere of an arbitration courtroom. We were in the compromising climate of mediation, for that is what mediation is.

The parties were free to reject the proposal of the mediation board. They considered it, and they decided it was in their best interest and in the national interest to go along with the proposal of the mediation board.

The Senator from Ohio is factually incorrect in respect to several statements he made in his speech in regard to what the Mediation Board offer was. He stated:

> The recommended increase in the wages for the second year was 39 cents, plus.

That is not so. The settlement of the Board was a 37-cent package, not a 39-cent one. The wage proposals provided a 15-cent increase the first year and a 9-cent increase the second year, or 24 cents. The fringe proposals would add

8½ cents the first year, 4½ cents the second, or 13 cents. The Senator talked about an 8.8 percent average for 2 years. That simply is not so.

I ask unanimous consent to have printed a table showing the percentage increase of both the wage increase and the entire package.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

North Atlantic longshore mediation proposal

	Percent
Increase in wages:	
1st year[1]	4.97
2d year[2]	2.84
Average	3.9
Increase in total labor cost (wages adjusted for overtime and fringes):	
1st year	6.26
2d year	3.37
Average	4.8

[1] Increase effective Oct. 1, 1962.

[2] Increase effective Oct. 1, 1963.

Mr. MORSE. Mr. President, the Senator from Ohio cannot take two and two and make five, no matter how hard he tries, for the law of mathematics is against him; the law of mathematics is against him in regard to his evaluation of the mathematics of the Board's offer to the parties, which the parties made their program and accepted as a fair settlement of the dispute.

MACHINERY FOR FEATHERBED ISSUE

The Senator from Ohio talks about featherbedding and seeks to leave the impression that the Mediation Board made no offer to the parties and that the parties accepted a settlement which would have nothing to do about the featherbedding issue.

The Senator from Ohio stated:

> Frankly, I believe that the pattern which was set in the settlement of the longshoremen's strike will create difficulties. Featherbedding continues. One of the principal issues in the dispute was featherbedding. Nothing was done about it, except that a committee is to study the subject.

The Senator from Ohio has not read the settlement, for much more than a study was provided in the settlement by the Board. If the Senator will talk with some of his shipowner friends, he will learn that they consider the procedure we set up to be worth millions of dollars.

The president of the Shipowners' Association sat down with me in the Senate luncheon room the other day, along with the chairman of the shipowners' negotiating committee, and both expressed great gratification over the procedure which we established for an attack on the featherbedding problem on the docks of the east coast. Under the procedure we established, for the first time in the history of shipping on the east coast a shipowner will have a tribunal before which he can go to establish proof of featherbedding.

The parties recognized before they entered into this agreement that no Board of Mediation could, in 5 days, even begin to scratch the surface of a job analysis program on the east coast. If the Senator from Ohio had only stopped to reflect on what is involved in a manpower utilization program in an industry as complex as the longshore industry, he would not have left this criticism of the Board in the history books through the CONGRESSIONAL RECORD. What did we do? We provided that the Secretary of Labor will bring to bear on the problem all the facilities of the Department of Labor to analyze the question of manpower utilization and job security on the east and gulf coasts and give to the parties an analysis of the job utilization study and make recommendations.

Let me make clear that the Secretary of Labor has the full authority to make the decision as to what that study will encompass. There was an attempt on the part of the head of the union negotiating committee to permit the union to direct the Secretary of Labor as to what jobs would be studied and what would not be studied, as to what manpower operations would be encompassed in the Secretary of Labor's study, and what would not.

If the Senator from Ohio thinks the employers got nothing within the study proposals of the board, he ought to talk to the shipowners, because when the board rejected the union's particular proposal and told the union the Secretary of Labor would have authority to make a complete study of the facets of the job utilization problem, the employers won a great victory; they will tell the Senator from Ohio so if he will talk to them.

We set up an advisory council whereby the shipowners and the union can offer the Secretary of Labor their advice; but the Secretary of Labor is in no way bound by the position taken by the advisory council as to the facets of the job utilization problem that can be studied.

Next, with regard to a point of which the Senator from Ohio is obviously unaware, I took from the Railway Labor Act of 1926 the whole emergency procedure of that act. We do not call the board, called for under our settlement, an emergency board. We call it a neutral board. But under the procedure as set up when the Secretary of Labor makes his recommendations, the parties are to negotiate a settlement based on those recommendations. If they have not done so 2 months before the expiration of the contract, then the parties can present to the neutral board their evidence with regard to featherbedding, or, as I call it, make-work program.

Persons have heard me say before that in 1938 I wrote the first decision on the make-work question in the history of the maritime industry in this country, when I wrote the decision in the Puget Sound case. Not a ship had been moving in Puget Sound for days because the longshoremen insisted that lumber trucks would have to be loaded to the floor, rolled by hand-truck to the side of the ship, and then loaded, not into sling, but onto the deck, and then into the hold.

My decision is the authority on the subject that any make-work arrangement would not be in the long-time interests of labor, management, or the public. I ruled that the trucks not only could be driven to the side of the ship, but, where convenient, lumber could be loaded directly into sling, and not to the deck at all, and into the ship.

I cite that because it is typical of the long list of impartial decisions the senior Senator from Oregon has rendered through his professional career.

Therefore, the Senator from Oregon rightly resents the attack made on the floor of the Senate yesterday by the Senator from Ohio, in talking about the predisposition and the ideology of the Senator from Oregon, when he knows that the Senator from Oregon, when he puts on the robes, can be just as judicial and impartial in rendering a decision, on the basis of the evidence presented to him, as was the Senator from Ohio when he presided nobly in the courts of the State of Ohio.

In the procedure we have given, for the first time they are going to have an official forum in which to present their proof in case these longshoremen are shortsighted enough not to follow the recommendations that will result from the study that was provided for. I am proud of the procedure we have set up, and I am proud of the letters I have received from shipowners since the mediation settlement, expressing their appreciation of the procedure worked out by our board for the settling of the so-called featherbedding or make-work problem on the waterfront.

When the statement was made that they had reached an agreement with the union in "make work" on the west coast, the president of Grace Lines said, "Yes; but it took 5 years, and it is not as rosy as it sounds. There are problems connected with it." They do not have on the west coast a tribunal to which they can present their facts.

I cite that fact because the speech of the Senator from Ohio of yesterday can be used by antilabor groups in this country to undermine a settlement that is in the best interest of the employers, as well as of the union, and, most important of all, in the interest of the American public.

DIFFERENCES BETWEEN ARBITRATION AND MEDIATION

A word about the difference between mediation and arbitration, because, unless the public understands this difference, it would be misled by the speech of the Senator from Ohio yesterday. There is no more similarity between arbitration and mediation than there is between high noon and bright sunshine, and midnight without a moon in the sky.

Under arbitration, the shipowners would have paid a minimum price of twice what our settlement provided. They could not possibly have gotten out of the dispute for a cent less than double 37 cents as a package. They know that. I explained it to them in great detail, prior to the understanding that was entered into that my board should lead them to a mediation by making an offer, because they recognized the two parties could not even make offers to one another. There never was a change of a cent in the offer on the part of the employers from the beginning to the end of the dispute. They started out with 22 cents; and they ended up with 22 cents.

The union started out with an offer estimated by the employers to cost 86 cents an hour for the first year and $1.031 for the second year. They never changed one-tenth of 1 cent. Yet I read in the press, the Wall Street Journal, Newsweek, and other publications, the falsification that the union was asking for 50 cents. The union never retreated from its position at the outset of our efforts. We could not get any yielding at all, as pointed out in the report to the President, to which I shall refer very shortly. With that situation, we led the parties to the mediation offer at their request, at their desire. They knew it was the only hope of getting a settlement.

But, as I said to the employers, if the proceeding were an arbitration, we could not throw a single issue out the window. If we had arbitrated, we would have had to give an official opinion on the evidence in respect to every issue in dispute.

Mr. President, do you know what we would have had to do if we were arbitrators in that kind of deadlock? We would have had to write the whole agreement for the parties.

If employers or unions or the Senator from Ohio think that that kind of arbitration is in the economic interest of the country, I respectfully say they had better study the arbitration process. Arbitration is of great value when the parties are in dispute about one, two, or three issues. However, Mr. President, if you go into arbitration—and there are some who want to go into compulsory arbitration—you are taking away from the parties, management, and labor, some very precious freedoms. You are substituting a third party and asking that third party, in effect, to tell them how they are going to run their business, and under what conditions they are going to work. That is a dangerous situation. It is a situation that attacks, in my judgment, some basic foundations of economic freedom in this Republic.

I have been heard to say, and will undoubtedly say it again, that if we get into a national emergency dispute situation affecting the security and the health of my country, we must keep both parties guessing as to the procedure that will apply to them. I will never vote for exclusive compulsory arbitration, because that does not keep anyone guessing.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. MORSE. I had better check with the Senator from Delaware. I rose to a point of personal privilege, and I owe it as a matter of courtesy to the Senator from Delaware to limit myself in my remarks. The Senator from Delaware has an important speech to make on another subject. However, whatever the Senator from Delaware and the Senator from Arizona decide between themselves, is satisfactory to me.

Mr. WILLIAMS of Delaware. I will yield to the Senator from Arizona. I would like to get on with my speech.

Mr. MORSE. I will not be very much longer.

Mr. GOLDWATER. It is not often that the senior Senator from Oregon and the junior Senator from Arizona find themselves in agreement, but on this particular subject, compulsory arbitration, I am in complete agreement with the senior Senator from Oregon, with whom I serve on the Committee on Labor and Public Welfare. His remarks today should be read by every Member of the Senate. It is a very easy thing to suggest compulsory arbitration. I agree with the Senator from Oregon that if this is forced upon the American people, it can mean price control, wage control, quality control, and even place of employment control. We owe it to labor and management to see to it that we do not hastily adopt something which we would regret. I am happy that the senior Senator from Oregon has expressed himself on the floor as he has today, because what he has said has been needed to be said. It has been needed to be said for some time, in order, at least, to cool off some hotheads, who will suggest anything that will end a strike. Let us remember that the strike is the only weapon the working man has. When you say "arbitrate," you take away that right.

Mr. MORSE. Mr. President, I appreciate what the Senator from Arizona has said. I have been charged with advocating compulsory arbitration, because I have introduced in the past, and undoubtedly will hereafter introduce, some amendment to the Taft-Hartley law, in respect to its emergency dispute section. I said in 1947 that it would not work. It has not worked. Whenever I refer to arbitration in my draft of an emergency dispute bill, I do so in the alternative, and its use rests with the discretion of the President of the United States, subject to congressional review within 10 days. It keeps the parties in doubt as to whether the President is going to say that the national interests in the dispute are so great and such damage is being done to the country that they must agree to submit to arbitration. He has the alternative, for example, of a seizure of the plant, under a token seizure, with the operators of the plant being kept behind their desks, and the flag of the United States flying over the plant; and a series of other alternatives.

To get back to the point I was making, if these parties had been before an arbitration board instead of a mediation board, they would have paid at least double what the settlement amounted to.

Why? Because we threw more than 60 union issues out the window. We simply said, "You are guilty of laches." We said, "You know that no board of mediation could handle these issues in 4 days. You knew that. If you haven't got a settlement on these issues, we are not going to touch them."

Let me mention a few very quickly.

It has been said that the 8-hour day guarantee demanded by the union would have cost employers 32 cents an hour alone. That is one issue. Those issues that the union raised, which we threw out the window, would have added up to well over $2 additional an hour. I do not know what a board of arbitration would have granted, but they would have granted a great deal. I do not know what hours they would have granted. It would not have been zero. My own intuition tells me that it might have been 6 hours.

However, we said, "Too late. We cannot possibly go into the economics of this matter." One money issue after another money issue was eliminated. We eliminated another issue. We threw the $3.02 an hour issue out the window. Shipowners, magazines, and newspaper editors, and various propagandists in the country have fed to the American people the argument that the longshoremen on the east coast are well paid because they get $3.02 an hour.

When the shipowners used that argument, I said, "Gentlemen, that is out the window. You know it is an irrelevant argument. You know it has nothing to do with this case. You know that you have succeeded in misleading the American people in regard to the economic status of the men in this union. You know that the only wage figure that is vital to this Board is the take-home money. Do you know how many children these longshoremen have? Do you know the average size of the family of a longshoreman? These are the men whom you have called ruffians and hoodlums, and the rough element. The remarkable thing is that they are remarkable family men. The evidence given to me indicates that they average around three kids per family."

I said to these shipowners, "We must remember that these children are marching through this case all the time. They are entitled to dental care, to health care, to nutritious food, and to educational advantages. They are the schoolmates of your children and of my grandchildren. They are the future of America. The American people have a right to take a look at the take-home pay." I said, "If you want to talk to me about an annual wage guarantee to these longshoremen, we can cut the package way down."

They knew what I was talking about. Several of the shipowners, presidents of shiplines, said to me later, "Senator, there is no answer to that argument." They never had thought of it that way.

Almost 25 percent of the longshoremen in the New York Harbor earn less than $3,000 a year. I said to the shipowners, "How would you like to raise a family of three kids in New York on less than $3,000 a year?"

Thousands more of them get less than $4,000 a year. What has happened is that the propagandists have referred to a few so-called preferred gangs, pet gangs, gangs that the employers have used over and over again, but who represent a very small percentage of the total longshoremen involved. They have pointed to them as getting $9,000 a year. They are a very small number. It is so small that it is almost a fraud to cite their wages. What this mediation Board was dealing with was hard, cold economic facts, and great human values. What does $3.02 an hour mean to men who are working only 2, 3, 4 days a week, or not at all?

Mr. President, we held both parties to a consideration of those human values. We said that the wage settlement must be far less than what the union was demanding, but that the union deserved considerably more than the employers were willing to offer. Therefore, we had a package of 37 cents. So there is no question that our settlement was within the high principles of mediation.

I think it is most unfortunate—leaving myself out of the picture—that there should be this reflection in the CONGRESSIONAL RECORD upon the great dedicated public service of this Board.

The President of the United States receives today the final report of the Board. I wish to read a few paragraphs of it; then I shall close.

Mr. President, I ask unanimous consent that the entire report, with appendixes, be printed at this point in the RECORD.

There being no objection, the report and appendixes were ordered to be printed in the RECORD, as follows:

REPORT TO THE PRESIDENT ON THE LABOR DISPUTE INVOLVING THE INTERNATIONAL LONGSHOREMEN'S ASSOCIATION AND THE MARITIME INDUSTRY ON THE ATLANTIC AND GULF COASTS BY SPECIAL BOARD APPOINTED JANUARY 16, 1963

(By James J. Healy, Theodore W. Kheel, Wayne Morse, Chairman)

WASHINGTON, D.C.
February 20, 1963.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: On January 16, 1962, you appointed the undersigned special Board to investigate and review a shutdown of all Atlantic and gulf coast ports resulting from a strike by the International Longshoremen's Association, to assist the parties by mediation or recommendation, and, if unable to secure agreement, to recommend a procedure which would insure the immediate resumption of operations at these ports.

We are pleased to report that the strike has ended and that ships are again moving in our Atlantic and gulf coast ports.

A report of our activities is transmitted herewith.

Respectfully,
JAMES J. HEALY,
THEODORE W. KHEEL,
WAYNE MORSE, *Chairman.*

I. INTRODUCTION

Any report of our activities must necessarily start with a brief résumé of the efforts to resolve this dispute which preceded our own, for without these efforts and the foundations thus produced this Board could not have succeeded.

For months preceding the October 1, 1962, expiration date of the existing ILA contracts, the Federal Mediation and Conciliation Service maintained continuous liaison and attempted to bring the parties to an early agreement.

The bargaining positions of the parties were established in a series of negotiating sessions between June 13, 1962, and August 1, 1962, involving the ILA Atlantic wage-scale committee and the New York Shipping Association. Traditionally, these negotiations in New York on the master contract, while not binding in the South Atlantic or gulf coast districts, have set the pattern for settlements there.

By late September, the parties had been unable to resolve the issues presented by the NYSA's demands for "unilateral authority to determine the number of longshoremen needed * * * without any fixed minimum gang sizes as had previously existed," and the ILA's various money and nonmoney demands. Although the NYSA made a monetary offer of 9 cents per hour for each year of a 3-year contract, no meaningful negotiations took place on this or any other issue because of the union's refusal to make any counterproposals or to consider any other issue until the employers withdrew entirely their proposals for reduced gangs and for freer utilization of employees' services.

A September 24, 1962, FMCS proposal for a 1-year contract extension, with no changes except with respect to wage and fringe items, to be accompanied by a joint study of the disputed manpower utilization and job security issues was rejected by both parties and the union struck at 12:01 a.m., October 1, 1962.

A Board of Inquiry composed of Robben W. Fleming, chairman, Vernon H. Jensen, and Robert L. Stutz was appointed the same day to inquire into the issues and to report to the President by October 4, 1962. Upon receipt of the Board's report, which concluded that "the parties have not engaged in productive bargaining over the subjects which separated them," the President directed the Attorney General to seek an injunction against the strike. A temporary restraining order was issued October 4 and a permanent injunction on October 10. Normal port operations were resumed on Monday, October 8.

The Board of Inquiry terminated its mediation efforts after the parties rejected its proposal for a joint study with an impartial chairman of "the use and security of manpower." Its December 3 report found that "the current positions of the parties are not substantially different from what they have been during the past 6 months."

On December 14, representatives of the parties met in Washington with the Secretary of Labor at his request. Intensive day and night sessions, beginning December 17, were conducted in New York by the Secretary of Labor and the Director of the FMCS, culminating on December 19 with a recommendation that the parties conclude a 1-year contract with all manpower utilization and job security issues to be referred to a tripartite committee. After an initial rejection, the NYSA accepted this recommendation which was, however, rejected by the union.

On December 22, less than 24 hours before the strike deadline, the union proposed a 2-year postponement of any changes in gang-size or manpower utilization provisions, during which these matters would be studied. This proposal was coupled with 30 or 40 of the union's original demands and was rejected by the employers.

When no agreement had been reached as of the early hours of December 23, and with a strike scheduled to begin at 5 p.m. on that day, the President advised the parties by telegram, and through the Secretary of Labor, that "the national welfare demands that every possible effort be made to prevent the shutdown" and that a strike "would choke the economy and cut the Nation's lifelines with the rest of the world." In his telegram, the President requested the ILA and the New York Shipping Association to agree to procedures which would provide that all disputed manpower utilization, job security, and related issues be referred to a study under the direction of the Secretary of Labor; that all other disputed contract issues be presented to a board composed of Judge Harold R. Medina, Emmanuel Stein, and James Hill, for inquiry and recommendations on or before February 15, 1963; and that operations be continued on present terms and conditions for a period of 90 days. This proposal was accepted by the employers but rejected by the union.

Within hours, the union went on strike.

The parties were reconvened in mediation sessions on December 26 and mediation continued virtually without interruption under the direction of the Secretary of Labor, Assistant Secretary of Labor James J. Reynolds, and FMCS Deputy Director Robert Moore. This mediation resulted in a narrowing of issues and produced a partial measure of tentative agreement. An understanding was reached that if other issues could be satisfactorily resolved a 2-year contract would be signed with the manpower and job security issues held in abeyance during that period and referred to the Secretary of Labor for study and report to the parties.

Remaining in dispute was a group of "money issues" involving wage rates, pensions, welfare, contribution to clinics, vacations, holidays, guaranteed 8-hour workday, and the no-cancellation clause, although a host of "nonmoney" demands were also pressed by the union.

Prior to the formation of this Board, the employer had computed that the union demand would cost 86 cents for the first year and $1.031 for the second year of the contract.[1] The costs of the demands with respect to pensions, health and welfare, and clinics had, with the aid of Professor Healy, been determined to the mutual satisfaction of the parties. The NYSA had offered 22 cents (12 cents the first year, 10 cents the second) an hour for wages, pensions, welfare and clinics, conditioned on the withdrawal of the other remaining union demands.

II. THE SPECIAL BOARD

The special Board was appointed January 16, 1963, and convened in New York the next morning. Early in the day the Board met first with the 18-man bargaining committee for the NYSA and then with the full 125-man union bargaining committee in order to ascertain the positions of the parties.

The Board confirmed the existence of the conditional agreement to submit the manpower utilization and job security issues to the Secretary of Labor for study by the Department of Labor. The NYSA reaffirmed its offer of 22 cents and indicated its willingness to bargain from that figure if concessions were forthcoming from the union. The union, on the other hand, insisted that its demands were reasonable and that they be met in full.

Throughout Thursday, Friday, Saturday, and Sunday morning, the Board, both as a Board and individually, met repeatedly with both full committees, with the leaders of both committees, with union and employer representatives from the South Atlantic and gulf ports and the respective FMCS mediators, and with various ILA craft leaders from the Port of New York. The Board was thus fully apprised not only of the problems in connection with the negotiation of a new master contract but also of the local issues in New York and the underlying issues in the southern ports.

In each encounter the Board attempted to ferret out the "true" positions of the parties and to impress upon the parties the advantage of a bargained agreement and the need to arrive at a conscionable compromise. Each union demand was scrutinized to determine if the benefits desired could be purchased more cheaply than had been estimated. Out of this probing came an agreement to select a qualified authority or authorities in the health and welfare area to study the existing medical care program in order to determine if benefits could be increased or costs reduced.

These meetings failed, however, to produce any shift in the parties' basic positions. The union demands remained at the employer-estimated $1.031, the employers' offer at 22 cents. The union was adamant in its determination to secure its entire package; the employers refused to indicate the amount of "give" in their position.

Although it was clear that both parties would need to make concessions if Atlantic and gulf coast shipping were to resume and although it was clear that at some point, in some manner, such shipping would resume, neither party would formally or informally alter its position. The NYSA, though indicating that it had not made its last offer, stated that it refused to be "inched up" any higher unless there were substantial union concessions. The union, indicating that it had already pared considerably its original demands, stated that it considered its demands to be "reasonable" in light of other agreements which had been reached in the maritime industry and in the Greater New York area.

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[1] The employers' breakdown of the union demands is contained in app. I.

Since neither party would, or felt that it could, initiate a move to close the existing gap, the stalemate could be broken only by an outside proposal. Late Saturday, therefore, after all efforts to induce the parties to modify their positions had failed, the Board indicated its intention to make a mediators' proposal on Sunday. Both parties, recognizing the dilemma posed by the existing deadlock, encouraged this procedure. Indeed, in discussions with the parties concerning the proper function of the Board, both agreed that it was not only proper for the Board to make such a proposal but that no other alternative existed.

In formulating our mediators' proposal, the Board was guided by a number of criteria: the national interest in securing an immediate resumption in shipping; an estimate of the settlement the parties would have made had collective bargaining not become stymied; and the guideposts for noninflationary wage behavior formulated by the President's Council of Economic Advisers. Additionally, industry and regional inequities had to be considered. None of these, however, are capable of being employed with mathematical precision; "no simple test exists." [2]

The Board approached the application of these criteria as mediators and not as arbitrators. Whereas a board of arbitrators would be bound to pass upon and resolve every issue raised before it, we were able, as mediators, to dismiss a long list of demands. The imperatives of the situation made it impossible to consider more than a master contract. Even so, demands for a guaranteed 8-hour day, an additional week of vacation, and Monday morning reporting pay had to be dismissed along with all the demands of a local port nature such as additional clean-up time, additional uniforms, a set lunch period, and a 5-day week for checkers attached to the pier roster.

The Board focused its attention on designing a package which would meet the above criteria and would be acceptable to both parties. Prior to fashioning such a package, it was necessary to examine the factual setting of this bargaining relationship and especially to appraise several factors which strongly influenced this situation.

The Board found that employment opportunities for longshoremen are irregular; hiring remains on a daily basis. Despite the waterfront commission's decasualization program, almost a quarter earned under $3,000 a year.

Moreover, recent agreements had been negotiated by groups with a significant impact upon this bargaining situation. The west coast longshoremen negotiated a 3-year contract, the first 2 years of which grant the employees an increase in wages and fringes in excess of 39 cents.

The New York truckers who work on one side of the longshoremen taking the cargo to and from the docks similarly secured an increase of more than 39 cents spread over 2 years. The east coast seamen who work on the other side of the longshoremen manning the ships which haul the cargo won substantial increases, averaging over 5.8 percent per year, for the period through mid-1963.

Finally, the parties' pension program needed 3 cents per hour simply to make actuarially sound the program of past benefits which had been jointly approved.

After analyzing these considerations in the context of the criteria set forth earlier, the Board proposed a 37-cent package featuring a wage increase of 15 cents the first year to be followed by a 9-cent increase the second. Additional fringe benefits (including 3 cents to make the old benefits actuarially sound) of 8½ cents the first year and 4½ cents the second were proposed.[3] The proposed wage increase proved to be in line with and slightly below the median settlement negotiated in major nonmanufacturing industries (mining, transportation, public utilities, warehousing, wholesale and retail trades) during the past year while the total package was somewhat smaller than those secured by the west coast longshoremen, the New York truckers, and the east coast seamen.

The Board stressed, nevertheless, its "strong belief that the capacity of this industry to support wages and benefits to which the employees are entitled cannot continue without serious impairment in the absence of marked improvements in manpower utilization." Because of this conviction, the Board recommended additional procedures to secure the implementation of the findings of the manpower study. If the parties are unable to agree with respect to implementing these findings, a neutral board is to be selected to make recommendations for such implementation.

This proposal was placed before a joint meeting of the parties on Sunday, January 20, 1963; quick acceptance was urged.

III. THE RESPONSE

The union bargaining committee accepted the proposal Sunday evening. The NYSA was unable to give a response until it had polled its full membership. The NYSA advised of its acceptance Tuesday, January 22.

On Wednesday, the New York ILA membership ratified the agreement.

Thursday and Friday were days of turmoil in many ports. Settlement in Philadelphia was reached before dawn Thursday. Assistant Secretary Reynolds flew to Galveston where the greatest difficulty was being encountered. Settlement was reached in Baltimore on Friday. A union back-to-work order effective in all areas other than Hampton Roads, Miami, Galveston, and Mobile was issued on Friday afternoon for Saturday morning.

Hampton Roads, Boston, Mobile, and Galveston reported settlements on Saturday. Settlement in Miami was accomplished late Sunday evening.

IV. CONCLUSION

The Board was unanimous in its reluctance to offer a mediator's proposal. Each of us felt that it was preferable to offer only our good offices to facilitate the process of negotiation and concession. However, we became faced with a situation in which, for reasons which appeared valid to the parties, neither party would move. Although it was clear that a conscionable compromise was a prerequisite to a resumption of shipping, the parties were deadlocked and unable to make such a compromise without third-party aid. Therefore, encouraged by the parties, we advanced a proposal for settlement which we believed was fair both to the Nation and to the parties. We are gratified that the parties accepted the proposal as a basis of settlement and that we can report that the strike has ended.

Respectfully submitted,

James J. Healy.
Theodore W. Kheel.
Wayne Morse,
Chairman.

Appendix A

Recommendations to the New York Shipping Association and the International Longshoremen's Association

Federal Mediation and
Conciliation Service,
Washington, D.C., September 24, 1962.

Since recessing mediation conferences on September 18, we have carefully reviewed and have gone over with other Government agencies involved the discussions held with the ILA and the NYSA representatives since August 22. In addition to the direct issue of productivity or gang size, we, of course, explored with the parties during those talks a wide variety of associated problems, issues and positions.

It is obvious, and has been emphasized by both parties, that even if we could at this time get past the road block of productivity or gang size, there is not sufficient remaining time to hope to be able to bargain out a complete 3-year agreement before October 1. Except for casual mention, none of the union's original demands have yet been discussed. None of the industry proposals other than in the area of productivity or gang size have been reviewed.

Both ILA and NYSA have emphasized to us that many of the issues that have to be resolved before a 3-year contract can be consummated are both serious and complicated. To a very substantial extent, these complications and difficulties arise because of the length of time (3 years) the parties would be bound by firm agreement.

Perhaps the most difficult single problem in this situation is the long-range impact of containerization, prepackaging, palatizing, mechanizing and changes in cargo handling facilities and techniques. The union seeks to protect its members against these changes depriving them of job opportunity and earnings. The industry feels impelled to further improve cargo handling in order to maintain a profitable and competitive position.

Both the ILA and the NYSA are to be commended for having undertaken early preparations for and early discussions toward a renewal of their September 30 agreement. However, our meetings with them demonstrated that while both sides had given substantial time to study and research in preparation for negotiation of specific contract problems such as pension and welfare, there has been no realistic approach to solution of the fundamental problem of adapting the relationship between the union and the association to changes in cargo handling and its impact on the longshoremen and other crafts.

Both the ILA and the NYSA have assured the Mediation Service and other Government agencies that they are anxious to negotiate an agreement and to avoid a strike. We are certain that both the union and the association are entirely honest in so stating. We are also convinced that everyone involved in these negotiations is fully conscious of the national and international impact of a work stoppage at this time. The problem is to provide a framework within which the union and the industry can honorably and in good faith prevent a strike under the existing conditions.

With all of these factors in mind, we are urgently recommending to both the ILA and the NYSA that they agree immediately to negotiate on the basis of a 1-year contract, effective October 1, 1962. The 1-year contract should be based on a continuation of the major portion of the existing agreement, with only those changes that are immediately and absolutely essential to each party. The short term of the recommended agreement means that it will not be necessary to review carefully the entire existing contract nor to develop all of the modifications that are desirable over a longer term. As a part of this 1-year contract, in addition to such monetary and other adjustments that may be agreed upon, the union and the association would provide for a joint study of the entire problem of changes in cargo handling and operations and what is to be done to protect the labor force and insure its continuing opportunity for full employment and increased earnings. The format and details of this study should be determined by the parties themselves. Facilities of the Federal Government in the area of mediation, research, and technical services will be made available.

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[2] Annual Report of the Council of Economic Advisers, January 1962, p. 185.

[3] A complete breakdown of the Board's proposal is contained in app. J.

APPENDIX B

REPORT TO THE PRESIDENT ON THE LABOR DISPUTE INVOLVING THE INTERNATIONAL LONGSHOREMEN'S ASSOCIATION AND THE MARITIME INDUSTRY ON THE ATLANTIC AND GULF COAST BY BOARD OF INQUIRY CREATED BY EXECUTIVE ORDER NO. 11054, DATED OCTOBER 1, 1962

(By Robben W. Fleming, Chairman; Vernon H. Jensen, and Robert L. Stutz)

NEW YORK, N.Y.,
October 4, 1962.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: On October 1, 1962, under Executive Order No. 11054, by virtue of the authority contained in section 206 of the Labor-Management Relations Act, 1947 (61 Stat. 155; 29 U.S.C. 176), you appointed the undersigned board of inquiry to report to you on the current work stoppage and labor dispute affecting the Atlantic and gulf port maritime industry of the United States.

Our report is transmitted herewith.

Respectfully,

ROBBEN W. FLEMING,
Chairman.
VERNON H. JENSEN,
Member.
ROBERT L. STUTZ,
Member.
JACK R. GEORGE,
Executive Secretary.

REPORT TO THE PRESIDENT

I. INTRODUCTION

On October 1, 1962, at 12:01 a.m., the collective bargaining agreements between the International Longshoremen's Association and the steamship companies, contracting stevedores, contracting marine carpenters, lighterage operators, and other employers engaged in related or associated pier activities in all Atlantic and gulf ports from Maine to Texas expired. Since the parties had been unable to agree upon the terms of new contracts, they were left without agreements and a work stoppage took place which is 100-percent effective.

Because the stoppage cuts vital shipping lifelines to all parts of the world, the President immediately appointed this Board of Inquiry. It was directed to look into the facts surrounding the dispute and report on or before October 4, 1962.

II. THE PARTIES TO THE DISPUTE

The union involved in this case is the International Longshoremen's Association, AFL–CIO. It represents approximately 70,000 waterfront employees in ports ranging from Searsport, Maine, to Brownsville, Tex. For collective bargaining purposes the union is divided into two major subdivisions. One is the Atlantic coast district, consisting of the ports from Searsport, Maine, to Hampton Roads, Va. The other is the south Atlantic and gulf coast district, consisting of the ports along the Atlantic coast below Hampton Roads and along the gulf coast to Brownsville, Tex.

The employers are banded together in a series of local and regional associations, with some additional informal groupings and relationships. In the North Atlantic area the various employer associations have given authority to the New York Shipping Association to bargain with respect to certain issues, that is, general wage increases, hours insofar as they relate to the regular or normal workdays, the amount of contributions for welfare and pension benefits (but not the benefits to be provided by the welfare and pension plans), holidays and vacations, and the duration of the collective bargaining agreements. These associations, which are located in ports of Boston, Philadelphia, Baltimore, and Norfolk-Hampton Roads, incorporate settlements of the above issues in the various local agreements. Each port negotiates local working conditions for its separate groups. For example, in the New York area, there are six separate agreements covering the classifications of longshoremen, checkers, and clerks, cargo repairmen, maintenance, and mechanical workers, and marine carpenters. In the South Atlantic and gulf ports there are several associations and groupings, with separate negotiations being conducted in Miami, Mobile, New Orleans, and Galveston. In this area there is a tendency to follow the pattern set in New Orleans on economic issues.

III. BACKGROUND OF THE DISPUTE

The contracts which expired on October 1, 1962, were entered into 3 years ago. On that occasion, like the present, the parties were unable to agree upon the terms of new contracts and a Board of Inquiry was appointed. During the period of the injunction agreements were reached.

After the 1959 contracts were signed, and in an effort to help avoid a crisis in 1962, the Federal Mediation and Conciliation Service maintained continuous liaison with the parties. In addition to informal contacts, officials of the Service met with top union and industry representatives as early as January 1962 for the purpose of suggesting that bargaining get underway early. Both sides then undertook factual surveys on several key points.

In the middle of May, the union's Atlantic coast district wage scale committee met for the purpose of formulating economic demands for the North Atlantic ports. In mid-June the first bargaining session between the International Longshoremen's Association and the New York Shipping Association was held. This was particularly important, because negotiations in New York traditionally set the contract pattern on major issues for the South Atlantic and gulf coast ports. At this session the union presented its proposals for contract revision. They included the items dealing with the master contract, applicable to the North Atlantic ports from Maine to Virginia, and the general cargo agreement, applicable to the port of New York, such as wages, length of the working day, daily guarantee, improvement of pensions, major medical coverage, contributions to clinics, management of monetary fringe benefit grants, no cancellation clause, increase in penalty cargo rates, vacation contributions and entitlements, eligibility for holidays, duration of contract, and severance pay at terminated operations.

Numerous specific changes in language were proposed to cover the various items included in the list of demands.

Another meeting was held on June 25, and on July 16 the New York Shipping Association presented its counterproposals for the master contract, and items for the port of New York. They covered the following subjects: Night shift differential for terminal operations; flexibility of meal hours; elimination of travel time within the port of New York; right to cancel and reorder where ship fails to arrive at berth, but with payment for reporting; guarantees to men working after noon meal hour; working through meal hour; obligation of International Longshoremen's Association to provide labor for overtime work; notice by gang of willingness to work overtime; discipline for unexcused absenteeism; right of employer to refuse to hire gangs with too many absentees; right of employer to cancel work under adverse weather conditions; clarification of employer rights in using work force, by formation of joint study committee to make recommendations covering number of longshoremen needed for various types of work, shifting gangs from ship to ship, hatch to hatch, or pier to pier; use of men not organized into gangs; more effective discipline; employers' rights to manage; revision of seniority article by joint committee; pension, welfare, and clinical benefits; royalties on bulk sugar and containers.

Included also was proposed contract language covering matters listed above.

At the request of the International Longshoremen's Association, these proposals were clarified by the New York Shipping Association on August 1. At that time a monetary increase of 27 cents per hour was offered to be applied as follows: nine cents for the year ending September 30, 1963; 9 cents for the year ending September 30, 1964; and 9 cents for the year ending September 30, 1965, provided that the union was willing to accept the employers' proposals of July 16, 1962. In its clarification the New York Shipping Association specified the minimum gang sizes it desired for different types of operations.

By late August it appeared that no progress was being made, and the Federal Mediation and Conciliation Service began to play a more active role in negotiations. A special longshore mediation panel was appointed in New York which met with the parties repeatedly during the last week of August and through the month of September. Throughout this period, the union refused to discuss the proposals of the employers until the question of reduction of size of gangs was withdrawn. Likewise, the proposals of the union were not discussed. It should be noted that demands were presented in North Atlantic ports, but negotiations on local issues were at a standstill.

During this time mediators were assisting in negotiations which were being held between the union and various of the employer associations in the South Atlantic and gulf coast ports. The union was unsuccessful in its efforts to bargain with these employers on a coastwise or even on a district basis. It presented identical demands to all of these employers that were roughly parallel to the demands in New York.

Negotiations preceding the expiration of the contracts on September 30, 1962, were conducted separately in the following locations: South Atlantic district (negotiations in Miami); east gulf district (negotiations in Mobile); gulf district (negotiations in New Orleans); west gulf district (negotiations in Galveston).

Negotiations in New Orleans appeared to be the key to the economic settlement in all of the South Atlantic and gulf ports. The employers offered a 9 cents per hour monetary increase for each year of the 3-year contract, tying this offer to demands related to local working conditions. The union representatives rejected this offer and in addition insisted that grievance arbitration be removed from the contract. The employers insisted that arbitration be retained.

Some progress was made on local issues in the Miami negotiations, but nothing was accomplished on size of gangs. The union sought specific minimums on the size of gangs and the employers insisted on the retention of the right to determine the number of men needed in a gang. Economic issues appeared to be dependent upon a settlement in New Orleans.

In Mobile, too, some progress was made in negotiations over local issues, but the union demand for minimum size of gangs was in issue here. No monetary offer was made by the employers in these discussions, and it was indicated that none would be made until the union dropped its original proposals or some monetary pattern was set in New Orleans or New York.

Although the parties exchanged proposals in the Galveston negotiations, very little progress was made. The union's insistence on minimum size of gangs and elimination of grievance arbitration was a key factor in these discussions, as was an issue over hiring hall procedures. No monetary offer was made by the employers.

On September 13, 1962, Assistant Secretary of Labor James Reynolds met with the special longshore mediation panel and the parties in an effort to get the negotiations going again. Further meetings followed, but without success.

On September 21 the representatives of the Federal Mediation and Conciliation Service prepared a proposal for submission to the parties. It called for a 1-year agreement coupled with a joint study of the problem of changes in cargo handling and operations, as well as employment security and earnings. The New York Shipping Association voiced approval of the proposal, provided that the parties also agreed upon final and binding arbitration at the end of the year as to any items left unresolved by the parties. The union rejected the proposal.

Further meetings were held with the parties right up to the strike deadline, but there was no significant change in position on either side.

IV. HEARING BEFORE THE BOARD OF INQUIRY

Immediately upon its appointment, the Board, through its Chairman, issued telegrams to the parties informing them that a meeting would be held at room 206, New York Port Authority Building, 111 Eighth Avenue at 16th Street, New York City, at 3:30 p.m. on Tuesday, October 2, 1962. The parties were requested to submit written statements of position, and were advised that they could appear in person if they so desired.

Several of the parties did make an appearance before the Board, and the others submitted written statements. Copies of these statements are attached to this report.

The Board of Inquiry met during the night of October 2, and on October 3, for the purpose of reviewing the statements and drafting this report.

V. CONCLUSION

It is evident that despite repeated meetings almost no progress has been made toward an agreement. In this sense the parties are worse off than they were at a comparable time in 1959, for on that occasion they had at least resolved a number of fundamental issues. This time the entire contract remains open and the local issues, which must be resolved after the master contract is negotiated, are relatively untouched.

A stalemate resulted when the New York Shipping Association considered the International Longshoremen's Association demands unreasonable and unsuitable for realistic collective bargaining and the union refused to bargain until the demand to change the size of gangs was withdrawn. This is the reason why the real position of the parties on the specific issues raised in their proposals is still unknown, although each indicated its proposals constituted bargaining positions and that it expected to make some compromises.

From the union's standpoint, the employers introduced demands calling for "sweeping and drastic reductions in economic benefits and working conditions which were an integral part of past collective bargaining agreements in the industry." The union contends that the productivity issue raised by the employers is not genuine.

From the employers' standpoint, the industry must have increased productivity. They purport to be flexible in their approach and to ask only that the union engage in serious discussions on this subject. The parties remain adamant in their positions. The union contends that the demand for reduction in the size of gangs and their use must be withdrawn before other matters can be discussed. The employers hold that increased productivity is imperative for the survival of the industry and that size and use of gangs is germane and must be considered.

It is clear to the members of the Board that the parties have not engaged in productive bargaining over the subjects which separate them. Since both parties profess a willingness and desire to reach an agreement, there should be a way for them to get together. The problems which these parties face are difficult but not insuperable.

In four previous situations boards appointed by the President have found that work stoppages in the longshore industry have created emergencies. The widespread impact in all the major ports creates an intolerable condition which necessitates resumption of work and an early settlement of the dispute.

If, as both parties insist, there is a genuine desire to reach an agreement, that objective can be realized. This Board stands ready to comply with the President's request that it work with the Federal Mediation and Conciliation Service in mediation efforts to resolve the dispute, but it should be understood that the primary responsibility rests with the parties.

Respectfully submitted.

VERNON H. JENSEN
ROBERT L. STUTZ
ROBBEN W. FLEMING,
Chairman.

APPENDIX C

SECOND REPORT TO THE PRESIDENT ON THE LABOR DISPUTE INVOLVING THE INTERNATIONAL LONGSHOREMEN'S ASSOCIATION AND THE MARITIME INDUSTRY ON THE ATLANTIC AND GULF COAST BY BOARD OF INQUIRY CREATED BY EXECUTIVE ORDER NO. 11054, DATED OCTOBER 1, 1962

(Robben W. Fleming, Chairman; Vernon H. Jensen, Robert L. Stutz)

WASHINGTON, D.C.,
December 3, 1962.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: Transmitted herewith is the second report of the Board of Inquiry appointed by you on October 1, 1962, pursuant to Executive Order No. 11054 and section 206 of the Labor Management Relations Act, 1947.

Respectfully,

ROBBEN W. FLEMING,
Chairman.
VERNON H. JENSEN,
Member.
ROBERT L. STUTZ,
Member.
JACK R. GEORGE,
Executive Secretary.

REPORT TO THE PRESIDENT

I. INTRODUCTION

This Board of Inquiry was created by the President under Executive Order No. 11054 to look into the facts surrounding the dispute between the International Longshoremen's Association and the steamship companies, contracting stevedores, contracting marine carpenters, lighterage operators and other employers engaged in related or associated pier activities in all Atlantic and gulf ports from Maine to Texas. Our initial report was filed on October 4, 1962. Thereafter the Attorney General sought and obtained an injunction against continuation of the work stoppage which was underway. The injunction (which remains in effect for 80 days) will expire on December 23, 1962.

The Board is required by statute to report to the President, at the end of a 60-day period following issuance of the injunction, on the current positions of the parties and the efforts which have been made for settlement. The Board must also include a statement by each party of its position and a statement of the employer's last offer of settlement.

II. EFFORTS TOWARD SETTLEMENT

When it was appointed, the President asked the Board of Inquiry, working with the Federal Mediation and Conciliation Service, to attempt to mediate the dispute. Toward that end the Board members met with the parties jointly and separately on October 16, 17, 24, 25, 30, and 31. In all of the meetings the parties remained adamant in their respective positions. The employers insisted that they must have relief on the utilization of manpower. The union insisted that this issue be withdrawn as a condition precedent to further bargaining. Faced with this impasse, on October 30 the Board made a procedural proposal to the parties for getting bargaining underway. The proposal embodied the following four points.

1. That both sides defer bargaining demands which directly related to the use and security of manpower. Specifically, this meant that the employers should defer demands for changes in gang sizes and more flexible use of manpower, while the union should defer its demand for the 6-hour guaranteed day and severance pay.

2. Following withdrawal of the above items the parties should negotiate a 3-year contract, retroactive to October 1, 1962.

3. That there should be a five-man special committee, composed of two representatives from each side and one neutral, who would act as chairman and who would be mutually selected by the parties.

4. That the special committee should be charged with the responsibility for conducting a study on the use and security of manpower and for making recommendations to the parties. Such recommendations would be rendered not later than October 1, 1963, and would thereafter be the subject of negotiation between the parties for a period of 30 days. If at the end of 30 days the parties were unable to reach an agreement either side could, on 60 days' notice, terminate the contract.

On October 31, 1962, both sides rejected the Board's procedural proposal, and neither advanced an alternative which differed in any material respect from its previous position. In accordance with an agreement with the Federal Mediation and Conciliation Service, the Board then announced that for the time being there appeared to be no purpose in further meetings under the auspices of the Board, and that additional sessions would be scheduled by the Federal Mediation and Conciliation Service.

On November 7, 1962, Deputy Director Moore, General Counsel Schmertz, Special Assistant to the Director Schlossberg, Maritime Coordinator Burke, and other commissioners met with the parties. Since then the record shows that there have been meetings in New York on November 8, 9, 13, 14, 15, 16, 18, 20, and 27, and that meetings are still being conducted as this report is being written. In addition, there have been meetings in various of the other ports and such meetings are continuing. In the course of these sessions the parties have stated their positions more fully than at any previous time, but there has been little progress toward agreement.

On November 27, in response to a request from this Board, the employers prepared and submitted "last offers" on which the employees must vote within the next 15 days. In the case of the key New York Shipping

Association offer, the union has already advised the Association that it will recommend to its members that they vote disapproval.

III. CURRENT POSITIONS OF THE PARTIES

The current positions of the parties are not substantially different from what they have been during the past 6 months. From the outset attention was focused, as in the past, on the master agreement between the New York Shipping Association and the union. This was because both parties recognized the pattern-setting potential of the New York contract, even though it did not directly apply outside the North Atlantic area. Unfortunately, these negotiations foundered almost immediately on the manpower issue and did not even extend to classifications other than longshoremen. The result has been that there has been no progress in New York. Local negotiations, both in the Atlantic area and up and down the coasts, have been perfunctory or held in abeyance. Many of these negotiations involve formidable issues which will in no way be resolved by the eventual outcome in New York.

The statements of position of the parties and the "last offers" are attached to and made a part of this report.

Following the employee vote on the employers' last offer only a few days will remain before the Attorney General shall move the court to discharge the injunction. It can be said with virtual certainty that this is not sufficient time within which to negotiate the many complicated issues which must be resolved before this dispute is ended.

Respectfully submitted.

Vernon H. Jensen.
Robert L. Stutz.
Robben W. Fleming,
Chairman.

APPENDIX D

RECOMMENDATION FOR SETTLEMENT OF THE DISPUTE BETWEEN THE NEW YORK SHIPPING ASSOCIATION AND THE ATLANTIC COAST DISTRICT, INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, AFL–CIO, DECEMBER 19, 1962

The labor dispute in the longshore industry threatens a complete shutdown of shipping through all east coast and gulf ports on Sunday, December 23, unless agreement between the parties is reached prior to that time.

Such a shutdown would cripple the country. The threatened loss of revenue by the industry and of earnings by the employees would be only a small part of the injury to the public as a whole.

A vote has been taken among the employees on the industry's last offer. This vote was completed, in accordance with the law yesterday, December 18. The results have not yet been completely tabulated or reported. Indications are, however, that this vote will result in a rejection of the offer. The time remaining for settlement is so short—4 days now—that other possibilities of settlement must be fully explored.

Collective bargaining has so far failed completely in this case. Agreement has not been reached on any of the numerous issues which are in dispute.

The reason for this breakdown is that there has been a complete stalemate on the major issue in dispute. In reviewing the many meetings between the parties since they started exchanging demands last June, it is clear that their inability to get to the point of serious discussion of contract terms stems from a common problem. The problem, in general terms, is this:

The industry is properly concerned about how to permit the employers to introduce improved cargo handling methods and equipment and to improve efficiency through better utilization of manpower.

The union is properly concerned about how to protect job opportunities and individual security for longshoremen, increase their earning capacity, and insure their participation in the benefits of any improved operation.

These problems have developed over many years. They are not susceptible to short answers. Legitimate consideration of operating economy and efficiency must be taken into account along with equally legitimate consideration of job rights and equities. Similar problems in other industries have been met only by careful and responsible study and review over an extended period of time, usually with the assistance of experienced, neutral third persons.

It is clear from what has happened the past several months that the problems faced by this industry cannot be successfully negotiated on the basis of the situation as it exists today. Careful study and discussion outside the pressures of contract bargaining are the only sensible approach.

We, therefore, make the following recommendations for resolving this dispute:

1. That it be agreed by the parties that all manpower utilization and job security issues be referred to a manpower utilization and job security committee for study, report, and recommendation, in accordance with the following procedure:

(a) The committee shall be composed of an equal number of representatives of each party and a neutral chairman to be selected by the parties or to be appointed by the Secretary of Labor and the Director of the Federal Mediation and Conciliation Service after consultation with the parties; with the understanding that the chairman is to be a person of independent stature, experienced in such matters;

(b) The committee to be authorized to conduct such research and study as may be necessary or advisable. In this connection the Department of Labor, the Department of Commerce, the Maritime Commission, the Federal Mediation and Conciliation Service, and other appropriate Government agencies upon request will provide assistance to the committee.

(c) That this committee will report its findings and recommendations to the parties on or before August 1, 1963.

2. That the parties proceed immediately, with the assistance of the Secretary of Labor and the Director of the Federal Mediation and Conciliation Service to negotiate a settlement of all remaining issues in dispute, to be included in a contract for the period from October 1, 1962, to September 30, 1963.

3. That immediately upon receipt of the committee's report and recommendations on or before August 1, 1963, negotiations for a renewal contract be undertaken by the parties. If agreement has not been reached after 30 days of such negotiations the Department of Labor and the Federal Mediation and Conciliation Service will be asked to participate, either personally by the Secretary of Labor and the Director of the Service or through their specially designated representatives, in the negotiations for the purpose of assuring, so far as this is possible, the completion of a new agreement on or before September 30, 1963; and with the further understanding that the Secretary and the Director may recommend to the parties special procedures for the reaching of agreement on new contract terms.

We urge the parties to accept this recommendation and to report their acceptance to the earliest possible time. We stand ready to meet with either party for such clarification or discussion of this recommendation as they may request.

This proposal is made from the conviction that what is at stake here is the service of the interests of the parties, the protection of the welfare of the country, and the proving of the validity of free collective bargaining as the method of settling labor disputes in this industry. We urge that it be considered with equal seriousness by both parties to this controversy.

Willard E. Wirtz,
Secretary of Labor.
William E. Simkin,
Director, Federal Mediation and Conciliation Service.

APPENDIX E

December 23, 1962.

Capt. William V. Bradley,
President, International Longshoremen's Association AFL–CIO, New York, N.Y.
Mr. Thomas W. Gleason,
President, Atlantic Coast District, International Longshoremen's Association AFL–CIO, New York, N.Y.
Mr. Vincent Barnett,
President, New York Shipping Association, New York, N.Y.
Mr. Alexander P. Chopin,
Chairman, New York Shipping Association, New York, N.Y.:

The Secretary of Labor has just reported to me the breakdown of negotiations between the parties to the longshore dispute.

He advises me that it has proved impossible to resolve the key manpower utilization, employee job security, and other related issues because of the lack of an adequate study of the conditions giving rise to these issues; that both parties recognize the need for such a study and are willing to postpone final settlement of these issues; but that there is disagreement about the time such a study will require.

As a result of months of disagreement about this group of issues, there has been virtually no bargaining, and therefore no agreement, about other contract issues.

The national welfare demands that every possible effort be made to prevent the shutdown of longshore operations at all east coast and gulf ports. It would choke the economy and cut the Nation's lifelines with the rest of the world.

I therefore propose, in the national interest, that the parties agree to accept the following procedure:

1. That all disputed manpower utilization, job security, and related issues be referred to a study which I shall direct the Secretary of Labor to undertake at the earliest possible time.

2. That all other disputed contract issues, including the question of contract period, be presented to a board composed of Judge Harold R. Medina, of New York City, chairman; Emanuel Stein, of Long Beach, Long Island; and James C. Hill, of Pelham, N.Y., which I am appointing for this purpose; this board to hold hearings on these issues and questions, to make recommendations to the parties regarding them on or before February 15, 1963, and to assist the parties in reaching agreement on these issues and questions.

3. That operations be continued under present employment terms and conditions for a period of 90 days.

I request that you advise me, through the Secretary of Labor, at 12 o'clock, noon, today, December 23, regarding your acceptance of this proposal which the national interest so urgently demands.

John F. Kennedy.

APPENDIX F

STATEMENT BY THE PRESIDENT

The White House,
January 16, 1963.

This is the 24th day of virtually complete shutdown of all Atlantic and gulf coast ports resulting from the strike by the International Longshoremen's Association.

This shutdown is doing intolerable injury to the national welfare. Hundreds of ships are immobilized. Over 100,000 longshore and maritime workers are idle. Economic losses to the Nation are running at a rate of millions of dollars a day. Serious damage is being done the U.S. dollar balance. Vital foreign aid and relief shipments are blocked. The lifeline between Puerto Rico and the mainline has been cut; and commerce imperative to the economic well-being of the free world is disrupted.

All statutory procedures have been exhausted in this case. The present strike started on December 23, 1962, with the ending of the 80-day injunction period provided for in the Labor Management Relations Act. Intensive mediation since that time by the Secretary of Labor and the Federal Mediation and Conciliation Service has been unavailing.

The point of public toleration of this situation has been passed. If this case cannot be settled by private action, then further public action is required.

I am accordingly establishing today a special Board composed of three men with distinguished experience in industrial relations: Wayne Morse, Chairman, James J. Healy, and Theodore Kheel. I am charging the Board with the responsibility of making a necessarily quick and summary investigation and review of this controversy, and the prospects for its prompt settlement without further injury to the public interest, reporting to me no later than January 21, 5 days from today.

This Board will ask representatives of the parties to meet with them. If it can assist them, by mediation or recommendation, to reach an agreement consistent with their mutual interests and the public interest, this will constitute the most satisfactory disposition of this case.

If such an agreement is not reached, I am asking the Board to recommend a procedure which will assure an immediate resumption of operations at these ports and a settlement of this dispute on a basis and by a procedure limited to the circumstances of this particular situation.

Following receipt of the Board's recommendations, I shall report to the Congress under section 210 of the Labor Management Relations Act, which requires in situations such as this a report by the President to the Congress, including "such recommendations as (the President) may see fit to make for consideration and appropriate action."

I call upon the parties to this dispute to exercise their responsibilities, not only as representatives of the private interests involved in this controversy, but also as stewards of the essential institution of free collective bargaining.

APPENDIX G

STATEMENT BY THE MEDIATORS

It is imperative that this dispute be settled quickly. The impact of the strike extends far beyond the parties immediately involved. The economic well-being of the country is being seriously impaired, innocent parties irreparably harmed, and the economies of many of our allies in the free world injured.

Several million Americans owe their livelihood to foreign trade, much of which has stopped, impairing jobs as well as our vital dollar balance. Millions of dollars are being lost daily; tens of thousands of American workers have lost jobs. Others face unemployment unless shipping is resumed at once.

There are 556 ships tied up due to the strike—100,000 longshoremen, and American and foreign seamen are idle in our ports. There are an estimated 20,000 boxcars backed up along the Atlantic and gulf coasts. Ten thousand truckdrivers in the New York area, alone, are without work

A shortage of raw materials, such as jute, wool, and other materials, has caused plants in many parts of the country to cut production and lay off workers. The prices for foods and many other imported commodities have increased. The supply of sugar is running short immediately threatening the jobs of 10,000 refinery workers.

The pinch is being felt in Puerto Rico where unemployment is increasing daily.

These are but a few of the very many economic disjointures caused by this maritime tie-up. Therefore, the Board urges the parties to reach whatever understandings are necessary so that the ships will start moving at the earliest possible moment.

It is against this background that we have advanced our proposal to assist the parties in reaching an agreement. This proposal has grown out of our mediation efforts. It is based on extensive discussions with the parties and information they have supplied us.

Our recommendations on wages and fringe benefits necessarily take into account inequities existing between employees in this industry and those in other related industries and area groups.

We wish, however, to emphasize our strong belief that the capacity of this industry to support wages and benefits to which the employees are entitled cannot continue without serious impairment in the absence of marked improvements in manpower utilization. It is for that reason that the Board calls to the attention of the parties the importance of implementing at the earliest possible date the findings growing out of the manpower study.

We wish, also, to emphasize the dual scope of the study in its related aspect of job security since this is of critical importance in connection with the elimination of inefficient manpower utilization.

MEDIATORS' PROPOSAL

On January 16, 1963, the President of the United States appointed a special Board to investigate and review the pending strike involving the International Longshoremen's Association and various employer associations. In his statement, the President included the following mandate:

"This Board will ask representatives of the parties to meet with them. If it can assist them, by mediation or recommendation, to reach an agreement consistent with their mutual interests and the public interest, this will constitute the most satisfactory disposition of this case."

In keeping with these instructions from the President, the Board engaged in intensive mediation efforts, including the suggestion to the parties that mediation proposals be submitted to them by the Board. Both parties agreed to this procedural proposal.

Accordingly, the Board recommends to the parties that they enter immediately into the attached memorandum of settlement, which will serve as the basis for resolution of all pending issues in dispute in the North Atlantic district and will permit prompt resumption of work there and lead quickly to a settlement in all other areas.

With respect to the South Atlantic and gulf ports, the Board recommends that the parties return immediately to their respective ports to resume negotiations to bring this dispute to a swift conclusion. The Federal Mediation and Conciliation Service stands ready to assist the parties in every way possible in their efforts to conclude satisfactory, negotiated agreements, and the Board has requested the Director of the Service to advise this Board continuously of the parties' progress toward the quick resolution of outstanding differences.

JAMES J. HEALY,
THEODORE W. KHEEL,
WAYNE MORSE,
Chairman.

MEMORANDUM OF SETTLEMENT

Memorandum of settlement, made the 20th day of January 1963, covering the following labor contracts to be made by the employer-members of the New York Shipping Association, Inc., and the International Longshoremen's Association and its affiliated locals for the port of Greater New York: General cargo agreement; cargo repairmen agreement; checkers agreement; clerking agreement; general maintenance, mechanical, and miscellaneous workers agreement; horse and cattle fitters, grain ceilers, and marine carpenters agreement.

The parties agree that the agreements previously in effect in New York and which expired on September 30, 1962, shall be extended for a term of 2 years, or, namely, until September 30, 1964, with the following changes only:

1. The basic wage scale shall be increased as follows: (a) 15 cents per man-hour worked, effective October 1, 1962; (b) 9 cents per man-hour worked, effective October 1, 1963.

2. Pension: The employers shall increase their contribution to the pension fund as follows: (a) 4 cents per man-hour worked, effective October 1, 1962; (b) 5 cents per man-hour worked, effective October 1, 1963.

It is the Board's judgment that this two-step adjustment in pension contributions will insure the following pension benefits for the New York port, such benefits to become effective October 1, 1963: (1) An increase of pension to $100 per month; (2) an extension of this improved pension to persons now or about to be retired; (3) an increase in the death benefit by $500; (4) establishment of vested pension rights after 25 years' service.

It is relevant that the two-step adjustment in pension contributions will help to place the fund on a sound actuarial basis so that future charges for catchup may be avoided. Of the 9-cent adjustment, 3 cents is needed to support the existing level of benefits and is not for increased benefits.

3. Medical care provisions:

(a) At the present time 15 cents per hour is contributed by the employers for and insured health and welfare program. In addition, 6 cents per hour is contributed by them for the operation of clinics. It is the Board's belief that the medical service for longshoremen and their families could and should be more comprehensive and uniform in the level of benefits. At the same time, it is believed that these goals could be achieved in large part by a more effective use of present contributions.

Therefore, the Board recommends that the parties promptly undertake a study of their entire medical care program by engaging mutually accepted authority or authorities in this field who will submit recommendations for consideration by the parties. The results of such a study should be available before the end of the first contract year.

(b) Given the foregoing recommendation, the Board believes that the following adjustments in this area are indicated at this time:

(1) Clinic: An increase in the employer contribution by 2 cents per hour. This increase, to be effective October 1, 1962, shall cease on October 1, 1963.

(2) Health and welfare: An increase of 2½ cents per hour, effective the date of the signing of the agreement.

The trustees of these funds may elect to improve benefits immediately to the extent possible by these adjustments or they may wish to await the outcome of the study before utilizing the additional contributions.

4. Holidays: One additional paid holiday shall be granted during the second year of the contract. The holiday to be designated is to be agreed to by the parties or, if no

agreement is reached, the matter will be submitted to the grievance machinery.

5. Joint management of welfare and pension funds: With respect to the joint management of welfare and pension funds, the Board notes that such joint management, with procedures for the resolution of disagreements between the trustees, is provided by the Labor Management Relations Act.

6. Manpower utilization and job security study: The parties agree to a study by the Department of Labor under the direction of the Secretary of Labor of the problems of manpower utilization, job security, and all other related issues which affect the longshore industry. The study should be a comprehensive one of manpower utilization-job security, including an analysis of and findings with respect to gang size, work-force flexibility, severance pay, register closing, automation, and such other manpower utilization-job security items as the Secretary of Labor shall determine.

The Board envisages, and the Secretary of Labor has agreed, that similar services will be available to other ports with manpower utilization-job security problems. In determining the scope of the study, the Secretary will be guided by advisory panels to be selected by each party.

Upon the completion of the study, the parties shall bargain with respect to the implementation of the findings of the Department of Labor. If the parties have been unable to reach a mutually satisfactory agreement by July 31, 1964, the parties shall select a neutral board to study the areas of disagreement and to make recommendations for resolving any remaining differences in a manner consistent with the findings of the Department of Labor and the interests of the parties.

7. By their execution of this memorandum, the parties hereto agree that all issues between them have been completely settled and that the memorandum is subject to no condition other than ratification by their respective memberships.

8. Master contract: The provisions above which relate to wages, hours, the amounts of contributions for welfare and pension benefits (but not the benefits to be provided by different welfare and pension plans) and the term of the collective agreements are agreed to and shall apply to the master contract for North Atlantic ports to Hampton Roads, Va.

Except as modified by the above, all of the terms in the contracts which expired September 30, 1962, shall be embodied in the agreements.

APPENDIX H

THE WHITE HOUSE,
January 21, 1963.

The President met this noon with the Special Mediation Board which he appointed last Wednesday in the longshore case.

Chairman Wayne Morse and Board Members James Healy and Theodore Kheel informed the President of the mediators' proposal which they submitted yesterday to the New York Shipping Association and the International Longshoremen's Association.

The union has accepted this proposal, subject to ratification by the membership. The Shipping Association Labor Policy Committee is meeting in New York this afternoon to vote on the mediation proposal and will submit it to the association membership tomorrow.

The President expressed his great appreciation to Senator Morse, Professor Healy, and Mr. Kheel for their intensive and constructive mediation efforts in this case, and asked that they continue their function until full and final agreement is reached.

The President requested the Board to urge upon the parties the imperative public interest in the immediate settlement of this controversy both in the port of New York and the other Atlantic and gulf coast ports.

APPENDIX I

Employers' breakdown of union demands as of Jan. 6, 1963—Additional costs per straight-line hour above—Current expenditures on wages and fringes

[In cents]

	1st year	2d year
Wages [1]	15.0	26.0
Pensions [2]	9.0	9.0
Welfare (including major medical) [2]	8.0	8.0
Clinic	3.0	3.0
4 new holidays (plus new rate for 8 holidays)	7.3	8.0
4-week vacation (plus new rate for existing vacation) [3]	6.1	7.1
8-hour day	32.6	33.5
Total, straight-time cost [4]	81.0	94.6
Additional overtime costs plus payroll taxes, insurance, etc	5.0	8.5
Total	86.0	103.1

[1] Since 25 percent of all man-hours worked are overtime hours, the 15-cent wage increase would actually amount to 17 cents the 1st year, and the 26-cent increase the 2d year would cost 29.25 cents.

[2] Union accepts a figure submitted by Prof. James Healy as being accurate but demands employers must guarantee contributions on the basis of 43,000,000 man-hours a year.

[3] Assumes 4th week of vacation applicable to men with 15 years of service and that 13,500 men would qualify.

[4] All annual costs were divided by 41,000,000 man-hours to get an accurate cents-per-hour cost.

APPENDIX J

North Atlantic Longshore mediation proposal

[In cents]

	Changes 1st year	Increased cost of 1st year over existing contract	Changes 2d year	Increased cost of 2d year over existing contract
Wages (present base is $3.02)	+15	15	+9	24
Pensions	+4	4	+5	9
Catchup [1]	(+3)	(3)	(0)	(3)
For new benefits	(+1)	(1)	(+5)	(6)
Health and welfare	+2½	2½	0	2½
Clinics	+2	2	−2	0
Holidays	0	0	+1½	1½
Total	+23½	23½	+13½	37
Wages	+15	15	+9	24
Fringes	+8½	8½	+4½	13
Fringes less catchup	+5½	5½	+4½	10

[1] Necessary to make old schedule of benefits actuarially sound.

Mr. MORSE. Mr. President, on page 4 of the report to the President we say:

II. THE SPECIAL BOARD

The Special Board was appointed January 16, 1963, and convened in New York the next morning. Early in the day the Board met first with the 18-man bargaining committee for the NYSA and then with the full 125-man union bargaining committee in order to ascertain the positions of the parties.

Many times representatives of more than 18 shipowners were present.

The Board confirmed the existence of the conditional agreement to submit the manpower utilization and job security issues to the Secretary of Labor for study by the Department of Labor. The NYSA reaffirmed its offer of 22 cents and indicated its willingness to bargain from that figure if concessions were forthcoming from the union. The union, on the other hand, insisted that its demands were reasonable and that they be met in full.

Throughout Thursday, Friday, Saturday, and Sunday morning, the Board, both as a board and individually, met repeatedly with both full committees, with the leaders of both committees, with union and employer representatives from the South Atlantic and gulf ports and the respective FMCS mediators, and with various ILA craft leaders from the port of New York. The Board was thus fully apprised not only of the problems in connection with the negotiation of a new master contract but also of the local issues in New York and the underlying issues in the southern ports.

In each encounter the Board attempted to ferret out the true positions of the parties and to impress upon the parties the advantage of a bargained agreement and the need to arrive at a conscionable compromise. Each union demand was scrutinized to determine if the benefits desired could be purchased more cheaply than had been estimated. Out of this probing came an agreement to select a qualified authority or authorities in the health and welfare area to study the existing medical care program in order to determine if benefits could be increased or costs reduced.

These meetings failed, however, to produce any shift in the parties' basic positions. The union demands remained at the employer-estimated $1.031, the employers' offer at 22 cents. The union was adamant in its determination to secure its entire package; the employers refused to indicate the amount of "give" in their position.

Although it was clear that both parties would need to make concessions if Atlantic and gulf coast shipping were to resume and although it was clear that at some point, in some manner, such shipping would resume, neither party would formally or informally alter its position. The NYSA, though indicating that it had not made its last offer, stated that it refused to be "inched up" any higher unless there were substantial union concessions. The union, indicating that it had already pared considerably its original demands, stated that it considered its demands to be reasonable in light of other agreements which had been reached in the maritime industry and in the Greater New York area.

Since neither party would, or felt that it could, initiate a move to close the existing gap, the stalemate could be broken only by an outside proposal. Late Saturday, therefore, after all efforts to induce the parties to modify their positions had failed, the Board indicated its intention to make a mediators' proposal on Sunday. Both parties, recognizing the dilemma posed by the existing deadlock, encouraged this procedure.

Mr. President, we talked with the parties at length about that. We said, "We want you to understand that we have no desire to impose upon you an offer if you do not want us to make it; but we also want you to know that we have an obligation to return to the President on Monday and make recommendations to him as to how we think this case ought to be settled in order to get the ships moving." It was costing the industry $25 million a day, and it was costing the American people several times that amount. That was the economic dilemma faced by the parties and faced by the Board.

I resume reading from our report:

Indeed, in discussions with the parties concerning the proper function of the Board, both agreed that it was not only proper for the Board to make such a proposal but that no other alternative existed.

In formulating our mediators' proposal, the Board was guided by a number of criteria: the national interest in securing an immediate resumption in shipping; an estimate of the settlement the parties would

> have made had collective bargaining not become stymied; and the guideposts for noninflationary wage behavior formulated by the President's Council of Economic Advisers. Additionally, industry and regional inequities had to be considered. None of these, however, are capable of being employed with mathematical precision; "no simple test exists."

They had to be considered within the guidelines. If the critics who are falsely charging that this settlement violated the President's guidelines for anti-inflationary control would only read the report with respect to the guidelines, they would not talk so much nonsense, for the report is clearly within the guidelines of the President.

Mr. WILLIAMS of Delaware. Mr. President, I desire to give the Senator from Oregon ample time in which to finish his speech. I was wondering how much longer he would speak.

Mr. MORSE. Mr. President, I will make a deal. I will make a mediation deal. I shall not take more than 10 minutes. However, I should like to have the Senator from Ohio [Mr. LAUSCHE] have an opportunity to respond.

Mr. WILLIAMS of Delaware. I will yield to the Senator from Ohio.

Mr. MORSE. I am almost finished. I wish to speak about guidelines.

Mr. WILLIAMS of Delaware. I desired to reply to some remarks made by a Member of the other body, and I wanted to proceed as soon as I could.

Mr. MORSE. I simply cannot tell the Senator from Delaware how much I appreciate his courtesy in yielding to me at this time.

Returning to my discussion of the guidelines, Mr. President, the Board has been unfairly criticized by such periodicals as Time, U.S. News & World Report, and Newsweek, whose editors obviously did not spend an hour in doing their bookwork. Had they done their bookwork, they would not have charged the Board with violating the inflationary guideposts or guidelines. In fact, their stories and those of a good many other editors indicate, apparently, that they have never even read the report of the Council of Economic Advisers, in which so-called inflationary control guidelines were established, because the report itself makes it very clear that these are very general guidelines; they are not specific guidelines. No blueprint of inflationary control in respect to wages has been handed down by this administration.

PROPOSED AMENDMENT OF RULE XXV—SENATE RESOLUTION 90

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The hour of 2 o'clock having arrived, under the rule Senate Resolution 90, to amend rule XXV, coming over from yesterday, goes to the calendar; but a motion to proceed to its further consideration is now in order.

POINT OF PERSONAL PRIVILEGE

Mr. MORSE. Mr. President, continuing the discussion of my point of personal privilege, I desire to make it very clear that under the so-called inflationary control guidelines, the parties to a labor dispute, a board of mediation in a labor dispute, or a board of arbitration in a labor dispute have not only the authority but also the clear duty to consider inequities in the industry before they proceed to apply any formula involving so-called general guidelines.

That is elemental in the settlement of labor disputes. The doctrine of clearing up inequities prevailed throughout the war. When the country was at war, the War Labor Board, of which I was a member, always looked to see whether any so-called inequities had to be ironed out first.

I think I can illustrate this point if we assume an absurd hypothetical situation. Today the lowest paid workers in the country are probably the laundry workers; thousands of them receive from 53 to 60 cents an hour, in areas where the color of their skins is, for the most part, black. Let us assume, as a hypothetical case, that all the laundry workers in the United States went on strike, and that the doctors, the hospitals, the restaurants and the schools—needing clean laundry for purposes of health and food and sanitation—pleaded with the President to recognize that the nationwide laundry strike created a national emergency, and asked that the Taft-Hartley Act provisions be applied to it. Let us assume that the President agreed, and that the Taft-Hartley Act provisions were applied to it. Suppose that those procedures ran their course, and that after the 80 days called for by the Taft-Hartley Act, the laundry workers again went on strike—as they would then be free to do—and that the President appointed a special board of mediation, as he did in the case of the east coast dockworkers strike. The first responsibility of the board appointed to deal with the wage issue would be to determine whether gross inequities existed in the industry, and, if so, to make some adjustment of them. There is no way of knowing how much adjustment would then be made. But if any was made, I would say it would not be improbable that the board would first make an adjustment to 75 cents an hour. It could not eliminate all at once the gap between 53 to 60 cents an hour and say $1 to $1.25 an hour; but it could narrow the gap. Then, in addition to eliminating some of that inequity, the board would apply the so-called inflationary guidelines.

I did that, when I sat on the War Labor Board, in well over 200 opinions which I wrote, and which were either unanimously approved by the Board or were approved by a majority. I challenge any Senator to find a single litigant who appeared in any of the cases which came up when I was a member of the War Labor Board and who would challenge my impartiality or would claim that I had any dispositions which would disqualify me from rendering impartial judgment on the merits of the issues—either as a member of the War Labor Board or as a mediator or as an arbitrator.

Mr. President, what inequities do we find in the longshore industry? I have already pointed out that we find this is a shockingly low-paid industry, from the standpoint of take-home pay. This industry is completely dependent for its operations on the maintenance of a broad and deep pool of unemployed men. It is more polite to call it an industry of casual employment. This industry has to have a large pool of men out of work in order to operate. Sometimes they are able to obtain 2 days of work a week; sometimes, 3 days of work a week; or, at rush periods, sometimes they are able to obtain 4 days or 5 days of work a week. But when the shipping decreases, they will go for many days without work. That is the kind of inequity with which we had to deal. So we had to look at the wage pattern in the labor market area of the east coast.

There has developed since the steel case a great deal of talk about guideposts and guidelines in regard to inflationary control. Yet we find that the west coast longshoremen received, after the steel case decision, a wage package settlement higher than the wage package settlement this Board recommended to the parties for the east coast dock strike. If Senators think that does not create an inequity, they do not have the slightest comprehension of the dynamics of settling labor disputes.

We also found that the New York truckers received a wage package settlement—and received it since the steel case decision—higher than the wage package settlement we offered in this case. If Senators do not think that does not create an inequity in the labor market area, when a group of men who work on one side of the longshoremen taking the cargoes to the docks got a better settlement—then Senators do not know anything about the dynamics of settling labor disputes.

We found that the seamen received, many of them since the steel case decision, package settlements higher than the one we are offering the longshoremen in this case. And we found—as is shown by our report to the President—that the median wage settlement negotiated in major nonmanufacturing industries during 1962 is higher than the wage proposals we offered in this case.

Mr. President, anyone who does his bookwork will not attack this Board on the basis that it violated any inflationary guidelines. On the contrary, we stayed under them and we corrected—to a degree—the inequities. We did not iron all of them out; that never is done in one case. But we made an improvement. I wish to emphasize that point, because I think it is too bad that the press and the periodicals do not give the people of the country even mathematical facts.

Then in our report to the President we say:

> The Board approached the application of these criteria as mediators and not as arbitrators. Whereas a board of arbitrators would be bound to pass upon and resolve every issue raised before it, we were able, as mediators, to dismiss a long list of demands. The imperatives of the situation made it impossible to consider more than a master contract. Even so, demands for a guaranteed 8-hour day, an additional week of vacation, and Monday morning reporting pay had to be dismissed along with all the

> demands of a local port nature such as additional cleanup time, additional uniforms, a set lunch period, and 5-day week for checkers attached to the pier roster.

And there were many others.

> The Board focused its attention on designing a package which would meet the above criteria and would be acceptable to both parties. Prior to fashioning such a package, it was necessary to examine the factual setting of this bargaining relationship and especially to appraise several factors which strongly influenced this situation.

Mr. President, the entire report will go into the RECORD.

I close by making this final observation in regard to what my Board did:

We settled the dispute for a 37-cent package. Yet there are misinformed critics, such as the Senator from Ohio, who keep talking about a 39-cent package.

Mr. LAUSCHE. That is what it was.

Mr. MORSE. I have tried to figure out where they get the 39 cents. This is where I think they probably get it, but they do not read accurately:

The settlement for the first year is 23½ cents. The settlement for the first year contains 2 cents an hour for clinics. The 2 cents an hour for clinics was granted because we found great inefficiency in the functioning of the clinics. The employers had charged dishonesty and corruption. Before we got through, they admitted that their charge did not stand up.

We called in experts to advise with us, including, incidentally, Professor Healy, of Harvard Business School, who is recognized as one of the four or five outstanding authorities in the country in regard to welfare, pension, and health clinic funds. He advised us——

The PRESIDING OFFICER (Mr. BAYH in the chair). The Chair would like respectfully to advise the Senator from Oregon that his 10 minutes have expired.

Mr. MORSE. I am sure that my friend, the Senator from Delaware, will give me an additional 2 minutes. This is my last point.

Mr. WILLIAMS of Delaware. I yield 2 minutes to the Senator from Oregon.

Mr. MORSE. We called in experts from Columbia University Medical School. Those experts said that if they could get an additional 2 cents an hour for 1 year they could use that 2 cents to reorganize clinics. That is what they propose to do. The parties have agreed to do it. They will have experts from Columbia University Medical School to help them do the job. At the end of the year, the 2 cents devoted to that purpose will be dropped. That will leave 13½ cents for the second year; 23½ and 13½ cents makes 37 cents. There is not 39 cents in the package at all.

I surmise that what has happened is that some calculators assume that that 2 cents for clinics would continue into the second year. That would make 39 cents.

But the table in our report, which we sent to the Press Gallery, and the information that the parties gave the public shows under "clinics" for the second year zero, not two.

I close by saying that it is not pleasant for me to make this speech. That is not senatorial talk. We often hear it said that we use a great deal of so-called senatorial language when we refer to each other as "distinguished Senators," "dear friends," "good friends," and so on. It is said that that is a little gobbledygook. When the Senator from Oregon and the Senator from Ohio use those terms, it is not. Although today I have a very deep disagreement with my friend from Ohio, for I think yesterday he did an uncalled-for gross injustice to my Board, I mean it when I say that my difference will never affect the very warm friendship that exists between the Lausches and the Morses. The Senate may not know it, but it is one of the close friendships of the Senate, and I consider it a dear possession. But when my friend from Ohio enters into this area and does the wrong that I consider he did yesterday, then we meet each other on straight professional grounds in the Senate, Senator to Senator; for I do not intend to let the Senator from Ohio or any other Member of this body do an injustice to my Board and thereby also do an injustice to my President.

I can tell the Senate that the President of the United States is highly pleased with the work his Board did. He is highly gratified over the settlement, and shares the Board's analysis of its economics and its mathematics. I do not intend to permit the Senator from Ohio or any other Senator to make statements on the floor that cannot be squared with the facts, and thereby do an injustice to my Board and to my President.

I thank the Senator from Delaware most sincerely for his courtesy.

Mr. LAUSCHE. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Delaware yield to the Senator from Ohio?

Mr. WILLIAMS of Delaware. I yield to the Senator from Ohio under the circumstances.

Mr. LAUSCHE. Mr. President, I am grateful to the Senator from Oregon for his generous expression about the relationship of the Lausche family with the Morse family. I can truthfully restate that thought and say that I have constantly enjoyed my association with the Senator and Mrs. Morse. I am quite sure that if Mrs. Lausche were present, she would make a similar expression. Mrs. Lausche has told me of the numerous times she and Mrs. Morse have been together in the gallery, and in a unison of compassion between them, they looked down upon the contest in which the Senator from Oregon and I, in equal thought, were engaged.

In my statement yesterday I said to the Senate:

> I have implicit confidence in the integrity and veracity of the senior Senator from Oregon. However, he has predispositions and he has ideologies, and in my opinion the predisposition which he had, in spite of his truthfulness, made it impossible for him to be what one might call an impartial arbitrator.

By those words I meant no reflection upon the integrity of the Senator from Oregon. However, I have had experience in life, and I know that to a greater or lesser degree we are all burdened with predispositions. I believe it was Mark Twain who gave answer to one who thought that Mark Twain's wife was not of lovely appearance. Mark Twain said:

> If you could only see her through my eyes.

That which we have within us frequently overpowers our reasoning, and while we think we are acting objectively and impartially, the fact is that we are deep slaves to our ideologies and predispositions. I frankly say to the Senator from Oregon that if I were trying a lawsuit and trying to select a jury which I not only wanted to be fair and objective, but also one that I thought could be fair and objective, overpowering the will that frequently operates with inexorable force, I would not choose the Senator from Oregon to be on that jury in a case of that type.

I do not retreat from what I said.

And I do not blame the Senator from Oregon for this. He was asked to serve on the Board. He did not petition for the job. When he was asked to serve, I can see that there was no other course for him than to accept.

The argument was made that this was a board of mediation and not of arbitration. When one looks at the form of the words used—the application given to the Board—one construes it to be a board of mediation, but when one looks at the substance as distinguished from the form, I respectfully submit that it was a board of arbitration, because what the board recommended, having the President's aegis, was tantamount to an order. There was no opportunity to reject on the ground that it was mediation.

I do not want to yield to the Senator from Oregon about the depth of knowledge about law. He was the dean of a law school, and I respectfully submit that I taught law for 8 years, and one of the subjects I taught was equity. The subject of arbitration, as the Senator from Oregon knows, comes primarily within the law of equity. So I know the meanings of terms. I know the distinction between arbitration and mediation.

When I speak of the substance and the spirit of what was done under the circumstances being arbitration, I cannot help thinking of the rule in equity about a deed. A deed is given by the owner of property to a lender, and the deed given constitutes an absolute conveyance, but it was intended only as the security for a debt. Well, the form is a deed, but the substance is a mortgage.

In this instance the form was mediation, but the substance was arbitration.

I have some further views I should like to mention on this subject. It is thought that the impact of this alleged settlement has run its course and that it will not be felt in our economy. I cannot agree with that view.

The strike has been stopped, but the impact on our national economy will only be revealed within the next few years.

The inordinate power of the Longshoremen's Union continues unabated. The power of the Longshoremen's Union to paralyze business and industry and the economy generally, if and when it chooses, lives on. The competitive position of American producers in their efforts to find buyers among the foreign nations of the world is made worse rather than better by the alleged settlement. The forces of inflation are intensified, and will be further aggravated if the tax cut program is adopted. The formula for wage increases recommended by the President in his repeated statements has been rejected by this supposed settlement, because the terms of the settlement recommended by the President's mediation board grant overall increases having no relationship to increase in productivity.

In the President's economic reports of 1962 and 1963, it was indicated that the wage increase norm should not exceed 4 percent, and even then should be kept in line with productivity. I suggest the reading of the 1962 report, pages 185 to 189; and the 1963 report, pages 83 to 88.

The so-called President's mediation board has established a formula which will have harmful impacts upon our economy. The wage increase to the Longshoremen's Union—practically ordered by the board—constitutes, for the 2-year period, an 8.8-percent increase in annual pay.

I wish to repeat that figure. The increase is 8.8 percent.

This 8.8 percent, regardless of how we argue to the contrary, will become the floor in whatever labor-management disputes might arise within the next few years, in the basic industries of our country. I ask, How can it be different?

Let us assume there is a steel strike, and that it is pointed out in the argument that a President's mediation board recommended an 8.8 percent increase in the longshoremen's dispute. Those who try to answer will encounter difficulty. They will encounter the same difficulty which has been encountered by those negotiating settlements in the different strikes mentioned by the Senator from Oregon, who contends the grants were much in excess of what was granted in this instance.

I am not one who is going to speak one day about the dangers of inflation and the next day forget completely about them. I listened to the President's message to the joint session of Congress, and I know that he told us that what is needed now is to give to the country and not to take from it. I know what he said about the inordinate demands for increases in wages placing us in a noncompetitive position, accentuating the strains and forces which are trying to break loose to put us into a period of inflation.

Since 1936, Mr. President, the taxpayers of the United States have been subsidizing the operation of the oceangoing vessels of our country. At present the taxpayers are paying to the operators of the deep-sea-going vessels the sum of $200 million a year. That fact is not generally known. But, every time an inordinate pay increase is granted it draws more deeply on the pocketbooks of the American taxpayers.

The stevedores who work on the ships do not directly receive a subsidy, but eventually they will receive it indirectly.

By force of the order made by the President's so-called mediation board, the taxpayers' burden of subsidizing will be accentuated. Repeatedly, it has been said by persons learned in world trade, and especially in our balance-of-payments problems, which are causing our short-term foreign creditors to demand payment of their credits in gold rather than in our paper dollars, that if we are to put our people to work, we need to expand the selling of our goods in world markets. If we are to sell goods in world markets, we must keep ourselves in a competitive position. We cannot keep ourselves in a competitive position, even in competing with the desire to carry merchandise on the high seas, if this grant of 8.8 percent becomes the guideline, as I believe it will.

By carrying into effect the recommendations of the President's mediation board, instead of improving our competitive position we are worsening it.

Past experience indicates that recommendations made by a Presidential committee are tantamount to an order, and, when obeyed, become the guidelines in settling subsequent management-labor disputes in the basic industries.

The President appointed the mediation board members. In my opinion, he wanted that dispute settled. In my opinion, the composition of the Board, in spite of the honesty and integrity of the members, was of a nature making it impossible to render a fair, objective, and impartial judgment.

With due respect to the Senator from Oregon, I think, if he will read his speech, he will find running through it arguments indicating his inability to definitely approach the problems involved in the dispute with objectivity and impartiality. I say that because part of the argument which was made was not on the basis of reason, one that I would understand to be based on a study of logic; it was an argument ad hominem. That is an argument to the passions, and not an argument confined to what would be called cold, realistic facts.

Let us take a look at the demands of the longshoremens union in this dispute. They asked for an increase of 86 cents for the first year and an increase of $1.03 for the second year. If the 86-cent-an-hour demand, covering the first year, had been granted, it would have meant a 23-percent increase in wages. If the $1.03-an-hour demand for the second year had been granted, it would have meant a 27½-percent increase. Both of those demanded increases obviously were unrealistic, astronomical, and propounded with the sole purpose of being used for bargaining objectives.

It makes no difference whether the recommendation was 25.2 cents or 39.9 cents. The shippers assert that it was 39.9 cents for the second year. I heard the argument given by the Senator from Oregon about the 2-cent item. But even though it is reduced by the 2-cent item, my opinion is that the increase granted will be 8 percent. And I submit that the economy of our country cannot stand an increase, percentagewise, of that effect, without precipitating us, at still greater speed, in the realm of inflation.

According to my calculations, the increase for the first year amounted to 6.8 percent, and for the second year, 10.8 percent, the average being 8.8 percent for the 2 years.

But, finally, as I said earlier in my remarks, no legitimate settlement was made. The settlement is in discord with the oft-repeated principle enunciated by the President that wage increases should have a relationship to increased productivity. Here there was no increased productivity. Featherbedding practices are allowed to continue. No increased productivity is to be received by the employer for the 39.9-cent-an-hour increase package for the second year, or for the 25.2-cent increase pertaining to the first year.

The compliance obtained from management was that of a recommendation made by the so-called Presidential mediators. Industry had no alternative but to accept it.

Currently in the Congress, debates are in progress about the wisdom of the President's program for a tax cut, allegedly intended to help business as well as the general public. The theme is advanced that we must give business an incentive. The theme is advanced that we had better stop dissuading business from venturing into expanded operations. I think that we are doing the very opposite. I regret deeply that this division occurred, and I hope that it is not a lasting one. My respect for the Senator from Oregon is high. I trust his integrity. I want to repeat, however, that, as the magazines and newspapers have spoken, and as I believe most people have, there was an inability existing, because of predisposition, to render what would be a fair, objective, and impartial judgment.

I yield the floor.

Mr. MORSE. Mr. President, will the Senator from Delaware yield just 1 minute to me? I do not want to reply at length; I want to make an announcement.

Mr. WILLIAMS of Delaware. If it will be only a minute——

Mr. LAUSCHE. Mr. President, I may need more time to reply.

Mr. MORSE. I have put in the RECORD the Board's report to the President. It is a complete rebuttal to the chain of non sequiturs which my friend from Ohio has committed, and completely corrects his false mathematics. There is no 8.8 percent involved in the case at all; the wage increase averaged 3.9 percent per year, the increase in total labor cost averaged 4.7 percent. There is no such figure by way of increases that the Senator has referred to. We have them all in the RECORD. The report speaks for itself. I offer it to the Senate, and rest my case.

THE ADMINISTRATION'S FINANCIAL ARRANGEMENTS WITH A MEMBER OF CONGRESS

Mr. WILLIAMS of Delaware. Mr. President, I wish to resume the statement for which I had obtained recognition about an hour and a half ago, at which time I said I wanted to reply to certain remarks which had been made by a Member of the House of Representatives.

I have notified various Members of the Senate that I was going to do this. Those who are interested have been called, and they can be present if they wish.

First, I wish to discuss, briefly, the rules of the Senate. Rule XIX of the Senate provides:

> No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

I recognize the necessity for such a rule. No Member of the Senate respects the rules of the Senate more than I do. The same applies to the rules of the House of Representatives.

However, in recent days these rules have been rather widely interpreted. For example, it has been said that it is a violation of the rules of either House for a Member of either House to refer to a Member of the other body even though that Member may have been involved in some questionable transactions involving the expenditure of Government money.

On the 7th of February, the Speaker of the House of Representatives, in answer to a parliamentary inquiry, as appearing on page 1985 of the RECORD of February 7, said:

> The SPEAKER. The Chair will state that under the rules of the House, if a Member insists upon strict compliance, to mention the name of a Member of the other body is not consistent with the rules of the House. The rules of the House are different from the rules of the Senate.

Mr. President, with all due respect to the rules of the House, I do not believe that the impression should go out to the country that it is sacrilegious for any Member of either body to refer to a Member of the other body under any circumstances.

As evidence that I am not alone in holding that view, I call attention to the fact that on February 7, 1963, Members of the House of Representatives referred to Members of the Senate 25 times by name. Seventeen times the junior Senator from New York was referred to as Senator KEATING. On four occasions the junior Senator from Mississippi was referred to as Senator STENNIS. On four other occasions the Senator from Missouri was referred to as Senator SYMINGTON. Many times these were in a complimentary manner, but it emphasizes the point that such is done in the House.

It is not unusual for a Member of the Senate or for a Member of the House of Representatives to refer to a Member of the other body.

We find on page 1974 of the RECORD of February 7 that the Senator from New York was referred to three times by name. On page 1974 and page 1975 the Senator from Mississippi was referred to as Senator STENNIS, and the Senator from Missouri was referred to as Senator SYMINGTON four times each. These references were made by Members of the House just a couple of weeks ago.

Then on page 1975 a Member of the House referred to the junior Senator from South Carolina as Senator THURMOND. Again the Senator from New York [Mr. KEATING] was referred to twice by name.

On pages 1982 and 1984 another Member of the House referred to the junior Senator from New York eight times as Senator KEATING, and twice to the Senator from Mississippi as Senator STENNIS.

I merely point out that there is nothing unusual in referring to a Member of the other body, either with compliments or in a somewhat critical manner of some statement he has made.

That does not mean that we can or should resort to name calling; but we can state the facts, and if the facts constitute a charge that is the responsibility of the Member involved.

After all, a man's name is something of which he should not be ashamed. I am proud of the fact that my name has been mentioned several times in the House. I am not taking exception whether they be critical or complimentary. When I make some remarks in connection with some program I respect their rights to criticize.

Several years ago when the junior Senator from Wisconsin was receiving both praise and criticism he was referred to in one 5-week period 20 times by name during debate in the House. I merely point this out to emphasize that this is not a new procedure or that it is sacrilegious to mention even remotely a man's name in the discussion, whether he be a Member of the Senate or of the House.

And on occasions Members of the Senate take liberties, notwithstanding the rule. For example, it can be found in the CONGRESSIONAL RECORD, volume 104, part 7, page 8395, that one of my good friends in the Senate decided to refer to some of my remarks in a not very complimentary manner. I respected the right of this Member to express his opinion. But so too, the remarks that I made on February 5 were not in themselves anything unusual, and I, therefore, insist on my right to speak as I did. Nor am I withdrawing any of the charges that I made.

As one further example I cite a more recent case. On May 16, 1962, the senior Senator from Maryland [Mr. BEALL] criticized certain activities in conjunction with a Representative of the House of Representatives. The Senator from Maryland in his speech took strong exception to this gentleman's association with a building and loan association in Maryland. In his speech the Senator referred to the Congressman being criticized as Representative JAMES ROOSEVELT 17 times.

It should be pointed out that Representative ROOSEVELT is now one of Congressman POWELL's stanchest defenders.

I ask unanimous consent that this statement of the Senator from Maryland be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

UNSCRUPULOUS AND UNSTABLE SAVINGS ASSOCIATIONS

Mr. BEALL. Mr. President, I consider it my duty, as a U.S. Senator and one closely identified with warning the public about unscrupulous and unstable savings associations, to set the record straight. It would be wrong for me to keep silent when I have special knowledge on a subject about which the public may have formed the wrong impression.

Representative JAMES ROOSEVELT, chairman of the board of the now defunct Family Savings & Home Loan Association at the time I was investigating Family's questionable operations, was subpenaed by the Montgomery County, Md., grand jury looking into the savings and loan scandal. His appearance before the grand jury was on May 8, last week, and on the same day, May 8, in the early evening, he appeared on WTOP–TV, the Washington outlet for the Columbia Broadcasting System, to say that he had not received any payment "in any way" for his services. His exact words, on television, according to the transcript, were:

"Contrary to reports, I was not paid in any way for my services during those 60 days. But my investigation of circumstances of that business by an independent attorney and auditor produced what I thought was circumstances which unless changed required my resignation. I could not get them changed. Therefore, I immediately resigned."

As this statement followed so closely his appearance before the grand jury, we assume he told the grand jury that he "was not paid in any way" for his services.

Those words should be kept in mind as I make the following disclosures.

Let me briefly review the sequence of events.

On March 31, 1958, I took the floor of the Senate to state that I was deeply concerned about the operations of the Family Savings & Home Loan Association, whose advertising appeared to me to be misleading. Family was advertising that it was a member of the American Council of Independent Savings & Loan Associations, and I discovered that this so-called council was organized by the same men who operated Family, that the management of the two organizations was from the same desk. Family was advertising in big print that its accounts were insured up to $10,000, and then, in small print, "by American Savings & Loan Indemnity Co.," and I discovered that the address of this latter company was a letterdrop in the Republic of Panama, and furthermore, that it was operated by the very same men who ran Family. On the so-called indemnity company's letterhead, Toronto, Canada, was given as a branch office, but an inquiry brought us word from the Toronto Better Business Bureau that they were "unable to locate any such company in Toronto."

My concern grew for the people who were entrusting their life's savings with these people.

I posed a list of pertinent questions to Family's president, John Gregory Persian, which went unanswered.

I then asked the Senate Committee on Banking and Currency, of which I am a member, to look into the matter and take appropriate steps.

The policing of savings institutions is a State responsibility, and therefore not in the province of the Federal Government. However, matters connected with the Federal Home Loan Bank System are the business of the Federal Government and, therefore, I introduced an amendment to the Federal Home Loan Bank Act to prevent advertising by members of the Federal Home Loan Bank System which would tend to mislead the investing public and, although this would not affect the Family people—for they had been barred from this system—hearings on my bill would give us a chance to warn the public about Family. I could do this much.

I asked for hearings, and they were scheduled to be held by the Housing Subcommittee of the Banking and Currency Committee on July 24 and 25, 1958. Mr. Persian, Mr. Roosevelt, and Mr. Cohen were asked to appear for questioning. Messrs. Roosevelt and Cohen appeared and Mr. Roosevelt explained that he would speak for Mr. Persian.

He testified that the company's—Family's—advertising was honest and that the insuring company, the American Savings & Loan Indemnity Co., was in sound financial condition.

When asked how it happened that Family was the only company under the "protective wing" of the American Savings & Loan Indemnity Co., Mr. Roosevelt said that Family was the only company good enough to qualify. Here are his words, from the record:

"I should not disparage other companies and do not intend to, but it (Family Savings & Home Loan Association) is the only one that in our judgment we feel we want to recommend now."

May I insert, parenthetically, that this company, Family, which was so stoutly defended by its board chairman, has gone out of existence, its president, John Gregory Persian, has been indicted for grand theft, and its depositors are unable to get their money from the so-called insurer, despite all the protestations of soundness.

To show the interlacing of the companies and the fact that they were all run from the same desk, let us turn to page 91 of the committee hearings. My colleague, the distinguished Senator from Indiana, was questioning Mr. Sherman S. Cohen, attorney:

"Senator Capehart. You are the general counsel for the American Savings & Loan Indemnity Co., of Panama?

"Mr. Cohen. Yes, sir; I do serve as one of the attorneys for the American Savings & Loan Indemnity Co.

"Senator Capehart. Are you likewise general counsel for the Family Savings & Home Loan Association?

"Mr. Cohen. I am, sir.

"Senator Capehart. Are you the general counsel for the American Council of Independent Savings & Loan Associations?

"Mr. Cohen. I am one of the attorneys."

Now, what about Mr. Roosevelt's statement on May 8 that he had not received payment "of any kind" for his services?

Turn to page 29 of the printed hearings—Senator Capehart was questioning Mr. Roosevelt, as follows:

"Senator Capehart. Mr. Roosevelt, it is not quite clear to me whether you are appearing here today as the chairman of the board of the Family Savings & Home Loan Association in Maryland or the American council.

"Mr. Roosevelt. I am appearing here solely as the honorary president of the American Council of Independent Savings & Loan Associations. * * *

"Senator Capehart. And who is it that is paying you?

"Mr. Roosevelt. It is the Family Savings & Home Loan Association, which is chartered in Maryland.

"Senator Capehart. How much are they paying you?

"Mr. Roosevelt. Six thousand dollars a year.

"Senator Capehart. Six thousand dollars a year?

"Mr. Roosevelt. Yes, sir. I am chairman of the board."

Then turn to page 31:

"Mr. Roosevelt. I am not being paid for appearing before this committee. I am being paid as chairman of the board of the Family Savings & Home Loan Association, which is not appearing before this committee.

"Senator Capehart. Which is $6,000?

"Mr. Roosevelt. A year, but not for appearing before this committee."

Next, turn over to page 92. Mr. Cohen was being questioned. The transcript goes like this:

"Senator Capehart. If you will yield just a moment, Mr. Roosevelt testified yesterday it was 5 to 6 weeks ago he was placed on the payroll and made chairman of the board.

"Mr. Cohen. He received his first paycheck.

"Senator Capehart. He has already been paid?

"Mr. Cohen. Yes.

"Senator Capehart. How much has he been paid?

"Mr. Cohen. Whatever the pro rata salary has been. He has received his pay from that point on as chairman of the board of the association."

So, according to testimony by Mr. Roosevelt and Mr. Cohen before the committee, Mr. Roosevelt was paid for his services, and he was paid by Family Savings & Home Loan Association. And yet he stated on the television program last week that he had not been paid in any way.

Mr. President, I, for one, would like to know which of the statements are true and which are false. Was our committee being deceived? Or was the grand jury being deceived?

In these remarks I am sticking to the official record. If we go a little further and believe a news account appearing in the Washington Post of May 9, then still another account must be taken into consideration. According to the newspaper article, Mr. Roosevelt told a reporter that he received a total of $3,000, half-a-year's salary, not from Family, but from the council, one of the three outfits run by Messrs. Cohen and Persian. It would not make any difference as to which company his pay came from inasmuch as all three were run from the same desk and by the same men.

However, if his pay came from the council, then his testimony before our committee was false, for he said, "It is the Family Savings & Home Loan Association," when asked "Who is it that is paying you?"—page 29 of the July 24, 1958, hearings.

I understand from the newspaper account that Mr. Roosevelt said last week that he was with Family only 60 days, for he found it was dishonest, but that he continued with the council for 6 months and was paid for 6 months. There are two things wrong here: First, had he suddenly found dishonesty, he surely would have exposed it at once; did he not owe that to the poor depositors whom he must have known would lose their savings? And second, after finding dishonesty, why would he continue with the same men 6 months?

While I have the floor, I wish to point out one other matter. Despite my original warning to the public—later emphasized by the committee hearings, in which my colleague, Senator Capehart, took an active part—some people continued to deposit their savings with Family—and millions went down the drain.

Senator Capehart and I were concerned for the safety of the deposits, and we questioned Mr. Roosevelt and Mr. Cohen closely about the insurance.

Going back to the record now: In answer to my question. we had been told that the insurance company had over $4 million in assets. We were also given a superfluous and distracting little lecture on the virtues of small business. Here is the way the questions and answers went:

"Senator Beall. I do want to say, Mr. Chairman, I agree with Mr. Roosevelt very emphatically that we want small business to be protected, but only when they are not taking advantage of the investing public. You stated that you were appearing here for the American Council of Independent Savings & Loan Associations, and you favor sound insurance. Can you tell me the soundness of the insurance of the members? You said they did have $4 million available?

"Where is this $4 million on deposit in Maryland?

"Mr. Roosevelt. Mr. Cohen, do you want to answer that?

"Mr. Cohen. Yes. It is the offices in Silver Spring, Md.

"Senator Beall. In the company's offices, the Family Savings & Home Loan Association offices?

"Mr. Cohen. Yes.

"Senator Beall. Not in any bank or safety vault except your own?

"Mr. Cohen. Yes, sir.

"Senator Capehart. Are you saying the assets of this indemnity company that insures these accounts is in the offices of and under control of the Family Savings & Home Loan Association, whose accounts they are insuring? Is that what you just said?

"Mr. Cohen. No, indeed; and I would not have the record contain that information. The records of ownership of these assets, however, are temporarily in the offices of the savings and loan association in Silver Spring.

"Senator Capehart. In other words, the Family Savings & Home Loan Association in Maryland has the same domicile as the American Savings & Loan Indemnity Co.?

"Mr. Cohen. No, indeed. The only offices of the American Savings & Loan Indemnity Co., Senator, are in Delaware.

"Senator Capehart. He asked you the question where the $4 million worth of securities were domiciled or housed, and you said they were housed at the place of business of the Family Savings & Home Loan Association.

"Mr. Cohen. I would be as clear as you would have made me be, Senator.

"Senator Capehart. Is that true?

"Mr. Cohen. That is where they are housed. The evidence of ownership is housed temporarily.

"Senator Capehart. Who has control of them at that particular location?

"Mr. Cohen. Obviously the officers of the insurance carrier would have control of it.

"Senator Capehart. Does the president of the Family Savings & Home Loan Association have a key to the safe deposit box they are in?

"Mr. Roosevelt. That I will have to find out."

Mr. President, he must have had the key; I have heard, though I have not the exact figure, that Mr. Persian had around $30,000 in cash on his person when he was apprehended by police officers while trying to run away.

I do not want to close these remarks without reiterating that I have utmost respect for the great majority of savings-and-loan associations. It is too bad that a few bad ones here and there have appeared, but by the rooting out of the bad ones, the good ones will greatly benefit in the long run. When I exposed "Family" and a couple of other bad ones—an action followed by litigation against several bad ones by the Post Office Department and the Department of Justice—I made it clear that the great majority of savings-and-loan associations throughout the Nation are complying with the law and are making a major contribution to the Nation's social and economic well-being.

Mr. WILLIAMS of Delaware. Mr. President, I point this background of precedents because as we approach a discussion of the activities of any Member of Congress, while we should be careful, at the same time we must respect the right of a Member of Congress to criticize any expenditure of Federal funds.

After my remarks of February 5, a Member of the Senate on the other side of the aisle called my attention to my reference to the gentleman by name, and I obligingly agreed thereafter to refer to him as one of his good friends. Out of respect to my colleagues, I shall today refer to this gentleman as a close friend and protege of the Kennedy administration. In my remarks I called attenion to certain financial transactions which I thought needed correcting. I shall speak about the impropriety of the expenditure of certain Government money. Yesterday Representative POWELL—I am sorry, Mr. President, I ought to say this close personal friend of the Kennedy administration——

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Was not the gentleman in question also a close personal friend of the Eisenhower administration?

Mr. WILLIAMS of Delaware. He was at one time, to my regret; yes. [Laughter.] At that time a question was raised about certain activities wherein a charge was made with respect to certain payments having been made in return for political support. As long as this matter has been brought up, I shall ask to have printed in the RECORD a speech which I made on the subject at that time. These statements were made in 1960, and the charges were to the effect that this gentleman had accepted certain payments for his political support. They were not my charges. The allegations which I put in the RECORD named the men who allegedly made those payments. At that time I took the position that the Senate had the responsibility of investigating those charges, of payments involving an election. I also submitted a resolution asking for such an investigation. I was very much disappointed that nothing was done about it and that the resolution was merely referred to a committee and buried. I believe we should be fair in all of these matters and let the criticism fall where it may. Therefore, I ask unanimous consent that my statement of May 4, 1960, be printed in the RECORD at this point.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

INVESTIGATION OF CERTAIN ELECTION CHARGES

The Senate resumed the consideration of the resolution (S. Res. 285) to authorize an investigation of certain election charges.

Mr. JOHNSON of Texas. Mr. President, on the question of agreeing to my motion to refer Senate Resolution 285, submitted by the Senator from Delaware [Mr. WILLIAMS], to the Committee on Rules and Administration, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were not ordered.

Mr. JOHNSON of Texas. Mr. President, in view of the circumstances, I suppose we shall now have to proceed to debate this question.

Mr. WILLIAMS of Delaware. Mr. President, this resolution was submitted on March 8, and it was placed on the Senate Calendar on March 11.

The purpose of the resolution is to authorize an investigation of certain serious charges which appeared in the press as of that time, wherein both political parties were charged with election irregularities. These charges appeared in the Washington Post on March 4, March 5, and March 7, in three articles. I felt that the charges were so serious that they could not be overlooked.

If these charges are true, not only do they represent a flagrant violation of our existing election laws but also they would represent a new low in politics.

At a time when we have spent weeks debating the right of every American to vote, certainly Congress can give some time insuring that this right, once given, is not abused.

In these articles, there are two very serious charges:

First, there is the charge that the question of whether or not to prosecute an alleged income-tax violation was being decided not upon the merits of the case but rather upon the willingness of a taxpayer to change his political party affiliation.

Second, there are charges that responsible men offered, and that the person accepted, payments of $50,000 to $100,000 in return for his political support to certain candidates in the 1956 and 1958 elections.

Both the offering and the accepting of bribes for political support are violations of our existing laws; it is likewise a violation of our laws for any decision regarding the prosecution of a tax case to be made contingent upon political support.

In submitting the resolution at that time, I emphasized that I was not expressing any opinion as to either the accuracy or the inaccuracy of the charges. I merely pointed out that the charges had been made and that in view of their serious nature they could not be ignored.

If they are true, the guilt of those responsible should be established and dealt with accordingly.

If not true, then those against whom the charges are made are entitled to a complete retraction, and those who made and those who printed the charges should be held responsible.

Since this Congress reconvened in January, the Senate spent nearly 3 weeks debating and passing Senate bill 2436, the sole purpose of which was to guarantee cleaner elections.

For 3 weeks we held long and sometimes continuous sessions in debating the merits of a bill, one purpose of which is to guarantee to every American citizen the right to vote.

Yet we now have before us a serious charge that the voting rights of the same people about whom the Justice Department and the Congress are expressing so much concern may have been bought and sold in wholesale lots during the recent elections.

Here is a chance for the Senate to demonstrate the sincerity of its interest both in cleaner elections and in the voting rights of American citizens.

The resolution was sent to the desk under the usual parliamentary procedure of the Senate, and it is now pending on the Senate calendar. A few moments ago upon a motion of the Senator from Texas it was made the pending business of the Senate. The Senator from Texas is now going to make another motion to send it to the committee, which action if approved means the defeat of this resolution. Those who support my position that these charges should be investigated should vote against the motion to commit.

Mr. President, I am not in favor of the motion of the Senator from Texas to refer the resolution to the Committee on Rules and Administration because I think the Senate has a responsibility to conduct an investigation on these very serious charges. However, if his motion is modified by including a provision that the committee be instructed to report the resolution to the Senate within 10 days, or 30 days, or even by June 10 in order to give the Senate time to act on the resolution at this session then I will support it. If the motion of the Senator from Texas is agreed to without such a modification; that is, if the resolution is just sent back to the committee without instructions, then the resolution is as good as dead. It could remain in the committee indefinitely and could be buried there so that the Senate would never hear of it again. This is our only chance to vote for an investigation of these charges.

Mr. President, I ask unanimous consent that the three articles to which I have referred and which include these charges be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

"[From the Washington Post, Mar. 4, 1960]

"POWELL PROSECUTION DELAY STRANGE

"(By Drew Pearson)

"One of the weird ironies of the civil rights battle is the paradoxical friendship of the civil rights author, Attorney General William Rogers, with the civil rights bitter-ender from Mississippi, Senator JIM EASTLAND. Believe it or not, they are quite cozy.

"Furthermore, EASTLAND, who occupies the potent position of chairman of the Senate Judiciary Committee, has protected his friend, the Attorney General, from any Senate investigation of his Justice Department.

"One of the strange operations inside the Justice Department which other Senators would like to investigate is the reported protection of New York's most spectacular Congressman, ADAM CLAYTON POWELL, of Harlem, in regard to income-tax evasion. POWELL saw two of his secretaries convicted and a third indicted. That was about 5 years ago.

"Meanwhile, there have been mysterious delays regarding the Congressman's own income-tax case. It has dragged on for months. Finally, almost 3 years after his secretaries got into trouble, Assistant U.S. Attorney Thomas A. Bolin, in New York, in charge of the Powell grand jury, let it be known that on March 18, 1957, he had received word from the Justice Department in Washington to abandon the grand jury investigation.

"Bolin was further asked to write a letter to Attorney General Rogers—the friend of 'Big Jim' EASTLAND—advising him that the case should be turned over to the Treasury—which meant a compromise with no prosecution. This Bolin refused to do, and a runaway grand jury subsequently indicted POWELL.

"The inside story

"But what Senators would like to know is what happened inside the White House to delay POWELL's prosecution for what is now approximately 5 years. Since EASTLAND's Senate Judiciary Committee won't investigate, this column can now reveal the story.

"During Ike's 1956 reelection campaign, the handsome Harlem Congressman, long a Democrat, wrote Vice President Nixon that he might switch to the Republicans. As a result, Max Rabb, secretary to the Eisenhower Cabinet, went to New York, and arranged to bring POWELL to the White House, where with much flashing of photo bulbs, it was announced that POWELL was now for Ike. He urged all Negro Democrats to switch.

"Inside the White House, and before the press conference, the terms of POWELL's deal, were worked out with Sherman Adams, Rabb, and Charley Willis, the former White House assistant and son-in-law of Harvey Firestone.

"POWELL produced a list of his outstanding financial obligations including the estimated cost of his own reelection, totaling $50,000, which he said he wanted paid in advance. In addition he wanted other expenses paid, including a room at the Waldorf and an apartment in the Middletowne Hotel on East

46th Street, next to the swank Eden Roc Club.

"Finally Powell took up with Adams and Rabb his income tax problems. It would look very bad, he said, if he was indicted during the campaign. So Adams agreed to discuss the matter with the Attorney General with a view to having the grand jury proceedings dismissed.

"The Congressman tried to drive a further bargain and asked that his secretary, Acy Lennon, be let off. However, since Lennon was already indicted, this was considered too risky.

"Ike's aids also agreed to retain counsel for Powell and to pay his counsel fees immediately. They engaged Boris Berkowitz.

"Sealed and delivered

"All this was firmly sealed and agreed upon before the mercurial Congressman from Harlem went in to see President Eisenhower and announce his dramatic switch to the Republicans.

"Thereafter headquarters for Powell's switch-Negroes-to-Ike drive were set up in the Hotel Marguery, 270 Park Avenue, in midtown Manhattan. Charley Willis was placed in charge of raising a budget of $100,000, which was guaranteed by the Republican National Committee.

"Life for the switch-Negroes-to-Ike drive, however, was not easy. About this time, Hazel Scott, the Negro singer who had married Powell, was threatening divorce and intimating that she would name various girls as correspondents, some from well-known white families.

"Berkowitz, was immediately sent into action. He arranged a settlement and Hazel Scott went to live in Paris until the election was over.

"Powell's GOP campaign managers breathed easier and proceeded to stage an open house at committee headquarters. It was a mad opening—typically Adam Powell—featuring an interracial set of so-called models to act as hostesses.

"That's just part of the story of how the Congressman from Harlem went to bat for the Republicans in return—supposedly—for favorable income tax treatment."

"[From the Washington Post, Mar. 5, 1960]

"DE SAPIO OUTBIDS GOP WITH POWELL

"(By Drew Pearson)

"New York.—When Acy Lennon, assistant to Representative Adam Clayton Powell, of Harlem, went to the Federal penitentiary in Danbury for tax evasion, he weighed 325 pounds. When he came out of Danbury in the fall of 1958 he weighed only 250 pounds. His clothes didn't fit.

"So during a visit to Carmine DeSapio, boss of Tammany Hall, Acy was handed $1,000 by DeSapio to buy some new clothes. The two also talked politics, especially the question of whether the handsome Harlem Congressman who had bolted the Democrats for Eisenhower and Nixon, would return to the fold and support Governor Averell Harriman in his hot race against Nelson Rockefeller.

"The election looked very close and the Negro vote was needed. So after considerable conversation, Acy reported back to Congressman Powell that Tammany would pay him $100,000—$50,000 down and $100 a week over a 10-year period—if he would support Harriman against Rockefeller.

"In addition to Acy Lennon was to receive $5,000 from Adam for negotiating the deal, plus a promised $5,000 from Carmine at the rate of $100 a week.

"GOP less generous

"This offer was more generous than that which the Republicans had worked out with Congressman Powell during Ike's 1956 reelection campaign when Powell stood on the steps of the White House after visiting Ike and urged Negro voters to support Eisenhower and Nixon. At that time he received $50,000 for expenses, plus various fringe benefits, the aid of an attorney, and a promise that the Attorney General would be asked to call off the grand jury probing his income tax case.

"However, earlier in the 1958 New York election year, Congressman Powell had made a commitment to the Republican leader of Harlem, Harold Burton, that he would run for Congress on the Republican ticket. Powell made this commitment at the time when Tammany was determined to punish and defeat him for switching to Ike in 1956.

"So Powell took out political insurance against possible defeat in the Democratic preliminaries by signing up, also, as a Republican.

"Tom Curran, Republican county leader, didn't like this at all. He warned Burton that he would be doublecrossed.

"'But Powell is a man of God,' replied Burton, referring to the Congressman's weekly sermons at the Abyssinian Baptist Church, largest in the world. 'He can be depended upon to keep his word.'

"Later, however, when word leaked back to Republican circles that Powell might be flirting with Tammany, they began to get jittery. Burton sent for Fred Weaver, a Powell aid, and both of them went to see Charlie Willis, former assistant to Sherman Adams and a top Republican money raiser. All were anxious to keep Powell on the GOP side in the red-hot race between Harriman and Rockefeller.

"Fifty thousand dollars offered

"So word was sent to the Congressman, then relaxing in Puerto Rico, that $50,000 was available in cash if he, Powell, would endorse the Republican ticket.

"'I don't trust Willis,' the Congressman replied. 'He told me earlier that he would give me $50,000 to help in my primary and my legal expenses, and when I sent Bill Hampton down to pick it up, Willis said "Adam has just attacked Eisenhower in the New York Times, so the deal is off. I have nothing for him."

"'You tell Willis,' Powell continued, 'that the price is going to be higher this time, and this time I want the money paid in front.'

"Powell went on to explain that if he ran as a Republican he would be finished politically and would need more than $50,000 for future financial security. He said he might have to be made vice president of some public relations firm at a salary of about $50,000 a year for 10 years.

"All this took place before Carmine DeSapio came up with his offer of $100,000 through Powell's convicted assistant, Acy Lennon. Finally Powell accepted it. But first he exacted some fringe benefits. One of the fringe benefits consisted of a pledge that Governor Harriman would urge Speaker Sam Rayburn to see that Powell became chairman of an important subcommittee in Washington. He also exacted the promise of several jobs for his associates and some Federal housing for one of his secretaries' real estate ventures.

"It was then agreed that Adam would obtain interviews with Rockefeller, Harriman, and other candidates, weigh their positions on civil rights, and, after careful deliberation, announce for Harriman.

"Thus the stage was set for the next big political reversal in the life of Adam Clayton Powell."

"[From the Washington Post, Mar. 7, 1960]

"ONE-HUNDRED-THOUSAND-DOLLAR OFFER WON POWELL OVER

"(By Drew Pearson)

"New York.—When a runaway grand jury on May 8, 1958, finally indicted Congressman Adam Clayton Powell, of Harlem, for tax evasion, despite attempts by the powers that be in Washington to protect him, he used the steps of the Federal Building in New York to launch a drive for funds for his legal defense.

"Posing for the newsreels, he accepted a $500 check from Dr. McKinley Wiles, a Harlem physician. And speaking from the pulpit of the Zion Baptist Church in Brooklyn, where more money was collected, Powell said:

"'What a mess our Government has got into with Adam Powell, and for the tremendous sum of $1,600.'

"And following the announcement by Tammany's leaders in Harlem that he would not be renominated for Congress as a Democrat, Powell announced:

"'Thank God I got rid of Tammany Hall. I'm going to fight them as a Democrat. I'm going to run candidates in every area where there is a concentration of Negroes and Puerto Ricans in all five boroughs.'

"A twinge of remorse

"It was just 6 months later that after promising Harlem Republicans he would run on the Republican ticket, Powell began exploring ways by which he could justify a switch back to Tammany and the support of Gov. Averell Harriman against Nelson Rockefeller.

"Justification took the form of interviews with the leading candidates running in the crucial New York State election as to who would do most for civil rights. He saw Rockefeller, candidate for Governor; Louis Lefkowitz and Peter Grotty, running for attorney general; and Frank Hogan and Representative Kenneth Keating, running for the U.S. Senate. He told each Republican he couldn't support him.

"Keating he really wanted to support because Keating had led the civil rights battle in the House of Representatives. And Lefkowitz, as attorney general, had made personal tours of the polling places in the previous election to keep the Democrats from stealing Powell's votes.

"Nevertheless, under his agreement with DeSapio, Powell was obligated to tell these men that in order to preserve his seniority in Congress he must desert them.

"When word of this got back to Harold Burton, Republican leader of Harlem who had agreed to put Powell on the Republican ticket he was furious. And when Powell refused to see him, Burton staged a giant outdoor rally around the corner from the Congressman's Abyssinian Baptist Church, at which he accused Powell of a doublecross and called upon the congregation to renounce him as unworthy to be their pastor.

"Earlier that day, October 7, the mercurial Congressman from Harlem had proceeded to fulfill his promise to DeSapio that he would call a press conference and issue a statement previously OK'd by both DeSapio and Governor Harriman. Carmine had stipulated that this must be done before he would deliver any of the promised expense money.

"So after Powell issued his statement and after Harriman and DeSapio issued one in return appointing him cochairman, with former Secretary of the Air Force Tom Finletter, of the Harriman-Hogan campaign, Acy Lennon was sent to DeSapio's Hotel Biltmore headquarters to collect $50,000.

"A lot of $50 bills

"He brought the money back to Powell, all in $50 denomination. The remaining $50,000 was to be paid at the rate of $100 a week over 10 years.

"Powell then gave Acy the $5,000 he had promised him for negotiating the deal. Ray Jones, Powell's treasurer, was given $7,500, supposedly for reimbursement of money he had advanced in Powell's primary. Joseph Overton, a business agent of the Grocery Employes Union, president of the local

NAACP, and comanager of Powell's campaign, was given $2,500 for money advanced. Reuben Patton, salesman for Burke Motors, who had loaned Powell a Buick station wagon, got $500, while Fred Weaver, an assistant to Powell, was given $50 because he happened to be present.

"Shortly thereafter, the Congressman told his church congregation how Charlie Willis, former assistant to Eisenhower, had offered him $50 000 of Republican money.

"'I told him,' Powell shouted 'that no man can buy Adam Powell. I belong to my people.'

"The congregation stamped their feet, clapped, and waved their handkerchiefs.

"What he didn't tell them was that he had taken $50,000 from Willis in 1956 and a $100,000 package from Tammany Democrats in 1958.

"And on almost any Friday if you're down at the Biltmore Hotel in the late afternoon you'll see Acy Lennon, convicted secretary to Congressman Powell, coming down to Carmine DeSapio's headquarters to collect that $100 a week which is part of the $100,000 deal and is still being paid."

Mr. Williams of Delaware. Mr. President, I wish to call particular attention to a specific charge in the articles that an individual had his support solicited by one of the political parties, and that in connection with the question of whether his support would be given or would be withheld, he was promised $50,000 for expenses, the aid of an attorney, and that the Attorney General would be asked to call off the grand jury probe of his income-tax case.

Any suggestion that the question of a man's political affiliation was considered in making a determination as to whether or not his tax case should be prosecuted is serious, and I cannot understand the Senate's apparent willingness to let this charge go unchallenged here today.

That is one of the charges involved concerning irregularities in the 1956 national election.

The charge is made that this same man was approached again in the 1958 election and offered another $50,000 by certain politicians. Later, allegedly, that offer was raised, and $100,000 was agreed upon as the payment that would be made for the support of this individual in the National or State election.

This is a direct charge that the offer not only was made but was accepted. The man making these charges went further and said $50,000 of the payment was made in bills of $50 denomination. The payment was described. When it was paid, who was present at the time of the payment, and the final distribution of the money is even given.

The charge is made that an additional $50,000 is still being paid at the rate of $100 a week to this same man. These charges are specific, and their accuracy or inaccuracy can easily be established.

Mr. President, these charges do not involve the election of a Member of the House, as has been claimed by opponents of this investigation. The election of a particular Member of the House of Representatives is in no way involved in this charge. It goes far beyond the conduct of one individual. This is a charge of improper activities in connection with a national election, and as such clearly comes under the jurisdiction of either the House or the Senate.

It is true that one individual involved happens to be a Member of the House of Representatives, but at least four or five other individuals are also involved. Under the law, it is just as serious a crime to arrange for the payment of a bribe as it is to accept a bribe.

Therefore, this charge goes beyond that of any one individual, whether he be a Member of the House or of the Senate. It also raises a serious charge as to the propriety of certain actions in the Department of Justice. If this charge is true and if there was any consideration or any change in the plans of the Department of Justice to prosecute this case resulting from a conference as to which political party the man supported, that was wrong. It should be exposed and dealt with accordingly. And I know of no more fitting place for such an investigation to be conducted than by the established committee of the U.S. Senate which has charge of investigations of irregularities in elections. Why does anyone oppose this investigation? Of what are we afraid?

If the Senate approves the motion of the Senator from Texas to refer it to committee without any instructions either to investigate the charges or to report the bill to the Senate later for another vote, it in effect kills all chance for the investigation. This resolution not only authorizes the Subcommittee on Privileges and Elections of the Committee on Rules and Administration to conduct the investigation but directs it to conduct the investigation and to report back to the U.S. Senate with its findings not later than January 31, 1961.

We in the Senate are in this position: Either we are going to investigate these charges and establish their accuracy or inaccuracy, or we will send the bill to the committee for pigeonholing. We must not forget the statute of limitations is running on these charges. Unless we act now there will be no chance for prosecution in the event there later should be established any degree of guilt.

Personally, I do not think the Senate can afford to ignore these very serious charges of irregularities involving the elections of 1956 and 1958. I recognize that these charges involve officials and members of both political parties, but is that any excuse for our refusing to investigate them?

I shall ask for a record vote on the motion of the Senator from Texas.

First, I should like to address myself to the Senator from Texas and ask him if he would modify his motion and agree to include instructions to the committee to report back by June 1, let us say. If so I will not oppose his motion. If not I must resist the motion because for the Senate to adopt the straight motion to strike this resolution from the calendar and send it to the committee without any instructions either to investigate the charges or to report it back to the Senate by a specified date would be the defeat of the resolution.

Mr. Johnson of Texas. I answered that question before this debate began. I do not think we have any superior knowledge of the matter. I see no reason why the Senate should be snooping around trying to judge the qualifications of Members of the House of Representatives.

I think this is a very serious matter, and I do not want to act unless and until the Senate Rules and Administration Committee makes its recommendations. If that committee, which is composed of some of the ablest, wisest, and best lawyers in this body, feels it is a proper matter to go into and will serve a purpose other than that of mere publicity, I am sure the committee will make that record. But I am not willing to say to them, "We are going to put you in a straitjacket and tell you when to meet, how to meet, how to report," and so forth. I am willing to refer the matter to a regular committee, as any other matter should be referred, in the regular way, and then entrust it to the judgment, honesty, patriotism, and integrity of the Rules and Administration Committee.

I do not think I need to say any more than I have. So far as I am concerned, I am prepared to yield back the time, suggest the absence of a quorum, and let the Members of the Senate decide what they want.

Mr. Williams of Delaware. In the light of the position of the Senator from Texas I have no alternative but to oppose his motion. If we are successful in defeating the motion the next question would be on the adoption of the resolution itself, which would then authorize the Rules Committee to proceed with the investigation.

I shall not delay the Senate any longer. We are all familiar with the charges. Either we are in favor of the investigation, or we are against it. The propriety of the election of a Member of the House of Representatives is in no way involved in these charges.

A few months ago the Senate passed a clean elections bill. The Senate must decide now whether we really want clean elections.

Mr. Williams of Delaware subsequently said: Mr. President, I ask unanimous consent that immediately following my earlier remarks on Senate Resolution 285, and prior to the vote by which the Senate defeated the resolution by sending it back to the committee, the text of the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

"*Resolved,* That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized and directed under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of the charges, with a view to determining the truth or falsity thereof, which have recently appeared in the public press that certain persons have sought, through corruptly offering various favors, privileges, and other inducements (including large sums of money), to induce certain individuals to lend their political support to one political party rather than to another, or to become candidates of one political party rather than of another, and that the offers made by such persons have in fact corruptly induced certain of such individuals to change their political affiliations or to lend their political support to one political party rather than to another.

"Sec. 2. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1961.

"Sec. 3. For the purpose of this resolution, the committee, from the date on which this resolution is agreed to, to January 31, 1961, inclusive, is authorized (1) to make such expenditures as it deems advisable, and (2) to employ on a temporary basis technical, clerical, and other assistants and consultants.

Mr. WILLIAMS of Delaware. I shall get back to the statements of the Representative from New York as made yesterday. First, I wish to refer to the statement made by the Attorney General of the United States, Mr. Robert Kennedy, in which he called the $250,000 juvenile delinquency project, which had been set up in Harlem, as "very valuable." I do not know how valuable it is. I have been trying for 30 days to find out how the money spent has been used. I have been unable to find out. I am advised that an audit has been made, and I was given to understand 2 weeks ago that I would get a copy of the audit. I am still waiting for it. I have thus far been unable to obtain any report. Perhaps an examination of the audit will show that this project has been a glowing success; on the other hand, it may not have been as successful as some might think. In any event I question the propriety of having made a $250,000 grant to any Member of Congress or to one of his controlled companies.

I raised the question as to the propriety of granting $250,000 to an organization 8 days after the organization had been organized. It was an organization which was formed by a Member of the House of Representatives. This money was taken from a fund which had been established by Congress under the Juvenile Delinquency Act. As an explanation I was advised that it was made for the purpose of establishing a domestic peace corps in New York.

That is the excuse given for having made this $250,000 outright grant to the Congressman's company.

But the point is that Congress has not yet approved a domestic peace corps.

In my first inquiry about this subject I was just seeking information. My letter of January 21, 1963, to the Secretary of Health, Education, and Welfare, Mr. Celebrezze, does not mention any name except that of the company. I should like to read my letter. I think it is important. I was not questioning the activities of another Member of Congress:

January 21, 1963.

Hon. Anthony J. Celebrezze,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

My Dear Mr. Secretary: I am writing in regard to certain newspaper articles which have appeared recently dealing with a pilot project for the proposed domestic peace corps.

One article to which I have reference indicates that the Department of Health, Education, and Welfare has made available to an organization known as Associated Community Teams, Inc., the sum of $250,000 as a grant which is to be used in a project in New York City which would determine the feasibility of establishing a domestic peace corps.

I would appreciate having your confirmation or denial of these reports and any comments you would care to make on them. If the report above is essentially accurate, I would further appreciate having information concerning the organization, the officers, and the principal stockholders of Associated Community Teams, Inc., specifically where it is located and plans to conduct its experiment, under what provision of law it is eligible for a Federal grant of $250,000, what provisions are made for a full accounting to the Department of Health, Education, and Welfare of the use of these funds, and any other pertinent information regarding this organization which you may have.

Yours sincerely,

John J. Williams.

Mr. President, I repeat—I did not mention the name of anyone in that letter. I was merely asking for information concerning a report that a certain company had been allowed $250,000 to establish a peace corps in New York City. A reply to my letter was received under the date of February 1, 1963, as follows:

Secretary of Health,
Education, and Welfare,
Washington, D.C., February 1, 1963.

Hon. John J. Williams,
U.S. Senate, Washington, D.C.

Dear Senator Williams: This is in response to your letter dated January 21, 1963, regarding a Federal grant of $250,000 to Associated Community Teams, Inc.

Enclosed is a statement by Bernard Russell, special assistant to the Secretary, which should clarify your questions as well as those raised by Mr. Davenport on the telephone.

Thank you for your interest in this program. If I can be of any further help to you, please feel free to call upon me.

Sincerely,

Ivan A. Nestingen,
Acting Secretary.

All of this correspondence was placed in the Record on February 5, 1963. I shall not read the entire attachment, but I shall quote one paragraph:

> The incorporators of Associated Community Teams, Inc., are the following five people: Adam Clayton Powell, Congressman, minister; Livingston L. Wingate, associate counsel for labor-management, Committee on Education and Labor; David D. Jones, deputy commissioner of correction; Jawn A. Sandifer, attorney, civic leader; and Jose Ramos Lopez, assemblyman, New York City.

Mr. President, I now ask unanimous consent that the attachment to this letter of February 1 be printed at this point in the Record.

There being no objection, the attachment was ordered to be printed in the Record, as follows:

Report on Associated Community Teams, Inc.

(By Bernard Russell, special assistant to the Secretary for juvenile delinquency)

Associated Community Teams, Inc., first submitted an application on May 15, 1962. The project director at that time was a highly respected social scientist, Dr. Robert MacIver. The application was withdrawn after consultation with staff since it overlapped with another project in Harlam. The proposal was then redrawn requesting a grant "to sponsor in the central Harlem community the development of (1) a domestic peace corps, and (2) an urban service corps program as an outgrowth of the domestic peace corps. This will require the development of a program for the effective training of professional and lay personnel who will be competent to design and conduct the several programs involved in the domestic peace corps concept. The urban service corps is conceived as an evolving phase of the domestic peace corps, in which peace corps trainees would eventually gain the skills and competence for supervising youngsters recruited into the urban service corps." This proposal was reviewed by a technical review panel composed of experts outside of Government who recommended approval. The grant was approved on August 1, 1962.

The incorporators of Associated Community Teams, Inc., are the following five people: Adam Clayton Powell, Congressman, minister; Livingston L. Wingate, associate counsel for labor-management, Committee on Education and Labor; David D. Jones, deputy commissioner of correction; Jawn A. Sandifer, attorney, civic leader; and Jose Ramos Lopez, assemblyman, New York City.

Attached is a list of the board of directors who elect their own officers. The officers are Mr. Andrew Tyler, president; Miss Evelyn Cunningham, secretary; and Mr. David Jones, treasurer.

Associated Community Teams, Inc., has offices at 179 West 137th Street in New York City. They were awarded this grant under Public Law 87–274, section 4.

Accounting reports on projects under this program are required to be filed at the end of each year's experience, or within 3 months after expiration of the grant, whichever comes earlier.

An audit is being conducted at this time on the grant issued to Associated Community Teams, Inc., which is part of an interim audit we are conducting for all our projects.

Mr. WILLIAMS of Delaware. Mr. President, this was the first time in the colloquy that the name of Representative Powell appeared. I was merely reading it from the letter. It appeared here because the gentleman was a member of the company which had received the $250,000 grant. It was in commenting upon his association with this company which received the $250,000 grant that I made the statement that I did not think he was the kind of man whom I would choose to head a juvenile delinquency program. That is still my opinion.

Mr. MANSFIELD. Mr. President, will the Senator from Delaware yield? I should like to make a parliamentary inquiry, if I may do so, with the consent of the Senator.

Mr. WILLIAMS of Delaware. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, at page 265 of the manual entitled "Senate Procedure," the following statement appears in the fifth full paragraph:

> It has been held out of order for a Senator to make references to Members of the House——

Mr. WILLIAMS of Delaware. Mr. President——

Mr. MANSFIELD. The next phrase reads—I am sure the Senator would wish me to keep the continuity—"to refer to a Member of the House by name."

My question is—and I ask this question in my present capacity for clarification: Is the reference to "to refer to a Member of the House by name" out of order?

The PRESIDING OFFICER (Mr. Bayh in the chair). The Chair respectfully submits that, according to rule XIX of the Senate, the point which the majority leader raises is not mentioned; that the subject covered in his question to the Chair has been a matter of discretion with the Presiding Officer at the specific time in question. Unless a point of order is made by the majority leader or any other Member of the Senate, the Chair will not call to order the Senator who is speaking in the Senate.

Mr. WILLIAMS of Delaware. Mr. President, I do not think the reading of a Member's name as it is included in an agency's letter is out of order. Otherwise, I do not know how my question to the Secretary could have been answered, as to who were the incorporators or the directors of the corporation.

However, if the Senator from Montana prefers that the name of the Member not appear in the Record, I ask that wherever the name of the——

Mr. MANSFIELD. Mr. President, will the Senator from Delaware stop right there?

Mr. WILLIAMS of Delaware. Yes, I will stop.

Mr. MANSFIELD. All I wanted was clarification. I have it.

Mr. WILLIAMS of Delaware. Thank you. I think it would be better to leave it as it is.

I assure the majority leader that I will abide by the rules of the House and the rules of the Senate, just as they are abided by in the other body.

In my earlier remarks I referred to the Member of the other body only as a gentleman and as a very close friend of the senior Senator from Oregon [Mr. Morse]. Later, when the Senator from Oregon thought I was stressing that friendship too much, out of deference to him, I asked that the Record show otherwise. So I am referring to the individual today as a friend of the Kennedy administration.

Mr. MANSFIELD. Of two administrations.

Mr. WILLIAMS of Delaware. He is a friend of almost anybody who will give him something. I will say that.

Mr. President, since I have been unable to get a more official description of the operations of the peace corps which was established with this $250,000 grant, I ask unanimous consent to have printed at this point in the Record an article entitled "Peace Corps in Harlem Fails To Get Off Ground," as published in the Washington Sunday Star of February 17, 1963.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Star, Feb. 17, 1963]
Feb. 17, 1963]

Peace Corps in Harlem Toils To Get Off Ground—Powell Used Influence To Help Get $250,000 Federal Grant

(By Cecil Holland)

New York, February 16.—There's bustle and excitement—and also some concern—in a building up in central Harlem here.

This is the headquarters of a fledgling domestic "peace corps" which is struggling to get off the ground despite a bombardment of senatorial criticism.

The project is the acknowledged brainchild of Adam Clayton Powell, New York Representative. But its leaders vehemently deny charges by critics that it was the Kennedy administration's tender concern for the Negro Democratic Congressman that led to a $250,000 Federal grant for an opening attack on Harlem's surging juvenile delinquency.

"It's a fact that Adam Clayton Powell negotiated this grant," said Livingston L. Wingate, the project's director. "His influence was used to get it.

"How in the hell does a community get a grant if not through its Congressman? If he didn't negotiate it, he should be run out."

Mr. Wingate, a Harlem lawyer on leave as associate counsel of Mr. Powell's House Education and Labor Committee, rattled off reasons why Harlem, suffering from social and economic stagnation, should receive Federal assistance.

The sprawling Negro community in upper Manhattan, he pointed out, has the highest delinquency rate in New York. In admissions to mental institutions, infant mortality, arrests for narcotic violations, and other indexes of social ills it also ranks at the top.

"This is the worst juvenile delinquency spot in America," Mr. Wingate continued. "How could they refuse to give us a grant?"

Senator John J. Williams, Republican of Delaware, recently cited the project as one of several examples of the loose manner in which the administration has been shoveling the taxpayers' money out to Mr. Powell.

But Mr. Wingate pointed out that the grant was made not to the Negro Congressman, but to an organization known as Associated Community Teams, Inc.—ACT, for short. The agency, he emphasized, is run by a 16-member board representing a cross section of the community.

"Adam hasn't interfered and practically couldn't," Mr. Wingate went on. "He would have to sell the board, and as a consequence he doesn't try."

Members of the board include Dr. Charles Shapp, superintendent of schools for the Harlem district; Andrew Tyler, president of the Harlem Bar Association, and a number who were described as "not friendly to Adam."

The Negro Congressman is one of the incorporators of ACT and one of the directors. But Mr. Powell, who has been vacationing in Puerto Rico, has never attended a meeting of ACT's board and has "never been over the premises since we opened up," Mr. Wingate says.

"He's done his job and doesn't need to interfere," the director went on. "All he needs is for it to be clean and work. Assuming he is a practical politician, he can leave it alone and have the gratitude of Harlem. You can't get his mark off this project."

SECOND GROUP AIDED

If it were not for Mr. Powell's connection with it, the project might have escaped national attention. Two blocks away from its offices there is another organization known as Harlem Youth Opportunities, Inc., with which Mr. Powell is not personally identified.

HARYOU, as it is called, has received a Federal grant of $230,000 for mapping out a broad-scale program attacking Harlem's delinquency. It has received little or no attention.

As now contemplated, the two organizations eventually will merge their efforts and seek multimillion-dollar Federal and other assistance for a major Harlem project. In purpose it would be similar to the $12.6 million, 3-year program now under way, with great acclaim, in New York's lower East Side, with Federal, city, and private funds.

Whether this comes about for Harlem will depend, to a large extent, on the success of Mr. Powell's "peace corps" under the eyes of a critical Congress.

ON ITS OWN

With its present $250,000 grant and the expectation of getting $125,000 more, ACT is very much on its own. Peace Corps officials in Washington said it has no connection whatever with the Kennedy administration's foreign showpiece. And those working on President Kennedy's projected domestic program for youth disclaim any connections with it and deny that it is a pilot project.

It is an orphan as far as New York City is concerned, too. Mayor Wagner's staff currently is drafting recommendations it will present to the Kennedy administration about its own proposed domestic organization.

"In general, we think ACT is a very interesting idea," said one of the city's administrators. "But we have nothing to do with it."

ACT received its $250,000 grant last August from the Health, Education, and Welfare Department under authority of the Juvenile Delinquency and Youth Offenses Control Act of 1961. More than 30 similar grants have been made throughout the country.

The law requires that recipients contribute money, facilities, or services for carrying out the project. An HEW official said $9,000 had been contributed to the Harlem project by the Adam Clayton Powell Foundation, but this, it was learned here, seemed to be in error.

Mr. Wingate said it was planned to raise $9,000 by public subscription, but no campaign so far had been launched.

ACT has been slow in getting underway, receiving its first trainees only last month. They numbered 28 college students—16 men and 12 women—and they came from 21 States. Seven are from the Harlem area itself.

Mr. Wingate said it was planned to have at least a third of the trainees white, but arrangements could not be completed in time for them to leave their schools. Applications are pending, he added, from white students at Harvard, Radcliffe, and Bennington. ACT hopes to start a second class in June.

SEVENTY-FIVE DOLLARS A MONTH

The students will undergo 2 months of intensive training and then will be assigned to social agencies and hospitals for a year's work in Harlem.

The peace corpsmen will receive travel pay, subsistence, a $2-a-day spending allowance and $75 a month, to be paid to them at the end of their service.

As outlined by Mr. Wingate and others, ACT's program includes three features: The "peace corps," the use of the corpsmen to train and direct an urban service corps, and a third goal, which is not yet designed, aimed at aiding adults.

Mr. Wingate and others said they hoped the undertaking would pull together "under one umbrella" all the groups working in the Harlem area, as has been done in the lower East Side project.

Senator Lausche, Democrat of Ohio, has questioned the administrative costs of the project, including rent and staff salaries.

NEAR POWELL CHURCH

ACT occupies 7,694 square feet on two floors of a building on 137th street, just off Seventh Avenue, and backing up against the Abyssinian Baptist Church of which Mr. Powell has been pastor for many years. The building is owned by Adam Clayton Powell Center, Inc., named for Mr. Powell's father and the church's former pastor, and is, it was explained, in effect an extension of the church.

ACT pays a rental of $2,000 a month or about $3 a square foot. According to an appraisal Mr. Wingate had made before the lease was signed, the rate is in line with other rental properties, and the building was the only one in the Harlem area where such an amount of space was available.

Others in New York described the rate as reasonable. "Even in the depressed areas space is at a premium and rental rates are not low," one man familiar with the situation said.

At present the Harlem "peace corps" has a staff of 26 and 3 part-time consultants. It has contracted with New York University for two-fifths of the teaching services of Dr. Jeanne Noble, an expert on community relations, and 20 days of consulting time at a total cost of $3.400. In addition, Mr. Wingate said, Dr. Noble is doing research free for the agency.

SALARIES COMPARED

Staff salaries range down from a top of $16,000. A source not connected with ACT said this is not out of line. The lower East Side project known as Mobilization for Youth has 192 on its staff with salaries ranging up to $21,000. HARYOU, the other Harlem project, employs 16 persons. A spokesman declined to say what the salaries are.

James E. McCarthy, director of the lower East Side project and a veteran of New York social work, commended the Harlem project as a step in meeting a community need.

"We look favorably upon it," he said. "We think it will work."

The trainees and the agency itself received an unexpected lesson in community work in a recent Harlem apartment fire which left several hundred homeless.

Under Mr. Wingate's direction the new agency tried its wings by helping out at the fire scene and later by finding homes and organizing a clothing drive for the victims. They brought a response from all over New York.

According to Chester F. Page, director of Red Cross disaster services in New York and formerly of Kensington, Md., the corps did a very good job in mobilizing community resources.

"This is the best idea that has ever happened here," Mr. Page said. "They are working toward developing a do-it-yourself program."

If it succeeds, Mr. Page said ACT will become a part of the New York's disaster relief program.

But just where the Harlem organization goes from here depends not only on itself, but on what Congress will do in providing additional funds for a long-range program. Here is an area where everyday living is in itself a problem, if not something of a disaster.

Mr. WILLIAMS of Delaware. Mr. President, I call attention to a couple of points in the article. The entire article has been placed in the Record. The article points out:

ACT received its $250,000 grant last August from the Health, Education, and Welfare Department under authority of the Juvenile Delinquency and Youth Offenses Control Act of 1961.

The article then states that the recipients had agreed to put up $9,000 of their own money in return for getting this $250,000 grant. According to this article they were supposed to get an extra $125,000.

The article quotes the Department of Health, Education, and Welfare as stating that this $9,000 has been put up; but the gentleman who released the information to the newspapers said that the money had not yet been raised. Even if this $9,000 has been advanced, it seems to me that $9,000 is a relatively small amount of money for anyone, whether he be a Member of the House or the Senate or a private citizen, to have to put up in order to get a $250,000 grant from the Federal Treasury.

Mr. President, I ask unanimous consent to have printed at this point in the Record my letter of February 7 addressed to the Honorable Celebrezze, in which I requested a breakdown of the expenditures under this grant.

There being no objection, the letter was ordered to be printed in the Record, as follows:

February 7, 1963.

Hon. Anthony J. Celebrezze,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

My Dear Mr. Secretary: This is in further reference to my letter to you of January 21, 1963, and the reply of Mr. Nestingen dated February 1, 1963, regarding the grant by the Department of Health, Education, and Welfare of $250,000 to Associated Community Teams, Inc.

In connection with this grant, I would appreciate it if you would provide me with a list of all the payments and disbursements which have thus far been made from the funds allocated to the ACT program, as well as the dates of such payments.

I would also like to have a tabulation showing the following information:

1. The expenditures made by or approved by Associated Community Teams to date;

2. The name of the person or persons to whom the payments have been made or for whom authorized;

3. The purpose for which each payment was made or authorized;

4. The date of such payment or authorization;

5. The names, addresses, position, and salary paid to all employees of Associated Community Teams, Inc., whether they have been part-time employees or full-time employees;

6. The amount of private capital which has been pledged to support the program of Associated Community Teams, Inc.; and

7. The amount of private capital which has been advanced to date.

I appreciate very much your attention to this request.

Yours sincerely,

John J. Williams.

Mr. WILLIAMS of Delaware. Mr. President, the only expenditure concerning this grant that I have been able to get the Department to confirm is the payment of $2,000 a month rent for office space. I was advised by the Department that it is paying this amount to a company known as the Adam Clayton Powell Center, Inc. Perhaps the Congressman can explain his association with this company.

I do not take a back seat to anyone in favoring juvenile delinquency programs. Certainly all of us recognize the juvenile delinquency problem, but I do not think this matter involves the question of whether we favor juvenile delinquency programs.

The other day one Member of Congress pointed out what a great supporter he had always been of the Boy Scout movement. Mr. President, I, too, have great respect for the Boy Scouts of America; I think that organization is one of the greatest organizations in the country. I respect those dedicated people working in the Peace Corps. But the fact that a man has respect for the Boy Scouts of America or the Peace Corps does not mean that one cannot criticize a $250,000 grant from the Federal Treasury. I have a perfect right, either as a Senator or as a U.S. citizen, to state that the gentleman in question—I refer to him as a gentleman and as a friend of the Kennedy administration—would not qualify as a Boy Scout.

Mr. President, now I wish to discuss the loans of the Adam Clayton Powell Foundation. On this subject, apparently I shall be on very firm ground, because now I quote a press statement by this friend or protege of the administration. He said:

On the subject of the Adam Clayton Powell Foundation, which was involved in dealings of the Housing and Home Finance Agency that were criticized by Williams, Powell said he has "absolutely no connection with it."

The foundation is named after Powell's father. Powell said he helped set up the foundation, but now was not connected with it.

In continuing, it states that he made a flat statement that he had not received a dollar of the loans to which I referred in my remarks of February 5.

Well, Mr. President, according to a subsequent news report, he said he had resigned from his association with this foundation—I do not know how he reconciles that reasoning. I merely say that I should like to read the first paragraph of a letter which I received from Mr. Weaver, Administrator of the Housing and Home Finance Agency, in response to my inquiry:

Housing and Home
Finance Agency,
Office of the Administrator,
Washington, D.C., November 14, 1962.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: This is in reply to your letter of October 23, 1962, requesting a record of all loans which have been approved for Congressman—

The friend of the administration—

the Adam Clayton Powell Foundation, or other company [sic] with which he is connected.

The Housing and Home Finance Agency wrote this letter, and in it they refer to companies with which this administration's protege is associated. The Agency lists three loans.

Technically the gentleman from New York was correct when he said he personally had not received this money; it was his companies that were applying for the loans. But the letter speaks for itself.

The Agency listed, up to that time, $10,800,000 of loans or request for mortgage guarantees and listed the cost of the property as being slightly more than $8 million. To be exact the loan request was for $2.5 million more than the acquisition cost of the properties in question and at the time of my inquiry they appeared to be getting favorable consideration.

For one of the properties—the Hotel 2400—the acquisition cost, based on the letter from the Agency, was only $2,250,000. The loan request was rated feasible for $4,500,000 or double the acquisition cost. I repeat from their report the application was found feasible at $4,500,000, subject to the enactment of legislation granting tax abatement.

Naturally I was interested in any proposed legislation introduced to grant tax abatement to a company which was negotiating a loan of $4.5 million on a property being purchased for $2¼ million. That raised a very proper question.

I am sure the gentleman from New York, this friend and protege of the Kennedy administration, will not object to my saying anything about this. In fact, he now disclaims any connection with the Adam Clayton Powell Foundation.

At any rate, the Agency's letter states:

Dear Senator Williams: This is in reference to your letter of December 4, 1962, wherein you request additional information pertinent to the three proposals now pending before the Federal Housing Administration sponsored by affiliates of Congressman Adam Clayton Powell.

Your questions will be answered in the order presented.

The first relates to proposed legislation necessary to obtain tax abatement for Hotel 2400 in the District of Columbia. On August 1, 1962, the Honorable Abraham J. Multer, of New York, introduced bill H.R. 12757, copy of which is enclosed. If passed in its present form, it appears this bill would provide for complete abatement of real estate taxes unlimited as to time.

I should like to quote from the bill, and then I shall ask that both the letter and the bill be printed in the Record. I quote now from H.R. 12757, introduced in the House on August 1, 1962, and upon the enactment of which approval of a \$4½ million loan was contingent. I quote from the bill: "is hereby exempt from all real property taxation so long as the same is owned by and used to carry out the purpose of the Adam Clayton Powell Foundation, Inc."

Mr. President, I ask unanimous consent to have both letters concerning these loans and the bill printed at this point in the Record.

There being no objection, the letters and the bill were ordered to be printed in the Record, as follows:

Housing and Home
Finance Agency,
Office of the Administrator,
Washington, D.C., November 14, 1962.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: This is in reply to your letter of October 23, 1962, requesting a record of all loans which have been approved for Congressman Adam Clayton Powell, Jr., the Adam Clayton Powell Foundation, or other company with which he is connected.

With respect to the Federal Housing Administration program of insured mortgages, Commissioner Neal J. Hardy advises me that in the small homes program (1- to 4-family residences), he is not able to immediately identify any loans which have been insured in the name of Adam Clayton Powell, Jr. or related companies. I am sure you will understand that since there are approximately 3½ million small home mortgages insured by the FHA, it is not possible to say with certainty that Representative Powell has not been the mortgagor in an insured mortgage.

With respect to multifamily housing operations, there are presently three proposals before the Federal Housing Administration. One application in formal processing is a section 221(d)(3) project for lower-income occupants. The essential facts are as follows: The Iliad, Bronx, N.Y.; project No. 012-55002NP, section 221(d)(3); below market interest rate—3⅛ percent; 358 units, 24-story; mortgage (100 percent) \$4,938,000; sponsor: Morris Park Senior Citizens Housing Council, Inc. (instrumentality of the Abyssinian Baptist Church); eligibility of nonprofit approved, September 3, 1962; builder, Robert Chuckrow Construction Co.

In addition, there are two firm proposals before the FHA involving mortgages under section 231 to provide housing for the elderly as follows:

1. Hotel 2400, Washington, D.C. (rehabilitation); project No. 000-38003-NP; 407 units, 8-story; acquisition price of property, \$2,250,000 plus; requested mortgage amount, \$4,850,000; interest 5¼ percent plus one-half of 1 percent mortgage insurance premium. Application was found feasible at \$4,500,000 subject to enactment of legislation granting tax abatement. Processing will be undertaken upon formal advice from mortgagee.

2. Douglas Hotel, Newark, N.J. (rehabilitation); 183 units, 8-story; acquisition price of property, \$1,400,000; interest 5¼ percent plus one-half of 1 percent mortgage insurance premium. Preapplication analysis is now underway. The submissions necessary to determine eligibility of nonprofit mortgagor not complete at this time.

In regard to your request for the financial statement accompanying the applications, it is our opinion that the FHA is legally precluded from disseminating information of this type which is submitted by private parties on a confidential basis in support of applications for mortgage insurance.

In connection with the two projects involving rehabilitation, Commissioner Hardy informs me that the proposals involve loan amounts which will exceed the acquisition cost of the property by reason of the costs incidental to repairing and converting the property to its new use. By law, the amount of mortgage cannot exceed the acquisition cost or as-is value whichever is lesser, plus the cost of rehabilitation; or the value of the property as rehabilitated whichever is lesser.

Sincerely yours,

Robert C. Weaver,
Administrator.

Housing and Home Finance Agency,
Office of the Administrator,
Washington, D.C., December 18, 1962.

Hon. John J. Williams,
U.S. Senate, Washington, D.C.

Dear Senator Williams: This is in reference to your letter of December 4, 1962, wherein you request additional information pertinent to the three proposals now pending before the Federal Housing Administration sponsored by affiliates of Congressman Adam Clayton Powell.

Your questions will be answered in the order presented.

The first relates to proposed legislation necessary to obtain tax abatement for Hotel 2400 in the District of Columbia. On August 1, 1962, the Honorable Abraham J. Multer, of New York, introduced bill H.R. 12757, copy of which is enclosed. If passed in its present form, it appears this bill would provide for complete abatement of real estate taxes unlimited as to time.

The second question relates to financing details of the three projects. In relation to the ratio of loan to acquisition cost of Hotel 2400 and the Douglas Hotel, our rules require that the loan not exceed the acquisition cost, plus cost of rehabilitation. Processing in FHA has not yet reached the point where their estimate of rehabilitation cost is available and thus we are unable to furnish you with the amount of loan that would be eligible provided the tax legislation is obtained. FHA Commissioner Hardy informs me the Douglas Hotel proposal has not proceeded beyond the initial preliminary stage and there is no representation as to a firm acquisition cost at this time.

The third property known as The Illiad is proposed construction and not rehabilitation, thus the acquisition cost will relate to land only.

Information is not available as to disbursements since no mortgagor corporation has been created nor closing obtained in any of the three mentioned cases and is not expected before the summer of 1963.

The answer to question 3 is, of course, in the affirmative as a result of section 227 of the National Housing Act wherein cost certification is required.

In answer to a, b, c, and d, I am informed the FHA has had no previous experience with this sponsoring group.

Sincerely yours,

Robert C. Weaver,
Administrator.

H.R. 12757

[Introduced August 1, 1962]

Be it enacted by the Senate and House of Representative of the United States of America in Congress assembled, That all that certain plot, piece, or parcel of land, with the buildings and improvements thereon, lying and being in the District of Columbia and known and described as follows: Lot 99 in the combination made by Kennedy Brothers, Incorporated, of lots in block 6, Meridian Hill; as per plat recorded in liber numbered 55, folio 162, of the records of the Office of the Surveyor of the District of Columbia; and, also, all of the lots 100 in the combination made by Kennedy Brothers, Incorporated, of lots in said block 6, Meridian Hill, as per the plat recorded in liber numbered 56, folio 16, of the aforesaid surveyor's office records; excepting the part thereof condemned and taken for alley purposes by proceeding in district court case numbered 1535 in the United States District Court for the District of Columbia; which land is designated on the records of the Assessor of the District of Columbia for taxation purposes as lots 903 and 820 in square 2571, is hereby exempt from all real property taxation so long as the same is owned by and used to carry out the purposes of the Adam Clayton Powell Foundation, Incorporated, and is not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia", approved December 24, 1942 (56 Stat. 1091; D.C. Code, secs. 47-801b, 47-801c, 47-801e).

Mr. WILLIAMS of Delaware. Mr. President, yesterday, in taking exception to my earlier remarks, the gentleman from New York said I had made certain inaccuracies in my statement. I think I know to what he referred because after I made my speech the Housing and Home Finance Agency also referred to an omission in their first report. Under date of February 12, 1963, they sent me another letter. This letter also is signed by Robert C. Weaver, Administrator. In this letter he pointed out that they had located another loan of \$1,348,000. As a matter of fact, it was not my fault because I had placed in the Record what the Agency had furnished. But in a further examination of its files, the Agency found that it had not quite told me all the story; there was this other loan. I quote from this letter wherein they said there was "a direct loan for senior citizens housing approved by the Morris Park Senior Citizens Housing Council, Inc., of New York, in the amount of \$1,348,000, of which \$79,000 has been disbursed."

The Agency points out that it was granted under the Community Facilities Act; and according to the Agency, this friend of the Kennedy administration, who is also a Member of the House, was connected with this firm. I accept this as an unintentional oversight. Perhaps my first inquiry was not understood to be all-inclusive, but the fact remains that in my earlier remarks I underestimated the loans of his affiliated companies and their loan requests by this \$1,348,000.

If this is the error to which he referred I am glad to correct it, and if later I find anymore loans or grants I will see that they too are reported. This must be the inaccuracy to which the administration's friend from New York referred yesterday when he said that I have not told all the story. I had not told about this other loan. I will include a more complete report of the loan in a letter that will be inserted later. This friend of the administration made a flat statement that none of the loans to which I had referred had ever been received by him personally. So what, no one ever said he did. It was his controlled companies that were getting this money. I have been advised since I made my speech that all of those loan requests have now been rejected. That is good news; they should have been rejected. I do not say that my remarks had anything whatever to do with the rejection of those loans. I do not make that claim at all. I am perfectly willing to give the Agency the full credit for this decision. They are rejected, and as I understand it now, those loans, which total approximately $11 million on property for which the acquisition cost was to be about $8.5 million, have all been rejected. The new loan of $1,348,000 which I reported today, however, was not rejected. It has been approved.

However, the administration's friend from New York is correct when he now states that he has not had any of the money from those first reported loans. I hope that I can say the same thing a year from now. If they stand rejected he will not be getting any. At least the outflow of this much taxpayers' money has been stopped.

Under section 202 of the Housing Act of 1959, as amended by the Housing Act of 1961, the Community Facilities Administration makes loans which may be up to 100 percent of the development cost to assist private nonprofit corporations, cooperatives, certain public bodies, and agencies to provide housing and related facilities for elderly families and persons. Those loans may run as long as 50 years. The Agency reports that one such loan has been approved for a project sponsored by an organization identified with the Abyssinian Baptist Church. I am sure that the administration's friend from New York will admit his association with this organization. A more complete description of this project and the loans follows.

Mr. President, I ask unanimous consent that the entire letter be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Housing and Home
Finance Agency,
Office of the Administrator,
Washington, D.C., February 12, 1963.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: On February 8, by telephone to my office, you asked that we supply you with information on any actions taken by this Agency in the housing programs it administers on applications by Mr. Adam Clayton Powell, Jr., the Adam Clayton Powell Foundation, or other organizations in which Mr. Powell is known to be a participant or to have an interest. This letter is in response to that request and also to your letters of February 8 to Commissioner Sidney H. Woolner of the Community Facilities Administration and to me asking for similar information.

I should like to make it clear at the outset that we can identify no FHA-insured mortgage approved for a project sponsored by an organization with which Mr. Powell is in any way identified. Only one loan has been granted to such an organization, that being a direct loan for senior citizens housing approved for the Morris Park Senior Citizens Housing Council, Inc., of New York, in the amount of $1,348,000, of which $79,000 has been disbursed.

In order that this report may be complete in itself, I am including certain information already supplied you in my letters of November 14, 1962, and December 18, 1962, in response to your earlier inquiries.

Two constituents of this Agency, the Federal Housing Administration and the Community Facilities Administration, have received proposals or applications from organizations of the kind you describe. I am reporting on each separately.

FEDERAL HOUSING ADMINISTRATION

This is a program, not of loans, but of insurance of mortgage loans made by private lending institutions. Under section 203 of the National Housing Act, mortgage loans are insured for one- to four-family dwellings. Under other sections of the act, mortgage loans are insured for multifamily projects, including loans under section 231 for the construction or the purchase and rehabilitation of rental housing for elderly persons, and loans under section 221(d)(3) at below-market interest rates for housing for families of low and moderate income sponsored by nonprofit or limited dividend corporations, cooperatives, or certain public bodies.

One- to four-family housing: The Federal Housing Administration is unable to identify any loans of this kind which may have been insured in the name of Adam Clayton Powell, Jr., or any organization in which he is a participant or has an interest. However, the FHA has insured more than 6.4 million home mortgages, and it is not possible to say with certainty that Mr. Powell has not been a mortgagor or an associate of a mortgagor in one of these.

Multifamily projects: The Federal Housing Administration has not insured or approved for insurance any mortgage loan for a multifamily project on the application of Adam Clayton Powell, Jr., or any organization in which he is known to be a participant or have an interest. It has, however, received and given some consideration to proposals submitted by organizations with which Mr. Powell is identified for mortgage insurance for two projects for elderly persons under section 231, and five projects for low and moderate income families under section 221(d)(3).

Proposals under section 231 (housing for the elderly) are as follows:

Hotel 2400, Washington, D.C. (rehabilitation), 407 units in 8-story structure. Preliminary proposal submitted on March 6, 1962, by Adam Clayton Powell Foundation, Inc. Requested mortgage amount, $4,850,000 to cover cost of acquisition of property at price of $2,250,000 and its rehabilitation to standards required in this program. Interest would be at 5¼ percent plus one-half of 1 percent mortgage insurance premium. Nonprofit mortgagor approved as eligible sponsor. Proposal assumes project will benefit from tax abatement under legislation not yet enacted. Proposal found feasible at $4,500,000, subject to granting of tax abatement and compliance with FHA requirements. Without tax abatement the project cannot go forward. Agency has not endorsed nor has it expressed an opinion on the proposed tax abatement legislation.

Douglas Hotel, Newark, N.J. (rehabilitation). Preliminary proposal submitted on October 16, 1962, by Adam Clayton Powell Foundation, Inc., for purchase of property at price of $1,400,000 and rehabilitation to provide 183 units in 8-story structure. Preapplication analysis now underway. No cost estimates available. No determination as to feasibility of project. No determination as to eligibility of nonprofit mortgagor.

As explained in my earlier letters, the amount of the insured mortgage under section 231 may include costs of both purchase and rehabilitation, the limits for a nonprofit sponsor being the estimated value of the property before rehabilitation plus the cost of rehabilitation, or the value of the property as rehabilitated, whichever is the lesser.

One proposal under section 221(d)(3) (housing for low and moderate income families) is under review, as follows: The Iliad, Bronx, N.Y. (new construction), 358 units in 24-story structure. Proposal for 100 percent, $4,938,000 FHA-insured mortgage at below market interest rate (3⅛ percent) submitted June 5, 1962, with Morris Park Senior Citizens Housing Council, Inc., an organization related to the Abyssinian Baptist Church, as mortgagor. Eligibility of nonprofit mortgagor approved. Project would require at least 40 percent tax abatement under New York State law in order to be economically feasible.

I am informed that the Industrial Development & Building Corp., of Dallas, Tex., acting on behalf of the Adam Clayton Powell Foundation, has made inquiries of the Dallas and Fort Worth offices of the Federal Housing Administration regarding suitability of sites for two projects in Dallas and one in Grand Prairie, Tex., for development of housing under section 221(d)(3). One site in Dallas has been found not suitable, and none has been approved. Also, I am informed that the Indianapolis office of the Federal Housing Administration has under consideration a preliminary proposal from the Harlemco Development Corp., acting on behalf of the Adam Clayton Powell Foundation. On these, I have no further information at this time.

In addition, the Adam Clayton Powell Foundation has informed the FHA that it is doing preliminary work on proposals for projects under section 221(d)(3) in Illinois, Ohio, Pennsylvania, Massachusetts, Mississippi, Louisiana, Washington, Oregon, and California, but we are unable to find that actual proposals have been submitted to FHA offices in these States for projects sponsored by this or any related organization.

COMMUNITY FACILITIES ADMINISTRATION

Under section 202 of the Housing Act of 1959, as amended by the Housing Act of 1961, the Community Facilities Administration makes loans, which may be for 100 percent of development cost, to assist private, nonprofit corporations, cooperatives, and certain public bodies and agencies to provide housing and related facilities for elderly families and persons. Loans may run for as long as 50 years. One such loan has been approved for a project sponsored by an organization identified with the Abyssinian Baptist Church. A description of this project follows:

Morris Park project, 15–21 West 124th Street, New York, N.Y. (new construction). Preliminary application made by Abyssinian Baptist Church, November 3, 1960, revised and resubmitted March 29, 1961, by Morris Park Senior Citizens Housing Council, Inc., a new nonprofit organization certified by State of New York. Loan approved August 24, 1961, in amount of $1,348,000 at 3⅜ percent interest, with a repayment period of 50 years, for construction of 97-unit building. Among other terms and conditions, contract specified rent schedule to meet needs of lower middle income occupants and assumed abatement of real estate taxes under New York law. Seventy-five thousand dollars disbursed by CFA to corporation February 26, 1962, for purchase of 10,000-square-foot property; $4,000 subsequently disbursed to cover cost of demolition on site. Amount disbursed secured by land acquired. Interest payments current. Corporation on January 14, 1963, reported construction bids opened January 9 were in excess of amount of loan by $140,000 and requested increase of loan in this amount. On January 30, CFA rejected application for increased loan on grounds that increase in rents resulting from large amount and prospective tax expense, would be incompatible with purpose of program. Sponsors advise they will adjust plans to reduce construction costs and readvertise for bids.

One additional proposal by the Adam Clayton Powell Foundation for a loan under section 202 has been presented to the Community Facilities Administration. On November 15, 1962, a representative of Austin Associates, of New York, submitted an application on behalf of the foundation for a loan in the amount of $1,591,000 for construction of a 121-unit housing development for elderly persons at a site in New Brunswick, N.J. Mr. Austin was advised that the application lacked necessary supporting data, and subsequently the proposed site was found inappropriate and was disqualified for further consideration.

This résumé reflects this Agency's policy of proceeding proposals and applications submitted to it by Mr. POWELL or his associates in exactly the same manner as all others.

Sincerely yours,

ROBERT C. WEAVER,
Administrator.

Mr. WILLIAMS of Delaware. I point out that this loan which was not included in my earlier report was a 100-percent loan for $1,348,000 for a 50-year period at 3⅜ percent interest.

I overlooked another point. I understand that he claims since to have resigned from the Adam Clayton Powell Foundation; however, the Agency record still shows him associated with the company. I should like to quote from the Department's letter which shows how far this company was expanding:

> I am informed that the Industrial Development and Building Corp., of Dallas, Tex., acting on behalf of the Adam Clayton Powell Foundation, has made inquiries of the Dallas and Fort Worth offices of the Federal Housing Administration regarding suitability of sites for two projects in Dallas and one in Grand Prairie, Tex., for development of housing under section 221(d)(3). One site in Dallas has been found not suitable, and none has been approved. Also, I am informed that the Indianapolis office of the Federal Housing Administration has under consideration a preliminary proposal from the Harlemco Development Corp., acting on behalf of the Adam Clayton Powell Foundation. On these, I have no further information at this time.

According to a news story which appeared on the wire services a couple of days after I made my remarks they reported the rejection of those two projects in the Dallas area.

I continue reading from the report which outlines the proposed expansion of the activities of the Adam Clayton Powell Foundation into several other States.

I quote from the letter:

> In addition, the Adam Clayton Powell Foundation has informed the FHA that it is doing "preliminary work" on proposals for projects under section 221(d)(3) in Illinois, Ohio, Pennsylvania, Massachusetts, Mississippi, Louisiana, Washington, Oregon, and California, but we are unable to find that actual proposals have been submitted to FHA offices in these States for projects sponsored by this or any related organization.

The entire letter appears in the RECORD. I merely point out that the foundation, whose background I have a perfect right to inquire into, was apparently making plans based upon FHA approval for a move into a 14-State area to develop housing projects which were to be financed or insured by the Federal Government. The company to which they refer, the Adam Clayton Powell Foundation, is the one which was negotiating these loans of around $11 million on property upon which it had an option to buy at around $8.5 million.

Mr. President, one reason that this friend of the administration can say that he personally is not negotiating any of these loans is that each one of these projects and each one of the negotiated loans or mortgage guarantees are being negotiated under the name of different corporations. There are a whole series of corporations with which he is associated. For a man merely to come out and say, "I have no loan under my own name" does not mean anything at all.

Do not overlook the fact that these are agency reports that I am placing in the RECORD here today. If they are in error, it is their fault, but they should certainly know what they are doing.

Some of this information was put in the RECORD during the earlier debate. The additional information I have since obtained. It all shows the extent of the operation of this friend of the administration, the gentleman from New York.

These reports show clearly the extent to which the Kennedy administration has gone to shovel out money to their friend.

I am amazed to find the Attorney General in his press conference yesterday still defending these grants and loans.

Continuing reading from the wire service concerning the gentleman's statement yesterday, I quote:

> On his taxes, which WILLIAMS said were delinquent—

The friend of the administration replied—

> I always pay my taxes and pay them early.

Mr. President, if he thinks his taxes are all paid he had better read the Commissioner's letter of December 31, 1962, which I shall place in the RECORD again today.

If I understand the English language he had better look again.

I continue quoting from the wire service:

> POWELL said his present tax difficulties with the Government stemmed from the Internal Revenue Service's attempt to collect through civil action taxes that the Government failed to get through criminal proceedings, which were dismissed. The Government's claims now are in the U.S. Tax Court.

Mr. President, the basis for my inquiry in connection with his tax delinquency was that in the face of those $11 million loans that were being negotiated, in the face of a $250,000 grant which was being made to a corporation formed by this Member of the Congress—or should I say a friend of the administration—I was very much interested in knowing whether or not a newspaper story charging him with delinquency in his taxes was accurate.

I ask unanimous consent that this article which appeared in the Washington Daily News on November 8, 1962, entitled "POWELL Asked To Pay $49,984 in Back Taxes" be printed at this point in the RECORD.

This newspaper article appeared prior to my inquiry as to his tax delinquency.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POWELL ASKED TO PAY $49,984 IN BACK TAXES

(By William Steif)

> The Internal Revenue Service has asked Representative ADAM CLAYTON POWELL, Democrat, of New York, just elected to his 10th term in Congress, to pay $40,984 it claims he owes in back taxes and penalties on his income from 1949 through 1955.
>
> Representative POWELL'S lawyers here, Edward Bennett Williams and Colman B. Stein, deny he owes the money and have filed Representative POWELL'S denial in U.S. Tax Court. The IRS has until next Monday to reply.
>
> Representative POWELL'S deficiency notice was sent to him last April 18, after which he had 90 days either to pay or to petition the tax court for a hearing. Representative POWELL asked for a hearing and Judge Norman O. Tietjens granted a time extension for filing briefs, because of the case's complexity.
>
> Meanwhile, in April 1960, Representative POWELL'S criminal trial in New York on charges of tax evasion ended in a hung jury.
>
> The IRS dropped its criminal case against the Congressman, who is pastor of the Abyssinian Baptist Church in Harlem, in April 1961, after deciding there was no realistic chance of prosecuting successfully.
>
> The civil action covers a far wider span of years than the criminal case.
>
> According to IRS tax examiners, Representative POWELL was "deficient" in his tax payments by these amounts: 1949, $5,512; 1950, $2,643; 1951, $7,442; 1952, $6,203; 1953, $2,141; 1954, $940; 1955, $1,124. Total deficiency was calculated by IRS as $26,007. The penalty, IRS figured, would be $14,976.
>
> In all these years except 1951 Representative POWELL, chairman of the House Education and Labor Committee, filed a joint return with his former wife, pianist Hazel Scott. She is jointly liable. In 1951, Representative POWELL filed a separate return.
>
> Representative Powell's lawyers contend the IRS commissioner "erred" and, in standard legal terminology, ask the U.S. Tax Court to "try this case, determine the amount of deficiency" and "find no penalty may be asserted."

Mr. WILLIAMS of Delaware. Mr. President, based upon that article and other rumors to that effect. I thought it was proper to find out the financial background of the man who was getting these thousands or millions so freely from the administration. It is true some were in the form of guaranteed loans and guarantees of mortgages for his companies, but part was in the form of outright grants. I directed an inquiry to the Treasury Department and their reply will again be placed in the RECORD today.

In this letter dated December 31, 1962, signed by Mr. Mortimer M. Caplin, he outlined the deficiencies in the taxes of this individual.

On the one hand we have the Department of Justice prosecuting this man for tax evasion and charging him with fraud while on the other hand we see the Attorney General hold a special press conference to emphasize what a great job he is doing.

It is the responsibility of the Department of Justice to enforce the law, and in doing so I suggest that the Attorney General get his mind off the 1964 election.

For the year 1951 the Treasury Department assessed a tax delinquency against this man of $7,442.12. There was a fraud penalty of $3,721.06 and an estimated tax penalty of $533.34, or a total of $11,696.52. That was the proposed tax for that 1 year plus interest up to the time when it may be paid.

In addition, there were 6 other years in which delinquencies were reported. There were deficiencies in the years 1949, 1950, 1952, 1953, 1954, and 1955. They are all tabulated in this letter which I shall place in the RECORD.

All I have to say is that for a man who now maintains that he has paid his taxes on time, it is a rather peculiar letter for the Commissioner of Internal Revenue to be writing about his status with that agency.

In making this statement I fully respect the right of this individual just as that of any other taxpayer to contest the Department's claim in the courts, but that does not alter the fact that the Treasury Department has filed a claim for back taxes.

Mr. President, in order that the RECORD may be clear, I ask unanimous consent that the letter of the Commissioner, dated December 31, in which he outlines these delinquent taxes, be printed again in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., December 31, 1962.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This refers to your letter of December 5, 1962, concerning Representative ADAM C. POWELL. For the sake of clarity I am repeating the inquiries contained in your letter, with our response directly beneath each question.

1. Question. The total amount of back taxes which Mr. POWELL owed, along with the amount of the penalties and the accrued interest due as of that date, broken down by years.

Answer. The amount of back taxes owed by Mr. POWELL has not been finally determined. The Federal Government notified the taxpayer that it proposed to assess certain deficiencies against him for the years 1949 through 1955. The taxpayer has petitioned the U.S. Tax Court for a hearing on these matters. The records of the Tax Court reveal the following:

DOCKET NO. 2850–62

The taxpayer was notified on April 18, 1962, that the Government proposed to assess the following deficiency against him for the taxable year ended December 31, 1951:

Tax	$7,442.12
Fraud penalty	3,721.06
Estimated tax penalty	533.34
Total	11,696.52

DOCKET NO. 2851–62

The taxpayer was notified on April 18, 1962, that the Government proposed to assess the following deficiencies against him for the taxable years ended December 31, 1949, 1950, 1952, 1953, 1954, and 1955:

	1949	*1950*
Tax	$5,512.41	$2,643.34
Fraud penalty	2,756.20	1,321.67
Estimated tax penalty	515.66	408.31
Total	8,784.27	4,373.32
	1952	*1953*
Tax	6,203.00	2,141.59
Fraud penalty	3,101.50	1,070.80
Estimated tax penalty	346.75	37.87
Total	9,651.25	3,250.26
	1954	*1955*
Tax	940.69	1,124.81
Fraud penalty	470.35	562.41
Estimated tax penalty	131.06	30.21
Total	1,542.10	1,717.43

2. Question. Has Mr. POWELL filed timely tax returns in each of the years beginning with 1950 through 1962? If not, so indicate.

Answer. Mr. POWELL has filed individual income tax returns for the years 1950 through 1961. The return for 1962 is not due to be filed until April 15, 1963. The transcript of accounts received from our field office does not indicate that the returns for the years 1950 through 1961 were delinquent when filed.

3. Question. Have there been any compromise settlements on income taxes made by the Federal Government with Mr. POWELL or any of his companies during the past 10 years?

Answer. There have been no accepted offers in compromise with Mr. POWELL during the past 10 years.

I hope that this satisfactorily answers your questions. If I may be of further assistance, please let me know.

With kind regards,
Sincerely,
MORTIMER M. CAPLIN,
Commissioner.

Mr. WILLIAMS of Delaware. Mr. President, the Adam Clayton Powell Foundation now seems to be an orphan. Even the Congressman, the friend of the Kennedy administration, is repudiating it. Perhaps we can understand why, because, if the easy Government money is all being shut off and it is not going to get these loans, perhaps it is not worth claiming.

But I was interested to know when it first got a tax-exempt status. The Adam Clayton Powell Foundation was both negotiating and planning to negotiate loans in a 14-State area to start housing projects. Under the law, it should have first been recognized as a nonprofit organization in order to be eligible. I directed a letter to the Commissioner of Internal Revenue and asked on what date it obtained its tax-exempt status. This would determine its eligibility for loans to be considered or approved.

I have a letter, which I shall put into the RECORD, signed by Mr. Caplin, dated February 19 of this year, in which he says:

> An application for exemption submitted on behalf of the Adam Clayton Powell Foundation was received by the Service on December 28, 1962.

Mr. President, that was long after some of these loans were about to be approved.

I am sure that no one will object to my calling attention to the fact that here was a company which was recognized by one agency of the Government as being eligible to receive loans on the basis that it was an approved nonprofit organization, yet it had never gotten around to finding out whether or not it could qualify under the Treasury Department rules, for such exempt status. That application was not filed until December 28, 1962.

It is significant to note that this application was filed after my inquiries were placed with the Departments.

I asked the Department for a breakdown as to who were the incorporators filing this application, and they said that such information was confidential. All we can say is that this application does bear the name of the Adam Clayton Powell Foundation, which seems to be a rather popular name in the administration circles.

I ask unanimous consent that this letter of the Commissioner dated February 19 confirming this late filing be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., February 19, 1963.

Hon. JOHN J. WILLIAMS,
U.S. Senate.

DEAR SENATOR WILLIAMS: In your letter of February 8, you asked to be furnished with the date of receipt and the date of approval of applications for exemption from Federal income tax submitted on behalf of the Adam Clayton Powell Foundation and the Associated Community Teams, Inc. You also stated that you will appreciate receiving a complete list of all foundations, organizations, and companies whose tax-exempt status has been applied for or approved which are controlled by Congressman POWELL or with which he is affiliated.

An application for exemption submitted on behalf of the Adam Clayton Powell Foundation was received by the Service on December 28, 1962. A ruling in regard to this application has not yet been made.

On February 8, I replied to your letter of January 25, concerning the application of the Associated Community Teams, Inc. To date, no record has been found by the Service that an application for exemption from Federal income tax has been submitted by the Associated Community Teams, Inc.

The Service maintains an index of organizations and institutions applying for tax exemption and the action taken thereon only in alphabetical order by name. Therefore, our records do not disclose sponsors of applications for exemption, or show the names of officers, directors, or trustees of exempt foundations and organizations. I am sure you know, however, that information with respect to applications of organizations which have qualified for exemption under the provisions of section 501(a) of the Internal Revenue Code of 1954 may be made available only in accordance with the statutory provisions of sections 6104 and 6103(d) of the code.

I will be happy to make available for inspection any material authorized by the law upon your request pursuant to the applicable provisions of the Internal Revenue Code.

With kind regards,
Sincerely,
MORTIMER M. CAPLIN,
Commissioner.

Mr. WILLIAMS of Delaware. Then, Mr. President, there were three very interesting editorials published following my earlier remarks, one appearing in each Washington newspaper. One, under the date of February 6, was in the Washington Daily News; one, under the date of February 7, was in the Washington Evening Star; and another was published in the Washington Post of Saturday, February 9. All comment upon my remarks. I ask unanimous consent that these three editorials may be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Daily News, Feb. 6, 1963]

TAXPAYERS AND ADAM POWELL

It is rare that a Member of Congress will make a public issue of the use, or abuse, of taxpayer funds by another Member of Congress.

But Senator JOHN J. WILLIAMS, of Delaware, has provided one of those rare instances in a Senate speech about ADAM CLAYTON POWELL, Congressman from Harlem.

The Senator listed these favors for Mr. POWELL, courtesy of the Kennedy administration, at taxpayer expense:

The State Department, the Senator said, financed a Powell junket to Europe, "where he attended all the night spots of the European capitals."

(This was the Congressman's well-advertised trip last summer which he said was taken to study equal opportunities for women abroad. He took two women staff members along.)

The Health, Education, and Welfare Department, Senator WILLIAMS said, provided an outright grant of $250,000 in taxpayer money to a New York agency, incorporated by Representative POWELL and associates. This agency, according to HEW, was to set up an experimental "domestic peace corps" and an "urban service corps" to combat juvenile delinquency in Harlem.

(Comment by Senator WILLIAMS: "Mr. POWELL * * * is not the caliber of man whom the American people would want to set an example for the youth of our country.")

In addition, Senator WILLIAMS cited three applications by Representative POWELL and associates for Federal Housing Administration approval of mortgage insurance on housing projects for low-income and elderly residents. In the stage-by-stage custom of Federal agencies, these applications had been approved for processing, but not fully processed. Senator WILLIAMS' doubts about them are not calculated to speed the process.

Meanwhile the Senator pointed out, the Internal Revenue Service has claims against Mr. POWELL for alleged delinquent taxes assessed at $41,015. Cases now pending in the courts.

Taxpayers, meet ADAM CLAYTON POWELL.

[From the Washington (D.C.) Evening Star, Feb. 7, 1963]

A SENATOR AT WORK

Senator WILLIAMS, Delaware Republican, is a member of the Joint Committee on Reduction of Nonessential Federal Expenditures. He works at the job, and more power to him for it. He does not like boondoggling, or worse, at the taxpayers' expense, and neither should the taxpayers.

So it is that Mr. WILLIAMS has taken the Senate floor to place on the RECORD his report of a relationship between public funds and Representative ADAM CLAYTON POWELL, currently chairman of the House Education and Labor Committee, and serving his 10th consecutive term as the choice of the Harlem district of New York City. The Kennedy administration, Mr. WILLIAMS says, "has been shoveling the taxpayers' money" out to Mr. POWELL, and various agencies of the Government have been "scrambling around to see who could give Mr. POWELL the most favorable deal."

Mr. WILLIAMS cites some examples. One was "a tax-paid junket * * * financed through the State Department" for Mr. POWELL and "his lady friends" in Europe last summer. As publicized at the time, Mr. POWELL's trip was for the purpose of studying "equal opportunities" of women abroad, and his companions were two female staff members of the House committee.

As a second case, the Delaware Senator cited an outright grant of $250,000 by the Health, Education, and Welfare Department to Mr. POWELL and associates for the purpose of setting up "a domestic peace corps" to study juvenile delinquency in Harlem. This action, Mr. WILLIAMS added, was "an insult to the intelligence of the American taxpayers." Mr. POWELL, he suggested, is better equipped to sponsor a study of adult delinquency. The Senator also mentioned applications for Federal Housing Administration mortgage insurance and related requests for real estate tax relief on several projects sponsored by Mr. POWELL and associates. And finally, Mr. WILLIAMS placed on the RECORD a letter from Commissioner of Internal Revenue Mortimer Caplin stating that the Government had notified Mr. POWELL that it "proposed to assess" him for more than $40,000 in tax deficiencies and penalties for the years 1949 through 1955.

Mr. POWELL's personal and financial affairs have been discussed publicly before, but Mr. WILLIAMS' "wrap up" is more complete than most. The New Yorker reportedly is now in Puerto Rico—leaving his committee and such major legislative matters as the administration's aid-to-education program behind. Quite possibly neither Mr. POWELL nor his constituents care what is said, done, or not done. Even so, Mr. WILLIAMS' brief and documented presentation to the Senate should be required reading for a lot of taxpayers, for some Government officials, and for all Members of the House of Representatives, by whose sufferance Mr. POWELL holds his seat.

[From the Washington (D.C.) Post, Feb. 9, 1963]

POWELL'S PEACE CORPS

Whatever may be said about the propriety of an attack by a Senator upon a Congressman, there is a good deal to be said in favor of Senator JOHN J. WILLIAMS' bringing into the open charges against Representative ADAM CLAYTON POWELL. And whatever may be said about Mr. POWELL's junketeering in Europe, the financing of his domestic peace corps, brought to light by Mr. WILLIAMS, raises a rather different and somewhat more serious question.

Representative POWELL and some associates established a body called Associated Community Teams, Inc., which in turn rented quarters from the Adam Clayton Powell Community Center, Inc., paying $24,000 for a year's lease; then Associated Community Teams, Inc., got a grant of $250,000 from the Department of Health, Education, and Welfare under the terms of a juvenile delinquency statute passed by Congress, of which, incidentally, ADAM CLAYTON POWELL is a Member.

If the name ADAM CLAYTON POWELL seems to appear repetitiously in this narrative, it is because ADAM CLAYTON POWELL appears to be acting in a number of capacities under a variety of hats. It may be that there is nothing wrong here and that all these ADAM CLAYTON POWELL's have been working selflessly to do away with delinquency. But an explanation from ADAM CLAYTON POWELL, the Congressman, about ADAM CLAYTON POWELL, the realtor, and ADAM CLAYTON POWELL, the social worker, would be very much in order.

Mr. WILLIAMS of Delaware. Mr. President, before I conclude—and I appreciate the tolerance of the Senate—I should like to point out only a couple more of the manners in which it is sometimes so easy to confuse an issue by calling names or by making rash statements.

As I referred to earlier, this friend or "protege" of the Kennedy administration defends his record by calling "WILLIAMS a 'liar.'" Well, I am not going to get into a name-calling episode, Mr. President. I am not unmindful of the fact that on a previous occasion, when I was much younger than I am now, I received a good thrashing from my father for trying that. I was cautioned to remember always that when one starts name calling it is an indication that one recognizes that he has no argument to defend his case and that no man can throw mud without first dirtying his own hands.

I shall continue to refer to this man as a gentleman or as a friend of the Kennedy administration and let the record speak for itself as to his activities. But I will do my part to keep the RECORD straight. It is very easy for a man to establish his virtue by coming out and saying, "I never beat my wife last night" when no one ever suggested that he had beaten his wife the previous night.

I should like to make note of some of the statements made by this friend of the administration which he describes as an emphatic denial to charges which he referred to as "lies." I shall quote from his remarks of yesterday. He said, "It's a total lie" that the Federal Housing Administration—the FHA—"gave me $11 million in loans for the Adam Clayton Powell Foundation."

No one ever said that the Federal Housing Administration gave him $11 million in loans or in grants for this or any other foundation. I did say, and I say it again today, that the Federal Housing Administration was in the process of approving loans or mortgage guarantees which were negotiated by the Adam Clayton Powell Foundation for amounts of around $11 million on property which was costing only about $8½ million. Certainly, even though these loans had been approved they would not have paid the money direct to him. They were being negotiated by the Adam Clayton Powell Foundation in the name either of the foundation itself or of affiliated companies. Any loan approved would have been paid to the companies—not to any individual. There is no question about that. But he was associated with these companies. Let us not get "fuzzy" about a denial in saying, "I never got anything." He never would have gotten the money directly, even if approved. The money would have gone to the companies negotiating the loans. That kind of a denial is just a smokescreen.

In another of his so-called denials he resorted to a purely racial statement.

I regret this very much and flatly refuse to reply in kind.

Mr. President, I am very sorry that by denying something at which no man has ever hinted he would try to create an issue far different from that which we are discussing. We are discussing here financial transactions only.

At no time in the discussion of this case, or of any other case during the 16 years in which I have been a Member of the Senate, or on any other occasion while I will have the privilege of serving in this body, have I ever, or will I ever, refer to any man's race, religion, or nationality as having anything to do with the question at issue. For a man to inject that question in the form of a denial is merely again trying to cloud the issue and to divert attention from the real fact; namely, that he has no defense against my statement wherein I said that Government money has been poured out freely in the direction of this friend of the administration from New York.

And I am not going to be diverted from my efforts to obtain an accounting for every dollar.

As the majority leader pointed out, I regret to say that there has been far too much compassion by both administrations for this individual. I have said many times, Mr. President, and I repeat again, I do not think either political party has any monopoly on virtue. There are just as many members in the Democratic Party who are honest and law-abiding citizens as there are in our party. There are good men on both sides of the aisle.

But when a man does something wrong he should not be able to hide behind his cloak of immunity or in the shelter of any political party. We should not refrain from criticism because he is a Member of the Congress of the United States. I think we have a responsibility when we see something in any financial transaction which needs revealing. When we observe something wrong in the expenditures of the taxpayers' money we should call that to the attention of the people, and I care not who may be involved. We have a responsibility to call that to the attention of the people in a factual manner, based on facts which can be supported, not by innuendo, and to do so without any name calling. We should base our statements on facts, which is what I have tried to do here today. My statement here today is based on facts which were all obtained from the agencies in question.

If Senators will read this RECORD they will find that I have completely supported the statements I have made. That does not mean that I am infallible, but when I make a mistake I will correct it, but here the agency statements support my report.

I am not interested in engaging in any name calling—and I want to make that perfectly clear—whether it be on the floor of the Senate or outside the Chamber. I shall completely ignore all such tactics. I shall refer only to a man as he is involved in a transaction in which I may think there has been something wrong.

I wish to say here that my remarks on previous occasions and my remarks again today have been made not against the conduct or voting record of a Member of the Congress of the United States. But I will reserve my right to criticize outside activities involving expenditures of the taxpayers' money.

When any man forms a company on the outside, which is negotiating with the Federal Government for grants or loans, then the transactions of that company properly come under the scrutiny of Members of Congress.

I point out a glaring result of what could happen if we in the Congress ever adopted a procedure which is different. Recently the Symington committee did an excellent job in calling the attention of Congress and of the country to substantial overpayments in the stockpiling program as it had been administered. Suppose we adopted a rule that no company in which a Member of the Congress, of either the House or the Senate, held an important position could be criticized on the floor of the Senate. This would mean that all any company which was engaged in contracts with the Government and which wanted to perform a shady operation had to do would be to have a Member of the Congress on its executive board in an important position. Then under such a rule, all Members of Congress would automatically be prevented from criticizing the company or from casting any reflection on that Member of Congress.

We are not a privileged class that is above the law.

I know no one here has any intention of enforcing any such rule. That is the reason why no objection was made here today as I make these remarks. I know Members on both sides want these cases decided on the facts, and I appreciate the cooperation they have given me this afternoon.

The evidence presented here today was fully documented. No one is taking exception to it. It was presented under the rules of the Senate. I served notice to all Senators who are interested that I was going to make this statement. I repeated this notice three or four times during the time I was yielding to Senators earlier this afternoon. I know of no one who is interested in this subject who was not notified.

I want the RECORD to show again that this statement stands as criticism of the manner in which this administration has been pouring out the taxpayers' dollars in a loose manner to companies which had been formed by a Member of Congress.

I think such action was indefensible. I only wish the Attorney General, who went out of his way yesterday to brag about the operations of one of these companies, would cooperate in helping me obtain reports which I have been trying to get for the past 2 weeks as to how they have been spending the money. All interested Members of Congress should be able to examine how these expenditures are being made.

Mr. President, on one last point, in the Daily News of today it was stated that the gentleman from New York defended his European junkets with two women staffers during last summer's congressional session, by saying:

> I made the only survey on the Common Market on the U.S. economy. The women on my staff went to other areas and as a result the House passed an equal-pay-for-equal-work bill for women, but it died in the Senate.

I thought it would be interesting to put in the RECORD at this time the fact that H.R. 11677, which was the so-called bill for equal pay to prevent discrimination on account of sex in the payment of wages by employers, was reported by the House committee on May 17, 1962, and it passed the House on July 25, 1962. This was 2 weeks before the trip to Europe began.

WHITE HOUSE TO CONTROL STUDENT JOB PATRONAGE

Mr. MILLER. Mr. President, an article by Mr. Joseph Young, which appears on the front page of today's Washington Evening Star, merits comment.

The article is captioned: "White House To Control Student Job Patronage," and states that a so-called clearance system has been set up whereby the names of all students who have filed applications for summer employment in Government agencies will be sent to the White House. A White House aid reportedly did not deny that political patronage is one of the aims of the new clearance system.

Mr. Young reports that the feeling among Government career personnel officers is that it is wrong to play politics where young people are concerned, particularly among college students who are the Government's hope for the future as far as filling key career jobs is concerned.

Mr. President, the purpose of this summer employment program is to provide training to young college men and women who we hope will see fit to make a career in the nonpartisan civil service of our country. It is completely contrary to the purpose of the program to let partisan political patronage creep in when it comes to selecting these summer trainees.

I do not know why it is that this administration feels such an irresistible urge to play politics with our civil service system. First there was the shocking directive to civil service employees that they would be expected to participate in trying to sell proposed new programs to the general public. This was belatedly and grudgingly withdrawn due to the general revulsion of the public in general and career civil service employees in particular. Next our civil service employees were pressured to buy $100 tickets to the Democratic fund raising dinner here through the clever device of having them invited to cocktail parties of their bosses if they had purchased a ticket. Numerous incidents of this untoward behavior were reported in the Washington press. And now, this administration apparently is not going to wait until people have civil service status for an opportunity to engage in partisan political activities. Now the proposal is to go to work on the trainees themselves—young college men and women, most of whom are not even old enough to vote. Those with the right political connections will find that they are given preferential treatment over those with the wrong political connections or with none at all.

This is wrong, Mr. President. And I hope that the White House will swiftly make it clear that partisan political considerations will play absolutely no part whatsoever in the consideration of the applications for summer trainee positions, and that the treatment of these applications will make it clear beyond question that such a policy is indeed being followed.

I ask unanimous consent that the article by Mr. Young be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHITE HOUSE TO CONTROL STUDENT JOB PATRONAGE

(By Joseph Young)

The White House has taken control over the patronage of the more than 10,000 student summer jobs in Government.

At a White House meeting last week, which was held without the knowledge of the Civil Service Commission, some of President Kennedy's aids met with the political appointees of various agencies who are involved in patronage work.

A clearance system was set up whereby the names of all students who have filed applications for summer employment in Government agencies will be sent to the White House.

The State from which the student hails, plus the college he is attending (if any), will be included in the information sent to the White House.

WASHINGTON JOBS

The jobs mainly are in Washington and last from June through August.

Mrs. Dorothy Davies, a White House staff assistant, who was in charge of the meeting, said the purpose of the new system was to assure coordination in order that the agencies could make best use of the students' talent.

Miss Davies did not deny that political patronage is one of the aims of the White House clearance system, but declared that the Kennedy administration's primary concern is that the student talent be put to the best use possible and groomed for regular Federal employment when they graduate.

Civil Service Commission officials have privately expressed dismay at the latest turn of events.

While there has always been quite a bit of personal patronage involved in summer Government jobs, applicants have had to pass civil service exams for clerical, typists, and stenographer jobs. And in the case of student trainee jobs, in which college students take Federal summer employment in connection with what the Government hopes will be their Federal professions after graduation, they are selected from civil service registers.

TOP YOUTHS CERTIFIED

The feeling among Government career personnel officers is that it is wrong to play politics where young people are concerned, particularly among college students who are the Government's hope for the future as far as filling key career jobs are concerned.

It's no secret that a goodly portion of the summer student jobs are filled on a personal patronage basis each year. Government officials—political and career—have hired their own sons and daughters as well as the children of friends or Members of Congress. However, the CSC has been careful to certify only the top qualifiers on the student trainee exam.

The White House job clearance system may be an effort to channel these jobs in a more political patronage area, whereby more sons and daughters of Democratic Members of Congress and key Democratic supporters and contributors may get summer jobs in Government.

Congress has shown increased interest in these summer jobs. Last year the House approved a bill to apportion these jobs on a State-by-State basis. This would have the effect of giving most of these jobs to students outside of the Washington area. However, the Senate failed to act on the bill before adjournment.

MOVE BILLS THIS YEAR

This year a half dozen bills have been introduced in Congress to achieve the same objective.

In discussing the White House job clearance system, Miss Davies said it was a move to channel the best possible talent to the places in Government where it could be used most effectively.

She said that, for example, if an agency finds that its summer job vacancies are all filled up, a place for a bright student could be found in another Government agency through a coordinated placement system set up in the White House.

Miss Davies refused to answer directly whether the program also involved political patronage, other than saying that there always has been some patronage in summer student jobs in Government.

Presumably, students still will have to pass an exam to get the summer jobs.

Last year's Government summer job program for students was given great emphasis by the administration, with President Kennedy and other top Government officials addressing the students.

Mr. JAVITS obtained the floor.

Mr. MANSFIELD rose.

Mr. JAVITS. Mr. President, I yield to the majority leader, on condition that I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

RULE XIX OF THE SENATE

Mr. MANSFIELD. Mr. President, before I propound a unanimous-consent request, I should like to make brief reference to rule XIX. There is a reason why rule XIX exists. The rules are designed to maintain an atmosphere of courtesy and comity between Members of the Senate. In my opinion, the same spirit should prevail between Senate and House Members. I do not question any Senator's right to put facts in the RECORD; indeed, I welcome it and urge Senators to continue to do it. However, there is always the danger that comment on Members of Congress will fall into harsh and contemptuous acrimony, with a consequent breakdown in relations between Members.

I make this statement at this time in order to bring a word of caution to Senators.

Mr. WILLIAMS of Delaware. Mr. President, I assure the Senator from Montana that I agree completely with the statement he has made. I stated at the beginning of my remarks that the Senate could not properly function without such a rule. I hope I have always kept my remarks in proper perspective, and will always continue to do so. We must be careful not to attribute unworthy motives to other Members of Congress, whether they be Members of the House or of the Senate. We must not question their integrity.

However, there is a difference with respect to outside activities.

I am in complete agreement with what the Senator has said. At the same time, the rules must provide as they do; otherwise, a Member of Congress would be immune from any exposure of wrongdoing. The Senator from Montana does not have that in mind.

I want to make it clear, as I have said before, that I know the Senator from Montana is one of the fairest majority leaders we have ever had, and one of the ablest that I have ever had the privilege to serve with in the Senate.

THE SENATE ESTABLISHMENT—UNANIMOUS-CONSENT AGREEMENT TO LIMIT DEBATE

Mr. MANSFIELD. Mr. President, after consultation with the distinguished senior Senator from Pennsylvania, I submit a unanimous-consent request, and ask for its immediate consideration.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be read.

The legislative clerk read the proposed agreement as follows:

Ordered, That, effective on Monday, February 25, at 12 o'clock noon debate on the amendments to be offered by the Senator from Pennsylvania [Mr. CLARK] (S. Res. 91, 92, and 93) to S. Res. 90, to amend rule XXV, be limited to 2 hours to be equally divided between the Senator from Montana [Mr. MANSFIELD] and the Senator from Pennsylvania [Mr. CLARK] and that the Senate proceed to vote on the said amendments not later than 2 o'clock p.m.; and that immediately following the disposition of the Clark amendments the Senate proceed to vote on S. Res. 90, as modified.

Mr. MANSFIELD. I understand that the limited debate period is to start at 12 o'clock and that the vote will come on the Clark resolutions at 2 o'clock, and that at the conclusion of that vote the Senate will vote on Senate Resolution 90.

The PRESIDING OFFICER. Is there objection?

Mr. CLARK. Mr. President, reserving the right to object—and I shall not object—I desire to make a brief statement. Earlier today the majority leader was kind enough to show me a statement in writing which he subsequently made on the floor of the Senate. He asked me to be present when he made that statement. On reading it, it seemed to me that it was entirely unobjectionable, and stated a procedure with which I am in complete accord. Therefore I obtained his approval for me to leave to keep a speaking engagement downtown at lunch.

I would like to say for the record that I am in complete accord with the statement that the business of the Senate should be conducted expeditiously.

It has been my purpose ever since I came to the Senate to sponsor—so far without success—rules which would permit, and indeed require, that the business of the Senate be expeditiously conducted. Failure to adopt the suggested rules, in my opinion, has been largely, if not entirely, responsible for the fact that the Senate has as yet transacted little legislative business at this session.

In my opinion there was no need to rush the vote on the resolution presented by the Senator from Montana and on the amendments to rule XXV which I intended to bring up and with respect to which I gave written notice yesterday. I would like to reserve my right to withdraw or modify the amendments that I have filed at the desk at any time before the final vote, because I do not wish to be committed to anything other than to have the matter concluded at 2 o'clock on Monday.

If that is implied in the unanimous-consent request, I am happy to concur in the request of the majority leader.

Mr. MANSFIELD. That is perfectly agreeable. It is the understanding that the proposed unanimous-consent agreement refers to the Clark resolutions as amendments to Senate Resolution 90.

Mr. CLARK. It is understood that I have reference to Senate Resolutions 91, 92, and 93.

Mr. MANSFIELD. As amendments to Senate Resolution 90.

Mr. HRUSKA rose.

Mr. JAVITS. Mr. President, I yield to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, it is contemplated that the vote would be had in any event on the resolution proper, as distinguished from the amendments proposed thereto?

Mr. MANSFIELD. That would be up to the Senate. It would be separate. However, if the Senator from Pennsylvania desires a particular kind of vote on the resolutions which he will offer as amendments to Senate Resolution 90, that is his privilege.

Mr. JAVITS. Mr. President, I may not be present on Monday. I have a longstanding engagement to appear at a convocation of the Jewish Theological Seminary in Miami, where I am to receive an honorary degree.

I will not interpose any objection to the proposed agreement. I say that only because of the colloquy and discussions this morning to the effect that we must get on with the business of the Senate.

I respectfully submit what I think is a very valid statement from the point of view of those of us on the so-called liberal side—and that includes the majority leader. We will never try to interject our personal commitments and requirements if there is a hope of reaching a vote, as would be the case pursuant to the proposed agreement. I make this statement in view of the discussion earlier as to how fast the Senate can get on with its business.

Mr. MANSFIELD. I appreciate the statement of the distinguished Senator from New York. If he is not present on Monday, I am prepared to arrange a live pair for him.

Mr. CLARK. Mr. President, in view of the unanimous-consent request made by the majority leader, in which I concur, I hope that at the conclusion of the speech of the Senator from New York, which I assume will be nongermane to our discussions of the pending business, I will be able to obtain the floor and deliver at least a portion of the continuing speech which I started yesterday. If I cannot complete it today, I will deliver the rest of it tomorrow. In that way time will be available on Monday for additional debate.

I understand that the Senate will not convene on Friday for any other purpose than the reading of Washington's Farewell Address, and that the Senate will not meet on Saturday. Is that correct?

Mr. MANSFIELD. The Senator is correct.

Mr. CLARK. Under those circumstances, I am happy to join in the request of the majority leader.

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 90 and that the resolution be made the pending business.

The PRESIDING OFFICER. The Chair wishes to ask if any Senator has objection to the proposed agreement. Without objection, it is so ordered.

The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 90) that rule XXV of the Standing Rules of the Senate be amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the resolution.

ORDER FOR ADJOURNMENT UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the business for today has been completed, the Senate adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM THURSDAY, FEBRUARY 21, TO FRIDAY, FEBRUARY 22, 1963

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it adjourn until 12 o'clock noon on Friday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM FRIDAY, FEBRUARY 22, TO MONDAY, FEBRUARY 25, 1963, AT 11 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns on Friday next, it adjourn until 11 o'clock a.m. on the following Monday morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FATE OF WORLD UNITY

Mr. JAVITS. Mr. President, while the Senate is debating its rules, the world is moving forward in its critically important ways. One of the ways relates to the veto by France of the admission of the United Kingdom to the European Economic Community.

I have received, in the name of the Joint Economic Committee, from Under Secretary of State George W. Ball, a letter bearing upon U.S. policy with respect to the refusal of the admission of the United Kingdom to the European Economic Community, and the consequences of that action, which is so portentous for American policy that I think it requires discussion on the floor of the Senate.

As I said when I opened my remarks, while the Senate debates issues which appear to us to be vital—and they are, as they affect the country and the world—the world is marching on in many ways which are very seriously affecting our national security and our national interests.

This declaration of policy by Under Secretary of State Ball arises from a question which I put to him when Secretary of the Treasury Dillon appeared before the Joint Economic Committee on January 31, 1963, in connection with our annual analysis of the President's economic report. I asked Secretary Dillon the following:

> In view of the changed situation caused by the EEC's rejection of the British application for membership, what is the administration's policy as it affects the Trade Expansion Act of 1962 and other aspects of our relationship with the European Economic Community, the United Kingdom, the British Commonwealth, and the European Free Trade Association?

This letter purports to state the American policy. I wish to say at the outset that the letter does not state, in my view, an ultimate policy to be pursued by our Government in respect of this critical situation. Second, it is very clear from the letter that the United States had no alternate policy when the whole world was visited with the thunderclap of General de Gaulle's veto of Britain's admission into the European Economic Community. I believe it is a very perilous situation to be caught not having an alternate plan under those circumstances. To that extent I am critical. I believe we should have had an alternate course of procedure which could have been offered to the British Commonwealth at that particular moment, in view of the tremendous blow to their prestige and standing in the world, which was represented by that veto of General de Gaulle's.

As to the second point—that we have not yet adopted a policy—I am not critical, because it is a question of time. I speak in the second part of my remarks in order to help our Government to develop such a policy. I understand from commentators in the press and from such information as I have been able to gather that the President of the United States is leading an American team, as it were, in the effort to devise such an alternative policy right now. Therefore, it is very pertinent to make any suggestions which one can make at this time.

Mr. President, the expression of these two ideas—the idea of being critical because there is no alternate plan, and was none at the moment of pressure, at the moment of danger to the free world community—and the idea of advancing the proposed plans, which I believe we ought to engage in in respect to this matter, leads me to an expression of what we ought to mean when we speak of a bipartisan foreign policy. A bipartisan foreign policy does not mean that we are silent. It does not mean that we refrain from criticism. It means that when we criticize, we criticize in the expectation of helping our Government to develop its policy and to achieve its proper objectives. That is the spirit in which I speak today.

A number of things stand out very markedly from the letter which Secretary Ball has written. First and foremost, and very importantly, the letter demonstrates that the United States had no alternate plan. In fact, time and again the testimony of Under Secretary Ball before the committees of Congress, which were considering the Trade Expansion Act of 1962 last year, indicated that although we said that Britain might not gain admission to the Common Market, for all practical purposes we were absolutely banking upon her admission. As a practical matter, we really had no expectation of any alternate plan on our own part which might be brought into existence or which might be sprung into action if, as a matter of fact, Great Britain was not admitted to the European Common Market.

We made it clear—and Under Secretary Ball's letter bears that out—that we did not seek to influence our European friends to take the United Kingdom into the Common Market. I now quote Under Secretary Ball:

> We have been frank in stating that, in our view, the accession of the United Kingdom to the Rome Treaty would contribute an economic strength and political cohesion to Europe, and thus advance prospects for a full and effective Atlantic partnership.

So we used our prestige, but we did not use any measure of resource, which we might have had to in order, as the Secretary puts it, to influence the decision.

In Under Secretary Ball's testimony for the various committees of Congress, he constantly reiterated the fact that there might be no prediction as to the entry of the United Kingdom into the European Common Market, but it was obvious that such admission was taken for granted. For example, he said, at page 2200 of the Senate hearings:

> If, as appears likely, the current negotiations lead to the accession of the United Kingdom to the Treaty of Rome.

That is the European Common Market. I quote further from page 2240 of the Senate hearings:

> The current negotiations between the United Kingdom and the Community are being shaped to a considerable extent * * * by the expectation of the Trade Expansion Act itself.

Under Secretary Ball made a very interesting point at page 2261 of the hearings, when he said:

> Opponents of the entry of Britain into the Common Market could say there was an alternative presented to Britain which had not been available before. They would say that the United States had given up hope that Great Britain was going to enter the Common Market.

Therefore, the United States should not provide itself with an alternative. It is one thing not to offer the British an alternative; it is another and very important thing not to have one, and that was the posture in which we found ourselves when De Gaulle vetoed Great Britain's admittance to the European Economic Community.

It seems to me that for a great power like the United States to be caught in that situation is a very serious matter. It is something which we must recognize and face. It is a serious lack in our own form of foreign policy organization.

This year Under Secretary Ball said in the letter to the Joint Economic Committee:

> While we continue to regard the ultimate accession of Great Britain to the Rome Treaty as an objective to be encouraged, we recognize that it is unlikely to occur for some time.

In other words, we have gone completely to the other extreme. Whereas, before we absolutely banked on Britain's admittance to the European Economic Community and had no alternative plan with which to meet a denial of that situation, now we have gone to the other extreme, and we do not expect it to occur for some time.

Mr. President, the question I ask is, "Are we going to be caught flatfooted again if the other five of the six European countries in the Economic Community should, by some happenstance, be successful in getting de Gaulle to change his mind about bringing Great Britain into the European Common Market?"

So the first point I should like to make as to the policy of our Government, which the President is now developing, is that we must plan not only for the situation which we face today, in which Britain is denied admittance to the Common Market; we must also plan for a situation which we must face tomorrow, when she will be admitted. I hope, therefore, that the next time we will not be caught, as it were, "with our pants down" in international trade terms, in the face of some new, relatively unexpected developments on the international scene.

Next, it is stated in Under Secretary Ball's letter that the French decision was a political decision, and that we had been given every assurance that France would not veto Britain's admittance on political grounds.

Mr. President, I make that statement because, again, it represents a reargument as to whether General de Gaulle was at fault in this matter. Some very hard words have been said on that score; and at the moment I, myself, express great disappointment—while giving the general credit for being the great general he is and for bringing France out of defeat in the war. Nevertheless, I think the time has come to declare a moratorium on calling him hard names; I think that will not advance the situation at all. If anything, I think it may very well harden positions which have been taken. So I hope our Government and other governments will end that phase of the debate. Instead, let us face the realities, and try to do something constructive now.

So the question is, What program can we espouse now to help us in this situation?

Before I discuss that point, let me recount what we are dealing with, because we must understand the enormous magnitude of the questions with which we are engaged.

The United Kingdom is the third best customer of the United States. It does 10 percent of its trade with us, and does 16 percent of its trade with the six countries of the European Economic Community. We are the leading customer for British machinery and transport equipment, leather and wool textile manufacturers and, of course, the well-known Scotch whisky. Britain is, in turn, among the top European purchasers of our machinery, grain products, fats and oils, nonferrous metals, textiles, pulp and paper, and fruits and vegetables. During 1961, Britain, combined with Canada, Australia, and New Zealand, which also are threatened with exclusion from access to the European Common Market countries—took $5.2 billion of our exports—in other words, somewhat in excess of 25 percent of all our exports. Incidentally, that is $1,600 million more than the European Economic Community nations combined took from us. I mention that because it is most important that we understand the involvement of our country with this problem, both as regards the European Common Market and as regards the British Commonwealth.

Before I discuss what we should do now, I wish to mention first—because I like what Under Secretary of State Ball has said on that subject—what we should not do. He has stated that very clearly, as follows:

> Since General de Gaulle's press conference on January 14, suggestions have been put forward for the United States to join in special commercial relations with one or another group of nations to form a trading bloc competitive with the European Common Market. We do not believe that this would be sound policy. For 30 years, the United States has consistently adhered to the most-favored-nation principle and to the expansion of trade on a nondiscriminatory basis. For us to enter into preferential trading relations with any nation or nations would mean discrimination against all other nations. Such a policy would be inconsistent with our position as the leader of the free world.

I thoroughly agree.

So, Mr. President, now I address myself to the question of what we should do.

The prescription given by Under Secretary Ball—and I am sure he has expressed the present view of the administration, whatever may be its view when the President gets through with developing the policy—is as follows:

> First, we shall continue to encourage the development of European unity and to express the hope that arrangements may ultimately be made for the accession of Great Britain to full membership in the EEC * * * but we realize that it is unlikely to occur for some time.

So his first prescription is to encourage the development of European unity, but assuming that Britain will not get into the European Common Market.

His second prescription is as follows:

> Second, we shall seek to advance the arrangements for close economic cooperation with Europe through the OECD. We shall also continue to develop close cooperation in the monetary field through the IMF, the Committee of Ten, and working party 3 of the OECD.

Well, we are doing that. No one knows whether that will or will not lead to any trade deals; but it is a fact that we will be dealing or trading under the Trade Expansion Act. However, I do not believe the OECD will be very important in that connection. So I see no affirmative policy coming from that.

Then Under Secretary Ball states:

> Third, we shall continue to work toward the strengthening of NATO and the development of adequate conventional forces in Europe. We see dangers in the proliferation of national nuclear deterrents but we recognize the desire of Europeans to play a full role in their own nuclear defense. We have, therefore, proposed the creation of a multilateral nuclear force, within NATO, and we reached agreement with the British Government at Nassau for the mutual support of such a force.

Again I point out that this is only stating the obvious; it is what we have already been through in terms of where we stand with the British. It does not deal multilaterally with the European nuclear force or the methods for its control or what it shall consist of. We are advised by this letter, and also by the news ticker of this morning, that Ambassador Livingston Merchant will go to Europe next week for exploratory discussions of this subject. But again I point out that this does not represent a policy which we have developed and are pursuing—not as yet.

Then Mr. Ball states:

> Fourth, we intend to utilize to the fullest the powers granted to the President under the Trade Expansion Act in order to improve access to the European Common Market as well as other major world markets for products of U.S. farms and factories.

Again that restates the obvious, because it is precisely what we have been through until now, and, it is what Secretary Herter was appointed for.

Finally, Mr. Ball states:

> Fifth, we propose to continue to develop techniques to improve the cooperation of the major industrialized powers in providing assistance to the less-developed countries.

And so on. Of course, that is what the OECD was set up to do, and that is what we would expect it to engage in. But, again, that does not represent an alternative policy, for Great Britain and the British Commonwealth, to its accession to the European Common Market.

I urge upon our Government, Mr. President—notwithstanding the generalizations Under Secretary Ball has sent us, which indicate clearly to me that we have no policy—a very basic policy in terms of the United Kingdom and the British Commonwealth situation—namely, our expression of readiness to offer a trade deal to Great Britain and the British Commonwealth and to other nations threatened by exclusion from the European Economic Community. Such a trade deal need not be exclusive; it need not be what Under Secretary Ball calls in his letter a competitive trading bloc. It need not exclude the European Economic Community. On the contrary, by the application of the most-favored-nation clause, the very nations of the European Economic Community should be able to get full advantage of it; but it would recognize that the United Kingdom and the British Commonwealth—including Canada, our very close and direct neighbor—faced an unusual situation when Britain decided to reorient her entire economic outlook by applying for membership in the EEC, but was frustrated from that, although that result would have made a great difference to the Commonwealth countries, as regards the need for them to make new trade contacts.

Mr. President, I ask unanimous consent to have the entire letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
JOINT ECONOMIC COMMITTEE,
February 20, 1963.

SENATOR DOUGLAS RELEASES STATEMENT ON THE CONSEQUENCES OF THE BREAKDOWN IN NEGOTIATIONS BETWEEN THE UNITED KINGDOM AND THE COMMON MARKET COUNTRIES

Senator PAUL H. DOUGLAS, Democrat, of Illinois, chairman of the Joint Economic Committee, today released a letter from the Honorable George W. Ball, Under Secretary of State. The letter provides a statement of the administration's appraisal of the implications for the foreign economic policy of the United States of the breakdown in negotiations between the United Kingdom and the European Economic Community, or the Common Market.

The letter was sent in response to a Joint Economic Committee resolution, presented in the form of a question posed by Senator JACOB K. JAVITS, Republican, of New York, to the Honorable C. Douglas Dillon, Secretary of the Treasury, during his testimony before the Joint Economic Committee on January 31, 1963. The question read, as follows:

"Mr. SECRETARY: In view of the changed situation caused by the EEC's rejection of the British application for membership, what is the administration's policy as it affects the Trade Expansion Act of 1962 and other aspects of our relationship with the EEC, the United Kingdom, the British Commonwealth, and the European Free Trade Association?"

In releasing the letter Senator DOUGLAS said, "This letter ordinarily would be made available to the public in the committee's printed record of its recent hearings on the President's Economic Report. The statement deals with a topic so vital to the economic and military strength of the free world that a separate release is desirable in order to bring the matter to the attention of the Congress and the American people without further delay."

THE UNDER SECRETARY OF STATE,
Washington, February 15, 1963.
The Honorable PAUL H. DOUGLAS,
U.S. Senate.

DEAR SENATOR DOUGLAS: Secretary Dillon has called my attention to the transcript of his testimony before the Joint Economic Committee on January 31. In the course of his colloquy with the committee several members expressed an interest in the administration's appraisal of the implications for the U.S. foreign economic policy of the breakdown in negotiations between the United Kingdom and the EEC.

The significance of this event can best be appraised in relation to other trends and events involved in the evolution of U.S. policy toward Europe.

I

It is generally recognized that the progress of Europe toward unity has been among the most constructive and promising achievements of the postwar period. Through the creation and development of the European Economic Community, Europe has moved a long way toward economic integration. That goal, however, is far from full attainment and many difficult problems remain.

The United States has consistently encouraged the nations of Europe toward greater unity. Both the legislative and executive branches of our Government have provided this encouragement—by word and by action. We regard greater European unity as essential primarily for political reasons—although, over the long run, the United States should also benefit economically from the contribution of the Common Market to a higher level of European economic activity.

A United Europe would eliminate the frictions and jealousies that have been the cause of so many past conflicts—conflicts that on two occasions have embroiled the whole world in catastrophe. Moreover, a unified Europe could effectively mobilize the common strength of the European people. It should thus be able to play the role of equal partner with the United States, carrying its full share of the common responsibilities imposed by history on the economically advanced peoples of the free world.

II

The basis for such a partnership is hard economic fact. In the North Atlantic world—Western Europe and North America—there is concentrated 90 percent of all free world industrial strength as well as the great bulk of the free world's technical skill and knowledge. This combined resource must be put to the defense and advancement of the free world.

Combined action is particularly important in three areas:

First, Europe and North America must join in a common defense against the aggressive ambitions of the Communist bloc. The defense of Europe is vital to the United States as well as to Europe itself. It is a costly task; the growth of European strength permits Europe to make an increasing contribution to it.

Second, the national economies of the nations comprising the great industrial complex of the North Atlantic are interdependent. This is becoming increasingly evident. A slowdown in growth rates in Europe could adversely affect our own growth rate, while an American recession would have serious repercussions in Europe. Our balance-of-payments deficit is, to a large extent, the mirror image of balance-of-payments surpluses of certain major European countries. If one nation or area adopts restrictive commercial policies, those policies will find reflection in compensatory or retaliatory actions by its trading partners.

The recognition of this economic interdependence has led us to seek new means to coordinate and harmonize our domestic economic policies. Substantial progress toward this end has been achieved through the Organization for Economic Cooperation and Development. Much further progress is required.

Third, the major industrialized areas of the free world—the Atlantic nations—must commit large amounts of money, equipment and skill to assist the less-developed countries in raising their standards of living, if political stability is to be achieved and the dangers of subversion reduced. The effective utilization of free world resources for this purpose requires a high degree of coordination of effort. We are beginning to achieve that coordination through the Development Assistance Committee of the OECD.

Fourth, if the resources of the free world are to be efficiently utilized obstacles to the free flow of international trade must be reduced and trade expanded under conditions where the forces of comparative advantage can fully operate. This means that American goods must have greater access to the European markets while we must provide greater access for European goods to our own markets. Just as in other fields, benefits and obligations must be reciprocal.

III

During the past few years U.S. policy has been increasingly based on the belief that these common tasks could best be achieved by the pursuit of two parallel lines of action—the attainment by Europe of a greater unity so that the European nations may act on a widening subject matter through common institutions and the attainment of a high degree of Atlantic cooperation through institutional arrangements designed for that purpose.

We have also felt that the effectiveness of our European partner would be greatly enhanced if a unified Europe were expanded to include the United Kingdom. We were, therefore, gratified when the United Kingdom Government decided to apply for membership in the European Economic Community. We recognized at that time, as we do now, that the organization of Europe was a problem for the Europeans, and that it involved grave national decisions for the participating nations. We have not, therefore, sought to influence these decisions, but at the same time—since we have been repeatedly asked by our European friends—we have been frank in stating that, in our view, the accession of the United Kingdom to the Rome Treaty would contribute to the economic strength and political cohesion of Europe and thus advance the prospects for a full and effective Atlantic partnership.

During the course of the negotiations for the accession of Great Britain to the EEC—the U.S. Government was repeatedly assured by the six, including the French Government—that none of the parties had any political objection to United Kingdom membership in the EEC. We recognized, at the same time, that the negotiations involved complex technical and economic problems—and there was always the possibility that these problems might not be solved to the satisfaction of all parties. We, therefore, recognized the possibility, although not the probability, that these negotiations would break down.

The veto of the French Government terminating the negotiations occurred at a time when the technical and economic problems were well on their way to solution. This has been made clear by the statements issued by the Commission of the European Economic Community. In our opinion, the action of the French Government must be regarded as motivated primarily by political reasons.

It is still too early to know with precision what the French Government's veto may imply for future French policy. It seems clear enough, however, that this action has not changed the underlying facts that have dictated the need for greater European unity or effective Atlantic cooperation. We believe, also, that these facts are generally understood by the great body of European opinion.

They can be briefly summarized:

1. Europe cannot defend itself today by its own efforts; its defense rests heavily upon the overwhelming nuclear strength of the United States.

2. The nuclear defense of the free world is indivisible.

3. The great industrial economies of the North Atlantic countries are to a high degree interdependent.

4. To reap the full economic benefits of this interdependence requires a free flow of trade.

5. The urgent needs of the newly developed nations require effective common effort on the part of the major industrialized powers of the free world.

The existence of these facts, it seems to us, determines the broad policy lines that we intend to pursue.

First, we shall continue to encourage the development of European unity and to express the hope that arrangements may ultimately be made for the accession of Great Britain to full membership in the EEC. Recent events have demonstrated a substantial body of European opinion in favor of Britain's participation in a uniting Europe and the British Government has made known its own desire that the United Kingdom should play a full role in this development.

But while we continue to regard the ultimate accession of Great Britain to the Rome Treaty as an objective to be encouraged, we recognize that it is unlikely to occur for some time. Meanwhile recent events do not appear to have destroyed the vitality of the strong European drive toward unity nor seriously impaired the value of the integration so far achieved through the EEC. Obviously, it is in the interests of the whole free world that the EEC develop in an outward-looking manner and that it not acquire autarchic characteristics. We propose to use our influence to this end.

Second, we shall seek to advance the arrangements for close economic cooperation with Europe through the OECD. We shall also continue to develop close cooperation in the monetary field through the IMF, the Committee of Ten, and working party 3 of the OECD.

Third, we shall continue to work toward the strengthening of NATO and the development of adequate conventional forces in Europe. We see dangers in the proliferation of national nuclear deterrents but we recognize the desire of Europeans to play a full role in their own nuclear defense. We have, therefore, proposed the creation of a multilateral nuclear force, within NATO, and we reached agreement with the British Government at Nassau for the mutual support of such a force. Ambassador Livingston Merchant is going to Europe next week for exploratory discussions.

Fourth, we intend to utilize to the fullest the powers granted to the President under the Trade Expansion Act in order to improve access to the European Common Market as well as other major world markets for products of U.S. farms and factories. Governor Herter intends to press liberalization of trade as rapidly as possible.

Since General de Gaulle's press conference on January 14, suggestions have been put forward for the United States to join in special commercial relations with one or another group of nations to form a trading bloc competitive with the European Common Market. We do not believe that this would be sound policy. For 30 years, the United States has consistently adhered to the most-favored-nation principle and to the expansion of trade on a nondiscriminatory basis. For us to enter into preferential trading relations with any nation or nations would mean discrimination against all other nations. Such a policy would be inconsistent with our position as the leader of the free world.

You and Congressman REUSS have raised the question of the adequacy of the powers provided by the Trade Expansion Act if it should develop that the United Kingdom does not become a member of the EEC prior to the opening of the Kennedy round of negotiations. You have introduced legislation that would so amend the act that the scope of the so-called predominant supplier clause would be unaffected by the failure of the United Kingdom-EEC negotiations. The administration's position with respect to this proposed legislation was stated by the President at his press conference of February 7 when he said:

"No; we haven't planned to ask the Congress, because we do have the power, under the trade expansion bill, to reduce all other tariffs by 50 percent, which is a substantial authority. We lack the zero authority.

"On the other hand, it is going to take some months before these negotiations move ahead. It is possible there may be some reconsideration of the British application. I would be responsive and in favor of legislation of the kind that you described. It is not essential, but it would be available, and if the Congress shows any dispositions to favor it, I would support it."

Fifth, we propose to continue to develop techniques to improve the cooperation of the major industrialized powers in providing assistance to the less-developed countries. This does not mean the abandonment of national programs of assistance but rather their more effective coordination. At the same time, we shall try to assure a greater contribution to this common effort on the part of the European countries.

The broad lines I have described suggest the general directions of our policy. These policy goals have been and will continue to be pursued through a variety of instrumentalities and in a variety of forms. The veto of British accession to the EEC is not an insuperable obstacle to those policies. In 1954, the French Assembly turned down the European Defense Community Treaty, but the next few years were years of unprecedented progress toward European integration along other lines. The basic soundness of U.S. policy was not affected.

So today we have sought to chart a course that corresponds to the requirements of U.S. interest—to pursue a positive line of policy rather than merely to react to, or to follow, the policies of other governments. This seems to us the only posture befitting the leading Nation of the free world.

Sincerely yours,

GEORGE W. BALL.

Mr. JAVITS. Mr. President, we heard a good deal about the opposition of Australia to the British joining the European Common Market. All of that is left up in the air by the frustration of Britain's application. Britain and the Commonwealth are altogether too important for the free world security and for free world success to be left in that posture for very long.

The President of the United States discussed with Prime Minister Macmillan at Nassau what should be done when we cause such an upset in British political life by the determination with respect to the Skybolt and the way in which it was handled. It seems to me that it is that kind of summit to which not only Britain, but also the Commonwealth countries as well are entitled in respect of a trade deal with the United States, to put it in some situation so that it may meet present exigencies which Britain and the Commonwealth countries face most urgently in view of the rejection of Britain's application for admission to the European Common Market.

The trade expansion bill, the administration has said, which enables it to reduce tariffs by as much as 50 percent, gives it substantial authority with which to start to negotiate such a trade deal. If more is needed, I believe the Congress will supply it.

The Congress guessed wrong with respect to the Trade Expansion Act and dropped from the Trade Expansion Act the provision, added in the Senate, which would have enabled us at least to make 100-percent tariff deals on certain items with the European Free Trade Association, of which Great Britain is a member, notwithstanding the fact that the Senator from Illinois [Mr. DOUGLAS] and I urged such an amendment. I urged a broader one, which we still need, which would provide that we might make such trade deals with any fully developed industrial nation of the free world. The administration accepted the bill without that provision. Hence, that made the 80-percent clause, so-called, practically useless because it assumed that Britain would be in the Common Market. Hence, our ability to negotiate for complete tariff forgiveness on any item with the Common Market or with Britain is materially impaired, unless Congress adopts a suitable amendment to the Trade Expansion Act of 1962. The administration has the 50-percent authority, but it does not have the 100-percent authority in any practical way. I am confident that if the President felt that a trade deal with the British and with the Commonwealth required an extension of that authority, there would be every likelihood that the Congress would look sympathetically also at the desire to help Britain in what I call Britain's hour of trial.

I would like to impress upon the administration, at a time when it is obviously developing its policy with respect to this thunderclap which has been administered to the free world community and to free world strength, the idea of a trade deal with Britain and with the Commonwealth. It would not exclude others, because the most-favored-nation clause would bring in others, including European Common Market countries, but it would be especially directed toward the urgent problems which Britain and the Commonwealth face right now.

Second, again as an item of policy, I hope that there will be a sense of acceleration in terms of the negotiations with the European countries with respect to a multilateral nuclear force under multilateral control. I hope that enough time has gone by so that we in the Congress will not have a narrow view of that situation. Europe, as a matter of self-respect, wants such an opportunity. I think it should be afforded to it and can be afforded to it without jeopardizing American nuclear secrets or the dominant American position in overall defense in nuclear terms.

It seems to me that there has been an undue amount of sympathy for President de Gaulle's position, which in a sense is inimical to the United States. One of the reasons for De Gaulle's punishing Britain, as he said quite frankly, was the fact that he thought Britain was too closely linked with us. That is the kind of argument which may arouse some sympathy in Europe—I believe I know a little about Europe's thinking—in the absence of a real and an honorable effort to bring about a multilateral nuclear deterrent between ourselves and the European powers which we have discussed so often.

I do not believe they have any grand ideas on the subject. It is really more a matter of self-respect than anything else. I think it is possible and can be done. I would urge a far greater concept of its urgency in terms of timing than perhaps might at present obtain.

Third, I think we must make clear what Secretary Ball has made clear in his letters. The one thing which I think stands out is that whatever may be General de Gaulle's ideas about isolating himself or Europe, we have no such idea. On the contrary, our total thrust will be for an integrated Europe and an integrated world. This is the way in which we think the greatest strength is possible. I like very much Secretary Ball's statement in his letter upon that subject. He stated:

> The broad lines I have described suggest the general directions of our policy. These policy goals have been and will continue to be pursued through a variety of instrumentalities and in a variety of forms. The veto of British accession to the EEC is not an insuperable obstacle to those policies. In 1954, the French Assembly turned down the European Defense Community Treaty, but the next few years were years of unprecedented progress toward European integration along other lines. The basic soundness of U.S. policy was not affected.

I deeply believe that European defense would have been much further along than it is if the French had not turned down the European Defense Community Treaty. Be that as it may, the Secretary is correct about the fact that other ways, such as the European Coal and Steel Community, the European Economic Community itself, and Euratom, were found in which to bring about some measure of European integration in the absence of the military integration which had been contemplated.

For that reason I urge the policy of offering a trade deal to Britain and the Commonwealth. It would not be a trade deal which would exclude others, but a trade deal which would include others, because of its most-favored-nation provision. I urge that as the cardinal element of American policy, because it would represent a recognition that if we cannot move down one road to the integration of the strength of the free world, we will move down another alternative road, just as we did in Europe after the European Defense Community Treaty was turned down.

Finally, I point out in this context that I am personally very heavily engaged—and I have reported to the Senate on the subject before—in a project to bring Europe into a position of helping, both in the private and public sectors, the development of Latin America in a way which would be parallel to the Alliance for Progress.

I point to that as falling squarely within the concepts of Under Secretary Ball and representing an area in which, when we cannot go together as we would hope, we would go together in having Britain join the European Economic Community, and go together in other directions. I would hope very much that this could be accomplished within the very near future. I would hope that perhaps we could go in the direction of a unified effort by the United States and the main industrial countries of Europe in attempting through the OECD, the Organization of American States, and the Inter-American Development Bank, to accelerate the development of Latin America along lines parallel to those of the Alliance for Progress.

Those are the great designs which we are discussing. They represent high policy of our Government. Our President is dealing with them now, we know.

I have made my suggestions today. I have also sounded a note of warning about our being caught without alternative programs in the interests of bipartisan foreign policy, the frankness in developing it, and the constructive effort to analyze with each other what needs to be done in order to make our country successful.

The fact remains that in the Atlantic Community there are $1 trillion of productive facilities—one thousand billion dollars. If Khrushchev had a productive machinery of $1 trillion he would, indeed, grind us into the dust, either actually or by merely threatening to do so.

We have an opportunity which no prior world community ever had to triumph for freedom in an unbelievably successful way, if we know how to overcome the human frailties which stand in the way of integrating and coordinating our enormous power of wealth production in order to win the historic and epochmaking struggle for freedom in which we are now engaged.

Europe, the United States, Canada, and Japan are critically important to this design.

I have expressed these views today in the hope that by expressing them in time, based upon the fundamental information furnished to us by our own Department of State, they may be of help to the Government of the United States and to our President in framing our momentous policy.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McGEE. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNESCO BOOKLET ON RACIAL AND POLITICAL EQUALITY IN SOVIET UNION

Mr. McGEE. Mr. President, several days ago protests were lodged over a year-old UNESCO publication containing profuse claims about guarantees for racial and political equality in the Soviet Union. Because of the nature of the controversy that has raged over that subject, I ask unanimous consent to have printed in the RECORD not only the news story on it from the Washington Post for February 14, but also a background statement on the UNESCO publication prepared by the UNESCO people themselves.

There being no objection, the article and statement were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 14, 1963]

PUBLICATION POLICY REVIEW FORCED—UNESCO BOOKLET PROTESTS RISE

(By A. I. Goldberg)

UNITED NATIONS, N.Y., February 13.—Protests over a year-old UNESCO publication containing profuse claims about guarantees for racial and political equality in the Soviet Union have forced UNESCO to review its publication policy.

UNESCO is the U.N. Educational, Scientific, and Cultural Organization, based in Paris. It has the status of a specialized agency of the United Nations. Some conservative organizations in the United States have criticized it for its views on social and cultural problems.

The United States contributes nearly one-third of UNESCO's $39 million annual budget. The Soviet Union pays about 15 percent.

The publication, written by a Soviet educator and a Soviet lawyer, asserted in one passage that "in 1940 the Soviet regime was restored in Latvia, Lithuania, and Estonia, which voluntarily joined the Soviet Union."

A U.S. source said the United States protested vigorously last April, shortly after the book was issued, and was told that a lack of firm policy directives rendered UNESCO powerless to deal with such cases.

A review committee, set up as a result of United States and other protests, is expected to report in April, the source said. The U.S. National Committee for UNESCO has submitted recommendations and criteria for stricter standards.

The new complaint—one of many, an informant said—came from the Assembly of Captive European Nations in New York. It is a group comprising political exiles from Eastern European countries, including the Baltic republics (Latvia, Lithuania, Estonia), whose incorporation into the Soviet Union early in World War II has never been recognized by the United States, Britain, and many other nations.

A letter from the assembly's president, George M. Dimitrov, appealed to Vittorino Veronese, UNESCO Director General, to halt distribution of the 106-page booklet. He called it cheap Soviet propaganda, falling short of UNESCO objectivity, and termed it "harmful to the rights of Estonia, Latvia, and Lithuania."

The booklet was the third of a series of six planned by UNESCO in 1951 to study race discrimination. Now UNESCO officials are examining whether to continue with the series, an informant said.

The booklet was written by I. P. Tsamerian, described as a Soviet doctor of philosophy, and S. L. Ronin, a Soviet doctor of law. Titled "Equality of Rights Between Races and Nationalities in the U.S.S.R.," it reiterated Soviet arguments frequently heard in U.N. debates that guarantees against race discrimination were written into the Soviet constitution.

At one place it said "the Soviet Union has solved the problem of nationalities," but acknowledged "this does not mean, of course, that a peak of perfection has been reached. The U.S.S.R. still contains backward elements among whom nationalist prejudices exist."

The booklet contended that the Bolshevik revolution for the first time gave Jews equal rights in the Soviet Union, said racial problems were solved because of Communist Party policy, and quoted Soviet Premier Nikita S. Khrushchev's assertion that Jews "hold a worthy place" among those responsible for Soviet lunar rocket launchings.

In Washington, Republican National Chairman, WILLIAM E. MILLER, termed the booklet "a gratuitous insult to Americans and the free world," and said in a statement that the Kennedy administration should demand that the United Nations repudiate the publication and order its withdrawal from circulation.

BACKGROUND STATEMENT ON UNESCO PUBLICATION "EQUALITY OF RIGHTS BETWEEN RACES AND NATIONALITIES IN THE U.S.S.R."

The booklet entitled "Equality of Rights Between Races and Nationalities in the U.S.S.R.," by two Soviet nationals, I. P. Tsamerian and S. L. Ronin, was published by UNESCO in March 1962 as part of a series of studies on "Race and Society." An earlier work in this series was written by an American social scientist and reviewed Federal and State antidiscrimination legislation in the United States.

While these two publications were intended by UNESCO to present comparative scholarly studies on race relations in the Soviet Union and the United States, it is obvious that the Soviet publication has been used instead as a vehicle for political propaganda. It ignores recognized standards of scientific research by presenting a distorted and often fallacious picture of the treatment of nationalities in minority groups in the Soviet Union. It contains numerous blatant examples of Soviet anti-Western propaganda, making references to "revanchist neo-Fascist elements" in Western European countries, "colonialist oppression" in "capitalist countries" and so forth. In so doing, of course, it serves the national objectives and policy of the Soviet Union and not the objectives of international understanding espoused by UNESCO.

In April 1962 the Department of State vigorously protested publication of this booklet to the Acting Director General of UNESCO, citing the reasons above and pointing out that it violated the principles of the UNESCO Constitution. In his reply to this protest the Acting Director General said that the book was a counterpart to the American publication and was to "reflect as faithfully as possible the views of competent Soviet authorities." The Acting Director General added that criticisms "elicited by the publication of this brochure throw light, in a more general manner, on the difficulties encountered by the Secretariat in matters of publication, owing to the lack of precise instructions from the governing bodies of UNESCO."

To compensate for this lack of guidance from the governing bodies, the UNESCO Executive Board, with the full support of the Department of State, last fall appointed a committee to prepare policy directives on UNESCO publications. The Department, after seeking the advice of the U.S. National Commission for UNESCO, formulated comprehensive criteria which, if adopted, would prevent the use of UNESCO publications for Soviet propaganda purposes. These criteria were presented to the 12th General Conference of UNESCO, in November 1962, as follows:

"1. UNESCO should publish only in those fields which are clearly within its scope and competence and where publications contribute to the attainment of its objectives.

"2. Abusive or biased statements should be avoided so that the rules of objective and judicious writing prevail in all UNESCO publications.

"3. Authorship of all publications other than statements of official Organization policy should be clearly stated, and individual authors should be recognized as competent in their fields. In this regard, recognition of competence should be based both on the views of the government of the author's country and on the opinion of the international community of scholars in the author's field.

"4. Careful distinction should be made, by format and by specific disclaimer, between publications presenting official positions to which UNESCO is formally committed and publications reporting conference or committee discussion or individual statements or documents with which UNESCO is not necessarily in agreement.

"5. UNESCO should temporarily suspend publication of monograph studies of purely national situations and circumstances, since it is not possible under the present circumstances to publish such studies without the risk of compromising the integrity of the Organization. In the free exchange of ideas which must underlie objective scholarly research, the reader is able to compare and contrast opposing points of view only if those points of view are presented in such a way as to be truly comparable. Yet comparability requires prior agreement on purposes and principles, and it is apparent that such agreement has been lacking in certain series of monographs on national situations published by UNESCO. In the absence of this agreement, authors of national publications will continue producing research for UNESCO publications according to their own, perhaps valid, but often contradictory principles of scholarly research. In this situation, UNESCO may find itself compromised by the ideological rivalry centering around its activities, distrusted by honest scholars, dishonored by the use of its prestige for purely national purposes."

The chairman of the U.S. delegation to the 12th General Conference, Assistant Secretary of State Lucius D. Battle, reiterated U.S. policy in this regard as follows:

"Fifth, my Government considers that UNESCO should abandon activities such as tendentious publications, and those seminars, meetings and other projects which experience has shown lead to polemics rather than to scholarly results. The elimination of such projects will result in considerable savings of manpower and money, without impairing the essential, high priority program of proven benefit. The question is not only one of cost but one of integrity, for UNESCO's standards of scholarship, like Caesar's wife, must be above reproach."

The Organization is expected to take final action on publications policy directives during 1963 on the basis of recommendations by the United States and other member states.

Although UNESCO publishes hundreds of objective and impartial studies every year, the lack of precise policy guidance does, from time to time, result in publications objectionable to the United States. The Department is fully aware of the necessity of formulating publications policy directives and will continue to pursue the matter vigorously.

FEBRUARY 14, 1963.

DESIGNATION OF O'MAHONEY LAKE AND RECREATIONAL AREA—ADDITIONAL COSPONSORS OF JOINT RESOLUTION

Mr. McGEE. Mr. President, some time ago I introduced a joint resolution in this body (S.J. Res. 17), inviting Senators to join me in a proposal to name a lake in Wyoming O'Mahoney Lake, in honor of a distinguished former Member of this body, Senator Joseph C. O'Mahoney.

Since that time many Senators, from both sides of the aisle, have asked to join in this commendation and recognition, in a sort of living memorial to Joe O'Mahoney. Other Senators are still asking to join.

I ask unanimous consent that at the next printing of Senate Joint Resolution 17 the names of the Senator from Washington [Mr. MAGNUSON], the Senator from Rhode Island [Mr. PASTORE], the Senator from Florida [Mr. SMATHERS], and the Senator from Nevada [Mr. CANNON] be added as cosponsors of the measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. McGEE. I yield.

Mr. HRUSKA. Would the Senator from Wyoming add the name of the Senator from Nebraska to that list?

Mr. McGEE. I shall be delighted and honored to add the name of the Senator from Nebraska to the list of the cosponsors; and I mention the fact that this brings to a total of 52 the number of Senators who have cosponsored the measure for naming the lake after our former colleague.

Mr. HRUSKA. If the Senator will yield further, is that what the Senator would call a constitutional majority?

Mr. McGEE. In the presence of the distinguished Senator from Pennsylvania [Mr. CLARK], who is waiting to take the floor, I choose not to open that question at this interval.

Mr. HRUSKA. In a more serious vein, I am glad to have my name added to the joint resolution, because, as the Senator knows, Senator O'Mahoney and I served on the Judiciary Committee for several years. He was a great Senator and a spirited orator when he was fighting, and he was fighting most of the time.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. McGEE. I yield.

Mr. GOLDWATER. I did not hear the Senator's brief discussion, but am I to understand that the proposal is to name a lake after Senator O'Mahoney?

Mr. McGEE. Yes. The waters backed up by Flaming Gorge Dam will lie in Wyoming, and because of the identification of Senator O'Mahoney with the development of some of the upper Colorado projects, many of us in that section of the country want to have the lake named in his honor.

Mr. GOLDWATER. I could not agree more fully with the Senator. I served with Senator O'Mahoney on the Interior and Insular Affairs Committee for a number of years. I got to know him very well. I had great respect for him. The Senator knew of the West, and particularly our part of the West.

I would be happy if the Senator permitted me to ask him to include my name as a cosponsor of the joint resolution.

Mr. McGEE. The Senator from Wyoming is delighted to add the name of the Senator from Arizona also to the list of cosponsors.

Mr. President, I ask unanimous consent that there be added as cosponsors to the joint resolution the names of the Senators I have mentioned.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGEE. Mr. President, I suggest the absence of a quorum——

Mr. CLARK. Mr. President, will the Senator withhold his request?

Mr. McGEE. Yes.

Mr. CLARK. I do not think it is necessary.

Mr. McGEE. Apparently the Senator is ready to proceed.

THE SENATE ESTABLISHMENT

Mr. CLARK. Mr. President, I resume my discussion of the Senate establishment which I began yesterday. I shall probably not conclude this afternoon, owing to the lateness of the hour at which I have obtained the floor and my desire not to hold the Senate unduly late in session; but I shall speak, if other Senators are interested in the timing, for probably about an hour. If there are Senators present who wish me to yield to them to make brief remarks, I shall be glad to do so at any time.

FINANCE COMMITTEE

Mr. President, when I concluded yesterday I was discussing the impact of the bipartisan Senate establishment on the composition and size of the Senate Finance Committee. I pointed out that for various reasons, which I discussed yesterday in a speech which concluded in the RECORD for yesterday in the first column of page 2564, it had been determined by the Senate establishment, and the majority leader felt that the establishment in this instance had the votes, to retain the size of the Finance Committee at 17 members, and to divide those 17 between Republicans and Democrats in the ratio of 11 Democrats to 6 Republicans, even though there are 67 Democrats and only 33 Republicans in the Senate, which would justify a 12-to-5 ratio on the committee.

So that, in terms of that justice and equity which governed the ratio between Democrats and Republicans in assignments to practically every other committee, the ratio would be at least 14 to 7 or 10 to 5, and might conceivably be 13 to 6 or 12 to 5. Nevertheless, the establishment concluded to permit the bipartisan establishment control to continue without dilution in this important committee to which so large a share of the measures which the President of the United States believes important to the success of his program either have been or will be referred.

I pointed out also that the method in which the Finance Committee operates, and has operated for years, makes for long delay in reporting important measures to the floor of the Senate. Senators will recall how long it took before we were able to bring to a vote on the floor of the Senate the medicare bill, both last year and 2 years ago.

Senators will recall that there was no possibility of that bill's coming out of the Finance Committee in anything like the shape in which it was recommended by the President.

Senators will recall also that this year we have already been advised by the chairman of the Finance Committee that he sees no possibility of bringing a tax bill to the floor until after Labor Day.

The principal reason for this, to my way of thinking, untoward delay in enabling the program of the President to be voted on the floor of the Senate is threefold:

First, the Finance Committee is unwilling to conduct even preliminary hearings on the vitally important bills until the House has acted, although it had no hesitation in doing it with respect to the Du Pont bill recently, which the establishment favored.

It appears that when the program of the President is involved, the policy is one of "let's take our time." When a bill in which the establishment is interested is involved, the cue is, "Let's act with expedition."

The second reason is that, unlike almost any other committee in the Senate, the Finance Committee does not organize itself into subcommittees, so that all testimony is taken and the executive consideration of all bills is conducted before the entire committee, despite the fact that the Finance Committee has perhaps the most extended and complicated jurisdiction of any of the committees in the Senate.

For example, would it not be simple right now to divide the Finance Committee, let us say, into no more than two subcommittees? Let one of them conduct hearings on social security matters, such as medicare, while the other one is conducting hearings on the tax program of the President. In this way the business of the Senate would be enormously expedited, and it might even be possible to adjourn and go home before Labor Day.

I understand that other Senators may have under consideration a Senate resolution expressing the sense of the Senate that the Finance Committee should promptly begin hearings on the tax bill, and perhaps on the medicare bill, and be prepared to bring the tax bill to the floor of the Senate within 30 days of the time that the House acts, now thought to be the end of June.

I hope that these arguments will prevail on the minds of the majority of the members of the Finance Committee and that this type of expeditious action will take place.

The third reason why matters are so delayed in the Finance Committee is quite frankly and candidly because it has not an adequate staff in terms of the numbers of qualified men and women able to sift and analyze and report to the members of the committee on the complex tax structure and other matters, including social security and trade matters, which come before the committee, besides advising other Members of the Senate who may feel impelled by reason of an interest in the subject matter to seek the advice of members of the staff of the Finance Committee.

This void is filled only partially by the Joint Committee on Internal Revenue Taxation, which in my opinion is entitled to additional staff members in order to perform its rigorous duties.

For the time being, I leave the Finance Committee, but I shall return to it later in my remarks, when I expect to demonstrate how the Republican establishment cooperates with the Democratic establishment to assure maintenance of the status quo with respect to the number of Senators on certain major committees of the Senate, and show with some glee, because of the dwindling numbers of members of the establishment, that since the election of 1958 it has lost control of a number of major Senate committees.

I believe it is not too much to say that while we may not yet be quite ready for Waterloo in connection with the establishment, we have certainly seen the battle of Moscow lost. Time is on the side of the Presidential party on both sides of the aisle in the Senate. Time is against the aging congressional party, with its dwindling numbers, who are wedded to the status quo.

FOREIGN RELATIONS COMMITTEE

I turn now to a consideration of the situation in the Foreign Relations Committee. Here I must start with a disclaimer. It is well known to my colleagues in the Senate that my overriding ambition for a committee assignment ever since I first came to the Senate 7 years ago has been to be assigned to the Foreign Relations Committee. That ambition has constantly been frustrated, sometimes with the aid of seniority, sometimes in spite of seniority. It therefore may well be felt by my colleagues—and they may well be correct—that in discussing the status of the Foreign Relations Committee I am not entirely objective. All I can say is that I have made an earnest effort to be objective. If I have failed, it has been by reason of human frailty, not because of design.

At the beginning of the session the Foreign Relations Committee consisted of 17 members, with 2 vacancies—in other words, 15 live bodies. The ratio was 11 to 6. Despite the protestations of the chairman of the committee, it was determined to change the ratio to 12 to 5. My own view has been that for reasons of high policy it would be desirable to change the ratio of the members of the Foreign Relations Committee to 14 to 7, thus making it a 2 to 1 committee, and enlarging it in order to permit additional Members who give bipartisan support to the program of the President overseas in this time of peril to be appointed to the committee from both the Democratic and Republican sides, thereby, hopefully, strengthening a bipartisan approach to foreign affairs, which one would hope might cause partisan politics to stop at the waterfront, as was done in the great days when Senator Vandenberg was the chairman of that committee.

This was not done. One of my amendments to rule XXV which lies at the desk would increase the size of the committee so as to increase the size of the committee to 21. About 1937, when the number of Democratic Senators in this body was even higher than it is today, the Foreign Relations Committee consisted of 23 members. Therefore, there is ample precedent for the suggested change, just as there is for the Finance Committee, as I pointed out yesterday.

I have no complaint whatever about the fact that I was passed over this time in the Foreign Relations Committee, because the able Senator from Florida [Mr. SMATHERS] had seniority. My complaint is that 2 years ago I was passed over for the Foreign Relations Committee in favor of an equally good friend, who had less seniority, and that 2 years before that I was passed over for the Foreign Relations Committee in favor of two Senators who had no more than equal seniority.

I have tried to be very objective about this situation, and I think I have succeeded. I have no personal quarrel over the action of the steering committee in this regard, which was taken last week, but I have grave concern that on matters such as a test ban treaty, our attitude toward dictatorships in South America and elsewhere, foreign aid and our attitude toward the race issue, by which we are embarrassed in our dealings with Africans and Asians, who believe our policy on the race issue is deplorable. In all these matters I believe it would be helpful if some additional supporters of a bipartisan foreign policy, both Democrats and Republicans, were added to the Foreign Relations Committee.

GOVERNMENT OPERATIONS COMMITTEE

I turn now to the Committee on Government Operations. Here there was no real controversy, because the leadership had determined—and with this I have no quarrel—to make the Government Operations Committee a major committee and to increase its size from 9 to 15 and to maintain a ratio of 2 to 1 in connection with Democratic and Republican members.

There were no applicants for the Committee on Government Operations other than from freshmen Members of the Senate. Generally speaking, they got either this assignment, when they wanted it, or another equally good one. So there was no problem there.

INTERIOR COMMITTEE

Turning to the Committee on Interior and Insular Affairs, we have another situation in which seniority was ignored in favor of two freshmen, thus passing over the Senator from Michigan [Mr. HART], who will be up for a tough reelection fight in a year and who had seniority, and the Senator from Oregon [Mrs. NEUBERGER], who also had seniority over the two freshmen Senators who, together with the Senator from Arizona [Mr. HAYDEN] were assigned to that committee.

Needless to say, when Senator HAYDEN indicated a desire to join the Committee on Interior and Insular Affairs, the steering committee unanimously granted our beloved President pro tempore this request. But there were still two vacancies left, and they were given to Senator NELSON and Senator MCGOVERN, instead of to Senator HART and Senator NEUBERGER.

JUDICIARY COMMITTEE

I return to the Committee on the Judiciary, where again, to my way of thinking, a grave injustice was done to one of our finest Senators, Senator BURDICK, who will be up for reelection next year. He was most eager to be assigned to the Committee on the Judiciary.

He was passed over by the establishment in favor of two very able freshmen Senators, Senator KENNEDY and Senator BAYH. I find little justification for this action on behalf of the establishment. Senator BURDICK was really left out in the cold. I do not think a very good case can be made for supporting what the steering committee did in this case.

In all the criticisms I have been making about the actions of the steering committee in overriding and ignoring the seniority rights of what might be called intermediate grade Senators, Senators who came to the Senate in 1958 on the liberal sweep which brought 15 new liberal Democrats and 3 moderate Republicans to the floor of this body, it is my view that those Senators have suffered as a result of the determination of the steering committee not to give to each freshman Senator one good committee, but to give to each freshman Senator two good committees to the prejudice of Senators who are up for reelection next year and who had worked hard in the cause of the President of the United States and had shown by their votes that they were modern Senators, not Senators who are wedded to the status quo.

In each instance, freshmen Senators could have been given another excellent committee, but they were not. They were preferred to Senators like Senator BURDICK, who, I believe, had a higher claim on the members of the steering committee.

LABOR AND PUBLIC WELFARE COMMITTEE

I now turn, with mild amusement, to the Committee on Labor and Public Welfare, on which I have the honor to serve, and which I believe to be one of the finest, most important, and most influential committees in the Senate. Senators may recall that yesterday I made the same statement about my other committee, the Committee on Banking and Currency. No Senator wants to be assigned to the Committee on Labor and Public Welfare. Is it not a shame? It is a fine committee. Yet it is not possible to get any Senator to serve on the Committee on Banking and Currency or the Committee on Labor and Public Welfare. Too bad. So the able junior Senator from Massachusetts [Mr. KENNEDY] was "shanghaied" and assigned to the Committee on Labor and Public Welfare, even though he did not apply for that committee. However, I am sure he will serve with the same great ability on that committee that his older brother did in the years before he became President of the United States, and when I had the honor to serve with him and bring to the floor of the Senate and have passed much important legislation which we thought then, and I think now, is very much in the public interest.

POST OFFICE AND CIVIL SERVICE COMMITTEE

I now turn to the Committee on Post Office and Civil Service, from which I resigned after 6 years of interesting service. There again, there was only one applicant, the present occupant of the

Chair [Mr. Brewster], and he was assigned to that committee.

It was thought that Senator McGee, of Wyoming, who has a tough campaign for reelection coming up next year, would profit if he were able to have the close association with the members of the Civil Service and particularly of the Post Office Department which that committee would give him. He was placed on that committee; and there was, of course, no real controversy.

PUBLIC WORKS COMMITTEE

The next committee is the Committee on Public Works. There again we have an interesting situation. The membership of that committee is 17, and the ratio had been 11 Democrats and 6 Republicans. The ratio was changed to 12 to 5. This resulted in five vacancies on that committee—a very large number of vacancies.

Senator Jordan of North Carolina was not an applicant for assignment to that committee; but he had seniority, and he was assigned to the committee for the very good reason that there were at that time no Senators from the South who were members of that important committee. In this instance, seniority was honored, and Senator Jordan was placed on that committee.

Then, in quick succession, Senator Brewster, Senator Inouye, Senator Bayh, and Senator Nelson were placed on that committee, jumping over Senator McIntyre, of New Hampshire, who had seniority by about 2 months.

Let it not be thought that the question of seniority by a day or two or a month or two has not hitherto been important. It has. I have seen many instances since I came to the Senate in which Senators who had seniority of not more than 3 or 4 days over their colleagues were automatically accorded that seniority right when it came to the question not only of their assignment to a committee, but also of their priority on that committee in terms of seniority once they got there.

But the Senator from New Hampshire [Mr. McIntyre] was ignored, and other fine and able junior Senators, including the present occupant of the chair, the junior Senator from Maryland [Mr. Brewster] were placed on that committee. I am sure that those Senators will render fine service. I am confident that the four freshmen are Kennedy men, are liberals, and will support the administration. My only complaint was, and is, that I thought it was a little rough on Senator McIntyre, who is in the same category and desired to be assigned to the Committee on Public Works.

RULES AND ADMINISTRATION COMMITTEE

The final committee is the Committee on Rules and Administration. In this instance, there is a rather amusing little interlude. That committee had been changed from a major committee to a minor committee by prior action of the steering committee at the time we came to a vote. Senators will recall that I am committed not to reveal the vote on the filling of committee vacancies, and I shall not do so. But the order of seniority of applicants for that committee was: Senator Thurmond, of South Carolina, whose seniority dates from November 7, 1956; I, whose seniority dates from 2 months later, January 3, 1957; Senator Byrd of West Virginia, whose seniority dates from January 7, 1959; and Senator Neuberger, of Oregon, whose seniority dates from November 9, 1960.

When the secret ballots were counted, it was discovered that the Senator from West Virginia [Mr. Byrd] had won selection to the committee. The second choice was so divided that no Senator had a majority; but the two highest on the list were the Senator from Oregon [Mrs. Neuberger] and I. The Senator from South Carolina [Mr. Thurmond], who had seniority over all of us, was, therefore, dropped from further consideration; and the balloting then took place between the Senator from Oregon [Mrs. Neuberger] and myself. I am selfishly pleased that in that very close race, I received the nod; and I thank some of my friends from the establishment for their graciousness in helping me in that way to achieve membership on the committee, because at the time when the vote was taken, I had been engaged in about a 2-hour battle to achieve results in other instances—although in each case I had failed. So I am grateful, indeed, that I have been selected for appointment to the Committee on Rules and Administration. Having received that choice, I shall do my very best as a member of the Committee on Rules and Administration to change—drastically—the Senate rules, in order to update the procedures of the Senate and its ability to conduct its business expeditiously.

This completes my initial review of the actions of the steering committee. I recapitulate by saying that in making its choices, the steering committee ignored seniority nine times, in order to give freshman Senators assignments to two major committees—not merely one—although it could have given them assignments to two major committees without in any instance overriding the requests of intermediate Senators of substantially greater seniority, and jumping nonfreshman Senators over other nonfreshman Senators who had seniority, notably in the cases of the Senator from Alaska [Mr. Bartlett], who was assigned to the Appropriations Committee, and myself, who was assigned—as the second choice—to the Committee on Rules and Administration, and also in the case of the assignment of the Senator from West Virginia [Mr. Byrd] to the Committee on Rules and Administration. I make clear that I am not complaining about my own selection for membership on the Committee on Rules and Administration.

Yesterday the Senator from Wisconsin [Mr. Proxmire]—whom I see in the Chamber—made an eloquent plea for the rule of seniority in the selection of Members to be assigned to committees, with the sole exception of cases in which it was necessary to ignore seniority in order to assign freshman Senators to one major committee. At that time I undertook to differ with him. I should like to state now the reasons why I took that position.

It seems to me that in the area of the selection of committee members we should have representative government within the organization of both the Republican Party and the Democratic Party. We should choose for appointment to the committees, Members in whom we have confidence—confidence that they will do the right thing, as they see it, while they serve on the steering committee. I do not question that the present members of the steering committee thought they were doing the right thing, although I disagree with them. Nevertheless, I do not impugn in any way their motives. Furthermore, the steering committee should be composed of Senators who fairly represent the ideology and the geography of the members of the Democratic conference; and after having so chosen the members on an equitable basis, we should be prepared to permit them to make the initial choice of the Members to fill committee vacancies.

I would go along with the Senator from Oregon [Mr. Morse]—and I did so in the ballot within the Democratic conference—in taking the position that in each instance the Democratic conference should have the right to change the recommendations of the steering committee before the lists are submitted to the Senate. That would be only sound democratic procedure, just as it conforms with the practice on the floor of the Senate, where the Senate itself checks, amends, rejects, or approves the recommendations of all the committees which deal with legislation. But, even if we could not obtain this review by the Democratic conference of the recommendations of the steering committee, I would be prepared to leave the members of the steering committee rather free as to their choices, subject to the general criteria. It seems to me that those criteria, which would usually—although not always—prevail, would be that in making their selections, the members of the committee, acting—I am sure—in good faith, would take into account seniority, geography, ideology, competence, and experience; and they should try to get—within the broad outlines of those general criteria—the very best Members available within the whole body of the Democratic side of the Senate, to serve on the particular committees in which vacancies occur.

I would not want any more rigorous ground rule than that. Of course, in order to make it effective, it would be necessary to have a representative steering committee. Although, as I have been pointing out, the present steering committee is not representative in terms of either ideology or geography, I would say to the Senator from Wisconsin [Mr. Proxmire] that all we need, in order to get the kind of steering committee which he and I would like to have, is the support of the leadership. Until we came to the Democratic conference the other day, I had hoped we would have the support of the leadership in the attempt to increase the size of the steering committee to either 19 or 17; and 2 years ago I was given to understand—although no commitment was made—that there would be resignations from the steering committee, from among the members from the Deep South, in order to make it possible to comply with the requirement—laid down in both 1961 and 1963—by the Democratic conference that the membership of the steering committee should represent both the geography and the ideology of the members of the conference. I say to the Senator from Wisconsin that I have not despaired of getting the leadership to change its mind in that regard.

I am telling no tales out of school when I say that within the leadership itself there is dissension on this point. I would hope that the majority leader and the whip would in due course conclude that the commitment made to the Democratic conference in 1961 and 1963 should be kept.

I point out to my friend from Wisconsin that we were not too far away from winning anyway, even with the opposition of the leadership. We got 21 votes out of 60, for a steering committee of 19. We got 23 votes out of 60 for a steering committee of 17. A shift of only 10 votes would have changed the result. If the leadership were to shift, there is not a shadow of doubt in my mind that the majority would shift, too.

I point out that there were only 60 votes, because 7 Democratic Senators were unable to attend the conference.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. CLARK. I yield to my friend from Wisconsin.

Mr. PROXMIRE. With much of what the Senator has said today I wholeheartedly agree. Of course, the body of his speech I find very agreeable. Also I concur with his statement that he thinks the steering committee should be guided by criteria. That is very important. Perhaps those criteria exist implicitly. I do not know of any explicit statement that seniority, geography, ideology, and competence should be considered. If there is such a generalized notion, I do not believe it is widely understood.

Mr. CLARK. Clearly or not, consider what happened.

Mr. PROXMIRE. Very well; consider what happened. Let me discuss with the Senator from Pennsylvania what course ought to be followed. The Senator has said he thinks we were close to victory because we got 21 votes in the caucus of 60 Senators.

Mr. CLARK. Twenty-three.

Mr. PROXMIRE. That was for 19 members of the steering committee; and 23 votes for 17 members of the steering committee. I submit that if there were 19 members on the steering committee, it would not have made any difference on any vote the Senator has discussed today.

Without having had revealed to me the precise vote, I understand that it was pretty substantial. It was not even close. I would not say that there was a "snow job," but there was an overwhelming decision made by those members of the steering committee. Assuming that the new members of the steering committee would all tend to agree with the Senator from Pennsylvania or the Senator from Wisconsin, I still think it is very doubtful that it would have made any real difference in the voting of the steering committee.

Mr. CLARK. Mr. President, if the Senator will permit me to interrupt, I respectfully disagree with my friend from Wisconsin. I am interested that my friend should have referred to that snow which falls with such plenitude on the marvelous forests and farmlands of his home State. Off the floor of the Senate I have said—and I say now in a mildly lighter vein, impugning neither the motives nor the action of any Senator—that what happened was the greatest "snow job" since the blizzard of 1888. I marvel at the efficiency with which that "snow" fell.

To get back to the other point, I am confident that if the composition of the steering committee had been readjusted so as to make it conform to the geography and ideology of the Senate, and if it had consisted of 19 members, there is no doubt that the results for which the Senator and I jointly contend would have been achieved. If the number had been 17, the issue would have been more doubtful. But, after all, there was only a hard core of seven votes that might not have been shifted if the composition of the committee had been otherwise. At the very most there were nine. With a committee of 19, I think we would have won 10 to 9 if the issue had been forced in each case.

Mr. PROXMIRE. At any rate, whether or not the Senator would have prevailed if he got the kind of composition of the steering committee for which he asked is certainly subject to question, because we do not know who would have been nominated by the leadership and who would have been approved by the caucus. We do not know exactly what views they would have taken on this particular vote.

The point that the Senator from Wisconsin wishes to make is——

Mr. CLARK. Mr. President, if the Senator will permit me to interrupt briefly before he continues, since I am afraid I shall lose the floor, I should like to point out that I believe time is on our side.

I hope the Senator from Wisconsin will be returned to this body by an overwhelming majority next year. I have 6 more years myself. I am hopeful that our friends in the class of 1958, in the class of 1960, and in the class of 1962 will be here for many more years. I do not believe the attrition in that group will be very high. Let us be patient.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. PROXMIRE. I have enough appreciation of the two-party system and of the ebb and flow of party fortunes to anticipate that it will be unlikely in the future that we shall continue to have 67 Democrats in the Senate, or a 2-to-1 relationship with the Republicans. I suspect that a time will come when there may be a majority of Republicans. When that time comes, I suppose that most of us from the North will no longer be here. Our southern brethren are likely to be here, if they live that long. If not, they will be succeeded by Senators who will have an equally long term of service in the Senate.

Mr. CLARK. I point out that when those Senators are succeeded by other southern Senators, the new southern Senators will not have seniority.

Mr. PROXMIRE. Yes; but if we take the long sweep of American history—certainly for the past 100 years—there is no question that in the Democratic Party southern Senators have had seniority. Furthermore, there have been many periods in which southern Senators have had close to a majority of Democratic Senators.

We should anticipate that southern Senators will have seniority, and in certian periods will have close to a majority of all Democratic Senators, as they had even as recently as 1947 and 1948.

Mr. CLARK. The Senator refers to all Democratic Senators.

Mr. PROXMIRE. All Democratic Senators. So they will be able to control the Democratic conference absolutely, even without any allies.

Mr. CLARK. If I may interrupt the Senator, I should like to point out that as a result of the activities of northern and western Democrats, joined by a perceptible handful of Republicans, we are gradually enfranchising the Negro in the South.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. PROXMIRE. The day may come when we shall have a two-party system in South Carolina and Mississippi. But I did not want to base our hopes in achieving appointments to committees on a possible two-party system in those States and in other Southern States.

Mr. CLARK. The Senator misunderstands me. I am not so much thinking about a two-party system, although personally I would like to see it. I am thinking of a drastic revision in the thinking of Senators from the South, once the Negro is really enfranchised and comes to be—as he is frequently in my Commonwealth of Pennsylvania today—the deciding factor in a close election.

Mr. PROXMIRE. I agree that such a development is likely to take place sooner than the development of a two-party system in the South. It seems to me on the basis of the experience we have had that we can anticipate a situation in which those who were inclined to disagree with the viewpoint of the Senator from Pennsylvania and the Senator from Wisconsin on civil rights will have disproportionate power in the Democratic Party, considering their numbers. They will have disproportionate representation on the steering committee.

Mr. CLARK. They do today.

Mr. PROXMIRE. There will be disproportionate influence on the steering committee. Whether it consists of 17 members or 19, they will continue to have exceptional influence, not only because of their numbers, but because of their ability and experience. Recognizing that we are likely to have a steering committee which will have disproportionate representation of Southern Senators for the foreseeable future, it seems to me it is the better part of wisdom on our part to insist upon the most objective criteria for appointments to committees that we can win. We cannot rely on a favorable steering committee. We must therefore rely on criteria that will require fairness and objective appointment by the steering committee.

I submit that we should be able to win, without any question, approval of an objective criteria like seniority from members of the steering committee. If they will not accept it, it seems to me they are wrong and we can take the issue to our constituency, to the country, or anywhere we may wish to take it and convince the people that we are right and the other Members are wrong. Appointments to the various committees of the Senate should be made on the same basis on which appointments of chairmen of committees and subcommittees are made, except that appointments of new Senators to a major committee shall be an exception; and if other exceptions are made there should be a clear, written explanation of the reason. That written explanation might be on the basis of geography, or perhaps on the basis of an ideological imbalance on the committee. It might be on the basis of exceptional competence, although I do not think one would find much justification on that basis, no matter how it was stated, because everybody feels that all Senators are competent, and nobody is going to make a public argument that any Senator is incompetent or less competent than someone else.

I submit that if we try to stick as close as we can to seniority then we can avoid the kind of thing which happened with respect to the Appropriations Committee this year, when a fine Senator, with less seniority, but who voted with the southerners in the crucial vote over the filibuster—was given the appointment to this prize, prime committee over two other Senators with more seniority; one who voted against the southerners consistently on the filibuster, from the North, and one who showed exceptional courage and independence and frequently disagrees with his southern brethren. I refer to the Senator from Texas [Mr. YARBOROUGH].

Mr. CLARK. Will the Senator permit me to interrupt?

Mr. PROXMIRE. The point the Senator wishes to stress is that when we have a committee stacked against us making the appointments—stacked against us on the basis of elections from the South, or ideological attitudes, or whatever one wishes to call it—we need the clearest and simplest criterion we can get, applied with scrupulous fairness and justice, and applied in such a way that we can always take our case to other Senators, or take our case to members of the steering committee themselves, to say, "I have seniority over my contender for this position, and should be given the appointment." If we have that protection we will be considered fairly. If we do not have it, it seems to me that the Senator from Pennsylvania has made a devastating case that we can expect to lose out.

Mr. CLARK. If the Senator's premise is correct, his conclusion is entirely sound. I challenge the premise, for the reasons I outlined a few minutes ago.

Nevertheless, the Senator's suggested criterion, if adopted, would certainly be far better than the situation under which we now operate. Until such time as we can successfully readjust the membership of the steering committee to meet ideology and geography, as, in effect, the conference directed, I would support the Senator.

Mr. PROXMIRE. I thank the Senator very much. With the exception which has been mentioned—of the newly elected Senators appointed to committees regardless of seniority—the steering committee now generally follows the policy of seniority. It does make exceptions, however. When it makes exceptions, I think we ought to insist on justification. After all, it is our steering committee. We appoint the members. Why should we let them get away with it? Why should we not insist that they make an explanation, either to the Senate or to the caucus, as to why they wish to appoint A over B, when B has seniority over A? They ought to have a reason for it, other than the fact that they like B better.

Mr. CLARK. Let me point out to my friend from Wisconsin that he will have an opportunity on the floor of the Senate to do exactly that next Monday. Perhaps he was not in the Chamber when that was arranged.

Mr. PROXMIRE. I understand that, but I say to the Senator from Pennsylvania that these things are always extremely awkward. When any Senator stands—particularly one who feels he has not gotten his just due—and asks, "Why was I not given this assignment instead of another Senator?" it is extremely embarrassing. All those who are involved are embarrassed. Senators do not like to do that.

If this criterion were written into the rules, and if it were required that the steering committee, if it made this kind of exception, would have to give its reasons, in most cases we would have an objective and fair criterion of seniority applied. That would be true in most instances, except when the discrimination was based on some good, solid, sound justifiable reason like a gross geographical or ideological imbalance of the kind we now have on the Interior and Insular Affairs Committee.

Mr. CLARK. I am sure my friend from Wisconsin does not think I was without embarrassment when I began to make this detailed speech.

Mr. PROXMIRE. The Senator is correct, but I am sure the Senator from Pennsylvania has one great advantage. It is very clear that the Senator is not seeking in any way to serve his own interests in making the speech. However, if the Senator from Wisconsin or the Senator from Texas should protest the appointment of the Senator from Alaska to the Committee on Appropriations over their senior claims, it would be taken, I think, by many people in the Senate and outside the Senate, as coming with bad grace. It is something which is not done. For that reason, we would be in a different position from that occupied by the Senator from Pennsylvania, who has shown extraordinary courage and conviction in making the fine fight he has made.

Mr. CLARK. Let me say to my friend from Wisconsin that I am sure there will be some—perhaps many—who will say that the reason I am making this speech is that I was disappointed over not being appointed to the Committee on Foreign Relations. I have undertaken to lay that ghost, whether successfully or not I do not know.

The Senator from Wisconsin could rise on the floor on Monday to challenge the ignoring of seniority in each of the nine cases in which he was not personally involved. How, then, could anyone say he was trying to feather his own nest?

Mr. PROXMIRE. I say to the Senator from Pennsylvania that I do not like to suggest a statistic which weakens our case, but in view of that challenge I do not know how to avoid it. The fact is that there were only two cases in which seniority was ignored except in the cases of junior Senators given more than one committee; those two exceptions were first, the Appropriations Committee assignment; and secondly the assignment to the Committee on Rules and Administration, to which the Senator from Pennsylvania was appointed over the Senator from South Carolina.

These assignments violated seniority. There has been no jurisdiction, no explanation for it. There should be. If a junior member of a committee were made chairman, the Senate and the senior Members passed over would deserve an explanation. They would get it. These two exceptions deserve explanation too. Why don't we get one?

Mr. CLARK. I do not know.

Mr. PROXMIRE. At any rate, I am not inclined to make a fight either with respect to the Appropriations Committee or the Committee on Rules and Administration under the present circumstances; and the other decisions were made in favor of the freshmen Senators.

Mr. CLARK. Perhaps we could more profitably continue our discussion some other time.

Mr. PROXMIRE. I think so.

Mr. CLARK. Mr. President, I turn briefly to the question of packing and stacking and shuffling.

There have been those who have suggested that liberal Senators wanted to pack committees. I suppose the analogy was to the Roosevelt attempt to pack the Supreme Court.

An effort has been made to make the Senator from Pennsylvania appear, indeed, mildly unethical, because he wants to change the size of these committees to put supporters of the President of the United States, to put able and experienced Democratic Senators who sought these assignments, on particular committees.

I think I have cited enough precedents in the history of the Senate, when the size of committees has been changed, to meet the contingencies of the day. In no instance have I asked that any committee be increased in size larger than it had been in the past, except the Appropriations Committee, with respect to which a special condition existed reflecting the "bumping."

Moreover, we are playing now, not with a packed deck, but with a stacked deck. The deck is stacked against the President of the United States, and I want to shuffle that deck so that in the end the President of the United States will have his fair share of trumps and we can play the game with an honest deck of cards.

I immediately again want to say that I am not accusing anybody of dishonesty. I am not accusing anybody of improper motives. I am not accusing anyone of doing anything other than desiring to retain the status quo. But the status quo is a stacked deck, and all I am trying to do is unstack it, and I do not think the comment that this involves packing the committee has much justification.

REPUBLICAN MEMBERS OF THE ESTABLISHMENT

Mr. President, having said my fair share—perhaps more than my fair share—about the Democratic side of the Senate establishment, I should like to say a few words about their allies, the Republican Members of the Senate establishment. This is a small and dwindling group of supporters of the status quo.

I can remember, when I first came to the Senate, there were 47 Republicans here. That number, I am happy to say, has now been reduced to 33, and among those 33 is a small but active and able group of liberal Republican Senators. But the dwindling group of establishment Republicans is still essential to the establishment of the Senate and those devoted to the status quo.

It is only with the aid of the able and beloved minority leader, the champion of the Republican establishment, that our friends in the Democratic establishment have been able to retain that control of key committees which is essential to be slowing down, if not the defeat, of major progressive proposals of the President of the United States.

I shall not name names, but I ask my colleagues to look carefully at the membership of the Appropriations Committee, and I make the suggestion that the bipartisan, conservative, status quo establishment presently controls the Appropriations Committee by a very narrow margin; and that if it had been increased in number to 29 from 27, and the Senator from New York had been left on it from the Republican side, and a liberal Democrat with seniority who had been applying for the job had been placed on it, the establishment might have lost control of the Appropriations Committee, so razor thin is their control at the moment.

Let us look at the Committee on Armed Services. There the establishment is in command, with the help of the Republicans.

Mr. PROXMIRE. Mr. President, will the Senator yield on the point of the Appropriations Committee?

Mr. CLARK. I am happy to yield.

Mr. PROXMIRE. One shocking imbalance on the Appropriations Committee, is that eight of the subcommittees of the Appropriations Committee have as chairmen southerners—two-thirds, 2 to 1.

Mr. CLARK. The Senator is correct.

Mr. PROXMIRE. Here I think is a striking example of the domination of the policies of the Congress of the United States, or at least the U.S. Senate, by one area of the country. I think this is an element of appropriation control and of power that has been overlooked.

None of us is challenging the right of senior southerners to whatever position they are entitled to; but how very moderate and mild is the position taken by the Senator from Pennsylvania. All he is asking is that in committee assignments some consideration be given—equal and fair consideration—to Senators who are not from the South. We recognize the enormous power the southerners have. We are not trying to undermine it or even challenge it; we are simply asking for fair consideration under the rules which southerners champion and which suit their purposes very well.

Mr. CLARK. I thank the Senator from Wisconsin.

I now turn to the vital assistance of the Republican members of the establishment in maintaining control of the Armed Services Committee, a committee very important indeed to our national security.

I think, in fairness, it might be pointed out that when the establishment gets into military affairs, they do not hold back. I want to be careful in the choice of my words, so as not to give affront. But certainly the establishment in its control of the Armed Services Committee is not notorious in its support of the present or past administration's efforts to obtain test ban and disarmament agreements with the Soviets. I am sure this position is sincere, but I point out that that committee, as anyone who wishes to run his eye down its membership will inevitably conclude, is controlled by a bipartisan coalition of the establishment which, I do not believe, when the chips are down, will give support to certain efforts by the President to ameliorate the cold war situation, or to curtail that military and industrial complex which President Eisenhower referred to. I do not think we are going to get much support from that committee on those matters, which I believe to be in the public interest.

The next committee which the Republicans are responsible for aiding the conservative Democrats in completely controlling is the Finance Committee. I see an able member of that committee, the Senator from Illinois [Mr. Douglas], on the floor. I am certain he will agree with me that the most fairminded and objective observer, as he runs his eye down the membership of the Finance Committee, will inevitably conclude that the bipartisan establishment has a majority of that committee firmly in its grasp, to the detriment of the program of the President of the United States.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to the Senator from Illinois.

Mr. DOUGLAS. Since an implicit question has been asked of me, I would say in years past that has been the case. We hope it will not be the case in the future. Certainly it is a true statement of what has happened in the past.

Mr. CLARK. I should like to point out that even in the Finance Committee there is a slow attrition working against the bipartisan establishment. Its control of the Finance Committee was far greater some years ago—in fact, when I first came to the Senate—than it is today. If we can increase the size of the Finance Committee, as I have suggested, we can probably wrest control of that committee from the establishment, and thus add it to the large number of other committees over which the establishment has lost control.

The next committee of which the establishment has control is the Foreign Relations Committee. There I must tread lightly, first, because of my own personal interest in the matter, and second, because the field of foreign relations is very complicated and complex, involving shifts, depending upon the particular issue, in the attitude and position of members of that committee.

I will make the statement that on the whole, and all things considered, as a result of the two new appointments which are being made to that committee, the program of the President in foreign affairs is in jeopardy so far as that program is under the control of the Foreign Relations Committee.

The next committee is the Committee on Rules and Administration. I see my friend the Senator from Rhode Island [Mr. Pell] on the floor. He is an able member of the Committee on Rules and Administration. I point out that one sardonic thing about what happened is that the control of the establishment over the Rules Committee has now shrunk to a 5 to 4 majority.

I believe the Senator from Rhode Island and I have some hope that with the aid of our fine new Republican colleagues, the Senator from Kentucky [Mr. Cooper] and the Senator from Pennsylvania [Mr. Scott], we might just be able to persuade a majority of the committee to bring to the floor of the Senate some badly needed changes in our rules and procedures, for which the Senator from Rhode Island and I have been contending.

To sum up this portion of my talk, I emphasize the fact that this control of the establishment over the Senate requires the support of a dwindling group of Republican conservatives headed by the able and distinguished minority leader, and that as a result of what has happened since the election of 1958, when 18 forward-looking, modern Senators joined this body, and the election of 1960, when the Senator from Rhode Island and several other Senators joined this body, and now because of the election of 1962, when a substantial group of splendid forward-looking liberal Senators joined the Senate, the attrition on the establishment has been very substantial indeed.

Let me point out that since 1958 the establishment has lost control of the Banking and Currency Committee, the Commerce Committee, the Committee on Government Operations, the Interior

Committee, and, as of Monday believe it or not, the Judiciary Committee. They never had control of the Committee on Labor and Public Welfare. They have lost control of the Public Works Committee.

Therefore time is on our side. Unless catastrophe overtakes the liberals of both parties in the election of 1964, I predict that we are within striking distance of obtaining control of the committee system of the Senate for the liberal and forward-looking elements on both sides of the aisle.

Yesterday the majority leader, as reported at page 2565 of the CONGRESSIONAL RECORD, asked me to comment on whether the actions of the steering committee had revealed a constant pattern of bias in favor of junior Senators who had voted against cloture and to overlook the claim of Senators, frequently of greater seniority, who had voted for cloture. At that time I refused to make a statement one way or the other because I wanted to assemble the facts.

To my mind it would serve no useful purpose for me to make any charge or any statement one way or the other. However I have had prepared a table which shows the names of Senators on the Democratic side who sought committee assignments, what their first, second, and third choices were, and the position they took either for or against a change in rule XXII, and therefore, almost automatically, the position they took on cloture.

I will state only facts. I will not draw any conclusions. First I ask unanimous consent that a copy of the compilation prepared for me by my staff may be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

STAFF MEMORANDUM TO SENATOR CLARK

Twenty-two nonfreshman Democratic Senators submitted eligible [1] bids for new committee assignments as shown below. The committees received, if any, and the position of each Senator on the rule XXII question, are indicated also.

Name	Committee assignments received	Choice	Position on rule XXII	
			For change	Against change
Bartlett	Appropriations	1st		X
Burdick	None		X	
Byrd (West Virginia)	Rules	No. 1 eligible		X
Cannon	Commerce (applied for Commerce and Finance)			X
Clark	Rules	No. 2	X	
Engle	None		X	
Hart	Commerce	No. 3	X	
Hayden	Interior	No. 1		X
Jordan	Public Works	No. 1		X
Lausche	None		X	
Long (Missouri)	do		X	
McGee	Post Office and Civil Service	No. 1		X
Moss	None		X	
Mansfield	Appropriations	No. 1	X	
Muskie	None		X	
Neuberger	do		X	
Pell	Government Operations	No. 2	X	
Proxmire	None		X	
Smathers	Foreign Relations	No. 1		X
Thurmond	None			X
Yarborough	do		X	
Young (Ohio)	Armed Services	No. 2	X	

CONCLUSIONS

1. Eight nonfreshmen Senators (BARTLETT, BYRD, CANNON, HAYDEN, JORDAN, MCGEE, SMATHERS, THURMOND) who opposed rules change submitted eligible bids for new committee assignments. Seven of them (88 percent) got new assignments. Six (75 percent) got the assignments which represented their first choice (only THURMOND was disappointed.)

2. Fourteen nonfreshmen Senators who favored rules change applied for new committee assignments. Five (36 percent) got new assignments (MANSFIELD, HART, PELL, YOUNG, and CLARK); only one Senator (7 percent) of the group—Senator MANSFIELD—got the committee which was his first choice.

Mr. CLARK. Mr. President, one who analyzes this statement for the purpose of determining the ultimate facts will see that eight nonfreshmen Senators who opposed a rules change submitted eligible bids for new committee assignments. Seven of the eight got new assignments. Six of the eight got new assignments which represented their first choice. Fourteen nonfreshman Senators who favored a rules change applied for new assignments. These were men who had voted for cloture. Five of the fourteen got new assignments. Only one got the committee of his first choice, and that was the majority leader.

Mr. PROXMIRE. Mr. President, will the Senator yield? This is a startling analysis.

Mr. CLARK. I will yield in a moment. These facts speak for themselves, and I will not draw any conclusions therefrom. I want to be very careful not to make any charges which will either inflame good friends of mine or result in my being charged with misrepresenting the facts. I now yield to the Senator from Wisconsin.

Mr. PROXMIRE. The Senator says that eight nonfreshmen Senators who opposed a rules change and supported the South submitted eligible bids for new committee assignments, and that seven of those eight got new assignments, and that six out of the eight, or three-fourths, got their first choice.

Mr. CLARK. The Senator is correct. This appears in the table that I have placed in the RECORD. The only nonfreshman Senator in this category who was disappointed was the Senator from South Carolina [Mr. THURMOND].

Mr. PROXMIRE. Then the Senator says that 14 nonfreshmen Senators who favored a rules change applied for new committee assignments, and that in sharp contrast whereas among those who voted with the South on rules change 88 percent, or 7 out of 8 had gotten an assignment they sought. Of those who voted against the South only 5, or nearly 36 percent, or 1 out of 3, got any new assignment.

Mr. CLARK. I might comment on that. The five were Senator MANSFIELD, who applied for Appropriations, and of course the majority leader was unanimously given this choice, which he deserved in terms of seniority; Senator HART, of Michigan, who, as I pointed out earlier, was saved by the bell from getting no new committee assignment at all; Senator PELL, who was shanghaied and given a committee he did not want to serve on, although I am sure he will render very valuable service there; Senator YOUNG of Ohio, who got his second choice; and I, who squeaked onto the Rules Committee by the skin of my teeth.

Mr. PROXMIRE. Only one of those Senators, or 1 out of 14, got the committee which was his first choice, and that was the majority leader. Is that correct?

Mr. CLARK. The Senator is correct.

Mr. PROXMIRE. The majority leader.

Mr. CLARK. Yes.

Mr. PROXMIRE. In other words, of all the Senators applying for a committee assignment in the entire Senate who opposed the South, only the majority leader out of the 14 got his first choice. In other words, all the others were turned down, whereas of the Senators who had voted with the South, six out of eight got their first choice. Is that correct?

Mr. CLARK. That is correct. I have to add a footnote, which is in the analysis I placed in the RECORD, that this compilation excludes the bids of Senators who were ineligible for the committee seats they sought because they already had so many major committee assignments that they could not be assigned to another one. Those Senators were: BYRD of West Virginia, MONRONEY, and SPARKMAN.

Mr. PROXMIRE. Then there was another elimination, which reinforces the objectivity of this analysis, and that is that the freshman Senators were eliminated from consideration in this particular analysis.

It was my feeling that many freshman Senators, regardless of seniority, should have been given their choice committees. The Senator from Pennsylvania properly left that out of his considerations. All the Senator from Pennsylvania is considering is why those Senators, not freshmen, failed to receive choice committee assignments. It seems to me the facts of the Senator from Pennsylvania are simply devastating in support—the Senator from Pennsylvania is not saying this: I am—of the position which I understood the Senator from Illinois [Mr. DOUGLAS] to take the other day, when he said that it may well be—I do not want to put any words in his mouth, either—that there was some consideration of the vote on rule XXII when the committee assignments were made. I do not know how anybody can read these figures without feeling that perhaps this is true.

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[1] Ineligible bids for the Space Committee were submitted by Senators BYRD of West Virginia, MONRONEY, and SPARKMAN.

Mr. **CLARK**. I make no charge; I have just stated the facts.

With respect to the freshman Senators, I point out that this resolution was not dependent in any way on giving them one first-class committee assignment. In my opinion, it could have been worked out so that they could have received two first-class committee assignments and still not have disappointed so many nonfreshman Senators in their ambitions.

Mr. President, I have several other matters to discuss; but because of the lateness of the hour, I shall terminate my discussion at this point and resume it tomorrow.

I thank the Senator from Illinois and the Senator from Wisconsin for their helpful intervention.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER**. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **CLARK**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ADJOURNMENT

Mr. **CLARK**. Mr. President, in accordance with the order previously entered, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 54 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, February 21, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 20, 1963:

IN THE MARINE CORPS RESERVE

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade of brigadier general:

William H. Klenke

Harry N. Lyon

The following-named officer of the Marine Corps Reserve for temporary appointment to the grade of brigadier general:

Sidney S. McMath

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 21, 1963

The House met at 12 o'clock noon.

Rev. Felix Maguire, assistant pastor, St. Lawrence Church, West Haven, Conn., offered the following prayer:

Almighty God, we honor today the Father of our Country, George Washington.

We thank You for sending him to us when we needed him. We thank You for keeping his image, his name, his memory, and his deeds a beacon to direct our leaders over the difficult paths they travel.

Grant that we show our gratitude not by mere words but by the clear reflection in our deeds of the virtues that inspired him: that we have faith in You, in our country, its leadership, its people; that we be confident of Your strength to carry us forward; that we have freedom wherever we find it; that we be prudent, just, temperate, and strong. We ask this in Washington's memory and in Your name. Amen.

THE JOURNAL

The Journal of the proceedings of Monday, February 18, 1963, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries.

GEORGE WASHINGTON'S FAREWELL ADDRESS

The **SPEAKER**. Pursuant to the order of the House of February 18, 1963, the Chair recognizes the gentleman from Utah [Mr. BURTON] to read George Washington's Farewell Address.

Mr. **BURTON** read the farewell address, as follows:

To the People of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself, and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquillity at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, suffering and successes.

But these considerations, however powerfully they addressed themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south* in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a martime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyments of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western;* whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliance, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and maintaining within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state it is requisite, not only, that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be involved, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding of them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissention, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not be entirely out of sight) the common and continual mischiefs of the spirit or party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasion of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinions should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes, that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that in place of them, just an amicable feelings toward all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessary parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me fellow citizens) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interest.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collusions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe; my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

THE MARDI GRAS BALL

Mr. MORRISON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MORRISON. Mr. Speaker, as chairman of the 1963 Louisiana State Society Mardi Gras Ball, which will be held in Washington at the Sheraton Park Hotel next Saturday evening, February 23, I am happy to announce the great State of Louisiana again salutes the Capital of our Nation on the occasion of the Mardi Gras.

As we have done each year since 1942, with the exception of the World War II years, the Louisiana State Society in Washington under the leadership of Felix Broussard, president, is bringing to the Nation's Capital a Louisiana Mardi Gras ball by way of a colorful pageant of color and glamour. The Mardi Gras Ball this year is dedicated to the great segments of the advertising industry—outdoor, radio, television, newspapers, and other advertising media, all of which are endeavoring to improve and strengthen the economy of Louisiana. Only by their endeavors are we able to continue to inform the world of the many resources of our great State of Louisiana.

In honoring this great industry, it was appropriate to select an executive from its midst who would truly be representative of the high standards in the advertising profession. A selection was made and his identity kept a secret until now, as is traditional with Mardi Gras balls. His Excellency, King Kevin Patrick Reilly, of Baton Rouge, La., fulfills all of the stringent requirements for one of his high positions.

Every Mardi Gras ball must have for its queen a person of regal position and possessing great charm and beauty. This year's selection has, indeed, upheld the high standards of Louisiana tradition and Miss Maurine Perez, coed of Louisiana State University, daughter of Mr. and Mrs. August Perez, Jr., of New Orleans, and Covington, La., will reign as queen of the 16th Annual Mardi Gras Ball of the Louisiana State Society in Washington.

We are most grateful, Mr. Speaker, that you have favored the Louisiana State Society by accepting the pleasant duty of escorting Queen Maurine during her grand entry to join her king.

Again Louisiana has been honored, Mr. Speaker, by the President of the United States, the Honorable John F. Kennedy, who has personally arranged a special tour of the White House, Friday morning.

The guest narrator and director for the grand pageant of queens this year will be Mr. Barnee Breeskin who is well known in Washington.

In Queen Maurine's court will be 27 beautiful princesses, who are the reigning queens of the various Louisiana festivals. Each queen is a Louisiana queen in her own right, having been selected by qualified panels of each State festival. We of the Louisiana delegation are intensely pleased that the people of Louisiana have again honored our Nation's Capital by making possible the visit of these lovely young ladies on the occasion of our Mardi Gras ball.

The festival queens who are princesses of the court are:

Miss Elizabeth Azar, queen of the Town House Order of the Troubadours, of Lafayette, La.

Miss Suzanne Bienvenu, queen of the Louisiana Fur and Wildlife Festival, of Cameron, La.

Miss Mariana Broussard, queen of the Southwest Louisiana Mardi Gras Association, of Lafayette, La.

Miss Mary Bush, queen of the Bogalusa Paper Festival, of Bogalusa, La.

Miss Gwendolyn Sue Cooper, queen of the Future Farmers of America, of Baton Rouge, La.

Miss Janet Dautrieve, queen of the Chalmette Tomato Festival, of Chalmette, La.

Miss Sharon Elliot, queen of the International Rice Festival, of Crowley, La.

Miss Joan Fagan, queen of the Louisiana Strawberry Festival, of Hammond, La.

Miss Charlotte Foreman, queen of the Vermilion Fair and Festival Association, of Kaplan, La.

Miss Linda Hansford, queen of the Louisiana Forest Festival, of Winnfield, La.

Miss Sandy Ann Hebert, queen of the Yambilee Festival, of Opelousas, La.

Miss Rosemary Hudspeth, queen of the Cotton Festival, of Ville Platte, La., and queen of the 1963 Sugar Bowl game in New Orleans, La.

Miss Carol Jackson, queen of the Louisiana Gulf Coast Oil Exposition, of Lafayette, La.

Miss Trudy Johnson, queen of the Delcambre Fish Industry Festival, of Delcambre, La.

Miss Cathy Kornegay, queen of the Louisiana Shrimp Festival and Fair Association, of Morgan City, La.

Miss Virginia LeBas, queen of the Louisiana Turnoi Festival, of Ville Platte, La.

Miss Patsy Lowderback, queen of the Holiday in Dixie Festival, of Shreveport, La.

Miss Sharon McClendon, queen of the Rose Festival, of Bogalusa, La.

Miss Becky McKenzie, queen of the Louisiana Peach Festival, of Ruston, La.

Miss Jeanne Morris, queen of the Louisiana Livestock Show and Festival, of Marksville, La.

Miss Pamela Munson, queen of the Louisiana Farm Bureau Federation, of Baton Rouge, La.

Miss Kathy Nastasi, sweetheart of the American Legion, of Bogalusa, La.

Miss Diana Mae Nicol, queen of the Louisiana Sugar Cane Festival, of New Iberia, La.

Miss Jane Parks, queen of the Louisiana Soybean Festival, of Jonesville, La.

Miss Betty Powers, queen of the Louisiana Dairy Festival, of Abbeville, La.

Miss Judith Waite, queen of the New Orleans Floral Trail, of New Orleans, La.

Miss Linda Yates, queen of the Ozone Camellia Club, of Slidell, La.

A royal court would not be complete, Mr. Speaker, without the maids-in-waiting. For the 1963 ball, they have been meticulously selected and they have been chosen to represent the vibrant beauty of the younger ladies, which is a tradition of Louisiana youth.

The maids-in-waiting of the 1963 Mardi Gras Ball Court are:

Miss Charlotte Reily, "Little Miss Louisiana of 1963," of Slidell, La.

Miss Rosemary Chandler, "Miss Catahoula," of Jonesville, La.

Miss Donna Lynn Felps, queen of the Pine Tree Festival, of Walker, La.

Miss Tara Duggan Flanakin, high school queen of the Louisiana Colony of the Washington Area, of Baton Rouge, La.

Miss Claridel Hurst, "Miss Wool of Louisiana," of New Roads, La.

Miss Lelone James, "Miss Merry Christmas," queen of the Natchitoches Christmas Festival, of Natchitoches, La.

Miss Cheryl Lirette, university queen of the Louisiana Colony of the Washington Area of New Orleans, La.

Miss Sally Nichols, college queen of the Louisiana Colony of the Washington Area, of New Orleans, La.

Miss Joe Elizabeth Ragusa, queen of the Easter of the Baton Rouge Easter Festival, of Baton Rouge, La.

Miss Diana Jane Smith, "Miss Louisiana of 1962," of Lake Providence, La.

Miss Catherine Thompson, "Miss Cover Girl," 1962 Louisiana Mardi Gras Ball program, of Ville Platte, La.

Miss Mary Stuart White, "Miss Louisiana Industry Queen," of Lake Charles, La.

PROGRAM FOR WEEK OF FEBRUARY 25

Mr. BRUCE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute in order to inquire of the majority leader the program for next week.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BRUCE. I yield.

Mr. ALBERT. Mr. Speaker, the program for the House for next week is as follows:

Monday there will be several bills brought up by unanimous consent out of the Ways and Means Committee which were reported unanimously: H.R. 370, duty treatment of certain bread; H.R. 780, credit against estate tax for Federal estate taxes paid on certain prior transfers; H.R. 1597, tax treatment of redeemable ground rents; H.R. 1839, free importation of wild animals and wild birds intended for exhibition in the United States; H.R. 2053, temporary suspension of duty on corkboard insulation and cork stoppers; H.R. 2085, income tax deduction for child-care expenses in the case of women deserted by their husbands; H.R. 2513, marking of new packages for imported articles; H.R. 2826, taxation of dispositions of property pursuant to antitrust orders; H.R. 2874, tariff treatment of certain electron microscopes; and House Concurrent Resolution 57, designating "bourbon whisky" as a distinctive product of the United States.

I advise that these bills may not necessarily be called up in the order in which they have been listed, and also further that all of these bills passed the House in the last Congress.

Tuesday is undetermined. There will be a Chicago primary that day.

On Wednesday and the balance of the week there will be several resolutions out of the Committee on House Administration. These resolutions by number and title will be listed in the RECORD at a later time, probably on Monday.

I might advise the House that there will likely be rollcalls on Wednesday in connection with some of these matters.

Any further program will be announced later.

ADJOURNMENT TO MONDAY, FEBRUARY 25

Mr. ALBERT. Mr. Speaker, at the close of business today we will have finished the business of the week. In view of that I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to dispense with business in order on Calendar Wednesday of next week.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SERIOUS NATIONAL PROBLEM IN THE CITY OF WASHINGTON

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, while all of us are rightly concerned over the international situation, I feel that we have overlooked a most serious national problem right here in the city of Washington. As the Nation's Capital it should be a place of which all Americans are proud. Unfortunately, because of the alarming increase in crime, it is a place for which we must all be ashamed.

My deep concern over this alarming crime wave in our Nation's Capital was accentuated when it was reported that the major violence in Washington ran 17 percent last month over the rate a year ago. It is high time that we take positive and forthright action when our Congressional Secretaries' Club finds it necessary to provide police escorts for the members of our staffs when walking to the parking lot, just across the street.

Additionally, the press reports that Washington is the leader in crime increase throughout the Nation. It is appalling to know that among the 16 U.S. cities, with 500,000 to 1 million population, the Nation's Capital actually ranks first in aggravated assaults, second in robbery, and fourth in murders, and that while the crime increase was up 14 percent in the United States as a whole, Washington experienced an astounding increase of 41 percent.

Of course, everyone is concerned with the rehabilitation of youth offenders, but we cannot sit idly by and permit gangs of wild hoodlums to run rampant over innocent citizens. If parents refuse to discipline their children then let us terminate the outlandish welfare payments to them and give the children some instruction in correctional institutions. It is our responsibility, as ex officio city council of Washington, to demand corrective action by the local Commissioners, the courts, and the general citizenry to stop this criminal savagery.

Mr. Speaker, we should applaud the recent efforts of our District Committee headed by our distinguished colleague, the gentleman from South Carolina [John L. McMillan], in combating this increased crime situation. The urgency of the matter should compel us to assure this committee in advance of our desire for immediate action and our support for their proposals. If it means new courts, correctional institutions, stiffer sentences or curfews, or perhaps increased authority to the police officials for the apprehension of these robbers, and rapists then we should meet the need forthrightly and immediately.

Mr. Speaker, unless action is taken immediately I fear the problem will reach epidemic proportions as soon as the Commissioners' unwise order prohibiting police from picking up young hoodlums for investigation is put into effect.

I understand from talking with Chief Robert Murray of the Washington police that this order which will seriously impair further police activities, is scheduled to become effective around March 15.

Are we going to face up to our responsibilities? Are we going to let Washington, the place which should be the envy and pride of the world and certainly of all Americans, become a place of shame or a place of pride? Are we going to let it be a city of laws or a city of lawless people? Are we going to let it be known as the seat of government or the seat of the godless?

Mr. Speaker, this is a serious problem. I fear for the safety of the Members of this body and the safety of the people of Washington, D.C.

Mr. Speaker, I urge again that the Members of this body join with me in urging the House District Committee to take positive and definite action in an effort to combat this serious problem.

ANY WEAPON IN COMMUNIST HANDS IS AN OFFENSIVE WEAPON

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the reported attack by Cuban-based Communist planes on an unarmed and disabled American shrimp boat in the Florida straits proves beyond a doubt that any weapon in Communist hands is an offensive weapon.

If there has been any doubt in anyone's mind up to now about the arms in Cuba, this incident should clear it up. One Soviet soldier in Cuba is one too many.

This incident should prove that we must stand ready to meet force with force and I have already urged through appropriate channels that the U.S. Government take necessary action.

I have asked the Department of Defense to give immediate protection to all American shrimp boats, and other American ships and planes operating off the Southeastern United States.

NATIONAL DEBT REDUCTION LEGISLATION

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, today the Congress takes official note of the birth and life of our first President, George Washington. At this time it is fitting to recall once again the words of the Father of our Nation in regard to the public debt.

In his Farewell Address to Congress in 1796, Washington said:

> As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate.

Speaking of this same quotation on February 23, 1960, I pointed out that "we may fast see the day when the danger to our country economically may be greater than the danger militarily; unless action is taken we will find ourselves headed down the road of financial self-destruction after standing indestructible against all outside forces" for over 187 years.

At the time I addressed the House on this subject in 1960, legislation which I had introduced was pending before the House Ways and Means Committee to require provision in the budget submitted to the Congress each year an item equal to at least 1 percent of the debt, to be applied toward debt reduction. No statutory provision for planned payment of the debt exists at this time.

Today I have reintroduced this much-needed legislation, and urge its favorable consideration by the Congress.

The national debt, at an alltime high after World War II, has increased another 17 percent during the postwar years. At the end of calendar year 1962 the Federal debt was $303.5 billion.

If we are to be successful in our struggle to lead the world to democracy and defend our own national institutions, we must insist that our country's fiscal policy is sound. An ever-growing national debt will demoralize our citizens and make our sister nations question the dollar.

Not only is the debt itself an ever-growing burden on future generations, but the interest payments on the debt have become a major cost item to the Government and the taxpayers. In 1959 when I first introduced my plan for debt reduction, interest was costing Americans $7.6 billion. The budget for 1964 calls for an estimated $10.1 billion interest expenditure.

This $2.5 billion increase in cost has come about in 4 short years because we have not been willing to act to meet our responsibilities.

The 1964 budget estimate of $10.1 billion for interest on the debt is the second highest item in the budget, second only to the cost of national defense.

The cost of interest exceeds the total cost of all of the following items combined: Housing and community development; education; natural resources; and international affairs.

The cost of interest exceeds the total cost of agriculture and space activities added together.

It should be clear to all, as George Washington pointed out so long ago, that we cannot long throw upon our future generations this burden. We are already paying the price of our past inactions. We must begin payment on the debt to reduce not only the debt itself but the high costs of interest now necessary to maintain the debt.

We cannot hope to bring about debt reduction without a plan, which would set a requirement for action each year. My bill would start us along the right path. It sets only a minimum requirement. In years when a larger reduction proved possible, a larger percentage could be applied toward debt reduction. But it has been our experience that we find it difficult to make any payment when not actually required to do so.

Mr. Speaker, I hope that the Congress will take the words of Washington to heart and fulfill their obligation in this regard.

THREAT OF CASTRO-COMMUNIST SUBVERSION IN THE WESTERN HEMISPHERE

Mr. SELDEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Speaker, the House Subcommittee on Inter-American Affairs, of which I am chairman, has completed its first week of hearings into the threat of Castro-Communist subversion in the Western Hemisphere.

During this past week the subcommittee heard evidence and testimony from Assistant Secretary of State, Edwin M. Martin; Central Intelligence Agency Director, John McCone; U.S. Ambassador to Haiti, Raymond L. Thurston; U.S. Ambassador to Venezuela, C. Allan Stewart; former Prime Minister of Cuba, Dr. Manuel deVarona; U.S. Information

Agency Deputy Director, Donald M. Wilson; and USIA Assistant Director for Latin America, Hewson A. Ryan.

Witnesses to appear before the Inter-American Affairs Subcommittee next week include director of the Defense Department's Intelligence Agency, Lt. Gen. Joseph F. Carroll; the former ambassador to the United States from Guatemala, Dr. Jose Luis Cruz Salazar; and the U.S. Ambassador to the Organization of American States, the Honorable deLesseps S. Morrison.

A PROPOSAL FOR A NEW DAIRY PROGRAM TO RAISE DAIRY FARMERS' INCOMES, LOWER PRICES OF DAIRY PRODUCTS, AND SAVE TAXPAYERS' DOLLARS

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, I have introduced today H.R. 3978 which embodies a new dairy program to bring production into balance with demand, to raise dairy farmers' incomes, to encourage an expansion in the consumption of dairy products and to end the senseless accumulation of huge surpluses occurring under the present program. Farmers who enter the voluntary program, as it would be in their interest to do, would be required to limit their production so that the cost of acquiring and storing mountains of surplus dairy products would be virtually eliminated.

More important even than ending of the waste involved in piling up surpluses, is the fact that the saving would allow us to replace an uneconomic program that requires misuse of our resources by establishing false incentives to overproduction.

We can promote economic efficiency in the dairy industry and enhance the welfare of all citizens by substituting income support for price support and allowing the prices of dairy products to fall. My proposals will mean higher incomes for family-size dairy farmers, lower prices of milk products for consumers and a reduced burden on the taxpayers. That farmers, consumers, and taxpayers can benefit simultaneously from the program I propose, involves no hocus-pocus or sleight of hand. Rather, it is convincing evidence of the self-defeating, irrational nature of the existing program.

A city Congressman cannot afford to be oblivious to the defects in the present dairy program and the real need for a sound substitute. City people need dairy products at the lowest possible prices. They need a healthy economy, including prosperous dairy farmers who can buy the goods and services which city people sell. And taxpayers everywhere need to be rid of the senseless burden of huge surpluses.

I think it is fair to warn that a program such as we now have—which, far from meeting the needs I have just mentioned, is not even headed in the right direction—cannot continue indefinitely. Rather than have it overthrown with no alternative at hand, placing the entire burden of adjustment on the struggling dairy farmer, I think it behooves representatives of both town and country to work toward a plan that will meet our national goals rationally and without the enormous waste built into the present program.

THE PROBLEM OF THE EUROPEAN COMMON MARKET

The nature of our farm programs in this country will, moreover, affect our ability to maintain and to expand our dollar-earning exports to the Common Market. Our exports of wheat, wheat flour, feed grains, meat, poultry, eggs and rice, which now amount to nearly $500 million per year, are threatened by a special tariff scheme. The Common Market has adopted a system of variable tariff levies on these products that will make the cost of imports into the Six at least as high as the price of products grown within the area. At the same time, prices of agricultural products grown within the market are to be maintained artificially at high levels. We have protested vigorously against this protectionist scheme, and we must continue to do so if we are to save a major segment of our agricultural market in Europe.

But our arguments and oratory will carry more weight if we do not ourselves have agricultural programs which are based on maintaining relatively high price supports. Thus, substituting income support for price support in our dairy program should help to strengthen our hand in keeping our $500-million export market in Europe. Our readiness to move away from rigid price supports should make it easier to urge the Common Market also to forsake farm policies which are costly to their consumers and injurious to their trading relationships.

THE PRESENT DAIRY PROGRAM

Under the present program the total dairy income has not increased. On the contrary, it has declined by more than $100 million during the past year. In Wisconsin, the leading milk producing State of the Nation, the average net income per dairy farm of about $3,200 is no higher today than it was 10 years ago. When a proper return is calculated on the capital invested in land and equipment, the typical Wisconsin dairy farmer and his family earn no more than 35 to 65 cents per hour for their labor. Even this precarious livelihood will be threatened, if growing dissatisfaction with the price support program forces its abandonment, and there is no acceptable alternative way of protecting incomes.

Consumers, who might have been expected to increase their consumption of butter, cheese, and other milk products in line with the rise in average family incomes, have been discouraged from doing so by the high prices for many milk products, particularly butter. While the dietary habits of American families have no doubt been influenced by external factors like the cholesterol controversy and fears about radioactive fallout, there is no doubt that the relatively high price of butter has caused a significant shift to cheaper substitutes. Maintenance of high butter prices will mean further attrition in this basic market for dairy farmers.

Taxpayers, too, are justifiably concerned with the present costly price support program. While earlier estimates that dairy price supports would rise above $600 million this year fortunately appear to have been exaggerated, the burden of storing mounting surpluses, added to program cost, make it imperative that we seek a better solution. Even with the most liberal use of butter in aid programs, over 300 million pounds of butter stocks have accumulated in government warehouses. Relief clients are now using twice as much butter per person as other consumers. While relief clients are certainly entitled to butter, a good government program should surely seek to encourage a more normal pattern of butter use in the population.

THE PROGRAM PROPOSED

The proposed dairy bill has been prepared with the assistance of experts from the University of Wisconsin, the Legislative Reference Service of the Library of Congress, the Department of Agriculture, and farm organizations. The bill sets forth a voluntary, 1-year program to serve while a permanent program is agreed upon. The proposed program is in accordance with the general guidelines for a voluntary dairy program, laid down by the President in his farm message on January 31, 1963. The principal objectives of the bill are to balance milk supplies with commercial market outlets, to maintain dairy incomes by direct payments to dairy farmers, to reduce milk product prices, especially for butter, to consumers, and to reduce dairy product support costs for the Federal Government.

The bill provides the following:

First. A 1-year, voluntary program under which dairy farmers would agree to reduce total milk marketings to 90 percent of individual marketing in the marketing year ending March 1963. No penalties will be imposed on those who do not choose to participate in the program.

Second. Direct income support payments are to be paid to cooperators each quarter to make up the difference between the average market price for manufacturing milk and 90 percent of parity, with a sliding scale of payment to maintain incomes for farmers who sell part of their output as fluid milk.

However, farmers who enter the program by agreeing to reduce their total milk sales by 10 percent will not be required to reduce their sales of fluid milk. Their shares of fluid milk sales in Federal order markets will be secure. The price base for calculating minimum fluid milk prices in market order areas will be unchanged.

At the same time, the divergence of interest between farmers with large sales of fluid milk and those who sell the bulk of their production as manufacturing milk will be minimized by the sliding scale. Since cooperating farmers will not be required to cut their profitable fluid milk sales, they will have to drop a proportion of their sales of manufacturing milk equal to 10 percent of their total sales.

In cases where manufacturing milk sales made up a relatively small part of the total, the farmer's income could conceivably decline if it were not for the sliding scale. However, this scale, by fixing additional payments so that a farmer's gross income from the sale of manufacturing milk will increase by about 7 percent regardless of the distribution of his sales between fluid and manufacturing milk, will make it profitable for farmers with large fluid milk sales to cooperate in the program.

A farmer selling only 30 percent of his production as manufacturing milk, for example, would receive about $200 more in gross income by cooperating than by marketing as much manufacturing milk as in the base period. Outside the program, he would have to increase production, with simultaneous increases in costs, in order to equal his former gross income from sales of manufacturing milk.

Adjustments for seasonal or other needed variations in marketing are to be permitted, except that to qualify for all payments, cooperators must adjust total output to the reduced level within 5 quarters after the effective date of the program.

Third. In order to limit maximum benefits under the program to family-sized farms—those with about 40 cows—income support payments are limited to the first 400,000 pounds of marketings of manufacturing milk.

Fourth. The minimum mandatory support level for milk is to be set at 65 percent of parity, with no mandatory support level for butterfat.

THE ADVANTAGES OF THE PROPOSED PROGRAM

The proposed program will have the following advantages:

First. For the farmer: The great majority of cooperating farmers would receive somewhat higher incomes on 90 percent of present output than they now earn under the 75 percent of parity price support program. For example, a farmer who markets 200,000 pounds as manufacturing milk would earn $3.14 per hundredweight, or $6,280 in gross income in the coming year under the present program. Under the proposed program, he could limit marketings to 180,000 pounds but would receive in combined market receipts and income support payments, $3.74 per 100 pounds—90 percent of parity—for a gross income of $6,732. In addition, he would save feed and other costs of about $1.25 per 100 pounds on the 20,000 pounds by which he will reduce output. This would give him about $700 more income than under the present plan if production costs remain at current levels.

Second. For the consumer: It is estimated that consumers will save about 12 cents per pound for butter so that in the period immediately ahead, on expected butter sales of 1,350 million pounds, consumer savings will total $162 million. Additional savings should also be possible for consumers in their purchases of cheese and other milk products.

Third. For the Federal Government: Instead of having to purchase, store, and dispose of an estimated surplus of 9.8 billion pounds of milk products in the coming year, the Government, at a lesser cost than under the present price support program, will be able to stop adding to surplus stocks. The income improvement features of this proposal, combined with the reduction of the price support for milk to 65 percent of parity, should make it attractive for most producers to participate in the program. The resulting reduction of output to 90 percent of present marketings will leave no surplus for the Government to buy, except for a quantity of dried milk powder which cannot be absorbed in any conceivable market situation.

COMPARATIVE COSTS

The comparative costs of the present and proposed dairy programs to the Federal Government are:

Present program:	*Millions*
Purchases by CCC of 98 million hundredweight of surplus products at $3.14 per hundredweight (75 percent of parity)	$308
Processing, storage, and handling of products	250
Total cost	558
Proposed program:	
Direct income support payments on 460 million hundredweight at $1.04 per hundredweight (difference between market price of $2.70 and $3.74=90 percent of parity)	478
Less income support costs saved by 400,000-pound limitation	48
Net income support payments	430
Cost of CCC purchases of dried skim milk	90
Total cost	520
Estimated savings to Government	38

The proposed program would be relatively simple to administer, and it should effectively balance production with market outlets at minimum cost to the Government. By permitting market demand to determine prices for dairy products, the proposed program will not only benefit consumers it will help us to compete against imports and to expand exports. Moreover, since we will not have to defend artificially maintained prices, we can go in with clean hands when we protest high agricultural support prices in the Common Market.

To sum up, the proposed program will stop forcing dairy farmers to produce more milk than the market can now take. It will prevent the steady decline in the income of dairy farmers. It will give consumers a break in lower prices for milk products. It will get the Federal Government off the treadmill of rising dairy program costs and the constant need to find still more expensive warehouse space to store surpluses.

Instead, the proposed program could virtually stop the accumulation of surpluses, and the $250 million now required for processing, storing, and handling dairy surplus products could be distributed as somewhat higher incomes for cooperating farmers, lower prices for consumers, and lower costs for the taxpayer.

I would emphasize also that for most farmers, my program will mean an increase in the parity level.

The text of H.R. 3978 follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Dairy Act of 1963".

Statement of findings and purpose

SEC. 2. The Congress hereby finds that the current rate of production and marketing of milk in the continental United States, excluding Alaska, is such as will result in excessive and burdensome supplies of milk and other dairy products during the foreseeable future. It is, therefore, the purpose of this Act to afford producers the opportunity and means by which they can, on a compensated basis, voluntarily reduce their marketings of milk for a one-year period.

Definitions

SEC. 3. For the purposes of this Act—

(1) The term "Secretary" means the Secretary of Agriculture.

(2) The term "milk producer" means any person engaged in the production of milk for market.

(3) The term "market" means to dispose of by voluntary or involuntary sale, barter, or exchange, or by gift intervivos, in interstate or foreign commerce or in a manner which affects interstate or foreign commerce.

(4) The term "manufacturing milk" means butter, nonfat dry milk solids, cheese, and other manufactured dairy products.

(5) The term "parity price" of manufacturing milk means that defined in section 301(a) of the Agricultural Adjustment Act of 1938, as amended: *Provided,* That, in the computation of prices received by farmers, there shall be included the income support payments provided by this Act.

(6) The term "Agricultural Stabilization Committee" means a county committee elected under section 8(b) of the Soil Conservation and Domestic Allotment Act.

(7) The term "person" means an individual, partnership, corporation, association, trust, estate, or any other business entity.

Special dairy program

SEC. 4. The Secretary shall, through the Commodity Credit Corporation, carry out for a one-year period in accordance with this Act, a program for making income support payments to dairy producers who limit their marketing as specified in section 6.

Producers' basis

SEC. 5. (a) The Secretary shall establish a normal marketing level for each milk producer in the continental United States, excluding Alaska, who notifies the Secretary that he desires to participate in the program provided for in this Act. Such normal marketing level shall be the lower of (1) the number of pounds of milk marketed by the producer during the marketing year ending March 31, 1963, or (2) the Secretary's estimate of the number of pounds of milk which will be marketed by him during the one-year period this program is carried out based on the rate of his marketings at the beginning of the first calendar quarter this program is in effect, adjusted for seasonal variations. In computing the number of pounds of milk marketed by a producer, his marketings of farm-separated cream, butterfat, and other dairy products shall be included, but with appropriate adjustments based on conversion factors prescribed by the Secretary.

(b) In establishing a normal marketing level, the Secretary shall make such adjustments in the producer's 1962–1963 marketings as he deems necessary for flood, drought.

disease of herd, personal health, or other abnormal conditions affecting production or marketing, including the fact that the producer may have commenced production and marketing after March 31, 1962. A producer's normal marketing level shall be apportioned by the Secretary among the quarterly marketing periods in accordance with the producer's prior marketing pattern, subject to such adjustments as the Secretary determines to be necessary to enable the producer to carry out his herd management plans for the one-year period. The number of pounds thus apportioned to a calendar quarter shall be the producer's normal marketing level for such calendar quarter.

Income support payments

SEC. 6. (a) The Secretary shall make income support payments to producers who limit their marketings of milk in the one-year period this program is in effect to not more than 90 per centum of their normal marketing levels. The income support payment to a producer shall be an amount equal to the difference between (1) the average national domestic market price per one hundred pounds in each three-month period, and (2) not less than 90 per centum of the parity equivalent price per one hundred pounds of manufacturing milk, as may be prescribed by the Secretary, multiplied by the number of pounds of milk marketed by him for use as manufacturing milk during such three-month period, or the producer's seasonally adjusted share of a 400,000 pound annual base, whichever is the lesser.

(b) Where a part of a milk producer's milk is marketed for fluid use, the income support payment on the milk marketed for use as manufacturing milk shall be increased by an amount sufficient to assure that the income support payment to such producer compensates him for the greater percentage reduction in milk marketed for manufacturing use resulting from the 10-percent reduction in marketings of all milk during the one-year period this program is in effect.

(c) If a producer delivers his milk to a plant, handler, or pool, the percentage of his milk which is marketed for use as manufacturing milk shall be determined on the basis of the percentage of the total quantity of the milk received by such plant, handler, or pool which is used as manufacturing milk.

Applications; payments

SEC. 7. (a) Income support payments shall be made on the basis of applications submitted by milk producers to their Agricultural Stabilization Committee. The Secretary may by regulations require handlers, processors, and other persons to make available such of their records and other information as he may find necessary to enable him to make the income support payments required by this Act.

(b) The Secretary may make income support payments at the end of each calendar quarter as the program progresses to producers whose marketings for such quarter have not exceeded 90 per centum of their normal marketing level for such calendar quarter by more than 5 per centum, except that no such payment shall be made with respect to the fourth calendar quarter this program is in effect unless the aggregate of the producer's marketings during that and the three preceding calendar quarters is not more than 90 per centum of his normal marketing level, except that where his marketings for such four calendar quarters did exceed 90 per centum of his normal marketing level, the income support payment for such fourth quarter shall be made if the producer reduces his marketings for the next calendar quarter below the normal marketing level for the first calendar quarter this program was in effect by an amount sufficient to make up for such excess.

Adjustments for grade, and so forth

SEC. 8. Appropriate adjustments may be made in the support payment for milk or for cream for differences in grade, quality, location; for compliance by the applicant with official conservation and civil defense programs; and for other factors.

Support payments through CCC

SEC. 9. The Secretary shall make the income support payments provided for herein through the Commodity Credit Corporation and other means available to him.

Amendment of milk marketing orders

SEC. 10. Whenever marketing levels are established and the income support payments program is in effect under this Act, notwithstanding any provision of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.)—

(a) Any order issued under section 8c thereof may, in addition to the provisions in 8c (5) and (7), contain provisions providing that in the distribution to producers of the amounts of money required to be paid by handlers at the minimum class prices for milk delivered to them, an adjustment shall be made in computing payments to producers who reduce their current marketings under an order as compared with their normal marketing level (adjusted to a monthly basis) under the order by at least 10 per centum. The objective of such adjustment shall be to permit a producer to reduce his production of surplus milk without reducing his share of the class I market. The incorporation of provisions in an order hereunder shall be subject to the same procedural requirements of the Agricultural Marketing Agreement Act of 1937, as amended, as other provisions under section 8c thereof; and

(b) In the case of each order issued under section 8c thereof which bases the computation of the minimum class prices of milk in the higher use classification upon the price or value of milk for manufacturing, the price or value used for such computation shall, during the period this Act is in effect, be the price or value of milk for manufacturing for the accounting period immediately preceding the enactment of this Act. This requirement shall be effective with respect to each such order with the same force and effect as though the order had been amended to so provide.

Price support level

SEC. 11. The Secretary shall support the price of milk at 65 per centum of parity. Section 201(c) of the Agricultural Act of 1949 shall not be in effect while this section is in effect.

Finality of determinations

SEC. 12. Determinations made by the Secretary under this Act shall be final and conclusive, so long as the scope and nature of such determinations are not inconsistent with the provisions of the Commodity Credit Corporation Charter Act. The facts constituting the basis for any income support payments, or the amount thereof, authorized to be made under this Act, when officially determined in conformity with rules and regulations prescribed by the Secretary, shall be reviewable only by the Secretary.

Effectiveness of program

SEC. 13. This Act shall take effect at the beginning of the first calendar quarter which begins after the Secretary determines, acting as expeditiously as practicable, it to be administratively feasible.

NATIONAL ACTORS' EQUITY WEEK

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, I have introduced House Joint Resolution 254, a joint resolution to designate the week of May 20 to 26, 1963, as National Actors' Equity Week.

In the 50 years of its existence the Actors' Equity Association has attained a position unique in the history of organized labor and the theater and consistently has demonstrated its deep interest in the welfare of the theater as a whole.

Actors' Equity Association was founded in May of 1913 in New York City by 112 actors. Today its membership claims approximately 13,000 professional actors. It was organized primarily because the plight of the actor had become increasingly onerous and difficult. Prior to the existence of Equity there was no standard contract, no minimum wage, no overtime pay, no predictable number of rehearsals, no guarantee of playing time, no holidays, and no limit on the number of performances an actor was required to play. Often theatrical companies were stranded without salary or transportation away from home.

The actors had organized an association, the Actors' Society of America, about 1896, but that association never became sufficiently strong to protect the rights of the actor. In the winter of 1912, a meeting was called to decide whether or not it was worth continuing, or whether a new association, dedicated solely to the economic problems of the actor, would better serve the purpose. It was decided to concentrate on a new association, and at that time a plan and scope committee was appointed. Through the winter and spring of 1912 and 1913 the committee met, and by May of 1913 it had drafted the constitution and bylaws and decided upon the name of the Actors' Equity Association. The first president of the association was Francis Wilson.

Through the years Equity has had an obvious interest in supporting the expansion or renascence of the professional theater. It has frequently taken the lead and has never failed to participate in efforts to spread the cultural and educational influences of the theater. Equity knows, and its members well know, the risks inherent in theatrical ventures of every kind, professional and nonprofessional, commercial and altruistic.

The economy of the theater is not isolated. The theater lives only through its contact with the world. A drama on paper may be literature, but it is not a play; it is not the theater. The theater emerges when dramatic literature is enacted by players on a stage before an audience. It is this transfiguration from literature to production that involves complex, organized machinery.

The theater answers a basic need in all people, no matter what their state of cultural or economic development. The art of acting, and the profession of actor, is as old as man. The art first appeared in ritual dance and song and later in dialogue. The position of the actor was for a long time precarious. It is known that Shakespeare and his contemporaries were liable to be classed as rogues and vagabonds. It was not until the 19th century that the actor achieved a definite place in society.

The true actor, through the years, has needed to be a little of everything—singer, dancer, mimic, acrobat, tragedian, comedian—and to have at his command excellent health, a retentive memory, an alert brain, a clear, resonant voice, and a highly adaptable personality.

I believe that Congress should encourage and promote the arts. The theater is an integral part of American culture. Those who are engaged in bringing to us the activity of the theater are essential to our democracy. We should pay tribute to them and their organization, for our Nation's vitality depends as much on its cultural as its material resources. I hope that this joint resolution will be acted upon favorably in both Houses to honor the Actors' Equity Association on its 50th birthday.

PROVIDING REIMBURSEMENT TO THE CITY OF NEW YORK FOR CERTAIN EXPENSES

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, today I have again introduced a bill to provide reimbursement to the city of New York for the extraordinary expenses incurred in providing police protection for the United Nations during the 15th session of the General Assembly in September and October 1960.

On April 5, 1962, the House passed a bill to authorize an ex gratia payment to New York City in the amount of $3,063,500. Unfortunately, Congress adjourned before the other body had acted upon it.

Mr. Speaker, as a Representative from New York City, I am proud that the United Nations is located in our city. However, its benefits inure to the entire Nation, and I think it is just and proper for the Nation to share the expense of police protection.

The 15th session of the General Assembly from September 19, 1960, to October 14, 1960, was unforgettable. Khrushchev and Castro were in town as well as the heads of the satellite countries. The entire New York City Police Department of 21,000 worked overtime for the duration of the emergency. It is estimated that 1 million extra hours were worked.

My bill would reimburse the city in the amount of $4,404,000 which would include payment at the rate of time and one-half for overtime. Certainly the overtime provisions of our national labor policy should be applied.

I urge my colleagues to support this fair and equitable bill.

A PLEA FOR RESPONSIBILITY

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, it is high time voices were raised against the loud and growing band in both Houses of Congress whose only Cuban policy is frenzy. Unfortunately, these men come from the ranks of both political parties.

Our President with the resounding support of the Nation has clearly and firmly stated our policy that we will not tolerate Cuba being used as a base for aggressive weaponry against the United States. There are few indeed, including the enemy, who doubt his determination as past events have proved.

But the critics are not stilled. They are greatly concerned, and rightly so, about Communist subversion which spreads from Cuba to Latin and South America. However, while they rant and rave, many of them fail to support actively and they even oppose those programs best designed to combat Communist subversion and propaganda in the nations south of the border.

Why do not these Cassandras raise their voices in support of strengthening the U.S. Information Agency whose job it is to counter the Communists' propaganda thrusts? More importantly, who do they decry and ridicule our appropriations for the Alliance for Progress? This is the vehicle which although admittedly far from perfect, is the opening wedge against the widespread poverty in Latin and South American upon which the Communist feed.

Do these professional congressional breastbeaters dwell in such a dream world that they expect an overnight solution to a nasty problem which has been festering for years? The enemy is poverty and its resulting despair which has poisoned the masses in Latin and South America. The Alliance for Progress is simply a program whereby we invest some money in the uphill struggle to improve the economic condition of our American neighbors.

Although the critics of the Alliance lambast it as an egregious blunder and a monstrous failure, the fact remains that when the Cuban crisis was at a boil in the autumn of 1962, the 19 member nations which comprise the Organization of American States unanimously supported our determination to remove offensive weapons from Cuba.

It is not unlikely that this unanimity played a large portion in the decision of the Soviet Union to remove their threat to our security. We may shudder to contemplate the state our world would be in today if we had no Alliance for Progress. Had we turned our backs on the plight of these nations, we may well have been alone and friendless in our home of grave menace to us.

It is easy to view with alarm and to become hysterical, but it takes more stamina to have the patience and integrity to evolve positive programs to eradicate the conditions upon which Communist subversion thrives.

Let us put an end to windy demagoguery and assume the responsibility that the times demand.

IMMIGRATION AND NATIONALITY ACT OF 1963

Mr. TOLL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TOLL. Mr. Speaker, on March 1, 1962, 43 major Philadelphia religious, labor, nationality, and civic organizations sponsored an outstanding conference on refugees and U.S. immigration policy. This all-day meeting had the participation of the distinguished Senator from Michigan, the Honorable Philip A. Hart, chairman of the Senate Subcommittee on Refugees, and Antonio Miccoci, Special Deputy, Cuban Affairs, U.S. Department of Health, Education, and Welfare. Gregory Lagakos, Esq., prominent Philadelphia attorney and president of the International Institute of Philadelphia, was chairman of this conference, and Jules Cohen, executive director of the Jewish Community Relations Council of Greater Philadelphia, was chairman of the committee that brought about this significant meeting.

Because it indicates the wide interest in immigration reform on the part of citizens' groups, I will name the cooperating agencies. They were:

AFL-CIO, Philadelphia Council; American Committee for Italian Migration, Philadelphia chapter; American Friends Service Committee; American Hungarian Federation, Philadelphia chapter; American Jewish Committee, Philadelphia Chapter; American Jewish Congress, Delaware Valley Council; American Red Cross, southeastern Pennsylvania chapter; Anti-Defamation League of B'nai B'rith; Association of Immigration and Nationality Lawyers; Association of Philadelphia Settlements and Neighborhood Centers; Board of Rabbis of Greater Philadelphia; Catholic Resettlement Council; Center for International Visitors; Commission on Human Relations; Division of School Extension, school district of Philadelphia; Episcopal Diocese of Pennsylvania; Family Counseling Service, Episcopal Community Services; Family Service of Philadelphia; Federation of American Hellenic Societies; Fellowship Commission; Friends Neighborhood Guild; Greater Philadelphia Council of Churches, Community Service Department; HIAS & Council Migration Service of Philadelphia; International House of Philadelphia; International Institute of Philadelphia; Jewish Community Relations Council of Greater Philadelphia; Jewish Employment and Vocational Service; Jewish Family Service; Jewish Labor Committee; Legal Aid Society; Lithuanian American Community of the United States, Philadelphia branch; Lutheran Board of Inner Missions; National Association for the Advancement of Colored People; National Association of Social Workers, Philadelphia chapter; Philadelphia Citizens Committee on Immigration and Citizenship; Philadelphia County Board of Assistance, Department of Public Welfare; Philadelphia Housing Authority, Social Service Division; Polish American Congress; Travelers Aid Society of Philadelphia; United Ukranian American Relief Committee; World Affairs Council; YMCA, central branch; YWCA of Philadelphia.

This Conference was convened purely for educational purposes. Accordingly, no votes were called for and no particular legislative proposals were endorsed. However, it became quite clear at the Conference that the representatives of the cooperating agencies endorsed the principles contained in S. 3043, the bill that was introduced in the 87th Congress by Senator HART and 25 other Democratic and Republican Senators from 17 States.

Because of my deep conviction that such remedial legislation to improve American immigration policy is long overdue, I consider it a privilege to sponsor this bill, incorporating the same principles, which is also being supported by my distinguished colleagues from Philadelphia, Congressman WILLIAM J. GREEN, JR., Congressman WILLIAM A. BARRETT, Congressman JAMES A. BYRNE, and Congressman ROBERT N. C. NIX. Both the domestic welfare and the foreign policy of our Government demand that American immigration policy and laws shall be in keeping with our democratic professions, the tradition of our great country as a haven for the oppressed and the persecuted; and our leadership position among the free nations as we relate to the uncommitted countries in Asia, Africa, and other parts of the world.

THE AMERICAN COAL INDUSTRY

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, our Government is taking steps today that will greatly injure the coal industry and many other segments of the American economy.

Last month President Kennedy increased the residual fuel oil import quota for the current year by 6½ million barrels. This oil is to be imported within the next 60 days. This increases to 191.8 million barrels the total amount of oil that can be imported during the quota year. Mr. Speaker, this is the equivalent of 46 million tons of coal.

This action means further distress for the American coal miner. If this residual fuel oil were not brought into this country, 18,500 additional full time employees would have jobs in the coal industry. Additional employees would be required on the railroads. These men, most of whom are located in economically depressed areas, would be paying taxes and buying goods, helping the American economy. But instead of working, many of these men are on relief. Instead of being spent in America, dollars are going abroad for this oil, which contribute heavily to the presently critical outflow of gold from this country.

It is also a fact that there are 12 million more barrels of this oil on the east coast than there were in 1961. Despite this, President Kennedy has increased the quota. In addition, the President's Office of Emergency Planning last week recommended "a careful and meaningful relaxation of controls on imports of residual fuel oil to be used as fuel." These actions were taken against the coal industry despite all of the promises made during the 1960 campaign about intentions to aid the coal industry. The Government should take steps to assist this industry by providing it with adequate protection or announce frankly that they are taking steps to injure the coal industry and the American coal miner.

STATE DEPARTMENT SELECTION?

Mr. BATTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BATTIN. Mr. Speaker, thanks to the diligence of my colleague, Mr. E. Y. BERRY of South Dakota, we have an insight into the thinking of the policymakers at the State Department. In the RECORD for February 14, 1963, at page 2234, Congressman BERRY inserted an official publication of the U.S. Department of State concerning the House Members that were elected to fill the vacancies on the Foreign Affairs Committee. The heading on the release or story is as follows: "House GOP Names Five Conservatives To Fill Foreign Affairs Posts—Move Seen Increasing Opposition to Kennedy Foreign Aid Plans—Lone Internationalist Named." The official publication leaves the impression that the action of the Republican Party in the House through its committee on committees and the Republican conference is not in the best interests of the State Department.

At one point in the story the following language is found:

> The administration's dealings with the Republican committee members may be especially difficult this year because of the November defeat of Representative Judd of Minnesota, the leading House Republican spokesman on foreign affairs and a moderate who often sided with the administration.

It is noteworthy, I believe, to point out at this time that while Representative Judd stayed on the job in Washington in the fall of 1962 fighting the cause for the President's foreign aid program, the President was in Minnesota campaigning in opposition to Representative Judd's reelection. The hearts and flowers thrown to Congressman Judd at this late date is a shoddy way of covering up the actions of the administration in the last campaign.

The report listed by name the eight new members of the committee, including two of our Democratic colleagues. The distinguished public careers of our colleagues need more adequate description than the slanted approach delivered in the State Department's official publication.

Try as I have to locate the statutory authority which directs the taking of a civil servant's time to research the background of Members of Congress to determine how they will react to a given bill, I have been unable to find any such provision in law. I would suggest, however, that if they would take the same time and use the same effort in analyzing the background and public statements made by some of the leaders of foreign nations and the representatives of these countries, they would have a better idea of the problems in the world and how they affect the United States. We might even find we could take the lead in many areas and not have to be continually on the defensive.

The members of the Foreign Affairs Committee, like all Members of Congress, have all been elected by the voters in their districts and try as I have, I have been unable to find anyone in the State Department who presently has had the vote of confidence of any voter in the United States. The State Department publication, therefore, goes far beyond proper bounds.

I am sure that if some employees in the State Department had their way and could make the selections of members to serve on the committee, they would choose those who would never disagree with their proposals, but fortunately for the country this is not our system.

I noted with interest in the report that the State Department was concerned that "the five conservatives also are expected to oppose aid for Communist nations." So that the record may be straight and so that the researcher in the Department of State and the author of the official publication can sleep tonight, I want him to know that I do not believe that the taxpayers' money should go to the aid of communism or the support of communism any place in the world. I do not labor under the illusion that Marshal Tito will fight on the side of the West if Russia decides he should fight on the side of the Communist bloc countries, nor do I have delusions about what Mr. Khrushchev intends to do and I will never accept the fact that Castro is just a naughty boy or an eccentric who does not believe in the advertising of the Gillette Safety Razor Co.

The State Department could aid our battle in the world and the morale of the American people if they would adopt a philosophy compatible to the thinking of the American people. Should they disagree with the people or the Congress, all they need do is submit a simple resignation.

In January we heard a lot said about the packing of the Foreign Affairs Committee. People worried about losing the bipartisan approach to foreign policy. The newspaper accounts always attributed the statements to a "reliable source." From the recent official publication, I think the reliable source has now been identified. I suspect that the State Department would like to rewrite the definition of the word "bipartisan," which Webster defines as "representing, or composed of members of, two parties."

I for one am very happy to be able to serve my country as an elected Representative in Congress and a member of the House Foreign Affairs Committee. The members of that committee are all hard-working people, devoted to the cause of the United States. I have had the opportunity of working with some of them in the 87th Congress and find them to be very intelligent, able, and dedicated people. I do not expect them to capitulate from their beliefs and principles and I am sure that they could have little respect for me if I capitulated. It is controversy that makes good legislation. It is the inquisitive mind and dedicated people who have made our country what it is today. As a parting thought, I do not believe that a person employed by the Department of State, because of his employment, automatically becomes an expert even though they sometimes leave this impression.

A NATIONAL LOTTERY

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, for the past 10 years, I have urged Congress to wipe out hypocrisy and accept the indisputable fact that the urge to gamble is deeply ingrained in most human beings.

For 10 long years, I have repeatedly suggested that Congress recognize the fact that the desire to gamble is a universal human trait which should be regulated and controlled for the people's benefit and our Treasury's welfare.

Yet, Mr. Speaker, in spite of our great reluctance to recognize and accept the obvious, gambling in the United States has grown into a $50 billion a year industry which continues to be the chief source of revenue for organized crime.

Mr. Speaker, I have asked Congress to tap this tremendous source of revenue only because it can produce over $10 billion a year in new income which could help us cut our taxes and reduce our national debt. I have proposed a national lottery because it is the only way we can easily, painlessly, and voluntarily raise a tremendous amount of money needed to give our sagging economy a fiscal "shot in the arm." This proposal is not a gambling bill but rather a revenue-raising measure—it will divert gambling revenue from the underworld into the coffers of our own Treasury. And what is wrong with that?

Mr. Speaker, I realize that some Members of Congress question the morality of gambling. To those who consider a national lottery conducive to sin, may I refer them to Thomas Jefferson, who once said:

> If we consider games of chance immoral, then every pursuit of human endeavor is immoral; for there is not a single one that is not subject to chance, not one wherein you do not risk a loss for the chance of some gain.

More recently, the New York Times, in its November 23 issue, had this to say, editorially:

> Consistency would require that, from a moral or ethical point of view, either all gambling should be outlawed or a carefully regulated extension should be allowed.

Mr. Speaker, last Tuesday, February 12, brought us further evidence of hypocrisy. The New York State Legislature approved a bill to extend the racing season for an additional 26 days. Was this extension of the racing season granted because New York is interested in the "improvement of breeding horses?" Of course not. New York extended its racing season to improve its finances. The Governor asked for a longer racing season in order to increase State tax revenues by $9 million a year and help balance his budget.

What occurred last week in New York is certain to happen in all of the other 23 States that have parimutuel betting. Why? Because collecting revenue from gambling at the racetracks is the most painless and voluntary method of raising taxes.

Mr. Speaker, I believe the time has come for us to stop pussyfooting and show some good horsesense by tying the gambling spirit of the American people together with our Government's desperate need for revenue.

A national lottery would be the most profitable, sensible, and satisfactory solution to our Government's need for more revenue and the people's cry for tax relief.

SPECIAL FUND OF UNITED NATIONS TO HELP CASTRO—A PARADOX

Mr. McINTIRE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. McINTIRE. Mr. Speaker, there were few of us in the Congress who were not shocked by the recent announcement that the special fund of the United Nations was going to provide Fidel Castro with a $1.2 million agricultural aid project.

We have received assurance from several quarters that none of the funds used for this project would be represented by American money. However, this assurance loses substance in the face of the fact that the United States provides 40 percent of the total support of this fund.

To the extent that 1 American dollar serves as a catalytic agent in this disturbing exercise, in that degree is the American taxpayer being forced to subsidize an element alien to his best interests.

Gentlemen, I say to you that this is, indeed, a day of paradoxes. While on one hand wisdom calls out clearly for American containment of a Communist evil breeding 90 miles off the coast of Florida, other forces move forward to use the substance of America to nourish this evil and make it flourish.

If this is a sad and hard-to-understand story, sadder still is the fact that this development was conceived only through the flagrant flaunting of the will of the Congress.

I want to say here and now that elements of the Congress—both the Senate and the House of Representatives—established a legislative record which clearly condemns any program that harbors the potential of assistance to the followers of communism.

For the convenience of my colleagues, I have documented evidence in this respect, and I will, with proper permission, include it in the RECORD along with my remarks.

I want, thereby, to make it abundantly clear that this undesirable thing is upon us not because of the Congress, but in spite of it.

And I want to mention that I do not stand alone in my concern, for many of my colleagues have spoken out against this action of the United Nations.

And speak out we must, for if we let this matter go unattended, our silence might very easily be incorrectly interpreted as consent.

There is, of course, a principle involved in all of this, but even more than that there is the fundamental aspect of national security.

America has never turned her back on the deserving and the needy, but she has always drawn back from those who place the mantle of dignity on evil.

Gentlemen, I denounce this form of assistance to Communist Castro as being injurious to the best interests of our citizens and our country.

If this thing comes to pass—as against the spelled-out opposition of the Congress—then we, as Americans, will be placed in that peculiar and precarious position where we are feeding the very same parasite that seeks to feed on us.

Beyond the question of a doubt, the severity of this circumstance demands an immediate and penetrating investigation by a committee of this Congress.

In conclusion, Mr. Speaker, I include along with my remarks the article appearing February 25, 1963, in U.S. News & World Report and an article appearing in the Washington Star on September 5, 1962.

[From the U.S. News & World Report, Feb. 25, 1963]

ANTIAMERICANISM UNITED STATES PAYS FOR

Now it appears that U.S. dollars, contributed to the U.N.—

Have been used to publish pro-Soviet propaganda;

Have been spent to improve Congo's image in United States.

Reaction: an angry outburst in the U.S. Congress.

American taxpayers suddenly find that they are scheduled to begin helping Fidel Castro's Cuba, through the U.N.

Taxpayers are discovering, too, that they already have helped finance a booklet, prepared by the United Nations, that attacks capitalist countries and strongly praises the Soviet Union.

These developments created an angry reaction in Congress and brought at least one demand that the United States consider withdrawing from the United Nations.

What happened was this:

1. The U.N. Food and Agriculture Organization (FAO) announced it would spend $1,150,000 in various currencies to help Fidel Castro solve Cuba's agricultural problems.

The program is to be financed by the U.N. Special Fund, for which the United States puts up 40 percent of the cash.

President Kennedy told his February 14 news conference that no U.S. money will go into the Cuba project, but Members of Congress promptly disagreed.

Said Representative Otto E. Passman, Democrat, of Alabama: "It does come out of our money. We provide 40 percent of the funds * * * and the money loses its identity when it goes in."

Representative John S. Monagan, a Connecticut Democrat, said: "This country will be making an indirect contribution to this project."

Representative T. A. Thompson, Democrat, of Louisiana, said the United States had been "gratuitously insulted," and Senator Milward Simpson, Republican, of Wyoming, declared: "It is time for the United States to seriously reconsider its membership in the world body."

The FAO project is regarded as a test of U.S. reaction to such projects. The worry in Congress was that U.S. acceptance of the FAO's Cuba deal would lead to other and larger investments.

Managing director of the U.N. Special Fund, which is to hire FAO to aid Red Cuba, is an American former industrialist, Paul G. Hoffman. The go-ahead for the Cuban project was announced by Mr. Hoffman, who said that it has his permission.

2. A report praising Communist Russia in connection with colonialism was issued by the United Nations Educational, Scientific, and Cultural Organization—UNESCO.

American taxpayers put up 31.5 percent of the money to support that organization. Russia, which ducks many of the heavy assessments levied by the U.N., contributes about 15 percent of the funds of UNESCO.

The report on colonialism was prepared by two Russian citizens. It lauds Russia as the great friend and benefactor of onetime colonial areas. The booklet is printed in English and French, distributed free to many organizations, and sells for $1.50 at U.N. bookstores.

The pamphlet, entitled "Equality of Rights Between Races and Nationalities in the U.S.S.R.," is by I. P. Tsamerian and S. L. Ronin, and has been published by UNESCO in the Netherlands.

The UNESCO document, among other things, says this:

"The unequal treatment of nationalities, colonialist oppression and discrimination on grounds of race or nationality, which still characterize a number of capitalist countries today, are to be explained by the political and social system prevailing in those countries."

The report adds that "the successful establishment of full equality of rights between races and nationalities in the U.S.S.R." was "one of the major social triumphs of our day."

Then the Russian writers tell how "in 1940 the Soviet regime was restored in Latvia, Lithuania, and Estonia, which voluntarily joined the Soviet Union."

The U.S. Department of State, which puts up the money for this U.N. body on behalf of American taxpayers, issued a statement on February 13, in which it said that it had officially opposed the move to aid Castro and had protested the UNESCO action in publishing Communist propaganda.

But State Department officials then expressed themselves as being unable to resist successfully the actions approved by other countries in these groups.

CONGRESSMEN ANNOYED

In Congress, there were prompt protests by important Members, both Democrats and Republicans. The point was made that there is no requirement that the United States put up money to finance projects of this type.

The result—a dual Communist victory, still not halted, financed through the United Nations—and involving American dollars.

3. Taxpayers in the United States, meanwhile, were able to learn of another use to which their money, donated to the United Nations, actually is being put.

Reports revealed by the Department of Justice show that American taxpayers helped to put up $200,000 or more—through the U.N.—which was spent in the United States to "improve the image" of the central Government of the Congo.

U.S. PEOPLE SHELL OUT

The Congo operation of the United Nations has cost Americans, over all, about $200 million, the lion's share of a major military move.

The $200,000 was for propaganda purposes, directed at the American people. It took on importance from the fact that the U.S. Department of State had moved to deport a man who spent half as much—or $100,000—to tell the opposition story, that of Katanga Province.

High officials, it developed, had objected to the viewpoints expressed in favor of Katanga when its dispute with the central government was active.

The "image" that is suffering in the United States, as a consequence of all this, is that of the United Nations—where some outlays of U.S. dollars, coming to light now, are bringing congressional tempers to a boil.

[From the Washington Star, Sept. 5, 1962]

Freeman Pledges $50 Million to U.N. Food Plan

United Nations, N.Y.—Agriculture Secretary Freeman pledged $50 million today in American food and cash toward a $100 million United Nations world food program.

Mr. Freeman made the offer at a conference at which other nations also offered pledges of assistance to the program being developed by the United Nations Food and Agriculture Organization. The food would be used to help feed the world's hungry.

The Secretary told the conference that U.S. participation in this program would supplement and not replace American help to the hungry through this country's food-for-peace program.

The U.S. pledge included $40 million worth of food, $10 million in cash, and ocean transportation service on U.S. vessels.

Mr. Freeman said the types and amounts of U.S. foods to be donated to the world program will be determined later.

KENNEDY ADMINISTRATION NOT FOLLOWING CONGRESSIONAL INTENT ON FAO AID TO CUBA

Mr. Speaker, this week's issue of U.S. News & World Report contains a very timely and appropriate article entitled "Anti-Americanism United States Pays For."

One of the most glaring and flagrant examples of this anti-American aid, which is being paid for by the U.S. taxpayer is seen in the recent action taken in Cuba by the Food and Agricultural Organization—FAO—of the United Nations. As pointed out by U.S. News & World Report, FAO announced it would spend $1,150,000 in various currencies to help Fidel Castro solve Cuba's agricultural problems. This result, Mr. Speaker, is completely and entirely inconsistent with the legislative intent of Congress as manifested in last year's farm bill, the Food and Agricultural Act of 1962, and it never should have happened.

In November, 1961, Secretary of Agriculture Freeman, appearing at the FAO Conference in Rome, Italy, pledged the U.S. Government's support in both food and funds for a multinational program to aid underdeveloped nations.

At that time Mr. Freeman did not have an endorsement by nor a directive from Congress, which for many years has refused to commit the United States to a World Food Bank program.

In order to fulfill his promise at the Rome meeting, Secretary Freeman recommended to Congress—in H.R. 10010 and S. 2786—a new title V to Public Law 480. This title of the administration's 1962 farm bill would have given the Secretary specific authority to participate in the Rome agreement.

In his appearance before the House Committee on Agriculture on February 7, 1962, Mr. Freeman said at page 48 of the printed hearing, serial AA, part 1:

> May I deviate from my prepared statement to say that I think an encouraging beginning can be seen in the pilot program that we considered with FAO in Rome last fall. * * *
>
> If we are going to make use of agriculture and food abundance and bring some rationale to agriculture, I think the experience learned in trying to have a kind of international of multinational food for peace operation can be extremely useful through this medium, because we will be able to get other nations to share with us the burden that we have happily shouldered in seeking to help the developing nations.

The proposed language of H.R. 10010 is as follows:

> Sec. 203. A new title V is added at the end of the Agricultural Trade Development and Assistance Act of 1954, as amended, as follows:
>
> "TITLE V—MULTILATERAL FOOD PROGRAMS
>
> "Sec. 501. The purpose of this title is to utilize surplus agricultural commodities produced in the United States in programs of economic development, emergency assistance, and special feeding carried out through the United Nations system or other intergovernmental organizations.
>
> "Sec. 502. In furtherance of the foregoing purpose, the President is authorized to negotiate and carry out agreements with such intergovernmental organizations to provide for the transfer on a grant basis of surplus agricultural commodities from stocks of the Commodity Credit Corporation or from private stocks of the Commodity Credit Corporation or from private stocks procured by the Corporation for the purposes of this title, to such organizations for use in programs of economic development, emergency assistance, and special feeding.
>
> "Sec. 503. In entering into such agreements the President shall secure commitments from such international organizations that reasonable precautions will be taken to assure that agricultural commodities utilized in the program shall not displace or interfere with sales of agricultural commodities produced in the United States.
>
> "Sec. 504. For the purpose of carrying out agreements entered into by the President under this title, Commodity Credit Corporation

> is authorized to make available surplus agricultural commodities either from its stocks or by procurement from private stocks, and to pay with respect to commodities made available hereunder, in addition to the cost of procurement of commodities from private stocks, the cost of processing, packaging, transportation, handling, and other charges up to the time of their delivery free alongside ship or free on board export carrier at point of export: *Provided*, That after June 30, 1963, the Commodity Credit Corporation shall not incur any costs in carrying out this title unless the Corporation has received funds to cover such costs from appropriations made to carry out the purposes of this title.
>
> "Sec. 505. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title, and such amounts as may be necessary to reimburse the Commodity Credit Corporation for all costs incurred by it hereunder including Corporation's investment in commodities made available from its stocks."

Mr. Speaker, the Committee on Agriculture considered this proposal very carefully and debated its merits thoroughly. During the course of the hearings, I had the opportunity to question representatives of the Foreign Agricultural Service of USDA on the intent and purpose of this particular provision.

Many of us on the committee feared that if the United States surrendered the control of our funds and food to an international body that was responsive to neutral and Communist bloc sentiments, U.S. resources might be channeled into Communist hands.

I, therefore, questioned the departmental witnesses to develop clearly the legislative intent that the Rome commitment was contingent on congressional approval, as a first consideration, and that secondly, no Communist countries would benefit under any such arrangement.

At pages 382 and 383 of the printed hearings, serial AA, part 2, I developed these points as follows:

> Mr. McIntire. The other point is in title 5, and what you are proposing here, as you tell us in your statement, is that we have already engaged in a conversation, and we are now in the process of committing ourselves to this proposition, at least in memorandums, without the authority resting in law to fulfill that commitment unless this amendment is offered, is that right?

The USDA witness replied:

> I would say this that what we have done is to develop a tentative program, which in the case of each country would be subject to authorization by the appropriate legislative body of that country, so that in this case it's been made clear that the United States offer to participate is subject to authorization by the Congress.

I continued my question, as follows:

> Yes, but we are actually negotiating?

The Department witness replied:

> Hoping that Congress will authorize.

I continued by asking:

> Approve a memorandum agreement which is not now a commitment, because without statutory authority at the present time there can be no fulfillment of that memorandum agreement?

The Department witness answered:

> I would have to put it this way: what we are doing is to explore, we are engaged in exploration and in the development of a draft program and making known explicitly that any arrangement that is developed is an ad hoc arrangement which could not become effective until congressional authorization.

I concluded this part of the questioning with this comment:

> Now, then, we are in this situation to the extent that these agreements or understandings, ad hoc, or anything you want to call them, to the extent that they are participating in them, the burden rests on the Congress to either deny the authority under which these could be promulgated or fulfill the obligation by granting the authority.

The departmental witness then said:

> I think that is right, sir.

Mr. Speaker, it should be abundantly clear what the understanding of the committee was in regard to the new title V.

The committee did understand the situation and the committee did reject completely the whole proposal. So did the Senate committee and, as a result, there was not one word of authority in Public Law 703 of the 87th Congress—the Food and Agriculture Act of 1962—or in any of the committee reports or debate to indicate in any way the approval of Congress for this international commitment.

As to the second point concerning the ultimate destination of commodities and funds into Communist hands, I asked these questions:

> But, certainly we are all aware of the strong recommendations of many in international affairs for Red China to be in the U.N. If this came about, there would be nothing to prevent, as far as we are concerned as a separate member of the U.N., our funding up to whatever the statute permits for a program of feeding into Communist countries. And just from the standpoint of the real provisions in the law, I hope you could answer whether or not this is legally possible?

The USDA witness replied:

> Well, there is no provision in this law that indicates to which destination commodities could go * * * but I think I can assure you without question today that there would be no intention of permitting any of the food under a program of this kind to go to Red China.

I then made this comment:

> Well, let me just make a further observation. Do you think your intentions or mine would be controlling?

The USDA witness then said:

> Well, I certainly think that if this program were in operation today, assuming the bill was passed and the authorization was made available, I am certain that in the international agreement that is finally written that the United States would reserve the right to restrict shipments to certain destinations of the world.

Mr. Speaker, this raises some very important questions. For instance, what about Cuba, should not shipments to Cuba be stopped? Why did not the Kennedy administration restrict shipments to Cuba when it went ahead and joined the FAO pact without congressional approval? These are vital questions which must be answered.

On September 5, 1962, the U.S. Department of Agriculture announced that the United States would participate in the FAO project by pledging $40 million worth of food and $10 million in cash to a $100 million U.N. world food program.

The senior Senator from Iowa [Mr. Hickenlooper] protested this action at the time, but the administration contended that it had now found residual authority in the law to enter into this agreement, and that specific authority as requested in the farm bill was not really needed.

Senator Hickenlooper's comment was most appropriate when he said at page 18752, Congressional Record, volume 108, part 14:

> I think this is the first step in relinquishing U.S. control of our agricultural commodities. In my estimation, this is the first step toward giving the Communists under the domination of the Soviet Union an equal share as to the operation of our so-called food-for-peace program. I raise the question again—If the Secretary had the authority under Public Law 480, then why did he ask the Congress to give it to him in 1962?

The utter disregard of the intent of Congress in this grant of aid to Communist Cuba should not be tolerated, Mr. Speaker. I most sincerely and emphatically urge that the Foreign Agricultural Operations Subcommittee of the House Committee on Agriculture give this matter its immediate attention and that the Secretary of Agriculture explain fully to the Congress and the American people how U.S. funds and food can be used, even indirectly, to benefit the likes of Fidel Castro.

BETANCOURT REVISITED

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I think it is only fair that we hear both sides of the story regarding the erstwhile Venezuelan leader, Betancourt. Mr. Harold Lord Varney, president of the Committee on Pan-American Policy, delivered an address at a seminar conducted by the conservative coalition here in Washington on January 31 of this year. It represents a strong statement of opinion and fact on the other side of the Betancourt coin. The address follows:

> I want to start out by saying a few words about the latest Cuba events. The Cuba debate has deteriorated into a "who said it?" contest. Attorney General Kennedy says that the United States didn't promise air coverage to the Bay of Pigs invaders. President Kennedy backs him up in his press conference. One thousand and one hundred Bay of Pigs invaders, minus one man who sustains the Kennedy position, say that they were promised air coverage.
>
> I don't intend to engage in a veracity contest with the President of the United States. If he says he didn't promise it, his word is good enough for me. But if such air coverage was not promised, where does that leave us? President Kennedy does not better his own image because, by all the rules of war and humanity, he should have promised

such coverage, and delivered it. What kind of a picture of the great United States does that imprint? We induce 1,300 brave men to invade Cuba at risk of their lives in an operation which we should have done ourselves, and then, after dumping them on the beaches in the firm belief that they will be supported, we do a Pontius Pilate act and leave them to their fate. Let's be honest and stop making excuses for ourselves. We walked out on the Cuban invaders, when they could have won. We flinched before Fidel Castro when we could have destroyed him. This is a record of shame which every American citizen must carry into the future. It is a record which will not soon be forgotten by the Latin Americans who want to be our friends, but who also want to respect us.

But I am not going to consume my time this morning with postmortems about the Bay of Pigs. I think we will learn nothing from our Cuba experience if we do not recognize that Cuba is only one sector in a hemispheric life-and-death struggle which we are now waging with communism. It is a vital sector, but it has meaning only if we see it against the livid background of an all-America struggle which we are losing in Brazil, in Venezuela, in Bolivia, in the Dominican Republic, in British Guiana and in Ecuador—just as we are losing it in Cuba. And the cause of our loss, I attribute to the almost incredible ignorance on the part of most of the American people, of the very nature of the fight which communism is waging against us in the Western Hemisphere.

The great paradox of our struggle against communism is that the overwhelming majority of Americans don't even recognize or suspect the Communist enemy unless he comes to us bedizened with all the regalia and the proofs of signed-up Communist Party membership. World communism is winning stupendous victories in Asia, in Africa and in Latin America, and we don't even recognize them because the winners are not openly labeled "Communist Party." This blindness is not restricted to the laymen. It is a blindness which exists appallingly in the press, on the air waves, in the security organizations of the Government, and even in the sacred precincts of the National Security Council which advises the President on his foreign decisions. No wonder we have been wrong on Castro. For over a year after his triumph, the wise men in Washington and in the radio and TV commentator's booths were so busy trying to prove that they were right in declaring that Castro was not a Communist, that Nikita Khrushchev had already been installed immovable in Cuba before our "experts" had come out of their trance.

Some of us who have been fighting this evil thing for three decades or more have finally learned to recognize a Commie, no matter what kind of a beard or a mustache he may be wearing. But the Johnnie-come-latelies in the anti-Communist movement are almost invariably slaves to labels, and disguises. They are fearfully conscious of the peril of the communism which emanates from the Kremlin or from vocal organs of Nikita Khrushchev. But beyond this open and perceptible communism which conspicuously rears the Communist name, most of them are naively unaware of the great surging tide of communism which is mounting triumphantly in all world areas and which masks itself under the names of "social democracy," "socialism," "peace," "liberalism," and similar cognomens. Today, probably two-thirds of the important Communist work is being done by such Trojan-horse movements. Probably two-thirds of the people who are consciously working for communism have dropped the identifying Communist name and are operating under some unsuspected label. And it is a commentary on the wisdom of the Rostows, the Schlesingers, the Bundys and Hubert Humphreys, who are showering their advice about communism upon the President, that they wouldn't recognize most of these Trojan horses as Communists if they met them walking down the street. They would be most likely to hail them cordially and heartily as brother anti-Communists.

Let me elaborate on this point a little further. The policy of the Trojan horse, the policy of planting Communist infiltrators in nonparty organizations and working behind unsuspected liberal fronts, was inaugurated by Misvow on a grand scale in the 1930's. It had a striking success in the United States during the Hiss era and after World War II. It was employed brilliantly in Latin America under such leaders as Cardenas, Lombardo Toledano, Haya de la Torre, Betancourt, and Arevalo.

What the Schlesingers, the Rostows and the Berles don't seem to grasp is that the Trojan horse technique has never been liquidated in Latin America. It is a weapon which is rated by Khrushchev as high as outright Castroism. Today, although the spotlight is on Castro and his out-in-the-open communism, the main show in Latin America is the nonparty communism which, under "Liberal" and "Democratic" labels is sweeping on from victory to victory in one country after another.

This is a communism which you won't read about in the self-styled anti-Communist books of R. J. Alexander, Daniel James, or Jules Dubois. Its existence remains a dark, deep mystery to Ted Szulc, Jack Kofoed, or Herbert Matthews—our leading newspaper Latin American specialists. But it is the deadliest Communist threat in the hemisphere today. It is working on a timetable of bold plans to confront the United States with a solid bloc of cooperating leftist nations, each guided by a man who is working for Moscow. And it is succeeding progressively in this plan, thanks to the gullibility of Washington.

If, in this fluid situation, I could designate a top leader of this mask-wearing Communist operation, I would name Romulo Betancourt, now in his fifth year as President of Venezuela. Betancourt, today, has gathered three nations into his leftist bloc—Venezuela, Bolivia under Paz Estennsoro, and the Dominican Republic under Bosch. He is now beginning to play power politics on a grand scale.

Bolivia was drawn into his net by his promise to Paz Estennsoro that he will pressure Kennedy to give Bolivia access to the sea by forcing rightwing Peru to give up a slice of its territory. The Dominican Republic became a Betancourt satrapy by lavishly financing the leftist Juan Bosch in his recent surprisingly successful race for the Presidency. (Bosch is a 20-year disciple of Betancourt.) The next target is Communist-controlled British Guiana which is only waiting for London to give it independence to show its hand openly in South American politics. Cheddi Jagan is another one whom Betancourt has financed.

The only real setback which he has had in his audacious program was in Peru. Here the skids were greased last year for the election to the Presidency of Haya de la Torre. Betancourt's 30-year intimate in Communist hugger mugger in South America. According to rumors, Betancourt sent 2 million Bolivars into Peru to swing the election. He had the almost open support of American Ambassador James Loeb, Jr., Hubert Humphrey's protege. But the Peruvian army, not deceived by Haya de la Torre's pretended anticommunism, annulled the election and set up a genuine anti-Communist government. Betancourt had enough influence in Washington to induce the State Department to break off American recognition and American aid to the new government of President Perez Godoy. But when he tried to bully the OAS into declaring sanctions against Peru, only 4 countries out of 20 supported. Betancourt protested insolently to the White House when the United States finally recognized Perez Godoy.

What Betancourt is seeking, obviously with Khrushchev's blessing, is the creation of a third force in Latin America, interposed between the United States and the conservative Latin American countries. This third force, by centrifugal attraction, would draw all the malcontents of Latin America, who are unwilling to go the whole way to Castroism into the Moscow orbit. It will be a force which will eventually shatter all of the present precarious American influence in the hemisphere. It will isolate the United States and make us powerless against future leftist blackmail.

In the presence of such a dangerous development, it would be supposed that Washington would be working strenuously against it. Unfortunately, it is not. So unrealistic and Communist-deceived are the minds which are now shaping our administration Latin American policies, that they are actually encouraging Betancourt's maneuvers. All that the time-hardened Communist schemer need to do is to utter a few Uriah Heep anti-Communist phrases and the State Department is ready to leap through hoops to please him. Guileless as always, the "Rover boys at Foggy Bottom" are actually welcoming this new Betancourt burgeoning as a victory for the United States. In the topsy-turvy picture of the world which is in their mind, Communists have only to utter the incantation of anti-Communist to be hailed as our champions against Moscow.

The whole problem has blown up frighteningly before the eyes of informed Americans by the current happenings in Miami. In December, President Kennedy shocked anti-Communist Americans by issuing an invitation to Betancourt to come to Washington to be the honored guest of the United States. He accepted the invitation and will arrive during the third week of February. I can almost picture the fawning reception which befuddled American liberals are preparing for him.

But Betancourt was not content to accept his Washington circus and leave the United States with some shred of self-respect. He laid down conditions. He insisted that the bail under which the anti-Communist former President of Venezuela, Marcos Perez Jimenez, was at liberty in Miami, must be revoked and that Perez Jimenez must be behind bars during his visit. And to the shame of America, Washington complied. On December 12, Gen. Perez Jimenez was taken from his home in Miami by U.S. marshals and thrown into a cell in Dade County jail. He has been lying there ever since.

Now it should be pointed out that Perez Jimenez, if we were true to our tradition of political asylum, would not be under bail in the first place. Ever since he won power in Venezuela, Betancourt has been haunted by the specter of a possible return of Perez Jimenez to Venezuela to lead a successful right counterrevolution. He recognizes that Perez Jimenez is the only Venezuelan who has the prestige to be a barrier to his stealthy plans to make Venezuela a Communist country. And so his continuous purpose has been to persuade the United States to deliver up Perez Jimenez to him as a prisoner to be tortured and killed in his notorious Casa Gris political prison.

To accomplish this, he instituted an extradition suit against Perez Jimenez, charging him with a long list of alleged crimes. It is a customary political technique for successful revolutions to charge the outgoing President with corruption and venality. To prosecute his case, Betancourt hired the Washington law firm of Dean Acheson, and a Mr. Westwood of that firm has represented Venezuela at every court hearing. Bail of $100,000 was demanded and the former President put it up. This is the bail which has now been mysteriously annulled.

It is one thing to make a mistake in dealing with a crafty lifelong Communist like Betancourt. It is another thing for the United States to lie down like a dog before him and let him walk over us. This is what the deluded men who now run our Latin American policies are doing. The question is, are self-respecting Americans going to allow them to do it? Unless Washington hears a thunderous protest going up from plain Americans all over the country, there is grave danger that one of the outstanding anti-Communists of Latin America, a man who was decorated by President Eisenhower in 1954 as a firm friend of the United States and as a bulwark of anticommunism, will be delivered by us to his death. In the barbiturate atmosphere which now pervades Washington, such a thing could happen. We did it to Tshombe; Why question the possibility that we could do it to Perez Jimenez?

Khrushchev, thanks to our blunders in Cuba and elsewhere, has a long lead over us in much of Latin America. But our crowning folly in this whole tragi-comedy is our present acceptance of Khrushchev's most skillful operator in the Americas to be our champion against hemispheric communism. Under our present demented policies, we are fast becoming a nation of Little Red Ridinghoods who will never recognize the wolf until he starts to eat us up. The next few months will be crucial in our struggle to save our own part of the world.

JOINT COMMITTEE ON THE BUDGET

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I am today introducing a bill providing for the creation of a Joint Committee on the Budget. This is not a new idea, and a great many provisions in the bill are taken from earlier measures introduced both in this Chamber and in the Senate.

However, the introduction of this measure should help to emphasize the importance of providing the machinery for a thorough and substantial revision of the budget presented to this body by the President. As a new Member I am not satisfied to acknowledge that there is little or nothing that the Congress itself can do to curb and reduce Federal expenditures. Nor can I reconcile myself to the thought that personalities and prerogatives of existing committees or individuals in the Congress prevent the membership as a whole from expressing their will and the will of the people of this Nation who want a reduction of Federal spending in various areas.

The proposed joint committee—by including a predominance of members from the House of Representatives—recognizes the constitutional advantage which the framers intended should vest in this Chamber. Indeed, when the issue was being decided in the Constitutional Convention of 1787, many delegates favored the granting of exclusive control of revenues and expenditures to the House of Representatives. In addition, by adding membership from the Committees on Government Operations of the House and the Senate, the bill recognizes the managerial and budgetary responsibilities of these committees in their overriding tasks to recommend efficiency and economy wherever possible in our Federal Government.

Mr. Speaker, the 36-member committee—comprising 21 members from the House and 15 members from the Senate—with staff personnel commensurate with the 450 persons who are said to have compiled the executive budget could fulfill the greatest responsibility which confronts the Congress. Certainly in our economic stability lies the principal strength of our Nation.

Mr. Speaker, I recommend to the careful and thoughtful attention of this House the enactment of this bill, or some comparable measure sponsored by whomever chooses to promote the passage of such urgently needed legislation. Our Nation can—and will—survive, and the Congress can—and will—measure up to its full responsibilities in the fiscal affairs of the Nation. My effort here, today, is merely to add encouragement to the task of all of us to keep this Nation economically strong and everlastingly free.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF COMMODORE PERRY'S VICTORY ON LAKE ERIE

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WEAVER. Mr. Speaker, "We have met the enemy and they are ours; two ships, two brigs, one schooner, and one sloop."

With these words Commodore Oliver Hazard Perry reported our victory over British naval forces in Lake Erie 150 years ago. The victory on September 10, 1813, had profound results on the conclusion of the War of 1812 and the future of the United States as a nation.

The medals provided for in the bill which I am filing today would not only commemorate this victory, but the anniversary of the building of Commodore Perry's fleet at Erie, Pa., which is in my congressional district. They also would signify the 150 years of peace along the Canadian-American border since the battle. With all the turmoil in the world today, it is unique that the peoples of our two countries have experienced this long period of peace along the more than 3,000 miles of unguarded border between the United States and Canada.

Erie, along with other communities along the Great Lakes, is making elaborate plans for sesquicentennial celebrations in observance of this historic milestone.

Erie, now a rapidly growing international seaport, takes pride for its part in the ultimate victory that saw a British squadron surrender to Perry. This Lake Erie seaport was the site of construction for the ships in the naval officer's fleet. The woods surrounding Erie provided the lumber that went into the sturdy American ships. The refurbished flagship *Niagara* is still proudly anchored in the harbor of Erie.

There is much historical significance in Erie and the surrounding area. This 150th anniversary observance will focus attention on northwestern Pennsylvania's historical past, and its great potential as a port and industrial center of the future.

It is hoped that this commemoration will stimulate local interest in renovating such historic landmarks as the Perry Victory Monument, Anthony Wayne Blockhouse, Land Lighthouse, Perry Memorial House, Dickson's Tavern, Capt. Charles Gridley's grave, the Old Customs House, and other historical monuments in northwestern Pennsylvania.

The sesquicentennial observance will bring State and National attention to northwestern Pennsylvania's historical background and outstanding recreational facilities, including Presque Isle State Park at Erie.

THE ALTERNATIVES INVOLVED IN THE TAX DEBATE

Mr. ROBISON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROBISON. Mr. Speaker, it is abundantly clear that the major issue before this session of the 88th Congress is to be the issue of tax reduction and reform. This is a situation that I, personally, relish for I have long urged the necessity for comprehensive structural and rate reform of a tax system that the President has now, and accurately, described as being "obsolete."

I am, today, introducing three measures which, as a package, sum up the tentative conclusions I have reached. They include a companion bill to this year's version of the so-called Herlong-Baker tax-reduction bill—which, in its earlier forms I also introduced in both the 86th and the 87th Congresses; a bill calling for the creation of a Joint Committee on the Budget—which is a companion piece to S. 537 as recently introduced in the other body by the gentleman from Arkansas, Senator McCLELLAN, and a host of distinguished cosponsors—and, finally, a bill comparable to H.R. 11498 as introduced by myself in the 87th Congress calling for the creation of a Commission on Federal Taxation.

Inasmuch as the only kind of tax reform the President is now proposing—and this Congress will apparently consider—is widely different from the comprehensive structural reform which I believe desirable and necessary, I also intend, in subsequent days, to introduce several other comparable reform proposals designed to correct certain inequities that exist in that obsolete tax system of ours and designed, too, to provide needed incentives to encourage more of our citizens to meet their own needs.

However, for the time being, I am including in my remarks a speech I prepared for delivery this past weekend in my district, and having reference to the three bills I am introducing today. The speech follows:

ADDRESS BY HON. HOWARD W. ROBISON, OF NEW YORK

In an address delivered at Yale University last June, President Kennedy called for a national debate or dialogue covering broad politico-economic areas including Federal fiscal policy. It remained, however, for him to submit his proposals for tax reduction and reform to this Congress to signal the start of such a debate.

But, however it has been brought about, this focusing of public and congressional attention on matters which most of us—like so many Scarlett O'Haras—have until now preferred to "think about it tomorrow" is a healthy and welcome event.

As one who has long urged the need for both tax reduction and reform, I am reminded of Victor Hugo's words: "Greater than the tread of mighty armies is an idea whose hour has come." Perhaps the "hour" for Federal tax reduction and meaningful reform has, indeed, arrived. If so, this is, for most of us, the "chance of a lifetime" for the record clearly shows that basic tax revision has only occurred in this country on the average of once every generation.

Certain it is that the decisions we—all—will here be required to make must be wise ones for we may have to live with them, and reap the consequences thereof, for many years to come. And, if one is willing to accept—as I am inclined to do—the premise that the future shape of our Nation, and perhaps of the free world, may well depend on those decisions, then the full nature of our collective responsibilities becomes even clearer.

Within the past several months, a rather remarkable consensus of opinion has been developing in support of the theory, as expressed by the President, that "our obsolete [Federal] tax system exerts too heavy a drag on private purchasing power, profits and employment. Designed to check inflation in earlier years, it now checks growth instead. It discourages extra effort and risk. It distorts the use of our resources. It invites recurrent recessions, depresses our Federal revenues, and causes chronic budget deficits."

I have been saying this sort of thing for several years—though less eloquently—so, when the President then went on in his recent state of the Union message to urge congressional action this year to reduce the burden of that tax system, and declared this was "the most urgent task confronting the Congress in 1963," I fully agreed.

I am sure I need not remind you of how much Federal income tax you pay. Or of the fact that, if you work for or operate your business as a corporation, Uncle Sam is the majority stockholder therein insofar as profits are concerned. What you may not have realized, however, is the fact that we Americans, almost alone, place such a heavy reliance on income taxes as the prime source of governmental revenues. In 1960, 83.4 percent of all Federal tax revenues came from this source—45 percent from the individual income tax, alone. By comparison, no other country derives more than two-thirds of its revenue from levies on income, and in only three countries—Australia with 34 percent, Denmark, 32.4 and the Netherlands with 30.4 percent—do personal income taxes bring in as much as 30 percent of central-government receipts. For France, Germany and Japan—all enjoying rapidly growing economies compared to ours—the share of revenue derived from personal income taxes in 1960 amounted to only 17.4, 20.8 and 19.9 percent, respectively.

Certainly it can be argued that these high rates—spawned in the years of the great depression and extended through many years of both hot and cold war spending—have caused the vital mainspring of our American system—that something we call personal incentive—to lose much of its resiliency, and, together with unrealistic depreciation treatment, have condemned many of our business enterprises to a state of involuntary liquidation—draining off that part of their paper profits which would otherwise have been transformed into capital for needed growth.

As for such growth, while our economy is still trending upward, at a yearly average since 1955 of 2.7 percent, when compared to current European growth rates of 4, 5, and 6 percent, and to our own earlier postwar rate of 4.5 percent (this from the President's Economic Report), this does not look so good. Now, it may be true that the New Frontier practitioners of "growthmanship" chose here to use a political rather than a more meaningful economic period as their yardstick, but still, it seems clear that our American economy does suffer from a "tired blood" condition, the best evidence of which is not just idle plants and workers but obsolete plants and obsolete skills. The need for retraining displaced farmers, coal miners and the like, is another topic for another time, but surely—in a time of such rapid technological change as this—the fact that the United States in 1960 had the lowest national investment in new machinery and equipment—measured in terms of percentage of gross national product—of any other country in the so-called free world is solid evidence that something is very wrong.

This is a condition that persists despite the massive efforts of this administration to revitalize the economy through an increase of Federal expenditures—in accordance with Walter Reuther's theory that: "The bold use of Government spending is the most powerful single remedy we have for unemployment." Nor has there been, as yet, any immediate sign of substantial improvement as the result of the somewhat revised treatment of depreciation, adopted last year by the Treasury Department or the enactment in 1962 of the so-called investment incentive tax credit.

There is other handwriting on the wall: Most businesses now tend to consider their tax consultant a more valuable asset than a good research and development department; and with the need for developing new markets so apparent why is the risk inherent in doing so almost totally unacceptable, and why, for instance, has leisure for many Americans become more attractive than extra work?

There are side effects, too, which one might also mention, such as the serious undermining of, at least, the tax morality of the average citizen, but I doubt if it is really necessary to further argue the case for tax reduction and reform, because, in today's Washington as well as around the country, there is little disagreement over the primacy of such an objective—just broad disagreement on how best to achieve it.

Putting aside—for the moment—the question of tax reduction, let me say that I have long favored genuine tax reform—reform aimed at simplifying our patchwork Tax Code and ridding it of its inequities; aimed, too, at more than closing loopholes and broadening the income tax base but at the need, too, for finding new sources of taxation which, with lessened emphasis on income taxes, might be both more fair and efficient than our present obsolete system.

However, it must—by now—be clear to all of us that the specific reforms which Mr. Kennedy has proposed do not fall into this category. Instead—in a giveth and taketh sort of way—they come much closer to a shuffling around of existing complexities and inequities and, understandably, have been met with caution and concern by both Congress and the people, and have created a growing skepticism about the value of the kind of tax revision the President is offering.

Of course, enacting true tax reform would be a most difficult and delicate operation. I, for one, have previously questioned congressional ability to deal objectively and wisely in this field, in view of its other burdens and the supercharged political atmosphere in which it must operate. The experience of watching the last Congress struggle with the 1962 tax bill—a modest venture compared with this year's package—did little to bolster my confidence.

And so this is why, in the last Congress, I introduced a bill to establish a study group to be known as the Commission on Federal Taxation, to make a comprehensive review of and recommendations for the reform of our tax system—something after the nature of the successful Hoover Commission operation of a few years back. I regret to say that bill was not enacted. However, though it may seem paradoxical to try again with the House Ways and Means Committee already tackling the problem of tax reform—I have again introduced it this year because I see little hope for meaningful reform.

If I am right—and I hope I am wrong—our alternatives are seemingly reduced, for the time being, to the barren option of doing nothing or the option of agreeing to some form of tax reduction with reform being limited to various offsetting devices.

The barrenness of that first option—if it can even be called an option—is pointed up by some rather grim statistics showing the hopeless inadequacy of our present system. That system produces enormous revenues—but practically never sufficient for the Federal appetite. As evidence that we have long since passed the point of diminishing returns, thereunder, consider these items: In 8 of the past 12 fiscal years, the Federal budget has shown a deficit; moreover, since 1930 a budget surplus has only been recorded in 6 years.

As a result, the public debt has grown (no problems in growth, here), from $16.2 billion on June 30, 1930, to $298 billion on June 30, 1962, a 17-fold increase, and sometime around the end of this year it will, temporarily at least, climb to approximately $315 billion. Since 1950, alone, that debt has been growing at an average rate of $3.6 billion a year and, although some do seek to discount popular concern over this trend by accurately pointing out that the debt is now a smaller percentage of gross national product than it was immediately after World War II, that is no particular cause for joy when one considers that much of this ratio-reduction is attributable to the massive inflation we enjoyed in the period between 1945 and 1951, when the purchasing power of our dollar (using 1936 as a 100-cent base), plummeted from 76 cents to 46 cents—a disaster the great majority of us cannot forget.

There are those in the President's official family who seem to deplore our fixation on the cost of that experience with galloping inflation. To these people, the resulting desire on the part of most Americans to have the Federal Government balance its books, at least in good years, has become an old-fashioned fetish. For instance, the Chairman of the President's Council of Economic Advisers, Dr. Walter Heller, recently referred—with some implied derision—to such a desire as representing a "basic Puritan ethic of the American people."

It is this school of thought, apparently, that the President has joined in urging Congress to undertake the bold economic gamble of a tax cut in the face of continued deficit spending, an unfavorable balance of payments and dwindling gold reserves. The buffer against resulting inflationary pressures is supposed to exist in that idle plant capacity and in unemployment that refuses to drop much below 6 percent.

Thus, for the time being at least, the President seems to have discarded the notion advanced by Dr. Heller and others that a further stimulation of the public sector of the economy could produce a more selective and thus a more creative economic expansion than a comparable stimulation of the private sector via tax cuts. Dr. Heller is not, of course, urging this opposite course at the present time, but I think it is fair to assume that this alternative has not been wholly discarded—even though the kind of economy we might thus end up with could well differ radically from the one we presently enjoy.

The tipoff to this can be found in this sentence from the state of the Union message, and I suggest you listen to it carefully: "No doubt a massive increase in Federal spending could also create jobs and growth—but, in today's setting, private consumers, employers, and investors should be given a full opportunity first."

Has not the President, then—and quite fairly—put us on warning? A warning to the effect that Congress—and the people—are to have a chance to prove what the private sector can do for the country if the tax brake is partly eased, but that, if Congress—and the people—are unwilling to take that route or unable to agree on the details thereof, then Dr. Heller and company will be given an even freer rein than previously to see what the country can do for us.

If this analysis is correct, the burden of our decision—at least for me—becomes even clearer.

Now, certainly, public opinion will play a part in shaping that decision. The President is fully aware of his uphill pull—and of the political risk of the innovation of a planned deficit of some $12 billion as an integral part of his record budgetary plan for fiscal 1964. Although this risk is probably more than balanced off by the prospect of improved business conditions that a tax cut might produce—with or without reform—in 1964, a presidential election year, Mr. Kennedy has moved to meet the same head on.

He has thus referred to the tax cut—with the hoped for spin-off of greater Federal revenues by a more active economy—as "the surest and soundest way of achieving in time a balanced budget in a balanced full-employment economy," and he has had the same Dr. Heller attempting to initiate the "Puritan minded" American to the intricacies of the difference between deficits "that grow out of economic recession or inadequate growth"—like the near $9 billion deficit projected in this current fiscal year—and those "that grow out of positive fiscal action, such as tax reduction, to invigorate the economy" (these quotes being from the President's Economic Report). Dr. Heller has characterized the former as being "deficits of weakness"; the latter as "deficits of strength," but—if I am reading my mail accurately—I doubt if my constituents see any real difference.

I also read my mail—and I doubt if it is any different from that being received by other Members of Congress—as indicating that the great majority of my constituents, while they would welcome a tax cut, are unwilling to accept the benefit of any such cut unless there is an accompanying reduction in projected Federal spending. I am pleased they are taking this position, because it also would have been mine in any event.

My constituents further—and with good reason, I think—are skeptical about the degree of vigor with which the President will seek to restrain the ever upward trending Federal budget, and are looking to Congress to do so.

Can, and will, Congress comply?

Not, I think, unless an aroused public demand develops for such restraint—and there is a surprisingly good chance of this—and not, I fear, under existing congressional procedures for dealing with budgetary requests.

About a month ago—and 2 years ago as well—the House of Representatives engaged in battle over reform of its Rules Committee. The President's victory in each instance was hailed as legislative reform, but, in my judgment, it was spurious reform at best. There were and are other areas of congressional procedure more desperately in need of the attention of the would-be reformer—foremost among which would be how to help Congress, in this day of $100 billion budgets, to stop just appropriating money and get back to really budgeting.

Now, this is not intended to be critical of the members of the Appropriations Committees of Congress. They are, by and large, the hardest working and most dedicated of all my colleagues, but they now must labor under such difficulties that it is little wonder Congress has come close to losing all control of the spending process.

Of necessity, as they break up into subcommittees to consider their separate parts of the budget, there is little opportunity for them ever to pause to consider how the total is adding up, or to relate to that total the customary changes in projected revenues.

Nor though the budget has risen nearly $20 billion in the past 3 years and is now going even higher, is there time for them to require that sober review of national priorities that the President seems unable or unwilling to make, even though such a review is dictated by commonsense.

Finally—and this is perhaps the worst of all—budgetary hearings nowadays are little more than ex parte proceedings, wherein the only witnesses are expert witnesses in behalf of the departmental or agency request—people who have worked year-round preparing and making ready to justify that request, backed and bolstered by representatives of the Bureau of the Budget and, occasionally, by the prestige of Cabinet members and the like. Rarely, if ever, is the public or the taxpayer heard in opposition. Understaffed—and overburdened with legislative and other responsibilities—there is little a member of the Appropriations Committees can do about this.

The answer, in my judgment, or at the very least the first step toward that answer, would be passage of a bill I am also introducing this year to create a Joint Committee on the Budget, composed of seven members from each of the House and Senate Appropriations Committees, to be adequately staffed—and I wish to underscore that—and to serve as a continuing watchdog on overall budgetary matters, analyzing and screening requests in the same way the Bureau of the Budget is supposed to do, and checking on departmental and agency expenditures—as the money is spent—for waste, extravagance and duplication. This idea—which is a more practical extension of an unimplemented recommendation of the old Hoover Commission and is patterned after the successful Joint Committee on Internal Revenue Taxation—would pay for itself many times over.

Arrayed against it, however, will be the forces of traditionalism and the fear on the part of the House that it may, somehow thereby, lose its constitutional privilege of instituting revenue bills. However, I believe the cause of fiscal sanity outweighs these arguments, persuasive though they may be, and that it is time for Congress to stop criticizing the President—whoever he is—for lacking a sense of fiscal responsibility, when the greater responsibility therefor—the constitutional responsibility—rests with Congress. It is time we set our own house in order.

Finally, in order that the private sector may have that chance to see what it can do, I favor income tax rate reform along the lines proposed in the current version of the so-called Herlong-Baker tax bills, with which some of you may be familiar. I have been a cosponsor of the original version of these bills in both the 86th and 87th Congresses.

Time does not permit me to go into the details thereof, except to say that this year's bill—which I am introducing—calls for the gradual reduction of personal income tax rates, over a 5-year period, to bring the first bracket rate down to 15 percent and the present top bracket to 42 percent, and lowering corporate rates over the same period from 52 to 42 percent. The average annual tax savings under this bill would be about $3.85 billion, of which $2.85 billion would go to individuals and the remaining $1 billion to corporations—a somewhat more balanced division than the President proposed in his tax cut package.

This bill would produce $19.25 billion in tax savings over a 5-year period, as compared to the President's plan for a $13.5 billion tax cut over a 3-year period, but the President's cut—already in fact reduced by the $2 billion increase in social security taxes that took effect the first of this year—would be further reduced, if Congress goes along, by his suggested reforms which are designed to bring in offsetting revenues of about $3.5 billion.

No comparable structural reforms are tied into my proposal—this in accordance with my belief that, despite the need for genuine reform, the time for rate reform is now, especially in view of the alternative laid down by the President.

However, the key provision of this bill—and the reason it has my strong support—is a provision tying those projected tax cuts, after the first 2 years of the program, to a balanced budget except for necessary increases related to defense, space and debt service. Under this provision, scheduled tax cuts would have to be postponed in any year—after the first 2—when the budget was out of balance due to increases in programs or for purposes other than those just mentioned.

I am as aware as anyone else of the true needs of the American people, and of the role that the Federal Government should play in helping them to meet those needs. However, I am convinced that the executive branch and Congress can work together to control domestic spending—under the discipline imposed by the military requirements of the cold war—without harm to any vital public program or any segment of the public. And I would point out that those who might benefit under any new program that was necessarily delayed or reduced in scope, also share the common general public interest in better economic growth and economic strength.

It should be fully understood, however, that though I favor this kind of tax cut, I reserve my right to vote against the same if spending projected for fiscal 1964 is not held at or near 1963 levels. I believe that it is not only prudent, but altogether possible to so restrain Federal expenditures—unless we are wholly lacking in self-discipline. In seeking to do so, Congress should give particularly careful scrutiny to both military and space spending plans and I think the President is ill advised in trying to shield these from even responsible pruning.

Let us also remember that we are—like it or not—also subject to the discipline imposed upon us by the balance-of-payments problem which is clearly not improving. Until recently, the administration has counted on European cooperation in defending the dollar, but growing waves of anti-Americanism abroad may cause us to reassess the situation.

Well, much more could be said but I am out of time and you are undoubtedly out of patience. I do not expect you all, nor even perhaps a majority of you, to agree with what I have said or with my tentative conclusions. I would hope, however, that this discussion may encourage you to personally participate in the vital decisions to be made—with a better understanding that the wisdom and the creativity of the private sector of our American economy may well be on trial.

UNITED NATIONS SPECIAL FUND

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include three tables.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, it has often been said that what is past is prolog and we who are not given to understand the future must study the past. The solemn reading of George Washington's Farewell Address and our continuing applicability of it to the present reminds us of what Lord Brougham, a contemporary of President Washington, said, that those who are informed are easy to lead, difficult to drive, easy to govern, and impossible to enslave.

Mr. Speaker, the United Nations Special Fund has received considerable attention during the past 2 weeks because of a U.N. grant to Castro's Cuba to carry out an agricultural project. Because this grant strikes me as incredible, considering our 40-percent subsidization of this Fund, I asked the Department of State to furnish me additional information regarding the operation of the U.N. Fund, since its inception in 1959.

After reviewing more details of the operation of the Special Fund, I am more completely convinced than ever that American taxpayer dollars are being used to support projects in Communist countries far beyond the recent disclosures involving Cuba and the Cuban shooting up of our shrimp boat today.

While the U.S. contributions to the United Nations Special Fund have increased 300 percent since 1959, the contributions of the Soviet Union have not increased a single penny. Here are just a few facts that have come to light. Yugoslavia which has contributed less than $1 million over the past 5 years is on the receiving end of the United Nations Special Fund for more than $2½ million. One of the United Nations projects in Yugoslavia which is subsidized over 40 percent by the United States is a project called nuclear research and training in agriculture. This is the only nuclear research project identified under the Special Fund sponsorship and it is being carried out by a Communist-bloc nation.

What I have seen convinces me that the taxpayers of the United States have even further cause to doubt the wisdom of turning responsibility for the dispensation of their tax funds to those who man our Department of State. What is it about our State Department, Mr. Speaker, that drives men to lose their sense of proportion when vast sums of money are placed in their trust?

I invite the careful attention of Members of the House to the tables, which I shall ask unanimous consent of the House to insert in the CONGRESSIONAL RECORD at the end of these remarks. They indicate the degree to which we are conducting a foreign aid program which benefits the Communist bloc, outside of our own considerable foreign aid expenditures.

In particular I call your attention to the fact that while the total contribution of the Communist bloc has increased less than 5 percent, and the contribution of Soviet Russia has remained constant over a 5-year period; the U.S. contribution to the U.N. Special Fund has increased 300 percent in that same period.

Not a single year has gone by since 1959 that we have failed to increase the U.S. contribution by a substantial amount. None of the funds are spent on projects in the United States which contributes 40 percent of the Special Fund, while the Communist-bloc countries are sure that almost all of their funds will be spent in Communist nations because they do not permit conversion of their moneys, except to a very restricted degree.

Here is what one finds when one traces the history of contributions:

In 1959, the United States contributed $10,300,000 while the U.S.S.R. contributed $1 million and the total Communist-bloc contribution was $1,593,000.

In 1960, the United States contributed $15,900,000—a 50-percent increase. The U.S.S.R. contribution remained steadfast at $1 million and the total Communist-bloc contribution was only $1,625,425.

In 1961, the United States increased its contribution again, this time to $19,900,000. The U.S.S.R. contribution remained at $1 million and the total Communist-bloc contribution was $1,637,425.

In 1962, the United States again increased its contribution to $25,300,000. The U.S.S.R. contribution once more remained steadfast at $1 million and the total Communist-bloc contribution also remained relatively static at $1,685,000.

In 1963, the U.S. contribution jumped to $29 million. The U.S.S.R. contribution remained at $1 million and the total Communist-bloc contribution remained at $1,685,000.

Now, even these astounding ratios do not tell the full story. The Communist-bloc figures include a $30,000 pledge from Cuba which as of November 1962 had not been paid. Presumably, now that Cuba has been given a large grant she will not mind keeping her word. After all, who would not give a nickel to get a dollar?

Furthermore, contributions from the Communist nations are made in the currency of the donor with only a very insignificant provision of conversion. Yugoslavia allows 20 percent convertibility. The three Russian members of the U.N. limit convertibility to 25 percent and then only to cover travel expenses, salary payments to experts—usually their own—and freight and transportation charges on equipment shipped from the U.S.S.R.

In other words, the Communist-bloc nations make sure that any money they contribute to the fund will be expended in Communist countries or countries which can only spend their assistance to rubles.

How have the Communists fared under this arrangement?

Yugoslavia, which has contributed a total of $957,000 over the 5 years, is on the receiving end of three projects totaling $2,627,000.

Poland, which has contributed the meager sum of $625,000 over a 5-year period, is on the receiving end of two projects totaling $1,837,000.

Mr. Speaker, even the tiny country of Switzerland contributes more to the U.N. fund than Soviet Russia.

The Members will be interested to know that only one identified nuclear research project is being carried out under the auspices of the U.N. Special Fund. It is going on in Yugoslavia—a Communist-bloc nation—and is labeled "Nuclear Research and Training in Agriculture," and is a 3-year project approved only last May—1962.

Let me make some other comparisons: First, the United States which provides 40 percent of the funds, furnishes only 96 paid staff members—211 less than our share if a 40 percent figure were used; second, on the other hand, the Communist bloc, which contributes only 4 percent of the fund provides 24 paid experts, or almost a third of the U.S. allotment.

Here are some random expenditures around the world being financed by the U.N. Special Fund with a generous assist by the United States: $3,866,000 for a study of the desert locust; $523,700 for an institute of public administration in Accra, Ghana; $806,700 for land and water surveys in the upper and northern regions of Ghana; $997,400 for a statistical research and development center, Djakarta, Indonesia; $605,600 for a survey of Ganje Reservoir scheme in British Guiana.

These are only a few examples of expenditures in countries which have a known affection for communism and Soviet Russia. In British Guiana, alone, there are four projects in which the U.N. contribution is almost $2 million.

Mr. Speaker, as a closing note I might mention that the small community of Branson in southwest Missouri recently made an application for a water and sewerage grant from the Department of Health, Education, and Welfare. I am advised that the grant cannot be made at the present time because there are no more funds available, to quote HEW officials.

Is it not a reflection on the policy of our Government when we can provide 40 percent of the funds for some of the Communist bloc enterprises which I have listed, while we have to turn down an application for funds from an American community? I am seriously considering advising the town of Branson to resubmit their application. Only this time they should submit it not to the Department of Health, Education, and Welfare, but to the United Nations Special Fund, which the taxpayers of Branson and the rest of this Nation are supporting. However, I cannot be overoptimistic about whether such an application would be approved. "Cuba, si, Branson, no," seems to be typical of our U.S. foreign policy in the 20th century.

Table I.—*Contributions to U.N. Special Fund by United States and the Communist bloc nations, 1959–63*

[Expressed in U.S. dollars]

	1959	1960	1961	1962	Pledges as of Jan. 9, 1963	Total, 1959–63
Pledges	25,800,000	38,800,000	48,100,000	60,600,000	[1] 60,500,000	242,800,000
Local costs	---	1,000,000	1,800,000	2,600,000	[1] 3,000,000	8,400,000
Total	25,800,000	39,800,000	49,900,000	63,200,000	[1] 72,500,000	251,200,000
United States [2]	10,300,000	15,900,000	19,900,000	25,300,000	[1] 29,000,000	100,400,000
Albania	---	2,000	2,000	[3] 2,000	2,000	8,000
Bulgaria	14,706	14,706	14,706	10,256	10,256	64,630
Byelorussia	50,000	50,000	50,000	50,000	50,000	250,000
Czechoslovakia	69,444	69,444	69,444	69,444	69,444	347,220
Hungary	42,608	42,608	42,608	42,608	42,608	213,040
Poland	125,000	125,000	125,000	125,000	125,000	625,000
Rumania	16,667	16,667	16,667	16,667	16,667	83,335
Ukraine	125,000	125,000	125,000	125,000	125,000	625,000
U.S.S.R.	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000
Cuba	---	[3] 5,000	---	[3] 25,000	25,000	55,000
Yugoslavia	150,000	175,000	192,000	220,000	220,000	957,000
Total bloc	1,593,425	1,625,425	1,637,425	1,685,975	1,685,975	8,228,225

[1] Estimated as of January 1963.

[2] Estimated amount on basis of U.S. pledge of 40 percent of total contributed to Special Fund.

[3] Pledge unpaid as of Nov. 30, 1962.

Note.—Contributions from the Communist states are made in the currency of the donor with no provision of conversion except as indicated below. The U.S.S.R., Byelorussian S.S.R., Ukrainian S.S.R.—according to the original condition set forth by these countries, 25 percent of the contributions to be made available in convertible currencies, but the above condition means convertible to cover travel expenses of experts, fellows, missions, and study tours; salary payments to experts in currencies other than U.S.S.R. rubles: and freight and transportation charges on equipment shipped from U.S.S.R. Yugoslavia—20 percent convertibility.

Table II.—*Statement of contributions, by governments, to the U.N. Special Fund pledged and paid for the year 1962 as of Nov. 30, 1962*

[Expressed in U.S. dollars]

Name of country	Pledged	Received
Afghanistan	11,500	11,500
Argentina	96,386	---
Australia	---	---
Austria	200,000	170,000
Belgium	625,000	625,000
Bolivia	10,000	---
Brazil	15,254	---
Burma	20,000	20,000
Cambodia	5,000	5,000
Cameroon	---	---
Central African Republic	---	---
Ceylon	10,000	10,000
Chad	---	---
Chile	142,993	---
China	20,000	20,000
Colombia	40,500	---
Congo (Brazzaville)	---	---
Congo (Léopoldville)	---	---
Costa Rica	---	---
Cuba	25,000	---
Cyprus	6,300	6,300
Czechoslovakia	69,444	69,444
Dahomey	---	---
Denmark	1,158,245	1,158,245
Dominican Republic	5,000	5,000
Ecuador	40,000	20,000
El Salvador	2,000	2,000
Ethiopia	29,000	---
Federation of Malaya	10,000	10,000
Finland	200,000	200,000
Gabon	6,076	---
Ghana	42,000	42,000
Greece	30,000	30,000
Guatemala	8,000	---
Guinea	---	---
Haiti	60,000	---
Holy See	1,000	1,000
Honduras	---	---
Hungary	42,608	42,608
Iceland	4,000	4,000
India	2,055,000	2,055,000
Indonesia	25,000	---
Iran	125,000	---
Iraq	40,000	40,000
Ireland	25,000	25,000
Israel	51,600	30,100
Ivory Coast	4,000	4,000
Japan	1,596,037	---
Jordan	16,000	16,000
Korea, Republic of	13,000	13,000
Kuwait	125,000	125,000
Laos	30,000	6,000
Lebanon	47,525	47,525
Liberia	15,000	15,000
Libya	37,500	37,500
Luxembourg	6,000	6,000
Mauritania	---	---
Madagascar	6,076	6,076
Mali	---	---
Mexico	100,000	100,000
Monaco	1,013	1,013
Mongolia	---	---
Morocco	40,000	40,000
Nepal	4,000	---
Netherlands	2,561,436	2,561,436
New Zealand	140,000	140,000
Nicaragua	3,857	---
Niger	---	---
Nigeria	140,017	140,017
Norway	1,329,973	1,329,973
Pakistan	250,000	250,000
Panama	1,000	1,000
Paraguay	---	---
Peru	70,000	70,000
Philippines	66,000	---
Poland	125,000	125,000
Portugal	---	---
Rumania	16,667	16,667
Ruanda Urundi	---	---
Saudi Arabia	50,000	50,000
Senegal	24,000	---
Sierra Leone	10,000	---
Somalia	---	---
South Africa	10,000	10,000
Spain	80,000	---
Sudan	45,000	45,000
Sweden	5,000,000	5,000,000
Switzerland	1,046,512	1,046,512
Syria	---	---
Tanganyika	---	---
Thailand	160,000	160,000
Togo	---	---
Tunisia	50,000	50,000
Turkey	322,222	322,222
Ukrainian Soviet Socialist Republic	125,000	125,000
Union of Soviet Socialist Republics	1,000,000	1,000,000
United Arab Republic	229,753	---
United States of America	[1] 24,905,717	13,264,908
Upper Volta	---	---
Uruguay	20,000	---
Venezuela	100,000	100,000
Vietnam, Republic of	16,686	16,686
Yemen	---	---
Yugoslavia	220,000	220,000
Total	[2] 60,161,072	43,570,027

[1] The United States pledged $60,000,000 to the Special Fund and the expanded program of technical assistance for 1962 subject to the condition that its contributions must not exceed 40 percent of the total contributions to the Central Fund of the two programs announced as at Dec. 31, 1962. Amount calculated on the basis of pledges announced by other governments ($35,255,355) and payments received in respect of local costs of approved projects ($2,103,221).

[2] The following adjustments on 1962 pledges were recorded during the month of November 1962:

Sierra Leone (new pledge)	$10,000
United States of America:	
(i) Matching of above pledge	6,667
(ii) Matching of local costs receipts	144,442
Total	161,109

OTHER U.N. TECHNICAL ASSISTANCE TO CUBA

Cuba has been receiving assistance from the U.N. Expanded Program of Technical Assistance since 1950. In 1961–62 financial period, Cuba was programed to receive $445,883 consisting of 10 projects carried out by the U.N. Food and Agriculture Organization, the International Labor Organization, United Nations Educational, Scientific, and Cultural Organization, and the World Health Organization. Under the 1963–64 program approved last November by the Technical Assistance Committee of the Economic and Social Council, Cuba received approval for projects totaling $405,780. The program consists of an ILO social security project, $69,000; FAO fisheries project, $160,000; UNESCO marine biological project, $54,000; UNESCO educational service, $13,500; ICAO civil aviation project, $17,280; WHO public health service, $152,000.

WASHINGTON "CON" MEN

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, the Attorney General is ignoring a confidence game being played in Washington and so we must warn the public about it. The object of the game is to use the people's money to bamboozle them on a national scale. The scheme is simple. An administration tipster calls a political favorite who has played no prior part and breaks the news of the award of a Government contract in his State. The favorite then calls the news media at home and releases the glad tidings with at least the implication that he is making a personal benefaction to his constituents.

Honest citizens who are familiar with complex Government procurement procedures are not impressed. Reporters, editors, and newscasters are not fooled by this hocus-pocus. Let us hope that they will expose it for the deception that it is.

AMERICAN LUMBER INDUSTRY

Mr. HORAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Speaker, later on this afternoon, I plan to participate in a discussion of the economic decline of one of America's great industries, the lumber industry. My colleague, the gentleman from California [Mr. Johnson], has obtained 1 hour, and I along with others, plan to participate with him in making this hour fully descriptive of the present condition of the softwood lumber industry in the United States. It is sick. In addition to the resolution which we will discuss and which I have just introduced this afternoon, I have also introduced today three other measures dealing with the lumber problem.

The first of these three would amend the National Housing Act to provide that only lumber and other wood products which have been produced in the United States may be used in construction or rehabilitation covered by Federal Housing Administration insured mortgages. I believe that the gentleman from Alabama [Mr. Rains], has introduced this measure and is the author.

The second measure would amend section 22 of the act of August 24, 1935, as amended (49 Stat. 773; 7 U.S.C. 624), to require the Secretary of Agriculture to include lumber and wood products as an agricultural commodity under the act. The gentlewoman from Washington [Mrs. Hansen] is the author of this measure.

In addition, last week I introduced a bill which would exclude cargo which is lumber from certain tariff filing requirements under the Shipping Act of 1916. This bill has already been introduced by the gentleman from Washington [Mr. Tollefson].

SOFTWOOD LUMBER IMPORTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. Senner] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SENNER. Mr. Speaker, the future of approximately 4,000 working men and women who represent an annual payroll of some $16 million in my district alone, has been seriously endangered by the U.S. Tariff Commission's recent decision rejecting a tariff increase on softwood lumber imports.

I fully recognize that the Commission was committed in advance to its decision by the Trade Expansion Act of 1962, but this in no way lessens the serious blow that a vital industry and its employees have suffered and will continue to suffer unless immediate remedial action is taken.

The deadly seriousness of the situation is very real and apparent. I am, therefore, particularly hopeful that this Congress will quickly approve the House joint resolution requesting and authorizing the President to impose an immediate 6-percent emergency quota on all imports of softwood lumber for the period of 3 years.

Mr. Speaker, the Third Congressional District of Arizona, which I am privileged to represent in this distinguished body, relies heavily on its forest industries. Any negative impact thereon might well prove disastrous.

On a broader scale, I am informed that in 1961 some 117,000 Americans were thrown out of work by the Canadian lumber imports.

How has this situation come to pass? Has the lumber industry, which is the fourth largest employer of manufacturing labor in the United States, created its own pitfalls? Mr. Speaker, I submit that such is not the case. The Tariff Commission's investigation revealed these contributory factors:

First. The cost-price squeeze between the rising price of lumber and the even more rapidly rising price of timber and purchased logs, brought on by the limited availability of softwood timber in the United States.

Second. Timber management policies of Government agencies which limit the commercial availability of mature sawtimber.

Third. The depreciation of the Canadian dollar which, in terms of U.S. dollars, gave Canadian lumber an advantage of approximately $7 per 1,000 board feet.

Fourth. Since 1957, the charter rate for waterborne shipments from British Columbia to Eastern United States has given Canadian lumber a favorable differential of $12 per 1,000 board feet, again because of governmental regulations and discrimination against U.S. shippers.

Fifth. Canadian railroads are granting Canadian shippers freehold privileges that give them more time to find buyers for lumber after the shipments have been accepted than is enjoyed by shippers in the United States.

In short, the industry is being strangled by circumstances not of its own making. We cannot avoid the stark fact that it is being harassed by its own Government. This is an intolerable situation that must be alleviated.

Conscience further dictates that we closely examine another governmental inconsistency that can only be untangled by adoption of the attendant House joint resolution.

Within Arizona lies the major portion of the Navajo Indian Reservation where the tribe operates two sawmills backed by a standing sawtimber volume of some 2 billion board feet. On the one hand, the Government is severely restricting this potential source of badly needed revenue with its trade policies, yet on the other it certifies the reservation as a depressed area. Strange reasoning indeed.

Mr. Speaker, this is not a problem that concerns my district alone, nor the Western United States alone. It affects every corner of America and every Member of this House.

POLITICAL BARREL SCRAPING

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, if press reports can be accepted as correct, and they usually are, the Kennedy administration is really about to scrape the bottom of the political patronage barrel. According to Mr. Joe Young, in last night's Washington Star, high school students and college students who get a few weeks of summer employment are going to have to pass political scrutiny by the White House.

No longer, apparently, does the Kennedy political hierarchy trust its lieutenants in the various agencies, as has been the story in the past, to pass upon the employment of high school students and others who are needed to do typing and other temporary work in the summer in the Federal Government; now they must pass in parade and stand political inspection under the scrutiny of the White House.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. In yielding, let me compliment the gentleman from Oklahoma as a spokesman for the administration.

Mr. ALBERT. I appreciate the compliment, but may I remind the gentleman that he joined a number of others in criticizing the manner in which these jobs have been handed out in previous years.

Mr. GROSS. I do not recall that the gentleman from Iowa asked to have inserted in the bill, designed to provide temporary employment for more people from other areas, any provision that the President should scrutinize politically every high school boy and girl who is employed.

If the President is going to scrutinize all the youngsters in Washington this summer who take vacation jobs, he is going to have to spend more weekends in Washington instead of at Palm Beach or aboard his various yachts.

Mr. ALBERT. I think the matter will be handled very well.

Mr. GROSS. And I am not about to concede to the White House the authority to pass on every high school student who takes a job in Washington.

Mr. Speaker, under leave to extend my remarks, I will insert in the Record at this point the article in the Washington Evening Star of February 20, 1963, and an editorial on this subject from the same newspaper as issued today, February 21:

WHITE HOUSE TO CONTROL STUDENT JOB PATRONAGE—CIVIL SERVICE NOT TOLD OF MEETING WHICH SET UP CLEARANCE SYSTEM

(By Joseph Young)

The White House has taken control over the patronage of the more than 10,000 student summer jobs in Government.

At a White House meeting last week, which was held without the knowledge of the Civil Service Commission, some of President Kennedy's aids met with the political appointees of various agencies who are involved in patronage work.

A clearance system was set up whereby the names of all students who have filed applications for summer employment in Government agencies will be sent to the White House.

The State from which the student hails, plus the college he is attending (if any), will be included in the information sent to the White House.

WASHINGTON JOBS

The jobs mainly are in Washington and last from June through August.

Mrs. Dorothy Davies, a White House staff assistant, who was in charge of the meeting, said the purpose of the new system was to assure coordination in order that the agencies could make best use of the students talent.

Mrs. Davies did not deny that political patronage is one of the aims of the White House clearance system, but declared that the Kennedy administration's primary concern is that the student talent be put to the best use possible and groomed for regular Federal employment when they graduate.

Civil Service Commission officials have privately expressed dismay at the latest turn of events.

While there has always been quite a bit of personal patronage involved in summer Government jobs, applicants have had to pass civil service exams for clerical, typists, and stenographer jobs. And in the case of student trainee jobs, in which college students take Federal summer employment in connection with what the Government hopes will be their Federal professions after graduation, they are selected from civil service registers.

TOP YOUTHS CERTIFIED

The feeling among Government career personnel officers is that it is wrong to play politics where young people are concerned, particularly among college students who are the Government's hope for the future as far as filling key career jobs are concerned.

It's no secret that a goodly portion of the summer student jobs are filled on a personal patronage basis each year. Government officials—political and career—have hired their own sons and daughters as well as the children of friends or Members of Congress. However, the CSC has been careful to certify only the top qualifiers on the student trainee exam.

The White House job clearance system may be an effort to channel these jobs in a more political patronage area, whereby more sons and daughters of Democratic Members of Congress and key Democratic supporters and contributors may get summer jobs in Government.

Congress has shown increased interest in these summer jobs. Last year the House approved a bill to apportion these jobs on a State-by-State basis. This would have the effect of giving most of these jobs to students outside of the Washington area. However, the Senate failed to act on the bill before adjournment.

This year a half dozen bills have been introduced in Congress to achieve the same objective.

In discussing the White House job clearance system, Miss Davies said it was a move to channel the best possible talent to the places in Government where it could be used most effectively.

She said that, for example, if an agency finds that its summer job vacancies are all filled up, a place for a bright student could be found in another Government agency through a coordinated placement system set up in the White House.

Miss Davies refused to answer directly whether the program also involved political patronage, other than saying that there always has been some patronage in summer student jobs in Government.

Presumably, students still will have to pass an exam to get the summer jobs.

Last year's Government summer job program for students was given great emphasis by the administration, with President Kennedy and other top Government officials addressing the students.

PATRONAGE AT A PRICE

"The Democratic administration will establish and enforce a code of ethics to maintain the full dignity and integrity of the Federal service and to make it more attractive to the ablest men and women"—1960 Democratic platform.

Now, the above is a passel of mighty pretty words which, canned in July 1960, may become downright indigestible in July 1963. That's the time of year when Washington is invaded by all those bright young students who spend the summer picking up a few bucks working for, and learning about, their Government.

This summer, Federal Columnist Joe Young tells us, they are going to learn more than they bargained for. They are going to be indoctrinated into the political-boss system, known otherwise simply as patronage. And their lessons are coming from the very Olympia of plum dispensaries, the White House.

Somebody there, we are told, is going to save the Civil Service Commission the trouble of deciding what students will work where. Being set up at the White House level is a sort of super employment service, unhampered by rules and regulations, to which agency personnel officials have been told they should channel all job applications. Avowedly, this system will guarantee that the talents of each applicant will be used to best advantage. But it doesn't take a political genius to perceive that the talents of a worthy Democrat's son may just happen to be more worthy than those of a misguided outsider.

No exception in the White House lottery is planned for a select group of students trainees who expect to make Government their careers. These are the young men and women the Government hopes to attract "to maintain the full dignity and integrity of the Federal service." But it wouldn't be too surprising if the trainees, after learning the true facts of political life, packed up their shattered ideals and departed forever.

AID FOR ELDERLY CITIZENS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 72)

The **SPEAKER** laid before the House the following message from the President of the United States, which was read by the Clerk, referred to the Committee of the Whole House on the State of the Union, and ordered to be printed:

To the Congress of the United States:

On the basis of his study of the world's great civilizations, the historian Toynbee concluded that a society's quality and durability can best be measured "by the respect and care given its elderly citizens." Never before in our history have we ever had so many "senior citizens." There are present today in our population 17½ million people aged 65 years or over—nearly one-tenth of our population—and their number increases by 1,000 every day. By 1980, they will number nearly 25 million. Today there are already 25 million people aged 60 and over—nearly 6 million aged 75 and over—and more than 10,000 over the age of 100.

These figures reflect a profound change in the composition of our population. In 1900, average life expectancy at birth was 49 years. Today more than 7 out of 10 newborn babies can expect to reach age 65. Life expectancy at birth now averages 70 years. Women 65 years old can now expect to live 16 more years, and men 65 years old can expect to live 13 additional years. While our population has increased 2½ times since 1900, the number of those aged 65 and over has increased almost sixfold.

This increase in the lifespan and in the number of our senior citizens presents this Nation with increased opportunities: the opportunity to draw upon their skill and sagacity—and the opportunity to provide the respect and recognition they have earned. It is not enough for a great nation merely to have added new years to life—our objective must also be to add new life to those years.

In the last three decades, this Nation has made considerable progress in assuring our older citizens the security and dignity a lifetime of labor deserves. But "the last of life, for which the first was made" is still not a "golden age" for all our citizens. Too often, these years are filled with anxiety, illness, and even want. The basic statistics on income, housing, and health are both revealing and disturbing:

The average annual income received by aged couples is half that of younger two-person families. Almost half of those over 65 living alone receive $1,000 or less a year, and three-fourths receive less than $2,000 a year. About half the spending units headed by persons over 65 have liquid assets of less than $1,000. Two-fifths have a total net worth, including their home, of less than $5,000. The main source of income for the great majority of those above 65 is one or more public benefit programs. Seven out of ten—12.5 million persons—now receive social security insurance payments, averaging about $76 a month for a retired worker, $66 for a widow, and $129 for an aged worker and wife. One out of eight—2¼ million people—are on public assistance, averaging about $60 per month per person, supplemented by medical care payments averaging about $15 a month.

A far greater proportion of senior citizens live in inferior housing than is true of the houses occupied by younger citizens. According to the 1960 census, one-fourth of those aged 60 and over did not have households of their own but lived in the houses of relatives, in lodging houses, or in institutions. Of the remainder, over 30 percent lived in substandard housing which lacked a private bath, toilet, or running hot water or was otherwise dilapidated or deficient, and many others lived in housing unsuitable or unsafe for elderly people.

For roughly four-fifths of those older citizens not living on the farm, housing is a major expense, taking more than one-third of their income. About two-thirds of all those 65 and over own their own homes—but, while such homes are generally free from mortgage, their value is generally less than $10,000.

Our senior citizens are sick more frequently and for more prolonged periods than the rest of the population. Of every 100 persons age 65 or over, 80 suffer some kind of chronic ailment; 28 have heart disease or high blood pressure; 27 have arthritis or rheumatism; 10 have impaired vision; and 17 have hearing impairments. Sixteen are hospitalized one or more times annually. They require three times as many days of hospital care every year as persons under the age of 65. Yet only half of those age 65 and over have any kind of health insurance; only one-third of those with incomes under $2,000 a year have such insurance; only one-third of those age 75 and over have such insurance; and it has been estimated that 10 to 15 percent of the health costs of older people are reimbursed by insurance.

These and other sobering statistics make us realize that our remarkable scientific achievements prolonging the lifespan have not yet been translated into effective human achievements. Our urbanized and industrialized way of life has destroyed the useful and satisfying roles which the aged played in the rural and small town family society of an earlier era. The skills and talents of our older people are now all too often discarded.

Place and participation, health and honor, cannot, of course, be legislated. But legislation and sensible, coordinated action can enhance the opportunities for the aged. Isolation and misery can be prevented or reduced. We can provide the opportunity and the means for proper food, clothing, and housing—for productive employment or voluntary service—for protection against the devastating financial blows of sudden and catastrophic illness. Society, in short, can and must catch up with science.

All levels of government have the responsibility, in cooperation with private organizations and individuals, to act vigorously to improve the lot of our aged. Public efforts will have to be undertaken primarily by the local communities and by the States. But because these problems are nationwide, they call for Federal action as well.

RECENT FEDERAL ACTION

In approaching this task, it is important to recognize that we are not starting anew but building on a foundation already well laid over the last 30 years. Indeed, in the last 2 years alone, major strides have been made in improving Federal benefits and services for the aged:

1. The Social Security Amendments of 1961, which increased benefits by $900 million a year, substantially strengthened social insurance for retired and disabled workers and to widows, and enabled men to retire on social security at age 62. Legislation in 1961 also increased Federal support for old-age assistance, including medical vendor payments.

2. The Community Health Services and Facilities Act of 1961 authorized new programs for out-of-hospital community services for the chronically ill and the aged, and increased Federal grants for nursing home construction, health research facilities, and experimental hospital and medical care facilities. Such programs are now underway in 48 States.

3. The Public Welfare Amendments of 1962 authorized a substantial increase in Federal funds for old-age assistance, reemphasized restorative services to return individuals to self-support and self-care, and provided encouragement for employment by permitting States to allow old-age assistance recipients to keep up to $30 of his first $50 of monthly earnings without corresponding reductions in his public assistance payments.

4. The Housing Act of 1961 included provisions for the rapid expansion of housing for our elderly through public housing, direct loans, and FHA mortgage insurance. Commitments in 1961 and 1962 were made for more than 1½ times the number of housing units for older citizens aided in the preceding 5 years.

5. The Senior Citizens Housing Act of 1962 provided low-interest, long-term loans and loan insurance to enable rural residents over 62, on farms and in small towns, to obtain or rent new homes or modernize old ones.

6. The new Institute of Child Health and Human Development, which was authorized last year, is expanding programs of research on health problems of the aging.

7. Other new legislation added safeguards on the purchase of drugs which are so essential to older citizens—boosted railroad retirement and veterans benefits—helped protect private pension funds against abuse—and increased recreational opportunities for all.

8. By administrative action we have (a) increased the quality and quantity of food available to those on welfare and other low income aged persons and (b) established new organizational entities to meet the needs and coordinate the services affecting older people: a new Gerontology Branch in the Chronic Disease Division of the Public Health Service, the first operating program geared exclusively to meeting health needs of the aging and giving particular emphasis to the application of medical rehabilitation to reduce or eliminate the disabling effects of chronic illnesses (such as stroke, arthritis, and many forms of cancer and health disease) which cannot yet be prevented; and a new President's Council on Aging, whose members are the Secretaries and heads of eight Cabinet departments and independent agencies administering in 1964 some $18 billion worth of benefits to people over 65.

These and other actions have accelerated the flow of Federal assistance to the aged; and made a major start toward eliminating the gripping fear of economic insecurity. But their numbers are large and their needs are great and much more remains to be done.

I. HEALTH

1. Hospital insurance: Medical science has done much to ease the pain and suffering of serious illness; and it has helped to add more than 20 years to the average length of life since 1900. The wonders worked in a modern American hospital hold out new hopes for our senior citizens. But, unfortunately, the cost of hospital care—now averaging more than $35 a day, nearly four times as high as in 1946—has risen much faster than the retired worker's ability to pay for that care.

Illness strikes most often and with its greatest severity at the time in life when incomes are most limited; and millions of our older citizens cannot afford $35 a day in hospital costs. Half of the retired have almost no income other than their social security payments—averaging $70 a month per person—and they have little in the way of savings. One-third of the aged family units have less than $100 in liquid assets. One short hospital stay may be manageable for many older persons with the help of family and savings; but the second—and the average person can expect two or three hospital stays after age 65—may well mean destitution, public or private charity, or the alternative of suffering in silence. For these citizens, the miracles of medical science mean little.

A proud and resourceful nation can no longer ask its older people to live in constant fear of a serious illness for which adequate funds are not available. We owe them the right of dignity in sickness as well as in health. We can achieve this by adding health insurance—primarily hospitalization insurance—to our successful social security system.

Hospital insurance for our older citizens on social security offers a reasonable and practical solution to a critical problem. It is the logical extension of a principle established 28 years ago in the social security system and confirmed many times since by both Congress and the American voters. It is based on the fundamental premise that contributions during the working years, matched by employers' contributions, should enable people to prepay and build earned rights and benefits to safeguard them in their old age.

There are some who say the problem can best be solved through private health insurance. But this is not the answer for most; for it overlooks the high cost of adequate health insurance and the low incomes of our aged. The average retired couple lives on $50 a week, and the average aged single person lives on $20 a week. These are far below the amounts needed for a modest but adequate standard of living, according to all measures. The cost of broad health insurance coverage for an aged couple, when such coverage is available, is more than $400 a year—about one-sixth of the total income of an average older couple.

As a result, of the total aged population discharged from hospitals, 49 percent have no hospital insurance at all and only 30 percent have as much as three-fourths of their bills paid by insurance plans. (Comparable data for those under 65 showed that only 30 percent lacked hospital insurance, and that 54 percent had three-fourths or more of their bills paid by insurance). Prepayment of hospital costs for old age by contributions during the working years is obviously necessary.

Others say that the children of aged parents should be willing to pay their bills; and I have no doubt that most children are willing to sacrifice to aid their parents. But aged parents often choose to suffer from severe illness rather than see their children and grandchildren undergo financial hardship. Hospital insurance under social security would make it unnecessary for families to face such choices—just as old-age benefits under social security have relieved large numbers of families of the need to choose between the welfare of their parents and the best interests of their children.

Others may say that public assistance or welfare medical assistance for the aged will meet the problem. The welfare medical assistance program adopted in 1960 now operates in 25 States and will provide benefits in 1964 to about 525,000 persons. But this is only a small percentage of those aged individuals who need medical care. Of the 111,700 persons who received medical assistance for the aged in November, more than 70,000 were in only 3 States: California, Massachusetts, and New York.

Moreover, 25 States have not adopted such a program, which is dependent upon the availability each year of State appropriations, upon the financial condition of the States, and upon competition with many other calls on State resources. As a result, coverage and quality vary from State to State. Surely it would be far better and fairer to provide a universal approach, through social insurance, instead of a needs test program which does not prevent indigency, but operates only after indigency is created. In other words, welfare medical assistance helps older people get health care only if they first accept poverty and then accept charity.

Let me make clear my belief that public assistance grants for medical care would still be necessary to supplement the proposed basic hospitalization program under social security—just as old-age assistance has supplemented old-age and survivors insurance. But it should be regarded as a second line of defense. Our major reliance must be to provide funds for hospital care of our aged through social insurance, supplemented to the extent possible by private insurance.

The hospital insurance program achieves two basic objectives. First, it protects against the principal component of the cost of a serious illness. Second, it furnishes a foundation upon which supplementary, private programs can and will be built. Together with retirement, disability, and survivors insurance benefits, it will help eliminate privation and insecurity in this country.

For these reasons, I recommend a hospital insurance program for senior citizens under the social security system which would pay (1) all costs of inpatient hospital services for up to 90 days, with the patient paying $10 a day for the first 9 days and at least $20, or, for those individuals who so elect, all such costs for up to 180 days with the patient paying the first 2½ days of average costs, or all such costs for up to 45 days; (2) all costs of care in skilled nursing home facilities affiliated with hospitals for up to at least 180 days after transfer of the patient from a hospital; (3) all costs above the first $20 for hospital out-patient diagnostic services; and (4) all costs of up to 240 home health-care visits in any one calendar year by community visiting nurses and physical therapists. Under this plan, the individual will have the option of selecting the kind of insurance protection that will be most consistent with his economic resources and his prospective health needs—45 days with no deductible, 90 days with a maximum $90 deductible, or 180 days paying a "deductible" equal to 2½ days of average hospital costs. This new element of freedom of choice is a major improvement over bills previously submitted.

These benefits would be available to all aged social security and railroad retirement beneficiaries, with the costs paid from new social insurance funds provided by adding one-quarter of 1 percent to the payroll contributions made by both employers and employees and by increasing the annual earnings base from $4,800 to $5,200.

Hospitals, skilled nursing facilities, and community health-service organizations would be paid for the reasonable costs of the services they furnished. There would be little difference between the procedures under the proposed program and those already set up and accepted by hospitals in connection with Blue Cross programs.

Procedures would be developed, utilizing professional organizations and State agencies, for accrediting hospitals and for assisting nonaccredited hospitals and nursing facilities to become eligible to participate.

I also recommend a transition provision under which the benefits would be given to those over 65 today who have not had an opportunity to participate in the social security program. The cost of providing these benefits would be paid from general tax revenues. The provision would be transitional inasmuch as 9 out of 10 persons reaching the age of 65 today have social security coverage.

The program I propose would pay the costs of hospital and related services but it would not interfere with the way treatment is provided. It would not hinder in any way the freedom of choice of doctor, hospital, or nurse. It would not specify in any way the kind of medical or health care or treatment to be provided by the doctor.

Health insurance for our senior citizens is the most important health proposal pending before the Congress. We urgently need this legislation—and we need it now. This is our No. 1 objective for our senior citizens.

2. Improvements in medical care provisions under public assistance: The public assistance medical aid program should, as I have said, serve as a supplement to health insurance. I have asked the Department of Health, Education, and Welfare to continue its efforts to encourage those States that have not already established programs for the medically indigent aged to do so promptly. I also urge those States which now have incomplete programs to expand them to give the medically needy aged all the help they need.

In addition, the basic welfare law authorizing medical care for those on old-age assistance should now be strengthened:

(a) First, in a few States—six at this time—the scope of medical care available to the neediest group of aged persons, those on old-age assistance, is more limited than that which is available to the new category established by the Kerr-Mills Act: the "medically indigent," those aged persons who only require assistance in meeting their medical care costs. This is unfair. Accordingly, I recommend that Federal law require the States to provide medical protection for their aged receiving old-age assistance at least equal to that provided to those who are only medically indigent.

(b) Secondly, under present law, Federal old-age assistance grants may be used by a State to provide medical care in a general hospital only up to 42 days for a person suffering from mental illness or tuberculosis. This forces transfer of individuals who need hospitalization for longer periods to State institutions, normally outside the community. In my recent message on mental illness and mental retardation, I proposed that mentally ill and mentally retarded persons should, insofar as possible, receive care in community hospitals and facilities—where their prospects for treatment and restoration to useful life are far better than in the often obsolete, custodial State institutions. Accordingly, in order to help improve the States' financial capacity to provide these aged with care in their own communities for longer periods, I recommended that the 42-day limitation be eliminated.

3. Nursing homes: As a larger proportion of our growing aged population reaches advanced ages, the need for long-term care facilities is rapidly rising. The present backlog of need is staggering. Enactment of the hospital insurance bill will increase that need still further. In my message on improving American health, I recommended—and again urge—amendment of the Hill-Burton Act to increase the appropriation authorization for high-quality nursing homes from $20 to $50 million.

4. Other important health legislation: We not only need a better way for the aged to pay for their health costs; we also need more physicians, dentists, and nurses, and more modern hospitals as well as nursing homes—so that our senior citizens, and all our people, can continue to have the best medical care in the world. Older people need and use more medical facilities and services than any other age group. For that reason, I again urge enactment of previously recommended legislation authorizing (1) Federal matching funds for the construction of new and the expansion of rehabilitation of existing teaching facilities for the medical, dental, and other health professions, (2) Federal financial assistance for students of medicine, dentistry, and osteopathy, (3) revision of the Hill-Burton hospital construction program to enable hospitals to modernize and rehabilitate their facilities, and (4) Federal legislation to help finance the cost of constructing and equipping group practice medical and dental facilities.

5. Food and drug protection for the elderly: Measures which safeguard consumers against both actual danger and monetary loss resulting from frauds in sales of unnecessary or worthless dietary preparations, devices, and nostrums are especially important to the elderly. It has been estimated that consumers waste $500 million a year on medical quackery and another $500 million annually on some "health foods" which have no beneficial effect. The health of the aged is in jeopardy from harmful and useless products and they are unable to bear the financial loss from worthless products.

Unnecessary deaths, injuries, and financial loss to our senior citizens can be expected to continue until the law requires adequate testing for safety and efficacy of products and devices before they are made available to consumers. I therefore again urge that the Congress extend the provisions of the Food, Drug, and Cosmetic Act of 1938 to include testing of the safety and effectiveness of therapeutic devices, to extend existing requirements for label warnings to include household articles which are subject to the Food, Drug, and Cosmetic Act, and to extend adequate factory inspection to foods, over-the-counter drugs, devices, and cosmetics.

Recent hearings conducted by Senator McNamara and his Special Committee on Aging have highlighted certain commercial practices of a small portion of industry which sold worthless and ineffective merchandise to all segments of our society, and particularly to the aged. This is an abuse of the public trust. Consequently, the Secretary of Health, Education, and Welfare will take necessary steps to expand measures to supply consumers, and particularly aged consumers, with information which will enable them to make more informed choices in purchasing foods and drugs.

II. TAX BENEFITS

The tax program I recently submitted to the Congress will, by calendar year 1965, reduce Federal income tax liabilities for an estimated 3.4 million persons aged 65 and over by $790 million. An estimated $470 million of this reduction will arise from the general rate reductions and certain other provisions affecting the aged. The other $320 million reduction results from the replacement of the present complicated retirement income credit and extra exemption with a flat $300 tax credit.

These changes simplify and equalize the tax provisions for the aged, increase incentives for employment, assist those who need help most, and give relief in meeting medical and drug costs. Under current law, many inequities exist in the manner in which different groups of our older citizens are treated. For example, because wage income is taxed more heavily than pensions or other retirement income, employment is discouraged. The retirement income credit for the aged is one of the most complicated sections of the entire Internal Revenue Code.

I have recommended the substitution of a $300 tax credit for each person over age 65 in place of the extra exemption and retirement income credit. In addition, the limits on medical expense deductions would be eliminated and the present provision which limits deductible drug costs to those in excess of 1 percent of income repealed.

These proposals would benefit older taxpayers who are employed by greatly reducing the unfairness in taxation of income from different sources. At present, for instance, a couple 65 or over with an income of $5,000 using the standard deduction would pay a tax of $420 if their income was in salaries or wages, but only $31 if the $5,000 was made up of $1,200 from earnings, $1,800 from social security, and $2,000 from a private pension. Under my proposals, in neither case would the couple pay any tax whatsoever.

Furthermore, at present the maximum retirement income, on which the retirement income credit is based, must be reduced by the full amount of social security benefits. Under the new proposal, the $300 credit would also be reduced to take account of social security, but only half of the amount of such benefits would be used in calculating the reduction. Social security, railroad retirement, and other tax-free pensions would remain tax free.

These changes are of particular benefit to elderly persons in the low- and middle-income brackets. At present, an elderly person can be taxed if his income exceeds as little as $1,333. The new tax proposals raise this level so that no single person 65 or over would pay tax until his income exceeds $2,900. An elderly couple would pay taxes only on income over $5,788, as opposed to the current $2,667. These increases in exemption of income, combined with the lower rates now proposed, save as much as $284 in reduced taxes for a single person and as much as $560 for a couple.

Roughly half of the $320 million reduction in taxes paid by older persons which would be made possible by the new $300 credit would go to those with incomes below $5,000. Ninety-seven percent would go to those with incomes of less than $10,000. Of the total $790 million tax benefit which will accrue to the aged as a result of all tax recommendations, both reductions and reforms, approximately 90 percent will go to those three out of every four elderly taxpayers who receive income from employment or self-employment. I again urge that the Congress give favorable consideration to these tax provisions benefiting our aged citizens.

III. ECONOMIC SECURITY

1. Improvements in social security insurance: The OASDI system is the basic income maintenance program for our older people. It serves a vital purpose. But it must be kept up to date.

My recommendation for financing hospital insurance under social security—by increasing the maximum taxable wage base, on which benefits are computed, from $4,800 to $5,200 a year—will automatically provide an improvement in future OASDI cash benefits for millions of workers, raising the ultimate maximum monthly benefits payable to a worker from $127 to $134, and for a family from $254 to $268.

For the average regularly employed man the social security wage base has become a smaller and smaller portion of his earnings, and his insurance against the loss of employment income upon retirement, death, or disability is thus declining steadily. Today only 39 percent of all regularly employed men have all of their earnings counted under the $4,800 ceiling. It is generally agreed that the earnings base needs to be adjusted from time to time as earnings levels rise, and the Congress has done so in the past. Raising the wage base to $5,200 will still only cover the total wages of about 50 percent of regularly employed men. This increase in the social security wage base is sound, beneficial, and necessary.

The entire relationship between benefits and wages, however, needs to be reexamined. As required by the Social Security Act, the Secretary of Health, Education, and Welfare will soon appoint an Advisory Council on Social Security Financing. I am directing him to charge this Council with the obligation to review the status of the social security trust funds in relation to the long-term commitments of the social security program, and to study and report on extensions of protection and coverage at all levels of earnings, the adequacy of benefits, the desirability of improving the present retirement test, and other related aspects of the social security system. The results of the Council's work should provide a sound basis for continued improvement of the program, keeping it abreast of changes in the economy.

2. Improvements in old-age assistance: In the fiscal year 1964 the Federal Government will provide grants to the States of about $1.5 billion under the old-age assistance program. I recommend three improvements in the equity and effectiveness of this program, in addition to the two medical payments changes previously mentioned:

First, under existing Federal law, States are permitted to require up to 5 years' residence for eligibility under the old-age assistance program. Currently, 20 States impose the maximum 5-year requirement, 3 States require fewer than 5 years but more than 1, and the remaining States require 1 year or less.

Lengthy residence requirements are an unnecessary restriction on elderly people receiving public assistance who would like to move to another State to be near a child or other relative. Others in need, not previously receiving such assistance, find themselves in a "no-man's land," with no aid at all and no place to turn because they have not lived long enough in the State of their present residence. To insure that our Federal-State public assistance program can help all of our needy aged, I recommend that the maximum period of residence which may be required for eligibility be gradually reduced to 1 year by 1970. This change does not represent an expansion of the program or a significant cost to the Federal Government or any individual State; and it will simplify administration by eliminating many detailed investigations of residence.

Second, a problem of increasing proportions found among our needy citizens is the difficulty some have in properly handling the money which they receive from a public welfare agency. Of the more than 2 million recipients of old-age assistance, over half are 75 years or older, 1 in 3 is 80 or more, and 1 in 8 is over 85. One-third are confined to their homes or require help from others because of physical or mental disability and almost 9 percent are in nursing homes and other institutions. Among this group some lose their assistance payments through forgetfulness; others are defrauded by unscrupulous persons. Obviously many of these aged beneficiaries who are not in need of legal guardians, should nevertheless have help in handling their money; yet current provisions of the Federal law tend to make it difficult for States to provide necessary protective services.

I, therefore, recommend that the old-age assistance program be modified to permit Federal participation in protective payments made to a third party in behalf of needy aged individuals. This would be comparable to provisions adopted last year for dependent children.

Third, many of our older people, with very limited income, live in rental housing which falls far short of any reasonable standard of health or safety. As mentioned earlier, among households headed by a person 65 years of age or over who live in rented housing, nearly 40 percent are in quarters classified as substandard. Yet they are frequently charged exorbitant rents for this housing.

It is estimated that old-age assistance payments presently going into payments of rent equal some half a billion dollars a year—a fourth of the $2 billion total that is expended in Federal, State, and local funds for all old-age assistance. These funds should not subsidize substandard housing. The establishment of State rental housing standards is long overdue. I therefore recommend that, as a condition for receiving Federal grants for old-age assistance, a State's plan must establish and maintain standards of health and safety for housing rented to recipients of old-age assistance. There is a precedent for such a plan requirement in the 1950 legislation which required the establishment of similar standards for institutions.

IV. EMPLOYMENT OPPORTUNITIES

The Nation's economic development, coupled with the growth of its social insurance and private pension plans, has brought to our aged deserved opportunities for leisure and retirement. While the number of persons 65 and over has almost doubled since 1940, only 13 percent are now in the labor force—half the 1940 percentage.

Retirement, however, should be through choice, not through compulsion due to the lack of employment opportunities. For many of our aged, social security and retirement benefits are not a satisfactory substitute for a paycheck. Many of those who are able to work need to work and want to work. But, often knowingly and sometimes unwittingly, industrialization and related social and economic trends have progressively limited the possibilities for gainful employment for many of our older citizens. The gradual decline in agricultural employment, for example, has reduced the traditional job opportunities which farming once provided for older persons. Employment in the expanding sectors of our economy is too often attended by compulsory retirement programs or by age discrimination practices. Older workers, if not protected by seniority, are among the first to be laid off—and men 65 and older are twice as likely to remain unemployed for 26 weeks or more as are other unemployed workers.

Denial of employment opportunity to older persons is a personal tragedy. It is also a national extravagance, wasteful of human resources. No economy can reach its maximum productivity while failing to use the skills, talents, and experience of willing workers.

Rules of employment that are based on the calendar rather than upon ability are not good rules, nor are they realistic. Studies of the Department of Labor show that large numbers of older workers can exceed the average performance of younger workers, and with added steadiness, loyalty, and dependability.

In the Federal Government a number of steps are being taken to facilitate employment opportunities for older workers.

I am directing each agency to honor fully both the spirit and the letter of official Federal policy to evaluate each older applicant or employee on the basis of ability, not age. I am asking all Federal agencies to review their current policies and practices in order to insure that full consideration is given to the skills and experience of older workers. I urge all employers, private and public, to adopt a similar policy.

I have recommended that Congress increase the funds for the Federal-State Employment Service so that the strengthening and expansion of its counseling and placement services, started in the first year of this administration, may be continued. The public employment offices will continue to give special attention to promoting employment and employment prospects for older workers.

I have also recommended a substantial expansion in funds for the training programs under the Manpower Development and Training Act and the Area Redevelopment Act—both enacted within the past 2 years. The Secretary of Labor will launch this year a series of experimental and demonstration programs designed to assist older workers to make the best possible use of training opportunities in their communities and to test new classroom and counseling techniques.

These efforts are only a bare beginning. Our Nation must undertake an imaginative and far-reaching effort—in both the public and private sectors of our society—for the development of new approaches and new paths to the employment of older citizens. This will require a sharp new look at retirement and personnel patterns, part-time work opportunities, restrictive pension plans, possible incentives to employers and a host of other traditional or future practices. To give impetus to this nationwide reappraisal, I propose two immediate actions.

First, I recommend legislation to establish a new 5-year program of grants for experimental and demonstration projects to stimulate needed employment opportunities for our aged. The Federal Government through the Department of Labor would provide up to $10 million per year on a matching basis to State and local governments or approved nonprofit institutions for experiments in the use of elderly persons in providing needed services. They would be employed in such activities as school lunch hour relief, child care in centers for working mothers, home care for invalids, and assistance in schools, vocational training, and programs to prevent juvenile delinquency. Precautions would be taken to insure that no project would result in any displacement of present employees and that wages would be reasonably consistent with those for comparable work in the locality.

Second, I have directed the President's Council on Aging, in consultation with private organizations and citizens, to undertake a searching reappraisal of problems of employment opportunities for the aged and to report to me by October 31, 1963, on what action is desirable and necessary.

In addition, voluntary service by older persons can both demonstrate their continued skill and provide useful activity for those retired from gainful employment but anxious to make use of their talents. Enactment of the National Service Corps recommended last week is urged again as a constructive opportunity for senior citizens to serve their local communities.

This program would provide an ideal outlet for those whose energy, idealism, and ability did not suddenly end in retirement. In the labor force in 1960, there were more than 6½ million men and women 60 years of age or older. They included: 126,000 public schoolteachers, 25,000 lawyers, 3,000 dietitians, and nutritionists, 18,000 college faculty members, 12,000 social welfare and recreation workers, 11,000 librarians, 32,000 physicians and surgeons, and 43,000 professional nurses. Many of these people have now retired. Others are ready to retire or would retire if they saw further useful career activity ahead.

The Peace Corps, which has no upper age limit, has already drawn upon this reservoir of talent—and corpsmen in their sixties and seventies are today serving with distinction in Africa, Asia, and South America. More are needed. The proposed National Service Corps can also use retired men and women to good advantage. Retired teachers, for example, have the freedom which would enable them to travel with migrant workers who are not in a community long enough to enter their children in school. The patience that comes with age will be an asset in work with the mentally retarded and the mentally ill. This program can be particularly helpful to, and helped by, our older citizens.

V. HOUSING

Adequate housing is essential to a full, satisfying life for all age groups in our population. The elderly have special needs for housing designed to sustain their independence even when disability occurs, and to promote dignity, self-respect, and usefulness in later years. Yet millions of older people are forced to live in inferior homes because they cannot find or afford better. Nearly half of our people 65 and older, it has been estimated, live in substandard housing or in housing unsuited to their special needs.

In the past 2 years the Congress and the executive branch have taken major strides to assist in providing housing specially designed for the elderly. Under the three special programs administered by the Housing and Home Finance Agency—mortgage insurance, direct loans, and public housing—commitments have been issued for the construction of 49,000 units of specially designed housing for the elderly. This almost tripled the total investment in special housing for the aged aided by the Federal Government, raising it from $336 million at the end of calendar 1960 to $950 million at the end of 1962.

The following steps are essential this year:

(a) Direct loan assistance: The direct loan program for housing for senior citizens is rapidly using up all available funds under existing appropriations and authorizations. Moreover, no appropriation has yet been made to put into operation the new authority provided last fall to the Secretary of Agriculture to make loans for rental housing in rural areas for elderly persons and families of low and moderate incomes.

To expand the Federal contribution toward meeting the housing needs of senior citizens through direct loans I have included in the 1964 budget a supplemental appropriation for fiscal 1963 and requested a further increase of $125 million for 1964 in appropriations for the Housing and Home Finance Agency. I have also requested a supplemental appropriation of $5 million for 1963 to initiate the new rental housing program for elderly persons in rural areas and requested an additional $5 million for 1964. I urge favorable consideration of these requests.

(b) Group residential facilities: For the great majority of the Nation's older people the years of retirement should be years of activity and self-reliance. A substantial minority, however, while still relatively independent, require modest assistance in one or more major aspects of their daily living. Many have become frail physically and may need help in preparing meals, caring for living quarters, and sometimes limited nursing.

This group does not require care in restorative nursing homes or in terminal custodial facilities. They can generally walk without assistance, eat in a dining room and come and go in the community with considerable independence. They want to have privacy, but also community life and activity within the limits of their capacity. They do not wish to be shunted to an institution, but often they have used up their resources, and family and friends are not available for support. What they do need most is a facility with housekeeping assistance, central food service, and minor nursing from time to time. The provision of such facilities would defer for many years the much more expensive type of nursing home or hospital care which would otherwise be required.

To meet the special needs of this group, facilities have been constructed in many communities, and many more should be constructed. Such buildings can be small, with facilities for group dining, recreation and health services; and they should be integrated with the various community resources which can sustain and encourage independent living as long as possible. I am requesting (a) that the Housing and Home Finance Administrator give greater emphasis to the construction of group residences suitable for older families and individuals who need this partial personal care, and (b) that the Secretary of Health, Education, and Welfare, using the funds under the proposed Senior Citizen's Act and other resources already available to his Department, work with communities to assure that health and social services are provided efficiently for the residents of such facilities in accordance with comprehensive local plans.

(c) Eligibility of single elderly persons for moderate income housing: One of the new programs authorized by the Housing Act of 1961 which is already achieving substantial success finances rental housing, at below-market rates of interest, for families whose incomes are not low enough to qualify for public housing, but not high enough to afford housing financed on private market terms. This program is providing good housing to many moderate income families of all ages caught in the income squeeze. However, under the law it is limited to families; single persons are not included. About half of America's senior citizens are in a single or widowed status and therefore cannot obtain the benefits of such housing. Modification of this program is needed if it is to serve them. I recommend that the Congress amend the law to make single elderly persons eligible, if they otherwise qualify, to live in housing financed under section 221(d)(3) of the National Housing Act.

(d) Home financing: Many of the homes of our older citizens require modernization or rehabilitation. Other older citizens need or prefer to sell their homes and realize their investment in it. Unfortunately, such actions too often involve a substantial financial sacrifice. I am directing the President's Council on Aging to study these problems and develop a program to assist older citizens with the modernization, rehabilitation, or sale of their individually owned homes, such program to be submitted to me by October 31 of this year.

VI. COMMUNITY ACTION

The heart of our program for the elderly must be opportunity for and actual service to our older citizens in their home communities. The loneliness or apathy which exists among many of our aged is heightened by the wall of inertia which often exists between them and their community.

We must remove this wall by planned, comprehensive action to stimulate or provide not only opportunities for employment and community services by our older citizens but the full range of the various facilities and services which aged individuals need for comfortable and meaningful life. I believe that in each State government specific responsibility should be clearly assigned for stimulating and coordinating programs on aging; and that every locality of 25,000 population or above should make similar provision, possibly in the form of a community health and welfare council with a strong section on aging.

The Federal Government can assume a significant leadership role in stimulating such action. To do this, I recommend a 5-year program of assistance to State and local agencies and voluntary organizations for planning and developing services; for research, demonstration, and training projects leading to new or improved programs to aid older people; and for construction, renovation, and equipment of public and nonprofit multipurpose activity and recreational centers for the elderly.

The assistance to be provided under this legislation will not duplicate other grant programs; indeed, it will make possible the more effective use of grants for such purposes as health, housing, and other services. Developing a comprehensive community plan will enable communities to discover where gaps exist, where unnecessary duplications lie, where health grants are most needed, and where sound social service or adult education or senior housing developments should be strengthened.

Among the demonstration projects which can be developed under this program would be the establishment of single, one-stop centralized information and referral offices, to avoid the need of an aged person seeking assistance from as many as a dozen agencies before finding the particular service or combination of services he needs—and the construction of multipurpose activity centers providing older people with educational experiences promoting health, literacy, and mental alertness, with information concerning available community services, and with an opportunity to volunteer for helping others in a variety of community programs.

The legislation is of real importance to our older citizens, and to the State and local agencies which can be strengthened by it. I strongly urge its enactment.

VII. OTHER LEGISLATION

Other measures previously recommended and not specifically designed for older citizens can be of immense benefit to them. For example:

Too many senior citizens are wasting away in obsolete mental institutions without adequate treatment or care. The mental health program previously recommended can help restore many of them to their communities and homes.

Too many elderly people with small incomes skimp on food at a time when their health requires greater quantity, variety, and balance in their diets. The pilot food stamp program recommended in my farm message could improve their nutrition and health.

Of the more than 17½ million persons aged 65 and over, about 14 million did not finish high school, some 6 million of these did not finish grade school and over 1 million received no education at all. The comprehensive education program previously recommended would encourage Federal-State programs of general university extension for those previously unable to take college courses, and adult basic education for those who are considered to be functionally illiterate. The largest percentage of illiteracy still existing in this country is found among men and women 65 and over. To gain the ability to read and write could bring them a new vision of the world in their later years. Increased library services provided under this program would also be of particular interest to older people.

Finally, the District of Columbia should make every effort to take full advantage of Federal legislation aiding senior citizens. There is no reason why the District of Columbia should not be a leader and a model in its community senior citizen program.

CONCLUSION

Our aged have not been singled out in this special message to segregate them from other citizens. Rather, I have sought to emphasize the important values that can accrue to us as a nation if we would but recognize fully the facts concerning our older citizens—their numbers, their situation in the modern world, and their unutilized potential.

Our national record in providing for our aged is a proud and hopeful one. But it can and must improve. We can continue to move forward—by building needed Federal programs—by developing means for comprehensive action in our communities—and by doing all we can, as a nation and as individuals, to enable our senior citizens to achieve both a better standard of life and a more active, useful, and meaningful role in a society that owes them much and can still learn much from them.

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 21, 1963.*

ANNOUNCING INTRODUCTION OF ADMINISTRATION HOSPITAL INSURANCE PROPOSAL

Mr. KING of California. Mr. Speaker, I ask permission to revise and extend my remarks at this point in the RECORD, and to include extraneous material. Mr. Speaker, this matter will make more than two pages. I have an estimate from the Public Printer of $750. Notwithstanding, I request it be included at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The matter referred to follows:

HON. CECIL R. KING, DEMOCRAT, OF CALIFORNIA, RANKING DEMOCRATIC MEMBER ON THE COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, ANNOUNCES INTRODUCTION OF ADMINISTRATION HOSPITAL INSURANCE PROPOSAL, H.R. 3920, THE HOSPITAL INSURANCE ACT OF 1963

Congressmen CECIL R. KING, Democrat, of California, the ranking Democratic member on the Committee on Ways and Means, House of Representatives, today introduced at the request of President Kennedy the administration hospital insurance proposal, immediately after receipt in the House of Representatives of President Kennedy's special message which included this subject.

Congressman KING expressed his intention diligently to work for early consideration of this proposal in the Committee on Ways and Means, and expressed the hope that favorable action would be taken on the bill by the Committee and by the House of Representatives before the end of the 1st session of this Congress.

Congressman KING stated: "I am again happy to introduce President Kennedy's hospital insurance proposal, and I intend to press for expeditious consideration of the bill in the Committee on Ways and Means and in the House of Representatives.

"I trust, with the many months that have passed since the substance of this proposal to provide hospitalization insurance under the social security insurance system was originally proposed, that all interested parties are now prepared to view the proposal objectively and dispassionately without name calling, platitudes, political maneuvering, and shibboleths which have attended its prior consideration. If viewed in this light there can be, in my judgment, only one answer and that is early and favorable action on the proposal in this Congress.

"As I said of the administration proposal in the last Congress, it represented less than many individuals might wish to have included, but at the same time it represented far more than other individuals or interests wanted to include. The same thing is true of this proposal that I have today introduced. However, there has been an opportunity to add further refinements and to make changes which the President and I think improve this proposal. I might point out that there certainly has been ample opportunity during the past several years for all interested individuals to thoroughly consider what is involved. I see no reason why there should not be expeditious consideration and favorable action at an early date."

There follows a summary of the provisions contained in H.R. 3920, the Hospital Insurance Act of 1963, as prepared by the Department of Health, Education, and Welfare.

BRIEF SUMMARY OF PROPOSED HOSPITAL INSURANCE ACT OF 1963

PERSONS ENTITLED

Protection would be provided against the cost of inpatient hospital, outpatient hospital diagnostic, skilled nursing home, and home health services for people age 65 and over who are entitled to monthly benefits under the old-age and survivors insurance program or under the railroad retirement system. The number of people past age 65 who would be included in this way is estimated at 15½ million as of January 1, 1965.

In addition, the bill would make it possible for essentially all people who are now 65 and over, or who will reach 65 in the next few years but who are not eligible for social security or railroad retirement benefits, to have the same protection. (This provision would not apply to aliens with relatively short residence in the United States or to active or retired Federal employees who have the opportunity for protection under their own health insurance plans.) The cost of this provision would be met from general revenues. Men and women who will reach age 65 before 1967 and who do not meet the regular insured status requirements of the social security system would be deemed insured for the hospital and related benefits. Uninsured people who reach age 65 after 1966 would need, to be insured for hospital insurance protection, three quarters of coverage for each year elapsing after 1964 and before age 65. The provision would wash out in 1970 for women and 1972 for men, because at those points the regular insured status provisions would be more liberal. About 2½ million persons would be covered in this way as of January 1, 1965.

SCOPE AND DURATION OF BENEFITS PROVIDED

The services for which payment would be made under the bill include:

1. Inpatient hospital services for up to either 45 days with no deductible, 90 days with a deductible amount of $10 a day for the first 9 days (with a minimum of $20), or 180 days with a deductible amount equal to the average cost of 2½ days of hospital care, as elected by the beneficiary (failure to specifically elect the 45-day option or the 180-day option would be deemed an election of the 90-day option); hospital services would include all those customarily furnished by a hospital for its inpatients; payment would not be made for the hospital services of physicians except those in the fields of pathology, radiology, physical medicine, and anesthesiology provided by or under arrangements made by the hospital, or services provided by an intern or resident-in-training under an approved teaching program.

2. Skilled nursing home services furnished in nursing facilities that are affiliated with hospitals, after the patient is transferred from a hospital, for up to 180 days.

3. Outpatient hospital diagnostic services, as required, subject to a $20 deductible amount for diagnostic services furnished within a 30-day period.

4. Home health services for up to 240 visits during a calendar year; these services would include intermittent nursing care, therapy, and the part-time services of a home health aid.

No service would be covered as a nursing home, outpatient diagnostic, or home health service if it could not be covered as an inpatient hospital service.

An individual would be eligible for the number of days of hospital care provided under the option he elects and 180 days of skilled nursing facility services in each benefit period. A new benefit period could not begin until 90 days had elapsed in which the patient was neither in a hospital nor in a skilled nursing facility. The 90 days need not be consecutive, but they must fall within a period of not more than 180 consecutive days beginning with the start of his most recent benefit period.

The Secretary would be required to study, after consultation with appropriate professional organizations, ways of increasing the availability of skilled nursing facility care. On the basis of such study, the Secretary may authorize the participation of facilities which, though not affiliated with hospitals, operate under conditions assuring the provision of a good quality of care, provided such action does not create an actuarial imbalance in the trust fund.

FREE CHOICE OF PHYSICIAN AND HOSPITAL

Under the bill, no change would be made in the freedom of choice of physician and hospital. No service performed by any physician at either home or office, and no fee he charges for such services, would be involved or affected. No supervision or control over the practice of medicine by any physician or over the manner in which services are provided by any hospital is permitted.

BASIS OF REIMBURSEMENT

Payment of bills for hospital and related services would be made in generally the same manner as is now customary in Blue Cross plans. Payments to the providers of service would be made on the basis of the reasonable cost incurred in providing care for beneficiaries. The amount paid under the program would be payment in full for covered services, except, of course, that the provider could charge the patient the deductible amounts and extra charges for a private room, unless medically necessary, or private duty nursing.

ADMINISTRATION

Responsibility for administration of the program (except for railroad retirement annuitants and pensioners) would rest with the Secretary. Considerable reliance would be placed upon the States to assure that local conditions would be taken into account. The Secretary would consult with appropriate State agencies and recognized national accrediting bodies in formulating the conditions of participation for providers of service. Provision would be made for the establishment of an Advisory Council which would advise the Secretary on policy matters in connection with administration. In order to be eligible to participate in the program, providers of service would have to meet specified conditions to assure the health and safety of the beneficiaries but these conditions could not be more strict than those required for accreditation by the Joint Commission on the Accreditation of Hospitals would be accepted as meeting all requirements for hospital participation save the requirement that it have a utilization review plan.

PARTICIPATION OF PRIVATE ORGANIZATIONS

Any group of hospitals—or group of other providers of covered services—could designate a private organization of their own choice, such as Blue Cross, to receive bills for services and to pay these bills for whichever of their members prefer such an arrangement. The Secretary would be able to delegate certain administrative functions to such designated organizations. These administrative functions could include reviewing hospital fiscal records as a part of the determination of the cost of services, and acting as a center for communicating and interpreting payment procedures to hospitals.

OPTION TO INDIVIDUAL TO OBTAIN PRIVATE INSURANCE

The Secetary would be required to consult with and furnish assistance to providers, insurance carriers, and public and private welfare organizations in order to encourage and help them to develop and make generally available to the aged supplementary private insurance protection.

FINANCING

The social security contribution rates would be increased one-fourth of 1 percent on employers and one-fourth of 1 percent on employees and four-tenths of 1 percent for the self-employed; the amount of annual earnings subject to the tax and creditable for social security monthly benefits would be increased from $4,800 to $5,200 a year. Raising the amount of earnings creditable for benefits would improve the benefit structure of the system generally and would also provide additional income which together with the income from the contribution rate increase would fully meet all the costs of the hospital insurance program. The cost of providing hospital and related benefits to people who do not meet the regular social security insured status requirements would be met from general revenues. A separate hospital insurance trust fund would be established for the program. The long-range cost of the program is estimated to be 0.68 percent of payroll, which is balanced by the estimated income from the new financing.

FURTHER STATEMENT ON THE ADMINISTRATION'S HOSPITAL INSURANCE BILL

The President has transmitted to the Congress a proposal to provide hospital insurance benefits for persons aged 65 and over through the social insurance system. The problem that the proposal would meet is grave and presses for solution. It is with a sense of urgency that the bill has today been introduced which embodies the proposal made by the President.

NEED FOR HEALTH PROTECTION

Today, few people reaching retirement age are free of the haunting fear that an expensive hospital stay will wipe out their savings and, after a lifetime of independence, force them to accept public assistance, private charity, or dependence on their children. The harsh medical and economic realities that underlie this problem can be stated quite simply. First, old people need three times as much hospital care as younger people. Each year, one out of every six aged people is hospitalized. Nine out of ten older people are hospitalized at least once after reaching age 65; most have to bear the cost of two or more hospital stays in old age.

And the figures on income and assets are no less disturbing. One-half of all aged couples have less than $2,500 in annual income. The average aged person living alone—retired or not—has an income of not much over $1,000 per year, some 60 percent short of being enough to provide a modest budget for a single retired person. Although many older people have equity in a home, one-third have less than $100 in liquid assets.

These facts are borne out by the much-publicized study that was recently conducted by the University of Michigan.

And it is not only the very poor older person whose economic security is threatened by ill health. When serious illness occurs with such frequency after 65 that the average couple can expect five periods of hospitalization between 65 and death, ill health threatens the financial independence of even the relatively few older people who might be considered fairly well off. With health care costs continuing to rise and the financial resources of the aged rising much more slowly, the problem of meeting these costs in old age can only become more difficult.

INADEQUACIES OF PRIVATE INSURANCE

Private insurance alone cannot solve the problem that the aged face in financing their health costs. This is a matter of simple mathematics. The fact that old people have high health costs makes them a high-risk group; it costs more to insure them. The other side of the dilemma is that, generally speaking, old people—even those who would be accepted for insurance—cannot afford to buy adequate health insurance. The gap between the cost of health insurance in old age and the incomes of the elderly is widened by the fact that low-cost group insurance generally is not available to the aged. This means that many elderly people must buy their health insurance on an individual basis, a type of coverage that can cost twice as much as group coverage offering identical protection.

Even the much-heralded nonprofit Blue Cross plans for the elderly that recently became available offer no solution to the problem. In eight States, Blue Cross coverage costs the elderly person $150 or more a year—$300 per year or more for a couple.

It is certainly not hard to understand why only about half of the aged have health insurance of any kind and why in many cases the coverage is so restricted. Surveys show that the elderly people who have health insurance tend to be the younger and healthier members of the aged group who have incomes that are above the average for older people. Thus, further expansion of private health insurance for the elderly, if it is to occur, must cope with the problem of insuring those who have lower incomes and those in ill health, the very people least able to pay for insurance and who are at the same time the poorest insurance risks.

Thus, another fact that is now well established is that private insurance alone cannot solve the problem that the aged face in financing their health costs.

INADEQUACIES OF MEANS-TEST PROGRAMS

Most Americans would agree that medical assistance for the aged cannot and will not solve the problem of financing health costs in old age. It is now 2½ years since the enactment of the legislation which made Federal grants available to help the States establish programs of medical assistance for the aged. Yet, only half of the States have established any kind of a program of medical assistance for their aged residents under the MAA law; and most of those that have been set up are quite ineffective.

In November 1962 only 112,000 elderly people were getting help under these programs, only a small portion of the aged who have low incomes and high medical costs. Nearly three-quarters of the payments were concentrated in California and two other high-income States—Massachusetts and New York. Generally, very little has been done in the States with lower income and greater need. These other States certainly want to do the best possible job in meeting the needs of their elderly residents, and the Federal Government puts no strings on the substantial financial help it will provide. In fact, the MAA legislation does not even put an upper limit on the matching funds that could be provided by the Federal Government.

The reason that the MAA legislation has fallen so far short of its objective is that the States do not have their part of the money necessary to do a good job, and there is no indication that large new State revenue sources will suddenly open up. The financial burden on the States, if all were to develop full-fledged MAA programs, would be enormous. They would have to raise funds amounting to about three times as much as they are now spending for medical care under both the new medical assistance for the aged programs and under the vendor payment provisions which have been a part of the old-age assistance programs for more than 10 years.

In any case, the problem is not primarily that of the very poor—the group helped by public assistance. The problem of meeting the cost of medical care in old age hits hard at the great majority of older people who are neither rich nor very poor. It exists for those of average income and those of above-average income. Very few indeed are those who reach retirement age with sufficient resources to be secure in the knowledge that they can pay for all the health care they will need in the years from retirement to death. Giving assistance to people who are already reduced to poverty is necessary, but the prevention of dependency is certainly more in line with the aspirations of the American people.

INADEQUACY OF MONTHLY BENEFITS

Monthly cash social security benefits can go far in meeting regular and recurring expenses like those for food, clothing, and rent. But even if these cash benefits were a good deal higher than they are, they would be ineffective in solving the problem the aged have in meeting their health costs. Health costs are not evenly distributed from month to month or even from year to year. A person over 65 may have no appreciable health costs for several years and then in a short time have health costs running into thousands of dollars.

It is not desirable, even if it were possible, to increase the social security cash benefit sufficiently to cover such large expenses. The obvious solution is to even out this expense over time and to spread it over both the sick and the well. The only way to achieve this is through insurance. And that of course is all that the bill I have introduced proposes to do.

THE SOCIAL SECURITY APPROACH

The proposal would add hospital insurance protection to the retirement income protection of social security. In the past, we have raised social security benefits, for those who were already on the rolls as well as for future beneficiaries. The coverage under the proposal of past contributors to the system who are now old is based solidly on past precedent.

After passage of the proposal, social security beneficiaries would be entitled to at least the minimum cash benefit and a hospital insurance policy. Above this minimum, the benefits would vary, of course, in relation to past earnings. The proposal differs from past increases in social security benefits only in that the security of the aged demands that the next increase in the minimum protection under social security be in the form of hospital insurance.

Social security is an effective instrument for the purpose at hand, because under it people earn protection for their later years by contributing to social security while they are working and are best off. Thus, social security can relieve the elderly person of the burden of hospital insurance costs on his retirement income.

Under social security hospital insurance, there would be no requirement that the elderly submit to investigation of their needs and resources, or that their children submit to such an investigation, as happens under public assistance. Nor would the proposed social security protection be denied to residents of any State.

ENCOURAGEMENT OF PERSONAL RESPONSIBILITY

The absence of any means test or income test in social security is one reason why the American people overwhelmingly support the social security program. Current workers know the social security taxes they pay are going to help meet the cost of benefits that will be available to them in retirement regardless of what they may be able to add to these benefits in terms of private pensions or individual savings. This is one of the great strengths of the social security program; that it is a base to which people can add other forms of protection on their own through voluntary effort. This is the basis of the great partnership that exists today between the social security program and the tens of thousands of private pension plans. Any income test or means test destroys this partnership, for under such tests one loses rights to payments in proportion to one's success in securing private pension protection or in accumulating individual savings. Thus an income test is a disincentive to individual voluntary effort and to saving.

All of this is exactly as true in the area of benefits covering hospital costs as it is in the case of cash benefits. If we provide hospital insurance protection for the aged, the individual will be secure in the knowledge that his social security hospital insurance protection will be available to him whatever resources he may have. The worker will have every incentive to provide additional protection for himself, and he can be counted on to do so.

THE PROPOSAL

Like the bill in the last Congress, this proposal is focused on hospital services because an illness that necessitates hospitalization is usually the most costly. The medical expenses for aged people who are hospitalized are about five times greater than the medical bills of aged people who are not hospitalized. And among the aged, hospitalization is very likely to occur; 9 out of every 10 persons who reach age 65 will be hospitalized at least once before they die, and 2 out of 3 will be hospitalized two or more times.

As in H.R. 4222 of the last Congress, physicians' fees would not be paid for under the proposal. Payment of physicians' fees would require financial arrangements which are opposed by most physicians. Moreover, the proposed program would apply its benefits to cases of illness which generally require large expenditures rather than to the occasional drug bill or doctor visit. Thus, it would provide relief in situations where medical costs are highest.

One of the most significant features of the proposal is that it covers alternatives to inpatient hospital care. Provision has been made for payment for services provided by hospital-related skilled nursing facilities, for visiting nurse services and other home health care, and for outpatient hospital diagnostic studies in order to promote the most efficient and economical use of existing health care facilities.

In providing for payment for these alternative services, the proposed program would reinforce the efforts of the health professions to reserve hospital beds for acute illnesses requiring intensive treatment that can be provided only in a hospital.

The hospital insurance system would be financed in the same manner and with the same safeguards as apply to the present social security program. Let me read you a short excerpt from the January 1, 1959, report of the Advisory Council on Social Security Financing: "The Council finds that the present method of financing the old-age, survivors, and liability insurance program is sound, pratical, and appropriate for this program. It is our judgment, based on the best available cost estimates, that the contribution schedule enacted into law in the last session of Congress makes adequate provisions for financing the program on a sound actuarial basis."

The benefits of the proposal would be financed on the same sound actuarial basis. The cost calculations have been carefully developed by the Chief Actuary of the Social Security Administration. The actuary's estimates are based on assumptions and methodology consistent with those used for the present old-age, survivors, and disability insurance program. Under H.R. 3920, the social security contribution rates would be increased by one-fourth of 1 percent each for employers and employees, and four-tenths of 1 percent for the self-employed; the taxable earnings base would be increased from $4,800 to $5,200 a year. Raising the earnings base would improve the benefit structure of the system generally and would also provide additional income which, together with the income from the contribution rate increase, would fully meet all hospital insurance costs.

Although a detailed description of the proposal will be submitted for the record, there follows a brief review of the general nature of the major changes from H.R. 4222 of the 87th Congress that are embodied in H.R. 3920.

THE UNINSURED

One of the important advantages of H.R. 3920 is that it gives protection to practically all of our 17½ million aged population—not just those who are eligible for cash benefits under the social security and railroad retirement programs. The proposal would provide hospital benefit protection to almost 2½ million people 65 and over who have not worked long enough under the social security or railroad retirement program to be insured under either of those systems and who are not eligible for health insurance as active or retired Federal civilian employees.

The provision under which hospital benefits would be made available to people who are not outside the social insurance system is a transitional one. It is designed to wash out in few years, so that people who reach age 65 in coming years will have had to contribute during their working years to social security in order to be eligible for hospital benefits.

The cost of hospital benefits for people not eligible for cash benefits under the social security or railroad retirement programs would be borne by the general fund of the Treasury. It should be emphasized that no social security tax money would be used to pay for the hospital benefits of these aged people. Thus H.R. 3920 would provide meaningful basic protection against hospital costs for virtually all of our senior citizens and, at the same time, maintain the principle that social security benefits should be reserved for social security contributors.

INDIVIDUAL OPTION

The proposed legislation would give beneficiaries an opportunity to select any one of three forms of hospital insurance protection. Under one option, a beneficiary would be protected against hospital costs for up to 90 days during any period of illness subject to a deductible amount equal to $10 per day (with a minimum of $20) for the first 9 days of the individual's hospital stay. Under the second option, the beneficiary could elect to be protected for a maximum of 45 days of hospital care with no provision for a deductible. A beneficiary who took the third option could receive benefits for up to 180 days of hospital care during any period of illness, with a deductible amount equal to 2½ times the average per diem cost of hospital care.

A great variety of private insurance policies would fit into one of the three benefit packages that would be available to the elderly. By giving beneficiaries a choice between three different coverages, the proposal would greatly facilitate private insurance supplementation of the basic social security health insurance.

The proposal contains an additional provision which is designed to stimulate the development and availability of private supplementary insurance for the aged. Under the bill, the Secretary would be required to consult with hospitals and other health care providers, insurance carriers and public and private welfare organizations for the purpose of encouraging and assisting them in the development and provision of supplementary protection.

RELIANCE ON PRIVATE ORGANIZATIONS

The proposed legislation would give the Secretary of Health, Education, and Welfare specific statutory authority to delegate some of the more sensitive administrative functions to Blue Cross and similar voluntary organizations that are experienced in dealing with hospitals and other providers of services. These administrative functions would include reviewing hospital fiscal records as a part of the determination of the cost of services, and acting as a center for communicating and interpreting payment procedures to hospitals. Those who are concerned that Government might try to intervene in hospital affairs will feel much more comfortable with such organizations serving as intermediaries between the Government and the providers of services.

SEPARATE TRUST FUND

The new proposal includes a provision for a separate hospital insurance trust fund. Some people were concerned about the intermingling of old-age, survivors, and disability insurance funds with hospital insurance funds even though separate accounts would have been maintained. The provision for separate trust funds makes clear that funds will not be transferable from one program to another.

HOSPITAL STANDARDS

The proposed legislation modifies a number of provisions included in H.R. 4222 in the last Congress so as to make it perfectly clear that the proposed program could not, in any way, interfere with medical practices and hospital operations. While these modifications are in the nature of technical changes, they are important in that they make it abundantly clear that the Government would not have any authority to regulate medical care.

Some critics of the 1961 bill have made much of the fact that hospitals would have to meet health and safety criteria prescribed by the Secretary of HEW as a condition for their participation in the program. In testifying for the hospitals themselves, the representatives of the American Hospital Association told the Committee on Ways and Means that the criteria in my previous bill were both reasonable and necessary. If the proposed hospital insurance plan were to operate without placing conditions on participation by providers of health services, the hospital insurance payments that would be made could damage the continuing efforts of the health professions to improve the quality of hospital care available throughout the country. To allay the fears of those who expressed concern that the Secretary of HEW might prescribe unreasonable health and safety requirements, the bill just introduced provides specifically that neither those requirements nor any of the related requirements may exceed the professionally set and professionally accepted standards established for hospitals by the Joint Commission on the Accreditation of Hospitals. Further, the bill now specifically provides that a hospital that is accredited by the Joint Commission would be conclusively presumed to meet the conditions for participation in the proposed social security health insurance plan, except for the requirement for utilization review arrangements to be established and run by the hospitals. About 85 percent of the hospital beds in the country are in hospitals that are accredited by the Joint Commission.

The original bill clearly anticipated heavy reliance on agencies like the Joint Commission on the Accreditation of Hospitals; the present proposal goes so far as to name the Commission—to make this intent as clear as possible.

SKILLED NURSING FACILITY AFFILIATION

Even more significant than the need for quality protection in the hospital area is the need for safeguards in the case of nursing homes. It would be regrettable if payment were to be made for health care in the many nursing institutions which are not equipped or staffed to furnish the professional care which is proposed to be paid for, or in the many institutions whose environment is truly a threat to the lives of their patients. This concern, together with recent successful experience with hospital-nursing home affiliation, led to the inclusion in the present proposal of a provision that would further clarify the objective of skilled nursing facility payments by limiting them to facilities that are affiliated with a hospital.

The degree of affiliation that would be required would not involve any loss of basic autonomy on the part of either the nursing facility or hospital; it would only assure that the nursing facility is operating under professional standards relating to its nursing services, clinical records and the dispensing of drugs—standards which have been agreed to by the hospital and nursing facility. The affiliation requirement would also assure the timely transfer of patients between the affiliates as the patients' conditions and medical needs change. In this way, the amendment establishes an improved basis for meeting the objective of paying for nursing facility care only in cases where such care is necessary for treatment of the condition for which the patient was hospitalized.

DRUGS COVERED

The proposed legislation makes a technical change that would make doubly sure that the measure would not discourage the use of any drugs of therapeutic value. Under the previous bill, hospital payments would have covered any drug or biological supplied by the hospital that is listed on any one of the three major U.S. drug listings that have been developed by the drug industry and the medical profession. Even though these drug listings are entirely under the control of the medical profession and new drugs of therapeutic value can be added to the listings at will, some have feared that reliance on these compendia would restrict physicians. The new bill will clear up this matter by providing that payment could be made under the proposed program for a drug, whether or not listed on one of the professional drug listings, if the drug is acceptable to the drug or pharmacy committee of the hospital in which the drug is used.

QUALITY OF CARE

It is apparent from the various improvements made in H.R. 4222 of the last Congress that those who support the administration's social security hospital insurance proposal fully share the belief that any program, public or private, should in no way lower the quality of health care available to Americans. A fair appraisal of this bill will show conclusively that the proposed program, by financing some of the major health costs of the aged, can lead only to better health care for all.

In a statement issued by the Physicians Committee for Health Care for the Aged Through Social Security, some of our Nation's leading physicians made the following points:

"First, a hospital insurance program for the aged financed and administered through social security would greatly assist the aged to get better health care. The fear that a large hospital expense may be in the offing undoubtedly deters many older people from seeking needed care. Also, the patient's financial condition would no longer unnecessarily complicate the physician's decision to advise hospitalization, post-hospital convalescence in a skilled nursing facility, home health services, or an expensive diagnostic series. By removing some of the economic deterrents to obtaining appropriate care, the measure would promote earlier utilization of health services.

"Second, the measure would be an incentive to improvement in the quality of care provided by nursing homes. About 40 percent of nursing home beds have been classified by States as unacceptable on the basis of fire and health hazards. Many other nursing homes provide inadequate nursing care. With participation in the proposed hospital insurance program open only to skilled nursing facilities with a hospital affiliation, those participating would serve as much-needed models for the improvement of other nursing homes.

"Third, the principle of free choice of institution would be made more meaningful, and continuous supervision of patient care by private physicians would be facilitated. The county hospital for indigents, with choice limited to county physicians, would no longer be the fate of many elderly people.

"Finally, by paying for the full, reasonable cost of the covered hospital services the elderly receive, the proposed program would put hospitals on a much more solid financial footing and make improvements possible that the hospitals now cannot afford."

CONCLUSION

The problem that old people face in meeting their health costs is one that they themselves cannot handle entirely on their own. It is a grave and urgent problem. Private insurance alone is not the answer. The retirement benefits paid under social security cannot by themselves be high enough to meet the costs of expensive health care in old age. Medical assistance for the aged, though necessary as a second line of defense, cannot do the job. The only solution is to provide for meeting some of the principal costs of serious illness in old age through hospital insurance under the social security program. This is abundantly clear from the evidence that has been presented during the course of the hearings that the Committee on Ways and Means held in the last Congress and the facts that have been brought to light as a result of the extensive study that has followed those hearings. The social security program offers the only practical mechanism that would enable the great majority of the people of our country to provide for their health needs in old age. Under social security, contributions are spread over the individual's working lifetime; they vary with earnings levels and are shared by employers and employees. In old age the protection is available without further contributions. This is what makes the system so perfectly adapted to the problem, a problem that can be defined in terms of the greatest need for health care coming in the retirement years—just when incomes are lowest. The social insurance mechanism also offers a truly conservative approach to meeting basic costs of illness in old age. The scope of the hospital insurance protection that would be provided would be clearly defined and limited by law, the longrun cost of the program would be actuarially calculated, and the revenue calculated to be required to finance the program would be provided.

The many years of exhaustive study and discussion that have preceded the drafting of this bill have clearly established the critical need for its enactment. That issue is simple and clear: Should we provide a way for people to help pay their own way, with incentives to work and save, or should we take away these incentives by helping only those who have little income and savings and can meet a means test? There is no doubt how these questions would be answered by the great majority of Americans who await this decision for there is no doubt how Americans feel about their system of social security.

Let us make it clear to the people we represent that we too reject the idea that our senior citizens, who have lived all their lives in dignity and independence, should be required to use up their savings and submit to an investigation of need before they can get essential hospital care. Let us choose the way that is consistent with the American concept of earning protection through work—the social security way.

DESCRIPTION OF HOSPITAL INSURANCE ACT OF 1963

(Prepared by the Department of Health, Education, and Welfare)

PROHIBITION AGAINST ANY FEDERAL INTERFERENCE

The bill specifically prohibits the Federal Government from exercising supervision or control over the practice of medicine, the manner in which medical services are provided and the administration or operation of medical facilities.

FREE CHOICE BY PATIENT GUARANTEED

The bill specifically provides that a beneficiary may receive services from any participating provider of his own choice.

ELIGIBILITY

The proposal is limited to coverage of the aged because the aged as a group have low incomes and high medical care expenses. Moreover, they are at a period in life where their incomes and assets are more likely to go down than up. Their income is, on the average, about half that of those under 65; at the same time they require three times the hospital care of younger people. Furthermore, since most aged people are not employed they have in general no opportunity to obtain economical group insurance. The individual or nongroup health insurance that may be available to them is often twice as expensive for the same benefits—because of higher acquisition cost, premium collection cost, and other administrative costs—as group insurance would be.

Under the bill, hospital insurance protection would be provided for all people who are aged 65 and over and entitled to monthly old-age or survivors insurance benefits or to benefits under the Railroad Retirement Act. An individual would be eligible for hospital insurance protection at age 65 even though his monthly cash benefits are being withheld because of earnings from work. In addition, protection would be provided, under a special provision of the plan, to many people aged 65 and over who are not eligible for benefits under the social security or railroad retirement systems.

Almost all of the more than 18 million people who will be age 65 and over in January 1965 would be protected under the proposal. The few not protected under the legislation would consist for the most part of retired Federal civilian employees, who have their own health insurance program, and aliens with relatively short residence in the United States. Of the people protected under the proposal, about 15½ million would be covered as persons eligible under the old-age and survivors insurance or railroad retirement programs and about 2½ million would be protected under the special provision.

Under the special provision, aged people who are not insured for cash benefits under the social security or railroad retirement systems would be deemed insured for hospital and related benefits only. Uninsured people who reach age 65 in 1967 would be deemed to be insured for hospital benefits if they had earned as few as six quarters of coverage in covered work at any time—nine fewer quarters of coverage than men of this age need to qualify for cash social security benefits.

For people who reach age 65 in each of the succeeding years, the number of quarters of coverage needed to be insured for hospital insurance protection would increase by three each year. For persons who attain age 65 after 1972, the special insured status requirements for hospital insurance would require as many or more quarters of coverage as the regular insured status requirements for other social security benefits, so that the new insured status requirement will soon "wash out."

The cost of the coverage for aged persons who do not meet the regular insured status requirement of the social security law would be met from general revenues. Thus, the provision of the same hospital benefits for persons who are not fully insured under the social security system would not be inconsistent with the principles upon which the system is based. Funds obtained through the application of social security contributions would be used only to pay benefits of those who have contributed over a sufficient length of time to acquire insured status, and over the long run only persons who make significant contributions would be eligible for benefits.

BENEFITS PROVIDED

The bill would provide payments for inpatient hospital services, followup care in a hospital-affiliated skilled nursing facility, certain organized home health agency services and hospital outpatient diagnostic services.

Inpatient hospital services were selected as the point of concentration in the bill because of the great financial strain placed on people who must go to the hospital. Medical expenses for aged people who are hospitalized in a year are about five times greater than the annual medical bills of aged people who are not hospitalized, and hospital costs account for the major portion of the difference between the health bills of the hospitalized aged and those not hospitalized. Further, the occurrence of hospitalization one or more times in old age is to be expected. It is estimated that 9 out of every 10 people who reach age 65 will be hospitalized at least once before they die; 2 out of 3 will be hospitalized two or more times. Another reason for placing primary emphasis on protection against the cost of hospital care is that hospital insurance is the part of the protection against health costs on which there is the most experience in this country—through Blue Cross and other Government programs—with the result that adequate models for administration are available.

BENEFICIARY OPTION

Under the bill, payment would be made for up to 90 days of inpatient hospital services, subject to a deductible amount of $10 a day for up to 9 days (with a minimum of $20), unless the beneficiary exercises his option to receive inpatient hospital benefits for either (1) up to 45 days with no deductible or, (2) up to 180 days with a deductible amount equal to the average daily cost of 2½ days of hospital care.

The provision under which each beneficiary could choose among three alternative hospital benefit plans enables the beneficiary to select the plan which he thinks is best suited to his needs.

SERVICES FOR WHICH PAYMENT WOULD BE MADE

Hospital services: The proposed inpatient hospital benefits would (except for the deductible amount applicable under two of the beneficiary options) generally cover the full cost of all hospital services and supplies of the kind ordinarily furnished by the hospital which are necessary in the care and treatment of its patients. The full coverage follows the recommendations of the Commission on Financing of Hospital Care and other expert groups studying hospital insurance. As hospitals acquire new equipment, adopt new health practices, and improve their services and techniques, the additional operating costs resulting from such changes would automatically be covered under the proposal without need for modification. Thus, coverage would always be up to date. Furthermore, this built-in responsiveness to changing medical practices and needs would provide assurance that the program would provide the proper financial underpinning to improvements in care.

Skilled nursing facility services: The bill would provide payments for the cost of hospital-affiliated skilled nursing facility services in cases where a hospital inpatient is transferred to such a facility to continue to receive professionally supervised skilled nursing care (while under the care of a physician) needed in connection with a condition for which he had been hospitalized. The requirement that the patient have been transferred from a hospital is one of the measures included in the bill to limit the payment of nursing home benefits to persons who may reasonably be presumed to require continuing skilled nursing care and for whom the nursing facility provides an alternative to continued hospitalization.

Home health care services: Payments would be made for visiting nurse services and for other related home health services when furnished by a public or nonprofit agency in accordance with a plan for the patient's care that is established and periodically reviewed by a physician. Since the nature and extent of the care a patient would receive would be planned by a physician, medical supervision of the home health services furnished by paramedical personnel—such as nurses or physical therapists—would be assured.

Outpatient diagnostic services: In the case of outpatient hospital diagnostic services, payment could generally be made for any tests and related services that are customarily furnished by a hospital to its outpatients for the purpose of diagnostic study. Payment would only be made for the more expensive diagnostic procedures because a $20 deductible amount would be applied for each 30-day period during which diagnostic services are furnished.

PATIENT'S NEED AND ECONOMY SERVED

The bill provides payments for skilled nursing facility care, home health agency services and hospital outpatient diagnostic studies in order to promote the economical use of hospital inpatient services. In doing so, the proposed legislation would support the efforts of the health professions to limit the use of hospital beds to the acutely ill who need intensive care and to make more efficient use of other health care facilities. Moreover, coverage of these services is consistent with the recommendations made by authorities who have studied the causes and effects of improper utilization of hospital care. For example, the availability of protection against the costs of outpatient hospital diagnostic tests would avoid providing an incentive to use inpatient hospital services in order to obtain coverage of the cost of diagnostic services. The availability of this protection would also give support to preventive medicine by meeting part of the costs of expensive procedures that are essential in the early detection of disease.

INCLUDED AND EXCLUDED SERVICES

Under the bill, payment would be limited to health services which are essential elements of the services provided by hospitals. Since the primary purpose of the proposal is to cover hospital costs and a major reason for the coverage of other services is to provide economical substitutes for hospitalization, the proposed legislation is framed to permit payment for skilled nursing facility, home health, and hospital outpatient diagnostic services only to the extent that they could be paid for if furnished to a hospital inpatient. Thus the outer limits on what the proposed program would pay for are set by the scope of inpatient hospital services for which payment could be made. Services covered outside the hospital are more limited than those in the hospital. Following is a description of the various services for which payment would be made under the bill.

Room and board: Payments would be made for room and board in hospital and skilled nursing facility accommodations. Generally speaking, accommodations for which payment would be made would consist of rooms containing from two to four beds. Covered accommodations are described by number of beds, rather than the frequently used designation of "semiprivate." The differences that exist among hospitals in the use of the term "semiprivate" would create an undesirable lack of uniformity of benefits provided.

Payments could also be made for more expensive accommodations where their use is medically indicated. Where private accommodations are furnished at the patient's request, the payments that would be made would be the equivalent of the reasonable cost of accommodations containing two to four beds. Room and board would not, of course, be paid for where the beneficiary is receiving care under a home health plan.

Nursing services: Payments would cover all hospital nursing costs, but not private duty nursing. Private duty nursing would not be paid for since it can be expected that the nursing services regularly provided by hospitals and skilled nursing facilities which would participate in the program would almost always adequately meet the nursing needs of their patients.

Payments for home health services would only cover part-time or intermittent nursing care such as that provided by visiting nurses. Where more or less continuing skilled nursing care is needed, an institutional setting is more economical and generally more suitable.

Physicians' services: The cost of physicians' services would not be paid for under the proposal except for the services of hospital interns and residents in training, and for the professional component of certain specified ancillary hospital services described below under "Other Health Services."

The bill would cover the cost of the services that hospital interns and residents in training furnish but only while they are participants in teaching programs that are approved by the American Medical Association's Council on Medical Education and Hospitals. This coverage of the services of interns and residents is in agreement with the generally accepted principle of hospital payment that third parties should contribute a fair share toward the hospital costs—in large part consisting of educational costs—of interns and residents.

Drugs: Under the bill, payment could be made for drugs furnished to hospital and skilled nursing facility patients for their use while inpatients. The bill would provide payment for drugs which are approved by the hospital's pharmacy committee (or its equivalent) or which are listed in the "United States Pharmacopoeia," "National Formulary," "New and Non-Official Drugs," or "Accepted Dental Remedies." A hospital's drugs must, of course, meet the standards established by these formularies in order for the hospital to be accredited by the Joint Commission on Accreditation. Assurance of satisfactory control over drugs in nursing facilities is provided through the requirement that the nursing facility-hospital affiliation agreement include provision for standards on use of drugs.

The drugs prescribed for a patient as part of his home health care would not be paid for under the proposed program. The decision to exclude the cost of drugs from home health service payments is part of the more basic decision not to provide coverage of drug and other outpatient therapeutic costs under the program. The coverage of drugs outside the institutional setting would, of course, add greatly to the cost of the program and would present exceedingly difficult problems in limiting payment to needed drugs and covering the payment of a multitude of small bills without excessively cumbersome and expensive administration.

Supplies and appliances: Under the proposal, payment would be made for supplies and applicances so long as they are a necessary part of the covered health services a patient receives. For example, the use of a wheelchair, crutches or prosthetic appliances could be paid for as part of hospital, nursing facility or home health services but payments would not be made for the patient's use of these items upon discharge from the institution or upon completion of the home health plan. Extra items, supplied at the request of the patient for his convenience, such as telephones in hospitals, would not be paid for.

Medical social services: Payments would cover the cost of the medical social services customarily furnished in a hospital, as well as such services furnished in a skilled nursing facility or as part of a home health plan. Such services often perform the important function for the aged of facilitating a return to normal life at home.

Other health services: Payment would be made for the various ancillary services customarily furnished as a part of hospital care, including various laboratory services and X-ray services and use of hospital equipment and personnel. Among the covered services would also be physical, occupational, and speech therapy. Payment for ancillary services would cover the costs of services rendered by physicians in four specialty fields—anesthesiology, radiology, pathology and physiatry—where the physician furnishes his services to an inpatient as an employee of the hospital or where he furnishes them under an arrangement with the hospital which specifies that payment to the hospital for the services he performs discharges all liability for payment for the services. Thus, whether the services of any particular specialist are covered would depend entirely upon the arrangement between the physician and the hospital. The chart below lists the specific kinds of hospital and related care for which payments could be made and those which would not be covered.

LIMITATIONS ON PAYMENT

The bill includes a number of limitations on the payment of hospital and related benefits, primarily because of considerations of cost and priorities of need.

The deductible provisions and the other limitations on inpatient hospital and skilled nursing home payments would be applied on a "benefit period" basis. In general, the benefit period would coincide with the beneficiary's episode of illness. Under the proposal, the benefit period would begin with the first day in which the patient receives inpatient hospital services for which payments could be made and would end after the close of a 90-day period during which he was neither an inpatient in a hospital nor a skilled nursing home; the 90 days need not be consecutive, but they must fall within a period of not more than 180 consecutive days. This limitation is designed to provide a cutoff point in the payment of benefits for persons who are more or less continuously institutionalized persons without, however, denying payment for persons who suffer repeated episodes of serious illness.

Health services and supplies that could be paid for under the Hospital Insurance Act of 1963

	Inpatient hospital benefits	Skilled nursing facility benefits	Outpatient hospital diagnostic benefits	Home health agency benefits
Room and board	Coverage limited to bed and board in a 2-4 bedroom or in more expensive accommodations where medically required.		Not applicable	Not covered.
General duty nursing services	Covered (benefits would not cover private duty nursing)		do	Coverage limited to part-time or intermittent nursing care.
Physicians' services	Not covered except where furnished by an intern or resident in training in the course of an AMA-approved teaching program, or where the services are in the field of pathology, radiology, anesthesiology, and physical medicine and are rendered through the hospital. Services furnished in a nursing facility by interns and residents in training under an AMA-approved teaching program of the hospital with which the nursing facility is affiliated would be covered.			Not covered except where furnished by an intern or resident in the course of an AMA-approved hospital teaching program.
Physical, occupational, and speech therapy.	Covered		Not applicable	Covered.
Medical social services	do		do	Do.
Drugs	do		Not applicable (except as needed for diagnostic study).	Not covered.
Other services and supplies necessary to the health of the patient.	Covered if the hospital customarily furnishes them to its patients.	Covered if generally provided by skilled nursing facilities.	Covered if customarily furnished by the hospital to outpatients for the purpose of diagnostic study.	Medical supplies (other than drugs) and the use of appliances are covered. Also, to the extent permitted by regulations, part-time or intermittent services of a home health aid would be covered.

Duration of benefits

The maximum number of days of inpatient hospital care for which payment could be made during a benefit period would be 45, 90, or 180 days, depending on the combination of duration and deductible selected by the beneficiary. Since some patients need extended skilled nursing care after hospitalization, a maximum of 180 days of skilled nursing care is provided for each benefit period.

Under the proposal, as many as 240 home health visits could be paid for in a calendar year. The limitation placed on the payment of home health benefits is written in terms of visits rather than days. Unlike the institutionalized patient, people receiving home health services do not receive health care on a full-time basis. Home health services involve periodic visits to the patient's home by therapists, nurses, and other professional personnel. The amount of home health service which is covered would be unaffected by whether a variety of services is offered on the same day or different days.

Deductible provisions

Beneficiaries who prefer first-dollar coverage could obtain such coverage by electing the 45-day option with no deductible. Those who would rather have protection against the costs of more extended stays and could budget for a modest deductible could choose the 90-day option or the 180-day option. Under the 90-day option the deductible amount would be $10 a day for up to 9 days (with a minimum of $20); under the 180-day option the deductible amount would be the average daily cost of 2½ days of hospital care.

A deductible amount of $20 is also applied against payments for diagnostic services furnished within a 30-day period primarily to reduce costs and to avoid processing a large volume of small claims. Thus the program provides protection against the cost of the more expensive procedures—not only the single expensive test but the series of tests in which costs add up to large amounts.

CONDITIONS FOR PARTICIPATION OF PROVIDERS OF HEALTH SERVICES

One of the keys to determining the nature of the health services which would be paid for under the proposal is the type of institution which may participate in the program. Therefore, the question as to what, for purposes of the proposed program, is a hospital, a skilled nursing facility, or a home health agency is of considerable significance. There are no universally accepted definitions of the various health facilities. The type of institution providing health services on which there is closest agreement on definition is, of course, the hospital. The definiton of a health institution includes within it elements related to the quality and adequacy of the services which the institution provides. For example, one of the conditions an institution must meet to satisfy the American Hospital Association requirements for listing as a hospital—the same condition which would have to be met before an institution could participate under the program—is provision of 24-hour nursing service rendered or supervised by registered professional nurses. This is one of the characteristics that differentiates a hospital from other institutions; in addition, of course, an institution which does not meet this conditon cannot offer adequate services as a hospital.

The bill therefore spells out the conditions that an institution must meet in order to participate in the program. These conditions offer some assurance that participating institutions have the facilities necessary for the provision of adequate care. Also, the inclusion of these conditions is a precautionary measure designed to prevent the program from having the effect of undercutting the efforts of the various professional accrediting organizations sponsored by the medical and hospital associations, Blue Cross plans, and State agencies to improve the quality of care in hospitals and nursing homes. To provide payments to institutions for services of quality lower than are now generally acceptable might provide an incentive to create low quality institutions as well as an inducement for existing facilities to strive less hard to meet the requirements of other programs.

Specific conditions for participation of hospitals

An institution, to meet the definition of a hospital, must (a) be primarily engaged in providing diagnostic and therapeutic services or rehabilitation services, (b) maintain clinical records, (c) have bylaws in effect for its medical staff, (d) provide 24-hour nursing service rendered or supervised by registered professional nurses, (e) have in effect a hospital utilization review plan and (f) be licensed or approved under the applicable local law. In addition, the institution must meet certain health and safety requirements to be established by the Secretary of Health, Education, and Welfare.

These specified conditions provide a basic definition of a hospital and embody minimum requirements of safety, sanitation, and quality. As such, they are fully in accord with the established principles and objectives of professional hospital organizations. The requirement that there be bylaws in effect for the hospital's medical staff—included at the specific suggestion of representatives of the American Hospital Association—is intended to assure that the hospital's staff of physicians would be organized in the professionally acceptable manner characteristic of most hospitals. Such a requirement would encourage the fullest contribution by medical staff to the operation of the hospital and to the quality of medical services furnished by the individual staff members.

Under the bill, hospitals accredited by the Joint Commission on Accreditation of Hospitals would be conclusively presumed to meet all the statutory conditions for participation, save that for utilization review. However, in the event the Joint Commission adopts a requirement for utilization review accredited hospitals could be presumed to meet all the statutory conditions. Linking the conditions for participation to the requirements of the Joint Commission provides assurance that only professionally established conditions would have to be met by providers of health services which seek to participate in the program.

Health and safety standards

Under the bill, the Secretary of HEW would have the authority to prescribe conditions in addition to those specifically listed (only, however, in the case of hospitals, to the extent that these conditions have been incorporated into the requirements of the Joint Commission on Accreditation of Hospitals) where such additional conditions are found to be necessary in the interest of the health and safety of beneficiaries. This authority is proposed because it would be inappropriate and unnecessary to include in a Federal law all of the precautions against fire hazards, contagion, etc., which should be required of institutions to make them safe. Payment for services in institutions where there are fire and health hazards could seriously undermine the efforts of State health departments and professional groups to eliminate dangerous conditions in health care institutions.

States could require higher standards

The national minimum conditions for participation by providers of health services could vary for different areas and classes of institutions. If a State decided, for example, that all nursing facilities within its jurisdiction should satisfy higher requirements than are stipulated for use generally in all States and requested that certain specified higher requirements be applied with respect to institutions within its jurisdiction, the Secretary of HEW would have the authority to apply these State rules in the Federal program. Thus the Federal program could support the States in their efforts to improve conditions in institutions. In no event, however, could the conditions for participation of hospitals go beyond those required for accreditation by the Joint Commission on Accreditation of Hospitals.

The States would have the function of applying the requirements for participation in the Federal program to the institutions within their jurisdictions. In this way, too, the States would have the opportunity to coordinate their current efforts in appraising the quality of institutions with functions which would be performed under the proposal.

The conditions for participation were framed so that medically supervised rehabilitation facilities could qualify either as hospitals or nursing facilities. Some rehabilitation facilities are for all intents and purposes hospitals and in fact some are licensed as hospitals. Others are more like skilled nursing facilities than hospitals in the extent of their medical supervision, staffing, and scope of service. An institution of either type, which conducts a program of rehabilitating disabled people, could participate in the program by meeting the conditions specified in the bill for a hospital or a nursing facility.

Mental and tuberculosis hospitals excluded

Under the bill, institutions providing care primarily for mental or tuberculosis patients are excluded from participation. The main reason for this exclusion is that most of these hospitals are public institutions and are supported by public funds. Nor did it seem reasonable to cover private but not public institutions. It should be kept in mind that the care provided by general hospitals to persons afflicted with mental disease or tuberculosis would be included. If a patient in a mental or tuberculosis institution were to go to a general hospital to receive care, the care would be paid for under the program.

Requirement for review of utilization of services

The hospital utilization review plan required for participation in the program must provide for a review of admissions, length of stays, and the medical necessity for services provided as well as the efficient use of services and facilities. Such a review of each admission of a beneficiary must be made within 1 week following the 21st day of each period of continuous hospitalization, and subsequently at such intervals as may be specified in regulations. In the event of an unfavorable finding the review group must notify the attending physician of its findings and provide an opportunity for consultation between the committee and the physician. The utilization review plan of a hospital would also be extended to include review of admissions and length of stays in a skilled nursing facility which is affiliated or under common control with the hospital.

These provisions with respect to utilization review mechanisms follow the kind of recommendations for utilization review that have been made by private study groups, State medical societies, and State agencies. The utilization review requirement in the bill provides that not only would hospital staff reviews meet the requirement but other physician review arrangements outside the hospital would be acceptable for purposes of the program as well. Furthermore, if and when the Joint Commission includes a utilization review requirement for accreditation, accreditation by the Joint Commission could be accepted by the Secretary as sufficient evidence that the provider meets the requirements of the law.

Conditions for participation of nursing facilities

To meet the definition of a "skilled nursing facility" an institution (or a distinct part of an institution) must, in addition to being affiliated or under common control with a participating hospital, (a) primarily provide skilled nursing care for patients requiring planned medical or nursing care, or rehabilitation services; (b) have medical policies established by a professional group (including one or more physicians and one or more registered professional nurses) with a requirement that each patient be under a physician's care; (c) be under a physician's or registered nurse's supervision; (d) maintain clinical records; (e) provide 24-hour nursing services rendered or supervised by a registered professional nurse; (f) operate under the utilization review plan of the hospital with which it is affiliated; and (g) be licensed or otherwise be approved as required under applicable local law. Nursing facilities must also meet such conditions essential to health and safety as may be found necessary. Some institutions operating as nursing facilities are not engaged primarily in the furnishing of skilled nursing care for patients who require planned medical or nursing care but rather furnish primarily personal care. However, if a nursing or infirmary section were a distinct part of such a facility and were primarily engaged in providing skilled nursing care, and met the other conditions for participation, this section of the facility would be treated as a skilled nursing facility. Many hospitals, too, have long-term care wings which could participate as nursing facilities.

As in the case of hospitals, these conditions describe the essential elements necessary for an institutional setting in which adequate skilled nursing services are provided. Generally, institutions which provide skilled nursing services to patients who require continuing planned nursing care would be able to meet these conditions. While many existing nursing facilities could not meet these conditions because they generally provide, exclusively or primarily, domiciliary or custodial care and not skilled nursing care the proposal would encourage such facilities to take the necessary steps to qualify.

Hospital affiliation requirement

The requirement of hospital affiliation—intended to provide assurance that payment would be made only to skilled nursing facilities having adequate medical supervision—will serve to encourage facilities to enter into arrangements which many experts in health care believe will have (and where attempted have had) success in improving the quality of their services. A facility would be deemed to be affiliated with a hospital if, by reason of a written agreement, (a) the facility operates under standards, with respect to its skilled nursing services, clinical records, and use of drugs, which are jointly established by the hospital and the facility; (b) arrangements exist for timely transfer of patients; and (c) the hospital's utilization review plan applies in all respects to the services furnished by the facility.

Conditions for participation of home health agencies

To meet the definition of a home health agency an organization must (a) be a public agency or a nonprofit organization exempt from Federal taxation under section 501 of the Internal Revenue Code of 1954; (b) be primarily engaged in providing skilled nursing or other therapeutic services; (c) have medical policies established by a professional group (including one or more physicians and one or more registered professional nurses); (d) maintain clinical records; and (e) be licensed or approved under applicable local law. As in the case of hospitals and nursing homes, home health agencies would also have to meet further conditions to the extent they are found necessary in the interest of the health and safety of the patients.

Home health services covered

The conditions for participation of home health agencies are designed primarily to provide assurance that agencies participating in the program are basically suppliers of health services. The bill would cover visiting nurse organizations as well as agencies specifically established to provide a wide range of organized home health services. The provision of services under such agencies is now only in the initial stage of development. The services covered are based on the practices of the agencies now in existence which furnish a broad range of organized home health services which may be used as a substitute for continued hospital care. These agencies, while few and generally of recent origin, have established excellent records of operation so that it seems reasonable to expect new providers of services to adopt the pattern of organization found successful thus far. These home health service agencies offer primarily visiting nurse services but many offer other therapeutic services.

PAYMENT TO PROVIDERS

Under the bill, the provisions for paying for covered services follow the recommendations of the American Hospital Association—that is, payments to providers of service would be made on the basis of the reasonable cost of services furnished. The Secretary would be authorized to develop a method or methods of determining costs and to provide for payment on a per diem, per unit, per capita, or other basis, as most appropriate under the circumstances. The principles for reimbursing hospitals developed by the American Hospital Association provide a basis for determining how costs should be computed. However, since the elements of cost are, to some extent, different for different types of providers of health services—for example, hospitals as contrasted to skilled nursing facilities—a number of alternative methods of computing costs are permitted so that variations in practices may be taken into account. In computing reimbursement on a reasonable cost basis, the program would be following practices with respect to reasonable cost reimbursement already well established and accepted by hospitals in their dealings with other Federal and State programs and with Blue Cross.

EXCLUSION OF FEDERAL HOSPITALS

No payment would be made to a Federal hospital, except for emergency services, unless it is providing services to the public generally as a community hospital—a rare situation, but the exclusion of such institutions would be a hardship to beneficiaries in the localities involved. Also, payment would not be made to any provider for services it is obligated to render at public expense under Federal law or contract. The purpose of this exclusion is to assure that Federal hospitals would not be used to furnish care under the program as well as to avoid payment for services which are furnished under other Government programs, to veterans, military personnel, etc. Furthermore, this exclusion would have the effect of reducing future need for Federal hospitals for veterans and retired members of the Armed Forces and place more emphasis on the use of voluntary hospitals for their care.

EMERGENCY SERVICES

Payment could be made to nonparticipating hospitals for emergency inpatient hospital services—or emergency outpatient diagnostic service—if the hospital agrees not to make any charges to the beneficiary with respect to the emergency services for which payment is provided. The proposal does not cover use of the emergency ward for outpatient purposes except where the diagnostic service provision, subject to the $20 deductible, applies.

AGREEMENTS BY PROVIDERS

Any eligible provider may participate in the proposed program if it files an agreement not to charge any beneficiary for covered services and to make adequate provision for refund of erroneous charges. Of course, a provider could bill a beneficiary for the amount of the deductible, and for the portion of the charge for expensive accommodations or services supplied at the patient's request and not paid for under the proposal.

An agreement may be terminated by either the provider of service or the Secretary of HEW. The Secretary may terminate an agreement only if the provider (a) does not comply with the provisions of law or the agreement, (b) is no longer eligible to participate, or (c) fails to provide data to determine benefit eligibility or costs of services, or refuses access to financial records for verification of bills.

ADMINISTRATION

As in the case of other benefits under the social security system, overall responsibility for administration of the hospital and related benefits would rest with the Secretary of Health, Education, and Welfare. Similar responsibility for railroad retirement annuitants rests with the Railroad Retirement Board. Agreements by hospitals and other providers with the Secretary would be made on behalf of both the Secretary and the Board.

The bill provides for the establishment of an Advisory Council to advise the Secretary on administrative policy matters. The Advisory Council, appointed by the Secretary, would consist of a chairman and 13 members who are not otherwise employees of the Federal Government. To assure representation of the health professions, four or more members of the Advisory Council would be persons outstanding in hospital or other health activities.

The Secretary would also be required to consult with appropriate State agencies, National, and State associations of providers of services, and recognized national accrediting bodies. These efforts would be especially oriented to the development of policies, operational procedures, and administrative arrangements of mutual satisfaction to all parties interested in the program. This consultation at the local and national level would also provide additional assurance that varying conditions of local and national significance are taken into account.

ROLE OF THE STATES

Under the bill the Secretary is authorized to use State agencies to perform certain administrative functions. It is expected that the Secretary would exercise this authority fully, and it is believed that all States would be willing and able to assume these responsibilities. State agencies would be used in: (a) determining whether and certifying to the Secretary that a provider meets conditions for participation in the program; and (b) rendering consultative services to providers to assist them in meeting the conditions for participation, in establishing and maintaining necessary fiscal records and in providing information necessary to derive operating costs so as to determine amounts to be paid for the provider's services.

State agencies would be reimbursed for the costs of activities they perform in the program. As in the cooperative arrangements with State agencies in the social security disability program, reimbursement to State agencies for hospital insurance benefits activities would meet the agency's related costs of administrative overhead as well as of staff. In recognition of the need for coordination of the various programs in the States that have to do with payment for health care, quality of care, and the distribution of health services and facilities, the Federal Government would pay a fair share of the State agency's costs attributable to planning and other efforts directed toward the coordination of the agency's activities under the proposed program.

What is contemplated in administration of the insurance program is a Federal-State relationship under which each governmental entity performs those functions for which it is best equipped and most appropriately suited. State governments license health facilities and State public health authorities generally inspect these facilities to determine whether they are conforming with the requirements of the State licensure law. In addition, State programs purchase care from providers of health services. On the basis of experience and function, State agencies would assist the Federal Government in determining which providers of health services conform to prescribed conditions for participation. Furthermore, where an institution or organization that has not yet qualified needs consultative services in order to determine what steps may be appropriately taken to permit qualification, such consultative services would be furnished by the State health or other appropriate State agency. Other types of consultative services closely related to conditions of the hospital benefits program or similarly related to State programs and requirements should logically be provided for or coordinated in the State agency. There may, of course, be situations where a State is unwilling or unable to perform some or all of these certifications and consultative services. In any such situation, the Secretary will have to make other provisions to carry on these activities.

ROLE OF PRIVATE ORGANIZATIONS

The bill would provide the opportunity for considerable participation by private organizations in the administration of the program. Groups of providers, or associations of providers on behalf of their members, would be permitted to designate a private organization to act as an intermediary between themselves and the Federal Government. The designated organization would determine the amounts of payments due upon presentation of provider bills and make such payments. In addition, such organizations could be authorized, to the extent the Secretary considers it advantageous, to perform other related functions such as auditing provider records and assisting in the application of utilization safeguards. Such activities are likely to prove advantageous where private organizations have developed experience and skill in these activities. The Government would provide advances of funds to such organizations for purposes of benefit payments and as a working fund for administrative expenses, subject to account and settlement on a cost-incurred basis.

The principle advantage hospitals and other providers of services would find in an arrangement of this sort would be that the policies and procedures of the Federal program would be applied by the same private organizations which administer the existing health insurance programs from which providers now receive payments. The participation of Blue Cross plans and similar third-party organizations would have advantages that go beyond the benefits derived from their experience in dealing with various types of providers of services. Such private organizations, serving as intermediaries between the Government and the providers, would reduce the concern expressed by some people that the Federal Government might try to interfere in hospital affairs.

OPTION TO INDIVIDUAL TO OBTAIN PRIVATE INSURANCE

A guiding principle in the formulation of the program is the desirability of encouraging private insurance to play the same complementary role to hospital insurance for the aged under social security that it has played under the retirement, death, and disability benefit provisions of the social security program. It was in part because of this principle that the decision was made to provide a program oriented toward meeting only the major costs of hospitalization. It was assumed that with social security providing basic protection of this form beneficiaries would obtain additional private supplementary protection and private carriers would seek to provide such protection. While the hospital insurance protection that would be provided by social security would be significant and substantial, it would not cover all of the health costs that are capable of being insured against.

Under the bill, therefore, the Secretary would be required to consult with and furnish assistance to providers of services, private insurance carriers, State agencies and other appropriate private and public organizations in order to encourage and help them to develop and make generally available to the aged supplementary private insurance protection.

FINANCING

To pay for the proposed hospital insurance benefits for persons under the social security system, the social security contribution rate would be increased by one-fourth of 1 percent each for employees and employers and four-tenths of 1 percent for the self-employed; the amount of earnings subject to contributions would be increased from $4,800 to $5,200 a year. The additional income to the program would be allocated for hospital insurance, except for that part of the income from the increased earnings base which would be allocated to pay for higher old-age, survivors, and disability insurance monthly benefits for persons earning over $4,800 a year. The amount of a social security benefit is based on the worker's average earnings covered under the program. With an increase in the covered earnings to $5,200, a worker's maximum monthly cash benefit would ultimately rise to $134 instead of $127 and the maximum family benefit to $268 instead of $254 as under present law.

The following examples illustrate the effect of the proposed changes in the contributions: A worker earning $2,400 a year would pay an additional $6 a year and a worker earning $4,800 an additional $12 a year. A worker earning $5,200 or more would pay an additional $27.50 a year, of which $17.68 would go for hospital insurance.

A corresponding increase would be made in the contribution rates under the Railroad Retirement Act to pay for the hospital insurance benefits for persons covered under that act. The cost of the benefits for persons not insured under the social security or railroad retirement systems would be borne by general revenue of the Treasury.

Separate trust fund

Under the proposal there would be a separate trust fund for the hospital insurance program, in addition to the present old-age and survivors insurance trust fund and the disability insurance trust fund. Under the proposed law, hospital insurance benefits could be paid only from the hospital insurance trust fund, just as under present law disability insurance benefits can be paid only from the disability insurance trust fund.

The income to the hospital insurance trust fund is estimated actuarially to meet the costs into the indefinite future. Estimated contribution income to the new trust fund for 1965 would total $1.4 billion and estimated expenses $1 billion. Payments made on behalf of persons who are not eligible for social security or railroad retirement benefits would not be made from the trust fund but directly from general revenue of the Treasury.

EFFECTIVE DATES

The increases in social security contribution rates and in the amount of annual earnings subject to contributions would take effect on January 1, 1965. Benefits would be payable for covered hospital and related health services furnished after that date, except for skilled nursing facility services, for which the effective date would be July 1, 1965.

CONCLUSION

Very properly there has been considerable interest in the effect that a social security hospital insurance program would have on the quality of medical care. A number of our Nation's leading physicians and educators believe that, to the extent that it would have any effect on medical care, the proposed program would lead to medical care of higher quality.

In a statement issued by the Physicians Committee for Health Care for the Aged Through Social Security, these doctors made the following points:

"First, a health insurance program for the aged financed and administered through social security would greatly assist the aged to get better health care. The fear that a large hospital expense may be in the offing undoubtedly deters many older people from seeking needed care. Also, the patient's finances would be less a consideration in the physician's decision to advise hospitalization, posthospital convalescence in a skilled nursing facility, home health services, or an expensive diagnostic series. By removing some of the economic deterrents to obtaining appropriate care, the measure would promote earlier utilization of health services.

"Second, the measure would be an incentive to improvement in the quality of care provided by nursing homes. About 40 percent of nursing home beds have been classified by States as unacceptable on the basis of fire and health hazards. Many other nursing homes provide inadequate nursing care. With participation in the proposed health insurance program open only to skilled nursing facilities with a hospital affiliation, those participating would serve as much-needed models for the improvement of other nursing homes.

"Third, the principle of free choice of institution would be made more meaningful, and continuous supervision of patient care by private physicians would be facilitated. The county hospital for indigents, with choice limited to county physicians, would no longer be the fate of many elderly people.

"Finally, by paying for the full, reasonable cost of the covered hospital services the elderly receive, the proposed program would put hospitals on a much more solid financial footing and make improvements possible that the hospitals now cannot afford."

SEMIANNUAL REPORT OF OFFICE OF MINERALS EXPLORATION, SECRETARY OF THE INTERIOR—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Interior and Insular Affairs.

To the Congress of the United States:

I transmit herewith the Ninth Semiannual Report of the Office of Minerals Exploration from the Secretary of the Interior as prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its territories and possessions by encouraging exploration for minerals, and for other purposes."

JOHN F. KENNEDY.

THE WHITE HOUSE, *February 21, 1963.*

IMPORTATION OF RESIDUAL OIL

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WHALLEY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WHALLEY. Mr. Speaker, I am greatly concerned about the recommendation of the Office of Emergency Planning in the matter of imported residual oil.

Our coal producing areas in the United States are experiencing depression and great unemployment, and if Mr. McDermott's recommendation is carried out, this Nation will be dependent upon outside sources for our national fuel needs and eventually our petroleum industries will join the coalfields in their present plight.

There is much more than meets the eye when we consider further relaxing controls on residual oil. To further relax the import controls on residual oil would not only be creating a critical emergency for all domestic fuels but could be a detriment to the free world in our economic battle with the Soviet Union.

I have contacted both the President and the Department of Interior to express my views since being advised of Mr. McDermott's recommendation to further relax controls on foreign residual oil.

A letter signed by 102 Members of the House of Representatives representing 24 States and both political parties, and including members of every standing committee of the House, was sent to the President by President Moody of NCPC urging that controls on imports of residual oil be retained, strengthened, and made effective. The letter further declared:

> The coal, railroad, and related industries, and those millions of people dependent directly and indirectly upon them for a livelihood, urgently need assurances that the residual import control program will be retained and strengthened.

I was one of the signers of that letter.

The enormous recent increase in residual oil quotas for this quarter, and the subsequent recommendation by the Office of Emergency Planning that residual import controls should be even further relaxed is a threat not only to the people of my State of Pennsylvania but a threat to the entire Nation.

I join with President Moody, of the National Coal Policy Conference, and am in complete agreement with his statement:

> The recommendations of the Office of Emergency Planning, if accepted by the President, will constitute the most serious blow that this administration has so far dealt the men and their families of the coal and related industries.

PRESERVING THE MOUNT VERNON OVERVIEW

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. Frances P. Bolton] may extend her remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mrs. FRANCES P. BOLTON. Mr. Speaker, as the vice regent from Ohio of the Mount Vernon Ladies Association of the Union, I want the Congress to have a progress report of what is actively being done today in memory of George Washington, whose home, Mount Vernon, is this Nation's most significant and beloved shrine.

During the past 20 years, many individuals, groups, and State and Federal Government agencies have been concerned with preserving the Maryland shore opposite Mount Vernon for the view that General Washington loved so well.

These groups interested in preservation had recognized the national significance of this area and had tried, by private means, to preserve it. In addition to the scenic vistas from Mount Vernon, Fort Washington, and the George Washington Memorial Parkway, this section of the Maryland shore is a valuable historic and even prehistoric site. It is an area rich in its endowment of other natural features.

In 1960 a proposal to construct a sewage treatment plant on this historic land was announced by the Washington Suburban Sanitary Commission. It was apparent that some immediate action was necessary to preserve the nationally significant values of this area from inevitable destruction by undesirable residential, commercial, and industrial development.

Legislation for preservation and protection of the area was introduced into the Congress in the summer of 1961. Hearings were held. The Congress recognized the need, and we can all be proud that the act was passed without a dissenting vote within 60 days after it had been introduced, and it became Public Law 87–362.

Last year in the closing minutes of the 87th Congress further action brought a compromise appropriation of $213,000 toward the $937,000 governmental cost of saving the natural and unimpaired view from Mount Vernon.

An additional $1 million in land value is being contributed, by private foundations and individuals. This will more than match the governmental investment.

I had the honor, as president of the Accokeek Foundation, to present Secretary Udall with the first 151 acres of this waterfront land. In presenting the deed, I said:

> The trustees are honored to share with the U.S. Government the responsibility for protecting and preserving this historic stretch of yet unspoiled Maryland shoreline. We have held this property in trust for the people of the Nation. We know that the Department of the Interior will carry on that trust.

In accepting the deed Secretary Udall said:

> The gift from the foundation is the latest proof of how it serves so well the purpose in its chapter, "to preserve the present wooded and open character of the approaches to the city of Washington along the Potomac River" opposite Mount Vernon. With this public-spirited donation, and the recent approval by the congressional Appropriations Committees of funds to acquire 133 acres on Mockley Point, we have the nucleus for the new park.

The entire park site is of historic interest, with existing archeological evidence of human habitation for 5,000 years. The park area also contains exceptionally fine plant and animal habitats in great variety, while Mockley Point, to which the Secretary referred, is the only sandspit habitat in the entire National Capital region.

Under Public Law 87–362, the Interior Department was authorized to acquire 1,152 acres of land, by purchase or gift, for the National Park Service, thereby enabling the Park Service to create this new park and preserve the view from Mount Vernon, Fort Washington, and the George Washington Memorial Parkway.

The Department of the Interior now has a responsibility to acquire only 548 acres, in addition to the 133 acres at Mockley Point for which the Congress has already provided funds.

It is obvious that our work is unfinished. The Mount Vernon-Fort Washington view is just one-quarter saved, and the remainder of the land is still threatened.

The Washington Suburban Sanitary Commission which bitterly fought the original law and the partial appropriation maintains that it is still free to proceed with the construction of the sewage plant anywhere but on Mockley Point, because the Congress did not appropriate all the funds last year.

They have stated that they will proceed with the construction of the plant a few hundred yards from the original site, still in view of Mount Vernon. As recently as yesterday, this sanitary commission intimated again its intent to block action in the Maryland Legislature to provide for an alternate site.

The problem therefore resolves itself as one between those national interest groups who hold in reverence the beauty of our heritage and a few local land speculators who think only of quick personal gain.

The President has asked the Congress for the funds to complete the job.

Secretary Udall has given assurances that he will fight off any interim action by the sanitary commission to seize the land before the Congress can act.

This assurance is heartening, but it is not enough. Only the Congress has the power to appropriate the funds to secure this land and this view from Mount Vernon for the people of this Nation.

On this most appropriate day when we are commemorating the birthday of that heroic soldier and statesman whose efforts on behalf of this Nation stand unmatched, the 88th Congress should take just pride in its efforts to protect some part of George Washington's home, our Nation's birthright, by appropriating the amount now necessary to secure for all time to come this irreplaceable heritage.

FORTY-FIFTH ANNIVERSARY OF THE DAY ON WHICH LITHUANIA WAS DECLARED A FREE AND INDEPENDENT NATION

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. Frances P. Bolton] may extend her remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mrs. FRANCES P. BOLTON. Mr. Speaker, today is the 45th anniversary of the day on which the Republic of Lithuania was declared a free and independent nation. Of course, Lithuanian statehood does not date from 1918, for as early as A.D. 1200, a free sovereign nation flourished in Europe.

America knows something about the rich culture and fine people who once lived in a free Lithuania, because there are over 1 million Lithuanians in the United States today. In my own city of Cleveland there are almost 45,000 descendants who are daily contributing to the progress of the community.

The free, democratic Republic of Lithuania established in 1918 was admitted to the League of Nations and functioned as a model country for 22 years. The betrayal, you will recall, came in 1939 with the conclusion of the treacherous Nazi-Soviet nonaggression pact. Despite solemn treaty obligations the U.S.S.R. ruthlessly conquered the three Baltic states of Lithuania, Latvia and Estonia. The United States has never recognized this forcible seizure of these three defenseless nations. Indeed, it is ironic but significant that East European nations with centuries of culture and nationhood behind them should be colonies of the Soviet Union just as the Asian and African peoples are emerging from colonialism.

America has an obligation constantly to bring this new form of imperialism before the bar of world opinion. We must also recognize that slavery anywhere diminishes freedom everywhere. As a nation carved out of a bloody revolution we Americans know that tyrants are not eternal and the will of people cannot be indefinitely subjugated. Freedom will come again to Lithuania just as surely as it came to America.

CONSERVATION NEEDS—THE DISTRICT TRIP

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

POLICY AND INTEREST

Mr. SCHWENGEL. Mr. Speaker, it is my policy every year to spend a day in each county of my district after election and to talk to anyone who cares to come and visit with me. This year I arranged to meet with SCS and ASC representatives for an hour or two in each county. I can say without any reservations that these meetings were a stimulating and educational experience for me. As my friend and colleague from Iowa, the Honorable BEN JENSEN, I have long had an interest in the importance of conserving our natural resources, though I am not pretending to match his record in this area. Certainly soil and water are our most important natural resources. When you go out and talk to the people who work every day on conservation problems, and I can assure the committee that there are many able and dedicated men at the grassroots level doing a wonderful job, one sees clearer the significance of conservation. These are men who work long and patiently, and often under difficult circumstances. I would certainly advocate to my fellow Congressmen a trip such as this.

NEEDS

It is my opinion, after traveling through my district, that we must step up our efforts in conservation in the areas that now have fertile soil. Reclamation projects may be important, but it is my opinion that this should not lead us to abuse and forget the best soil we now have, soil that we will desperately need with a growing population. It just does not make sense to me to let this soil, so vitally important for the welfare of our country, float down our rivers, or to let water rip scars in the countryside.

REPORT OF SUGGESTIONS

I am giving the committee a report of suggestions we received from these local leaders. We have made no attempt to appraise or correct these suggestions. We have only tried to organize the material to some extent that we received from the 12 counties we visited. The attempt here is to give a partial picture of just what the thinking is at the grassroots level.

I believe it will be clear from this report that the small watershed program should be stepped up. This will mean more appropriations for ACP funds to prepare areas for watershed development. It will mean increased aid for SCS for men and funds to develop these programs. When I ask for more funds I do not do it lightly. Nor do great conservation leaders like BEN JENSEN take the spending of public funds lightly. But we in Iowa are also very much concerned with one of the basic factors in the life process—the ability to produce food and clothing. And if we are to produce food for a growing population and maintain our world superiority in this respect I believe that a greater, and speedy, investment in soil conservation is essential.

FUNDS

ACP and SCS funds are used to aid local initiative in conservation measures and are not a means of Federal control. I regret, and must admit I fail to understand why, our current and previous Presidents have called for reduction of ACP funds. That there are areas of Federal spending that are highly questionable I will certainly agree with; what I fail to understand is why funds for programs so vital to preserving soil and water—essential to the life process itself—are the first ones to get the ax. It may be that there are some areas of annual practices under the ACP program that are more for production than conservation and are hence questionable. If this is true I then say to cut out these practices—but cut them out without reducing the amount of appropriations for the ACP programs. I can assure the committee that the funds saved on some of these annual practices—liming, tearing down stone fences, and so forth—could be used for very permanent practices such as terracing, erosion dams, and so forth, that are now delayed because of lack of funds.

NATIONAL SOIL TILTH CENTER AT AMES

Finally, I would just like to ask the committee to consider again this year funds for a National Soil Tilth Center, to be located in Ames, Iowa. Such a center has been long advocated by leading scientists in this field.

SUMMARY OF CONSERVATION MEETINGS IN IOWA, 1962

The following is an attempt to summarize the suggestions we received from conservation leaders in the First District of Iowa. Our meetings with these leaders dealt with the problems of developing good conservation practices in general, in each county, with the emphasis placed on factors leading to the development of a watershed program. The suggestions received are set down here in outline form and no attempt is made to evaluate the merit of the various suggestions and statements. That there are paradoxes and contradictions between the various statements in the outline will soon be noted. Some of the suggestions were mentioned once, others at almost every meeting. It should be noted, however, that the lack of funds and technical help was considered crucial in developing a sound conservation program. To a great extent—though not completely—suggestions that pertain to other factors such as selling the program and the mechanics of implementing a program lose their significance if appropriations are not increased.

The suggestions are grouped in three general categories for convenience only; the interdependence of the various factors in soil and water conservation prevents any clear categorization:

SUMMARY OF SUGGESTIONS

I. THE FARMER'S ROLE AND THE FEDERAL GOVERNMENT'S ROLE IN FINANCING CONSERVATION PROJECTS

(a) Financial problems; the lack of ACP–SCS funds, etc.:

1. Larger watershed projects are slowed down by lack of ACP funds to achieve basic conservation practices.

2. Lack of funds leads to a situation where conservation projects are ruined by unfinished projects or noncooperator's land.

3. Lack of funds to hire necessary technical personnel; often technical men waste time where semiskilled men could do the job.

4. There is a need for more funds for erosion dams.

5. There is a need for a reevaluation of the requirements on cost-benefit ratio on differences in the amount of bottomland involved—and where absent.

6. Need for a higher ratio of Federal aid for erosion dams; group projects that are not part of a major watershed development.

7. The bad financial status of many farmers who have borrowed heavily from FHA, etc., slows up conservation work after a certain point.

(b) Suggestions on helping the financial problems involved.

1. More ACP funds and funds for SCS.

2. Do not try to sell these programs until the funds are available.

3. Lay out ACP funds so it all doesn't have to be accounted for in 1 year.

4. The 5 percent of the ACP fund earmarked for SCS should be taken out at the national level and given directly to the county unit.

5. Demonstrate clearly to the farmer who pays what on a watershed project.

6. Offer a better ratio on individual and group enterprise projects for erosion type dams (80–20 percent).

II. ADMINISTRATIVE AND TECHNICAL FACTORS SUGGESTED

(a) Administrative and technical problems.

1. Lack of understanding by laymen of what has to be done on farm plans before starting a watershed.

2. Lack of understanding of State laws and the State's role in watershed development.

3. Lack of understanding of the changes in knowledge about soil and water conservation.

4. The problem of getting easements.

5. The problem of setting up priorities—public pressure for tile and lime.

6. The misunderstanding between Army engineers and conservation people on local and State level. (This is improving.)

7. Lack of permanent interest in a watershed structure built by the Government; Government projects at times conflict with conservation as a personal matter.

8. The length of time required to develop a watershed cripples the original enthusiasm.

9. Agency conflicts—the need for leaders or recreation projects to cooperate more with SCS; need for community cooperation for conservation in general.

10. Lack of contractors for smaller dam projects.

11. The difficulty of explaining the cost of maintenance for watershed structures.

12. The difficulty of qualifying under Public Law 566 in eastern Iowa—prosperity makes it hard to qualify for a watershed. Gradual erosion is serious but lacks the dramatic impact of gullies in rough land. Emphasis higher up stresses development of worst land—technicians are sent to these areas first.

13. A watershed needs concentrated effort and contradicts covering the whole county.

14. The length of time involved and difficulty of qualifying for a watershed prevents SCS from pushing a watershed for fear rest of conservation program will suffer.

15. Need for more colleges having proper training programs for technical men and the need for better recruiting methods.

16. In establishing priorities for ACP funds and throwing out questionable practices one county is penalized in relation to others.

17. The problems involved in developing a watershed where both rural and urban land involved.

(b) Suggestions for solving technical and administrative problems.

1. More technical men for SCS or aids to technical personnel, and better pay for these men. This is considered basic.

2. Create a job of salesman-watershed specialist—well acquainted with all the techniques of watershed development; this man would devote his time exclusively to developing a watershed.

3. Develop to a greater extent erosion dams to close the gap between everyday work and a watershed development. A better financial arrangement on this is needed. Get a few farmers to cooperate and develop a group enterprise with ACP funds. Require other conservation practices and then give more for dams (80–20 percent).

4. Develop a system of priorities that emphasize sound conservation methods starting "at the top of the hill," but too many teeth in a law on this would hurt public relations and need for flexibility.

5. Divide into smaller groups in a watershed area to go over the problems of watershed development—subwatershed areas.

6. Change the emphasis of extension service to watershed development.

7. Concentrate on one area so it can be finished before it is ruined by land not under conservation methods.

8. Give money to the Interstate Highway System only when highway commission has checked with local conservation people.

III. PUBLIC RELATIONS—SELLING CONSERVATION TO THE INDIVIDUAL AND COMMUNITY

(a) Problems in selling the program.

1. The possibility of greater Government aid in the future prevents some from investing in smaller projects now.

2. The farms that need conservation most are operated by those who can least afford the investment.

3. Town employees who live in the country and own pastureland lack interest. In other areas, however, these men are best.

4. The problem of liability for accidents on structures, ponds, etc.

5. Problem of keeping the project sold.

6. Fertilizer obscures the need for conservation.

7. ASC and SCS lack ways and means of selling programs.

8. Fear taxes will go up for maintenance of watershed structure. Troubles with rest of county and supervisors.

9. Conservation emphasized most in poor sections of State and the best land is neglected.

10. Recreation costs are charged to agriculture (also foreign aid, etc.).

11. Politics in agriculture hurts conservation programs—the conflict of farm organizations, political parties, changing farm programs leads the farmer to feel he is a political football and soon gets disgusted with any and all Government programs.

(b) Aids in public relations:

1. Show specific figures to individual farmers on cost-benefit basis of program as well as showing him the national benefits. Show a rough cost sheet of what he has to pay and an estimate of individual financial benefits.

2. Show the results of a watershed development in a completed area.

3. Use Agriculture Department films, area photos, TV for films and interviews with conservation leaders, and newspapers. (Especially dailies and on a personalized basis "William's Wonderings" to demonstrate need and benefits.) Tours to completed areas.

4. Clarify and define responsibilities for structures after completion and estimate the cost to the farmer.

5. The individual farmer can do most in an area to promote and coordinate interest in a watershed program—one farm example a good seller.

6. Offer a bonus (5 percent) to farmers in an area after a watershed development is completed.

7. Sell on future needs in the more prosperous areas.

8. Show loss of land by erosion as a matter of fences closing in.

9. Promote interest in local schools.

10. Educate the town people by giving them a clearer idea of the farm problems as well as conservation in general.

11. Provide a good analysis of just where we are in agriculture in 1963 in laymen's terms.

12. Try to improve Public Law 566 to shorten length of time to get a project moving.

13. Make all-out effort to get off dead center.

ADJUSTMENT OF LEGISLATIVE JURISDICTION EXERCISED BY UNITED STATES

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, I have today introduced two bills dealing with the subject of the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes.

These bills are identical to similar measures sponsored by me in the 87th Congress; namely, H.R. 8539 and H.R. 8540.

One bill is concerned with the subject of adjustment in general. The second deals specifically with jurisdiction over the Iowa Ordnance Plant reservation in my own State.

The general subject matter with which these bills are concerned is not unknown to Congress. The problem of the adjustment of Federal and State jurisdiction over so-called "Federal enclaves" was intensively studied by the Executive Branch Interdepartmental Committee for the Study of Jurisdiction Over Federal Areas Within the States during the midfifties. The Committee was appointed by the President for the purpose of finding means of solving the problems arising out of the uncertain jurisdictional status of Federal lands situated within the several States. It was composed of representatives of eight executive departments and agencies including the Bureau of the Budget. Twenty-five other Federal agencies furnished information concerning their properties and problems relating to legislative jurisdiction to the Committee. In addition, the Interdepartmental Committee had the assistance and cooperation of the National Association of Attorneys General in its conduct of the study.

Bills to implement the Committee proposals were introduced in both the House and the Senate in the 84th Congress, and these received thorough analysis and consideration from the State Governors and attorneys general as well as from the State Committee on Legislative Jurisdiction of the Council of State Governments, a committee specifically created to study the proposals and bills.

Various amendments suggested by these sources and from sources within the Federal executive branch were incorporated into a new bill introduced in the Senate in the 85th Congress. This bill passed the Senate and was referred to the House but was recalled to the Senate on a motion for reconsideration in March 1958.

Bills similar to the one introduced in the 85th Congress were introduced in both the House and the Senate in the 86th Congress. The Senate bill was passed by that body, with one amendment, on May 27, 1960, but failed to receive consideration in the House.

In the 87th Congress bills identical to that approved by the Senate in 1960 were sponsored by Senator MCCLELLAN and others in the Senate and, by myself, in the House.

I have today reintroduced the general measure as well as one relating to the Iowa Ordnance Plant reservation.

Mr. Speaker, the purpose of my proposed general bills is to permit Federal agencies to restore to the States certain jurisdictional authority now vested in the United States which may be better administered by State authorities, and to establish as congressional policy that the Federal Government will acquire only such jurisdiction as may be necessary in connection with future land procurement.

The authority of the Federal Government to acquire and govern Federal enclaves stems from article I, section 8, clause 17 of the Constitution. This clause provides that the Federal Government shall have exclusive legislative jurisdiction over such area not exceeding 10 miles square as may become the seat of government of the United States "and like authority over all places acquired by the Government, with the consent of the State involved, for Federal works."

Under this clause numerous properties have been secured by the Federal Government for post offices, arsenals, damns, roads, and so forth. But, along with such control have come problems of jurisdiction and administration to such an extent that, as the Interdepartmental Committee report pointed out:

> This whole important field of Federal-State relations is in a confused and chaotic state.

In illustration of this statement, the report declared:

> The Federal Government is being required to furnish areas within the States over which it has jurisdiction in various forms governmental services and facilities which its structure is not designed to supply efficiently or economically. The relationship between States and persons residing in Federal areas in those States is disarranged and disrupted, with tax losses, lack of police control, and other disadvantages to the States. Many residents of federally owned areas are deprived of numerous privileges and services, such as voting and certain access to courts, which are the usual incidents of residence within a State.

And, to compound the confusion, there is no overall policy respecting the scope and extent of Federal legislative jurisdiction over such areas. In part, this is the consequence of the application of differing approaches to the problem during our Nation's history.

During the first 50 years of our existence the practice of the Federal Government was generally merely to purchase the lands upon which its installations were to be placed and to enter into occupancy for the purposes intended, without also acquiring legislative jurisdiction over the lands.

This practice terminated in 1841, when as the result of a controversy between the Federal Government and the State of New York, Congress adopted a joint resolution providing that thereafter no public money could be expended for public buildings—public works—on land purchased by the United States until the Attorney General had approved title to the land, and until the legislature of the State in which the land was situated had consented to the purchase.

Following this, most States, in order to facilitate Federal construction within their boundaries, enacted statutes in the ensuing years consenting to the acquisition of land—frequently any land—within their boundaries by the Federal Government. These general consent statutes had the effect of implementing clause 17 and thereby vesting in the United States exclusive jurisdiction over all lands acquired by it in the States. The only exceptions were cases where the Federal Government plainly indicated, by legislation or by action of the executive agency concerned, that the jurisdiction proffered by the State consent statute was not accepted.

This practice of divesting the States, with their consent, of legislative jurisdiction over numerous and large areas of land acquired by the Federal Government, lasted for about a century. When, however, the Federal Government's acquisition of fairly large amounts of State lands in the 1930's brought an awareness of loss of tax revenues to State and local treasuries and reduction of State and local authority over such lands, numerous States began to repeal their general consent statutes and in some cases, to replace them with so-called "cession statutes." Under these, some measure of legislative jurisdiction was specifically ceded to the United States while, at the same time, certain authority was reserved to the State. Included among the reservations in such consent and cession statutes were the right to levy various taxes on persons and property situated on Federal lands and on transactions occurring on such lands; criminal jurisdiction over acts and omissions occurring on such lands; certain regulatory jurisdiction over various affairs on such lands such as licensing rights, control of public utility rates, and control over hunting and fishing; and the most complete type of reservation—a retention by the State of all its jurisdiction while concurrently granting all jurisdiction, or some measure of jurisdiction, to the Federal Government.

But the States, of course, could not unilaterally retrieve from the Federal Government authority to exercise exclusive legislative jurisdiction which had already been ceded to that Government. Such would require a retrocession by the Federal Government and that Government in fact, during the thirties, relinquished to the States the authority to tax sales of motor vehicle fuels, to impose sales and use taxes, and to levy income taxes on residents of Federal enclaves. These retrocessions were applied to areas previously acquired as well as to future acquisitions.

Then, in February 1940, an amendment to section 40, United States Code, title 255, was enacted by the Congress which eliminated the requirement for State consent to any Federal acquisition of land as a condition precedent to expenditure of Federal funds for construction on such land. This amendment ended the 100-year period during which nearly all the land acquired by the United States came under the exclusive legislative jurisdiction of the Federal Government.

Since that date States continued to repeal their general consent statutes until by 1956, only 25 still proffered exclusive legislative jurisdiction to the Federal Government by a general consent or cession statute. At the same time, many Federal administrative agencies tended not to exercise exclusive legislative jurisdiction over acquired lands.

But the situation today is one of confusion resulting from the application of varied theories of Federal jurisdiction over acquired lands during differing periods of our history. The post-1940 tendencies, for example, have not had any substantial effect on the bulk of properties as to which jurisdiction was acquired by the United States prior to 1940. And, once legislative jurisdiction has vested in the United States, it cannot be revested in the State, other than by operation of some limitation or reservation in the State consent, except by or under an act of Congress.

Congress has acted, mainly, only to authorize imposition of the specific State taxes already mentioned, to permit States to apply and enforce their unemployment compensation and workmen's compensation laws in Federal areas, and to retrocede to the States jurisdiction over a mere handful of properties—generally involving only a retrocession of concurrent criminal jurisdiction with respect to a public highway traversing a Federal reservation, for instance.

This hodgepodge at present has resulted in the Federal Government possessing: (a) exclusive, (b) concurrent, (c) or partial legislative jurisdiction, or (d) a proprietorial interest only, in lands it has acquired, and in each instance different legal characteristics accompany each particular kind of jurisdiction.

In its Senate Report No. 405, 86th Congress, 1st session, the Senate Committee on Government Operations expressed its opinion:

> In general the Federal Government should not receive or retain any legislative jurisdiction within federally owned or operated areas which might be exercised by the States; that in some special cases where general law enforcement by Federal authorities is indicated the Federal Government should receive or retain legislative jurisdiction only concurrently with the States; and that, in any case, the Federal Government should not receive or retain any legislative jurisdiction with respect to qualifications for voting, education, public health and safety, taxation, marriage, divorce, annulment, adoption, commitment of the mentally incompetent, and descent and distribution of property normally exercised by the States.
>
> In certain instances, however, which are not entirely foreseeable, it may be necessary or highly desirable for the Federal Government to have some greater measure of legislative jurisdiction over individual properties, and discretion in this matter should be lodged, as it has long been, in the heads of Federal agencies. It is also the view of the committee that in every case States should have authority to enter any Federal area for the purpose of serving process, provided that service is accomplished at a time and manner which will not interfere with the carrying out of Federal functions, and that residents of Federal areas should not be deprived, solely by reason of such residence, of civil or political rights to which other citizens of the respective States in which such Federal areas are located are entitled.

These policies are likewise the recommendations of the Interdepartmental Committee and they are the policies which my bill proposes to effectuate.

The bill would provide guidelines and establish overall Federal policies respecting the exercise of Federal and State jurisdiction over lands heretofore or hereafter to be acquired by the Federal Government. If carried out, these policies should enable many residents on such Federal enclaves to vote, send their children to public schools, secure divorces, have access to State courts and otherwise enjoy the privileges and benefits which are possessed by their neighbors in the States where the Federal enclaves are situated.

Enactment of the bill would not automatically change the legislative jurisdictional status of any land but would merely permit the status of individual areas to be adjusted on a case-by-case basis where such adjustment is agreeable to both Federal and State authorities. Relinquishment of legislative jurisdiction would not affect the title of the Federal Government to any land, nor would it affect the right of the Federal Government to carry out Federal functions on its land, Federal functions would continue to be completely and solely under Federal control.

The bill specifically declares it to be the policy of Congress that, first, the Federal Government shall receive or retain only such measure of legislative jurisdiction over federally owned or operated land areas within the States as may be necessary for the proper performance of Federal functions; and, second, to the extent consistent with the purposes for which the land is held by the United States, the Federal Government shall avoid the receiving or retaining concurrent jurisdiction or any measure of exclusive legislative jurisdiction. An overall and fundamental objective of the bill is to provide that, in any case, the Federal Government shall not receive or retain any of the State legislative jurisdiction—as previously mentioned—with respect to the qualifications for voting, education, public health and safety, taxation, marriage and divorce, descent and distribution of property, and a numerous variety of other matters which are ordinarily and naturally the subject of State control.

The bill would authorize the head or other proper official in any Federal department or agency to relinquish to the State in which any Federal lands or interests therein under its custody or control are situated, such measure of legislative jurisdiction over such lands or interests as he may deem desirable. As regards future acquisitions of property, it is provided that no more jurisdiction than shall be necessary for the proper performance of the functions of the acquiring agency should be obtained. Of course, any relinquishment or retrocession of the Federal Government will be subject to acceptance by the State in such manner as the law of such State might provide.

In addition, the bill would authorize the heads of Federal departments and agencies to issue necessary rules and regulations for the governing of public buildings and other areas under their control and to provide reasonable penalties, within prescribed limits, as will insure their enforcement; permit such heads to utilize the facilities of existing Federal and/or State or local law-enforcement agencies for the enforcement of any such regulations; authorize the General Services Administration upon request, to detail special policemen for the protection of Federal property under the charge of other departments and agencies; extend the authority of the U.S. commissioners to try and sentence persons committing petty offenses in any place under the charge and control of the United States; extend the right of States and their political subdivisions to serve and execute process in areas under the legislative jurisdiction of the United States, but conditioning such service as to avoid conflicts with rules and regulations issued by authorized Federal personnel for the purpose of preventing interference with the carrying out of Federal functions; and, to amend or repeal obsolete or inconsistent Federal statutes.

The bill is not concerned with tax matters, except to the extent that a transfer of legislative jurisdiction may involve transfer of a power to tax—other than the Government or its property—and also to the extent that there are preserved certain Federal consents to State and local taxation as are embodied in prior Federal statutes.

This bill has generally received the favorable support of such institutions, among others, as the Council of State Governments, the TVA, the Bureau of the Budget, the National Association of Tax Administrators, the Advisory Commission on Intergovernmental Relations, the National Association of County Officials, the Department of Justice, the Veterans' Administration, the Department of Commerce, the Department of Labor, the Department of Defense, the Post Office Department, the Department of Agriculture, the AEC, the FAA, the Department of the Interior, the Department of Health, Education, and Welfare, and the NASA.

My second bill would confer on the State of Iowa, the exclusive civil and criminal jurisdiction including the right of suffrage, now possessed by the Department of Defense over the Iowa Ordnance Plant reservation, at Burlington, Iowa.

Senate Report 405, supra, contained the following succinct description of the plight of residents of the Iowa Ordnance Plant reservation, and I do not believe that anything further need be added.

The lead sentence of an Associated Press dispatch dated April 2, 1959, stated:

> DES MOINES.—People who live on Federal property at the Iowa Ordnance Plant west of Burlington have made the belated discovery that maybe they are not residents of Iowa, are not supposed to vote in elections, but are expected to pay State income taxes.

The Senate report continued:

> One hundred and fifty families are stated to be involved in this Iowa situation. Larger groups of persons are similarly involved at other installations. Uncounted thousands of such residents, principally civilian scientists, technicians, guards, and other employees, in national parks, at Federal prisons, and on other areas over which the Federal Government has exclusive legislative jurisdiction located in all of the several States can become entitled to privileges which are considered basic rights of American citizens only if the legislative jurisdiction over the areas on which they live can be adjusted under such authority as this bill would grant.

Here, Mr. Speaker, is a graphic illustration, in human terms, of the necessity of the adoption of the measures which I have introduced today. In the words of the Interdepartmental Committee:

> With the enactment of such legislation, and with the revision by Federal agencies of their policies and practices relating to the acquisition or retention of legislative jurisdiction so that they are in conformity with the recommendations made in the report, the Committee is confident that most of the problems presently arising out of this subject could be resolved, to the great benefit of the Federal Government, the States and local governmental entities, residents of the Federal areas, and the many others who are affected.

EQUAL RIGHTS FOR MEN AND WOMEN

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, it is assumed by many that since the time women were granted the right to vote that they have the same legal, political, and economic opportunities as men. This is an assumption that cannot hold up to the facts. The New Jersey State Bar Association states:

> In spirit women have attained a legal status equal with men, but in fact they are still a subject class.

A look at a few examples where women are denied their civil liberties will soon dispel the notion that equality now exists in this regard.

First. In many States a woman cannot own separate property in the same manner as her husband.

Second. In some States a woman cannot own a business, pursue a profession or occupation as freely as a man.

Third. In some States women are classified separately for jury service.

Fourth. Community property States do not vest in the wife the same degree of property rights as her husband enjoys.

Fifth. The inheritance rights of widows differ from those of widowers in some States.

Sixth. Restrictive work laws, with the intention of protecting women, actually deny women equal freedom to pursue employment.

On the other hand, alimony and divorce laws that penalize men because of their sex would have to be changed.

It is due time that these ancient laws in regard to civil rights of women are changed, laws conceived at a time when the wife was considered, "something better than her husband's dog, a little dearer than his horse."

The amendment to insure equal rights under law for men and women has repeatedly been reported out favorably by the Senate Judiciary Committee. It is due time that we enter the 20th century in this respect.

FOREIGN POLICY

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the recent conduct of our foreign policy has been criticized by Americans of both political parties. To some degree, it is bipartisan in scope, as a reading of the daily press or the CONGRESSIONAL RECORD will affirm.

Most Americans do not question the need to back our President as Commander in Chief once grave national decisions have been made. We rally behind the President in times of unusual stress. I speak as one who firmly believes in this principle and as one who, on the record, without equivocation, has consistently adhered to it.

However, with some concern, I have been reading of Republican constructive criticism being labeled as "partisan bickering" or "playing politics with our foreign policy."

The purpose of the two-party system is to insure that the loyal opposition will criticize policies, domestic and foreign, when the need arises. This cannot be done if constructive criticism is labeled as "partisan bickering." Such labeling tends to throw the opposition into disrepute by insinuating a lack of constructive intelligence and indeed patriotism. This type of labeling reminds one of the charges of deviationism and dogmatism made in those countries where one-party systems prevail.

Is it unfair to assume those who are concerned with partisan bickering would prefer a one-party system? If so, they are out of step with the opinion held by an overwhelming majority of Americans.

I do not mean to imply that all opposition criticism is constructive. Of course it is not. But the price we pay for getting constructive criticism is having to listen to criticism that is less than constructive.

Recent criticism of which I speak is directed to both substance and methods. Now, it is difficult to be absolutely certain about the substance of such problems as: First, the Canadian defense issue; second, the discontinuation of Skybolt; third, improving relations with West Germany; fourth, Cuba as a Soviet-bloc satellite; fifth, President de Gaulle's position concerning the Common Market; and sixth, the Nassau Pact. An examination of methods more nearly falls into the realm of certainty. This is true because we can see the effects of methods and procedures employed.

Using methods—and methods alone—as a yardstick, it is apparent something is wrong, terribly wrong, with the recent conduct of our foreign policy. The actions of our Government in the last few months have stirred up a hornet's nest.

For example, one time-honored method in international relations is having technical arguments completely resolved prior to making a political decision. By proceeding in this fashion, a nation avoids having holes shot through its position during negotiations.

For instance, under the Nassau Pact the U.S. Government offered to make Polaris missiles available to a NATO atomic force. On January 14, 1963, President de Gaulle replied to this offer as follows:

> France has taken note of the Anglo-American Nassau Agreement. As it was conceived, undoubtedly no one will be surprised that we cannot subscribe to it. It truly would not be useful for us to buy Polaris missiles when we have neither the submarines to launch them nor the thermonuclear warheads to arm them. Doubtless the day will come when we will have these submarines and these warheads.

(English translation full text of President de Gaulle's press conference held in Paris at the Elysee Palace on January 14, 1963, as provided by the French Embassy, Service of Press and Information, 972 Fifth Avenue, New York, N.Y.)

On February 20, 1963, the Washington Post and Times Herald carried a story by Mr. Murrey Marder on page 1. The headline for this column was "United States Now Leans to Surface-Ship Missiles for a NATO A-Force." Mr. Marder goes on to explain that the administration has changed its technical position since January.

In other words, the uproar in Britain following the Nassau meeting might well have been avoided. However, the foregoing story suggests the new frontiersmen had not thoroughly prepared their technical position concerning a NATO atomic force prior to the Nassau meeting.

I feel it is my duty to point out that many distinguished Americans and citizens of friendly countries have become increasingly uneasy in the past year.

Evidence of the gravity of the situation is reflected by the statement of the Joint Senate-House Republican leadership adopted February 7, 1963. It says:

> One of the basic concepts of American foreign policy for scores of years has been a lasting friendship with Great Britain, France, and Canada. The British, French, and Canadians have been more than our allies in war; they have deep ethnic and historical ties with us.
>
> In recent weeks we have witnessed anti-American sentiment sweeping each of these three great nations because of the inept conduct of our foreign affairs by the Kennedy administration.
>
> The French, claiming that Europe can't count on the United States to use nuclear force in the event of attack on the Continent, are attempting to reshape the European community to diminish America's leadership. The Kennedy administration's renewed emphasis on conventional forces, the 1962 Cuban showdown, and the Skybolt incident have all been employed by the French as arguments to move her sister European states into a "third force."
>
> The Canadian Government has fallen because of a needless public statement by the Kennedy administration on an issue—acceptance of U.S. nuclear weapons for Canada's armed forces—on which the United States was probably right but was so unwisely represented that the heads of all four Canadian political parties denounced us.
>
> The British Government was for a time similarly threatened, again on an American issue—the cancellation of the Skybolt missile program—which was abruptly brought to a climax by our Government without proper regard for the repercussions that might follow.
>
> The standing of the United States with our three historic allies is far below the plateau of prestige promised by Mr. Kennedy in the 1960 campaign.
>
> But the severe damage to American prestige does not stop at the borders of Great Britain, France, and Canada.
>
> The NATO nations, their unity already shaken by French efforts to realine free Europe, are wondering how much longer U.S. bases on the Continent will be maintained now that our missiles are being withdrawn from the soil of Turkey, Italy, and Great Britain.
>
> Even Spain, which is not a member of NATO, is exhibiting evasiveness in opening negotiations for renewal of its pact which grants the United States bases in Spain in return for aid.
>
> Portugal remembers our inaction on the Indian-Goa issue and our United Nations votes against her on Angola. The Netherlands has not forgotten our part in the delivery of Netherlands New Guinea to Indonesia.
>
> Certainly, as President Kennedy recently remarked in a meeting with the press, frictions occur from time to time in our relations with our allies, but the Kennedy administration is developing more friction and less friendship daily.
>
> Obviously the kind of leadership so vital to keeping free peoples united has not been in evidence so far in this administration.
>
> We, the members of the joint Senate-House Republican leadership, feel it imperative for the President to reassess our policies toward our allies and particularly to reexamine the machinery which helps formulate policy and place it in operation. It is apparent, at least in the case of Great Britain and Canada, that important channels of communications were not properly used or the embarrassments engendered would not have occurred.
>
> In these days of Communist thrusts in Asia, Africa, and our own hemisphere, witness Cuba, we feel it vital that American relations within the free nations be maintained on the most effective level for our joint security. As the leader of the free world this Nation cannot afford to do less.

The foregoing statement lays heavy stress on method although it does not by any means ignore substance. Notice the words "inept conduct," "needless public statement," "was abruptly brought to a climax," and "developing more friction." These phrases suggest a lack of poise and maturity in handling of complex foreign policy. You might say there is a feeling we have been firing from the hip.

In each of these instances, the administration may well have made the best decision according to America's vital interests. However, taken together, the methods employed have created an impression of immaturity. Bipartisanship does not demand we assent to manifest errors in judgment.

Those persons who appeal for bipartisanship in times of failure might do well to remember such appeals fall on deaf ears in the absence of prior consultation. A truly bipartisan foreign policy requires keeping the minority party informed before and after the fact.

The late Senator Arthur Vandenberg stated this principle clearly when he said Republicans intended to be asked to the takeoffs as well as the crash landings.

One of the penalties we pay for having free world leadership thrust upon us is that a higher standard of behavior is expected from us than from our allies. We are expected to bring poise and patience to the conduct of our foreign policy. We are most definitely not expected to act like spoiled children.

SIGNS OF LIFE

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MATHIAS. Mr. Speaker, under leave to extend my remarks, I wish to call to the attention of my colleagues an editorial which appeared in the February 5, 1963, edition of the New York Times, entitled "Signs of Life."

It is encouraging to observe the national attention and approval which is being attracted by the Republican civil rights program.

The editorial follows:

[From the New York Times, Feb. 5, 1963]

Signs of Life

Signs of life are stirring in unexpected places: for example, on the Republican side of the House of Representatives. A group of Republicans, including Representative LINDSAY, of New York, has come forward with the best civil rights bill of which we have had a glimpse thus far in 1963. It would make the Civil Rights Commission a permanent agency; give it additional funds to investigate vote frauds; authorize the Attorney General to institute civil suits in behalf of young people denied admission to public schools because of their race, and make 6 years of education (in a school where instruction was primarily in English) proof of sufficient literacy and intelligence for voting. All this contrasts handsomely with the one extremely modest civil rights reform mentioned briefly by President Kennedy in his state of the Union message.

It may be said, of course, that this is simply a political move, designed to embarrass the Democratic majority and the Kennedy administration. But let us note a point or two. In the first place, the new Republican bill has responsible party backing: it has the support of the House Republican leader, of the chairman of the Republican conference and of the top-ranking Republican member of the Judiciary Committee. In the second place, the bill embodies recommendations made in the national platform of the Republican Party. And in the third place, if this is a move designed to embarrass the Democratic majority and the Kennedy administration, the easiest way for the Democratic majority and the Kennedy administration to get unembarrassed is to produce a similarly good bill and act on it.

EQUAL PAY FOR WOMEN

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mrs. DWYER. Mr. Speaker, I have today reintroduced a bill I have sponsored throughout my years in the House which would assure equal pay for equal work for women, H.R. 4022.

This legislation would prohibit employers in interstate commerce from discriminating between employees by paying those of one sex a higher wage than those of the other sex for doing substantially the same kind of work.

I am pleased to announce, Mr. Speaker, that my colleague from New Jersey in the other body, Senator CLIFFORD CASE, is introducing a companion measure today. I hope that renewed interest in this important legislation will lead to early action in both Houses of the Congress.

As our colleagues will recall, Mr. Speaker, the House last year passed an equal pay bill, but only after accepting two amendments which, in my judgment, would greatly have reduced the effectiveness of such a statute.

The first of these amendments substituted the word "equal" in place of the word "comparable" in defining the kind of jobs and skills for which equal pay would be mandatory. The original language, which was retained in the bill reported by the Committee on Education and Labor, called for the payment of equal wages in cases of "work of comparable character on jobs the performance of which requires comparable skill." The amendment, on the other hand, used this language: "equal work on jobs the performance of which requires equal skills."

The effect of this amendment would make enforcement of an equal pay law extremely difficult. It would be quite practicable for the Secretary of Labor to establish standards by which to judge which jobs and skills are comparable—which the bill I have introduced provides for—but it would be impossible in many cases to measure the precise equality of such jobs and skills. An employer who wished to continue discriminating between men and women employees could simply make a slight and insignificant change in a woman's job description or activity and thus be relieved of paying the woman an equal wage.

I hope the House, too, will take a fresh look at another amendment to last year's equal pay bill which would make it possible for employers who discriminated between men and women in paying wages to reduce the pay of men employees rather than raise the pay of women workers.

The objective of equal pay legislation, Mr. Speaker, is not to drag down men workers to the wage levels of women, but to raise women to the levels enjoyed by men in cases where discrimination is still practiced. Such an amendment would reward the minority of employers who indulge in this form of injustice and would seriously weaken equitable enforcement of a law.

Passage of a meaningful equal pay bill will end a long and unfortunate pattern of discrimination against women and it will place the Federal Government in the same desirable position as the 20 States which have enacted equal pay laws. It will help all areas of the economy, men as well as women, by stabilizing wage rates, increasing job security, and discouraging the replacement of men with women at lower rates of pay. There is substantial documentation for these conclusions, Mr. Speaker, and I would refer our colleagues to the printed hearings and report of the Committee on Education and Labor.

In 1952, I was privileged to be the author of the State of New Jersey's equal pay law. In the course of seeking enactment of this legislation, I was confronted with the same arguments that are advanced today against Federal legislation. I can state in accuracy and in pride, however, that the results in New Jersey have been highly beneficial. I feel certain the same will be true at the national level. I believe the evidence is conclusive that the time has long since arrived when the benefits and protections of an equal pay law should be extended beyond the borders of individual States and embrace all of interstate commerce.

I hope the House, Mr. Speaker, will enact a workable and effective law that will protect women employees from wage discrimination. It can be another major step along the road to equal opportunity for all Americans.

DR. RICHARD B. ROBERTS' VIEWS ON NUCLEAR TESTING

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HOSMER. Mr. Speaker, the Republican Conference Committee on Nuclear Testing has received and distributed a series of papers on the question of nuclear testing in order that the Congress and the public might be better informed on this vital subject. It is preparing for distribution a compilation of arguments for and against a test ban treaty. To insure a balance in the experts' papers between authorities who might be for or against a test ban, papers were solicited from three experts nominated by the Committee on Sane Nuclear Policy. Dr. James Killian, of Massachusetts Institute of Technology, former science adviser to President Eisenhower, one of those solicited, regretted that he had become "out of date on the whole nuclear test problem" and did not have the time to do the research necessary to write a paper within the time set for submission. Dr. I. I. Rabi, physics department, Columbia University, has not yet replied. The paper solicited from Dr. Richard B. Roberts, a prominent physicist of the department of terrestrial magnetism, Carnegie Institution of Washington, has been received. Of particular interest is Dr. Roberts' opinion that should the Soviets wish to avoid the restrictions of a test ban treaty they might be expected to do so under conditions of open abrogation rather than clandestine testing. Dr. Roberts' paper follows:

The Nuclear Test Ban

(By Richard B. Roberts)

The attention which you are directing toward the test ban is well deserved. The issues are complex and the facts needed to form a considered judgment are not readily available. You will be doing a great service to the Nation if you can bring before the public the careful and objective analysis of the pros and cons given in the statement sent to your committee by Mr. William C. Foster.

Just as a bargain cannot be clearly to the sole advantage of the buyer or the seller, any arms control measure will involve compromises. These measures must provide mutual benefits. If they were clearly to the one-sided advantage of the United States they would induce no controversy at home but they would be clearly unacceptable to Russia. The decision whether or not any measure is in the interest of the United States must therefore depend upon a careful weighing of the advantages and hazards.

Individual enthusiasts who do not carry the responsibility for decision often fail to make such a balanced judgment. They frequently overemphasize one or another aspect of testing and ignore all others. The hazards to health from fallout are real, but at one time they were exaggerated. At present the risks of a test ban are being equally exaggerated by proponents of continued testing.

These well-meaning advisers seem to appreciate that the invention of fusion weapons which might be cheap and which could spread into irresponsible hands would be dangerous to the United States. Furthermore, they agree that continued testing will accelerate this unwanted and unmanageable development. They do not seem to understand that a test ban would at least deter testing and postpone the advent of fusion weapons. Finally, they imply that the new dangers arising from fusion weapons could be neutralized if the United States also added fusion weapons to its arsenal. They fail to recognize that there would be no compensating value to the United States. We already have ample supplies of fission weapons; fusion weapons could add little to our strategic power. All of their worries were considered in Mr. Foster's analysis but were put into proper perspective.

In addition, the advocates of testing emphasize the peaceful uses of clean nuclear explosives and are in frantic haste to obtain them. In my opinion we have greater need for time to assimilate the present revolution in technology than need for any new innovations. If, however, they think industrial fusion power is desirable and important it is surprising that they did not suggest an open international development. Instead they seem to prefer secret national programs which would allow Russia to obtain the greatest advantage from its closed society.

Clandestine testing does not appear to be an attractive policy for any nation. Such a program would be costly and cumbersome. The tests would be restricted to underground shots which have limits to their utility. Seismic detection has improved rapidly in the past few years and there is no reason to believe that this progress has reached any fundamental limit. New information gathering systems such as reconnaissance satellites are in development. Finally, extensive clandestine testing is likely to come to the attention of our usual intelligence system. There is no reason to believe that evasion could be guaranteed for any significant series of tests.

As long as the test ban includes the right to make a small number of onsite inspections (mainly to provide incontestable evidence of events already known) the Soviets can be expected to choose open abrogation rather than clandestine tests if they decide to resume testing. Past experience has shown that Russia did not bother with elaborate concealment as was frequently predicted, but carried out its tests in defiance of world opinion.

In summary, I cannot agree with the advice given you by some of my fellow physicists. As weapons specialists they overemphasize the importance of further refinements in weapons. Other features which are equally important must also be considered. Therefore, I find that the evaluation made by the responsible leaders of the Government is more valid and convincing because it is based on broader grounds. The importance of the test ban is long range and symbolic. It would serve as a practical demonstration that mutually beneficial arms control measures, leading toward a safer world, can be negotiated.

CIVIL RIGHTS LEGISLATION

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Quie] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. QUIE. Mr. Speaker, last Monday I had the privilege of joining the Republican members of the House Judiciary Committee, led by the distinguished gentleman from Ohio [Mr. McCulloch], in introducing a comprehensive and moderate civil rights bill—H.R. 3879—which if enacted would carry out the mandate of the Republican platform of 1960.

Let me give a brief rundown of its major provisions.

First. The Civil Rights Commission would be made permanent and given additional authority to investigate vote frauds, including the denial of the right to have one's vote counted.

Second. The Bureau of the Census is empowered to compile nationwide registration and voting statistics which shall include a count of persons of voting age in every State by race, color, or national origin who are registered to vote, and a determination of the extent to which such persons have voted since January 1, 1960.

Third. A Commission of Equality of Opportunity in Employment is established which shall have the power to investigate discrimination in employment by any business organization or labor union engaged in carrying out Government contracts or subcontracts. Employment agencies financed by Federal funds are also placed under the Commission's jurisdiction.

Fourth. The Attorney General is authorized to institute civil action in behalf of a citizen who is denied admission to a nonintegrated public school.

Fifth. The Federal Government is authorized to offer technical assistance to States and localities at their request to aid them in desegregating their public schools.

Finally, citizens otherwise qualified to vote in a Federal election are presumed to have sufficient literacy, comprehension, and intelligence, to vote if they have completed six grades of an accredited elementary school.

Here, then, is a positive, comprehensive, and realistic program which seeks to advance the cause of civil rights in the United States. One of the most serious shortcoming of the last Congress was the failure of the Kennedy administration to press for comprehensive civil rights legislation. This administration has broken a long series of elaborate pledges that were made in the campaign of 1960, and has let cynicism and politics overshadow the need for a constructive program.

The Republican members of the Judiciary Committee should be commended for their honest effort in formulating legislation which stands a chance of enactment. This bill, which seeks to accommodate the interests, desires, wants, and needs of all our citizens, is sincere in its purpose, moderate in its scope, and realistic in intended accomplishment. I therefore urge my colleagues to carefully study this proposed legislation and lend their full support to it.

THE PRESIDENT'S TAX PROPOSALS

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Alger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ALGER. Mr. Speaker, once again President Kennedy is exposing his total lack of understanding of sound economics in the tax proposals upon which the Ways and Means Committee is now holding hearings. The President and his advisers have run into almost a solid wall of opposition to their tax schemes from every segment of our society, proving once again the wisdom of the people of this Nation. As is so often the case, the people in this instance are far ahead of their national leaders in recognizing the fallacies of the President's proposals and in their determination to prevent utter chaos in the tax field. We recognize the President's proposals to be inconsistent with the goals he seeks and the fiscal irresponsibility of not also reducing Federal spending.

It is apparent the Kennedy administration is prepared to launch an all-out attack on the tax structure of the country with no regard for the responsibility of the program or its effect upon the individual taxpayer. With the usual high-pressure propaganda barrage of honey-coated doubletalk, they intend to tighten the stranglehold the entrenched bureaucracy of the New Frontier is fastening, in vampire-like fashion, on the jugular vein of our economy.

The witnesses who have already appeared before Ways and Means clearly indicate the latest Kennedy venture into economic fantasyland is not fooling anyone. To bring the picture into focus and to make available to all the Members of Congress some of the discussion which is being carried on in regard to the President's tax schemes, I would like to include at this point several pertinent articles from magazines and newspapers. "More Light on Some of the President's Tax Reforms," from the U.S. News & World Report of February 25, 1963, shows, in two instances, where the average citizen is going to pay more under the Kennedy plan.

The article follows:

[From U.S. News & World Report, Feb. 25, 1963]

More Light on Some of the President's Tax Reforms

(Note.—Amid the talk of tax relief, you need to keep an eye on provisions of the Kennedy program that would cost some taxpayers a lot in increased taxes. This article explains two such provisions, with examples to show how they would work.)

Congress has just started digging into President Kennedy's tax plans, and already new features are coming to light that could be a blow to many taxpayers.

The administration is still changing and adding to some proposals, and people are becoming more and more confused about how they would be affected.

Two proposals that are causing a great deal of worry are outlined by the chart on this page.

One of these would impose capital-gains taxes on assets passing at death or by gift—gains that are now ignored for income tax purposes.

The other proposal is to change the method of taxing payments received from pension and profit-sharing funds when a person, on retiring, elects to be paid in a lump sum instead of in monthly installments.

The Treasury plan for taxing capital gains in estates is full of complications, out of which this fact emerges: Some estates that now are taxed by the Federal Government would pay additional taxes. Some that are not now taxed would be taxed in the future.

First the rules: There would be no tax on gains in the value of personal belongings. The increase in value of the home of the deceased usually would be tax-free. This leaves the proposed capital-gains tax to fall on the increased value of investments and other assets, after allowance for a flat $15,000 exemption. The tax free gain on the value of a house would be counted against this $15,000. There would also be a marital exemption, waiving half of any capital-gains tax, if half or more of the estate passes to the husband or wife of the deceased.

TWO TAX IDEAS THAT ARE CAUSING A STIR

New taxes on estates and gifts

Kennedy plan: To impose taxes, at capital-gains rates, on paper gains that have accrued on stocks or other assets transferred at death or by gift.

Example: Years ago, a man paid $100,000 for stock that, by the time of his death, is worth $1 million. This paper profit would be subject to capital-gains tax—subject to some modifications through special relief provisions. And, on the amount of the estate left after the capital-gains tax has been paid, the regular estate tax would apply. In general terms, the same kind of capital-gains tax would be imposed on assets given away during the donor's lifetime.

Higher taxes on lump-sum pensions

Kennedy plan: To impose taxes at ordinary-income rates on pensions or profit-sharing funds when drawn by employee in a lump sum. Heretofore such receipts have been taxable at capital-gains rates.

Exception: The proposed new rule would apply only to sums paid into pension and profit-sharing funds after February 6, 1963. Lump-sum payments from funds accumulated before that date, and future earnings on those funds, would get the benefit of capital-gains rates.

How the tax would be figured: On an averaging basis—as if the payment had been made over a 5-year period instead of in one lump sum.

A REALISTIC LOOK

The following examples show how all this might work out in dollars:

Mr. A was a small businessman who left an estate valued at $500,000. Of that amount, $230,000 represents increased value built into the business and $20,000 is an increase in the value of his house. Mrs. A is inheriting half of the estate; the children get the other half.

Under present law, the Federal estate tax on Mr. A's estate is $47,700. There is an income tax on the $25,000 of taxable income which Mr. A realized during his last year, but none on the capital gains.

Suppose now that the Treasury plan is in effect. The total gain is $250,000. After allowing for the marital exemption and the lower tax rates the President is proposing, the capital-gains tax would be $11,760, to be added to the tax on Mr. A's last year of income.

Mr. A's estate, reduced by the amount of the capital-gains tax, would now pay a Federal estate tax of $45,936. Thus, the total tax on the estate—capital gains plus estate tax—would be $57,696, or 21 percent more than at present.

In a bigger estate, the impact would be measured in many thousands of dollars. Mr. C, for example, left $10 million worth of securities, half to his wife, half to other relatives. The securities had cost him $5 million.

Mr. C's estate would pay a Federal estate tax today of $2,430,400. The Treasury plan would first impose a big capital-gains tax. Assuming Mr. C had $400,000 of taxable income in the year before he died, the capital-gains tax would come to about $487,500. Then would come a Federal estate tax of $2,276,837 on what was left after the capital-gains tax. The total tax would be $2,764,337, and Mr. C's estate would end up paying about one-third of a million dollars more than at present.

Officials emphasized that the plan is aimed primarily at a few large estates—about 3 percent of the total.

However, take the case of Mrs. D. She was a widow who lived in an apartment, gradually drawing down the funds left by her husband. Her income was $2,000, and her securities, when she died, were worth $50,000. They had been purchased years before for $20,000. In addition, Mrs. D had furniture, pictures, jewelry, and other items worth $10,000. Thus, her total estate came to $60,000.

Today, there is no Federal tax on Mrs. D's estate. The tax falls on estates of single persons only if the value is more than $60,000.

If the Treasury plan were enacted, Mrs. D's estate would have a capital-gains tax of $720 to pay. This would be figured on the $30,000 increase in the value of the securities, minus a $15,000 exemption.

Another estate of about the same size might still go tax free. Mrs. E, for instance, left only some personal belongings and a house worth $45,000. The house was purchased for $15,000 during the depression and is now in a prime location for commercial development. The total estate amounts to $50,000. Mrs. E was supported by her children.

Because the capital gain is accounted for entirely by the house, there would be no capital-gains tax on Mrs. E's estate. And, of course, the estate is too small for the Federal estate tax.

A GRADUAL CHANGE

The Treasury proposes to impose the tax on capital gains in estates over a period of 3 to 5 years, starting in 1964.

This means that, if Congress selected a 3-year period, estates left to heirs in 1964 would pay one-third of any capital-gains tax due under the new plan. Those left in 1965 would pay two-thirds. The full tax would fall on estates left after 1965.

A similar tax would fall, however, on all gifts made after January 24, 1963. The following example shows how a large gift might be affected:

A couple owns $500,000 worth of stock, which was bought years ago for $100,000. They wish to give the stock to their two children. Under present law, they pay a gift tax of $82,350. The $400,000 in capital gains is ignored.

The Treasury plan would change that. The couple would have to pay capital-gains tax on $370,000, after taking exemptions of $15,000 apiece. Assuming other taxable income of $50,000, the tax would come to $56,020 at the tax rates the Administration is proposing. There would still be the gift tax of $82,350 for a total of $138,370.

The gift tax could be reduced by selling some of the securities in order to raise money to pay the capital-gains tax. In this case, the children would get $443,980 instead of $500,000.

Today, if a person retires and claims all of his pension or profit-sharing money in one lump payment, the amount he receives is treated as a long-term capital gain. The tax, at most, is 25 percent.

JOLT FOR THOSE RETIRING?

Again, the Treasury proposes a change. It would treat such payments as ordinary income if the funds are accumulated by the pension or profit-sharing fund after February 6, 1963. This means that it would be some years before the bulk of such payments would be affected, but, when they were, the impact could be heavy.

Mr. X is a 65-year-old office worker receiving a lump sum of $20,000 on retirement, in lieu of monthly benefits. He receives in the same year $6,000 in salary for his last months of work and $600 in interest. He has a wife, also 65, but no dependent children. Under present law, Mr. X's total tax in the year of his retirement comes to $3,080, after allowing for the standard deduction and exemptions. This includes $2,372 by reason of the pension payment, which would be charged as a capital gain.

Under the Treasury plan, the tax on the $20,000, treated as ordinary income, would come to about $3,120, and Mr. X's total tax for the year would be $3,253. The change in method of treating the pension payment would more than offset the cut in tax rates in the administration plan, and Mr. X would end up paying $173 more than he would today.

Officials say they are aiming more at people like Mr. Y, whose lump payment comes to $100,000. He and his wife, both age 60, have $25,000 in other taxable income. Under present law, they would pay a capital-gains tax of $25,000 and a total tax of $30,744 in the year of Mr. Y's retirement.

Under the Treasury plan, they would pay a total tax of $43,478, or $12,734 more than at present. Thus, the change in method of treating income would much more than offset the tax-rate reductions in the Kennedy program, so far as Mr. Y is concerned.

Mr. Z is in the same boat. He gets a lump-sum payment of $500,000 and, like Mr. Y, has other taxable income that amounts to $25,000.

Mr. Y's total income tax under present law, including the capital-gains tax on the lump sum, comes to $180,774, while under the proposed plan he would end up paying $259,463. That is an increase of $128,689. Thus, the tax in this case would be nearly double the amount under existing law.

Why this change? The Treasury argues that under present law many executives arrange to accumulate big retirement payments instead of taking the money in salary. This amounts, the Treasury feels, to converting regular pay into a capital gain at a privileged rate of tax, which would be still lower than now at the proposed rates.

The examples of Messrs. X, Y, and Z assume that the pension rights are all accumulated after February 6, 1963.

You can see why Congress is going over the tax-revision plans with a fine-toothed comb, and why so many taxpayers are concerned.

For further examples of the inequities which Kennedy plans for our citizen-taxpayers, I refer you to the following letters to the editor of the Washington Post, the first from Mr. John C. Williamson, director of the National Association of Real Estate Boards, and the second from Mr. C. E. Griffith III, of Nashville, Tenn.:

THE TAX FLOOR

Frank C. Porter's article of February 14 is headlined "5-Percent Tax Deduction Floor Widely Misunderstood." Mr. Porter's error is that he misunderstands the opposition to the 5 percent floor.

The Secretary of the Treasury on February 7 made it clear to the House Ways and

Means Committee that the sole purpose of the 5-percent floor amendment is to raise revenue, not to remove any inequity or unnecessary preference in the tax structure.

Proceeding from this fact the question properly arises: Who will bear the brunt of this recovery of $2.3 billion?

A taxpayer with an adjusted gross income of $8,000, who is not a homeowner, finds that his estate and local taxes, church, and charitable contributions are $800 or less. He takes the standard deduction of 10 percent of income, or $800. However, the homeowner with the same taxes, church, and charitable contributions as the nonhomeowner discovers that the interest on his home mortgage and the real estate taxes bring his itemized deductions to $1,500. He will, of course, itemize his deductions and, under the administration's proposal, he will be able to deduct only $1,100 because his deductions up to 5 percent of his income are disallowed. Thus he loses $400 in deductions. The adverse effect is particularly evident in new home purchases because of the high interest charges in the early years of the mortgage.

Obviously the homeowner, under the administration's 5-percent floor amendment, is going to be nicked for the $2.3 billion. None of the impressive statistical tables submitted by the Treasury Department stands up under the impact of this incontrovertible fact.

John C. Williamson,
Director, National Association of Real Estate Boards.

As President Kennedy stated, this floor would decrease considerably the number of persons who would be able to itemize deductions. This, in effect, would eliminate tax savings which individuals have in the past received because of the present provision where a deduction for all charitable contributions up to 20 percent, and in some cases 30 percent, of adjusted income is allowed. This would affect not only the giving programs of donors in the middle income brackets but also those in the higher income brackets.

For example, a man with an adjusted gross income of $100,000 would receive no tax deduction on a gift to charity unless his total deductions exceeded $5,000 and only that amount over $5,000. This bill, therefore, would undo all of the work that university fundraisers and thousands of volunteers have done in the last few years. This would eventually bring about complete dependence by our private institutions on Government support.

C. E. Griffith III.

Nashville, Tenn.

As in so many of the New Frontier programs, President Kennedy's illogical tax scheme lacks the vision associated with an America on the move and the dynamic economy possible in this country, if private initiative is unleashed and the people are not hamstrung by fuzzy minded theorists whose theories have been rejected and proven without foundation. For "Taxation Without Vision" I call your attention to the following editorial from the Wall Street Journal:

Taxation Without Vision

Sometimes the trouble with asking seemingly unanswerable questions is that answers lie readily at hand. This misfortune, we fear, befell President Kennedy in his latest discussion of his tax program.

"What alternative," he asked his critics, "does anyone have for increasing and maintaining economic growth?" In his view, the only alternative to this specific set of tax recommendations is restricted growth and higher unemployment.

Such categorical positions are characteristic of Government pronouncements. Take it or leave it, Congress and the people are told, or if you change this, then you must pay such and such a penalty.

The facts are quite different. Before getting to alternatives, it must be noted that this Government deliberately ignores a large element of any sound tax program. That is the matter of Federal spending and deficits. Our officials seem unable to discover any connection between high spending and high taxes. As for red ink, they take the Orwellian view that today's deficits equal tomorrow's surpluses.

Now if taxes could be considered in this vacuum, the case for substantial rate reductions would be overpowering. Mr. Kennedy puts it well when he says that the U.S. tax system was written during wartime (and the preceding depression) to restrain growth. Unfortunately for his argument, it does not follow at all that "the most effective thing that can be done at this time is our tax program."

For this particular program violates many of the principles of reasonable taxation. These criteria are well summarized in a new study by the tax foundation, and they are worth noting even though they will scarcely find favor in Washington today.

A tax program, for example, should generally provide enough revenues to cover spending—an elementary rule persistently flouted by this and every other administration for the past 30 years. Granted that no tax system can, strictly speaking, be equitable, at least an attempt at fairness should be made.

Taxation of income from additional effort at rates ranging from zero to 91 percent, as the tax foundation puts it, does not qualify as fairness, but in trying to weed out inequities the designers of the new proposals have only compounded them.

Furthermore, a sensible structure would minimize the tax penalties on business. Not because business is something sacrosanct—it certainly isn't that in the eyes of officialdom—but because it is the specific human activity which alone can make an economy prosper. In the words of the foundation study, "business is the major agency for organizing to produce—for allocating productive capacity and its use today and for undertaking economic growth."

The administration's program, with its grudging and slow-moving business rate reductions coupled with new restrictions, retains the punitive antienterprise bias of the thirties. It thus not only contradicts principle but flies in the face of the Government's own professed desire for economic growth.

In addition, a tax system should be simple. Instead we have a tax code of over 900 pages of confusion, a monstrosity hardly equaled in the world, and that's only the beginning of it. The new program would not diminish the complexity but add to it.

In basic tax principles is embedded the basis for a sound alternative to the current proposals. The administration, to its credit, has perceived that the present tax structure is an economic depressant, but it has largely failed to pursue the logic of that perception.

Why? Because a sound program would be politically impossible? To most observers the program as it stands looks pretty close to impossible. Real tax improvement doesn't have to be bad politics.

The alternatives to this unimaginative program exist. What is lacking is the vision to see them.

To complete this short report on the status of the tax hearings and current national thinking I would like to include two further editorials from the Wall Street Journal, an analysis of the President's tax plan by David Lawrence in the Washington Evening Star, a discussion of the plan from the Christian Science Monitor of January 31, 1963, and finally a fine statement on "A Shortsighted Tax" by Henry Hazlitt in Newsweek of January 14, 1963:

[From the Wall Street Journal, Jan. 2, 1963]

Yes, but What Kind of Tax Cuts?

Everybody—well, nearly everybody—seems to agree that taxes are too much with us. And that we should lighten the burden to get the country going again. On this point it's hard to tell a liberal from a conservative without a program.

In fact, the liberals are telling us we don't even have to worry about the Government deficit. The tax cuts will spur savings, pump new capital into business, set the wheels humming. Thus the Government will get more revenue from lower taxes.

And so it might. Still, we wonder if the people, and particularly the liberal politicians, are really ready to recognize the kind of taxes that are the true constrictions on savings, capital accumulation and economic progress. To admit them, and remove them, would require the abandonment of a generation of liberal shibboleths.

For example, no less weighty a voice than Prof. Dan Troop Smith of Harvard says that the most obvious tax depressant on capital formation is the progressive income tax itself.

Quite apart from any discouragement on initiative, income taxes discourage savings because they treat consumption and savings equally—that is, your tax is the same whether you spend the money in riotous living or whether you save and make a contribution to the future economic growth of the country. Moreover, the highly progressive rates especially restrict the amount of savings by falling most heavily on those incomes from which come the greatest savings.

So if the objective is good economics and not merely good politics, income taxes should be pared down and replaced by some sort of expenditure tax. And in cutting income tax rates, the biggest cuts should be made in the highest rates.

And if the objective is to halt the depletion of the Nation's supply of capital, what of the inheritance and estate taxes? As Professor Smith points out, with a large estate tax, even a saving of all the net income from an estate for a generation might not restore the original capital sum. The redistribution of wealth by this kind of taxation, which is the political objective, is achieved only by reducing the total of the wealth of the Nation.

The same is true of the capital gains tax applied against any shift in investments. A long-time investor in General Motors can shift his capital to another enterprise only by reducing the capital, because the capital gains tax takes away up to a quarter of the principal. The unfairness of this has long been argued. What has been too little noticed is the depletion it causes in the Nation's total capital resources.

Equally unnoticed has been one especially adverse effect of the corporation profits tax as a drag against more efficient economic activity. The efficient, of course, pay heavily on their profits, with a reduction in their net return. The marginal producer pays less; nothing if he is sufficiently inefficient as to make no profits. The effect of this, Professor Smith notes, is to slowly shift the control of more of the Nation's resources into the hands of the less efficient producers and managers.

The mere listing of a few of these simple and obvious ways in which our tax system does indeed burden the economy is enough to raise some wonder about the kind of tax changes that will actually be forthcoming.

For these oppressive weights on the economy—heavy death duties, high rates on high income, the capital gains levy—did not happen accidentally. They came in obedience to the sociological doctrine that the rich should be leveled, and the political belief that it's profitable to soak the rich. The rich, of course, are anyone who earns more than you do.

Now if the Congress would in fact junk this economic and political philosophy, admitting it to be the true evil that it is, and throw overboard these plain burdens upon our economic growth, then there would be some hope that cutting tax rates might deliver the promises. The burst of new energy from the release of these constrictions might even overcome the Government's heavy spending.

But is this what the President will propose, and Congress adopt? Some major reductions where they are most needed, in the upper income brackets? Rules to permit capital shifting without capital shrinkage? A recognition that death taxes ought not to destroy capital accumulation?

Or will the upshot, when all the talking is over, be nothing more than a sop to this idea of unchaining the economy while the real emphasis is on cuts in lower income brackets, leaving the real economic burdens almost as heavy as before? If so, it will also leave the deficit bigger and make the injury worse.

All this unanimity about cutting tax burdens is fine. But the question remains, such as which?

[From the Wall Street Journal, Jan. 8, 1963]

The Just and the Unjust

We guess we don't run in the right social circles.

For years we have been reading those books about wild living in the suburbs and wondering somewhat plaintively why the excitement seems to pass us by. In years of suburban living the wildest shock to the even tenor of our domesticity was the day the dog drank up the cocktails and bit the mayor. It was weeks before we were forgiven.

For almost as long, we've been reading about all this notorious high living on the expense account, boats and all that, and groaning over what we seem to have missed. After a quarter-century in that den of iniquity, Wall Street, no one has tempted our journalistic virtue with even so much as a night at a hunting lodge, much less a seagoing voyage. Where, indeed, are all those expense-account yachts?

True, we aren't without sin, as defined in the new dogma of the Internal Revenue Service. We suffer business luncheons dreadfully often and when we turn in the voucher we don't deduct the $1.25 we would have spent anyway for the blue plate special. A man is entitled to some recompense for punishment in line of duty.

When business takes us to Peoria or Dubuque, as it does all too often, we take an aperitif before dinner, choose the steak over the chicken-a-la-king and sometimes splurge on the movies, charging the lot to the stockholders. If it weren't for their business we wouldn't be there at all, and frankly we have better steaks at home.

Moreover, the children being more or less at the age of discretion, we have lately taken our wife along on some trips. We haven't persuaded the curmudgeonly auditor to okay her expenses, but not long ago we drove to Washington on legitimate business (if talking to a Senator is legitimate) and our wife rode along in the car. Even that baleful auditor didn't ask us to reimburse the company for the equivalent price of her bus ticket.

Give or take a few details, this is not unlike the situation of thousands of businessmen in a country where men at work are ceaselessly traveling to and fro. The door-to-door salesman and the flying corporate executive are brothers under the skin; they are working also when they pass the time of day with the lady at the door or the business acquaintance across the luncheon table. Sometimes the smartest business is not to talk business at all but to be friendly, interested; to listen and to learn. Only ignorant and petty minds could imagine that the free lunch is all beer and skittles.

But now it turns out that all this is under the suspicion of undermining the public morality and the solvency of the U.S. Treasury. In any event the Government is going to treat all the people as crooks until proven otherwise.

This suspicion of malefaction flows from every word of the new regulations on recordkeeping, pedantic in language and picayune in detail, drawn up by the Internal Revenue Service.

Hereafter you must account to the Government not only for your yacht but the beer you buy a business acquaintance. The documents for any entertainment, no matter how trivial, must include the amount, date, place by name and address, type (martini or ham sandwich?), explanation of the benefit to be returned for this bounty, the name of the recipient and sufficient documentation to explain your extravagance to the satisfaction of any revenue agent who subsequently examines your tax report.

And if perchance on a trip you spend more than $25 in any day you must itemize everything else too—the day you left home, day you got back, every telephone call, meal, cup of coffee, taxicab and bus fare. If you want your books to balance, you'd better even keep track of the postage stamps for the letters to the home office.

The sheer absurdity of this avalanche of paperwork is only the beginning. The metaphysicians of Mr. Mortimer Caplin's bureaucracy have now gone off to mull such esoteric questions as: What, precisely, constitutes a "business meal"? What is the allowable difference in cost between a lunch for a life insurance prospect ($5,000 policy) and the prospect for an electric dynamo ($5 million sale)? Can you also buy lunch for the prospect's wife, or do you suggest she go eat in the drugstore? What if your own wife is along too—do you leave her back in the hotel room to munch a hamburger and watch television?

As ridiculous as these questions sound, they are precisely the sort of thing that must now be decided upon at the highest levels, and Mr. Caplin confesses—quite understandably, we think—that it will be some weeks before we can expect any official enlightenment. It has never been easy to decide how many angels can dance on the head of a pin.

Yet it is neither the absurdity of the paperwork nor the ridiculousness of the metaphysics that it is the true evil.

Here is a situation in which the Government is, no doubt about it, confronted with a problem. Some people do hide yachts in expense accounts, just as some do hide misbehavior in the suburbs, and the Government has power to deal with the real tax cheaters. But the vast majority of the people everywhere lead quiet, placid and upright lives, and the vast majority of those whose taxes support the Government give an honest accounting of their affairs.

Yet here we use the majesty of the law to treat every taxpayer as a potential cheater because pinhead minds can think of no other way; the integrity of all must be insulted, and the conduct of their affairs made insufferable, because of the sins of the few.

Now completely apart from this question of expense accounts, this is a philosophy of Government which is evil in itself. We once had an example of this when, to stop a few people from drinking too much, we adopted prohibition which treated all men as potential alcoholics. Surely the results have not left our memory.

The results of this noble experiment can also be foreseen. These new rules will give trouble only to honest men. The real operator—the man who is really out to cheat on his taxes—can drive a truck through them.

The smart lawyers are already figuring out the perfectly legal loopholes; beyond that, those with larceny in their hearts will not be disturbed because they will show records, receipts, and paper accounts by the carload. As sure as the sun rises tomorrow, today's rules will have to be followed tomorrow by new rules upon new rules tightening the rules.

And while all this is going on, the honest man—the man who takes a business trip to do an honest job for his company and with no desire to cheat either his company or his country—that man will see himself not merely laden with burdensome paperwork but with the fear that everything he does is under suspicion.

Because he honestly tries to keep honest records, all the records will be there and he can be called up a year later, 2 years later, and find that what he did in good faith is adjudged wrong by some petty bureaucrat imbued with the idea that any expense account must conceal some wickedness. The smart operator will have his lawyers; the little taxpayer will be helpless against the insolence of office.

We submit that to order the public affairs in this manner is an affront to the public morality, just as it would be for the state to require of every citizen a detailed accounting of his home-coming-and-going because some men cheat. That government governs illy which can find no other way to deal with malefactors than to maltreat all of its citizens, the just and the unjust alike.

[From the Washington (D.C.) Evening Star]

Will Tax Plan Boomerang?—Political Fortunes of Administration Seen Periled by Smallness of Cuts

(By David Lawrence)

There are 42 million taxpayers who earn between $5,000 and $10,000 a year. How are they going to feel when they learn that the administration's proposed tax cut would mean an average saving of about $1.56 a week during the next 3 years for a married couple with two children. A couple without children would not really fare any better. This could turn out to be a political boomerang if the President's 3-year program isn't materially changed.

For, based on a calculation made in an Associated Press dispatch, the total savings on taxes during the next 3 years for individuals in the $5,000 to $10,000 category are to be surprisingly small. Stanley Meisler, who wrote the AP article, took as a typical example a married couple, one of whom earned $5,000 a year and the other $2,500, so that their combined income amounted to $7,500 a year. He figured the exemptions for two children and estimated the usual deductions for normal expenses. He concluded that for each of the next 3 years, beginning with 1963, there would be a $46 reduction in taxes, followed by $28 more for each of 2 years, plus a $50 reduction for the third year, or a total of $244 saved in 3 years. This is an average saving of $81.33 for each year. It amounts to $1.56 a week or 78 cents each for the man and his wife.

But, unhappily, they can't keep that sum. Social security taxes aren't deductible and, of course, were not included in the Associated Press tabulation. A new social security tax, moreover, has just gone into effect amounting to $24 a year, so it brings down the combined saving from $81.33 to $57.33 a year. This means in reality $1.10 a week for the couple, or only 55 cents a week for each of them, in tax savings.

This isn't all either, because the Associated Press article figured State and local taxes at $500—the level of 1962—and this item is scheduled to go up by a total of about $195 for the 3 years beginning in 1963. While there is a tax deduction for a part of this increase, it is conceivable that for this couple the whole saving on the President's tax plan may come close to being wiped out altogether.

Unfortunately, with larger and larger deficits in the Federal Treasury, the purchasing power of the dollar tends to become less and less, while prices tend to rise. It wouldn't take much of an increase in the cost of living for the entire weekly savings in taxes for many taxpayers in several of the income tax brackets to disappear by the time 1965 rolls around.

The Associated Press gave its statistical information to its newspapers from coast to coast last Saturday without arguing the case one way or the other. Millions of taxpayers will themselves do some figuring and, for the next several months, Members of Congress will doubtless be hearing from their many constituents in most of those tax brackets that the proposed cut is a piddling one. Indeed, some voters may come to the conclusion that maybe it would be better for the administration to let the tax rates and tax rules alone and try to instill the necessary confidence for a business revival. The dictatorial behavior of the labor-union monopoly, for instance, is being ignored by the administration and Congress. It seems inevitable that acceptance of demands for higher wages will be compelled by strikes or threats of strikes in the next 2 or 3 years because the tax cut will appear to be inadequate.

If the administration, however, had a constructive economic policy, it could boost the gross income of businesses to the point where wage increases would be feasible without any substantial price increases. For it is the volume of business and a higher gross income which are the most important elements that need stimulus in the economy.

Thus, a lot is heard about the expected tax cut for corporations. But it involves very small sums which would hardly stimulate increased expenditures for plant and equipment. A company, for example, that makes $1 million a year now pays the Government 52 percent, or $520,000 in taxes and retains $480,000. Under the changes proposed by the administration, this corporation, 3 years from now, would have a 47-percent rate and would be paying the Government $470,000. This would mean a saving of about $50,000 on present taxes.

Wouldn't any corporation prefer to see the present 52 percent retained if somehow in lieu of it the administration could pursue economic policies that would allow the corporation to make $2 million in gross profit a year, from which the Government would get $1,040,000 and the company would retain $960,000? What company wouldn't rather have $960,000 a year under existing rates than only $470,000 under the new rates?

So it isn't the tax rate but the capacity to earn more income that counts. And if most of the 42 million citizens are going to have only trifling sums more to spend each week, while prices become inflationary because of the big deficits, then a substantial number of voters are likely to lose their enthusiasm for the so-called tax cut being offered them. To make larger tax cuts, on the other hand, would only compound the problem.

Members of Congress will have to take a careful look at what they are doing on both taxes and deficits if they expect reelection in 1964, and, of course, all this will affect President Kennedy's chances for reelection, too.

[From the Christian Science Monitor, Jan. 31, 1963]

Taxes: The Larger Plan

The shakedown cruise of the President's tax program has already begun. Within days of the message to Congress a dozen battles have broken out, both of ideology and conflicting special interests.

For our part we wish to keep a close eye on the central issue: an orderly tax structure which will stimulate the economy.

The Chamber of Commerce of the United States says, after studying the details of the administration program, "the promised tax reduction and tax benefits to encourage investment, provide jobs, momentum and growth do not emerge in the President's tax proposal. The emphasis is almost entirely on the importance of consumer spending."

Is this, then, a political tax program, designed to put money in the pockets of the lowest income group where the large mass of voters reside?

POLITICAL ANGLES ARE BUILT IN

The first quick answer is to say that everything is political in the field of government. No party, in any major piece of legislation, will fail to consider its own brand of practical politics. But having said this there is a good deal more to the President's initial proposals and there will be a good deal more to the interaction of political forces and the national interest during the adjustments in Congress.

The controversy of the moment concerns not only politics but an honest difference of approach. American business is chiefly concerned with incentive, as indeed we are. The President has agreed to reduce the corporation income tax, not by a minimal amount but by a sizable 5 percent which has been well received by business. It is also true that while the President offers approximately a 28-percent cut in tax rates to the large low-income group under $5,000, the group from $5,000 to $10,000 gets 23 percent, the group from $10,000 to $20,000 gets 25 percent, and the group from $20,000 to $50,000 gets 23 percent. Over $50,000 estimates range between 15 and 19 percent.

There is no gross inequality in these tax rates, but then come the substantive measures like the cut in itemized deductions which would bear down with great disproportionate weight on the middle-income group. If this and other such measures pass there would be a serious inequity.

TWO THEORIES OF INCENTIVE

At this point the honest difference of opinion sets in. Businessmen think of incentive as putting more investment money into middle income pockets and more profit into the books of businessmen who will use it to modernize and develop new products and markets. They welcome more purchasing power in the hands of low-income workers partly because it is politically inevitable that tax benefits be distributed and partly because much of this money will be spent. But they don't agree that the bulk of primary incentive can come to business via stimulated consumer spending.

A group of economists, from which many of the White House advisers are drawn, argues differently. There will be an intermediate period, they argue, before the direct incentive to investors and to business enterprises can take effect. Especially in this interim period they think that more vitality can be poured into the economy by consumer spending at a time when there is overcapacity in many industries.

ARE TWO SCHOOLS COMPATIBLE?

It is not easy to resolve this difference between two schools—those who would emphasize direct stimulus to business through the middle and upper income groups, and those who would enlarge low income purchasing power. A political settlement through compromise is expected. We hope it is not true, as some have suggested, that half measures in each direction will frustrate both. We hope it is not true that only a massive trial of the purchasing power theory or equally concentrated emphasis on the investment theory can succeed and that anything less is bound to fail.

We lean strongly toward giving direct stimulus to business an early and vigorous push. We hope the ultimate bill which emerges from Congress will provide both incentive and purchasing power without weakening the impact of either.

[From Newsweek magazine, Jan. 14, 1963]

A Shortsighted Tax

(By Henry Hazlitt)

Any tax cut that led to still another budget deficit—which means any tax cut not accompanied by an equal or more than equal cut in expenditures—would be a cruel deception of the American people. It could precipitate an inflation that would do immense harm. But this objection does not apply to proper tax reform. Our present system embodies rates and types of taxation that are not only inequitable, but actually reduce possible revenues at the same time as they retard economic growth.

An outstanding example is the capital-gains tax. This tax is cynically one-sided. It is a heads-I-win-tails-you-lose proposition of the Government against the taxpayer. Short-term capital gains are taxed in full, to any amount, just as if they were added income. But capital losses can be deducted only against gains, if any, and not against income, except to a maximum of $1,000 in any one year. Long-term capital gains (i.e., gains from assets held longer than 6 months) are treated similarly as compared with losses, though such capital gains are taxed at a maximum rate of 25 percent.

GAINS VERSUS LOSSES

Prior to the market collapse and depression of 1929–33, capital gains were taxed as income, and at the same rates. And capital losses were fully deductible against income. But when J. P. Morgan revealed that he had paid no income tax for the preceding year, because his capital losses exceeded his ordinary income, his statement made front-page headlines. Then Congress one-sidedly rectified matters by refusing to allow deduction of more than $1,000 a year of capital losses against income, though it continued to tax short-term capital gains in full as income.

Another gross injustice of the present capital-gains tax is that the gains it taxes are often nonexistent. Suppose a man bought stock or real estate for $10,000 in 1939 and sold it for $21,800 in 1962. He would be taxed on a long-term capital gain of $11,800. Actually, as the cost of living also rose to 118 percent in that period, he would have achieved no capital gain at all. His $21,800 in 1962 could buy no more than $10,000 bought in 1939. If he had sold his real estate or stock for $19,000, he would be taxed on a capital gain of $9,000, but he would have suffered an actual loss in real terms. Under past and prospective inflation, the long-term capital-gains tax amounts to a large extent to nothing else but capital confiscation and expropriation.

Its evils do not end there. By taxing gains in full, and short-term gains at sometimes confiscatory rates, with loss deductions only against gains (except for a token deduction against income), it discourages all investment, and particularly of risk capital. It "locks in" capital. It penalizes investors heavily for transferring investments into new ventures. It stunts economic growth.

It is hard to imagine any reform of the capital-gains tax that would not be an improvement. Here are some possible alternatives:

1. Segregate capital gains and losses from ordinary income. Tax these segregated capital gains at the same rates as ordinary income, or at a flat rate calculated to maximize revenue. Allow deduction of losses against gains, and an indefinite carry-forward of losses until absorbed.

2. Cut the rate on long-term capital gains from a maximum of 25 percent to a maximum of 10 percent.

3. Follow the example of Britain. Don't tax long-term capital gains at all. Or adopt the Swedish policy of tapering the tax off. (The Swedish taxpayer pays straight income tax on 100 percent of capital gains on assets held for less than 2 years, on only 75 percent of the gain on assets held between 2 and 3 years, on only 50 percent of the gain if the assets are held 1 year longer, on only 25 percent if held 1 year longer still, and no capital-gains tax at all if the asset is held more than 5 years.)

4. At least allow the taxpayer to deflate his alleged capital gain to allow for the rise in the consumer price index over the period involved.

5. Allow the taxpayer a tax-free transfer of capital from any investment to another (a right that now applies only to his residence).

6. Enact some variation or combination of these reforms.

COMMITTEE ON HOUSE ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on House Administration may be permitted to sit today while the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LITHUANIAN INDEPENDENCE DAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. POWELL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. POWELL. Mr. Speaker, on February 17, we commemorated the 45th anniversary of the restoration of independence in Lithuania. Her recent history has been a story of Lithuanian courage in the face of Soviet betrayal, of a Lithuanian struggle against the forces of Soviet domination and tyranny, and of the ability of a national minority to withstand absorption by the Soviet colossus.

The story begins on February 16, 1918, when Lithuania proudly declared its independence, ending 120 years of Russian czarist rule. The small Republic's independence was not yet assured, however, for the new Communist regime in Russia sought to regain hegemony in the Baltic. A year later the Red army entered the capital and set up a Communist government. But Lithuanian forces joined the Polish Army to drive out the Russians. In July 1920, the Soviet Union signed a peace treaty with Lithuania recognizing its independence and renouncing all rights of sovereignty over the country. The treaty stated:

> Russia recognizes without any reserve the sovereignty and independence of the State of Lithuania with all juridical consequences resulting from such recognition, and voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and territory.

During its 20 years of independence, Lithuania made great progress in developing a stable democratic government. The improvement of agriculture, the main occupation of Lithuanians, was given high priority. A program of land reform turned Lithuania into a nation of small, self-reliant farmers. Social legislation was adopted, and progress was made in education.

In the international sphere, Lithuania signed a nonaggression pact with the Soviet Union in 1926. The treaty reaffirmed Lithuanian independence in these terms:

> The Lithuanian Republic and the Union of Socialist Soviet Republics undertake to respect in all circumstances each other's sovereignty and territorial integrity and inviolability.
>
> Each of the two contracting parties undertakes to refrain from any act of aggression whatsoever against the other party.

These international commitments, however, meant little to the Soviet Union. In 1939 the Lithuanians were forced to accept a treaty which permitted Soviet garrisons to be stationed in the country and Soviet airbases to be constructed on Lithuanian soil. This first step led inevitably to complete occupation, which in fact occurred the following year. The last phase in hte Soviet takeover was the formal incorporation of Lithuania as a constituent republic of the U.S.S.R.

This is a sad narration of the seeming triumph of might over right, of power politics over international legality. But the story is not finished. The Lithuanians have a long history of valiant resistance to foreign domination. This history encourages our hopes that they will some day emerge from the darkness of tyranny into the bright daylight of freedom.

ADDRESS BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE TO THE UNITED NATIONS, ON ACCEPTANCE OF 10TH ANNUAL PATRIOTISM AWARD OF THE SENIOR CLASS OF THE UNIVERSITY OF NOTRE DAME, SOUTH BEND, IND., FEBRUARY 18, 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I was honored to be present on the occasion of the presentation of the 10th annual Patriotism Award of the senior class of the University of Notre Dame to the distinguished representative of the United States to the United Nations, Ambassador Adlai E. Stevenson.

For the last 10 years the senior class of the University of Notre Dame has voted to select an outstanding American to receive this award. Previous recipients of the award include President John F. Kennedy, Attorney General Robert F. Kennedy, former Vice President Richard M. Nixon, J. Edgar Hoover, Bishop Fulton J. Sheen, Gen. Curtis E. LeMay, Dr. Wernher von Braun, Adm. Hyman C. Rickover, and Leslie Townes (Bob) Hope.

The outstanding service which Ambassador Stevenson has given to our country throughout his career in public life and at the present time as U.S. representative to the United Nations make it particularly fitting that the Notre Dame senior class should have selected him for this honor this year.

The award was presented to Ambassador Stevenson at the university's annual Washington's Birthday exercises which were attended by some 3,000 Notre Dame students and faculty and their guests.

CITATION OF PATRIOTISM AWARD

Before including Ambassador Stevenson's address, I wish to include the citation which accompanied the Patriotism Award:

PATRIOTISM AWARD

> Greetings: In welcoming you, sir, we express gratitude for your presence, recognizing, as we must, the never-failing greatness of your service to our Nation, of your constant realization of the value and meaning of the American land and its traditions. A distinguished Governor of a most important State, an extraordinary candidate for the Presidency, you have really talked sense to the American people at all times. With gold of mind and heart, with grace of voice and language, you have always tried to provide form against formlessness, order against disorder, truth against terror, and charity against violence. You have succeeded.
>
> Today, as U.S. Ambassador to the United Nations, you have made us all proud. Clearly you have won the confidence and admiration of the countries of the troubled world. Daily you forge on the international forum a true conscience and firm reason among leaders that could bring about the rescue of humanity in this perilous passage of its history. You have indeed helped to draw the far countries closer to us and merited the love of those whose ways and customs are alien to our own.
>
> So we would honor you now, sir, and praise you as an unselfish and courageous philosopher-statesman, as the very embodiment in contemporary society of the ideals of freedom and justice which our Founding Fathers treasured and desired to come to pass through the generations.

The text of Ambassador Stevenson's address, entitled "Patriotism and Beyond," follows:

PATRIOTISM AND BEYOND

> I am most grateful to the members of the senior class for choosing me as the recipient of the Notre Dame Patriotism Award. It is a great compliment, and it is also nice to win an election—especially when you haven't won one for a long time—and especially when the prize brings with it not headaches, but the headiness of pride and satisfaction.
>
> Coming from the students at this distinguished center of learning, which has such an exalted tradition of service to God and country, it is as gratifying a recognition as I shall ever receive.

This is by no means my first visit to Notre Dame, and that you have honored me so extravagantly this time makes amends for anyone who voted for the other fellow the last time I was here. All is forgiven.

And I like to think that my occasional visits here are not my only connection with Notre Dame. I remind you that your founder, Father Edward Sorin, brought to the Indiana prairie some Sisters of the Holy Cross and established the Notre Dame Mother House. Mother Angela, who became its head, went to school as a girl with her cousin, Ellen Ewing, who later became the wife of William Tecumseh Sherman. Now Ewing is my middle name, and I lean to the belief that a bond exists between Ellen Ewing and Adlai Ewing, and therefore between me and Father Sorin, and therefore between Notre Dame and me.

Perhaps your professors would not give me a passing grade for such involved reasoning, but my research discloses one more fact, which I believe they would approve. That remarkable lady, Mother Angela, good Catholic though she was, taught for a while at an Episcopalian Seminary, which strikes me as a sort of ecumenical movement of that hour, and a proof of the pluralism of the early America from which has sprung so much of our strength and vitality.

We need look no further, if more proof is needed, than at the diversity of faiths represented on your campus. This is a Catholic institution, but its doors are open to all, in keeping with the American tradition of respect and tolerance for all religions and races. And now, at long last, the doors of the White House itself have opened to a Catholic, a remarkable and gifted President, with whom that precious American tradition of tolerance has taken a long leap forward.

For bigotry and freedom are incompatible. If freedom is not to be self-destructive, it must be tolerant. It must be mature enough to face the dual nature of all human relationships—part conflict, part community—and it must always stress community and tolerance as the higher principle. This is an old, revered truth spoken by the Apostle Paul, reminding his flock in Galatia that, in their Christian fellowship, "There is neither Jew nor Greek," and today we could add Baptist or Methodist, Negro or white. Even Unitarian, I hope.

But I have not exhausted my research. Did you know that the year Notre Dame was founded was also the year that an anesthetic was first used—sulfuric ether gas? I think it has been administered to me more than once in my public life by politicians, writers and even magazines. And in due course many of you won't escape it. I can suggest an antidote I discovered a long time ago in the schoolboy notebook of the great patriot we honor today, George Washington: "Labor to keep alive in your breast that little spark of celestial fire—conscience." I commend it to you—this spark of celestial fire. With it falsehood is routed; with it we can survive our Valley Forges; with it patriotism becomes a shield, not a weapon.

PATRIOTISM THE DEDICATION OF A LIFETIME

And, as you've honored me for patriotism, perhaps I should tell you what I think about that much abused word. Ten years ago I said to an American Legion convention that "What it means to me is a sense of national responsibility which will enable America to remain master of her power—to walk with it in serenity and wisdom, with self-respect and the respect of all mankind; a patriotism that puts country ahead of self; a patriotism which is not short, frenzied outbursts of emotion, but the tranquil and steady dedication of a lifetime. The dedication of a lifetime—these are words that are easy to utter, but this is a mighty assignment. For it is often easier to fight for principles than to live up to them."

It is not easy to be a patriot these days—not because it is difficult to love one's country. The difficulty lies not with the love—but with loving one's country in the right way.

The love itself is profound and instinctive, rooted in our childhood discovery of all the infinite delights of being alive—for me, the vast skies, the spring green of the corn, the fall colors and winter snow of the Illinois prairies: for all of us, the shining Christmas trees, the colored mesas and bright flowers of the desert, the rocky shores and pounding seas "way down East," the aspens showering autumn gold on the slopes of the Rockies.

It doesn't matter what your picture is. For all of us, it is "home," the place where we spent the endless, dream-filled days of childhood, the place that still nourishes our secret, lifegiving imagination, the place we love as we love bread, as we love pure water, as we love the earliest image of maternal care, as we love life itself. No, it is not difficult to love our country. In doing so, we love what has largely made us what we are. The difficulty is, as I have said, to love it in the right way.

I think the complexity of modern technological society makes the loving difficult for everybody—as I shall try to show. But I want to start with us here in America, because we have some quite special problems, which come not from our complex present but from our historical inheritance.

Some states emerge from some preexisting tribal unity, some grow up within an already established culture, and some are forged by conquest, victor and vanquished settling down to a new synthesis.

None of these routes was followed by America. Our people have come from every "tribal" group, they have largely had to create their own civilization as they went along to absorb a continent. They have never been conquered or had any sort of synthesis imposed upon them. Their community had, in fact, a unique beginning—it was from the moment of its birth a land "dedicated to a proposition"—that men are born equal, that government is a government of laws, not men, and exists to serve them, that "life, liberty and the pursuit of happiness" are man's inalienable rights.

But consider the consequences of this astonishing start. We are Americans because we belong to a certain ideal, visionary type of political and social order. We can't point back to a long, shared civilization. It is true, most of us have Europe and the West behind us. But not all—and, anyway, it is a concept of the West that we create rather than inherit. And no one is standing on our necks keeping us down and together.

The result is a community, surely, whose instinctive, rooted, inherited, taken-for-granted unity is much less than is normal in the world and whose intellectual, ideal, created and worked-at unity has to be all the more dynamic. If we are not dedicated to our fundamental propositions, then the natural cement in our society may not be enough to take the strain.

I would agree that there are substitutes. When a president said that "The business of America is business," he told us something about the degree to which a standard of living can do stand-in duty for a way of life. But the question, "What manner of people are we?" cannot be everlastingly answered in terms of two-car families or split-level homes.

AMERICA IS MUCH MORE THAN A GEOGRAPHICAL FACT

And if the gods of the market give no answers, neither, for us, do the gods of the tribe. We come back to our propositions. America is much more than a geographical fact. It is a political and moral fact—the first community in which men set out in principle to institutionalize freedom, responsible government, and human equality. And we love it for this audacity! How easy it is, contemplating this vision, to see in it—as Jefferson or Lincoln saw in it—"The last, best hope of man." To be a nation founded on an ideal in one sense makes our love of country a more vital and dynamic force than any instinctive pieties of blood and soil.

But it also demands a more complex and discriminating love. Will the fabric hold if the ideal fades? If the effort to realize our citizens' birthright of freedom and equality is not constantly renewed, on what can we fall back? As a going concern, we can no doubt survive many shocks and shames. It was Adam Smith who remarked that "There is a great deal of ruin in every state." But can we survive, as a great, dynamic, confident and growing community, if the essentially liberal thrust of our origins is forgotten, if we equate liberty with passive noninterference, if we exclude large minorities from our standards of equality, if income becomes a substitute for idealism, consumption for dedication, privilege for neighborly good will?

Well, you may say, "Why be so concerned; after all, one of the most forceful elements of our free society is precisely our discontent with our own shortcomings. Haven't you yourself said that 'self criticism is our secret weapon'? Because we are free, because we are not the victims of censorship and manipulated news, because no dictatorial government imposes on us its version of the truth, we are at liberty to speak up against our shortcomings. We don't confuse silence with success. We know that 'between the idea and the reality falls the shadow,' and we are determined to chase away that shadow in the uncompromising light of truth."

But are we? It is a this point that our patriotism, our love of country, has to be a discriminating, not a blind force. All too often, voices are raised in the name of some superpatriotism, to still all criticism and to denounce honest divergencies as the next thing to treason. Thank God, we have risen up from the pit of McCarthy's time, when honest men could lose their jobs for questioning whether there were 381 known Communists in the State Department. But the intolerant spirit which equates responsible criticism with "selling the country short" or "being soft on communism" or "undermining the American way of life" is still abroad.

You will meet it—no doubt you have met it already—and I can give you no comfort in suggesting there is an easy way out and around this type of criticism. Our position today is equivocal. We are in one sense a very conservative people—for no nation in history has had so much to conserve. Suggestions that everything is not perfect and that things must be changed do arouse the suspicion that something I cherish and I value may be modified. Even Aristotle complained that "everyone thinks chiefly of his own, hardly ever of the public interest." And our instinct is to preserve what we have, and then to give the instinct a colored wrapping of patriotism.

This is in part what the great Dr. Johnson meant when he said: "Patriotism is the last refuge of scoundrels." To defend every abuse, every self-interest, every encrusted position of privilege in the name of love of country—when in fact it is only love of the status quo—that indeed is the lie in the soul to which any conservative society is prone.

A DYNAMIC AND EQUAL SOCIETY OF FREEMEN

We do not escape it—but with us, an extra edge of hypocrisy attaches to the confusion, for, once again, I repeat, our basic "social contract," our basic reason for being a state is our attempt to build a dynamic and equal society of freemen. Societies based on blood ties can perhaps safely confuse conservatism and patriotism. People with long backward-looking traditions can perhaps do so. Countries under the heel of dictators must do so. But if the world's first experiment in the open society uses patriotism as a cloak for inaction or reaction, then it will cease to be open and then as a social organism, it will lose its fundamental reason for existence.

Do not, therefore, regard the critics as questionable patriots. What were Washington and Jefferson and Adams but profound critics of the colonial status quo? Our society can stand a large dose of constructive criticism just because it is so solid and has so much to conserve. It is only if keen and lively minds constantly compare the ideal and the reality and see the shadow—the shadow of self-righteousness, the shadows of slums and poverty, the shadow of delinquent children, the shadow of suburban sprawls, the shadow of racial discrimination, the shadow of interminable strikes—it is only then that the shadows can be dispelled and the unique brightness of our national experiment can be seen and loved.

The patriots are those who love America enough to wish to see her as a model to mankind. They love her, of course, as she is, but they want the beloved to be more lovable. This is not treachery. This, as every parent, every teacher, every friend must know, is the truest and noblest affection. No patriots so defaced America as those who, in the name of Americanism, launched a witch hunt which became a byword around the world. We have survived it. We shall survive John Birchism and all the rest of the superpatriots—but only at the price of perpetual and truly patriotic vigilance.

This discriminating and vigilant patriotism is all the more necessary because the world at large is one in which a simple, direct, inward-looking nationalism is not enough. Let me give you only two instances of the intricacies of our modern interdependence.

COMMUNIST HOSTILITY A FORMIDABLE FORCE

We face in Communist hostility and expansionism a formidable force, whether Mr. Khrushchev and Mr. Mao Tse-tung pull together or apart. Their disagreement so far only turns on the point whether capitalism should be peacefully or violently buried. They are both for the funeral. So long as this fundamental objective remains, we must regard the Communist bloc as a whole with extreme wariness.

Even if the Communists are divided and confused everywhere, even if they have scored of late none of the victories in Africa, east Asia, and the Middle East our doomsayers predicted, still the Communist bloc is aggressive and powerful and determined to grow more so. Taken individually, the European states are all outnumbered. Even America has only a margin of superiority over the tough, austere Soviet Union. Even if the Russian forces in Cuba are not going to conquer the Americas, still their presence in this hemisphere endangers the peace.

So we have sensibly concluded in the NATO Alliance that our separate sovereignties and nationalisms must be transcended in a common, overwhelming union of deterrent strength. Together our weight keeps the balance of power firmly down on our side, and it removes from each state the temptation of playing off one state against another and weakening the overall power in order to strengthen its own. This is the first reason for transcending narrow nationalism.

The second follows from our economic interdependence. The Atlantic world has taken 70 percent of world trade and absorbed 70 percent of its own investments for the last 70 years. We are an interwoven international economy. Bank rates in Britain affect investments in New York. Restrictions here affect carpetmakers in Belgium. French farmers affect everybody. We can only avoid the failure of our interwar mismanagement of this community if we pursue joint policies. Those my friend Jean Monnet has outlined are on the essential list: expansion of demand, currency stability, investment overseas, trade with the developing nations, reserves for world trade. Without joint policies here, we could easily slip back to the debacle of the period between the great civil wars of Europe of 1914 and 1939.

In this context, separate, divisive nationalism is not patriotism. It cannot be patriotism to enlarge a country's illusory sense of potency and influence and reduce its security and economic viability. True patriotism demands that in some essential categories, purely national solutions be left behind in the interest of the nation itself. It is this effort to transcend narrow nationalism that marked the supremely successful Marshall plan. It marks the great enterprise of European unification—after so many tribal wars. It could mark the building of an Atlantic partnership as a secure nucleus of world order. The fact that General de Gaulle seems to want to retreat to older ideas of national supremacy and grandeur must not deter us. It should not be hard for us to understand why France might want a greater role in Europe and in the control of our common defense. And by the same token it should not be hard for France to understand why we want Europe to shoulder a larger share of that common defense. We can reexamine the terms of our alliance, but surely the world is not yet so safe that anyone can afford to break it up.

So our vision must be of the open society fulfilling itself in an open world. This we can love. This gives our country its universal validity. This is a patriotism which sets no limits to the capacity of our country to act as the organizing principle of wider and wider associations, until in some way not yet foreseen, we can embrace the family of man.

A DECENT RESPECT FOR THE OPINIONS OF MANKIND

And here our patriotism encounters its last ambiguity. There are misguided patriots who feel we pay too much attention to other nations, that we are somehow enfeebled by respecting world opinion. Well, let me remind you that "a decent respect for the opinions of mankind" was the very first order of business when the Republic was created; that the Declaration of Independence was written, not to proclaim our separation but to explain it and win other nations to our cause.

The Founding Fathers did not think it was soft or un-American to respect the opinions of others, and I want to put it to you that today for a man to love his country truly, he must also know how to love mankind. The change springs from many causes. The two appalling wars of this century, culminating in the atom bomb, have taught all men the impossibility of war. Horace may have said: "It is sweet and fitting to die for one's country." But to be snuffed out in the one brief blast of an atomic explosion bears no relation to the courage and clarity of the old limited ideal.

Nor is this a simple shrinking from annihilation. It is something much deeper—a growing sense of our solidarity as a human species on a planet made one and vulnerable by our science and technology. That cry of John Donne: "Send not to ask for whom the bell tolls," echoes round the world, reaching, I believe, deeper and deeper levels of consciousness.

For, on this shrunken globe, men can no longer live as strangers. Men can war against each other as hostile neighbors, as we are determined not to do; or they can coexist in frigid isolation, as we are doing. But our prayer is that men everywhere will learn, finally, to live as brothers, to respect each other's differences, to heal each other's wounds, to promote each other's progress, and to benefit from each other's knowledge. If the evangelical virtue of charity can be translated into political terms, aren't these our goals?

Aristotle said that the end of politics must be the good of man. Man's greatest good and greatest present need is, then, to establish world peace. Without it, the democratic enterprise—one might even say the human enterprise—will be utterly, fatally doomed. I need not belabor that point. It is clear to all of us that war under modern conditions is bereft of even that dubious logic it may have had in the past. With the development of modern technology, the "victory" in war has become a mockery. What victory—victory for what or for whom?

Perhaps younger people are especially sensitive to this growing conviction that nowadays all wars are civil wars and all killing is fratricide. The movement takes many forms—multilateral diplomacy through the United Nations, the search for world peace through world law, the universal desire for nuclear disarmament, the sense of sacrifice and service of the Peace Corps, the growing revulsion against Jim Crowism, the belief that dignity rests in man as such, and all must be treated as ends, not means.

But whatever its form, I believe that, far from being in any sense an enemy to patriotism, it is a new expression of the pietas and respect for life from which all true love springs. We can truly begin to perceive the meaning of our great propositions—of liberty and equality—if we see them as part of the patrimony of all men. We shall not love our corner of the planet less for loving the planet too, and resisting with all our skill and passion the dangers that would reduce it to smouldering ashes.

POPE JOHN XXIII AND THE HUMAN FAMILY

And, if I may for a moment speak to you all as members of a great Catholic university, I hope you will not mind my saying that of all the leaders in the world at this moment seeking to give guidance and counsel to the human race, I know of none who so radiates a sense of paternal regard for all God's children, as Pope John XXIII. Again and again he returns to this concept of "the human family"—"the sons of God," "the brotherhood of all mankind." Whether he is inviting all men of good will to pray for spiritual unity, or pleading with all wealthy nations to acknowledge their physical obligations to the less fortunate, one feels that before his eyes the vast restless species of mankind appears indeed as a true family—troublesome, no doubt, confused, bewildered, easily misled, easily cast down, but one which must be loved and sustained, and treasured as parents love their family and patriots their land. He adds, in short, the extra dimension of a universal patriotism and makes the brotherhood of man not a cliche, but a living, burning truth.

I can, therefore, wish no more for your profound patriotism as Americans than that you will add to it a new dedication to the worldwide brotherhood of which you are a part and that, together with your love of America, there will grow a wider love which seeks to transform our earthly city, with all its races and peoples, all its creeds and aspirations, into St. Augustine's "Heavenly city where truth reigns, love is the law, and whose extent is eternity."

REPORT OF COMMISSIONER OF IMMIGRATION AND NATURALIZATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WALTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WALTER. Mr. Speaker, pursuant to the provisions of the so-called Fair Share Act, Public Law 86-648, as amended on June 28, 1962, by section 6 of Public Law 87-510, the Commissioner of Immigration and Naturalization has submitted to the Congress his report on the fifth 6-month period of operations authorized by the two statutes.

For the information of the House, I submit the latest report, inviting the attention of my colleagues to the steadily diminishing number of refugees desiring to enter the United States or otherwise seeking resettlement outside of Europe and the Near East. In my opinion, the laws enacted in 1960 and in 1962 have very well served their purpose in expediting the closing of the remaining refugee camps in Europe. Commissioner Farrell's report is as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
February 13, 1963.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: The act of July 14, 1960 (Public Law 86-648), having been extended indefinitely by the enactment on June 28, 1962, of Public Law 87-510, operations pursuant thereto have continued. During the fifth 6-month period ending December 31, 1962, refugee operations under the act were conducted in Austria, Belgium, France, Germany, Greece, Italy, and Lebanon, countries in which the Department of State has determined that refugee situations exist.

The number of refugees registered under the act dropped from 5,217 during the preceding 6-month period to 2,435 registrations during the period ending December 31, 1962. This was the smallest number of registrations received during any 6-month period since enactment of the law. Service officers administering the refugee program in Europe report that the small number of registrations during the period, as compared to the number of registrations during each of the four previous 6-month periods, appears to be attributable mainly to two factors. During May and June 1962, the voluntary agencies made a concerted effort to complete the registrations of all refugees who might qualify for parole under Public Law 86-648, because the law was due to expire on July 1, 1962, thereby substantially reducing the number of potential applicants remaining in the various countries. Secondly, it appears that various countries are not granting refugee status as freely as in the past to persons who enter those countries claiming asylum, particularly from Yugoslavia.

Comparative statistics for the five periods are tabulated below:

	Period					Total
	1st	2d	3d	4th	5th	
Authorized by statutory fair share	5,571	3,705	4,140	3,074	2,485	18,975
Pending beginning of period	0	500	1,059	289	899	------
Registered during period	6,334	4,191	3,635	5,217	2,435	21,812
Total registered (pending plus received)	6,334	4,691	4,694	5,506	3,334	------
Found qualified for parole	4,570	1,737	3,015	3,074	1,630	14,026
Rejected or otherwise closed	1,264	1,895	1,390	1,533	1,247	7,329
Pending end of period	500	1,059	289	899	457	------

Necessary assurances having been received, 315 refugees have been approved under section 2(b) of the act as "difficult to resettle" cases and have been referred to the Intergovernmental Committee for European Migration for transportation to the United States. An additional 63 cases have been referred to the voluntary agencies for documentation under this section. Assurances of housing and employment having been received, a total of 11,860 refugees, including the 315 approved under section 2(b) of the act, have been referred to the Intergovernmental Committee for European Migration.

As of December 31, 1962, a total of 10,322 refugee-escapees approved under the act of July 14, 1960, had arrived in the United States, as follows:

Country of flight	During 1st, 2d, 3d, and 4th periods	During 5th period	Total
Albania	326	45	371
Bulgaria	149	24	173
Czechoslovakia	4	8	12
East Germany	2	2	4
Estonia	11	3	14
Hungary	1,001	148	1,149
Iraq	6	0	6
Latvia	50	16	66
Lithuania	39	0	39
Poland	735	89	824
Rumania	1,224	569	1,793
Syrian Arab Republic	39	0	39
Turkey	5	2	7
U.A.R. (Egypt)	1,116	681	1,797
U.S.S.R	84	3	87
Yugoslavia	3,462	479	3,941
Total	3,253	2,069	10,322

During the fifth period, 479 refugees who had fled from Yugoslavia arrived in the United States, as compared to an average of 866 such arrivals during each of the first four periods. A large number of the 479 who arrived during the fifth period had been approved for parole during the preceding 6-month period. This reduction in the number of refugees from Yugoslavia reflects the decrease in the number of persons from that country who are found to qualify as refugee-escapees in accordance with the provisions of the act of July 14, 1960.

Established screening procedures resulted in 302 cases being rejected during the period on the following grounds:

Ineligible	90
Security risks	23
Criminal	11
Medical rejects	4
Immorality	1
Undesirability	29
Split families (spouses and children left behind in country of origin)	46
Firmly settled	45
Spouses and children of above principals	53
Total	302

During the fifth period, 945 cases were closed because the applicants had taken advantage of resettlement in other countries or had withdrawn their applications for other reasons.

Registrations in the various countries during the program have been as follows:

Country	In camp	Out of camp	Total
Austria	878	1,873	2,751
Belgium	---------	1,428	1,428
France	---------	7,354	7,354
Germany	579	2,786	3,365
Greece	779	208	987
Italy	3,099	791	3,890
Lebanon	---------	2,037	2,037
Total	5,335	16,477	21,812

The following is a tabulation of registrations received during the period in the order of established priority classifications:

1. Status of refugee acquired prior to Jan. 1, 1958	373
(a) Camp residents	36
(b) Out-of-camp residents	337
2. Status of refugee acquired since Jan. 1, 1958	2,062
(a) Camp residents	672
(b) Out-of-camp residents	1,390
Total	2,435

During the fifth period, the Congress approved private laws for two aliens in the United States with the provision in one case, that sections 1 through 4 of the act of July 14, 1960, shall be applicable and in the second, with the provision that the alien shall be held and considered to have been paroled into the United States as provided for in said act.

During the period beginning January 1, 1963, aliens who have been in the United States for at least 2 years following parole as refugee-escapees will be inspected and examined for admission, pursuant to section 3 of the act.

In compliance with the provisions of section 2(a) of the act, detailed reports on individuals paroled into this country are attached.

Sincerely,

RAYMOND F. FARRELL,
Commissioner.

MANPOWER DEVELOPMENT AND TRAINING

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I should like to insert in the RECORD the following letter which was received by my colleague, Congressman ELMER J. HOLLAND, the originator of the Manpower Development and Training Act, the program we started last year to provide training for new skills for our unemployed whose jobs had been eliminated due to automation and other recent technological developments.

We passed that program last spring with the intention of having these training courses start July 1, 1962. However, due to lack of appropriations it was impossible to begin any classes before September 1 and, with the amount of money finally appropriated, cut $30 million—providing only $70 million for the national program—the Departments charged with the responsibility of administering the program could not initiate as many courses as they had originally planned.

Nevertheless, the Department of Labor and the Department of Health, Education, and Welfare, proceeded as best they could and, I understand, by the end of 1962 over 13,000 unemployed men, women, and unemployed youth were attending training classes throughout the Nation. I rather imagine the total has increased considerably during the past

7 or 8 weeks as the momentum of the program grows.

Those of us who were for this program originally recognized the great need for it—from an economical viewpoint, men and women could be removed from public assistance rolls—where they probably would have to remain until eligible for social security benefits—and eventually become self-sustaining once more, thereby lessening the tax load on both State and Federal Governments, and, from a humanitarian viewpoint, men and women and our unemployed youth, whose outlook for the future was desolate and bleak, could actually secure a new lease on life and faith in our way of life and our form of government could be rekindled by the realization that the elected leaders of our Nation—Members of Congress and our President—were interested in their plight and felt the Federal Government had a responsibility to help our citizens become adequately trained, thereby enabling them to help themselves.

Many of us realize that much is yet to be done for those already in the ranks of the unemployed and those new recruits—who are daily joining those ranks with the continued modernization of plant facilities and business offices that are converting to computers and similar equipment.

Criticism of the program and objections to its original enactment, let alone its continuation and enlargement, have been heard from various segments of our society. There is little doubt more will be expressed, and complete news coverage will be given it—for, although critics of Federal programs are nothing new, they seem to make news.

On the other hand the good this program is doing, the hope it has rekindled in the hearts of those participating in it, and the faith that we will eventually conquer this growing malignancy of unemployment in our land have been given little publicity.

For this reason, Mr. Speaker, I ask my colleagues in the House and Senate to read the following letter that Congressman HOLLAND received from 20 men—students in one of our retraining programs in Pittsburgh—ranging in age from 22 to 56 years.

I believe the expression of their personal feelings is a typical example of how the thousands now participating in this program, as well as those who hope to join it, actually feel.

These men know the road ahead will not be easy but they are willing and anxious to learn and to work and hope has been regained and faith in America reaffirmed.

The proof of the success of the Manpower Development and Training Act is here.

The letter follows:

FEBRUARY 15, 1963.

Hon. ELMER J. HOLLAND.

DEAR SIR: It is not easy to sit down and write a letter to a person in high public office. Especially when you want to say thank you and you know it isn't expected of you. But we wanted someone to know how we appreciate what we have.

We're a mixed group of all ages running from 22 to 56. We all have one thing in common. We're out of work.

It's a real shock to work for a company 10 or 20 years and then find yourself out of a job. You look for something else and find nothing. Then you collect your unemployment checks (thank heaven for them) and wait. Nothing happens. You become desperate. Just when you've about given up and are ready to pack up your family and move, you find out someone cares and is trying to do something about it. The something was the Manpower Training Act.

We're in the refrigeration and air conditioning class at Conley Vocational High School in Pittsburgh, Pa. We know it won't be easy even with the training we are receiving but at least we are hopeful and have something to look forward to. With the excellent facilities, tools, and fine instructor we know we'll have a future.

In closing we would like you to know we will do our best to prove this program a good one and to use a well-worn phrase, Where else could this happen but here?

Sincerely yours,

C. K. Reese, S. A. Roble, J. F. Lynd, R. G. Saltzman, F. J. Bubush, C. W. Ardinger, R. H. Baugher, R. S. Scott, D. A. Myers, H. Mander, F. S. Pokrywka, L. P. D'Ambrosio, David P. Hosch, Robert G. Johnson, Robert Calhoun, Edward M. Kehut, Roy W. Arnold, Thomas Davis, Jr., J. Bridge, J. K. Carver, class of refrigeration, Conley Vocational High School, Pittsburgh, Pa.

FEDERAL INVESTIGATION OF BOMBINGS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. PUCINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I have today introduced legislation which would give the Federal Government jurisdiction in investigating bombings of business establishments, houses of worship, and other private property.

This legislation, in my judgment, is necessary because we have reason to believe that the number of recent bombings of restaurants in Chicago have been committed by people who have been brought to our city from other parts of the country. Local authorities have a most difficult time in tracking down these terrorists, and for that reason I feel we can strengthen the ends of justice by giving the Federal Government jurisdiction to participate in bombing investigations.

My bill, amending section 837 of title 18, United States Code, creates a rebuttable presumption that section 837(a) has been violated, if property used for educational, religious, charitable, residential, business, or civic purposes is bombed. In other words, if enacted, the bill would enable the Federal Bureau of Investigation to participate immediately in the investigation of any such bombing.

The approach taken in the bill is similar to that taken in the Lindbergh Kidnaping Act—18 U.S.C. 1201(b)—which provides that:

> Failure to release the victim within 24 hours after he shall have been unlawfully seized * * * shall create a rebuttable presumption that such person has been transported in interstate or foreign commerce.

A similar presumption, relating to possession of explosives, is also established under subsection (c) of section 837.

I might add, Mr. Speaker, that the penalty for the above-mentioned offenses would be 1 year in prison and/or $1,000 fine if no injuries occur as a result of the bombing; up to 10 years in jail if bodily injury occurs to any victim of such bombing; and up to life imprisonment or death if any victim of such bombing dies as a result of such bombing.

I do hope that the appropriate committee will give this bill proper consideration and will give the House an opportunity to vote on this measure by reporting it favorably.

My bill follows:

H.R. 4058

A bill to amend title 18 of the United States Code to provide that the bombing of certain buildings will create a rebuttable presumption that a Federal criminal offense has been committed for purposes of investigation by the Federal Bureau of Investigation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 837 of title 18, United States Code, is amended by adding at the end thereof the following new sentence: "The use of any explosive to damage or destroy any building or other real or personal property used for educational, religious, charitable, residential, business, or civic objectives shall create a rebuttable presumption that such explosive was transported in interstate or foreign commerce with the knowledge or intent that it was to be used for such purpose."

VOCATIONAL REHABILITATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, today I have introduced the Vocational Rehabilitation Act Amendments of 1963, the general purpose of which is to expand and improve the vocational rehabilitation program. I would like to make a brief statement explaining the bill and why I think it is important at this time.

The vocational rehabilitation program is one of our Federal-State grant-in-aid programs, one of our oldest and most effective. With financial and technical assistance from the Federal Government, all of the States, Guam, Puerto Rico, and the Virgin Islands operate vocational rehabilitation programs. The purpose of the programs is to rehabilitate into remunerative employment physically and mentally impaired persons who are handicapped in their efforts to get or maintain employment.

As chairman of the Appropriations Subcommittee which reviews requests for appropriations for vocational rehabilitation each year, I have had an opportunity to become acquainted with the operation of this program in detail.

I have been extremely gratified at the progress that has been made. In fiscal 1962, rehabilitations reached an alltime high of over 100,000, and I have every reason to believe that the quality of vocational rehabilitation services is improving as the number of rehabilitations increase. The Office of Vocational Rehabilitation, now the Vocational Rehabilitation Administration, has had inspired leadership from Miss Mary Switzer, its Commissioner, and the States programs have had excellent direction.

As I have commended the progress of vocational rehabilitation programs, I have also recognized their shortcomings. On a number of occasions, the Appropriations Committee had directed attention to unmet needs. The committee has felt, for instance, that sufficient emphasis has not been put upon the rehabilitation of the mentally retarded, the mentally ill, the cerebral palsied, and the deaf. All of these categories present special problems. We have been gratified to see the State rehabilitation agencies rehabilitating a steadily increasing number of handicapped people in these categories, but we believe that it is possible to make a great deal more progress in this direction. We have been disappointed that some States have not seen fit to expand their vocational rehabilitation programs as rapidly as they should have. Since we believe it is in the public interest that we have as many handicapped people rehabilitated as possible, it is distressing that a number of States are allowing substantial Federal allotments of funds to go unused, because their State legislatures will not appropriate the sums necessary to match the Federal funds available.

We recognize, however, that not all of the difficulties encountered by the Vocational Rehabilitation Administration and the States can be overcome simply through the appropriation of additional funds. Certain changes in the vocational rehabilitation laws will undoubtedly expedite the expansion and improvement of these programs, and this legislative proposal is directed toward the solution of these problems. The bill I have just introduced is similar to H.R. 3523, which I introduced into the 87th Congress. I shall discuss the major provisions of the bill.

REHABILITATION EVALUATION SERVICES

One of the most important aspects of any vocational rehabilitation program is the determination of the rehabilitation potential of the handicapped individual. In fact, if this part of the process falls down, the rehabilitation program for the individual may be both costly and ineffective. This is an exceedingly difficult part of a vocational rehabilitation program, one to which a great deal of attention needs to be directed. In this legislative proposal, we have provided for a separately financed program for rehabilitation evaluation services. The Federal share of expenditure for the States rehabilitation evaluation services would be 75 percent. Rehabilitation evaluation services are defined to include: First, evaluation of medical, psychological, social and vocational aspects of an individual's physical and mental impairment and rehabilitation potential; second, the determination of rehabilitation services necessary to realize these potentials; and third, provision of any goods or services to an individual who is under a physical or mental disability during a period not to exceed 6 months, or not to exceed 18 months with the mentally retarded and other categories defined by the Secretary, during which time rehabilitation potential is being determined; and fourth, the determination of appropriate deferral of such individuals for rehabilitation services or other needed services which may not be provided by the State rehabilitation agency.

The enactment of this section of the bill will be of great significance to the rehabilitation movement. Since the bill specifies that rehabilitation services may be provided for the purpose of determining rehabilitation potential for stated periods of time, and the determination is not limited to the determination of vocational rehabilitation potential, the State vocational rehabilitation agencies will be encouraged to be more liberal in the acceptance of severely handicapped individuals for evaluation services. This legislation should result in rapid expansion and improvement of rehabilitation evaluation services in the State agencies, which is often considered the weakest link in the entire program of rehabilitation. The increased ability of State rehabilitation agencies to purchase rehabilitation evaluation services should result in far greater utilization of such evaluation services in existing workshops and rehabilitation centers and in the expansion of these facilities.

The inclusion of the responsibility for appropriate referral, along with the broader definition of the evaluation services, will give the State rehabilitation agencies the legal basis for development, in cooperation with other public and voluntary agencies, or centralized referral services for all disabled adults.

REHABILITATION FACILITIES

Another difficulty has been that the States and local communities have been unable to develop a sufficient number of the types of rehabilitation facilities which are needed for the rehabilitation of severely handicapped individuals. Particularly, there is a shortage of rehabilitation facilities which are vocationally oriented. Very few communities have workshops which can be used to provide a transitional experience for individuals, before they are ready to accept competitive employment. One section of this bill authorizes the Secretary to make grants to assist in meeting the cost of construction of public or other nonprofit workshops and rehabilitation facilities. An appropriation of $5 million is authorized for the first year, and $10 million for each of the succeeding 4 years, at which time the authority is terminated—section 2. The Federal share of the cost of the projects will be the same as the Federal share of the cost of rehabilitation projects under the Hospital Survey and Construction Act. All rehabilitation facilities established under this act must be approved by the State rehabilitation agencies in the States in which such projects are developed. A part of the funds appropriated may be used to reimburse a part of the cost of the States in meeting their responsibilities under the act.

Funds may be used for the construction of new buildings and expansion, remodeling, alteration, and renovation of existing buildings, and initial equipment of such buildings, including the cost of architect's fees in connection with construction. Funds may also be used for initial staffing for not to exceed 4 years, the section applying to both workshops and rehabilitation facilities.

The Davis-Bacon Act governs compensation of workers on construction projects. It is also required that workshops receiving grants agree to meet appropriate wage and hour standards administered by the U.S. Department of Labor.

The significance of this section is found in the fact that there will be for the first time a nationwide program of grants for construction of workshops and other rehabilitation facilities administered under rehabilitation auspices. This legislation will be used to supplement the program for the construction of rehabilitation centers under the Hospital Survey and Construction Act. Facilities constructed under the Hospital Survey and Construction Act must include medical and one other rehabilitative service. This legislation will continue to be used principally for the development of medically oriented rehabilitation facilities, with most of the grants probably going to hospitals. The new facilities program will be used principally to assist in the development of vocationally oriented rehabilitation facilities, including workshops, which cannot be built under the Hospital Survey and Construction Act, unless they are a part of a comprehensive rehabilitation center. The definition of rehabilitation centers and workshops found in current Office of Vocational Rehabilitation regulations are amended in this bill will prevail in the administration of this section.

EXPANSION OF REHABILITATION SERVICES

When Public Law 565 was passed in 1954, section (4)(a)(2) provided for Federal grants to the States to pay a part of the cost of projects for planning, preparing for, and initiating expansion of vocational rehabilitation programs in the States. This was a temporary program, expiring at the end of 3 years. This bill contains a section which renews the authority for making such grants, providing that the Federal Government may pay all or part of the cost of such projects, when, in the judgment of the Secretary, the projects hold promise of resulting in a substantial increase in the number of persons vocationally rehabilitated. Grants under any one project are limited to 5 years.

PRIVATE CONTRIBUTIONS

At the present time, contributions of private agencies and individuals to a State cannot be used to match Federal funds for the establishment of rehabilitation facilities under sections 2 and 3 of the Vocational Rehabilitation Act, unless such donations are unrestricted; that is, such donations cannot be earmarked for the construction of specific facilities in which the donors are interested. This section specifies that such funds donated by private agencies or individuals can be earmarked for the establishment of specific facilities in which donors are interested. This section is made retroactive to the time of the passage of Public Law 565 in 1954, so as to remove doubt with respect to the legality in the use of private funds to match State funds in some of the States.

ADMINISTRATION IN THE STATES

Under current legislation, excepting agencies for the blind, vocational rehabilitation in the States must be administered either by the State board for vocational education or by an independent rehabilitation agency. This bill provides a third alternative, which is, that the State's vocational rehabilitation program may be administered in a department which includes, in addition to vocational rehabilitation, two or more of the major public health, public welfare, and labor programs of the State.

It is provided that in case this third alternative is utilized by the State, the State's rehabilitation agency must be at an organizational level and have an organizational status comparable to that of other major organizations in the department and that it must have full time direction and a full time staff.

There appears to be a growing trend in the States to develop departments of State government into which are grouped the major public health and welfare functions, in other words, organizations somewhat similar to the Department of Health, Education, and Welfare on the Federal level. This section will enable the State to put the vocational rehabilitation program in such a department, under the conditions that have been cited. In some instances, vocational rehabilitation programs may be expected to become more effective in such departments.

LOCAL FINANCIAL SUPPORT (SEC. 4(3))

At the present time, interpretations of the law have been that all phases of the State vocational rehabilitation program must be in operation in all sections of the State. A section of this bill provides that exception may be made for special programs prescribed by the Secretary. The purpose of this section is to encourage local tax units to appropriate funds for the expansion of vocational rehabilitation services in their own political areas, even though such services may not be available on a statewide basis.

PRESIDENT'S COMMITTEE (SEC. 8)

Under current legislation, appropriations for the President's Committee on Employment of the Handicapped are limited to $300,000 per annum. This section would increase the appropriation authority to $500,000 per year. This will provide for an orderly expansion of the Committee's work during the next few years.

Mr. Speaker, Members of the House know that the Federal Government and the States are expending huge sums each year to alleviate the ill effects of dependency caused by physical and mental disability. It is expending far less than it should on efforts to rehabilitate those handicapped individuals who are, or who are likely to become, dependent upon society. It is in the public interest that every handicapped individual have an opportunity to rehabilitate himself, and that all the services he requires be available to him when the need for such services first appear. Until this condition exists, the Nation is not doing what it should and what it is capable of doing to afford equality of opportunity for its handicapped citizens. The legislative changes which are proposed in this bill will go a long way toward providing a legal base for expanded and improved vocational rehabilitation services. I fully believe that the Congress will see fit to implement with liberal appropriations this legislation once it is passed. I strongly urge the House Committee on Education and Labor, to which this bill will be referred, to conduct prompt hearings. Certainly, this is one piece of legislation with respect to which there must be general agreement as to its need and its practicality.

LABOR'S STAKE IN 1964

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Green] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GREEN of Pennsylvania. Mr. Speaker, I would like to take this opportunity to call the attention of the Members of the House to an excellent address delivered by my good friend, the very able Senator from Hawaii, the Honorable Daniel K. Inouye, at the 14th annual banquet of the Committee on Political Education, in Philadelphia, on Saturday evening, February 16.

The address is as follows:

LABOR'S STAKE IN 1964

I doubt if any man can be in politics very long without learning one immutable law—the voter is unpredictable. For reasons often unknown to us, and, for that matter, not always known to himself, he pulls the lever marked Democratic or Republican on election day. This is repeated by hundreds of thousands of voters across the Nation and a new Congress results. We can be sure of only one thing—whatever peculiar combination of circumstances made him pull that particular lever can never again be repeated.

We have just been through such an election and that new Congress has barely begun its work. The political pros, newspaper columnists, and even reluctant Republicans admit that the results of that election indicate a victory for the Democratic Party. We have an increased majority in the Senate—and on the Senate committees where it counts—and had minimal losses for an off-year election in the House. All of this adds up to increased liberal-Democratic strength and optimism for the administration's program in this Congress.

Yet, even while the returns from one State are not yet official and Minnesotans know not who their Governor is, I am here to tell you, as political representatives of organized labor, to begin work now for the 1964 congressional contest.

Before I am asked, "Where's the fire?" a word of explanation is due. I say work now for 1964 precisely because the voter is unpredictable and because his whim of yesterday may not be his will of the day after. Whatever our gains in the last election—however well things look right now—1964 is bound to be a different story. I am not saying that we are not going to do as well, but I am saying that the reasons for victory in 1962 may not be relevant in 1964, and labor's stake in the 1964 congressional election will be greater than ever.

Of course, 1964 is a presidential year. This may be to our advantage. The polls show that the President's popularity is high, and the prospects for his reelection are more than good. But popularity is hard to pin down and we are all aware that any number of things—a temporary foreign policy reverse, the failure of the economy to respond to the stimulus of the proposed tax cut, and so on—could change the complexion of the contest overnight.

Even more important, however, the popularity of the President will not assure the success of his party in the congressional elections. Coattails are out of style. Mr. Eisenhower was one the most popular Presidents in our history, but he never pulled his party into power behind him. And, in terms of your interests, the congressional contest is both just as important and involves a fight just as great as the presidential election. Further, the outlook for the congressional contest is far less optimistic.

In 1964, 25 Democratic Senators face reelection. Only eight Republicans must stand a similar test. Fourteen of these Democrats are from States which President Kennedy did not carry in 1960—California, Indiana, North Dakota, Oklahoma, Wisconsin, Ohio, and so on. It is difficult to predict gains in such a heavily weighted contest.

Among these 25 you will find many of labor's stanchest supporters and firmest friends. Philip Hart, of Michigan, Clair Engle, of California, Eugene McCarthy, of Minnesota, Gale McGee, of Wyoming, Ralph Yarborough, of Texas, Vance Hartke, of Indiana, and Harrison Williams of New Jersey are but a few. Twenty of these twenty-five voted for the administration's medicare program. Nineteen had ratings of more than 80 percent right according to their votes on 11 issues selected by COPE. And, they are almost unanimously in favor of such programs as aid to education, housing, area redevelopment, and minimum wage.

Thus, labor's stakes are high. Many of your friends are on the firing line, and the odds are not in your favor. But in 1964 labor's stakes are higher than even this might indicate. Labor has a real investment in supporting their candidates in 1964, for labor, itself, has been on the firing line of late.

At a time of general prosperity in this Nation, when our fears and concerns are centered on foreign rather than domestic problems, public sympathy for labor seems to be on the wane. In the early days of the movement, organized labor was viewed as the underdog fighting for its fair share of the American wealth. Today, with many of its original aims achieved—with such concepts as collective bargaining and workmen's compensation everyday words in the American vocabulary—the labor movement has lost much of the idealistic impetus upon which it rode.

This is not to say that the programs and principles for which labor fights today are any the less necessary or valid. They are, however, less pressing. The need for medical care for the elderly and aid to education is great indeed, but it is not the urgent and immediate need for compensation of a critically injured worker and his family, nor the need for bread felt by the hungry. And while it is widely recognized that labor can and should ask for its fair share of the profits of prosperity, there is wide disagreement as to what constitutes that fair share, and how it is to be secured. Similarly, while it is widely recognized that labor must look after its own interests, there is wide disagreement as to what those interests are, and how they are to be related to the national interest. Moreover, the sympathy engendered by a fight for survival no longer adds its force to labor's ammunition.

Today, the survival of organized labor is assured. As a power group in American society, the voice of labor is equal to all others, and because it is an organized voice, it is often louder. For these reasons, there is inevitable fear of labor's influence and power. This has been with us for many years. Of late, however, that fear has found an increasingly apparent point of focus.

During the past few years we have had a series of long and laborious strikes, some of which have been considered greatly injurious to the national interest. Among these was the recent dockworker's strike, which, despite the use of the Taft-Hartley injunction could not be settled behind the scenes, and tied up the Nation's shipping and commerce for several weeks. Only the intervention of a Presidential board brought about agreement.

Other strikes, while not involving the national interest, and thus precluding the use of government machinery to speed settlement, have involved direct and personal inconvenience and injury to individuals and businesses caught in between the labor and management groups involved. The most outstanding example, of course, is the current New York newspaper strike.

I am not about to discuss the issues involved in either strike, or the merits of either position. For however right or wrong labor or management may be in each instance, the fact remains that the public has little sympathy for those who are striking. I do not think I am being unduly dire in predicting that it will take but one more strike of national import to bring public pressure for restrictive legislation, beyond the scope of the Landrum-Griffin bill, to the point where it is irresistible. And may I remind you that when the Landrum-Griffin conference bill was voted upon by the House of Representatives in 1959, only 52 Members voted against passage. Over 350 voted for passage. I was one of the lonely 52.

An indication of this growing pressure is already available. One of the Nation's leading publications, Business World, not known as a friend of labor, to say the least, put it this way: "union power remains a potentially explosive issue in Congress where demands continue for antistrike legislation of some kind * * *. Kennedy still hopes to keep a lid on new labor legislation this year. But the unions themselves may blow the lid off before summer." There was a time when we could dismiss such warnings as scare tactics on the part of an unfriendly publication, but today there is more than a measure of truth in this report.

More and more in the corridors of the Capitol one can hear talk of "what can be done about labor." Several Senators have introduced and advocated legislation designed to apply antitrust laws to labor unions. Even Mr. Wirtz, the Secretary of Labor—who above all is not an enemy of labor—has mentioned the possibility of compulsory arbitration. In a speech last week before the National Academy of Arbitration, the Secretary warned: "Neither the traditional collective bargaining procedures nor the present labor-dispute laws are working to the public's satisfaction * * *." He continued, "it doesn't matter anymore, really, how much the hurt has been real, or has been exaggerated. A decision has been made. And that decision is that if collective bargaining can't produce peaceful settlements of these controversies the public will."

In the face of this mounting sentiment, the interest of labor in electing spokesmen who are sympathetic to their views should be apparent. For if the showdown now impending should prove unavoidable, it will not be by a landslide, but by a close and carefully waged contest that the issue is decided. One or two votes on either side could prove crucial and the deciding votes will be won or lost now.

I believe that this mounting antilabor sentiment is real and immediate, and that its impact on the congressional elections of 1964 can be immense. Further, there is another developing disposition on the part of the American public which is similarly acting against your interests. That is an increasingly apparent antispending sentiment. As in the case of the public's fear of the power of unions, this antispending sentiment is not new to the American scene; however, in a year in which taxes and the economy have been made a major issue by both parties, spending as much is taking its place as a hotly contested factor on both sides.

An indication of the amount of attention which this issue is attracting is afforded by the press. Pick up any major newspaper or magazine in this country, any day of the week, and you are bound to find mention of Federal spending. There will be articles and editorials on—Federal spending and foreign aid; Federal spending and education; Federal spending as it affects the individual and his freedom; Federal spending as it affects a balanced budget, and so on, until Federal spending as it affects every segment of and situation in our society has been carefully scrutinized and often stigmatized.

Again, because of our general prosperity and our increased concern over foreign rather than domestic issues, there seems to be a growing annoyance at greater domestic spending. True, the bulk of our budget is expended for defense and space exploration, and few would advocate reductions here. Thus, the relatively small amounts which go into domestic programs come under exaggerated fire.

Without the immediate and painful reminders of growing unemployment, bank and business failures and falling prices, we find it easy to forget that there are still those who are deprived and denied in this Nation. Similarly, while most of us enjoy an unparalleled prosperity, it is easy to forget that the potential of this Nation for providing adequate education, housing, and medical care for all of its citizens remains unrealized.

Such easy forgetfulness is a ready weapon for the opponents of education, medical care, housing, and other programs. While few are reminding us of the reality of these needs, many are warning us of the dangers of deficits and the beauties of a balanced budget. And, as I pointed out a moment ago, this point of view has found many advocates in the Nation's press, and has received a great deal of publicity of late. Such a calculated campaign cannot fail to make some impression.

Once again, I am not here discussing these issues, per se. For whether we cut our taxes and initiate reforms or maintain the status quo, whether we balance or unbalance the budget, these domestic needs will remain, and labor will continue to be the group most directly aware of and concerned with these needs.

You have always been the strongest supporters of these domestic programs. But if your efforts of the past are to meet with success—if programs such as medical care for the aged and aid to education are to be enacted—your increased efforts in the future, in the face of ever more vocal antispending sentiment, will be called for. Here, once again, it is in the Congress that these issues will be decided. Again, a few votes will make the difference. If you are going to have those votes when they are needed, you must seek and secure them now.

The interest of labor in every congressional election is great, for your members are many and your role in our society is a vital one. But the challenges to your interests are not often as great as they will be in 1964. There is a great deal to lose and it will take some effort to merely hold our own.

I might have spent these few minutes advising you of the merits of medicare or the advantages of aid to education. But I am not here to sell you a program. Rather, I am here to urge you to sell that program, because it is imperative to your interests that you do so. Thus, I can but point out what I believe is the real and immediate importance of early action and the equally real importunity of inaction.

If you are going to be successfully able to combat public pressure for antilabor legislation and decreased domestic spending—if the 25 Democratic Senators who must face the electorate in September of 1964 are to return to the Senate in January of 1965—and if labor is going to hold the trump in 1964 in order to take the trick in 1965—you must do your bidding now.

RELOCATION ASSISTANCE FOR DISPLACED FAMILIES AND BUSINESSES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the bill which I have introduced today, will correct inequities which occur in the Federal highway program and is in agreement with my views as to the role the Government must play in our national life.

This measure has been introduced to assure decent, safe, and sanitary housing for families and individuals displaced by the construction of highways which form part of the Interstate System. The bill requires that agreements between States and the Federal Government for the construction of links in the Interstate Highway System contain clauses to assure that there are, or are being provided, safe, decent, and sanitary dwellings in the areas of the construction projects which will be equal in number to those taken for the project. These dwellings are to be reasonably accessible to places of employment and are not to be less desirable in terms of public utilities and public and commercial facilities than were the former dwellings. The rents or prices are to be within the financial means of the individuals and families displaced.

In localities where a State or local agency already administers a relocation program, assistance is to be provided through such agencies for the relocation of the individuals and families displaced. In addition, the State or local community will be reimbursed by the Federal Government. Payments for the reasonable and necessary moving expense, not to exceed $200 in the case of any one family or individual, are to be made for the cost incurred in the relocation of the persons concerned.

The effects of our expanding network of highways and roads must be carefully considered by both the States and the Federal Government. My concern is with the human factor in these building programs. Throughout the Nation, families and individuals are being displaced because of the construction programs. As their homes are being condemned for the building of roads necessary to the Nation, the people must find new places to live, and this is not always an easy task. In the vicinity of the proposed construction projects, proper allowance has not been made for the relocation of those who are displaced by the project. It is my view that a highway should not be built without first giving due and complete consideration to what will happen to the people who must lose their homes to make room for the project.

Government efforts and programs, whether alone or in cooperation with the States, have often, and rightly so, been criticized as being heartless and not fully cognizant of the human factor involved. It is my hope that the enactment of this legislation will eliminate that criticism from the highway program. Progress can only be made when the people concerned are moving at the same rate as the technological skills of the Nation.

MORTGAGE GUARANTEE PROGRAM FOR DEPRESSED ECONOMIC AREAS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FLOOD. Mr. Speaker, today I am reintroducing my bill to promote the redevelopment of economically depressed areas by establishing a Government corporation which will provide a secondary market for industrial mortgages covering property in those areas.

In my congressional district, which comprises Luzerne County, Pa., one of the obstacles to redevelopment is the fact that the local lending and banking institutions have, in many cases, reached the limit of their lending power under the regulations established by the Pennsylvania banking laws.

Therefore, it is most important that some means be found to release the mortgage financing that is currently committed so that the required funds for further industrial expansion can be made available. My bill will, upon enactment, do that very thing.

So the provisions of this measure can be made readily available, I submit at this point, a copy of the bill that I reintroduced today.

The bill follows:

H.R. 3942

A bill to authorize the Secretary of Commerce to purchase industrial and commercial evidences of indebtedness to promote certain industrial and commercial loans in redevelopment areas by lending institutions in order to help such areas plan and finance their economic redevelopment, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Redevelopment Area Industrial Mortgage Purchasing Act".

FINDINGS AND PURPOSE

Sec. 2. (a) Congress finds that many lending institutions located in areas designated as redevelopment areas under the Area Redevelopment Act have contributed significantly to the redevelopment of such areas by continued substantial financial assistance. Congress also finds that, because of certain legal limitations and customary financial practices, lending institutions are frequently unable to continue such valuable financial assistance unless the Federal Government can help these institutions achieve sufficient liquidity of investment funds so that they can continue to make industrial and commercial loans in redevelopment areas.

(b) It is the purpose of this Act to help to provide lending institutions with a degree of liquidity so that they can make industrial and commercial loans in redevelopment areas and to improve the distribution of investment capital available for industrial and commercial loans in such areas.

AUTHORITY TO PURCHASE

Sec. 3. (a) The Secretary of Commerce is authorized, in cases where he determines that legal limitations or customary financial practices are seriously inhibiting the ability of lending institutions in making industrial and commercial loans in redevelopment areas, to purchase from such institutions evidences of indebtedness which, among other things, (1) do not represent in amount more than 65 per centum of the fair value of the property securing the same; and (2) do not represent an indebtedness which, together with the investment of the Secretary in a particular project under section 6 of the Area Redevelopment Act (Public Law 87-27, Eighty-seventh Congress, first session, May 1, 1961), would serve to extend the Secretary's investment in such project beyond 65 per centum of the aggregate cost of such project as defined in that Act.

(b) No evidence of indebtedness shall be purchased under this Act if it yields to the Secretary a rate which is less than the rate then applicable in section 6(b)(8) of the Area Redevelopment Act (Public Law 87-27, Eighty-seventh Congress, first session, May 1, 1961), or if it bears interest at a rate in excess of 6 per centum per annum, on the unpaid balance of the principal amount thereof.

(c) To the extent necessary to enable an evidence of indebtedness to meet the interest rate requirements in subsection (b) of this section, the Secretary may purchase such evidence of indebtedness for less than its face value, but in no event may he purchase an evidence of indebtedness for more than its face value.

INVESTMENT OF PROCEEDS

Sec. 4. (a) The Secretary shall require that the lending institution from which the Secretary purchases evidences of indebtedness under section 3 of this Act shall, within a reasonable time as determined by the Secretary, invest the proceeds from such purchase in the form of (1) a loan which is to cover part of the aggregate cost of a project to be assisted under section 6 of the Area Redevelopment Act (Public Law 87-27, Eighty-seventh Congress, first session, May 1, 1961), or (2) a loan which is to cover part, or all of the aggregate cost of a project, including working capital, located in a redevelopment area if such project, among other things, (A) involves the acquisition or development of land and facilities (including, in cases of demonstrated need, machinery and equipment) for industrial or commercial usage, including the construction of new buildings, the rehabilitation of abandoned or unoccupied buildings, and the alteration, conversion, or enlargement of existing buildings, (B) does not involve the relocation of an establishment from one area to another, but such project may involve the expansion of an existing entity through the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary finds that the establishment of such branch, affiliate, or subsidiary will not result in an increase of unemployment in the area of original location or any other area where such entity conducts operations unless the Secretary has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of an existing business entity in the area of original location or in any other area where it conducts such operations, and (C) is reasonably calculated to provide more than a temporary alleviation of unemployment or underemployment within the redevelopment area in which it is, or will be, located.

(b) In cases of demonstrated need, to be determined by the Secretary, a lending institution from whom the Secretary purchases evidences of indebtedness under Section 3 of this Act, may invest not more than 25 per centum of the proceeds from such purchase in ways other than those authorized by this section.

USE OF OTHER FACILITIES

Sec. 5. (a) To the fullest extent practicable in carrying out the provisions of this Act, the Secretary shall use the available services and facilities of other agencies and instrumentalities of the Federal Government, but only with their consent and on a reimbursable basis. The foregoing requirement shall be implemented by the Secretary in such a manner as to avoid the duplication of existing staffs and facilities in any agency or instrumentality of the Federal Government. The Secretary is authorized to delegate to the heads of other departments and agencies of the Federal Government any of the Secretary's functions, powers, and duties under this Act as he may deem appropriate, and to authorize the redelegation of such functions, powers, and duties by the heads of such departments and agencies.

(b) Departments and agencies of the Federal Government shall exercise their powers, duties, and functions so as to assist in carrying out the objectives of this Act. This Act shall be supplemental to any existing authority, and nothing herein shall be deemed to be restrictive of any existing powers, duties, or functions of any other department or agency of the Federal Government.

(c) Funds authorized to be appropriated under this Act may be transferred between departments and agencies of the Government, if such funds are used for the purposes for which they are specifically authorized and appropriated.

POWERS OF THE SECRETARY

Sec. 6. In performing his duties under this Act, the Secretary is, among other things, authorized to—

(1) assign, sell, or otherwise dispose of for cash, credit, or such consideration as he shall deem reasonable, at public or private sale and without recourse to him any evidence of indebtedness, debt, contract, claim, personal property, or security assigned to or held by him as a result of, or in connection with an evidence of indebtedness purchased under this Act and to collect or compromise all obligations assigned to or held by him in connection with such evidence of indebtedness until such time as such obligations may be referred to the Attorney General for suit or collection;

(2) deal with, complete, renovate, improve, modernize, insure, rent, or sell for cash, credit, or such consideration as he shall deem reasonable, at public or private sale and without recourse to him, any real or personal property conveyed to, or otherwise acquired by him, in connection with the evidence of indebtedness purchased under this Act; and

(3) to establish such rules and regulations as he may deem appropriate in carrying out the provisions of this Act.

ADMINISTRATION

Sec. 7. This Act shall, to the fullest extent practicable, be administered so as to be consistent with the objectives, purposes, and policies of the Area Redevelopment Act (Public Law 87-27, Eighty-seventh Congress, first session, May 1, 1961.)

DEFINITIONS

Sec. 8. (a) "Secretary"—Unless otherwise indicated, when used in this Act, "Secretary" shall mean the Secretary of Commerce.

(b) "Redevelopment area"—When used in this Act, "redevelopment area" shall mean an area designated as a redevelopment area under the Area Redevelopment Act (Public Law 87-27, Eighty-seventh Congress, first session, May 1, 1961).

(c) "Evidence of indebtedness"—When used in this Act, "evidence of indebtedness" shall mean a bond, debenture, note, or other contract for the payment of money, or a participation therein, which, among other things, (1) evidences a loan to aid in financing any project within a redevelopment area for the acquisition or development of land or facilities (including, as the case may be, machinery and equipment), or both, for industrial or commercial usage, including the construction of new buildings, the rehabilitation of abandoned or unoccupied buildings, and the alteration, conversion or enlargement of existing buildings; (2) is secured by a mortgage, deed of trust, or similar instrument, covering land or facilities (including, as the case may be, machinery and equipment), or both acquired or developed for industrial or commercial usage; and (3) is so secured as reasonably to assure repayment.

REVOLVING FUND

Sec. 9. (a) There is hereby established in the Treasury a revolving fund (hereinafter called "the fund") which shall be available, without fiscal year limitation, for use in carrying out the provisions of this Act. All repayments of loans, and interest, and other receipts from transactions under this Act shall be paid into the fund.

(b) To carry out the provisions of subsection (a) of this section, appropriations not to exceed $50,000,000 are authorized to be made to the fund from time to time and without fiscal year limitation. The Secretary shall pay into miscellaneous receipts of the Treasury at the close of each fiscal year, interest on the net amount of cash disbursements from the fund, at a rate to be determined annually by the Secretary of the Treasury, taking into consideration current average market yields on outstanding interest-bearing marketable public debt obligations of the United States of comparable maturities.

CAREER COMPENSATION ACT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Whitener] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WHITENER. Mr. Speaker, the Congress occasionally passes a law designed to achieve a desirable purpose but which in operation fails to bring about the results desired by the Congress. Whenever it is apparent to the Congress that a measure we have passed is failing to achieve the purpose for which it was enacted and is causing hardship, it is the duty of the Congress to take remedial action.

In July of 1962 the 87th Congress enacted Public Law 531. The bill amended certain sections of the Career Compensation Act of 1949 and the Dependents' Assistance Act of 1950. The changes became effective January 1, 1963.

Under the law certain senior noncommissioned officers of the Army, Navy, Air Force, and Marines were relieved of the mandatory responsibility or providing allotments for the support of their dependents. Since January 1, 1963, allotments for the support of their dependents have been voluntary on the part of these noncommissioned officers.

In the enactment of Public Law 531 the Congress was endeavoring to achieve a worthwhile purpose. The quarters allowance for certain members of the Armed Forces was to be raised and senior noncommissioned officers were given the opportunity of providing for the support of their dependents without arbitrary action on the part of the Federal Government.

I regret to say, Mr. Speaker, it seems that Public Law 531 with respect to voluntary allotments on the part of senior noncommissioned officers has failed to justify the optimism of Congress when the law was enacted. Many members of the Armed Forces have taken advantage of the law to terminate all assistance to their dependents, bringing about extreme hardship to the families of many servicemen.

I have received numerous complaints from the dependents of servicemen advising that their allotments have not been forthcoming since the effective date of Public Law 531. The Red Cross representative in one ctiy in my congressional district informs me that she has been deluged with inquiries from the dependents of service personnel who have suddenly been deprived of their means of support.

In addition to creating unusual hardship conditions for thousands of dependents of military personnel by the enactment of Public Law 531, we have brought about an administrative problem which is beyond the power of the various military services to handle. While the Armed Forces will make every effort to impress upon persons in the military service the necessity for providing for their dependents, the military services have been left without an effective remedy to apply in the matter.

In a letter dated February 13, 1963, the Commandant of the Marine Corps pointed out to me the difficulty with which the Corps is confronted in this matter.

I might point out—

General Shoup said—

> the following difficulty which will be encountered in resolving nonsupport problems under the new legislation. In accordance with the Marine Corps policy, a member who fails to provide support for his dependents may become subject to disciplinary action. Such action will not, however, serve to force the member to provide support for dependents against his wishes. This can only be accomplished by a civil court of competent jurisdiction.

The other military services are faced with a problem similar to the one described by General Shoup.

Mr. Speaker, unless the Congress takes quick action to restore the requirement for mandatory allotments for the support of dependents of military personnel, the problem I have described will continue to grow. Congress should act promptly to see that the dependents of military personnel continue to receive adequate support.

Under existing circumstances in the Armed Forces this responsibility can be fulfilled only by the enactment of legislation restoring the requirement for mandatory allotments on the part of enlisted military personnel. The bill I have introduced will alleviate the unfortunate situation of many families of service personnel that has arisen through the enactment of Public Law 531 of the 87th Congress.

I know that my colleagues in the House must have had numerous inquiries in the past several weeks from constituents who have had their subsistence funds terminated. In the light of their experience in this matter I hope that they will join with me in working for the enactment of my bill.

CUBA IN PERSPECTIVE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Stratton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STRATTON. Mr. Speaker, last weekend I had the honor to address the annual convention of the New York Press Association, an organization comprising the editors and publishers of virtually all of the weekly newspapers in New York State.

I took advantage of that occasion, Mr. Speaker, in speaking to this distinguished body of community leaders and opinionmakers in our great Empire State, to try to present my own views, as one Member of the House as well as a member of the great Committee on Armed Services, of just what the current situation in Cuba really is. I tried to do it without any of the narrow political partisanship that has clouded so many of the comments on this crisis in recent weeks.

In the thought that perhaps some Members may find some of these remarks of interest in connection with their own discussion of this vital subject in their home districts, I ask unanimous consent that the full text of these remarks be included at this point in the Record.

The address referred to follows:

Address of Congressman Samuel S. Stratton, Before the New York Press Association Convention Banquet, Hotel Syracuse, Syracuse, N.Y., February 15, 1963

CUBA IN PERSPECTIVE

Mr. President, members of the New York Press Association, ladies and gentlemen: I welcome this opportunity, as one member of the political fraternity, to pay my formal tribute to the ladies and gentlemen of the press for the vital and important role you play in making our American democracy work. Nobody knows better than a practicing politician the power of the press in the operation of our free and open American society. Without the means of communication between those in office and the people whom they represent which a free press supplies; and without an alert press, as a kind of fourth branch of government overseeing and riding herd on the actions and the antics of the other three, democracy could not long survive. Just how long might be a matter of some speculation, but I am sure that at least as far as the people of New York City are concerned, 2 long months is just about as far as they would care to push the experiment.

I'm also glad to have this chance to salute you who comprise that special portion of the fourth estate, the weekly newspapers of New York State. All of us in Washington respect the press. But as the New York Member of Congress who has more counties in his district than any other Member, and who therefore has, or so I am reliably informed, more weekly newspapers delivered to his office than any other Member from New York, I stand in particular awe of this distinguished audience and welcome this unique chance to try to penetrate your influential columns.

One of our occasional problems in a democratic society has been to reconcile the freedom of speech and of the press which is so vital to the preservation of our liberties with the special exigencies of war. Yet, even though we have never liked it, we Americans have always willingly accepted the temporary restraints which war, on the fortunately few occasions when we have been engaged in it, has imposed on these basic freedoms. Censorship has been accepted with the outbreak of hostilities, and has been speedily removed when those hostilities came to an end. We have been willing to forgo some of our own right to know so as to make sure the enemy isn't reading any of our important military secrets over our shoulder. And I daresay our democracy has not suffered as a result of this exercise in self-discipline.

I mention all this because of course today, in February 1963, we find ourselves in a situation that is really neither war nor peace as we have known them in the past. No shooting—or almost no shooting—by American forces anywhere in the world; yet our House Committee on Armed Services is currently studying, and doubtless will approve, the fourth largest defense budget—$54 billion—in the Nation's entire history.

What we are in today is what we have come to know as cold war—a somewhat inexact term, for a continuous and unrelenting struggle between communism and freedom which, for many at least, is just as deadly as hot war and whose outcome for the ultimate course of history could be even more crucial.

Just as the distinction between war and peace becomes blurred in an era of cold war, so too do some of the other distinctions. Last October, for example, this Nation stood on the brink of nuclear war in a situation more perilous than any we have faced since Pearl Harbor. Fortunately boldness and determination prevailed without the need for any outright hostilities. During this brief period, while the outcome was still in balance, our military leaders revived a modified form of wartime censorship and restricted their announcements to the press to those items which would not alert our enemies in advance to the course of action we intended to follow. When the crisis subsided this limited censorship came off.

This, of course, is what we now hear referred to as a policy of "managed news." I find it hard to believe that any reasonable man—or newspaper editor—would suggest for a moment that our Government had any more obligation to telegraph its punches to the enemy during the October Cuban crisis than we did in the months following Pearl Harbor. Yet this simple and to me perfectly unexceptionable principle still tends sometimes to be overlooked just because it is harder today than it was a generation ago to draw a clear line between war and peace.

The handling of our Government's relations with the press is not the only thing that we sometimes find hard to keep in perspective in the light of the realities of today's unique cold war situation. We've been witnessing another example in Washington these past couple of weeks of the ease with which our consideration of vital military and political issues can slip out of perspective and end up in confusion and hopeless exaggeration.

I'm not interested now in trying to assess either praise or blame. But as one Member of Congress with some responsibility for the successful operation of our overall Defense Establishment I do welcome the opportunity, before this distinguished audience, to make an effort to review the current situation in Cuba in the kind of perspective to which I believe it is entitled.

Here, as I see it, are the essential points about Cuba as of this Friday evening, February 15, 1963:

1. The Soviet long-range nuclear missiles have left Cuba, and the missile bases—whether they be concrete, gravel, concrete-with-gravel, or gravel-with-concrete—have in fact been dismantled and destroyed. Nothing is ever absolutely certain in this imperfect and uncertain world of ours, but I say that Secretary McNamara proved this point beyond a reasonable doubt to all fair-minded and reasonable men last week on television.

2. We Americans can take pride in a topnotch military intelligence system. No one could have watched that television report without marveling at the precision and detail of our knowledge of what goes on in Cuba. I might add that when Secretary McNamara presented essentially the same briefing to our committee 2 weeks earlier, every member of the committee, Republicans and Democrats alike, spontaneously applauded him and his young briefer when they had concluded for a really virtuoso performance. While it is of course theoretically possible for the Soviets to be hiding missiles in caves or under trees, they could not get them out and get them set up against us as things now stand without our detecting them in the process.

3. No intelligence system can ever be perfect. Trying to find out what goes on in a closed society cannot, obviously, be a completely exact science. Some stories we get are fact; others are only rumors. I know from my own wartime experience as an intelligence officer that any military commander learns to live with the inexact and the unprecise and tries as best he can to increase the area of hard knowledge and reduce the area of sheer guesswork before he decides upon a course of action.

4. If we propose to take this country to the brink of nuclear war, then it makes sense to try to do it on the basis of the facts we know and not just on the rumors we may merely suspect.

May I digress here to add just one comment in connection with that observation. A good deal has been said in recent days about those who, so we are told, "rightly called the turn" on Soviet missiles in Cuba last September, and "forced the administration" to confirm their charges in October. This is a bit misleading. The rumors about Soviet mistakes in Cuba, peddled by refugees, had been going the rounds in Washington for some weeks last fall. Our intelligence services were as well aware of these rumors as anyone else. But it is one thing to have a rumor and it is an entirely different thing to confirm that rumor as a proven fact. You can't very well go to the brink of war, as I say, over a mere rumor. Nobody in Washington had proved those missile rumors until the photographic evidence came in on that fateful October 14. Then, as you know, the administration acted swiftly, courageously, and effectively. But they could not—and indeed they should not—have acted until the proof—which those who had been peddling the rumors had never been able to supply—was in.

5. The Cuban crisis isn't over by a long shot. Certainly the threat to our own continent has subsided with the departure of the long-range missiles. Those missiles were offensive because they could be directed effectively against American cities and could have been part of a rational overall attack on the United States which successfully bypassed our missile early warning network to the north. That's why their presence was intolerable and why they had to be removed, even at the risk of war.

The Soviet infantry and antiaircraft troops and equipment which remain are not at all offensive in this sense, as Governor Rockefeller acknowledged last weekend. But this does not mean that they do not have some unpleasant capabilities for mischief in this hemisphere or do not, in fact, constitute a matter of grave concern to us. They do, and Secretary of State Rusk himself has told us that the United States cannot permanently accept this Soviet military presence in Cuba.

6. Finally, we are not only opposed to Russian troops being stationed in Cuba; we're also against Castro himself and want to see him out too. This, I submit, is also basic American policy.

Now if we can agree generally that these six points summarize things as they currently stand in Cuba, the next question is, What do we do about it? There's been a lot of criticism these past 2 weeks about Cuba, a lot of second guessing, and a lot of sanctimonious viewing with alarm. But except for Republican Senator JOHN S. COOPER, of Kentucky, there's been darn little in the way of constructive recommendations for action. And it isn't hard to understand why, because any course of action in today's polarized world can have highly explosive consequences. Talk is cheap; action never is.

The simple fact is that action over Cuba, now just as well as last October, could always involve us in all-out nuclear war with the Soviet Union. These are the stakes we are really playing for, let's not make any mistake about it. This doesn't mean we have to back away automatically from the possibility of nuclear war. Far from it. In fact we've already faced up to this possibility before without flinching—eyeball to eyeball with the Russians as someone expressed it—in October. We are ready to do it again if need be; let's make no mistake about that either. But surely we would be criminally negligent to move ourselves into this posture without first undergoing the most careful, cautious, and sober consideration of all that such a decision entails.

Frankly, most of the semantic games that have been played over this Cuban issue in recent days hardly measure up to this exacting requirement.

So far we have won one essential victory in Cuba without firing a shot. Perhaps we may succeed in winning more. But before anyone gets the idea that our military planners have gone to sleep over Cuba, let's just spell out some of the highly explosive possibilities of the situation we are already facing, each of which we must be prepared to deal with right now, not 2 months from now, and each of which could conceivably escalate into the all-out nuclear war with the Soviet Union, to which we faced up last October and successfully avoided. Here they are:

1. If one of our reconnaissance aircraft were shot down over Cuba. In the absence of on-site inspection, our present aerial surveillance is absolutely essential to continuing the present arrangement with Cuba. Yet the Soviets do have the capability to shoot these planes down at any time.

2. If Soviet long-range missiles were ever reintroduced into Cuba. President Kennedy made this perfectly clear in his press conference last week.

3. If the Soviets were to undertake any substantial increase in their present ground capability in Cuba. We have taken steps to get the Soviets to reduce their troops in Cuba. Perhaps we may not succeed. In any case I do not believe we could ever accept any substantial increase in these troops.

4. Any export of arms or subversion from Cuba to other Latin American countries. President Kennedy made this pledge, too, last October. I am sure it still stands.

5. Any attack on our naval base at Guantanamo, or any interference with our present position there.

6. Any use of Soviet forces, including tanks, to put down any anti-Castro rebellion by the Cuban people themselves. I do not believe we ever could or ever should sit by passively and let Soviet tanks crush any Cuban freedom revolt as they crushed the uprisings in Hungary.

Perhaps there are other possibilities which I have overlooked. But I have said enough, I think, to make it clear that even if we were to do nothing more in Cuba, we still could find ourselves confronted overnight with the threat of all-out war. And since most of us feel that we cannot long tolerate even the present situation, there comes the further question of just how we should proceed to correct it if our present diplomatic efforts fail. But whatever we decide to do—and we may well have to decide to do something—it won't come cheap.

So, wouldn't it seem obvious that viewed in this perspective the details of our Cuban policy become more than just a passing game of political checkers?

No one, surely, would want to foreclose public discussion, in the press or from the platform, about Cuba any more than about any other aspect of our foreign policy. But surely it is not too much to hope, is it, that in this great national debate, carried out in this shadowy era of half-war and half-peace, there should be at least some simple ground rules of responsibility which could help to keep this debate one that clarifies rather than confuses, and one that encourages rather than sublimates the rational processes of thought and reflection on which sound and effective American policy must be built?

No matter what the requirements of partisan politics may be, there is certainly no right to undermine the national security by anybody, anywhere, at any time.

Can we not, for example, agree that regardless of what past mistakes may have been made, from here out every criticism should carry at least the suggestion of some alternative course of action? And can we not also agree that since we have, after all, only one executive branch of government charged with maintaining our defense, those who profess to have available to them special sources of information on conditions abroad should make them available to our Defense Establishment at least as soon as they do to the press galleries?

Some may say, no this can't be done, because already we are in the process of a great American presidential campaign and the present President and his administration are fair game. Fair game yes, as individuals and as a party. But not fair game as the only duly constituted Government of the United States of America in a period of high international peril.

Once before we in America have seen that it is possible to conduct a political campaign under the shadow of war without undermining our national security. That was back in 1944 when a former Governor of New York State and a great American, Thomas E. Dewey, was running for President of the United States. During the course of his campaign the Governor, as you will recall, learned that our American intelligence officials had broken the Japanese diplomatic code and were regularly reading the Japanese dispatches prior to Pearl Harbor. Yet at the request of Gen. George Catlett Marshall, the Army's wartime Chief of Staff, Governor Dewey voluntarily refrained from using that information as a campaign issue—though it could have been a highly explosive one—because to do so would have gravely impeded the successful prosecution of the war.

The American people, I have always felt, owe a great debt of gratitude to Governor Dewey for his deep sense of responsibility and restraint in circumstances that must have been tempting in the very extreme.

As members of the press, you ladies and gentlemen are familiar with restraint of this sort and you are called upon to demonstrate it week after week in your papers. I am sure that we in public life, once the seriousness of the Cuban crisis is apparent, will follow the brave example of Governor Dewey and will exercise the responsibility and restraint which the times now require.

For after all, the things that divide our two great political parties are far less than the things that unite us as Americans. Politics still stops at the water's edge of national security and survival. And surely when it comes to the ultimate goal of eliminating communism—not just from Cuba, but from the face of the earth wherever it may be—this great country of ours, Democrats and Republicans alike, will continue to speak with a single firm and forceful voice of determination and of hope.

VFW SPEAKS UP FOR MILITARY PERSONNEL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Stratton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STRATTON. Mr. Speaker, as Members of the House are well aware, the most important single element of our National Defense Establishment is its personnel. It is particularly necessary that, in spite of the great emphasis being placed upon scientific, mechanical, and technological advances in weaponry, we do not overlook the role of the officers and men who man these weapons. All of the tremendous national investment in resources, dollars, and time, which we have made and are making in improving our military equipment would be useless without the devotion, the hard work, and the skills of our military personnel into whose hands these weapons are entrusted.

Our military personnel are serving in remote and scattered places throughout the world. They are there because that is where their duty requires them to be. We should recognize their vitally import service overseas; we should not penalize them for it. It is, therefore, with profound concern that I bring to the attention of this House the recent proposal that the customs officials of our Government plan to terminate the $10 tariff-free gift mailing privilege of our citizens. My purpose at this time is to urge that if such tariff-free mailing privilege from overseas is to be canceled, then our military personnel and their dependents should in all fairness be exempted from the new restrictions.

There are many good reasons why such arbitrary and unfair actions should not be imposed upon those who are so well serving in the defense of our Nation and the free world overseas.

The inequity of such a proposal from the standpoint of our military personnel and the reasons why they should be exempted from such restrictions are forcefully set forth in a recent letter from the Veterans of Foreign Wars of the United States to the Assistant Secretary of Defense, the Honorable Norman S. Paul. I am confident that Members of the House are well acquainted with the alert and effective manner in which the VFW has championed the interests of those who serve and have served in our Armed Forces.

I also invite attention to the reply of Assistant Secretary Paul to the letter addressed to him by Brig. Gen. J. D. Hittle, U.S. Marine Corps, retired, VFW director of national security and foreign affairs, in behalf of Byron B. Gentry, the national commander in chief of the Veterans of Foreign Wars of the United States. Secretary Paul's letter is reassuring in that it associates itself with the position taken by the VFW in support of our servicemen. This is another example of the insight and understanding of personnel problems which we have come to expect from Secretary Paul. Parenthetically, as a member of the Armed Services Committee of the House of Representatives, I wish to compliment Secretary Paul for the sincerity, intelligence, and frankness with which he is performing his vitally important role as Assistant Secretary of Defense for Manpower.

Under leave to extend my remarks I include at this point the VFW letter in defense of the interests of military personnel overseas and the reply by Secretary Paul:

January 22, 1963.

Hon. Norman S. Paul,
Assistant Secretary of Defense (Manpower),
Department of Defense, Washington, D.C.

Dear Mr. Secretary: The purpose of this letter is to inform you, on behalf of Mr. Byron B. Gentry, commander in chief of the Veterans of Foreign Wars of the United States, of our deep concern over the recent announcement of the impending cancellation of the current authority for individuals to send tariff-exempt gifts of $10 or less, from overseas to individuals in the United States.

The VFW urges that every effort be made by the Department of Defense to permit military personnel and their dependents to continue the $10 tariff-free gift privilege. Unless oversea military personnel are exempted from the impending cancellation, an undue and unnecessary burden will be imposed on them.

It is difficult, indeed, for the VFW to believe that the withdrawal of this small privilege of sending a tariff-free $10 gift, is, in fact, a necessity. With tourists able to bring in $100 in tax-exempt purchases as often as once a month from foreign countries, with U.S. corporations able to purchase foreign companies in amounts of hundreds of millions, and in view of the tremendous economic assistance by this Nation, even to Communist regimes, the continuation of the authority for our military personnel to send home $10 tariff-free gifts, does not seem unreasonable.

While such gifts may not appear to some to be an important factor in morale, I believe that even a cursory survey of the opinion of U.S. officers and enlisted personnel overseas will disclose a widespread and intense resentment over the impending cancellation. I have recently returned from Europe. In the course of my travel, representing the commander in chief of the Veterans of Foreign Wars of the United States, Mr. Byron B. Gentry, I had the opportunity to meet with numerous officers and enlisted personnel of our armed services. This matter of the impending cancellation of gift mailing is deeply resented by them.

It was only a short time ago that military personnel had the privilege of mailing $50 tariff-free gifts. That authority was allowed to lapse, leaving service personnel only the broad $10 gift-mailing entitlement. If this, too, is taken away from them, they will then have only the dubious privilege, in accordance with pending plans, of mailing to their mothers, fathers, relatives, and sweethearts gifts of not more than $1. This is at best a ridiculous entitlement.

It is generally recognized that one of the basic and acute problems in defense matters is the retention of experienced military personnel many of whom are overseas because of duty assignment, and not because of personal choice. To deprive them of this small privilege of sending a modest gift to a loved one in the United States is an insult to their intelligence and creates a continuing and unnecessary cause of resentment.

In the interest of service morale and just plain fair treatment for those who serve in our Armed Forces overseas, the VFW strongly urges that the Department of Defense take such action as is necessary to prevent the $10 gift-mailing privilege from being taken away from military personnel.

Sincerely,

J. D. Hittle.

Assistant Secretary of Defense,
Washington, D.C., February 8, 1963.

Brig. Gen. J. D. Hittle,
USMC, Retired, Director, National Security and Foreign Affairs, Veterans of Foreign Wars of the United States, Washington, D.C.

Dear General Hittle: Thank you for your views expressed in your letter of January 22.

The Department of Defense shares your concern over the impact the Commissioner of Customs' proposal to reduce the value of articles which may be admitted free of duty would have on the morale of our personnel, and we have strongly recommended to the Secretary of the Treasury that Department of Defense personnel who are stationed overseas be exempt from this regulation.

The continued support of your organization in these matters is greatly appreciated.

Sincerely,

Norman S. Paul.

SMALL BUSINESS COMMITTEE FACES HEAVY WORKLOAD DURING 88TH CONGRESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Evins] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EVINS. Mr. Speaker, as the new chairman of the House Small Business Committee, I want to take this opportunity to invite the attention of the Members to the work and the accomplishments of the committee during the preceding 87th Congress. An examination of the hearings held by the committee, the reports covering those hearings, and the additional reports covering the staff's studies and the 60-odd field investigations, will serve to demonstrate that this committee has been on the job and working diligently in furtherance of the tasks and duties assigned to it by the House.

I want to mention also that, in addition to all of the foregoing, the committee handled more than 500 small business problems referred to the committee by various Members of the House.

Under the chairmanship of the gentleman from Texas, Congressman Wright Patman, the House Small Business Committee, during the 87th Congress, much was accomplished.

As the newly appointed chairman of this committee, I want to assure the Members of the House that the committee will continue to work industriously and effectively. There will be no lessening of the workload intensity of the committee's work or of the determination and dedication of the committee to carry out effectively its assigned mission. There will be no lessening of the accomplishments of the committee.

A rather complete picture of the work of the committee during the 87th Congress can be obtained by referring to the various recommendations set forth in the committee's final report, which was distributed on January 3 of this year. This final report will show that the committee submitted to the House 37 individual recommendations covering small business problems in about a dozen different fields of economic activity. To be specific, the recommendations dealt with small business problems associated with antitrust, taxation, distribution, the Small Business Administration, Government procurement, foreign trade, television, urban renewal, area redevelopment, and the aluminum industry.

In order that the Members may have more detailed information about these recommendations, there is reprinted below that chapter of the committee's final report which describes and explains each of the committee's 37 conclusions and recommendations:

Chapter XIX. Conclusions and Recommendations

GENERAL

"The essence of the American economic system of private enterprise is free competition. Only through full and free competition can free markets, free entry into business, and opportunities for the expression and growth of personal initiative and individual judgment be assured. The preservation and expansion of such competition is basic not only to the economic well-being but to the security of this Nation. * * * the Government should aid, counsel, assist, and protect, insofar as possible, the interests of small business concerns in order to preserve free competitive enterprise" (Small Business Act of 1958).

At the time of its establishment, during the opening days of the 87th Congress, the House Small Business Committee was charged with the duty to "conduct studies and investigations of the problems of all types of small business."[1] Since that time, the committee has sought out and examined the problems of the small business sector of the national economy. Investigation has likewise been made of those situations and conditions appearing to be prejudicial or detrimental to small business.

Small business continues to suffer from a manifold complex of discriminations. Inequities in the Federal tax structure, although lessened to a degree by legislation adopted during the 87th Congress, continue to impair the growth of small businesses. Adequate financing at reasonable rates of interest is not sufficiently available from conventional sources. Government procurement practices have not fully achieved the objective of awarding to the small business sector that proportion of contracts justified by its capabilities. Research and development contracts, in particular, continue to be awarded almost exclusively to larger concerns. The trend toward industrial and economic concentration is accelerating. Unfair and monopolistic practices continue to be employed by large corporations. Deficiencies in the antitrust statutes often prevent effective protection of the public interest.

The Nation's small businesses cannot permanently survive these discriminations, nor—without the required assistance—can they fully utilize the opportunities inherent in our Nation's continuing growth. New problems lie ahead.

America's increasing participation in international trade presents both a challenge and an opportunity, particularly to the small business community. Rapidly changing conditions in our cities, smaller towns, and rural areas pose serious problems for the small businessman.

America cannot fully prosper without a vigorous and expanding small business community. If the strengths accruing to our Nation and its economic system from this source are to be retained for posterity, action is imperative.

The Select Committee on Small Business of the House of Representatives, believing that the Congress shares its concern with the problems of small business, submits the following as its recommendations, for consideration by the Members and appropriate legislative committees of the House of Representatives.

ANTITRUST AND TRADE REGULATION

1. It is recommended that the Federal Trade Commission Act be amended to provide that sales at unreasonably low prices or at prices below cost constitute an unfair act or practice and are violative of the Federal Trade Commission Act, and that such acts and practices would be subject to private litigation for damages by small business firms injured thereby.

This recommendation expresses the intent and purpose of H.R. 127, which was introduced on January 3, 1961, by Representative Wright Patman, chairman of the Select Committee on Small Business. A number of other Members of the House also introduced identical measures.

The purpose of these bills is to prohibit by Federal law certain discriminations in price which also involve sales at unreasonably low prices, including those at levels below cost. This would be accomplished by adding a new section to the Federal Trade Commission Act.

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[1] H. Res. 46, 87th Cong., 1st sess.

This is a recommendation which has been made by this committee in prior Congresses, and legislation to accomplish these objectives has also been introduced in past Congresses. The necessity for prompt action becomes increasingly urgent. Daily, the committee receives letters from small businessmen who are receiving serious injury from below-cost selling carried on by large concerns for the express purpose of eliminating competition. The unreasonably low prices dealt with here do not benefit consumers. Rather, leading as they inevitably do to the elimination of competition, the predictable result of this predatory practice is ultimate higher costs to the consumer.

Extensive hearings and investigations during the 87th and prior Congresses have conclusively established that small businesses engaged in a variety of industries throughout the country are receiving irreparable injury from this form of unfair competition. The limited financial resources of the small businessman do not permit him to successfully combat this practice. Since the problem is national in scope, small business has no recourse other than seeking relief through appropriate legislation by the Congress.

During the 87th Congress, the demand for action continued to grow. As pointed out by Chairman PATMAN in his testimony before the Committee on Interstate and Foreign Commerce:

"On July 18, 1961, representatives of several hundred thousand persons and of many thousands of small business firms conferred with the President of the United States at the White House and petitioned for early favorable consideration of legislation designed to help small business.

"Specifically, the President was urged to support legislative proposals which would curb predatory pricing practices destructive of small business, and other legislation which would empower the Federal Trade Commission to issue temporary cease and desist orders pending completion of litigation, when required to protect the public interest."

PRESENT LAW IS INADEQUATE

The Supreme Court of the United States, on January 20, 1958, by a 5-to-4 decision, held that section 3 of the Robinson-Patman Act is not a part of the Federal antitrust laws and therefore is not available for proceedings by persons injured as a result of actions forbidden by the antitrust laws. The Court so held in the cases of *Nashville Milk Company* v. *Carnation Company* and *Safeway Stores, Inc.* v. *Vance* (355 U.S. 373 and 389). The ruling by the Court in these cases means that, under existing law, small and independent business concerns are not permitted to use section 3 of the Robinson-Patman Act in proceedings against unlawful selling at unreasonably low prices—even though those practices result in the creation of monopoly.

Chairman PATMAN, in his testimony, expressed the necessity for legislative action in this manner:

"At the Federal level, what can be expected under existing provisions of other laws to help protect small business firms from the ravages and the devastation visited upon them as a result of these predatory pricing practices of large, multiple-market operators in selecting first one area and then another in which to sell at prices below cost until all competition in each of such areas is eliminated? At one time there was hope that section 5 of the Federal Trade Commission Act could be relied upon for help in that respect. However, largely because a Federal court in 1919, in the case of *Sears, Roebuck & Co.* v. *Federal Trade Commission,* 258 F. 307, held that section 5 of the Federal Trade Commission Act was not applicable to sales at prices below cost, the Federal Trade Commission has since been reluctant to attack the practice unless it was shown to be coupled with an intent to destroy competition. In other words, the Commission now considers that the application of that law to predatory pricing practices would require a standard of proof equivalent to a showing of criminal intent to destroy competition. The Commission and the Department of Justice do not consider that, under the existing law, they are empowered to proceed against the practice of selling at prices below cost simply upon a showing that the effects and results are substantial lessening of competition and tendency to create monopoly.

"The States have tried to deal with this problem; many of the States have enacted legislation to combat this practice of selling at prices below cost. The courts have upheld the State laws, but, due to the fact that the law of any State does not reach beyond the State line, it can have no application to transactions in interstate commerce. The need for Federal legislation on the subject to fill this void is most obvious."

2. It is recommended that the Federal Trade Commission Act be amended to authorize and empower the Federal Trade Commission to enter temporary cease and desist orders to provide temporary injunctive relief pending the issuance of final orders in protracted litigation.

On August 21, 1961, Representative TOM STEED, Democrat, of Oklahoma, chairman of Subcommittee No. 4, introduced H.R. 8830, a bill to amend the Federal Trade Commission Act to provide for the issuance of temporary cease and desist orders to prevent certain acts and practices pending completion of Federal Trade Commission proceedings.

Early in the 87th Congress Representative STEED had introduced a somewhat similar bill, H.R. 1233. A number of other Members of the House also proposed similar legislation. Representative WRIGHT PATMAN, chairman of the full committee; Representative JOE L. EVINS, chairman of Subcommittee No. 1; Representative JAMES ROOSEVELT, chairman of Subcommittee No. 5; and others sponsored legislation to empower the Federal Trade Commission to issue temporary cease and desist orders.

Specifically, the purpose of these measures is to amend section 5 of the Federal Trade Commission Act (15 U.S.C. 45) by adding a new subsection. Under its provisions, if the Commission concludes that a prima facie showing has been made that it would be in the public interest to issue a temporary cease and desist order in a proceeding, and the respondent to whom the complaint has been directed has not shown why such temporary order should not be issued, then it shall be the duty of the Commission to issue such temporary cease and desist order.

These bills provide adequate safeguards. Before any temporary cease and desist order is issued, the respondent must be given ample notice to appear and object to the issuance of the order. It is also incumbent upon the Commission to show that the proposed order would be in the public interest. In addition, any such order of the Commission would be subject to judicial appeal.

Too frequently, inordinate delays have characterized the disposition of proceedings before regulatory agencies, such as the Federal Trade Commission. Decisions are sometimes delayed for periods ranging from 6 to 10 years. Under existing law, the Commission does not have the power to halt the practices complained of prior to final disposition of the case. In the meantime, the small business which originally filed the complaint has long since been destroyed.

3. It is recommended that the Packers and Stockyards Act of 1961 be amended to strengthen independent competition in the sale of meat and meat products by making it unlawful for packers and retailers to integrate their functions in the processing and the marketing of meat and meat food products in excess of an aggregate annual volume where competition would be adversely affected by the integration of such functions.

Since the issuance of the meatpacking decree of 1920, the principle has been well established that the large packers may not vertically integrate "downward" into retailing. The provisions of this decree have served the public interest well in curbing this threat to competitive markets. In recent years, however, large retail food chainstores have been integrating "upward" into the feeding, slaughtering, and preparing of livestock. Many small, independent businesses are being destroyed in this process.

Representative JAMES ROOSEVELT, chairman of Subcommittee No. 5, introduced H.R. 10392 to protect these small businesses by preventing further integration of the functions of packers and retailers.

Testimony adduced at hearings and continuing investigations have fully established the necessity for this legislation. Large packing concerns continue to strain for recision of the 1920 decree; the giant food chains continue to enlarge their slaughtering operations. The independent meatpacker is caught in a pincer between the two.

4. It is recommended that the Federal Trade Commission Act be amended to prohibit vertical integration in the food industry where the integration of the functions of processing, wholesaling, and retailing of food would have the effect of substantially lessening competition or tending to create a monopoly in any line of commerce.

As a result of extensive hearings held during the 86th Congress and continuing investigations during the 87th Congress respecting small business problems in food distribution, it was found—

(1) That the 10 largest chain food stores in this country account for almost 30 percent of all U.S. food sales; and

(2) That the three largest chain food stores in this country account for approximately 47 percent of the total of all chain foodstore sales;

(3) That there is evidence that, if left unchecked, a decreasing number of food stores will obtain an increasing share of the market, and

(4) That retail chain food stores have so vertically integrated their operations that they are now engaged in business at every stage—from control of the basic foodstuff or related commodity, through its manufacture, processing, or other preparation, to its retail sale to the consumer, and

(5) That, as a result of this vertical integration, many independent operators of businesses at all levels of the food industry have been eliminated.

The committee feels that, as shown by these facts, vertical integration of the food industry is developing at a rate destructive to free competition. To permit this development to continue unchecked would be to deny the economic principles upon which the antitrust laws are based.

This measure will make it unlawful and an unfair act and practice in commerce within the meaning of section 5 of the Federal Trade Commission Act, for any person, partnership, or corporation engaged in the retail sale of merchandise through food or grocery stores, in or affecting commerce, to engage in the manufacturing, processing, or preparation of any food or related merchandise for sale through food or grocery stores, where the effect of the integration of the retailing of such merchandise with such manufacturing, processing, or preparation may be to substantially lessen competition or to tend to create a monopoly in any line of commerce.

5. It is recommended that legislation be enacted to provide for prenotification of proposed mergers of firms within the jurisdiction of the Federal Trade Commission by giving to the Federal Trade Commission and

to the Antitrust Division of the Department of Justice notice of and information concerning the proposed mergers before they are consummated.

This proposal has been recommended in previous Congresses by the Small Business Committee. Hearings by legislative committees and the reports issued to both the House of Representatives and the Senate in past Congresses have well established the many reasons why enactment of this proposal is needed. The necessity for its enactment has become more urgent with the passage of time. The recent study on "Mergers and Superconcentration" by this committee reveals the extent to which the merger movement has increased industrial concentration in recent years.

6. The Department of Justice and the Federal Trade Commission should determine whether contract growing of poultry is diminishing through the cooperative and voluntary efforts of the various segments of the broiler industry. If it is found that the practice is not diminishing, the Department of Justice and the Federal Trade Commission should actively investigate, under the antitrust laws, the legality of the contract growing of poultry.

Every effort should be made to do away with contract growing. If possible, this should be attempted through the cooperative efforts of the various segments of the broiler industry. Farm organizations and the U.S. Department of Agriculture should actively assist such voluntary measures. If this proves impossible, however, the Department of Justice and the Federal Trade Commission should actively investigate the legality of contract growing under the antitrust laws.

Under section 3 of the Clayton Act, tying contracts, full-line forcing, and exclusive dealing arrangements are illegal if they substantially lessen competition or tend to create a monopoly. Broiler-growing contracts contain provisions similar in function to these prohibited practices. For example, requiring a grower to patronize a particular hatchery or processor could be said to approximate a form of full-line forcing or exclusive dealing if the contractor owns either of the businesses. A requirement to use only a designated type of feed and chick might be considered a tying arrangement or full-line forcing. Similarly, restriction on the use of feed by a grower could possibly be deemed an illegal exclusive dealing practice under the theory of *Standard Oil of California* v. *United States* (337 U.S. 293 (1949)), particularly since there appears to be a trend toward greater concentration in broiler-growing operations. Finally, contract growing might be found to run afoul of section 5 of the Federal Trade Commission Act where unfair methods of competition are declared invalid. The reasoning enunciated in *Federal Trade Commission* v. *Motion Picture Advertising Service Co.* (344 U.S. 392 (1953)) might be considered applicable here.

(a) The Department of Justice and the Federal Trade Commission should examine the operations of food chainstores to ascertain whether unlawful buying practices of poultry exist.

7. It is recommended that more personnel be provided for the Division of Discriminatory Practices of the Federal Trade Commission and such other branches of the Bureau of Trade Restraint as the appropriate legislative committee may deem necessary.

At the present time the caseload resulting from enforcement of the Robinson-Patman Act is increasing sharply. Approximately 25 lawyers in the Division of Discriminatory Practices of the Federal Trade Commission are presently invested with the responsibility for enforcing this bulwark of protection for small business. The backlog of cases is nearing unworkable proportions. If the small business community is to receive effective and needed enforcement of the Robinson-Patman Act, additional personnel must be supplied for this vital task. The other areas of antimonopoly enforcement falling within the jurisdiction of the Bureau of Trade Restraint, Federal Trade Commission, also have mounting backlogs of cases. The appropriate legislative committee should determine whether additional personnel are required to correct this situation. It should also be noted that the power to enter temporary cease-and-desist orders as recommended by this report would prove of immeasurable assistance in this respect.

8. It is recommended that the appropriate committees in the 88th Congress study the policies and practices of the Federal Trade Commission regarding the conduct of negotiations for "consent orders" under proceedings which may deny interested or aggrieved parties timely opportunities to review the provisions in proposed "consent orders" and express themselves thereon.

9. It is recommended that the appropriate committees in the 88th Congress study the practices of the Federal Trade Commission and the Antitrust Division of the Department of Justice with respect to agreeing to the entry of "consent orders" and "consent decrees" which do not adequately provide, from the viewpoint of small business and the public interest, the injunctive relief indicated in the antimonopoly complaints, which are intended to be disposed of by the proposed consent agreements.

(See ch. V of this report for a discussion of the reasons these studies would be in the public interest.)

TAXATION

It is recommended that during the 88th Congress any program of general tax reform include the following:

10. Amendment of the Internal Revenue Code to provide a program of tax adjustment for small business and for persons engaged in small busines by allowing as a deduction for the taxable year an amount measured by the additional investment in such trade or business for the taxable year not to exceed $30,000 or 20 percent of the net income, whichever is the lesser.

This plan for allowing a tax adjustment for small business has been made the subject of a recommendation in reports submitted by the Small Business Committee heretofore. Also, members of this committee and the Ways and Means Committee from both sides of the aisle in prior Congresses have introduced bills to this effect. A tax adjustment of this nature for business is essential to attain the rate of economic growth necessary for an expanding national economy. Small business firms require this tax provision, since retained earnings are their chief source of funds for modernization and expansion. The present tax law does not allow sufficient earnings to be retained for this purpose.

11. Examination of Public Law 87–834 by the appropriate legislative committee and consideration of revisions which would make it more applicable to small business. Its limitation to $50,000 for purchase of used property in any one year and to property with a useful life of at least 4 years excludes many small businessmen from the operation of the 7-percent income tax credit offered by Public Law 87–834.

Amending Public Law 87–834 by removing the above limitations would allow many additional small businesses to avail themselves of the benefits of this provision of the tax law.

12. An examination of the impact of excise taxes on small business. Particular care should be taken to reduce inequities resulting from administrative reversals of longstanding decisions concerning taxability of specific items.

An example of the impact this can have upon a small business-dominated industry is the recent decision concerning the taxability of high fidelity radio and phonograph components.

13. It is recommended that the Internal Revenue Code be amended to—

(a) Permit small business investment companies to set up reserves for losses and bad debts and to deduct reasonable additions to such reserve, up to 20 percent of an SBIC's investments and loans.

(b) Exempt SBIC's from the accumulated earnings tax.

(c) Provide that a stockholder in an SBIC shall not be deemed to own stock in a small business concern, merely because of the equity held by the SBIC of which he is a stockholder. This would exempt SBIC's from the personal holding company surtax because of such stockownership.

(d) Allow privately owned SBIC's to qualify as regulated investment companies, thus enabling them to pass through profits to stockholders. Publicly owned SBIC's registered with the Securities and Exchange Commission already enjoy this privilege.

(e) Allow losses sustained on any equity securities held by an SBIC to be applied against ordinary income. At present the law grants such deductions only to securities obtained by conversion from debentures.

(f) Permit a small corporation with an SBIC as a shareholder to be taxed under the code as a partnership.

Small business investment companies are performing a vital function in providing a long-needed source of long-term and equity capital for small businesses. These proposed amendments to the Internal Revenue Code would remove several severe hindrances imposed upon them by our present tax laws. The chairman of the committee introduced a bill in the 87th Congress containing these proposals.

DISTRIBUTION

14. It is recommended that the Federal Trade Commission continue to maintain vigilance in insuring that dealer aid or other financial assistance from petroleum suppliers to retail service stations is administered in a manner consistent with the intent and purpose of the Robinson-Patman Act.

The use of dealer aid by petroleum companies has long been a matter of great controversy. Of late, a number of suppliers have announced their abandonment of the practice. In some cases the policy of using dealer aid has been reinstated and, in at least one instance, later reabandoned. It is clear that, improperly used, dealer aid can be a particularly vicious form of discriminatory practice. A study in depth is needed to establish the nature, effect, and implications of dealer aid, and whether its use should be abandoned. If use of this device is to be continued, its proper usage must be defined.

15. It is recommended that, in light of the fact that only limited attention could be given to the supplier-dealer relationship within the petroleum industry during the 87th Congress, and, in light of the fact that certain undesirable practices were discovered, continued attention be paid to the economic relationship between petroleum companies and service station operators during the 88th Congress, in order to determine whether petroleum companies are refraining from abuses of the power inherent in their dual role of landlord and supplier, or whether further corrective legislative action is necessary to equate the rights of the dealers with those of the suppliers.

16. It is recommended that the Small Business Committee, during the 88th Congress, hold hearings to consider the impact upon independent retailers of the presently growing system of dual distribution by manufacturers of rubber tires and other commodities.

The committee should also consider whether the present antitrust laws provide adequate protection for small, independent retailers and the consuming public from the effects of dual distribution. Unless an exhaustive inquiry is made respecting dual distribution practices, it appears likely that further inroads will be made into a sphere of activity heretofore conducted almost exclusively by small businesses.

17. The committee recommends that legislation be promptly considered by the appropriate legislative committee which will prevent the encumbrance of basic lease/leaseback agreements or similar devices made to petroleum jobbers and dealers with conditions which are burdensome and unnecessary from the standpoint of adequately guaranteeing loans made by lending institutions.

In addition, petroleum suppliers should give immediate and serious consideration to the elimination of these objectionable conditions in order to forestall, wherever possible, the imposition of legislative action.

In the summary of the reports of the Subcommittee on Distribution in this final report there appears in recommendation No. 1 a complete listing of the specific provisions referred to above.

SMALL BUSINESS ADMINISTRATION

18. It is recommended that during the 88th Congress the appropriate legislative committee promptly consider enactment of legislation providing for SBA guarantee of rentals due under certain leases of reality to small businessmen. Timely passage of this measure could do much toward making available desirable space to small businessmen.

In most American cities the last decade has seen both a renewal of many portions of the downtown areas and an exodus to suburbia. Many small businessmen have been forced to move because of highway construction or other renewal activity. Others have found that the location they occupy is no longer desirable.

Most of the better commercial realty is rented on a long-term basis. The owners are often reluctant to enter into an agreement of this kind with small retailers because they lack confidence in the stability of such enterprises and question their capacity to meet their obligations over a sustained period of time. Lessors therefore prefer to deal with large companies enjoying high credit ratings. Where such tenants are available, applications from small retailers are not likely to be accepted.

This problem has been greatly magnified in recent years by the vast construction activities which are transforming the downtown areas of most cities and are expanding the commercial activities of their suburbs. The store facilities available in the rapidly growing number of new office buildings, apartment houses, and shopping centers represent prime space for retailers. The importance of such space to the future of small retailers needs no emphasis.

Many small retailers applying for admission to desirable premises have been turned away. The evidence further indicates that in such cases the reluctance of the owner to grant a lease to a small retailer may be overcome by assurance, from a third party whose credit is acceptable, that rentals due under the lease will be paid. Since such assurance cannot normally be obtained from private sources, the need for Government action is clear.

19. It is recommended that the Small Business Administration undertake to carry out the duty delegated to it by the Small Business Act, as amended, "to assist small business concerns to obtain the benefits of research and development performed under Government contract or at Government expenses." An appropriation in such amount as is necessary should be provided for this purpose.

Each year billions of dollars are spent on research and development by the Federal Government. The practical know-how and technical knowledge thus obtained is public property. Small businesses lack the resources required to carry on independent programs of research and development.

No greater contribution could be made to the future of small businesses than to make available to them in usable, nontechnical form the fruits of the Federal Government's extensive program of research and development. While not all the information derived from this source would be useful to small businesses—some of it is classified for security purposes—there remains a wealth of information which could be of vital assistance to them. This is an opportunity to make available to all segments of our economy the same access to the new technology now enjoyed only by the largest firms. Our Nation's commitment to the increase of knowledge through research is unmatched in the history of mankind. It is of the utmost importance that the results of this quest be given to all our people—to enrich their lives, strengthen our economy, and increase our rate of technological progress.

20. It is recommended that action be taken by the appropriate legislative committee, at such time as final figures are developed and submitted by the SBA, to increase the amount authorized for the revolving fund to meet the expanding operations and functions of the Small Business Administration.

21. In order to provide the public with a clear indication that the Small Business Administration is an instrumentality of the Federal Government, rather than a State or private organization, it is recommended that the name of the agency be changed to the Federal Small Business Administration.

22. It is recommended that, as a safeguard against criminal fraud resulting in the disposal or removal of property mortgaged to the SBA, criminal penalties be enacted comparable to those presently governing in the case of the farm credit agencies (18 U.S.C. 658).

The Small Business Administration has compiled an enviable record in the administration of its lending programs. However, existing laws do not contain penal provisions concerning fraud on the part of mortgagors. This safeguard would give additional protection against fraudulent practices.

23. It is recommended that the appropriation legislative committee give prompt consideration to legislation similar to H.R. 13189. This bill would—

(1) Liberalize compensations of Small Business Administration purchases of subordinated debentures;

(2) Increase the period during which an SBIC can negotiate the sale of such debentures to SBA;

(3) Give statutory approval to SBA "standby" guarantees of loans made by banks and other lending institutions and expand SBA's lending power under section 301;

(4) Liberalize limitations on amounts of investments in or loans to any one small business.

These proposed amendments would give small business investment companies liberalized means for obtaining and providing long-term and equity capital needed for expansion of existing small businesses and formation of new ones.

GOVERNMENT PROCUREMENT

It is recommended that—

24. Major research and development programs be reviewed constantly to determine the feasibility of breaking out, from the main body of these programs, and awarding to small businesses component parts which are within their capabilities.

25. The Departments of the Army, Navy, and Air Force, the National Aeronautics and Space Administration, and the Federal Aviation Agency make all possible advance information available to the Small Business Administration regarding proposed research and development programs, so that the latter may locate capable small business firms and alert them to these opportunities.

A prevalent practice within the Department of Defense is to request proposals for research and development only from a very few firms, frequently only from those who have performed similar work. The synopsis of the proposed procurement, if published at all, often recites only that the contract is being awarded to a specified firm or, at most, that competition is limited to named firms. This practice sharply confines the awarding of research and development contracts; it should be abandoned to the degree compatible with national security. Full information concerning pending research and development awards should be made available, whenever possible, to all segments of our economy.

26. The military construction set-aside program be continued and efforts be made to more fully utilize the capabilities of small contractors.

27. Adequate procedures and proper forums be developed to enable the small business subcontractor of Government procurement to promptly settle claims arising from the performance or termination of his subcontract. The small business subcontractor must have direct access to a proper forum for prompt action on his claim. Time-consuming litigation or reliance upon the willingness of the prime contractor to present his claim to the Government are the only means of redress presently available. Both have proven inadequate for securing prompt relief.

28. The Select Committee on Small Business during the 88th Congress conduct an extensive study, including the holding of hearings, concerning the procurement program of the Federal Government. Emphasis should be placed on ascertaining why small business continues to receive less than an equitable share of prime awards and subcontracts in many areas of procurement. Ways also should be found to increase the presently inadequate proportion of research and development contracts awarded to small business.

While some improvement has occurred, the small business sector continues to receive too small a share of procurement awards, particularly from the armed services. This not only constitutes an inequity, it also adds impetus to existing trends toward industrial concentration. Additionally, failure to fully utilize the productive potential of small business to the extent of its capabilities weakens both our economy and our defense effort.

FOREIGN TRADE

29. It is recommended that the Select Committee on Small Business during the 88th Congress investigate and study the effect of the Trade Expansion Act of 1962 upon the small business sector of the American economy.

The expansion of American participation in international trade will produce both the challenge of new competition for domestic markets and the opportunity to obtain new foreign markets. Our entire economy will be profoundly affected by the degree to which this challenge is met, the measure to which this opportunity is seized. Each will require a vigorous response by individual small businesses. As international trade increases, it is imperative that adequate information and appropriate programs of assistance are available to members of the small business sector.

30. It is recommended that not less than $15 million be appropriated and made available for loans to be made by the Small Business Administration under the provisions of section 2 of Public Law 87-550 to business firms injured by changed economic conditions resulting from tariff agreements negotiated with foreign nations under the provision of the Trade Expansion Act of 1962.

It is impossible to foresee precisely which industries may suffer temporary economic injury from our increasing participation in international trade. It is equally difficult to predict the exact amounts needed for this lending program. However, studies indicate that it would be imprudent to have less than the amount above recommended available and designated for this purpose. If such funds are not available when needed, businesses might be permanently injured or even fail, from causes which, with timely assistance, would have been only temporary in nature.

TELEVISION

31. It is recommended that during the 88th Congress the Small Business Committee conduct further hearings concerning current time-selling practices by networks and broadcasting stations to determine whether small businessmen are being denied adequate opportunities to promote their products by television advertising.

Hearings were held during the 87th Congress which indicated that there is evidence that small businesses do not have equal access to desirable television time for advertising their goods and services. To this end, the committee believes that a comprehensive survey of current time-selling practices by individual stations, independent as well as affiliated, should be made. Opportunity to be heard should be afforded to network organizations, station affiliates, broadcasters associations, independent TV stations, independent programing sources, officials of regulatory agencies and departments, and others desiring to participate and contribute to the study of this problem by the Congress. Through such hearings, it could be determined whether there is anything that can be done within the framework of existing laws and regulations to afford relief from the problems encountered by small business which have been outlined in this report, and whether further legislative recommendations should be made in order to enable small business firms to participate in this form of advertising. In this way, the committee is confident that a substantial contribution can be made to the economic health and growth of small business.

URBAN RENEWAL

32. It is recommended that during the 88th Congress the Select Committee on Small Business hold hearings and conduct such other studies as may be necessary to analyze the problems of small business in urban areas. Emphasis should be placed on those problems that arise from urban renewal, from neighborhood blight, and the population shift from "core city" areas to the suburbs.

Increasingly, new problems for small businessmen are arising in conjunction with the changes taking place in metropolitan areas. Frequently, because existing programs such as those administered by SBA and FFHA were not fashioned to cope with these problems, many firms find themselves excluded from loans and other forms of assistance necesary for their survival. Any program is helpful only to the degree that it relates to the current needs of those it is designed to assist. A reappraisal of the current problems of urban small businesses is urgently required for the purpose of determining ways in which present forms of assistance may be altered to provide more effective assistance.

AREA REDEVELOPMENT

33. It is recommended that the Small Business Committee, during the 88th Congress, study the problems of small business in economically distressed areas for the purpose of finding methods and techniques by which assistance to small business may be better used in building the local economy of these areas in conjunction with such programs as that of the Area Redevelopment Administration.

Areas suffering persistent economic distress need new business, new industry, new payrolls. Not all these regions can expect plants to be opened by large firms. New growth is more often based on the entry of smaller firms into the area economy. The most certain road to stable growth is through the establishment and expansion of small businesses.

ALUMINUM

34. It is recommended that the Department of Justice continue to examine all mergers and acquisitions in the aluminum industry with particular reference to the acquisition by primary aluminum producers of aluminum fabricators, and when warranted under law, to institute appropriate action.

35. It is recommended that the Department of Commerce continue its surveillance of the aluminum scrap export market, particularly regarding the availability of an adequate supply of domestic aluminum scrap, for the purpose of determining the need to impose controls under Export Control Act.

36. It is recommended that the Federal Trade Commission continue to investigate the arrangements involving the sale of molten aluminum by primary producers for the purpose of determining whether such sales result in discriminatory price differentials, and take such action as may be indicated.

37. It is recommended that the Federal Trade Commission continue to study the effect on competition of the acquisition by integrated aluminum producers of aluminum fabricators; all other acquisitions, horizontal or vertical, in the industry; and take such action as may be indicated.

SUPREME COURT UPHOLDS CONSTITUTIONALITY OF ROBINSON-PATMAN ACT—AS AN AMENDMENT TO OUR ANTITRUST LAWS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Evins] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EVINS. Mr. Speaker, on Monday of this week, the Supreme Court made it clear that sales of milk below cost by the National Dairy Products Co., if made with intent to injure a competitor, may be illegal and violate section 3 of the Robinson-Patman Act. In so ruling, the Court sustained the legal sufficiency of an indictment which charged the giant Sealtest dairy organization with the sale of milk at unreasonably low prices in a number of midwestern markets.

In contesting the indictment, attorneys for the Sealtest organization argued that section 3 of the Robinson-Patman Act, which prohibits sales below cost with intent to injure competition, was unconstitutional because the language was vague and uncertain. The Supreme Court, however, by a 6-to-3 decision, found little difficulty in overruling this argument. In the opinion of the Court, the statute provided the Sealtest Co. with understandable warning of the nature of the charges and afforded Sealtest ample opportunity to defend itself against these charges.

The decision is of great importance and is destined to become one of the leading cases in the field of antitrust law. Up until recently, very few indictments under this particular section of the Robinson-Patman Act had been sought or obtained, but it would now appear that additional numbers of these cases can be expected. It can also be expected that this ruling of the Supreme Court will reduce the prevalence of discriminatory below-cost pricing which has proved to be so injurious to small business concerns throughout the country.

Prior to the time the National Dairy Products Corp. was indicted, a House Small Business Subcommittee, under the chairmanship of our colleague, Hon. Tom Steed, of Oklahoma, held a series of hearings on this subject in and around Kansas City. It appeared to the committee that small business dairies in that region were being driven out of business because of destructive discriminatory pricing policies then being applied by some of the giant dairy organizations. During the course of these hearings Congressman Steed uncovered facts disclosing that Sealtest and other large dairies were selling a half gallon of milk to retailers in Mexico, Mo., for 6 cents. A third generation family owned hometown small business dairy was forced to close its doors. Copies of the transcript of the testimony developed by the subcommittee were made available to the Department of Justice and one of the counts in the Sealtest indictment covered Sealtest's practices in Mexico, Mo.

The House Small Business Subcommittee, again under the chairmanship of our colleague, Tom Steed, developed additional testimony regarding the sale of milk at unreasonably low prices in other markets, including, for instance, Topeka, Kans., where a half gallon of milk was sold for a price of 14 cents. Other testimony received by the subcommittee was to the effect that Sealtest was absorbing losses incurred by its distributor in offering milk at below-cost prices in certain other markets. Prior to the Sealtest indictment, all of this and other evidence also was transmitted to the Department of Justice for consideration and action.

In fact, Mr. Speaker, I would like to take this opportunity to tell the House that this decision of the Supreme Court is merely one of the many developments that attest to the constructive work carried on by the House Small Business Committee in behalf of small business enterprise.

I ask unanimous consent that the full text of the Supreme Court's opinion in the Sealtest case be included in the Record.

Supreme Court of the United States—No. 18.—October Term, 1962

(*United States, Appellant,* v. *National Dairy Products Corp., et al.*)

(On appeal from the U.S. District Court for the Western District of Missouri, Feb. 18, 1963)

Mr. Justice Clark delivered the opinion of the Court:

This case involves the question of whether section 3 of the Robinson-Patman Act, 15 U.S.C. section 13a, making it a crime to sell goods at "unreasonably low prices for the purpose of destroying competition or eliminating a competitor," is unconstitutionally vague and indefinite as applied to sales made below cost with such purpose. National Dairy and Raymond J. Wise, a vice president and director, upon being charged, inter alia, with violating section 3 by making sales below cost for the purpose of destroying competition, moved for dismissal of the Robinson-Patman Act counts of the indictment on the grounds that the statute is unconstitutionally vague and indefinite. The District Court granted the motion and ordered dismissal. On direct appeal under the Criminal Appeals Act, 18 U.S.C. section 3731, we noted probable jurisdiction, 369 U.S. 833, because of the importance of the issue in the administration of the Robinson-Patman Act. We have concluded that the order of dismissal was error and therefore remand the case for trial.

I

National Dairy is engaged in the business of purchasing, processing, distributing, and selling milk and other dairy products throughout the United States. Through its processing plant in Kansas City, Mo., National Dairy has for the past several years been in competition with national concerns and various local dairies in the Greater Kansas City area and the surrounding areas of Kansas and Missouri. In the Greater Kansas City market National Dairy distributes its products directly, but cities and towns in the surrounding Kansas and Missouri areas outside this market are served by independent distributors who purchase milk from National Dairy and resell on their own account.

The indictment charged violations of both the Sherman Act, 15 U.S.C. 1, and the Robinson-Patman Act in Kansas City and in six local markets and in the adjacent area.[1] The Robinson-Patman counts charged National Dairy and Wise with selling milk in those markets "at unreasonably low prices for the purpose of destroying competition." Further specifying the acts complained of, the indictment charged National Dairy with having "utilized the advantages it possesses by reason of the fact that it operates in a great many different geographical localities in order to finance and subsidize a price war against small dairies selling milk in competition with it, by intentionally selling milk, directly or to a distributor, at prices below National's cost." In five of the markets National Dairy's pricing practice was alleged to have resulted in "severe financial losses to small dairies," and in two others the effect was claimed to have been to "eliminate competition" and "drive small dairies from" the market.

National Dairy and Wise moved to dismiss all of the Robinson-Patman counts on the grounds that the statutory provision, "unreasonably low prices," is so vague and indefinite as to violate the due process requirement of the fifth amendment and an indictment based on this provision is violative of the sixth amendment in that it does not adequately apprise them of the charges. The district court, after rendering an oral opinion holding that section 3 of the Robinson-Patman Act is unconstitutionally vague and indefinite, granted the motion and ordered dismissal of the section 3 counts. The case came here on direct appeal from the order of dismissal.

II

National Dairy and Wise urge that section 3 is to be tested solely "on its face" rather than as applied to the conduct charged in the indictment, i.e., sales below cost for the purpose of destroying competition. The Government, on the other hand, places greater emphasis on the latter, contending that whether or not there is doubt as to the validity of the statute in all of its possible applications, section 3 is plainly constitutional in its application to the conduct alleged in the indictment.

It is true that a statute attacked as vague must initially be examined "on its face" but it does not follow that a readily discernible dividing line can always be drawn, with statutes falling neatly into one of the two categories of "valid" or "invalid" solely on the basis of such an examination.

We do not evaluate section 3 in the abstract.

"The delicate power of pronouncing an act of Congress unconstitutional is not to be exercised with reference to hypothetical cases * * * (a) limiting construction could be given to the statute by the court responsible for its construction if an application of doubtful constitutionality were * * * presented. We might add that application of this rule frees the Court not only from unnecessary pronouncement on constitutional issues, but also from premature interpretations of statutes in areas where their constitutional application might be cloudy." *United States* v. *Raines,* 362 U.S. 17, 22 (1960).

The strong presumptive validity that attaches to an act of Congress has led this Court to hold many times that statutes are not automatically invalidated as vague simply because difficulty is found in determining whether certain marginal offenses fall within their language. E.g., *Jordan* v. *DeGeorge,* 341 U.S. 223, 231 (1951), and *United States* v. *Petrillo,* 332 U.S. 1, 7 (1947). Indeed, we have consistently sought an interpretation which supports the constitutionality of legislation. E.g., *United States* v. *Rumely,* 345 U.S. 41, 47 (1953); *Crowell* v. *Benson,* 285 U.S. 22, 62 (1932); see *Screws* v. *United States,* 325 U.S. 91 (1945).

Void for vagueness simply means that criminal responsibility should not attach where one could not reasonably understand that his contemplated conduct is proscribed. *United States* v. *Harriss,* 347 U.S. 612, 617 (1954). In determining the sufficiency of the notice a statute must of necessity be examined in the light of the conduct with which a defendant is charged. *Robinson* v. *United States,* 324 U.S. 282 (1945). In view of these principles we must conclude that if section 3 of the Robinson-Patman Act gave National Dairy and Wise sufficient warning that selling below cost for the purpose of destroying competition is unlawful, the statute is constitutional as applied to them.[2] This is not to say that a bead-sight indictment can correct a blunderbuss statute, for the latter itself must be sufficiently focused to forewarn of both its reach and coverage. We therefore consider the vagueness attack solely in relation to whether the statute sufficiently warned National Dairy and Wise that selling "below cost" with predatory intent was within its prohibition of "unreasonably low prices."

III

The history of section 3 of the Robinson-Patman Act indicates that selling below cost, unless mitigated by some acceptable business exigency, was intended to be prohibited by the words "unreasonably low prices." That sales below cost without a justifying business reason may come within the proscriptions of the Sherman Act has long been established. See e.g., *Standard Oil Co.* v. *United States,* 221 U.S. 1 (1911). Further, when the Clayton Act was enacted in 1914 to strengthen the Sherman Act, Congress passed section 2 to cover price discrimination by large companies which compete by lowering prices, oftentimes below the cost of production * * * with the intent to destroy and make unprofitable the business of their competitors. H.R. Rep. No. 627, 63d Cong., 2d sess. 8. The 1936 enactment of the Robinson-Patman Act was for the purpose of strengthening the Clayton Act provisions, *Federal Trade Commission* v. *Anheuser-Busch, Inc.* 363 U.S. 536, 544 (1960); and the act was aimed at a specific weapon of the monopolist—predatory pricing. Moreover, section 3 was described by Representative Utterback, a House manager of the Joint Conference Committee, as attaching criminal penalties in addition to the civil liabilities and remedies already provided by the Clayton Act. (80 CONGRESSIONAL RECORD, p. 9419.)

The Court, in *Moore* v. *Mead's Fine Bread Co.,* 348 U.S. 115 (1954), a case based in part on section 3, recognized the applicability of the Robinson-Patman Act to conduct quite similar to that with which National Dairy and Wise are charged here. The Court said, "Congress by the Clayton Act and Robinson-Patman Act barred the use of interstate business to destroy local business" through programs in which "profits made in interstate activities would underwrite the losses of local price-cutting campaigns" (Id. at 120, 119).

In proscribing sales at unreasonably low prices for the purpose of destroying competition or eliminating a competitor we believe that Congress condemned sales made below cost for such purpose. And we believe that National Dairy and Wise could reasonably understand from the statutory language that the conduct described in the indictment was proscribed by the act. They say, however, that this is but the same horse with a different bridle because the phrase "below cost" is itself a vague and indefinite expression in business.

Whether "below cost" refers to "direct" or "fully distributed" cost or some other level of cost computation cannot be decided in the abstract. There is nothing in the record on this point, and it may well be that the issue will be rendered academic by a showing that National Dairy sold below any of these cost levels. Therefore, we do not reach this issue here. As we said in *Automatic Canteen Co.* v. *Federal Trade Commission* (346 U.S. 61, 65, (1953)): "Since precision of expression is not an outstanding characteristic of the Robinson-Patman Act, exact formulation of the issue before us is necessary to avoid inadvertent pronouncement on statutory language in one context when the same language may require separate consideration in other settings."

Finally, we think the additional element of predatory intent alleged in the indictment and required by the act provides further definition of the prohibited conduct. We believe the notice here is more specific than that which was held adequate in *Screws* v. *United States,* 325 U.S. 91 (1945), in which a requirement of intent served to "relieve the statute of the objection that it punishes without warning an offense of which the accused was unaware." Id., at 102; see id., at 101–107. Proscribed by the statute in *Screws* was the intentional achievement of a result, i.e., the willful deprivation of certain rights. The act here, however, in prohibiting sales at unreasonably low prices for the purpose of destroying competition, listed as elements of the illegal conduct not only the intent to achieve a result—destruction of competition—but also the act—selling at unreasonably low prices—done in furtherance of that design or purpose. It seems clear that the necessary specificity of warning is afforded when, as here, separate, though related, statutory elements of prohibited activity come to focus on one course of conduct.

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[1] Seven counts of the 15-count indictment charged violations of section 3 of the Robinson-Patman Act. The Sherman Act and Robinson-Patman Act counts relate to the same course of conduct.

One Robinson-Patman count, number XIII, charges Raymond J. Wise, a vice president and director of National, with authorizing National's pricing practice and ordering its effectuation in the Kansas City market. *United States* v. *Wise,* 370 U.S. 405 (1962), involves two Sherman Act counts of the indictment which named Wise as a defendant.

[2] It should be noted that, in reviewing a case in which a motion to dismiss was granted, we are required to accept well-pleaded allegations of the indictment as the hypothesis for decision. *Boyce Motor Lines* v. *United States,* 342 U.S. 337, 343 (1952).

United States v. *Cohen Grocery Co.*, 255 U.S. 81 (1921), on which much reliance is placed, is inapposite here. In *Cohen* the act proscribed "any unjust or unreasonable rate or charge." The charge in the indictment was in the exact language of the statute, and, in specifying the conduct covered by the charge, the indictment did nothing more than state the price the defendant was alleged to have collected. Hence, the Court held that a "specific or definite" act was neither proscribed by the act nor alleged in the indictment. Id., at 89. Moreover, the standard held too vague in *Cohen* was without a meaningful referent in business practice or usage. [T]here was no accepted and fairly stable commercial standard which could be regarded as impliedly taken up and adopted by the statute * * *." *Small Co.* v. *American Sugar Rfg. Co.*, 267 U.S. 233, 240–241 (1925). In view of the business practices against which section 3 was unmistakably directed and the specificity of the violations charged in the indictment here, both absent in *Cohen*, the proffered analogy to that case must be rejected.

In this connection we also note that the approach to "vagueness" governing a case like this is different from that followed in cases arising under the first amendment. There we are concerned with the vagueness of the statute "on its fact" because such vagueness may in itself deter constitutionally protected and socially desirable conduct. See *Thornhill* v. *Alabama*, 310 U.S. 88, 98 (1940); *NAACP* v. *Button*, decided January 14, 1963, —U.S. —. No such factor is present here where the statute is directed only at conduct designed to destroy competition, activity which is neither constitutionally protected nor socially desirable. We are thus permitted to consider the warning provided by section 3 not only in terms of the statute "on its face" but also in the light of the conduct to which it is applied. The reliance of National Dairy and Wise on first amendment cases is, therefore, misplaced.

IV

This opinion is not to be construed, however, as holding that every sale below cost constitutes a violation of section 3. Such sales are not condemned when made in furtherance of a legitimate commercial objective, such as the liquidation of excess, obsolete or perishable merchandise, or the need to meet a lawful, equally low price of a competitor (80 CONGRESSIONAL RECORD, pages 6332, 6334; see *Ben Hur Coal Co.* v. *Wells*, 242 F. 2d 481 (C.A. 10th Cir. 1957)). Sales below cost in these instances would neither be "unreasonably low" nor made with predatory intent. But sales made below cost without legitimate commercial objective and with specific intent to destroy competition would clearly fall within the prohibitions of section 3.

Since the indictment charges the latter conduct and, as noted, supra, we are bound by the well-pleaded allegations of the indictment, we must conclude that National Dairy and Wise were adequately forewarned of the illegal conduct charged against them and remand the case for trial. Our holding, of course, does not foreclose proof on the merits as to the reasonableness of the alleged pricing conduct or, for that matter, the absence of the predatory intent necessary to conviction.

Reversed and remanded.

SUPREME COURT OF THE UNITED STATES—No. 18.—OCTOBER TERM, 1962.

(*United States*, appellant, v. *National Dairy Products Corp. et al.*)

(On appeal from the U.S. District Court for the Western District of Missouri, February 18, 1963)

Mr. Justice Black, with whom Mr. Justice Stewart and Mr. Justice Goldberg join, dissenting.

The statute here involved makes it a crime to sell goods at unreasonably low prices for the purpose of destroying competition or eliminating a competitor. 15 U.S.C. section 13a. In *United States* v. *Cohen Grocery Co.*, 255 U.S. 81 (1921), this Court held unconstitutional and void for vagueness a statute which made it a crime "for any person willfully * * * to make any unjust or unreasonable rate or charge" in dealing in or with any necessaries. The rule established by that case has been often followed,[1] is in my judgment sound, and should control this case. Accordingly, I would affirm the district court's judgment holding the statute invalid. The Court here attempts by interpretation to substitute unambiguous standards for the vague standard of "unreasonably low prices" used by Congress in the statute. It seems to me that if this criminal statute is to be so drastically reconstructed it should be done by Congress, not by us. Moreover, I agree with the Attorney General's National Committee To Study the Antitrust Laws, which concluded:

"Doubts besetting section 3's constitutionality seem well founded; no gloss imparted by history or adjudication has settled the vague contours of this harsh criminal law."[2]

DANGER SIGNALS FLY—PRESSURES MOUNT IN CUBAN REFUGEE SITUATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FASCELL. Mr. Speaker, I wish to draw the attention of the House to the tragic and dangerous situation which has arisen in Miami, Fla., in which exiled Cubans have today engaged in street rioting accompanied by threats and imprecations against local police authority and the American way of life. In so doing they have disrupted the peace of a friendly community and fallen prey to those who would add fuel to the Communist propaganda line.

I refer, Mr. Speaker, to reports from Miami advising:

ASSOCIATED PRESS, THURSDAY, FEBRUARY 21.—At 10 a.m. this morning four pacifists carrying picket signs began to picket the Cuban Revolutionary Council at 17th and Biscayne Boulevard, Miami. A riot began. One of the revolutionary council officials, with a loudspeaker, asked all to be calm. Thereupon, some 200 or more Cubans entered the foray with bottles, eggs, stones, and other items.

The police were called. The riot squad of police and dogs tried to break up the gathering. Six policemen were seen fighting with one Cuban in an effort to get him under control. Thirteen Cubans were picked up by the Miami police, four of whom are reportedly members of the 2506 Brigade. Fire trucks were called to the scene ready to use water hoses to disperse the crowd. Attempts by members of the Cuban Revolutionary Council to quell the violence were responded to by jeers and catcalls by their fellow Cubans. During the riot, Cubans were heard screaming:

"Even Castro does not permit this," followed by denunciatory statements to the effect that they did not like nor did they want "this kind of democracy," the kind that would let this type of people run around loose. The rioters fighting the police screamed and denounced them as "Communists."

The following was today carried on the United Press wires:

Violence erupted today when a group of pacifists attempted to picket the headquarters of the Cuban Revolutionary Council. Club-wielding police quickly broke up the demonstration when 200 angry Cubans clashed with the pickets. About half a dozen exiles were arrested by police, who entered the headquarters of the council, prepared for what looked like the beginning of a street riot. The police were denounced violently by the Cubans, many of them members of the Cuban invasion brigade, who shouted, "Communists—even Castro doesn't do this in Cuba." Three fire trucks moved into a side street and prepared to douse the area with water if necessary. Police, under command of Miami Safety Director Col. Don Pomerleau, broke up the disorders within 10 minutes. Trouble started even before the arrival of the pickets when Spanish-speaking police, using a portable loudspeaker, requested the Cubans to remain inside the property limits of the council grounds.

Jose A. Hernandez, a spokesman for the council's labor organization, speaking to the Cubans through a microphone from the headquarters porch, urged them to go home peacefully and "not play into the hands of the Communists who want to cause disorder here."

The exiles reacted violently against the request and denounced Hernandez and shouted epithets at him. Another council representative, Raul Mendez, then appealed over the microphone for the crowd to go home.

His petition was greeted with loud boos and angry shouts. For a few minutes, it looked like some members of the crowd were going to attack the two council representatives. At this point, the police, who originally posted about 15 men, summoned reinforcements including about 15 motorcycle officers.

A few minutes later, the pickets, men and women—apparently Americans—arrived carrying signs bearing pacifist slogans such as "War will end man or man will end war" and "We oppose military service."

The pickets massed on a grassy mall directly in front of the council headquarters entrance and then suddenly violence erupted when one Cuban darted across the street and ripped a sign out of a picket's hands. Stones and bottles were hurled at the police by the Cuban exiles.

Police roped off the property of the council and refused to let anyone in or out.

Later, a group of about 100 Cubans, most of them members of invasion brigade 2506, set out on a protest march to police headquarters.

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[1] *E.g., Cline* v. *Frink Dairy Co.*, 274 U.S. 445 (1927); *Lanzetta* v. *New Jersey*, 306 U.S. 451 (1939); cf. *United States* v. *Cardiff*, 344 U.S. 174 (1952).

[2] Atty. Gen. Nat. Comm. Antitrust Rep. 201 (1955) (recommending repeal of sec. 3).

Mr. Speaker, the citizenry of Miami, Fla., has long borne with patience the burden of an onslaught of dispossessed Cubans—a burden which should long ago have been shared by the entire United States.

Valiant efforts have been made by our Presidents, the Federal and State agencies, our churches, business institutions, and individual citizens, to assist in every way possible.

Arriving in Miami penniless and with just the clothes they were wearing, almost all of these Cuban refugees had been forced to give up their homes, their businesses, their life savings, and all their personal property.

To help them meet the basic needs of existence, the Federal Government has made financial and other assistance available to them until they can become self-supporting.

Employment opportunity in Miami is limited. There simply are not enough jobs to accommodate both local residents and refugees. There arose open competition and economic conflict between the permanent citizenry and the incoming refugees. The balloon had to burst.

I have noted the ever-increasing frustrations, stresses, strains, and economic ills imposed on the people of my area. For this reason, I have for over 2 years fought for a more realistic approach to this long-festering situation.

I have repeatedly advocated—to two Presidents and Government officials—that Dade County and Florida had reached a saturation point on the receipt of Cuban refugees.

Long ago I urged, and have continued fighting for, the establishment of an additional port of entry and reception center.

Long ago, and many times since, I urged extension and amplification of the resettlement program under which the Government—through January 25, 1963, has resettled 53,974 Cubans, not quite one-third of the 157,525 persons entering and registering from Cuba. Again I reiterate, no community the size of metropolitan Dade County could conceivably be expected to absorb such a shock.

Time and time again, I have met with the Secretary of the Department of Health, Education, and Welfare and other top echelon governmental officials concerned with the Cuban refugee programs, to discuss the need to reevaluate the overall program. Long ago, it was obvious that this was no longer a temporary situation; the facts demanded that priority attention be devoted to resettlement—to opening a reception center elsewhere.

Admirable efforts have been made by this administration and the agencies of the Federal Government in their attempts to alleviate this situation. While the programs instituted have been highly successful, we have to do more.

On February 5 of this year, I addressed myself to reports that a so-called Cuban GI bill was being considered. At that time, I publicly stated my opposition before top echelon officials of executive agencies having jurisdiction of the Cuban refugee program. I told all that I felt that the present programs are more than adequate and that I am opposed to any new or additional benefits. I am grateful that no more has been heard of this proposition.

I again respectfully submit that Cuban exiles must be allocated to communities all over the United States and not concentrated in one already greatly overburdened area, and no further flow should come to the Miami area.

Mr. Speaker, I would like to spread on the record a letter which as recently as February 15 I directed to Mr. John Frederick Thomas, director of the Cuban refugee program:

I am quite concerned over the Cuban refugee program in my district. The residents of Dade County have been extremely patient and understanding of the problems of these refugees and have cooperated to the fullest. However, as I have emphasized many times before, Dade County has long ago reached the saturation point.

I have been deluged with mail from my constituents indicating their dissatisfaction with the rate of resettlement of these refugees—the latest official figures indicate a severe drop in resettlements—and their strong opposition to any additional benefits to the Cuban refugees. I am in full agreement with these views and I might add that I believe the present programs to be more than adequate and I am opposed to the establishment of broad new programs for any Cuban refugees. I fully support the previously granted authorization for qualified Cuban refugees to serve and be trained in the U.S. Armed Forces, but not to be granted any special benefits or privileges for this service.

I would respectfully request:

First. That if any additional Cuban refugees are to be permitted to enter the United States in the future, they be assigned to a port of entry and processed through a reception center other than Dade County or the State of Florida.

Second. That additional emphasis be placed on the resettlement program and that it be accelerated and implemented to the fullest degree.

Third. That I be notified at the earliest practicable moment if any new programs or broadening of present programs are being contemplated.

I respectfully go on record, Mr. Speaker, urging the immediate attention of the House to this most urgent request. The situation in the Miami area is dangerous and explosive. It is made for those who would deliberately attempt to set citizen against refugee—yes, even refugee against refugee—and to utilize the pentup emotions of American and Cuban alike to supply the fuel of the Communist propagandist.

I submit, Mr. Speaker, that now is the time for us to act on some conclusive solution for this problem which will relieve all possibilities of a further attempt to exploit the frustrations and stresses of residents of the Miami area. The need is not tomorrow, but right now.

It is imperative that action be taken to permanently alleviate the economic and psychological ills that have beset the long-suffering Miami community. We must expeditiously implement the humanitarian and intelligent programs which will relocate large numbers of Cuban exiles immediately—until such day as they can be returned to a free, democratic Cuba.

Mr. Speaker, I am pleased to advise that, partially in response to my letter to Mr. Thomas, a meeting was held yesterday between officials of the U.S. Department of Health, Education, and Welfare, and four national voluntary agencies which have major responsibility for carrying out the Cuban resettlement program. Dr. Ellen Winston, Commissioner of HEW's new Welfare Administration, told the group that the resettlement program has her full support and the full support of the Department and the Federal Government. She said:

> We want to secure the best possible resettlement of the refugees in the least possible time so that the fathers and mothers and children in Miami, who so urgently need new homes and new jobs, can begin new lives. In the case of the refugees, the path to independence and self-support can follow only one major route, resettlement.

Mr. Speaker, It is a source of deep satisfaction to me to note that the good work of the Department of Health, Education, and Welfare will be continued—that relocation is to be immediately accelerated and diligently pursued. This is one constructive step toward the ultimate solution.

CUBA PLANES FIRE ON U.S. SHRIMP BOAT

Mr. FASCELL. Mr. Speaker, along with the rest of America, I was incensed to learn of the report that two Mig fighter planes apparently based in Cuba had fired rockets at Florida shrimp boats on the high seas.

The protection of Americans and the right of freedom of the high seas must be guaranteed by our Government.

Planes and vessels should be ordered to shoot to kill on any interference by hostile aircraft or vessels out of Communist Cuba.

Since this attack by Cuban fighters may be a preliminary probe, we should make clear by our immediate response that the United States will use whatever force is necessary or required to stop or prevent these attacks—or the likelihood of further attacks—even if it means pursuing the attackers to Cuban soil.

For many years under two administrations, I have urged repeatedly that the United States must take whatever action, military or economic, as necessary in its self-interest with regard to the problem of a Communist Government in Cuba. We need to take every collective action, economic or military, which needs to be taken.

The removal of the offensive weaponry by the Communists was certainly a significant turn of events for the free world and the United States. The recent announcement that several thousand troops will be withdrawn is certainly a step in the right direction.

But, Mr. Speaker, as our President has so wisely and properly said, the great danger enanating from Cuba is not whether there are 5,000 or 50,000 Russian troops there, but the fact that it is used as a base for subversion. Our Government has pointed out to all Latin countries that the Communist Government of Cuba has declared war on Latin America; that every Latin government is in peril.

The point is clear, Mr. Speaker, that the great danger to the United States and to the Western Hemisphere is simply the existence of a Communist government in Cuba.

Our President has stated clearly that the existence of the Communist government in Cuba is incompatible with the inter-American system and that all of the U.S. policies shall be directed toward the eradication of communism in Cuba.

Mr. Speaker, the American people solidly support the President of the United States in any action which he may take.

It is evident to me and I have predicted many times over the years that the new arena for the world struggle would be in Latin America. It is obvious today that this prediction is more than borne out. There is obviously a full-scale hemispheric effort on the part of the Communists in Latin America. This has all been stimulated and will continue to be stimulated by the very existence of a Communist base of operation in Cuba. Therefore, this base must be exterminated.

Furthermore, Mr. Speaker, it is evident that the Communists' phase 2, use of the popular front in Latin America, has moved into phase 3, which is the use of violence and terrorism for the weakening and overthrow of democratic institutions in Latin America.

Under these circumstances, as I have repeatedly said, long-range programs designed to treat the economic and social ills of a people who are in an epochal revolution is desirable, but not sufficient. The United States and the Latin American Republics must have short-range programs to deal with the immediate threats to political stability.

In this regard, this administration has taken masterful steps long needed to meet this threat. We must continue to pursue these, and, in addition, engage in the greatest concentrated ideological offensive the United States has ever undertaken.

In other words, Mr. Speaker, not only must the Communist challenge be met head on at the military, economic and ideological level, but we must pursue those courses which will make national and international events follow an offensive pattern determined by the United States.

UNITED NATIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. Green] may extend her remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, on February 18, 1963, I introduced a bill, a resolution (H.J. Res. 253), that will provide an avenue for U.S. citizens to express their endorsement of the United Nations not only by words but also in a very tangible and meaningful way.

My measure will permit American taxpayers to deduct from their individual income taxes any contributions to the United Nations and its specialized agencies such as UNESCO.

The measure will enable supporters of the U.N. to wish the organization well at a time when crucial financial and moral supports are needed. And it will provide Americans an opportunity to express the view, shared by President Kennedy, that it takes more than arms to keep the peace.

Too long, Mr. Speaker, have the supporters of the U.N. in this country been silent in the face of unreasonable criticisms directed against it by opponents whose views have been given unrepresentative prominence. Some of the critics of the U.N. have narrow, selfish economic interests. And it has been well publicized that a well-financed, lavish campaign against the U.N. on behalf of the so-called Katanga government has been operating in freewheeling style in the United States. And it appears that some of this criticism may be coming from organizations that enjoy tax-exempt status or claim to.

I do not have swollen expectations for the U.N., Mr. Speaker. I do not believe it is an infallible organization. But I insist that the U.N. has richly earned the support of the peoples of the world in its efforts to provide a forum for conciliation of international tensions and conflicts and to assist developing countries with their medical, education, and social problems. Our membership in the United Nations, beginning with the San Francisco Conference in 1945, has been endorsed by a broad range of bipartisan support from the leaders of our two great major political parties. I hope they will join with me in another move to reaffirm our support in an organization that is one of our best hopes for a just peace.

EQUAL PAY FOR EQUAL WORK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. Green] may extend her remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, on February 18, 1963, I introduced a bill, H.R. 3861, to provide equal pay for equal work.

This bill is designed to remove a serious injustice to both men and women workers in our Nation. In my view, State equal pay laws have not proved effective.

It is shocking and unjust that with some 24.5 million full- and part-time women workers in our labor force, there should be discriminatory wage rates. These women neither work for "pin money" nor are they casual workers. They are workers in their own right. They are entitled to the same privileges and rights as male workers. These women support themselves or contribute in whole or substantially in part to the income of their families. I think it is high time that in all instances women workers are treated with full and equal employment rights. Studies have shown that a permissive situation in which employers are permitted to pay lower wages to women than to men for work demanding comparable skills leads to situations in which the wages of men themselves are depressed.

My bill represents policy of President Kennedy. It is an integral part of his legislative program. President Kennedy since his election has taken several steps to insure full and equal promotion and employment right without regard to race, creed, color, or sex. These actions are to be applauded. I look forward to a full measure of support from a majority of our Members of Congress for what in my view is legislative action long overdue.

MOTOR VEHICLES EQUIPPED WITH SAFETY BELTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Ryan] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RYAN of Michigan. Mr. Speaker, today I introduced a measure which would require all motor vehicles sold or shipped in commerce to be equipped with safety belts and to meet other safety standards.

This bill would make it illegal to manufacture for sale in interstate commerce any vehicle which is not equipped with seat belts in accordance with the standards prescribed by the Secretary of Commerce.

I wish to point out that the 1962 traffic death toll was at an alltime high of 41,000 deaths. The road traffic injury toll also rose to a new high during the past year.

Thousands of lives are lost each year because passengers in motor vehicles are thrown against windshields or out of car doors by the impact of crashes. The chances of being killed by the second crash are five times greater if you are thrown from the vehicle.

I also wish to point out the fact that research into auto crash injury cases has shown that seat belts help protect automobile passengers in both major and minor accidents. In collisions, seat belts help keep passengers from being ejected, thus reducing the force of impact of the body on any part of the vehicle's interior.

Seat belts will someday become standard equipment on all new automobiles under the provisions of my bill, but at the present time, however, every driver should make himself aware of the danger to which he and his family are exposed each time the family car is used.

Safety in driving is most important and if you ask yourself what would happen if your car stopped suddenly and you kept going from momentum—you would agree that the safety know-how of today gives us a new chance for life—if we heed the warning in time.

Each of us should extend every human effort to protect ourselves, our families, and our community. None of us is immune to traffic accidents. We must take full advantage of every safety device that will stem this unnecessary carnage of human lives.

WATER RESOURCES LIBRARIES

Mr. STEED. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STEED. Mr. Speaker, the problem of providing ample water for the rapidly rising needs of our Nation is one that requires our constant attention and planning. Especially is this true of the next few decades when population increase and mechanization will have such a heavy impact on our needs.

In its December issue the Monthly Reporter of the National Rivers and Harbors Congress advanced a valuable suggestion in behalf of making available supervisory services to local water resources libraries. Properly implemented, this idea can provide a substantial contribution to knowledge in a field vital to all our people.

A GOOD IDEA

We are gratified to learn that the trustees of the Bureau of Water Resources of the National Rivers and Harbors Congress have under consideration a plan proposed to them under which the trustees would afford supervisory services to local water resources libraries. It is said that in more than one of our cities tentative plans are being discussed for the establishment of either independent reference libraries devoted to the scientific and technological literature of water and related data, or the creation within existing public libraries of a special room devoted to the same purposes. In one case such a library is being discussed as a memorial to a citizen of the community whose efforts during his lifetime contributed very largely to advancements in the use, conservation and development of water resources.

The need for such local centers of reference and learning with respect to water has been growing at an accelerated rate. Water is the one basic material problem of the race. Without water of sufficient purity there can be no food and no life. Whereever man has failed to solve this problem he has perished. There are today vast areas of our planet which bear witness to this fact. The population of the world is fast approaching the point where sufficient available water cannot be had merely for the taking.

Fortunately the role of this compound in organic nature is cyclic. Life merely borrows water from the world's supply for structural and operational purposes. Water borrowed for structure begins to be returned by the protoplasm and the tissues on the advent of death. Water for operations is returned ordinarily in a matter of days or hours.

Except for the humanly inconsequential amount of water vapor constantly wasted into outer space, there is today substantially as much water in the world in either solid, liquid or vapor phase, as there was before living forms developed. The problem is not basically one of supply, but is one of management, recovery and distribution. All of these require vastly more knowledge and informed application than we are capable of bringing to bear today. Unless we achieve this capability we may well begin to "starve in the midst of plenty."

Water, blood and milk are the three liquids with which man has been most familiar since his prototypes achieved consciousness. But awareness of water came before awareness of the others. All have been the objects of untold centuries of observation and study. But today there remain elements of the composition and behavior of each which are either unknown or not understood. This aside from the potential uses of water yet to be invented.

It is certain that optimum management and use of water can only be achieved by a great deal of further study and research and by the wide dissemination of the knowledge heretofore and hereafter gained. Local libraries or divisions of libraries devoted to this field of learning and technology can be a powerful stimulant to the increasingly necessary activity which must be developed if we are to reach a timely solution to our water problems.

DISASTER INVITED BY SO MUCH NONESSENTIAL SPENDING

The SPEAKER pro tempore (Mr. ROGERS of Colorado). Under previous order of the House, the gentleman from Texas [Mr. FISHER] is recognized for 30 minutes.

Mr. FISHER. Mr. Speaker, Federal spending has jumped from $76.5 billion in 1960 to the highest budget in the history of this or any other country—$98.8 billion for the next fiscal year, beginning next July.

This has given rise to grave concern for the value of the dollar at home, and respect for it abroad.

This colossal budget is proposed despite the current $8.8 billion estimated deficit and a predicted deficit for the next fiscal year, $11.9 billion; and it was $6.4 billion the preceding year. And although during the preceding 8 years the budget was balanced during 2 fiscal years there was a net deficit of $17 billion accumulated during that period.

Yet, despite this fantastic rise in spending the Congress is being asked to reduce taxes to the tune of an average of about $10 billion a year. This loss in revenue would be added to the staggering deficits each year, with no attempt to reduce nonessential spending. That presents a frightening picture. To me it does not make sense.

There is, admittedly, need for tax reform and revision. I have urged that for years. But any reduction, to be sound and meaningful, must be tailored to place emphasis upon cuts in those brackets that will encourage capital investments, expansions of business, and the employment of more people. It is in that area of taxation that the roadblocks to economic progress is found. Yet the tax plan now before the Congress would do very little if anything for people and corporations in those brackets. Is it any wonder that businessmen everywhere are opposing the bill?

NONDEFENSE SPENDING CAUSING DEFICITS

We are told that this fantastically high spending rate has resulted from the increased cost of national defense. The facts do not bear that out. After all, the projected expenditures for national defense for fiscal year 1964, which begins in July, are only 10 percent above the 1953 level; whereas during that same period of time nondefense spending has skyrocketed nearly 85 percent. Federal aid to State and local governments during the past 10 years, for example, has been quadrupled—from $2.7 to $10.4 billion.

The distinguished chairman of the Appropriations Committee, the gentleman from Missouri [Mr. CANNON], recently stated:

> We have demonstrated time and again that it is the ever-rising nondefense items that have unbalanced the budget in the last 10 years.

The 1964 budget proposes to spend $43.4 billion for other things than national defense. This figure is $2 billion above 1961. And it is $22.8 billion—or 111 percent above fiscal 1954, a year after the Korean conflict.

The fact is that some highly desirable defense expenditures are being curtailed because of budgetary considerations. The increase in the costs for national defense makes it even more imperative that we reduce nondefense spending. Let us maintain the proper perspective.

Mr. Speaker, in my opinion if we do not face up to this trend, cut expenses, and turn thumbs down on new proposals that initiate new annual nondefense outlays, we are moving in the direction of inevitable disaster. You simply cannot have your cake and eat it too.

INFLATION

Along with this trend toward increased deficits is the specter of inflation, because it is agreed that deficit spending is a prime cause of inflation. This strikes its heaviest blow at people with fixed incomes, those who can least afford it. It cuts deeply into annuities, savings and pensions, and hits hard at the low-income group. And it affects the entire economy. That is attested by the fact that the dollar has lost 55 percent of its purchasing power in the past 23 years—during this period of big budgets and deficit financing. And this trend continues. For example, in October of 1960 the dollar was valued at 46.7 cents; last year it was 45.7 cents.

IMBALANCE OF INTERNATIONAL PAYMENTS

Overshadowing this mismanagement of our fiscal policies is the grave danger that it poses for our precarious balance of international payments, and the possible erosion of world confidence in the value of the dollar.

This imbalance is caused by more American dollars being spent abroad than find their way back home. Foreign spending is in the form of foreign aid, military expenditures, investments, shopping by American tourists, or otherwise.

The dollar is the world's key currency. It is highly respected in the money markets of the world because it is redeemable in gold. There was a time not so long ago when we owned $24 billion—or about 75 percent—of the world's gold. That reserve has now dwindled to only $15.9 billion, all but $4 billion of which is committed to the backing of our own currency here at home.

Today foreigners hold some $19.5 billion worth of short-term claims against us, which theoretically can be presented for payment in gold. The only logical explanation for failure of these claimants to demand the gold for the dollars they hold is their faith and confidence in the value of those dollars.

It goes without saying that the best way to maintain and bolster that confidence is to achieve a balanced budget and keep our financial house in order. Conversely, the best way for us to bring about an erosion of that confidence is to continue to pursue fiscal policies that are obviously ill conceived and unsound.

Under Secretary for Monetary Affairs Robert V. Roosa put his finger on the issue recently when he said:

> Unless we have our accounts in balance—that is, unless we have as much or more money coming into the United States as we send overseas—we cannot maintain the value of the dollar.

There are several steps we can take to reverse the outflow of gold trend. Take oil, for example. Imports of crude oil and oil products increased from 255,000 barrels daily in 1946 to 991,000 per day in 1956. Then, from 1956 to 1961, imports jumped to 1,245,000 barrels daily, despite voluntary controls imposed in 1957 and the mandatory controls put on in 1959. The ratio of these imports to U.S. crude production rose from 5.4 percent in 1946 to 13.9 percent in 1956, and rose to 17.3 percent in 1961.

This oil is paid for in dollars. Purchase of the vast amount of oil accounts for a substantial amount of our outflow of dollars. The payment deficit could be cut in half by an oil import policy which prevented foreign oil from enjoying a disproportionate share of our domestic market.

That step, manifestly fair and defensible in foreign trade, coupled with a substantial cut in foreign aid, can immediately reverse the dangerous imbalance situation that now obtains.

EXAMPLES OF NONESSENTIAL SPENDING

Now, Mr. Speaker, let us examine for a moment some of the nonessential spending measures that have brought this unfortunate condition about. Nearly every new spending proposal has its appeal. It attracts certain voters. It creates new Federal jobs. I fear there is an inclination on the part of many to reason: "I know this is not really essential; it is something we can postpone or get along without, or let the States continue to do; but we are already so badly in debt that this one will make very little difference."

We often hear it said: "If we spend money on foreign aid, we should be willing to do as much for our own people." But that is defeatism at its worst. That is a dangerous policy to follow. Each measure, each project, should stand on its own and be considered on its own merits, without regard to whether some other expenditure is good or bad. If foreign aid is bad, then eliminate or reduce it; if a new welfare project is bad, then it is our job to reduce or defeat it. That is the only responsible way to legislate, and we all know it. Two wrongs do not make one right.

What are some of these nondefense projects that create deficits and push the national debt higher and higher? Here are a few:

SALARY INCREASES COST $1.6 BILLION ANNUALLY

Last year we followed the line of least resistance and voted a 14-percent increase in Government salaries. At the beginning of 1961 the total Federal payroll amounted to $13.8 billion; now it is $15.4 billion a year—a rise of $1.6 billion, or 12 percent, in 2 years. That amount is added to the deficit each year—from now on. There were political overtones in that rise, and it was not easy to vote against it. But I was one of those who did vote against it. At this rate of increased spending the first thing we know the beneficiaries of this increase will feel the pinch of more inflation, and the dollars they spend will not buy as much.

Some 200,000 new Federal employees have been added to the payroll during the past 2 years, to help service the many new but often high-sounding projects the Congress has approved. The President has asked for 36,500 new employees in the current budget.

PEACE CORPS

Two years ago we were asked to expand foreign aid with a brandnew program—the Peace Corps. It was glamorous and it sounded good. And there was a lot to be said for it. The easy thing to do was to vote for it, as most of the Members did. But it was admittedly a duplication of the point 4 program—a program that at the time had 3,500 trained technicians overseas doing precisely the same kind of work that the Peace Corps was designed to do. The Peace Corps now costs us more than $50 million a year, and there is a nationwide drive to increase this facet of foreign aid. I was one who declined to approve this duplication of governmental services.

OUTLAYS FOR AGRICULTURE

For years the Congress has been extremely generous in providing subsidies for a variety of agricultural products. In those instances where this policy leads to surpluses, the program should be reexamined. American farmers are calling for less regimentation, more freedom, and less government interference in their operations. And the Congress should take note of that.

JOB RETRAINING

Under tremendous pressure the manpower retraining program, estimated to cost $400 million, was rammed through Congress. Another welfare program, we were told it was needed to help solve the unemployment problem. But according to newspaper reports it has been quite a flop. Again, I was one of those who foresaw the folly of this new venture, and I voted against it. It invaded an area of local responsibility and set in motion an increase in bureaucracy and an annual increase in deficit spending.

FOOD FOR FAMILIES OF UNEMPLOYED

Two years ago the Congress approved a bill to channel surplus foods, and other food to be purchased, to the families of the unemployed, costing more than $200 million annually. This opened up a Pandora Box, encouraged unemployment, and has caused a multitude of cases involving corruption and fraud in the administration of the law.

This project had a strong humanitarian appeal. But it was the wrong approach, as has been demonstrated. If the hungry are deserving and need help, then let the local welfare agencies do that job. It is essentially a local responsibility, and should be kept that way. If Federal surpluses are to be used, then let it be done through local welfare agencies, under strict and careful supervision to avoid the built-in abuses inherent in all handout projects. We must remember that there are many people who simply will not work and will not exert themselves to seek work if they can go to the welfare office and get food. That is why it should be kept a local responsibility, where it can be policed by local people who know what they are doing. That is another one I voted against.

PUBLIC WORKS ACCELERATION

Still another welfare measure that was pushed through the Congress was the depressed areas bill, supplemented last year by the billion dollar emergency public works acceleration measure. It smacks of depression-day treatment of our ills, applied in this time of near full employment. This legislation opened the floodgates for a vast variety of new ways to spend Federal money, with a wide discretion accorded those who administer the program as to what areas are eligible, for what purposes, and in what amounts. To be sure, it serves some useful purposes. But it inevitably involves the Federal Government in activities that can and should be dealt with by the States and local communities. Once begun, this sort of thing always mushrooms, adding more and more to our annual deficits.

LIBERAL HOUSING LAWS

The Congress has been overgenerous with housing legislation. The old timetested FHA mortgage loan program was sound. It created revolving funds that helped millions of Americans to finance the purchase of homes. But the planners were not content with that. They came up with special programs to apply to the elderly, the middle income, and other groups. Before that it was thought the FHA program applied to all alike. New liberal financing programs, completely unnecessary, were voted. Downpayments in many instances were practically eliminated. Mortgage defaults have soared 430 percent in the last 5 years, and by the end of last September FHA had on hand 36,338 unsold foreclosed homes. And that number is on the increase. In addition to the defaults, there were 43,168 other homeowners who were delinquent in payments. It was anticipated that about 40 percent of them eventually would be foreclosed.

If private industry operated its business like the Federal Government does, not many mortgage companies would survive. FHA foreclosures are estimated to be three times greater than those of conventional mortgages.

Under the whiplash of political pressures the Congress has already spent $5 billion on public housing. This program which was originally designed to take care of welfare cases and families displaced by slum clearance and urban renewal projects, soon got out of hand. If it was good for them, many with higher incomes wanted to get in on it. Firemen and policemen and others with comparable incomes moved into many public housing projects. Their rentals were not much more than half of what they would have been charged if the same projects were privately owned.

The current budget calls for increased spending for housing, with no proposal for correction of the many mistakes that have been revealed.

FOREIGN AID

We have spent $90 billion in foreign aid, and the President has recommended $3.7 billion for the next fiscal year. That does not include the Peace Corps and the billion-dollar Alliance for Progress program. In the name of foreign aid we have poured billions down ratholes all over the world, and what do we have to show for it? We have not been able to buy friendships with foreign aid. Many of the chief recipients have spurned us on crucial votes at the United Nations where there was a clash between the free world and the Communist bloc.

If we are to dish out foreign aid, we should limit it to those countries where the expenditure contributes directly to our own security, and then only where the recipients are willing to stand up and be counted on our side when the chips are down. I have voted against foreign aid bills for years because every one of them contained too many items which in my judgment could not be justified.

After all, as of a year ago the U.S. public debt exceeded that of all other countries of the world by $24 billion.

DEPRESSION'S CCC REVIVED

On top of all this, and notwithstanding the size of the debt and the mounting deficits, we are faced this year with a multitude of new welfare programs. A special White House message to the Congress calls for a revival of the old Civilian Conservation Corps—now called Youth Conservation Corps. It is estimated that this project, when it gets rolling, will cost up to $300 million a year—depending upon how much the planners want to spend.

The Washington Evening Star, commenting upon this proposal, stated:

> For that indeterminate number of youths really looking for a better chance, there has to be a better way than going back to the dark days of WPA and CCC.

In fact, the press recently reported that the President has a 22-member task force, headed by David Hackett, a special assistant to the Attorney General, working on plans to create new projects such as this. Donovan McClure, a public information officer of the Foreign Peace Corps, is on loan to that task force. The group is reported to be drafting legislation for a domestic Peace Corps, which, if enacted, would add other thousands to the Federal payroll and increase the deficit to that extent.

In addition, another welfare program now being advanced by the planners is one that would channel employees into so-called community service establishments—such as hospitals, playgrounds, welfare agencies and migrant farmworker camps. It is proposed to limit enrollees to 50,000 the first year.

TRANSIT AND EDUCATION

Another expensive project now in the works would channel hundreds of millions of Federal dollars into metropolitan areas to help them solve their commuter transit problems. Stated another way, certain cities want all the taxpayers of America to chip in and help them improve their local transportation systems.

A mammoth Federal aid to education program, a package deal, with a price tag that has been put at $5.3 billion, is before the Congress. Education is essentially the responsibility of local people, and it should be kept that way. Federal aid begets Federal control, and we might as well face it. The dire predictions of many in the past, with respect to shortage of classrooms, have proven to be completely unfounded. If the eager-beaver planners, who want to expand Federal control even into the local schools, will be patient and bide their time, the American people will find ways and means to finance their own local school programs without help from Washington.

MEDICARE

The President is sponsoring a medicare program that would cost an additional $2.5 billion. And that would be just the beginning. This revolutionary proposal is advanced in the face of the fact that the Congress only 3 years ago enacted the Kerr-Mills Act, to provide medical and hospital care for needy and deserving elderly people in this country. And it is being offered despite the fact that 74 percent of our citizens have adopted some form of private health insurance.

We have no need and no place for political medicine in our society. Let us not copy after the socialist system undertaken in Britain and elsewhere. Let us do it the American way—within the framework of free enterprise, with the Government helping in those instances of actual need. We already have that kind of a program, but the social planners do not want to even give it a chance to prove its adequacy to meet the problem.

FEDERAL SPENDING WILL NOT SUFFICE

Many of the welfare projects that have been offered are said to be necessary in order to reduce the present 5.8 percent of unemployed in our labor force. There are 60,700,000 Americans gainfully employed today. The energy of our private economy has made that possible. We know from experience that Federal spending will not cure unemployment. I believe in the principle that we simply cannot spend ourselves into prosperity by way of the Federal budget. If the environment is not conducive to an increase in private spending, then an increase in Federal spending, even a large increase, is well nigh an exercise in futility.

Actually, the rate of unemployment is not alarming. We must remember that many people simply do not want to work, perhaps drawing unemployment benefits. There are others idled by strikes. Others are temporarily out of work while changing jobs. There are many students, just out of school, who are looking around for an advantageous offer. Many sins are committed in the name of the unemployed.

Moreover, few seem to recognize the fact—and it is a fact—that maladjustment of wage rates is a major cause of unemployment. If a businessman seeks too much for his goods he loses his market. By the same token, if wages are pushed too high by labor-union monopoly action, unemployment will follow. It is a part of the inexorable law of supply and demand. That does not mean that all wages are too high. But it does mean that in those industries where wages are forced upward excessively by artificial pressures, a certain amount of unemployment is a natural result.

By placing unions under the antitrust laws, and by taking other appropriate steps in that area, we should break this vicious cycle wherein wage maladjustments cause unemployment. By proceeding in that way we would be treating the disease that contributes to unemployment—not just the symptoms.

It is one thing for workers to strike, but quite another for them to prevent men who desire to work from working. Have we not reached the time in this enlightenend country when there is enough labor statesmanship to recognize that unions should be purely voluntary and made to conform with all the laws that have been enacted against monopolies that are in restraint of trade? The time is overdue.

MILITARY PAY RAISE FOLLOWS PATTERN

A military pay raise, totaling $1.7 billion annually, has been proposed by the President. This follows the pattern of increases voted last year for civilian employees. There is much to be said for this proposal, or at least for some necessary adjustments. But the time to have held the line was last year when the precedent was established. Out of deference to the public debt and the deficit, then was the time to have established a go-slow formula for this type of increased Federal spending.

MORE FOR MENTAL HEALTH

We are being asked this year to spend vast amounts on a new mental health program—involving the Federal Government in a program that has always been treated as essentially a local responsibility. The States, private foundations, and the medical profession, have done very well in this area in the past, and if we are to do more at this level it should be to expand and encourage the system that has done well and should be continued.

"OWE AS WE GO"

Mr. Speaker, the old adage of "pay as you go" is today being replaced by an "owe as you go" philosophy. I could go on at length calling attention to these various nonessential programs, all of which cost money. It would seem that we have enough to do to finance the domestic programs, such as those dealing with soil and water conservation, flood control, river and harbor improvements, and others that, within proper limitations, are generally accepted as sound and justified. But in recent years we are deluged with an avalanche of new and expanded programs, most of which admittedly invade the province of local responsibility. Something good can be said for every one of them—except that they cost money we do not have and they should not be treated as Federal responsibilities.

THE CONSERVATIVE WAY

Conservatism has today become more and more a policy of conserving the Nation's fiscal soundness. The so-called liberals are becoming synonymous with free spending and higher deficits. The very ones who talk the loudest today about the need for tax reduction and the least about the need for retrenchment in Federal spending are the same ones who have consistently supported the vast array of nonessential spending projects that have gotten us into this financial jam.

Two years ago, and again early this year, the conservatives in the House waged a fight against the packing of the Rules Committee—a move designed to place a majority of liberals on that screening committee and thereby facilitate the advancement of the very bills I have discussed. That packing maneuver was successful. During debate on that issue it was argued that sponsors of that move must accept a measure of responsibility for what happens as a result of that action.

It is the conviction of many of us that in the functioning of the democratic processes there is a need for cooling off periods, for brakes to be applied, and thereby enable the House and the country to become better informed concerning the implications of many of these proposals before they are rushed pellmell through the Congress.

In lieu of the "owe as we go" policy, would it not be refreshing and constructive if a task force were appointed—not to conjure up new schemes for unnecessary projects involving large outlays of money, but to study ways and means of reducing spending, of turning back to the States and local communities more of the responsibilities that really belong to them? Even though novel, that move would be progress—constructive progress—and it would be welcomed by the hard-pressed American taxpayers who are anxious to see this country move forward.

This tendency to rush Federal money to every trouble spot that arises in the Nation bespeaks a basic lack of faith in the American system. It might amaze some of our planners to know how well our American communities can get along and manage to solve their own problems without being wet-nursed and coddled by the Great White Father in Washington.

We all know that many of these programs are politically inspired. But have we not reached that point when we cannot afford the luxury of deciding such issues on a political or partisan basis? Both political parties should take note of this.

Mr. Speaker, I shall conclude these remarks by quoting from Thomas Jefferson, who once said:

> I am for government that is rigorously frugal and simple, and not for one that multiplies offices to make partisans, get votes and by every device increases the public debt under the guise of being a public benefit.

THE SOFTWOOD LUMBER INDUSTRY

The SPEAKER pro tempore. Under previous order to the House, the gentleman from California [Mr. JOHNSON] is recognized for 60 minutes.

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on this subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, a historic decision was rendered on February 14 by the U.S. Tariff Commission in the case brought before it last fall by the softwood lumber industry. I say "a historic decision" for two reasons. First, because this is the largest case ever considered by the Tariff Commission in terms of dollars involved in an industry and employees concerned, and second, because this decision was the first rendered by the Tariff Commission under the Trade Expansion Act of 1962.

I am sure that most of my colleagues are aware of the conclusion reached by the Tariff Commission in this case—certainly those who have significant forested communities in their districts are. The Tariff Commission ruled that although Canadian lumber imports have risen significantly and the domestic lumber industry is suffering greatly thereby, the increased imports cannot be directly related to a prior tariff concession, which is required in the 1962 Trade Expansion Act.

Mr. Speaker, it is not my purpose today to raise a question with regard to the wisdom of the language that we approved last year in the Trade Expansion Act.

However, I am concerned that the same standard for judging the softwood lumber industry's case will be applied to employees who are displaced because of increased imports. They are going to be told, in effect, that the increased imports are not the direct result of a prior tariff concession and therefore, while they may be suffering, the law prohibits any relief.

The Tariff Commission stated, and I quote:

> The Commission observes further that while international commitments may deter Congress from legislating in conflict therewith, these commitments do not prevent Congress from so legislating. Congress may, if it so elects, legislate in conflict with any international commitments.

I consider this an invitation from the Tariff Commission to the Congress of the United States to assume the responsibility for correcting the conditions under which the U.S. lumber industry is forced to operate.

A number of specific suggestions have been made by Members of Congress and by the lumber industry which would have the effect of meeting the problem of increased softwood lumber imports from Canada. And I think it is important here to point out that we are not talking about increased imports that are based upon traditional free market advantages of the Canadians, but rather, advantages offered by specific Canadian Government actions that constitute what has been described as a subsidy for Canadian lumber producers. I think it is not fair for the Congress of the United States, or for this Government, to expect U.S. lumbermen to compete in U.S. markets with lumber from Canada which enjoys the advantages given Canadian producers. I feel it is incumbent upon us to deal forthrightly with the issue and to move swiftly to counteract these artificial advantages enjoyed by the Canadians.

The Tariff Commission decision offered a golden opportunity to Congress to take action in an area with which some Members of Congress had been reluctant to deal—that of requiring that all lumber imported into the United States bear a mark identifying the country of origin. As far as I know, lumber is the only product imported into the United States which does not have to be so stamped. The Tariff Commission reached three important conclusions with regard to the 1938 agreement with Canada which exempted Canadian lumber from marking requirements; it stated:

> The withdrawal of the country-of-origin marking requirement cannot be regarded as a trade-agreement concession within the meaning of section 301(b) of the Trade Expansion Act.

Secondly, it stated:

> Currently, country-of-origin marking would involve little expense in addition to that already incurred in complying with the grade-marking requirements instituted in 1960 by the Federal Housing Administration.

And lastly it stated:

> It is clear that its restoration (that is, the restoration of the requirement for country-of-origin marking) in recent years would not likely have contributed to a reduction in the level of imports of softwood lumber. On the basis of evidence obtained by the Commission, its restoration might well have had a contrary effect.

Mr. Speaker, the lumber industry has urged that the Congress enact a law requiring that imported lumber be identified as to country of origin. The industry feels that the American consumer public should have an opportunity to select lumber based upon whether or not it is produced domestically. The Tariff Commission has said that the withdrawal of the present exemption would not constitute a violation of a trade agreement concession. It further indicated that there would be very little cost involved for the Canadians, and further, that such a marking might even benefit the Canadians. Frankly, I am quite prepared to take the advice of the lumber producers in my district who believe that such a marking requirement would be beneficial to them. Therefore, I invite the support of my colleagues for a bill which I shall introduce, and which has been introduced in the past by other Members, that will require all imported lumber to be marked with the country of origin. I see no legitimate reason for objection to this legislation, and I would hope that it might be brought up for immediate consideration by the House as an act of good faith in support of our domestic lumber industry.

Mr. Speaker, while I am on the subject of the marking of lumber I would invite the attention of my colleagues to another proposal which has been offered as a method of assisting the domestic lumber industry. It is in a way a corollary to a bill, H.R. 2628, introduced by Chairman Rains of the Housing Subcommittee to require the use of domestic lumber in all FHA-insured housing. The proposal to which I refer would require the FHA to insist that domestically grade marked lumber and wood products be used in the construction of all FHA-insured housing.

It may come as quite a surprise to my colleagues to learn that the FHA currently approves a number of Canadian lumber grading agencies. It is also true that a number of U.S. grading agencies sell their grade stamps to Canadian lumber producers for use in grade marking lumber which eventually winds up in FHA housing. Yet, there seems to be no practicable way—at least which is apparent to me—for the use of these grade stamps in Canada to be policed by the FHA. Consequently, the proposal that has been put forward and which deserves some very careful consideration by the Congress would require that lumber imported from Canada which is intended for use in FHA housing be grade marked within the United States, where there is an opportunity for policing by the FHA to insure that the lumber approved by these grading agencies is in fact on grade. It seems to me that we may be operating currently under a double standard to permit Canadian lumber to have access to the FHA market on a different basis than that which is available to our domestic producers.

Mr. Speaker, one more point I would like to make, before yielding to my colleagues who share my concern over this Canadian import situation, is the fact that U.S. tariffs on softwood lumber have been reduced to 1.3 percent of the average value of the imported lumber. This low level of tariff has been established by three tariff cuts, the first in 1936, 1938, and 1948.

There are many competitive advantages enjoyed by the Canadian softwood producers—some by Government action on the part of the United States and others by Government action on the part of Canada. For whatever reason these actions were taken, they have worked to the severe detriment of the American softwood lumber industry. The price of lumber imported from Canada is now so low as a consequence of competitive and governmental advantages, that many American producers are unable to compete and have been forced to curtail production or to close their doors.

It is my belief that some appropriate action should be taken to protect one of America's basic manufacturing industries. The most direct way to accomplish this is by the implementation of a quota on the import of Canadian softwood lumber. The Canadian Government has seen fit to impose a tariff averaging 10 percent upon American softwood lumber being exported to Canada. It is only equitable that the United States should take some similarly appropriate action to protect its domestic industry.

I propose the imposition of a quota of 6 percent based on the average quarterly domestic softwood consumption in the United States during the calendar years 1960, 1961 and 1962.

This quota would allow the basic minimum protection needed by the domestic softwood lumber industry. It is urgent that this or similar action be taken at the earliest possible time to prevent any further damage to the lumber industry.

Mr. Speaker, I want once more to emphasize my desire to have our great country enjoy the best of relations with our neighbors to the north. However, I cannot bring myself to believe that it is necessary to sacrifice America's fourth largest industry in terms of employment on the altar of so-called international good will. If it is our country's intention to subsidize the economy of Canada, by all means let us do it as a Nation, forthrightly, openly, and worthily. However, let us not expect one industry to do that job for us, or the employees in an industry to give up their only means of livelihood in order that it be accomplished.

Mr. **HORAN**. Mr. Speaker, will the gentleman yield?

Mr. **JOHNSON** of California. I yield to the gentleman.

Mr. **HORAN**. Mr. Speaker, I want to thank my colleague, the gentleman from California for taking this time and for making a very clear statement and a factual one. I happen to have been a student of this present sitution and I know that what he has told us has not been overstated. It is a fact that the various differentials, the wage scales for one, and the depreciation of the Canadian dollar for another, and various other advantages that the producers in our neighboring country of Canada have, have imposed a tremendous effect and, indeed, a blighting effect upon our softwood lumber industry in the United States. This is not a problem that yields itself to an immediate cure and we must do something about it. Just to sit here and talk about it is no good. So this afternoon we hope to bring out at least some tangible and practical ideas that may lead to a correction of this situation. While we, as a group, are proposing here a 6 percent quota, actually, and I think the gentleman will agree with me, I think it is pretty liberal in terms of the history of the importation of Canadian lumber. We think it is liberal and since they have counteracting restrictions on the importation of our own lumber, I do not think that what we are proposing here is a cause for war or anything, but it is a matter of bringing peace in our relations with our neighbor to the north and to help to eliminate unemployment and the fear of bankruptcy of our own softwood lumber industry. So again, Mr. Speaker, I wish to commend my colleague, the gentleman from California for what he has just told us.

Mr. Speaker, the American lumber industry today is faced with declining employment, gradual deterioration through idling of its facilities, and a declining profit rate. The reasons for this economic instability are numerous and complex, but perhaps the major factor is the importation of Canadian lumber into our country.

The problem simply stated, is that for every board foot of imported lumber which crosses our border from Canada, an American producer will produce and sell one less board foot in our country's own lumber market. Since last year, both the President and the Congress have indicated that they are aware of the serious import problems confronting the American lumber industry and its employees. However, little has been done to solve the problems.

If we are to review efforts on the part of the Government to resolve the lumber import problem during the past year, we find that the chief remedy prescribed by the executive branch has been exhortation. For the past year, the lumber industry has appealed to the Government for help in solving the problems created by the inequitable import situation. More importantly, it has made practical recommendations and offered sound solutions both to the Congress and to the executive agencies. Many of us have met with representatives of the lumber industry on numerous occasions and have also discussed the matter with lumber producers in our home districts. Last year lumber officials appealed for relief under the provisions of section 22 of the Agricultural Adjustment Act, but the Department of Justice has informally advised lumber officials that they do not look with favor upon this plea.

The President has displayed great concern with the lumber situation, and at his request, the lumber industry has just completed the escape clause route before the Tariff Commission. In spite of the President's expressed concern, and in the face of the facts and figures presented to the Commission by the industry during public hearings on the matter, the Tariff Commission just recently sent to the President a report that would deny our lumbermen necessary and needed import relief.

Last year, softwood imports from Canada totaled 4 billion board feet.

Now, after numerous published statements by various Federal departments that they are doing this and that to alleviate the problems caused by Canadian imports, a look at the record shows that the imports have increased to 4½ billion board feet. What a sheer waste of effort this is.

Another unexpected and most tragic event occurred last fall which has compounded the problems of the lumber industry. The devastating windstorm which hit the Pacific Northwest last Columbus Day resulted in the downing of an estimated 11.6 billion board feet of marketable timber. Unless it is the intention—and I know that it is not—of the American people and their Government to leave this timber for the enjoyment of insects, or worse still, to allow it to become a greater forest fire hazard, it will be necessary to market this timber during the next 3 years.

It is felt that the presence of this timber on the U.S. market will result in a still further substantial decline in the market price for lumber. It is reasoned that for each 500,000 board feet of lumber per year that were not originally scheduled to find their way into the market, there is an estimated decline of at least $1 per thousand board feet in the overall price of lumber. It is estimated that 2 million board feet per year of the downed timber—not originally expected to be marketed—will now have to be placed on the market for the next 3 years. Thus, applying the prospective dollar per thousand board feet formula to this situation, it is possible that a price decline totaling as much as $4 per thousand board feet on the market is in prospect for America's economy.

And this would lead to further problems with our federally owned timber. The Bureau of Land Management and the U.S. Forest Service appraise their timber on the basis of fair market value. A decline, therefore, in the market value of lumber directly affects the value of the timber managed by these agencies. In the last few years, receipts of the Bureau of Land Management and the Forest Service from the sale of timber have declined by approximately 30 percent. The practice whereby the Canadian lumber industry cuts the market price of the lumber which it sells in this country has resulted in a depressed price for U.S. lumber. This price-cutting action of the Canadians has not only adversely affected the private lumber industry, but it has also reduced by almost one-third Government receipts from timber sales. In effect, it would appear that the American people have been placed in the position of subsidizing Canadian lumber producers.

Mr. Speaker, as I have stated, the problems confronting the lumber industry have not been solved, nor will they be solved by mere words of encouragement and patent promises. It is now imperative that the Congress take immediate action designed to solve these problems.

Last year I introduced a resolution which called on the President first to enter into immediate negotiations with Canada in an effort to resolve the lumber problems between the two countries, and second, to impose a temporary 10-percent import quota on Canadian lumber. I was happy to note that President Kennedy, in his statement of last July 26 on the problems of the domestic lumber industry, listed as the first point in his program, "the initiation of negotiations with Canada concerning the amount of softwood lumber imported into the United States." I do regret that the President failed to take any action relating to the establishment of an import quota.

In view of these circumstances, we have no other choice than to effect an immediate quota on imports of softwood lumber, particularly those emanating from Canada. The resolution I am introducing today proposes to do just this. Our country's lumber producers and employees of the lumber industry will not be granted any special or extra advantage by this legislation. Rather, it is designed to grant to our American lumber workers and producers an opportunity to sell their products competitively in their own domestic market. It is my sincere hope that other members of Congress will join me in sponsoring this bill, and that Congress in its wisdom will approve this resolution.

I would also like to have included in the Record a copy of a petition which I received recently, which is signed by the majority of the citizens of Ione, Wash. This is an example of the type of requests relating to the lumber problem which I have been receiving from my constituents.

The **SPEAKER** pro tempore (Mr. Rogers of Colorado). Without objection, it is so ordered.

There was no objection.

The petition referred to above is as follows:

Petition to the Honorable President of the United States of America and to the Honorable Senate and House of Representatives of the United States in Congress Assembled

We, the residents of the town of Ione, Wash., and vicinity do respectfully represent that—

Whereas lumber imports from Canada are increasing yearly at an alarming rate and now constitute about one-sixth of the annual consumption of lumber in the United States; and

Whereas there is a need to increase the cut from overmature forests to prevent excessive loss from decay, disease, and other causes; and

Whereas a serious blowdown of timber occurred in Washington, Oregon, and California in October of 1962 and salvage of said blowdown timber will place a further burden on the orderly marketing of lumber from other domestic areas; and

Whereas there is no shortage of timber for the production of lumber and related items in the United States; and

Whereas U.S. lumber manufacturing firms pay the highest wages and provide working conditions equal to or better than similar firms in other countries; and

Whereas lumber manufacturing firms in the United States are losing their home markets to foreign firms, especially those in Canada, due to advantages such as: (1) Depreciated currency; (2) low stumpage rates; (3) noncompetitive bidding; (4) less costly and restrictive forest practices; (5) lower wage rates; (6) high tariff rates on U.S. lumber shipped to Canada; (7) low charter rates for coastwise and intercoastal shipping; and (8) a cooperative government; and

Whereas unemployment in the lumber industry of the United States is increasing with resultant loss of wages to the workers, loss of taxes and income to taxing bodies and communities: Now, therefore

We respectfully petition the President of the United States of America and the Congress to give immediate attention to and request action necessary to place the lumber industry of the United States on an equitable and competitive basis with foreign manufacturers through the use of a quota system or other means, including the requirements that imported lumber be marked to show the country of origin, to the end that domestic manufacturers are not placed at a disadvantage with resultant loss of markets, reduction of employment, loss of taxes, and deterioration of communities.

Mr. **JOHNSON** of California. I thank my colleague from Washington [Mr. Horan]. His remarks are quite pertinent and point up a very serious condition in the softwood lumber industry of the United States.

Mr. **HORAN**. I thank the gentleman from California.

Mr. **WHITE**. Mr. Speaker, will the gentleman yield?

Mr. **JOHNSON** of California. I yield to the gentleman.

Mr. **WHITE**. Mr. Speaker, I want to compliment the gentleman from California [Mr. Johnson] for taking this time on such a very important subject, and I also want to thank him for the opportunity to participate in this discussion.

Mr. Speaker, last Thursday, the Tariff Commission made public its decision that trade concessions granted to Canada were not a major factor in causing the serious injury now experienced by the softwood lumber industry. The same day I expressed my gratitude to the Tariff Commission for acknowledging the enormity of this injury, and for indicating the necessity for Government action. I did not question the Commission's interpretation of the Trade Expansion Act, even though it was the first decision under the new law.

However, on behalf of the many lumber producers in my congressional district, who have been, and are being forced out of this vital industry by the increased importation of lumber from Canada, I did express my dissent to some of the reasoning of the Tariff Commission. One of the reasons which the Commission assumed so unjustifiably was that Canadian lumber is of higher quality than our domestic product. Rather than dwell on this erroneous assumption, I will simply cite a conflicting statement from another Government agency, the Forest Service, which appears in the Congressional Record, volume 108, part 6, pages 7289–7290 thereof. The Forest Service in this rather dubious comparison of United States and Canadian stumpage pricing policies, stated that one reason for the higher price of stumpage in the United States is the higher quality of our lumber. I believe both statements are in error. Why should a tree in a similar forest on the Canadian side of the border be any better or worse than one on our side?

The Tariff Commission used this reasoning to shift the burden of this problem from trade concessions to another area. The Forest Service had its self-protecting purposes in finding some explanation, other than its pricing policies, for the stumpage cost differential.

In fact, this tendency of the government departments to shift the responsibility for the disastrous condition of the softwood lumber industry has become more and more apparent to me in my studies of this problem. The State Department tells me that labeling lumber according to country of origin would be a violation of our international trade obligations, while the Tariff Commission states that suspension of the Labeling Act in Canada's favor is not a trade concession. The Interstate Commerce Commission says our freight rates are identical to Canada's, but the Department of Commerce says that railroad free holding privileges in Canada are important factors in the cost-price squeeze experience by our lumbermen. The Department of the Treasury acknowledges the fact that tax policies should take into account the depressed condition of the lumber industry, but announces capital gains tax changes that would further penalize the lumber businesses.

An hour after the Tariff Commission released its report of last Thursday, I expressed my conviction that a more cooperative spirit should exist between the lumber industry and our Government. Today, I would like to suggest the possibility of invoking one more administrative remedy before taking the legislative course of action. This remedy, provided in section 303 of the Tariff Act of 1930, is our countervailing duties statute. Perhaps I have been unfair in castigating our Government's attitude toward this problem. Possibly the origin of the lumber industry's ills is in the Canadian Government's attitude toward its lumber producers. I ask this question. Is the Canadian Government subsidizing its softwood lumber industry? If it is, the provisions of our countervailing duties statute, title 19, section 1303 of the U.S. Code, should be invoked. If the Secretary of the Treasury finds that in fact the Canadian Government subsidizes its exports of softwoods, our tariffs on Canadian lumber imports should be raised to the amount of such subsidy. The U.S. commitments under the General Agreement on Tariffs and Trade would not be violated, rather, we would be acting fully within the spirit of that treaty.

Permit me to quote Chief Justice Gordon Sloan, as Canadian Commissioner, in his report entitled "Forest Resources of British Columbia":

> We live by our exports. We must sell on world markets in order to survive. Our forest policies must in consequence be geared to the stark necessity of assisting our industries in every reasonable way to remain competitive in these markets.

In the light of this statement, is it not a good possibility that Canadian stumpage prices of less than one-third of U.S. stumpage prices can be termed a "bounty or grant" to the Canadian lumber industry? Are not the liberal log-scaling policies of the Canadian Government, amounting to 15 percent greater overrun footage than our Forest Service allows, and the lax road building and slash disposal requirements, as well as the negotiated sales practices of the Canadian Government, part of this policy to assist our industries in every way?

Mr. Speaker, I submit that these practices of the Canadian Government are at least indirect grants or bounties to the Canadian lumber industry. I ask that the Secretary of the Treasury consider this question sympathetically and soon. In the meantime, let us support Mr. HORAN's resolution, so that we will be prepared to act, should this final administrative remedy prove as disappointing as the earlier ones.

Mr. WESTLAND. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Washington.

Mr. WESTLAND. Mr. Speaker, I want to associate myself with the remarks of the gentleman from California [Mr. JOHNSON]. He and I have participated many times in conferences on this subject in an effort to try to solve this problem.

I read the report, the decision, of the Tariff Commission, and I frankly was amazed to find from that report that while the Tariff Commission agreed that there was serious damage to the softwood lumber industry because of excessive imports, there was nothing they could do about it under the phraseology of the so-called Trade Expansion Act that was passed last year. Frankly, I am delighted that I voted against it. If this is any way of expanding trade I will have to take another look at it. Actually, it is ruining our lumber industry.

The gentleman from California in the well of the House [Mr. JOHNSON] joined with others in making some recommendations. One of these recommendations I know was carried out and there were some conversations with the Canadians, but I think if the effort to solve this problem is going to result in a series of conferences with the Canadians, then we are not going to get quick results. These things can go on for years while the people who are working in the softwood lumber industry are no longer working. Those of us who are interested in this problem want to find a solution for it. The gentleman from California and the gentleman from Alabama [Mr. RAINS] have introduced bills, as I have, providing that FHA-insured housing shall use American lumber.

This seems to be a reasonable request. We are introducing today legislation that would call for a 6 percent cloak. The gentleman from California has asked that the imported lumber be marked, showing the country of origin. That is certainly a reasonable request.

I have introduced a bill which would amend the Jones Act so that the lumber industry, which is rapidly being destroyed, may use foreign bottoms, to carry the lumber from the Pacific Northwest or Pacific coast points to the east coast at the same rates that the Canadians are getting today. Today there is a difference of some $10 to $12 a thousand, which has eliminated us from that market.

One piece of legislation already passed permits the lumber industry to ship to Puerto Rico in foreign bottoms. The result was that immediately business was obtained by the lumber industry in that area.

That is what we are trying to do. We as Congressmen cannot do anything about the depreciated Canadian dollar, the 92.5-cent dollar; we cannot do anything about their appraisal methods; we cannot do anything about the wages that are paid up there. There are, however, areas in which we can be of assistance to the fourth largest industry in the United States.

I hope the Congress will act on this measure, on this problem. The President has indicated his interest in it, and I hope that the Congress will follow through on these recommendations.

Mr. JOHNSON of California. I want to thank the gentleman from Washington for his very informative remarks. He has very well pointed up this problem, and has pointed up most of the problems that concern us today.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Minnesota.

Mr. LANGEN. Mr. Speaker, I thank the gentleman for yielding to me. I should like to compliment the gentleman in the well of the House, as well as the other speakers here this afternoon, for having pointed out to the House and to the Nation another instance in which a major industry in this Nation is being threatened by imports.

I have had occasion previously many times to have raised the question of imports in other segments of our industry, particularly in the field of agricultural products. In my own district and State lumber is not a major item, but it is an important one. It is an industry which serves our country and Government in a significant manner. For instance, one Indian reservation has been substantially affected by the degree to which Canadian imports have increased in the last few years, thereby depriving them of a market, making it difficult for them to exist. There should be another requirement by the Congress or the Government to provide some kind of assistance for them.

I have noted with interest that section 22 of the Agricultural Act might be made applicable to lumber as well as other agricultural products. With this I agree. I want to add, however, that were this to become a reality, I would hope that section 22 might be used more effectively as it would apply to lumber than it has been used when applied to other agricultural products. We have had some crops where the problem has been substantially aggravated, yet section 22 of the Agricultural Act has not been used effectively, as it should have been.

So with all this I agree. I recognize the full potentiality of the proposals that the gentleman in the well has submitted to the Congress today.

I would hope that they do receive favorable action and that they receive the type of consideration which this industry deserves.

Mr. Speaker, I am afraid that unless we do recognize the problem that exists here, what is going to happen is the same thing that has happened in so many other areas: someone is going to come along and propose another subsidy program that we are going to have to put into effect in order to save another industry.

Mr. Speaker, we have had experience with this type of approach on the agricultural scene. I hope it does not have to be applied also to the lumber industry.

Mr. Speaker, again I thank the gentleman from California [Mr. Johnson] for yielding, and wish to compliment him for his efforts here this afternoon on behalf of this industry.

Mr. JOHNSON of California. I thank the gentleman from Minnesota.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. Yes, I yield to the gentleman from Washington [Mr. Pelly].

Mr. PELLY. Mr. Speaker, I thank the gentleman from California for yielding. I am happy to join with other Members of Congress, including my colleagues from the State of Washington, in introducing a joint resolution requesting and authorizing the President to impose an immediate 6 percent emergency quota on all imports of softwood lumber.

In this connection, I certainly regret that the Tariff Commission has not seen fit to recognize the distressed conditions and the critical circumstances imposed on the lumber industry by these foreign imports. I also regret the failure of the President to initiate some form of emergency relief through Executive action.

However, Mr. Speaker, it may be that the Members of Congress themselves have been derelict in this connection. Frankly, I have always felt that the legislative branch of Government, and this body especially, had prime responsibility in all matters affecting the Nation's tariffs and the regulation of international commerce. That is what the Constitution provides. The Congress was charged with this responsibility under the Constitution.

It is always easy to take the course of least resistance, and it certainly would appear with lumber that this is precisely what the Congress has done. Consequently, I hope my colleagues will recognize and face up to their responsibility in this instance by expediting favorable action on this very important resolution to curb the dumping of foreign lumber on the American market.

Mr. JOHNSON of California. I thank the gentleman from Washington.

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Washington.

Mr. TOLLEFSON. Mr. Speaker, may I join with my colleagues in complimenting the gentleman from California for obtaining this special order and bringing to the attention of the House of Representatives a problem of some magnitude and considerable importance to the Pacific Coast lumber producers.

Mr. Speaker, the gentleman has made it clear that there is a problem, and in this respect I think I am safe in saying that he has been joined by the President himself. So we are not talking about a problem which we only think is a problem, but the President considers it a problem also. This was made evident when last year, after many Members of Congress and several departments of Government had given consideration to the matter, the President called to the White House a large number of west coast Members of Congress and recommended a number of steps that might be taken by the Congress or the departments of Government in order to obtain relief in this situation and to suggest solutions to the problem.

Now, the President would not have done that had he not been firmly convinced that there was a problem.

Mr. Speaker, I would like to ask the gentleman from California [Mr. Johnson] a question: To what extent, if any, have the departments and agencies of Government implemented the President's recommendations? It is my understanding that many of the recommendations are still pending. That is why I ask the question.

Mr. JOHNSON of California. Yes, they are still pending. There has been some improvement in some of the recommendations that were made at that time. I do believe the allowable cut has been improved and progress has been made in the timber inventory and there was the program of access roads. There is still progress to be made on the contracts provision and the fields procedures. There is still consideration to be given to the import of lumber from Canada. So, I do believe that on most of the recommendations that were considered at that meeting at the White House, there has been some progress made, and I feel in many sectors very good progress and a great deal of progress.

Mr. TOLLEFSON. If the gentleman will yield further, my purpose in asking the question was not to imply any criticism. I simply wanted the record to show that not only the President and the Members of Congress from the west coast, but the departments and agencies themselves, understand that there is a problem here.

I would like the record to show that one of the reasons for the existence of the problem is the Government itself; and I am not talking politically now at all. But we have on our law books a law known as the Jones Act which provides that no foreign-flag ship may carry cargoes between American ports. In other words, a foreign-flag ship cannot pick up a cargo of lumber in California and carry it around to the east coast. The purpose of the law was good. I have supported that law quite generally. The objective of it was to maintain an adequate American merchant marine to serve both in time of peace and war. We had found out during World War I and again in World War II the absolute importance of having an adequate American merchant marine. This was recognized by the highest spokesmen in the Department of Defense who have appeared before our committee and before others, and who have called the American merchant marine the fourth arm of defense.

We felt it was a matter of congressional policy, that we absolutely needed an adequate American merchant marine to stand us in stead when an emergency arose. It was that philosophy that gave rise to the Jones Act. But the fact that we passed the Jones Act created in large measure the problem that confronts us now. What I am saying is that the Government in large measure has created this problem and the Government ought to come forward with some solution to it.

In addition to the suggestions that the gentleman has made—and I was one of those who introduced some of the bills which have been mentioned—I am going to introduce another bill for the consideration of the Congress that has to do with this subject of subsidy. I know that subsidies are abhorrent to most Members of Congress and I think rightfully so, when it comes to the matter of simply saving an industry. But when you have a subsidy in connection with our national defense, for instance, if our Government takes the position which it has taken that we must have cargo and passenger ships, especially cargo ships, to carry our men and materials of war, either private industry must build those ships or the Government itself must do so, as the Government does in some instances. If we had no construction subsidy program, private industry would not be building a single ship and we would not have any American merchant marine as such. The Federal Government would have to pay the total cost of building the ships. As it is now they pay up to about 50 percent.

I am going to suggest for the consideration of the House, in light of what I have said, that there be a construction subsidy made available to the coastwise and intercoastal American-flag vessels in the same manner as contruction subsidies are made available to those of our vessels which are engaged in the international trade. I do not think it is asking for too much. If we do not do that it seems to me that our coastwise and intercoastal ships will go out of business. This has been the case since the enactment of the Jones Act. Instead of doing the job as well as Congress had anticipated, the coastwise and intercoastal trade is going downhill and eventually will disappear. So I say if we want to support our own philosophy then we had better give consideration to providing the coastwise and intercoastal ship operators the same privileges that are given to the international flag operators. I mention it just to get it into the Record at this point.

Again, Mr. Speaker, let me compliment the gentleman from California for bringing to the attention of the House a problem which is most serious to those of us on the Pacific coast and speaking selfishly, of course, to those of us who are up in the Northwest.

Mrs. MAY. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentlewoman from Washington.

Mrs. MAY. Mr. Speaker, I join my colleagues from the State of Washington in commending the gentleman from California for taking this time to give the many ramifications and implications of this very serious problem facing our lumber industry.

I think the gentleman knows that I am a member of the House Committee on Agriculture. We have recently been considering legislation to relieve the cotton industry by subsidy because it is now in serious trouble because the Tariff Commission has failed to act.

I have just come from my home State of Washington, where I have met with representatives of the livestock industry who are worried about what the imports of wool, mutton, and lamb are doing to them. We have the same concern, as the gentleman from Minnesota [Mr. LANGEN] pointed out, in connection with many other agricultural commodities.

I think the gentleman, and those of us who joined with him in introducing these several pieces of legislation, which propose constructive solutions for our lumber industry problems are really leading the way for our colleagues who represent areas also being hurt for the same reasons we in the lumber industry States are being hurt, the failure of the Tariff Commission to act on our behalf.

Mr. Speaker, for the past year and a half, many of us from lumber-producing congressional districts have been concerned over the fact that Canadian softwood lumber has been imported into this country in sufficient quantities to cause hardship on our own producers. It is significant, I think, when 17 percent of our total domestic consumption of softwood lumber is Canadian. In our own country—and particularly mills in my section of the country are closing and putting people out of work because the market that was formerly available to them is now being taken over more and more by the Canadians.

This situation has been brought to the attention of the administration many times through letters from Members of Congress, through telephone calls to heads of agencies and departments of Government, and through personal visitations to the President of the United States. The President has been fully apprised of the facts. It is now past the time to act.

At the suggestion of the administration, the industry filed an application with the U.S. Tariff Commission for relief under the Trade Agreements Act. The Tariff Commission issued its report February 14 and acknowledged the validity of the major portion of the industry's claim for relief, but refused to grant relief by referring to the requirements of the 1962 act which requires that the petitioner must prove injury resulting in major part from trade agreement concessions.

It would appear to me that under the present law, the Tariff Commission has virtually ceased to exist as an effective agency to which any suffering domestic industry or its employees can turn for relief. In my opinion, I doubt very seriously whether any domestic industry or employee group will ever be able to prove that a major part of its suffering at a given time can be directly attributed to trade agreement concessions. I believe that the Trade Expansion Act of 1962 must be amended. The softwood lumber industry finding is a precedent for any domestic industry seeking relief. I understand that the lumber industry expended many tens of thousands of dollars and countless man-hours in preparing their material for the presentation of their case before the Tariff Commission. The finding was predetermined by law and their effort resulted in useless spinning of wheels.

I am proposing by the introduction today of several bills, methods by which we must act, legislatively, to assist the industry. We cannot let this important economic force go down because of the new trade bill. The bill is apparently ineffective to help an industry and we must now amend the bill. One of the bills that I propose to introduce today would amend section 22 of the Agricultural Adjustment Act so that the Secretary of Agriculture can include lumber and wood products as an agricultural commodity under the act. This would enable the lumber industry to get protection from competition from foreign imports.

Last year the lumber industry asked assistance in helping them get relief under section 22 of the Agricultural Marketing Act. The Secretary of Agriculture, through its Solicitor, ruled in fact, that lumber, or rather, trees, are an agricultural commodity. I understand that the Attorney General is to come out with a ruling in the very near future repealing the Agriculture Department's opinion and denying that trees are an agricultural commodity. This will necessitate prompt action on my bill.

It seems unfortunate to me that the industry should have to go the route of legislation when this could be done in the Department, if the Secretary of Agriculture so desired.

The second of these bills is the House joint resolution which so many of my colleagues have introduced today. This joint resolution requests the President to impose an immediate temporary quota of 6 percent on the importation of softwood lumber from Canada for a period of 3 years. This emergency quota would be determined on the basis of 6 percent of the average quarterly domestic softwood consumption in the United States during the calendar years 1960, 1961, and 1962.

The third legislative proposal I have introduced today would amend the Tariff Act of 1930 to require the marking of lumber and wood products to indicate to the ultimate purchaser in the United States the name of the country of origin.

Canadian lumber now enjoys an exemption from the marking provision of U.S. tariff laws.

The fourth resolution I have introduced proposes that the National Housing Act be amended to prohibit the use of lumber which is not of domestic U.S. manufacture in any construction or rehabilitation covered by Federal Housing Administration programs.

It is gratifying, Mr. Chairman, that Members of Congress from lumber producing States are joining today in support of measures designed to alleviate the serious impact of import competition which has been mounting over the past decade. The lumber industry is the fourth largest industry in the United States. The Congress, the administration, and the American people can ill afford to do less than we propose today.

Mr. JOHNSON of California. I thank the gentlewoman from Washington for her very fine remarks with regard to this problem.

Mr. OLSEN of Montana. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Montana.

Mr. OLSEN of Montana. Mr. Speaker, I wish to commend the gentleman from California on the address he has made here in the House and the action he has taken with respect to the lumber industry. I wish to state at this time that I subscribe to the statements made by the gentleman from California and the action here begun.

Mr. JOHNSON of California. I thank the gentleman.

Mr. DUNCAN. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman.

Mr. DUNCAN. Mr. Speaker, I appreciate the remarks of various Members on the floor of the House today. I think it should be encouraging to those who earn their living from the lumber industry to know that their elected representatives are seriously concerned about the economic well-being of the basic industry of the Northwest and one of the biggest industries in the United States. I share that concern and intend to support governmental action to help the lumber industry in those areas of activity in which our Government should properly act; to equalize unfair competition which other governments have given to their industry. But this is a complex question and there are no easy answers. I think in defense of this administration, it should be said that the administration is aware of this problem and has moved to help by increasing the allowable cut in an effort to reduce the price of stumpage, by increasing appropriations for roads to take part of that burden off the lumber industry and by supporting a modification of the Jones Act, a bill which was passed in the last session, which has resulted already in shipments of Northwest lumber to the Puerto Rican market. In addition, conversations have taken place with Canada—not productive yet but with the election out of the way in Canada soon, perhaps, more progress can be made.

I should like to say I think the gentleman from Idaho [Mr. WHITE] made a constructive suggestion for additional action by the Secretary of the Treasury which can be taken without additional legislation and which is worthy of full exploration.

I happen to be one who hopes industry can stand on its own feet. I happen to believe that prosperity lies in expanded and greater trade and freedom of trade rather than in restrictions. I believe there is a great opportunity here for the lumber industry to move concurrently with the Government tc meet competition with competition as the lumber industry has always done, is doing, and will continue to do.

I urge them to do this. And in the meantime, I pledge what help I am able to give in those proper areas of governmental support.

Mr. Speaker, I include an editorial from the February 17, 1963, issue of a very fine newspaper published in my congressional district, the Eugene Register-Guard. The opinions in this editorial are almost identical to those I just expressed. I am gratified that this influential paper has chosen to take such a sensible stand. I hope that the industry itself will adopt and promote this point of view, and that the Federal Government will continue to do whatever it can to assist the industry in meeting the Canadian competition.

The editorial follows:

TO MAKE THE MOST OF A BAD SITUATION

With United States-Canadian relations already strained, it comes as no surprise that the Tariff Commission has turned down ideas that imports of Canadian softwood lumber be artificially restricted.

Even were Washington and Ottawa getting along better, it would be difficult to justify either tariff boosts or import quotas on lumber entering this country from Canada. The United States, as the world's great champion of less restricted international trade, would be hard pressed to explain why Canadian lumber imports should be curbed at the same time U.S. representatives are beginning a momentous battle to breach trade barriers in the European Common Market area, and elsewhere.

The economic interest of the Pacific Northwest and other U.S. lumber-producing regions would be served if Canadian lumber imports were cut back. But the national interest would suffer.

Accordingly, representatives of the U.S. lumber industry should now quit chasing rainbows which have no pots of gold at the end of them. Instead, they should concentrate efforts upon attainable objectives of realistic benefit to their industry. Coastal mills which ship by water routes could be further benefited by additional amendments to or complete repeal of the Jones Act which, in effect, forces U.S. lumber producers to help subsidize this Nation's merchant marine. Some inland mills, particularly smaller ones, might be assisted by renewed efforts to restore delay-in-transit privileges they formerly had when making rail adjustments of their wares. A case, at least, can be made for restoration of these privileges—on the basis that they continue to be enjoyed by shippers of many other commodities and industrial products.

And, of course, there remain a number of lumber industry complaints to be argued further in regard to U.S. Forest Service marketing policies and procedures. One example: In view of the multipurpose public forests management principle, it is reasonable to think that purchasers of public timber should be assisted with more public funds when they build access roads which, at the Government's insistence, must be suitable for recreation travel as well as log trucking.

The Tariff Commission opined that the main reason for the marketing disadvantage at which U.S. lumbermen find themselves is the relatively high cost of stumpage in this country. This situation may be improved, temporarily, as Federal agencies hasten the marketing of tremendous amounts of Pacific Northwest timber felled in last October's hurricane. But it is long-range solutions which the lumber industry needs for stability. And, in spite of all efforts to find such solutions, it remains probable that U.S. mills will be plagued by Canadian competition throughout the foreseeable future. More mills in this country may be forced out of business; more U.S. lumber industry capital may be shifted into British Columbia where cheap logs are abundant.

Wherever it is being unjustly hampered by Government policies, this country's lumber industry has good reason to complain and to fight for better treatment. In addition to this, however, the industry—and communities dependent upon it—must recognize that increased manufacturing and marketing efficiency offers the best hope that Canadian competition can be met. The salvation of the U.S. lumber industry, as presently constituted, depends largely upon offsetting, and not upon attempts to nullify, advantages which inherently belong to Canada.

Mr. JOHNSON of California. I thank the gentleman from Oregon for his very fine remarks.

Mr. STINSON. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Washington.

Mr. STINSON. Mr. Speaker, I would like to join my colleagues in thanking the distinguished gentleman from California for bringing this problem to the attention of the Congress. I think it is a problem that many of us realize has existed for a long time and it is a problem which is going to require some immediate action on our part if this very valuable industry is to be saved. I think we have to recognize that an unequal situation exists in the tariffs between the imports of Canada into the United States and the exports from the United States into Canada. I certainly want to thank the gentleman for bringing this problem to the attention of the Congress.

Mr. JOHNSON of California. I thank the gentleman from Washington.

industry has always done, is doing, and

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. BERRY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. BERRY. Mr. Speaker, I do not necessarily despair over the present plight of our domestic softwood lumber industry. I know the breed of men who earn their livelihood from the woods, and they are a pretty rugged group. Given half a chance, they are going to regain their economic health, and provide for our Nation the continuing resources so essential to our modern economy.

However, I do despair at times when I witness the obstacle course over which an enlightened group of American citizens must move in order to get appropriate recognition of their grievances from Government. Most of the Members of the House will recall that our Government first reacted to the request of the domestic lumber industry for relief from softwood lumber imports by recommending a study. An intergovernmental committee was established by the Departments of State, Commerce, Agriculture, and Interior last spring to make recommendations for action. As far as I can determine, that committee met once, and then folded. There followed an excellent investigation by the Senate Commerce Committee into the problems of the lumber industry that included field hearings at which hundreds of affected communities had an opportunity to express their viewpoints. For one reason or another, no major legislation of assistance to the lumber industry came out of those hearings.

The next hurdle was that of the U.S. Tariff Commission. It was not enough that a domestic industry had to, on very short notice, prepare its material for the Tariff Commission under section 7 of the old act—the Congress changed the rules under which the case was to be heard right in the middle of the hearings before the Tariff Commission. The consequences of our act are evident from the report of the Tariff Commission.

We put into the Trade Agreement Act of 1962 a requirement that an injury sustained by a domestic industry from increased imports must be related in major part of a prior tariff concession. Based upon my reading of the Tariff Commission report in the softwood lumber industry case, it is my own opinion that no domestic industry will ever be able to obtain relief unless we change the ground rules.

A number of proposals have been made by Members of Congress and by the lumber industry itself which offer practical means for the domestic lumber industry to achieve parity with the assisted lumber industry in Canada. There are, however, some opportunities for assistance that do not require legislation that might be encouraged by Members of Congress.

For instance, the Department of Commerce, which, incidentally, has been, probably, of greater assistance to the domestic lumber industry than any other agency in the executive branch, is seeking to expand its overseas marketing studies. Although I have not seen the details of the program, I understand that the Department of Commerce has in mind what we might call a door-opening program. They would invite persons employed in an industry to travel in foreign countries for the purpose of developing new markets. These individuals would remain on the payroll of their employers, but would receive assistance in terms of contacts and travel. I think this program could be of immeasurable assistance to our domestic softwood lumber industry in its quest for new markets abroad.

I am told that the lumber industry, through its several organizations, is uniting to expand its overseas markets—particularly in the Common Market nations. Another phase of the Commerce Department's program which can be of real assistance to domestic industry, and particularly to the lumber industry, is its program to hire directly from the job-producing industries of America some top talent to help guide the programs of Government as they relate to those industries. I applaud this kind of thinking because it has long been my view that our Government does not take full advantage of the knowledge available to it in the private sector of our economy. I am hopeful that, within the limits of prudence, we can encourage the activities of the Department of Commerce—particularly those industry divisions within the Business and Defense Services Administration.

Mr. Speaker, I would like my colleagues to know that I will work with any of them on any sensible program that will improve employment opportunities and the economic health of the forested communities in these United States.

Mrs. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. NYGAARD] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mr. NYGAARD. Mr. Speaker, I want to join my colleagues in introducing a House joint resolution requesting and authorizing the President to impose an immediate 6-percent emergency quota on all imports of softwood lumber.

While my State of North Dakota does not produce the vast amount of this type of lumber that others do, we do produce some to a lesser degree, and I am interested in seeing all the softwood lumber producers in the Nation protected at this time.

Mr. NORBLAD. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman.

Mr. NORBLAD. Mr. Speaker, I commend the gentleman on his remarks. I have introduced several bills on this subject. I think one of the particular importances is the amendment to the Jones Act, which amendment was agreed to in the last session of the Congress, to allow shipments of American lumber in foreign bottoms to Puerto Rico. This amendment has proved its worth in that a large cargo of lumber in a foreign bottom was this week shipped from Coos Bay, Oreg., to Puerto Rico. I think my proposed legislation to allow shipment from Northwest ports to east coast ports in foreign bottoms would be of substantial benefit to our lumber industry.

Mr. JOHNSON of California. I thank the gentleman.

Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. HANSEN] may extend her remarks at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. HANSEN. Mr. Speaker, I am extremely happy to join with my distinguished colleague from California today in presenting some of the problems of the lumber industry and in proposing some solutions. His district, like mine, is heavily dependent on lumber for the health of its economy.

The lumber industry in the United States is an important part of the economic and social well-being of millions of our citizens. It has played an important part in making our Nation strong. Over the years it has taken its place as a vital part of our economic strength.

But today the lumber industry is in trouble. Employment in sawmills and planing mills has decreased from a total of 492,000 in 1947 to 432,000 in 1949, to 473,000 in 1951, to 416,000 in 1954, to 393,000 in 1955, to 332,000 in 1957, to 309,000 in 1960.

The conclusion is obvious. Employment in sawmills and planing mills in the United States since 1947 has decreased by over 183,000 or by about 40 percent.

One of the principal reasons for this marked decline in employment in our domestic lumber industry is the importation of Canadian lumber. In 1954, according to a report of the U.S. Department of Commerce, imports of softwood lumber from Canada increased from 2,748 million board feet in 1954 to 3,941 million board feet in 1961. That is 13.7 percent of our domestic production and is now over 17 percent of domestic production.

We find in the Northwest and particularly in southwest Washington that decline in lumber employment is a major factor in an unemployment situation which is reaching serious proportions.

The lumber industry in the Northwest, last October 12, was dealt another heavy blow when a windstorm of hurricane proportions leveled more than 11 billion board feet of prime timber.

This timber must be harvested and this is likely to cause a further decline in the price of lumber and it probably will have the effect of causing substantial increases in unemployment.

To dramatize the economic effect of this 3.9-billion board feet of imports of Canadian lumber, let me point out that it takes around 22,000 loggers, sawmill, and planing millworkers 1 full year to turn out that volume of lumber. These men and women would earn in excess of $120 million in wages. This means that a total of around 22,000 workers are out of work in the United States as a result of Canadian imports.

Foresters who have analyzed the problem of the timber blowdown say that all this timber must be taken out of the forest within a period of two harvesting seasons. That means that there might be as much as 11-billion board feet of timber placed on the market. Certainly there is not any question that the impact upon lumber prices will be a serious one.

Technicians at the Department of Commerce have estimated that for every additional 1½ billion feet of lumber added to the supply in the market will bring about a $1.50 decrease in the price of the finished lumber. With the already disastrously low price of lumber forcing mills to curtail production or close altogether, this added burden can do little but inflict further serious damage to an already suffering industry.

If this steady increase in lumber imports from Canada continues, it is going to be extremely difficult to market this blow down and this great resource might be wasted.

In addition to the economic consequences of the decline in employment in our lumber industries, let me point out that social problems of considerable magnitude are being created.

Many of our communities are entirely dependent upon lumber for their survival. Many of these communities are rapidly assuming the status of ghost towns. Idle men and women, idle boys and girls, create what has been aptly described as "social dynamite."

Everything that we can do must be done to rescue our fellow citizens from social problems created by mass unemployment.

Last year resolutions were introduced which called for imposition of a quota on imports of Canadian lumber. These resolutions in general called for negotiations by which Canada would limit exports of lumber to the United States.

Negotiations were carried on for some time, but no solution was reached.

In view of the serious condition of the lumber industry in the United States and in view also of the effect of increasing imports of Canadian lumber on our domestic market and employment, I think it is necessary that the proposed House-Senate joint resolution be passed. For under its terms the President would be authorized immediately to impose a 6-percent emergency quota on all imports of softwood lumber.

I urge full support of this resolution.

Mr. CLAUSEN. Mr. Speaker, I take this opportunity to join my colleague from California [Mr. JOHNSON], and other Members of this honorable body, in amplifying some of their remarks regarding the deplorable lumber situation in my district in California and in the area of the Pacific Northwest generally. I want to associate myself with these remarks and compliment the gentlemen for the accuracy of their comments. Further, I should like to point out to other Members of Congress that appeals are made regarding the lumber industry problems on a fully bipartisan basis. It can be said that in this instance, we "walk down the aisle together" in an all-out effort to alert other Members as to the seriousness of the economic plight of our major industry. Three of the counties of my district, Del Norte, Humboldt and Mendocino, are consistently in the chronic unemployment or so-called depressed areas. The contribution of the lumber industry to their respective economies ranges from 50 to 70 percent. So when the lumber market is hit—the entire economy of these counties is sick.

Mr. Speaker, it is my intent to join Mr. JOHNSON of California, Mr. RAINS, Mr. WESTLAND and others concerned with the plight of the lumber industry—in introducing a bill to provide that FHA insured housing shall use American lumber. Much has been said about buy American. I can think of no better way to give the people of our great lumber industry a much needed shot in the arm than by recognizing their problems and encouraging passage of the aforementioned type of legislation. I just returned from my district and some of the people there feel they are a pawn for the Trade Expansion Act. When we say buy American, let us practice what we preach.

The forest products industry is the Nation's fourth largest. Entire regions are dependent on the products of forest and rangelands. Our Government must understand that the national interest is not served if, in the management of Federal lands, the neglect of private forestry, or the conduct of foreign policy, local communities are bankrupted.

Mr. OLSEN of Montana. Mr. Speaker, on February 14, 1963, the Tariff Commission made its report to the President, concerning its investigation of the softwood lumber industry, under the Trade Expansion Act of 1962. The purpose of the investigation to which this report relates was to determine whether, as a result in major part of concessions granted under trade agreements softwood lumber is being imported into the United States in such increased quantities as to cause, or threaten to cause, serious injury to the domestic industry producing like lumber.

This investigation was originally instituted on July 26, 1962, on the basis of an application by the Lumbermen's Economic Survival Committee, Seattle, Wash.

Since the decision by the Tariff Commission was announced, my office buzzer has been sounding like a leaky water faucet dripping on a hot stove.

In the Commission's report, it is recognized that softwood lumber "is being imported in increased quantities," within the meaning of the statute. In their investigation, the Commission interprets "being imported" as referring to the rate of importation during the most recent years. Whatever number of recent years is selected for this purpose, it is clear that the trend of imports of softwood lumber is upward. However, the Commission is here called upon to determine merely whether the trade agreement concessions are "in major part" the cause of the increased imports.

The imports of Canadian softwood lumber from Canada presently amount to 17 percent of the softwood market in the United States.

The advantages the Canadian producers have over domestic manufacturers, include a devalued currency, government-pegged lower stumpage rates, government-granted transportation advantages, a sizeable tariff differential, and positive government assistance in export development. The lumber industry of America has taken every administrative procedure, every legal procedure, and has patiently cooperated with the Government to assist in levitating its industry to overcome the disadvantages at which it finds itself, through no fault of its own. The lumber industry contributes greatly to the economic importance of our Nation. It is the fourth ranking employer of manufacturing labor. The industry's annual payroll is about $7 billion. It contributes approximately $27 billion overall to the gross national product.

Mr. Speaker, many Members of this House and the other body have proposed that all necessary steps be taken by the Federal Government and the industry to eliminate these inequities so as to provide equal opportunity for the sale of American lumber in the United States and its possessions, specifically:

First. That the industry give full support to the U.S. Government in any effort that is undertaken to increase the sale of American lumber in both export and domestic markets.

Second. That the Government establish a Federal transportation policy which will equalize costs on waterborne shipments of lumber between American and foreign vessels and which will eliminate the competitive advantages of foreign railroads and will encourage the efficiency of carriers.

Third. That the Government take appropriate action to prevent the manipulation of foreign exchange rates which has had the effect of providing a subsidy on lumber imports into the United States.

Fourth. That the Government immediately undertake negotiations to equalize tariffs on lumber imports and exports so that comparable opportunity exists for sales in competing nations.

The Tariff Commission stated, and I quote:

> The Commission observes further that while international commitments may deter Congress from legislation to conflict therewith, these commitments do not prevent Congress from so legislating. Congress may if it so elects, legislate in conflict with any international commitments.

The Tariff Commission thus offers the Congress of the United States a green light to assume the responsibilities for correcting this situation.

Specific suggestions have been made by Members of Congress and by the lumber industry which would have the effect of meeting the problem of increasing softwood lumber imports from Canada. As important as this situation is, we are not talking about increased imports that are based upon traditional free market advantages of the Canadians but, rather, advantages offered by specific Canadian Government actions that constitute what has been described as a subsidy for Canadian lumber producers. I think it unfair for the Congress of the United States, or for this Government, to expect the lumber industry of America to compete in U.S. markets with lumber from Canada which enjoys the advantages given Canadian producers. I feel it is incumbent upon us to deal forthrightly with the issue and to move swiftly to counteract these artificial advantages enjoyed by the Canadians.

Some Members of Congress are reluctant to deal with the area surrounding the Tariff Commission, particularly that of requiring that all lumber imported into the United States bear a mark identifying the country of origin. To my knowledge, lumber is the only product imported into the United States which does not have to be so stamped. The Tariff Commission reached three important conclusions with regard to the 1938 agreement with Canada which exempted Canadian lumber from marking requirements.

The Commission states:

> The trade agreement with Canada that came into effect in 1939 provided inter alia for the suspension of the requirement that imported lumber be marked to show country of origin * * * since that time, however, the use of modern equipment has greatly reduced the cost of marking individual pieces of lumber. Currently, country-of-origin marking would involve little expense in addition to that already incurred in complying with the grade-marking requirements instituted in 1960 by Federal Housing Administration. Further, that marking requirement cannot be regarded as a trade-agreement concession within the meaning of section 301(b) of the Trade Expansion Act.

Lastly that:

> It is clear that its restoration (that is, the restoration of the requirement for country of origin marking) in recent years would not likely have contributed to a reduction in the level of imports of softwood lumber. On the basis of evidence obtained by the Commission, its restoration might well have had a contrary effect.

Mr. Speaker, for some time the lumber industry has asked the Congress that a law be passed to require that imported lumber have the stamp of country-of-origin identification. Industry feels that the consumer public of the United States should have a choice of selecting domestic lumber. The Commission stated that the withdrawal of the present exemption would not constitute a violation of a trade agreement concession. It further stated that there would be very little cost involved for the Canadians, and further, such markings might even benefit the Canadians. I have introduced legislation, along with other colleagues, that would require all imported lumber to carry the country-of-origin identification. Any objection to this legislation would be unfair to decent business practice. I urge the Congress to institute such legislation as an act of good faith to the domestic lumber industry.

Mr. Speaker, I would like to invite the attention of my colleagues to another proposal which has been offered as a method of assisting the domestic lumber industry. Chairman Rains, of the Housing Subcommittee, introduced H.R. 2628, a bill to require the use of domestic lumber in all FHA insured housing. This would require the Federal Housing Agency to insist that domestically grade-marked lumber and wood products be used in the construction of all FHA insured housing. Perhaps all of my colleagues might not be acquainted with the numerous disadvantages our lumber industry must cope with. It came as quite a surprise to me to learn that FHA currently approves a number of Canadian grading agencies. It is also true that a number of U.S. grading agencies sell their grade stamps to Canadian lumber producers for use in grade marking lumber which eventually winds up in FHA housing. Yet, there seems to be no practicable way—at least which is apparent to me—for the use of these grade stamps in Canada to be policed by the FHA. Consequently, the proposal that has been put forward and which deserves some very careful consideration by the Congress would require that lumber imported from Canada which is intended for use in FHA housing be grade marked within the United States, where there is an opportunity for policing by the FHA to insure that the lumber approved by these grading agencies is in fact on grade. It seems to me that we may be operating currently under a double standard to permit Canadian lumber to have access to the FHA market on a different basis than that which is available to our domestic producers.

Through three tariff cuts, the first in 1936, one in 1938, and again in 1948, U.S. tariffs of softwood lumber have been reduced to 1.3 percent of the average value of the imported lumber.

There are many competitive advantages enjoyed by the Canadian softwood producers—some by Government action on the part of the United States and others by Government action on the part of Canada. For whatever reason these actions were taken, they have worked to the severe detriment of the American softwood lumber industry. The price of lumber imported from Canada is now so low as a consequence of competitive and governmental advantages, that many American producers are unable to compete and have been forced to curtail production or to close their doors.

It is my belief that some appropriate action should be taken to protect one of America's basic manufacturing industries. The most direct way to accomplish this is by the implementation of a quota on the import of Canadian softwood lumber. The Canadian Government has seen fit to impose a tariff averaging 10 percent upon American softwood lumber being exported to Canada. It is only equitable that the United States should take some similarly appropriate action to protect its domestic industry.

I propose the imposition of a quota of 6 percent based on the average quarterly domestic softwood consumption in the United States during the calendar years 1960, 1961, and 1962.

This quota would allow the basic minimum protection needed by the domestic softwood lumber industry. It is urgent that this or similar action be taken at the earliest possible time to prevent any further damage to the lumber industry.

Mr. Speaker, the United States depends upon trees. Few natural resources have contributed as much to our growth and prosperity as have the forests during the past 350 years. Over this period of time our citizens know it is good business to keep America green. Further, Mr. Speaker, I want to point out my desire to have America enjoy the best relations with our northern neighbor, Canada. However, I cannot bring myself to believe that it is necessary to sacrifice America's fourth largest industry in terms of employment on the altar of international relations. If this country is to subsidize the economy of Canada, let us do it as a nation forthrightly, openly, and worthily. However, let us not expect one industry to do that job for us, or the employees in an industry to give up their only means of livelihood in order that it be accomplished.

Mr. **JOHNSON** of California. Mr. Speaker, in closing I want to say this is a very important matter to the great State of California and to my own congressional district. We have great timber resources in the State of California. This great natural resource is being properly managed and we hope we will have an outlet for the end products because California happens to be the largest wood remanufacturing State in the Union. Therefore, this is of vital importance to the economy of our State and the entire Nation. I hope that the record that is being made here today will have effect in the consideration of this problem by the various governmental agencies and people concerned.

A DEPARTMENT OF URBAN AFFAIRS

The **SPEAKER**. Under the previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 15 minutes.

Mr. **RYAN** of New York. Mr. Speaker, today I am introducing a bill to create a Department of Urban Affairs. I believe that nothing less than a Cabinet-level department is needed to cope with the mushrooming problems of our predominantly urban civilization.

My colleagues know that I have already spoken on this matter several times. During the 1st session of the 87th Congress I introduced H.R. 6065, which would have established an executive department to deal with urban affairs. In 1961 I also appeared before both the House and Senate Government Operations Committees to support the creation of such a department. When in the early days of 1962 the Rules Committee refused to report out a bill on this matter, I returned to the House Government Operations Committee to testify in favor of the President's Reorganization Plan No. 1, which would have elevated the Housing and Home Finance Agency to Cabinet status. In the debate preceding the final vote on the President's reorganization plan, I again urged this House to give our urban population a voice in the Cabinet.

If I return once more to call for the creation of a Department of Urban Affairs, it is because the crisis of our urban areas has only gained in intensity with the passage of time. I do not need to emphasize that our housing has steadily deteriorated, that the traffic congestion in our downtown business centers has become more paralyzing than ever, that open space is rapidly disappearing throughout whole urban regions, and that pollution of the air and water has continued despite the efforts of our local, State, and Federal governments to reverse the trend. These evils are too vast in scope and too complex in nature to be amenable to a single solution. I believe, however, that the development of truly effective solutions will require a coordination of effort not only among levels of government but within the Federal Government as well. A piecemeal approach to the problems of our urban regions is a luxury we can no longer afford.

Our ability to deal with the evils of urban blight and sprawl will be a crucial test of our form of government. At the turn of the century the United States was a predominantly agrarian society. Today two-thirds and more of the American people live in urban regions. Slightly more than one-third live in cities of over 50,000 people, and another 20 percent live in the fringes of such cities.—Congressional Quarterly, February 23, 1962, page 285.

There is every reason to believe that the trend from farm to city will continue. Thus it has been predicted that by 1970 25 million of our 30 million new citizens will settle in cities and suburban areas. It is not too much to say that in dealing with our cities we are dealing with our future.

The cities of the United States contain more than 75 percent of its wealth and productive capacity. They correspondingly provide the major source of both Federal and State taxes. The population of our 10 largest metropolitan areas alone pays over $13 billion in taxes, 35 percent of the total amount of individual income taxes. Yet State legislatures, dominated as they are by rural interests, persistently fail to grant adequate authority and appropriations to the cities. This situation requires some counterbalancing efforts at the Federal level. For cities are not merely centers of commerce, education, and cultural activities for their own inhabitants; their hospitals, libraries, museums, theaters, airports, and transportation terminals are used by all those who live in the surrounding areas. The well-being of the cities affects the quality of life in regions spilling over city, county, and State lines. The present physical squalor and social misery of so many cities is, therefore, rightly a matter of national concern.

I believe this neglect should be remedied by giving the city and suburban voter a spokesman in the President's Cabinet. Such a spokesman would not be an unwanted intruder. In both sessions of the last Congress the President made very clear in his desire to include the present head of the Housing and Home Finance Agency in Cabinet deliberations. The establishment of a Department of Urban Affairs would coordinate functions and programs which already exist. The HHFA now administers programs to preserve open space for public purposes and to improve mass transportation in metropolitan areas—programs that have nothing to do with housing and home finance but express implicit recognition of the role of the HHFA as an agency for urban affairs in general. Moreover, in fiscal 1962, the HHFA was made responsible for expenditures exceeding those of 4 out of the 10 present departments. Clearly we have assigned to the HHFA the full workload and the responsibilities of a department. But we have not yet granted its Administrator the status that should accompany such great responsibilities.

However, the case for a Department of Urban Affairs goes far beyond the importance of giving urban interests their due weight in deliberations on national policy. If there is one point on which all close observers of urban affairs can agree, it is that housing, transportation, open space, and public services are interdependent. Nothing in our present administrative organization reflects this consensus. We have the testimony of municipal officials from such widely scattered points as Chicago, New Haven, Philadelphia, Tucson, and the State of Alabama that on almost any matter which they wish to take up with Federal Government it is necessary to visit at least six or seven separate agencies and to talk with men who seldom, if ever, have contact with one another. There is real need for establishing a department capable of pulling together those functions most intimately associated with the development of long-range solutions to metropolitan problems and of coordinating these functions with related Federal programs.

The bill I am introducing explicitly takes into account the interdependent nature of urban problems. It recognizes the shortsightedness of attempting to provide decent housing for our urban families without at the same time considering how water supply, sewage facilities, transportation and traffic control, industrial location, the availability of open space for public uses and the prevention and elimination of blight in the surrounding area all affect the adequacy of any residential environment. Moreover, it holds that centralized assessment of the overall impact of Federal programs on urban areas is needed if we are to avoid conflicts between the physical redevelopment of urban areas and the objectives of the federally supported social service agencies. As a first step toward preparing the Federal Government to do its share of these tasks, the bill proposes transferring the functions of the present Housing and Home Finance Agency, including all of its constituent agencies, to a Department of Urban Affairs. It also authorizes the Secretary of such a department to establish such new advisory and research councils as he may find appropriate. In themselves, however, these measures may not prove sufficient to overcome the fragmented character of our urban programs.

For this reason the bill contains provisions for a special commission to study the feasibility of making further transfers of functions to the Department Unless some objective attempt is made to determine which Federal activities might most properly be reconstituted within a Department of Urban Affairs, the full advantages of departmental status will not be realized.

Mr. Speaker, we in this House must face the fact that urban problems are national problems. Our cities have not lived up to their potential as the primary centers of our civilization. The physical deterioration and social disorder of our urban environments both reduce and are a reflection on our national strength. These observations have been made repeatedly in Presidential messages, in editorials, in extended studies of metropolitan areas. What is needed now is action—decisive political action that will at last give hope of a concerted, economical, and effective attack on urban problems to those millions of our citizens who live in cities. I believe the creation of a Department of Urban Affairs would provide a rational foundation for that hope.

THE PROPOSED CIVIL INDUSTRIAL TECHNOLOGY PROGRAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Bow] is recognized for 30 minutes.

Mr. BOW. Mr. Speaker, I want to call the immediate attention of the Congress to a clumsy and highly suspect attempt by a major Federal agency to undertake on behalf of the vast U.S. construction industry and without its invitation, participation, or guidance, an ill-conceived and ill-defined research program that would tamper with the delicate free enterprise mechanism of that highly competitive $80-billion-a-year industry, undercut that industry's own substantial research and development efforts, create a costly and self-perpetuating program that offers little prospect of benefit, set up a new area of political patronage, and would introduce to the American taxpayer a new breed of Government bureaucrat—the technocrat.

The agency I speak of is the Department of Commerce and the program for which it now seeks in the first year $9 million in Federal funds is its proposed civil industrial technology program, which would be administered by a new Assistant Secretary for Science and Technology. I submit that there is no better place to begin reducing the President's $98.8 billion budget than with the elimination of the program of which I speak.

THE DEFICIENCY REQUEST

This matter first came to my attention during the last session of the Congress while sitting on the Appropriations Committee Subcommittee on Deficiencies. At that time the Commerce Department in a highly unusual procedure submitted a deficiency request for supplemental research funds for what was in fact a brandnew operation.

Now why would an agency as knowledgeable as Governor Hodges' is, adopt such an unusual procedure? The answer we of the subcommittee were given was that it was an emergency procedure brought about by the publication of a civilian report on construction industry research needs.

I have since learned that the report on which the Commerce Department based its claim for funds was in fact a quite preliminary one carried out by a small committee of the Building Research Advisory Board of the National Academy of Sciences. This BRAB report, as it is called, still has not been distributed throughout the 100,000 firms in the construction industry and therefore by no manner of means represents the industry.

I submit that the irregular procedure that was adopted had a much simpler purpose: It prevented debate on the merits of the proposal during the regular appropriations process.

Even when the civil industrial technology program was revealed to our subcommittee, it was only vaguely outlined. Since that time I have closely scrutinized descriptions of the program in the budget appendix, in the Economic Report of the President, and in numerous statements made by Commerce Department officials. I confess I have been puzzled by the wide variation and differing interpretations to be found in these different documents and statements, and can only conclude that the continuing vagueness of this program's outlines is purposeful.

THE COMMERCE DEPARTMENT'S JUSTIFICATIONS

Unable to satisfy myself and my constituents with the bits and pieces of information and interpretation that I was able to collect in that way, I have since discussed this matter at length with a number of construction industry leaders and also conducted my own investigation.

In the informational vacuum that seems to have been deliberately created, I think that Members of the House may be interested in the sharp contrast between what the Commerce Department says about this program and what I have been able to find out.

First, the Department of Commerce proposes to inaugurate a program of governmentally sponsored research directed toward encouraging more deliberate, imaginative, and extensive use of technology not only in the construction industry but in other industries as well. At present, the other two industries for which funds are sought are textiles and machine tools. By prescribing this economic pep pill for these three patients, the Commerce Department maintains, labor productivity will be increased and U.S. products will become more competitive in foreign trade—especially with the Common Market.

To institute the program, a total amount of $7.4 million is now requested for the fiscal year beginning July 1 and a supplemental request of $1,250,000 is contemplated for expenditures during the remainder of the present fiscal year.

The basis on which the Commerce Department justifies the proposal is stated in the current report of the Council of Economic Advisers, which claims that there is an urgent need to stimulate more rapid development and fuller uses of technology in those sectors of the civilian economy which, despite high potential returns to the Nation, have not been able, or have not been motivated, to seize the opportunity without assistance.

THE FOUR-POINT PROPOSAL

The report further states:

> With the exception of a few manufacturing firms, most enterprises neither undertake much research and development nor have trained technical manpower to take advantage of the research and development done by others.

It concludes:

> Government has a responsibility for maintaining a suitable environment for private research activity and for supporting programs which are in the public interest but which are not adequately stimulated by private market opportunities alone.

The report claims that this responsibility is made more crucial by the fact that "defense and space efforts have accounted for more than three-fourths" of the increase in the total expenditure for research and development in recent years.

Shedding these same crocodile tears, the Commerce Department developed a four-part program which includes these major activities:

First. Supporting the training of personnel at universities for industrial research and development through research grants; second, stimulation of research in industry institutions, which would include generating research beneficial to an industry or an industry segment which would not be properly undertaken for profitmaking reasons alone and "providing additional research services and facilities for those firms"—I repeat, firms—"which do not have a broad enough spectrum of products or services to support an independent research and development program of efficient size."

Those are just two of the four activities. The others include developing an industry-university extension service much like that of the Agriculture Department's, and supporting technical information services to supply industry with knowledge about technological activities and developments.

Those are the broad outlines of the program that will save the construction industry from itself. But now let us examine the program under higher magnification and see what some of those sonorous phrases really mean.

THE VAGUE DEFINITIONS

Basic to all this are some arbitrary assumption and decisions. Who has determined that the construction industry is lagging? What definition of the word has been applied, and against what had the construction industry been compared? It is certainly true that the technology of American industry has not reached its ultimate development, and I speak here of all American industry. But this does not mean that Government aid is either necessary or would prove effective in speeding an advance.

Construction industry leaders with whom I have spoken point out that the industry is presently carrying on a substantial amount of research and development work and they insist that it is far in excess of a Commerce Department figure which seems to have no basis in fact.

The definition of "lagging" is only the first of the subjective definitions that seem to appear everywhere in this program's outlines.

Not only does someone high in the Commerce Department's technological ivory tower decide which industries to tinker with, but he also would apply other subjective definitions such as: "stimulating," "segment of an industry," "broad enough spectrum of products," and "selective program."

Who decides, and on what basis, where "stimulation" ends and dislocation of competition and industrial programs begins?

What Solomon decides what an industry segment is, and which segments as well as firms are to be allowed to put their hand in the public till?

What crystal ball is available to determine whether this segment or that firm has a broad enough spectrum of products?

CHOOSING THE BENEFICIARIES

On the question of a "selective program," who does the selecting, and on what basis?

If you are interested in the answer to that question, let me quote the Commerce Department itself:

> The broad direction of the research program, such as the selection of particular industries in need of technological stimulation, and the criteria for eligibility of research institutions for contract awards, will be determined in the Department of Commerce, guided by advice from industry leaders, educators, and others.

How much guidance do you think the Assistant Secretary would seek from private industry when, as we have seen, industry's opinion not only was not sought in the program's creation, but was scrupulously avoided?

The mention of advice being sought from educators is also of interest, since the Commerce Department now proposes to enter the educational field and further compound the confusion in this area already created by the overlappings of the Department of Health, Education, and Welfare and the Department of Labor with its apprenticeship and other vocational programs.

UPSETTING THE COMPETITIVE BALANCE

When all is said and done, the Assistant Secretary and his staff would have an extraordinary amount of power over this country's largest domestic industry. Having so far failed to avail themselves of any of the practical knowledge that this industry has gained in its hundreds of years of activity, the authors of this program would begin dispensing grants and applying stimulation that could disrupt a basic industry and dislocate all its component architects, contractors, builders, building supply manufacturers, distributors, and workers. Not only would such action upset the delicate competitive balance of a highly competitive industry, it might cause structural unemployment in areas of the country which are dependent upon competitive parts of the industry.

Of paramount importance, they would again and again have to determine with unerring precision where basic research in a given product ended and where applied research began. In the case of collaborative research, it is interesting to speculate on how the Government would avoid running afoul of its own antitrust laws.

PENALIZING THE EFFICIENT

In my conversations with members of the industry, a number of other interesting points have been raised.

They point out that this program would penalize the most efficient producer by expending research funds, to bring the laggards within a group closer to the most advanced technological practices of the leaders, and, stimulate research and innovation in those industrial groups that have been relatively inactive or stagnant technologically. In effect, these most efficient producers would be taxed to pay for the technological advancement of their most inefficient competitors. This comes about as close to destruction of the free-enterprise concept as anything can.

THE FOREIGN MARKET MISTAKE

Another interesting point that the industry has raised is how Common Market competition can be cited as a valid justification for stimulating construction industry research. They point out that, while textile products and machine tools move in national and international trade, the product of building construction is mostly nonmovable and remains in its one location for its economic lifetime. Since structures and highways do not ordinarily move, bricks are not shipped overseas, and the construction industry is overwhelmingly domestic in nature, how can such a program help the United States compete with the Common Market? This is pure fancy.

DESTRUCTION OF PRIVATE RESEARCH

Industry also points out that this program would enter into competition with private industry research efforts, with predictable results. Those now spending their own funds for these activities would discontinue their own efforts and seek Government funds. This would dry up moneys now being spent privately and eventually the appropriation needed to finance research for the clamoring construction industry would be enormous. This, it is obvious, would cause even greater difficulties in our efforts to balance the Federal budget, to say nothing of stifling private initiative.

THE AGRICULTURAL IMITATION

I would also like to point out that advocacy of an industrial extension service along the lines of the Department of Agriculture's Extension Service would leave a great deal to be desired. We are now having proposed for industry the same sort of stimulation that has produced the sorry mess that we have in agriculture, with a continuing surplus and subsidy and no solution in sight. Interestingly, the President in 1961 proposed compulsory action to solve agriculture's difficulties, but this year the other cheek was turned and voluntary controls were recommended. Carried to its ultimate conclusion, we might at some future date have an industrial soil bank in which textile, machine tool, and construction industry producers could be paid by the Federal Government for not making anything.

NEW SOURCES OF POLITICAL FAVORITISM

Finally, consider the strong political implications in creating a whole new source of patronage and favoritism to influence this vast industry. Even the BRAB report which I mentioned earlier recommended that any Federal research be carefully controlled within the Bureau of Standards because of the patronage dangers that were clearly foreseen.

These are just some of the major flaws in this visionary program.

It would transgress the traditional boundaries of private enterprise and attempt to bring this industry under central economic planning.

It would in fact dislocate one of the Nation's prime industries at a time when we can ill afford any industrial slump. This in turn, would affect the economic well-being of constituents in every congressional district.

In my opinion, this is the most ill conceived, amateurish, and dangerous legislative proposal that I have seen in many years.

FORTY-FIFTH ANNIVERSARY OF THE INDEPENDENCE OF LITHUANIA

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RIEHLMAN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, the 45th anniversary of the independence of Lithuania was observed on February 16. It was a time of mixed feelings of pride and sorrow.

I am pleased to join those who saluted the Lithuanian people, for their courage and yearning for freedom remain as strong as ever.

My dedication to the cause of freedom in Lithuania and all captive European nations is as firm as ever. I am honored to be able to pay tribute to the examples of courage and determination which the Lithuanian people have set for the world.

At this time, though, I am also saddened that these people are prisoners, deprived of the most basic human freedoms, in their homeland. It is sad to know that there is still a substantial portion of this earth in which mankind is under the domination of a murderous, godless, totalitarian dictatorship.

Our hearts go out to the Lithuanian people the world over, in whom the flame of liberty still burns brightly. I know we all look forward to the day when oppressed peoples will be free.

CUBA IN 1933

Mr. BRUCE. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. SHORT] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SHORT. Mr. Speaker—

The moving finger writes; and, having writ,
Moves on: nor all thy piety nor wit
Shall lure it back to cancel half a line,
Nor all thy tears wash out a word of it.
—From "The Rubaiyat" of Omar Khayam.

Mr. Speaker, last week I promised a kind of sequel to my "Selected Chronologies on Castro and Cuba" inserted in the RECORD as parts 1 through 10, and covering events from March 10, 1952, through January 1, 1963. Today, I would like to first quote an excerpt from the President's press conference of Thursday, February 7, 1963, when he was asked the following question:

> Question. Mr. President, what chances do you think or do you believe there are of eliminating communism in Cuba, within your term?
>
> The PRESIDENT. I couldn't make any prediction about the elimination. I am quite obviously hopeful it can be eliminated, but we have to wait and see what happens. There are a lot of unpleasant situations in the world today. China is one. "It is unfortunate that communism was permitted to come into Cuba. It has been a problem in the last 5 years." We don't know what is going to happen internally. There is no, obviously, easy solution as to how the Communist movement will be removed * * *.

Mr Speaker, aside from the quoted portion of this excerpt, I believe we all can agree and sympathize with the President. This is indeed a knotty problem with no easy solution. However, in regard to the portion of his answer which stated:

> It is unfortunate that communism was permitted to come into Cuba. It has been a problem for the last 5 years.

I would like to offer proof that this has been a real and continuing problem since 1933, and possibly further back than that.

In the course of my research into the Cuban issue, I obtained a copy of an article published in the National Republic in November 1933, and written by Walter L. Reynolds. The National Republic magazine was originally a National Republican Club publication, started by Walter Steele and a Mr. Lockwood, both of whom are now dead. These men later published the magazine as an independent publication since some Republicans felt it should not be published under sponsorship of the Republican Party. This magazine appears to have been published last in March of 1960. The theme of this magazine was exposing communism in the United States and 90 percent of the publication was devoted to this effort. Walter L. Reynolds was the former chief clerk of a congressional committee created in 1929, the 70th Congress, and called Committee To Investigate Communist Activities in the United States. Mr. Reynolds later headed an American alliance of 219 organizations opposed to the recognition of Russia.

The article is entitled "Moscow's Hand in Cuba," and a subheading under the title states, "Concerted Action on Part of Moscow-Directed Agents of Revolution To Overthrow Regime After Regime Is Keeping Little American Republic in Turmoil and Strife as Moscow Drive to Set Up a Little Soviet of the West Continues."

This article impressed me a great deal because it was a prophetic outline of coming events which truly "cast their shadows before"—not 5 years ago—nor during the Eisenhower administration which so many seem to be fond of reminding us—but in 1933—during the early years of the Roosevelt administration.

Further, the article did not deal in just the bare bones of the Soviet efforts to establish a Communist dictatorship over the world, but went into the details of how this was to be accomplished—by means of labor problems—trade relationships—plans to utilize Cuba as the fulcrum from which the Communist ideology was to be catapulted in various directions throughout the Western Hemisphere—after failure of its efforts to use Germany as the fulcrum.

In the period of history around 1933 a group of 219 national organizations, including the American Legion, sparked by the efforts of its National Commander Hayes, William Green, of the American Federation of Labor, Mathew Wall—who held a series of 5 to 6 weeks' broadcasts over a national hookup—William Tyler Page, then Clerk of the House of Representatives, and Mark Hershey, a hero of World War I—joined in a nationwide nonpartisan effort, as an American alliance to oppose recognition of Soviet Russia. To quote a prophetic sentence from the article:

> The recognition of Soviet Russia will furnish a new impetus to communism, not only in Cuba but throughout the world.

The article also prophetically states:

> Sovietizing Cuba would permit the establishment of a perfect base on the Western Hemisphere for the dissemination of their revolutionary propaganda in the United States, Panama, and all Latin America, should the United States not extend recognition to Soviet Russia.

What were the rumors about the State Department at that time—under President Roosevelt? Let me quote further:

> It is rumored in Washington that the officials of the State Department have reached an accord that the present regime in Cuba should be recognized at once to stabilize conditions there, but that Ambassador Welles reports from Cuba that the present regime cannot last because of certain Moscow international conspiracies and activities that have been discovered in Cuba. It is believed that State Department officials are guarding this information because of the public indignation it might create against U.S. recognition of Soviet Russia on the eve of the American-Russo conference to be held in Washington at the invitation of President Roosevelt.

Now let us refresh our memories again by reading a State Department release dated September 25, 1962, received in my office:

> 1. U.S. POLICY TOWARD CUBA
>
> U.S. policy is to get rid of the Castro regime and Soviet Communist influence in Cuba. We will not permit the Cuban regime to export its aggressive purposes by force or the threat of force. We will prevent the Cuban regime by whatever means may be necessary from taking action against any part of the hemisphere. The United States in conjunction with the other countries of the hemisphere will make sure that increased armaments which the Soviets have furnished to the regime, while a burden to the Cuban people, will be nothing more than that.
>
> There is, however, no evidence of any organized combat force in Cuba from any Soviet bloc country. Nor is there evidence of any significant offensive capability, including offensive ground-to-ground missiles, either in Cuban hands or under Soviet direction and guidance.
>
> The recent Soviet aid to Cuba indicates a significant increase in Soviet involvement in Cuba. The Cuban regime is in trouble

and it is not surprising that it has committed itself further to the Sino-Soviet bloc in the hope of preventing its own collapse. The regime has been increasingly isolated from the hemisphere, its economy is crumbling, and it has discarded its pledges for economic and political freedom.

ACTION AGAINST COMMUNIST SUBVERSION IN THE HEMISPHERE

The meeting of foreign ministers of the American Republics, held at Punta del Este, Uruguay, in January 1962, recognized that the Communist offensive in the Americas poses a danger to the democratic institutions of the hemisphere. The meeting took several steps to deal with this danger, including the exclusion of the present Government of Cuba from participation in the inter-American system. Another of its decisions called upon the Council of the Organization of American States to maintain vigilance regarding acts of aggression, subversion, or other dangers to the peace and security resulting from the intervention of Sino-Soviet powers in the hemisphere. In addition the foreign ministers provided for the establishment of the Special Consultative Committee on Security to assist governments in security matters. The Committee presented its initial general report on May 1. The embargo imposed by the United States on Cuban imports pursuant to the decisions of the foreign ministers has resulted in a loss of income to Cuba and hence in Cuba's capacity to engage in subversive activities in the hemisphere.

Less than 1 month later—October 21, 1962—we all know the President announced the setting up of our quarantine against shipments of arms and military equipment to Cuba.

Further, now we not only see that Cuba's economy has not crumbled—as of February 21, 1963—but the U.N. is going to gallop to the rescue to make sure this does not happen, all the while protesting that American funds will not be used, so everything is fine. I have never advocated that the United States withdraw from the U.N., but I would like to challenge the U.N. to consider not only the physical needs of the Cuban people, but also those Cubans who have been forced by one means or another to leave their beloved island home because their desire for freedom—call it "intellectual" or "spiritual"—either word fits. Further, I challenge the U.N. to call for a free and open election to be held in which all Cubans will be allowed to cast their vote under protection of the U.N. as to what regime they prefer—the Soviet-Castro regime, or a free republican government. And then they will find Cuba would not need the U.N. aid to restore its economy, for the people themselves would restore it and could—if given the opportunity. Castro's announcement of no elections was for the same purpose the Berlin wall was built, to keep people in a state of slavery.

It is a pity the Congressional Record cannot print cartoons because the article I am quoting from included one also prophetic—depicting a basket on the steps of the U.S. Capitol holding an infant—oddly enough resembling Khrushchev—who is holding a bomb with a lighted fuse. The basket is labeled "Cuba, Little Soviet"—and a Russian labeled "Moscow" is peering over a fence at the baby to see if anyone from the Capitol rushes out to pick it up.

Well, obviously we did pick the baby up. We also recognized Soviet Russia, thus loosing upon the world the dread Communist forces politically blessed by the United States of America, through President Franklin Delano Roosevelt but not through the wishes of many, many troubled American citizens of both political parties.

We thus were found wanting at a time when the real basic morality of the United States of America was put to the acid test, and we are reaping the results now of that decision.

We are being retested today. Where stand we as a nation? Where stand we as a people? Is Cuba to truly be allowed to develop from "Little Soviet" to "Big Soviet" in the Western Hemisphere? Do we revise our thinking from the President down to the State Department—to the Congress—and to the people—and face what we could not face in 1933?

I seem to see and hear signs that some are heeding this handwriting on the wall even though some do it by the utterly unrealistic method of declaring Cuba, armed by the Soviets, is a threat not to the United States, but instead to Latin America.

My colleague, Congressman Paul Rogers of Florida, whom I respect and admire, had some pretty potent things to say to the House of Representatives on February 7, of this year, in a speech entitled "Cuban Venom Continues To Trickle." I commend his speech to anyone who has not read or heard it.

In 1933 there was a bipartisan effort to prevent recognition of Soviet Russia by the United States.

In 1963, as in 1933, there is still a bipartisan effort—regardless of what Senator Fulbright chooses to term it—to get at the facts regarding our Cuban crisis, and the Soviet arms buildup in Cuba, and the use of Cuba to export communism to the entire Western Hemisphere.

And in 1963, as in 1933, there is an awareness on the part of the American people that something is seriously wrong with our morality as a nation when we speak strong words protesting the slavery and degradation of communism, but look the other way when means are suggested for us, as a nation, to protect our free civilization.

Mr. Speaker, I would like to ask permission to include the article "Moscow's Hand in Cuba," by Walter L. Reynolds, with my remarks today:

Moscow's Hand in Cuba

(By Walter L. Reynolds)

A year ago the drive of the Communist International for world revolution was centered in Germany. Most of its best trained available revolutionary forces were then concentrated there in an effort to win Germany to communism and add that nation to the world union of Soviet Socialist Republics under the control of Moscow. But for the patriotism of the vast majority of the German people, who finally became fully aroused to the situation with which they were confronted, it is possible the Reds would have succeeded. Communism, which had grown to a force of over 5 millions in Germany, was repulsed, however, and has since been stamped out or driven underground in considerable disorder, many of its agents taking refuge in France, Moscow, and Great Britain.

A new front of the so-called proletarian revolution has now developed—in Cuba—where the Communists, organized and led chiefly by their Anti-Imperialist League, with headquarters in New York City, a branch of the Red International, have begun another desperate struggle to carry on in Cuba from where they were forced to leave off in Germany. The Communist revolutionary movement always thrives where conditions such as exist in Cuba permit them to stir up discontent, leading to strikes, riots, and bloodshed. The Anti-Imperialist League has been preparing the way for the active revolutionary movement over the past 5 years, in accordance with instructions from Moscow, illustrated by the following extract from the program of the Communist International adopted at its Sixth World Congress:

"When the ruling classes are disorganized, the masses in a state of revolutionary ferment, when the middle classes incline to join the proletariat and the masses have shown themselves ready to fight and make sacrifices, it is the task of the proletarian party to lead the masses in a frontal attack against the bourgeois state. This will be attained by the propagation of gradually intensified slogans and by the organization of mass action.

"Such mass action includes strikes, strikes in connection with demonstrations, strikes in connection with armed demonstrations, and finally, the general strike combined with the armed rising against the government authority of the bourgeoisie. The highest form of the struggle follows the rules of warfare, and necessitates, as a preliminary plan of campaign, an offensive character in the fighting and unlimited devotion and heroism on the part of the proletariat."

In Cuba the unsettled conditions, unstable government and factional discontent have afforded a fertile ground for the fomentation of revolution, and the Communists have seized the opportunity afforded to ply their trade of murder, sabotage, and civil war. The strike stage was passed during the Machado regime, and the "highest form of the struggle" is ready to follow. Since their recent decisive defeat in Germany, the Communists cannot afford another such failure in Cuba. The workers of the world have been promised by the Soviets ever since the Russian revolution some definite accomplishments toward the establishment of a World Union of Soviet Socialist Republics and Cuba, they believe, now offers the best immediate opportunity. Then, too, sovietizing Cuba would permit the establishment of a perfect base on the Western Hemisphere for the dissemination of their revolutionary propaganda in the United States, Panama, and all Latin America, should the United States not extend recognition to Soviet Russia.

It is rumored in Washington that the officials of the State Department have reached an accord that the present regime in Cuba should be recognized at once to stabilize conditions there, but that Ambassador Welles reports from Cuba that the present regime cannot last because of certain Moscow international conspiracies and activities that have been discovered in Cuba. It is believed that State Department officials are guarding this information because of the public indignation it might create against U.S. recognition of Soviet Russia on the eve of the American-Russo Conference to be held in Washington at the invitation of President Roosevelt.

The recognition of Soviet Russia by the United States will furnish a new impetus to communism, not only in Cuba but throughout the world, and at the same time act as a sedative to the growing impatience of the starving and depressed millions in Russia. In order to attract our money lenders, Soviet Russia has dangled the bait of lucrative trade promises, which has in the past been gobbled up by our international-minded financiers and Government officials. The Soviets say that after recognition they will purchase American goods to the amount of a billion dollars, to rehabilitate world communism; the extent of such trade depends entirely on how much our gullible capitalists and the RFC are willing to loan—$1 or $5 billion—having absolutely no intention of ever making payment. Is it reasonable to expect the Soviets, the least responsible of all governments both financially and morally, to repay such loans when France, England, Italy, and other European nations have set a precedent of repudiation by refusing to pay their debts to the United States?

For sake of argument, even should the Bolsheviks reverse their announced policy of abrogation of all contracts when it is no longer to the interest of the Soviet Republics to live up to them, as enunciated by several of its prominent officials in the past, would it be possible for the already bankrupt U.S.S.R. to make such payments? It has already obligated itself to payments to others in the amount of $350 million a year to 1935. Soviet spokesmen are frank in saying they can pay us in the event of a new loan only by reciprocal trade agreements; by selling their wheat, oil, lumber, and coal, of which we already have surpluses, on our own markets. Competition from such forced labor, low cost and no cost, products would be ruinous to our own industries and cause further unemployment of free American labor. Then there is the probability that the Soviets would resell our commodities, bought on long-term credits, to our regular customers at less than actual production cost, to further demoralize the world markets and to raise cash for the purchase of arms and munitions to build up the Red army and strengthen the world revolutionary movement in all countries, including Cuba and the United States. They are now buying huge quantities of arms and ammunition from Poland on credit.

We are dealing with an enemy state, according to the definition placed on Russia by the Woodrow Wilson administration, and the leopard has not changed its spots. The main obstacle to recognition of Soviet Russia still remains—the attacks of Soviet agents on our institutions and their attempts to overthrow our Government by force and violence. It is to be hoped that the present administration will not barter away any of our cherished principles in dealing with the Soviets.

President Roosevelt has a means at his disposal to determine, to a degree, whether the past activities of the officials of the Soviet Government who have been in this country as representatives of the Amtorg Trading Corp. have been confined strictly to business matters, or whether they have been participating in Communist conspiracies and attacks on our Government. In 1930 the Special Committee of the House of Representatives investigating communism seized, by subpena, several hundred cablegrams transmitted between Moscow and Amtorg. These messages were sent in a private Moscow code, in direct violation of international law, so complex that no cipher expert in the world has ever been able to break it down and the Soviet officials in the United States refused to decipher them even in secret session. If the business of Amtorg was legitimate, as they claimed, it would not appear necessary to entail such extraordinary precautions as to invoke a code that defies all cipher experts. The President should demand the key to this code from the Soviet officials, as an act of good faith to prove that its accredited officials have not been actively engaged in the revolutionary activities of the third international in this country. If this demand is refused, there can be only one interpretation as to the content of these messages, and it would indicate what we may expect from Soviet officials who are to be given diplomatic immunity through recognition. Such agents have been found active in revolutionary work in Great Britain, Mexico, China, Argentina, France, Germany, and elsewhere.

When and if the recognition question is settled in the United States in favor of Russia, the Cuban campaign will be renewed with every available means and Communist agents in the United States will continue to supply the necessary backing and leadership. The Cuban situation today has a remarkable resemblance to the Russian picture in 1917. The Reds have resorted to the original tools of the Bolsheviks in Russia, by adopting slogans and other phases of the Russian revolution, as directed by Moscow. They are driving to force the Cuban citizens and the rank and file of the Cuban army to join their cause under the Anti-Imperialist League slogan: "The Cuban masses are struggling for bread, land, and freedom." The same meaningless promise of the Russian Communist Party in 1917, almost word for word. The Anti-Imperialist League, supported by the Cuban National Confederation of Labor (CNOC) and the Cuban Communist Party, is constantly stirring up strikes and inciting riots, bombings, and killings throughout Cuba. Other Communist International groups, such as the Communist Parties of the United States, Mexico, Panama, Colombia, Venezuela, Honduras, Salvador, Costa Rica, and Guatemala, have issued manifestos calling for the support of all Communist groups and their sympathizers and ending with the salutation: "Long live the workers, peasants, and soldiers Soviet government of Cuba."

Regardless of the fact that such action is the last thing the United States desires, for if the Communists were to overthrow the existing Cuban Government and gain control, intervention by the United States would be inevitable. Anticipating this, the Anti-Imperialist League has been flooding the United States with propaganda to keep hands off Cuba, seizing upon the act of the U.S. Government in sending battleships to Cuban waters to incite the Cubans against this country, and circulating thousands of petitions throughout the United States and Latin America addressed to President Roosevelt protesting against the United States participating in Cuban affairs. While the United States is merely undertaking to live up to its obligations under the Platt amendment, to insure the maintenance of a government adequate for the protection of life, property, and individual liberty, the Communist International is using every possible means to have the Cubans misinterpret such action and to convert them to their cause, asserting that the United States intends to annex Cuba for the benefit of Wall Street, and that only a revolutionary government of the workers and peasants, a Soviet government, can free Cuba from imperialist domination and clear the way for a higher standard of life for the Cuban toilers. This propaganda has extended to varied efforts by the Communists to win over to their cause the U.S. marines and sailors who have been sent to Cuban waters. The Young Communist League has been particularly active in this phase of revolutionary activities, posting in all conspicuous places in the United States and in Havana, appeals to the marines to refuse to fight the Cuban workers and to "turn your guns on the bosses."

President Grau San Martin has been accused by many of being definitely alined with the radical elements in Cuba, which he has admitted while denying any Communist affiliations. He has, however, abetted the Communist cause by being overlenient in his treatment of Communist agitators, and by berating the American capitalists who have been trying to exert influences in Cuba, helping thus to crystallize the resentment of the Cuban people against the United States. While there is little doubt but that some of his charges are based on good cause, and that certain of these capitalists have been guilty of meddling and misdealings, nevertheless it should have been the President's first duty, in the interest of Cuba, to cooperate with the United States and to help instill confidence and faith in the good will of American officials who have been sent there in the interest of his own country. While San Martin professes to be friendly to the United States and unquestionably fully realizes our intentions he has continued to play into the hands of the Communists by adopting tactics similar to their own, and is, according to reports considering the appointment of representatives of the radical or Communist element to official positions in the new government.

The Chicago Daily Tribune, commenting on a statement by Sergeant Batiste, San Martin's military leader, that "we will not relinquish control until a truly revolutionary government has been established in Cuba" has this to say editorially: "The question of intervention either from the viewpoint of legal right or of expediency will turn upon Sergeant Batiste's and his associates' notions of a truly revolutionary government. If, as may be suspected, it involves confiscation of property, the execution or imprisonment of dissenters, repudiation of debts and other measures adopted by other truly revolutionary regimes, it would seem that American intervention would come within the terms of the Platt amendment whether or not it is deemed desirable by our Government. * * * If the new regime has communistic intentions it will soon confront our Government with the duty of intervention, reluctant as it and the American people are to resort to forceful interference in Cuban events."

Should Grau San Martin permit the Communists a foothold by appointment to office, then their next step would be to gain complete control of that government, with the consequent establishment of a Communist dictatorship, infinitely more disastrous to the welfare of the Cuban people than was the Machado military dictatorship. In that event, since the United States felt compelled to mediate in the first instance, it would be essential, if the United States is to uphold its world prestige and self-respect, to intervene under the Platt amendment. A Communist dictatorship would, as in Russia, abolish any semblance of human rights, and the murders under the Machado regime would fade into insignificance as compared to the slaughter of Cuban nationals under a Communist dictatorship. Wholesale murder would be legalized, to permit the liquidation of all those who oppose any of its actions, as "counterrevolutionists."

The Daily Worker, official Communist organ of the Communist Party of the United States and semiofficial mouthpiece of the Anti-Imperialist League, in its issue of August 14th, condoned the murders of Jose Magrinat and Balmaseda by Communist mobs, stating that "They dragged him (Magrinat) out to the streets where he was beaten to death with bats and clubs," and that "the police stood by and did not dare to interfere." They also promised that other so-called "hangmen and assassins of Machado are meeting the fate of Magrinat and Balmaseda at the hands of the enraged workers." This is a direct agitation for murder. Magrinat was accused by the Communists of murdering Julio Mella, one of the founders of the Communist Party of Cuba, and this is cited as an example of what might be expected if the Communists gain control of Cuba.

The Upsurge, official organ of the Anti-Imperialist League of the United States, makes the following report in its September issue, regarding the progress of the strike movement in Cuba, leading to the revolutionary crisis—civil war:

"Even within the ranks of the armed forces, the mass movement—communism—has taken root. The officers have been ousted, the noncommissioned officers elected by rank and file soldiers. The latter are fraternizing with the workers, and in many cases have refused to fire on them in the course of strikes. * * * While the Communist Party of Cuba and the CNOC lent the spark that set off the successful general strike, the mass movement that is now gaining in strength is getting more and more under the leadership of these organizations. This is a guarantee that in the shops and in the fields the revolution will not be betrayed. With a clear-cut program of economic demands and an uncompromising stand against imperialism, the revolutionary forces are drawing toward the anti-imperialist agrarian revolution."

The propaganda campaign in the United States keeps apace. A recent letter sent out from the New York office of the Anti-Imperialist League stated in part:

"The dispatch of 30 warships and thousands of marines is the answer of Roosevelt to the struggles of the Cuban masses for liberation. The entire Atlantic fleet surrounds the island ready to crush the Cuban workers and peasants as they rise to carry through the agrarian anti-imperialist revolution. * * * In the face of these imperialist schemes it is imperative that the American workers, farmers, and intellectuals be rallied at once to the support of the colonial masses who are struggling for liberation from the grip of U.S. imperialism."

Before recognition is extended to the Grau San Martin government, the United States should make sure that his regime is free from Communist influences, and that it will take aggressive action against the revolutionary movement sponsored by an alien power. Guarantees must be had that the promise of a direct franchise to the people will be kept, and that the constituent assembly scheduled for next April is held, otherwise no lasting peace is assured the Cuban people nor can the U.S. Government reconcile its past actions to such recognition until these conditions are met.

Should a Communist dictatorship (a Soviet) be established in Cuba, the Third International will have established an important base at our very door, and thereby control the Atlantic entrance to the Panama Canal from where they could carry on their program of sabotage and revolution in the United States, Latin and South America. It would, of course, be more desirable to Russia to have us give their agents diplomatic immunity here in the United States under official recognition, to better carry on this program, but with a newborn Soviet established in Cuba, it would be a simple matter to smuggle her agents into the United States to carry on these revolutionary activities. With both sources made available, we would be faced with a crisis which might prove to be the worst series of blunders ever perpetrated upon any nation by its governing officials.

On the other hand, with the recognition of Soviet Russia being proposed by the United States, President Roosevelt should realize that the Cuban situation must be given consideration. Representative Hamilton Fish, Jr., of New York, recently stated: "If President Roosevelt recognizes Soviet Russia as indicated by the public press, all hell won't stop the Communists in Cuba from Sovietizing that country at our very doorsteps." Would it be a friendly act on the part of the United States, should Cuba be able to work out of its present difficulties, to have this country welcome Communist agitators to our shores from whence they can proceed to Cuba to continue to organize a revolutionary force sufficient to overthrow the existing Government of Cuba and undo all the progress the Cuban people may have made? It would be very easy for these revolutionary agents, who are accorded diplomatic immunity by this country, to go out from consulates established at Miami and other cities in Florida, for instance, to lead such a revolutionary movement for the establishment of a Communist dictatorship in Cuba.

Cuba and the United States have a common enemy, against whom they should form an ironclad alliance, and this country should realize its responsibilities in Cuba in time to avoid extending recognition to Russia and thus aline itself against our neighbor, who should mean more to us than the outlaw Russian nation. Events of the past few months indicate, however, that many of our officials are unaware of the true situation. The first act of the Secretary of Labor on taking office was to practically destroy our immigration service; she discharged most of the efficient investigators who were engaged in running down aliens who were in this country illegally and deporting them.

So well has she pleased the radicals in the United States that they mention the fact that they are making progress "through support by departments of the Government." Then, shortly before the President's proposal of recognition to Soviet Russia, Representative Dickstein, according to Moscow's official organ in New York City, became suddenly alarmed over a report which appeared in that organ, the Daily Worker, that some kind of "Hitler International" was being formed in the United States for the purpose of Hitlerizing the United States. Mr. Dickstein "promised us," the Red organ contended, that "an investigation would be made at once," since which the Congressman has rather perplexed the Reds by properly adding that "all alien who are guilty of spreading propaganda to overthrow our Government" will be investigated and if possible "be deported." This newly proposed action on the part of Representative Dickstein will be heartening to many of our patriotic organizations and to millions of American voters who have worked so hard to secure favorable action on the Dies bill, providing for the exclusion and expulsion of alien Communists (now pending in Congress for 3 years) if they can be assured by Mr. Dickstein that such an investigation will include "all alien and alien-directed propagandists and saboteurs from an unprejudiced angle, irrespective of any beliefs involved. There can be no question as to the intent and avowed purpose of the alien agents of the Communist international, abetted by Soviet Russia, to overthrow our form of government.

Furthermore, if the Communists are recognized, the U.S. Government owes it to the people of the United States to also see that the Jeffers bill, making it a crime to advocate the overthrow of the Government by force and violence is enacted into law. This bill would enable the Department of Justice to keep in contact with the activities of the Communist movement and permit the Government to be in some measure prepared to protect our institutions against riots and sabotage movement sponsored by the Communist agents who are evidently to be welcomed to this country. With the enactment of such laws, at least some measure of protection would be afforded our own citizens, and the United States will be prepared at least to some extent to help Cuba meet the crisis there which is certain to follow such recognition.

Recognition of Soviet Russia will increase our responsibilities in Cuba, and if the revolutionary movement there forces intervention, in justice to the Cuban people and under our responsibilities as laid down by the Platt amendment, we will have destroyed any progress we may have already made in building up good will and amicable trade relations in Latin-America, thus trading many good cash-paying customers for a bankrupt and begging one. It is to be hoped that such ill-advised action on the part of our Government will not have serious repercussions across the Pacific, involving the United States as a catspaw to pull Soviet chestnuts out of the Far East fire, and thereby stimulate the Third International's drive to communize the remainder of China. Such a display of foolhardy international policies by the present administration on the Russian recognition question could give no hope or comfort to those of our citizens who are desirous that the United States should exert its efforts toward world peace, and would easily result in an unholy alliance with the Soviets which might lose for us the respect and good will of Japan and China.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Thompson of Texas (at the request of Mr. Montoya), for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. Ryan of New York, for 15 minutes, today.

Mr. Fisher, for 30 minutes, today.

Mr. Bow, for 30 minutes, today and to revise and extend his remarks and include extraneous matter.

Mr. Cunningham (at the request of Mr. Bruce), for 30 minutes, on February 25.

Mr. Becker (at the request of Mr. Bruce), for 1 hour, on February 25.

Mr. Ashbrook (at the request of Mr. Bruce), for 1 hour, on February 26.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Fino and to include extraneous matter.

Mr. Reuss and to include extraneous matter.

Mr. Montoya.

Mr. Horton.

Mr. Long of Louisiana.

(The following Members (at the request of Mr. Bruce) and to include extraneous matter:)

Mr. Derounian.

Mr. Becker.

Mr. Berry.

Mr. Alger.

Mr. Curtis.

Mr. Avery.

Mr. MacGregor.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Lankford.

Mr. Keogh.

Mr. Donohue.

Mr. St. Onge.

Mr. Stratton

Mr. Hanna.

Mr. Wickersham.

(The following Member (at the request of Mr. Bruce) and to include extraneous matter:)

Mr. Harsha.

ADJOURNMENT

Mr. DUNCAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until Monday, February 25, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

437. A letter from the Secretary of the Air Force, transmitting the U.S. Air Force flying pay report relating to the number receiving flight pay as of August 31, 1962, pursuant to section 301(g), title 37, United States Code; to the Committee on Armed Services.

438. A letter from the Secretary of the Army, transmitting a draft of a proposed bill entitled "A bill to repeal section 262 of the Armed Forces Reserve Act, as amended, and to amend the Universal Military Training and Service Act, as amended, to revise and consolidate authority for deferment from, and exemption from liability for induction for, training and service for certain Reserve membership and participation, and to provide a special enlistment program"; to the Committee on Armed Services.

439. A letter from the Deputy Secretary of Defense, transmitting a report relating to paying special pay to certain officers during the calendar year 1962, pursuant to section 306, title 37, United States Code; to the Committee on Armed Services.

440. A letter from the Secretary of Labor, transmitting a draft of a proposed bill entitled "A bill to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes"; to the Committee on Armed Services.

441. A letter from the Assistant Secretary of Defense (Installations and Logistics) transmitting the December 1962 report on Department of Defense procurement from small and other business firms, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

442. A letter from the Attorney General, transmitting a report containing the results of our continuing review of the outstanding voluntary agreements and programs established, pursuant to section 708(e) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

443. A letter from the Chairman, Foreign Claims Settlement Commission, transmitting a draft of a proposed bill entitled "A bill to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Polish Claims Agreement of July 16, 1960, and for other purposes"; to the Committee on Foreign Affairs.

444. A letter from the Comptroller General of the United States, transmitting a report on the review of the uneconomical procurement of aircraft tires by the military services under Federal supply schedules issued by the General Services Administration; to the Committee on Government Operations.

445. A letter from the Comptroller General of the United States, transmitting a report on the review of relocation costs incurred by contractors with the Department of Defense and the National Aeronautics and Space Administration for the recruiting of salaried personnel who terminated employment shortly after they were hired; to the Committee on Government Operations.

446. A letter from the Administrator, Federal Aviation Agency, transmitting the Fourth Annual Report of the Federal Aviation Agency for fiscal year 1962, pursuant to section 313(e) of the Federal Aviation Act of 1958; to the Committee on Interstate and Foreign Commerce.

447. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of a proposed bill entitled "A bill to amend section 902 of the Federal Aviation Act of 1958 relating to penalties for falsification of records, and for other purposes, to the Committee on Interstate and Foreign Commerce.

448. A letter from the Acting Chairman, Federal Communications Commission, transmitting draft of a proposed bill entitled "A bill to amend paragraph (2)(G) of subsection 309(c) of the Communications Act of 1934, as amended, by granting the Federal Communications Commission additional authority to grant special temporary authorizations for 60 days for certain nonbroadcast operations"; to the Committee on Interstate and Foreign Commerce.

449. A communication from the President of the United States, transmitting a report on the water resources research activities of the executive branch of the Government; to the Committee on Interior and Insular Affairs.

450. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill relating to age limits in connection with appointments to the U.S. Park Police"; to the Committee on Interior and Insular Affairs.

451. A letter from the Director, Bureau of Land Management, Department of the Interior, transmitting a report of negotiated contracts made for the disposal of materials for the period September 25 through December 31, 1962, pursuant to Public Law 87–689; to the Committee on Interior and Insular Affairs.

452. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of all tort claims paid by this Department for the period January 1 to December 31, 1962, pursuant to section 2673 of title 28, United States Code; to the Committee on the Judiciary.

453. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to amend the inland and western rivers rules concerning anchor lights and fog signals required in special anchorage areas, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

454. A letter from the Assistant Director for Legislative Reference, Bureau of the Budget, Executive Office of the President, transmitting a report which shows the costs resulting from the enactment of a proposed bill to provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City, pursuant to the act of July 25, 1956 (5 U.S.C. 642a); to the Committee on Post Office and Civil Service.

455. A letter from the Director, Office of Legislative Affairs, National Aeronautics and Space Administration, transmitting a report of the National Aeronautics and Space Administration with respect to certain civilian positions established in grades 16, 17, and 18 of the general schedule during the calendar year 1962, pursuant to the Federal Executive Pay Act of 1956 (70 Stat. 762); to the Committee on Post Office and Civil Service.

456. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217); to the Committee on Science and Astronautics.

457. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill entitled "A bill to authorize the construction and equipping of buildings required in connection with the operations of the Bureau of the Mint"; to the Committee on Public Works.

458. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which this Service has approved according the beneficiaries of such petitions first preference classification under the act, pursuant to the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 79. A bill to amend title 14, United States Code, to require authorization for certain appropriations; with amendment (Rept. No. 34). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 3913. A bill to amend title 39, United States Code, to provide for suspension of mailing permits in cases involving mailing of pornographic material, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3914. A bill to amend the Interstate Commerce Act so as to prohibit the segregation of passengers on account of race or color; to the Committee on Interstate and Foreign Commerce.

H.R. 3915. A bill to amend the Federal Aviation Act of 1958, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3916. A bill to amend the Civil Service Retirement Act so as to provide for retirement on full annuity at age 55 after 30 years of service; to the Committee on Post Office and Civil Service.

By Mr. ANDERSON:

H.R. 3917. A bill to amend title II of the Social Security Act to increase from $1,200 to $3,000 the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. BARRETT:

H.R. 3918. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 3919. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. KING of California:

H.R. 3920. A bill to provide under the social security program for payment for hospital and related services to aged beneficiaries; to the Committee on Ways and Means.

By Mr. BARRY:

H.R. 3921. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

H.R. 3922. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. BECKER:

H.R. 3923. A bill to amend titles 10 and 32, United States Code, with respect to technicians of the National Guard; to the Committee on Armed Services.

By Mr. BROOMFIELD:

H.R. 3924. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the income tax for contributions made to institutions of higher learning by individuals who pay tuition and fees to such institutions; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 3925. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of national resources of timber, soil, and range, and of recreational areas, and to authorize pilot local youth public service employment programs; to the Committee on Education and Labor.

By Mr. CELLER:

H.R. 3926. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 3927. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. COOLEY:

H.R. 3928. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for marketing quotas on Irish potatoes through establishment of acreage allotments; to the Committee on Agriculture.

By Mr. DENT:

H.R. 3929. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DEVINE:

H.R. 3930. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals; to the Committee on Veterans' Affairs.

By Mr. DINGELL:

H.R. 3931. A bill to amend the Internal Revenue Code of 1954 to provide increased tax incentives for individuals and corporations that manufacture or produce goods for export; to the Committee on Ways and Means.

H.R. 3932. A bill to protect civil rights through improvement in the quality of police forces; providing criminal and civil remedies for unlawful official violence; authorizing suits by the Attorney General to prevent exclusion of members of minority groups from jury service; and for other purposes; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 3933. A bill to promote public knowledge of progress and achievement in astronautics and related sciences through the designation of a special day in honor of Dr. Robert Hutchings Goddard, the father of modern rockets, missiles and astronautics; to the Committee on the Judiciary.

H.R. 3934. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. DORN:

H.R. 3935. A bill to amend section 314(k) of title 38, United States Code, to authorize payment of statutory awards for each anatomical loss or loss of use specified therein; to the Committee on Veterans' Affairs.

By Mrs. DWYER:

H.R. 3936. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. FASCELL:

H.R. 3937. A bill to provide for the establishment of the National Academy of Foreign Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FARBSTEIN:

H.R. 3938. A bill to amend the International Claims Settlement Act of 1949, as amended, relative to the return of certain alien property interests; to the Committee on Foreign Affairs.

H.R. 3939. A bill to provide for assistance in the construction and initial operation of community mental health centers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3940. A bill to assist States in combating mental retardation through construction of research centers and facilities for the mentally retarded; to the Committee on Interstate and Foreign Commerce.

By Mr. FINO:

H.R. 3941. A bill to amend section 902 of title 38, United States Code, to eliminate the offset against burial allowances paid by the Veterans' Administration for amounts paid by burial associations; to the Committee on Veterans' Affairs.

By Mr. FLOOD:

H.R. 3942. A bill to authorize the Secretary of Commerce to purchase industrial and commercial evidences of indebtedness to promote certain industrial and commercial loans in redevelopment areas by lending institutions in order to help such areas plan and finance their economic redevelopment, and for other purposes; to the Committee on Banking and Currency.

By Mr. FRIEDEL:

H.R. 3943. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 3944. A bill to amend chapter 31 of title 39, United States Code, to require the inscription "In God We Trust" to appear upon all postage stamps, stamped envelopes, and postal cards; to the Committee on Post Office and Civil Service.

By Mr. GALLAGHER:

H.R. 3945. A bill to amend title 38, United States Code, to provide education and training, loan guarantee, wartime rates of disability compensation, pension, and other wartime service benefits to persons serving in combat zones after January 1, 1962; to the Committee on Veterans' Affairs.

By Mr. GREEN of Pennsylvania:

H.R. 3946. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 3947. A bill to assist States in combating mental retardation through construction of research centers and facilities for the mentally retarded; to the Committee on Interstate and Foreign Commerce.

H.R. 3948. A bill to provide for assistance in the construction and initial operation of community mental health centers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HANNA:

H.R. 3949. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mrs. HANSEN:

H.R. 3950. A bill to amend section 22 of the act of August 24, 1935, as amended (49 Stat. 773; 7 U.S.C. 624), to require the Secretary of Agriculture to include lumber and wood products as an agricultural commodity under the act; to the Committee on Agriculture.

By Mr. HORAN:

H.R. 3951. A bill to amend section 22 of the act of August 24, 1935, as amended (49 Stat. 773; 7 U.S.C. 624), to require the Secretary of Agriculture to include lumber and wood products as an agricultural commodity under the act; to the Committee on Agriculture.

By Mr. HARVEY of Michigan:

H.R. 3952. A bill to increase the lending authority of the Export-Import Bank of Washington, to extend the period within which the Export-Import Bank of Washington may exercise its functions, and for other purposes; to the Committee on Banking and Currency.

By Mr. HAWKINS:

H.R. 3953. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mr. HEMPHILL:

H.R. 3954. A bill to prohibit the shipment in interstate or foreign commerce of articles imported into the United States from Cuba, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HORAN:

H.R. 3955. A bill to amend the National Housing Act to provide that only lumber and other wood products which have been produced in the United States may be used in construction or rehabilitation covered by Federal Housing Administration insured mortgages; to the Committee on Banking and Currency.

H.R. 3956. A bill to prohibit the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. JOHNSON of California:

H.R. 3957. A bill to amend the Tariff Act of 1930 so as to impose a duty upon the importation of montan wax in Communist-dominated or Communist-occupied areas of Germany; to the Committee on Ways and Means.

H.R. 3958. A bill to amend the National Housing Act, as amended (48 Stat. 1246, 12 U.S.C. 1701), to require the use of domestically grade-marked lumber and wood products in the construction of housing federally financed and/or federally insured, and for other purposes; to the Committee on Banking and Currency.

By Mr. JOHNSON of Wisconsin:

H.R. 3959. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted during a calendar year from $1,200 to $1,800 without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 3960. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 3961. A bill to amend section 610 of the Civil Aeronautics Act of 1938 to prohibit the serving of alcoholic beverages to airline passengers while in flight; to the Committee on Interstate and Foreign Commerce.

By Mr. LINDSAY:

H.R. 3962. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

H.R. 3963. A bill to provide for the District of Columbia an appointed Governor and secretary, and an elected legislative assembly and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. McCLORY:

H.R. 3964. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. McINTIRE:

H.R. 3965. A bill relating to domestically produced fishery products; to the Committee on Agriculture.

By Mr. MARSH:

H.R. 3966. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MATHIAS:

H.R. 3967. A bill to permit unmarried annuitants under the Civil Service Retirement Act to elect survivorship annuities upon subsequent remarriage, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. MAY:

H.R. 3968. A bill to amend section 22 of the act of August 24, 1935, as amended (49 Stat. 773, 7 U.S.C. 624), to require the Secretary of Agriculture to include lumber and wood products as an agricultural commodity under the act; to the Committee on Agriculture.

H.R. 3969. A bill to amend the National Housing Act, as amended (48 Stat. 1246, 12 U.S.C. 1701), to require the use of domestically grade-marked lumber and wood products in the construction of housing federally financed and/or federally insured, and for other purposes; to Committee on Banking and Currency.

By Mr. MORRISON:

H.R. 3970. A bill to amend section 3552 of Public Law 87-793, relating to automatic advancement by step increases; to the Committee on Post Office and Civil Service.

By Mr. NIX:

H.R. 3971. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. OLSEN of Montana:

H.R. 3972. A bill to amend the National Housing Act to prohibit the use of foreign lumber or other wood products in any construction or rehabilitation covered by Federal Housing Administration-insured mortgages; to the Committee on Banking and Currency.

H.R. 3973. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. O'NEILL:

H.R. 3974. A bill to amend the Servicemen's Readjustment Act of 1944, as amended, so as to authorize the Administrator of Veterans' Affairs to furnish space and facilities, if available, to State veteran agencies; to the Committee on Veterans' Affairs.

H.R. 3975. A bill to amend title 38, United States Code, so as to authorize the Administrator of Veterans' Affairs to furnish space and facilities, if available, to State veteran agencies; to the Committee on Veterans' Affairs.

By Mr. PEPPER:

H.R. 3976. A bill to amend the Civil Service Retirement Act to provide for the adjustment of inequities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3977. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for certain amounts set aside by a taxpayer for the higher education of prospective college students in his family, and a tax credit for certain amounts otherwise paid as educational expenses to institutions of higher education; to the Committee on Ways and Means.

By Mr. REUSS:

H.R. 3978. A bill to provide a 1-year program for balancing milk supplies with market outlets by direct payments to support the income of dairy farmers, to provide consumers with dairy products at reasonable prices, and to reduce dairy products support costs for the Federal Government; to the Committee on Agriculture.

By Mr. ROBERTS of Alabama:

H.R. 3979. A bill to amend the act of July 14, 1960, to require persons operating motor vehicles in interstate commerce to have certain operator's or chauffeur's licenses or permits; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBISON:

H.R. 3980. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. ROGERS of Florida:

H.R. 3981. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

By Mr. ROOSEVELT:

H.R. 3982. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. ROUDEBUSH:

H.R. 3983. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3984. A bill to provide for the issuance of a special postage stamp in commemoration of the 150th anniversary of the admission of the State of Indiana to the United States to be celebrated in 1966; to the Committee on Post Office and Civil Service.

H.R. 3985. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the statehood of the State of Indiana; to the Committee on Banking and Currency.

H.R. 3986. A bill to amend chapter 15 of title 38, United States Code, to liberalize the basis on which pension is payable by providing that public or private retirement payments shall not be counted as income and that the income of the spouse shall be disregarded in the determination of annual income of a veteran; to eliminate the "net worth" eligibility test; and to repeal the requirement of reduction of pension during hospitalization for veterans with dependents; to the Committee on Veterans' Affairs.

H.R. 3987. A bill to amend title 39, United States Code, to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

By Mr. RYAN of Michigan:

H.R. 3988. A bill to provide that motor vehicles sold or shipped in commerce must be equipped with seat belts which meet certain safety standards; to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN of New York:

H.R. 3989. A bill to amend the United Nations Participation Act of 1945, to provide for reimbursement to the city of New York of certain unusual expenses incurred by that city during the meeting of the United Nations in September and October 1960; to the Committee on Foreign Affairs.

H.R. 3990. A bill to provide reimbursement for New York City for the portion of the costs of its police department attributable to providing protection to the United Nations and delegates thereto; to the Committee on Foreign Affairs.

By Mr. ST. GERMAIN:

H.R. 3991. A bill to amend section 133 of title 23 of the United States Code relating to relocation assistance for displaced families and businesses; to the Committee on Public Works.

By Mr. ST. ONGE:

H.R. 3992. A bill to provide for the redesigning of the 5-cent George Washington regular postage stamp so as to incorporate George Washington's immortal words "To Bigotry No Sanction"; to the Committee on Post Office and Civil Service.

By Mr. SCHWENGEL:

H.R. 3993. A bill to extend and amend the conservation reserve program; to the Committee on Agriculture.

H.R. 3994. A bill to confer jurisdiction over the Iowa ordnance plant reservation upon the State of Iowa; to the Committee on Armed Services.

By Mr. SHELLEY:

H.R. 3995. A bill to authorize the Secretary of the Interior to initiate a program for the conservation, development and enhancement of the Nation's anadromous fish in cooperation with the several States; to the Committee on Merchant Marine and Fisheries.

By Mr. SHEPPARD:

H.R. 3996. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. SNYDER:

H.R. 3997. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a personal exemption for any dependent without regard to his income if such dependent is under 19 or a student and is living with the taxpayer; to the Committee on Ways and Means.

By Mr. STINSON:

H.R. 3998. A bill to amend the Federal Trade Commission Act, to promote quality and price stabilization, to define and restrain certain unfair methods of distribution and to confirm, define, and equalize the rights of producers and resellers in the distribution of goods identified by distinguishing brands, names, or trademarks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. SULLIVAN:

H.R. 3999. A bill to amend section 66 of title 2 of the Canal Zone Code; to the Committee on Merchant Marine and Fisheries.

By Mr. THOMSON of Wisconsin:

H.R. 4000. A bill to extend certain benefits to persons who served in the Armed Forces of the United States in Mexico or on its borders during the period beginning May

9, 1916, and ending April 6, 1917, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4001. A bill to amend section 501 of title 38, United States Code, to provide that active military service on the Mexican border before World War I by persons who performed active service during World War I shall be included in determining eligibility of World War I veterans, their widows, and children for pension; to the Committee on Veterans' Affairs.

By Mr. TOLL:

H.R. 4002. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. WEAVER:

H.R. 4003. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the building of Perry's Fleet and the Battle of Lake Erie; to the Committee on Banking and Currency.

By Mr. WHITENER:

H.R. 4004. A bill to amend section 302(h) of the Career Compensation Act of 1949 with respect to the payment of quarters allowances; to the Committee on Armed Services.

By Mr. WIDNALL:

H.R. 4005. A bill to enable the Board of Commissioners of the District of Columbia to aid the arts in ways similar to those in which the arts are aided by other cities of the United States, to provide competitions to encourage young Americans in the pursuit of excellence in the fine arts and to acquaint them with the best of our national cultural heritage, and for other purposes, to the Committee on the District of Columbia.

H.R. 4006. A bill to authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems in metropolitan and other urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. BOB WILSON:

H.R. 4007. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

By Mr. WYDLER:

H.R. 4008. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ALGER:

H.R. 4009. A bill to incorporate the Federal Dental Services Officer's Association; to the Committee on the Judiciary.

By Mr. BARING:

H.R. 4010. A bill to provide an adequate basis for administration of the Lake Mead National Recreation Area, Ariz. and Nev., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARRY:

H.R. 4011. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the individual income tax for tuition expenses paid by the taxpayer for his education or the education of any other person, and to provide a credit for certain real property taxes paid for the support of public education; to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 4012. A bill to authorize the conveyance of all right, title, and interest of the United States in and to a certain island in the Yellowstone River to the State of Montana; to the Committee on Interior and Insular Affairs.

H.R. 4013. A bill to provide compensation to the Crow Tribe of Indians, Montana, for certain land embraced within the present boundaries of the Crow Indian Reservation, for the validation of titles, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 4014. A bill to amend the Tariff Act of 1930 to impose additional duties on cattle, beef, and veal imported each year in excess of annual quotas; to the Committee on Ways and Means.

By Mr. BRUCE:

H.R. 4015. A bill to promote education throughout the United States by amendments to the Internal Revenue Code of 1954 granting credit against Federal income tax for real property taxes paid for support of public elementary and secondary education; to the Committee on Ways and Means.

By Mr. BURKE:

H.R. 4016. A bill to provide for the coverage of physicians by the insurance system established by title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 4017. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs; to the Committee on Education and Labor.

By Mr. CLEVELAND:

H.R. 4018. A bill to authorize establishment of the Saint-Gaudens National Historic Site, N.H., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CONTE:

H.R. 4019. A bill granting the consent and approval of Congress to the northeastern water and related land resources compact; to the Committee on Public Works.

By Mr. DEVINE:

H.R. 4020. A bill to amend title 28, United States Code, to establish certain qualifications for persons appointed as judges or justices of the United States; to the Committee on the Judiciary.

By Mr. DOWDY:

H.R. 4021. A bill to amend the act of April 29, 1942, establishing the District of Columbia Recreational Board, to provide for the use of the Eastern Market at 7th Street and North Carolina Avenue SE., for use as a National Children's Theater and Art Center and a neighborhood recreation center shelter building, to provide additional playground space, and for other purposes; to the Committee on the District of Columbia.

By Mrs. DWYER:

H.R. 4022. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

By Mr. EDWARDS:

H.R. 4023. A bill to make the Commission on Civil Rights a permanent agency in the executive branch of the Government; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 4024. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs; to the Committee on Education and Labor.

H.R. 4025. A bill to amend the Social Security Act to assist States and communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs, through provision of prenatal, maternity, and infant care for individuals with conditions associated with childbearing which may lead to mental retardation, and through planning for comprehensive action to combat mental retardation, and for other purposes; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 4026. A bill to provide for the establishment of a commission to conduct a national referendum on the question of Federal lotteries, and for other purposes; to the Committee on Ways and Means.

By Mr. FOGARTY:

H.R. 4027. A bill to amend the Vocational Rehabilitation Act to provide services to determine rehabilitation potential, to expand vocational rehabilitation services, to make grants for construction of rehabilitation facilities and workshops, and for other purposes; to the Committee on Education and Labor.

By Mr. GROVER:

H.R. 4028. A bill to amend the Internal Revenue Code of 1954 to provide a 30 percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education and high schools; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 4029. A bill to provide for payment for hospital services, skilled nursing facility services, and home health services furnished to aged beneficiaries under the old-age, survivors, and disability insurance program, and for other purposes; to the Committee on Ways and Means.

By Mr. HAWKINS:

H.R. 4030. A bill to authorize a 2-year program of Federal financial assistance for all elementary and secondary school children in all of the States; to the Committee on Education and Labor.

H.R. 4031. A bill to prohibit discrimination in employment in certain cases because of race, religion, color, national origin, ancestry, or age; to the Committee on Education and Labor.

H.R. 4032. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

By Mr. HOLLAND:

H.R. 4033. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Education and Labor.

By Mr. HORTON:

H.R. 4034. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. JENNINGS:

H.R. 4035. A bill to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JOELSON:

H.R. 4036. A bill to amend Public Laws 815 to 874, 81st Congress, relating to construction and maintenance and operation of public schools in federally impacted areas, to deny payments to school districts which are not in compliance with constitutional requirements that public schools be operated on a racially nondiscriminatory basis; to the Committee on Education and Labor.

H.R. 4037. A bill to amend the Bankruptcy Act; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 4038. A bill to amend the Tariff Act of 1930 to require the marking of lumber and wood products to indicate to the ultimate purchaser in the United States the name of the country of origin; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 4039. A bill to amend title II of the Social Security Act to provide a more realistic definition of the term "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

By Mr. KEOGH:

H.R. 4040. A bill to amend section 164(a) of the Internal Revenue Code of 1954, relating to deduction for taxes; to the Committee on Ways and Means.

By Mr. LANKFORD:

H.R. 4041. A bill to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LINDSAY:

H.R. 4042. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. MacGREGOR:

H.R. 4043. A bill to provide for the medical and hospital care of the aged through a system of voluntary health insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. MARTIN of Nebraska:

H.R. 4044. A bill to impose additional duties on excess imports of certain live animals, meats, and meat products; to the Committee on Ways and Means.

H.R. 4045. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption of $1,000 for a taxpayer, spouse, or dependent who is a student at an institution of higher learning; to the Committee on Ways and Means.

By Mr. MATHIAS:

H.R. 4046. A bill to establish the Chesapeake and Ohio Canal National Historical Park, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MATTHEWS:

H.R. 4047. A bill to establish a land and water conservation fund to assist the States and Federal agencies in meeting present and future outdoor recreation demands and needs of the American people, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 4048. A bill to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research; to the Committee on Interior and Insular Affairs.

By Mrs. MAY:

H.R. 4049. A bill to authorize assistance to public and other nonprofit institutions of higher education, including junior colleges and technical institutes, in financing the construction, rehabilitation, or improvement of needed academic and related facilities; to the Committee on Education and Labor.

H.R. 4050. A bill to amend the Tariff Act of 1930 to require the marking of lumber and wood products to indicate to the ultimate purchaser in the United States the name of the country of origin; to the Committee on Ways and Means.

By Mr. MONTOYA:

H.R. 4051. A bill to extend for 2 additional years the provisions of Public Law 87-276, providing for assistance for training teachers of the deaf; to the Committee on Education and Labor.

By Mr. OSTERTAG:

H.R. 4052. A bill to amend the Civil Rights Act of 1957, and for other purposes; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 4053. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. PEPPER:

H.R. 4054. A bill to authorize the establishment of a Domestic Peace Corps to provide useful opportunities in (1) public service volunteer programs and (2) in public service employment programs; through pilot local public service programs; to the Committee on Education and Labor.

H.R. 4055. A bill to assist in the construction and operation of senior citizens centers and programs of education, recruiting and training for community service, counseling, and other activities in keeping with the needs of older citizens; to the Committee on Education and Labor.

H.R. 4056. A bill to assist in the development of new or improved programs to help older persons, and for other purposes; to the Committee on Education and Labor.

By Mr. PIKE:

H.R. 4057. A bill to amend the Administrative Procedure Act with respect to public statements of Federal agencies which tend to discredit; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 4058. A bill to amend title 18 of the United States Code to provide that the bombing of certain buildings will create a rebuttable presumption that a Federal criminal offense has been committed for purposes of investigation by the Federal Bureau of Investigation, and for other purposes; to the Committee on the Judiciary.

By Mr. ROBISON:

H.R. 4059. A bill for the establishment of a Commission on Federal Taxation; to the Committee on Ways and Means.

H.R. 4060. A bill to amend the Internal Revenue Code of 1954 so as to provide for reform of personal and corporate income tax rates, and for other purposes; to the Committee on Ways and Means.

Mr. RODINO:

H.R. 4061. A bill to accelerate, extend, and strengthen the Federal air pollution control program; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Texas:

H.R. 4062. A bill to amend the act authorizing the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande to authorize the Secretary of the Interior to also market power generated at Amistad Dam on the Rio Grande; to the Committee on Interior and Insular Affairs.

H.R. 4063. A bill to amend title 28 of the United States Code to require that all decisions of the Supreme Court shall be participated in by the full Court, and that any vacancies or absences in the membership of the Court shall be temporarily filled by circuit judges; to the Committee on the Judiciary.

By Mr. ROOSEVELT (by request):

H.R. 4064. A bill to amend the provisions of the National Labor Relations Act which relate to temporary injunctions; to the Committee on Education and Labor.

By Mr. ROOSEVELT:

H.R. 4065. A bill to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management *of natural resources and recreational areas;* and to authorize local area youth employment programs; to the Committee on Education and Labor.

By Mr. ROUDEBUSH:

H.R. 4066. A bill to amend the Social Security Act and the *Internal Revenue Code* of 1954 to provide that a fully insured individual may elect to have any employment or self-employment performed by him after attaining age 65 excluded (for both tax and benefit purposes) from coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. RYAN of New York:

H.R. 4067. A bill to establish a Department of Urban Affairs and prescribe its functions; to the Committee on Government Operations.

By Mr. SCHWENGEL:

H.R. 4068. A bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over land in the several States used for Federal purposes, and for other purposes; to the Committee on Government Operations.

By Mr. SENNER:

H.R. 4069. A bill to provide an adequate basis for administration of the Lake Mead National Recreation Area, Ariz. and Nev., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. SULLIVAN:

H.R. 4070. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

By Mr. ULLMAN:

H.R. 4071. A bill to guarantee electric consumers in the Pacific Northwest first call on electric energy generated at Federal hydroelectric plants in that region and to guarantee electric consumers in other regions reciprocal priority, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WALTER:

H.R. 4072. A bill to amend section 4204 of title 18, United States Code, relating to the conditional release of prisoners who are aliens subject to deportation; to the Committee on the Judiciary.

By Mr. WHITENER:

H.R. 4073. A bill to amend section 10 of the District of Columbia Traffic Act of 1925, as amended; to the Committee on the District of Columbia.

By Mr. WYDLER:

H.R. 4074. A bill to authorize assistance to public and other nonprofit institutions of higher learning, including junior colleges and technical institutes, in financing the construction, rehabilitation, or improvement of needed academic and related facilities; to the Committee on Education and Labor.

By Mr. HORAN:

H.J. Res. 256. Joint resolution requesting and authorizing the President to impose an immediate 6-percent emergency quota on all imports of softwood lumber; to the Committee on Ways and Means.

By Mr. BERRY:

H.J. Res. 257. Joint resolution requesting and authorizing the President to impose an immediate 6-percent emergency quota on all imports of softwood lumber; to the Committee on Ways and Means.

By Mrs. HANSEN:

H.J. Res. 258. Joint resolution requesting and authorizing the President to impose an immediate 6-percent emergency quota on all imports of softwood lumber; to the Committee on Ways and Means.

By Mr. HARRIS:

H.J. Res. 259. Joint resolution requesting and authorizing the President to impose an immediate 6-percent emergency quota on all imports of softwood lumber; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.J. Res. 260. Joint resolution requesting and authorizing the President to impose an immediate 6-percent emergency quota on all imports of softwood lumber; to the Committee on Ways and Means.

By Mrs. MAY:

H.J. Res. 261. Joint resolution requesting and authorizing the President to impose an immediate 6-percent emergency quota on all imports of softwood lumber; to the Committee on Ways and Means.

By Mr. NORBLAD:

H.J. Res. 262. Joint resolution requesting and authorizing the President to impose an immediate 6-percent emergency quota on all imports of softwood lumber; to the Committee on Ways and Means.

By Mr. NYGAARD:

H.J. Res. 263. Joint resolution requesting and authorizing the President to impose an immediate 6-percent emergency quota on all imports of softwood lumber; to the Committee on Ways and Means.

By Mr. PELLY:

H.J. Res. 264. Joint resolution requesting and authorizing the President to impose an immediate 6-percent emergency quota on all imports of softwood lumber; to the Committee on Ways and Means.

By Mr. WESTLAND:

H.J. Res. 265. Joint resolution requesting and authorizing the President to impose an immediate 6-percent emergency quota on all imports of softwood lumber; to the Committee on Ways and Means.

By Mr. ADDABBO:

H.J. Res. 266. Joint resolution to establish December 15 of every year as Bill of Rights Day; to the Committee on the Judiciary.

By Mr. ANDERSON:

H.J. Res. 267. Joint resolution to authorize the city of Galena, Ill., or an appropriate association or organization of the citizens thereof, to remove to Galena, Ill., the statue of Gen. John A. Rawlins located at Rawlins Park, Washington, D.C.; to the Committee on House Administration.

By Mr. COLLIER:

H.J. Res. 268. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FLOOD:

H.J. Res. 269. Joint resolution designating the period beginning May 1 and ending May 7 of each year as Correct Posture Week; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.J. Res. 270. Joint resolution designating the 8-day period beginning on the 12th day of October of each year as Patriotic Education Week; to the Committee on the Judiciary.

By Mr. KING of New York:

H.J. Res. 271. Joint resolution extending an invitation to the International Olympic Committee to hold the 1964 winter Olympic games in the United States; to the Committee on Foreign Affairs.

By Mr. LINDSAY:

H.J. Res. 272. Joint resolution proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office; to the Committee on the Judiciary.

By Mr. RIVERS of Alaska:

H.J. Res. 273. Joint resolution to provide compensation to the Yakutat Local Community of Tlingit Indians of the State of Alaska for the extinction of their original Indian title; to the Committee on Interior and Insular Affairs.

By Mr. SCHWEIKER:

H.J. Res. 274. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.J. Res. 275. Joint resolution to advance peaceful relations between the United States and the nations of Latin America by means of an inter-American music, drama, and art festival to be held annually in Washington, D.C., and to coordinate cultural exchange programs with the Organization of American States and the Pan American Union, and to implement the recommendations of the U.S. Advisory Commission on International Educational and Cultural Affairs; to the Committee on Foreign Affairs.

By Mr. EDWARDS:

H. Con. Res. 99. Concurrent resolution to favor the establishment of an international living museum of anthropology and ethnography; to the Committee on Foreign Affairs.

By Mr. SCHWENGEL:

H. Con. Res. 100. Concurrent resolution expressing the sense of Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

By Mr. DINGELL:

H. Res. 260. Resolution creating a nonlegislative select committee to conduct an investigation and study of the aged and aging; to the Committee on Rules.

By Mr. PELLY:

H. Res. 261. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. BOB WILSON:

H. Res. 262. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Arkansas, memorializing the President and the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to article V thereof; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States relative to requesting amendment of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States relative to urging continued support, through adequate appropriations and allocations, of tobacco research on all kinds of tobacco at the Agricultural Science Center of the University of Kentucky; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Montana, memorializing the President and the Congress of the United States relative to requesting legislation authorizing the Department of the Treasury of the United States to design and mint 500,000 silver dollars in commemoration of the Montana Territorial Centennial and Thanksgiving Centennial; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States relative to urging enactment of the bill H.R. 994 introduced by Congresswoman JULIA BUTLER HANSEN; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATTIN:

H.R. 4075. A bill for the relief of Noriyuki Miyata; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 4076. A bill for the relief of William Radkovich Co., Inc.; to the Committee on the Judiciary.

By Mr. BURKE:

H.R. 4077. A bill for the relief of Sauley Peter Mahanna; to the Committee on the Judiciary.

By Mr. BURKHALTER:

H.R. 4078. A bill for the relief of Pan Lih Teh, Kathryn L. Pan, Nery Pan, Nilson Pan, and Nelsen Pan; to the Committee on the Judiciary.

H.R. 4079. A bill for the relief of Irene Regine Calef; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 4080. A bill for the relief of Antonio Pellegrini; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 4081. A bill for the relief of Elena Delfino; to the Committee on the Judiciary.

By Mr. DEVINE:

H.R. 4082. A bill for the relief of Robert O. Overton, Marjorie C. Overton, and Sally Eitel; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 4083. A bill for the relief of Cecelia Costa Pereira; to the Committee on the Judiciary.

H.R. 4084. A bill for the relief of Francesco Paolo La Franca; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.R. 4085. A bill for the relief of Tibor Horcsik; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 4086. A bill for the relief of Anna C. Devaris; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 4087. A bill for the relief of E. Arthur Koop; to the Committee on the Judiciary.

H.R. 4088. A bill for the relief of the Industrial Tractors Parts Co., Inc.; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 4089. A bill to provide that the steamship *Glenbrook* may be a U.S. flag commercial vessel for the purposes of section 901(b) of the Merchant Marine Act, 1936; to the Committee on Merchant Marine and Fisheries.

By Mr. GREEN of Pennsylvania:

H.R. 4090. A bill for the relief of Domenico Martino; to the Committee on the Judiciary.

By Mr. GROVER:

H.R. 4091. A bill for the relief of Angela Gencarelli; to the Committee on the Judiciary.

H.R. 4092. A bill for the relief of Gioconda Maria Falcone; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 4093. A bill for the relief of Cyla Gurewicz; to the Committee on the Judiciary.

By Mr. HEALEY:

H.R. 4094. A bill for the relief of Ambrogio Fiorentini; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 4095. A bill for the relief of Teresa Novelo de Tapia and Jose Alberto Tapia; to the Committee on the Judiciary.

H.R. 4096. A bill for the relief of Dr. Jovita M. San Pedro Rosenblatt; to the Committee on the Judiciary.

By Mr. HUDDLESTON:

H.R. 4097. A bill for the relief of Dimitrios Bountouvas; to the Committee on the Judiciary.

By Mr. JENSEN:

H.R. 4098. A bill for the relief of Soo Hyun Nam; to the Committee on the Judiciary.

By Mr. JONAS:

H.R. 4099. A bill for the relief of Jesse Leigh, Jr.; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 4100. A bill for the relief of Mrs. Gitel Fischer; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 4101. A bill for the relief of Gwendolyn Ramsay; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 4102. A bill for the relief of Christos George Saldaris and his wife, Olga Saldaris; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 4103. A bill for the relief of Christos Gouletas; to the Committee on the Judiciary.

By Mr. MADDEN:

H.R. 4104. A bill for the relief of Marie Loray Legister; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.R. 4105. A bill for the relief of Manuel Cabral do Rego; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 4106. A bill for the relief of Halina Szumilas; to the Committee on the Judiciary.

By Mr. NATCHER:

H.R. 4107. A bill for the relief of Charles Michael Kottiath; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 4108. A bill for the relief of Pellegrino Cari; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 4109. A bill for the relief of Richard H. Marshall; to the Committee on the Judiciary.

H.R. 4110. A bill for the relief of Sister Lourdes Buesa Oliver and Sister Rufina Matilde Gonzalez-Garcia; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 4111. A bill for the relief of Michaelangelo Mariano; to the Committee on the Judiciary.

H.R. 4112. A bill for the relief of Dr. Elpidio T. Marcelo; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 4113. A bill for the relief of Ging Sze Chin; to the Committee on the Judiciary.

H.R. 4114. A bill for the relief of McField and Mavis Bowman; to the Committee on the Judiciary.

H.R. 4115. A bill for the relief of Albert and Zehava Markovits; to the Committee on the Judiciary.

H.R. 4116. A bill for the relief of Panagiotis Vatalidis; to the Committee on the Judiciary.

H.R. 4117. A bill for the relief of (Jimmy) Ching Wu; to the Committee on the Judiciary.

H.R. 4118. A bill for the relief of Victoria Ingrid Cobb; to the Committee on the Judiciary.

H.R. 4119. A bill for the relief of Olga Quashie (also known as Lewis); to the Committee on the Judiciary.

H.R. 4120. A bill for the relief of Gladys I. Broomfield; to the Committee on the Judiciary.

H.R. 4121. A bill for the relief of Carmen Elsena and Clarence Rudolph Chase; to the Committee on the Judiciary.

H.R. 4122. A bill for the relief of Carl McDonald Farrell; to the Committee on the Judiciary.

H.R. 4123. A bill for the relief of Sarah Elizabeth Facey; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 4124. A bill for the relief of Flora and William Bisof; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 4125. A bill for the relief of Theodora P. Andrianakos; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 4126. A bill for the relief of Robert Dryland; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 4127. A bill for the relief of Kee Leung Chin; to the Committee on the Judiciary.

H.R. 4128. A bill for the relief of Carlos Chang and Maria Luisa Chin de Chang; to the Committee on the Judiciary.

By Mr. ROBERTS of Alabama:

H.R. 4129. A bill for the relief of Alden Jo Daniel; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 4130. A bill for the relief of Tomasso Attanasio; to the Committee on the Judiciary.

H.R. 4131. A bill for the relief of Mrs. Percida Cango; to the Committee on the Judiciary.

H.R. 4132. A bill for the relief of Josefa Cantoria Domingo; to the Committee on the Judiciary.

H.R. 4133. A bill for the relief of Fedora Llamas; to the Committee on the Judiciary.

H.R. 4134. A bill for the relief of Josefa A. Salazar; to the Committee on the Judiciary.

H.R. 4135. A bill for the relief of Dr. Restituto S. Ruiz and his wife, Lydia Mallavo Ruiz; to the Committee on the Judiciary.

H.R. 4136. A bill for the relief of Theresita L. Montalan; to the Committee on the Judiciary.

H.R. 4137. A bill for the relief of Zaida F. Tardicella; to the Committee on the Judiciary.

H.R. 4138. A bill for the relief of Mohammed Ali Hussain; to the Committee on the Judiciary.

H.R. 4139. A bill for the relief of Gerasimos Nicolas Koutoufas; to the Committee on the Judiciary.

By Mr. SHEPPARD:

H.R. 4140. A bill for the relief of Alfred Coleman; to the Committee on Interior and Insular Affairs.

H.R. 4141. A bill for the relief of Smith L. Parratt and Mr. and Mrs. Lloyd Parratt, his parents; to the Committee on the Judiciary.

By Mr. TUCK:

H.R. 4142. A bill for the relief of Bobbie Dean Walton; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 4143. A bill to provide for the advancement of Capt. Cecil Sherman Baker on the retired list to the rank of rear admiral; to the Committee on Armed Services.

H.R. 4144. A bill for the relief of Gordon E. Martin; to the Committee on the Judiciary.

H.R. 4145. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 4146. A bill for the relief of Stanley Alexander Yhap and Joycelyn Patricia Woo-Ming Yhap; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H.J. Res. 276. Resolution authorizing the expression of appreciation and the issuance of a gold medal to Eddie Cantor; to the Committee on Banking and Currency.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

49. By Mr. BROWN of California: Petition of the Citizen's Committee To Preserve American Freedoms; to the Committee on Rules.

50. By Mr. STRATTON: Three petitions of the Otsego County (N.Y.) Pomona Grange, urging action (1) to protect American farm markets with the European Common Market, (2) to enlarge research into industrial uses of farm products, and (3) to regulate conditions that precipitate strikes; to the Committee on Ways and Means.

SENATE

Thursday, February 21, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of the changing years, yet who changeth not: Hallowing Thy name, we would submit ourselves to the test of Thy white, scorching purity with which nothing unclean can live, and to the rebuke of Thy absolute honesty, in the searching scrutiny of which no refuge of lies can stand.

By the judgment of that purity and that utter honesty deliver us, we pray, from the dangerous sophistries which afflict our day, elevating cleverness above goodness, and humor above honor.

We ask Thy benediction upon these servants of the Republic as they ascend this hill of solemn responsibility. Not lifting up their souls to vanity, nor swearing deceitfully, in all their councils keep them near the world's great altar stairs that slope through darkness up to Thee.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 20, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT OF OFFICE OF MINERALS EXPLORATION—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Interior and Insular Affairs:

To the Congress of the United States:

I transmit herewith the Ninth Semiannual Report of the Office of Minerals Exploration from the Secretary of the Interior as prescribed by section 5 of the act of August 21, 1958, entitled "To provide a program for the discovery of the mineral reserves of the United States, its territories and possessions by encouraging exploration for minerals, and for other purposes."

John F. Kennedy.

The White House, *February, 21 1963.*

FEDERAL PROGRAMS FOR OUR SENIOR CITIZENS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 72)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, relating to Federal programs to assist senior citizens, which was referred to the Committee on Finance.

(For President's message, see House proceedings of today, pp. 2693–2699.)

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. Mansfield, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. Clark, and by unanimous consent, the Internal Security Subcommittee of the Judiciary Committee was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

U.S. TARIFF COMMISSION

The Chief Clerk read the nomination of James W. Culliton, of Indiana, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1968.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

TREASURY DEPARTMENT

The Chief Clerk read the nomination of Gaspard d'Andelot Belin, of Massachusetts, to be General Counsel for the Department of the Treasury.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John C. Bullitt, of New Jersey, to be an Assistant Secretary of the Treasury.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COLLECTORS OF CUSTOMS

The Chief Clerk read the nomination of John G. Green, of Wisconsin, to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn.-Superior, Wis.

Mr. MANSFIELD. Mr. President, the distinguished senior Senator from Wisconsin [Mr. Proxmire] has a special interest in this nomination. At the moment, he is detained on official business. I wish to notify the Senate that undoubtedly he will have something to say, at a later time this afternoon, in favor of this nomination.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. PROXMIRE subsequently said: Mr. President, it is my understanding that earlier today the nomination of Mr. John G. Green, of Wisconsin, for collector of customs at Duluth-Superior was confirmed by the Senate. Mr. Green was nominated for that office by President Kennedy last year. His nomination was held up in the Finance Committee because of the protest of another Senator. That very distinguished Senator and former colleague of mine in the Senate, when opposing the nomination, said he had no personal objection to Mr. Green and that, so far as he knew, Mr. Green was well qualified and a very fine gentleman.

I think it is heartening that the nomination of Mr. Green has now been confirmed. He has been the acting collector of customs in that district for some months. He has been making an excellent record. He is a man with a fine background. I merely wish to express my gratitude to the majority leader, the Senator from Montana [Mr. Mansfield], and to the chairman of the Committee on Finance, the Senator from Virginia [Mr. Byrd], and the members of the Committee on Finance, for having approved the nomination. Mr. Green certainly deserves it.

The Chief Clerk read the nomination of Frank A. Sedita, of New York, to be collector of customs for customs collection district No. 9, with headquarters at Buffalo, N.Y.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John M. Lynch, of Massachusetts, to be collector of customs for customs collection district No. 4, with headquarters at Boston, Mass.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

RENEGOTIATION BOARD

The Chief Clerk read the nomination of Jack Beaty, of New Mexico, to be a member of the Renegotiation Board.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Amendment to Regulations Under the Packers and Stockyards Act, 1921

A letter from the Secretary of Agriculture, transmitting, for the information of the Senate, an amendment to the regulations under the Packers and Stockyards Act, 1921, specifying under what circumstances deductions may be made by market agencies, dealers, and meatpackers, from the proceeds of sale of livestock for meat promotion purposes (with accompanying papers); to the Committee on Agriculture and Forestry.

Amendment of Universal Military Training and Service Act

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to repeal section 262 of the Armed Forces Reserve Act, as amended, and to amend the Universal Military Training and Service Act, as amended, to revise and consolidate authority for deferment from, and exemption from liability for induction for, training and service for certain Reserve membership and participation, and to provide a special enlistment program (with accompanying papers); to the Committee on Armed Services.

Report on Flight Pay, U.S. Air Force

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on flight pay, for that Department, for the 6-month period ended August 31, 1962 (with an accompanying report); to the Committee on Armed Services.

Report on Procurement Receipts for Medical Stockpile of Civil Defense Emergency Supplies and Equipment Purposes

A letter from the Secretary of Health, Education, and Welfare, reporting, pursuant to law, on actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, for the quarter ended December 31, 1962; to the Committee on Armed Services.

Clarification of Reemployment Provisions of Universal Military Training and Service Act

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes (with accompanying papers); to the Committee on Armed Services.

Report on Special Pay Under Section 306, Title 37, United States Code

A letter from the Deputy Secretary of Defense, reporting, pursuant to law, that no special pay was made to officers under section 306, title 37, United States Code, during calendar year 1962; to the Committee on Armed Services.

Report of Department of Defense on Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense, Installations, and Logistics, transmitting, pursuant to law, a report of that Department on procurement from small and other business firms, covering the 6 months' period ended December 31, 1962 (with an accompanying report); to the Committee on Banking and Currency.

Amendment of Inland and Western Rivers Rules Concerning Anchor Lights and Fog Signals Required in Special Anchorage Areas

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Inland and Western Rivers Rules concerning anchor lights and fog signals required in special anchorage areas, and for other purposes (with accompanying papers); to the Committee on Commerce.

Report on Estimates of Costs Relating to Certain Proposed Legislation

A letter from the Assistant Director for Legislative Reference, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, a report on the estimates of costs relating to proposed legislation submitted to the Congress on February 11, 1963, entitled "To provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City and to authorize Federal loans to the District of Columbia for capital improvement programs" (with an accompanying paper); to the Committee on the District of Columbia.

FOREIGN SERVICE ACT AMENDMENTS OF 1963

A letter from the Assistant Secretary of State, transmitting a draft of proposed legislation to amend the Foreign Service Act of 1946, as amended, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

A letter from the Chairman, Foreign Claims Settlement Commission of the United States, Washington, D.C., transmitting a draft of proposed legislation to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Polish Claims Agreement of July 16, 1960, and for other purposes (with an accompanying paper); to the Committee on Foreign Relations.

REPORT ON REVIEW OF UNECONOMICAL PROCUREMENT OF AIRCRAFT TIRES BY THE MILITARY SERVICES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of uneconomical procurement of aircraft tires by the military services under Federal supply schedules issued by the General Services Administration, dated February 1963 (with an accompanying report); to the Committee on Government Operations.

AGE LIMITS IN CONNECTION WITH APPOINTMENTS TO THE U.S. PARK POLICE

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation relating to age limits in connection with appointments to the U.S. Park Police (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT ON TORT CLAIMS PAID BY DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report on tort claims paid by that Department, for the calendar year 1962 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, and so forth, were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Idaho; to the Committee on Finance:

"HOUSE JOINT MEMORIAL 4

"To the Honorable Senate and House of Representatives of the United States in Congress Assembled:

"We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

"Whereas there was before the 87th Congress of the United States legislation concerning the unemployment insurance program, to wit, H.R. 7640 (known as the King bill); and

"Whereas it is believed that similar legislation will be submitted to the 88th Congress of the United States; and

"Whereas the Legislature of the State of Idaho has always recognized and met its obligations in this area, and has recently, in recognition of unemployment problems, provided for additional benefits to the unemployed, and has further provided for an extended benefits program for periods of prolonged unemployment; and

"Whereas the people of the State of Idaho are firmly dedicated to the proposition that matters relating to the unemployment insurance program should be left to the discretion of the various State governments due to widely varying economic and other conditions which prevail among the States: Now, therefore, be it

"Resolved by the 37th session of the Legislature of the State of Idaho, now in session, That it opposes all legislation, similar to H.R. 7640, which appeared before the 87th Congress, seeking to impose further Federal controls in the field of unemployment insurance which may appear before the 88th Congress, and which legislation would deprive the Legislature of the State of Idaho of its rightful authority in such matters; and be it further

"Resolved, That the secretary of state of the State of Idaho be, and hereby is, authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, and the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this State in the Congress of the United States.

"Passed the house on the 23d day of January 1963.

"PETE T. CENARRUSA,
"Speaker of the House of Representatives.

"Passed the senate on the 25th day of January 1963.

W. E. DREVLOW,
"President of the Senate.

"Attest:

ROBERT H. REMAKLUS,
"Chief Clerk of the House of Representatives."

Four joint resolutions of the Legislature of the State of Arkansas; to the Committee on the Judiciary:

"HOUSE JOINT RESOLUTION 2

"Joint resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to article V thereof

"Resolved by the House of Representatives of the General Assembly of the State of Arkansas (the Senate concurring), That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE—

" 'SECTION 1. Article V of the Constitution of the United States is hereby amended to read as follows:

" ' "The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States. Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate."

" 'SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission'; and be it further

"Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; and be it further

"Resolved, That a duly attested copy of this resolution be immediately transmitted by the secretary of state to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State."

"HOUSE JOINT RESOLUTION 3

"Joint resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States

"Resolved by the House of Representatives of the General Assembly of the State of Arkansas (the Senate concurring), That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE —

" 'SECTION 1. Upon demand of the legislatures of five States, no two of which shall share any common boundary, made within 2 years after the rendition of any judgment of the Supreme Court relating to the rights reserved to the States or to the people by this Constitution, such judgment shall be reviewed by a court composed of the chief justices of the highest courts of the several States to be known as the Court of the Union. The sole issue before the Court of the Union shall be whether the power or jurisdiction sought to be exercised on the part of the United States is a power granted to it under this Constitution.

" 'SEC. 2. Three-fourths of the justices of the Court of the Union shall constitute a quorum, but it shall require concurrence of a majority of the entire court to reverse a decision of the Supreme Court. In event of incapacity of the chief justice of the highest court of any State to sit upon the Court of the Union, his place shall be filled by another justice of such State court selected by affirmative vote of a majority of its membership.

" 'SEC. 3. On the first Monday of the third calendar month following the ratification of this amendment, the chief justices of the highest courts of the several States shall convene at the National Capital, at which time the Court of the Union shall be organized and shall adopt rules governing its procedure.

" 'SEC. 4. Decisions of the Court of the Union upon matters within its jurisdiction shall be final and shall not thereafter be overruled by any court and may be changed only by an amendment of this Constitution.

" 'SEC. 5. The Congress shall make provision for the housing of the Court of the Union and the expenses of its operation.

" 'SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission'; and be it further

"Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; and be it further

"Resolved, That a duly attested copy of this resolution be immediately transmitted

by the secretary of state to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State."

"House Joint Resolution 4

"Joint resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States

"*Resolved by the House of Representatives of the General Assembly of the State of Arkansas (the Senate concurring)*, That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'Article —

" 'Section 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature.

" 'Sec. 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy relating to apportionment of representation in a State legislature.

" 'Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislature of three-fourths of the several States within 7 years from the date of its submission'; and be it further

"*Resolved*, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; and be it further

"*Resolved*, That a duly attested copy of this resolution be immediately transmitted by the secretary of state to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State."

"House Joint Resolution 12

"Whereas the present system of electing presidential electors in the several States tends to encourage or necessitate block voting by the presidential electors representing each State; and

"Whereas such block voting by the presidential electors of each State does not reflect a proportionate expression of the will of the electorate of each State in the election of the President and Vice President of the United States; and

"Whereas each State is entitled to a number of presidential electors equal to the number of Members such State has in the U.S. Congress; and

"Whereas in many States Members of the U.S. House of Representatives are elected by congressional districts; and

"Whereas it is believed that the presidential electors in each State should be elected in the same manner, in the same geographical areas by the electors therein, as the Members of the U.S. Senate and House of Representatives are elected in each such State: Now, therefore, be it

"*Resolved by the House of Representatives of the 64th General Assembly of Arkansas (the Senate concurring therein)*

"Section 1. That the Congress of the United States is hereby petitioned, pursuant to article V of the Constitution of the United States, to call a convention for the purpose of proposing an amendment to the Constitution of the United States to provide that the qualified electors in each State shall elect a number of electors for President and Vice President equal to the number of Members of the U.S. Congress elected at large by the electors of such State, and the qualified electors in each congressional district in each State shall elect a number of electors for President and Vice President from each such district equal to the number of Members in U.S. House of Representatives elected from such district by the electors therein, in order that the electors for President and Vice President representing each State shall be apportioned among and elected by the qualified electors in the various areas of the State in the same manner and method that Members of the U.S. Congress representing such State are apportioned and elected.

"Sec. 2. That the secretary of state of the State of Arkansas is hereby directed to transmit a certified copy of this resolution to the President of the Senate and the Speaker of the House of Representatives of the U.S. Congress and to each Member of the Arkansas delegation in the U.S. Congress."

Two concurrent resolutions of the Legislature of the State of Kansas; to the Committee on the Judiciary:

"Senate Concurrent Resolution 3

"Concurrent resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to article V thereof

"*Resolved by the Senate of the State of Kansas (the House of Representatives concurring)*, That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'Article—

" 'Section 1. Article V of the Constitution of the United States is hereby amended to read as follows: The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the legislatures of two-thirds of the several States, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States. Whenever applications from the legislatures of two-thirds of the total number of States of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate.

" 'Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission'; and be it further

"*Resolved*, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; and be it further

"*Resolved*, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

"Adopted by the senate January 24, 1963.

"Harold H. Chase,
"*President of the Senate.*
"Ralph E. Zarker,
"*Secretary of the Senate.*

"Adopted by the house January 31, 1963.

"Charles Arthur,
"*Speaker of the House.*
"L. D. Hazen,
"*Chief Clerk of the House.*"

"Senate Concurrent Resolution 4

"Concurrent resolution memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States

"*Resolved by the Senate of the State of Kansas (the House of Representatives concurring)*, That this legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'Article —

" 'Section 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any State in the apportionment of representation in its legislature.

" 'Sec. 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy, relating to apportionment of representation in a State legislature.

" 'Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission'; and be it further

"*Resolved*, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect; and be it further

"*Resolved*, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

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"Charles Arthur,
"*Speaker of the House.*
"L. D. Hazen,
"*Chief Clerk of the House.*"

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BREWSTER:

S. 876. A bill to authorize the Administrator of General Services to convey certain land in Prince Georges County, Md., to the American National Red Cross; to the Committee on Government Operations.

S. 877. A bill for the relief of the Prince Georges County School Board, Maryland; to the Committee on the Judiciary.

By Mr. BREWSTER (for himself and Mr. Beall):

S. 878. A bill to amend the Internal Revenue Code to provide a deduction for payment of redeemable ground rents; to the Committee on Finance.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 879. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the building of Perry's fleet and the Battle of Lake Erie; to the Committee on Banking and Currency.

By Mr. ANDERSON (for himself, Mr. Humphrey, Mr. Bartlett, Mr. Burdick, Mr. Clark, Mr. Church, Mr. Douglas, Mr. Engle, Mr. Inouye, Mr. Jackson, Mr. Long of Missouri, Mr. Mansfield, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Metcalf, Mr. Moss, Mr.

Muskie, Mrs. Neuberger, Mr. Pastore, Mr. Pell, Mr. Randolph, Mr. Ribicoff, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of Ohio):

S. 880. A bill to provide under the social security program for payment for hospital and related services to aged beneficiaries; to the Committee on Finance.

(See the remarks of Mr. Anderson when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 881. A bill to incorporate the Federal Dental Services Officer's Association; to the Committee on the Judiciary.

By Mr. CASE:

S. 882. A bill to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Case when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE:

S. 883. A bill to amend the Mineral Leasing Act of 1920 in order to authorize geothermal steam leases under the provisions of such act; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (by request):

S. 884. A bill to authorize the Secretary of the Interior to acquire through exchange the Great Falls property in the State of Virginia for administration in connection with the George Washington Memorial Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

S. 885. A bill to authorize hunting under certain conditions in that part of Dinosaur National Monument situated in the State of Utah; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS (by request):

S. 886. A bill to amend section 277 of title 10, United States Code, to provide commissary and other privileges for retired civil service employees and their wives or widows, and veterans on pensions or compensation and their wives or widows; to the Committee on Armed Services.

By Mr. COTTON:

S. 887. A bill to authorize establishment of the Saint-Gaudens National Historic Site, New Hampshire, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 888. A bill for the relief of Sofia Mitropoulos; to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 889. A bill for the relief of Edward T. Paca; to the Committee on the Judiciary.

By Mr. DODD:

S. 890. A bill for the relief of Luka Pecarina; and

S. 891. A bill for the relief of Janina Huszcza; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 892. A bill to provide Federal grant assistance to the States for the construction of urgently needed public elementary and secondary school facilities in areas unable to finance such construction, and to provide loans for the construction of private nonprofit elementary and secondary school facilities; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. ROBERTSON:

S. 893. A bill to establish a National Medal to provide recognition for individuals who make outstanding contributions to the general welfare of the Nation; to the Committee on Banking and Currency.

(See the remarks of Mr. Robertson when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself, Mr. Randolph, Mr. Hart, Mr. Long of Missouri, and Mr. Williams of New Jersey):

S. 894. A bill to provide for Federal assistance on a combination grant and loan basis in order to improve patient care in public and other nonprofit hospitals and nursing homes through the modernization or replacement of those institutions which are structurally or functionally obsolete; and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 895. A bill for the relief of Southwestern Medical Foundation of Dallas, Tex.; to the Committee on Government Operations.

By Mr. EASTLAND:

S. 896. A bill for the relief of W. J. B. Daniel; to the Committee on the Judiciary.

By Mr. DIRKSEN:

S. 897. A bill for the relief of Jan Mrugala; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

IMPROVEMENT OF CONGRESSIONAL RECORD

Mr. CLARK submitted a concurrent resolution (S. Con. Res. 22) authorizing the Joint Committee on Printing to conduct a study of the Congressional Record with a view to improving its format, index, typography, and so forth, which was referred to the Committee on Rules and Administration.

(See the above concurrent resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

AMENDMENT OF INTERNAL REVENUE CODE TO MAKE ANNUAL GROUND RENT PAYMENTS DEDUCTIBLE FOR INCOME TAX PURPOSES

Mr. BREWSTER. Mr. President, on behalf of myself and the senior Senator from Maryland [Mr. Beall], I introduce, for appropriate reference, a measure of great importance to property owners in the State of Maryland.

The measure I am introducing would, if enacted, amend the Internal Revenue Code to make annual ground rent payments deductible for income tax purposes in the same way in which interest on an indebtedness secured by a mortgage is deductible. Such a ruling had been in effect since 1921. Regulations of the Treasury Department, effective January 1, 1962, reversed this ruling to make payment of ground rents nondeductible.

There is no reason why home buyers in Maryland should receive smaller deductions for tax purposes with respect to payments made on their homes than is true of homeowners in other States. The intent of this proposed legislation is to correct this inequity with respect to the payer of ground rent. This proposed legislation is not intended to alter in any respect the status of the builder or the seller respecting tax liability for ground rents as established in *Ralph W. Simmers* (231 F. 2d 909, affirming 23 T.C. 869) and *Welsh Homes, Inc.* v. *Commissioner* (32 T.C. 239, affirmed 279 F. 2d 931).

The PRESIDING OFFICER (Mr. McIntyre in the chair). The bill will be received and appropriately referred.

The bill (S. 878) to amend the Internal Revenue Code to provide a deduction for payment of redeemable ground rents, introduced by Mr. Brewster (for himself and Mr. Beall), was received, read twice by its title, and referred to the Committee on Finance.

HOSPITAL INSURANCE ACT OF 1963

Mr. ANDERSON. Mr. President, I introduce, for appropriate reference, a bill to provide under the social security program for payment for hospital and related services to aged beneficiaries, entitled "The Hospital Insurance Act of 1963."

I ask unanimous consent that the bill be permitted to lie on the desk for 3 days so that Senators who wish, may join as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, I may say that in its present offering the following Members are cosponsors: Senators Humphrey, Bartlett, Burdick, Clark, Church, Douglas, Engle, Inouye, Jackson, Long of Missouri, Mansfield, McCarthy, McGee, McGovern, McIntyre, Metcalf, Moss, Muskie, Neuberger, Pastore, Pell, Randolph, Ribicoff, Williams of New Jersey, Yarborough, and Young of Ohio.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 880) to provide under the social security program for payment for hospital and related services to aged beneficiaries, introduced by Mr. Anderson (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

Mr. ANDERSON. Mr. President, the bill I have just introduced will be familiar to many Senators. It embodies the proposal made by the President in his message on the aging and is, with one major difference, the same as the amendment that I presented to the Senate last July and that received such strong support in this body. Like the earlier proposal, S. 880 would use the time-tested social security mechanism to provide protection for our senior citizens against the costs of hospital and related services. It contains provisions designed to encourage the use of the most economical and most readily available type of services that will satisfactorily meet the need. S. 880 again provides absolute assurances that the individual's free choice of hospital and physician will be preserved and that the Federal Government will not be supervising health care and health facilities nor interfering with the way that services are provided.

Mr. President, the Special Committee on Aging, under the fine direction of the senior Senator from Michigan [Mr. McNamara], recently completed an excellent summary of developments in problems of the aging over the last 4 years. That study contained the following concise statement of why the bill we are introducing today places the emphasis on hospital care:

> In particular, expenditures for hospital care have the greatest impact upon the finances of the elderly. While the time of hospitalization is unpredictable, the need for such care is inevitable. One in six of the 65-and-over population is hospitalized one or more times annually. Nine of every ten people aged 65 and over can expect to be hospitalized one or more times prior to death. The costs of hospital care are therefore of obvious and paramount concern. Hospital bills, the most expensive cost factor, are accumulated in the shortest period of time, are the least budgetable, and are the most disastrous to the financial well-being of older Americans.

The proposed legislation would provide basic hospital insurance protection to some 17½ million Americans aged 65 and over. The contributory hospital insurance program would be financed through a modest increase in social security taxes. I ask unanimous consent for the inclusion of a table at this point in the Record entitled "Social Security Contribution Rate and Amount of Contributions for an Employee Under Present Law and Under the Proposal."

There being no objection, the table was ordered to be printed in the Record, as follows:

Social security contribution rate and amount of contributions for an employee under present law and under the proposal

	Contribution rate (percent)	Yearly earnings				
		$2,400	$4,800	$5,200		
				Total	OASDI	Health insurance
1965:						
Under the proposal	3⅞	$93	$186	$201.50	$183.82	$17.68
Under present law	3⅝	87	174	174.00	174.00	
Increase	¼	6	12	27.50	9.82	17.68
1966-67:						
Under the proposal	4⅜	105	210	227.50	209.82	17.68
Under present law	4⅛	99	198	198.00	198.00	
Increase	¼	6	12	29.50	11.82	17.68
1968 and thereafter:						
Under the proposal	4⅞	117	234	253.50	235.82	17.68
Under present law	4⅝	111	222	222.00	222.00	
Increase	¼	6	12	31.50	13.82	17.68

Mr. ANDERSON. Mr. President, my bill would, like the measure considered by this body last year, provide the same protection for those aged people who are not eligible under the social security or railroad retirement systems and would finance such benefits directly from Federal general revenues. I ask unanimous consent for the inclusion at this point in the Record of a table entitled "Estimated Income and Outgo Under the Proposal."

There being no objection, the table was ordered to be printed in the Record, as follows:

Estimated income and expenditures under the proposal [1]

[In millions]

SOCIAL SECURITY

Calendar year	Tax income		Benefits and administrative expenditures	
	OASDI	Hospital insurance	OASDI	Hospital insurance
1965	$300	$1,430	$5	$1,040
1966	510	1,710	15	1,530

	Benefits and administrative expenditures [2]
1965	$220
1966	290

[1] Excludes contributions and expenditures under the railroad retirement system.

[2] Includes $100 million in 1965 and $190 million in 1966 that would be offset by reduced expenditures under the old-age assistance and medical assistance for the aged programs.

Mr. ANDERSON. Mr. President, the bill I am offering would not include the private insurance option that I accepted last year as part of my amendment to the welfare bill. Under that option a beneficiary could have elected coverage under a private plan instead of coverage under the Government plan. I thought of the option as an additional means for helping insurance companies supplement the basic payments provided in the plan and as a way to satisfy people who object to the Government handling hospital insurance bills. However, the insurance companies who previously opposed the plan have not found it better because of the option nor has it attracted support among social security contributors. Because the private insurance option increases administrative difficulties and costs, and because it has not had the support it was argued it would have, I have omitted it from the bill.

However, one feature of the option that I and many other people found attractive was the choice it gave to beneficiaries of the type of hospital benefit they could have. My bill increases the choices of hospitalization plans that they could have. Under my bill, a beneficiary could elect any one of three options: 54 days of hospital coverage with no deductible, 90 days with a modest deductible, or 180 days with but a slightly greater deductible. Thus, my proposal, while not paying the benefits through a private organization, would provide each beneficiary with a greater choice of plans tailored to meet his needs than was available in the plan voted upon last summer.

I ask unanimous consent that a brief summary and also detailed description of the bill that I have prepared be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. ANDERSON. Mr. President, the urgent need for Congress to take action on this proposal is clear cut. In his special message on aging the President pointed out the desperate plight of our aged people:

> In the last three decades, this Nation has made considerable progress in assuring our older citizens the security and dignity a lifetime of labor deserves. But "the last of life, for which the first was made" is still not a golden age for all our citizens. Too often, these years are filled with anxiety, illness, and even want. The basic statistics on income, housing, and health are both revealing and disturbing:
>
> The average annual income received by aged couples is half that of younger two-person families. Almost half of those over 65 living alone receive $1,000 or less a year, and three-fourths receive less than $3,000 a year. About half the spending units headed by persons over 65 have liquid assets of less than $1,000. Two-fifths have a total net worth, including their home, of less than $5,000. The main source of income for the great majority of those above 65 is one or more public benefit programs. Seven out of ten—12.5 million persons—now receive social security insurance payments, averaging about $76 a month for a retired worker, $66 for a widow, and $129 for an aged worker and wife. One out of eight—2¼ million people—are on public assistance, averaging about $60 per month per person, supplemented by medical care payments averaging about $15 a month.

Mr. President, the threat of crushing health costs in old age is a problem for which a solution is long overdue. We cannot rest our hopes for solution on existing laws, which fall far short of being even halfway answers; nor can we expect that private insurance plans, despite some commendable efforts, will adequately provide for even the majority of the elderly. This is because the aged generally have substantially less income to buy insurance protection and considerably greater need for hospital services than younger people. The highly regarded Survey Research Center of the University of Michigan, for example, recently completed a special study of consumer finances which highlights this situation of the aged with great clarity. I ask that a summary of the report be printed at this point in my remarks.

There being no objection, the summary was ordered to be printed in the Record, as follows:

> New and detailed data on the economic condition of the aged have been collected in the 1962 Survey of Consumer Finances, conducted by the Survey Research Center (SRC) of the University of Michigan.
>
> In view of current interest in the subject, the center has reported some comparisons between the financial situation of younger groups and that of spending units whose heads are 65 years of age or older in advance of the publication of the 1962 survey.

Among the older units (65 and over), 71 percent had a disposable income of less than $3,000 and 10 percent had more than $5,000 in 1961. (In the 55- to 64-year group, figures were 34 and 38 percent, respectively.)

Not only do older units have substantially lower incomes than younger ones, but low incomes are commonly temporary among younger families and permanent among the aged. On the other hand, the number of persons included in a spending unit (family or individual) decreases with age; therefore, the age differences in per capita income are smaller than in spending unit incomes.

Average income reaches its peak among those in their forties and declines slowly among those in their fifties and rapidly among people over 65. Average assets are highest in the 55- to 64-year age group and decline slightly among those over 65. Financial reserves are gradually accumulated over many years, and spending unit net worth also increases with age because of gradual repayment of mortgage debt on the part of homeowners.

The distribution of assets among the spending units 65 years and over is much more unequal than among younger units. The average asset data are greatly influenced by the small proportion of aged with sizable asset holdings. While the average assets of those 65 and older are similar to those 55 to 64 years old, 34 percent of the former have practically no liquid assets at all (less than $100 in bank deposits and bonds) as against 28 percent of the latter. Net worth data, including homeownership and investments and deducting debt, show that 23 percent of those 65 and over have net worth under $1,000 as against 14 percent in the 55- to 64-year group.

Consumer debt is less common among the aged than among middle aged or young people because the latter are much more frequent purchasers of automobiles and appliances.

Distribution of income and assets by age (percentage distribution of spending units)

	Age of head of spending unit			
	35 to 44	45 to 54	55 to 64	65 and over
Disposable income in 1961: [1]				
Under $3,000	14	22	34	71
$3,000 to $4,999	25	21	28	19
$5,000 to $7,499	33	27	22	4
$7,500 and over	28	30	16	6
Total	100	100	100	100
Liquid asset holdings early in 1962: [2]				
Under $100	36	31	28	34
$100 to $999	36	28	20	14
$1,000 to $4,999	22	26	36	27
$5,000 and over	6	15	16	25
Total	100	100	100	100
Net worth early in 1962: [3]				
Under $1,000	26	19	14	23
$1,000 to $4,999	21	15	17	14
$5,000 to $24,999	39	41	47	44
$25,000 and over	14	25	22	19
Total	100	100	100	100

[1] Spending unit annual income minus Federal income taxes.

[2] Deposits with banks, savings and loan associations, and credit unions, and U.S. Government savings bonds.

[3] Liquid assets plus investments in stocks and bonds, farm, livestock and equipment, other real estate, business, plus equity in owner-occupied home, minus debt. The most frequent assets are liquid assets and homeownership.

Forty-three percent of spending units over 65 reported having had what they called large medical expenses for doctors, nurses, and hospitals in 1961 against 36 percent in the 55–64 age group and 39 percent among all those between 35 and 64.

These data consider only aged people with some income, who form independent spending units. In addition, there are about 2 million aged individuals excluded from the tabulation because they have no income and form a part of the spending units of their children or other relatives. Many other older people are excluded because they live in institutions.

Altogether there are approximately 9½ million spending units in which the head is 65 years of age or older. A large proportion of the heads are widowed so that altogether heads and wives represent 14½ million people. Among these older spending units, those with relatively high income tend to have sizable assets, while those with low income tend to have small assets. It appears that there are close to 4.5 million spending units 65 and older who had a 1961 disposable income of less than $2,000 (including social security benefits). Forty percent of these units have practically no assets, and most of them have no medical insurance either.

Mr. ANDERSON. Mr. President, the Nation's health bill is increasing each year. In 1948 we were spending 4 percent of disposal personal income for private medical expenditures. Today it is 5.8 percent. Hospital costs have risen faster than any other item of medical care. In 1950 the cost to the hospital of providing the patient with a room was $15.23. Today it is $35, and every indication is that hospital costs will continue to rise.

I do not view these increasing costs of modern medical care as evidence that something is wrong. On the contrary, I see them as the result of major improvements in the practice of medicine, the development of complex and costly equipment, the need for more and better trained personnel to provide services and the extensive development and use of drugs and medicines. Of course someone must pay for all of these developments. The Federal Government has made large contributions in money, talent, and facilities to help make this improved medical care available to our people.

Most of the costs of medical care, however, must be met by the people who benefit from such care, and for many people these costs impose a heavy burden. In 1961 private consumers paid out $21.1 billion for medical care. Direct out-of-pocket payments amounted to $14.4 billion, with $5.7 billion paid by health insurance and another $1 billion being the cost of health insurance service. Health insurance has helped to make some of the more variable medical costs more budgetable, and thus helped to ease the financial burden imposed on individuals during a period of sickness, by spreading the risk more evenly over time and over more of the population. However, only half the aged have any health insurance coverage; and while often bought at high premiums, much of it is inadequate.

While such innovations as the New York and Connecticut 65 plans are welcome, only a relative small segment of the elderly population has been able to take advantage of these plans, and a large proportion of those who have enrolled were already covered under some other basic plan. The limited enrollment in these plans, even though they offer more per dollar of premium than did previous commercial insurance, is due to the fact that even nonprofit plans must charge the aged the cost of insuring them, and the cost of adequate insurance, even though nonprofit, is more than most of the aged can bear out of current income.

Programs like the New York and Connecticut 65 plans help those aged persons who have previously had less satisfactory protection but who have the financial resources to buy adequate insurance coverage; they do not benefit the vast majority of elderly, who have low incomes and meager assets.

Blue Cross plans for the aged, including the new ones recently introduced with great fanfare, reflect both the high cost of coverage for the aged and the inadequacy of the protection generally provided. Furthermore, some of the new Blue Cross plans require a health statement from the aged person applying for coverage; the great majority have waiting periods for preexisting conditions. Thus an applicant whose health history indicates that he may be a poor risk may be rejected, or he may find that a preexisting condition will deny him coverage when he needs it even though he has been paying a substantial premium—under eight of the Blue Cross plans premiums amount to more than $150 a year per person.

Mr. President, I noticed a newspaper story recently alleging that the Department of Health, Education, and Welfare was not keeping the public informed about the status of the Kerr-Mills law. This is, of course, inaccurate. Probably more has been written and spoken on the subject of this law than on any comparable piece of legislation. A large amount of material on medical assistance was included in the Department of Health, Education, and Welfare publication "The Health Care of the Aged." A comprehensive survey of the results of action the first year was provided to the Committee on Ways and Means on March 15, 1962, and published as a committee print, and this report contains a considerable amount of information about the many activities of the Department in connection with this program. Each month the Social Security Bulletin carries tabular material on payments and recipients. A monthly advance release of statistics is distributed widely—to State and local public welfare agencies and to all other interested parties. Many, many speeches, meetings, informal discussions, and administrative releases have been made to provide information on, and aid in the implementation of, this legislation.

The Department has, for example, been most helpful to me as I have investigated the problems involved in extending the Kerr-Mills program in my own State. Nor have I heard from a single Congressman, Governor, or welfare director who believes that he has been inadequately informed about the Kerr-Mills law by the Department. The information on Kerr-Mills is available, and I ask that the data on recipients and payments for November 1962—the most recent figures available on medical assistance for the aged—be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Medical assistance for the aged (MAA): Payments and recipients, November 1962

State	Total payments				Federal matching			Recipients		
	Amount	Percent	Cumulative percent	Average payment	Amount	Percent	Cumulative percent	Number	Percent	Rate per 1,000 aged [1]
Total	[2] $22,610,319	100.0	------------	$202.26	$11,586,002	100.0	------------	[3] 111,792	100.0	[4] 11.0
New York	6,935,036	30.7	30.7	228.09	3,467,518	29.9	29.9	30,405	27.2	17.2
California	5,479,972	24.2	54.9	298.83	2,739,986	23.6	53.6	18,338	16.4	12.5
Massachusetts	[2] 3,814,154	16.9	71.8	177.69	1,907,077	16.5	70.0	21,465	19.2	36.6
Michigan	1,891,903	8.4	80.1	340.39	945,952	8.2	78.2	5,558	5.0	8.2
Pennsylvania	1,326,969	5.9	86.0	243.21	663,484	5.7	83.9	5,456	4.9	4.7
Connecticut	[2] 956,413	4.2	90.2	212.30	478,206	4.1	88.1	4,505	4.0	17.7
Illinois	285,648	1.3	91.5	350.06	142,824	1.2	89.3	816	.7	.8
Maryland	238,446	1.1	92.6	40.22	119,223	1.0	90.3	5,928	5.3	24.9
Utah	206,034	.9	93.5	169.02	131,326	1.1	91.5	1,219	1.1	19.3
North Dakota	[2] 192,143	.8	94.3	[3] 212.31	139,188	1.2	92.7	[3] 905	.8	15.1
Idaho	169,894	.8	95.1	136.57	112,623	1.0	93.6	1,244	1.1	20.4
Washington	138,582	.6	95.7	165.97	69,291	.6	94.2	835	.7	2.9
West Virginia	130,452	.6	96.3	27.39	91,734	.8	95.0	4,763	4.3	27.4
Arkansas	111,214	.5	96.8	72.88	88,971	.8	95.8	1,526	1.4	7.7
Louisiana	100,881	.4	97.2	249.71	73,189	.6	96.4	404	.4	1.6
Oklahoma	100,386	.4	97.6	206.98	66,787	.6	97.0	485	.4	1.9
Hawaii	93,544	.4	98.1	221.14	49,934	.4	97.4	423	.4	14.1
South Carolina	70,989	.3	98.4	145.47	56,791	.5	97.9	488	.4	3.1
Oregon	68,375	.3	98.7	134.60	35,828	.3	98.2	508	.5	2.6
Maine	66,249	.3	99.0	253.83	44,122	.4	98.6	261	.2	2.4
Tennessee	58,448	.3	99.2	65.09	44,344	.4	99.0	898	.8	2.8
Kentucky	55,973	.2	99.5	18.70	42,299	.4	99.3	2,993	2.7	10.0
Puerto Rico	49,255	.2	99.7	31.98	24,628	.2	99.6	1,540	1.4	12.4
Alabama	42,269	.2	99.9	278.09	33,409	.3	99.9	152	.1	.6
Vermont	18,418	.1	100.0	328.89	12,353	.1	100.0	56	.1	1.3
New Hampshire	7,084	(5)	100.0	131.19	4,121	(5)	100.0	54	(5)	.8
Virgin Islands	1,495	(5)	100.0	3.12	748	(5)	100.0	479	.4	212.9
Guam	93	(5)	100.0	1.06	46	(5)	100.0	88	.1	88.0

[1] Based on preliminary population estimates by Social Security Administration as of July 1, 1962.

[2] Excludes money payments to recipients not subject to Federal matching: Connecticut, $257; Massachusetts, $96,855; North Dakota, $2,175.

[3] Includes an unknown number of persons who received money payments only, causing average vendor payment to be slightly understated.

[4] Based on States listed in this table. Rate including States not making MAA payments is 6.4 per 1,000 aged persons.

[5] Less than 0.05 percent.

NOTE.—Details may not add to totals due to independent rounding.

Mr. ANDERSON. Mr. President, regrettably, the data can show only that the States have been able to do far too little even for the most indigent aged.

The data show that about 31 percent of the payments were made in the State of New York, which had over 27 percent of the recipients. It should also be noted that three States—New York, California, and Massachusetts—account for nearly three-quarters of the money paid out under medical assistance for the aged, and nearly 63 percent of the aged recipients. The fact is that the three States which account for such a large portion of the medical assistance are among those with a history of interest in the welfare of their citizens and strongly favor both social security and assistance. Moreover, they have the financial capacity to provide assistance to their poverty-stricken residents, which form a relatively small group in these States. Yet the figures show medical assistance is a long way from being a national program. Nor does the information from the States indicate that even the States that have done most provide the medical care which their indigent aged require.

I ask unanimous consent, Mr. President, to include at this point in my remarks a comment I have had prepared on the medical assistance for the aged program in New York.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMMENT ON MEDICAL ASSISTANCE FOR THE AGED PROGRAM IN NEW YORK STATE

New York has been complimented on the State's medical assistance for the aged (MAA) program because of its superiority to the more limited programs in some States and the complete absence of MAA programs in many others. Since New York began to make MAA payments in April 1961, it has made over 42 percent of the total payments made in the United States since that time.

Of the total of almost 100,000 different cases opened under the MAA program in New York through September 1962 nearly 28 percent were those of persons transferred from the old-age assistance (OAA) rolls. A report issued by Governor Rockefeller's office in March 1962 pointed out that about 58 percent of the persons on the New York State MAA rolls in February either were transfers from OAA or would have been eligible for assistance in the absence of an MAA program. Assuming that about the same proportion of MAA recipients in November 1962 were cases which either had been transferred from OAA or were new cases who would have gone on the OAA rolls in the absence of an MAA program (and such an assumption seems reasonable since there was no material increase in the number of MAA recipients from February to November), currently only about 13,000 of the State's nearly 1.8 million aged persons actually benefit from the implementation of the new program in New York.

While it is undoubtedly true that the new program in New York State is meeting an important human need, there is a question as to the extent to which it meets the objective of preventing dependency resulting from aged persons' high medical care costs. For example, when the nature of the medical care of an applicant is such that it is not expected to continue or recur frequently, the income for 6 months plus net available cash is considered available to pay for such care. This amounts to applying a very large deductible in an assistance program. As a consequence, many older people with major and costly illnesses are found ineligible and are forced to exhaust all income and assets to pay their medical costs. Thus the MAA program does not serve in such cases to keep people off old age assistance rolls. In addition, there are a number of other factors that severely limit the effectiveness of the New York MAA program.

One is the relative responsibility requirement which New York, like many other States, includes in its eligibility standards. The provision that the spouse, children, and even parents are liable for payment of medical care insofar as they are found able to assist makes necessary the always difficult evaluation of needs and available resources in a second family. The problems inherent in a relative responsibility requirement are generally recognized. During a hearing in September 1961 on the New York MAA program, Raymond W. Houston, Commissioner of the New York State Department of Public Welfare, stated that when applicants "find that their children are going to receive inquiries as to their ability to help, some of the old people withdraw their applications." While many organizations, including the Medical Society of the State of New York, have recommended the elimination of the requirement, to do so would, as pointed out by Mr. Houston, "result in the accumulation of an enormous bill for the costs involved."

Another factor is the requirement under the New York MAA program for a lien to be imposed on the estate of a person after his death (or after the death of his surviving spouse). To many older people, the home represents the total savings of a lifetime of work, and the last remaining vestige of security and independence. To an aged person with medical needs, accepting a claim on his home is the same as obtaining a mortgage loan, but with the knowledge that repayment will not be made during his lifetime and that he must trust the State to sell his house and other possessions after his death. The incentive would be either to defer needed medical care or to sell the home himself in order to pay for care.

Still another limiting factor is the very small amount of the cash surrender value of life insurance ($500) which an eligible couple may retain. They are faced with a choice of liquidating all such insurance valued over $500 or remaining ineligible for MAA. Since the median face value of life insurance held by all aged OASI beneficiary couples in 1957 was $1,850, *it is clear that* in a wealthy State such as New York only a negligible proportion of the aged would be able to meet this MAA eligibility requirement without liquidating most of their life insurance.

The very fact that the New York program could be described in the previously mentioned report by the Governor's office as "the most extensive and most comprehensive of any State in the Nation" suggests that MAA programs are far from meeting the needs of the aged in the Nation as a whole.

With New York currently receiving about 30 percent of the Federal funds spent for MAA, it appears that States with much lower per capita income (where need might be expected to be greater) are receiving little or no Federal aid and taxes paid from all States in the Nation are flowing to New York.

Mr. **ANDERSON**. Mr. President, those of us who support the social security approach sincerely hope that it will not be necessary, as it was in the last Congress, to try to add the health insurance measure as the rider to a House-passed bill. We prefer to follow customary legislative procedure. There is a vast store of information on the medical economics of the aged and we stand willing to present our case before the proper committees of Congress.

I have had some small portion of the available statistical and analytical material on medical care of the aged included in my remarks as a step in the educational process that I believe must be continued if we are to deal intelligently with the problem of financing health care in old age. As a vital element in that process, I earnestly hope that the Finance Committee, to which my bill will be referred, will schedule early hearings. I do not believe that it is necessary to delay those hearings pending referral to the committee of a House-passed bill. It is difficult to accept as sincere arguments which call for full investigation and study by the appropriate committees of the Congress and at the same time insist that such investigation should be delayed—and not by pressure of more urgent tasks—until such time as will make it all but impossible to consider the proposal on the floor of Congress.

I would urge that the various interests involved in the health care debate put aside the antagonism of the past and proceed in good faith to work out a solution to a national problem.

Exhibit 1

Brief Summary of Proposed Hospital Insurance Act of 1963

PERSONS ENTITLED

Protection would be provided against the cost of inpatient hospital, outpatient hospital diagnostic, skilled nursing home, and home health services for people age 65 and over who are entitled to monthly benefits under the old-age and survivors insurance program or under the railroad retirement system. The number of people past 65 who would be included in this way is estimated at 15½ million as of January 1, 1965.

In addition, the bill would make it possible for essentially all people who are now 65 and over or who will reach 65 in the next few years but who are not eligible for social security or railroad retirement benefits to have the same protection. (This provision would not apply to aliens with relatively short residence in the United States or to active or *retired Federal employees who already have* the opportunity for protection under their own health insurance plans.) The cost of this provision would be met from general revenues. Men and women who will reach age 65 before 1967 and who do not meet the regular insured status requirements of the social security system would be deemed insured for the hospital and related benefits. Uninsured people who reach age 65 after 1966 would need, to be insured for hospital insurance protection, three quarters of coverage for each year elapsing after 1964 and before age 65. The provision would wash out in 1970 for women and 1972 for men, since in those years the number of quarters that would be required to qualify for hospital benefits would be the same as the number required for social security cash benefits. About 2½ million persons would be covered in this way as of January 1, 1965.

SCOPE AND DURATION OF BENEFITS PROVIDED

The services for which payment would be made under the bill include—

1. Inpatient hospital services for up to either 45 days with no deductible, 90 days with a deductible amount of $10 a day for the first 9 days (with a minimum of $20), or 180 days with a deductible amount equal to the average cost of 2½ days of hospital care, as elected by the beneficiary (failure to specifically elect the 45-day option or the 180-day option would be deemed an election of the 90-day option); hospital services would include all those customarily furnished by a hospital for its inpatients; payment would not be made for the hospital services or physicians except those in the fields of pathology, radiology, physical medicine, and anesthesiology provided by or under arrangements made by the hospital, or services provided by an intern or resident-in-training under an approved teaching program.

2. Skilled nursing home services furnished in nursing facilities that are affiliated with hospitals, after the patient is transferred from a hospital, for up to 180 days.

3. Outpatient hospital diagnostic services, as required, subject to a $20 deductible amount for diagnostic services furnished within a 30-day period.

4. Home health services for up to 240 visits during a calendar year; these services would include intermittent nursing care, therapy, and the part-time services of a home health aid.

No service would be covered as a nursing home, outpatient diagnostic, or home health service if it could not be covered as an inpatient hospital service.

An individual would be eligible for the number of days of hospital care provided under the option he elects and 180 days of skilled nursing facility services in each benefit period. A new benefit period could not begin until 90 days had elapsed in which the patient was neither in a hospital nor in a skilled nursing facility. The 90 days need not be consecutive, but they must fall within a period of not more than 180 consecutive days beginning with the start of his most recent benefit period.

The Secretary would be required to study, after consultation with appropriate professional organizations, ways of increasing the availability of skilled nursing facility care. On the basis of such study, the Secretary may authorize the participation of facilities which, though not affiliated with hospitals, operate under conditions assuring the provision of a good quality of care, provided such action does not create an actuarial imbalance in the trust fund.

FREE CHOICE OF PHYSICIAN AND HOSPITAL

Under the bill, no change would be made in the freedom of choice of physician and hospital. No service performed by any physician at either home or office, and no fee he charges for such services, would be involved or affected. No supervision or control over the practice of medicine by any physician or over the manner in which services are provided by any hospital is permitted.

BASIS OF REIMBURSEMENT

Payment of bills for hospital and related services would be made in generally the same manner as is now customary in Blue Cross plans. Payments to the providers of service would be made on the basis of the reasonable cost incurred in providing care for beneficiaries. The amount paid under the program would be payment in full for covered services, except, of course, that the provider could charge the patient the deductible amounts and extra charges for a private room, unless medically necessary, or private duty nursing.

ADMINISTRATION

Responsibility for administration of the program (except for railroad retirement annuitants and pensioners) would rest with the Secretary. Considerable reliance would be placed upon the States to assure that local conditions would be taken into account. The Secretary would consult with appropriate State agencies and recognized national accrediting bodies in formulating the conditions of participation for providers of service. Provision would be made for the establishment of an advisory council which would advise the Secretary on policy matters in connection with administration. In order to be eligible to participate in the program, providers of service would have to meet specified conditions to assure the health and safety of the beneficiaries, but those conditions could not be more strict than required for accreditation by the Joint Commission on Accreditation of Hospitals. Accreditation by the joint commission would be accepted as meeting all requirements for hospital participation save the requirement that it have a utilization review plan.

PARTICIPATION OF PRIVATE ORGANIZATIONS

Any group of hospitals—or group of other providers of covered services—could designate a private organization of their own choice, such as Blue Cross, to receive bills for services and to pay these bills for whichever of their members prefer such an arrangement. The Secretary would be able to delegate certain administrative functions of the program to such designated organizations. These administrative functions could include reviewing hospital fiscal records as a part of the determination of the cost of services, and acting as a center for communicating and interpreting payment procedures to hospitals.

OPTION TO INDIVIDUAL TO OBTAIN PRIVATE INSURANCE

The Secretary would be required to consult with and furnish assistance to providers, insurance carriers and public and private welfare organizations in order to encourage and help them to develop and make generally available to the aged supplementary private insurance protection.

FINANCING

The social security contribution rates would be increased one-fourth of 1 percent on employers and one-fourth of 1 percent on employees and four-tenths of 1 percent for the self-employed; the amount of annual earnings subject to the tax and creditable for social security monthly benefits would be increased from $4,800 to $5,200 a year. Raising the amount of earnings creditable for benefits would improve the benefit structure of the system generally and would also provide additional income which together with the income from the contribution rate increase would fully meet all the costs of the hospital insurance program. The cost of providing hospital and related benefits to people who do not meet the regular social security insured status requirements would be met from general revenues. A separate hospital insurance trust fund would be established for the program. The long-range cost of the program is estimated to be 0.68 percent of covered payroll, which is balanced by the estimated income from the new financing.

Exhibit 2

Description of Hospital Insurance Act of 1963

PROHIBITION AGAINST ANY FEDERAL INTERFERENCE

The bill specifically prohibits the Federal Government from exercising supervision or control over the practice of medicine, the manner in which medical services are provided and the administration or operation of medical facilities.

FREE CHOICE BY PATIENT GUARANTEED

The bill specifically provides that a beneficiary may receive services from any participating provider of his own choice.

ELIGIBILITY

The proposal is limited to coverage of the aged because the aged as a group have low incomes and high medical care expenses. Moreover, they are at a period in life where their incomes and assets are more likely to go down than up. Their income is, on the average, about half that of those under 65; at the same time they require three times the hospital care of younger people. Furthermore, since most aged people are not employed they have in general no opportunity to obtain economical group insurance. The individual or nongroup health insurance that may be available to them is often twice as expensive for the same benefits—because of higher acquisition cost, premium collection cost, and other administrative costs—as group insurance would be.

Under the bill, hospital insurance protection would be provided for all people who are aged 65 and over and entitled to monthly old-age or survivors insurance benefits or to benefits under the Railroad Retirement Act. An individual would be eligible for hospital insurance protection at age 65 even though his monthly cash benefits are being withheld because of earnings from work. In addition, protection would be provided, under a special provision of the plan, to many people aged 65 and over who are not eligible for benefits under the social security or railroad retirement systems.

Almost all of the more than 18 million people who will be age 65 and over in January 1965 would be protected under the proposal. The few not protected under the legislation would consist for the most part of retired Federal civilian employees, who have their own health insurance program, and aliens with relatively short residence in the United States. Of the people protected under the proposal, about 15½ million would be covered as persons eligible under the old-age and survivors insurance or railroad retirement programs and about 2½ million would be protected under the special provision.

Under the special provision, aged people who are not insured for cash benefits under the social security or railroad retirement systems would be deemed insured for hospital and related benefits only. Uninsured people who reach age 65 in 1967 would be deemed to be insured for hospital benefits if they had earned as few as six quarters of coverage in covered work at any time—nine fewer quarters of coverage than men of this age need to qualify for cash social security benefits.

For people who reach age 65 in each of the succeeding years, the number of quarters of coverage needed to be insured for hospital insurance protection would increase by three each year. For persons who attain age 65 after 1972, the special insured status requirements for hospital insurance would require as many or more quarters of coverage as the regular insured status requirements for other social security benefits, so that the new insured status requirement will soon "wash out."

The cost of the coverage for aged persons who do not meet the regular insured status requirement of the social security law would be met from general revenues. Thus, the provision of the same hospital benefits for persons who are not fully insured under the social security system would not be inconsistent with the principles upon which the system is based. Funds obtained through the application of social security contributions would be used only to pay benefits of those who have contributed over a sufficient length of time to acquire insured status, and over the long run only persons who make significant contributions would be eligible for benefits.

BENEFITS PROVIDED

The bill would provide payments for inpatient hospital services, followup care in a hospital-affiliated skilled nursing facility, certain organized home health agency services, and hospital outpatient diagnostic services.

Inpatient hospital services were selected as the point of concentration in the bill because of the great financial strain placed on people who must go to the hospital. Medical expenses for aged people who are hospitalized in a year are about five times greater than the annual medical bills of aged people who are not hospitalized, and hospital costs account for the major portion of the difference between the health bills of the hospitalized aged and those not hospitalized. Further, the occurrence of hospitalization one or more times in old age is to be expected. It is estimated that 9 out of every 10 people who reach age 65 will be hospitalized at least once before they die; 2 out of 3 will be hospitalized 2 or more times. Another reason for placing primary emphasis on protection against the cost of hospital care is that hospital insurance is the part of the protection against health costs on which there is the most experience in this country—through Blue Cross and other Government programs—with the result that adequate models for administration are available.

BENEFICIARY OPTION

Under the bill, payment would be made for up to 90 days of inpatient hospital services, subject to a deductible amount of $10 a day for up to 9 days (with a minimum of $20), unless the beneficiary exercises his option to receive inpatient hospital benefits for either (1) up to 45 days with no deductible, or (2) up to 180 days with a deductible amount equal to the average daily cost of 2½ days of hospital care.

The provision under which each beneficiary could choose among three alternative hospital benefit plans enables the beneficiary to select the plan which he thinks is best suited to his needs.

SERVICES FOR WHICH PAYMENT WOULD BE MADE

Hospital services

The proposed inpatient hospital benefits would (except for the deductible amount applicable under two of the beneficiary options) generally cover the full cost of all hospital services and supplies of the kind ordinarily furnished by the hospital which are necessary in the care and treatment of its patients. The full coverage follows the recommendations of the Commission on Financing of Hospital Care and other expert groups studying hospital insurance. As hospitals acquire new equipment, adopt new health practices, and improve their services and techniques, the additional operating costs resulting from such changes would automatically be covered under the proposal without need for modification. Thus, coverage would always be up to date. Furthermore, this built-in responsiveness to changing medical practices and needs would provide assurance that the program would provide the proper financial underpinning to improvements in care.

Skilled nursing facility services

The bill would provide payments for the cost of hospital-affiliated skilled nursing facility services in cases where a hospital inpatient is transferred to such a facility to continue to receive professionally supervised skilled nursing care (while under the care of a physician) needed in connection with a condition for which he had been hospitalized. The requirement that the patient have been transferred from a hospital is one of the measures included in the bill to limit the payment of nursing home benefits to persons who may reasonably be presumed to require continuing skilled nursing care and for whom the nursing facility provides an alternative to continued hospitalization.

Home health care services

Payments would be made for visiting nurse services and for other related home health services when furnished by a public or nonprofit agency in accordance with a plan for the patient's care that is established and periodically reviewed by a physician. Since the nature and extent of the care a patient would receive would be planned by a physician, medical supervision of the home health services furnished by paramedical personnel—such as nurses or physical therapists—would be assured.

Outpatient diagnostic services

In the case of outpatient hospital diagnostic services, payment could generally be made for any tests and related services that are customarily furnished by a hospital to its outpatients for the purpose of diagnostic study. Payment would only be made for the more expensive diagnostic procedures because a $20 deductible amount would be applied for each 30-day period during which diagnostic services are furnished.

Patient's need and economy served

The bill provides payments for skilled nursing facility care, home health agency services and hospital outpatient diagnostic studies in order to promote the economical use of hospital inpatient services. In doing so, the proposed legislation would support the efforts of the health professions to limit the use of hospital beds to the acutely ill who need intensive care and to make more efficient use of other health care facilities. Moreover, coverage of these services is consistent with the recommendations made by authorities who have studied the causes and effects of improper utilization of hospital care. For example, the availability of protection against the costs of outpatient hospital diagnostic tests would avoid providing an incentive to use inpatient hospital services in order to obtain coverage of the cost of diagnostic services. The availability of this protection would also give support to preventive medicine by meeting part of the costs of expensive procedures that are essential in the early detection of disease.

INCLUDED AND EXCLUDED SERVICES

Under the bill, payment would be limited to health services which are essential elements of the services provided by hospitals. Since the primary purpose of the proposal is to cover hospital costs and a major reason for the coverage of other services is to provide economical substitutes for hospitalization, the proposed legislation is framed to permit payment for skilled nursing facility, home health, and hospital outpatient diagnostic services only to the extent that they could be paid for if furnished to a hospital inpatient. Thus the outer limits on what the proposed program would pay for are set by the scope of inpatient hospital services for which payment could be made. Services covered outside the hospital are more limited than those in the hospital. Following is a description of the various services for which payment would be made under the bill.

Room and board

Payments would be made for room and board in hospital and skilled nursing facility accommodations. Generally speaking, accommodations for which payment would be made would consist of rooms containing from two to four beds. Covered accommodations are described by number of beds, rather than the frequently used designation of "semiprivate." The differences that exist among hospitals in the use of the term "semiprivate" would create an undesirable lack of uniformity of benefits provided.

Payments could also be made for more expensive accommodations where their use is medically indicated. Where private accommodations are furnished at the patient's request, the payments that woud be made would be the equivalent of the reasonable cost of accommodations containing two to four beds. Room and board would not, of course, be paid for where the beneficiary is receiving care under a home health plan.

Nursing services

Payments would cover all hospital nursing costs, but not private duty nursing. Private duty nursing would not be paid for since it can be expected that the nursing services regularly provided by hospitals and skilled nursing facilities which would participate in the program would almost always adequately meet the nursing needs of their patients.

Payments for home health services would only cover part-time or intermittent nursing care such as that provided by visiting nurses. Where more or less continuing skilled nursing care is needed, an institutional setting is more economical and generally more suitable.

Physicians' services

The cost of physicians' services would not be paid for under the proposal except for the services of hospital interns and residents-in-training, and for the professional component of certain specified ancillary hospital services described below under "Other Health Services."

The bill would cover the cost of the services that hospital interns and residents-in-training furnish but only while they are participants in teaching programs that are approved by the American Medical Association's Council on Medical Education and Hospitals. This coverage of the services of interns and residents is in agreement with the generally accepted principle of hospital payment that third parties should contribute a fair share toward the hospital costs—in large part consisting of educational costs—of interns and residents.

Drugs

Under the bill, payment could be made for drugs furnished to hospital and skilled nursing facility patients for their use while inpatients. The bill would provide payment for drugs which are approved by the hospital's pharmacy committee (or its equivalent) or which are listed in the "United States Pharmacopoeia," "National Formulary," "New and Non-Official Drugs," or "Accepted Dental Remedies." A hospital's drugs must, of course, meet the standards established by these formularies in order for the hospital to be accredited by the Joint Commission on Accreditation. Assurance of satisfactory control over drugs in nursing facilities is provided through the requirement that the nursing facility-hospital affiliation agreement include provision for standards on use of drugs.

The drugs prescribed for a patient as part of his home health care would not be paid for under the proposed program. The decision to exclude the cost of drugs from home health service payments is part of the more basic decision not to provide coverage of drug and other outpatient therapeutic costs under the program. The coverage of drugs outside the institutional setting would, of course, add greatly to the cost of the program and would present exceedingly difficult problems in limiting payment to needed drugs and covering the payment of a multitude of small bills without excessively cumbersome and expensive administration.

Supplies and appliances

Under the proposal, payment would be made for supplies and appliances so long as they are a necessary part of the covered health services a patient receives. For example, the use of a wheelchair, crutches, or prosthetic appliances could be paid for as part of hospital, nursing facility, or home health services but payments would not be made for the patient's use of these items upon discharge from the institution or upon completion of the home health plan. Extra items, supplied at the request of the patient for his convenience, such as telephones in hospitals, would not be paid for.

Medical social services

Payments would cover the cost of the medical social services customarily furnished in a hospital, as well as such services furnished in a skilled nursing facility or as part of a home health plan. Such services often perform the important function for the aged of facilitating a return to normal life at home.

Other health services

Payment would be made for the various ancillary services customarily furnished as a part of hospital care, including various laboratory services and X-ray services and use of hospital equipment and personnel. Among the covered services would also be physical, occupational, and speech therapy. Payment for ancillary services would cover the costs of services rendered by physicians in four specialty fields—anesthesiology, radiology, pathology and physiatry—where the physician furnishes his services to an inpatient as an employee of the hospital or where he furnishes them under an arrangement with the hospital which specifies that payment to the hospital for the services he performs discharges all liability for payment for the services. Thus, whether the services of any particular specialist are covered would depend entirely upon the arrangement between the physician and the hospital. The chart below lists the specific kinds of hospital and related care for which payments could be made and those which would not be covered.

LIMITATIONS ON PAYMENT

The bill includes a number of limitations on the payment of hospital and related benefits, primarily because of considerations of cost and priorities of need.

The deductible provisions and the other limitations on inpatient hospital and skilled nursing home payments would be applied on a "benefit period" basis. In general, the "benefit period" would coincide with the beneficiary's episode of illness. Under the proposal, the benefit period would begin with the first day in which the patient receives inpatient hospital services for which payments could be made and would end after the close of a 90-day period during which he was neither an inpatient in a hospital nor a skilled nursing home; the 90 days need not be consecutive, but they must fall within a period of not more than 180 consecutive days. This limitation is designed to provide a cutoff point in the payment of benefits for persons who are more or less continuously institutionalized persons without, however, denying payment for persons who suffer repeated episodes of serious illness.

Health services and supplies that could be paid for under the Hospital Insurance Act of 1963

	Inpatient hospital benefits	Skilled nursing facility benefits	Outpatient hospital diagnostic benefits	Home health agency benefits
Room and board	Coverage limited to bed and board in a 2-4 bedroom or in more expensive accommodations where medically required.		Not applicable	Not covered.
General duty nursing services	Covered (benefits would not cover private duty nursing)		do	Coverage limited to part-time or intermittent nursing care.
Physicians' services	Not covered except where furnished by an intern or resident in training in the course of an AMA-approved teaching program, or where the services are in the field of pathology, radiology, anesthesiology, and physical medicine and are rendered through the hospital. Services furnished in a nursing facility by interns and residents in training under an AMA-approved teaching program of the hospital with which the nursing facility is affiliated would be covered.			Not covered except where furnished by an intern or resident in the course of an AMA-approved hospital teaching program.
Physical, occupational, and speech therapy.	Covered		Not applicable	Covered.
Medical social services	do		do	Do.
Drugs	do		Not applicable (except as needed for diagnostic study).	Not covered.
Other services and supplies necessary to the health of the patient.	Covered if the hospital customarily furnishes them to its patients.	Covered if generally provided by skilled nursing facilities.	Covered if customarily furnished by the hospital to outpatients for the purpose of diagnostic study.	Medical supplies (other than drugs) and the use of appliances are covered. Also, to the extent permitted by regulations, part-time or intermittent services of a home health aid would be covered.

Duration of benefits

The maximum number of days of inpatient hospital care for which payment could be made during a benefit period would be 45, 90, or 180 days, depending on the combination of duration and deductible selected by the beneficiary. Since some patients need extended skilled nursing care after hospitalization, a maximum of 180 days of skilled nursing care is provided for each benefit period.

Under the proposal, as many as 240 home health visits could be paid for in a calendar year. The limitation placed on the payment of home health benefits is written in terms of "visits" rather than "days." Unlike the institutional patient, people receiving home health services do not receive health care on a full-time basis. Home health services involve periodic visits to the patient's home by therapists, nurses, and other professional personnel. The amount of home health service which is covered would be unaffected by whether a variety of services is offered on the same day or different days.

Deductible provisions

Beneficiaries who prefer first-dollar coverage could obtain such coverage by electing the 45-day option with no deductible. Those who would rather have protection against the costs of more extended stays and could budget for a modest deductible could choose the 90-day option or the 180-day option. Under the 90-day option the deductible amount would be $10 a day for up to 9 days (with a minimum of $20); under the 180-day option the deductible amount would be the average daily cost of 2½ days of hospital care.

A deductible amount of $20 is also applied against payments for diagnostic services furnished within a 30-day period primarily to reduce costs and to avoid processing a large volume of small claims. Thus the program provides protection against the cost of the more expensive procedures—not only the single expensive test but the series of tests in which costs add up to large amounts.

CONDITIONS FOR PARTICIPATION OF PROVIDERS OF HEALTH SERVICES

One of the keys to determining the nature of the health services which would be paid for under the proposal is the type of institution which may participate in the program. Therefore, the question as to what, for purposes of the proposed program, is a hospital, a skilled nursing facility, or a home health agency is of considerable significance. There are no universally accepted definitions of the various health facilities. The type of institution providing health services on which there is closest agreement on definition is, of course, the hospital. The definition of a health institution includes within it elements related to the quality and adequacy of the services which the institution provides. For example, one of the conditions an institution must meet to satisfy the American Hospital Association requirements for listing as a hospital—the same condition which would have to be met before an institution could participate under the program—is provision of 24-hour nursing service rendered or supervised by registered professional nurses. This is one of the characteristics that differentiates a hospital from other institutions; in addition, of course, an institution which does not meet this condition cannot offer adequate services as a hospital.

The bill therefore spells out the conditions that an institution must meet in order to participate in the program. These conditions offer some assurance that participating institutions have the facilities necessary for the provision of adequate care. Also, the inclusion of these conditions is a precautionary measure designed to prevent the program from having the effect of undercutting the efforts of the various professional accrediting organizations sponsored by the medical and hospital associations, Blue Cross plans, and State agencies to improve the quality of care in hospitals and nursing homes. To provide payments to institutions for services of quality lower than are now generally acceptable might provide an incentive to create low-quality institutions as well as an inducement for existing facilities to strive less hard to meet the requirements of other programs.

Specific conditions for participation of hospitals

An institution, to meet the definition of a hospital, must (a) be primarily engaged in providing diagnostic and therapeutic services or rehabilitation services, (b) maintain clinical records, (c) have bylaws in effect for its medical staff, (d) provide 24-hour nursing service rendered or supervised by registered professional nurses, (e) have in effect a hospital utilization review plan, and (f) be licensed or approved under the applicable local law. In addition, the institution must meet certain health and safety requirements to be established by the Secretary of Health, Education, and Welfare.

These specified conditions provide a basic definition of a hospital and embody minimum requirements of safety, sanitation, and quality. As such, they are fully in accord with the established principles and objectives of professional hospital organizations. The requirement that there be bylaws in effect for the hospital's medical staff—included at the specific suggestion of representatives of the American Hospital Association—is intended to assure that the hospital's staff of physicians would be organized in the professionally acceptable manner characteristic of most hospitals. Such a requirement would encourage the fullest contribution by medical staff to the operation of the hospital and to the quality of medical services furnished by the individual staff members.

Under the bill, hospitals accredited by the Joint Commission on Accreditation of Hospitals would be conclusively presumed to meet all the statutory conditions for participation, save that for utilization review. However, in the event the Joint Commission adopts a requirement for utilization review accredited hospitals could be presumed to meet all the statutory conditions. Linking the conditions for participation to the requirements of the Joint Commission provides assurance that only professionally established conditions would have to be met by providers of health services which seek to participate in the program.

Health and safety standards

Under the bill, the Secretary of Health, Education, and Welfare would have the authority to prescribe conditions in addition to those specifically listed (only, however, in the case of hospitals, to the extent that these conditions have been incorporated into the requirements of the Joint Commission on Accreditation of Hospitals) where such additional conditions are found to be necessary in the interest of the health and safety of beneficiaries. This authority is proposed because it would be inappropriate and unnecessary to include in a Federal law all of the precautions against fire hazards, contagion, etc., which should be required of institutions to make them safe. Payment for services in institutions where there are fire and health hazards could seriously undermine the efforts of State health departments and professional groups to eliminate dangerous conditions in health care institutions.

States could require higher standards

The national minimum conditions for participation by providers of health services could vary for different areas and classes of institutions. If a State decided, for example, that all nursing facilities within its jurisdiction should satisfy higher requirements than are stipulated for use generally in all States and requested that certain specified higher requirements be applied with respect to institutions within its jurisdiction, the Secretary of HEW would have the authority to apply these State rules in the Federal program. Thus the Federal program could support the States in their efforts to improve conditions in institutions. In no event, however, could the conditions for participation of hospitals go beyond those required for accreditation by the Joint Commission on Accreditation of Hospitals.

The States would have the function of applying the requirements for participation in the Federal program to the institutions within their jurisdictions. In this way, too, the States would have the opportunity to coordinate their current efforts in appraising the quality of institutions with functions which would be performed under the proposal.

The conditions for participation were framed so that medically supervised rehabilitation facilities could qualify either as hospitals or nursing facilities. Some rehabilitation facilities are for all intents and purposes hospitals and in fact some are licensed as hospitals. Others are more like skilled nursing facilities than hospitals in the extent of their medical supervision, staffing, and scope of service. An institution of either type, which conducts a program of rehabilitating disabled people, could participate in the program by meeting the conditions specified in the bill for a hospital or a nursing facility.

Mental and tuberculosis hospitals excluded

Under the bill, institutions providing care primarily for mental or tuberculosis patients are excluded from participation. The main reason for this exclusion is that most of these hospitals are public institutions and are supported by public funds. Nor did it seem reasonable to cover private but not public institutions. It should be kept in mind that the care provided by general hospitals to persons afflicted with mental disease or tuberculosis would be included. If a patient in a mental or tuberculosis institution were to go to a general hospital to receive care, the care would be paid for under the program.

Requirement for review of utilization of services

The hospital utilization review plan required for participation in the program must provide for a review of admissions, length of stays, and the medical necessity for services provided as well as the efficient use of services and facilities. Such a review of each admission of a beneficiary must be made within 1 week following the 21st day of each period of continuous hospitalization, and subsequently at such intervals as may be specified in regulations. In the event of an unfavorable finding the review group must notify the attending physician of its findings and provide an opportunity for consultation between the committee and the physician. The utilization review plan of a hospital would also be extended to include review of admissions and length of stays in a skilled nursing facility which is affiliated or under common control with the hospital.

These provisions with respect to utilization review mechanisms follow the kind of recommendations for utilization review that have been made by private study groups, State medical societies, and State agencies. The utilization review requirement in the bill provides that not only would hospital staff reviews meet the requirement but other physician review arrangements outside the hospital would be acceptable for purposes of the program as well. Furthermore, if and when the Joint Commission includes a utilization review requirement for accreditation,

accreditation by the Joint Commission could be accepted by the Secretary as sufficient evidence that the provider meets the requirements of the law.

Conditions for participation of nursing facilities

To meet the definition of a "skilled nursing facility" an institution (or a distinct part of an institution) must, in addition to being affiliated or under common control with a participating hospital, (a) primarily provide skilled nursing care for patients requiring planned medical or nursing care, or rehabilitation services, (b) have medical policies established by a professional group (including one or more physicians and one or more registered professional nurses) with a requirement that each patient be under a physician's care, (c) be under a physician's or registered nurse's supervision, (d) maintain clinical records, (e) provide 24-hour nursing services rendered or supervised by a registered professional nurse, (f) operate under the utilization review plan of the hospital with which it is affiliated, and (g) be licensed or otherwise be approved as required under applicable local law. Nursing facilities must also meet such conditions essential to health and safety as may be found necessary. Some institutions operating as nursing facilities are not engaged primarily in the furnishing of skilled nursing care for patients who require planned medical or nursing care but rather furnish primarily personal care. However, if a nursing or infirmary section were a distinct part of such a facility and were primarily engaged in providing skilled nursing care, and met the other conditions for participation, this section of the facility would be treated as a skilled nursing facility. Many hospitals, too, have long-term care wings which could participate as nursing facilities.

As in the case of hospitals, these conditions describe the essential elements necessary for an institutional setting in which adequate skilled nursing services are provided. Generally, institutions which provide skilled nursing services to patients who require continuing planned nursing care would be able to meet these conditions. While many existing nursing facilities could not meet these conditions because they generally provide, exclusively or primarily, domiciliary or custodial care and not skilled nursing care, the proposal would encourage such facilities to take the necessary steps to qualify.

Hospital-affiliation requirement

The requirement of hospital affiliation—intended to provide assurance that payment would be made, only to skilled nursing facilities having adequate medical supervision—will serve to encourage facilities to enter into arrangements which many experts in health care believe will have (and where attempted have had) success in improving the quality of their services. A facility would be deemed to be affiliated with a hospital if, by reason of a written agreement, (a) the facility operates under standards, with respect to its skilled nursing services, clinical records and use of drugs, which are jointly established by the hospital and the facility, (b) arrangements exist for timely transfer of patients, and (c) the hospital's utilization review plan applies in all respects to the services furnished by the facility.

Conditions for participation of home health agencies

To meet the definition of a home health agency an organization must (a) be a public agency or a nonprofit organization exempt from Federal taxation under section 501 of the Internal Revenue Code of 1954, (b) be primarily engaged in providing skilled nursing or other therapeutic services, (c) have medical policies established by a professional group (including one or more physicians and one or more registered professional nurses), (d) maintain clinical records, and (e) be licensed or approved under applicable local law. As in the case of hospitals and nursing homes, home health agencies would also have to meet further conditions to the extent they are found necessary in the interest of the health and safety of the patients.

Home health services covered

The conditions for participation of home health agencies are designed primarily to provide assurance that agencies participating in the program are basically suppliers of health services. The bill would cover visiting nurse organizations as well as agencies specifically established to provide a wide range of organized home health services. The provision of services under such agencies is now only in the initial stage of development. The services covered are based on the practices of the agencies now in existence which furnished a broad range of organized home health services which may be used as a substitute for continued hospital care. These agencies, while few and generally of recent origin, have established excellent records of operation so that it seems reasonable to expect new providers of services to adopt the pattern of organization found successful thus far. These home health service agencies offer primarily visiting nurse services but many offer other therapeutic services.

PAYMENT TO PROVIDERS

Under the bill, the provision for paying for covered services follow the recommendations of the American Hospital Association; that is, payments to providers of service would be made on the basis of the reasonable cost of services furnished. The Secretary would be authorized to develop a method or methods of determining costs and to provide for payment on a per diem, per unit, per capita, or other basis, as most appropriate under the circumstances. The principles for reimbursing hositals developed by the American Hospital Association provide a basis for determining how costs should be computed. However, since the elements of cost are, to some extent, different for different types of providers of health services—for example, hospitals as contrasted to skilled nursing facilities—a number of alternative methods of computing costs are permitted so that variations in practices may be taken into account. In computing reimbursement on a "reasonable cost" basis, the program would be following practices with respect to reasonable cost reimbursement already well established and accepted by hospitals in their dealings with other Federal and State programs and with Blue Cross.

EXCLUSION OF FEDERAL HOSPITALS

No payment would be made to a Federal hospital, except for emergency services, unless it is providing services to the public generally as a community hospital—a rare situation, but the exclusion of such institutions would be a hardship to beneficiaries in the localities involved. Also, payment would not be made to any provider for services it is obligated to render at public expense under Federal law or contract. The purpose of this exclusion is to assure that Federal hospitals would not be used to furnish care under the program as well as to avoid payment for services which are furnished under other Government programs to veterans, military personnel, etc. Furthermore, this exclusion would have the effect of reducing future need for Federal hospitals for veterans and retired members of the Armed Forces and place more emphasis on the use of voluntary hospitals for their care.

EMERGENCY SERVICES

Payment could be made to nonparticipating hospitals for emergency inpatient hospital services—or emergency outpatient diagnostic service—if the hospital agrees not to make any charges to the beneficiary with respect to the emergency services for which payment is provided. The proposal does not cover use of the emergency ward for outpatient purposes except where the diagnostic service provision, subject to the $20 deductible, applies.

AGREEMENTS BY PROVIDERS

Any eligible provider may participate in the proposed program if it files an agreement not to charge any beneficiary for covered services and to make adequate provision for refund of erroneous charges. Of course, a provider could bill a beneficiary for the amount of the deductible, and for the portion of the charge for expensive accommodations or services supplied at the patient's request and not paid for under the proposal.

An agreement may be terminated by either the provider of service or the Secretary of Health, Education, and Welfare. The Secretary may terminate an agreement only if the provider (a) does not comply with the provisions of law or the agreement, (b) is no longer eligible to participate, or (c) fails to provide data to determine benefit eligibility or costs of services or refuses access to financial records for verification of bills.

ADMINISTRATION

As in the case of other benefits under the social security system, overall responsibility for administration of the hospital and related benefits would rest with the Secretary of Health, Education, and Welfare. Similar responsibility for railroad retirement annuitants rests with the Railroad Retirement Board. Agreements by hospitals and other providers with the Secretary would be made on behalf of both the Secretary and the Board.

The bill provides for the establishment of an Advisory Council to advise the Secretary on administrative policy matters. The Advisory Council, appointed by the Secretary, would consist of a chairman and 13 members who are not otherwise employees of the Federal Government. To assure representation of the health professions, four or more members of the Advisory Council would be persons outstanding in hospital or other health activities.

The Secretary would also be required to consult with appropriate State agencies, national and State associations of providers of services, and recognized national accrediting bodies. These efforts would be especially oriented to the development of policies, operational procedures and administrative arrangements of mutual satisfaction to all parties interested in the program. This consultation at the local and national level would also provide additional assurance that varying conditions of local and national significance are taken into account.

ROLE OF THE STATES

Under the bill the Secretary is authorized to use State agencies to perform certain administrative functions. It is expected that the Secretary would exercise this authority fully, and it is believed that all States would be willing and able to assume these responsibilities. State agencies would be used in (a) determining whether and certifying to the Secretary that a provider meets conditions for participation in the program; and (b) rendering consultative services to providers to assist them in meeting the conditons for participation, in establishing and maintaining necessary fiscal records and in providing information necessary to derive operating costs so as to determine amounts to be paid for the provider's services.

State agencies would be reimbursed for the costs of activities they perform in the program. As in the cooperative arrangements with State agencies in the social security disability program, reimbursement to State agencies for hospital insurance benefits activities would meet the agency's related costs of administrative overhead as well as of staff. In recognition of the need for coordination of the various programs in the States that have to do with payment for health care, quality of care, and the distribution of health services and facilities, the Federal Government would pay a fair share of the State agency's costs attributable to planning and other efforts directed toward the coordination of the agency's activities under the proposed program.

What is contemplated in administration of the insurance program is a Federal-State relationship under which each governmental entity performs those functions for which it is best equipped and most appropriately suited. State governments license health facilities and State public health authorities generally inspect these facilities to determine whether they are conforming with the requirements of the State licensure law. In addition, State programs purchase care from providers of health services. On the basis of experience and function, State agencies would assist the Federal Government in determining which providers of health services conform to prescribed conditions for participation. Furthermore, where an institution or organization that has not yet qualified needs consultative services in order to determine what steps may be appropriately taken to permit qualification, such consultative services would be furnished by the State health or other appropriate State agency. Other types of consultative services closely related to conditions of the hospital benefits program or similarly related to State programs and requirements should logically be provided for or coordinated in the State agency. There may, of course, be situations where a State is unwilling or unable to perform some or all of these certifications and consultative services. In any such situation, the Secretary will have to make other provisions to carry on these activities.

ROLE OF PRIVATE ORGANIZATIONS

The bill would provide the opportunity for considerable participation by private organizations in the administration of the program. Groups of providers, or associations of providers on behalf of their members, would be permitted to designate a private organization to act as an intermediary between themselves and the Federal Government. The designated organization would determine the amounts of payments due upon presentation of provider bills and make such payments. In addition, such organizations could be authorized, to the extent the Secretary considers it advantageous, to perform other related functions such as auditing provider records and assisting in the application of utilization safeguards. Such activities are likely to prove advantageous where private organizations have developed experience and skill in these activities. The Government would provide advances of funds to such organizations for purposes of benefit payments and as a working fund for administrative expenses, subject to account and settlement on a cost-incurred basis.

The principle advantage hospitals and other providers of services would find in an arrangement of this sort would be that the policies and procedures of the Federal program would be applied by the same private organizations which administer the existing health insurance programs from which providers now receive payments. The participation of Blue Cross plans and similar third-party organizations would have advantages that go beyond the benefits derived from their experience in dealing with various types of providers of services. Such private organizations, serving as intermediaries between the Government and the providers, would reduce the concern expressed by some people that the Federal Government might try to interfere in hospital affairs.

OPTION TO INDIVIDUAL TO OBTAIN PRIVATE INSURANCE

A guiding principle in the formulation of the program is the desirability of encouraging private insurance to play the same complementary role to hospital insurance for the aged under social security that it has played under the retirement, death, and disability benefit provisions of the social security program. It was in part because of this principle that the decision was made to provide a program oriented toward meeting only the major costs of hospitalization. It was assumed that with social security providing basic protection of this form beneficiaries would obtain additional private supplementary protection and private carriers would seek to provide such protection. While the hospital insurance protection that would be provided by social security would be significant and substantial, it would not cover all of the health costs that are capable of being insured against.

Under the bill, therefore, the Secretary would be required to consult with and furnish assistance to providers of services, private insurance carriers, State agencies and other appropriate private and public organizations in order to encourage and help them to develop and make generally available to the aged supplementary private insurance protection.

FINANCING

To pay for the proposed hospital insurance benefits for persons under the social security system, the social security contribution rate would be increased by one-fourth of 1 percent each for employees and employers and four-tenths of 1 percent for the self-employed; the amount of earnings subject to contributions would be increased from $4,800 to $5,200 a year. The additional income to the program would be allocated for hospital insurance, except for that part of the income from the increased earnings base which would be allocated to pay for higher old-age, survivors, and disability insurance monthly benefits for persons earning over $4,800 a year. The amount of a social security benefit is based on the worker's average earnings covered under the program. With an increase in the covered earnings to $5,200, a worker's maximum monthly cash benefit would ultimately rise to $134 instead of $127 and the maximum family benefit to $268 instead of $254 as under present law.

The following examples illustrate the effect of the proposed changes in the contributions: A worker earning $2,400 a year would pay an additional $6 a year and a worker earning $4,800 an additional $12 a year. A worker earning $5,200 or more would pay an additional $27.50 a year, of which $17.68 would go for hospital insurance.

A corresponding increase would be made in the contribution rates under the Railroad Retirement Act to pay for the hospital insurance benefits for persons covered under that act. The cost of the benefits for persons not insured under the social security or railroad retirement systems would be borne by general revenue of the Treasury.

Separate trust fund

Under the proposal there would be a separate trust fund for the hospital insurance program, in addition to the present old-age and survivors insurance trust fund and the disability insurance trust fund. Under the proposed law, hospital insurance benefits could be paid only from the hospital insurance trust fund, just as under present law disability insurance benefits can be paid only from the disability insurance trust funds.

The income to the hospital insurance trust fund is estimated actuarially to meet the costs into the indefinite future. Estimated contribution income to the new trust fund for 1965 would total $1.4 billion and estimated expenses $1 billion. Payments made on behalf of persons who are not eligible for social security or railroad retirement benefits would not be made from the trust fund but directly from general revenue of the Treasury.

EFFECTIVE DATES

The increases in social security contribution rates and in the amount of annual earnings subject to contributions would take effect on January 1, 1965. Benefits would be payable for covered hospital and related health services furnished after that date, except for skilled nursing facility services, for which the effective date would be July 1, 1965.

CONCLUSION

Very properly there has been considerable interest in the effect that a social security hospital insurance program would have on the quality of medical care. A number of our Nation's leading physicians and educators believe that, to the extent that it would have any effect on medical care, the proposed program would lead to medical care of higher quality.

In a statement issued by the Physicians Committee for Health Care for the Aged Through Social Security, these doctors made the following points:

First, a health insurance program for the aged financed and administered through social security would greatly assist the aged to get better health care. The fear that a large hospital expense may be in the offing undoubtedly deters many older people from seeking needed care. Also, the patient's finances would be less a consideration in the physician's decision to advise hospitalization, post-hospital convalescence in a skilled nursing facility, home health services, or an expensive diagnostic series. By removing some of the economic deterrents to obtaining appropriate care, the measure would promote earlier utilization of health services.

Second, the measure would be an incentive to improvement in the quality of care provided by nursing homes. About 40 percent of nursing home beds have been classified by States as unacceptable on the basis of fire and health hazards. Many other nursing homes provide inadequate nursing care. With participation in the proposed health insurance program open only to skilled nursing facilities with a hospital affiliation, those participating would serve as much-needed models for the improvement of other nursing homes.

Third, the principle of free choice of institution would be made more meaningful, and continuous supervision of patient care by private physicians would be facilitated. The county hospital for indigents, with choice limited to county physicians, would no longer be the fate of many elderly people.

Finally, by paying for the full, reasonable cost of the covered hospital services the elderly receive, the proposed program would put hospitals on a much more solid financial footing and make improvements possible that the hospitals now cannot afford.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ANDERSON. I am happy to yield to the able Senator from New York.

Mr. JAVITS. First, before saying anything else, I should like to say that I have worked with many Senators and many Members of the House, but never with greater harmony, friendship, warmth, and understanding than I have with the very distinguished Senator from New Mexico in the matter of medicare for the aged.

I am not happy about the fact that the administration has put in its bill. I am pleased to know that the Senator is handling the matter again. I am not happy about the fact that we could not join in the administration's proposal, and had to put in our own bill.

I see no closed minds in this matter. I believe the difference on the option question is resolvable. I will certainly, as I did before, lend myself to any means to resolve it, because I think this measure is going to need every vote it can get. I deeply believe the margin may again be small, this time on our side, and therefore it is important to arrive at the agreed-on bill in the interest of the measure itself.

I should like to say to the Senator from New Mexico that, having now established our position, there is a medical task force which is working on this subject. It has already received a modest amount of financing, and with that establishment I had something to do. Its composition would satisfy anyone, being composed of doctors, hospital administrators, and former Secretaries of Health, Education, and Welfare.

I will do my utmost to accelerate the report to be submitted by this group. That report was expected to be submitted on April 1. Under the circumstances it might come sooner. I am hopeful that perhaps in this way we will find a way in which we can arrive at a meeting of minds on this subject.

I took the greatest of satisfaction in our agreement last year, and in the generosity with which the Senator from New Mexico allowed the bill to be designated by both our names.

I have every hope that we can find areas of agreement on what seems to be the one outstanding problem, namely, the private sector option.

As I have said before, and as the Senator from New Mexico has said also, I again pledge the Senate my own best efforts to accomplish that result.

Mr. ANDERSON. I very sincerely thank my distinguished friend from New York, and say to him, as I have said before, that I stand ready to work with him in every possible way, and that I expect this time to see a result brought about that will be satisfactory.

I say again that I hope the bill will be the subject of hearings before the Committee on Finance. The Senator knows that I made every effort to have hearings held on the previous bill in the last Congress. I hope to have hearings on the present bill in this session of Congress.

Out of those hearings I am sure there will come an understanding. We are prepared to try to do so again.

I commend the Senator for the endeavor to which he has referred, which I understand is called the National Committee on Health Care for the Aged. I have been represented at meetings of that committee. I know that the distinguished Senator from New York is trying very sincerely to make a worthwhile contribution to this cause, and I commend him for it publicly and privately. I appreciate tremendously the great help he has given.

Mr. JAVITS. I am grateful to the Senator from New Mexico.

DISCRIMINATION ON ACCOUNT OF SEX IN PAYMENT OF WAGES

Mr. CASE. Mr. President, since the mid-19th century, American women have made great strides in improving their status. Unfortunately, however, discrimination on the basis of sex still persists. Perhaps in no area does it show as sharply as in the differential in the wages paid men and the wages paid women.

According to the Department of Labor, there are 24½ million women in the current U.S. labor force. Of these, more than 21 million are unorganized and therefore not protected by collective bargaining. In the years 1955–60 the Department studies show that full-time women employees earn an average of less than two-thirds the amount earned by men. In 1960, the average wage for men came to $5,417; that for women to $3,293.

Of particular significance is the great disparity found by the Department in studies of some comparable positions. In Denver, for example, women bank tellers were paid $28 less a week than male tellers.

The effort to achieve equal pay for comparable work goes back many years. It has been Federal policy for the civil service since 1923. A number of States, including New Jersey, have enacted legislation supporting the principle. The principle of equal pay was endorsed by both Republican and Democratic Parties in their 1960 platforms. The Eisenhower administration supported equal pay legislation, and the Kennedy administration has endorsed the principle.

The bill I now send to the desk provides, I believe, a practicable way for eliminating a patently unfair practice. It would prevent differentials, based on sex, in wages "for work of comparable character on jobs the performance of which requires comparable skills." Excluded would be differentials in pay pursuant to a seniority or merit increase system which does not discriminate on the basis of sex.

The bill is identical with one being introduced today in the House by Mrs. Dwyer, Representative of the Sixth District of New Jersey. It is the same as the one she introduced in the last Congress, the substance of which was favorably reported from committee. Unfortunately, on the House floor the bill was weakened by an amendment changing the language from "work of comparable character" to "equal work." As the Secretary of Labor pointed out, the new wording would permit "one slight and trivial factor to justify a lower wage rate."

We have too long put off action in this field, Mr. President. I hope that in this Congress the Labor and Public Welfare Committee will give early consideration to the bill so that a measure can finally be enacted.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 882) to prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination, introduced by Mr. Case, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENT OF MINERAL LEASING ACT, RELATING TO GEOTHERMAL STEAM

Mr. BIBLE. Mr. President, I introduce, for proper reference, a bill to amend the Mineral Leasing Act of 1920. My bill will permit the Secretary of the Interior to lease the public lands of the United States for exploration and development of geothermal steam.

In the past years, considerable research has been accomplished in an effort to harness this great source of energy. Only recently was a breakthrough made, so that now we have in operation in Sonoma County, Calif., a steamplant which has a capacity of 12,500 kilowatts utilizing geothermal steam as an energy to generate this electricity. This cheap source of energy will indeed play a major part in further developing the western section of our country.

At the present time, development of this vast untapped source of energy is taking place on privately owned land. My bill thus authorizes the Secretary of the Interior to issue leases on the public domain, under regulations promulgated by him, to further develop and utilize this energy.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 883) to amend the Mineral Leasing Act of 1920 in order to authorize geothermal steam leases under the provisions of such act, introduced by Mr. Bible, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

HUNTING IN DINOSAUR NATIONAL PARK, UTAH

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to permit public hunting in the portion of Dinosaur National Monument which lies in the State of Utah.

This bill provides that the Secretary of the Interior, working through the National Park Service and the U.S. Fish and Wildlife Service, shall determine when wildlife within the Utah portion of the monument is too plentiful, and when reduction is necessary to prevent injury to the soil, plant life, or to any wild or domestic animals dependent on the land comprising such portion for sustenance.

To make such a determination, my bill provides that a survey shall be conducted each year between February 1 and April 1 by the technical and administrative personnel of the National Park Service and the U.S. Fish and Wildlife Service, in consultation with the Department of Fish and Game of the State of Utah. The results of each survey are to be reported to the Secretary of the Interior and made public.

If it is determined by the technical personnel of the two agencies of the Department of the Interior that wildlife is too plentiful and needs reducing, the Secretary of the Interior shall set dates for the hunt, determining the numbers of animals to be taken, in what area, and under what conditions and restrictions.

The bill then provides that the State of Utah shall license the hunters, restricting the number to those who would normally take the required number of animals. The bill establishes State assistance to the Park Service in policing the hunt, under regulations drafted for the purpose of protecting the scenic, scientific, and recreational features of the monument, and, of course, establishing all necessary precautions to safeguard human life.

I realize, Mr. President, that the National Park Service now has underway a study to determine the issue of hunting in national parks and monuments. I understand a panel of unbiased and expert persons was chosen for this study, and that their recommendations should be forthcoming soon. I sincerely hope that the panel will recommend limited public hunting in our parks and monuments, and outline specific methods for its management.

Meanwhile, I offer my bill, and the methods it outlines, for consideration. The national parks and monuments belong to all the people—they have been established for their enjoyment. Hunting, and particularly deer hunting, is a sport engaged in by a large segment of the American people. If, in the interests of the protection of soil, plant, and wildlife, it is determined that a given number of deer, elk, or other game animals should be removed, then the people who enjoy such sport should be allowed to participate in the removal of the animals, subject, of course, to regulations and adequate policing to protect the scenic, scientific, and recreational values of the area involved. I believe I have the support of the vast majority of our people in this stand, particularly the people of the Western States where annual vacations are built around the fall hunting season, which has become an important part of our way of life.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 885) to authorize hunting under certain conditions in that part of Dinosaur National Monument situated in the State of Utah, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

FEDERAL ASSISTANCE FOR SCHOOL CONSTRUCTION

Mr. SCOTT. Mr. President, today we are witnessing the greatest school building effort ever undertaken in this country. An average of about 70,000 classrooms have been built each year for the past 6 years—a great tribute to what State and local efforts can accomplish.

Nevertheless, an ever-growing school enrollment has made it difficult for some localities to overcome existing classroom shortages despite strenuous efforts on the part of State and local communities.

I had hoped that the administration's education proposal in the area of public elementary and secondary schools would place primary emphasis on assisting those school districts which have demonstrated the need for additional adequate classrooms and a proven financial inability to overcome that need. Instead, however, the administration recommends funds to be spent for a wide variety of subjects, some of which will not be enacted into law by the Congress. While funds are authorized for assisting school districts to prevent overcrowding, double shifts, and so forth, there is no requirement that the school district or the State establish lack of financial resources needed to overcome these conditions.

Mr. President, I am introducing today a bill to assist in the construction of urgently needed classrooms in financially constricted and economically depressed areas.

My bill would provide Federal assistance over a 3-year period to the States to make payments to local school districts. Payments will be made for the sole purpose of assisting local school districts to construct school facilities that are needed to relieve or prevent extreme overcrowding, double shifts, or unhealthy or hazardous conditions, where the district has endeavored to finance the construction of needed facilities but has been unable to do so on a reasonable basis. Only those school districts which satisfy these requirements will be eligible to receive payments under my bill.

In addition, my proposal would authorize a loan program for private nonprofit elementary and secondary schools to assist these schools in the construction of additional school facilities. The loans will be allotted among the States on the basis of the private nonprofit school enrollment in the State, and shall be made only to schools which do not, in fact, practice discrimination in entrance requirements.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 892) to provide Federal grant assistance to the States for the construction of urgently needed public elementary and secondary school facilities in areas unable to finance such construction, and to provide loans for the construction of private nonprofit elementary and secondary school facilities, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ESTABLISHMENT OF A NATIONAL MEDAL

Mr. ROBERTSON. Mr. President, I introduce, for appropriate reference, a bill to establish a National Medal. The bill would authorize the President to award no more than three gold National Medals a year to individuals who have made outstanding contributions to the general welfare of the United States. The President would make his selection upon the advice of a commission of five citizens appointed for this purpose. No individual could be considered for this medal when in active service of the Armed Forces of the United States, or when an officer or employee of the United States, or when eligible to receive the National Science Medal.

Our Armed Forces have a long history—going back to the very beginning of our country—of the granting of awards and medals to their members for exceptional service to our country in peace or in war. As a matter of fact, it is interesting to note that this is the centennial year for the Army's highest decoration, the Army Medal of Honor.

In 1954 Congress passed the Government Employees' Incentive Awards Act, which provides for awards for outstanding service by civilian officers and employees of the Government. The highest honor under this act is the President's Award. This award stands at the top of the Government's system for granting awards to its civilian employees for special efforts significantly above and beyond the requirements of their position.

In 1962, the President's Award was granted to J. Stanley Baughman, president, Federal National Mortgage Association; Robert R. Gilruth, Director, Manned Spacecraft Center, National Aeronautics and Space Administration; Dr. Donald E. Gregg, Chief, Department of Cardiorespiratory Diseases, Walter Reed Army Institute of Research; Dr. Frances O. Kelsey, Medical Officer, Food and Drug Administration; Waldo K. Lyon, Head, Submarine and Arctic Research Branch, U.S. Navy Electronics Laboratory, San Diego, Calif.; and Llewellyn E. Thompson, Jr., Ambassador to Russia, Department of State.

In 1959, the Congress established a National Medal of Science. This medal is granted for outstanding contributions to knowledge in the physical, biological, mathematical, and engineering sciences.

On Tuesday, February 19, 1963, the President granted the first award under this act to Theodore von Karman. At the present time Mr. von Karman is chairman of the Aerojet-General Corp. and Chairman of the NATO Advisory Group for aeronautical research and development.

I believe that the awards available to members of the Armed Forces, to civil officers and employees of the Government, and to scientists provide adequate governmental recognition for outstanding accomplishments by the individuals who qualify. However, important services of immense benefit to our country are performed by persons who are not eligible to receive these particular awards. I think this gap should be filled. This bill will provide a means whereby we can show our appreciation to those who have made exceptional contributions to the Nation, and who might otherwise go unrewarded.

By providing for statutory methods of awarding medals to all citizens, awards to the military, awards to Government employees, awards to scientists, and awards to other persons who have made outstanding contributions, we shall have eliminated the need for individual bills for individual medals. Later Congresses would not, of course, be precluded from enacting individual medal bills. However, it would not be necessary for the Congress to do so; and it would certainly be my intention to refer all proposals for individual medals to the various commissions established under general statutes.

I ask unanimous consent that the text of the bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 893) to establish a National Medal to provide recognition for individuals who make outstanding contributions to the general welfare of the Nation, introduced by Mr. Robertson, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a gold National Medal (hereinafter referred to as the "medal"), which shall be of such design and bear such inscriptions as the President, on the basis of recommendations submitted by the Secretary of the Treasury, may prescribe, and shall be awarded as provided in section 2 of this Act.

Sec. 2. (a) There is hereby created a National Medal Advisory Commission (hereinafter referred to as the "commission"), consisting of five outstanding citizens to be selected by the President and who shall receive $75 per diem plus actual expenses while engaged in the work of the commission.

(b) The President shall from time to time award the medal, on the basis of recommendations received by the Commission or on the basis of such other information and evidence as he deems appropriate, to individuals who in his judgment are deserving of special recognition by reason of their outstanding contributions to the general welfare of the Nation. However, no person shall be eligible for consideration for the award of the medal who (1) is a member of the Armed Forces of the United States and is eligible to receive awards for outstanding military accomplishments, (2) is an officer or employee of the Government of the United States and is eligible to receive an award under the Government Employees' Incentive Awards Act of 1954 (68 Stat. 1112), or (3) is eligible to receive the National Medal of Science under the Act of August 25, 1959 (73 Stat. 431).

(c) Not more than three individuals shall be awarded the medal in any one calendar year.

(d) No individual shall be awarded the medal unless at the time such award is made he—

(1) is a citizen or other national of the United States; or

(2) is an alien lawfully admitted to the United States for permanent residence who (A) has filed an application for petition for naturalization in the manner prescribed by section 334(b) of the Immigration and Nationality Act, and (B) is not permanently ineligible to become a citizen of the United States.

(e) The presentation of the awards shall be made by the President with such ceremonies as he may deem appropriate.

Sec. 3. (a) Each medal shall be struck by the Bureau of the Mint and shall be considered a national medal under section 368 of title 31 of the United States Code and shall result in a cost of no more than $3,000 to the United States. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

(b) The Secretary of the Treasury is authorized and directed, under such regulations as he may prescribe, to cause duplicates in bronze of each medal awarded under this Act to be struck and sold at a price sufficient to cover the cost thereof (including labor). The proceeds of the sale of such bronze medals shall be reimbursed to the appropriation then current for the expenditure of the Bureau of the Mint chargeable for the cost of the manufacture of medals.

HOSPITAL MODERNIZATION ACT

Mr. CLARK. Mr. President, on behalf of myself and Senators Randolph, Hart, Long of Missouri, and Williams of New Jersey, I introduce for appropriate reference, a bill to establish a 4-year combination matching grant and loan program to help finance modernization and replacement projects by certain public and private nonprofit hospitals and nursing homes.

In most metropolitan areas today, modernization rather than new bed construction, is the principal health facilities need. A nationwide survey by the Public Health Service in 1960 indicated a cost for needed modernization and replacement of $3.6 billion.

As President Kennedy indicated in his health message to Congress on February 7, the Public Health Service estimate of the backlog of modernization needs amounts to more than three times the present annual level of construction expenditures for all health facilities. The President went on to say:

> Because of the priority it gives to projects which increase the total number of beds, particularly in rural areas, the Hill-Burton Act, as presently constituted cannot meet this vast need for modernization and replacement.

In Pennsylvania alone, the backlog of obsolescence in hospital facilities has been estimated at $215 million, including $35,300,000 in Pittsburgh and $34,100,000 in Philadelphia. A 1962 report prepared for the Philadelphia-South Jersey Metropolitan Area Hospital Survey Committee stated:

> Taking the [Philadelphia] metropolitan area as a whole, there is no shortage of general short-term hospital beds, but * * * the beds are poorly distributed (and) 26 percent of the beds are in buildings that are unsafe, obsolete, or both.

Since World War II, great emphasis has been placed under the successful Hill-Burton program on hospital construction of new beds. Most prewar hospitals were in urban areas, so Federal assistance under the existing program has been focused largely on rural shortages; and in these areas, admirable progress has been made. In the meantime, however, functional obsolescence has overtaken an alarmingly high percentage of urban hospitals and nursing homes, most of which were constructed long before the war. This bill will help the States and local communities to start modernizing their health facilities.

Mr. President, the bill would authorize for a 4-year period the Surgeon General, acting through the State Hill-Burton agencies, to make first, grants, up to 50 percent of the cost of qualified modernization projects, and/or second, loans instead of grants or to supplement authorized grants, provided the total Federal share did not exceed 80 percent of the cost of the project. The grants would be authorized in amounts up to $100 million a year, and the loan fund would not exceed $100 million at any time.

In addition, the bill would provide assistance for the development of comprehensive regional health facilities plans not exceeding $5 million a year.

Extensive comment and advice has been received from the Public Health Service, the American Hospital Association, the State Hill-Burton agencies, and the American Municipal Association in the preparation of the hospital modernization proposal.

Mr. President, I ask unanimous consent that the bill lie at the desk for 1 week for additional sponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. I also ask unanimous consent that the text of the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 894) to provide for Federal assistance on a combination grant and loan basis in order to improve patient care in public and other nonprofit hospitals and nursing homes through the modernization or replacement of those institutions which are structurally or functionally obsolete; and for other purposes, introduced by Mr. Clark (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Hospital Modernization Act."

FINDINGS

Sec. 2. (a) The grants for hospital construction authorized by title VI of the Public Health Service Act have resulted, through the assistance and stimulation given to the States and localities, in the construction of many greatly needed hospitals throughout the Nation. In accordance with the purpose of that title, federally aided hospital construction has in the main been construction of new beds in areas suffering from a total lack or an acute shortage of hospital facilities. The geographic distribution of hospital beds is now far better than it was when the Hospital Survey and Construction Act was enacted. Because of the rapid growth and changing distribution patterns of the population, however, there continues to be widespread need for construction of new hospital beds. In recent years, moreover, a further important need has developed in the growing obsolescence of many of the hospitals that were already in existence when the program of new construction was originally projected. Continued progress toward the declared congressional objective, the provision of adequate hospital facilities for the people of the Nation, now requires not only continuing and rapid addition to the number of hospital beds, but also the modernization, or where necessary the replacement, of many existing structures, in order (1) to improve patient care by increasing the adequacy of services, safety, and efficiency; (2) to keep the Nation's hospital plant functional in relation to evolving medical practice; and (3) to adapt the facilities to new hospital and related medical uses.

(b) There is throughout the country a grave shortage of nursing homes of high quality, a shortage which becomes ever more serious with the growth in the number of aged persons. Through grants for the construction of public and other nonprofit nursing homes, Congress has taken steps to increase the number of nursing home beds. But many of the older institutions are in serious need of modernization or replacement.

(c) The public and nonprofit institutions which are in need of modernization or replacement are generally unable to raise locally the substantial sums required otherwise than by borrowing, and though able to give adequate assurance of repayment, many are unwilling to borrow the necessary funds at commercial interest rates because of the substantial additional cost which would be imposed on their patients.

(d) With respect to new construction of public and other nonprofit health facilities, it is the policy of the Congress to provide the needed assistance in the form of capital grants. With respect to modernization or replacement of obsolete facilities, on the other hand, the established sources of income of the institutions make practicable and desirable a Federal program of grant and loan payments. Under such a program any payment may consist of a grant amounting to not more than half the cost of such modernization or replacement project, and/or a loan without a grant or to supplement a grant as long as the Federal share does not exceed 80 per centum of the cost of the project. The establishment of such a combination grant and loan program, as a corollary to the program of grants for new construction, is now essential to the orderly and balanced development of the Nation's health facilities.

AMENDMENT ADDING TITLE VIII TO THE PUBLIC HEALTH SERVICE ACT

SEC. 3. The Public Health Service Act (42 U.S.C., ch. 6A) is hereby amended by adding, immediately after title VII thereof, the following new title:

"TITLE VIII—GRANTS AND LOANS FOR MODERNIZATION OR REPLACEMENT OF HOSPITALS AND NURSING HOMES

"Declaration of purpose

"SEC. 801. The purpose of this title is to assist, through payments which consist of grants and/or loans in the modernization or replacement of public and other nonprofit hospitals and nursing homes which are necessary to the provision of adequate hospital and nursing home services to the people, but which are structurally or functionally obsolete.

"Definitions

"SEC. 802. As used in this title—

"(a) The term 'hospital' includes general, mental, chronic disease, and other types of hospitals, and related facilities, such as laboratories, out-patient departments, nurses' homes and training facilities, and central service facilities operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care;

"(b) The term 'nursing home' means a facility for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care, but who require skilled nursing care and related medical services—

"(1) which is operated in connection with a hospital; or

"(2) in which such nursing care and medical services are prescribed by, or are performed under the general direction of, persons licensed to practice medicine or surgery in the State;

"(c) The term 'public' means owned and operated by a political subdivision of a State or by an instrumentality of such a political subdivision, or by a State university or medical school, or by a State (in the case of general hospitals only);

"(d) The term 'nonprofit' means owned and operated by one or more nonprofit corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual;

"(e) The term 'modernization' means major repair (to the extent permitted in regulations), renovation, or remodeling of an existing structure, and includes equipment incident thereto, but does not include any expansion of the structure which increases bed capacity by more than 5 per centum;

"(f) The term 'replacement' means construction (as defined in section 631(h)) of a facility designed primarily, as determined pursuant to regulations prescribed under section 806(4), to serve the same needs as a facility or facilities which have been or will be closed, and does not include any construction to provide bed capacity of more than 105 per centum of the capacity of such closed facility or facilities;

"(g) The term 'State' includes Puerto Rico, Guam, the Virgin Islands, and the District of Columbia;

"(h) The term 'State agency' means the agency designated in accordance with section 623(a)(1);

"(i) The terms 'cost of construction' and 'title' shall have the meanings, respectively, prescribed in section 631 (i) and (j); and

"(j) The term 'Federal Hospital Council' means the Council appointed under section 633(b).

"Authorization of payments

"SEC. 803. The Surgeon General is authorized to make grant and/or loan payments for the modernization or replacement of public and other nonprofit hospitals or nursing homes which he finds are necessary for the provision of adequate hospital or nursing home services to the people of the respective States, but which are structurally or functionally obsolete (as determined in accordance with the regulations). As requested in the application and as determined by the Surgeon General to be necessary to carry out the purpose of this Act, any such payment may include or consist exclusively of a grant from funds appropriated pursuant to section 804 in an amount not to exceed 50 per centum of the cost of construction for such modernization or replacement, and may include or consist exclusively of a loan from funds obtained under section 805, amounting to part of such cost or part of the remaining portion of such cost, but in no event shall a payment consisting exclusively of a loan, or including a grant and a loan, exceed in amount 80 per centum of such cost.

"Authorization of grant funds

"SEC. 804. There is authorized to be appropriated for making grants under the provisions of this title the sum of $100,000,000 for the fiscal year beginning July 1, 1964, and the same sum for each of the three fiscal years thereafter.

"Authorization of loan funds

"SEC. 805. (a) In order to obtain funds for loans under this title, the Surgeon General may, on or after July 1, 1964, from time to time issue notes and obligations for purchase by the Secretary of the Treasury. The maximum aggregate principal amount of such notes and obligations outstanding at any one time shall not exceed the sum of $100,000,000.

"(b) Notes or other obligations issued by the Surgeon General under this section shall be in such forms and denominations, have such maturities, and be subject to such terms and conditions as may be prescribed by the Surgeon General, with the approval of the Secretary of the Treasury, and shall bear interest at a rate determined by the Secretary of the Treasury which shall be not less than the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the issuance by the Surgeon General and adjusted to the nearest one-eighth of 1 per centum. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations of the Surgeon General issued under this section and for such purpose is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of such notes and other obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public-debt transactions of the United States.

"(c) There are hereby authorized to be appropriated to the Surgeon General such sums as may be necessary, together with loan principal and interest payments made under this title, for payments on notes or other obligations issued by the Surgeon General under this section. Such principal and interest payments, if not necessary for such payments on notes or other obligations, shall be available for loans under this title.

"General regulations

"SEC. 806. The Surgeon General, after consultation with the Federal Hospital Council and with the approval of the Secretary, shall by regulation prescribe—

"(1) the method of allotting among the States grant and loan funds made available under this title for each fiscal year, on the basis of the population of the respective States, as determined on the basis of the latest figures certified by the Department of Commerce, and other factors which the Surgeon General finds pertinent, in such manner as to reflect so far as possible the relative need of the States for such funds for modernization and replacement of public and other nonprofit hospitals and nursing homes;

"(2) subject to the provisions of this title, the terms and conditions applicable to any funds loaned hereunder;

"(3) the general manner in which the State agency shall determine the priority of projects based on the relative degree of obsolescence of the various hospitals and nursing homes within the State which are in need of modernization or replacement, and the relative parts which such hospitals and nursing homes play in the provision of services to the people of the State and such other factors as the Surgeon General may by regulation prescribe;

"(4) criteria for determining whether a facility proposed to be constructed is designed primarily to serve the same needs as a facility or facilities which have been or will be closed, taking into account the population to be served and the general character of the services to be provided;

"(5) supplementation for application to replacement projects, and revision for application to modernization projects, of the regulations relating to standards for construction and equipment issued under section 622(e), and of the regulations supplementary thereto issued under section 653(a) with respect to nursing homes; and

"(6) supplementation and modification, for application to projects under this title, of (A) the regulations relating to nondiscrimination and to services to persons unable to pay therefor issued under section 622(f), with the modification that the exemption relating to separate facilities stated in clause (1) of such section shall not apply to projects under this title, (B) the regulations relating to methods of administration issued under section 622(g), and (C) the regulations suplementary thereto issued under section 653(a) with respect to nursing homes.

"State plans

"Sec. 807. (a) Any State desiring to take advantage of this title may submit, as a revision of or supplement to its hospital construction plan approved under section 623 (or such plan as extended to the construction of nursing homes under section 653), a plan for the modernization and replacement of hospitals, or of hospitals and nursing homes, which meet the conditions stated in section 801. Such plan must—

"(1) meet the requirements of section 623(a) other than paragraphs (4), (5), and (10) thereof (relating to the State hospital construction program, priorities of construction, and periodic review and modification of the construction program); and if the plan includes nursing homes, meet the requirements of section 653(a)(2) (relating to the conformity of the State nursing home construction program with regulations of the Surgeon General);

"(2) set forth a program of modernization and replacement of hospitals, or of hospitals and nursing homes, which (A) is based on a statewide survey of need and takes into consideration any areawide program developed in an area within (or partly within) the State and approved by the State agency, and (B) meets the requirements as to lack of discrimination on account of race, creed, or color, and for furnishing needed hospital services to persons unable to pay therefor, prescribed by regulations issued under section 622(f) as supplemented and modified for the purposes of this title as provided in section 806(6) above;

"(3) set forth, with respect to hospitals or with respect to hospitals and nursing homes, the relative need determined in accordance with regulations issued under section 806(3), for the several projects included in such program, and provide for carrying them out, insofar as the financial resources available therefor make possible, in the order of such relative need; and

"(4) provide that the State agency will from time to time, and in any event whenever an areawide program referred to in clause (2) has been developed and approved by the State agency, review its program and submit to the Surgeon General any modifications thereof which it considers necessary.

"(b) The Surgeon General shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

"Allotments to States of grant and loan funds

"Sec. 808. Each State shall be entitled for each fiscal year for which funds are authorized under this title to an allotment, determined in accordance with regulations issued under section 806(1), from the amounts made available for that fiscal year pursuant to section 804 and section 805. The Surgeon General shall notify each State agency, as promptly as possible after funds for a fiscal year are made available under each such section, of the amount of the State's allotment of the funds provided pursuant to such section, but no payment shall be made out of the allotment of a State until a State plan under section 807(a) has been submitted by such State and approved by the Surgeon General. Sums allotted to a State under this title for a fiscal year and remaining unobligated at the end of such year shall remain available to such State for the same purposes for the next fiscal year (and for such year only), in addition to the sums allotted for such State for such next fiscal year.

"Applications for and approval of payments

"Sec. 809. (a) An application for a payment under this title shall be submitted, by a public or other nonprofit agency, to the Surgeon General through the State agency. If two or more public or other nonprofit agencies join in the project, the application may be filed by one or more of such agencies.

"(b) The application shall set forth (1) a description of the project, including a description of the site of the project; (2) plans and specifications for the project which are in accord with regulations as revised and supplemented under section 806(5); (3) reasonable assurance that title to the site of the project, and to any structure thereon, is or will be vested in one or more of the agencies filing the application, or in a public or other nonprofit agency which is to operate the hospital or nursing home; (4) the amount, if any, requested as a loan under the provisions of this title; (5) reasonble assurance that any financial support needed, in addition to that furnished under the provisions of this title, will be available for carrying out the project, and that adequate financial support will be available for maintenance and operation when completed, and for payment of interest and repayment of principal of any funds loaned, in accordance with the terms of the loan; (6) reasonable assurance that the operation will be in compliance with applicable State standards for operation and maintenance, and with regulations as supplemented and modified under section 806(6) relating to nondiscrimination and to services to persons unable to pay; (7) the estimated cost of the project; (8) assurance that no grant has been made for the same project under title VI, and that no application for such grant is pending; (9) if the project is one for replacement, satisfactory evidence, in accordance with regulations issued under section 806(4), that the facility to be constructed is designed primarily to serve the same needs as a facility or facilities which have been or will be closed; and (10) adequate assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction assisted by such payment will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), and will receive compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in the workweek, as the case may be. The Secretary of Labor shall have, with respect to the labor standards specified in paragraph (10) of this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(c) Each such application shall be accompanied by (1) a recommendation by the State agency of approval of the project, based on findings that the project meets the requirements of subsection (b) and that the estimated cost of construction is reasonable; and (2) a certification by the State agency that the application is in accordance with the State plan approved under section 807(b), that funds for the project are available from the State's allotments under this title, and that the project is entitled to priority over other projects within the State in accordance with regulations issued under section 806(3).

"(d) The Surgeon General shall approve such application if sufficient funds to pay the Federal share of the cost of the project are available from the allotment to the State, and if the Surgeon General (A) finds that the application contains reasonable assurance as to title, financial support, and payment of prevailing rates of wages; (B) finds that the application is in conformity with the State plan approved under section 807 of this title and contains an assurance that in the operation of the hospital or nursing home there will be compliance with the applicable requirements of the State plan and of the regulations prescribed under section 806(6) of this title; and (C) concurs in the findings and certification by the State agency under subsection (c). No application shall be disapproved because of disagreement with the findings or certification of the State agency until the Surgeon General has afforded the State agency an opportunity for a hearing.

"(e) Amendment of any approved application shall be subject to approval in the same manner as an original application.

"Payments

"Sec. 810. (a) Whenever an application has been approved under section 809(d), the Surgeon General is authorized to make a payment to the applicant in accordance with the provisions of this title. Any loan or portion of such payment which is a loan shall (1) bear interest at a rate not less than the rate arrived at by adding one-quarter of 1 per centum per annum to the rate which the Secretary of the Treasury determines to be equal to the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date the application for the loan is approved and by adjusting the result so obtained to the nearest one-eighth of 1 per centum, and (2) subject to the provisions of regulations issued under section 806(2), shall be secured in such manner (if any) and repaid in such installments and within such period, not exceeding forty years, as the Surgeon General may determine. Subject to the provisions of this subsection and of such regulations, the amount of terms of a loan may be modified upon approval of an amendment of an application.

"(b) A grant or portion of a payment which is a grant under this title shall be made to the applicant in installments, each of which shall be paid upon certification by the State agency, based upon inspection by it, that work has been performed upon the project, or purchases have been made in accordance with the approved plans and specifications, and that an installment is due. A loan or portion of a payment which is a loan under this title shall be made to the applicant in such installments or in lump sum and in advance or otherwise as the Surgeon General may prescribe by regulations. If the Surgeon General, after investigation or otherwise, has ground to believe that a default has occurred requiring action pursuant to section 811(a) he may, upon giving notice of hearing pursuant to such subsection, withhold further advances pending action based on such hearing.

"(c) If, at any time before any loan or loan portion of a payment for a project has been repaid in full, any of the events specified in clause (A) or clause (B) of section 625(e) shall occur with respect to such project, the unpaid balance of the loan shall become immediately due and payable by the applicant, and any transferee of the facility shall be liable to the United States for such repayment to the same extent as the borrower. The provisions of section 625(e), relating to recovery of expenditures under certain conditions, shall apply in the case of any grant payment made under this title.

"Withholding of funds

"SEC. 811. (a) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the State agency designated in accordance with section 623(a)(1), finds (1) that the State agency is not complying substantially with the provisions required by section 807(a) to be contained in its plan, or (2) that any funds have been diverted from the purposes for which they were advanced, or (3) that any assurance given in an application filed under section 809 is not being or cannot be carried out, or (4) that there is a substantial failure to carry out plans and specifications approved by the Surgeon General under section 809, or (5) that adequate State funds are not being provided annually for the direct administration of the State plan, the Surgeon General may withhold further advances from all projects in the State, or from any project or projects affected by the default as he may determine to be appropriate under the circumstances, until the default has been corrected; and if it is not corrected he shall reduce, by the proper amount, the Federal share of the cost of the project affected by the withholding.

"(b) The provisions of section 632(b), relating to judicial review of action by the Surgeon General under section 632(a), shall be applicable to action by him under subsection (a) of this section.

"Administration; general provisions

"SEC. 812. (a) In administering this title the Surgeon General shall consult with the Federal Hospital Council. He is authorized to make such administrative regulations and perform such other functions as he finds necessary to carry out the provisions of this title. Any such regulations shall be subject to the approval of the Secretary.

"(b) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Surgeon General notwithstanding the provisions of any other law, shall maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required: *Provided,* That such financial transactions of the Surgeon General as the making of loans and vouchers approved by the Surgeon General in connection with such financial transactions shall be final and conclusive upon all officers of the Government.

"(c) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Surgeon General notwithstanding the provisions of any other law, may—

"(1) sue and be sued;

"(2) foreclose on any property or commence any action to protect or enforce any right conferred upon him by any law, contract, or other agreement, and bid for and purchase at any foreclosure or any other sale any property in connection with which he has made a payment pursuant to this title, and in the event of any such acquisition, the Surgeon General may, notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, complete, administer, remodel and convert, dispose of, lease and otherwise deal with, such property: *Provided,* That any such acquisition of real property shall not deprive any State or political subdivision thereof of its civil or criminal jurisdiction in and over such property or impair the civil rights under the State or local laws of the inhabitants on such property;

"(3) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any real property so acquired or owned;

"(4) sell or exchange at public or private sale, or lease, real or personal property, and sell or exchange any securities or obligations, upon such terms as he may fix;

"(5) obtain insurance against loss in connection with property and other assets held;

"(6) subject to the specific limitations in this title, consent to the modification, with respect to the time of payment of any installment of principal or interest, security, or any other term of any loan under this title, of any contract or agreement to which he is a party or which has been transferred to him pursuant to this title; and

"(7) include in any contract or instrument made pursuant to this title such other covenants, conditions, or provisions as he may deem necessary to assure that the purposes of this title will be achieved.

"(d) Section 3709 of the Revised Statutes shall not apply to any contract for services or supplies on account of any property acquired pursuant to this title if the amount of such contract does not exceed $1,000.

"(e) In administering this title, the Surgeon General, with the approval of the Secretary, is authorized to utilize the services and facilities of any executive department or agency in accordance with an agreement with the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon between the Secretary and the head of the department or agency furnishing them.

"(f) Except as otherwise specifically provided, nothing in this title shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any hospital or nursing home with respect to which any funds have been or may be expended under this title.

"Assistance in area planning

"SEC. 813. (a) In order to carry out more effectively his duties under the Public Health Service Act, the Surgeon General may make grants-in-aid on such terms and conditions and in such installments, and in advance or otherwise as he may determine, to States, political subdivisions, universities, hospitals, and other public and private nonprofit institutions or organizations, to assist in developing and publicizing comprehensive regional, metropolitan or local area plans for coordination of hospitals, nursing homes, and other health facilities, provided that such grants may be made only for the development of plans specifically certified to be needed by a State agency or agencies.

"(b) There is authorized to be appropriated for the purpose of this section the sum of $5,000,000 for the fiscal year beginning July 1, 1963, and the same sum for each of the three fiscal years thereafter."

TECHNICAL AMENDMENTS

SEC. 4. (a) Section 1 of the Public Health Service Act is amended to read:

"SEC. 1. Titles I to VIII, inclusive, of this Act may be cited as the 'Public Health Service Act'."

(b) Section 625(a) of such Act (42 U.S.C. 291h(a)) is amended by inserting at the end thereof: "No application shall be approved for the same project for which a payment has been made under title VIII, or for which an application for such a payment is pending."

(c) Section 632(b)(3) of such Act (42 U.S.C. 291j(b)(3)) is amended by striking out "sections 239 and 240 of the Judicial Code, as amended" and inserting in lieu thereof: "section 1254 of title 28, United States Code".

(d) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title VIII (as in effect prior to the enactment of this Act) as title IX, and by renumbering sections 801 through 814 (as in effect prior to the enactment of this Act), and references thereto, as sections 901 through 914.

WATER RESOURCES AND WILDERNESS BILLS—ADDITIONAL COSPONSOR

Mr. ANDERSON. Mr. President, I ask unanimous consent that the name of the junior Senator from Maryland [Mr. BREWSTER] may be added as a cosponsor of Senate bill 2, the water resources bill, and Senate bill 4, the wilderness bill, when those measures are printed again.

The PRESIDING OFFICER. Without objection, it is so ordered.

PENALTIES FOR IMPORTATION OF CERTAIN DANGEROUS DRUGS—ADDITIONAL COSPONSOR OF BILL

Mr. DODD. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 742) to prescribe criminal penalties for bringing certain dangerous drugs into the United States for illegal sale or use, the name of the senior Senator from California [Mr. KUCHEL] be added as a sponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

DESIGNATION OF O'MAHONEY LAKE AND RECREATIONAL AREA—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. DIRKSEN. Mr. President, some time ago the distinguished Senator from Wyoming [Mr. MCGEE] introduced a joint resolution (S.J. Res. 17), which would name a lake in Wyoming after our late distinguished colleague, Senator O'Mahoney.

I ask unanimous consent that on the next printing of the joint resolution my name be appended to it.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION AND JOINT RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following concurrent resolution and joint resolution:

Authority of February 14, 1963:

S. Con. Res. 15. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia: Mr. MCINTYRE and Mr. SCOTT.

Authority of February 18, 1963:

S.J. Res. 47. Joint resolution authorizing the expression of appreciation and the issuance of a gold medal to Eddie Cantor: Mr. BREWSTER, Mr. ENGLE, Mr. INOUYE, Mr. KEATING, Mr. LONG of Missouri, and Mr. WILLIAMS of New Jersey.

NOTICE OF HEARING ON TRANSMISSION LINES ACROSS FEDERAL LANDS

Mr. JACKSON. Mr. President, I would like to announce at this time that hearings before the full Interior and Insular Affairs Committee on the proposed Government right-of-way policy for private transmission lines crossing Federal lands to be held on February 27 have been postponed.

This action has been taken because of advice received from the utilities that they expect to meet with Department officials to try to resolve the differences that have arisen as a result of the issuance of the order.

REPORTING IN VIETNAM

Mr. MANSFIELD. Mr. President, in the editorial section of the St. Louis Post-Dispatch of February 15, there appears an article, written by Richard Dudman, headed "Fault Found With Reporting in Vietnam." The article notes that spokesmen for the Department of State and, to some extent, those for the Department of Defense, have found occasion to criticize members of the press who are reporting the conflict in Vietnam.

Reporters have been criticized for being young and, hence, immature; and, on occasion, they have been criticized for being old and, hence, cantankerous. But, whether too young or too old, the gist of the criticism is that the reporters do not know what they are talking about, or, in any event, are biased on the side of gloom in reporting the Vietnamese conflict.

I do not know, Mr. President, what qualifies any executive branch employee to judge the maturity or immaturity of a member of the press. One might well ask what civil service procedure has certified the maturity of the judge, let alone his capacity to make such judgments of others.

The executive branch agencies can have their opinion of the reporters in Vietnam, as anyone can. But discretion and a sense of humility, in light of their own shortcomings, let alone a responsibility to sustain the work of a free press abroad for the benefit of the people of the United States, would counsel that these opinions be kept to themselves insofar as they involve Vietnam—and particularly at this time.

It so happens that American reporters in Vietnam and the Government of that nation have been having certain difficulties, to say the least. There have been expulsions; and the continuing threat of expulsion hangs over the entire press group, because of clashing concepts of the character of the press.

Mr. President, it was my privilege to meet most of the regular reporters in Saigon and to spend considerable time with them, on the occasion of my recent visit. I want to say that, as a group, these men were comparable to American reporters elsewhere in the world. They had the same objectivity, alertness, and appropriate skepticism of official handouts which are characteristic of American reporters everywhere. Some were younger and some were older; but they were neither too young nor too old to be disqualified for their difficult and responsible assignment. They report the conditions as they see them. They may report more accurately or less accurately; but I have no doubt that the correspondents are more rather than less accurate, to the extent that adequate access to the conditions is facilitated by those who control that access. Let me add that in view of the extent of our costly commitment to that situation, the American people are entitled to a large part of the facts on Vietnam.

To strive to provide such access to the facts is the function of the executive agencies, particularly of the Department of State. It is not the function of the executive branch of this Government to pass judgment on the maturity of reporters or the quality of their reports. That is the function of the press itself and, in the last analysis, the function of the people of the United States.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the article to which I have referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch, Feb. 15 1963]

FAULT FOUND WITH REPORTING IN VIETNAM—SOME U.S. OFFICIALS HAVE BEGUN TO CHARGE SLANTING

(By Richard Dudman)

WASHINGTON, February 15.—Some high administration officials have come to view the war in Vietnam as a problem in public relations.

They have begun blaming slanted reporting for the discrepancy between news reports of setbacks and difficulties, on the one hand, and a tide of victory these officials say is running in the jungle war, on the other.

State Department briefing officers used this line last week in discussing the southeast Asia situation with a group of visiting students from the University of North Carolina, it was learned.

They told the students that American reporters regularly assigned to Vietnam were young and immature, inclined to cover the war like a police beat assignment and unable to appreciate the subtleties of a complex political affair.

The reporters, they said, wrote too much about military defeats and disputes between American and Vietnamese officials and overlooked what the officials said was a trend toward victory by the government of President Ngo Dinh Diem and the American troops assisting him.

Other officials have used the same argument in private comments on the operations in Vietnam.

The same viewpoint, it is known, is held by Frederick E. Nolting, Jr., U.S. Ambassador to South Vietnam, and by some of his subordinates in the American mission in Saigon. Other members of the mission disagree, however, and feel that the current bad press reflects bad policies and inadequate performance.

A different explanation was given when officials did not like the reports of an older, more experienced reporter who was assigned to Vietnam for several months. They said in sympathetic tones that he was too old for the rough life of riding helicopters, walking through rice paddies, and sleeping in tents and that his understandable irritation colored his reporting. He was 54 years old.

A Defense Department announcement taking the same general line has attracted the critical attention of Senator KENNETH B. KEATING (Representative), of New York. It was in reply to a constituent's letter that he had forwarded to the Pentagon.

KEATING's constituent, the father of a soldier in Vietnam, said the United States seemed to be involved in a hot war there and seemed to be losing.

The Pentagon reply, signed by John E. Garland, director of special activities in the Office of the Assistant Secretary of Defense for Public Affairs, described the war in Vietnam as an "ambiguous, generally misunderstood struggle, where early decisive victories are not the prospect, where total costs will certainly be considerable, where American casualties are inevitable, and where reverses and divisive friction between Vietnamese and Americans are more newsworthy than slow, steady progress—even victory—and mutual concessions."

Garland summarized the situation by saying, "Communist guerrillas from Hanoi are engaged in trying to overthrow the legal government of the country."

Other authorities minimize present assistance from North Vietnam. Although Hanoi directs and encourages the guerrillas in South Vietnam, the Communist leaders there get most of their recruits from inside the country, these sources say. Weapons are largely made by the guerrillas or captured from the Americans or the South Vietnamese.

Garland insisted that American forces in South Vietnam include no combat troops. He said the American role is limited to furnishing the Vietnamese with advisory, logistical and technical assistance, and support.

"One of the more outstanding features of the relationship between Americans and Vietnamese is the high degree of cooperation and mutual confidence existing between American advisers and Vietnamese armed forces," he said.

Referring to the press, he said, "It is unfortunate that reverses in Vietnam have been emphasized to a greater extent than victories and steady progress."

VIEWS OF BERNARD BARUCH ON TAXES, REVENUES, AND INFLATION

Mr. COTTON. Mr. President, on April 1 and 2, 1958, one of the most distinguished citizens of this Nation testified before the Senate Finance Committee. I refer to Bernard Baruch. On that occasion the distinguished chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD], when introducing Mr. Baruch, described him as follows:

> He is a man whose wisdom in public affairs is universally recognized. His great and varied patriotic service dates back to World War I. Since that time he has served his country with devotion and distinction in war and peace, in many different positions.
>
> He made great contributions to our mobilization in both world wars. At the end of World War I, he was connected with the American Commission To Negotiate Peace; and at the end of World War II, he worked with postwar adjustment policies.
>
> We all remember his service as the U.S. representative to the United Nations Atomic Energy Commission and his plan for control of atomic energy.
>
> But perhaps his greatest service has been rendered in his unofficial position as adviser and close friend to Presidents of the United States.
>
> In this capacity, I think he has served every President since Woodrow Wilson. With Mr. Baruch's experience in finance and government, his keen intellect, and his great reputation for constructive contributions to the public welfare, we could have no better

witness on this occasion when we face so many problems and perils at home and abroad.

On the occasion to which I refer, Mr. Baruch testified—under another administration—at a time when we were at the close of a long period of inflation. The situation today is not exactly the same; unless this Congress takes care, we are on the threshold of another long period of inflation.

It is noteworthy that in his direct testimony on that occasion, Mr. Baruch made two very significant statements. One was:

> Inflation * * * has put our price structure on stilts and whittled down the purchasing power of the dollar.

The other was:

> To reduce revenues before our defenses are secure and our debt manageable is uneconomic and immoral.

In reply to questions from members of the committee, Mr. Baruch stated, at the close of his direct testimony:

> Before we ask the cook in the White House to bake us up a new inflationary pie, let us try to digest the inflation already loose in our system and to restore the value of earnings and savings.

The most significant remark Mr. Baruch made—in view of the programs Congress faces at this session—was in answer to a question in regard to what would happen if we reduced taxes and increased spending, thus increasing our deficit. Mr. Baruch answered:

> I think it would start a spiral of destruction.

Mr. President, I ask unanimous consent to have printed in the RECORD, following my remarks, the direct testimony of Mr. Baruch.

There being no objection, the excerpt from the hearing of April 1, 1958, before the Senate Finance Committee was ordered to be printed in the RECORD, as follows:

STATEMENT OF BERNARD M. BARUCH

Mr. BARUCH. Mr. Chairman and gentlemen of the committee, it is an honor to be asked to testify before this distinguished committee of the Senate. Although you are studying the financial condition of the United States, you know that our problems extend far beyond any narrow definition of finance. Tax policy, debt management, monetary controls affect not only our solvency and economic health, but our security against aggression.

Despite the symptoms of distress in our economic system, there is no cause for panic if we use experience and commonsense. But if we seek recovery through get-well-quick prescriptions, we will surely face a far more difficult situation.

The principal thing we have to fear is our own folly.

In our concern over the present recession we must not forget that it is only one aspect of the basic problem before us. The challenge we face is to organize and employ our resources effectively; first, for the defense of our country and our liberties, and second, to provide our citizens with a rising standard of living free from the economic perils of inflation and unemployment.

So that those who run may read, let me give in capsule form what I think our present circumstances require.

1. We must strengthen our defenses and make certain of our supremacy in the science and technology of modern arms.
2. We must prevent further deterioration of the credit of the United States and encourage sound economic growth.
3. These goals demand that we reject all tax reduction and pump-priming proposals which require deficit financing.
4. New Federal works programs should be placed on a self-liquidating basis. It is better that new works programs be sponsored at the local level.
5. We must end the price-wage spiral and curtail excessive profit margins.
6. We must restrain the abuse of credit—private and Government.
7. We must ameliorate the suffering of unemployment.

There is danger that our present economic difficulties may distract us from the requirements of national security and our responsibilities as leader of the free world. This could be fatal.

No economic program, no social plans, no so-called prosperity can have meaning while America's defenses are laggard and deficient. In this age of nuclear war and missiles, the price of unpreparedness may be sudden death. Considering all that is at stake, let us do more in building our defenses, rather than less.

I disagree entirely with those who claim that the American economy is not strong enough to meet the threat to our security. It met the demands of total war without seriously impairing the highest standard of living the world has ever known. Can we believe that it cannot support the defense program, our safety demands?

To be sure, effective defense requires high taxes. I like taxes no more than the next man, but there are worse burdens. It is infinitely cheaper to preserve peace than to fight a war. We can meet all our defense requirements and still provide all our needs, although maybe not all our wants.

While we can spend whatever is necessary for defense, prudent management can provide important savings. We must learn to manage our defense program more efficiently. We should eliminate the piecemeal approach—the costly starts and stops—which disorganize production and disrupt the economy.

In military expenditures, in fact for all spending, Congress should have the services of an expert staff, similar to the one the tax committees have. This staff could make a continuing running study of budgets and spending to insure that we get full value for every dollar spent. This is something that should have been done long ago.

But, above all else, once and for all, we must relieve our defense program and our entire economy of the toll paid to inflation. Think of the planes we could have bought, the research we could have conducted, the extra benefits we could have provided our Armed Forces with the billions lost through inflation.

Inflation, gentlemen, is the most important economic fact of our time—the single greatest peril to our economic health. Its most important cause has been the tremendous expenditures for war—for nonproductive goods and services—which were financed too largely through borrowing and too little through taxes.

Inflation is primarily responsible for our mountainous national debt, for our high tax rates, for our record high level of expenditures in what is called a time of peace. It has put our price structure on stilts and whittled down the purchasing power of the dollar.

As the Government and our citizens stumble under its burden, continuity of confidence is broken, and a growing concern serves as an added drag on our economic activity.

We are now suffering a hangover after a long inflationary binge. As is always the case with hangovers, we have only ourselves to blame. More of the "hair of the dog" is no remedy. It only increases suffering and delays recovery.

The inflation of our time flows from the selfish struggle for special advantage among pressure groups. Each seeks tax cuts or price increases, or wage raises for itself while urging the others to make the sacrifice, and with little regard for the national interest.

This was true in World War II and in the Korean war. In both wars, we ignored the lesson of experience which taught that the way to curb inflation and profiteering was to pay for war as nearly as possible out of taxes; to control prices, wages, profits, money, and credit, and, thus, provide a common standard fair to all.

Instead we invited inflation by controls too little and too late, and by concessions too much and too soon, to special interest groups. We mortgaged future generations by inadequate tax programs.

This was true after World War II when, instead of maintaining our strength until peace was assured, we prematurely disbanded our forces and abandoned necessary tax and other economic measures. And, after Korea, at the first sign of the inevitable post inflationary readjustment, we injected a fresh dose of inflation into our system by reducing taxes.

Now that we face the painful process of readjustment again, the same recourse to inflation is being urged. The same struggle for advantage is being repeated. Each group wants to shift the burden of dislocation to someone else. Each wants special consideration, arguing that its wages or prices or profits must be kept up to avoid depression.

All cry for tax reduction, deficit financing, pump priming—running to mother Government to "do something so we won't have to pay for the mess we've made."

Nothing is more dangerous than this notion that economic salvation lies through Government intercession. Government did not keep us from getting into our present condition. How can we rely upon it to get us out of it? Let us not turn always to the Government for succor, but remember rather that a free government depends always upon the people for sustenance. When I hear people demanding Government do this or that I wonder why those voices were so silent when inflation could have been controlled.

Government does have a responsibility and a role to perform in the present circumstances, particularly in regard to those who are victimized by unemployment. But its actions must be in harmony with sound economic principles. Government cannot repeal economic laws.

In the face of a tremendous national debt and expenditure, it is folly to talk of tax reductions.

I am dubious about the purchasing power a tax cut will generate. The value of any conjectured purchasing power is outweighed, however, by the jeopardy in which a tax cut will place all the programs supported by taxes—from national defense to welfare assistance.

A tax cut will increase the deficit, add to the debt, and further weaken the Government's credit. To reduce revenues before our defenses are secure and our debt manageable is uneconomic and immoral.

Nor is this the time to embark on vast Federal works or other pump-priming programs requiring deficit financing. If we want dams and highways and new schoolhouses and other projects, we should be prepared to pay for them. Any new public works program should be placed on a self-liquidating basis in the same manner as the present highway program—that is, it should be accompanied by a tax to pay for interest and amortization.

More effective than Federal action in this sphere, I believe, would be local action. Local governments can best survey their own situations, determine the idle resources of manpower, materials, and other facilities available, and balance them against the degree of need and their budgetary requirements. Such locally conceived and sponsored works programs should also be self-supporting.

Self-help is the best help.

A nation, no less than an individual, must keep its financial house in order. Its financial strength, no less than an individual's, will determine its capacity to withstand economic adversity. The credit of the U.S. Government is the foundation upon which our solvency and security rest. The strained condition of our credit handicaps our efforts to cope with the recession. We must prevent any further weakening of it by tax cuts or deficit spending or lifting the borrowing ceiling every time the debt presses against it.

We are not likely to enjoy surplus revenues soon. Yet there is no greater thing Congress could do to strengthen confidence and create jobs than to adopt now a long-range fiscal program designed to reduce our national debt.

Not until the Government puts its house in order will the people know how to bring order to their own affairs.

Debt management also has been made more difficult and expensive by the shortening of maturities. Now, more than $80 billion, almost 30 percent of the debt outstanding, are on a short-term basis. I cannot understand why those in authority did not move earlier to refund the debt when the money market was easy. If private corporations could refund and borrow at rates as low as 2⅜, why couldn't the Government?

We must face, however, reluctantly, the truth that Government action is no nostrum for economic health. Nor is it a substitute for individual responsibility. The adjustment must be made by each of us, in our business, our job, on our farm. We must work harder, cut costs, save more.

Nothing would be more effective in turning the tide than to halt the never-ending spiral of wages and prices. The best stimulant to our economy would come from price reductions. The consumer, who has no lobby or bargaining agent, is belatedly rebelling against having every wage and cost increase passed on to him. If industry and labor continue to push up wage, price, and profit levels, they will price themselves out of the market. Consumer resistance will grow, further depressing economic activity and adding to unemployment. Foreign goods will enter our markets in increasing quantities, with unsettling effects on our domestic economy, our tariff policies and our allies and friends.

No one wishes to see a return to cutthroat competition with its price wars and wage cuts. No one is more concerned to see labor preserve its gains than I am. But we must halt the wild, unmerry chase of prices, wages, and profits.

We prefer not to compel this by legislative fiat or executive order. We rely upon individual action, self-discipline, and enlightened selfishness of labor and industrial leaders. If they cannot recognize that self-interest requires concern for the national interest, then they and the Nation as a whole will be made to suffer. If they will not adjust voluntarily and in time to the law of supply and demand, the adjustment eventually forced on them will be much more painful.

It would be an inspiring and salutary thing if the leaders of our great labor unions and businesses would jointly pledge to the President that for 1 year there will be no increase in wages or prices or profit margins.

Individual self-restraint should be exercised, too, in the area of private credit. Its excessive growth has been one of the major factors in our present difficulties and is one of the weak links in our economic chain. When individual indebtedness alone rises above $200 billion, we have reason to be concerned.

I have often been shocked by the lengths to which banks, merchants, and advertisers go to press credit upon the consumer with which to buy things they can be persuaded to want, but do not need. The susceptibility of the American public to these blandishments troubles me. The opportunity to vacation in Florida, California, or Latin America; to tour the Caribbean; or even visit the Taj Mahal for little or nothing down and a few dollars a week may not be easy to resist. But is it a proper use of credit?

In the last analysis, we face a test of character and commonsense. Have we so deluded ourselves that we take seriously the Alice in Wonderland notion that the cure for indebtedness lies in more debt; and that thrift is antisocial? Or do we have sufficient economic sense—and courage—to face the facts of our situation, recognize the mistakes we have made and correct them in time, without incurring the heavier penalties which delay and evasion will exact?

In summation, gentlemen, let me say:

First, that this recession is the inevitable aftermath of a period of inflation that could at least have been mitigated, if not prevented;

Second, that there is no cause for alarm if we will learn from our mistakes and call a halt to the practices which are responsible for this situation;

Third, that we can restore confidence along with economic health by sound measures which include:

(a) Determining the requirements of national security and doing all that is needed to meet them.

(b) Barring new inflationary adventures. Forgoing tax reductions. Avoiding deficit spending.

(c) Strengthening the credit of Government by refunding the debt on a long-term basis and planning definite amortization.

(d) Stopping the price-wage spiral and the abuse of credit.

Gentlemen, ours is a country of boundless natural and human resources, of scientific and technological skills that defy obstacles and frontiers. The future holds promise if only we have the wit and discipline to use them properly. And let us not complain about our surpluses of food, fiber, and metals. If we do not add to them but manage them intelligently, they will give us a reserve against any emergency of war or nature more precious than the gold of Fort Knox.

In closing I offer for your meditation a thought expressed by one of the wisest Americans, Benjamin Franklin, who said—and I quote:

"The taxes are indeed very heavy, and if those laid by the Government were the only ones we had to pay, we might more easily discharge them; but we have many others, and more grievous to some of us.

"We are taxed twice as much by our idleness, three times as much by our pride, and four times as much by our folly; and from these taxes the commissioners cannot ease or deliver us by allowing an abatement."

COST OF THE DAIRY PROGRAM

Mr. PROXMIRE. Mr. President, there has been a great deal of criticism in the press about the cost of the dairy program. There has been criticism on the floor of the Senate by some very powerful and influential Senators who serve on the Committee on Agriculture and Forestry about the cost of the dairy program.

I have asked the Library of Congress to secure statistics for me to show the cost of all of the farm programs—feed grains, cotton, peanuts, rice, tobacco, wheat, dairy products, wool, rye, tung oil, and so forth—and to relate the cost of those programs to the dollar value of marketings for the particular commodities. I think this is the only pertinent and appropriate way in which we can show the facts.

For example, the dairy program will cost more than the tung oil program, because the tung oil program is a much smaller operation. But when we put the cost of the program in proportion, we find that the dairy program is far less than that of almost any other program, and is a great deal less than the cost of the cotton, feed grains, wheat, rice, and other programs. The relevant relationship is the ratio or cost to the value of marketings.

It seems to me that the statistics are compelling, and pertinent to proposed agriculture legislation which, I understand, will be considered by the Senate Committee on Agriculture and Forestry as soon as the Senate is organized. I ask unanimous consent that the table to which I referred, showing farm price support costs and value of marketings of specified commodities, be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Farm price-support costs and value of marketings, specified commodities, fiscal years 1961–62

Commodity	Value of marketings 1961–62 average (millions)	CCC realized losses (excluding Public Law 480 costs) and sec. 32 removals, 1961–62 average		CCC realized losses (including Public Law 480 costs) and sec. 32 removals, 1961–62 average	
		Amount (millions)	Percent of value of marketings	Amount (millions)	Percent of value of marketings
Feed grains	[1] $5,439	$1,175.0	21.6	$1,277.0	23.5
Cotton	2,509	260.0	10.4	438.0	17.5
Peanuts	180	25.0	13.8	25.0	13.8
Rice	255	47.0	18.5	106.0	41.5
Tobacco	1,234	6.0	.5	20.0	1.7
Wheat	2,185	343.0	15.7	1,058.0	48.4
Dairy products	4,824	[2] 384.0	8.0	[2] 402.0	8.3
Wool	110	58.0	52.9	58.0	52.9
Rye	22	2.0	8.8	2.0	8.8
Tung oil	6	.5	7.8	.5	7.8
Dry edible beans	135	11.0	8.5	13.0	9.3
Soybeans and vegetable oil	1,339	27.0	2.0	92.0	6.9

[1] Value of feed-grain crops produced.

[2] Includes costs of special school milk program.

Source: Computed from U.S. Department of Agriculture data.

RISING INTEREST RATES WILL STALL THE ECONOMY

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may have an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Many members of the Joint Economic Committee are disturbed at the prospect that the monetary managers of our economy, particularly the Chairman of the Federal Reserve Board and the Secretary of the Treasury, will follow a policy that will increase interest rates. On the basis of the testimony before the Joint Economic Committee, it is clear that the Secretary of the Treasury and the Chairman of the Federal Reserve Board expect that during the coming year interest rates will rise. It is obvious, on the basis of the testimony of every expert monetary economist who appeared before the Joint Economic Committee, that such a policy would tend to retard the expansion and growth of our economy, and would greatly reduce the economic stimulation of a tax cut.

The evidence is becoming more apparent every day that that is exactly what is likely to happen. The February 25 issue of the U.S. News & World Report contains an article entitled "Tighter Money Ahead?" which spells out how that policy would operate. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIGHTER MONEY AHEAD?

If taxes are cut, and if business rises you can expect money to be harder and more expensive to borrow. Any change will be gradual, and is unlikely to occur before late 1963. Vast borrowing by States and cities, as well as by the Federal Treasury, will add to pressures on the money supply.

Forces now developing in the economy could lead to tighter credit and higher interest rates in months ahead.

These forces, in all probability, will take firm hold if Congress votes to cut taxes and thereby sets off a rise in business activity. In that case—

It will become harder and more expensive to borrow money for new homes, autos, and business investments.

Bond prices will drop. Investments already made in bonds will lose some of their market value.

State and local governments, in particular, will have to pay higher interest costs in financing public works.

None of this is likely to come about overnight. Banks, insurance firms, and other institutions are loaded with funds for lending. Borrowers are not rushing to get those funds.

Fairly "easy" money is expected to continue through mid-1963 at least.

Prospective borrowers, however, need to allow for the possibility that money will tighten later on.

HEAVY FEDERAL BORROWING

The table, which follows, shows you one key factor in the future trend of interest rates.

In the next 17 months, the Treasury will borrow more than $70 billion for cash and to pay off old debts falling due. Cash borrowing in the year to start July 1 will set a postwar record.

And note: If major tax cuts are approved, an even bigger splurge of Treasury borrowing will follow.

Borrowing by State and local governments also is high and tending to rise.

New borrowing on home mortgages already has hit an alltime high.

Major tax cuts would be expected to increase borrowing by businesses for new investments and bigger operations.

FINANCING DEFICITS

One of the hottest arguments now splitting Washington is over the question of how expanding deficits should be financed.

Should most of the new Treasury securities be sold to banks, to be paid for largely with newly created money? This could inflate the money supply, mean still easier money, perhaps risk inflation.

Or should these securities be sold mainly to others than banks, to be paid for out of savings? That could put a lid on the money supply and boost interest rates.

THE MONEY MANAGERS

Most important key to the answers to those questions is in the person and power of William McChesney Martin, Jr., Chairman of the Federal Reserve Board.

Mr. Martin has made it clear that, for months now, he has detected an urgent need for higher interest rates to strengthen the dollar. He notes that sizable sums of money—in search of higher interest yields—have fled the United States and taken U.S. gold along.

So far, Mr. Martin and the Federal Reserve System have bowed to the needs of a sluggish economy and resisted the impulse to tighten credit.

Now, Mr. Martin welcomes tax reduction because he believes, with Mr. Kennedy, that it will stimulate business growth. And, to Mr. Martin, it would remove the need for easy money as a prop for sagging business.

BEHIND AN APPOINTMENT

Mr. Kennedy's recent decision to reappoint Mr. Martin as Chairman of the FRB, thus, takes on major significance. According to Mr. Martin's own predictions—

If, or when, a strong business rise brings an increased demand for credit, the FRB will start to limit banks' reserves and, thus, their ability to buy new issues of Treasury securities.

More and more of the growing deficit—and new debts of others—will have to be financed out of savings of individuals and corporations.

Credit, in time, will tighten. Interest rates—particularly on long-term credit—will rise.

As new bonds offering higher yields are issued, older bonds sold at lower interest rates will be less attractive. Bond prices will fall.

MUNICIPAL BORROWING

Tax-exempt bonds offered by State and local governments will take a double beating from any major tax cuts.

An example shows why: A taxpayer in the 75-percent bracket now keeps only a fourth of what he earns on a new, taxable investment. So his return from a 3-percent tax-free bond is about two and a half times his after-tax yield on a 5-percent taxable bond.

Cut his tax rate to 60 percent, and he keeps two-fifths. Then his return on a 3-percent tax-free bond would be only 1.5 times his after-tax yield on a 5-percent taxable bond. Tax exemption would lose some of its advantage.

Result: Tax-exempt bonds would fall in price. State and local governments would have to offer higher interest rates.

Don't expect all this to happen quickly. Mr. Martin, along with those around him, also is committed to the campaign against unemployment. He has no desire to stifle new growth.

Yet Mr. Martin is convinced that sooner or later a determined stand must be taken to save the dollar—and, if the need arises, to avert inflation.

That stand, when it comes, is to mean more difficult and costly borrowing.

Borrowing by the U.S. Treasury on this scale will become a major factor in the total demand for money. Treasury borrowing, on top of demands from other borrowers, could have the effect of nudging interest rates higher in months ahead. In the year to start next July 1, Government's new borrowing will drain off more loan money than in any year since World War II.

In 17 months ahead—$70 billion of Government borrowing

[Billions of dollars]

	New borrowing (+) or repayment (−)	Old debt to be refinanced [1]	Total borrowing
February-June 1963	−2.6	24.5	21.9
July-December 1963	+10.8	24.1	34.9
January-June 1964	−.6	14.5	13.9
Total, 17 months	+7.6	63.1	70.7

[1] Excluding regular weekly turnover of 91-day Treasury bills.

Source: Estimates by U.S. News & World Report based on the Kennedy budget and other official data.

ECONOMIZE WITH SMALL BUSINESS ADMINISTRATION, WISCONSIN STUDY IMPLIES

Mr. PROXMIRE. Mr. President, as chairman of the Subcommittee on Small Business of the Committee on Banking and Currency, for the past 2 years I have been extremely interested in the operations of the Small Business Administration.

A study was made in Wisconsin, by the State department of resource development and reported in December 1962, on the attitudes of bankers toward small business financing. One of the highlights of that study was the revelation that only 30 percent of the bankers who responded did not believe that existing private agencies could meet the legitimate credit needs of small business. In other words, on the basis of that study, the overwhelming majority of bankers feel that the present private credit needs are adequately met.

In view of the fact that in Wisconsin there is an aggressive and expanding policy, which is supported by the State, of trying to make funds available to small business, it seems to me that the wisdom of expanding the SBA as rapidly as we have, in view of the very heavy cost to the general taxpayer of that expansion, should be seriously reconsidered by Members of the Congress in the coming months.

THE PRESIDENT'S MEDICARE MESSAGE

Mr. JAVITS. Mr. President, I wish to comment on the message sent by the President of the United States to Congress today respecting our senior citizens. It is well known that for a long time I have been deeply concerned with the problems of health care for the aging. It is also no secret that I had very much hoped that, when the President's message upon that subject came to the Congress, it might be possible for those of us on this side of the aisle who felt as I did to join with the President and with the Senator from New Mexico [Mr. ANDERSON]. We did this last year as cosponsors of the bill called the Anderson-Javits bill, which failed of passage by a very narrow vote, in order to have an agreed-upon program of health care for the aging. I have every hope that that will still be the case. But unfortunately, at the moment, based upon the President's message and our views, this cannot be the case, though I assure the Senate that the Senator from New Mexico [Mr. ANDERSON] and I will certainly try to bring that agreement about. I shall try very hard with the HEW and its representatives to arrive at a meeting of the minds.

The key item which has been dropped from the administration's program is the private sector option. There were four points which Republicans of my view have been urging in respect of health care for the aged. Three of those have been adopted in the administration's message. They include universal coverage for all over 65, State and private participation in the administration of the program, and a separate health insurance trust fund. Those three have been accepted. Although the health insurance trust fund is not specifically referred to in the message, we have ascertained that it will be included in the bill.

But the private sector option has been dropped. That was endorsed by the administration last year and was the key element, advanced by me and my four Republican colleagues, which led us to give bipartisan support to the Anderson-Javits bill. It was the key element in the bill which we introduced the other day. I am disappointed that it has been dropped, but I repeat that my colleagues and I are ready to cooperate with the Senator from New Mexico [Mr. ANDERSON], as we did last year, in agreeing upon a bill and in working to bring about passage of a law.

May I emphasize that the private sector option merely means that the individual may use the Government program as a basis for obtaining better and further benefits in addition to those the Government offers by enrolling in some modest program—some kind of private plan—which he carries over with him when he becomes 65.

Mr. President, this option is critically important because, first, it represents competition between the private sector and the Government—and that is the kind of competition we want. It is good for the Government and good for the private sector. Second, it presents an outlet so that Members of Congress can feel that what is being done in the administration's bill is pretty much the optimum program and that it will not be constantly built upon and expanded, but instead that the expansion and additional benefits, et cetera, can come from the private enterprise system, which is quite ready, willing and able to provide it, and which also can cut down its costs as experience multiplies.

So we have very sound reasons for our position. I hope very much that we shall be able to come to a meeting of the minds with the administration.

I should like to compliment the President upon his message generally. The President called for a stepped-up drive in employment opportunities for older workers, to help them develop new skills through existing retraining programs. He called for special housing assistance through new construction, direct loans and tax benefits. He called for steps to meet the needs for more hospitals, nursing homes and other health facilities for the aged, as well as an increase in the social security pension, which he would obtain by raising the taxable wage base from $4,800 to $5,200 a year.

These are all admirable provisions. I am glad the President has espoused them and put them before us. I shall hope to support them, if they are submitted in reasonable form.

I am glad the President has incorporated a number of ideas upon which we agreed last year in his medical care for the aging proposal although I regret that the key point of a private option was dropped. I am still hopeful that we can get together. I feel very strongly that a prediction that we can have health care for the aging legislation in this Congress is an entirely viable one based upon the record we have made and the record the administration has made up to this point.

Mr. President, if my colleague from Connecticut [Mr. DODD] will indulge me, I ask unanimous consent that I may proceed for an additional 5 minutes to discuss another subject, which is quite different from and has no relation to the message on health care for the aging.

The PRESIDING OFFICER. Is there objection to the request by the Senator from New York? The Chair hears none, and it is so ordered.

REPORT ON MISSISSIPPI BY THE MISSISSIPPI ADVISORY COMMITTEE TO THE U.S. COMMISSION ON CIVIL RIGHTS

Mr. JAVITS. Mr. President, I stated on yesterday that I would present to the Senate a report on the civil rights of citizens of Mississippi, issued by the Mississippi Advisory Committee to the U.S. Commission on Civil Rights, dated January 1963. The report is the result of open hearings held by this group of Mississippi citizens over a period of 14 months.

This is a powerful document and a powerful indictment of the situation which exists in this critically important field in a State of the United States. Although I respect fully the sovereignty and dignity of Mississippi as of all States, I believe it is highly important to call to my colleagues' attention the findings of fact made by this group, which was appointed by the Civil Rights Commission in accordance with law. At the outset I should say that I am well aware of the point which is always made, which was made on the floor yesterday, that we should take care of our problems in New York, in Chicago, or in Connecticut and let the South take care of its own problems. However, the South is very careful to confine that to civil rights. When it comes to the questions of trade, or appropriations, or foreign aid, or any other subject under the sun, every Senator is perfectly happy to participate in the decisions which affect every State; but when it comes to civil rights we are supposed to stay out of it, since that is claimed to be the South's private business.

Aside from that, Mr. President, one other point is vital. It is the salient point in the report. In the South generally, as in the State of Mississippi, the whole governmental operation and machinery is directed toward maintaining discrimination and segregation.

Now, that is not true in my State of New York and it is not true in many other States which pride themselves on their civil rights records, in which the whole governmental machinery and law are designed to assure people their civil rights. Certainly, the law is sometimes frustrated, and occasionally it is honored more in the breach than in the observance, and many mores and prejudices persist, but the fact is that the government officials and the governments in my State of New York and in other States of the same character are required by law to assure people their civil rights and not to deny them.

In the light of that, Mr. President, I should like to read what to me is the salient point in this report. The report states:

> The Committee regrets to report that its factfinding efforts were actively opposed by agents and instrumentalities of the State government.

Then, Mr. President, in its findings of fact, which appear beginning at page 23 of the report, the Committee says:

> The first finding of this Committee is that justice under law is not guaranteed for the Negro in Mississippi in the way that it is for the white man.

The report also states:

> The second finding of this Committee is that the State government of Mississippi is not sufficiently concerned with the task of protecting the rights of all the citizens of Mississippi.

In connection with this finding the report calls attention to a new law for the punishment of perjury passed in Mississippi in 1960. The report states:

> This 1960 legislation seems designed to intimidate or punish those of the Negro race who would assert these rights.

Mr. President, this is what those of us who press for civil rights legislation complain about. We complain about the fact that the governmental machinery, the governmental apparatus, and the State officials are not working, as they should be working, to protect the civil rights of individuals according to law and the concepts of equal justice, but are working exactly in the opposite direction. That is far more important, in my view, than even the dreadful findings of this report, dreadful as they are, to which I should like to refer the Senate. For example, the report states most movingly:

> All of us are Mississippians and some of us have lived all our lives in Mississippi. Yet the extent and the manner of apparent denials of equal protection of the law on the basis of color, as revealed in these meetings, has been a profound shock to us. We are alarmed at the direction our society seems to be taking, and we believe that the overwhelming majority of Mississippians will share this alarm as the facts become known to them.

The report further states:

> The Committee's investigations have indicated that in all important areas of citizenship, a Negro in Mississippi receives substantially less than his due consideration as an American and as a Mississippian. This denial extends from the time he is denied the right to be born in a nonsegregated hospital, through his segregated and inferior school years, and his productive years when jobs for which he can qualify are refused, to the day he dies and is laid to rest in a cemetery for Negroes only. This Committee could have chosen to concentrate on any aspect of discrimination and found a plethora of examples of denial of equal protection of the law. This includes the denial of the fundamental right to vote and have that vote counted in elections.

Finally, the Committee says:

> In spite of the seriousness of the inequities in these areas of citizenship, this report is concerned with another subject which recurred constantly in the testimony at our meetings. It is a subject that has implications even more damaging to the principles of the American way of life than denial of the right to vote. That subject is police brutality.

Then there are given a number of instances of police brutality. The Committee finally concludes, Mr. President, as follows:

> We do, however, believe that a pattern exists in our State that leads to the denial of constitutional rights and, in some instances, to brutality and terror.

Mr. President, I ask unanimous consent to have the entire report printed as a part of my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

ADMINISTRATION OF JUSTICE IN MISSISSIPPI

(Report of the Mississippi Advisory Committee to the U.S. Commission on Civil Rights, January 1963)

PREFACE

This report was submitted to the U.S. Commission on Civil Rights by the Mississippi Advisory Committee. The Mississippi Committee is one of the 51 committees established in every State and the District of Columbia by the Commission pursuant to section 105(c) of the Civil Rights Act of 1957. Its membership consists of interested citizens of standing who serve without compensation. Among the functions and responsibilities of the State Advisory Committees, under their mandate from the Commission on Civil Rights, are the following: (1) To advise the Commission of all information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and (2) to advise the Commission upon matters of mutual concern in the preparation of its final report. The Commission, in turn, has been charged by the Congress to investigate allegations, made in writing and under oath, that citizens are being deprived of the right to vote by reason of color, race, religion, or national origin; to study and collect information regarding legal developments constituting a denial of equal protection of the laws; to appraise Federal laws and policies with respect to equal protection; and to report to the President and to the Congress its activities, findings and recommendations.

REPORT

This is a summary report of the activities of the Mississippi Advisory Committee to the U.S. Commission on Civil Rights during the 14-month period ending in January 1963. The Advisory Committee held six open meetings in this period, in Jackson, Greenville, Clarksdale, and Meridian, and received approximately 150 complaints of alleged denial of equal protection of the law.

The procedure followed by the Committee in holding open meetings may briefly be described as follows: A public announcement was made of our intention to hold a meeting, and the press and the public were invited to attend. Persons desiring to submit pertinent information or complaints were invited to appear. The Committee has been gratified by the response of many of the citizens of the State to these meetings. Attendance increased with nearly every meeting and as many as 29 persons have testified at a single meeting. In some instances, citizens were unwilling to voice their complaints in open session because they feared violent reprisals. Such complainants were heard in executive session. Whenever the Committee had an indication that certain law enforcement agencies or officials were to be involved in a complaint, advance notice was sent to such agencies or officials together with an invitation to participate. Although we usually received no response to these invitations, sheriffs have occasionally attended meetings as spectators, though declining to participate. The press has usually been in attendance and has, on the whole, reported our proceedings fairly and objectively.

Our purpose in holding open meetings was to collect factual information regarding possible denials of equal protection of the law in Mississippi. We believe this purpose has been accomplished to the extent that we have established beyond doubt that a formal inquiry into alleged civil rights denials in this State is an urgent necessity. We have also been able to forward to the Commission specific complaints which involved infractions of existing Federal statutes.

All of us are Mississippians and some of us have lived all our lives in Mississippi. Yet the extent and the manner of apparent denials of equal protection of the law on the basis of color, as revealed in these meetings, has been a profound shock to us. We are alarmed at the direction our society seems to be taking, and we believe that the overwhelming majority of Mississippians will share this alarm as the facts become known to them. It is our hope that the open meetings have been useful in making these facts known.

The Committee regrets to report that its factfinding efforts were actively opposed by agents and instrumentalities of the State government. It might be assumed that equal protection of the laws, particularly as it applies to the administration of justice, is such an intrinsic part of the American system, or of any true democracy, that officials would be eager to demonstrate their respect for this basic concept. Unfortunately, such is not the case at this time in Mississippi. State officials advised other officials and private individuals who were questioned by the Committee in 1961 to refuse to provide information.

In 1960, the Mississippi Legislature passed an act designed, we believe, to intimidate persons who might wish to assert their rights as citizens by appearing before this Committee. This act alters the requirements of proof for prosecutions of perjury solely in cases where the defendant has testified before this Committee, Commission on Civil Rights, the FBI, or another U.S. agency on the subject of deprivation of rights guaranteed by the Constitution of the United States or of Mississippi.[1] The act contains the following remarkable wording:

"Corroboration or proof by more than one witness to establish the falsity of testimony or statements under oath is not required in prosecutions under this act. It shall not be necessary to prove, to sustain or charge under this act, that the oath or matter sworn to was material, or, if before an executive, legislative or judicial tribunal committee or commission had jurisdiction." (The full text of the act, enacted as secs. 2155.4–2155.6 of the Mississippi Code, is appended to this report.)

The Committee has also learned, in at least one case, of the intimidation of a witness who appeared before us.

The Committee's investigations have indicated that in all important areas of citizenship, a Negro in Mississippi receives substantially less than his due consideration as an American and as a Mississippian. This denial extends from the time he is denied the right to be born in a nonsegregated hospital, through his segregated and inferior school years and his productive years when jobs for which he can qualify are refused, to the day he dies and is laid to rest in a cemetery for Negroes only. This Committee could have chosen to concentrate on any aspect of discrimination and found a plethora of examples of denial of equal protection of the law. This includes the denial of the fundamental right to vote and have that vote counted in elections. Sixty-five sworn voting complaints from 13 Mississippi counties have been received by the Commission. This is third highest in the Nation.[2]

In spite of the seriousness of the inequities in these areas of citizenship, this report is concerned with another subject which recurred constantly in the testimony at our meetings. It is a subject that has implications even more damaging to the principles of the American way of life than denial of the right to vote. That subject is police brutality. The following incidents are illustrative of the alarming number of complaints on this subject received by this Committee.

A word of caution and explanation is in order. In view of its lack of adjudicative power, the Committee was at first hesitant to delve too deeply into this sensitive area. Our Committee can offer no relief to individual complainants and is not in a position to make final determinations regarding the validity of the complaints it receives. Yet, it soon became apparent that no conscientious group that is concerned with constitutional rights could ignore the innumerable charges of police mistreatment in our State. The complaints are too numerous; too many of them are made under oath; too many complainants have corroborative evidence; and only too rarely have we seen any indication that the State is eager or even willing to punish those who, in its name, engage in the terrorization of the innocent and the defenseless.

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[1] The ordinary rule of perjury in Mississippi is that conviction of perjury is not sustained by the uncorroborated evidence of a single witness. *Lee v. State*, 105 Miss. 539, 62 So. 360 (1913).

[2] The voting problem remains serious in the State. Activity by the Justice Department in Mississippi promises some slow relief in counties where suits have been initiated. Yet the State government continues to erect all possible barriers to equal access to the franchise by our Negro citizens. In 1962, the Mississippi Legislature enacted a new law requiring the publication of the names and addresses of all new voting registrants for 2 weeks in a newspaper of general circulation. This law is ostensibly designed to facilitate challenges of registrants on moral grounds. In fact, it can be used to facilitate reprisals against Negroes who seek to register.

We name no names in this report, and reach no final conclusions in individual cases. We do, however, believe that a pattern exists in our State that leads to the denial of constitutional rights and, in some instances, to brutality and terror. From the moment a Negro adult is hailed as "boy" or "girl" by a police officer, through his arrest, detention, trial—during which his Negro lawyer is treated with contemptuous familiarity by the judge and other officers of the court—and eventual imprisonment, he is treated with a pernicious difference. This difference is incompatible with Christian ideals about the dignity of man and with the principles of Anglo-Saxon criminal law.

How often this atmosphere produces actual terror and brutality is a question that demands further investigation. We feel strongly that we have probable cause to believe that police brutality is a continuing problem in at least certain sections of our State, and that a formal investigation into this problem must be undertaken. The cases that follow give some indication of the severity of the problem. The names, places, and dates have been omitted to protect the witnesses. All incidents reportedly occurred in Mississippi in the last 3 years. Unless otherwise indicated, all of the statements that are included in this report were made under oath.

Example A: A Negro boy

"On * * * at approximately 11:40 p.m., I along with several other Negro boys of my community were walking along highway * * * in * * * when someone on the opposite side of the street started throwing rocks at a carload of white people.

"About 10 minutes later a police car with 2 policemen in it pulled up near us and started shooting; my friend and I did not know what had happened so we started running toward our homes on ------ Street; one policeman came behind the house where we were and hit my friend; at that time he did not hit me; he then told us to get in the car and drove down to a short street where he stopped the car and told us get out and asked the other policeman, 'Should I put the dog on them?' He replied 'yes'; at that time the dog, which they called Rex was sicked on us; we were cursed and told to run. We then ran back to ------ Street; I ran up on my porch where the dog Rex caught me, the officer then grabbed the dog, while I was being put in the police car and asked, 'Do you belong to CORE, or the NAACP,' to which I replied 'no,' and the officer then called me a liar and asked me if I had attended their meetings and I told him I had attended some of them.

"At that time my mother came out on the porch an asked 'if the dog had bitten my son' and the policeman said 'no, and get back in the house,' and asked 'what has he done' when the policeman did curse and told her 'none of your * * * business—I've been looking for him for 3 months.'

"Following that they drove to the home of a friend of mine on ------ Street, where they told my friend's father to 'bring your son to the jail when he comes home.'

"I was then taken to the city jail, questioned, and cursed; at that time I was asked to identify a friend of mine, which I did; I was then questioned again and taken up to the second floor where my belongings were taken and the jailer then placed me in a cell.

"I was held in jail from 12:30 a.m., until 4 p.m., when I was released after my parents paid $100; I was charged with mischief.

"Although I did see someone throw at a car, I do not know why police brutality was taken out on me. I would like an investigation into this matter, because my mother was also taken to jail and charged with interfering with the law and had to pay a fine of $25. Please help me."

Example B: A Negro woman

(The following incident was not received under oath. The account is based on recorded testimony at one of the open meetings.)

A 53-year-old Negro woman told the Committee that she had been arrested on the street after walking home with a female visitor. The police gave no reason for forcing her into their car. When they stopped the car to check a disturbance in the neighborhood, the alleged victim got out of the car and continued on her way home. The police again apprehended her and put her back in the police car. One of the police then allegedly hit her in the face with his fist causing her eye trouble for which she is still under treatment. She was kept in jail overnight and released.

Example C: A Negro boy

This incident was related to the Advisory Committee on behalf of the complainant by one of his teachers. The complainant permitted the teacher to appear for him, but would not come forward in public himself because of fear of retaliation upon himself and his family. The incident was told as follows:

"On * * * about 10 o'clock in the evening, four male students and another young man who lives in the community were returning from * * * to * * * by car. When they turned from the highway into the road leading to * * * they saw a car parked near the railroad track which appeared to be a car belonging to a police officer.

"On the short stretch of road between * * * and * * * the car was stopped by the police car in which were two men presumably deputy sheriffs. The driver of the car containing the students got out immediately and went to the car of the deputy sheriffs.

"Asked by one of the men whether he had been drinking, the student answered 'no.' Asked whether he was a freedom rider, he said he was not. All five occupants of the car were lined up and frisked by the two deputy sheriffs.

"The driver of the car was asked to produce his driver's license. When he did so, neither deputy sheriff seemed interested in seeing it.

"Without provocation, one of the deputies hit and kicked the driver of the car. The other deputy drew his gun and threatened to blow his brains out.

"One of the deputies then told the driver of the car that he was under arrest, put handcuffs on him, and let the rest of the occupants go.

"On the way to the sheriff's office, one of the deputies talked about his intense hatred for Negroes, saying they were being ruined by white people from the North. The student was promised a good deal of abuse on the way to * * *.

"When they reached the sheriff's office, the deputy in the office was told by the other deputies that the student was a prizefighter. The handcuffs were removed and the student was told to put up his fists for fighting. He did not do this. He said he was not a boxer.

"Then all three of the deputies beat him on the arms and head with blackjacks. They aimed to hit him on the head but he warded off as many blows as possible with his arms. This violence continued for 8 or 10 minutes, interrupted with snatches of conversation among the deputies.

"The student was taken to the office of the jailer who was asked whether he had a cell that would hold a boxer. The jailer gave him a blow which knocked him against the wall. The jailer examined his wallet carefully, took it from the student, and threw him into the cell insisting that he was a freedom rider.

"On the docket that evening, he was charged with drunken driving. This charge was changed to reckless driving the next morning.

"The student's parents paid $45 to have the young man released. The student does not know how this amount is divided between fine and cost."

The teacher then described his activity on behalf of the students.

"Later, I went to the office of the sheriff of * * * to inquire about this case. I discovered that the deputies who made the arrest were ———.

"According to the records in the sheriff's office, the case was disposed of by a justice of the peace, named ———.

"The sheriff was not available when I called at the sheriff's office so I talked with officer X. Officer X told me that the student was charged with reckless driving and resisting arrest. He told me that he was charged $45 but * * * was not able to tell me how much of this was fine and how much costs.

"Apparently no formal hearing was held before the justice of the peace. The student did not see the justice of the peace nor go to his office at any time. His parents went to the office of the justice of the peace, paid $45, and arranged for the release of their son.

"I called at the office of the justice of the peace, who was not in at the time I called. I talked with his secretary who told me that the charges had been originally reckless driving, drinking, and resisting arrest. The secretary informed me that the drinking charge was dismissed and the student was charged simply with reckless driving and resisting arrest. I asked for a breakdown of the $45 between costs and fine and the secretary was unable to give me this.

"After getting information from officer X concerning the officers who made the arrest. I asked officer X how much violence deputy sheriffs were permitted to use against a person when they were bringing them to the sheriff's office. He was obviously not pleased with the question, and told me quickly that they could use as much violence as necessary by cracking the prisoner on the head or killing him if necessary if any resistance is offered."

Example D: A Negro woman

"On * * * at approximately 1:30 a.m., a policeman in * * * stopped the car in which I was riding; he asked the driver of the car to get out and also, 'what have you been drinking?' The driver replied 'beer,' after which they went around to the back of the car and talked.

"The policeman then returned to the car, told me to 'open your purse' and I did not do so, and he then repeated 'Open your purse' then I handed it to him, and he threw it back in the car to me, and then told me to get in the police car.

"When I asked him, 'What are the charges?' he replied, 'For being a nigger.'

"The other lady in the car and I were taken to jail, and on the way she asked the policeman, 'May I make a phone call?' He replied, 'Shut up, before I knock you out.'

"After arriving at the jail, we went upstairs, the jailer asked me my name, and I replied * * * and the same policeman who had arrested me, slapped me, knocked me down and kicked me twice, which caused me to tussle with him."

Example E: a Negro man

"On * * * about 11:30 a.m., I, ———, was trailed about 3 miles by a highway patrolman, immediately after leaving * * *. Knowing that I was being followed, I took extreme caution in my driving.

"When the officer decided to stop me he blew his siren, and I pulled to the side of the road and stopped.

"At this point the officer got out of his car, walked to the rear of my car and demanded that my friend remain in the car and I come to the rear. When I approached the officer he asked me for my license. As I began looking through my belongings for my license, I asked the officer what were the charges. The officer replied 'nigger you keep your damn mouth shut, I'll ask the questions.' At which time the officer raised his blackjack and began hitting me on the head and the shoulders. In an attempt to protect myself from him I threw my arms up. The officer, still trying to hit me on the head, demanded that 'you move them damn arms boy, move them god-damn-it.'

"Because I did not move my arms from around my head, the officer drew his gun and declared, 'Damn you, nigger, I'm going to kill you.' I begged him not to shoot me and he told me 'shut up nigger' and hit me, with his gun on me, declared, 'I will make you move them arms nigger, put your arms out here,' at which time he handcuffed me, and hit me several more times, pushed me to the side of his car, opened the door, pushed me in, hit me on the head and told me to 'sit there you black b——— and shut up.' The officer then walked over to my car where my friend was sitting.

"With his pistol in his hand, he pulled the door open and demanded that he get out and get in the car. When the officer got in his car, I informed him that I had dropped my wallet, and asked him could I get it. At that moment, again he began hitting me as he was saying, 'I thought I told you to shut your damn mouth. Move your hands, you damn nigger, god-damn-it, I'm going to kill you.' After he had finished beating me, he placed his gun under his left leg and proceeded to drive.

"On our way to the police station he asked me, 'Where were you going, boy?' I told him we were just riding. Then he asked me, 'What are you going this way for, boy?' I told him I had planned to visit some friends, where he said, 'You are telling me a damn lie, boy,' and then asked my friend where he was going. My friend said he just came along with me, then the officer asked, 'You mean you just go along with people, without knowing where in the hell you are going?' In reply my friend said, 'He is my friend—I don't have to ask him where he is going; if he was a stranger I would have.'

"When we reached the station he demanded us to get out of the car and head for those two doors on the right, he was walking behind us. Upon entering the building, he demanded my friend to sit down in the hall and continued to trail me into the clerk's office.

"Before we had reached the center of the room he began hitting me with his blackjack on my head and arms, as he was saying, 'Boy, I am going to kill you'—'this damn nigger scratched me'—'I'm going to kill this nigger.'

"There were eight or nine other men in the room and I pleaded with them to stop him from hitting me, but not a one said a word, as the officer continued his inhuman attack.

"When the officer did stop, I asked to use the phone and was told by the officer, 'You ain't using nothing.' The desk clerk, wearing glasses, took a leather strap out of a drawer (a brown strap about 4 or 5 inches wide and about 2½ or 3 feet long) and said, 'let's take him down.' When my friend got up to come along, he was told to stay there.

"The officer that brought me in, the desk clerk, with the glasses on, the warner (sic) and two other men escorted me to a little room in the building where the cells were.

"With the five men standing around me the clerk said, 'Drop your pants, nigger.' I did as he said and some of the other men began instructing me, how to lay across a chair. My hands were handcuffed around the foot of the chair as I lay across the back of it.

"After I was in a position to please them the clerk said. "If you holler, nigger, we will kill you.' The officer said, 'nigger we are going to tear your a-- off,' and hit me again on the head with his blackjack. As all of them took turns beating me with the strap I could hear statements as, 'let's kill this nigger'; 'This nigger knows what he has done wrong'; 'a nigger going to hit an officer.'

"This beating continued while two men held my legs and one my hand.

"The officer asked the jailer did he have anything to keep me from swelling? In reply the jailer stated he had some whisky and poured some over my back and legs.

"During that time the clerk said, 'Get up nigger, you are lucky you are not dead.' As the other men began leaving the room the officer said, 'What is your name, nigger?' When I told him my name he said, 'Wipe the whisky on your a-- nigger, and pull your pants up.'

"After I had dressed, the jailer carried me to a cell. I again asked to use the telephone, but he said, 'No, not now, maybe later.'

"During my 28½ hours in jail I asked the jailer for four times, each time he brought my meals, to let me use the phone, and he said, 'Later.' "

Example F: A Negro serviceman

"On * * * two of my mates * * * were on liberty and we were at a township not far from the ———. We approached, and attempted to enter an establishment, which by its display signs indicated that it was a restaurant. There existed no display to indicate as to whether this place was designated for the exclusive use of colored or white patrons. * * * upon our attempt, was forcibly evicted by one white man. After being evicted, the man * * * pointed out a store and directed us to it; at the same time asserting that this store was an establishment for colored people. We departed to the store, and the man followed us there. We were then shown where the colored restaurant was. No sooner than we arrived at the restaurant another white man arrived (after events of the day it was alleged that he was Constable ———). Some white persons had proceeded to the colored restaurant, and they identified me. I, at about this point, had become very uneasy and was in fear of my bodily safety.

"At this point the man who later alleged that he was a constable approached me and asked, 'Boy, did you go into a white restaurant?' I replied, 'Yes, I did and if it is such a sin I am sorry.'

"After this exchange he drew a revolver on me and ordered me to come with him. During this period of incidence, I had not been informed that I was under arrest, nor had the man identified himself as an officer of the law. At this instant, seeing all of these white men around, I began to think of the mob violence that I had heard and read of that existed in Mississippi, and I really began to feel fear for my safety. Just about this time the man ——— made an inquiry, employing words to this effect, 'Boy, where is your smart friend?' The man who was later alleged to be the constable then said, 'Yes, where is he?'

"Notwithstanding the foregoing, no one had identified himself as a law enforcement official. Sensing the predicament that I found myself in, I told these men that * * * was out in the back and that I would lead them to him. When I got out of the back door I slammed it behind me and fled, leaving * * * on the scene, without having identified him. We were both wearing civilian clothing. In my flight I heard shots, which only caused me to attempt to increase the rate of my speed. There were some flatcars parked on a nearby railroad track, loaded with pulpwood, and I jumped over the couplings between two of them. After hurdling the couplings, I noted two cars loaded with white men coming down the side road approaching a U.S. highway.

"After attempting to hurdle the couplings in the railroad car, I fell and before I could continue my flight, one was running toward me with a chain. He reached me first and began to kick. I rolled, got to my feet and by this time two other men subdued me. I was steadily being pummeled by fists, and was using all of my energy to continue my flight. The man who, I later was told, was a constable, hit me on the head with a pistol at least twice. I was not unconscious, but naturally I was dazed as a result of the physical violence being inflicted upon me. I was handcuffed above the ankle and at the wrists. They tried to make me get into a car, but I was still afraid, not knowing what was going to happen. I put up a struggle, and was subdued.

"At no time did I strike anyone, because under the apprehension that existed, and numerical strength opposing me, I knew it would be futile; therefore, I remained as peaceful as is possible under such circumstances.

"I advised medical attendants at * * * how these injuries were sustained. There I was given an X-ray and a test for drunkenness. The drunkenness test was negative."

Example G

"I was arrested by * * * on Thursday at about 5 a.m. The charge was stealing cattle. The officers admitted that they did not have any evidence.

"I was taken to * * * and placed in the * * * jail at about 10 a.m. the same day. Witnesses to my arrest were my wife and others.

"I was placed in a cell which was small, unventilated, no windows, dark, and extremely hot. One of the other prisoners who had been in this cell referred to it as a hot box.

"The only food I was given was one piece of cornbread on Thursday, two pieces on Friday, and two pieces on Saturday. The only water I received was one glass on Thursday, two on Friday, and two on Saturday. I was sweating a great deal and very thirsty. I asked for more water but the trusty would not give me any more because he had been instructed not to.

"On Saturday night, I was taken from the hot box about 10 p.m. I was questioned again by deputy * * * and * * * for about 1 hour. I could not give any more information so they told the jailer to put me back in the box and they made like they were leaving. I was put back in the box for about 15 minutes. I was then taken out and returned to my home.

"While in this box the only air I could get was the air coming through a crack under the door. If it had not been for my laying on the floor and getting this air from under the door I believe that I would have died.

"I am afraid that if this information comes to the attention of the local authorities I will lose my life. When I bought my auto tags in October, the sheriff told me that I am one nigger he wants but he can't get any proof. I better never had to come after you.

"I cannot understand his attitude because I have only been in jail once about 11 years ago for fighting. This was long before the sheriff ever had any position with the sheriff's office."

FINDINGS

1. The first finding of this Committee is that justice under law is not guaranteed for the Negro in Mississippi in the way that it is for the white man. This is true to the extent that much of the basic meaning of being an American citizen is denied to nearly half the citizens of the State. The idea of the dignity and worth of every individual is fundamental to the American way of life and to the Christian code of ethics on which our system is based. These concepts are systematically violated and an injustice done to us all when 42.3 percent of the citizens of this State must either accept an inferior station in life and an attitude of servility or endanger themselves and their families by protesting. All Mississippians are thereby denied the privilege of living under the best and fairest form of government yet devised. We find that terror hangs over the Negro in Mississippi and is an expectancy for those who refuse to accept their color as a badge of inferiority; and terrorism has no proper place in the American form of government.

2. The second finding of this Committee is that the State government of Mississippi is not sufficiently concerned with the task of protecting the rights of all the citizens of Mississippi. Even if police brutality were less severe and widespread than we have believed, a responsible State government would take energetic steps to ascertain the facts and punish the wrongdoers. A firm position on this matter by the State government would reduce the tendency of lesser officials to abuse their authority and would enhance the respect of the people for the State government. As matters stand today, we are forced to report that the attitude of the State government, rather than being one of protection, has been one of obstruction of the realization of the rights of our citizens. Sections 2155.4–2155.6 of the Mississippi Code are an indication of the current official attitude. These sections make a conviction for perjury in a civil rights case easier to obtain than in any other perjury case. Since Negroes represent the overwhelming majority of persons likely to be forced to make sworn statements in order to secure basic rights, this 1960 legislation seems designed to intimidate or punish those of the Negro race who would assert these rights.

3. While this committee feels that the accounts of its meetings in the press of the State have usually been fair and objective, we find that in general the press is failing to meet its obligation to our society. When an element of government exceeds or neglects its proper role in a free society it is the duty of the press to alert the people to the situation. The people of Mississippi are largely unaware of the extent of the problem of illegal official violence and the press is partly to blame. It is a zealous crusader against governmental injustice when the Federal Government is believed to be at fault, but closes its eyes to State or local official mistreatment of Negro citizens.

4. This committee finds that the Federal Government has not provided the citizens of Mississippi the protection due them as American citizens. The Department of Justice has acted in good faith, but the present interpretation of the function of the Civil Rights Division of the Justice Department is unduly and unwisely narrow and limited. This may be due to the inadequacy of funds available to the Division for staff and the like, and it may be due to a reluctance to bring cases to trial under existing Civil Rights Acts in view of the prospect of facing an all-white jury likely to return a verdict in favor of a white law enforcement official accused by a Negro. Whatever the reason, the fact that police officers are rarely tried on civil rights charges has led the public to believe that few serious charges are ever made, and has reinforced the belief among offending peace officers that they may treat or mistreat Negroes as their whims direct them.

5. We also find that the Commission on Civil Rights itself continues to have an unfulfilled obligation in regard to Mississippi. It is our opinion that a formal civil rights hearing, such as only the Commission can conduct, is more urgently needed in Mississippi than in practically any other State of the Union. Yet the Commission has never met in this State in the course of its 5-year existence.

RECOMMENDATIONS

As individuals and as members of the Mississippi Advisory Committee we believe the powers reserved to the States in the U.S. Constitution must be zealously guarded. They can only be guarded if they are fairly and responsibly exercised by the State administrations. When a State disregards the constitutional rights of a large segment of its population, the Federal Government is compelled to intervene in behalf of the victims. The rights of the State under the 10th amendment were reserved because it was thought necessary to protect individual rights from suppression by an all powerful Federal Government. The important concept in the 10th amendment is the protection of individual rights of the people. However, if these individual rights, which are further guaranteed by the 14th and 15th amendments, are denied by the State to a segment of its citizenry, these citizens have no choice but to turn to the Federal Government for protection.

This is the dilemma we face when we find, as we have above, that Negro citizens of Mississippi are denied the equal protection of this State's laws. Equal protection of the laws is a right of all citizens of the United States. The country was founded on the principle of liberty and equality for all, and that principle will not permit the rights of over 40 percent of the people of the State to be neglected simply because the State administration chooses to neglect them. It is our belief that the situation revealed by the work of this Committee could and properly should be corrected by the State government of Mississippi. But it is our finding that the State government is not sufficiently concerned about the denial of equal protection of the laws for Negroes. We therefore recommend:

That the President direct the Department of Justice to investigate every allegation of physical abuse of authority by State or local officials in Mississippi, and institute criminal proceedings in all cases in which such action appears to be warranted, regardless of the prospects for conviction;

That the Commission on Civil Rights hold formal public hearings in Mississippi on charges of denial of equal protection of the law on account of race, and that these hearings be held periodically so long as the present situation exists and the Commission remains in force; and

That the Commission on Civil Rights make recommendations to the Congress for the passage of further legislation designed to protect American citizens from being physically abused by persons acting under the color of governmental authority at any level.

Respectfully submitted.

APPENDIX

SECTIONS 2155.4 TO 2155.6—1960 CUMULATIVE SUPPLEMENT TO MISSISSIPPI CODE, 1942 ANNOTATED

SEC. 2155.4. False statements to Federal authorities as to denial of constitutional rights by the State or its agents.

1. It shall be unlawful for any person or persons to wilfully and knowingly, whether orally or in writing, make or cause to be made, to any agency, or board, or commission, or member, or officer or official, or appointee, or employee, or representative thereof, of the executive, or the legislative, or the judicial department, of the United States or any subdivision thereof, which may be now in existence, or who may be now appointed, or hereafter created or appointed, including but not limited to any commissioner, or referee, or voting referee now appointed or who may be hereafter appointed by any court of the United States or any judge thereof, and further including but not limited to any member of the Federal Bureau of Investigation and any agent or representative, or investigator, or member of the Commission on Civil Rights of the United States, or the Advisory Committee or Board of the Commission on Civil Rights of the United States appointed in and for the State of Mississippi, any false or fictitious or fraudulent statement or statements, or to use any false writing or document asserting or claiming, that such person, or persons, or any other person or persons have been, or are about to be denied or deprived of any right, or privilege, or immunity granted or secured to them, or to any of them, by the U.S. Constitution and laws, or by the Mississippi constitution and laws, by any officer, or agency, or employee, or representative, or board, or commission, or any members thereof of the State of Mississippi, or of any county or municipality, of the State of Mississippi, or of any other political subdivision of the State of Mississippi, or by the State of Mississippi and any person or persons violating the provisions of this act shall be guilty of the crime of making a false statement, which is created by this act, a felony and upon conviction thereof shall be punished by imprisonment in the county jail for not less than 6 months nor more than 5 years in the penitentiary, or by a fine of not less than $100.00, nor more than $1,000 or by both such fine and imprisonment.

2. If any paragraph, sentence, or clause of this act shall be held to be unconstitutional or invalid, the same shall not affect any other part, portion, or provision of this act, but such other part shall remain in full force and effect.

Sources: Laws, 1960, ch. 263, sections 1, 2.

Cross references: sections 2155.5, 2155.6, this title.

SEC. 2155.5. False swearing—false sworn statements to Federal authorities as to denial of constitutional rights by the state or its agents.

1. It shall be unlawful for any person or persons to wilfully and knowingly make any oral or written sworn false statement, or affidavit, or attestation, or complaint, or allegation before any individual or officer authorized to administer oaths, to any agency, or board, or commission, or member, or official, or appointee, or employee, or representative thereof, of the executive, or the legislative, or the judicial department, of the United States, or any subdivision thereof, which may be now in existence, or who may be now appointed, or hereafter created or appointed, including but not limited to any member of the Federal Bureau of Investigation and any agent, or representative, or investigator, or member of the Commission on Civil Rights of the United States, or the Advisory Committee or Board of the Commission on Civil Rights of the United States appointed in and for the State of Mississippi, that such person, or persons, or other persons have been or are about to be deprived of any right, or privilege, or immunity granted or secured by the U.S. Constitution and laws or by the Mississippi constitution and laws, by any officer, or agency, or employee, or representative, or board, or commission, or any member thereof of the State of Mississippi, or of any county or munici-

pality, of the State of Mississippi, or of any other political subdivision of the State of Mississippi, or by the State of Mississippi, and any person or persons violating the provisions of this act shall be guilty of the crime of false swearing which is created by this act, a felony, and upon conviction thereof, shall be punished by imprisonment in the county jail for not less than 6 months nor more than 5 years in the penitentiary, or a fine of not less than $100, nor more than $1,000, or by both such fine and imprisonment.

2. Corroboration or proof by more than one witness to establish the falsity of testimony or statements under oath is not required in prosecutions under this act. It shall not be necessary to prove, to sustain or charge under this act, that the oath or matter sworn to was material, or, if before an executive, legislative or judicial tribunal committee or commission that the tribunal committee or commission had jurisdiction.

3. If any paragraph, or sentence, or clause of this act shall be held to be unconstitutional or invalid, the same shall not affect any other part, or portion or provisions of this act, but such other part shall remain in force and effect.

Sources: Laws, 1960, ch. 256, sections 1–3.

Cross references: Sections 2155.4, 2155.6, this title.

Sec. 2155.6. False swearing—false sworn statements to Federal authorities as to denial of constitutional rights by the State or its agents with intent or purpose to deceive or cause investigation.

1. It shall be unlawful for any person or persons to wilfully make any oral or written sworn false statements or affidavit or attestation or complaint or allegation before any individual or officer authorized to administer oaths, that such person or persons or other persons have been or are about to be deprived of any right or privilege or immunity granted or secured by the U.S. Constitution and laws, or either, or by the Mississippi constitution and laws, or either, knowing the same, or any material part thereof, to be false, with the intent or purpose to cause or encourage an investigation or which causes or contributes in any way to causing an investigation thereof, or any other action to be taken as a result thereof by any executive or legislative or judicial department, officer or agent, or representative of the United States, including, but not limited to, any member of the Federal Bureau of Investigation or member or representative or employee of, the Commission on Civil Rights created by an act of the Congress of the United States, or the State advisory group or council, or Committee of the Commission on Civil Rights appointed in or for the State of Mississippi, and any person or persons violating the provisions of this act shall be guilty of the crime of false swearing which is created by this act, a felony, and upon conviction thereof, shall be punished by imprisonment in the county jail for not less than 6 months nor more than 5 years in the penitentiary, or a fine of not less than $100, nor more than $1,000, or by both such fine and imprisonment.

2. Corrobation or proof by more than one witness to establish the falsity of testimony or statements under oath is not required in prosecutions under this act. It shall not be necessary to prove, to sustain any charge under this act, that the oath or matter sworn to was material, or, if before an executive, legislative or judicial tribunal, committee, or commission that the tribunal, committee, or commission had jurisdiction.

3. If any paragraph or sentence or clause of this act shall be held to be unconstitutional or invalid, the same shall not affect any other part or portion or provisions of this act, but such other part shall remain in force and effect.

Sources: Laws 1960, chapter 255, sections 1–3.

Cross references: Sections 2155.4, 2155.5, this title.

ACKNOWLEDGMENT

The U.S. Commission on Civil Rights owes a profound debt of gratitude to the dedicated Americans throughout the Nation who serve on its Advisory Committees without compensation. We recognize that our debt is particularly great in the case of the Mississippi Committee. This selfless group of Mississippians has served the cause of constitutional principles in the face of official and unofficial hostility, as well as serious abuses, amounting—in some instances—to violence. In the circumstances, the Mississippi Advisory Committee might well have decided that the climate was too hostile to permit it to conduct an active program. Instead, the Committee chose to hold open meetings in various parts of the State to gather facts, and at least to give a hearing to citizens who consider themselves not only deprived of their constitutional rights, but wholly excluded from American citizenship as we know it.

The organization of the Mississippi State Advisory Committee was not completed until December 1959, when Rev. Murray Cox, of Gulfport, accepted the chairmanship. Reverend Cox guided the Committee ably and courageously until his death in November 1962. His unswerving dedication, his gentle but firm idealism, and his willingness to sacrifice all personal interests to that idealism made a profound impression on all of us.

The Committee's work was difficult from the first. In addition to official obstacles put in their path by the State government, and described in this report, the Committee members were in some instances subjected to personal abuse from private sources. They encountered social ostracism in some cases, and received numerous derogatory letters and telephone calls. One member reluctantly relinquished his pastorate of two churches rather than permit them to be split by dissension over his association with the Committee. Another member was threatened by a sheriff, who was also the president of the local White Citizens' Council, and was hit in the face by a neighbor; his children have been taunted and teased at school at the instigation of adults because of their father's religious work and membership on the Committee. Recently, an incendiary device of the "Molotov cocktail" type was thrown into the home of the Committee's vice chairman.

Despite these obstacles, the Committee has carried on an active program, culminating in this report. The Commission recognizes with profound appreciation the selfless devotion of the Mississippians who have served and are now serving on the Advisory Committee. Their firm and unswerving dedication to constitutional principles is eloquent proof of the continued vitality of our Nation's ideals.

John A. Hannah,
Chairman,
U.S. Commission on Civil Rights.

Mr. JAVITS. Finally, Mr. President, I should like to point out who the people are who compose the Mississippi Advisory Committee to the U.S. Commission on Civil Rights. I shall describe them, so that the nature of this unanimous report can be understood:

Mrs. Wallis I. Shutt, Chairman, of Jackson, Miss.; a white housewife.

Dr. James L. Allen, Vice Chairman, of Columbus, Miss.; a Negro pharmacist.

Dr. A. D. Beittel, Secretary, of Tougaloo, Miss.; a Negro college president.

Adm. Robert P. Briscoe, of Liberty, Miss.; a white, retired naval officer, who is a former NATO commander of southeast Europe.

Dr. Albert B. Britton, of Jackson, Miss.; a Negro physician.

Rev. Thomas E. Johnson, of Jackson, Miss.; a white missionary.

Rev. Charlemagne P. Payne, Sr., of Jackson, Miss.; a Negro Methodist minister.

Dr. George E. Powers, of Pass Christian, Miss.; a white dentist.

It seems to me, Mr. President, that this is a pretty fair and a pretty honorable American jury. This is their verdict. It seems to me that every one of us here, as much as he has concern for the foreign and domestic policy of the United States, has a right to have concern for the policy which is pursued in defiance of the Constitution and laws of the United States in a sovereign State of the United States.

We not only have a right, we have a duty, to speak. We have a duty to wear ourselves out in the process of seeing that these wrongs are righted. To whom must these people appeal? To the legislatures of their States, which pass laws against them, or to the Congress of the United States, which should be anxious to see that equal justice is brought to them?

I hope and pray that those who disagree, or who feel that this report is unfair, or that it misstates the facts, or that it does not do justice, will come here and say so. I think that is highly desirable. But I think the American people have a right to draw their own conclusions from whatever may be shown in that debate. The American people have the right to place the greatest credence in a committee which was heartsick at things going on in the very State where they lived and who did not realize what was going on right next door to them.

TAX TREATMENT OF TIMBER

Mrs. NEUBERGER. Mr. President, yesterday I introduced into the Record a portion of the statement Secretary of Treasury Dillon recently presented to the House Ways and Means Committee with suggestions for revision of the capital gains treatment of timber. Today I wish to bring to the attention of the Senate some arguments presented by the forest products industry in support of retention of the present method of taxing gains on harvested timber.

The industry's position emphasizes two major points: First, that the present method of taxing capital gains has become an integral part of the economic structure of the forest products industry and that a change in the tax treatment would create distress and inequities. Second, the industry spokesmen contend that the tax treatment established nearly 20 years ago has resulted in development of better forest management practices, including expansion of sustained-yield forestry.

I ask consent to include with my remarks a bulletin entitled "Timber for Tomorrow" which was issued by the Forest Industries Committee on Timber Valuation and Taxation.

There being no objection, the bulletin was ordered to be printed in the RECORD, as follows:

TIMBER FOR TOMMORROW—MEETING A NATIONAL NEED THROUGH CONTINUED CAPITAL GAIN TAXATION

This is the story of the growth of American timber resources and timberland management under a congressional tax action now clearly proved, by nearly two decades of experience, to be in the national interest.

The Congress in 1944 granted capital gain treatment to two types of timber disposal: timber cut by an owner for use in his own business, and timber disposed of by an owner through a contract under which he retains an economic interest; for example, a contract calling for the owner to be paid by the board foot as the timber is cut.

Under prior law, timber owners' proceeds from such transactions were taxed as ordinary income. In contrast, owners who disposed of their holdings outright for a lump sum were taxed at capital gain rates.

The Congress in 1944 realized that the old tax policy—that is, granting capital gain treatment in cases of outright sale only—penalized owners who wanted to keep their forests productive on a sustained-yield basis over the years. The effect of the old policy was to encourage the liquidation of entire timber stands.

Rarely can the wisdom of a congressional enactment be so graphically demonstrated. Here is the story:

THE CASE OF JIM MORGAN

Just how did the situation existing before 1944 affect a typical timber owner?

Jim Morgan owned 1,000 acres of timberland in 1942 and it contained 5 million board feet of timber. In order to cut and sell the timber which had reached maturity at that time, he entered into a cutting contract with a logger who was to pay him $20 per thousand board feet as he cut the timber. Jim paid ordinary income tax rates on the difference between his proceeds, $20, and his cost at the time, which was $10. Assuming a 20-percent tax rate, his tax was $2 per thousand board feet or $10,000 in total.

Jim Morgan's neighbor, Richard Graves, also owned 1,000 acres of timberland, but by contrast, he sold it outright and was taxed at capital gain rates; that is, at half or less the rate for ordinary income. His tax was $1 per thousand board feet assuming he was in the same bracket as Jim Morgan, or $5,000 in total.

The simplest way for Jim to get the same tax treatment as Graves would have been to dispose of his timber holdings outright and get out of the business of growing timber. Naturally, Jim Morgan was tempted to do just that. He had no better alternative.

For example, if he acquired a sawmill and cut his own timber for use in the mill, he would still not get the capital gain treatment on his timber that Graves got on his timber by selling it outright. (Operation of the sawmill itself, of course, has always been a separate tax transaction subject to ordinary income rates.)

If Jim already owned a sawmill, the only way for him to get the same treatment as Graves would be to dispose of his own timber holdings and then buy logs for his sawmill elsewhere.

If you had been Jim Morgan, what would you have done?

Owners of timberland, rather than selling their timber as it matured and reforesting in accordance with sound forestry methods, were induced by the tax structure to sell outright. In effect, the tax law encouraged "cut out and get out" operations. Timber growth was hampered by poor forestry methods. Mills could not maintain their wood supplies and jobs and communities dependent upon them were unstable.

The tax structure was inconsistent with modern forest conservation which requires long-term effort and investment.

Jim Morgan's plight made it clear that the timber tax structure existing before 1944 was stopping the flow of investment into the growth of timber and long-term timberland management.

The 1944 tax reforms have put the Jim Morgans back in business.

WHY CONGRESS ACTED TO EXTEND CAPITAL GAIN TREATMENT

The Congress had two sound reasons for enacting the 1944 timber disposal tax provisions, now contained in section 631 of the tax code. These were:

1. Equity and fairness

Growing timber is a long-term risk for every owner. When a tree is cut, a capital asset is gone—no matter how it is sold. The 1944 law placed an owner who cuts his timber or disposes of it under a cutting contract on the same tax basis as an owner selling outright. This was recognition that all such owners are essentially doing the same thing and should receive the same tax treatment.

It takes 20, 50 or 100 years to grow timber. Land and investment are tied up. There are many risks. The Congress recognized that it would not be fair to tax the gain from long-term increase in value under these conditions as if it all occurred in the year when the tree is cut. To tax this long-term growth at steeply graduated income tax rates was confiscatory in effect.

2. Conservation and reproduction of timber as a critical natural resource

The former tax policy directly discouraged good forest practice. By giving incentive to outright sales, it encouraged "cut out and get out" operations.

The 1944 tax reforms recognized the national interest in growing and conserving timber. They removed an existing impediment to the practice of sustained renewal of timberlands.

Proof of the wisdom of timber capital gain taxation: Since the capital gain treatment recognizes the long-term risk and the slow accrual of capital value, owners are now conserving and reproducing timber at rates never before achieved in the Nation's history. More than 16 years of experience have proved the Congress was right and wise in its action.

TIMBER'S IMPORTANCE TO THE NATION

Timber contributes real wealth to the national economy. Forest products are essential to the building, pulp and paper, furniture and fixture, chemical, clothing, and many other industries. Forest products industries account for 20 percent of the total number of manufacturing plants in the country and 8 percent of value added by manufacture in the total economy. All this provides jobs for 3 million persons—more than 10 percent of all employment in manufacture.

TIMBER GROWTH NOW EXCEEDS TIMBER REMOVAL

The overall volume of timber growth now exceeds timber removal, a trend long desired and now achieved.

This has come about since the 1944 tax provisions were passed.

Timber owners recognize that other factors besides taxation influence forest management decisions but these owners, both large and small, believe that without timber capital gain taxation the progress which has been made to date in the increase of the Nation's timber growth, would not have occurred.

The U.S. Forest Service has recognized the timber capital gain provision as an adjustment "of a financial character favorable to forestry." Similarly, the President's Materials Policy Commission in 1952 after careful review of the Nation's forest resources, maintained "* * * this feature of the Federal income tax laws should be retained."

CONTINUED CAPITAL GAIN TAXATION REQUIRED TO MEET FUTURE NEEDS

The U.S. Forest Service, the President's Materials Policy Commission, the Stanford Research Institute in a recent study, and other groups have all forecast very substantial increases in demand for lumber, pulpwood, and other timber products throughout the balance of this century. Of course, any long-range forecast is subject to unpredictable factors such as advances in technology. Nevertheless, in view of the anticipated increase in demand ahead, it is evident that we must continue to encourage, not destroy, the effective means of renewing the Nation's major renewable resource.

WAS ENACTMENT OF TIMBER CAPITAL GAIN TAXATION IN 1944 EFFECTIVE NATIONAL POLICY?

There are two significant periods to be considered: Prior to 1945 demand increased steadily * * * and timber growing stock was reduced.

Total production was 5.9 billion cubic feet per year and timber stock in total fell by 9 percent.

But after 1945 while demand was rising at a slightly greater rate * * * timber growing stock held its own.

In the 8 years following 1945 (the only years for which national data on growing stock is now available) total production was 7.0 billion cubic feet per year and timber stock more than held its own.

The dramatic difference between the periods before and after 1945 was made possible in large measure by the 1944 timber tax reform. Its effect was to remove a major impediment to investment by timber owners in such measures as:

Timber stand improvement, including pruning and thinning.

Reforestation, including land preparation, seeding, and planting.

More complete utilization of the tree.

Increased protection against fire, insect, and disease.

These factors, together with increased government and industry cooperation in forestry management, halted the decline in trend of timber growing stock.

The acid test—The rate of planting

Here is a striking picture demonstrating the new investment that private owners are putting into forests for the future:

A great increase in the planting of trees began after the war period, almost as soon as seedlings were available. This increase was due in large part to the encouraging effect that fair tax treatment had on forest land owners.

Nevertheless, according to both the Forest Service and private sources, there is still a great need for acceleration in the rate of planting. This is one of the major objectives of forestry management.

These two economic developments since 1945—the change in trend of timber growing stock and the substantial increase in tree planting—both testify to the wisdom and effectiveness of timber capital gain taxation in implementing national policy.

OTHER BENEFITS OF EXISTING FEDERAL TAX TREATMENT OF TIMBER

1. Mature timber is utilized and waste prevented. When owners were forced to sell on a lump sum basis to obtain capital gain treatment, they had to wait until the average of all trees was most marketable. This meant retaining some over-mature timber and selling other timber before maturity. Now owners can sell or harvest trees as they mature.

2. The small sawmill operator is helped. Since owners can sell on a "pay as cut" basis, the sawmill operator is no longer required

to make a large advance lump sum payment to obtain timber.

3. Many communities depend in large measure on forest and mill employment. They benefit from stable forest operations as contrasted to those existing under "cut out and get out" practices.

4. The 1944 law also achieved another objective. It assured a continuing sound base for the realization of tax revenue from private timberlands to local, State, and Federal Government.

While a tree grows

Land and investment are tied up for 20 to 100 years.

Additional money must be spent for proper timber management, effective silvicultural practices and local property taxes.

There are many risks—from fire, insects, disease, windstorm.

The Congress recognized that it would not be fair to tax the gain from long-term increase in value under these conditions as if it all occurred in the year when the tree is cut.

Timber capital gain taxation has proved itself to be in the national interest for nearly two decades.

It has removed inequities in prior law—resulting from different tax treatment of similar transactions.

Our forest resources are expanding.

America's forest owners—4,500,000 in number—have as a group taken great strides in forestry management and improved the supply of timber, on a sustained yield basis, for the Nation.

Their output is vital to the national economy.

Under fair and equitable taxation, they can be counted on to increase our national wealth in forest resources, meet the national need for forest products, and provide an enduring source of tax revenue to the National Government.

LITHUANIAN INDEPENDENCE DAY

Mr. ENGLE. Mr. President, last Saturday, February 16, marked the 45th anniversary of the declaration of Lithuanian independence. I rise today to pay tribute to the courageous people of Lithuania.

In the United States of America we believe that freedom with justice must prevail everywhere in the world, and we feel a deep and personal concern for all people who are held in bondage by Communist tyranny. The American people should never forget that the Lithuanian people, once free, had their independence destroyed by the infamous Hitler-Stalin pact of 1939.

Today the people of Lithuania are a silenced people. They cannot celebrate the anniversary of their independence. They cannot practice their religious beliefs. They cannot live as a free nation. But their will for freedom and independence is indestructible.

Men and women of Lithuanian blood living in the United States have made a great contribution to this country—in music, literature, art, education, in the trades, and in the professions. I want to join with our Lithuanian Americans in their hopes that their mother country may one day soon become again a free and independent nation.

RATIFICATION OF ANTI-POLL-TAX AMENDMENT BY MICHIGAN

Mr. HOLLAND. Mr. President, I am very happy today to inform Members of the Senate that the Legislature of the State of Michigan has ratified the anti-poll-tax amendment which the 87th Congress submitted to the respective States last year.

On February 7, 1963, the House of the Michigan Legislature approved this important amendment to the Constitution unanimously by a vote of 98 to 0; and on yesterday, February 20, the Michigan Senate approved the amendment, also unanimously, I am glad to say, by a vote of 30 to 0. That action completed ratification of the amendment by Michigan. The State of Michigan is the 11th State which has ratified the amendment, the others being Illinois, New Jersey, New York, Oregon, West Virginia, Maryland, Montana, California, Indiana, and Rhode Island.

Mr. President, I wish to express my warm appreciation to the two distinguished Senators from Michigan, Senator McNAMARA, who informed me this morning of the Michigan Senate's gratifying action of yesterday, and Senator HART, each of whom has been extremely helpful, both in the passage by the Senate of the resolution proposing the amendment last year and, since, by recommending early ratification by the legislature of their great State.

Mr. McNAMARA. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. McNAMARA. I appreciate the remarks of the Senator from Florida. Now that he has placed in the RECORD in such an able manner his statement concerning the ratification of the anti-poll-tax amendment by Michigan, it will not be necessary for me to make any further reference to it, except to thank him, on behalf of my colleague from Michigan [Mr. HART] and myself, for his kind reference to us.

Mr. HOLLAND. Mr. President, I appreciate the uniformly kind and most helpful consideration which both Senators from Michigan have given to this matter. It demonstrates, at a rather confusing time in the Senate, that Senators can agree to get together and get things done in a worthwhile, constructive field. I again express appreciation to the two great Senators from Michigan.

PROPOSED RELAXATION OF RESIDUAL FUEL OIL IMPORT CONTROLS

Mr. COOPER. Mr. President, the increase in residual fuel oil imports, ordered by the administration for February and March, and more important, the relaxation of import controls recommended by the Director of the Office of Emergency Planning, Mr. Edward A. McDermott, for the year beginning April 1, strike directly at the most distressed industry in the United States—the coal industry. It is a contradiction for the administration to ask Congress to appropriate a billion dollars to assist the depressed coal areas and unemployed coal miners, and then to recommend increased residual fuel oil imports to supplant coal now being used, and put miners out of work.

I call for a public hearing before any decision is made by the President to further increase residual oil imports. I deplore the recommendation made by the Office of Emergency Planning. The coal industry—both miners and operators—and all other interested parties have a right to be heard. I have asked the Secretary of the Interior to conduct a public hearing, and to recommend to the President that no action be taken until such a hearing is held. I am also urging the President to base his decision on the facts developed at such a public hearing.

In 1961 I testified at the Interior Department hearings on this subject. I said then that the coal industry had been given no opportunity to refute the contentions about fuel scarcities in New England. Again this year, the views of this industry have not been considered in making this decision, and no effort has been made to formulate a national fuels policy which recognizes all factors affecting the production, distribution, and consumption of fuel in this country.

Justice in the execution of public policy demands that interested parties be given their chance to be heard in public hearings before such an important decision is made.

To make these recommendations without hearings is a departure from the policy which has been followed in the past, both in the administration of President Eisenhower and—in 1961—in the administration of President Kennedy. I think it is unfortunate that such an important decision should have been made without a public hearing. I simply ask that a public hearing be held before the President makes any order in this important field.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AMENDMENT OF RULE XXV OF THE STANDING RULES OF THE SENATE

The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 90) amending rule XXV of the Standing Rules of the Senate relating to standing committees.

BRITAIN'S DEFENSE BUDGET AND THE EEC

Mr. JAVITS. Mr. President, the critical aspect of U.S. policy regarding Britain's exclusion from the European Common Market by General de Gaulle is very clearly accented by this morning's news that Britain's fiscal 1964 defense budget is at a peacetime high with the stress on conventional arms. Here is Britain in a typical gesture of statesmanship carrying an almost overwhelming military and defense burden in close coordination with U.S. defense policy, emphasizing conventional arms and coordinating its nuclear deterrent capability with our own, pursuant to the decisions taken between President Kennedy and Prime Minister Macmillan at Nassau.

The United Kingdom's defense spending of $5.1 billion for fiscal 1964 exceeds by $325 million the spending for the current fiscal year and represents 7 percent of Britain's gross national product.

It ranks second only to our own in defense expenditures in the free world. It gives us and the whole free world the benefit of the continuance of the useful life of Britain's long-range bomber force and places heavy emphasis on increasing army forces from 172,000 to 180,000. It provides for modernized equipment and for reaching the optimum British contribution to the NATO commitment of 55,000 troops.

This outstanding evidence of British support, notwithstanding reverses and disappointments, underlies and emphasizes Britain's vital importance as our ally and as a pillar of free world security. It demonstrates again the historic way in which Britain defies adversity. It shows that this alliance is deserving of our utmost care and thought without, of course, excluding similar care, thought and solicitude for our other alliances.

Britain needs recognition now from us, as does the Commonwealth, in the new situation created by the rejection of Britain's application to the European Common Market. The declaration of administration policy contained in the letter of Under Secretary Ball which I submitted and analyzed here yesterday does not contain an effective alternative policy. I urge the President again in the light of this fine contribution by Britain to our own and free world security to offer Britain and the Commonwealth an interim trade deal completely consistent with the most-favored-nation principle to help take both Britain and the Commonwealth through what is their economic hour of trial.

I hope very much that the American people will appreciate what this means, that it is typical of what we can expect of our oldest and most profound ally. This does not exclude any other country. It merely means that Britain qualifies. I sincerely hope that the American people will understand the need for giving Britain the helping hand it needs in view of the terrible reversal it has suffered at the hands of General de Gaulle on the Continent.

THE NUCLEAR TEST BAN NEGOTIATIONS AND THE QUEST FOR PEACE

Mr. DODD. Mr. President, of all the questions before the world today, none is more urgently in need of an answer than the question of peace and disarmament.

Of all the ages in which man has lived, none so much as this nuclear age has demanded peace and disarmament.

Of all the nations in the world, present and past, none has sought as earnestly or as selflessly as the United States the great goal of peace and disarmament.

The fact that this search has been so unsuccessful makes it all the more urgent that it go forward with redoubled effort.

I have always supported and will always support any reasonable effort, however burdensome, to move us closer to the goal of world peace.

I have always been, and will always be, ready to bear any reasonable risk to achieve genuine disarmament.

I believe there are two ways in which peace can be maintained:

First, we can, through treaties of international cooperation and disarmament, remove the causes of war and the means of making war. Up to now, this avenue toward peace has been denied us by the Communists, despite our vast efforts.

Second, we can maintain a tenuous and uneasy peace by attaining a military strength so great that no enemy will risk breaking the peace, because of fear of defeat or destruction. Up to now, this has been the only avenue allowed to us, and such peace as we have is founded upon it.

I believe there are two ways to lose the peace: One is to be so militant, so narrow, so ignorant, as to give up the search for international cooperation and disarmament, because of repeated disappointments, betrayals, and frustrations. The other is to fall so behind in the race for military supremacy which our enemies have thrust upon us, as to invite attack.

Somehow our Nation must summon the courage and the enlightenment to walk the thin line which neither flags in the unending search for a just peace, nor abandons that policy of strength which alone preserves the uneasy peace that now exists.

We are today in danger of losing our way. We are in danger of forsaking the road to peace through strength in favor of the road to peace through negotiation with an enemy who refuses to negotiate, peace through disarmament with an enemy who refuses to disarm, peace through trust with an enemy who cannot be trusted.

So the words that I shall speak today are spoken in the spirit of one who earnestly searches for peace, who hopefully seeks real disarmament, and who sees as the insurmountable obstacle to real peace and real disarmament the false peace and the false disarmament which is embodied in proposals for unpoliced and uninspected nuclear disarmament, resting on nothing more substantial than trust of the untrustworthy Soviet Union.

We live in an age when the apocalyptic vision of universal destruction has become a grim and ever-present potentiality.

All-out thermonuclear war, so we have been told, could virtually destroy mankind and reduce the earth to a wasteland.

But there is another variant of the vision of apocalypse which haunts the world of today. If international communism were ever to achieve its goal of world dominion, the physical world as we know it might survive largely intact. But it would be a world that had been reduced to a spiritual desert, a world without religion, without moral values, without law, without belief in the dignity of man and in his God-given rights, without human charity, and without hope.

No previous period in history, therefore, has imposed so heavy a burden on statesmanship.

Its task is to steer a path that protects the world from the physical devastation of thermonuclear war, while at the same time defending it against the possibility of universal Communist victory and the spiritual catastrophe that such a victory would signify.

In our efforts to avoid thermonuclear war, it is essential that, in concert with the other free nations, we seek to somehow reach an agreement with the Communist world on the questions of disarmament and nuclear testing and surprise attacks. But in seeking such agreements, it is also essential that we maintain our military supremacy until agreement is reached, and that we insist on safeguards against the possibility of Soviet cheating or Soviet treachery or of a Soviet surprise attack against which a disarmed free world could offer no resistance.

The press of the past 2 months has been full of items suggesting the imminence of a formal agreement between the nuclear powers banning all further tests of nuclear weapons. The Soviet propaganda apparatus has been pressing for the prompt signing of a formal treaty; and it has been castigating those who, in their words, "erect artificial obstacles by haggling over the number of onsite inspections to be allowed." On our side, too, some of the proponents of a nuclear test ban treaty at any price have hailed the apparent narrowing between the Soviet viewpoint and the Western viewpoint as a prelude to a test ban treaty.

The situation has had its ups and downs. Several weeks ago, apparently out of deference to the test ban negotiations then going on in New York, we announced the suspension of our very limited underground program—the only nuclear testing in which we were then engaged. Hard on the heels of this announcement, the Soviets called for the suspension of the negotiations. As a reaction to this, the President issued instructions for the resumption of underground tests. Last week our representatives were again meeting with the Soviet members within the framework of the 18-nation Disarmament Conference in Geneva. On Friday, February 15, the Soviets presented what appeared to be a take-it-or-leave-it ultimatum calling upon the West to accept its terms intact. We have firmly rejected this ultimatum, but, in doing so, we have entered a fervent plea for the continuation of the negotiations and have hinted at the possibility of further concessions. If past history is any guide, the chances are that the negotiations will be continued or that any interruption will be temporary.

There have been voices that have urged caution and skepticism in evaluating the new Soviet test ban offensive. The voices of caution have suggested that Khrushchev is not so much interested in a test ban treaty or in disarmament as he is in scoring propaganda points and inactivating Western nuclear technology. They warn that Khrushchev hopes to be able to place the blame exclusively on the United States if a formal test ban agreement is not forthcoming. They also warn that, with or without a formal agreement, Khrushchev expects to be able to compel the West to observe a second, indefinite, and unpoliced moratorium on nuclear testing.

The time has therefore come for a frank nonpartisan appraisal of our nuclear posture and of our status in the test ban negotiations. I earnestly hope that this appraisal can be conducted in an atmosphere free of party politics, because the issues involved in the nuclear test ban negotiations transcend party differences. For that matter, the initial agreement to a moratorium on nuclear testing and the negotiations conducted to date have, by and large, enjoyed bipartisan support.

If both parties can claim credit for the strong points in our policy, I believe they must equally share the blame for the errors of judgment committed in the course of our efforts to achieve an agreement that would permanently ban nuclear testing.

I do not believe that the examination I have proposed can be postponed until the day a treaty is concluded and submitted for the approval of the Senate. It is the historic duty of this body to subject treaties that have been negotiated by the executive branch to careful examination and thereafter to register its consent or disapproval. But it is our duty also to advise and counsel on issues of foreign policy when negotiations are still underway and before the Government has made irrevocable decisions or affixed its signature to agreements with foreign powers.

I first spoke at length on the subject of the nuclear test ban negotiations in May of 1960. Because of my continuing concern with this matter, I have come back to the subject on the floor of the Senate some half dozen times over the intervening years. If I now feel impelled to speak at length again, it is, first, because I believe that things have reached a critical phase; and second, because of the basic conviction that it is our duty not only to consent but to advise. Advice, to be effective, must be tendered before a final decision has been made or a moral commitment entered into with other nations.

Mr. President, I can think of no issue which is more symbolic of the West's refusal to face up realistically to the challenge of Communist aggression than that of nuclear testing.

The quest for disarmament is, as I have pointed out, a matter of urgent concern to all the peoples of the world. Despite the tremendous difficulties posed by the existence of Soviet communism, I consider it proper that we should explore every realistic possibility of achieving even a limited disarmament agreement with the Soviets so long as it incorporates proper safeguards against cheating. It is because of this conviction that I voted for the establishment of the Disarmament Agency.

We must not permit ourselves to become discouraged in the quest for disarmament. We must seek it with persistence and with all sincerity. But in our ardor for disarmament we must never permit ourselves to lose sight of political reality, or to gloss over the requirements of our national security.

Our initial approach to disarmament was based on the essential principle that any treaty relating to disarmament must be self-enforcing—that it must be governed by an adequate measure of inspection and control at every stage, because only in this way could the free world protect itself against the possibility of Soviet cheating. But the record of the United States and of the United Kingdom at Geneva since the inception of the test ban negotiations, reveals a consistent and continuing retreat from the basic principle of inspection.

The motivations behind our continuing concessions were, in themselves honorable and proper. We desire peace, disarmament, international understanding. And because of our compelling desire for the attainment of these laudable objectives, we have repeatedly shown ourselves willing to compromise and to go the "extra mile." By this time we have gone the "extra mile" so many times over that we have virtually lost sight of our point of departure.

We have made these concessions piecemeal, so that our position at any given moment has never been too different from our position 3 months previously. It is only by going back to the beginning and laying our concessions end to end that the terrifying scope of our retreat becomes apparent.

In examining this record, it is almost impossible to escape the conclusion that we have closed our eyes to the stark reality of Soviet aims—of the compulsive, unrelenting nature of Soviet expansion and of the perfidy and total amorality of the Soviet leaders. Because we have thus closed our eyes, the test-ban negotiations from their inception have constituted a serious departure from political reality. Indeed, each of the many concessions we have made since the negotiations began can be traced back to the initial illusion that the Kremlin could be trusted, or that it would, at least, not endeavor to cheat if a test-ban treaty were concluded.

I believe that our position has deteriorated steadily since we first went to Geneva in 1958, and that what was an initially unsound proposal, based on wishful thinking and accompanied by illusory hopes, has been further whittled down by the Soviet techniques of protracted negotiations, so that its acceptance in its present form would gravely imperil our security.

Since Soviet intransigence has always produced further Western concessions in the test-ban negotiations, and since we are under continuing pressure from our allies as well as from the so-called neutrals, there is serious reason to fear that there will be additional retreats on our side before the negotiations have run their course. But even if nothing worse than our current proposals were taken up by the Kremlin and incorporated into a treaty, conscience would compel me to vote against such a treaty and to do my utmost to prevent its ratification.

In the statement I have prepared for today, I propose to deal with three essential aspects of the nuclear-test-ban situation.

First, I propose to examine in detail the more important concessions we have made since we first embarked upon the test-ban negotiations. Some of these concessions are of a technical nature; the language employed is even more bleak than the customary language of diplomacy; and the text involved makes unexciting reading. Because the language is so dull and because the negotiations have been so long-drawn-out, few persons have taken the trouble to follow these negotiations through all the proposals, pro and con, and through all the drafts and counterdrafts. But boring as these details may be, it is essential that we study them closely, because if such a treaty ever were signed, our national security might well depend on a handful of undramatic and obscure words tucked away somewhere in the text.

Second, I propose to examine the origins of the many concessions we have made at Geneva and of the philosophy that has governed our conduct in the test-ban negotiations. I believe such an examination is essential if we are to undo some of the errors that have already been made and if we are to avoid repeating these errors in future negotiations.

Third, I propose to explore the significance of these concessions to our national security, the impact the test-ban negotiations have had on the NATO alliance, and the dangers for the entire free world if a treaty on the terms currently under discussion in Geneva were signed.

I. OUR CONCESSIONS AT GENEVA

Let me summarize briefly the many critical concessions we have made before Soviet intransigence since we first embarked on the test-ban negotiations.

Our initial act of trust in the Soviet Union was the unpoliced nuclear-test moratorium on which we embarked in September 1958. Under the terms of this moratorium, both sides agreed to halt all nuclear tests while negotiations for a permanent test-ban agreement were carried forward. There was no provision for inspection of any kind, since the mechanism for inspection could come into existence only upon the formal conclusion of a treaty. The moratorium, in short, was based on the assumption that the Kremlin would not cheat, but that it would, on the contrary, honor its word in precisely the same way that the United States honored its commitment.

I do not understand how any administration could accept such an assumption or could risk our security as a nation on the mathematically infinitesimal chance that a government which has violated more than a thousand treaties and agreements over the past 40 years, would for some strange reason decide to honor an agreement whose violation would go both unproven and unpunished.

The moratorium was dangerous because it established the precedent that we were willing to consider certain measures of disarmament without adequate control; and it was dangerous, as well, to our precious lead in nuclear-weapons technology.

Our initial act of guilelessness led inevitably to a second vital concession, springing from the same guilelessness. Even if the administration believed a brief moratorium on testing was diplomatically desirable, one would have imagined that in the negotiations for a formal treaty we would have sought to protect our security by insisting on an adequate structure of inspection. Instead, at the very inception of these negotiations, we agreed to a basic formula for detection and inspection which took it for granted that both parties would act in good faith, once the moratorium was superseded by a formal treaty, and which, on the admission of the participating scientists, made no allowance for the possibility of cheating.

Our third concession was our agreement to extend the test-ban treaty to cover tests in space and underground, that cannot possibly be verified.

As early as 1961, we were willing to sign a treaty banning tests in space, despite the opinion of competent scientists that such tests could be conducted without serious possibility of detection. True, some scientists have argued that space tests would be prohibitively costly. But in reply to them, other scientists have pointed out that the Soviets already have, or very shortly will have, the missile capability to loft into space even the heaviest nuclear weapons; and, they have pointed out, too, that the spectacular success of our own Venus shot has demonstrated the feasibility of transmitting instrumented information over truly incredible distances.

As for underground tests, even the most ardent proponents of a test-ban treaty are agreed that there is a level below which detection and verification would become impossible. But after the Camp David Conference, we submitted to the Russian demand that the conclusion of a treaty on detectable tests be accompanied by a voluntary moratorium on underground tests below the level of detection.

The original scientific formula which the American, British, and Soviet representatives agreed upon at Geneva in 1958, called for 180 monitoring stations worldwide, of which 21 were to be stationed in the territory of the Soviet Union. In reality, there was nothing scientific about this formula. The conference was convened on such short notice that it has been utterly impossible to give serious scientific consideration to the problems of detection and verification of clandestine tests. The so-called scientific formula was a product of "guesstimates" as to the minimum requirements for a detection network, watered down on a fantastic scale in an effort to achieve Soviet concurrence.

Having accepted inspection in principle, no matter how inadequate, the Soviets, during 3 years of negotiations, refused to come to terms on concrete details for the establishment of monitoring stations and for on-site inspection for suspicious disturbances.

Then, on September 1, 1961, the Soviets unilaterally abrogated the moratorium and embarked upon the most massive test series in history, climaxing in the explosion of a 58-megaton bomb on October 20, 1961. According to the experts, these tests were at least 6 months and quite possibly more than 1 year in preparation. Indeed, knowing the Communists, there is every reason to believe that they began to work on the devices that were tested out in their recent series on the very day that the moratorium began.

We reacted to the Soviet tests with ringing statements about Communist perfidy. We were surprised. I consider it a sad commentary on our guilelessness that we were surprised at all, because, in their abrogation of the moratorium and in the unprecedented test series which followed, the Communists were simply behaving like Communists. To me it would have been surprising if they had behaved otherwise.

Belatedly, we embarked on preparations for a test series of our own. But the initial flush of indignation had hardly worn off before we again committed ourselves to the thankless task of attempting to achieve a test ban agreement with an adversary totally lacking in honor or moral scruples, and fanatically committed to our destruction.

In December 1961 we made a fourth major concession to the Soviets. We agreed to merge the test ban negotiations with the negotiations on general disarmament; and, within this framework, we returned to the conference table in Geneva. What this meant, in essence, was that, instead of attempting to settle the issue through a conference of the three great nuclear powers, the question of the nuclear test ban was now submitted to the judgment of an 18-nation conference, which included five Western nations, five Communist nations, and eight neutral nations. In practice, our position has been even worse in terms of representation, because France has consistently refused to participate in the conference.

This was a situation that was bound to produce even further pressures for accommodation to the Soviet viewpoint and, to this extent, to weaken our control over one of the basic elements of our national security. That this was so, was dramatically illustrated last April 16 when a committee of eight so-called neutral nations represented at the Geneva Conference, submitted their own proposal for a nuclear test ban treaty which they termed a compromise between the Soviet and the Western position. This proposal, among other things, called for monitoring stations, manned by nationals of the country in which they were situated, and for inspection by invitation only.

In March of last year, the Soviets withdrew even their pro forma acceptance of the principle of international inspection, justifying this on the grounds that the international situation compelled them to take a rigid position against the admission of foreign inspectors to Soviet territory.

Against the background of the Kremlin's unilateral abrogation of the test moratorium, of its massive series of tests, of its repudiation of positions previously agreed to, our response was to offer still further concessions to the Soviets. Indeed the dreary sequence of Western concession followed by increased Soviet intransigence, followed by further Western concessions, has repeated itself like a cracked phonograph record.

Our fifth concession had to do with the size of the detection network. Our original position at Geneva in 1958 called for an international network of 600 to 650 monitoring stations. We compromised on 180 stations worldwide, with 21 in the territory of the Soviet Union. At Geneva last August, we informed the Russians that we were willing to consider a substantial reduction in the number of monitoring stations. The Herald Tribune reported that we were willing to consider 80 stations worldwide, which would mean 8 to 10 in the Soviet Union.

I should like to point out to my colleagues that when I checked with the Disarmament Agency, I was informed that, while it was true that we had offered a reduction in the number of monitoring stations, we had not offered the figure 80 or for that matter any other figure. On rechecking this item, however, I have discovered that in his remarks of last August 8 at the Geneva Conference Ambassador Dean said—I quote from the verbatim transcript:

> Nor must one overlook the very important factor of location because under this new system of reducing the 180 control posts around the world to something like 80, which we are about to propose, it may well be that the problem of location will become somewhat more difficult.

From a formal legal standpoint, it may be true that we have not offered to reduce the number of monitoring stations worldwide to 80. But I submit that there is a perilously fine dividing line, especially in negotiating with the Russians, between a formal offer of a concession and an expression of willingness to make a concession. To be frank, I believe that our negotiating position at Geneva has been compromised time and time again, either by such indications of our willingness to concede on certain points, or else by leaks to the press or private conversations through which the Russians have been advised that we are prepared to yield a point or two if they press us a bit harder.

The proposed reduction was defended in testimony before the Senate Preparedness Subcommittee as justified by improvements in detection capabilities, and on the additional grounds that the Soviet Union produced far fewer earthquakes annually than previous calculations had indicated. I am not impressed by these arguments.

There has been general agreement that the Geneva formula on monitoring was anything but foolproof. No one could say for certain what the chances of verifying a sneak underground test by the Soviets would be. But it has in the past been conceded by most responsible scientists that an underground test of a device the size of the Hiroshima bomb would be very difficult to verify, while tests in the lower yield range would be virtually impossible to verify, especially if conducted in certain types of soil. Even in the case of larger underground shots, the testimony given before the Joint Committee on Atomic Energy indicated that the chances of detection and verification could be reduced to almost zero if a sneak shot were muffled by constructing an underground cavity to reduce the strength of the seismic signal.

Even so ardent an advocate of the nuclear test ban as Dr. Hans Bethe was obliged to admit the serious inadequacy of the monitoring network originally proposed at Geneva, when he testified before the Joint Committee on Atomic Energy in May 1960. Dr. Bethe in this testimony, in fact, proposed the establishment of an enlarged system involving 21 manned stations in the Soviet Union, 600 robot seismic stations, and 300 on-site inspections per annum. With such a system, he said, it should be possible to cope with the possibility that the Soviets might attempt to conceal, or muffle, underground tests by conducting them inside large caves. The Soviets, needless to say, have never agreed to accept any such figures for the monitoring system, or any figures remotely resembling them. On the contrary, under Soviet pressure we have now retreated drastically from the much more modest figures originally agreed upon at Geneva.

If it is true that we have now improved our detection capabilities, then it seems to me that the sensible thing to do would be to use these improved capabilities to strengthen the proposed monitoring system, instead of using them to justify further major concessions to the Russians, namely, reducing the number of monitoring stations and the annual quota of on-site inspections.

As our sixth concession, we have indicated that we are willing to limit on-site inspections to a very small number per annum. I am aware of no facts that would justify the drastic reduction in the number of on-site inspections. The new detection capabilities which were described by Mr. William C. Foster, Director of the U.S. Arms Control & Disarmament Agency, in July of last year, were anything but reassuring. According to Mr. Foster, these improved methods would make it possible to detect a 1-kiloton explosion in granite, a 2-kiloton explosion in volcanic rock, and a 14-kiloton explosion in sandy or gravelly soil. What this boils down to is that the much-touted improvements in detection would still make it possible for the Soviets to escape detection if they limited their sneak tests to two-thirds the size of a Hiroshima bomb and if they conducted them in sandy or gravelly soil, of which there is a superabundance in the Soviet Union. And this estimate, it should be pointed out, makes no allowance for the fact that techniques are known that would drastically reduce the seismic shock generated by an underground blast. This technique would make it possible to test much larger weapons underground without significant risk of detection and verification.

At the first Geneva Conference, which met in the summer of 1958, our representatives initially held out for on-site inspections of all undetermined seismic events above the magnitude of 5 kilotons, and of 20 percent of the seismic shocks below this level.

In 1961, we offered to reduce the quota of on-site inspections to 20 per annum. During the summer of last year it was several times indicated that we might be willing to agree to 12 on-site inspections per annum in the entire territory of the Soviet Union, instead of the 20 inspections we had considered a minimum 1 year previously. From the exchange of correspondence between President Kennedy and Prime Minister Khrushchev it appears that our chief advisers had several months ago reduced our request for on-site inspections to the figure of 8 to 10—which, in effect, meant eight inspections.

That this is not the end of our concessions on this point has already been publicly indicated. In a discussion broadcast by Voice of America on January 31, Presidential Adviser Dr. Jerome Weisner, Director of the Office of Science and Technology, pointed out that with the Russians proposing 2 or 3 on-site inspections per annum, and the Americans proposing 8 to 10, we had really moved very close together. Dr. Weisner said:

> I am sure that this is a gap which can be closed by continued negotiations and we hope that in the next few months we will see the gap closed.

Dr. Weisner's words, if they had any meaning, were an open invitation to some kind of 50–50 compromise. I think it can be taken as certain that the Russians construed these remarks as meaning that we might be willing to settle for four or five on-site inspections. On February 14, an article in the Washington Star confirmed that we were already in the process of lowering our demands; according to this article, the administration is now prepared to accept a total of seven annual on-site inspections. A CBS broadcast of the same date said that the administration was prepared to cut its request to five on-site inspections.

Twenty-four hours ago, Mr. President, the substance of these initial leaks to the press was confirmed by reports from Geneva. According to these reports, we have now formally offered to accept seven annual on-site inspections, while American officials have hinted privately that we are prepared to accept as few as five on-site inspections as an annual quota.

Concession No. 7 had to do with the organization and functioning of the control commission. Not only did we accept the principle of parity for the Communist and non-Communist nations on the Commission, but we agreed to give the Soviets veto power over the annual budget and over the appointment of the Executive Officer by requiring that these matters be decided by the unanimous vote of the permanent members of the Commission. We have accepted this arrangement in the face of the long record of Soviet vetoes in the U.N. and the terrible effectiveness with which they have used the veto power there.

We have made the removal of the Executive Officer virtually impossible by proposing that, if any members of the Commission should lose confidence in him, a decision to remove him would require the concurring votes of 11 members of the Commission. This would involve obtaining the unanimous votes of all seven of the neutral members of the Commission. This was concession No. 8.

Concession No. 9, although not as serious as some of the others, was nevertheless significant. We have played down the importance of inspection by stipulating that the Executive Officer shall "be guided by the considerations that the permanent staff shall be kept to the minimum necessary to perform its assigned functions." In line with this we have further played down the importance of inspection by eliminating, for the first time, all mention of the need for a joint scientific program for the purpose of improving methods of detection and verification.

Our 10th concession had to do with the duration of an unpoliced moratorium on undetectable underground tests if a formal treaty banning nuclear tests were signed.

Our previous positions had been conditioned by the knowledge that underground tests below the level of 20 kilotons—that is, below the level of a Hiroshima bomb—would be exceedingly difficult, if not impossible, to detect and to verify.

After the Camp David Conference, we had agreed, if a test ban treaty were signed, to observe an honor moratorium on tests below this threshold of detection for a limited period of time, reserving the right to resume such tests if more adequate methods of detection were not devised within this time. Once again, despite all the dismal experiences of the postwar period, we were trusting the Russians not to cheat, when there was much to be gained from cheating and when cheating would go both undetected and unpunished.

Once again, we showed ourselves willing to exchange our word, which enjoys international acceptance, for the Soviet word which is utterly without credit.

Our proposal of April 27, 1960, spoke of a 24-month moratorium on tests below the threshold of detection. More recently, we expressed willingness to extend this period to 26 months.

But in our proposal of August 27, 1962, we have agreed in advance that, on the day a treaty is signed, tests of all sizes, in all media, whether detectable or not, would be forbidden. Needless to say, we would honor such an agreement—but would the Soviets?

This was our 11th concession. What this signified was that we had compromised our position further by completely eliminating the so-called threshold of detection, that is, the dividing line between underground tests big enough to be identified and those that are too small to be identified by current methods. This concession, to me, is the most serious of our many departures from principle.

In the recent negotiations we have accepted the principle that much of the job of monitoring can be taken over by sealed black boxes, which would record and report on seismic disturbances. This proposal can only be justified on the alternative assumptions, either that completely tamperproof black boxes can, through some miracle, be devised by technologists, or that the Soviets would in no way attempt to interfere with the boxes or with transmission from the boxes or with periodic inspections of the black box network.

Once again, in short, we were staking our security on the oft-perforated assumption that the Soviets would honor the rules and conduct themselves like honest men.

This was our 12th concession to guilelessness.

Finally, we have made a serious concession to the preposterous principle of national inspection. Our draft treaty of August 27, 1962, stipulates among other things that the monitoring stations—and I quote—"shall be maintained and manned by nationals of the states in whose territory such station is located." If this principle is ever translated into reality, it will be tantamount to creating a situation in which the Russians are charged with the responsibility of deciding whether or not they are cheating and whether or not to convey this information to us.

This, I submit, has nothing to do with scientific estimates or scientific knowledge. It is, on the contrary, something that flies in the face of everyday commonsense. It is as ridiculous as trusting gangsters to police themselves and faithfully report on their own misdoings.

True, our proposals still call for onsite inspection when a suspicious seismic event has been reported by one of the national monitoring stations. But even in the improbable event that such a suspicious tremor were certified, there is nothing in the wording of our proposal which would require the appointment of Western representatives to the investigating team; the team might consist entirely of so-called experts appointed by nations like Ghana and Outer Mongolia.

And while our proposal calls for foreign observers of undesignated nationality and in undesignated numbers to be stationed at and make periodic visits to the various elements of the inspection system, the hard fact remains that to this day we have never specifically rejected the proposal submitted by the 17 so-called neutral nations last April, under which inspection could take place only if it were invited by the suspected cheaters.

It is for all these reasons, and the threat they pose to our national security, that I should, in conscience, be compelled to vote against the ratification of a test ban treaty if the Soviets were to take us up on the draft we submitted to them last August 27.

As I have pointed out previously, I am wholeheartedly in favor of efforts to negotiate at least a measure of international disarmament, subject to a system of inspection and control that will adequately safeguard our national security. My criticisms of the Geneva negotiations to date is not that we have sought agreement—which I think proper and necessary—but that we have, in effect, been seeking an agreement for the sake of agreement and, in doing so, we have abandoned position after position in the system of safeguards that might have made a test ban treaty acceptable.

Unless we move immediately to reevaluate and strengthen our position, if a treaty does emerge now, it will be one that lacks the essential safeguards we must have to protect ourselves against the possibility of Soviet cheating. The greater danger is, however, that we will permit ourselves to be maneuvered into another unpoliced moratorium on nuclear tests.

II. THE ORIGINS OF OUR CONCESSIONS

Our decisions to embark on the ill-starred test ban negotiations with the Soviets and our commitment to an unpoliced moratorium on testing were made in response to a condition of international hysteria on the test ban issue which Soviet propaganda had been assiduously fostering.

There was agitation in this country for a cessation of testing, agitation abroad, agitation in the U.N. And so we bowed, and made what was, in effect, an emotional decision which we have since been attempting to justify on scientific and political grounds.

Another part of the explanation for our retreat from reality on the test ban issue is to be found in the fact that an aggressive faction in the scientific community has succeeded in achieving a role of critical importance within the administration as top-level advisers on nuclear policy. That this is so is a matter of common knowledge. I have had a sufficient number of letters from scientists to persuade me that this faction does not have credentials to speak for the scientific community. But by dint of their vociferousness and their unrelenting self-assertion, they have succeeded in persuading officialdom, the press, and a large section of the public, that theirs is the voice of scientific conscience and wisdom.

The persistently wrongheaded advice this scientific faction has fed to successive administrations stems from an appalling lack of understanding of political realities.

It would be instructive to take the case history of one of the most prominent members of this scientific faction who has had very great influence on our policy. I refer to Dr. Hans Bethe, who once held the position of chief scientific adviser to President Eisenhower on the test ban issue.

Dr. Bethe predicted that it would take many years for the Russians to get the A-bomb. He emphatically reiterated this prophecy, indeed, on the very day that the United States verified the first Soviet atomic explosion. As I have heard the story, he had no sooner finished expostulating on the inability of the Soviets to produce an A-bomb, when the phone rang bringing an urgent report that the Soviets had just exploded their first nuclear device.

His attitude toward the development of the H-bomb was negative on two grounds. First, he held that it was impractical to undertake its development; and second, he held that the H-bomb would be immoral.

When we got the H-bomb, Dr. Bethe, not discouraged by his previous failures as a prophet, predicted that it would be many years again before the Soviets could match our achievements. Actually, it was only a matter of months.

He was one of the prime advocates of the nuclear testing moratorium, defending the thesis that there was little to be gained from continued testing and little to be lost if the Soviets should test in secret.

To Dr. Bethe it was inconceivable that the Russians would dishonor their word or engage in cheating. After the first Geneva Conference, the Rand Corp. physicist, Dr. Albert Latter, came up with proof that the seismic impact of an underground nuclear test could be very greatly reduced by exploding the device in the center of a large spherical cavern. We immediately presented this evidence to the Russians, because it demonstrated that there was a serious possibility of undetected cheating. Let me quote Dr. Bethe's words in commenting on this situation. I quote from his article in the Atlantic Monthly:

> I had the doubtful honor of presenting the theory of the big hole to the Russians at Geneva in November 1959. I felt deeply embarrassed in so doing, because it implied that we considered the Russians capable of cheating on a massive scale. I think that they would have been quite justified if they had considered this an insult and had walked out of the negotiations in disgust.
>
> The Russians seemed stunned by the theory of the big hole. In private, they took the Americans to task for having spent the last year inventing methods to cheat on a nuclear test cessation agreement. Officially, they spent considerable effort in trying to disprove the theory of the big hole. This is not the reaction of a country that is bent on cheating.
>
> Two of the Russian scientists presented to the Geneva Conference their supposed proof that the big hole would not work. A day or two later, Dr. Latter and I gave the counterproof and showed, with the help of the Russian theory itself, that the Russian proof was wrong and that the theory of the big hole and the achievable decoupling factor were correct. We have been commended in the American press for this feat in theoretical physics. I am not proud of it.

And when an analysis of the recent Soviet test series compelled Dr. Bethe, as chairman of the evaluation committee, to report that the Soviets had, in fact, scored sensational gains in their multimegaton capability, he rationalized his position by arguing that the technological advances scored by the Soviets really constituted a plus from our standpoint because the Soviets would no longer have to worry about American superiority, and therefore would be less tempted to embark on a surprise first strike against the United States.

Let me quote his exact words on this point, from the speech he delivered at Cornell University:

> The recent Russian test series included many tests in the range from one to five megatons. This is just the range which might be suitable for a Russian solid-fuel missile similar to our Minuteman, which could be placed in hardened sites. I hope this is the right interpretation, and that the Russians also will aim for a secure second strike force. This also will contribute to stability and will remove any incentive for the Russians to strike first. This major part of their test series therefore may well have reduced rather than increased the danger of war.

Dr. Bethe over most of the past 5 years—that is, virtually the entire period of the test ban negotiations has been one of the most influential scientific advisers to American Presidents. It is a sorry commentary on our thinking on nuclear matters that this man, who has been so consistently and so incredibly wrong in so many situations, was for years regarded with so much deference that much of his advice was translated into important national policy.

I wish to make it clear, again, that my remarks are not directed against the scientific community but against a small but militant and powerful segment of the community whose advice has not been limited to the sphere of scientific technology.

The central questions at issue in the matter of a test ban are, first, the question of Soviet intentions, and second, the question of whether or not we can trust the Soviets. These are essentially political questions on which scientific competence, by itself, does not qualify a man to advise. The ivory tower thinking which some of our scientists have substituted for political judgment has, in fact, seriously warped their judgment on the possibilities of further important advances in the realm of nuclear technology.

III. NUCLEAR TECHNOLOGY AND FREEDOM—THE DANGERS OF TEST CESSATION

Perhaps the most dangerous aspect of the test ban negotiations at Geneva is the fact that the proposals now under discussion have completely ignored the largely unexplored potential of low-yield tactical nuclear weapons.

On the field of battle, nuclear weapons ranging from one ton up to a kiloton of TNT could be highly significant. If tactical weapons of this magnitude were tested underground, the chances of verification would not be one in a hundred, or even one in a thousand, but quite literally zero. Yet in our test ban position we have implicitly taken the stand that new developments involving yields of up to 20 kilotons are nothing to worry about. No explanation was given to the public as to why 5 kilotons was considered a safe limit at one time, 20 kilotons at another time, or as to why we now consider it permissible to drop all mention of a threshold.

It is part of my purpose in speaking today to explore the ramifications of underground testing of new tactical and defensive weapons, because I believe that it is precisely here that the greatest peril lies.

In the premoratorium years of nuclear weapons development, the general trend was in the direction of larger and more destructive weapons. Indeed, it was more than 6 years after the first nuclear detonation in July 1945, before yields below the initial value of 20 kilotons were tested. Little serious attention was given to the nonmilitary effects of nuclear weapons; up until 1958, the "bigger bang per buck" philosophy was instrumental in shaping our nuclear weapons development.

As a result of this developmental philosophy, our strategic nuclear stockpile became one of almost unimaginable power, and for a period of time it no doubt served as an indispensible deterrent to Communist aggression.

During the 1950's we had developed nuclear weapons of somewhat scaled-down power which we chose to call "tactical weapons." But these weapons were still so powerful that their use in friendly countries would have been hazardous both to our own troops and to the allied populace. Our tactical stockpile, indeed, took on an appearance which began to cause doubts and anxieties.

During the moratorium years, in particular, a number of strategists and planners began to raise serious questions about our ability to fight a limited nuclear war. Included in this group was Gen. Maxwell Taylor, now Chairman of the Joint Chiefs of Staff. It was pointed out that we did not possess a rational doctrine for tactical nuclear warfare and that such a conflict might result in so much physical destruction and radioactive contamination that it would be out of line with any reasonable objectives. Furthermore, it was feared that the level of violence unleashed by such tactics might not be controllable and the conflict would rapidly move—or "escalate," as our modern strategic jargon puts it—toward general thermonuclear warfare.

From such misgivings arose pleas for a considerable strengthening of our conventional forces in order that we might enjoy a greater and more realistic flexibility of response than our overemphasis on nuclear weapons then permitted.

At present the basic policy of the Department of Defense is that limited wars should be confined to conventional combat, if at all possible, and that nuclear weapons should represent a backup of last resort. Serious consideration has even been given to the possibility of restricting a war in Western Europe to conventional weapons only.

I have grave reservations about the wisdom of these plans, and I shall explain these reservations later.

While many very able planners were urging a buildup of our conventional forces as the surest deterrent to escalation, another school of thought, although sharing the same qualms about the utility of our tactical nuclear stockpile as it existed at that time, favored a different approach. They began to explore the possibility of improved or radically different types of nuclear weapons, more suitable for tactical warfare. From this thinking arose the Army's Davy Crockett warhead, a lightweight and easily portable nuclear weapon of low explosive power, to be used primarily by frontline troops. Because of its relatively low yield, the Davy Crockett, although it is still a costly fission weapon, could be employed against enemy troops in a far more discriminate manner than the tactical weapons which had been stockpiled to date.

THE NEUTRON BOMB

In mid-1959, less than a year after the moratorium was initiated, there began to be reports about a radically different type of tactical nuclear weapon, which soon came to be known by the name of the neutron bomb. No official disclosure of such a project has ever been made by either the past or the current administration. But that there was such a project has been confirmed to the public from many sources.

Although there had been at least one previous mention in the press, I believe that I was the first Member of the Congress to publicly discuss the possibilities of a neutron bomb. I did so as part of a detailed analysis of the entire nuclear test ban situation, which I presented on the floor of the Senate on May 12, 1960. I did so with a special purpose, because I considered all the hush-hush that surrounded the neutron bomb to be a glaring instance of the official abuse of secrecy, akin to the official hush-hush which surrounded the hydrogen bomb before the decision to make it.

I described the neutron bomb as a kind of death ray that could kill or incapacitate with no significant fallout and only negligible physical damage in the target area. I said that such a bomb, technically, could be produced by tailoring the energy of a fusion explosion so that, instead of heat and blast, its primary product is a burst of neutrons. And I pointed out that the development of such a pure-fusion weapon, by eliminating the cost of expensive fission materials, could open up the way to the production of thermonuclear weapons of all yields, in vastly increased quantities and at much smaller cost.

In a pure-fusion bomb the preponderance of energy is released in the form of very penetrating neutrons. These neutrons produce no physical effects, such as blast or heat, but they can produce very significant physiological effects at considerable distances from the explosion. Human beings are extremely vulnerable to neutron radiation. The energy concentrations of neutron radiation which can incapacitate and kill enemy personnel are hundreds-to-thousands-fold less than those required to kill or incapacitate by blast and heat effects from nuclear explosions.

Subsequent to my speech of May 12, 1960, there were numerous articles on the neutron bomb in the daily and the periodical press—in the Washington Star, the New York Times, U.S. News & World Report, Life, Time, Saturday Evening Post, and so forth. By and large, these reports confirmed the description I had presented in my speech of May 12. The Washington Post said in an earlier article:

> If such a weapon is possible, as it now appears to be, it may make attempts to set up a total nuclear test ban as a first step toward disarmament meaningless since tests on large weapons of this type could be concealed underground. And the low blast effect would make them difficult to detect.

Early confirmation from a source carrying scientific authority came in an article by the eminent theoretical physicist, Freeman Dyson, writing in the April 1960 issue of Foreign Affairs. In evaluating our current nuclear weapons and stating the need for more advanced ones, Dr. Dyson maintained that:

> The basic built-in characteristic of all existing weapons is that it is relatively much

> cheaper to make a big bang than a small one. Below a certain explosive yield of the order of a kiloton, nuclear weapons are grossly inefficient and extravagant. However, for military purposes other than wholesale annihilation, a kiloton is already an unreasonably big bang. There is a clear and acute military need for an explosive which would fill the gap between a ton and a kiloton of TNT, with a cost which is proportional to the yield instead of being independent of it.

Dr. Dyson described such a weapon as being logically the third major step in weapon development after the existing fission and hydrogen bombs. He said:

> The decisive advantage of a fission-free bomb is that it could be built economically in small sizes. It would have no critical mass. It would provide without gross inefficiency an explosive power adopted to the needs of small-scale and local warfare.

Dr. Dyson also discussed the Soviet interest in such weapons and he described experiments which indicated that the Soviets had embarked upon such a development more than a decade ago. He expressed his great concern should the United States have to cope with an adversary which possessed such weapons while we were restricted to the use of existing atomic weapons. Let me quote what the distinguished scientist said on this specific point:

> The adversary's bombs would outnumber ours ten or a hundred to one and theirs could be used with far greater versatility in infantry warfare. Suppose that in this situation a local war of the Korean type should begin. God help the American infantryman who is sent in to fight against these odds.
>
> Practically speaking, our Army would have had two alternatives: either to retreat precipitously or to strike back with our much more limited number of heavier nuclear weapons and destroy the whole country. This is not a pleasant situation to contemplate, and yet it is necessary that our people understand that it is a possibility.
>
> Any country which renounces for itself the development of nuclear weapons, without certain knowledge that its adversaries have done the same, is likely to find itself in the position of the Polish Army in 1939, fighting tanks with horses.

Dr. Dyson's discussion of the neutron bomb was part of a strong plea for the United States to terminate the moratorium and renew nuclear testing. To him, as to many other responsible scientists, the dangers of an inadequately policed test ban treaty were too great to counterbalance the possible gains which might ensue. And, in contradistinction to those who chose to retreat from all nuclear warfare by advocating a conventional force buildup, he recommended that we face up to the harsh realities of the nuclear age by striving to maintain our nuclear superiority.

Since Dr. Dyson's article appeared, the Joint Chiefs of Staff have recommended that the development of the neutron bomb be pursued on a high priority basis, and the congressional Joint Committee on Atomic Energy has been so impressed by the project that they have urged the President to support it. These facts have been reported in the press. But thus far, from official sources, there has been only one open comment on the neutron bomb—perhaps an inadvertent one.

Recently the able head of our delegation to Geneva, Arthur H. Dean, in discussing the need for on-site inspection, enumerated several examples of low-yield underground tests which could provide valuable progress in nuclear weapons development. Among these was "the development of basically new weapons as, for example, the pure-fusion weapon about which so much has been written and said. The fusion weapon may be developed from very small underground nuclear explosions."

Ambassador Dean was attempting to show the necessity for inspection and held forth the neutron bomb development, as an example, to prove this case. Although he may not have realized it—and I assume he did not—this particular example actually defeated his case, since the yields involved in such testing are far below the threshold of detection of the monitoring system he was advocating.

The Washington Post, which has fervently argued editorially for nuclear test suspension, has dealt several times with the neutron bomb. In one editorial, after expressing some opinions on the relationship between the bomb and the test ban treaty, the Post concluded:

> None of this means that we should allow Russia to be the only one to develop the neutron bomb. But in discussing this fearful weapon let us, by all means, know the whole truth, which alone will make it possible to arrive at an honest, intelligent decision.

With this statement, I am in complete accord.

WHAT THE SOVIETS KNOW ABOUT THE NEUTRON BOMB

The Soviet people, strangely enough, have been told far more about the neutron bomb from official sources than have the American people. From several speeches and writings by Soviet authorities some highly revealing facts have emerged. Since, for obvious reasons, I cannot discuss the official interest of the United States in this matter, I shall use official Soviet releases to further explain the physical nature and military implications of the neutron bomb.

In 1958, there was presented to the United Nations International Conference at Geneva a paper on the peaceful uses of atomic energy, by the Soviet physicist L. A. Artsimovich. I may say that Artsimovich is a scientist of international reputation who has played a significant role in the Soviet nuclear-weapons program, and has been highly decorated for his activities. Artsimovich presented to the Conference a paper entitled "Research on Controlled Thermonuclear Reactions in the U.S.S.R." The title had a humanistic ring, for it dealt with attempts to harness fusion energy for peaceful purposes. But the research had a military potential which apparently has been well understood by the Russians.

In simple terms, Artsimovich, in his paper, described experiments, performed in 1952, in which very small amounts of heavy hydrogen—deuterium and tritium—were compressed by the detonation of a high-explosive assembly. In essence, this was an attempt to produce a very small yield hydrogen bomb, without using a fission trigger. The goal, as he stated it, was to develop a cheap nuclear explosive which would release energy at an acceptable cost. The Soviet experiments, it appears, were directed toward nuclear yields equivalent to 10 tons of TNT, as compared with yields of kilotons and megatons which are associated with our current nuclear weapons. Apparently the initial Soviet experiments were attended by a certain measure of success; nuclear reactions resulted and neutrons were produced.

From Artsimovich and from other sources it is obvious that the Soviet Union became interested in fission-free nuclear explosives more than 10 years ago. There have been no further disclosures since Artsimovich reported in 1958; and I find it disturbing to contemplate what progress they may have made since 1952.

Our ignorance of Soviet progress in this field is, and will remain, complete; we shall know only what they choose to tell us. Such experiments are far too low in yield to be detected; and, considering the appalling lack of success which our intelligence community had in uncovering the massive Soviet test preparations during the moratorium, I find it hard to believe that we shall ever know of Soviet accomplishments in this area, unless they elect to announce them. Should they ever announce that they possess the neutron bomb, I pray that we shall be able, without delay, to announce a comparable capability.

That the Russians have long ago set out to develop pure-fusion explosives was made abundantly clear by Artsimovich in the paper to which I have referred. That the Russians understand the military implications of such developments has also been made abundantly clear.

Writing in Red Star, an official publication of the Soviet Ministry of Defense, in September 1961, Col. M. Pavlov set about to explain the neutron bomb to the Russian people. I would like to cover some of the key points of Pavlov's analysis, because in remarkably frank fashion this article throws light on Soviet understanding of the scientific theory behind the neutron bomb and its military implications. I have discussed Pavlov's article with competent physicists who tell me that its technical basis can be readily verified by reference to unclassified texts.

Colonel Pavlov poses the question, "Why is it precisely a thermonuclear bomb, not an atomic bomb, that possesses a stronger destructive power by neutrons?" His explanation is as follows:

> In the reaction of the nuclear fission of uranium or plutonium, the neutron flow comprises about 1 percent of the total weight of the nuclear charge. The kinetic energy of the neutrons accounts for only about 3 percent of the total energy of the blast. The case is different in the course of the reaction caused by the fusion of deuterium and tritium in a thermonuclear bomb. As much as 20 to 33 percent of the total weight of the nuclear charge is used in the creation of a neutron flow and a considerable part of the energy of the nuclear blast is accounted for by the kinetic energy of the neutrons. If we consider the amount of released neutrons per unit of nuclear charge, we will

> see that in a thermonuclear reaction 30 times as many neutrons are released as in the reaction of fission.

Pavlov then went on to make the calculation that a fusion bomb of very low yield, equivalent to 40 tons of TNT, can, by bursting at the proper altitude over a built-up area, kill the occupants, without producing significant physical damage to the structures in the area. He concludes by stating:

> From all that has been said above it is evident that the neutron bomb is a kind of nuclear bomb in which the blast energy is redistributed among the destruction factors in favor of the neutron flow. Under special blast conditions the main destruction factors will not be light radiation (heat) and the shock wave (blast), but penetrating radiation whose basic power will consist of neutrons.
>
> Only aggressors dreaming of brigandage, of preying on foreign lands and foreign assets, are capable of mobilizing the efforts of scientists for the purpose of creating such a weapon. While destroying the people, they want to make use of the fruits of the labor of the victims killed by them. The plans for building a neutron bomb once again reveal the entire man-hating essence of contemporary imperialism which, in order to obtain profits, is ready to commit crimes whose monstrosity would eclipse the memory of the gas chambers and gas trucks of Hitler's hangmen.

I find these final remarks to be an admirable expression of Communist philosophy. They amount to an implied justification for the building of the neutron bomb by the Soviet Union. I find it worrisome in the extreme to know that they may now possess, or will soon possess, the very weapon which could assist them immeasurably toward realizing their goals, for this weapon would permit them to achieve the coveted prize of Western Europe with an intact urban-industrial fabric, instead of battering it to rubble with atomic or hydrogen bombs, or even with high explosives, as was the case in World War II.

As matters stand today, we know the Soviets have for a number of years been conducting work in the general area of the neutron bomb, and that they fully realize its military potentialities. We do not know whether they yet have it; but it can be taken as a virtual certainty that the neutron bomb is capable of development by continued underground testings. We, ourselves, do not yet have the neutron bomb, although Thomas E. Murray, former Atomic Energy Commissioner, in an article written just before his death, in 1961, declared flatly that we would already have had the weapon, had it not been for the moratorium on nuclear testing. But regardless of how far our scientists and engineers may have carried the theory of the bomb, it is obvious that it can never be developed into a practical weapon for battlefield use unless some further developmental tests are carried out.

THE NEUTRON BOMB AND NATO

Despite the manifest advantages which the neutron bomb would have over existing tactical nuclear weapons, and despite the evidence that the Soviets have long ago initiated research in this field, the development of the neutron bomb has been pooh-poohed or minimized or discouraged by some of the President's scientific advisers and by other members of the administration.

Certain of the objections to the neutron bomb spring from the understandable desire to prevent the escalation of a limited military confrontation into all-out thermonuclear warfare. The dominant philosophy in the administration at the moment, as I have pointed out, is that the only sure way to prevent such escalation would be to endeavor to contain the enemy with beefed-up conventional forces. According to this viewpoint, the use of even small tactical nuclear weapons on the battlefield would rapidly lead to the generalized use of nuclear weapons of all magnitudes, and we would have the war of total devastation that all of us desire to avoid. Despite its strikingly different properties, the neutron bomb is lumped together with existing tactical nuclear weapons whose use, so it is argued, would give the enemy license to expand the conflict into a war of mutual destruction.

According to this logic, no serious purpose can be served by the further development of improved tactical nuclear weapons, because—so it is argued—any future confrontation will be decided either by conventional weapons or by multimegaton weapons.

In the absence of tactical nuclear weapons that can be used with discrimination, and without serious danger to the allied populations we are attempting to defend, it is understandable that some of our military planners should have given serious thought to the possibility of confining future wars to a conventional level.

The trouble with this theory, as it applies to Europe, is that our NATO allies simply do not have confidence in their ability to match the Communist bloc in military manpower or conventional capabilities. The tendency on their part has been to cling to the hope that the so-called thermonuclear balance of terror will continue to act as an effective deterrent to Soviet aggression.

I am convinced that it is largely because of their lack of confidence in the conventional approach, and because of the very heavy burden of maintaining such forces, that our European allies have never really made a serious effort to build the 50 division army that NATO planners have repeatedly called for.

Planners who urge that we confine ourselves to conventional weapons in any limited war situation have, moreover, not secured the assurances of the Soviets that they will adhere to the same code of conduct, nor have the experts who have formulated our Geneva proposals secured from the Soviets a guarantee that they will not pursue through clandestine underground testing the development of the neutron bomb or other radically new nuclear weapons.

In essence, the games we have played in these two areas are games of intellectual narcissism. They have been mirror exercises, in which we have attempted, for the moment successfully, to convince ourselves that the Soviets think and act and respond as we do, and that our analyses have therefore been supremely logical. But the image in the mirror was our own, not the Soviets: the Soviet image in these matters is compounded of known perfidy and unknown mystery.

For my own part, I do not accept the thesis that the use of small tactical nuclear weapons like the neutron bomb in battlefield situations, will automatically lead to escalation into a total thermonuclear exchange. I consider this thesis exceedingly dangerous and demonstrably false.

There are military problems, so I am told by my military, and particularly my scientific friends, that are so complex that they can best be solved by banks of computing machines. But this is not a problem of such complexity; it is a problem, on the contrary, which is effectively answered by considerations of simple commonsense.

Let us consider a hypothesis which is far from remote: The Russians impose a blockade on Berlin and we attempt to break through with a military convoy. There is a sharp clash, in which our units initially hold their own. Suddenly the Russians detonate a number of neutron bombs at critical heights above our concentrations of armor. In an instant, our units are rendered useless. The armored vehicles are still intact, but their crews have been immediately incapacitated, doomed to quick death by an intense flux of neutrons.

If we do not ourselves possess the neutron bomb, what, then, would our reaction be?

To continue to wage war with conventional weapons would be to invite a crushing military defeat.

We might attempt to respond with the tactical nuclear weapons we now have in stock. But if we did, we would be at a double disadvantage. First of all, we would be in the ambiguous position of attempting to defend an ally with weapons that release large amounts of radioactivity, and whose unrestricted use would result in widespread death and destruction to the civilian populace.

In the second place, the tactical fission weapons which we now possess would have only a fraction of the effectiveness of the enemy's fusion weapons. As Colonel Pavlov pointed out, the fusion reaction releases 30 times as many man-killing neutrons as the fission reaction. In other words, a neutron bomb could be just as effective against personnel in a given area as a fission bomb 30 times more powerful. If the Soviets possess the neutron bomb in quantity, its far greater effectiveness, its relative cheapness, and its freedom from widespread devastation and from fallout, would give them an advantage of critical proportions.

In such a confrontation, if we felt that our own tactical fission weapons were no match for the Soviet neutron bombs, would we automatically go over to all-out thermonuclear warfare? Would the President press the fateful button that would, within a fearfully short time, result in the incineration of scores of millions of Americans as well as scores of millions of Russians?

Frankly, I think there is serious reason to doubt it—especially if the Kremlin hewed to style and demanded not unconditional surrender, but only a few concessions such as the internationalization of West Berlin, the withdrawal of NATO bases and of all nuclear forces from Germany, and a West German Government friendly to the Communist bloc. It may not be inconceivable that the President would press the button; but it is far from certain that he would do so and thus produce the very escalation which our conventional weapons advocates so fervently desire to avoid.

No crueler dilemma could ever confront a President of the United States. Indeed, the gap between reality and abstract hypothesis is so great that no man could presume to predict what he would do if the power were his to use in such a contingency.

It may be argued that the question posed here was, in effect, answered by the Cuban crisis, that here we did face up to the possibility of nuclear war. But Cuba was a far different thing from pushing the button that launches all-out thermonuclear warfare. In fact, precisely because we were able to bring overwhelming military strength to bear in the Caribbean area, it was Khrushchev who was placed in the position of having to decide whether to press the thermonuclear button. Khrushchev's failure to do so, despite all his advance missile rattling, and lack of humanitarian scruples—let us remember that Khrushchev, in organizing the forced collectivization of the Ukraine, was responsible for the starvation or violent death of more than 5 million peasants—simply drives home the point that the decision to press the button would be infinitely more difficult for any democratic head of state.

There has been a tendency to downgrade the importance of the hundred megaton warhead with the argument that anything such a warhead could do, could be done just as effectively by, say, five of the 20-megaton warheads which we now have in our arsenal. Perhaps this is so; but the significance of the hundred megaton bomb is not a simple matter of arithmetic.

The fact is that, by the mere act of announcing the hundred megaton bomb, Khrushchev has been able to vastly intensify his propaganda of terror. By this act, indeed, he has achieved a gain of strategic significance, because the awesome accounts of the potential destructiveness of this weapon are bound to place further restraints on the hands of any American President and to make our recourse to thermonuclear weapons even less plausible than it previously was.

One scientist has estimated that a hundred-megaton bomb, exploded on a clear day, would set fire to almost everything within a 30-mile radius. Fire storms which might result could spread the area of destruction by fire to twice this distance. Within a circle of 20 miles diameter there would be total or serious destruction from blast. According to this estimate each of our big population centers can be wiped out with a hundred-megaton bomb, and all of our major population centers with perhaps 10 such weapons.

The awesome power of the hundred-megaton warhead, the greatly superior thrust of Soviet missiles, and the evidence that the Soviets are now protecting their missiles in hardened underground sites, have combined to produce a fundamental shift in American policy. This shift has been hinted at in public statements by Secretary McNamara and other Government officials; and it has been spelled out in detail in two consecutive articles in the January and February issues of the highly authoritative Air Force magazine. According to these articles, a decision has now been made to substitute a policy of "planned nuclear stalemate" for our previous policy of "nuclear deterrence."

The policy of nuclear deterrence, as the phrase implies, depended upon the maintenance of nuclear superiority sufficiently impressive to deter the Soviets from attempting either a surprise thermonuclear attack or limited aggression.

The policy of nuclear stalemate, on the contrary, proceeds from the belief that our nuclear superiority cannot be indefinitely maintained, that in any case it is undesirable because it is provocative, and that it is meaningless because nuclear war is unthinkable.

It is reliably reported that this shift in policy has been carried out against the opposition of the U.S. Air Force, and without the approval of the Joint Chiefs of Staff. If the facts reported by Air Force magazine are accurate, and thus far there has been no denial, then clearly our policy has been changed without consulting Congress and without informing the American public.

The philosophy represented in this dramatic shift in defense policy is reflected in our attitude toward the test-ban negotiations. If nuclear war is unthinkable, if strategic superiority is viewed as undesirable or even dangerous, then obviously the scope and gravity of the concessions we make at Geneva become secondary to the overriding objective of achieving some kind, any kind, of agreement for a nuclear test ban.

The abandonment of nuclear deterrence in favor of nuclear stalemate has for some time been suspected by our allies. De Gaulle is not the only European leader who has asked himself whether America's vast nuclear power really protects Europe today, whether America would truly be prepared to risk a thermonuclear war to cope with Soviet aggression at Berlin or elsewhere in Europe.

In a very real sense, the preservation of NATO may depend on the outcome of the test ban negotiations.

I deplore President de Gaulle's opposition to British entry into the Common Market and the dangerous strain that this action has placed on the NATO alliance. But I cannot blame President de Gaulle for losing confidence in the credibility of the American nuclear deterrent or for believing that France can more effectively protect itself with a limited nuclear power under its own control than by a massive nuclear power which remains under basic American control, and which probably would not be used in defense of Europe.

I do not think it is possible to place too much emphasis on the element of credibility. Essentially, NATO is based on the confidence of our European allies in our military strength and on their belief that, if need be, we are prepared to bring our massive nuclear superiority to their defense. Remove this confidence or impair the credibility of our intentions, and NATO will inexorably become a sick, uncertain, and divided organization.

This is precisely what is happening today.

The development of the neutron bomb could breathe new life and confidence into NATO, even with its present manpower. It would free Western Europe from the worrisome reliance on the unpredictable balance of thermonuclear terror, and from the alternative nightmare of having to oppose the far more numerous divisions of the Soviet bloc in Europe in a battle limited to conventional weapons. At modest cost, it would give NATO a capability so formidable, yet so credible, that the Soviets would think many times before risking aggression in Europe. It would give the free world the flexibility and strength to preserve the peace. Indeed, if there is any one weapon that can be described as a weapon for peace, I believe it is the neutron bomb.

The "thermonuclear balance of terror" cannot be considered an absolute deterrent to thermonuclear warfare even under the present circumstances. Nevertheless, it does exercise a large measure of restraint on both sides. There are, however, two different ways in which this protective "balance of terror" might be negated.

It would cease to be an effective deterrent to limited military aggression if the Soviets were ever to develop a tactical nuclear weapons capability of overwhelming proportions. And it would cease to be a deterrent to thermonuclear warfare if the Soviets were ever able to achieve a reliable antimissile capability, while we have none.

The more unthinkable all-out thermonuclear warfare becomes, the more essential it is to arm ourselves with the most versatile arsenal of tactical nuclear weapons. Statesmanship requires that we make every effort, if war breaks out, to limit the scope of hostilities and to prevent escalation into a thermonuclear missile exchange. But I come back to the question: Suppose we confine ourselves to conventional weapons and the Soviets respond with neutron bombs? If we possess comparable weapons, we can respond in kind. If we do not possess them, then we come face to face with the dilemma of surrender or thermonuclear devastation.

The logic of this proposition is so unchallengeable that I find it difficult to understand the tendency to negate or downgrade the importance of the neutron bomb, both in the test ban negotiations and in our current strategic thinking.

THE ANTIMISSILE MISSILE

We would be confronted with a similar dilemma if the Soviets ever demonstrated that they possess an effective antimissile defense, while we had none.

In my speech of May 10, 1960, I pointed out that while there were scientists who doubted the feasibility of the antimissile missile, the corps of highly competent scientists and engineers who had worked on the project for the U.S. Army were profoundly convinced that the problems of guidance, of missile decoys, and of finding a suitable warhead, could all be solved. Indeed, they then believed that their project was far enough along to warrant advance procurement of vital components. Admitting the possibility that these scientists might be proved wrong, I nevertheless said at that time that I would favor risking several hundred million dollars on advance procurement because there was so much to be gained if these scientists were right, and because we could not afford to let the Kremlin achieve an antimissile missile before we did.

It has been publicly reported that at least some of the tests conducted by the Soviets since September 1961 were related to the development of antimissile devices. Khrushchev himself has announced that the Soviets now have the capability of hitting a fly in space. Khrushchev's claim may be exaggerated. But, against the background of Soviet accomplishments in nuclear technology and in space, it would be prudent not to discount this claim completely.

On our own side, the Army research team concerned with the development of the Nike system has continued to push ahead, ignoring the chorus of doubters and skeptics. When, over the course of the past year, the Army several times demonstrated the ability of the Nike system to intercept incoming Atlas missiles, the doubters charged that the tests were unrealistic because they failed to make allowance for the use of missile decoys on a large scale. And when, last December, the Nike system demonstrated its ability to identify a missile from surrounding decoys and to rendezvous with it, the doubters were still unsatisfied.

In his speech at Cornell University last January 5, Dr. Hans Bethe reiterated his oft-stated opinion that the anti-ICBM is "virtually hopeless." Dr. Bethe has by no means been alone in the expression of such negative opinions. I am certain that all of these opinions have represented honest estimates. But their net effect has been to create so much doubt in the minds of the responsible authorities that the Defense Department refused to engage in procurement for an antimissile missile program until it had passed all the tests. In consequence, even if further developments demonstrate the capability of an antimissile missile beyond any possibility of doubt, several precious and irretrievable years will have been lost in providing our people with the protection of an antimissile defense.

I find it difficult to understand Dr. Bethe's persistently negative attitude on the question of the antimissile missile, just as I find it difficult to understand the persistent tendency of the school of scientific advisers to which he belongs to discount the importance of all potential developments in the field of nuclear weapons technology.

In the case of Dr. Bethe and the anti-ICBM, I have reason to believe that his negativism may be another manifestation of his tendency to tailor his scientific opinions to conform with his political views.

Dr. Bethe, as I have already pointed out, believes that we are all safer if the Soviets enjoy near parity with the United States in nuclear weapons. This situation in his opinion creates a "stable deterrent." In an article written for the Christian Science Monitor last March 3, Dr. Bethe, after again stating his belief that there is no effective anti-ICBM system, concluded with the words: "But I believe that this is good because after all we want the stable deterrent to remain stable."

I note with satisfaction that Secretary of Defense McNamara, in his recent presentation to Congress, asked for funds for the development of the Nike-X, an advanced derivation from the Nike research.

As I did 3 years ago when I first addressed myself to this subject, I would again urge that the development of the antimissile missile be given top priority and that, in the light of the highly encouraging progress recently made, we honor the Army's request for advance procurement in the interest of expediting the program.

The prospect of an effective antimissile missile again brings us back to the importance of the neutron bomb. Because, of all the developments now on the horizon, the neutron bomb offers perhaps the greatest promise for use as an antimissile warhead in the Nike-X system on which the Army is now working.

IV. OUR NUCLEAR PARALYSIS

Part of the explanation for our blindness on nuclear testing is that we have, in our thinking, become captives of the international test ban hysteria which Soviet propaganda has so skillfully fostered for almost 6 years now. Much of this hysteria could have been prevented if we had from the beginning presented the facts, forthrightly and repeatedly, to our own people and to the peoples of the world. Our failure to do so, our apparent obsession with the nuclear test ban negotiations have, on the contrary, served to aggravate the hysteria and confusion.

That we are, at least in part, captives of this situation, has been dramatically demonstrated in several ways.

It is common knowledge that, even after the massive series of Soviet tests last fall, there was a serious conflict within the administration over the question of whether we ourselves should resume nuclear testing in the atmosphere. It is common knowledge, too, that once this decision was made, there was another major internal conflict over the scope of the projected test series and the size of the weapons to be tested. This situation was the subject of a courageous public dissent by Dr. Leonard Reiffel, director of physics research at the Armour Research Foundation. Said Dr. Reiffel:

> The number of atmospheric tests has been too severely limited. In trying to reconcile the opposing camps—pro-testing and against testing—we have come up with a plan that gets us most of the bad publicity of atmospheric testing and yet won't finish the job of getting the technical data which justify the tests in the first place.

The degree to which we have become captives of the international test ban hysteria was again demonstrated in the sequence of events in recent months in the United Nations. Toward the end of October, 30 Western and neutralist countries introduced a resolution which, first, condemned all nuclear weapons tests; second, asked that all such tests cease immediately, not later than January 1, 1962; third, endorsed the eight-nation joint memorandum of April 16, 1962, as a basis for negotiations. This, in effect, was a demand for a test ban without inspection, or with very questionable inspection, since the eight-nation memorandum referred to had specified that inspections should take place only on the invitation of the nation suspected of clandestine testing. The resolution itself was dismaying enough; but even more dismaying was the fact that its sponsors included five Latin American countries and seven other countries that were considered safely pro-Western.

The matter came to a head in the U.N. Political Committee on November 5, 1962, when the United Nations by a vote of 81 to 0, condemned all nuclear tests, and then a few minutes later voted 88 to 10 to have the Assembly call for an immediate and unconditional moratorium on tests below as well as above ground. All of the Latin American nations and four of our NATO allies voted for the first resolution. We, ourselves, as the Baltimore Sun pointed out, in effect, "took the fifth amendment" by abstaining from voting rather than recording ourselves in opposition. And when we endeavored to at least soften the impact of the resolution by proposing an amendment that called for "on-site inspection" as a condition for a test ban, the opposition was so formidable that we decided to eliminate specific reference to on-site inspection and to call simply for "effective detection and identification of seismic events."

Because of the obsessional concern which we have displayed over world public opinion in these situations. I greatly fear that, even without any formal agreement on a treaty or moratorium, the suspension of further tests may automatically be converted into a moratorium of indefinite duration, to which we shall find ourselves inextricably committed so long as the Soviets do not conduct clearly verifiable tests in the atmosphere. Such a situation would give them carte blanche to conduct underground tests designed to develop a family of weapons of the neutron bomb genus—if they do not already have them.

I come back again to the point that our survival as a nation depends in a very real sense on the maintenance of our technological superiority, quantitatively and qualitatively, in the critical realm of nuclear weaponry.

As a result of their recent series of tests, the Soviets have come perilously close to wiping out our qualitative lead. If we now, out of deference to a formal agreement or to an informal moratorium, once again inactivate our laboratories and dismantle our elaborate test machinery, we may find that the Soviets have surpassed us technologically the next time they see fit to renounce whatever agreement they may have with us, and openly embark on a further series of nuclear tests.

I realize that my opposition to a nuclear test ban agreement on the terms currently under discussion may not be a popular stand, because a significant segment of the public has been led to believe that a test ban treaty is the be-all and end-all of political wisdom—that it will automatically reduce or eliminate international tensions, remove the danger of nuclear war, and pave the way to an era of peace and mutual understanding.

Much of the emotional confusion on the test ban issue stems from the spector of global fallout. It is largely because of this fear—and, let me be frank about it, because of the clever use the Communist propaganda apparatus has made of this fear—that so many people have been engaging in peace marches and picket lines and other demonstrations.

No one can be blamed for feeling concern over the danger of fallout. But in our approach to nuclear testing, we must weigh the dangers and disadvantages of continued testing against the alternative hazards of Communist enslavement or thermonuclear destruction by technologically superior forces.

The choice between dangers may not be an easy one. But I would like to refer my colleagues to the eloquent statement made last June by Prof. Herman J. Muller of Indiana University, a man who is intensely aware of the genetic dangers posed by increased fallout and who, in fact, received the Nobel Prize for his investigation into the effects of radiation on heredity. After weighing the dangers of continued testing, Professor Muller made this statement:

> Despite these dangers from testing to us and the Russians, I believe that today the only sensible course for democratic America is to admit the damage potential in resumed tests, but at the same time to weigh the case for testing against the possible consequences of not testing—our subjugation by a totalitarian system.
>
> Weakness and unpreparedness, unfortunately, invite Soviet war and aggression. Korea, Berlin, and southeast Asia proved that. Merely watching for peace doesn't insure it. Back in 1940, Americans picketed the White House with peace slogans. But that didn't stop Tojo or Hitler.

I believe that in this statement Professor Muller spoke for most Americans and for a very substantial portion of our scientific community.

It is time to emancipate ourselves from the test ban hysteria and from the paralysis of judgment it has inflicted on us. It is not nuclear tests per se that present the primary threat to humanity, but the hypersecretive closed societies of the Communist world and their unrelenting efforts to subvert the remaining countries of the free world.

We must emancipate ourselves from the paralyzing concept that nuclear superiority has become meaningless and that the world can best be protected by a condition of nuclear equality or nuclear stalemate. Past experience should have taught us that increasing Soviet nuclear strength will not make the Soviet leaders more civilized and peace loving, but will, on the contrary, encourage them to step up the tempo of subversion, as they have done in Cuba, or to embark on limited military action, as they have done in Laos.

Our nuclear superiority has been an umbrella that not only protected the free world against aggression, but which also provided the best available insurance that the outbreak of localized hostilities would not develop into a war of mutual thermonuclear destruction. We cannot afford to abandon this umbrella.

If these things are so—and I am convinced they are so—then we must face up to the need for a complete reassessment of our nuclear posture and of the many grave concessions we have made to the Soviets in the course of the test ban negotiations.

The present pause in the negotiations may be providential in the sense that it provides us with an opportunity to take inventory and to reconsider.

There are several proposals which I intend to make before concluding my remarks, but before doing so, let me present a brief recapitulation of the concessions we have made since the test ban negotiations began:

CONCESSIONS ON ON-SITE INSPECTION

Geneva Conference, 1958, initial position: Right to inspect all seismic events of undetermined origin, above 5 kilotons. Twenty percent under 5 kilotons level.

February 1960: Only 20 on-site inspections per annum, no matter how many seismic events of undetermined origin.

May 1961: Only 12 to 20 on-site inspections per annum.

December 1962: Only 8 to 10 on-site inspections per annum.

February 13 to 19, 1963: Leaks to press and to CBS indicate that we are willing to compromise on 5 on-site inspections per annum. The Washington Post of February 19 says that the administration will offer further concessions on on-site inspections.

CONCESSIONS ON INSPECTION NETWORK

Geneva Conference, 1958: Initial American estimate called for worldwide network of 600 to 650 monitoring stations. Formula finally agreed upon with Russian scientists at Geneva called for 180 stations worldwide, of which 21 were to be in territory of Soviet Union.

August 1962: We formally offer substantial reductions in number of monitoring stations. The New York Herald Tribune reports that we are willing to consider 80 stations worldwide, which would mean 8 to 10 in Soviet Union.

CONCESSIONS ON MANNING OF MONITORING STATIONS

Geneva Conference, 1958: Monitoring stations to be manned by nonnationals of countries in which they are located, that is, international inspection.

August 1962: We accept principle that monitoring stations will be manned by nationals of countries in which they are located, under so-called international supervision.

February 13, 1963: Mr. Foster, in outlining American position to Geneva Conference, for the first time spoke of national monitoring stations without mentioning international control.

CONCESSIONS ON THRESHOLD OF DETECTION

Geneva Conference, 1958: Inspection of all undetermined seismic shocks above 5 kilotons equivalent, and 20 percent of undetermined seismic shocks under 5 kilotons.

January 1959: Threshold of detection raised to 20 kilotons.

August 1962: U.S. draft treaty contains no threshold of detection.

CONCESSIONS ON BLACK BOXES

Until 1962: We reject all proposals for monitoring or partial monitoring by so-called tamperproof black boxes.

January 1963: In New York discussions we accepted black box principle for the first time and mentioned 10 black boxes as desirable supplement to monitoring network.

February 1963: In renewed discussions at Geneva, we reduce the number of black boxes to seven.

CONTROL BODY

Geneva 1958: We envision control body in which Britain, United States, and Soviet Union are represented, with no right to veto.

August 1962: We accept principle of parity for Communist and Western nations on control body, which would give Soviets power of veto.

This tabular presentation is incomplete because there are many of the concessions that do not lend themselves to tabular presentation. But, by capsulizing some of our major concessions, it is my hope that this tabulation will enable my colleagues and the public at large to better understand how far we have retreated from our initial positions.

No one, I am certain, would like to see the test ban negotiations abandoned. But this is no reason for avoiding a frank reassessment of our status in these negotiations.

I believe that we should insist on a return to our original Geneva formula. As unsatisfactory as this formula was, it at least called for a significant measure of opening up on the part of the Soviets, and, with some modification, it might have led, and it may yet lead, to an acceptable treaty.

I do not think we should feel at all embarrassed about calling for a return to this formula. The Soviets have changed their positions time and time again. Indeed, they have been guilty of completely abandoning a number of major positions to which they adhered, without apparent misgiving, for several years time. Moreover, the grave additional concessions which were offered in our draft treaty of August 27 were predicated in large measure on the assumption of good faith, on the assumption that in this area at least the Soviets could be trusted to honor their agreements because they share our conviction that concrete measures must be taken to avoid the outbreak of thermonuclear war. But this assumption of good faith was utterly demolished both by the termination of the moratorium and by the arrogance and deceit which the Kremlin displayed in installing nuclear missiles in Cuba and denying their installation. Soviet perfidy in Cuba, alone, in my opinion, would justify the recall of the concessions which were offered on August 27, and which have, for that matter, never been formally accepted by the Soviets.

I believe it imperative that we return to the concept of a scientifically determined threshold of detection and that we exempt from the treaty tests which cannot be adequately verified with the instrumentation available to us.

This threshold could be progressively lowered as improved methods of detection become available to us.

I would like to propose further that we challenge the Russians by again raising the open skies proposal. True, they rejected the proposal out of hand when President Eisenhower made this farsighted offer. But I do not think we should drop a sound proposal simply because the Soviets say "No." The record demonstrates that whenever the Soviets consider a position important, they will reiterate it and reiterate it and reiterate it, for months and years on end, until the other side gives. In defending its valid positions against the invalid positions of the Soviets, the free world must show at least the same persistence.

I can think of no single action we could take that would more effectively challenge the Soviets and expose the dishonesty of their intentions than the reiteration at every diplomatic conference and at every session of the test ban negotiations of the proposal that both sides open their skies to inspecting aircraft.

By all means, let us continue to strive after agreements on disarmament and nuclear testing and the maintenance of peace. The quest for disarmament must be more than a posture: It must be a commitment. Certainly our record in this field bears out the sincerity of our intentions. I do not believe, for example, that any nation can match the generosity or farsightedness of the Baruch atomic energy proposal or of President Eisenhower's open skies proposal.

The quest for disarmament, however, is in essence a quest for mutual security based on mutual confidence. Such confidence cannot exist so long as a significant portion of the world is governed by closed societies—so long as we must ask ourselves what the Communists are hiding, what evil intention may lie concealed behind their wall of secrecy.

On the day that the Kremlin ordains even a partial opening up of Soviet society, a test ban treaty, a treaty on disarmament, and many other things, would automatically become possible. But until that day arrives, prudence dictates that we be prepared to defend our security and defend the peace by keeping our Armed Forces and alliances intact and by making certain that we do not fall behind in the all-important field of nuclear weaponry, tactical as well as strategic.

To do less would be to court disaster.

There are those who will choose to regard what I have said today as belligerent, warlike, and obstructive. They are those who believe, however they may protest it, that there is only one road to peace, and that is the road of appeasement or concessions.

I say that this is not the road to peace but the road to slavery, the road to a permanent and unending war upon everything in which we believe.

I say there are two roads to peace with the Communist world.

First, the proved road of strength and vigilance, and, second, the unproved road of valid negotiations and reliable agreements.

We must travel both of these roads toward peace. The first road is one which we can travel by our own will; the second we must travel in yoke with our declared enemy who has thus far hobbled us at every step, demanding that we traverse this unknown and dangerous terrain only with blinders and a halter.

Let us strive to change these conditions. Let us place our trust in the path of strength and our hope in the path of honest negotiation. To forsake either of these paths is to court war and to invite the destruction of our country and our civilization.

Mr. President, I ask unanimous consent to insert into the RECORD at the conclusion of my remarks the text of the proposal for a nuclear test-ban agreement publicly offered on April 16 by eight neutral members of the Geneva Disarmament Conference: Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden, and the United Arab Republic. I also ask permission to insert the text of the U.S. draft treaty of August 27 banning nuclear weapons tests in all environments. By reading these two documents in this sequence, it becomes apparent how much we have yielded under the pressure of the neutral nations and how closely our present proposals conform to theirs.

I also ask unanimous consent to insert into the RECORD the following articles which I believe help to throw considerable light on both sides of the dispute over the problem of the nuclear test ban:

"The Future Development of Nuclear Weapons," by Freeman J. Dyson in Foreign Affairs magazine, April 1960.

"The Case for Ending Nuclear Tests," by Hans A. Bethe in the Atlantic Monthly, August 1960.

"Nuclear Testing and American Security," by Thomas E. Murray in Orbis, winter 1961.

"Steps Toward Disarmament," by P. M. S. Blackett in Scientific American, April 1962.

"Strategic Retreat From Reality," by John F. Loosbrock, editor, in Air Force Space Digest, January 1963.

"Farewell to Counterforce," by Claude Witze in Air Force Space Digest, February 1963.

In addition, Mr. President, I ask consent to introduce into the RECORD a number of newspaper articles which, read in sequence, can contribute significantly to an understanding of how we have come to our present pass in the test ban negotiations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DRAFT TREATY BANNING NUCLEAR WEAPON TESTS IN ALL ENVIRONMENTS, AUGUST 27, 1962

PREAMBLE

The Governments of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America,

Desirous of ending permanently all nuclear weapon test explosions,

Have agreed as follows:

ARTICLE I: OBLIGATIONS TO DISCONTINUE

Each of the parties to this treaty undertakes, subject to the provisions of this treaty (a) to prohibit and prevent the carrying out of nuclear weapon test explosions at any place under its jurisdiction or control; and (b) to refrain from causing, encouraging, or in any way participating in, the carrying out of nuclear weapon test explosions anywhere.

ARTICLE II: ESTABLISHMENT OF THE INTERNATIONAL SCIENTIFIC COMMISSION

1. The carrying out of the obligations assumed in article I and IX of this treaty shall be verified by an International Scientific Commission, hereinafter referred to as the "Commission." The Commission shall include an International Staff, hereinafter referred to as the "Staff," and a Verification System, hereinafter referred to as the "System".

2. Each of the parties undertakes to cooperate promptly and fully in the establishment and effective organization of the Commission. Each of the parties also undertakes to cooperate promptly and fully in carrying out the measures of verification set forth in this treaty and in any agreements which the parties may conclude with the Commission.

ARTICLE III: FUNCTIONS OF THE INTERNATIONAL SCIENTIFIC COMMISSION

1. The Commission shall have general responsibility for the collection of data on, and the reporting of, all events which could be suspected of being nuclear weapon test explosions, and for making positive identification of the nature and origin of such events wherever possible.

2. The Commission shall maintain supervision of all elements of the System in order to insure that such elements function in an integrated manner. For this purpose the Commission shall establish and monitor adherence to standards for the operation, calibration and coordination of all elements of the System.

3. The Commission may consult with the parties concerning the nature of any unidentified event which could be suspected of being a nuclear weapon test explosion and, on the basis of available data, may issue to all parties a report concerning the nature and origin of any event reported to it by the staff.

4. The Commission, by majority vote including the concurring votes of the permanent members, shall approve the total amount of its annual budget.

5. The Commission shall arrange for observers to be permanently stationed at, and to make periodic visits to, elements of the System in order to insure that established procedures for the rapid, coordinated and reliable collection of data are being followed.

6. The Commission may enter into an agreement with any State or authority to aid in carrying out the provisions of this treaty.

7. The Commission shall establish such laboratories and other facilities as it deems necessary for the carrying out of the tasks assigned to it under this treaty.

8. The Commission, by majority vote including the concurring votes of the permanent members, shall appoint an Executive Officer to assist it in carrying out its functions.

9. The Commission shall conduct, and shall facilitate the participation of members of the Staff in, programs of basic scientific research to improve the capability of the Commission to perform its functions under the present treaty and to insure the use of the most efficient and up-to-date methods

of verification of the obligations undertaken by the parties to this treaty.

10. The permanent members of the Commission shall arrange for a conference of parties to the treaty to be held when, in the opinion of the permanent members, a sufficient number of states have become parties to it, in order to hold the elections referred to in paragraph 1(b) of article IV. Such conference shall be held, in any event, when — number of states, including the permanent members, have become parties.

11. Approximately every 3 years thereafter, the Commission shall invite the parties to a conference in order to hold subsequent elections to the Commission.

12. The Commission may arrange for a conference, at any time it deems appropriate, in order to discuss matters pertaining to the treaty.

ARTICLE IV: ORGANIZATION AND PROCEDURES OF THE INTERNATIONAL SCIENTIFIC COMMISSION

1. The Commission shall be composed of 15 members. They shall be selected as follows:

(a) The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members.

(b) Twelve other members shall be elected by majority vote of the parties present and voting in the conference described in paragraphs 10 and 11 of article III, of which (i) three shall be from among parties nominated by the Union of Soviet Socialist Republics; (ii) two shall be from among parties nominated jointly by the United Kingdom and the United States; (iii) seven shall be from among parties nominated jointly by the permanent members of the Commission on as wide a geographical basis as possible.

(c) To the extent that any nominations called for in paragraph 1(b) of this article are not made, the parties to the treaty shall elect, at the conferences described in paragraphs 10 and 11 of article III, the remaining members of the Commission from among all of the parties.

2. The members elected to the first Commission shall serve for 3 years from their election. Regular elections shall be held triennially thereafter, and those members elected to the Commission shall serve until replaced or reelected at the next triennial election.

3. Each member of the Commission shall have one vote. All decisions, unless otherwise specified in this treaty, shall be taken by a simple majority of the members present and voting.

4. Any party to the treaty which is not a member of the Commission may participate, without vote, in the discussion of any question brought before the Commission whenever the latter considers that the interests of that party are specially affected.

5. The Commission shall meet at such times as it may determine, or within 24 hours at the request of any member.

6. The permanent members shall carry out the functions of the Commission until it has been established pursuant to paragraph 1 of this article. In doing so the permanent members shall act by unanimous agreement. They shall cooperate in encouraging other states to become parties and they shall take prompt action to nominate parties, as provided in paragraph 1(b) of this article, for the purpose of ensuring selection of membership in the Commission at the earliest possible date.

7. The headquarters of the Commission shall be located at ----------.

ARTICLE V: FUNCTIONS OF THE INTERNATIONAL STAFF

1. The Staff shall assist the Commission in carrying out its functions.

2. The Staff shall supervise the collection of data by all elements of the System and shall provide the observers who are to be stationed at and make visits to elements of the System for the purposes specified in paragraph 5 of article III.

3. The Staff shall provide the personnel for the manning of such international elements of the System as may be established by the Commission.

4. The Staff shall analyze data collected by the System in accordance with such standards as are set forth in this treaty and as may be set forth by the Commission, and shall forward to the Commission reports on all such data. Such data and reports shall be available for the inspection of any Party upon request.

5. The System shall, in accordance with procedures and standards prescribed by the Commission, collect and report to the Staff, within 24 hours after detection of any event which could be suspected of being a nuclear weapon test explosion, all data received relating to the detection, location and identification of the event. Thereafter, additional data, if any, relating to the event shall be reported to the Staff as it becomes available.

6. The Staff shall provide technical instruction for personnel operating elements of the System.

ARTICLE VI: ORGANIZATION OF THE INTERNATIONAL STAFF

1. The Executive Officer shall be responsible to the Commission and, under its supervision, shall carry out its policy directives. His appointment shall extend for a period of 4 years. The Executive Officer shall be subject to removal from office by the Commission if as a result of failure on his part to comply with the directives of the Commission or for any other reason, the Commission decides that it no longer has confidence in him. Any such decision, and the exercise of the power of removal, shall require the concurring votes of 11 members of the Commission.

2. Subject to regulations approved by the Commission the Executive Officer shall recruit, organize and oversee the functioning of the Staff.

3. The Staff shall include such qualified scientific, technical and other personnel as may be required to fulfill its functions, and paramount consideration shall be given to obtaining officials of the highest standards, efficiency, technical competence and integrity. Subject to this principle, the Executive Officer shall also give consideration to the selection of personnel who are nationals of states which have participated in, or intend to participate in, the establishment of elements of the System.

4. The Executive Officer shall also be guided by the considerations that the permanent Staff shall be kept to the minimum necessary to perform its assigned tasks and that personnel should be obtained on as wide a geographical basis as possible.

5. In the performance of their duties, the Executive Officer and the Staff shall not seek or receive instructions from any government or from any other authority external to the Commission. Each party undertakes to respect the exclusively international character of the responsibilities of the Executive Officer and the Staff and not to seek to influence them in the discharge of their responsibilities.

ARTICLE VII: ORGANIZATION OF THE VERIFICATION SYSTEM

1. The System shall consist of the integrated elements described in the Annex on Verification, together with such additions as the Commission deems desirable. It shall be designed to insure the rapid and reliable collection and reporting of data. It shall include the following classes of stations:

(a) Stations to be constructed at sites listed in the Verification Annex. Each such station shall be maintained and manned, in accordance with specifications established by the Commission, by nationals of the State in whose territory such station is located. The construction of and equipment for each such station shall be paid for by the Commission and the personnel for such station shall be trained by the Commission. All parties in whose territories such stations are located agree to accept observers at such stations for the purposes specified in paragraph 5 of article III.

(b) Existing stations to be provided, maintained, and manned by individual parties as requested by and in agreement with the Commission.

(c) Stations to be constructed, maintained, and manned by the Commission in agreement with individual parties if the Commission deems such stations desirable.

(d) Such detection instruments in outer space, in the atmosphere, and on and beneath the surface of the earth (including the waters thereof) as the Commission may deem desirable. These may be provided, maintained, and manned by the Commission or by particular parties, as the Commission may determine.

2. The parties to this treaty agree to cooperate in the establishment (including the provision of suitable sites), operation, expansion, calibration, and standardization of all elements of the System and in providing the Commission with such assistance, equipment, or data as may be useful to the Commission in performing its functions.

3. The parties to this treaty agree to insure that within 6 months from the entry into force of this treaty, all existing stations referred to in paragraph 1(b) of this article will commence operation in accordance with the provisions of this treaty. They also agree to insure that within 12 months the stations referred to in paragraph 1(a) of this article will be constructed and commence operation in accordance with such provisions.

4. In accordance with standards set forth by the Commission, stations referred to in paragraph 1(a) of this article shall maintain continuous operation of such equipment as the Commission deems desirable for each station including the following: Apparatus for the collection of radioactive debris and for the recording of fluorescence of the upper atmosphere, visible light, cosmic noise absorption, telluric currents, resonance scattering of sunlight, acoustic waves, seismic waves and electromagnetic signals. Stations on islands or near the shorelines of oceans shall, in addition, maintain continuous operation of apparatus for the recording of hydroacoustic waves as deemed desirable by the Commission. Stations aboard ships shall include and continuously operate equipment for the recording of hydroacoustic waves, fluorescence of the upper atmosphere and visible light as deemed desirable by the Commission.

ARTICLE VIII: ON-SITE INSPECTION

1. The Executive Officer shall certify immediately by public notice at the headquarters of the Staff whenever he determines that a seismic event has been located pursuant to paragraph 2 of this article and not eliminated from consideration pursuant to paragraph 3. The Executive Officer shall make every effort to make this certification within 72 hours after the location of the event.

2. A seismic event shall be considered located when seismic signals, whose frequencies, amplitudes, durations, and velocities are consistent with those of waves from earthquakes or explosions, are recorded at a sufficient number of stations to establish the approximate time and position of the event. This requires at least four clearly measurable arrival times of identifiable phases which are mutually consistent to within plus or minus 3 seconds. These four mutually consistent arrival times must

include P-wave arrival times at three different detection stations.

3. A located seismic event shall not be suspected of being a nuclear weapon test explosion if it fulfills one or more of the following criteria:

(a) Its depth of focus is established as below 60 kilometers.

(b) Its epicentral location is established in the deep ocean, and the event is unaccompanied by a hydroacoustical signal consistent with the seismic epicenter and origin time.

(c) It is established to be a foreshock or aftershock of a seismic event of at least magnitude 6 which has clearly been identified as an earthquake by the criteria in subparagraphs a and b of this paragraph. For this purpose a foreshock must occur as part of a sequence of earthquakes less than 48 hours before the main shock, and an aftershock must occur as part of a sequence of earthquakes less than a week after the main shock, and their epicenters must have been located within 10 kilometers of the epicenter of the main shock.

4. Data provided by stations in territory under the jurisdiction or control of a state in which the event may be located may not be used to render it ineligible for inspection but may be used to assist in establishing its eligibility for inspection.

5. When a seismic event has been certified pursuant to paragraph 1 of this article, the Executive Officer shall designate an area lying within the circumference of a circle, the radius of which is — kilometers, and the center of which is the location of the epicenter of that event.

6. On-site inspection of areas designated by the Executive Officer pursuant to paragraph 5 of this article shall be carried out pursuant to this article:

(a) On territory under the jurisdiction or control of the United States or the United Kingdom, if requested by the Soviet Union.

(b) On territory under the jurisdiction or control of the Soviet Union, if requested by the United States or the United Kingdom.

(c) On territory under the jurisdiction or control of any other party, if directed by the Commission.

7. Any party having jurisdiction or control over territory on which an on-site inspection is requested or directed pursuant to paragraph 6 of this article shall make the necessary arrangements to facilitate the prompt on-site inspection of the area designated pursuant to paragraph 5 of this article.

8. The maximum number of inspections which may be requested in territory under the jurisdiction or control of a permanent member of the Commission shall be -- in each annual period. The maximum number of inspections which may be directed in territory under the jurisdiction or control of a party not a permanent member of the Commission shall be three in each annual period, or such higher number as the Commission, after consultation with the party, may determine by a two-thirds majority of those present and voting.

9. For territory under the jurisdiction or control of permanent members of the Commission, not more than -- percent of the annual number of inspections provided for in paragraph 8 of this article shall be carried out each year in the aseismic area of that territory described in the Annex on Verification.

10. The on-site inspections, when requested or directed in accordance with paragraph 6 of this article, shall be carried out by teams organized by the Executive Officer. In forming the teams, the Executive Officer shall insure the adequate representation of scientific and technical skills and shall avoid composition which would result in inspection of territory under the jurisdiction or control of a State by any nationals of that State. The leader of a team shall be appointed by the Executive Officer from among its members.

11. Each of the parties undertakes to give inspection groups, dispatched pursuant to this article, immediate and undisputed access to the area in which an on-site inspection is to be conducted, to refrain from interference with any operation of an inspection group and to give such groups the assistance they may require in the performance of their mission.

ARTICLE IX: EXPLOSIONS FOR PEACEFUL PURPOSES

The explosion of any nuclear device for peaceful purposes may be conducted only (1) if unanimously agreed to by the original parties; or (2) if carried out in accordance with annex hereto.

ARTICLE X: RELATIONSHIPS WITH OTHER INTERNATIONAL ORGANIZATIONS

1. The Commission is authorized to enter into agreements establishing appropriate relationships between the Commission and the United Nations or any of its specialized agencies.

2. The Commission may make appropriate arrangements for the Commission, Staff, and System to become a part of, or to enter into an appropriate relationship with, an international disarmament organization, or any international organization which may in the future be established among any of the parties to this treaty to supervise disarmament or related measures.

ARTICLE XI: PERIODIC REVIEW

1. One year after the coming into force of this treaty, and annually thereafter, the Commission shall review the treaty and the operations of the Staff and System in order to:

(a) Evaluate their effectiveness for verifying compliance with the obligations undertaken in articles I and IX.

(b) Recommend any improvements in the System which the Commission deems desirable, particularly with respect to the identification of nuclear explosions.

(c) Recommend any changes in the quotas of on-site inspections which the Commission deems desirable.

2. The Commission shall:

(a) Communicate the results of such review to all parties of this treaty;

(b) Consider any improvements proposed by any party to this treaty and decide upon the adoption of those which do not require amendments to this treaty; and

(c) Vote upon any amendments to this treaty proposed by any party as a result of such review in accordance with the provisions of article XVI.

ARTICLE XII: FINANCE

1. The annual budget shall be drawn up by the Executive Officer of the Staff and approved by the Commission in accordance with paragraph 4 of article III.

2. Parties to this treaty shall contribute to the expenses of the annual budget in accordance with the following scale:

(a) -- percent contributed by the permanent members as follows:

(i) -- percent of the annual budget by the Union of Soviet Socialist Republics.

(ii) -- percent of the annual budget by the United Kingdom of Great Britain and Northern Ireland.

(iii) -- percent of the annual budget by the United States of America.

(b) -- percent contributed by the remaining members of the Commission in equal shares.

ARTICLE XIII: WITHDRAWAL

1. If any party to this treaty determines—

(a) that the obligations contained in articles I or IX of this treaty have not been fulfilled;

(b) that any other obligations under the treaty, including those relating to arrangements for on-site inspections, have not been fulfilled and that such nonfulfillment might jeopardize the determining party's national security;

(c) that nuclear explosions have been conducted by a state not a party to this treaty under circumstances which might jeopardize the determining party's national security; or

(d) that nuclear explosions have occurred under circumstances in which it is not possible to identify the state conducting the explosions and that such explosions, if conducted by a party to this treaty, would violate the treaty or, if not conducted by a party, might jeopardize the determining party's national security—

it may submit to the depositary government a request for the convening of a conference to which all the parties to this treaty shall be invited, and the depositary government shall convene such a conference as soon after its receipt of the request as may be practicable. The request from the determining party to the depositary government shall be accompanied by a statement of the evidence on which the determination was based.

2. The conference shall taking into account the statement of evidence provided by the determining party and any other relevant information, examine the facts and assess the significance of the situation.

3. After the conclusion of the conference or after the expiration of a period of 60 days from the date of the receipt of the request for the conference by the depositary government, whichever is the earlier, any party to this treaty, may, if it deems withdrawal from the treaty necessary for its national security, give notice of withdrawal to the depositary government. Such withdrawal shall take effect on the date specified in the notice, which shall in no event be earlier than 60 days from receipt of the notice by the depositary government. The notice shall be accompanied by a detailed statement of the reasons for the withdrawal.

ARTICLE XIV: PRIVILEGES AND IMMUNITIES

The privileges and immunities which the Commission, the staff, and the representatives of parties shall be granted by the parties, and the legal capacity which the Commission shall enjoy in the territory of each of the parties, shall be set forth in annex -- of this treaty.

ARTICLE XV: SIGNATURE, RATIFICATION, ACCESSION, ENTRY INTO FORCE, AND REGISTRATION

1. This treaty shall be open until ---------- to all states for signature. Any state which does not sign this treaty may accede to it at any time.

2. This treaty shall be subject to ratification by signatory states. Instruments of ratification and instruments of accession shall be deposited with the Government of ----------, which is hereby designated the depositary government.

3. This treaty shall enter into force on ---------- for states which have deposited instruments of ratification or accession on or before that date, provided that the ratifications deposited include those of the Soviet Union, the United Kingdom, and the United States. If ratifications by all three of the states specified in the preceding sentence are not deposited on or before ----------, this treaty shall enter into force on the date on which ratifications by all of them have been deposited.

4. Instruments of ratification or accession deposited subsequent to the entry into force of this treaty shall become binding on the date of deposit.

5. The depositary government shall promptly inform all signatory and acceding states of the date of each signature, the date of deposit of each ratification of and accession to this treaty, the date of its entry into force, and the date of receipt of any requests for conferences, or any notices of withdrawal pursuant to article XIII.

6. This treaty shall be registered by the depositary government pursuant to article 102 of the Charter of the United Nations.

ARTICLE XVI: AMENDMENTS

Any amendment to this treaty must be approved by a vote of two-thirds of the Commission including the concurring votes of the permanent members, and shall enter into force for all parties upon the deposit of ratifications by two-thirds of the parties, including ratification by the permanent members of the Commission.

ARTICLE XVII: ANNEXES

The annexes to the present treaty constitute an integral part thereof, and any signature, ratification of, or accession to this treaty shall apply to both the treaty and the annexes. The phrase "this treaty" shall include all annexes hereto.

ARTICLE XVIII: AUTHENTIC TEXTS

This treaty, done in the English and Russian languages, each version being equally authentic, shall be deposited in the archives of the depositary government, which shall transmit certified copies thereof to the governments of the signatory and acceding states.

In witness whereof the undersigned, duly authorized, have signed this treaty.

Done at ________________________________,
this __ day of _______________________, 1962.

[From Foreign Affairs magazine, April 1960]

THE FUTURE DEVELOPMENT OF NUCLEAR WEAPONS

(By Freeman J. Dyson)

I

A year and a half ago the Western Powers began negotiations with the Soviet Union for a treaty to end the testing of nuclear weapons. The negotiations were warmly welcomed by the public, and by scientists in particular. It appeared to many people that this was one area of disarmament in which agreement should not be too difficult to reach. The generally optimistic feeling about the negotiations had its origin in three widely held beliefs. It was believed that the development of nuclear weapons had reached a point of technical stagnation; that the military consequences of new inventions in this field would be small; and that a political agreement to cease further development could be adequately controlled by a system of long-range explosion detectors. These views have been repeatedly expressed by scientific experts, and many citizens and politicians have come to accept them without serious question.

It is my purpose here to argue the contrary views. I believe that radically new kinds of nuclear weapons are technically possible, that the military and political effects of such weapons would be important, and that the development of such weapons can hardly be arrested by any means less drastic than international control of all nuclear operations.

This by no means implies that negotiations to end weapons testing should be abandoned. If my views are correct, then to end weapons development becomes vastly more difficult to achieve than had been thought, but it also becomes vastly more rewarding. Any agreement to cease weapon testing upon a sound and verifiable basis will require an opening of communications and a breaking down of barriers among the nuclear laboratories of the world. The aim of our negotiations will thus be not merely the prohibition of weapon testing, but the establishment of an open world. To many thoughtful people, since the early days of nuclear energy, the great hope has been that nuclear weapons would compel mankind to cooperate not only in nuclear affairs but in other areas too. This dream could well be realized if the negotiations which were begun in order to control weapon tests should end in a system adequate to control more substantial disarmament.

II

Until now we have had two essentially different types of nuclear weapons, the fission bomb and the hydrogen bomb. It is not necessary to discuss in detail how these things work. The essential facts about their performance are the following. A fission bomb cannot explode at all unless it contains a certain quantity (the critical mass) of extremely expensive metal. Thus every fission bomb, regardless of its power, costs a certain fraction of a million dollars and eats up a certain fraction of the available supply of fuel. Every fission bomb using its fuel with reasonable efficiency has an explosive power of the order of kilotons of TNT. A hydrogen bomb is able to extract its energy from a much cheaper and more abundant fuel (heavy hydrogen), but it requires at least a moderately efficient fission bomb to ignite it. Thus every hydrogen bomb costs at least as much as a fission bomb. Its cheapness becomes impressive only when its explosive power moves toward the megaton range.

So the basic built-in characteristic of all existing weapons is that it is relatively much cheaper to make a big bang than a small one. Below a certain explosive yield of the order of a kiloton, nuclear weapons are grossly inefficient and extravagant. However, for military purposes other than wholesale annihilation, a kiloton is already an unreasonably big bang. There is a clear and acute military need for an explosive which would fill the gap between a ton and a kiloton of TNT with a cost which is proportional to the yield instead of being independent of it.

There is theoretically a simple way to escape from the tyranny of the critical mass. This is to burn heavy hydrogen without a fission bomb to ignite it. A fission-free bomb, containing a small quantity of heavy hydrogen and no fissionable metal, is logically the third major step in weapon development after the existing fission and hydrogen bombs. Such a bomb has been occasionally mentioned in newspapers and magazines and described as a "100-percent clean bomb." It would not be 100-percent clean. It would contaminate the countryside enormously less than existing fission or hydrogen bombs, but this is not its main advantage. The decisive advantage of a fission-free bomb is that it could be built economically in small sizes. It would have no critical mass. It would provide without gross inefficiency an explosive power adapted to the needs of small-scale and local warfare.

There seems to be no law of nature forbidding the construction of fission-free bombs. The question remains whether this theoretical possibility is likely soon to be realized. In this connection some sentences from a report by L. S. Artsimovich entitled "Research on Controlled Thermonuclear Reactions in the U.S.S.R." are interesting. The report was published in Uspekhi Fizicheskikh Nauk in December 1958 and is now available in translation. The quotation is condensed and some technical phrases are omitted:

"It may also be possible to realize a pulsed thermonuclear reaction under conditions in which the high temperature is produced by a charge of conventional explosive (such as TNT or something more powerful) which surrounds a capsule containing heavy hydrogen. Without dwelling on the experimental details, we may note that conditions have been found under which the generation of neutrons in hydrogen reactions has been established reliably and reproducibly. In experiments carried out in 1952, there is no doubt that we have observed neutrons which are formed as a result of the heating of matter to extremely high temperatures. This process takes place under conditions in which the density of matter is very high (significantly exceeding the normal density of solids)."

Artsimovich is a well-known and first-rate physicist who played a prominent part in the Soviet weapon program (at the appropriate times he received Stalin and Lenin prizes). These remarks which he published are in indiscretion, and presumably a calculated indiscretion. It is at least highly interesting for us to know that the Russians were experimenting with fission-free explosive systems in 1952. No doubt somebody on the Russian side hopes by such a minor indiscretion to stimulate a more serious indiscretion on our side. This is the kind of poker game we are playing.

I shall not be so indiscreet as to say anything about the more recent history of fission-free bombs. What I wish to make clear is that these bombs are a theoretical possibility, and that their importance is well understood by at least some individuals on both sides of the Iron Curtain. Any political arrangement which fails to take these facts into account is doomed to failure.

The future growth of nuclear explosion technology will have military importance in many ways which are hard to foresee now. There are many areas of weaponry in which important problems remain unsolved. The unsolved problems are not, as is often claimed, to make slight or marginal improvements in existing designs. There are several directions in which qualitatively new methods of design may lead to qualitatively superior weapons, or to weapons performing qualitatively new functions. To give only one example, it is possible that a nuclear explosive system designed for the efficient propulsion of a spaceship could be the key to long-range and economical space travel. Any country possessing a markedly superior propulsion system in space would reap important advantages, both military and nonmilitary.

To illustrate as forcibly as possible the military importance of new weapons, I return to the example of fission-free systems. Imagine a hypothetical situation in which the United States is armed with its existing weapons, while some adversary (not necessarily the Soviet Union) has a comparable supply of nuclear fuel and has learned how to ignite it fission-free. The adversary's bombs would then outnumber ours 10 or a 100 to 1, and theirs could be used with far greater versatility in infantry warfare. Suppose that in this situation a local war of the Korean type should begin. God help the American infantryman who is sent in to fight against these odds. Practically speaking, our Army would have only two alternatives, either to retreat precipitously or to strike back with our much more limited number of heavier nuclear weapons and thoroughly destroy the whole country. This is not a pleasant situation to contemplate, and yet it is necessary that our people understand that it is a possibility. Any country which renounces for itself the development of nuclear weapons, without certain knowledge that it adversaries have done the same, is likely to find itself in the position of the Polish Army in 1939, fighting tanks with horses.

III

Next let us turn to the stubborn subject of long-range explosion-detectors and their effectiveness for policing an international agreement to halt weapon testing.

A conference was held at Geneva in the summer of 1958 at which scientific experts from East and West met and discussed the problems of long-range detection of explosions. The records of the existing long-range detectors and the responses of these detectors to past weapon tests were examined in detail. After some strenuous argument, the conference agreed upon a statement of conclusions. The statement describes a particular system of detectors which is suggested as a basis for a future international control of weapon-testing. This system, now generally known as the Geneva system, consists principally of 180 control posts equipped with a variety of scientific instruments and distributed over all parts of the earth. The statement concludes "that it is technically feasible to establish, with the capabilities and limitations indicated below, a workable and effective control system to detect violations of an agreement on the worldwide suspension of nuclear weapons tests."

The agreement of the Geneva conference of experts was widely hailed as a shining example of the triumph of scientific objectivity over national and political differences. In many ways it was indeed a triumph. For the first time since the advent of nuclear weapons, men from East and West were sitting together to discuss the nuclear facts of life with some degree of openness. And the speed with which this technical conference could reach an agreement was in startling contrast to the interminable sterility of earlier negotiations with the Soviet Union.

The experts at Geneva in 1958 did not know to what extent artificial concealment of nuclear explosions was technically possible. Probably for this reason they decided to say nothing about it. Scientific objectivity would, however, have required them to report that the concealment problem had not been explored.

Since the summer of 1958, political negotiations between the Soviet Union and the Western powers have been in progress, aiming at an agreement to cease weapon tests. Throughout these negotiations, the Soviet delegates have adamantly held to the line that the Geneva system could effectively police such an agreement. They have refused even to enter into any realistic discussion of the concealment problem. Meanwhile, a small number of Americans have started belatedly to think about concealment, and some small nonnuclear experiments have been carried out. It has gradually become clear to the American experts that a high degree of concealment is theoretically possible. In a report issued in June 1959 by a panel appointed by the Science Advisory Committee of the U.S. Government to study the possible improvement of the Geneva detection system, it was stated:

"In considering the possibility that the capabilities, now or in the future, of the Geneva system might be reduced by the intentional concealment of underground tests, the panel concluded that decoupling techniques existed which could reduce the seismic signal by a factor of ten or more. Moreover, preliminary theoretical studies have shown that it is possible in principle to reduce the seismic signal from an explosion by a much greater factor than this."

The technical facts concerning concealment were held secret until December 1959. It will still be some time before the facts are published in detail and exposed to the scrutiny of the international community of scientists. Only after such public scrutiny, and a great deal more experimental work, will it become possible to make an objective judgment of the effectiveness of concealment. Meanwhile, the limits of uncertainty remain very wide.

My personal opinion is that nuclear explosions in the kiloton range could be concealed very completely. That is to say, I believe it will be feasible to build a building, looking externally like a normal industrial structure, within which kiloton explosions can be contained. The cost of such a facility may not be exorbitant, and the earth tremors which it produces may be no larger than those produced by ordinary industrial operations. Giving free rein to the imagination, one may envisage a weapon-testing facility bearing on the outside the inscription "Kazakhstan Consolidated Steel Mills" and carrying on a legitimate business of steel fabrication as a side line. Concealment of this sort could be detected only if the international control authority were empowered to travel everywhere and to open all doors.

So long as the concealment problem has not been thoroughly and openly investigated, the effectiveness of long-range detectors against concealed explosions will be known only to those governments which conduct their own clandestine experiments. Under these conditions the idea of international control of explosions by long-range detectors is a dangerous illusion. If, as I suspect, the total concealment of explosions is possible, then a long-range detection system can never guarantee the observance of a test-cessation agreement. No party to the agreement can be sure that his adversaries are not secretly and successfully carrying on the development of new weapons. Especially dangerous is the circumstance that many of the militarily important new weapons will require test explosions only of very low yield.

If we sign an agreement to cease weapon-testing on the basis of a long-range detection system, ignoring the possibilities of concealment, we are trusting to the good faith of all the signatory powers. Now it can be argued that an agreement with the Soviet Union based upon good faith is not worthless. One need not assert that the Soviet Union would feel inclined to violate such an agreement whenever it were technically possible to do so with impunity. It is enough that a worldwide agreement to stop testing, based on good faith alone, would be very unlikely to last forever. Somewhere, sometime, some government would yield to temptation and resume testing in secret.

Public opinion in the West has a terrifying readiness to take refuge in illusions. For some years after 1945 we took refuge in the illusion that our preponderance in nuclear weapons would be more or less permanent. Now many of us are taking refuge in the illusion that the development of nuclear weapons can be stopped all over the world by a painless international agreement and a few hundred seismographs. It is necessary that we face facts resolutely. One fact is that militarily important weapons can be developed in secret by any government keeping a large part of its territory closed to foreigners. Another fact is that, in the absence of an effective international control of armaments, the pressures driving other governments to surpass ours in the technology of nuclear weapons will be almost irresistible.

To insure that new weapons are not developed, there must exist an international force of detectives with unrestricted rights of travel and inspection. Such an international detective force is at present unacceptable to the Soviet Union. For this reason it seems inevitable that the development of nuclear weapons will continue, either openly or in secret, for many years to come. For the peace of the world, it is far better that the new weapons should be developed openly than in secret. We must forever be thankful that the unconcealed testing of large hydrogen bombs had made the power of these weapons known to everyone.

The only wise policy for the United States at present is to continue the exploration of nuclear weapons technology, including the testing of weapons, until a reliable international control of testing is established. We should not be discouraged by the fact that the Soviet Union will not now accept such a control. In the last 10 years the Soviet Union has come a very long way toward accepting the unpleasant facts of life in the nuclear age. It is quite possible that in another 10 years the pressure of logic will carry the Soviet leaders a great deal further. In particular, it is possible that the Soviet authorities may in 10 years recognize the fact that a rigid international control of all nuclear activities is the only guarantee of their safety as well as of ours.

IV

To many people the continuation of any sort of nuclear weapons development is morally repugnant. To these people my arguments will carry no conviction. They will feel that these arguments merely reveal a moral blindness and an insensitivity to the overwhelming evil of nuclear warfare.

Everyone is agreed that war is evil and that nuclear war is surpassingly evil. And we live in a world where independent sovereign states have undisputed power over stockpiles of nuclear weapons. What then is to be done? I find no escape from the logic which impelled Lilienthal and his colleagues in 1946 when they drew up their plan for the international control of nuclear energy. If nuclear war is to be permanently avoided, it is necessary that somehow, sooner or later, sovereign states voluntarily hand over their nuclear armaments to an international authority. And the international authority must control everything, not only weapon tests but also production facilities, stockpiles and research.

The prospect of an adequate international control of armaments is remote, although possibly not as remote as it seems. Our whole endeavor must now be directed to stay alive somehow and to maintain the stability of the world through the interim period while international anarchy prevails.

During the period of international anarchy, we have a moral choice, either to strive to the utmost to remain in the forefront of nuclear weapons technology or to let the leadership pass into the hands of others. These are the only two alternatives before us. We do not have the power to change the laws of nature so that the possibilities for developing new weapons will disappear. Our moral choice is, either to possess the new weapons ourselves, or to leave it to chance to decide who shall possess them.

The moral dilemma facing the designers of weapons today is not essentially different from that which faced the builders of the fission bomb in 1943 and the builders of the hydrogen bomb in 1951. In each case the choice is the same. You discover that a new and horrible kind of weapon can be made. Either you make it yourself, or you leave it to chance to decide who makes it.

I believe the morally right decisions were made in 1943 and 1951. And I believe the morally right decisions now must be the same. Apart from all considerations of patriotism, it would be wrong for us to leave the future development of nuclear weapons to chance. Our development and possession of these weapons will help to maintain the stability of the world, until in the fullness of time we can hand over all such devilish inventions to an international authority powerful enough to prevent their abuse.

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THE CASE FOR ENDING NUCLEAR TESTS

(By Hans A. Bethe)

The cessation of nuclear weapons tests has been debated in the newspapers, in Congress, and most of all, in Geneva, where there have been what I consider honest negotiations. Concrete proposals have been made by both sides, by the East and by the West; there has been a considerable measure of agreement between East and West; and a number of articles of a treaty have been accepted.

The fundamental points of view of the two sides on disarmament measures were quite different. The Soviet Union advocated just a piece of paper on which we would agree to reduce our armaments. The United States and Britain insisted on the verification of any treaty concerning the limitation of armaments.

Because of the Russian desire for secrecy, the West proposed that the verification of a test cessation agreement should be primarily by physical methods, which would mean less intrusion into the privacy of the Soviet Union. It is clear that the Russians have by now accepted the major principle on which the United States has insisted; namely, that there should be a control system for the test cessation agreement. This in itself is an important result of the negotiations, and we must not jeopardize this achievement by either breaking off the negotiations or by making unreasonable demands which we know Russia cannot fulfill.

The problem of detection of nuclear explosions varies with the medium in which the nuclear explosion is set off. Until recently, practically all the nuclear explosions were set off in the atmosphere, either on the ground or higher up. The best-known method for detection of nuclear explosions is the collection of radioactive debris, by planes flying in those regions where the debris is expected to arrive, or on the ground from fallout. However, the collection of fallout on the ground is quite unreliable, because the winds may carry the radioactive debris in one direction or another.

We can also detect a nuclear explosion by the acoustic method, which consists in recording the pressure wave created by the explosion. Though the pressure decreases as the wave passes through the atmosphere, it remains recordable to a distance of 10,000 miles. The wave is such a good indicator of nuclear explosions that the United States has usually announced Russian explosions very soon after they have taken place. We have announced far more Russian explosions than the Russians themselves. Similarly, the Russians have been able to detect our nuclear explosions.

To improve detection, it was proposed as part of a treaty on the cessation of nuclear tests to have a large number of stations in each country, especially in Russia, in the United States, and in the British Commonwealth, all equipped with detection instruments. With the network of stations worked out in the Geneva negotiations, it was generally agreed that we would be able to detect and identify explosions in air down to the level of one kiloton, or possibly lower.

The second medium in which nuclear explosions have been set off is underwater. Such explosions are, if anything, even easier to detect than those in air, because the pressure wave is very well propagated through water, so much so that even an explosion of a few tons, not kilotons, can be recorded through water for thousands of miles.

Another location where nuclear tests might be carried out is in outer space. Detection there is considerably more difficult than in the air or in water, but it is confidently expected that one could detect nuclear weapons tests to distances of at least a million miles, which is four times the distance from here to the moon.

Underground testing is our most vexing problem and has received the most publicity. It has the obvious advantage that it does not contaminate the atmosphere, and therefore the great disadvantage, from a detection point of view, that radioactive air samples cannot be collected. From experience gained in Nevada, we know how deep an explosion has to be buried in order to prevent escape of radioactive material into the air. A kiloton bomb must be buried about 400 feet underground; a 20-kiloton bomb, about 1,100.

The displacement of the earth produced by an underground explosion is sufficiently great to be recorded easily by a seismograph, unless the explosion itself is very small. The two largest underground explosions to date were carried out in Nevada in the fall of 1958. One of these was 5 kilotons and the other 20; they could be observed on the seismographs throughout the United States, and the larger one gave a clear signal in Russia.

Unfortunately, underground explosions produce the same type of record as earthquakes; namely, seismograms consisting of a series of perhaps 20 wiggles. There are very few ways to distinguish between the two types of seismograms. The best distinguishing mark that seismologists have been able to find is the direction of the so-called first motion—whether the first wiggle starts up or down.

The criteria for distinguishing earthquakes from explosions were discussed in detail in the Geneva negotiations. It was decided that control stations should be set up at regular intervals of about 600 miles in seismic regions—that is, regions in which earthquakes normally occur—and about a thousand miles in aseismic regions. This figures out to about 20 stations in the U.S.S.R.

It is estimated that one to two hundred earthquakes with a force equivalent to that of an explosion of 20 kilotons occur in the Soviet Union every year. Of these, about half would be distinguished from explosions by first motion and other features in the seisograms obtained in the Geneva network of stations. This leaves about 50 to 100 earthquakes a year which cannot be distinguished from explosions.

The only sure way to tell an earthquake from an explosion is to send an inspection team to the location of the earth disturbance. A combination of seisograms from several stations can determine the location to an accuracy of about 5 miles. Thus, one would have to send an inspection team to explore an area of about a hundred square miles for evidence of an explosion. A number of scientists have tried to work out procedures for such an inspection.

How many inspection teams would have to be sent out every year? Would one inspect every one of the 50 to a hundred questionable events? I do not think so. It is generally agreed that about 30 percent would suffice. This would mean about 20 inspections in the Soviet Union annually in order to monitor possible nuclear tests above 20 kilotons.

A detailed study of the problem has been made by Dr. Richard Latter of the Rand Corp. He finds that the capability of the control system would be greatly increased by distributing the stations somewhat differently from the pattern proposed in the Geneva negotiations and by increasing their number in Russia from 20 to 30. This would make it much easier to distinguish earthquakes from explosions, so that only about 10 earthquakes per year in the Soviet Union with a force equivalent to 20 kilotons or more will remain unidentified by their seismograms. Ten inspections would therefore cover all doubtful events equivalent to 20 kilotons or more. Forty inspections would make it possible to monitor all earthquakes above 5 kilotons. (A 5-kiloton bomb is a small bomb. The Nagasaki bomb had a force of 20 kilotons.)

We must keep in mind, however, that our underground explosions in the past have been carried on in Nevada tuff, in a rock which is very soft and which therefore gives a relatively strong seismic signal. If the underground explosion is carried out in harder rock, such as salt, granite, or limestone, it creates a smaller signal. A signal which corresponds to a 5-kiloton explosion in tuff may correspond to perhaps 10 or 15 kilotons in these harder types of rock. Even 15 kilotons is not a very large atomic explosion.

Our capability of detection and inspection of underground explosions under the Geneva or the Latter system would be quite satisfactory were it not for the possibility of deliberate concealment of explosions by a process known as decoupling or muffling.

A very powerful method has been proposed by Dr. Albert Latter, the brother of Dr. Richard Latter. The method consists of making an enormous cavity underground and setting off the atomic bomb in the middle of the cavity. One can calculate that the apparent size of the explosion is thereby reduced by a factor of about 300.

Latter's decoupling theory was invented about January 1959 and was then checked by many scientists, including me. It was experimentally verified with small explosions of conventional high explosive in Louisiana early this year. To decouple the explosion of a 20-kiloton weapon, a spherical hole of about 50 million cubic feet, or nearly 500 feet in diameter, is necessary. Moreover, the hole has to be 3,000 feet below ground. The big room of Carlsbad Caverns is only big enough to muffle 10 kilotons.

It would obviously be very slow and very expensive to excavate such a hole by a normal mining operation, with pick and shovel and high explosives. However, in salt domes, large holes can be made by washing out the salt; that is, by pumping water in and pumping brine out. Experts of the oil industry have estimated that to excavate a hole big enough to muffle a 20-kiloton explosion would take more than 2 years and would cost about $10 million. This is quite a lot of money, but the time factor is probably more important. The actual washing operation has to be preceded by an engineering study, and after completion of the hole, considerable time is required to set up and complete an atomic test.

Whether a 500-foot hole in a salt dome could be maintained is not known. Holes of about one-tenth that volume are used to store oil and gasoline. It is also unknown whether a hole could be used repeatedly for nuclear testing.

I cannot imagine that the washing of a 500-foot hole would go undetected, even in a closed country like the Soviet Union. Just the amount of salt water which would be carried up to the earth's surface is staggering, being many times the volume of the salt. Somehow this salt water must be disposed of. One possibility is to dump the brine directly into the sea or into depleted oil wells, but both of these methods severely limit the geographical areas in which the hole could be constructed. A more widely applicable method would be to dump it into a river. But even in a very big river, like the Ohio or the St. Lawrence, the salt excavated from one big hole would double the salt content for a year. The increase would be very easy to discover by making a chemical analysis of the river water at regular intervals.

It is important that there are relatively few locations in which large holes can reasonably be dug; one needs salt domes and, in addition, ways to dispose of the salt water. In other types of rock, both excavation and disposal of the excavated material would be far more troublesome, and the resulting hole would probably be less safe and less reliable for decoupling. Luckily for inspection, the geographical regions where salt domes are known to exist are generally aseismic, so that any seismic signal originating from these regions would be suspicious. For the same reason, only a few inspections would be needed to guard against muffled shots. Of course, one first has to get a signal from a muffled explosion. How this can be done I shall discuss later.

The main question is: Does any country want to go to such an extreme as constructing the big hole in order to cheat on a test ban? Can we really assume that the Russians would go to the trouble of negotiating a test cessation treaty just in order to turn around the next day and violate it?

Having participated in the negotiations with the Russian scientists at Geneva on three occasions, I believe that they are sincere in wanting the test cessation agreement and do not intend to cheat on it. For instance, in November 1959, although the Russians were in many ways reluctant to agree with the American delegation, they were very eager to accept any improvements in detection apparatus suggested by the Americans. If the Russians wished to violate the treaty, they would have objected to these improvements.

Many other Americans, without disagreeing on any of the scientific facts, believe that the Russians are bent on violation, and they therefore oppose the cessation of testing. Dr. Edward Teller has argued this point repeatedly, and in particular in his television discussions with Lord Bertrand Russell. His line of reasoning runs as follows: "We cannot detect Russian underground tests of bombs of small yield; since we cannot detect these tests, we should assume that they are carrying out such tests. If they carry out such tests and we do not, then they will soon be ahead of us in the area of small nuclear weapons. When they are ahead of us in this area, they will have military superiority, and thereby they can blackmail us into complete submission. At that moment the whole free world will have to capitulate to Russian communism."

It seems to me this is a series of non sequiturs. Every one of these steps, I think, is very unlikely. I do not think the Russians intend to violate a treaty banning weapons tests; I do not think that the Russians could risk cheating, even if there is only a small likelihood of being detected. Even if we had no system of physical stations detecting nuclear tests, the Russians would not risk having some defector tell us about a clandestine nuclear explosion. If there were such a defector telling us of a Russian violation, it would not be very difficult to find physical evidence of it. I believe that the Soviet Union, which is posing as a peace-loving nation, whether rightly or wrongly, simply cannot afford to be caught in a violation, and therefore I think that it will not try to cheat.

But even supposing that the Russians wanted to cheat, what would they need to do? One violation, one nuclear test below ground, does not do much for the development of weapons. In the first place, they would have to develop entirely new methods to assess the results of a nuclear test. Most of the methods commonly used for observing the results of a test in air do not work underground. Probably several explosions of weapons whose performance is already known are required to develop methods of observation underground. Second, two or more test explosions are often needed to develop a single new weapon. Finally, a country which already has dozens of types of weapons will hardly be interested in developing just one more, in violation of a treaty. For all these reasons, a potential violator of the treaty would only be interested if he could perform a whole series of tests.

Now, if a series of tests were carried out, all at the same location, this would greatly simplify the work of the detecting agency. It would merely be necessary to detect the disturbances on the seismograph, not to distinguish them from earthquakes. The fact of repeated seismic disturbances originating from the same location (except as aftershocks of one big earthquake) would be sufficiently suspicious to warrant dispatching an inspection team to their site. With our accepted Geneva system of 20 stations in the Soviet Union, it is generally agreed that we could record disturbances underground of less than 1 kiloton. Thus, to violate the treaty without being detected, it would be necessary to find a new location for practically every test in the series. The development of a new test site would add enormously to the cost, complexity, and inconvenience of testing.

I had the doubtful honor of presenting the theory of the big hole to the Russians in Geneva in November 1959. I felt deeply embarrassed in so doing, because it implied that we considered the Russians capable of cheating on a massive scale. I think that they would have been quite justified if they had considered this an insult and had walked out of the negotiations in disgust.

The Russians seemed stunned by the theory of the big hole. In private, they took the Americans to task for having spent the last year inventing methods to cheat on a nuclear test cessation agreement. Officially, they spent considerable effort in trying to disprove the theory of the big hole. This is not the reaction of a country that is bent on cheating.

Two of the Russian scientists presented to the Geneva Conference their supposed proof that the big hole would not work. A day or two later, Dr. Latter and I gave the counterproof and showed, with the help of the Russian theory itself, that the Russian proof was wrong and that the theory of the big hole and the achievable decoupling factor were correct. We have been commended in the American press for this feat in theoretical physics. I am not proud of it.

In the recent hearings before the Joint Atomic Energy Committee of Congress, Dr. Teller recommended that we in the United States should continue determined research to find out further methods of decoupling, further methods of reducing the signal from an underground explosion. His argument is that we have to know all the possible methods of concealment if we are to develop a detection system which can deal with them. This may be so, but should we really spend our time and effort in drawing up a blueprint for a violator of the treaty, and also do the engineering development for him?

The Russians themselves have been quite consistent in their attitude toward decoupling. In negotiations in Geneva for joint research on improvement of seismic detection, they refused, as recently as May of this year, to participate in any research or decoupling or to permit the United States to engage in such research. "The Russian people," said Mr. Tsarapkin, the U.S.S.R. delegate, "will not understand it if research under the test ban treaty is conducted for the purpose of defeating the treaty."

Because of the difficulties of detecting small nuclear tests underground, President Eisenhower on February 11 proposed to the two other great nuclear powers to effect, for the time being, only a partial test ban treaty. Tests in the atmosphere and under water, as well as in the nearer parts of outer space, would be discontinued. He proposed to ban all large nuclear explosions underground, those giving a signal equivalent to 20 kilotons or more under Nevada conditions. Smaller explosions and decoupled tests would be permitted, because they cannot be identified by the present system.

Further, the President proposed, the three powers should start intensive research on the improvement of methods for detection and identification of underground explosions, so that in time the treaty could be extended to smaller underground explosions, and perhaps a complete ban could be effected in the end.

This proposal was accepted by the U.S.S.R. on March 19 with an important modification; namely, that there should be a moratorium on smaller nuclear tests for a number of years. While only the large tests would be prohibited in the treaty itself, the three powers would declare in a separate document that they would refrain from carrying out nuclear explosions under 20 kilotons. The Russians proposed 4 to 5 years as the duration of such a moratorium; the West, 2 to 3 years.

To pursue this proposal further, the seismologists of the three nuclear powers met in May in Geneva to make plans for joint research on seismic detection. A large measure of agreement was achieved, but there is still a question as to the number and type of nuclear explosions to be used in this research.

Somehow, the seismic research has become identified in the mind of the public with the setting off of underground test explosions. This is by no means correct. The main problem is to improve the instruments of detection. This can be done largely by utilizing signals from earthquakes. Few explosions will be needed.

We need instruments which will give us more diversified information. We want to eliminate from the seismograms as far as possible the "noise"; that is, the ever-present, minute, irregular motions of the earth. We need to learn to utilize calculating machines and mathematical tricks for the analysis of the records. We want to learn to deduce the shape and depth of the original earth displacement caused by a disturbance hundreds or thousands of miles distant from the recording instrument. At present, the depth can be deduced from the seismogram only if it is very great—about 30 miles or more. Perhaps we can learn to determine the depth of the source of the seismic signal to an accuracy of 1 mile. If this were possible, then signals originating from a depth of at least 2 miles could be attributed to earthquakes, because it is extremely difficult to drill holes that deep.

A number of promising ideas for improved detection were proposed in the spring of 1959 by the Berkner Panel, which was set up by the President's Science Advisory Committee to study the problem of detection of nuclear explosions. Some of these ideas were proposed to the Russians at the Technical Conference in November 1959. With a lot of research there is good hope for substantial improvement of the art of detection during a 2- or 3-year moratorium.

Would it be possible by these improvements to detect a decoupled test of a 20-kiloton explosion in a big hole, using only the 20 seismic stations provided in the Geneva system? We do not know. It must be remembered that, with a decoupling factor of 300, a 20-kiloton explosion looks like only 70 tons, not kilotons, and this is a very small explosion indeed. With the present methods, the Geneva system can only detect and locate explosions down to about 700 tons, not identify them.

But suppose it is impossible to improve the seismic techniques sufficiently by research. We already know one method which would certainly enable us to detect even the fully decoupled tests. This method is to make the spacing between stations much smaller. My proposal would be to decrease the spacing from 600 miles, as agreed to in the Geneva negotiations, to 120 miles in the seismic regions, and also in those regions where there are salt domes. In the parts of the Soviet Union where there are neither earthquakes nor salt domes, the stations could be distributed at a much wider spacing—let us say, 250 miles. With such spacing, one would need about 200 stations to cover the Soviet Union.

If the whole of the Soviet Union, seismic and aseismic regions alike, were to be covered by stations at 120-mile spacing, 600 stations would be needed. I mentioned this number during the congressional hearings which were held in April 1960 under the chairmanship of Mr. HOLIFIELD. The number was then quoted out of context and without the proper qualifications in sensational press reports which implied that I no longer supported a test ban treaty. This, of course, did not correspond to the intention of my testimony.

The 20 stations in the U.S.S.R. which are provided by the Geneva system will be large, manned stations, each with about 30 technical people plus supporting personnel. They will have equipment to observe nuclear tests in the air as well as underground, and each station will have an array of a hundred seismographs in order to reduce the noise.

The additional 200 stations which I am proposing would be unmanned robot stations with one seismograph each, or possibly two. Such a system of robot stations would be simpler, cheaper, and, at the same time, more effective for seismic detection than the 20 large stations. I should think that these additional robot stations might well be acceptable to the Russians, especially if we do not demand them now but keep this idea in mind as a way out if no better method is discovered to observe decoupled tests.

How much would such a system of small stations cost? Two estimates have arrived independently at a figure of about $100,000 for each of these small stations. This includes provision for making the station "tamperproof." While one cannot expect such tamperproofing to be 100 percent effective, one can expect to design the station in such a way that any tampering will be observable.

It is important to have reliable transmission of information from the robot stations to the large stations. Various methods of transmission have been considered by a group of communications experts. The total cost of the system of small stations in Russia, even with the most elaborate communication links, is estimated to be less than $200 million. Engineering estimates have also been made of the cost of the basic 20-station net. No final figure has been given, but a total of half a billion for both the small and the large stations is probably the best conservative guess that can be made at present. This is not cheap, but it is a great deal less than the $1 to $5 billion for the large stations alone which was mentioned in the Holifield hearings in April.

The system of robot stations is expected to detect and identify fully decoupled 20-kiloton tests in the seismic regions. It is expected to detect and locate, but not identify, similar tests in the aseismic regions. I have previously shown that, once you get a signal, the number of inspections can be held within reasonable bounds. Of course, the robot stations would also greatly improve the detection of normal, not decoupled shots. It would be easy to detect and identify earthquakes down to 1 kiloton or less. Hence, the number of inspections could be greatly reduced.

It has been argued that several years will pass before we can build the system of small robot stations. This is true, but it would also take several years before a sufficiently large cavity could be constructed and successfully used.

In the meantime, there is a possibility of using already existing, smaller cavities in salt. There seem to exist, at least in this country, several holes which would fully decouple an explosion of 2 or 3 kilotons. If similar cavities exist in Russia, it must be admitted that it would be possible to use these for testing very small weapons; there will always be a threshold of detection, even with the best detection system. The question is whether such testing would be worthwhile. Moreover, a 2-kiloton hole could be used to achieve partial decoupling for a larger explosion—say, 20 kilotons. From the Louisiana experiments, one may estimate that this proportion of hole size to explosion energy will give decoupling by a factor of 30. The 20-kiloton explosion then looks like two-thirds of a kiloton. This is just detectable by the Geneva net of stations, although without the robot stations a signal of this size could not be distinguished from an earthquake. Thus, with the Geneva net alone, it would be risky for a violator to attempt a partially decoupled explosion of 20 kilotons. A 10-kiloton explosion, partially decoupled in an existing 2-kiloton hole, could probably go undetected until either we have robot stations or significant improvements have been made in the art of detection. However, it seems from the Louisiana experiments that the cavity will suffer damage when it is used for partial decoupling of an oversized explosion. It is, then, very doubtful whether it could be used more than once. In this way, the few existing big holes would soon be used up.

I believe, therefore, that it is technically feasible to devise a system of detection stations and inspections which will give reasonable asurance against clandestine testing, with the possible exception of very small, decoupled tests.

A key point in the monitoring system is on-site inspection. This was recognized as necessary in the Experts Conference of the summer of 1958. The Russians agreed reluctantly, but they did agree, to a passage which says that "all events which are recorded by the control stations and which could be suspected of being nuclear explosions will have to be inspected on the site." This passage, which our negotiators insisted on, has been a very powerful argument for our side. I am sure that the Russians have often regretted that they agreed to it. On the other hand, our delegation would not have agreed to the final report of the conference without this passage.

Estimates made in Washington have ranged as high as from 1 to 300 necessary inspections per year in the Soviet Union for a complete test ban. Obviously, the Soviet Union wishes to prevent such a large number of inspections. Soviet negotiators have objected time and time again that we would use the on-site inspections for espionage purposes.

To solve this impasse, Prime Minister Macmillan, on his visit to Moscow in the spring of 1959, proposed that there should be a fixed quota of inspections every year in each country and that, in exchange, each side should have free choice of the inspections to be made on the territory of the other.

In other words, if a suspicious event is recorded on the seismographs in Russia, then the West, which means essentially the United States and Britain, would have the right to choose whether or not to inspect this event. They would decide on the basis of other knowledge whether it is reasonable in that particular locality to suspect a nuclear explosion. If, for example, the seismic event is shown to originate from a completely trackless wilderness in the mountains, then it may be presumed by the West that it was not a nuclear explosion. If, however, the seismic event is recorded in an abandoned mining area where one might very easily dig a tunnel to put in a nuclear bomb for testing, or especially in a salt dome area, then we would presumably insist on inspecting that area.

It seems to me that this idea of a quota, combined with free choice by the West of the events to be inspected in Russia, is a good compromise. Russia has accepted this idea in principle; our Government has not: it insists on inspection of a percentage of the suspicious events rather than a fixed number. This implies that the number of inspections would be determined on the basis of technical need. The Russian position is that the quota must be determined on the basis of political acceptability alone.

In practice, however, the U.S. Government has adopted the quota idea as part of President Eisenhower's proposal of February 11, 1960, of a partial ban on nuclear tests. He proposed that this partial test ban be enforced by a quota of about 20 inspections per year in the U.S.S.R., a very reasonable number. The Russians, while accepting the February proposal with some modification, have not as yet responded to the proposed number of inspections. In fact, they have never officially mentioned any number and have given us to understand only that they are thinking of very small numbers of inspections. But one point is clear: The quota must be fixed by the negotiators before either Russia or the West will sign a treaty.

Let us assume the most unlikely and worst possible case; let us assume that the Russians have gone to all the trouble of negotiating a treaty only in order to violate it. It would take them a very long time to set off any significant number of explosions; it would take a tremendous effort. It is generally agreed that they could test only small nuclear weapons. Even in the area of small nuclear weapons, a test series would take a number of years. Now, let us even assume that the Russians wish to go to all this trouble just to develop further small nuclear weapons. Where do we stand?

At this time, it is generally agreed that we are far ahead of Russia in the development of small nuclear weapons. We have nuclear weapons ranging from 20 kilotons down to a fraction of a kiloton. We have them in all different sizes. We have weapons which can be carried in big airplanes, in fighter planes, in ballistic missiles, in land-based rockets, and even in airborne rockets to bring down enemy planes. We have nuclear weapons which can be shot in short-range rockets, like Honest John; we have nuclear weapons so small that they can be carried by the infantry with relative ease. We have an enormous arsenal of such weapons. The Russians also have a number of such weapons, but their arsenal in the field of small weapons, as far as we know, is much more limited than ours, and probably their weapons are not quite as sophisticated. It would take them a long time to catch up with us.

What is the alternative? Suppose we resume tests only in the area of small weapons. Then we could be sure that it would not take the Russians very long to reach our present, very high-level technology in this field. But, it will be argued by Dr. Teller and his associates, in the meantime we also can make progress. Clearly, we could if we resumed nuclear tests. However, we have already gone far enough so that very little we can do in the future will be of great military significance.

While the Russians could gain considerably by the resumption of tests of small nuclear weapons, they also have enough such weapons to give them a sizable capability in case of a tactical nuclear war. Therefore, they do not have a desperate need for improving their weapons, and thus not enough incentive for testing to risk a violation. Yet, if nuclear tests were resumed legally, the Russians would probably make more rapid progress than we would.

It has been claimed that we still have a long way to go in nuclear weapons. There are two schools of thought on this: One essentially represented by the Livermore Laboratory, the other by the Los Alamos Laboratory. The Los Alamos Laboratory, our chief laboratory in the development of nuclear weapons, which has to its credit most of the weapons which have been developed up till now, is generally of the opinion that not much more can be obtained in the way of weapons improvement. They will admit, and I will admit, that there can always be some further improvement, but the question is, Is it worthwhile? Even if testing were allowed, would it be worth a great effort?

Let me repeat: If the Russians really want tactical nuclear weapons—that is, nuclear weapons of small yield—then the best thing for them to do would be to resume testing of such small weapons officially exactly as was suggested in the original proposal by President Eisenhower on February 11. The fact that they asked instead for a moratorium on small tests indicates to me that they do not put much weight on development of these weapons.

I belive that if tests were resumed, if the negotiations on test cessation were to break down, then the Russians would choose to test big weapons, hydrogen weapons, in the megaton class. I think that these are the weapons which are most dangerous to us; these are the weapons which the Soviets consider to be of the greatest military importance to them. I want to remind you of the situation in the fall of 1958. At that time the United States put in an extra test series, which is known as the Hardtack II series, carried out in Nevada. This test series consisted of a number of small nuclear explosions, from about 20 kilotons down to a fraction of a kiloton.

At the same time, the Russians tested the largest weapons they have ever tested, weapons of many megatons. They increased the yield from their weapons; they made them more efficient in the large-megaton class. They probably obtained in that test series the warhead for their big intercontinental ballistic missile. This is a tremendous weapon in their hands. If the Russians were to launch a determined attack on this country, perhaps a surprise attack, they would undoubtedly use these enormous weapons.

I believe that it was much to our disadvantage that the United States conducted the test series in the fall of 1958. It would have been in our power to declare in August of 1958 that we would stop testing from that moment on. If President Eisenhower had made this bold declaration, I do not believe that the Russians would have conducted their test series in September and October. They used our small test series as a very welcome excuse to conduct their own. The bold political decision to stop tests altogether would have been much more to our military advantage, since such a decision would have made it difficult for the Russians to resume testing and to test their big warheads. Had the Russians tested nevertheless, we would still have been free to conduct the small Hardtack II series. We got comparatively little from our small test series; they got a great deal, and very big weapons, out of theirs.

If we were now to resume testing, if we were to break off negotiations in Geneva, then we could not force the Russians to test only small weapons underground. While we might restrict our own testing in this manner, the Russians could test anything that they considered to be to their military advantage. Whether their tests would be in the multimegaton category, or whether they would try to decrease the weight for, let us say, a 1-megaton weapon, I could not predict. But I strongly suspect that they would choose to test large weapons rather than small ones, that they would chooce to test strategic weapons, which they consider the most important, rather than the tactical weapons which have had such prominence in public discussions in the United States.

If we had stopped nuclear testing when the Russians first suggested doing so, at the beginning of 1956, we would presumably have had a very great superiority in hydrogen bombs. We had tested at least half a dozen; they had tested one type only. We might possibly have a situation in which the Russians would not now have a hydrogen warhead for their ICBM. The missile gap has been a great worry to our military during the past 2 years. Without a hydrogen warhead, the ICBM would be much less important, and our superior position in planes might have remained of much greater significance.

The politically bold decision to accept the Russian offer to stop nuclear testing in 1956, either before or after our own 1956 test series, would then have given us considerable military advantage. Sometimes insistence on 100-percent security actually impairs our security, while the bold decision—though at the time it seems to involve some risk—will give us more security in the long run.

There can be no doubt that, since 1956, the Russians have gained in nuclear weapons, relative to us. It is my belief that this is quite natural: The country that is behind will catch up; the country that is ahead will not make so much progress in the future. Dr. Teller has pointed out that our nuclear weapons today are about a thousand times as efficient as they were in 1945. He states, "In comparison with the nuclear weapons of 1960, those of 1950 appear completely obsolete. If the development should continue, there is no doubt that in 1970 nuclear explosives can be produced compared to which our present weapons will appear similarly outdated." The first sentence is clearly true. But if we want to increase the efficiency of our nuclear weapons by another factor of about 10—not a thousand—from the presently achievable, we come to a point where the entire material in the weapon must undergo a nuclear reaction. Since there must be assembly mechanism, triggers, bomb cases, and the like, this is clearly impossible. Further nuclear weapons development will be limited by the laws of physics.

This being so, further testing by both sides would bring the Russian capability closer and closer to ours. If we stop nuclear testing now, we may reserve at least the little bit of military advantage in nuclear weapons that we still possess. It is certainly late enough. So I come to the conclusion that, even from the purely military point of view, for our purely military strength compared with Russia's, we would gain by a test cessation agreement.

The political gain would be enormous. Basic to the accepted control system of a test ban are the control stations on the territory of the contracting parties. If the agreement becomes reality, the Russians will for the first time permit foreign international inspectors to go on their soil, to have the right to check up on their activities. This is the first time that the Russians have been willing to give up any part of their sovereignty. Of course, we are asked to give up the same part of our sovereignty too, but for the Russians, with their extreme desire for secrecy, it is a far more difficult thing to do, and it would be a real achievement of the negotiations.

The Russians have further admitted that there should be on-site inspections of suspicious events detected by the physical control stations. This is another major concession. So, in the test cessation agreement, we would get the first admission in principle of the rights of a foreign control organ on Russian soil, an admission which might be of the utmost importance for further disarmament agreements. It would be very dangerous indeed for us to jeopardize this achievement by not concluding the test cessation agreement.

The main importance of our negotiations on the test cessation agreement comes, I believe, not from this agreement itself, important as it is, but from further agreements which must follow. It has been recognized widely in the United States, and also in the Soviet Union, that the continued arms race makes no sense. The two countries are fully capable of destroying each other, in fact, of destroying each other several times over. This is an absurdity. Modern war simply does not make sense as an instrument of national policy. I believe that we should try to arrive at a situation of carefully controlled limitation of armaments. It is a difficult thing to achieve, and it will be a long road before we do.

However, if we want to stop the armaments race, then we have to make a start somewhere. It has to be made in a way consistent with U.S. policy, meaning that every limitation of armaments must be carefully controlled. We have to make a start in an area where it does not cost us too much, where we can back off again if the first treaty doesn't work. With the test cessation agreement, this would be possible, because it covers a sufficiently restricted subject.

I have so far discussed this problem entirely in regard to the two powers, the United States and Russia. However, the effect on other powers is at least equally important. It is clear that other powers may also get nuclear weapons soon. In fact, if we wait long enough, they surely will do so. I do not know how long it will take for China to achieve this capability. I do not think it will be next year, but I will not be surprised if the Chinese develop nuclear weapons before another 5 years pass. It is to our interest to keep nuclear weapons out of China's possession. We have every interest in restricting the nuclear club to its present members, essentially three, with France a junior partner. If the three great nuclear powers continue nuclear testing, then there will be no pressure on the other countries to refrain from developing nuclear weapons. If, however, the three great powers give up nuclear testing, and give it up completely, then popular pressure, both from the great powers and from the small powers, will be very strong on the other countries to make them adhere to the treaty which the great powers have signed.

I cannot predict whether China will in fact adhere to a test cessation treaty. I think that both Russia and the United States would desire that China do so. But one thing seems to me certain: If we do not have a treaty on cessation of nuclear tests, then China will surely get nuclear weapons in a fairly short time. For this reason, it is imperative not only to have a treaty but to have it soon.

At this time we can still get something if we agree to stop nuclear testing. But we have a wasting asset here. Before long, I believe, public opinion in the world will force us to stop nuclear testing without our getting anything in exchange. At present we get in exchange recognition by Russia of stations on Russian soil and of the principle of controlled disarmament. We may further get in exchange the restriction of the nuclear club to three members.

Opponents of the test cessation agreement want to have a perfect agreement; they want to have an agreement in which we can be sure to detect each and every violation, no matter how small. I think that by insisting on perfection we shall end up with nothing.

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NUCLEAR TESTING AND AMERICAN SECURITY

(By Thomas E. Murray)

The new President of the United States, when he takes office, will immediately come fact to face with one of the most vexing problems of international relations today—the problem of disarmament and arms control. Within this complex problem, the issue of nuclear test suspension has assumed a primary place—indeed, a highly dangerous place. The nuclear test policy which our Government has pursued for more than 2 years is gravely imperiling the security of the United States and its free world allies. The incoming Chief Executive cannot afford to delay a close and critical review of the American policy decision, dating to October 3, 1958, to suspend all nuclear tests—its history, its present status, its entire rationale, and its role within the wider context of arms control policy.

During the last 2 years, many Americans have labored under the impression that the United States and the Soviet Union, through their negotiators at Geneva, have been moving inexorably toward a nuclear test ban, hammering out one treaty clause after another, making an increment of progress each month toward that time when a test ban will be put into effect. This is a pernicious illusion. Actually, as far as the United States is concerned, a test ban has already been in effect for more than 2 years. The ban has been in the form of a unilateral moratorium which is all comprehensive, admits of no exceptions, and is accompanied by no safeguards whatsoever.

The illusion has been compounded by optimistic assumptions that adequate safeguards for an absolute and permanent test ban can possibly be agreed upon through international negotiation within the foreseeable future. The fact is that such safeguards are not feasible in terms of either the present state of technology or the world political-strategic situation. It is nonsensical, therefore, to speak of a permanent test ban treaty accompanied by sufficient guarantees of compliance as though such a compact were almost within our grasp.

What is in effect today is an unpoliced and unpoliceable test ban, which bids fair to be continued indefinitely, with increasingly dangerous consequences. The temporizing attitude which has characterized the Administration's test policy during the last 2 years means that the next President will face a grim battle to gain approval of a proposition which never should have been brought into question in the first place—namely, that the United States has the right, indeed, the obligation, to carry out a program of nuclear tests if this should be required for its own security and the defense of its allies.

At present, our national policy on nuclear tests is being shaped as much by our own illusions as it is by Communist propagandists, who cynically equate any proposal for test resumption with a callous indifference to the peaceful aspirations of mankind. As a matter of fact, the preservation of world peace hinges upon the maintenance of an adequate Western deterrent, and this in turn demands that the United States retain a lead in the realm of nuclear technology. It is precisely this leadership which has been called into doubt by the American unilateral moratorium. Today, we are backing into the quicksand of the most dangerous and most subtle form of unilateral disarmament—technological obsolescence.

One of the longstanding objectives of Soviet policy has been to induce the United States to acquiesce in an all-inclusive test ban which would involve a minimally effective international inspection system. The Soviets have achieved this objective by spinning out the Geneva negotiations into the third year, while retaining their own freedom to carry out clandestine nuclear testing as part of a weapons development program. It is imperative that our national policymaking in this crucial area be liberated from hostile foreign influences and be regeared instead to the essential demands of our own security, indeed of our very survival as a free people.

I

It is essential to realize that the present U.S. nuclear test policy has been, and still is, based upon a serious mistake. This mistake dates back to 1958, and must be laid to the scientific advisers of the White House as well as to the State Department policymakers who acted precipitately on the advice of those scientists. I am convinced that President Eisenhower would never have ordered the moratorium had it not been for the erroneous judgment of the scientists.

We must remember that, originally, it had been the fear of worldwide radioactive fallout—a fear exacerbated by Communist propaganda—which had stirred the world public into opposition against nuclear tests and finally prompted the United States to make the trek to Geneva. The main spur to this fear was the detonation of multimegaton weapons which contaminate the atmosphere of the earth. If the motive of the United States in going to Geneva had been to allay world apprehensions—and it apparently was —then it was on this type of tests that the scientists and the policymakers should have focused their attention. The requirements of military security no longer necessitated such tests. Moreover, a ban on this kind of testing could easily have been policed; the technical apparatus was already in existence and could have been expanded quickly into an international inspection system, fully effective.

In 1958, therefore, the United States was in a position to show appropriate respect for the legitimate demands of world opinion without jeopardizing its security on the technological front. We should have proposed an agreement to stop all tests which cause atmospheric contamination, and to institute on an international basis an already proven system for policing such a ban. Mobile teams for conducting on-site inspections would not have been necessary.

The United States did not, however, press for such a practical agreement with sufficient vigor and persistence.[1] Instead, we became involved in a much more complicated and much more dangerous quest for a universal test prohibition which would outlaw all types of nuclear explosions forever—atmospheric, oceanic, underground, and outer space. In this respect, we transgressed the limits of necessity. The harmful products of underground explosions can be contained in such a way as to pose no threat to human health. Furthermore, outer space tests conducted at sufficiently high altitudes can be conducted with no known danger to human life. Both underground and outer space tests were still important to improve our defensive capabilities and to enhance our overall deterrent power. It was not necessary to include them in the scope of the ban. In fact, it was essential that they be excluded.

Nevertheless, the State Department took the position that, once our scientists could postulate an inspection system which would record a nuclear explosion larger than 2 kilotons anywhere in the earthly environment, the United States could enter a total test ban agreement with equanimity. In the spring of 1958, the scientists informed the administration that they had come up with the answer. By now it is well known that the scientists had erred seriously. They had based their conclusions regarding the possibility of policing underground tests upon the results of but a single experiment—the 1.7-kiloton Rainier shot of September 1957, detonated deep within a mountain tunnel. This experiment had been planned well before the special committee of scientists had been established under the President's chief scientific adviser, Dr. James Killian. The Rainier explosion had not been planned to meet specific detection needs; the resulting data relating to detection capabilities were an almost accidental byproduct of the test. Yet on the basis of this scant evidence from a single explosion, the scientists concluded that from an analysis of wave patterns registered on seismographs they could differentiate from earthquakes nuclear blasts as small as 2 kilotons.

When this scientific information was placed before President Eisenhower, he proposed that a Geneva Conference of Technical Experts be held in the summer of 1958. It was most unfortunate that the scientists lacked the wisdom or the patience to wait a few more months before proceeding to Geneva. They were well aware that the Hardtack series, scheduled for September 1958, would provide them with an opportunity to verify their hypothesis before undertaking to discuss the technical details of a treaty on which the security of the free world would depend. Urged on by the State Department, American scientists went to Geneva with a proposal for a system of some 650 to 700 seismic stations around the world capable, so they thought, of detecting all underground tests above 2 kilotons.

In the summer negotiations at Geneva, our scientists were induced to retreat from their original position and accept a less comprehensive system. A joint communique issued on August 21, 1958, declared that it was "technically feasible to set up * * * a workable and effective control system" which would be 90 percent reliable in detecting underground tests not of 2 but of 5 kilotons or more. This system need only comprise 180 stations throughout the world, including some on the territory of each nuclear power and 10 on shipboard in the oceanic areas.

A few months later this formula had to be scrapped by our scientists. The completion of tests at Yucca Flats made it crystal clear that our scientists had ratified conclusions that were erroneous. Nuclear explosions in the Hardtack series appeared on some seismographs in the United States as earthquakes, instead of nuclear explosions. With the number of control points approved at Geneva, the experts had now to admit a serious blunder. It was demonstrated that the minimum size of underground tests that could readily be identified was five times greater than had originally been estimated. Still later, nuclear scientists learned that it is possible to muffle underground explosions almost beyond the range of detectability by denoting them in large, deep cavities (such as those naturally or artifically washed in salt domes) or in smaller underground holes containing pressure-absorbing substances. It is difficult to understand why the President, with this evidence before him, did not revoke the test moratorium until such time as the scientists could calculate with a reasonable degree of accuracy the full requirements of an effective inspection system. The only reason which I can adduce for his inaction is pressure from the State Department, reflecting in turn pressures from abroad.

II

For more than 2 years the United States has adhered stubbornly to a moratorium and a test ban negotiations policy which are founded upon discredited scientific assumptions. No American military leader in possession of all the facts would ever have recommended the test moratorium or consented to it except under heavy organizational pressure. Undoubtedly, the tacit consent of the military to the imprudence of the test moratorium has been exacted through an appeal to the classic imperative of "overriding political considerations."

But has our current policy on tests been a success even from the political standpoint? Has it, for instance, convinced the Soviets of our sincere desire to brake the arms race? Has it altered their conviction, rooted deeply in their own ideology, that the "capitalist camp" is warmongering and intent upon destroying the socialist camp? Has it placated world opinion and convinced the peoples of our peaceful intentions? Has it offered a realistic hope of limiting the membership of the so-called nuclear club? Does it contain a real promise of opening up Soviet society? Has it contributed to a relaxation of international tensions? Has it diminished the fear of war, accidental or deliberate? Has it gained for the United States the initiative in disarmament negotiations, or helped to advance the possibility of success in other areas of negotiation? Has it reinforced the confidence of our allies in our political wisdom? The answer to all these questions is no. Our entire test policy has been demonstrably a failure. There have been no political gains to warrant the security risks which have been incurred. The argument of "overriding political considerations" simply does not stand up under scrutiny.

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[1] Several months after the Geneva negotiations had started, President Eisenhower, on Apr. 13, 1959, sent a letter to the Soviet Premier proposing that the three powers agree for the time being to ban only atmospheric and underwater tests, leaving underground and outer space tests for later consideration. This was one of the most sensible moves made by the administration throughout the test ban negotiations. But after Prime Minister Macmillan suggested the quota of on-site inspections (discussed below), Khrushchev rejected the President's proposal and treated the Macmillan suggestion with decided favor. From that time on, the administration dropped the President's sound proposal of April 13.

Our moratorium has not prevented the Communists from returning to a noticeably tougher cold war line in 1960. The mere fact that the Soviets seem to take a less dogmatic position than their Chinese partners on the question of the inevitability of war does not mean that they have really moved 1 inch toward genuine accommodation with the West. Not only has our moratorium failed in the bid to mellow the Kremlin, but it has not brought the United States any significant propaganda returns. Indeed, large segments of world opinion have been persuaded by the Communists to believe that Americans want controls without disarmament—one of the most singular successes scored by Soviet propaganda in the entire postwar period. Actually, the United States has already committed itself to the most drastic form of disarmament which it has ever undertaken in its history—and without the slightest semblance of controls.

One of the arguments adduced for the test ban treaty (for the sake of which the moratorium was ordered) is that it will solve the nth country problem and thereby help to prevent a future catalytic war started by a smaller nuclear power. Yet, few responsible observers can deny that the Geneva discussions have been carried on in a strange political vacuum. They have not come to grips with the difficulty of imposing a Big Three prohibition upon the half dozen or more nations which will be in a position to develop nuclear weapons during the next decade if they wish to do so. The most immediate problems focus on France and China. For a time it was assumed that, in the event of a test ban treaty, the United States would bring France into line and the Soviets would persuade the Chinese Communists to adhere to the compact. But politics is not that simple. General de Gaulle has displayed a rigid determination to create a separate national deterrent in order to enhance French international prestige. China is expected to test a nuclear device within the year. Even the most ardent proponents of a test ban agree that the proposed inspection system would be meaningless if the vast land area of Communist China were excluded. Nevertheless, our scientists in 1958 ignored this question, and our negotiators appear no closer today to solving this dilemma. An inspection system devised largely at the insistence of the United States will not be accepted by a country which the United States, for many complex reasons, refuses to recognize and which is, if anything, even more bellicose than the U.S.S.R. The nuclear test issue is not an argument for suddenly reversing U.S. policy toward China. But the China problem is in itself a sufficient reason for the United States to reverse its nuclear test policy. It is absurd to think that we will bring the final solution of the China problem within our reach by prolonging the moratorium and the Geneva negotiations a litle more—with intensified patience, sincerity, and flexibility.

One of the political advantages most frequently claimed for the test ban is that internationally staffed inspection posts on Soviet soil will reduce the Soviet's secrecy complex and represent a first step toward opening the closed society of communism. There is no question that Soviet secrecy has significantly compounded the security problem of the Western Allies. It is highly desirable that the Soviet Union be transformed gradually into a more open society. But since the start of the Geneva negotiations, Premier Khrushchev has consistently described the Western inspection plan as little more than a sinister scheme to organize spy rings in the Soviet Union. The atmosphere produced by such accusations has not been conducive to any agreement which would "open up" Soviet society. The Russian negotiators, who had agreed 2 years ago to the establishment of 21 inspection stations on Soviet territory, began to argue during the summer of 1960 that 15 stations ought to be sufficient. In other words, they were retreating from the principle that the inspection system be used as an instrument for increasing cooperation on international arms control through a freer flow of information. But perhaps most serious of all was the alacrity with which the Soviets picked up the suggestion made by Prime Minister Macmillan for an annual quota of veto-free inspections to be carried out in each host country. The American negotiators had contended for some time that the number of on-site inspections (i.e., to check cases in which the seismic signal was ambiguous) would have to be determined by scientific criteria. They argued logically that, after the inspection system was constructed and set in operation, it might be discovered that a few dozen on-site inspections per year would be enough to guarantee effective policing, or that perhaps several hundred would be required. The Macmillan proposal, made on a trip to Moscow, and without prior consultation with President Eisenhower, called for a predetermined number of inspections, fixed by political agreement. The Soviets were quick to seize upon this proposal as a means of restricting the activities of "prying foreigners" on their soil. Premier Khrushchev has stated that he sees no need for more than a few inspections per year—probably three. The Macmillan formula, if embodied in a test ban treaty, will essentially defeat the concept of effective policing upon which the United States has insisted throughout more than a decade of disarmament negotiations.

The chances that a nuclear test ban will contribute significantly to the cause of world peace are virtually nil. Given the oppressive dangers inherent in the current world situation, an arms control plan whose initial phase involves a cessation of testing begins at the wrong end. A test ban, accompanied by a continuation of the moratorium until the inspection system has been completed (perhaps 5 or 6 years after the treaty is signed), cannot possibly furnish any adequate sense of international security against the perils of surprise attack or war by accident or miscalculation. An absolutely foolproof policing system against tests, even if it could be devised and put into effect (and it cannot), would constitute no guarantee against the continued danger of thermonuclear war for several years to come.

Certainly, the test moratorium which has been in force for more than 2 years has not led to a relaxation of international tensions, as its advocates assumed it would. If a treaty should ever be signed, it may usher in a brief euphoria, a period of friendship, goodwill and accommodation similar to the "Spirit of Camp David" which was dispelled brutally by Premier Khrushchev at the abortive Paris meeting. But the United States is involved in an ideological-power contest of indefinite duration and of global dimensions. If the United States continues to let its nuclear technology rust, no one can predict what will be the state of our security and that of our allies in the next decade. A test ban treaty which does not eliminate cheating and which remains at the mercy of Soviet obstructionist tactics will not reduce tensions. Rather, as time goes on it will give rise to mounting suspicions and fear that the side which seems obsessed by the desire for strategic secrecy is trying to gain a unilateral advantage. This will be bound to have a destabilizing effect on the international situation, tightening rather than easing world tensions.

III

We frequently take pride in our operational striking power now in being, which we boast to be the most awesome ever wielded by any nation in history. But, we must ask ourselves, of what use will be all our stockpiles of weapons and our delivery systems developed during the last decade if the Soviets exploit the American test moratorium to design radically new and infinitely more "awesome" weapons? We would be myopic indeed to think that the world has arrived at a technological "stalemate" which permanently renders war "unthinkable" for both sides. Today, in a rapidly changing environment of pure and applied science, the notion that any weapons art can somehow be frozen is as wistful as it is naive. The patent fact is that nuclear technology is still in its infancy. In many of their public pronouncements, the Soviets indicate that they have grasped this simple truth much more clearly than have our own policymakers.

The present symbols of our military strength are the multimegaton bomb in the bay of a jet bomber and the megaton warhead on a long-range missile. Implicit in the possession of these weapons of almost limitless destructive capacity is the threat of their use. This, we hope, will effectively deter all aggression. We assume that neither party will dare use its weapons for fear of a retaliatory strike that would prove too devastating.

Our strategy of deterrence, however, could be robbed of its credibility, and therefore its effectiveness, if the Soviets were to accomplish a major breakthrough in some aspect of military technology, either offensive or defensive. Nuclear technology is still capable of significant progress, especially in the areas of tactical weapons, anti-missile defenses, communications jamming, the military uses of outer-space explosions, and related areas.

Until now, nuclear technology has progressed principally along one line—namely, toward massive megaton weapons of an offensive character, whose destructive capacity is completely undiscriminating. The result of a policy of stockpiling these huge weapons and of integrating them into a strategy of deterrence through the threat of mass annihilation is to jeopardize the survival not only of the material fabric of civilization, but also of the human race itself. These, however, are not the only kinds of weapons which nuclear technology can yield. There are other practical lines of nuclear development—they lead toward the third generation weapons which are as radically different from the H-bomb as the H-bomb was from the Hiroshima-type A-bomb. These new weapons will not be larger and more efficient H-bombs, nor smaller and more efficient A-bombs. They will be weapons of a different category which, when combined with refined delivery systems, will lend themselves to strategies and tactics more narrowly military in character than those to which we have grown accustomed. They will be capable of being used without posing suicidal hazards for the nation employing them. Furthermore, compared with the nihilistic weapons systems on which we now rely, the use of the third generation nuclear weapons—or at least some of them—will be easier to justify on moral grounds.

Such new weapons of conflict—weapons which differ from those now familiar to us not merely in degree or specific type, but also in basic structural principles and operational performance—are not the remote dreams of isolated scientists. The conceptual designs for these weapons already exist in American laboratories. The possibility of their development is more realistic than was that of the H-bomb a year before its detonation. In fact, these weapons would already have been tested had it not been for the moratorium. It is no exaggeration to assert that, if the veil of nuclear secrecy could be lifted and the American public informed of all the weapons possibilities of which our nuclear scientists are aware, the popular clamor for the immediate resumption of nuclear tests would be loud and insistent.

The crucial question before us is not whether we should or should not acquire this or that specific weapon—a cluster of warheads, or an antimissile missile, or a communications jammer, or a tactical A-weapon—however important each of these may prove to be. What should be a matter of concern to Americans is the range of scientific-technological possibilities upon which we have arbitrarily, and needlessly, turned our back.

An advocacy of the resumption of nuclear tests is by no means synonymous with the wish to see the United States produce weapons more frightful than those which are now in our stockpiles. Some of the weapons of the future which have been suggested as technologically feasible are indeed awful to contemplate. The United States should abjure the development of weapons which could not possibly be used operationally under any circumstances and which could never be integrated into any rational military strategy or political policy. But, although the United States might wisely decide that certain types of weapons should never be developed, it cannot afford to remain blind to the possibilities now available to a power which, according to all past evidence, will not hesitate to exploit them in war or in blackmail. Surely, we cannot develop adequate defenses for the United States in the next decade unless we know all that there is to be known about the performance characteristics of new weapons which may soon be—if they are not already—in the hands of the Soviets. An up-to-date program of active and passive continental defense demands constant technological research, and research requires testing.

The primary value of testing does not lie, as the opponents of test resumption imply, merely in improving by marginal amounts the efficiency of weapons which are now in our stockpiles. If this were so, then a plausible case could be made against resumption. The main point is that the United States cannot hope to compete in the race for the technological leadership of the world if it stops testing. We cannot stay in the running if we seal off forever all avenues of nuclear investigation which entail explosions, whether they be in the earthly or the extraterrestrial environment, irrespective of whether they are harmful to mankind, and regardless of whether they are for peaceful or military purposes.

That the Soviets can conduct crucial nuclear tests without detection has been publicly conceded by high-ranking officials of our State Department, Defense Department, and other governmental agencies. Must we await empirical evidence before being convinced that the Soviets are, indeed, carrying out clandestine tests? The Soviets' avowed aim, stated often enough by their leaders, is to beat the United States in the technological and military race. According to their own Leninist ideology, they would be guilty of criminal negligence if they were to let the opportunity afforded by the unpoliced moratorium slip by.

We know by now of the tremendous effort which the Soviets exerted in the late forties and early fifties to draw abreast of the United States in atomic and thermonuclear weapons technology. More recently, we have seen how they have striven to forge ahead in the technology of satellites, rockets, and intercontinental missiles. Is there any reason to suppose that they suddenly brought their nuclear weapons technology to a halt as of 1958? Can we stake our security on the assumption that they are not continuing research and testing to develop capabilities for disrupting the defender's communications systems; to increase the efficiency of offensive missile warheads and develop their own anti-missile defenses; to improve the flexibility of small atomic weapons; and to move toward the production of the "third generation" of nuclear weapons?

The combination of these two factors—the possibility of achieving new breakthroughs plus the ability to carry on tests without risking detection—should constitute sufficiently compelling "political proof" that the Soviets are indeed exploiting the American moratorium to advance their own aims. On October 31, 1960, Charles C. Stelle, the U.S. representative at the Geneva negotiations, frankly told the Soviet delegation that "the U.S. Government would be remiss in its duty to the American people if it continued to check the development of such a major military field as nuclear weapons when it has no way of knowing what its major rival is up to in this field." He declared that the United States could not "afford to rely on Soviet assertions that the Soviet Union has in fact observed a moratorium and has not conducted any nuclear tests."

One might be excused for observing that the United States is doing precisely what its accredited representative in Geneva said that it cannot afford to do. Mr. Stelle's statement, nevertheless, was noteworthy insofar as this was presumably the first time in the Geneva talks that an American official had hinted at the necessary premise of U.S. nuclear test policy, namely, that the Soviets have in fact been testing new nuclear weapons. The United States cannot afford to dismiss as idle boasting Premier Khrushchev's mention of "fantastic new weapons" in his now famous speech of January 1960—more than 1 year after the de facto moratorium supposedly had gone into effect.

IV

A few American scientists have sought to impress upon the American public the apparent sincerity of Soviet scientists at Geneva in wishing an end to nuclear tests. Yet, can such subjective judgment serve as a meaningful guide to policy? Our statesmen have contended steadfastly for more than a decade that we cannot stake our national security on the mere utterances of Soviet negotiators. This is why we have always insisted arms agreement be accompanied by an effective control system. One may add parenthetically that, so long as scientists do not make policy in the Soviet Union, their apparent sincerity or insincerity is completely irrelevant to our own decisionmaking.

Some of our scientists are opposed to an open discussion of new weapons possibilities on the grounds that such revelations would jeopardize the success of the Geneva negotiations. They view the nuclear test ban as an overriding objective to which all other considerations must be subordinated. Some of them have publicly stated that nothing must deter the Government in its endeavor to arrive at an accommodation with the Soviet Union on the cessation of tests. A sector of the scientific community seems obsessed with the belief that a treaty to end nuclear tests is the only available gateway to universal disarmament and lasting peace. This obsession, unfortunately, has been communicated to the Government. For nearly 3 years now, the test ban has been virtually the only string to our disarmament bow. If we must base our whole arms control policy upon the shaky foundation of a ban on nuclear tests, we are indeed at the end of our political and diplomatic rope.[3]

Some scientists who support a continuation of the test ban characterize appeals for resuming nuclear weapons development as "irresponsible." They take the position that no one but a nuclear physicist is qualified to debate issues of public policy in this area. This attitude is as presumptuous as it is arrogant. One need not be a nuclear physicist in order to pass judgment on essential national security requirements. All that one needs is access to the facts. If the curtain of nuclear secrecy could be raised, and if the American people could glimpse the conceptual designs of revolutionary new weapons which now exist, they would realize that our current moratorium represents to many of its adherents an escapist flight from the realities of the technological world. They would realize that the new weapons possibilities are not, as some exponents of the ban aver, a "gleam in the eye" of certain AEC scientists. Fortunately, the Army, the Navy, and the Air Force have taken a more sober view of these new weapons possibilities. The three services have already arrived at the unanimous decision that a study be made, on an urgent basis, of the third generation weapons.

One cannot but recall another occasion when some of the present proponents of the test ban erred in their estimate of new weapons possibilities. A decade ago, they were profoundly wrong in their scientific estimates of both the feasibility and the practicability of developing a thermonuclear weapon. At that time, opinion within the General Advisory Committee of the Atomic Energy Commission varied widely, but several of the scientists contended that it would take 15 or 20 years or even longer to develop an H-bomb. Yet, once the necessary resources were allocated to the task, the United States was able to detonate its first thermonuclear device less than 2 years later. In 1952, the Soviets were only about 6 months behind the United States in nuclear technology and they were pressing hard to match and surpass us. They knew they were competing in a weapons race. Today, we do not. The proponents of the test ban who deplore the current arms race are guilty of using faulty terminology. It takes two to make a race. So far as the quality of nuclear technology is concerned, the United States has been out of the running since the moratorium went into effect in 1958.

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[3] Within the last year or so, an increasing number of American strategy analysts have sounded a new note on the subject of arms control. They admit realistically that there are no prospects for disarmament as traditionally understood and as propounded by Premier Khrushchev. But they do foresee a chance that the Soviets and the United States might achieve security through the maintenance of a balanced deterrent. This would involve developing a "mix" of various offensive and defensive weapons to make any form of aggression, large or small, unprofitable to attempt. A variety of weapons systems, both offensive and defensive, would enhance the flexibility of the United States, permit the application of more rational strategies, and render it extremely difficult or impossible for a potential aggressor to compute victory with certainty. But such an approach to security, which has much to commend it, demands that the United States continue to make progress in the realm of nuclear weapons technology.

V

The United States can continue to risk technological obsolescence only at the price of undermining the deterrent which is the sole meaningful guarantee of international peace today. If the Joint Chiefs of Staff were asked—and the American people are entitled to pose this question—whether our test policy is endangering our overall national defense posture, their answer would be "Yes." Our current test policy is clearly at variance with our general defense policy, which demands a relentless advance in the research and development of nuclear weaponry.

The American moratorium is at variance, also, with a basic principle of our wider disarmament policy; namely, that all arms agreements be subject to inspection and control. Our free society is open to the scrutiny of all who wish to inspect us—Communist society remains tightly sealed to the outside world. The moratorium, to the extent that it bestows clear-cut advantages upon the Soviets, militates against genuine arms control efforts on their part. By proffering to the Kremlin what it has always sought—disarmament without controls—we have relieved the Communists of the need to make at least a plausible gesture toward real negotiations. If the United States commits the supreme folly of extending the moratorium for several more years until the inspection system is set up, the death knell will be sounded on meaningful arms control. Arms control then will indeed come—but it will come on terms dictated by the Soviets, after they have demonstrated a decisive superiority in nuclear know-how.

The Geneva test ban negotiations stand today at the very center of the global strategic struggle. The Soviets sabotaged the summit meeting at Paris last May. Since then, they have scuttled the 10-nation disarmament talks, preferring to carry their disarmament campaign into the General Assembly of the United Nations where, they know as well as we, genuine negotiations are virtually impossible. Meanwhile, they have worked with skill and perseverance on the shores of Lake Geneva to set a snare for the United States. Already, we have become enmeshed to the point of near helplessness, and the Soviets have no intention of allowing us to extricate ourselves.

Perhaps the greatest single danger confronting this nation in the area of defense technology is the prospect that the Soviets, rather than let us escape from their trap, will make a token concession and finally bind us in a formal treaty with continued moratorium. Given our present national mood, we may leap at this disarmament straw, thus forfeiting irretrievably our freedom to take steps essential to an up-to-date national security posture.

This is why it is not sufficient to advocate resumption of nuclear tests merely for purposes of improving seismic detection capabilities or exploring the peaceful applications of nuclear explosions. If we convince ourselves that these are the only justifiable purposes of conducting tests, the Soviets may generously concede and agree to cooperate in a joint testing program for seismic improvement and peaceful uses, in return for a comprehensive, permanent test ban treaty. The Soviets could then stall indefinitely on cooperative research. Counting on the fact that the development of detection techniques will lag behind discovery of disguising methods, they would be able to continue their testing programs unhampered for several years, while the hands of the United States remain tied. By the time the inspection system is installed and operating, the Soviets might very well be 7 or 8 years ahead in weapons technology.

The policy course to be pursued, therefore, seems clear. In the Geneva negotiations, the United States should return to the position contained in President Eisenhower's letter of April 13, 1959, which called for a permanent ban on atmospheric and underwater tests. This constitutes a sound and a workable approach. Meanwhile the moratorium on underground and outer-space tests should be revoked immediately so that safe forms of testing can be resumed as quickly as possible. Tests should be conducted not merely to enlarge our scientific knowledge of seismic or outer-space phenomena but explicitly for the purpose of advancing the technology of nuclear weapons. The penalties which the moratorium already has imposed upon our total military-technological position must be voided. Even more important, we must prevent the potentially disastrous effects of prolonging an unpoliced moratorium for several more years after the signing of a test ban treaty until a far-from-adequate inspection system has been put into effect.

At the same time that we make the necessary shift in our testing policy, we should undertake a complete review of the military and political implications of nuclear secrecy. If the elimination of nuclear secrecy is the political price which has to be paid for resuming tests, we should be willing to pay that price. I would suggest that, as we resume the tests, we invite the Soviets to witness them. The invitation would be extended without prior commitment of reciprocity from the Russians. It is not at all certain that the Soviets would accept our invitation. But our willingness to lift secrecy would make Soviet propagandists hard put to impute sinister motives to the American test resumption. Our invitation would demonstrate our overriding concern with the defensive aspects of nuclear technology. We would be saying to the Soviets, in effect, that we are less worried over their purloining our technological know-how than over the possibility that they are clandestinely developing weapons which may some day devastate our cities. Simultaneously, we could use the United Nations as an educational forum to persuade the world that the greatest threat to mankind is an armaments competition conducted in secrecy, and that the elimination of secrecy is the first step toward abolition of international distrust. The anguished cries of Communist propagandists and Western pacifists notwithstanding, a resumed program of nuclear weapons development, if handled properly, can contribute meaningfully to a sense of free world security rather than enhance morbid fears of nuclear holocaust.

Certainly, the Geneva talks should be continued. The negotiations already have yielded valuable insights into the problem of arms control, and they may yet bear good fruit, provided that both sides approach them realistically. But it is absolutely essential that the United States, in continuing the Geneva talks, back away from two positions into which it has drifted: (1) The concept of a politically fixed quota of annual onsite inspections to investigate doubtful signals; and (2) the presumption that the test ban treaty, for all practical purposes, goes into full effect as soon as it is signed through an accompanying moratorium agreement which would cover the period prior to the completion of the network of inspection stations. Neither of these positions satisfies the basic demands of our national security. Unless the Soviets can be persuaded to accept whatever number of onsite inspections may be deemed necessary in the light of scientific criteria, and to agree that tests will be prohibited only after they can be policed, the United States should sign no agreement whatsoever. Barring such agreement, we will have no choice but to announce frankly to the world that the Geneva test ban negotiations were, from the beginning, a tragic mistake.

The change of policy recommended here will not be popular, either at home or abroad. It will be greeted by a storm of protests. Somehow, the public has become obsessed with the idea that the stoppage of tests is the sure road to disarmament and peace, because it is the easiest issue on which to reach agreement with the Russians. This has been proved to be a profoundly false illusion. The diplomacy of disarmament, wrongly joined by us at Soviet insistence on the issue of test cessation, has reached a dead end. Nothing short of a reversal of the U.S. test policy can now salvage any promise for arms control and for international peace.

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STEPS TOWARD DISARMAMENT

(By P. M. S. Blackett)

The representatives of 17 nations—the 2 main nuclear powers, 7 nations allied with one or the other of them, and 8 uncommitted nations—have convened at Geneva for the third formal, full-dress attempt since the end of World War II to negotiate disarmament. It must be conceded that the circumstances are not entirely favorable to agreement. During 1961 the United States and the U.S.S.R. reversed the trend of nearly a decade and increased their military expenditures by something on the order of 25 percent. The 3-year moratorium on the testing of nuclear weapons was terminated by the series of Soviet tests in the fall; on the eve of the Geneva meeting the United States announced its intention to move its present series of underground tests into the atmosphere if the U.S.S.R. did not immediately agree to a test ban.

On the other hand, both the Soviet and the Western bloc are committed by categorical public statements to the objective of complete and general disarmament under strict inspection and control. What is more, practical military considerations, arising from the nature of nuclear weapons, commend substantial reduction in armaments to the great powers as a measure that will increase their security in the first step toward disarmament.

In considering possible first steps that would lead to increased security for both sides, partisans of each side should try to understand how the present military situation must look to the other. A military commander, in planning a campaign or a battle, attempts to do this as a matter of course. He has first to find out all he can about the material facts of his opponent's military deployment and secondly to assess the probable intentions of his opponent for its use. This is the process that has been described as "guessing what is happening on the other side of the hill." A similar obligation rests on those who plan a disarmament negotiation. A military planner, it is true, can much more easily put himself mentally in the position of his military opponent than a statesman can think himself into the position of his opposite number, because a statesman must enter imaginatively into the political as well as the military thought processes of his opponent. This is hard to do at a time of acute ideological struggle. It is nonetheless essential that the military and political leaders of both sides do just this. No small part of the present crisis, concerning armaments in general and nuclear weapons in particular, has been due to a tendency in the West to attribute to ideological motives actions by the U.S.S.R. that seem to have been motivated mainly by military considerations. Conversely, much of the West's defense policy appears to have been influenced by political and economic factors.

It may be useful to start by describing the most important elements in the military capabilities of the Soviet bloc and the Western alliance. In recent months there have been significant disclosures about the nuclear weapons and their means of delivery possessed by both sides. On November 12 of last year Robert S. McNamara, Secretary of Defense of the United States, said that the U.S. nuclear-strike force consists of 1,700 intercontinental bombers, including 630 B–52's, 55 B–58's and 1,000 B–47's. He said that the United States possesses in addition several dozen operational intercontinental ballistic missiles (ICBM's) some 80 Polaris missiles in nuclear-powered submarines, about the same number of Thor and Jupiter intermediate-range missiles, some 300 carrierborne aircraft armed with megaton warheads and nearly 1,000 supersonic land-based fighters with nuclear warheads. According to his deputy, Roswell L. Gilpatric, "the total number of our nuclear delivery vehicles, tactical as well as strategic, is in the tens of thousands, and of course we have more than one warhead for each vehicle. * * * We have a second-strike capability that is at least as extensive as what the Soviets can deliver by striking first, therefore we can be confident that the Soviets will not provoke a major conflict." The U.S. stockpile of nuclear weapons is most often estimated as around 30,000 megatons, that is, enough for some 30,000 one-megaton bombs.

Naturally no such precise figures for Soviet strength are available. I have seen no reliable estimates of the U.S.S.R.'s nuclear stockpile, nor of its possible nuclear-armed submarine strength, nor of its nuclear-armed fighter-bomber strength (the last, of course, would not have sufficient range to contribute to the Soviet strike power against the United States). But recent semiofficial estimates from Washington give the U.S.S.R. some 50 ICBM's, some 150 intercontinental bombers and some 400 medium-range missiles (the last able to cover Europe but not the United States). The same sources indicate that the United States may have a small lead over the U.S.S.R. in the number of ICBM's. That such estimates should issue from Washington may seem surprising in view of the role that an alleged missile gap played in the 1960 presidential election campaign. That the estimates are realistic, however, is indicated by the statement of Senator STUART SYMINGTON that the U.S. intelligence estimate of the missile force available to the U.S.S.R. at the middle of 1961 was only 3.5 percent of the number predicted a few years ago. The corresponding estimate of Soviet bomber strength, he revealed was 19 percent of the number predicted in 1956. Mr. SYMINGTON explained that the new figures are predicated on intelligence about Soviet intentions as well as capability and expressed his own disquiet at "the tentativeness at best of our intelligence estimates." It is one of the purposes of this article to attempt to elucidate some of these Soviet intentions.

At first sight there appears to be a contradiction between Washington's claim of a marked overall nuclear superiority and the recent statement by Marshal Rodion Y. Malinovsky, the Soviet Minister of Defense, that the U.S.S.R. has the power to destroy all the important industrial, administrative and political centers of the United States and "whole countries that have provided their territories for the siting of American war bases." The explanation may be as follows. To carry out such destruction would require not more than 1,000 megatons of nuclear destructive power, say 5 megatons for each of 100 key targets in the United States and another 500 megatons for Western Europe and U.S. bases overseas. At only 100,000 dead per megaton such an attack would kill 100 million people. The U.S. stockpile, estimated at 30,000 megatons, is 30 times greater than the U.S.S.R. would need to carry out the retaliatory blow described by Malinovsky.

There is, of course, the possibility that the new U.S. estimates of Soviet nuclear strength are too low. After all, firm information about Soviet military preparations is notoriously hard to come by. It seems certain, however, that the U.S. Department of Defense must believe the estimates to be roughly correct. It would be politically disastrous for the administration to be found guilty of underestimating Soviet nuclear strength. But even assuming that the estimates of the relative strength of the two sides are only approximately correct, they show that the possibility of a rationally planned surprise nuclear attack by the U.S.S.R. on the nuclear delivery system of the West must be quite negligible. The question of why the U.S.S.R. has built such a small nuclear delivery system should perhaps be replaced by the question of why the United States has built such an enormous striking capacity.

In order to understand the possible motives behind Soviet defense policy, it is necessary to consider the history of the growth of nuclear-weapon power. During the period of U.S. atomic monopoly or overwhelming numerical superiority, say from 1947 to 1954, the role of the U.S. Strategic Air Command was to attack and destroy Soviet cities in case of war. This countercity policy, like most traditional military doctrines, had both an offensive and a defensive aspect. From the Western viewpoint, under the doctrine of "massive retaliation," this nuclear striking power was seen to be both a deterrent to the possibility of attack by Soviet land forces and, in the extreme rollback, or liberation, statement of the doctrine, an offensive weapon to obtain political concessions by threat of its use. By 1954 the threat was implemented by more than 1,000 intercontinental B–47 bombers, plus larger numbers of shorter range vehicles deployed around the U.S.S.R.

From the U.S.S.R. point of view, its land forces were the only available counter to the Western nuclear monopoly during this period. The answer to the threat of nuclear attack was the threat of taking over Europe on the ground. In retrospect the military reaction of the U.S.S.R. seems understandable. It started a crash program to produce its own nuclear weapons. It also embarked on a huge air defense program; by 1953 it was credited with an operational fighter strength of some 10,000 aircraft. As Western nuclear strength grew, the U.S.S.R. gradually built up its land forces so as to be able to invade Europe, even after a U.S. nuclear attack. At the political level the U.S.S.R. consolidated its forward military line by the political coup in 1948 in Czechoslovakia and integrated the other satellite countries more closely into the Soviet defense system. Since the main military threat then to the U.S.S.R. was from manned nuclear bombers, the greatest possible depth for air defense was vital. During World War II it was found that the efficacy of a fighter defense system increased steeply with the depth of the defense zone. Finally, the U.S.S.R. maintained strict geographical secrecy over its land area so as to deny target information to the U.S. Strategic Air Command.

The doctrine of massive retaliation became less and less plausible as the Soviet nuclear stockpile grew. It had to be abandoned after 1954, when hydrogen bombs became available to both East and West. When the U.S.S.R. proceeded to build up a fleet of long-range bombers to deliver its hydrogen bombs, the U.S. became vulnerable to nuclear counterattack. Some form of nuclear stalemate by balance of terror seemed to have arrived.

This balance seemed still further strengthened about 1957, when rapid progress in the technology of nuclear weapons and missiles made it possible to carry multimegaton hydrogen bombs in ICBM's. Because such missiles are most difficult, if not impossible, to destroy in flight, a nuclear aggressor would have to leave no enemy missiles undestroyed if it wanted to keep its own major cities from being wiped out by a retaliatory attack. The advent of long-range missiles therefore made the balance of terror more stable.

Two contrasting systems of military theory evolved in response to this new situation. The first led off from the premise that a rather stable kind of military balance had been reached, in which neither side could make use of its strategic nuclear power without insuring its own destruction. In other words, the balance of terror was likely to be rather stable against rational action, even though the actual nuclear strengths of the two sides were markedly different, as indeed they were in the middle 1950's, when the United States was already vastly stronger in overall deployed nuclear strength. This view rested on the assumption that neither side could hope to knock out the other's nuclear system entirely. Since some power to retaliate would survive attack, a rational government would be nearly as much, if not just as much, deterred from a first strike by the expectation that it would suffer, say, 10 million deaths as it would be if the expectation were 100 million.

This view led to the practical conclusion that "enough is enough." In today's jargon this is the policy of the minimum deterrent—that is, the possession of a nuclear force adequate only for a retaliatory attack on enemy cities but incapable of successful attack on the enemy's nuclear delivery system. It is clear that only a small nuclear delivery system is necessary for a minimum deterrent. One big hydrogen bomb dropped on a big city could kill several million. The small delivery system must, however, be highly invulnerable. Otherwise the enemy might think it possible to bring off a successful "counterforce" first strike, aimed at the destruction of the system. Little operational intelligence is needed for such a minimum deterrent policy because this involves attack on cities, whose locations are known, and does not involve surprise attack on nuclear bases, whose locations therefore do not need to be known.

On the political plane, it was thought, the resulting period of relative stability would be favorable for a serious attempt to negotiate a substantial measure of disarmament, both nuclear and conventional. Far-reaching disarmament was seen to be highly desirable, if only because such a balance of terror is stable solely against rational acts of responsible governments. It is not stable against irresponsible actions of individuals or dissident groups or technical accidents. A few suitably placed individuals—a missile crew or the crew of a nuclear bomber on a routine flight—could kill a few million enemy city dwellers on their own initiative. The best way to reduce this danger is to reduce drastically the number of nuclear weapons on both sides.

The second and quite different doctrine was that the balance of terror was not even stable against rational acts of responsible governments. This was based on the view that a determined nuclear power might be able to launch a surprise counterforce attack on the enemy's nuclear delivery system of such strength that the enemy would not be able to retaliate. The aggressor, without suffering unacceptable casualties, would then have the enemy at its mercy. The practical consequence of this doctrine is to strive for maximum superiority in number of weapons, maximum invulnerability of one's own nuclear delivery system and maximum intelligence about the enemy's nuclear system.

Plainly a successful counterforce attack would require knowledge of the location of all the enemy's nuclear missile and air bases and the power to dispatch several weapons against each, so as to insure that at least one reached its target. A counterforce strategy thus implies the necessity for a manyfold nuclear superiority over the enemy. Moreover, to have the slightest chance of success such an attack must come as a complete surprise to the enemy; it must be a first strike. This policy has various pseudonyms: maximum deterrent posture, first-counterforce-strike capability, or, in plain English, preparation for nuclear aggression.

Since the possession of nuclear armament raises the possibility that either side could adopt either one of these strategies, both of them must have been discussed in military circles in Moscow and Washington during the years after the explosion of the first hydrogen bombs in 1954. Let us try to find out how the discussions went by studying what shape the nuclear-defense policies of the U.S.S.R. and the United States took in the subsequent years.

If the Washington figures for Soviet nuclear strength are valid, it is clear that the U.S.S.R. has planned for a purely retaliatory nuclear role and has definitely not planned for a surprise attack on the U.S. delivery system. As long ago as 1956 the U.S.S.R. was believed to have the capability of making 25 long-range bombers a month. It appears today to have only some 150, compared with the 1,700 U.S. long-range bombers able to reach the U.S.S.R. Even though Soviet medium-range bombers could reach the United States on a one-way flight, this is much more than counterbalanced by the 1,500 or so Western fighter bombers, carrier-borne aircraft, and medium-range missiles able to reach the U.S.S.R. It is also probable that the U.S.S.R. could have made many more than the 50 or so ICBM's with which it is now credited, since its space program indicates substantial industrial resources for making missiles. The evidence is that the U.S.S.R. has based its safety on the retaliatory power of a small number of missiles and aircraft operating from bases whose exact locations are kept as secret as possible. The deterrent value of its missiles is certainly enhanced by the prestige of its space program.

That the U.S.S.R. believed the danger of a major war, intentionally initiated, had been reduced by the advent of hydrogen bombs seems indicated by the fact that it reduced the total number of men in its armed forces from 5.8 million in 1955 to 3.6 million in 1950. In January 1960, Premier Khrushchev announced the U.S.S.R.'s intention to reduce this to 2.4 million by the end of 1961. The U.S.S.R. needed fewer troops because it no longer had to rely on a retaliatory land blow in Europe to counter a Western nuclear attack. Its concern about the danger of accidental, irresponsible or escalated war is probably one of the reasons for its strong espousal in 1955 of a drastic measure of comprehensive and general disarmament.

Turning to the history of U.S. defense policy over this period, it is to be noted that the total service manpower fell slowly from 2.9 million in 1955 to 2.6 million in 1960. The development of improved nuclear weapons, missiles and aircraft continued, but not at a great rate, even after the Soviet launching of an artificial satellite in 1957 and much boasting by the U.S.S.R. of its missile prowess. Although subjected to considerable public pressure to engage in a crash program to close the alleged missile gap, President Eisenhower maintained that the existing program was adequate for the safety of the Nation. In his last state of the Union message in January 1961, he declared: "The bomber gap of several years ago was always a fiction and the missile gap shows every sign of being the same."

As 1954 was the year of the hydrogen bomb, so 1961 was for both sides in the cold war the year of the great rearmament. In the U.S.S.R. the decrease of total armed forces to 2.4 million projected for 1961 was deferred and the arms budget was markedly increased. In July the Soviet Government went on the diplomatic offensive to bring about changes in the status of Berlin and to get the division of Germany recognized. In August it began testing nuclear weapons again, in spite of a promise in January 1960, by Premier Khrushchev that the U.S.S.R. would not be the first to do so. No doubt there were some political motives behind these drastic moves. Possibly heavy pressure was put on Khrushchev from China and from the opposition elements in the U.S.S.R. to admit that his policy of coexistence had not produced political gains commensurate with its possible military risks. But such drastic changes, with the inevitable adverse reaction of much of world opinion, would hardly have been made unless there were strong military reasons for them. To get at these reasons it is necessary to recall in more detail the circumstances in which the changes took place.

In the first place, the flights of the U.S. reconnaissance U-2 aircraft must have had decisive importance in shaping the attitudes of Soviet military leaders. Although the overall nuclear strength of the United States is now, and was then, much greater than that of the U.S.S.R., Soviet leaders could reckon that one vital factor would make a U.S. nuclear attack on the U.S.S.R. exceedingly risky: the secrecy as to the location of the Soviet nuclear bases. Obviously one of the main objectives of the U-2 flights was to locate those nuclear bases. The Soviet command knew that the U-2 flights had been going on for some years before the first aircraft was shot down in the spring of 1960; presumably they reacted by greater dispersal and camouflage. What must have disturbed the Soviet military staff was President Eisenhower's justification of the flights as essential for U.S. security. This implied that U.S. security could only be maintained if the United States had sufficient information as to the location of Soviet nuclear sites to make possible a successful surprise attack on the Soviet retaliatory force.

If these were the Soviet fears, the rejection by the U.S.S.R. early in 1961 of the British-American draft of a treaty to ban the testing of nuclear weapons finds explanation in the same jealous military concern to protect the country's geographical security. A detailed study of this document makes it clear that the elaborate international inspection system proposed for the prevention of underground tests could conceivably have served to reveal the location of at least some of the Soviet missile sites. It would be hard to convince a military staff officer of any nationality that this possibility was negligible. If the West had been content to monitor only the atmosphere against test violations, a much less comprehensive inspection system would have sufficed and a test-ban treaty might well have been signed. The Soviet fear of inspection may have been the more acute because there was so little in the U.S.S.R. to inspect.

The resumption of testing by the U.S.S.R. in September 1961 would seem to fall into the same pattern of motivation. Although its timing may have been influenced by the Berlin crisis, which Khrushchev himself brought to a head, the testing of warheads with an explosive force of up to 60 megatons and the simultaneous well-publicized success of putting seven ICBM's on their target in the Pacific at a range of some 7,000 miles was an effective way of reestablishing the U.S.S.R.'s confidence in the few deployed ICBM's that formed its main retaliatory force. Soviet spokesmen were at pains to promote the credibility of the U.S.S.R.'s deterrent by emphasizing to the United States the accuracy of its missiles and the possible power of the warheads demonstrated in these tests.

In the redirection of Soviet military policy considerable weight must also have been carried by the fear that if the NATO rearmament continued, the time could not be far distant when West Germany would get de facto control of its own nuclear weapons. In Soviet eyes the refusal of the West to take disarmament seriously at the Committee of Ten Conference in 1960 was evidently decisive. As early as November 1960 the Russians stated that if the West continued to temporize on disarmament, the U.S.S.R. would be forced into massive rearmament.

Sometime in the latter half of 1960 or early in 1961 it seems probable that the Soviet military staff began to have doubts as to the adequacy of the minimum deterrent posture in relation to the near-maximum deterrent posture of the United States. It must have been later than January of 1960, for in that month Khrushchev announced a drastic cutback of both long-range bombers and conventional forces. Since the effectiveness of the Soviet minimum deterrent rested so heavily on geographical secrecy, the U.S.S.R. command may have feared that the United States, by further air or satellite reconnaissance, or by espionage or defections, would ultimately acquire the intelligence necessary to make a successful nuclear attack on Soviet nuclear bases. Probably the main fear of the Soviet Government was that circumstances might arise in which the U.S. Government would be pushed by irresponsible or fanatical groups into reckless action. The Russians certainly noted the doctrine of some civilian analysts that it would be quite rational to make a "preemptive first strike" even at the cost of 10 million deaths to the attacking side, and the doctrine of others that the United States should prepare itself mentally and materially to suffer such casualties.

In the United States the program for the great rearmament was projected as early as 1959 by the Democratic National Committee. In preparation for the impending presidential election the party leadership published a detailed study of defense problems and recommended a $7 billion increase (16 percent) in the $43 billion defense budget proposed by President Eisenhower. The funds were to go partly for increased conventional forces and partly to increase the strength and reduce the vulnerability of the U.S. nuclear striking power. In January 1961, almost immediately after taking office, the administration authorized an increase of $3 billion and later in the year another $4 billion, thus carrying out the program in full. The present plans include the provision of up to 800 ICBM's of the solid fuel Minuteman type in underground hardened bases by 1965.

The Democratic Party's campaign for increased nuclear armaments was closely linked with the theoretical doctrine of the instability of the balance of terror, derived from the alleged overwhelming advantage accruing to the nuclear aggressor. This was ably argued by civilian analysts closely associated with the U.S. Air Force. The U.S.S.R. was said to have both the capability and the intentions to launch a surprise nuclear attack on the United States. In retrospect, it would seem that these looking-glass strategists endowed the U.S.S.R. with a capability that it did not have and that the United States had once had and had now lost.

That the Soviet military staff had reason to take this element in U.S. opinion seriously may be judged by the fact that President Kennedy himself found it necessary to launch in the fall of 1961 a vigorous campaign against all those in the United States who urge "total war and total victory over communism * * * who seek to find an American solution for all problems"—against those who were living in the long-past era of the U.S. nuclear monopoly. In this campaign President Kennedy has been vigorously supported by ex-President Eisenhower. Very possibly the U.S.S.R. may have overestimated the potential influence of the proponents of aggressive nuclear strategy and the ultrarightwing groups that yearn "to get it over with." Nonetheless, the fact that both Kennedy and Eisenhower have left it necessary to combat them must also imply that the Soviet military planners could not afford to ignore their existence.

The Kennedy administration's recent vigorous emphasis on the overwhelming nuclear superiority of the United States over the U.S.S.R., and the assertion that the United States possesses a second strike that is as strong as the Soviet first strike might perhaps be held in the U.S.S.R. to suggest a move by the U.S. administration toward a preventive war posture. Undoubtedly the exact reverse is the case. The administration's statements are designed to bury officially the fear of a Soviet first strike, sedulously propagated by those who believe that the U.S.S.R. has planned for, and in fact now has, a first-counterforce capability, and so at a time of crisis might use it. If this were in truth the situation, the argument that the United States must forestall the Soviet blow might seem strong. The Kennedy administration evidently foresaw this danger arising and effectively removed it by denying that the U.S.S.R. has ever had an effective first-strike capacity; thus there would be no reason for a forestalling blow in a crisis. The President, by emphasizing U.S. nuclear superiority over the U.S.S.R., has forestalled the potential forestallers, or, in the current jargon, has preempted the potential preempters. At the same time he has refuted many of the arguments on which the Democratic Party based much of its election campaign, and indeed many of the arguments for his own present rearmament program.

It is, for instance, hard to see the military justification for the program of up to 800 Minuteman ICBM's in the next few years. If these are, as claimed, reasonably invulnerable, this number is at least 10 times larger than is necessary for an effective retaliatory force to attack Soviet cities.

The only military circumstance that could justify such a continuous buildup of nuclear striking force would be that the other party could adequately protect its cities or succeed in perfecting an antimissile defense system. Recently Soviet generals have boasted that "the complex and important problems of destroying enemy rockets in flight have been solved." This must refer to the scientific and technical problems; these have also been solved in the United States. A complete antimissile defense system that is of any operational significance certainly does not exist today and, in my view, will not exist in the foreseeable future. Suppose, however, that I am wrong and that a system can eventually be constructed capable of destroying, say, 50 percent of a retaliatory missile attack by 50 ICBM's, so reducing the number reaching the target to 25. Even this reduced blow would kill tens of millions of people. Moreover, it would only be necessary to increase the strength of the retaliatory force from 50 to 100 missiles to cancel out the antimissile missile. This illustrates the general conclusion that since a purely retaliatory nuclear force can be quite small, any possible defense system, either active or passive, can be canceled out by a small number of additional missiles. The fact that a purely retaliatory posture is little affected by technological innovation, whereas a counterforce posture is very much affected, may prove a vital factor in disarmament negotiations.

It cannot be seriously believed now that the U.S.S.R. has either the capability or the intention of making an all-out attack on U.S. missile sites and bomber bases. Much genuine alarm in the West might have been allayed if the U.S.S.R. had been more successful in making clearer its disbelief in the military possibility of a successful first counterforce strike and its intention not to plan for such a possibility. After the brutality of Soviet action in Hungary in 1956 and the technological triumph of the artificial satellite the following year, there may have been legitimate grounds in the West for fearing that the U.S.S.R. might adopt the Western policy of massive retaliation, which, against a nuclear power, requires a counterforce capability. In January 1960, however, Khrushchev explicitly declared the Soviet commitment to a purely retaliatory strategy. The Soviet second-strike force was strong enough, he said, "to wipe the country or countries which attack us off the face of the earth." To his own rhetorical question, "Will they not, possibly, show perfidy and attack us first * * * and thus have an advantage to achieve victory?" He replied: "No. Contemporary means of waging war do not give any country such advantages." In addition to freeing resources for capital development, the Soviet minimum-deterrent strategy has avoided the greatest military danger: that the United States might attack the U.S.S.R. because of a belief that the U.S.S.R. was about to attack the United States.

If the analysis given here is approximately correct, what are the prospects of progress toward disarmament at the present meeting in Geneva? Both blocs are fully committed by official pronouncements to the goal of complete and general disarmament under strict control and inspection—notably by the British Commonwealth Prime Ministers' statement in the spring of 1961, by President Kennedy's speech to the General Assembly of the United Nations and by the Soviet-American Joint Statement of Principles, both in September of 1961. Moreover, both sides are committed to attempting to work out first steps of the disarmament process that do not impair the present stategic balance.

Clearly, conventional and nuclear disarmament must go in parallel. The fear of the West of Soviet superiority in trained and deployed land forces must be met by a drastic reduction during the first stage to low levels such as those suggested by the Anglo-French memorandum of 1954: one million or at most 1.5 million men each for the United States, the U.S.S.R., and China. When the correspondingly limited contributions to the land forces of NATO from Great Britain, France, and West Germany are taken into account, the armies of the Soviet bloc would not have the capability of overrunning Europe in a surprise land attack.

The number of nuclear weapons in existence on both sides, their explosive power and the diversity of the delivery systems are so overwhelming that no small step in nuclear disarmament can have much significance. In a sitution in which the United States has 10,000 delivery vehicles and a stockpile of 30,000 megatons of explosive (which is said to be increasing at the fastest rate in its history), a first disarmament step involving only a small percentage reduction is not worth negotiating. To justify the labor of negotiating any agreed reduction, and to offset the undoubted strains and disputes that will inevitably arise from the operation of any inspection and control system, the negotiated reduction must be a major one; in fact, of such magnitude as to change qualitatively the nature of the relative nuclear postures of the two giant powers.

The simplest big first step, and the one most consistent with realistic military considerations, is that both giant powers should reduce their nuclear forces to a very low and purely retaliatory role. That is, each should retain only enough invulnerable long-range vehicles to attack the other's cities if it is itself attacked, say less than 100 ICBM's with one-megaton warheads. This is still an enormous force, capable of killing tens of millions of people. A reduction to a level of 20 ICBM's or less would be much preferable. Such a reduction would at once prevent nuclear weapons from being used by same governments as weapons of aggression or coercion. It would not, of course, prevent them from being used by irresponsible groups who do not calculate the cost. It is only at a later stage in disarmament, when nuclear weapons are completely destroyed, that this danger will be excluded. It has always been clear that the ever-present danger of accidental or irresponsible war is a cogent reason for big and rapid steps in the disarmament process.

Detailed studies are needed of possible ways in which both the U.S.S.R. and the United States could take such an important first step without upsetting the present strategic balance. A major problem is how to phase the building up of a system of general inspection while at the same time making a drastic reduction in nuclear delivery systems by their actual destruction under international verification. Taking military considerations only into account, I believe that a procedure acceptable to both blocs could be devised.

The difference hitherto between the proposed Western and Soviet first steps in relation to nuclear weapons has been often simplified to the statement that the U.S.S.R. wants disarmament without control and the West wants control without disarmament. It would be more accurate to say that the clash is on the phasing of the stages of disarmament and the stages of control.

In its 1960 proposals the U.S.S.R. suggested that, in the first step, international teams should be dispatched to inspect the destruction of all rocket weapons, military aircraft, and other carriers of nuclear weapons. It did not propose the inspection or control of those that remain waiting to be destroyed. Full inspection of a country was to be undertaken only when all weapons had been destroyed. It is clear that the U.S.S.R.'s first steps of disarmament are consistent with its presumed military policy of relying for its safety from nuclear attack on a relatively small force of purely retaliatory nuclear weapons in secret sites.

On the other hand, the U.S. proposals in 1960 envisaged widespread inspection in the first stages and no actual disarmament until the second stage. This proposal might make military sense if put by a weak nuclear power to a much stronger one. But when put by a strong power to a weaker one, rejection must have been expected. If the U.S.S.R. had accepted the proposal, the geographical secrecy of its nuclear sites would have been lost, and it would have been vulnerable to nuclear attack from the much stronger West.

Any realistic first stage must start from the fact that the present nuclear balance, such as it is, has a highly asymmetric character; the West's much greater nuclear power is balanced by Soviet geographical secrecy. Since the military balance is asymmetric, so must be any mutually acceptable first step. Concessions must be made by both sides, and these must be based on the realities of the military postures of the two blocs.

The U.S.S.R. should accept general inspection not, as in their proposals hitherto, when disarmament is complete but at some intermediate stage on the road to disarmament. Reciprocally, the West should not demand widespread inspection before any disarmament has taken place, as it has done hitherto, but only after substantial destruction of nuclear armaments has taken place under international verification.

In the first stage, therefore, all parties might supply to one another a list of nuclear weapons and their delivery systems, together with research and production facilities. The exact location of sites would not be included at this stage. An agreed number of weapons would then be destroyed and their destruction would be verified by on-site inspection by the international control organization. When this destruction has been verified, a general inspection, using some sampling technique, would begin. The object would then be to verify the correctness of the original declared inventories by checking the numbers remaining after the agreed reductions had been verified, and to proceed to the elimination of the armament remaining.

A word must be said about the place of a test-ban agreement in the stages of a disarmament plan. If this agreement did not involve a type of inspection that might reveal the Soviet nuclear sites, it would be advantageous for it to be included in the first stage, or preferably agreed to at once. If, however, it involved widespread inspection that might reveal these sites, Soviet military planners would certainly advise its rejection. It would then have to wait for the second stage of disarmament, when general inspection starts after the destruction of agreed numbers of nuclear weapons in the first stage.

Some such compromise between Western and Soviet proposals would seem to meet many of the reciprocal criticisms made by the two parties of their respective 1960 proposals without compromising the military security of either. The problem becomes more difficult, however, when nonmilitary considerations are taken into account. Since nonmilitary considerations have played a major role in shaping the defense policies of the great powers, they must inevitably also affect their disarmament policies. For example, if it is difficult to find legitimate military reasons for the vast number of U.S. nuclear weapons and delivery vehicles, it is clear that military arguments alone are not likely to be dominant in U.S. discussion of a possible drastic first step toward nuclear disarmament. This is widely admitted in the United States, where the impediments to disarmament are being seen more and more as economic, political, and emotional in origin rather than as based on operational military considerations. A vital aspect of the problem for the United States is the effect that drastic disarmament steps would have not only on the economy as a whole but also on those special sections of high-grade, science-based and highly localized industries that are now so overwhelmingly involved in defense work. A valuable step would be for both the United States and Soviet Governments to produce and publish detailed and politically realistic economic plans for the transition to a purely retaliatory capacity.

It is fair to conclude that a realistic military basis for an agreed drastic first step in disarmament may not be impossible to find. The urgency of the situation was declared with eloquence by President Kennedy in his speech to the United Nations in September:

"Today, every inhabitant of this planet must contemplate the day when this planet may no longer be habitable. Every man, woman, and child lives under a nuclear sword of Damocles, hanging by the slenderest of threads, capable of being cut at any moment by accident or miscalculation or by madness. * * * The risks inherent in disarmament pale in comparison to the risks inherent in an unlimited arms race."

This great goal of disarmament will be achieved only if the real nature of the arguments against disarmament are clearly identified and frankly faced. The problems of disarmament must not be obscured, as they sometimes have been in the past, by ingenious but fallacious military doctrine applied to false intelligence estimates.

The growing power of China, and the evidence of an ideological rift between it and Russia, provide an added reason for urgency in the drive for disarmament. The U.S.S.R. and the United States will be wise to limit drastically their nuclear arms before China becomes a major nuclear power. It is to be observed that whatever influence China may now be exerting on the U.S.S.R. to adopt a harder policy with the West certainly arises in part from the failure of Premier Khrushchev's campaign for disarmament. This failure greatly weakens Khrushchev's argument for the feasibility of peaceful coexistence of the Soviet and the Western World. It would seem urgently necessary to attempt to bring China into the disarmament negotiations as soon as possible.

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STRATEGIC RETREAT FROM REALITY

(By John F. Loosbrock, editor, Air Force/Space Digest)

A radically different pattern of strategic theory is emerging as a new instrument of national policy. Its keystone is a revised concept of the role of strategic nuclear forces in the international power equation. The doctrine of nuclear deterrence is being replaced by a doctrine of nuclear stalemate. The strategic umbrella, under shelter of which major Soviet aggression has been deterred or repulsed at many times and in many places since the end of World War II, is being replaced by a strategic ceiling—rigid, immovable, and possibly brittle.

The U.S. force structure is being reshuffled into an almost 180-degree reversal of composition, emphasizing flexibility and diversity in conventional capabilities—the low-intensity end of the conflict spectrum—while trending toward rigidity and a limited choice of weapons in nuclear general-war forces—the high-intensity end of the spectrum.

It will be a matter of some years before the new strategy will become fully operable. It was not, for example, employed in the Cuba affair. That was a power play out of the old strategic nuclear deterrent book. As Senior Editor Claude Witze pointed out last month, it was SAC's shadow over Cuba which made the difference there. But our continued ability to react in such fashion will dwindle as the new strategy progressively affects the force structure.

The new strategy has not been formally articulated to the American people as yet. But the outlines can be gleaned from an examination of public statements and important budget decisions which will shape our future military posture. It is not too early to take a hard look at the new doctrine and its rationale.

EVOLUTION OF THE STALEMATE THEORY

Since the end of World War II U.S. strategy has been based on a reliance on our possession of overwhelming strategic nuclear superiority. Even though there could be no absolute guarantee that the United States would not suffer some damage in a general war, it was generally recognized that our margin of superiority was great enough to give the Soviet Union a strong incentive against provoking us. This strategic superiority underlay our ability to deter aggression all the way across the spectrum of conflict.

If the deterrent failed to deter, these same forces would strike quickly and decisively at the Soviet capability to wage war.

The threat of inevitable defeat was the sword of Damocles that hung over Soviet dreams and plans of military conquest.

Soviet progress in nuclear weaponry and intercontinental ballistic missile technology began to erode our confidence in the efficacy of the nuclear deterrent. After all, there are only 130 U.S. cities with populations of 100,000 or more. A relatively modest force of ICBM's with nuclear warheads could literally tear the heart out of our urbanized society The list of Soviet cities of comparable size is even smaller—only 102. Thus, one rather quickly arrives at a position where, as Deputy Secretary of Defense Roswell Gilpatric recently put it to a national television audience, "either one of these great powers can deliver upon the other a thermonuclear blow of such proportions as to make that possibility unacceptable to any rational leader."

From there it is easy to postulate a state of mutual deterrence, where opposing strategic nuclear forces cancel out each other, much as was the case with poison gas in World War II. This is stalemate—the concept of a rigid strategic ceiling under whose mutual protection the great powers are allowed to employ conventional forces with impunity from nuclear devastation.

It is an attractive theory. It has even led to serious consideration that it might be possible to hold a future conflict within the destructive bonds of World War II, taking grim comfort from the thought that a conventional war, killing perhaps 75 million people over a period of 4 or 5 years, might be better than the risk of an Armageddon, which might produce 150 million deaths in 4 or 5 hours.

However, the validity of a theory is not necessarily a function of its attractiveness. History indicates that stalemates have tended to anesthetize the watchfulness of peaceful nations while presenting well-nigh irresistible temptation to aggressors. Especially when, as in the present instance, the stalement is more apparent than real.

In the first place, making targets of cities provides neither a credible threat nor a rational recourse—either for us or for the Soviets. Defense Secretary McNamara himself has acknowledged this in his acceptance of the doctrine of counterforce. This doctrine, discussed at length in this magazine 8 years ago, eventually was accepted by the Air Force and forcefully promulgated in the Joint Chiefs by former Air Force Chief of Staff Thomas D. White. It is difficult to square counterforce with the doctrine of stalemate.

An even more basic consideration is the dynamics of the world power struggle, the contrasting objectives of the vying power blocs. The West essentially seeks to preserve the status quo, permitting to the Communists freedom of action as long as they confine their activity within the boundaries of the Soviet-Sino bloc. The Communists, on the other hand, are avowedly committed to expansion—into every area of the world and by every available means. If one accepts this great contrast in objectives—and admittedly there are those who do not—the temptation for the Soviets to break a stalemate and confront us with a coverty contrived position of superiority becomes almost irresistible. The Soviet attempt to outflank us in Cuba should serve as ample proof of their eagerness to gain a military advantage over us. Soviet achievement of a unilateral military capability in space provides an obvious future opportunity for a stalemate-breaking flanking maneuver. If Cuba, only 90 horizontal miles from our coast, presents a threat, how much more a Soviet base in space, only 90 vertical miles away?

Another justification for stalemate is acceptance of the view that there can be no winner in a nuclear war. It is hard to quarrel with this position if by nuclear war one means an all-out exchange of nuclear stockpiles. But the crucial issue is whether such an exchange represents the only form, or even the most likely form, that nuclear war might take. The issue is crucial because the way it is answered indicates the basic philosophy that underlies national strategy. And it is the philosophy that determines the shape and size and composition of our military forces. The fact that both sides are likely to find it against their interest to initiate an all-out nuclear attack against population centers does not necessarily mean that nuclear weapons cannot be profitably employed against the enemy's military forces.

The doctrine of stalemate already is affecting the composition of our strategic forces. Essential to the perpetuation of a stalemate, at least at this point in the military state of the art, is a force that can ride out a first strike and hit back. The hardened land-based Minuteman and the mobile and hidden, sea-based Polaris are ideally suited to the stalemate doctrine. Being relatively invulnerable, they are said to be less provocative than weapon systems which can only be protected against a first strike by launching them. Being unprovocative, these missile systems contribute to a stabilized situation (a common euphemism for stalemate) and set the stage for arms control.

Current defense hardware decisions are in line with the stalemate doctrine. A smaller and smaller proportion of the overall defense effort is going into the strategic forces. And a growing proportion of the strategic force is going into missiles. For the first time in almost three decades the United States has no bomber in production or even under development. The B-47 fleet is on its way out, and the B-52 is slated to follow fast on its heels, the obsolescence of the B-52 being hastened deliberately by the negative decision on the air-launched ballistic missile, Skybolt. The 70, whether RS- or B-, is dead, an unfortunate victim of irretrievable emotionalism on the part of both its defenders and detractors.

By the end of this decade, unless an as-yet-unannounced manned system should go into development, our strategic forces will consist entirely of missiles. By that time, the invulnerability of these missiles, not seriously questioned today, may well be compromised by technological surprise in such areas as antisubmarine warfare, ballistic missile defense, or a variety of military applications of space technology.

We will have substituted rigidity for flexibility in the area of conflict where flexibility is most needed. There will be fewer, rather than more, options for a future President to exercise—fewer, rather than more, buttons on the White House console.

DOCTRINE OF SECOND STRIKE ONLY

Let us return now to what is a logical follow-on to the doctrine of strategic nuclear stalemate. The point is a subtle one, perhaps, but its impact makes a searching examination worth the effort.

Our national military policy has always been a second-strike policy, that we would never initiate a premeditated and unprovoked surprise attack. This is eminently consistent with our national values, and we have adhered closely to it over the years.

During the period of our atomic monopoly, for example, we declined the opportunity to strike the Soviet Union with impunity. Since then we have invested billions in improving our ability to strike back after we have been hit. The DEW line and BMEWS, the elaborate alert procedures to protect our aircraft, the hardening and dispersing of our missiles, these are a few of the heroic and costly measures we have taken to retain a second-strike posture.

Even so, we have recognized certain circumstances under which we might be compelled to make the initial attack against the Soviets, even before the United States proper had been hit. The classic example is that of a massive Soviet attack against NATO. At no time since World War II have the forces in Western Europe been strong enough to stop a determined Soviet attack. Yet NATO has not been struck.

We are still committed by treaty to the policy whereby we will respond to an attack on NATO as though it were an attack on the United States itself. But it is obvious that we are searching for an easier answer, for some deterrent short of the threat of nuclear attack against the Soviets. Mr. McNamara expressed his concern in a recent interview when he said:

"Under any circumstances, even if we had the military advantage of striking first, the price of any nuclear war would be terribly high."

The dilemma lies in the fact that the threat of retaliation is only meaningful if executing it offers some advantage. It begins to lose its impact the moment its executors begin to have second thoughts about its effectiveness. We quite obviously are having second thoughts today, and the consequences could be far reaching. This becomes more true as we progress toward a strategic force which provides no nuclear options below the level of an ICBM exchange. The nuclear choice will become intercontinental missiles or nothing—an admittedly hard choice.

This is why the new strategy looks toward still another alternative, one that would free us from ever having to resort to nuclear retaliation at all. It seeks to eliminate all exceptions, to make the second-strike-only policy applicable under any conceivable circumstances. It backs off to the level of confrontation with conventional weapons, sometimes known as beating the Soviets at their own game or meeting the Soviet challenges by means and at places of their choosing. Conventional flexibility is obtained at the expense of nuclear flexibility.

THE DOCTRINE OF AUTOMATIC ESCALATION

It is frequently argued and widely believed that the use of even low-yield tactical nuclear weapons will trigger an automatic escalation process leading inexorably and inevitably to an all-out thermonuclear exchange. Mr. Gilpatric voiced this thought at a press conference last June, saying:

"I, for one, have never believed in a so-called limited nuclear war. I just don't know how you build a limit into it once you start using any kind of a nuclear bang."

It is this fear of escalation that haunts the peace movement and those who press for unilateral disarmament, or for arms-control measures without adequate safeguards. The subject is clouded by emotionalism, and a rational dialog is difficult. History provides not clues since tactical nuclear weapons have never been employed in combat. Hence, it is easier to articulate the possibility of disaster than it is to defend the probability of desirable results.

A major factor usually overlooked in the escalation discussion is that the gap in firepower between the largest of conventional iron bombs and the smallest nuclear weapons is essentially closed, while the variety of yields of nuclear weapons is almost infinite. The mere word "nuclear" conjures up an image of a multimegaton warhead exploding over New York or Moscow. Seldom considered is the fact that the smallest tactical nuclear weapons can be only a few times more powerful than a World War II blockbuster. And today they can be delivered with a selectivity and accuracy unknown in World War II.

The second major consideration overlooked in the automatic escalation theory is that an escalator runs down as well as up. It depends on who's boss of the battlefield. Escalation can be made to work for us, so long as we retain the overall nuclear superiority that keeps the option to escalate upward a decision that we alone can render. It would seem obvious that what would keep the Soviets from the first use of tactical nuclear weapons is fear of what might happen to them as long as we have the upper hand in this area. No one has yet devised a plausible rationale for their behaving any differently if we should initiate use of tactical nuclear weapons. They key is our retention of the option to escalate. Should this option pass to the Soviets through superiority or even parity, we would find out just how quickly it would be exercised.

Acceptance of the automatic-escalation theory by strategic planners leads logically to the renunciation of the first use of tactical nuclear weapons. They would be retained in the inventory as last resorts—to keep the Soviets from using theirs, to keep Europe from being finally overrun, etc. But their employment as a major instrument of military policy is becoming less and less likely. Once one has concluded that there can be no winner in a nuclear war, and that use of even one fractional-kiloton nuclear weapon on the battlefield will automatically escalate to a big nuclear war, one tends to look for other means of defending one's interests.

THE DOCTRINE OF FLEXIBLE RESPONSE

Under the premises outlined in the preceding paragraph, our strategy turns inevitably toward expanded conventional war capabilities in a search for flexibility of response—more options.

Here the question is whether this kind of flexibility is the kind we actually need. Let us leap ahead a bit in time and postulate a situation in which the new strategy and the new force structure are applied.

The Soviets initiate a move against the West with substantial conventional strength. We have a strategic force made up exclusively of invulnerable second-strike missiles with a decisive margin of superiority in this area. We have renounced the use of tactical nuclear weapons out of fear of automatic escalation. We resist with conventional weapons only. The Soviets drive harder. We approach the end of our conventional rope. We are losing. Or suppose we are holding, or even winning, when the Soviets introduce tactical nuclear weapons. What do we do? How many options are open to us? How flexible are we?

We can negotiate, with the terms highly unlikely to be in our favor.

Or we can escalate immediately from conventional war to an exchange of ICBM's, to the highest level of conflict, to the kind of war where we already have told ourselves that there are no winners.

Clearly we cannot confine our quest for flexibility to the low-intensity end of the conflict spectrum. Further, we must build in flexibility from the top down, not from the bottom up. Unless we are willing to pay the price of being able to cope with every conceivable Soviet challenge in exact kind, we must give priority to the potential challenges which most seriously threaten our vital interests.

FLEXIBLE RESPONSE AND WESTERN EUROPE

For a dozen years or more the sword and shield concept of NATO has contained the vastly superior conventional forces of the Soviet Union and her East Europe satellites. The shield has been made up of NATO's ground forces and tactical air forces, armed with both conventional and nuclear weapons. There was never a question of attempting to contain a major Soviet assault, even a conventional one, with conventional weapons. Tactical nuclear weapons would be employed. The sword behind the shield was SAC, together with other strategic forces under the direct command of the Supreme Allied Commander in Europe.

Today the argument over conventional versus nuclear weapons may prove to be the reef on which NATO founders. We are insisting that NATO's conventional capability is grossly inadequate and that this could result in nuclear war being forced upon us. The Europeans, who have lived in the Soviet shadow with equanimity all these years, are becoming increasingly apprehensive about the extent and nature of future U.S. commitments in their behalf. They worry about our fear of using tactical nuclear weapons, because they think it increases the danger of a major conventional war in their backyard. The Europeans know firsthand that conventional war is no consummation devoutly to be wished. And they tend to view any U.S. policy shift in this direction as motivated primarily by a desire to keep a future war off U.S. soil. De Gaulle's drive for an independent French nuclear deterrent derives in large part from his doubts about the future viability of U.S. commitments. And British anger over our scuttling of her V-bombers by our virtual abandonment of the Skybolt missile is part of the same package.

But if Western Europe finds the thought of conventionally armed defenses distasteful, our own strategy is finding it more and more attractive. Under Secretary of State George W. Ball, speaking before the NATO Parliamentarians' Conference in Paris last November, said:

"There is no reason why the NATO countries cannot maintain in the NATO area conventional forces that are at least equal to those in Eastern Europe."

Mr. McNamara has also indicated his belief that the NATO countries can increase their conventional defensive capabilities. The NATO nations will agree, but only reluctantly and under heavy pressure from the United States.

We have not publicly renounced the first use of tactical nuclear weapons in the defense of Western Europe, nor is there any likelihood that we will do so soon or even ever. But the doctrine of nuclear stalemate, coupled with the theories of automatic escalation and flexible response, indicate that we are trying hard to remove these weapons from any battlefield of the future, even if this means risking large-scale conventional wars.

As far as Western Europe is concerned, the danger is twofold—first, that the doctrinal conflict will irreparably damage the alliance, and second, that the Soviets will be encouraged to take new risks in the NATO area that could not have been justified when they were faced with the sword-and-shield concept.

MORE OPTIONS OR LESS?

No thoughtful person can quarrel with the idea of seeking as many alternatives as possible between surrender or holocaust. The real question is whether or not the current trends in strategy and force composition are really narrowing, rather than widening, the number of options that will be available as time goes on.

Consuming fear of nuclear weapons and nuclear war can deprive us of the main strategic advantage we possess today. It would reduce risks for the Soviet planners by concentrating future conflict in the conventional area, where the strategic advantage is clearly theirs. In addition, they know they can always pause for negotiations if the going gets too rough.

Far more worrisome, however, are the dangers inherent in unilateral acceptance of the strategic-stalemate concept. Indeed, the very fact that we accept a stalemate in itself breaks the stalemate in a psychological sense. A single technological breakthrough—with space offering an almost unlimited range of possibilities—could shatter the stalemate suddenly and irrevocably, permitting neither time nor opportunity to "fall back and regrope."

Optimism is running high after the Soviet backdown in Cuba, and the temptation is to read more into that episode than is justified. One can make a case that the very attempt to emplace outflanking missiles on the island stemmed from the Soviet belief that, if their bluff were called, they had little to lose but face—a small risk in terms of the prospective benefits had the move gone undetected. And the strategic posture which made possible our positive reaction in Cuba is undergoing a radical change. Postulate a future Cuba—perhaps in space, perhaps in Iran—under the strategic philosophy discussed herewith, and one comes up with quite a different set of answers.

[From the Air Force magazine, February 1963]

FAREWELL TO COUNTERFORCE

(By Claude Witze, senior editor, Air Force/Space Digest)

In early 1963, as the Kennedy administration passes the halfway mark in its stewardship, the schism between the military and civilian hierarchies in the Pentagon is moving toward a climax.

This division is both unfortunate and unnecessary. But, unless checked, it poses a threat to our security, looms as a barrier to domestic political harmony, and frustrates our diplomatic efforts.

An important facet of this Pentagon schism, and one that is a disappointment particularly to scores of lifelong Democrats, is the growing evidence that it is the civilian secretariat, not the uniformed column, that takes the conservative point of view. The military, for so many years pictured as hidebound to obsolete methods and weapons, are the people eager to break technological frontiers. In an ironic switch, it is the civilian leadership which wishfully thinks of fighting the next war in terms of the last one.

The most alarming manifestation of the situation was delineated on these pages last month, when the editor of Air Force/Space Digest reported that the doctrine of nuclear deterrence is being tacitly replaced by one of nuclear stalemate, that a strategic ceiling will replace our umbrella of strategic superiority if the present trends in doctrine and weapon system development continue.

To this report it can be added that the active Chiefs of Staff, the heads of the Army, Navy, Marine Corps, and Air Force, do not approve of the change in strategy. They are unanimous in their support of a doctrine of strategic superiority. And they consider this superiority to be essential if their forces are to retain the flexibility needed to hold potential conflict to some level of violence lower than a nuclear holocaust involving all-out exchange of intercontinental ballistic missiles.

In contrast, the administration now obviously believes that superiority is not necessary, that it is undesirable because it is provocative and that it is meaningless because nuclear war is unthinkable. No other conclusion can be drawn from recent events. Equally clear is the position of Defense Secretary Robert S. McNamara as the President's chief strategic adviser, overshadowing—indeed, censoring and subjugating—the opinions of our military experts.

When we turn our backs on the requirement for strategic superiority we are abandoning the counterforce doctrine which Mr. McNamara himself enunciated at Ann Arbor only last June. By definition, a counterforce capability is expensive to buy and maintain. It calls for a large arsenal of weapons and a variety of means to deliver them. It requires a sophisticated mixture of manned and unmanned systems, with all of that force combat ready and a substantial part of it on alert.

In his Ann Arbor speech, Secretary McNamara said our objectives, which means targets, in the event of a nuclear war should be the destruction of the enemy's military forces, not of his population. Our strength would not be used for a first strike, for America is pledged never to perpetrate a Pearl Harbor, but for retaliation only. Thus our strategic force must be large, powerful, and protected—to be able to survive a blow and then to seek out and destroy the enemy's well hidden and hardened weapons.

The slow erosion of our ability to carry out this counterforce doctrine and, in fact, our deliberate intention to replace the necessary strategic superiority with strategic stalemate, are clear in decisions already made and our plans for future decisions. These decisions are being explained to the American people in terms of budgetary and technological doubletalk. The budgetary argument is considered good because it is related to everyman's pocketbook and close to the heart of Congress in a tax-cutting year. Technological arguments have the further merit of being, for the most part, beyond the comprehension of the general public and thus requiring no documentation beyond a simple statement.

Probably the best way to explain what is being done is to cite, as we have again and again, the Cuban crisis. The administration viewpoint was cogently expressed by Walter Lippmann, who said in a Paris speech that the confrontation showed the importance of conventional military power when nuclear power has been balanced and neutralized. The United States prevailed in Cuba because, after nuclear power had been neutralized, it had powerful conventional weapons.

Our military leaders know better. U.S. nuclear power was not neutralized or balanced in the Cuban affair. The United States had superiority. It was plain and simple and President Kennedy at the outset made it credible, and therefore effective. He told the world we would use this power on Russia itself if missiles were fired at us from Cuba. It was Russia's nuclear power that was neutralized and it was our strategic superiority that did the trick.

This is not to derogate the role played by conventional systems, mainly those of the Navy and Air Force, in the Cuban showdown. But it should be clear that these alternates to total war can be exercised only under an umbrella of strategic superiority.

Gen. Curtis E. LeMay has pointed out repeatedly, particularly in testimony on Capitol Hill, that budget trends in recent years indicate a progressive retreat from this posture of strategic superiority. President Kennedy's fiscal 1964 defense budget is on its way to Congress as these words are written, and the trend is expected to continue.

Manned strategic systems, with their innate flexibility, appear doomed. From the projected pattern of research-and-development expenditures for strategic systems over the next 5 years it is clear that we are unilaterally freezing technology at the level of Polaris and Minuteman. One report says the outlay for the R. & D. effort will drop from $2 billion to two-tenths of a billion in the next 5 years. The strategic potential of space is being overlooked entirely.

The impression has been made, and encouraged, that the doctrinal argument involves only the Air Force. This is at worst an untruth, at best an over-simplification. It happens that our strategic systems, with the single exception of Polaris, all are assigned to the Air Force. Hence, a policy calling for nuclear stalemate of necessity has its greatest impact on Air Force missions and programs.

Until 1963, however, there had not been any sign that the other chiefs, Gen. Earle G. Wheeler of the Army; Adm. George W. Anderson, Jr., of the Navy; and Gen. David M. Shoup of the Marines, might lend support to General LeMay in his expression of concern over the trend. Indications now are that strategic superiority is gaining support from all three services, and the Air Force does not stand alone.

This change of heart undoubtedly was brought about by the recent palaver, on both a national and international level, over the Skybolt air-launched ballistic missile. Skybolt was killed because it did not conform to the new strategic policy. The decision had international repercussions because the weapon was promised by us as a substitute for British development of its own air-launched ballistic missile. Lack of Skybolt forces Great Britain into agreement with our new policy. The budgetary arguments against Skybolt are dubious, since Britain now has to build a fleet of Polaris-armed submarines. The technological arguments advanced against Skybolt have been spurious from the beginning.

Much the same can be said for the RS–70 Mach 3 airplane. Its price tag was high, although expert witnesses testified that the Russians would have to spend even more to find a defense against it. Other witnesses, equally expert, have sworn that the system is within the state of the art and that it involves far fewer unknowns than the ICBM did nearly a decade ago when it was ordered into high-priority development. But both the RS–70 and the Skybolt are inconsistent with the new strategic policy of nuclear stalemate. That is why they are not wanted by the administration.

As a matter of fact, other advanced manned aerospace military systems, which might operate in either the atmosphere or space, are equally incongruous to the new policy. In the new budget this is expected to result in denial of USAF requests for improved air defense systems, and at least four more F–4C wings for the Tactical Air Command. In the research-and-development area there will be minimum allowance for a long look at the potentials of space. USAF's Dyna-Soar project now is expected to suffer and, in the long run, it's a good bet that the TFX variable-sweep fighter will go the route of the RS–70 and Skybolt. A nuclear-armed TFX would also be inconsistent with the nuclear stalemate philosophy.

This report would be remiss if it did not lay some emphasis on the pregnant suggestion that the stalemate policy constitutes a significant step by the United States toward some degree of unilateral disarmament.

In the January issue of Harper's magazine there is an outline by P. M. S. Blackett, a British physicist, of the early steps he considers essential to achieve a disarmed world. Blackett's main thesis is that a complete shedding of arms is urgent and that the West must change its military policies in order to achieve the goal. There is a striking parallel between Blackett's recommendations and our current trend toward nuclear parity. Parity, in fact, is what Blackett recommends. Superiority, of the kind that made our Cuban venture possible, is viewed by this scientist and Nobel Prize winner as a provocative menace. Like a great many of his fellows in the cult now influencing military strategy on the basis of computer techniques, he consistently underestimates the risks, with a fervor approaching that of India before the Chinese swept across the Himalayan Mountains. He does not admit that a disparity in basic aims and methods might be a significant factor in the power relationship between the Soviet bloc and the free world. He implicity views the United States as a mirror image of the U.S.S.R.

Blackett points to our current strategic superiority—he credits us with a 3-to-1 advantage over the Soviets—and says that a reduction by percentage therefore would not be acceptable. It follows that the first step toward disarmament is to reduce the strategic nuclear forces of both sides to "the same equal and low level." A couple of dozen invulnerable missiles on either side would do. The author, who underestimates the power of the executive branch in the U.S. Government, then speculates that President Kennedy of necessity faces delays getting Congress to approve nuclear parity. He says that the American military, which he views typically as a self-serving monster, will fight the approval by convincing Americans that arms control is preferable to disarmament because it will be less disruptive to the economy.

Blackett contends that the goal must include "approximate parity in both nuclear and conventional forces," then lends support to the Kennedy-McNamara effort to restrain England from exercising independence in the area of nuclear capability.

Professor Blackett views with alarm the McNamara Ann Arbor pledge to avoid attacks on enemy cities, a pledge that is a commitment to a counterforce strategy. He laments the fact that counterforce strategy necessitates forces that are overwhelmingly superior and recognizes that it makes slim the chances for nuclear parity as a first step toward disarmament. He then lists four reasons why U.S. policy, up to now, has been in favor of counterforce. Not one of these reasons even suggests the possibility of a Soviet attack on us or our allies. The deterrent effect of superiority is dismissed as a minor argument. He expresses hope that the Kennedy administration, with its effort to bring the U.S. military more firmly under civilian control, will find a way to replace nuclear superiority with nuclear parity.

There is an undeniable parallel between the Blackett recommendations and what our force structure is pointing toward in the next several years by the McNamara budget planning.

This is not to say that an individual Briton, or a group of Britons, is dictating the shift in our policy. There are Blacketts holding influential positions in the U.S. Government. As pointed out in this magazine last September, the critics of counterforce capability fear its fertilizing effect on the arms race. They warn it may be provocative. They hold that it is technically infeasible and that it is not realistic. They are receiving sound support in the Pentagon from Mr. McNamara's own budgetary and technological experts, who are providing specialized and diversionary excuses to change the force structure without admitting that the goal is a strategic policy which adds up to a unilateral disarmament program.

Realistically, it must be admitted that scientist Blackett's sympathizers in this country are more sophisticated than he in the American political arena. Congress has shown a minimum of interest in strategic policy, a maximum of interest in the hardware of weaponry, its technical feasibility, and its price. Yet it also is true that Congress seeks to mold strategic policy when it authorizes the adoption of weapon systems and tries to force the executive branch to spend the appropriated money. Recent years are heavy with examples of how the will of Congress has been frustrated, despite the fact that it has been consistently more aware of the nature of our peril than the White House and Pentagon secretariat.

There has been mention here of the effect of the Pentagon schism on our diplomatic efforts. The furor in England and France has been so well publicized there is no need to repeat the details. Edmund Taylor, writing from Paris in the Reporter, says what we won in Cuba we have thrown away in Nassau. He comes up with a French suggestion, not entirely a joke, that the White House should forget about a direct telephone line to the Kremlin and get a closer link to Europe.

It is clear we have not fooled our allies, and it is likely, Taylor reports, "that the final result of Nassau will be the loss of prestige and possibly the fall of the Macmillan government, the torpedoing of Britain's entry into the Common Market, and the further widening of the rift between France and America, thereby reducing the Atlantic Alliance to an empty shell."

It is interesting that only last June, on a visit to West Point, President Kennedy cautioned the cadets that they had to be more than soldiers and understand the foreign policies of nations all over the world. There is a good chance that today's military chiefs, all of them, have a firm understanding of why the British and French are upset at our espousal of nuclear stalemate. Like the French and British they would be justified in some mystification about a policy that sanctions a military risk in Cuba but refuses to take a technological risk that may be essential to national security.

On this point, there is no competent observer who doubts Russia can and will take technological risks to improve its military stature. These chances can be taken in such fields as ballistic missile defense, antisubmarine warfare, military space systems, the improvement of guidance, or warheads. Once we freeze our own technology at the level of the Polaris and Minuteman systems and drain away our strategic flexibility, Moscow needs but a single and possibly modest breakthrough to upset the stalemate and achieve superiority.

Realization of this threat must be common to all dedicated American military men. The realization, for reasons already explained, is most vivid to USAF. The example here, let it be made clear, is not that of the cavalry officer who clung to his horse or of the lamented admiral who held the battleship invincible. The requirement is for progress, not stagnation; it is for technological advances to meet threats as yet themselves undeveloped.

The schism in the Pentagon is between this kind of military progress and the most conservative effort to turn back the clock by arguing that costs are excessive and the technology is "beyond us." This progress has been with us at least since Kitty Hawk and Alamogordo. The Russians will not let us stop.

[From the New York Times, Feb. 4, 1962]

Debate on New Atom Tests Splits Top U.S. Officials—Powerful Forces on Both Sides Seek To Persuade Kennedy, Who Must Decide Whether To Resume Aerial Shots

(By Hanson W. Baldwin)

A bitter behind-the-scenes struggle about the resumption of atmospheric nuclear tests is being fought in Washington.

President Kennedy has ordered necessary preparations made that would permit testing, presumably this spring, off Hawaii, at Johnston Island and perhaps at British-owned Christmas Island. But he has reserved final decision, and the capital is riven by a great debate between opponents of resumed testing and proponents of it.

Scientists, members of the White House executive staff, the State Department, the U.S. Information Agency, the Pentagon and the Central Intelligence Agency and particularly its new Chief, John A. McCone, have become involved directly or indirectly. The feeling is high on both sides.

Opponents of atmospheric tests describe them as unnecessary or unduly provocative to world public opinion or both. Some military men believe resumed testing is almost vital to the future security of this Nation.

The Atomic Energy Commission's announcement Friday of a Soviet underground test is expected to hasten the ultimate decision on American testing.

Preparations for the tests are continuing while the debate rages. Joint Task Force 8, under its field commander, Maj. Gen. Alfred D. Starbird, is being formed, and ships, planes and men assigned to their duties.

A total of more than $80 million is earmarked for the task force, and a program of tests, to start apparently in early spring and to continue possibly into early summer, is being drawn up. But the final "Go" or "No-Go" signal has not been given by the President.

Powerful forces on both sides have presented their views to the President and are still urging their respective viewpoints.

Opposed to the resumption of testing are many scientists, including the President's scientific adviser, Dr. Jerome B. Wiesner; Adlai E. Stevenson, chief U.S. delegate to the United Nations; the State Department; the U.S. Information Agency; and apparently most of the President's special assistants in the White House.

In favor of resumption of testing are many scientists, including Dr. Edward Teller, the atomic physicist; the Joint Chiefs of Staff and most of the military services; the Atomic Energy Commission (with limitations); powerful members of the Joint Committee on Atomic Energy, and Mr. McCone.

IMPORTANCE OF ISSUES

The arguments reflect the importance of the issues involved in the decision of the President. The opponents of testing insist that renewed atmospheric tests are technically unnecessary, despite the great evidence of Russian progress; and that test resumption would offend world public opinion and would imperil all attempts to halt the arms race.

The opponents also view with alarm the addition of any more radioactive fallout to the atmosphere. They describe the resumption of atmospheric testing as immoral.

Those opposed to above-the-ground testing are well organized and vocal. They have already staged a number of demonstrations in Washington, New York, the U.N. headquarters in New York, and elsewhere.

Proponents declare that an analysis of the Soviet series of more han 50 tests shows tremendous scientific, technological, and weapons progress, and that unless the United States resumes atmospheric tests soon its past advantage in nuclear weapons and in delivery capabilities may be neutralized or overcome and its security imperiled. They add that nuclear tests can lead to new and unknown developments.

Personal and emotional factors have added to the heat of the debate.

The more than 50 tests of all types the Russians conducted last fall have become a powerful, though apparently not yet a conclusive, argument for the resumption of atmospheric testing. An analysis of the Soviet tests was made by a committee of scientists, headed by Dr. Hans A. Bethe of Cornell University.

EVALUATION BY M'CONE

Later, another evaluation was presented by Mr. McCone, who was sworn in last November 29 and who was confirmed Wednesday as director of the Central Intelligence Agency.

The CIA presentation apparently viewed the Soviet progress in considerably stronger terms than did the earlier scientific analysis, although both were impressed with the evident nuclear progress made by the Russians.

The Soviet tests showed according to most experts:

Tremendous laboratory progress in the more than 3 years of test cessation.

Considerable progress in the development of a warhead for an antiballistic missile.

Major development of lighter and more compact weapons. The Soviet yield-to-weight ratio—the packaging of high power into smaller and lighter weapons 8 is now adjudged to be about equal to the United States. This is of high importance in the development of second and third generation missiles. The tests indicated considerable Soviet progress toward the development of compact, solid-fueled missiles like the Minuteman, and hence an increase in missile striking power and a reduction in vulnerability.

Major progress in development of a whole family of new nuclear weapons—both tactical and strategic.

Reduction of the amount of fissionable material needed to trigger a fusion reaction. The biggest Soviet test detonation, which was calculated at a yield of more than 55 megatons, released a far smaller amount of fission products into the atmosphere than the United States had anticipated. More fusion and less fission in a weapon could mean in time not only more but also cheaper weapons, since fusion materials are far less expensive and more plentiful than fissionable ones.

DOUBTS ON U.S. LEAD

In short, the Russian tests appear to sum up to a conclusion by most well-informed officials that the United States no longer has assurance that it has a major technological lead in atomic weapons.

Some military men are further worried by some evidence of Soviet rocket achievements that the United States has not yet matched. The United States believes that it is still ahead of the Soviet Union in numbers of intercontinental ballistic missiles.

But the Russians have far more missiles of 700-mile to 1,100-mile range, capable of striking American allies and oversea bases. And they have apparently fired salvoes of as many as 10 to 20 of these missiles in tests, something the United States has never done, and which it is not equipped to do.

The proponents of the resumption of atmospheric nuclear testing base their arguments in large part upon these evidences of Soviet progress. They hold that underground tests are limited to small explosions and are too slow, too expensive, and too difficult to instrument and that some of the most important weapons effects cannot be studied except by atmospheric tests.

The United States has resumed underground testing since the Russians resumed testing and has exploded underground in Nevada a total of about 15 small-yield devices. Not all of these have been announced. At least one of the devices tested was a small Army tactical weapon for battlefield use.

TWO ANCILLARY DEBATES

Involved in the major debate about nuclear testing are two ancillary debates.

One revolves around Mr. McCone, former chairman of the Atomic Energy Commission. Mr. McCone, as director of the AEC, took a firm stand in favor of nuclear testing. The CIA is not a policymaking agency, but Mr. McCone made it clear to Senator RICHARD B. RUSSELL, chairman of the Armed Services Committee, in connection with his confirmation hearings, that he would not "volunteer" opinions about national policy, but if asked, he would "feel free" to give his "personal views."

Mr. McCone's views about the high importance of resuming nuclear testing have not changed. Moreover, many in the academic and scientific community, who oppose him on the nuclear test issue, regard Mr. McCone as biased and unjudicious. Dr. George T. Kistiakowsky, of Howard University, former science adviser to President Eisenhower, headed a group to the White House that opposed Mr. McCone's appointment as CIA Director.

Others who opposed Mr. McCone from political life contended that his business connections led to conflicts of interests. Some of the younger Democratic liberals, including some close to the President, were also said to be opposed to Mr. McCone because his political philosophy was far more conservative than theirs.

BITTER OPPOSITION

These forces, focused by the nuclear test issue, led to some bitter but ineffective opposition to the McCone appointment. What some officials describe as the most severe press attacks upon any official since those launched upon the late James Forrestal, first Secretary of Defense, were published by one columnist. But Mr. McCone had powerful bipartisan support in Congress, particularly in the Joint Atomic Energy Committee.

Senator HENRY M. JACKSON, Democrat, of Washington, a member of both the Armed Services and Atomic Energy Committees, and a strong supporter both of Mr. McCone and of the resumption of atmospheric tests, noted during the confirmation debate that some of those who opposed the new CIA Director did so because of his hard, tough policy toward the Soviet Union, particularly on nuclear testing.

With Mr. McCone's confirmation, this phase of the behind-the-scenes struggle is now centered on a selection of a Deputy Director of the Central Intelligence Agency, a Presidential appointment. The law does not require the deputy to be a military man, but it does require either the Director or the deputy to be a civilian.

MILITARY APPOINTEE

Both the Joint Chiefs of Staff and the Senate Armed Services Committee have urged a military man.

The recommendations of the Joint Chiefs of Staff include the names of Lt. Gen. William W. Quinn, Deputy Director of the Defense Intelligence Agency; Lt. Gen. Arthur G. Trudeau, Chief of Research and Development, and Vice Adm. Charles B. Martell, Deputy Director of Research and Engineering.

White House sources, however, have suggested a civilian deputy (unnamed), or the appointment of the President's military aide, Maj. Gen. Chester V. Clifton.

None of the names suggested have been accepted as yet by Mr. McCone, who is believed to favor a topnotch military man in his early fifties who would devote the rest of his career to the CIA. Three names speculatively mentioned as suitable, by Mr. McCone's yardstick, for the job are those of Vice Adm. John T. Hayward, Deputy Chief of Naval Operations for Development; General Starbird, field commander of the task force preparing for tests, or Maj. Gen. Andrew J. Goodpaster, one of former President Dwight D. Eisenhower's White House aids, now Commander of the Eighth Infantry Division in Germany.

STUDYING AGENCY

Still another, whose name has been mentioned as a possibility is Gen. Cortlandt Van Rensaaelaer Schuyler, retired, who has been an executive assistant to Governor Rockefeller but who is now a member of an organization committee appointed by Mr. McCone that is studying the CIA.

Thus Mr. McCone's own appointment to the CIA and the appointment of a deputy have become involved directly and indirectly in the broad issue of nuclear testing.

Another part of the debate is how much and what to test. Many of the scientists who believe resumption of testing is necessary would like to limit the tests to developmental and experimental ones, and would exclude as technologically and militarily unnecessary the tests of existing nuclear weapons, or any operational tests by the military.

Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, took this position last year in a recommendation to the President, and apparently other members of the AEC agree with him. However some scientists in the AEC disagree. In fact, there is a split on this issue both in the scientific community and in the military.

The Joint Chiefs of Staff were unanimously in favor last year of operational testing of many existing weapons and weapons systems, but some military men in the Pentagon and some civilian officials see no need for this. A Navy task force put to sea last fall to test for the first time a new warhead for an antisubmarine weapon.

but the task force was recalled by the President before the test started.

The military point out that many of the existing weapons in the country's nuclear stockpile, including newest tactical weapons and missile warheads, have never been proof-tested. They agree with the scientists that laboratory tests and the lessons learned in past nuclear testing make it almost certain that the new weapons will function as expected, but as one spokesman said, "I would certainly sleep better at night" if the major weapons were proof-tested.

The military also point out that only 1 out of the more than 170 tests conducted by the United States since World War II has been accomplished by the military who are expected to handle these weapons in time of war.

An Army crew fired a nuclear round from a 280-mm. gun at the proving ground in Nevada some years ago. All other tests have been under the Atomic Energy Commission auspices. Many of the military would like to include in any test program a series of operational detonations of existing weapons by military personnel.

However, the present guidelines for the tests would apparently limit them to experimental and developmental detonations and to compress them in number, in time, in total yield and in release of radioactivity. The tests would include sizable explosions at very high altitudes, which would be of importance in the development of an antiballistic missile and in determination of the effect of such explosions upon radar and radio.

OTHER TESTS PLANNED

Other tests to develop improved safety devices and to reduce the size and weight of warheads are tentatively planned. The plans apparently contemplate the use of British-owned Christmas Island for some observers believe that if the island is used, the administration and the Joint Committee on Atomic Energy will have to interpret the atomic energy law liberally to allow the British to monitor and record test results.

At the moment the betting in Washington is that the President will allow preparations for the tests to continue but may defer or cancel them at the last moment. However, there is powerful support in the Joint Committee on Atomic Energy for resumed testing.

And three books—all scheduled to be published soon, and all expected to support a resumption of nuclear tests—may have considerable influence on public opinion.

[From the New York Times, Feb. 4, 1962]

U.S. ATOM TEST DEBATE GROWING—DECISION CONFRONTS KENNEDY AFTER COLLAPSE OF GENEVA TALKS

(By John W. Finney)

WASHINGTON, February 3.—The East-West talks on a nuclear test ban began 39 months ago in an aura of international hopes and good will. They flickered with decreasing brightness through 353 meetings and came to a recriminatory and desolate end this week in Geneva.

The collapse of the three-power talks doomed any lingering hopes that the nuclear powers could in the foreseeable future take a precedent-making first step toward stemming the atomic arms race by agreeing to a cessation of nuclear tests. Indeed, the failure to take the first step could well have the ironic result of accelerating and broadening the race for atomic prowess.

If the major powers could not agree on the relatively innocuous step of stopping atomic tests, there obviously was little hope that they could agree on more important arms control measures more directly affecting their national security.

How the collapse of the talks can serve to accelerate the atomic arms race is illustrated by the possible response of the United States. So long as the talks proceeded, there was an obvious reluctance to follow the Soviet suit and to resume tests in the atmosphere. The argument was that a resumption of atmospheric tests might completely jeopardize the already diminishing hopes for agreement.

QUESTION FACED

Now this argument, which was probably more a procrastinating than a valid excuse, has been removed and the administration must face up squarely to a question that has confronted it ever since the Soviet Union resumed testing on September 1. The question, involving military, psychological, and diplomatic imponderables, is whether or not to test in the atmosphere.

As President Kennedy told his news conference this week, the failure of the test-ban talks "represents the biggest disappointment of my first year in office." It also presents him with one of the most difficult, fateful, and controversial decisions he has had to make since taking office.

For the moment, the President appears undecided which way to turn and he is receiving divided counsel from within his own ranks and from Congress. In this period of indecision, a debate is gathering force.

LINEUP OF SIDES

For the purposes of following the forthcoming tussle, the lineup roughly is between a group of scientific and diplomatic advisers on one side and a military-atomic energy-congressional contingent on the other.

Prominent among the scientists is Dr. Jerome B. Wiesner, the President's scientific adviser. Most vocal thus far among the diplomats has been Adlai E. Stevenson, the delegate to the United Nations. Still on the sidelines but regarded as in the ranks by the opposition are such figures as Secretary of State Dean Rusk, and McGeorge Bundy, the Presidential Assistant for National Security Affairs.

Lined up on the other side are the military leaders, although it is still unclear how far the civilian officials of the Pentagon are ready to go in endorsing the unanimous recommendation of the Joint Chiefs of Staff for a resumption of atmospheric tests.

The five members of the Atomic Energy Commission are virtually unanimous in favoring some atmospheric tests, while differing somewhat on what tests are necessary. Finally, and perhaps decisively, the pro-test faction includes about every member of the influential Joint Congressional Committee on Atomic Energy.

DEBATE INVOLVED

Basically the argument of the scientific-diplomatic factions runs like this:

The Soviet Union made substantial weapons progress in its 50 atmospheric tests but not enough to upset the nuclear stalemate. In fact, the tests may have had the effect of stabilizing the stalemate since it is likely that the Soviet Union developed warheads for more invulnerable missiles and thus it will be less jittery about a surprise attack and less inclined to trigger a preemptive attack against the United States.

This country, the scientific-diplomatic faction contends, already possesses more than enough striking power to destroy the Soviet Union. The improvements that could be made in existing warheads are not really necessary and would not add significantly to this Nation's military power. More important at this point, the faction says, is finding some way out of the atomic arms race.

Basically the argument of the pro-testing faction is that as long as the arms race is continuing, the United States has no choice but to compete in it, if only to protect the one military advantage it possesses over the Soviet Union in its atomic arsenal.

This group is willing to concede that the Soviet Union did not upset the nuclear balance in its test series, but it offers the rebuttal that nuclear weaponry is not a static art any more than any other technology.

SECONDARY ARGUMENT

Complicating this basic debate is a secondary argument over what and how many tests should be conducted in the atmosphere. Thus far, there has been a tendency on the part of the Atomic Energy Commission to propose only a limited number of tests. What is concerning members of the Joint Congressional Committee is that the tests are so limited in number and objective that it is doubly difficult to justify any atmospheric test program.

Which direction the President will turn remains unclear. Longtime political associates believe the President ultimately—if he has not already—will decide that some atmospheric tests are necessary.

It is a decision that the President probably cannot postpone much longer. Preparations are proceeding for atmospheric testing from a task force at sea in the Pacific, from Johnston Island, and perhaps on the British-held Christmas Island.

In another month or so the preparations will be completed, and the question of to test or not to test will demand an answer.

[From the New York Times, Mar. 12, 1962]

NEUTRONS, NEUTRALS, AND FREEDOM

(By C. L. Sulzberger)

GENEVA, March 11.—The crucial fact to be recognized at the forthcoming disarmament conference is that Russia achieved a weapons breakthrough during its last nuclear test. Therefore, unless Moscow agrees to built-in nuclear controls and fair inspection, the United States must resume testing itself. We have to aright the balance before Moscow mass produces its new discoveries in coming years.

There is no reason to be hesitant about explaining this precisely to neutral nations represented here. They should be made to realize their own ultimate security depends upon our decision. Either Khrushchev must accept real, rather than phony, nuclear disarming or we must resume experiments to catch up. The neutrals have to be reminded it is only because there is a balance of implied terror that they continue as independent states. If we permit Russia to consolidate any advantage, countries like the United Arab Republic or India face the fate of Hungary and Tibet.

Our overall military position is good. We have an impressive array of missiles—although not yet tested with atomic warheads—plus an air, naval, and ground arsenal, on the whole better than Russia's. But the big race now is to discover what might temporarily be regarded as an "absolute" weapon. If Khrushchev could attain an edge similar to that held by the United States when we had the only fission warheads and means of delivering them, Russia might not be so scrupulous as we were about not using this advantage.

DEFENSE GUARANTEES

For some years both the United States and the U.S.S.R. have been engaged in a search for a guaranteed means of destroying enemy rockets, or at least their warheads, before they strike. What is known as Project Defender in Washington has sought to find either a point defense, meaning antiaircraft batteries with this capability, or a roof defense equivalent to a protective umbrella.

The initial lap focuses on neutron explosions. Neutron particles, properly distributed at the right time can melt nuclear warheads as they are being borne toward their target. There is now real evidence that Russia has achieved a breakthrough here and we cannot equal this without further nuclear tests. Last September 5 I asked Khrushchev if his forces had an antimissile missile with a neutron warhead. In perfectly good humor he replied:

"I can only tell you that at the same time we told our scientists and engineers to develop intercontinental rockets, we told another group to work out means to combat such rockets. We expressed our great satisfaction with the work of the experts who produced ICBM's [intercontinental ballistic missiles]. At the same time, we remain very satisfied with the work of those who produced the means for combating such rockets."

It was hard to make deductions from this statement alone. Furthermore, the Soviet tests had not yet been completed. However, since then, Western scientific assays have concluded that what Khrushchev implied was true; and there have been further Soviet claims.

DEMOLISHING WARHEADS

Marshals Malinovsky, Moskalenko, Yeremenko and Chuikov all claim Russia has solved the problem of demolishing enemy warheads in flight. Moskalenko was in charge of the latest tests. Yeremenko, who pretended the West was preparing a surprise attack, asserted Soviet antiaircraft rockets could "hit any target with excellent precision."

If this is so, it is essential for our continued existence to match if not surpass the Soviet accomplishment before it becomes operational. Less dynamic capitals than Moscow have been tempted into aggression when possessing weaponry advantages.

The answer is plain and even skeptical neutrals should see the point. We don't want war, but we intend to be able to protect ourselves if war comes. Because of the acknowledged dangers of nuclear testing we have always been prepared to cease experimenting and discard nuclear arms. But we can't do this until our adversary does. Nor can we afford merely to accept his promises—which he so recently violated. We must be in a position either to know or to test.

This is in the interest of our own security and free world security. We include in the free world all neutralist nations. They may hate atomic testing, although they didn't complain too much to Moscow. But they wish to remain free.

[From the New York Herald Tribune, Aug. 9, 1962]

ADMINISTRATION OFFER TO SOVIET ON INSPECTIONS—PROPOSAL

(By Seymour Freidin)

A sweeping U.S. nuclear test ban concession, rebuffed coldly in private by the Russians 2 days ago, was offered publicly in Geneva yesterday.

Controversial in concept, the proposal says: The United States will reduce from 180 to about 80 its demand for the number of control posts to police a ban around the world.

The offer was presented by Arthur Dean to the 17-nation disarmament conference. Mr. Dean, chief U.S. disarmament negotiator, returned here the other day after detailed talks with President Kennedy and scientific experts in Washington.

Ironically, as Mr. Dean formally submitted the concessions the Russians tested again. They blasted off another A-weapons test in the atmosphere in central Siberia.

This one, as reported by the Atomic Energy Commission, was in the low kiloton range. Only Sunday, the Russians triggered a mammoth explosion, 30 megatons, as part of their new test series. The latest blast makes at least 88 A-test explosions for the Russians since 1949. We have tested 254 devices since 1956. But ours have had a force of .655 megatons on the average as against a 1.954 average in the Soviet tests.

Despite audible Soviet no-interest in the U.S. offers, the administration was busy in Washington trying hard to stimulate Russian interest. Secretary of State Rusk had Soviet Ambassador Anatoly Debrynin over to see him for 75 minutes.

The Dean proposal in Geneva and the Rusk talk in Washington were obviously intended to convince the Russians not to spurn the new American offers.

Why, after the checkered history of 3 years of test ban negotiations, did the United States make the concession? The answer can be found—controversial as it is—in an American improvement. Detecting devices, so Mr. Dean has contended, have gone ahead rapidly.

Thus, our techniques for detecting sneak tests are much better than ever. American scientists will be at Geneva to explain how it is that detection has become so much more alert.

Their assessments at Project Vela apparently led to the decision for the concessions. In 1958, before test ban negotiations started, Soviet and Western scientists agreed that 180 inspection points throughout the world were essential to supervise a treaty outlawing tests.

This would have cost somewhere between $1 and $2 billion annually. It wasn't the cost so much as inspection and control that caused the Russians to renege on agreements. They had consented, after hard bargaining, to three on-site inspections a year. Then they withdrew, tore up their own agreement, contending that on-site inspection was strict espionage.

They have gone back to a do-it-yourself inspection demand. The United States says no—no concession on that point. President Kennedy has offered this possible alteration: National control posts but internationally supervised.

The President's presentation, vaguely worded and deliberately so, was misinterpreted by many thereafter. Nevertheless, the reduction of control posts and on-site annual inspections was intended to make an impact on the world's neutrals.

[From the New York Times, Aug. 19, 1962]

UNITED STATES WEIGHING "FIRST STEP" PACT ON A-TESTS IN AIR—SUPPORT OF BAN ON BLASTS IN ATMOSPHERE WOULD BE MAJOR SHIFT IN POLICY—NEUTRALS DREW UP PLAN—CAPITAL WANTS FULL ACCORD ON ALL FIRINGS BUT BELIEVES MOSCOW WILL NOT AGREE

(By J. Anthony Lukas)

WASHINGTON, August 18.—The administration is considering active support for a "first step" treaty on nuclear tests that would be limited to prohibiting tests in the atmosphere.

Support for such a treaty would represent a significant change in policy. The United States has been insisting on a comprehensive treaty outlawing all tests.

State Department officials said today that the matter was under consideration here and was also the subject of consultations in Geneva with U.S. allies and neutralist nations at the 17-nation disarmament conference sponsored by the United Nations.

Officials here emphasized that the United States would still prefer such a treaty.

But they noted that prospects for agreement along these lines appeared dim because of the repeated Soviet rejection of the latest U.S. plan, which was presented to the disarmament conference earlier this month.

At that time the United States suggested reduced requirements for the number of monitoring stations and on-site inspections to control such a treaty. But the Soviet Union has continued to resist the principle of on-site inspections.

In the light of this Soviet stand, the eight unalined nations at the disarmament conference have been pressing for a more modest treaty.

The idea for a partial agreement on banning atmospheric tests alone was put forward in a memorandum by the neutralists last April.

STRONG SUPPORT FOR UNITED STATES

More recently, it has been backed again by Mexico, Brazil, and Sweden.

The first Western endorsement of the plan came last Wednesday in a speech in Geneva by Francisco Cavalletti, the Italian delegate at the conference.

Signor Cavalletti strongly supported the U.S. proposal and its demand for on-site inspections, but he asked whether, in the light of the Soviet Union's position, some consideration should not be given to a limited treaty banning atmospheric and underwater tests.

He emphasized that he was not talking about an uncontrolled moratorium on tests but on a first-step treaty which would anyhow start to bind the contracting parties.

At the same time, he said, these parties should consider a draft treaty banning underground tests.

The first reaction in some quarters here was to interpret the Italian position as a major break from the Western stand.

But in response to questions at a press briefing yesterday, a State Department spokesman made it clear that the Department did not regard it as such.

The spokesman said:

"There has been some talk among the delegates at Geneva to the effect that the conference should not break up without some sort of a test ban.

"The Italian delegate, as I understand it, merely expressed the hope that something along those lines would be accomplished. We do not regard this observation as a breakaway from the Western position."

When asked to define that position, he said, "You know our position." He refused to elaborate.

U.S. ACCEPTANCE SEEN

Some diplomatic sources here were inclined to interpret this as an indication that the United States was now willing to accept such a limited treaty.

It was learned here today that the United States knew the contents of Signor Cavalletti's speech before it was delivered and made no objection at that time.

There is some reason to believe, therefore, that the Italian speech may have been a "trial balloon" to test reaction to such a treaty.

Officials here do not believe there is much chance that the Russians would accept a ban on tests in the atmosphere with the kind of controls that the United States would still insist on having.

For although atmospheric tests can be detected far more easily than those underground, the United States would still insist on a worldwide network of monitoring stations.

But there would be far less need for onsite inspections—the central point of disagreement between Washington and Moscow.

If the United States does make such a proposal it could be made either at the Geneva talks, which will probably recess early next month, or at the United Nations General Assembly, which convenes in New York September 18.

This would not be the first time that the United States has proposed a ban on tests in the atmosphere.

President Kennedy and Prime Minister Macmillan proposed last September that the Soviet Union agree to voluntarily refrain from tests in the atmosphere.

They said they were willing to rely on only existing means of detection. The Soviet Union, which had just resumed atomic testing, turned down the proposal and went ahead with its test series as planned. The United States then also resumed tests.

[From the New York Times, Aug. 29, 1962]

Moscow Rejects United States-British Plans on Nuclear Tests—But Allies Suggest Further Consideration by Soviet of Total or Limited Ban

(By Sydney Gruson)

Geneva, August 28.—The United States and Britain refused to accept a negative answer today to their latest proposals for a total or a limited ban on nuclear weapons tests.

Vasily V. Kuznetsov, a Soviet Deputy Foreign Minister, categorically rejected the proposals. However, Arthur H. Dean of the United States and Joseph B. Godber of Britain told Mr. Kuznetsov that they would await further Soviet consideration of their offer.

The Western Powers' stand served to keep the proposals alive, at least in their opinion. This will enable the 8 unalined delegations in the disarmament conference to comment, possibly in a meeting of the 17 conference members tomorrow.

SOVIET SHIFT UNLIKELY

Mr. Kuznetsov's speech to the three-power test ban subcommittee raised little hope that the Russians could be persuaded to change their minds even in the unlikely event that the neutrals take an unequivocal stand against them.

The neutrals have supported the idea of an uninspected ban on atmosphere, space, and underwater tests if the three major powers cannot agree on a comprehensive ban including underground tests.

Yesterday the United States and Britain submitted to the disarmament conference draft treaties giving the Soviet Union a choice of a total ban with international onsite inspection, or an uninspected limited ban, while negotiations continued to include underground tests.

RUSSIANS OPPOSE INSPECTIONS

Before Mr. Kuznetsov gave his polite but firm rejection, Mr. Dean summarized the contents of the two treaties. He urged earnest and openminded consideration by the Soviet Union.

Mr. Dean said the current series of Soviet tests, eight of which have been reported, was not an auspicious background for the test-ban negotiations. The proposed comprehensive treaty, he noted, would stop all tests and provide the "guarantees, necessary to insure all tests have in fact ceased."

Mr. Kuznetsov was not convinced. The main point of the Western draft for an all-inclusive ban, he said, is obligatory on-site inspection. He charged that this was a demand "guided by political and military considerations that have nothing to do with a test ban."

Inspections are the major stumbling blocks. The West maintains that some inspections are needed to prevent cheating. The Soviet opposes inspections on the ground that such actions are really masks for espionage.

Mr. Kuznetsov reiterated the Soviet assertion, which the West does not accept, that all underground tests can be detected by existing national systems, and contended that all tests carried out by the United States, Britain, and France had been recorded by the Soviet Union.

According to Mr. Kuznetsov, the proposed partial ban on tests in the atmosphere, space, and under water would serve to legalize underground tests. The logic of this argument, Mr. Godber said afterward, escaped him.

The Soviet delegate reiterated yesterday's argument that a partial ban excluding underground tests would stimulate the arms race and increase the danger of the spread and development of nuclear weapons.

RUSSIAN LISTS TERMS

Mr. Kuznetsov indicated that there were three bases for a test-ban treaty acceptable to the Soviet Union. All three have been rejected by the Western Powers. They are:

1. The provision for nonobligatory inspection by invitation in the event of a suspicious seismic event. This principle was raised in the memorandum the eight neutrals submitted to the conference in April.

2. A cutoff date to be agreed upon, perhaps the end of 1963, for the end of all tests. This would simply amount to an indefinite unpoliced moratorium. The Western Powers will not accept even a brief moratorium on these terms, because the Soviet Union resumed atmospheric testing last year after repeatedly pledging that it would not do so.

3. A ban on tests in the atmosphere, space, and under water, accompanied by a moratorium to last until controls are worked out for general and complete disarmament. This is not even a shadow on the most distant horizon.

At one point during his statement, Mr. Kuznetsov read back to Mr. Dean parts of a speech the U.S. delegate made on August 17 to elaborate the refinement of nuclear weapons still possible through underground tests.

The Soviet delegate used Mr. Dean's case to argue against excluding underground tests from a test ban treaty. Mr. Dean raised the point again today in support of the Western Powers' insistence on international onsite inspection.

"We have gone very far to meet the Soviet position," Mr. Godber said. "All we ask of you is to come a short way to meet us. All that prevents agreement is a double handful, at the most, of obligatory inspections."

[From the Christian Science Monitor, Oct. 30, 1962]

U.N. Sting—Test-Ban Demand Dismays United States, Britain

(By William R. Frye)

Thirty Western and neutralist countries are putting severe pressure on the United States and Britain to water down or eliminate demands for inspection in a test-ban treaty.

They are proposing that the U.N. General Assembly:

Call for an uncontrolled moratorium on all nuclear weapons testing to begin not later than January 1, 1963.

Endorse inspection "by invitation" as the basis for future test-ban treaty negotiation.

Rebuke the United States, France, and the Soviet Union for testing in defiance of a U.N. appeal made last year.

The proposal was dismaying to Washington and London, which have tried hard to persuade the U.N. an uncontrolled moratorium would be harmful and dangerous.

ALTERNATIVE OFFERED

The two Western capitals offered an alternative plan almost immediately.

They agreed to a moratorium in the atmosphere, the oceans, and outer space where national detection systems are considered adequate, but insisted upon international inspection if, as Washington and London prefer, underground testing is also to be prohibited.

Both plans were placed before the 109-nation Political Committee of the U.N. General Assembly Friday. It is considered likely that both will be approved by large margins.

The fact that important parts of the two plans are inconsistent does not change the probability of passage.

The U.N. often approves both of two alternative routes to the same goal. It did so last year in the test-ban field.

FIRST U.S. REBUKE

Washington and London hope their plan will share the spotlight with the 30-nation proposal, thus diverting some of the world pressure for what they consider an inadequately inspected test ban.

The 30 nations which sponsored the moratorium were not all neutralists. Five of them were Latin Americans. Seven others were countries often considered Western oriented.

Support for the plan, moreover, is expected from such Western countries as Canada, the Republic of Ireland, Norway, and Japan.

The proposed rebuke to the United States was unprecedented. France and the Soviet Union, the other two targets, have felt the U.N. lash before, but Washington has not.

Without naming any country directly, the proposal asked the Assembly to "note with regret that the states concerned have not responded" to last year's test-halt appeal.

Three other key paragraphs would state that the Assembly:

"1. Condemns all nuclear weapons tests.

"2. Asks that such tests should cease immediately and not later than January 1, 1963.

"3. Endorses the eight-nation joint memorandum of April 16, 1962, as a basis for negotiations."

The eight-nation memorandum offers "invitational inspection" as a presumptive compromise between obligatory inspection (the Western view) and no inspection (the Soviet view). A country suspected of secret underground testing would be put under moral pressure to invite international inspectors.

The United States and Britain proposed in their plan that the memorandum be one of the bases of negotiation, along with Western and Soviet draft treaties.

[From the Baltimore Sun, Oct. 6, 1962]

Group Backs New Action by Assembly—Urges Call for an Immediate End of Nuclear Shots

(By Paul W. Ward, Sun staff correspondent)

New York, November 5.—Four of the U.S. NATO allies and all the United Nations Latin American members except Cuba contributed here today to an 81-to-0 vote with the effect of condemning the atomic tests policy President Kennedy stated at noon yesterday.

The President announced that the United States had ended its "present atmospheric test series in the Pacific" but would continue "underground nuclear tests, free from fallout * * * in Nevada."

The vote was to "condemn all nuclear tests," not just those that shoot radioactive debris into the earth's air cover, and it was supplemented a few minutes later by an 88-to-10 vote to have the Assembly call for an immediate and unconditional moratorium on tests below as well as above ground.

PART OF SERIES

The 2 votes were part of a series of 22 taken on the atomic tests-ban issue in a United Nations Assembly committee at a session which was further highlighted by:

1. A Soviet-bloc demonstration that the truce effected between President Kennedy and Soviet Premier Khrushchev on Cuba carries with it no reduction of the barriers the Communists have in the past put in the way of both disarmament and test-ban negotiators.

2. A display of overwhelming opposition by Afro-Asian bloc neutralists and East European Communists to the principle of on-site inspections that Washington insists be not only written into any disarmament agreement but also applied immediately in Cuba.

THANT CONFERS

3. A final result of a kind which United States and British representatives had been warning would encourage the Kremlin to persist in its opposition to any system for international "verification."

Meanwhile, waiting for a signal from Havana that might enable him to speed up his efforts to substitute a permanent peace arrangement for the East-West truce in the

Caribbean, U Thant, the United Nations Secretary General, put off any move to call the Security Council back into session and conferred, instead, with Soviet, Cuban, and United States officials.

He was also awaiting the arrival here tomorrow of two representatives of Switzerland's International Red Cross Committee to work out details of a still tentative arrangement to have its agents check the manifests of Soviet-chartered ships bound for Cuba.

There also issued from "U.S. sources" an admonition that the time has come not for another Security Council session on the Cuban situation but for one to start the process of determining whether the Kremlin will let Thant be elected "Secretary General" for a full 5-year term beginning April 10.

Washington's delegation will not, however, move formally for such a Security Council session it was intimated, until its members and attachés complete soundings they already have begun among other delegations here.

In the rollcall vote to "condemn all nuclear tests," the affirmative majority was so huge that, in effect, the United States and the Soviet Union "took the fifth amendment" and, rather than incriminate themselves by voting "no," abstained along with 23 other members.

NATO ALLIES

The latter included Cuba and nine Soviet-bloc delegations, and nine of the U.S. NATO Allies.

Except for Dahomey, Rwanda, Uganda and Yemen, which were marked "absent" throughout today's voting, all other members voted "aye."

Their 81 "yes" votes contrasted with the 50 registered in the day's final rollcall when the United States and Britain pushed through a resolution—in disregard of neutralist pleas for its withdrawal—that would have the Assembly give at least oblique endorsement to President Kennedy's atomic tests policy.

With 104 of the United Nation's 110 members answering to the rollcall, the result in this case was just 50 votes for the Anglo-American formula that, when presented here last November 8, had evoked 71 "yeas."

FOR ALL TIME

The Anglo-American resolution called for an East-West "treaty with effective and prompt international verification which prohibits nuclear weapons tests in all environments for all time" and for "an interim treaty prohibiting * * * tests (only) in * * * the atmosphere, the oceans, and space."

Before the voting began Valerian A. Zorin, speaking for the Kremlin, declared the open letters about the Caribbean situation that President Kennedy and Premier Khrushchev exchanged 9 and 10 days ago created conditions propitious for Assembly approval of an atomic test-ban formula that five Latin American delegations and Sweden and Yugoslavia had joined 30 Afro-Asian bloc members in putting before the committee.

NEGATIVE ATTITUDE

Urging overwhelming approval of that formula, calling basically for another voluntary test moratorium like the one Moscow disrupted last fall after a 3-year lapse, Zorin warned that if pending Anglo-American and Canadian amendments were written into the formula, he would not then be able to cast Moscow's vote for it.

The statement issued at the White House yesterday "testifies to the negative attitude" of the United States on the test-ban issue, he continued. Then, charging that the pending Anglo-American amendment was an attempt to "impose the unilateral U.S. view," he declared the Soviet Union would vote against it.

Zorin belittled the fact that, under neutralist pressure, the United States and Britain had had to delete specific reference to "on-site inspection" from their amendment, which was designed to qualify the demand in the neutralists' formula for an unconditional moratorium on all atomic testing.

The Anglo-American amendment in its final form stipulated that any "limited interm agreement (on a test ban) shall include adequate assurances for effective detection and identification of seismic events by an international scientific commission."

ADOPTED 65 TO 11

It was adopted 65 to 11, with Cuba and the Soviet-bloc 10 providing the only nays, and 26 Afro-Asian-bloc members abstaining along with France and Yugoslavia.

Zorin also declared that the position of the Soviet Union on nuclear tests has always been the same. He objected to a Canadian amendment calling for resumption of East-West disarmament, as well as test-ban, negotiations at Geneva on schedule next Monday.

But, he added, he would not vote against the amendment provided there was tacit understanding that the Assembly need not complete by November 12 the debate on general and complete disarmament which the committee began this afternoon.

SHOW OF HANDS

The Canadian amendment in question was subsequently adopted 88 to 0 on a show of hands.

The first vote of the day was on a Canadian amendment which wrote into the 37-power resolution a paragraph welcoming the intention to find a speedy settlement of the remaining differences on the question of the cessation of nuclear tests proclaimed in the open letters recently exchanged by President Kennedy and Premier Khrushchev.

That insert was approved 98 to 0.

The first rollcall of the day was also the third vote in the series of 22 and was followed by one on a Canadian amendment that would have a Washington, London and Moscow instruct their Geneva representatives to reach agreement by January 1963.

TEN VOTES

The vote lineup on this Canadian amendment was 62 to 11.

There ensued at Soviet insistence a series of 10 show-of-hands votes on an equal number of preambular paragraphs in the neutralists' formula, including one reaffirming 78 to 0 the Assembly's call last November 6 for a voluntary moratorium on all atomic tests until such time as an East-West treaty banning them forever is achieved.

[From the Washington (D.C.) Post, Oct. 20, 1962]

THIRTY NATIONS IN U.N. CALL FOR UNPOLICED TEST BAN

(By Louis B. Fleming)

UNITED NATIONS, N.Y., October 19.—Thirty nations offered a resolution at the United Nations today calling for the cessation of all nuclear testing by January 1.

The United States and Britain, which had fought to amend the resolution, quickly countered with their own resolution and openly challenged the call for a cessation of tests.

Behind the scenes, there was keen disappointment among United States and British delegates that the 30-nation resolution amounted to nothing more than another request for an unpoliced moratorium.

The 30-nation resolution asks the immediate cessation of testing, but in any case not later than January 1. And it instructs the Disarmament Committee, scheduled to resume discussions in Geneva November 12, to report back to the General Assembly by December 10.

There is no specific provision to meet the basic Western demand for a guarantee of inspection on underground testing. Western nations had asked for only two words to be added to the draft, but they were refused.

The words reportedly were "by treaty," to make reference to the Western Geneva proposals as part of the resolution.

The United States-British resolution calls for a treaty to ban nuclear tests, but includes the words, "international verification," as part of the text. It calls for an immediate halt to tests in the atmosphere, under water, and in outer space, where cheating can be detected. It calls for early agreement on a deadline for all testing at which time a treaty could go into force.

Commenting on the 30-nation proposal, a British spokesman said:

"We don't like it and we have made that clear to the sponsors, and we might well vote against it."

A U.S. spokesman expressed his disapproval also, reiterating the American position to oppose any form of moratorium on testing that does not include some provision for verifying that all parties are observing the terms of the treaty.

The draft offered by the 30 nations is expected to win support from the Soviet Union, which has spoken in favor of an unpoliced moratorium. But it was understood that even the Soviets had expressed some questions about the 30-nation resolution, having hoped for some wording in the introduction which would have challenged the Western position that underground tests cannot be identified by distant instruments.

Informed sources here predict another defeat for the United States and Britain when the resolutions come up for a vote in the next 2 weeks. The Assembly last year overruled their objections to an unqualified call for a moratorium on testings and seems headed for the same action again this year.

[From the Washington (D.C.) Post, Nov. 29, 1962]

NEUTRALS ASK A-MORATORIUM PENDING CONTROL AGREEMENT

(By Flora Lewis)

GENEVA, November 28.—The nonalined nations at the disarmament conference here launched a renewed campaign today to end all nuclear tests by the beginning of next year, proposing an interim agreement to bridge the East-West gap on the crucial issue of inspection.

Swedish delegate Rolf Edberg suggested a moratorium with a fixed time limit in which to work out permanent international controls. His long formal speech did not make clear whether Russia would have to accept inspection in the meantime.

On this basis, neither East nor West showed interest in the plan.

Adbed Fattah Hassan, the United Arab Republic's delegate, immediately voiced support for the Swedish proposal, however, and said he thought the other neutrals would agree.

India, whose delegate, Arthur Lall, is scheduled to speak Friday, was preparing a different version of the idea to stop tests now with a temporary agreement. It was expected, however, that the Indian plan will clearly provide for on-site inspections to prove whether suspicious earth tremors were caused by underground atomic explosions or not.

After his speech, Ambassador Edberg said privately that his plan was meant to require acceptance of the principle of inspection, but leave the timing and technique to be worked out by a commission of scientists.

He suggested immediate convocation of a commission, probably of scientists from nonalined countries, to be appointed by a group like the International Committee on Geophysics and confirmed by the disarmament conference. It would be up to this commission, he said, to work out interim controls and to police a test ban during the moratorium. The Swedish plan had not been shown informally to other delegations before the speech.

U.S. Delegate Arthur Dean told the conference that America would study the plan, but added that "we have had bitter experience with moratoriums in the past." He reminded the delegates that Russia broke a test ban moratorium last year and said it was a "bitter lesson."

After the morning session, Dean told newsmen that the United States is "not going into anything on a half-baked amateurish basis." The Swedish proposal, he said, "seems to refer to a bunch of amateur scientists setting up in the control business."

The British took a more reserved position, although their delegate, Joseph Godber, supported Dean explicity against any uncontrolled moratorium.

Later, in a British-American-Soviet meeting of the test ban subcommittee, Godber twitted Soviet delegate Semyon Tsarapkin for saying nothing about the Swedish plan.

Tsarapkin said he would look into it, but repeated that the Soviet Union was not going to change its flat opposition to either admitting foreign inspectors on its soil or to accepting the authority of an international control system.

Self-policing, with each country supplying reports to an international body, was enough he insisted.

It seemed evident that further big-power debate on the Swedish idea would be more of a test of intentions on the inspection issue than a possible breakthrough toward negotiations.

The Russians have refused to answer direct questions here on their intentions, which has led other delegates to believe that they have not finished their current series of atomic tests and will in fact conduct more tests.

The West has offered an unpoliced ban on atmospheric, space and underwater tests, or a complete ban with international policing to check against underground tests. Russia insists that any agreement must cover all tests, with no compulsory inspection.

The long months of discussion here, which have brought many changes in the U.S. position toward easing the scope of control demands, do seem to have brought the neutrals to an increased appreciation of the importance of assuring some inspection, however.

When the day's postconference lobbying had ended, there seemed to be a possibility that the West might decide to consider a well clarified version of the Swedish idea, but that it would still run up against flat Soviet opposition.

[From the Baltimore Sun, Dec. 6, 1962]

Soviet Trap on Test-Ban Issue Seen—West Expects Russia To Announce End to Red Blasts

Geneva, December 5.—The United States and Britain sought today to dismantle a trap they believe Soviet Premier Khrushchev is preparing for the West on the nuclear test-ban issue.

The U.S. Ambassador, Arthur H. Dean, said the West expects Khrushchev to announce an end of all Soviet testing on his own initiative, regardless of what the other atomic powers do.

Dean told the 17-nation disarmament conference such a move was foreshadowed by the Soviet Union's determination to frustrate all attempts to negotiate a meaningful test-ban treaty.

COORDINATED SPEECHES

He saw the whole Soviet design as an involved effort "to maneuver the West in every possible way into some sort of uninspected, uncontrolled moratorium arrangement."

In coordinated speeches, Dean and Sir Michael Wright, the acting British delegation head, reminded the conference that the Russians were unwilling to negotiate a treaty on any of the compromise alternatives still open.

The implication of these speeches was clear to the other conference delegates. The remarks of Dean and Wright represented an attempt to render harmless a diplomatic bombshell before it can be tossed into the arena.

The United States and Britain would find themselves on the defensive before world public opinion if Khrushchev halted all Russian tests. The Soviet leader might even present this as Moscow's Yuletide present to the world.

Khrushchev also could claim a Soviet test halt matches the spirit of a United Nations resolution calling for an end to all nuclear blasts by January 1.

Yet, Western sources said, the Russians would have nothing to lose by such a gesture.

Both the United States and the Soviet Union recently have completed a series of nuclear blasts. It will take months for the scientists in each country to evaluate the results of those explosions.

COULD TEST AGAIN

Once the Russians complete their evaluations, one westerner said, there would be nothing to prevent them from testing again, just as they did when they killed the old moratorium on September 1, 1961.

Dean told the conference the West would never again be put in a position of placing its trust in an unpoliced moratorium. The lesson learned in 1961 was enough, he said.

"We sincerely hope that the Soviet Union will reconsider its tactic of abandoning negotiations for this ill-considered course of once more engaging in unilateral declarations and so-called pledges," Dean said.

"It is fundamental, we believe, that all disarmament arrangements should be under the necessary strict and effective international control."

THREE-HOUR CONFERENCE

After the 3-hour conference session the Soviet delegate, Semyon K. Tsarapkin, said Dean's speech flouted the will of the United Nations General Assembly. He said the American Ambassador made "a very dangerous statement which dooms the prospects of this conference."

Tsarapkin did not speak to the delegates. Conference sources said he sat poker-faced through the attacks on Soviet policy from Dean and Wright.

[From the Washington Star, Jan. 11, 1963]

United States, Russia Plan New Talks on Banning Nuclear Testing

(By Earl H. Voss)

Semyon K. Tsarapkin, Soviet cochairman of the Geneva nuclear test ban talks, has arrived in New York for a round of new discussions with the United States, probably beginning next week.

No new test ban proposals are known to be ready for discussion, usually well-informed officials of the Arms Control and Disarmament Agency said today.

But news of the new attempt to break the deadlock on a test ban agreement coincided with the release by the Disarmament Agency of a nongovernment report examining the prospects for reducing inspection requirements by the West in all disarmament proposals.

Soviet First Deputy Foreign Minister Vasili Kuznetsov and William C. Foster, Director of the Disarmament Agency, touched on the new Soviet-American talks when they met at the State Department yesterday afternoon.

MEET AT LUNCH

They are expected to go further into the matter when Mr. Kuznetsov has lunch with Mr. Foster today.

Secretary of State Rusk and Mr. Kuznetsov joined in expressing hope that "we are entering a period in which some outstanding problems might be solved," a U.S. spokesman said yesterday after they held a 4-hour meeting.

This statement, by State Department Press Officer Joseph W. Reap, was not repeated by the Soviet Deputy Foreign Minister himself. He described his second day of Washington discussions as interesting and useful and said they covered "some important international problems." He declined to go beyond that.

SOME INTEREST INDICATED

After the Russian's meeting with President Kennedy Wednesday and with State Department leaders yesterday, U.S. informants were inclined to think there was some indication that the Soviets are interested in reaching a disarmament agreement, particularly a ban on nuclear testing.

One hope in Washington is that Russia, in the post-Cuba quest for agreements to reduce tensions between the Soviet Union and the United States, may now be more willing to permit the onsite inspections on which the West insists before any nuclear test ban treaty can be signed. The 12-nation disarmament talks in Geneva were to reopen next week, but were postponed yesterday until February 12.

U.S. officials who will participate in the New York talks have not yet been named. Charles Stelle, acting chief negotiator for the United States at Geneva, is here for consultations. Arthur Dean has submitted his resignation as chief negotiator.

The nongovernment report on "Verification and Response in Disarmament Agreements" is a summary of a summer seminar at Woods Hole, Mass., last summer. The report was published by the Institute of Defense Analysis of Washington, which administered the sessions under contract with the Disarmament Agency.

Participants in the seminar introduced a little-used term, "verification," which includes not only inspection but also measures that would provide confidence that a disarmament treaty is being honored.

Mentioned with actual inspection as types of verification were intelligence information, voluntary self-disclosure, and common knowledge.

"Depending on the nature of the specific measure and the level of confidence demanded from verification," the report says, "sources other than inspection may provide a part or all of the required information."

GENERAL PROPOSITIONS

Without reference to the nuclear test ban or any other measure in the field of general disarmament, the report offered these general propositions as relative to the determination of the degree and the kind of inspection.

"A policy of insistence on inspection only when needed to satisfy verification requirements enhances the possibilities for achieving arms control and disarmament. In meeting verification requirements for any particular measure it is essential to use inspection only insofar as other sources of information are unable to supply information needed for acceptable verification.

"The need for inspection is thus determined by the reliability, vulnerability, and usability of such other sources; that is, whether they require the active or passive cooperation of the adversary or of other governments, whether they are subject to jamming or other interference, and whether they can be used to support intended responses (to violations). The demand for greater inspection than this may impair the achievement of otherwise acceptable arms control arrangements."

BROADER QUESTIONS

Another proposition raised the question whether it is wise to seek additional gains from inspection systems such as "promotion of the concept of the open world and the open society," or "development of international institutions," or establishing precedents for other disarmament measures. These side objectives "must be recognized as competing with the substantive arms control measures * * * and thereby decreasing the chances for Soviet acceptance."

The United States has frequently been charged by the Soviet Union and other Western sources with seeking to penetrate the Communist world with inspection techniques designed for espionage.

A third proposition in the Woods Hole report claims that "there are significant arms control measures which can be verified with little or no inspection." None of these were mentioned specifically, but the "low-inspection measures" were designated as the best prospects for early agreement.

DETERRENTS MAINTAINED

Verification requirements could be reduced, the Woods Hole report suggested, if agreed levels of missiles and nuclear stockpiles were retained by both sides as deterrents to surprise attack.

Verification requirements for a cutoff of production of fissionable materials "would be nominal" under present circumstances because large stockpiles are already in existence and additional instruments secretly produced "would not be militarily significant," the summary report suggested.

"A production cutoff involving other countries (besides the United States and the Soviet Union) may have relatively stricter verification requirements," the seminar concluded, "because diversion of small amounts of material is more significant. Measures such as nuclear-free zones require little verification since compliance primarily benefits the side adopting the restriction by reducing the likelihood of unauthorized use, while violations can be easily countered."

[From the Washington Star, Jan. 14, 1963]

Mississippi Salt Dome To Be Used for A-Test

(By Jules Witcover)

The Atomic Energy Commission and the Pentagon are preparing to conduct underground nuclear tests in a Mississippi salt dome later this year or in early 1964.

The tests, part of a study on ways the Soviet Union might muffle nuclear explosions against detection, will mark the first time a nuclear device will have been set off east of the Mississippi River.

The blasts will be ignited in the Tatum Dome near Hatfield, Miss., under Project Vela-Uniform of the Pentagon's Advanced Research Projects Agency.

According to Dr. George F. Bing, Assistant Director of ARPA for nuclear test detection, all procedures for land acquisition have been completed and construction of the test facility should be finished by summer.

START UP TO KENNEDY

Start of the tests, Dr. Bing said, then will depend on a signal from President Kennedy.

The AEC's search for a suitable cavity in which to carry out the experiments began prior to the 1958 moratorium between the United States and the Soviet Union on nuclear tests, but was shelved during the nearly 3 years both sides observed the voluntary halt.

The Tatum Dome shots will attempt to find out how effectively an underground nuclear explosion can be "decoupled," or its seismic signals reduced to minimize detection by seismographs.

Data drawn from the first U.S. underground nuclear detonation, Rainier, at the Nevada proving ground on September 19, 1957, indicated that decoupled explosions in salt of yields as high as 300 kilotons would not be detectable or identifiable.

POINT OF CONCERN

The possibility that any partner to a test-ban treaty could cheat by decoupling explosions in large cavities dug deep into the ground has been one of the major points of concern among Pentagon scientists and military men in considering the dependability of any treaty.

The Mississippi tests, Dr. Bing said, also will include a close contact with the surrounding earth so as to transmit to it the largest possible fraction of its energy.

An objective of both the decoupling and tamped shots, he said, will be to determine how seismic waves react in environments other than those in which U.S. tests have been conducted to date. All tests in the continental United States have been held either in Nevada or New Mexico.

Dr. Bing emphasized ARPA's position that the tests are not designed to develop ways the United States itself may be able to obscure future underground tests, but to find out the techniques and problems it may have to deal with if the Soviets should try to avoid detection.

SALT DOMES IN RUSSIA

The Russians have many salt domes similar to those in the Mississippi-Louisiana oil regions, Dr. Bing said, but that is not the main reason Tatum dome has been selected.

The problem, he said, is to develop a cavity in a homogeneous material large enough to have great decoupling impact and yet within reasonable cost limitations.

What the AEC and ARPA will be able to do once they confirm how well nuclear seismic waves can be muffled is another matter, Dr. Bing admitted.

No significant breakthroughs were achieved as a result of underground tests in the past year, he said, nor have any nonseismic techniques been developed that might offer a better chance for foolproof detection.

[From the Baltimore Sun, Jan. 24, 1963]

Quick A-Ban Pact Urged by Izvestia—Soviet Paper Assails Haggling Over On-Site Inspections

(By Ernest B. Furgurson)

Moscow, January 23.—The Soviet Government newspaper pressed tonight for prompt signing of a nuclear test ban treaty without erection of artificial barricades by haggling over the number of onsite inspections to be allowed.

Premier Khrushchev's approval of two or three such checks a year has "removed the last trump from the hands of those who stubbornly oppose cessation of nuclear tests," an authoriative Izvestia commentator wrote.

Now "the very last word" must come from Washington and London, he insisted

DEMAND NOT REPORTED

The front page article by Vikenty Matveyev did not repeat the demand for inclusion of France in any test ban agreement—a condition renewed Monday by Andrei A. Gromyko, Foreign Minister.

Matveyev agreed with Washington observers who believe a ban is closer than ever as representatives of the United States, Britain, and the Soviet Union continue to negotiate in the American Capital.

He gave all the credit to the "new peace-loving initiative" taken by Khrushchev in agreeing to the principle of on-site inspection after the Soviet Union had insisted for months that inspection would be only a pretext for foreign espionage.

WOULD ACCEPT TWO OR THREE CHECKS

Khrushchev said in a note to President Kennedy that he would accept two or three checks a year in selected earthquake areas of the Soviet Union to guard against concealed underground testing. Mr. Kennedy greeted Khruschev's move but said at least 8 or 10 inspections would be needed.

The Khrushchev-Kennedy exchange was made public last weekend. Gromyko said at a reception here Monday that three was the maximum number of tests to be allowed and that France would have to take part in any agreement.

This complicated the issue because of President de Gaulle's determination to perfect a workable French atomic capability—which inevitably means more French testing. Gromyko would make no comment on whether Red China should also be included.

SKIPS FRENCH QUESTION

But Izvestia skipped the question of French participation to concentrate on the Khrushchev note and the current disagreement over how many checks are necessary.

"From the Soviet side the way is completely and finally clear to reach the necessary agreement in the shortest time," the commentator said.

Most technical details are already agreed on and "there is little left to do," he went on.

He said that world public opinion from nations of all political leanings supported Khrushchev's offer.

That proposal would "give humanity a treaty under which all test sites would be abandoned forever and the cause of disarmament would be advanced to firmer ground," Matveyev wrote.

But "it is true that attempts are already being made to tie a new knot of troubles—this time concerning on-site inspections.

"The number suggested by the Soviet Union seems to be inadequate to somebody in the West," Izvestia stated.

That "somebody" referred to Kennedy. Matveyev submitted some quotations from earlier Presidential statements to demonstrate that the U.S. position previously had not seemed unyielding on the question of how many inspections should be allowed.

Last October, the President said that issue could be easily settled, the commentator wrote.

RECEIVED "POWERFUL PUSH"

The effort to reach a mutually satisfactory ban has received a "powerful push" from the Soviet Union, he said.

To put up the "artificial barrier" of counting inspections now would be like placing a bomb in the path of an oncoming train, Matveyev said.

[From the Washington Star, Feb. 14, 1963]

A-Ban Position of United States Omits Global Watch—Foster Outlines New Position at Geneva Talks

(By Earl H. Voss, Star staff writer)

The United States has dropped its 5-year insistence on strong international supervision of the verification system for a nuclear test ban.

In addition, Russia has been informed the United States could settle for as few as seven automatic seismic stations inside the Soviet Union.

In recent talks in New York and Washington preceding current negotiations in Geneva, the United States asked 10 automatic stations in Russia.

William C. Foster, Director of the Arms Control and Disarmament Agency, failed to mention international supervision yesterday in outlining the United States new position on test ban controls before the resumed sessions of the 18-nation Disarmament Committee. A summary of his presentation became available here this morning.

ONSITE DEMANDS STAND

The American demand for 8 to 10 on-site inspections of suspicious events in the Soviet Union each year still stands. Where instrumentation cannot identify an underground event as an earthquake, the United States wants the right to send inspectors to search for evidence of a nuclear explosion.

The Soviet Union has opposed an international system of verification since November 28, 1961.

It advocates a predominately, if not exclusively, national system with an international clearing house for information developed by the stations manned by residents of the nation where the stations were located.

Opponents of the national system say an international commission would be virtually powerless in designating suspicious events or dispatching inspectors.

REDS WANT THREE STATIONS

The Kremlin also claims it will allow only three automatic or unmanned seismic stations and only two to three onsite inspections inside the Soviet Union.

Mr. Foster forecast the shift in the American position, made official yesterday, in a paper to the House Republican conference committee's subcommittee on nuclear test on February 1.

In that report he mentioned recent successes in American seismic research which established "a better capability for long-distance detection of earth tremors."

RELY ON U.S. STATIONS

This improvement "makes it possible to propose a simpler and more economical system for long-range detection," Mr. Foster told the House Republicans, "and to rely on stations operated by the United States for the detection of earth tremors in the Soviet Union."

Thus the West could escape placing primary reliance on Soviet-manned stations to detect such tremors, Mr. Foster said.

Stations manned by Russians would become only auxiliary tools to gain knowledge about the special features earthquakes in the Soviet Union, Mr. Foster explained.

As a result Mr. Foster claimed the United States "need be much less concerned about the possibilities for cheating at the stations."

At Geneva yesterday, Mr. Foster said, in effect, that the new American findings have permitted acceptance of the long-pressed Kremlin position that national detection stations should be one of the three major components of a system to verify the adherence to a test ban treaty.

DROPPED QUALIFIER

For the first time he dropped the usual qualifier, officials here reported, that the national detection stations should be internationally supervised.

This was the qualifier which President Kennedy first used in a press conference last August 1 when emphasis was on a control system to national control posts which would be "internationally monitored or supervised," in the President's words.

[From the Washington Star, Feb. 20, 1963]

UNITED STATES REDUCES TEST BAN CONDITIONS—SEVEN INSPECTIONS INSIDE RUSSIA NOW PROPOSED—OFFICIALS INDICATE FURTHER REDUCTION TO FIVE IS POSSIBLE

(By Earl H. Voss)

Seven on-site inspections per year inside the Soviet Union are now considered sufficient to police a nuclear test ban instead of 8 to 10 as previously required, the United States has informed the Kremlin.

William C. Foster, director of the Arms Control and Disarmament Agency, is understood to have conveyed this message to Soviet Deputy Foreign Minister Kuznetsov at an informal meeting of their two delegations in Geneva yesterday.

The new U.S. position is understood to have been formally made to the 18-nation Disarmament Committee today.

The Soviet Union has maintained its offer of two or three on-site inspections per year as a final, take-it-or-leave-it proposition.

American officials have hinted privately the United States might reduce further its demands for on-site inspections. Some have mentioned as few as five as a rockbottom annual quota.

AN OBLIQUE REFERENCE

Mr. Foster released only extracts from his speech in the closed Geneva conference session the AP reported. These included an oblique reference to American readiness to go below the minimum of eight inspections.

"The United States," said Mr. Foster, "as an earnest of its good intentions, has already indicated its flexibility in private talks and its willingess to consider such positions as the Soviet Union might put forth on key issues of the negotiations."

Senator HUMPHREY, Democrat, of Minnesota, attending the conference as an observer, told reporters it would be difficult to obtain Senate approval for fewer than eight on-site inspections per year, according to the AP.

TOTAL ARRANGEMENTS

The deciding factor in any reduction in the number of inspections, Senator HUMPHREY said, would be the total treaty arrangements to prevent cheating on the test-ban agreement.

"I don't think we ought to say that any particular figure is the ultimate and final word," Senator HUMPHREY said. "Obviously the Soviet offer of two or three inspections is unacceptable."

Mr. Foster was to fly to Washington later today to report to President Kennedy. He is expected back in Geneva early next week.

The latest move by the United States in the 51-month test-ban negotiation was intended, officials said, to draw the Soviet Union out of its sudden freeze in negotiations earlier this year in New York.

Some Government authorities here thought the Soviet Union might see a connection between the test-ban negotiations, Cuba, Berlin, and some other East-West cold war problems.

Concessions might be traded off in one area for the other side's movement in a second area, according to this theory. Few officials in Washington believe the test ban can be linked in this way.

Soviet Premier Khrushchev last December offered to accept 2 to 3 on-site inspections per year, and 3 unmanned automatic seismic stations on Soviet territory as a supplement to a test-ban control system based mainly on national seismic stations, 73 of them in the Soviet Union.

U.S. DESIRES

The United States now wants seven on-site inspections annually, seven unmanned stations, and a national seismic network inside the Soviet Union improved with equipment and additional stations.

The extent of inspection inside the United States or the United Kingdom is not an issue in the negotiations, since the Western countries are expected to accept whatever is considered reciprocal. The United States has offered a list of 76 national stations which could be used in this country if a treaty were signed and ratified.

Republicans in Congress have been expressing increasing apprehension over recent concessions by the Democratic administration. The Joint Atomic Energy Committee in Congress has scheduled hearings on the test-ban problem next March 4 and 5.

Mr. THURMOND subsequently said: Mr. President, earlier today the Senator from Connecticut spoke at some length on the subject of negotiations for a ban on nuclear testing. I want to associate myself with the remarks of the Senator from Connecticut and to congratulate him for the distinguished services he has rendered to the Senate and the Nation in making this speech. The Senator from Connecticut has undertaken and accomplished a most difficult task in setting the record straight on a subject that often proves too unwieldy for meaningful public discussion. All too often discussions of this subject lose their meaning and relevance in a mesh of scientific double talk. The Senator from Connecticut, while meticulously avoiding resort to the bulk of classified material to which he has access, has cut through the maze of oft-repeated technical jargon and laid bare the fallacies of our country's seemingly emotionalized obsession to obtain a nuclear test ban without proper regard for either the nature of the enemy or for the consequences of an improvident agreement.

The Senator from Connecticut pointed out that one sure way we could lose peace was by allowing ourselves to become so weak militarily as to invite attack. This warning from the Senator of Connecticut takes on an even more imperative significance when we understand that our national leaders cannot accurately assess the relative military strength or weakness of the United States without testing nuclear weapons. Not only is it necessary for us to test in order to develop our own nuclear weapons such as the neutron bomb in order to maintain a nuclear superiority, but we must test also for the purpose of evaluating the effectiveness of Soviet nuclear weapons. As has been reported in the past, and as related by Senator DODD, the Soviets recently undertook a most comprehensive series of tests, some of which were in outer space. We also need to test nuclear weapons in outer space in order to learn the effects of nuclear explosions in outer space with particular regard to the effects of nuclear reactions in outer space on delicate instrumentations such as are installed in various types of satellites.

The Senator from Connecticut correctly pointed out that there is a strong tendency in the philosophy of the administration at the present to rely on the possibility of meeting the Communist threat, particularly in Western Europe, with beefed-up conventional forces. Even if the Communist forces do not have the neutron bomb, the West could not withstand an all-out conventional assault by Communist forces in Europe without resort to nuclear weapons, and today we would have only the unwieldy, larger tactical weapons so unsuited to use in areas where we are attempting to defend the local populace against such assault. Also, it is interesting to note that the most recent Soviet text on military strategy, edited by Marshal V. D. Sokolovskiy does not even refer to the possibility of a conventional nonnuclear war, but is projected on the basic premise that any future war of major proportions will be a nuclear one.

Mr. President, the Senator from Connecticut is also to be commended for pointing out to the Senate and American public the reports that our present policy is one of nuclear stalemate rather than nuclear superiority. This policy derives from the fact that our Government has refused to set for our military defense an absolute criteria of maintaining the power to substantially eliminate the strategic forces of the Communists in one massive strike.

The Senator from Connecticut also pointed out that if the reports of the adoption by the administration of a policy of nuclear stalemate is correct, then there has been a change without consulting Congress.

I would like for the Senator from Connecticut and the Senate to know that the Senate Armed Services Committee is presently holding hearings on the defense posture of the United States. The Secretary of Defense has been testifying for the past 3 days and I can say to the Senate that not since I have been on the Armed Services Committee have I seen the members of that committee so unanimously concerned over the tendencies of our defense policy. There have been many questions of a most penetrating quality and I, for one, am far from satisfied on the basis of the information which has been elicited.

Mr. President, there is an increasing concern for our Nation's apparent preoccupation with test ban and the reports that our defense policy is resigned to a nuclear stalemate. In order to bring these matters to the attention of the Senate I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks the following:

First. The column by Edith Kermit Roosevelt which appeared in the Greenville News, of Greenville, S.C., on February 18, 1963, entitled "Administration Relying on Untested Weapons Systems."

Second. My weekly report to the people of February 18, 1963, entitled "Strategic Superiority or Strategic Parity?"

Third. An editorial from the News and Courier of Charleston, S.C., on February 14, 1963, entitled "McNamara's Stalemate."

Fourth. An article in the News and Courier of Charleston, S.C., of February 16, 1963, by Anthony Harrigan, entitled "Stalemate at Sea?"

Fifth. An article in the February 23, 1963, issue of Human Events entitled "Defense Department 'Intellectuals' " which is reprinted from Barron's National Business and Financial Weekly.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Greenville News, Feb. 18, 1963]

ADMINISTRATION RELYING ON UNTESTED WEAPONS SYSTEMS

(By Edith Kermit Roosevelt)

WASHINGTON.—If U.S. efforts for a test ban succeed our military may be committed to playing nuclear blindman's buff. "The fact is we are relying on weapons systems which were never fully tested and whose reliability is not checked at regular intervals," says a 90-page paper on American defense posture under study by the GOP Conference Committee on Nuclear Testing headed by Representative CRAIG HOSMER, Republican, of California.

"While entrusting our security to intercontinental ballistic missiles we have never launched an ICBM together with its warhead, nor destroyed a target with an ICBM-launched warhead," says this study by Dr. Stefan T. Possony, director of the international political studies program of the Hoover Institution of War, Revolution and Peace, Stanford, Calif.

Dr. Possony goes on to say that while there is no special reason to assume that our ICBM's won't work if needed, the fate of our Nation should not be trusted to assumptions.

Much can be gained in testing weapons like anti-ICBM's without nuclear warheads. But at one point, he insists, it will become necessary to test the whole assembly. Indeed, we might be well advised to launch an anti-ICBM together with its warhead, in order to determine whether or not we are developing our anti-ICBM's "the hard way." President Kennedy has intimated that the Soviets have been conducting such tests.

In support of Dr. Possony's thesis some experts argue that from time to time a weapon such as an ICBM in its silo or a bomb in the bay of a B-52 must be shot off in order to determine readiness and reliability.

Prior to World War II our torpedoes were not tested but were assumed to be battle-ready. We found in combat, to our pained surprise, that many of these torpedoes proved to be duds.

Couldn't we lose a war if we do not continuously check on the reliability of our weapons?

Secretary of Defense Robert S. McNamara himself has admitted the need of determining the effects of high altitude explosions on radars and communications as well as possibly on antiballistic defense designs. But our policy of gradual unilateral nuclear disarmament has resulted in a self-imposed ban of only testing at certain nuclear yield limits and a few selected altitudes.

By contrast, the Soviets are staking much of their future on big-yield explosions in the upper atmosphere and in near space. The ability of our hardened missile sites to withstand such nuclear blasts of high yields cannot be known for sure without a practical test.

And if our guess about the effectiveness of hardening is underrated? Then we would be spending too much money on hardening our missiles. At the same time, we would know that our hardened missiles are much less vulnerable than is assumed in our defense planning.

If, by contrast, the effects of hardening were overrated, our missile force would be in greater danger than we have calculated—especially, if the enemy had reliable data on the location of our sites.

Can we afford to gamble on guesswork?

It is some consolation that U.S. underground nuclear tests have been resumed after their 13-day suspension by President Kennedy to spur test ban talks. But unless we also conduct high-altitude tests how can we determine the effect of Soviet high-range explosives on our own weaponry? For example, were we developing a spy-in-the-sky satellite we would wish to determine what parts of our system were vulnerable to high explosives so we could shield or replace them.

As Dr. Possony points out, the reliability testing of most battle-order weapons cannot be done underground but require atmospheric shots.

By entering into a test ban now—assuming the test ban would work as its supporters claim—we could be stabilizing a technological setup which invites attack and renders defensive warfare unmanageable.

[From Reports to the People, Feb. 18, 1963]

STRATEGIC SUPERIORITY OR STRATEGIC PARITY?

(By Senator STROM THURMOND)

The opening battle in the Senate on what promises to be one of the most controversial subjects before the Congress this session begins in the Senate this week. The forum for this battle will be the defense posture hearings before the Armed Services Committee and the issue is the strategic defense policy of the Nation.

At least until June 1962, the officially announced defense policy of the United States was based on the concept of strategic superiority. Under this policy, nuclear deterrence was achieved by maintaining a clear superiority in quality and quantity of strategic weapons. This required heavy investments in research and development, with emphasis on multiple types of weaponry. It provided a mixed system of delivery for our nuclear punch, including medium, intermediate, and intercontinental missiles, manned air- and carrier-based bombers, and Polaris missiles, as well as a host of other weapons and conventional power. The essence of this policy was that it recognized that there is no ultimate weapon.

A new policy—nuclear stalemate—has been adopted by the Secretary of Defense and is well into the process of implementation. Under this policy, we would accept a nuclear standoff by relying on a very few types of missiles—Titan and Minuteman in hardened sites, and Polaris under the sea—to deter nuclear attacks by the Soviets. Research and development would diminish and no meaningful effort would be made to develop advanced space weaponry. Under this policy, the United States would strive only for nuclear parity, not nuclear superiority.

It was Secretary McNamara's pronouncement of the new policy in Paris, Bermuda, and Canada that really brought the matter into the open. France would not trust her national security to an allied power who was willing to settle for nuclear parity. So far, neither will Canada.

Traditionally, Congress is more interested in hardware, and its cost, than in strategic policy. The nuclear stalemate policy does permit lower costs, and is explained by the Sceretary of Defense in this framework. The abandonment of the Skybolt missile and the B-70 program, the impending cutback in the Dyna-Soar weapon system, and the dismal outlook for development of the TFX variable-sweep fighter are all elements of the new policy. Members of Congress are disturbed by the report in Air Force/Space Digest that "the heads of the Army, Navy, Marine Corps, and Air Force do not approve of the change in strategy. They are unanimous in their support of a doctrine of strategic superiority."

Implications of strategic stalemate in terms of disarmament become immediately apparent. The United States is now estimated to hold about a 3-to-1 superiority in strategic forces, which makes a percentage reduction of arms unacceptable to the Soviets. The disarmament studies conclude that strategic parity would increase chances for disarmament.

The Soviets will not accept a nuclear stalemate. They are continuing to work on development of new weapon systems, including space weapon systems. While the United States has stretched out the development of our antimissile missile until 1969, the Soviets are working full speed on a defense against ballistic missiles. The Soviets have never been able to achieve strategic parity with the United States, but if we give them parity, their all-out efforts may give them the margin that will spell superiority.

Strategic superiority or strategic parity? The final round will begin in the Congress this week.

[From the Charleston (S.C.) News and Courier, Feb. 14, 1963]

McNamara's Stalemate

How can one warn the reading public that, despite proposed expenditures of $50 billion on arms, America is being gradually disarmed?

On its face, assertion that we are being disarmed may seem absurd to many citizens. They see new warships being built, new aircraft joining the air fleet, and soldiers fighting a jungle war in southeast Asia.

What they don't see are the subtle but far-reaching changes in defense policy and strategy that are reshaping the U.S. Military Establishment so that in time it no longer will be superior to the Soviets.

Yet some of the most brilliant professional military men and students of national defense in the Congress see the dark shape of the Nation's military future being decreed by Secretary of Defense Robert S. McNamara. They see, as senior editor Claude Witze of Air Force and Space Digest has said, "Our deliberate intention to replace the necessary strategic superiority with strategic stalemate."

NO SUPERIORITY

The new shape of the U.S. Defense Establishment is the work of Mr. McNamara—the most powerful and the most arrogant Secretary of Defense this Nation has had. He is the strategic adviser who is responsible for removing America's goal of strategic superiority. He is the man who has sold the idea to President Kennedy that the United States is in a nuclear stalemate with the Soviets and must attempt nothing better than parity with our enemies. Mr. McNamara has ignored the professional leadership of all three services, disregarding their advice and importing his own clique of grey-flannel field marshals into the Pentagon.

Mr. McNamara and his grey-flannel field marshals believe that the United States cannot make any significant gains over the Russians in nuclear armaments and that, therefore, we should seek stability rather than superiority in nuclear weaponry.

Weapons that are inconsistent with the theory of a stalemate or tie—such as the Skybolt missile—are condemned by Mr. McNamara. When our allies, France and England for example, wish to strengthen their own nuclear forces, they encounter Mr. McNamara's bitter opposition. Additional nuclear strength in the West would upset his precious design for a stalemate. Not only are U.S. and allied nuclear developments slowed down as a result of his influence, but little interest is displayed in other new weapons systems that offer opportunities for real advance. The Nike-Zeus antimissile missile is another of the systems that Mr. McNamara has refused to assist. In the parlance of the stalemate advocates, even a new defensive system such as Nike-Zeus is "provocative."

NO PROVOCATION

The McNamara crowd is determined that the United States not appear to be provocative in Russian eyes. The McNamara crowd bends over backward to see no evil and to insist that the United States bear the burden of proving its nonaggressive intentions. So the Russians test bigger and bigger bombs, and the Kennedy administration politely cancels bomb-testing for a time in order to demonstrate good will.

The Russians train their troops in fighting under nuclear conditions. Mr. McNamara insists that American emphasis must be upon conventional, World War II-type warfare. The Russians study the military uses of space. Mr. McNamara wants the United States to spend a billion dollars on new helicopters and other light aircraft suitable for police actions in faraway jungles. The U.S. Navy acquires new ships, but the Navy is ordered merely to photograph ships approaching Cuba—not to stop them from delivering their cargoes. Hundreds of millions of dollars are spent fighting a jungle war 10,000 miles away in South Vietnam. Meanwhile, a Soviet field army is allowed to take up positions 100 miles from Key West. All this, to be sure, fits the McNamara theory—the United States, he believes, must not be provocative.

BOWS AND ARROWS

But the stalemate, beloved of Mr. McNamara, is a surefire way of disarming the United States. U.S. security in the cold war cannot be assured by military spending per se. How the United States spends a $50 billion defense budget is what counts.

In a nuclear age, the imperative need is for nuclear defenses. World War II types of defense make no sense in 1963 than did bows and arrows when the Gatling gun arrived on the historical scene.

[From the Charleston (S.C.) News and Courier, Feb. 16, 1963]

Stalemate at Sea?

(By Anthony Harrigan)

To cut back American seapower, it is only necessary to hold ship construction at a lower level than the rate of obsolescence.

This is a fact that hasn't dawned on the average citizen, though naval officers who see the big picture clearly understand the arithmetic involved.

Thus when one reads in Secretary of Defense McNamara's budget that he seeks only 35 new ship construction starts in the next fiscal year (6 of which are small gunboats for fighting in restricted waters) and compares this with the figure of 70 needed for mere replacement purposes, the coming reduction in American seapower easily can be discerned.

The House Armed Services Committee set the figure of 70 last year. This figure wasn't pulled out of a hat. It was derived from the fact that most U.S. warships were built during World War II. They are becoming obsolescent in a bloc.

Mr. McNamara's ship construction rate isn't the only suggestion that the United States is heading toward a stalemate at sea. Not only is Mr. McNamara opposed to maintaining the existing ship strength of the United States, but he is doing nothing materially to advance American seapower.

Well, someone may ask, what about construction of Polaris submarines?

Well, what about it? There are nine of them at sea. Only 41 are projected. Why hasn't the Polaris missile been placed on surface ships, as many naval leaders have suggested? The United States has four Iowa class battleships in the mothball fleet that would be superb platforms for Polaris—ships with a tremendous cruising range that would add enormously to American seapower. Suggestions along that line have received icy consideration from Mr. McNamara's office.

To understand the position of American seapower and its outlook for the next few years one must examine the situation of the fleet. The U.S. Navy has ever-increasing responsibilities and opportunities, and fewer ships with which to do the job.

Mr. McNamara not only is holding down the strength of existing fleets but he is making no effort whatsoever to create the new fleets that U.S. security demands.

Two new striking fleets are needed for the Indian Ocean and the South Atlantic. The Indian Ocean is a power vacuum. It has been so since the Royal Navy withdrew after World War II. The only U.S. strength in that area is a tiny squadron in the Persian Gulf.

Adm. Arleigh Burke, former chief of naval operations, and many other responsible voices have called for an Indian Ocean fleet. Despite the big Chinese push against India, as well as the war in southeast Asia and strife in Africa, no steps are being taken to create the needed U.S. naval presence in the Indian Ocean.

In short, Secretary McNamara, who dominates the U.S. Defense Establishment, is doing nothing to strengthen this country in the areas of fresh Communist challenge.

It is as though the United States had done nothing in the 1920's and 1930's to prepare for the Japanese expansion in the Pacific.

Some people in the Navy may believe that seapower is thriving today. They see in the Cuban quarantine vindication of the Navy's belief in its usefulness as an instrument of national power. But the vital questions are: What is being planned for the future? Are the new ships and new fleets being created that will maintain U.S. supremacy at sea everywhere on this globe?

The United States is a maritime power and part of an oceanic alliance. It cannot afford to settle for naval parity with the Communist world, but must possess clear naval supremacy. That means in the Indian Ocean as much as in the North Atlantic.

In searching out Mr. McNamara's intentions with regard to seapower, one must look at nuclear propulsion in the Navy's ships. Despite America's lead in developing such propulsion, not a single new surface ship in the new defense budget is slated to be nuclear-powered. Can anyone believe that the Russians will fail to take advantage of Mr. McNamara's reluctance to let the Navy forge ahead into the era of nuclear-powered ships?

A book could be written on what is not being done to advance U.S. seapower. The lack of a big drive for improved antisubmarine warfare is a scandal. No new supercarrier will be built this year, despite proved need for such ships in remote areas of the globe. Nor is money that is not being spent on a carrier devoted to amphibious ships. The new construction budget is $600 million under last year's.

One can only conclude that, as in the area of nuclear weaponry, Mr. McNamara is infatuated with the idea of a stalemate. But a stalemate at sea would be a disaster for the United States. Without ships to project American power overseas, this country soon would be an island encircled by advancing foes.

[From Human Events, Feb. 23, 1963]

Defense Department's "Intellectuals"—McNamara's Policies Jeopardize National Security

(Reprinted by courtesy of Barron's National Business and Financial Weekly)

Of all the members of the White House official family, perhaps none has enjoyed so favorable a press as Secretary of Defense Robert S. McNamara. A hard-driving executive of the Ford Motor Co., he won widespread kudos 2 years ago, when, at heavy financial sacrifice, he cheerfully swapped tailfins and chrome for the Pentagon's brass. His businesslike approach to procurement ruffled feathers among the military, but struck the civilian observer as worthy of applause.

Last December Secretary McNamara gained what is probably the most impressive honor which the fourth estate these days can bestow: an article by Stewart Alsop in the Saturday Evening Post. Wrote Mr. Alsop in a rare burst of admiration: "There's not much doubt he has the highest IQ of this century's public officials."

On Mr. McNamara's mental prowess—in Detroit he and his executive team were widely known as the whiz kids—Barron's cheerfully accepts the prevailing view. However, we also confess to a mounting disquiet lately as to whether what was good for Ford Motor is good for the country, and vice versa.

The doubts surround both the Secretary's tactics and his grand strategy. On the first count, the muzzling of professional soldiers, a dubious maneuver at best, apparently has been carried to dangerous extremes. Washington correspondents last week could find nobody in the Air Force, despite its well-known opposition to official moves, who dared, on or off the record, to criticize the current U.S. posture of defense.

Nonetheless, as outlined by the Secretary to the House Armed Service Committee (recently), that posture, on military and diplomatic grounds alike, falls far short of ideal. For one thing, it rests on a persistent bias toward conventional weaponry; the most significant contribution to the Nation's arms this year appears to be an experimental air assault division, a mobile striking force, mounted on helicopters, which the Army itself likens to cavalry.

Disturbing to many in the Pentagon and Congress, the unilateral shift in strategy seems even more ominous abroad, where it is widely regarded as a retreat from previous U.S. commitments to the defense of Europe. Unreasonable or not, such fears are bound to multiply at the sight of U.S. diplomats, without public demur from Mr. McNamara, playing fast and loose with the principle of adequate safeguards in a frantic effort to reach agreement with the Soviets on a nuclear test ban.

War, said Clemenceau, is too important to be left to the generals. In an atomic age, the national security is far to precarious to be placed so completely in the hands of civilians who like to be known as defense intellectuals.

Aphorisms aside, few would care to deny that the Nation, in military matters, fared better with a general in the White House. President Eisenhower, upon taking office, inherited a Navy just emerging from World War II mothballs and an Air Force largely comprising piston-engine fighter planes, obsolete B–29's and the useless B–36. Eight years later he left his successor a jet-powered air arm, a growing arsenal of intermediate and long-range missiles and the first of a fleet of nuclear-powered, Polaris-firing submarines, an invaluable weapons system which the supposedly indolent Eisenhower administration succeeded in putting into service 3 years ahead of time. As a Presidential candidate, John F. Kennedy talked endlessly of a missile gap, which, one safely elected, he made haste to disavow. "A myth of national weakness has been destroyed," Secretary McNamara is quoted in the Satevepost as saying blandly. A colleague was blunter. "As one defense intellectual put it, 'What we are living with now is what we inherited from Ike.' "

INADEQUATE WEAPONS OF WAR

Unfortunately, however, McNamara and company is living off its capital. For with the myth of the missile gap exploded, the Defense Department has concentrated on building up so-called conventional forces. Toward this objective the Army has expanded from 11 combat-ready divisions to 16. The Pentagon, as noted, has devised an air assault division, a tactical throwback of doubtful value (in South Vietnam helicopters have become sitting ducks).

Most startling of all, an appraisal of the defense budget reveals, Secretary McNamara is making a massive investment in the future of conventional weaponry. In the last Eisenhower budget, outlays for military research, development, testing and evaluation ran to $6.4 billion, of which $3.2 billion, or half, was devoted to missiles. By contrast, out of aggregate research, outlays of $7.4 billion scheduled for fiscal 1964, only $2.2 billion, or 30 percent of the total, will go for missile research.

The main thrust of U.S. military science, in short, has shifted to less sophisticated, less powerful—and in the final analysis, many would argue—inadequate implements of war.

According to apologists, the McNamara doctrines aim at providing the United States with alternatives to nuclear war, or options. To date, however, the options have all been picked up by the enemy. Emboldened by the fiasco at the Bay of Pigs in April 1961—which, in any version, shows the defense intellectuals in a dismal light—the Kremlin that summer precipitated the Berlin crisis.

WEAKENED DETERRENT TO COMMUNISM

Last fall, by treachery and deceit, Moscow nearly succeeded in turning Cuba into a missile base, a move which would have outflanked the United States-Canadian distant early warning system. Even now, after its presumed retreat, an estimated 20,000 Russians occupy the island.

Mr. McNamara, to be sure, is not wholly responsible for the vacillation and timidity of the State Department or the White House. However, he cannot avoid the blame for policies which, by downgrading nuclear power, have weakened the sole effective deterrent to Communist aggression.

The same policies have also strained the fabric of the North Atlantic Treaty Organization. Whatever the merits of the command decision to scrap Skybolt—a judgment which ran counter to the preponderant view of the Joint Chiefs of Staff—it was reached without so much as a by-your-leave to London. Hasty substitution of the Polaris one day may fill the military breach; it cannot repair the political damage inflicted upon a stanch ally. The growing stress on conventional warfare has had far more destructive effects. For it has convinced some highly placed foreign officials—notably Gen. Charles de Gaulle—that they can no longer depend upon this country to take up the shield (a holding force of NATO troops) and the sword (massive U.S. nuclear retaliation).

The foreigners may be wrong. Nonetheless, the fact remains that with no encouragement whatever—"the allies have turned a deaf ear," he once complained—Secretary McNamara has been steadily chipping away at a jointly agreed-upon strategy for the defense of Europe.

Skybolt and the rest may be nothing worse than bad judgment. However, in failing to protest the incredible on-again, off-again suspension of nuclear testing, as well as the test ban talks themselves, the Department of Defense has come perilously close to dereliction of duty. On this score, Dr. Edward Teller, father of the hydrogen bomb, had some chilling things to say last week. A test ban treaty with the Soviet Union, he warned, "would prevent vital improvements of our atomic explosives," as well as foreclose the development of antimissile systems like the Nike-Zeus and Nike-X. It would not keep the Russians from cheating. Such a treaty, in sum, "would endanger our security and help the Soviet Union in its plan to conquer the world."

These are grave words; a man like Dr. Teller does not use them lightly. Secretary McNamara, the Congress and the American people had better pay heed.

ST. AUGUSTINE QUADRICENTENNIAL COMMISSION—APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. McGovern in the chair). The Chair announces, on behalf of the Vice President, the appointment of Senators Holland and Smathers to be members on the part of the Senate of the St. Augustine Quadricentennial Commission, pursuant to 76 Stat. 386, Public Law 87–586, approved August 14, 1962.

Mr. HOLLAND subsequently said: Mr. President, the Chair has announced, on behalf of the Vice President, the appointment of the two Senators from Florida to be members of the St. Augustine Quadricentennial Commission. I wish to express to the Presiding Officer and the Vice President the appreciation of both the Senators from Florida. The quadricentennial celebration, which will take place in 1965, has important significance not only to our State, but to the Nation, as well.

In the first place, St. Augustine is the first spot in the continental United States which was permanently settled by people of European origin, and of course it will have importance from that standpoint.

Next, we think that in these days when our relationships with Latin America are of such vast importance, and when all of us know that several of the Latin American nations have antecedents or connections with their mother country, Spain, that even predate the settlement at St. Augustine, this will be a very appropriate time to celebrate the connection between our Nation and Latin America and Spain.

Third, I wish to say that we are happy to announce that the Government of Spain and also the Roman Catholic Church, both of which participated in the original settlement of St. Augustine, have already signified their intention to participate actively and on a sizable scale in this quadricentennial celebration.

So, Mr. President, speaking for both Senators from Florida, let me say that we shall be glad to have even a small part in this matter; and I am glad the Government of the United States has decided to participate in the celebration, which has great significance to our national life and to our hemispheric relationships.

BETANCOURT VISIT—APPROPRIATE MOMENT FOR ACTION

Mr. SCOTT. Mr. President, during the past 2 days we have been honored with the visit of a distinguished statesman and neighbor, President Romulo Betancourt, of Venezuela. He comes at a time when his country is undergoing a brutal Communist campaign of terror and subversion. Venezuela, with her rich resources and strategic location, is now, in the words of President Kennedy, "communism's No. 1 target" in our hemisphere. And there is general agreement that Cuba is the base from which these subversive activities are being conducted. It therefore seems to me that this would be a particularly appropriate time for the United States to act affirmatively, to stop drifting, to move to stop communism in this hemisphere. Press reports indicate that this is precisely what President Betancourt—and many of our other neighbors to the south—are praying that we will do.

In their joint communique, issued yesterday, President Kennedy and President Betancourt declared that they had considered the "gravity of the situation created by establishment in Cuba of an alien, antidemocratic stronghold from which emanate threats to the independence and sovereignty of each of the free American Republics."

Those are fine words. But they require action.

Now, before I go any further, and before someone may cry partisan politics, or worse, I would like to read a statement made by President Kennedy when, as a candidate, he spoke in Grand Rapids, Mich., on October 14, 1960. He said:

> Let me make it clear that I regard bipartisanship not as a means of stifling debate, not as a means of preventing discussion of the problems that face us, but I regard bipartisanship as putting the interest of our country first. And I can assure you that in this campaign when we discuss the foreign and domestic opportunities and responsibilities which are facing our country, we do so from the best interest not of our party but of our country, which is the obligation of all of us.

On another occasion, the President has been quoted as saying:

> Bipartisanship does not mean—and was never meant to mean—rubberstamping of every executive blunder without debate.

Although I may be critical as I pursue this subject, I wish to make it clear that I firmly intend to keep within the bounds set by President Kennedy himself. They will be my guidelines, rather than the emotional outbursts of those who demand silence on the part of myself, and many others—not all of us Republicans—on matters crucial to our Nation's very survival.

I do not equate effective opposition with silence, nor do I equate good citizenship with silence in a time of danger. Indeed, how can some administration spokesmen demand silence, when statements by other, and supposedly responsible, administration spokesmen are, at a minimum, contradictory and confusing?

On the subject of Cuba as a basis for the subversion of Latin America, for example, during Secretary McNamara's 2-hour television program, the announced purpose of which was to clarify the Cuban situation to the American people, the Secretary was asked to comment on the possibility of Cuba's being used as a training base for subversion in other Latin American countries. His reply was:

> I have no evidence that Cuba is being used as a base for subversion directed against other Latin American countries.

He continued to say that the Government was carefully watching developments along this line.

I should like to compare that statement with the statement made by Under Secretary of State George W. Ball on October 19, 1962. Mr. Ball said, with regard to Cuba as a base for subversion:

> It has value to the Communist bloc primarily as a base for the subversive activities of international communism in the Western Hemisphere. The policy of the U.S. Government is directed toward nullifying Cuba's usefulness as a source of infection for international communism.

I believe that Assistant Secretary of State Martin also made the point that Cuba is, in fact, a base for subversion of the Western Hemisphere. The President himself called this to the attention of the people in his February 14 press conference, in which he pointed out the significance of a recent confidential OAS report which I shall discuss later. At that time the President said:

> I think the part of the report which is most significant is the emphasis they put on subversion in the continent, the movement of men and money against the constituted governments. This is a matter which the U.S. Government is giving its greatest attention to this winter, the question of lessening not only subversion that may come from Cuba but from other parts of the hemisphere.

It seems to me that these three statements deal with Cuba as a base for subversion in three different ways. The first denies categorically that evidence of subversion exists; the second no longer takes such a definite stand, but talks about "nullifying Cuba's usefulness as a source of infection"; the third, if I interpret it correctly, talks about "lessening" subversion from Cuba, which implies that there exists subversion which must be cut down or eradicated.

So long as highly placed and responsible officials continue to contradict one another, the Republican Party—the "loyal opposition"—is totally within the boundaries of fairness when levying responsible criticism, for subversion is most certainly spreading from Cuba.

I have in my hand some pages from a special OAS report. Let me read a few paragraphs. The report is expected to be published probably on Washington's Birthday, when most Members of Congress will be out of town. The report contains some very interesting material. With respect to the establishment in Cuba of training centers for subversion, the report states:

> 1. TRAINING CENTERS
>
> There can be no doubt that the creation and maintenance of a Communist government in Cuba facilitates to an extraordinary degree the subversive action of international communism in America. This is true not only with respect to the spread of the Communist ideology, but also—what is more dangerous—because it constitutes a center quite nearby for training agents of every kind whose function it is to develop subversion in the countries of the hemisphere.
>
> It is an obvious fact that as the Communist regime became consolidated in Cuba, a series of schools and centers of training in the techniques of Communist subversion were organized, in which instruction is being given not only to Cubans but to many other Latin Americans for carrying on subversive activities in various countries of the hemisphere.
>
> Among the many training centers that now function in Cuba, mention may be made of the following:
>
> Blas Roca School, in Los Pinos, Havana Province.
>
> Marcelo Salado School, in the Luyanó section of Havana.
>
> El Cortijo School, in Pinar del Río Province, especially for military personnel.
>
> La Cabaña Fort, in Havana, especially for young people.
>
> Minas Rio Frio School, for training guerrillas.
>
> San Lorenzo School, in the Sierra Maestre, Oriente Province, for training guerrillas.
>
> Ciudad Libertad School, in Marianao, Havana Province, under Russian instructors.
>
> Boca Chica School, in Tarará, Havana Province, Director General Alberto Bayo.
>
> Julio Antonio Mella School, in Mar Bella, Havana Province, for training and instructing leaders of the Confederación de Trabajadores de Cuba Revolucionaria (CTCR), [Federation of Workers of Revolutionary Cuba].
>
> A large number of Latin Americans attend these training centers, where they receive instruction not only in Marxist-Leninist theory, but also in propaganda techniques, the use of arms and explosives, sabotage, guerrilla warfare, and so on.
>
> It should be pointed out that the corps of instructors in these schools is made up not only of Cubans or other Latin Americans, but also of instructors from other Communist countries; these speak Spanish.
>
> * * * * *
>
> It is clear that Cuba is being used as a base for training in communism and its spread in America.
>
> That activity of international communism, and particularly on the part of the Cuban Government, is greatly facilitated by the lack of suitable measures, and of cooperation among the American countries, to check the constant and heavy stream of travelers to and from Cuba. The importance of this problem makes it necessary to devote a special section to it.

Mr. President, that gives an idea of how the Communist regime is of primary importance to this program.

There are certain constructive alternatives to the courses which are being taken. I propose particularly that we implement the resolution of the Organization of American States dated October 23, 1962, which was formally authorized by the Council, by a vote of 19 to 1, with one abstention—which I think was Uruguay, although Uruguay later joined in the resolution—to carry out the quarantine of Cuba.

The Council, before taking this action, granted itself emergency powers as a ministerial-level organ of consultation. This was required under article 6 of the Rio Treaty of 1947. Inasmuch as this article of the treaty is particularly applicable in the present case, I shall quote it in full:

> If the inviolability or the integrity of the territory or the sovereignty or political independence or any American State should be affected by an aggression which is not an armed attack or by an extra-continental or intercontinental conflict, or by any other fact or situation that might endanger the peace of America, the organ of consultation shall meet immediately in order to agree on the measures which must be taken in case of aggression to assist the victim of the aggression or in any case, the measures which should be taken for the common defense and for the maintenance of the peace and security of the continent.

Also, on October 23, 1962, the OAS Council voted to call for immediate dissolution and removal of all weapons with any offensive strength; recommend that the member states take all measures, including the use of force, needed to insure that the Government of Cuba cannot continue to obtain from the Soviet powers military materials and related supplies which may threaten the hemisphere.

Therefore, I propose that one clear and justified alternative to our present Cuban policy would be the full implementation of the OAS October resolution. President Betancourt has indicated that Venezuela needs help against the exportation of Cuban communism. Such help, in the form of action under the OAS resolution, would be clearly within the scope of the Rio Treaty of 1947, as well.

We could also demand that Chairman Khrushchev carry out his pledge to remove Soviet troops in due course. Some words uttered by a certain gentleman, who recently utilized the press to attack me and a number of my fellow Republicans for our views on the administration's foreign policy, are quite pertinent today. These words were uttered on August 6, 1958. He said:

> Time and again we have drifted until circumstances reached an intolerable state, and then we have rushed to the brink.

That sentence quite precisely describes events in Cuba prior and up to last October. We now seem to be right back on the same path.

The gentleman also observed, in the same statement, that the Eisenhower foreign policy was "inadequate, outmoded, and misdirected."

I am sure, of course, that there was no divisive partisan intent.

In another statement, during that same period, the gentleman who is now so concerned with "divisive partisanship and irresponsible attacks" said, with reference to problems then facing the Eisenhower administration:

> They are not going to be met unless this administration turns off the television, comes in from the playground, and gets down to the hard work of running this Government and constructing a more substantial peace, and sheds the sodden, dangerous apathy in which it now wallows.

That brings to mind the charge made last week by the same gentleman that we Republicans have been engaging in "harsh accusations that compensate with intemperance for what they lack in substance."

But again referring back to his statements in 1958, he was, I think, prophetic when he observed:

> We have become singularly unappreciative of the feelings and fears of others, friends and nonfriends alike.

That certainly describes the situation with many of our friends today. Our relations with allies, old and new, have deteriorated to an unprecedented degree. If there is to be any improvement, if we are to fend off the disaster which seems to be facing us from many directions—not only from Cuba—then there must, I believe, be relevant discussion and relevant criticism.

The times may not require a great debate, but they certainly require some debate—although, as I have said, within the bounds laid down by the President himself.

Mr. CLARK. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SENATE ESTABLISHMENT

Mr. CLARK. Mr. President, I turn to the concluding portion of my remarks on the Senate establishment.

It will be recalled that yesterday I placed in the RECORD—at page 2670—a table outlining the names of certain Senators who had requested various committee assignments as their first, second, or third choice, and compared the committee assignments they actually received—if any—with their position for or against a change in rule XXII, to enable the Senate to terminate unlimited debate by a smaller number of votes than those presently required under that rule. The factual conclusion which this table demonstrates is that eight nonfreshmen Senators—Senators BARTLETT, BYRD of West Virginia, CANNON, HAYDEN, JORDAN of North Carolina, McGEE, SMATHERS, and THURMOND—who opposed a change in rule XXII, submitted eligible bids for new committee assignments, and seven of those eight received the new committee assignments they had requested. Six received committee assignments which represented their first choice. Only the Senator from South Carolina [Mr. THURMOND] was disappointed.

On the other hand, 14 nonfreshmen Senators who favored a change in rule XXII, and therefore favored cloture, applied for new committee assignments. Only five of them received them. Those Senators were Senators MANSFIELD, HART, PELL, YOUNG of Ohio, and myself. The Senator from Montana [Mr. MANSFIELD], the majority leader, received his first choice. The Senator from Michigan [Mr. HART] received his third choice. The Senator from Rhode Island [Mr. PELL] received a committee assignment which he did not request and did not want. The Senator from Ohio [Mr. YOUNG] received his second choice. I received my second choice.

I drew no conclusion from that statement. However, I think it raises some interesting speculations.

I should like now to continue my theme that the South is overrepresented in the committee structure of the Senate in terms of geography and also in terms of the ideological convictions of Members on the Democratic side of the Senate. The overrepresentation has resulted from the strict carrying out of that rule of seniority which the steering committee so frequently violated—on nine committees to be exact—in the course of making committee assignments for the present session of Congress.

I ask unanimous consent that a brief statement showing the overrepresentation may be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SOUTHERN CONTROL OF KEY SENATE COMMITTEES

There are 23 Democratic Senators from the South, including the 11 States of the Confederacy and Oklahoma and Arkansas. The southern Senators make up 34 percent of the 67-man Democratic block in the Senate at present. The 23 Senators from the South have far more than 34 percent of the seats on the 4 most important standing committees of the Senate, however, and more than their share of the seats of the Democratic leadership committees.

Committee	Southern seats	Entitled	Overrepresentation
Appropriations	9 (50 percent) out of 18	6	3
Armed Services	5 (42 percent) out of 12	4	1
Finance	6 (55 percent) out of 11	4	2
Foreign Relations	5 (42 percent) out of 12	4	1
Policy	3 (33 percent) out of 9	3	0
Steering	7 (47 percent) out of 15	5	2

Mr. CLARK. It will be noted that 50 percent of the members of the Democratic representation on the Appropriations Committee are southern Senators; 42 percent are on the Committee on Armed Services; 55 percent are on the Committee on Finance; 42 percent are on the Committee on Foreign Relations; 47 percent are on the steering committee.

I make the comment, not in criticism of any southern Senator, for surely they are entitled to press their own claims for membership on important committees. I make the comment only to show the extent to which the Senate establishment, led by Senators from the South, but very ably abetted by northern Senators of the Republican Party, led by the intrepid minority leader, has a stranglehold on the four most important legislative committees—Appropriations, Armed Services, Finance, and Foreign Relations—and on the very important Democratic steering committee. It is my contention that if we are to advance the program of the President and do justice to the fair claims of Senators from other sections of the country or of a different ideology, the stranglehold of the bipartisan Senate establishment must eventually be broken; and I believe it will eventually be.

I turn now to the proposed change in rule XXV, which is set forth in Senate Resolution 90, cosponsored by the majority and the minority leaders. That proposed rule would change the existing rule in a number of particulars. It would make the Committee on Government Operations a major committee and increase its size from 9 to 15. To that I have no objection. It would make the Committee on Aeronautical and Space Sciences a major committee. That should have been done at the time that committee was established. Failure to do so has entrenched Members of the establishment in an additional area, since aeronautical and space sciences have become a pertinent matter for a legislative committee. So, of course, I have no objection whatever to that change.

The change would also make the Committee on Rules and Administration a minor committee instead of a major committee. I have no quarrel with that. It has enabled me to become a member of the Committee on Rules and Administration for which I otherwise would not have been eligible.

GRANDFATHER CLAUSE IN SENATE RESOLUTION 90

But I should like to point out what the changes do in terms of creating what we might call a preferred list of Senators. I should like to call attention to the so-called grandfather clause, which has been interjected into the rule under the joint leadership of the majority and minority leaders.

Some of us are old enough to remember the derivation of the "grandfather" clause. It was utilized by my southern ancestors from Louisiana shortly after the Civil War. My great grandfather, Daniel Dudley Avery, and my grandfather, Dudley Avery, were both supporters of the Confederacy. They and their Reconstruction day companions utilized the grandfather clause to prevent the Negro from voting. I suggest that the grandfather clause is being utilized today in the Senate for a not entirely dissimilar purpose. But it is a rather obscure purpose and requires some clarification. The grandfather clause as it appears in Senate Resolution 90 provides that—

> *Provided, however,* That those Senators who, as of January 9, 1963, were members of the Committee on Aeronautical and Space Sciences and the Committee on Government Operations—

Which I interpolate are the two minor committees now to be made major committees—

> shall be entitled to serve on three of the foregoing standing committees.

The "foregoing standing committees" referred to are the major committees. It includes all of the legislative committees of the Senate, except the Committee on the District of Columbia, the Committee on Post Office and Civil Service, and the Committee on Rules and Administration. Note that it also excepts the Joint Atomic Energy Committee, a legislative committee which, for reasons quite obscure to me, is excluded from consideration with the other legislative committees. It is said that that is because it is a joint committee with the House. But I suggest that that is a distinction without a difference. The Joint Committee on Atomic Energy is one of the most important legislative committees in the Senate. It was created by Public Law 703 of the 83d Congress, which provides:

> All bills, resolutions and other matters in the Senate or the House relating primarily to the Commission on Atomic Energy, or to the development, use, or control of atomic energy, shall be referred to the Joint Committee, whose members shall report from time to time, if they are Senate Members to the Senate, if they are House Members to the House, by bill.

Such bills are placed on the calendar and are treated like any other bills.

So it seems to me that there is no adequate reason why the Joint Atomic Energy Committee is not a major committee.

The "grandfather" clause reveals publicly a condition which has existed privately for some time, and that is that there is a class of 21 preferred Senators who are permitted to hold positions on more than 2 major committees.

To some extent this situation has existed for a number of years, but it will exist to an even greater extent from now on, if and when the "grandfather" clause becomes a part of the rules of the Senate.

Fifteen of these 21 Senators are Democrats, and 6 are Republicans. Scattered like stars on the list are the names of many Members of the Senate establishment. However, the list does contain the names of Senators who I think would deny, and correctly deny, that they are even remotely connected with the establishment, although there are not many of them.

In a moment I shall ask unanimous consent to have the list printed in the Record, but I cannot refrain from pointing out the very successful efforts of several Senators to advance the interests of their home States by getting on as many committees as possible.

The Senator from Nebraska [Mr. Curtis], for example, serves on the Aeronautical and Space Sciences Committee, a major committee; the Finance Committee, a major committee; the Government Operations Committee, a major committee; the Joint Committee on Atomic Energy, which is in fact if not in law one of the most important major committees of all; and, in addition, on the Rules and Administration Committee which is now a major committee, but will become a minor committee if and when the proposed change in the rules is adopted. The Senator from Nebraska [Mr. Curtis] is in a class all by himself. No other Senator serves on five legislative committees.

My beloved friend, the senior Senator from Georgia [Mr. Russell], runs him a good second. The Senator from Georgia serves on the Aeronautical and Space Sciences Committee, the Armed Services Committee, the Appropriations Committee, and the Joint Committee on Atomic Energy; and he also serves on the Democratic steering committee and the Democratic policy committee. He is the only member of the Democratic Party except the elected leadership who serves on both the policy committee and the steering committee.

The Senator from Iowa [Mr. Hickenlooper] is up in front with the Senator from Georgia [Mr. Russell]. I commend him for his ability to serve the interests of his State by becoming a member—and, indeed, in at least one instance the ranking minority member—of very important Senate committees. He serves on the Aeronautical and Space Sciences Committee, the Agriculture and Forestry Committee, the Foreign Relations Committee, and the Joint Committee on Atomic Energy.

Mr. President, I ask unanimous consent that the list showing the committees on which these 21 Senators serve may be printed in the Record at this point in my remarks.

There being no objection, the list was ordered to be printed in the Record, as follows:

TWENTY-ONE SENATORS (15 DEMOCRATS, 6 REPUBLICANS) WITH THREE MAJOR COMMITTEES UNDER SENATE RESOLUTION 90, AS PROPOSED

Anderson (Democrat):[1] Interior, Space, Finance (plus Joint Atomic Energy).

Cannon (Democrat):[2] Armed Services, Space, Commerce (and Rules).

Case (Republican): Space, Armed Services, Appropriations.

Curtis (Republican):[1][2] Space, Finance, Government Operations (and Rules) (plus Joint Atomic Energy).

Dodd (Democrat): Space, Foreign Relations, Judiciary.

Ervin (Democrat): Armed Services, Government Operations, Judiciary.

Gruening (Democrat): Government Operations, Interior, Public Works.

Hickenlooper (Republican):[1] Space, Agriculture, and Foreign Relations (plus Joint Atomic Energy).

Holland (Democrat): Space, Agriculture, Appropriations.

Humphrey (Democrat): Appropriations, Foreign Relations, Government Operations.

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[1] Five Senators with three major, plus Joint Atomic Energy Committee assignments.

[2] Two Senators with three major and one minor committee assignments.

Jackson (Democrat):[1] Armed Services, Government Operations and Interior (plus Joint Atomic Energy).

Javits (Republican): Government Operations, Labor and Public Welfare, Banking and Currency.

McClellan (Democrat): Government Operations, Appropriations, Judiciary.

Magnuson (Democrat): Commerce, Space, Appropriations.

Mundt (Republican): Foreign Relations, Appropriations, Government Operations.

Muskie (Democrat): Banking and Currency, Government Operations, Public Works.

Russell (Democrat):[1] Space, Armed Services, Appropriations (plus Joint Atomic Energy).

Smith (Republican): Space, Appropriations, Armed Services.

Stennis (Democrat): Space, Appropriations, Armed Services.

Symington (Democrat): Space, Armed Services, Foreign Relations.

Young of Ohio (Democrat): Space, Armed Services, Public Works.

Mr. CLARK. Mr. President, if these 21 Senators constitute a preferred group—and they do—then the other 79 Senators, in a sense, are second class Senators because they will be prohibited by rule XXV, if and when it is amended, from serving on more than two of these major legislative committees.

I wonder why such discrimination will occur? Is it only chance? Perhaps it is. Is it only seniority? Certainly seniority plays a part.

I urged the Democratic steering committee to eliminate the "grandfather" clause and to require all Senators who serve on both the Committee on Government Operations and the Committee on Aeronautical and Space Sciences to relinquish one of their three committees in order that more junior Senators might have an opportunity to be appointed to those committees and share the workload of the Senate in a more equitable fashion, and also to give to their States the additional representation which membership on these important committees would give to them. I stood alone in that regard and did not, therefore, press the matter to a vote. Unless unexpected support should develop for my position over the weekend, I do not intend to fight the "grandfather" clause on the floor.

It is my recollection that in the closing decades of the 19th century the Supreme Court of the United States found the "grandfather" clauses in various southern State constitutions to be unconstitutional. I suggest that the "grandfather" clause which is about to be written into rule XXV of the Senate, if not unconstitutional—and of course the court will never pass on that, I assume—is at least inequitable and unwise. I hope that as Senators reflect on this question in the days, months, and perhaps years ahead, they will give some thought to the elimination of this grandfather clause.

I hope, also, that consideration will be given to making the Joint Committee on Atomic Energy a major committee, which in fact it is.

I note, that neither the majority leader nor the minority leader is in the Chamber, but I hope that when this question is brought to a vote on Monday, they will give us an explanation of a clause written into Senate Resolution 90 after it was printed. My understanding is—although I am not certain I am correct—that this clause was suggested by the Parliamentarian and adopted by the majority leader and minority leader at his suggestion.

After reciting the clause as I read it previously, providing that all Senators who, as of January 9, 1963, were members of two formerly minor committees, now to be made major committees, shall be entitled to serve on three of the foregoing standing committees, the resolution provides that "no Senator shall serve on more than one of the following committees, as well as any Senator who is appointed temporarily to fill any vacancy arising out of this proviso."

What that means, I do not know. I hope we shall be told how "temporary" that is. I presume it is an expansion of the grandfather clause to take in other Senators who are not now members of those two committees, but who might subsequently be made members of those committees, namely, the Government Operations and Space Committees, by reason of death or resignation of present members.

If so, the key word is "temporarily." If there is some other and more ulterior purpose, one might think it means that the grandfather clause would continue indefinitely and that vacancies as they arose on these two committees might be filled by Senators who would not have to give up any of the other committees.

No doubt an adequate explanation of this clause will be forthcoming on Monday.

OTHER RULES CHANGE PROPOSALS

I turn now, Mr. President, to another matter, closely allied with that which I have been discussing. The problem of the size, composition, ratio, and selection of members of committees is a very important one, but this is only one matter out of many with respect to which drastic need exists to modernize and streamline the Senate rules. As to any of the other proposed methods to modernize and streamline the Senate, the bipartisan Senate establishment has set its face rigorously against change.

I have introduced and have pending 15 proposed changes in the present rules of the Senate, all intended to democratize Senate action, all intended to expedite Senate action, all intended to make it easier for the program of the President to receive fair and prompt consideration, all intended to let the Senate perform its constitutional duties more effectively.

I now submit again, as I did with Congresswoman Green of Oregon last year, a 16th proposed change, in the form of a concurrent resolution which would provide for the face-lifting and streamlining of the Congressional Record; and ask unanimous consent that the proposed concurrent resolution may be referred to the Committee on Rules and Administration, and I ask that its text be printed in the Record at this point in my remarks.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the Record.

The concurrent resolution (S. Con. Res. 22) submitted by Mr. Clark, was referred to the Committee on Rules and Administration, as follows:

Whereas the Congressional Record is established as substantially a verbatim report of proceedings of both Houses of the Congress; and

Whereas Congress is the staging area for the discussion and resolution of the major national issues confronting the United States; and

Whereas this "national dialog" reaches a climax in the passage or the defeat of legislation; and

Whereas thousands among the leaders of our country in both public and private stations depend upon the Congressional Record for details of these dialogs: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on Printing, which is assigned control and supervision of the Record under sections 181 and 182 of chapter 6, title 44, United States Code, conduct a study of the Congressional Record with a view to improving its format, index, typography, organization of materials, and other aspects relevant to such a study; and be it further

Resolved, That the Joint Committee on Printing, if it deems it provident, shall call upon experts in the communications media and possibly public spirited citizens, such as civic leaders, Government officials, and scholars, to sit as an advisory committee in order to render such help as may be needed; and be it further

Resolved, That the Joint Committee on Printing shall, if it deems it advisable, be empowered to incur whatever expenditures are necessary to the proper carrying out of this study, but that in no event shall the sum exceed the amount of $50,000; and be it further

Resolved, That the joint committee shall report its findings to the Congress within one year after date of passage of this concurrent resolution.

Mr. CLARK. Mr. President, when I submitted a similar resolution last year I expressed the hope that a part of the facelifting of the Congressional Record would provide amply for the printing of cartoons, so the Record could be enlivened and we could have something in format not unlike the publication which so many of my colleagues, but not I, admire so extravagantly—Life, that journal of plutocratic opinion.

I am particularly unhappy that we cannot have cartoons printed in the Record now. One of the most enlightened and amusing cartoons in history appeared in the Washington Post this morning. I hope my colleagues and others who read the Record will obtain access to the editorial page of the Washington Post of this morning and have a good chuckle over that cartoon. I shall say nothing further about it.

These proposed rule changes are presently languishing in the Committee on Rules and Administration, to which I have just been assigned, and where I shall do my best to have them reported favorably, or, if not favorably, at least unfavorably, so that the Senate can act on them. I am confident there will be a strong minority report, if not majority report, in support of some, if not all, of the following proposals:

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[1] Five Senators with three major, plus Joint Atomic Energy Committee assignments.

First, to have a Joint Committee on the Organization of Congress, a new La Follette-Monroney committee. This proposal has 32 sponsors. I should say it might have some chance of success.

Second, a new Senate rule on selection of conferees, providing that a majority of Senate Members appointed to represent the Senate on conference committees would have to be chosen from those who had indicated by their votes their acquiescence in those provisions of the bills passed by the Senate with which the House was in disagreement.

Third, a rule which would permit Senate committees to sit while the Senate was in session unless a majority of the Senate, on a vote without debate, should determine otherwise.

My good friend the senior Senator from Idaho [Mr. CHURCH] has advised me he will soon propose—I hope with the support of the majority leader—a new Senate order of business. This order would provide that until the hour of 2 o'clock each day Senate committees could meet while the Senate was in session; that until the hour of 2 o'clock each day Senators could talk on any subject which came into their heads; there would be a morning hour; perhaps there would be a recess for lunch so that Senators could meet their obligations to their constituents and to others; then the Senate would reassemble in at 2 o'clock and there would be 4 hours of continuous germane debate on the pending business.

This latter proposal is jointly sponsored by the senior Senator from Rhode Island [Mr. PASTORE] and my good friend from Idaho [Mr. CHURCH]. I believe a large number of other Senators concur in the suggestion.

While it is not the way I would have done it, Mr. President, it is so much better than our present procedure that I would be happy to join in this salutory reform in our rules and procedures if there were any chance of success.

Clearly, it is a deterrent to the orderly conduct of business to permit nongermane debate—really, hardly ever debate, although sometimes, but merely nongermane speeches—which take the time of the Senate and make it impossible to expedite the conduct of business.

My fourth rule change deals with the subject of germaneness.

Fifth, I would provide that insertions in the RECORD might be made upon request without Senators having to read texts in full. Speeches might be put in the RECORD without the necessity of reading them in full, and printed in large type. This would do away with the hypocritical practice of reading the first and last paragraphs of a long speech, anticipating that it will be printed in full and in large type in the RECORD to look as though it had been delivered to a rapt audience of the entire Senate and to rapt and breathless occupants of the galleries.

If one looks around the Chamber of the Senate now, he will see what might be called normal Senate attendance. The very able junior Senator from Ohio [Mr. YOUNG] is waiting for an opportunity to make his speech. In the chair at present is a very able freshman Senator [Mr. MCINTYRE]. In addition, I am present, and there is also present the new Senator from New Mexico [Mr. MECHEM], who is holding down, with great ability and some persistence, the seat of the minority leader, who, I presume, is off on other business which he considers more important than listening again to the senior Senator from Pennsylvania on a subject with respect to which the distinguished minority leader does not find himself in agreement with the views of the senior Senator from Pennsylvania.

The next proposed rule would change the jurisdiction of committees so as to make a more equitable distribution of the business of the Senate and minimize to some extent the heavy overburden of business presently referred to the Committee on Finance, the Committee on Foreign Relations, and the Committee on Commerce.

My eighth change would place an age limit on holding committee chairmanships. This, I believe, is an extremely salutary reform. This is the same limit which Congress places on judges of our Federal court and which has induced retirement at the age of 70 in many a case. I might point out that there is an inducement in the judiciary to retire at 70 in the form of an enhanced pension. I would be very glad to vote for a similar provision with respect to chairmen of Senate committees. As in the case of judges, of course, I would not propose that they withdraw from service on the committee at 70 but merely cease operating as chairmen.

My ninth proposed rule change would provide that chairmen of all standing committees should be chosen by secret ballot of a majority of the entire committee at the beginning of each new Congress.

My 10th proposed change would create a committee bill of rights, and would provide that within each committee a majority of its members could be authorized to convene meetings, call up bills for consideration, and terminate debate after reasonable discussion of issues in executive session, so that the business of the committee could not be delayed and sometimes prevented from coming to a vote by action of the chairman or a minority of the committee.

My 11th change would be to eliminate the requirement that it takes unanimous consent to dispense with the reading of the Journal. In the 8-plus years that I have been in the Senate, I recall only one occasion when the dispensing with the reading of the Journal was objected to for any purpose other than delay. There was one occasion when a Senator felt that he did not believe the Journal correctly represented his point of view. That matter was disposed of in short order. On a half dozen other occasions the purpose of objecting to dispensing with the reading of the Journal was purely for the purpose of delay or, when I did it—and I did it several times—to demonstrate the absurdity of the rule.

The 12th proposed change would rewrite the morning hour rule, which is now never followed. I suggest it should be rewritten to conform with the present practice. I would hope that the rule would also be rewritten in connection with the proposed reform under the rule which the Senator from Idaho [Mr. CHURCH] and the Senator from Rhode Island [Mr. PASTORE] have in mind. My 13th, 14th, and 15th proposals are Senate Resolutions 91, 92, and 93, which will be before the Senate on Monday.

I do not know that the Senate will have a yea-and-nay vote on any or all of the resolutions, but it may. They would provide for increasing the membership of the Appropriations Committee from 27 to 29, the Finance Committee from 17 to 21, and the Foreign Relations Committee from 17 to 21. The ratio would be 19 Democrats and 10 Republicans on the Appropriations Committee, 14 Democrats and 7 Republicans on the Finance Committee, and 14 Democrats and 7 Republicans on the Foreign Relations Committee.

RECOMMENDATIONS

I would like to summarize the recommendations which flow from this discussion of the Senate establishment. First, I believe the steering committee of the Democratic conference should be reorganized. The conference has decided not to increase its size from 15 to 19 or from 15 to 17. I consider myself bound by that vote for the present session of Congress, unless and until the majority leader should change his mind—and I hope he will—and bring us back into conference to change the size of the committee. I am confident that at any time the Senate majority leader makes that decision, the size of the committee will be changed as he requests. He has the votes to do it.

With all due deference to the majority leader, who has been kindness itself to me ever since I came to the Senate, and particularly has been kind indeed in connection with this most unpopular speech which I am about to conclude, I must say that he has a commitment to the Democratic conference, in my opinion, to see that the steering committee of the Democratic Party adequately reflects both the geography and the ideology of the members of the Democratic conference. That commitment was made in 1961. It was made again in 1963. It has not been carried out.

If it is determined not to seek an increase in the size of the steering committee, then there is another very simple way in which the same result can be achieved, and that is to have two of my fine southern friends resign from the committee, to permit in their place two additional Kennedy Democrats to be placed on the committee from either the

Middle West—and certainly one of them should come from there—or from the Mountain or Western States, or from the Atlantic Seaboard States, which have so heavy a share of the population of the United States.

I certainly would not want to suggest who should resign, but with my tongue in cheek I would suggest that the fairest way might be to have the junior southern Senators on the committee resign. However, I say that in a somewhat lighter fashion, because I have no doubt that these gentlemen would decide this matter for themselves and would not welcome any particular advice from me.

I point out that both Senators from Florida are on that committee, and I suggest that is not a very equitable situation.

Therefore, my first recommendation would be to reconstitute the steering committee.

My second recommendation would be to increase the size of the Committee on Appropriations, the Finance Committee, and the Foreign Relations Committee, so that Senators passed over in committee assignments last week could get their just due, and so that the program of the President might get its fair and prompt attention.

My third recommendation would be that the Senate act promptly in considering the changes in the rules which I have just discussed.

CONCLUSIONS

Mr. President, why all this fuss? Why should I have taken the time of the Senate on 3 separate days to raise these matters? The first reason is that procedure is the heart of justice. Without just procedure, whether it be due process of law, enshrined in the 5th and 14th amendments to the Constitution, or whether it be the rules, customs, manners, and traditions of the Senate, procedure is the heart of justice. We are operating today under rules, procedures, customs, and traditions which are unjust, unfair, and undemocratic.

So while I sympathize with the majority leader when he suggests that we should get to the Senate business, I say there is no more important Senate business than assuring, at the beginning of a session, that the procedures of the Senate are just.

There appears on the Calendar Senate Resolution 9, which is supported by 56 Senators and is opposed by that Senate Establishment, bipartisan in nature, which refuses to allow the Senate to act on a matter of justice, of equity, of democracy, and of fairness, for which 56 of its Members plead. This problem will be on the conscience of the Senate until a vote is allowed on Senate Resolution 9.

Again and again during this session, those 56 Senators will call to the attention of the southern bloc and of their Republican colleagues that "There, on your consciences as Senators of the United States, lies the heavy charge that you will not permit the Senate to act on a resolution of importance to its internal government, to its fairness, to its justice, when a clear majority of the Senate, 56 out of 100, have put themselves on the record by their votes and by their pairs to change this rule."

Mr. President, Carthage must be destroyed. There must be a vote on Senate Resolution 9. There is no justice, there is no equity in forbidding a vote because of the outmoded method of unlimited debate. So the principal reason for all this fuss is, as I say, that procedure is the heart of justice.

Another reason, in all candor, is that the Senate has no legislative business to transact. Why should we not discuss questions of procedure until measures of legislative importance, on which we can act, are on the calendar? The only important item on the calendar today is Senate Resolution 9; and that is the only legislative business which the Senate establishment does not want us to dispose of. It is not we—the Kennedy men, the liberals, the independent and forward-looking Republicans — who are holding up the conduct of Senate business; it is the Senate establishment which will not let us vote on the only measure of any importance which is on the calendar, and which is ready for action.

So I close, as I began, with the plea to my colleagues to make a beginning in the modernization of the Senate and its procedures; to make a beginning in the elimination of control by a small group of bipartisan Senators, fine persons, I say at the end, as I said when I began—friends of mine they have been in the past, friends of mine I hope they will continue to be in the future—who are committed to the status quo, who seem to be committed to sectional rule; who, with all due deference, I suggest—and I do defer to those fine and honorable Senators—have an unawareness of the modern world and of the dangers confronting us from a resourceful antagonist overseas, whose government is able to act in an instant; an unawareness of the danger that our Government will not be able to act in a crisis because the Senate of the United States has rendered itself, by its ancient, archaic, and obsolete rules unable to act when its majority is ready for action.

In the end, the Republic is in jeopardy. Perhaps not today, perhaps not tomorrow, but who knows when? It is later than we think. The Senate should bring itself up to the needs and the challenges of the seventh decade of the twentieth century.

Mr. President, I yield the floor.

Mr. EDMONDSON. Mr. President, while I had anticipated my first statement on the Senate floor would be a eulogy to the late Senator Robert S. Kerr, the great and distinguished Oklahoman whom I succeeded, I would be remiss if I did not respond in part to remarks made here concerning the recent committee assignments.

I refer, Mr. President, to the discussion between the distinguished and able majority leader, the Senator from Montana [Mr. MANSFIELD], and the distinguished senator from Pennsylvania [Mr. CLARK], in which it was pointed out that I was "lassoed" by the steering committee of the Senate to serve on the Agriculture and Forestry Committee.

The steering committee has "lassoed" a Member of the Senate who is perfectly happy to be wearing the brand of this important committee at this time. I state this with both reason and qualification.

First of all, as my colleagues well know, Senator Kerr served with great honor as chairman of the Senate Committee on Aeronautical and Space Sciences and as ranking member of both the Finance and Public Works Committees. As his successor, I felt I could best carry on his work for both the State of Oklahoma and for the Nation if I had the opportunity of serving on the committees on which he served. Therefore, I requested assignments on these committees.

As you know, Mr. President, the steering committee chose to assign me to the Committees on Aeronautical and Space Sciences and Agriculture and Forestry. I respect their judgment and acknowledge with gratitude their consideration.

There are numerous reasons why I was pleased to be assigned as a member of these committees, none the least of these being that both have had as former chairmen two of Oklahoma's greatest citizens. They are the late Senator Kerr, who served as chairman of the Space Committee from 1960 until his death last January 1, and Senator Elmer Thomas, who served as chairman of the Agriculture Committee for two periods in the 1940's.

But, Mr. President, sentiment aside, there is another more practical reason why the junior Senator from Oklahoma welcomes assignment to the Agriculture Committee at this time.

In dollars and cents value, Mr. President, agriculture still is the No. 1 industry in Oklahoma. There are more people employed in agricultural work than in any other industry in our State. Our farmers and ranchers are recognized as leaders in the production and improvement of beef cattle, and for the quality and quantity of their wheat to single out but two of the many agricultural items for which Oklahomans are known. The young people who represent Oklahoma in the FFA and 4-H organizations have won every national award there is in their field.

Moreover, the junior Senator from Oklahoma, like his distinguished predecessor, is interested enough in agriculture to become involved personally in a cattle operation—although on a much more modest basis than was Senator Kerr.

Yet, I would not have my colleagues believe the junior Senator from Oklahoma might not have other committee interests in the years to come—just as other Members of the Senate have come to have new interests.

No man comes armed with the answers to the complex and perplexing problems in either the fields of agriculture or the tomorrows of space. I accept the challenges of these areas alongside the distinguished membership of these two committees with eagerness and a sincere desire to join my colleagues in searching for those answers.

I look forward to serving on both the Agriculture Committee with its able chairman, the distinguished Senator from Louisiana [Mr. ELLENDER], and on the Space Committee with the distinguished Senator ANDERSON from our neighbor State of New Mexico as chairman and leader.

U.N. SCIENCE CONFERENCE IN GENEVA—STATE DEPARTMENT BOONDOGGLE

Mr. YOUNG of Ohio. Mr. President, I wish to utter very strong criticism of certain operations of the State Department. On January 31, the Vice President bestowed an honor upon me by appointing me to the United Nations Cultural and Scientific Technical Conference. As the statement appears in the CONGRESSIONAL RECORD, it reads:

> The Chair appoints the Senator from Ohio [Mr. YOUNG] to the United Nations Cultural and Scientific Technical Conference, to be held at Geneva, Switzerland, February 4 to 20, 1963.

I was very happy to learn that shortly thereafter the Vice President also appointed the distinguished junior Senator from Kansas, JAMES B. PEARSON, and that together we were to represent the Senate of the United States at that Conference.

Mr. President, despite the statement in the handout of the State Department that Senator YOUNG is a member of the U.S. delegation to the U.N. Conference on the Application of Science and Technology for the benefit of less-developed areas, I make it crystal clear that such is not the fact. The Vice President designated my colleague and me to attend this Conference as observers.

As an observer, I report the lack of vision and adequate planning of State Department officials and the fact that this Conference caused many members of the U.S. delegation who are physicists and scientists of note in our country to waste their time in attendance at this gathering. No such conference should be permitted in the future until thorough groundwork has been laid in each emerging country by representatives of our excellent U.S. Information Agency, Foreign Service officials, and AID representatives already in those countries.

I feel that my colleague, Senator JAMES PEARSON, and I are in agreement that it is a good thing we were in Geneva at this Conference as observers.

I assert, Mr. President, that here is an example of futility and waste, with American taxpayers footing 40 percent of the cost.

At the time we left Washington for Geneva, Switzerland, neither of us expected to remain there for the entire Conference. We did not feel free to absent ourselves from our duties in Washington for that length of time. However, we expected to serve our country at the Conference. We went there with the serious intent to render a real public service.

The Senator from Kansas [Mr. PEARSON] and I traveled by commercial airline. Frankly, Mr. President, I was surprised to note that the tickets furnished by the State Department to convey two U.S. Senators, representatives of the people, were for economy class. In 1956 and 1957, I traveled to Switzerland and other parts of Europe several times as a private citizen. As a private citizen, I traveled first class. It was with some surprise that I noted how travel arrangements had been made for two U.S. Senators by officials of the State Department.

Twenty years ago, I traveled to Europe for the first time. That voyage was in a military convoy, and the trip was some 20 days in duration. A couple of ships in the convoy were lost by reason of attacks by German submarines.

But that trip on the convoy was far more comfortable than the trip we two U.S. Senators took on the economy flight to Geneva. The Senator from Kansas is a somewhat larger man than I am—somewhat heavier above the neck, and certainly much heavier below the neck than I. Even I was very much crowded in. A lady who was on the plane held one of her children on her lap, and an older child occupied an adjoining seat. The little girl on her mother's lap perhaps was worrying about the Cuban situation and Castro, because she cried throughout the night. Mr. President, as if that were not enough, a boy who sat close to the Senator from Kansas and me constantly kicked the back of our seats. The weather was so bad that it was impossible to land in Paris, so the plane had to go to Frankfort, instead. At Frankfort, after waiting an hour or so at the airport, we started back to Paris to catch our connecting flight to Geneva. At Paris the weather was still so bad that it was impossible for the plane to land there; so we were flown to Rome. You see, Mr. President, the "wise" planners in the State Department had selected Geneva for the site of the Conference—Geneva, in January. They could scarcely have been thinking of what they were doing. That is the point I shall discuss in a moment. So, we waited at the Rome airport, and finally we were able to fly to Geneva.

At Geneva, we found that more than 100 Americans were attending the Conference. Unfortunately, many of them—and a number of them were fine university professors and noted scholars, making great sacrifices by being away from their important work at home—were utterly wasting their time by attending the Conference, which had not been competently conceived and arranged.

About 80 nations were represented at the Conference by approximately 1,200 delegates. The United States had about 100 delegates, and the Soviet Union had about 100. Ambassador Bingham, a very fine public official, observed—and I wish to stress this point—that the United States paid 40 percent of an annual fund, up to a total of $150 million, raised for the benefit of the United Nations technical assistance program and the United Nations Special Fund.

Mr. President, today I am complaining that the State Department officials were lacking in vision and were lacking in good judgment. Perhaps in order to perpetuate some of their jobs in their huge bureaucracy, they called the Conference in Geneva, ostensibly for the purpose of helping the developing nations.

The distinguished Senator from Kansas and I attended every session which was held while we were there. Frankly, we became fed up with much that went on. We stayed there 4 full days. That was about all we could stand. We did not attend any of the parties given each night. We decided to take dinner by ourselves. We had had enough during the day.

At the Conference, speaker after speaker addressed the delegates. After listening to about 21 speeches, I lost count. I observed the delegates from the developing nations apparently listening, but I knew they could not grasp very much of what was being said. For instance, one speaker spoke about computers. I do not believe that any of the delegates from Tanganyika or Iraq were interested in that subject.

I immediately sensed that it was very largely a waste of time to hold a conference of that sort. Yet, it was held, at great expense to the American taxpayers.

Officials from the Agency for International Development were all over the place. Frank M. Coffin, the Deputy Administrator, was there. I am sure that he, too, felt he was wasting his time, when he could have been in Washington attending to his important duties here. Other representatives of the Agency for International Development participated in the Conference. I do not know whether or not they considered it a vacation.

At the Conference I became acquainted with a young man from Nigeria. I found that he and the delegates from Iraq and other countries—all of them—had traveled to the conference first class, and had round trip tickets, first class.

However, American taxpayers who footed the bill lost out on the return tickets for the delegates from Iraq. Those delegates—who listened to perhaps 20 or 30 speeches during 1 day's conference, and it is doubtful that they could assimilate any part of them—obviously were unable to use their return tickets. If they returned to their homeland, they would have been in great danger.

In talking with another young delegate, I complimented him on the fine suit of clothes he was wearing. I found that he had purchased the suit in London. I wondered whether some of my constituents in Ohio would appreciate learning that they had done considerable sweating to pay for our foreign assistance program which enabled that young man to buy that suit of clothes from a London tailor. He traveled first class. He paid little attention to the speeches. He probably could not understand most of those he heard. After I had been there for 3 days I made a statement. I said that the State Department had handled the arrangements without any vision whatever. I have traveled throughout every Central American country. I have spent 26 days on a study mission in South America. I have been in the Far East. I knew that we had AID and Foreign Service personnel all over the world. The State Department should have instructed these people to lay the necessary groundwork for delegates to an extremely technical conference of this kind. We should have followed the example of Canada. I give credit to our neighbors in Canada. Using commonsense and being practical, they had motion pictures there. My colleague and I were fed up with listening to repetitious speeches. It seemed that one after another, the delegates from the United Kingdom and the United States would speak. Then there would follow delegate after delegate from the emerging nations. There was much confusion; and it was a great relief to see the enlightening and educational motion pictures presented by the Canadian delegation. One could learn from them.

I stated that the Vice President of the United States had paid me a great honor. I had come there in high hope that I could render a service. I know that my colleague the Senator from Kansas [Mr. PEARSON] felt the same way at the outset. Both of us were disgusted. I am sorry that the Senator from Kansas is engaged elsewhere and cannot be present at this time. I hope that he will be present on a future occasion when I may advert to the same subject and pay my respects to the State Department's mishandling of this project, because I feel that the Senator shares my views. Otherwise he and I would have stayed longer than the 5 days and 4 nights that we remained there.

It cannot be claimed that the taxpayers paid out an exorbitant amount for our expenses, because we were limited to an expenditure of $15 a day. We are not complaining about that.

I said, "Look at the abominable weather outside." Instead of sending people from all over the world to Geneva in midwinter, the State Department could have arranged initial conferences in each country for nationals of that nation. Our AID personnel already in those countries could have been present to act as advisers. No additional outlay of taxpayers' money would have been necessary. We could have had a gathering of 200, 300, or 400 young men and women meet first in their own countries with our AID technicians already stationed there acting as advisers. Motion pictures could have been shown to them, illustrating the scientific developments and technical advances that we are making in this country.

After showing them these pictures and thoroughly discussing the complex subjects involved, then perhaps our people in those countries could suggest some of the delegates that should be sent from these emerging countries.

I said, "We have relatives of the ruling people of such countries as Chad, Mauretania, and other new nations. They traveled here largely at the American taxpayers' expense, first class. What if any real value has been accomplished?"

What did I read in the handout from the State Department? Five hundred copies of this largely false statement were sent to my office, as if I would be so foolish as to distribute them to members of the press or anyone else. I object to that handout because it misrepresented the statement I made. It stated:

> Senator STEPHEN M. YOUNG, of Ohio, proposed that the United States employ roving teams of technical and information experts to help developing nations make the most of challenging, large-scale, international conferences.

I made no such suggestion. That would be furthest from my thoughts.

I have been a supporter of the mutual security program of the Eisenhower administration. I am thankful that in the Kennedy administration we truthfully call it a foreign assistance program. However, Mr. President, the junior Senator from Ohio is fed up with having the taxpayers of his State sweat and toil and produce and produce, while we are throwing away billions of dollars of foreign assistance, so called.

As I have stated in Geneva and other places, I state here and now that I believe we can truly cut 20 percent from the proposals for fiscal 1964 and save $1 billion of the taxpayers' money on foreign assistance without harming the program in any way. We can leave it to the administrators to apply the cuts.

I do not want more bureaucrats feeding at the public trough as is suggested in this State Department handout. In my statement I referred to American officials already working abroad in our foreign assistance program, and there are too many of them as it is. We ought to remove some of the bureaucrats in the State Department and in the AID program from the public trough and let them come back to the United States and engage in gainful employment here.

Attending the conference were fine technical experts who are leaders in their professions. Many are leading scientists in the United States. I am sure that if they would speak out as I am speaking out today—and as I may speak out on an occasion next week on the same subject—it would be found that they are equally disgusted with having wasted their time in Geneva. I am sure officials of the State Department had such fine men and women sent over there as delegates with high hopes that they could really be helpful to some emerging nations. How mistaken they were. I am very much afraid that our State Department also furnished them economy-class tickets. At the same time the State Department of the United States is indirectly furnishing 40 percent of the money for the delegates from Nigeria, Chad, Tanganyika, Sierra Leone, and many other countries.

As an example, I talked with a young man from Sierra Leone. I was curious. I asked him how he traveled. He said, "I came here first-class commercial airlines. I am going back first class." I asked, "Are you geting much out of this?" He answered, "I am attending parties in the evenings and listening to a few of the speeches. Did you see the moving pictures of the Canadians? They were very good." I replied, "Yes; that is the only good thing about this conference I have seen to date."

Mr. President, I wished to be brief and to the point, and I have not been. However, I resent the fact that some public relations man, as I suppose they call him in the State Department, issued this release. He probably failed to make a good living, or perhaps was fired, as a reporter for some newspaper.

Included in the handout was, "Senator YOUNG Attends the U.N. Science Conference in Geneva." That is one of the very few truthful statements in this handout that the State Department issued.

I resent that handout. I want you, Mr. President, to know that the junior Senator from Ohio can, every now and then, experience some difficulties which he himself gets into. However, he resents someone else putting exactly the opposite meaning to statements he makes.

Mr. President, I know that the USIA is a fine Agency of our Government. Under its Director, Ed Murrow, it has helped and is continuing to help our prestige greatly throughout the world.

What I said at Geneva is what I wish to leave with the Senate today. Instead of spending taxpayers' money on conferences that bring no result whatever, such as this conference—which was a stupid and utter waste of the taxpayers' money by officials of our State Department—we should properly utilize USIA facilities, pictures and services, and our Foreign Service people in the capitals of Africa, Central and South America, and the Far East. Then, we could really accomplish something for the emerging nations.

I see that this release quotes me as saying, "Senator YOUNG said, 'I sense the challenge of the times. It is obvious that America, with its abundance of scientific and technological talent, its pioneering spirit and its unsurpassed energy, must direct its efforts more fully on the home ground.'"

That is what I did say. For once they quoted me accurately. We must first orient these people and instruct them so they can send qualified, competent delegates to international conferences.

I did say that there is a great deal of groundwork that must be accomplished in the developing nations, and

I made it a point to talk with the delegates.

I even talked with a man named Dr. Federov, the leader of the Soviet delegation. He spoke English very well. He expressed surprise that the U.S. Senate was represented by two Senators. After I had been there a couple of days I expressed to my colleague surprise that we were foolish enough to have come. But at that time I spoke up to this fellow, Dr. Federov, and said, "Well, in the United States the people of the United States rule, and the Congress of the United States is made up of representatives of the people, and we are here to help the emerging nations of the world."

That was sophomoric talk, really, but I believed it at the time. That was early in the session. Afterwards I saw the utter futility and, lack of planning, and I cannot blame Dr. Federov for his expression of surprise.

I do not mean to be facetious about this at all. It is a very serious matter to have the money of our taxpayers wasted in such a futile meeting as one of this sort. I am certain that if anyone would interview my distinguished colleague, the junior Senator from Kansas [Mr. PEARSON] he would express a similar view. It would have been a matter of pleasure on our part to have traveled there and back economy class had anything been accomplished. But nothing was accomplished by our being there.

I repudiate, Mr. President, this statement made by the State Department attributing to me views opposite to those which I hold. I would shudder to think that following this conference we would place on the public payroll some roving teams of technical and information experts, so called, in addition to those already in the State Department, who have demonstrated such ineptitude in their failure to properly plan this Conference and in their failure to conduct it in a worthwhile manner.

I yield the floor.

THE SENATE ESTABLISHMENT

Mr. DOUGLAS. Mr. President, while I have been listening to the Senator from Pennsylvania [Mr. CLARK] for the past 3 days, and have been studying his remarks in the CONGRESSIONAL RECORD each morning closely, I have been debating with myself whether I should seek recognition from the Presiding Officer to discuss the points which he has brought out.

I am well aware that to speak on this subject is not popular; that it does not advance one in the assignment of positions; and that it tends to be resented by many who occupy influential positions in the Senate and in the country.

Nevertheless, I felt that it was my duty to indicate that the Senator from Pennsylvania did not stand alone in what he said, and that some indication should be given, through the CONGRESSIONAL RECORD, that there are some—and I believe many—of us who believe in the basic positions which he has been advancing.

Let me say at the very beginning that I have no personal complaints to make so far as my own treatment is concerned. I am a member of two important committees, the Banking and Currency Committee, of which I have been a member ever since I first came to the Senate more than 14 years ago, and the Finance Committee, which I tried to get on for a number of years and had some difficulty in making, but to which I was finally assigned. I am also a member of the Joint Economic Committee.

So I want to make it clear that I have absolutely no complaint about the way I have been assigned to committees, nor have I any complaint whatsoever about the way I have been treated by those who hold different opinions from mine on public policy. Furthermore, I have no animus toward those who are in control of the party senatorial policy. I do not question their motives. I think they are conscientious, according to their lights, and that they have in many ways estimable qualities which deserve recognition.

Nevertheless, the Senator from Pennsylvania has put his finger on one of the weaknesses of our party and one of the weaknesses of the Senate.

The Democratic Party wins its presidential elections by the votes of the great industrial States. It wins those elections on platforms which are believed in by the voters and which pledge to carry out legislative programs which will be in the interest of the great masses of the American people; namely, the wage earners, the small farmers, the white-collar workers, the small businessmen, the housewives, and the consumers. That is how we win our presidential elections. Then the Congress convenes, and we are not able to pass any considerable portion of the program upon which we have gone to the country, and we find that the machinery of the Senate, and I think largely of the House, is in the hands of those who fundamentally do not believe in the program by which the presidential election was won and for which the great mass of voters in the country cast their ballots.

We all know this to be a fact. No one can be around this body for 2 or 3 years—indeed, less than that—without knowing it to be the case. No one can be around here for any space of time without knowing that the combination against such a program operates from both sides of the aisle; that what we have is really a bipartisan alliance, a coalition which is basically opposed to the platform of the Democratic Party.

Many of us have been reading the book "The Deadlock of Democracy" by James Burns, in which I think he correctly states that there are four parties. Even though I think his classification is not precisely accurate, there are four parties. There are the liberal and progressive Democrats, the conservative Democrats, the conservative Republicans, and the liberal Republicans—a small but gallant band. The two center groups, conservative Democrats and conservative Republicans, work in very close alliance with each other, dominate the major committees, control the procedures of the Senate, and in the main stymie the legislation for which the presidential candidate of the Democratic Party has gone to the country.

There is no use, to my mind, in denying these facts, but apparently it is regarded as bad form to call attention to them. I am reminded of the story in Hans Christian Andersen's "Fairy Tales," about the emperor who had a suit of clothes supposedly woven for him which was in reality nonexistent. He paraded in this suit of clothes. Others were expected to admire the suit of clothes. Finally, a very naive boy said, "The emperor has no clothes." Then the illusion was punctured and the people saw the king in his full nakedness. The reluctance of some to discuss the facts of the organization of the Senate is similar to the reluctance to admit that the emperor had no clothes.

Consider the committee chairmanships. Of 14 major chairmen, 10 come from the Southern States, 2 from the Southwestern States, and 2 from States in other parts of the country.

I refer to the bipartisan coalition—I suppose the Senator from Pennsylvania would call it the senatorial establishment—and its followers. I suppose the author of "The Citadel" would call it the club. They mean the same thing and largely refer to the same persons. They control the Senate.

I personally believe the result of permitting the coalition's dominance to continue has been that we have not moved forward in the field of legislation as rapidly as we should have done. I also feel, as a Democrat, that it is of increasing disadvantage to the party in making an appeal to the country, because people are properly saying, "You campaign on these platforms, but you do not or cannot put them into effect when we elect you."

Therefore, the bipartisan alliance, which really carries out the Republican platform, operates against Democratic senatorial and congressional candidates from the North and the West, operates against our presidential candidate, and is indeed an albatross around the neck of the Democratic Party.

Yet we are not supposed to talk about it because we might offend someone or might indicate that matters are decided in a different way from the way they are discussed in public. In short, we should not call attention to the nakedness of the emperor.

However, I happen to be one who believes that the truth in these matters is extremely important and that to recognize the facts is the first step toward cure. We all know it is so in the field of medicine. Diagnosis comes first; cure comes second. As long as one denies he is ill, as long as he believes everything is fine, he will not take steps to cure the situation. Not until evidence piles up, crippling symptoms appear, and real sickness develops are corrective measures adopted.

As I explained the other day, I was put on the steering committee, to my surprise, only 5 minutes before I had to go to Illinois. I left my proxy with the Senator from Pennsylvania. He cast that proxy for me in a manner which would increase the strength of the section of the Democratic Party which believes in the national platform and supports basically the program which the President is trying to put into effect.

Two days ago, when I read off some of the choices which were made, and some of the men who were denied positions, I raised the question as to whether there was any pattern in the decisions which were made, whether this was all "happenstance" and confusion, or whether a pattern developed, without going into the matter of motive in the slightest.

The Senator from Pennsylvania had a study made, which he put into the RECORD of yesterday, and which has been twice summarized. I believe it is worthy of repetition. I have checked his study against the worksheets of committee assignments and I believe it to be wholly accurate.

Eight nonfreshmen Senators who opposed a rules change submitted eligible bids for new committee assignments. Seven of them received new committee assignments. Six got the assignments that represented their first choice. They did very well. Fourteen nonfreshmen Senators who supported a rules change applied for new committee assignments. Only one Senator of the group, the Senator from Montana [Mr. MANSFIELD], got the committee of his first choice. Four others got some minor assignments.

I know that statistical correlation is not necessarily proof of causation. However, this coincidence is really striking; and certainly it is true that a mathematical pattern developed in connection with these assignments. That mathematical pattern shows something which the Senator from Pennsylvania did not mention but which I believe I should mention.

It shows clearly that the Democratic steering committee exercises discretion in awarding new assignments to nonfreshmen Senators in such a way that a large majority of those who had favored a rules change were disappointed, and a large majority of those who opposed a rules change were given their requested assignments. This is the pattern. I defy anyone to draw any different conclusions from it.

As I say, in accordance with not only the rules of the Senate, but also the practices of the Senate, I do not make any charge as to motive. I merely say that that is what happened. That is what has tended to happen year after year.

The result of this decision, both on the numbers to be included on the Finance Committee—which I regard as the most crucial decision made—and on the assignment of individual Senators, has been such as to put the President's program in grave jeopardy.

For about 7 years I have been a member of the Finance Committee. I like my colleagues on the committee. I have respect for the chairman of the committee, who has great personal integrity.

However, for years in my judgment this committee has not supported the national program of the Democratic Party. Unless there is a change in the position of the committee or a change in the opinions of this particular committee, it is going to be extremely difficult to carry out the program of the Democratic Party so far as at least two important measures are concerned, namely, the tax bill, and the hospital and nursing care for the aged bill, which was introduced today. If we fail to pass these bills in any meaningful form, it will be in part due to the position of the Finance Committee. That committee, incidentally, violates the proportion which exists in the Senate. The proportion between Democrats and Republicans in the Senate is slightly better than 2 to 1. The proportion on the Finance Committee is 11 to 6. In years past a sufficient number of Democrats, high ranking members, have almost always sided with the Republicans, so that in effect the party of the President, the party of the national platform, was in a decided minority, and the committee was not able to report bills in the fashion indicated.

Much the same thing has been true in the Committee on the Judiciary. While I do not complain about anything that has happened to me—indeed I have no grounds for complaint—I feel that I ought to enter an objection to certain decisions which were made adverse to Senators who have tried to carry out the program of the Democratic National Party.

I should like to mention only three of these Senators. I could mention more. However, I wish to start with the Senator from North Dakota [Mr. BURDICK], who twice has sought a seat on the Committee on the Judiciary and twice has been passed over.

In this instance I know he was passed over again in favor of Senators with much less seniority. I do not complain about the character of the men who were selected. I merely say that here is a Senator from North Dakota, a good lawyer, one of the best lawyers in the Northwest, the son of the beloved Usher L. Burdick, who for many years was a Member of the House, a man who, though he does not have more than a handful of Negroes in his State, and has always voted for civil rights legislation.

By his qualities, by his record, he abundantly deserves being placed on the Judiciary Committee. Yet he has been twice passed over.

I should like to mention another Senator, the Senator from Utah [Mr. MOSS], one of the finest men in the Senate—quiet, unobtrusive, modest, but a man who has tremendous courage and great integrity. I could tell many stories about FRANK MOSS, to indicate the quality of the man, but for confidential reasons, I shall not do so. He also comes from a State which has almost no Negroes in it, but he has always voted for civil rights legislation.

These two men get no political gains from the position they take on civil rights, or from the position which they take in believing that sometimes the Senate should be allowed to vote on certain measures. There is, in well-known parlance, no political "moxie" attached to what they do. They take the position they do as a matter of conscience. They cannot be accused of following anything but their conscience in their actions.

Men like that should be rewarded, not punished, because in political life conscience tends to be eroded. It needs to be fostered, not discouraged. The attitude of these men is above and beyond praise. It is not popular for them to take the position they take. It is not popular for anyone to take that position, but especially it is not popular for them to take it.

Yet for reasons of conscience they do what they do. They suffer for it. The only conclusion which the general public can draw—I do not say that I draw it—the only conclusion which the general public can draw, is that there is a connection between the stand which they take and the punishment which they receive. Others who look on and see what happens to these men will have the feeling that if they become independent and take this position, they are likely to experience the same results. It is only necessary to punish a few men in order to deter others. That is the secret of intimidation. If a few are punished, that punishment operates automatically upon others.

I could go on. I believe that the senior Senator from Wisconsin [Mr. PROXMIRE] should have received an assignment either to the Committee on Finance or the Committee on Appropriations. He was entitled to one or the other of those assignments on the basis of seniority. Certainly he is entitled to one or the other of those positions on the basis of knowledge or ability. I do not always agree with him on everything. I favor a tax cut under the present economic situation. The senior Senator from Wisconsin does not favor a tax cut. But he knows what he is talking about. He never twists the facts. He works hard. He is a man of great integrity. I regard him as one of the most valuable Members of this body. The way in which he scrutinizes appropriation bills commands my esteem. As a battle-scarred veteran of this effort I thank Heaven there is someone young, vigorous, and strong who is doing this work. In my judgment, the senior Senator from Wisconsin has saved the taxpayers of the Nation a great deal of money. He should have been assigned either to the Committee on Appropriations or to the Committee on Finance. I tended to favor him for the Committee on Finance.

There were other failures to assign to committees which may not have been so conspicuous as the cases which I have cited, but which, nonetheless, occurred. The junior Senator from California [Mr. ENGLE], a Democrat who adopts a national point of view, sought assignment to the Committee on Appropriations, but he was not so assigned.

The junior Senator from Michigan [Mr. HART] was passed over for his first and second choices, the Committee on Appropriations and the Committee on Armed Services. He is one of the most conscientious Members of Congress. He also is a strong defender of civil rights and of the national program of the Democratic Party. But he was relegated to a less important committee; namely, the Committee on Commerce.

The junior Senator from Ohio [Mr. YOUNG] was passed over. He had served on the House Committee on Ways and Means and was abundantly qualified for the Committee on Finance.

The senior Senator from Pennsylvania [Mr. CLARK] in past years was passed over for assignment to the Committee on Foreign Relations in favor of those having less seniority.

So I submit that a pattern tends to emerge, in which one takes an occupational risk, in all probability, by voting for a change in the cloture rule, by voting for civil rights, by voting to reduce the depletion allowance, and, in general, by following the national platform of the Democratic Party. This punishment is meted out by one's own party associates. It is not a way to make the party in Congress responsive to the platform upon which we run and upon which we seek votes.

Like many other Senators, I have been reading the political history of Congress during the years immediately preceding the Civil War. At that time the Democratic Party was divided between the northern Democrats, who, in the main, believed in freedom, and the southern Democrats, who believed in slavery and in its extension.

The southern Democrats controlled the political organization of the party in the Senate and the House. They insisted on a rigid control of the party in their interest, and they drove out of the Democratic Party some of its fine spirits, perhaps its best spirits, in the North. We sometimes forget that Salmon P. Chase started out in life as a Democrat. He was a Democrat in the U.S. Senate. We forget that Lyman Trumbull, of my State, was a Democrat until the Kansas-Nebraska Act was passed. He could not stomach it any longer, and he had to leave.

Gideon Welles was an antislavery Democrat of the North. There was a large group of such men. But the South insisted on its proslavery policy and drove those men out of the Democratic Party. They found their way into the Republican Party. And for the following 52 years, the Democratic Party remained out of power, with the exception of the two administrations of Grover Cleveland.

I am not suggesting that the situation today is precisely analogous. I am not suggesting that our southern friends wish to eliminate the 13th amendment and to restore slavery. I can say, however, that in the main they are determined to ignore the 14th and 15th amendments to the Constitution—not all of them, but the majority of them. I regard the 14th and 15th amendments to the Constitution as integral portions of the Constitution, just as much as any other section of the Constitution. Dominant white opinion in the South is not willing to give the Negro those basic rights over which thhe Civil War was fought and won.

I personally believe that Congress should take advantage of the section in each of those amendments which gives to Congress the power to pass legislation to make those amendments effective. I do not regard the 14th and 15th amendments as mere window dressing, as mere language of high ideals useful to make people feel good but which is devoid of reality. I think they are meant as guidelines to action.

It remains to be seen whether we will be permitted to make the 14th and 15th amendments effective. If we are not, I am confident it will not be good for the country, and it will not be good for the Democratic Party.

Who were the northerners whom the South permitted in the days before the Civil War to take some share in the leadership of the Democratic Party? They were called "doughfaces." A "doughface" was defined as a northern man with southern principles. So from 1852 to 1862 the country had two "doughface" Presidents—Franklin Pierce, who graduated from my college, and was one of the poorest Presidents the country ever had; and James Buchanan, another "doughface." They nearly brought the country to ruin. And there were "doughfaces" in the Senate and in the House. Perhaps the most injurious of them was Jesse B. Bright, of Indiana, who favored the extension of slavery into the Territories. Stephen A. Douglas, whose seat I now occupy, hesitated for a long time before deciding whether he would be a "doughface." But finally, in 1857 and 1858, he had the manhood to refuse to go along with the program which would have forced the extension of slavery into the Territories. He paid for that by being defeated in his bid for his party's nomination for President of the United States in 1860; and the party paid for it by its split.

Of course, there is another difference between the situation today and the situation in the days preceding the Civil War; it is that the national leaders of our party are not "doughfaces." Presidents Roosevelt, Truman, and Kennedy have, in the main, been leaders of the liberal wing of our party—a party which believes we should stand for human rights, and that the Government is intended to better the condition of the average man and the average woman. They are not always as militant in supporting these principles as we might like them to be; but we realize the political difficulties they encounter. They know they have to deal with the party structure in the Senate and in the House. They do not wish to engage in battles which, in the short run, will be lost. But the restraints which operate upon a President need not, and in my judgment should not, operate on Members of the Senate and Members of the House. Some of the legislation we favor may be "derailed"; some reprisals may occur. But in the main we have the obligation to our party and to the country to speak out, because, frankly, this is an intolerable situation. It is intolerable for us to win national elections, but be unable to carry the program into effect. It is intolerable to have the congressional leaders of our party in the main oppose the program of the party, or, if they do not openly oppose it, support those who do oppose it. The people of this Nation are not fools. They can see through what is happening. It was only necessary for that one child to say, "The emperor has no clothes on," for people to realize that that was so. In medieval days, in the days of absolute monarchies, the only man who was permitted to tell the truth was the court fool. That is the entire basis of Erasmus' famous book "In Praise of Folly." Only folly was permitted to be wise. The court fool could tell the truth, because if he did, others could always say, "Well, he is just the fool."

Mr. President, I think the party and the Senate need a few people who will say, "The emperor has no clothes on," and who will state the truth.

It is not popular to do that. The Senator from Pennsylvania [Mr. CLARK] took great risks by making the speech he made. He can always be accused of "sour grapes," and can be told, "The legislation you favor will not go through. The dam your constituents want will not be built. The river improvements your constituents want will not be made." But the Senator from Pennsylvania felt that he must speak out, and I think he has performed a very valuable service.

He did not speak to a crowded Senate; and I am not speaking to a crowded Senate, either, exactly. Very few of the lords of the press are now in the Press Gallery. But our words will appear in the CONGRESSIONAL RECORD, which some people read; and voices in this country are not entirely muffled.

Mr. President, I wish to say, in all kindness, that the Democratic Party is not served by putting the congressional structure of the party in opposition to its platform. The Democratic Party is not served by attempting to deny the existence of palpable truths. The Democratic Party is not served when Senators such as the Senator from Utah [Mr. MOSS], the Senator from North Dakota [Mr. BURDICK], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Michigan [Mr. HART], the Senator from Ohio [Mr. YOUNG], and the Senator from California [Mr. ENGLE] are discriminated against; nor is the Democratic Party served when Senators who go along with the bipartisan coalition are rewarded. Jesse Bright does not cut a very glorious figure in the history of the U.S. Senate. Salmon Chase as a Senator cuts a very good figure. I do not approve of everything he did afterwards; but he was a heroic Senator.

Unless we put more vitality into the congressional work of our party, it will be very hard to go before the voters in 1964 and urge them to vote for the party. The tragedy is that in 1964, of the 24 now sitting Democratic Senators who then will be running for reelection, 21 come from the North and from the West, and, in the main, represent the progressive wing or the liberal wing of the party; they may pay with their political lives for the sins of others.

Sometimes, Mr. President, in my sardonic moments, I wonder whether this is also a part of the plan—to discredit the party, to defeat the Senators from the North and the Senators from the West who otherwise might threaten the supremacy of the bipartisan alliance, and then to emerge with an even tighter control over the Senate than before, with the bipartisan coalition swollen in numbers and the liberal opposition diminished.

It will be very interesting to watch the developments during the coming 6 or 7 months that Congress will probably be in session. I hope that the program of the President will not be derailed, but I very much fear that it will be derailed by the decisions which have already been made as to the organization of the committees. That is why I intend to vote with the Senator from Pennsylvaina [Mr. CLARK], even if his voice and mine are the only voices raised on the floor of the Senate when the roll is called.

The Senator has helped to ring a firebell in the night which I hope will awaken many people in the country to a realization of what they dimly suspected, but which should not stand revealed. He has given to the coalition the somewhat flossy name of "The Establishment." I suppose that is a fairly good term. We could call it "The Establishment." I suppose that is a fairly good term. We could call it "The Establishment," "The Club," "The Bipartisan Coalition," or anything else, but it is two wings of the same bird, and those wings move in unison except, as I have said, for the small but gallant band of liberal Republicans on the other side of the aisle and except for the majority of the Democrats on this side of the aisle.

The tragedy is that we cannot seem to get together. The tragedy is that the overwhelming majority of Republicans and a minority of the majority are ensconced in the seats of power, entrenched behind the rules of the Senate, able to overawe some of the swing votes, and in general to have their will. These are issues which should be discussed.

I commend the Senator from Pennsylvania for raising the question. I felt that to remain silent would be in a sense to desert him, and that he needed support. While I wish that others would come forward, they will have their opportunity next Monday.

Mr. President, I yield the floor.

NEW YORK CITY NEWSPAPER LABOR DISPUTE

Mr. DIRKSEN. Mr. President, I am somewhat startled at the formal statement read by the President of the United States today at his press conference in which he takes sides in a labor dispute in New York City against the union involved and its leader whom he designated by name.

The labor dispute involves major New York newspapers and the typographical local headed by Bertram Powers. The President has previously agreed that this dispute is not covered by Federal statutes, specifically the Taft-Hartley Act.

Now I have complete sympathy for any community which has been deprived of its channels of information through any incident. But I am nonplussed at the thought that the President of the United States would use the great prestige of his office to influence free collective bargaining by an implied denunciation of one side or the other and by the naming of the supposed culprit.

Where does such a White House policy end? In fact we might ask where does it begin.

At his February 7 press conference the President was asked:

> The New York newspaper and Cleveland strikes do not fall at the present time under the Taft-Hartley law, and the impact of the New York strike can be seen by the fact that New York's economy is off 8 percent in department store sales.
>
> Do you feel that there should be some sort of legislation to bring strikes of this nature which affect the economy within the Taft-Hartley law, or do you see a larger role for the Government in such strikes?

The President replied:

> Well, it is hard to have a strike under the Taft-Hartley law or under any language. You mean, really, that the Government would be involving itself in hundreds of strikes, because a good many strikes, which do not affect the national health and safety can affect local prosperity, so you would find the Government heavily involved in dozens of strikes.

I must say that I agreed with the President's statement 2 weeks ago, not this week.

The President suggests that this dispute be submitted to arbitration, yet by implication he has already placed the prestige of the White House against one of the parties to the dispute.

Nearly a year ago I joined with several of my colleagues in protesting the action of the White House in the steel price controversy. I thought it was a questionable act then and I still think so. I think the statement of the President today in the New York newspaper dispute is in the same category.

I do not think the Founding Fathers or the Constitution intended for the Office of the President to be employed in this fashion. I do not think the American people today want the Office of the President to be used in this fashion.

The powers of the executive branch are already enormous. I think the American people can well ask themselves, If the President of the United States can intervene without benefit of law in the price judgments of the competitive market, if he can intervene without benefit of law in a local New York labor dispute, what other segments of American life may in the future be subjected to the same White House intervention?

Certainly a fundamental question has been raised by these Presidential actions and that question involves the very basic principles of American liberty. I urge Senators not to take these occurrences lightly.

MILITARY ASSISTANCE PROGRAM IN WESTERN EUROPE

Mr. CHURCH. Mr. President, I would like to call the attention of my colleagues to a recent article appearing in the U.S. News & World Report. The article compares the present defense burden of the United States with that of the countries of Western Europe. The analysis very cogently demonstrates the disproportionately heavy burden the United States carries in providing an adequate defense for ourselves and for our allies in Western Europe. The article shows that the American taxpayers are bearing far more than their fair share of this cost, while at the same time the NATO countries are assuming military expenses in an amount much less than their national wealth would allow.

For example, as the article points out, the United States is spending 11.3 percent of its total national income for defense purposes, while Western Europe spends 4.9 percent. The average American taxpayer pays $277 a year for defense purposes, while the average European is paying only $53 yearly for defense purposes. In addition, the United States has some 2.7 million men under arms, which is only slightly less than the total men under arms in all of the NATO countries put together. While we operate under a rigorous 24-month compulsory draft, all of the NATO countries have shorter draft requirements—except Turkey and Greece—and Great Britain has no compulsory draft at all.

In short, Mr. President, the article shows that the prosperous countries in Western Europe are not making as much an effort, in proportion to their own resources, to maintain their armed forces, as we have been making in proportion to ours. Indeed, we are making over twice the effort for defense in relation to our own wealth as the average of our European allies in NATO. I think the American people are of the opinion that the time has come for many of these prosperous nations in Western Europe to assume their obligations by contributing their share of these vast defense costs.

The inequitable situation becomes more apparent when the military assistance program of the United States, as it is applied to the countries of Western Europe, is considered. Only last year, over $314 million was allocated for military assistance grants to Western Europe. This is a perpetuation of the military subsidies we continue to give these countries, which have totaled more than $14½ billion since 1950, despite the fact that the majority of the countries involved have long since recovered economic capabilities sufficient to sustain their own military forces without external aid.

There is clearly no economic basis upon which to justify our continuing subsidies, in the form of military grants, to these countries in Western Europe. Congress stopped further substantial economic aid to these countries nearly 9 years ago, when it was recognized that they had fully recovered their capacity to be self-supporting. The time is long overdue for us to take a similar stand on military aid.

My colleagues may recall my efforts in 1961 to have the Congress amend the Foreign Aid Assistance Act to provide that further military assistance on a grant basis to the countries of Western Europe, except to fulfill prior firm commitments, should terminate, unless the President declared an emergency or determined that such termination would create an undue economic burden on the particular country for which the proposed grants were intended. At that time storm clouds were gathering over Berlin, and my amendment failed to carry in the Senate. Last year, in hopes of getting some kind of congressional action, I proposed a less stringent amendment to the Foreign Aid Assistance Act of 1961, and it was adopted. This amendment provided:

> The President shall regularly reduce, and, with such deliberate speed as orderly procedure and other relevant considerations, including prior commitments, will permit, shall terminate, all further grants of military equipment and supplies to any country having sufficient wealth to enable it, in the judgment of the President, to maintain and equip its own military forces at adequate strength, without undue burden to its economy.

History has shown, Mr. President, that once these military assistance programs are underway, those administering the program become increasingly reluctant to end the program. Their oft-stated policy that the United States must furnish follow-on support in order to assure full effectiveness of previously furnished materiel simply means that once this military aid has begun it can never stop. If we accept this principle, the United States will have to continue its grants-in-aid indefinitely, even when the recipient countries can afford to purchase the follow-on support, as is now the case for most countries in Western Europe.

At a time when we are struggling to correct our adverse balance of payments, and when too many of our citizens are unemployed, the American taxpayer has a right to expect our NATO Allies to assume a greater share of their own defense burden. Through the adoption of my amendment last year, the Congress has made a start to close the door on further American subsidies to those self-supporting countries that have no need whatever for more American aid. It is my intention to urge the Congress, at the appropriate time, to strengthen its expressed position by writing stronger limitations into this year's foreign aid bill.

I believe this article is most timely, Mr. President, and I am hopeful that those of my colleagues who have not had the opportunity to read it can find time to do so. I ask unanimous consent to have printed in the Record at this point, the article appearing in the January 21, 1963, edition of the U.S. News & World Report.

There being no objection, the article was ordered to be printed in the Record, as follows:

Defense Burden: Will Europe Pay Its Share?

The White House now is giving signs of being more and more impressed by a set of facts often glossed over in the past.

The facts, in essence, are these:

A Western Europe that was heavily damaged by war not many years ago is actually moving ahead faster today than the United States. Americans over the years contributed importantly, of money and direction, to produce these good times for Europe.

Around the world, colonial empires that European nations are turning loose, or have turned loose, are being bolstered with American aid.

American youths, American weapons, American leadership and American taxpayers, at this time, are bearing the bulk of the burden of defending the rich nations of Europe, with combined populations greater than that of the United States.

TIME FOR A CHANGE?

The idea is dawning that maybe the time has come when other nations can take over more of the task of defending themselves and of helping underdeveloped nations.

President Kennedy has suggested that. Robert McNamara, U.S. Defense Secretary, repeated it rather bluntly to a meeting of U.S. allies in Europe.

Charts and tables on the two following pages help to give you an understanding of what is on official minds. The figures indicate that Americans are carrying a disproportionate share of the load involved in defending the political freedom and economic well-being of big European nations.

It is this burden, officials point out, that is weighing heavily on American taxpayers and leaving an unbalanced American budget.

The suggestion that part of this load be shifted to shoulders of Europe's taxpayers and Europe's young manhood is not meeting with an enthusiastic reception in Europe.

A look at Europe shows this:

The British, as an example, insist that they cannot afford the burden they already are carrying. Britain has no draft. Its contribution to the defense of the European Continent is three badly understrength divisions, instead of the four full divisions to which the British are committed. Britain, in addition, was counting on the United States to develop, and to help supply, missiles with which to arm its bombers. There was a loud outcry when President Kennedy decided to cut off that program.

The Germans and French, meanwhile, say that the latest American ideas about what is needed to defend Europe are wrong. Americans are placing stress upon the need for more ground forces, armed with modern weapons of conventional nature. They discount the chances of unlimited, nuclear war, pointing to a growing stalemate in nuclear arms between United States and Russia.

The big need in the United States view, is primarily for more French and German divisions, to supply the troops for a mobile defense. As the Germans and French see it, however, any future war in Europe will be nuclear war, with only the United States and Russia possessing those weapons in quantity. If Europe is to do more, nuclear arms must be shared in some way, they say. So a standoff in basic policy results here.

Italy and the smaller nations in Western Europe are reacting to the American suggestion by insisting individually that they are not as rich as they may appear to be on the surface. They plead inability to supply more manpower, or to provide more weapons or funds for their defense.

Despite this resistance to increasing Europe's share of the defense burden, a serious effort now is to be made by the Kennedy administration to work out a more equitable arrangement for paying for Western defenses.

The arguments to be used by the United States boil down to these:

America, with a third fewer people than Western Europe, is now supporting about the same number of men under arms—including 425,000 Americans standing guard in Europe in 5 U.S. divisions, a major U.S. fleet in the Mediterranean, and a big network of U.S. air bases over Europe and nearby areas.

The United States, at this time, also is paying out far more than are its allies in Europe for defense, even after discounting the difference in national incomes. This contrast in defense costs is what bothers hard-pressed U.S. officials the most, now that Europe has achieved record prosperity. The important measure of defense costs, as they see it, is this: The United States is spending 11.3 percent of its whole national income for defense, while Western Europe spends only 4.9 percent.

In terms of money actually spent by allies on each side of the Atlantic, the contrast is even more pronounced. The United States now is spending for defense at a rate of $52 billion a year. That compares with only $14.9 billion a year spent for defense by all 12 of its European Allies combined.

When these outlays are averaged out to find the cost to each taxpayer, the burden appears more one sided than ever. It works out to this: The average American is now paying $277 a year toward the cost of defending the West. But the average European is paying only $53 a year for defense.

Americans, it turns out, are paying on the average about five times as much toward the burden of defense as do Europeans in the North Atlantic Treaty Organization.

A COMMENT FROM LONDON

This disparity is recognized by many informed people in Europe as well as in the United States. The London Economist reported the growing restlessness over the one-sided defense costs in this way in its January 5 issue:

"The United States regards the defense of Western Europe as utterly necessary to its own defense and does not visualize a time when this will not be so. But Americans feel that the burden of this defense is very great and should be shared more equitably; the United States provides the nuclear deterrent power, at fabulous cost, and an unduly large proportion of the fully trained and equipped manpower for the frontlines as well."

The whole issue is coming to a head at the time of a change in the top military command of NATO forces, with Gen. Lyman Lemnitzer replacing Gen. Lauris Norstad as supreme commander of the NATO forces in Paris.

The new commander, like the retiring one, is known to feel strongly that more military forces are needed—and in a hurry—in Western Europe if any real defense is to be insured.

THE LINEUP

Right now, under the NATO command in the crucial zone across central and northern Europe is a total of 24 divisions. Top military planners at NATO headquarters in Paris believe they need 30, at a minimum.

Of the present 24 divisions, the United States contributes the 5 best equipped, most combat-ready units. Britain furnishes three divisions—all under strength. France contributes two, West Germany nine, Belgium two, the Netherlands two, and Canada one brigade.

The additional required divisions have been promised for years by NATO nations, but not supplied. They include two more French divisions, three more German, and one more British.

There are other NATO divisions on hand now, on Europe's southern flank. Turkey is supporting 14, Greece 8, and Italy 7. But all of these units are needed to defend that flank, could not readily be shifted to the central front if a Soviet attack should begin to sweep across Western Europe.

As a result, NATO planners see a major need now for more "conventional" troop units in central Europe. In addition, they say, tactical nuclear weapons soon will be needed as part of the basic equipment for most NATO divisions if defense is to be effective.

Together, these needed improvements could increase the cost of Europe's defense by billions.

TOUGHER DRAFTS?

More military manpower is involved, too, as well as more money. At present, none of the allied nations in Europe comes anywhere close to the United States in the proportion of its young men serving in the Armed Forces. Where the United States has 5.4 percent of its available manpower now in military uniform, Britain has only 2.5 percent, West Germany 2.2 percent, Denmark 3.2 percent.

Draft provisions, United States believes, need tightening all over Europe if this manpower burden is to be equalized.

At present, for instance, Britain has no draft at all. Denmark drafts its youths for a minimum of only 16 months. France has just reduced its draft service from 27 to 18 months. Germany has 18 months as a basic draft period. Italy's minimum is 18. Norway has 16 to 18 months, Portugal 18 to 24 months. Only Turkey and Greece, in fact, equal the U.S. requirement of a basic 2 years of service for all draftees.

SPECIAL CASES, ALL

Why is a prosperous Western Europe reluctant now to contribute more toward its own defense? Each nation, when queried by the United States, comes up with a different reason.

Some, like West Germany, point to an acute manpower shortage in a period of full employment, plus a lack of training facilities for more military units.

Others, like the British, say politics keeps the Government from going back to drafting men for the armed forces, or draining off funds needed elsewhere for use in stepping up defense outlays.

Then there are special cases. Italy's inadequately equipped force is financed by the lowest percentage of national income devoted to defense of any big European country. Yet Italy insists no funds can be spared from the job of rebuilding depressed southern Italy. And the French, with nearly a million men under arms, are contributing only two divisions to NATO—the same number as Belgium—because of continued nervousness about North Africa.

Americans, as a result, are finding that their share of the defense burden continues to run to many times that of Europe, when Europe's growth rate surpasses that of the United States.

To some Members of Congress, it raises the question, "Is America being played for a sucker, when it comes to paying the bill for defense?"

The arms load, country by country

IN MONEY

	Yearly defense budget	Defense spending's share of national income
	Millions of dollars	*Percent*
United States	52,000	11.3
Britain	4,180	6.7
France	3,786	7.2
West Germany	3,750	5.9
Italy	1,255	4.4
Netherlands	555	5.0
Belgium	364	3.8
Turkey	287	4.3
Norway	191	5.0
Denmark	180	3.2
Greece	170	5.8
Portugal	158	6.9
Luxembourg	7	1.7

IN MANPOWER

	Size of Armed Forces	Armed Forces' share of manpower
		Percent
United States	2,700,000	5.4
Britain	415,000	2.5
Franc	705,000	5.3
West Germany	353,000	2.2
Italy	470,000	2.8
Netherlands	141,000	4.2
Belgium	110,000	4.3
Turkey	455,000	5.1
Norway	34,000	2.9
Denmark	46,500	3.2
Greece	160,000	6.2
Portugal	80,000	2.9
Luxembourg	5,500	5.0

IN LENGTH OF MILITARY DRAFT

	Compulsory military-service term
	Months
United States	24
Britain	(1)
France	18
West Germany	18
Italy	18
Netherlands	20
Belgium	18
Turkey	24
Norway	16
Denmark	16
Greece	24
Portugal	18
Luxembourg	9

(1) No draft.

CONTRIBUTION BY CHARLES W. LUBIN, OF ILLINOIS, TO INTERNATIONAL MUSIC

Mr. DIRKSEN. Mr. President, in recent years, both in this country and throughout the free world, we have witnessed a heartening surge of interest in the arts and in cultural pursuits.

In our own country, the number of people who devote their professional lives to the arts—drama, painting, sculpture, music, architecture—has rapidly grown. There has been a similar acceleration of interest on the part of those whose relationship to the arts is that of the amateur or of the sponsor.

We are all the better off by far because of this heightened interest and activity.

It is for these reasons that I am happy to report that a citizen of my own great State of Illinois, Mr. Charles W. Lubin, has taken a leading role in the development of a major international music program involving the exchange of prominent young artists. I refer to the first American participation and association with the Jeunesses Musicales international artists exchange program. The principal objective of the federation is to develop an appreciation of good music in youth and young adults in the 24 participating countries, and they accomplish their mission by giving concerts throughout all these countries.

The entrance of the representatives of the United States into this most worthwhile project was announced recently by Isaac Stern, the world-famous violinist, who is president of the Carnegie Hall of New York, and by Mr. Lubin, who is president of the Kitchens of Sara Lee.

I believe it is most heartening when a public-spirited company like the Kitchens of Sara Lee, demonstrates its concern for the public welfare and for the promotion of work of artistic merit. It is particularly significant to me that while in other nations the participation in the International Federation of Jeunesses Musicales has been handled by the ministry of culture or some other part of the government, here in this country it remained for a private corporation to assume this responsibility, and at no cost whatever to the Federal Government.

Permit me just a word of background about this whole international musicales program. The Jeunesses Musicales movement began in Brussels, Belgium, in 1940, and it quickly spread to a number of other European countries. The Jeunesses Musicales program aims to develop an enjoyment of good music among youth and young adults by means of live concerts and commentary. A related objective is to encourage the practice of music among youth through the formation of orchestras, ensembles and choral groups, to print special musical publications and make specialized recordings. Some 23 countries, in addition to the United States, participate: Argentina, Austria, Belgium, Brazil, Canada, Chile, Denmark, France, Great Britain, Israel, Italy, Japan, Luxembourg, Monaco, Netherlands, Philippines, Portugal, Spain, Switzerland, Turkey, Uruguay, West Germany and Yugoslavia.

In each country the Jeunesses Musicales is an autonomous and self-governing organization, financed through membership dues, box office receipts, the sale of its publications and recordings and subsidies either from government or from public-spirited foundations like that set up by the Kitchens of Sara Lee.

This Illinois company is underwriting the entire cost of the present American project. A program has been developed to include a concert tour of American colleges and universities by artists from France and Canada, with two concerts at Carnegie Hall in New York featuring both American and visiting artists. In addition, American artists will go abroad to play for Jeunesses Musicales chapters in other countries.

In the present program, Miss Reine Flachot, a young French cellist, and Mr. Marek Jablonski, a young pianist from

Canada, will play for American audiences. Under the same auspices Mr. Lynn Harrell, a 19-year-old cellist from this country, will play at concerts in Canada. Concerts in Italy and France will be given by Jaime and Ruth Laredo. Their work with violin and piano has been widely acclaimed.

I believe that all who are interested in the development of American musical expression and the exchange of cultural experiences among peoples will note with deep satisfaction the development of U.S. participation in the Jeunesses Musicales program.

As Governor Rockefeller from the State of New York has noted:

> The launching of the American branch of Jeunesses Musicales is an event to be warmly welcomed. Its purpose in giving young musicians opportunities to be heard and opportunities for young audiences to hear them should be encouraged by all possible means. My compliments to the thoughtful men and women who are sponsoring this project. They are helping to meet one of the crying needs of the day.

Further I concur with the splendid words of Mr. Lubin, the president of Kitchens of Sara Lee, in his belief that "sponsorship of such a program should rightfully be the responsibility of private business" in this country.

Mr. Lubin deserves our thanks and appreciation for the sponsorship role into which he has placed his company. I think we all would join with Mr. Lubin in hoping that the sponsorship provided by the Kitchens of Sara Lee will give impetus to the careers of these fine performing artists and "will create a greater appreciation of find music among audiences both here and abroad."

Certainly, in a world whose daily life is so often marred by conflict and hate, it is heart warming indeed to be able to report not only on the magnanimous action of a fine businessman from my State of Illinois, but to witness the encouragement to young musical talent in every country which the Jeunesses Musicales program makes possible.

MILITARY POSTURE OF THE UNITED STATES

Mrs. SMITH. Mr. President, in the continued appearance of the Secretary of Defense before the Committee on Armed Services, I asked additional questions with respect to his unclassified statement which was released to the press yesterday.

I ask unanimous consent that the questions I posed today—in addition to those posed yesterday and placed in the RECORD—be placed in the body of the RECORD at this point.

There being no objection, the questions were ordered to be printed in the RECORD, as follows:

QUESTIONS OF SENATOR MARGARET CHASE SMITH TO DEFENSE SECRETARY MCNAMARA, 1963 DEFENSE POSTURE HEARINGS, COMMITTEE ON ARMED SERVICES, U.S. SENATE

II. STRATEGIC RETALIATORY FORCES

1. With respect to your statement on pages 28 through 42 on *strategic retaliatory forces*, I have some questions.

In your Ann Arbor speech and again in your interview with that famous inside-strategy-crisis news columnist, Stewart Alsop, you spoke of a counterforce—or no-cities—strategy as an option for our retaliatory forces.

I note that your programed strategic retaliatory forces are becoming more and more heavily weighted toward the missile force. In fact, the B-47's are scheduled to phase out in the mid-1960's—and there is no follow-on bomber for the B-52 or B-58. In fact, I saw the last B-52H off the assembly line down at Homestead Air Force Base.

It is obvious that eventually, and probably sooner than later, there will be no more manned bombers in our strategic forces.

I gather from your statement on page 31 that the death knell for the B-52 was sounded by you in 1961. Apparently that stopped the production line on B-52's. Do you believe that it was a wise decision to stop the production line on B-52's completely instead of maintaining in being a minimum production line to retain the capability—or do you think that decision was possibly wrong?

2. How long do you expect to have the B-52's in our active defense inventory?

3. In view of the phasing out of the bombers, will you please tell me what this means to B-52 bases like those at Loring Air Force Base, Maine, and Dow Air Force Base, Maine?

4. Do you anticipate these bases being closed down or will they be used for another military mission?

5. You will remember that I did not fight against closing the Snark missile base at Presque Isle, Maine—in sharp contrast with what other Congressmen did in other States in opposing base closings because it would adversely affect the economy of their cities and States.

However, cooperation must be a two-way street—just as mutual as "mutual deterrence"—and I expect you to tell me and the people of Maine when you expect to close down or change the bases at Loring and Dow as far in advance as possible.

Therefore, I ask you now for the planned schedule for these two bases.

6. In view of the obvious planned phasing out of manned bombers, how do you intend to destroy remaining targets in a second strike with a pure missile force that has no reconnaissance-strike capability?

7. How do you intend to cope with the mobile or imprecisely located targets?

8. If it takes more than one of our missiles to destroy one of the enemy's hardened silos, how do you intend to stay that far ahead of the Russians in missile strength?

9. How do you propose to distinguish between those launch sites which are empty—the empty holes—and those which still contain their missiles?

10. If I read the Alsop article (interview of you) and remember it correctly, you spoke about the desirability of the Soviets acquiring a second-strike capability. How do you square that with our objective of destroying enemy remaining forces in a second strike of our own—aren't such aims contradictory?

11. In your Ann Arbor speech you seemed to declare in favor of a policy of counterforce. Since then you have made statements that imply rejection of counterforce. Are you in favor of counterforce as a policy or are you opposed to it?

12. The Polaris missile system, about which you speak on pages 37 and 38 of your statement, seems to be the current answer for our nuclear deterrent problems. We substituted it for Skybolt with the British, offered it unsuccessfully to De Gaulle as an inducement to join a NATO multilateral force, and are replacing Jupiters in Italy and Turkey with Polaris submarines.

As marvelous a weapon system as Polaris is, like any weapon system it has its limitations—range, accuracy, cost, and assurance of communications. Even its greatest asset of invulnerability is not invulnerable to a Soviet breakthrough in antisubmarine warfare.

Are we placing too much reliance for our deterrent capacity on the Polaris in the possibility of a Russian breakthrough that could offset it suddenly?

13. What measures are you taking to hedge against this possible contingency?

14. Since Polaris is not identified with any nations' sovereign territory, what would the United States do if our Polaris submarines began to disappear one-by-one in peacetime?

15. On page 37, you refer to the Minuteman missile. If the Soviets should develop a really effective anti-ICBM by 1968 or 1970, what are our plans to do then—would not the so-called nuclear stalemate be broken in that event in the Soviets' favor?

16. To me it appears from your statement that we are limiting our second-strike forces to two basic systems—Polaris and Minuteman. If this is so, are we not taking a great gamble on our future security?

17. By such a limitation to two systems are we not narrowing down the field on which the Soviets must concentrate their technologies—and consequently the probabilities of their success?

18. It seems to me that many of the measures that have been taken by this administration over the past 2 years seem to have the net effect of reducing the effectiveness of our nuclear capability.

For example, the proposal for a multilateral NATO force to which U.S. nuclear forces would be assigned, and the permissive link system for nuclear weapons both tend to insure that such weapons will not be used rather than that they will be used when needed.

Right or wrong, the Skybolt concellation and your decision on the RS-70 limit the variety and flexibility of our nuclear forces.

What measures have you initiated specifically, as opposed to those already begun by the Eisenhower administration, to improve the effectiveness of our nuclear forces?

19. In short, with your concentration of our future strategic retaliatory forces being almost limited to Polaris and Minuteman, are you not making it easier for the Soviets to concentrate their defensive measures—are you not reducing the defense problem for the Soviets—are you not taking a great risk with respect to the accuracy of the missiles—and aren't you creating a dangerous inflexibility in our defense system?

* * * * *

VII. RESEARCH AND DEVELOPMENT

C. Space

1. With reference to your statements on the subjects of "Space" on pages 108 through 110 and on "Space Surveillance" on page 49, I have a few questions.

What are the prospects of Titan and Dyna-Soar mentioned on page 110 being terminated within the foreseeable future—of having the same recent fate as Skybolt and the RS-70?

2. On September 5, 1962, Defense Undersecretary Gilpatric was reported to have stated that the United States would not place any weapons of mass destruction into orbit.

Does this mean that we will make no attempt to develop space systems capable of delivering weapons against earth targets?

3. Are any capabilities like this under investigation—if there are, would you please describe them—*if not, why not?*

4. It has been claimed by some that we are unilaterally foregoing the development *of offensive space systems in the hope that* the Russians will do likewise.

Do we have any such restraints on our military space programs?

5. Is our national policy of "space for peaceful purposes" impeding achievement of vital military space programs?

6. In view of statements by Russia's Marshal Malinovsky and others regarding militancy in space, is it reasonable to assume that the Soviets are exercising voluntary restraint on their military space program?

7. Is not any restraint on our part with respect to military applications of space actually unilateral and not matched by Russia?

* * * * *

Military force goals

1. What is our objective if the Communists initiate conflict in Europe?

2. Would we try to reestablish the line held prior to hostilities—or are we prepared to do more?

3. Would we make aggressors pay more for aggression than merely denying them any gains?

4. If we were fighting to break out again in Korea, what would be our goal—to push the Communists back to the demilitarized zone and stop there—or could we do more?

5. If regular North Vietnamese military units were to infiltrate South Vietnam, do our plans call for similar action against North Vietnam—or would we resist the attack and attempt to maintain the status quo?

6. All in all, are our military force goals designed to contain Communist military aggression and preserve the status quo?

7. If not, are we prepared, if attacked, to wage and win war in Europe or Asia?

8. Is our policy limited to that of containment—to merely holding the line?

9. If it is, then what does the enemy have to lose?

* * * * *

Flexibility of response

1. You have repeatedly emphasized the necessity of a flexible response in our military strategy. The major changes that you have made in our defense posture have been with respect to (a) conventional forces and (b) ICBM's for intercontinental nuclear war.

Do you feel that you have provided adequate flexibility of responses above the level of conventional war but below the level of all-out nuclear war?

2. If our conventional forces were being overrun, would it not be prudent to have a capability to raise the threshold—to escalate—to some higher intensity of war that we could win—without raising it all the way to an ICBM exchange?

3. With the phasing out of the B-47's and eventually the B-52's and nothing to replace them, are we providing the kind of flexibility for the future that I mention in my previous question?

4. Where is the flexibility between the upper limits of conventional war and the use of the ICBM's?

5. Can Army tactical missiles and Air Force and Navy tactical fighters, which presumably will be configured primarily for conventional ordnance delivery, provide both the flexibility and the war-winning capability in the nuclear war below the ICBM-exchange extreme?

6. The recent Soviet book on military strategy edited by Marshal Sokolovsky states that nuclear weapons are the basic firepower of all branches of the Soviet armed forces—that nuclear weapons are the most effective means of destruction of the enemy in waging all types of operations.

If such represents Soviet strategy and capability, would not we be wiser to concentrate on a buildup in tactical nuclear forces rather than trying to improve our capabilities for conventional war—a type of war we are not likely to be fighting on a 30-division scale in Europe?

7. Does this administration fear that even any use of tactical nuclear weapons would automatically escalate war up to the holocaust level?

8. Back in the 1960 campaign we heard incessant charges about a so-called missile gap, which was later admitted to be a myth. You have stressed "controlled response," yet in your present plans and strategy is not there a "flexibility of response gap" between the highest level of conventional war and the holocaust level?

* * * * *

ESCALATION

1. As I noted before, escalation has become a scare word in Washington while the words of controlled response have taken on a soothing connotation. To me they are very similar in meaning and application.

The strategy being developed by this administration clearly reflects the belief that the use of nuclear weapons on a small scale would probably escalate to global proportions. This was definitely not a basic hypothesis during the 1950's.

Why have you reversed the thinking of your predecessors and adopted this fundamental change in national strategy?

2. Do you believe that the use of small nuclear weapons to close a pass or to blow up a bridge would cause the enemy to escalate to a higher threshold?

3. As more and more nations gain access to nuclear weapons and as the distinction between the yields of large conventional weapons and the smallest nuclear weapons becomes obscured, what restraints will there be against the initiation of tactical nuclear weapons in conflict?

4. Won't the sheer logistics of the matter dictate the use of nuclear weapons?

5. Is it not possible that escalation can be used as a tool—either upward or downward—and provide greater flexibility—more options and greater controlled response?

6. Is it not better to have some power of escalation than to have to choose between humiliating defeat or a holocaust?

7. How does escalation guarantee automatic general war?

ADJOURNMENT

Mr. DIRKSEN. Mr. President, if there is no further business, under the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 26 minutes p.m.) the Senate adjourned, under the order entered on February 20, 1963, until tomorrow, Friday, February 22, 1963, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 21, 1963:

U.S. TARIFF COMMISSION

James W. Culliton, of Indiana, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1968, to which office he was appointed during the last recess of the Senate.

TREASURY DEPARTMENT

The following-named persons to the offices indicated, to which they were appointed during the last recess of the Senate:

Gaspard d'Andelot Belin, of Massachusetts, to be General Counsel for the Department of the Treasury.

John C. Bullitt, of New Jersey, to be an Assistant Secretary of the Treasury.

COLLECTOR OF CUSTOMS

The following-named persons to the offices indicated, to which they were appointed during the last recess of the Senate:

John G. Green, of Wisconsin, to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn.-Superior, Wis.

Frank A. Sedita, of New York, to be collector of customs for customs collection district No. 9, with headquarters at Buffalo, N.Y.

John M. Lynch, of Massachusetts, to be collector of customs for customs collection district No. 4, with headquarters at Boston, Mass.

RENEGOTIATION BOARD

Jack Beaty, of New Mexico, to be a member of the Renegotiation Board.

EXTENSIONS OF REMARKS

Seizure of American Investors' Property in Venezuela

EXTENSION OF REMARKS
OF
HON. FRANK J. BECKER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 21, 1963

Mr. BECKER. Mr. Speaker, for a long time I have been urging upon our own Government the necessity of a strong position with those nations which accept our assistance and then seize the properties of American investors.

In my opinion, we should not only refuse aid to any nation which seizes American investors' properties, but we should take every step necessary to assure return of the confiscated property or adequate compensation therefor.

I am aware that an initial step in this direction was taken in the 87th Congress, but the legislation was so watered down at the insistence of the administration that it does not serve the purpose for which it was intended.

I feel so strongly about this matter that yesterday, while President Betancourt of Venezuela was in Washington I sent a telegram to President Kennedy as follows:

> Mr. President, you spoke beautiful words in greeting the President of Venezuela yesterday but I would like you to ask him that if he is a friend of the United States why he seizes U.S. investors' property in Venezuela. Why has he seized specifically the property of Chemical Natural Resources, Inc., and Venezuelan Sulphur Corp., C.A.? Ask Mr. Betancourt if this is a friendly act. What has he done to inspire other Americans to invest their money in building plants in his country? How can he seize these properties of American investors and then accept money and loans from the United States?

Is this what is called democracy in Venezuela? It is not my attempt to embarrass anyone but these questions should be answered now.

Frank J. Becker.

Twice before I have called attention to this matter in the Record. Afterward, aid and loans continued to go to Venezuela.

The time has come, in my opinion, to crack down. This seizure in Venezuela is only one of many. I do not see much chance for the Alliance for Progress as long as this kind of thing continues.

Education for Full Employment

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. CURTIS. Mr. Speaker, early this week, February 18, I was scheduled to address the 10th annual meeting of the National Schools Committee of the American Economic Foundation in Atlantic City, N.J. Due to a change in the hearing schedule of the House Ways and Means Committee, bringing the Director of the Bureau of the Budget to the stand on Monday, I was unable to be with this distinguished group of educators—State commissioners, superintendents and principals of schools, and teachers—much to my regret.

Mr. Morgan S. A. Reichner, trustee of the American Economic Foundation, graciously took my place on the program and delivered my speech for me. I appreciate his kindness in doing this. The speech which I had prepared dealt with the important question of education for full employment, how we can meet our dual problems of bringing unemployed workers with obsolete skills back into the economic mainstream of our country and of filling the many jobs that now go begging for want of a qualified person to do the tasks demanded. With thanks to Mr. Reichner and the Schools Committee of the American Economic Foundation, I am placing my speech in the Congressional Record.

Education for Full Employment

(By Hon. Thomas B. Curtis, of Missouri)

It is strange to find the Department of Health, Education, and Welfare chanting two mournful dirges, one about the 4 million unemployed, the other about the slowdown of many of its important social programs because of lack of trained personnel to man the programs.

However, this is nothing more than a sample of the schizophrenic approach many have taken toward the problems that rapid technological growth creates throughout our entire society. On the one hand, automation, as rapid technological growth is called today, creates unemployment primarily in the unskilled and semiskilled areas and where skills have become obsolete. On the other hand, it creates a demand for new and higher skills in a quantity and quality our society finds hard to fill.

To give the obvious answer, match the skills needed with those who need the skills is only to pose the problem. The hard realities lie in producing this result.

It is clear that the basic burden rests on those in the field of education and training. *The fact that education and training itself is* one of the areas where there is a critical shortage of skills should come as no surprise. If anything, it should confirm the diagnosis of our economic ills as growing pains rather than tired blood.

If there were no innovation in our society a man's skill could provide him a livelihood for a lifetime. It is only when an economy is full of innovation that a man's skill becomes obsolete before retirement and he must learn a new one in order to make a living.

An economy which shifts from 90 percent of its people engaged in agriculture to 7 percent in 170 years and at the same time increases its population from 5 million people to 180 million people and provides them with abundance is bound to have growing pains.

From 1950 to 1960, the employed civilian workers in all occupations rose by 5.8 million (55.7 to 61.5). However, in this short period of time 3 million jobs were destroyed and 9 million new ones created to produce the net 6 million.

The 3-million loss came entirely from farmers and farm laborers. The 9 million gain came in the following areas: 2.4 million clerical and kindred workers; 2.3 million professional, technical and kindred workers; 1.1 million service workers except private household; 900,000 craftsmen and foremen; 700,000 each for both categories, sales workers and operatives.

To fill the 9 million new jobs 3 million possibly came from those whose skills became obsolete and the other 6 million from the increased population moving into the work force and from immigration.

However, the obsolescence of skills and the shift out of one skill into another is minimized by these aggregate statistics.

To gain further insight into the upheaval occurring in the 10 years from 1950 to 1960, the percentage change in employment of civilian workers by major occupation is helpful. For all occupations, the percentage was 10.4 percent. The breakdown, however, is phenomenal ranging as it does from a plus 47 percent to a minus 42 percent. Here is an itemized breakdown:

	Percent
Professional, technical	+47.0
Clerical and kindred workers	+33.8
Service workers, except private household	+26.7
Private household workers	+22.3
Salesworkers	+18.7
Craftsmen, foremen, etc	+11.8
Managers, officials and proprietors except farm	+7.4
Operatives and kindred workers	+6.4
Laborers except farm and mine	−9.6
Farm laborers and farm foremen	−.2
Farmers and farm managers	−41.9

It can be seen from this that the job of education and training is not just the preparation of the new entrant into the labor force. Increasingly, the job is becoming one of on-the-job training and retraining, night school and adult education.

The job of preparation for the labor force, however, is also undergoing remarkable changes. We still use age 14 as the basis for computing our labor force and yet the average age of entry to the labor force has risen rapidly until it is now over 19. We see the same phenomena revealed in the increasing average length of time our people spend in education. Today the average is almost 4 years of high school.

The problem of training and educating our youth to enter the labor force is not an easy one in a dynamic economy where consumer demand and increased standard of living is constantly changing the pattern of skills in demand. Furthermore, as we move from the *age-old economy based upon scarcity to that* based upon plenty, we find new laws in operation and old ones acting in strange ways. During the recent hearings of the House Education and Labor Subcommittee studying the legislation which became the Manpower Training Act of 1962 considerable testimony was given to the effect that much of our vocational education has been directed to training our youth in skills which were already obsolete. Obviously, to do a good job of education and training, we must be alert to the changing patterns in our economy. It is for this reason that the Department of Labor's Dictionary of Skills becomes so significant and why it is so important to get it up to date and to keep it up to date. Indeed, we should be looking into the future anticipating the skills that are coming into demand before the time when the demand for them is upon us. This kind of prospective look is entirely possible, because new machines and new ways of doing things take time to develop and those concerned with their development can anticipate with considerable accuracy the number and type of new skills which will become necessary to implement them.

I think the most difficult part of this business of matching the unemployed with the jobs that are going begging lies in understanding that it is a complex rather than a simple operation. Generally speaking, the unemployed in a highly advanced technological society which is moving rapidly into higher technology are concentrated among the unskilled and the semiskilled. Technological advancement tends to produce the higher incident of obsolescense among the simple skilled, the skills requiring brawn as opposed to brain, the new jobs that the technological advancement creates are those requiring skills even higher than the then average prevailing in the society, and these jobs demanding these skills frequently are miles away from the place where a job has been destroyed and they usually are in fields seemingly far removed from that of the abandoned job.

This being the case, there is going to be little of the direct matching of the man seeking a job with the job seeking the man. The hard realities of retraining are these: We must persuade a man who has a job to take night-school work or on-the-job training so he can upgrade his skill to take the job going begging. When he takes the new job, his old job is open for someone down the ladder of skills to be persuaded to attend night school or the take on-the-job training to upgrade his skill. Somewhere in the ladder of skills the unskilled, semiskilled, or obsolete skilled unemployed persons will have places open up as the upgrading process operates, provided they can be persuaded to take some vocational training to fit themselves. This also means persuading them of the realities of life, that the coal mines will not reopen to employ more coal miners.

To demonstrate the point of the need for upgrading skills all along the line, I have remarked that a man with two arms who holds down a job too easy for himself which a one-armed man could perform adequately, when he could train for a job which required a fuller use of the talents with which God blessed him, does a disservice to himself, to the one-armed man and to society.

The question has been raised whether or not we won't reach a point in this economic process when we are dealing with untrainables. It is possible, I suppose, for automation to reach a point where there will be very few jobs available for the unskilled.

However, I am satisfied that the human being is such an efficient machine, even one with a 50 IQ rating, that there is much meaningful work that can be set up which he can be trained to perform. Certainly, if we set our collective minds to the problem we can solve it.

At any rate, we by no means have reached such a point. High school dropouts although beginning to show up with heavier emphasis on low IQ still are primarily those with adequate IQ's but with low motivation. Frankly, I don't believe there are many real untrainables any more than there are many really permanently disabled people. Society just hasn't grown up to the point where it knows how to train or to rehabilitate.

Once we begin to understand the problem we face—and the beginning of understanding first must come in abandoning that prevalent but false diagnosis of an economy that is growing so fast it has growing pains as one that is tired and sluggish—we can begin to cope with it. I think the Manpower Training Act is a major step forward. However, the most significant thing in the act is the requirement that the Department of Labor and HEW report back to the Congress by March 31, 1963, on the results of the studies in this area. If the Departments come back with that tired and hackneyed solution to all our social ills—throw Federal money at it, I will be gravely disappointed. However, if the report shows a thorough study into the complex problems training and retraining in a dynamic economy presents we will have had a good beginning.

I have suggested that the Education and Labor Committee of the House and the Joint House-Senate Economic Committee hold hearings on the report as soon as possible and request knowledgeable people in the field of training and retraining, not just those in the academic field, but businessmen and labor leaders who are dealing with the problems all the time, to come before the committees with their criticisms and recommendations.

I have suggested a few areas of immediate legislative reform.

1. Encouraging the mobility of labor through changing the tax definition of "home." Presently a worker's tax home is his principal place of employment, not the place where he owns a house and maintains his family. Thus, when a plant moves and he must follow it or lose his job, the expenses which he incurs living at the place of his job in the period before his family joins him—for example, while the former home is being sold and he is making preparations for them to join him—are not business expenses to him, for he is "home" in the minds of the tax collectors. And his family is a personal expense so their maintenance away from home, as the tax laws define it, is not recognized. A similar situation arises when a worker is sent for an indefinite period of temporary assignment away from his family. I have introduced legislation which would correct this and recognize that a man's home is where he owns a house and maintains his family.

2. Encouraging the upgrading of worker skills through giving tax relief to those who incur the expense of training. We have taken the first substantial step in bringing those, and they are the bulk of our unemployed, who have outdated skills back into the mainstream of the economy in the passage of the Manpower Retraining and Development Act. But they cannot fit into the high skill level jobs which are opening up as our dynamic economy moves forward into new and more complex areas. We must have a general upgrading of skills and to encourage those now employed in the jobs into which retrained workers might fit, they must be given an incentive to move up into even better jobs. Today if one goes out and gets such training, the tax laws look upon it as a personal expense. By a bill which I have introduced, an amount so spent would be a business expense deduction and continued training would be stimulated by this tax incentive.

3. Modifying the unemployment compensation system in the States to encourage retraining. Presently well over half of our States penalize the unemployed worker who seeks retraining by counting him as no longer unemployed when he starts a retraining program. Thus the individual is faced with a dilemma; if he takes the retraining course which may be his only way of getting a new job, his means of support is taken away from him; on the other hand, if he clings to the assistance he is receiving, he may be guaranteeing that he will never develop a marketable skill. Nineteen States and the District of Columbia have taken a different tack, however. Recognizing the problem of obsolete skills they will permit an unemployed worker to remain on the unemployment compensation list while he is in training for a new skill. A further common provision is that the individual may even reject a bona fide job offer and not lose his compensation payments so long as he is in training. I might suggest that a further step should be considered, taking those with obsolete skills off the unemployment compensation lists if they refuse to undertake a retraining program.

Finally, I hope at long last students of this subject will begin to look with a critical eye at our military draft law and the training and retraining they are engaged in. The military services constantly complain, and with justification, that the business sector is constantly taking away the men they spend years in training. Certainly it is true that the biggest vocational educational programs being conducted today are the ones conducted by our Military Establishments. Frankly, I think a much better job could be done for the services through the civilian educational sector. But I am primarily concerned about the impact of the draft law upon motivation and education and training our entire youth. The draft law is up for revision this year. If the past is any guide, no one from the field of education will appear before the congressional committees to discuss its impact upon education and training. I will again testify however. I am convinced that the draft law has become a faulty crutch upon which the military rely to procure their personnel. They run a costly operation as the turnover of their personnel reveals. With a careful recruitment program, they could get all the personnel they need and they would be more apt to retain their loyalties and so cut down on the costly turnover rate. Certainly the removal of the sword of Damocles from over the heads of all the youth of our country will result in a much better training and education for the whole society, particularly in these times of great need coming from great changes.

Washington Interference in State Tax Matters

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 21, 1963

Mr. BERRY. Mr. Speaker, the Department of Agriculture, which has added more than 17,000 employees since January 1961, has decided that among its other futile efforts, it should put some of its employees to work making a survey, at taxpayer expense, of seven Midwest States, and has come up with the recommendation that they depend more on State general sales and income taxes than on property taxes for their revenues.

The spectacle of the Agriculture Department, with its warehouses groaning with surplus commodities, spending $7 billion a year and still producing lower general farm incomes, telling solvent States like Nebraska and South Dakota how to handle their tax money, borders on the fantastic.

Who asked for this survey in Nebraska, Iowa, Kansas, Montana, North Dakota, South Dakota, and Colorado?

My colleague, Representative RALPH BEERMANN, Republican, of Nebraska, commented:

> Washington bureaucrats have shown no great talent for managing the Federal finances. The economic planners in Washington at this time have the United States in the position of paying $1 million an hour in interest alone on the national debt.

Senator PETER DOMINICK said:

> The political organization of top Democrats believes its members should run the country because they think the American people are too stupid to do it, and they make no bones telling you this.

In these days of deliberate deficits and fiscal folly, perhaps any State that is smart enough to balance its budget each year serves as an infuriating example to the Washington planners.

Fino Asks for Referendum on National Lottery

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 21, 1963

Mr. FINO. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following release:

FINO ASKS FOR REFERENDUM ON NATIONAL LOTTERY

Congressman PAUL A. FINO, Republican, of New York, No. 1 advocate of a Government-run lottery to reduce taxes, today introduced a bill calling for a national referendum on the question of whether or not the Federal Government should sponsor a national lottery.

Congressman FINO, in urging a referendum on this important question, said:

"Although several nationwide polls have shown that a majority of the American people favor a Federal lottery as a means to cut taxes, fear among Members of Congress that this type of bill is a "hot potato" has prevented legislative consideration.

"Because of this unfounded fear among my colleagues, the taxpayers in this country continue to suffer from the discriminatory and unconscionable taxes imposed upon them.

"Up until now, the voters in the United States who support this painless and voluntary form of taxation have had no direct voice on this tax relief measure.

"In urging a referendum on this vital question, the American voters will be given an opportunity to express their desire with respect to a national lottery.

"I am sure that if the American people are afforded the chance, they will overwhelmingly indicate their approval of this kind of legislation. An expression of approval by a majority of the American voters will be a clear-cut mandate to the Congress to enact a national lottery.

"I urge all unhappy taxpayers to write to their Congressmen and demand full support of this bill."

Imports of Residual Fuel Oil

EXTENSION OF REMARKS

OF

HON. JOSEPH M. MONTOYA

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. MONTOYA. Mr. Speaker, I wish to express my deep concern over the implications of a report issued last week by the Office of Emergency Planning on the oil import program as it applies to residual fuel oil.

If the report is accepted by the President it means for all practical purposes the end of the present mandatory import control program on residual oil. This, in itself, would be a sufficiently serious step to cause grave apprehensions on the part of the domestic fuels industry. But, a cause for equal concern is the philosophy implicit in the OEP report to the effect that we no longer need to look to domestic resources for our fuel and energy but, rather, should depend upon sources outside the United States.

I disagree most emphatically with such an approach to the most critical question of fuels and energy sufficiency for the United States, both in times of peace and war.

To follow such a course as proposed by the OEP could, in my opinion, be disastrous for the future.

The unlimited importation of residual fuel oil, as recommended by OEP, would have a devastating effect upon the domestic coal and oil industries, which have been striving so valiantly in recent years to regain their rightful place in the domestic fuels economy. There is no question whatever, should residual import controls be removed, that residual oil from the Caribbean would be imported into the country in unlimited amounts. The east coast of the United States would be the logical outlet for the initial distribution of this oil. It could be sold at prices far below the low level which prevails today so utilities and industrial plants which still use coal as a primary fuel would be forced, because of competitive and economic reasons, to turn to this foreign fuel.

One direct result of such a development would be to delay the development and exploitation of the vast coal reserves in New Mexico and other Western States. The coal industry simply would not have the investment capital available to expand its operations if additional coal markets are lost to this imported waste oil.

But, I am also deeply concerned, Mr. Speaker, that the removal of residual oil import controls would be only the first step toward a completely free trade in all petroleum and petroleum products. Such unlimited oil imports would be a disaster of the first magnitude for the domestic oil industry.

Removal of residual controls, and the flooding of the country by imported residual, will react most unfavorably upon the domestic oil industry. Residual oil comprises about 10 percent of domestic refinery output, and the revenue from this source is important. If the price for domestic residual oil is further depressed through unlimited imports, the picture for the domestic oil industry will become even darker than it is now. Free and unlimited international trade in oil and oil products—which seems to be the ultimate objective of OEP—could very well mean the end of the domestic oil industry as a vital force in the economy. Imported crude oil sells today for about $1 a barrel less than domestic crude, landed at the head of the Houston ship channel. You can imagine what the price differential would be if foreign producers were given unlimited access to the American market and became engaged in an all-out war for this lucrative market.

Mr. Speaker, I trust the President will reject the OEP report and its philosophy of free hemispheric trade in oil.

The economy of the Nation, and its very security in time of emergency, is too intimately involved in this whole question for the OEP recommendation and philosophy to be made the national policy on oil imports.

Kennedy as Candidate and Kennedy as President

EXTENSION OF REMARKS

OF

HON. STEVEN B. DEROUNIAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. DEROUNIAN. Mr. Speaker, during the presidential campaign of 1960, Senator John F. Kennedy was quite vocal and positive about the measures necessary to insure the removal of Castro from this hemisphere. The following is what he said at Johnstown, Pa., on October 15, 1960:

> Only if we are strong as a nation—strong economically, strong militarily, strong educationally, strong in heart and purpose—can we assure our peace and security in an age where our enemies are overtaking us in missile power, are far surpassing us in broadcasts abroad, have penetrated for the first time into the Middle East and Africa, have outshone our efforts in science and space, and have rolled the Iron Curtain to 90 miles from our shores onto the once friendly island of Cuba.
>
> Mr. Nixon hasn't mentioned Cuba very prominently in this campaign. He talks about standing firm in Berlin, standing firm in the Far East, standing up to Khrushchev, but he never mentions standing firm in Cuba—and if you can't stand up to Castro how can you be expected to stand up to Khrushchev?
>
> Earlier this month, I reviewed the sorry story of how under our very noses, and in part as the result of our own policies, Cuba had moved from a position of good neighbor to a position of bitter enemy. We had been warned that anti-American feeling was rising, that the Communists were taking over the revolution, and that our security would be endangered by a Castro regime.
>
> Mr. Nixon had been to Cuba on one of his famous trips. But Mr. Mikoyan has also been to Cuba. And while Mr. Nixon impressed the Cuban dictator, Batista, who has since been deposed, Mr. Mikoyan impressed Castro and others now in control of the Cuban Government. Mr. Nixon calls his trip experience. But the American people cannot afford many more such experiences.
>
> For the transformation of Cuba into a Communist base of operations a few minutes from our coast—by jet plane, missile, or submarine—is an incredibly dangerous development to have been permitted by our Republican policymakers. Havana, once a city bursting with admiration for Franklin Roosevelt, the good neighbor, is now a center of Communist press, propaganda, and broadcasts spreading anti-Yankee sentiment throughout Latin America. New groups of revolutionaries are being trained for undercover activities in other countries and the whole Western Hemisphere security system is drastically threatened.
>
> This wouldn't have happened under Franklin Roosevelt, who warned the Nazis in 1940 to stay out of our hemisphere; this wouldn't have happened under Harry Truman who warned the Communists in 1947 to stay out of Greece and Turkey. And this would not have happened in Cuba if the Republican leadership Mr. Nixon represents had taken every step which foresight and experience should have directed them to take—in order to prevent a Communist victory only 90 miles from our shores.
>
> I do not know how Mr. Nixon can talk of firmness in view of his party's record in Cuba. I do not know how he can talk of experience in view of his party's experience in Cuba. I do not know how he can seek the Presidency and avoid explaining what happened in this major foreign policy disaster.
>
> But it did happen—and the question now is, What do we do about Cuba and Castro now? What can a new administration do to end this drift?
>
> The first thing we have to do is let the Cuban people know our determination that they will someday again be free. We did not make clear to the Cubans our devotion to freedom during the brutal reign of the Batista dictatorship—and we are not making our position any clearer under the Castro dictatorship. We have no Cuban Voice of America broadcasts in Spanish at all, and only 1 hour a day in Spanish beamed in general to all Latin America. We must promptly initiate a major broadcast program for Cuba in particular, and more for the Americas in general.
>
> Second, we must end the harassment, which this Government has carried on, of liberty-loving anti-Castro forces in Cuba and in other lands. While we cannot violate international law, we must recognize

that these exiles and rebels represent the real voice of Cuba, and should not be constantly handicapped by our Immigration and Justice Department authorities.

Third, we must let Mr. Castro know that we do not intend to be pushed around any longer and in particular do not intend to be pushed out of our naval base at Guantanamo, or denied fair compensation for American property he has seized.

Fourth, we must let Mr. Khrushchev know that we are permitting no expansion of his foothold in our hemisphere—and that the Organization of American States will be given real strength and stature to resist any further Communist penetration by whatever means are necessary.

Fifth, and finally, we must strengthen the cause of freedom throughout all Latin America creating an atmosphere where liberty will flourish, and when Cuban communism will be resisted, isolated, and left to die on the vine.

One road to Havana ultimately lies through Rio and Buenos Aires and Mexico City. If the rest of Latin America is unsure of our stand on native dictators as well as Communist dictators; if they feel we are concerned only with our Soviet enemies and not their enemies of poverty, hunger, and disease, if they feel we respond not to their requests but only to Mr. Castro's threats, then the same policies of drift and neglect that preceded Castro's rise to power will continue to weaken our influence and prestige.

We cannot write the Cuban people off as lost. Neither should we drive them inextricably into Soviet hands. But let us make the American Revolution the chief import of Latin America, not the Cuban revolution. And if we do so then someday on the island of Cuba itself, there will be a government constituted to secure the rights of life, liberty, and the pursuit of happiness.

Either Senator Kennedy then did not know what he was talking about or he deliberately deceived the American people for his own personal, political campaign gains.

In a presidential press conference on February 7, 1963, the following question was propounded and this amazing answer given:

Hopeful for a Free Cuba

Question. Mr. President, what chances do you think or do you believe there are of eliminating communism in Cuba within your term?

The President. I couldn't make any prediction about the elimination. I am quite obviously hopeful it can be eliminated, but we have to wait and see what happens. There are a lot of unpleasant situations in the world today. China is one. It is unfortunate that communism was permitted to come into Cuba. It has been a problem in the last 5 years. We don't know what is going to happen internally. There is no obviously easy solution as to how the Communist movement will be removed. One way, of course, would be by the Cubans themselves, though that is very difficult, given the police setup.

The other way would be by external action. But that is war and we should not regard that as a cheap or easy way to accomplish what we wish. We live with a lot of dangerous situations all over the world. Berlin is one. There are many others. And we live with a good deal of hazard all around the world and have for 15 years. I cannot set down any time in which I can clearly see the end to the Castro regime. I believe it is going to come, but I couldn't possibly give a time limit.

The shocking answer is an undeniable indication that President Kennedy does not know what to do about Cuba. Is it any wonder that our Latin American friends are thinking of the United States as a weakling when it comes to taking any action? If international communism can send military help thousands of miles to maintain its beachhead of destruction in Cuba, why is it that the United States refuses to send military aid to the patriots of freedom only 90 miles from our shores?

Speech by Senator Frank Carlson, Mississippi Valley Association's Annual Meeting Banquet, St. Louis, Mo., February 4, 1963

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AVERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. AVERY. Mr. Speaker, it is with a great deal of pleasure that I bring to the attention of the Members of the House the address given by my colleague the Honorable Frank Carlson, senior Senator from Kansas, at the annual meeting of the Mississippi Valley Association in St. Louis, Mo., on February 4, 1963. Senator Carlson's long and outstanding public service offers many examples of his interest in soil and water development and conservation. He has devoted much time and effort to develop a constructive program for the Mississippi Valley and its tributaries. Obviously, this has been of great benefit to Kansas. I know all Members will find Senator Carlson's remarks of interest and of significance. The remarks follow:

Speech by Senator Frank Carlson, Mississippi Valley Association's Annual Meeting Banquet, St. Louis, Mo., February 4, 1963

I am pleased to have the opportunity to address the 44th annual meeting of the Mississippi Valley Association here in St. Louis. I had this pleasure back in 1947. Since that time, I have also been privileged to work with a large number of your members—your officers and staff people.

I have cooperated with your organization in efforts to carry out the objectives sought in your platform in developing the water resources of the central part of the United States and—for that matter—for the entire Nation.

The Good Book reads, "Where there is no vision people perish." Our Nation has been fortunate in that this organization has not only had the vision, but the courage to carry on a great program of control of water runoff.

Water conservation and utilization is becoming recognized more and more as the No. 1 economic problem in the Nation.

I agree with the language in your 1962 platform, which states that "the management of our natural resources—particularly soil and water—is the foundation on which the future of America will be built."

Our Nation has lost—the U.S. Senate has just lost—and the Mississippi Valley Association has just lost one of their greatest friends, Senator Robert Kerr.

America had no greater leader, dedicated to the continuing search for water answers, than Bob Kerr. He was a personal friend of mine, and I will always feel indebted to him for the splendid support that I received on vital projects in which our Kansas people were interested.

I congratulate your membership from the 23 States which are all—or partly—in the Mississippi Basin—in your dedication to vigorous and aggressive action to further the wise management of these valuable natural resources.

Your association over the years has played a vitally important role in the success attained in this section of our Nation in water resources development. This, of course, includes controlling this great river and its tributaries against the historically wasteful cycle of floods and drouths. This also includes developing this river and its tributaries—where feasible—for navigation—irrigation water to reclaim some of our arid land—water supply for municipal and industrial use—outdoor recreation for millions—stream pollution abatement and the incidental generation of hydroelectric power.

I consider an organization such as yours—with your large membership of dedicated leaders in this section of the country—to be rendering this Nation a great service for its people, its economic betterment, and its security.

In 1925—when I became a Member of the 74th Congress—I was assigned to the Flood Control Committee, under the very able leadership of Will Whittington, of Mississippi.

Can you imagine the irony of a Kansas Member of Congress being appointed to the Flood Control Committee at a time when our State and the Midwest suffered one of its greatest drouths in history?

As I look back on my service on that committee, I feel it was one of the most important assignments that I could have received. Our people were becoming conscious of the need for the control of water runoff for beneficial uses.

As a member of the committee, I helped write the Flood Control Act of 1936, which for the first time in our Nation's history recognized that destructive floods on the rivers of the United States constituted a menace to our national welfare. In my opinion, this was one of the most important steps ever taken. In my opinion, this was truly the beginning of the successful program which is now being carried on in this field.

As a member of the Flood Control Committee, I secured in 1936 the authorization for the appropriation for the Kanopolis Reservoir, which was the first reservoir constructed in the State of Kansas. Now we have a complete network of reservoirs either constructed, partially constructed, or authorized in our State. It has been my privilege to have been associated in securing every one of those projects.

During my years in both Houses of Congress and also as Governor of the State of Kansas, I have watched and supported the program of the Mississippi Valley Association in its development of this great river and its tributaries.

Sometimes it seemed like a long road between floods and flood control, but as congressional approval was given and funds became available, much progress has been made over the last two decades.

I vividly recall the tragic flood of 1951 which occurred in the Kansas Basin and is estimated to have done well over a billion dollars in damage to cities and farms in the lower Kansas Basin, as well as on downstream in the Missouri and Mississippi Rivers.

I also vividly recall when the Missouri reached record flood stage in 1952 and

Omaha and Council Bluffs were miraculously saved from serious flooding. Now, 11 years later, the Missouri River above Kansas City flows on a stop-and-go order from a great chain of dams which extend all the way to Montana. Fort Pack Dam in Montana—built in the thirties—was the first.

As a Member of Congress, I assisted in the passage of the Flood Control Act of 1944, which was built around what is known to conservation-minded people as the Pick-Sloan law, which provided full water resources development for the Missouri Basin.

As Governor of Kansas I had the privilege of working with the interagency committee of the States for an accelerated construction program of this plan. Such important reservoirs as Garrison, Fort Randall, Gavins Point, and Oahe were considered. A sixth, Big Bend, will be ready to store water this summer.

Much progress has been made in the flood control reservoirs and local flood protection projects in the cities in the lower basins, such as the Kansas and Osage-Marais des Cygnes; but there still remains much work to be done on these and many other lower basin tributaries.

These big upstream dams, whose geographical location is in the upper Missouri River country, are by no means limited to the Dakotas and Montana when it comes to distributing the multiple-purpose benefits for which they were designed and are being operated.

Their flood control storage provides varying degrees of security for bustling communities and rich agricultural lands all the way to the Gulf of Mexico. When filled, these reservoirs will store 3 years flow of the Missouri River.

The big block of hydroelectric power they generated last year would run Washington, D.C., and not all the units are yet on the line. This power has led many areas out of the darkness and lighted the way for incoming industry.

Teaming up with the bank stabilization works from Sioux City to the mouth, they are guaranteeing a navigable channel, which—although not yet completed—is setting a new tonnage record every year.

Last year's 2,250,000 tons of commercial freight barged on the Missouri was 43 percent over the 1961 figure. When the 9-foot channel from St. Louis to Sioux City is complete—and this is the key—the 2 million tons will seem small indeed. The huge tonnages hauled on the Mississippi, the Ohio, and other rivers are proof of that. River shippers on the Mississippi and the Ohio have had recent reason to realize what this important operation means to them during the current cold spell which has caused ice jams to virtually shut down this operation.

Perhaps the greatest beneficiaries of river transportation have been the farmers of the Midwest. Not only do feed and fertilizers, molasses, and phosphates arrive at farms from the gulf areas at substantial savings—thanks to river service—but the barges put extra sums of money into the pockets of farmers.

As grain dealers have explained many times, the savings in transportation are passed along to farmers in the form of higher prices. Furthermore, cheap transportation over long distances from the upper Midwest to gulf ports and ports on the Tennessee, give the farmers alternative markets which they never had before the rivers were opened up. This in turn has meant higher prices for the farmers.

The inland waterways have demonstrated their worth as conveyors of our large rockets. Water and plenty of it is needed in the research and manufacture of space vehicles and their accessories. This water and the controlled routes into which it has been channeled would be unavailable were it not provided by natural resource development programs in years gone by.

Our history shows we have leaned heavily on water resources projects in supporting our military might in times of war. The dams in the West generated the vitally needed electricity for the great defense plants of the Pacific coast during World War II. Navy amphibious craft were built in the safety and security of inland shipyards and floated to the coasts on the manmade navigable channels.

The President's Water Resources Policy Commission had this to say about the role of our navigable rivers in its report of 1950:

"The service rendered by inland waterways transportation during World War II demonstrated conclusively that it is of vital importance to national defense. Its performance in contributing to the winning of the war more than justified the confidence of Congress in the Corps of Engineers waterway improvement program prosecuted for and sponsored by the people, and more than repaid the Federal Government for all expenditures of public funds for that program."

Those who would have us abandon the Federal Government's role in developing our rivers and harbors are sending us down the path of economic stagnation and defense deterioration. Just as civilizations were built on water resources development, so too were they lost when their governments failed to keep abreast of this vital need.

The basic purpose and justification for construction of reservoirs by the Corps of Engineers in the Mississippi Basin on tributary streams was, of course, for flood control and navigation. We should never lose sight of this fact to the extent that the flood control storage would ever be encroached upon in years to come. However, some of the so-called fringe benefits are becoming big business. Recreation, for example, is fast becoming an industry on some of the tributary streams. Last year over 6½ million people visited the Corps of Engineers reservoirs in the Missouri River Basin.

Recreation also has its practical side, as it affords an ideal opportunity to supplement, in an enjoyable manner, our physical fitness program.

Although my major and initial interest in this program was in the manner it would affect my home State of Kansas, I recognize full well that the multiple benefits derived from these important projects are of major significance and value.

I have attempted to consistently support this program as we deal with it at the Washington level. To plagiarize a phrase often used, I believe that what is good for Kansas is good for the country—and what is good for the other States is good for Kansas.

I agree with my good friend, Senator ELLENDER, who said, "That is why my temper rises and my blood boils when I hear the all too familiar label of 'pork barrel' placed on public works projects. These shortsighted mudslingers have no conception of the good that flows to our entire Nation as a result of such programs. A channel in New York is deepened, and, as a result, increased trade pours into Pennsylvania. A harbor in Louisiana is completed and there is an increased demand for Iowa corn, Pittsburgh steel, and so on. These are the true end results of public work programs, increased trade and activity which will continue to keep our country great and at the forefront of nations."

This public works program of developing our water resources wisely for future generations is sound capital investment in the future of America. I know of no better place in which we should invest our money, our faith, and our efforts.

One thing that has always disturbed me about the water picture is the fact that there has been such a tremendous lack of coordination. We are polluting on the one hand and trying to unpollute on the other. Often the right hand doesn't know what the left hand is doing.

I am reminded of a story told by the late Senator Robert Kerr.

There were four boys whose father had just died. They all got together at the time of the funeral and agreed that their father had been very generous to all of them. One of the boys suggested that it might be well for their father to take a little money with him, and as a good will gesture they decided to put some money in the coffin. They agreed that they should put in $125 each. The first three boys each put an envelop containing $125 in their father's coffin, but the fourth brother, who was a little sharper, came along and took the three envelopes and replaced them with one containing his check.

This, I think, symbolizes sometimes the lack of coordination and poor planning we do in dealing with water uses.

It is estimated that before the white man came to this continent the area between Canada and the Gulf of Mexico was inhabited by approximately 1 million Indians. They had the resources of the entire continent at their disposal and approximately 4,000 acres for each man, woman, and child. Yet, quite often, they starved because they lacked the capacity to develop their important natural resources. Today, in this same area, with our increased population, there is said to be approximately 2 acres of cultivated land per person.

We maintain the highest level of living in all of history. This is the result of increased effective development of our natural and human resources.

It has been estimated that by the year 2000 our population might reach over 300 million. This population explosion would leave less than 1½ acres of cultivated land per person.

The Senate appointed a select committee to study our water problems. Two of my good friends and former colleagues—the late Senator Robert Kerr from Oklahoma and my deceased colleague from Kansas, Senator Andrew Schoeppel—served on this important committee.

This study indicates that in the next 20 years the Nation will need to have new reservoirs to provide an additional 332 million acre-feet of storage capacity to provide adequate level flows.

I am convinced that this is more reservoir capacity than has been installed in the United States by all agencies—Federal, State, and private—since we became a Nation. This would mean that it would be necessary to provide reservoir capacity at least 16 million acre-feet a year, which is about double the rate that the Federal Government has been building during the past 5 years.

The following is a quote from a Senate select committee summary report:

"With its abundant supply of good water, and its advanced technology and skills, the United States need never suffer for lack of water. Water shortages can be alleviated. The lack of water need not limit our economic destiny. But positive action must be substituted for complacency.

"There is work to be done—work to develop and use the abundant resources placed in our custody by a generous providence—work to develop the practices and techniques which will permit ever-increasing needs to be filled within the infinite limits of the resources we have.

"The first and most important step toward getting the job done is the development of increased public awareness and understanding of the Nation's water resources

> problems, of their effects on the Nation's economy, and of the possible ways of solving them. Facilitating this step has been one of the primary objectives of the Select Committee on National Water Resources."
>
> In the 44 years the Mississippi Valley Association has been meeting to assess the growth and needs of our rivers, much has been recorded along the road of progress. But we are just getting started on the road to full and complete control of our water supply. Much remains to be done; but with the Mississippi Valley Association on the sidelines, I am confident the future of our inland waterways is in capable hands.
>
> This has been said many times, but it is worth repeating. The history of every civilization that the world has ever known has been tied to the care and proper use of the nation's water resources.
>
> Babylon, China, the Holy Lands, Mesopotamia, Egypt, and others attained a high degree of prosperity so long as they husbanded their water resources. They all deteriorated when there was not enough water.
>
> The pattern of man's development and the periods of growth and deterioration all followed the same pattern:
>
> Bondage to spiritual faith.
> Spiritual faith to great courage.
> Courage to liberty.
> Liberty to abundance.
> Abundance to selfishness.
> Selfishness to complacency.
> Complacency to apathy.
> Apathy to dependency.
> Dependency to bondage.
>
> We in America are now in the period of abundance. Where we go from here depends on you and me.

Cook County Group Backs Antidetergent Pollution Legislation

EXTENSION OF REMARKS

OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. REUSS. Mr. Speaker, the widespread support for legislation to prevent continued detergent pollution in America is a reflection of the seriousness with which the people of this country view this growing problem.

Groups that have focused their attention on the Nation's water resources have been in the forefront of those endorsing the efforts to force a switch to decomposable detergents.

Such a group is the Cook County Clean Streams Committee. Because the feelings of this group are typical of those of organizations in other metropolitan centers. I particularly call the Cook County committee's stand to the attention of Members representing urban areas.

Excerpts from their statement follow:

> Our Cook County Clean Streams Committee is delighted to learn that you have introduced into Congress H.R. 2105, which, if passed, would make it unlawful to import into the United States or deliver for introduction into interstate commerce, any detergent after June 30, 1965, unless such detergent conforms with standards of decomposability prescribed pursuant to section 3 of this act.
>
> The rapidly growing use of detergents in the United States is making our rivers and streams not only unsightly but also is threatening the purity of our water supplies. We feel that H.R. 2105 is a sorely needed measure that should receive the full support of the Izaak Walton League, sportsmen's clubs, and all organizations interested maintaining pure water supplies. We shall do all that we can to support this measure.

I would note that the approach embodied in H.R. 2105 together with amendments to add to the effectiveness of the legislation have been included in a new antidetergent pollution bill, H.R. 4571.

Federal Bar Association, Capitol Hill Chapter

EXTENSION OF REMARKS

OF

HON. RICHARD E. LANKFORD

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. LANKFORD. Mr. Speaker, I wish to call to the attention of my colleagues the newly formed congressional chapter of the Federal Bar Association. The membership of the congressional chapter includes many of the distinguished Members of the House, Senate, staff employees of the Congress, and staff employees of the Library of Congress. Any person of good moral character admitted to practice before a court of record in any of the several States, territories, or possessions of the United States or the District of Columbia who is—or has been employed—in the service of the United States or the District of Columbia, and who is, or was, performing the work of a legislator, judge, lawyer, or member of a quasi-judicial board or commission is eligible for full active membership in the association. Present or former service in the Armed Services involving some legal duties—on active duty or in the Reserves—provides eligibility for membership.

The general purpose of the Federal Bar Association is to advance the science of jurisprudence, to promote the administration of justice, to uphold a high standard for the Federal judiciary, attorneys representing the Government of the United States, and attorneys appearing before courts, departments, and agencies of the United States; to encourage cordial and friendly relations among the members of the legal profession; and to promote the welfare of attorneys employed by the Government of the United States.

Officers of the newly formed chapter are as follows:

President: Thomas P. Kerester, Joint Committee on Internal Revenue Taxation.

First vice president: Ann C. Penning, secretary to Congresswoman MARTHA W. GRIFFITHS.

Second vice president: Stewart French, Senate Committee on Interior and Insular Affairs.

General secretary: Frank R. Hammill, Jr., House Committee on Science and Astronautics.

Recording secretary: Helen L. Clagett, Library of Congress.

Treasurer: Hubert H. Finzel, Senate Judiciary Committee.

Delegate to the national council: Edward O. McCue III, Joint Committee on Defense Production.

I also wish to call to the attention of my colleagues the first luncheon program being sponsored by the congressional chapter, which I strongly feel merits the interest of all Members of Congress, as well as their staffs. That program, which will be held on February 26, 1963, room 1202, New Senate Office Building, at 12:30 p.m., highlights Roscoe Drummond, a nationally syndicated columnist. Mr. Drummond, well known for his series of articles on congressional reform and reorganization, will speak on the topic "Does Congress Have a Future?"

I cordially invite my colleagues and members of their staff to attend this luncheon and to participate in the question-and-answer period which will follow Mr. Drummond's talk. For general reservations call Hubert H. Finzel, Senate extension 3618; Erwin G. Krasnow, House extension 2836, program chairman; Thomas P. Kerester, joint committee, extension 2400; Vincent A. Doyle, Library of Congress, code 173, extension 722.

Cuban Agricultural Experiment

EXTENSION OF REMARKS

OF

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. HARSHA. Mr. Speaker, in light of recent events and the ever-present threat of communism, I call upon Congress to refuse to appropriate any funds which would be used either directly or indirectly to finance any U.N. project in Cuba or in any other Communist-dominated or controlled country.

The United States is paying 40 percent of the cost of the U.N. Special Fund, the account financing the Cuban agricultural project of the U.N., and there is no way to differentiate between U.S. funds and other funds in this account. If this project is allowed to proceed, the United States will be contributing to the perpetuation of its own foes.

Of what value are so-called economic sanctions, quarantines, and other measures to halt subversion from Cuba if, at the same time, the United Nations finances efforts to enhance the agricultural economy of Cuba?

Such aid as this will merely assist Castro in his efforts to subvert Latin America, it will aid in the spreading of communism throughout the Western Hemisphere and the United States should refrain from giving aid and comfort to any such program by refusing to appropriate the necessary funds for the U.N. Special Fund.

If Congress is going to persist in appropriating money for the U.N. Special Fund, then it should at least place enough strings on such money to assure the U.S. taxpayers that none of their money will be used to assist, in any manner, Communist governments.

H.R. 97, a Bill To Provide Certain Exemptions From Federal Excise Taxes for Nonprofit Organizations for the Blind Which Are Now Provided for Nonprofit Educational Organizations

EXTENSION OF REMARKS
OF

HON. EUGENE J. KEOGH

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 21, 1963

Mr. KEOGH. Mr. Speaker, on the opening day of the 88th Congress, I introduced H.R. 97, a bill to exempt nonprofit, voluntary associations and agencies engaged in work for the blind from paying Federal excise taxes.

I sponsored this same measure in the last Congress. I have reintroduced it in this one because I believe these are worthy organizations doing a worthwhile work and deserve the small amount of relief from paying burdensome taxes that the enactment of my bill into law would provide.

Although substantial sums of money are appropriated annually by the Federal and State governments to provide special kinds of training and assistance to the Nation's nearly 400,000 blind persons, these funds are not sufficient to meet the need.

Therefore, there has developed, in just about every community in America, privately established, nonprofit organizations which fill in the gaps in the services provided to blind people by public authority.

These organizations for the blind—perhaps as many as 1,000 of them—serve as centers of activities for the blind. They serve as centers for groups of braille transcribers, volunteers who produce books in raised characters or on records and tapes for college students, or for blind children attending classes in local sighted schools—or even for general reading; these centers offer training in the skills and techniques of blindness; they provide social services, and serve as educational and recreational resources for their numerous blind clients.

Mr. Speaker, I am familiar with these fine institutions, and I am proud to say that one of the very best of them is the Industrial Home for the Blind, located in my district in Brooklyn.

Established nearly three-quarters of a century ago, this organization has gained a worldwide reputation for the pioneering work it has performed in the field of work for the blind.

One of the first to explore the possibilities of magnifier lenses for persons with very limited vision, there has grown within the Industrial Home for the Blind an optical aids service which truly helps the blind to see again.

Those who suffer the double handicapping disabilities of blindness and deafness have received much attention from this highly esteemed Brooklyn institution. Great advances have been made to help these people—shut away from the sights and sounds of the world—to help them achieve a larger measure of fulfillment in their lives.

The Industrial Home for the Blind also maintains a corps of nearly a thousand volunteers who copy textbooks into braille for blind students of all ages and in all manner of educational institutions.

These are but a few of the activities and accomplishments of the justly famous Industrial Home for the Blind. It also provides a great diversity of other services and activities to sightless men, women, and children, not only in our part of New York City and State, but to blind persons throughout the world.

And the Industrial Home for the Blind about which I speak with such familiarity—for I have known of it as far back as I can remember—the Industrial Home for the Blind which I describe with so much hometown pride—is but one of many similar organizations situated throughout our land, serving blind people in their need, serving them as they strive to function without sight in our sight-structured society.

Financed in their good works by the charitable dollars of America's generous citizenry, these organizations have found it increasingly difficult to operate to the extent necessary to fully meet and satisfy their blind clients' requirements.

These organizations for the blind have felt the heavy burden of mounting costs, not the least of these being the charges imposed upon them as they comply with Federal, State, and local laws, standards, and requirements. And as costs have grown, so too has grown the number and nature of charitable organizations which compete for financial support from Americans.

Many of these enterprises in community kindness which serve the blind raise their funds by a mail appeal—and the increases we made in the postal rates last year have resulted in accelerated costs, in multiplying financial difficulties already threatening a curtailment of services to blind people.

In order to provide these very praiseworthy organizations with a measure of relief from their mounting costs, I have offered a bill, H.R. 97, to exempt them from paying the excise taxes levied upon them by the Federal Government.

My bill, as Federal law, would mean that these philanthropic associations and agencies would be able to make their always-insufficient funds go further in meeting the needs of blind people.

The proposal contained in H.R. 97 is not an effort to make a substantive change in our Federal tax law.

Adoption of my bill would not introduce into the Nation's tax structure a strange and different concept.

Nor would such an exemption from Federal excise taxes be a special privilege bestowed only upon this relatively small number of voluntary organizations operating in the communities of America to serve our sightless fellow citizens.

The exemption from excise taxes which I seek for organizations engaged in work for the blind is already available to educational organizations and institutions—it is available to many thousands of them.

So that my bill would not create a new benefit, but would extend an existing one.

And the extension of this exemption to nonprofit, voluntary associations and agencies serving blind people is consistent with existing law, is in full conformity with the purpose of the present provisions of law relating to exemption of organizations from excise taxes.

For the work of organizations serving blind men and women, blind youth and infants, is an educational activity in the real meaning of the term—for these organizations have as their reason for being the providing of training, counseling, tools, and devices—of providing educational services to blind people that they may learn to live fruitfully and fully, as active and independent participants in all aspects of our Nation's life.

Dallas High School Debate Team Defeats 117 Rivals in Tournament

EXTENSION OF REMARKS
OF

HON. BRUCE ALGER

OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 21, 1963

Mr. ALGER. Mr. Speaker, it is with great pride that I announce the victory of a debate team from Jesuit High School in Dallas last weekend in the National Invitational High School Cherry Blossom Tournament sponsored by Georgetown University. The Jesuit High School students, Rick Atkinson and Jim Turner, competed against 117 other high schools, public and private, representing 20 States. The debate topic was "That the United States Should Provide a Common Market for the Western Hemisphere." The Jesuit team took the affirmative side in the final debate, but debated both sides of the question in the course of the tournament. Jim Turner also won an award as third highest ranking speaker out of all the orators in the tournament.

Mr. Speaker, this achievement by a team representing one of our fine Dallas high schools is another indication of the fine record of Dallas County. It is natural for Dallas to lead. Our people have always prided themselves on getting things done and as a result we have one of the greatest metropolitan areas of the

Nation. Our achievements in industry, retailing, education, and cultural activities are a constant wonder to people everywhere. It always gives me great satisfaction to announce the achievements of Dallas people and to call attention to the fact that our progress as a community, in every field, is done through the efforts of our own people.

That success in scholastic achievement is not confined to one Dallas high school was stressed by Rev. Father Herlong, of Jesuit, talking of the friendly rivalry between the various school debate teams. He said the Dallas students have a close bond with one another. He told how this was demonstrated last year in an intercity debate in which Bryan Adams, a public high school, and Jesuit competed. Jesuit was declared the winner and when the announcement was made, the whole Bryan Adams team stood up and cheered. Father Herlong paid tribute to Bryan Adams as well as Garland High School and said they are both on a par with Jesuit and he feels that in last week's tournament they would have done as well and perhaps even better than Jesuit.

Incidently, on a personal note, Father Herlong is a distant cousin of our colleague, Congressman SID HERLONG, of Florida.

Report From Washington

EXTENSION OF REMARKS

OF

HON. VICTOR WICKERSHAM

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. WICKERSHAM. Mr. Speaker, February, the shortest month of the year, is usually one of the busiest and this one was no exception. With Congress and its legislative duties, Defense Department briefings almost every day, and important daily requests from constituents, your Congressman has been very busy.

At the invitation of the Secretary of the Air Force, I inspected six major Air Force commands to get a firsthand look at our defense structure. The tour included the defense nerve center at Omaha, Nebr., a SAC alert demonstration at Vandenberg, Calif., a visit to the Atlas missile training site where two crews from Atlas AFB were undergoing training, and NORAD headquarters at Colorado Springs. Seeing our defense systems in operation gives me confidence that the United States is more militarily secure than any time in its history.

I attended a series of high-level secret briefings by Defense Secretary McNamara, and, based on his statements, I am not worried about the future of the manned bomber. The manned bomber will always have its place in our defense structure.

Enclosed with this newsletter is a blue opinion card. In order that I may be aware of the desires of my constituents, please complete the card, apply a stamp, and mail it to me. This helps me to vote according to the wishes of those I serve.

Shortly after pro football star Norman Snead had been hired by the Peace Corps at a salary of $75 per day plus expenses, I protested the hiring. Two days later Corps Director Sargent Shriver announced that Snead would work for nothing, that his hiring had been a mistake. It was gratifying to receive so much mail commending me for my action. It came from 31 States and my own Sixth District. Economy in Government demands constant attention.

The United Nations will give agricultural aid to Cuba, it was recently announced. No U.S. money will be used, but I firmly stand opposed to the U.N. giving Cuba aid in any way, shape, or form until Russia removes its troops, guns, and other weapons. The United States should make no contribution to any United Nations fund which would be used in this manner.

Six Federal agencies plan to spend more than $157 million in the Sixth District during fiscal year 1964. Of this, more than $148 million will be for military installations. In February, two contracts totaling $1.7 million were awarded for construction at Fort Sill. Duncan's Halliburton Field was equipped with a new directional radio range, and a $118,000 loan was approved for Sterling for water and sewer works.

The Post Office Department deserves commendation. I often receive mail addressed simply, "VICTOR WICKERSHAM, Washington, D.C.," but this month I received a letter with the envelope addressed only to "U.S. Capitol, Washington, D.C." For faster processing, I urge constituents to at least put my name on the envelope. My address is 1421 New House Office Building, Washington 25, D.C. Remember, I am only as far away as your telephone. Anytime I may be of service, just phone, wire, or write.

Frank Vessels, Sr.

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. HANNA. Mr. Speaker, the Grim Reaper has moved in his inevitable and ruthless fashion and cut from the ranks of the living an outstanding citizen and personality of Orange County, Frank Vessels, Sr. The finger of tragedy has touched not only those near and dear to him but also those privileged to call him friend. Among the legion so privileged I count myself one.

It was my observation that Frank chose his friends because he respected them; not because he agreed with them. In turn he did not seek approbation but rather respect. He was a man who met life on its own terms neither giving quarter nor asking it. His was not the quality of diplomacy but rather the aggressive persistence of competition leavened by a high sense of sportsmanship. He fought hard for himself and his ambitions with effectiveness and with honor. He loved his family and was loyal to his friends. He spoke always with candor but seldom with rancor.

Frank Vessel's climb to success was "Operation Bootstraps." He was born September 22, 1898, at Elizabethtown, Ky. When he came to San Bernardino in 1921 he brought with him the traditional love of horses and the heritage of racing for the improvement of the breed. In that year he met and married Grace Hagey and to their union was born one son, Frank, Jr. After Frank Vessels had worked himself up from a roughneck in the oilfields of southern California to ownership of an oil construction company he purchased, in 1946, a 475-acre ranch at Los Alamitos and he went to work on the realization of his dream for a racecourse for the quarter horse breeders in the western United States. On Sunday, August 3, 1947, Frank held his first meet—a betless race for his friends and neighbors.

In December of 1951, the first racing with parimutuel betting was held at Los Alamitos and the purses were $50 put up by the horsemen themselves. Last year the same track held a futurity race with a purse of $205,000—the largest in the history of California racing.

Mr. Vessels is properly described as the father of quarterhorse racing in western United States. For 7 years he was president of the Pacific Coast Quarterhorse Association and past president of the Pacific Coast Quarterhorse Racing Association, and he is a past president of the American Quarterhorse Association. Besides his interest in racing Mr. Vessels has been a supporter of many charitable activities and he was the principal supporter of the Los Alamitos Youth Center. He has been often honored. In 1962 he was named Orange County "Man of the Year" by the Orange County Press Association. Only last week he was cited by the board of supervisors of Orange County for his outstanding work for charity and for youth.

He was a very successful businessman having interest in a number of construction companies in the oilfield construction, particularly. And besides being principal stockholder, chairman of the board, and founder of the Los Alamitos racecourse, he headed the Vessels Land & Development Co. and owned a western clothing store in Long Beach.

The passing of Frank Vessels, Sr., will leave a substantial empty place in the county and community in which he lived. That space will be for some time a vivid reminder of the big citizen who helped make the county what it is today. He gave it some of the character, color, and flavor that makes for identity and creates pride. Many are those who will miss the warm hospitality he extended to a wide range of acquaintances from every walk of life at the Vessels' ranch.

In the shadow of his recent departure it is almost an impossible task to express the sympathy which will match the grief his family now must bear. Our sincere condolences and deep regrets go to his warm and wonderful wife and to those members of his family whose loss transcends that felt by those not privileged this close relationship.

Voice of America's Loomis

EXTENSION OF REMARKS
OF
HON. CLARK MacGREGOR
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 21, 1963

Mr. MACGREGOR. Mr. Speaker, on February 8 the Voice of America dedicated a new transmitter facility at Greenville, N.C. This event has substantial significance in terms of increased capabilities of the U.S. Information Agency to perform the function assigned to it by Congress.

It also speaks well for the work of the Voice of America under its director, Mr. Henry Loomis, a man of dedication who has made real contributions to the program.

The new facility in Greenville has a total power capacity of 4,800,000 watts. This one facility doubles the shortwave power of all Voice of America facilities around the globe. It greatly strengthens our signal to the Voice of America relay stations in Europe, North Africa, and the Mediterranean. It enables the Voice of America to deliver a good signal from the United States to Moscow if necessary. This advantage will provide more strength to help overcome Soviet jamming of our broadcasts to the U.S.S.R.

The transmitter is the fruition of plans conceived and presented to the Congress in 1958 as a means to strengthen the Voice of America system to assure that the United States gets its message to the peoples of the world at least with technical clarity. It would matter little what we say if what we say cannot be heard.

This program has been executed by Henry Loomis, a valued career officer of Government who has provided leadership, stimulation, and sheer drive to attain this important goal.

Americans can now look with pride on the North Carolina facility in the knowledge that it has made the United States competitive with the rest of the world in this all-important aspect of the cold war.

Following is the letter addressed to Henry Loomis, Director of Broadcasting Service of the U.S. Information Agency, from Edward R. Murrow, Director of USIA, on the occasion of Mr. Loomis being given the USIA Award for Distinguished Service on February 8, 1963:

DEAR HENRY: Allow me to exercise the prerogative of the Director and speak, at one and the same time, on both my own and the U.S. Information Agency's behalf.

For both, I say you my thanks for the outstanding performance which has won you the Distinguished Service Award.

The plan which you evolved, and have since guided, for the modernization of the facilities of the Voice of America, has enabled this Agency to communicate with the peoples of the world with significantly increased effectiveness.

That this has involved so many facets of your leadership, that this has required a continuing and deep commitment of you, we are all aware. We are equally aware of this Government's and this Agency's indebtedness to you for a job superbly done.

The pride of accomplishment that must be yours is not your sole reward, for that accomplishment has won the esteem and gratitude of all of your colleagues.

And, on their behalf, I say again—congratulations.

Sincerely,

EDWARD R. MURROW.

What's Going on in New York State?

EXTENSION OF REMARKS
OF
HON. SAMUEL S. STRATTON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 21, 1963

Mr. STRATTON. Mr. Speaker, under leave to extend my remarks, I include two items which may be of interest to those who have been puzzled and confused by developments taking place in New York State.

One of them is an editorial by the distinguished editor of the Syracuse Herald-Journal, a paper that supported Mr. Rockefeller for reelection last year but which still has the courage to call a spade a spade.

The other is a press release recently issued by our colleague, the distinguished dean of the New York congressional delegation, Hon. EMANUEL CELLER.

The articles follow:

[From the Syracuse (N.Y.) Herald-Journal, Jan. 31, 1963]

LOOK WHO'S TALKING

(By Alexander F. Jones)

Speaking before the New York State Publishers Association, Governor Rockefeller was sharply critical of the President Kennedy record in Cuba.

"I am old fashioned enough to believe that no political leader has the right to fool any of the people any of the time, either by withholding legitimate public information, by false or misleading statements, or by managing the news," he said.

"There is a philosophy, all too popular in high places, that the public cannot be told the whole truth about the international situation because the people might panic—this is fundamentally and dangerously wrong because it grossly underestimates the intelligence of the American people, thus threatening the very foundations of democracy."

Governor Rockefeller should know all about such matters for he is presently engaged in one of the most arrogant and most shocking efforts in betrayal of his solemn promises that I have encountered in 50 years of political observation.

All during his campaign for reelection, Governor Rockefeller promised the people of New York he would hold the line on taxes—under no circumstances would he increase taxes.

Robert Morgenthau, Democratic opponent of the Governor, charged this claim was a specious one and that the Governor and his fiscal advisers were even then planning new special taxes.

This Morgenthau charge was widely discredited, including in this space, for Nelson A. Rockefeller had given his personal word on this matter.

But no sooner were the polls closed than reports started that special assessments would have to be made to balance the proposed budget.

I have waited until that budget was submitted to the legislature to be sure those reports were true. It appeared such a brazen betrayal of solemn promises it did not seem conceivable a responsible executive could be guilty of such perfidy.

But sure enough there is confirmation that the Rockefeller administration intends to assess automobile owners drastic increases in registration fees to raise some $48 million for budget balancing purposes.

It is the Rockefeller contention that this is not really a tax increase.

What is it then?

In fact, what is a tax?

My dictionary says it is a levy by Government on individuals and business organizations for the purpose of raising revenue.

The fact that not every citizen of New York would have to pay it is not an answer. No citizen has to pay every tax imposed by government—a noncarowner does not pay a gasoline tax or a nonsmoker a cigarette levy.

The increase in this automobile registration fee proposal is as much of a tax increase on more than 5 million automobile owners as any other State levy.

The great shock and disappointment in this development, to me, is not the tax money involved, although that is a considerable item, but in the man who makes it.

It brings up the question of who Nelson Rockefeller thinks he is to charge the President of not telling the American people the whole truth about Cuba? President Kennedy confessed his error.

What is Governor Rockefeller's own record in making solemn campaign promises on taxes and secretly planning to impose them?

So far as personal integrity is concerned just where does that leave him?

Could it be that the Rockefeller attack on President Kennedy is an effort to draw the attention of New York citizens away from his own perfidy—for perfidy it is.

With the record having been placed on the books where there can be no refutation of the fact, just how much faith should be put in future promises from the Albany executive mansion?

That is a question for every citizen to answer to his own satisfaction.

For me, the answer is my faith in the gentleman's political integrity is at an alltime low.

STATEMENT OF HON. EMANUEL CELLER, CHAIRMAN, HOUSE JUDICIARY COMMITTEE, FEBRUARY 11, 1963

Representative EMANUEL CELLER, chairman of the House Judiciary Committee and dean of the 20-member New York State Democratic delegation, today warned Governor Rockefeller not to let his personal ambition endanger U.S. interest as a world power. He accused Rockefeller of mouthing "partisan, political bunk" in recent forays outside New York.

Chairman CELLER's statement follows:

"Apparently Governor Rockefeller is already on the bandwagon for the Republican presidential nomination and he is following the usual pattern of opposing the administration's policy just for the sake of his party's obstructionism and his personal opportunism.

"His criticisms of the Kennedy tax proposal and the Kennedy foreign policy, far from being constructive, objective criticism, is pure partisan, political bunk.

"It is unfortunate that, during these parlous times when it is most difficult to shape foreign policy, the Governor would in a flamboyant way attack the President and make our interest as a world power tenuous, instead of stronger.

"He attacks President Kennedy's tax reduction plan, so urgently needed to give a fillip to our economy, whereas he in New York State, despite promises to the contrary, jacks up taxes, license fees, and college tuition.

"I am sure the American public is not going to be fooled with the Rockefeller kind of nonsense."

Civil Rights Bill

EXTENSION OF REMARKS

OF

HON. FRANK J. HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. HORTON. Mr. Speaker, I have introduced a civil rights bill today. This measure is identical to bills introduced by other Members of the minority, including the Republicans of the House Judiciary Committee.

The observance of Brotherhood Week seems to be a particularly fitting time for the introduction of a measure which would extend greater legal protection to a large body of American citizens.

This is a sensible bill and one that I feel should be enacted by this Congress. It offers a positive program to carry out the mandates of the 1960 Republican platform.

In presenting this bill, I would like to call attention to the Republican Party's record of action in the field of civil rights. It is our party which has spearheaded every major civil rights measure in the last century.

I think it is well to review the provisions of this legislation. The bill calls for permanently establishing the Civil Rights Commission. The Commission would be given additional authority to investigate vote frauds; instructing the Census Bureau to compile voting statistics from every State on the basis of race, color, and national origin, authorizing the Attorney General to institute action on behalf of a citizen denied admission to a nonsegregated public school, after the person complaining has exhausted his State's legal remedies; giving the Federal Government permission to offer technical assistance to States and localities to aid them in desegregating their public schools; creating a Commission on Equality of Opportunity in Employment discrimination by any business or union engaged in Government contract work; presuming that, if otherwise qualified to vote in a Federal election, citizens with a sixth-grade education have sufficient literacy.

Opportunity for education, for the right to vote, and for the right to a job without discrimination is a great American heritage. I urge all my colleagues who believe in the protection and preservation of these principles to support this bill and work for its passage.

"To Bigotry No Sanction" on Washington Stamp

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. ST. ONGE. Mr. Speaker, on Friday, February 22, this Nation will observe the birthday of its first President, the immortal George Washington. On that day we shall pay reverence to him and to his greatest of all achievements, the founding of this Nation.

I am today proposing a bill that would authorize the Postmaster General to redesign the 5-cent George Washington stamp, which is in wide usage at this time, in such a way as to incorporate the immortal words of our first President: "To Bigotry No Sanction." I believe this is a most appropriate time for bringing this proposal to the attention of Congress.

The full and exact wording of my bill is as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in order to emphasize this Nation's dedication to the dignity of man, the Postmaster General is hereby authorized and directed to have the 5-cent George Washington regular postage stamp redesigned so as to incorporate George Washington's immortal words, "To Bigotry No Sanction".

I think it is fitting and proper to imprint these words of Washington on the stamp bearing his likeness. They are just as timely and sound today, 173 years later, as they were when he first expressed them in 1790. The words "To Bigotry No Sanction" have become an integral part of the great American heritage of all times. George Washington's words were contained in a letter he wrote at the time to the Jewish community of Newport, R.I., after he had visited its synagogue, known as the Touro synagogue, which in our day has become a national shrine.

In that historic letter Washington pledged that "the Government of the United States gives to bigotry no sanction, and to persecution no assistance."

Those stirring words enunciate a basic moral and human principle upon which this Nation was founded, upon which it grew to greatness, and upon which it still flourishes nearly two centuries later as a free and independent nation. They emphasize that the American people are fighting for the dignity of man and the attainment of genuine understanding and peace among the nations of the world.

The Founding Fathers of our country recognized that tolerance and mutual respect are principles which are essential to growth, to the happiness and to the prosperity of a nation, if it chooses to wear the colors of democracy. It was for this reason that the first amendment, guaranteeing to the individual the rights of free speech and freedom of thought, of free conscience and the freedom to worship his God, was included in our Constitution.

What was so clear to the Father of our Republic 173 years ago, should be equally clear to us today. There is no justification of any sort for bigotry and intolerance, for persecution and discrimination, against any of our fellow Americans because of race, creed, color, or national origin. Such practices only tend to divide us and to create dissension among our own people at a time when the whole world, especially the oppressed nations suffering under Communist domination, looks to us for guidance and leadership.

It is no coincidence that the people of America honor and revere their first President, George Washington, as a man of integrity, wisdom, and vision. He was firm in his convictions that there was no room for the bigoted and the biased in a land that was being built as a haven of life, liberty, and the pursuit of happiness. Thus, religious discrimination and any form of bigoted conduct are inconsistent with Americanism in its purest sense, as expressed by George Washington.

Mr. Speaker, redesigning the Washington stamp to incorporate his famous phrase "To Bigotry No Sanction," would mean rededication to a fundamental American principle of human dignity and decency. This stamp with Washington's stirring words engraved on it would circulate throughout the land and to many other lands, and would serve to prove to people everywhere that we continue to honor our first President and the great principles for which he stood.

"To Bigotry No Sanction," George Washington's early admonition to his countrymen, is truly prophetic in the light of human events of our times. These words will be forever associated with his name. I, therefore, urge Congress to adopt this legislation and thereby authorize the Postmaster General to take appropriate action to have them inscribed on the Washington stamp.

Lithuanian Freedom

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. DONOHUE, Mr. Speaker, on last Sunday, February 17, 1963, exercises were held, attended by more than 600 persons, representing 36 Lithuanian groups, in the Church Hall of Our Lady of Vilna Parish, in Worcester, Mass., commemorating the 45th anniversary of Lithuanian Independence Day.

Honorary cochairmen of the meeting were the Reverend John Bakanas, administrator of St. Casimir's Church, and the Reverend Michael F. Tamulevicius, administrator of Our Lady of Vilna Church; the chairman of the program committee was Mr. Vytautas Macys, and the vice chairman was Mr. Charles V. Jonaitis.

The Reverend Vaclovas Martinkus, of Providence, R.I., a priest who spent many years in both free and occupied Lithuania, spoke to the gathering.

The meeting adopted resolutions thanking the U.S. Government for supporting the cause of Lithuanian independence and urging action to stop the colonization of Eastern Europe by the Soviet Union.

It was my privilege, in company with Anthony J. Miller, Esq., a prominent attorney in our area of Lithuanian descent, to address the meeting.

I have been requested to include here a copy of the resolutions that were adopted, as well as the addresses delivered by myself and Mr. Miller, and they follow:

LITHUANIAN RESOLUTIONS

Having assembled at Our Lady of Vilna Parish Hall, Worcester, Mass., on February 17, 1963, to commemorate the 45th anniversary of Lithuanian Independence Day, the members of the committee, as well as the members of both Lithuanian parishes in Worcester, St. Casimir's, and Our Lady of Vilna, and of Lithuanian-American community of Worcester, comprising in all 36 Lithuanian groups, unanimously adopted and passed the following resolutions:

"Whereas the people and the Government of the United States believe in inalienable principles of individual and national freedom and dignity as enunciated in our Declaration of Independence, the Constitution of the United States, the Atlantic Charter, and the Charter of the United Nations; and

"Whereas the Soviet Union, in pursuance of secret agreement between Stalin and Hitler in 1940, invaded, occupied, and subjugated three independent Baltic States: Lithuania, Latvia, and Estonia; and

"Whereas Soviet occupational forces—Red army and secret police—have conducted and continue to conduct an elaborate plan of genocide, aiming at destruction of the peoples of these three Baltic nations by executions and mass deportations to remote regions of the Soviet Union; and

"Whereas the Soviet Union through her representatives in the United Nations and at other international forums has been posing as the protector of all subjugated peoples, especially former colonies in Africa and Asia: Therefore be it

Resolved, That we, the Americans of Lithuanian descent in Worcester, do hereby express our gratitude to the Government of the United States of America for its support of Lithuania's cause for freedom and for its refusal to recognize the occupation and illegal annexation of Baltic States—Lithuania, Latvia, and Estonia—by the Soviet Union; and

Resolved, That we, Americans of Lithuanian descent, are determined and united to uphold the efforts of the Lithuanian people to regain their liberation and national independence; and

Resolved, That the Government of the United States approve or endorse no agreement which would in any manner accede to the outgrowth of any past, present, or future Soviet aggressive action; and

Resolved, That the Government of the United States take appropriate steps through the United Nations and other channels to stop the Soviet Union's policy of colonialism in Eastern Europe and to force the Soviet Union to withdraw its occupational forces from the Baltic States; and

Resolved, That the copies of these resolutions be forwarded to the President of the United States, His Excellency John F. Kennedy; to the Secretary of State, the Honorable Dean Rusk; to the U.S. representative of the United Nations, Ambassador Adlai Stevenson; to the U.S. Senators of Massachusetts, the Honorable Leverett Saltonstall and the Honorable Edward M. Kennedy; the Representative of the Fourth Congressional District of Massachusetts, the Honorable Harold D. Donohue, and to the press.

VYTAUTAS MACYS,
Chairman.
VIOLITA MATULEVICIUS,
Secretary.

SPEECH OF CONGRESSMAN HAROLD D. DONOHUE ON LITHUANIAN INDEPENDENCE, FEBRUARY 17, 1963

As a neighbor and friend, and as your Representative in the U.S. Congress, I feel honored again to join you in your annual ceremony commemorating the birth of the Republic of Lithuania on February 16, 1918. That memorable day marked the end of over a hundred years of suffering by the Lithuanian people under a hostile foreign rule.

For the next 22 years until June 15, 1940, Lithuania was a free and self-governing country. On this occasion, I think it most fitting that we remind ourselves and the world of some of the accomplishments of the Lithuanian people in this comparatively short period.

During these 22 years the number of primary schools was increased from 677 to 2,696. Over 100 secondary schools were constructed, and more than 4,000 advanced students were enrolled in the University of Kaunas.

Every city of Lithuania of more than 5,000 inhabitants supported opera seasons and gave all who wished a chance to hear the world's greatest operas and artists. Throughout the country there were special schools for music, art, and the ballet. Industry and commerce reached heights never before attained in a country of such small population, which at the time was 3 million. Practically everyone with any ambition owned his own home or his own farm.

In brief summary, this is the remarkable record of the people and the Government of Lithuania in the 22 years of their freedom and independence. However, that glorious record was suddenly and cruelly terminated on June 15, 1940, when the Soviet Union violated all of its treaty commitments with Lithuania and the Communist Red army moved in to dominate the country and its people.

When we briefly recall the past heroic history of Lithuania and her brave people, we can easily understand why she will and she must with our help and the help of God regain her freedom.

In going back into that history we find that when the Tartar hordes came out of the east attempting to overwhelm all of Europe, the Lithuanians organized and hurled back the brutal invaders.

Again, when the Huns and Germanic tribes came from the west, with threats against their freedom, the Lithuanian people bravely rallied again and made the enemy retreat. Truly, the Lithuanians have been a vital force for freedom in Europe, and their descendants coming to this country, numbering well over a million, have made a tremendous contribution to the preservation of American liberty. As one who has lived among Lithuanians throughout my life, I can personally testify to that fact.

We are certain, therefore, from the past history of the Lithuanian people, that although they may be persecuted and their land devastated, the courageous soul and spirit of their great nation lives on.

The basic characteristic of the Lithuanian people is devotion to freedom, and that characteristic is indestructible.

Today, on the 45th anniversary of the independence of this valiant country, we extend our message of hope to the people of Lithuania, realizing notwithstanding that it is not enough to just offer hope, we must show them that we are as resolute as they are in the fight against the Communist enemy.

As long as we keep alive the shameful truth about Communist treatment of Lithuania, we keep alive the hopes of the Lithuanian people for eventual freedom and independence.

Let us remember that a tyrannical regime founded on falsehoods and terror cannot last, because it sows the seeds of its own destruction.

May we pray that the divine providence will speed that day of destruction of Communist tyranny in Lithuania and that a new day of freedom will dawn, and that its people will enjoy liberty and peace and take its rightful place among the free nations of the world.

ADDRESS OF ANTHONY J. MILLER, ESQ.

As an American citizen of Lithuanian descent, I am particularly proud and privileged to join with our good Congressman, HAROLD DONOHUE, in this program commemorating the 45th anniversary of the declaration of Lithuanian independence.

While this occasion necessarily reminds us that Lithuania is today suffering under the cruel hardships of Communist Russian imperialism we are not speaking here with any thought whatever of giving up the fight or abandoning hope that our native Lithuania and her good people will eventually be freed.

We are, rather, conducting this ceremony in order to voice our righteous protest against Communist tyranny and to exert our best efforts in giving heart to our courageous Lithuanian people for the continuation of their brave struggle against the Russian dictator. Our confidence for the future of Lithuania is based in great part upon our knowledge of her past history.

Although we are sad about the current situation in Lithuania we have no cause to despair. Repeatedly, through her history, our people have proved they can, and they will, eventually overcome the temporary tyranny of any oppressor.

The Christian faith, which in 1399, defeated the Tartar invasion and saved all Europe from barbarism is still with her today. It gives her people the spiritual vigor to outlive any dictatorship. You and I know that deep in the heart of every Lithuanian is a passion for liberty and freedom which can never die. You and I are also aware that there is no power than can forever enslave a people who are determined to be free.

We further realize that the principle of political independence enunciated in the declaration of the United Nations and the Atlantic Charter is a hollow mockery in the present suppression of the Lithuanian people. Lithuania is now undergoing terrible hardships at the unholy hands and under the iron heel of the dictators of atheistic communism.

That is why we here and other Lithuanians throughout the country and the world are gathered, at this time, to renew our vow to persevere in working for the independence of our homeland. Here in this great Nation I earnestly believe that most of our fellow Americans are becoming increasingly concerned about the present fate of Lithuania, which stands in accusing testimony to our failure to live and act according to the principles for which Americans have fought and died in two World Wars.

World War II was fought with the clear understanding and purpose that common victory would bring restoration of self-government and territorial integrity to the suppressed nations of the world. Can anyone conceive of these objectives being achieved until that solemn pledge has been carried out?

The larger world powers, including this country, are not fulfilling their highest obligations as long as peaceful and freedom-loving peoples are permitted to be cruelly dominated by Russian dictatorship.

The case of Lithuania, and the other small nations, under Communist terror, is a challenge to the moral conscience of this Nation and the United Nations to reestablish the great basic principles of freedom and liberty for all peoples. In simple justice, all free nations must continue to insist that the Lithuanian people are permitted their inalienable right to govern their internal existence as they themselves see fit.

On this occasion we ourselves must be rededicated to the persevering revelation and presentation, to the world, of the facts and the truth about oppressed Lithuania so that the United Nations will accept and carry out the full moral and humanitarian responsibility of restoring the independence of Lithuania.

In this cause I know we will continue to have the complete support of our fellow Americans and all freedom-loving people throughout the world. I am sure they will join in our efforts and our prayers that our homeland may soon be free to live again in the spirit of her ancient motto—"Be What May, Lithuania Will Always Stay."

Address by the Honorable Hale Boggs, of Louisiana

EXTENSION OF REMARKS

OF

HON. GILLIS W. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 21, 1963

Mr. LONG of Louisiana. Mr. Speaker, it is indeed a pleasure for me to call to the attention of my colleagues in the House the splendid speech delivered by one of the Democratic leaders of the House, the Honorable Hale Boggs, our party's majority whip, yesterday to a capacity audience at the National Capital Democratic Club at the Sheraton-Carlton Hotel.

I have known Hale Boggs for many years, and I have always had the highest regard for him and for the service he is rendering to our country. His dynamic, forceful, and positive speech this week demonstrated more than my own words can express just what a superb whip he is for the Democratic Party in the House and what a dedicated public servant he is to the United States. What impressed most about his address was its constructive and positive tone, and its optimistic outlook for the future of this great country of ours. Hale Boggs has always been a positive leader in the House, one who looks with expectation, hope, and optimism on the future development and growth of America. He, like the late Speaker Rayburn, has faith in the future of our country, faith in our young people who are growing to adulthood today, faith that they will continue to carry the mantle with courage and strength for freemen everywhere. In short, Mr. Speaker, Hale Boggs is the kind of leader which the United States needs to keep our country strong, and to guard her against any attempted encroachments by the Sino-Soviet system on our freedom and our democratic way of life.

Unlike some persons in responsible posts in our Government today, Hale Boggs does not, and never has taken, the pessimistic, negative approach to the many grave problems which face the United States as the leader of the free world. The thoughts he expressed so eloquently in his speech last Wednesday are dynamic proof of the strong character and nature of this man.

I am proud to serve with Hale Boggs—he is a great credit to his district in Louisiana; he is a credit to our State and to the United States, and among the leaders of the free world, he is held in high esteem by all who know him or know of his reputation.

Therefore, Mr. Speaker, under unanimous consent, I insert in the Congressional Record the highlights—paraphrased—of Congressman Boggs' address to members and their guests at the National Capital Democratic Club:

GIST OF SPEECH BY HON. HALE BOGGS BEFORE THE NATIONAL CAPITAL DEMOCRATIC CLUB, FEBRUARY 20, 1963

"We are in the process of welding together the Democratic Party as a national party," Congressman Hale Boggs began his speech last Wednesday.

"In the 87th Congress, we won many crucial votes, and enacted several pieces of legislation, without much support from the Republicans. We did not have to compromise, or beg them to vote with us," he said.

The Louisiana Congressman stated that the country will see more of this (i.e., Democratic unity) in the 88th Congress. We are going to pass a constructive program, despite the fact that we will get more harping from the Republicans than last year.

Boggs declared that President Kennedy and Vice President Johnson are dedicated to maintaining and preserving the integrity and the strength of our country.

He cited the fact that this Democratic administration has enacted more constructive legislation for the benefit of the growth and proper utilization of our natural resources than any other administration in the past three decades. Boggs noted the authorization of three new seashore parks as national parks: One in Texas, another in California, and the third in Massachusetts.

The Congressman also pointed to the Fryingpan project, the San Juan project, and the water and air pollution legislation as further examples of constructive legislation.

He said that rivers and harbors projects are moving ahead, are progressing at a phenomenal rate; he talked of the great value of the Atchafalaya Basin project, which is maintaining the Mississippi River on its present course, and thus averting disaster for the ports of New Orleans, Baton Rouge, and the entire lower Mississippi Valley.

For the first time, Boggs pointed out, our country is experimenting in a serious way with converting saline water into fresh water, and noted that this will mean so much not only to the people of our Nation, but to those of all the world.

The Public Works Acceleration Act of 1962 was passed by a Democratic vote in the closing days of the 87th Congress, he stated; thus far, subdivisions of the State of Louisiana have filed applications for these funds totaling $120 million, and a total of $2 billion has been applied for by political subdivisions in the 50 States of the Union.

To the charge that the Democratic Party, and this administration, is antibusiness, Boggs cited the pending case of a proposed merger between the Eastern Airlines and American Airlines, and pointed out that the Justice Department is not opposed to this merger, but rather the other competing airlines are opposed to it. "Is this antibusiness?" he said.

This administration is totally and completely dedicated to the strengthening of the free enterprise system; the Federal Government has a big stake in the success of business, he added.

He then cited a Wall Street Journal story of February 20, in which so many industries, including the railroads, the airlines, the farm equipment companies, and others, had increased their volume of business and their profits by great percentages in the fourth quarter of 1962, as compared to the last quarter of 1961.

Despite this growth, Boggs said, this administration feels that our country's business and industry should do more in terms of economic growth and development.

Of our Nation's proposed budget for defense and space fiscal 1964, Boggs said that he would agree to a cut of these budgets to some degree if this could be done without harming the safety of the United States and the free world; however, he stated that he doubted any cuts could be made in these areas. The Republicans' suggestions in this area are inconsistent because some of them are calling for cuts in the defense budget, and at the same time, they are demanding "action" (implying military action) with regard to Cuba.

He noted that the Republican administration under President Eisenhower had depended solely on a nuclear deterrent defense of our country; that if the United States were going to enter war, it must be a nuclear war, with full nuclear retaliation. He said this Democratic administration has a substitute—an alternative—for our nuclear deterrent, and that has taken the form of highly trained, skillful guerrilla troops, many of whom are fighting in Vietnam today and doing a superb job there. In the space arena, Boggs declared that if the United States would announce that we were abandoning the space race, we would lose our leadership of the free world, and the Soviet Union would conquer us and the free world with ease.

Today the United States has 190 million people, and we are growing at an annual rate of approximately the same number of people as are now living in my State of Louisiana—i.e., more than three and a half million people. Each year our economy must be dynamic enough, aggressive enough, to absorb into the labor force about 3 million new workers. Today, in the sugarcane fields of Louisiana, 1 man-hour is equivalent to about 43,000 man-hours in southeast Asia—and this is due to the great technological advance we have made in the use of all kinds of farm equipment and machinery.

Furthermore, BOGGS pointed out, the rice industry in Louisiana is conducted almost entirely with machinery, and very little labor.

In the educational field, BOGGS stated that the education of the Nation's youth should be a joint responsibility—that it is a major enterprise of the Nation. In today's world, you cannot compete in the realm of space, engineeering, sciences of all kinds, without a thorough education.

With regard to the Peace Corps, our young people have transferred the innate idealism of our country to the peoples of nations all over the world. He promoted the creation of the Youth Conservation Corps, the National Service Corps, the proposed program for mental health and retarded children, and others.

"This is not a (tax) program to increase deficits, but one to decrease deficits," BOGGS declared of the administration's tax proposals.

He cited our Nation's deficits of today as: The more than $50 billion in unused industrial capacity; the more than 5 million men who are unemployed.

The Louisiana Congressman averred that if we properly utilize the unused capacity in our country (i.e., industrial and labor capacity), coupled with lower taxes, we will stimulate the economy, and produce more revenue and greater profits, thus producing more revenue to operate the Federal Government. He cited the huge Eisenhower deficit in fiscal 1959—about $13 billion—and explained how it happened. By permitting the individual consumers, and the corporate taxpayers to have more money to spend and to invest, the economy will grow, and more jobs, greater payrolls, etc., will result. This moderate program by the Democratic administration is basic fundamental free enterprise doctrine.

To do as the Republicans suggest, and cut spending drastically, would in fact depress the economy, and the country would be faced with higher deficits, BOGGS stated.

He said the investment tax credit of 7 percent, enacted last year (1962) already has stimulated industry, and has helped the economy.

"I am proud to work with the President, and for him, and I don't apologize for it anywhere in the United States," BOGGS added.

The Democratic Party will continue to be the party of action—the party that gets things done for our country. The fundamental concept of the Democratic Party is that our country must continue to move forward, and I assure you that our party will do just that.